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Congressional Record

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SENATE

TUESDAY, MARCH 27, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God of pity and mercy, we cry to Thee from an earth where mothers are weeping for their sons treading the dusty way to death, where fathers blinded by tears sift the rubble once their homes to find the broken bodies of their children. Out of tragedy which sickens and saddens we see man's inhumanity to man at its worst, in heartless cruelty that sweeps the world with fire and destruction. But in this hallowed moment we know that when man has done his worst he must still reckon with Thee. We remember that once hate did its worst with hammer and nails and spears, and that from two beams of wood the gentle Victim reached out His pierced hands for a scepter of might and majesty. Open Thou the eyes of our understanding to that sign by which alone we can conquer. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, March 26, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a joint resolution (H. J. Res. 142) providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives, in which it requested the concurrence of the Senate.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Barkley	Burton
Austin	Bilbo	Bushfield
Bailey	Brewster	Byrd
Ball	Bridges	Capper
Bankhead	Briggs	Chavez
Connally	La Follette	Saltonstall
Cordon	Langer	Shipstead
Donnell	Lucas	Smith
Downey	McCarran	Stewart
Ellender	McClellan	Taft
Fulbright	McFarland	Taylor
George	McKellar	Thomas, Okla.
Gerry	McMahon	Thomas, Utah
Guffey	Maybank	Tobey
Gurney	Millikin	Tydings
Hart	Moore	Vandenberg
Hatch	Morse	Wagner
Hayden	Murdock	Wheeler
Hickenlooper	Murray	Wherry
Hill	O'Daniel	White
Hoey	O'Mahoney	Wiley
Johnson, Calif.	Pepper	Wilson
Johnson, Colo.	Radcliffe	Young
Johnston, S. C.	Reed	
Kilgore	Revercomb	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Louisiana [Mr. OVERTON], the Senator from Georgia [Mr. RUSSELL], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent.

The Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from New York [Mr. MEAD], the Senator from Washington [Mr. MITCHELL], and the Senator from Delaware [Mr. TUNNELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Massachusetts [Mr. WALSH] is absent on an inspection trip for the United States Navy.

The Senator from Pennsylvania [Mr. MYERS] is absent from the Senate on public business.

Mr. WHERRY. The Senator from Michigan [Mr. FERGUSON] is absent on official business of the Senate as a member of the Special Committee to Investigate the National Defense Program.

The Senator from Delaware [Mr. BUCK], the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. HAWKES], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Idaho [Mr. THOMAS] are necessarily absent.

The Senator from Illinois [Mr. BROOKS] and the Senator from Indiana [Mr. WILLIS] are absent on official business of the Senate as members of the committee attending the funeral of the late Representative Hon. James V. Heidinger, of Illinois.

The VICE PRESIDENT. Seventy-three Senators having answered to their names, a quorum is present.

DEATH OF DAVID LLOYD GEORGE

Mr. BARKLEY. Mr. President, I wish to call attention to the death yesterday of one of the world's great citizens, in the person of David Lloyd George. I feel it especially appropriate that the Senate should pause for a moment to mourn the death of this great man, because in his public life and in his character he represented so much that is dear to us in human liberty and in the liberal outlook of legislative bodies upon the welfare of the people.

Mr. Lloyd George was elected to the House of Commons in 1890. I believe he served without interruption until the day of his death on yesterday, a period of more than 54 years. I have not looked into parliamentary history in England to ascertain whether his was the longest continuous service ever rendered by any member of the British Parliament in the history of England, but I have a vague feeling from something I read recently that no one else ever excelled him in length of service. Certainly no one ever excelled him in the magnitude of the work which he did and the contribution which he made, not only to the thought and the history of his own country but to the history of political development, political liberties, and freedom of thought and action throughout the world.

Mr. Lloyd George came from the ranks of the common people. All his ancestors, or most of them, were farmers. He died among the scenes of his youth and boyhood. Not only was he born amid the rural scenes of Wales, but he never departed from the atmosphere of agriculture, and he never deviated from his loyalties to the common man.

If there had been no World War his stature in English history would have been large, but in view of his part in the World War, which devastated large portions of Europe and involved many of the nations of the world a quarter of a century ago, it seems to me not too fulsome praise to say that David Lloyd George will go down in history as one of the greatest of the many great prime ministers of England.

Mr. President, it was my good fortune to visit Mr. Lloyd George for an hour in 1930 when I was on a trip to London. I never came in contact with a more fascinating man. I never came in contact with a man of greater alertness of mind, keener perception, and broader vision, and while an hour's discussion with any man does not give an adequate picture of his mental processes, I came away from that interview with a better and more thorough understanding of what it was

that made Lloyd George great. In that brief period I acquired almost an education in matters in which I was interested and which he was free to discuss.

I am sure I speak the sentiments of the Senate and of the American people, if I may assume to say so, when I express profound regret at the news of Lloyd George's death at the age of 82, and at the same time deep appreciation and gratitude for the magnificent example which he set before the statesmanship of the world in serving mankind as a whole.

Looking into the future I feel that the historians who will chronicle and record the life, not only of this great man but the times in which he lived, must carve out for him a permanent place among the foremost leaders of the world. I, myself, shall always retain the memory of his great acts and the notable service and the inspiring leadership which he contributed not only to his own country but to liberal thought everywhere on earth.

LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

RECEIPTS AND EXPENSES IN CONNECTION WITH USE OF TRAILERS AT MURPHY AND FONTANA DAM, N. C., AND PARSONS, TENN.

A letter from the general manager of the Tennessee Valley Authority transmitting pursuant to law, a report of receipts and expenses in connection with the use of trailers at Murphy, N. C., Fontana Dam, N. C., and Parsons, Tenn. (with an accompanying report); to the Committee on Appropriations.

REPORT OF BOY SCOUTS OF AMERICA

A letter from the chief scout executive of the Boy Scouts of America, transmitting, pursuant to law, the thirty-fifth annual report of the Boy Scouts of America for the year 1944 (with an accompanying report); to the Committee on Education and Labor.

PERSONNEL REQUIREMENTS

Letters from the Under Secretary of the Interior, the Administrator of the National Housing Agency, and the vice president of the Panama Railroad Company, transmitting, pursuant to law, personnel requirements for the quarter ending June 30, 1945, for their respective Department and offices (with accompanying papers); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of Wisconsin; to the Committee on Military Affairs:

"Senate Joint Resolution 28

"Joint resolution memorializing Congress to make Camp McCoy a permanent military camp

"Whereas the national defense of this country and the maintenance of international peace will require the United States to maintain a program of military training vitally affecting the youth of this country; and

"Whereas it is desirable that such training be conducted in surroundings that will afford high moral and health conditions for personnel, suitable terrain, transportation, and opportunities for various types of training at a reasonable cost; and

"Whereas Camp McCoy, situated near the Nation's center of population, has a varied terrain of vast flatlands, rugged hills, forests, watercourses, and natural barriers, consisting of 61,000 acres and adjoining 90,000 acres owned by the Federal Government and suitable for military-training purposes; and

"Whereas training facilities are provided for the heaviest artillery, tank combat, machine gun, and various other types of combat under both summer and winter conditions; and

"Whereas transportation service to this camp is excellent and provided by two railroads through the camp, rendering high-speed streamliner passenger service and fast freight to Chicago and St. Paul and Minneapolis, and by Federal highways suited for heavy traffic, all enabling the expeditious movement of personnel and equipment; and

"Whereas the physical equipment consists of modern barracks suitable for housing 60,000 men, an extensive water-distribution system with an abundant supply of water, modern extensive sewerage system, hospitals, supply depots, administration buildings, and sundry buildings and equipment, all having a useful expectancy of at least 30 years; and

"Whereas the health and moral conditions of Camp McCoy are excellent, because of the climate, drainage, and the location of the camp far from metropolitan areas and the camp having one of the lowest venereal-disease rates of any camp in the Nation, and benefiting by close cooperation between Federal, State, and municipal health and law-enforcement authorities; and

"Whereas all other requirements essential to the proper development of youth, such as recreational facilities, theaters, libraries, clubs, attractive natural surroundings, and high moral standards are provided by Camp McCoy and the friendly adjacent communities: Now, therefore, be it

"Resolved by the senate (the assembly concurring), That the Legislature of Wisconsin respectfully memorialize the President, Congress, and the Secretary of War of the United States to take such action immediately, as shall be necessary to establish Camp McCoy as a permanent military training reservation; be it further

"Resolved, That properly attested copies of this resolution be sent to the President of the United States, the Secretary of War, to the commanding general of the Sixth Service Command, to both Houses of Congress, and to each Wisconsin Member thereof."

A concurrent resolution of the Legislature of the State of Iowa; to the Committee on Foreign Relations:

"House Concurrent Resolution 18

"Whereas it is important that peace of the Allies be a just, firm, practical, and lasting peace; and

"Whereas the youth of our Nation has been tested physically, mentally, and morally, and found competent; and

"Whereas the youth of our Nation are most concerned because of their age, the age of their families, and the problems confronting them; and

"Whereas in every war it is the youth who shoulder the arms and give their blood and lives, and know the horrors of war, the beachheads, pill boxes, and sacrifices; and

"Whereas these men who have given so much of their lives and time to our public welfare and have the interests of their country and the philosophy of our republican form of representative government at heart: Therefore be it

"Resolved by the house (the senate concurring), That the Fifty-first General Assembly of the State of Iowa respectfully requests that the Congress of the United States and the President of the United States, immediately take the necessary steps to provide for a qualified representation of young men and women of the military forces of World War No. 2, who have seen active service on the foreign battlefields, to serve as members of the commission or delegation representing the United States of America at the peace table and that they have an active voice in determining the peace policies of the world. The members of the armed forces have served us all and we know would serve us well in really establishing a just and lasting peace; and it is further

"Resolved, That the chief clerk of the house be instructed and authorized to send copies of this resolution to the Iowa Representatives and Senators in Congress and to the President of the United States, and Vice President of the United States, and the Speaker of the House of Representatives in Washington, D. C."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Territories and Insular Affairs:

"House Joint Memorial 5

"To the honorable the Congress of the United States:

"Your memorialist, the Legislature of the Territory of Alaska in the seventeenth regular session assembled, does most respectfully submit that:

"Whereas the widespread prevalence of tuberculosis in Alaska constitutes the major health problem confronting the Territory; and

"Whereas the Congress of the United States, through Public Law 410, Seventy-eighth Congress, has authorized to be appropriated sufficient funds to establish and maintain adequate measures for the prevention, treatment, and control of tuberculosis, through grants-in-aid to States and Territories:

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, in seventeenth regular session assembled, respectfully petitions that the Congress of the United States take cognizance of the fact that the mortality rate from tuberculosis is approximately seven times greater in Alaska than it is in the continental United States, and provide for adequate funds to be made available immediately to the Territory of Alaska to establish and maintain an effective tuberculosis control program.

"And your memorialist will ever pray.

"Approved by the Governor, March 13, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

Petitions of sundry citizens of the United States, praying that Italy be recognized as a full ally of the United Nations; to the Committee on Foreign Relations.

A letter in the nature of a memorial from James R. Allen, of Wilmington, Del., remonstrating against the enactment of legislation extending the Selective Training and Service Act for another year; to the Committee on Military Affairs.

A letter in the nature of a petition from E. V. Pease, of Fond du Lac, Wis., praying for the confirmation of the nomination of Aubrey W. Williams, to be Administrator of

the Rural Electrification Administration; ordered to lie on the table.

By Mr. TYDINGS (for himself and Mr. RADCLIFFE):

A joint resolution of the Legislature of the State of Maryland; to the Committee on Naval Affairs:

"House Joint Resolution 3

"Joint resolution by the Maryland General Assembly congratulating the United States Naval Academy on the approaching one hundredth anniversary of its founding, and expressing the hope that the present Naval Academy will be expanded to meet any further need by the Navy for officer personnel

"Whereas the United States Naval Academy, the home of naval officers, will on October 10, 1945, attain the one hundredth anniversary of its founding at Fort Severn, in Annapolis, Md.; and

"Whereas the State of Maryland shares the Nation's deep appreciation of the achievements and accomplishments of the United States Navy, and is warmly sensible to the essential part played in such achievements and accomplishments by the Naval Academy in its century's service of training the officers of the United States Navy; and

"Whereas the State of Maryland esteems the decision of the many Naval Academy men electing to become legal residents of Maryland, some commencing as midshipmen and continuing as officers with their families when in duty residence, and frequently consummated by their adoption of the State for permanent residence at the time of retirement from the United States Navy, with the result that the State has gained in these citizens valuable leadership, experience, and cosmopolitan views and knowledge, all in keeping with the highest standards and traditions of Maryland; and

"Whereas the State of Maryland enjoys the most cordial and cooperative relations with the administration of the United States Naval Academy and with the regiment of midshipmen; and

"Whereas it is the sense of the General Assembly of the State of Maryland that to establish supplemental institutions apart from the century-old home of the Naval Academy in order to provide increased needs for naval officers, as has been proposed, would, by competitive and extraneous influences, rend the common heritage of naval officers, the tradition of Annapolis brotherhood; and

"Whereas it is the conviction of the General Assembly of the State of Maryland that there is available in Annapolis, Md., contiguous to the present reservation, adequate areas to accommodate expansion of the United States Naval Academy to a dimension that will permit the training of sufficient officers for the post-war Navy: Now, therefore, be it

"*Resolved by the Senate and the House of Delegates of the General Assembly of the State of Maryland*, That the most sincere congratulations be extended by the State of Maryland to the United States Naval Academy on this the occasion of its centennial, together with an expression of the convictions that the accomplishments of the future will equal those of the Naval Academy's glorious history, and that the cordial spirit characterizing the State relations with the Naval Academy will continue through the years; and be it further

"*Resolved*, That it is the conviction of the General Assembly of the State of Maryland that facilities for the training and education of such additional officers as the United States Navy may need can, and should, be established, with obvious spiritual and economic advantages, by expansion of the United States Naval Academy at Annapolis, Md., where it was founded and where, in the century being rounded, it already has expanded many times; and be it further

"*Resolved*, That this resolution be spread upon the journals of the senate and house of delegates, that copies be presented the Superintendent of the Naval Academy, the Secretary of the Navy and the Senators and Representatives of the State of Maryland in the Congress of the United States, and that by this resolution the State of Maryland delegations in the Senate and House of Representatives of the Congress are petitioned to lend every aid to the retention of the Nation's one Naval Academy in Annapolis, Md."

By Mr. WHEELER:

A joint memorial of the Legislature of the State of Montana; to the Committee on Commerce:

"House Joint Memorial 1

"Joint memorial of the House of Representatives and Senate of the State of Montana, to the President of the United States, the Honorable Harold L. Ickes, Secretary of the Department of the Interior, the Congress of the United States, United States Senators B. K. WHEELER and JAMES E. MURRAY, Representatives MIKE MANSFIELD, all of Washington, D. C., opposing the establishment of a Missouri Valley authority, so far proposed or any similar delegation of governmental power and requesting that the Missouri Basin development and operation of such development be carried on by the United States Army engineers and the United States Bureau of Reclamation under such plans of unified or joint representation as may be decided by Congress

"Whereas there has been and is proposed legislation in the Congress of the United States which would create a so-called Missouri Valley Authority covering the waters of the Missouri Basin; and

"Whereas the waters of such Missouri Basin originate in and adjacent to the State of Montana, and such waters are of vital importance and necessary to the stabilization of the agricultural and livestock industries of this State, and to the welfare and prosperity of the inhabitants thereof; and

"Whereas such Missouri River Basin waters are of great value to the welfare and prosperity of the people of Montana because such waters should be used for the production of cheap and plentiful hydroelectric power for use in rural electrification projects and industry to the end that Montana may enjoy the benefits of such power by increasing agricultural and industrial production, thereby furnishing employment and providing homes and business enterprise for our returning soldiers; and

"Whereas the fact of the importance of such waters to the people of the State of Montana, and to the welfare and prosperity of said State has long been recognized with the consequences that studies relating to the proper utilization of soil and water resources have been made by the United States Bureau of Reclamation and by the United States Army engineers, and such plans have been coordinated in detail following such studies, which plans would result in great benefit to the people of the State of Montana from the standpoint of the use of such waters for the purposes of agriculture and great benefit would result to the inhabitants of States within the basin by reason of flood control and navigation which would follow such proposed development; and

"Whereas, said Army engineers and said Bureau of Reclamation are departments of long standing in the United States Government, and have demonstrated their complete competence to undertake and carry forward the programs which have been outlined by them; and

"Whereas the inhabitants of the State of Montana have long since acquired property rights and interests in the waters of said Missouri Basin by reason of the ownership of water rights which are appurtenant to the land and without which such land to which such water rights are appurtenant would be rendered of little or no value; and

"Whereas the program of the Bureau of Reclamation and of the Army engineers is compatible with such recognized water rights and with the normal processes of government; and

"Whereas the authority and bureau to be created by said proposed Missouri Valley Authority are inconsistent and incompatible with said rights of ownership and with the regularly constituted forms of government under which we operate; and

"Whereas there is a growing tendency in the Federal Government of the United States to encroach upon the rights originally reserved to the respective States, and to impose centralized Government regulations and authorities in place of local government as contemplated under the Constitution of the United States and the Constitution of the State of Montana, and to usurp the powers, privileges, and rights of the various States of the United States, including the State of Montana: Now, therefore, be it

"*Resolved by the twenty-ninth legislative session of the State of Montana (the Senate and House of Representatives concurring)*, That we are opposed to the passage by the Congress of the United States of said Missouri Valley Authority legislation so far proposed or any similar delegation of governmental power, and that we favor the development of said Missouri Basin through such coordinated plans as have been developed by the Bureau of Reclamation and the Army engineers; and that not only should the planning and construction of such projects be entrusted to the Corps of Army Engineers and the Bureau of Reclamation in their respective fields according to their agreed plans, but the management, operation, and control of all the projects of such unified and integrated plans should also remain in the same agencies working as joint operators or managers under such plans of unified or joint representation as may be directed by Congress, and that in any plans, means should be provided for the appropriate participation of State and local interests; be it further

"*Resolved*, That copies of this joint memorial be forwarded to the President of the United States, to the Honorable Harold L. Ickes, Secretary of the Department of the Interior, to the Congress of the United States, to United States Senators B. K. WHEELER and JAMES E. MURRAY, and to Representative MIKE MANSFIELD, all of Washington, D. C."

By Mr. O'DANIEL:

A resolution of the Senate of the State of Texas; to the Committee on Education and Labor:

"Senate Resolution 46

"Whereas James A. Petrillo, the czar of the musicians union, has succeeded in exacting tribute from the American people by levying for his use and benefit a royalty on all music recorded by phonograph companies, without interference or effective opposition from the constituted authorities; and

"Whereas according to the press reports of John L. Lewis, the czar of the mine-workers union, is following the precedent set by Petrillo and is demanding the right to exact tribute from the American people by levying a royalty of a dime a ton on all coal produced in this country, for his use and benefit and for the enrichment of his organization; and

"Whereas the tyranny created by the imposition of arbitrary burdens upon a long-suffering people is the forerunner of revolution and bloodshed; and

"Whereas the exercise of arbitrary power and exaction of unjust tribute by robbery and public fleecing, although shaded by official condonement, always have been and still are contrary to American principles: Now, therefore be it

"Resolved by the Senate of Texas, That such acts of Petrillo and the proposals of Lewis be condemned, and that the Congress of the United States and the executive department of the Federal Government are hereby urged to take such steps as will bring an end to the attempts of such self-made tyrants to impose supergovernment on and exact tribute from the free people of this country, by the exercise of arbitrary power and untrammeled, arrogant selfishness, and that a copy of this resolution be sent to each Member of Congress elected from Texas."

By Mr. THOMAS of Utah:

A joint resolution of the Legislature of the State of Utah; to the Committee on Banking and Currency:

"Senate Joint Resolution 18

"Joint resolution of the Senate and the House of Representatives of the Utah State Legislature memorializing Congress and other agencies to make a study of existing pricing and rate structures in the steel and other industries and particularly as they affect the operation of the Geneva steel plant

"Be it resolved by the Legislature of the State of Utah:

"Whereas the Defense Plant Corporation of the United States Government has caused to be constructed and placed into operation at Geneva, Utah, a most modern steel plant at a cost in excess of $200,000,000, which plant is now engaged in war production and can engage in peacetime production if artificial barriers are removed; and

"Whereas Geneva steel plant is favorably located at the junction of rail lines leading to vast coal deposits in Carbon County, Utah, and vast iron deposits in Iron County, Utah, and is favorably situated on railroads leading directly to immense potential steel markets on the Pacific coast and in other Western States; and

"Whereas peacetime operation of the Geneva steel plant will make an important economic contribution to the State of Utah, to the Western States of the United States, and to the building up of countries bordering, and islands in, the Pacific Ocean; and

"Whereas the existence of an artificial basing point price system in the steel industry and unfavorable freight rates from Salt Lake City to the Pacific coast as compared with rates from Chicago, Pittsburgh, and other points adds needless burdens and gives an unfair handicap to the future operation of the Geneva steel plant: Now, therefore, be it

"Resolved, That the Legislature of the State of Utah memorialize the Congress of the United States, the United States Steel Co., the Bethlehem Steel Co., the Union Pacific Railroad, the Southern Pacific Railroad, the Denver & Rio Grande Western Railroad, Western Pacific Railroad, and the Interstate Commerce Commission to study the present pricing and freight rate structures applicable to the steel and other industries and particularly to shipments of steel from Geneva, Utah, to the Pacific coast and other points and to take such official steps, as may be deemed necessary, to afford the Geneva steel plant an opportunity to utilize to the fullest extent its favorable proximity to iron and coal deposits and to steel markets, making an economical utilization of a great and valuable investment of the Defense Plant Corporation, and to enhance its conversion to maximum peacetime production after the present war emergency; it is further

"Resolved, That the secretary of state forward a copy of these resolutions to each of those memorialized in this bill."

A joint memorial of the Legislature of the State of Utah; to the Committee on Finance:

"Senate Joint Memorial 1

"Joint memorial to the President and the Congress of the United States of America to take immediate action to provide opportunity for social security insurance coverage to all workers in the United States not now covered under social security insurance, to provide for unemployment compensation under the existing State-Federal system, coverage coextensive with old-age and survivors insurance coverage, to extend social security insurance to protect against temporary and permanent disability, and to protect the social security insurance benefits of members of the armed forces, the merchant marine, and workers in certain war industries

"Be it resolved by the Legislature of the State of Utah:

"Whereas the principle of social insurance embodied in the Social Security Act as a measure of protection against the hazards of economic life is substantially accepted and lauded by the American people; and

"Whereas the Social Security Act provides social insurance coverage for only a fraction of the workers of America and protection only against part of the hazards confronting workers and their families; and

"Whereas important segments of American workers engaged in activities most vital to the prosecution of the war, namely, members of the merchant marine and millions of workers in certain war industries, are denied opportunity to contribute to and benefit through social insurance; and

"Whereas members of the armed forces, the merchant marine, and workers in certain war industries are in danger of losing benefit rights they previously had built up under covered industries; and

"Whereas complete social insurance coverage for all workers is essential for the security of the American people and, therefore, of the Nation—particularly in the adjustment period immediately following the end of the war: Now, therefore, be it

"Resolved by the Legislature of the State of Utah:

"Section 1. That the Legislature of the State of Utah does hereby declare it imperative as a measure of social justice, postwar preparedness, and national security, that the Social Security Act be amended and expanded so that coverage and benefits of social insurance be extended to all workers, and request the Senators and Members of the House of Representatives in United States Congress assembled to introduce and secure passage of such amendments to the Social Security Act and such other legislation as may be necessary to accomplish the end set forth in the preamble, specifically to wit:

"(a) Extend coverage of social security and old-age and survivors insurance to all those workers not now covered—farm workers; domestic servants; lay employees of religious organizations; persons employed by educational and charitable institutions; members of the merchant marine; self-employed farmers; professional men and women; and owners of small businesses; and, by voluntary compact between the appropriate governmental unit and the Social Security Board, employees of State and local governmental units not now covered by existing systems.

"(b) Extend social security insurance benefits to cover temporary and permanent disability, recognizing that those hazards are as great as, if not greater than, the hazards of old-age, death, and unemployment.

"(c) Provide that unemployment compensation coverage under the existing State-Federal system shall be coextensive with coverage under old-age and survivors and temporary and permanent disability provisions of the Federal social security system.

"(d) Protect the old-age and survivors social security insurance benefits of members of the armed forces, the merchant marine, and workers in certain war industries operated by the Federal Government.

"(e) Provide a system of unemployment benefit payments, similar to that extended to veterans under the Servicemen's Readjustment Act of 1944, for members of the merchant marine and workers in war industries not currently covered.

"SEC. 2. That a certified copy of this memorial be sent to the President of the United States, the President of the Senate and the Speaker of the House of Representatives of the United States, to the Secretary of State of the United States, and to each Senator and Representative of the United States Congress from the State of Utah."

A resolution of the Legislature of the State of Utah; to the Committee on Foreign Relations:

"House Joint Resolution 24

"Joint resolution expressing the sympathy of the legislature for the persecuted Jews of Europe and urging the President and Congress to assist in opening Palestine for unrestricted colonization by persons of Jewish ancestry

"Be it resolved by the Legislature of the State of Utah:

"Whereas the Nazi persecution and wholesale slaughter of Jews in Europe have outraged the conscience of the civilized world and have vastly aggravated the tragedy of the Jewish problem there; and

"Whereas at the end of the present war large numbers of European Jews will find themselves in desperate need for a new home where they can rebuild their lives in dignity and security; and

"Whereas, after World War No. 1, Great Britain had accepted at the instance of the Allied and associated powers the mandate for Palestine and had undertaken 'to facilitate the establishment of a Jewish national home in Palestine,' an undertaking subsequently approved by 52 nations, including the United States; and

"Whereas this policy was concurred in by a joint resolution unanimously adopted by both Houses of the Congress of the United States on June 30, 1922; and

"Whereas the Democratic and the Republican Parties in their National Conventions of 1944, adopted platforms in favor of the reestablishment of Palestine as a free and democratic Jewish commonwealth; and

"Whereas the President of the United States on October 15, 1944, expressed his approval of this aim which he stated to be 'in accord with the traditional American policy and in keeping with the spirit of the "four freedoms" ': Therefore be it

"Resolved, That we of the State of Utah express our profound sympathy with the millions of innocent victims of the enemy's ruthless extermination policy, and that we demand just punishment of all those who perpetrated these horrible crimes against humanity; and be it further

"Resolved, That the United States should take appropriate measures to the end that Palestine should be opened for free immigration and unrestricted colonization so that the Jewish people may rebuild their ancestral homeland as a free and democratic Jewish commonwealth; and be it further

"Resolved, That copies of this resolution should be forwarded to the President, the Secretary of State, the Senate, and the House of Representatives of the United States of America."

A concurrent resolution of the Legislature of the State of Utah; to the Committee on Public Lands and Surveys:

"Senate Concurrent Memorial 2

"Concurrent memorial to the Congress of the United States of America to take action to repeal a portion of the Antiquities Act, to repeal the General Withdrawal Act or portions thereof, to repeal all other laws or acts authorizing withdrawals of lands or resources except in war emergency, to amend the Antiquities Act, the General Withdrawal Act, and other acts or laws so as to provide for recapture of authority by the Congress of the United States, to provide for withdrawals only after approval by Congress and after sufficient hearings and with approval and affirmative recommendations by the legislature and the Governor; to request the Public Lands Committees of Congress to hold public hearings on extension or creation of national parks, etc., and requesting Congress to develop a sound public land policy

"Be it resolved by the Legislature of the State of Utah (the Governor concurring therein):

"Whereas the policy of the Federal Government to make large land and resource withdrawals by proclamation or Executive order without public notice or hearings in advance of said withdrawals has caused considerable disturbance to the economic fabric of Utah and continuation of such withdrawals will be a threat to future employment, industrial and agricultural development, and will result in the displacement of people because they are contrary to democratic principles, disregard State rights, and do not provide for the orderly democratic method of public hearings which makes it possible for all interests involved to be represented: Now, therefore, be it

"Resolved by the senate and house of representatives in session assembled (the Governor concurring therein), That the Congress of the United States be urged to immediately pass legislation:

"First. To repeal that part of the Antiquities Act which makes it possible to create national monuments or other recreational areas by proclamation or Executive order.

"Second. To repeal the General Withdrawal Act or that part of the act which makes withdrawals possible by proclamation or Executive order.

"Third. To repeal all other laws or acts authorizing withdrawals which makes it possible to withdraw lands or resources for any reason whatsoever except in the case of withdrawals which are clearly needed for the war emergency.

"Fourth. To amend the Antiquities Act, the General Withdrawal Act, and other acts or laws pertaining to withdrawals of any kind so as to provide for recapture of this authority by the Congress of the United States.

"Fifth. To provide for withdrawals only after approval by Congress and then only after sufficient public notice and public hearings and with the approval accompanied by affirmative recommendation by the legislature of the State and the approval of the Governor.

"Sixth. That the Congress request the Public Lands Committees after due notice to hold public hearings to correct ill-advised extensions or creation of national parks, monuments, recreational areas, expansion by Executive order or proclamation of Indian lands and withdrawal of lands involving mineral or nonmetallic resources.

"Seventh. That a sound public-land policy be promptly developed by the Congress for the public-land States which will recognize the rights of the people and the need for conservative use and proper development of all resources; be it further

"*Resolved*, That a certified copy of this memorial be sent to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives of the United States, to the Secretary of State of the United States, and to each Senator and Representative of the United States Congress from the State of Utah."

By Mr. CAPPER:

A petition of sundry citizens of Manhattan, Kans., praying for the enactment of Senate bill 599, to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages; to the Committee on Interstate Commerce.

PROTEST AGAINST COMMISSIONING OF COMMUNISTS AS OFFICERS IN THE ARMED FORCES

Mr. CAPPER. Mr. President, I received resolutions adopted by the American Legion Post, of Kansas City, Kans., taking a stand against commissioning members of the Communist Party as officers in the armed forces of the United States of America. I ask unanimous consent to present the resolutions and that they be printed in the RECORD and appropriately referred.

There being no objection, the resolutions were received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Whereas one of the cardinal principles expressed in the preamble to the Constitution of the United States is domestic tranquility, promotion of the general welfare, and the security of liberty to ourselves and our posterity; and

Whereas the preamble to the constitution of the American Legion defines the purpose of the American Legion in the following words:

"To uphold and defend the Constitution of the United States of America; to maintain law and order; to foster and perpetuate a 100-percent Americanism; to preserve the memories and incidents of our association in the Great War; to inculcate a sense of individual obligation to the community, State, and Nation; to combat the autocracy of both the classes and the masses; to make right the master of might; to promote peace and good will on earth; to safeguard and transmit to posterity the principles of justice, freedom, and democracy; to consecrate and sanctify our comradeship by our devotion to mutual helpfulness"; and

Whereas it is the duty and obligation of every citizen of the United States to support and defend the Constitution of the United States of America, to the end that our democratic way of life may be preserved for ourselves and our posterity; and

Whereas the members of Wyandotte Post No. 83 of the American Legion, Department of Kansas, believe that the enlisted personnel of our armed forces, who are fighting for and making the supreme sacrifice to preserve the principles of our democracy, should not be led or influenced by commissioned officers who at heart believe in principles which would destroy our democracy; and

Whereas it is the firm belief and conviction of the members of Wyandotte Post, No. 83, of the American Legion, Department of Kansas, that the Communist Party teaches and believes in principles contrary to those expressed in the preamble to the Constitution of the United States and in the preamble to the Constitution of the American Legion; and

Whereas the members of Wyandotte Post, No. 83, of the American Legion, Department of Kansas, are further convi..ed that only those who can without reservation take an oath of allegiance to the Constitution of the United States should be commissioned as officers in the armed forces of the United States of America; and

Whereas the members of Wyandotte Post, No. 83, of the American Legion, Department of Kansas, are further convinced that those who believe in the principles of the Communist Party cannot without reservation take an oath of allegiance to the Constitution of the United States: Now, therefore, be it

Resolved by Wyandotte Post, No. 83, of the American Legion, Department of Kansas, That it is contrary to the best interests of preserving our democratic form of government that those who are known to be members of the Communist Party be commissioned as officers in the armed forces of the United States of America; be it further

Resolved, That the second district convention of the American Legion Department of Kansas be earnestly urged to adopt a resolution similar to this resolution, to be sent to the State convention of the American Legion at its 1945 convention at Topeka, Kans., urging that convention to adopt a similar resolution to be sent to the 1945 national convention of the American Legion, and that convention urged to adopt a similar resolution containing a request to the proper authorities prohibiting the commissioning of those known to be members of the Communist Party as commissioned officers in the armed forces of the United States of America; be it further

Resolved, That a copy of this resolution be sent to Senator ARTHUR CAPPER, Senator CLYDE M. REED, and Representative ERRETT P. SCRIVNER.

HOWARD M. BENTON,
Chairman.
CLARK E. TUCKER,
Member.
ELI DAHLIN, *Member.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. TAFT, from the Committee on Banking and Currency:

S. 62. A bill to amend section 3 (b) of the Securities Act of 1933, as amended, so as to permit exemption of security issues not exceeding $300,000 from the provisions of such act; without amendment (Rept. No. 123).

By Mr. WAGNER, from the Committee on Banking and Currency:

S. 510. A bill to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes; with amendments (Rept. No. 124).

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

H. R. 510. A bill granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and upon the San Jacinto Military Reservation in Galveston County, Tex.; without amendment (Rept. No. 125); and

H. R. 2625. A bill to extend the Selective Training and Service Act of 1940, as amended; without amendment (Rept. No. 126).

CIVILIAN EMPLOYMENT IN EXECUTIVE BRANCH—REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES

Mr. BYRD. Mr. President, from the Joint Committee on Reduction of Nonessential Federal Expenditures, I ask unanimous consent to submit a report on

civilian employment in the executive branch of the Federal Government for the month of February 1945.

The total number of paid employees for February 1945 is 3,042,485, excluding 429,173 employees of the War Department stationed outside the continental United States as of December 31, 1944. The grand total for this month is 3,471,658.

The grand total of employees stationed outside the continental United States is 556,968. This figure comprises the 429,173 employees of the War Department and 127,797 employees of other departments and agencies.

In the month of February 1945, 33 departments and agencies decreased by 13,103 while 29 departments and agencies increased by 9,878, making a net decrease of 3,225 for this month.

The greater part of the decrease in February is shown in the figures of the larger departments and agencies. However, the committee feels that some of the agencies showing substantial reductions during the past month should be commended. They are: Selective Service, which reduced by 386 employees; Office of Censorship, which reduced by 167 employees; War Production Board, which reduced 156 employees; and Federal Works Agency, which reduced by 140 employees. This shows that there has been an effort on the part of these particular agencies to reduce personnel.

There are a number of departments and agencies showing increases for this month because of the necessity of performing certain activities. On the other hand, some agencies which increased last month from all appearances should have enough personnel to carry out their functions without adding more employees. For example, the Federal Security Agency increased by 430 employees, Office of Price Administration increased by 379 employees, and Foreign Economic Administration increased by 129 employees. These agencies should be mindful of the request made by Congress to reduce personnel and to utilize manpower to its fullest extent.

Despite the fact that the number of paid employees is on a downward trend, the total number of employees is still close to the peak of 3,112,965 employees on July 1, 1944. There has been a reduction of only 70,480 employees since this peak was reached.

Congress has been trying to reduce personnel for some time. The committee feels that the employees themselves can aid in the full utilization of Federal civilian manpower and in eliminating nonessential work. Those employees who are in positions assisting in the war effort should recognize the necessity for economy. It is part of their duty as patriotic citizens and taxpayers to urge a reduction in the number of nonessential employees and assist the committee in bringing this about.

I ask that the report may be printed in the body of the RECORD.

There being no objection, the report submitted by the Senator from Virginia [Mr. BYRD] was ordered to be printed in the RECORD, as follows:

Civilian employment of the executive branch of the Federal Government by departments and agencies for the months of January and February 1945, showing the increases and decreases in number of paid employees

Department or agency	January	February	Increase (+) or decrease (−)
EXECUTIVE OFFICE OF THE PRESIDENT			
Bureau of the Budget	589	589	----------
DEPARTMENTS			
Agriculture Department	76,624	77,396	+772
Commerce Department	29,283	29,163	−120
Interior Department	41,386	41,350	−36
Justice Department	27,895	27,449	−446
Labor Department	6,518	6,161	−357
Navy Department	768,631	771,541	+2,910
Post Office Department	373,406	375,130	+1,724
State Department	9,674	10,053	+379
Treasury Department	96,055	96,615	+560
War Department [1]	1,208,957	1,198,769	−10,188
NATIONAL WAR AGENCIES			
Committee on Fair Employment Practices	133	137	+4
Foreign Economic Administration	6,254	6,383	+129
National War Labor Board	4,464	3,486	+22
Office of Alien Property Custodian	793	797	+4
Office of Censorship	9,692	9,525	−167
Office of Civilian Defense	129	123	−6
Office of Contract Settlement	49	54	+5
Office of Coordinator of Inter-American Affairs	1,329	1,297	−32
Office of Defense Transportation	3,586	3,547	−39
Office of Economic Stabilization	12	13	+1
Office of Price Administration	61,643	62,022	+379
Office of Scientific Research	1,386	1,348	−38
Office of Strategic Services	2,635	2,667	+32
Office of War Information	9,625	9,676	+51
Office of War Mobilization	126	137	+11
Petroleum Administration for War	1,024	1,015	−9
Selective Service System	19,726	19,340	−386
Smaller War Plants Corporation	1,872	1,869	−3
War Manpower Commission	27,798	27,870	+72
War Production Board	12,822	12,666	−156
War Shipping Administration	5,184	5,235	+51
INDEPENDENT AGENCIES			
American Battle Monuments Commission	1	1	----------
Civil Aeronautics Board	348	340	−8
Civil Service Commission	7,285	7,340	+55
Employees' Compensation Commission	521	518	−3
Export-Import Bank of Washington	59	58	−1
Federal Communications Commission	1,574	1,568	−6
Federal Deposit Insurance Corporation	1,569	1,527	−42
Federal Power Commission	667	665	−2
Federal Security Agency	30,976	31,406	+430
Federal Trade Commission	443	441	−2
Federal Works Agency	21,032	20,892	−140
General Accounting Office	12,972	12,947	−25
Government Printing Office	7,076	7,055	−21
Interstate Commerce Commission	2,017	2,010	−7
Maritime Commission	11,372	11,513	+141
National Advisory Committee for Aeronautics	6,578	6,663	+85
National Archives	349	344	−5
National Capital Housing Authority	230	236	+6
National Capital Park and Planning Commission	22	17	−5
National Gallery of Art	247	259	+12
National Housing Agency	16,571	16,485	−86
National Labor Relations Board	834	783	−51
National Mediation Board	107	110	+3
Panama Canal	28,918	29,478	+560
Railroad Retirement Board	1,879	1,959	+80
Reconstruction Finance Corporation	10,106	10,399	+293

[1] Does not include employees stationed outside continental United States.

Civilian employment of the executive branch of the Federal Government by departments and agencies for the months of January and February 1945, showing the increases and decreases in number of paid employees—Continued

Department or agency	January	February	Increase (+) or decrease (−)
INDEPENDENT AGENCIES—continued			
Securities and Exchange Commission	1,148	1,152	+4
Smithsonian Institution	428	422	−6
Tariff Commission	296	291	−5
Tax Court	121	120	−1
Tennessee Valley Authority	14,333	13,629	−704
Veterans' Administration	57,331	58,434	+1,103
Total [2]	3,045,710	3,042,485	−13,103 +9,878
Net decrease	----------	----------	−3,225
War Department employees stationed outside the continental United States [3] [4]	227,000	429,173	102,173
Grand total	3,372,710	3,471,658	----------

[2] Includes employees outside continental United States reported by various departments and agencies; totals, January 1945, 126,016; and February 1945, 127,797. This figure excludes the War Department employees.
[3] Reported quarterly.
[4] As of Dec. 31, 1944.

NOTE.—Employment figures now reported to the committee include dollar-per-annum, terminal-leave, and without-compensation employees of the consultant expert type who are authorized to receive per diem in lieu of subsistence.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Colorado:

S. 795. A bill to amend section 500 (c), title III, Servicemen's Readjustment Act of 1944, so as to make more adequate provision for loans to veterans under the provisions of such title by removing certain statutory limitations on loans guaranteed thereunder made by national banks and certain other banking institutions; to the Committee on Finance.

By Mr. STEWART:

S. 796. A bill to exempt from taxation all income received by persons in the armed forces; to the Committee on Finance.

WHERE IS THE MONEY COMING FROM?—ADDRESS BY SENATOR CAPPER

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a radio address delivered by him March 25, 1945, and broadcast from radio station WIBW, which appears in the Appendix.]

ONE HUNDRED AND TWENTY-FOURTH ANNIVERSARY OF GREEK INDEPENDENCE—ADDRESSES BY HON. PHILON PHILON AND SENATOR O'MAHONEY

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD an address delivered by Hon. Philon Philon, counselor of the Greek Embassy, and an address delivered by him on the occasion of the radio program on March 24, 1945, commemorating the one hundred and twenty-fourth anniversary of Greek independence, which appear in the Appendix.]

THE MANPOWER BILL—ARTICLE BY DAVID LAWRENCE

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an article entitled "Manpower Bill Seen Embodying Fascism," by David Lawrence, published in the Washington Star of March 27, 1945, which appears in the Appendix.]

THE FOOD SHORTAGE

Mr. WHERRY. Mr. President, I wish to bring the Senate up to date on the food situation. A hearing is now being held before the Committee on Agriculture and Forestry, and many witnesses are testifying. Before the report of the committee is published, I feel it is fair to say that the testimony unquestionably reveals that there is a food shortage in the United States, and that it is increasing daily. The evidence which has been submitted indicates that black market operations have increased not only in New York City, but throughout the country generally.

We have in the past had repeated warnings from all sources, except governmental, that a food shortage was certain to develop if governmental policies were continued. In spite of these warnings, governmental agencies, namely, the War Food Administration, the O. P. A., the W. P. B., the War Manpower Commission, and the Selective Service Commission, all continued their respective policies, and did little or nothing to avoid the results against which they were time and time again forewarned.

If we are faced with a food shortage at this time, we can place the blame rightfully where it belongs, namely, on governmental agencies having to do with farming and agricultural activities.

Not only does a food shortage loom in the future for this Nation if these policies are continued, but the meat shortage is with us now and one does not have to read Government statistics to be convinced of it. The best evidence comes from the American housewife, who day after day goes to empty meat counters.

We are told that we will have to "tighten our belts," and that we are perfectly willing to do if it is necessary, and if in tightening our belts we can be assured that we will in the future be free of governmental blundering and, if, in the future, we can be certain that governmental agencies will adopt a sensible program, a decent viewpoint, and a reasonable policy.

Of course, we have had many explanations for the impending food shortage and the present meat shortage, but the explanations fail to furnish the meat which our civilian population should have, and to which they are entitled. I am not concerned at the moment with placing the blame for the meat shortage, but it is high time governmental agencies realize that we have a problem of production, and it is high time the same governmental agencies whose responsibility is food production realize that we must have a change of policy if the military is to obtain the meat every American citizen wants the military to have.

THE MEAT SHORTAGE

Why do we have a meat shortage at the present time? Of course, we are given many explanations in answer to this inquiry, and they are allegedly explanatory of the problem, but no Government official as yet has been able to explain this matter so clearly and logically as it was explained in a letter dated March 21, 1945, which I received from Mr. Fred F. DeVore, of Omaha, Nebr. Because of the importance of this subject I shall take the time of the Senate to read excerpts from Fred DeVore's letter, in which he relates his own experiences, gives the benefit of factual incidents and develops sound reasoning.

He states:

* * * my main personal work is and has been for the past 40 years the promotion of purebred-hog business. I have visited in the past year the top breeders in 30 States—visited them on their farms. I buy more purebred hogs for hundreds of breeders throughout the United States than any 10 men in America.

In talking about the shortage, he says:

Well, now, then, Mr. WHERRY, there's two things that are the cause of it * * * and that is the fact that these draft boards in the rural districts have been too tough in taking these boys off of the farms. I could name you 1,000 men who were big producers of both hogs and also cattle whose boys and hired men have been taken away from them and they have had to cut their operations from 50 to as high as 100 percent. Every day I g letters from various sections of the country from men who raised 200 hogs last year that will raise 75 this year.

Continuing, he calls attention to the case of one Nebraska farmer, Kenneth Volk, of Battle Creek, Nebr.:

His father owns 640 acres of land. Four years ago he gave 320 acres of this over to his boy, Johnny, to farm, a young married fellow—one of the finest farmers and stockmen that I have known in the past 40 years. This boy not only farmed this 320 acres of land but raised about 150 head of hogs besides cattle and did this work with only a part-time hired man. The Madison County draft board nailed him and he has been in the Army 3 years. His father, John Volk, one of the most substantial farmers in Nebraska, and their boy, Kenneth Volk, who was about 18 years of age at that time, between them and one hired man farmed this 640 acres of land. They raised from 500 to 600 head of hogs a year, fed out from 75 to 100 head of cattle besides farming their land, and what I mean—these Volks are farmers. Last fall they brought up Kenny Volk for induction and I went to bat for them, with their draft board. * * * Now instead of raising 500 or 600 head of hogs, John Volk will probably raise 75 to 100 this year but that didn't keep them from putting Kenneth Volk in the Army in January. It is the same everywhere. I could cite you hundreds of just such instances.

You understand, Senator, that these farm boys start to work at 5 in the morning and they are at it still at 10 o'clock at night. If these loafers around these war plants did as much work accordingly, they would need just half the men they now employ in these plants. Now, that's one reason why there's a great shortage of pork.

Another is that 2 years ago the W. F. A. and the O. P. A. and everybody else connected with the Government bore down on the farmers to produce all the livestock they could. Well, under almost impossible conditions I am sure you are acquainted with in regard to shortage of manpower, lack of machinery, lumber, equipment of all kinds, they went ahead and produced a record crop of livestock, both hogs and cattle. They raised tremendous crops. Nobody but probably some of us who are really acquainted with conditions realize the great job they did under such adverse conditions, but they did it. Then with the record crop of hogs a year ago on the farms of the West and with about half of the young fellows in the packing plants inducted into the Army and with the O. P. A. and the W. F. A. continually pounding us about the oversurplus of hogs, how to cut production on them, how they were going to put a $12.45 ceiling on them starting in last fall, which would make the average price of hogs sold out here in Nebraska about 10½ cents, why they scared 90 percent of these farmers and hog producers almost to death. They froze corn which made it impossible for any of the stockmen on the west coast, on the east coast, and in the South to buy corn. Naturally thousands of these small hog breeders in those sections had to go out of business. The only men who stayed in were the pure-bred hog breeders. They stuck. Well, after they scared everyone out of the hog business last spring there were no sows bred for fall pigs, that is, comparatively none. I notice that these white-collared dudes that are running this business now claim there's a 50-percent crop of fall pigs. The fact is, there is not a 20-percent normal crop of fall pigs—I doubt if there's 10 percent—in America.

As I say, there's no use to lock the stable door after the horse has been stolen. The hogs that are going on the market now are the tailenders and runts of last spring's crop. They should have been on the market in November, December, and January. They still have a few of them in the country, but they will all be on the market by another month, then there will be no pork. There is no pork in any of the stores in Omaha. I have received letters in the past day or two from at least 20 or 25 States saying there is not a pound of pork to be sold in their town. Well, if they think it's bad now, let them just wait for a month or two from now.

This is the condition brought on by about the dumbest handling of a situation that could possibly be imagined. You know unless they raise the ceiling price of pork, thousands of these men are not going to be duped into going back into the hog business again. They are just going to raise their corn that the Government is going to guarantee them a price for and let it go at that. What's the use of monkeying with hogs when they can make practically as much raising grain?

They seem to think that this hog business can be improved overnight. They don't seem to know that a man has got to get these brood sows, that he's got to breed them, wait practically 4 months for the pigs to come, and then 7 months more to get them ready for market. Well, that's the situation we are up against.

There are thousands of boys in the Army that should be back on these farms producing something for the balance of the soldiers to eat. Of course, I don't know anything about running an army, but I talked to a farmer boy the other day who was home on a furlough. He has been in the Army 2 years. In that time they have had him in Texas, California, Colorado, Virginia, South Carolina, Florida, and if I remember right, in some other State. After his furlough was over he was going to head again for the Pacific coast. Maybe that's necessary—I don't know. He was just a common soldier.

I don't know the remedy for all this although I'm telling you that the blame for the present pork situation is, first, the damnfool actions of the W. F. A. and the O. P. A. and the Government in scaring the farmers out of the hog business a year ago now; and, secondly, the action of these draft boards who are taking farmers and farmer boys off of these farms that are so sorely needed. Just how these farmers are going to go ahead with the help shortage, I don't know. You know, Senator, that they cannot pay on the farms the ridiculous prices that are being paid to these men in the war plants.

These are the views of a Nebraska man who understands this problem, and who gives facts and opinions based on facts and sound reasoning. He does more in his letter to explain the reasons for the meat shortage than has been done by any

statement which has been forthcoming from any governmental agency.

His reasons are—

First. The drafting of farm boys and farm help.

Second. Lack of a sufficient and decent profit margin for the American farmer and the cattle and hog producers.

Today, I received another letter from Mr. DeVore, and I ask unanimous consent to have it incorporated at this point in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BIG CHIEF STOCK POWDER CO.,
Omaha, Nebr., March 22, 1945.

DEAR MR. WHERRY: Just to back up my letter of yesterday. In this morning's mail one from Utah draft took both boys. Father farming 550 acres had to sell all hogs; raised 300 but none this year. Letter from Minnesota: Raised 400 last year; farms 320 acres. Draft took only boy. Will raise 50 hogs this year. One from Nebraska: Raised 250 last year, farmed 160 acres, fed 100 head cattle. Draft took only boy. Will raise no hogs in 1945 and feed no cattle. He and 15-year-old girl will try and farm.

One from Ohio: Big operator lives in town. Draft took his two men. Selling all remaining hogs this week and all livestock and renting farm. Iowa: Boy who had spent thousands of dollars building up purebred herd. Sold over $10,000 worth of hogs in 1944. Draft grabbed him. Has had to sacrifice entire herd and no hogs will be raised by his father.

Wonder if things like these have anything to do with shortage of pork. Not pound of pork on sale today that I know of in Omaha.

FRED DEVORE.

Mr. WHERRY. Mr. President, I have also received a communication from Mr. W. G. Boedeker, of Murray, Nebr., whom I know personally, who not only operates several businesses but also farms where cattle are fed. We have been asked for concrete evidence as to whether the cattle feeder can feed cattle on a profitable basis, and therefore increase production. This letter gives concrete figures of a feeding operation by a man who, I suggest to the Members of the Senate, is not only a constructive citizen, but a very patriotic man, one who desires to do all he can to increase the meat supply.

I ask unanimous consent that his communication be printed in the body of the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MURRAY STATE BANK,
Murray, Nebr., March 20, 1945.

The Honorable KENNETH S. WHERRY,
The Senate, Washington, D. C.

DEAR SIR: I am prompted to write you because of the statement by Mr. Roosevelt that "we must tighten up our belts."

I am particularly interested in the welfare of the farmer and livestock feeder who make up 95 percent of our bank customers. I own 2 farms myself which I operate in partnership with the tenants and for the past 20 years it has been our practice to feed for the markets an average of 250 cattle and 500 hogs. We have always fed good quality cattle, fed them to a good finish and produced some good beef for the consuming public. Last fall we purchased 300 head of steers for our yards at a cost of $13.40 per hundredweight, with a feeling that we could feed them to a good finish and possibly make a few dollars for our efforts aside from furnishing some beef that is badly needed. However, along comes O. P. A. with their ceiling on live cattle and now we cannot afford to feed to a good finish so we are forced to sell them half fat and according to my figures these cattle will lose us at least $15 per head. Through our marketing these cattle half fat, the public will be denied of at least 30,000 pounds of beef.

I am sure you are well aware of the situation because of the ceiling on live cattle, and that you have done all you could do to prevent this situation, but I just wanted to drop you a line on the matter anyway.

We have a very large number of cattle feeders whom we finance each year and they are all unloading their cattle as fast as they can, taking their loss and getting it over with and they all state that they will stay out of the cattle-feeding business. Ordinarily these feeders would not liquidate their cattle before June and July, so you can appreciate the fact that there is being a terrific loss of poundage of beef produced through no other reason than that the O. P. A. price ceiling on live cattle is the total cause of a condition that prompts F. D. R. to say "tighten up our belts."

I am sure, Senator, that the public has the money and are willing to pay a price for their beef that will encourage our cattle feeders to produce the beef, but when the New Deal gang sets a price on our live cattle that causes us to lose money on our operations, then we will just not produce the beef. Feeding cattle is not an easy task especially with our help so short. We will feed the cattle, however, if conditions look fairly favorable for our being compensated for our efforts.

Thanking you for your time.

Very sincerely,

W. G. BOEDEKER,
President.

TYDINGS AMENDMENT

Mr. WHERRY. Mr. President, I also have a comment to make relative to an article which appeared in the Washington Evening Star, which has to do with the Tydings amendment and the draftees expected to be called up during the next few months.

In last Friday's Evening Star of March 23d the President is quoted as asking Congress to appropriate a billion dollars for 19 war agencies, which request included funds for selective service functions to provide an average call of approximately 93,000 draftees after July 1. In the article the White House statement, in connection with this request, said the current year would see the completion of the mobilization of by far the largest armed force in the Nation's history.

What are our maximum military requirements?

When are we going to reach the maximum military requirements?

Are we striving to have the largest military force in history for reasons other than military needs?

Are we playing and are we preparing to play a game of international poker with the largest military force in our country's history?

Is that the reason, or is the reason one of distinct military needs?

I am sure we do not know the answers, but one of these days we are going to demand the answers, and the American people are going to be interested in the kind of answers we receive.

Referring again to the article in the Evening Star of last Friday, immediately following the quotation concerning the White House statement, it is said that the principal task will be to obtain needed replacements to cover losses and discharges. If that is the reason, then that is one thing, but how can that assertion be dovetailed with the previous one in the same statement that the current year would see the completion of the mobilization of by far the largest armed force in the Nation's history.

Are we filling losses and discharges or are we continuing to build our military forces? Which is it, and which is the correct statement?

I do not know whether the Members of the Senate read this article, but I wish to say that when the Selective Service asked for their appropriations before the Committee on Appropriations of the Senate, they indicated that they would start to draft 93,000 men a month, commencing with the 1st of July. I think this is significant, and particularly so since the Tydings amendment has not been clarified. If we are to continue to get the food production necessary to meet the requirements of the military and civilian populations, something must be done relative to taking the farm boys from the farms. I ask that this article be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PRESIDENT ASKS BILLION FOR 19 WAR AGENCIES, DECREASE OF FORTY-SIX MILLION

President Roosevelt yesterday asked Congress to appropriate $1,120,453,300 for 19 civilian war agencies for the year beginning July 1.

The request included funds for selective service functions to provide an average "call" of approximately 93,000 draftees a month after July 1.

The total for the 19 agencies compares with $1,166,722,935 for the current fiscal year or a reduction of $46,000,000.

The President asked for $54,500,000 for selective service compared with $55,672,120 for this year, and a White House statement said the current year would complete the mobilization of the largest armed force by far in the Nation's history.

REPLACEMENTS PRINCIPAL TASK

The principal task in the fiscal year beginning July 1, the statement said, will be to obtain needed replacements to cover losses and discharges.

The fund requested for the War Production Board—$48,042,000 as compared to $60,512,208 for this year—was described as intended to provide for meeting "the constant changes anticipated in the munitions program due to strategic considerations and battlefield experience."

The W. P. B. budget, the statement said, also "takes into consideration the continuation of a tight civilian supply situation during the next fiscal year."

The White House said the over-all decrease of $46,000,000 compares with a decrease of $113,000,000 that was anticipated when the President transmitted tentative lump-sum budget estimates last January. At that time no specific estimates for the war agencies were sent to Congress because more time was desired to examine war needs.

OTHER FUNDS ASKED

Other funds requested yesterday include:

War Shipping Administration: $485,595,000, including $407,000,000 for the revolving fund, $78,270,000 for the maritime training fund and $325,000 for State marine schools. No comparative figure was given.

War Labor Board: $13,405,000 compared with $13,399,622 for this year.

Office of Price Administration: $178,000,000 compared with $162,276,786. The increase was said to recognize "growing inflationary pressures and a decrease in the supply of civilian goods."

Office of War Information: $54,100,000 compared with $55,535,084.

Office of Censorship: $19,150,000 compared with $25,674,777.

Foreign Economic Administration: $19,002,800 compared with $17,936,133. The new fund provides among other things for enlarged staffs to prepare plans for the economic control of enemy countries and "for the review of supply programs in liberated countries."

O. D. T. BUDGET LOWER

Office of Defense Transportation—$11,000,000, compared with $15,145,610.

Office of Civilian Defense—$369,000, compared with $720,175.

Office of Economic Stabilization—$100,000, compared with practically the same amount this year.

Office of War Mobilization and Reconversion—$2,359,500, compared with $1,251,780.

Office of Strategic Services—$38,166,000, compared to almost $56,000,000.

Office of Coordinator of Inter-American Affairs—$15,880,000, compared with $17,586,835.

Committee on Fair Employment Practice—$599,000, compared with $453,800. The new budget contemplates establishing five additional local offices in critical war production areas.

War Relocation Authority—$25,140,000; a reduction from this year of about $12,500,000.

Petroleum Administration for War—$4,345,000; a cut of about $1,000,000, "largely due to improved operating efficiency within the agency and to the substantial completion of the 100-octane gasoline construction program."

Office of Scientific Research and Development—$90,700,000; a cut of approximately $30,000,000.

Office of Alien Property Custodian—$3,370,000, compared with $3,589,043.

Mr. WHERRY. Mr. President, in the past Selective Service has been largely, or at least partially, filling its quotas from farm labor, and has been taking men from agricultural pursuits, I think, in contradiction to the plain language of the Tydings amendment.

The provisions of the Tydings amendment have been intentionally circumvented, and local boards faced with a necessity of Selective Service demands have paid little or no attention to the provisions of the Tydings amendment.

I think all Senators from States with agricultural pursuits have received scores of letters complaining against this wholesale drafting of farm labor.

If Selective Service has seen fit and has intentionally disregarded the provisions of the Tydings amendment, as originally passed and attached to the Selective Service Act, what hope can we in Congress have that any interpretation which we may place on the original Tydings amendment, or any legislation which we now pass, will be regarded as the law of this country in future inductions?

Mr. President, this morning I received a letter from a former Governor of Nebraska, Gov. Samuel R. McKelvie, who operates one of the large ranches in the central part of Nebraska, who is editor of the Nebraska Farmer, and who reflects the producers' viewpoint on the food situation. I ask that his letter be printed in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BY THE WAY RANCH,
Valentine, Nebr., March 23, 1945.

Hon. KENNETH S. WHERRY,
Hon. HUGH F. BUTLER,
United States Senate,
Washington, D. C.

DEAR SENATORS: If senatorial inquiries regarding the food situation proceed as they have been, the keen, wily, affable Chester Bowles on behalf of O. P. A. will get away with "murder." This was indicated last Wednesday before the Banking Committee when in true demagogic fashion he took after the American Meat Institute and the packers, thus attracting attention away from the true causes and sources of the food shortage, especially with reference to meats.

The pattern that caused this shortage is typically New Deal. For the first it has been a determined effort to regiment the producer. Forget, if you will, the processor for the true basis of the trouble does not lie there. It begins on the land where men and women are raising cattle, hogs, sheep, chickens, and the products thereof.

To begin at the beginning would make the story too long. It is sufficient to consider what has eventuated during the past 12 months. During that time Government agencies directing agricultural production not only have put into effect rules and regulations that resulted in impractical farm and ranch management; they also broke those rules and regulations at will without regard to the profit motive that energizes maximum production in all lines of wartime endeavor.

Illustrations of this were: Modification of weights of hogs under O. P. A. ceilings, limitations of the feed supply resulting from operations of the so-called ever normal granary, live ceilings on cattle in the midst of the feeding period after feed lots had been filled. Every one of these moves was made against the advice and counsel of those engaged in the industry.

The result was inevitable. Farmers cut hog production one-third, a greatly reduced number of cattle went into the feed lots and those that were put on feed were marketed at substantially lighter weights, and both dairy and poultry production have declined. I think I am right in saying that at Kansas City and Omaha last fall 75 percent or more of the calves received at the yards went to slaughter. That was because veal is point free. Imagine it. They probably averaged 350 pounds to 400 pounds and dressed about 55 percent of that. Under proper encouragement to feeders they would have gone to market; 8 to 10 months later yielding more than twice that amount of good to choice beef. The same is measurably true of older cattle. Due to demand and O. P. A. ceilings anything is considered killable these days. So hundreds of thousands of cattle that should go to the feed yards for 3 or 4 months at least, thus increasing their weight from 200 pounds to 300 pounds, are going direct to slaughter. The while millions of bushels of corn lies on the ground rotting, or greatly reduced in feed value.

I do not hesitate to give the lie to Mr. Bowles, or anyone else, who says that the shortage of meat is due to increased needs of the military forces. That has something to do with it, of course, but it could be vastly ameliorated by encouraging and reassuring the cattle feeder. The same may be said regarding pork, mutton, poultry, eggs, and dairy products.

The planned economy that the New Deal has been trying to put over on this country since the beginning is being applied with reference to agricultural production, not because the war prompts it but because they are determined to regiment the producer. Well, it is the old story: "1 man can lead a horse to water but 10 men cannot make him drink." The farmer confronted with an incomparable shortage of manpower and equipment works longer than any other class today, and asks no reward for his overtime or personal sacrifices. But he will not work without profit, or question of a profit, for he knows that if he wins he still must give a substantial share in taxes, while if he loses it is his loss.

An additional hurdle that becomes increasingly damaging to food production is the draft. You cannot begin to imagine what this is doing, without being in the midst of it. I say to you that thousands upon thousands of acres will lie untilled, or unused; and meat, dairy and poultry production are being reduced in untold quantities because of the shortage of unskilled, willing workers. The Tydings amendment is being ignored on every hand.

Referring again to the "planned economy," it has been the evident purpose of O. P. A., W. P. A., and the Department of Agriculture to avoid a surplus of agricultural products after the war. Why the hell? Is there any worry about the vast surplus of war materiels left over after the war that will have to be disposed of at losses amounting into the billions of dollars. And it is not the manufacturers who will have to take the loss. They are paid, or guaranteed payment before the materials are delivered. And always at a profit based on the highest wages ever paid in any land at any time in our history. Why then begrudge the farmer his small assurance of a profit if there should be a surplus of the things he produces? Are they not war necessities?

My reasons for having written you thus at length—and God knows I could write volumes more—is that in the forthcoming inquiries these questions should be sifted to the bottom. Perhaps it is too late to repair much of the damage that has been done, but you can at least fix responsibility for what has happened and it may have a wholesome effect in discouraging recurrences.

No doubt Mr. Bowles is a very able man. Nevertheless, he is of that class who having gotten on the sunny side themselves are willing to spend the rest of their lives herding those poor worms who have been content to get along through industry and thrift without too much emphasis upon cleverness and trading ability.

Pardon errors. I'm at the ranch and have had to do my own typing. Now, I must be on my way to ride herd on the cows. Thank God for that diversion.

Cordially,

SAM R. MCKELVIE.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.) a protocol supplementary to the treaty.

[Mr. DOWNEY resumed and concluded the speech begun by him on Friday last. His speech entire is as follows:]

Friday, March 23, 1945

Mr. DOWNEY. Mr. President, I might open my remarks on the pending treaty by saying that I sat through most of the hearings before the Committee on Foreign Relations while it was considering the treaty. It happened that I had practiced irrigation law for a considerable period of time in the West, and had made a concentrated study of the treaty and the Colorado River extending over many months' time. I heard misstatement after misstatement made in the committee hearing, both on law and on fact. I heard the most optimistic assumptions made; I heard the wildest kind of speculation engaged in by witnesses so partisan, so extreme, so mistaken as literally to appall me that in these critical times men would indulge in the kind of extreme statements of law and fact as those made.

We heard the distinguished senior Senator from Texas [Mr. CONNALLY] open the treaty argument several days ago, and he reiterated and repeated many of those incorrect assumptions and inaccurate statements of alleged fact.

Apparently it was the claim of the State Department that Mexico should be given this 1,500,000 acre-feet of water because she was now using it, and that she gained a right to that much water under the doctrine of prior appropriation and beneficial use. I cannot believe that the distinguished junior Senator from Colorado [Mr. MILLIKIN], able and noted lawyer that he is, is not familiar with the unanimous, uncontested, wise, and logical rule of the West, that there is no appropriative right to the stored waters of a reservoir. That is simple a b c to any lawyer in the West who knows irrigation law. We could not build one of our great projects if the builder of it did not have 5, or 10, or 25, or 50 years in which to apply the water to the selected lands.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I shall yield in a moment. As a matter of fact, we in California have already largely used our water, and beyond that have already constructed the aqueducts to carry to Los Angeles water now unused but vitally needed there for its further growth. Within 10 years, in my opinion, we will have used all of our allotted irrigation water, and will be substantially drawing on the Colorado River for water for the towns, industries and people of southern California. The great lag in the use of the water is going to be in the upper basin States.

The PRESIDING OFFICER. Does the Senator yield to the Senator from Colorado?

Mr. DOWNEY. In just a short time I shall yield. It is said it will take two and a half billion dollars to complete this great project, that amount of money largely to be spent in the upper basin States. I am of the opinion that the upper basin States will not use all their water for 25 or 30 years. I say it is a harsh, cruel, inaccurate doctrine which would say that if we in the United States, on our own reservoir site, expend our own toil, and money to build a reservoir to store our own water, falling on our own soil, that thereafter citizens of another country, by grabbing that water more quickly and more easily than we could, could strip us of our right. Such a doctrine cannot be defended and upon it the grant to Mexico of 1,500,000 acre-feet from the Colorado is wholly based.

There is no such doctrine in the United States. The Supreme Court of the United States and the courts of the various States have condemned it, and I say we can only apply this doctrine to Mexico if we are willing to give her a much higher right in our reservoirs, built on our own soil, by ourselves, than we give to our own people.

All the cases in the United States verify what I have said. I yield to the Senator from Colorado.

Mr. MILLIKIN. Mr. President, I merely wish to say that the distinguished junior Senator from California honored me by making special reference to me. I desire to listen to what he has to say without undue interruption of his remarks, and I merely wanted it to appear on the record that the fact that I am not jumping up and engaging in constant contest with him as we go along on every one of the statements of the Senator does not indicate that I am approving them. I shall hope in due course to take up his points seriatim.

Mr. DOWNEY. Mr. President, that is thoroughly understood, but I do wish to say to the distinguished Senator that whenever he feels I am making a mistake of fact or law, I should appreciate having him interrupt me when I come to the end of my paragraph or my subject. I desire to be interrupted.

Again I wish to say to the distinguished Senator, if he knows of one rule in any textbook, one single case, or indeed any treaty upholding the right of a stranger to gain a beneficial use in the stored waters of a reservoir, I should appreciate his presentation of the treaty, case, or the textbook statement here on the floor of the Senate.

Mr. MILLIKIN. Will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I answer that now very briefly by saying that I consider the point to be utterly irrelevant. No one is making a claim on stored water. The claim is about waters which have reached the border, after they have been stored and have gotten out of control and have reached the Mexican border. That is where the claim to the water comes in, not in waters that are stored. The claim of user obviously cannot grow up on water that is in a reservoir. It must necessarily grow up on water that has escaped the reservoir.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. DOWNEY. First let me reply to the distinguished Senator from Colorado.

All the cases in the United States arise in situations where the water was stored and escaped. Monday I shall have here in the Senate textbooks and authorities to this effect, that when a proprietor lets water run out of a reservoir and does not use it, he loses the corpus of the water, but he does not abandon the right to use the water in the future. Under the textbook authorities, the man who builds a reservoir owns that property as though it were his own personal property, and we even have criminal statutes in the West under which, if one citizen of Colorado or Lower California came to Boulder Reservoir and took out a bucket of water, he would have committed a misdemeanor. As a matter of fact, all the cases which have been decided have arisen under identically the facts I am here stating. They could not arise in any other way.

I have cases so extreme that even where the proprietor of a reservoir abandons the use of the waters of that reservoir, no subsequent proprietor could gain a right to the flow as regulated and stored by the reservoir.

Mr. CHANDLER. Mr. President——

The PRESIDING OFFICER (Mr. MCMAHON in the chair). Does the Senator from California yield to the Senator from Kentucky?

Mr. DOWNEY. I yield.

Mr. CHANDLER. I wish to make an observation directly bearing on the question propounded by the Senator from Colorado. As I understand the treaty, if we ratify it, we undertake to guarantee to deliver 1,500,000 acre-feet of water per annum to Mexico. That will guarantee a first lien on the water in the river. As I understand, in 24 out of 44 years there has been a drought in that area, and if a drought should occur and in the ordinary flow of the river that much water were not available, could Mexico, under the treaty, demand that we open the gates of Boulder Dam and supply a sufficient quantity of water?

Mr. DOWNEY. Under the treaty?

Mr. CHANDLER. Yes.

Mr. DOWNEY. Yes, under the treaty; but it could not be done under any rule of law now existing between nations or now prevailing in the United States or among our own people.

Mr. MILLIKIN. Mr. President, I should appreciate it very much if the Senator would show anything in the treaty which has to do with rights in stored water.

Mr. DOWNEY. Before I advert to that—and that is the next point I wish to take up—to show how far the cases go in negativing the argument made by the distinguished Senator from Texas and also the Senator from Illinois, I wish to read an excerpt from one of our leading California cases, because it is such an extreme case.

Mr. MILLIKIN. Will the Senator merely permit me to repeat my point? I claim that it is irrelevant to talk about a Mexican claim on water that is stored in our reservoirs. I submit that Mexico is not urging any claim to water that is stored in our reservoirs. Mexico can only build up a claim out of waters that are released from our reservoirs.

Mr. DOWNEY. Very well. I shall read this case, then.

Mr. CHANDLER. Will the Senator yield to me a moment?

Mr. DOWNEY. I yield.

Mr. CHANDLER. If I have read the treaty aright, we have to deliver 1,500,000 acre-feet of water in accordance with a prescribed schedule, and the water which

reaches Mexico outside the schedule, even if used by the people of Mexico is not counted in the quota, is not counted in the 1,500,000 acre-feet. Is my understanding correct?

Mr. DOWNEY. Yes; the Senator is entirely correct.

Mr. CHANDLER. Let us suppose that under a treaty entered into between the United States and Mexico we obligated ourselves to furnish 1,500,000 acre-feet, and suppose there was a drought and the water was not available in the river. My question is, Could Mexico require us to take the water which we have stored in Boulder Dam, open the gates of the dam, and furnish Mexico with water up to 1,500,000 acre-feet?

Mr. DOWNEY. I will say to the distinguished Senator from Kentucky that that is certainly correct. If that water had been stored there for 10 years, and then was needed to satisfy the guaranty made to Mexico, Mexico would be entitled to it ahead of any of the rest of us. This treaty sets up the first right in Mexico to all the stored waters in Boulder Reservoir, and as a matter of fact we could not hope to deliver this 1,500,000 acre-feet to Mexico without building other reservoirs. We need not only Boulder Dam to make good on the treaty, but we likewise need Davis Dam to successfully perform, and many other facilities and much other construction in the United States.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. DOWNEY. I yield.

Mr. MURDOCK. Is not the only effect of the use of the phrase "consumptive use" in article 10 that we give Mexico a right not only in existing storage today, but in perpetuity, in every conservation reservoir which may be constructed on the Colorado River? Mexico, to the extent of the right that we give her by this treaty, has a demand on our reservoirs the same as any national in the United States.

Mr. DOWNEY. I entirely agree with the statement made by the Senator, and I appreciate the two Senators emphasizing it as of the utmost importance, for it is very plain to everyone who knows the facts that we could not give this water to Mexico without both Boulder Dam and Davis Dam, which we must later build. But before I am diverted to that I want to place in the RECORD an excerpt from a case clearly establishing the rule in the irrigation States that use of abandoned waters flowing from a reservoir does not establish any right to continue to have those waters thereafter flow.

The case I refer to is one of the leading authorities on this point. It is *Lindblom* v. *Round Valley Water Co.* (178 Cal. 450):

> In the Lindblom case the defendant, Round Valley Water Co., wa an old storage company which had use in the early mining days, for mining purposes, for all of the waters stored by it. Due to the decrease in mining activity there was market for but a small amount of the water stored. Lindblom was a riparian owner on the water course below the reservoir, and sought to restrain the impounding of the water. The court held that the Round Valley Co. had forfeited part of its right by nonuse, but that it still had the right to store that part of the water for which it had actual use. The part of the opinion bearing upon the point under comment is as follows (p. 457):
>
> "Insofar as the right to any of the water had been forfeited by nonuser, the plaintiff would be entitled to have the amount so forfeited flow down the stream in its accustomed course. This does not mean that the plaintiff may claim any benefit from the maintaining by the defendant of its dams and reservoir. He is not in a position to demand that the defendant shall, by its artificial works, furnish a constant flow of water in North Canyon throughout the year. His only rights are those which he would have had under the natur l conditions existing before the dam was erected, subject to the deduction of so much of the water as defendant has continuously applied to a beneficial use. In other words, he cannot require the defendant to discharge any water into the stream during those months in which there would be no flow if no dam had ever been built. He may merely insist that, during the months of natural flow, the defendant shall permit the escape into the canyon of the surplus of the natural flow over and above what is required to enable the defendant to meet its reasonable needs, measured by its maximum requirements during the 5 years preceding the commencement of the action."

(At this point Mr. DOWNEY yielded the floor for the day.)

Monday, March 26, 1945

(Continuation from Friday, March 23, 1945)

Mr. DOWNEY. Mr. President, on Friday afternoon, when we were arguing some of the issues of the Colorado River treaty, the question that was being discussed was, whether a lower water user on a river, by temporarily using water released from a reservoir, which the reservoir owner for the time being, could not use, acquired any permanent right to have that water continue to come down the stream from the reservoir. I promised our distinguished minority leader, the senior Senator from Maine [Mr. WHITE], that I would present to him certain New England cases directly and clearly stating that rule. There are many cases in the West, in point, as to what the law is in the United States upon this controversy. The law in the United States is, unequivocally, that Mexico would gain absolutely no right permanently to have come down to her one and one-half million acre-feet of water, just because in one year we did not use that amount and she did use it. As a matter of fact, Mr. President, I challenge any Senator familiar with irrigation law to get one citation from any textbook, one case from any appellate court, or any treaty, supporting the rule that was so vigorously contended for by the Senator from Texas [Mr. CONNALLY] and by the junior Senator from Colorado [Mr. MILLIKIN].

We have many cases from New England declaring that rule. I might say that these cases were specially prepared for the distinguished senior Senator from Maine, and I should like to have his attention while I read these cases. I might further say that the leading New England case is from Massachusetts, but is founded upon earlier Maine cases.

In *Mason* v. *Whitney* (78 N. E. 881), the rule is stated as follows:

> The primary right of every riparian proprietor is to have the natural and customary flow of the stream without obstruction or change. This primary right is modified by the right of every proprietor to make a reasonable use of the water, which leaves the lower proprietor the natural flow, changed so far as may be, by such previous use on the stream above.
>
> If such use makes the flow more advantageous for the lower proprietor than the flow in its strictly natural state, he gets the benefit of it as an incident of his ownership, which he may enjoy while it lasts, but not as permanent property that he can control for the future.

There is the declaration of the State of Massachusetts upon principles identical to those involved here. The clear, succinct, terse statement is to the effect that under the rule here declared, while Mexico could temporarily use whatever water we might abandon and let pass down to her, the use of that particular water would not create any right in her to continue to have such water flow down in the future.

In the State of Maine, there is evidently some procedure by which the Supreme Court answers the inquiries of the State legislature. The distinguished Senators from Maine are undoubtedly familiar with that procedure. In the Opinion of the Justices, in 106 Atlantic, 865, the rule is declared:

> The owner below can claim no special rights in the additional storage. He is entitled of right to only the natural flow of the stream; but if more than the natural flow at certain seasons comes to him, he can use it without being forced to pay therefor.

Mr. President, it seems to me most unfortunate that this Government, during a time of great crisis, when there is a necessity for clear thinking, should fallaciously and improperly attempt to argue that there is a right which exists under no treaty, no textbook, and no case, in order to support a treaty. The sole justification for this treaty has been this: Since the construction of Boulder Dam Mexico has increased her use from 750,000 acre-feet to 1,800,000 acre-feet, so the proponents of the treaty say; and because she is now using that water, under the doctrine of prior appropriation and beneficial use, she thereby acquires some right to it. But every authority in the United States declares the rule as declared in the two cases which I have cited, that the temporary nonuse of water from a reservoir does not give the user of that water any right, permanently, to claim a right to the continued flow of water from the reservoir thereafter. I repeat the challenge to produce one single case, or any treaty declaring contrary to that rule.

If, in our domestic irrigation system, we were to enunciate the rule contended for, we probably would never have another reservoir built, because the great undertakings which are now proceeding are of tremendous magnitude, and many decades are required to apply the water. If the ownership of the private individual who builds a reservoir were to be subject to the water being placed at the

hazard of someone else rushing in and applying it before the builder of the reservoir could do so, no one would be safe in building a reservoir.

The distinguished senior Senator from Texas stood on this floor and vehemently urged that 10,000,000 acre-feet of water is now flooding down the Colorado River, and that if Mexico should seize and use that water before we could do so, she would thereafter acquire a right to continue to have it come, under the law of prior appropriation and beneficial use.

In central California we are now building great reservoir systems. It will be 20 or 30 years before that water can be fully applied. Every citizen of our State knows that he has no right to that water, reclaimed by the Reclamation Bureau of the Federal Government and the State. He has no right to become a parasite upon the talent and toil of other men. Any other rule would be so destructive to public policy that reservoirs could not be built. We are now probably entering into great enterprises in the Missouri Valley. Whatever water is conserved and saved in the reservoirs will belong to the sovereignty; and if 20, 30, or 50 years are required fully to utilize that water, no citizen can, by appropriating it, claim a permanent right in it.

Mr. HATCH. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from California yield to the Senator from New Mexico?

Mr. DOWNEY. I yield.

Mr. HATCH. I believe there is no difference between the Senator from California and myself as to the law; but I do not think the Senator from California would say that the building of a reservoir would destroy rights which had been acquired before the building of a reservoir.

Mr. DOWNEY. No, Mr. President; and I am delighted to hear that statement from the very able and learned Senator from New Mexico. We in California do not claim, as a matter of equity, that the building of a dam would give us the moral right to take away from Mexico the water she was using before the dam was built. As a matter of equity and moral right, Mexico is entitled to continue to have come to her that which she was using prior to the building of the dam, which was an average of 600,000 acre-feet.

If the implication from the remarks of the Senator from New Mexico were correct, that Mexico had been using 1,000,000 acre-feet of water before Boulder Dam was constructed, we would have no right, by the building of that dam, to deprive her of that water.

It has been erroneously stated in the Foreign Relations Committee—and I have no doubt it will be stated on the floor of the Senate—that the treaty of 1906, governing the allocation of water on the upper Rio Grande between Mexico and Texas, established some sort of right in Mexico to our stored waters.

Mr. President, that is simply not correct. For 200 or 300 years water users in Mexico had been using, in Mexico, approximately 60,000 acre feet. The water users in Colorado and New Mexico, by virtue of the fact that they were higher on the river, had intercepted that water and dried up the fields of the proprietors in Mexico. When the 1906 treaty was entered into, provision was made to give Mexico, out of a reservoir which we were constructing, 60,000 acre-feet of water, which was the amount of water that Mexico had been using from the unregulated flow of the river.

I repeat—and I am happy to see that the distinguished junior Senator from Colorado [Mr. MILLIKIN] is now in the Chamber to hear my repetition—that there is not one case in the United States; not one statement in any textbook; and not one treaty, holding that the right of appropriation and beneficial use exists in waters stored in a reservoir and released therefrom.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. The 1906 treaty was made prior to and shortly before the construction of the Elephant Butte Dam; was it not?

Mr. DOWNEY. The Elephant Butte Dam was constructed about 1915.

Mr. MILLIKIN. It was constructed pursuant, in part, to the treaty; is not that correct?

Mr. DOWNEY. Yes; that is correct.

Mr. MILLIKIN. So that the only measure of use which could have been established at the time of the treaty was the measure of present use which was established prior to the building of the dam.

Mr. DOWNEY. Mr. President, I may say that that statement is just as inaccurate as 90 percent of the statements which are being made in connection with the pending matter. The facts are these, and they are not in dispute: For 200 or 300 years the people of Mexico had been irrigating their land with water from the upper Rio Grande. They had been using approximately 60,000 acre-feet of water annually. The upper proprietors, in Colorado, New Mexico, and Texas, had dried up the stream; and for a period of 10, 15, or 20 years the diversion ditch of Mexico was half empty.

When water came back, from the reservoir which was built, half the Mexican lands had been unirrigated for two or three decades. The reservoir was built, and Mexico was given 60,000 acre-feet of water; but it was only given to cover the rights she had had, before that reservoir was built, out of the unregulated flow of the river. Mexico acquired nothing more by the 1906 treaty than water which she had used before the dam was built, water which she had used from the unregulated flow of the river, which water had been taken away from her improperly and against the comity of nations by Colorado, New Mexico, and Texas.

If we in California had dried up the lands in Mexico, as we could have done, and if we had thereafter granted her 750,000 acre-feet of water, that would have been a comparable case.

Mr. MILLIKIN. Mr. President, if the Senator will yield again, I should like to ask him what was inaccurate in my statement. The Senator said my statement was as inaccurate as 90 percent of other statements which one hears around here—which I assume may be attributed to the opponents of the treaty. But let us pass that. I ask the Senator what was inaccurate in my statement.

Mr. DOWNEY. The Senator's statement was to the effect that under that treaty Mexico was given the amount of water she was using when the treaty was made. That is not correct.

Mr. MILLIKIN. Under the Senator's statement she was given more than she was using at the time when the treaty was made. My point was that the treaty was made prior to the construction of the dam, and, therefore, there could have been no question involved as to what Mexico would be entitled to after the construction of the dam.

Mr. DOWNEY. Mr. President, I meant no personal reflection on the distinguished Senator from Colorado, and I apologize if there was any implication of one. The Senator is merely repeating the erroneous statements which were made by the witnesses from the State Department before the Committee on Foreign Relations, which statements he and other distinguished Senators have accepted in toto.

In order that the RECORD may be strictly accurate, let me say that the Senator from Colorado made the statement that Mexico, under the treaty of 1906, was given the amount of water she was then using. That statement is totally inaccurate. She had not been using more than half her historic supply of water for a considerable period of time, because half her fields had been entirely dried up by the water users of Colorado, New Mexico, and Texas. Very tardily those States realized they had done a great injustice to Mexico; and when the treaty was made, Mexico was given the amount of water she had used for 200 or 300 years from the unregulated flow of the river.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I am very glad to accept the correction of the Senator, which is to the effect that we gave Mexico more water than she was using.

Mr. DOWNEY. It certainly is true that we gave her 60,000 acre-feet, which was more water than she was using when the treaty was executed. We gave her the amount of water she had been using for 200 or 300 years from the unregulated flow of the river.

Mr. MILLIKIN. I am delighted to accept that statement.

Mr. DOWNEY. That is the correct statement.

Mr. President, we in California want to do exactly what was done under the treaty of 1906. We want to measure out to Mexico generously, fairly, and justly her full rights which were existing in the waters of the unregulated flow of the river.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. The difficulty with the Senator's proposition is that in the case of the 1906 Mexican treaty we made our deal before the dam was built. In

the present case we made no deal with Mexico prior to the building of Boulder Dam.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MOORE. I wish to have this question answered, if it can be: Does the amount of water from the Colorado River which we are to guarantee to Mexico under the treaty exceed the average flow of the river before the building of Boulder Dam?

Mr. DOWNEY. Yes; it substantially exceeds it. I may say this——

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. DOWNEY. I will yield to the Senator in just a minute, but first I should like to finish the statement I was commencing.

We are increasing Mexico's rights, by this treaty, threefold or perhaps fourfold over the rights she had—in other words, over the amount of water she was using, as I shall later show. We are not increasing rights in the United States anywhere near that amount.

Now, I yield to the Senator from Nebraska.

Mr. MILLIKIN. Mr. President, will the Senator yield first to me, if that is agreeable to the Senator from Nebraska?

Mr. WHERRY. Certainly.

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I should like to ask the distinguished junior Senator from Oklahoma to repeat his question.

Mr. MOORE. My question was, Is the amount of water which is to be guaranteed to Mexico, under the proposed treaty, in excess of the amount of water which Mexico could utilize from the natural flow of the river prior to the building of Boulder Dam?

Mr. DOWNEY. I may say to the distinguished Senator that it is approximately three times as much as Mexico could use from the unregulated flow of the river. Let me say that if today we were to remove Boulder Dam from the river, Mexico would be cut back to a use of 200,000, 300,000, 400,000, 500,000, or 600,000 acre-feet of water for perhaps 20 or 30 years, by which time the whole delta would probably be destroyed by the vast flood of silt that comes down yearly.

Now I yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, let me inquire whether, in the light of the statement of the Senator from California, it is necessary that we build additional structures, in order to guarantee to Mexico the rights under the treaty and at the same time take care of the water users in California who have priority rights which have already been established? In other words, does that require that additional facilities be built?

Mr. DOWNEY. Yes; it does.

Mr. WHERRY. Does it require that additional facilities be built in order to make good that guaranty and at the same time to take care of the citizens of California who have priority rights?

Mr. DOWNEY. Yes; it does. Later I shall read from the treaty the provisions for the building of Davis Dam to help carry out the treaty. In fact, it is recited in the treaty that the building of Davis Dam is a necessity. In the report on Davis Dam by the Bureau of Reclamation, it was declared that it is necessary to build Davis Dam in order to take care of Mexico.

Incidentally, let me state one amazing thing, and then I will yield to the Senator again. While under the treaty Davis Dam will be dedicated almost as much to Mexico as it will be to water users in the United States, every dollar of the expenditure for the construction of the dam will fall upon the United States. We not only will build the dam on our own territory, we not only will store our own water in it, but we will give Mexico a large part of the capacity, at our expense.

Mr. WHERRY. I should like to ask an additional question, if the Senator will further yield.

Mr. DOWNEY. I yield.

Mr. WHERRY. Granting that we build these additional facilities in order to take care of the needs provided for under the treaty, and also to take care of the water users in California who have priority rights, might a time come during a drought year or during a succeeding number of drought years when we would have to take water out of the reservoirs which we have established and those which we will establish, in order to give Mexico the guaranteed amount of water under this treaty and at the same time not deprive California citizens of their priority rights?

Mr. DOWNEY. Mr. President, let me say that in almost every year—in fact, I would say in every year—we would have to utilize our water out of our reservoirs in order to give to Mexico 1,500,000 acre-feet of water. That would not be the exceptional case, I may say to the distinguished Senator. That will be the ordinary case. The reason why Mexico desperately desires this treaty and the reason why she must have it is because she is perfectly helpless, except in respect to a very minor amount of water, unless she can have the benefit of our storage dams and our diversion facilities. Practically all the water which is now going into Mexico is going through our diversion facilities. So far as the unregulated flow of the river was concerned, during a large part of each year, in many years, the river was totally dry at the Mexican border. If we were now to estimate the virgin flow—the water which would be present if the dam had not been built—and allow for prior water rights, Mexico could not hope to obtain use of more than an average of 600,000 acre-feet a year.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WHERRY. Does the Senator have figures showing by years the normal flow of the Colorado River?

Mr. DOWNEY. Those figures are all in the record.

Mr. WHERRY. Are there drought years, and then years in which more water is available, as in the case of many other streams, or is the flow fairly even?

Mr. DOWNEY. I presume that the Colorado has by far the most erratic flow of water of any river in the United States. In some years, it is reduced to 5,000,000 or 6,000,000 acre feet a year. In other years, it increases to 25,000,000 acre-feet a year. In any year, the greater part of the water comes down the river during 2 or 3 spring months. During the irrigation season, in July, August, and September, nearly all the water users were without sufficient water. Mexico could not hope, without Boulder Dam, to utilize more than 500,000 or 600,000 acre-feet a year.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. The construction of Davis Dam was authorized and certain appropriations were made for it prior to the making of this treaty, were they not?

Mr. DOWNEY. They were made about 4 or 5 years ago.

Mr. MILLIKIN. And although it is mentioned in the treaty, and although provision for the use of Davis Dam is contemplated in the treaty, the dam is not a novel feature so far as this treaty is concerned, is it?

Mr. DOWNEY. The Davis Dam was contemplated for many years, and it was realized that none of the users of water in the lower region could successfully have their water metered to them unless that dam was constructed. Of course, that statement applies more to the users of water in Mexico than to any other water users, because the Mexican users are at the lower end of the river.

Mr. MILLIKIN. Would the Senator be good enough to tell us what the average water carriage of the Alamo canal was, for say 10 years prior to the operation of the All-American Canal?

Mr. DOWNEY. How much water was actually——

Mr. MILLIKIN. How much did the canal carry a year?

Mr. DOWNEY. Does the Senator mean in acre-feet, or in second-feet?

Mr. MILLIKIN. In acre-feet.

Mr. DOWNEY. No; I cannot tell the distinguished Senator that. The maximum ever given to Mexico through the Alamo Canal prior to the building of Boulder Dam was 750,000 acre-feet annually. As the Senator knows, the Alamo Canal comes back into the United States after going into Mexico.

Mr. MILLIKIN. Without referring to the records—I shall refresh my recollection on the point—I suggest that for 10 years, let us say, prior to the construction of the All-American Canal, the Alamo Canal was carrying an average of approximately 3,750,000 acre-feet annually, and under the contract Mexico could have taken half of that amount. That fact bears upon the question of the distinguished junior Senator from Nebraska with regard to the possible water usage in Mexico under the natural flow of the river.

Mr. DOWNEY. Mr. President, I think that the map which was submitted in his argument last week by the distinguished Senator from Texas [Mr. CONNALLY] shows quite a misunderstanding of the situation on the part of the Foreign Relations Committee. On the map, which shows watersheds of the Colorado River and the Rio Grande, great areas of Mexico are also shown. I suppose, just estimating very casually, that more than

one-third of the map is devoted to showing areas in Mexico. I do not know what was the purpose of submitting a map which is so misleading, unless it was to lead us to believe that a large part of the Colorado River Basin is in Lower California and in Sonora.

Mr. President, clearly Mexico can establish no equity by the use of the waters of our reservoirs. Consequently the distinguished Senator from Texas has emphasized the rather small percentage of the total water supply, which it is expected Mexico will get under this treaty. I do not entirely agree with his percentages, but, whatever they may be, let us now consider some facts relative thereto.

Let us consider the whole Colorado River Basin system. Only 1 percent of it lies in Lower California and Sonora. The total area of the Colorado River Basin is 245,000 square miles. Mexico's part of the basin is only 2,000 square miles, or less than 1 percent of the entire Colorado River Basin.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Is the Senator from California aware of the fact that the entire Imperial irrigation district is outside the Colorado River Basin?

Mr. DOWNEY. Mr. President, it is not outside the Colorado River Basin as defined in the Colorado River Compact, to which the Senator has referred so often.

Mr. MILLIKIN. Speaking in terms of the Colorado River Basin, of that area of land affected by the stream and its tributaries, am I not correct in saying that the entire Imperial irrigation district is outside the Colorado River Basin?

Mr. DOWNEY. Mr. President, it is true that water users of California who have obligated themselves for hundreds of millions of dollars technically are located inside the Colorado River Basin system. I am speaking merely of the total area of land in Mexico in the Colorado River Basin. Only 1 percent of the Colorado River basin lies in Mexico. Suppose we are giving Mexico only 10 percent, or 12 percent, or 15 percent of the water in the Colorado River, whatever it may turn out to be under this treaty, she has only 1 percent of the whole Colorado River Basin within her boundaries.

The Colorado River and its tributaries extend for ten or fifteen thousand miles through the United States. They run for 50 arid miles through Lower California. Mr. President, in all of Lower California there are only 80,000 people. According to the Census Bureau, approximately 40,000 of them are in the Colorado River Basin, and will be the beneficiaries of this water—40,000 is only 1 percent of the number of people in southern California who are dependent upon that water.

In Lower California, there is not a single storage reservoir in which water has been stored, or in which water could be stored. Practically all the work which has been done in Mexico has been done by American capital, and by American workers. Originally, it was necessary for the American water users to take water out of the Colorado River in the United States above the boundary, take it down through Mexico, and then return it to the United States. For permission to do that Mexico required that the American company give up half of the water which it took through the ditch. That ditch is known as the Alamo Canal. It is now to be used by Mexico. It was solely constructed by American water users, with American capital. Practically all of the levee system in Mexico which protects the lands in Lower California was built by American water users.

So I say, Mr. President, it is rather difficult for me to understand why Lower California in the Colorado River Basin, when it has less than 1 percent of the area and the population, has no facilities, and provides no water to the stream, is entitled to a substantial allowance out of our storage system.

Mr. MILLIKIN. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Colorado?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. In terms of river-basin acreage and in terms of argument based thereon, I suggest that the river-basin area in California is 6,000 square miles; in Nevada it is 12,000 square miles; in Arizona it is 103,000 square miles; in Utah it is 40,000 square miles; in New Mexico it is 23,000 square miles; in Colorado it is 39,000 square miles; and in Wyoming it is 19,000 square miles. If that were the test—and I do not for a moment assume that the Senator from California makes that an exclusive test, but I think the proposition ought to be kept in proportion—California would get the least share of water of any State in the river basin and Arizona would get 16 times as much.

Mr. DOWNEY. Of course, Mr. President, that factor is not an exclusive test. The true test, which is the one we have been discussing, is the right of water users under the irrigation law and under the riparian law, dependent upon their position on the stream. The Senator has often commented, and very correctly, upon the large proportion of waters of the Colorado River that flows from Colorado. That is a totally immaterial fact and has been repeatedly so declared by the Supreme Court of the United States and other courts. The test is whether one who has rights in the water of a river, either as a riparian proprietor or under the doctrine of beneficial use, has properly obtained his rights. California was using far more water out of the Colorado River than was Colorado, at anytime prior to the building of Boulder Dam. We were using far more water, several times as much, as was Mexico. I might say to the distinguished Senator that it seems to me that all the Western States owe some degree of obligation to California, to see that our compacts are faithfully carried out under the great Boulder Dam project, which was largely or almost wholly financed by California money. The available supply of water in the river was slightly less than doubled by virtue of the construction of the great Boulder Dam project, which was largely fostered and forced through by citizens and water users of the State of California.

(At this point Mr. DOWNEY yielded to Mr. JOHNSON of Colorado, who suggested the absence of a quorum, and the roll was called.)

Mr. DOWNEY. Mr. President, so far I have been discussing the first point which was made by the Senator from Texas [Mr. CONNALLY], by which he seeks to uphold this treaty before the Senate. That point was that because Mexico is now using 1,800,000 acre-feet of water, as he alleges, therefore she may be granted that right by some court of international arbitration.

When I was speaking on Friday, Mr. President, I asserted that the testimony given before the Foreign Relations Committee by the proponents of the treaty was highly inaccurate, optimistic, speculative, visionary and argumentative, to such an extent that, in my somewhat protracted experience as a lawyer, I never knew of such a body of data being offered on any important matter. As I have already indicated, we think it is entirely immaterial what amount of water Mexico is using out of Boulder Dam. We deny that the temporary use of water out of a reservoir establishes any permanent right, and all the authorities I know of—and no one has cited any contrary ones—uphold that viewpoint.

I want now to begin to discuss in particular detail the testimony of certain of the witnesses before the Foreign Relations Committee. I have no desire to be critical or fault-finding. I regret to discuss the testimony of witnesses who cannot be here to answer, but fortunately there are very able and distinguished Senators present who participated in the hearings. They will be able to check me as I go along.

Let me first say that this treaty was almost wholly worked out by three citizens of the State of Texas. Mr. Lawson, the International Boundary Commissioner, in whose hands will be lodged almost the power of life and death over us in California and in the Southwest, was the main figure in the working out of this treaty. He has lived in El Paso I think for 26 years. Dr. Charles A. Timm, a representative of the State Department, a doctor of philosophy from the University of Texas, was the second most important figure in the working out of this treaty, and the third was Mr. Clayton, the attorney of the International Boundary Commission. Both the two latter gentlemen are and have been for a long period of time residents of Texas. So that all three of the main actors in working out this treaty came from the Rio Grande country.

Mr. CONNALLY. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Texas?

Mr. DOWNEY. I yield.

Mr. CONNALLY. In fairness I think it should be stated that while Mr. Lawson, the United States Boundary Commissioner, and the man who really negotiated the treaty—the other individuals may have assisted him—while Mr.

Lawson lives at El Paso, Tex., he is not a Texan. He is not a native of the State. He has lived there simply because his duties as a member of the Boundary Commission required that he be on the border and that he live somewhere on the border. He was with the Reclamation Service for many years before ever he went with the Boundary Commission. Of course, he is now a resident of Texas, but he went there because his duties called him there, and not because he was a native Texan.

Mr. DOWNEY. I believe the testimony showed that Mr. Lawson has resided in Texas for 26 years.

Mr. CONNALLY. That may be.

Mr. DOWNEY. Be that as it may, there are two immediately noteworthy things. The treaty, so far as the Rio Grande is concerned, is a rather simple, precise, fair document. It is exceedingly generous to the State of Texas, both from the viewpoint of the United States in what it will do, and in the viewpoint of Mexico. I do not think even any Representative from Texas will deny that the Rio Grande treaty is very generous to Texas. Later I will discuss that at length. I merely mention that in passing.

But when we come to the general provisions in the treaty, and to the provisions affecting the Colorado River, we become involved in such complications, confusions, and ambiguities that two things seem apparent to me: That the treaty was worked out by men who had very little interest in or direct knowledge of the Colorado River, and that the treaty is a most deplorable and lamentable one from our viewpoint, both in what it does to the Colorado River Basin States and in the structure of the treaty.

I have recently been reading the great treaty between the United States and Great Britain regulating the waters on the international boundary between Canada and the United States. It was drafted by two very great men, James Bryce, then Ambassador from Great Britain, author of The American Commonwealth, and by Elihu Root. It is a model of fine draftsmanship, simple, definite, precise. One reads it with a sense of admiration for the intellect and the understanding of the men who drafted it. There was one understanding, interpretation, or reservation attached to it by the Senate which Mr. Root himself helped the Senate to work out in conference.

The 1906 Rio Grande treaty is a very fair and simple treaty. But I prophesy this, that if Senators will be in their seats, if they have the time, when we begin to read this treaty they will find that almost every sentence, outside of the Rio Grande provisions, is so confused and complicated that you can lie awake nights wondering what it means and what the ultimate result will be.

That same confusion, that same lack of logic, the same suppressions and danger tracks appear throughout the testimony given in the Foreign Relations Committee.

If this treaty is approved as it has been submitted we shall have created a czar with such tremendous power over the Rio Grande, the Tijuana, and the Colorado River that it is difficult to evaluate or anticipate it. There will be only one Commissioner, who, in my opinion, will have powers far beyond those ever given any official in Great Britain or the United States. So far as Great Britain is concerned, I am referring to recent times. Dean Roscoe Pound himself characterized it as the most extreme and arbitrary grant of authority ever made or attempted to be made in the United States.

The man who would be exercising that power would be Mr. Lawson. He would be in control of three great rivers, having almost life and death direction of them. I directly charge that Mr. Lawson, before the Committee on Foreign Relations, showed a total failure to understand important provisions of the treaty. I further charge that he directly endeavored to deceive the committee, and I feel that he did deceive many members of the committee on certain points.

Let us first consider his testimony on the most important point presented by the senior Senator from Texas. The Senator has repeatedly stated that Mexico is now using 1,800,000 acre-feet of water. That is the excuse for this treaty. The Senator further says that if we do not give Mexico the 1,700,000 feet which she would get under the treaty, she will use three, four, five, or ten million acre-feet, and will be entitled to it.

One might immediately ask, Why is Mexico so interested in making this treaty? If she can get a right to all the water we cannot use, merely by using it, why is she anxious to make this treaty? We can well be skeptical of such an asserted right. If Mexico had such a right she would never give it up.

First, Mr. President, I should like to read—or, if it is proper, I should prefer to have the clerk read—a very brief excerpt from Mr. Lawson's testimony as to the investigations and findings which he made, by which he determined that Lower California was using 1,800,000 acre-feet of water. That is the whole foundation of the claim here. One would think that the State Department would fortify its statement by the very strongest kind of evidence. One would think that the evidence itself, coming from a citizen of the Rio Grande territory in Texas, and seeking to barter away the very lifeblood of California and the Colorado River Basin States, would be scrupulously fair.

In 1928 and 1929 Dr. Mead, who was an International Water Commissioner, and whose reputation was of the very highest, conducted an 18-month investigation, with joint staffs of American and Mexican surveyors and engineers, who went down the Rio Grande and Colorado, on both sides of the border, and developed the facts. The report of that investigation carrics upon it the impress of integrity, accuracy, and engineering skill.

Let us see how carelessly and loosely our State Department and Mr. Lawson have dealt with the Colorado River Basin States, in finding the first important fact from their viewpoint, namely, the amount of water which was being used in Lower California in 1944.

Before Mr. Lawson gave the testimony which I shall ask to have read, he had told the committee, in general terms, that a careful and exhaustive investigation had been made, and that it was known that Mexico was using 1,800,000 acre-feet of water. The chairman of the committee approvingly and happily suggested to him that a very accurate and exhaustive investigation had been made by the representatives of the United States.

Mr. President, I charge, on the basis of this testimony, that Mr. Lawson, in an effort to barter away our rights, not only did not make a fair and decent investigation but tried directly to mislead the Committee on Foreign Relations. That is strong language, and it can be justified only by the testimony itself. So, Mr. President, I ask unanimous consent to have certain excerpts from the testimony read at the desk.

The PRESIDING OFFICER. Without objection, the clerk will read.

The Chief Clerk read as follows:

[Excerpt from hearings, Thursday, February 8, 1945, pp. 962-964]

The CHAIRMAN. All right, Senator DOWNEY.

Senator DOWNEY. Mr. Lawson, you gave testimony as to the amount of land being irrigated in Lower California in 1944. Were those figures based upon your own personal surveys in Lower California?

Mr. LAWSON. No, Senator. I did not cover all those areas, but I have men in my employ who did, and I have confidence in their reports.

Senator DOWNEY. Did you cover any of them personally?

Mr. LAWSON. I have been in the area.

Senator DOWNEY. In 1944?

Mr. LAWSON. Yes, sir.

Senator DOWNEY. How long were you there in 1944?

Mr. LAWSON. Not very long.

Senator DOWNEY. Did you do any surveying or calculation yourself?

Mr. LAWSON. No, sir.

Senator DOWNEY. How many men did you have working down there?

Mr. LAWSON. We had one engineer, who obtained various assistants at various times, who was helped by the engineers of the Mexican section of the Commission.

Senator DOWNEY. Ah! Who is that engineer?

Mr. LAWSON. That man is a man named T-i-g-h-e—Tighe.

Senator DOWNEY. By whom was he employed?

Mr. LAWSON. He is employed by the American section of the Commission.

Senator DOWNEY. How long was he down there in 1944 surveying these lands?

Mr. LAWSON. Well, that I could not tell you.

Senator DOWNEY. Do you know when he was down there?

Mr. LAWSON. Yes; I think he was there for at least several months.

Senator DOWNEY. I say when? In what part of 1944?

Mr. LAWSON. My testimony, Senator, was on areas and on water in 1943.

Senator DOWNEY. I beg your pardon; my questions, then, have been misdirected. Was it Mr. Tighe who was down there in 1943?

Mr. LAWSON. That is right.

Senator DOWNEY. How long was he there in 1943?

Mr. LAWSON. I could not tell you, except that I know he was there a sufficient time to get the information required.

Senator DOWNEY. How many men did he have down there with him?

Mr. LAWSON. His investigation of land areas, of course, did not include that he walked over every property that was being irrigated. He got information from the Mexican section of the Boundary Commission, from the records of the National Irrigation Commission, from the records of the finance companies, from the records of the cotton-ginning people, and at least satisfied me that he had made a very reasonable inspection.

Senator DOWNEY. The question, Mr. Lawson, I ask you again is, How many assistants from the United States did Mr. Tighe have with him in Lower California in 1943—surveying the lands of Lower California?

Mr. LAWSON. He had with him at various times a different number.

Senator DOWNEY. Do you know the maximum number he had down there?

Mr. LAWSON. No, sir; I do not recall at the moment.

Senator DOWNEY. By whom were they employed and paid?

Mr. LAWSON. They were employed and paid by the people who were there. In other words, he used—we had an organization of a large number of people—he used the ordinary means that were available to him of finding out acreages, largely from the finance company, who were more interested in it than anyone else.

Senator DOWNEY. From the finance company?

Mr. LAWSON. Yes.

Senator DOWNEY. From the finance company?

Mr. LAWSON. I assume down there, there are more than one—probably several of them.

Senator DOWNEY. The Anderson, Clayton Co.?

Mr. LAWSON. That is one, I believe.

Senator DOWNEY. Do you think that a large part of the information that was secured by Mr. Tighe was secured from Anderson, Clayton & Co.?

Mr. LAWSON. I think he checked that against other information that he got.

Senator DOWNEY. You do not quite answer my question, Mr. Lawson.

Mr. LAWSON. Well, you asked me if "a large part"; now, I do not know that, Senator.

Senator DOWNEY. Again, I go back: Do you know whether Mr. Tighe ever had one single assistant there from the United States?

Mr. LAWSON. He did not need to have.

Senator DOWNEY. So far as you know, then, there was no assistant who went down with Mr. Tighe to assist in this survey?

Mr. LAWSON. That is right.

Senator DOWNEY. You evidently, Mr. Lawson, do not consider that it would be a rather large and difficult task to determine how many hundreds of thousands of acres of land are under cultivation at a given time? You do not think that would be difficult?

Mr. LAWSON. Well, it is impossible to get it very accurately, because they are changing from week to week.

Senator DOWNEY. As a matter of fact, 250,000 or 400,000 acres of land is a very large tract and would take certainly months to appraise carefully, would it not, with quite a survey crew?

Mr. LAWSON. Not with the aid of airplane maps and airplane photographs.

Senator DOWNEY. Did Mr. Tighe have an airplane down there?

Mr. LAWSON. No.

Senator DOWNEY. Did he take airplane maps?

Mr. LAWSON. No; but he had available to him airplane maps.

Senator DOWNEY. From whom?

Mr. LAWSON. I think those that had been made by the Mexican Government.

Senator DOWNEY. Did all the information that Mr. Tighe had come from Mexican sources in Lower California or from this financial interest of the Anderson, Clayton Co., so far as you know, Mr. Lawson?

Mr. LAWSON. Tighe got his information from every source that was available.

Senator DOWNEY. Do you know of any American sources—that is, any source in the United States—from which he got it?

Mr. LAWSON. Well, how would they be of benefit to lands in Mexico?

Senator DOWNEY. Mr. Lawson, I do not mean to argue, and I ask these questions very respectfully. I asked: Do you know whether Mr. Tighe got any information concerning lands in Lower California from citizens or sources in the United States except Anderson, Clayton & Co.?

Mr. LAWSON. I am sure that he did.

The CHAIRMAN. Is it not likely that he would have consulted the Imperial Valley irrigation district, that was diverting so much of this water through the canal down into Mexico?

Mr. LAWSON. Probably so.

The CHAIRMAN. Would not that have been one of the sources?

Mr. LAWSON. I assume he secured information from the Mexican company.

The CHAIRMAN. The Mexican subsidiary, that was in Mexico diverting water down through the Alamo canal and thence back into the All-American Canal for the Imperial irrigation district? That would have been likely?

Mr. LAWSON. Yes.

Senator DOWNEY. You know, of course, there is no argument about that amount of water, because we have it in the water records of a subsidiary of the Imperial irrigation district. I am referring, of course, to the other land.

Mr. Lawson, you were satisfied under those conditions to accept those figures supplied by the Mexican interests?

Mr. LAWSON. Yes; I felt satisfied after they were checked by our engineers.

Mr. McFARLAND. Mr. President, will the Senator from California give us the page on which we can find that testimony in the record?

Mr. DOWNEY. I regret to say that the page numbers I have are from the mimeographed hearing transcript. The testimony was given on Thursday, February 8. I believe the pages are 2173 to 2179.

Mr. McFARLAND. I thank the Senator.

Mr. DOWNEY. Again I wish to emphasize to the Senate that the sole excuse for the treaty is, that in 1944 Mexico was using 1,800,000 acre-feet of water. The distinguished junior Senator from Colorado [Mr. MILLIKIN] on Friday promised the Senate that he would show that. I know of nothing else in the record, except the testimony of Mr. Lawson, which would show it. I say there are two things in that connection, which should impress the Senate. The first is, that in regard to a right worth hundreds of millions of dollars, involving the good faith of both countries and the future of the southwestern part of the United States, practically no investigation was made by the representatives of the State Department or the International Boundary Commission to determine the fact, but the statement of Mexico was taken. Mr. President, I would say that if an attorney were to perform such a duty in that way for a client, he would be subject to disbarment.

I have referred to the Mead report. I wish the Senate could read it. It is a scholarly, engineering report which bears upon its face the golden imprint of honesty and accuracy. That Commission, then under Dr. Mead, established a joint engineering staff of Mexican engineers and United States engineers; and, with ample assistance, they spent 18 months in making the investigation. They agreed almost exactly in their finding, namely, that Mexico had never used in excess of 750,000 acre-feet of water.

Mr. Lawson, at the end of 10 or 15 minutes of cross-examination, after having fluently and glibly assured the committee that a careful and thorough investigation was made by representatives of the United States, was compelled to admit in effect that no investigation was made by American engineers, but that we entirely relied upon evidence and information which was given to us by the Mexican representatives.

That is bad enough; but I here and now charge that the same unhappy, fatal defect, which runs throughout the whole hearing, runs throughout the testimony which has been read; because beyond a shadow of doubt Mr. Lawson wished to have the Committee on Foreign Relations believe—and the members of the committee who heard him, when he originally spoke, did believe—that a careful investigation had been made. Unfortunately, when the subsequent cross-examination took place, scarcely a Senator other than myself was present.

Let me quote now some of Mr. Lawson's misleading statements to the committee:

Senator DOWNEY. How many men did you have working down there?

Mr. LAWSON. We had one engineer, who obtained various assistants at various times, who was helped by the engineers of the Mexican section of the Commission.

Finally he admitted that he did not have one man, one engineer or surveyor, employed by him.

I read further from the testimony:

Senator DOWNEY. The question, Mr. Lawson, I ask you again is, How many assistants from the United States did Mr. Tighe have with him in Lower California in 1943—surveying the lands of Lower California?

That was the third time I asked the question. He could easily enough have said, like an honest man, "He did not have an assistant." Actually he did not have. We had checked on the pay rolls of the United States, and we knew he did not have an assistant.

Mr. LAWSON. He had with him at various times a different number.

Senator DOWNEY. Do you know the maximum number he had down there?

Mr. LAWSON. No, sir; I do not recall at the moment.

Senator DOWNEY. By whom were they employed and paid?

Then Mr. Lawson made the following confused and evasive reply:

They were employed and paid by the people who were there.

He said that those nonexistent assistants, which he did not have, were paid by the people who were there.

In other words, he used—we had an organization of a large number of people.

Then he proceeded to testify that he had obtained his information largely from finance companies, and from airplane maps which had been made by the Government of Mexico.

Mr. President, is the Senate prepared to barter away rights worth hundreds of millions of dollars, and foreclose and curtail the development of the Southwest on testimony of that character? I say to Senators that the testimony which I have read is indicative in character of 90 percent of other testimony upon the subject, as we shall see as we review the statements which were made.

In order that the situation may be clearly understood, I may say that of the 1,800,000 acre-feet, which it is alleged that Lower California was using in 1944, it is admitted by both sides of the controversy that 1,100,000 acre-feet was diverted in the United States through American facilities, and then allowed to go down to Mexico. Since it was diverted through our facilities, we know what the amount was. It was 1,100,000 acre-feet. During that dry year of 1944, Mexico could not get even 1,100,000 acre-feet without appealing to us and making a special arrangement with the State Department and the Bureau of Reclamation to provide extraordinary means in order that the water be made available to Mexico. I believe that last year was the first time we had diverted water to Mexico out of the All-American Canal. As I will show later, the State Department warned Mexico that the taking of that water through our facilities must not be considered as establishing any precedent.

Mr. President, another amazing thing occurred. Representatives of the State Department who appeared before the committee pleaded total ignorance of there having been correspondence between Mexico and the United States, by virtue of which it was necessary to make extraordinary arrangements for Lower California to obtain water in 1944, with the understanding that no precedent should thereby be established. The State Department said that it could not find the correspondence relating to that subject and denied that it knew about it. We were finally compelled to obtain copies of it from the Bureau of Reclamation.

Mr. President, with regard to the 1,100,000 acre-feet, do you not think that common decency and honesty would have impelled the representatives of the State Department to have appeared before the Foreign Relations Committee and say, "Gentlemen, because Mexico's crops were dying in 1944 and she could not get water, we worked out a special arrangement for her, and here is the arrangement which was worked out, and as to which we first had an understanding that no claim could be made that whatever we did could be used as a precedent"?

Senators, I shall later take up the testimony on that point of the Assistant Secretaries of the State Department. I think the Senate should be appalled that those representatives of the State Department pleaded total ignorance of documents of such huge importance in this controversy, documents which were created by representatives of the State Department.

Mr. President, reverting again to Mr. Lawson's testimony, it will be recalled that he testified that it was ascertained that Mexico was using 1,800,000 acre-feet of water. Manifestly, 1,100,000 acre-feet came out of the American headgates and American appliances on American soil, under conditions which I have stated. That left 700,000 acre-feet of water. And Mexico claims that in 1944 she pumped that much water out of the river below the lower international boundary. From hearsay, and from circumstantial evidence, we are certain that she did not get more than 200,000 or 300,000 acre-feet. But unfortunately, we could not appear before the committee and positively testify, because, of course, we were not allowed to make any measurements and calculations in Lower California.

The land upon which the 1,100,000 acre-feet of water was used and the land upon which the additional water was used is all contiguous, forming one common parcel of land, as may be seen from an inspection of the map which was submitted by the Senator from Texas.

I ask Senators what they think of representatives of the United States, who would take airplane maps from Mexico, made by representatives of Mexico in order to support her claim, and give credence to such maps. In the first place, airplane maps are very difficult to read. In the second place, unless one knows the angles from which the shots were taken, the maps are not worth anything. How easy it would be to confuse the land which was irrigated by the 1,100,000 acre-feet with the remainder of the land. I ask, Mr. President, are we willing to establish a precedent, of the character to which reference has been made, by agreeing to this treaty? Are we going to barter away the rights of the United States and its citizens by the type of investigation which was made?

Mr. Lawson was finally compelled to admit that all the information with regard to the alleged 700,000 acre-feet of water had come from Mexican sources, and/or the finance companies, the only one of whom he knew was the Anderson-Clayton Co. I believe that the Anderson-Clayton Co. is the largest cotton handler in the entire world. That company is already operating in Lower California with immense cotton ginning establishments and factories for many by-products. The company is financing the growers shown on this map. They are totally dependent upon the signing of this treaty. I assert—I regret that there are not many Senators present from the South to hear me—that, in my opinion, if this treaty is effectuated there will be developed, in Lower California, one of the greatest cotton-growing areas in the entire world. The testimony is undisputed that a Mr. Jenkins, a man of extraordinarily bad reputation, whose history was given before the Foreign Relations Committee, acquired for 75 cents an acre 500,000 acres of this land which will be irrigated. That land is rich, silt soil two or three hundred feet deep. There is no finer cotton land in the world. I estimate, from the investigations I have made in California, that, for every 4 or 5 acre-feet of water that Mexico can get down there, she will produce a bale of cotton. If that be true, do not mistake me. We are not dealing with a use of 1,500,000 acre-feet of water, for it is very certain, if we once ratify this treaty and obligate ourselves, not only to the guaranteed amount, but to help Mexico with the use of all water we are not using, within 10 years she will be utilizing 4,000,000 or 5,000,000 acre-feet of water, and, I doubt not, producing between 750,000 and 1,000,000 bales of cotton—cotton which is already a drug on the market.

Mr. HATCH. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from New Mexico?

Mr. DOWNEY. I yield.

Mr. HATCH. Is it the contention of the Senator from California that in order to preserve the cotton industry in the South the pending treaty should be defeated? I hope the Senator will not take that position.

Mr. DOWNEY. I might say to the distinguished Senator from New Mexico that if I thought that the free use of our water and of our power, as a gift to Mexico, would help to build up a great cotton-producing area, which the world does not need, and help make more difficult the lot of the cotton-growers of the South, I certainly would consider that a factor, and I appreciate the distinguished Senator's having called it to my attention.

Mr. HATCH. I certainly hope the argument on the treaty will not be placed on that plane.

Mr. DOWNEY. I must admit that I hardly understand what the distinguished Senator means. At a cost of hundreds of millions of dollars, we are building up a great reservoir and irrigation system in the United States. Just why we should make great appropriations and turn over a tremendous amount of water to Mexico, so that she can help bankrupt our cotton farmers, I fail to see. It is not a major point in this case; of course not; but I think we should all understand the facts.

Mr. President, I should like to have the Senate realize what the condition will be. The distinguished Senator from Ohio and the distinguished Senator from Colorado have repeatedly expressed apprehension that if the Senate does not ratify this treaty, Lower California will build up a big water use. Later in my argument I shall show that contention is totally fallacious. Mexico could not even use 1,500,000 acre-feet of water without our permission, our appliances, our dams, and our diversion structures. That is a simple fact, which has been entirely suppressed and glossed over. I ask, Mr. President, as a matter of common sense, if it be true that flowing down that river there are 10,000,000 acre-feet of water, which Mexico could use for the next 25 or 50 years, and

thereby practically build up against us a right in that amount, would she be here accepting a mere 1,500,000 acre-feet of water? Of course she would not; and, as I shall attempt to demonstrate later, Mexico is only using the one million, three or four hundred thousand acre-feet which we think she is now using, by virtue of our sufferance and our permission, and next summer, if we did not want to cooperate with Mexico and allow her to have the use of our dams and ditches and diversion structures, she would produce hardly any crops.

The argument that if we do not ratify the pending treaty Mexico will build up a great use against us is totally unsound and fallacious. But I do not want to be led away from my argument on that question at this point. I shall later come back to it.

As I have said, Mr. Jenkins, who has been described in the press as an expatriate adventurer, acquired while this treaty was being negotiated more than 500,000 acres of this land at 75 cents an acre. If this treaty is once ratified by the two governments, somebody or some organization is due to make a large fortune out of our water. I wish to say that Lower California will then have the cheapest land, the most fertile land, the cheapest water, and, so far as I know, the cheapest labor in North America, and she will be able to get along very well.

At the present time perhaps 75 or 80 percent of the land is in cotton. It is expected that future developments will be principally in cotton. Why is that? Senators who know more about cotton than I do can better answer it. But Lower California is not even a State; it is a Territory, removed from any center of population in Mexico. Lower California cannot grow vegetables or hay or other products and ship them into Mexico City or other markets in Mexico; it cannot successfully compete with us in those products at the present time. It can and is successfully competing in cotton.

Some time later in this week, it is my expectation to present to the Senate a resolution providing for a continuance of the discussion, until there can be a further consideration and investigation of this subject. It may be that, upon the most vital point raised by the Senator from Texas—namely, the amount of water Lower California is now using—Senators will rely upon Mr. Lawson's testimony. That may satisfy them. Perhaps we are entitled to barter away rights very precious to us, to our great injury, upon that kind of testimony. I hope the Senate will agree that there should be another investigation.

Mr. President, in view of the remarks made some time ago by the Senator from New Mexico, I wish to say that we in California are very anxious to work out a fair and decent treaty with Mexico.

Mr. HATCH. Mr. President——

Mr. DOWNEY. We believe that a treaty, which would be much better for both Nations, can be worked out. We do not know enough about the facts relating to the Colorado River, as I shall later show, to work out an intelligent treaty. The State Department representatives and the International Boundary Commission have overlooked several of the most important facts which should enter into the making of a treaty. They made omissions of that kind, which might plunge us into the most serious and unfortunate controversy with Mexico.

I well realize that whatever water Mexico is entitled to she should be allowed to use just as she desires. If we gave her what she could use, from the unregulated flow of the river, 750,000 acre-feet, that should be her water, to utilize just as she wishes; but if we are to give her far beyond what she is entitled to, in common sense or in comity, if we are, beyond that, to help her for 25 or 50 years to make use of all the surplus water we release, we certainly should have the right to say, "Well, Mexico, what are you going to do with this water? Are you going to use it to produce cotton, in a world which already has far too much cotton?" Should we lend our wealth and talents and toil, to help Mexico produce that crop, under conditions so favorable that we could not hope to compete with her?

I yield to the Senator from New Mexico.

Mr. HATCH. I do not know why the Senator referred to the Senator from New Mexico, in the light of the remarks he has made. I sincerely hope there was nothing in what I said which reflected upon either of the Senators from California, or the people of that great State, because both Senators are fine, admirable, able, and intelligent men, and the people of California are fine people.

I wish to say this to the Senator from California, however, that only recently his own State engaged in the production of irrigated cotton, and I happen to be one of the Senators from the irrigated States that opposed objections from other Senators from rain-grown areas who said that California did not have a right to produce cotton. I stood for the right of California to produce cotton, and I regret to hear the Senator from California make the argument which he has been making today, because it sounded so much like arguments I had heard made against his own State.

Mr. DOWNEY. Again, Mr. President, I do not know what are the implications flowing from the remarks of my distinguished and beloved friend from New Mexico. I did think his implication was that my argument was an unfortunate one. I did not take it personally, but I do appreciate the kind and gracious words the Senator has uttered. I have nothing further to add upon that particular point, so I shall pass along.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LANGER. In this pamphlet entitled "Mexican Treaty" it is stated, on page 2:

> It is an area of only 2,000 square miles and represents a very small fraction (one three hundred and eighty-two thousandths) of the total area of Mexico.

That refers to land which if this treaty were ratified, would have the use of water from the Colorado River. It says further:

> All of the water in the Colorado River comes from the United States; none comes from Mexico.

Can the Senator tell me whether this 2,000 square miles is now barren or is inhabited? Are people living on it? What is the situation?

Mr. DOWNEY. It is almost wholly barren—an arid desert. The Colorado River flows for about 50 miles, after it leaves the lower boundary, down into the Gulf of California. It flows through an area which has only 2 or 3 inches of rainfall a year, silt for 2 or 3 miles on each side of the river, and then sand dunes. The only growth there in Lower California is the result of irrigation from the Colorado River.

I might say tnat I stated this morning that in Lower California, in the Colorado River Basin, there are only about 40,000 people, as against 4,000,000 in southern California, who are dependent on this water.

Mr. LANGER. About how many inhabitants would the Senator say there are on this 2,000 square miles?

Mr. DOWNEY. Forty to fifty thousand—50,000 at the outside. I have those figures from our Census Bureau. They rate all of Lower California as having a population of 80,000 to 90,000, and that portion of Lower California in the Colorado River Basin as having 40,000 to 50,000 people.

Mr. LANGER. I notice from this map that another part of Mexico is included, in addition to Lower California.

Mr. DOWNEY. That is a very small portion of Sonora.

Mr. LANGER. Yes.

Mr. DOWNEY. That is nothing except dry, arid desert. There is no cultivation of any character there. There is a stream which flows through there, but it is a dry gulch four or five years out of every six.

Mr. LANGER. Are there cattle ranches there?

Mr. DOWNEY. Nothing but arid desert.

Mr. LANGER. Who owns that?

Mr. DOWNEY. The 500,000 acres which will be irrigated under this particular treaty were recently acquired by Mr. Jenkins at 75 cents an acre.

Mr. LANGER. Who is Mr. Jenkins?

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I will yield after I answer the question—Mr. Jenkins is described as an ex-patriate adventurer who has had a most unhappy and lamentable career in Mexico, that has brought him in conflict with both governments, the United States and Mexico, and with the criminal authorities. His entire record was given before the Committee on Foreign Relations, so I feel free to speak about it. Who his companions are, or who his associates are, we do not know, but he acquired the 500,000 acres, which is most likely to be irrigated under this treaty, while the treaty was being negotiated, as I have said. He got it for $360,000, and if this treaty shall go into effect, whoever has the title will

stand to make a huge fortune running into many, many tens of millions of dollars.

I yield to the Senator from Colorado.

Mr. MILLIKIN. Mr. President, I think it should be stated that those are merely conclusions; there is no testimony that if the treaty shall go through this land will be watered as a result of the treaty.

Mr. DOWNEY. I think the distinguished Senator is in error. Of course, the record will speak for itself. I understand it is very plain that the 500,000 acres of land which Mr. Jenkins acquired at 75 cents an acre is the land which is adjacent to the ditches and to the river, and that that is the land which in all likelihood will be irrigated. Of course, it would be possible to carry the water on, at large expense, beyond that land. I might also say that I think it is very certain that financial arrangements are already under way to develop that particular 500,000 acres.

Mr. MILLIKIN. Will the Senator yield for another observation?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I believe the Senator has some disagreement with the contention of the proponents of the treaty that, roughly, in 1943 and 1944, 1,800,000 acre-feet of water were used in Mexico. Assuming that those acre-feet of water were used on lands in Mexico now under irrigation, it is perfectly apparent that if this treaty cuts the acre-feet down to one and one-half million they probably will not be applied outside of the area now being irrigated.

Mr. DOWNEY. Mr. President, the Senator from Colorado is entitled to draw that conclusion if he wants to, but in this treaty we expressly convey to Mexico all the surplus water that reaches her borders. We also in the treaty make arrangements to allow Mexico to divert that surplus water.

The distinguished Senator from Texas—and I think he was perhaps too optimistic—did state, however, with a considerable degree of truth, that there is now perhaps 10,000,000 acre-feet of water wasting down into the Gulf of California. I do not think it is that much. I think it may be 7,000,000 or 8,000,000 acre-feet, beyond what Mexico is using and what we are using now. Undoubtedly, Mexico will have that water until the people in the upper basin are ready to apply it. She certainly will have it for 20 or 30 years, and we obligate ourselves and pledge ourselves to help her use it. The treaty plainly shows that she is making arrangements to use that surplus water.

Mr. MILLIKIN rose.

Mr. DOWNEY. Does the Senator wish me to yield now?

Mr. MILLIKIN. I should like to ask the Senator to yield, but I do not wish to interrupt him if he has something further to say at this point.

Mr. DOWNEY. I wish to say that what tremendously disturbs me, and what I shall later show unequivocally, is that Mexico could not use 1,700,000 acre-feet without using our water and our facilities in the United States. That is the fact. It has been covered up and suppressed, and the Senators in the Foreign Relations Committee did not know it to be a fact, but it is a fact. Let us once sign the treaty, and Mexico will then have, as I have said, the cheapest land, the cheapest water, the cheapest power, and the cheapest labor, the best set-up for a million acres, for the production of 1,000,000 bales of cotton a year, of any place in the whole world. There is no doubt about it. In 10 years Mexico could pay back the whole cost of putting in whatever is necessary in the way of irrigation facilities, and make a huge profit in that 10 years, because Mexico has no costs to pay. We are the ones who are doing all the work. We are the ones who have built the great reservoirs. It is our appliances in the United States that will be used. This treaty clearly indicates that Mexico intends, and we intend to help her, to use, not only the 1,700,000 acre-feet of water given by this treaty, but four or five million acre-feet besides.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CONNALLY. I am aware that the cotton argument has been sedulously circulated, particularly amongst southern Senators to frighten them off. California's contention is that if we adopt the treaty Mexico will vastly expand her cotton production. If the treaty shall not be ratified, what will she do? Then, there will be no limitations on her at all. Between 8,000,000 and 10,000,000 acre-feet of water each year are now going down the river unused, and what is to prohibit Mexico from expanding very greatly? But if we place a limitation of one and a half million feet in the treaty, whatever expansion she makes will be at her peril and will be wiped out if the time ever comes when California can use the water. I do not think that time will ever arrive, however, unless there should be another flood such as occurred in the days of Noah.

The Senator says that under the treaty Mexico can use more than one and a half million acre-feet if it flows down there. In the absence of the treaty Mexico can certainly use it if it flows down there. Water cannot be stopped from flowing. It is going to flow into Mexico anyway, and if it is there by our permission and consent, treaty or no treaty, of course, Mexico can use the water. So there is nothing contradictory in the treaty saying that this extra water may be used by Mexico, and at the same time providing that she acquires no right and no title to it. It is merely a matter of sufferance, because the water is down there. It comes down the river, 8,000,000 to 10,000,000 acre-feet every year, and there is no one who can prevent Mexico from using it.

Mr. DOWNEY. Mr. President, I first desire to direct my remarks to answering the Senator from Texas. I am very glad the distinguished Senator made the statement he just did to the Senate. I have not the slightest criticism of the distinguished Senator from Texas. But I allege, and I will prove it right now, that he is wholly mistaken in what he has to say. He is justified in believing it.

Mr. CONNALLY. If that is true, the Senator ought not to be glad that I made the statement.

Mr. DOWNEY. I am glad the Senator did make it.

Mr. CONNALLY. That I made a false statement about the matter?

Mr. DOWNEY. I do not accuse my distinguished friend of any falsehood. The worst I could accuse him of is that his noble nature has led him too readily to accept statements which were wholly misleading and improper. On the contrary, rather than Mexico being able to use 10,000,000 acre-feet of water now, or 5,000,000, or one and a half million, she could not use any substantial amount, and she has not been able to. The water that she used in 1944, 1,100,000 acre-feet, was diverted from facilities in the United States, and Mexico could not have gotten it without those facilities.

Mr. CONNALLY. The Imperial Irrigation District works? Is that what the Senator means?

Mr. DOWNEY. Yes.

Mr. CONNALLY. Upon which California obtains a royalty for the water that goes to Mexico at this time. Is that true now?

Mr. DOWNEY. No; I think that is not true. The Imperial Irrigation District has never made any money or any profit, as I will later show, out of those works in Mexico, or distributing water in Lower California.

(At this point Mr. DOWNEY yielded the floor for the day for the consideration of the first deficiency appropriation bill and for other business which was transacted.)

Tuesday, March 27, 1945

(Continuation from Monday March 26, 1945)

Mr. DOWNEY. Mr. President, I shall address the Senate for a limited time today—I hope for not over 30 or 45 minutes at the outside. I have, as yet, hardly begun a discussion of the many involved points of this treaty, but I have no desire unduly to delay the Senate in its deliberations, and I have no desire to speak longer than I should. I have reached the conclusion that the quickest and most logical way for the Senate to understand what this treaty is all about is to begin a consideration of amendments to particular sentences, paragraphs, and articles. Speaking only for myself, I want to say that it is now my opinion that almost every sentence, certainly every article of this treaty, is filled with ambiguity and confusion, and likewise, that many of the articles contain enormous grants of power that the Senate will not want to make. I believe the Senate can obtain a more intelligent and a quicker idea of the treaty and do what the Senate desires to do with it by considering the individual points that arise in the course of discussion of concrete amendments to particular articles.

At this time I merely wish to reply briefly to the point principally stressed by the distinguished Senator from Texas [Mr. CONNALLY]. That point is, as he states it, that there is now in the Colorado River, wasting down to the Gulf of

California, through Lower California, approximately 10,000,000 acre-feet of water that Mexico will be enabled to appropriate and beneficially use a huge part of that 10,000,000 acre-feet; and that, by so using it, she will build up a claim or a right to that water which may be very costly and burdensome to us in the future. It was his statement, I believe—perhaps he was somewhat too optimistic; perhaps he overemphasized it—that many, many millions of acre-feet of water would be running down there unused by American water users for 50 or 100 years, and that it would be this water that Mexico would appropriate, and that by appropriating and beneficially using it Mexico would build up a right to it. Consequently the distinguished Senator, starting with that premise, argues that this treaty is very favorable to us, because it curtails and limits Mexico to the use of 1,500,000 acre-feet of water.

We Americans are rather naive. We are credulous, so far as our own rights are concerned. The arguments which were stated by the chairman of the Foreign Relations Committee were the arguments principally relied on by witnesses for the State Department, in urging this treaty. If we were American businessmen or lawyers, and not naive, but thinking in terms of practical common sense, we would immediately say, "If Mexico now has it within her power, for the next 25, 50, or 100 years to use 5,000,000 or 10,000,000 acre-feet of water, worth billions of dollars, why does she not use that water to build up her right, so that she can make whatever maximum claim she may wish to make, in the future?"

Mr. President, I have already said that the record before the Foreign Relations Committee is full of inaccuracies and misstatements, far beyond anything I have ever experienced. Here again we find the whole statement of facts erroneous. It is not only 100 percent wrong, but the direct opposite is true.

I spent 2 weeks on the delta of the Colorado River and on the facilities in the United States, by which Mexico now principally uses her water. I say to the Senate—and I challenge investigation of the statement—that Mexico cannot build up any additional use of water without this treaty. She cannot even use what she is now using without our facilities in this country—our diversion ditches, dams, and reservoirs. If Mexico could, for an almost unlimited time, use many times 1,500,000 acre-feet, and by that use establish a strong right to that amount forever, would she be here, sacrificing her interests? Of course, she would not. Nor would the chairman of the Foreign Relations Committee urge upon the Senate that we make this treaty as a favor to Mexico. If the facts are as alleged, Mexico is making a most improvident treaty, against which she should be protected.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. FULBRIGHT. I should like to get a little information about the prior negotiations in connection with this treaty. I believe that in 1927 or 1928 Mexico demanded 3,600,000 acre-feet as her share, and we offered approximately 1,000,000.

Mr. DOWNEY. We offered approximately 750,000.

Mr. FULBRIGHT. The digest states that there was also a suggested recognition of 250,000 to 300,000 acre-feet to compensate for loss in the main channel. The digest states that we offered approximately 1,000,000 acre-feet. At that time Mexico wanted 3,600,000 acre-feet, and apparently we offered approximately 1,000,000. Is that correct?

Mr. DOWNEY. No; again the digest is erroneous. What is referred to there is what is known as the Mead offer. The Mead offer proposed to give Mexico 750,000 acre-feet of water, with only a possibility of adding to that the amount of water necessary to take that 750,000 acre-feet from the river, through the main canal, to the head of the laterals. The testimony of the engineer who managed the system to the effect that the additional amount would be less than 10 percent. The written records of the Mead committee are plain and unequivocal, to the effect that the Mead offer was 750,000 acre-feet plus perhaps 10 percent, or 75,000 acre-feet in addition.

Mr. FULBRIGHT. It is true, is it not, that Mexico thought she was entitled to 3,600,000 acre-feet at that time?

Mr. DOWNEY. Up to the time the All-American Canal was built, Mexico was claiming 3,600,000 acre-feet. I shall be glad to explain to the Senator, and to the Senate, upon what Mexico based that claim.

When we originally irrigated the lands in the Imperial Valley in the United States, we were compelled to take our ditch through Mexico. As a condition for permitting this, Mexico demanded of us the right to take one-half of whatever water was carried through that ditch. The ditch had a capacity of 10,000 second-feet of water.

Mr. FULBRIGHT. What does that represent in acre-feet?

Mr. DOWNEY. One second-foot of water flowing for 24 hours makes two acre-feet. Five thousand second-feet of water would represent 10,000 acre-feet a day, or 3,600,000 acre-feet a year; but there was never that amount of water taken through the canal. Only a small fraction of it went through the canal, because the water simply was not there. The maximum which Mexico ever got out of that contract was 750,000 acre-feet of water in 1 year. But Mexico continued to hope that the United States might spend hundreds of millions of dollars on our streams, thereby making it possible to take 10,000 second-feet of water through the ditch into Mexico. She would then be able to claim half that water. So long as Mexico felt that she had a strangle hold on the people of the United States, because our ditch happened to go through Mexico, she made the claim of 3,600,000 acre-feet.

But our American farmers threw off that parasitical burden, that servitude to Mexico. We built the All-American Canal, which runs entirely through American soil, and thus we were under no obligation to give to Mexico any water out of the All-American Canal.

Consequently, Mexico immediately realized that she had lost her hold on us. Since that time, she has been anxiously determined to make some treaty, because from now on Mexico can do substantially no irrigation without the use of our reservoirs, our dikes, ditches, and diversion facilities in the United States. If we do not make this treaty, and if we do not wish to go out of our way to help Mexico use our facilities, built at our expense, next summer she will have a crop failure.

Mr. FULBRIGHT. There is one other point on which I am not altogether clear. In connection with the provision for one and a half million acre-feet, as I understand the testimony, it is estimated that about half of that amount, or 750,000 acre-feet, is what is called prime water, and the other half consists of return flow water. Is that true?

Mr. DOWNEY. It is the contention of our State Department that Mexico will be obligated to take, as a part of the 1,500,000 acre-feet, any return flow waters, which have been used for irrigation in the United States, and which come back to the river at the Mexican boundary, however saline, and however low in quality those waters may be. In my opinion, anyone who attempts to make a treaty based upon the amount of return flow is very foolish, because it might well be that the whole 1,500,000 acre-feet would be return flow. It might happen that only a few hundred thousand acre-feet would be return flow. However, the Senator is correct in saying that that is the way in which the treaty is now phrased.

Mr. FULBRIGHT. If that were true, it would not be very different from the offer in 1928. In other words, 750,000 acre-feet of prime water was offered at that time, was it not?

Mr. DOWNEY. No. The Mead offer was very plain, that the 750,000 acre-feet would include return flow at the Mexican boundary. The 750,000 acre-feet includes the return flow. I have the whole Mead report here, and I can mark it and let the Senator read it. However, I may say to the distinguished Senator that we in California are willing to consent to a treaty which would give Mexico the 750,000 acre-feet of water plus all the return flow, whatever that might be. It might very well be that she would get 2,000,000 acre-feet by that process.

Let me suggest to the Senator that the difficulty is not thereby solved, for the reason that, among approximately 50 other ambiguities in the treaty, there is one which is patent and obvious, namely, that the treaty does not make it plain that Mexico must take that return flow, regardless of its quality. Let me say to the distinguished Senator, who probably is not experienced in irrigation matters, that in calculating the effective value of irrigation water one must take into consideration two factors of equal importance. One is the amount of water; the other is the salinity of the water. Exactly to the extent that you increase the salinity of the water, you decrease the value of the water for irrigation purposes. As you get more salt, that salt tends to precipitate in the land, and you need more water to wash

out the salt. Otherwise, you will spoil your land and destroy your plants.

It is my own belief, and I am confident of it, and I think almost everyone agrees with me upon this particular point, that the return flow will be so highly saline as to be practically worthless. It might well be that under the treaty, as interpreted by the State Department, all the water allotted to Mexico would be return flow, and it might well be that that water would be totally valueless.

To me it seems like Alice in Wonderland. I see distinguished members of the Senate Committee on Foreign Relations here. I cannot follow their mental processes on this matter, and I say that with high respect for them. The treaty provides that Mexico must take the water from any and all sources. It is first argued that that expression means from return flow and seepage. It is next argued that it likewise means that the return flow and seepage may be so highly saline as to be unusable. To my mind that is most ambiguous. If I were a judge of a court I would never say that the treaty obligated Mexico to take useless waters. I would never interpret a treaty in that way. Apparently the members of the Committee on Foreign Relations think the treaty does mean that, and the State Department officials have reiterated it. We could save half the time of this debate and much acrimony and fury, if we would simply say in plain language in the treaty what the State Department officials say it means, namely, that Mexico must take this water, regardless of quality.

I wish to have the distinguished Senator know that I am not suggesting that kind of a treaty with Mexico. I would not do it, because I think it would be a very bad treaty. However, the State Department has made all its arguments, all its plans, and all its calculations, based upon the premise that the water must be taken by Mexico, regardless of quality. Clearly, the provision is ambiguous. Even if it is not ambiguous, why not just add the simple words "regardless of quality," and satisfy those of us who think it is ambiguous?

I may say to the distinguished Senator, that it was stated openly at the hearings, by a representative of the State Department, "If you say in plain and simple language what you mean, the Mexican Senate will not confirm the treaty." Mr. President, what kind of an Alice-in-Wonderland are we living in? What kind of a mass hysteria is there, that is gripping us right now, so that State Department representatives come before us and say, "It is clearly understood that this language means thus and so, but we dare not write it out in simple words, because it would be offensive to Mexico."

Let me say to the distinguished Senator, that this is life and death for us in the Colorado River Basin, including the upper basin States. It may be bad for California to have an injurious treaty; but if we know what the injury is, at least we can guard against it. However, above and beyond everything else, we wish to have a precise and clear treaty, so that we shall know what it means. No Senator can say that the expression "from any and all sources" is not ambiguous, or can say, with certainty, that it means Mexico must take useless waters.

Senators ask me, "Suppose we make this treaty, upon the theory that Mexico is obligated to take this return flow, regardless of its salinity, and suppose that then some court of international arbitration decides against us, as it almost certainly would. What would happen?" Well, Mr. President, no one could tell what would happen; but it would be a disaster beyond parallel, to the Colorado River Basin States. I have no doubt that one of several things could happen. Lake Mead is now impregnated with salt to the extent of 750 parts per million. That is fairly good water for irrigation. When the salt content increases to 2,000 parts per million, the water is on the borderline of being useless. We think the return flow will have 3,000 parts of salt per million, and that is very bad water. It would not be usable by Mexico. The upper basin States are going to commence a great development very soon. They will begin to use and re-use the water in the upper Colorado as it flows down to Lake Mead. By taking it from the river and passing it through their soil, they will increase the salinity of the water. No one can say what will be the salinity in Lake Mead 25 or 30 years from now. It may be a thousand parts per million; it may be 1,500 parts per million. It will be much poorer water. We in the lower basin States are protected under the compact, because our grant is in what we term "beneficial use." By "beneficial use" is meant the actual use which is obtained from the water; so that to the extent that we get more salinity in the water, we will get more water to use.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I do not care to argue that point with the distinguished junior Senator from California, but I wish now to file in the RECORD a caveat against that theory.

Mr. DOWNEY. Mr. President, I do not think there is any misunderstanding between me and the Senator from Colorado. I realize that the obligation of the upper basin States is to send down 75,000,000 acre-feet of water, regardless of its quality, I think, every 10 years. However, let me say to the Senator, suppose Mexico is granted by the Department of State a million and a half acre-feet of beneficial use. With the water as it now is in Lake Mead, she might get that beneficial use out of 2,000,000 acre-feet of water. When the water became more saline, it might require two and one-half million acre-feet. I am not saying that would increase the burden on the upper basin States.

All I say—and I am correct, and I persist in saying it—is that the rights in the Colorado River States are based on what we term consumptive use. Consumptive use is the amount of water applied, less the return flow to the river; and the return flow to the river depends upon the amount of salinity. I am not arguing as to any rights as between the upper basin States and the lower basin States; but, of course, our earlier rights in California, since they are based on beneficial use, will require that the amount of water applied under those earlier rights will be increased as the salinity increases. I do not think the Senator will differ with me on that point.

Mr. MILLIKIN. Mr. President, will the Senator further yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I simply wish to say that our obligation, as I interpret it, under the compact in the upper basin States is to give the lower basin States 75,000,000 acre-feet of water in progressive, 10-year series. There is nothing whatever in the treaty which says anything about consumptive use in Mexico.

Mr. DOWNEY. That is right.

Mr. MILLIKIN. We deliver a fixed amount of water to Mexico. It utterly confuses the issue to talk about the terms of the Colorado compact, which mentions consumptive use, and to talk about other instruments which are relevant here, which mention consumptive use, and then carry the consumptive-use idea into the Mexican treaty, which says nothing about consumptive use and which does not give any guaranty for the delivery of any type of water.

Mr. DOWNEY. I do not wish to be drawn into an argument with the Senator on this very technical, complicated, and difficult point. We could detain the Senate, as Supreme Courts have been detained, for 2 or 3 days on this one point.

The Colorado River compact allocates to the upper basin 7,500,000 acre-feet annually for consumptive use. The lower basin is given 8,500,000 acre-feet annually for consumptive use. The Senator, of course, knows that. In calculating what is surplus and what is not surplus, consumptive use is, of course, taken into consideration, and that largely depends on the salinity of the water. I do not believe the Senator and I differ on those points.

Mr. MILLIKIN. Mr. President, I understood the Senator to say, or to imply, that as the waters of the stream become more saline the upper basin might have to deliver more water for the benefit of the lower basin. I arose merely to complain against that, because I do not want the RECORD to show that I sit here silently and allow that to stand without objection. I agree with the distinguished Senator that we could spend considerable time in arguing that point.

Mr. DOWNEY. There are experts, men who know more about this than I do, who might differ with me. But I am in agreement with the statement of the distinguished Senator from Colorado, that because of increasing salinity at Lake Mead through re-use of the water in the upper basin, there should be no increase in the obligation of the upper basin to release more water. But the water rights in the lower basin are measured in terms of consumptive use. Consumptive use means, in effect, the actual value obtained from the use of the water. As the salinity increases there is less consumptive use, and therefore more water must be obtained in order to satisfy that particular water right.

Mr. President, of course the distinguished Senator is correct in saying that the 1,500,000 acre-feet to Mexico is not based on consumptive use. If it were

the treaty would be plain. We would then know how much water we must give to Mexico. Let us look at it in this way: With the water which Mexico could receive under this treaty there might be salt impregnation to the extent of 3,000 parts to the million. That kind of water would irrigate only one-quarter as much land as the kind of water which Mexico is now receiving out of Lake Mead. But if the allowance to Mexico were made on the basis of beneficial consumptive use, as the salinity increased she would be entitled to more water to compensate for it.

There are many ways in which this problem could have been properly handled. As it is, Mr. President, I assert without any fear of successful contradiction, that this, the very heart of the treaty, as well as almost every other point in it, is so ambiguous and confusing that if the Senate adopts the treaty instead of settling the present controversies and questions of right in the Colorado River States it will have confused and unsettled them almost beyond measure.

Consider what might happen. Suppose that 25 or 30 years from now Mexico begins to get an excessive amount of return flow and that it is so saline that it begins to make her land unproductive, and she must begin to reduce her irrigation. Why, Mr. President, if she were to go before a court of international arbitration she would, of course, obtain relief. I do not believe that the American leaders would then have the temerity to say to the international court, "Mexico is obligated under the treaty to take water however poor its quality." As a matter of fact, Mr. President, the distinguished chairman of the Foreign Relations Committee will not let that be said in plain terms right now, for fear the treaty will not be ratified by Mexico. What kind of an unreal world are we moving in? Are we making this treaty for some kind of a temporary effect upon the world and upon Mexico in particular or are we creating and settling rights in perpetuity? I assert that we are being asked to create a document so absurd and grotesque that it will be a foundation of future controversies and lawsuits almost beyond measure.

I was attempting to trace what might happen if a court of international arbitration should decide that Mexico was entitled to water of usable quality. I was about to state that a court would be justified in saying that the United States agreed to give Mexico 1,700,000 acre-feet of usable water and that it had to be equal to the quality of the water in Lake Mead at the time the treaty was made. What that would lead us to I do not know, but it would perhaps lead us to a million or two million more acre-feet of water than this treaty purports to give because we are asked to give a guaranteed right which might lead us into reparations and damages to the extent of huge amounts.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. FULBRIGHT. I do not wish to prolong the debate. The Senator stated correctly when he said that I am not familiar with irrigation matters. I wish to say, however, that I have noticed two or three statements in the booklet which was placed on our desks yesterday. One statement is to the effect that certain communities are paying for Boulder Dam, and that the taxpayers are not paying for it. Exactly what does that statement mean?

Mr. DOWNEY. I may say to the distinguished Senator from Arkansas that the Boulder Dam project was built under an arrangement between the Federal Government and its citizens, an arrangement which is unique, so far as I know. While it is a reclamation project, nevertheless the Federal Government charges us 3 percent interest on the use of the money. Incidentally, the R. F. C. made $3,000,000 in profits out of us in selling some of the bonds. In addition to paying 3 percent interest we must amortize the whole principal over the course of 50 years or slightly in excess of that length of time.

Mr. FULBRIGHT. Who does the Senator mean when he says "we"?

Mr. DOWNEY. I will come to that in a moment. The arrangement has been so worked out, that both Arizona and Nevada will receive $300,000 a year for 50 years in rent, or in lieu of taxes, for the use of the dam site which is located at a point between those two States. There is also a charge of $500,000 a year for 50 years, which is largely for the benefit of the upper basin. All those charges are a burden upon the water users and power users in the lower basin, almost entirely in California.

I may say also that if, after we have paid the interest and all those extra charges, we then owned the enterprise, that would be one thing. But we will not own it. At the end of 50 years the great Boulder Dam enterprise will remain the property of the United States Government. Likewise, during this entire 50-year period we must establish repair and depreciation funds so that that great enterprise will be turned over to Uncle Sam 50 years from now in as good condition as it is in now.

Mr. President, we are not complaining. We signed our names to those obligations. We made the contracts with the Secretary of the Interior in order to accomplish our objectives. We are not complaining about that. But we are complaining now, when those contracts made with us are about to be violated by the terms of this treaty, that the lower basin States, whose financial efforts made the project possible, will be the ones who will be stricken to the heart by the treaty.

Mr. FULBRIGHT. Is it true—I gather there is something of the sort in the contracts—that actually the way California is paying is in the form of payments for electric power which is generated at Boulder Dam? California is not paying Boulder Dam anything for the water received in payment for the structures such as the All-American Canal or some of the distribution canals lower down. Is that correct?

Mr. DOWNEY. I might say to the Senator that is substantially correct. There are certain charges for water, but they are of a minor kind, and the project was largely worked out through the charges for the power. But now let me go a little further. The metropolitan water district, whose water rights will be fatally striken by this treaty—that is the metropolitan water district which serves the urban part of southern California—took 36 percent of this firm power at rates which, with charges for the rest of the power and some charges for water, would repay all these amounts. The metropolitan water district has to pay for this power, even though it cannot use it, and even though it might have to resell it at a loss. As a matter of fact, in the first 4 or 5 years after Boulder Dam was constructed the Metropolitan water district had on its hands power for which it had to pay Mr. Ickes and which it could not use or resell, to the extent of four and one-half million dollars. If it had not been for the unusual demand for power in California, because of the war, we would probably now have a burden approximating a million dollars a year for power, for which we have contracted and which we would not be able to use. We are obligated to take enough of this power to amortize and carry the investment, even though we have to handle the power at a large cost. That is our obligation. If Uncle Sam had done what was done, we will say, in the case of the Tennessee River, that is, make an outright appropriation for the repayment of the principal and the interest, then our power would have cost about a half what it did. Certainly southern California has obligated itself to pay for this great structure out of the power revenues, and has guaranteed the power revenues.

Mr. FULBRIGHT. I understand further that the rates California pays for electricity are considerably below the average rates for the Nation.

Mr. DOWNEY. I might say that they are very reasonable rates.

Mr. FULBRIGHT. That is a very great benefit in itself, is it not, regardless of any water power or anything else that might come out of it?

Mr. DOWNEY. The way it has worked out, I might say to the distinguished Senator, has been most fortunate, because this power has been of great value to us, as a part of our war effort. If the war had not come on, probably all our power users, certainly the metropolitan water district, would have been handling this power at a very substantial loss. As it is, it is working out profitably; but if cheaper sources of power should be developed, if changes should take place, we might have to fall back upon the taxing power of the cities of southern California to meet the carrying charges and the amortization of Boulder Dam.

Mr. FULBRIGHT. Does the Senator by any chance know about what the average rate is for the electric power? I wonder what it is at the dam. Does the Senator happen to know?

Mr. DOWNEY. I have all the figures. The rates vary according to the different kinds of users, wholesalers, and others. I can furnish them to the Senator. I might say that they are very moderate

rates, in my opinion, as compared to the Tennessee Valley, for instance.

Mr. FULBRIGHT. They certainly are very moderate compared to those in a State such as Arkansas where the rates are double what they are in the Tennessee Valley.

Mr. DOWNEY. Let me say to the distinguished Senator, we are not complaining about the contract, and he should understand that these contracts and this plan were provided for in the Boulder Canyon project act. In that act it was stated that none of the beneficial uses of this great enterprise, which was to be undertaken by us, should be available outside the United States. That was a part of our statutory compact.

Mr. FULBRIGHT. The implication of the statement is that these communities in California are paying for this dam out of earnings. It so happens there is nothing said to clarify the situation, but, as they are actually getting value received by way of electricity, I do not see that it has any bearing on this question.

There is a further point which, as a matter of information, I should like also to raise, namely, with regard to the charges for water which has been delivered to Mexico. Is it not true that the irrigation district has been paid for the water which has been sold to Mexico, and that if this treaty is not ratified it will continue to be able to sell the excess water to Mexico?

Mr. DOWNEY. No. I might say to the distinguished Senator again that the testimony before the Foreign Relations Committee by the representative of the International Boundary Commission and the State Department is willfully false. I regret to mention it, but I can do nothing else. Here is the truth of it; in order to get our water out of the Colorado River and back into the United States, we had to go through Mexico, and Mexico, as she had a right to do, made a very harsh bargain and said, "You have got to do all this work and give us half the water." I have no objection to that; that was the bargain that was made and we would expect to live up to it.

A subsidiary company was formed under the Mexican law to handle distribution down there.

Mr. FULBRIGHT. Is that the Alamo Canal?

Mr. DOWNEY. Yes; that is the Alamo Canal. The rates for distribution in Mexico have been consistently fixed by the Mexican Government, and they have been fixed so low that they have never returned anything upon the investment of the subsidiary company in Mexico or the parent company. As a matter of fact our people have invested down there many millions of dollars which Mexico is now using without any return to us. The facts and the figures are all in the record. I unequivocally state—and I shall be prepared to prove—that the Imperial irrigation district, through its subsidiary in Mexico, has not only never made any profit upon distribution down there, but has never had one dollar of interest or one dollar return of principal upon its investment in Lower California.

Mr. FULBRIGHT. The statement, then, that California is selling water is wholly untrue.

Mr. DOWNEY. No, it is not true. I do not know about any selling of water. What we are doing is that, by the appliances and large gates and dams in the United States, we are serving Mexico, by diverting this water into Lower California. Prior to the time of the building of the All-American Canal, we had run water from the Imperial Valley through Mexico, but, far from our people ever having made any money out of Mexico, it has been a continuous burden upon the American people.

All the water users in California now want to do is to obtain some salvage out of Mexico for the works and investment they have put in Lower California.

Mr. MILLIKIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Colorado?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I thought the distinguished junior Senator from Arkansas touched on rather an important point, and I should like a reconfirmation of it. If I understood it correctly—I am speaking now only of water users in California; I am not speaking of power users—the water users of California are not reimbursing the cost of Boulder Dam and the cost of the reservoir behind the Boulder Dam and the incidental features of the dam?

Mr. DOWNEY. I will answer that question no, except for some minor charges. What I want to point out to the distinguished Senator is, that at the time Boulder Dam was constructed, American users were using several million acre-feet of water in California out of the direct flow of the river. Since they got that out of the direct flow of the river, there was not any charge for it. They gave up their original rights and merged them in the Boulder Dam, with the effect of relieving the situation in the upper-basin States. What was happening was this: California, with its faster moving development, was appropriating more of the water of the Colorado River than the upper-basin States were appropriating, and this entire project was worked out in order to assist and benefit everybody in the Colorado River Basin, but, most of all, the upper-basin States. The water available for the upper basin has been at least doubled over what it was by the building of Boulder Dam.

Let me reiterate this point, Mr. President. The irrigation-water users in California had rights to take their water directly from the flow of the river. That water did not cost them anything, consequently they would not go into any proposition by which they would have to pay for the building of Boulder Dam. Of course, they were helped, because floods were prevented and the river was stabilized, but they would not pay for the water they already owned. The ones who most of all wanted the additional water, which was to be conserved, were the municipalities of Southern California. Consequently this plan was worked out, by which the power contractors of Los Angeles and the metropolitan water district took this power and agreed to pay for it, even though they had not sufficient use for it, and thereby they financed the entire project.

Mr. President, let me go a little further. The metropolitan water district, upon the faith of contracts given by the Secretary of the Interior, under the Boulder Canyon Project Act, have built aqueducts 400 miles long, running to a cost of several hundred million dollars in the aggregate. The water users who were enjoying the water for irrigation had old rights, some of them going back to the seventies. Consequently they now have the first rights to Boulder Dam water, and our municipal rights come after those irrigation rights.

There were allocated to the metropolitan irrigation district 1,100,000 acre-feet. There were allocated to the city of San Diego 112,000 acre-feet. Those rights are subordinate to our irrigation rights, and, beyond any doubt, if Mexico is given 1,500,000 acre-feet of water, in 3 years out of 5 the water that is given her will have to be taken away from the water we have been expecting to use in southern California, through the aqueduct we have already built at a cost of hundreds of millions of dollars, expecting to supply a growing population there for the next 50 to 75 years.

Mr. MILLIKIN. Mr. President——

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from California yield to the Senator from Colorado?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Of the amount of firm water that has been allocated to the project of which the Senator is speaking, how much is being used at the present time?

Mr. DOWNEY. Does the Senator mean in California?

Mr. MILLIKIN. In California.

Mr. DOWNEY. I think we are using close to 3,000,000 acre-feet out of about 5,300,000 acre-feet, as I recall.

Mr. MILLIKIN. Let me suggest to the distinguished Senator—and I am speaking now of the aqueduct—there is an annual firm water right on the aqueduct of about 500,000 acre-feet, perhaps 550,000, they are now using about 38,000 acre-feet per year, and they have the largest population in the history of southern California, and they could provide for double that population in southern California with that firm water.

Mr. DOWNEY. Mr. President, there are certain facts which speak louder than all these specious and fallacious arguments. I ask the distinguished Senator whether he thinks that we in southern California are so stupid that we would take the burden of financing this great Boulder Dam project, and those aqueducts, which are costing us hundreds of millions, for the purpose of getting water which we will not reasonably need in the near future? The truth is, that we have built most of the present aqueduct to carry the full flow of a million one hundred thousand acre-feet. Perhaps the Senator is of the opinion that we did that, that we burdened our taxpayers, to amuse ourselves. I wish to speak upon that very briefly.

We are not using more of that water now because the war came on. Let us first discuss the lowest priority water right in California, that of San Diego, of 112,000 acre-feet. San Diego's water now comes from reservoirs which are filled, uncertainly and intermittently, by rains, which may fail us almost any year. Recently the Army, the Navy, the Bureau of Reclamation, and the Public Works Agency, agreed that the situation in San Diego is so critical, because of lack of water, that we must put in an emergency project to build an aqueduct, to carry waters of the Colorado into San Diego. The distinguished Senator is right in saying we are not using that 112,000 acre-feet of water allocated to San Diego, but the reason is that the war has come on and we have not been able to get priorities; but even with all that, the great Government of the United States has declared an emergency, and we are going right ahead. Perhaps we shall not be using it for 2, 3, or 4 years, but do we have to cut down San Diego's future, do we have to imperil her with aridity, because we must ratify this treaty?

A large part of southern California, which will have to be supplied out of this 1,200,000 acre-feet of water, which the distinguished Senator thinks we are just playing around with, is not now using that water, but needs it right now. Why is it not using it now? It is because of the war. While Mexico is claiming to build up a right in our reservoirs, we have been unable to apply that water to a greater extent because we have been helping with the war effort.

What has happened is this: A large part of the suburban region surrounding Los Angeles obtains its water supply by pumping, and the underground reservoirs for a number of years have been almost exhausted. We are afraid that any month we will get down into salt water, which will ruin those reservoirs. Just as soon as the war will permit, those areas, which will take huge amounts of water, will be connected up with the Colorado River aqueduct. How much those particular areas will take I do not know, but it will be a great amount. In view of that, we will want to use water to build up that underground supply.

I might say this to the distinguished Senator, if, commencing next year, we should have a drought in southern California—limiting the probability of low rainfall there to such stages as we have had in the past—we would almost immediately have to draw substantially on this Colorado River water right. In any event, our whole future development is dependent on this water right. We are laying out our sewers, our schoolhouses, our churches on the theory that we are going to have a certain population, and that to provide for that population we must have a certain amount of water. We have built the aqueducts and helped work this project out to get that water, and we did it under the faith of the word of the Senate of the United States when it passed the Boulder Canyon Project Act. We did it under the faith of the word of the Secretary of the Interior when he gave us a contract. We have expended hundreds of millions of dollars, and we have helped tremendously not only the upper basin States but also Lower California.

Before Boulder Dam was built, the 750,000 acre-feet of water which Mexico was enjoying was of small usefulness. Her land was ravaged by great floods almost every year. The water flow was intermittent and uncertain. She probably lost more money trying to raise her crops with that intermittent supply than she ever made out of her crops. In 1934 she got only 230,000 acre-feet of water. The maximum she ever did get was 750,000 acre-feet.

We are willing to give Mexico everything to which she is entitled, that is, the amount of water she was using without Boulder Dam; the amount she could use without Boulder Dam. We are willing to measure that out to her, we are willing to guarantee it to her. The Boulder Dam prevents great floods down into the delta where the Mexican lands lie.

I would say that the Boulder Canyon project has doubled or trebled the value to Mexico of her 750,000 acre-feet of water.

Mr. President, I promised the Senate that I would intrude upon its time today briefly. I have not kept my promise. Whether I am excusable or not, I do not know. I simply wanted to make one point, which I have made.

Mr. AIKEN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hart	O'Mahoney
Austin	Hatch	Pepper
Bailey	Hayden	Radcliffe
Ball	Hickenlooper	Reed
Bankhead	Hill	Revercomb
Barkley	Hoey	Saltonstall
Bilbo	Johnson, Calif.	Shipstead
Brewster	Johnson, Colo.	Smith
Bridges	Johnston, S. C.	Stewart
Briggs	Kilgore	Taft
Burton	La Follette	Taylor
Bushfield	Langer	Thomas, Okla.
Byrd	Lucas	Thomas, Utah
Capper	McCarran	Tobey
Chavez	McClellan	Tydings
Connally	McFarland	Vandenberg
Cordon	McKellar	Wagner
Donnell	McMahon	Wheeler
Downey	Maybank	Wherry
Ellender	Millikin	White
Fulbright	Moore	Wiley
George	Morse	Wilson
Gerry	Murdock	Young
Guffey	Murray	
Gurney	O'Daniel	

The PRESIDING OFFICER. Seventy-three Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 298) to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 681) to amend the National Housing Act, as amended, and for other purposes.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.) a protocol supplementary to the treaty.

Mr. MILLIKIN. Mr. President, I had expected to address the Senate at the conclusion of the full exposition of the case of the opponents of the treaty. However, the distingushed Senator from California [Mr. DOWNEY], who is managing the opposition, has concluded that he will finish his case with argument on amendments which have been proposed in behalf of the opponents.

I wish now to speak—I hope briefly and informally—on some of the factors which have crept into the debate, and which I believe should be clarified, and on some of the reasons why I favor the treaty, with certain protective interpretative reservations which will be offered.

My own State of Colorado originates more great interstate streams than does any other State in the Union. We originate a part of the Colorado. We originate the Arkansas and the Rio Grande. Our life in Colorado, as does life in the other arid and semi-arid States, turns on the stability of water rights. So the subject is a matter of intense interest in my State, and therefore is a matter of intense interest to me.

By unescapable geographical facts, the Colorado River is an international stream. It provides life in the United States, and it provides life in Mexico. The claim to life through the claim for water in this country and in Mexico on that river can be resolved into harmonious relations between the two countries, or it can put serious strains on our friendship, not only with Mexico, but with other countries to the south of us which have a general interest, and also a special interest with the United States and Mexico, through an arbitration treaty system, to which they and we have subscribed, in seeing that justice shall prevail among the republics of this hemisphere.

But I am not much of a globalist. I do not favor this treaty primarily because of its international aspects. I favor it because I believe it is in the interest of the United States, and in the interest of the States which make up the Colorado River Basin.

It has been suggested in the debate and was frequently suggested in the hearings that Mexico has no right to the

waters of the Colorado River; that we, because of our own might, our superior wealth, and our ability to manipulate the stream, can do as we please with the waters of that river while they are in this country. If we so desire, we can dry up the stream before it reaches Mexico.

This is not the first time that claim has been made. Half a century ago we had an active dispute with Mexico over the Rio Grande, which is also the subject of this treaty. We in Colorado and in New Mexico were drying up the Rio Grande, with the result that a considerable amount of acreage in Mexico which from time immemorial had been irrigated, was without water. There were diplomatic negotiations. Finally an opinion was asked of United States Attorney General Harmon as to our rights in the situation. Attorney General Harmon wrote an opinion in which he stated in effect that Mexico had no claim of right against us, and that we could do as we pleased with the waters of the Rio Grande within the boundaries of this Nation.

Let us see what happened to that doctrine. The Senate of the United States would not accept it and established a precedent bearing on the treaty now before us. The Senate advised and consented to the convention of 1906 between Mexico and the United States, whereby we recognized a right in Mexico to the delivery of a certain amount of water from the Rio Grande, and whereby the Elephant Butte Dam, to be constructed at our expense in the State of New Mexico was to be used to assure the delivery.

Yesterday the distinguished junior Senator from California pointed out a fact which had escaped my attention: At the time of the convention Mexico was not getting any water. We went back and recognized her old habitual use of the stream—that which prevailed before we in this country dried up the stream. So, as I say, in the Mexican convention the Senate of the United States rejected the doctrine of the Harmon opinion.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I gladly yield.

Mr. DOWNEY. I shall ask the distinguished Senator if the 1906 convention does not expressly recite that it is made by virtue of the doctrine of comity, not the doctrine of international law.

Mr. MILLIKIN. I agree entirely. That is the key to our dealings in international relations. We must get above legalisms. That is what the Senate did in that case.

Mr. DOWNEY. Mr. President, is not the result of what the Senator has said that either Mexico or the United States still claims complete sovereignty over its waters as a matter of legal right, and has the right, except by virtue of treaty, to cut off the flow of the waters whenever it wishes to do so, so far as waters within its own boundaries are concerned?

Mr. MILLIKIN. I say there is no place to adjudicate conflicting claims of right at the present time. I say that when the Senate was called upon to adjudicate the question in the convention of 1906, it decided it and adjudicated it as I have stated.

Mr. DOWNEY. Mr. President, will the Senator object to having me read into the RECORD at this point the position of the Mexican Government and the position of the United States Government on this principle, as declared in 1929 by the respective Governments? I think it is very illuminating on the point the Senator has been mentioning.

Mr. MILLIKIN. I will take the Senator's word that it is on the point.

Mr. DOWNEY. Yes; it is on the point, and it is very short:

The following excerpts are from the Report of the American Section of the International Water Commission, United States and Mexico, Seventy-first Congress, second session, House Document No. 359.

In the statement of the proceedings under the third session held at Washington, D. C. on October 22, 1929, the following is given in the Conclusions at page 14:

> As shown in the minutes, the American section presented the view that the jurisdiction of a nation within its own territory and over its own resources is necessarily exclusive and absolute and susceptible only of self-imposed limitations; but it proposed as an act of comity and friendship, that the doctrine of prior apropriation, known in the law of both countries, be extended for the protection of existing uses of water in Mexico from the Colorado and for the protection of existing uses of water in both countries from the Rio Grande.
>
> The Mexican section stated that it could not agree to this or to any restriction on the complete sovereignty of Mexico and its right to use all of the water of its tributaries to the Rio Grande and was therefore unable to recognize the principle of protecting existing uses to this water in the United States.
>
> Inability to agree on this fundamental principle made any arrangement for a division of the waters of either of these streams impossible.

At page 75, the following is stated as one of the views of the Mexican section:

> The proposal submitted by the American section to the effect that present uses of water of the Rio Grande in both countries be given priority rights, cannot be accepted by the undersigned as priority and prescription are not established in international law.

Mr. MILLIKIN. Mr. President, I suggest to the distinguished Senator that, of course, each nation from a domestic standpoint has complete jurisdiction and complete sovereignty over the lands within its boundaries, and I suggest that the purpose of compacts and treaties is to iron out conflicts arising from such of those claims of right as become conflicting and the source of strain and damage to international relations.

As for the Colorado River treaty which provides that Mexico shall have a million and a half acre-feet of water, I shall discuss the quality of that water a little later and a little more technically; but at the present time, because the distinguished junior Senator from California stressed it so emphatically earlier today, I wish now to discuss it briefly. The treaty says it is water from any source. The sources of water naturally can be found in irrigation ditches; they can be found in canals; they can be found in stream beds. Under the treaty, 500,000 acre-feet of water, under the circumstances mentioned in it, which I shall elaborate upon later, come down out of Lake Mead and are delivered through the All-American Canal. That water is relatively clean. It is as clean as is the water in Lake Mead. As the Senator pointed out earlier today, that water will become more saline as time goes on, because we shall use and reuse it in the upper basin before it gets to Lake Mead.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I should like to make one observation first, namely, that no successful argument can be advanced in favor of handing Mexico any better water than we ourselves use. That 500,000 acre-feet carries the same salinity that it will have after we finish with it in the upper basin. The rest of the water as delivered in the limitrophe section of the stream—I shall develop that point a little later—that water, from its very nature, will carry whatever salt it has in it when it reaches that section of the stream.

The provisions of the treaty which draw the distinction between the water which will be delivered from Lake Mead and the water which will be delivered in the limitrophe section of the stream show conclusively that Mexico knew exactly what she would get insofar as the quality of the water is concerned.

Mr. DOWNEY. Mr. President, I wish to say to the distinguished Senator that I am very much interested in what he is saying, and I dislike to interrupt him. I think he has inadvertently left in the RECORD an erroneous interpretation of the treaty. There is in the treaty a provision that until 1955, 500,000 acre-feet of water shall be delivered through the All-American Canal, and that thereafter 375,000 acre-feet of water shall be delivered; but there is no provision in the treaty that those respective amounts of water shall be out of Lake Mead, and not from return flow. So far as the treaty is concerned, there is no provision in it by virtue of which Mexico would not have to take her full allotment out of return flow. If the Senator knows of any provision supporting his statement, I should like to have it stated.

Mr. MILLIKIN. The Senator is correct in his distinction between the 500,000 acre-feet, the provision of which will run along until 1980, and the 375,000 acre-feet to be delivered thereafter through the All-American Canal. As I said in my opening statement, I shall discuss that point a little later.

The treaty provides that a part of the water shall come from the canal and a part shall be delivered into the limitrophe section of the stream.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. But there is no provision in the treaty that the water which is delivered to Mexico from the All-American Canal may not come from return flow, either from California or from Mexico.

Mr. MILLIKIN. I would not challenge that possibility. The treaty merely says the water shall come from the canal. If the water does not come from Lake

Mead, our bargain is an even better one. But the Mexican engineers are skillful men. They know where the water comes from in that region. They know what the provisions of the treaty mean, and they intend to take the water as provided by the treaty. I say it means one and one-half million acre-feet, with the possible addition of 200,000 acre-feet, with whatever quality it might have, as delivered to Mexico, and as it may be limited under the delivery provisions of the treaty.

Is a million and a half acre-feet of water too much or too little? It is admitted that prior to the construction of Boulder Dam Mexico was using as much as 750,000 acre-feet of water annually. So the controversy really revolves around an additional 750,000 acre-feet of water.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I am very glad to yield.

Mr. TYDINGS. The distinguished Senator from Colorado stated that prior to the construction of Boulder Dam Mexico was using 750,000 acre-feet of water.

Mr. MILLIKIN. Yes.

Mr. TYDINGS. I should like to ask the Senator whether he meant that Mexico was using that much water and that it was possible for her to use more, or whether that was the amount available for use.

Mr. MILLIKIN. I appreciate the question very much. Under the contract between the Mexican subsidiary of the Imperial irrigation district and Mexico, Mexico was entitled to the delivery of half the water carried through the Alamo canal. As I recall, for 13 years prior to the time the All-American Canal was put into operation the Alamo Canal was carrying a yearly average of approximately 3,000,000 acre-feet, and in one of those years it ran as high as approximately 3,400,000 acre-feet. Under that contract Mexico was entitled to half of that water, or a million five hundred thousand to a million seven hundred thousand acre-feet of water annually.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. I am sure that the distinguished Senator does not wish to leave the implication that Mexico was using one million and a half acre-feet of water at that time.

Mr. MILLIKIN. No; on the contrary, I said that she was using approximately 750,000 acre-feet.

Mr. DOWNEY. The Senator spoke about Mexico being entitled to the water.

Mr. MILLIKIN. The Senator will admit that there is a distinction between using water and being entitled to use it.

Mr. TYDINGS. Mr. President, will the Senator further yield to me?

Mr. MILLIKIN. I am very glad to yield to the very able Senator from Maryland.

Mr. TYDINGS. I have read many of the reports, and I am anxious to fix, for purposes of my own thinking, the amount of water which Mexico had available for use and could have used prior to the time when the construction of Boulder Dam altered the situation.

Mr. MILLIKIN. Yes.

Mr. TYDINGS. The question which seems to be one of the prime factors in the whole case is, How much water was Mexico receiving before we tried to alter the situation? As the Senator is a distinguished lawyer, he knows that in a simple case involving riparian rights, as a general rule the person down the stream is entitled to the amount of water which he had been accustomed to receiving, and the person up the stream may not alter the situation in such a way as to deprive the person down the stream of what had been his rights. I was wondering if that side of the controversy could not be developed so that those who favor the treaty and those who oppose it may have at least one fact which will not be in dispute and upon which all of us can base some of our thinking.

Mr. MILLIKIN. I shall be very glad to discuss that subject.

I think there is a facet in the statement of the distinguished Senator from Maryland that would have some relevancy if the matter were submitted to arbitration. Roughly speaking, I think it would clarify the subject to disregard all rules which arise from our common-law conception of riparian water rights.

As I recall, the riparian law is that the water of a stream shall come to the riparian owner undiminished in quantity and unpolluted in quality. In addition, certain uses are permitted for domestic purposes, which might effect some diminution of the stream. Under some expansions of the doctrine I believe one could water a certain amount of livestock.

In the arid and semiarid States we have had to discard that doctrine entirely, with one or two exceptions. I understand that California still clings to some features of the old riparian legal system.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I gladly yield.

Mr. DOWNEY. Is the Senator from Colorado familiar with our constitutional amendment? I believe that in California in 1928 we largely repealed the doctrine of riparian rights.

Mr. MILLIKIN. For all practical purposes the doctrine of riparian rights has been repealed.

Mr. DOWNEY. I may say to the Senator that for all practical purposes, and especially in the basin about which we are talking, the doctrine of riparian rights, as we knew it, does not prevail.

Mr. TYDINGS. Mr. President, will the Senator further yield to me?

Mr. MILLIKIN. I yield.

Mr. TYDINGS. I did not inject that point into the argument with the idea that it ought to be used as a yardstick. I merely suggested it for the purposes of endeavoring to find out what the situation was before it was altered by dams, or anything else, so as to obtain a yardstick as a measure of justice to Mexico and her people.

Mr. MILLIKIN. I shall come to that point.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. McKELLAR. For my information and use in determining what ought to be done, I should like to know if the Senator can tell what this treaty will cost the United States. As the Senator knows, we have a very large debt. It is constantly increasing. It seems to me that we should not unduly increase the debt in matters not pertaining primarily to the war effort. I should like to know how much the treaty will cost the United States and how much it will cost Mexico.

Mr. MILLIKIN. I shall do my best to answer the question of the distinguished Senator from Tennessee.

Mr. McKELLAR. I thank the Senator.

Mr. MILLIKIN. It is obviously too early to consider detailed plans, which may make some difference in the final cost; but as I understand, the cost allocated to the United States of the storage dams on the Rio Grande will be $53,000,000, and to Mexico, $33,000,000.

The cost to the United States of the diversion dam which is contemplated on the Rio Grande will be $2,500,000, and the cost to Mexico will be $2,500,000.

The estimated total cost of those items to the United States will be $55,500,000.

Federal project No. 5, on the Rio Grande, which has already been authorized, and for which money has been appropriated to protect American interests in a contest with Mexico for water on that stream, will be made unnecessary if the treaty goes into effect. Already Congress has authorized that project at an estimated cost of $60,000,000, part of which has already been appropriated. The building of the treaty dams will eliminate the necessity for the expenditure of an estimated $42,000,000 of this sum. Making the appropriate deductions leaves an estimated total net cost to the United States for the works on the Rio Grande prescribed by the treaty of $13,500,000.

The Tia Juana River part of the treaty is in an early planning stage and the cost cannot be estimated.

On the Colorado River the big works feature of the treaty will be the Davis Dam. Its construction has already been authorized. I understand that appropriations have been made for it. It is referred to in the treaty. It will be a part of the regulatory system under the treaty. But the treaty does not originate the Davis Dam. We should have it, and will have it, whether or not we have a treaty.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. McKELLAR. Exactly where is the Davis Dam?

Mr. MILLIKIN. Davis Dam is below Boulder Dam. Davis Dam will create a new reservoir there, which will pick up the discharge waters from Boulder Dam which are more or less constant, though rising somewhat in the winter time. The discharges from Boulder Dam do not parallel the crop needs of the lower basin. Davis Dam, therefore, will re-regulate and adjust that water to the crop needs of

the stream and will regulate and meter out whatever amount of water is allocated to Mexico.

Mr. McKELLAR. Is it to be a power dam also?

Mr. MILLIKIN. I understand that there is provision for power there.

I may say further to the distinguished Senator from Tennessee that provision is made for acquiring control of a section of the all-American Canal from the Imperial Dam down to a point known as Pilot Knob. A part of the use of that section of that canal will be required in order to make a part of the water deliveries to Mexico. Therefore, because it is for the direct benefit of Mexico, Mexico must pay her proportionate part of those works, and if the investment thus paid for should ever be reimbursed through power, Mexico will share in the reimbursement in the proportion of her investment interest in the works along with the others.

Mr. McKELLAR. Mr. President, if the Senator will yield further, how much will that cost?

Mr. MILLIKIN. I am sorry I can not say.

Mr. McKELLAR. About how much?

Mr. MILLIKIN. I am sorry I cannot say, but I think it will be a relatively minor item.

Mr. McKELLAR. As I understand the Senator both the Rio Grande part of the treaty and the Colorado River part of the treaty together will cost the United States only about $15,000,000.

Mr. MILLIKIN. As I understand, $13,500,000 is involved on the Mexican end, making allowance for the money that we save in connection with project No. 5 on the Rio Grande, and making allowance for the fact that we have already authorized the Davis Dam.

Mr. McKELLAR. It will probably not be over $15,000,000 all told, will it?

Mr. MILLIKIN. I should say $15,000,000 or $20,000,000 or some such amount. Let me add as to the cost to Mexico of that portion of the All-American Canal to which I referred that, as I recall, the whole canal system and its appurtenant dam represent an investment of about $35,000,000. The Mexican use of that canal will be a very small proportion of the whole use and so the Mexican contribution there will be a relatively insignificant amount.

Mr. DOWNEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HICKENLOOPER in the chair). Does the Senator from Colorado yield to the Senator from California?

Mr. MILLIKIN. Gladly.

Mr. DOWNEY. I should like to read a few very brief sentences from the treaty, anticipating the work to be done by the two Governments and ask the distinguished Senator if he will tell us what, in his opinion, the contemplated work will cost. I should like to say first to the distinguished Senator from Tennessee that in the definition contained in the treaty whenever the expression "the two Governments" is used it refers to the Secretary of State of the United States and the Secretary of External Relations in Mexico. It does not refer to the Congress. That is so by the terms of the definition.

Now let me read one very short section—it is only four lines long—from article 19:

> The two Governments shall conclude—

And I emphasize the word "conclude"—

> The two Governments shall conclude such special agreements as may be necessary to regulate the generation, development, and disposition of electric power at international plants, including the necessary provisions for the export of electric current.

I wonder if the Senator from Colorado would be willing to express an opinion as to how much money that will cost the United States?

Mr. MILLIKIN. I have no idea how much it may cost the United States, but if it costs the United States anything, under the protective and interpretative reservations which are being drawn up, it will be decided entirely by the Congress of the United States.

Mr. DOWNEY. I might say that the interpretative reservations as shown to me by the distinguished Senator from Texas this morning do not reach this situation at all. I should like to read to the distinguished Senator——

Mr. MILLIKIN. Mr. President, let me say that I have not seen anything purporting to be a final draft of any reservation on that subject, but, so far as I am concerned, unless the appropriative power in connection with the execution of this treaty is left in the hands of Congress, I am against the treaty.

Mr. DOWNEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield further to the Senator from California?

Mr. MILLIKIN. I gladly yield.

Mr. DOWNEY. Again I should like to read a few lines from another article, the one dealing with the Tia Juana River, article 16. I may say that in the first part of the article the International Boundary Commission is told to make plans and recommendations to the two governments, that is, to the Secretaries of State, for what is to be done on the Tia Juana River. The last nine lines of article 16 read as follows:

> The two Governments, through their respective sections of the Commission, shall construct such of the proposed works as are approved by both Governments—

Again I emphasize that that means by the Secretaries of State—

> shall divide the work to be done or the cost thereof, and shall distribute between the two countries the waters of the Tia Juana River system in the proportions approved by the two Governments. The two Governments agree to pay in equal shares the costs of joint operation and maintenance of the works involved, and each Government agrees to pay the cost of operation and maintenance of the works assigned to it for such purpose.

I wonder if the distinguished Senator has any idea what that might cost the Government of the United States.

Mr. MILLIKIN. I have no idea what it might cost the Government of the United States, but, if it costs the Government of the United States anything, it will be with the consent of Congress.

Mr. DOWNEY. Then, I might say if the Senator will yield further to me that the treaty will have to be radically rewritten because it is admitted by the opponents and proponents of the treaty that this matter does not have to come back to Congress. It can be rewritten.

Mr. MILLIKIN. I have suggested to the Senator—and I know it to be a fact—that interpretative reservations are in process of being drafted designed to reach that very point. If those reservations do not reach that point, I shall oppose them and if it is not finally clarified, I shall oppose the treaty. Can I make that any clearer?

Mr. DOWNEY. No, the Senator cannot, and I thank him very much.

Now will the Senator from Colorado further yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield further to the Senator from California?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. I might say that it is my opinion that while this treaty obligates the Government of the United States to expend potentially hundreds of millions or billions of dollars, in no place does the treaty provide that any of the revenue arising from the sale of the water or power shall be paid into any agency of the United States Government or its Treasury, but on the contrary, and different from the Tennessee Valley Authority, even the operation and maintenance expenses have to be paid directly by the Government. I should like to read again the provision in article 16, that—

> The two Governments agree to pay in equal shares the costs of joint operation and maintenance of the works involved, and each Government agrees to pay the cost of operation and maintenance of the works assigned to it for such purpose.

There is no provision at all in the article as to what will happen to the revenues which will accrue.

Mr. MILLIKIN. I have already explained that, if it is not already clear in the treaty, an interpretative reservation will be offered which will bring the subject of appropriations under the direct control of Congress, thus giving to Congress the power to regulate all the matters about which the Senator from California has been talking.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. DOWNEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield, and, if so, to whom?

Mr. MILLIKIN. I yield first to the distinguished Senator from Tennessee.

Mr. McKELLAR. I am merely seeking information, for I am trying to reach a proper conclusion about the treaty.

The question of what it costs is one of the most important questions there is. As I understand the Senator—and I should like to be certain that I understand him correctly—the two general provisions which are in the treaty now, the cost of which could not be foreseen at the present time, at any rate, will be protected, as the Senator has said, by proper reservations.

Mr. MILLIKIN. Exactly.

Mr. McKELLAR. That the money is not to be expended unless Congress passes upon its expenditure.

Mr. MILLIKIN. Exactly.

Mr. McKELLAR. Is that what I am to understand the Senator to mean?

Mr. MILLIKIN. Yes.

Mr. McKELLAR. It makes quite a difference, I may say to the Senator, in my attitude toward the treaty. I consider very important the question of money being spent without Congress approving.

Mr. WHITE. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. I yield.

Mr. WHITE. I like the assurance the Senator from Colorado has given up to this time, but it does not go quite far enough to suit me, for I think that all of us who have ever served on the Committee on Appropriations recognize that when there has been a commitment by the Government, either through legislation, or through acts of commissioners or others speaking with authority for the Government, then the committees on appropriations, and the Congress, so far as the appropriation of funds is concerned, are not free agents. Congress feels an obligation, and it always meets the obligation, to provide the money to carry out the commitment.

That takes me right back to the question of what authority these commissioners have with respect to the building of dams, diversion works, and other projects, along the rivers. If they have authority, without recourse to Congress, or without recourse to the President, but only with the permission of the Secretary of State, to make commitments, then I submit that the control over appropriations is a frail reed for us to lean on, because I know, and I think other Senators know, that we will meet the money obligations which we have entered into.

Mr. MILLIKIN. Mr. President, if that were a correct interpretation of the treaty, or if it will be a correct interpretation of the treaty after the reservations are in, I should oppose the treaty just as vigorously as would the Senator from Maine. In other words, it will be made clear, it will have to be made clear, in my judgment, that these people can make plans, they can make investigations, they can make recommendations which will be passed through the Secretary of State to the Congress of the United States, and the Congress of the United States will make the decision as to whether we go ahead or not and how much we spend.

Mr. McKELLAR. Mr. President, will the Senator from Colorado yield further?

Mr. MILLIKIN. I yield.

Mr. McKELLAR. As I understood the chairman of the Committee on Foreign Relations yesterday, he assured me that proper reservations would be made whereby the Congress would not be committed. I agree with the Senator from Maine that ordinarily after a commitment has been made it is very difficult to defeat appropriations. But if the reservation is specific, and requires the Congress to pass upon a matter before an appropriation is made, I should think that would correct the situation. My recollection is that the Senator from Texas [Mr. CONNALLY] told me that such reservations would be made, just as the Senator from Colorado has stated today. I certainly hope that the reservations will be in such language that not only the Congress, but especially the Appropriation Committees of both Houses, will be absolutely free to make or not make an appropriation, as they see fit.

Mr. MILLIKIN. I, too, have received the same assurances from the distinguished chairman of the Committee on Foreign Relations, and I accept those assurances. I believe that no reasonable man will have any ground to complain along the lines we have been discussing after those interpretative reservations are before us, and have been incorporated along with the treaty.

Mr. McKELLAR. Will the Senator say about when we may expect to see the reservations? I should like to look at them before we vote.

Mr. MILLIKIN. I regret to say that I am not in position to answer that, but of course they will be revealed before the time comes for voting, and probably long before the distinguished junior Senator from California has finished discussing his amendments.

Mr. DOWNEY. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. I regret deeply to impose upon the good nature and courtesy of the Senator from Colorado as I have been doing, but if he will permit me to interpolate——

Mr. MILLIKIN. Let me interrupt the Senator to say that he is always so gracious and courteous that I would not let him outdo me in politeness.

Mr. DOWNEY. I thank the Senator. I recently listened to the able argument made by the distinguished senior Senator from Tennessee [Mr. McKELLAR] in relation to the T. V. A. The Senator pointed out persuasively, at least to me, the danger inherent in the creation of a multitude of agencies operating entirely outside the power of Congress. I wish to suggest to the distinguished Senator that we have here a far more critical and difficult situation, which I do not believe can be cured by any interpretative understanding.

In the first place, the T. V. A. officials, the men who now run it, have constantly hanging over their heads action by Congress. If this treaty shall be ratified, it will be in perpetuity, and beyond the reach of Congress, unless we want to breach the treaty, for of course Congress can always pass a statute breaching a treaty if it desires.

What this treaty clearly does—and how the evils can be reached without a large series of amendments I do not know—is to make all these far-flung water and hydroelectric enterprises which may be created under the treaty not only under the dominion and control of the International Boundary Commission or its sections, but it even vests title and ownership in them in the agencies hereby created. It makes no provision for any accounting of money; it has no plan for any accounting of receipts which will come from the sale of water or power. On the contrary, it obligates the Governments to pay all the expenses of operating and maintaining these far-flung enterprises.

Mr. President, I know that such a treaty is not going to be ratified by the Senate; I am not alarmed and disturbed about that. I do wish to point out the nature of this proposal, the fact that it would result in the appointment of officials with tremendous powers, who would actually own these enterprises, could take in the receipts, and, if they desired to continue to extend those receipts ad infinitum, have more water projects, have more hydroelectric projects, without asking the right to do so.

Mr. MILLIKIN. Mr. President, I am confident that the interpretative reservations which will be offered, and which I am confident will be accepted by Mexico, will relieve the Senator's apprehensions.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I gladly yield to the senior Senator from Maryland.

Mr. TYDINGS. I understood the Senator to say, in answer to my question some time ago, that before the alterations were made in the flow of water to Mexico, Mexico had been receiving 1,750,000 acre-feet a year.

Mr. MILLIKIN. I did not intend to say that. I intended to say that Mexico had a right to receive about that much water and that prior to the erection of the Boulder Dam, the maximum use of Mexico was about 750,000 acre-feet.

Mr. TYDINGS. But more than that amount of acre-feet were available to Mexico had she cared to use the water?

Mr. MILLIKIN. Exactly, and I should say, in that connection, that to apply 750,000 acre-feet of water to the Mexican land, to deliver it to the Mexican laterals, requires an additional water use of 250,000 or 300,000 or 350,000 acre-feet. So, when we talk about 750,000 acre-feet delivered to the Mexican laterals, we are talking of 1,000,000 or more acre-feet of water in terms of stream diversion. The disparity between that amount of water and the amount actually delivered to the laterals is due to water losses in the canal, by evaporation, seepage, and so forth.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. MILLIKIN. Yes.

Mr. TYDINGS. Then would I be correct, according to the Senator's opinion, in assuming that prior to the alteration of the flow of water on the Colorado River, Mexico had available for use one and one-half million acre-feet?

Mr. MILLIKIN. That, and sometimes more, under contract with California interests.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. Certainly.

Mr. DOWNEY. I am sure the Senator does not desire to leave the Senator from Maryland under any misapprehension. Is it not true that prior to the building of Boulder Dam the Colorado River was far overappropriated, and that in 1 year there was only about 200,000 acre-feet

available to Mexico, and in the very maximum year the most water that was available in the river for Mexico was 750,000 acre-feet?

Mr. MILLIKIN. I say that it is entirely true that on a 13-year average, as I recall it, prior to the building of Boulder Dam, there was an average annual diversion into the Alamo Canal of about 3,000,000 acre-feet, and that at one time it rose as high as approximately 3,450,000 acre-feet. I may be slightly off in those figures, but I think they are substantially correct.

Mr. DOWNEY. Mr. President, will the Senator again yield?

Mr. MILLIKIN. Gladly.

Mr. DOWNEY. But all of that water, except a very minor amount, was being used in the United States of America?

Mr. MILLIKIN. But it could have been used in Mexico, up to one-half by contract entered into by Mexico with California interests.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. MILLIKIN. I yield to the distinguished Senator from Utah.

Mr. MURDOCK. I have been very much interested in the discussion concerning reservations that may go into the resolution of ratification. It seems to me that the making of a treaty with Mexico for the purpose of an equitable division of the waters of the Rio Grande, the Colorado, and the Tia Juana, should be a very simple, easy matter. I wonder why our Government and Mexico could not agree, say, on a division of the waters of the Colorado River by saying in very simple, concise language, "The waters of the Colorado River are hereby divided or allotted between the two Governments, so many acre-feet annually to Mexico, and so many acre-feet annually to the United States." Instead of getting into the question of our Government undertaking deliveries and guaranteeing deliveries and undertaking the construction of diversion and conservation works up and down the river, why have not we just the simple problem of saying, "So much of this water belongs to Mexico, so much to the United States," and let it go at that? Does not the Senator agree that that could be done, and that that would be the simple, easy way, of doing it?

Mr. MILLIKIN. Mr. President, I am thoroughly satisfied of this: I am sure that each man in this body believes that he can take any given instrument and make it plainer, and clearer, and I do not say that in a mean way to the distinguished Senator from Utah, as he knows.

Mr. MURDOCK. I know the Senator to be fair.

Mr. MILLIKIN. I think the distinguished Senator from Utah or I would have made a different kind of deal. I think that each of the 94 other Senators would have made a different kind of deal. I think their language would have been different, maybe clearer, maybe more obscure. But a deal has been made, Senators, and obviously our job is to look at that deal as it has been made, and if it is not clear, and if it does not protect us, let us make it clear, let us see that it does protect us.

Mr. MURDOCK. Will the Senator yield further?

Mr. MILLIKIN. Gladly.

Mr. MURDOCK. It seems to me as I make this observation that the whole approach to this thing on the part of our State Department has been from the angle—and I say it with all due respect—of enlargement of powers, of enlargement of personnel, of getting control of money for expenditures in the way of plans and then in the way of construction. In my opinion that approach is the wrong approach when we are dealing with a matter of this kind. We have in the United States the Reclamation Service, which certainly can make all the plans we need for reclaiming water. We have other agencies already in existence to make other plans. So it seems to me that if the State Department had gone into this matter from the one angle of dividing the waters of these rivers equitably between the governments, instead of the enlargement of powers and the creation of additional personnel, that the thing could have been simplified a hundred times. I am confident that if the distinguished Senator from Colorado, who in my opinion is one of the ablest lawyers in the Senate, had been called upon to write the language of this treaty dividing the waters, especially of the Colorado River, we would not find any such bungling job as that which now confronts the Senate.

Mr. MILLIKIN. I appreciate the compliment, and I reciprocate.

Mr. BARKLEY. Is this a reciprocal treaty?

Mr. MILLIKIN. This is a reciprocal trade treaty.

Mr. President, I will say to the Senator from Utah that in fairness to the Department of State I think it should be said that the Bureau of Reclamation, for example, is a domestic agency. It has no jurisdiction in international matters. It has no boundary jurisdiction. I think in fairness to the Department of State it should be pointed out that the job of the Commission, the job of the respective sections of the Commission, is to handle things of an international nature. I do not know whether it would be practical to hand that to some purely domestic agency. At least I think a strong argument can be made for doing it the way it has been done.

Mr. MURDOCK. Mr. President, will the Senator yield further?

Mr. MILLIKIN. Gladly.

Mr. MURDOCK. The Senator advises us this afternoon that reservations interpreting the treaty are now being drafted. The reason for and the necessity for the drafting of those reservations is what? An expansion of power by this International Boundary and Water Commission. There is one part of the treaty which says—and which is objected to by Dean Pound—that they reserve to themselves the right to settle all disputes that may arise as the result of the execution and the administration of the treaty. That brings me to the conclusion that the State Department was not interested in simplifying the division of water, but what it was interested in is an expansion of power, something involved, something to make them bigger, and in my opinion, that is what they have brought to the Senate for ratification. I doubt seriously that we can clear up and clarify the involved language of this treaty by reservations attempting to interpret it.

Mr. MILLIKIN. Mr. President, I think it should be said also that proponents of the treaty make strong argument that the treaty as it is, is clear. These reservation are being drafted and will be proposed to meet honest differences of opinion on that subject. How can reasonable men approach the problem in any other way? The reservations either will or they will not meet the objections such as those to which the distinguished Senator from Utah has referred. If the treaty is not clear when we have finished with it, if it is not a good treaty, it should be defeated.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. FULBRIGHT. Is not one of the basic principles inherent in our system the division of power between the legislative and the executive branches? In the past, before there had grown up quite the antagonism between the executive and legislative branches which now exists, this sort of provision for approval by the executive would not have been questioned. It is not so unusual for the State Department to be given the power over its agent in the American section. Is not that a fairly normal way to handle the matter?

Mr. MILLIKIN. It is the custom of Congress to delegate the widest sort of powers to executive agents. There is nothing novel about it. From my standpoint, I do not like much of it; but it certainly is customary. I venture to say that when we are through treating with the world situation, the delegations of power in this treaty will not seem like anything at all. However, to the extent that there is any ambiguity in this treaty, I want it clarified, and I want the powers to stay where they belong.

Mr. FULBRIGHT. The real solution is simply the control of the Congress over the executive. It is true, is it not, that we cannot assume actual participation in these negotiotions?

Mr. MILLIKIN. I agree that the Congress can make laws, but it cannot execute them. We must necessarily delegate our powers. We should do it with careful definition and classification, and under carefully determined categories. We should subject the delegations to frequent review.

Some of the opponents of the treaty have pointed out that the treaty would be perpetual, and that for that reason we cannot take any chances with ambiguity. If there is ambiguity in an act of Congress, we can bring it back and amend it; but this is something which runs on forever, and the argument is that we should take no chances with ambiguity.

It was to meet that argument that the distinguished senior Senator from Texas, the great chairman of our Foreign Relations Committee, agreed to go into the

subject of reservations in an effort to meet the differences of opinion which might develop with regard to ambiguity. I think it is a fine thing to have that spirit of approach in a matter of this kind. When we have such a spirit of approach, I believe that we can more effectively deal with treaties in the United States Senate. The willingness of the Foreign Relations Committee of this body to consider clarifying amendments is a very constructive development.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. MURDOCK. I fully agree with the Senator that there should be the utmost cooperation between this body and the executive in the consideration of treaties. However, in the record made by the State Department on this treaty, I do not find the spirit which we find in the Senate today, of cooperation, and of looking things squarely in the face.

I have a statement made by one of the distinguished negotiators of this treaty, wherein he refers to the quality of water. He states that Mexico objected to the fact that the treaty did not consider the question of quality, and that we evaded it. In my opinion, therein lies one of the difficulties of this treaty. There has been an attempt by the State Department to evade a question instead of looking it squarely in the face. That is why the question arises here today, and we find it necessary to clarify the treaty by looking the question squarely in the face. The negotiators tried to evade it. If there is anything that is a prolific breeder of contention for the future, it is the effort to evade in a treaty a question which could and should be treated with clarity by looking it squarely in the face.

Mr. MILLIKIN. The distinguished Senator would not expect me to accept any charge of evasion against the State Department. I simply say that so far as the question of salinity is concerned, I expect to demonstrate that whether or not we looked the question in the face, Mexico looked it squarely in the face and made its decision for the treaty as it stands, knowing full well every meaning and implication of it. If the teeth of the State Department have become too long in any aspect of this treaty—and I do not so allege—I think everything will be brought back to normal proportions before we shall have finished with it.

Mr. MURDOCK. Mr. President, will the Senator further yield?

Mr. MILLIKIN. I yield.

Mr. MURDOCK. Referring to the evidence of a very distinguished engineer before the committee, when he was being interrogated on the question of salinity, the simple question was propounded to him, Why not put in the treaty the words "regardless of quality"? As I recall, his answer was that that might preclude ratification by the Mexican Senate. If there is a question of salinity in the mind of any one, why not deal with it in the treaty by language which cannot be doubted?

Mr. MILLIKIN. Those representing this country were familiar with water matters, and those representing Mexico were familiar with water matters. If two expert horse traders are trading horses, and they take them "as is", what is the sense of specifying every spavin and every flea bite that may be on either of the horses? If the language is clear, if Mexico takes the water from whatever source it may come, if the men who agreed to this are experts and know what the jeopardies are, what is the reason for further specification?

Mr. MURDOCK. If it were a mere horse trade, I would agree with the Senator that it might not be important to refer to every spavin and every defect. However, we are dealing here with the lifeblood of the Senator's State and of my State; and in my opinion we cannot deal with that subject on the same terms as we might deal with a horse trade. Once this lifeblood is drained from the Senator's State and from my State, it is drained away in perpetuity.

Mr. MILLIKIN. I certainly do not want the lifeblood drained from the State of Utah or the State of Colorado, or from any other State. I am convinced that the language of the treaty is sufficiently clear as to quality of water. I hope to demonstrate the reasons for my convictions as my discussion develops.

Mr. BARKLEY. Mr. President, will the Senator yield to me for the purpose of making an announcement to the Senate?

Mr. MILLIKIN. I yield.

Mr. BARKLEY. For the information of many Senators who have asked me privately, after conferring with the Senator from Utah [Mr. THOMAS], the chairman of the Committee on Military Affairs, I wish to state that the conference report on the manpower bill will not be taken up until tomorrow; and so far as I can now foresee, it will be taken up the first thing tomorrow.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. WHITE. Can the Senator make any statement with respect to the other matters which have just been messaged over from the House?

Mr. BARKLEY. No; I cannot. Of course, a conference report of any kind is a privileged matter. I hope that after disposing of the manpower conference report we may take up other conference reports and dispose of them.

Mr. WHITE. But the Senator has no purpose of taking up the other conference reports this afternoon?

Mr. BARKLEY. No.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. LUCAS. I rise only to make one or two comments with respect to the colloquy between the Senator from Utah and the Senator from Colorado, with respect to what happened so far as the State Department is concerned.

I cannot sit silently by, after listening to the evidence before the Committee on Foreign Relations, and believe that the State Department did not act in the best faith in connection with this treaty. I do not say the treaty is perfect. I doubt whether any instrument of such an important character which might be written by any group would satisfy everyone. But the implication made by the Senator from Utah that the State Department did not look the treaty squarely in the face and that it evaded many things in order to fool Mexico is an indictment which I think should not go unchallenged. On the basis of the testimony before our committee, I undertake to say that the experts from Mexico were just as familiar with the treaty and all of its implications as were the experts from the United States; and insofar as the quality of water is concerned, the Mexican representatives knew exactly what they were doing when they entered into the treaty, in my humble opinion. I do not think it is quite fair for the Senator from Utah to say or to leave the impression before the Senate that the State Department came before our committee for the purpose of attempting to "put something over" on the committee, as well as to "put something over" on the Mexican Government.

Mr. MILLIKIN. Mr. President, in my opinion the distinguished senior Senator from Illinois has stated the facts.

Through the activities of the lobbyists of the various interests which represent the opposition, many briefs and much material have been submitted. I make no criticism whatever of any of those lobbying efforts. Those citizens have a perfect right to lobby. They are exercising an American privilege in doing so. If California thinks she is jeopardized, of course she should have representatives here to try to defend her—and need I say that she has two of the greatest Senators in this body? I cannot find the time to read all the briefs and all the material which has come to me from California interests who are opposing the treaty—and I am a prodigious reader, and I love to find out as much as I can about anything in which I am interested.

After reading that stuff and after listening to that master salesman for California, the distinguished junior Senator from that State [Mr. DOWNEY], one might receive the impression that the Colorado River rises in California, ends in California, and was put down there by God for the exclusive benefit of California. [Laughter.] I respectfully suggest that we should get a little perspective on this matter, which has become somewhat blurred through the excellencies of exhortation and presentation by the distinguished California Senators and all of those who are here from California urging that State's interests as they see them. We have had talk about the contributions so far in terms of areas of drainage basins. We have had talk about acreage under irrigation. We have had talk about stream contribution. So I wish very briefly to bring the Colorado River Basin into some semblance of perspective. I wish to make it clear that there are seven States, including California, that are vitally interested in this treaty.

I desire to read into the RECORD the drainage area by States: Wyoming, 19,000 square miles; Colorado, 39,000 square miles; New Mexico, 23,000 square miles; Utah, 40,000 square miles; Arizona, 103,000 square miles; Nevada, 12,000 square miles; California, 6,000 square miles.

In one of the brochures which has been distributed to the Members of the Senate, I think the first argument that is made is that Mexico contributes nothing to the drainage basin. Well neither does the Imperial Valley of California, and, on the basis of drainage-basin comparisons, Arizona would be entitled to approximately 16 times as much water as California would be.

Now I wish to speak in terms of contributions of water.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. MILLIKIN. I gladly yield.

Mr. BARKLEY. From the listing of the number of square miles of drainage involved are we to assume that Arizona has a larger area of drainage than all the other States have?

Mr. MILLIKIN. Arizona has the largest single drainage area contributing to the Colorado River of any State.

Mr. BARKLEY. It seems to me from the mathematics of the matter that Arizona has more than all the other States mentioned, combined; for, as I recall, the figures were 19,000, 39,000, 23,000, 40,000, 103,000, 12,000, and 6,000.

Mr. MILLIKIN. The total in the United States is 244,000 square miles, and Arizona has 103,000 of those—a little less than half.

Mr. President, let me say to the distinguished majority leader that is just one factor in the whole appraisal of the problem. It is not important; because if it were important California without more would be completely unhorsed in this debate. It is just one factor. My point goes to taking a factor which operates against California and swelling it up and giving it the appearance of being a factor or an argument in favor of California.

The factor of water contributions is more important. Arizona contributes 7.8 percent of the virgin run-off of the stream at the Mexican border. California contributes nothing. Colorado contributes 64.5 percent. Nevada contributes 1.1 percent. New Mexico contributes 1.7 percent. Utah contributes 13.3 percent. Wyoming contributes 11.6 percent. That factor, I repeat, is a somewhat more important one; because if a state contributes those percentages to the stream, and especially if it contributes those percentages high up on the stream, it can get the first bite out of the cherry, if it is able to protect its interests. However, that is not the complete answer. I would not have my colleagues believe that I am contending that because Colorado contributes 64.5 percent of the water of the Colorado River, we are entitled to use that much. It is just another factor, among many, to be considered.

Now I wish to speak to you in terms of water actually put on the land; I wish to speak to you now in terms of irrigated acreage. Remember, please, that these remarks are designed to bring into a little better perspective the interests of the other six States in the Colorado River Basin.

As of 1939, Arizona had 644,765 acres of irrigated land; California had 473,749 acres of irrigated land; Colorado had 844,494 acres of irrigated land—more acreage under irrigation, I may interpolate, than any of the other Colorado River Basin States.

Nevada had 25,909 acres of irrigated land; New Mexico had 50,333 acres of irrigated land; Utah had 324,899 acres of irrigated land; and Wyoming had 273,971 acres of irrigated land.

Again, that is not a conclusive test for water apportionment between the States or between this country and Mexico. But it is an important factor. Once more it emphasizes that all the States in this basin have a great, substantial interest which will be helped or hurt by this treaty, and that California does not have the exclusive problem. If we allocate too much water to Mexico, every State in that basin will suffer along with California; and if we make a good deal, we all will benefit.

Mr. DOWNEY. Mr. President, will the Senator yield for the purpose of letting me suggest the absence of a quorum?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum has been suggested. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hart	O'Daniel
Austin	Hatch	O'Mahoney
Bailey	Hayden	Pepper
Ball	Hickenlooper	Radcliffe
Bankhead	Hill	Reed
Barkley	Hoey	Revercomb
Bilbo	Johnson, Calif.	Saltonstall
Brewster	Johnson, Colo.	Shipstead
Bridges	Johnston, S. C.	Stewart
Briggs	Kilgore	Taft
Bushfield	La Follette	Taylor
Byrd	Langer	Thomas, Okla.
Capper	Lucas	Thomas, Utah
Chavez	McCarran	Tobey
Connally	McClellan	Tydings
Cordon	McFarland	Vandenberg
Donnell	McKellar	Wagner
Downey	McMahon	Wheeler
Ellender	Maybank	Wherry
Fulbright	Millikin	White
George	Moore	Wiley
Gerry	Morse	Wilson
Guffey	Murdock	Young
Gurney	Murray	

Mr. WHERRY. The Senator from Ohio [Mr. BURTON] and the Senator from New Jersey [Mr. SMITH] are necessarily absent for the remainder of the day.

The PRESIDING OFFICER. Seventy-one Senators have answered to their names. A quorum is present. The Senator from Colorado has the floor.

Mr. MILLIKIN. Mr. President, I should like to discuss briefly the present use in Mexico of water from the Colorado River. The treaty, as will be recalled, provides for an allocation to Mexico of 1,500,000 acre-feet per annum, with provision for a possible additional amount of 200,000 acre-feet.

Yesterday the distinguished junior Senator from California [Mr. DOWNEY] told us that in 1943 there had been diverted through the Alamo Canal and in 1944, partially through the Alamo Canal and partially through the All-American Canal, for Mexican use 1,180,000 acre-feet.

By checking in Mexico through investigations conducted by the Boundary Commission and through the interpretation of photographs, it is the opinion of those who have negotiated the pending treaty for us that this diversion of 1,180,000 acre-feet was to service approximately 190,000 acres of land. That establishes a water requirement per acre in that part of Mexico for the use to which the water is put of approximately 6 acre-feet per acre.

Likewise, investigations and photographs in Mexico have shown that about 95,000 acres of additional Mexican lands were serviced by pumping from the Colorado River in Mexico. Assuming the same water requirement per acre—and I know of no reason why the assumption is not valid—this would equal 570,000 acre-feet. The total of those two figures would be 1,750,000 acre-feet of water from the Colorado River used in 1943 and 1944 in Mexico. As I have said, the figure which has been officially declared to be the use by the proponents of the treaty is 1,800,000 acre-feet. The disparity is immaterial.

The Mexican section of the International Water Commission at a meeting on August 29, 1929, reported that there are 1,500,000 acres of irrigable land in Mexico which could be watered from the Colorado River with pumping lifts no greater than 80 feet. I have seen figures of irrigable acreage in Mexico which ranged from 1,000,000 acres to 1,500,000 acres. If we apply that service charge of 6 acre-feet of water per irrigated acre to the available irrigable land down there, it can be seen that Mexico could expand her use to four or five or six million acre-feet a year. The point to remember now is that Mexico is expanding her use and is enabled to do so because she now has a regulated stream from which she can obtain a regulated supply.

I think there should be some discussion of the works now on the stream which perform storage and regulating and power-generating functions. Of course when we talk about a million and a half acre-feet to Mexico at the present time, if that were all we had to think about there would be no problem at all, because, at the present time, as has been pointed out again and again, we are spilling every year into Mexico from eight to ten million acre-feet. I think I have seen an estimate by Mr. Tipton that of that 10,000,000 acre-feet, perhaps 5,000,000 acre-feet are rather well regulated. Our usage in the United States, which, as I recall, is only about half, taking it up and down the river, of what we hope it will be some day gives us such a surplus of water that there is no difficulty about a million and a half acre-feet for Mexico at the present time or even a substantially larger amount. It may be interesting at this point to say that Mexico in a number of negotiations insisted upon 3,800,000 acre-feet.

Boulder Dam on the Colorado River is in both Arizona and Nevada. It has a storage capacity of 32,000,000 acre-feet. The construction of the dam was authorized by the Boulder Canyon Project Act which was passed in 1928. The dam was completed in 1935. It includes a large electrical generating plan. Boulder Dam has enormous significance in

the picture, because, as I said before, it has put Mexico into possession of a stabilized, regulated flow which she might use by pumping and by such diversion as she herself could undertake on her side of the line.

Parker Dam was built further down the Colorado subsequent to the construction of Boulder Dam to serve the Los Angeles Aqueduct, and that also has a regulating tendency. Below that is the Imperial Dam, which was built to serve the All-American Canal. Below that is the Alamo Canal, the canal to which we have referred so often, which diverts from the Colorado River, runs through Mexico, and then runs up into the Imperial Valley of California. It will be remembered that under the Alamo Canal contract between Mexico and the subsidiary of our Imperial irrigation district Mexico was entitled to one-half of the water of the canal.

At a place called Pilot Knob wasteway, on the All-American Canal, down toward the boundary, there will be a large fall of water coming out of that canal, and a vast amount of power can be generated. Its significance is that when that power is generated, the power plant is so close to the Mexican border that we could not use the waste water on the American side. The Imperial district planned to build such a plant and as planned it would have wasted water available for Mexican use of from two or to more than three million acre-feet of water per annum. The Imperial district would have owned the plant, would have generated and sold the electricity, and if it could have sold the wastewater to Mexico, it probably would have been a very profitable thing. But that water, too, passing through the All-American Canal down through that power-generating plant, becoming available for use in Mexico, would also have been processed by Boulder Dam, and all of the other works down the Colorado River.

So when we hear all this talk about our spending money to process water in this country so that Mexico can have a regulated flow, we should remember whose ox is gored.

Appropriations have been authorized, and some have been made, for so-called Davis Dam, which has a very useful function in connection with the execution of the pending treaty. The reservoir impounded by Davis Dam will commence almost immediately below Boulder Dam. There being a large power generating plant at Boulder Dam, there is a more or less regular outflow of water. More comes out in winter than in summer, because the power load is heavier in winter than in summer, but, generally speaking, it is a regular and relatively stable release of water.

It happens that that release of water does not parallel the water needs of California, or Arizona, or of Mexico under the treaty, for the growth of crops. So that dam was projected several years ago independent of this treaty, but foreshadowing the treaty, so that the water spilling from Boulder Dam might be regulated, might be put in required amounts at required places, at the required times.

When we get Davis Dam—and construction was stopped because of the war—we will then be able to stabilize further the deliveries to California and deliveries to Arizona, and to comply fully, without any further assistance from Boulder Dam, with the provisions of the treaty for the supply of water to Mexico.

Mr. FULBRIGHT. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. I yield.

Mr. FULBRIGHT. There is one point I did not get clear about the Pilot Knob power plant. Would that be built, does the Senator think, regardless of whether the treaty were ratified or not?

Mr. MILLIKIN. The Pilot Knob power plant is a part of the whole plan for the All-American Canal. In designing the All-American Canal excess capacity was designed into it to provide for carrying water to spill through the Pilot Knob wasteway.

Mr. FULBRIGHT. Does that wasteway spill into the Alamo Canal?

Mr. MILLIKIN. It could spill very conveniently into the Alamo Canal.

Mr. FULBRIGHT. Then it is available for use at that point?

Mr. MILLIKIN. Exactly. The Davis Dam on this stream, to which I have been referring, has interest also because it refutes the talk we have been hearing again and again that Mexico or someone is claiming the right to stored waters behind Boulder Dam. The Mexican right, as it is established in this treaty, could be supplied completely from Davis Dam if Boulder Dam did not exist.

Mr. President, that is the present status of the regulating and the storage and the power-generating works in that part of the Colorado River in which we are interested. It will have been observed that all that is in the lower basin of the Colorado River. Under the treaty the upper-basin States are required to deliver to the lower basin an average of 75,000,000 acre-feet of water in progressive 10-year series, and the works we have been discussing will take that water and process it and regulate it for all of its intended uses.

The upper-basin States also have their reservoir problems. We must get reservoirs up there. I have seen one estimate that if we can secure 20,000,000 acre-feet of storage in the upper basin, this, together with that which is now in the lower basin, or which has been authorized and appropriated for there, we will have an equated stream. That is to say, we will then have a stream reflecting its long-term average flow. The droughts and the floods will be smoothed out. I have seen estimates that it would take perhaps 30,000,000 acre-feet of storage in the upper basin. But whatever it takes I think it is inevitable that we will get it.

There are varying estimates as to what the stream will do 40 or 50 years from now. I have heard it estimated that the stream is good for 16,000,000 acre-feet. I have heard it estimated that it is good for 18,000,000 or 18,500,000 acre-feet. Not until we get far along toward complete use on this side of the line, many years distant, if then, will we have any problem as to supplying Mexico with a million and a half acre-feet of water.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. MILLIKIN. I am glad to yield to the Senator from Vermont.

Mr. AUSTIN. Is it the Senator's opinion that these works which would tend to attain that objective will not be undertaken unless we settle the question with Mexico?

Mr. MILLIKIN. I thank the Senator for his question. I was just coming to that. We cannot achieve our development in the upper basin, to which we are entitled, and on which our whole economic life hangs, because we cannot put up those reservoirs and regulating works until we know how much water we have to process in them. We cannot know this until Mexico's share of the river has been decided.

These plants are not built for a day. They are not built for a month or a short period of years. They are built just as the treaty is built—in perpetuity. They require huge investments. You cannot put the money into such projects on uncertain prospects. These works are necessary to the full development of the upper basin. They are necessary to the full development of the lower basin. In the absence of a treaty there is the possibility that Mexico by arbitration might receive more than one and a half million acre-feet—might receive a much larger amount. Mexico has strenuously insisted in the negotiations on receiving 3,800,000 acre-feet. At times she has presented figures based upon available acreage for irrigation that would have raised her considerably beyond that figure. Mexico would go into an arbitration with strong claims.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. REVERCOMB. The Senator has discussed, and very ably so, that one of the main reasons for entering into this treaty is to limit the use of water from the Colorado River by Mexico to one and a half million acre-feet. Suppose this treaty is not entered into; what demand can Mexico in the future make upon the use of the waters of the Colorado to any extent? Perhaps the Senator has covered that point, but it seems to me to be a rather germane point. The Senator argues that the treaty limits the maximum quantity for all time. Suppose the treaty is not entered into. Suppose no treaty whatsoever is entered into. What claim or right of demand has Mexico to any quantity of water in the future from the Colorado River that arises in this country?

Mr. MILLIKIN. Mexico, under the arbitration system which applies to us and to Mexico and to a large number of other republics to the south of us, could bring us before an arbitration tribunal. In the meantime Mexico could use the water that passes her border, and build up an ever-increasing equitable demand against the day of settlement.

I do not know whether I made the point strong enough, but in my opinion if we did not have an arbitration system, we in the upper-basin States, would reach a time when we would urge our Government to ask Mexico to join with us in

an arbitration so that we might know where we stand.

Mr. REVERCOMB. Mr. President, will the Senator again yield?

Mr. MILLIKIN. Gladly.

Mr. REVERCOMB. The basis of my inquiry is this. Even in arbitration—and I ask information upon this important subject—what could be the basis of the claim of Mexico in event this country used all the water of the Colorado? On what basis would Mexico make a claim for the use of the water that flowed from this country?

Mr. MILLIKIN. It seems to me that she would have a very clear basis. I have covered that already.

Mr. REVERCOMB. I am sorry.

Mr. MILLIKIN. No, no; I am glad to go over it again. The inescapable geography of the situation makes the Colorado River an international stream. Because it is international both nations are interested in its international aspects. Life in the United States and life in Mexico depends upon the use of water from that stream, and has for a long time past. It has nurtured economies on both sides of the line. People have committed their lives to the land on both sides of the line, counting on water from that stream. The international nature of the stream gives rise to equities and to considerations of comity, if not to strict legal claims.

Mr. REVERCOMB. Mr. President, will the Senator yield further?

Mr. MILLIKIN. Yes.

Mr. REVERCOMB. Do we not tend to come down to the judicial basis which obtains certainly in the Eastern States of this country, that with regard to surface streams, persons owning land along those streams are entitled to the uninterrupted flow of the streams? Does the Senator bring that principle into the argument?, If that principle applies, then Mexico does have a right.

Mr. MILLIKIN. Of course, if we applied the common law doctrine of riparian water rights to this situation, no one in this country would get any use of the stream, because Colorado would have to let it pass down to Utah unimpaired in quantity, unpolluted in quality. Utah would be under the same obligation to the States below her. And so on. And the United States would be under the same obligation to Mexico. There being no nation between Mexico and the mouth of the river, I assume Mexico could use all of the water. But that is not the system of law which prevails in the arid and semiarid States.

Mr. REVERCOMB. I understand.

Mr. MILLIKIN. We rest our law on beneficial consumptive use. This is the principle determining factor.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. MURDOCK. Regardless of whether the treaty is ratified by the two countries or not, for the next 10, 15, 20, or even 50 years, there will be an excess of water flowing into Mexico. There is nothing in the treaty, if ratified, which would preclude Mexico from using any waters found in the river within her territory, is there?

Mr. MILLIKIN. I should say that the treaty either is clear, or will be made clear, to the effect that Mexico cannot make any future claim for any water, except for the express amount of water allocated to her under the treaty.

Mr. MURDOCK. I propounded the same question to the distinguished chairman of the committee the other day when he was addressing the Senate; and his answer was that there is nothing in the treaty itself which says one word about Mexico using the waters which she finds in the river within her own territory. My next question to the chairman was, That being the case, will not Mexico in all probability utilize all waters which she can utilize over the period of the next 10, 20, 30, or 50 years, whether we have a treaty or not? Does the Senator agree that she can do so, and probably will?

Mr. MILLIKIN. I think there are some limitations on that statement. First, in terms of right, the treaty, assuming for the purpose of the discussion that it is clear——

Mr. MURDOCK. What I should like to do, if the Senator will agree with me——

Mr. MILLIKIN. I should like to look the question squarely in the face.

Mr. MURDOCK. For the purpose of my question, I wish to eliminate the factor of whether she has a right or not. The treaty makes no difference as to the quantity of water which will flow into Mexico for the period of the next 30 to 50 years. It makes no change in the quality. The water will be there, whether the treaty is ratified or not. Is it not reasonable to assume that Mexico, whether or not the treaty is ratified, will make as full use of that water as she possibly can?

Mr. MILLIKIN. We are now speaking of water which crosses the Mexican boundary, beyond that provided in the treaty for Mexico.

Mr. MURDOCK. That is correct.

Mr. MILLIKIN. Water to which, we will assume, Mexico has no claim, and for which she can make no demand, but water which crosses the boundary, and which she uses.

Mr. MURDOCK. It is there.

Mr. MILLIKIN. The Senator fears, does he not, that by using such water, water with respect to which Mexico has no right, and which we are not obligated to deliver to her, she may gradually build up towns and expand her economy; and some day, when we need that water for our own uses, Mexico may say, "This is very inequitable. It is very unjust to make ghost towns out of the communities which we have built on the basis of this water, even though we have no technical right to it." Is not that the thing which the Senator fears?

Mr. MURDOCK. The Senator has stated the proposition more clearly than I could have stated it. That is the very fear which I have—that unless we emphatically say to Mexico in the treaty, "You have not now under the treaty, and you shall never have, the right to a drop of water more than 1,500,000 acre-feet," Mexico may in the future assert a claim to a great deal more water. Taking for the purpose of the argument the figure of 1,500,000 acre-feet, what I wish to do in this treaty, if we ratify it, is to say to Mexico, "You are allotted 1,500,000 acre-feet." Once we say that; once we write it into a treaty, I wish to take the next step and say that after we ratify this treaty Mexico can never, equitably, legally, or in any other way, claim one drop of water above the maximum 1,500,000 acre-feet, against rights in the United States.

Mr. MILLIKIN. I do not know that I agree to the exact words which the Senator has used——

Mr. MURDOCK. Does the Senator agree in substance?

Mr. MILLIKIN. I certainly agree to the intent. Either this treaty is clear enough to limit the rights of Mexico to that water, or it is not. I understand that an interpretative reservation will be made, designed to reach the Senator's point. I want the treaty, as it is, or as interpreted, to be so clear that Mexico can never come before an arbitration board, and can never raise her voice anywhere, at any time, and say to the United States, "We want more; we have a right to more."

Mr. MURDOCK. I am very happy in the thought that the Senator agrees in substance with my position, which seems to be his.

In my argument that the language of the treaty is ambiguous, I stated that a long paragraph in the report of the committee was required to explain what the language of the treaty means. If the language is as clear as the Senator would have it, and as clear as I would have it, there is no necessity for taking a long paragraph in the report to explain what it means. If the Senator, with the intent which he has, had written the language, I know that he could have done it in a few words, and that no Senator would have any doubt as to its meaning.

Mr. MILLIKIN. I thank the Senator.

Mr. MURDOCK. I hope that if and when we get the expected reservation, the Senator will have something to do with the writing of it.

Mr. MILLIKIN. I have suggested that kind of a reservation. The distinguished junior Senator from Utah may remember that during the course of the hearings I asked a number of questions which may have indicated that I was not completely satisfied as to the language making the allocation to Mexico.

Mr. MURDOCK. I so assumed from the Senator's questions.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MILLIKIN. Mr. President, I should like to proceed with the inquiry which the distinguished Senator from West Virginia has opened up.

Mr. REVERCOMB. May I add to that inquiry, and summarize it?

Mr. MILLIKIN. Yes, indeed.

Mr. REVERCOMB. Do I correctly understand the able Senator from Colorado to say that, as a matter of legal right, Mexico is not entitled to demand the use of one foot of this water; but if she uses it in the future, she may build up an equitable claim to the water?

Mr. MILLIKIN. That is what I prefer to call it.

Mr. REVERCOMB. As I understand, there is no absolute right in Mexico to the use of this water until it crosses the Mexican border. Is that correct?

Mr. MILLIKIN. Yes.

Mr. REVERCOMB. If in future years it does not cross the Mexican border because of the fact that it may be used in this country, can Mexico complain?

Mr. MILLIKIN. In my judgment, Mexico would have a most just complaint.

(At this point Mr. MILLIKIN yielded for consideration of the conference report on the bill (S. 681) to amend the National Housing Act, as amended, and for other purposes, and for other legislative business, which appear under a separate heading.)

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. REVERCOMB. In discussing the rights of Mexico to the use of water, the Senator has made it quite clear that the common-law rule which obtains in the Eastern States with respect to noninterference with the flow of a surface stream does not apply in the West, and particularly in the States affected by the Colorado River. I desire to ask the Senator whether he will, for our information—certainly for mine—speak upon the subject of how Mexico would have any right, if that rule did not obtain in any part? What right would Mexico have in the future if the treaty were not made? What equitable right, as we might say, would she have under the principle of the use of water by the abutting landowners? What right would she have to ask that any part of the Colorado River be left in its stream or bed to reach her boundaries?

Mr. MILLIKIN. Mr. President, starting at the beginning, we must start again with the fact that the river is an international stream; it is not enjoyed exclusively by the United States. It does not belong exclusively to the United States. Mexico has been using water from that stream. She would assert a right to continue and to expand that use. At the present time there is no judicial tribunal to adjudicate conflicting claims to such rights. There is an arbitration system. What would come before arbitrators? I think we have established in the United States some principles and precedents that might control. I pointed out earlier today that the Senate itself has established a precedent for deciding that kind of a question.

In the early part of this century, Mexico complained bitterly that my State of Colorado and the State of New Mexico were using so much water from the Rio Grande that we had dried it up, with the result that Mexico was deprived of the use of 60,000 acre-feet of water, which she had been using from time immemorial. The Attorney General of the United States was asked for an opinion as to our rights. Attorney General Harmon wrote an opinion to the effect that we were the complete masters of the Rio Grande as long as it was in the United States; that as long as it is within the United States we could do about it as we pleased; that we have a right, if we wish to exercise it, by control of the stream within our boundaries to bring about, in Mexico, a result such as the one I have described.

Mexico had been asserting against us a claim of right. The matter was leading to friction. A convention was negotiated and brought to the United States Senate. What did the Senate do about it? The Senate in pursuance of its right to advise and consent made its own decision. It established a precedent. The Senate said that Mexico was entitled to what she had been using.

We did more than that, Mr. President. We consented and advised to the construction of the Elephant Butte Dam in the State of New Mexico, at our expense, and with it we regulated the waters of the river so that we could deliver to Mexico the 60,000 acre-feet to which we decided she was entitled. Thus a precedent was established in the United States Senate on how to handle that kind of a situation.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. REVERCOMB. The statement of the Senator with regard to the precedent which was established as affecting the Rio Grande is very interesting. As I understood the Senator, the Attorney General stated that this country could use all the water of the Rio Grande that it pleased, so long as that water was in this country; and the Attorney General also stated, in effect, that the sole right to the water was in the States of the United States. But later, as a matter of consideration, and as a matter of a gift, one might say, the Senate entered into an agreement permitting Mexico to use the water. Does the Senator believe that the precedent to which he has referred, and which was in essence a gift, established in any sense a right in Mexico, or a right in any other country, as against the established legal right under the opinion of the Attorney General?

Mr. MILLIKIN. I say that it was a precedent which the Senate should consider in connection with the pending treaty. I say further that the 1906 convention with Mexico would probably be considered by arbitrators to ascertain the Senate's viewpoint as to the settlement of that kind of a problem.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I will yield in just a moment.

I spoke of what might be considered a senatorial precedent. The Arkansas River rises in the State of Colorado. In Colorado we approved Attorney General Harmon's opinion. We claimed the right to deprive the State of Kansas of water. Kansas is located down the stream from Colorado. Kansas went to the Supreme Court of the United States and the Court said, in effect, "We are dealing with two sovereignties, and the rule is not the rule as announced in the Harmon opinion. The rule is that of equitable adjustment." The Court said in effect to Kansas, "Any time you are hurt, come back and see us." Within the past year the Supreme Court, in a supplemental action, suggested to Kansas and Colorado that they settle their troubles by entering into a compact. A bill now lies on the desks of Senators asking this Congress for permission for Colorado and Kansas to enter into such a compact.

Thus, Mr. President, we have a senatorial precedent, and thus we have a precedent of the Supreme Court of the United States which I suggest that any arbitration board would consider in measuring the equities in a water controversy between the United States and Mexico.

I now yield to the Senator from New Mexico.

Mr. DOWNEY. I thank the Senator from Colorado. In fairness and in the interest of accuracy in discussing the convention of 1906 between Mexico and the United States, does not the Senator think he should point out that as an act of comity all that Mexico was given under the treaty was the amount of water which she had been theretofore using out of the unregulated flow of the river, just as in this case we would give Mexico 750,000 acre-feet, which she has been using out of the unregulated flow of the river?

Mr. MILLIKIN. The distinction is that in the case of the 1906 convention the Elephant Butte Dam had not yet been built, and we had nothing to consider but an unregulated flow of the river. In the present case, we waited until we had built these regulating works which benefit Mexico, and put her in position to make an expanded use of the waters of the stream before we made a treaty.

Mr. DOWNEY. Mr. President I am not trying to apply the 1906 convention, because every authority which has spoken on the subject has declared that it deals with the unregulated flow of the river and not with the right of any sovereignty to acquire a right in a reservoir built by some other agency. I should like to point out to the distinguished Senator from Colorado that I placed in the record many cases, some of them from New England, holding directly in point that the temporary use of water from a reservoir which was not being used by the proprietor of that reservoir gave rise to no right to the continued use of that water from the reservoir. I suggest that if in this particular case the distinguished Senator knows of one textbook authority, or one case, or one treaty which supports his position, I should be delighted to have it. After months of search I have not been able to find one.

Mr. MILLIKIN. Allow me to suggest to the distinguished Senator from California that I am not sure that his doctrine helps him much. Boulder Dam and the Mead reservoir are not owned by California.

Mr. DOWNEY. Mr. President, the very fact that the proprietor is the United States of America makes our case far stronger. Where a sovereignty is involved no permanent rights are surrendered by allowing water to escape temporarily. The dispute with which we are confronted is not one between California and Mexico. The treaty now before the Senate is a treaty between two great sovereignties, namely, Mexico and

the United States. The argument that the people of the United States by temporarily allowing some water to run down the stream out of a reservoir built in their own land, storing their own water, thereby create a right on the part of the water users in Mexico to control in perpetuity the future flow of that reservoir, cannot be supported by a single case or a single treaty, because there are none such.

Mr. MILLIKIN. I have consistently believed, and have stated most respectfully to the distinguished Senator from California, that his point with respect to any one asserting a claim against the water in any United States reservoir is entirely irrelevant. The Mexican claim arises out of water which flows into Mexico. She is not asserting a claim against the water behind Boulder Dam.

Mr. DOWNEY. Mr. President——

The PRESIDING OFFICER (Mr. SALTONSTALL in the chair). Does the Senator from Colorado yield to the Senator from California?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. Suppose 750,000 feet or a million and a half acre-feet of water did not go down to Mexico in a year. Is it not the Senator's claim that Mexico could then say to us, "You are storing that water in Boulder Dam. You must let it come down to us out of Boulder Dam." I thought that was the very heart and genesis of the Senator's claim.

Mr. MILLIKIN. Is the Senator speaking of under the treaty or without a treaty?

Mr. DOWNEY. Without the treaty, or under the treaty.

Mr. MILLIKIN. I say that without a treaty, no matter what works were put across the stream, no matter how highly we developed the stream in the United States, Mexico would have an equitable claim, a claim under comity, to a right to the use of an equitable share of the water of the stream.

Mr. DOWNEY. Will the Senator yield further?

Mr. MILLIKIN. Certainly.

Mr. DOWNEY. We decreed in the convention of 1906, and the Supreme Court of the United States has repeatedly said, and we have declared it by our State law, that what is equitable is that the lower proprietor shall be given the amount of water he was beneficially applying out of the unregulated flow of the river, and he should not have the right to gain any permanent right in the stored waters of the reservoir.

Mr. MILLIKIN. The Senate, in its advice and consent to the convention of 1906, set out its standard of what was equitable in that case. It said that, although Mexico had not been using any water, according to the distinguished junior Senator from California, for some time past, "We will give her the water she was last using, and in addition we will build the works at our expense to assure that she shall get it," and that is my sole point as to the 1906 convention. We cannot draw an exact analogy between that convention and the present situation, because, as I said a while ago, we had the foresight to make our deal, to make the 1906 convention, before we built the reservoir.

Mr. DOWNEY. Will the Senator yield again?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. There were able lawyers on the floor of the Senate when the Boulder Canyon Act was passed, there have been able engineers and lawyers in the United States since then, and were before then, and this is the first time it has ever been asserted in the jurisprudence of the United States that any person by using water temporarily abandoned out of a reservoir acquired a permanent right in the reservoir, and with the distinguished Senator's permission, I should just like to restate the facts of the 1906 convention.

Mr. MILLIKIN. Will the Senator permit me just a little offside interruption?

Mr. DOWNEY. Certainly.

Mr. MILLIKIN. There is no such thing as a temporary abandonment of water out of a reservoir. When water gets out of a reservoir, it is gone.

Mr. DOWNEY. The Senator is right as to the corpus of the reservoir, but certainly allowing water to run out of a reservoir down a stream 1 year, unused by the proprietor, does not give some stranger to that reservoir the right to use it that year, and thereafter in perpetuity claim a right for a similar amount every year out of the reservoir. I again say, if the distinguished Senator has one single case in the United States supporting his position, I should like to have it cited.

Now, with the Senator's permission, I should just like to say that the admitted facts as to the Rio Grande are that Mexico for two or three hundred years had been using 60,000 acre-feet of water. Her right had been dried up by appropriators in Texas, New Mexico, and Colorado. The treaty of 1906 did nothing more than give to Mexico, from the United States and from its reservoirs, the amount of water Mexico had been beneficially applying for a long period of time out of the unregulated flow of the river.

Mr. MILLIKIN. I repeat, it could not have been otherwise, because the deal was made before the dam was constructed.

Mr. DOWNEY. That is correct——

Mr. MILLIKIN. I made two points: First, that we recognized the use; second, we spent the money to build the facilities so that use might be confirmed in a foreign country.

Mr. DOWNEY. Will the Senator yield further?

Mr. MILLIKIN. Surely.

Mr. DOWNEY. The distinguished Senator is right in saying that the 1906 convention could have dealt with nothing more than the unregulated flow of the river. Consequently, it cannot be of any assistance here, where, by this treaty, an attempt is made to establish the right in Mexico to build up a permanent right by the temporary use of waters from the Boulder Dam.

Mr. MILLIKIN. The assistance here, I suggest, arises out of the fact that under the 1906 convention we constructed facilities in the United States with our money to assure the delivery of water to a foreign country equal in amount to what she had been using before we dried up the stream.

Mr. AUSTIN. Mr. President, will the Senator yield to me?

Mr. MILLIKIN. I yield to the distinguished Senator from Vermont.

Mr. AUSTIN. I am not very familiar with what is stated to be the law regarding water rights in the Southwest or the West, but the thought has occurred to me that there was a time when there was no boundary line across the Colorado River between Mexico and the United States, and that there were inhabitants on the river, the whole length of it, who enjoyed natural rights. They were the ancient and historic rights of the people who inhabited that watershed. After drawing a line bounding the jurisdiction between Mexico and the United States, I wonder how far we can go outside of comity and disturb those ancient, historic rights of the inhabitants of that watershed the whole length of the river.

I ask the Senator this specific question: Does he consider that when the law speaks—and it does speak; international law does speak with emphasis, venerable emphasis, of ancient, historic rights on streams which pass through more than one country, or into more than one country—when it speaks of ancient, historic rights, can anyone delimit them by a certain number of feet of water that were used by the inhabitants at one certain time or in one certain condition of the river?

Mr. MILLIKIN. I say no, because I respectfully urge this opinion, that any international body viewing this question, the division of waters of the Colorado between the two countries, will consider all the equities involved. It will consider present use, it will consider past use, it will consider potential use on both sides of the line. I do not shrink from the idea that it will consider that we have spent money on our side of the line. It will weigh all the equities which have relevance to the problem. Water contributions, water use, irrigable acreage, everything that is relevant and which will bear on an equitable adjustment would be considered. I respectfully suggest that if those matters are considered, if that is the rule, then we should feel very fortunate with a treaty which will limit Mexico to 1,500,000 acre-feet a year.

Mr. President, I have spoken of a Supreme Court authority. There are several which I believe would be considered by any international agency set up to decide this problem. I have spoken of a precedent in the Senate. There are other Senate precedents. We have approved the treaty affecting the Milk River and the St. Marys River which flow from Montana into Canada. In that case we made a treaty based on the respective uses by the two countries of those two streams.

Now I shall show an example of what the States do when they work out their own problems among themselves, within this country, on the Colorado River, under equitable considerations. I come now to the Colorado River compact. I respectfully say to my colleagues that if that compact—and it is as simple and

plain as it can be—is thoroughly understood, most of the difficulty, 80 to 90 percent of the confusion in the consideration of this matter will vanish.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. O'DANIEL. As I understood the question propounded to the Senator from Colorado as to whether or not the amount of water to Mexico could be limited at any particular time, the Senator's answer was "No." In order to keep the record clear, did not the Senator from Colorado mean—no, except by virtue of a treaty entered into?

Mr. MILLIKIN. I was talking to the point of what would be considered by some arbitration board that might be passing on the question, and certainly, in my judgment, such an arbitration board would consider the use of the stream being made at the time of the arbitration. If there are any historical facts why should not the board consider these facts? Why should not the board consider anything that in a material way and in a relevant way bears on the equitable decision which it must make?

Mr. O'DANIEL. But does not the Senator agree that the volume of water can be limited by treaty as we are proposing to do at the present time?

Mr. MILLIKIN. Certainly.

Mr. O'DANIEL. I thank the Senator. I wanted to keep that point straight.

Mr. MILLIKIN. Let us see how this treaty is limiting that use—I have said it before, but there are some Senators present who were not here previously—that at the present time Mexico is using 20 percent of the water that is being used in the entire Colorado River Basin. By the operation of this treaty, by the time the stream becomes equated, by the time we are using everything we can in the upper basin, by the time we are using everything we can in the lower basin, Mexico will then have 8 percent of the water of the stream. That seems to me to be a very valuable reduction, constant and progressive, in our favor and against Mexico. That is what results from this fixed ceiling in the treaty.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. O'DANIEL. It is claimed by the Senator from Colorado that that reduction in percentage could be gained by treaty, whereas it could not be obtained by arbitration?

Mr. MILLIKIN. In my judgment it could not possibly be gained in any way except by a fixed ceiling which is the product of this treaty.

Mr. O'DANIEL. I thank the Senator.

Mr. MILLIKIN. Back in 1921 and 1922 it became apparent to the water users in the Colorado Basin States that there would need to be some kind of understanding as to the division of the waters of that stream. Arizona and California were at that time rapidly increasing their uses. Use, as has been emphasized here, is the most important factor in establishing water rights in the arid and semiarid States. The upper basin States either had to match that scramble for use, or there had to be an agreement. They got together and agreed to the Colorado River compact, which is the basic agreement which runs through and controls every other agreement that we have before us in connection with this treaty.

The opening paragraph recites the parties. I will ask the Senate to remember that a moment or two ago I said that I would develop another precedent as to equitable allocation. I said I would develop a precedent in addition to the Senate precedents which I have mentioned and in addition to the precedents of the Supreme Court of the United States. I stated that I would develop a precedent of an equitable apportionment of water among the States that are directly concerned with this treaty.

Article 1 of the Colorado River compact recites:

The major purposes of this compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River system; to establish the relative importance of different beneficial uses of water; to promote interstate comity; to remove causes of present and future controversies—

This paragraph, I may interpolate, might as well be the opening paragraph of the treaty we are considering, with very slight changes. I continue to read:

To remove causes of present and future controversies and to secure the expeditious agricultural and industrial development of the Colorado River Basin, the storage of its waters, and the protection of life and property from floods. To these ends the Colorado River Basin is divided into two basins and an apportionment of the use of part of the water of the Colorado River system is made to each of them—

Apportionment of the use of part of the water of the Colorado River system is made to each of them—

with the provision that further equitable apportionment—

Note that expression, "equitable apportionment"—

may be made.

Then follow a number of definitions. Among them are the following:

(c) The term "States of the upper division" means the States of Colorado, New Mexico, Utah, and Wyoming.

(d) The term "States of the lower division" means the States of Arizona, California, and Nevada.

We have definitions of expressions such as "domestic use," and so forth.

Let us now see what was done. Let us see what was the apportionment which the States themselves decided was an equitable apportionment.

Article III (a)—

I shall refer to this many times—

There is hereby apportioned from the Colorado River system in perpetuity—

We were willing to apportion water in perpetuity between ourselves. Any mistake here, considering the amount of water involved, would have been a far graver mistake than a mistake that might be made in the treaty before us, so far as perpetual apportionment of water is concerned.

There is hereby apportioned from the Colorado River system in perpetuity to the upper basin and to the lower basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist.

There is the basic allocation of water. Seven and a half million acre-feet per year for the upper basin, the same amount for the lower basin. I assume in partial consideration of the fact that the lower basin was moving faster in development than the upper basin, Article III, subclause (b) was added:

(b) In addition to the apportionment in paragraph (a)—

That is in addition to the 7,500,000 acre-feet to the upper basin and 7,500,000 acre-feet to the lower basin—

The lower basin is hereby given the right to increase its beneficial consumptive use of such water by 1,000,000 acre-feet per annum.

I will ask Senators to remember what I read into the RECORD a while ago as to the respective acreages that were under irrigation in the various States, respective water use in the various States, respective drainage basins of the various States, and so forth. These seven States are those who approved of this compact. They sat down and considered all those facts and equitably resolved them into that division of water.

The next matter of priority in the use of the water of the Colorado River following the basic division of firm water between the two basins goes to a treaty with Mexico definitely foreshadowed in the language which I shall read. I read now from subclause (c):

If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River system—

As a matter of comity we might recognize a right. By brute strength we could avoid the recognition of a right; but as a matter of comity we might recognize a right—

such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b).

We have the firm allocation to the upper and lower basin, and now a provision for taking the first cut out of the surplus beyond that firm allocation for use if and when we make a treaty with Mexico. This order of the priorities will be very important when we come to consider the California complaint, which I shall meet head on, that we are doing an unjust and inequitable thing to her, in favor of a foreign country. The first cut out of the surplus goes to satisfy any treaty which may be made with Mexico. What next?

(d) The States of the upper division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of 10 consecutive years reckoned in continuing progressive series beginning with the 1st day

of October next succeeding the ratification of this compact.

There has been a great deal of debate as to what an outrage it would be to guarantee water to Mexico. But the lower-basin States were not at all averse to having the upper-basin States guarantee water to them. Please remember that this compact makes an equitable apportionment. So we in the upper basin were required, under the equities as those States saw them at that time, to guarantee 75,000,000 acre-feet to the lower basin in progressive 10-year periods.

We now come to the next subclause:

(e) The States of the upper division shall not withhold water, and the States of the lower division shall not require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses.

We now come to another very crucial part of this compact. I read from subclause (f):

(f) Further equitable apportionment of the beneficial uses of the waters of the Colorado River system unapportioned by paragraphs (a), (b), and (c)—

Paragraph (a) puts 7,500,000 acre-feet into the upper basin and 7,500,000 into the lower basin. Paragraph (b) gives the lower basin an opportunity to obtain another 1,000,000 acre-feet a year. Paragraph (c) gives the first cut out of the surplus for any treaty which might be made with Mexico. The firm water of 1,600,000 acre-feet comes first; then, if we make a treaty, Mexico receives the first cut out of the surplus. After providing for those apportionments, what happens if there is any further surplus in the stream?

(f) Further equitable apportionment of the beneficial uses of the waters of the Colorado River system unapportioned by paragraphs (a), (b), and (c) may be made in the manner provided in paragraph (g) at any time after October 1, 1963—

Notice this further proviso—

If and when either basin shall have reached its total beneficial consumptive use as set out in paragraphs (a) and (b).

Please fasten on that firmly, my colleagues, because with an understanding of it we can quickly dispose of the claim when we come to it that we in the Senate are oppressing a State of the United States in favor of some foreign country.

In subparagraph (g) the compact sets out the mechanics for bringing about the further apportionment of surpluses, which, as we have noted, cannot be apportioned until 1963, and then only when one of the basins reaches its maximum use. There are other provisions, which are not now important.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. MILLIKIN. I am glad to yield to my distinguished colleague, the senior Senator from Colorado.

Mr. JOHNSON of Colorado. Is there anything in the proposed treaty which deals with the date of 1963?

Mr. MILLIKIN. There is nothing in the treaty which deals with 1963.

Mr. JOHNSON of Colorado. So far as is known, Mexico will not have an additional claim in 1963?

Mr. MILLIKIN. There is no connection whatever between the treaty and our compact. Mexico's claims, whatever they may be, will be within the four corners of the treaty.

As I stated a while ago, every other statute which bears on this subject—even those enacted by California herself—and every other contract which bears on this subject, is subordinated to the equitable water allocation which I have just read from the compact between the States.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. FULBRIGHT In connection with the further point which the Senator has just made, how close to the use of 7,500,000 acre-feet is the lower basin at the present time?

Mr. MILLIKIN. I should say perhaps a little more than half.

Mr. FULBRIGHT. Is California up to her proportionate part of it?

Mr. MILLIKIN. No; she is not even within shooting range of it. I shall make a note of the Senator's question, and give him the exact figures tomorrow. However, my recollection at the moment is that at the present time the lower basin is using a little more than half of its firm water, and the upper basin is using less than half of its firm water.

Mr. FULBRIGHT. I seem to recall that there was a State law providing for 4,400,000 acre-feet.

Mr. MILLIKIN. I am coming to that, if the Senator will be patient until I can give it its proper place in the picture.

As has been explained by the distinguished junior Senator from California [Mr. DOWNEY], California wanted a dam across the Colorado River so that she could proceed with her developments. There was much agitation in Congress for such a dam. Several abortive bills were introduced for the purpose, and finally a bill was introduced which was enacted and which ultimately resulted in the construction of the Boulder Canyon Dam.

Mr. BARKLEY. Mr. President, does the Senator wish to conclude his remarks, or would he rather suspend?

Mr. MILLIKIN. I would rather suspend, because I have reached the beginning of what I think is a very important point, and I could not finish it in the remaining time.

Mr. BARKLEY. If the Senator cannot conclude today, we might suspend at this point. He has been on his feet for quite a while.

(At this point Mr. MILLIKIN yielded the floor for the day.)

AMENDMENT OF NATIONAL HOUSING ACT—CONFERENCE REPORT

During the delivery of Mr. MILLIKIN's speech, Mr. RADCLIFFE, as in legislative session, submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 681) to amend the National Housing Act, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same.

J. H. BANKHEAD,
GEO. RADCLIFFE,
CHAS. W. TOBEY,
Managers on the part of the Senate.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
JESSE P. WOLCOTT,
FRED L. CRAWFORD,
Managers on the part of the House.

EXEMPTION OF CERTAIN SECURITIES ISSUES FROM PROVISIONS OF THE SECURITIES ACT.

Mr. TAFT. Mr. President, the conference report which has just been presented covers the bill which extends the F. H. A. financing of home mortgages. When the bill was before the Senate a week ago, or perhaps a little less than that, there was attached to it an amendment offered by the Senator from Michigan [Mr. VANDENBERG] which dealt with the question of the Securities and Exchange Commission and the exemption of securities issued by small corporations desiring to finance themselves through the sale of securities. While the amendment had no direct relation to the bill, it was adopted by the Senate by unanimous consent, and was attached to the bill. When it came up in the committee of conference the conferees on the part of the House refused to accept the Senate amendment on the ground that the House Committee on Banking and Currency had no jurisdiction over matters dealing with the Securities and Exchange Commission. In the House of Representatives, unlike in the Senate, such matters go to the Committee on Interstate Commerce. We finally reached an agreement by which it was understood that the Vandenberg amendment would be passed in the Senate as an independent bill, and would be sent to the House in connection with the presentation of the conference report. Therefore, I ask unanimous consent that at this time the Senate, as in legislative session, consider Senate bill 62, which was reported earlier today by the Committee on Banking and Currency.

As I have said, the bill simply increases from $100,000 to $300,000 the exemptions of small concerns attempting to finance their affairs. The bill has the full approval of the Securities and Exchange Commission. The report I submitted earlier today contains the letter approving the bill.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BARKLEY. I join in the request that the bill be considered. Earlier today the committee unanimously reported the bill with the understanding that it would be acted upon prior to action on the conference report. That will solve one of the problems which disturbed the conferees in regard to this particular amendment.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 62) to amend section 3 (b) of the Securities

Act of 1933, as amended, so as to permit exemption of security issues not exceeding $300,000 from the provisions of such act.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That subsection (b) of section 3 of the Securities Act of 1933, as amended, is amended by striking out "$100,000" where it appears in such subsection, and inserting in lieu thereof "$300,000."

AMENDMENT OF NATIONAL HOUSING ACT—CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 681) to amend the National Housing Act, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. RADCLIFFE. I move that the Senate agree to the report.

The PRESIDING OFFICER. The question is on the motion of the Senator from Maryland.

The motion was agreed to.

Mr. VANDENBERG. Mr. President, I desire to express my appreciation to the Banking and Currency Committee for its cooperation in this matter. On one or two occasions during the last several months I have expressed some impatience with the committee when I have been endeavoring to obtain consideration of the bill. I am obliged to the committee for what has been done. I think there is no doubt about the importance and value of the legislation from the point of view of small business. The bill is based primarily on a recommendation of the Senate's Special Committee on Post-war Economic Policy and Planning. As the able Senator from Ohio had said, it is also unanimously reported by the Banking and Currency Committee, and it has the entire approval of the Securities and Exchange Commission. I simply wish to have the RECORD show my gratitude to my colleagues who have cooperated in bringing the matter to a head.

FOLDING OF SPEECHES AND PAMPHLETS, HOUSE OF REPRESENTATIVES

During the delivery of Mr. MILLIKIN's speech, as in legislative session, the Presiding Officer laid before the Senate the joint resolution (H. J. Res. 142) providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives, was read twice by its title.

Mr. BARKLEY. Mr. President, the joint resolution affects the House of Representatives. The House desires to authorize the employment of some of the pages at odd hours to fold documents and one thing and another in the folding room of the House. I ask unanimous consent that at this time the Senate proceed to the consideration of the joint resolution, without having it referred to a committee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

There being no objection, the joint resolution (H. J. Res. 142) was considered, ordered to a third reading, read the third time, and passed.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Sundry officers for temporary appointment in the Army of the United States;

Sundry officers for appointment, by transfer, in the Regular Army of the United States; and

Sundry officers for promotion in the Regular Army of the United States.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

NOMINATIONS

Mr. BARKLEY. Mr. President, I ask unanimous consent that the Senate proceed to consider the nominations on the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will proceed to state the nominations on the calendar.

UNITED STATES DISTRICT JUDGE

The legislative clerk read the nomination of Robert Lewis Brown to be United States district judge for the district of Montana.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES ATTORNEYS

The legislative clerk read the nomination of Randolph Carpenter to be United States attorney for the district of Kansas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Dennis E. Sullivan to be United States attorney for the district of New Hampshire.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of George F. Troy to be United States attorney for the district of Rhode Island.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES MARSHAL

The legislative clerk read the nomination of Ben Ivy King to be United States marshal for the western district of Tennessee.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified in the case of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of the confirmation of the nominations.

STANDARD WEIGHTS AND MEASURES FOR THE DISTRICT OF COLUMBIA

As in legislative session,

Mr. BILBO. Mr. President, from the Committee on the District of Columbia, I report favorably, without amendment, the bill (H. R. 2745) to amend section 8 of the act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921, and I ask unanimous consent for its present consideration.

The bill was passed by the House of Representatives on Saturday. It is an emergency measure which has to do only with changing the standard of weight by which coal is sold within the District of Columbia. Washington is the only city in the United States in which coal is sold by the long ton. The purpose of the bill is to make the weight by which coal is sold uniform throughout the country.

The measure has been approved by the Commissioners of the District of Columbia. I introduced a corresponding bill in the Senate.

Mr. WHITE. Mr. President, am I correct in understanding that the bill to which the Senator has referred is a House bill which has been passed by the House?

Mr. BILBO. Yes. The bill was passed by the House on Saturday, and has since come to the Senate.

I have received from the Commissioners of the District of Columbia a letter relating to the bill, and reading in part as follows:

In order to synchronize with the program of the Solid Fuels Administrator for War, this bill should become effective at 12:01 a. m. on April 1.

I desire to have the bill passed and sent to the White House, so that it may be signed by that time.

Mr. WHITE. I have no objection.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2745) was considered, ordered to a third reading, read the third time, and passed.

RECESS

Mr. BARKLEY. As in executive session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 33 minutes p. m.) the Senate, in executive session, took a recess until tomorrow, Wednesday, March 28, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 27 (legislative day of March 16), 1945:

UNITED STATES DISTRICT JUDGE

Robert Lewis Brown to be United States district judge for the district of Montana.

UNITED STATES ATTORNEYS

Randolph Carpenter to be United States attorney for the district of Kansas.

Dennis E. Sullivan to be United States attorney for the district of New Hampshire.

George F. Troy to be United States attorney for the district of Rhode Island.

UNITED STATES MARSHAL

Ben Ivy King to be United States marshal for the western district of Tennessee.

HOUSE OF REPRESENTATIVES

TUESDAY, MARCH 27, 1945

The House met at 11 o'clock a. m., and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Eternal God, our Father, keep in our minds the teaching of our Lord that unfaithfulness will be punished as surely as fidelity will be rewarded. We praise Thee for the order of His life; while He was moving on to His death, when He saw the unfruitful tree, He condemned it because it bore nothing but leaves. O help us to accept His challenge; to meet the fullness of life with trees of fruit that cumber not the ground but that bear the fruits of vitality and Godliness of power.

Our Father, character is not an inheritance, but an achievement; it is not always easy to tell the truth, to be honest, to be just, to be pure; otherwise there would be no virtue in the courage of our convictions nor in the power of our resistance. To meet the temptations of each day successfully is to be strengthened for the conflicts of tomorrow. If we live well today, we shall be prepared to live better tomorrow. We pray Thee to fortify us with a reserve of moral strength that will replenish our minds and give rich devotion to our country's welfare.

"O Star of hope, Thy quickening ray
Shed on each path the glow of day."

Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 2404. An act to increase the debt limit of the United States, and for other purposes;

H. J. Res. 115. Joint resolution relative to determination and payment of certain claims against the Government of Mexico;

H. J. Res. 141. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1945, in lieu of certain appropriations contained in H. R. 2374, Seventy-ninth Congress, first session, and for other purposes; and

H. Con. Res. 36. Concurrent resolution authorizing the Committee on the Judiciary of the House of Representatives to have printed for its use additional copies of the hearings on a proposed amendment to the Constitution of the United States relative to the making of treaties, held before Subcommittee No. 3 of the Committee on the Judiciary during the second session of the Seventy-eighth Congress.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCKELLAR, Mr. GLASS, Mr. HAYDEN, Mr. TYDINGS, Mr. RUSSELL, Mr. GURNEY, Mr. BURTON, and Mr. BALL, to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include a speech delivered by him at the Greek Independence Day celebration in the city of Lynn, Mass.

Mr. RYTER asked and was given permission to extend his remarks in the appendix of the RECORD and include an editorial appearing in this morning's Washington Post.

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include an article from the Washington Post.

Mr. COURTNEY asked and was given permission to extend his remarks in the appendix of the RECORD.

Mr. WASIELEWSKI asked and was given permission to extend his remarks in the RECORD and to include an article from the Washington Star of yesterday.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD and include a short editorial from the Long Beach Press-Telegram.

Mr. PHILBIN asked and was given permission to extend his remarks in the RECORD and include an article from the Boston Record.

Mr. PLUMLEY asked and was given permission to extend his own remarks in the RECORD.

SOCIAL-SECURITY BENEFITS

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. WASIELEWSKI. Mr. Speaker, under title II of the Social Security Act in order to be a "fully insured individual" it is necessary that one be employed a certain number of quarters prior to attaining the age of 65, or death—section 209 (g) of title II of the Social Security Act as amended.

Since the passage of the Selective Service Act many men and women have left their jobs to enter the armed services. Upon doing so they were removed from the benefits of the Social Security Act. Some died or were killed while in service and as a result, in many instances, their families were denied the benefits they would have been entitled to had they remained in their civilian jobs. To some men and women the social-security benefits represented their total estate to their families. Thus, even this paltry sum was denied to them because of the present provisions of the Social Security Act.

I have this day introduced H. R. 2787 that I hope will remove the existing inequity. Under my bill active service in the armed forces shall not result in either lessening or complete loss of insurance benefits. The act is made retroactive to September 16, 1940, thus covering all persons who died in the armed services since the passage of the Selective Service Act.

I trust that when this measure comes before the House it may receive favorable consideration.

ARMED SERVICES REPLACEMENTS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to extend my remarks in the Appendix of the RECORD and include a letter from Under Secretary of War Patterson.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

[Mr. VOORHIS of California addressed the House. His remarks appear in the Appendix.]

SELECT COMMITTEE TO INVESTIGATE THE FOOD SITUATION

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FLANNAGAN. Mr. Speaker, we will in a few minutes, I suppose, take a vote on the Anderson resolution creating another special committee to investigate the food problem.

A special committee, as you know, has already been appointed by the Senate to make such an investigation. Moreover, the Senate committee has already commenced its investigation. Why we need another special committee is something that no one so far, though we had 1 hour's debate on yesterday, has attempted to explain. Why the failure of an explanation giving the reasons another special committee is needed? Do not ask me. I am groping in the dark, and I think the proponents of the resolution are shooting without aim. If this resolution is passed, then, in order to restore sanity, the only thing I know to

do is this: Pass another resolution creating a superspecial committee to investigate the special committees of the House and Senate, and while this superspecial committee is operating on these just common, ordinary special committees, probably Marvin Jones can get a breathing spell from being investigated and can devote a little time to the problem of producing food.

So far as I know no member of the House Committee on Agriculture was consulted. As to this, however, I do not know. Probably they were and I just have not been brought up to date. Anyway, I would like to know why it was decided that the resolution duplicating the work of the Senate special committee should be introduced and rushed through the House by the way of a rule. Evidently there is a compelling reason behind such an unusual procedure.

In conclusion, all I want to say is this: The appointment of another special committee is, in my opinion, an asinine, nonsensical procedure calculated to add confusion to an already difficult and complicated problem.

The resolution should be defeated.

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I quite agree with the gentleman from Virginia [Mr. FLANNAGAN]. It seems to me we have got too many investigating committees. We investigate this, we investigate that, and we investigate. If the Senate committee would join with the House so that we would have one committee doing this work, it would be the sensible, sane, businesslike way to proceed. I hope that the chairman of the Committee on Agriculture may in some way have these two committees joined together, and that would prohibit two committees doing the same job. It would save cost. It would be more sensible to have the Senate and the House work together for the good of America.

Mr. FLANNAGAN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. FLANNAGAN. I want to say to the gentleman that the chairman of the Committee on Agriculture of the House of Representatives has not been consulted in connection with this matter and has nothing in the world to do with this resolution.

Mr. RICH. It seems to me we should consolidate those committees in some way, and consult the committees, Members of Congress, and other organizations who deal with the subject matter, as well as individual Americans who are interested.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. HARE asked and was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD and include an editorial from the Honolulu Advertiser.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today at the close of the other special orders.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

TRAGIC SUBMARINE TRAINING DEATH

Mr. GRANGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. GRANGER. Mr. Speaker, last week I called to the attention of the House a tragic thing that occurred when a boy on a training submarine was deliberately left on the top side when the ship submerged. The incident was called to the attention of a committee of the House which I thought would take some notice of a thing like that, our distinguished Committee on Naval Affairs. I believed they would make an investigation. All the investigation amounted to was simply to write a letter to somebody and get an answer. I could have done that myself; I can still write letters. I think it is a tragic thing, a criminal thing to give this awful happening a brush-off such as that.

CALIFORNIA, THE FOOD BASKET OF THE WORLD

Mr. ELLIOTT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ELLIOTT. Mr. Speaker, I rise at this time to call to the attention of the House that during the year 1944 California led the parade of crop-producing States with an output which the Federal Department of Agriculture computes at $1,201,440,000. California produced the only crop in the Nation to double in value from 1943 to 1944. That was the apricot crop. The $38,248,000 cot crop was worth 177 percent more than the preceding year's $13,801,000 crop. California led in many other varieties of fruits and vegetables, leading all States in this field. Little by little California is being called the food basket of the world.

YUGOSLAVIA

Mrs. DOUGLAS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from California?

There was no objection.

[Mrs. DOUGLAS of California addressed the House. Her remarks appear in the Appendix.]

O. P. A. MINIMUM PRICE REGULATION 580

Mr. KEEFE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. KEEFE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances and to include excerpts and letters from constituents.

O. P. A. REGULATION 580

Mr. HARNESS of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. HARNESS of Indiana addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and to include a letter from Dr. John C. Morfit, of St. Louis, Mo., addressed to the editor of the Cosmopolitan magazine, with reference to conditions in veterans' hospitals.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—FIRST REPORT BY THE INTERIM COMMISSION ON FOOD AND AGRICULTURE

The SPEAKER laid before the House the following message from the President of the United States, which was read and, with accompanying papers, referred to the Committee on Foreign Affairs and ordered to be printed:

To the Congress of the United States:

I am sending herewith for the information and consideration of the Congress the first report to the governments of the United Nations by the Interim Commission on Food and Agriculture. Appended to this report is the constitution of the food and agriculture organization of the United Nations, which the United Nations Conference on Food and Agriculture at Hot Springs, Va., requested the Interim Commission to formulate and recommend.

The Interim Commission has done its work well. It has prepared a plan for a permanent international organization through which governments can pool and extend their knowledge and collaborate with each other in raising the standards of nutrition of their peoples and in establishing and maintaining an expanding prosperity for agriculture in all countries.

I recommend that the Congress authorize the acceptance of the constitution and the participation of the United States in the work of the food and agriculture organization.

The United Nations have already made much progress in setting up an organization for international security. But our collaboration for peace must be on a broader basis than security alone. We

must strive to correct the conditions that predispose people toward war or make them the ready tools and victims of aggressors. We shall need also to work together as nations toward achieving freedom from want. Our participation in the food and agriculture organization will be an essential step in this collaboration.

The organization will seek its ends through the provision of international services in agriculture and nutrition which have heretofore been either lacking or inadequate. Among other things, it will provide the means for bringing together from all parts of the world the results of research in all the fields of agriculture and nutrition and for disseminating ideas and advice on how the available information can be of greatest usefulness.

Improved standards of nutrition, increased levels of farm incomes, avoidance of agricultural surpluses—these are among the important objectives that the food and agriculture organization will assist the nations of the world in achieving. The organization will seek to better conditions in food and agriculture by fostering international cooperation in developing the optimum use of the resources of land, labor, and science. One of its important jobs will be to help in improving the marketing of agricultural products throughout the world so that farmers can find good markets here and abroad and continue to produce as fully as is consistent with sound conservation practices.

The constitution of the organization provides that it shall include fisheries and forests within the scope of its work, and that in agriculture it shall cover both food and nonfood products. The work of the food and agriculture organization will be primarily technical and advisory. Its staff will be small; its budget will be small, $2,500,000 for the first year—with $625,000 as the share to be borne by the United States—and about twice that amount in succeeding years. It is in no sense a relief organization.

In becoming a member of the food and agriculture organization, we will retain complete freedom of action in determining our national agriculture policies. Under its constitution, the organization will have no powers of direction or control over any nation. It will recommend agricultural policies and advise nations on their food and agricultural problems, but it will have no power to coerce or command. The constitution provides that all member nations shall have equal representation in the conference of the organization, each being entitled to one vote. Our responsibilities in joining the organization are of the same nature as those Congress has heretofore authorized in approving our participation in the Pan American Union.

I therefore recommend that the Congress approve our active participation in the food and agriculture organization of the United Nations, in accordance with its proposed constitution as set forth in appendix I of the attached report, and authorize annual appropriations of our share of the budget of the organization.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *March 26, 1945.*

CONSIDERATION OF HOUSE RESOLUTION 195

Mr. KEEFE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEEFE. Mr. Speaker, on yesterday afternoon just before the adjournment, the House had under consideration House Resolution 195. I am advised that there is about 2 minutes of debate still available on that resolution. Further, before the House adjourned I was advised that that resolution would be the first order of business today.

May I ask the Speaker whether or not the consideration of House Resolution 195 is to be the first order of business?

The SPEAKER. It is not.

Mr. KEEFE. When will that resolution be considered?

The SPEAKER. After the conference reports now pending in the House are disposed of the Chair will recognize the gentleman from Georgia to use the remaining 2 minutes.

MOBILIZATION OF CIVILIAN MANPOWER

Mr. MAY. Mr. Speaker, I call up the conference report on the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. RANKIN. Mr. Speaker, reserving the right to object, a great many of us do not know what is in this report. We have heard a great many rumors from the ouside as to what the report contains, and I think we ought to have it read.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Missouri.

Mr. SHORT. May I say to the membership of the House that this conference report on H. R. 1752 is practically a new bill, and because it differs from both the original bills passed by the House and the Senate in many instances, and is fraught with grave consequences, I think the gentleman from Mississippi is absolutely correct. Not only should we have the conference report read but we should have an extra hour in which to debate this conference report, the 2 hours to be equally divided between the proponents and the opponents of the measure.

CALL OF THE HOUSE

Mr. KEEFE. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 52]

Allen, La.	Fellows	Morgan
Anderson, Calif.	Fuller	Mott
Arends	Gathings	Murray, Tenn.
Arnold	Gibson	Norton
Auchincloss	Gifford	O'Brien, Ill.
Bailey	Gordon	O'Brien, Mich.
Baldwin, N. Y.	Gore	Outland
Barden	Gregory	Pfeifer
Barry	Gwinn, N. Y.	Phillips
Bates, Ky.	Hagen	Pittenger
Bates, Mass.	Hale	Powell
Bishop	Harless, Ariz.	Powers
Blackney	Hartley	Price, Ill.
Bolton	Hedrick	Quinn, N. Y.
Boren	Hendricks	Rayfiel
Bradley, Mich.	Henry	Reece, Tenn.
Bradley, Pa.	Herter	Rosa
Brown, Ohio	Hinshaw	Rivers
Bulwinkle	Hobbs	Rizley
Butler	Hoffman	Russell
Byrnes, Wis.	Holifield	Sabath
Camp	Howell	Sadowski
Cannon, Fla.	Huber	Sheridan
Case, S. Dak.	Hull	Sikes
Celler	Izac	Simpson, Ill.
Chapman	Judd	Smith, Maine
Chelf	Keogh	Smith, Wis.
Clark	King	Snyder
Cole, Kans.	Knutson	Stevenson
Cole, N. Y.	Kopplemann	Stigler
Combs	Landis	Stockman
Dawson	Larcade	Tarver
Delaney, John J.	Latham	Taylor
	Lesinski	Thomas, N. J.
Dirksen	Luce	Torrens
Dondero	Lyle	Vursell
Eaton	McGregor	Weiss
Eberharter	Maloney	White
Ellis	Mansfield, Tex.	Wickersham
Ellsworth	Martin, Mass.	Winter

The SPEAKER. On this roll call 313 Members have answered to their names, a quorum.

Further proceedings under the call were dispensed with.

MOBILIZATION OF CIVILIAN MANPOWER

The SPEAKER. The gentleman from Kentucky asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. HARNESS of Indiana. Mr. Speaker, reserving the right to object, I think the gentleman from Kentucky, as suggested by the gentleman from Missouri, should ask unanimous consent to have the report read first.

The SPEAKER. It does not require unanimous consent to have that done.

Mr. MAY. Mr. Speaker, may I make this statement with respect to that? As everybody knows, a statement by the conferees is always explanatory of the report, and it is more enlightening. While I have no particular objection to reading the report, it would just take that much more time. In debate any question that is open for discussion can be raised. I hope the gentleman will permit the statement to be read without reading the report.

Mr. SHORT. Mr. Speaker, reserving the right to object, I do not want to delay the proceedings here; in fact, I would like to expedite them. We met at 11 o'clock this morning. If we could have an extra hour in which to debate this conference report, which is quite complicated and has many new features, there would be no objection to reading the statement. It has taken almost as much time with this roll call as a reading of the report would take.

Mr. MAY. The roll call has already taken a good deal of time. There are two

other conference reports to come up today, and a resolution, and while I want to be as agreeable as I can, I cannot consent to 2 hours of debate on this matter, because we have debated it at length within the last 2 weeks.

Mr. SHORT. Since the gentleman is not going to grant any additional time, I think that not only should the conference report be read but the statement I inserted in the RECORD yesterday at pages 2778 and 2779 in lieu of the minority report should likewise be read by every Member of this House before the vote on this measure.

Mr. MAY. That is not within the rules. This report or the statement of the conferees will have to be read.

Mr. SHORT. But the gentlemen are free to read my statement in yesterday's RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. SHORT. I object, Mr. Speaker.

Mr. HARNESS of Indiana. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HARNESS of Indiana. I propose to make a point of order against the report. As I understand the rules, the point of order must be made after the reading of the report and before the reading of the statement.

The SPEAKER. That is correct.

The Clerk read the conference report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this act may be cited as the 'War Manpower Act of 1945'.

"OBLIGATION OF SERVICE TO NATION

"SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.

"(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply, and of the relative urgency of the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most of the war effort; (4) by making available, for work in essential activities, workers presently employed in activities of relative unimportance to the war effort; and (5) by promoting the maximum utilization by employers of their available work force.

"COORDINATION OF WAR PROCUREMENT AND MANPOWER

"SEC. 3. The Director of War Mobilization and Reconversion (hereinafter called the 'Director') shall, subject to the direction of the President, provide for coordinating the activities of all departments and agencies of the Government responsible for production, procurement, or manpower in such manner as to carry out most effectively the purposes declared in section 2 of this act. The Director shall provide, among other things, that manpower requirements and the availability of manpower shall be given due consideration in determining where production schedules shall be increased or decreased and where contracts shall be awarded, terminated, or permitted to expire, and that notice shall be given to the appropriate agency of the Government responsible for manpower at the earliest practicable time of all changes or anticipated changes in war-production schedules, all awards or anticipated awards of war contracts, and all terminations or anticipated terminations of war contracts, which are likely to result in any substantial increase or decrease of the manpower requirements of any employer or any area. All departments and agencies of the Government shall comply with orders and regulations issued by the Director under authority of this section.

"SURVEYS OF MANPOWER UTILIZATION

"SEC. 4. (a) The Director shall make or cause to be made in-plant surveys and other investigations of the use of manpower by the Department of War and the Department of the Navy, to determine the extent to which such Departments are making the most effective use, in activities relating to production, procurement, or repairs, of individuals in their employ or subject to their jurisdiction as members of the armed forces, and shall take or cause to be taken, appropriate measures to eliminate labor wastage and labor hoarding, and otherwise to promote the full utilization by such Departments of individuals in their employ or subject to their jurisdiction as members of the armed forces, and otherwise to carry out the purposes of this act.

"(b) The Director shall also provide in other cases for such in-plant surveys and other investigations of activities and places of employment, as may be necessary to determine the extent to which such activities, or places of employment are making the most effective use of individuals in their employ, to the end that appropriate measures may be taken to eliminate labor wastage and labor hoarding, to promote full utilization for purposes essential to the war effort, by employers of their available work force, and otherwise to promote the purposes of this act.

"EMPLOYMENT CEILINGS, HIRING REGULATIONS, AND PROHIBITIONS ON LEAVING ESSENTIAL EMPLOYMENT

"SEC. 5. (a) To the extent deemed by the Director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this Act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Director is authorized, by regulation—

"(1) to prescribe employment ceilings in designated areas, activities, or places of employment, fixing the maximum number of workers, by age, sex, or occupational qualifications, who may be there employed, and prohibiting the employment of workers beyond such maximum number;

"(2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers; and

"(3) to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

"(b) whoever willfully violates the provisions of any regulation made under subsection (a) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than twelve months or by a fine not to exceed $10,000, or both.

"(c) No wage or other compensation paid for services rendered in any employment commenced or continued in violation of any regulation made under subsection (a) shall be allowed or allowable as a deduction from income, or as a cost or expense, for the purpose of computing the tax payable under any Act of Congress or for the purpose of determining the amount to be paid to or recovered from any person with respect to the performance of any contract with the United States. The provisions of this subsection shall not be applicable with respect to any case of a violation of a regulation by any person unless such regulation has been published in the Federal Register, has been published in a newspaper of general circulation in the community for three consecutive days, or has been served upon such person by personal service or by registered mail. The Director shall transmit to the Commissioner of Internal Revenue and other agencies of the Government responsible for the administration of any functions under this subsection copies of such regulations, and such additional information, as the Director deems will be useful to the Commissioner and such other agencies in administering their functions under this subsection.

"ADMINISTRATIVE PROVISIONS

"SEC. 6. To the maximum degree consistent with this act and with its purposes, local initiative, and cooperative efforts of management, labor, and agriculture shall be encouraged and utilized and use shall be made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and Government agencies. The management-labor committees and management - labor - agriculture committees (national, regional, State, and local) heretofore and hereafter established in connection with Government programs for the control or utilization of manpower shall be consulted on basic policy decisions made at their respective administrative levels in the course of the administration of this act.

"TRAVEL EXPENSES

"SEC. 7. In the case of any individual who, in response to the request of the Director, agrees to accept employment outside the locality where he is then residing, the Director, in accordance with such regulations as he may prescribe, may furnish transportation to the location of such employment, and, if such individual complies thereafter with the requests and requirements of the Director with respect to his accepting and continuing in any employment or employments in the same locality until the Director determines that he is no longer needed in such locality for work essential to the war effort or that there is other justifiable reason for his not continuing in such work in such locality, shall furnish transportation back to the locality from which transportation was originally furnished for such individual under this section, or to any other locality selected by the individual which is not farther distant. The

cost of such transportation shall not exceed the amounts allowable for individual civilian employees in the executive branch of the Government and shall not include any per diem allowance. The Director shall exercise the authority conferred by this section only to the extent that he deems the exercise thereof necessary to aid in relieving manpower shortages which substantially impede the war effort.

"REEMPLOYMENT RIGHTS

"SEC. 8. (a) The Director shall provide for the issuance of a certificate to any person with respect to whom he finds that such person (1) has left or has been released from a position (other than a temporary position) pursuant to a request or requirement made by the Director and (2) has complied thereafter with the requests and requirements made by the Director with respect to his accepting and continuing in any employment or employments until section 5 of this Act ceases to be in effect or the Director determines that such person is no longer needed in work essential to the war effort or that there is other justifiable reason for the Director not to request or require such person to continue any longer in such work, whichever first occurs. Any person to whom such a certificate is issued under this subsection shall be entitled to the benefits of section 8 (b) (except the last paragraph thereof and except that in lieu of the ninety-day period therein specified, the time within which application for reemployment in his former position must be made shall be thirty days), 8 (c), and 8 (e) of the Selective Training and Service Act of 1940, as amended, to the same extent as if he had left such position in order to be and had been inducted into the land or naval forces for training and service, had been relieved therefrom on the day on which such certificate is issued to him, and had been given the certificate referred to in section 8 (a) of such Act.

"(b) Section 8 (b) of the Selective Training and Service Act of 1940, as amended, is amended by inserting at the end thereof the following new paragraph:

"'If such person, within ninety days after having been relieved from such training and service or from such hospitalization, has become employed in an employment accepted by him pursuant to a request or requirement made by the Director of War Mobilization and Reconversion, any period (before section 5 of the War Manpower Act of 1945 ceases to be in effect) while he is employed in an employment so accepted by him (and any period, not exceeding fifteen days, between leaving one such employment and entering upon another such employment) shall be disregarded in computing the ninety-day period within which application for reemployment in his former position must be made and shall be counted as training and service in the land or naval forces for the purposes of subsection (c).'

"PERMISSION TO PAY OLD-AGE ASSISTANCE TO INDIVIDUALS NOTWITHSTANDING THEIR EMPLOYMENT DURING PRESENT WAR

"SEC. 9. Notwithstanding the provisions of title I of the Social Security Act, as amended (relating to grants to States for old-age assistance), and of appropriations for payments thereunder, in any case in which any State pays old-age assistance to any individual at a rate not in excess of the rate of old-age assistance paid to such individual during the month of February 1945, any failure to take into consideration any income and resources of such individual arising from labor performed by him as an employee after the date of enactment of this act and prior to the seventh calendar month occuring after the termination of hostilites in the present war, as proclaimed by the President, shall not be a basis of excluding payments made to such individual in computing payments made to States under section 3 of such title, of refusing to approve a State plan under section 2 of such title, or of withholding certification pursuant to section 4 of such title.

"APPEALS

"SEC. 10. The Director shall by regulation provide an opportunity for a hearing before an impartial administrative tribunal to any person who claims that any action taken with respect to him under this act or any regulation thereunder is unreasonable as applied to him or is inconsistent with this act or such regulation. Subject to such further administrative review as may be provided in regulations under this section, the determination made after such hearing shall be final. To the extent practicable and appropriate, such regulations shall provide for such hearings to be accorded in local areas and for such hearing tribunals to be so constituted as to permit the ascertainment of the views of persons selected as representatives of management, labor, and agricultural interests in the locality. The Director shall by regulation provide for and essablish such administrative tribunals as may be necessary for the purposes of this section.

"MISCELLANEOUS ADMINISTRATIVE AND ENFORCEMENT PROVISIONS

"SEC. 11. Paragraphs (3), (4), (6), (7), and (8) of subsection (a) of section 2 of the act of June 28, 1940 (54 Stat. 676), as amended by title III of the Second War Powers Act, 1942, shall be applicable with respect to this act to the same extent as such paragraphs are applicable with respect to such subsection (a), except that, for the purposes of this act, the word "President", wherever it occurs in such paragraphs, shall be deemed to refer to the Director.

"ESSENTIAL AGRICULTURAL ACTIVITIES

"SEC. 12. Section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"'In carrying out the provisions of this subsection (except the proviso of the foregoing paragraph) the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board.'

"SAVING PROVISION RELATING TO SELECTIVE TRAINING AND SERVICE ACT OF 1940

"SEC. 13. Nothing in this act (except section 12) shall affect the powers under the Selective Training and Service Act of 1940, as amended, with respect to the classification and selection of persons for, or the induction, or deferment from induction, of persons into, the land or naval forces; or preclude the Selective Service System from classifying and selecting for induction any registrant who violates any regulation made under section 5, or preclude the land or naval forces from inducting such a registrant.

"REPORTS

"SEC. 14. The Director shall submit reports to the President, the Senate, and the House of Representatives on the 1st day of January, April, July, and October, on the activities undertaken or contemplated by him under this act. Such reports shall summarize and appraise manpower mobilization activities and problems.

"DEFINITIONS

"SEC. 15. (a) As used in this act, the terms 'employment', 'work', 'hire', 'rehire', 'employ', or words of similar import shall include any contract, arrangement, undertaking, or relationship whereby or under which an individual undertakes to perform a service or services for another, irrespective of the resulting regal relationship between the parties.

"(b) The provisions of this act shall not be applicable with respect to the employment of persons by any State or any political subdivision thereof, without its consent.

"SEPARABILITY

"SEC. 16. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act and the application of such provision to persons or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

"TERMINATION DATE

"SEC. 17. The provisions of sections 4 and 5 of this act, and all regulations thereunder, shall cease to be effective upon the termination of hostilities in the present war, as declared by the President or by concurrent resolution of the two Houses of Congress, or upon June 30, 1946, whichever is the earlier."

And the Senate agree to the same.

Amend the title to read as follows: "An act to provide for the most effective utilization of the manpower resources of the Nation in support of the war effort, and for other purposes".

ANDREW J. MAY,
R. EWING THOMASON,
OVERTON BROOKS,
W. G. ANDREWS,
Managers on the part of the House.

ELBERT D. THOMAS,
EDWIN C. JOHNSON,
WARREN R. AUSTIN,
HAROLD H. BURTON,
Managers on the part of the Senate.

Mr. HARNESS of Indiana. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman rise?

Mr. HARNESS of Indiana. I make a point of order against the conference report.

The SPEAKER. The gentleman will state it.

Mr. HARNESS of Indiana. I make a point of order against the conference report on the ground that the conferees have gone outside of the measures adopted by either House of the Congress and have inserted extraneous matter and new legislation.

I cite specifically, Mr. Speaker, that part of section 2 under the heading "Obligation of service to Nation," which reads as follows:

OBLIGATION OF SERVICE TO NATION

SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.

Also subsection 4: By making available for work in essential activities

workers presently employed in activities of relative unimportance to the war effort.

And also subsection 3 of section 5, which reads as follows:

(3) To prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

And further to the new paragraph, section 10.

Mr. Speaker, under Cannon's Procedure, reading from page 128, I quote the following:

When a bill is sent to conference, matters in disagreement between the Houses and only matters in disagreement between the Houses, are before the conferees; notwithstanding any House or Senate messages to the contrary, and a conference report is subject to a point of order if the conferees have changed the text agreed to by both Houses. Conference reports are strictly construed, managers being restricted to the literal differences between the two Houses and the insertion of any extraneous matter, even when germane, and however slight its effect on the general purport of the bill, is subject to the point of order that the conferees have exceeded their jurisdiction and authority.

The House bill covered only those male persons between 18 and 45 years of age, but the conferees have enlarged that group and brought under the provisions of the act every person, male and female, in the country. They have departed from the theories of both Houses and have written an entirely new bill. It is my contention that the conferees must confine themselves to matters in disagreement between the Houses.

Mr. MAY. Mr. Speaker, does the Chair desire to hear from me?

The SPEAKER. The Chair will be glad to hear from the gentleman.

Mr. MAY. Mr. Speaker, when the House passed the original bill, it was sent to the Senate, and the Senate struck out everything after the enacting clause and inserted what was known as a Senate amendment In every instance mentioned by the gentleman from Indiana, the provisions complained about were either in the original House bill or in the Senate bill, and particularly is that true of the last point which the gentleman makes. While the House did include only male persons between the ages of 18 and 45, the Senate provision on that subject included every person and that together with the other bill covered all persons.

The rule, as I understand it, is that when a bill is stricken out, that is, everything after the enacting clause, and an amendment which constitutes a new bill substituted, it puts in issue everything that was in either one of the bills as well as the general principle of manpower from which the conferees did not depart in the consideration of the bill. I therefore must urge that the point of order is without merit.

The SPEAKER. The Chair is ready to rule.

This is an old question. The Chair recalls that this question was originally passed upon by Mr. Speaker Henry Clay on the 23d of June 1812. It was passed upon, and the Chair has before him the specific question, by Mr. Speaker Colfax on March 3, 1865, in which Mr. Speaker Colfax held:

Where one House strikes out all of the bill of the other after the enacting clause and inserts a new text, and the differences over this substitute are referred to conference, the managers have a wide range of discretion in incorporating germane matters and may even report a new bill on the subject.

Mr. Speaker Clark on June 12, 1917, held:

Where one House has amended the bill of the other House by striking out all after the enacting clause and substituting a new text, the conferees have the entire subject before them and may report any germane bill.

The Chair might say that that decision was followed by Mr. Speaker Gillett in the early 1920's and by Mr. Speaker Longworth between 1925 and 1931. The Chair thinks that when the Senate struck out all after the enacting clause of the House bill, both bills relating to the question of manpower, then the conferees had the whole question of manpower before them and had the right to bring in the sort of report they have brought in.

Therefore, the Chair overrules the point of order.

Mr. MAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I would like to open my statement in explanation of this conference report and the bill by saying that your conferees had a very difficult problem with which to deal. I am satisfied that no man in the conference on either side got exactly what he wanted; in other words, we had two measures that were widely variant with each other in all of their provisions. That made it necessary that all of us yield in many respects.

May I explain to the House just what the major differences are, because I do not have time to make a detailed explanation of everything in the measure. As you have been told, the House bill was an amendment to the Selective Training and Service Act and related only to the ages within that law; that is, 18 to 45, and only to males. The Senate bill included every person, including women, without regard to age, and to that extent there is that difference in the two bills, because we bring back the Senate provisions on that subject. What the House had to give up as the major provision of our bill was that provision which authorized the drafting of men for labor. That was surrendered by the House conferees, and in lieu of it we accepted the Senate provisions which relate to ceilings and freezes.

I would like to explain just what a ceiling is. Of course, I take it that everybody understands it, but it applies in this way. If the Director, who is the Director of War Mobilization and Reconversion in this instance, and who, by the way, is appointed by statutory authority and not under the provisions of any Executive order, determines that a plant has more men employed or engaged or loafing or something else around the plant than they are entitled to or ought to have, he can fix a ceiling that will remove from that plant any number of employees necessary to bring it within what he conceives to be a proper level.

At the same time that he does that, he is authorized to issue certificates of referral to those who were thus laid off so that they may enter another essential war plant. That in effect is the meaning of the ceilings. That is designed to prevent the hoarding of labor by employers, to begin with. It is also designed to prevent or, to some extent, determine whether or not there is any turn-over in a plant. When you come to the turn-over proposition, then the freeze takes care of that, because if men or women are at work at a plant, the Director of War Mobilization can determine that that particular plant is essential to the war effort and engaged in war activity, and he can say that they must remain at work in that plant unless they are permitted by some agency designated by him to leave it.

The other respect in which we differed from the Senate and on which the Senate surrendered to us was the fact that they had placed all the power to administer this act in the War Manpower Commission, which was set up by Executive order. The House bill places the responsibility for the administration of the act in the Director of War Mobilization and Reconversion, a position which, as I have already stated, was created by the Congress itself in the act we passed in 1944, just last year.

Let it be understood, too, that while this bill is an amendment to the Selective Training and Service Act, it does not impair in the slightest the functions or powers of the local selective-service boards in dealing with inductees who are necessary and essential for military and naval purposes; in other words, they can do the same things they have always had the power to do on the question of registration, classification, reclassification, and induction into the service. I have been asked whether section 10b, of the Selective Service Act, has been changed in any particular and the answer is no.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. MAY. Mr. Speaker, I yield myself 3 additional minutes.

The Senate bill imposed a penalty of a fine of $10,000 and 1 year in jail for any person guilty of violating the regulations or any provisions of the act, and the Senate bill made it applicable only to the employer. This bill makes it applicable to both the employer and the employee. Your conferees felt that such a rank discrimination ought not be allowed so we secured that modification.

The bill also provides with relation to the persons who may be guilty of a violation of the law that they will be guilty not of a felony, which would take away from them the right of citizenship, the right to vote, and other civil liberties, but of a misdemeanor, which does not deprive them of citizenship if convicted.

In addition, we provide for the disposition of cases, if there are any, so that they may be facilitated by reason of the fact that a prosecutor can proceed by information filed by him without waiting for the cumbersome procedure of empaneling a grand jury. In that way it may be expedited and made easy of enforcement.

Mr. MANASCO. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Alabama.

Mr. MANASCO. After the Director of War Mobilization goes into a plant and makes a survey and finds that there is a surplus of labor, and they are forced to lay off a certain number of employees, is there anything in the conference report to prevent these employees from drawing unemployment compensation? There is nothing in the conference report to force them to go into an essential war plant? That however may be provided for by regulation.

Mr. MAY. There is nothing to force them to go into an essential war plant, but the bill contemplates that where they are laid off in one plant in the same community they will be afforded a certificate of availability for employment in another plant.

Mr. MANASCO. They will be entitled to unemployment compensation, however?

Mr. MAY. Let me get over this point, that this bill does not as a blanket cover the whole country and all industry, to begin with. It merely authorizes the Director of War Mobilization to determine in a certain area, for instance the city of Detroit or the city of Pittsburgh or the city of Cincinnati, what plants are essential to the war effort and what are not. In that way he would be able to remove the burden of a general application of it to all industry as one act covering the whole country.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield.

Mr. HALLECK. As I understand, the conference report is applicable to farm workers too, and the farms. How is he going to determine areas in that regard?

Mr. MAY. The bill authorizes him to determine what farms are essential, just as he determines what plant is essential. We retain, I might add here, the absolute wording of the Tydings amendment as passed by the House in House Resolution 106, known as the farming resolution.

Mr. Speaker, let me conclude by saying that our obligation to our fighting men, 12,000,000 strong, on every battle front in this world is just as great as to those in the work plants of America who have enjoyed a high wage and security from the dangers of war. To me it is much greater and comes first, and you my colleagues are going to have to answer to them in the days to come.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. ANDREWS of New York. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, I fail to see how any Member of the House who supported the House bill can withhold his approval of the conference report. In fact, it seems to me that many of those who opposed the House bill on the final vote, but favored certain of the amendments which were defeated in the House, might reasonably support this conference report.

The conference report is not generally acceptable to me, for I am one of those who wanted a real bill on this question. There is no compulsion on the individual not in service today other than the hope that the selective service today will reach out as it did at the end of the last war by indirection and force such persons into wartime service.

I am very glad that the provisions for freezing which were in the House bill are retained in this bill. To my mind, that is all there is to the bill today because I believe that once the fighting with Germany is ended there will be more need for those provisions than there has been at any other time during the war. I may say all provisions of the Tydings amendment are still kept in the bill. The bill also provides for surveys which several of the amendments offered in the House called for, manpower surveys, not only on the part of governmental departments, the War and Navy Departments, but throughout the various sections of the country.

It is a weaker bill on the subject than the House bill, to my mind. But chiefly because of the freezing provisions I believe it will go a long way toward winning the war at the proper time.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. ANDREWS of New York. Mr. Speaker, I yield such time as he may require to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, I am opposed to the conference report and shall vote against it. This legislation is far-reaching, and, in my opinion, is vicious, not only in what it does but what it does not do. It substitutes totalitarian control and ideologies over enterprise, over industry, management, agriculture, and labor, for the American way of free enterprise and free labor that has prevailed in this country since the adoption of our Constitution.

Some weeks ago the House passed the original May bill, H. R. 1752. After the Speaker and some other distinguished Democrats had taken the floor and urged that we pass that bill without amendment whatsoever, it was passed without change in the dotting of an "i" or the crossing of a "t." It went to the Senate and the Senate amended H. R. 1752 by striking out all after the enacting clause and substituting a new bill; and after the Senate had passed their bill, this matter came back to the House and was referred to conference. The Speaker appointed five conferees to represent the House, and the Vice President appointed five conferees to represent the Senate. These conferees wrote what is practically a new bill and included the new bill in the conference report and it is this new bill in this conference report that is before us for consideration.

The administration is moving heaven and earth to rush this bill through, apparently before the Germans surrender. The Members have not had an opportunity to study this new bill. Only 1 hour is allowed for debate. It can be seen at once that only a small number of the 435 House Members could possibly have an opportunity to say anything on this bill, and I wish to express my appreciation to the House for having given me their unanimous consent to extend in the RECORD my discussion beyond the time allotted to me.

Eight of the 10 members of that conference committee were definitely in favor of this type of legislation. A number of them have favored for years the conscription of all men between the ages of 18 and 65, and some of them have favored conscription of women in peacetime.

I opposed the original bill in a speech and by my vote, and I now desire to set out some of the reasons why I cannot in good conscience support this new bill in the conference report.

WE ARE TOLD THAT WE NEED PRODUCTION

It was insisted that we must pass a manpower bill to insure of production of munitions of war and other supplies, and some were so bold as to claim that we were short of munitions on the western front and that we must rush this legislation through without amendment in order to defeat the Germans. Some high officials of the Army later reported that we were not short of munitions on the western front. General Patton had advanced so rapidly that he was far ahead of schedule and he had traveled faster than his supplies. There was no shortage of the things that we needed. The warehouses were filled and shores of France were covered with supplies. The transportation facilities in France were not getting these supplies to the front on account of destruction of bridges, railroads, and so forth, by the Germans and Allies. Whatever lack there was, was due to no fault of production on the home front.

During the months of January, February, and March we have had ample demonstrations of how completely all of our armed forces on the western front were supplied; and we are not only supplying ourselves but also our allies to a large extent. In a single day more than 10,000 American-built planes and bombers were in action on the western front. We had all the guns, shells, and other equipment necessary and to spare. There never was an army better equipped to make an offensive than the American Army on the western front. There are those who claim that German tanks are superior to ours; but General Patton, the great tank fighter in this war, says the American tank is superior to any tank he has met with or seen in any country in Europe. It is admitted that we have the best rifle of any country in the world. American ingenuity, American enterprise, management, and free labor have outproduced all countries in the world and how thrilled we are with the magnificent and heroic manner in which American soldiers and sailors are using this equipment. With this equipment

and the intrepid fighting spirit of American men, the Germans are being routed on every battlefield. Their armies are being destroyed and organized resistance will soon be at an end.

We have been supplying the Russians with their most potent weapons of war and with other supplies in their fight on the eastern front. We have furnished them 12,000 planes, 1,000 railroad locomotives, and nearly 10,000 railroad cars; hundreds of thousands of trucks and an unlimited amount of shells and other explosives, guns, tanks, and everything, besides 9,000,000 pairs of winter boots, millions of suits of clothes, overcoats, and other types of wearing apparel, and billions of pounds of food. And that is not all. We have won air and naval supremacy over the broad expanses of the Pacific Ocean and have furnished the people of India, China, and Australia, New Zealand, and the people of the islands of the sea with weapons and food, and we are marching to victory on every continent and every sea of the world.

Those who would have us forsake the American way and take up the totalitarian way of life now insist that we must have this legislation in order to defeat Japan.

The whole thing is a matter of production. Can we produce more with private enterprise and free labor, as we have been doing in this country, or can we produce more with controlled enterprise and conscripted labor such as is proposed in this legislation?

The Nazi and Fascist nations—our enemies—are Germany, Italy, Japan, Bulgaria, Hungary, and Rumania. In those countries the government took over private industry and practically all private enterprise, and they have conscripted labor. They had been preparing for war for many years. We started late. But we have produced more munitions of war and other supplies than all these totalitarian nations put together. And they have found out that they are no match for American ingenuity, private enterprise, and free labor and free agriculture.

THOSE FOR, THOSE AGAINST

Who favors this legislation?

Those in the administration who have for years favored the regimentation of the American people in industry, agriculture, and labor, and who take advantage of every opportunity to regiment the people and their activities want this bill. Of course, our generals and our admirals are anxious that they have ample supplies to win the war. In this all join. They must have not only enough but some to spare. We should meet their requirements promptly. But they are not trained in production, in the building of ships, in the making of guns, tanks, and so forth. They are trained in the use of these munitions of war. We must take their advice as to what they need. But that does not necessarily mean that we must follow their suggestions as to how to insure the greatest production. This should be left to those who have been trained and who are experienced in that field. Industry, management, agriculture, and labor are against this bill.

In opposing this bill I am not undertaking to champion the cause of industry or of management or the cause of labor or agriculture. Plain common sense teaches me that if we want production we must have some regard for the opinion of the trained men in these four groups who have been through the years in the business of producing in industry, in agriculture, and in transportation. The United States Chamber of Commerce, the National Association of Manufacturers, and other business groups and associations have clearly expressed their opposition to this legislation and have set forth their reasons. They declare most positively that this legislation will decrease and not increase production. The farmers generally are against this legislation; the railroad brotherhoods, the American Federation of Labor, the Congress of Industrial Organizations, the United Mine Workers of America, and other groups of workers have expressed vigorous opposition to this bill and have pointed out that it will cut down production instead of increasing it.

Can we disregard the advice of those who make and execute the plans for production?

I have read and reread carefully the statement put out by the business organizations of this country and the statements of the responsible leaders in labor and agriculture.

Great Britain more nearly approaches our record of production than any other country. While we have had our ups and downs with industry and labor, our record compares most favorably with that of Great Britain. There they have very large control of industry and they have conscript labor, yet, according to the records of the British Ministry of Labor of Great Britain, the loss of time by strikes in Great Britain in 1944 was 16 percent greater than strike losses in the United States of America in man-day losses. In 1943 and 1944, Great Britain had 10 percent in absenteeism of workers as compared with 6 or 7 percent in the United States. British employers who have had experience with conscript labor say:

> British employers report that labor is unwilling because it is drafted and that only a minority of the conscripts are satisfactory labor.

Donald Nelson, the head of our War Production Board, declared:

> We call our secret weapon the initiative, intelligence, and know-how of free American workers.

Hon. Joseph Keenan, Vice Chairman of the War Production Board, declared:

> Labor's morale by means of participation * * * has been so heightened that they have broken all records.

MANPOWER RESOURCES

It is urged that when we declared war we pledged all the resources of the Nation to the winning of the war. We were also told that this was a war to protect the freedom and the liberties of the people of this country and other like-minded nations of the world and to uphold free constitutional government.

This bill does not bring the resources of this Nation into action, and it does not even cover the manpower of this Nation. It does impose almost absolute control over industry, management, labor, and agriculture. It does, in my opinion, invade the Constitution of the United States. It does nothing toward the eradication of the black markets—profiteering off the Government and the American people.

Now, what class of workers does this bill cover and oppress? It is the 50,000,000 or more of the patriotic men and women working on our farms and in industry. It freezes all the people working on the farms, men and women, except those that the selective service may draft into the armed forces. These farmers and their wives and sons and daughters must remain on the farms and in their present work until President Roosevelt declares the emergency over or Congress shall pass a bill declaring the emergency is over. In other words, the American farmers are put in a caste or class such as the Hindus for this period, and no one can get off the farm or change their employment until and unless Mr. Byrnes, Director of War Mobilization and Reconversion, says that such farmer, his wife and children, may leave the farm. We can see at once what a big job it will be to look after all the farmers and their sons and daughters. There are more than 30,000,000 people living on the farms of the United States at this time. It also provides that all persons, men and women, are frozen in their present jobs until President Roosevelt or the Congress shall declare that the emergency is over or Director Byrnes gives such person or persons the right to leave their job or jobs. There are 40,000,000 workers in industry in this country. We can see at once what a big job it will be to look after these 40,000,000.

Now this law only applies to those who are now on the farms and engaged in farm work and to those who are now engaged in war industries, and this bill provides that the Government will supervise the employment and recruitment of all employed persons. The employer cannot hire anybody and the citizen cannot accept employment without the approval of some agency of the Government under Director Byrnes. This bill deals alone with the 50,000,000 to 55,000,000 loyal, patriotic Americans who have amazed the world in their record of production on the farm, in the mines, on the railroads, in the shops, mills, plants, and yards, and management who have cooperated with these workers.

WHAT BILL DOES NOT DO

Some may agree with what this bill does to the producers of this country. I wish now to call your attention to what it does not do. We have been told that we must reach the poolroom loafers, the cocktail-lounge lizards, the cake eaters, and others who have all along refused to do any useful work or carry on any useful occupation or business to aid the war effort. This bill does not reach these classes of people at all. They can go on with their loafing and cocktailing and lounge lizarding, but if any one of them should decide to take a job, he or she

will be paid their transportation expenses to that job, but no such favors were granted to these 50,000,000 or more loyal, patriotic, industrious Americans who have taken jobs in industry or agriculture. They paid their own way. This bill does not freeze anybody in this country in his job unless such person is employed.

Is not this a fine bill to encourage men and women to seek employment in industry and on the farms? They are as free as the air and water that runs, unless and until they take a job in essential industry or on the farm, and then the clampers are put on them and they are frozen. Mr. MAY told the House today in his speech that there is nothing in this bill to force these loafers and nonworkers into essential war plants. It merely covers those who are already employed on the farms or in essential war plants. Mr. ANDREWS of New York, one of the able members of the Military Affairs Committee, told us that this bill does not cover those who are not now employed on the farms or in essential war industry. It does provide, however, that this Director—Mr. Byrnes—this czar, has the power to say what is and what is not an essential industry and where the worker could be most useful and what farm a farmer could work at and be most useful. But do not forget this only applies where you are now employed and been frozen in industry or on the farm.

I am amazed that we have failed to include the very people we were told in the beginning that must be taken hold of and forced to do something in the war. We put the stamp of disloyalty and lack of patriotism on all who are now engaged on the farm or in essential industry and who have thrilled the world with the wonderful record they have made in production. We excluded those who were unwilling to work on the farm or take a job in industry or any job at all. I wish to repeat, with such a law on the statute books, what encouragement would there be for man or woman to take a job and have these shackles put upon them? But if some one of these folks who have failed or refused to take a job should do so, they will get their transportation to the place of their job.

WASTE OF MANPOWER

Industry and labor and the American people generally have denounced the waste of manpower by the Government. Some of the men in high office in the Government have declared, after investigation, that the Government was the greatest hoarder of manpower in the Nation. It has been shown that we had in 1932, when Mr. Roosevelt was elected, about 530,000 Federal officeholders. There are nearly 3,500,000 today, and among these there are over 300,000 able-bodied young men within the draft age who were held in their places by this administration through a joker they put in the draft law, when they ought to be in the service of our country. Most of us agree that we could dispense with a million Federal officeholders and the Government would be run more efficiently than it is today.

It is estimated that it may require another 100,000 Federal officeholders to carry out the provisions of this act in looking after the 50,000,000 or more workers in industry and agriculture.

Let us see if we are short of manpower. I was informed by the Social Security Board today that there are more than 100,000 men and women workers who have filed claims and whose claims have been allowed for unemployment compensation, and these 100,000 are costing the taxpayers of the Nation approximately $6,250,000 a month in these compensation payments.

Now two things must happen before unemployment compensation is allowed. First, the person must be unemployed and has not been able to secure employment and is in good health and able to take employment and that the Government agencies have been unable to find employment for him. Most of these are supposed to be trained people in industry. Where are we, with the President and others claiming that we must pass this bill because we are short of manpower, when there are over 100,000 able-bodied, intelligent, capable men and women, in good health, proving that they cannot secure jobs and that the Government agencies cannot secure any jobs for them, and we are taking out of the pockets of the taxpayers approximately $6,250,000 to pay these unemployment compensations to these so-called unemployed people, and this 100,000 are located principally in the sections where you have the great war plants in Michigan, California, New York, but this bill would not touch this 100,000 because they are not now employed. They can go on remaining idle, collecting their unemployment compensation so far as this bill is concerned.

Yes, this bill penalizes the loyal, industrious, patriotic men and women in industry and on the farm and gives special consideration to those who have not taken employment and are not now employed in essential industry or on the farm, and we are told that our sons and daughters in the armed services will be mad if we do not vote for this bill.

The fathers and mothers of management, labor, and agriculture have furnished and are furnishing 85 percent of the 12,000,000 men and women in our armed services and these fathers and mothers, brothers, and sisters contribute the major part to the wonderful record of production in industry and agriculture, providing the munitions of war, food, and other supplies for those engaged in our armed services, and these 12,000,000 service men and women will not appreciate a law like this, that puts the mark of disloyalty upon millions of their fathers, mothers, brothers, and sisters, and permits those who ought to be helping our Government in this great hour to escape any responsibility of service with the armed services or in production. This measure will not inspire greater sacrifice and service on the part of those engaged in production. It is bound to do here what it has done in other countries of the world that have destroyed private enterprise and conscripted the workers. American industry, management, labor, and agriculture are 100 percent right when they say that this bill will hurt and not help production.

Why should not the President and his leaders appeal to the patriotism of all Americans? We have met the production requirements. We have built the greatest Navy, the great merchant marine, the greatest Air Force, have the best-equipped Army and Navy, the best-fed and best-clothed Army and Navy in the war, and perhaps have raised the largest armed force of any country in the world. While Russia has made a wonderful record on the eastern front on their own soil and land in which they are interested, we have made a wonderful record on every front of the world and on every sea, and have gained supremacy in the air, and those engaged in production, management, agriculture, and labor, with their wide experience, will surpass all records, if we appreciate what they have done and urge them to greater achievement. The American people have always oversubscribed the demands of our Government in the purchase of bonds, War Savings stamps, in giving to the Red Cross and every other agency helpful to our war effort. I have absolute faith in the loyalty and patriotism of the American people. The President and his administration can depend upon them to provide all of the means necessary to win a complete victory at the earliest moment possible. If anyone needs to be criticized it is the very class of people that this bill does not touch at all. The American people are more anxious to whip Japan than they are and have been to whip Germany.

LET ADMINISTRATION CLEAN HOUSE—CUT OUT MANPOWER WASTE

We are told that this bill provides that the various agencies of the Government will investigate the excess of manpower being used in the various plants and the Government. The Administration is going to investigate itself. We need not be surprised if they bring in a unanimous report that there is no excess of manpower. Able committees in the Senate and the House have been investigating these matters for the last 2 years, and it has been investigated recently by a committee headed by Senator MEAD, of New York, and these committees have made reports and so have Senator BYRD and his committee. And others have made investigations. It is generally agreed that the greatest sinner in hoarding manpower is the Government itself in these scores and scores—yes, hundreds—of departments, bureaus, commissions, agencies, and so forth. But the number of Federal employees increases. We pointed out that this administration has increased the number of Federal employees from 530,000 in 1943 to nearly 3,500,000 as of today. They could help the war effort if they would release 300,000 able-bodied young men who meet the requirements of the draft and let them go into the armed forces or into essential defense plants. The War Manpower Commission, headed by Mr. McNutt, says we only need about 200,000 additional workers. If we would give that 100,000 able-bodied men and women

who are drawing unemployment compensation amounting to $6,250,000 a month jobs, that would help relieve any manpower shortage. These 100,000 say that they are out of work, they cannot get work, and the Government agencies cannot find them jobs.

There are some other places where there is a big hoarding of manpower and one is in the navy yards under the control and direction of the Government itself. There is an excess of manpower in these yards running into thousands and thousands of men. Also, in the shipyards. Altogether there are tens of thousands in these navy yards and shipyards that are excess. Senator MEAD'S committee were astounded at conditions that they found. In these private shipyards, of course, they have these cost-plus contracts and there are tens of thousands—yes, more than that—of excess manpower in these and other cost-plus plants where the more they spend the more they get. Many Members of Congress—Democrats and Republicans—and many men in the business and professional world have denounced these cost-plus contracts.

Hon. Lindsay Warren, Comptroller General, a very able and honorable man, declared recently, according to press reports, that the Government has been gypped out of approximately fifty billions largely under these cost-plus contracts.

Who made these cost-plus contracts? The War and Navy Departments and the administration themselves. They know about these things. They do not have to have this law or any other law relative to this situation. In fact they should not have made the contracts that permitted this waste and squandering of the bond and tax money of the American people.

This waste of manpower has been denounced by William Green and other leaders of labor and by businessmen and by management that does not have cost-plus contracts; and I have talked with some of these managers who have the cost-plus contracts and they are not happy over the situation. It is not necessary to freeze fifty million or more American workers, fathers, wives, and children, to get rid of this waste of manpower in the Government itself, its navy yards, shipyards, and cost-plus contract plants.

FREE ENTERPRISE AND FREE LABOR

Our coal-mining industry and miners have received quite a lot of unfavorable criticism. Many people feel that they fell down on the job during the calendar year 1944. We have some very revealing statistics on coal production in Great Britain and coal production in the United States for 1944.

There were employed in the mines of Great Britain in the calendar year 1944 707,000 men. They produced 200,000,000 tons of coal. This is less than 1 ton per man per day. There were employed in the coal mines of the United States for the calendar year 1944 479,000 men. They produced 684,500,000 tons of coal. This is approximately 6 tons per day per man. This record of production is the more remarkable when we know that between the time of Pearl Harbor up to January 1, 1944, 130,000 American miners left the mines to enter the armed services or engaged in other essential war work. Yet with 130,000 miners less the coal industry and the miners of the United States broke all records of production in this country and this was 6 times as much coal per day per man as was produced on an average per day per man in Britain.

Let us not forget that in Great Britain the government had control generally of the coal mines and the miners were working under labor conscript laws. We have had free enterprise and free labor from the founding of our Government, except the colored slaves. We fought a war over that, amended our Constitution, and made them free.

If we have reached the point where we must forsake the American way of life, of free enterprise, and free labor, and adopt totalitarian ideology and conscript labor, as Germany and Japan have done, in order to maintain this great country of ours, then we can know that we have reached the beginning of the end of this glorious Republic.

Mr. ANDREWS of New York. Mr. Speaker, I yield such time as he may require to the gentleman from Indiana [Mr. GRANT].

Mr. GRANT of Indiana. Mr. Speaker, the members of the conference have brought back an entirely new bill—all of it to be debated in the short space of 1 hour, and with a sugar coating by way of a declaration of policy in section 2, which reads as follows:

SEC. 2 (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declaration of war pledging all the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.

Mr. Speaker, that policy has been the policy of the American people since the Japanese struck at Pearl Harbor on December 7, 1941, and they have operated under that policy ever since. If there be some who have not; if there are those who have failed and refused in their responsibilities as citizens to engage in essential war activity, this legislation that we are being urged to accept will not reach them at all. If there are those who are engaged in essential war activity, but who are not giving their full measure of devotion to the cause, this measure will not strike at that evil in any degree.

This legislation gives authority to the Director of War Mobilization and Reconversion, or to whomever it might be delegated by him, and to any extent deemed to be necessary to—

prescribe employment ceilings in designated areas, activities, or places of employment, fixing the maximum number of workers, by age, sex, or occupational qualifications, who may be there employed, and prohibiting the employment of workers beyond such maximum number;

(2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers; and

(3) to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

Violation of the provisions of this act, or of any regulations which may thereafter be made under the authority of this act, would be punishable by fine up to $10,000 or imprisonment up to 1 year, or both.

This measure will not only not correct the defects that may have appeared in our system of production, it is wholly unnecessary, and it is highly dangerous to the permanence of our free way of life.

The only test by which we ought to view this legislation is whether it will increase production. No one can successfully establish the fact that it will increase production by 1 percentage point. It will, rather, be the vehicle by which we will set up in this country another mammoth bureau in this wonderland of bureaucracy to further regiment and hamstring the labors of a free people.

We have already passed the peak of required production in this war effort. Facts and figures from the district which I have the honor to represent are typical of the picture that we see over the country, with perhaps scattered exceptions on the west coast.

A large shell-loading plant, employing somewhere in the neighborhood of 20,000 men and women at the peak period, is now operating at roughly one-half of that figure. In my home city of South Bend, industrial employment is 12 percent under comparative figures for a year ago. In that same period of 1 year, the number of unemployment compensation claims paid has increased by 85 percent.

A former Democratic President of these United States, Woodrow Wilson, once said: "There is no power on earth equal to the determined, voluntary cooperation of a free people."

Our free American labor has outstripped the slave labor of this world in the race of production for the war. Stalin at Teheran said that without the production of American machinery, the victories of Russia and the United Nations could not have been won. This, Mr. Speaker, was a tribute to our system of free enterprise.

And what is the reward that we propose to the men and women employees and employers alike who have made this record? By this measure, it is proposed to chain the worker to his machine. The proponents of this legislation seek to penalize those who have performed this miracle of production. Does anyone contend that that will make any man produce more than he has in the past?

This measure does not even pretend to reach out and touch the loafer who has never entered war work. We were told at the outset that the manpower draft would do this very thing, but it has ended up in a measure that would penalize the men and women of American industry who have performed this miracle of production, without even touching the loafer

and the ne'er-do-well who has failed in his responsibility in the time of crisis.

To say that we must pass this measure at this late date; to say that we must capitulate to the rushing tide of totalitarianism that seeks to engulf the world, is to say that our American form of government and our system of free enterprise have failed.

It is proposed by this measure to compel free men and women to work for the private profit of another. It is no comparison to say that men have been drafted to serve their country. We are not today considering a measure that would draft civilians to serve in a Government plant. Ours is a system of private enterprise and it is proposed by this measure to draft our men and women to work in private industry for the private profit of another.

Why, at this late date, do the proponents of this measure come rushing in to set up this system of forced labor for private profit? There are many of us who are deeply concerned that some of them seek, in this legislation, the opportunity to completely regiment our whole society in the post-war world, and I hope this conference report will be voted down.

Mr. ANDREWS of New York. Mr. Speaker, I yield such time as he may require to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I am opposed to this slave bill. I belong to a party that has never believed in slavery. I belong to a party that had to fight a 4 years' war and sacrifice treasure and precious lives in order to destroy the institution of slavery in this country. The party to which I belong never sought to destroy this Republic in order to preserve the institution of slavery.

The fact that this conference report proposes to enslave free people does not disturb those who are imbued with a philosophy of slavery. The Republican Party is just as interested in free labor today as it was when it fought to remove slave labor as a competitor of free labor. It is my hope that my party will not lend itself to any form of legislative enslavement. Our boys are not fighting for the Hitler totalitarian system; they are fighting to destroy it. They ought not to come home and find their father and mother and brothers and sisters enslaved. I am opposed to this conference report because of its slavery provisions. Free labor is a heritage which has cost tremendous amounts of treasure and millions of lives. It is not necessary to establish a system of slavery in order to preserve a free people and free institutions.

We have gone just as far as a Nation should go down the path of totalitarianism. This conference report is the most iniquitous and un-American piece of legislation that has come before Congress since the War Between the States.

I shall vote against this conference report, and it is my hope that every self-respecting American who loves freedom and despises slavery will oppose it.

Mr. ANDREWS of New York. Mr. Speaker, I now yield 2½ minutes to the gentleman from Missouri [Mr. SHORT].

Mr. SHORT. Mr. Speaker, though I was a minority conferee and the lone House conferee to oppose this conference report, naturally I would like to have more time to discuss this highly important matter. I shall not flatter myself by thinking I could inform Members of the House, but I do want to remind Members of the House that industry, management, labor, and agriculture are opposed to this legislation. It substitutes compulsion and coercion for our free and voluntary American system of initiative and enterprise. Again I call your attention to my remarks of yesterday, on pages 2778 and 2779 of the CONGRESSIONAL RECORD.

Under section V of the new bill—H. R. 1752—the Director of War Mobilization is made czar over industry, mining, and agriculture. He can do three things: He can designate certain areas, for instance, Baltimore, and ignore St. Louis. He can establish ceilings of employment at Buffalo and not at San Francisco; or in Minneapolis and not in New Orleans. Secondly, he can direct or require or prohibit the hiring or rehiring on the part of employer of employees; and he also can deny to the employee the right to accept employment. How silly to think such arbitrary and autocratic power can increase production. The third thing he can do is to freeze all individuals—men, women, and children of all ages—in plants, in activities, in mines, on farms, and they cannot leave their present employment without first getting permission from the Director of War Mobilization and Manpower. That is tyranny and slavery, Mr. Speaker, brought up to date. I cannot think of anything more vicious or obnoxious to the tradition and spirit of our American institutions. It is preposterous, sir, that at this advanced stage of the war, when we are on the eve of victory in Europe, that we should stoop to adopt the totalitarian methods of Hitler which our men are at this hour fighting and dying to destroy.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. MAY. Mr. Speaker, I yield to the gentleman from Virginia [Mr. ROBERTSON] such time as he may desire.

Mr. ROBERTSON of Virginia. Mr. Speaker, I voted for the May work bill when it passed the House and I shall vote for the pending conference report to impose employment ceilings on employers and penalties on workers who, without justification, quit their war jobs. There have been millions of loyal and patriotic war workers on the home front and the pending bill is not aimed at them. It is aimed at those who hope to share the benefits of democracy without sharing the burdens.

The day after the Japanese attack on Pearl Harbor the 3 big labor leaders of the Nation, Lewis, Murray, and Green, met with the President of the United States and solemnly pledged that there would be no strikes for the duration of the war. That pledge has been evaded. In each of the following war years there have been strikes in war industries that were damaging to the war effort, culminating in 1944 in 5,000 strikes involving the direct loss of millions of days of war work, and the indirect loss of other millions of days, which the Department of Labor in reporting on the effect of such strikes conveniently ignores. A large majority of those 5,000 strikes involved trivial issues that could and should have been adjusted by a conciliator from the Department of Labor. The remainder involved demands which the employers under the Little Steel formula had no legal right to grant.

The labor leaders who had promised a no-strike program casually dismissed most of the 5,000 strikes with the statement that they had not been authorized. The same leaders did undertake to authorize 381 strikes, calling on the War Labor Board, just as John L. Lewis recently did, to conduct strike elections. In 323 of the 381 strike votes held in 1944, a majority of the workers voted "yes." That "yes" vote was cast on a strike ballot which read, "Do you wish to permit an interruption of war production in wartime as a result of this dispute?"

A strike vote will be taken tomorrow in the bituminous coal fields over a wage demand which the operators have no power to accept, and included in those demands is a demand of the miners to exercise what has heretofore been regarded as a purely governmental function, namely, the right to tax at the rate of 10 cents per ton all the coal they produce, that fund aggregating $60,000,000 per year to be used at the discretion of Mr. John L. Lewis. The ballot used in that strike vote will be the same ballot, namely, "Do you wish to permit an interruption of war production in wartime as a result of this dispute?" A "yes" vote will mean that the miners not only wish to stop some war production but to stop all war production because war plants cannot operate without coal. It is generally conceded that on that strike ballot the miners, following what they believe to be the wishes of Mr. Lewis, will vote "yes." The mining of bituminous coal will stop unless and until the Government takes over the mines and the miners are then willing to work for the Government. There is no legislation to compel the miners to continue to work, although if the Congress writes into law the May-Bailey work bill as now agreed upon, a war worker in one industry cannot transfer to some other industry without the consent of the War Mobilizer.

On Iwo Jima one-third of all the marines participating in that bloody fight were battle casualties. In one infantry division which fought first in Italy and later on the western front in Europe personnel turn-over exceeded 1,000 percent. No strike ballot was ever submitted to those soldiers before they were ordered to advance. If, today, those men were sitting where you and I sit, is there any question as to how they would vote?

Mr. MAY. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. KELLEY].

Mr. KELLEY of Pennsylvania. Mr. Speaker, why should the Congress accept

the opinion of someone who is not qualified to speak on this matter of civilian manpower? Both management and labor have spoken and given their opinions on this subject. Who is better qualified than they—who are experts in their fields, if you please? They have said that legislation on this subject is not necessary, that all the implements and supplies necessary for the Army can be met if they are given a free opportunity. Such legislation smacks of slavery—the kind of slavery to which the totalitarian governments have subjected their people.

Why should we accept the judgment of the War Department in this question as against that of management and labor? I cannot understand why the War Department is qualified to make such a decision. The American people may well ponder who is running this country today, and they should ponder it very deeply.

Mr. ANDREWS of New York. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, I expect to vote against the conference report.

Mr. Speaker, for years I have been maintaining that the rules of the House should be amended so as to restrict the powers of conferees. This conference report is a good example of what I complain against. Here we have an example of five or six Members of the Senate and five or six Members of the House sitting in conference attempting to compose the differences in two bills which were almost diametrically opposite. The House gave the matter a most exhaustive consideration; then the Senate took it and debated it exhaustively. What we are considering today does not conform to the views of one-fourth of the membership of both Houses. This conference report may be accepted by this House in the vote this afternoon, and if it is accepted it will be by a very close vote, and I dare say that many of those who vote to accept it will do so not because they are satisfied with the bill but because we are now approaching a recess adjournment and many feel that they had as well accept this report and be done with it. Others feel that it might be more pleasing to the administration if they were to vote for it than if they were to vote against it.

I have been opposed to this legislation from the beginning because of the fact that it is another great step in the direction of totalitarian regimentation. It is typically New Deal in this respect. I have taken the position steadfastly from the beginning that this legislation is not necessary. We have already adequate machinery for raising armies. The machinery has proved itself. It has been at least a month since we considered this legislation in the House, and the situation has changed materially since then. It passed the House after a hard battle by only a few votes in the first place, and I dare say that it would not pass the House now if it were not for these circumstances which I have already outlined.

This legislation was not necessary for it does not reach the loafer nor the slacker. It does not reach those who should be reached. It puts a stigma on millions and millions of workers of our country who have performed nobly and well. It challenges the patriotism of many of our patriotic people while the unpatriotic and those who are not thoroughly loyal to the country in every respect laugh at us. By the time this legislation is put into effect it is hoped that the war in Europe will be over, and in that event the legislation will be unnecessary.

I have voted for all legislation that would in any way work to the advantage of our country and our armed forces. I have voted for millions of dollars when I had every reason to believe that much of it would be wasted. I did this because I wanted to be sure that we would not fail in any respect to do what ought to be done to help our Army and Navy win the war. It is my view that in all matters of strategy it should be the duty of a Congressman to support those in authority in the naval and military affairs of the country. Likewise, I am not unmindful of the fact that the Constitution gives certain exclusive rights and privileges to Members of Congress, and with those rights and privileges have gone exclusive responsibilities. Under the Constitution the Congress is given the right and the responsibility of raising up and maintaining armies. The reason for that is that the founding fathers had more confidence in that respect in the representatives of the people than it would have in military and naval authorities who had been brought up to be professional military and naval men. The same Constitution gives to Congress the right to declare war. It does not give this right to the admirals and generals of the Navy and the Army. Neither does it give this right to the Commander in Chief of the Navy and the Army. The admirals have to do with strategy and equipment. Likewise, the generals have to do with strategy and equipment. They have also to do with training soldiers and sailors but they do not have anything to do with determining how these shall be selected. The drafting of soldiers and sailors for the armed forces of the land is left exclusively to Congress. I feel that every Member of this House feels his responsibility keenly in this respect. We should not be carried away by any undue pressure. We must remember that we are dealing with the rights and the privileges and the lives of our own people. The making up of armies and navies is a serious task. Likewise it is a serious task to assume to regiment men and women who make a living for themselves and families by daily toil. It is not fair to impose upon them undue restrictions simply because probably 1 percent of their number is not as patriotic and as loyal as they should be.

I hope this conference report is rejected and that the whole matter is referred back to the proper committees where the matter may be studied more fully if it is deemed necessary. The Military Affairs Committee of the House is a very capable committee and I feel sure that the events which transpired since they first considered this matter will lead them to take such action as would meet with the approval of the country.

Mr. ANDREWS of New York. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Speaker, the victories of our armies since the last time this bill was considered in the House indicate the total lack of necessity for this bill to pass. I am opposed to this bill. The successful crossing of the Rhine River, our naval attack on the Ryukyu Islands in the Pacific, all point to a speedy victory and indicate that labor and management have done an outstanding job without compulsion. Otherwise we would not have had the materials to make these victories possible.

We do not need this kind of slave-labor legislation, with victory staring us in the face. Why should we violate the Constitution which we are fighting to protect, by imposing involuntary servitude upon our people? Why should we now, at this late date, say to labor and management, "You fellows have done a good job up to now. You have worked hard and produced the goods we needed for victory, but now we are going to fine you $10,000 or throw you into jail if you do not do your job the way we dictate from here on."

Mr. ANDREWS of New York. Mr. Speaker, I yield 2½ minutes to the gentleman from Michigan [Mr. SHAFER].

Mr. SHAFER. Mr. Speaker, this conference report is just about what we could expect. I know I am not revealing any secret as to what transpired in committee some time ago. The newspapers carried the story. We were told then that it did not make any difference what type of legislation would be passed by the House, it would be rewritten in conference to suit the President.

The cat was let out of the bag a few moments ago when we were informed that the Senate conferees had struck out everything after the enacting clause. That made possible the writing into the conference report new legislation—legislation not previously considered by either House.

I want to read into the RECORD a telegram from William Green, president of the American Federation of Labor. I think possibly it will have more influence than anything I could say.

It is as follows:

It seems inconceivable that having reached a war stage when it is clearly evident that the German Armies are decisively defeated that Congress would even consider the passage of a bill which smacks of slavery. The working men and women of America, through their skill and service, contributed very largely to the inevitable defeat of the German Armies. To make these workers subject to heavy penalties and to impose upon them a condition which approximates slavery at this stage of the World War is unjustifiable and indefensible. I therefore protest in the name of the 7,000,000 members of the American Federation of Labor against the adoption of the measure proposed by the congressional conference committee and I appeal to all Members of Congress to vote against the conference report and defeat it decisively.

WM. GREEN,
President, American Federation of Labor.

Mr. SHORT. Mr. Speaker, will the gentleman yield?

Mr. SHAFER. I yield

Mr. SHORT. The worst part of this whole conference report is it does not reach the slacker and the loafer at all, but it penalizes or puts the squeeze on the loyal, industrious, patriotic Americans who are now doing such a marvelous job of production.

Mr. SHAFER. And the squeeze is just what they are after.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. SHAFER. I yield.

Mr. MILLER of Nebraska. It does not put the squeeze on the pool-hall loafer and the cocktail lizard who have probably got off the job and will have to stay there.

Mr. SHAFER. That is correct.

No, Mr. Speaker, this conference report brings back to this House a totally unnecessary and, as at present framed, vicious attack upon the American people. It can do no good. It holds vast potentialities for harm.

That harm goes not only to the war effort but to the future of all our people and to the manner in which they shall live.

It is a repetition of delegation of vast power from this Congress to Executive officers which, in the past, has brought discredit upon the Congress, distress to the people and condemnation of our methods of governing.

As reported, the conference agreement would turn over control of every man and woman in the country, so far as his work is concerned, to the Office of War Mobilization. It would place in the hands of one man authority which no man should exercise. Particularly is this true in view of the recent decisions of that man which have forfeited the respect in which he was formerly held. There may have been a time when Justice Byrnes deserved the confidence which it is now proposed to place in him. But his actions since he became a disgruntled exvice presidential candidate certainly do not establish any claim upon the vast authority which would be delegated to him under this agreement.

This Congress is considering many plans for improving its method of operation. This is the time to demonstrate whether we mean to improve our standing or not. If we do we shall not stand for delegating to any man the power of economic life and death over every individual citizen.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Texas [Mr. THOMASON].

Mr. THOMASON. Mr. Speaker, I agree with the gentleman from New York [Mr. ANDREWS], when he says that he cannot understand how anybody will even waver in his support of this conference report if he supported the bill as it passed the House.

There is no labor compulsion in this bill, and there is not one single word or line that drafts any man into industry. There is not one word or line in the conference report that reflects in the slightest upon any honest patriotic man or woman now engaged in industry or any kind of war work.

Mr. MURPHY. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. MURPHY. Is there anything in section 5, subsection (3) on page 3 of the report that in any way prohibits the right to strike?

Mr. THOMASON. There is not a word or line in this report that takes away from labor the right to strike. There is not anything in the bill that prohibits the closed shop. There is not anything in the bill that affects the Tydings amendment regarding farm labor except that it strengthens it and says to these men on the farm who are essential in that work that they must stay there and do their job for which their local draft boards deferred them instead of going to some war plant for the purpose of making high wages.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. McCORMACK. As I understand, there is nothing in the conference report that in any way affects any of the rights of collective bargaining under the National Labor Relations Act.

Mr. THOMASON. The majority leader is correct. The report expresses the objective to be accomplished so much better than I can, I will read the first paragraph of section 2:

SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.

Those of us who were here on the 8th of December, 1941, absolutely pledged all the resources of America to the winning of the war in which we are now engaged and about which I think we are rapidly approaching a successful conclusion at least in the European theater.

Mr. ROGERS of Florida. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. ROGERS of Florida. Suppose the draft board were to assign a farmer to work and the mobilizer were to say he would freeze him.

Mr. THOMASON. This bill does not in any way, shape, or form affect the present status of the selective service law.

Mr. PATRICK. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. PATRICK. If it is necessary to pass this law now why was it not passed when times were tighter?

Mr. THOMASON. You were here at that time, I will let you answer. The gentleman will have to ask 433 other Members the same question. I will give you my answer: That is that when General George Marshall, Admiral King, and other high officials in the Government, including the Commander in Chief, the very men charged with the conduct of the war, said that legislation of this kind is necessary, that is all I needed to know. I am placing the winning of the war above every other consideration.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield.

Mr. HARNESS of Indiana. The officials the gentleman mentioned did not come before the committee and ask for this bill, did they?

Mr. THOMASON. They asked for the best bill of this kind we could pass. The gentleman from Indiana knows that all conference reports are matters of compromise. This House had by a majority vote said that we would draft labor if necessary and put them into essential industries. The other body passed another bill which would have accomplished nothing. Now, the main purpose of this bill is to place ceilings on employers and freeze workers in their jobs until this crisis is over. The act automatically expires on the 30th day of June 1946, and sooner if the war is over.

The gentleman from New York [Mr. ANDREWS] was exactly right and the high authorities in both the War and Navy Departments concur in his belief that when Germany cracks, although there is going to be tremendous enthusiasm and rejoicing among all the Allies, yet there is also going to be a terrible letdown on the part of the soldier boys, especially two or three million of them who will then have to go to the Pacific. Only last week this House, by unanimous vote, extended the Selective Service Act, and everybody here knows that General Hershey, Director of the Selective Service, stated that we are scraping the bottom of the barrel for new inductees except for the 18-year-old boys. How can you defend drafting men to fight at $50 per month and not put reasonable restraint on men to work at twelve or fifteen dollars per day?

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. MAY. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. THOMASON. Mr. Speaker, due to the action of the Selective Service and after getting 12,000,000 American men in our armed forces, with about 10,000,000 of them drafted, the least we can do is to give them full support at home. This is all-out war and we can see victory not too far away. We have had nearly a million casualties, we have 500,000 men sick and wounded in hospitals all over the world today, we have literally thousands of boys in Europe and in the Pacific who have been there 2 or 3 years, and I would say they have been "frozen" in their jobs. Several hundred thousand will be frozen in the army of occupation in Germany at $50 a month after Germany falls and will be there another year or two. We are going to have two or three million of our men come back here and spend a short time at home seeing this glorious, free country of theirs, after which they will be sent to the Pacific for God knows how long. Then you tell me that workers here at home who have not suffered one thing except to have their loved ones sent to war, working in plants that are sanitary, some of them air cooled in the summer and heated in winter, at $10 to $20 per day, cannot remain

on those jobs until the $50-a-month boys, whom you forced into service, get back? It just does not make sense. As the gentleman from Michigan [Mr. DINGELL] says, those are ten or eleven million boys you drafted under Selective Service, which you extended again last week. They had no choice. Is that what you call equal, fair, and democratic treatment?

Mr. Speaker, there is no punishment under this bill except for the man who violates its provisions, and they will be very few. The overwhelming majority of the workers are just as loyal and patriotic as anybody. This report does not touch them. General Knudsen testified before our committee that the turn-over in many plants has been as high as 12 percent per month. When Germany surrenders you will see literally thousands of those men surging out of the plants to try to get into private employment. This bill will stabilize and regulate employment. It will prevent hoarding in some plants and place them in other plants where they are badly needed. It would give certainty to the status of the workingman.

Mr. ROE of Maryland. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Maryland.

Mr. ROE of Maryland. I would like to ask the gentleman if this bill makes anybody work who is not working now?

Mr. THOMASON. It does not draft those not now at work but it will have an indirect effect because the I–A's in the plants in Baltimore and other plants may be called into the service. Ceilings will be put on plants and areas where the Director deems it essential to the war effort. It will produce moral suasion and have a good psychological effect. It will give everybody to understand we are in the big drive for victory, and every citizen must do his part.

Mr. Speaker, there are thousands of our brave soldiers following General Patton and our other great generals along the Rhine today. They are on the way to Berlin. As long as I live I shall never forget that graphic picture at Iwo Jima when those gallant American marines were trying to get our American flag hoisted. They and their buddies all over the world are the ones I am thinking about today. They have my first and highest seniority. Five thousand of those brave marines at Iwo Jima will remain eternally in the volcanic lava at the foot of Mount Surabachi. Fifteen thousand more are in the hospitals.

I am trying to think of those boys and their fathers and mothers today rather than just a comparatively few thousand men in this country who might be affected indirectly by this legislation, and would suffer no ill effects physically or financially.

Mr. BREHM. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Ohio.

Mr. BREHM. Will the gentleman please point out in the report how we reach the slackers in the poolrooms and the loafers? One Member says it reaches them and one says it does not.

Mr. THOMASON. You still have your selective service and your local draft boards. Of course, they cannot draft the IV–F's, but when you take the I–A's out of the plants I think there will be many patriotic men all over the country, who are not physically fit for combat, who will take their places. With this bill as law, the pressure and influence of neighbors will have its effect on loafers, pool-hall players, night clubbers, and their kind.

Mr. O'NEAL. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from Kentucky.

Mr. O'NEAL. Do I understand that if a manpower bill is not passed we must then get the essential manpower for our war efforts out of the 18-year-olds rather than from the nonessential workers?

Mr. THOMASON. Practically all inductees for the Army and Navy in the future must come from the 18-year-olds.

Mr. O'NEAL. The 18-year-olds, or those now exempt?

Mr. THOMASON. Yes. The 900,000 men that General Marshall says he must have in the armed services in the next 6 months have to come principally from the 18-year-old boys. If you take the I–A's out of the war plants, you must have this bill to hold the others where they are most needed.

Mr. O'NEAL. It is the nonessential workers, then, who will be brought in under this bill?

Mr. THOMASON. Yes. You take the I–A's out of the plants and this will be the means of helping get those that are not now in essential industry and also freeze those now at work. We must have the necessary munitions or our men cannot fight.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. THOMASON. I yield to the gentleman from California.

Mr. McDONOUGH. They say in the conference report "in order to adequately support the Army and maintain the Navy during the present war." Is it implied that they have not been supported by management and labor up to the present time?

Mr. THOMASON. No; labor has done a magnificent job. Ninety-eight percent have done a great job. There have been some strikes, and they were not justified in wartime. This legislation expires on June 30, 1946, and Congress can sooner terminate it if the war is over or we decide the law is no longer necessary.

I beg of you to support this conference report, because it is necessary and will do no injustice to any loyal and patriotic citizen who wants to do his full duty in this terrible crisis and get the war over at the earliest possible moment.

Mr. ANDREWS of New York. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, in the first place, let me answer the question asked by the gentleman from Alabama [Mr. PATRICK], why such legislation has not been brought before the House before. I think it is a correct analysis, even if it reflects the sentiment of the American people in the worst war that we have ever fought. The reason this legislation has not been brought before the House prior to this time is that most people in the United States, and therefore most of their Representatives, have not realized what it was to fight this war until the battle of the bulge and until the casualties came home.

I now yield the balance of this minute to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, as a returned serviceman from World War No. 2, I would like to say that I think the administration and Congress have been very negligent in waiting 3 years before passing such an act, if they say such an act is necessary at all. And I say to you for the servicemen, "Where have the administration and Congress been during that 3-year period?"

May I say further that I understand the Japanese Diet has just passed a similar act in their last session, but their act applies only to persons above the age of 8 years. There are no limits whatever in this resolution before us.

As far as labor is concerned, while I was away in the service I heard and believed that labor on the home front had done a magnificent job. I still think they have. I am, therefore, voting against the conference report, as I do not favor compulsion as against free labor.

Mr. ANDREWS of New York. Mr. Speaker, I yield 2½ minutes to the gentleman from Ohio [Mr. ELSTON].

Mr. ELSTON. Mr. Speaker, I believe, that the bill, H. R. 1752, as it is rewritten in the conference report is one of the most dangerous pieces of legislation Congress has ever been required to consider. When this measure was first proposed we were advised that it was for the purpose of compelling those persons who were contributing nothing to the war effort to engage in some essential war work. It was primarily directed toward the loafer and the slacker. When the bill was under consideration in the House high tribute was paid to both management and labor for the magnificent contribution they had made and were making to furnish our fighting men with the equipment and weapons they needed at the front. Yet you will find upon an examination of the bill agreed upon by a majority of the conferees, that the one who has shirked his duty and who has refused to engage in war work is not included in its drastic provisions.

Moreover, the original bill included only male persons between the ages of 18 and 45. This measure includes men, women and children of whatever age. Under section 5 of the act the Director of War Mobilization and Reconversion is clothed with authority to fix employment ceilings in areas and plants, and to fix the maximum number of workers who may be employed therein. It likewise prohibits the employment of workers beyond the maximum number fixed by the Director, and the Director may freeze all individuals employed in any designated areas or plants, or on the farms, whenever he deems them essential to the war effort. Workers so frozen may not leave their employment without the consent of the Director. The violation of any order

or regulation issued under subsection A of section 5 may be punished by imprisonment not to exceed a year, or by fine not in excess of $10,000, or both. There are other penalty provisions. For example, subsection C of section 5 provides that no wages or other compensation paid for services rendered in any employment commenced or continued in violation of any regulation shall be allowed as a deduction from income or as a cost or expense for the purpose of computing taxes payable under any act of Congress.

Any power granted the Director under this bill may be delegated by him to any agency or department head so that at the present time we do not know who will administer its provisions. It may be the Chairman of the War Manpower Commission or someone else.

As the present bill freezes in their present occupations the patriotic and industrious men and women who are now engaged in war work, and does absolutely nothing to compel those who have evaded this responsibility to engage in any essential occupation, it follows as a matter of course that those in nonessential occupations will not transfer to essential work if they want to continue to do as they please. I wonder if anyone in the House today is so naive as to think that a person who wants to evade doing war work will voluntarily apply for a position in a war plant when he knows that by so doing he will bring himself within the penalty provisions of this act. If he continues to loaf or continues to engage in nonessential work, nothing can be done about it. Certainly this condition will retard rather than increase production.

That, Mr. Speaker, is but one of the serious objections to this measure. Only those who are performing their patriotic duty as war workers or employers are amenable to the penalty provisions. In other words, this bill is an indictment of labor as well as management, notwithstanding the magnificent contribution both have made in our war effort, rather than of those who have failed or refused to make their contribution. It is no excuse, as was stated on this floor a few moments ago, that those who will not engage in essential work are subject to be drafted into the military service. The fallacy of such argument is too apparent to require comment. Such persons, if qualified for military service, have been subject to induction ever since the passage of the Selective Training and Service Act. That they have not already been inducted is rather clear evidence that they are not qualified for such service. Unless physical or other standards are changed, they are no more likely to be inducted after the passage of this act than they were before.

It has been stated that the penalty provided in the bill is only a misdemeanor. Actually it fails to be a felony by 1 day, as offenses punishable by imprisonment for a year and a day or more are felonies. It is obvious why no more than a year's imprisonment is provided for. If a greater penalty was fixed, the accused would be entitled to a hearing of his case by a grand jury of his peers. Informations returned under the present bill require only the action of district attorneys.

Let me direct your attention to another dangerous provision in this bill. Section 10 provides for appeals. Appeals to whom? Not to any court, but to an appeal tribunal created by the very person from whose orders and regulations an appeal would be taken. Then examine, if you will, this sentence in section 10:

> Subject to such further administrative review as may be provided in regulations under this section, the determination made after such hearing shall be final.

Think of it; the Director makes the regulations the violation of which may result in imprisonment for as much as a year or a fine as high as $10,000. The Director provides an opportunity for appeal to an appeal agency of his own creation, and the decision on appeal is final. I can conceive of no more objectionable practice than this. It is bureaucracy at its worst. Pass this legislation, and you will have set up another gigantic Government bureau, a bureau with as sweeping and dictatorial power as has ever been conferred by Congress. Those of you who vote for it should never again raise your voices against government by bureaucracy, and I direct this statement particularly to those on the Republican side of the aisle who so often complain about the bungling, the arrogance, and tyrannical policies of Government bureaucrats.

Mr. BREHM. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. I shall be glad to yield to my friend, the gentleman from Ohio.

Mr. BREHM. If this legislation is enacted, it will drive a shaft through the very heart of America. Is not that true?

Mr. ELSTON. It is all too true.

Mr. MASON. Mr. Speaker, will the gentleman yield?

Mr. ELSTON. I yield to the gentleman from Illinois.

Mr. MASON. Does the gentleman think that this Congress in its action should follow the example of the Japanese Diet?

Mr. ELSTON. Of course I do not, and I feel we have reached a rather sad state of affairs when this Congress is urged to adopt any legislation because the Japanese Diet has passed a similar act.

Mr. Speaker, if this legislation becomes law no person accused of violating its provisions will know when he is at fault unless it can be shown that the regulations or orders affecting him have been brought to his attention. In this connection your attention is directed to subsection (C) of section 5 to the effect that the provisions of this subsection shall not be applicable with respect to any case of a violation of a regulation by any person unless such regulation has been published in the Federal Register, has been published in a newspaper of general circulation in the community for 3 consecutive days, or has been served upon such person by personal service or by registered mail. In other words, it is sufficient that the regulation be published in the Federal Register. I have before me the Federal Register of yesterday. It consists of 102 pages. I am informed that the Federal Register for the year 1944 contains 15,194 pages, this being more pages than are contained in the entire United States Code. Thus many may be charged with the violation of regulations they knew nothing about. The bill as written by the conferees describes no act of which a person may be guilty. Guilt will necessarily depend upon bureaucratic regulations, orders, and directives, none of which has as yet been written.

I hope no one will be deceived by the shop-worn argument that this legislation is needed to strengthen the morale of our armed forces. They, no doubt, would be interested in making the nonworkers work or fight but this bill makes them do neither. The man in the military service knows what has been accomplished under our system of free labor and private enterprise as compared with what has been done in other countries where both labor and industry have been regimented. A few days ago, in fact on the same day when it was announced the conferees had agreed on this bill, there appeared in the local press, on the same page carrying this announcement, a news item that hundreds of the small attack boats used by the American Third Army to steal across the Rhine were only stacks of plywood in American factories less than a month ago. The War Department announced that the boats were rushed to completion and many were flown directly to the battle zone. The order was for 669 boats and was received on February 1. Material was speeded to factories and builders began what the Army called a production miracle. Management and labor alike were responsible for this miracle, which is but one of the many which will contribute to early victory. It is those who are responsible for these miracles this legislation would penalize rather than those who, for one reason or another, have not engaged in war work. Mr. Speaker, this legislation will set up in this Nation that which our fighting men are seeking to destroy abroad. I am sure they do not expect to find on their return that we have drifted toward a dictatorship as far as this bill takes us.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I have listened with much interest to all the arguments that have been advanced here this afternoon on this conference report. I cannot understand the argument of my good friend who has just preceded me, and some others who have insisted that the main criticism of this report agreed to in the committee of conference is that it does not get the loafers. I recall that when only a few weeks ago we had on the floor of this House the bill proposed by the Committee on Military Affairs and one of our strong arguments was that it did go out and get the loafers, the two gentlemen who have spoken here today and have raised that point opposed that bill and supported a bill that did not touch the loafers; yet they are up here today criticizing this bill. Of course, this bill is

not perfect but it goes much further than did the bill which they then supported.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. I yield to the gentleman. He is the one who sponsored that bill.

Mr. HARNESS of Indiana. The gentleman did not support the other bill, did he?

Mr. SPARKMAN. No; I did not support the bill the gentleman from Indiana offered, and I am proud of the fact that I did not. I supported the bill that was reported by our committee, a bill that would have gone out and done this job had it been enacted into law.

This compromise report that comes in here today is the best we can get out of the situation. It is a compromise between the two Houses.

I have listened to the statement here that we ought not to follow the Japanese Diet. Of course, we are not following the Japanese Diet. But I do want to say that it is high time for this country to realize that it is engaged in a total war. I hope we shall never have to engage in another war, and I hope that even more because of the unwillingness, the reluctance, that so many of those who are charged with legislating for our country have shown toward engaging in total war.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. No; I am sorry. I do not have time.

I have sat here this morning and listened to the storm of applause from the Republican side on this bill, on this proposal to help our boys engaged in total war. The thought comes to me that for some reason they just do not learn. Since 1939, when we started trying to make our country strong, so many on that side of the aisle have taken that obstructionist view. It was played up in the elections last fall, yet they did not learn. Today we are engaged in total war. It seems to me it is time to quit holding back.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. I am sorry, I cannot yield.

It is time for us to carry out the pledge we made here on December 8, 1941, when we pledged all of our resources. We did not make any distinction. We made no reservation. We pledged them all. And those boys who have gone to the fighting front have gone relying on that pledge.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. I am sorry, I do not have the time to yield.

So many of us show an unwillingness to carry out the pledge we made to those boys. I plead with you—I plead with you, let us do this job. Let us quit talking about bureaucracy in order to obscure the real job to be done. The gentleman who talked about bureaucracy came here on the floor of the House only a few weeks ago pleading for a bill which would have set up a bureaucracy to a much greater degree than this bill does today. It is the best we can get. Yes, I think we should have had a law a long time ago. But, certainly, the manpower situation was not as tight back there a year ago or even 6 months ago, as it is today. Congress has been reticent in passing the law which was needed. But I think we should not delay any longer. This is the best we can hope to get in a compromise between the two bodies. I plead with you to back up those boys who have gone out there relying on our pledge, our pledge to use all of our resources, both human and material.

The SPEAKER. The time of the gentleman from Alabama has expired.

Mr. ELSTON. Mr. Speaker, I yield to the gentleman from New York [Mr. TABER] one-half minute.

Mr. TABER. Mr. Speaker, I have never been so disgusted by a political appeal on a measure of this importance, from the same group which voted against proper appropriations for experimentation in the development of the Flying Fortresses in June 1939.

These people voted against a provision in the War Department appropriation bill providing $9,000,000 to develop the Flying Fortress and the fighting planes of this country at a time when we had no designs suitable for the construction of either.

They wanted to build ghost airplanes, not fighting airplanes.

This came up in the House on the 21st and 22d days of June 1939. That same gang which voted against proper appropriations for developing our air power and giving us fighting planes to fight with instead of ghost ships, voted against $9,000,000 which was needed for this purpose.

That it was needed was proven by the fact that in September 1939, after Great Britain and Germany were at war, they came back and voted the same money that the Republicans wanted to vote to provide fighting airplanes, and by their operations they delayed the development of our Flying Fortresses and our fighter planes 3 months at a very critical period.

I hope we will not have any more of that same kind of cheap politics.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. ELSTON. Mr. Speaker, I yield 2½ minutes to the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS of Indiana. Mr. Speaker, for almost 3 months this Congress has been studying and debating the President's request for the extraordinary and unparalleled authority to conscript American civilian labor. Day after day the proponents of labor conscription have insisted that this compulsion is necessary to the speedy and successful completion of the war. But through all the welter of argument, the advocates have totally failed to demonstrate just how or why this vast, arbitrary authority, centered in the hands of a single individual, will maintain maximum production to hasten victory. They have shown no convincing evidence that this tremendous power will cure the bungling and the glaring lack of coordination among Federal agencies which are primarily responsible for the actual manpower crises which face us in certain industrial areas and in certain industries.

From the very outset, the principal argument for compulsion has been that since we have drafted men to fight and die for our country, we ought to place equal compulsion upon all civilian labor. Remember, it has never been shown that the only way, or even the best way, to provide our fighting forces maximum support is by placing civilian labor under compulsion. If that fact had been demonstrated, or if it were demonstrable, I am sure we would have had some form of labor conscription many months ago. But no, we are told we ought to impose equal compulsions merely as a matter of equal justice. As a corollary, we are told that compulsion upon the home front is somehow or other going to bring a great lift to the morale of our fighting forces.

It is inconceivable to me that we here at home could have such little regard for the intelligence of our fighting men. The average man who has been through the real hardships and dangers of war is far too practical and realistic to be fooled and influenced for long by such flimsy pretext. The plain, unpleasant fact is that there is no way to equalize the sacrifices of individuals in war, and no one knows that better than our fighting man. Do you think the man in the fox hole or at a battle station is going to feel better and fight harder when he gets the letter from home telling him that his dad, his mother, and his wife are now the subjects of discipline and authority just as total as that over him? If you do, I say to you flatly that you just do not know your American fighting man.

And do you think your soldier or sailor is most interested in the academic problem of imposing equal burdens and hardships upon everyone, or do you believe, as I do, that he would prefer above everything else for the home front to keep more and more, and better and better weapons and supplies rolling to him to speed his final victory?

Let those of you who continuously cry "Obstructionists!" at the opponents of these totalitarian controls answer the question you have so often hurled at them: What will you have to say to our returning veterans to justify your position on this legislation? How will you convince the men who are riding with Patton and Hodges into the heart of Germany at this very minute that free labor and free industry could not sustain their efforts? How will you explain to them that you abandoned the American system which carried them within sight of their final triumph?

For myself, I would very much prefer to tell our returning veterans that I vigorously resisted this unlimited grant of authority over the lives of their families than to admit that I helped to impose the very type of compulsion which they have made such terrible sacrifices to destroy.

I frankly find myself at a loss to understand just what has happened in this Congress as we approach this conclusive action on this issue. Obviously, this House had little stomach for the comparatively moderate proposal for limited labor conscription, which we recently enacted by a narrow margin. The Senate even more clearly demonstrated its reluctance to grant arbitrary powers over

civilian labor in its action on the original measure. Labor and industrial leadership, the men with the know-how and the amazing war-production records, almost unanimously warned that labor conscription, or any arbitrary dictatorial authority, would not cure the real, the underlying faults, but would actually do more harm than good.

Yet, after almost 3 months of inquiry and debate, we are suddenly asked to hand over to a single human being power over every industry, every business, and every working individual that is total, unlimited, and absolute. By comparison, the authority proposed by the original May bill was a mere whisper. Cudgel your imaginations as you will, I defy you to find a single civilian activity employing labor to which this proposed authority does not extend. The only limits are those which the lone individual vested with this authority chooses, without let or hindrance of any kind, to fix.

Even in this age, when the granting of vast power to the executive is commonplace, this proposal before us is extraordinary, even fantastic. And all to equalize war sacrifices; to lift service morale; or to correct the mistakes previously made by the same administration and the same men who will now presumably wield this new power.

But I warn you that this unparalleled and unwarranted authority will be no panacea for our manpower problems. It will merely give wider play to the same ineptitude and short-sightedness which created these problems in the first place. It will give a single individual and a vast subordinate bureaucratic army the unquestionable authority to curtail or completely close most industries and businesses; but it cannot move idle hands from one shop to another, or from one community with a labor surplus to another with an acute shortage.

Right now we see certain industries, and certain industrial communities, crying for labor while other areas have actual unemployment. So we are asked to give the little bureaucrats who will really administer this sweeping authority the power to throw more people out of work in these areas of idleness in the hope of driving those people by indirection to another area where help is needed.

Forthrightness is completely out the window. Nobody in power apparently has the courage and honesty to admit that the job is simply too big for him, despite an accumulation of powers that must be responsible for much of Hitler's rug-chewing.

What we actually need here now is a clear and unmistakable order to the executive to use our available manpower intelligently. Actually, we need nothing more than the substitute measure which I originally offered here when this body enacted the May bill. We know that manpower is being wasted when we know there are actual labor surpluses and appalling wastages in many areas at the very time we face shortages in others.

All this suggests better War Manpower Commission surveys, plus positive orders for better coordination among Federal procurement agencies, where little or none now exists. Why shackle 50,000,000 or more people in our civilian labor force? A simple remedy is at hand, as I suggested in my original substitute.

We can insist here upon that simple remedy, or we can abandon our sacred duty to the American people and our fighting men by supporting this conference proposal. The issue is just that clear and simple. I urge that we emphatically reject the conference proposal.

Mr. MAY. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, I voted against this bill when it was in the House before. I voted against it because there were some provisions in it which I did not like. I voted for a substitute at that time. But, it seems to me, this is a better bill. In any event, it is going to pass.

I also have received a telegram from William Green. I have been a member of organized labor for more than 30 years. Twenty-five years of that time I was a dues-paying member of the American Federation of Labor. I say to you and I say to the laboring men of this House that labor cannot afford to be out of harmony with the American people. There is nothing in this bill that smacks of slavery. There is only one thing that you have to fear: Do you or do you not trust the American Government and the American people? We are at war and labor is willing to lend its shoulder and cooperate in anything that is necessary. They are not going to let down the President of the United States, whom they so loyally supported in the last election. They are not going to let down the officers of the Army and the Navy who are conducting this war, and they are not going to let down the soldier boys.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. ANDREWS of New York. Mr. Speaker, I yield 2½ minutes to the gentleman from Iowa [Mr. MARTIN].

Mr. MARTIN of Iowa. Mr. Speaker, the conference report before us now is certainly not a partisan issue. I have supported universal service for wartime for more than 30 years. When we declared war we pledged and committed the entire resources of the Nation.

I get quite a "kick" out of this argument on constitutionality. I was the one who struggled with that issue, particularly in committee. The committee members know that. The point, the constitutionality of which I was worried about, is now out of the bill. I even found that point constitutional, in my judgment, after quite a struggle. I am not worried about the constitutionality of this bill in its present form.

The national interest in winning this war and our committing the entire resources of the Nation to that end are sufficient to support the constitutionality of this bill if enacted into law. Now there will be even a greater need for this bill after Germany is defeated. Already we have complaints that there is an over-supply of labor in some spots and a shortage in others. The purpose of this bill is to balance production. If you want to drag this war out unnecessarily, even for an hour, a week, a month, or a year, stutter and stumble now and take away from us unified, effective production effort. You will handicap your sons and mine on the battlefield when they may need a rifle or a 240-millimeter gun or more ammunition that are not there. We must not fail to exert our utmost effort in this hour of need on the production front.

Do not let these arguments fool you about the unconstitutionality of this bill. The need for it, the need for it now and after the defeat of Germany, is greater than ever for a balanced production to make possible a quick and complete victory over our enemies. The boys will do the job if we will give them the tools in time.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. ANDREWS of New York. Mr. Speaker, I yield 2½ minutes to the gentleman from Michigan [Mr. WOODRUFF].

Mr. WOODRUFF of Michigan. Mr. Speaker, I cannot bring myself to vote for this work-or-jail compromise manpower bill worked out by the conferees. My reasons are clear, concise, and, it seems to me, unanswerable. They are as follows:

This bill is not the result of necessity, or any exigency which has arisen since we became involved in this world struggle. This measure, and the powers it will give the executive branch of the Government, was planned by the administration prior to 1936, and the forerunner of this bill, the model on which it has been constructed, is to be found on page 65 of the Industrial Mobilization Plan as revised by the administration in 1936.

This bill will, if adopted, constitute the longest step toward totalitarianism ever taken in this Nation.

The very nature of this proposed enactment, the very powers it provides for the President and his lieutenants, makes it an ideal power to be abused, to be used to enrich administration favorites, and to punish and destroy those in business of whom the administration may, for any reason, disapprove.

This great power, if granted the executive department, will not be used impartially, fairly and strictly for the welfare of the Nation. The other powers granted to or assumed by the executive branch of the Government have not been used fairly, impartially, and for the welfare of the Nation in all cases. In many, many cases favoritism, waste, political motives and objectives, personal animus and plain stupidity have characterized the administration of the already vast war powers now possessed or assumed by the executive department of the Government. I am convinced that this power, if granted, will be so abused.

All the powers and all the acts necessary for the Army, the Navy, and the executive departments of the Government to achieve every legitimate objective claimed for this measure, are now in the hands of the authorities, and have already been granted by the Congress. Every single legitimate objective claimed to be desired under this bill can easily be achieved under existing power now in the hands of the President. Every Member of this House must be aware of that fact.

The New Deal administration intends, if granted this enormous and dictatorial

power, to continue it far into the post-war period, long after the shooting has ceased. The irrefutable proof of that statement is to be found in the 1939 New Deal revision of the industrial mobilization plan. It will be found in the printed document as issued by the Senate, Seventy-sixth Congress, second session, Document 134. The plain intent of the administration, at the end of shooting hostilities, is outlined therein under title F, Post-war Readjustment. Therein it is pointed out that the political or economic factors may make it desirable—on the part of the administration—to continue the powers. My colleagues will recall that already we are being told by official spokesmen for the administration that the war powers, the price controls, the regimentation, rationing, and numberless other limitations upon farmers, businessmen and women, and the workers must be continued long after hostilities cease. My colleagues will also recall that this 1939 revision of the industrial mobilization plan was concealed from the press. We were not then at war. There had been no Pearl Harbor assault. Yet the President attempted to conceal from the American people the provisions of his 1939 revision of the industrial mobilization plan by refusing to let the representatives of the press have it. It was kept a secret document until Senator ARTHUR VANDENBERG, of my own State, secured a copy of it and introduced it as a Senate document and it was printed and made public as such. On page 3 of that document even the administration admits that—

> The surrender of all individual rights in wartime is undesirable, if it can be avoided.

Well, my colleagues, here is a surrender of individual rights proposed in this work-or-jail bill which is entirely avoidable and ought to be avoided. There is another statement in that 1939 revision of the mobilization plan, printed on page 7 of the Senate Document No. 134, which applies with peculiar force to this case and the conditions now obtaining:

> Strong and intelligent leadership is more important and will do more to secure voluntary cooperation of industry and the civilian population than will any arbitrary regulations or organization charts that may be prepared, no matter how they appear.

How can we ignore that statement and square our action of passing this iniquitous and dangerous bill to completely regiment our people and place them in the power of political bureaucrats. How can we square our action, I say, with the welfare of the workers of this country, with the welfare of our free institutions, with the whole spirit of freedom for which our armed forces are fighting and dying on battlefields all over the world.

I am convinced the powers which will be granted the administration if this measure is passed will be used to stifle workers, farmers, labor unions, and to destroy businesses of which the administration bureaucrats do not approve. Pass this bill and you will have placed in the hands of the President the power to reward many times over the members of the Thousand Dollar Club, who, according to their membership conditions, are to be allowed to advise on governmental policies. The power to be granted under the measure, if passed, would make it easy for those who are determined to socialize business and agriculture and industry in this country to achieve their objectives. That is what we vote for if we vote in favor of this conference compromise. In fact, this measure is not a conference compromise. It is the power framed and furbished exactly as the administration wants it.

Finally, I cannot and will not vote for this measure because it points precisely in the opposite direction from the ideals for which our noble men and women are fighting, and our civilians are working. This is another—and by far the longest—step away from individual rights, liberties, free government, free labor, free agriculture, free industry, and free society for which we drafted our sons and have sent them forth to fight and die. This measure ought to be defeated. I hope it will be defeated.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a telegram from Mr. William Green, of the American Federation of Labor.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

(The telegram referred to follows:)

WASHINGTON, D. C., *March 26, 1945.*

Hon. ROY O. WOODRUFF,

House Office Building, Washington, D. C.:

It seems inconceivable that having reached a war stage when it is clearly evident that the German armies are decisively defeated that Congress would even consider the passage of a bill which smacks of slavery. The working men and women of America, through their skill and service, contributed very largely to the inevitable defeat of the German armies. To make these workers subject to heavy penalties and to impose upon them a condition which approximates slavery at this stage of the World War is unjustifiable and indefensible. I therefore protest in the name of the 7,000,000 members of the American Federation of Labor against the adoption of the measure proposed by the congressional conference committee, and I appeal to all Members of Congress to vote against the conference report and defeat it decisively.

WILLIAM GREEN,
President, American Federation of Labor.

Mr. ANDREWS of New York. Mr. Speaker, I yield 1 minute to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, I call the attention of the House to the fact that the gentleman from Texas [Mr. THOMASON] said there were 500,000 World War No. 2 veterans in hospitals at this time. The total wounded is something under 600,000. Under Secretary of War Patterson testified that of the wounded on Iwo Jima 70 percent had already recovered and returned to duty. About 80 percent of the wounded in this war have gone back to duty. The gentleman from Texas should correct his statement.

Another thing, the bill originally passed by the House did not affect women. This bill I believe includes the women of the country. They can be ordered into industry or frozen in their jobs. This bill will regiment, blueprint, and make the workers of our country do a mental, physical, ritualistic goose step.

Another thing about which I am concerned is that the IV–F and the pool-hall loafers who do not now have jobs will hesitate to go into a job because once there they cannot leave under penalty of a fine or jail sentence. The bill also regiments the farmer—he may lose his help under direction of the Commission. Free American labor and industry has outproduced the world—countries with slave labor have failed. Why such a bill at this late date?

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. ANDREWS of New York. Mr. Speaker, I yield 2½ minutes to the gentleman from Indiana [Mr. GILLIE].

Mr. GILLIE. Mr. Speaker, the delay, the confusion, the arguments, and the disagreements that have surrounded consideration of compulsory manpower legislation during the past weeks is a pretty fair indication that no clear and present need exists for such a bill as has now been presented to us by the conference committee on H. R. 1752. Congress has at no time during this war been hesitant about passing legislation to expedite the winning of the war. In the instant case, the administration demanded that in view of critical manpower shortages, compulsory manpower legislation should be passed in order to increase production. It is obvious that the critical shortages in manpower alleged to be the reason for passing such legislation have failed to impress themselves on the Members of the House, the Senate, or the people of this country. When labor and industry and great sections of the general public line up against such legislation, we cannot without full confidence in the purposes and in the results of such a bill allow it to be passed. The simple fact is that there has been no case for enslaved labor presented at any time, anywhere. It is almost impossible to believe that responsible Members of Congress who have been crying out against the limits placed on individual freedom by this administration could pass favorably on this conference report, which gives absolute and dictatorial control over the lives of our citizens to an individual. I am sure that responsible Members will not so do.

This bill provides pure and simple involuntary servitude. When you tell one man he can designate the places of employment, the numbers of employees, and determine the kinds of employment his fellow citizens may accept, you are providing him with unlimited power over the economic and private destinies of the citizenry. And do not forget that under the terms of this bill women as well as men are forced to comply.

I feel very deeply about this question, Mr. Speaker. I do not often speak, but, in this instance, I am compelled to rise to ask the Members of the House not to grant such dangerous and unlimited authority over our people's lives to any individual.

Some of the military men put their interest in the passage of compulsory labor legislation on the morale-building basis. Do you think there would be a morale-building effect on the members of our

fighting forces when they learned that their wives and their mothers as well as their fathers and brothers were being ordered into forced labor? I do not believe it.

We were told the purpose of this legislation was to increase production—but what are the facts presented to bolster the view that forcing men to work would make them produce more? I have looked in vain for any good evidence to support such a view. I have found none. On the other hand, I have found much evidence that the result would be otherwise. Labor says compulsory manpower legislation will not work. Industry says it will not work. The President and certain military leaders say it will.

I am, I have been, and I will be—until that glorious day of victory—eager and willing to support everything possible to win the war speedily. When the military men have come to us for money for munitions and for legislation to build up the armed forces, I have voted for what they needed, knowing that they could not wage a winning war without men and munitions. And when labor and industry come before us and ask us not to threaten their production effort by enacting a slave-labor bill, I believe they, too, deserve and must have our support. They know production as the military leaders know war. And the stakes of the workers and of management in this war are just as great—their sons are fighting just as hard. They say free labor can do the job and they have come before us not just with statements that voluntary labor can get out the needed production but also with carefully thought out suggestions for utilizing presently established agencies to iron out any local shortages or manpower dislocations.

We have got enough manpower machinery set up now, why does not the administration make full use of it? Responsible labor and management leaders have pleaded with the administration for an opportunity to cooperate in clearing up all manpower difficulties. What is wrong with an administration which cannot—with adequate machinery and with more than adequate legislation—cooperate fully with business and labor?

On the basis of the number of people shown to be needed in war plants—and grave doubt has been placed on the reliability of the War Manpower Commission's figures even on this point—there can be no justifiable argument for setting up the machinery called for in this bill and subjecting the patriotic working people to slavery.

This bill gives one man the power of life and death over business establishments, and it gives him complete economic control over individual workers. The Director of War Mobilization under the provisions of this bill can establish employment ceilings in plants, defining how many workers may be employed there and what kinds of workers, and he can regulate the hiring of the workers by the employer and the acceptance of work by the employees. The Director can also freeze workers he thinks essential in their jobs—and not just the men but also the women. The penalties for violation of the bill's provisions may be 12 months in jail or $10,000 in fine. How do those provisions compare with the thirteenth amendment to our Constitution which says:

> Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

I know something about the un-American flavor of the words "involuntary servitude." I was only 2 years old when my parents brought me to this country from Scotland, but I remember well hearing them tell why they came to America, the land of the free. If they were alive now, they would probably think they were back in the Old World where the words "involuntary servitude" had a real and unhappy meaning. I know they would find it hard to believe that in America, the refuge of the economically and politically oppressed peoples of the world, the House of Representatives was seriously considering the initiation of slave labor in the year 1945.

The administration's plea for a compulsory manpower bill—"any kind of a bill"—sounds too much like another trumped-up emergency out of which the usual grabs for power can be pushed through. This is not a time for experimenting with more administration-sponsored cures for imaginary diseases. It is no time to threaten the magnificent production record of free labor by the enactment of a bill which would lower the morale of labor, and which labor and management agree would retard production rather than stimulate it.

Mr. ELSTON. Mr. Speaker, I yield such time as he may desire to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Speaker, the measure proposed in this conference report on the so-called work-or-jail bill is not a statute in the ordinary sense. It is a surrender by this House of its exclusive, constitutional power to make the laws of this country. By the proposals embodied in this conference report this House has not written its will in the express, clear terms of what a congressional act should be. We are asked to write a blank check—to give carte blanche—to give unlimited power to Mr. James F. Byrnes to seize and control the bodies, the activities, the very souls of 50,000,000 American men and women, boys and girls. And, in fact, to do the same thing to the members of our armed forces when they shall have been discharged and returned to this country. By the terms of this measure we supinely delegate the law-making power of the Congress to Mr. Byrnes and place in his hands the power to freeze needed workers of any age, or either sex, into what he or his underlings might see fit to designate as war jobs, where he and his deputies conclude labor shortages exist or are threatened. It clothes him or his deputies with power to prescribe fines and jail penalties for violations of his orders.

Representatives of the great labor unions of the country, the National Association of Manufacturers, and the Chamber of Commerce of the United States give it as their consensus of opinion that this so-called compromise would "set back rather than aid war production."

And this remarkable proposal comes at a time when with weapons forged by American business, management, and labor, our conquering armed forces are sweeping forward to victory on every battle front.

Too often heretofore we have been swept off our feet by emotionalism only to find ourselves legislative food tasters for the Senate.

I am neither a prophet nor the son of a prophet, but it is no great hazard to predict that this unrestricted surrender of legislative power to Mr. Byrnes and its unpredictable use by him and his hordes of bureaucrats, running into the hundreds of thousands, will never be accepted by the other body.

And if it should be, what a rare opportunity it would afford the President, by the exercise of his veto power, to turn the laugh on a Congress that in a moment of weakness had surrendered its solemn duty to write the laws of the Nation and to protect the liberties of our people. This conference report should be rejected by this House, and I shall vote against it.

Mr. ELSTON. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, consistent with my opposition to all measures to make slaves of the American people, I am voting against this conference report.

If this final version of the work-or-jail bill goes through Congress, every employer may just as well surrender his plant to the bureaucrats.

Every officer of a labor union may just as well resign, because a Government agent will take over his union and supersede his authority.

All patriotic American working men and women may just as well resign themselves to permanent involuntary servitude.

Those who thrust this bill down the throats of their fellow countrymen may live to regret their ill-judged action.

This final work-or-jail bill is the most extreme step ever taken by any modern government to enslave its people. It makes Hitler look like a piker. Congress is following the lead of the Japanese Diet, which, I understand, just enacted a similar bill.

Mr. Speaker, you cannot legislate patriotism, in war or in peace. You either have it or you do not have it. The Americans I represent have it and they do not need laws to drive patriotism into them.

Free American labor and free American capital have worked hand in hand to supply our fighting men with the finest weapons and equipment any army and navy ever had. We are on the verge of victory in Europe. American labor must stay free to attain that victory.

This conference report on the work-or-jail bill will enslave the workers of this country if adopted. It will create in America a Hitler system of regimentation against which American boys are fighting in Europe and the Pacific. I cannot, I will not, be a party to forcing Americans to swallow it.

Mr. ELSTON. Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, reference has been made to what the boys in the service may think of our action on this measure. Since that has been brought up may I say that is a matter for the conscience of each one of us. For myself I accept that responsibility. Let me say to some of you that if you will talk to the men in the service you will find they are a little more concerned about some of the strikes going on here on the home front which this bill does not reach than they are about any failure of production because we have not enacted a labor draft.

Mr. Speaker, if there ever was a need for this legislation, which I seriously doubt, that need has long since passed. I have contended that no dictator nation could lick this country because the productivity of men enslaved to a state can never equal the productivity of free men. Our great production system has proven the truth of that statement. Under the whiplash and the spur of the war lords of Germany and Japan, the peoples of those countries for years got ready for war, yet in a space of 3 short years, with this great free system of ours, we outproduced the whole world until today our brave men at the front supplied by this great system at home have our enemies looking stark defeat right straight in the face.

I am confident that the boys at the fighting front expect me to use my best judgment as to what will bring about maximum productions. That is what I am doing, and I certainly must give proper consideration to the advice of the managers of production who are almost unanimous in their contention that legislation such as this will decrease needed production instead of increasing production.

I have always believed that if I had a system or a plan that was producing results I would stay with that system and plan until somebody showed me that it was not the best system or showed me a better system. Show me any system that is better than the one we have.

Some of you may ask, "If I voted for the May bill before, can I consistently vote against this conference report?" Of course you can. It has been pointed out that that part of the May bill which sought to drive the loafer into war work has been taken out of this measure. It also is disclosed that the measure vests in the Director of War Mobilization and Reconversion the whole power of this bill, a power which, in many ways, goes far beyond anything heretofore before us.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. ELSTON. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. STEFAN] for a unanimous-consent request.

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include an overseas broadcast.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. ELSTON. Mr. Speaker, I yield the remaining 2½ minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, I would like to reply to the implication by the gentleman from Pennsylvania [Mr. FULTON], that possibly Congress is not doing its job. Ever since the day the Japanese attacked us at Pearl Harbor partisanship went out the window and every genuine war measure received almost unanimous support of the Congress. Congress has done a magnificent job in supporting the war effort. Not a single appropriation bill to help the war effort has been opposed by the Congress of the United States. We did not cancel the war contracts last September. You remember that that was done, and done wholesale. Congress was not responsible for that, however.

Fortunately, the heroic work of our boys overseas has made this bill unnecessary—they are fighting and winning with the weapons which millions of free, loyal, American citizens have produced.

Now less than any other time do our citizens at home need the threat of compulsion to do their duty. We should oppose this bill, and our opposition is completely nonpartisan. Democrat and Republican alike understand that free enterprise and free workers, working together with the National Government, is the basis on which our men are marching toward victory. They are this very hour defeating the same system which this bill would impose on this Republic.

Mr. MAY. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. HOOK].

Mr. HOOK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a statement by Nathan E. Kahn, director of legislation, C. I. O.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Speaker, organized labor is opposed to this conference report. Many speeches have been made here today, some commending, and some condemning the provisions of the bill as recommended by this conference. It has been said, Mr. Speaker, that we have won glorious victories on the sea, in the air, and on the land, both in the European and Pacific fronts. General Eisenhower and General Marshall have been rightly praised for their outstanding strategy and courage in the face of the formidable enemy, and it is said that because of those victories, we are in need of this legislation. Previous speakers have said that General Marshall is asking for this legislation, claiming it is necessary for the winning of the war.

Mr. Speaker, there are other great heroes, other men whose strategy and courage should be commended. Those are the great generals of organized labor—such as Phil Murray, president of the Congress of Industrial Organizations, and William Green, president of the American Federation of Labor, under whose leadership labor has done an outstanding feat of production. Organized labor has produced the weapons that have been placed at the disposal of our great generals to be used by our valiant fighting men. Without the courage and strategy of the generals of labor, and those who toil in the fields, on the farms, in the factories and mines, we could not have progressed as far as we have toward all-out victory. It was only the joint cooperation of the people at home, toiling and producing, with the generals in the armies and our Navy, that victory is now just a matter of time. Free labor and free America has done the job! Now that the job has been done—now that victory is in our grasp—are we going to penalize those valiant working men and women? Are we going to say to them, "We cannot trust you further. We are not satisfied with the American way of life. We must now place upon the statute books of this Nation the kind of legislation that was given to the people of Germany by Hitler, and to the people of Japan by Hirohito." No, my friends, we should remain a free Nation for the valiant fighting men to return to and be proud of—we must not place upon the statute books of this Nation anything that would smack of slavery. This bill, in my opinion, will enslave the American people.

I believe in following the advice of General Marshall when his decisions are made with regard to strategy on the field of battle and the maneuvering of our armies. I believe in following the advice of Admiral King, Admiral Nimitz, and others, when they make their decisions with regard to the strategy to be employed on the high seas. But when it comes to decisions to be made and the strategy to be employed with regard to production by the laboring men of this Nation, then I believe we should follow the advice of the great generals of labor, and their advice today is "Vote down this conference report."

As I have said, those two great Americans, Philip Murray, president of the C. I. O., and William Green, president of the American Federation of Labor, are opposed to this bill. Yes, Mr. Speaker, and the great generals of management and industry have given their advice, which should be followed, and their advice, strange as it may seem, echoes the advice of the generals of labor. Management, industry, and labor join hands today in requesting this Congress to vote down this conference report. Management, industry, and labor want a free America, with free enterprise, with free labor, so that we may continue along the American way of life, and continue to produce, so that our valiant fighting men may not be hampered in any way in their onward march to victory.

Mr. Speaker, under unanimous consent heretofore granted, I include herewith a statement of Nathan E. Cowan, director of legislation, Congress of Industrial Organizations:

Today, on the eve of the overthrow of Nazi dictatorship, the conference report on

the manpower bill proposes that the House and Senate confer on one man, the Director of the Office of War Mobilization and Reconversion, an outrageously sweeping grant of power. Nowhere is the use of this power properly safeguarded. The Congress of Industrial Organizations urges every Member of the House and Senate to vote down this conference report. We also urge that they insist upon an opportunity to vote for proper manpower legislation and that they reject any other proposals at this time.

The powers conferred upon the Director go far beyond the mobilization of manpower and threaten to invade the liberties of all loyal Americans. At no point during the debates in the House and Senate on the bills that went to conference were any arguments advanced to justify such a sweeping delegation of powers. It is unthinkable that the Members of the House and Senate are prepared to confer such powers upon one man at this or any other time.

This country fought the War of 1812 to prevent impressment of Americans. It is clear from the bill reported by the conference that someone has tampered with this legislation to convert it into an impressment bill. It is hard for us to believe that even the members of the conference committee were properly aware of the effects of the redraft which they have reported out.

The emphasis throughout this bill is upon freezing the individual worker to the job. Throughout the debates in the House and Senate the emphasis was upon the need for recruiting to war jobs a limited number of people characterized as "slackers." This bill strikes at more than 50,000,000 Americans who have loyally supported the war effort and especially at the millions who are now in war jobs.

On these patriotic citizens the full penalties of the law are directed. There is no proper appeal system and no adequate recourse to the courts. The Administrator is judge and jury, and as the bill now reads, he is capable of finding the individual employer or worker guilty and subject to a year in jail or $10,000 fine.

The unbridled discretion of the Administrator, combined with the severity of the penalties, promotes an atmosphere which it would be difficult to duplicate in the history of a liberty-loving people. Perhaps more important, what fair-minded person could believe that labor operating in such a slave atmosphere would be capable of the tasks which wartime production requires.

It is a commonplace that even without governmental restraint the individual worker standing alone is at the mercy of his employer's economic power. To that existing restraint the report adds a more drastic one. Under this bill it is a true, but startling fact, that the employer remains just as free as formerly to discharge the individual worker while even the inadequate weapon of the individual employee, namely, his right to quit, is eliminated. This further invasion of the employee's freedom can hardly be justified by any manpower needs. Indeed, the result of the bill's one-sidedness is to sacrifice the employee's freedom at the expense of the purported objects of the report. For there is nothing in the report which would prevent an employer from freely discharging all of his employees.

Mr. MAY. Mr. Speaker, I yield such time as he may desire to the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, lest there be any misunderstanding of my position on the legislation now under consideration, I desire to say that I am opposed to its enactment, because it is, in my opinion, absolutely pointless and unnecessary.

For weeks and weeks we have listened to arguments about the need for a work-or-fight bill. This is no more a work-or-fight bill than was the Smith-Connally Act. You will recall that when the Smith-Connally Act was before this House we listened to flat guaranties that there would be no more work stoppages in war industry if only Congress would pass that legislation. At the time it was said the legislation was aimed at preventing a strike call by John L. Lewis. Lewis is negotiating another contract, and we have another bill. We hear in the corridors the same arguments we heard at the time the Smith-Connally bill was being pushed through this House.

What did the Smith-Connally bill accomplish? Absolutely nothing; and this bill, if it is passed, will accomplish exactly the same thing.

Men stand here and talk about labor and industry—the deplorable state of their relations. They talk about critical labor areas, and the need for compelling men and women to stay on the jobs. And outside this Chamber all of us will admit honestly that before many months have passed there will be actual lay-offs of men and women and industry will be struggling with reconversion problems.

Instead of devoting our energies and time to planning to prevent wholesale lay-offs—to plan for production to keep men working—to provide satisfactory employment at decent wages for the men returning from the front—we devote our time and our efforts to the consideration of legislation which, it is claimed, will hold the threat of fine and imprisonment over every man and woman now employed in war production.

It recalls to mind the headlines about lagging war production. The horrible strikes that have plagued the country as a result of the thoughtless, selfish, and unpatriotic men and women who have labored in our war factories and shipyards.

It also recalls the fact that these same thoughtless and inconsiderate men and women who have manned our machines and built our ships have turned out planes in numbers that surpass the figure that was referred to as fantastic just a short while ago. These same men and women, cooperating with management, have produced 50,000,000 deadweight tons of cargo ships, and over 50,000 naval vessels. They have produced 6,000,000 rifles and 5,000,000 carbines and 37,000,000,000 rounds of small arms ammunition. In addition they have produced the tanks and the guns and the bombs and all the other matériel for war. They have produced in such quantities that it has staggered the imagination of friend and foe alike.

But, in spite of this, we are told we must have more legislation to make them work.

You have a Secretary of Labor and a monumental Labor Department—for what purpose? There is a War Labor Board, the National Labor Relations Board, the Railway Mediation Board, the Conciliation Service in the Labor Department; the O. P. A. has a labor-relations office, the War Shipping Administration has a maritime labor-relations office; the War Production Board has a house full of labor-relations and manpower-requirements officials. You have the War Manpower Commission, the Director of Economic Stabilization, the Director of War Mobilization. In the Army you have labor relations officers and you have the same thing in the Navy. There is scarcely a board, an agency, an office, or a backroom in Washington that does not have someone who is an authority on labor relations and manpower utilization. Why were they created? Why are they continuing to function if they are not capable of doing the job? Why pile more on an already top-heavy mass of labor controls? The Congress contributes to the confusion, and then some Members wail because there is what they term a "vague and uncertain" national labor policy. There is an almost constant denunciation of bureaucracy; yet this type of legislation is recommended as ideal. No man can honestly criticize bureaucracy and then vote for the passage of this measure. You are investing an administrator with almost limitless authority, with the authority of economic life or death over the families of the land, and you have no adequate control over the authority of that administrator.

The news from the European fronts is thrilling. Please God, that phase of our war effort will soon be at an end. It may well be that there are some who fear a let-down will follow victory there. I do not share that fear because I have faith in the working people of America. There is scarcely a family in the land that has not felt—intimately—the shock of having boys leave for overseas and the battle fronts. They certainly are not going to let those kids down. They will want to bring them home as quickly as possible. They will want to get the war in the Pacific over at the earliest possible minute. Those who fear a collapse on the home front should have courage enough to speak out boldly and say that is what they fear. Tell the people the truth and you can rely on their response. There is the record of the American workingman and woman since Pearl Harbor to prove they can out-produce the world. There is the history of 150 years of America that proves Americans are not weaklings—that they will not leave anything half done—that they will carry through on any job they start, whether it is building a city or fighting a war.

Before too long we are going to be worried about employment. We are going to be worried about jobs, and production and security. If we do not plan for that day we will be in a sorry mess. We will not make the grade unless we have complete cooperation—not half-hearted, but complete cooperation among labor, management, and our Government. You will not inspire that cooperation by setting them at each other's throats, as you are doing with this sort of legislation imposing criminal sanctions on labor and management. Instead, you are inspiring fear and distrust of government. Instead of writing

labor controls, we ought to start repealing some of the legislation that is already on the books.

Mr. MAY. Mr. Speaker, I yield such time as he may desire to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, when the original May labor draft bill was before the House in February I opposed it and voted against it. After carefully reading and studying the conference report now under consideration I must still remain in opposition to this legislation. If I thought that this legislation would increase defense production or shorten the war by 1 hour, I would gladly vote for the conference report on the drafting of our manpower. The compromises decided upon by the conferees have not materially changed the objectional features of the original May bill. This is the first legislation since my coming to Congress where the great majority of industrial management, the association of manufacturers, and labor organizations are united on legislation affecting labor. The chairman of the National Association of manufacturers said the following regarding this bill:

> If national manpower legislation could provide the answer, industry itself would be the first to call for the enactment of a national service law. But the very nature of the manpower problem today is proof positive that national legislation—a blanket law—would not and could not solve the crisis.

Today I received a telegram from Mr. M. H. Cochrane, secretary of the Indiana Manufacturers' Association, stating that this organization deemed a manpower act wholly unnecessary.

The United States Steel Corporation, world's largest industrial empire, with large facilities in my district, reveal an all-time production peak of over 40,000,000 tons of steel. I could quote numerous statistics from the records of large industrial corporations where they can justly boast of tremendous production far beyond their expectations. Voluntary and free labor has greatly aided in winning all of our Nation's wars; through its cooperation with management and Government all America rejoices that victory is on the horizon. Let us not do anything at this hour which might impede or hinder our industrial unity. Organized labor is in agreement that the manpower problem can be dealt with in a constructive way—not through resorting to force or compulsion, but through a proper utilization of available manpower. Since Pearl Harbor, labor has accomplished a miracle in war production through the industry and the loyalty of American labor. Production records have been shattered in every mill and factory throughout the land; this was accomplished through free and unshackled American labor. The unfortunate outlaw trikes which have occurred throughout the country were brought about by local conditions and without the consent of the leaders of organized labor. The manpower hours lost by these wildcat strikes in 1944 were less than one-fourth of 1 percent. Let us preserve industrial harmony by voting against this conference report to draft the manpower of our Nation.

Mr. MAY. Mr. Speaker, I yield the remaining time on this side to the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, at the outset I want to emphasize what the gentleman from Texas [Mr. THOMASON] has said that this report does not affect in any manner any collective-bargaining agreement whether this agreement provides for a closed shop or open shop or any other union security provision. It has no effect on strikes or the right to strike.

Mr. Speaker, this Congress has voted to compel the young men of our country to fight, and if necessary to die, for our country. You and I on this floor must possess the same courage that we expect of those whom we voted to compel to serve our country in time of war. The gentleman from Indiana [Mr. HALLECK] said that we have Germany on the brink of defeat, or words to that effect. The gentleman is absolutely correct. But that was as the result of the courage of those who comprise our armies and as a result of the leadership of Marshall, Eisenhower, MacArthur, and our other great generals in the Army and our admirals and officers of the Navy. General Marshall has said that this bill is necessary as a war measure. With all respect to others who oppose him on matters concerning the conduct of the war, I am willing to follow the leadership of General Marshall. Some arguments against this bill have been made, such as "involuntary servitude, the destruction of freedom," and so forth. I have heard those arguments made before. I heard the same arguments made against the original Selective Service Act. I heard the same arguments made by Members against the extension of the Selective Training and Service Act, which passed this House by one vote. I fear expressing the situation our country would be in today if that bill had been defeated. This is a time when we have to use our judgment for the best interests of the United States of America, and we must have the courage to vote for the interests of our country.

I urge the adoption of the conference report.

The SPEAKER. The time of the gentleman from Massachusetts has expired. All time has expired.

Mr. SAVAGE. Mr. Speaker, I am opposed to this work or jail bill for several reasons. First we cannot ignore the fact that the war on the German front is rapidly coming to a substantial end. Our construction of war plants and factories is pretty well over and leaves many workers available for manufacturing. Several plants in my district alone are laying workers off by the hundreds and even thousands. The Henry Kaisers shipyard has notified 9,000 of their employees that they will be layed off by May 1 this year. Why should we at this stage of the war slap 53,000,000 workers in the face with this kind of legislation when they have done such a remarkable job of production for several years? It would be an insult that would take away all of their pride of having made, voluntarily, a great contribution to the Nation's war effort. W. P. B. Economist Saposs has stated that in April 1944 output per worker was between 30 and 35 percent higher than in December 1942 Munitions production he said had just about quadrupled between January 1942 and December 1943 with additional employment of only 70 percent. In other words at the end of the 2-year period 17 workers were producing as much as 40 workers were before. My experience with labor-management committees has shown that workers have made many, many suggestions to increase production. Workers are in the fight but this kind of a law will make them downhearted and production may go down instead of up. Increased production per worker has pushed profits to an all-time high. According to O. P. A. studies profits in aircraft and parts are 1,686 percent higher for 1944 than pre-war, lumber and timber basic products 1,064 percent higher, engines and turbines 2,431 percent higher, woolens and worsteds 1,049 percent higher, bituminous and other soft coals 1,148 percent higher.

The only thing we need to do to get the workers to stay on their war jobs to the last is for us to let them know that there will be a peacetime job for them when the war is over so they will know that it will not be necessary for them to rush from their war job to grab a permanent job. In case we need a few more workers in some war jobs a slight increase in wages to compensate for the higher cost of living in war production areas, will solve that problem. Let us allow everybody in this country to enjoy the ending of the war with the satisfaction of knowing we all did it in the American way. Many boys in the service have expressed themselves as being against this bill. General Eisenhower says today that enemy armies in western Germany are defeated and let us not spoil the victory by blackening our statutes with a law like this when it is evident that it is not needed.

Mr. MAY. Mr. Speaker, I move the previous question. The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

Mr. SHORT. Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 167, nays 160, voted "present" 2, not voting 103, as follows:

[Roll No. 53]

YEAS—167

Abernethy	Case, N. J.	Ervin
Adams	Celler	Fallon
Anderson, N. Mex.	Clason	Fernandez
	Clements	Fisher
Andrews, Ala.	Cochran	Flannagan
Andrews, N. Y.	Colmer	Folger
Baldwin, Md.	Cooley	Forand
Baldwin, N. Y.	Cooper	Gallagher
Barrett, Pa.	Courtney	Gamble
Beckworth	Cox	Gary
Bell	Curley	Gathings
Bennet, N. Y.	D'Alesandro	Gorski
Bland	Daughton, Va.	Gossett
Bloom	Davis	Granger
Bonner	De Lacy	Grant, Ala.
Boykin	Delaney, James J.	Gwynne, Iowa
Brooks		Hall, Leonard W.
Brown, Ga.	Dickstein	
Bryson	Domengeaux	Hancock
Buckley	Doughton, N. C.	Hare
Burch	Douglas, Calif.	Hart
Burgin	Douglas, Ill.	Hays
Byrne, N. Y.	Drewry	Healy
Camp	Earthman	Hébert
Carlson	Elliott	Heffernan
Carnahan	Engle, Calif.	Herter

Heselton	Morrison	Sheppard
Hope	Murdock	Smith, Va.
Jackson	Murphy	Somers, N. Y.
Jarman	Murray, Tenn.	Sparkman
Johnson, Calif.	O'Neal	Spence
Johnson, Luther A.	O'Toole	Starkey
	Pace	Stewart
Johnson, Lyndon B.	Patman	Sullivan
	Peterson, Fla.	Sundstrom
Johnson, Okla.	Peterson, Ga.	Taber
Kean	Pickett	Thom
Kefauver	Plumley	Thomason
Kerr	Poage	Tolan
Kilburn	Price, Fla.	Towe
Kilday	Priest	Trimble
Kopplemann	Quinn, N. Y.	Vinson
Lanham	Rabin	Voorhis, Calif.
Latham	Rains	Wadsworth
Lea	Ramspeck	Walter
Link	Randolph	Weaver
Lynch	Rankin	West
McCormack	Richards	Whitten
McGlinchey	Riley	Whittington
McMillan, S. C.	Robertson, Va.	Wigglesworth
Mahon	Roe, Md.	Winstead
Marcantonio	Roe, N. Y.	Wood
Martin, Iowa	Rogers, Fla.	Woodhouse
May	Rogers, Mass.	Woodrum, Va.
Merrow	Rooney	Worley
Miller, Calif.	Rowan	Zimmerman
Mills	Ryter	
Monroney	Sasscer	

NAYS—160

Allen, Ill.	Granahan	Michener
Andersen, H. Carl	Grant, Ind.	Miller, Nebr.
	Green	Mundt
Andresen, August H.	Griffiths	Murray, Wis.
	Gross	Neely
Angell	Hall, Edwin Arthur	Norrell
Auchincloss		O'Brien, Mich.
Bailey	Halleck	O'Hara
Barrett, Wyo.	Hand	O'Konski
Beall	Harness, Ind.	Patrick
Bender	Harris	Patterson
Bennett, Mo.	Havenner	Philbin
Biemiller	Hedrick	Ploeser
Brehm	Hess	Rabaut
Brumbaugh	Hill	Ramey
Buck	Hoch	Reed, Ill.
Buffett	Hoeven	Reed, N. Y.
Bunker	Holmes, Mass.	Rees, Kans.
Campbell	Holmes, Wash.	Rich
Canfield	Hook	Robertson, N. Dak.
Cannon, Mo.	Horan	
Chenoweth	Jenkins	Robinson, Utah
Chiperfield	Jennings	Robsion, Ky.
Church	Jensen	Rockwell
Clevenger	Johnson, Ill.	Rodgers, Pa.
Coffee	Johnson, Ind.	Rogers, N. Y.
Cole, Mo.	Jones	Sadowski
Corbett	Jonkman	Savage
Cravens	Kearney	Schwabe, Mo.
Crawford	Kee	Schwabe, Okla.
Crosser	Keefe	Scrivner
Cunningham	Kelley, Pa.	Shafer
Curtis	Kelly, Ill.	Sharp
Dolliver	King	Short
Doyle	Kinzer	Simpson, Pa.
Dworshak	Kirwan	Smith, Ohio
Ellis	Kunkel	Snyder
Elsaesser	LaFollette	Springer
Elston	Lane	Stefan
Engel, Mich.	Larcade	Sumners, Ill.
Feighan	LeCompte	Sumners, Tex.
Fenton	LeFevre	Talbot
Flood	Lemke	Talle
Fogarty	Lewis	Thomas, Tex.
Fulton	Ludlow	Tibbott
Gardner	McConnell	Traynor
Gavin	McCowen	Vorys, Ohio
Gearhart	McDonough	Wasielewski
Geelan	McKenzie	Weichel
Gerlach	McMillen, Ill.	Welch
Gillespie	Madden	Wilson
Gillette	Manasco	Wolcott
Gillie	Mansfield, Mont.	Wolfenden, Pa.
Goodwin		Wolverton, N. J.
Graham	Mason	Woodruff, Mich.

VOTED "PRESENT"—2

Dingell	Slaughter

NOT VOTING—103

Allen, La.	Bradley, Mich.	Cole, N. Y.
Anderson, Calif.	Bradley, Pa.	Combs
Arends	Brown, Ohio	Dawson
Arnold	Bulwinkle	Delaney, John J.
Barden	Butler	
Barry	Byrnes, Wis.	Dirksen
Bates, Ky.	Cannon, Fla.	Dondero
Bates, Mass.	Case, S. Dak.	Durham
Bishop	Chapman	Eaton
Blackney	Chelf	Eberharter
Bolton	Clark	Ellsworth
Boren	Cole, Kans.	Fellows
Fuller	Knutson	Resa
Gibson	Landis	Rivers
Gifford	Lesinski	Rizley
Gordon	Luce	Russell
Gore	Lyle	Sabath
Gregory	McGehee	Sheridan
Gwinn, N. Y.	McGregor	Sikes
Hagen	Maloney	Simpson, Ill.
Hale	Mansfield, Tex.	Smith, Maine
Harless, Ariz.	Martin, Mass.	Smith, Wis.
Hartley	Morgan	Stevenson
Hendricks	Mott	Stigler
Henry	Norton	Stockman
Hinshaw	O'Brien, Ill.	Tarver
Hobbs	Outland	Taylor
Hoffman	Pfeifer	Thomas, N. J.
Holifield	Phillips	Torrens
Howell	Pittenger	Vursell
Huber	Powell	Weiss
Hull	Powers	White
Izac	Price, Ill.	Wickersham
Judd	Rayfiel	Winter
Keogh	Reece, Tenn.	

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Rivers for, with Mr. Smith of Wisconsin against.

Mr. Eberhardt for, with Mr. Dondero against.

Mr. Judd for, with Mr. Rizley against.

Mr. Keogh for, with Mrs. Smith of Maine against.

Mr. Thomas of New Jersey for, with Mr. Bishop against.

Mr. Resa for, with Mr. Price of Illinois against.

Mr. Hartley for, with Mr. Howell against.

Mr. Rayfell for, with Mr. White against.

Mr. Winter for, with Mr. Powers against.

Mr. Pfeifer for, with Mr. Phillips against.

Mr. Bulwinkle for, with Mr. Simpson of Illinois against.

Mr. John J. Delaney for, with Mr. Hagen against.

Mr. Bradley of Pennsylvania for, with Mr. Holifield against.

Mr. Barry for, with Mr. Harless of Arizona against.

Mr. Gifford for, with Mr. Henry against.

Mr. Dingell for, with Mr. Knutson against.

Mr. Arends for, with Mr. Fellows against.

Mrs. Norton for, with Mr Arnold against.

Mr. Gordon for, with Mr. Hoffman against.

Mr. Torrens for, with Mr. Bradley of Michigan against.

Mr. Wickersham for, with Mr. Pittenger against.

Mr. Chapman for, with Mr. Outland against.

Mr. Hale for, with Mr. Hull against.

Mr. Durham for, with Mr. Sheridan against.

Mr. Chelf for, with Mr. McGregor against.

Mr. Slaughter for, with Mr. Brown of Ohio against.

General pairs:

Mr. Hobbs with Mr. Ellsworth.

Mr. Stigler with Mr. Anderson of California.

Mr. Allen of Louisiana with Mr. Gwinn of New York.

Mr. O'Brien of Illinois with Mr. Fuller.

Mr. Combs with Mr. Martin of Massachusetts.

Mr. Powell with Mr. Bates of Massachusetts.

Mr. Bates of Kentucky with Mr. Taylor.

Mr. Maloney with Mr. Stevenson.

Mr. Morgan with Mr. Vursell.

Mr. Weiss with Mr. Stockman.

Mr. Huber with Mr. Eaton.

Mr. Gregory with Mr. Reece of Tennessee.

Mr. Izac with Mrs. Luce.

Mr. Lyle with Mr. Cole of New York.

Mr. Mansfield of Texas with Mr. Butler.

Mr. Lesinski with Mr. Blackney.

Mr. Sabath with Mr. Dirksen.

Mr. Sikes with Mr. Case of South Dakota.

Mr. Cannon of Florida with Mr. Byrnes of Wisconsin.

Mr. DINGELL. Mr. Speaker, I have a live pair with the gentleman from Minnesota, Mr. KNUTSON. Had he been present he would have noted "nay." Having voted in the affirmative, I withdraw my vote and answer "present."

Mr. SLAUGHTER. Mr. Speaker, on this roll call I voted "yea." I have a pair with the gentleman from Ohio, Mr. BROWN, who, if he were present, would have voted "nay." Accordingly I change my vote and answer "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO PRINT

Mr. MAY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

COMMODITY CREDIT CORPORATION

Mr. SPENCE. Mr. Speaker, I call up the conference report on the bill (S. 298) to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes, and ask unanimous consent that the statement be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 298) to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That section 4 of the Act approved March 8, 1938 (52 Stat. 108), as amended, is amended by striking out '$3,000,000,000' and inserting in lieu thereof '$4,750,000,000.'

"SEC. 2. The provisions of subsection (c) of section 381 of the Agricultural Adjustment Act of 1938 (52 Stat. 67) are suspended until the expiration of the two-year period beginning with the 1st day of January immediately following the date on which the President, by proclamation, or the Congress, by concurrent resolution, declares that hostilities in the present war have terminated. During the period of such suspension the Commodity Credit Corporation shall not sell any farm commodity owned or controlled by it at less than the parity or comparable price therefor, except that the foregoing restriction shall not apply to (1) sales for new or byproduct uses; (2) sales of peanuts for the extraction of oil;

(3) sales for export; (4) sales for seed or feed: *Provided*, That no wheat or corn shall be sold for feed at less than parity price for corn at the time such sale is made: *And provided further*, That in making regional adjustments in the sale price of corn or wheat for feed, the minimum price need not be higher in any area than the United States average parity price for corn; (5) sales of commodities which have substantially deteriorated in quality or of nonbasic perishable commodities where there is danger of loss or waste through spoilage; or (6) sales for the purpose of establishing claims against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity. The method that is now used for the purposes of Commodity Credit Corporation loans for determining the parity price or its equivalent for seven-eighths-inch Middling cotton at the average location used in fixing the base loan rate for cotton shall also be used for determining the parity price for seven-eighths-inch Middling cotton at such average location for the purposes of this section.

"SEC. 3. The last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended by the Stabilization Extension Act of 1944, shall not apply to the operations of the Commodity Credit Corporation for the fiscal year ending June 30, 1946: *Provided*, That the making of subsidy payments and the buying of commodities for resale at a loss, by the Commodity Credit Corporation, shall be limited as follows: Obligations for making such payments and absorbing such losses may be incurred and paid by the Commodity Credit Corporation (a) in such amounts as may be necessary (1) to complete operations with respect to 1944 and prior year crop programs and (2) to fulfill obligations incurred prior to July 1, 1945, with respect to 1945 and prior fiscal year noncrop programs; and (b) in amounts which do not involve subsidy payments or losses in excess of (1) $568,000,000 for operations during the fiscal year ending June 30, 1946, with respect to the dairy production payment program, (2) $120,000,000 for operations during the fiscal year ending June 30, 1946, with respect to other noncrop programs, including the feed-wheat program, and (3) $225,000,000 with respect to the 1945 crop program operations: *Provided*, That not to exceed 10 per centum of each amount specified in clauses (b) (1), (2), and (3) shall be available interchangeably for the operations described in such clauses but in no case shall the total subsidy payments and losses absorbed under any one of such clauses be increased by more than 10 per centum: *Provided further*, That in carrying out the dairy production payment program, beginning April 1, 1945, the rate of payment per pound of butterfat delivered shall not be less than 25 per centum of the national weighted average rate of payment per one hundred pounds of whole milk delivered.

"SEC. 4. The first two sentences of section 1 of the Act approved March 8, 1938 (52 Stat. 107), as amended, are amended to read as follows:

"'As of the 30th of June in each year and as soon as possible thereafter, beginning with June 30, 1945, an appraisal of all of the assets and liabilities of the Commodity Credit Corporation for the purpose of determining the net worth of the Commodity Credit Corporation shall be made by the Secretary of the Treasury. The value of assets shall be determined on the basis of the cost of such assets to the Commodity Credit Corporation, or insofar as practicable, the average market price of such assets during the last month of the fiscal year covered by the appraisal, whichever is the lower, and a report of any such appraisal shall be submitted to the President as soon as possible after it has been made.'

"SEC. 5. The first sentence of subsection (a) of section 7 of the Act approved January 31, 1935 (49 Stat. 4), as amended, is amended by striking out 'June 30, 1945' and inserting in lieu thereof 'June 30, 1947'."

And the House agree to the same.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
JESSE P. WOLCOTT,
FRED L. CRAWFORD,
Managers on the part of the House.

R. F. WAGNER,
J. H. BANKHEAD,
GEO. RADCLIFFE,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 298) to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

INCREASE IN AMOUNT OF OBLIGATIONS

The first section of the bill as passed by the Senate proposed to increase the amount of obligations which the Commodity Credit Corporation may have outstanding from the present limit of $3,000,000,000 to $4,500,000,000. The House amendment provided for an increase of such amount to $5,000,000,000. In the first section of the conference substitute the amount is fixed at $4,750,000,000.

SECTION 381 (C) OF AGRICULTURAL ADJUSTMENT ACT OF 1938

Section 3 of the bill as passed by the Senate provided for suspending the operation of section 381 (c) of the Agricultural Adjustment Act of 1938 (which imposes certain restrictions with respect to the sale of cotton by the Commodity Credit Corporation) until the expiration of the 2-year period beginning with the 1st day of January immediately following the date on which the President by proclamation, or the Congress by concurrent resolution, declares that hostilities in the present war have terminated. Such a provision was not contained in the House amendment, but the House amendment, by section 2 thereof, rewrote such section 381 (c) so as to substitute provisions, to be of temporary operation, similar to those carried in recent appropriation acts restricting the authority of the Commodity Credit Corporation to sell any farm commodity at less than the parity or comparable price therefor. This section of the House amendment would have had the effect of repealing such section 381 (c) as now in force.

In section 2 of the conference substitute these provisions of the bill as passed by the Senate and of the House amendment are combined in such manner as to give full effect to the House provision, except that after the period of suspension above referred to section 381 (c) as now in force will again become effective.

SUBSIDY PAYMENTS AND PURCHASES FOR RESALE AT A LOSS

Section 4 of the bill as passed by the Senate and section 3 of the House amendment, though differing in several particulars, each had two general purposes: (1) to make the last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended (which prohibits, after June 30, 1945, the making of subsidy payments or the buying of commodities for resale at a loss to facilitate the stabilization program, unless appropriations for such purpose have been made), inapplicable in the case of operations of the Commodity Credit Corporation for the fiscal year ending June 30, 1946, and (2) to impose limitations with respect to such subsidy payments and such absorption of losses.

The text of section 3 of the conference substitute is the same as section 3 of the House amendment.

The purpose and effect of section 3 of the conference substitute differ from the purpose and effect of section 4 of the bill as passed by the Senate in the following particulars:

Section 3 of the conference substitute authorizes subsidy payments under the dairy production payment program in the amount of $568,000,000 for the fiscal year ending June 30, 1946. Section 4 of the bill as passed by the Senate authorized subsidy payments under such program in the amount of $250,000,000 for the first half of such fiscal year and, if the war is not over, authorized such program to be continued during the last half of the fiscal year on a basis which would not involve subsidy payments in excess of $250,000,000, subject to the requirement that the program be terminated immediately if the war should end before the close of the fiscal year. The increase in the limitation of funds for dairy production payments is provided to enable the Commodity Credit Corporation, if such action is determined to be necessary to encourage milk and butter production, to establish rates of payments at the levels which have prevailed since May 1, 1944.

Section 3 of the conference substitute authorizes subsidy payments and losses under other noncrop programs (including the feed-wheat program) in the amount of $120,000,000 for the fiscal year ending June 30, 1946. Section 4 of the bill as passed by the Senate authorized subsidy payments and losses under such programs in the amount of $60,000,000 for the first half of such fiscal year and, if the war is not over, authorized such programs to be continued during the last half of the fiscal year on a basis which would not involve subsidy payments and losses in excess of $60,000,000, subject to the requirement that such programs be terminated immediately if the war should end before the close of the fiscal year.

Section 3 of the conference substitute permits 10 percent of the respective amounts of the subsidy payments and losses authorized for (1) the dairy-production payment program during the fiscal year ending June 30, 1946, (2) other noncrop programs during such fiscal year, and (3) 1945 crop programs to be used interchangeably except that the total amount of subsidy payments and losses in any one of such classes of programs may not be increased beyond the amount otherwise authorized by more than 10 percent. No comparable provision is contained in section 4 of the bill as passed by the Senate.

Section 3 of the conference substitute provides that in carrying out the dairy-production program beginning April 1, 1945, the rate of payment per pound of butterfat delivered shall not be less than 25 percent of the national weighted average rate of payment per hundred pounds of whole milk delivered. No comparable provision is contained in section 4 of the bill as passed by the Senate.

In all other particulars the purpose and intended effect of section 3 of the conference substitute and of section 4 of the bill as passed by the Senate (as described in S. Rept. 32) are identical. Thus, section 3 of the conference substitute is not intended to limit payments or losses incident to such operations of the Commodity Credit Corporation as sales of commodities for export at competitive world prices pursuant to section 21 (c) of the Surplus Property Act of 1944, sales of farm commodities for new or byproduct uses pursuant to section 2 of the conference substitute, sales of commodities, pursuant to section 2 of the conference substitute, which have substantially deteriorated in quality or

of nonbasic perishable commodities where there is danger of loss or waste through spoilage, and loans, purchases, or other price-support operations which do not involve supporting prices to producers of agricultural commodities at levels above those reflected by price ceilings.

APPRAISAL OF ASSETS AND LIABILITIES

Section 4 of the conference substitute contains the same amendment that was contained in the bill as it passed the Senate and the House amendment, providing for a revision in the date and basis of the annual appraisal of the assets and liabilities of the Commodity Credit Corporation.

CONTINUANCE OF COMMODITY CREDIT CORPORATION

Section 5 of the conference substitute, as did the bill as passed by the Senate and the House amendment, has the effect of extending the life of the Commodity Credit Corporation as an agency of the United States through June 30, 1947, or such earlier date as may be fixed by the President by Executive order.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
JESSE P. WOLCOTT,
FRED L. CRAWFORD,
Managers on the part of the House.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. RICH. You have increased this amount from $3,000,000,000 to $4,750,000,000. Is that correct?

Mr. SPENCE. The House figure was $5,000,000,000. The Senate figure was $4,500,000,000. We split the difference. The House reduced the figure $250,000,000 and the Senate increased theirs by $250,000,000.

Mr. RICH. Now, you expect to pay the farmers subsidies under this bill in the amount of $4,750,000,000?

Mr. SPENCE. The authorization heretofore was $3,000,000,000. The other body increased it $1,500,000,000. The House increased it still more. If we adopt this report, it will increase the $3,000,000,000 previously authorized by $1,750,000,000.

Mr. RICH. You do not blame anyone for getting confused with these large figures, do you?

Mr. SPENCE. No; I do not. Sometimes people become confused with figures.

Mr. RICH. I would like to ask this question: This bill is for the purpose of aiding and assisting the farmers of this country. Is that correct?

Mr. SPENCE. I think it is very obvious that that is the purpose of the bill.

Mr. RICH. It is a hand-out. Now, if you are going to help the farmers of this country, why do you not get the price of a commodity so that the farmer can receive the proper price for what he produces and get that out of the people who are going to be the consumers, so that you do not have to pay out $4,000,000,000 or $3,000,000,000 or $2,750,000,000 out of an empty Treasury? You say today we have more money than the people of this country can use. Well, now, they could put it in the price of the commodity so that the farmer would get paid for what he produces plus a satisfactory amount for his wage; then the farmer would be getting what is just and due him.

Whenever the time comes that you cannot pay subsidies—and it is coming so quick your head will swim and every Member of this House will wonder how suddenly it has come upon them—then you will be in a position where you cannot help the farmers at all. Instead of being an aid to the farmers it is going to be an injustice to the farmers.

Mr. SPENCE. This policy has been adopted by the Government and it is a policy that has worked very well. If you take away this support from farm prices at this time, there might be an utter collapse.

Mr. RICH. I am not asking you to take it away.

Mr. SPENCE. These are academic discussions the gentleman is engaging in. It is a question of whether we are going to follow a policy that has been adopted by the Government. We bring back the bill to the House unchanged except as to the amount. There is no difference of opinion as to the bill. The conferees agreed on the bill in its entirety, and I ask for the adoption of the conference report, Mr. Speaker.

Mr. RICH. Mr. Speaker, will the gentleman yield for one further observation?

Mr. SPENCE. For one question; yes.

Mr. RICH. If this is an academic question, then I think you will find that the farmers of this country have got something more academic than this question because, if you give them the prices for their commodities, you will not have to be giving them hand-outs. They are the ones who will lose by this kind of procedure.

Mr. SPENCE. We have been finding out the feeling of the farmers toward us for the past 12 years.

Mr. SAVAGE. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. SAVAGE. In answer to the gentleman from Pennsylvania, a few million dollars subsidy to the farmers to prevent rising prices saves many more millions to the Government because if farm prices went up wages would have to go up and it would cost the Government many times more than it is costing to stabilize prices.

Mr. SPENCE. Certainly. Everyone realizes that this is one of the great stabilizing agencies that has kept prices down during the war.

Mr. Speaker, I ask for the adoption of the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

AMENDING THE NATIONAL HOUSING ACT

Mr. SPENCE. Mr. Speaker, I call up the conference report on the bill (S. 681) to amend the National Housing Act, as amended, and for other purposes, and I ask unanimous consent that the statement may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 681) to amend the National Housing Act, as amended, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
JESSE P. WOLCOTT,
FRED L. CRAWFORD,
Managers on the part of the House.

J. H. BANKHEAD,
GEO. RADCLIFFE,
CHAS. W. TOBEY,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 681) to amend the National Housing Act, as amended, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill as passed by the Senate did four things: First, it increased the present authorization of the aggregate amount of mortgages permitted to be insured under title VI of the National Housing Act by $100,000,000; second, it extended the termination date of the Federal Housing Administration authority to insure under such title from July 1, 1945, to July 1, 1946; third, it amended section 608 (g) of such act so as to assist the liquidation and sale of properties acquired by the administration under its war housing insurance contracts, by permitting mortgages executed in connection with the sale of such properties by the Administrator to be insured under such title without regard to the limitations upon time and aggregate amount contained therein; and, fourth, it amended section 3 (b) of the Securities Act of 1933 (which permits the Securities and Exchange Commission to exempt from the operation of that act certain issues of securities where the aggregate amount at which the issue is offered to the public does not exceed $100,000), by changing the limit specified therein from $100,000 to $300,000.

The House amendment struck out all after the enacting clause of the Senate bill and inserted a substitute which was exactly the same as the bill as passed by the Senate, except that the proposed amendment to section 3 (b) of the Securities Act of 1933 was omitted. On this proposed amendment to the Securities Act of 1933 the Senate recedes.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
JESSE P. WOLCOTT,
FRED L. CRAWFORD,
Managers on the part of the House.

Mr. SPENCE. Mr. Speaker, we have brought back to the House the House amendment to the Senate bill, unchanged. The conferees in the other body receded from the amendment, which involved the Securities and Exchange Act. This is the bill exactly as it was passed by the House.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. RICH. This is to amend the National Housing Act?

Mr. SPENCE. Title VI; yes.

Mr. RICH. It increases it $100,000,000?

Mr. SPENCE. It increases its authority to issue insurance to provide lending institutions by $100,000,000.

Mr. RICH. The capital is to be increased from $1,600,000,000 to $1,700,000,000.

Mr. SPENCE. That is not capital, that is the authorized insurance. They have been authorized to insure another $100,000,000. They have been authorized to increase this insurance from $1,700,000,000 to $1,800,000,000.

Mr. RICH. All right. Let me call the attention of the House to this fact. I hold in my hand a government-insured Federal Housing Administration mortgage for 100 percent, insured under Title 6 of the National Housing Act. Here is one of the corporations that is sending out literature showing the kind of houses they are constructing. They are lending on these houses from $6,200 to $7,600; yet I will say to you as a man experienced in building that the house is not worth over $3,000; I do not believe it is worth $2,500. Here is what the Government is going to guarantee loans on, and the amount to be guaranteed by the Federal Government is twice what these houses are worth. It is poor business on the part of this Congress to agree to such a policy.

Mr. SPENCE. The gentleman is very much mistaken in his assumption. The Government makes no loans.

Mr. RICH. The Government guarantees the loans.

Mr. SPENCE. The Federal Housing Administration insures the loans made by private lending agencies.

Mr. RICH. That is right; exactly so.

Mr. SPENCE. And the organization, the individual that approves the loans, is the private lending organization. The Government merely insures the loan if they find it is within their requirements—insure it for a fee. The premiums that they have charged have not only paid all the expenses of the organization but, I believe, they have a considerable reserve.

The gentleman is always talking about private enterprise. This is a stimulation of private enterprise. It means keeping the private lending institutions in business.

Mr. RICH. I am in favor of that, I assure the gentleman. But I want to say this, that you guarantee under title 5 of this bill——

Mr. SPENCE. This is title 6.

Mr. RICH. Title 6, that even if the loan is as high as $6,200 or $7,600 on these houses that you are constructing that are worth, we will say, only 50 percent of what they are being insured for, you are going to insure the loan on it. Let me say that this will result in a great loss to the Treasury. Furthermore the interest rate on these loans is designed to yield about 3.86 percent.

Mr. SPENCE. This is for the war housing.

Mr. WOLCOTT. Mr. Speaker, will the gentleman yield?

Mr. SPENCE. I yield.

Mr. WOLCOTT. The insurance cannot be $6,200 because the law specifically says it may not be more than 90 percent of $6,000. Thus the mortgage insured can never be more than $5,400. The gentleman is just as wrong as he possibly can be. I think that every Member of this House should be mighty proud of the record made by the F. H. A.

Mr. RICH. But here is a concern which by their own literature shows what is being done.

Mr. WOLCOTT. We surely should not be responsible for the literature a private concern is sending out. If the gentleman will read the law he will find it stated very plainly that the F. H. A. cannot insure under title 6 a mortgage for more than $5,400, notwithstanding what any firm says in that brochure the gentleman has.

Mr. RICH. That is all right; but I find that lots of Members in the House of Representatives make statements which on analysis do not touch the true facts. Neither this concern nor any other is going to send out a statement that a thing is guaranteed by the Government unless it is.

Mr. SPENCE. The gentleman should get his information from the statute books, not from advertisements.

Mr. RICH. That is all right.

Mr. WOLCOTT. The gentleman is talking about an entirely different section of the bill than is involved. The gentleman is talking about the multiple dwellings, not private dwellings under title 6. It cannot be done.

Mr. RICH. But they do it and the gentleman will find that the Government and the taxpayers will be stuck with this kind of legislation.

Mr. SPENCE. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

FLOUR SUBSIDY

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 2775) to permit subsidy and loss operations, in the case of flour, without regard to the provisions of the last paragraph of section 2 (e) of the Emergency Price Control Act of 1942.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the gentleman from Kentucky explain this bill?

Mr. SPENCE. Mr. Speaker, the committee had under consideration the bill S. 502, which provides for the continuation of subsidies paid by the Reconstruction Finance Corporation and its subsidiaries. Some objections were made to certain of the subsidies and it was apparent that hearings would be continued over a very considerable period of time. Because of that fact and on account of the imperative necessity for the flour susidies continuing, a bill was drafted which took the flour subsidy out of the R. F. C. bill and gave the House the opportunity to consider that as a separate measure. Under Secretary Patterson wrote a letter to the committee in which he stated that it is imperative and in the interest of the national defense as well as the war effort that these subsidies be continued.

The War Department purchases each year about $132,000,000 in flour for the armed forces, it makes purchases for other agencies of the United States, and in order to enter into its contracts with he millers and in order that the millers migh know what they will receive for their flour under these forwarding contracts, it is necessary to authorize these subsidies at the present time, otherwise they expire on June 30 of the present year.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I would like to point out the importance of this bill. While I do not favor consumer subsidies or any other kind of subsidies, we must be reconciled to the fact that we are operating under this policy. It is customary with flour mills to sell their flour from 30 to 120 days in advance of delivery to the bakers and to other people who use flour all over the country. They have come to a point now where they cannot make sales or delivery on flour because they do not know what the price will be that they can sell their flour at, there is uncertainty and the merchants and bakers of the country are unable to buy flour for delivery after June 30 of this year. The importance of passing this legislation at the present time is apparent. It is being called up here irregularly because if this bill is not passed the flour mills of the country cannot sell their flour and the people of the country will go without bread. I hope, therefore, there will not be any objection to the bill.

Mr. SPENCE. I thank the gentleman.

Mr. HOPE. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Kansas.

Mr. HOPE. May I ask the gentleman from Michigan whether this subsidy is a domestic subsidy to the millers of flour for flour consumed domestically or does it have to do with the export subsidy on flour?

Mr. WOLCOTT. There is no money in here for export subsidies. This has to do wholly with the subsidies paid to encourage the production of domestic flour and it has no relation whatsoever to export subsidies which are paid by any agency of the Government.

Mr. AUGUST H. ANDRESEN. Is it not a fact this is strictly a consumer subsidy, that the price of bread is being held down and that because of the high price of wheat which goes into the manufacture of flour, in order to keep the price of bread down this subsidy is paid for that purpose and that purpose only?

Mr. WOLCOTT. Yes. I think perhaps we should have in mind the history of this legislation. We fought the consumer subsidy provision on the floor last year and the year before that, if you will remember, and when the O. P. A. bill

was up in the Senate last year a provision was written into the law which forbade the payment of any subsidies of whatever nature after June 30, 1945, unless the Congress specifically appropriated for that particular purpose. Last week on the Commodity Credit bill the House authorized the payment of certain subsidies, limiting them to a certain program, and to a certain amount on those subsidies which were paid by the Commodity Credit Corporation. Of course, because of the broad language of the so-called Taft amendment in the Senate forbidding the payment of subsidies, it was necessary that comparable legislation be enacted for the subsidies which are paid through the Defense Supplies Corporation, a subsidiary of R. F. C. The Senate, in its wisdom, passed a bill covering the entire program of subsidies paid by the Defense Supplies Corporation principally on meat, butter, and flour.

There is some controversy over the butter program; there is some controversy on the meat program, and inasmuch as that particular legislation can lay over until after the recess, because they do not deal in futures in respect to meat or butter, we found it advisable to lift from the Senate bill that provision with respect to flour. In respect to wheat they deal in futures and it is necessary that the wheat program be laid out at the present time. This is a limitation upon the amount which can be spent on the wheat program which, as the gentleman from Kansas says, is virtually a consumers subsidy on the price of bread.

Mr. ROBINSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Utah.

Mr. ROBINSON of Utah. Does this bill also provide for a subsidy on metals; copper and lead?

Mr. WOLCOTT. The Senate bill that I referred to did, but that will be considered after the recess. This wheat provision is lifted from that bill, and this bill before us now has only to do with the wheat subsidy program.

Mr. ROBINSON of Utah. Mr. Speaker, if the gentleman will yield further, may I ask the chairman of the committee to take up the bill and consider these other subsidies immediately after the recess?

Mr. SPENCE. We have been considering the bill. Because of the necessity for quick action we took this one provision out so that the Congress could consider it before the rest of the bill is brought before us. We will consider the rest of the bill shortly after the recess.

Mr. ROBINSON of Utah. I have no objection to the consideration of this one subsidy, but I think all of them should be considered.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Arizona.

Mr. MURDOCK. I have no objection to offer to the passage of this needed measure. May I say to the chairman that these other matters in Senate 502, especially concerning copper, lead, and zinc, are pressing also, and I urge the committee to hold hearings immediately after the recess period. Their situation is about as serious as that of wheat.

Mr. SPENCE. It was not represented to us to be as urgent as the flour situation.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Tennessee.

Mr. PRIEST. If this legislation is enacted, it simply means a continuation of the subsidy program that has been in effect with reference to wheat, flour, and bread.

Mr. WOLCOTT. As I understand, the subsidy program in respect to wheat and flour is frozen at this amount for one more year.

Mr. MURRAY of Wisconsin. Mr. Speaker, will be gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Wisconsin.

Mr. MURRAY of Wisconsin. In line with the question asked by the gentleman from Kansas, may I say that there is a great distinction between a subsidy on the domestic consumption of this wheat and a subsidy on export consumption.

Mr. WOLCOTT. The gentleman is correct in that.

Mr. MURRAY of Wisconsin. That brings in two different pictures.

Mr. WOLCOTT. The gentleman is correct. This bill has no reference to an export subsidy.

Mr. ENGLE of California. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from California.

Mr. ENGLE of California. Will the chairman of the committee state to the House his intention with reference to holding hearings on these other subsidies contained in Senate bill 502? I am particularly interested in copper, lead, and zinc.

Mr. SPENCE. We intend to hold hearings on them as soon as possible. We have started hearings on the bill and intend to go through with them to a conclusion. The hearings have just been continued, and we expect to resume them after the recess. I do not say we shall do so the day after the recess, but shortly after the recess. We expect to report that bill.

Mr. ENGLE of California. I understand that immediately, at the earliest practicable moment after the recess, we will resume the hearings on Senate bill 502, and can go into these other matters?

Mr. SPENCE. The bill S. 502 will be considered in the committee shortly after the recess, I think.

Mr. ENGLE of California. I join my colleagues in expressing our interest in and the urgency for the passage of those measures.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky [Mr. SPENCE]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That without regard to the provisions of the last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended, subsidy payments and purchases for resale at a loss may be made by the Defense Supplies Corporation, during the fiscal year ending June 30, 1946, with respect to flour produced within the United States, in an amount not to exceed $190,000,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SMALLER WAR PLANTS CORPORATION

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8) to amend a law known as Public Law 603 (77th Cong., 2d sess., ch. 404), and entitled, "An act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes."

I may say that this bill was reported by the Committee on Banking and Currency this morning. I do not think it is controversial.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

Mr. WOLCOTT. Reserving the right to object, Mr. Speaker, will the chairman of the committee explain what this bill is about?

Mr. SPENCE. The bill does one thing, it extends the life of the Smaller War Plants Corporation for a year and a half from June 30, 1945.

At the hearing this morning the American Bankers Association expressed a desire to be heard, but when the extension of the life of the Corporation was reduced to a year and a half, instead of 2½ years, as in the bill as introduced, they said they had no objection to it. The bill provides for no appropriation and for no expenditure. It merely extends the life of the Corporation to December 31, 1946.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. WOLCOTT. I yield to the gentleman from Michigan.

Mr. MICHENER. Mr. Speaker, this matter was only reported out by the committee this morning. It was not included in the statement given to the House by the majority leader as to the business that would be taken up before the recess. One or two members have spoken to me about this particular bill and said, "If they attempt to bring it up by unanimous consent without consideration, I want to be notified." Therefore, I object to its consideration at this time.

SELECT COMMITTEE TO INVESTIGATE SUPPLIES AND SHORTAGES OF FOOD, PARTICULARLY MEAT

The SPEAKER. The unfinished business is the further consideration of House Resolution 195, on which there are 2 minutes of debate remaining.

The Chair recognizes the gentleman from Georgia [Mr. Cox]

Mr. COX. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken; and the Chair announced that the "ayes" appeared to have it.

Mr. FLANNAGAN. Mr. Speaker, I demand a division.

Mr. COX. Mr. Speaker, I ask unanimous consent to vacate the proceedings

by which the previous question was ordered

Mr. FLANNAGAN. I object, Mr. Speaker.

Mr. KEEFE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. KEEFE. Mr. Speaker, this scenery is moving so fast here I just do not understand the procedure. As I understand, we had under consideration a resolution from the Committee on Rules and there were 2 minutes of debate remaining. I had a very distinct understanding yesterday with the gentleman from New Mexico [Mr. ANDERSON], and with the gentleman from Georgia [Mr. Cox], that before this resolution was voted on an amendment to the resolution would be offered, and that the gentleman from Georgia would yield for the purpose of offering that amendment.

Mr. COX. The gentleman is correct.

Mr. KEEFE. Mr. Speaker, I should hesitate very much to see this thing move so very rapidly before that agreement is consummated.

The SPEAKER. The Chair doubts that the gentleman from Wisconsin has propounded a parliamentary inquiry. The gentleman has made a statement of fact.

Mr. KEEFE. Mr. Speaker, may I ask what the situation is which now confronts us?

The SPEAKER. The situation at present is that the previous question has been ordered on the resolution.

Mr. KEEFE. Then, in view of that situation, if the gentleman from Georgia, in charge of the resolution, yields, is the resolution subject to amendment?

The SPEAKER. The gentleman does not have the right to yield since the previous question has been ordered.

Mr. ANDERSON of New Mexico. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON of New Mexico. Mr. Speaker, if the previous question is voted down, will the gentleman from Georgia [Mr. Cox] then have the right to yield to me for the purpose of offering an amendment?

The SPEAKER. The Chair will state that the previous question has already been ordered. The motion for the previous question offered by the gentleman from Georgia [Mr. Cox] has already been agreed to.

Mr. COX. Mr. Speaker, I move that the House reconsider the vote by which the previous question was ordered. I am compelled to make that motion because of the agreement that the gentleman from Wisconsin [Mr. KEEFE] has stated was made between himself and the gentleman from New Mexico [Mr. ANDERSON].

Mr. FLANNAGAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FLANNAGAN. Mr. Speaker, a vote has been ordered on this resolution. The question was taken and I asked for a division. We were in the course of taking that vote by division when this controversy arose.

The SPEAKER. That question has not been decided.

A motion to reconsider is in order and the Chair must recognize the gentleman from Georgia [Mr. Cox] who made the motion to reconsider the vote by which the previous question was ordered, which the Chair has done.

Mr. FLANNAGAN. Mr. Speaker, is such a motion in order after the vote on the resolution has been ordered?

The SPEAKER. Certainly, at any time.

Mr. MICHENER. Mr. Speaker, inasmuch as a misunderstanding has evidently occurred, I ask unanimous consent that all proceedings beyond the motion for the previous question be vacated and that the question on ordering the previous question again be put by the Speaker.

Mr. FLANNAGAN. Mr. Speaker, I object.

Mr. MICHENER. That is what the gentleman wants, is it not?

The SPEAKER. The question is on the motion of the gentleman from Georgia [Mr. Cox] to reconsider the vote by which the previous question was ordered.

The motion was agreed to.

The SPEAKER. The question is on ordering the previous question.

The motion for the previous question was rejected.

Mr. ANDERSON of New Mexico. Mr. Speaker, will the gentleman from Georgia [Mr. Cox] yield?

Mr. COX. Mr. Speaker, I yield to the gentleman from New Mexico [Mr. ANDERSON].

Mr. MICHENER. Mr. Speaker, will the gentleman yield for a parliamentary inquiry?

Mr. ANDERSON of New Mexico. I yield.

Mr. MICHENER. Mr. Speaker, the acting chairman of the Committee on Rules having yielded for the offering of an amendment, as I understand the rule, the gentleman from New Mexico now has 1 hour, and the gentleman from Georgia has lost the floor.

The SPEAKER. The gentleman is correct.

The Clerk will report the amendment offered by the gentleman from New Mexico [Mr. ANDERSON].

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of New Mexico: On page 2, line 5, after the word "trade", strike out the period and insert a comma and the words "and shall report to the House from time to time, the first such report to be made not later than May 1, 1945."

The amendment was agreed to.

Mr. ANDERSON of New Mexico. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. FLANNAGAN) there were—ayes 108 and noes 2.

Mr. FLANNAGAN. Mr. Speaker, I object to the vote on the ground that there is no quorum present, and I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yes 292, nays 7, not voting 133, as follows:

[Roll No. 54]

YEAS—292

Abernethy	Gardner	Martin, Iowa
Andersen, H. Carl	Gathings	Mason
Anderson, N. Mex.	Gavin	May
Andresen, August H.	Gearhart	Merrow
Andrews, Ala.	Geelan	Michener
Andrews, N. Y.	Gerlach	Miller, Calif.
Angell	Gillespie	Miller, Nebr.
Auchincloss	Gillette	Mills
Baldwin, Md.	Gillie	Mundt
Baldwin, N. Y.	Goodwin	Murdock
Barrett, Pa.	Gorski	Murphy
Barrett, Wyo.	Graham	Murray, Tenn
Beall	Granahan	Murray, Wis.
Beckworth	Grant, Ala.	Neely
Bender	Grant, Ind.	Norrell
Bennet, N. Y.	Green	Norton
Bennett, Mo.	Griffiths	O'Brien, Mich.
Biemiller	Gross	O'Hara
Bloom	Gwynne, Iowa	O'Konski
Bonner	Hall, Edwin Arthur	O'Neal
Brehm	Halleck	O'Toole
Brooks	Hancock	Pace
Brown, Ga.	Hand	Patman
Brumbaugh	Hare	Patrick
Bryson	Harness, Ind.	Patterson
Buck	Harris	Peterson, Fla.
Buckley	Havenner	Philbin
Bunker	Hays	Pickett
Byrne, N. Y.	Healy	Ploeser
Camp	Hébert	Poage
Campbell	Hedrick	Price, Fla.
Canfield	Heffernan	Priest
Cannon, Mo.	Herter	Quinn, N. Y.
Carlson	Heselton	Rains
Carnahan	Hess	Ramey
Case, N. J.	Hill	Ramspeck
Celler	Hoch	Randolph
Chenoweth	Hoeven	Rankin
Chiperfield	Holmes, Mass.	Reed, Ill.
Church	Holmes, Wash.	Reed, N. Y.
Clason	Hook	Rees, Kans.
Clements	Hope	Rich
Clevenger	Horan	Richards
Coffee	Jackson	Riley
Cole, Mo.	Jarman	Robertson, N. Dak.
Colmer	Jenkins	Robertson, Va.
Cooley	Jensen	Robinson, Utah
Cooper	Johnson, Calif.	Robsion, Ky.
Corbett	Johnson, Ill.	Rockwell
Courtney	Johnson, Ind.	Rodgers, Pa.
Cox	Johnson, Luther A.	Roe, Md.
Cravens	Johnson, Lyndon B.	Roe, N. Y.
Crawford	Johnson, Okla.	Rogers, Fla.
Crosser	Jones	Rogers, Mass.
Cunningham	Jonkman	Rogers, N. Y.
Curley	Kean	Rooney
Curtis	Kearney	Rowan
D'Alesandro	Kee	Ryter
Daughton, Va.	Keefe	Sadowski
Davis	Kelley, Pa.	Sasscer
De Lacy	Kelly, Ill.	Savage
Delaney, James J.	Kerr	Schwabe, Mo.
Dickstein	Kilburn	Schwabe, Okla.
Dingell	Kilday	Scrivner
Dolliver	King	Shafer
Domengeaux	Kinzer	Sharp
Doughton, N. C.	Kirwan	Sheppard
Douglas, Calif.	Kopplemann	Short
Douglas, Ill.	LaFollette	Slaughter
Doyle	Lane	Smith, Ohio
Drewry	Lanham	Somers, N. Y.
Dworshak	Larcade	Sparkman
Earthman	Latham	Spence
Elliott	LeFevre	Springer
Ellis	Lemke	Starkey
Elston	Lewis	Stefan
Engel, Mich.	Link	Stewart
Engle, Calif.	Ludlow	Sullivan
Ervin	Lynch	Sumner, Ill.
Fallon	McConnell	Sundstrom
Feighan	McCormack	Taber
Fenton	McCowen	Talbot
Fernandez	McDonough	Talle
Fisher	McGlinchey	Thom
Flood	McMillan, S. C.	Thomason
Fogarty	McMillen, Ill.	Tibbott
Folger	Madden	Tolan
Forand	Mahon	Traynor
Fulton	Manasco	Trimble
Gallagher	Mansfield, Mont.	Vinson
Gamble	Marcantonio	Vorys, Ohio
		Wadsworth
		Walter
		Weaver

Welchel	Wilson	Woodruff, Mich
Welch	Winstead	Woodrum, Va.
West	Wolcott	Worley
Whitten	Wolverton, N. J.	Zimmerman
Whittington	Wood	
Wigglesworth	Woodhouse	

NAYS—7

Bailey	Flannagan	Thomas, Tex.
Bland	Gary	
Cochran	Kefauver	

NOT VOTING—133

Adams	Gibson	Mott
Allen, Ill.	Gifford	O'Brien, Ill.
Allen, La.	Gordon	Outland
Anderson, Calif.	Gore	Peterson, Ga.
Arends	Gossett	Pfeifer
Arnold	Granger	Phillips
Barden	Gregory	Pittenger
Barry	Gwinn, N. Y.	Plumley
Bates, Ky.	Hagen	Powell
Bates, Mass.	Hale	Powers
Bell	Hall,	Price, Ill.
Bishop	Leonard W.	Rabaut
Blackney	Harless, Ariz.	Rabin
Bolton	Hart	Rayfiel
Boren	Hartley	Reece, Tenn.
Boykin	Hendricks	Resa
Bradley, Mich.	Henry	Rivers
Bradley, Pa.	Hinshaw	Rizley
Brown, Ohio	Hobbs	Russell
Buffett	Hoffman	Sabath
Bulwinkle	Holifield	Sheridan
Burch	Howell	Sikes
Burgin	Huber	Simpson, Ill.
Butler	Hull	Simpson, Pa.
Byrnes, Wis.	Izac	Smith, Maine
Cannon, Fla.	Jennings	Smith, Va.
Case, S. Dak.	Judd	Smith, Wis.
Chapman	Keogh	Snyder
Chelf	Knutson	Stevenson
Clark	Kunkel	Stigler
Cole, Kans.	Landis	Stockman
Cole, N. Y.	Lea	Sumners, Tex.
Combs	LeCompte	Tarver
Dawson	Lesinski	Taylor
Delaney,	Luce	Thomas, N. J.
John J.	Lyle	Torrens
Dirksen	McGehee	Towe
Dondero	McGregor	Voorhis, Calif.
Durham	McKenzie	Vursell
Eaton	Maloney	Wasielewski
Eberharter	Mansfield, Tex.	Weiss
Ellsworth	Martin, Mass.	White
Elsaesser	Monroney	Wickersham
Fellows	Morgan	Winter
Fuller	Morrison	Wolfenden, Pa.

So the resolution was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Rivers with Mr. Smith of Wisconsin.
Mr. Eberharter with Mr. Dondero.
Mr. Keogh with Mrs. Smith of Maine.
Mr. Bulwinkle with Mr. Simpson of Illinois.
Mr. Pfeifer with Mr. Phillips.
Mr. Bradley of Pennsylvania with Mr. Rizley.
Mr. John J. Delaney with Mr. Hagen.
Mr. Gordon with Mr. Hoffman.
Mr. Torrens with Mr. Bradley of Michigan.
Mr. Wickersham with Mr. Pittenger.
Mr. Powell with Mr. Bates of Massachusetts.
Mr. Sheridan with Mr. Dirksen.
Mr. Barry with Mr. Gifford.
Mr. Hobbs with Mr. Ellsworth.
Mr. Rabin with Mr. Fellows.
Mr. Stigler with Mr. Anderson of California.
Mr. Rayfiel with Mr. Brown of Ohio.
Mr. Allen of Louisiana with Mr. Gwinn of New York.
Mr. Durham with Mr. Knutson.
Mr. O'Brien of Illinois with Mr. Fuller.
Mr. Outland with Mr. McGregor.
Mr. Combs with Mr. Martin of Massachusetts.
Mr. Holifield with Mr. Jennings.
Mr. Bates of Kentucky with Mr. Taylor.
Mr. Maloney with Mr. Stevenson.
Mr. Cannon of Florida with Mr. Allen of Illinois.
Mr. Morgan with Mr. Vursell.
Mr. Chapman with Mr. Winter.
Mr. Weiss with Mr. Stockman.
Mr. Chelf with Mr. Bishop.
Mr. Huber with Mr. Eaton.
Mr. Price of Illinois with Mr. Thomas of New Jersey.
Mr. Gregory with Mr. Reece of Tennessee.
Mr. Lyle with Mr. Cole of New York.
Mr. Izac with Mrs. Luce.
Mr. Resa with Mr. Arends.
Mr. Sabath with Mr. Blackney.
Mr. Voorhis of California with Mr. Howell.
Mr. White with Mr. Arnold.
Mr. Rabaut with Mr. Leonard W. Hall.
Mr. Hart with Mr. Butler.
Mr. Burgin with Mr. Powers.
Mr. Peterson of Georgia with Mr. Wolfenden of Pennsylvania.
Mr. Burch with Mr. Judd.
Mr. Mansfield of Texas with Mr. Towe.
Mr. Sikes with Mr. Hull.
Mr. Harless of Arizona with Mr. Case of South Dakota.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

The SPEAKER. The Chair appoints as members of the select committee: The gentleman from New Mexico [Mr. ANDERSON] chairman; the gentleman from Georgia [Mr. PACE]; the gentleman from Kentucky [Mr. CLEMENTS]; the gentleman from Illinois [Mr. GORSKI]; the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN]; the gentleman from Massachusetts [Mr. HERTER]; and the gentleman from Washington [Mr. HOLMES].

COMMITTEE ON INSULAR AFFAIRS

Mr. BELL. Mr. Speaker, I ask unanimous consent that the investigation and study of political, economic, and social conditions in Puerto Rico, conducted by the Committee on Insular Affairs under authority of House resolution 159, Seventy-eighth Congress, be continued for a period of 30 days from and after the 20th day of April 1945, for the purpose of allowing such committee to complete and file a report on the results of its studies and investigations, together with such recommendations for legislation as it may deem advisable.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PERSONAL EXPLANATION

Mrs. NORTON. Mr. Speaker, I regret I was delayed en route to the Capitol this morning and arrived too later to vote on the conference report on the mobilization of civilian manpower bill. I would like the RECORD to show that if I had been present, I would have voted "aye."

EXTENSION OF REMARKS

Mr. RANDOLPH asked and was given permission to extend his own remarks in the RECORD and include therewith editorial comment.

Mr. LUDLOW asked and was given permission to extend his own remarks in the RECORD.

Mr. SADOWSKI asked and was given permission to extend his remarks on three different subjects in three instances in the RECORD and include therein some newspaper excerpts.

Mr. JENKINS asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an article dealing with the work of his colleague the gentleman from Ohio [Mr. JONES].

Mr. BENNET of New York asked and was given permission to extend his remarks in the RECORD and include a statement.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial appearing in the Tulsa Tribune.

Mr. HAND asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. BIEMILLER asked and was given permission to extend his remarks and include an editorial from the Milwaukee Journal.

PERMISSION TO ADDRESS THE HOUSE

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent that after the conclusion of legislative business today I may be allowed to address the House for 10 minutes and to revise and extend my remarks and include therein certain letters and excerpts from Government departments.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

AUTHORIZING COMMITTEE ON IMMIGRATION AND NATURALIZATION TO STUDY BASIC PROBLEMS AFFECTING POST-WAR IMMIGRATION AND NATURALIZATION

Mr. COX. Mr. Speaker, I call up House Resolution 52 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas with the termination of the present World War on the horizon a study is necessary of the post-war demographic trends due to the present maladjustment of world populations, which trends will in some measure affect every social, economic, and political problem to be dealt with in the post-war settlement; and

Whereas the United States should reexamine its policy with respect to migration from the standpoint of relation to the future development of this country, the progress of other nations, and the maintenance of world peace; and

Whereas representatives of the overpopulated countries of the world sitting at the peace table will undoubtedly urge world-free migrations, which is, of course, unrealistic insofar as this country is concerned; at least they will urge to a lesser degree the redistribution of populations; and

Whereas the various legislative proposals on immigration now before the Congress represent an ambivalent policy and emphasizes the great need of more uniform planning; and

Whereas a real study of the over-all immigration question has not been made by a Congress for over 20 years; and

Whereas with the coming of peace a not-too-distant possibility, the Congress has as yet done absolutely nothing in the way of a comprehensive study of its post-war immigration policy: Therefore be it

Resolved, That the House Committee on Immigration and Naturalization, acting as a whole, or by subcommittee or subcommittees, appointed by the chairman of said committee, is hereby authorized and directed to study

and investigate all of the problems presented in the preamble hereof and all questions in relation thereto which would assist the Congress in the enactment of necessary post-war legislation dealing with immigration and naturalization, and report to Congress by ———, 1945.

The House Committee on Immigration and Naturalization, or any subcommittee thereof, is hereby authorized to request and secure, for the purposes of this resolution, the cooperation of, the production of records and rules and regulations of, and the assistance of such personnel under the Attorney General, and the services, bureaus, or offices under his jurisdiction, as may be deemed necessary by the committee.

For the purposes of this resolution, the House Committee on Immigration and Naturalization, or any subcommittee thereof, is hereby authorized to sit and act at such time and places within the United States, whether the House is sitting or recessed or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books or papers or documents or vouchers by subpena or otherwise, to take such testimony or records, as it deems necessary. Subpenas shall be issued under the signature of the Speaker of the House at the request of the chairman of the committee and shall be served by the Sergeant at Arms of the House or by such person or persons as may be designated by him. The chairman of the committee or any member of the committee may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of such committee or any subcommittee thereof, or having been required to produce necessary books or papers or documents or vouchers by authority of said committee or any subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the study and investigation heretofore authorized, or who fails to produce such books or papers or documents or vouchers as required by subpenas, shall be held to the penalties provided in section 102 of the Revised Statutes of the United States (U. S. C., title 2, sec. 192), as amended.

Mr. COX. Mr. Speaker, this resolution was reported by the Rules Committee. I presume I voted for it. My recollection is that I did, but I confess my consideration of the matter was based upon statements made before the committee by the gentleman from New York [Mr. DICKSTEIN] and minority representatives on the Committee on Immigration appearing in behalf of the application for the rule, and not upon a consideration of the bill as it is written.

The committee having reported the resolution, I of course feel it my duty to bring the matter to the attention of the House for such action as the House may see fit to take.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. COX. Yes; I yield to the gentleman from Wisconsin.

Mr. KEEFE. In view of the fact that the first paragraph of the resolution indicates the necessity of a study of the post-war demographic trends, and the fact that it is alleged that the legislative proposals now before the Congress represent an ambivalent policy, would the gentleman be so kind as to correlate those two ideas and indicate to the Congress just what is meant by a post-war demographic trend of ambivalent character?

Mr. COX. I may say to the gentleman from Wisconsin that the word "demographic" is, according to Mr. Webster's definition, a statistical study of birth and mortality usually restricted to physical conditions or vital statistics, a study of moral or intellectual conditions, and the word "ambivalent" in the second line of the second page is also defined by Webster as: Experiencing love and hatred at the same time for the same thing, especially for a mother-in-law. Very frankly I cannot imagine how I ever voted to report a resolution of this kind.

Mr. MANASCO. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield.

Mr. MANASCO. Is the resolution broad enough to empower the committee to investigate the loves and hatreds of the membership?

Mr. COX. That is the language of the resolution.

The first resolve is as follows:

Resolved, That the House Committee on Immigration and Naturalization, acting as a whole, or by subcommittee or subcommittees, appointed by the chairman of said committee, is hereby authorized and directed to study and investigate all of the problems presented in the preamble hereof and all questions in relation thereto which would assist the Congress in the enactment of necessary post-war legislation.

I do not know—there may be enough money in the Treasury to finance such an undertaking, but I doubt it.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. COX. I yield.

Mr. KEEFE. Does the gentleman conceive that an investigation of the ambivalent policy which according to Webster relates to——

Mr. COX. If the gentleman will excuse me I am going to yield to the author of the resolution, and let him defend it.

I yield 10 minutes to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Speaker, if there is any problem that needs and deserves study and consideration, it is the problem affecting present and post-war immigration and naturalization. The Committee on Immigration and Naturalization which has to face the most complicated issues involving this basic problem is entitled to be permitted to conduct such a study so as to enable them to intelligently and fairly deal with the legislation referred to them. The last study of this important subject matter was made more than 30 years ago and everyone will agree that the situation, both in our country and the rest of the world, has changed so much since, that it is imperative that we reconsider the problem in the light of present day conditions.

Most legislation before the Committee on Immigration and Naturalization is highly controversial. Even in the matter of naturalization where there should be complete uniformity, some of our courts have disagreed with the interpretation of the Immigration and Naturalization Service and various courts have disagreed as to the interpretation of certain statutes by other courts. Various localities differ in the qualifications and standards for naturalization and it is pretty difficult to explain why certain people can become naturalized in one locality and not in another. Something must be done to make naturalization proceedings uniform throughout the country.

In this country today we have thousands of alien enemies. I have broken down the figures by nationalities of those who are being held in so-called internment camps. How many others may be floating around at large I do not know.

Germany:	
Adult males	1,693
Minor males	131
Adult females	329
Minor females	136
Italy:	
Adult males	91
Minor males	2
Adult females	6
Minor females	3
Japan:	
Adult males	2,597
Minor males	819
Adult females	567
Minor females	628
Others:	
Adult males	21
Minor males	0
Adult females	2
Minor females	0
Total	7,035

These figures are as of Feb. 28, 1945.

The newspapers have carried a number of stories about their supposed ability to carry on their nefarious activities right in these camps. There were accusations from certain groups in the country that enemy aliens manage to keep in touch with enemy agents outside the camps. The committee feels that we should know more about this. That such accusations should be investigated and proper steps taken to deal with the situation.

There are people who have resided in this country for a great number of years without bothering to become naturalized. There is legislation before our committee to punish such people—to either deport them or to force their becoming naturalized. This seemingly unimportant little problem has a lot of ramifications as it involves treaties with other countries and, generally speaking, touches on our relationship with other nations and the rights of their nationals within our borders as well as our nationals within their borders. This problem will have to be studied from many angles before a satisfactory solution can be found.

We have other serious problems before the committee which are so complicated and important that we feel it is for the best interest of the country to have a complete study made of the whole field of immigration and naturalization.

Only recently we had a bill before us providing for a quota for and naturalization of East Indians. The President, the State Department, and the Justice Department urgently requested the enactment of this legislation but the committee by a vote of 10 to 6 tabled it. Some of the members voting against this legislation simply felt that we had not studied the whole field of so-called discriminatory immigration and naturalization laws sufficiently to act on it. They felt that we ought to study all the problems involved and not take any piece-meal action. The more hearings we had, the greater the scope of the

problem appeared to be and, the more we heard, the more we became convinced that here was a complete phase of our immigration and naturalization policy we had to study very carefully to be able to cope with the present-day situation of nations' and peoples' coming of age—industrially, economically, and politically and demanding the respect due them by other nations.

Then we also have the problem of war prisoners now in our country. There are reports to the effect that some of them claim American citizenship—either through their parents or by birth in this country. If that is so—and it may be true in some cases—if they were forced into the German Army and did not take an oath of allegiance to a foreign nation, and so forth—technically they may claim that they did not expatriate themselves. How are we going to deal with such cases, in view of the provisions of the Geneva Convention concerning the return of war prisoners?

We have on an average of four or five hundred bills annually dealing with various phrases of the law and we have never had an opportunity to go into the question of regulations and orders issued by the State Department and other administrative agencies. Some of these laws are reasonable and some are unjustifiable. We ought to study them carefully. There is the important problem of quotas for the post-war period. We ought to study this problem—taking into consideration the best interests of our country as well as our relationship, present as well as post-war, with other nations. Some of us believe that the German quota ought to be cut completely. Others disagree with that view.

There are other countries clamoring for new quotas since the last quota act was passed in 1924. We believe that in order to bring intelligent legislation before Congress with proper recommendations from the committee, based upon honest consideration of all the pros and cons involved, we should be given an opportunity to fully investigate and study the whole field of immigration and naturalization. I feel that by going into these problems we can rid this country of a lot of undesirable aliens who do not belong here, while at the same time we can give the honest and deserving alien an opportunity to become a real American.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from New York.

Mr. BLOOM. Is it not a fact that at the present time Germany under the quota has the largest quota of any country in the world?

Mr. DICKSTEIN. That is true.

Mr. BLOOM. That is under the quota of 1890?

Mr. DICKSTEIN. The census of 1890 and the quota act of 1924.

Mr. BLOOM. What the gentleman is trying to do is to have some kind of investigation before his committee whereby we can correct the abuses of the old quota act?

Mr. DICKSTEIN. That is true.

Mr. BLOOM. And stop this tremendous flow of immigration from Germany?

Mr. DICKSTEIN. That would be one of the points the committee would consider. It is felt by a number of Members of Congress and members of the committee that the new immigrants from Germany after this war will consist of nothing but a lot of fanatic Nazi youngsters who could not be educated to respect our form of government. In my opinion, it would be a great risk to permit them to enter this country because the present younger generation in Germany, brought up under complete Nazi control, is beyond saving.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I would like to know, as a matter of information, why the Committee on Immigration and Naturalization, of which the distinguished gentleman is chairman, could not make most of the investigation that is sought to be made under this resolution by virtue of the current rules of the House? Why can you not make the investigation? The gentleman says he has a lot of legislation pending before his committee. Why is it not possible to do it before his committee in regular session?

Mr. DICKSTEIN. We attempted to do that a number of times. There are certain people in this country that you cannot ask intelligent questions. You have to force them to give information which is not to the best interest of these people. To give you one instance, I have been informed that money has been coming into this country by way of Switzerland which has been somehow transmitted to alien enemies in this country. I have a picture in my possession of a party thrown for these interned alien enemies—I believe it was around Christmas—supposedly financed with money smuggled into this country. I wonder how we can ever explain such luxurious treatment to the poor Americans who went through the tortures of internment camps in Germany and Japan. While these internees have been "heiling" Hitler at their parties here our poor men and women interned by our enemies have been starved to death. You cannot get information about secret Nazi cells in our internment camps, for example, at a regular committee hearing. You must be able to put people under oath and force them to divulge information. There are certain people we cannot get before us except by subpena.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Indiana.

Mr. HALLECK. Is that the purpose of this resolution?

Mr. DICKSTEIN. Not entirely.

Mr. HALLECK. As I read the resolution, that circumstance to which the gentleman referred would not properly come within the purview of the committee's operation.

Mr. DICKSTEIN. That is true to some extent. I do not agree with the gentleman fully. I think we would have the power to go into it under the resolution. Of course, the most important question would be the study of the overall quota situation for the post-war periods as to who shall come in and who shall stay out. That is a job in itself.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Nebraska.

Mr. STEFAN. As I understand, there are about 3,000,000 aliens in this country who have not taken out their citizenship papers.

Mr. DICKSTEIN. That is true.

Mr. STEFAN. Is it intended by this resolution to investigate all of those 3,000,000 people?

Mr. DICKSTEIN. With the help of the Justice Department we will inquire into and try to determine who belongs here and who does not; who is friendly to our country and who is not. The gentleman has asked me a very broad question.

Mr. STEFAN. If the gentleman will yield further, we have had such an investigation.

Mr. DICKSTEIN. When?

Mr. STEFAN. We have had all of these aliens registered, and the Immigration Commissioner has the information of the results of that investigation.

Mr. DICKSTEIN. Let me make that clear. We had close to 5,000,000 aliens in this country at the time of the registration which I believe was in 1940 or 1941. That was simply an overall registration of all aliens in this country, and nothing more. Then we tried to trace down the number of aliens smuggled into this country and the Department of Justice has done a very splendid job. However, on the basis of present statistics, from the 5,000,000 aliens, if my figures are correct, it has dwindled down to about three and one-half million today, and we do not know what we are going to do with some of them. There is some legislation necessary, and the committee is not in a position to turn around and bring in legislation for that purpose unless it knows more about the situation.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. COX. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. STEFAN. Mr. Speaker, if the gentleman will yield further, these three and one-half million aliens who are here and who have not taken out their citizenship papers are not in that group that the gentleman refers to, are they?

Mr. DICKSTEIN. No; much less than a million of them were classified as enemy aliens.

Mr. STEFAN. They are friendly aliens?

Mr. DICKSTEIN. That is right—most of them.

Mr. STEFAN. They can at any time apply for citizenship papers, but they are not in the group. But we appropriated money following the alien registration for the Immigration and Naturalization Service to investigate these things.

Mr. DICKSTEIN. You appropriated money to register all the aliens. The trouble lies in the fact that there is no uniformity in our naturalization proceedings because every section of the country has a different policy. We are trying to get some uniformity, after we consult with the Department of Justice and the judiciary of this country.

Mr. SADOWSKI. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Michigan.

Mr. SADOWSKI. There is another problem that has arisen recently that has been recognized by Mr. Churchill, and that is the problem of the men in the Allied armed forces who have fought against Hitler and the Nazis but are now in a position where they cannot return to their homelands because they are also anti-Communist.

Mr. DICKSTEIN. That is true.

Mr. SADOWSKI. We are talking particularly now about the men in the Polish armed forces, some 250,000 of them, a lot of them officers, highly-trained men, engineers who have fought bitterly against the Nazis and likewise against the Communists. They are fine, liberal, progressive men. They have no place to go. Churchill has welcomed those people to England. I do not know, but I think that is a proper subject for us to discuss. Certainly they are high-class individuals and would bring no discredit to the United States of America.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. HALLECK. Mr. Speaker, I yield 2 additional minutes to the gentleman from New York, in order to ask a question of the gentleman from Michigan [Mr. SADOWSKI].

Do I understand from the gentleman's inquiry that such a disposition of Poland or a part of Poland has been arrived at as will preclude the reutrn of Polish citizens to their homeland?

Mr. SADOWSKI. No; I would not say that condition has taken place yet. I do not like what is going on over there any more than does the gentleman. None of us likes what is going on over there, I am sure. The gentlewoman from Connecticut [Mrs. LUCE], a Member of Congress from the gentleman's side of the House, has introduced a resolution to take care of this problem. I am in favor of her resolution, and think that that could come under this resolution of investigation and probably would come under it.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Michigan.

Mr. MICHENER. This question has to do with this "$64" word appearing in page 2, line 2, of the resolution, which is "ambivalent." The word is not in the dictionary we have in the well of the House. One of the Members got a modern dictionary and found that one of the definitions of the word is, "One who hates his mother-in-law." Will the gentleman tell us exactly what he intends this word in the resolution to mean?

Mr. DICKSTEIN. That is a troublesome word that has bothered a number of my colleagues, but they can go right into this little room back here, the library, and find the definition.

Mr. MICHENER. Just tell us what it is.

Mr. DICKSTEIN. It simply means experiencing love and hate at the same time for the same person or thing.

Mr. COX. Now give the other definition that the same book gave us.

Mr. DICKSTEIN. "Experiencing love and hate at the same time for the same person, especially for a mother-in-law." That is in the dictionary. You know, it somehow seems to be considered smart to take a crack at mothers-in-law whenever possible—so why not in the dictionary.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. HALLECK. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MASON], a member of the Committee on Immigration and Naturalization.

Mr. MASON. Mr. Speaker, I recognize that I have a task to perform, particularly since this resolution has been so misrepresented by the gentlemen from Georgia, the member of the Committee on Rules who brought it in. I want to place the discussion and the argument on the adoption of this resolution on a serious, high plane, where it belongs.

After the last war this country faced one of the most serious problems it ever faced, and that was the immigration problem. As a result of that, as a result of study, and as a result of legislation, our quota laws were adopted. They certainly have been of wonderful benefit to this country, in that they provide for selection of our immigrants, in that they provide certain restrictions upon certain groups, and in that they provide different quotas for different nations. I do not think there is anyone in this Congress who will question the fact that these quota laws have been very beneficial. That was 25 years ago. It was a long time ago. There has not been any study of the immigation problem since that time. We are going to face a serious immigration problem after this war is over. As the chairman of our committee has told you, we have various kinds of bills affecting immigration before our committee today. For instance, one of them provides for doing away with all quotas for 10 years. Another one provides for reducing all quotas by 50 percent for 10 years. Other bills are inclined to liberalize the quota law. The question, of course, is what is best for us to do in that post-war period. We certainly ought to be willing to tackle the problem now so that some serious study can be made upon which to base action by this Congress in the post-war period.

I want to ask some questions now, whether you are ready to answer them or not. What are we to do about all of these refugees whom we have in the country today who have been permitted to come in under Executive order? Are they to stay here? Are they to be sent back home 6 months after the war? Are a certain number of them to be kept here or not? What are we to do about the war prisoners we have in this country today? I do not know how many there are. Neither do you. What are we to do about German war prisoners and Italian war prisoners?

Mr. RANKIN. The disposition of those war prisoners is already regulated by international law and we will ship them back to the countries from which they came. That has nothing to do with immigration.

Mr. MASON. Very well. The gentleman from Mississippi has interjected that statement without even giving me the courtesy of yielding him the floor.

I know that according to international law, and also the Geneva Conference says that war prisoners must be returned home after the war. But since the Geneva Conference, we have had the Casablanca Conference; we have had the Tehran Conference; we have had the Yalta Conference; we have had the Atlantic Conference, and the Atlantic Charter; every one of which bears upon this post-war question, and some of them have undoubtedly changed the Geneva Conference agreement as to what shall be done about war prisoners. We also know that Russia, in spite of the Geneva Conference, has said that she is going to employ at least two million of her war prisoners to rebuild the devastated portions of her land. That is in spite of the Geneva Conference. Therefore, perhaps we do have a question in connection with our war prisoners. There are other questions: Whether we shall increase quotas that are now assigned to our Allied Nations under our present law or decrease quotas after the war which have been assigned by present law to our enemy nations.

If we want to act intelligently, other questions will arise: Shall Russia have its quota increased because she is an ally now? Shall Italy have its quota increased? She is not an ally now. She was an enemy at one time in this war, but now I do not know what her status is. She is neither fish nor fowl. Shall the German quota be immediately wiped out or reduced?

Now, Mr. Speaker, those are serious questions and they deserve serious study. We are not going to solve them by ridiculing a resolution of this kind out of court. Someone has said that the purpose of this resolution is to find ways and means of opening the gates and letting a flood of immigrants come in. Some have said that the purpose of this resolution is to close the gates tighter than they are to prevent a flood of immigration from coming in. What the result of the investigation will be will be at least up to the Congress. The Congress will have a report of the investigation that is made and on the basis of that report and information discovered and placed before you, you will then at least be able to act intelligently upon some of these questions.

I have been informed that many of the slaves of Germany today in these overrun countries, where they have taken the civilian population as well as the soldiers and made slaves of them, that thousands of them have stated they do not want to go back to their homelands when they are freed from slavery. They want to go to the land of the free across the water—to Uncle Sam's land. That is a problem we will have to face. If the Polish patriots who are fighting in the Allied cause are prevented from going back to Poland because of Russian influence—communistic influence—perhaps we ought to know whether we want that type here instead of the quota that Russia is supposed to be sending to us

after the war, or whether we want that type instead of the quota that Germany is entitled to after the war—27,000 from Germany. I want this Congress to think these things through seriously. It is a serious resolution.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. HALLECK. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. MASON. If I had been drawing up this resolution I should have drawn up a more airtight resolution. I think the resolution is rather broad. I should certainly have left out some of these words that are not common words, but they are easy to understand. As far as the dictionary explanation of the word ambivalent is concerned, that means added powers or increased powers, as well as the other meaning; and our committee needs added powers, the power of subpena; the power to sit when Congress is not in session, in order to make the proper kind of study so that we will have something to base intelligent action upon afterwards.

This resolution does not provide that any member of any committee group may go to other countries to study this matter. It is confined to this country. So it is not just another junketing trip across the water.

I ask you to give this resolution serious consideration.

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. COX. Mr. Speaker, I yield 1 minute to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Speaker, as one of the newer members of this committee who has taken his work on it very seriously, I want to reiterate what the gentleman from Illinois just said. I believe there is no more important work that will come before this Congress in the future than the determination of our immigration and naturalization laws. I know that the committee today is ill-equipped to meet the problem. I believe that to rule this out because the wording of the resolution does not appeal to some of the Members would, indeed, be a short-sighted policy. I bespeak your earnest consideration of the resolution.

Mr. HALLECK. Mr. Speaker, I yield 7 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, House Resolution 52, before us for consideration, gives authority to the Committee on Immigration of the House to investigate immigration quotas and for other purposes, and to make recommendations as to post-war quotas and other matters pertaining to immigration, refugees, and other related questions.

There will be many very serious and important problems coming before us immediately after the present war, as we found following the First World War. During the First World War tens of millions of dissatisfied and distressed people of Europe had learned of the great riches, wonderful opportunities, and freedom of our country and they set about to come to the United States. When I first became a Member of this House on March 4, 1919, the Republicans were in control of the House and Senate, and because of the threat of this great influx of foreign population the Republican Congress restricted the immigration law. President Wilson vetoed, as I remember, that bill and it could not be passed over his veto.

Mr. Harding became President March 4, 1921, with a heavy Republican majority in the House and Senate. Congress promptly passed a restricted immigration law which was approved by President Harding. It was found that the act of 1921 did not fully meet the situation. In 1924 a real restricted immigration law was passed by Congress. It was a battle royal in Congress. Nearly every country of the world had representatives here, lobbying with the American Congress to get favored consideration in quotas. The Chinese and Japanese were excluded under the law from becoming immigrants of this country and citizens. This Chinese Exclusion Act was bitterly resented by the Japanese.

This new bill of 1924 did not grant to the Chinese or the Japanese any quota and they could not become immigrants or citizens of the United States. The Japanese especially resented these provisions in the bill and Congress was informed that the Japanese Ambassador to the United States had called upon President Coolidge—who had succeeded President Harding—and said that if Congress passed that bill it would mean war between this country and Japan. The Senate and the House, however, stood up, and passed the bill, and the Chinese and the Japanese were excluded and given no quota.

This remained the law until about a year ago, when the administration secured the amendment to the Immigration Act of 1924 and gave to China a small quota. This is, of course, an entering wedge and there will be much effort made to increase the quota for the Chinese.

More than 700,000 refugees have already been admitted to our country, and no one can tell how many hundreds of thousands have come in surreptitiously and in violation of our laws. These refugees and others want to remain in this country. There are literally tens of millions of people in all parts of the world who will make every effort possible to come to the United States.

In 1924 the big fight was over the quota that the countries of Europe should have. The question of origins, of course, played an important part. Between 85 percent and 90 percent of the people in the United States in 1890 came from northern, western, central, and southwestern parts of Europe. These persons and their ancestors came from England, Scotland, Wales, Ireland, France, Norway, Denmark, Switzerland, Belgium, Sweden, Holland, Germany, and Finland.

Beginning with 1890 there was a tremendous influx of immigration from eastern, central, southern, and southeastern Europe, from Russia, the Balkan States, Turkey, Greece, and Italy. Many millions came in.

The 85 or 90 percent of our population that came from Great Britain and the other countries mentioned urged that this quota be fixed on the 1890 census. The gentleman from New York [Mr. DICKSTEIN], who introduced this resolution, was then a Member of the House and he and others strongly urged that the quota should be based on the census of 1900. This would have granted greater quotas for Russia, the Balkan States, Turkey, Italy, and other countries in that section of Europe.

Congress fixed the quota on the 1890 census. It was this 85 percent to 90 percent that largely settled this country, the Thirteen Original Colonies, fought the Revolution, the War of 1812, the Mexican War, the Civil War, the Indian Wars, wrote the Constitution and adopted it, and largely built up this country from 1776 to 1890, and they were in harmony with the Constitution, the policies and ideals of what we know as the American way of life.

The gentleman from New York [Mr. DICKSTEIN], who offers this resolution, was then a Member of the House and he with some others led the fight against having the quota based on the 1890 census. Those who made up the overwhelming majority of the American people in 1890 came from countries from which we derive much of our political and social ideology, while those who made up the 10 to 15 percent through the centuries have been subject to the oppression of the totalitarian governments of Russia, Turkey, and other countries where the church and the government were linked together. The common, forgotten, and oppressed people traced their miseries to the government and the church. They nursed hate of the government and the church at their mothers' breast and heard the story of cruel persecution from their fathers' lips. It embittered them, and out of that grew anarchy, communism, and like institutions to express their hate of their government and church.

From 1890 to 1900, while many splendid people came to these United States from those sections of Europe, on the other hand many others came and brought with them their anarchistic and communistic beliefs and ideologies and hate for all government and the churches. They could not expect to have the same ideologies as to government, religion, and freedom as those who had come from other countries in the northern and western parts of Europe and who had built this country.

After this war is over the question of quotas and upon what census to base them will become one of the serious problems that Congress will face. We may desire to make changes as to Germany and some other countries.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. Yes; I yield to the gentleman from Mississippi.

Mr. RANKIN. I may say to the gentleman from Kentucky, who well knows that I was one of the men who fought for the immigration law of 1924, all in God's world we need now is to have that law enforced.

Mr. ROBSION of Kentucky. Yes; the gentleman from Mississippi did take an active part in bringing to pass our great immigration law of 1924. In view of the

outside world pressure when that act was written, it was well named the Second Declaration of American Independence. That law was vigorously enforced under Presidents Coolidge and Hoover. At the time President Hoover left office no one could come to the United States for the purpose of remaining here and working except and unless it could be clearly shown we did not have sufficient workers in this country.

Beginning with 1933 when President Roosevelt recognized Russia and some other countries, many efforts have been made both in Congress and by the Executive administration of the Government to break down the immigration laws of this country. We need to strengthen these laws.

PROVIDE FOR OUR OWN HOUSEHOLD

After World War No. 1 first and last more than a million of the defenders of our country and their wives and children walked the streets and highways of this Nation seeking employment that they could not find. After returning from the First World War they found their jobs had been taken by aliens who had remained behind the lines and received big wages while these veterans were fighting and dying to help win that war at a dollar a day on this side and $1.10 overseas.

Up to this time more than 14,000,000 American men and women have put on the uniform and gone forth in defense of our country. A million and a half have been killed, or discharged on account of disabilities, missing in action, loss of health, and for other causes. One of these days at least twelve or more millions of these men and women will return to their own country seeking business opportunities and employment for their brains and hands. These heroic defenders should come first. The American Legion, the Veterans of Foreign Wars, the D. A. V., and other veterans' organizations are deeply concerned about this very thing, and they are day by day insisting that we protect the jobs for our own defenders and their wives and children. There will be sixty millions needing jobs. It will tax the capacity and ingenuity of the political leaders of our Nation, the leaders in industry, agriculture, and labor, to provide these jobs. We cannot provide these jobs if we let down the bars and open our gates to the tens of millions of the earth who will seek refuge in our country. We must reverse the policy that has been followed under the Roosevelt administration and strengthen our immigration laws.

I have no ill feeling for the people of other countries of the earth. I would be happy to see every man, woman, and child in other countries have a country with opportunities like our own. But we cannot take care of all the other people of the world. Our first duty is to those law-abiding men and women, either native born or naturalized or even those aliens who come here under our laws, and especially must we look out for the defenders of our country and their wives and children. That great book of books declares "He that provideth not for his own household hath denied the faith and is worse than an infidel."

I have been told by the members of the Immigration Committee that it is their purpose to investigate fully this great subject under the authority proposed in this resolution, so that Congress may have information not to weaken but to strengthen our immigration laws. I shall, as I have in the past, continue to resist any effort to break down or weaken these laws, and I shall continue to help provide for the household of the United States.

Mr. HALLECK. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. JENKINS].

Mr. JENKINS. Mr. Speaker, I was hoping that I could support this resolution until I saw it. I thought it was going to be a simple resolution giving authority to the Immigration Committee to sit and hear these problems and giving it the additional right to issue subpena. There is absolutely no reason in the world for this committee to be running around the country holding hearings. When the many of present immigration laws were written I was a Member of this House and I was a member of that committee. The Immigration Committee wrote these immigration laws which were the first in the world and they have proven to be absolutely satisfactory to our country. They have done what they were intended to do. We wrote them in committee sitting over here as this committee must do.

Mr. Speaker, what this committee needs is power from the Congress to sit during recesses, and giving it the additional power of subpena. That is all it needs. I do not like the provision in the bill in respect that it provides that the chairman may appoint such subcommittees as he may desire, which subcommittees would be authorized to go all over the United States and make a study of this matter. It is not that sort of a study that should be made. The kind of study that should be made is one that will ascertain how many refugees there are in this country and how many aliens of whatever kind or nationality are in this country and the facts pertaining to their presence or detention here. This is a very necessary study. But it is absolutely essential that this study should be made by the whole committee. My reason for saying that the whole committee should make these investigations is that we will expect the committee to make suggestions for remedial legislation. There would be no use to make this extensive investigation simply for the enlightenment of one or two of the members of the committee.

The committee also needs to make a close study of personalities, of persons and of quotas. You talk about giving world-wide consideration to the matter of quotas. From 1924 to 1928 in this Congress we had a tremendous lot of attention given to this proposition of quotas. As I said before, we were the first country in the world to lay down immigration laws, and we have the best laws in the world, and we can handle every proposition that arises after this post-war period if our Committee on Immigration gives it study and consideration. If this committee should go down and study these statistics upon which the quotas were originally based, they would be enlightened. Back in the days when we had that great fight over national origins, which was the first that established the basis upon which quotas were established, it was then that Congress determined how many were to be allowed to come in from Great Britain, from Germany, and from Italy, and all the European countries. That was not the work of a few investigators running around all over the country. That was the work of the Committee on Immigration working with half a dozen scientists who sat for about a year down here in the Bureau of the Census. The immigration laws have been well put together. We ought to be careful and not do anything that would hamper the execution of these laws.

I think this resolution should be defeated, but at the same time I should favor the adoption of a resolution that would enable the Immigration Committee to study the one and only one question that confronts us now and that is as I have already stated, we should find out how many and who are here as aliens and their status as to whether they are expecting to attempt to become American citizens.

Mr. HALLECK. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. REES], a member of the committee.

Mr. REES of Kansas. Mr. Speaker, it seems as if this House, in order to excuse itself, has discussed the form of the resolution rather than the subject matter contained therein. May I say at the outset that so far as the chairman of the committee and I are concerned, we have not always agreed in respect to legislation before our committee. As a matter of fact, we have disagreed more than we have agreed in respect to bills that have come up for consideration. The chairman has a right to his opinion just the same as I have a right to mine and you have a right to yours. But I do want to suggest to you that this matter we are considering at the present time is a whole lot more important than it seems to be. This question of post-war immigration will be before this Congress and before this country before we realize it. Let me remind you that we have dozens of bills before our committee. All have been proposed by Members of this body, mind you, and not from the outside. We have bills here that would practically open the gates to everybody and anybody coming into this country from the four corners of the world. Then we have, as the gentleman from Illinois has suggested, measures that would restrict immigration and shut the doors for 10 years to come. So this matter is an extremely important one.

Not long ago we favored bringing in people from certain countries of Europe. Now we are opposed to that procedure and we are more friendly at the present time toward bringing in other groups from Europe. We have measures before our committee that propose bringing in large groups from the Asiatic countries if you please. Maybe you want that sort of thing, and maybe you do not. But somehow, some way, this House ought to have a picture of that situation. We

ought to find out, I think, and we can do it, by subpena before our committee. But in any event, this House needs more information than it realizes it is going to need before long in respect to that post-war question. Of course, those of us who are for restricted immigration feel that all you have to do is to enforce the present laws on our statute books. I agree to a great extent with the gentleman from Mississippi on that question. We ought to enforce those laws.

I do not think they are being enforced now as they ought to be. But, nevertheless, there is going to be all kinds of pressure brought to bear in the next year or two or three when we go to map out this post-war world, when we come to making these final agreements in San Francisco, as well as other places, where we may possibly agree to things that we do not even know of or appreciate or imagine at the present time. One of the most important things of all is whether or not we are going to open our doors wider or whether we are going to close them tighter with respect to folks who live in foreign lands. So I say to you this is a very important question; a most important problem.

I am not in favor of going out and spending a lot of money traveling all over the world just to investigate this thing, but I do think it ought to be investigated, and it ought to be kept within bounds.

You will not have to spend a lot of money in doing it. I am not one of those who believe in spending a lot of money in investigating a matter of this kind.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman, a member of the Committee on Rules.

Mr. HALLECK. I agree with the gentleman that this whole problem of immigration and naturalization is a tremendously important one. It certainly should have the careful consideration of the gentleman's committee.

Reference has been made to the matter of the appointment of a subcommittee. What has been the practice in respect to the appointment of subcommittees in the gentleman's committee as far as a division between members of the majority and the minority is concerned?

Mr. REES of Kansas. I have served on perhaps half a dozen of these subcommittees and in each case there were five members, two Republicans and three Democrats.

Mr. HALLECK. I wonder if the chairman of the committee could inform us as to what his policy would be in respect to that.

Mr. DICKSTEIN. My policy has been that that committee will act in a nonpartisan way. It is a question of public interest for America. I have not looked at the Republican side or the Democratic side. I have given every consideration to the minority as well as the majority in appointing subcommittees, and the division has always been either 2 to 1 or 3 to 2. I think we have had no difficulty with the minority with regard to the appointment of committees. We have gotten along very, very nicely. We have both been open-minded on all questions. I think my friend will bear me out on that.

Mr. TRAYNOR. Mr. Speaker, will the gentleman yield?

Mr. REES of Kansas. I yield to the gentleman from Delaware.

Mr. TRAYNOR. Would not the gentleman think an educational program would be a very important thing for immigration?

Mr. REES of Kansas. The right kind of an educational program would be. I think we have some educational programs that might not be so satisfactory, but I do agree that an American educational program would be helpful.

Mr. COX. Mr. Speaker, I yield 10 minutes to the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Speaker, in reply to the gentleman from Illinois [Mr. MASON] I desire to say that I thought he had yielded to me, or I would not have interrupted him.

To me this is one of the most ridiculous propositions I have seen come before Congress in a long time. The other day the Member from New York [Mr. DICKSTEIN] rose on the floor of the House and in referring to me, said, "The gentleman from Mississippi [Mr. RANKIN] wraps himself in the American flag the minute anyone whom he dislikes dares to utter anything with which he does not agree." I did not understand what was the matter with the Member from New York, but I decided that he saw my Scotch-plaid necktie and could not tell it from an American flag.

Now he brings in this ridiculous resolution. I have seen a great many ridiculous things presented to Congress since I have been a Member of this House, but I believe this takes the cake.

I was here and went through the fight in 1924 to pass the immigration law, that we had better keep intact now without tampering with it at all. But when I saw this resolution and heard the gentleman from Georgia refer to it, and found this word "demographic," and found that it referred to birth control, and mortality, and probably to all the other social functions that are supposed to be handled by other agencies of the Government, I wondered just how far astray the Committee on Immigration would go if we turned it over to the Member from New York [Mr. DICKSTEIN] with all the powers provided in this resolution.

Just refer to the first "Resolved" on page 2, and you will find there is not enough money in the Federal Treasury to finance such a program if he desired to carry it to its ultimatum.

In addition, I looked up this word "ambivalent." I thought probably that was one of these old words that had something to do with the crossing of the Red Sea, but one of my better-informed colleagues looked it up in the dictionary and found that it means "expressing love and hatred at the same time for the same person, especially for a mother-in-law."

Are we going to continue to waste money and create committees like this and send them out over the country, and probably into foreign countries, to meddle with a law that ought to be guarded as closely as the ark of the covenant? I am not in favor of it.

The Member the gentleman from New York [Mr. DICKSTEIN] has never been in favor of enforcing our immigration laws at all. I am opposed to this resolution, and I hope the House will vote it down.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. COX. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 76, noes 61.

Mr. RANKIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make a point of order that a quorum is not present.

The SPEAKER. Evidently no quorum is present.

The Doorkeeper will close the doors. The Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 182, nays 113, answered "present" 2, not voting 135, as follows:

[Roll No. 55]

YEAS—182

Adams	Gossett	Marcantonio
Andersen, H. Carl	Granahan	Mason
Anderson, N. Mex.	Granger	Merrow
Andresen, August H.	Grant, Ind.	Michener
Andrews, N. Y.	Green	Miller, Calif.
Auchincloss	Hall, Edwin Arthur	Miller, Nebr.
Bailey	Hall, Leonard W.	Mills
Baldwin, N. Y.	Halleck	Mundt
Barrett, Pa.	Hancock	Murdock
Beckworth	Hand	Murray, Wis.
Bender	Hart	Neely
Bennet, N. Y.	Havenner	Norrell
Biemiller	Hays	Norton
Bloom	Healy	O'Brien, Mich.
Buck	Hedrick	O'Konski
Buckley	Heffernan	O'Toole
Bunker	Herter	Patman
Byrne, N. Y.	Heselton	Patrick
Campbell	Hoch	Patterson
Canfield	Hoeven	Philbin
Carnahan	Holmes, Mass.	Ploeser
Case, N. J.	Holmes, Wash.	Poage
Chenoweth	Hook	Priest
Church	Horan	Quinn, N. Y.
Clason	Jackson	Rabaut
Coffee	Jarman	Rabin
Cooley	Jennings	Ramey
Corbett	Johnson, Calif.	Ramspeck
Courtney	Johnson, Luther A.	Randolph
Crosser	Johnson, Lyndon B.	Reed, Ill.
D'Alesandro	Johnson, Okla.	Rees, Kans.
De Lacy	Jonkman	Rich
Delaney, James J.	Kean	Robinson, Utah
Dickstein	Kearney	Rogers, Mass.
Dolliver	Kee	Rogers, N. Y.
Douglas, Calif.	Keefe	Rooney
Douglas, Ill.	Kefauver	Rowan
Doyle	Kelley, Pa.	Ryter
Drewry	Kelly, Ill.	Sadowski
Elsaesser	Kilburn	Sasscer
Engel, Mich.	King	Savage
Engle, Calif.	Kirwan	Sharp
Fallon	Kopplemann	Sheppard
Feighan	LaFollette	Somers, N. Y.
Fenton	Lane	Starkey
Fernandez	Larcade	Stefan
Fisher	Latham	Sullivan
Flood	Lea	Sundstrom
Folger	LeFevre	Talle
Forand	Link	Thomason
Fulton	Ludlow	Tolan
Gamble	Lynch	Traynor
Gary	McConnell	Trimble
Gathings	McCormack	Vinson
Gavin	McCowen	Voorhis, Calif.
Gearhart	McDonough	Wadsworth
Geelan	McGlinchey	Wasielewski
Gillie	McMillen, Ill.	Woodhouse
Goodwin	Madden	Worley
Gorski	Mahon	Wigglesworth
		Wolcott
		Wolverton, N. J.

NAYS—113

Abernethy	Gallagher	Rankin
Andrews, Ala.	Gerlach	Reed, N. Y.
Angell	Gillespie	Richards
Baldwin, Md.	Gillette	Riley
Barrett, Wyo.	Graham	Robertson, Va.
Beall	Grant, Ala.	Robsion, Ky.
Bell	Griffiths	Rockwell
Bennett, Mo.	Gross	Rodgers, Pa.
Bland	Gwynne, Iowa	Rogers, Fla.
Bonner	Hare	Schwabe, Mo.
Boykin	Harness, Ind.	Schwabe, Okla.
Brehm	Harris	Scrivner
Brooks	Hill	Shafer
Brown, Ga.	Hope	Short
Brumbaugh	Jenkins	Slaughter
Bryson	Jensen	Smith, Ohio
Burch	Johnson, Ill.	Sparkman
Camp	Johnson, Ind.	Spence
Carlson	Jones	Springer
Chiperfield	Kerr	Stewart
Clevenger	Kilday	Sumners, Tex.
Cochran	Kinzer	Taber
Cole, Mo.	Kunkel	Thom
Colmer	Lanham	Thomas, Tex.
Cooper	Lemke	Tibbott
Cravens	Lewis	Vorys, Ohio
Crawford	McMillan, S. C.	Weaver
Cunningham	Manasco	Weichel
Curtis	Mansfield, Mont.	West
Davis		Whitten
Domengeaux	Martin, Iowa	Whittington
Doughton, N. C.	Murray, Tenn.	Wilson
Dworshak	Pace	Winstead
Earthman	Peterson, Fla.	Wolfenden, Pa.
Ellis	Peterson, Ga.	Wood
Elston	Pickett	Woodruff, Mich.
Ervin	Price, Fla.	Woodrum, Va.
Flannagan	Rains	Zimmerman

ANSWERED "PRESENT"—2

Cox	Dingell

NOT VOTING—135

Allen, Ill.	Fuller	O'Neal
Allen, La.	Gardner	Outland
Anderson, Calif.	Gibson	Pfeifer
Arends	Gifford	Phillips
Arnold	Gordon	Pittenger
Barden	Gore	Plumley
Barry	Gregory	Powell
Bates, Ky.	Gwinn, N. Y.	Powers
Bates, Mass.	Hagen	Price, Ill.
Bishop	Hale	Rayfiel
Blackney	Harless, Ariz.	Reece, Tenn.
Bolton	Hartley	Resa
Boren	Hébert	Rivers
Bradley, Mich.	Hendricks	Rizley
Bradley, Pa.	Henry	Robertson, N. Dak.
Brown, Ohio	Hess	
Buffett	Hinshaw	Roe, Md.
Bulwinkle	Hobbs	Roe, N. Y.
Burgin	Hoffman	Russell
Butler	Holifield	Sabath
Byrnes, Wis.	Howell	Sheridan
Cannon, Fla.	Huber	Sikes
Cannon, Mo.	Hull	Simpson, Ill.
Case, S. Dak.	Izac	Simpson, Pa.
Celler	Judd	Smith, Maine
Chapman	Keogh	Smith, Va.
Chelf	Knutson	Smith, Wis.
Clark	Landis	Snyder
Clements	LeCompte	Stevenson
Cole, Kans.	Lesinski	Stigler
Cole, N. Y.	Luce	Stockman
Combs	Lyle	Sumner, Ill.
Curley	McGehee	Talbot
Daughton, Va.	McGregor	Tarver
Dawson	McKenzie	Taylor
Delaney, John J.	Maloney	Thomas, N. J.
	Mansfield, Tex.	Torrens
Dirksen	Martin, Mass.	Towe
Dondero	May	Vursell
Durham	Monroney	Walter
Eaton	Morgan	Weiss
Eberharter	Morrison	Welch
Elliott	Mott	White
Ellsworth	Murphy	Wickersham
Fellows	O'Brien, Ill.	Winter
Fogarty	O'Hara	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Dingell for, with Mr. Knutson against.

Additional general pairs:

Mr. Smith of Virginia with Mr. Martin of Massachusetts.

Mr. Tarver with Mr. Ellsworth.

Mr. Forgarty with Mr. Arnold.

Mr. Curley with Mr Hess.

Mr. Monroney with Mr. Simpson of Illinois.

Mr. Barden with Mr. McGregor.

Mr. McKenzie with Mr. Buffett.

Mr. Snyder with Mr. Landis.

Mr. Celler with Mrs. Bolton.

Mr. Gibson with Mr. Hale.

Mr. Morrison with Mr. Plumley.

Mr. Dawson with Mr. Henry.

Mr. McGehee with Mr. LeCompte.

Mr. Clark with Mr. Hartley.

Mr. Hendricks with Mr. Byrnes of Wisconsin.

Mr. Lesinski with Mr. Hinshaw.

Mr. Russell with Mr. Simpson of Pennsylvania.

Mr. LEWIS changed his vote from aye to no.

Mr. BRYSON changed his vote from aye to no.

Mr. DINGELL. Mr. Speaker, I have voted. I want to make sure that my understanding with my colleague, the gentleman from Minnesota, holds good on this vote. If he were here, he would have voted "No."

Mr. Speaker, I withdraw my vote and answer "Present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

EXTENSION OF REMARKS

Mr. VORYS of Ohio asked and was given permission to extend his remarks in the RECORD.

Mr. GAMBLE asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MERROW asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an editorial from the Washington Post on schools for veterans.

Mr. GRANT of Indiana asked and was given permission to extend his remarks in three instances and include the second of a series of articles by former President Herbert Hoover on the coming San Francisco Conference; and also a column by Mr. Raymond Moley commenting thereon; and in a third instance to extend his remarks and include the third and fourth of a series of articles by Mr. Hoover on the coming Conference.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD and include therein a short statement and a clipping.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. CRAWFORD asked and was given permission to extend his remarks in the RECORD and include an editorial.

ORDER OF BUSINESS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. I take this time, Mr. Speaker, to ask the majority leader as to the future program.

Mr. McCORMACK. The next order of business is the Rankin resolution. Thereafter, as previously announced, a bill from the Committee on Foreign Affairs, with 1 hour of general debate. With the termination of those two matters, there is no further business. If we dispose of them today, there will be no business tomorrow. I want to frankly advise the House that I hope they will be disposed of today, but in any event there will be no business tomorrow. I hope the House will remain here and enable us to dispose of the legislative program that I had for this week. With the disposition of those matters there will be nothing until April 10 on the program. It is hoped there will be 3-day recesses and we will meet on Wednesday and Thursday and then recess until Monday.

Mr. BLOOM. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BLOOM. The gentleman said there will be no business tomorrow?

Mr. McCORMACK. There will be no business tomorrow, even if we do not reach the Foreign Affairs matter today. I spoke to the gentleman about that. I am asking the House to stay until we dispose of both matters. I am sure the House will do that, but there will be no business tomorrow, in any event.

Mr. MICHENER. But there will be a meeting of the House tomorrow?

Mr. McCORMACK. There will be a meeting tomorrow.

Mr. MICHENER. The House will be in session?

Mr. McCORMACK. The House will be in session.

Mr. MICHENER. Will speeches be permitted at these meetings of the House during the 3-day recesses?

Mr. McCORMACK. Of course, on 3-day recesses of this kind I have always considered that there is a gentlemen's agreement, by implication, that there would not be any speeches. I am expressing my own opinion, of course. I have always felt that where there is a recess of this kind, and 3-day adjournments are taken, by implication it also includes the further understanding among gentlemen that upon the reading of the Journal the only thing in order will be a motion to adjourn. On the other hand, I am expressing my own personal opinion.

The SPEAKER. The Chair trusts the gentleman from Massachusetts will let it be understood that while the Chair does not expect it, there might be a condition arise in world affairs where the Chair would feel called upon to ask Members to return before the 10th of April.

Mr. MICHENER. I think the understanding is that there is to be no controversial business from the time the House adjourns tomorrow night until April 10, subject, of course, to the intervening of important business, in which case a 3-day notice would be given to Members. Is that correct, Mr. Speaker?

The SPEAKER. As much notice as possible, under the circumstances.

EXTENSION OF REMARKS

Mr. COFFEE asked and was given permission to extend his remarks in the RECORD.

Mr. SAVAGE asked and was given permission to extend his remarks and in-

clude an editorial from the Washington State Grange News.

Mr. RABAUT asked and was given permission to extend his own remarks in the RECORD on two subjects and include therein an editorial and a release from the Department of Justice.

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article by Dr. Elgin Groseclose. I am advised by the Public Printer that this will exceed the limit and will cost $182. Notwithstanding that I ask unanimous consent that the extension may be made.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

INVESTIGATION OF VETERANS' ADMINISTRATION

Mr. SLAUGHTER. Mr. Speaker, I call up House Resolution 192 and ask for its immediate consideration.

The Clerk read the resolution as follows:

Resolved, That the Committee on World War Veterans' Legislation, acting as a whole or by subcommittee, is authorized and directed to conduct an investigation of the Veterans' Administration with a particular view to determining the efficiency of the administration and operation of Veterans' Administration facilities.

The committee shall report to the House (or to the Clerk of the House if the House is not in session), as soon as practicable during the present Congress, the results of its investigation, together with such recommendations for legislation as it deems advisable.

For the purposes of this resolution the committee, or any subcommittee thereof, is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such records, documents, and papers, to administer oaths, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee, or by any member designated by such chairman, and may be served by any person designated by such chairman or member.

Mr. SLAUGHTER. Mr. Speaker, I yield 30 minutes to the gentleman from Michigan [Mr. MICHENER] and yield myself 3 minutes.

The SPEAKER. The gentleman from Missouri is recognized for 3 minutes.

Mr. SLAUGHTER. Mr. Speaker, House Resolution 192 is a resolution coming out of the Committee on World War Veterans' Legislation authorizing an investigation of the Veterans' Administration.

For the benefit of those Members who may not be familiar with what has transpired I will briefly outline what has happened in connection with this investigation to date.

The Rules Committee met last week and considered two resolutions both of which had for their purpose the investigation of the Veterans' Administration. One resolution was offered by the gentleman from Massachusetts [Mr. PHILBIN].

In support of his resolution he appeared before the committee and made a most commendable statement, a very full statement, and had a great many specific instances which he called to the attention of the Rules Committee in support of his resolution. It was the judgment of the Rules Committee, however, that his resolution was somewhat too sweeping in character and embraced subjects that, at least in the judgment of the committee, should not be taken up at this time. After a full and frank discussion of these two resolutions it was concluded to report the so-called Rankin resolution which provides for an investigation of the Veterans' Bureau by the committee that has jurisdiction of that Bureau and by the committee which presumptively is the committee best advised as to the operation of the Veterans' Administration.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore (Mr. RAMSPECK). The gentleman from Michigan [Mr. MICHENER] is recognized for 30 minutes.

Mr. MICHENER. Mr. Speaker, the gentleman from Missouri has explained this rule. I do not believe there is any great desire on the part of the House to take a lot of time in discussing it. The members of the Committee on Veterans' Affairs on the minority side are here and they have asked for time provided time is to be taken on the other side. May I ask the gentleman from Missouri in charge of this resolution if he is going to use more time?

Mr. SLAUGHTER. Yes; I may say to the gentleman from Michigan that the time on this side is pretty well taken up, or at least most of it.

Mr. MICHENER. Then we will use our time.

Mr. Speaker, I favor this investigation. Our men in these hospitals are entitled to the care that the Congress has provided and which our people believe they are getting. I have no complaints from my constituents. I have faith in the Veterans' Administration. However, if there is inefficiency we want to know it. This investigation will develop the truth.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, I am sure there will be no objection to the passing of this resolution and the investigation it will authorize of the Veterans' Administration. I am heartily in favor of it. The Administration should be investigated from top to bottom. We well may find conditions that we do not like. We must insist that they be changed and changed immediately.

I am heartily in favor of this resolution and believe it will be passed unanimously. Everyone in the United States is anxious to have the veterans receive the most efficient and able care while they are in the hospitals. Also the people are extremely anxious that every veteran shall receive prompt attention so far as his claim for compensation and various other benefits which are his just dues are concerned. We cannot adequately compensate the disabled for what they have done for us, but we can use every effort to insure that the men be given the best care possible and as high a rate of compensation, training, and so forth as can be given. They need the best medical attention and the best nursing attention. All benefits for the veterans should be promptly administered. Personnel should be transferred from nonessential departments to the Veterans' Administration.

There is today a shortage of nurses all over the United States—in the Army, in the Navy, and in the Veterans' Administration. I have constantly brought this shortage to the attention of the House. They are 850 nurses short in the Veterans' Administration alone. Every effort must be made to see that nurses go into this service. The nurses' watch hour by hour the progress of the patients in the veterans' hospitals. There are some 500 very serious spinal cord injury cases and it sometimes takes several nurses to take care of these cases. These are World War No. 2 veterans. There are many others that move your heart and make you want especially to give them the best of care. Nothing else should be tolerated.

Inspections of hospitals should be made constantly and with great diligence. Ever since the First World War I have constantly visited and inspected hospitals wherever our service men and women and our veterans are cared for. I inspected every type of hospital—Army and Navy, from field hospitals and dressing stations to base hospitals and big air evacuation hospitals—at the European battle fronts only last autumn. I have visited hospitals of all kinds in this country. I hope all Members will do the same. Only vigilance will secure the best care. I have often told the House of ways I believe the care could be improved.

I have suggested ways of adding and improving personnel at the Veterans' Administration and eliminating red tape.

The SPEAKER pro tempore. The time of the gentlewoman from Massachusetts has expired.

Mr. SLAUGHTER. Mr. Speaker, I yield to the gentleman from West Virginia [Mr. NEELY] for a unanimous-consent request.

PERMISSION TO ADDRESS THE HOUSE

Mr. NEELY. Mr. Speaker, I have permission to address the House for 40 minutes today. It is now nearly 5 o'clock. The House has been in continuous session for 6 hours, and I am unwilling to impose myself upon the Members today. I therefore ask unanimous consent that I may be permitted to address the House for 40 minutes on tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

INVESTIGATION OF VETERANS' ADMINISTRATION

Mr. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. SADOWSKI. Mr. Speaker, the Yalta Conference met on February 2 and its work was completed on February 10. Seven weeks have now elapsed since the conclusion of that conference and there are only remaining 4 weeks until the San Francisco Conference. Seven weeks have gone by, yet nothing has been done toward forming a new Polish Government which was proposed at Yalta and we have only 4 more weeks to go before the San Francisco Conference.

It seems to me that there is deliberate sabotage going on so far as this Yalta agreement is concerned. I do not know whether Uncle Joe has a hand in it or not, but it looks mighty bad. It looks as if Poland will not be represented at San Francisco. This is the crucial test. Were the Yalta agreements drawn in good faith? Perhaps it would be well for the Members of the House to get up a petition asking our State Department or, better still, instructing the Department that it is the wish of the Members that Poland shall be represented because Poland should be represented at the San Francisco Conference. If a new government is not formed, and it is not the fault of the United States that it will not be formed, then the old government the London Polish Government, that we still recognize and that England still recognizes, and that all of the countries recognize with the exception of two, Germany and Russia, should be invited and be allowed to attend the conference at San Francisco. It may be too late now to get out a petition, but I would suggest that every one of us write a letter to the State Department advising Mr. Stettinius of our position and urging that Poland be represented either by this new government or if they cannot form a new government and reach an agreement that the old government in London represent that country. We must not permit it to happen that Poland would be the only one among the United Nations that would not be represented. The London Government has been faithful and loyal to the Allied cause. Their war record is marvelous. They are honored and respected by all of the United Nations with the exception of one—Russia. This is the only way out in view of the Lublin Committee's obstructiveness. The United States must keep faith with Poland.

In this morning's Washington Post there appeared a little editorial which hits the nail on the head. I would like to read it to you:

POLISH SILENCE

More than 6 weeks ago President Roosevelt, Prime Minister Churchill, and Marshal Stalin jointly agreed at Yalta that "the provisional government which is now functioning in Poland should be reorganized on a broader democratic basis with the inclusion of democratic leaders from Poland itself and from Poles abroad." The task of supervising this reorganization was entrusted to a commission composed of Foreign Commissar Molotoff and the American and British Ambassadors at Moscow. So far, however, there is not the slightest evidence that this commission has made any progress in the direction of setting up a truly representative Polish regime.

Nor is there any evidence that the Lublin Poles are in the least receptive to the idea of broadening the base of their regime by including such personages as former Premier Stanislaw Mikolajczyk. On the contrary, Mikolajczyk, though regarded with favor both by the British and American Governments, has been the particular object of venomous attack by the Lublinites, whose past record makes it clear that they do not lift a finger or speak a word without the approval of the Kremlin. The time has thus come to raise the question whether Russia has the slightest intention of carrying out the so-called Yalta compromise on Poland. If it has, the pronouncements and activities of its Lublin stooges certainly constitute a peculiar way of showing it.

Time is running out while the conferees are doing nothing. If nothing is done, Poland, the first nation to fight the Nazis, will be left out of the San Francisco Conference. That would be a tragedy. To avert that tragedy the administration should leave nothing undone to promote the effectuation of the Yalta pledge.

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Speaker, I am in favor of this resolution. Recently a very serious charge appeared in several publications throughout the United States against the Veterans' Administration's method of handling our wounded heroes in the veterans' hospitals. If this charge is true there should be a thorough and complete investigation not only of the veterans' facilities—and by those I mean the veterans' hospitals throughout the United States—but also a complete and thorough investigation of the administrative branch of the Veterans' Administration. This should be complete and thorough, and no whitewash, and without fear or favor.

In addition to that, Mr. Speaker, if half of the charges that appeared in these publications are true, an investigation should be had. If any portion of it to any extent is true we should have that investigation, for two reasons: first, to assure the veteran proper treatment in the future, and to bring to justice those responsible for those conditions; second, to alleviate the feeling that those articles have caused in the hearts and the minds of the fathers, the mothers, and the relatives of the veterans throughout the United States. The mere publication of these articles is sufficient to warrant an investigation to assure the parents and the relatives of the veterans and those who are fighting for us that such conditions do not exist.

However, Mr. Speaker, insofar as I am concerned, as a member of the committee, the fact that the charges have been made in certain publications and by a certain writer is of itself not sufficient or competent evidence of the truthfulness of the charges. I do not believe that a defendant should be called into court to defend himself until the plaintiff has made at least a prima facie case. The fact that those charges have appeared in public print is of itself no competent evidence of the truthfulness of the charges. Therefore there is still a third reason why this resolution should be adopted and the investigation had, and that is that the writer of this article, as well as the publishers that have broadcast it throughout the country, should first be called in and given an opportunity to prove their case. As I said in the beginning, if all or a goodly portion or a major portion or even half or one-fourth of the charges as have been written up are true, the Veterans' Administration from top to bottom should be investigated thoroughly and completely without fear or favor, and without any whitewash.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CUNNINGHAM. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does the gentleman not feel that conditions in these hospitals and the Administration of Veterans' Affairs should be investigated constantly?

Mr. CUNNINGHAM. Yes, all the time. I also feel that a special investigation is necessary now because of the seriousness of the charges. We should also find out, first, whether the charges are true, and if they are not true, do something to prevent such charges being made in the future, because with the war on and the people concerned as they are, charges of that kind are very disturbing to the families and the relatives of the boys who are doing the fighting for us.

Mrs. ROGERS of Massachusetts. And correct it, if necessary.

Mr. CUNNINGHAM. That is right.

Mr. SLAUGHTER. Mr. Speaker, I yield 9 minutes to the gentleman from Massachusetts [Mr. PHILBIN].

Mr. PHILBIN. First, Mr. Speaker, I wish to submit a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. PHILBIN. I have two inquiries, Mr. Speaker: First, will an amendment be in order at any stage of the consideration of this resolution, and second, will a motion to recommit be in order?

The SPEAKER pro tempore. To answer the gentleman's last inquiry first, a motion to recommit will not be in order. Also, the resolution will not be open to amendment unless the gentleman from Missouri yields for that purpose or unless the motion for the previous question is voted down.

Mr. SLAUGHTER. I may say to the gentleman from Massachusetts that I will not yield for the purpose of amendment.

Mr. PHILBIN. Mr. Speaker, if it were possible under the rules I would offer my resolution, House Resolution 172, or make a motion to recommit, but you have heard the statement by the gentleman from Missouri who is handling this resolution that he refuses to yield for that purpose.

I am very sorry that consideration of this resolution has not been deferred until the full membership of the House is present. While it is important to get speedy action, it is more important to get the right kind of action and to have the right kind of an investigation. A cursory limited investigation will not suffice.

I will not allude now in detail to the shocking evidence of neglect, mistreatment, and abuse of our veterans and servicemen in various hospitals and in connection with the administration of

basic veterans' legislation. I think this House is fully aware of the conditions. I discussed them comprehensively in last Saturday's RECORD. If there are any Members who are not so aware then I venture to say that so great is the concern and agitation throughout the country about these matters, and it is steadily rising and extending, that it will not be very long before the Members will be fully informed. The evidence is voluminous and if true most distressing and I have heretofore presented some of it, all very shocking instances, to the Rules Committee and the House.

It is not confined to the Veterans' Administration alone or to its hospital institutions. It affects all parts of the rehabilitation program and the G. I. bill of rights but it also affects matters outside of the Veterans' Administration, such as startling conditions of inadequate care, neglect, and mistreatment in Army and Navy institutions, which under this particular resolution now pending before the House cannot be investigated by the proposed committee.

It was in response to very many complaints and charges that I introduced House Resolution 172 which calls for a complete and sweeping inquiry into irregularities and intolerable conditions affecting the whole rehabilitation program. I presented the basis and crying need for this inquiry to the Rules Committee, which has nevertheless reported out the so-called Rankin resolution now pending, which is all right so far as it goes but which by no means goes far enough to deal with all of these very important matters and complaints and charges, since it would investigate merely the Veterans' Administration and nothing else.

Mr. BENDER. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. Yes.

Mr. BENDER. Under the circumstances, according to the gentleman's statement, he cannot present his substitute resolution?

Mr. PHILBIN. That is right.

Mr. BENDER. I would be glad to support the gentleman's substitute resolution. Under the circumstances, however, is the gentleman going to vote for the resolution which is before us?

Mr. PHILBIN. No; the gentleman is opposing the resolution.

Mr. CUNNINGHAM. Mr. Speaker, will the gentleman yield?

Mr. PHILBIN. Yes.

Mr. CUNNINGHAM. Since the charges have been made against the Veterans' Administration, what more should be investigated?

Mr. PHILBIN. There is a lot of information coming to me concerning the Army and Navy hospitals. But I will not yield any further at this time. I desire to complete my statement.

Mr. CUNNINGHAM. Should that not be a separate resolution?

Mr. PHILBIN. Though I know that the resolution is not intended in that sense, by implication if adopted it may well constitute a discrimination against the Veterans' Administration, because it will deal only with charges made against that agency and not with charges made against other government departments and agencies.

I know the argument is made that there are other standing committees of this House authorized to investigate these departments and agencies but the fact is that they have not done so and there is no sign that they intend to do so, in fact the chairman of some of these committees have stated publicly to the press that they did not think any investigation was necessary. Not so long ago the able chairman of the Veterans' Committee was of that opinion. I have no desire to interfere with the jurisdiction of the standing committees of this House. I am a member of the great and important Military Affairs Committee, have respect and admiration and affection for its very able chairman, and I do not wish in any way to interfere with his prerogatives or the prerogatives of any other standing committee of this House, all of which I hold in great respect. But this is no ordinary situation. These conditions affect those who are offering up their lives for our country and who come back to us helpless and defenseless, suffering from every degree of physical and mental disability. Obviously we must insure that these heroes are properly taken care of. We must insure that the heroes of Europe and the South Pacific, the wounded and disabled of battlefields, sea lanes, and airways covering virtually the whole world, shall be given every possible consideration and the best possible treatment which will insure their care and rehabilitation. Above all, we cannot stand for any abuses in the Government institutions where these men and women are hospitalized, and I mean all Government hospitals and not only those of the Veterans' Administration.

Congress must select the simplest and most direct way of dealing with these matters, and that seems to me to be by authorizing one committee, not several committees, to investigate the very serious charges made in respect to all phases of the rehabilitation program and to come back promptly to the Congress with definite plans for remedial action. If there is something wrong about the way that our wounded and disabled are being taken care of, we ought to find it out, and we cannot move too quickly to correct it. If there is nothing wrong, none of the officials of the Government agencies concerned need fear a full, complete, and sweeping investigation. It will not be a sufficient answer by this House to authorize a limited, circumscribed inquiry conducted by the veterans' committee and which will deal only with conditions affecting the Veterans' Administration and leaving other vital matters, charges, complaints, alleged intolerable conditions to be investigated by four or five other committees of the House whose efforts will thus be uncoordinated, unrelated, perhaps wasteful and duplicating, with the result that the correction of these conditions if correction is needed—and it seems very much that it is—will be seriously delayed.

I hope that this House will not go ahead at this time with this proposed limited inquiry, which can only result in misunderstanding on the part of the country and the veterans and their families. We cannot afford to have the impression go out throughout the Nation that we are not enough interested in the heroes of this war—yes, and every other war—to direct a full, complete, and fearless inquiry of all the very serious charges that have been made.

In taking this position I want to make it clear to the House that I am not questioning in any way the great ability, integrity, or patriotism of the distinguished gentleman from Mississippi, but it seems to me that a more sweeping inquiry is required than the one he proposes. This House will have to make such an inquiry sometime, and let us begin now, because if we do not, I am sure that the coordinate body will, and in the very near future, as we may have to, and thus we will be in the rather unenviable position, rightly or wrongly, of having it appear to the country and to the veterans that we failed to take promptly and expeditiously the kind of action in their behalf and their interest which current conditions demand. In fact, whether rightly or wrongly, that impression is already evident in some of the press.

I respectfully urge that the House vote down House Resolution 186 and that the Rules Committee may speedily report House Resolution 172, which will permit a complete and fearless inquiry of the whole rehabilitation program from the top to the bottom. In my opinion, that is what the country wants and nothing less will discharge the obligations of this House to our heroic veterans.

Mr. MICHENER. Mr. Speaker, I yield 2 minutes to the gentleman from New York, General KEARNEY.

Mr. KEARNEY. Mr. Speaker, as a Member of the House and as a member of the Committee on World War Veterans' Legislation, I am in favor of House Resolution 192. I have been quite disturbed during the past 2 days to read in certain periodicals charges made against the Veterans' Administration, wherein it has been expressly stated that our disabled are not receiving the care to which they are entitled. In voting for this resolution I do so under the impression that it is not a limited resolution, but a resolution which will allow members of the committee to go to the bottom of these alleged charges, and if true to place the blame on the shoulders of those responsible.

We are rapidly approaching the time when thousands and thousands of our men and women will be placed in veterans' facilities all over the country. If there is one duty that this House has in the conduct of plans for the rehabilitation of those men and women it is to see that that care which they so richly deserve is given to them by competent and efficient medical officers and nurses connected with the veterans' facilities.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina [Mr. FOLGER].

Mr. FOLGER. Mr. Speaker, I have not decided whether I will vote for this resolution or not. What disturbs me very greatly—and we need not undertake to hide the fact—is that the public press is attacking us in connection with the investigation of charges that have become more or less public and prevalent in the country concerning the treatment of our veterans in the hospitals and other places, or the lack of such treatment. On the idea that this resolution is to avoid Resolution 172 offered by the gentleman from Massachusetts, I rather think that I make these observations and this appearance in behalf of the Veterans' Administration as well as in concern for the soldiers, sailors, and all who may have to receive treatment in the veterans' hospitals.

In the public press there is already the bold and bald charge that House Resolution 192 was offered as an aftermath of or to stifle House Resolution 172; that had it not been that the gentleman from Massachusetts [Mr. PHILBIN] had introduced House Resolution 172, which was offered on March 7, 1945, House Resolution 192, offered on March 19, 1945, would not have been introduced. I do not believe we can afford to have the suspicion rest upon this Congress that we have failed to make a very definite investigation of this subject, and in connection with it any other that might be needful of being investigated. No suspicion must be left on us, not myself accusing anybody, but saying to you as Members of this Congress that we have now before us one of the most important questions that could come before us, the assurance of the full care and the efficient care of our returned, injured, sick soldiers who have been fighting our battles upon the battle fronts of all this world. I do not want General Hines or anyone in this Congress to be left in an attitude of uncertainty about this investigation or under any feeling that it is not thorough and sincere.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. MICHENER. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri [Mr. BENNETT].

Mr. BENNETT of Missouri. Mr. Speaker, I favor House Resolution 192, to authorize the Committee on World War Veterans' Legislation to conduct a sweeping investigation of the Veterans' Administration and operation of its facilities and to inquire into the treatment accorded veterans at these places. This resolution was introduced by the chairman of the committee, of which I am a member, at the request of the whole committee. All members of the committee favor the resolution.

I oppose consideration of any substitute resolution to extend this investigation to Army and Navy hospitals. This is not because I oppose investigation of these places but because it would be an expensive and wholly unnecessary duplication of effort to authorize the Veterans' Committee or a select committee to undertake this additional responsibility. Already the Naval and Military Affairs Committees of this House are authorized by resolutions of this House to inquire into conditions prevailing in Army and Navy hospitals. This to my personal knowledge they have done when occasion has warranted and have done so with promptness and efficiency. For instance, there is a large Army general hospital in my home town. Last year a condition arose there under which the civilian guards were being mistreated by a drunken and arrogant sergeant who had more authority than brains. The situation became so intolerable that some of those concerned wrote me about it. I took it up with the Military Affairs Committee of the House and an investigator was promptly sent to this hospital. He made a careful and searching examination of all the facts concerned and made a report to the committee which resulted in prompt action by the commanding officer of the hospital to correct the abuse in question. I have inquired of the Naval Affairs Committee to see if they have been called upon to investigate any charges of maltreatment or poor administration in a naval hospital. I was advised that only two or three cases of this kind have come to the committee's attention and that they were investigated under authority granted the committee by resolution adopted by the House during the last Congress and again in this Congress. If there are additional complaints they should be directed to these committees provided by the House with authority and means to investigate them. Additional authority granted to a select committee or any other committee for the same purpose would seem quite unnecessary.

Mr. Speaker, an investigation of veterans hospitals is long overdue. We have been authorizing and appropriating hundreds of millions of dollars for care of our veterans. It is properly the responsibility of this House, through the World War Veterans' Legislation Committee, to find out if that money is being properly spent and if our veterans are getting the first-rate care to which they are so justly entitled. We have made no such investigation heretofore. We have relied on the self-serving testimony of the Veterans' Administration that it is doing a good job. I think it is doing a good job on the whole. I think, also, that it can do a better job and this investigation will help it to do just that.

Since this resolution was presented to the House on March 15 I have received many letters from veterans who have been treated at these hospitals provided by the taxpayers for the injured and sick veterans of our various wars. Some of these letters indicate that conditions exist which must be drastically changed. For instance, one of the numerous letters I received was from a veteran I know personally. He is a high-class citizen. He holds one of the most responsible jobs in the State of Missouri. He is a prominent Legion member and a man of sound and intelligent judgment. His letter reads in part as follows:

DEAR CONGRESSMAN BENNETT: I was delighted to hear that the House Committee on World War Veterans' Legislation is asking for full authority to conduct a sweeping investigation of veterans' hospitals and the treatment of veterans. I am glad to know that you are a member of the committee which will make this investigation because I know you will be fair about it but will get to the bottom of the situation.

Recently I was a patient in a veterans' hospital at ———. It is the hell hole and penal institution of the entire Veterans' Administration set-up. Patients in other hospitals are sometimes threatened by doctors with being sent to this particular institution. This facility is one for nervous and mental cases. However, veterans from surrounding States go there for examinations and other purposes and I went there to be cured of acute alcoholism. I was without infectious or mental disease but was herded in with patients who had syphilis and lived in constant fear of infection. If my wife hadn't heard of the conditions and come and got me out I suppose I would have been there yet because we were all kept under lock and key. Nothing that a patient says carries any weight, because everyone is treated as if he were insane and if left there for any length of time most certainly would be.

All outgoing mail is censored in this way: They do not actually open your mail because you are not permitted to seal or stamp your letters, but must turn them in for reading to the nurse in charge of the floor. After they have been read, they are stamped and sealed by hospital authorities, if there is nothing in them to which authorities object. The result is patients always say in their letters that they are getting along fine and being well treated.

You can readily see how some of these women who have married soldiers merely for their money can take advantage of such a situation. If a man has been shell-shocked or is suffering from any sort of mental or nervous confusion, his wife may get herself appointed guardian. Then she throws him into this institution and he is kept there for what amounts to an indefinite sentence, while she receives his compensation check to spend as she sees fit. She may even leave him there until he becomes insane or suffers a grateful death. Such cases are so common that other patients at this particular institution say these poor unfortunates are suffering from "female trouble." The only way these men can get out is for some blood relative to learn the truth, despite censorship, and come down and override the guardianship orders of the wife. Men with no relatives interested are certainly behind the eight ball.

At this institution if a man doesn't have syphilis or isn't insane, he receives virtually no treatment. He is kept under lock and key and constant observation, treated as if he were insane, and held prisoner until someone comes for him. This is his reward for having been in the Army, Navy, or Marine Corps. Furthermore, all attendants at this institution, when I was there, were members of a C. I. O. union. You can imagine how popular American Legion patients, some of them, would be among a bunch of C. I. O.'s who held almost unlimited authority over them.

Your committee is to be congratulated upon its initiative in this matter, and every veteran should be grateful to you.

Mr. Speaker, letters of that kind indicate that where there is some smoke there certainly is a fire that needs to be put out. The Veterans' Administration has become such a huge bureaucracy that well-intentioned men at the top of it are too far removed from many of these conditions and there is so much red tape they can never find out about them without an independent investigation by those who have no interest to serve except to see that our veterans get the kind of treatment the Congress intends they should have.

Speaking of red tape, I think this investigation would do well to cover many fields of activity too numerous to mention here. Just for instance, I now have in my office the case of a retired Army officer who is drawing retirement pay from the Government. He is also entitled to some disability benefits under his insurance policy and when he made application for them was directed to go to a veterans' facility in an adjoining State for physical examination. This veteran is disabled and his wife had to accompany him. He was examined. He returned home. Weeks later he found out from a letter from the Veterans' Administration that his claim for compensation for disabilities had not been considered and that he had been considered for and was entitled to a pension. He had not made any such claim at all and did not want a pension because his retirement pay was larger. I took up this matter with the Veterans' Administration and asked how they had got the case so balled up. They did not know but directed that he go back to this hospital, make the long trip again, and have another similar examination. They would then consider his insurance case for which they had ordered the first examination. Of all the silly bureaucratic things I ever heard of that is among the worst. He was examined in the first instance for the same purpose it is requested that he be examined in the second instance. The records are available and the showing will be the same. But, the veteran is asked to go to all this trouble again because the maze of red tape is so thick in the Veterans' Administration that a mistake made in the bureau in sending his file to the wrong division for examination and finding has got to start the whole procedure over again and make this man and his wife take another trip and get another examination when all that is needed is to send the existing report of his physical examination to the insurance section of the bureau.

I could list many cases such as I have done here today. I support the resolution in hope that we can put an end to some of this monkey business and fulfill our obligation to discharged servicemen.

There are two or three things which have not been discussed here this afternoon. Having no information on them I should like for my own edification and that of the Members to ask the chairman of the committee a question or two which he probably will anticipate anyway and discuss in his own time. I do not believe there are any Members on the committee who are doctors. We would be, I think, qualified as well as anybody else to pass upon most of the conditions we see in these veterans hospitals, but will the members of the committee be authorized to employ or have accompany them a doctor who can give expert special advice on whether or not the boys are receiving proper medical treatment in these institutions?

Mr. RANKIN. I will say to the gentleman from Missouri that we expect to go into every phase of this proposition and go to the bottom of it.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. SLAUGHTER. Mr. Speaker, I yield the balance of the time remaining on this side to the gentleman from Mississippi [Mr. RANKIN].

The SPEAKER. The gentleman from Mississippi is recognized for 11 minutes.

Mr. RANKIN. Mr. Speaker, it is strange indeed that during all these years when the Committee on World War Veterans' Legislation has been trying to see to it that our disabled veterans are properly cared for, we have not heard a word from some of the critics who are now opposing this resolution.

I wanted to ask the gentleman from North Carolina [Mr. FOLGER] awhile ago if he had ever been in the veterans' hospitals in North Carolina and, if so, if he had been all through them and examined them to find out how the boys in them are treated. I know one thing, he has never come before the Veterans Committee of the House. I have been through the veterans' hospitals in North Carolina as well as in nearly every other State, and I think I know something about them.

As to the scope of this resolution, let me say that if the Philbin resolution were passed and everything he proposes to investigate were unloaded onto one committee, there is no telling how long it would take. The veterans' committee has no jurisdiction over Army and Navy hospitals. The gentleman from Massachusetts [Mr. PHILBIN] is on the Military Affairs Committee. I wonder if he went to that before he came to the floor of the House to criticize the way that these disabled boys are being treated in the Army hospitals. I talked to a member of my committee who resigned from this Congress, went to war, became disabled, and spent part of his time in one of those Army hospitals. He told me not 10 minutes ago that he had never received finer treatment in his life.

They have brought in here fragments of letters from all over the country. You can read those letters and see that some of them come from people who are neuropsychiatric or mental cases. Those criticisms come in continuously. To go out and undertake to investigate Army hospitals by a committee that is not designed for that purpose, just on those complaints, would not be consistent with legislative wisdom.

We have had investigations before, and I want to say that this is not going to be a whitewash. I am going to give the gentleman from Massachusetts and the gentleman from North Carolina, as well as every other Member of the House, an opportunity to come before the committee and testify on oath as to just where they have been before they made these charges, and afterward, and what they have done to investigate the real conditions in the hospitals of this country.

I do not mind telling you that we have the finest system of veterans' hospitals in the world. We have 94 of them, 51 being general medical and surgical hospitals, 30 of them NP hospitals for mental cases, and 13 for tubercular cases. They are scattered from one end of the country to the other. I am going to ask every Member when he goes home during the recess, whether he is a member of this committee or not, to go to those hospitals and see if you can find anything wrong. Do not get up here and make this a sounding board before you go and find out the facts, because when you disturb these boys, when you disturb the parents of these boys, and disturb these mental patients you are probably doing a great deal more harm than good.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Utah.

Mr. GRANGER. Do I understand this resolution is limited to an investigation of veterans' hospitals?

Mr. RANKIN. No; to the whole of the Veterans' Administration.

Mr. GRANGER. The complaints I have are outside the veterans' hospitals and pertain to the general administration of the veterans' affairs.

Mr. RANKIN. Yes. I have received complaints from some who say they are not getting enough compensation. I had one complaint from a man who said he did not know whether he was entitled to retirement pay or to compensation. He applied for both and they gave him retirement pay. He thought probably if they had given him compensation instead he would have received more money. We received all kinds of complaints.

Let me call your attention to another thing. We have in this country some veterans' organizations. One of the best of its kind on earth is the American Legion.

Let us see what the Legion has to say about this resolution. I have here a telegram from the legislative representative here in Washington, dated today, which reads as follows:

> The American Legion is hopeful the House of Representatives will adopt House Resolution 192 which would direct the Committee on World War Veterans' Legislation to investigate the Veterans' Administration. At direction of National Commander Edward Scheiberling our organization conducting its own survey and investigation of Veterans' Administration facilities, and upon completion of such survey and investigation the American Legion will submit report to the Congress through the Committee on World War Veterans' Legislation, if desired. The American Legion recognizes that House Committee on World War Veterans' Legislation has had ample experience dealing with veterans' affairs and we are confident if House Resolution 192 adopted investigation will be an impartial and thorough fact-finding investigation.

This is signed by Francis M. Sullivan, executive director, national legislative committee.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Utah.

Mr. GRANGER. I think that is one point on which there is some justification for suspicion as to whether or not this will be a real investigation. Since the American Legion happens to be for it, it

should be up to them to make the investigation itself.

Mr. RANKIN. Let me say to the gentleman from Utah that this is merely preliminary. We do not intend to stop there.

I have been in touch with members of the American Legion in every State of the Union and I have always found them more than anxious to look after the disabled veterans of this country. The same thing applies to the Veterans of Foreign Wars.

Today I received this telegram from Hon. Omar B. Ketchum, national legislative representative of the Veterans of Foreign Wars—another great veterans organization. Let me read it to you:

The Veterans of Foreign Wars are hopeful the House will pass House Resolution 192, authorizing the World War Veterans Committee to investigate the Veterans' Administration. We are confident the Veterans Committee will make an impartial and thorough investigation of this matter. The Veterans of Foreign Wars, under orders of Commander in Chief Brunner, is now making an independent investigation of the Veterans' Administration and the findings of that investigation will be available to the World War Veterans Committee if desired.

This is not final. This is merely spade work. What I am asking you to do when you go home is to go through your veterans' hospitals and come back and report to the Committee on World War Veterans. Even that is merely spade work. We do not intend to leave a stone unturned to find out what is wrong, and to correct the errors and irregularities as we find them.

Mr. BENNETT of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Missouri.

Mr. BENNETT of Missouri. I know the gentleman means just what he says; that he will not permit any whitewashing to be done.

Mr. RANKIN. Certainly not.

Mr. BENNETT of Missouri. For my own information I would like to inquire what the chairman of the committee contemplates as to whether or not the committee should have full-time investigators to assist in this investigation.

Mr. RANKIN. I will discuss that in detail with the committee when it meets.

Mr. Speaker, I see that some of these letters referred to in this article talk about the conditions in the field hospitals behind the lines. I would love to see some Member of Congress chasing General Patton across Germany trying to investigate his field hospitals. My God, where would you get? This is war; and those field hospitals are operated under real war conditions. Those physicians who are with the armies on the various battle fronts of the world are doing the very best they can to take care of our sick and wounded men, and in my opinion it would be ridiculous to have a congressional committee in their way.

I do not know how many of these charges are true; but we are going to find out.

One of these men who is writing some of these attacks is mentioned 11 times in the last report of the Dies committee as having been connected with subversive organizations.

Mr. PHILBIN. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Massachusetts.

Mr. PHILBIN. Does the gentleman's committee propose to investigate the complainants or investigate the charges that have been made against these veterans' facilities?

Mr. RANKIN. We are going to investigate the charges and we are going to see that the men who make the charges have a chance to come before the committee and testify on oath and under cross-examination.

The SPEAKER. The time of the gentleman from Mississippi has expired.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a statement from General Hines about one of the cases that has been referred to here.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

(The matter referred to follows:)

VETERANS' ADMINISTRATION,
Washington, March 17, 1945.

Hon. JOHN E. RANKIN,
Chairman, Committee on World War Veterans' Affairs, House of Representatives, Washington, D. C.

MY DEAR MR. RANKIN: In connection with the article appearing in the March issue of the Cosmopolitan by Albert Q. Maisel, I have secured the clinical records and a report from the Bronx and Castle Point Hospitals and have had a brief prepared covering one of the cases mentioned.

I am forwarding for your information and use a brief in the case of James H. Collier, C-4,187,670, one of the patients mentioned specifically. In addition to a brief of his military history, compensation, and insurance status, the hospital record has also been set forth, and beginning on page 6 the statements as made by Mr. Maisel pertinent to this particular case are quoted, and just opposite same are the irrefutable facts that are supported by documentary evidence.

With your permission, I will forward you from time to time the pertinent evidence developed in connection with the article appearing in the Cosmopolitan.

Very truly yours,

FRANK T. HINES,
Administrator.

BRIEF, JAMES H. COLLIER, C-4,187,670, ADDRESS, 8 JEWETT AVENUE, CORTLAND, N. Y.

MILITARY HISTORY

Born: Dryden, N. Y., June 28, 1923.

Enlisted in the Army November 24, 1942. Became ill in the military service while in England with cough, expectoration, and loss of weight. In August 1943 he noted marked fatigability, marked malaise, feverish sensation, and night sweats. X-ray of his chest, physical examination, and sputum studies revealed an active pulmonary tuberculosis involving the left lung. He was confined to Second General Hospital and while on overseas duty, August 26, 1943, pneumothorax was induced.

November 1, 1943, returned to the United States and was hospitalized at Lovell General Hospital, Fort Devens, Mass., where he remained until December 28, 1943, at which time he was discharged from the Army and admitted to Veterans' Administration facility, Castle Point, N. Y. On discharge, he was single.

COMPENSATION STATUS

February 19, 1944, case was rated by the Batavia, N. Y., office 100 percent from December 29, 1943, incurred in service in World War No. 2, for tuberculosis, pulmonary, chronic, active; pleuritic adhesions, chronic, left apex; pneumothorax, artificial, left thorax, moderate, no combat disability. An award of pension in the amount of $20 a month was made March 10, 1944, $20 being the amount of the pension because he was being maintained in a Veterans' Administration hospital and had no dependents.

July 8, 1944, contact representative at Veterans' Administration, Castle Point, N. Y., wrote the county clerk, Poughkeepsie, N. Y., and requested a certified copy of the marriage certificate of James H. Collier and Patricia Quinn, who were married at Beacon, June 30, 1944. July 20, 1944, contact representative forwarded certified copy of marriage certificate, and November 7, 1944, the adjudication officer at Batavia notified Mr. Collier that based upon evidence received July 22, 1944, establishing his marriage to Patricia Quinn, action had been taken to pay him the full amount of pension during the period of his hospitalization; that an award had been approved whereby he would receive the sum of $115 per month from June 30, 1944, subject to prior payments made over the same period.

INSURANCE STATUS

In December 1942, veteran made application for national service life insurance in the amount of $10,000, which was approved in this amount.

May 1, 1944, made application for change of plan of national service life insurance.

May 30, 1944, advised application for waiver of premiums on 5-year level premium contract pending and when action completed, consideration would be given to the conversion of his insurance.

August 12, 1944, Insurance Claims Council held insured 100 percent disabled from December 29, 1943, due to pulmonary tuberculosis, incurred in service.

August 23, 1944, veteran advised opinion of Insurance Claims Council.

HOSPITAL RECORD, VETERANS' ADMINISTRATION

Admitted Veterans' Administration Facility, Castle Point, N. Y., on discharge from the Army December 28, 1943. Classified as a far advanced case of pulmonary tuberculosis with pneumothorax, artificial, on the left. Case presented to surgical collapse board December 30, 1943, at which time Dr. Davidson, surgical chest consultant, was present, and at which time it was decided a pneumonectomy on the left was the advised procedure. Patient undecided relative to accepting surgical intervention and requested permission to talk the matter over with his parents. After an elapse of more than 2 weeks, patient's parents appeared at Castle Point facility, at which time proposed operation was carefully explained, and on January 15, 1944, Henry A. Collier, father of patient, signed consent for operation, his signature being necessary on account of patient being a minor.

January 21, 1944, clinical director, Castle Point, wrote manager, Veterans' Administration, Bronx, N. Y.: "In compliance with the provision of the Administrator's service letter of August 19, 1941, please advise this office if you have an available bed for the above-captioned claimant. Diagnoses in this case are as follows: Tuberculosis, pulmonary, chronic, far advanced, C6.3; moderate pneumothorax, artificial, left. Mr. Collier has appeared before the surgical collapse board at this facility and also our surgical consultant, Dr. L. R. Davidson. Dr. Davidson and the surgical collapse board concur in the recommendation that Mr. Collier have a pneumonectomy and this transfer is proposed due to the fact that we have no one on our surgical

staff who is qualified to administer intratracheal anesthesia. If this transfer is effected and Mr. Collier receives the surgical treatment indicated, he may be returned to this facility for postoperative care when his condition is such that he may be moved with safety."

January 24, chief, out-patient and reception service, Veterans' Administration, Bronx, N. Y., wrote the manager at Castle Point that a bed was available and it would be appreciated if the transfer was expedited.

Memorandum from supply officer to utility officer, Castle Point, dated January 25, 1944, reads: "Confirming our telephone conversation ordering a Government car for James H. Collier to the Beacon station."

January 25, 1944, manager, Castle Point, wired manager, Bronx: "Please have station car meet James H. Collier, One Hundred and Twenty-fifth Street Station January 26, 1944, at 10:34 a. m." Manager, in personal and confidential letter to the Administrator, March 9, 1945, stated: "Under date of January 26, 1944, Mr. Collier was transferred to the Bronx facility and was transported to the train by station car. It has always been the custom at this facility and continues to be the custom when a patient is discharged and has baggage to be transported that the hospital chauffeur takes the baggage and places it in the car."

The records of the Utility Department, Veterans' Administration, Bronx, N. Y., reveal that patient Collier was picked up by the station car, driven by chauffeur Isie Malks, January 26, 1944, between 9:30 a. m. and 11 a. m. at the One Hundred and Twenty-fifth Street Station of the New York Central Railroad and taken to the Bronx facility for further care and treatment.

The correspondence folder contains a properly executed Form 2557, dated January 26, 1944, covering the admission of Collier to the Bronx facility. This form is unstamped and was apparently taken to the Bronx facility by the patient.

During a period of hospitalization at Castle Point December 28, 1943, to January 26, 1944, patient was on tray service, 24-hour bed rest, with bathroom privileges in chair. Patient had four pneumothorax refills, the first on December 31, 1943, the subsequent refills being on January 7, January 14, and January 21, 1944. The X-ray of the chest taken on December 29, 1943, showed a chronic pulmonary tuberculosis of the left lung, with a pneumothorax on that side involving principally the upper lobe and amounting to about 25 to 30 percent. The sputum was positive for tubercle bacilli and the blood examinations made on December 29 were essentially negative except for a sedimentation index of 29 millimeters. The nurse's progress and treatment record indicates that the patient was fairly comfortable and had no complaints during the brief period of hospitalization before transfer to the Bronx facility.

On transfer to the Bronx facility January 26, 1944, the Administration Form 2557 gives the diagnosis under treatment, tuberculosis, pulmonary, chronic, moderate, class II, and pneumothorax, artificial, left. The patient was admitted directly to the Reception Service and a complete physical examination carried out on that ward January 27, 1944, with the following diagnosis:

1. Tuberculosis, pulmonary, chronic, far advanced, moderate, class III.

2. Pneumothorax, artificial, left.

The patient was known to be an active pulmonary tuberculosis case, was properly classified and transferred to the tuberculosis ward the following day, that is, on January 28, 1944. On the day following his admission, there had been a rise of temperature to 101 at 8 p. m., but on the following day, January 28, the day of his transfer to the tuberculosis ward, his temperature, pulse, and respiration were within normal range and continued so until January 30. Under these circumstances, the patient was not considered seriously or critically ill. An X-ray of the chest taken on January 26 and dictated report on January 27 revealed the presence of a 30 percent pneumothorax of the entire lung and cavitation of the left upper. The record reveals that on January 29, 1944, the second day on the tuberculosis ward, pneumothorax refill was carried out by Dr. J. Klein of the tuberculosis section of the Bronx facility. Pneumothorax refill was repeated on February 3, 1944, and again accomplished on February 12, 1944. The patient was a tray patient on the receiving ward beginning January 26, 1944, the day of his admission, and continued in this status until March 8, when he was sent to the regular ward dining room. During the first week of his admission, the temperature varied from 99 to 101. Throughout the second week there was some acceleration of pulse rate but no temperature to exceed 99.2. Throughout the third week, the temperature was normal. The pulse was accelerated to a maximum of 120 on one occasion, but generally averaged between 70 and 100. Throughout the fourth and fifth week and up until the time of discharge, there was not appreciable elevation of temperature and the pulse rate averaged about 85. The weight was maintained at about 153 throughout his hospitalization at the Bronx facility.

It is pertinent to repeat that this patient was seen at the Castle Point facility previous to his admission at the Bronx and recommended for transfer on the suggestion of the consultant in thoracic surgery, Dr. L. R. Davidson. His case was reviewed at the Bronx facility on February 24, 1944, after the temperature, pulse, and respiration had assumed practically normal range and at which time there was no evidence of toxic manifestation. The results of that examination by the consultant in thoracic surgery (Dr. Davidson, the same consultant who examined the patient at the Castle Point facility) are quoted in full:

"FEBRUARY 24, 1944.

"This patient has a partial pneumothorax on the left side, where one notes in the apex of the upper lobe a giant cavity. Directly beneath there is a smaller cavity. The walls are thickened and apparently indurated. The lateral film adds significant information as to the condition of the apex of the lower lobe, which is also involved.

"This would be under present considerations and indications an ideal case for pneumonectomy, were it not for infiltration in the contralateral side, particularly in the third anterior intercostal space.

"The writer is of the opinion that affairs surgical would cause a flare-up in the opposite lung, thereby nullifying any benefits to be derived from surgical intervention. The best that can be offered this patient is re-expansion of the lung, with the hope that the contralateral side will improve. If such is the case, cavernostomy or some other type of surgical therapy may be advised.

"LOUIS R. DAVIDSON, M. D.,
"Consultant in Thoracic Surgery."

At the time of that contact, the question of thorocoplasty was also considered and thought to be not feasible because of a possible flare-up in the contra-lateral lung. The patient was on 24-hour bed rest up until February 23, 1944, when it was reduced to 20 hours and so continued until March 8 when he was sent to the regular ward dining room. His return transfer to Castle Point was carried out on March 13, 1944, in compliance with the recommendations of the chest surgical consultant to the effect that surgery was not indicated at that time. The records of the Utility Department at the Bronx Facility reveal that he left the hospital at 8 a. m., March 13, 1944, accompanied by an attendant. He was transported to the New York Central station by a Plymouth sedan driven by Frank Nucci, station chauffeur. The records, according to the report of the manager at the Castle Point facility, show that station car was dispatched to the railroad station, Beacon, N. Y., to meet the 10:53 a. m. train, March 13, 1944, and that Mr. Collier was transported from the Beacon railroad station to the Castle Point facility.

The day he returned to Castle Point from the Bronx, March 13, 1944, his case was carefully explained to him by his ward physician. At that time some difficulty was encountered in making him accept bed rest while his lung was reexpanded. He desired more privileges than were warranted. During the period his lung was being reexpanded, Mr. Collier made numerous requests for a furlough from the hospital so that he could get married. His ward physician discouraged this idea and encouraged Mr. Collier to postpone his marriage, explaining to him that he was not in proper condition to carry out his intention. Mr. Collier, however, was quite insistent upon getting married and for this reason, he was granted a one-week furlough on June 30 and got married at Beacon, N. Y., the same day. He returned to the hospital at 7 p. m. on July 5, 1944.

After returning to the hospital, he finally consented to undergo a three-stage thorocoplasty. The stages of thorocoplasty were started, the first-stage operation being performed October 24, 1944; a second stage was attempted on November 14, 1944, but as the anesthetists noticed bleeding from the trachea, the operation was immediately terminated. The second stage thorocoplasty was again undertaken on January 2, 1945, and the third stage was completed on January 16, 1945. This has resulted in the closure of the cavities in the lung and conversion of his sputum to negative and at the present time, he is making quite favorable progress. As is customary in operations of this type, patient received postoperatively 500 to 1,000 cc. of blood after the operative day of each stage of the thorocoplasty.

STATEMENTS BY ALBERT Q. MAISEL, MARCH ISSUE, COSMOPOLITAN MAGAZINE, ON THE CASE OF JAMES COLLIER

1. "* * * entered Castle Point on December 28, 1943. I was examined then and they decided I was a bed-rest case. I shouldn't get off the bed for any reason."

2. "The next time I was examined was 7 weeks later, February 17, 1944. Then a medical board decided that I would require a lobectomy (the cutting away of the infected lobe of a lung)."

3. "They decided they couldn't do the operation for me. I would have to be sent to the Facility in the Bronx in New York."

4. "So they handed me my valise and told me to get dressed. They didn't send anyone with me. No ambulance. I took a taxi to the Beacon Station and the train to New York. Then I took streetcars to the Bronx and walked through the hospital grounds to the admitting office."

5. "When I got there they hadn't any knowledge of me. My papers hadn't been sent ahead. No one knew that I was on 'bed rest' or that I had a pneumothorax. It was 10 days after I got there that I finally yelled so much that they refilled my pneumothorax. They made me go to meals and wash up just like all the other walking cases."

6. "Then, when the doctors finally got around to examine me, they decided that my 'good lung' had gone bad. Either I never should have been sent for the operation or all the traveling and exercise broke down the 'good lung.' They told me that they couldn't operate on me in that condition. So on March 25th they sent me back to Castle Point—the same way I was sent down, alone and toting my own valise."

7. "Since then I've been examined only three times: The day I got back here, on June 27, and on October 1. The doctors won't tell me what my trip did to me, but some of the nurses say it set me back at least 6 months."

FACTS

1. Physical examination, also X-ray, December 29, 1943. Twenty-four-hour bed patient, with bathroom privileges, in wheel chair.

2. Case considered by tuberculosis surgical collapse board December 30, 1943, 2 days after admission to the Castle Point Hospital, at which Dr. L. R. Davidson, consultant in thoracic surgery, was present, and it was decided that a pneumonectomy on the left was advised procedure. X-ray January 14, 1944, 17 days after admission.

3. Correct, except patient did not consent to operation until January 15, 1944.

4. Patient transported from Castle Point facility to Beacon railway station in station car; transported from New York railway station to Bronx facility in station car. If he carried valise from hospital to car and from car to station, it was because he elected to do so, contrary to the usual procedure wherein Veterans' Administration chauffeurs are instructed to render this service.

5. Bronx facility fully advised of patient's arrival and condition before patient left Castle Point facility. Seen promptly by physician upon arrival, X-ray ordered, and given complete physical examination on the following day; transferred to tuberculosis ward on second day, placed on tray service from beginning, given pneumothorax refill third day after admission, repeated 5 days later, and repeated again within a week. On 24-hour bed rest from admission, January 26, until February 23, 1944, at which time placed on 20-hour bed rest due to improved condition, but continued on tray service until March 8, at which time he was permitted ward dining-room privileges.

6. The X-ray of the chest taken on December 29, 1943, showed no tuberculosis involvement of the right lung. One month later, however, on January 26, 1944, the X-ray indicated a small area of infiltration in the contra-lateral side, particularly in the third anterior intercostal space, which caused the consultant in thoracic surgery, who had seen the patient previously at Castle Point prior to his transfer to the Bronx, to decide against the pneumonectomy which he had previously recommended before the transfer of the patient to the Bronx facility.

In transferring him from Bronx to the Castle Point facility, patient was taken from Bronx facility to railroad station in car, met at railroad station in Beacon, N. Y., and taken from station to Castle Point facility in station car.

7. The patient had a complete physical examination on March 15, 1944, an examination of the chest on May 31, 1944, August 1, 1944, and October 3, 1944. He was given a complete cardiac examination on October 23, 1944, November 11, 1944, December 28, 1944, and January 13, 1945. He was also seen by the eye, ear, nose, and throat specialist in consultation May 15, 1944, May 30, 1944, November 25, 1944, and January 22, 1945. The surgical collapse board reviewed the case on March 16, 1944, again on June 27, 1944, and again on July 4, 1944, at which time the case was also reviewed by Dr. Charles W. Lester, the consultant in thoracic surgery, and the case was again reviewed by the surgical collapse board on September 26, 1944, when the left thorocoplasty was recommended. The chief of the surgical service examined the patient on October 14, 1944, and subsequently reviewed the case with the consultant in thoracic surgery on October 17, 1944, at which time the patient was scheduled for the first stage thorocoplasty. X-ray 6-20, 9-21, 10-23, 11-6, 12-27-44; 1-9, and 2-4-45; also numerous laboratory examinations.

At the time Mr. Collier was transferred to the Bronx facility, he was afebrile and the medical staff of the Castle Point facility does not consider that Mr. Collier's train trip from Beacon to New York City at an elapse of time of approximately 1 hour and 20 minutes could have injured his lung in any way or caused any extension of his tuberculous condition.

The clinical file and the staff report indicates quite favorable progress in the tuberculous process since his return to Castle Point and the completion of the three stages of thorocoplasty.

The complete record on this patient fails to show that he had any complaints of any consequence until his return to the facility after being granted furlough and his marriage. Furthermore, there is nothing to indicate any neglect of this patient at any time during his period of hospitalization in Veterans' Administration facilities. The record further discloses that every procedure in connection with his treatment and transfer to and from the Bronx facility has been carried out.

Mr. MICHENER. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. SCRIVNER].

Mr. SCRIVNER. Mr. Speaker, I may say in answer to the question asked by the gentleman from Mississippi that if we followed General Patton a few more days we would be in Berlin.

Mr. RANKIN. That is right.

Mr. SCRIVNER. Mr. Speaker, my experience with veterans' affairs began 24 years ago with personal contact when they were under the old Public Health Service. Those contacts have not always been pleasant. I can speak only for myself as one of the minority members of the Committee on World War Veterans' Legislation, but for my part I can pledge to any Member of this House that as far as I am concerned this investigation is not for the purpose of any whitewash of any person or organization. I am sure we will call them just exactly the way we see them, no matter who it helps or hurts, because our prime and paramount concern at all times is the welfare of the veterans of our wars, their families, and dependents. It is they and they alone for whom we have concern. I can assure the gentleman from Massachusetts, or gentlemen from any other States, that any complaint that is justified will be thoroughly investigated. There will be no whitewash in this investigation. Of course, I speak only for myself.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. SCRIVNER. I yield gladly to the gentleman from Mississippi.

Mr. RANKIN. When the gentleman says that, he speaks for the entire Committee on World War Veterans' Legislation?

Mr. SCRIVNER. I can speak only for myself.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I think the gentleman knows that I felt an investigation and inspection of hospitals was so important that I inspected hospitals steadily from 1922 to 1925, and then whenever I could leave the Congress I inspected them. At one time I inspected 30 hospitals in 24 States in one trip. So I am sure the gentleman and I agree thoroughly that we should have a most complete investigation, and let the chips fall where they may.

Mr. SCRIVNER. I have investigated veterans' hospitals in my capacity as an official of the American Legion, and I have visited some of the veterans' facilities and Army hospitals as a Member of Congress, and I intend to continue doing so.

Mrs. ROGERS of Massachusetts. The gentleman has an excellent record in that respect. His work has brought about improvements and has helped literally thousands of veterans and their families with their problems and has been responsible for their receiving many benefits.

Mr. GRANGER. Mr. Speaker, will the gentleman yield?

Mr. SCRIVNER. I yield to the gentleman from Utah.

Mr. GRANGER. I, too, belong to the Legion and I mean no disparagement against the Legion, but in this investigation the committee, it seems to me, should give a good deal of concern to how the administration of the G. I. bill is being carried forward. Does the gentleman's committee intend to do that?

Mr. SCRIVNER. My understanding is that this committee will go into not just the hospitals or the facilities but into the efficiency of the Veterans' Administration as a whole, which, of course, would include the Veterans' Readjustment Act of 1944. I do not like to call it the G. I. bill. That will also be done.

Mr. GRANGER. I thank the gentleman.

Mr. MICHENER. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. LEFEVRE].

Mr. LEFEVRE. Mr. Speaker, I strongly urge the passage of House Resolution 192 submitted by the gentleman from Mississippi [Mr. RANKIN]. The Castle Point Veterans Hospital referred to in the article written by Mr. Maisel in the March issue of the Cosmopolitan magazine is in my district, and no sooner had this article appeared in print, when I received a telegram from Commander Cleary, of the Disabled American Veterans, at the hospital, stating that the conditions in the hospital were as described in the magazine article.

This hospital was built to care for 479 patients, and on October 3 of last year, when it was visited by Mr. Maisel, there were 582 patients listed. Already overcrowded, the colonel in charge told Mr. Maisel that by taking advantage of day rooms, diet kitchens, and so forth, room had been made for 625 patients.

Many of these patients have tuberculosis, and we all know this disease calls for airy rooms with sufficient space to guard against further infection. Mr. Maisel in his article also reported a typical main meal, a small pot of cold tea, two thin slices of bread, a tiny pat of butter, a few thin slices of broken-down stewed peaches, and a beef stew containing six or seven tiny chunks of greasy meat

swimming in fast congealing gravy, served, to quote him, "all as cold as the grave."

Mr. Speaker, without a doubt this facility has plenty of good food for its patients, but certainly these veterans deserve to have that food served so that it is appetizing. Good wholesome food is so necessary in the case of tubercular patients.

I believe that those in charge of our veterans' hospitals are trying to do a good job. I sincerely hope so. But something must be wrong. Therefore, let us pass this resolution now so that if Congress or the Veterans' Administration is at fault we can remedy the situation immediately. We hear of thousands of men in the armed forces who will need hospitalization. It is a "must" order that we have an ample number of hospitals with an adequate number of doctors and nurses eager to give these fine American boys the best professional treatment coupled with kindness and sympathy.

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, there seems to be no question in the minds of the Members that an investigation should be made. It is a question of whether it should be broad enough to cover not only the Veterans' Administration and facilities but the Army and Navy. I am inclined to feel that the Army and Navy facilities ought to be under a separate investigation if that is done. The Committee on World War Veterans Legislation is the proper one to make this investigation.

Last September and October I had the opportunity of visiting some of the hospitals we have in England caring for the wounded military personnel. I felt at that time that the military personnel was getting the very finest treatment that could be accorded to any individual any place in the world. While the hospitals were not great, large, beautiful buildings like some of our institutions in this country, some times they were just huts made out of stone or sheet metal, yet in those hospitals were the very finest nurses and doctors who came from civilian life in this country and who were giving our boys most excellent care.

At one of the mental institutions caring for the boys who were shell-shocked, the doctors told me they were sending 90 percent of those boys back to duty after some 3 weeks in the hospitals and not sending them back shell-shocked as they did after the last World War.

I have had an opportunity, as a physician, to visit veterans' institutions in this country for consultation purposes. I found some of the finest institutions, buildings, and equipment. Observe your veterans' hospitals here at home. They are beautiful buildings. The equipment cannot be improved upon. I did find this fault, however, Mr Speaker, with the personnel in the veterans' hospitals. They are not up to the standards we find in our military hospitals. Part of that is due to the fact that the wage schedule offered to the civilian workers, both nurses and physicians, is rather low. In too many of our veterans' institutions we find men who have not been successful, I am talking about professional men, in their own towns and in their own communities, who go to the veterans' hospitals. In other words, it is a sort of security for them. They come under the civil service and they can continue in that service. That could be remedied, however, if the veterans' institutions would call in civilian doctors who are the top men in their communities to help take care of some of these veterans who are in the veterans' hospitals.

This House should also remember that the peak load of veterans in hospitals has not been reached. I think you will have the peak load of institutional care of veterans about 20 years from now. There again it is very necessary that we not only have hospital beds for veterans, but we ought to have the so-called home-nursing care for the individual who is chronically ill and who is not a bed patient and who needs nursing care. These things must be thought of. Then there is the question of treatment of the veterans who are mentally ill, or wounded mentally. You can be wounded mentally as well as physically wounded. Those hospitals must be increased.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. MILLER of Nebraska. I yield.

Mr. RANKIN. The gentleman from Nebraska is a physician in private life, I believe. I want to ask him what he thinks of the proposition of permitting the Veterans' Administration to utilize or patronize local or community hospitals in emergency cases?

Mr. MILLER of Nebraska. I think it ought to be done. Frankly, I have sent some patients to veterans' hospitals. I feel their surgery was rather slipshod. The Veterans' Administration do have some good surgeons, but they do have some who are rather mediocre. I think they ought to make more use of the top trained medical men, the cream of the crop in civilian life, in treating some of the more serious complications of the veterans.

Mr. RANKIN. One question that has been raised in that connection is the matter of convenience. In other words, they say that a veteran who needed an examination or temporary treatment can go home at night; he would not be removed so far from home. I have had that question laid before me by some very able physicians. I just wondered what the gentleman from Nebraska thought of that proposition.

The SPEAKER. The time of the gentleman from Nebraska has expired.

Mr. MICHENER. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina [Mr. ERVIN].

Mr. ERVIN. Mr. Speaker, I would just like to say this for the benefit of at least one gentleman on the floor who seems to have the idea that this is a whitewashing procedure. I have high regard for the gentleman from Mississippi [Mr. RANKIN] who happens to be chairman of the committee, and I am a member of it. But I assure you it will not be any whitewashing procedure. As far as I am concerned—and I have heard other members of the Veterans' Committee express the same opinion—there will be a thorough investigation and the atmosphere will be cleared, regardless of what the facts may show.

The SPEAKER. The time of the gentleman from North Carolina has expired.

Mr. MICHENER. Mr. Speaker, I yield 1 minute to the gentleman from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CARLSON. Mr. Speaker, through a decision of the United States Circuit Court of Appeals for the Fifth Circuit the oil-producing industry of the United States is threatened with a tax burden so great as to have a crippling effect on the industry's ability to find and produce enough oil for national needs. It may even interfere with the supply for the military program.

The court held that a regulation of the Treasury Department which has been in effect for 27 years was in excess of the statutory authority. The regulation permitted oil producers to charge either to expense or to capital account certain cost items of drilling, such as wages, fuel, repairs, hauling and supplies "incidental and necessary for the drilling of wells and the preparation of wells for the production of oil and gas."

The regulation which has been held invalid has existed in one form or another since 1918. It has become part and parcel of the tax structure of the oil-producing industry. It was an option to charge to expense these definite outlays of cash; although they were referred to as "intangibles" for the reason that they could not be predicted with even reasonable certainty, they were tangible after such payments for wages and other specified items had been made through the course of a year.

Some of the large companies elected to charge these intangibles to capital account. The small operator cannot recover these expenditures through the depletion allowance over a period of years. He does not have the financial reserve to do so. He must make his deductions of some part of the cost of doing business as he goes along.

Because these smaller producers have been given the recognition of the necessity of such deductions and have been given a reasonable allowance for depletion of the oil and gas reserves as produced and sold, they have been enabled to continue year after year to make new discoveries of reserves and to develop them. The valuable fruits of the taxation policy on these natural resources have been demonstrated during this war. Had not the oil producers built up the volume of reserves on hand at the beginning of this war, our troops would not today be across the Rhine nor in the Philippines and the Navy would not be doing more than defend the Pacific coast line of the United States. The United States has supplied the oil for the Allied Nations throughout and is expected to continue to do so.

Now, this matter of the intangible-costs option has been presented to Congress heretofore. The Treasury Department for several years has been gunning for it and for the depletion allowance. The Ways and Means Committee of the House heard the Department's case and the defense by the petroleum industry in 1942 and it was also heard by a committee in the other branch of Congress. The Treasury Department then seemed convinced that the statutory authority was adequate to support the intangible-costs option, for it sought statutory declaration against it. Both the committees which heard the case voted to recommend no change in the law.

Having failed to obtain the changes at the hands of Congress, the Bureau of Internal Revenue took matters into its own hands and disallowed deductions of such costs to two of the independent oil companies in Texas. The operators appealed to the Tax Court of the United States, where they lost, and thence to the circuit court, where they again lost.

The Treasury Department itself is divided on the question, the court revealed. It said that the "legislative mind" of the Department was determined to maintain the option while the "administrative mind" was "bent on whittling it away."

I represent a district which produces oil and gas. I have seen the beginning of the oil-producing business in that area. The pioneering work was done by the smaller operators. They normally find 70 percent or more of the new fields. There are thousands of them and their collective effort has been great.

They cannot continue under the tax policy which has been laid down in the decision of the court. Uncertainty and confusion and discouragement now exist in the oil-producing industry as the result of this decision. Throughout the oil-producing country the press reflects this condition. It will be quite tangible and definite and its effects will be seen immediately. Operators will not drill more wells when they feel that bankruptcy will be the penalty they pay for drilling. It will be easier merely to operate the wells they have and undertake no replacement for their constantly declining production from such wells. The national effect will be great and it will be tragic.

The decision will be carried through further stages of court action, but again we have uncertainty. The remedy is a simple one. The court has said there is no statutory authority for the departmental regulation.

It had been my intention to introduce a bill which would have carried the regulations of the Bureau of Internal Revenue regarding the provisions of the act that may have been nullified by the court decision. The bill is not ready as yet and I am having further studies made on it before introduction. I am today, however, introducing a bill which reads as follows:

A bill to amend the Internal Revenue Code

Be it enacted, etc., That section 23 (m) of the Internal Revenue Code is amended by adding the following at the end of the first paragraph thereof:

1. All expenditures for wages, fuel, repairs, hauling, supplies, etc., incident and necessary for the drilling of wells and the preparation of wells for the production of oil or gas may, at the option of the taxpayer, be deducted from gross income as expense or charged to capital account.

2. In addition to the foregoing option the cost of drilling nonproductive wells at the option of the taxpayer may be deducted from gross income for the year in which the taxpayer completes such well or be charged to capital account returnable through depletion as in the case of productive wells.

3. The Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to make such regulations as are necessary to effect the purposes of this act and such regulations as have been heretofore issued by the Commissioner in response to section 23 (m) of the Internal Revenue Code and the sections of the law amended by section 23 (m) of the code are hereby recognized.

The regulations that were made the subject of this opinion have been before the Ways and Means Committee and Congress and as late as 1942 were made the subject of considerable debate. The Ways and Means Committee at that time did not disturb the regulations and in fact did recognize and approve them as they have previously. These regulations have been in effect in more or less a modified form since 1918 and have become the foundation of the petroleum industry economy.

Mr. MICHENER. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, I was very much interested in the remarks of the gentleman from Kansas [Mr. CARLSON]. I have already introduced a bill to clarify this situation with regard to the decision handed down in the Fifth Circuit Court of Texas.

It has been said by some of the men who are very familiar with the oil business that if the Japanese were able to get into this country and blast our refineries they could not possibly injure this country, the oil interests, and the war cause any more than the circuit court decision has done. I hope that an early hearing can be had on this bill and that this regulation which, as the gentleman from Kansas has already said, has existed for some 27 years, can become the law of the land and relieve the oil people and businessmen of the confusion which now exists.

One oil man commenting on the effect of the decision said:

If the Japs bombed our national oil supply and destroyed one-third of it, they would not have done more damage than the fifth circuit did by the F. H. E. Oil Co. decision.

Already it has stopped more than half of the projected drilling, and with the War Department and Petroleum Administration for War crying for more oil its seriousness cannot be overestimated.

If we want our planes to bomb Japan, our ships to supply our soldiers, and if Congressmen want to be able to ride to the Capitol in a car, there is no time to dally with this thing or to temporize. The Supreme Court cannot reverse the decision until next year, and by then the damage will be done. A joint resolution validating the 27-year-old regulation is the remedy.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. SLAUGHTER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and on a division (demanded by Mr. PHILBIN) there were—ayes 101, noes 4.

Mr. PHILBIN. Mr. Speaker, I question the vote on the ground that a quorum is not present and I make the point of order that a quorum is not present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 256, nays 4, answered "present" 2, not voting 170, as follows:

[Roll No. 56]

YEAS—256

Abernethy	Engel, Mich.	King
Adams	Engle, Calif.	Kinzer
Andersen, H. Carl	Ervin	Kirwan
	Fallon	Kunkel
Anderson, N. Mex.	Feighan	LaFollette
	Fenton	Lane
Andresen, August H.	Fernandez	Lanham
	Fisher	Latham
Andrews, Ala.	Flannagan	Lea
Angell	Flood	LeFevre
Auchincloss	Folger	Lemke
Baldwin, Md.	Forand	Lewis
Baldwin, N. Y.	Fulton	Link
Barrett, Pa.	Gallagher	Ludlow
Barrett, Wyo.	Gamble	Lynch
Beall	Gary	McConnell
Beckworth	Gathings	McCormack
Bell	Gavin	McCowen
Bender	Gillespie	McDonough
Bennet, N. Y.	Gillie	McGlinchey
Bennett, Mo.	Gorski	McMillan, S. C.
Biemiller	Gossett	McMillen, Ill.
Bland	Graham	Madden
Bloom	Granahan	Mahon
Bonner	Grant, Ala.	Manasco
Boykin	Grant, Ind.	Mansfield, Mont.
Brehm	Green	
Brooks	Griffiths	Martin, Iowa
Brown, Ga.	Gwynne, Iowa	Mason
Brumbaugh	Hall, Edwin Arthur	Michener
		Miller, Nebr.
Bryson	Halleck	Mills
Buck	Hancock	Morrison
Buckley	Hand	Mundt
Buffett	Hare	Murdock
Bunker	Harness, Ind.	Murray, Tenn.
Burch	Harris	Murray, Wis.
Byrne, N. Y.	Hart	Neely
Camp	Havenner	Norrell
Campbell	Hays	O'Brien, Mich.
Canfield	Healy	O'Konski
Carlson	Hedrick	O'Toole
Carnahan	Heffernan	Pace
Case, N. J.	Herter	Patman
Chenoweth	Heselton	Patrick
Chiperfield	Hill	Patterson
Church	Hoch	Peterson, Fla.
Clason	Hoeven	Peterson, Ga.
Clevenger	Holmes, Mass.	Pickett
Coffee	Holmes, Wash.	Ploeser
Cole, Mo.	Hook	Poage
Cooley	Hope	Priest
Cooper	Horan	Quinn, N. Y.
Corbett	Jackson	Rabaut
Courtney	Jarman	Rabin
Cox	Jenkins	Ramey
Cravens	Jennings	Ramspeck
Cunningham	Jensen	Randolph
Curley	Johnson, Calif.	Rankin
Curtis	Johnson, Ill.	Reed, Ill.
D'Alesandro	Johnson, Ind.	Reed, N. Y.
Daughton, Va.	Johnson, Luther A.	Richards
Davis		Riley
Delaney, James J.	Johnson, Lyndon B.	Robertson, N. Dak.
Dingell		
Dolliver	Johnson, Okla.	Robertson, Va.
Domengeaux	Jones	Robsion, Ky.
Douglas, Calif.	Jonkman	Rodgers, Pa.
Douglas, Ill.	Kean	Roe, N. Y.
Doyle	Kearney	Rogers, Mass.
Drewry	Kee	Rooney
Dworshak	Keefe	Rowan
Earthman	Kefauver	Ryter
Elliott	Kelley, Pa.	Sadowski
Ellis	Kerr	Sasscer
Elston	Kilburn	Savage

Schwabe, Mo.	Sullivan	West
Schwabe, Okla.	Sumners, Tex.	Whitten
Scrivner	Sundstrom	Whittington
Sharp	Taber	Wilson
Sheppard	Talle	Winstead
Slaughter	Thom	Wolcott
Snyder	Thomason	Wolfenden, Pa.
Somers, N. Y.	Tibbott	Wolverton, N. J.
Sparkman	Trimble	Woodhouse
Springer	Voorhis, Calif.	Woodruff, Mich.
Starkey	Vorys, Ohio	Worley
Stefan	Walter	
Stewart	Weichel	

NAYS—4

De Lacy	Marcantonio	Philbin
Kopplemann		

ANSWERED "PRESENT"—2

Dickstein	Norton

NOT VOTING—170

Allen, Ill.	Goodwin	Powers
Allen, La.	Gordon	Price, Fla.
Anderson, Calif.	Gore	Price, Ill.
Andrews, N. Y.	Granger	Rains
Arends	Gregory	Rayfiel
Arnold	Gross	Reece, Tenn.
Bailey	Gwinn, N. Y.	Rees, Kans.
Barden	Hagen	Resa
Barry	Hale	Rich
Bates, Ky.	Hall,	Rivers
Bates, Mass.	Leonard W.	Rizley
Bishop	Harless, Ariz.	Robinson, Utah
Blackney	Hartley	Rockwell
Bolton	Hébert	Roe, Md.
Boren	Hendricks	Rogers, Fla.
Bradley, Mich.	Henry	Rogers, N. Y.
Bradley, Pa.	Hess	Russell
Brown, Ohio	Hinshaw	Sabath
Bulwinkle	Hobbs	Shafer
Burgin	Hoffman	Sheridan
Butler	Holifield	Short
Byrnes, Wis	Howell	Sikes
Cannon, Fla.	Huber	Simpson, Ill.
Cannon, Mo.	Hull	Simpson, Pa.
Case, S. Dak.	Izac	Smith, Maine
Celler	Judd	Smith, Ohio
Chapman	Kelly, Ill.	Smith, Va.
Chelf	Keogh	Smith, Wis.
Clark	Kilday	Spence
Clements	Knutson	Stevenson
Cochran	Landis	Stigler
Cole, Kans.	Larcade	Stockman
Cole, N. Y.	LeCompte	Sumner, Ill.
Colmer	Lesinski	Talbot
Combs	Luce	Tarver
Crawford	Lyle	Taylor
Crosser	McGehee	Thomas, N. J.
Dawson	McGregor	Thomas, Tex.
Delaney,	McKenzie	Tolan
John J.	Maloney	Torrens
Dirksen	Mansfield, Tex.	Towe
Dondero	Martin, Mass.	Traynor
Doughton, N. C.	May	Vinson
Durham	Merrow	Vursell
Eaton	Miller, Calif.	Wadsworth
Eberharter	Monroney	Wasielewski
Ellsworth	Morgan	Weaver
Elsaesser	Mott	Weiss
Fellows	Murphy	Welch
Fogarty	O'Brien, Ill.	White
Fuller	O'Hara	Wickersham
Gardner	O'Neal	Wigglesworth
Gearhart	Outland	Winter
Geelan	Pfeifer	Wood
Gerlach	Phillips	Woodrum, Va.
Gibson	Pittenger	Zimmerman
Gifford	Plumley	
Gillette	Powell	

So the resolution was agreed to.

The Clerk announced the following pairs:

Additional general pairs:

Mr Woodrum of Virginia with Mr. Short.
Mr. Celler with Mr. Bates of Massachusetts.
Mr. Granger with Mr. Gearhart.
Mr. Bailey with Mr. Merrow.
Mr. Kelly of Illinois with Mr. Crawford.
Mr. Cochran with Mr. Rees of Kansas.
Mr. May with Mr. Elsaesser.
Mr. Geelan with Mr. Rockwell.
Mr. O'Neal with Mr. Stevenson.
Mr. Vinson of Georgia with Mr. Wadsworth.
Mr. Spence with Mr. Gerlach.
Mr. Kilday with Mr. Case of South Dakota.
Mr. Hébert with Mr. Bishop.
Mr. Cannon of Missouri with Mr. Gillette.
Mr. Colmer with Mr. Talbot.
Mr. Murphy with Mr. Wigglesworth.
Mr. Weaver with Mr. Gross.
Mr. Thomas of Texas with Mr. Fellows.
Mr. Crosser with Mr. O'Hara.
Mr. Zimmerman with Mr. Shafer.
Mr. Tolan with Miss Sumner of Illinois.
Mr. Larcade with Mr. Welch.
Mr. Doughton of North Carolina with Mr. Smith of Ohio.
Mr. Robinson of Utah with Mr. Cole of Kansas.
Mr. Price of Florida with Mr. Andrews of New York.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

RIGHTS AND BENEFITS OF VETERANS OF WORLD WARS AND THEIR DEPENDENTS

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 399) back favorably without amendment a privileged resolution (H. Con. Res. 37) authorizing the printing of a revised edition of House Document Numbered 394, Seventy-eighth Congress, second session, entitled "Handbook for Servicemen and Servicewomen of World War No. 2 and Their Dependents, Including Rights and Benefits of Veterans of World War No. 1 and Their Dependents," as a public document and providing for the printing of additional copies thereof, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That a revised edition of House Document No. 394, Seventy-eighth Congress, second session, entitled "Handbook for Servicemen and Servicewomen of World War No. 2 and Their Dependents, Including Rights and Benefits of Veterans of World War No. 1 and Their Dependents," be printed with corrections as a public document and that 98,300 additional copies shall be printed, of which 66,300 shall be for the use of the House of Representatives, 20,000 for the use of the Senate, 10,000 for the House document room, and 2,000 for the Senate document room.

The resolution was agreed to.

A motion to reconsider was laid on the table.

HANDBOOK FOR SERVICEMEN AND SERVICEWOMEN OF WORLD WAR NO. 2 AND THEIR DEPENDENTS, INCLUDING RIGHTS AND BENEFITS OF VETERANS OF WORLD WAR NO. 1 AND OTHER WARS AND THEIR DEPENDENTS BROUGHT UP TO DATE

Mr. PATMAN. Mr. Speaker, this resolution provides for the reprinting of a booklet that was prepared last year concerning veterans, servicemen and their dependents. The 391 answers have been carefully checked and I believe they are accurate.

Since 1934 I have prepared each year a booklet on veterans' rights and benefits. The last one that was printed as a House Document was in February 1944, House Document No. 394, Seventy-eighth Congress, second session. It contained 314 questions and answers and is often referred to as the "veterans' bible."

With the assistance of others, who will be given proper credit when the booklet is printed, I have prepared another handbook which brings this particular one up to date and includes all recent legislation, especially the so-called G. I. bill of rights. It will contain 391 questions and answers.

The table of contents will include:

Part I: Benefits and privileges available during period of service in armed forces.

Part II: Benefits administered by the Veterans' Administration for veterans of World War No. 1, World War No. 2, and of the intervening period, and their dependents.

Part III: Benefits and privileges available through other Government agencies for veterans and their dependents.

The booklet will be fully indexed and practically every question that has arisen so far is answered in this booklet.

For instance, the following subjects are especially included:

Mail and railway fares.

Pay and allowances.

A table showing the rates of pay and allowances for officers of the armed forces which indicates how the rank of one in the Army compares with the rank of one in the Navy, both officers and enlisted men.

Servicemen's Dependents' Allowance Act of 1942.

Allotments of pay.

Monetary allowances in lieu of quarters for dependents.

Missing men and women and their dependents.

The Women's Army Corps.

Women's Reserve of the Navy.

Women's Reserve of the Marine Corps.

Women's Reserve of the United States Coast Guard.

Soldiers' and Sailors' Civil Relief Act of 1940.

Mustering-Out Payment Act of 1944.

Six months' death gratuity.

Headstones and national cemeteries.

Organization of the Veterans' Administration.

United States Government life—converted—insurance, World War No. 1.

National service life insurance, World War No. 2.

Protection of life insurance issued by private companies.

Pensions payable where there was service in the armed forces in World War No. 1, World War No. 2, or in the intervening period.

Servicemen's Readjustment Act of 1944—so-called G. I. bill of rights.

Educational training under Servicemen's Readjustment Act of 1944.

Vocational training to provide for the rehabilitation of disabled veterans and their employment—act of March 24, 1943.

Guaranty of loans.

Readjustment allowances.

Hospital care, domiciliary care, and medical treatment of veterans.

Burial of veterans.

Appeals.

Employment and veterans' benefits in Federal employment.

Income tax.

Homestead and other land laws.

Naturalization of persons who have served in the armed forces.

Under the resolution, just passed, each member of the House and each Member

of the Senate will be allocated 150 copies for distribution. If additional copies are desired they can be purchased from the Government Printing Office for $28 per thousand if the order is placed before the Government Printing Office prints its own supply for sale to the public. If purchased in single copies the price will be 20 or 25 cents; the exact price has not as yet been fixed. Those desiring to order the document by the thousand, I am informed, will probably be given until April 15 to place their order and get the benefit of the per thousand price.

HEARINGS ON PROBLEMS OF FOREIGN TRADE AND SHIPPING

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. 400) back favorably without amendment a privileged resolution (H. Res. 211) authorizing the Special Committee on Post-War Economic Policy and Planning of the House of Representatives to have printed for its use additional copies of part 4 of the hearings on problems of foreign trade and shipping held before said special committee during the second session of the Seventy-eighth Congress and the current session, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

Resolved, That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the Special Committee on Post-War Economic Policy and Planning of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of part 4 of the hearings on problems of foreign trade and shipping held before said special committee during the second session of the Seventy-eighth Congress and the current session, pursuant to the resolutions (H. Res. 408 and H. Res. 60) creating a Special Committee on Post-War Economic Policy and Planning.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE TO INVESTIGATE SHORTAGES OF FOOD

The SPEAKER. Without objection, House Resolution 195 will be amended in line 4, on page 2, after the word "normal", by striking out the semicolon and inserting in lieu thereof a comma.

There was no objection.

FOREIGN SERVICE

Mr. COX. Mr. Speaker, I call up House Resolution 199 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 659) to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Foreign Affairs, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. COX. Mr. Speaker, the resolution tells the story.

Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that the bill (H. R. 689) to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service, permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State, may be considered in the House as in the Committee of the Whole.

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, does that mean that no amendments can be offered to the bill?

The SPEAKER. No; the bill will be read for amendment.

Mr. MICHENER. It eliminates general debate.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, H. R. 689 is a bill which in brief proposes:

First. The creation of an administrative and fiscal corps within the service to enable the recruitment both from within and outside the service of personnel with administrative capacities particularly necessary with the reopening of Foreign Service establishments in liberated areas.

Second. It will permit the detail, for special duty, of qualified personnel of any department or agency to perform special work and meet special needs, which is an extension of the existing authority to use personnel of Commerce and Agriculture.

Third. It will permit the utilization in other departments and agencies of the Government of Foreign Service personnel for limited periods.

Fourth. It provides for the elimination of the percentage limitations of section 10 of the act of February 23, 1931, restricting the number of officers in class I to VI, inclusive, of the Foreign Service, thus making it possible to reestablish the merit system intended by the Congress and to recognize on the basis of efficiency and seniority the capacity and ability of individual officers.

Fifth. It provides under proper control various minor administrative adjustments as follows: (a) For the bonding of certain Foreign Service personnel; (b) for the elimination of the penalty attaching to assumption of duties as Chief of the Division of Foreign Service Personnel to be effectively organized; (c) provides that the Director of the recently created Office of Foreign Service will be a Foreign Service officer of class I; (d) amends the present law authorizing a grant at all posts of living quarters and post allowances by increasing the authority solely to permit of consideration of expenses incurred for gas and electricity used for power; and, lastly, (e) formalizes the Board of Foreign Service Personnel for the Foreign Service. The section provided in early drafts looking to integration of specialized personnel employed during the emergency has been eliminated, as these employees may qualify through the normally provided examination process and be appointed in the unclassified grades.

It is estimated that even were all personnel to be increased an average of approximately $390 per employee, an additional appropriation of not more than $300,000 to $400,000 in excess of funds presently provided would be necessary to classify and to establish a career for the clerical, administrative, and fiscal service. The adjustments of salaries of career Foreign Service personnel within the intent of the act of May 24, 1924, as amended by the act of February 23, 1931, and as now amended by removal of the percentage limitations and for which funds are currently available may entail from $80,000 to $100,000.

The following is the number of personnel of the American Foreign Service:

	Mar. 1	Authorized in the 1946 bill
Ambassadors and Ministers	55	59
Foreign Service officers	766	1,160
Clerks:		
American 1,244	2,050	2,394
Foreign 806		
Miscellaneous employees: [1]		
American 217	1,602	1,774
Foreign 1,385		
Auxiliary officers	637	
American clerks 675	1,076	1,742
Foreign clerks 204		
Miscellaneous 251		
Total personnel, American Foreign Service	6,240	7,129

[1] Interpreters, translators, guards, couriers, building superintendents, messengers, etc.

The following are the appropriations recommended by the House Appropriations Committee for the Department of State for 1946:

1. Salaries, contingent and miscellaneous expenses, penalty mail, passport agencies, etc	$10,902,200
2. The Foreign Service:	
(a) Salaries and allowances, building fund	35,786,800
(b) Emergencies arising in the Diplomatic and Consular Service—relief, protection, Americans abroad	16,000,000
3. International obligations: Boundary commissions, contribution quotas, canal payment, war crimes, etc	9,189,400
Total for all purposes	71,878,400

I need not remind the House of the importance of developing and maintaining a high standard of personnel in our Foreign Service. The cost is not great, considering the vast work of our Foreign Service in the future.

The Clerk read as follows:

Page 2, line 9:

Be it enacted, etc., SEC. 2. That section 1 of the act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor," as amended, is hereby amended to read as follows:

Mr. BLOOM. Mr. Speaker, I ask unanimous consent that further reading of the bill be dispensed with, and that the bill be open for amendment.

Mr. ROBSION of Kentucky. Mr. Speaker, this bill is new to many of us. I must insist that the bill be read. I object.

The Clerk read as follows:

SECTION 1. The administrative, fiscal, and clerical personnel of the Foreign Service of the United States of America shall be graded and classified as follows, and shall receive, within the limitation of such appropriations as the Congress may make, the basic compensation specified, and shall, within the salary range indicated, be entitled to administrative promotions in compensation which shall be made in accordance with the laws prescribing promotion of civil-service personnel as respects the administrative groups and under such rules and regulations as the Secretary of State may prescribe for senior and junior clerks:

Administrative officers: Class I, $4,600 to $5,600; class II, $3,800 to $4,600; class III, $3,500 to $4,100.

Mr. VORYS of Ohio. Mr. Speaker, in view of the fact that all members have the bill before them, that the hour is late, and that any member will have the right to offer amendments, I renew the unanimous-consent request that the further reading of the bill be dispensed with.

Mr. STEFAN. Mr. Speaker, reserving the right to object, this is not a very long bill but it is a most important bill. It will not take very long to read it.

I object.

The Clerk read as follows:

Administrative assistants: Class I, $3,200 to $3,800; class II, $2,900 to $3,500; class III, $2,600 to $3,200.

Clerks: Class I, senior clerks, $2,300 to $2,900; class II, junior clerks, all clerks whose compensation as fixed by the Secretary of State is less than $2,300 per annum.

Committee amendment:

Page 1, line 3, insert the following:

"SEC. 1. It is the purpose of the Congress to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 2. That section 8 of the act of February 23, 1931, as amended, is amended to read as follows:

"SEC. 3. The Secretary of State is hereby authorized to grant at all posts, allowances for living quarters, heat, light, fuel, gas, and electricity, and at posts where in his judgment it is required by the public interests for the purpose of meeting the unusual or excessive costs of living ascertained by him to exist, to grant post allowances to clerks assigned there and also to other employees of the Foreign Service of the United States who are American citizens, within such appropriations as Congress may make for said purpose: *Provided*, That all such allowances shall be accounted for to the Secretary of State in such manner and under such rules and regulations as the President may prescribe, and the authorization and approval of such expenditures by the Secretary of State as complying with such rules and regulations shall be binding upon all officers of the Government: *Provided, however*, That all such allowances and the reasons therefor shall be reported to the Congress with the annual budget."

With the following committee amendment:

Page 3, line 6, strike out "2" and insert "3."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. That paragraph (a) of section 10 of the act of February 23, 1931, as amended, is hereby amended to read:

"SEC. 10. (a) The officers in the Foreign Service of the United States shall hereafter be graded and classified as follows, with the salaries of each class herein affixed thereto, except as increases in salaries are authorized in section 33 of this act:

"Ambassadors and Ministers, as now or hereafter provided; Foreign Service officers as follows: Class I, $9,000 to $10,000; class II, $8,000 to $8,900; class III, $7,000 to $7,900; class IV, $6,000 to $6,900; class V, $5,000 to $5,900; class VI, $4,500 to $4,900; class VII, $4,000 to $4,400; class VIII, $3,500 to $3,900; unclassified, $2,500 to $3,400: *Provided, however*, That as many Foreign Service officers above class VI as may be required for purposes of inspection may be detailed by the Secretary of State for that purpose."

With the following committee amendment:

Page 4, line 1, strike out "3" and insert "4."

The committee amendment was agreed to.

Mr. ROBSION of Kentucky. Mr. Speaker, I move to strike out the last word.

I rise merely to seek information about this matter. I would like to know if the chairman of the Committee on Foreign Affairs or any other member of that committee can advise me how many persons are affected by this bill?

Mr. BLOOM. I do not know the exact number, but may I say to the gentleman that this is only for the Foreign Service.

Mr. ROBSION of Kentucky. I understand that.

Mr. BLOOM. It has nothing to do with the local State Department organization here at all. I may say also that the Foreign Service today is not under the Civil Service.

Mr. ROBSION of Kentucky. The gentleman is not answering the question.

Mr. BLOOM. I do not know the exact number.

Mr. ROBSION of Kentucky. Does the gentleman know how many persons in the Foreign Service are affected by this bill?

Mr. BLOOM. I understand that the most that could be considered would be 6,000, but may I go further and give the gentleman the information that I think he is seeking. The total amount of increase would be 1 percent of the total appropriation today for the Foreign Service. Furthermore, let me advise the gentleman of something else.

Mr. ROBSION of Kentucky. The gentleman is going on and assuming something.

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. It is about 1,200.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. I understand there are between 400,000 and 500,000 civilian employees who are outside the United States. May I inquire if they come under this?

Mr. BLOOM. Absolutely not.

Mr. ROBSION of Kentucky. What sum of money does this increase amount to? I mean annually.

Mr. BLOOM. Four hundred thousand dollars, or 1 percent of the total amount of appropriations for the entire Foreign Service. Now, let me give the gentleman some more information. I think the other members of the committee will give it to him also. May I advise the gentleman that this is something which is necessary and it also places the Foreign Service under the merit system the same as every other service of the Government of the United States is placed under the merit system.

Mr. ROBSION of Kentucky. Are the persons affected by this bill American citizens?

Mr. BLOOM. Oh, yes. There is no question about that.

Mr. ROBSION of Kentucky. How do these increases compare to the increases we have given to persons in the civil employment of the Government in the United States?

Mr. BLOOM. I just told the gentleman that the average amount would be $390 a person, or 1 percent of the total appropriations for the entire Foreign Service of the State Department.

Mr. ROBSION of Kentucky. The gentleman does not answer my question. How does the increase provided for in this bill for the Foreign Service compare to the increases that Congress has granted to similar employees in the Government service?

Mr. BLOOM. I do not know.

Mr. ROBSION of Kentucky. Is it more or is it less?

Mr. VORYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentleman from Ohio.

Mr. VORYS of Ohio. While, of course, the Foreign Service is not part of the Civil Service, but has a merit system, these increases and these rates of pay and scales are comparable to the same

pay for those in the Civil Service. They are comparable, rank for rank. This will bring the Foreign Service up to the standards and the rank now prevailing in the Civil Service.

Mr. ROBSION of Kentucky. That is the information I desire.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. May I say to the gentleman that for a number of years many persons in the grades from 1 to 6 in the Foreign Service have not under the law been allowed to go up to a higher grade, so their salary has been kept down. This will eliminate that condition so that they can have some hope of promotion. If the gentleman could see them in Mexico City, as I did, living under inflationary conditions on their low salaries, he would realize that it is very important to allow them to go up into a higher grade.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. JARMAN. Mr. Speaker, I rise in opposition to the amendment.

Mr. Speaker, I ask unanimous consent to proceed for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. GAMBLE. I object, Mr. Speaker.

Mr. JARMAN. Mr. Speaker, I realize that the hour is late, but even so I had hoped that I might have an opportunity to explain this bill to the House. Of course, I cannot do so in 5 minutes, but I shall do the best I can.

The bill does several particular things: First, it creates an Administrative and Fiscal Corps in the Foreign Service of the Department of State. The situation now is that there is nothing between the clerical personnel of the Foreign Service and the officer personnel. It is, therefore, necessary either to impose on clerical personnel by requiring them to perform duties above their status, you might say, or to fail to use the entire capabilities of officers by assigning them to duty beneath their classifications. This would remedy that situation and enable the Foreign Service to function more efficiently.

Second, it would remove the percentage limitation on Foreign Service officers. As you know, there are 10 classes of Foreign Service officers. As it is now, only 6 percent of the total may be in the first class, only 7 percent in the second, 8 percent in the third, 9 percent in the fourth, 10 percent in the fifth, and 14 percent in the sixth. In other words, not more than 54 percent of the total Foreign Service officer personnel may, under the present law, serve in the first 6 grades. This would remove that inhibition, which is very necessary because of the fact that Selective Service has prevented the State Department from recruiting young men during the past few years.

On that account, there are many men at and near the top who have served sufficiently long to retire, who would like to retire and who are old enough to retire, but they cannot do so because of their loyalty to their service and country and the impossibility of securing young men to come in at the bottom and permit the promotion of those in the medium brackets to take the places of those who normally would have retired.

In other words, there is in existence now in the Foreign Office personnel of the State Department a hump very similar to the one which existed in the Army shortly after the last war because of the entrance into the Army of so many provisional second lieutenants during that war. You will recall that for years thereafter officers were not promoted for 8, 10, 12, or 15 years because an unsufficient number of their superiors retired or died. This is an exactly similar situation, caused, unfortunately, by another war.

Thirdly, this bill would permit broader use not only of State Department personnel but of personnel of the other departments of the Government, because it would permit the Secretary of State to assign a man who normally serves in the Department here to the field for special duty. It would also permit him by consultation and agreement with any other department of the Government to assign temporarily a man from the Agriculture Department or the Department of Justice to a foreign post to perform a specific duty. It would also permit him to bring a specialist from the foreign field in to serve temporarily in the State Department or to serve in the Department of Agriculture or the Department of Justice. In other words, as I have said it would permit a broader use of the personnel not only of the State Department but of all the departments of the Government.

There are also minor changes, but I have covered the main ones. There are such changes as requiring bond of Foreign Service officers, and removing the inhibition against the Director of the Foreign Service section of the Department being promoted in less than 3 years after the conclusion of his service, but that in general covers the entire bill.

The Clerk read as follows:

SEC. 4. That section 10 of the act of February 23, 1931, is further amended by adding at the end thereof the following new paragraph (c):

"SEC. 10. (c) The Secretary of State is hereby authorized to assign for special duty as officers of the Foreign Service for nonconsecutive periods of not more than 4 years, qualified persons holding positions in the Department of State, and, at his request, qualified persons holding positions in any other department or agency of the United States who have rendered not less than 5 years of Government service, and persons so assigned shall be eligible during the periods of such assignment to receive the allowances authorized by the provisions of section 19 of this act. Persons assigned under the authority of this section shall be eligible to receive all benefits provided by civil-service law and regulation in the same manner and subject to the same conditions as though they were serving in their regular civil-service positions and upon termination of their assignment shall be reinstated in the respective department or agency from which loaned. The salaries and allowances of such persons shall notwithstanding the provisions of any other law, be paid throughout the periods of such assignments from the appropriations provided for the Department of State."

With the following committee amendment:

Page 4, line 19, strike out "4" and insert "5."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 5. Section 14 of the act of February 23, 1931, is amended to read as follows:

"SEC. 14. That the Secretary of State is directed to report from time to time to the President, along with his recommendations, the names of those Foreign Service officers who by reason of efficient service have demonstrated special capacity for promotion to the grade of minister or ambassador and the names of those Foreign Service officers and clerks and officers and employees in the Department of State who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon taking the prescribed examination to have fitness for appointment to the Service, and any Foreign Service officers who may hereafter be promoted to a higher class within the classification prescribed in section 10 of this act, as amended, shall have the status and receive the compensation attaching to such higher class from the date stated in his commission as the effective date of his promotion to such higher class."

With the following committee amendment:

Page 5, line 17, strike out "5" and insert "6."

The committee amendment was agreed to.

Mr. CLASON. Mr. Speaker, in view of the explanation we have just had of the entire bill, I ask unanimous consent that the further reading of the bill be dispensed with, and that the remainder of the bill be printed at this point in the RECORD.

Mr. STEFAN. Reserving the right to object, Mr. Speaker, this will not preclude amendment of the bill?

The SPEAKER. No.

Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The remainder of the bill is, as follows:

SEC. 6. Section 16 of the act of February 23, 1931, is amended to read as follows:

"SEC. 16. That every secretary, consul general, consul, vice consul, or Foreign Service officer and, if required, any other officer or employee of the Foreign Service or of the Department of State before he enters upon the duties of his office shall give to the United States a bond in such form and in such penal sum as the Secretary of State shall prescribe, with such sureties as the Secretary of State shall approve, conditioned without division of penalty for the true and faithful performance of his duties, including (but not by way of limitation) certifying vouchers for payment, accounting for, paying over, and delivering up of all fees, moneys, goods, effects, books, records, papers, and other property that shall come to his hands or to the hands of any other person to his use as such officer or employee under any law now or hereafter enacted and for the true and faithful performance of all other duties now or hereafter lawfully imposed upon him as such officer or employee and such bond shall be construed to be conditioned for the true and faithful performance of all official duties of whatever

character now or hereafter lawfully imposed upon him, or by him assumed incident to his employment as an officer or employee of the Government: *Provided,* That notwithstanding any other provisions of law, upon approval of any bond given pursuant to this act, the principal shall not be required to give another separate bond conditioned for the true and faithful performance of only a part of the duties for which the bond given pursuant to this act is conditioned: *Provided further,* That the operation of no existing bond of a Foreign Service officer or vice consul shall in any way be impaired by the provisions of sections 1–23, 23f–23j, title 22, of the United States Code: *Provided further,* That the bond of a Foreign Service officer shall be construed to be conditioned for the true and faithful performance of all acts of such officer incident to his office regardless of whether commissioned as diplomatic, consular, or Foreign Service officer. The bonds herein mentioned shall be deposited with the Secretary of the Treasury: *Provided further,* That nothing herein contained shall be deemed to obviate the necessity of furnishing any bond which may be required pursuant to the provisions of the Subsistence Expense Act of 1926, as amended."

SEC. 7. Section 19 of the act of February 23, 1931, is amended to read as follows:

"SEC. 19. Under such regulations as the President may prescribe and within the limitations of such appropriations as may be made therefor, which appropriations are authorized, ambassadors, ministers, diplomatic, consular and Foreign Service officers may be granted allowances for living quarters, heat, light, fuel, gas, and electricity; for representation; and also post allowances wherever the cost of living may be proportionately so high that in the opinion of the Secretary of State such allowances are necessary to enable such diplomatic, consular, and Foreign Service officers to carry on their work efficiently: *Provided,* That all such allowances shall be accounted for to the Secretary of State in such manner and under such rules and regulations as the President may prescribe and the authorization and approval of such expenditures by the Secretary of State as complying with such rules and regulations shall be binding upon all officers of the Government: *Provided further,* That the Secretary of State shall report all such expenditures annually to the Congress with the Budget estimates of the Department of State."

SEC. 8. Section 21 of the act of February 23, 1931, is amended to read as follows:

"SEC. 21. That any Foreign Service officer may be assigned for duty in the Department of State or in any department or agency of the Government in the discretion of the Secretary of State without loss of class or salary, such assignment to be for a period not more than 3 years unless the public interest demands further service, when such assignment may be extended for a period not to exceed 1 year, upon completion of which 4-year assignment and reassignment to the field, he may not again be assigned for duty in the Department of State or in any other department or agency of the Government until the expiration of at least 3 years of field duty. Any ambassador or minister, or any Foreign Service officer of whatever class, detailed for duty in connection with trade conferences, or international gatherings, congresses, or conferences, or for other special duty not at his post or the Department of State, except temporarily for purposes of consultation, shall be paid his salary and expenses of travel and subsistence at the rates prescribed by law."

SEC. 9. Section 31 of the act of February 23, 1931, is amended to read as follows:

"SEC. 31. There shall be in the Department of State a Board of Foreign Service Personnel for the Foreign Service, whose duty it shall be to recommend promotions in the Foreign Service and to furnish the Secretary of State with lists of Foreign Service officers who have demonstrated special capacity for promotion to the grade of Minister or Ambassador. The Board shall be composed of not more than three Assistant Secretaries of State, one of whom shall be the Assistant Secretary of State having supervision over the Division of Foreign Service Personnel and who shall be Chairman, an officer of the Department of Commerce designated by the Secretary of Commerce and acceptable to the Secretary of State, and an officer of the Department of Agriculture designated by the Secretary of Agriculture and acceptable to the Secretary of State. The officer of the Department of Commerce shall sit as a member of the Board only when nominations and assignments of commercial attachés, the selection or assignment of Foreign Service officers for specialized training in commercial work or other matters of interest to the Department of Commerce are under consideration; the office of the Department of Agriculture shall sit as a member of the Board only when nominations and assignments of agricultural attachés, the selection or assignment of Foreign Service officers for specialized training in agricultural work or other matters of interest to the Department of Agriculture are under consideration. The Chief of the Division of Foreign Service Personnel of the Department of State and one other member of that Division may attend the meetings of the Board and one of them shall act as secretary but they shall not be entitled to vote at its proceedings. No Foreign Service officer below class I shall be assigned as Chief of the Division of Foreign Service Personnel, nor shall such officer be given any authority except of a purely advisory character over promotions, demotions, transfers, or separations from the service of Foreign Service officers. The Director of the Office of the Foreign Service shall be assigned from among officers of the Foreign Service, but no Foreign Service officer below class I shall be so assigned."

SEC. 10. Revised Statutes 1699, 1700, and 1701 are hereby repealed.

SEC. 11. Section 7 of the act of February 5, 1915 (38 Stat. 807), restricting the transaction of business by diplomatic officers, shall apply, with the exception of consular agents, to all officers and employees of the Foreign Service.

With the following committee amendments:

Page 6, line 12, strike out "6" and insert "7."

Page 8, line 4, strike out "7" and insert "8."

Page 9, line 1, strike out "8" and insert "9."

Page 9, line 22, strike out "9" and insert "10."

Page 11, line 13, strike out "10" and insert "11."

Page 11, line 15, strike out "11" and insert "12."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read a third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND REMARKS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. RAMEY] is recognized for 30 minutes.

Mr. RAMEY. Mr. Speaker, in view of the lateness of the hour, and after talking with the majority leader the gentleman from Massachusetts [Mr. MCCORMACK] I believe it would be unethical to take my time now, so I ask unanimous consent that my special order for today be transferred to tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. RAMEY asked and was given permission to extend his remarks in the RECORD and include an article from the Christian Science Monitor by Roscoe Drummond.

The SPEAKER. Under previous order of the House, the gentleman from Wisconsin [Mr. MURRAY], is recognized for 10 minutes.

THE FILLED CREAM SET-UP—AN EXAMPLE OF MALADMINISTRATION

Mr. MURRAY of Wisconsin. Mr. Speaker, as one more example of the maladministration and the evident sectional favoritism I wish to call your attention to the following:

On March 3, I received a letter from one of Wisconsin's outstanding agricultural leaders in regard to the filled-cream legislation. I wrote the following letter to Marvin Jones, of the War Food Administration and a similar one to Mr. Ralph Kneeland, of the Food and Drug Administration:

MARCH 6, 1945.

MR. MARVIN JONES,
War Food Administrator,
War Food Administration,
Washington, D. C.

DEAR MR. JONES: I have a letter from one of Wisconsin's outstanding agricultural leaders in which he states:

"Yesterday my attention was directed to an item relating to 'filled cream' which appeared in the February 14 'Service Bulletin' of the American Butter Institute. The passage is as follows:

" 'Filled-cream quotas established * * * A quota for filled cream is inserted in WFO–13 through Amendment 5 to that order, effective February 7. Originally the order prohibited the use of filled cream with a fat content in excess of 19%. Now filled cream is defined as 'milk, cream, or skim milk, or a mixture of milk, cream and skim milk * * * to which there has been added, or with which there has been blended or compounded, any fat or oil other than milk fat, so that the resulting product is an imitation of cream or in semblance thereof * * * provided that it has a total content of all oil and fat, including milk fat, in excess of 19%.' The order does not now cover filled cream with a fat content of less than 19%.

"The monthly quotas established are 75 percent of milk solids used in producing filled cream during May 1944 for producers

of less than 100 gallons of filled cream during any month from April 1, 1943, to March 31, 1944, and 75 percent of the milk solids used in producing filled cream during the corresponding month of the period from April 1, 1943, to March 31, 1944, for all other producers of filled cream."

"Would you be good enough to ask someone in the Food and Drug Administration to send me a brief history of 'filled cream' as it appears in the records of that public agency? Obviously, I would be interested to learn what authority any producer or processor may have from the Federal Government to incorporate any vegetable fat or any animal fat, other than milk fat into cream. I would like to know, also, what protection, if any, has been given the consuming public, through labeling requirements or otherwise, against fraud; how extensive the business of producing filled cream is; where does the production of the article principally occur and in what markets is it offered for sale, either wholesale or retail?"

Would you be kind enough to advise me of the exact situation of this filled cream?

If it is unlawful to have interstate commerce in filled milk how can they have interstate commerce of filled cream?

Sincerely yours,

REID F. MURRAY,
Member of Congress.

The following letter from Marvin Jones was received in reply:

MARCH 22, 1945.

Hon. REID F. MURRAY,
House of Representatives.

DEAR REID: We have your letter of March 6 with regard to the inquiry concerning filled cream which you have received from one of Wisconsin's outstanding agricultural leaders.

There is enclosed a copy of War Food Order 13, amendment 5, which contains restrictions on the utilization of milk solids in the production of filled cream containing more than 19 percent of all oil and fat. Your attention is called particularly to paragraphs (a) and (c) of the order.

The provisions of War Food Order 13 relating to filled cream establish quotas on the amount of milk solids that manufacturers of this product may utilize in the production of filled cream containing more than 19 percent of all oil and fat. They provide for the use of May 1944 as a base period for certain operators and for the use of the period from April 1, 1943, to March 31, 1944, as a base period for all other operators. Quotas for each operator are established at 75 percent of the monthly base.

The filled-cream provisions are predicated upon the allocation powers provided for in the Second War Powers Act. In the allocation of the supplies of milk and cream to various uses—that is, for processing or manufacture into various products, including milk and cream for fluid consumption—the allocation to each use or product must correspond to the importance of the use or product in meeting war and essential civilian requirements. This is a basic principle guiding the use of the allocation powers. Under the provisions of War Food Order 13 the allocation of filled cream is based on the use of milk solids in this product in the base period. Without these provisions, manufacturers of filled cream could have used unlimited amounts of milk solids in the making of the product.

It is to be noted that the provisions of War Food Order 13 do not authorize the transportation of filled cream in interstate commerce, which we understand is prohibited under the Filled Milk Act of March 4, 1923.

Your constituent raises a number of questions which are within the jurisdiction of the Food and Drug Administration, such as the question relating to the labeling requirements and protection to the consuming public. We understand that Mr. J. K. Kirk, of the Food and Drug Administration, is in charge of the administration of the Filled Milk Act, and he may be able to furnish you with additional information.

We trust that the information we have given above will be of some assistance to you in replying to your constituent.

Sincerely yours,

MARVIN JONES, *Administrator*

You will note that the powers he is exercising were "provided for in the Second War Powers Act." You will also note that he did not answer specifically the last question of my letter which was "If it is unlawful to have interstate commerce in filled milk how can they have interstate commerce of filled cream?" Mayor LaGuardia evidently has never heard of this Second War Powers Act.

On March 9, I received the following reply to my letter to Mr. Ralph F. Kneeland:

FEDERAL SECURITY AGENCY,
FOOD AND DRUG ADMINISTRATION,
Washington, D. C., March 9, 1945.

Hon. REID F. MURRAY,
House of Representatives,
Washington, D. C.

DEAR MR. MURRAY: I refer to your letter of March 7 concerning interstate traffic in "filled cream."

As you know, the Food and Drug Administration has been charged with the enforcement of the Filled Milk Act since August 27, 1935. "Filled milk," as defined in the act, "means any milk, cream, or skim milk whether or not condensed, evaporated, concentrated, powdered, dried, or desiccated, to which has been added, or which has been blended or compounded with, any fat or oil other than milk fat, so that the resulting product is in imitation or semblance of milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, powdered, dried, or desiccated."

Since the law was charged to our enforcement, we have maintained close surveillance over products which might fall within its scope. These investigations have revealed that interstate traffic in products falling within the scope of the Filled Milk Act, which would include "filled cream," has been restricted to one persistent violator, The Carolene Products Co., of Litchfield, Ill., and one other firm which operated for a short time, the Richwip Corporation of Newaygo, Mich. Neither of these firms, however, distributed "filled cream." You are familiar with the recent decision of the Supreme Court sustaining the conviction of the Carolene Products Co. and its principal officers in a case brought under the Filled Milk Act. The Richwip Corporation abandoned traffic in "filled milk" several years ago, after being convicted of violating the Federal law.

Occasionally we have received inquiries concerning products which we believed would be in violation of the Filled Milk Act if shipped in interstate commerce. One such product is a mixture of dried whole and skim milks, water, butter, and vegetable fat. The article is homogenized and has a fat content of approximately 34 percent. The product has the appearance and taste of cream and without chemical analysis could not be distinguished from cream. This article has not, to our knowledge, been shipped in interstate commerce nor do we have any information that comparable products are being shipped in interstate commerce. In our opinion, such shipment would be in violation of the Filled Milk Act and could not be legitimatized by any form of labeling.

Your constituent may be assured that it is the purpose of this Administration to maintain close surveillance over interstate traffic in foods which may be subject to the Filled Milk Act. If we encounter products which appear to violate that statute the facts will be promptly transmitted to the Department of Justice with a recommendation for the institution of the criminal proceedings provided for in that law.

Very truly yours,

RALPH F. KNEELAND, JR.,
Acting Chief, Interstate Division.

In addition to the above, Mr. Kneeland enclosed the following mimeographed release:

FILLED MILK ACT

[Public, No. 513, 67th Cong.]

H. R. 8086

A bill to prohibit the shipment of filled milk in interstate or foreign commerce

Be it enacted, etc., That whenever used in this act—

(a) The term "person" includes an individual, partnership, corporation, or association;

(b) The term "interstate or foreign commerce" means commerce (1) between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; (2) between points within the same State, Territory, or possession, or within the District of Columbia, but through any place outside thereof; or (3) within any Territory or possession, or within the District of Columbia; and

(c) The term "filled milk" means any milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, powdered, dried, or desiccated, to which has been added, or which has been blended or compounded with, any fat or oil other than milk fat, so that the resulting product is in imitation or semblance of milk, cream, or skimmed milk, whether or not condensed, evaporated, concentrated, powdered, dried, or desiccated. This definition shall not include any distinctive proprietary food compound not readily mistaken in taste for milk or cream or for evaporated, condensed, or powdered milk, or cream: *Provided*, That such compound (1) is prepared and designed for feeding infants and young children and customarily used on the order of a physician; (2) is packed in individual cans containing not more than 16½ ounces and bearing a label in bold type that the content is to be used only for said purpose; (3) is shipped in interstate or foreign commerce exclusively to physicians, wholesale and retail druggists, orphan asylums, child-welfare associations, hospitals, and similar institutions and generally disposed of by them.

SEC. 2. It is hereby declared that filled milk, as herein defined, is an adulterated article of food, injurious to the public health, and its sale constitutes a fraud upon the public. It shall be unlawful for any person to manufacture within any Territory or possession, or within the District of Columbia, or to ship or deliver for shipment in interstate or foreign commerce, any filled milk.

SEC. 3. Any person violating any provision of this act shall upon conviction thereof be subject to a fine of not more than $1,000 or imprisonment of not more than 1 year, or both; except that no penalty shall be enforced for any such violation occurring within 30 days after this act becomes law. When construing and enforcing the provisions of this act, the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association, within the scope of his employment or office, shall in every case be deemed the act, omission, or failure, of such individual, partnership, corporation, or association, as well as of such person.

Approved March 4, 1923.

[Public No. 350, 74th Cong.]
H. R. 6361

A bill to amend the Filled Milk Act

Be it enacted, etc., That the act of March 4, 1923, entitled "An act to prohibit the shipment of filled milk in interstate or foreign commerce" (U. S. C., title 21, ch. 3) be, and the same is hereby, amended by adding at the end thereof the following section:

"SEC. 4. The Secretary of Agriculture is hereby authorized and directed to make and enforce such regulations as may in his judgment be necessary to carry out the purposes of this act."

Approved, August 27, 1935.

Please note section 4 and also note the intent of Congress as to the duty of the Secretary of Agriculture. In today's terms that means the War Food Administrator as he has practically all the powers of the Secretary of Agriculture.

Mr. Charles Holman of the National Milk Producers Federation is giving this question his attention.

I think some people are going a long way down the road in order to get rid of vegetable oil at a maximum profit. This may make sense from a maximum profit angle, but not from a maximum war-food program or for a maximum protection of the consumers of the country.

When one realizes the millions of pounds of steel and tin plate that have been allocated to the filled milk industry, when it was practically impossible to get any of the strategic materials to repair a corner cheese factory, and when one realizes the Supreme Court of the United States made the decision that it did last October about the filled milk concoction, is it any wonder the dairy interests question the sympathetic interest the War Food Administration appears to have toward the makers of the similar concoction, known as filled cream?

The only filling will be the filling of the pockets of the few that figured out this scheme—one more scheme to substitute a vegetable oil for the more valuable animal fat.

PERMISSION TO ADDRESS THE HOUSE

Mr. GWYNNE of Iowa. Mr. Speaker, I ask unanimous consent that on tomorrow, after the completion of business on the Speaker's desk and any other special orders heretofore entered, I may address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

EXTENSION OF REMARKS

Mr. McCONNELL asked and was given permission to extend his remarks in the RECORD and include therein an article by Hon. Ellwood J. Turner, Chairman of the Interstate Commission of the Delaware River Basin, on the place of the State in the field of watershed development.

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include therein an article from the Great Falls Tribune.

Mrs. ROGERS of Massachusetts. Mr. Speaker, some years ago the House approved, and the Senate also approved, a bill which I introduced setting aside April as cancer-control month. I ask unanimous consent that I may extend as part of my remarks the Gallup poll showing the increase in cancer and the need of education.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. MADDEN asked and was given permission to extend his own remarks and include a statement from Dr. Seigismond Stowjowski on world peace and the future of Poland.

Mr. PATTERSON asked and was given permission to extend his own remarks and include a resolution by part of the California delegation.

Mr. CANFIELD asked and was given permission to extend his remarks in the RECORD on the manpower bill.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BYRNES of Wisconsin (at the request of Mr. MURRAY of Wisconsin), for 3 days, on account of official business.

To Mr. HILL (at the request of Mr. MURRAY of Wisconsin), for 3 days, on account of official business.

To Mr. CHAPMAN (at the request of Mr. CLEMENTS), for today, on account of important business.

To Mr. KEOGH (at the request of Mr. HEFFERNAN), for 2 days, on account of official business.

ENROLLED BILL AND JOINT RESOLUTIONS SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill and joint resolutions of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2404. An act to increase the debt limit of the United States, and for other purposes;

H. J. Res. 115. Joint resolution relative to determination and payment of certain claims against the Government of Mexico; and

H. J. Res. 141. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1945, in lieu of certain appropriations contained in H. R. 2374, Seventy-ninth Congress, first session, and for other purposes.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 34 minutes p. m.) the House adjourned until tomorrow, Wednesday, March 28, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

356. A letter from the Chief Scout Executive, Boy Scouts of America, transmitting the Thirty-Fifth Annual Report of the Boy Scouts of America for the year 1944 (H. Doc. No. 125); to the Committee on Education and ordered to be printed with illustrations.

357. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Federal Security Agency for the fiscal year 1946 in the amount of $4,644,000 (H. Doc. No. 126); to the Committee on Appropriations and ordered to be printed.

358. A communication from the President of the United States, transmitting a supplemental estimate of appropriations for the fiscal year 1946, in the amount of $27,000, for the legislative branch, Library of Congress (H. Doc. No. 127); to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MURDOCK: Committee on Irrigation and Reclamation. H. R. 2742. A bill to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928; without amendment (Rept. No. 397). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPENCE: Committee on Banking and Currency. H. R. 8. A bill to amend a law known as Public Law 603 (77th Cong., 2d sess., ch. 404), and entitled "An act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes"; with an amendment (Rept. No. 398). Referred to the Committee of the Whole House on the state of the Union.

Mr. JARMAN: Committee on Printing. House Concurrent Resolution 37. Resolution authorizing the printing of a revised edition of House Document No. 394, Seventy-eighth Congress, second session, entitled "Handbook for Servicewomen of World War II and Their Dependents, Including Rights and Benefits of Veterans of World War I and Their Dependents," as a public document and providing for additional copies thereof; without amendment (Rept. No. 399). Referred to the House Calendar.

Mr. JARMAN: Committee on Printing. House Resolution 211. Resolution authorizing the Special Committee on Post-War Economic Policy and Planning of the House of Representatives to have printed for its use additional copies of part 4 of the hearings on problems of foreign trade and shipping held before said special committee during the second session of the Seventy-eighth Congress and the current session; without amendment (Rept. No. 400). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. WASIELEWSKI:

H. R. 2787. A bill amending title II of the Social Security Act to provide that active service in the armed forces shall not result in either the lessening, or complete loss, of insurance benefits; to the Committee on Ways and Means.

By Mr. GWYNNE of Iowa:

H. R. 2788. A bill to amend title 28 of the United States Code in regard to the limitation of certain actions, and for other purposes; to the Committee on the Judiciary.

By Mr. RANKIN:

H. R. 2789. A bill to amend section 500 (c), title III, Servicemen's Readjustment Act of 1944, so as to make more adequate provision for loans to veterans under the provisions of

such title by removing certain statutory limitations on loans guaranteed thereunder made by national banks and certain other banking institutions; to the Committee on World War Veterans' Legislation.

By Mr. VINSON:

H. R. 2790. A bill relating to pay allowances of officers of the retired list of the Regular Navy and Coast Guard performing active duty in the rank of rear admiral; to the Committee on Naval Affairs.

By Mr. COFFEE:

H. R. 2791. A bill to provide that retired officers of the United States Navy be paid active-duty pay for any period served in an inactive status pending action by a retirement board; to the Committee on Naval Affairs.

By Mr. DINGELL:

H. R. 2792. A bill imposing additional penalties for engaging in black-market operations; to the Committee on Banking and Currency.

By Mr. HOCH:

H. R. 2793. A bill relating to the assignment of men under the age of 19 to combatant duty against the enemy; to the Committee on Military Affairs.

By Mr. LEWIS:

H. R. 2794. A bill to provide a quota for earthenware, crockeryware, china, porcelain, and other vitrified wares imported into the United States; to the Committee on Ways and Means.

H. R. 2795. A bill to provide a quota for articles made wholly or in chief value of glass imported into the United States; to the Committee on Ways and Means.

By Mr. CARLSON:

H. R. 2796. A bill to amend the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 2797. A bill to amend section 22 (b) (13) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. MANSFIELD of Montana:

H. R. 2798. A bill to permit weekly newspapers to suspend publication for not more than two issues in any one calendar year without loss of second-class mail privileges; to the Committee on the Post Office and Post Roads.

By Mr. MAY:

H. R. 2799. A bill to authorize the Secretary of War to exchange with the Rosslyn Connecting Railroad Co. certain lands in the vicinity of the War Department Pentagon Building in Arlington, Va.; to the Committee on Military Affairs.

By Mr. MERROW:

H. R. 2800. A bill to provide for one national cemetery in every State and Territory and such other national cemeteries in the States, Territories, and possessions as may be needed for the burial of members of the armed forces of the United States dying in the service or former members whose last discharge therefrom was honorable, and certain other persons as provided for in United States Code, title 24, section 281, as amended; to the Committee on Military Affairs.

By Mr. REED of New York:

H. R. 2801. A bill to stimulate business recovery and provide relief from war taxation; to the Committee on Ways and Means.

By Mr. FLOOD:

H. R. 2802. A bill relating to the assignment of men under the age of 19 to combatant duty against the enemy; to the Committee on Military Affairs.

By Mr. LANE:

H. R. 2803. A bill to provide, in the case of certain Government employees dying after September 18, 193 , for payment for accumulated or accrued annual leave due at the time of death; to the Committee on the Civil Service.

By Mr. MANSFIELD of Texas:

H. R. 2804. A bill authorizing the transfer of military installations on the Indianola Antiaircraft Gunnery Range to the County of Calhoun, State of Texas; to the Committee on Military Affairs.

By Mr. McGEHEE:

H. R. 2805. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset hut occupied by Eighty-third United States Naval Construction Battalion at Camp Rousseau, Port Hueneme, Calif., on December 22, 1944; to the Committee on Claims.

H. R. 2806. A bill to reimburse certain Navy personnel for personal property lost or damaged in a fire at Naval Base 2, Rosneath, Scotland, on October 12, 1944; to the Committee on Claims.

H. R. 2807. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset hut E-172 at the Amphibious Training Base, Camp Bradford, naval operating base, Norfolk, Va., on January 20, 1945; to the Committee on Claims.

By Mr. WEICHEL:

H. R. 2808. A bill amending title II of the Social Security Act to provide for crediting service in the armed forces for old-age and survivors' insurance benefits; to the Committee on Ways and Means.

By Mr. BLOOM:

H. Res. 145. Joint resolution providing for membership of the United States in the Food and Agriculture Organization of the United Nations; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Iowa, memorializing the President and the Congress of the United States to provide for a qualified representation of the young men and women of the military forces of World War No. 2 to serve as members of the commission or delegation representing the United States of America at the peace table; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to take steps to end the attempts of self-made tyrants to impose supergovernment on and exact tribute from the free people of the country, by the exercise of arbitrary power and selfishness; to the Committee on Labor.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to establish Camp McCoy as a permanent military camp; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to establish and maintain a national cemetery in that State; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States to make a study of existing pricing and rate structures in the steel and other industries and particularly as they affect the operation of the Geneva steel plant; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States to repeal a portion of the Antiquities Act and to amend the same, to hold public hearings on extension or creation of national parks, to develop a sound public land policy, and for other purposes; to the Committee on the Public Lands.

Also, memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States to take action to provide opportunity for social security insurance coverage to all workers in the United States not now covered, to protect the social security insurance benefits of members of the armed forces, the merchant marine, and workers in certain war industries, and for other purposes; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Utah, memorializing the President and the Congress of the United States to assist in opening Palestine for unrestricted colonization by persons of Jewish ancestry; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GRANAHAN:

H. R. 2809. A bill for the relief of Theodore Maudrame; to the Committee on Immigration and Naturalization.

By Mr. MARTIN of Massachusetts:

H. R. 2810. A bill for the relief of Mrs. Stuart B. Riley; to the Committee on Claims.

By Mr. O'BRIEN of Illinois:

H. R. 2811. A bill for the relief of the M. B. Austin Co.; to the Committee on Claims.

By Mr. SOMERS of New York:

H. R. 2812. A bill for the relief of Morris Tutnauer; to the Committee on Claims.

By Mr. GRANAHAN:

H. R. 2813. A bill for the relief of J. W. Greenwood, Jr., former regional fiscal officer for the Central Administrative Services Division, Office for Emergency Management, Philadelphia, Pa.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

290. By Mr. CASE of South Dakota: Petition of Mrs. Maude Galland and 80 citizens of Perkins County, S. Dak., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

291. Also, petition of S. S. Hammond and 54 other citizens of Watertown, S. Dak., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

292. By Mr. COCHRAN: Petition of E. E. Rue and 24 other citizens of Missouri, protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

293. Also, petition of O. Fisher and 26 other citizens of Missouri, protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

294. Also, petition of E. Sireno and 27 other citizens of Missouri, protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

295. Also, petition of C. Bryant and 27 other citizens of Missouri, protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

296. Also, petition of E. Kelsey and 26 other citizens of Missouri, protesting against the passage of any prohibition legislation by

the Congress; to the Committee on the Judiciary.

297. By Mr. GROSS: Petition of the Townsend Clubs of the Twenty-first Congressional District of Pennsylvania, signed by E. W. Laughman, district secretary, and others, memorializing the Congress of the United States to enact into law House bills 2229 and 2230, what is known as the Townsend bill, which will provide annuities for all senior citizens 60 years and over who will refrain from gainful occupation, the permanently disabled, the blind, the disabled soldiers, and all widowed mothers with dependent children under 18; to the Committee on Ways and Means.

298. By Mr. RICH: Petition of residents of Council, Alaska, and environs, protesting against further reservations in Alaska as sponsored by the Department of the Interior; to the Committee on the Public Lands.

299. By Mrs. ROGERS of Massachusetts: Memorial of the General Court of Massachusetts, requesting the Federal Conservation Commission and the Select Committee on Conservation of Wildlife Reserves to restrain any further action by the United States Fish and Wildlife Service in the Parker River and Monomoy Point refuges until the completion of an investigation by a joint committee of the general court; to the Committee on Agriculture.

300. Also, memorial of the General Court of Massachusetts, urging the Federal Government to purchase land in Massachusetts for the establishment of a national cemetery; to the Committee on Military Affairs.

301. By the SPEAKER. Petition of the Arkansas Basin Flood Control Association, Russellville, Ark., petitioning consideration of their resolution with reference to opposition to establishment of an Arkansas Valley Authority and requesting that the river basin of Arkansas be developed by the Corps of Engineers, United States Army; to the Committee on Flood Control.

302. Also, petition of Clifford Cooperative Association, of Tripoli, Wis., urging consideration of their resolution with reference to opposition to the views and policies of foreign affairs as expressed by Congressman O'KONSKI; to the Committee on Foreign Affairs.

303. Also, petition of the American Legion, Horse Creek Valley Post, No. 77, Bath, S. C., urging consideration of their resolution with reference to adoption of universal military training for the youth of the country; to the Committee on Military Affairs.

304. Also, petition of the National Maritime Union, New York, N. Y., with 19 signers, urging consideration of their resolution with reference to the enactment of a merchant seamen's bill of rights along the lines of the one passed by a grateful Nation in behalf of our armed forces; to the Committee on the Merchant Marine and Fisheries.

305. Also, petition of the Lions International, District 51, Puerto Rico, urging consideration of their resolution with reference to the establishment of an independent Federal agency to study, weigh, and probe into the problems of Puerto Rico, and for other purposes; to the Committee on Insular Affairs.

SENATE

WEDNESDAY, MARCH 28, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God our Father, as the quiet splendor of another day illuminates our path, we wait for the shining glory of the Light that never fails nor fades. At noontide we would step aside from the crowded highway to seek the garden of the soul where Thou keepest tryst for us at the beginning of the day's council together. Some of us have grown weary with the heat and burden of these tragic days. For Thy name's sake and for our souls' sake, lead us where still waters flow. If we have closed and barred the door of our heart against unwelcome truth, may it steal back by some secret stair, bringing within the sweet peace of penitence and pardon. In the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, March 27, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 689. A bill to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State; and

H. R. 2775. A bill to permit certain subsidy and loss operations, in the case of flour, without regard to the provisions of the last paragraph of section 2 (e) of the Emergency Price Control Act of 1942.

The message also announced that the House had agreed to a concurrent resolution (H. Con. Res. 37) authorizing the printing of a revised edition of House Document No. 394, Seventy-eighth Congress, second session, entitled "Handbook for Servicemen and Servicewomen of World War II and Their Dependents, Including Rights and Benefits of Veterans of World War I and Their Dependents," as a public document, and providing for additional copies thereof, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were signed by the President pro tempore:

S. 681. An act to amend the National Housing Act, as amended, and for other purposes;

H. R. 2404. An act to increase the debt limit of the United States, and for other purposes;

H. J. Res. 115. Joint resolution relative to determination and payment of certain claims against the Government of Mexico; and

H. J. Res. 141. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1945, in lieu of certain appropriations contained in H. R. 2374, Seventy-ninth Congress, firs session, and for other purposes.

LEGISLATIVE SESSION

Mr. BARKLEY. Mr. President, I understand that when the Senate recessed yesterday it did so as in executive session.

The PRESIDENT pro tempore. That is correct.

Mr. BARKLEY. Inasmuch as the conference report on the so-called manpower bill is to be brought up, I therefore move that the Senate now proceed to the consideration of legislative business.

Mr. MILLIKIN. Mr. President, am I correct in my understanding that there will be merely a temporary suspension of the consideration of the treaty?

Mr. BARKLEY. When the Senate goes back into executive session automatically the treaty will be the unfinished business.

Mr. MILLIKIN. And the only business displacing the treaty temporarily will be the conference report on the manpower bill?

Mr. BARKLEY. So far as I know, yes.

Mr. WHITE. Mr. President, may I inquire, when the Senate goes back into executive session and recurs to the treaty, will the Senator from Colorado [Mr. MILLIKIN] be the unfinished speaker?

Mr. BARKLEY. I never think the Senator from Colorado is unfinished. If the Senator from Maine should refer to him as a finished product, I would agree. The Senator from Colorado, under any arrangements which he may see fit to call it, will resume the floor.

Mr. MILLIKIN. I thank the Senator from Kentucky very much.

Mr. TOBEY. Mr. President, will the majority leader yield?

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from New Hampshire?

Mr. BARKLEY. I yield.

Mr. TOBEY. I should like to point out also—and I think the chairman of the Senate Banking and Currency Committee will confirm my statement—that the conference report on the Commodity Credit Corporation bill is also to be taken up.

Mr. BARKLEY. Yes; but I do not think that will take more than a few minutes.

Mr. MILLIKIN. Did I correctly understand the distinguished majority leader to say that the conference report referred to by the Senator would be taken up?

Mr. BARKLEY. I said it would take but a few minutes, and that while the Senate is in legislative session we might try to dispose of it. It is a privileged matter, anyway.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Kentucky that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

POST-WAR FULL EMPLOYMENT

Mr. WAGNER. Mr. President, as our armed forces gain victory after victory, we come closer and closer to the problems of peace. On the home front, peace problem No. 1 is that of full employment. America's future depends upon full job opportunities for those who have borne the risks of war—and for those who have backed them up in the factory and on the farm.

To provide a firm foundation for our post-war economy, the Senator from Montana [Mr. MURRAY], the Senator from Oklahoma [Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY], and I have introduced in the Senate the full-employment bill, and Representative PATMAN has introduced a similar bill in the House of Representatives. Discussion of this bill by all thoughtful citizens is, in my judgment, most desirable. I have just read such a discussion in an article in the March issue of the Survey Graphic. This article was selected as one of the three best magazine articles of the month by the Council of Librarians. The author of the article, Leon Keyserling, has been recognized for his studies of this subject, and last year was awarded a $10,000 prize for an essay in the same field.

Mr. President, I ask unanimous consent that the important article to which I have referred may be printed at this point in the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FROM PATCHWORK TO PURPOSE—FOUR RANKING SENATORS THROW INTO OPEN DISCUSSION THE MOMENTOUS ISSUE OF WHERE WE GO AFTER THE WAR—AND HOW WE CAN GET STARTED

(By Leon H. Keyserling)

Without fanfare, last January, JAMES E. MURRAY, of Montana, chairman of the Senate Committee on Education and Labor, introduced the full employment bill of 1945. Joined with him as coauthors were:

ROBERT W. WAGNER, New York, chairman, Committee on Banking and Currency;

ELBERT D. THOMAS, Utah, chairman, Committee on Military Affairs; and

JOSEPH C. O'MAHONEY, chairman of the recent Temporary National Economic Committee.

Representative WRIGHT PATMAN, Texas, introduced a companion bill in the House.

The range of sponsorship is significant; and so was the timing, for that was the first month of a new Congress which, we can hope, will prove the first post-war Congress.

Regardless of the vicissitudes it may face before coming to a vote, this bill is central to present public concern. Its short confines and simple provisions embrace such vital matters as the relationships between industry and Government; between the President and the Congress; between the Government and the people.

At such a juncture, it is good to remember that democratic states thrive upon the basis of agreement about fundamentals. Even our cherished rights to debate and dissent—such as freedom of speech, of conscience, of assembly—derive from a few accepted propositions written into the Constitution. Thus without complete agreement about freedom of speech, no one could speak out in disagreement about anything.

Our economic progress, like our political freedom, depends in this same way upon reconciling the privilege of differing about many matters with the capacity to arrive freely at an accord about some essentials. Can we say as much for this full-employment bill—that it stems from heartening agreement on a few dominant factors to be reckoned with in our industrial affairs? Let me cite half a dozen in sequence:

THE OPPORTUNITY THAT IS OURS

1. Our unrivaled American aptitude for technological advance, spurred on by the depression years and since driven harder by the impulse of total war, has exceeded the most fanciful expectations. Witness Hagen and Kirkpatrick. In the American Economic Review (September 1944) they estimate that the output per man-hour in a grouping of basic industries rose from an index of 100 for 1923–25 to 122 for 1929, to 167 for 1940. Viewing the marvels of war production, they conclude that the index may well go above 232 by 1950.

The increase has not been so startling in other industries or in agriculture. Yet if we couple this rising efficiency with reasonably full employment, it has been calculated that (at the 1944 price level) the value of our annual gross national product, which stood at $106,000,000,000 in 1929, slumped to $76,000,000,000 in 1932, and rose to $115,000,000,000 in 1939, will reach $195,000,000,000 to $200,000,000,000 by 1950.

Allowing for increase in population, this would mean by 1950 a general output per capita more than 50 percent higher than in the peak prosperity year of 1929.

2. If we come near this attainable goal, we can assure the economic upgrading of the average family and at the same time preserve individual initiative, unusual reward for unusual merit, and full incentives to legitimate private risk-taking.

Without making it impossible for any to get rich, we can make it unnecessary for any to suffer poverty.

3. These bright prospects have their dismal counterpoint, if the shortcomings of the past pervade the future. So long as our economic system retains its brittleness, the impact of 20,000,000 veterans and ex-war workers looking for post-war jobs will deal it a shattering blow. That is, one which ultimately might smash us down into a depression as much larger than the depression of the thirties as our effort in this war has been larger than our effort in the last war.

4. Which of these two roads we follow will not be left to fate. It will be a man-made choice, representing a compound of economic policies and programs put into effect by industry, agriculture, labor, and Government. Our future is in their hands—or rather, if we will, in our own.

5. In order that this compound of policies and programs achieve optimum results, it is essential that industry, agriculture, labor, and Government work together.

This imposes a double obligation upon the Federal Government. As itself the largest single conditioner of our economy as a whole, its actions must be reasonably clear, stable, and thought through to their ultimate implications. It must also take the leadership (for no other agency can) in bringing its own variegated economic activities into harmony (through conference and agreement) with those of private enterprise, organized labor, and of our State and local governments.

For each of these performers to take a proper part in our national symphony of productive effort, there must be a score. Clearly each of them should play the instrument for which his gifts are greatest; yet, if all of them are to keep clear of discord, someone must wield a baton. Such is the tradition of music; but dictation does not fit into the orchestration of democracy.

6. Hence we must find equivalents for score and director if we are to make the music we want to hear. We must have a unifying American economic policy directed toward a common American economic goal. (Of these, more later.)

THE GAP FILLED BY THE BILL

Once we found substantial agreement on such points as these, it would be a far cry from the time when serious men accepted literally that the poor should always be with us; or shook their heads forlornly at the natural and immutable laws of the "dismal sciences."

But even with consensus about what we have and what we need, there would remain one difficulty that has balked us at every turn. Aside from our war effort, we have not yet arrived at enough fundamental agreements—or even the machinery for achieving them—with respect to the content or the application of an integrated economic policy to carry us where we want to go.

Curiously indeed, in a pragmatic and practical people, we have not developed any device for a continuing inventory of existing and largely disjointed public policies even to measure whether these are working well or badly.

The full-employment bill is designed to fill in this gap. It would blend the economic programs of private enterprise and public agencies into one American economic policy headed toward what might be called an American economic goal. No; the bill does not use these terms. The goal stated is simply this:

"* * * The existence at all times of sufficient employment opportunities to enable all Americans who have finished their schooling and who do not have full-time housekeeping responsibilities freely to exercise * * * the right to useful, remunerative, regular, and full-time employment."

But if we broaden this idea of full employment to include also the best utilization of our natural resources and technical skills (this the bill at least implies), then it may be said that it sets forth as our American post-war objective:

The achievement of the highest levels of production and presumably the highest standards of living that are within our reach.

A goal of this kind, aside from the means of attaining it, would not seem subject to much debate. Nor would there seem much room for questioning the stated policy of the bill that as much of this achievement as possible should be through the medium of private enterprise and other non-Federal undertakings. This course stems soundly from Lincoln's statecraft that—

"It is the function of the Government to do for the people only what they need to have done and cannot do for themselves, or cannot do so well in their separate and individual capacities."

THE CORE OF THE BILL

The measure as drafted rapidly gets down to earth in the industrial civilization that has sprung up in the United States since Lincoln's time. It designs machinery for formulating such an over-all economic policy, for gearing it to such an American post-war objective, and for consecutively evaluating the means used in terms of the ends sought.

Specifically the bill provides that at the beginning of each regular session of Congress the President shall transmit a national production and employment budget. This would set forth, in substance, an estimate of what at the time would constitute full employment coupled with an estimate of:

1. How much employment is in prospect as the sum total of all private and other non-Federal undertakings.

2. How far these undertakings will fall short of the yardstick of full employment.

3. What policies the Federal Government can and should utilize to maximize the success of these private and other non-Federal undertakings in achieving full employment; and, as a final supplement

4. What programs the Federal Government itself needs to undertake to assure full employment. (Present estimates put that at fifty-six to sixty million jobs.)

The bill contemplates, also, that the President shall, from time to time, transmit to the Congress information and legislative recommendations bearing upon this national production and employment budget.

On the congressional side, the bill would establish a Joint Committee on the National Production and Employment Budget. This, in turn, would be composed of the chairman and ranking minority members of the Senate Committees on Appropriations, Banking and Currency, Education and Labor, and Finance, and seven additional Members of the Senate appointed by the President of the Senate. It would include, also, the chairmen and ranking minority members of the House Committees on Appropriations, Banking and Currency, Labor, and Ways and Means, and seven additional Members of the House appointed by the Speaker. Party representation on the joint committee would reflect automatically the relative membership of the majority and minority parties.

The bill provides further that the joint committee shall study this new type of budget transmitted by the President, and by March 1 shall report its findings and recommendations to the Senate and the House, together with a joint resolution setting forth for the ensuing fiscal year a general policy to serve as a guide to the committees on Capitol Hill dealing with related legislation.

THE PLACE OF THE BILL IN OUR THINKING

It can safely be said that no future historian will be able to date the decline of the Republic from the introduction of this bill. It proposes no redistribution of functions between the Congress and the President. It fastens upon no single economic program or panacea for producing full employment, nor does it introduce specific economic measures that have not now been tried out. It involves neither socialization nor nationalization of anything that is now privately owned or operated.

So far as philosophy goes, the bill preaches neither the expansion of governmental functions nor the contraction of voluntary initiative. To the contrary, it explicitly requires that every effort be made to enlarge our system of private enterprise as our first and longest front against unemployment.

As a second line of defense, the bill contemplates that, by some method, the Government shall provide jobs for those who want work when all other methods have failed to employ them. But this residual responsibility of government by the people, for the people, was itself put forward last fall with equal fervor by Franklin D. Roosevelt and Thomas E. Dewey.

What is more—two considerations that have not always been uppermost in the past—the bill requires that jobs provided through direct public action shall be tested in terms of their effect upon stimulating private enterprise and in terms of the value of their end products.

More difficult to allay may be trepidation that a thoroughgoing national policy to assure full employment would tend toward the spread of bureaucracy, toward public control and operation in an ever-increasing area of economic activity.

Wise application of the act would pull strongly in exactly the opposite direction. Let us suppose, for example, that a national production and employment budget had been in effect during a period of reasonably high employment before 1929. One factor entering into that fall's crisis was the failure of mass purchasing power to keep pace with productive capacity. Other factors were rampant speculation in securities and, in reaction to this, the psychology of business fear and contraction which came to a head in the stock market crash.

Under a national production and employment budget, depressive tendencies would have been registered through its continuing annual inventories—long before the country was thrown into the spiral of depression.

By 1927, the economic brains and resources of America could have been marshaled to exercise a corrective influence all along the line. As time wore on, President Hoover sensed this, but his plea to stop wage cutting went unheeded.

Concerted advance action throughout the highly strategic areas of prices, taxes, and wages, accompanied by moderate public works, would have written a different story and gone a long way toward maintaining our economy in equilibrium. Much of this could have been voluntary; some would have required legislation or compulsion. Prompt public moves in a limited sphere might have averted a major economic catastrophe. There would have been no occasion for the infinitely more sweeping governmental undertakings which the actual catastrophe provoked.

This illustration suggests a variety of reasons why such a system for budgetary production and employment should simplify and pare down the governmental structure. The testing of each separate administrative institution in terms of a single American economic policy would help weed out duplication and cross-purposes. A constant inventory of economic trends in general and of the economic consequences of policies already in effect, would encourage the stitch in time that saves nine. By keeping our economic affairs on an even keel, the proliferation of remedial and rescue ventures can be avoided. In short, to compress these analogies into a rule of thumb:

If the American Government, in concert with industry, agriculture, and labor, did a few things very well, it would become unnecessary for it to attempt under duress of emergency a great variety of things with varying degrees of success.

Of course, the economic specifics for effecting a smooth transition from war to peace are very different from those which might have averted or have minimized the depression of the thirties. But the full employment bill does not involve precommitment to details. It presents instead a new method for developing sound measures to meet current problems in their sequence. It has the merit of being opportune, without the demerit of reserving habitually to improvisation to handle a crisis. It leaves room for fresh experiment without abandoning the hard lessons of experience.

WHEN THINGS ARE LEFT AT LOOSE ENDS

What, in truth, has our experience taught us? By way of illustration, more than half a century ago we initiated the antitrust laws. It is not important here to appraise whether these laws were wise or not. The point to be made is that even while Uncle Sam was shaking the big stick at the trusts, Federal tariff and tax policies moved in diametrically the opposite direction—toward encouraging nothing less than large-scale enterprise and monopoly. Not only were these two sets of policies in conflict—responsive to different social pressures and tuned to tickle different political ears—but there was never much meticulous checking as to whether they were accomplishing clear objectives, however inconsistent these might be.

Moreover, the failure to orientate the antitrust laws themselves to goals for the economy as a whole, led inescapably to vagaries when we came to apply them. We commenced to promote recovery in 1933 by a virtual suspension of these laws. We sought to prevent business recession after 1937 by reinvigorating them. And we have gone about promoting the war effort in some quarters by enforcing antitrust laws, in other quarters by ignoring them.

In contrast, the series of economic measures enacted in 1933 and after represented a concerted effort to develop a system of interrelated public policies. Nonetheless, it has been observed frequently that the National Industrial Recovery Act and the Agricultural Adjustment Act, the two big cylinders of the New Deal recovery machine, were in some degree incompatible.

There were three main programs under the Recovery Act itself—one designed to strengthen labor through encouragement of collective bargaining; another, to strengthen trade associations and tending toward restricted production; and the third, to expand production and employment through public works. These programs soon became conspicuously strange bedfellows. Some of the conflicts were smoothed over; none was completely rationalized.

Our need for a unified American economic policy is not limited to times of stress. Our social security program sprang from emergency in the mid-thirties, but in the years since, the program as it has developed has exhibited the same need for wider unity. Take unemployment compensation which was advocated along three lines:

To spur management to concentrate upon stabilizing employment;

To check the spread of unemployment by maintaining purchasing power; and

To provide compensation (not charity) for those unemployed.

These three purposes are not mutually exclusive; all of them are worthwhile, but the system should delineate paramount and secondary objectives and be accompanied by some device for measuring success in achieving each of them.

Collateral effects, also, should be weighed—for example, the influence of the payroll taxes, imposed by the Social Security Act, upon capital investment and consequently upon unemployment itself. Further, the relation of the system to other programs with kindred purposes should be explored. For example, to other stabilizing programs, such as tax incentives or the guaranteed purchase of excess products; and to other purchasing power programs, such as public works.

This adds up to the conclusion that we can have an organic social security policy only as part of an American economic policy.

THE ART OF FINDING UNITY

The foregoing is not critical of those who have been responsible for establishing or administering separate programs of this sort. In the absence of an all-inclusive American economic policy, it is hard to arrive at a satisfying tax policy, or social security policy, or public works policy, or labor policy, or banking policy, or foreign economic policy. One test of subsidiary objectives is to fit them into the over-all objective. We cannot excel in parts until we know what the whole job is—and how we are getting along with it.

This lack of a unifying thesis in economic matters explains much bickering on the home front. It sheds light on seemingly contradictory public action, on overlapping in governmental agencies, and on the blurred line between what we need for a period of crisis and what we need for all time. Moreover, current discussion as to streamlining Congress overlooks too often that reorganization can be approached fruitfully only through prior clarification. An articulation of policies and goals would open the way for

improved functioning by the Congress as a policy-making body and for the most satisfactory division of labor with the Chief Executive

Thus the full-employment bill, as now drawn, provides for the initial development of the national production and employment budget by the President and its submission to a congressional joint committee for subsequent review and action. In view of the scope of the undertaking and the prime desirability of evoking maximum accord in testing it out, thought might be given to placing the initial development of the budget in the hands of an American economic committee, constituted by law and containing representation from both Cabinet and Congress, with a permanent staff supplemented by a rotating staff drawn from the departments concerned.

Such a plan would offer interesting possibilities for adjusting the principle of separating legislative, judicial, and executive powers, as written into the Constitution, to the increasing interplay and overlapping of congressional and Presidential functions in matters of high policy. Partial support for this idea can be found in a recent recommendation by the committee on Congress of the American Political Science Association that the Congress establish a permanent and formal liaison with the White House.

If an American economic committee of this type were established, it might well include, also, members appointed by the President to represent industry, agriculture, labor, and consumers. The preparation of a national production and employment budget necessarily involves what free enterprise is going to do no less than what the Government is going to do. Its very essence is an appraisal of interaction between the two. Its very spirit is accord. It needs to be initiated in an atmosphere of maximum cooperation and give and take. For this reason, to bring nongovernmental representatives more explicitly into such a flexible process seems more important than to preserve rigid concepts as to the governmental structure.

It can be argued that part of the reason why pressure groups have been so unconscionably at one another's throats, why their specialized objectives often seem so far abstracted from the common good, is that they so seldom sense that good as a common goal, or have had any chance to participate in a general drive to attain it.

THE CHALLENGE OF 60,000,000 JOBS

More unity arising from more common knowledge is the essence of the full employment bill. The measure is founded upon the proposition that nothing is worse than to contribute to the confusion of the people at large—or to make more difficult their lines of communication when major decisions in national policy are under way.

A national production and employment budget would set objectives each year based on realities, in terms understandable to everybody, and related to our common undertakings as a Nation. If it did no more than that, it would bring into our public affairs a clarity, a wholesomeness, and a dignity that would strengthen immeasurably our free institutions in the years ahead.

But the full employment bill is founded, also, on another proposition—that our American way of life and livelihood, with all its admitted imperfections, is a good one We are committed to it by our history and our ideas—and committed by the same token to remedy our imperfections as we go along. Such a course is consistent with our essential practicality and inventiveness as a people, with our emphasis on individual enterprise, and our adventuresome democracy.

The human materials with which we have to deal are mostly men of good will, who know the dangers we all face unless we devise more rational ways to get rid of mass unemployment, and who know equally well the benefits we can all look for if we do. The task before us is to gather up tools in our American kit which have stood us in good stead in other great tasks and emergencies, check them against accomplishment, and improve and align them systematically for use in meeting the great test of the postwar era.

PETITIONS AND MEMORIALS

Petitions, and so forth, were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

Petitions of sundry citizens of the United States, praying that Italy be recognized as a full ally of the United Nations; to the Committee on Foreign Relations.

By Mr. GEORGE:

A resolution of the House of Representatives of the State of Georgia; to the Committee on Finance:

"House Resolution 133

"Whereas in title III of the Servicemen's Readjustment Act of 1944, certain provisions are made for loans to returning veterans of World War No. 2; and

"Whereas the said provisions of said act are complicated, involved, and restricted to such an extent that it is difficult and generally impracticable for a veteran to negotiate a loan thereunder through the banks as a designated agency; and

"Whereas prompt and reasonable financial assistance to said returning veterans is deemed to be of paramount importance: Now, therefore, be it

"Resolved by the House of Representatives of the State of Georgia, That the Congress of the United States be, and it is hereby, respectfully petitioned and requested to review, revise, and amend the said title III of the said Servicemen's Readjustment Act of 1944 to the end that the provisions for loans to returning veterans of World War No. 2 through designated agencies such as the banks, shall be liberalized, clarified, and simplified:

"Resolved, further, That copies of this resolution be dispatched immediately to the Speaker of the House of Representatives of the United States, the President of the Senate of the United States, and to each of the Representatives and Senators from the State of Georgia."

By Mr. THOMAS of Oklahoma:

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Indian Affairs:

"House Concurrent Resolution 21

"Concurrent resolution memorializing Congress to enact House Resolution 1197, a bill to validate titles to certain lands conveyed by Indians of the Five Civilized Tribes, and providing for a copy of this resolution to be forwarded to each Member of the Oklahoma delegation in Congress

"Whereas many citizens of the State of Oklahoma have purchased homes from members of the Five Civilized Tribes, which sales and conveyances under legal rulings are invalid because the conveyances were made without the consent and approval of the Secretary of the Interior of the United States; and

"Whereas the Commissioners of the Land Office have outstanding loans on lands acquired by the borrower by conveyances from members of the Five Civilized Tribes, which conveyances were not approved by the Secretary of the Interior; and

"Whereas the Indians who executed the conveyances have been fully compensated and it would work a grave injustice upon the State of Oklahoma and many of its citizens for said conveyances to be set aside and held invalid; and

"Whereas to prevent such an injustice Congressman W. G. STIGLER, of Oklahoma, has introduced in Congress House Resolution 1197, providing 'that no conveyance made by an Indian of the Five Civilized Tribes on or after April 26, 1931, and prior to the date of enactment of this act, of lands purchased prior to April 26, 1931, for the use and benefit of such Indian with funds derived from the sale of or as income from restricted allotted lands and conveyed to him by deed containing restrictions on alienation without the consent and approval of the Secretary of the Interior prior to April 26, 1931, shall be invalid because such conveyance was made without the consent and approval of the Secretary of the Interior: *Provided,* That all conveyances made after the date of the enactment of this act must have the consent and approval of the Secretary of the Interior': Now, therefore, be it

"Resolved by the House of Representatives of the Twentieth Legislature of the State of Oklahoma (the Senate concurring therein):

"SECTION 1. That the Congress of the United States of America be, and it is hereby, memorialized to enact into law House Resolution 1197, a bill to validate title to certain lands conveyed by Indians, reading as above set forth.

"SEC. 2. That the speaker be, and he is hereby, directed to forward a copy of this resolution to each House of the Congress of the United States and to each Member of the Oklahoma delegation in Congress."

By Mr. CORDON (for himself and Mr. MORSE):

A joint memorial of the Legislature of the State of Oregon; to the Committee on Appropriations:

"House Joint Memorial 8

"Whereas there is now pending before the Congress of the United States Senate Joint Resolution 8 proposing an amendment to the Federal Constitution providing that the President shall transmit to Congress his estimates of receipts of the Government during the ensuing fiscal year, together with his recommendations as to the purposes for which such receipts shall be expended, and, except in time of war or during the period ending on the date of the expiration of one full fiscal year after the termination thereof, the Congress shall not appropriate money for expenditures during such fiscal year in excess of such estimated receipts, except by a vote of three-fifths of each house, unless additional revenues have been previously provided therefor, or unless such appropriation be for expenses and contingencies of the Congress or the courts, or for payment of claims against the United States; and

"Whereas the house of representatives, the senate concurring, recognizes, in the interest of good government, the urgent need for and the inestimable benefits to be derived from such a yearly control of the Nation's revenues and expenditures: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring therein), That we, your memorialists, the Forty-third Legislative Assembly of the State of Oregon, do hereby most respectfully petition and request the Congress of the United States of America to favorably consider and adopt Senate Joint Resolution 8; be it further

"Resolved, That a copy of this memorial be sent to United States Senators GUY L. CORDON and WAYNE L. MORSE, and to Congressmen JAMES W. MOTT, HOMER D. ANGELL, LOWELL STOCKMAN, and HARRIS ELLSWORTH, and that they be and hereby are urged to use their best efforts and influence to make this memorial effective, and the secretary of state hereby is instructed to transmit the same to them.

"The secretary of state hereby is instructed to forward a certified copy of this memorial to the President of the United States, the President and Chief Clerk of the United States Senate, and to the Speaker and Chief

Clerk of the House of Representatives of the United States."

Two joint memorials of the Legislature of the State of Oregon; to the Committee on Commerce:

"House Joint Memorial 5

"To the honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We, your memorialists, the forty-third legislative assembly of the State of Oregon, convened in regular session, respectfully represent that

"Whereas despite a hard and uncertain calling, the merchant seamen of the United States do not enjoy the protection of unemployment insurance, workmen's compensation, group life insurance, pensions, or retirement plans; and

"Whereas although they are civilians, serving voluntarily on the merchant ships of this Nation, they work side by side with the military and carry troops, ammunition, and supplies as an integral part of invasion fleets; and

"Whereas the Congress of the United States has under consideration legislation which will, if enacted into law, make certain guarantees to American seamen similar to the rights granted members of the armed forces in the G. I. bill of rights: Now, therefore, be it

"Resolved by the House of Representatives of the State of Oregon (the Senate jointly concurring), That the forty-third regular assembly of the Oregon Legislature petition the Congress of the United States to give favorable consideration to the Peterson bill (H. R. 5477) known as the seamen's bill of rights; and be it further

"Resolved, That copies of this memorial be sent to both branches of the Congress of the United States, to Admiral Emory Land, Chairman, United States Maritime Commission, and to each of the Senators and Representatives in Congress from the State of Oregon."

"Senate Joint Memorial 8

"To the honorable Senate and House of Representatives of the United States of America, in Congress assembled:

"We your memorialists, the Senate and the House of Representatives of the State of Oregon, in legislative session assembled, most respectfully represent and petition as follows:

"Whereas there has been introduced and is now pending in the Senate of the United States a bill for a public law, S. 460, introduced by Senator MITCHELL, of Washington, for the purpose of creating a Government corporation to be known as the Columbia Valley Authority, and another bill in the House of Representatives of the United States introduced by Representative RANKIN, H. R. 1824, for the purpose of dividing the United States into nine districts, one of which would be the Columbia Valley Authority; and if either is enacted into law, the States included in such districts, and particularly the State of Oregon, its political subdivisions, and all of its residents and inhabitants will be further regimented and federally controlled in that the said authority will regulate and control the use of all of the waters within the State of Oregon in the following particulars:

"1. For domestic use, irrigation, and drainage, mining, and other industrial purposes;

"2. For flood control;

"3. For navigation;

"4. For power; and

"Whereas the people of the Northwest, and particularly the State of Oregon, have already enjoyed extensive development of reclamation, irrigation, flood control, navigation, power, and other projects under existing Federal departments in cooperation with the States and their political subdivisions; and

"Whereas other extensive projects are now either authorized or planned by the same cooperative method, all of which recognize the full sovereignty of the States, and the legal and independent rights of their political subdivisions; and

"Whereas if the said Columbia Valley Authority is so established, it will create a huge monopolistic Government corporation, which will be:

"1. Vested with unlimited powers;

"2. Furthering bureaucratic monopolies;

"3. Beyond the jurisdiction of the General Accounting Office in the settlement of the accounts of the corporation or for any expenditure its board shall determine to have been necessary to carry out the provisions of said act;

"4. Clothed with governmental immunity for its acts;

"5. Given broad, loosely defined powers, and the use of Government funds so as to be able to control the whole economy of the affected States and districts;

"6. Destroying present water and property rights and will grant to the said authority the right of eminent domain over irrigation districts, water works, and other such facilities;

"7. Depriving States and their political subdivisions of any control of the use of the waters of the States for any purpose whatsoever: Now, therefore, be it

"Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein), That the Congress of the United States be and it hereby is memorialized not to pass S. 460 or H. R. 1824, or any such similar legislation that will deprive the States, and particularly the State of Oregon, its political subdivisions and its people of rights now existing, and hitherto recognized by the Federal Government, to control and use the waters within their borders for domestic use, irrigation and drainage, mining, and other industrial purposes; for flood control and for navigation and power in cooperation with existing Federal departments; but that the Bureau of Reclamation and the Army engineers, in full cooperation with the States, be permitted to continue the operation of existing Federal facilities, the planning of and completion of further Federal facilities, and that other such public works as irrigation and drainage districts now operated and controlled and fish and game resources now managed within the States remain under local control; be it further

"Resolved, That copies of this joint memorial be forwarded to the President of the United States, to the Congress of the United States, to United States Senators GUY CORDON and WAYNE L. MORSE, of Oregon, and Representatives JAMES W. MOTT, HARRIS ELLSWORTH, LOWELL STOCKMAN, and HOMER ANGELL, of Oregon."

PROPOSED BAN ON MANUFACTURE OF LIQUOR AND BEER

Mr. CAPPER. Mr. President, I send to the desk and ask unanimous consent to have printed in the body of the RECORD as a part of my remarks a statement released to the press today by Mrs. D. Leigh Colvin, national president of the Woman's Christian Temperance Union. Her statement includes, among other things, a telegram to Mr. Krug, Chairman of the War Production Board, in which she urges that no more liquor holidays be granted in view of current food shortages.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

EVANSTON, ILL., March 28.—A Federal ban on future liquor-distilling holidays, as permitted in August and January, last, as well as a curb on beer making, to conserve grain for the duration of wartime food shortages, were urged by Mrs. D. Leigh Colvin, president of the Woman's Christian Temperance Union, in a telegram to J. A. Krug, Chairman of the War Production Board, today.

Mrs. Colvin told Krug that members of the union concur that the critical shortages of meats and other basic foods will obviously skyrocket the need and consumption of foods made from grains and other edibles used in distilling and brewing.

"All food essentials should," she said, "be conserved for wartime necessities, rather than diverted into nonessentials and hangovers which latter, camouflaged as illnesses, are a major cause of absenteeism and otherwise impede the war effort." Her telegram to Krug was occasioned, she explained, by reports that the W. P. B. has contemplated additional liquor-making holidays this year.

Mrs. Colvin pointed out that the "two hard-liquor-making holidays cost the country at least 663,000 tons of grain and more than 29,000,000 pounds of molasses for the 113,000,000 proof gallons of beverage alcohol manufactured during the 2 months.

"The amount of grain so used in the holidays alone," she added, "was equal to the food requirements for 6 months of either 1,265,126 soldiers, at 5.5 pounds per day, or 2,319,397 civilians, at 3 pounds per day."

She declared that the 84,000,000 barrels of beer (about three-fifths) barrel per man, woman, and child) consumed in the United States in 1944 cost the Nation's food stocks some 1,731,000 tons of grain and more than 102,000 tons of sugar and molasses.

Mrs. Colvin said the figures quoted are as shown by Government statistics, and in the case of the daily food needs of soldiers and civilians from the testimony, April 14, 1943, of Maj. Gen. E. B. Gregory before the United States Senate.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. CORDON, from the Committee on Agriculture and Forestry:

S. 427. A bill to repeal section 3 of the act approved April 13, 1938, as amended, relating to hops; without amendment (Rept. No. 127).

By Mr. O'MAHONEY, from the Committee on Indian Affairs:

S. 655. A bill amending the act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath business committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe, as amended, and for other purposes; with an amendment (Rept. No. 128).

By Mr. ELLENDER, from the Committee on Claims:

S. 90. A bill for the relief of Della O'Hara; with amendments (Rept. No. 129).

By Mr. HILL, from the Committee on Military Affairs:

H. R. 2277. A bill to insure adequate nursing care for the armed forces; with amendments (Rept. No. 130).

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WHEELER (by request):

S. 797. A bill to amend section 409 of the Interstate Commerce Act, with respect to the

utilization by freight forwarders of the services of common carriers by motor vehicle; to the Committee on Interstate Commerce.

By Mr. SHIPSTEAD:

S. 798. A bill to amend the Interstate Commerce Act so as to increase the period of limitations on actions against railroad carriers for recovery of overcharges from 2 to 4 years, and to authorize the making of reparation awards against motor carriers subject to the provisions of part II of such act, and for other purposes; to the Committee on Interstate Commerce.

S. 799. A bill granting an increase of pension to Mrs. Clara H. McNair; to the Committee on Pensions.

(Mr. LANGER introduced Senate bill 800, which was referred to the Committee on Education and Labor, and appears under a separate heading.)

By Mr. CORDON:

S. 801. A bill for the relief of Joseph A. Hannon; to the Committee on Claims.

By Mr. CAPPER:

S. J. Res. 50. Joint resolution to provide for the acquisition of the property known as Temple Heights to be used for the duration of the war as a recreation center for Government employees and immediately thereafter as a site for a memorial building in commemoration of the deeds and sacrifices of the defenders of the Union during the Civil War where the relics and records of all veterans of the Civil War, both North and South, may be preserved for posterity; and containing an auditorium providing a suitable arena for symphony concerts and other useful and patriotic purposes, and dedicated by them as their memorial tribute to the American youth of today who have sacrificed their lives on the battlefields of the world; to the Committee on the District of Columbia.

NATIONAL INFANTILE PARALYSIS CLINIC

Mr. LANGER. Mr. President, on August 15, 1944, I introduced a bill providing for an appropriation of $10,000,000 to be used to investigate the causes and cure of infantile paralysis. Shortly thereafter it was announced that the city of Minneapolis was raising a fund on a Nation-wide scale, under the direction of Mayor Kline, for the Kenny Institute at Minneapolis, and that Sister Kenny would have some measure of control.

During the past 10 days Sister Kenny has announced that because of outside interference she is planning to return to Australia. Representative O'TOOLE has submitted a resolution providing for a thorough investigation in behalf of Sister Kenny, and hearings are scheduled to begin on the 10th of April.

Whatever the outcome of that investigation, and whatever the President of this country, to whom Representative O'TOOLE in the name of humanity has appealed, decides to do about assisting Sister Kenny, the fact remains that the attacks on Sister Kenny and her work are continuing, and in my opinion will continue with increasing ferocity.

I have personally seen and talked with numerous patients who have been cured of infantile paralysis by the Kenny system. One of them was the first one treated in New York City. For 6 weeks this young man lay in an iron lung, paralyzed; but today, because of Sister Kenny's ministrations, he walks about normally and can lift a 200-pound weight. Therefore I know that what she can do is no longer in the realm of conjecture. She has proved her worth.

Certainly this great country, which is known the world over for its love of humanity, which is now spending billions of dollars for armaments, and which has spent hundreds of millions of dollars for projects of doubtful merit, will consider this undertaking equal in importance to the projected sports stadium which the Senate is now considering.

Therefore, I ask unanimous consent to introduce for appropriate reference a bill for the establishment of a national infantile paralysis clinic. Particularly I call the attention of the Senate to section 3, providing for the establishment of a board, to consist of five members to be appointed by the President from among persons who have had infantile paralysis and have been treated for such disease in accordance with the methods discovered and practiced by Sister Elizabeth Kenny. The sum proposed to be appropriated, $20,000,000, is less than has been spent for the treatment of diseases of hogs, sheep, cattle, and other animals.

The children of this Nation who are stricken with this terrible scourge—and I have two nephews and one niece among them—need such a clinic. If this bill becomes law—and I hope and pray that it will—little children as well as adults from every corner of the globe will come to this world mecca to seek relief; and after obtaining it will return home believing in miracles.

There being no objection, the bill (S. 800) to provide for the establishment of a National Infantile Paralysis Clinic, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Education and Labor.

NURSING CARE FOR THE ARMED FORCES—AMENDMENT

Mr. BRIDGES submitted an amendment intended to be proposed by him to the bill (H. R. 2277) to insure adequate nursing care for the armed forces, which was ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED

The following bills were each read twice by their titles and referred as indicated:

H. R. 669. A bill to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State; to the Committee on Foreign Relations.

H. R. 2775. A bill to permit certain subsidy and loss operations, in the case of flour, without regard to the provisions of the last paragraph of section 2 (e) of the Emergency Price Control Act of 1942; to the Committee on Banking and Currency.

STATES SPONSOR JOB BILLS—ARTICLE BY PETER EDSON

[Mr WAGNER asked and obtained leave to have printed in the RECORD an article entitled "States Sponsor Job Bills," written by Peter Edson, and published in the Washington News of March 27, 1945, and also copies of the California bills referred to in the article by Mr. Edson, which appear in the Appendix.]

OPINION OF UNITED STATES CIRCUIT COURT OF APPEALS, SECOND CIRCUIT, IN THE CASE OF U. S. *v.* ALUMINUM CO. OF AMERICA, ET AL.

[Mr. HOEY asked and obtained leave to have printed in the RECORD the opinion of the United States Circuit Court of Appeals for the Second Circuit rendered March 25, 1945, in the case of *U. S.* v. *Aluminum Company of America et al.*, which appears in the Appendix.]

TREATY WITH MEXICO—EDITORIAL FROM THE CONCORD MONITOR

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an editorial relating to the pending Mexican treaty, entitled "Better Go Slow," published in the Concord (N. H.) Monitor of March 27, which appears in the Appendix.]

UTILIZATION OF MANPOWER RESOURCES—CONFERENCE REPORT

Mr. THOMAS of Utah. Mr. President, in order that there may be something before the Senate I present the conference report on House bill 1752, the so-called manpower bill.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this act may be cited as the 'War Manpower Act of 1945.'

"OBLIGATION OF SERVICE TO NATION

"SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.

"(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply, and of the relative urgency of the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most to the war effort; (4) by making available, for work in essential activities, workers presently employed in activities of relative unimportance to the war effort; and (5) by promoting the maximum utilization by employers of their available work force.

"COORDINATION OF WAR PROCUREMENT AND MANPOWER

"SEC. 3. The Director of War Mobilization and Reconversion (hereinafter called the 'Director') shall, subject to the direction of the President, provide for coordinating the

activities of all departments and agencies of the Government responsible for production, procurement, or manpower in such manner as to carry out most effectively the purposes declared in section 2 of this act. The Director shall provide, among other things, that manpower requirements and the availability of manpower shall be given due consideration in determining where production schedules shall be increased or decreased and where contracts shall be awarded, terminated, or permitted to expire, and that notice shall be given to the appropriate agency of the Government responsible for manpower at the earliest practicable time of all changes or anticipated changes in war-production schedules, all awards or anticipated awards of war contracts, and all terminations or anticipated terminations of war contracts, which are likely to result in any substantial increase or decrease of the manpower requirements of any employer or any area. All departments and agencies of the Government shall comply with orders and regulations issued by the Director under authority of this section.

"SURVEYS OF MANPOWER UTILIZATION

"SEC. 4. (a) The Director shall make or cause to be made in-plant surveys and other investigations of the use of manpower by the Department of War and the Department of the Navy, to determine the extent to which such Departments are making the most effective use, in activities relating to production, procurement, or repair, of individuals in their employ or subject to their jurisdiction as members of the armed forces, and shall take or cause to be taken, appropriate measures to eliminate labor wastage and labor hoarding, and otherwise to promote the full utilization by such Departments of individuals in their employ or subject to their jurisdiction as members of the armed forces, and otherwise to carry out the purposes of this act.

"(b) The Director shall also provide in other cases for such in-plant surveys and other investigations of activities and places of employment, as may be necessary to determine the extent to which such activities or places of employment are making the most effective use of individuals in their employ, to the end that appropriate measures may be taken to eliminate labor wastage and labor hoarding, to promote full utilization for purposes essential to the war effort, by employers of their available work force, and otherwise to promote the purposes of this Act.

"EMPLOYMENT CEILINGS, HIRING REGULATIONS, AND PROHIBITIONS ON LEAVING ESSENTIAL EMPLOYMENT

"SEC. 5. (a) To the extent deemed by the Director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Director is authorized, by regulation—

"(1) to prescribe employment ceilings in designated areas, activities, or places of employment, fixing the maximum number of workers, by age, sex, or occupational qualifications, who may be there employed, and prohibiting the employment of workers beyond such maximum number;

"(2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers; and

"(3) to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

"(b) Whoever willfully violates the provisions of any regulation made under subsection (a) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than twelve months or by a fine not to exceed $10,000, or both.

"(c) No wage or other compensation paid for services rendered in any employment commenced or continued in violation of any regulation made under subsection (a) shall be allowed or allowable as a deduction from income, or as a cost or expense, for the purpose of computing the tax payable under any act of Congress or for the purpose of determining the amount to be paid to or recovered from any person with respect to the performance of any contract with the United States. The provisions of this subsection shall not be applicable with respect to any case of a violation of a regulation by any person unless such regulation has been published in the Federal Register, has been published in a newspaper of general circulation in the community for three consecutive days, or has been served upon such person by personal service or by registered mail. The Director shall transmit to the Commissioner of Internal Revenue and other agencies of the Government responsible for the administration of any functions under this subsection copies of such regulations, and such additional information, as the Director deems will be useful to the Commissioner and such other agencies in administering their functions under this subsection.

"ADMINISTRATIVE PROVISIONS

"SEC. 6. To the maximum degree consistent with this act and with its purposes, local initiative, and cooperative efforts of management, labor, and agriculture shall be encouraged and utilized and use shall be made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and Government agencies. The management-labor committees and management-labor-agriculture committees (national, regional, State, and local) heretofore and hereafter established in connection with Government programs for the control or utilization of manpower shall be consulted on basic policy decisions made at their respective administrative levels in the course of the administration of this act.

"TRAVEL EXPENSES

"SEC. 7. In the case of any individual who, in response to the request of the Director, agrees to accept employment outside the locality where he is then residing, the Director, in accordance with such regulations as he may prescribe, may furnish transportation to the location of such employment, and, if such individual complies thereafter with the requests and requirements of the Director with respect to his accepting and continuing in any employment or employments in the same locality until the Director determines that he is no longer needed in such locality for work essential to the war effort or that there is other justifiable reason for his not continuing in such work in such locality, shall furnish transportation back to the locality from which transportation was originally furnished for such individual under this section, or to any other locality selected by the individual which is not farther distant. The cost of such transportation shall not exceed the amounts allowable for individual civilian employees in the executive branch of the Government and shall not include any per diem allowance. The Director shall exercise the authority conferred by this section only to the extent that he deems the exercise thereof necessary to aid in relieving manpower shortages which substantially impede the war effort.

"REEMPLOYMENT RIGHTS

"SEC. 8. (a) The Director shall provide for the issuance of a certificate to any person with respect to whom he finds that such person (1) has left or has been released from a position (other than a temporary position) purusant to a request or requirement made by the Director and (2) has complied thereafter with the requests and requirements made by the Director with respect to his accepting and continuing in any employment or employments until section 5 of this act ceases to be in effect or the Director determines that such person is no longer needed in work essential to the war effort or that there is other justifiable reason for the Director not to request or require such person to continue any longer in such work, whichever first occurs. Any person to whom such a certificate is issued under this subsection shall be entitled to the benefits of section 8 (b) (except the last paragraph thereof and except that in lieu of the ninety-day period therein specified, the time within which application for reemployment in his former position must be made shall be thirty days), 8 (c), and 8 (e) of the Selective Training and Service Act of 1940, as amended, to the same extent as if he had left such position in order to be and had been inducted into the land or naval forces for training and service, had been relieved therefrom on the day on which such certificate is issued to him, and had been given the certificate referred to in section 8 (a) of such act.

"(b) Section 8 (b) of the Selective Training and Service Act of 1940, as amended, is amended by inserting at the end thereof the following new paragraph:

"'If such person, within ninety days after having been relieved from such training and service or from such hospitalization, has become employed in an employment accepted by him pursuant to a request or requirement made by the Director of War Mobilization and Reconversion, any period (before section 5 of the War Manpower Act of 1945 ceases to be in effect) while he is employed in an employment so accepted by him (and any period, not exceeding fifteen days, between leaving one such employment and entering upon another such employment) shall be disregarded in computing the ninety-day period within which application for reemployment in his former position must be made and shall be counted as training and service in the land or naval forces for the purposes of subsection (c).'

"PERMISSION TO PAY OLD-AGE ASSISTANCE TO INDIVIDUALS NOTWITHSTANDING THEIR EMPLOYMENT DURING PRESENT WAR

"SEC. 9. Notwithstanding the provisions of title I of the Social Security Act, as amended (relating to grants to States for old-age assistance), and of appropriations for payments thereunder, in any case in which any State pays old-age assistance to any individual at a rate not in excess of the rate of old-age assistance paid to such individual during the month of February 1945, any failure to take into consideration any income and resources of such individual arising from labor performed by him as an employee after the date of enactment of this act and prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President, shall not be a basis of excluding payments made to such individual in computing payments made to States under section 3 of such title, of refusing to approve a State plan under section 2 of such title, or of withholding certification pursuant to section 4 of such title.

"APPEALS

"SEC. 10. The Director shall by regulation provide an opportunity for a hearing before an impartial administrative tribunal to any person who claims that any action taken with respect to him under this act or any regulation thereunder is unreasonable as applied to him or is inconsistent with this act or such regulation. Subject to such further administrative review as may be provided in

regulations under this section, the determination made after such hearing shall be final. To the extent practicable and appropriate, such regulations shall provide for such hearings to be accorded in local areas and for such hearing tribunals to be so constituted as to permit the ascertainment of the views of persons selected as representatives of management, labor, and agricultural interests in the locality. The Director shall by regulation provide for and establish such administrative tribunals as may be necessary for the purposes of this section.

"MISCELLANEOUS ADMINISTRATIVE AND ENFORCEMENT PROVISIONS

"SEC. 11. Paragraphs (3), (4), (6), (7), and (8) of subsection (a) of section 2 of the act of June 28, 1940 (54 Stat. 676), as amended by title III of the Second War Powers Act, 1942, shall be applicable with respect to this act to the same extent as such paragraphs are applicable with respect to such subsection (a), except that, for the purposes of this act, the word "President", wherever it occurs in such paragraphs, shall be deemed to refer to the Director.

"ESSENTIAL AGRICULTURAL ACTIVITIES

"SEC. 12. Section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"'In carrying out the provisions of this subsection (except the proviso of the foregoing paragraph) the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board.'

"SAVING PROVISION RELATING TO SELECTIVE TRAINING AND SERVICE ACT OF 1940

"SEC. 13. Nothing in this act (except section 12) shall affect the powers under the Selective Training and Service Act of 1940, as amended, with respect to the classification and selection of persons for, or the induction, or deferment from induction, of persons into, the land or naval forces; or preclude the Selective Service System from classifying and selecting for induction any registrant who violates any regulation made under section 5, or preclude the land or naval forces from inducting such a registrant.

"REPORTS

"SEC. 14. The Director shall submit reports to the President, the Senate, and the House of Representatives on the 1st days of January, April, July, and October, on the activities undertaken or contemplated by him under this act. Such reports shall summarize and appraise manpower mobilization activities and problems.

"DEFINITIONS

"SEC. 15. (a) As used in this act, the terms 'employment', 'work', 'hire', 'rehire', 'employ', or words of similar import shall include any contract, arrangement, undertaking, or relationship whereby or under which an individual undertakes to perform a service or services for another, irrespective of the resulting legal relationship between the parties.

"(b) The provisions of this act shall not be applicable with respect to the employment of persons by any State or any political subdivision thereof, without its consent.

"SEPARABILITY

"SEC. 16. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act and the application of such provision to persons or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

"TERMINATION DATE

"SEC. 17. The provisions of sections 4 and 5 of this act, and all regulations thereunder, shall cease to be effective upon the termination of hostilities in the present war, as declared by the President or by concurrent resolution of the two Houses of Congress, or upon June 30, 1946, whichever is the earlier."

And the Senate agree to the same.

Amend the title to read as follows: "An act to provide for the most effective utilization of the manpower resources of the Nation in support of the war effort, and for other purposes."

ELBERT D. THOMAS,
EDWIN C. JOHNSON,
WARREN R. AUSTIN,
HAROLD H. BURTON,
Managers on the part of the Senate.
ANDREW J. MAY,
R. EWING THOMASON,
OVERTON BROOKS,
W. G. ANDREWS,
Managers on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. FULBRIGHT obtained the floor.

Mr. HILL. Mr. President, will the Senator yield?

Mr. FULBRIGHT. I yield.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	O'Daniel
Bailey	Hatch	O'Mahoney
Ball	Hayden	Pepper
Bankhead	Hickenlooper	Radcliffe
Barkley	Hill	Reed
Bilbo	Hoey	Revercomb
Brewster	Johnson, Calif.	Saltonstall
Bridges	Johnson, Colo.	Shipstead
Briggs	Johnston, S. C.	Stewart
Brooks	Kilgore	Taft
Burton	La Follette	Taylor
Bushfield	Langer	Thomas, Okla.
Byrd	Lucas	Thomas, Utah
Capper	McCarran	Tobey
Chavez	McClellan	Vandenberg
Connally	McFarland	Wagner
Cordon	McKellar	Wheeler
Donnell	McMahon	Wherry
Downey	Maybank	White
Ellender	Millikin	Wiley
Fulbright	Moore	Wilson
George	Morse	Young
Gerry	Murdock	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Washington [Mr. MAGNUSON], the Senator from Louisiana [Mr. OVERTON], the Senator from Georgia [Mr. RUSSELL], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

The Senator from Virginia [Mr. GLASS] is absent from the Senate on account of illness.

The Senator from New York [Mr. MEAD], the Senator from Washington [Mr. MITCHELL], and the Senator from Delaware [Mr. TUNNELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

The Senators from Pennsylvania [Mr. GUFFEY and Mr. MYERS] are absent on public business pertaining to their State.

The Senator from Massachusetts [Mr. WALSH] is absent on an inspection tour for the United States Navy.

Mr. WHERRY. The Senator from Michigan [Mr. FERGUSON] is absent on official business of the Senate as a member of the Special Committee to Investigate the National Defense Program.

The Senator from Delaware [Mr. BUCK], the Senator from Nebraska [Mr. BUTLER], the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. HAWKES], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Idaho [Mr. THOMAS] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent on official business of the Senate as a member of the committee attending the funeral of the late Representative, Hon. James V. Heidinger, of Illinois.

The PRESIDENT pro tempore. Seventy-one Senators having answered to their names, a quorum is present.

The question is on agreeing to the conference report.

AMERICAN FOREIGN POLICY—INTERNATIONAL ORGANIZATION FOR WORLD SECURITY

Mr. FULBRIGHT. Mr. President, myths are one of the greatest obstacles in the formulation of national policy. A myth of some plausibility is being currently revived at the expense of this Senate. The Senate is being held solely responsible for the failure of the United States to join the League of Nations. This myth is a half-truth, and a very dangerous half-truth. At home it is being used to disparage our system of government. Abroad it is being used to explain any hesitation we may show in joining a system of world security. The Senate of the United States, it is said, cannot be relied upon.

As I see it, the responsibility for the rejection of the League of Nations does not belong solely to the Senate. The American people must share that responsibility. The perfectionists among the liberals, quite as much as the reactionaries, contributed to our failure. One has merely to read again what was said a generation ago by our liberal press. Few people were against a league. But they did not like this league, nor did they like the other fellow's league. All of them seemed to want a league which suited them. The Senate of the United States has, I believe, been unjustly maligned.

The responsibility that I would attach to this body is that, in rejecting the League of Nations, it did not suggest some alternative method of establishing and maintaining order in the world. Negation is not enough for this aggressive and restless world. As the poet

says, a world is dying and another world is struggling to be born, and the job of creating that new world belongs as much to the Senate as to any other agency in the entire world. We shall be negative again at our own peril, and we shall invite the same travail and tribulation which has kept all mankind in agony for 5 long and terrible years. In peace, as well as in war, victory will not come to the negative, defensive strategy. A certain boldness, a positive resourcefulness, is essential to win any battle in war or peace. General Patton, General Eisenhower, General Hodges, and Admiral Nimitz are proving that today.

Under our Constitution this body has the right, and the duty, to advise the Executive on matters of foreign policy. If it cannot consent to the measures presented by the Executive it seems to me imperative that it offer our Nation and the world an alternative. If it feels inadequate to this task, then certainly it should proceed immediately to accede to the rising demand of the people, that the House of Representatives be given a part in this responsibility. It is very unbecoming of the Senate to act the part of the dog in the manger.

I am sure that some will say that we must rely upon the State Department to formulate our foreign policy. I do not think we can afford to entrust this function exclusively to the State Department. In the first place, it is no longer possible to separate foreign from domestic policy. The two are much too closely intertwined, too interdependent, to be regarded as unrelated and separate problems. I know that the welfare of the cotton farmers in Arkansas is directly, and inevitably, dependent upon the maintenance of a free flow of international commerce. When that flow is interrupted by war, as at present, or by a short-sighted tariff like the Smoot-Hawley measure, then we become involved with huge, unmanageable surpluses and such makeshifts as subsidies and loans to cotton producers. No; I do not think a few polished and cultured gentlemen, in the dark and dignified recesses of the State Department should be entrusted, exclusively, with the formulation of our foreign policy. I hasten to add that I am encouraged by the recent infusion of new blood into the Department and by the favorable reports of the work of Assistant Secretaries Rockefeller and Clayton at Mexico City. Improvement has been made, but much remains to be done.

Our long-range policy, if we are to have one, must be based upon a sound appraisal of the true interests of this Nation as a whole. There is a tendency, on the part of professional diplomats, to become ultracynical and to reduce all human interests and desires to the single element of material power. Being detached from the everyday life of our citizens, they forget that many people, in fact, I think the majority, would prefer to live in peace with their children, at home, than to have all the money, power, and glory in the world. I am confident that the representatives of the people in this body, and in the House of Representatives, can much more accurately evaluate the true desires and interests of our people than can the traditional diplomat who, in the nature of things, is isolated from the common man.

I intend no reflection upon the character of any man in our executive department; but it is inherent in their background and their position, that they be ultraconservative and reluctant to commit our people to any change in the status quo or to the assumption of any new responsibilities. Only recently we have had an example where the participation of the distinguished senior Senator from Texas [Mr. CONNALLY] and the distinguished senior Senator from Vermont [Mr. AUSTIN] added backbone and courage to the decisions of our representatives at Mexico City. I should like to read at this point from an editorial in the Washington Post of March 6, describing the part played by these gentlemen:

SENATORIAL COOPERATION

MEXICO CITY, Monday, March 5.—The job of advising and consenting, which is the Senate's prerogative in our treaty relations with the world, has been given a new definition at Mexico City. Hitherto the initiative in treaty making has been retained by the Executive. All Presidents have been jealous of it. But at Mexico City Senator AUSTIN took the ball as soon as he arrived here, and we were treated to the spectacle of a Senator determining the administration's approach to the continental security pact, and an opposition Senator at that. It was the earnest and disinterested Vermonter who framed the formula on which action was taken Saturday at Mexico City. Senator CONNALLY made senatorial intervention complete by adding to the declaration what might be called the Connally reservation. Not the slightest resentment has been caused by this senatorial intervention; indeed, it has been welcomed, for, as Assistant Secretary Rockefeller says, "The administration wants to know what it can deliver to our Latin-American friends." Senator AUSTIN'S work is especially the object of comprehensive compliments.

Senators with the experience and confidence in their understanding of their people, such as these Senators undoubtedly have, naturally tend to be courageous and bold in their approach to matters of vital interest to their people. To them diplomacy is not merely a game of chess to be played by skillful maneuvers and double talk. They know the very lives of their people are involved, and they are not afraid to take risks to protect them.

Mexico City was one of the few instances in the history of this Nation that the practice of advice, as well as consent, has been observed in the strict sense, which was meant by the makers of our Constitution. The last time of any importance was in 1846, nearly 100 years ago. The question of the Oregon boundary dispute had become a political issue in the Presidential contest, along with that of the annexation of Texas. James K. Polk was elected on a platform which demanded a settlement epitomized in the campaign slogan of the Democrats, "Fifty-four forty or fight." In the course of the subsequent negotiations President Polk sought and received in advance the advice of the full Senate itself, not upon the matter of ratification—since there was nothing to ratify—but upon the formulation in detail of the treaty which was eventually adopted. At Mexico City, judging from the newspaper report to which I have referred, Members of the Senate were consulted in advance of the Act of Chapultepec and aided mightily in the formulation of that act. We have to go back a hundred years for a precedent to this historic proceeding—a proceeding which, as I say, was envisaged by the Constitution-makers when they wrote the advice-and-consent clause into our Constitution.

It seems to me most urgent, Mr. President, that this body should proceed, in the near future, to the consideration of the basic principles of our foreign policy. The time is drawing near when the great decisions must be made. Unless some means is found to clarify beforehand many of the issues involved in these decisions, then, necessarily, our representatives will be forced to improvise in the dark and by guesswork.

For example, there is a common belief, perhaps a myth, that our people are anti-British. There are several powerful newspapers in this country which for many years have drilled into the minds of their millions of readers hate and distrust of the British. The same newspapers and other papers have done likewise with regard to the Russians, the Jews, and, for that matter, all "furriners," as one governor of a sovereign State used to put it. I do not believe the majority of our people, or the majority of the Senate, subscribes to these narrow prejudices. However, if these matters were clearly and reasonably discussed, along with other matters of similar importance, I think it would do much to reassure our allies in the United Nations and to strengthen the courage of our own representatives. On the other hand, if it be true, which I cannot believe, that we do hate and distrust our allies, then we and they should know about it. If these powerful influences in our press have so far poisoned the minds of our people that they do not desire to cooperate positively and concretely with our allies, then an entirely different policy from that now proposed should be pursued.

I think that a thorough examination on the floor of the Senate of the history of our relations with Great Britain would do more than all the treaties in the world to strengthen our relations. The American people should be told by their Senators why it is that twice in 25 years we have been drawn into a war on the side of Britain and France and Russia. Upon examination it might appear that we have entered both these wars for excellent and compelling reasons rather than because of the trickery and ambition of the British, as the Chicago Tribune would have us believe. It may be that we entered these wars because it was the only possible way to preserve our very freedom and independence, about which even the Tribune professes concern. It could be that we were influenced by the fact that our basic institutions, our common law, our ideas of justice, and the dignity of the individual human being were derived to a great extent from the British, the

French, the Greeks, and the Jews. It might be that the fact we are a Christian people influenced us when it was a choice between subservience, if not slavery, to the ruthless paganism of the Germans, or war in support of other Christian peoples. The similarity of the moral standards of our peoples, the love of family, the regard for contractual obligations, the abhorrence of torture and persecution, the distrust of a tyrannical and oppressive government—all of these considerations may have led us instinctively to the making of these decisions. If it be true that reasons of this character did and do exist, then we should acknowledge them in order that a definite policy based upon sound and true consideration be firmly adopted. These things do not happen just by chance. There surely are good reasons, and all of us and all the people should know them.

Further, it should be made clear to our people that in entering an international organization we are doing so not because of charity or because we love the British, the French, the Chinese, or the Russians. If there is reason for doing it, it is because it is for our own national self-interest. We have more to lose from chaos and more to gain from the pursuits of peace than any other people. We must recognize from the outset that to make such an organization work will require our best brains, much patience, and much of our worldly goods. We must be convinced, however, that it will require less of all of these things to make peace than to have another war, or it obviously would not be a good bargain.

Mr. President, I believe that the American people are profoundly interested, and I know that I am deeply interested, in understanding the what and the why of our foreign policy, if any. Since I have been a Member of this body, relatively little time has been spent upon this subject. In the hope that I may promote discussions and criticisms, out of which better understanding may evolve, I am venturing a few observations.

During the past several years I have heard various people say that we have had no recognizable foreign policy. I am inclined to agree. By policy is meant "a settled or definite course or plan adopted or followed by the Government." To be definite and settled is of the essence of policy. To be definite the men responsible for carrying out a policy must know what they are doing and why they are doing it, or it is not definite. To be settled this knowledge must flow from a responsible source, in our case the people of this country, or it cannot be settled.

Prior to the First World War, in spite of some wavering from time to time, our policy was that of isolation. It was settled and definite. It was justified by the remoteness of our land from comparable great powers and was in accord with the wishes of our people. Our ancestors had come here with the express purpose of getting away from the oppression and disturbances of the Old World. The First World War unsettled that policy. President Wilson and others sensed the fact that isolation had become in fact impossible, but they were unable to control the Government. The habits and prejudices of more than a century were too strong, even for the obvious implications of modern science, as exemplified by the motor car, the airplane, and the radio. The abortive effort of Wilson to adjust our policy to the new conditions of the world, by means of the League of Nations, left our people divided and unable to agree upon any policy. We knew neither what we were doing nor why. Instead of having a policy, we improvised upon considerations of the moment.

We declined to join the League and use our power and influence collectively, to establish order and peace. On the other hand we participated in disarmament conferences and proceeded to weaken our armed forces. We had neither force, nor collective security, to protect us. At the peace conference we insisted upon further fragmentation of an already chaotic political structure and at the same time refused to erect any responsible authority to protect our handiwork. We insisted upon the collection of war debts and at the same time erected tariff barriers which made such payment impossible. We made pious declarations against war in the Kellogg Pact and yet did nothing concrete when Manchuria and Ethiopia were invaded. Our Ambassadors reported preparations for war in Germany and Japan long before 1939, yet we continued to sell materials of war. We passed a neutrality act which was more to the benefit of our enemies than our friends; and so, not long thereafter, we had to transfer 50 destroyers to Great Britain. If there was anything definite or settled about our course of conduct, I am unable to see it.

Our floundering and purposeless conduct during this period was due, I believe, to the fact that, as a nation, we did not understand our proper role in the world and had failed to examine and agree upon certain basic convictions which are essential to any policy. Although we had done more than any other nation to develop the scientific technology which destroyed our isolation, we refused to acknowledge the result. We were unable to disentangle our prejudices and superficial dislikes from considerations of major importance to our welfare. Like any person unsure of his convictions, we were timid and reticent in our approach to problems of foreign relations. In short, we were bewildered, and therefore we improvised from day to day.

It is conceivable that, as the leading industrial Nation, we might have embarked upon a career of imperialism designed to control the world by force. Germany in fact attempted this solution. But such a policy is alien to all our history and to all our instincts. This policy is so at variance with our very nature that I do not think it could have been followed with success then, nor do I think it can be followed now. On the other hand I think a system of collective security is not only the best hope for success, but it is also the only one consistent with our political and moral standards of conduct. The principal question that remains in my mind is whether or not we are sufficiently convinced of the necessity of collective security to be willing to make the necessary economic and psychological adjustments.

Many people have assumed that because the House of Representatives, the Senate, and the President have declared for collective security, the job is done. But the establishing of order and the making of peace does not consist merely of a solemn declaration or a well-drafted constitution. The making of peace is a continuing process that must go on from day to day, from year to year, so long as our civilization shall last. Our participation in this process is not just the signing of a charter with a big red seal. It is a daily task, a positive participation in all the details and decisions which together constitute a living and growing policy. What an empty shell the Dumbarton Oaks proposals will be, even if complete agreement is reached at San Francisco, if at the same time, or in the near future, we are unable to agree upon such things as exchange and monetary matters, aviation, the free flow of information, trade barriers, cartels, armaments, and oil, and, I may add, a simple treaty with Mexico on the division of the waters of the Colorado River. Surely we all know by this time that political solidarity in this suffering world is dependent, in the final analysis, upon economic stability.

I do not mean that all of these problems must be solved immediately, and at once, to the satisfaction of all. I do think it very important that the American people, and all people, recognize that these matters are inherently involved in any system of mutual security; and that adjustments and temporary sacrifices must be made. They should be told that the price of peace is high. How high it is, is difficult to estimate; but I am confident that it will not be nearly as high as the price of war. However, unless we are prepared to make these payments for peace we might as well recognize now the futility of Dumbarton Oaks or San Francisco.

I said temporary sacrifices, for I am convinced that because of our enormous power to produce wealth of all kinds, given a reasonable length of time, in which we are free from the threat of war, or war itself, we can more than repay ourselves for any reasonable concessions we may make in the way of loans, tariffs, or outright relief. There are vast areas of the world, with untold wealth, that can be developed if we can be reasonably sure of peace. We can be sure that as the areas are developed, we shall share with the rest of the world in the benefits of these developments. So I repeat that our sacrifices will be temporary if we can establish and maintain peace.

In addition to the material costs of peace there are other adjustments which must be made and which may prove more painful to many of us than the payment of gold. We must give up some of our most cherished prejudices if we are to work in harmony with other peoples. No plan on earth can assure us of anything resembling a peaceful future unless, supporting it, are the positive forces of public opinion. The beliefs and convictions of the people must be in accord with our policy or it cannot be definite and settled.

Among the prejudices which we must examine, I need mention only a few to illustrate my point. Foremost among them is the anti-British already referred to. I shall not go further into that except to urge most serious consideration as to whether we desire to see the power and influence of the British people destroyed. Is it not true that in assisting Britain and the Commonwealth of Nations, we were in fact preserving friends who are, in a very real sense, indispensable to our own welfare and the welfare of democratic, freedom-loving peoples everywhere? In this troubled and violent world is it not true that we would feel quite alone in the world if the British Commonwealth of Nations had been subjugated by the tyranny of the Nazis, and its resources directed against us? If that be true, then whose chestnuts did we pull out of the fire?

Another powerful prejudice which has affected our policy, and is vital to our future, is our fear of Russia and communism. Until the revolution in Russia, we had always been on friendly terms with that Nation. We had never fought her. We made one very profitable deal with her when we bought Alaska for $7,200,000, and promptly extracted more than $400,000,000 in gold from its mountains. I should say that even the Tribune should approve of that kind of a deal. Yet, after the revolution was established by Lenin, we refused to recognize Russia until 1933, the last of the major nations to do so. Moreover, we sent two armed expeditions against her without provocation. When one recalls the birth of our own Nation—that in 1776 our forefathers were regarded as being quite as radical, by the rest of the world, as Lenin was in 1920—is it not strange that we should be so harsh toward Russia? Since we have been the most successful revolutionary people in history, why are we so critical of others who follow our example? Surely it cannot be because we approved of Czarist Russia with its illiteracy and abject, grinding poverty. As I read history, the Russian experiment in socialism is scarcely more radical, under modern conditions, than the Declaration of Independence was in the days of George III.

I realize that it is not popular even to compare Russia with ourselves, and yet it is necessary to get our ideas straight. When I hear the unbridled and intemperate attacks upon Russia by some of our own people, I cannot help but be troubled. If these people, who profess such profound love and faith for our American system, are sincere in this faith, then why are they so afraid of Russia? I have a feeling that the real reason for their hate and distrust is their lack of faith in our own system.

I believe firmly in the superiority of our democratic capitalistic system, and I desire to preserve it. But we should remember that capitalism is not divine and inviolable. It was not handed down to us by the Almighty; and to question it, or test it, is neither sacrilegious nor treasonable. We have capitalism, and we can defend it, because it has by all standards of decency provided better conditions for more people than any other system on earth. It is of value to us, and is defensible, only so long as it maintains that record.

The highly emotional attacks upon communism and Russia by some of our public orators is an indication of the weakness of their faith in our system. We must demonstrate the superiority of individual initiative under capitalism by our results, by the provision of a superior way of life, not by the violence of our oratory.

Russia is a great and powerful nation. She can become either a good friend and customer, exerting her influence for peace and stability, or she can become an enemy using every opportunity to thwart us. The Russia of today is a product of a history less fortunate than ours. I do not believe the Soviets desire to dominate the world as the Germans do. They have given no evidence that they believe they are supermen. Russia, like America, is a nation of many races, and I can see no real reason why we cannot get along peaceably.

If this is sound reasoning, then we should make up our minds as to our basic attitude and stop the irritating and confusing practice of condemnation on the one hand and praise on the other. Our policy should be one of respect and consideration for a valiant Ally in peace as well as in war, at least until some compelling reason to alter our views intervenes.

Another myth that confuses our attitude toward the other nations is the oft-repeated statement that "we have always been a Santa Claus to the world." The more selfish among us call us "Uncle Sap." The implication from these statements is that we are soft-headed, starry-eyed idealists who know nothing of the realities of this hard-fisted world. It would take too much time to explore fully this thoroughly false prejudice. Its plausibility and the evil of it arise from the confusion of two different ideas. The idea of charity, in regard to which we have been and should continue to be generous, is confused with the idea that we do not know how to look after our own interests in a business deal. One often hears, when on the floor of the Senate, that Great Britain is too smart for us, that they always out-trade us. If we are so stupid how is it that we are the richest and most powerful Nation in the world? Are we Americans willing to admit that all our success is due solely to luck? I am not ready to admit that our people are inferior in brains or ability to the Britsh or to any other people. This whole line of attack upon our policy of cooperation is so silly that it would not warrant atttention, except that it is so constantly repeated that it, like Hitler's lies, has found receptive ears among the uninformed. How ridiculous it would be for the United States to refrain from dealing with other nations because we are too silly and stupid to know what we are about.

A slightly different aspect of this same myth is the belief that in every international conference we always lose and the British always have their way. There is a basic difference in the attitude of the British and the Americans toward a compromise. The British for centuries have been great political compromisers. They call it "muddling through." Their constitution is a collection of compromises with necessity. On the other hand, we think of our Constitution as a sacred set of principles, inviolable, and immutable. When an American representative compromises at a conference, we always regard it as a giving up of our principles and high ideals. When the British compromise, they regard it merely as the inclusion of some of the ideals of the opposition. This difference is largely one of attitude, not of substance.

Another idea around which clusters much confusion and misunderstanding is the concept of national sovereignty. I know of no word more abused and misunderstood than sovereignty. I confess that I share in that confusion. It is primarily for that reason that I object to its use in declarations of policy, or instruments of agreement. In the minds of many the word "sovereignty" has some mystical connotation in some way associated with divinity. In days gone by when men were slaves, their masters imposed their will by an appeal to the divine right of kings. "Your sovereign by appointment from the All Highest" was the doctrine.

It is obvious that few modern states possess the attributes of sovereignty as the word was understood in the days of the divine right of kings. Americans, especially, have never regarded the state, as such, as sovereign. It is the servant of the people; and the people have reserved the right to control their servant, or to change its character, whenever they think it fitting and proper to do so. The divinity of rulers, or of states, has no place in the modern world.

The first principle of the Dumbarton Oaks proposals states that "the organization is based on the principle of the sovereign equality of all peace-loving states." If this means that the members of the organization agree not to use the power of the organization to destroy the identity, the culture, and the independence of the various members by force, it is acceptable. On the other hand if it means that the organization undertakes to preserve for all time, every member state as it presently exists, I think it is unwise.

The organization should not be the instrument of reaction nor the means of freezing the status quo forever. On the contrary it should be the means by which the development of the world can be orderly. It should be the means by which desirable changes may be dictated by reason rather than by brute force. It should not be an eternal obstacle to the many changes in the political map of the world which the welfare of the people may demand.

If it means anything today, sovereignty, as applied to a state, surely means that a state is sufficiently independent economically, politically, and physically to defend itself and provide for the security and happiness of its own people. In this turbulent world can it be seriously contended that the vast majority of existing states are sovereign powers? It seems to me to offend one's common sense, regardless of fine spun political theory, to insist that Luxembourg with

300,000 people, Panama with 635,000, Lichtenstein with 11,000, or Andorra with 5,000 must be given the same power in the organization as the United States with 135,000,000, Russia with 190,000,000, and China with 450,000,000. It was in recognition of the absurdity of this proposition that the Security Council with its permanent members was created.

I wish to make it clear that I am not objecting to the structure of the organization. In fact, I think it is probably the best solution that could be worked out under present conditions. My purpose is merely to meet to some extent the critics who insist upon regarding all states as equal when, in fact, they are not. I look forward to the day when, as the result of peaceful and rational changes, the states or federations of the states of the world shall become more nearly equal in their ability to provide decent conditions for the people, and to prevent the use of violence as an instrument of decision.

My objection to the use of the word "sovereignty" is that it is subject to no clear definition, and that it may be used by narrow-minded people to prevent the orderly evolution of the organization into increasingly effective machinery for peace and security.

In conclusion, Mr. President, I repeat that I think it is most urgent that the people of this Nation should give sustained and serious consideration to our long-term relations with the other peoples of the world. If we are to have a definite and settled policy for the guidance of our representatives, the people must understand, and must develop convictions regarding that policy. I believe it is dangerous in the highest degree to continue to improvise from day to day in answer to fleeting and superficial emotions.

Since the Senate shares the responsibility for translating into action our foreign policy, it obviously is our duty to assist the people in determining what that policy shall be. By the greatest good fortune, and enormous sacrifice, we have earned a second opportunity to help save the world and ourselves from self-destruction. Twenty-five years ago the Senate of the United States did not advise the President or the people, and it rejected the treaty then submitted to it. This time I urgently recommend that we advise them both in preparing a treaty which we can accept, so that this troubled world can live again in peace, free from fear of another world cataclysm arising out of the refusal of those who will win this war to accept the responsibility for the peace. Let us seek peace, and let us insure it with all our talents. A better life may then dawn for all mankind.

UTILIZATION OF MANPOWER RESOURCES, CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes.

Mr. THOMAS of Utah. Mr. President, it will be difficult for those of us who have listened to the remarks of the junior Senator from Arkansas [Mr. FULBRIGHT] to refrain from being influenced by them during our consideration of the conference report on the civilian manpower bill. I trust with all my heart, and with all my soul, that the remarks to which we have listened will influence us.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	O'Daniel
Bailey	Hatch	O'Mahoney
Ball	Hayden	Pepper
Bankhead	Hickenlooper	Radcliffe
Barkley	Hill	Reed
Bilbo	Hoey	Revercomb
Brewster	Johnson, Calif.	Saltonstall
Bridges	Johnson, Colo.	Shipstead
Briggs	Johnston, S. C.	Stewart
Brooks	Kilgore	Taft
Burton	La Follette	Taylor
Bushfield	Langer	Thomas, Okla.
Byrd	Lucas	Thomas, Utah
Capper	McCarran	Tobey
Chavez	McClellan	Vandenberg
Connally	McFarland	Wagner
Cordon	McKellar	Wheeler
Donnell	McMahon	Wherry
Downey	Maybank	White
Ellender	Millikin	Wiley
Fulbright	Moore	Wilson
George	Morse	Young
Gerry	Murdock	

The PRESIDENT pro tempore. Seventy-one Senators having answered to their names, a quorum is present.

Mr. THOMAS of Utah. Mr. President, as I had remarked before the roll call was ordered, I have taken real inspiration from the remarks made by the junior Senator from Arkansas [Mr. FULBRIGHT], pointing out as he did the need of our country and of our people being united in the effort to accomplish the purpose we all have at heart. Mr. President, the remarks of the junior Senator from Arkansas in a way reflected the feelings which I have, and which I know are entertained by a number of my associates, in presenting to the Senate the conference report.

As everyone knows, I am one of those Senators who felt in the beginning that the legislation suggested was not wise. I am one of those now who believe that it would be most unwise not to go through with the program once we have embarked upon it. By that I mean that we are in the midst of the tensest moment of the present war. We are, I feel and hope and pray, although, sad to relate, I do not believe, on the very edge of the beginning of the end. I trust that is so. A lack of American unity in these last moments might prove disastrous.

Mr. President, there has been full and free discussion of the manpower bill. No bill has had greater consideration, and in the consideration of no legislative proposal has the House had greater opportunity to state its will and to reject the measure if it was the pleasure of the body to do so. To the very last the House of Representatives was given full opportunity in this matter. It was the Senate's right to act first upon the conference report, but we conceded that right to the House so that that body might have full opportunity to meet the issue and to handle it unhampered. That opportunity has been given them each time the question has arisen, and they have sustained the contention this type of legislation is needed.

Mr. President, if the conference report shall be approved and the conference report bill shall become law, I hope it will be used with all the force which those in charge of our psychological warfare can employ, to show that a democracy, the greatest democracy of the world, can act with unity in the exercise of power and will in the accomplishment of a given purpose, when the times demand such unity.

I realize that there has been and that there will be much discussion of the bill, and there will be much said about our moving away from the traditions of our land in the adoption of a pressure measure of this kind. I do not accept that thesis; I have always felt that to be strong was in no sense a liability but a tremendous asset to a democracy. Our Government will not be saved because it is weak, and democracy in the world will not be saved by governments taking weak action when strength is needed.

When the fathers framed our Constitution they saw that there would be times when we should be united in effort to the last man, and such a time confronts us when the Constitution itself is at stake. So, supreme, complete, and almost absolute powers were given to the Congress of the United States to raise armies and to carry on war; of course, with the injunction, as has been so well said, to carry on war successfully in order that the oaths taken by all the soldiers and by all officers of the United States should be lived up to, and that the Constitution should be preserved.

Mr. President, I do not like light thinking about our Constitution and about our democracy. I do not like reference, even in connection with a bill of this kind, to the fact that we are probably imitating some other nation whose political technique and political behavior are inconsistent with the fundamentals of our land.

The Constitution of the United States is no more and no less than the people's companion in the accomplishment of the people's will and purposes. When that is once brought to us as an issue, I repeat, if the need is to bring unity forcibly into existence against a common enemy, even when we are fighting for the preservation of that which we seem to be losing in passing a law, we should realize that a failure to wage war effectively would be disastrous to every ideal and every hope and every aspiration all Americans have had since the beginning of our Government. In times such as the present there devolves upon us the necessity for action. Sometimes action is demanded which reflects unity rather than any other objective.

Mr. President, for this bill the President has pointed out that there is a need. For this bill the Chief of Staff has pointed out that there is a need. For this bill the Chief Admiral of the

Navy has pointed out that there is a need. For this bill the head of our War Production Board has pointed out that there is a need. For this bill the man who has been called the assistant to the President, the Director of the Office of War Mobilization and Reconversion, has pointed out that there is a need.

Mr. O'MAHONEY. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from Utah yield to the Senator from Wyoming?

Mr. THOMAS of Utah. I am glad to yield, but let me say that I think it is fair to the Senate that I make a statement in regard to the bill, so that Senators who wish to understand what is in the conference report may be advised. I should rather not yield for discussion at this time; I think it would be better not to do so; we will have plenty of time for that later on; but of course I yield to the Senator from Wyoming, since he asks me to yield, though I should rather not yield until I have finished my opening statement.

Mr. O'MAHONEY. Mr. President, I rise to ask a question of the Senator. He has just given the list of officials of the Government who, he says, have testified in favor of this bill. I ask the Senator if this is not an altogether different bill from the one upon which the hearings were held.

Mr. THOMAS of Utah. Mr. President, we have before us a conference report bill. It is a different bill, and it is going to be part of the task of the Senator from Utah to state the differences between the conference report bill, the House bill about which testimony was taken, and the bill which passed the Senate.

Mr. O'MAHONEY. So that the officials whom the Senator has mentioned have not actually testified in favor of the conference report bill?

Mr. THOMAS of Utah. That is absolutely, totally, and completely true, as it has been true of practically every conference report that has come before the Congress of the United States at least during my membership in the Senate, because it is not common that hearings are held upon conference reports.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. AUSTIN. I am sorry to interrupt, but I wish to refresh the memory of the Senator by saying that there is not one single doctrine in the pending bill as it comes from the conference committee which has not at some time during the past 2½ years been advocated by every procurement agency of the Government.

Mr. THOMAS of Utah. I thank the Senator from Vermont.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Utah yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. JOHNSON of Colorado. I dislike to interrupt, but I think one other thing should be said at this particular time. We are not choosing now, at this late hour, between the conference report bill and some other bill. We are choosing now between this bill and no bill.

Mr. THOMAS of Utah. Mr. President, I wish to cover more than one point in my brief discussion. I desire to show that the committees which have been responsible for the proposed legislation among other things have not only performed a task of which they can be proud, not only have they done the best they could, but they have done that which, in the opinion of those who signed the conference report, the country wants them to do.

Mr. President, since the trend of thought has been broken, probably greatly to the advantage of my listeners, I desire to read into the RECORD at this point a letter which I have just received from the President of the United States, and I want to comment on the third paragraph thereof, because it reflects what I know we have all been striving for. The letter is as follows:

THE WHITE HOUSE,
Washington, March 28, 1945.

Hon. ELBERT D. THOMAS,
United States Senate, Washington, D. C.

DEAR ELBERT: I earnestly hope the Senate will adopt the conference report on the manpower bill. The compromise is not all that was recommended by General Marshall and Admiral King, speaking for the armed services, and by me. It does not contain the provisions of the bill originally passed by the House and differs from the bill as it passed the Senate. However, in a controversial matter of this kind, legislation can be enacted only as a result of a compromise.

The manpower situation is still serious. In the days ahead of us there will be great temptation for workers to leave war plants. The failure to enact this legislation will make the successful conduct of the war even more difficult.

If the conference report is adopted, the Congress will have discharged its duty and the responsibility for effectively and fairly handling the manpower situation will be placed squarely in the executive branch.

Its adoption will be heartening news to the armed forces. It will let the Nazis know that we on the home front are determined to deliver the weapons Eisenhower needs to complete their destruction and it will serve emphatic notice on the war lords of Japan that VE-day will mean no slowing down of our war effort.

Very sincerely yours,
FRANKLIN D. ROOSEVELT.

Mr. President, the third paragraph of the letter, which I said I wish to comment upon, describes, I am sure, the feelings and the aspirations of all of us who have had to do with the pending legislation. The Government has called upon the Congress of the United States to perform certain tasks which will contribute to the unity of our people in the accomplishment of a greater task. The adoption of the conference report, as the President says, will help fulfill our obligation to our war leaders and grant to them that for which they have asked.

Some Senators have felt that the bill as it comes from conference is not as strong a bill as the original House measure and is not as good a bill as the original Senate measure. That is something which must be left to individual opinion. In my judgment, we now have a better bill and a stronger bill than either the House measure or the Senate measure; but I say in all candor that if the bill before us shall be passed, and it is then foolishly or recklessly administered, it will do harm and not good to the cause of production. I feel, though, that we can trust those who must administer the measure to administer it wisely, since it is drawn in such a way that it should be called to the aid of the Government only when such aid is needed, and should therefore be administered, and wisely administered, only when need for its administration is at hand.

Mr. President, I feel that the conference report bill now before the Senate is stronger than either the Senate bill or the House bill in one particular, which I may be criticized for saying is not strictly an enforceable provision. I refer to the opening paragraph. Under that paragraph, if the bill becomes law, those in charge of the selective service will have a new mandate from the Congress of the United States, for the principle is laid down that persons who have been deferred for cause shall live up to the obligations of their deferment. A new mandate will go forth from the Congress of the United States that greater consideration shall be given to the shifting of persons who have been deferred for cause, and that it shall be the duty of every person who has been deferred to live up to the obligations of his deferment. If that is done, a pool of manpower will be furnished which will be sufficiently large to take care of our immediate shortages and of our immediate demands.

Mr. President, the words I am about to read from the conference report bill are strong, they are American, they are in keeping with the spirit of the Selective Service Act as it was adopted 5 years ago. They are as follows:

SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligaton, when called upon, to serve the Nation in an activity essential to the war effort.

Mr. President, that paragraph reflects the very basis underlying the theory of our democracy, that responsibility rests upon all. There are Members of the Congress who have felt that the House bill was essential because it gave the Administration power to draft workers who may be idle. The draft provision is not contained in the conference report, but the very first section of the bill embodied in the conference report presents a reconsideration of the question of the shifting of employees from one place to another.

When we say that one bill is stronger than the other, there may be a difference of opinion about what is meant by the word "stronger." However, the bill agreed upon in conference is a stronger bill than the House bill in many respects. It contains, among other things, the following provisions which were not contained in the House bill:

First of all, provision for the coordination of war procurement and manpower.

Second, provision for surveys to be made of the utilization of manpower in Government and private plants. Here

at last, Mr. President, is placed into law the very theory which the Senator from Virginia [Mr. BYRD] has been discussing so long, relative to the Government being the greatest hoarder of manpower, so that if the Senator's contentions are true we will know about it and will discover where the hoarding is. There was no provision in the House bill for a survey, either of private plants or of Government plants; so this provision is very much stronger than the House bill.

Mr. BRIDGES. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. BRIGGS in the chair). Does the Senator from Utah yield to the Senator from New Hampshire?

Mr. THOMAS of Utah. I yield.

Mr. BRIDGES. When the Senator says that the bill includes Government plants, does he mean not only Government-operated ordnance plants, for example, but also navy yards and other Government departments.

Mr. THOMAS of Utah. The words used are "all departments." That is a pretty inclusive term.

Mr. BRIDGES. It is an over-all term, including everything in the Government.

Mr. THOMAS of Utah. Yes.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. WILEY. I am interested in finding a solution to the problem which I posed on a previous occasion. Three or four weeks ago I received a letter from a union worker in one of the large factories in Milwaukee. The particular factory employs approximately 13,000 workers. The writer of the letter stated that if the Senate of the United States were to send a committee to investigate, it would find the situation to be that the factory could produce 25 percent more war materials with a reduction of 25 percent in personnel. That is what I call hoarding of labor. My correspondent went out on a limb and stated that the situation was such that management could do nothing about it. The Government inspector who is on the job, looking after production, does nothing about it. There is a fear complex present. I should like to know how this bill would remedy that situation.

Mr. THOMAS of Utah. If such a letter should come to the Senator from Wisconsin after this bill becomes law, I suggest that he send it to the Director of War Mobilization and Reconversion and ask him to determine whether or not the conditions alleged actually exist. This bill would grant authority to the Director of War Mobilization and Reconversion to make a survey. If such a situation were found to exist, that plant, of course, could not justify itself in holding the workers. This bill would make it possible to do all that can be done by law in a situation of that kind.

Mr. WILEY. It seems to me that under the present circumstances, if the Government inspector who is there and sees the situation is not afraid of someone, he should make it very plain to those who are loafing on the job, and to management, that it is their function to operate on an efficient basis. It is the people, through taxes, who are paying the extra charge for an excess of 25 percent of labor, and a loss of 25 percent in production. What would be done if the bill were enacted into law? If the Government inspectors or overseers do not now have sufficient intestinal fortitude to act, what could be done under the terms of the proposed law? That is the question to which I am seeking an answer.

Mr. THOMAS of Utah. If the Senator knows of some way by which the Congress can act except through law, perhaps I can answer his question. At the present time there is no such law as this, so excuses can be made. But with this law, we need not accept any excuse from the Director of War Mobilization and Reconversion. He should make a report; and if the conditions are as charged, he should go about remedying them. That will be the situation if the bill is enacted into law.

Mr. WILEY. Does not such an obligation exist now? When the Government lets contracts running into billions of dollars, is it not the obligation of government to see that the money of the people is spent economically? If no such obligation exists now, how can such an obligation be created by the proposed law?

Mr. THOMAS of Utah. In my opinion it is downright dishonest to cheat anyone, even the Government of the United States. The mere fact that the Senator's correspondent writes the letter described by the Senator indicates that he believes that someone is winking at the situation. If the pending bill becomes law, and someone winks at such a situation, the responsibility can be placed exactly where it belongs. The bill would place it on the Director of War Mobilization and Reconversion. That is all that can be done. That is all that Congress can be asked to do.

Mr. WILEY. It seems to me that the answer is very plain. In government we seem to have reached the point where we permit certain groups to dictate to us. There is evidence before this body, and before its committees, indicating that labor groups tell us where to head in. We have the racketeer element everywhere. Certainly this Government ought to be sufficiently strong, and those who represent the Government in the expenditure of vast sums of money ought to have sufficient power, to say, in the circumstances which I have cited, "There is hoarding of labor. We need that labor elsewhere. Therefore you must discharge 25 percent of your personnel." If that is done what happens? We have a strike menace. Government officials are afraid of the strike menace. What has been done in this bill about strikes? Has that situation been faced, or has it simply been evaded?

Mr. THOMAS of Utah. In answer to that question, Mr. President, let me say that this is not an antistrike bill. No witness who appeared before us, when asked about strikes, testified that this was in any sense an antistrike bill. Speaking for myself, I would not defend it if it were an antistrike bill. When the time comes for the Congress of the United States to say that strikes shall be illegal in the United States, I want the Congress to say just that, and nothing else. I am not in the least afraid of the power of our Government when the Government is in the right; but I am afraid of any type of governmental action by indirection.

If this bill is an industry-labor relations bill, or if it is anything more than it purports to be, then I have been deceived, and I am doing something which I do not wish to do. We should not by indirection overcome a right which is inherent in the American worker. If it must be overcome, let us do it by direct action, and let the American worker know exactly what we are doing. He will respect us for doing so. The Senator from Wisconsin knows that as well as I do. I have handled many a labor bill. We have never tried to deceive anyone as to what we were trying to do with respect to labor. We have always been open and above board. This is a government of law; and that means, of course, that resort to the courts is available at all times.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. JOHNSON of Colorado. I am glad the Senator made the statement that this is not an antistrike bill. He will recall that the conferees discussed that point at some length, and not a single member of the conference felt that the bill was in any sense an antistrike bill.

In regard to the question of the junior Senator from Wisconsin, let me add a brief observation to the splendid answer which was given by the Senator from Utah. Under the terms of the bill the difficulty which the Senator from Wisconsin describes can be cured. If it is not cured, the responsibility will rest entirely with the Director of War Mobilization and Reconversion. Under the terms of the bill the Director is not only given responsibility, but he is given authority. The method of curing such a situation is laid down in the bill. So if there is further misuse of labor, or a bad utilization of labor, as described by the Senator from Wisconsin, if the bill is enacted into law the responsibility will rest entirely upon the Director of War Mobilization and Reconversion, and not upon the Congress. Today it rests upon Congress because there is no law to deal with the situation.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. BRIDGES. Will the Senator from Utah give his judgment at this point as to how much compulsion there is in the bill? Is there authority in any of its provisions for the transfer of workers from one section to another? Will the Senator deal specifically with the compulsion features?

Mr. THOMAS of Utah. Does the Senator mean going from one section to another?

Mr. BRIDGES. Yes.

Mr. THOMAS of Utah. There is no provision in the bill which would grant authority to compel a person to go from one part of the country to another part. The bill is not a draft bill in that sense at all, and it is not a bill which it is un-

derstood would accomplish its purposes in that way.

The bill is strong. There is need for workers. There are the freezing provisions in the bill, and, of course, there are all the provisions for using the agencies of government in order to send workers to given places; but if I correctly understand the Senator, compulsion in the sense of giving the Government the right to require John Doe to leave San Francisco and go to work in Portland, Maine, is not provided in the bill.

Mr. BRIDGES. Very well. Do I correctly understand that the bill means that John Doe, who lives in San Francisco and who works in the A B C plant, can be told that he must leave that plant and must go to work in the X Y Z plant?

Mr. THOMAS of Utah. Yes; he can be transferred on invitation—I will put it in that way—but individually he has the right to reject the invitation. There is no authority to take a man from one place and put him in another place.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. WHEELER. If what the Senator has said is true, then let me inquire what is meant by the first paragraph of the conference report, reading as follows:

SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.

That is the purpose as stated in the conference report, namely, that every individual in the Nation has an obligation. Then provisions to carry out that purpose are incorporated in the bill.

In my judgment, if authority to make rules and regulations to carry out the purposes of the bill is provided, we shall find that under the bill the rules and regulations which are made will come very close to being a national service act. That is the purpose of the measure, as stated in the first paragraph.

Mr. THOMAS of Utah. Mr. President, in answer to the Senator from Montana, let me say that I have already explained the words the Senator has read. They are a reiteration of the theory of the Selective Service Act, and, as included in this bill, they indicate the way the bill can be used, and properly used, to cause persons who have been deferred for cause to live up to the cause of their deferment. In other words, objections have been made by many persons about the present situation, and there have been attempts to enact legislation to change it. At present a person who has been deferred so that he may work on a farm may not stay on the farm, but may go somewhere else and work there. The bill is for the purpose of making sure that the primary war objective shall be first in everyone's mind, and that the Government may have the right to ask that persons who are deferred from the armed services for a cause shall live up to that cause.

Mr. WHEELER. My question relates to the obligation imposed on every person, as stated in the opening paragraph. It seems to me there is no question about it. The obligation is stated, and thereafter we find the statement that—

The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation.

What the Senator's interpretation of that language is and what may be the interpretation of someone in a Government department may be entirely different, as we have previously seen on numerous occasions. I must confess that I am extremely critical or suspicious of what some of the departments—not all of them, by any means—may do under such authority, and of their interpretation of the laws which have been passed by Congress. In my judgment, we will find that some of them will interpret the law so as to go much further than is in the mind of the Senator from Utah.

Mr. THOMAS of Utah. Mr. President, there is no answer to the statement made by the Senator from Montana. That statement was made when the Constitution of the United States was discussed, and it has been made from time to time since then. We all know that ultimately a law is interpreted and administered by administrators, and ultimately it is interpreted by courts, and sometimes the purpose of Congress is abused. Nevertheless, we have done fairly well, the rights of the people have not been abused very much; indeed, we seem to be getting stronger, and the people seem to be getting along better all the time. I do not say that as an argument; but I wish to say—and I say it to every American—that if we cannot trust the American Government, there is no government on earth or any type of government which can ever be trusted.

Mr. WHEELER. That is not the question.

Mr. THOMAS of Utah. It is a question of trusting the administrator; because, as I have already stated, and I stated it even stronger than the Senator from Montana has, if the bill is unwisely, foolishly, and recklessly administered, it is an invitation to more chaos than we have ever had in all our history.

Mr. WHEELER. I must question some of the statements the Senator has made. It is not a question of trusting the Government. The matter of trusting some one person in a Government bureau is quite different.

Mr. O'MAHONEY. Let me interject that it is a question of trusting the people.

Mr. WHEELER. Yes. There is a vast difference. Many persons talk about trusting the Government, but they themselves do not trust the people of the United States.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. THOMAS of Utah. I yield.

Mr. AIKEN. I confess that I have not had time to read the conference report; therefore, I seek a little information. Does this product of the conference committee contain any provision for the exception from the provisions of the law of men discharged from the armed services?

Mr. THOMAS of Utah. No.

Mr. AIKEN. Then, I judge that every man who is discharged from the armed services will come under the control of the Director of War Mobilization and Reconversion the instant he is discharged from the armed services. Is that correct?

Mr. THOMAS of Utah. I do not understand that that will follow. I cannot exactly understand what the Senator means.

Mr. AIKEN. As I recall, in the House of Representatives there was some discussion—I do not know whether any provision to that effect was adopted—regarding the exemption of certain persons who are discharged from the armed services. I wonder whether there is in the bill any exemption for persons who are discharged from the armed services.

Mr. THOMAS of Utah. There should not be; because under the Selective Service Act itself a man who is discharged from the armed services immediately becomes a member of the Reserves and is subject to recall. So in no sense is he a freeman in the sense that no one may lay a hand on him.

Mr. AIKEN. Then, I assume that every man or woman who is discharged from the armed service will become subject to the call of the Director of War Mobilization and Reconversion the instant he or she is discharged from the armed services.

Mr. THOMAS of Utah. No; because the men—not the women, but the men—who are drafted into the armed services are definitely controlled by the Selective Service Act. When they are subsequently discharged from the armed services they go into the Reserve Corps, and they are subject to being recalled to duty.

Mr. AIKEN. But if they receive a medical discharge, but still are able to work——

Mr. THOMAS of Utah. Regardless of whether they receive any kind of discharge——

Mr. AIKEN. They come under the bill, do they not, unless provision is made for their exemption?

Mr. THOMAS of Utah. Not automatically does any individual come under the bill. The bill is in no sense a general bill which arbitrarily places the people of the United States under its provisions. It is a bill which will be used only in given places, at given times, and for given purposes.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I am glad to yield.

Mr. HATCH. I wish to suggest to the Senator from Utah, although I think he has already covered the point, that I think the Senator from Vermont has an erroneous impression of what the bill provides. Is it his understanding that men discharged from the Army could be drafted into industries?

Mr. AIKEN. No; but as I read the conference report I found that paragraph (2) of section 5 reads in part as follows:

To prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers—

And so forth. The Director could prevent a man who had been discharged from the Army from obtaining a job, could he not?

Mr. THOMAS of Utah. No.

Mr. AIKEN. What is meant, then, by the second paragraph of section 5?

Mr. THOMAS of Utah. That language is governed by what precedes it.

Mr. AIKEN. If a veteran should take a job, he could be promptly frozen into it by the Director, could he not?

Mr. THOMAS of Utah. He could be if all his fellow workers were frozen into the job. If the provisions of the bill are applied to a given place and a given locality, and if the veteran is one of a group of persons frozen into employment, then he would be affected. But that would not mean that a discharged veteran would necessarily be affected by this bill.

Mr. AIKEN. What is the difference between the treatment which would be given to one discharged veteran and that which would be given to any other discharged veteran?

Mr. THOMAS of Utah. None whatever.

Mr. O'MAHONEY. Mr. President, will the Senator yield in order that I may correct a misunderstanding?

Mr. THOMAS of Utah. I repeat that the discharged veteran would be under obligation, because he would be under the control of the Director of War Mobilization and Reconversion.

Mr. AIKEN. I thank the Senator. I was merely seeking information.

Mr. O'MAHONEY. Mr. President, if the Senator will yield to me I should like to comment on the reply which was made to the Senator from Vermont, who inquired what the effect would be upon the veteran if he took a job and was not frozen into employment. The Senator from Utah said that the veteran would be frozen if the law were applied to all the workers at the plant.

That is not the language of the bill. The language to which I refer is as follows:

> The Director is authorized, by regulation * * * (3) to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems essential to the war effort, from voluntarily discontinuing such employment.

And so forth. Under that language the Director may freeze them all; he may freeze one-half of them, one-quarter of them, or he may freeze only one man. The language is so broad that he may do whatever he pleases. It must be so, because there was written into that very paragraph a provision that such individual should be frozen unless he, the individual, could show a justifiable reason for leaving the employment. Will not the Senator agree that any individual who is frozen has a right, under this bill, to appeal from the judgment of the Director and seek to escape the effect of the freeze order?

Mr. THOMAS of Utah. Of course, that is true.

Mr. O'MAHONEY. When the Senator says that the freeze applies to all in a given class or category, he is not following the language of the bill. The language applies to anyone to whom the Director may deem it proper and appropriate to apply the freeze.

Mr. THOMAS of Utah. I think the Senator from Wyoming will agree that he is arguing his point to the minutest end. There must be a designation of the industry and the locality. I do not believe there is any provision in the bill for the Director of War Mobilization and Reconversion to move forward and designate John Jones, for example, and freeze him into a given place without freezing his associates. To do so would in no sense take care of the manpower situation.

Mr. O'MAHONEY. The Senator is reading language into the bill which is not there. The following authority is given to the Director: "to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms."

What is an area? We all know. It is geographical. What is an activity? An activity may be one which engages the action of a large number of men, or only one man. It may engage the activities of a group of individuals. No one who has had anything to do with this bill can testify now what regulation will be written under the authority of the Director.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield to me?

Mr. THOMAS of Utah. I yield.

Mr. JOHNSON of Colorado. The Senator from Wyoming is complaining because we do not follow the language of the bill; and yet, when he read "individual" he misread the word. He said, "To prohibit the individual employed in designated areas." The language of the bill is, "to prohibit the individuals"—the plural form of the word.

Mr. O'MAHONEY. Mr. President, I read the plural form. The Senator did not catch it. I of course read the language exactly as it is. I would not do otherwise.

Mr. JOHNSON of Colorado. Then the Senator's point is not well taken. The word "individual" does not mean the same as the word "individuals."

Mr. WHEELER. Mr. President, all the Senator needs to do is to follow the language of the paragraph a little further. If we can prohibit individuals we can prohibit one individual. The language is:

> To prohibit the individuals employed in designated areas, activities, plants, facilities, and farms—

If there is only one individual on the farm, we, of course, prohibit that one individual. The language continues—

> which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

The language is "any individual."

Mr. JOHNSON of Colorado. That is the point. In the case of an individual there would be an escape.

Mr. WHEELER. No. There would be no escape whatever. The Senator cannot interpret the language in that way. The language is:

> From voluntarily discontinuing such employment unless—

Unless what?—

> unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

In other words, under certain conditions the Director may freeze a particular individual into his employment. When we speak of individuals collectively, we also include the individual. An interpretation of any court would be to that effect.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. HATCH. This morning I studied the conference report very carefully, having in mind any possible injustice which might be practiced upon anyone. I studied the particular section to which reference has been made. It was not difficult for me to understand what was meant. It is perfectly clear and perfectly understandable. However, I must agree with the argument which has been made, namely, that if the Director of War Mobilization and Reconversion is so unwise, so unfair, and so unpatriotic as to want to freeze one individual, he can do so under this provision. Of course, he must first freeze all individuals. Then under the theory which would give him the right to grant one individual an exemption for a justifiable reason, he may exempt everyone in the plant or area except the one person. If he is that type of official he may freeze a given person to his job.

Mr. WHEELER. Of course, it is easy to wrap one's self in the flag of patriotism.

Mr. HATCH. No. Who is wrapping himself in a flag?

Mr. WHEELER. The Senator is talking about the patriotism of the Director. It is not a question of the patriotism of the Director. Everyone knows that the persons who will administer this law will be human beings. Consider, for example, the selective-service boards. I venture to say that in the State of New Mexico the selective-service board is like the selective-service board in any other State. The Senator's local selective-service board is composed of officials who probably belive they are as patriotic as any other citizens in the country. Yet, they are human beings and possess all of the frailties that the rest of us possess. The Senator knows that there have been instances of local boards doing injustices to individuals. So the question is not one of the patriotism of the Director. No one has more respect for the patriotism of former Senator Byrnes than have I, but he will not be capable of entirely administering the law any more than will the President. He will delegate responsibilities to individuals below him.

I say that it is granting entirely too much power to any man to authorize him at this particular time to freeze this individual or that individual in his job.

Mr. TAFT. Mr. President, will the Senator from Utah yield?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Ohio?

Mr. THOMAS of Utah. I yield.

Mr. TAFT. I understood the Senator to say as I came into the Chamber some time ago that the bill now framed could not be used as a method of prohibiting strikes. I do not quite understand why not, for the Director is given power to prohibit certain workmen in certain areas "from voluntarily discontinuing such employment." It seems to me that in ordinary English "voluntarily discontinuing employment" is striking.

Furthermore, it must be borne in mind that this bill does not leave to a court the definition of the words "voluntarily discontinuing," but it gives the Director the power to make and to carry out any regulations he thinks necessary to effectuate the purpose of the proposed act. It seems to me that the Director could easily enough say that any man who fails to show up at his work for more than 2 days has voluntarily discontinued his employment, and that the power given to make regulations would authorize him to put such a provision into his regulation. I know of no definition of law that defines "voluntarily discontinuing" in any other way.

Mr. AUSTIN. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Vermont?

Mr. THOMAS of Utah. I yield to the Senator from Vermont.

Mr. AUSTIN. The conferees had this question under consideration and found the definition in the law, and the decisions are so uniform that the language used in the conference report reflects the law. The language in the conference report is "from voluntarily discontinuing such employment." A strike does not discontinue employment, and there are a great many cases up and down the line, from the lowest to the highest court, that have so held.

Mr. TAFT. If the Senator from Utah will yield further, let me ask, do not the cases relate to the interpretation of particular laws, such as the National Labor Relations Act, where the relation is supposed to continue for the purpose of the act? Do the decisions upset the ordinary English meaning of the words "voluntarily discontinuing," particularly when power to make regulations as he may please is given to the Director?

Mr. AUSTIN. The reason the expression is used is that a strike does not discontinue the employment. A strike may suspend the relationship for a short time, but so long as it is a strike it does not discontinue the employment.

Mr. TAFT. But under this proposed act with the tremendous powers given the Director, if he says in his regulation that any man who fails to go to work for 48 hours has discontinued his employment, I do not think any court would upset his power to make regulations granted under this bill.

Mr. AUSTIN. I have great regard for the opinion of the distinguished Senator from Ohio, but I would have to take the other view of it, in view of the uniform holding of the courts.

Mr. TAFT. Do not those holdings relate to an act such as the National Labor Relations Act, where the question of employment is defined for all the purposes of the act? How can an interpretation contradict the ordinary English meaning of the words "voluntarily discontinuing"?

Mr. AUSTIN. Sometimes these cases are based on the National Labor Relations Act and sometimes they are not. The language of the opinions is sufficiently broad to make perfectly sure that a strike does not "discontinue such employment," and that is why we use that expression in the report.

If the Senator cares to look it up, I can give him the cases. I mention one in which he will find many of them referred to, and that is the case of Jeffery-DeWitt Insulator Co. against the National Labor Relations Board, reported in 91 Federal Reporter, second series, beginning at page 134. I should like, Mr. President, to read a paragraph or so from different decisions referred to therein in order to illustrate their breadth. Will the Senator from Utah permit me to do that?

Mr. THOMAS of Utah. I should be glad to have the Senator do so.

Mr. AUSTIN. In the case mentioned the holding of the court on this point is as follows—and I read from page 136:

> Irrespective of the statute, therefore, the strike did not of itself result in a complete severance of the relationship which had been established between the company and its employees. They were employees on strike because of the labor dispute which existed, and this situation was not materially changed by the resumption of operations on June 20, even though the company announced that those employees who desired to work must go to work on that day.

And so on. I call attention to other short excerpts from other cases. In the case of *Fryns* v. *Fair Lawn Fur Dressing Company* (114 N. J. Equity, 462; 168 Atl., 862 to 865) the court said:

> It is true that complainants went on strike, but even while on strike, they remained, for the present purpose, employees of defendant.

Again in *Uden* v. *Schaefer* (110 Wash., 391; 11 A. L. R. 1001) the court said—and I shall read only a sentence:

> A "strike," in such common acceptance, is the act of quitting work by a body of workmen for the purpose of coercing their employer to accede to some demand they have made upon him, and which he has refused.

That is it is not a voluntary discontinuance of employment.

In another case, *State* v. *Personett* (114 Kans. 630), it is stated in this way:

> It may be noted that a strike is not a quitting of employment. The man who goes on a strike does not profess to quit his employment. He still lays claim to his position and asserts a right to go back and take it at more advantageous terms.

Those are only a few citations, but they illustrate the point and they are not all based on a specific statute relating to labor relations.

Mr. MORSE rose.

Mr. THOMAS of Utah. I thank the Senator from Vermont. I see the Senator from Oregon on his feet, and I am such he has a contribution on this point, and I should like to hear from him.

Mr. MORSE. Mr. President, I intend to speak at some length on this bill at a later day, but I want to say in regard to the point that the distinguished Senator from Ohio has raised for discussion that we must keep in mind a certain technique that is used in attempting to settle some strikes or disputes, and that is the taking over of plants by the Government in the face of a strike. When the Government takes over a plant in the face of a strike and opens the plant to employment to any person who wants to work in the plant it is not the practice to look upon the employees on strike as any longer employees. It seems to me that under the provisions of the bill as now framed the penalty clause would apply, and certainly it would be easy to make it apply by the promulgation of a regulation by the Director.

Of course, I think the Senator from Utah confesses a great weakness in this bill when he says that if we cannot have confidence in our Government, then, of course, in effect, all is lost. I have confidence in my Government if the administrators under the Government are properly checked in accordance with our theory of government. But I know of no bill that has come before the Senate in a long time which has given such arbitrary power to an administrative officer as this bill gives to the Director of War Mobilization. I speak of him as a close friend, but I would refer to him as "Mr. X" so far as the application of the principles about which I wish to talk is concerned. I wish to say that in my judgment it will be a dangerous day for representative government in America if the Congress of the United States ever vests in one man the tremendous power which would be vested in the Director of War Mobilization by the conference report bill.

Mr. THOMAS of Utah. I thank the Senator.

Mr. O'MAHONEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. THOMAS of Utah. I yield.

Mr. O'MAHONEY. I ask the Senator to permit this indulgence because the Senator from Colorado [Mr. JOHNSON] in interrupting the Senator from Utah earlier in the debate, said that the interpretation of the bill in respect to its effect on strikes was discussed in the conference committee, and he said that none of the conferees had any doubt about the effect of the provision.

Mr. President, I merely desire to correct the record. It is true that the head of the conferees of the House, Representative MAY, and the distinguished and able Senator from Vermont [Mr. AUSTIN], who has always been a sponsor of national service, were of the opinion that the bill was not an anti-strike bill, and they were very careful to make it clear that in their opinion it is not an anti-strike bill. But it was my opinion then, and it is my opinon now, that no one can predict what regulation will be made, whether or not a regulation will be made prohibiting strikes, and if so, what the

effect will be. In the administration of various executive agencies, throughout the war period we have seen the issuance of regulations which have gone beyond the text of the law prescribed by Congress. That is one of the reasons why I say that if Senators are against an antistrike bill, as the defenders of the conference report say they are, they should make it clear in the bill, and not give an opportunity for the interpretation of this measure later on as an antistrike measure.

Mr. BARKLEY. Mr. President, will the Senator from Utah yield?

Mr. THOMAS of Utah. I yield.

Mr. BARKLEY. I do not wish to prolong the discussion of this point, but it seems to me that the Government of the United States cannot blow hot and cold on the question whether the relationship of employer and employee shall be maintained when a strike is in progress. Not only in the National Labor Relations Act, but in the Fair Employment Practices Act and in the decisions of the courts, the preponderance of opinion and practice has been that a strike does not interfere with the relationship of employer and employee. The actual physical labor may be suspended, and is suspended, during the continuance of the strike and the settlement of it, but during that period the relationship of employer and employee still is maintained. Otherwise there would be no obligation to put the men back to work after the strike had been settled, because the relationship of employer and employee would have been broken, and there might not be any obligation on the part of the employer to put back in their jobs the identical men who had gone out on strike, which is a legal remedy on the part of laboring men which the Congress and the courts have recognized.

I repeat, we cannot lose sight of the fact that this relationship, no matter how long it may be suspended so far as actual work is concerned, is maintained while the strike is on. As I stated, one department of the Government cannot hold that the relationship is sustained and maintained, and another, under the pending bill, hold that it is not sustained. I think there must be agreement of decision and action and practice in regard to this matter.

Mr. JOHNSON of Colorado. Will the Senator from Utah yield to me?

Mr. THOMAS of Utah. I yield.

Mr. JOHNSON of Colorado. I am sorry if I misinterpreted the opinion in conference of the Senator from Wyoming, but I assumed that silence gave consent, and I took it for granted that all the conferees were agreed on the expressed opinion. I asked a question, and I was very anxious to get the answer of the conferees to it. I said, "Under this provision, would it be possible for the Director of War Mobilization to declare, for instance, the coal mines all over the country as a frozen area, thereby stopping coal strikes?" In the conference the opinion of the conferees was unanimous that it would not be possible, that the coal miners would not come under the provision with reference to a voluntary discontinuance of service.

Mr. THOMAS of Utah. Mr. President, whenever I become a party to a discussion of the English language, or any other language, I always begin to doubt whether those who speak about the evolution of mankind, and decide that the invention of language was a step forward, were right. I think that perhaps we should end this phase of our discussion, if I may do so, by merely stating that language is a medium, and we do the best we can under it to make a law which will be understood.

I should not like to be reminded of the fact that a certain king in Jerusalem in the ancient days proved the exception to the rule, and there was an incident in his life when he put someone in the front of the battle in order that he might be killed. But the words used here are no stronger than the words in the Selective Service Act, and the Army could send an individual, as an individual, into battle to be shot. But everyone knows the Army would not do that.

Mr. President, in the testimony in the hearings the question about strike legislation rose more than once, and while I can only discuss the questions and the answers in the hearings, which are available to every Senator—and those questions and answers undoubtedly were carried over to the conference—it was in the hearings that we asked a witness whether he deemed this antistrike legislation, and the answer was in the negative.

If this is antistrike legislation, then, Mr. President, I stand before the Senate attempting to do something I do not want to see done. The Senator from Colorado asked, I think in conference, whether the chairman of the conferees on the part of the Senate would stand on the floor of the Senate and tell Senators that this is not antistrike legislation, and the chairman answered that if he were asked the question he would say it is not antistrike legislation. I am sure that any fear we may have about that will be dissipated when we realize all of the effective laws which are in operation to take care of the rights of the individual striker, and realize their complexity as to seniority, disability benefits, and all the rights which are accorded labor. They would be jeopardized by such an interpretation of the word "strike" as has been made here. I doubt whether the interpretation which was placed on the word "strike" by the Senator from Oregon, when he said that the War Labor Board, and the Government itself when it takes over a plant, deem individuals who have gont out on strike to have severed their connections—I doubt whether that will hold for a single individual, because I am sure the governments of the respective States and the Government of the Nation will protect such individuals in the rights which labor has gained.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me for another interruption respecting the antistrike phase of the bill?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. THOMAS of Utah. I yield.

Mr. O'MAHONEY. The Senator is always very kind on the floor, and in the committee is one of the most amiable Members of this body.

Mr. THOMAS of Utah. I will always yield when a Senator makes a speech of the kind just made by the Senator from Wyoming.

Mr. O'MAHONEY. The Senator has yielded even when I have not done so, I may say.

The chairman of the Senate conferees has made it clear to the Senate, and the majority leader has come to his aid, that this is not an antistrike bill, and, therefore, that whenever any employees desire to strike they may strike and they will not be doing so in violation of the proposed law or of the regulations.

Mr. President, it occurs to me to suggest to the Senator from Utah that this question therefore arises: Will it not then be possible for the worker in any plant or any facility to which it is attempted to apply the proposed law, to organize a strike and therefore to escape the effect of the law? Does not the argument which the Senator makes that this is not an antistrike bill absolutely prove the uninforceability of the law from his point of view?

Mr. THOMAS of Utah. Mr. President, if the Senator from Wyoming expects a "yes" or "no" answer to the question, I am caught. I can follow his logic. I have no objection to the way in which various possibilities are logically set forth. Even though the pledge had been made that there would be no strike, but there would be resort only to peaceful means for the settlement of disputes, the Smith-Connally Act did offer an invitation for persons dishonestly or unpatriotically, I might say, in the midst of war, to act against the advice of their leaders and against the best interest of their country, and organize strikes in spite of their pledges, as the Senator from Wyoming has suggested they might do. But that has not been done. The enactment of this measure into law will not change the nature of the American people. The law may be wise or may be unwise; but the American people will remain the same. Their good common sense, their orderly way of carrying on the Government, and the splendid way in which most of them, and practically all of them, are carrying on, will not be affected one whit by the passage of this measure.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. BARKLEY. It is rather difficult for me to understand how any Senator can oppose the conference report on the ground that it is antistrike, and yet in the next breath say that if it is not an antistrike bill that somebody might strike and thereby defeat the purposes of the law. I cannot quite understand that sort of hot-and-cold, double-twisted, double-jointed, gilt-edged reasoning. You are against it either way you take it. If you want an excuse to oppose the conference report you can do so on the ground that it is an antistrike bill, or if it is not an antistrike bill, yet there might be a strike, and therefore you will oppose it anyway.

I do not believe that sort of an attitude does justice to the American workingman who on the whole has done a magnificent job in this emergency and will continue to do so.

Mr. THOMAS of Utah. I thank the Senator from Kentucky.

I shall continue with the review of the report which I was making. I shall continue the statement of what I consider the improvements in the conference report over the House bill and the Senate bill.

The third proposition is that there is in the conference report a provision for the imposition of ceilings; that is, there is retained the provision which the Senate accepted.

Fourth. There are provisions for hiring and rehiring regulations.

In addition, the freeze provision in the conference substitute, section 5 (a) (3), is broader than the comparable provision in the House bill, since it may be applied to any and all workers, whereas the provision of the House bill applied only to men between the ages of 18 and 45.

The only important provision of the House bill which is omitted from the conference report is the drafting of men between the ages of 18 and 45 for work essential to the war effort.

Mr. President, I thought it was necessary formally to make this statement because the conference report has been criticized in two ways. First that it is not a strong bill; that it is not deemed to be as strong as the House bill was because it removed the draft provision. It is a strong bill, and the debate had during the last half hour shows that everyone now realizes that it is a strong bill. It is a bill which, through the joint efforts of the two Houses, embodies more consistent manpower legislation than either the Senate or House bills contained. We have retained all the best features of the Senate bill and we have taken out what was deemed, I am sure by the Senate when they rejected the House bill, the worst provisions of the House measure.

Mr. President, to Senators who wish to follow the statement, I call attention to section 2 (b) which merely states the purposes of the act.

Section 3 provides for the coordination of war programs and manpower. It is that section which gives the authority to the Director of War Mobilization to carry on the activities described in the measure. The reasons for lodging the power in the Director of War Mobilization are the same as those which motivated us when in the Senate bill we placed the power in the Director of War Mobilization, because we felt that only the man who speaks for the President should be given these great broad presidential powers—and they are presidential powers under our ordinary scheme of Government.

Section 4 I have already referred to. Section 4 (a) and 4 (b) together authorize a survey of the Army and Navy plants and a survey of the private plants.

Section 5 in a sense is the section which brought about the compromise agreement between the conferees on the part of the two Houses. It provides for the placing of ceilings. It provides for regulations in regard to hiring and rehiring. It provides for the freeze. It provides the ordinary penalty for breaking of the rules, and then the extraordinary penalty which was placed in the Senate provision, the income tax penalty.

Section 6 provides for the use of local agencies, and management-labor committees. This is an acceptance and extension of the Senate theory of the bill. One of the most constructive provisions of the Senate amendment is therefore retained.

Section 7 deals with traveling expenses, and provides how a person who is taken from one place and sent to another may be properly reimbursed for the cost of going and coming.

Section 8 deals with reemployment rights. Through this section reemployment rights are extended to civilians who were called into the war effort. Many of the rights guaranteed to veterans are guaranteed to such civilians.

Section 9 is, word for word, the McFarland amendment as the Senate adopted it, dealing with old-age assistance and compensation for old-age assistance, making it possible for persons to do part-time work during the manpower shortage.

Section 10 is the appeal section. In theory it is in agreement with the Senate amendment.

Section 11 deals with the War Powers Act.

Many Senators have asked about Section 12. It retains the Tydings amendment, which was accepted by the Senate.

As to the remainder of the provisions, the headings explain exactly what the provisions call for, so it is not necessary for me to outline them further.

Mr. President, I thank Senators for their indulgence in allowing me this time to make an explanation. I believe that no Senator should vote against the conference report on the theory that from the standpoint of the control of manpower we have not done a good and acceptable job. I close with the same thought with which I began, that in the present condition of the war, not to enact this law at the present time would be unwise. It might greatly affect the spirit of our enemy. It might even affect the spirit of our own men.

If this law is properly used by those in government who are in charge of what is called psychological warfare, it will be a powerful medium in their hands for showing our enemies that, to the last man in America, we are living up to the pledge of Congress when it offered for the proper prosecution of the war and its successful termination the lives and resources of the American people.

Mr. AUSTIN. Mr. President, I believe I will not yield for a quorum call. I feel that my colleagues are interested in my views, but those who do not hear them on this occasion may read them in the RECORD tomorrow.

Mr. President, this conference report is not what I would have chosen. As is well known, for 2½ years I have devoted a great deal of energy to the effort to have the Military Affairs Committee of the Senate report a national service act. That effort has been successful to a marked degree, not in having such a bill reported but in actually stimulating recruitment of workers and adherence of workers to their positions, as an aid in the prosecution of the war. Indeed, we saw a spurt in the return to employment as soon as the pending legislation was brought up and came before the public again for discussion. But I favored this conference report, and I continue to favor it, because of my firm conviction on the basis of evidence that, without this legislation, we face the probability of a cut-back in the schedules of production to maintain the momentum of our armies in Europe. Of itself, that is sufficient reason for agreeing to this conference report. Any hiatus in the progress of the war in Europe will mean the loss of additional lives and will mean delay of the victory for some time.

But there are other reasons, and they are just as persuasive, although the objective may be farther away. Primarily, we have in view that upon the defeat of Hitler we shall have to convert our energies to waging the war in the Pacific. Just contemplate the difference in the obligation of Congress as between those two demands, namely, the demands of the European war and the demands of the Pacific war. I am talking about Congress and the participation of Congress in the war. This point bears upon all the claims of involuntary servitude and all the criticisms of making those of us at home suffer more than is necessary. It bears upon the whole question of the mobilization of the facilities of our country to win the war. The moment we turn west and concentrate upon the defeat of Japan, we shall have increased our pipe line of supplies at least 100 percent, for, according to the most conservative estimates, we shall have increased it to 7,500 miles of transportation, as against the 3,500 miles of transportation which we have been taking care of in the past.

This matter is not one which can be handled in fair weather. We cannot pause in foul weather. We cannot have this business go along when everyone is voluntarily willing to do his part, and then have it stop or pause or relax when a number of persons feel that the war is almost over and that therefore they had better find jobs which will have a future and security for them personally. Why? Because not only must we fill that long pipe line with all that it takes to arm and feed and clothe and keep moving our armed forces, but we must keep it filled. In the war with Japan the pipe line will be twice as long as the one we have thus far undertaken to keep filled. The great leaders in this effort to preserve liberty come to Congress and say, "The people demanded of you, when they created this Constitution, that, when necessary, you should declare war, that thereafter you should discharge the obligation to wage war, that you should wage it successfully, and that you should wage it in such a manner as will accomplish victory with the least expenditure of human life." Then they point to the Constitution and say, "Here are specific obligations, Congress, that are yours, and yours alone. No one else can fulfill

them, because you alone have been invested with the sword and the purse, and the Constitution says, 'Congress shall have power to raise and support armies and to provide and maintain a navy'; but the Constitution says something else, and it is that about which we are speaking—the Constitution says to the Congress, 'You have the duty to support armies; you have the duty to maintain navies.'"

Mr. President, do we think for a moment that the consecration which Congress made of all the resources of this Nation when it declared war against Germany and Japan was a mere gesture or a mere pretense to the world that we were saying great things but that we did not mean them? When we made that declaration and when we pledged the resources of this Nation, we promised the boys who would be sent overseas that we would give all that is necessary, that we would keep the pipe line full, and that they would not have to be rationed in respect to 8-inch shells, for example. I say when conditions become such that we have no stock pile of 8-inch shells left, and when we have to ship them just as fast as we can manufacture them, we are simply playing with fire, we are playing with blood.

Whose word are we going to take on this matter? I do not indulge in sarcasm if I can avoid it, but some things rise in my mind when I hear men who have nothing to do with strategy, who do not know the difference between "squads right" and "squads left," undertake to dispute right to their faces the great men who have qualified themselves as experts, after having devoted a lifetime to this subject, as they tell us, the Congress, "Now is the time for you to back us up. We have scraped the bottom of the barrel. We must have 900,000 new men for the armies. Many of them will have to come from the factories. We must have 700,000 more men for production. We are already below our schedule in production." With the war advancing at so rapid a pace we must increase the schedule of production, instead of cutting it back, to fit the conditions with which we are confronted. We have scraped the bottom of the barrel. We cannot get any more by the methods that are known to us. The voluntary methods have done a wonderful job up to date, but we are still behind, and we have a shortage in manpower here and there in critical areas, in "must" factories, all over this great land. We have no general shortage. There is plenty of manpower; indeed, there is a hoarding of manpower in some of our plants.

Mr. President, we observe that hoarding has been the result of the voluntary system which permits men to step out and quit their jobs whenever they feel that the war is almost over, and that they should find another place where their post-war security will be assured.

What has been the effect of the situation? The cessation of work in some places on the part of individuals is taking place at an enormous rate. The effect of it is hoarding. Employers must have in line, ready to step up and fill the place left by the man who quits—not one man but six men. All the energy required for training and increasing the skills of the workers and adapting them to the places where the quitting of work occurs must be wasted instead of being spent on production which is so vital to the winning of the war. So at once we see that that problem requires attention. It must be given attention. If it is not given attention, there will be a continuation of the manpower shortage which is spotty all over the country.

Mr. President, this subject is one about which I have heard members of the Military Affairs Committee raise questions. We had available to our committee the most reliable of witnesses upon whom reasonable men might rely. We had before us men who were producing war materials, transporting them, and trying to keep the pipe line filled with them. We had before us men who had been on the field of battle and had seen the expenditure and waste which was taking place there. Those men who appeared before our committee want to make sure that at no time does the pipe line break and the men at the front become short of the supplies which are needed.

Mr. AUSTIN. Mr. President, I could turn to the record and read the exact words of the responsible persons to whom I have referred who know the situation. They are the only persons who do know it. They have said that such a bill as the one under consideration is necessary. Some Senators have said: "I would vote for any bill that I thought was necessary, but this bill is not necessary." They have been told repeatedly that the bill is necessary. They say, "Look at the result which has already been accomplished." To be sure, it has been a miracle; but during the meantime the demand for supplies has increased and has grown greater and greater as the war progressed. In the future the demand will be even greater than it is now. We have established schedules on the theory that by virtue of the war in the Pacific there will be a continued demand for the production of materials.

We are also told that every time the mistake was made of men being misled into the hope that the war was almost over, a relaxation took place all over the country. Men and women left the factories in great numbers, and production declined. As they now look forward to the day when Germany shall collapse, they look forward also to the greatest relaxation and fatigue. There will follow the desire to bring the boys home as quickly as possible. They will want to use all of our shipping for the purpose of returning the men to their homes. They will want to use the ships which are now forming the pipe line and hurry the boys home.

Mr. President, in our factories all over the land we see a repetition of the history of former war periods when we thought the war was almost over. In other words, we are told that not only is this legislation needed in order to maintain the present schedules in connection with the European war but that it is needed tremendously as a safeguard and a support of our effort in the Pacific which will follow immediately after the break-down in Europe.

Mr. President, I have read some very unkind articles in criticism of me personally for the attitude which I have taken on this subject. They misrepresented what I had said concerning the need which will exist after Germany surrenders. There was an assumption that I was talking about the need for this legislation in order to regiment business after the war is over. Allow me to keep the record straight by saying that I am talking about saving as many lives as possible by speeding up the victory in Europe, and in every other place where men of this country, and other countries as well, are at war in an effort to preserve freedom in the world. This bill may have the same fate that every other bill of like character has had in every former war in which this country was engaged. It will cease to be in effect by its express terms. Much has been said about involuntary servitude, about this bill being novel, and about it being too severe for us to accept. We have never participated in a war without legislation of this character. Similar legislation was enacted by the States before they were organized into a Union. During the Revolutionary War several States enacted their own laws. I should like to refer to a few of them. I shall not weary the Senate with a long story. I wish only to point up the fact that the great obligation which was placed upon Congress by the Constitution to wage war successfully was something which was natural, something which was bred in the bone and blood of the American. It was something which Americans put into the Declaration of Independence in black and white when they pledged for the support of its principles, our lives, our wealth, and our sacred honor.

Before passing from the Revolutionary statutes I invite attention to the following: In Virginia authority was given to impress workmen for manufacturing articles out of requisitioned raw material; for example, the making of wearing apparel out of clothing and leather which had been impressed.

In New York and other colonies, more or less generally, the power to impress drivers for teams was given. Impressment was ordinarily accomplished through a warrant issued by a justice of the peace or, in cases of emergency by a person administering the Government of the State, apparently the governor, or any general in actual service of the State. No limitations appear to have been set upon the number who might be impressed. That was in 1779.

In New York the judges of certain counties or a specified number of them, were charged with ascertaining or determining every 2 months the pay allowed for drivers impressed through an earlier New York statute provided that the pay should be the then accustomed rate.

There are a number of such statutes. Reuben Clark, I think, may be known to some of my colleagues. He is the author of an article entitled "Emergency Legislation" to December 1917 with analogous legislation since 1775. In that article there will be found many such cases referred to.

These service acts were enacted before we had a Constitution; they were en-

acted before the people had commanded Congress to wage war successfully. But after the adoption of the Constitution we had similar acts in the War of 1812, and in Lincoln's time. We find that Lincoln was impressing railroad men and telegraphers and such workers as were immediately necessary for the war support of armies and the maintenance of navies.

Oh, the thirteenth amendment, some one may say, had not been adopted at that time. Well, what has happened since the thirteenth amendment? Did the thirteenth amendment undertake to repeal or modify or change the obligation imposed upon Congress to wage war successfully? Oh, no. Nothing that the people required of Congress was a greater exaction and a more binding obligation upon it than that Congress should wage war successfully to defend the freedom of the Nation. The thirteenth amendment did not amend that.

Did the thirteenth amendment amend the obligation expressed in the Constitution that the Congress shall raise and support armies or that Congress shall establish and maintain navies? Of course not. Many cases have arisen since the thirteenth amendment which have pointed to that amendment expressly and showed that it does not apply to such a thing as the defense of the country.

Mr. BARKLEY. Mr. President, will the Senator yield there?

The PRESIDENT pro tempore. Does the Senator from Vermont yield to the Senator from Kentucky?

Mr. AUSTIN. I yield.

Mr. BARKLEY. I was going to ask the Senator if, on account of the thirteenth amendment, there was any break or change in the trend of decisions of our courts, the Supreme Court included, with respect to the power of Congress not only to declare war but to do all things necessary to wage successful war?

Mr. AUSTIN. The Senator is right. His question has in it what I know must be engraved in his memory, namely the language of the Supreme Court in ex parte Milligan, a famous case upon fundamental questions. Let me read a brief excerpt from it which I think is right in principle on this point. The quotation I am about to read is from 4 Wallace 2, at page 139, and, I have a reference also to another case on the same principle, *Swain* v. *the United States* (28 C. of C., 173, affirmed 165 U. S., 553). I read now from ex parte Milligan:

> Congress has the power not only to raise and support and govern armies but to declare war. It has, therefore, the power to provide by law for carrying on war. This power necessarily extends to all legislation essential to the prosecution of war with vigor and success, except such as interferes with the command of the forces and the conduct of campaigns. That power and duty belong to the President as the Commander in Chief. Both these powers are derived from the Constitution, but neither is defined by that instrument. Their extent must be determined by their nature, and by the principles of our institutions. The power to make the necessary laws is in Congress; the power to execute in the President. Both powers imply many subordinate and auxiliary powers. Each includes all authority essential to its due exercise. But neither can the President, in war more than in peace, intrude upon the proper authority of Congress, nor Congress upon the proper authority of the President.

There are other cases which I am willing to furnish if any Senator is sufficiently interested to want them. I shall not take the time of my colleagues to talk about them, but I do not want to omit this important observation. As a fundamental principle of government many of our States wrote into their own constitutions a dedication of the personal service of their citizens. I naturally refer to my own State first. In article 9, chapter 1 of a declaration of the rights of the inhabitants of the State of Vermont, established June 19, 1793, it is provided:

> That every member of society hath a right to be protected in the enjoyment of life, liberty, and property, and therefore is bound to contribute his proportion toward the expenses of that protection, and yield his personal service, when necessary, or an equivalent thereto * * * nor can any man who is conscientiously scrupulous of bearing arms be justly compelled thereto, if he will pay such equivalent; nor are the people bound by any law but such as they have in like manner assented to, for their common good.

I have numerous constitutions containing a similar declaration. They are not characteristic of every State, but there are so many of them that they sustain the claim that our forefathers regarded the preservation of the Republic as the foremost duty of the citizen—foremost; nothing before it—and whenever it was necessary that the Republic be saved, all the resources, including the personal service of men and women, should be given as necessary.

The bill relates only to the time and the place when and where it is necessary that personal service shall be retained at work in support of the Republic. It is rather absurd to contend that the fact that someone is personally directing such service and making a profit in it changes the situation in any degree whatever. The law as proposed provides that the service is a public service, a service in the war effort definitely belonging to the Government, although being performed through citizens, and in an economic way which conforms to our habits and our custom and our system. But it is limited in its application to the time and the place when and where necessary, and it does not apply to any other time or in any other place. Congress does that if it passes the pending bill. Can Congress go forth and take care of the spotty shortages, involving some 1,200 "must" plants? Could Congress, could the Senate, could even a committee of either House step out of its function of legislating, undertake the function of administering, and spend its time traveling all over the country to make in-plant surveys, and to formulate the rules and regulations which should be applied to a spot according to its needs? Oh, no. So the only thing that can be done by Congress is done here, namely, put trust in somebody, place the authority in somebody's hands, and also place the responsibility in those hands.

There was some contest, a little contest, as between placing the power in the chairman of the War Manpower Commission and the Director of War Mobilization. I do not mean a contest in which they participated in any way, of course. I mean that the contest was an internal one with us, it was within our own group. On carefu consideration we thought it would be better to put the Director of War Mobilization and Reconversion in charge, subject to the direction of the President. Senators will remember that in the bill I introduced and fought for, or tried to fight for, I made the President responsible, and invested all these responsibilities and authorities in the President. But we decided, after careful consideration, that it would be better not to proceed in that way; that, as a matter of good, sound government, it would be wiser to put this power and authority into the hands of the Director of War Mobilization and Reconversion, and in the same act enable him to employ existing organizations which deal with manpower. Thus we would have the benefit of the War Manpower Commission, if the Director found that that was an effective way in which to handle the matter.

We provided standards for his regulations. We cannot legislate the regulations. We do not know specifically what is necessary in New Bedford, where there is one o the bad spots, and when we go to some other place, away out West, the situation will probably be found to be different from that found in New Bedford. We cannot as a Congress legislate in broad terms which will be effective to apply to all places. So we did the only thing that appeared reasonable and effective, that is, we authorized the Director of War Mobilization and Reconversion to make the regulations, which will be adapted to the time and the place, the locality, and he will have the benefit of the advice and help of those who are specifically interested, employer and employee, and the Government. We surrounded his act of making regulations with all kinds of standards and safeguards.

I have heard the argument made here that we are giving to this officer of the Government enormous and unjustified power, and that no standard at all is provided in the bill. Let me read section 4 (a), which is the same as section 3 (b) of the bill as it passed the Senate:

> SEC. 4. (a) The Director shall make or cause to be made in-plant surveys and other investigations of the use of manpower by the Department of War and the Department of the Navy, to determine the extent to which such Departments are making the most effective use, in activities relating to production, procurement, or repairs, of individuals in their employ or subject to their jurisdiction as members of the armed forces, and shall take or cause to be taken appropriate measures to eliminate labor wastage and labor hoarding—

That is a definite, specific standard—

> and otherwise to promote the full utilization by such Departments of individuals in their employ or subject to their jurisdiction as members of the armed forces, and otherwise to carry out the purposes of this act.

Again, at the risk of wearying my colleagues, let me read section 6, which is also a Senate provision. It was formerly

section 2 (b) and section 2 (c) of the bill as it passed the Senate:

SEC. 6. To the maximum degree consistent with this act and with its purposes, local initiative, and cooperative efforts of management, labor, and agriculture shall be encouraged and utilized and use shall be made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and Government agencies. The management-labor committees and management-labor-agriculture committees (national, regional, State, and local) heretofore and hereafter established in connection with Government programs for the control or utilization of manpower shall be consulted on basic policy decisions made at their respective administrative levels in the course of the administration of this act.

Those are only two paragraphs of the standards to which the Director must conform in making the regulations. There is another standard on the affirmative side. The substantive part of his standard is found in section 2 (b) as follows:

(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply and of the relative urgency of the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most to the war effort; (4) by making available, for work in essential activities workers presently employed in activities of relative unimportance to the war effort; and (5) by promoting the maximum utilization by employers of their available work force.

Mr. President, the last clause alone provides a standard of the highest value in carrying out the will of Congress, of Congress at war undertaking to throw all its magnificent power into the conduct of the war so that it shall be successful, and successful at the earliest possible time.

The language of our declaration was:

To bring the conflict to a successful termination all of the resources of the country are hereby pledged by the Congress of the United States.

When we come to think of the seriousness of the present situation, of a war which has already cost us a tremendous sacrifice, which is yet only partly over, when we realize that the worst is yet to come, that the demand on us at home is probably going to be greater than it ever has been before, and when we then are asked by those who are conducting this tremendous effort to save our liberties, to save the very institutions which are so much talked about, to save something upon which to build a better world; when we are asked by them to do so little as to give them the sanction of Congress for the things they have been trying to do through Executive orders and without any legislative sanction, I feel sad when I see any of my great colleagues delay the passage of a bill that would do that. It is too little. God help us to make it effective, at least to keep the schedules we have laid down for the time being, and if we find later, after the surrender of Germany, that this legislation is not adequate, I promise to make an effort to reintroduce a national service bill which I feel will be adequate.

Mr. HART obtained the floor.

Mr. O'MAHONEY. Mr. President, will the Senator from Connecticut yield to me for a moment?

Mr. HART. Yes.

Mr. O'MAHONEY. I thank the Senator.

Mr. President, I desire to make the announcement that when I have the opportunity to take the floor in my own right I shall make a motion to send this bill back to conference in the event, as I believe will be the case, that the Senate shall reject the conference report. I make this statement because I want it clearly understood that when we ask Members of the Senate to vote against the conference report it is not with the design of killing legislation upon this subject, but of sending the bill back to conference where it may be reconsidered in the light of the criticisms which will be offered with respect to the terms of the bill and with respect to the needs of the situation.

In this connection, Mr. President, I desire, with the indulgence of the Senator from Connecticut, to read a brief announcement which came from the Department of the Navy yesterday afternoon. It is dated March 27, 1945, and at the top are the words "Immediate release press and radio." The announcement is as follows:

INSURANCE SHIPBUILDING PROGRAM CURTAILED

The Navy Department announced today that plans for construction of 84 combatant ships displacing 636,860 tons as announced March 6, 1945, have been altered so that only the 12 escort carriers representing 150,000 tons included in this program now will be constructed.

This additional shipbuilding program was originally conceived as an insurance program to meet the possibility of additional attrition as the tempo of the Pacific war increases with our approach closer to Japan. When this program was first initiated it was estimated that, if at the end of 6 months the progress of the war made it clearly evident that the additional ships would not be needed, the program could then be abandoned at an expenditure of not more than $30,000,000—or less than the total cost of a light cruiser.

The Navy Department now has been informed, however, that general economic considerations, including the most desirable use of manpower and material, necessitate suspension of plans for construction of 72 of the 84 ships originally contemplated in the insurance program.

Mr. HART. Mr. President, it has been said by several able Senators that no manpower legislation is required to meet our further necessities in war production and that our production of war materials will go on satisfactorily for the remainder of the war without change in the so-called voluntary and cooperative methods of preceding years. Insofar as concerns production in my own State, I am inclined to agree with that view. Connecticut has produced, and its general reputation with the Federal offices which carry the heavy responsibility for procurement is high. There has been only one major interruption in Connecticut's war industries during the last 3 years, and that one was very brief.

There are some areas other than Connecticut of which the same thing can be correctly said, but there are other areas of importance to the war effort as to which it cannot be said. Such measures as could have provided remedies for that dangerous condition, of undependable production in spots, should probably have been taken by the preceding Congress. This Congress found that situation facing it early last January.

It has also been said in this Chamber that the blame for a general fall in production during the latter part of 1944 can be largely laid at the door of certain military leaders who expressed undue optimism on an early end of the European war. I agree with the able Senators who expressed the opinion that such ill-founded optimism was the reason for lowered production. That wave of optimism and wishful thinking swept over the country a few months ago with effects which we all know. I do not know just who was to blame for starting it, whether it was military leaders, other officials in high places, or other persons. It is past history now, but it did happen, and the point of it all is that such unfounded optimism is going to occur again.

The opinion prevails that the end of the war in Europe is near. There is much to support that opinion; indeed, that the end is very near. The psychological results are already beginning to show. Many Senators are already hearing from constituents who urge that their sons should be returned to them after they have won the victory over the Germans. That movement is just beginning. We face the grave danger of a major slump in all fields, most particularly in the production field, as soon as the victory in Europe is assured. What happened last fall is likely to look quite mild by comparison. The slump may well be far-reaching and not nearly so easy to recover from as was the case last autumn. Moreover, that slump is very likely to extend to our allies in even greater measure, which is, if possible, an even more menacing situation.

We shall have won a war on one front; we shall still have to win on the other front on the opposite side of the earth. Three or 4 years ago, the highest echelons of command and of government of the United Nations decided that the European war was the more important of the two fronts; and the major effort of all the United Nations has been employed on that thesis of grand strategy. Only time can tell whether that decision was right or wrong. It was quite natural that our gallant allies, the British and the Russians, should have viewed the Germans as the greater menace and insisted that our own primary effort also be directed against them. We accepted and have loyally acted upon that thesis. There is no use now in cogitating over the correctness of that decision. The fact is that it was made, and we have been pouring out our blood and treasure in order to crush the Germans. The main interest of this country has been directed toward the European war. Its events have received more publicity, it has filled the major portion of the press

and radio time, and a large portion of our people have become accustomed to looking upon the European war as the war.

The war against Germany will end after about 6 years of continuous hostilities for some of our European allies. Russia will not have been fighting that long, but the tempo and severity of the war on the Russian front has been such that the degree of exhaustion may well be just as great. We ourselves are feeling some war-weariness after only 3 years of war. Six years of the variety of hostilities which have made up World War No. 2 are exhausting. The slump which we shall be feeling on or after VE-day will be doubly felt by the others; and we do not know what the effect will be.

We shall have crushed the Nazis and be in a position to cut that cancer out of this world. We shall have won a war of vast proportions and exceeding severity on one front. If we do not crush the Japanese with equal thoroughness and also cut that malignant growth out of our world, we shall not have really won this war. We shall not have more than half won it. We shall not have won a victory. We shall have only a draw. Then, in a few years, we shall be faced with the Japanese menace all over again; and to my mind, the Japanese have all along been a greater menace to this Nation of ours than have the Germans. If not utterly crushed at this time, the Japanese menace will recur—perhaps not in a few years, perhaps not in a generation; but come back it will.

A full, decisive victory over the Japanese will not be a short or easy task. They are already rather badly beaten on the sea and in the air; but the Japanese Army has not suffered very much. Let me say to the able Senator from Wyoming that it is time to note the cut-back of ships by the Navy. That shows that the war on the sea has been progressing well. However, there is no companion cut-back on the part of the Army, for the ground forces of the Army. A great deal of war on that front most probably still lies ahead of us; and we must realize that the enthusiasm and elan which has often carried our troops along may not entirely endure. We face a slogging, wearisome period of war, to be carried on several thousand miles from our own shores, which will be tiresome and burdensome. We all know that a principal hope of the Japanese is that we shall simply become tired of it and not finally go on to Tokyo and achieve a really crushing victory. Quite likely, Japan will approach the United Nations with peace offers. If so, they will make many promises, and the case will be made so attractive that the incentive to acceptance will be strong in many minds. Such proposals must not be accepted unless they amount to unconditional surrender. Otherwise, we shall not have rid the world of the menace of Japanese militarism which, even before 1939, constituted the greatest peril to us.

That cancer must be cut out; and it looks as though the United States must be the principal surgeon—as we have been in the past 3 years. It is our forces which have carried the war to Japan's front door. Right now, for instance, Australia's ground troops appear to be mopping up rear area—at least we do not hear of their having gone forward into the campaign in the Philippines. In Burma, a mixed force, in which British components are strong, has been waging a brilliant campaign which is at last producing valuable results. Even so, it is likewise a matter of mopping up an area which has been cut off from Japan by our own drive all the way across the Pacific. I imply no criticism of our gallant allies. They have done their best, and we have their solemn promise to continue; but they are worn and tired. No; I am only facing facts. Without our own full effort, Japanese militarism will not be crushed. It is absolutely essential that it be crushed; and it will require great effort to bring about that result.

The conference report on the manpower subject lies before us. We have already debated this subject at length. I probably should not, after only 6 weeks here, be thus consuming the Senate's time; but I have to speak.

Some apprehension has been expressed to the effect that such compulsory features as the manpower bill now contain are too drastic, that it regiments the people, conflicts with our free, democratic institutions, and so on. Such thoughts are expressed in the full light of knowledge of the sacrifices being made by those whom we send into the fight, and of the sacrifices which will yet be made. I cannot see it that way. Neither can I think that our people here on the home front will generally resent or oppose such measures as it may become necessary to take under this proposed legislation. They merit more faith than a supposition that they will not follow good leadership, when the necessity for some sacrifice is made clear—small sacrifice at most when compared with the lot of the men in the fight. The men at the front take what comes. We can take whatever comes to us at home. I have entire faith that, for instance, the people will accept such freezing to their jobs as must be done under this measure.

No, Mr. President; my apprehension, my doubts about this bill lie in the other direction. As the bill now comes before us, small provision is made to compel the loafers, those who are serving no purpose useful to the country, to do whatever it is needful that they should do. They are not numerous; they constitute only a small proportion of the whole. It has been said that such measures and such effort are useless because the loafers will prove to be more trouble than they will ever be worth in any plant. In my opinion, there is much to that argument; but it misses the main point, which is the force and power of example—particularly of bad example.

The people of this land are generally of good will; but, mingled among them are some loafers, chiselers, some who desire always to take out of the pot and never put anything in. They amount to a sort of infection. Other men who are not too stable, but who will travel straight ordinarily tend to stray off the correct line and copy the bad example. It is like having a rotten potato in a barrel of good ones. The good potatoes, which are lowest in resistance to rot, will catch it if something is not done about the rotton ones.

Today there is hope that the war in Europe may soon be over; but no one can say just how long the Pacific phase of the conflict may last, how much of our blood and treasure must still be spent before Japanese militarism is definitely crushed. Now is the time for us to guard against a let-down on the home front following victory in Europe. Now is the time for us to gird ourselves for all-out war against the Japanese. Now is the time for us at home to assure our men who are now fighting and to assure those who will soon be fighting in the Pacific of an uninterrupted flow of everything they need.

That is why I think the passage of the pending war manpower bill is so important at this time. It will help maintain production during the transition stage when our principal efforts are shifted from the European theater to the Pacific theater. It will help bring the comparatively few chiselers and loafers who have contributed nothing of use to the country's war effort into line with the workers who have patriotically stayed on the job to produce the maximum for our armed forces. And it will show our fighting men that we at home realize that the war is not yet over; that we are backing them to the limit in their fight in the Pacific; and that we are as determined as they to get the war over with, so that they may come home. Mr. President, if we do not adopt the conference report and thus enact the bill, it will be the best and the most cheering news the Japanese have heard for a long time.

The bill before the Senate should be passed as the best solution which two bodies of conscientious legislators have been able to evolve. We may have some misgivings; but we should also have hope, a hope that good administration—wise, understanding, and drastic when necessary—will make the ceiling formula of the bill and the freezing project in it work. Lastly, we may hope that, with the aid of the Selective Service Act, the loafers and chiselers will be compelled to render their country some measure of useful service.

We must do no less than this measure entails. Looking forward to what will some day face us if we do not now slaughter Japanese militarism, we must not fail in this. We not only owe it to the future of the country, but in the present—right now—we owe it to the fighting forces. Facing what they are going to face on the far side of the Pacific, those men need to feel from back home our determination to see this war through—to feel our vengeful spirit and, if you will, our utter hatred of Japanese militarism.

Mr. President, another thing: Maimed men are appearing among us; and women in black. Their numbers are increasing. I must so do my small part that I may be able to look those men and women in the eyes.

Mr. O'MAHONEY. Mr. President——

The PRESIDENT pro tempore. The Senator from Wyoming.

Mr. O'MAHONEY. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. O'MAHONEY. Is it now in order to make a motion to return the report to conference?

The PRESIDENT pro tempore. It will not be in order to make such a motion until the report is acted upon.

Mr. O'MAHONEY. I thank the Chair.

Mr. President, before I undertake to make the remarks I have in mind to make with respect to the conference report, I ask unanimous consent that there may be read from the desk three statements or letters. The first is a statement by David Lawrence, which appeared in the Washington Star of last evening. The second is a letter addressed to me by Mr. William Green, president of the American Federation of Labor. The third is a statement issued by Mr. Nathan Cohen, of the Congress of Industrial Organizations.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wyoming. The Chair hears none, and the clerk will read as requested.

The Legislative Clerk read as follows:

MANPOWER BILL SEEN EMBODYING FASCISM—THEORY BACK OF UNIVERSAL SERVICE NOT BEING APPLIED, WRITER SAYS

(By David Lawrence)

Fascism abroad, which is a partnership between capitalistic interests and the State, has regimented workers and forced them to work for the private profit of management. That same totalitarian doctrine has been embodied in the new manpower bill which has come from a conference committee of Members of the House and Senate.

If passed, this bill means that workers in America will lose their right to quit work and that they must take jobs the Government gives them and work for designated employers.

The theory back of the much-talked-of universal service is not being applied. When a man is ordered into military service, he gets $50 a month and nobody makes any profit out of his service to his country. But now the Government, claiming it is fulfilling a war purpose, orders American workers to serve private employers who make profits. If the workers refuse they are subject to jail penalties.

FREEDOM ISSUE RAISED

This strange development has been fostered by a small group of universal service advocates who think they can spare the profit system from similar treatment. Instead they will bring the kind of controversy that should never have been permitted at this stage of the war. For the issue of freedom versus involuntary servitude is raised and, in effect, the Government is saying that the patriotic efforts of the upwards of 50,000,000 men and women who have done the war production job must now be subjected to penalties and intimidation.

Senator O'MAHONEY of Wyoming, Democrat, of the liberal and progressive school of thought, rightly condemns the proposed legislation as regimentation such as Hitler used and Stalin promulgated to get control of the workers in Germany and Russia, respectively. Organized labor has asked the Congress to defeat the measure.

The proposed legislation is vicious in that it deprives an aggrieved citizen of any court appeal. It offers, to be sure, an administrative or interdepartmental committee to hear complaints but, under recent decisions of the courts, there would appear to be no possibility of review by the courts of decisions made by the bureaus enforcing such legislation. There is certainly no opportunity for relief within the time limits of the bill.

It is fallacious to say that if the Government can order a man into the Army, it can order him into a war plant. Such a position would be consistent if the Government managed all the war plants and there were no private profits involved. The logical sequel of the situation created by the new manpower bill would be to abolish all profits and put all governmental and nongovernmental activities under complete governmental control so that there would not be a single dollar of profit made out of the use of patriotism to force workers to stay on their jobs. Maybe organized labor will soon begin to press for such legislation.

NAZIS MAY WELL SMILE

Opponents of democracy will derive considerable satisfaction out of what is happening. Hitler and the Nazis may well smile at the spectacle of a democracy, which calls itself free, finding that it cannot organize itself on a voluntary basis to win the war but must threaten jail sentences to get the war production job done. Hitler is losing the war but apparently his philosophy is winning.

Will the Senate and House acquiesce as did the Reichstag in Nazi Germany and as have parliamentary bodies also at other great moments in history when the steam roller of "military necessity" rides roughshod over them and demands action? Or will Members of Congress stand on their rights and insist on a truly voluntary plan?

The real reason for the manpower muddle has been inefficiency in the administration, which now seeks a way out by drastic measures that will cover up its mistakes. It is tragic indeed that, as American armies are winning a great victory, this democracy is asked to adopt totalitarian methods. Fascism has always been simpler than democracy, but the American people, up to now at least, have preferred the cumbersomeness of democracy to the efficiency of fascism.

If we were losing the war by our methods it would be different, but we are winning. The administration's idea of reward evidently is to force workers to become part of a straitjacket which deprives them of the oldest right in American history—freedom to work without state-made rules of enforced work or slavery.

AMERICAN FEDERATION OF LABOR,
Washington, D. C., March 27, 1945.

Hon. JOSEPH C. O'MAHONEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: The working men and women of our great country are hoping and praying that the members of the United States Senate will respond to their plea to reject the conference report on manpower legislation. During all the cruel war period through which we have passed since Pearl Harbor, the workers of the Nation have reached new heights in production, have responded to the call of the Government, have maintained a no-strike pledge in a most commendable and wonderful way, and as soldiers of production have made it possible to win the war.

Now victory is in sight. The objective sought by our armed forces abroad and the soldiers of production at home is now within the Nation's grasp. Surely no one is so blind as to fail to see that the German armies are decisively defeated, that the end is near, and that VE-day is at hand. Can it be possible that after winning the war, after overcoming all difficulties in the field of production, after having produced planes, ships, guns, ammunition, and war material in sufficient volume and quantity as to meet our Nation's needs, and after delivering the final blow to Hitler and his colleagues, Congress will pass an act which will make the workers who contributed in a very large way to this victory the victims of compulsory service and the victims of dictatorial control? Is this the reward the workers are to receive from the lawmakers of the country in return for the noble and exalted service they have given? The words "slavery," "compulsion," "dictatorial control" run through every line of the measure reported by the conference committee for approval by the Senate. Such a bill will serve to create resentment, bitter feeling, and lowered efficiency. It will injure rather than help. It will create in the minds of the workers of the country a feeling of rebellion and resentment.

When VE-day comes, which will be soon now, cut-backs will take place, many war material production plants will be closed, and perhaps we will be confronted with an unemployment situation rather than with a manpower problem. Granting for the sake of argument that there may have been need for the enactment of manpower legislation when the war issues were hanging in the balance a year or more ago, what argument can be offered now when the armies of the United Nations are at the gateway of Berlin and at the door of Hitler's hiding place?

I appeal in the name and in behalf of the 7,000,000 members of the American Federation of Labor to the Members of the United States Senate, many of whom have stood by the workers on crucial occasions, to defeat this conference report, to preserve the freedom of labor, and to permit the workers to continue to prove through the exercise of skill and service that free labor is superior to slave labor.

Sincerely yours,

WM. GREEN,
President, American Federation of Labor.

MARCH 27, 1945.

To: The Senate of the United States.
From: Nathan E. Cowan, C. I. O. Legislative Director.
Re Manpower Conference Report, H. R. 1752.

Today, on the eve of defeat of Nazi dictatorship, the conference report on the manpower bill proposes that the House and Senate confer on one man, the Director of the Office of War Mobilization and Reconversion, an outrageously sweeping grant of power. Nowhere is the use of this power properly safeguarded. The Congress of Industrial Organizations urges every Member of the Senate to vote down the conference report. We also urge that they insist upon an opportunity to vote for proper manpower legislation and that they reject any other proposals at this time.

The powers conferred upon the Director go far beyond the mobilization of manpower and threaten to invade the liberties of all loyal Americans. At no point during the debates in the House and Senate on the bills that went to conference were any arguments advanced to justify such a sweeping delegation of powers. It is unthinkable that the Members of the House and Senate are prepared to confer such powers upon one man at this or any other time.

This country fought the war of 1812 to prevent impressment of Americans. It is clear from the bill reported by the conference that someone has tampered with this legislation to convert it into an impressment bill. It is hard for us to believe that even the members of the conference committee were properly aware of the effects of the redraft which they have reported out.

The emphasis throughout this bill is upon freezing the individual worker to the job. Throughout the debates in the House and Senate the emphasis was upon the need for recruiting to war jobs a limited number of people characterized as slackers. This bill strikes at the more than 50,000,000 Americans who have loyally supported the war effort and especially at the millions who are now in war jobs.

On these patriotic citizens the full penalties of the law are directed. There is no

proper appeal system and no adequate recourse to the courts. The Administrator is judge and jury and as the bill now reads he is capable of finding the individual employer or worker guilty and subject to a year in jail or $10,000 fine.

The unbridled discretion of the Administrator combined with the severity of the penalties promote an atmosphere which it would be difficult to duplicate in the history of a liberty-loving people. Perhaps more important what fair-minded person could believe that labor operating in such a slave atmosphere would be capable of the tasks which wartime production requires?

It is a commonplace that even without Government restraint the individual worker standing alone is at the mercy of his employer's economic power. To that existing restraint the report adds a more drastic one. Under this bill it is a true but startling fact that the employer remains just as free as formerly to discharge the individual worker while even the inadequate weapon of the individual employee, namely, his right to quit, is eliminated. This further invasion of the employee's freedom can hardly be justified by any manpower needs. Indeed the result of the bill's one-sidedness is to sacrifice the employee's freedom at the expense of the purported objects of the report. For there is nothing in the report which would prevent an employer from freely discharging all of his employees.

Mr. THOMAS of Utah. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. THOMAS of Utah. I think the Senator from Wyoming will agree with me that after the reading of those statements into the RECORD it is only fair to the conference committee and the conferees, who worked so hard on the proposed legislation, to point out that the Senate bill, which the Senator from Utah supported on the floor of the Senate, was in keeping with the logic of the statements which have been made, and that if the same energy now being employed had been used in the House of Representatives to bring about a situation whereby the House might have voted upon the Senate bill, the situation might be different today from what it is. But the parliamentary situation was such that the House conferees had a mandate, and the Senate conferees had to face the circumstances which confronted them. We did so as well as it could have been done.

Mr. O'MAHONEY. The Senator will pardon me if I do not agree with that conclusion.

Mr. THOMAS of Utah. If the House of Representatives had been willing to vote upon the Senate bill, then, of course, there would be some justification in making this plea, but the effort should have been made in the House to bring home to the representatives of the people, who are supposed to be close to the people, that if the Senate bill was a proper bill, they should vote upon it, and the friends of that bill should have insisted upon a chance to vote upon it in the House of Representatives.

Mr. MAYBANK. Mr. President, will the Senator from Wyoming yield for a question?

Mr. O'MAHONEY. I yield.

Mr. MAYBANK. I should like to ask the distinguished Senator from Utah one question, because I heard read in the letters, and I have heard it often said today, that the power would be vested in the Director of War Mobilization. I notice in section 3 of the bill which the Senate committee adopted and which the Senate passed on, this provision:

> The Director of War Mobilization and Reconversion, hereinafter called the Director, shall, subject to the direction of the President—

I should like to ask the Senator's opinion about this subjecting clause, I might call it, whether or not the Director of War Mobilization would have any power other than that approved by the President of the United States.

Mr. THOMAS of Utah. If the Senator from Wyoming will permit me, I should like to answer the question.

Mr. O'MAHONEY. I am very glad to yield.

Mr. THOMAS of Utah. In my opinion, no power which has not already been granted to the President of the United States is granted in this bill either to the President or to anyone else, that is, so far as power in a quantitative sense is concerned, if I may say so. Title III of the Second War Powers Act confers priority and rationing authority on the President. The language conferring the power is very general in terms. The power is vast. For example, all the operations of the War Production Board depend upon it. The power under that act is sufficient to put everybody or anybody in the United States out of business, if it were administered for that purpose.

Mr. MAYBANK. Will the Senator yield further?

Mr. THOMAS of Utah. Let me answer the question first, and this will be a proper answer to the question. It seems to me that the power conferred by the Second War Powers Act is as great as the power sought to be conferred by the pending legislation, in fact, very much greater.

Mr. MAYBANK. I thank the Senator.

Mr. THOMAS of Utah. And that the safeguards in that act are not greater than those provided in the pending bill.

Mr. President, it seems logical for me to read those powers, so that the Senator from South Carolina will have his question properly answered.

Mr. MAYBANK. I shall thank the Senator.

Mr. THOMAS of Utah. I read from page 3 of the War Powers Act:

> Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material or of any facilites for defense or for private account or for export, the President may allocate such material or facilities in such manner, upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense.

Mr. MAYBANK. I thank the Senator from Wyoming for permitting me to ask a question and to bring to the attention of Senators the fact that the War Mobilization Director is directly under the President, and could do nothing without the approval of the President.

Mr. THOMAS of Utah. I think that is the fact.

Mr. MAYBANK. I thank the Senator.

Mr. McFARLAND. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murray
Austin	Hart	O'Daniel
Bailey	Hatch	O'Mahoney
Ball	Hayden	Pepper
Bankhead	Hickenlooper	Radcliffe
Barkley	Hill	Reed
Bilbo	Hoey	Revercomb
Brewster	Johnson, Calif.	Saltonstall
Bridges	Johnson, Colo.	Shipstead
Briggs	Johnston, S. C.	Stewart
Brooks	Kilgore	Taft
Burton	La Follette	Taylor
Bushfield	Langer	Thomas, Okla.
Byrd	Lucas	Thomas, Utah
Capper	McCarran	Tobey
Chavez	McClellan	Vandenberg
Connally	McFarland	Wagner
Cordon	McKellar	Wheeler
Donnell	McMahon	Wherry
Downey	Maybank	White
Ellender	Millikin	Wiley
Fulbright	Moore	Wilson
George	Morse	Young
Gerry	Murdock	

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Seventy-one Senators having answered to their names, a quorum is present.

Mr. LANGER. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. LANGER. Mr. President, I have today received two telegrams relating to the pending conference report. The first is as follows:

WASHINGTON, D. C., *March 28, 1945.*

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

Earnestly solicit your vote against work-or-jail bill. Passage of such a bill will seriously impair morale of American workers who, under a voluntary system, have established the greatest production record for the United States and our allies in the history of the world.

ED. J. BROWN,
President, International Brotherhood of Electrical Workers.

The second telegram is as follows:

WASHINGTON, D. C., *March 28, 1945.*

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.:

The Railway Labor Executives' Association convening today at the Hamilton Hotel, Washington, and representing practically all railroad labor, repeats its consistent opposition to drafting of workers for private profit, and which position we have stated at the various hearings. We are equally opposed to the conference report, H. R. 1752, now pending for action. Railroad labor has made a record of production never before equaled. We feel that enactment of legislation of this character will seriously interfere with the present outstanding performance of American labor, both in wartime production and other wartime activities, and we respectfully request that this legislation be defeated.

RAILWAY LABOR EXECUTIVES' ASSOCIATION,
T. C. CASHEN, *Chairman.*
J. G. LUHRSEN, *Executive Secretary.*

Mr. MURRAY. Mr. President, will the Senator from Wyoming yield to me for a few moments?

Mr. O'MAHONEY. I yield.

Mr. MURRAY. Mr. President, for nearly 6 years the world has been suffering from the most deadly war ever visited upon civilization. When Hitler

and his maddened followers let loose upon the earth the ruthless Nazi forces designed to destroy our freedoms, the one freedom to which they intended to direct their most destructive blow was the freedom of religion. The reason for that course was clear. No one who worships God can in his conscience admit allegiance to Hitler. His totalitarian system could tolerate no rival within its realm. The teachings of Christ are totally incompatible with the pagan Nazi doctrines. Under Hitler, Christianity, like its founder, was to be nailed to the cross. Hitler's doctrines of religious and racial hatreds could not tolerate Christ's spirit of peace to men of good will, of justice, of love for one's fellow men, of kindness, and of mercy. The teachings of Christianity about the dignity and inalienable rights of each human soul are utterly incompatible with Hitler's doctrine of the superiority of the Aryans. But, Mr. President, Hitler's scheme for the destruction of Christianity and the enslavement of the world is rapidly approaching an ignominious end.

During this holy week the news from the battle fronts of the world indicate that Hitler's dream of the control of the souls of men will soon be recorded as a complete and ridiculous failure. The age-old truths of the Bible are proving to be infinitely stronger than the maniacal ravings of any dictator.

Mr. President, the coming Friday will be Good Friday. On the first Good Friday Christ died on the cross, an apparent failure. His own people, misled and confused by the crafty leaders of His time, permitted Him to be condemned to death. He died in ignominy between two wretched criminals. So far as human eyes could see on that first Good Friday, Christ was a complete failure. Yet we now see that the crucifixion was the necessary prelude to the glorious resurrection on Easter morning.

Again the world has been passing through a period of trial. Ever since the advent of Hitler we have been living under a dark and foreboding cloud, but the day is approaching when we shall see the end of his threatened pagan dictatorship and witness the reenthronement of justice and religion throughout the whole earth.

This coming Easter Sunday thousands upon thousands of soldiers will attend religious services, and thousands upon thousands of sailors over the seas will bend their knees and bow their heads in devout prayer. On Easter Sunday in the churches of the United States millions of our citizens of all creeds will kneel with bowed heads before their God and pray earnestly for the early overthrow of Nazi paganism and the restoration of religious freedom and a peace of justice and charity which will again bring hope to the world.

Mr. President, plans are being made in the Nation for appropriate religious services on Good Friday. At this time I should like to inquire of the able majority leader regarding the state of the Senate calendar and the possibility of a recess over Good Friday.

Mr. BARKLEY. Mr. President, I appreciate the inquiry of the Senator. I am sure that he knows that I and all other Members of the Senate have the greatest reverence for Good Friday. If the calendar permitted it, we should all be glad to take a recess; but we have not established the custom of taking a recess over Good Friday. I believe that in view of the importance of the legislation now before the Senate, it will be impossible to take a recess from tomorrow over the week end, which it would be necessary to do, because it would be futile to try to hold a session on Saturday, even if we were to take a recess over Friday. That would mean that we should have to take a recess from tomorrow until Monday. In view of the pending legislation and the calendar, including the treaty with Mexico and other matters which will be coming up, I do not see how it will be possible for the Senate to take a recess over the week end.

Mr. MURRAY. Will consideration of the pending legislation be concluded tomorrow?

Mr. BARKLEY. I hope so. I am not certain, however.

Mr. LANGER. Mr. President, I can state definitely that it will not be, because I plan to speak for 3 hours on the conference report.

Mr. BARKLEY. As former Senator Heflin of Alabama used to say, "under them heads" we cannot conclude tomorrow.

Mr. MURRAY. I appreciate the situation; and I thank the able majority leader for his statement.

Mr. O'MAHONEY. Mr. President, let me restate the announcement which I made earlier in the day, when I confidently believed that the Senate would reject the conference report. If it is rejected, it will be my purpose to move that the Senate request a resumption of the conference in order that the bill may be sent back to a committee of the two Houses to perfect the legislation. I say that in order that it may be understood at the outset that nothing which I say, and nothing which has been said to me by any Senator who is supporting the position I take, is to be interpreted as a desire to prevent legislation.

I recognize the desirability of legislation in this situation; but, Mr. President, I am convinced that the legislation which has been brought in by the conference committee would not only not serve any beneficial purpose but would have the effect of introducing confusion and chaos into the productive activities of the country, and would threaten to cut away completely the foundations upon which this free Government of ours stands.

Mr. President, I use no idle words when I say that as I look about this Chamber and see in the niches above the gallery the busts of the great Vice Presidents who have presided over this body since its formation, beginning with John Adams, and Thomas Jefferson, whose birthday we are about to celebrate, I feel that we should be doing violence to every principle for which they stood if we were to adopt the conference report.

Senators rise on the floor of the Senate and ask, Have you no confidence in your Government? Have you no confidence in your President? Have you no confidence in the Chief of Staff of the Army or the Chief of Operations of the Navy? My answer to all such questions is this: Have you no confidence in the people of the United States? How does it come about that at this hour, when the patriotic achievements of the people of America have saved the world from totalitarian power, we are now asked to scrap the free system and adopt the very totalitarian prospectus upon which Hitler attempted to conquer the world?

O ye men of little faith. O ye men who have not confidence in your fellow citizens; who feel that they must be driven by the lash to serve their sons upon the fighting front.

Mr. President, no testimony has been produced before any committee of either the Senate or the House which can convince anyone who opens his mind to the realistic facts of the situation that this bill is necessary. I have no hesitation in saying that the conference report could not have been agreed to by the House if it had not been for the organized effort which was made to convince Members of the House that unless they voted for the conference report they would somehow or other be going back on the boys at the fighting fronts. A reading of the RECORD of the debate in the House yesterday, when the conference report was adopted in that body, will indicate the Members of the House voted for this measure with the greatest reluctance. One after another they rose to declare their inherent objections to the bill, but to explain that they could not find it in their hearts to vote against it if such a vote should be interpreted by a soldier somewhere or a sailor somewhere as meaning that the home front was not behind him. Mr. President, I understand that attitude. I can sympathize with Senators who feel that way; but I say to them have faith in the boys at the front as well as faith in the men and women at home. Have faith in the fundamental principles of your Government. No Senator who votes against this bill need stand in shame before any man in uniform, for he can say to the boys in France or Germany, to the boys in the tropic islands of the Pacific, to the boys on the naval vessels that are crushing Japan, "We voted to send this bill back because we are determined that the country to which you will return will be as free as the one you left when you went forth to carry the Stars and Stripes on the battlefield."

To vote for this bill is to place within the power of one man the authority to hold the millions of American civilians in their employment under the unregulated and unstandardized method prescribed in the bill, and to tear down the pedestal upon which freedom stands.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. The Senator is expressing only his own individual opinion in that regard.

Mr. O'MAHONEY. Mr. President, I reassert that opinion. I reassert it because I am hoping that my words will enter the hearts and consciences of all persons whom my voice reaches, and will convince them that, although I am ex-

pressing only an opinion, I am expressing an opinion which arises from my deep faith in American institutions, my deep confidence in the ability of the people of America to maintain freedom, and my absolute conviction that we may in great confidence rely upon Americans to carry this war to a successful conclusion.

Mr President, I say it is more than an opinion, because the record stands uncontroverted that free Americans have already demonstrated by their productive capacity that they will support the fighting fronts. The record supports my opinion.

Mr. HATCH. Mr. President, will the Senator further yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. I have no objection whatever to having the Senator from Wyoming make any statement he desires to make about his own convictions and his own beliefs, but I seriously object when he attempts to express implications about other Senators who have opinions or beliefs different from his own. I think that, as free Americans, each of us has a right to make up his own mind.

Mr. O'MAHONEY. Mr. President, nothing I have said challenges the right of the Senator from New Mexico or any other Senator to make up his mind as he sees fit. Nothing I have said can possibly be interpreted as a challenge to the good faith of any Senator. If there was any such implication, I withdraw it; I meant no such implication.

Mr. HATCH. Mr. President, will the Senator further yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. I thought that was exactly what the Senator from Wyoming was doing.

Mr. O'MAHONEY. Of course, I was not doing anything of the kind, and I expressly disavow any such purpose.

Mr. President, I say that the demonstrable facts are such that I urge all Senators to consider them in forming their opinions.

I hold in my hand the hearings before the House committee. I read those hearings before the hearings in the Senate Committee on Military Affairs took place. I read the testimony of Under Secretary of War Patterson. I now shall read from page 14 of the House committee hearings. Under Secretary of War Patterson appeared before the House Committee on Military Affairs on Wednesday, January 10, 1945, to make the opening statement. He was explaining why, in his judgment, Congress should enact a bill which would reach the slackers, the persons within the draft ages who were not contributing to the war effort. He was very careful to make it appear that the bill he was supporting did not in any way or form reflect upon the patriotism, the intelligence, or the industrious efforts of the workers in the war industries. He said:

> I have seen lots of grandmothers working in shell-loading plants, and they say, "Well, I have got sons and grandsons fighting in Europe," or "in the southwest Pacific, and that is why I am working in the plant."

Representative SPARKMAN interrupted at that point, and said:

> Yes; I have seen that, too.

Mr. Patterson then said:

> And they are working on the midnight shifts, too, and anybody who wants to get cynical can get a good deal of benefit from going to those places and seeing the people that are working there and hearing the reasons why they are working there. You ask them if they are worried about their post-war rights, and they just say, "No; I want to get those men home."

That was the testimony of the Under Secretary of War with respect to the character of people who have been producing the munitions of war for the United States, for Great Britain, for Russia, for France, and for all the other United Nations. I was struck by that statement.

So, Mr. President, when Under Secretary of War Patterson appeared before the Senate Committee on Military Affairs, I again brought up the issue. There was talk of the loafers and slackers and chiselers, and of the necessity of bringing them, somehow or other, into the war effort. I wanted to know whether, in the opinion of Under Secretary of War Patterson, there had been any change with respect to the character of the men, the women, and the children who have been and are now turning out our war materials.

I now read from page 48 of the hearings before the Senate Military Affairs Committee on the labor and draft bill. Under Secretary of War Patterson said:

> Some charge that there is wasted manpower in some war plants. I do not dispute it. In an undertaking as vast as this one, there are bound to be cases of waste. But General Knudsen will tell you that the efficiency of labor in war industry, on the average, is good.

Why were we asking about that subject? We were trying to bring out whether the conditions in the war plants could be improved by better coordination, and whether it would be better and more efficient to improve the system which we now have than to adopt the labor draft. The Under Secretary was acknowledging that there had been waste and hoarding in the war plants. That was the reason, Mr. President, why the Senate Committee on Military Affairs wrote into the bill the special provision—and I am glad that it has been retained in the conference report—calling on the Director of War Mobilization and Reconversion to coordinate the work. It was strange, Mr. President, that it became necessary for Congress to issue a mandatory direction to bring about coordination in the war plants, when the power to coordinate had existed from the beginning.

Allow me to proceed with the testimony of Under Secretary of War Patterson:

> I have been in many war plants, where planes, rifles, howitzers are made, where shells are turned out, where ammunition is loaded. The workers are not loafing. If you could see them at their tasks, many of them elderly men and women, many of them on the midnight shift, traveling as far as 50 miles to work—working because their sons are in Europe or in the Pacific—to bring those boys back sooner, as they will tell you—you would know that these people are not loafing.
>
> I have never seen a more moving sight in my life—

This is Under Secretary of War Patterson speaking—

> than to see these elderly people, women in the sixties and seventies, out in a plant, many working at midnight, having to travel 35 miles on a bus, working until 8 a. m. in a plant where the working conditions are grimy and dirty, to say the least.

That, Mr. President, is testimony based upon the visual observation of the Under Secretary of War with respect to the patriotic effort of the mothers, fathers, brothers, and sisters of the men in uniform.

I continue reading:

> Senator O'MAHONEY. Which situation describes the condition——
>
> Secretary PATTERSON. I simply say that these people are the salt of the earth, and a great credit to the Nation.
>
> Senator O'MAHONEY. Sure.
>
> Secretary PATTERSON. And they do not loaf, they do not come to that plant because they want to loaf. You ask them if they are interested in a post-war job and they say, "I want to bring my boy back."
>
> Senator O'MAHONEY. So we have the two classes of people, the salt of the earth, and those you have just described, those who have done this tremendous job of production and we talk of the loafers, we talk of the shysters.
>
> Secretary PATTERSON. The people in nonessential industry or less essential industry are not loafers, the war is too remote, it has not been brought home to them.
>
> Senator O'MAHONEY. You understand, we are talking about two classes in a plant. First, the salt of the earth whom you spoke of, and second, those who have contributed to the turn-over. Now are we to understand that the great majority of these workers are to be regarded as people who belong to the first category, the people who are nobly working to bring their boys back and the boys of their neighbors, or that the majority of them belong in the other category, who have no concern?
>
> Secretary PATTERSON. The majority of them are of the first class that you mentioned, people who work there steadily.
>
> Senator O'MAHONEY. Isn't that the overwhelming majority?
>
> Secretary PATTERSON. Well, it is a good majority, all right. The high turn-over rate shows that the other class form a substantial element, however. These turn-over people, the ones who loaf and quit voluntarily, they are not criminals.

Mr. President, the testimony of Under Secretary of War Patterson is to the effect that the great majority of the persons who are working in defense plants are not loafers or chiselers or slackers, but that they are working with their hands, their eyes, and their hearts in order to produce war materials with which America has crushed, or is about to crush, the terrific attempt of tyranny to conquer the world. Old men and old women with fading eyesight are working in these plants. They are the ones who gave Under Secretary of War Patterson a thrill. They are the ones, as he clearly indicated to us in the committee, who moved him to his depths, when he saw their patriotic effort.

Mr. President, shall we now send forth word to the sons of those mothers and those fathers that the Congress of the United States has voted to place shackles on their hands, and leg irons on their ankles, in order to hold them to the machines? That is what this bill would do.

We talk about the morale of the men who are fighting this war. Shall we send word to them now, Mr. President, and let it be published in the European editions of American newspapers, let it go out over the radio, and let it be sent by the War Department in the broadcasts which are prepared for the soldiers on the fighting front, that Congress is being asked to do what a free country never before was called upon to do, namely, to place the power and authority in the hands of one man to control, under regulations which he shall prescribe, the working activities in every plant, in every factory, in every facility, and upon every farm, from which there has been pouring out the stream of munitions, materials, and food to win the war?

Can anyone doubt the correctness of what I say? Let me read the language of the bill once more. This is section 5 (a):

SEC. 5. (a) To the extent deemed by the Director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Director is authorized, by regulation—

(1) to prescribe employment ceilings in designated areas, activities, or places of employment, fixing the maximum number of workers, by age, sex, or occupational qualifications, who may be there employed and prohibiting the employment of workers beyond such maximum number;

(2) to prohibit or regulate the hiring rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers; and

(3)—

Hear me, Senators, while I read the third power which is to be placed in the hands of one man—

to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

(b) Whoever willfully violates the provisions of any regulation—

Not the law, but "any regulation"—

Whoever willfully violates the provisions of any regulation made under subsection (a) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than 12 months or by a fine not to exceed $10,000, or both.

Mr. AIKEN. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. Earlier in the day I asked the Senator from Utah for an interpretation of the provisions in the proposed act as it would apply to discharged service men or women. The answer I received did not entirely clear up the matter in my mind. I have since read the bill, and I ask the Senator from Wyoming now if this bill can be interpreted in any other way than that it puts every man and woman discharged from the armed services under the control of the Director of War Mobilization and Reconversion the instant they leave the service. They cannot get jobs except in industries which are approved by the Director. Once one of them takes such a job, he cannot leave it without the permission of the Director. They are absolutely under his control, so far as I can see. I ask the Senator from Wyoming if he can place any different interpretation upon it?

Mr. O'MAHONEY. Mr. President, the very moment any serviceman is discharged and seeks employment he comes under the purview of the bill. If he goes to work in a facility, in a plant, in a factory, on a farm, anywhere, which becomes designated by the Director as essential to the war effort, then he takes his place by his brother, by his sister, by his aged grandmother or grandfather, and can be frozen to the job.

Mr. AIKEN. I do not claim that it requires the Director to prohibit him from getting a job——

Mr. O'MAHONEY. Oh, no.

Mr. AIKEN. Or requires the Director to freeze him in the job; nevertheless, the Director would have the absolute power to do it, so far as I can see, from reading the bill.

Mr. THOMAS of Utah. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. THOMAS of Utah. I am glad the Senator from Wyoming answered as he did. It should be emphasized that, of course, the treatment of veterans is no different from the treatment of anyone else.

Mr. O'MAHONEY. That is correct. I may say that I am delighted that the chairman of the conference, our distinguished friend and colleague the able Senator from Utah, fought valiantly against the labor draft in the conference committee, and before the bill was reported in the Military Affairs Committee of the Senate, of which he is chairman. I compliment the conferees on the abandonment of the labor draft, which came from the House. But they have substituted, in place of that draft, not a freeze of the 18- to 45-year-olds, which was contained in the bill passed by the House, but a freeze of men, women, and children, regardless of age or status or residence.

Mr. WHEELER. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. WHEELER. Section 5 (a) of the conference report provides:

To the extent deemed by the Director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Director is authorized, by regulation—

To do what? I turn to paragraph (2), on page 3:

To prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers.

If he can make regulations with reference to the recruitment of new workers, can he not put into effect a virtual draft of men for employment? In other words, it seems to me he could put into effect an interpretation to this effect, "So many people have to be recruited, and I can prescribe the means by which they are to be recruited." In other words, he is given the power, in effect, to draft anyone of any age, under the rules and regulations which he may promulgate.

Mr. O'MAHONEY. If the Senator will turn to the first page of the conference report, and to section 2 (b) clause (4), he will see that one of the means provided in this measure for the realization of its purposes is—

By making available, for work in essential activities, workers presently employed in activities of relative unimportance to the war effort.

Mr. WHEELER. Exactly.

Mr. O'MAHONEY. When that is taken in connection with paragraph (2) of section 5 (a) from which the Senator read, we find the clear purpose of the bill is to enable the Director to prohibit employment in one plant for the purpose of making those there employed available for employment in other plants or facilities to which they should be directed.

Mr. WHEELER. Exactly. And when there is added a provision under which the Director may make rules and regulations for the recruitment of labor, he could go into the home and say to a wife, "You are more essential to the war effort than to the home," and he could hold that it was necessary to recruit individuals, whether they were in nonessential industries or wherever they were, or whatever their age might be.

Mr. O'MAHONEY. To be quite frank with the Senator, I must say that paragraphs (1) and (2) of section 5 were contained in the Senate bill as it was originally reported and as it was passed. The purpose was first to enable the Director to create employment ceilings and thereby to make available workers and to prohibit employment in nonessential industries. That purpose, however, was directed by the conviction that in a great national emergency it is justifiable to grant broad powers over the distribution of materials, over the activities of businesses, over the number of persons that may be employed; but now there has been added the power to deal with individuals, to which I have deep-seated objection. There is a difference between human beings and a ton of coal that comes out of the ground.

Mr. WHEELER. I entirely agree with the Senator. As I stated, I know he has given a great deal of study to the proposed legislation, but it seems to me from a cursory, hurried reading of the conference report—and I have not had an opportunity to study it because I have been tied up in committee meetings, and have just come to the floor of the Senate—that there could easily be placed upon the measure as now framed the interpretation that to the extent deemed by the Director to be necessary to carry out the purposes of section 2, he may "prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers."

Then, in connection with the other provision to which the Senator called attention, it seems to me the language could very easily be interpreted in almost any way the Director wanted to interpret it for the purpose, in effect, of drafting anyone he wanted to draft.

Mr. O'MAHONEY. May I, in response to the Senator, ask him to cast his eyes on these three volumes which I have here on my desk. They are parts 9, 10, and 11 of volume 9 of the Federal Register. They contain the rules and regulations, the directives and the orders issued between September 6 and December 30, 1944. They constitute regulations issued without public scrutiny; but they dealt with materials. Now Congress is asked to give to one man the power to write another volume of regulations dealing with individuals.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. JOHNSON of Colorado. I do not want to let the statement just made by the Senator from Montana go unchallenged. He prefaced his remarks by saying that he has not examined the report; that he has read it only hurriedly, and has not studied it. I wish to say to him that there is no provision in the conference report which by any stretch of the imagination can be said to be a draft. It simply is not in the bill, and it cannot possibly be made a draft bill. It is not a draft bill. It does not make any provision for the drafting of anyone.

Mr. O'MAHONEY. I quite agree with the Senator from Colorado.

Mr. JOHNSON of Colorado. I was sure the Senator would agree.

Mr. O'MAHONEY. It does not constitute a draft. We wrote the draft out.

Mr. JOHNSON of Colorado. That is correct.

Mr. O'MAHONEY. We took the draft out of this measure. There is no doubt about it, and I shall always be grateful to the Senator from Colorado for having made the motion to eliminate——

Mr. JOHNSON of Colorado. All draft features.

Mr. O'MAHONEY. All provisions which remained in the House measure giving the authority to make a specific draft.

What the Senator from Montana is pointing out, however, is that the power which is granted is so broad and it deals with individuals in such a drastic manner that the effect, from my way of thinking, is just as abominable as the thought of the draft.

I may say, Mr. President, that these three volumes to which I have made reference, three volumes of regulations and directives contained in the Federal Register, occupy from page 10909 to page 15194. The printing is three columns wide on each page, of comparatively small type.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHEELER. I appreciate that the Senator from Colorado and the Senate conferees had, of course, no idea of passing any law which would permit the drafting of labor, but I want to call attention again to this language:

> The purposes of this act are to provide the most practicable and effective means to accomplish fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation—
>
> And so forth. I skip over some of the language and continue:
>
> (4) By making available, for work in essential activities, workers presently employed in activities of relative unimportance to the war effort.

That is one of the purposes. The purpose is to make available for work in essential activities, workers presently employed in activities of relative unimportance to the war effort.

Then further on, in section 5 (a) (2), the power is given "to prohibit or regulate the hiring, rehiring, solicitation, or recruitment," and so forth. If the Director can make rules and regulations for the recruitment of individuals he can go further and do what I am about to speak of. I admit that it is a somewhat strained construction, and I would say to the Senator that I do not think such a construction ought to be placed on it, yet, when we look over the regulations and rules which have been promulgated by the executive departments of the Government, and find the strained construction which has been placed upon legislative acts, it seems to me that when we say to the Director, "You can regulate the recruitment of any person in the United States you deem essential to the war effort," that language could easily be construed to give him the power to say, "We will make a regulation providing for the recruiting of John Smith or John Doe, or anyone else, because we want to carry out the purposes set forth in the act; namely, to make available for work in essential activities, workers presently unemployed in activities of relative unimportance to the war effort."

Senators may argue all they want to that no such broad provision is contained in the bill, but I say that when we give the Director the power to regulate recruitment of individuals in the United States we give a vast power which, in my humble judgment, can be used to draft men.

Mr. JOHNSON of Colorado. Will the Senator from Wyoming yield for one last word, and then I shall take my seat?

Mr. O'MAHONEY. I yield.

Mr. JOHNSON of Colorado. Of course it is a long step between recruiting labor and drafting labor.

Mr. WHEELER. No; it is not.

Mr. JOHNSON of Colorado. Paragraph 4 of subsection (b) of section 2, to which the Senator from Montana has called attention, does have a very direct connection with paragraph 1, of subsection (a), of section 5. The way employees are drawn from employment which is not essential is by placing a ceiling on the nonessential employment, so that labor cannot be used in such employment. Then a job is found in an essential employment. That is the only way it is done. It is done in that indirect manner. It is not done by a draft, or anything approaching a draft.

Mr. WHEELER. I understand that that is exactly what the Senator from Colorado intended. I appreciate the fact that he would not under any circumstances support a draft. However, when it is said that a draft cannot be effected by an interpretation of the bill, I remind the Senator that the bill can be very easily so interpreted. If we grant the power to regulate recruitment for this purpose, we give extremely broad power to say how the recruiting shall be done. How is such labor to be recruited? Those charged with the administration of the law may say that the only way to recruit labor is to take it from the home, or anywhere else. The Senator cannot get away from that construction, no matter how much he is opposed to drafting. If we grant the power to recruit labor for this purpose, we grant the power to draft labor.

Mr. BARKLEY. Mr. President, it seems obvious that the Senator from Wyoming will not be able to conclude his remarks this afternoon.

Mr. O'MAHONEY. The Senator is quite correct.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORT OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc; and, without objection, the President will be immediately notified.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask that the nominations in the Army be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Army are confirmed en bloc; and, without objection, the President will be immediately notified.

That completes the calendar.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 13 minutes p. m.) the Senate took a recess until tomorrow, Thursday, March 29, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 28 (legislative day of March 16), 1945:

IN THE ARMY

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be generals

Joseph Taggart McNarney
Omar Nelson Bradley
Carl Spaatz
George Churchill Kenney
Mark Wayne Clark
Walter Krueger
Brehon Burke Somervell
Jacob Loucks Devers
Thomas Troy Handy

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY

First Lt. John William Burtchaell, to Field Artillery.

First Lt. Franklin Rogers Sibert, to Infantry.

Second Lt. Edward Joseph Geaney, Jr., to Infantry.

PROMOTIONS IN THE REGULAR ARMY

George Joseph Newgarden, Jr., to be colonel, Infantry.

John Forest Goodman, to be colonel, Infantry.

Ferdinand Francis Gallagher, to be colonel, Coast Artillery.

Elmer Deloss Gay, to be major, Medical Corps.

Gordon G. Bulla, to be major, Medical Corps.

William Albert Todd, Jr., to be major, Medical Corps.

James Bowdoin Stapleton, to be major, Medical Corps.

Floyd Lawrence Wergeland, to be major, Medical Corps.

Robert Stultz Brua, to be major, Medical Corps.

Herbert William Jenkins, to be captain, Medical Corps.

Freeman Irby Stephens, to be captain, Medical Corps.

Seth Overbaugh Craft, to be lieutenant colonel, Pharmacy Corps.

Elmer Everett Wehking, to be captain (Chaplains), United States Army, subject to examination required by law.

POSTMASTERS

CALIFORNIA

William N. Parkinson, Canoga Park.

FLORIDA

James E. Woodham, Campbellton.

WASHINGTON

Charles L. Seavey, Winslow.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MARCH 28, 1945

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Blessed Saviour, Thou hast promised that he who cometh unto Thee Thou wilt in no wise cast out. As we meditate upon those mighty acts whereby Thou hast given unto us life and immortality, let us draw nearer the Eternal, lest in self-assumed dominance we fail to realize that he is greatest in Thy kingdom who serves best. May we put the most generous interpretation on the deeds of others and judge their errors with patient charity. As we seek to follow the reverent steps of Him whose holy work was doing good, endow us with great moral qualities and lead us to think loftily, recognizing ourselves as part of the great human family of God. In Thee, O Christ, is the seal and certificate of victory over the powers of darkness and every form of human oppression.

How inscrutable is Thy providence; Thy ways are past finding out. We rejoice that Thou hast not left us without a witness. While reason is strong and leads us through many a tangled web, it does not satisfy; the angel of hope comes in, lifts us into the upper realm, and guides us on our way. Through these most anxious times, bestow upon our President Thy most gracious blessing; be Thou with our beloved Speaker, our leaders, all Members, all employees, and let Thy holy benediction rest upon all our homes. In our Redeemer's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 2745. An act to amend section 8 of the act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921; and

H. J. Res. 142. Joint resolution providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 62. An act to amend section 3 (b) of the Securities Act of 1933, as amended, so as to permit exemption of security issues not exceeding $300,000 from the provisions of such act.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 681) entitled "An act to amend the National Housing Act, as amended, and for other purposes."

The message also announced that the Vice President has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Justice.
2. Department of the Navy.
3. Department of War.
4. National Archives.
5. Office of Civilian Defense.
6. Office of Defense Transportation.
7. Selective Service System.
8. Tennessee Valley Authority.

EXTENSION OF REMARKS

Mr. COCHRAN asked and was given permission to extend his remarks in the RECORD and to include a letter from the Director of the Budget.

Mr. LYNCH asked and was given permission to extend his remarks in the RECORD and to include a letter from a marine.

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and to include a telegram addressed to the War Production Board.

Mr. PATMAN asked and was given permission to extend his remarks in the RECORD on three subjects and to include certain statements and excerpts.

Mr. DICKSTEIN asked and was given permission to extend his remarks in the RECORD and to include a poem written by Mrs. Josephine Louise Byrne.

Mr. RANDOLPH asked and was given permission to extend his remarks in the RECORD and to include editorial comment.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and to include remarks by Leo Healey.

Mr. LANE asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances; in the first to include an editorial appearing in the Boston Traveler and in the second to include an editorial from the Boston Record.

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD and to include an article by Booth Tarkington.

Mr. WILSON asked and was given permission to extend his remarks in the Appendix of the RECORD and to include an editorial appearing in the Madison Courier, also an editorial appearing in the Seymour (Ind.) Daily Tribune, an article appearing in the Columbus Evening Republican, also an article appearing in the Chicago Daily Tribune, and two letters.

Mr. ANGELL asked and was given permission to extend his remarks in the Appendix of the RECORD and to include an article appearing in the magazine Look by Senators VANDENBERG and CONNALLY on the subject How Can We Keep the Peace?

FREIGHT-RATE DISCRIMINATION IN THE SOUTH

Mr. BRYSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. BRYSON. Mr. Speaker, the announcement by the United States Supreme Court, through a majority of the members thereof, that it would take jurisdiction of the case brought in the name of the State of Georgia involving freight-rate discrimination should be good news to all who believe in fair play. Southern industry and agriculture have been unjustly penalized and retarded in their progress for more than a generation by reason of unfair treatment at the hands of the railroads. Surely no one will criticize the Court in its indication that it will at least inquire into this much-controverted subject.

For my colleagues and other interested citizens generally who have studied and

hoped some day for relief, this is indeed a happy day.

PERMISSION TO ADDRESS THE HOUSE

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House on April 11 for 30 minutes at the conclusion of business on the Speaker's table and after any special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LANE. Mr. Speaker, I ask unanimous consent to address the House today for 7 minutes at the completion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes today at the conclusion of other special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

VICTORIES OF OUR ARMED FORCES

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include in my remarks an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. JENNINGS. Mr. Speaker, the great victories being won on all battle fronts, on land, in the air, and on the sea by our armed forces, have revealed to the world an ability and skill on the part of generals, admirals, and all our officers and a courage and self-reliance on the part of all ranks in our armed forces that is unparalleled in the history of warfare.

Mr. Speaker, there is glory enough for all. The Pacific area and the war against Japan will from now on increase in importance. General MacArthur, in his brilliant tactics and strategy, has wrought miracles with the comparatively small forces under his command. Above all, he has demonstrated his ability to win great victories at a small cost in the lives of his soldiers. The American people and their boys who go out and fight when it is dirty and dangerous are entitled to and will demand the services and proven ability of General MacArthur be recognized and utilized to the fullest in the coming campaign to invade and conquer Japan. I include as a part of these remarks an editorial from the Washington Post:

MAC ARTHUR

What is left in the Philippines is several tens of thousands of Japanese, all cooped up in the mountains and isolated from escape or supply by sea; the once-famed General Yamashita—and General MacArthur. The equation doesn't look exactly in order. The military problem in the islands is a problem of mopping up, and yet we seem to be leaving the operations in charge of a man who has demonstrated that he is one of the war's great captains. A warrior of his prowess should now be put in a position to take the war to Japan's homeland. We find no other leader available who is better able to handle the job and finish it; on the record, indeed, his claim is logical, nay irresistible.

Lord Wavell insists that great generals are made rather than born. In other words, they must learn from experience, and this is the attribute that impresses the layman about MacArthur. At the beginning of the war he appeared to hold a poor opinion of airpower. At the end of the Philippine campaign he had given the world a perfect example of combined operations. Corregidor was the final proof. Not in the entire Pacific is there a more formidable position than "the Rock," yet it fell to MacArthur, by a superb use of air, sea, and land operations, like a house of cards.

Both the prostrategy and protactics schools of military thought find their point of view justified in MacArthur's exploit. MacArthur is equally outstanding as a strategist and as a tactician. The strategical MacArthur, fed as he was from the Filipino underground with whom he had maintained his best observers, caught the Japanese flat-footed. Last summer he arrived at Morotai; the Japanese expected him at Mindanao or Luzon, and their dispositions were made accordingly. Again they were fooled when he landed at Leyte. He moved up to Mindoro and Marinduque and profited once more from a miscalculation by the Japanese high command, which was sure he was headed for southern Luzon. Lingayen was the final surprise in this master strategical plan. The Japanese prepared for a southerly landing. They woke up too late to the fact that MacArthur had doubled back to Lingayen, the entry of which proved to be the final strategical item in the MacArthur repertory.

In contact with the enemy, i. e., as a tactician, MacArthur acted with the same skill. Having outwitted the enemy, his job was to gain his objective at the least cost. This he has done and with more success than any other commander has achieved in this greatest of wars. The final case in point is the casualty list in the fighting for Luzon. The Japanese casualties, it is reported, were 145,000, while our casualties were 18,579. The result cannot be ascribed to the ease of either the fighting or the terrain. Fighting and terrain were equally tough. At one place, it is reported, the men were ordered to take a hill as rocky and as difficult as a Pacific atoll. There were over a thousand Japanese holding it. MacArthur sent 2 battalions to the attack, and they got all but 1 of the Japanese, at a cost of less than a hundred casualties among our men, with 20 killed. That is one of many examples of which the Philippine campaign is littered showing tactical skill.

MacArthur's strategical sense, his tactical genius and his use of combined operations—these are the military qualifications which make him the man best fitted to begin the victory march on Tokyo. Conditions have become ripe almost overnight for direct action. Already the occupation of the Philippines has reduced the supply route between Japan and its stolen treasure house in Indonesia to a trickle. Air strikes in Japan are tearing down the gingerbread structure of Japan, where the munitions plants are concentrated and situated virtually at water's edge. The sooner the question of command is settled the sooner decisive action against Japan can begin. For that choice no one would inspire greater public confidence than General MacArthur.

The very announcement of the appointment would hasten the end of the war. It would strike terror into Japanese hearts, which are downcast over the way that MacArthur has outfoxed and humbled the redoubtable and boastful Yamashita. It would inspire our own forces. They know MacArthur now as a man who fights with his brains in order to save their lives. No chieftain is more offensively minded. Yet no chieftain uses time to greater advantage in extensive softening up preparatory to attack. In the Philippines he was not ashamed of retiring for more softening up if the objective looked too difficult to take without great loss of life. His skill, in short, is the skill and sureness of the rapier. With him in command, we feel that no opportunity would be lost and our manpower would be conserved in reducing the Mikado's kingdom to dust; and that feeling, judging by our experience, seems to be shared by many Americans.

The SPEAKER. The time of the gentleman from Tennessee has expired.

EXTENSION OF REMARKS

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a memorandum of the policy that the O. P. A. is carrying on against the dairymen of Wisconsin in trying to prevent them from furnishing food to win the war.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SCHWABE of Oklahoma asked and was given permission to extend his remarks in the RECORD in two instances; in one to include a letter from a constituent with comments, and in the other an editorial from the Tulsa Tribune dated March 24, 1945.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD in two instances; in one to include an article on the closed shop, and in the other an article on the racket of Petrillo and Lewis.

Mr. LEMKE asked and was given permission to extend his remarks in the RECORD and include short excerpts from letters in connection with the farm draft and surplus-property disposal.

Mr. CARLSON asked and was given permission to extend his remarks in the RECORD and include a resolution passed by the Kansas Legislature memorializing Congress not to approve the Missouri Valley Authority.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include an address on the subject of treaty ratification delivered by his colleague JAMES C. AUCHINCLOSS.

Mr. HILL asked and was given permission to extend his remarks in the RECORD and include an address he delivered over the Columbia Broadcasting System last night on the subject Congress Speaks.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD in two instances; in one to include a letter from the North Dakota Workmen's Compensation Bureau and in the other a telegram from the North Dakota Mill and Elevator.

Mr. HOPE asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. MARTIN of Iowa asked and was given permission to extend his remarks

in the RECORD in two instances; to include in one a newspaper clipping recognizing the outstanding service of John O'Donnell in behalf of servicemen by Hugh Harrison, managing editor of the Davenport (Iowa) Democrat; and in the other to include a resolution passed by the Cattle Feeders of Eastern Iowa.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include a short article on meat shortage appearing in the Prairie Farmer.

THE MANPOWER BILL

Mr. HOOK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include a newspaper article.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOOK. Mr. Speaker, yesterday we adopted the conference report by a very close vote on the so-called manpower bill. The preamble of that bill reads as follows:

> In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war, pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed services shall have an obligation when called upon to serve the Nation in an activity essential to the war effort.

I want you to pay particular attention to the fact that the preamble I just read emphasizes that in order to carry into effect the provisions of the declarations of war that we pledge all the resources of the Nation in order to bring the conflict to a successful termination. Mr. Speaker, the bill passed yesterday certainly does not pledge all the resources of the Nation. It pledges only the sweat and the blood of those who toil for a living. The Selective Service Act and the theory back of the much talked of universal service certainly is not applicable to the bill we passed yesterday. The bill we passed yesterday orders the workers of America to serve private employers who are reaping the profit. We said to the workers of America yesterday in the bill, "If you refuse to work and serve the private employers of this Nation, you are subject to jail penalties." Mr. Speaker, it is foolish in the extreme to say just because we order men into the Army through Government edict that we can order them into a war plant. This position might be consistent if the Government owned, operated, and controlled, yes, and managed, all the war plants, and there were no private profits accruing. Now, if we were to follow this to a logical conclusion, we should abolish all profits and put all governmental and nongovernmental activities under complete Government control, so that there would not be any profit made through forcing workers to stay on their jobs.

I am very seriously considering, Mr. Speaker, if this employment bill is finally passed by the Senate, offering an amendment drafting capital, industry, and property to such an extent that we will abolish all profits, put all governmental and nongovernmental activities under complete Government control, so that we may take all profits out of war. I see no reason why free labor should be forced into enslavement for private profits of employers.

I hold in my hand, Mr. Speaker, a statement entitled "Manpower Bill Seen Embodying Fascism." This newspaper story was not written by any wild-eyed radical; it was written by none other than David Lawrence, a decidedly well-known conservative.

If it is the intention of this Congress to carry out the theory of universal service and take the profits out of war, then, of course, we have no other alternative than to carry out the suggestions that I have previously enumerated. It is my hope that the other body will see the light and not accept this conference report.

Mr. Speaker, by unanimous consent herein granted, I include the column that was carried in the Washington Star of March 27, written by David Lawrence:

MANPOWER BILL SEEN EMBODYING FASCISM—THEORY BACK OF UNIVERSAL SERVICE NOT BEING APPLIED, WRITER SAYS

(By David Lawrence)

Fascism abroad, which is a partnership between capitalistic interests and the state, has regimented workers and forced them to work for the private profit of management. That same totalitarian doctrine has been embodied in the new manpower bill which has come from a conference committee of the Members of the House and Senate.

If passed, this bill means that workers in America will lose their right to quit work and that they must take jobs the Government gives them and work for designated employers.

The theory back of the much-talked-of universal service is not being applied. When a man is ordered into military services he gets $50 a month and nobody makes any profit out of his service to his country. But now the Government, claiming it is fulfilling a war purpose, orders American workers to serve private employers who make profits. If the workers refuse, they are subject to jail penalties.

FREEDOM ISSUE RAISED

This strange development has been fostered by a small group of universal service advocates who think they can spare the profit system from similar treatment. Instead they will bring the kind of controversy that should never have been permitted at this state of the war. For the issue of freedom versus involuntary servitude is raised and, in effect, the Government is saying that the patriotic efforts of the upward of 50,000,000 men and women who have done the war production job must now be subjected to penalties and intimidation.

Senator O'MAHONEY, of Wyoming, Democrat, of the liberal and progressive school of thought, rightly condemns the proposed legislation as regimentation such as Hitler used and Stalin promulgated to get control of the workers in Germany and Russia, respectively. Organized labor has asked the Congress to defeat the measure.

The proposed legislation is vicious in that it deprives an aggrieved citizen of any court appeal. It offers, to be sure, an administrative or interdepartmental committee to hear complaints but, under recent decisions of the courts, there would appear to be no possibility of review by the courts of decisions made by the bureaus enforcing such legislation. There is certainly no opportunity for relief within the time limits of the bill.

It is fallacious to say that if the Government can order a man into the Army, it can order him into a war plant. Such a position would be consistent if the Government managed all the war plants and there were no private profits involved. The logical sequel of the situation created by the new manpower bill would be to abolish all profits and put all governmental and nongovernmental activities under complete governmental control so that there would not be a single dollar of profit made out of the use of patriotism to force workers to stay on their jobs. Maybe organized labor will soon begin to press for such legislation.

NAZIS MAY WELL SMILE

Opponents of democracy will derive considerable satisfaction out of what is happening. Hitler and the Nazis may well smile at the spectacle of a democracy, which calls itself free, finding that it cannot organize itself on a voluntary basis to win the war but must threaten jail sentences to get the war-production job done. Hitler is losing the war but apparently his philosophy is winning.

Will the Senate and House acquiesce as did the Reichstag in Nazi Germany and as have parliamentary bodies also at other great moments in history when the steam roller of "military necessity" rides roughshod over them and demands action? Or will Members of Congress stand on their rights and insist on a truly voluntary plan?

The real reason for the manpower muddle has been inefficiency in the administration, which now seeks a way out by drastic measures that will cover up its mistakes. It is tragic indeed that, as American armies are winning a great victory, this democracy is asked to adopt totalitarian methods. Fascism has always been simpler than democracy, but the American people, up to now at least, have preferred the cumbersomeness of democracy to the efficiency of Fascism.

If we were losing the war by our methods it would be different, but we are winning. The administration's idea of reward evidently is to force workers to become part of a strait jacket which deprives them of the oldest right in American history—freedom to work without State-made rules of enforced work or slavery.

EXTENSION OF REMARKS

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and include a letter from a disabled soldier in the Veterans' Hospital at Oteen, N. C.

Mr. NORRELL asked and was given permission to extend his remarks in the RECORD and include a short address by Dr. Wilson.

Mr. ROWAN asked and was given permission to extend his remarks in the RECORD in three instances and include three articles and a communication from the city clerk of Chicago.

POLAND AND THE PEACE CONFERENCE

Mr. GORSKI. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GORSKI. Mr. Speaker, in less than 1 month from now the United Nations will meet at the San Francisco conference All of the Allied Nations have been invited to participate in this conference with the exception of Poland, who has all through this struggle stood

side by side with her allies. Poland was the first nation to defy Hitler. When the might of Hitler's war machine invaded Poland, they fought back. In the darkest hour of this World War, the Poles never wavered. They stood by France and England, always eager to fight back the aggressor. When their country was invaded from the east and west, their soldiers did not surrender, but they fled to other countries and from there they took up arms and carried on the battle. They have suffered just as much as any other country.

Now that the defeat of the Nazis is in sight to which Poland has contributed her share, and the fighting nations are to meet in a conference to discuss the problems of peace, this gallant ally—Poland—has not been invited.

I believe it would be a grave mistake if Poland did not have a voice at this Conference. Being one of the nations who fought so hard, she is entitled to a seat at this gathering. Poland was a party in the war and she should be a party to the peace conference. Her fate and her future is at stake. Being a nation of 30,000,000 of fighting and courageous people, they should have an opportunity to present their views at this meeting. They should be in attendance to guard and protect the welfare of their country. They can contribute much to make this Conference a success. I likewise believe that the other small nations should have representation at this Conference, such as Lithuania, Latvia, and Estonia. This would be a sign of good faith by the larger powers toward the smaller nations. It would help the cause of democracy. It would show the oppressed and downtrodden people throughout this troubled world that the Allies want to see the people enjoy freedom and independence. We are all hoping that this war will end all wars.

But we must not think that defeating our enemies will make them love us. There will be bitterness and hatred in their hearts against all the Allies. Let us not make enemies out of those who are now our friends. It will be difficult to bring about a permanent peace which is the hope and aim of all the Allied Nations, but at least, let us try to be just and honest with all nations who are sympathetic with us and are waging battle in our cause. This will help considerably to bring about harmony and understanding which is so necessary, to attain the object for which we are fighting this war, which is a permanent, just, and lasting peace.

DAVID LLOYD GEORGE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, liberty-loving people everywhere have learned with profound sorrow of the passing of David Lloyd George, the great Welshman, who during the last war served as Prime Minister of the British Empire.

No nation that has ever existed in all the tide of time has contributed more to human greatness than has the British Isles, in practically every walk of life. That is true not only in literature, where Shakespeare stands out as the greatest of them all, in science, where Newton reigned supreme, or in military leadership, where Marlborough and Wellington rank among the first; but it is especially true in statesmanship, where Pitt, Walpole, Burke, and Gladstone have had few equals in all the history of mankind.

To that great galaxy must be added the name of David Lloyd George, who will take his place along with them, as one of the greatest parliamentary leaders of all time.

The SPEAKER. The time of the gentleman from Mississippi has expired.

SPECIAL ORDER

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia [Mr. NEELY] is recognized for 40 minutes.

Mr. NEELY. Mr. Speaker—

> New occasions teach new duties,
> Time makes ancient good uncouth.
> They must upward then and onward
> Who would keep abreast of truth.

By virtue of an ancient custom which long since crystallized into a rule as inflexible as the law of the Medes and Persians, a Member of the House can be properly addressed or designated in debate or other official proceeding only as the gentleman, for example, from Texas. This custom, of which we have become the ludicrous victims, originated in an age in which even the wisest statesmen were as incapable of perceiving that the House would sometime be enriched by a great accession of Members of the feminine gender as they were impotent to foresee the marvels of the thrilling aeronautical days in which we live. There are now nine feminine Members of the House, and unless all encouraging signs fail, the lady membership will increase as rapidly in the near future as it has increased in the recent past.

Both common sense and common courtesy demand that when a lady Member of the Congress is designated, the designation be deferentially and accurately expressed in language as pure and modern as the object to which it refers. Manifestly it will neither make sense, nor indicate sanity, for one to say "the gentleman from California, or Connecticut, or Illinois," in speaking of a lady Member of the House from one of these States.

For an indefinite period after a lady first became a Member of this body, she was habitually addressed as "the lady from Montana." Later, but nobody knows when; some place, but nobody knows where; someone, but nobody knows who, said that feminine Members of the House should be designated not as ladies but as gentlewomen. Thus was launched to our doorstep an antiquated, un-American barbarism which should not be tolerated in the twentieth century even in an Indian wigwam. But, as the record shows, we have received it with sufficient hospitality to supply a new proof of the old truth that—

> Vice is a monster of so frightful mien,
> As, to be hated, needs but to be seen;
> Yet seen too oft, familiar with her face,
> We first endure, then pity, then embrace.

In the hope of moving you to help extrude this linguistic moon-calf from the embrace of the House and restore the word lady to the rightful place which the term gentlewoman has usurped, your attention is invited to a number of authorities on the question under consideration in the belief that they will convince you, beyond the shadow of a doubt, that the word gentlewoman should go at once and the word lady should promptly return to the House to stay.

The New Standard Dictionary's definition of the word lady includes the following:

> A refined and well-bred woman; a term of courteous address; a woman of superior position in society; a woman of good family and recognized social standing; corresponding to a similar use of gentleman.

Subject to slight variations in phraseology, the definitions of the word lady in the authoritative Webster's, Century and Oxford dictionaries are all in accord with those quoted from the Standard.

Murray's New English Dictionary on Historical Principles says:

> In modern use lady is the recognized analog of gentleman.

Webster's says, among other things, that lady is the "feminine correlative of gentleman."

Other dictionaries and grammars without number are to the same effect.

Authorities, with practical unanimity, define gentlewoman as "a woman of good birth and breeding; * * * a maid of honor; a female attendant upon a lady of rank."

H. W. Fowler, joint author of both the King's English and the Oxford Dictionary, in the 1940 edition of his work entitled "Modern English Usage," discusses the words gentlewoman and lady, in substance, as follows:

> "Gentlewoman" has no sense that does not belong to the word "lady," but "lady" has half a dozen for which "gentlewoman" will not serve—for example, the virgin, titled woman, wife, beloved, woman politely described.

Professor Fowler further says of the word "gentlewoman":

> It is, however, an old-fashioned if not quite archaic word, and as such tends to be degraded by facetious use, and to have associated with it constant epithets, of which some are derisive, as ancient, decayed, innocent.

Dr. Frank H. Vizetelly, managing editor of the New Standard Dictionary and its abridgments, is generally considered an outstanding American authority on the correct use of language. In his booklet entitled "Slips of Speech" he says of the word "gentlewoman":

> This homely term, which describes women of gentle manners and kindly bearing, has been appropriated by persons who do not

understand the full significance of "gentlewoman" as suggested by Tennyson in his famous lines:

"Kind hearts are more than coronets,
And simple faith than Norman blood."

In general, those who need to proclaim themselves "gentlewomen" are not invariably far from being such, and are more closely allied to their sisters across the sea who declare "I am a perfect lady, and don't care who knows it."

In the last edition of Quackenbos' Practical Rhetoric, under the caption "Everyday barbarisms, solecisms, and inelegances," the following appears:

The title "lady" eventually came to imply rank. Then the women of England generally assumed it, rejecting that of gentlewoman, for which Ruskin says he "does not blame them, provided they claim not merely the title, but the office and duty signified by it."

Illustrations without number could be cited to support the assertion that all great American and all great British authors and statesmen, in referring to women of attainments such as feminine Members of the Congress are presumed to possess, have without exception designated them as "ladies." Much more than a casual investigation has convince me that such masters of the fine art of current expression as Shakespeare, Milton, Dickens, Emerson, Longfellow, Whittier, Jefferson, Lincoln, and Woodrow Wilson habitually designated a person of the feminine gender in the circumstances of our case as a lady.

Herbert Spencer, in his masterful essay on the Philosophy of Style, says that language is the vehicle of thought and that in carrying out the metaphor "there seems reason to think that in all cases the friction and inertia of the vehicle deduct from its efficiency; and that in composition, the chief, if not the sole thing to be done, is to reduce this friction and inertia to the smallest possible amount." Mr. Spencer then points out that economy of the recipient's attention is the effect among other things, of the "right choice and collocation of words, * * * and the rhythmical sequence of syllables."

It is contended that to use "gentlewoman" as a substitute for the appropriate word "lady" flagrantly violates every law of economy in addition to violating all the laws of propriety in the choice of words. Four letters are required to spell "lady." Eleven are required to spell "gentlewoman." Hence one must expend a hundred seventy-five percent more thought, time, and energy in speaking or writing the word "gentlewoman" than it is necessary to expend in speaking or writing the word "lady." A coextensive additional burden is imposed upon the reader or hearer in order to comprehend the meaning of the longer of these words. The reporter of debates, the typesetter, the proofreader, all uselessly bear an expensive burden every time they are compelled to designate a lady by the use of the word "gentlewoman."

The Government not only pays for all the time thus wasted, but it also suffers a heavy additional loss which will increase in direct proportion to the increase in the number of lady Members of the House. That loss will be the cost of inconceivable quantities of paper that will be required to carry the millions of repetitions of the seven additional letters used in proclaiming the notorious perversion of truth that the word "gentlewoman" is the appropriate designation of a lady Member of the House.

Should we persist in the erroneous use of "gentlewoman," its bad example would doubtless, sooner or later, be followed by the newspapers and the public to an extent that would definitely increase the inexactitude of the Nation's composition and hinder the progress of its education. If you doubt that propriety and accuracy of expression are highly important factors in the educational equation, please remember that the famous scholar and teacher, Dr. Nicholas Murray Butler, of Columbia University, says:

First among the evidences of an education I name correctness and precision in the use of the mother tongue.

Another point in favor of our adopting a rule that will bar the further use of "gentlewoman" in speaking of our feminine Members is found in the fact that this House is today the only national parliamentary body in the entire world in which its lady members are designated as "gentlewomen." The following are a few examples of the basis of the preceding assertion:

In the Canadian House of Commons a lady member is called the honorable member without any indication of her sex—see Canadian House of Commons Debates, 1943–44, pages 4330, 5440.

In the British House of Commons a lady member, without a title of nobility, is designated as "honorable lady" or "noble lady"—Parliamentary Debates, volume 400, pages 423, 2167.

In Australia a lady member of Parliament is designated as "the honorable lady"—Parliamentary Debates, 1943–44, page 71.

In the House of Assembly of the Union of South Africa a feminine member is designated as "the honorable member"—House Debates, 1944, page 259.

In the Parliament of New Zealand a lady member is mentioned as "the honorable member"—Parliamentary Debates, 1939, volume 254, page 349.

Please note that the word "gentlewoman" is simply a combination of the words "gentle" and "woman." According to the dictionary, "gentle" means "tame, docile, amenable to training, as a hound." What would the country think of us; what would our lady colleagues think of us; what would we think of ourselves if we should substitute the synonymous words "tame" and "docile" for "gentle," and in debate refer to a lady Member as "The tame woman," or "The docile woman from such-or-such a State"?

If we were to adopt this custom, which would be no more barbarous than the one against which we are protesting, how long would it be until the last glamorous Member of the House would indignantly leave here with a sentiment in her heart similar to that which was expressed by a pioneer, who left the warm Southland in the dead of winter and went to a new home on a snowy plain of a Northwestern State? In a little while he started back to the place from which he had come in an old covered wagon which bore the legend:

Farewell—

Naming the State—

I bid you adieu. I may go to ———, but I'll never come back to you.

The term "lady" is a fundamental part of the literature of the world. Ever since the day it appeared as the third word of the ancient Babylonian "Prayer to Istar, Lady of Heaven" to this hour, it has been used as a refined and complimentary designation of woman. In every State in the Union it is a household word, which no one is too illiterate to understand.

On the other hand, it may well be doubted whether one American in a thousand ever saw the term "gentlewoman" in a newspaper or magazine before the word was countenanced by Members of the House. In all probability, not one in a thousand ever heard the word pronounced except in the reading of some ancient composition, or in the presentation of some ancient theatrical production until after the House had, from the grave of this long-buried archaism, unfortunately "rolled the stone away."

In a humorous essay entitled "English as She Is Taught," the inimitable Mark Twain sets forth a rare collection of school children's answers to examination questions. One of these is as follows:

Congress is divided into civilized, half civilized, and savage.

Let us not, by continuing to offend the eyes and assault the ears of the people of an educated Nation with an intolerable barbarism, justify the little one's belief that some Members of the Congress are either half civilized or savage.

Let me entreat you to urge your friends who are members of the Committee on Rules promptly and favorably to act on my proposal to amend the rules so that the House may have an opportunity to purge itself of the crime of deliberately misusing and willfully abusing the English language.

Thomas Jefferson spent a large part of 4 years of his illustrious and busy life in formulating rules to assure dignified and orderly procedure in the Senate and the House.

Will you not devote a little of your time to the task of translating into reality my amendment, which is designed so to modernize one of these rules that the word "gentlewoman" may once more be buried—and buried, let us hope, with such finality that the body will never be resurrected.

If we all join in this undertaking and our efforts are crowned with success, we may rest assured that a feminine Member of the House will thereafter be regularly designated by a word so fitly spoken that it will be after the similitude of apples of gold in pictures of silver.

The SPEAKER pro tempore (Mr. NORRELL). Under previous special order of the House, the gentleman from Ohio [Mr. RAMEY] is recognized for 30 minutes.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield to the gentleman from South Dakota.

Mr. MUNDT. Mr. Speaker, I was gratified by the informative and interesting address by the distinguished gentleman from West Virginia, and I concur wholeheartedly in his conclusion that the proper method of addressing a feminine Member of this body is to use the word "lady" instead of "gentle lady" or "gentlewoman." However, I could not help but be intrigued by one of the persuasive appeals which the gentleman selected in urging us to adopt this type of address for lady Members of the House.

He based his appeal on the theory of economy. In my opinion, it is indeed heartening news to this Republic, just before Congress launches out into the Easter recess, to realize that at long last the majority party has come out for economy, even though it be only a matter of limiting the words of the CONGRESSIONAL RECORD to 4 letters instead of 11 letters, so far as the manner in which we address a feminine Member of the House is concerned.

I am one who believes in encouraging reformation no matter where it occurs. I think it is a splendid thing, and I hope that we will use this 4-letter word "lady" instead of the 11-letter word "gentlewoman." I even venture to hope that the New Deal will go further than that in its new and novel economy program. After advocating this experiment, I hope the New Deal will expand it and seek to use 4 men in bureaucracy to take the place of 11 men in bureaucracy; I hope, too, they will try to reduce $11,000,000,000 appropriation bills to $4,000,000,000 appropriation bills, because I think this new make-4-do-the-work-of-11 formula is a splendid formula which should be emulated, expanded, extended, and encouraged.

I might even call attention, Mr. Speaker, to the fact that the word "save" has 4 letters and the word "spend" has 5 letters, so there are some advantages even in saving Federal money over spending it. I might also point out that the word "tax," while it is an ugly little word, has only 3 letters, and the word "appropriate" has 11 letters, so under this new economy pattern we should focus our attention more on tax measures than on appropriation measures. Verily, Mr. Speaker, great oaks from little acorns grow and this new economy effort on the part of the New Deal has infinite possibilities.

I cannot help but be encouraged, as the Congress is about to recess, by the fact that we have evidence here of economy coming from a most unsuspected source. I hope the impulse becomes an epidemic. By all means let us use the 4-letter correct word "lady" to replace the 11-letter inaccurate word, but let us hope that this new experiment in economy—so nobly if so belatedly begun—will not stop there. Let this reduction formula be extended to bureaucracy and appropriations. And let it be used again and again and again.

Mr. RAMEY. May I say that I concur with the gentleman's views in toto in regard to economy. The gentleman raised the question regarding the expression "gentlewoman" as compared to "lady." My mind runs back to the time that one of the leading ladies' magazines conducted a ballot of the women of the United States of America on the greatest woman that America had ever known. This was a ballot of the women of America which named the 12 most outstanding women of this country. In this ballot Mary Baker Eddy led, Jane Addams was second, Clara Barton was third, and Frances Willard was fourth, and so on down the line. The gentleman's remarks, as well as the address delivered by the distinguished gentleman from West Virginia [Mr. NEELY], brings to my mind that the lady that was considered the greatest woman of America, Mrs. Eddy, was so voted because she was a spiritual pioneer. They recognized spiritual pioneering of women as their greatest asset. She was constantly referred to as the gentlewoman. In Mrs. Eddy's own book and in her publications she is referred to as the gentlewoman from New England, especially when Mrs. Eddy made the statement, "Home should be the center and not the boundary of our affections." She was referred to by over a thousand writers as the gentlewoman, and the woman called the greatest of American women did not resent it.

However, I concur with the gentleman's views as to economy.

Mr. NEELY. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield to the gentleman from West Virginia.

Mr. NEELY. Mr. Speaker, please let me sincerely thank the eminent gentleman from South Dakota [Mr. MUNDT] for his gracious reference to my remarks. His support of the principle it enunciated is deeply appreciated; first, because it will be effectual, and, second, because there is always unusual joy on this side of the aisle when a Democratic word or deed wins Republican approval—just as there is more joy in heaven over one sinner that repenteth than there is over ninety and nine which need no repentance.

Mr. RAMEY. Mr. Speaker, most of the lawyers of this distinguished body remember the day they were admitted to the bar. I remember January 6, 1916, when those who had passed the examination prescribed by the supreme court were brought into the chamber of the supreme court and sworn in as members of the bar of the State of Ohio. We appeared a short time before 9 o'clock, as the supreme court was to conduct cases that day. We were called in alphabetical order. My name beginning with "R," I was in a corner, and two lawyers were waiting there to try a case. The name of one of them was Hewson L. Peake. As Chief Justice Nichols administered the oath he said, "Do you and each of you hereby solemnly swear to support the Constitution of the United States and the State of Ohio?" This cynical lawyer at the window, who whispered about as loud as Members sometimes whisper here, so you could hear him throughout the court chamber, said, "Those chaps will have a great deal harder time supporting themselves than they will the Constitution."

A lawyer going through the starving period, as many of us did, realizes that.

I believe in this body, the House of Representatives, we have found it a great deal easier, perhaps, to support the Constitution than to support our country in the time of this world blood bath and be able to think without confusion, clearly, "What is the duty of a war Congress? If our fighting sons"—and most everyone here has fighting sons—"give their all, surely the least we can do is to give everything we have, our nervous energy, completely forgetting ourselves politically, economically, and otherwise, not asking the reason why, to see that these words 'war effort' are really 'victory achievement.'"

A great many times we hear the phrase, "Is it constitutional?" An outstanding constitutional lawyer of the country by the name of Swan—some of you remember Swan's Treatise, which has been called the lawyer's Bible—said that the duty of every citizen was to read his Bible daily and the Constitution of the United States weekly. I wonder how many people who say, "That is not constitutional," or discuss the Constitution, read the Constitution of the United States at least once a week and, if they do read it, do they merely go over it as they sometimes read a bill, or do they study that document? So when we say, "Is it constitutional?" are we merely begging the question or do we understand the Constitution? So many people say, "Never amend it. It is a static affair."

What is the Constitution? The Constitution of the United States of America is the fundamental law of our land. It is that on which the principles of government are founded, and regulates the division of the powers of sovereignty. I should like to emphasize, it regulates the division of the powers of sovereignty, which means that each department of government, the executive, the legislative, and the judicial, has its function, its sovereign authority, and in that function each should mind its own business.

A great many of us have been to the Jefferson Memorial. In that Memorial we find these words of Jefferson:

> I am not an advocate for frequent changes in laws and constitutions. But laws and institutions must go hand in hand with the progress of the human mind. As that becomes more developed and more enlightened, as new discoveries are made, new truths discovered, and manners and opinions change, with the change of circumstances, institutions must advance also to keep pace with the times. We might as well require a man to wear still the coat which fitted him when a boy, as civilized society to remain ever under the regiment of their barbarous ancestors.

If this situation is to be respected, we should amend it as conditions change. We must be careful, however, as a change in the Constitution of the United States might change the way of life, but that Constitution is a safeguard, the fundamental law of the land, to change with conditions. It is not a monument to

some dead deity. It is still a live instrument to serve the people of the United States as part of this world and not something to be merely looked at. We had far better amend the Constitution than to circumvent it if times change. We had far better amend it than to bypass it. Of the 21 amendments to the Constitution of the United States of America, 11 were Bills of Rights, and amendments should guarantee rather than restrict liberty.

What is an amendment? An amendment is the correction of any error, or a change needed to conform to changing circumstances.

The first three words in the preamble of the Constitution are: "We, the people." I wonder if we have considered something about the Congress of the United States. There are over 3,000,000 people, civilians, on the pay roll of the United States of America. Only 533 of these are elected or chosen by the people; President and Vice President are two of them; 96 Senators; and 435 Representatives of the people. Of course, the President, the Vice President, and executives have appointing power. Senators represent the State, but there are only 435 persons, civilians, hired by the United States of America who can be fired every 2 years by the people. When the 435 persons representing the people are bypassed, you, the people, bypass yourselves. The man in a department is hired and is not responsible to the people. He has social security. He can phone all over the country. He has this thing they call leave. You take 3 leave days a month without having a doctor's certificate. I have had a great deal of correspondence about the word "leave."

You have heard the word "leave." Another word you hear in Washington is "referred." Another word you hear is "broad view." A phrase you hear is "pi equals x," sometimes, and you extract the cube root and reduce it to a common denominator. Then, you ask Congress to spend and spend, and the people use it who are not chosen by the people yet they bypass the people as they bypass Congress. There are 435 people who are living in a goldfish bowl, only 435. Four hundred and thirty-five who ask nothing but to serve. Should they ever be bypassed? Why should not this body have a part in treaties? No selfish man or woman can ever be a Member of Congress. No selfish man or woman would ever want to go. They have nothing to expect as far as material things are concerned. That is the reason I should always oppose any raise of salary for a Member of Congress because he comes here merely to give and give and give.

His reward is that he leaves the heritage of a good name. He has listened to the still, small voice within himself and acted in response to it. He has overcome the temptation to listen to pressure and be popular.

Why should not a man or a woman who represents the people participate in the amending of that Constitution that starts with the words "We, the people"? When you bypass Congress you bypass every boy in the armed services. He is "we people" and you Members represent him. You bypass every farmer, every businessman, every laborer; you bypass every child, you bypass each citizen. Yes, you bypass yourself.

I want to say a word about treaties. Should not a treaty be ratified by "we, the people," the representatives of the people, rather than the representatives of a State only? The United States is the only great Nation requiring a two-thirds vote of a branch of the legislative body to ratify treaties. There is absolutely no political theory on which the two-thirds rule is based. The reasons motivating the writers of the Constitution to insert the requirement have long since disappeared. The Articles of Confederation providing for treaty ratification by a vote of 9 out of 13 States were in the immediate background as the makers of the Constitution did their work. The document was to become effective when ratified by 9 States. At that time there was serious doubt that even this number would join the Union. If but 9 had adopted the Constitution, then the Senate would have consisted of only 18 Members. The two-thirds provision was inserted to prevent treaty ratification from being placed in the hands of the President and 3 or 4 States.

In the Constitutional Convention of 1787 no one ever dreamed that the Senate would become a body of 96. In the beginning the House itself was to consist of only 65 Members. The demand for the two-thirds provision came from jealousies and suspicions of the original States. The South was interested in navigation on the Mississippi River. The New England States were concerned in protecting fishery rights. Sections were fearful lest treaties might be made which would interfere with their respective economic interests. State sovereignty was prominent at the time of the Constitutional Convention. The fathers intended that the President should consult and advise with the Senate. It was believed that secrecy would prevail in a small Senate and that treaties would be made in executive session. All of these reasons no longer exist. With the growth of the country they have passed out of existence, and today the United States of America stands alone as the only great Nation to employ the cumbersome, obstructive, senseless two-thirds requirement.

Mr. GWYNNE of Iowa. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield.

Mr. GWYNNE of Iowa. There are many instances in the Constitution where the two-thirds provision is to be found. It requires two-thirds to impeach the President. Does the gentleman think that those provisions should also be changed to a majority?

Mr. RAMEY. In regard to two-thirds to impeach the President. After all, charges are preferred by one body—here the House is grand jury—and the Senate sits then as a jury to find a person guilty or not guilty of charges. Juries must have a unanimous vote to find one guilty of a criminal charge. Most States now require only three-quarters for verdict in a civil case. The impeachment of the President being a quasi-criminal proceeding, at least, as in the case of Andrew Johnson, who was accused of high crimes and misdemeanors, I would say that more than two-thirds should perhaps be required. There should be a unanimous verdict here as the Senate is jury. It is really a court proceeding. I would say the entire vote, because you are finding a man guilty of a high crime and misdemeanor.

Mr. GWYNNE of Iowa. Mr. Speaker, will the gentleman yield for a further question?

Mr. RAMEY. I shall be happy to yield.

Mr. GWYNNE of Iowa. I call the gentleman's attention to the fact that the two-thirds provision occurs also in the Dumbarton Oaks proposals. Is that correct?

Mr. RAMEY. Yes; but that is not now a legal document. That is something I wanted to mention. That will be the subject of further study. The experts who have submitted that and those to whom we owe so much have yet to finish their work. I do not believe we can pass on that at this time; at least, not until after the San Francisco Conference. When it eventually becomes a contract, after further consideration at San Francisco, and it is ready for submission for approval as a treaty, then I think we should be governed by the action of a majority of both Houses of Congress. It should be considered and voted upon by the representatives of the people in conformance to the first words of the preamble of our Constitution, "We the people." Let me answer that further.

A fundamental principle of democracy is majority rule. The present method of treaty ratification is undemocratic in the extreme. The population of Nevada is 110,247; of New York, 13,479,142. Since the adoption of the seventeenth amendment Senators are elected directly by the people. The power of a voter in the State of Nevada is the same as that of a hundred and twenty voters in the Empire State. Pennsylvania has a population of 9,800,180. The 2 votes from Nevada could cancel the votes of the Senators from Pennsylvania and New York. Thus, the Senators representing 110,427 can override the will of Senators representing 23,379,322. This is a most undemocratic process. There are no logical arguments to sustain the position that the vote of a legislator who objects to a treaty is worth many times as much as one who favors it.

One-third plus one of the membership of the smaller House of Congress has in its hands life-and-death power over treaties. Under existing procedure if the entire Senate membership of 96 were present, Senators from 17 States voting against a treaty could cause its defeat. Were the Members opposed to a treaty to come from 17 of the smallest States, rejection would result by the action of Senators representing States with a population of approximately ten and one-half million people, according to the Census figures of 1940. If the remaining Senators, representing States with a population of 120,000,000 people, should all vote for the treaty, then their will could be overruled by the Members who represent 10,500,000. Should only a quorum of the

Senate be in attendance when a vote on a treaty is taken, 17 Members could prevent ratification. If the 17 votes should come from the smallest States and the 32 votes from the 16 largest States, the Senators from States with approximately 3,500,000 could thwart the will of Senators from States with a population of over 88,000,000. These are, I realize, extreme cases, and the alinement to which I have referred may never occur. The situations I have pictured are, however, possibilities under our system and speak eloquently for the undemocratic character of our constitutional procedure of treaty ratification. By including the House we would require, if we go to extremes, at least 110 Members of that body plus 25 Senators to reject a treaty. This would be the situation in the event only a bare quorum existed at the time of voting. Majority approval by both Houses would be infinitely better than the two-thirds rule of one body we now follow.

The words "Communists," "Fascists," "willful obstructionists," and so forth, are now being too freely used. It was Stuart Chase who once said, "We use coined words when we are too lazy to think," and we believe now they are used largely to shadow-box with an imaginary enemy.

"It is unfortunately true that we have leaders who, while disavowing communism, and giving lip service to democracy, are at heart Communists in their ideas, or do not realize that their impractical proposals are preparing the ground for communistic growth. It is also true that abuses by organized wealth promote the growth of communism.

"If the people of the United States will only take an active interest in preserving our democracy, which has made the United States the greatest and most prosperous nation on earth, there will be no danger of communism ever taking root here.

"After the wars with Germany and Japan are won we shall see whether Russia will keep her promises in the matter of holding free elections in the liberated countries. If she should fail in these promises, or fail to give evidence that they will be faithfully kept, then the United States should decline to give her any financial assistance for her economic rehabilitation until her promises are fulfilled.

"If, however, Russia should thus fail, even so, we should cooperate with her upon matters of common concern although we may abhor her ideology and methods. During the time of the czars, oppressors though they were, we maintained diplomatic relations with them. The same is true of Hitler's Germany until shortly before she declared war upon us. If we could do those things in the years that have gone we can remain friendly with communistic Russia so long as she does not threaten the American way of life that we know.

"We shall hope and pray that this is the last world war that this earth shall ever know. We hope that the measure agreed upon against Germany and later, I hope, to be agreed upon against Japan, together with a United Nations agreement at San Francisco to which we shall be a party, will bring nearer the day when there indeed shall be 'on earth peace, good will toward men.'"

This quotation is from Hon. Irvine L. Lenroot, former Member of the United States Senate, in an article which appeared in the Washington Star of March 4, 1945.

Mr. MERROW. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield to the gentleman from New Hampshire.

Mr. MERROW. I want to compliment the gentleman on the fine statement he has made on this most important issue which we will vote upon in the very near future. May I ask the gentleman if he has been able to find any theory of government as a basis for insertion of the two-thirds rule in the Constitution?

Mr. RAMEY. The gentleman is talking about a general theory?

Mr. MERROW. Yes.

Mr. RAMEY. No. The two-thirds rule was in reality an historical accident. This must be corrected by a constitutional amendment.

Let me add, under our present system, we bypass the Representatives of the people. If we bypass the Representatives of the people in conection with a treaty and say that a mere minority representing 10,000,000 can stop and thwart the wishes of 100,000,000 people, that surely is wrong in theory and in fact it is tragic.

Mr. MERROW. It seems to me it is tragic and if this amendment is adopted then the House of Representatives, much closer to the people than the Senate, will have a voice in making not only the treaties at the end of this war but the treaties for the next 15 or 20 years that will be necessary to establish the peace; is that not so?

Mr. RAMEY. Yes. The direct representatives of the people will be the peacemakers, they will guarantee the peace, and every man in the battefield, every mother appearing at her beside will have a part in that. We are receiving letters every day asking, What are you doing? What are you guaranteeing? Members of Congress, how many letters do you get? You have no power as a Representative of the people in participating in this peacemaking. Yet you will be held responsible for the peace.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. GWYNNE of Iowa. Mr. Speaker, I ask unanimous consent that the gentleman may have 5 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. DE LACY. Mr. Speaker, will the gentleman yield for a unanimous consent request?

Mr. RAMEY. I yield to the gentleman.

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes at the conclusion of the other special orders for today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. GWYNNE of Iowa. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield to the gentleman from Iowa.

Mr. GWYNNE of Iowa. I think the gentleman has made a very fine statement on a subject that is very important. The gentleman knows, of course, that the House Judiciary Committee has reported a resolution out, the Rules Committee has given a rule, and we expect to have the matter before the House with 2 days general debate. This matter was before the Subcommittee of the Judiciary Committee of the House of which I am a member. I have given it some study and I have become firmly convinced that the change should not be made. The two-thirds provision for ratification of a treaty was put into the Constitution for excellent reasons. Those reasons still exist. It was a fine expression of the philosophy of our Constitution which is that it set up a Government of law, not just a Government by a majority, but a Government by a majority acting under law. I only wish to say, Mr. Speaker, that I hope the entire House and the country will give this thing very careful consideration before we set aside the work of the Fathers.

Mr. RAMEY. This is a government of laws. What is law? I believe Blackstone said it was a rule of conduct prescribed by the supreme power of any political subdivision, which in this case would be our Nation. It is a rule of conduct commanding what is right and prohibiting what is wrong. I do not believe it is right that a mere minority of one body representing 10,000,000 should be able to thwart the will of the representatives of 110,000,000.

Mr. MERROW. Mr. Speaker, will the gentleman yield further?

Mr. RAMEY. I yield to the gentleman from New Hampshire.

Mr. MERROW. It seems to me that the gentleman has very clearly pointed out in his remarks that the reasons for including the two-thirds rule no longer exists in the country where the two-thirds rule originated.

Mr. RAMEY. That is right.

Mr. MERROW. The gentleman made the remark that this is the only great country requiring a two-thirds vote of one branch of the legislature for the purpose of treaty ratification. Does the gentleman believe that our system weakens the hands of the Chief Executive in foreign affairs?

Mr. RAMEY. Yes; it does.

Mr. MERROW. Is that a bad thing?

Mr. RAMEY. Yes.

Mr. MERROW. Because of our system then our representatives at the peace table will be the weakest of any representatives of the great nations. Is that right?

Mr. RAMEY. We represent the greatest Nation, but represent the weakest as far as the peace table is concerned.

Mr. CANFIELD. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield to the gentleman from New Jersey.

Mr. CANFIELD. Right along that line for my information and for the information of the House, may I ask how

treaties are now ratified in Russia? We are talking about the great powers, and I think the gentleman from New Hampshire just said that the United States was the only great power that had the two-thirds rule.

Mr. RAMEY. It is my understanding that Mr. Stalin will ratify the treaties for Russia. The United States is the only great power that has the two-thirds rule.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RAMEY. I yield to the gentleman from Missouri.

Mr. SCHWABE of Missouri. I would like to make the observation that the making of treaties is a lot different, to my way of thinking, than other laws.

Mr. RAMEY. A majority of both branches of Congress should decide in every instance.

Mr. SCHWABE of Missouri. I am speaking of the average everyday law that is passed by Congress. A treaty, on the average, will be in force over a long period of years, and in order to prove successful must have popular support. A treaty is a sacred contract between nations and therefore cannot be easily rescinded by action on our part alone as is the case with the ordinary enactment.

Mr. RAMEY. That is right. It must have popular support.

Mr. SCHWABE of Missouri. And every treaty must have a lasting support over a long period of years. It must have the spiritual approval of the people of the various nations involved.

Mr. RAMEY. That is right.

Mr. SCHWABE of Missouri. So I would hesitate in moving too quickly on this matter. Perhaps we should have a two-thirds rule; at least, we should have an overwhelming sanction of the people when we put a treaty into effect, because we cannot do away with it so easily as we could a general enactment.

Mr. RAMEY. Does the gentleman feel that he could not trust his own House of Congress in ratifying a treaty by a majority vote in that body? Does he feel he could not trust the sacred and serious matter of treaty making to the House of Representatives? Does he mean he could not trust the House of Representatives here as well as the Senate?

Mr. SCHWABE of Missouri. I think the gentleman will agree that we do pass some laws by a simple majority on which 2 or 3 years from now, or within a relatively short period of time, we might want to change our minds. It might be that 2 years from now 51 percent of the people of this country would support a change, whereas if it takes two-thirds of the people of the country or two-thirds of the Representatives to put into effect a treaty, then it might be a long period of time before the popular support would get down to less than 50 percent.

Mr. MERROW. Mr. Speaker, if the gentleman will yield further, may I ask in that connection, addressing my remarks to the gentleman from Missouri, would not a majority of both Houses of the Congress better reflect the feeling of the public than two-thirds or 64 Members of the Senate?

Mr. SCHWABE of Missouri. Personally, I would be in favor of having two-thirds of both Houses, but I doubt that a simple majority would be sufficient.

EXTENSION OF REMARKS

Mr. HORAN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by Dr. Paul J. Raver, in San Antonio, Tex., at the national rural electrification meeting in January. I have a statement from the Public Printer that this exceeds the limit and will cost $169, but I ask that it be printed notwithstanding that fact.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. ENGLE of California. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD with reference to the effect of the Mexican water treaty now pending in the Senate on veterans' rights and preferences to land in the southwestern part of the United States.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MURDOCK asked and was given permission to extend his remarks in the Appendix of the RECORD.

Mr. DOMENGEAUX asked and was given permission to extend his own remarks in the Appendix of the RECORD.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa [Mr. GWYNNE] is recognized for 15 minutes.

LIMITATION OF CERTAIN ACTIONS IN FEDERAL COURTS

Mr. GWYNNE of Iowa. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a citation of authorities and excerpts from certain statutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GWYNNE of Iowa. Mr. Speaker, I wish to call to the attention of the House a bill that I have introduced, H. R. 2788, a copy of which will be set out at the close of these remarks.

The purpose of the proposed legislation is to cure a defect in our present laws relating to the limitations of actions.

It has long been the ambition of the courts to afford a forum in which disputes between the Government and citizens, or between private litigants, can be tried in accordance with established rules and without delay. It has long been the public policy to require the litigation of these disputes within a reasonable time. Subjecting an individual to suit on an ancient and perhaps forgotten claim has been outlawed for the most part by various statutes of limitation. Many statutes creating a right of action expressly designate the time within which such action must be brought. Some, however, do not, and the proposed legislation would require such suits to be begun within 1 year after the cause of action accrued.

Several exceptions are made to this general rule. First, public actions to recover money damages may be enforced if brought within 2 years after the cause of action accrued except when the United States is not the real party at interest. Second, when an applicable State statute prescribes a shorter period of limitation for the cause of action in question, the period of limitation so fixed by State law will govern.

The need for the proposed legislation can be demonstrated by reference to a few situations which have arisen. For example, the United States District Court for the Northern District of Iowa recently had before it an action commenced in October 1944 for compensation and liquidated damages for overtime services from October 1938, to July 1941. The suit was filed more than 3 years after the employment terminated and 6 years after the cause of action accrued. Iowa had attempted to put a reasonable limitation on the time within which an action could be brought under the Fair Labor Standards Act, but because Iowa did not have a State wage-and-hour statute, the district court held that her statute of limitations was invalid as an attempt to legislate in a field reserved to this Congress. Thereupon the court applied the Iowa statute of limitation provided for action on contracts—5 or 10 years, depending on whether it was unwritten or written.

Notwithstanding laches, recovery is permitted from a former employer who may have been complying with the Fair Labor Standards Act throughout the period of employment. This situation comes about by reason of the extension of laws through interpretation and application by administrative agencies. It is often where a new interpretation is applied that an employer for the first time finds himself liable for large sums for past services of individuals many of whom may no longer be in his employ but whose right to collect can be asserted as much as 12 years later. Such a situation begs for correction. Any of the pending bills on administrative procedure will, when passed, protect the public against retroactive liability under new rulings or interpretations, but there remains this unlimited liability for old claims which originate both under explicit statutes as well as under new rulings on vague or even apparently unambiguous laws, rules, and regulations.

Most of the Federal acts creating civil rights of action provide a statute of limitation. However, under at least 10 such acts, no limitation is expressed and in such cases the law of the State in which the action is brought is held to govern. This results in widespread variations; as I just observed, one State, Maryland, permits an action under some Federal laws to be brought 12 years after the action accrues. The period in other States for similar actions ranges from that period down to 6 months. Such variation is conducive neither to good government nor fair and equal treatment under law.

We not only have limitations of varied lengths in the several States creating discrimination, not only new liabilities springing from novel and retroactive interpretations, but many of these civil actions are for both actual and exemplary damages. Under the Sherman act, which prohibits things other than the "ugly specter of monopoly," a person injured by reason of anything forbidden may sue for threefold damages and an action is limited only by whatever may be the law of the forum. In January the Supreme Court rebuffed the Justice Department in its unsuccessful attempt to reinterpret certain patent laws to force compulsory licensing. Had the Court approved, thousands of actions for treble damages could have been brought against owners of patents whose practices were questioned only on the basis of a new interpretation of an old law. Further, the same individual would have been liable for various periods under the laws of the several States.

The Congress has many times refused to outlaw basing point systems of delivered prices. Notwithstanding, the Federal Trade Commission has long attempted to achieve the same result through what the courts have decried as indirection. If the Commission is successful in two cases now pending in the Supreme Court, this new interpretation of law by an administrative agency will result in the outlawing of a practice of 50 years standing and will subject thousands of companies and individuals to threefold penalties for periods ranging up to the maximum State statute of limitations.

Similar confusion as to limitations exists under Federal laws covering consular fees, public lands, shipping, transportation and labor. Under the Fair Labor Standards Act the concepts of work time, over-all coverage, and the Administrator's authority are constantly being enlarged by new interpretation. Each enlargement is given effect as of the date the act became effective. Consequently employers are finding themselves liable for damages, doubled, for events which were lawful when they occurred but unlawful in retrospect. No Federal statute of limitation protects them except the varied laws of the States.

The bill I introduce will establish a reasonable time limit on actions created by Federal law. It will not affect those actions to which a Federal statute already applies. Neither will it affect injunction proceedings nor criminal actions instituted by the Government to protect the public interest.

Following is a copy of H. R. 2788:

Be it enacted, etc., That title 28 of the United States Code, as amended, be further amended by adding a new section to be known as section 793, and to read as follows:

"SEC. 793. Except as otherwise provided in any action creating a right of action to recover damages, actual or exemplary, no action under the laws of the United States shall be maintained unless the same is commenced within 1 year after such cause of action accrued, unless a shorter time be fixed in any applicable State statute. *Provided, however*, That public actions to recover money damages may be enforced if brought within 2 years after the cause of action accrued except when the United States is not the real party at interest. *Provided, further*, That the person liable for such damages, shall within the same period, be found within the United States so that proper process thereof may be instituted and served against such person.

I am also setting out the provisions of the various statutes establishing either a public or private right of action for the recovery of damages. Below each statute referred to is indicated whether the action provided is private or public. Also indicated is the statute of limitations for the action and if no limitation is provided in the law, the notation "no limitation" is used.

Twenty-eight, United States Court of Appeals, 725, provides as follows:

Laws of States as rules of decision. The laws of the several States, except where the Constitution, treaties, or statutes of the United States otherwise require or provide, shall be regarded as rules of decision in trials at common law, in the courts of the United States, in cases where they apply.

Twenty-eight, United States Court of Appeals, 791, provides as follows:

Penalties and forfeitures; under laws of United States. No suit or prosecution for any penalty or forfeiture, pecuniary or otherwise, accruing under the laws of the United States, shall be maintained, except in cases where it is otherwise specially provided, unless the same is commenced within 5 years from the time when the penalty or forfeiture accrued: *Provided*, That the person of the offender, or the property liable for such penalty or forfeiture, shall, within the same period, be found within the United States; so that the proper process therefor may be instituted and served against such person or property.

In suits for the recovery of damages authorized by Federal statute the courts hold, in the absence of specific statute of limitations in the act creating the right, that section 791, quoted above, governs public actions in the nature of penalties or forfeitures and that section 725, quoted above, governs private actions for liquidated damages.

AGRICULTURE, 7 U. S. C. A.

PACKERS AND STOCKYARDS ACT, 1921

SEC. 207 (g). Whoever fails to comply with the provisions of this section or of any regulation or order of the Secretary made thereunder shall be liable to a penalty of not more than $500 for each such offense, and not more than $25 for each day it continues, which shall accrue to the United States and may be recovered in a civil action brought by the United States. (Public—No limitation.)

SEC. 210. (a) Any person complaining of anything done or omitted by a "defendant" in violation of sections 205, 206, 207, or 208 * * * may within 90 days after the cause of action accrues apply (to the Secretary who will investigate, hear defense, find damages, and order defendant to pay). (Private—Limitation: 90 days.)

(f) If the defendant does not comply with an order for the payment of money within the time limit in such order, the complainant, or any person for whose benefit such order was made, may within 1 year of the date of the order file in the district court of the United States for the district in which he resides or in which is located the principal place of business of the defendant or in any State court having general jurisdiction of the parties, a petition setting forth briefly the causes for which he claims damages and the order of the Secretary in the premises. Such suit in the district court shall proceed in all respects like other civil suits for damages except that the findings and orders of the Secretary shall be prima facie evidence of the facts therein stated, and the petitioner shall not be liable for costs in the district court nor for costs at any subsequent state of the proceedings unless they accrue upon his appeal. (Limitation: 1 year.)

PERISHABLE AGRICULTURAL COMMODITIES ACT

SEC. 499e. Liability to persons injured—Amount of damages:

(a) If any commission merchant, dealer, or broker violates any provision of section 499b of this chapter he shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of such violation.

499f (Complaint must be made within 9 months).

499g (b) (Petition for enforcement must be filed within 3 years).

Private—Limitation: Complaint, 9 months; petition filed in 3 years.

ALIENS AND CITIZENSHIP, 8 U. S. C. A.

CIVIL RIGHTS

SEC. 43. Civil action for deprivation of rights.

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. (Private—No limitation.)

SEC. 47. Conspiracy to interfere with civil rights.

(1) * * *.

(2) * * *.

(3) * * * in any case of conspiracy set forth in this section, if one or more persons engaged therein do, or cause to be done, any act in furtherance of the object of such conspiracy, whereby another is injured in his person or property, or deprived of having and exercising any right or privilege of a citizen of the United States, the party so injured or deprived may have an action for the recovery of damages, occasioned by such injury or deprivation, against any one or more of the conspirators.

BANKS AND BANKING, 12 U. S. C. A.

SEC. 86. Usurious interest; penalty for taking limitations:

The taking, receiving, reserving, or charging a rate of interest greater than is allowed by the preceding section, when knowingly done, shall be deemed a forfeiture of the entire interest which the note, bill, or other evidence of debt carries with it, or which has been agreed to be paid thereon. In case the greater rate of interest has been paid, the person by whom it has been paid, or his legal representatives, may recover back, in an action in the nature of an action of debt, twice the amount of the interest thus paid from the association taking or receiving the same: *Provided*, That such action is commenced within 2 years from the time the usurious transaction occurred. (Private—Limitation: 2 years.)

BANKS AND BANKING, 12 U. S. C. A.

SEC. 1202. National Agricultural Credit Corporation: (Provisions identical with section 86 above.)

COMMERCE AND TRADE, 15 U. S. C. A.

SHERMAN ANTITRUST ACT, AS AMENDED

SEC. 15. Suits by persons injured; amount of recovery:

Any person who shall be injured in his business or property by reason of anything forbidden in the antitrust laws may sue therefor in any district court of the United States in the district in which the defendant

resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee. (Private—No limitation.)

COMMERCE AND TRADE, 15 U. S. C. A.

WEBB EXPORT TRADE ACT

SEC. 65. * * * Any association which shall fail so to do (file statement, etc., with F. T. C.) shall not have the benefit of the provisions of section 2 and section 3 of this act, and it shall also forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil suit. (Public—No limitation.)

BANKS AND BANKING, 12 U. S. C. A.

SEC. 93. Violation of provisions of chapter; forfeiture of franchise; personal liability of directors.

If the directors of any national banking association shall knowingly violate, or knowingly permit any of the officers, agents, or servants of the association to violate any of the provisions of this chapter, all the rights, privileges, and franchises of the association shall be thereby forfeited. Such violation shall, however, be determined and adjudged by a proper district or Territorial court of the United States, in a suit brought for that purpose by the Comptroller of the Currency, in his own name, before the association shall be declared dissolved. And in cases of such violation, every director who participated in or assented to the same shall be held liable in his personal and individual capacity for all damages which the association, its shareholders, or any other person shall have sustained in consequence of such violation. (Private—No limitation.)

COMMERCE AND TRADE, 15 U. S. C. A.

FEDERAL TRADE COMMISSION—PREVENTION OF UNFAIR METHODS OF COMPETITION

SEC. 72. Importation or sale of articles at less than market value or wholesale price:

* * * * *

Any person injured in his business or property by reason of any violation of or combination or conspiracy to violate, this section, may sue therefor in the district court of the United States for the district in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages sustained, and the cost of the suit, including a reasonable attorney's fee. (Private—No limitation.)

COMMERCE AND TRADE, 15 U. S. C. A.

SECURITIES ACT OF 1933

SEC. 77k. Civil liabilities on account of false registration statement.

(g) In no case shall the amount recoverable under this section exceed the price at which the security was offered to the public.

SEC. 77l. Civil liabilities arising in connection with prospectuses and communications.

(2) * * * may sue either at law in equity in any court of competent jurisdiction, to recover the consideration paid for such security with interest thereon, less the amount of any income received thereon, upon the tender of such security, or for damages if he no longer owns the security.

SEC. 77m. Limitation of actions. No action shall be maintained to enforce any liability created under section 77k or section 77l (2) unless brought within 1 year after the discovery of the untrue statement or the omission, or after such discovery should have been made the exercise of reasonable diligence or, etc. (Private—Limitation: 1 year.)

COMMERCE AND TRADE, 15 U. S. C. A.

TRUST INDENTURE ACT OF 1939

77www. Liability for misleading statements. (For actual damage.) No action shall be maintained to enforce any liability created under this section unless brought within 1 year after the discovery of the facts constituting the cause of action and within 3 years after such cause of action accrued. (Private—Limitation: 1 year, 3 years.)

COMMERCE AND TRADE, 15 U. S. C. A.

SECURITIES EXCHANGE ACT OF 1934

SEC. 78ff. Penalties:

(b) Any issuer which fails to file information, documents, or reports pursuant to an undertaking contained in a registration statement as provided in subsection (d) of section 78o of this chapter shall forfeit to the United States the sum of $100 for each and every day such failure to file shall contine * * * recoverable in a civil suit in the name of the United States. (Public—No limitation.)

SEC. 78r. Liability for misleading statements:

(a) For damages caused by such reliance.

(c) No action to be brought after 1 year after discovery or after 3 years after cause accrued. (Private—Limitation: 1 year, 3 years.)

COMMERCE AND TRADE, 15 U. S. C. A.

PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

SEC. 78p. Misleading statements, penalty; rights and remedies:

(a) Same as 78r above.

FOREIGN RELATIONS AND INTERCOURSE, 22 U. S. C. A.

SEC. 92. Exaction of excessive fees generally; penalty of treble amount. Whenever any consular officer collects, or knowingly allows to be collected for any service, any other or greater fees than are allowed by law for such service, he shall, besides his liability to refund the same, be liable to pay to the person by whom or in whose behalf the same are paid, treble the amount of the unlawful charge so collected, as a penalty, to be recovered with costs, in any proper form of action by such person for his own use. And in any such case the Secretary of the Treasury may retain out of the compensation of such officer, the amount of such overcharge, and of such penalty, and charge the same officer in account, and may thereupon refund such unlawful charge, and pay such penalty to the person entitled to the same if he shall think proper so to do. (Private—No limitation.)

LABOR, 29 U. S. C. A.

FAIR LABOR STANDARDS ACT OF 1938

SEC. 216:

(b) Any employer who violates the provisions of section 206 or section 207 of this act shall be liable to the employee or employees affected in the amount of their unpaid minimum wages, or their unpaid overtime compensation, as the case may be, and in an additional equal amount as liquidated damages. Action to recover such liability may be maintained in any court of competent jurisdiction by any one or more employees for and in behalf of himself or themselves and other employees similarly situated, or such employee or employees may designate an agent or representative to maintain such action for and in behalf of all employees similarly situated. The court in such action shall, in addition to any judgment awarded to the plaintiff or plaintiffs, allow a reasonable attorney's fee to be paid by the defendant, and costs of the action. (Private—No limitation.)

PUBLIC BUILDINGS, PROPERTY AND WORKS, 40 U. S. C. A.

SEC. 270a. Bonds of contractors for public buildings or works; waiver of bonds covering contract performed in foreign country:

(a) Before any contract, exceeding $2,000 in amount, for the construction, alteration, or repair of any public buildings or public work of the United States is awarded to any person, such person shall furnish to the United States the following bonds, which shall become binding upon the award of the contract to such person, who is hereinafter designated as contractor:

(1) * * *.

(2) A payment bond with a surety or sureties satisfactory to such officer for the protection of all persons supplying labor and material in the prosecution of the work provided for in said contract for the use of each such person.

SEC. 270b:

(a) * * *.

(b) * * * but no such suit shall be commenced after the expiration of 1 year after the date of final settlement of such contract. (Private—Limitation: 1 year.)

PUBLIC CONTRACTS, 41 U. S. C. A.

(Under sec. 35, contracts exceeding $10,000 must stipulate:)

(d) That no male person under 16 years of age and no female person under 18 years of age and no convict labor will be employed by the contractor in the manufacture or production or furnishing of any of the materials, supplies, articles, or equipment included in such contract;

(Under sec. 36 the liability for breach is the sum of $10 per day and a sum equal to the amount of underpayment of wages.)

"All sums withheld or recovered as deductions, rebates, refunds, or underpayments of wages shall be held in a special deposit account and shall be paid, on order of the Secretary of Labor, directly to the employees who have been paid less than minimum rates of pay as set forth in such contracts and on whose account such sums were withheld or recovered: *Provided*, That no claims by employees for such payments shall be entertained unless made within 1 year from the date of actual notice to the contractor of the withholding or recovery of such sums by the United States. (Public—No limitation. Private—Limitation: 1 year from recovery.)

PUBLIC CONTRACTS, 41 U. S. C. A.

CONTRACT SETTLEMENT ACT OF 1944

SEC. 119:

(c) Every person who makes or causes to be made, or presents or causes to be presented to any officer, agent, or employee of any Government agency any claim, bill, receipt, voucher, statement, account, certificate, affidavit, or deposition, knowing the same to be false, fraudulent, or fictitious statement or entry, or who shall cover up or conceal any material fact, or who shall use or engage in any other fraudulent trick, scheme, or device, for the purpose of securing or obtaining, or aiding to secure or obtain, for any person any benefit, payment, compensation, allowance, loan, advance, or compensation, allowance, loan, advance, or Government agency in connection with the termination, cancelation, settlement, payment, negotiation, renegotiation, performance, procurement, or ward of a contract with the United States or with any other person, and every person who enters into an agreement, combination, or conspiracy so to do, (1) shall pay to the United States an amount equal to 25 percent of any amount thereby sought to be wrongfully secured or obtained but not actually received, and (2) shall forfeit and refund any such benefit, payment, compensation, allowance, loan, advance, and emolument received as a result thereof and (3) shall in addition pay to the United States the sum of $2,000 for each such act, and double the amount of any damage which the United States may have sustained by reason thereof, together with the costs of suit. (Public—No limitation.)

PUBLIC LANDS, 42 U. S. C. A.

SEC. 107. Penalty for false information by register. If any person applies to any register to enter any land whatever, and the register knowingly and falsely informs the person so applying that the same has already

been entered, and refuses to permit the person so applying to enter the same, such register shall be liable therefor to the person so applying, for $5 for each acre of land which the person so applying offered to enter, to be recovered by action of debt in any court of record having jurisdiction of the amount. (Private—No limitation.)

SHIPPING, 46 U. S. C. A.

SEC. 596. Time for payment; double wages recoverable:

The master or owner of any vessel making coasting voyages shall pay to every seaman his wages within 2 days after the termination of the agreement under which he was shipped, or at the time such seaman is discharged, whichever first happens; and, in case of vessels making foreign voyages, or from a port on the Atlantic to a port on the Pacific, or vice versa, within 24 hours after the cargo has been discharged, or within 4 days after the seaman has been discharged, whichever first happens; and in all cases the seaman shall be entitled to be paid at the time of his discharge on account of wages a sum equal to one-third part of the balance due him. Every master or owner who refuses or neglects to make payment in the manner hereinbefore mentioned without sufficient cause shall pay to the seaman a sum equal to 2 days' pay for each and every day during which payment is delayed beyond the respective periods, which sum shall be recoverable as wages in any claim made before the court; but this section shall not apply to masters or owners of any vessel the seamen of which are entitled to share in the profits of the cruise or voyage. This section shall not apply to fishing or whaling vessels or yachts. (Private—No limitation.)

SHIPPING, 46 U. S. C. A.

ACT OF SEPTEMBER 7, 1916

SEC. 814:

Whoever violates any provision of this section shall be liable to a penalty of $1,000 for each day such violation continues, to be recovered by the United States in a civil action.—(Public—No limitation.)

SHIPPING, 46 U. S. C. A.

MERCHANT MARINE ACT, 1936

SEC. 1227:

Agreements with other carriers forbidden; withholding subsidies; actions by injured persons for damages.

* * * * *

No payment or subsidy of any kind shall be paid directly or indirectly out of funds of the United States or any agency of the United States to any contractor or charterer who shall violate this section. Any person who shall be injured in his business or property by reason of anything forbidden by this section may sue therefor in any district court of the United States in which the defendant resides or is found or has an agent, without respect to the amount in controversy, and shall recover threefold the damages by him sustained, and the cost of suit, including a reasonable attorney's fee.—(Private—No limitation.)

TELEGRAPHS, TELEPHONES, 47 U. S. C. A.

COMMUNICATIONS ACT

SEC. 206. In case any common carrier shall do, or cause or permit to be done, any act, matter, or thing in this act prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing in this act required to be done, such common carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as part of the costs in the case.

(b) All complaints against carriers for the recovery of damages not based on overcharges shall be filed with the Commission within 1 year from the time the cause of action accrues, and not after, subject to subsection (d) of this section.

(f) A petition for the enforcement of an order of the Commission for the payment of money shall be filed in the district court or the State court within 1 year from the date of the order and not after. (Private—Limitation: 1 year.)

TRANSPORTATION, 49 U. S. C. A.

SEC. 8. Liability in damages to persons injured by violation of law. In case any common carrier subject to the provisions of this chapter shall do, cause to be done, or permit to be done any act, matter, or thing in this chapter prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing in this chapter required to be done, such common carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this chapter, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as part of the costs in the case. (Private—No limitation.)

WAR, 50, APP. U. S. C. A.

SURPLUS PROPERTY ACT OF 1944

SEC. 26:

(b) Every person who shall use or engage in or cause to be used or engaged in any fraudulent trick, scheme, or device for the purpose of securing or obtaining, or aiding to secure or obtain, for any person any payment, property, or other benefits from the United States or any Government agency in connection with the dispostion of property under this act; or who enters into an agreement, combination, or conspiracy to do any of the foregoing—

(1) shall pay to the United States the sum of $2,000 for each such act and double the amount of any damage which the United States may have sustained by reason thereof, together with the costs of suit; or

(2) shall, if the United States shall so elect, pay to the United States, as liquidated damages, a sum equal to twice the consideration agreed to be given by such person to the United States or any Government agency; or

(3) shall, if the United States shall so elect, restore to the United States the property thus secured and obtained, and the United States shall retain as liquidated damages any consideration given to the United States or any Government agency for such property. (Public—No limitation.)

WAR, 50, APP. U. S. C. A.

EMERGENCY PRICE CONTROL ACT OF 1942

SEC. 925. Enforcement:

(e) If any person selling a commodity violates a regulation, order, or price schedule prescribing a maximum price or maximum prices, the person who buys such commodity for use or consumption other than in the course of trade or business may, within 1 year from the date of the occurrence of the violation, except as hereinafter provided, bring an action against the seller on account of the overcharge. In such action the seller shall be liable for reasonable attorney's fees and costs as determined by the court, plus whichever of the following sums is the greater: (1) Such amount not more than three times the amount of the overcharge or the overcharges upon which the action is based as the court in its discretion may determine, or (2) an amount not less than $25 nor more than $50, as the court in its discretion may determine: *Provided, however,* That such amount shall be the amount of the overcharge or overcharges or $25, whichever is greater, if the defendant proves that the violation of the regulation, order, or price schedule in question was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation. * * * If any person selling a commodity violates a regulation, order, or price schedule prescribing a maximum price or maximum prices, and the buyer either fails to institute an action under this subsection within 30 days from the date of the occurrence of the violation or is not entitled for any reason to bring the action, the Administrator may institute such action on behalf of the United States within such 1-year period. If such action is instituted by the Administrator, the buyer shall thereafter be barred from bringing an action for the same violation or violations. (Public and private—Limitation: 1 year.)

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Massachusetts [Mr. LANE] is recognized for 7 minutes.

NATIONAL PENSIONS

Mr. LANE. Mr. Speaker, in again calling special attention to House bill No. 60, filed by me on the opening day of the present session, I feel that I am contributing my part toward the general trend of pension legislation. The collaborator with me on this measure is William H. McMasters, of Massachusetts, president of National Old Age Pensions, Inc., and chairman of National Pension Committee. He has been an earnest advocate of national pensions at the age of 60 for all American citizens, for more than 30 years. His appearances before the House Committee on Ways and Means and the Finance Committee of the Senate show him to be not only a strong pleader for this type of legislation but an economist and student of finance. The bill in its present form is simple and clear. Although I am in hearty sympathy with every effort that is being made to set up a straight national pension in place of the present old-age assistance title in the Social Security Act, I am of the opinion that H. R. 60 comes nearer to the general idea of all the proponents of this legislative proposal than any one bill that has come to my attention.

Briefly, H. R. 60 sets up what is to be known as the National Pension Act. It establishes a minimum of $60 for every American citizen 60 years of age, regardless of his status in society. It eliminates all pauperism requirements. It carries no enforced rules on spending. As a gesture to the war conditions in which we find ourselves, it sets a maximum of $75, although I am convinced that the tax method included in the bill will return billions of dollars to the Treasury, over and above the maximum requirements. This tax proposal is a universal transaction tax of 2 percent on all transactions in the entire economic life of the Nation. While figures are constantly changing, in these days of rapid shifts in heavy financial commitments, it is safe to say that the business transactions against which this tax would be applied under the terms of the bill, approximate something like twelve hundred billions of dollars. This would furnish two billions per month for distribution under the act. The maximum requirement, under the act, would be seven hundred and fifty millions, or $75 per month for the highest estimated number of national pensioners

under the act, which is around ten million. The balance in collections, would go into the general funds of the Treasury.

We should never lose sight of the fact that we are already trying to take care of all indigent citizens over 65 years of age. Just what the cost is, as of today, I do not know. But whatever it may be, it will be salvaged, when a new Federal pension law becomes effective. Under the terms of the act, also, we find that there will be no duplication of pensions to any one person. Therefore soldiers of the Spanish War, and other wars in which the pensioner is now getting more than the new act provides, will naturally choose to receive the larger amount.

We are committed already to pensions for soldiers, for their widows, for the retirement of civil-service-rated Federal employees, for our estimable judiciary, and most States of the Union have laws that admit of retired teachers, policemen, firemen, and others to go on the pension pay roll of States, cities, towns, and counties on reaching certain ages. To put everybody on the same basis ought to be our ultimate objective. I am in favor of every pension now being granted, but I also favor the inclusion of the vast neglected citizenship whose only connection with pensions so far is to be taxed to pay for the pensions now being received by the favored few. The basic idea behind universal pensions is democracy in action.

Since the spring of 1939, which is 6 long years ago, the Ways and Means Committee of the House has had no public hearings on this type of legislation. While I deeply appreciate the huge amount of work before the committee, I think that the overwhelming trend toward the national pension idea, from one end of the country to the other, is such that it seems advisable for this honorable committee to set an early date for public hearings on H. R. 60 and all other bills that will come under this general classification. I am basing my idea as to this trend not only on the vast amount of correspondence from my own Seventh District in Massachusetts and the other districts in my State, but on the whole tenor of correspondence that pours into my office in a steady stream from every State, induced, naturally, because I have filed this particular bill, which is sponsored by a man so well known throughout the country. I earnestly suggest, Mr. Speaker, that the Ways and Means Committee give the whole question its immediate attention.

EXTENSION OF REMARKS

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. PATTERSON asked and was given permission to extend his own remarks in the RECORD.

The SPEAKER pro tempore (Mr. NORRELL). Under previous order of the House the gentleman from California [Mr. VOORHIS] is recognized for 10 minutes.

UNITED NATIONS CONFERENCE AT SAN FRANCISCO

Mr. VOORHIS of California. Mr. Speaker——

Mr. WILSON. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. Yes; I yield.

Mr. WILSON. Mr. Speaker, in view of the fact that there are less than a dozen Members on the floor of the House to hear the gentleman, does he not think it would be in order to make a point of order that a quorum is not present and get a quorum here to listen to the gentleman from California?

Mr. VOORHIS of California. No. I wish the gentleman would not do that.

Mr. WILSON. Well, the other day it was late in the afternoon, about 5:30, and the gentleman from California was reported by one of our columnists, Drew Pearson, to have left the floor of the House in obedience to the Speaker so that I would not have anyone to speak to. Several of us have remained to hear the gentleman from California and I really think he should have a quorum present. Of course, the gentleman from California has not affirmed or denied the statement made by Mr. Pearson that he did obey the Speaker and leave the floor. I would like to have a statement from the gentleman in that regard.

Mr. VOORHIS of California. I am sure the gentleman can understand that it would be altogether possible for the Speaker to suggest to me that the majority whip wanted to see me for a moment. As a matter of fact, that is what happened.

Mr. WILSON. That is fine. I am glad to know that.

Mr. VOORHIS of California. I am sorry if the gentleman was offended. I certainly meant no offense to the gentleman. It was late in the afternoon and I was busy, and I did leave the floor on that occasion.

Mr. WILSON. It is only 1:30 now and there are only a dozen Members here. I was not offended at anyone being away. I think they should have been away doing their business. I was only making my speech at the request of a disabled veteran of this war. He asked me to do it and do it that day, and I was doing it. I am very happy to know the gentleman from California was not asked to leave the floor of the House in order that I would have to speak to an empty House. I thank the gentleman for making that statement.

Mr. SADOWSKI. There are more than a dozen Members present now, however.

Mr. RANKIN. The rest of the Members who are in the cloakroom have so much confidence in the gentleman from California that he will do justice to the occasion.

Mr. VOORHIS of California. I am grateful to the gentleman.

Mr. Speaker, I wanted to speak this afternoon about the meeting of all the United Nations which will shortly assemble in San Francisco. In the discussions that are taking place about trying to weld together the nations of the world into an organization that can prevent future wars, we frequently find reference to the realists on the one hand and to the perfectionists on the other. Sometimes I think that the perfectionists—if by that we mean people who see clearly what the problems are and are willing to face the fact that certain objectives must be achieved before we can have world peace—may be pretty close to realists themselves. But I subscribe earnestly to what the President said in his fourth inaugural speech, where he said in effect that our country must go ahead and do the best we can under all the circumstances, that we must not fail to see that our country take its full part in building the peace; but at the same time we should never be satisfied until we have achieved a peace built upon the principles for which our country basically stands.

Now there are some principles upon which alone peace can be built. I do not believe one of those principles is overwhelming military power. I do believe some of them are justice, freedom, and recognition of healthy national pride in all peoples. I grant, of course, that the major United Nations are each one of them going to expect that out of this war will come an increased security for them. I recognize their right and the inevitability of their insistence upon the protection of their frontiers and the approaches to them; and I believe that is proper, because after all, it is upon those great nations that the principal responsibility for the maintenance of peace will rest, especially in the early years.

On the other hand, the one part of the Yalta agreement that seemed to me to be of greatest importance of all was that portion of it which guaranteed that in the setting up of governments in the liberated nations that there should be full, free, secret-ballot elections on the part of the people of those nations before any new governments were permanently established, and that such secret-ballot elections would be supervised and guaranteed by all three of the major powers. I think it important that every single American interest himself most deeply, earnestly, and continuously in seeing that the agreement is carried out.

When the nations meet at San Francisco, it is my most earnest hope that they will meet for truly free discussion. I think that the most important question at San Francisco will be whether or not the nations other than the United States, Britain, and Russia will come there merely for the purpose of ratifying an agreement previously made or whether, as I hope and understand, there will be at San Francisco a full opportunity for each nation—the French, the Latin-American nations, the Chinese, and all the rest—to consider the progress already made up to this time and to make their proposals in free open discussion for improvement of those proposals and for constructive changes in them. I hope also that at San Francisco the great problem of the millions upon millions of people in Asia will be considered. I hope it will not be just a meeting about Europe; for, after all, almost half the population of the world lives in a comparatively small area in the southeastern part of Asia, and in that area will be determined very largely the great questions of the relationship between east and west, between the white

race and the darker races, between freedom and exploitation of so-called backward and so-called colonial peoples. Upon a fair determination of these questions depends the future peace of all mankind. These are the things about which the gentleman from Minnesota [Mr. JUDD] talked at length the other day in a manner which I know moved the House very deeply. All I want to say here and now is that I earnestly hope that this problem, the problem of the people of India, of the people of China, of the people of the Dutch East Indies will be considered and from the point of view that America does not simply seek the restoration of a status quo that existed before Pearl Harbor, but seeks instead an increasing degree of freedom and self-expression and hope for all the peoples of the world. That America believes in these principles of peace is, I believe, shown by what was done in the Philippines. The type of relationship that exists between the people of the United States and the people of the Philippine Islands is a right type of relationship between a great nation, on the one hand, and a people, on the other, who have a right to hope for nationhood.

I agree that the United States must be ready under all circumstances to participate as fully as her strength permits and as wholeheartedly as her great soul can in any world organization to preserve peace. I think we must do that whether we are altogether satisfied with it or not. For I believe it impossible that we could change such an organization for the better by remaining on the outside. I certainly feel it is the will of the American people that we shall not make the mistake again which we made after World War No. 1. But on the other hand I see no reason why American public opinion should be silenced from expressing insistently what this Nation really wants either before San Francisco, during San Francisco, or after San Francisco. I was heartened when a distinguished Member from the other body who happens to belong to a different political party than I made the statement the other day that in his judgment whatever agreement for the setting up of a world organization to preserve the peace might be made that it should be understood from the outset that such an agreement would be subject to such changes and adjustments as might from time to time be found necessary in order to establish a greater and greater degree of active participation by more people, a greater degree of hope and opportunity for the nations of the world. There are bound to be problems. I have believed for years that one of the main difficulties in connection with the League of Nations was that the League of Nations was given an almost impossible task to perform, since it was expected on the one hand to preserve peace and on the other hand to preserve the status quo. You cannot always do both of those things and it should be understood, from the beginning.

So I believe that America, even as is true of other nations with whom we are now associated in fighting for victory in this war, should be able to have it understood that we will on the one hand cooperate and will take such leadership as falls to our lot in the establishment of this great organization to preserve peace, but that there are certain things for which America has stood in the past and will stand in the future, certain principles for which America will continue to work and to contend since we know that without them peace can never be secure.

These are days in which the whole future pattern of life of the whole world is being shaped. I imagine that until the war is won we will not realize the degree of devastation that has occurred, the twisting out of shape of the economies and the lives of the people, the hunger and starvation which it has brought, the death and destruction; I imagine not until the war is completely over will we realize the degree to which those things have changed the peoples of the world from what they used to be.

We face a future filled with great hope for the children of men; we face a future also that is fraught with great peril. May God grant that we may be guided wisely and may He give us courage and vision to know that we will not make any mistakes if we pursue resolutely those right principles of international relationship and free government for which our country has always stood.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Ohio.

Mr. RAMEY. May I commend the gentleman for his statement and say that I concur with his views in toto. The gentleman made one statement, however, that he hoped there will be free and open discussion at San Francisco. Was there any implication in the gentleman's statement that he thought there would not be free and open discussion and, if so, where is that fear? In other words, does the gentleman think there is any danger of restraint of free and open discussion?

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to proceed for 1 additional minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, I do not think there is any danger of restraint on free, open discussion, I may say to the gentleman from Ohio. I would like to put it like I did in my speech; that is, I most earnestly hope all the nations there represented will have a full and free opportunity to present their views and to get real consideration for those views as possible grounds for change and improvement on work heretofore done.

The SPEAKER pro tempore. The time of the gentleman from California has again expired.

Under previous order of the House, the gentleman from Washington [Mr. DE LACY] is recognized for 15 minutes.

STRIKE VOTE MAY BRING OUT ENEMIES OF LABOR WITH NEW PROGRAM OF CRIPPLING LEGISLATION

Mr. DE LACY. Mr. Speaker, today America is witnessing one of the strangest paradoxes of history.

In Europe, our armies are plunging forward toward Berlin. The supermen of nazidom are in retreat. Victory in the European theater is within our grasp.

Yet at this decisive stage of the war our Government is on this very day—under the terms of the Smith-Connally Act—spending $300,000 to poll 400,000 American workmen and ask them whether or not they will stay on their jobs until victory is won.

Under an act of this Congress, at the crucial moment when every energy should be directed toward winning the war, we are increasing industrial strife in this Nation. We are asking workmen whose production of coal is so vital that this Nation's entire war effort would crumble without it, whether or not they want to strike.

When this outrageous piece of legislation was passed by the last Congress, the responsible leaders of labor pleaded with our Nation's legislators, pointing out that the Smith-Connally act would bring exactly the results it is producing today—that the act would be used by those whose devotion to this war is less acute than most, to increase strife, and promote dissension.

I am not blaming the miners of coal. Their grievances are many. Their individual devotion to victory is tremendous. Their problems have not been met by the mine operators.

But, I do blame those who have encouraged them to make use of the Smith-Connally act to ballot at this time on a question of ceasing their vital war production.

I note that some of the Nation's press, generally outraged at the very thought of labor even having a right to organize, is oddly silent on the question of this strike ballot. I have noted, too, in many other sections of the Nation, and in these Congressional Halls, a similarly strange silence.

I believe this silence will soon be broken. I can see the delight which will come to some of labor's inveterate enemies if the miners, misguidedly believing that they cannot gain their just ends by any other course, vote for a strike.

Then labor's silent enemies will rise to strike again at the valiant, the patriotic, the courageous men and women of this Nation's war-producing industries. Upon labor will then be heaped abuse, outrage, and indignation.

We must all recognize—and the working men and women of labor do recognize—that victory in Europe is far from victory in war. The final break-up of the Nazi military machine does not mean peace in Europe itself. We are still 2,000 miles from Tokyo with the bulk of our armed might, and even then, we are at the end of a 4,000 mile long supply line. The bridge of ships which it took to invade the shores of Europe will have to be doubled, aye, tripled to bridge the long route to Japan. Our war production will have to be kept at peak for many long

months while our men on the battlefronts push slowly forward toward victory in the Pacific. The end of organized resistance in Europe—not yet achieved by any stretch of the good news which now greets our ears—only offers an opportunity to consolidate our gains for the real struggle ahead.

Secondly, I call attention to the fact that the United Mine Workers strike vote is unusual. Labor as a whole, the great bulk of the organized workers in America, in the A. F. of L. and the C. I. O., under the leadership of William Green and Philip Murray, and the Railway Brotherhoods, kept the no-strike pledge which they gave this Nation with grim determination.

And by keeping it, and by working with our Government agencies established to give justice through peaceful means to the patriotic American workers, they have made great strides forward. In fact, those who have chosen the pathway of strike, strife, and the resulting injury to our war effort, have achieved far less.

I do not say that our machinery is without fault. The War Labor Board itself has not been completely blameless in the matter. It has been often too slow to react, too lengthy in its deliberations, and too decrepit in its processes.

And we still see labor struggling under a disproportionate burden of living costs, attempting to adjust the unfair Little Steel formula.

Yet, with these handicaps and with the opposition of those few in industry who also want strife and promote it, labor has done a job, and responsible labor leadership has gained much without resort to use of the tragic machinery established by the Smith-Connally Act.

I take great pride in my membership in the International Association of Machinists of the American Federation of Labor. I take pride in the way this great union, like many others in both the A. F. of L. and the C. I. O., has solved its members' problems and produced the guns, the ships, and the planes for victory. In 8,000 plants throughout this Nation, its 800,000 members are at work, devoted to production for their brothers, fathers, uncles, and cousins who are doing the fighting overseas.

I would like to call attention, as an example of the sound labor leadership which we have in this Nation, to some of the achievements of this great union under the leadership of its president, Harvey Brown, since the war—achievements for its membership, achievements for all of us who believe in victory and in a destruction of fascism throughout the world, and winning the lasting peace envisioned at the Crimean conference.

The International Association of Machinists was the first labor organization to give the President of the United States its no-strike pledge, and this association, from the beginning when it became apparent that there was need for war materials, has given its whole-hearted support to the preparation of the United States for defense, long before we were attacked by Japan.

The International Association of Machinists set up in its headquarters here in Washington a department which was at the service of management and employers of the country to help them in obtaining contracts with the United States Government for the production of war materials or for any other service it could render. The International Association of Machinists saw at that time, long before the war, that in order to properly service its membership and to meet the needs of Government, it was necessary to develop as strong a relationship with employers as possible in the interest of the welfare and the defense of the United States.

Moreover, to maintain harmony and cooperation between employers and to service the membership of the International Association of Machinist an office of the association was established in each region and city in which a regional War Labor Board office was established.

The need for a decentralized set-up parallel to the War Labor Board's set-up can readily be understood when one realizes that this association has agreements with a greater number of manufacturers and employers than any other union in the United States. This union now has in effect agreements with over 8,000 employers. Under the wage-stabilization program and under the necessities of all wage cases and cost items of agreements being approved by the War Labor Board, it also is apparent that this association and its 8,000 employers would have a very high number of cases going to the War Labor Board. Right now the I. A. of M. has processed and pending before the National War Labor Board nearly 5,000 cases.

Without the service that this association has rendered to its membership and without the patriotic and constructive leadership of its officers, the great number of cases before the N. W. L. B. might easily have resulted in serious strikes and work stoppages. The capable and highly experienced leadership of this association foresaw the need for the establishment of these offices in order to handle W. L. B. cases. This has minimized the loss of man-hours on war work and made it possible for this vast organization to hold to its no-strike pledge through these very strenuous and nerve-wracking years of war.

According to a speech made by Mr. Theodore W. Kheel, Executive Director of the National War Labor Board, on Friday, March 23, in New York, the W. L. B. in its work of stabilizing wage rates has granted increases to A. F. of L. unions averaging 5.6 cents per hour; for the C. I. O., 5.7 cents per hour. The machinists have received approved increases of 6.2 cents per hour for its membership.

I am confident that the National War Labor Board has not granted the International Association of Machinists any wage increases which might exceed those allowable under wage stabilization. Therefore, it undoubtedly is true that this far-sighted and capable leadership with its intelligent approach to wartime problems has enabled the organization to hold to its no-strike pledge and to gain great and proper returns to its membership.

This union has further, over a period of years, aggressively negotiated vacations with pay for its membership. During 1940 approximately 50 percent of its membership enjoyed vacations with pay. With each succeeding year, since 1940, more employers have agreed with the union to grant their members vacations with pay. Now 90 percent of its 800,000 members enjoy vacations with pay, which, of course, must be considered remarkable in the light of the need for negotiating, in most cases, separate agreements covering 8,000 employers.

Among the outstanding issues this union has processed through the National War Labor Board is that involving equal pay for women. This principle was established in the Brown & Sharp Manufacturing Co.-N. W. L. B. case No. 101, which provided that women employees, who in comparable jobs produced work of the same quantity and quality as that performed by men, shall receive equal pay.

This union also was the pioneer in foreseeing that in order to produce airplanes efficiently and in as great a quantity as is necessary for winning the war, that some form of stabilization wage rates should be set up in this industry which would reduce dissatisfaction to as great an extent as possible.

Long before the National War Labor Board advocated a stabilization program, this union endeavored to have the aircraft wages stabilized, and as a result of labor's position, the N. W. L. B. did, on March 3, 1943, stabilize the wage of the aircraft companies on the west coast.

Without the efforts of this union in this stabilization program, the goals set by the President for aircraft production might not have been reached and exceeded, as the records will testify. Some of the finest labor-management programs in effect in the United States have been made possible by the wholehearted support and assistance given to this type of production increase program by the officers and members of this association.

I have spoken out to warn the country that a strike vote today may bring out of their hiding places the unreconciled enemies of labor with a new program of crippling legislation.

I have spoken to call to the Nation's attention an outstanding example of how an old, established union, under farseeing and patriotic leadership, is meeting the needs and solving the chief grievances of its members under the established wartime bargaining agencies.

I have spoken to highlight the need for the repeal of the Smith-Connally Act and for giving real consideration to labor's universal request for upward revision of the Little Steel formula so that further upward adjustment in wages required to bring wages into the same relationship with prices as sought by the original attempt to roll prices back to September 1942 and hold wages to 15 percent higher than January 1 of that year, may be made. The International Association of Machinists has made outstanding gains, without striking or taking a strike vote. I hope the example of the I. A. of M. will be held in mind by the patriotic membership of the great miner's union as they take their vote today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 62. An act to amend section 3 (b) of the Securities Act of 1933, as amended, so as to permit exemption of security issues not exceeding $300,000 from the provisions of such act; to the Committee on Interstate and Foreign Commerce.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 681. An act to amend the National Housing Act, as amended, and for other purposes.

BILL AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill and joint resolutions of the House of the following titles:

H. R. 2404. An act to increase the debt limit of the United States, and for other purposes;

H. J. Res. 141. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1945, in lieu of certain appropriations contained in H. R. 2374, Seventy-ninth Congress, first session, and for other purpose; and

H. J. Res. 115. Joint resolution relative to determination and payment of certain claims against the Government of Mexico.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 57 minutes p. m.) the House adjourned until tomorrow, Thursday, March 29, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will meet in executive session at 10:30 a. m. on Thursday, March 29, 1945, in the committee room, 356 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

359. A letter from the Administrator of the Federal Security Agency, transmitting the annual report of the Federal Security Agency for the fiscal year 1944; to the Committee on Ways and Means.

360. A letter from the Administrator of National Housing Agency, transmitting copies of the personnel requirements during the fourth quarter of the fiscal year 1945; to the Committee on the Civil Service.

361. A letter from the general manager of the Tennessee Valley Authority, transmitting a report of operating revenues and expenses in connection with these facilities for the period September 1, 1944, to February 28, 1945; to the Committee on Military Affairs.

362. A letter from the Archivist of the United States, transmitting lists or schedules covering records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

363. A letter from the Under Secretary of the Interior, transmitting copies of revised estimates of personnel requirements covering the quarter ending March 31, 1945; to the Committee on the Civil Service.

364. A letter from the Acting Attorney General, transmitting a draft of a bill to regulate the trial of condemnation proceedings; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. POAGE: Committee on Agriculture. H. R. 2347. A bill to provide and insure a dependable supply of domestic natural rubber, and for other purposes; with amendment (Rept. No. 401). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BENNET of New York:

H. R. 2814. A bill to restore to certain disabled emergency officers of World War No. 1 the benefits of the Emergency Officers' Retirement Act of May 24, 1928, to advance in rank on the retired list certain such officers, and for other purposes; to the Committee on Military Affairs.

By Mr. BLAND:

H. R. 2815. A bill to provide for a preliminary examination and survey of Harpers Creek, Mathews County, Va., and the channel connecting with the Mobjack Bay; to the Committee on Rivers and Harbors.

By Mr. KILDAY:

H. R. 2816. A bill to amend the Social Security Act; to the Committee on Ways and Means

H. R. 2817. A bill to require payment in dollars of all pay and allowances of members of the land and naval forces; to the Committee on Military Affairs.

By Mr. MILLER of Nebraska:

H. R. 2818. A bill to make unlawful certain contracts and practices in connection with labor relations; to the Committee on Labor.

H. R. 2819. A bill to make unlawful certain agreements providing for payments by employees to labor organizations; to the Committee on Labor.

By Mr MALONEY:

H R. 2820. A bill to include as Spanish-American War service under laws administered by the Veterans' Administration certain service in cooperation with the War Department during the Spanish-American War; to the Committee on Military Affairs.

By Mr. PATTERSON:

H. J Res 146 Joint resolution to quiet the titles of the respective States and others to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

306. By Mr. DICKSTEIN: Petition of Robert Sperber and 30 other citizens of New York, protesting against passage of any prohibition legislation by Congress; to the Committee on the Judiciary.

307. Also, petition of Walter White and 300 other citizens of New York, protesting against passage of any prohibition legislation by Congress; to the Committee on the Judiciary.

308. By Mr. GOODWIN: Petition of the Italian-American Charitable Society, Inc., of Boston, Mass., to take immediate and unequivocal action to consolidate the status of Italy as an Allied Nation and to safeguard its rights and privileges; to the Committee on Foreign Affairs.

309. By Mr. SULLIVAN: Petition of Mr. Jordan and 29 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

310. Also, petition of Mrs. Hamack and 31 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

311. Also, petition of Mr. Bouman and 31 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

312. Also, petition of Mr. Medic and 32 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

SENATE

THURSDAY, MARCH 29, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Dear Lord and Father of us all,

"We stand atremble and afraid
On the small world that we have made—
Afraid lest all our poor control
Shall turn and rend us to the soul;
Afraid lest we shall be denied
The price we hold our ragged pride;
But in the end we pass all by
For a lone cross against the sky."

Turning from the self-willed pride of our blind ways, give us the grace to sit with meekness and repentance before a wooden cross at darkened noontide—a cross holding up to heaven earth's greatest Loser of Battles—and its one Conqueror. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, March 28, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 28, 1945, the President had approved and signed the following acts:

S. 77. An act for the relief of Lindon A. Long; and

S. 321. An act for the relief of James M. Hiler.

MESSAGE FROM THE HOUSE—ENROLLED BILL AND JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bill and joint resolution, and they were signed by the President pro tempore:

H. R. 2745. An act to amend section 8 of the act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921; and

H. J. Res. 142. Joint resolution providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Moore
Austin	Gurney	Murdock
Bailey	Hart	O'Daniel
Ball	Hatch	O'Mahoney
Bankhead	Hayden	Pepper
Barkley	Hickenlooper	Radcliffe
Bilbo	Hill	Reed
Brewster	Hoey	Revercomb
Briggs	Johnson, Calif.	Saltonstall
Brooks	Johnson, Colo.	Shipstead
Buck	Johnston, S. C.	Smith
Burton	Kilgore	Stewart
Bushfield	La Follette	Taft
Butler	Langer	Taylor
Byrd	Lucas	Thomas, Utah
Capper	McCarran	Tobey
Chavez	McClellan	Vandenberg
Connally	McFarland	Wagner
Cordon	McKellar	Wheeler
Donnell	McMahon	Wherry
Downey	Magnuson	White
Ellender	Maybank	Wiley
Fulbright	Millikin	Wilson
George		Young

Mr. HILL. announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Montana [Mr. MURRAY], the Senator from Louisiana [Mr. OVERTON], the Senator from Nevada [Mr. SCRUGHAM], the Senator from Georgia [Mr. RUSSELL], and the Senator from Oklahoma [Mr. THOMAS] are necessarily absent.

The Senator from Virginia [Mr. GLASS] and the Senator from Maryland [Mr. TYDINGS] are absent from the Senate because of illness.

The Senator from New York [Mr. MEAD], the Senator from Washington [Mr. MITCHELL], and the Senator from Delaware [Mr. TUNNELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Pennsylvania [Mr. MYERS] is absent on public business.

The Senator from Massachusetts [Mr. WALSH] is absent on an inspection tour for the United States Navy.

Mr. WHERRY. The Senator from Michigan [Mr. FERGUSON] is absent on official business of the Senate as a member of the Special Committee to Investigate the National Defense Program.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. HAWKES], the Senator from Oregon [Mr. MORSE], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Idaho [Mr. THOMAS] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent on official business of the Senate as a member of the committee attending the funeral of the late Representative Hon. James V. Heidinger, of Illinois.

The VICE PRESIDENT. Seventy-two Senators have answered to their names. A quorum is present.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on March 28, 1945, he presented to the President of the United States the enrolled bill (S. 681) to amend the National Housing Act, as amended, and for other purposes.

PERSONNEL REQUIREMENTS

The PRESIDENT pro tempore laid before the Senate letters from the Chairman of the Securities and Exchange Commission and the Chairman and General Manager of the Smaller War Plants Commission, transmitting, pursuant to law, personnel requirements for their respective offices for the quarter ending June 30, 1945, which, with the accompanying papers, were referred to the Committee on Civil Service.

MRS. MAE E. SUTTON

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 411) for the relief of Mrs. Mae E. Sutton, which was, on page 1, line 6, to strike out "$7,570.89" and insert "$6,570.89."

Mr. DOWNEY. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

HANDBOOK FOR SERVICEMEN AND SERVICEWOMEN

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 37, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That a revised edition of House Document No. 394, Seventy-eighth Congress, second session, entitled "Handbook for Servicemen and Servicewomen of World War II and Their Dependents, Including Rights and Benefits of Veterans of World War I and Their Dependents," be printed with corrections as a public document and that 98,300 additional copies shall be printed, of which 66,300 shall be for the use of the House of Representatives, 20,000 for the use of the Senate, 10,000 for the House document room, and 2,000 for the Senate document room.

Mr. HAYDEN. Mr. President, I ask unanimous consent for the present consideration of the concurrent resolution.

Mr. WHITE. Will not the Senator explain the measure?

Mr. HAYDEN. The concurrent resolution provides for the printing of a revised edition of a handbook for servicemen and servicewomen of World War No. 1, World War No. 2, and their dependents. It is a very valuable document and the concurrent resolution provides for the printing of a revised edition.

The PRESIDENT pro tempore. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

ADDITIONAL COPIES OF HEARINGS BEFORE SPECIAL COMMITTEE TO INVESTIGATE THE NATIONAL DEFENSE PROGRAM

Mr. HAYDEN. Mr. President, by direction of the Committee on Printing I report favorably, with an amendment, Senate Resolution 90, submitted by the junior Senator from New York [Mr. MEAD] on March 2, 1945, and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will state the amendment.

The CHIEF CLERK. It is proposed on page 1, line 2, to strike out the words "and each subsequent part", so as to make the resolution read:

Resolved, That 1,000 additional copies of part 25 of the hearings held before the special committee of the Senate authorized and directed to make a study and investigation of the operation of the national defense program be printed for the use of said committee.

The amendment was agreed to.

The resolution as amended was agreed to.

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT NO. 101, RELATING TO INVESTIGATION OF PRESIDENTIAL, VICE PRESIDENTIAL, AND SENATORIAL CAMPAIGN EXPENDITURES DURING 1944

Mr. HAYDEN. I report favorably from the Committee on Printing, without amendment, Senate Resolution 107, and ask for its immediate consideration.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the resolution (S. Res. 107) submitted by Mr. GREEN on March 22, 1945, was considered and agreed to, as follows:

Resolved, That 1,000 additional copies of Senate Report No. 101, current session, submitted pursuant to Senate Resolution 363, Seventy-eighth Congress, by the special committee authorized and directed to make a complete study and investigation of Presidential, Vice Presidential, and senatorial campaign expenditures during the year 1944, be printed for the use of said committee.

PRINTING OF HISTORICAL STATEMENT OF LAWS AND REGULATIONS RELATING TO VETERANS AND THEIR DEPENDENTS

Mr. HAYDEN. From the Committee on Printing I report favorably without amendment House Concurrent Resolution 38, and ask for its immediate consideration.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the concurrent resolution (H. Con. Res. 38) was considered and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the historical statement of the laws enacted and the regulations promulgated relating to veterans and their dependents, with a complete statement

regarding expenditures for hospital and domiciliary construction, be printed as a House document, and that 91,300 additional copies shall be printed, of which 66,300 copies shall be for the use of the House of Representatives, 20,000 for the use of the Senate, 2,000 for the use of the Committee on World War Veterans' Legislation of the House of Representatives, 2,000 for the House document room, and 1,000 for the Senate document room.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ELLENDER, from the Committee on Claims:

S. 359. A bill for the relief of Mrs. Ellen McCormack; without amendment (Rept. No. 131);

H. R. 933. A bill for the relief of Margaret G. Potts; without amendment (Rept. No. 132);

H. R. 945. A bill for the relief of Fred Clouse and Mrs. Emily G. Clouse; without amendment (Rept. No. 133);

H. R. 1344. A bill for the relief of George Webb; without amendment (Rept. No. 134);

H. R. 1539. A bill for the relief of Dr. David R. Barglow; without amendment (Rept. No. 135); and

H. R. 1716. A bill for the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased; without amendment (Rept. No. 136).

By Mr. O'DANIEL, from the Committee on Claims:

S. 78. A bill for the relief of Frances Eubanks Oates; with amendments (Rept. No. 137);

H. R. 1325. A bill for the relief of Hyman L. Schiffer; with amendments (Rept. No. 138);

H. R. 1483. A bill for the relief of Mrs. W. V. Justice; without amendment (Rept. No. 139);

H. R. 1676. A bill for the relief of the Daniel Baker Co., of Manchester Ky.; without amendment (Rept. No. 140); and

H. R. 2055. A bill for the relief of Ben Grunstein; without amendment (Rept. No. 141).

By Mr. JOHNSTON of South Carolina, from the Committee on Claims:

H. R. 1012. A bill for the relief of A. P. Scarborough and J. D. Ethridge; without amendment (Rept. No. 142);

H. R. 1492. A bill for the relief of Florence J. Sypert, administratrix of the estate of Leona Connor Childers; without amendment (Rept. No. 143); and

H. R. 1567. A bill for the relief of Katherine Smith; with an amendment (Rept. No. 144).

By Mr. McMAHON, from the Committee on Claims:

H. R. 266. A bill for the relief of the Southern Bitumen Co., of Ensley, Ala.; without amendment (Rept. No. 145);

H. R. 787. A bill for the relief of Murray B. Latimer; without amendment (Rept. No. 146);

H. R. 1094. A bill for the relief of the Jay Taylor Cattle Co., Amarillo, Tex.; without amendment (Rept. No. 147); and

H. R. 1669. A bill for the relief of Mrs. Dorothy Stowell; with an amendment (Rept. No. 148).

By Mr. CAPPER, from the Committee on Claims:

S. 328. A bill for the relief of James A. Kelly; with amendments (Rept. No. 149).

By Mr. TAYLOR, from the Committee on Claims:

S. 498. A bill for the relief of W. C. Wornhoff and Josephine Wornhoff; with amendments (Rept. No. 150);

H. R. 791. A bill for the relief of H. J. Blexrud estate; without amendment (Rept. No. 151); and

H. R. 1324. A bill for the relief of Leo Edward Day and Phillip Tamborello; without amendment (Rept. No. 152).

By Mr. WHERRY, from the Committee on Claims:

H. R. 934. A bill for the relief of Charles H. Dougherty, Sr.; without amendment (Rept. No. 153).

By Mr. McKELLAR (for Mr. GLASS), from the Committee on Appropriations:

H. R. 2252. A bill making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; with amendments (Rept. No. 154).

BILL INTRODUCED

Mr. McCARRAN (by request) introduced a bill (S. 802) to regulate the trial of condemnation proceedings, which was read twice by its title and referred to the Committee on the Judiciary.

THE JEWISH LEGIONS IN WORLD WAR NO. 1—ADDRESS BY SENATOR JOHNSON OF COLORADO

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address entitled "The Jewish Legions in World War No. 1," delivered by him at a meeting held under the auspices of the New Zionist Organization of America, in New York City on March 18, 1945, which appears in the Appendix.]

FLORIDA'S CENTENNIAL—ADDRESS BY SENATOR PEPPER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address delivered by him on March 3, 1945, in the Coolidge auditorium of the Library of Congress, Washington, D. C., on the occasion of the one hundredth anniversary of the admission of the State of Florida into the Union, which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY BEFORE FOREIGN COMMERCE CLUB

[Mr. BAILEY asked and obtained leave to have printed in the RECORD an address delivered by Hon. James A. Farley before the Foreign Commerce Club at New York City on March 20, 1945, which appears in the Appendix.]

ADDRESS BY ANTHONY A. OLIS AT AMERICAN-LITHUANIAN MISSION DINNER

[Mr. TOBEY asked and obtained leave to have printed in the RECORD an address delivered by Anthony A. Olis, cochairman of the American-Lithuanian Mission, at a dinner in Washington, D. C., on March 23, 1945, which appears in the Appendix.]

OFFICIAL STATEMENTS ON FOREIGN POLICY BY NATIONAL ORGANIZATIONS—LETTER FROM ULRIC BELL

[Mr. McMAHON asked and obtained leave to have printed in the RECORD a letter dated March 9, 1945, addressed to the President of the United States by Ulric Bell, executive vice president, Americans United for World Organization, Inc., together with an enclosure entitled "Official Statements on Foreign Policy by National Organizations," which appear in the Appendix.]

PROPOSAL FOR JOINT EXECUTIVE-LEGISLATIVE CABINET—ARTICLE BY GOULD LINCOLN

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD a column by Gould Lincoln entitled "The Political Mill," from the Washington Star of March 27, 1945, which appears in the Appendix.]

COMMENT ON MEMORIAL DINNER TO AUBREY WILLIAMS

Mr. BILBO. Mr. President, my attention has just been called to a story in one of the Washington papers of a funereal, memorial dinner that was held last night at one of the local hotels in memory of the passing of one Aubrey Williams. Some of the chief mourners alleged to have been present were Mrs. Roosevelt, Secretaries Wallace and Wickard, and a distinguished Republican Senator.

The Secretary of Commerce, who has just recently encountered considerable delay and trouble in getting over a senatorial hurdle, was bold to declare that notwithstanding the very decided and affirmative rejection of Williams and his governmental philosophies by the Senate, he need not worry about a job in the Government. Personally, I think that the head of any Government agency, or even the President for that matter, would show very poor judgment in defying the good will of the Senate, which refused by such a decided majority to advise and consent to the use of this man in the administration of governmental affairs, by giving Williams any appointment in the Government.

Mrs. Roosevelt's presence, together with her audacious statement that Williams is a leader of democracy, will be hard for a great many Senators and Democratic leaders to understand. She asserted that the cause of liberalism "had not even lost a round" with the defeat of Mr. Williams.

Now, I, who claim to be at least a quasi liberal in Government, would like to suggest to the mourners on this occasion that if they propose to hold up Williams with his record and announce him as the leader and spearhead of American liberalism, the Democratic Party will have to do a little house cleaning or our Republican friends will have little trouble in taking over.

The American people can stand a whole lot to maintain party loyalty, but they will eventually get fed up on certain philosophies advanced by quack leaders.

The only job in the Democratic administration, in my judgment, that Williams could properly fill would be in the so-called F. E. P. C., if and when it shall be established by law, or it may be that Henry Wallace could find him an assignment to Liberia in his foreign commerce set-up, where Williams could find a full and complete outlet for his views, sentiments, and philosophies.

THE YUGOSLAV PARTISANS—EXCERPT FROM ARTICLE BY F. A. VOIGT IN THE NINETEENTH CENTURY AND AFTER

Mr. WHEELER. Mr. President, I hold in my hand the publication, The Nineteenth Century and After, one of the oldest magazines published in Great Britain, which is edited by F. A. Voigt, who was formerly editor of the Manchester Guardian, and one of the ablest editors in Great Britain. He has written an article entitled "Greece, Yugoslavia, and Poland," which appeared in the February 1945 issue of The Nineteenth Century and After. In the article, on page 54, he tells of what is going on in Yugoslavia, as follows:

> The Yugoslav Partisans have achieved what the Greek Partisans failed to achieve. They are masters of "liberated" Yugoslavia. They occupied Belgrade in September 1944. But they established such a reign of terror that the population rose against them and turned them out. After 3 days they returned, and with Russian help recaptured the city.

A massacre followed and the reign of terror was reestablished. It is today raging wherever Tito and his Partisans are in control. Mr. Churchill said in the House of Commons on January 18 Marshal Tito "is undoubtedly at this time its (Yugoslavia's undisputed master." Yet he represents but a small minority of its people.

He has been made so by Great Britain, much more so than by Russia, for it is with the help of British arms and supplies and British propaganda that he has been able to conquer his own country, a country which repudiates his political principles and regards him with loathing as a peculiarly inhuman usurper, tyrant, and extortioner. So much so that it is hard to believe that his conquest can endure. Despite his immense superiority in arms, he is so intolerable a tyrant that he can hardly fail to engender a national rising which must destroy him and his Partisans unless they continue to receive help from outside. Having been placed in power, he must be kept in power if he is to remain there.

Mr. President, I have read the first two paragraphs of chapter 2 of the article entitled "Greece, Yugoslavia, and Poland." I ask unanimous consent that the remainder of chapter 2 be printed in the RECORD at this point as a part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The remainder of chapter 2 is as follows:

Today, the heads of innumerable peasant and farming families are being murdered in Yugoslavia. There is a systematic annihilation of the elite of Serbia. The populations of whole districts are taking refuge in the mountains where they are exposed to death by cold and starvation. Terrorist tribunals are being set up, the ordinary courts are being suspended, and all who are suspected of patriotism, especially Serbian patriotism, are sentenced to death or to confinement in concentration camps. The camps at Paratsin, Sabats, and Mladenovats are being filled. The concentration camp which the German Gestapo had established near Banjitsa and had filled with Chetniks—that is to say, with Yugoslav patriots, who fought under the command of Gen. Drazha Mihailovitch, is now filled with Chetniks once more.

In Yugoslavia, as in Greece, the Partisans, as they came under ever-increasing communistic influence, which is now an undisputed leadership, followed the familiar communistic principle that international war must be transformed into civil war. It was against the Chetniks, who are the embodiment of Serb patriotism, the farmers, whether Serb, Croat, or Slovene, the trade-unions, the cooperatives, and the whole social order (and not merely the military clique and the bureaucrats of Belgrade)—it was against these, more than against the Germans, that the Partisans wanted arms, as it is for this that they are now chiefly using them. It is true that the Partisans have fought the Germans But to them the war with the Germans was secondary, the civil war primary.

Mr. Churchill said in the House of Commons on February 22, 1944, that in the autumn of 1941, Tito's forces unhappily, perhaps inevitably, came into collision with those under General Mihailovitch. On June 20, 1944, Mr. Churchill said that "some of the leaders under General Mihailovitch's command have, so far from fighting the Germans, directed their efforts against the Partisans."

Tito has himself admitted that the Partisans were the first to attack the Chetniks. Today, General Velebit, who has visited London as the personal envoy of Tito and has been mentioned in flattering terms by Mr. Churchill, informs us that "the fight against these elements (i. e., men serving under Mihailovitch) was as vital for the peoples as the fight against the foreign invader."

A few examples—many more could be given—will illustrate the situation:

At the end of October 1942, the town of Sokolats, with a garrison of 500 Germans and 1,000 Ustashis (the Croatian forces under the German-controlled Croatian terrorist, Ante Pavelitch), was besieged by the Chetniks. During the siege, Partisans attacked the Chetniks from the rear, with the result that the Germans were able to escape. At the end of October 1941, Chetniks and Partisans conducted combined operations against the Germans near Chachak. The Partisans gave up the fight and left the Chetniks to finish it alone. The Germans were expelled from the town, whereupon the Partisans returned and massacred 80 of the Chetnik wounded.

About the same time there were combined operations against Kraljevo. It was agreed that the Cheniks should take the town from the northeast, the Partisans from the southwest. The Chetniks engaged a German armored force (they themselves had neither armor nor artillery). The Partisans occupied the railway station, which is outside the town, and made off by train.

Until the conference at Teheran in September 1943, General Mihailovitch had at least the moral support of Great Britain. He was under the command of Gen. Sir Maitland Wilson. His orders were not to risk his men unnecessarily and to economize ammunition. He received almost no arms or stores from Great Britain. He only engaged the enemy when to do so served a serious purpose. In the spring of 1943, the Germans, Bulgars, and Ustashis undertook combined operations against him but the operations failed after heavy fighting. He refrained as far as possible from provoking reprisals that meant the deaths of hundreds of hostages or the annihilation of entire villages. He prepared, both in accordance with his own belief and his instructions, for that time when the Allies would invade Yugoslavia and he himself would lead an armed rising on a national scale. It was not a vain hope—it would have been realized by now and there would today be no Germans left in Yugoslavia if General Mihailovitch had received but half the help and a fraction of the encouragement that were given to Tito.

But after the conference at Teheran, the strategy of the Allied Powers changed. The main invasion of Europe was to be in the west and not in the Balkans. In the mistaken belief that a wild guerrilla would seriously menace the Germans in the Balkans, cautious and calculatory strategy was abandoned. A wild guerrilla was started. It meant fearful losses, not to the Partisans but to the civilian population, through reprisals, and it did little injury to the Germans. General Mihailovitch would not depart from his own strategy and engage in such futile and inhuman tactics. He knew that what would count most in the end was national unity, that the only decisive weapon was the united nation in arms.

It was this that exposed him to the charge of not fighting. He was described as a traitor, and was denounced in a defamatory campaign in which the B. B. C. played an ignoble part. Mr. Churchill did not himself stoop so low as this, but he did, on February 22, assert that some of General Mihailovitch's commanders made accommodation with the enemy.

That he made accommodations with the Italians is certain. But why? To obtain arms and ammunition by barter, so as to continue the fight with the Germans, for he was desperately short. We are unaware of any accommodations made by his commanders with the Germans and Mr. Churchill gave no instance. Some accommodations may even be justified in so varied a war, in which so many different forces and causes are in conflict, and in which even the most barbarous captain may consent to a truce so that the dead can be buried, the wounded exchanged, or the civilian population can water their cattle.

Tito's commanders made an accommodation on July 3, 1944. The Partisans near Gorizia signed an armistice with the local German commander by which they agreed not to approach within 10 kilometers of the German garrison. The Germans agreed not to come within 10 kilometers of Partisan concentrations, and to let the Partisans have arms and medical supplies. We are not saying that the Partisans acted rightly or wrongly. No one can judge, unless the precise situation at the time is known. But we can well imagine what publicity would have been given to this accommodation if it had been made by General Mihailovitch.

The Partisans have again and again denounced Chetniks to the Germans. Ustashis have joined the Partisans in growing numbers. The Partisan movement has become a refuge for men who are afraid of being tried as war criminals. The present Yugoslav Government in London, a mere means to promote Tito's ends, is composed of docile nonentities. The Minister of War, Mr. Ristitch, had been interned by the Germans in Yugoslavia. They released him when he promised to keep a certain attitude toward them.

Of all the dirt thrown at Mihailovitch for more than a year, not one spot has stuck. Not one of the charges against him has been proved. He emerges as a man of exceptional foresight, of iron courage and conviction of purest patriotism, and of unstained honor.

Mr. Churchill, in his speech on January 18, said that the agreement between Great Britain and Russia with regard to Yugoslavia "raised no question of division of territory or spheres of interest after the war."

But there is, in effect, division of territory during the war. The presence of an army of occupation always has profound consequences, as we see in Greece and Yugoslavia. In Greece the Partisans have failed, in Yugoslavia they have prevailed. It would be impossible for the Yugoslav Partisans to perpetrate the atrocities they are perpetrating if British troops were in Belgrade as they are in Athens.

Different zones of military operations will become different spheres of influence. One of the consequences of the agreements negotiated at Tehran is that Yugoslavia has lost her independence, just as Poland has; that for the first time in modern history British influence has been eliminated from the Balkans (with the exception of Greece); that the balance of power in Europe has not been restored by the war; and that new and gigantic problems have been created for Great Britain.

Today Tito is not fighting the Germans seriously because he has other things to do. He boasted at one time that he commanded an army of 300,000 men. What are these men doing now with the arms and the ammunition they have received from their British allies?

And what is Mihailovitch doing, who for years has been short of ammunition, who received a little from Great Britain a long time ago, and has had nothing since?

One example must suffice:

In September of the present year a force of Chetniks, led by Lieutenant Colonel Keserovitch, serving under the command of General Mihailovitch, established contact with the commander of an advancing Russian unit and, with his consent, attacked the town of Krusevats, which was strongly held by Germans. The battle lasted for 2 days. The losses were heavy. The Germans were de-

feated and the garrison, some 7,000 strong, were killed or taken prisoner. Thirteen German tanks were destroyed or captured.

The Russian commander was then invited by General Mihailovitch to occupy the town with his men. A reception was prepared in his honor. He consented, but, observing the monogram of the Yugoslav royal family on the sleeve of Lieutenant Colonel Keserovitch's tunic, he requested that it be removed and replaced by the Soviet Star. He then ordered the Chetniks to report and surrender their arms. Thereupon Lieutenant Colonel Keserovitch ordered his men to leave the town.

They did so, and withdrew in the direction of Mount Jastrebats, taking their arms with them.

Mr. WHEELER. Mr. President, I commend this article to Members of the Senate to read, because Mr. Voigt is one of the best informed writers in Great Britain. He sets forth succinctly what is going on in Yugoslavia, as in other articles he has set forth what went on in Greece and what is going on in Poland which has now been taken over by Russia. I desire to call attention to the last paragraph of chapter 3, on page 70, which forms the conclusion of the entire article, as follows:

> In any case, an entirely new order, and one unprecedented in the history of the world, is emerging before our eyes in eastern Europe. The question is: How far westward will it extend? As far as the Elbe? Or the Rhine?

And then he says rather sarcastically:

> It is reassuring to learn from Mr. Churchill that, whatever happens, "the Union Jack of freedom will forever fly from the cliffs of Dover.

UTILIZATION OF MANPOWER RESOURCES—CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes.

The PRESIDENT pro tempore. The Senator from Wyoming [Mr. O'MAHONEY] is entitled to the floor.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MOORE. Mr. President, I ask unanimous consent to have printed in the RECORD a telegram which I have just received from the Associated Industries of Oklahoma. I concur in the views expressed in this telegram concerning the so-called manpower bill. In my opinion, the bill will not have the effect of improving the manpower situation, but it will have the reverse effect. I consider the bill unnecessary, unworkable, and productive of aggravation of the manpower problem.

There being no objection, the telegram was ordered to be printed in the RECORD, as follows:

OKLAHOMA CITY, OKLA., *March 28, 1945.*

Senator E. H. MOORE,

Senate Office Building, Washington, D. C.:

Have just seen text of conference report on manpower bill which passed House yesterday by close vote. It should not be overlooked that freezing people on jobs will unquestionably slow war production inasmuch as there will be a tremendous exodus from job freezing plants. In view of favorable war conditions respectfully suggest that Senate consideration of bill be deferred temporarily at least. We would like to see it killed entirely as we see no need for such legislation at this time.

ASSOCIATED INDUSTRIES OF OKLAHOMA,
E. J. O'CONNOR.

Mr. McCARRAN. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. McCARRAN. I send to the desk an agreement entered into by the representatives of the American Federation of Labor, the United States Chamber of Commerce, and the C. I. O., made public at a joint press conference at noon, March 28.

Mr. President, if this agreement were merely printed in the CONGRESSIONAL RECORD, it might be overlooked. By reason of the influences and power behind the agreement its significance is such that I believe the Senate of the United States should listen to its reading at this time. It is quite brief, and I ask unanimous consent that it may be read at the desk.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada?

Mr. O'MAHONEY. Mr. President, before the agreement is read I desire to state that it had been my purpose during the course of the remarks I am about to make on the pending business, to refer to the agreement which the Senator from Nevada has now asked to have read from the desk. I concur in his request. In concurring, however, Mr. President, I desire to point out that this charter of industrial cooperation just completed by the spokesmen of the United States Chamber of Commerce and the leaders of the American Federation of Labor and of the C. I. O. is the best possible evidence that there is no necessity for the measure we are asked to support in the conference report. This is a demonstration of the capacity of a democracy to function in a free way. It is a demonstration of the complete lack of reason for applying force to the civilian population of the greatest republic that ever existed on the face of the globe. I am extremely happy that the Senator from Nevada has requested the reading of this charter from the desk.

Mr. McCARRAN. Mr. President, just one word before the agreement is read. I concur in every expression made by the Senator from Wyoming. If we were to adopt the conference report which is now before the Senate I think it would be one of the most flagrant slaps in the face we have ever given free American labor. Especially is that true when we find the sentiment and intent prevailing among the leaders of labor and among the great body of labor that they are ready, willing, and able to go forward and perform more than has been performed in any other country of the world, and exert greater and greater efforts as necessity presents itself.

The PRESIDENT pro tempore. Without objection, the clerk will read as requested by the Senator from Nevada.

The Chief Clerk read as follows:

AGREEMENT ENTERED INTO BY REPRESENTATIVES OF THE AMERICAN FEDERATION OF LABOR, THE UNITED STATES CHAMBER OF COMMERCE, AND THE CONGRESS OF INDUSTRIAL ORGANIZATIONS, MARCH 28, 1945

We in management and labor firmly believe that the end of this war will bring the unfolding of a new era based upon a vastly expanding economy and unlimited opportunities for every American.

This peacetime goal can only be attained through the united effort of all our people. Today we are united in national defense. Tomorrow we must be united in the national interest.

Management-labor unity, so effective in boosting war production to unprecedented heights, must be continued in the post-war period. To this end, we dedicate our joint efforts for a practical partnership within the framework of this code of principles:

1. Increased prosperity for all involves the highest degree of production and employment at wages assuring a steadily advancing standard of living. Improved productive efficiency and technological advancement must, therefore, be constantly encouraged.

2. The rights of private property and free choice of action, under a system of private competitive capitalism, must continue to be the foundation of our Nation's peaceful and prosperous expanding economy. Free competition and free men are the strength of our free society.

3. The inherent right and responsibility of management to direct the operations of an enterprise shall be recognized and preserved. So that enterprise may develop and expand and earn a reasonable profit, management must be free from unnecessary governmental interference or burdensome restrictions.

4. The fundamental rights of labor to organize and to engage in collective bargaining with management shall be recognized and preserved, free from legislative enactments which would interfere with or discourage these objectives. The process of collective bargaining between labor and management shall be encouraged and promoted. Through the consummation of collective bargaining agreements, differences between management and labor shall be disposed of between the parties through peaceful means, thereby discouraging avoidable strife through strikes and lock-outs.

5. The independence and dignity of the individual and the enjoyment of his democratic rights are inherent in our free American society. Our purpose is to cooperate in building an economic system for the Nation which will protect the individual against the hazards of unemployment, old age, and physical impairments, beyond his control.

6. An expanding economy at home requires a vastly increased foreign trade. Arrangements must therefore be perfected to afford the devastated or undeveloped nations reasonable assistance to encourage the rebuilding and development of sound economic systems. International trade cannot expand through subsidized competition among the nations for diminishing markets but can be achieved only through expanding world markets and the elimination of any arbitrary and unreasonable barriers.

7. An enduring peace must be secured. This calls for the establishment of an international security organization, with full participation by all the United Nations, capable of preventing aggression and assuring lasting peace.

Management and labor both agree that their primary duty is to win complete victory over nazi-ism and Japanese militarism. They also agree that they have a common

joint duty, in cooperation with other elements of our national life and with government, to prepare and work for a prosperous and sustained peace. In this spirit they agree to set up a national committee, composed of representatives of business and labor organizations. This committee will seek to promote an understanding and sympathetic acceptance of this code of principles and will propose such national policies as will advance the best interests of our Nation.

Mr. O'MAHONEY subsequently said: Mr. President, in view of the fact that the Senator from Nevada introduced and had read from the desk the proposed labor-management code, I think it may be appropriate to have printed in the RECORD immediately following the discussion of that code an article from the New York Times of this morning, a news story, telling about the adoption of the code. I desire particularly to call attention to the fact that, according to the report, a committee of 12 persons has been appointed to promote an understanding of the proposal.

I wish to read the names of the 12 members who have been designated: For industry, Eric Johnston, president of the Chamber of Commerce of the United States; Paul G. Hoffman, president, the Studebaker Corporation; Henry J. Kaiser, president of the Henry J. Kaiser Co., Oakland, Calif.; Otto A. Seyfert, president of West Michigan Steel Foundries, Muskegon, Mich., and chairman of the chamber's committee on labor relations; E. J. Thomas, president of the Goodyear Tire & Rubber Co., of Akron; J. D. Zellerbach, president and director of Crown-Zellerbach, San Francisco.

For labor, the members are William Green, president of the American Federation of Labor; Philip Murray, head of the C. I. O.; George Meany, secretary-treasurer of the American Federation of Labor; Robert J. Watt, international representative of the American Federation of Labor; R. J. Thomas, president of the United Automobile Workers, C. I. O.; and Sidney Hillman, president of the Amalgamated Clothing Workers, C. I. O.

Mr. President, I ask unanimous consent that the story from the New York Times, by Joseph A. Loftus, be printed in the RECORD immediately following the charter.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times of March 29, 1945]

BUSINESS AND LABOR FRAME PEACE CODE—JOHNSTON, OF CHAMBER; GREEN, OF A. F. OF L.; AND MURRAY, OF C. I. O., OFFER NEW POST-WAR PLAN

(By Joseph A. Loftus)

WASHINGTON, March 28.—Three spokesmen for business and organized labor signed today a new charter of principles which they conceived as a guide to post-war industrial relations in the conviction that an essential for maximum production and peacetime prosperity was a minimum of strife and suspicion.

The signers were Eric Johnston, president of the Chamber of Commerce of the United States; William Green, president of the American Federation of Labor; and Philip Murray, president of the Congress of Industrial Organizations.

The National Association of Manufacturers was not a participant, but Mr. Johnston said he hoped it would eventually subscribe to the charter.

Based on a mutual recognition of each other's prerogatives and responsibilities, the charter sets forth these guides and objectives for management and labor:

Encouragement of productive efficiency and technological advancement with a view to steadily improving standards of living; respect for the rights of private property and free choice of action; recognition of management's right to manage free of unnecessary governmental interference or burdensome restrictions; recognition of the right to organize and bargain collectively without hindrances; cooperation in protection of the individual against involuntary unemployment and the hazards of old age and physical impairments; increased foreign trade and reasonable assistance to other countries; establishment of an international security organization and a national business-labor committee to promote better understanding at home.

THREE FRAMERS CONGRATULATED

Dr. George W. Taylor, Chairman of the W. L. B., immediately congratulated the charter framers "on their vision and statesmanship." He said the action inspired confidence in "the future well-being of the entire Nation."

The three leaders said the charter would be submitted to the executive bodies of their respective organizations at the first opportunity.

The charter calls for establishment of a committee of 15 or 20 who will seek to promote an understanding and sympathetic acceptance of this code of principles and will propose such national policies as will advance the best interest of our nations.

Twelve members of the committee have been designated, as follows:

For industry: Mr. Johnston; Paul G. Hoffman, president, the Studebaker Corporation; Henry J. Kaiser, president of the Henry J. Kaiser Co., Oakland, Calif.; Otto A. Seyferth, president of West Michigan Steel Foundries, Muskegon, Mich., and chairman of the chamber's committee on labor relations: E. J. Thomas, president of the Goodyear Tire & Rubber Co., of Akron; J. D. Zellerbach, president and director of Crown-Zellerbach, San Francisco.

For labor: Mr. Green; Mr. Murray; George Meany, secretary-treasurer of the A. F. of L.; Robert J. Watt, international representative of the A. F. of L.; R. J. Thomas, president of the United Automobile Workers, C. I. O.; and Sidney Hillman, president of the Amalgamated Clothing Workers, C. I. O.

WILL INCLUDE SOUTHERN GROUP

Mr. Johnston announced that the committee members still to be designated would include industrialists from the South.

The charter was made public at a press conference at the Chamber of Commerce Building which drew a large attendance, including newsreel cameramen.

As acting chairman, the chamber president told the news conference that he envisioned two possible roads which the country might take after the war, one leading to "high levels of production, employment, and wages, and ability to service our huge national debt. In other words—prosperity."

"The other," he said, "leads to fewer jobs, lowered incomes, and inability to service our national debt. In other words—eventual bankruptcy."

Mr. Johnston said the framers of the charter recognize it is not a perfect instrument.

"It is dynamic, not static, but it is a beginning," he asserted.

Mr. Murray, addressing the newsmen said: "The plan is conceived to help America. It does not constitute a collusive agreement designed to operate against the interests of any group in the United States."

He expressed his appreciation to Mr. Johnston and the chamber and to Mr. Kaiser, who, he said, "participated in all our meetings and who loaned his services and ingenuity" toward perfecting the charter. The C. I. O. president said that while the charter was an understanding among three organizations it nevertheless constitutes a proposal which, through the medium of this meeting, is being submitted to the people of the United States for their approval

Mr. Green said that through the new document "the area of controversy is reduced."

"The area of agreement is increased," he stated. "I feel confident that labor and management throughout this Nation will subscribe wholeheartedly and accept this code of principles without reservation."

The A. F. L. president said the charter was not perfect and will not eliminate strikes altogether.

"We can reduce them," he said. "We can substitute cooperation and understanding for bitterness and strife."

Asked about the absence of the N. A. M., Mr. Johnston said a representative of that organization sat in on one conference and was invited to two others and "we hope they will participate."

He also was asked about the participation of railroad brotherhoods and other independent unions. He replied that "that's up to the committee," and added that they had not been invited so far to take part.

Mr. Johnston said he knew of no opposition to the charter and that he did not know why the N. A. M. had not joined.

The three men were asked how the organizations for which they spoke would be bound by the charter. Mr. Johnston and Mr. Murray said its adoption by the executive boards of their organizations would make the charter constitutionally binding. Mr. Green said the charter would be submitted to the A. F. of L. executive council, and remarked that during the war "the workers made an amazing record."

"I am sure they will continue in that spirit," he added.

The statement issued by Dr. Taylor, W. L. B. chairman, said:

"Leaders of labor and industry who today signed the new charter for labor and management are to be congratulated on their vision and statesmanship. Their pledge of respect for each other's fundamental rights and their promise of cooperative effort involve much more than harmonious labor relations after the war—important as that is. This outstanding advance of democratic principles in the industrial field inspires confidence in the future well-being of the entire Nation.

"This charter's emphasis on the substitution of collective bargaining for strikes and lock-outs in settling disputes between management and labor promises to aid materially in the rapid reconversion of our industrial resources to peacetime production and that high level of consumption we all seek."

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. SALTONSTALL. Mr. President, I agree with the sentiments expressed in the document which has just been read at the desk. I believe it is a great step forward, and I hope that the parties to the agreement will keep the ball rolling.

Let me say respectfully to the distinguished Senator from Wyoming that I do not entirely agree with his interpretation of the document. I believe that we have entrusted the leadership of our armed forces to General Marshall and Admiral King; and when they request something of us to win the war more quickly, or save the life of one American boy, I prefer to follow their advice in

matters of such importance. I make that statement most respectfully in reply to what the Senator has stated.

Mr. O'MAHONEY. Mr. President, the remarks of the distinguished and able Senator from Massachusetts prompt me to say that when the framers of the Constitution of this country drafted that immortal document they were very careful to provide that the civilian power should remain in complete charge of the Government and of the military forces. Not only did they provide that the President should be the Commander in Chief, but they also provided that it should be the duty of Congress to declare war, and to raise and support armies. The responsibility for making the judgment upon which the lives of American boys may be expended lies in the Congress. It is not a responsibility to be lightly tossed into the laps of the leaders of our military power.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHEELER. I must confess that I was quite surprised at the statement of the distinguished Senator from Massachusetts, the State from which the ancestors of the Senator from Wyoming and my ancestors came. I was surprised to hear him say that he wished to turn over to the military authorities whatever they wanted. If there was one State in the Union which fought against permitting the armed forces to usurp the powers of the civilian population, it was the State of Massachusetts. Some of the people of that State were my ancestors, who landed there back in 1634.

Mr. O'MAHONEY. I thank the Senator for having interjected that remark.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am happy to yield to the Senator from New Mexico.

Mr. HATCH. I rise to the defense of the Senator from Massachusetts.

Mr. WHEELER. He needs no defense, I am sure.

Mr. O'MAHONEY. I am sure the Senator from Massachusetts needs no defense. No one is attacking him.

Mr. HATCH. Mr. President, I rose only to say that the Senator from Massachusetts, as I understood him, did not advise that Congress abdicate its powers and surrender them to the military authorities. The very constitutional authority the Senator from Wyoming has quoted, which places full responsibility upon the Congress of the United States, impels every one of us to get the best advice and the best information we can obtain. As I understood the Senator from Massachusetts, he said that for military matters he relied upon military men. Mr. President, I personally have no objection whatever to that attitude.

Mr. O'MAHONEY. I am glad the Senator from New Mexico has made that remark, because at this time we are not dealing with military matters. We are dealing with civilian matters. We are not now dealing with the distribution of the armed forces. We are not now dealing with matters of military strategy. We are not now dealing with matters of naval strategy. We are dealing now with the sole problem of production. Mr. President, when the time comes to seek advice upon production, I go to the experts on production, the spokesmen for management, the spokesmen for labor, who have been unanimous in their testimony, both to the House committee and to the Senate committee, that to follow the course marked out in this bill would be to destroy the capacity of America to produce.

So, Mr. President, my judgment is—and, of course, I can dictate my action only according to my own judgment—my judgment is that I will do more to preserve the lives of American boys fighting upon the battle fronts of Europe and of Asia by following the advice of the experts on production, who tell us that it would introduce confusion on the mass-production lines to follow the policy outlined in the vague, unstandardized, and unrestrained measure which is before us.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. I do not wish to interrupt the Senator from Wyoming.

Mr. O'MAHONEY. I welcome the interruption.

Mr. HATCH. But later in the debate, in my own time, I shall discuss the question which the Senator has been discussing. Nevertheless, when the Senator has said that the furnishing of supplies of military equipment is not a military matter, I do not want that statement to go unanswered at this time. What good is a sailor without a ship, or a soldier without a gun?

During the course of the debate I shall quote the words of the man who is directly responsible for the production of war materials, Mr. Krug, the man upon whom the Congress has placed the responsibility. I say with all due regard to the Senator from Wyoming that Congress did not say to management, "You are responsible for this," because, as a matter of fact, management itself denied its responsibility. I say to the Senator from Wyoming that we did not place upon the leaders of organized labor the responsibility for production; but we did place upon responsible officials of this Government, men for whom the Senator voted and for whom I voted, the tremendous task of production; and before this debate is concluded I shall tell the Senator what those men say about this matter.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. WHEELER. I really should correct the record, in order to be able to say, as Al Smith used to say, "Let's look at the record."

I am sure the Senator misspoke himself when he said Congress placed the responsibility on Mr. Krug. Congress did not do that. The executive department did it. Congress passed the laws which enabled the executive department to place the responsibility on Mr. Krug, but the executive department placed Mr. Krug in office.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. Certainly the Congress did not appoint Mr. Krug, but the Congress passed the First War Powers Act and the Second War Powers Act, and I am quite sure that all of us voted for them, almost without exception. Under that mandate and under that authority responsibility was placed upon responsible officials, of whom Mr. Krug happens to be the head at this time.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. CHAVEZ. In many instances I disagree with my colleague, and he knows that when I do so it is in good faith. Let me say that I would have more confidence in Mr. Krug and men of his type if they were doing more of the shooting in the front lines, instead of telling other people what to do.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. HATCH. As a matter of fact, let me point out that Mr. Krug has a war record of his own, and it is not unenviable, either.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

Mr. O'MAHONEY. Mr. President——

The PRESIDENT pro tempore. The Senator from Wyoming is recognized.

Mr. O'MAHONEY. I imagine the interruptions have ceased for a few moments.

MANAGEMENT AND LABOR OPPOSE REPORT

Mr. President, I have received numerous telegrams, some of which I shall read into the RECORD. They are typical of the messages which are being received. They are significant in that they illustrate the unanimity of management and labor in opposition to this conference report.

The first telegram is from Mr. James L. Donnelly of Chicago, Ill. As I recall he is executive secretary of the Manufacturers' Association of Illinois. The telegram is addressed to me, and reads as follows:

CHICAGO, ILL., *March 28, 1945.*

Senator JOSEPH C. O'MAHONEY,
Care of Senate Office Building,
Washington, D. C.:

Illinois industry is deeply concerned over pending manpower legislation; in view of the remarkable war-production record of industry it is inconceivable that Congress, under current conditions, would impose an obstacle of this character upon manufacturing industry. This measure is clearly calculated to harass and confuse employers and employees and will definitely interfere with war production.

JAMES L. DONNELLY.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. VANDENBERG. I believe there is one point which should be constantly emphasized when a message of the type which the Senator from Wyoming has just read is submitted. Every Member

of the Senate is certainly anxious to give top priority to the welfare and the necessities of the men at the battle front.

Mr. O'MAHONEY. Of course.

Mr. VANDENBERG. It seems to me that it is of supreme importance to the men at the front that production at home shall persist at maximum advantage and efficiency. While I may be wrong about it, I am unable to escape the feeling that I am giving primary consideration to the man at the battle front when I accept the judgment of those responsible for production in my own State of Michigan, in my own arsenal, that the means suggested by the conference report is not the best way in which to achieve production. I am unable to make myself believe that I serve our soldier sons at the fighting front if I vote for a conference report which our production experts tell us will jeopardize production.

Mr. O'MAHONEY. I thank the Senator from Michigan.

The next telegram which I shall read is dated March 26, 1945, at Washington, D. C. It reads as follows:

WASHINGTON, D. C., *March 26, 1945.*
Hon. JOSEPH C. O'MAHONEY,
United States Senate,
Washington, D. C.:

Metal trades department A. F. L. representing several million wage earners employed on war production following thorough consideration among its representatives strongly urge rejection of pending conference report on work or fight bill, H. R. 1752. Provisions of this bill violate spirit of the Constitution which prohibits involuntary servitude and establishes a situation of slave labor in America. There is ample legislation and Government directives now in effect to meet this situation if intelligently applied. Smith-Connally Act was supposed to prevent strikes. Its actual working out is that it has been responsible for practically all of the stoppages of work which have occurred in American industry because it nullifies the pledge of organized labor that there would be no strikes by setting up a method by act of Congress which permits strikes. Legislation such as the conference report recommends on bill 1752 will bring nothing but chaos into industry.

J. J. MCENTEE,
Secretary-Treasurer, Metal Trades Department, A. F. of L.

Mr. President, I have other telegrams which I shall not read. I ask unanimous consent that they be printed in the RECORD at this point as a part of my remarks.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

MOORESTOWN, N. J., *March 29, 1945.*
Senator JOSEPH O'MAHONEY,
United States Senate Office Building:

Urge opposition to manpower bill as totalitarian in principle.

EMMA CADBURY.

WASHINGTON, D. C., *March 27, 1945.*
Senator JOSEPH C. O'MAHONEY,
Senate Office Building:

We believe passage of work-or-jail bill would be a needless sacrifice of democratic principle and hope it will be defeated in Senate. Heartily commend your efforts against its passage.

C. EDWARD BEHRE,
Chairman, Washington Friends Joint Peace Committee.

PHILADELPHIA, PA., *March 26, 1945.*
Hon. JOSEPH C. O'MAHONEY,
Washington, D. C.:

The yearly meeting of the Religious Society of Friends, of Philadelphia and vicinity, now meeting at Arch Street, Philadelphia view proposed work-or-fight bill as involving regimentation and coercion which do violence to human personality, freedom of conscience, religious and civil liberty essential to effective democracy. We, therefore, urge you in your opposition to it.

HAROLD EVANS CLERK.

NEW YORK, N. Y., *March 27, 1945.*
Senator O'MAHONEY:

War manpower bill unnecessary, unconstitutional, un-American, regimentative, is answer copying Hitler. Sure American Senators should be ashamed at the idea.

MRS. RICHARD NEWTON,
Ambassador Hotel.

Mr. O'MAHONEY. Mr. President, yesterday during the exposition of the conference report by the distinguished and able senior Senator from Utah [Mr. THOMAS], who is chairman of the Senate Committee on Military Affairs and chairman of the conference, he made the following statement:

Mr. President, if the conference report shall be approved and the conference report bill shall become law, I hope it will be used with all the force which those in charge of our psychological warfare can employ, to show that a democracy, the greatest democracy of the world, can act with unity in the exercise of power and will in the accomplishment of a given purpose, when the times demand such unity.

That quotation is an appropriate text for a discussion of the abandonment of the principles of democracy. One of the marks of this great war, and of the events which preceded it, was the constant reiteration on the part of those who were seeking to establish totalitarian control that they were the defenders of democracy, or, at least, the defenders of the rights and interests of the masses of the people. It is precisely because the conference report is an abandonment of democracy that I am urging the Senate to reject it. It is not democracy to surrender the judgment and the will of the people to the discretion of a single individual. Such a course is the very antithesis of democracy. It is a surrender of the freedom which characterizes this Government.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. MURDOCK. On every battlefield of the world today democracy is demonstrating beyond any doubt that we can beat dictatorship in any aspect or phase of war or any type or kind of warfare evolved up to the present time. We have demonstrated that we can supply the largest armies which have ever been mobilized, and which armies are carrying democracy to victory. We have demonstrated our ability to equip our armies and navies as no other army or navy has ever been equipped. It has all been accomplished under the democratic process. While democracy is winning on every battlefield of the world we are being asked in America, here on the home front, to surrender democracy for totalitarianism. Is not that about what it amounts to?

Mr. O'MAHONEY. Precisely. To my mind, Mr. President, there can be no doubt that what the Senator from Utah has stated is the entire aspect of this problem.

Mr. MURDOCK. Mr. President, will the Senator further yield to me?

Mr. O'MAHONEY. I yield.

Mr. MURDOCK. I do not believe that even the most ardent advocate of the conference report would take the position that we need such a law, except for the unpatriotic slacker or chiseler. If there are those in this country who are chiselers, if there are those who under the present circumstances are not patriotic—and, of course, there are a few, and there always will be—can we correct the situation by the adoption of the conference report? The proponents of the conference report tell us the old story that we can legislate patriotism. They assert that if we threaten a man with a jail sentence or a fine, the threat automatically brings about a patriotism upon his part which will cause him to seek a job in one of the war plants. Mr. President, we once tried the "noble experiment" in this country when we thought we could legislate temperance, but it failed miserably. In my opinion we cannot legislate morality, we cannot legislate ethics, and we cannot legislate patriotism. If we adopt this conference report we adopt the theory that all that is necessary in order to bring about greater production is to threaten the unpatriotic with a jail sentence or a fine. However, by so doing we entirely overlook the most magnificent production record that human beings have ever accomplished. By aiming jail sentences and fines on the unpatriotic we ignore entirely, as I see the picture, the great job done by the patriotic workers of America.

Mr. O'MAHONEY. I thank the Senator for his eloquent interjection. Let me add that this bill is not now directed at the unpatriotic slacker; it is now directed at those who are working; it is now directed at those who by the democratic process, by their own free will, have gone into war plants to produce this tremendous accumulation of war materials.

Mr. MURDOCK. Mr. President, what I meant to say—I might not have said it clearly—was that the only possible justification for such a measure is that we are going to reach the loafer, the slacker, and the unpatriotic, we are going to get the few who will not work; but, in order to do that, we penalize the great mass of patriotic men and women who, as I stated before, have brought about the most magnificent production job history has ever recorded.

Mr. O'MAHONEY. The Senator is quite right. This bill has been advertised in the newspapers and on the radio as the "work or fight" bill. Many of those who are advocating it are doing so in the belief that the soldiers and sailors who read the newspapers read only the headlines and do not comprehend what is going on in the country. Although the measure is not the labor draft which it was when it came from the House of Representatives, although it is not now

directed to the chiseler and the slacker, but is directed entirely to the working fathers and mothers, the brothers and sisters of the boys on the fighting front, many of those who are advocating the proposed legislation do so in the belief that the soldiers and sailors think it is a bill which will compel slackers to work, and therefore they urge us, as a psychological effort, to vote for this bill, though we know, if we apply our intelligence to its language, that it will not do what it is urged it is designed to do, and though we know its language has been changed and that the effect of the bill, if passed, would be utterly different from that which was described in the first instance.

COMPARISON WITH SELECTIVE SERVICE LAW

Mr. President, I should like to make a comparison between this bill and the selective-service law. Because of the argument which is directed to the soldiers and sailors who are carrying the flag, I want to point out to the Members of the Senate the great distinction between the two measures. It is said on every side in defense of the original bill that if we have the power to compel men to fight, do we not also have the power to compel them to work, as though that is what we were doing?

Mr. President, the selective-service law was carefully designed to preserve the maximum amount of local community power and discretion. The pending bill concentrates in Washington all discretion and all power. Under the selective-service law the local draft boards in every community in the land passed judgment upon the status that every registrant should occupy. Every registrant was judged by his neighbor; every registrant had the secure knowledge that whatever order or directive was applied to him would come only after men and women in his community had passed upon his standing.

I ask the Members of the Senate to consider now the situation in which the worker in a war plant will find himself. He is no longer working for anyone in his own community; he has migrated from his community at the request of his Government and has gone to some distant State, some distant community, and there has accepted work. Insofar as the selective-service law is concerned he is still under the jurisdiction of the local board in his own home community; but now as a war worker, if this bill should become a law, he would be under the control and jurisdiction not of a local board anywhere but of the directives and regulations written in Washington by the appointees of the Director of War Mobilization and Reconversion. Who might be the authors of the regulations and directives no Member of the Senate or House can tell; what will be the form of the regulations they will write no one can tell. This is the power that we are asked to grant: The authority by regulation—

To prohibit the individuals employed in designated areas, activities, plants, facilities, and farms—

To make that clear, Mr. President, I should insert the word "designated" before each of those nouns so that the authority which is granted is the authority to prohibit the individuals employed in designated areas, designated activities, designated plants, designated facilities, and designated farms—

which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

This is a grant of power to the Director or his appointee to designate not only areas but activities, and,

What are activities? The provision includes, of course, any activity. It could be an activity carried on in one room of a factory, or by one class of workers; it could be the activity of the carpenter, the activity of the sheet-metal worker, or the activities of any other group, wherever they work, in whatever plant or whatever factory. It could be the activities of less than a group. It could be the activities of an individual. There is no restriction whatsoever upon the power of the Director to designate. He may designate plants. He may designate plant A, and in the same community in the neighboring block he may decline to designate plant B. The judgment as to whether or not either of those plants shall be designated resides, not in the community, but in the Director sitting here in Washington.

He may designate facilities. What are facilities? A facility might be a trip hammer, it might be a generator, it might be a punch, it might be any one of the innumerable machines which modern industry uses. Anything which facilitates war production will come within the definition of "facilities," and the Director may designate those which he deems to be important or essential to the war effort.

So it goes with farms. He may designate the farm of Farmer Jones and refuse to designate the farm of Farmer Smith. He may decide with respect to a big farm that it is being efficiently operated and should be equipped with farm labor, who would be prohibited from leaving their jobs. He may say, with respect to a small farmer operating in the same county, "Yours is not an efficient production. You have too few sheep, too few cattle, your crops are so small you are not an important cog, and you do not need to operate. We will not designate you. You may go out of business."

CENTRAL POWER MADE SUPREME

The point I am making, Mr. President, is that this power of life and death over the industry of America is by this bill vested in the discretion and the judgment of a central administrative body here in Washington.

Now, let us see what the Selective Service Act provided with respect to this very important matter of calling the manpower of America to the colors in the hour of emergency. I read from section 10 (a) of the selective-service law:

The President is authorized—

(1) to prescribe the necessary rules and regulations to carry out the provisions of this act;

(2) to create and establish a Selective Service System, and shall provide for the classification of registrants and of persons who volunteer for induction under this act on the basis of availability for training and service, and shall establish within the Selective Service System civilian local boards and such other civilian agencies, including appeal boards and agencies of appeal, as may be necessary to carry out the provisions of this act.

Let me pause in the reading of this section, Mr. President, to call attention to the difference between the Selective Service Act and the pending conference report. The conference report on the comparable subject of regulations merely says:

To the extent deemed by the Director to be necessary and appropriate—

He is the judge of necessity, he is the judge of appropriateness.

To the extent deemed by the Director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Director is authorized, by regulation—

There are no standards and no safeguards, no provisions to fence about the authority to make regulations. See how different it is in the Selective Service Act.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. TAFT. Would not the Senator think that under the power to issue regulations the Director could require a complete registration; in other words, practically write a national service law similar to the May bill?

Mr. O'MAHONEY. Of course.

Mr. TAFT. He could issue any regulation which he thought was necessary to carry out the purposes of the act.

Mr. O'MAHONEY. The purposes and the means. Section 2 (a) and section 2 (b) give him the whole broad scope of the national service concept in which to operate.

Mr. TAFT. When we take section 5 (2) and read the provision, "to prohibit and regulate the hiring, rehiring, solicitation, or recruitment of new workers," and then consider the words added in conference "and the acceptance of employment by workers," it seems to me he could issue regulations which would give one man, or board, power to tell a workman, not, perhaps, that he must not work in plant A, but that he cannot work in any other plant in the United States except plant A. I cannot see why under the power given here the Director could not write a national service act which would have the effect, in substance, of compelling any man, if he wants to live at all, to work in a plant designated by the Director.

Mr. O'MAHONEY. I agree with the conclusions of the Senator. I may add,

Mr. President, that the bill is merely another step forward in the consistent campaign of the advocates of national service. The advocates of that theory are quite willing to proceed step by step, and they look with satisfaction upon the progress, as they deem it to be, contained in the conference report, because it brings, they think, a step nearer complete control over the civilian population of America on the part of those who are to be placed in charge of the execution of the proposed law.

Mr. AIKEN. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. Would it not be possible under the bill, if a person were requested to work in a certain plant and he should decline to do so, to publish his name, and forbid any other employer to hire him? Would the bill permit the Director to go as far as that? I see no reason why he could not. A person could be told he was needed in a certain plant, it might be at his home, or 2,000 miles from his home, and if he refused to accept the employment, I do not see anything to prevent his name being published on a list, and any person who hired him being subject to the $10,000 fine or be imprisoned.

Mr. O'MAHONEY. The authority contained in the language of section 5 is certainly broad enough to sustain that interpretation, because the provisions of clause 2 of section 5 convey to the Director the absolute power to prohibit hiring. So it may be a prohibition to hire John Smith.

Mr. AIKEN. And applied to any employer except the one designated for John Smith to work for. If that is not a labor draft, what is it, unless John Smith has independent means of living without any work at all?

Mr. O'MAHONEY. I quite agree with the Senator's interpretation.

Mr. President, so that the comparison between the broad powers to which the Senator from Vermont has just adverted, granted in the pending conference report, and the carefully restricted powers contained in the Selective Service Act, may be clearly understood, I shall proceed with the reading of section 10 (a):

> * * * and shall establish within the Selective Service System civilian local boards and such other civilian agencies, including appeal boards and agencies of appeal, as may be necessary to carry out the provisions of this act. There shall be created one or more local boards in each county or political subdivision corresponding thereto of each State, Territory, and the District of Columbia.

Let it be clear, Mr. President, that I am reading not from the conference report but from the text of the selective-service law. I am trying to show how careful Congress was to create standards to prevent abuse.

> Each local board shall consist of three or more members to be appointed by the President, from recommendations made by the respective governors or comparable executive officials.

What comparable safeguard is contained in the pending measure? When Congress enacted the selective-service law it wanted to be sure that when the authority of the Government was directed to call any single individual to the colors of the United States, that authority should be so carefully hedged about that it should be exercised impartially and should be exercised by local jurisdiction and not by central power in Washington. That is a principle which has been utterly abandoned in this bill.

> No member of any such local board shall be a member of the land or naval forces of the United States.

As I read that sentence I am reminded of what was said on the floor earlier today by one of the Senators with respect to the necessity for following the recommendations of military leaders. When Congress wrote the selective-service law it was careful to exclude from membership on any local board any member of the land or naval forces, because, Mr. President, it was clinging tightly to the traditional principle of America that the civilians shall not be subject to military power.

> No member of any such local board shall be a member of the land or naval forces of the United States, but each member of any such local board shall be a civilian.

Congress was so careful about this matter it was not content merely to say "no member of the land or naval forces shall serve on a board," but it went another step and said "the members shall be civilians."

Mr. AIKEN. Mr. President——

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Wyoming yield to the Senator from Vermont?

Mr. O'MAHONEY. I yield.

Mr. AIKEN. I wish to ask the Senator another question. Does not the measure which has been reported by the conference committee give the right to the Director, if he sees fit, to place the enforcement of the proposed law absolutely under the military branch of the Government? Can he not designate any agency of Government, any department he chooses, to carry out the provisions of this measure?

Mr. O'MAHONEY. Precisely.

Mr. AIKEN. And could not that be the military, and would not that in effect be establishing a military government almost in its entirety?

Mr. O'MAHONEY. Mr. President, I was about to mention that precise condition. The power of the Director is so broad that he may appoint anybody whom he chooses, whether the person appointed holds a military position or not. Already we know that one of the principal assistants of the Director of War Mobilization and Reconversion is a general in the Army. Of course he was a civilian before the war began, but he wears a military uniform now. He is about to resign, the newspapers tell us, and to be assigned to military duties in Europe or elsewhere. He is a general officer under the control of the War Department. Such an individual might be appointed to administer the conference report bill if it should become a law.

Let it be understood, Mr. President, I make no criticism of the personality, the patriotism, or the ability of the gentleman who occupies this position. I have the greatest admiration and respect for him personally. I am talking about the principle. I am drawing a comparison between the care which the Congress exercised in framing the selective-service law and the utter recklessness with which it now undertakes to convey or to vest in the hands of a central official in Washington complete authority over the lives of millions of our civilian fellow citizens. As the Senator from Vermont [Mr. AIKEN] has very wisely pointed out, the Director, under this conference report, could not only select any individual, but he could select any department or agency. He could select the War Department and put the whole administration of military production in the War Department. That, Mr. President, would be a complete reversal of the traditional policy of this Government and an abandonment of the careful provisions which were written into the Selective Service Act.

I shall resume the reading of the selective-service law:

> No member of any such local board shall be a member of the land or naval forces of the United States, but each member of any such local board shall be a civilian who is a citizen of the United States residing in the county or political subdivision corresponding thereto in which such local board has jurisdiction under rules and regulations prescribed by the President.

Let someone point out the comparable language in the conference report safeguarding the individual who is to be chained to a machine by the directive issued under the regulation of a central authority. It contains no safeguard preserving local jurisdiction, or protecting the individual by giving him at least an opportunity for an impartial hearing by his neighbors and his fellow citizens.

> Such local boards, under rules and regulations prescribed by the President, shall have power within their respective jurisdictions to hear and determine, subject to the right of appeal to the appeal boards herein authorized, all questions or claims with respect to inclusion for, or exemption or deferment from, training and service under this act of all individuals within the jurisdiction of such local boards.

From that very careful reassertion of the traditional principle of America we now turn and we now adopt the basic principle of central totalitarian power over the lives of all our people.

If I correctly remember the words of the distinguished senior Senator from Utah [Mr. THOMAS] when he was explaining the bill to us yesterday, he said that if the measure were foolishly or recklessly administered it would do harm and not good to war production. That, Mr. President, is precisely the ground upon which I criticize this measure. The opportunity for foolish and reckless administration is extended, because Congress has not exercised its authority; because Congress has not exercised its responsibility to throw around the measure the safeguards which should be there to make sure that there shall not be foolish or reckless administration.

DIFFICULTIES OF ADMINISTRATION

No one knows better than I, Mr. President, the great difficulties which have confronted the patriotic gentlemen who have administered the war agencies. I

have sympathized with them in the tremendous responsibilities which they have carried. But I know that they have made mistakes; every Member of Congress knows that they have made mistakes; everyone in the country knows that they have made mistakes. When a new system was set up and the agencies began to write the regulations, they could learn only by experience. Regulations were written, and then amended. Regulations were changed and repealed. Many of the regulations fell with tremendous impact upon those who were patriotically contributing to the war effort. Sometimes they were written by men in Washington whose whole experience was in metropolitan areas. The rules and regulations which they wrote had no application whatsoever to conditions existing in rural communities, or in States of broad distances, such as the State from which I come, or the State from which the distinguished presiding officer [Mr. MURDOCK] comes.

Such mistakes were inevitable. There was a clashing of the gears. I could stand here for hours and read the list of errors which were committed, and call the roll of serious mistakes which were made. I am willing to admit that every one of those mistakes was made in good faith. A great new system must be worked out by experience.

Every Senator and every Representative knows that when the O. P. A. was first brought into existence there was not a community in the land which did not suffer from the unavoidable fact that the regulations did not harmonize with local conditions. I have in mind at this moment situations which have developed with respect to the disposal of surplus property. I know of a case in which $160,000,000 of public money was expended to build a great plant for the production of war materials. The plant has not been put into operation, and its machines are standing idle. There was an overestimate. Some of the machines, turboelectric generators, are claimed by other agencies of the Government. Some of them are claimed by a foreign government which desires them. War factories in the area in which this plant is located are in need of turboelectric generators, in order to have the power to produce the war materials which they are actively processing. Yet, Mr. President, a request came from a foreign government for a substantial number of those generators, and an order was given that they should be taken away from the plants where they were needed and sent abroad.

Innumerable instances of this kind could be recited. We know from experience that the new system embodied in this measure cannot possibly be put into smooth operation for months to come. I venture to say that the regulations are not yet written. I venture to say that months will be required to write the regulations; but, in the meantime, if Congress should enact this law, the word would go out from the Halls of Congress that this body no longer has any faith in the ability and the will of the free democratic citizens of this Republic to unite to carry on the war.

Mr. President, in the charter which was read from the desk this morning at the request of the senior Senator from Nevada [Mr. MCCARRAN] we have an illustration that management and labor are cooperating and can be depended upon to cooperate. Step by step they are making great progress toward the perfection of a democratic system, a free American system for the production of war materials and for carrying on the industrial activities of the United States.

The War Manpower Commission was just like any other war agency. In the beginning it, too, was making mistakes until it learned the problem which was before it. It appointed management and labor committees, and those management and labor committees have worked with remarkable success. If we now enact this bill, we scrap that system, because we impose a new authority to be exercised.

MISTAKEN PSYCHOLOGICAL MEASURE

I say again, Mr. President, that I think it would be a disaster to the productive activity of America if this were done. This measure is not actually being urged as an aid to war production. In reality, it is being presented to us as a psychological measure to prepare for conditions which are expected to exist after victory day in Europe. It seems to me that it is being presented to Congress by men who lack faith in their fellow citizens, by those who believe that unless we find a way to chain the civilian workers of America to their machines they will leave the factories when victory day in Europe is proclaimed.

Mr. President, I believe there is absolutely no ground for any such lack of faith in America. I say that the free people of America have demonstrated beyond the possibility of contradiction or of doubt that they are behind this war, that they want this war to be carried on to complete victory, that they want the United States and the Stars and Stripes to lead the peoples of all the world to the redemption of free government from arbitrary power. They will not stop. Free government presents no threat to complete victory. A free economy presents no threat to complete victory. There is no threat except the threat which comes from the imposition of totalitarian power on the people of America. I pray God, Mr. President, that the Senate of the United States will never give its consent to such a repudiation of every principle upon which this Government is founded.

The PRESIDING OFFICER. The question is on agreeing to the conference report on House bill 1752.

Mr. KILGORE obtained the floor.

Mr. McFARLAND. Mr. President, will the Senator yield to me so that I may suggest the absence of a quorum?

Mr. KILGORE. I yield.

Mr. McFARLAND. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Barkley	Buck
Austin	Bilbo	Burton
Bailey	Brewster	Bushfield
Ball	Briggs	Butler
Bankhead	Brooks	Byrd
Capper	Johnson, Colo.	Radcliffe
Chavez	Johnston, S. C.	Reed
Connally	Kilgore	Revercomb
Cordon	La Follette	Saltonstall
Donnell	Langer	Shipstead
Downey	Lucas	Smith
Ellender	McCarran	Stewart
Fulbright	McClellan	Taft
George	McFarland	Taylor
Gerry	McKellar	Thomas, Utah
Guffey	McMahon	Tobey
Gurney	Magnuson	Vandenberg
Hart	Maybank	Wagner
Hatch	Millikin	Wheeler
Hayden	Moore	Wherry
Hickenlooper	Murdock	White
Hill	O'Daniel	Wiley
Hoey	O'Mahoney	Wilson
Johnson, Calif.	Pepper	Young

The PRESIDENT pro tempore. Seventy-two Senators have answered to their names. A quorum is present.

The question is on agreeing to the conference report on House bill 1752, the so-called manpower bill.

Mr. KILGORE. Mr. President, a short time ago a document known as the management-labor charter was placed in the RECORD. Had not one of my colleagues placed that document in the RECORD I should have taken this opportunity to do so. It has a great bearing upon the question which we are now studying. When the representatives of management and the representatives of organized labor appeared before the Senate Military Affairs Committee a distinguished member of this body said, "the millennium has come."

The United States has gone a great distance toward effecting an agreement between management and labor, without which our great industries cannot properly function. That agreement was reached through pain and tribulation, and by a wandering and groping-about method. But it has accomplished the marvel of the ages—a record of production without parallel in the history of the world.

While I have heard voiced in this debate vague rumors of shortages, I have yet to learn of a specific shortage which has not been cured by industry and labor as the program proceeded.

Mr. HATCH. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from New Mexico?

Mr. KILGORE. Mr. President, I should like to develop the major portion of my discussion without yielding.

The PRESIDENT pro tempore. The Senator from West Virginia declines to yield.

Mr. HATCH. Mr. President, I wish only to compliment the Senator from West Virginia. Will not the Senator yield for a compliment?

Mr. KILGORE. If the Senator does not mind, I prefer not to yield. That statement is made with all due respect to my good friend, the Senator from New Mexico, for whom I have a great admiration.

Mr. President, America's great industrial achievements have been made possible by cooperation between industry and labor. That cooperation has been evidenced by the work of the industry-labor committees, and other joint committees which have worked to iron out the wrinkles, and the trouble spots as

they developed. The program has produced the remarkable results to which I called attention in a previous statement which I made upon this subject, in which I referred to the comparative record of England and the United States in their respective war industries, and showed that we, without compulsory legislation of any kind, have had a far better record of industrial achievement than has England. England had compulsory legislation; she also had Dunkerque, Coventry, and the bombing of London—physical violence which produced a psychology of production in Britain. In this country, with cooperation, we developed that psychology which is so necessary successfully to prosecute any war.

Mr. President, production is the foundation stone of victory. Without it in modern warfare no nation can hope to succeed. The big mistake made by the war lords of Germany and Japan was in underestimating the productive capacity of one nation—the Nation which we in the Congress have been elected to represent legislatively—and which we now consider punishing industrially.

The great labor-management charter goes a long way, not only now but also in the post-war peace period, toward settling our domestic difficulties. Mr. President, I ask unanimous consent to have printed in the RECORD at this point, as a part of my remarks, a news article which appeared in the New York Times under date of March 28, 1945. I believe the article discusses the subject thoroughly.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BUSINESS, LABOR FRAME PEACE CODE—JOHNSTON OF CHAMBER, GREEN OF A. F. OF L., AND MURRAY OF C. I. O. OFFER NEW POST-WAR PLAN

(By Joseph A. Loftus)

WASHINGTON, March 28.—Three spokesmen for business and organized labor signed today a new charter of principles which they conceived as a guide to post-war industrial relations in the conviction that an essential for maximum production and peacetime prosperity was a minimum of strife and suspicion.

The signers were Eric Johnston, president of the Chamber of Commerce of the United States; William Green, president of the American Federation of Labor, and Philip Murray, president of the Congress of Industrial Organizations.

The National Association of Manufacturers was not a participant, but Mr. Johnston said he hoped it would eventually subscribe to the charter.

Based on a mutual recognition of each other's prerogatives and responsibilities, the charter sets forth these guides and objectives for management and labor:

Encouragement of productive efficiency and technological advancement with a view to steadily improving standards of living; respect for the rights of private property and free choice of action; recognition of management's right to manage, free of unnecessary governmental interference or burdensome restrictions; recognition of the right to organize and bargain collectively without hindrances; cooperation in protection of the individual against involuntary unemployment and the hazards of old age and physical impairments; increased foreign trade and reasonable assistance to other countries; establishment of an international security organization and a national business-labor committee to promote better understanding at home.

THREE FRAMERS CONGRATULATED

Dr. George W. Taylor, Chairman of the W. L. B., immediately congratulated the charter framers "on their vision and statesmanship." He said the action inspired confidence in "the future well-being of the entire Nation."

The three leaders said the charter would be submitted to the executive bodies of their respective organizations at the first opportunity.

The charter calls for establishment of a committee of 15 or 20 who will seek "to promote an understanding and sympathetic acceptance of this code of principles and will propose such national policies as will advance the best interest of our Nation."

Twelve members of the committee have been designated, as follows:

For industry: Mr. Johnston; Paul G. Hoffman, president, the Studebaker Corporation; Henry J. Kaiser, president of the Henry J. Kaiser Co., Oakland, Calif.; Otto A. Seyferth, president of West Michigan Steel Foundries, Muskegon, Mich., and chairman of the chamber's committee on labor relations; E. J. Thomas, president of the Goodyear Tire & Rubber Co., of Akron; J. D. Zellerbach, president and director of Crown-Zellerbach, San Francisco.

For labor: Mr. Green, Mr. Murray, George Meany, secretary-treasurer of the A. F. of L.; Robert J. Watt, international representative of the A. F. of L.; R. J. Thomas, president of the United Automobile Workers, C. I. O.; and Sidney Hillman, president of the Amalgamated Clothing Workers, C. I. O.

WILL INCLUDE SOUTHERN GROUP

Mr. Johnston announced that the committee members still to be designated would include industrialists from the South.

The charter was made public at a press conference at the Chamber of Commerce Building, which drew a large attendance, including news-reel cameramen.

As acting chairman, the chamber president told the news conference that he envisioned two possible roads which the country might take after the war—one leading to "high levels of production, employment and wages, and ability to service our huge national debt. In other words, prosperity."

"The other," he said, "leads to fewer jobs, lowered incomes, and inability to service our national debt. In other words, eventual bankruptcy."

Mr. Johnston said the framers of the charter "recognize it is not a perfect instrument."

"It is dynamic, not static, but it is a beginning," he asserted.

Mr. Murray, addressing the newsmen, said: "The plan is conceived to help America. It does not constitute a collusive agreement designed to operate against the interests of any group in the United States."

He expressed his appreciation to Mr. Johnston and the chamber, and to Mr. Kaiser, who, he said, "participated in all our meetings and who loaned his services and ingenuity" toward perfecting the charter. The C. I. O. president said that while the charter was an understanding among three organizations, "it nevertheless constitutes a proposal which, through the medium of this meeting, is being submitted to the people of the United States for their approval."

Mr. Green said that through the new document "the area of controversy is reduced."

"The area of agreement is increased," he stated. "I feel confident that labor and management throughout this Nation will subscribe wholeheartedly and accept this code of principles without reservation."

The A. F. of L. president said the charter was not perfect and "will not eliminate strikes altogether."

"We can reduce them," he said. "We can substitute cooperation and understanding for bitterness and strife."

Asked about the absence of the N. A. M., Mr. Johnston said a representative of that organization sat in on one conference and was invited to two others and "we hope they will participate."

He also was asked about the participation of railroad brotherhoods and other independent unions. He replied that "that's up to the committee," and added that they had not been invited so far to take part.

Mr. Johnston said he knew of no opposition to the charter and that he did not know why the N. A. M. had not joined.

The three men were asked how the organizations for which they spoke would be bound by the charter. Mr. Johnston and Mr. Murray said its adoption by the executive boards of their organizations ould make the charter constitutionally binding. Mr. Green said the charter would be submitted to the American Federation of Labor executive council and remarked that during the war "the workers made an amazing record."

"I am sure they will continue in that spirit," he added.

The statement issued by Dr. Taylor, W. L. B. Chairman, said:

"Leaders of labor and industry who today signed the new charter for labor and management are to be congratulated on their vision and statesmanship. Their pledge of respect for each other's fundamental rights and their promise of cooperative effort involve much more than harmonious labor relations after the war—important as that is. This outstanding advance of democratic principles in the industrial field inspires confidence in the future well-being of the entire Nation.

"This charter's emphasis on the substitution of collective bargaining for strikes and lockouts in settling disputes between management and labor promises to aid materially in the rapid reconversion of our industrial resources to peacetime production and that high level of consumption we all seek."

Mr. KILGORE. Mr. President, the charter which we have discussed bears upon the manpower legislation which we are now debating. I believe that our manpower legislation must be built upon the same type of fine cooperation as that exhibited in the formulation of this charter.

The National Chamber of Commerce, through its president, Mr. Eric Johnston, joined with the Congress of Industrial Organizations, represented by Mr. Philip Murray, and the American Federation of Labor, represented by Mr. William F. Green. At the time the charter was issued it was hoped that Mr. Ira Mosher, president of the National Association of Manufacturers, would join in it.

I desire at this time to read to the Senate a letter addressed to the distinguished Senator from Wyoming [Mr. O'MAHONEY] under date of March 28, signed by Ira Mosher as president of the National Association of Manufacturers, in which he says:

I feel so deeply that I must repeat again that in the opinion of industry adoption of the conference report on manpower legislation will hamper and impede war production.

And war production is the only excuse which can be offered for the pending bill.

I read further from Mr. Mosher's letter:

Industry judges the question in but one light—What will obtain the most production in the shortest time? This is the one important thing, for this is the one way to bring these wars to their speediest conclusion and save the lives of thousands upon thousands of our boys.

It is for this sole reason that we, on behalf of industry, implore the Congress to send the conference report back to the conference committee for further deliberation. In making this appeal I know I speak for industry and I believe I speak for millions of loyal, hard-working Americans who have already astounded the world with war equipment. The managers of America industry are experts in one line, which is production. It is nearly universal opinion that the conference report will retard and not intensify production. The pending conference report would set up legislation which raises a question of patriotism of these employees, which they do not deserve.

I can only repeat that the passage of this bill in its present form is the most serious obstacle yet proposed for the production needed for victory.

That, Mr. President, comes from the president of the National Association of Manufacturers, representing the leaders of the industries of the United States which have out-produced every nation in the world. It seems to me that that letter of itself does much to settle any question as to the need for the substitute bill proposed by the conference report.

Representatives of the great industry and labor groups of the United States—the National Association of Manufacturers, the American Federation of Labor, the Congress of Industrial Organizations, and the United States Chamber of Commerce—with whom I met on last Saturday, all pointed out that the conference bill would damage war production.

Yesterday we received a request from the President to pass the conference bill. I am in thorough agreement with the President that we should pass a good manpower bill. I think the President in writing that letter—and I should like to have each Member of this body read the exact text of the letter before passing judgment on this matter—was motivated by a concern that there be no further delay in providing legislative manpower guarantees. The easiest road for us of course would be to adopt the conference report; we could all vote "yea" and go home, and then when things break wrong come back and try to nurse the headache the Nation would be undergoing by reason of the mistake. But there would be no substantial loss if we should reject the report, proceed immediately to ask for a further conference with the House of Representatives, and this time instruct our conferees to obtain a vote in the House on the bill which was sent to them by the Senate. It is my belief that if the House were given an opportunity at this time to vote on the Senate bill it would act favorably upon it in the light of present developments.

Let me say again that I am in favor of good manpower legislation. I intend to show in my remarks that, along with a number of other Members of the Congress in both Houses, I have long advocated all-out war effort, including all-out manpower mobilization. I believe that our armed forces should have legislative guarantees that our manpower mobilization will be most effective to back up the combat effort; but I am sure that they would be the last to desire the form of manpower mobilization without the proper substance. They would not want the Congress to do anything which might impair war production. I speak of the men doing the fighting.

It is well known that the May-Bailey bill and the modifications of the Senate bill were drafted at the instance of the Army and the Navy. That is the chief reason announced upon the floor of the Senate for the bills. Our Army and Navy officials have had brilliant successes in their proper sphere of activity—the battlefields of the world. There is no reason to conclude, however, that they should be burdened with the organization of the civilian economy of the United States, for which they have not had the necessary experience or training.

There is agreement in all agencies and branches of the Government and many groups in the country's economy that the principal responsibility of the Army and the Navy with respect to war production is the statement of what they need for an all-out effort against the enemy. It is the function of our governmental machinery and of management and labor so to organize the civilian economy that these requirements will be fully met. I shall show in my concluding remarks how these features of the conference bill which might prove damaging to war production grow out of the persistent efforts of certain military leaders to determine the methods of production and of manpower mobilization within the United States.

I shall show that, with respect to production, the military have objected to the over-all coordination essential to maximum war output.

I shall show, with respect to manpower mobilization, that they have been limited by concepts of military discipline, which, though appropriate and necessary on the battlefield, are utterly inadequate in civilian industry.

In examining the history of manpower and procurement legislation, I shall refer to the investigations and findings made by committees appointed by the Congress to study our war mobilization with a view to perfecting it. The studies and findings upon which I am going to draw particularly are those of the House Committee on National Defense Migration of the Seventy-seventh Congress, known as the Tolan committee; the Senate Committee Investigating the National Defense Program, first under the chairmanship of Senator TRUMAN, now Vice President, and now under the chairmanship of the junior Senator from New York [Mr. MEAD]; the special Senate Education and Labor Subcommittee of the Seventy-seventh Congress to study the war-mobilization bill introduced by Representative TOLAN, the Senator from Florida [Mr. PEPPER], and myself; and the Subcommittee on War Mobilization, of which I am the chairman, of the Senate Military Affairs Committee.

In December 1941, less than 2 weeks after Pearl Harbor, the Tolan committee issued a comprehensive report entitled "Recommendations on Full Utilization of America's Industrial Capacity and Labor Supply in the War Effort." At that time I was very well acquainted with that committee's work which was being coordinated with our work in the Senate in the National Defense Investigating Committee. I shall read a portion of the findings and recommendations of that report having to do with the organization of production and manpower mobilization.

We are asked sometimes why we should look into these things, and I wish to refresh the memories of the Members of the Senate on the concept long held by our lawmakers that the production of war material is a civilian function. With the approach of this war, we created the offices of Under Secretary of War and Under Secretary of the Navy, whose duties are to head procurement, and to keep it a civilian function. The cornerstone of the procurement policy of the United States has always been that it shall be handled by civilians, expert in their own lines, and not by men expert in the line of fighting.

I now wish to quote a little for the RECORD from the report on national defense migrations, issued on December 19, 1941, by the Tolan committee:

This committee believes, after months of hearings throughout the country, that even the most influential quarters misunderstand the meaning of the term "civilian morale" and the proper manner for enlisting it in the great undertaking which has been thrust upon us.

Remember, this was but 2 weeks after Pearl Harbor.

Civilian morale should be recognized as a byproduct of efficient organization of the national productive effort. Only through complete participation of the whole people in a total war can civilian morale be enlisted and heightened. This requires a comprehensive and unified production plan and a single agency to centralize key decisions and decentralize operations.

It is inconceivable that war can be waged successfully without such full utilization of our resources. The committee believes that to date there has been a profound lack of such planning and an absence of the attitude necessary for the organization of our economy on behalf of the total war effort which we now see is called for if victory is to be ours.

At the outbreak of war hundreds of plants are being closed, many by Government request; unused plant facilities are causing widespread disemployment when every ounce of effort is needed. The communities in which such dislocations are under way are facing depression conditions and employment black-outs. Such failure to harness the ready energies of these cities and towns throughout America is inevitably having a serious effect on civilian morale. To this committee it seems a credit to the American people that this effect has not been more widespread. The country must be shown, and shown soon, that it is operating according to a plan which utilizes every hand for the work of war and the preservation of our liberties.

There was a group of civilians urging action at that time.

To the millions of our citizens still unemployed there are now being added new millions of jobless workers, caught in the gap between curtailed civilian and lagging war employment. Unless prompt measures are taken to close this gap and to relieve the condition of those who will not be immediately reemployed, hundreds of thousands of these workers will, in the American tradition of self-help, take to the road in response to reports of employment elsewhere. These workers, suddenly deprived of employment, may migrate in much greater numbers than the unemployed of the depression decade. In many instances, these new migrants will leave communities where in a few months they will be needed to man war industries—

And how often that happens—

thus setting in motion a double migration. Crowding the centers of production already suffering from lack of housing, health, school, and other community facilities these new "priority migrants" will aggravate these conditions so detrimental to the morale of our defense workers.

This undirected and uncoordinated migration of workers will, in the opinion of the committee, be a national calamity. Except for special skills, there can be no immediate Nation-wide shortage of labor in defense centers. Increasing numbers of unemployed in each defense community compete with migrant workers, who, unemployed in their home communities, are attracted to the centers of production by grapevine and widely publicized reports of work. The gravity and magnitude of this problem as it relates both to the success of the war effort and to the widespread human suffering it entails, demand a prompt solution.

Training and contracts for war work should be coordinated in order that the period of unemployment may be shortened. It is the responsibility of the Federal Government to afford to these dislocated workers who cannot be immediately reemployed the assistance of increased unemployment compensation benefits or of Work Projects Administration employment. Traditional conceptions of local responsibility are not adequate to meet conditions created by the present war program.

Consistent with the objectives of our national policy, the obvious and basic solution is to provide employment. To achieve employment on a scale commensurate with the needs of the war program and with the magnitude of the dislocation requires the immediate and full use of all existing facilities.

Here is an interesting point which bears on the subject before us:

The testimony before the committee was almost universal that production to date has been a failure, measured against the available facilities and the visible needs for military purposes. The largest and most efficient manufacturing facilities are not being used in the armament effort. At the same time the system of contract awards in effect excludes from production the facilities of tens of thousands of small producers. As a result, the mass production of critical military material is awaiting, to a considerable extent, the completion of new plants. Thus, when speed in production is vital to the Nation, the potentially greatest arsenals stand unused and their unemployed workers are waiting for new plants to open. The battles of today cannot be waged with deliveries from the plants of tomorrow.

Mr. President, I ask that pages 2, 3, and 4 of the report be printed at this point in the RECORD as a part of my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

This committee believes, after months of hearings throughout the country, that even the most influential quarters misunderstand the meaning of the term "civilian morale" and the proper manner for enlisting it in the great undertaking which has been thrust upon us. Civilian morale should be recognized as a byproduct of efficient organization of the national productive effort. Only through complete participation of the whole people in a total war can civilian morale be enlisted and heightened. This requires a comprehensive and unified production plan and a single agency to centralize key decisions and decentralize operations.

It is inconceivable that war can be waged successfully without such full utilization of our resources. The committee believes that to date there has been a profound lack of such planning and an absence of the attitude necessary for the organization of our economy on behalf of the total war effort which we now see is called for if victory is to be ours.

UNUSED PLANT FACILITIES CAUSING MIGRATION

At the outbreak of war, hundreds of plants are being closed, many by Government request; unused plant facilities are causing widespread disemployment when every ounce of effort is needed. The communities in which such dislocations are underway are facing depression conditions and employment black-outs. Such failure to harness the ready energies of these cities and towns throughout America is inevitably having a serious effect on civilian morale. To this committee it seems a credit to the American people that this effect has not been more widespread. The country must be shown, and shown soon, that it is operating according to a plan which utilizes every hand for the work of war and the preservation of our liberties.

To the millions of our citizens still unemployed there are now being added new millions of jobless workers, caught in the gap between curtailed civilian and lagging war employment. Unless prompt measures are taken to close this gap and to relieve the condition of those who will not be immediately reemployed, hundreds of thousands of these workers will, in the American tradition of self-help, take to the road in response to reports of employment elsewhere. These workers, suddenly deprived of employment, may migrate in much greater numbers than the unemployed of the depression decade. In many instances these new migrants will leave communities where in a few months they will be needed to man war industries, thus setting in motion a double migration. Crowding the centers of production already suffering from lack of housing, health, school, and other community facilities, these new priority migrants will aggravate these conditions so detrimental to the morale of our defense workers.

This undirected and uncoordinated migration of workers will, in the opinion of the committee, be a national calamity. Except for special skills, there can be no immediate Nation-wide shortage of labor in defense centers. Increasing numbers of unemployed in each defense community compete with migrant workers, who, unemployed in their home communities, are attracted to the centers of production by grapevine and widely publicized reports of work. The gravity and magnitude of this problem as it relates both to the success of the war effort and to the widespread human suffering it entails, demand a prompt solution.

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Consistent with the objectives of our national policy, the obvious and basic solution is to provide employment. To achieve employment on a scale commensurate with the needs of the war program and with the magnitude of the dislocation requires the immediate and full use of all existing facilities.

PRESENT PLANT CAPACITY MUST BE USED

The testimony before the committee was almost universal that production to date has been a failure, measured against the available facilities and the visible needs for military purposes. The largest and most efficient manufacturing facilities are not being used in the armament effort. At the same time, the system of contract awards in effect excludes from production the facilities of tens of thousands of small producers. As a result, the mass production of critical military materials is awaiting, to a considerable extent, the completion of new plants. Thus, when speed in production is vital to the Nation, the potentially greatest arsenals stand unused and their unemployed workers are waiting for new plants to open. The battles of today cannot be waged with deliveries from the plants of tomorrow.

If our full industrial power is to be applied, the facilities of our greatest industries and especially of the automobile industry, because of its premier position as a mass-producer, must be fully converted to military production. The committee, in a hearing particularly concerned with the auto industry, found that only a negligible part of this great capacity is presently employed in the war effort. Written testimony from a great automobile corporation showed that it was producing the tools of war at a rate which, if general, would require 15 years for the completion of the armament program already projected. The president of this corporation which holds almost one and one-quarter billion dollars worth of war contracts stated that "production is on schedule" according to the contracts so far let to the corporation and the delivery dates now stipulated.

Two major obstacles impede war production: Manufacturers have been reluctant to convert their production facilities from civilian to military production, and the defense agencies of the Federal Government have not required such conversion.

SPEEDY AND TOTAL PLANT CONVERSION NECESSARY

The prime objective of an all-out war effort, namely, to enlist every worker and every machine, was and still is left to a policy of indirection. Instead of planning for and requiring orderly conversion, reliance is placed upon the technique of urging manufacturers into war production by curtailing their facilities for civilian production. This procedure is neither efficient nor forthright.

The committee received much testimony on the ability of the automotive industry to convert its facilities to military production. The motor manufacturers contended that only 15 percent of productive facilities were convertible. Production engineers and union witnesses testified that 50 to 80 percent of the facilities of the industry could be converted to defense production. It is a matter of record that the entire automotive industry of England has been converted to defense production.

This controversy in itself signalizes the failure to plan production. But the requirements of the war program dictate the immediate conversion of the durable consumer-goods industries, including the automobile

industry, and manufacturers of refrigerators, stoves, typewriters, and other goods using metals and other critical materials necessary to war production.

It is not consistent with orderly procedure to rely on individual manufacturers to contribute without guidance to the national war effort. The part they can and should play in the war program must be indicated. To date, this has not been done.

Some of the maladjustments in a rapidly expanding war program are understandable. But there has been no plan commensurate with the production goals already set. The imperative requirements of toal war have not been recognized even by the Army and Navy. While other nations have bent to war production every manufacturing facility which could possibly be converted, the procurement divisions of the Army and Navy have not required the conversion of the facilities of our great corporations to the war program. They have not required that these companies use their facilities every minute of every day and every night as the urgencies of the national danger dictate. In addition, the Army and Navy have limited their contracts to large companies. As a result, the war program has lagged and the gap between achievement and goal grows ever wider.

Mr. KILGORE. The report proceeds on the question of the speedy and total plant conversion with this significant statement:

Some of the maladjustments in a rapidly expanding war program are understandable. But there has been no plan commensurate with the production goals already set. The imperative requirements of total war have not been recognized even by the Army and Navy. While other nations have bent to war production every manufacturing facility which could possibly be converted, the procurement divisions of the Army and Navy have not required the conversion of the facilities of our great corporations to the war program. They have not required that these companies use their facilities every minute of every day and every night as the urgencies of the national danger dictate. In addition, the Army and Navy have limited their contracts to large companies. As a result, the war program has lagged and the gap between achievement and goal grows ever wider.

The report further discussed the weaknesses of our organization for war production, which was at that time uncoordinated and is at present not fully coordinated. The one disciplinary step necessary to coordinate it—the central power to make contracts—is still held by some 47 separate contracting agencies instead of being centralized in one agency so that war contracts can be carefully distributed on time and manpower bases.

Thus, we had a report of a congressional committee 2 weeks after Pearl Harbor urging the procurement agencies of the Government, and particularly the Army and the Navy, to do some coordinating looking toward the successful waging of the war.

The National Defense Committee, commonly called the Truman committee, on January 15, 1942, reported similarly on production management as follows:

A defense and war program by its very nature requires a tremendous dislocation in the business economy of the Nation and in the relations between business and government. The fundamental theory of a democracy is that every individual determines the business in which he will engage, the type of articles he will manufacture, the materials he will use, the persons from whom he will buy, and to whom he will sell. The function of government in peacetime is simply to state the rules under which business will be conducted, and to insure that there is fair play between businessmen and a fair deal to the public.

In a defense or war program the situation is very different. The Government, at least as to articles needed for the prosecution of the war, must determine what is to be produced, the quantities thereof, the materials to be used in connection therewith, and even the exact methods by which the articles are to be produced. In order to insure adequate supplies of war materials, it is necessary for the government to go even further and determine the quantities and kinds of raw materials which should be produced, and the extent to which such materials can be used for civilian economy.

The civilian economy cannot be treated as a separate problem, for a sound healthy civilian economy is an absolute essential for the successful prosecution of a modern war, especially if it is a protracted war. There are certain minimum and basic needs of the civilian population which must be met in order to keep up morale and the ability to continue producing war materials in the quantities needed. In a very real sense war materials are nothing more than the surplus which can be spared from civilian production without impairing the ability of the economy to continue producing. To use a homely example, you cannot get milk from a cow or eggs from a fowl unless you provide sufficient food to keep the animal sound and healthy.

Moreover, government cannot neglect the fact that fundamentally the whole defense and war program was embarked upon for the purpose of preserving from Fascist aggressors the American way of living, and that little will be gained if in winning the war we destroy the ability of the country to readjust itself and resume the American way of living.

To do this we must reserve to as great an extent as possible a sound civilian economy.

Under a war program the Government also has the responsibility for making long-range plans to cope with the emergencies which may arise, so that the shifts that are made necessary by the defense and war program takes place gradually to the end that plants and labor can be transferred from civilian work to defense work with a minimum of dislocation and unemployment.

When the present War Production Board was established, many of us hoped that its Chairman, then Donald Nelson, would be able to subordinate the procurement functions of the War and Navy Departments to the newly created War Production Board. The need for such subordination was explicitly stated in the report made by the Tolan committee, which was carefully studying the entire program of procurement and manpower utilization at that time. The Tolan committee held extensive hearings in the field, at war production centers, as well as in Washington. War and Navy Department representatives and other agency representatives testified at these hearings. It is important to note that the Tolan committee was particularly concerned with the problems of manpower and excessive migration and labor turn-over as it was related to the system of procurement.

Mr. President, we are finally coming around to taking the work to the worker, at the end of 3 years of experimentation, after spending more than $7,000,000,000 in building new plants to which to take workers.

In its report of March 9, 1942, entitled "On the Need for a Single Procurement Agency to Affect All-Out War Production and Achieve Full Use of Labor Supply," the Tolan committee reaffirmed the need for a central war production agency to coordinate and maximize our war output.

Mr. President, I should like to remind the Senate that the greatest resistance to the establishment of that central agency came from the very two departments which now come to us and demand that we regiment and that we control the life of every civilian in this country, to overcome the mistakes they made at that time. Yet they do not tell us they made mistakes at that time.

I should like to read a little of that report in order to refresh the memory of Senators on what good advice was given by civilians—politicians, if you will call them that, those of us who happen to be in Congress and are so labeled—what good advice was given to the people who asked first for the complete drafting of all labor, of everyone from the cradle to the grave, finally limiting it to individuals from 18 to 45, and asking us to punish loyal workers with the threat of jail sentence.

In the report of March 9, 1942, more than 3 years ago, this was stated:

In discharging the obligation of the committee under its resolution to study national defense migration, it has proven necessary that we study the causes of this migration. It is required of the committee that we present to Congress the reason why this migration has been unplanned and unnecessary in many of its phases, creating community distress and hardships for these migrants. Poorly planned production in the war effort has been the primary cause of the unplanned and unnecessary migration up to the present time. This has led to an unparalleled waste of manpower and of plant resources. Therefore, this committee in its second interim report and, once again, in its third interim report, has been forced to deal with the necessary steps for the full utilization of our productive capacity and manpower. The second interim report dealt primarily with the conversion of durable consumer goods industries. This report deals with procurement insofar as this subject relates to the war production and the subsequent planning of the use of our manpower. This third interim report should be read in conjunction with our second interim report, to which it constitutes an up-to-the-minute supplement.

It must be understood that wasteful migration is an integral part of the general waste of our manpower accompanying the failure to plan for the full use of our facilities. This is directly reflected in the haphazard, piecemeal procurement procedures employed to this date.

Senators will remember the competition to obtain the services of favored plants, and the competition of less favored plants to obtain a little work for their workers.

At the outset of our hearings on defense migration we learned of large-scale fruitless migration to the air fields and shipbuilding plants on the Pacific coast. This was a waste of manpower. At later hearings on the east coast and in the Middle West we learned of wholesale migration of industrial manpower to great production centers operated by the companies which received the majority of the defense contracts, leaving behind stranded communities and darkened plants.

I well remember going into a shipyard at Orange, Tex., which had been in existence for 60 years. It was operated by competent management. It had a marine railway. It was engaged in building oceangoing tugs, as a subcontractor for an eastern corporation which built automobiles. The shipyard could not obtain a direct contract. When I inquired about it, I was told that it could not obtain a contract to build tugs, so it sold them to the other company, which in turn sold them to the Government.

This, the third interim report of the committee, appears 2½ months after this country's precipitation into war.

* * * * *

It remains the opinion of this committee, 3 months after the outbreak of hostilities, that we Americans—our leaders in military and civilian life, as well as the general public—must apply ourselves to the common effort with a new understanding of the meaning of this war, a new realization of the urgency of our position. Failure to organize the domestic front for the battle of production has already been translated directly into serious defeats for our own armed forces.

These set-backs are traceable to our inability thus far to comprehend the nature and scale of modern warfare and the lengths to which our enemies have gone in preparing themselves. There has been no lack of speeches exhorting the American people to the utmost effort. What has been lacking is an understanding of the characteristics evolved by other nations, both friend and enemy, in the course of their adjustment to this war.

What is lacking now is understanding, on the part of proponents of legislation, of the minds and the mental reactions and feelings of American workers who have been working, and who have done a fine production job. I have heard it said in the corridor that any worker who becomes angry because certain legislation is passed is not a good American. I say that any worker who feels that he is being threatened by his Government with punishment for something he has not done is a good American when he protests.

Sometimes I think of this bill as I think of the mother, inexperienced in raising children, who said to her husband, "Jim, look out in the back yard and see what Johnny is doing, and tell him to stop." I also think of the mother who yelled out the back door, "Come in. Whatever you are doing, I am going to whip you for it."

The Army and Navy procurement agencies resisted the creation of machinery for the most effective coordination of our war effort. Legislation to that end was introduced and was fought bitterly by them, to save the sacred prerogative of buying for themselves. No one ever tried to take from them the right of design, inspection, and so forth; but on two different occasions an effort was made in the Congress to place control of the actual contracting in the hands of those accustomed to dealing in contracts; that effort was bitterly resisted. In spite of all that, a magnificent production job has been performed and is being performed through the joint efforts of industry, labor, and the Government. Nevertheless, our full production potential was not being utilized.

In the middle of 1942 the War and Navy Departments began to press for national-service legislation. That is what it was called. It was a manpower draft, just as the pending measure is a manpower draft. That there was no effort to coordinate, no effort to reach real production, no effort to distribute the work, but, instead, a high concentration of plant building. Every time criticism was made there was a verbal hiding in the fox holes of Bataan, which put any of us who criticized in a bad spot. In spite of all that, the cooperation between labor and management has built up a good production program.

Had we properly distributed procurement over production areas in the first place, we never would have had a manpower problem. We never would have had a need for mobilization. We went at the problem backward. Instead of attacking the problems of manpower mobilization by improving the system of procurement, as we should have done, we dragged the worker to the job by high wages, and now we criticize him on the floor of the Senate because he gets a fairly decent rate of pay. Rather than take the job to the worker, we paid high wages.

I well remember going to plants where management asked me over and over if I could not persuade the Government to permit higher wages in order that certain plants might get employees away from competing plants in the neighborhood. The proposition was not stated to me quite that baldly, but I knew what they wanted. Every artifice was used to raise wages, to compete, and to concentrate. Only recently a large contract was placed in an area where, a year ago, workers were driving 100 miles across a desert to and from work in order that enough employees might be obtained to perform the contracts in the plants located in that city. A huge contract was let in the same city, demonstrating a complete failure to understand mobilization. I suppose we should draft workers and make them drive 200 miles across the desert to and from work so the plan can be carried out.

Mr. CORDON. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from West Virginia yield to the Senator from Oregon?

Mr. KILGORE. I yield.

Mr. CORDON. Will the Senator designate for the RECORD the location and the type of activity?

Mr. KILGORE. I would rather not do so at the moment, because I took the information from a newspaper report. Within the next 5 days I expect to visit the site and verify it personally. Then I shall be glad to answer the Senator's question.

Instead of attacking the problem by improving the system of contracting and procurement, as was urged by many Members of both Houses of Congress, and coordinating manpower and contract letting in the earlier days of the war, our military approached the problem obliquely, with recommendations for freezing manpower into the then existing production pattern, and for applying military discipline to the civilian economy.

At that time production was the great need, and any military expert will so state at the present time. The need was to terminate contracts for the production of civilian goods, so as to free the plants for the production of war materials.

The Tolan committee's report in 1942, entitled "Changes Needed for Effective Mobilization and Manpower," was devoted to that problem. It demonstrated very cogently that the enactment of national service legislation at that time would have impaired war production.

I should like to read several excerpts from that report, as a part of my remarks:

Training, transfer, and other aspects of labor supply must be directly integrated with war production planning. Testimony summarized in sections A and B shows that large numbers of workers are becoming disemployed and that many will be faced with extended periods of unemployment. National interest requires that these disemployed workers—

Those were workers in plants where civilian production had been stopped, plants which had not been given war contracts—

be reemployed as quickly as possible in the production of military equipment. In the interim period Federal assistance must be extended to these workers.

I quote further from the report:

Labor and management can and must also serve the added function of promoting an increase in industrial efficiency as yet unknown in this country. The lines of battle extend into every machine shop. If Hitler is to be defeated, America must, first of all, defeat him on the production front. If this is a war of bench and lathe—

How true those words are, that this is a war of bench and lathe; but they did not believe it then, when we told it to them—

it is not sufficient that we have over-all planning and organization so that every worker and machine may find its place on the production front. There must be generated the greatest enthusiasm and initiative of every individual worker and employer so that production can be expanded to the utmost.

Does anyone think that a $10,000 fine and a jail sentence will accomplish that?

I also wish to read the following three paragraphs from the report of October 1942:

The demand for immediate grants of power to compel universal service in industry and agriculture as in the armed forces reflects a lack of confidence in the American people on the part of many administrators. This committee believes the people of the country want clear and simple directions which they are prepared to follow voluntarily. The American public is confused. Much of its confusion is traceable to the conflicting orders and demands emanating from Washington agencies. The people do not believe that these agencies and bureaus have developed clear-cut plans to organize the people for the war effort. This committee in its hearings on September 15, 16, and 17 heard five witnesses who are responsible for various phases of the program for manpower mobilization: Mr. James P. Mitchell, Director of Civilian Personnel Division of the Army Civilian Service of Supply; Maj. Gen. Lewis B. Hershey, Gov. Paul V. McNutt, Chairman Wendell Lund, and Mr. Donald Nelson, Chairman of the

War Production Board. From the testimony of our recent witnesses and from other investigations, however, the members of this committee have come to the conclusion that the agencies charged with the responsibility for manpower mobilization are not ready to assume the further responsibilities of administering a national service act. If such an act imposes universal service upon all the citizens of the United States before these agencies are so reorganized as to carry out manpower mobilization that will inspire confidence in the American people, the effect upon our war effort is bound to be bad. No particular magic attaches to a law unless the people affected thereby are back of it.

The inadequacies of these agencies at the present time charged with these responsibilities lie in three principal directions: First, the absence of an central authority for relating the rate at which the armed forces shall be increased to the demands for manpower in war production; second, the absence of any regional and local machinery for providing an inventory of requirements of war industries and transportation; and third, the absence of any regional and local machinery for meeting manpower demands with an adequate supply, through a program for transfer, training, and upgrading.

Today all these organizations remain in the talk stage and are the subject of endless Washington committee meetings. Why cannot these simple steps be taken? I refer to the simple steps contained in the bill reported by the Senate Committee on Military Affairs, passed by the Senate, and sent to conference. Those simple steps are recommended in the report of the Tolan committee to which I have referred.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. YOUNG in the chair). Does the Senator from West Virginia yield to the Senator from Utah?

Mr. KILGORE. I yield.

Mr. THOMAS of Utah. I should like to ask the Senator one or two questions. The major portion of the Senate bill is contained in the conference report, is it not?

Mr. KILGORE. The major portion is contained in the conference report; the Senator's statement is absolutely correct.

Mr. THOMAS of Utah. So all the steps which the Senate bill implied should be taken, and might be taken, can be taken, under the conference-report bill, if it becomes a law.

Now let me ask the Senator from West Virginia another question; I know he will forgive me for interrupting him on this point. Did the House of Representatives ever have a chance to pass upon the Senate bill?

Mr. KILGORE. I do not understand to what bill the Senator refers. Does the Senator mean the bill which was introduced in the Senate?

Mr. THOMAS of Utah. Yes. In any of their deliberations in regard to the Senate's actions and in requesting a conference, was any vote taken in the House of Representatives——

Mr. KILGORE. No; the vote was to send the bill to conference, as I recall, not to consider the Senate amendments.

Mr. THOMAS of Utah. There was no motion to concur in the Senate amendments, was there?

Mr. KILGORE. I do not think there was. My understanding is that the vote was to send the bill to conference. I rely for my information on that point, not on the CONGRESSIONAL RECORD, but on my recollection of what was told me at the time. I was in hopes, let me say to the Senator, that the House would have an opportunity to pass upon the work of the Senate in the consideration of that bill, before it went to conference, in order that the two Houses might get together on it.

Mr. President, the introduction back in those days of the war mobilization bill was followed by the holding of extensive hearings by a subcommittee of the Committee on Education and Labor. The Senator from Utah is familiar with those hearings, at which representatives of various Government agencies and major war contractors testified. As a result of those hearings, there was a favorable report with respect to the war mobilization bill which at that time was pending. The Senator from Utah well remembers, I am sure, that that bill was for the purpose of coordinating procurement production and creating for the President a general civilian staff to utilize fully the industry and manpower of the United States; and the Senate well remembers the vigorous opposition to that bill by agencies which, but a short time later, were demanding the enactment of a national service law. A national coordination act would have done the job better, would have saved the country billions of dollars, and would have made unnecessary the construction of half of the plants which were built.

For instance, let me ask why it is necessary to build a Navy bombing range on one side of the Columbia River, a range which is used only 2 days a week, and why it is necessary to condemn a vast tract of land on the other side of the same river for use as an Army bombing range which is used only 2 days a week? This demonstrates a great lack of coordination in procurement, it demonstrates duplication and lack of planning, it demonstrates misuse of manpower.

There is a plant in my own State which belongs to the United States Government, and has belonged to it since 1918. It is equipped to manufacture guns of all calibers from 20 millimeter to 6 inches. It was shut down at one time when one department of the Government was complaining because the plant belonged to another department of the Government.

Mr. AIKEN. Mr. President, why was it necessary to spend $72,000,000 to construct aluminum plants when it was well known that no power was available with which to operate the plants? The plants were built and shut down almost as soon as the construction of them was completed. Seventy-two million dollars and all the manpower which had been expended in connection with the construction of those plants was lost to the people of this country. I believe that the Senator from West Virginia could cite not only a dozen instances but hundreds of instances of similar misuse of manpower and money by governmental agencies.

Mr. KILGORE. I thank the Senator for his statement. It is very pertinent.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. THOMAS of Utah. I, of course, agree with what the Senator has said. The mistakes which were made were not mistakes of the Congress of the United States. The Congress rectified mistakes which others had made. At the present time we have a different situation. While the answer will be highly speculative, I ask the Senator from West Virginia what effect the rejection or adoption of the conference report may have on the war effort so far as our soldiers and our enemies are concerned? Let us assume for a short time that there is such a thing as psychological warfare. Let us assume also that mistakes have been made in the past. When the President, the generals, the admirals, the Director of the War Production Board, and other high governmental officials are asking Congress to give them something which will be supplied by the enactment of this measure, if we refuse to give it to them will not the blame be upon Congress, in the event a mistake is made, through its failure to enact the legislation?

Mr. KILGORE. I may say to the distinguished Senator from Utah that I was coming to the very point which he has raised. We followed the advice of certain persons in going along a certain course. It led them, so they said, to the end which they had anticipated. We are now asked to take another step. Who will take the blame for it if it turns out to be a mistake? Certainly not the persons who are asking us to take it. The Senator knows that the United States Senate will take the blame, with the House of Representatives, and the President of the United States. We are thrown upon both horns of the dilemma. The doctor having prescribed poison on two or three previous occasions, is it advisable to take another prescription from the same doctor who might make a mistake again in diagnosing and prescribing for the disease?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. TAFT. I wish to ask the Senator from Utah whether the Secretary of War and the Secretary of the Navy did not come before the committee and insist that we pass the May bill for national service in order to satisfy the morale of the soliders? Was it not the distinguished Senator from Utah who opposed the wishes of the Secretary of War, and the Secretary of the Navy, when the measure to which I have referred was before the Senate? What he now suggests that we do was not done by him when the bill to which I have referred was before the Senate on a previous occasion.

Mr. KILGORE. Mr. President, I was in the committee meeting with the Senator from Utah when he endeavored to do what he had been asked to do. Like a good committee chairman, he accepted the wishes of his committee and came upon the floor of the Senate with the

bill reported out by the committee, and fought for what the committee had reported. In other words, in accordance with the good old American practice of following the will of the majority, he loyally supported the bill reported out by his committee. I must make that defense of him in connection with his action with regard to the May bill. I was with him in the committee, and I know full well that he is not in position to make a defense of his actions here on the floor of the Senate.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. THOMAS of Utah. I think the Senator from Ohio has done a very brave thing. I doubt that in the history of the Senate of the United States a similar act has ever occurred before. I refer to the action of the Senator in standing up and suggesting that another Senator's logic should be turned against him. I wonder if the Senator from Ohio will ever dare again to make a remark upon any subject as long as he lives.

Mr. TAFT. Mr. President, I have only suggested that the argument has been made that we must do what the officials of the Government say we must do in order to bolster the morale of the soldiers. I merely wished to point out that the Senator from Ohio was not doing what the officials of this Government want him to do. He is proposing something else. He supported in the Senate a bill which was passed by the Senate. It was denounced as being wholly insufficient and, according to the Secretary of War, not at all satisfying the demands of the soldiers. It seems to me that it is not for the Senator from Utah to say now that we must comply with everything which the officials of this Government demand, because he himself has not complied with the rule which today he apparently is prescribing for us.

Mr. KILGORE. Mr. President, for a moment I revert to the time when the Committee on Education and Labor considered the total mobilization bill in 1942. It would have mobilized the Nation for total war. I had the honor to be one of the sponsors of that bill. I well remember, as other Members of this body no doubt remember, that Senators were called off this floor to the adjoining rooms by high-ranking Army and Navy officials, as well as the Secretaries of War and Navy, and urged to have that bill taken from the Committee on Education and Labor and referred to the Committee on Military Affairs, so that it would not be acted upon. Even after that action was taken and the bill was taken away from the committee, which had spent 2 months studying it and was ready to write a favorable report urging its passage, and referred to the Committee on Military Affairs with the idea of burying it in a pigeonhole there—in the face of that the President of the United States appointed two of the officials proposed to be created by that bill, to wit, a Director of War Mobilization and a Director of Economic Stabilization. The whole idea was we must not in any way coordinate procurement. If we should coordinate procurement—well, all sorts of things might happen.

So, we passed through that phase, when civilians were trying to set up a war economy in this country that would produce. In spite of no coordination, in spite of no centralization of procurement, industry and labor in this country got together and produced so abundantly that the result was the marvel of the world. They produced not only enough to equip and to supply our own forces of more than 12,000,000 but also to furnish the Russians with the necessary equipment to enable them to deliver the finishing punch to the Germans at Stalingrad, and subsequently to drive them back to the outskirts of Berlin; and, furthermore, to provide the British with sufficient munitions and supplies to enable them to turn back Rommel at El Alamein and drive him across the desert, and to drive the Germans into northern Italy, and to drive the Germans across France and beyond the Rhine. Yes, that has been done through the cooperation expressed in the charter which I described when I began my remarks—through cooperation between the industry of the United States and the workers of the United States to get the job done, and at the same time to maintain a decent standard of living in the United States, in spite of all the material which had to be diverted to the war effort. After accomplishing all that, the selfsame people who did not want coordination now reverse their position. They do not say we are short now. I defy any Senator who has spoken to point to a direct statement made by the Chief of Procurement of the Army or of the Navy that there is any existing shortage. They cannot point to a single potential shortage. The only potential shortage they point to is in the event Germany falls, when the workers are all going to quit the plants and go—where? Oh, some place else.

I again call attention to the fact that it has not been a year since there was pending in the Senate a bill which we tried to have passed, containing certain features with reference to unemployment compensation. That bill was designed to obviate, without making any effort at coercion which is so repugnant to the democratic souls of the American workmen, to meet the situation with regard to workers quitting their employment.

Mr. HATCH. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from West Virginia yield for that purpose?

Mr. KILGORE. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Maybank
Austin	Hayden	Moore
Bailey	Hill	Murdock
Barkley	Johnson, Colo.	O'Mahoney
Brewster	Johnston, S. C.	Smith
Burton	Kilgore	Taft
Butler	La Follette	White
Cordon	Langer	Wilson
Gerry	McFarland	Young
Guffey	McKellar	
Hart	McMahon	

The PRESIDENT pro tempore. Thirty-one Senators having answered to their names, a quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. BANKHEAD, Mr. CONNALLY, Mr. GEORGE, Mr. SALTONSTALL, and Mr. THOMAS of Utah answered to their names when called.

The PRESIDENT pro tempore. Thirty-six Senators having answered to their names, a quorum is not present.

Mr. BARKLEY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Kentucky [Mr. BARKLEY].

The motion was agreed to.

The PRESIDENT pro tempore. The Sergeant at Arms will execute the order of the Senate and request the attendance of absent Senators.

After a little delay, Mr. PEPPER, Mr. BILBO, Mr. JOHNSON of California, Mr. FULBRIGHT, Mr. CHAVEZ, Mr. WILEY, Mr. ELLENDER, Mr. WHEELER, Mr. BYRD, Mr. TAYLOR, Mr. STEWART, Mr. HOEY, Mr. O'DANIEL, Mr. BALL, Mr. BRIDGES, Mr. DONNELL, Mr. GURNEY, Mr. MCCARRAN, Mr. MILLIKIN, Mr. SHIPSTEAD, Mr. TOBEY, Mr. VANDENBERG, Mr. WHERRY, Mr. HICKENLOOPER, and Mr. RADCLIFFE answered to their names.

The VICE PRESIDENT. Sixty-one Senators having answered to their names, a quorum is present.

Mr. KILGORE. Mr. President, at the time of which I speak, when the war mobilization bill was pending in the Senate, it is well known that representatives of the War Department and the Navy Department made an active and successful effort to have the bill taken from the Committee on Education and Labor, by which it had been considered for some time, and have it transferred to the Committee on Military Affairs, in an effort to block it. I was chairman of the Military Affairs Subcommittee which held executive and public hearings on the war mobilization bill, before its introduction. On May 13, 1944, the subcommittee reported favorably to the full Committee on Military Affairs, and recommended that an Office of War Mobilization be immediately established for the purpose of supervising and coordinating all war agencies. I wish to read briefly from that report:

> This first interim report is based on hearings held in executive session on April 16, 17, and 19 and on certain independent studies and investigations pursued by the committee. Testimony was given by Justice James F. Byrnes, Mr. Paul V. McNutt, and Mr. Charles E. Wilson with regard to the interrelation of the Office of Economic Stabilization, War Manpower Commission, and War Production Board. Questioning of the witnesses was directed principally toward section 3 of S. 607, a bill to establish an Office of War Mobilization.
>
> The committee reported as follows:
>
> It is evident that this section proposes the establishment of a program committee, in which is vested full authority, subject to the approval of the President, for establishing an over-all war-production program, and the powers to keep all parts of this program in balance.
>
> Evidence studied by the committee shows urgent necessity for such action. The com-

mittee feels that these facts are of such compelling importance at this time that they should be released at once rather than at the termination of the committee's deliberations concerning S. 607.

Later in the report—and I desire to call this matter most particularly to the attention of the Senate—it was brought out that the War Manpower Commission had been virtually reduced to the status of a service station. That report was made early in the spring of 1943, and I read further from it:

It would appear that the War Manpower Commission has been reduced virtually to the status of a "service station," attempting to supply requirements as stated by a number of claimants.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. HATCH. I simply wish to make the point of order that there is no order in the Senate.

The VICE PRESIDENT. The point of order is well taken. The Senate will be in order.

Mr. KILGORE. Mr. President, I read further from the report:

The Chairman of the Commission testified that requirements of manpower for the armed forces are determined unilaterally by the War and Navy Departments. The Food Administrator determines manpower requirements in agriculture, and these are not reviewed by the War Manpower Commission. Demands of war contractors for manpower, according to the chairman, are merely being checked on a statistical basis to determine whether original statements of needs conform with final hirings. There has been no practical control over the validity of demands by war contractors or to prevent hoarding, inefficient use of labor, unnecessary absenteeism, or labor idleness resulting from poor production methods and organization.

The evidence indicated that no machinery exists for balancing the demands of the various claimants in such a way as to preclude the possibility of any one program obtaining manpower at the expense of others.

Testimony showed that war production was being expanded or cut back in individual plants without consultation with the War Manpower Commission. Further, according to testimony, such expansions and cut-backs do not become known to the War Production Board until after they have taken place, and then in many cases by accident.

The War Manpower Chairman is without power to alter the demands placed upon the Commission. If he wishes to revise any demand placed upon War Manpower Commission, the Chairman must take up each question separately with the President. Such was the procedure in the determination of the size of the Army.

Recognizing that it has been excluded from the field of manpower demand, the War Manpower Commission has come to consider itself as a supply agency. However, the war contractors continue to hire through their own employment offices. Thus the War Manpower Commission has been excluded in most industrial areas from even its declared function as a supply agency.

As proof of the continued existence of that condition let me point out that only recently in my State there were so many recruiters for contractors in the Manpower Commission's offices that there was no desk space for War Manpower Commission workers there.

I read further from the report:

There is only one activity left which the Manpower Commission can perform. That function is to freeze manpower on the job.

The War Manpower Commission has undertaken steps to freeze the supply of manpower. In the past 6 months it has established stabilization plans in certain areas which prevent a worker from leaving his present job unless the employer agrees to his separation or unless the worker has obtained a "certificate of separation" from the local office of the United States Employment Service.

It must be understood, Mr. President, that on the basis of the present statutes the system is still a voluntary one. For instance, I well remember that only recently workers from my State who were working in shipyards in Baltimore would leave their jobs without such certificates and would go to Philadelphia and obtain work there because of the higher wages offered to them.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. HATCH. I think the Senator from West Virginia has made a misstatement regarding the practices and procedures. Presently I hope to show that already in the administrative offices of government the War Manpower Commission is doing far more without legislative authority than the pending bill contemplates. I know the Senator from West Virginia does not approve of that.

Mr. KILGORE. Let me say to the Senator from New Mexico that I was reading from a report made in 1943 showing the conditions then existing. I intend to discuss the condition existing as of today also in order to show what happened after that report was written. The report from which I have been reading is dated May 13, 1943, and it describes the conditions existing at that time. Those conditions have contributed largely to the complaints made regarding manpower

Mr. HATCH. Mr. President, I do not desire to interrupt the Senator from West Virginia but I notice that he is referring to conditions existing in 1943. If he will examine the reports made by our own committee in 1944 and 1945, he will find that the administrative officers are doing a great deal more, without statutory authority, than is provided for in the pending bill. I have the feeling that the Senator from West Virginia would prefer to have Congress write its own regulations on such matters.

Mr. KILGORE. I would. I thank the Senator from New Mexico for his comment, because the statement he has made relates to a point I desire to make, namely, that under the voluntary method of administration which has been built up, we have, without legislation, approached the present peak.

Mr. HATCH. Let me say to the Senator that we have not only approached the present peak but we have gone far beyond what is provided in the pending bill.

Mr. KILGORE. And we have done it by voluntary methods.

Mr. HATCH. Oh, no; that has not been done by voluntary methods. It has been done under authority conferred by the Congress on administrative officials.

Mr. KILGORE. That is correct; I agree with the Senator from New Mexico on that point.

Mr. HATCH. Frankly, I would prefer to have Congress write its own bill.

Mr. KILGORE. Yes; so would I.

I read further from the report:

Testimony of the War Production Board Vice Chairman indicated that that agency also has been reduced virtually to the "service-station" status. Principal demands for facilities and raw materials represent unilateral decisions by claimant agencies and the War Production Board exercises no serious power of review. Unilateral determinations are made by the armed services, maritime and shipping agencies, the Food Administrator, the Rubber Director, and the Petroleum Administrator.

* * * * *

Only in two particulars have the old relationships been altered by recent administrative changes. The War Production Board has undertaken to schedule the flow of critical components. Also, Mr. Charles E. Wilson is exerting very real pressure to improve inventory control and to improve scheduling of materials by the services.

In no single phase of the war-production program does centralized control exist at the present time. This is true of materials, distribution, scheduling, use of facilities, and contracting. In summary, the War Production Board is not a war-production board. It does not function as an over-all production organization.

That was the condition which prevailed in 1943, and it showed a vast improvement over the conditions which were found by the various committees in 1942. The accomplishment was entirely without compulsory legislation of any kind.

It is well to remember what cooperation between labor and industry can do. Let me cite the situation which existed in the airplane industry on the west coast in the spring of 1942. At that time plants were running far behind their capacity to produce. Gossip, as usual, was rife to the effect that labor was not producing, that labor was inadequate, and that it was insufficient in number. A survey was made by the National Defense Committee of all airplane plants on the west coast. Conditions of misallocation of materials were found. The subcommittee which conducted the investigation suggested one of two possible courses of action, either an agreement among the industrial members to handle the flow of material, or an over-all production director for the airplane industry. When the situation was pointed out, the industry immediately formed a committee to cooperate with the governmental agencies in the handling and allocation of materials between plants in order to insure that one plant would not hoard forgings, another hoard forms, another hoard sheets, another hoard instruments, and so on. In conformity with the plan which was formulated, industry made its supplies available to all members of the industry, and production increased 30 percent within 90 days. That is an example of how cooperation achieved results.

Upon the filing of the report from which I have previously read, the President, under the powers conferred upon him by Congress, created by a directive the Office of Director of War Mobilization. The Subcommittee on War Mobilization of the Senate Military Affairs Committee filed another report in June 1943 urging as follows:

Production to date has been obtained by following peacetime practices which are causing disintegration on the home front. Only all-out production will unify the whole Nation.

This was still in the spring of 1943.

On May 28, 1943, an over-all Government agency, the Office of War Mobilization, was created along lines advocated by this committee. Charged with the duties and responsibilities of effecting total mobilization, this Office has been in existence insufficient time either to study fully the problems involved or formulate the necessary policies.

To understand more clearly the fundamental issues of war mobilization, constructive thought both in and out of Government must be brought to bear. It is the hope of this subcommittee that these present findings will aid the new Office of War Mobilization both in determining its procedures and executing its policies.

Establishing a high command on the home front becomes even more timely as our troops gird for great offensive actions. The Roosevelt-Churchill conferences and their staff talks, on the heels of our victory in north Africa, augur even greater victories. The full might of the United Nations is attacking. We have retaken Attu; we have battered Pantelleria into submission after routing picked Axis troops at Tunis; our Chinese allies have stopped a Jap offensive on the Yangtze; on the west of Europe we are pounding the Axis from the air as our Russian allies keep their forces at bay in the east; we are slowly but surely clearing the seas of Axis submarines. These attacks come from troops and arms which are mobilized and directed by precise military planning.

This precise planning has been done long before the launching of these attacks, the success of which is completely dependent upon unified control in the execution of the advance plan in the theater of operations and in the zone of the interior, namely, the home front. Successful conclusion of the operation is dependent upon adequate and timely delivery of supplies. This makes necessary total mobilization of the home front through advance planning of all phases of the supporting home front economy. Both in battle and at home balanced and integrated flow of war weapons is a prerequisite for victory. An abundance of one item cannot compensate for a shortage in another. For example, an oversupply of tanks will not overcome a shortage of ammunition. Necessity to maintain balance between war production and essential civilian supply further emphasizes the need for advance planning.

Mr. President, that was in 1943. At that time there were complaints of shortages. Yet, when the proponents of the pending legislation ask us to enact it no complaint is made that a shortage now exists. We are asked to anticipate that a change in trend may bring about shortages. They ask us to anticipate such shortages, and to provide drastic penalties, the like of which have never before been adopted in this country.

Mr. President, there is another thing which was brought to my mind today by an editorial in the Washington News entitled "Legislating for Byrnes." The editorial is as follows:

Congress liked Jesse Jones. It had confidence he would not lend Government money foolishly. So while Mr. Jones was head of the R. F. C. Congress granted that agency discretionary powers to lend almost any amount of money, to anybody, for any purpose, at any rate of interest, and for any length of time.

Then suddenly one day Mr. Jones was fired. And a fearful shudder ran through Congress at the prospect of Henry Wallace taking over those same free-lending powers. While the Wallace fight was on, many Congressmen firmly resolved that never again would they legislate to fit the personality of a particular administrator.

But again Congress is basing its legislative judgment on the personality of a single administrator. Congress likes War Mobilization Director James F. Byrnes. It knows him as a conscientious, discreet, and experienced public official. It has confidence he will not abuse the powers voted to him. So in the pending compromise which has evolved out of the work-or-fight bill, Congress is granting powers over the lives, jobs, and businesses of Americans which it would never think of granting, for instance, to War Manpower Commissioner McNutt, or draft Director Hershey. Power to freeze a worker in a job, power to regulate or prohibit hiring, power to fix a ceiling on the number of employees of any business firm. And with penalties up to $10,000 and a year in jail.

Yet, does Congress know how long Mr. Byrnes will remain as Director of War Mobilization? Or who would succeed to those powers if he should quit—as he has many times expressed the desire to do?

Congress should establish policies, define rights and responsibilities of citizens under Government by law, but it should not grant so much discretion to any man.

Mr. AIKEN. Mr. President——

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Vermont?

Mr. KILGORE. I yield.

Mr. AIKEN. I thank the Senator for yielding, because since the Senator started speaking I have received a telegram which brings up a point which has not been touched upon in the Senator's remarks, or in the remarks of any other Senator who has spoken upon the subject now before the Senate. The telegram reads as follows:

MONTPELIER, VT.

GEORGE D. AIKEN,
Senate Office Building:

We are strongly opposed to conference report on manpower bill. Manufacturers feel that freezing men in plants may make it increasingly difficult to secure additional employees.

ARTHUR B. PORTER,
Manager, Associated Industries of Vermont.

Mr. President, the point the telegram raises is that there are hundreds of thousands of people patriotically inclined to this country who find themselves able to perform service in war work for a short period of time. I have in mind a school teacher who is having 2 months' leave of absence, and who called at my office a few days ago. She came to Washington and obtained a job in some essential war work for the 2-month period.

We know that throughout the country there are hundreds of thousands of people who find that they can put in a few weeks or a few months on essential war work. However, as the telegram I have read suggests, if people in that category know that if they accept temporary work in essential plants they will be frozen there and cannot return to their old work, which may be just as essential, the result will be a very great reluctance on their part to accept temporary employment, even though such employment would in the aggregate contribute greatly to the war effort.

As the Senator was speaking of the plans which were made in the early part of the war for the use of manpower and plants, this thought came to my mind: I suppose one of the most efficient plants in our country is the Willow Run plant of the Ford Motor Co., where Liberator bombers are made. If I remember correctly, there was a news item of 2 days ago which indicated that this plant had turned out its eight thousandth bomber. I have had the privilege of inspecting that plant and seeing the remarkably good work that is being done there.

What surprised me was to find that nearly 1,000 bombers had been completely made in that plant in Detroit and then shipped by rail to Texas, to be assembled there, and another thousand, or almost a thousand, had been manufactured in toto at Willow Run and had been shipped by rail to Oklahoma to be assembled there.

I raised this question: If they wanted to get the planes to Texas and Oklahoma, why not assemble them at Willow Run, where they were all ready to be assembled, and fly them to their destinations? I found that that would save an infinite amount of manpower, it would save the overburdened railroads from having to transport them, and it would save money. But they had to be sent to Texas and Oklahoma in order to make work for plants down there. That is one example of the Army's use of manpower—one example among hundreds.

Mr. KILGORE. I thank the Senator from Vermont for his contribution. I am very familiar with the situation.

Mr. AIKEN. I thought the Senator would recognize it.

Mr. KILGORE. The planes are completed except for hooking the wings and fuselage together, then they are shipped to the other plants merely to be put together. Some of them were shipped initially by truck and trailer, requiring an enormous use of rubber and gasoline. I think it has now been found that there is a way to ship them by rail, but initially they were shipped by truck and trailer.

Mr. AIKEN. I think they have pretty largely stopped shipping them now, but they were shipped. Someone suggested that they were shipped in a knocked-down form in order to give workers in Texas and Oklahoma practice in putting them together. But a thousand planes were not needed for that purpose in Texas and a thousand were not needed for that purpose in Oklahoma. They were sent there only to furnish work for the plants in those localities. It was not good use of manpower.

Mr. KILGORE. The Senator from Vermont is correct. I wish to call his attention also to one other possibility of the freeze. The Senator's State is Vermont; mine is West Virginia. There are in the State of West Virginia, and doubtless there are in the State of Vermont, numerous farmers who go to war plants

and work when they do not have to labor on their farms. If they are frozen in those plants, their farms will be devoid of farmers in the coming summer. Now, however, we do get 12 months' work out of the year from them because of the shuttling of those workers. Is that true in Vermont as it is in my State of West Virginia?

Mr. AIKEN. It is; and with the enactment of legislation such as is now proposed there will be no more people leaving the farms temporarily to work in war plants, running the risk of being frozen there and losing everything they have at home.

I wish to say further that, even while the representatives of the War Department were before the committee testifying as to the urgent shortage in manpower, one of the largest plants in my State was reducing its working hours from 48 to 40 hours a week. However, it was later required, for the looks of the thing, to put the workweek up to 44 hours, but there was a reduction in the working hours from 48 to 44. Otherwise it would have been necessary to let some of the men go.

I was in Hartford, Conn., a couple of weeks ago, and found that there had been quite extensive laying off of help in that very important industrial city. The situation seems to be more one of confusion than of actual shortage. Perhaps that is also true of the meat business about which we have been hearing so much.

Speaking of the meat business, I am sure the Senator will be glad to know that, according to my understanding the Army is opening four new commissaries in Washington within the next few days to furnish supplies at cost to members of the armed forces and their families, and, I am afraid, to some of their friends. These new establishments are to be manned by Army personnel, and thereby we will have another leak in the manpower situation.

As I think the Senator from Wyoming [Mr. O'MAHONEY] pointed out earlier today, mistakes have been made; but I should like to add that these mistakes have not been made by American industry and they have not been made by American labor, which has indeed, a remarkable record. Industry also has one of the most remarkable records the world has ever known. The mistakes have not been made by the American farmers, who have produced more than it was ever expected human beings could produce in the way of food and fiber. Mistakes have been made, but they have been made by those to whom we are now asked to give absolute power over every working person in this country.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. WHERRY. I do not want to interrupt the Senator's address, but I should like to ask a question because there are some of us from the Farm Belt who are intensely interested in the subject. Clarification of the so-called Tydings amendment is contained in the bill, is it not?

Mr. KILGORE. Yes; the provision of the bill which was passed by the Senate has been retained.

Mr. WHERRY. That has to do, however, only with selective service?

Mr. KILGORE. Yes, but suppose a farmer becomes frozen while temporarily working in an industrial plant, then there must be further clarification. That is a situation which may arise, and that is what the Senator from Vermont [Mr. AIKEN] spoke of a short while ago.

Mr. WHERRY. I could not hear the statement made by the Senator from Vermont. The point I want to make is that there are those who feel that the Tydings amendment clarifies only the selective service, and does not in any way preclude the Administrator of this measure utilizing the help on the farm. The help on the farm come under the provisions of the bill, do they not?

Mr. KILGORE. Yes.

Mr. WHERRY. That should be pointed out clearly, because even though a man might be deferred under the provisions of the Tydings amendment, yet if the Administrator desires to take him off the farm it is within his power to do so under the provisions of this measure. Am I correct in my interpretation?

Mr. KILGORE. I believe the Senator is correct, particularly as to workers who in the seasonal crop States in large number work only in the summer on the farm, and spend the remainder of the time working in industrial plants. Such individuals would certainly be frozen in their jobs.

Mr. WHERRY. There would be no chance for them to stay on the farm. If they went into industry they would not be frozen on the farm.

Mr. KILGORE. The measure would not only create dictatorial powers in one administrative agency, but it would also create what is still worse, the delegation of dictatorial powers to many and varied agencies. For instance, the director under the provisions of the conference report, can select one agency which shall fix ceilings and make inplant survey of merely one plant, and select other agencies to deal with all other plants, or shift them as he sees fit.

There is another thing which could be done which it would be perfectly human to do—that is the delegation of power to the contracting agency. In selecting the agency to fix ceilings and to do all the freezing and handling, it would be perfectly normal for an administrator to direct the agency which makes the contract with the plant to look after the question of manpower, ceilings, and freezing. I think I can safely say that there will be small chance that anything else would be done.

We have all seen the competition that has taken place in the past. Each wanted to get its program through regardless of whether the other's program came through or not. Shipyards were fighting the airplane plants for labor. There was a fight between steel and copper producers. It was only through the cooperative effort of the industrialists themselves, when they got together, that the disputes to a large extent were eliminated. That was done through their boards, together with the War Production Board. When we got the over-all board's study the problems, intergration and cooperation were secured.

We made surveys of numerous plants, and when we found a plant to be overmanned, and so reported, the agency which made the contract with the plant felt it should take action as a measure of self-defense. In other words, when our report showed an overmanning and poor labor utilization, the agency officials, put themselves in the position of the plant. If we proved the plant was not well conducted we were proving that the agency had not used proper discretion. Thereupon the agency immediately went to the rescue of the plant and tried to prove that those who pointed out the situation were in error. There was constant action by agencies and congressional investigating committees and various others to get at the true state of facts.

Mr. President, will not the same thing occur again? In other words, a certain Government agency, whose officials are not themselves expert industrialists, having a contract with X Company, and wanting to push the production, will raise the ceilings on X Company's plant and will overlook the manpower utilization program in order to hold the plant up because they want that plant to make a good showing. The plant is making something they want and they pick it out and put it on the job of making the particular item. So, I ask will we obtain a fair in-plant survey or fair enforcement? If we are to have an in-plant survey, would it not be better to have it made by a disinterested agency which cannot be blamed if a mistake has been made, but which can show that the plant is not utilizing its manpower?

Frankly had Government agencies been as careful in their surveys as they should have been, and as careful as they should have been in checking up on contractors, there would have been very little upon which the National Defense Investigating Committee would have needed to make reports. But it was in ferreting out such conditions that we found the necessity for improvement.

We are now faced with the danger which always exists when too great a delegation of power is made to an administrative official, when the power without limit is given him to delegate to other agencies his full and complete power for the purpose of enforcement. It were far better that Congress should say, "Thou shalt administer this law; thou and thine own agents; and for the action of thine agents thou alone shalt be responsible." Then there would be a fixing of responsibility which would guarantee to the people of the United States a fair and just and decent enforcement of the law. If we were to adopt the conference report I should say it would be far better to provide that the Director of War Mobilization himself shall make the surveys, and not give him the authority to delegate. That is one of the dangers inherent in the conference report which I think the Members of the Senate should bear in mind in considering the report.

Mr. WHERRY. Mr. President, will the Senator yield for another question?

Mr. KILGORE. I yield.

Mr. WHERRY. I ask for information. Will there not be a tendency in the final analysis to take workers away from States where there is not a great deal of industry and in which there are no critical labor areas, and send them into the critical areas, which would include taking workers off the farms? How will the plan work in the Senator's opinion?

Mr. KILGORE. Let me say to the Senator from Nebraska that it most certainly will work in the way he suggests. The situation will even become aggravated. I will tell the Senator the reason why. We now have a rule that a plant in a critical area may not obtain a new contract unless it can show that it has the necessary manpower without increasing its supply. It is only human nature for a plant manager to try to jack up his plant ceiling in order that he may obtain new contracts, to make sure that his plant will continue to run. Is not that perfectly normal procedure? Is not that the way any good businessman would act?

Mr. WHERRY. Certainly.

Mr. KILGORE. There will arise, then, the battle for power. There will be terrific pressure to make sure that the right agency fixes the manpower ceiling in a particular plant. The swarm of lobbyists in connection with that effort will not be like the 17-year locusts, which appear only once every 17 years. The lobbyists may remain with us for 17 years in an effort to have plant ceilings jacked up high enough to shove more contracts under them, at the expense of the already denuded areas which have had the major portion of their manpower taken away from them.

The effort we are now making is to bring the work to the worker by saying that too much production activity should not be crowded into an already overcrowded area. We try to find a plant in an area which is not overcrowded. If the pending measure is enacted into law, that plan will be completely ruined.

Mr. WHERRY. The pending measure would operate exactly in opposition to what we have been trying to do, namely, to bring the work to the workers, rather than to bring the workers to the work.

Mr. KILGORE. The Senator is absolutely correct. That is another danger in the bill.

Mr. AIKEN. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from West Virginia yield to the Senator from Vermont?

Mr. KILGORE. I yield.

Mr. AIKEN. I believe I can tell the Senator from Nebraska what will happen to the manpower on the farm, judging from what has already happened. A few months ago in my State, between three and four thousand men had been discharged from the armed services. Of that number, only slightly more than 200 have gone back to the farms, or between 6 and 7 percent, although probably 30 percent of them had come from the farms before they entered the armed services. That is a pure estimate on my part, but I think it is approximately correct. Between 3,000 and 4,000 men were discharged from the armed services, of which number only slightly more than 200 returned to the farms. The others were channeled into industry. So labor has been siphoned from the farm into industry, through the armed services. Of course, some of those men probably were not able to work, but I suspect that most of them were. Some of them had become over-age, or had developed physical difficulties; but they were not going back to the farms. If this bill is enacted, we shall find that if they leave the farms temporarily to go to work in industry, they will be frozen in industry. I mentioned the school teached on vacation, who wished to spend a few weeks in some essential war work. Undoubtedly there are others in the same situation. If they are frozen in industrial employment, and cannot return to their original permanent positions, they will be very reluctant to accept temporary work in essential industry, whereas now there must be hundreds of thousands of persons in this country who are contributing to the war effort in this temporary manner.

Mr. KILGORE. There is another possibility to which I wish to call attention. In increasing numbers our soldiers are returning from the service because of partial disability, or for other reasons. I have yet to see a returning soldier who did not have one of two ambitions—either to complete his education, which had been interrupted, or to go to work.

The returning soldier does not want to go to work under any system of Army discipline. He wants to go back to civilian work. It is a job for him to adjust himself. All too frequently he does not know what he can do, and he must shop around from plant to plant until he finds something at which he can work successfully. Under the terms of the pending measure, when he takes a position in one plant he must remain there. There is nothing in the bill which would permit discrimination in favor of a wounded returning soldier. He would become a part of the manpower pool, and there would be no opportunity for him to become adjusted to civilian life and civilian industry by finding the place where he can do his best work.

I believe that those particular features have been too frequently overlooked in considering the provisions of the bill. We have paid a little too much attention to the enforcement features, the $10,000 fine and the year in jail. The $10,000 fine and the year in jail would enforce the features about which I have complained. That is a dangerous thing about the bill. For that reason, the fine and jail sentence become doubly obnoxious.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. AIKEN. The Senator from West Virginia spoke of the returning soldier having difficulty in finding the proper employment. If I correctly understand the report of the conference committee, he could work only in such places as might be approved by the Director of War Mobilization and Reconversion.

Mr. KILGORE. Yes; and there he must stay.

Mr. AIKEN. He would be prohibited from going to work in any other place. If he accepts employment in a certain plant, he must stay there if the Director of War Mobilization and Reconversion says he shall stay there.

As I stated yesterday, I cannot see why the discharged serviceman would not come under the complete control of Government the minute he was honorably discharged from the Army unless he had an independent income and did not have to go to work.

Mr. KILGORE. The Senator is correct.

Mr. President, in conclusion, let me say that there is one further factor which we must consider, and that is the workability of any legislation which we may enact. I was very much surprised, when we were conferring on the bill which was reported by the Military Affairs Committee and passed by the Senate, to find that industrial leaders were perfectly agreeable to restrictions upon industry, and to fines and imprisonment for violations of the law. However, they were vigorously opposed to invoking the same sanctions against workers. I inquired of leaders of industry as to the reason for that position. While my good friend the Senator from Utah [Mr. THOMAS] was talking about the psychology involved in the enactment of the pending bill I thought of the psychology involved in the position of the industrial leaders with whom I had talked. I believe that the psychological reasons behind their position are, first, that a willing worker is efficient and that an unwilling worker produces little. Secondly, an unwilling worker hampers the efforts of a willing worker. It is a task of incomparable size to attempt to invoke sanctions against individual workers; whereas if the problem were handled through employers and through the normal course of employment methods, sanctions against employers would control recalcitrant workers.

Mr. President, much has been said about the psychology involved in enacting the proposed legislation. I know that I experienced a lift in spirits every time I found that Germany or Japan had to take drastic steps to stay in the fight. I have never understood why it was not good psychology to let our enemies know that we are amply prepared. That is particularly true when we, as a nation, can show an unparalleled record. In comparison with nations having compulsory legislation we, with a voluntary cooperative system based on pure patriotism, have shown a better work record, greater production per man-hour, less absenteeism, and less turn-over on the job. On a purely voluntary basis, from pure patriotism, why punish a worker who wants to do that, merely because, as someone has said, "I want to get some work out of a beer-hall loafer?" Who in the world ever contemplated getting work out of a beer-hall loafer? I would not want to ride in an airplane that such a man had helped to rivet. I would not even want to ride on a train for which such a man was flagging, because he would not want to work, and

he would not work. He is not an asset to the country. Why should we put him on the pay roll merely because there are a few like him left in the world? Why should we punish and threaten the loyal, producing group of American industry who have done this magnificent job, simply to verbally spank a few loafers and put them on a nonproductive pay roll? That is another point I think the Senate must consider.

Mr. President, I trust that when the Senate considers those points it will see fit to say to its conferees, "Take this report back. Ask the House of Representatives to consider the Senate bill, and get the conferees on the part of the House of Representatives to submit the Senate bill to the House. That bill was very carefully worked out in the Senate, with the advice, consent, and approval of the people who have accomplished this miracle of production."

Let us give the House of Representatives a chance to consider that bill. Let us not blindly and foolishly take the easy course and accept a bill fraught with danger, merely on the promise that "We do not think we are going to use it; in fact, we do not think we are going to need it."

Mr. President, I think those are the two points the Senate must take into consideration before voting on the conference report.

Mr. TAFT. Mr. President, I desire to explain briefly the reasons why I shall oppose agreement to the conference report. The bill which is before us is like the Senate bill for which I voted with a good deal of hesitation and doubt, but it goes a good deal further than the Senate bill went.

In the first place, in section 2 the purposes of the bill are stated. The purposes are changed. It is now asserted, as the purposes—

SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.

The determination of what activities are "essential to the war effort," insofar as the bill is concerned, is left practically to the decision of one man. He will have the right to determine what is essential and what is not essential. Today I think practically every activity is essential to the civilian economy or to some other feature of the war or to features which are incidental to the war.

In the second place, it is then stated—

(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others—

The words "among others" imply that the means are wide open.

Thereafter, section 5 of the bill authorizes the Director of War Mobilization to issue regulations to carry out the purposes of the bill. It seems to me that if we authorize any administrative official to issue regulations to carry out the purposes of a measure, we are in effect authorizing him to write the law itself. Under such authority he could write any regulations he chose to write if they had any reasonable relation to the purposes of the act, and such regulations would be authorized by Congress. In other words, under the pending bill we are in effect completely delegating our legislative authority. It seems to me that one of the great faults of Congress, one of the things for which it has been criticized over and over again during recent years, is its failure to write its own laws and the tendency of Congress to delegate to someone else the power to make the laws. If we do that, the time will soon arrive when we shall have practically abandoned our legislative powers and turned over to the President and to his appointees the power to write the laws of the Nation.

At times, bills which the Senate has passed since I have been a Member of it have authorized the issuance of regulations; but, as a rule, they have been regulations to carry out the provisions of an act. They have been tied down to that express condition, not to broad purposes. Now and then during the war, because of the demands of a tremendous emergency, we have authorized the issuance of regulations to carry out the purposes of an act. I think perhaps our worst offense was committed in the Stabilization Act, wherein we authorized the President to write almost any order to stabilize prices and to do things incident to the stabilization of prices.

Further on in the pending bill we find that the only possible limitation on the power to write a law is contained in paragraphs 1, 2, and 3 of section 5. It seems to me that, as they have been amended by the conference committee, they are so wide open that they practically constitute no limitation at all on the power of the Director of War Mobilization to write a national service law. In the first place, he is authorized by them—

To prescribe employment ceilings in designated areas, activities, or places of employment.

Under that authority he can deal with every individual plant on an individual basis; he can deal with areas; he can put people out of business; he can overrule the selective service board itself, even on the farm, and can take away from the farmer the men on whom he relies to carry on activities which the selective service board has found to be essential to the operations of the farm.

Paragraph (2) authorizes the Director of War Mobilization, by regulation—

(2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers.

Those terms are so broad that I believe he can write regulations which will practically determine where any individual may work, because he may prohibit him from accepting any job except one particular job, if he wishes to do so. The words "acceptance of employment by workers" are used.

The committee of conference then added a third provision authorizing the freezing of individual workers in existing plants. That provision says in effect that A must work for B, regardless of whether he wishes to do so. It is not so bad as saying to A, "You must go to work for B, where you never have been." In principle, it is very difficult for me to distinguish between the authority granted by this provision and the right of the Director of War Mobilization to say to such a worker, "You must work for this man even though you have a dispute with him, even though you have not been able to get along with him, even though you have a just complaint. You still must work for that man, because I am authorized to tell you to do so."

Mr. PEPPER. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Ohio yield to the Senator from Florida?

Mr. TAFT. I yield.

Mr. PEPPER. I was wondering how essentially different from the present regulations the regulations which would be issued under that provision would be. I am not sure that I am fully informed about the present regulations; but as I understand them, a worker engaged in essential employment must have a certificate of discharge or he must secure a release from his employment, and I understand that such a certificate is required of any new employer to whom that person may apply for work. Is my understanding correct?

Mr. TAFT. Like the Senator from Florida, I am not thoroughly familiar with the existing regulations. My impression is that most of them are wholly illegal and are based on no power whatsoever. To a certain extent they are based on the Selective Service Act. That is, a man who is between the ages of 18 to 45 years, and has been released from his obligation to the Army on the ground that he is engaged in essential industry, must comply with certain things as a condition precedent to not being called into the Army. But, outside such power, I doubt very much whether there are any existing powers which authorize the United States to tell a man he must work or continue to work for a particular industry.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AIKEN. I should like to suggest that the conferees who wrote the bill were perhaps familiar with earlier legislation along this line. If the bill did not grant any additional powers, there probably would not have been any bill.

Mr. TAFT. Probably there had been some failure, in exercising the power existing, to enforce certain ceilings, or the power under discussion would not have been granted in this bill.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CORDON. The colloquy which has taken place between the distinguished

Senator from Florida and the distinguished Senator from Ohio, both of whom are able and eminent lawyers, and both of whom frankly admit that at this moment they do not know what the regulations are with reference to the hiring and discharging of men, brings this thought to my mind: If they do not know what it is, how in the name of conscience and common sense are we to expect the employers and the employees throughout the Nation to know what the regulations may be which will be prepared and promulgated under the act, for the violation of which the violators will be held criminally liable?

Mr. TAFT. I thank the Senator.

Mr. President, I see no reason why the Director could not, under the proposed act, write in his regulations a national service law. The power to write regulations dealing with new workers and old workers, and dealing with their employers, seems to me certainly to justify the Director in establishing a complete registration system, and requiring that every man, woman, and child in the United States shall first register, state what their qualifications are for work, and then classify them into various trades and callings.

I do not see why the Director should not issue regulations ordering workers to quit certain jobs and go to work in certain other industries. There is nothing I can see which would prevent him from saying, in effect, "We have found that you belong in this industry, and you cannot work in any other industry." The only way in which the power would differ from that given under a complete national service act would be that the Director could not go to A and say, "You must work for B." But it seems to me that by writing a service law, and a registration requirement, and by issuing the proper type of regulations, the Director in effect could say to A, "Either you work for B or you starve." That is the only difference I can see in the power which would be given.

Mr. President, at times I have been willing to subscribe to the principle of extensive delegation of legislative authority. When we are faced with tremendous emergencies, when we must exercise vast control over prices, as we have done in the price-control legislation, and it is almost impossible otherwise to control prices, I have been willing at such times to subscribe to regulatory legislation. But it seems to me that no necessity has been shown, in this phase of the war, for a departure from all the principles of legislation and American Government.

I have previously said that it seemed to me that no case had been made out showing that production can be increased by the measures which have been suggested. All the employer associations and all the labor unions, as well as those who have actually had anything to do with production, have testified that in their opinion legislation of the kind proposed would interfere with rather than aid in production. The employers say, "For heaven's sake, we have enough difficulty now in handling our labor without legislation of this kind being imposed upon us." They say, "A great many persons who do not want to work for us will, if compelled to work for us, soldier on the job. Men who are not willing to work voluntarily will not do so under a compulsion system." Certainly, all the labor unions are convinced that the slight increase of available labor which may result from the enactment of this measure, will be offset by inefficiency.

In the second place, I do not see any evidence of an emergency facing us today. We do not want to count on anything before it happens, but certainly the war in Germany will end within a few months. The testimony which we have heard up to date is that when the war ends the reduction in necessary manpower will be not less than 15 percent. I think it will more likely be 30 percent or 40 percent. The present strain will be greatly relieved. I can see no reason for saying that we are today confronted with an emergency in obtaining sufficient manpower, nor has any substantial lack of production in any industry been shown.

In the third place, a demand has been made that a manpower ceiling be imposed in order to prevent men from working in nonessential industries. In effect, we already have such a ceiling. We have it through the War Production Board. The War Production Board has been saying to various industries, "We will not give you all the material necessary for your work, partly because material is short, and also because manpower is short." I remember when 2 years ago I went before the War Production Board in an effort to persuade them to let us finish our flood-control walls in Cincinnati and Portsmouth in order to protect war production. In both cases there was no difficulty in securing material; but we were told by the officials that too much manpower would be used. Therefore we were refused a permit to go ahead with the construction of those walls. This year the water came into Cincinnati and reduced war production substantially. It was kept out of Portsmouth only by the construction of a 3-foot sandbank over a small portion of the area affected, which project had not been authorized theretofore by the War Production Board.

Mr. President, the point I am making is that the War Production Board had the power of imposing manpower ceilings. They have closed many industries. Toy factories, aluminum implement factories, and other factories of a similar nature were closed soon after the war began, and many other nonessential industries were closed. So it cannot be said that excluding men from nonessential industries creates a crisis, because power has already been given to the War Production Board to do those things, and in many instances they have exercised the power.

It has been said that a strike is now being threatened and that this kind of legislation would prevent strikes. Yet the chairman of the committee and the senior Senator from Vermont say, "No; this is in no sense a measure to prevent strikes; it cannot possibly accomplish that purpose." So no necessity is shown for the enactment of this legislation for that purpose. I do not know what interpretation would be made of certain sections of this bill, but after the very strong statement which was made by the chairman of the committee I believe that probably the act would not be construed to authorize regulations to prevent strikes, whether they should be prevented or not. In any event, it is certain that we cannot use the present threat of a strike in the coal fields as an argument for enactment of the bill, because the bill itself provides that it has nothing whatever to do with preventing strikes. So far as I can see, it has nothing to do with preventing slow-downs or making people work who do not wish to work. If men who do not desire to work are put into a plant, it is more likely the work will slow down even more than it has done.

I do not think there is involved any question of justice to the soldiers. I have not discovered that the soldiers are interested in having their morale raised. What they are interested in is greater production, and if, after a thorough study of the situation, we find that such a law as is proposed would interfere with production rather than increase it, certainly no soldier would disagree with our conclusions in rejecting it.

My own view is that when the soldiers return after the war they will not want to find a regimented employment and numerous restrictions providing that they cannot work here or there. Many of them are to return, and we are asked to extend the law until a year from the 1st of next July.

I cannot help believing that many of those in the administration who desire such a law are much more interested in economic planning, in channeling of employment, in controlling manpower in the post-war period, than they are in the current war. Of course, the military authorities are not, but many of those who are behind the proposed law, many of those who are interested in it, many of those who are to administer it in the department which is to be in charge of it, believe that in the post-war emergency as in the war emergency, they must have power to tell men where they can work and where they cannot work, and have a continuation of the general regimentation of individuals, carrying it over from the war as part of the planned economy after the end of the war.

Mr. President, we have done many things to forward the war effort which have violated all the concepts of government with which our entire people agree and many of the principles of government in which we believe. I feel very strongly that we must immediately get back to another state of mind, a state of mind which will cause us to demand that Congress shall do the legislating and write the rules so that people may know them.

The selective-service law itself does not violate the rules as does the proposal before us, because the selective service law is based to a large extent on local control, special tribunals being set up and principles being laid down. In this case the whole thing is left to the discretion of a single individual to make the law, to enforce the law, and to a large

extent to punish those who may violate the law.

Mr. President, I do not see that there is any necessity proven for such a law. I think it violates every principle which we should follow in legislating. I think it violates the interests of the soldiers rather than assisting them, and I cannot imagine that our rejecting such a proposal would in the slightest degree interfere with the prograss of the war, or interfere with the victorious conclusion to which the war is coming.

Mr. McKELLAR. Mr. President, I shall take only 2 or 3 minutes to state the reasons for the vote I shall cast.

I am very sorry, indeed, I cannot vote for the conference report on the war manpower bill The President and the heads of the Army and the Navy have requested such legislation. They think, of course, the country needs it. I have tried to vote for all war measures which the Army and the Navy and the President have wanted during the war. I do not believe that in the history of mankind a great war has ever been so splendidly and successfully waged as the present war has been waged by the United States. The President has made a marvelously successful civil and military leader. He has accomplished this on democratic principles and in pursuance of democratic policy.

I regret that at this late date in the war, when its end does not seem to be very far off, the President feels we should change our plans, which up to date have been so successful and which have been the plans of the President. Our Army and Navy, our Air Corps and Marine Corps, and all our forces, male and female, from general down to the last private, have done a wonderful job. There is no shadow of complaint that can justly be made against any of them.

Likewise, Mr President, our manufacturers, our laborers, and our farmers have also done a wonderfully productive job. We have raised more food, we have produced more war material, certainly more effective war material, than all the rest of the world together, perhaps. It is true that there has been a strike here and there; it is true that there have been labor troubles occasionally; it is true that we might have done better in some particulars; but, taking it all in all, no workers, no manufacturers, and no farmers in all the history of the world have ever accomplished so much as have our workers and manufacturers and farmers during this war.

The results in the production of war materials and food in America have far exceeded not only the results obtained by other nations but have far surpassed anything we have ever before accomplished in our history.

The war is nearly over. Why in the name of heaven we should change our plans and our policies at this hour is inexplicable to me.

Mr. President, there is another reason why the conference report should not be accepted. Try to disguise it as some may, to say the least the bill runs counter to the constitutional provision against involuntary servitude. If a man is frozen in his job and he cannot leave it, to that extent involuntary servitude is imposed upon him. I am not willing to consent to that. I am an old-fashioned believer in the Constitution of the United States, and I intend to stand by what it provides, and not by what someone may say it means. I think I know language as well as many of those who have a different idea of the words "involuntary servitude." To my mind the language of the Constitution is all-inclusive.

Mr. President, I digress for a moment to read a creed which was prepared by Mr. William Tyler Page, the Clerk of the House of Representatives several years ago. It is one of the grandest statements that could be made to America now, when so little attention is paid to the greatest Constiution ever created by mortal man. I read the creed, which Mr. Page appropriately called "The American's Creed":

> I believe in the United States of America as a government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a republic; a sovereign Nation of many sovereign states; a perfect union, one and inseparable, established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrified their lives and fortunes.
>
> I therefore believe it is my duty to my country to love it; to support its Constitution; to obey its laws; to respect its flag, and to defend it against all enemies.

That, Mr. President, is a doctrine in which I devoutly and religiously believe, and when it is proposed to enact a law which would require one person to work for another against his will, I am opposed to it.

Mr. President, our laboring men and women have produced magnificently in this war. Our manufacturers have done a great job. I will not take any step to change our well-known American policy, and especially I would not take steps to do so when, as everyone knows, the war is nearly over. I say this merely to show what actuates me in voting against the conference report. I do not take this position because of the fact that James F. Byrnes is to be the administrator. In my opinion he would be the very best administrator who could possibly be secured. I regard him as one of the ablest administrators in this Nation. I look upon him as one of our truly great men. I would rather leave the enforcement of the indefinite provisions of the bill to Mr. Byrnes than perhaps to any other man in the country today. I know Mr. Byrnes intimately. I served with him in the House and in the Senate for 30 years. There is no man to whom I would rather entrust the power to make regulations governing our people than James F. Byrnes. But, Mr. President, I shall not vote for any measure to freeze any person to any job, to work for another private person or corporation against his or her will.

Mr. President, I still believe in the Constitution of the United States as furnishing a rule of American conduct both in war and in peace. I know it is now very popular to say, "Well, what is proposed to be done is unconstitutional but we are in a war, and we are justified in violating the Constitution in a war." I do not at all believe in such a doctrine. I believe the Constitution was made to govern us both in war and in peace.

Mr. President, the measure before the Senate is unnecessary at this time. It is undemocratic. It is un-American. It is unconstitutional. I believe it is a reflection on labor and on management. As I have already stated, labor and management have performed wonderfully well in this war. The proposed measure is un-American and represents an unjustifiable attack on both management and labor, particularly in view of what they have done during the war. I think both management and labor have accomplished more during this war than has ever been accomplished by management and labor, or by both, and I include the farmer, at any time in the history of the world. I think we should take no steps, this late in the war, virtually to repudiate the great effort management and labor and the farmers have made to win the war.

Mr. AUSTIN. Mr. President, merely to keep the record straight on the subject which seems to be the entire point in the remarks of the distinguished Senator from Tennessee, I shall read a very short passage from a decision directly in point, by the greatest judicial tribunal in the world, the opinion being by one of the greatest Justices the Court has ever had, Chief Justice White. In the opinion of the Court in the selective draft-law cases with respect to the act of May 18, 1917, reported in Two Hundred and Forty-fifth United States Reports 366, at page 390, the following statement is made:

> Finally, as we are unable to conceive upon what theory the exaction by Government from the citizen of the performance of his supreme and noble duty of contributing to the defense of the rights and honor of the Nation, as the result of a war declared by the great representative body of the people, can be said to be the imposition of involuntary servitude in violation of the prohibitions of the thirteenth amendment, we are constrained to the conclusion that the contention to that effect is refuted by its mere statement.

Mr. McKELLAR. Mr. President, I happened to know Mr. Justice White most intimately. I enjoyed his friendship. I thank the Senator for the splendid tribute he has just paid to that distinguished jurist. I think Mr. Justice White was one of the grandest men and one of the ablest judges I have ever known. What the Senator has quoted, however, only in the remotest degree affects the question before us, because the opinion dealt with a law, as I remember, which provided for selective service for work for the Government. Of course, we all realize and understand that for its own protection the Government can enforce service for the Government. But that is entirely and wholly different from requiring a person to work for another person and not for the Government.

Knowing Mr. Justice White as I did, I am sure that if the question now before the Senate were presented to him for decision, he would hold that the proposed law came within the involuntary-servitude amendment, the thirteenth amendment of the Constitution of the United States.

Mr. AUSTIN. Mr. President, I promise not to detain the Senate long. I simply wish to point this matter up. If what the distinguished Senator from Tennessee says were true in any regard with respect to the history of the case or with respect to the nature of the pending bill, still I would say that the Government must have the authority to summon the personal service of every citizen in any capacity that is necessary for the common defense. But it happens that that decision was upon the point of selective service in the Army. It is true that the distinguished Chief Justice in laying down this broad principle did not distinguish between service in the Army and service in a civilian capacity, and therefore what he said applied to both. Both duties are of the high nature called for by citizenship. They are fundamental to citizenship.

The point I wish to make is that if we were to give the decision the most narrow construction and apply it only to the matter of being drafted for service in the armed forces, it would apply with equal force to the case of a lesser contribution to the war effort, namely, not to take the risk of life but only the risk of a little sacrifice at home in comfortable circumstances.

Another point is that in every particular the pending conference report relates to a war effort. It matters not that it is a war effort which is carried out through our free economy and according to our capitalistic system; the exercise of this power is limited solely to production in the war effort.

I might further elaborate by showing in what way the Government really pays the employee, although his compensation comes through the pay roll of the private contractor. All I need say at this point is that in both cases the service is service to the country, complying with the duty which is imposed upon the citizen to respond to the highest call of his country and contribute his personal services in that effort.

Mr. McKELLAR. Mr. President, it is remarkable how times and opinions change. Of course, I was not old enough to know personally what happened in the Civil War; but as I recall the history of that war, it involved involuntary servitude which existed in the section of our country in which I lived. The people in the section from which the Senator comes were then on the opposite side from that on which the Senator from Vermont now is, and they maintained with great force—not only force on the floors of both Houses, but force of arms—that involuntary servitude of one person in the service of another was highly wrong. They changed the Constitution so as to forever prohibit involuntary servitude. The whole country came to the agreement that that was right. Why should we now change, and say that the form of involuntary servitude which freezes one man in the service of another is right? I am frank to say that I do not believe it is right. I do not believe it is constitutional; and I do not believe the Senate will so hold. I hope and pray that it may not.

Mr. AUSTIN. Mr. President, the Senator is very unfortunate in referring to the War between the States to sustain the claim which he makes. The institution of slavery is not the same thing as the impressment of citizens for service in a civilian capacity to carry on a war which has been declared by the Congress; and his illustration points up that argument, according to history. During the Civil War Congress passed an act authorizing the President to take possession of telegraph and railroad lines and "to place under military control all the officers, agents, and employees belonging to the telegraph and railroad lines thus taken * * * so that they shall be considered as a post road, and a part of the Military Establishment of the United States, subject to all the restrictions imposed by the rules and articles of war." That is a quotation in part from a statute enacted by Congress, exercising the authority and obeying the command to defend the country in this manner.

Mr. BARKLEY. Mr. President, I have no purpose at this time to inflict upon the Senate a constitutional argument, because I realize that I am a Member of a body each Member of which believes he is a better constitutional lawyer than I am. Probably they are all correct. But inasmuch as the Senator from Tennessee admitted a while ago that the Government of the United States could draft men for work in plants owned and operated by it, I am prompted to offer the suggestion that if there is any question of involuntary servitude involved in this bill—and I do not believe it is involved—the line of demarcation would be whether an aircraft factory, for example, located on one side of the street in any city, and operated by the Government of the United States, could have the benefit of such a law as this, which would empower the Government to draft men to work in its own aircraft plant, producing the same kind of war materials as were being produced by another factory of the same kind on the other side of the street, but which happened to be owned and operated by private capital. In one case, according to the Senator from Tennessee, the Government could draft men to work in its own plant, but it could not draft men to work in the other plant, because they would be working for a private individual or corporation, notwithstanding the fact that wages, profits, and prices are regulated by the Government, and to all intents and purposes the plant is operated under the direction of the Government.

I do not believe that the line of distinction between what is constitutional and what is not can strictly be said to depend upon whether a man is working as a soldier under a general in the field, or as a seaman under an admiral or commander in the Navy at sea, or whether he is working somewhere else to furnish the man in uniform with the things which are essential to enable him to fight. It is all a part of the war effort.

It seems to me that the question of involuntary servitude has been overstressed, because if the Senator from Tennessee is correct, the Government could take over all the plants. Congress could authorize the Government to own them all if it were willing to appropriate the money to buy all the private plants and take them all over and operate them, not merely because there is about to be a stoppage of work, but as a war measure. Congress could authorize the Government to own all the plants which are producing any form of munitions. As a matter of fact, th Government has already invested approximately $20,000,000,000 in plants which are producing war materials.

If the Senator from Tennessee is correct in his interpretation of the thirteenth amendment, all Congress would need to do would be to authorize the Government to own, buy, build, or operate all these war plants; and then, under the Constitution, we could draft men to work in them, although they were not wearing the uniform of the country. I do not believe there is any such fine-spun distinction between the involuntary servitude of a man who is working to produce a gun and that of the man who is to fire it, simply because one of them has on a uniform and the other has on civilian garb.

Mr. McKELLAR. Mr. President, I do not agree with all the statements which the Senator has put in my mouth. I have serious doubt whether he is correct about what the Government itself can do. That is another matter. I wish to call the attention of the Senator from Kentucky, the Senator from Vermont, and other Senators to this peculiar situation:

This bill would be effective until July 1, 1946. The war may be over within 2 or 3 months or 3 days. We do not know. Then we would have an act of Congress, in time of profound peace—for after this war is over the peace will be very profound—under which the Government could keep workers in the factories where they have been stationed against their will. For that reason alone we ought not to enact the pending legislation, which would continue in effect until July 1, 1946. I disagree with both Senators, much as I respect them.

Mr. BARKLEY. Mr. President, I had a suspicion that the Senator disagreed with me. I wished to say that I realize the Senator and I disagree about that.

Mr. McKELLAR. We disagree wholly.

Mr. BARKLEY. But the Senator overlooks the fact that in the conference report, as in all such emergency legislation, although a definite date has been fixed for the termination of the act, a provision is included that it may be terminated earlier by proclamation of the President or by concurrent resolution of the Congress if the war should end before the time fixed in the measure for its termination. All such laws carry similar provisions.

Mr. McKELLAR. Oh, yes. If they did not carry such a provision, the Congress could at any time repeal them anyway.

Mr. BARKLEY. Of course.

Mr. McKELLAR. I believe that is provided in the Constitution, which is now so little thought of.

Mr. BARKLEY. There is nothing in the Constitution about that.

Mr. McKELLAR. Oh, yes; there is.

Mr. BARKLEY. But it is a right inherent in government.

Mr. McKELLAR. Yes; there is a provision in the Constitution about that. Perhaps the Senator has not looked at the Constitution since the war began. [Laughter.]

Mr. BARKLEY. Oh, yes; I carry it home with me every day. [Laughter.]

Mr. McKELLAR. I am glad the Senator does.

Mr. BARKLEY. I do not think the writers of the Constitution ever thought it was necessary to write into the Constitution a provision for the self-evident right of Congress to repeal a law which it had enacted. Of course it has that right.

Mr. McKELLAR. I commend the Senator for having examined the Constitution lately. [Laughter.] I hope he will do so more often.

Mr. BARKLEY. Well, Mr. President——

Mr. McKELLAR. Mr. President, both of us cannot talk at the same time, let me say, if the Senator will yield to me.

Mr. BARKLEY. But we have done a fairly good job of it. [Laughter.]

Mr. McKELLAR. I hope I have convinced the Senator and other Senators that under the Constitution, of course, we can repeal laws, whether we provide in them that we reserve or maintain the right to repeal them. But under the conference report, if it is enacted into law, we undertake—whatever we may call it, however we may undertake to disguise it, however we may beat around the bush concerning it—we undertake to freeze labor to certain men or firms, against their will, it may be. Whenever we do that we violate the thirteenth amendment to the Constitution.

I wish to commend the Senator from Kentucky for the good example he has shown to us this afternoon, when he has stated that he has recently taken the Constitution home with him and has studied it. I commend that course to all other Senators. It is a wise thing to do.

We take an oath, as I remember it—and I have taken it eight times—to uphold and defend the Constitution of the United States. I did not take an oath to uphold and defend it merely in peacetimes; I took an oath to uphold and defend it at all times. I say that when we enact a law containing language which will bring about a certain result which is opposed to the provisions of the Constitution, we violate the Constitution. I believe, and I never believed anything more sincerely in my life, that if we were to pass this bill—let me say now that I do not believe it will be passed—and if its constitutionality thereafter were contested in the courts, it would be held to be unconstitutional, in violation of the thirteenth amendment to the Constitution. Our courts do not like slavery any more than we do. None of us like it. None of us would bring it about, ordinarily. Why do it after we have won the war without it? At this time we have virtually won the war. Why should we undertake to change our American processes, our American ways of life, our American Constitution, our American law? In the name of Heaven, why should we undertake to do it at this late day?

I hope the Senate will reject the conference report.

Mr. BARKLEY. Mr. President, in order to settle this constitutional question and put a quietus on it forever, I move that the Senate proceed to the consideration of executive business. [Laughter.]

Mr. McKELLAR. I second the motion. [Laughter.]

Mr. WHITE. Mr. President, I was impressed with the modesty with which the Senator from Kentucky referred to his attainments as a 'awyer. It prompts me to recur to Aaron Burr's definition of the law. Aaron Burr once said that the law is whatever is boldly asserted and persuasively maintained. [Laughter.] I observe that both the Senator from Tennessee and the Senator from Kentucky are always bold, and are usually persuasive; and it leaves me in greater confusion than I was in before. [Laughter.]

Mr. BARKLEY. Mr. President, I am bound to return the compliment the Senator from Maine paid me when he referred to my modesty; but I think his modesty is overplayed when he intimates that he ever leaves the Senate in confusion whenever he has spoken on any subject. The Senator is very clear-minded and, as a rule, he is right, except when he is wrong. [Laughter.]

EXECUTIVE SESSION

Mr. President, I now renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

John J. Quinlivan, of Toledo, Ohio, to be collector of internal revenue for the tenth district of Ohio, to fill an existing vacancy;

Francis R. Smith, of Philadelphia, Pa., to be collector of internal revenue for the first district of Pennsylvania, in place of Walter J. Rothensies, resigned;

Clara E. Sarvela, of Duluth, Minn., to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn., to fill an existing vacancy; and

Sundry nominations for promotion in the Regular Corps of the United States Public Health Service.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

The VICE PRESIDENT. If there be no further reports of committees, the clerk will state the nominations on the calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc, and that the President be immediately notified of the confirmation of the nominations.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc; and, without objection, the President will be immediately notified.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 29 minutes p. m.) the Senate took a recess until tomorrow, Friday, March 30, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 29 (legislative day of March 16), 1945:

UNITED STATES CUSTOMS COURT

Hon. JED JOHNSON of Oklahoma, to be a judge of the United States Customs Court, vice Hon. Thomas J. Walker, deceased.

UNITED STATES ATTORNEY

Miles F. McDonald, of New York, to be United States attorney for the eastern district of New York, vice Harold Maurice Kennedy, resigned.

IN THE MARINE CORPS

TO BE GENERAL

Lt. Gen. Alexander A. Vandegrift, Commandant of the Marine Corps, to be a general in the United States Marine Corps.

IN THE COAST GUARD

TO BE ADMIRAL

Vice Admiral Russell R. Waesche, Commandant of the Coast Guard, to be an admiral in the United States Coast Guard.

IN THE NAVY

Vice Admiral Richard S. Edwards, United States Navy, to be an admiral in the Navy for temporary service, to continue while serving as deputy commander in chief, United States Fleet, and Deputy Chief of Naval Operations.

Vice Admiral Henry K. Hewitt, United States Navy, to be an admiral in the Navy, for temporary service.

Vice Admiral Thomas C. Kinkaid, United States Navy, to be an admiral in the Navy, for temporary service.

Rear Admiral Walter S. Anderson, United States Navy, to be a vice admiral in the Navy, for temporary service, to continue while serving as commander, Gulf Sea Frontier.

Rear Admiral William S. Farber, United States Navy, to be a vice admiral in the Navy, for temporary service, to continue while serving as Sub-Chief of Naval Operations.

Rear Admiral Arthur S. Carpender, United States Navy, to be a vice admiral in the Navy, for temporary service, to continue while serving as commander, Midwest Naval Area.

Rear Admiral James L. Kauffman, United States Navy, to be a vice admiral in the Navy, for temporary service, to continue while serving as commander, Philippine Sea Frontier.

Rear Admiral Edward L. Cochrane, United States Navy, to be a vice admiral in the Navy, for temporary service, to continue while serving as Chief of the Bureau of Ships.

Commodore Edward J. Foy, United States Navy, to be a rear admiral in the Navy, for temporary service, to continue while serving as deputy commandant of Joint Army-Navy Staff College.

Commodore Howard A. Flanigan, United States Navy, retired, to be a rear admiral in the Navy, on the retired list, for temporary service, to continue while serving as head of naval transportation service, office of the Chief of Naval Operations.

Commodore Vance D. Chapline, United States Navy, to be a rear admiral in the Navy, for temporary service, to continue while serving as head of fleet maintenance division, office of the Chief of Naval Operations.

Commodore Irving H. Mayfield, United States Navy, to be a rear admiral in the Navy, for temporary service, to continue while serving as chief of the United States naval mission to Chile.

Capt. Harold M. Martin, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 11th day of September 1943.

Capt. Ernest W. Litch, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 9th day of October 1943.

Capt. Thomas S. Combs, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 22d day of October 1943.

Commodore William M. Quigley, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, United States Naval Base, Port Hueneme, Calif., and until reporting for other permanent duty, to rank from the 4th day of October 1943.

Commodore John H. Magruder, Jr., United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as deputy commander, forward area, central Pacific, and until reporting for other permanent duty, to rank from the 13th day of April 1944.

Commodore Clinton E. Braine, Jr., United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, naval training station, Newport, R. I., and until reporting for other permanent duty, to rank from the 13th day of April 1944.

Commodore Vernon F. Grant, United States Navy, retired, to be a commodore in the Navy, on the retired list, for temporary service, to continue while serving as commander naval air bases, Saipan, to rank from the 25th day of October 1944.

Commodore Stanley J. Michael, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander naval air bases, Twelfth Naval District, and until reporting for other permanent duty, to rank from the 23d day of December 1944.

Commodore Henry A. Schade, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as head of the United States Naval Technical Mission in Europe, and until reporting for other permanent duty, to rank from the 23d day of December 1944.

Capt. Robert G. Coman, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving on the staff of commander, Western Sea Frontier, and until reporting for other permanent duty, to rank from the 12th day of April 1943.

Capt. Stewart A. Manahan, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as marine superintendent of the Panama Canal, and until reporting for other permanent duty.

Capt. Elliott B Nixon, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Fourth Fleet, and until reporting for other permanent duty.

Capt. John R. Palmer, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty.

Capt. Horace D. Clarke, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, naval training station, Norfolk, Va., and until reporting for other permanent duty.

Capt. Tully Shelley, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as intelligence officer, Twelfth Fleet, and until reporting for other permanent duty.

Capt. Randall E Dees, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as personnel officer, Pacific Fleet, and until reporting for other permanent duty.

Capt. John V. Murphy, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as Deputy Director of Naval Communications, and until reporting for other permanent duty.

Capt. Thomas B. Inglis, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as Deputy Director of Naval Intelligence, Office of the Chief of Naval Operations, and until reporting for other permanent duty.

Capt. Earl E. Stone, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving on the staff (communications) of the Commander in Chief, United States Pacific Fleet, and until reporting for other permanent duty.

Capt. Jacob H. Jacobson, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, United States Naval Operating Base, Leyte, and until reporting for other permanent duty.

Capt. Wallace M. Dillon, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a naval air base, and until reporting for other permanent duty.

Capt. Houston L. Maples, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as a member of the United States Military Mission, Moscow, and until reporting for other permanent duty

Capt. Augustus J. Wellings, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as Director of Inspection Administration, Office of Procurement and Material, and until reporting for other permanent duty.

Capt. Robert E. Robinson, Jr., United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, North Pacific Force, and until reporting for other permanent duty.

Capt. John F. Rees, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving on the staff (shipping) of the commander in chief, United States Pacific Fleet, and until reporting for other permanent duty.

Capt. Raymond B. Tarbuck, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff and aide to commander, Seventh Amphibious Force, and until reporting for other permanent duty.

Capt. Richard P. Glass, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, South Pacific Force, and until reporting for other permanent duty.

Capt. Frank R. Talbot, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as deputy chief of staff, Tenth Army, and until reporting for other permanent duty.

Capt. John P. Whitney, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as deputy commander, Naval Air Transport Service, and until reporting for other permanent duty.

Medical Director John Harper to be a medical director in the Navy, with the rank of rear admiral, for temporary service, to rank from the 16th day of September 1942.

Medical Director William W. Hargrave to be a medical director in the Navy, with the rank of commodore, for temporary service, to continue while serving as Chief of Personnel Division, Bureau of Medicine and Surgery, and until reporting for other permanent duty.

Medical Director Joel T. Boone to be a medical director in the Navy, with the rank of commodore, for temporary service, to continue while serving as fleet medical officer, Third Fleet, and until reporting for other permanent duty.

Medical Director John P. Owen to be a medical director in the Navy, with the rank of commodore, for temporary service, to continue while serving as fleet medical officer, Seventh Fleet, and until reporting for other permanent duty.

Medical Director Thomas C. Anderson to be a medical director in the Navy, with the rank of commodore, for temporary service, to continue while serving on the staff (medical) of the commander in chief, United States Pacific Fleet, and until reporting for other permanent duty.

Medical Director Morton D. Willcutts to be a medical director in the Navy, with the rank of commodore, for temporary service, to continue while serving as fleet medical officer, Fifth Fleet, and until reporting for other permanent duty.

Medical Director John C. Adams to be a medical director in the Navy, with the rank of commodore, for temporary service, to continue while serving as Chief of Aviation Medicine Division, Bureau of Medicine and Surgery, and until reporting for other permanent duty.

Medical Director Carlton L. Andrus to be a medical director in the Navy, with the rank of commodore, for temporary service, to continue while serving as Chief of Planning Division, Bureau of Medicine and Surgery, and until reporting for other permanent duty.

Pay Director Edwin D. Foster to be a pay director in the Navy, with the rank of rear admiral, for temporary service, to rank from the 18th day of June 1943.

Pay Director Morton L. Ring to be a pay director in the Navy, with the rank of rear admiral, for temporary service, to rank from the 19th day of April 1943.

Pay Director Murrey L. Royar to be a pay director in the Navy, with the rank of rear admiral, for temporary service, to rank from the 18th day of June 1943.

Pay Director William R. Bowne to a pay director in the Navy, on the retired list, with the rank of commodore, for temporary service, to continue while serving as district supply officer, Third Naval District.

Pay Director David W. Mitchell to be a pay director in the Navy, with the rank of commodore, for temporary service, to continue while serving as fleet supply officer, service force, United States Atlantic Fleet, and until reporting for other permanent duty.

Pay Director William R. Ryan to be a pay director in the Navy, with the rank of commodore, for temporary service, to continue while serving as supply officer, staff of commander, United States naval forces, Europe, and until reporting for other permanent duty.

Pay Director Archie A. Antrim to be a pay director in the Navy, with the rank of commodore, for temporary service, to continue while serving as planning and logistics officer, Bureau of Supplies and Accounts, and until reporting for other permanent duty.

Pay Director Charles W. Fox to be a pay director in the Navy, with the rank of commodore, for temporary service, to continue while serving as supply officer in command, naval supply depot, Mechanicsburg, Pa., and until reporting for other permanent duty.

Pay Director Joseph L. Herlihy to be a pay director in the Navy, with the rank of commodore, for temporary service, to continue while serving as fleet supply officer, service force, United States Pacific Fleet, and until reporting for other permanent duty.

Civil Engineer William H. Smith to be a civil engineer in the Navy, with the rank of rear admiral, for temporary service, to rank from the 2d day of January 1943.

Civil Engineer Edward L. Marshall to be a civil engineer in the Navy, with the rank of rear admiral, for temporary service, to rank from the 2d day of January 1943.

Civil Engineer William O. Hiltabidle to be a civil engineer in the Navy, with the rank of commodore, for temporary service, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

Civil Engineer Paul J. Halloran to be a civil engineer in the Navy, with the rank of commodore, for temporary service, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

Civil Engineer Beauford W. Fink, Jr., to be a civil engineer in the Navy, with the rank of commodore, for temporary service, to continue while serving on the staff (construction) of the commander in chief, United States Pacific Fleet, and until reporting for other permanent duty.

Civil Engineer Wallace B. Short to be a civil engineer in the Navy, with the rank of commodore, for temporary service, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

Civil Engineer Robert C. Johnson to be a civil engineer in the United States Naval Reserve, with the rank of commodore, for temporary service, to continue while serving as officer in charge of a naval construction brigade.

Civil Engineer Claire C. Seabury to be a civil engineer in the Navy, with the rank of commodore, for temporary service, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

Civil Engineer Robert H. Meade to be a civil engineer in the Navy, with the rank of commodore, for temporary service, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 29 (legislative day of March 16), 1945:

POSTMASTERS

NEW YORK

Richard T. Stanton, Millbrook.
Aleine Miller, Perrysburg.
Lydia L. Keil, Stuyvesant Falls.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 29, 1945

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Saviour Divine, today as we approach the cross of Calvary, we hear Thy valedictory words: "In the world ye shall have tribulation, but be of good cheer, I have overcome the world"; our spirits rise to the glory of this immortal truth. Just to be alive in Christ these telling days, taking a troubled world to our breasts, walking in brotherly ways on to a blessed forever; this is to know Thee, whose love passeth all earthly affections.

When sorrows oppress, when the days look dark and the nights have lost their starlight and heaven seems far away, O lift our souls to Thee who in all meekness and lowliness hath given us a pledge of life eternal. Countless trials are near our own; with us it is sunlight at midday; with them it is sunset at noontide. Clothe us all with the ministry of service, even though it lead us up some shadowed Calvary or into some bypaths where some have strayed or fallen. Following Thy blessed example, keep us lowly and worthy to be soldiers of the cross and to drink of Thy bitter cup. In the name of our Mediator and Advocate. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries.

ADJOURNMENT OVER

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 12 o'clock noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

EXTENSION OF REMARKS

Mr. BROWN of Georgia. I ask unanimous consent to have inserted in the RECORD an editorial entitled "An Invaluable Service," published in the March 8, 1945, issue of the Oglethorpe Echo, of Lexington, Ga. This article relates to the Soil Conservation Service, one of the outstanding agencies of the Government, benefiting the farmers and costing the Government very little money.

Mr. SASSCER asked and was given permission to extend his remarks in the RECORD and include a resolution by the General Assembly of Maryland commemorating the one hundredth anniversary of the United States Naval Academy.

Mr. BURGIN asked and was given permission to extend his remarks in the RECORD and include a letter.

TAX DEDUCTIONS OF THE PETROLEUM INDUSTRY

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Speaker, I am introducing a new bill relating to the right of the taxpayer to take as an expense intangible drilling and development costs. This bill makes it clear that its sole purpose is to overcome the decision of the fifth circuit in the F. H. E. Oil Co. case, decided March 6, 1945, by the circuit court of appeals. It is not intended to give the taxpayer a new election to take such optional expenditures, but merely to validate the option which has been granted under the regulations of the Treasury Department for the past 25 years. My original bill applied only to taxable years beginning after December 31, 1937. Since there may be some cases open either for assessment or refund for years prior to 1938, I have added a new provision which has the effect of validating deductions taken for such optional expenditures under the regulations in force for such prior years.

EXTENSION OF REMARKS

Mr. JOHNSON of Illinois asked and was given permission to extend his own remarks in the RECORD and include therein an analysis of the tax question.

MEDALS OF HONOR

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a short editorial.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, in these days when we are hearing and reading so much concerning the award of medals for service performed beyond the line of duty and for outstanding personal bravery and heroism, it is interesting to notice the desire to associate these bestowals of honored distinction with the most sacred traditions of our great country.

In this connection I call attention to the following short article written by Grove Patterson, editor of the Toledo Blade, in his column Way of the World, entitled "The George Washington Medal":

WAY OF THE WORLD

THE GEORGE WASHINGTON MEDAL

Whenever I read of an act of bravery in this war, so great, so outstanding, so heroic that the man who faced the hard task and came out victorious, even in death, is given the Congressional Medal of Honor, I am inspired. But in that thrill and inspiration there is also a feeling of dissatisfaction that mars the glory and puts a bit of a blot upon the triumph. And that comes because the highest award which a man in the service of his country can receive is not named what it should be named.

Why do we call it the Congressional Medal when it should be called the George Washington Medal?

Nobody thinks, and I do not mean, that there is any touch of politics in the award because it is called congressional. But the word "congressional" always has, and always will throughout the history of our country, call to mind the associated idea of politics, of political striving and political favor. No other nation in the world as far as I have ever heard has a name for its supreme award for courage that carries a hint of political significance.

Above all other recognitions in France is the Medaille Militaire. Above all others in England is the Victoria Cross. Why not above all others in America, the George Washington Medal?

EXTENSION OF REMARKS

Mr. WILSON asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an editorial from the Noblesville Daily Ledger and five letters received by him on recent publicity.

SECRET BUREAUCRATIC DISCRIMINATION REVEALED

Mr. SCHWABE of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. SCHWABE of Oklahoma. Mr. Speaker, a serious situation is developing in this country. The people are losing confidence in their Government. Time was when love of country, loyalty to the flag, and respect for Government was the pride of every patriotic American citizen. As a result of the breakdown of the system of checks and balances, with the attempts of the Executive to control, directly or indirectly, the legislative and judicial branches of our Government, the people are rapidly losing confidence in and respect for our sacred institutions and principles.

Under the systems that prevailed in the Old World, the king or the ruler spoke the law—his word was law. The people were his subjects. Our forefathers ordained and established a form of government whereby the people would elect their representatives to enact laws for their guidance and protection. This was designed as a truly representative form of government. In the Old World the law came from the king down to the people. According to our system the law was supposed to come from the people up to those elected to execute the law, and our public officials were described and intended to be our public servants and not our dictators.

The Representatives of the people in Congress will merit and hold the continued respect of the electorate only in proportion as we emulate the traditions of our form of government. Our constituents have a right to demand that we champion their rights and prevent arbitrary, autocratic, dictatorial regimentation and regulation, such as we are now witnessing from many quarters.

Mr. Speaker, in one form or another, and emanating from one bureau or another, the activities of the American people are being so regulated and regimented that the people are becoming distressed and perplexed almost beyond words.

I direct my remarks at this time to what seems to be an unreasonable exercise of power by the Office of War Mobilization and the War Committee on Conventions that has been set up. On March 1, 1945, one of my constituents, and one of the oldest and best-respected clothing merchants of my district, wrote me protesting against a directive which apparently was issued by the Office of War Mobilization discontinuing conventions. This directive eliminates the buyers' markets held at Dallas semiannually by the Southwestern Men's Apparel Club. The merchants in that territory have found it more convenient, less expensive, more satisfactory from every standpoint, for them to attend these Dallas markets than to be forced to go to the larger market centers in Chicago and New York. At the Dallas market they could buy from 35 to 50 lines within 3 or 4 days, whereas if they were required to go to the points of production they would have to spend from 2 to 3 and sometimes 4 weeks to accomplish the same results.

On March 6 I addressed a letter to the Honorable James F. Byrnes, Office of War Mobilization, the White House, East Wing, with carbon copies of the letter transmitted to the Office of Defense Transportation, the War Department, the Navy Department, the War Production Board, the War Manpower Commission, and the Department of Commerce.

On March 9 Director Byrnes addressed a letter to me, informing me that my letter on behalf of my constituents had been referred by him to the War Committee on Conventions, and said that his request for cancelation of trade shows was occasioned by the necessity for relieving the burden of overtaxed transportation and housing facilities in order that these might be more directly available in the war interest. He further stated that these mass showings of merchandise involve mass concentrations of buyers which appear unnecessary because of transportation and housing facilities required, and also because of the shortage of available merchandise. He declared that the committee felt "that slightly more travel or slightly longer trips spread over a longer period of time would be preferable to the concentration of such travel at one time and place."

Subsequently the secretary of the War Committee on Conventions, under date of March 14, addressed me on this subject, stating:

2. The policy of the committee with reference to trade shows or market weeks was established only after careful deliberation and conference with leaders in this field. The application of this policy has been uniform nationally. Moreover, from only two other areas have we had letters from merchants protesting this policy, those being the Atlanta and Twin City areas.

3. Inasmuch as the sponsors of these market weeks have obviously appealed to all of the merchants in their particular area for their support, the actual support they have received from this group is infinitesimal as evidenced by the number of letters that have been received in connection with the movement. In other words, we honestly feel that the letters we have thus far received are not in reality the spontaneous expression of these merchants.

4. Peculiarly, this committee has had not one similar complaint from those whom we feel should be most vitally interested in this present restriction and that is the actual producer of the merchandise which is being exhibited and displayed. Most certainly, if committee action had resulted in choking the distribution of merchandise, it would never leave the producers' hands. We are confident that this is not the case.

5. The committee feels that for the present, trade shows can be reasonably deferred until the present critical transportation and housing emergency has passed. These events result in a concentration of travel to a given point, together with a peak load upon hotel facilities. For the time being, this is an undesirable condition and accordingly we have denied all such applications for permit. There is no objection, of course, to the usual travel of salesmen. What we do object to is a concentration of salesmen and buyers at one time and place.

6. With the present shortage of merchandise of all types, the committee further feels that suppliers, practically without exception, equitably apportion their available products among their outlets. In addition, the present question with reference to merchandise is not so much the purchaser's choice from a style or quality angle, because he will accept, and can dispose of, any merchandise that is available from his supplier.

7. The committee's present restrictions are not based upon a long-range plan and very naturally relaxation or removal of the present restrictions will take place as soon as the present overload upon transportation and hotel facilities has been sufficiently relieved.

8. We have gone into considerable detail, inasmuch as the committee feels that you should have all the facts surrounding its present position. However, we question the advisability of passing this information to your constituents in its entirety. We feel that paragraphs 5, 6, and 7 of this letter will amply reply to your constituents.

9. The committee will be more than appreciative of your active support of their present position on this subject.

Mr. Speaker, I replied to this letter under date of March 19 at some length, explaining my inability to agree with the policy or line of reasoning of the author and his committee, and requesting that the committee give careful consideration to my protests and that they "no longer hesitate to permit me to divulge the facts to my constituents." I courteously awaited a reply, without receiving one, except on March 28 someone from the office of the committee called me over the telephone and authorized me to inform my constituents of the position of the committee.

Mr. Speaker, this is a very pointed illustration of the manner in which our merchants are being required to submit to directives which they believe and say will eventually put the smaller merchants out of business.

It is a startling revelation that the War Committee on Conventions consider the producer as the one "most vitally interested in this present restriction." The producer or manufacturer who lives and has his place in New York or somewhere in the New England States, far removed from the retailer and consumer, obviously has been favored that the retailers and consumers have been discriminated against most severely. What would the producer do without the retailers and the consumers? These outlets are essential to the existence of the producer. Yet, the committee says in effect that they have put this restriction in effect for the benefit of the producers and with apparent abandon of any consideration for the great multitude of retailers and consumers.

Apparently, this is only another attempt to socialize a great and honorable line of business activity in this country. If followed to its logical conclusion, the bureaucratic control can tell the producer what to make and what not to make for the public. They can tell the producers to whom they can sell and to whom they cannot, and in what quantities, and when and where purchases must be made. By the same token, Mr. Speaker, the authors of such directives can determine type, quality, and quantity of clothing you and I shall wear—and all of this under the guise of war necessity.

This may partially explain why the author of the letter of March 14 said the committee "question the advisability of passing this information to your constituents in its entirety." I submit that such statements are shocking to the in-

telligence and the self-respect of American citizens.

Mr. Speaker, I hold that it is the high privilege and the duty of the Members of this House to represent their constituents and the Government of the United States as a whole. A part of that representation involves the right of a Representative in Congress to appeal on behalf of his constituents to any officer, board, commission, agency, or department of the Federal Government. It is our duty and pleasure to represent, as best we may, our constituents in an attempt to see that their rights are not invaded by any officer or agency of Government and to protect them against unlawful, improper, and overburdensome exactions and regimentation by our public servants. Why should we not disclose to our constituents, these intelligent merchants, the policies and the explanations for the promulgation of directives? Why should any bureau or agency of Government tell the people's Representatives something in secret, and request them not to divulge it to those whom they represent?

Mr. Speaker, why should any bureau be permitted to issue a directive to favor a few and disregard the rights of the many? Is it not our duty to find out what is back of these directives, explain it to our constituents, and attempt to correct the abuses and discriminations that are so apparent? Where will this line of conduct end?

The history of such practices in Germany and other countries whose example we do not want to follow in America, furnishes the answer. It is high time that this Congress voice its protests against such procedures in Government in this country.

Mr. Speaker, I fully realize that this exposé may result in a reticence or refusal of these bureaucratic agencies to furnish me further complete information when requested on behalf of my constituents. But, with the conviction that my position is tenable and that the attitude of the committee is wholly un-American, I fearlessly present the facts for the consideration of this body and for the enlightenment of my constituents and the public at large. No shroud of secrecy should be permitted to conceal the facts from the public and those truly interested, in dealing with our domestic affairs.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—CHARLES R. HOOPER

The SPEAKER laid before the House the following veto message from the President of the United States, which was read by the Clerk:

To the House of Representatives:

I return herewith without my approval a bill (H. R. 249) for the relief of Charles R. Hooper.

The bill would provide for the payment of the sum of $3,000 to Mr. Hooper in settlement of his claim against the United States for personal injuries sustained by him while employed in the United States Navy Yard in Washington, D. C., in 1894.

It appears that he was employed in the navy yard from May 15, 1890, to October 1, 1895, as a blacksmith, and on August 1, 1894, while working in line of duty, his left eye was destroyed by a small piece of steel.

On February 28, 1944, I vetoed a similar bill (H. R. 2075, 78th Cong.), to provide for the payment of the sum of $5,000 to Mr. Hooper. In my veto message I made the following statement:

> Had the Employees' Compensation Act, which was approved September 7, 1916, been in effect at the time this injury occurred, it is assumed that the claimant would have been entitled to a measure of relief thereunder. The Employees' Compensation Act did not, however, have retroactive application and there are a great many other cases of employees who were injured or killed in the performance of duty prior to the enactment of the Employees' Compensation Act, in which cases the benefits of said act have not been available.
>
> Approval of the bill under consideration would extend preferential treatment to the claimant not accorded in the many other cases of a similar or more serious character and would provide payment to the claimant without an appraisal of the amount to which he would be entitled, if any, in accordance with the standards of the Employees' Compensation Act.

The foregoing considerations are equally applicable to the present measure and I am, therefore, constrained to return the bill without my approval.

FRANKLIN D. ROOSEVELT.

The WHITE HOUSE, *March 29, 1945.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

The message together with the accompanying papers was referred to the Committee on Claims and ordered to be printed.

ANOTHER EXAMPLE OF MALADMINISTRATION IN CONNECTION WITH THE WAR-FOOD PROGRAM

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the RECORD and to include a memorandum of powdered milk prices in Wisconsin.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, we have been subjected to unlimited vocal and written propaganda from Washington as to the great increase in the production of dairy products. Much of this propaganda is misleading. The facts are that the national milk production has not increased very much. The American people have reduced their per capita consumption of milk products. This may have been necessary and best for the war effort as well. The United States produced over 100,000,000,000 pounds of milk in 1934. The largest increase in national production took place in 1941 over 1940. This was an increase of less than 6 percent. In 1943 and 1944 less milk was produced than in 1942. There has been an increase of about 3½ billion pounds from 1941 to 1945 or about 3 percent.

The maintenance of this production even has been accomplished in spite of many man-made obstacles.

The obstacles to a rapid increase in milk production have been the continuously increasing problem of manpower and the difficulties of securing equipment and machinery.

ADDITIONAL OBSTACLES

In addition to these obstacles that confronted the dairymen Wisconsin dairying has had added obstacles to meet because most of its milk has gone into manufactured dairy products.

First. We had the Plymouth Plus and Wisconsin Minus where Wisconsin cheese, representing 50 percent of the national production, has had a floor price from 0.6 cent to 2 cents per pound less than the floor price of the cheese of other States.

Second. We have seen the Office of Price Administration harass, persecute, sue, and collect thousands of dollars from the Wisconsin dairymen, largely the co-op for selling the powdered skim for animal feed above the alleged ceiling price, although the O. P. A. had not even fixed a dollar-and-cents price on the product. This action of the O. P. A. was harmful to the war food program and was an unnecessary and unfair attack on the co-op creameries.

The Second War Powers Act appears to be used only to harass the little people.

One of our colleagues from a Western State says the planners made a cheese factory close up because they had not made any cheese in 1942.

Why all the talk about a meat shortage when the W. F. A. will not allow the "poor man's meat"—cheese—to be produced?

THE POWDERED WHOLE MILK SITUATION

In 1943 only eighty-nine one-hundredths of 1 percent of the milk of the United States was manufactured into powdered whole milk. The industry, however, has expanded. The product is used by the armed forces in large amounts.

The milk producers, largely co-op in Wisconsin, started making this product for war.

I, as well as the other Members from Wisconsin, received a letter and a memorandum regarding the trials of powdered whole milk cases in Wisconsin from Mr. Milton H. Button, director, Wisconsin State Department of Agriculture.

The letter is as follows:

WISCONSIN STATE DEPARTMENT OF AGRICULTURE,
Madison, Wis., March 24, 1945.

Hon. REID F. MURRAY,
House Office Building,
Washington, D. C.

DEAR CONGRESSMAN MURRAY: Attached is report of the O. P. A. trial against the Sand Creek Creamery Co.

As a result of this trial, it appears that this is the opportune time to secure a satisfactory settlement of the 15 cases and to make every effort to obtain the establishment of a dollars-and-cents ceiling on whole-milk powder.

Mr. Werner Wilking, special counsel for this department, and Mr. Clifford Mathys, attorney for the Sand Creek Creamery Co., plan to arrive in Washington on the morning of Wednesday, March 28.

Any suggestions and assistance you can give them will be in the interest of 10,000 dairy farmers of Wisconsin.

Sincerely yours,

STATE DEPARTMENT OF AGRICULTURE,
MILTON H. BUTTON, *Director.*

The following is a memorandum on the trial:

MEMORANDUM RE TRIALS OF POWDERED WHOLE MILK CASES AT WAUSAU

The trials of the 15 whole milk powder cases were started before Judge Stone at Wausau on March 8, 1945. At the request of the O. P. A., the first case to be tried was that against the Sand Creek Creamery Co. It was the contention of the O. P. A. that this was the key case and that a number of the cooperatives in the remaining cases were required to borrow their price from the Sand Creek Creamery.

Prior to trial it was the contention of O. P. A. that the ceiling of Sand Creek was determined by their most recent sale during the year preceding the base period of September 28 to October 2, 1942, inclusive. During preliminary motions heard in Madison the attorneys for O. P. A. stated in court that this was their contention. On the morning of the trial, however, the attorneys submitted to the attorneys for Sand Creek a satement in which they changed their position, claiming that the Sand Creek Creamery had a sale of roller process whole milk powder in bags during the base period. During the trial it was indicated that they were again changing their position, claiming that there were contracts entered into before the base period and delivery made after the base period, which under their theory constituted an offering price during the base period. This theory was based on the decision in the case of *Bowles v. Seminole Sand & Gravel Company*, in which the court held that where a contract was entered into prior to the base period providing for delivery on or before a date subsequent to the base period, it constituted an offering price during the base period.

The alleged sale during the base period was made to the Campbell Soup Co. of Chicago. According to exhibits introduced, the sale was made on September 10, 1942, and it was O. P. A.'s contention that delivery was made in Chicago on September 23, which would, if established, constitute a sale during the base period. The attorneys for the defendant immediately served notice for adverse examination of several employees of the Campbell Soup Co. in Chicago, which was objected to by counsel for O. P. A. However, the court permitted the taking of the depositions. During the trial defendants produced an officer of the Glendenning Trucking Co., Mr. Chester Purvis. The testimony of Mr. Purvis and the depositions of the employees of the Campbell Soup Co. conclusively showed that delivery was made in Chicago on September 25. O. P. A. also contended that the shipment was not accepted as to quality until October 5 and it therefore constituted an offering price during the base period.

Testimony was offered by the defense that the similar product most nearly like roller process whole-milk powder was spray process whole-milk powder. At the conclusion of the trial, however, the court held that spray powder was not a similar product to roller process powder and ordered all testimony relating to similarity stricken.

Counsel for O. P. A. sought to establish a ceiling price for Sand Creek of 24 cents in bags and 24.07 cents in barrels. The price for bags, according to their contention, was based on the sale during the base period and the price for barrels was established by the most recent sale during the year preceding the base period. Mr. Arthur stated to the court that actually the correct ceiling price of Sand Creek for powder in barrels was that of the Barron Cooperative Creamery, but that since that price was less than 24 cents they were willing to overlook the strict requirements of the regulation and permit Sand Creek to use the price of 24.07 cents.

The defendant made repeated efforts to get into the record the Pfeifer formula which established for the Sand Creek Creamery a ceiling price of 26½ cents in bags and 27¼ cents in barrels. The court, however, refused to permit the introduction of this testimony and seemed to base his ruling on the fact that there was no actual offer in writing which would bind Sand Creek. However, the attorneys for the defendant succeeded in reading into the record the deposition of Ed Pfeifer taken by the O. P. A. in which he stated, in response to a question by the attorney for O. P. A., that he had an offering price during the base period and that price was 26½ cents and 27¼ cents. George Pfeifer also testified that he had such an offering price during the base period. This testimony is still in the record, although the court did not permit George Pfeifer to testify as to how he arrived at that price.

Under the pricing formula in M. P. R. 280, if O. P. A. could not establish a sale during the base period, it would then be necessary for the court and jury to determine whether the company had an offering price or prices during the base period, and, if so, what the highest offering price was. These were the only two methods of determining price that were later submitted to the jury on a special verdict.

At the conclusion of the testimony the plaintiff moved for a directed verdict. After hearing arguments the court reserved his ruling and stated that he wanted to submit the case to the jury on a special verdict. Under the special verdict the jury was asked to determine:

1. Whether Sand Creek had a sale during the base period;
2. Whether they had an offering price during the base period;
3. What the highest offering price was during the base period;
4. What was the highest price charged by the creamery for the most recent sale in the year preceding the base period;
5. Whether the Sand Creek Creamery made any sales in excess of their ceiling price;
6. If so, what the amounts of the overcharges were; and
7. Whether the creamery acted in good faith and took reasonable precautions to comply with the regulation if in fact it did sell in excess of its ceiling price.

The jury held 100 percent for the creamery and established its ceiling price at 26½ and 27¼ cents. This special verdict was in effect a general verdict based on the one question submitted to the jury, whether or not the creamery sold its product in excess of the ceiling price. At the time the special verdict was received the court made the comment that there obviously wasn't any evidence in the record to support the verdict of the jury. Counsel for O. P. A. immediately made the usual motions after verdict, including a motion to change certain answers in the verdict and a motion for judgment, notwithstanding the verdict.

The motions after verdict were argued before Judge Stone on March 19. In the meantime the trial of the case against the Cashton Cooperative Creamery Co. was commenced and reached a point where the plaintiff was introducing depositions relating to sales made by the Sand Creek Creamery. After hearing arguments, the court denied all of the motions of the plaintiff except its motion for a new trial, which was granted. The motion by the defendants for judgment on the verdict was denied. The court then set the case for a new trial in the April term, beginning on April 10, at which time there would be a new jury panel. The court also suggested that the jury in the Cashton case be dismissed and that the case be retried. This was in line with the suggestion of O. P. A., that the Sand Creek was the key case and also in line with the court's views that all of the cases be settled.

Judge Stone expressed the opinion from the bench that the cases were of such a nature a settlement should be made and suggested that "counsel for O. P. A. should get their heads out of the clouds" and that some concessions should be made by the defendants. At the suggestion of the court the attorneys then conferred with Judge Stone in his chambers relating to the possibility of settlement. He asked counsel for O. P. A. what they would settle for and was informed that the amount would be about $5,000. He then suggested to them that they consider the amount of $2,500.

During the discussions which continued in the afternoon the court asked George Pfeifer to explain what their position really was. It was indicated that for the first time the court began to realize the position of the defendant and the other creameries, and that there was considerably more to the case than contended by O. P. A. He urged counsel for O. P. A. to prevail upon the Washington office to issue the dollar-and-cents ceiling for whole-milk powder and that they make determined efforts to settle all the pending cases. It was his further comment that he hoped that O. P. A. in settling the cases would come back with a price of not less than 26½ cents in bags and 27¼ cents in barrels, which was the price sought to be established by Sand Creek. With the exception of possibly one or two cases, all of the defendants sold their whole-milk powder at prices which were equal to or less than the Sand Creek price.

The counsel for the defendant creameries and George Pfeifer had a later conference at the hotel in which I was asked to participate. At this conference it was stated that the efforts of the State department of agriculture to negotiate a settlement through the Chicago and Washington offices had considerable effect. It was the consensus of the group that the department make further efforts to effect a disposition of the cases through the Washington office and also bring pressure to bear for the issuance of the dollar-and-cents ceiling price for whole-milk powder. It was suggested that we consider the procedure to be followed, and it was urged, if it was deemed necessary, that we go directly to the Washington office and that Mr. Mathys, counsel for Sand Creek, also attend such meetings.

WERNER A. WILKING.
Special Counsel.

MARCH 20, 1945.

Note the judge set aside the jury's verdict.

When I met these gentlemen I made the following inquiries and received the following replies:

MARCH 28, 1945.

(Congressman REID MURRAY, Wisconsin; Mr. Werner Wilking, special counsel for the Wisconsin State Department of Agriculture, Madison; and Mr. Clifford Mathys, attorney for the Sand Creek Creamery Co.)

Mr. MURRAY. If the farmer receives $2.65 a hundred for his milk, what would the powdered whole-milk ceiling price of necessity be?

Mr. WILKING. With butter-fat content 3.5, about 29 cents.

Mr. MURRAY. What is the present O. P. A. ceiling price?

Mr. WILKING. Nobody knows. We are down here trying to find out.

Mr. MURRAY. How long have you tried to find out?

Mr. WILKING. Ever since after the issuance of temporary regulation No. 22, which was issued in October 1942, which regulation froze prices.

Mr. MURRAY. What was the status of this powdered-milk business before the war?

Mr. WILKING. The volume was low and it wasn't used to be put back into milk. It was used for baby food, cooking, and so forth.

Mr. MURRAY. What is the present controversy in Wisconsin?

Mr. MATHYS. In the first place O. P. A. has failed to place a dollar-and-cents price on powdered whole milk. Just a formula was suggested to determine price on whether it was made in a certain period. If not, we try to get competitors' price—get prices on powdered milk nearly like it. O. P. A. hasn't been able to tell any creamery actually what the price is. In this lawsuit they had three different theories as to price. They changed theories during the course of the trial. Fourteen creameries have borrowed price from the Sand Creek Creamery. If the Sand Creek Creamery is wrong, they are all wrong. They finally claimed that the price should be about 24 cents with a little variation as to whether it is in bags or barrels. The Sand Creek Creamery price should be 26½ cents if in bags, and 27¼ cents if in barrels. We have always adhered to that price. The jury found that the Sand Creek price of 26½ cents was a proper ceiling price.

Mr. MURRAY. I would like to ask the gentleman this question: How can the Sand Creek Creamery or any other creamery pay $2.65 a hundred for milk, and sell the powdered whole milk at 26½ cents?

Mr. MATHYS. They can't do it, and are not doing it. They are now being sued because they charge 26. They should not have charged more than 24 cents. That is utterly impossible. Over a year ago Vinson directed Bowles to fix a dollar-and-cents price on powdered milk. He hasn't done it to this day, but has made the assurance repeatedly that it would be done. Judge Stone in this case set the jury's verdict aside. Don't ask me why. Since the trial he has said that he is satisfied the price is too low. He has asked why the O. P. A. has not fixed the price. He said he would write a letter himself to the O. P. A. telling what happened, and suggesting that because of the chaotic situation in Wisconsin a dollar-and-cents price should be fixed. That is why we are down here now to get that price fixed. I have Judge Stone's letter which I will deliver to the O. P. A. myself. The dollar-and-cents price would end confusion.

Here then we have this situation:

First. The Government allocated the strategic materials to build many powdered whole-milk plants.

Second. The armed forces need and have made good use of this product.

Third. The farmers, largely the co-ops diverted milk to the production of powdered skim milk.

Fourth. The O. P. A. did not and has not as yet placed a dollars-and-cents ceiling on the product.

Fifth. The Wisconsin farmer evidently, if he received the 29 cents per pound O. P. A. ceiling on the product, would receive but $2.65 per hundredweight for his milk.

Sixth. The average price of milk in the United States in 1944 was $3.24 per hundredweight, and the average price of milk in Wisconsin was $2.70 per hundredweight.

Seventh. The Wisconsin co-ops are being sued for trying to obtain less than $2.65 per hundredweight for their members even at a time several States have fixed milk prices of from $4 to $4.80 per hundredweight.

Yes, even at a time when the subsidy to several States is over twice as much as that received by Wisconsin farmers.

This maladministration by the Office of Price Administration and the War Food Administration has harmed and is now harming the war food program.

Even the thought of harassing, persecuting, and prosecuting one group of producers receiving less than $2.65 per hundredweight at the very time other groups in the United States receive from $4 to $4.80 per hundredweight and a subsidy of 90 cents on top of it is wrong.

Wisconsin farmers do not have to be paid for their patriotism. They have done their best, in spite of the broken promises and the nonsensible persecutions by groups that should know better. Surely apologists for the New Deal and its ways can justify these performances if they wish. I shall not, however, defend any group that is not only harming the war food program and the war effort but are persecuting people who make more contribution to the war food program in 1 day than many in this outfit ever made or ever will make.

Let us get a few food facts straight:

First. As long as the War Food Administration prevents the milk producers of the Nation from making all the "poor man's meat" or cheese there is not any use for one to figure what a food committee can do to furnish more food.

Second. If milk subsidies are to increase milk production, the fact that in April 1944 40 percent more subsidy was paid than is to be paid in April 1945 would indicate that the War Food Administration is not trying to increase milk production.

Third. A hundred pounds of feed will produce four times as much human food when fed to dairy cows as when fed to beef cattle. The few with the price have no reason to be expecting a luxury food during wartime. If the Government allocates 40 percent of the choice meats largely to the hotels and restaurants patronized by people in the top income brackets and only 20 percent of the cheaper meats to the great bulk of our population we have the same situation as in the dairy foods wherein cream for the few is unrationed, and products made from the skim milk have been rationed, and where dairy products with small butterfat content are even now rationed.

When a dairy product with 19 percent butterfat is not rationed and one with only half that butterfat content is rationed, it clearly indicates that the present War Food Administration is dominated by the people that make little or no use of the experiments and studies carried on by the agricultural colleges the past 50 years. This is evident by the service record of the men who are making the senseless rulings.

Fourth. Since nearly half the beef of the country has been derived from the dairy industry, it would be fair to point out that all during the fall of 1944 and early winter, the price of dairy cattle going to beef was hovering around the so-called parity price, which, as you know, was unfavorable during the 1910–14 period.

Fifth. I did not notice that any packers were vocal when they were buying these dairy cattle at relatively low prices last fall. They did not show the effect on meat production at that time. I did not hear any packer complaints when a few months ago they bought millions of light hogs below the guaranteed 90 percent parity floor price. I did not even hear of the packers complaining when they were receiving a pork subsidy at the very time they were buying light hogs at even as low as one-half of parity.

Sixth. This whole food confusion is due largely to (1) maladministration by people untrained in their jobs; (2) in evidencing more interest at times in the vote crop than the food crop; (3) in following sectional favoritism such as allocating 14 percent of the mixed fertilizer to one State that produces less than 2 percent of the food of the Nation; (4) in allocating protein feeds on a basis not consistent with maximum food production. In fact I noted at times more protein feed was allocated to a State producing less than one-fifth the amount of animal products that another State was producing.

Seventh. There has been altogether too much propaganda that does not give the right picture. It does not make sense to compare wartime food production with the production during the drought years. This is especially apparent when one takes the food commitments into consideration.

Eighth. If the farm organizations and men with food-production experience were taken more fully into conference, and if the farmer groups like the A. A. A. had more consideration given to their recommendations much of the confusion could have been avoided.

REPEAL OF SECTION 1505 OF THE G. I. BILL OF RIGHTS

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, I have today introduced a bill to repeal section 1505 of the G. I. bill of rights. This is an unusual section because of the fact it provides that any benefits a veteran of this war receives may be deducted from any bonus that in the future will be granted by the Congress of the United States. In other words, if a veteran receives benefits in the way of education, for instance, and it amounts to the equivalent of a bonus that may be later granted, his bonus will be denied. I do not think the Congress intends that, I do not think the people expect our veterans to be so treated and I am therefore asking for support of the bill that I have introduced which would repeal section 1505 of the G. I. bill of rights.

The SPEAKER. The time of the gentleman from California has expired.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON asked and was given permission to extend his remarks in the RECORD and to include a brief editorial.

Mr. WOODRUFF of Michigan asked and was given permission to extend his remarks in the RECORD and to include a newspaper article and an editorial.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and to include a valedictory address by Patrick E. Carroll, at the graduation exercises for handicapped World War veterans of World War No. 2.

INVESTIGATING VETERANS' FACILITIES

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, in obedience to House Resolution 192 passed a few days ago with reference to investigation of the Veterans' Administration, I have appointed each member of the Committee on World War Veterans' Legislation a subcommittee of one to visit and inspect veterans' hospitals and facilities during the recess.

In order to conserve time and expenses as much as possible, I have carried out the wishes of the committee and divided the country into three sections—first, the Northeastern States, second, the Southern States east of the Mississippi River and third, the Western States, including all the States west of the Mississippi River. I have appointed the Members from those areas to visit the hospitals in their respective sections.

I have no authority to appoint anyone who is not on the Committee on World War Veterans' Legislation, but I again call on every Member of Congress who has an opportunity during this recess to go through the veterans' hospitals and facilities in his own area, or anywhere else that he may have the opportunity to do so, and to make such investigations or such inspections as the opportunity affords and report back to me as chairman of the Committee on World War Veterans' Legislation when the Congress reconvenes.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill and joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2745. An act to amend section 8 of the act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes", approved March 3, 1921; and

H. J. Res. 142. Joint resolution providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives.

ADJOURNMENT

Mr. SHEPPARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 16 minutes p. m.) the House (under its previous order) adjourned until Monday April 2, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McGEHEE: Committee on Claims. S. 288. An act for the relief of the Lawrence Motor Co., Inc.; without amendment (Rept. No. 402). Referred to the Committee of the Whole House.

Mr. BYRNES of Wisconsin: Committee on Claims. S. 514. An act for the relief of the Baldwin Bros. Paving Co.; without amendment (Rept. No. 403). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. H. R. 244. A bill for the relief of Adell Brown and Alice Brown; with amendment (Rept. No. 404). Referred to the Committee of the Whole House.

Mr. COLE of Kansas: Committee on Claims. H. R. 879. A bill for the relief of Ed Williams; without amendment (Rept. No. 405). Referred to the Committee of the Whole House.

Mr. GRANAHAN: Committee on Claims. H. R. 903. A bill for the relief of Myles Perz; with amendments (Rept. No. 406). Referred to the Committee of the Whole House.

Mr. GRANAHAN: Committee on Claims. H. R. 1031. A bill for the relief of Mathew Mattas; with amendments (Rept. No. 407). Referred to the Committee of the Whole House.

Mr. BARRETT of Pennsylvania: Committee on Claims. H. R. 1083. A bill for the relief of George Hampton; with amendment (Rept. No. 408). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. H. R. 1241. A bill for the relief of Margaret M. Meersman; without amendment (Rept. No. 409). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. H. R. 1482. A bill for the relief of Sam Wadford; with amendments (Rept. No. 410). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 1710. A bill for the relief of Dr. Alma Richards and Mrs. Mary Block; with amendments (Rept. No. 411). Referred to the Committee of the Whole House.

Mr. BARRETT of Pennsylvania: Committee on Claims. H. R. 1847. A bill for the relief of Francis X. Servaites; without amendment (Rept. No. 412). Referred to the Committee of the Whole House.

Mr. HEDRICK: Committee on Claims. H. R. 1952. A bill for the relief of Joseph Brunette; with amendment (Rept. No. 413). Referred to the Committee of the Whole House.

Mr. BARRETT of Pennsylvania: Committee on Claims. H. R. 2361. A bill for the relief of Alexander Sawyer; with amendment (Rept. No. 414). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 2782. A bill for the relief of the Lebanon Woolen Mills, Inc.; with amendment (Rept. No. 415). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GILLIE:

H. R. 2821. A bill to remove for the duration of the war certain limitations upon the appointment and compensation of retired commissioned officers employed in civilian positions by the Government; to the Committee on Military Affairs.

By Mr. HARRIS:

H. R. 2822. A bill relating to the payment of World War veterans' adjusted compensation in certain cases of the veteran's continued absence from home for a period of 15 years; to the Committee on Ways and Means.

By Mr. JOHNSON of California:

H. R. 2823. A bill to release rights of the United States to certain property in Stockton, Calif.; to the Committee on Public Buildings and Grounds.

By Mr. McDONOUGH:

H. R. 2824. A bill to strike out the provision in the Servicemen's Readjustment Act of 1944 requiring that any benefit received by any veteran under this act shall be deducted from any subsequent adjusted compensation that may be authorized; to the Committee on World War Veterans' Legislation.

By Mr. REED of New York:

H. R. 2825. A bill to amend the Internal Revenue Code; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII.

Mr. ANGELL introduced a bill (H. R. 2826) for the relief of Esther L. Berg, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

313. By Mr. BLOOM: Petition of Taxpayers' Local Option Committee, protesting the enactment of prohibition legislation; to the Committee on the Judiciary.

314. By Mr. CASE of South Dakota: Petition of Mrs. C. M. Simons and 35 other citizens of Burke, S. Dak., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

315. By Mr. CHURCH: Petition of Lillian O'Dea and sundry other citizens of Chicago and Evanston, Ill., urging the passage of the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

316. By Mr. HOCH: Petition of the Board of School Directors, School District of the City of Reading, Pa., favoring the establishment of an International Office of Education and the establishment within that office of a United Nations organization for educational and cultural reconstruction; to the Committee on Education.

317. By Mr. LEONARD W. HALL: Twenty-three petitions containing 653 signatures in opposition to the enactment of House bill 2082, the so-called Bryson bill; to the Committee on the Judiciary.

SENATE

FRIDAY, MARCH 30, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou God of majesty and of mercy, humbly and penitently we lift our souls in prayer, for when there was no eye to pity and no arm to save, then in the fullness of time Thou didst send Thine only begotten Son to be our Saviour.

Today, on this Good Friday, we are standing with bowed heads and uncovered hearts beneath that cross on which, in obedience to the divine will and in love for man, He gave His life. We pray that we also may be obedient to Thy will, and at His cross may we learn to walk the path of sacrificial love, the love which is victorious even in defeat.

Grant that we may have the faith and courage to believe that through the suffering and sacrifices of our own generation the Kingdom of the Christ of Calvary is having a new birth in the world. Help us to authenticate the reality of the Christ and His Kingdom by dedicating ourselves more faithfully and heroically to His ideals and principles.

We offer our prayers and petitions through the merits and mediation of the crucified Saviour and risen Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, March 29, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

NOTICE OF HEARING ON NOMINATION OF ROGER T. FOLEY TO BE UNITED STATES DISTRICT JUDGE, DISTRICT OF NEVADA

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I now give notice that a public hearing has been scheduled for Friday, the 6th day of April 1945, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of Roger T. Foley, of Nevada, to be United States district judge for the district of Nevada, vice Frank H. Norcross, retired. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee in charge consists of the Senator from Nevada [Mr. McCARRAN], chairman, the Senator from Montana [Mr. WHEELER], and the Senator from West Virginia [Mr. REVERCOMB].

UTILIZATION OF MANPOWER RESOURCES—EDITORIAL AND ARTICLE FROM THE WASHINGTON POST

Mr. AUSTIN. Mr. President, the Washington Post this morning contains an editorial entitled "Manpower Illusions," and, by coincidence, there appears on the same page with the editorial a column by Mark Sullivan entitled "Manpower Measure," which points to the same fallacy of logic which seems to divide us in the consideration of this great measure.

I am impressed by the simplicity of one sentence which I read in the article by Mark Sullivan:

Their intellectual difficulty—

That is referring to the difficulty of many in Congress, as he says—

Their intellectual difficulty in arriving at a conclusion could have been dissolved by bearing in mind one distinction, the simple one between wartime and peacetime. Every objection made to the bill would be, in peacetime, not only valid but compelling. But those objections were made nothing by the fact that actually this is wartime.

I ask unanimous consent that both the article by Mr. Sullivan and the editorial be printed in the RECORD at this point.

The VICE PRESIDENT. Is there objection to the request of the Senator from Vermont?

There being no objection, the article and editorial were ordered to be printed in the RECORD, as follows:

MANPOWER MEASURE

(By Mark Sullivan)

STALLING INDEFENSIBLE

It was on January 6 that President Roosevelt asked Congress to pass a national service act drafting all men and women for work in war industry—in the President's words, "total mobilization of all human resources. I urge that this be done at the earliest possible moment."

The "earliest possible moment" will turn out to be close to April 6, when the President gets a service act—if indeed he gets it then; at the hour of this writing it is not certain the bill will surely pass the Senate. And the bill he gets will be far short of "total mobilization of all our human resources." It should be added, however, that the bill in its present form is fairly effective. It will "freeze" all workers now in war industry, and will give to War Mobilization Director Byrnes much power to direct into war industries workers now in nonessential jobs.

The 3 months delay is regrettable. It is a fact that at this very moment, supplies of war matériel, in both the German and Asiatic theaters, are less than are desirable, and the lack is a matter of serious concern to the High Command. It is a fact that within recent months the High Command has been disquieted, if not by actual shortage, by lack of sure confidence that the supplies would continue to come in the desired abundance.

In the discussion of this manpower measure, the questioning of the judgment of the military High Command about needs was perhaps the least appealing of the arguments against the bill. It is a technical field, in which only the military leaders can know all the facts or have dependable judgment. Hardly in any war have any military leaders so greatly deserved confidence and support as those who patiently planned and ably carried out our part in this war. Not much can be said for either the business leaders or the labor leaders who set their judgments, not unaffected by their interests, against the earnest pleading of the military heads.

The judgment of the military leaders is the only valid guide for Congress. The millions of words about other considerations that have been spoken during weeks of debate are beside the point. If opponents of the pending measure, and the many in Congress who were in honest doubt about their duty, had confined their thought to the single paramount consideration, that supplies are as essential as soldiers, the manpower bill might have been passed as speedily, and with the same unanimity, that the House last week passed the 1-year extension of the Selective Service Act.

Many in Congress were divided in mind to a degree that amounted to a schizophrenia. Their intellectual difficulty in arriving at a conclusion could have been dissolved by bearing in mind one distinction, the simple one between wartime and peacetime. Every objection made to the bill would be, in peacetime, not only valid but compelling. But those objections were made nothing by the fact that actually this is wartime.

It is possible to understand those who fear that limitations upon individual liberty adopted in wartime might be continued after the war. But those who are restrained by this apprehension have a plain way out. They can resolve, and preserve their resolution, that this and other wartime regulations shall be promptly ended with the ending of war Fight the war, hard and fast, and win it. Then throw the whole mass of regulations out the window.

Actually, this course has wisely been held in mind by Congress. In writing this bill, and in practically every other grant of wartime powers, Congress has been careful to write into each act a limitation of time. The limitation in the present act reads:

"All regulations * * * shall cease to be effective upon the termination of hostilities * * * as declared by the President or by concurrent resolution of the two Houses of Congress, or upon June 30, 1946, whichever is the earlier."

That language will bear careful study. There is a fixed date for the ending of the act. Then there is a provision that the act shall end whenever the President declares hostilities to be at an end. If the President should not make such a declaration as soon as Congress thinks he should, Congress can itself, by concurrent resolution, declare an end of hostilities, and of these and other acts.

MANPOWER ILLUSIONS

Two illusions threaten the manpower bill in the Senate. First, there is the illusion that the emergency is nearly over. Second, there is the illusion among some Members of the Senate that Congress can flunk on this issue and leave the present system of manpower controls intact. The least the Senate can do, in our opinion, is to dispose of these false assumptions before votes on the manpower bill are taken.

Events in Germany do foretell an early end of the war in Europe. But only the most incurable optimists assume that Japan will be a push-over once organized resistance in Germany ceases or that the war emergency will even then come to an end. President Roosevelt has added his voice to those of General Marshall and Admiral King in pleading for notice to "the war lords of Japan that VE-day will mean no slowing down of our war effort." The grim truth is, as Admiral HART said in his maiden speech as a Senator on Wednesday, that "we face a slogging, wearisome period of war, to be carried on several thousand miles from our own shores." * * * What we may expect from the end of the war in Europe is a let-down in morale and an exaggerated sense of weariness. If we attach as much importance to beating the Japanese as to beating the Germans, therefore the manpower bill is likely to be more

urgently needed because of the approaching collapse of the enemy in Europe.

To rely upon the "positive betterment" in the employment situation reported by War Manpower Chief McNutt as an indication that no manpower bill is needed would also be a dangerous act of self-deception. Probably the two chief reasons for the increased flow of men into war plants in January and February were the alarming German offensive of December and the movement in Congress for enactment of manpower legislation. What Congress should now think of is the situation that would be upon us after the defeat of Germany if the manpower bill should fail.

It is scarcely to be supposed that the W. M. C. would be able to resume its so-called voluntary program if Congress should fail to strengthen its arm. During recent months the W. M. C. has applied coercive tactics without any real authority behind it. In New Bedford, Mass., and various other centers of war industry it attempted to drive workers out of nonessential jobs into war plants. But its authority to resort to such high-handed measures by executive fiat has now been sharply challenged. Even the W. M. C.'s national management-labor policy committee has demanded that Mr. McNutt revoke his "forced release" order, charging that it was deliberately planned to create a failure.

Should Congress defeat the manpower bill and thus give formal notice that it has no intention of backing up W. M. C. decrees by statutory authority and penalties, the whole McNutt program might be left a shambles. The effect would be further to weaken the W. M. C. By thus washing its hands of the problem, moreover, Congress would say to the administration that manpower is an executive responsibility. It would leave itself in a weak position from which to protest if the administration should then experiment with more drastic manpower regulations of its own. In an emergency situation Congress can protect its powers only by exercising them courageously in the national interest.

On balance, it seems to us, the danger of losing our liberty from failure of Congress to meet obligations of this sort is far greater than any danger arising from the forthright enactment of a law to keep men at work until our victory has been won.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate by the Vice President and referred as indicated:

A joint resolution of the Legislature of the State of Michigan; to the Committee on Commerce:

"House Concurrent Resolution 28

"Concurrent resolution memorializing the Congress of the United States to enact House Resolution 2274, providing for rearing ponds and a fish hatchery in the Upper Peninsula.

"Whereas Congressman HOOK has introduced into the House of Representatives of Congress, House Resolution 2274, providing for the establishment and construction of rearing ponds and a fish hatchery at a suitable location in the Upper Peninsula of Michigan; and

"Whereas the establishment and construction of such rearing ponds and fish hatchery will be of benefit to the sportsmen and people of the State of Michigan, and of especial benefit to the people of the Upper Peninsula: Now, therefore, be it

"*Resolved by the house of representatives (the senate concurring)*, That the members of the Michigan Legislature urge that the Congress of the United States enact House Resolution 2274, providing for rearing ponds and a fish hatchery in the Upper Peninsula; and be it further

"*Resolved*, That copies of this resolution be transmitted to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States, to the members of the House Committee on the Merchant Marine and Fisheries, and to the Michigan Members in the Senate and House of Representatives of Congress."

A joint memorial of the Legislature of the State of Washington; to the Committee on Commerce:

"House Joint Memorial 2

"*To the Honorable Franklin D. Roosevelt, President of the United States, and to the Senate and House of Representatives of the United States, in Congress assembled:*

"We, your memorialists, the Senate and the House of Representatives of the State of Washington, in legislative session assembled, most respectfully represent and petition Your Excellency and honorable bodies as follows:

"Whereas the world is entering upon an era that will be characterized by the development of the countries bordering the Pacific, an enormous increase in commerce with the billion inhabitants of those lands, intense competition for post-war trade, and an urgent necessity that the United States peacefully prepare for national defense by maintaining a navy second to none, and by developing internal communications through waterways; and

"Whereas the Canal Commission of the State of Washington on June 7, 1933, aided by a board of eminent consulting engineers, geologists, and economic advisers, submitted to the Governor after thorough study and with detailed maps, cross sections, geologic, economic, and other data, and cost estimates, its report on proposed canals; and

"Whereas that report establishes beyond doubt that it is economically feasible and relatively simple to construct at a moderate cost, three canals, each of which considered separately would justify its cost, furnish substantial revenues, contribute to the national defense and to the economic development and prosperity of the Northwest; and which together would constitute a canal system that would enable vessels of medium draft to proceed by a short sea-level canal from the State of Oregon and the Columbia River to Willapa Bay on the Washington coast, thence by a short sea-level canal to Grays Harbor, and thence by a canal with a system of locks over a low divide to Puget Sound where such vessels would have access to natural inland waterways extending 1,000 miles to Alaska; and

"Whereas these canals would have a direct relation to national defense in that they would provide for the Army an inland water route from near Fort Lewis to Grays Harbor and the Columbia River, the present highway bridges being inadequate for heavy troop movements by land or for heavy artillery or munitions; and in that these canals would also permit the safe passage of submarines, destroyers, and smaller navy craft between the Bremerton Navy Yard, Grays Harbor, and the Columbia River; and

"Whereas the construction of these canals would greatly increase the value of the enormous timber holdings in western Washington of the United States, various Indian tribes, and the State of Washington, by providing a cheap method of transporting logs: Now, therefore, be it

"*Resolved*, That we, the Senate and House of Representatives of the State of Washington, do hereby respectfully memorialize and petition the President of the United States and the Congress of the United States, to enact and approve at the earliest moment, legislation providing for the construction by the United States of a system of three canals that will enable vessels of medium draft to proceed by a short sea-level canal from the Columbia River to Willapa Bay on the Washington coast, thence by a short sea-level canal to Grays Harbor, and thence by a canal with a system of locks over a low divide to Budd Inlet at the southern extremity of Puget Sound, substantially as recommended by the Canal Commission of the State of Washington in its report of June 7, 1933; and be it

"*Resolved*, That copies of this memorial, together with copies of the aforesaid report by the Canal Commission of the State of Washington, be immediately transmitted to the Honorable Franklin D. Roosevelt, President of the United States, the Secretary of the United States Senate, the Clerk of the United States House of Representatives, and to each Member of the Congress from the States of Washington and Oregon."

LIQUOR TRAFFIC DURING THE WAR EFFORT—PETITION

Mr. WHITE. Mr. President, I ask unanimous consent to present for appropriate reference a petition signed by Sarah E. Richardson and sundry other citizens of Clinton, Maine, dealing with the question of liquor traffic during the war effort.

The VICE PRESIDENT. Without objection, the petition presented by the Senator from Maine will be received and referred to the Committee on Military Affairs.

RECOGNITION OF ITALY AS AN ALLY OF THE UNITED NATIONS

Mr. BUTLER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by members of Risveglio Italo Americano Society of Omaha, Nebr., relating to the recognition of Italy as an ally of the United Nations.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Whereas the peaceful and civilized nations of the world have been invited to attend a conference at San Francisco, Calif., for the purpose of uniting all peaceful nations into one happy family of nations and to forever ban and rid the world of war, hate, and destruction; and

Whereas the Italian people were the first nation to overthrow fascism and took great strides to return to the community of free democratic nations; and

Whereas the Italian people are doing all in their power to speed the day for the complete destruction of the Nazis; and

Whereas now the most urgent need for the Italian people and for the building of a sound peace is for America to recognize Italy as an ally; and

Whereas all the Italians of American origin are extremely eager to have the new Italy play a vital role in the common victory, as well as in its own full liberation, in the winning of the war and in the making of the peace: Therefore be it

Resolved, That we, the members of Risveglio Italo Americano Society, do hereby urge that the United States Government—our Government—recognize Italy as an ally and set the example in decent international relations by giving democratic Italy her full rights and place of trust in the community of peaceful and civilized nations and full representation at the coming San Francisco Conference.

Dated this 22d day of March 1945.

ALFIO LA SERLA,
President.
SAM CAMMARATA,
Secretary.

DRY SALT MEAT FOR SOUTH CAROLINA

Mr. MAYBANK. I ask unanimous consent to present for printing in the RECORD and appropriate reference a con-

current resolution adopted by the Legislature of South Carolina, which was sent to me by the distinguished junior Senator from my State [Mr. JOHNSTON] and to the Members of the South Carolina delegation in the House of Representatives. The resolution has been necessitated by the lack of dry salt meat and the inability of our people to preserve pork products during the warm days. The resolution is addressed to Senators and Representatives, and has also been sent to Mr. Marvin Jones, War Food Administrator, in the hope that some relief may be afforded to South Carolina. The resolution is in keeping with the remarks of the junior Senator from Mississippi [Mr. EASTLAND] a few days ago in connection with the necessity for the farm workers and industrial workers of the South to be protected during the summer months by a sufficient supply of dry salt meat.

There being no objection, the concurrent resolution presented by the Senator from South Carolina was received, referred to the Committee on Agriculture and Forestry, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution to request the War Food Administration of the United States to allocate to South Carolina until December 1, 1945, at least the quantity of dry salt meat now available for this State

Whereas the available local meat supplies for South Carolina from March 1 to December 1 of each year is at its lowest figure;

Whereas hog products in this section cannot be kept during such period because of the lack of available provisions therefor: Now, therefore, be it

Resolved by the Senate of South Carolina (the House of Representatives concurring), That the War Food Administration of the United States of America be and it is hereby, requested, during such period, or periods, to provide for South Carolina at least the quantity of dry salt meat heretofore allocated and available for this State between the period between March 1 and December 1;

Resolved, further, That a copy of this resolution be sent to each Senator and each Member of the House of Representatives from South Carolina in the Congress of the United States of America.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McMAHON, from the Committee on Claims:

S. 28. A bill to confer jurisdiction upon the Court of Claims, to hear, determine, and render judgment upon the claim of the Forest Lumber Co.; with amendments (Rept. No. 155).

By Mr. ELLENDER, from the Committee on Claims:

H. R. 1307. A bill for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc.; with amendments (Rept. No. 156).

By Mr. McFARLAND, from the Committee on the Judiciary:

H. R. 534. A bill to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes; with amendments (Rept. No. 157).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER:

S. 803. A bill for the relief of the Anderson Equipment Co., Omaha, Nebr.; to the Committee on Claims.

By Mr. THOMAS of Utah:

S. 804. A bill to authorize certain additional appointments in the Officers' Corps of the Regular Army in initial grades not above the grade of captain; and

S. 805. A bill to insure further the military security of the United States by preventing disclosures of information secured through official sources; to the Committee on Military Affairs.

By Mr. BILBO:

S. 806. A bill to increase the salary of the executive secretary of the Nurses Examining Board of the District of Columbia; to the Committee on the District of Columbia.

MARYLAND AND TOLERANCE—ADDRESS BY THE VICE PRESIDENT

[Mr. RADCLIFFE asked and obtained leave to have printed in the RECORD an address entitled "Maryland and Tolerance," delivered by the Vice President before the Maryland Historical Society, at Baltimore, Md., on March 27, 1945, which appears in the Appendix.]

THE DUMBARTON OAKS AND BRETTON WOODS CONFERENCE FORMULAS—ADDRESS BY HON. WILLIAM L. CLAYTON

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a radio address delivered by Hon. William L. Clayton, Assistant Secretary of State, at Washington, D. C., on March 24, 1945, which appears in the Appendix.]

COMPULSORY MILITARY TRAINING—ARTICLE BY SENATOR THOMAS OF UTAH

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an article entitled "What Shall We Do About Compulsory Military Training?" written by him and published in Reader's Scope for April, which appears in the Appendix.]

REACTION TO BRITISH WHITE PAPER ON EMPLOYMENT POLICY

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD a memorandum from the Bureau of Foreign and Domestic Commerce of the Department of Commerce, under date of March 9, 1945, entitled "Reaction to British White Paper on Employment Policy," which appears in the Appendix.]

MEANING OF EASTER TO THIS DAY—STATEMENT BY SENATOR WILEY

[Mr. WILEY asked and obtained leave to have printed in the RECORD a statement prepared by him, entitled "Meaning of Easter to This Day," which appears in the Appendix.]

SOME ADDITIONS TO THE DUMBARTON OAKS PROPOSALS—ARTICLES BY HERBERT HOOVER AND ARTHUR KROCK

[Mr. SMITH asked and obtained leave to have printed in the RECORD a series of articles by Hon. Herbert Hoover entitled "Some Additions to the Dumbarton Oaks Proposals," and an article entitled "The Product of Brains and Experience," by Arthur Krock, from the New York Times of March 29, 1945, which appears in the Appendix.]

DICK SANDERS—YOUNGEST GENERAL IN THE ARMY

[Mr. MURDOCK asked and obtained leave to have printed in the RECORD an article entitled "Youngest General," written by Luther Davis and published in the magazine Look of April 3, 1945, which appears in the Appendix.]

SERVICE CENTER FOR VETERANS AND WAR WORKERS

[Mr. BUSHFIELD asked and obtained leave to have printed in the RECORD a report by Dr. Harry J. Carman submitting a proposal for a service center for veterans and war workers, which appears in the Appendix.]

SMALL BUSINESS NEEDS ADMINISTRATIVE LAW REFORM—ARTICLE FROM JOURNAL OF THE AMERICAN JUDICATURE SOCIETY

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an article entitled "Law and Administrative Government," by David A. Simmons, published in the February 1945 issue of the Journal of the American Judicature Society, which appears in the Appendix.]

MEDICAL-CARE PROVISIONS OF THE WAGNER-MURRAY-DINGELL SOCIAL SECURITY BILL—REPORT BY THE NATIONAL LAWYERS GUILD

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an analysis of the American Bar Association's report on the medical-care provisions of the Wagner-Murray-Dingell social-security bill, by the National Committee on Social Legislation of the National Lawyers Guild, published in the Lawyers Guild Review for November-December 1944, which appears in the Appendix.]

THE FOOD SHORTAGE

Mr. WHERRY. Mr. President, for the past few weeks, and, in fact, since I have been in the United States Senate, I have advocated the maximum production of foodstuffs, primarily for the reason that that is the best way to control inflation, and for the further reason that it is absolutely necessary that we produce the best kind of food for our armed forces and for our civilian population.

The special subcommittee which is now holding meat hearings under the resolution introduced by the Senator from Oklahoma [Mr. THOMAS] has been in session most of the week. Practically every witness who testified, whether he was a producer of cattle, a feeder, or a processor, has stated on the stand that O. P. A. price-ceiling levels have not been made so that we can get a maximum production of beef.

Mr. Brownlee, representing the Office of Price Administration, stated that we have 10,000,000 more head of cattle on the farms of our country today than during the 1935–39 average. I ask once again, with 10,000,000 head of cattle and more feed than we have ever had in the country, why in the world can we not get beef? Why can we not get meat?

The War Food Administration and the Department of Agriculture have advised that we have the feed to feed the animals. It is not enough to say that we have as much beef as we had last year or the year before. It is only enough to say that we are producing the maximum amount of meat not only for our military needs but for the needs of our allies, for the civilian population, and for the needs that have been caused by lend-lease and U. N. R. R. A.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. BUSHFIELD. I merely wish to call the attention of the Senator from

Nebraska to another statement by Mr. Brownlee at the same hearing. The Senator will recall that he stated that at the present time there was a larger supply of beef for civilian uses, the armed forces excluded, than there was in the period from 1936 to 1939.

Mr. WHERRY. Mr. President, I do indeed remember very distinctly his making that statement, but to refute it all one has to do is to ask the housewives of the United States if they can get meat when they go to market. I am sure they will reply that the meat counters have on them not the meat which should be there to enable families to have the food they need. Is not that the Senator's experience?

Mr. BUSHFIELD. It is.

Mr. WHERRY. Mr. Wilson, head of the Wilson Packing Co., of Chicago, testified that they and all the processors had ample facilities for slaughtering a greatly increased supply of meat, and that they had facilities to market a greatly increased supply, if they could only get the meat.

I have charged on the floor of the Senate, not in the way of destructive criticism, but I have done it constructively day after day, that the reason why we are not getting meat is the unnecessary regulations, and because of the price ceilings, which have been an impediment to the production of meat. I said it was the O. P. A. price levels which were causing the trouble.

Yesterday, there were handed down five decisions from the United States Emergency Court of Appeals which had to do with O. P. A. price ceilings and the production of meat. These decisions confirm the arguments I have advanced in the Senate over a period of 2 years, that we do not have maximum production, and that the reason why we do not have maximum production is the fact that there is an impediment in the shape of the O. P. A. price ceiling levels, which make it impossible to get that production. I read one paragraph from page 8 of the opinion which was rendered by the court in case No. 96, Armour & Co. versus Chester Bowles, Price Administrator:

> It seems clear that the established maximum prices during the period now in question—

The period was 1941, 1942, 1943, and 1944, up until the time this case was tried, which was October—

> It seems clear that the established maximum prices during the period now in question constituted a substantial impediment to the slaughtering of animals yielding carcasses of the grades required by the Government contracts. With results so unfavorable in the better grades, the natural consequence was a greater concentration on the slaughter of the lower and less expensive grades yielding the type of meat found in sausage, hamburger, canned meats, and other processed products.

There is the opinion of the Emergency Court of Appeals that it is the O. P. A. ceilings which have prevented the feeding of cattle in this country and obtaining the maximum production necessary, not only for the civilian population, but for the military forces.

One more point, and I shall be through. This decision applies to meat sold on Government contracts—I want to be fair about it—but the blocking of production is being felt equally, if not more so, by our entire civilian population and by workers in the war production plants, because the Government gets the corn-fed beef.

Mr. President, this court decision, which is based on a thorough investigation of the facts—facts which have been gathered over a period of 41 months, starting as early as 1941—should be a warning to the Office of Price Administration that it is their unfair and unjust regulations that have been the block between the producer and consumer; and that this has caused an ever-increasing scarcity of the meat supply; and has brought into effect wholesale black markets throughout the entire country, not only in the metropolitan centers, but reaching out into the rural districts of our land.

Mr. President, I feel that this court decision brings forcefully to the attention of every Member of the Senate that for which many of us have contended—that is, the necessity for the adjustment of the price ceilings so that cattle may be attracted to the feed lots. Until the impediments are removed, until these artificial restraints are lifted, we will not get maximum production, but less beef will be available for private homes and less beef will go to the military forces, which need it so badly now, in the last stages of the war.

SECRET UNDERSTANDING RELATIVE TO REPRESENTATION IN THE UNITED NATIONS GENERAL ASSEMBLY

Mr. WILEY. Mr. President, this morning's newspapers contain reference to what is apparently a secret understanding between Russia, Great Britain, and ourselves, in relation to representation in the United Nations General Assembly. In that connection I wish to make a few observations.

The suggestion that Russia shall have three representatives in the assembly, the United States three, and the British Commonwealth of Nations six, may or may not be important. To me it is not the most important thing. The objection that one nation has greater representation than another, if followed through to its logical conclusion, would mean that in our own governmental set-up every State, irrespective of its population, would have the same number of Representatives in the House.

I am sure these differences can be harmonized. It is America's job to bring the world together on some cooperative basis. We should not make mountains out of molehills, but we must keep our powder dry, our eyes open, and our minds constantly alert, fully recognizing that we are dealing with nations who, through the centuries, have failed in their effort to bring about a cooperative society, and who are experienced international poker players of the first order.

If at San Francisco the President's ratio, which was apparently agreed upon by Stalin, Churchill, and himself, is found to be satisfactory, I can see no great danger in it.

Unity is not a matter of counting the heads of the United Nations; it is a matter of the spirit between them. If there is to be a deadlock in the voting, it will be only a symptom of a deadlock in the meeting of minds.

Let us perfect the mechanism to our mutual satisfaction, but let us not magnify it out of all proportion to its real meaning. The mechanism is not the thing. The thing that counts is whether or not the minds of the representatives of the various nations have reached the point were they can see alike. Our main job is to build the spirit within, so that whatever the mechanism, harmony, good will, and peace will prevail.

THE GRAZING SERVICE

Mr. McCARRAN. Mr. President, during the Seventy-eighth Congress a subcommittee of the Committee on Public Lands and Surveys filed a report entitled "The Grazing Service, Its Growth in Ten Fiscal Years, 1936–45." The report has been printed and is a part of the records of the Senate.

On March 3 the Secretary of the Interior submitted a letter to the chairman of the Committee on Public Lands and Surveys containing a dissent from the findings. As a matter of fact, in place of being a dissent, the letter is an attempt to excuse, and a flimsy attempt to explain.

I ask that a copy of the letter of the Secretary be inserted in the RECORD in connection with my remarks.

The VICE PRESIDENT. Is there objection?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE SECRETARY OF THE INTERIOR,
Washington, March 3, 1945.

Hon CARL HATCH,
United States Senate.

MY DEAR SENATOR HATCH: I want to dissent from the findings made in the second partial report of the Senate Committee on Public Lands and Surveys, pursuant to Senate Resolution 241, Seventy-sixth Congress; Senate Resolution 147, Seventy-seventh Congress; and Senate Resolution 39, Seventy-eighth Congress, and more specifically entitled "The Grazing Service, Its Growth in Ten Fiscal Years, 1936–45.

The report of the subcommittee, in brief:

1. Reviews appropriations to the Grazing Service from year to year for fiscal years 1936–45, inclusive, upon which information the chairman of the subcommittee alleges a "mushroom growth" of the Grazing Service with the implication that the expansion of the agency is not warranted and is not in accordance with representations made to the Congress.

2. States that "this committee has reason to believe that it is, and has been, the intention of the Grazing Service, at an opportune time, to enlarge its receipts through increases in the rates of grazing fees charged the livestock users of the open public domain" in order to justify further expansion through larger appropriations.

3. Alleges attempts by the Department to nullify or modify the limitation imposed in the Taylor Grazing Act with respect to the acreage of vacant, unappropriated, and unreserved public lands that may be included in grazing districts.

4. Alleges that the Department has been, and still is, attempting to include additional land in grazing districts in the State of Nevada without the consent of the users of the areas affected

Each of these points will be commented upon briefly.

THE GROWTH OF THE GRAZING SERVICE

At the time that the Taylor grazing bills (H. R. 2835 and H. R. 6462, 73d Cong.) were under consideration by committees of the House and the Senate it was the estimate of this Department, and it was so stated by departmental representatives, including myself, that the acreage of vacant, unappropriated, unreserved public domain then contemplated for inclusion in grazing districts under the provisions of the bills could be administered by existing agencies of the Department, together with an additional appropriation of $150,000 to finance a small coordinating agency. The Department's viewpoint on cost of administration and organization was summarized by Mr. Poole, who was then an Assistant Solicitor of the Department of the Interior, before the House Committee on Public Lands and Surveys on February 21, 1934, when he testified as follows:

"It is not the intention of the Department of the Interior to create new bureaus to administer this bill. We feel confident that the present personnel of the General Land Office and the Geological Survey are adequately equipped both in experience and in knowledge to administer it. Secondly, I would like to make a statement with reference to the costs of administration. We have made a study of what we thought this measure would involve in the way of expenses to the users of the range. I have discussed it personally with the Secretary and it is his opinion that at the present time, in view of economic conditions, we cannot put a charge on range use which would be burdensome to the livestock industry. We do not, however, think it will cost greatly in excess of $150,000 a year to administer the bill. That would be very nominal if spread over the 50,000,000 acres which, we contemplate, would be placed within grazing districts the first year of the act's operation."

It is to be noted that the $150,000 was considered with reference to only 50,000,000 acres. The apparent inference to be drawn from the second partial report of the Senate Committee on Public Lands and Surveys is that the estimate of $150,000 applied for all time to the full total of 173,000,000 acres then estimated to remain in the vacant, unappropriated, and unreserved public domain.

Subsequently to the consideration of the original bill, the plan of district advisory boards, made up of members elected by the users to represent them in each grazing district, was developed. An additional $100,000 were added to the estimate to defray the travel and per diem expenses of the board members while attending meetings and performing other duties as members of the boards. This brought the initial estimate of cost of administration up to $250,000, which is the amount that was appropriated by the Congress for the fiscal year 1936. At the close of that fiscal year, approximately 76,900,000 acres of public lands had been included in grazing districts upon request of the range users. Thus, it will be noted that by the end of the second year the act was in effect the area in districts and, consequently, the size of the job, was over 50 percent larger than was estimated by the Department when the bill was under consideration.

The demand for the establishment of grazing districts quickly outgrew the 80,000,000 acres of vacant, unappropriated, and unreserved public land authorized by the original Taylor Act. On January 3, 1935, Mr. DeRouen introduced an amendment to the original act (H. R. 3019) to increase the limitation. Hearings were held by the Committee on Public Lands and Surveys of the House of Representatives, March 1-12, 1935, and by the Senate committee on a companion measure (S. 2539), May 15 and June 12, 1935. The amendment authorizing the inclusion of 142,000,000 acres was passed by the Congress and approved June 26, 1936. The total area administered by the Grazing Service has subsequently been increased to 142,205,002 acres (as of September 23, 1944) including vacant, unappropriated, and unreserved public land, other public land, and State, county, corporate, and private land administered under agreement or under the Pierce Act, approved June 23, 1938.

The grazing districts were administered by the Division of Grazing, with the assistance of the General Land Office, the Geological Survey, and the Division of Investigation until July 1, 1939. By that time experience had proved that both the amount of money and the kind and size of organization first estimated were wholly inadequate for the performance of a reasonably acceptable job of administration under the act. Moreover the size of the job was increased. Not only were more districts established but activities not included in the early estimates were necessarily added. These include planning and administering the installation of range improvements and soil and moisture conservation activities, protecting the range from fire, and handling work incident to land exchanges. The cost of these activities has had to be carried by funds chargeable to administration.

The Congress, of course, has been fully informed on all of these matters, as they were made clear each year to the Bureau of the Budget and to the Appropriations Committees of the Congress when representatives of the Department appeared before them in connection with the annual appropriations for the Department. Practically all of the information concerning the appropriations and the growth of the Grazing Service contained in the report, with the exception of the names, titles, grades, and salaries of individuals employed by the Grazing Service, has been made public each year in the President's Budget or in the hearings before Congressional Appropriations Committees.

It should be clearly borne in mind, I think, that the Taylor Grazing Act, as amended, imposes rather large responsibilities on the Department of the Interior. Nowhere in the committee's report is there an attempt to evaluate the character or the size of the job thus imposed as a measure of the justification of the amount of the appropriation.

As stated in the preamble, the Taylor Grazing Act is an act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes.

Section 2 of the act instructs the Secretary of the Interior, through such funds as may be made available for that purpose, to "make provision for the protection, administration, regulation, and improvement of such grazing districts as may be created under the authority of the foregoing section, and he shall make such rules and regulations and establish such service, enter into such cooperative agreements, and do any and all things necessary to accomplish the purposes of this act and to insure the objects of such grazing districts, namely, to regulate their occupancy and use, to preserve the land and its resources from destruction or unnecessary injury, to provide for the orderly use, improvement, and development of the range." * * * And the Secretary is further authorized to "perform such work as may be necessary amply to protect and rehabilitate the areas subject to the provisions of this act. * * *" It will be noted that the act goes much further than merely to administer the range in the interest of the use of the range by livestock.

There is a vast public interest in this land, namely, to preserve the land and its resources from destruction, and to provide for the orderly use, improvement, and development of all the resources, including the wildlife, the soil, and the water resources. The Department obviously is charged with the protection of the soil against erosion, and with the protection of stream flow to help prevent floods and reduce the siltation of streams and reservoirs, which supply water for people and lands many of which are far distant from the grazing districts.

To perform these functions on 142,000,000 acres of public land now in grazing districts, interspersed with almost an equal area of alienated land, is not a small undertaking. Much of this area had been seriously injured by more than 80 years of uncontrolled use. It was largely undeveloped with regard to watering holes, fences, roads, trails, and other facilities essential to its efficient use and protection. At present, these public lands are grazed by approximately 11,000,000 head of livestock, which are owned by some 22,000 ranchmen and farmers. The lands are tributary to nearly all of the important streams of the West that have been developed for irrigation and the watersheds of these streams need to be safeguarded from damage by floods, erosion, and siltation.

It is the duty of the Department to request the necessary funds and to establish such an organization as is required to do a reasonably adequate job of administration as provided by the act. This has been the aim of the Department in presenting and justifying requests for appropriations each year. While the Department takes no pride in its earlier estimates of the costs of administration, it would be subject to far more justifiable criticism if it failed to request the funds from year to year that are found necessary to perform a reasonably adequate job of carrying out the purposes of the Taylor Act.

The report is further confused by the enumeration of expenditures for purposes other than for administration in a manner that may lead the reader to believe that these expenditures, too, should have been limited by the $150,000 estimate stated in the hearings referred to in the report.

Section 10 of the Taylor Act provides that 25 percent of all moneys received under the act during any fiscal year is made available when appropriated by Congress for expenditures by the Secretary of the Interior for the construction, purchase, or maintenance of range improvements. Requests have been made by the Department to the Congress, each year, for part or all of this 25 percent for the construction or maintenance of essential range improvements on the Federal range lands. Improvements so constructed are a direct benefit to the livestock men using these ranges, as well as being useful in the administration of the range.

Section 10 of the Taylor Act also provides that 50 percent of the money received under the act during any fiscal year shall be paid at the end thereof by the Secretary of the Treasury to the State in which the grazing district or lands producing such money are situated. Presumably this was intended to reimburse the States and counties for taxes that they might have received had the lands not remained in public ownership. However, shortly following the passage of the Taylor Act, nearly every Western State legislature enacted laws that appropriated most or all of this money for the benefit of the users of the range lands producing this revenue. In most States this money is spent in the grazing districts through the district advisory boards for range improvements, predatory animal control, etc. Many of the improvements are installed in cooperation with the Grazing Service and a small portion is donated to the Grazing Service for construction

of the improvements by it. None of this money is used for administrative purposes but it does place an additional and added responsibility on the Grazing Service from an over-all standpoint and has required a good deal of time from the regular and part-time employees of the service.

Considerable emphasis is placed on the amount of money that the Grazing Service received from funds made available through the former Civilian Conservation Corps camps. The C. C. C. program was established primarily for the rehabilitation of unemployed young men in the years of depression. Through the utilization of the camps that were allotted to the Grazing Service from the fall of 1935 to the closing of the C. C. C. program in 1942, the Grazing Service expended approximately $15,000,000 for the construction of range improvements and for other work that were all of a direct and immediate benefit to the range users as well as to the resources. However, this expenditure left the Grazing Service with a direct responsibility for the maintenance and upkeep of these improvements.

Reference is also made to the access road program undertaken by the Grazing Service. This program was developed to help meet the increased demand for critical minerals and timber for war purposes. The Grazing Service merely was selected as one of the agencies equipped to assist in the construction of low standard roads under this program. Moneys for this program were allotted to the Grazing Service only after the roads had actually been approved by the agencies having major responsibility. None of these moneys contributed to grazing district administration. However, the roads are of great importance not only to the mining industry but also in many instances to the local residents and the stockmen by affording better transportation for livestock management and for fire protection. Another Senate committee in reporting on this contribution of the Grazing Service says:

"The United States Grazing Service, on the other hand, received much favorable comment at most of the subcommittee hearings for its sympathetic attitude and understanding of the problems of our small-mine operators. This service appears to realize—and tries to conduct itself accordingly—that most operators need only inexpensive, passable truck trails to make their properties accessible. This bureau has had considerable past experience in the construction of simple truck trails on grazing lands and in connection with C. C. C. camps. It has shown itself anxious to be of the utmost assistance in helping to solve the access-road problems of the small-mine operators. Various suggestions the United States Grazing Service has made for improving the routine of handling access-road applications have not had the attention of the Public Roads Administration which they deserve."[1]

The soil and moisture appropriations are available in accordance with the fourth reorganization plan whereby certain functions on interior lands formerly performed by the Soil Conservation Service of the Department of Agriculture under legislation separate from the Taylor Act were transferred to the Department of the Interior. This money is used under the over-all soil and moisture program for the arresting of erosion and for moisture conservation in lands that have suffered from past abuse. The resulting benefits inure to the livestock industry as well as to the public at large.

[1] From the preliminary report of the Subcommittee on Mining and Minerals Industry to the Special Committee to Study and Survey Problems of American Small Business, S. Res. 66, p. 64.

ALLEGED INTENTION TO INCREASE RECEIPTS IN ORDER TO JUSTIFY LARGER APPROPRIATIONS

It is the duty, of course, of the Department of the Interior to collect fees or other charges as authorized or directed by law. It has never been the policy of the Department, however, necessarily to match the moneys collected through each bureau or agency with the appropriations for that bureau. The receipts of some of the agencies in the Department exceed the appropriations, but this is not so in all cases. That depends upon the purposes and instructions of each particular act. Appropriations for the Grazing Service have greatly exceeded the receipts during the past 10 years, if all appropriations, irrespective of their purpose, are lumped together. These appropriations, including the 50 percent of receipts paid to States, according to the figures in table 1 of the report, have amounted (through the fiscal year 1945) to $36,949,793 10. The net payments into the Treasury after deducting the payments to the States and to the Indians, through the fiscal year 1945, will amount to approximately $3,530,000.

When the Taylor bills were before the Congress, representatives of the Department testified that, in their opinion, in the early years of administration of the act, the fees charged should be limited to a nominal or minimum reasonable figure and that the costs of administration should not exceed the receipts. This commitment, as indicated in the report, has been substantially lived up to, both with respect to the amount of the fees and the relationship between them and the costs of administration.

However, the reference to nominal fees during the early years of administration was not intended to be applicable indefinitely. The present fee of 5 cents a head a month for cattle and 1 cent for sheep was clearly indicated, when it was set in 1936, to be a temporary fee applicable during the period of establishment of administration. In this connection attention is called to a letter to the chairman, Committee on the Public Lands of the House of Representatives, dated June 20, 1933, in which the following statement is made:

"It is estimated that under present conditions of use and at normal prices the value of the anual forage crop on the vacant public lands available for harvesting by grazing animals is approximately $10,000,000. It is estimated further that under regulation designed to permit the maximum reasonable use without abuse, the value of the forage crop may be increased by 25 to 50 percent, indicating a total value of twelve to fifteen million dollars. If all the suitable public domain were placed in grazing districts under the proposed bill, the revenue that might reasonably be derived would vary from one-fourth to one-twentieth of the value of the forage crop. Under conceivable conditions it might therefore run as low as half a million dollars a year, or perhaps under the most favorable conditions approach a maximum upward of $4,000,000 a year. * * *

"The cost of administration will depend largely upon the character and intensity of administrative operations. It is believed that these should be kept at a minimum, and by reason of operations already carried on by the Department of the Interior throughout the public land area the cost can be held to a very nominal figure and perhaps can be defrayed entirely from normal appropriations made for the Land Department.

"It would seem reasonable, in the early years of grazing administration of the public lands, to limit revenue to a nominal or minimum reasonable figure and to so limit the costs of administration that they will not exceed the revenue."

There was considerable discussion at that time and subsequently as to whether or not the act was intended as a revenue-producing measure. It is the opinion of the Department that it is not so intended. In that connection, however, there is need for clarification of what is meant by "revenue-producing." If any money paid into the United States Treasury is revenue, then the charging of any fee for the use of the public range makes it a revenue-producing measure. On the other hand, if "revenue-producing" is taken to mean that collections exceed the expenditures so as to result in a net revenue to the Government, then the Taylor Act is not a revenue-producing measure. The latter is the interpretation used by the Department.

The act provides in connection with the granting of permits to livestock owners, that there shall be "the payment annually of reasonable fees in each case to be fixed or determined from time to time."

A reasonable fee is considered to be one that represents a fair value of the forage obtained by the user. Under the terms of the act the Department feels that it is incumbent upon it to determine and charge such a fee. Nowhere in the act is there an expression, or even an implication, that the cost to the Government in carrying out the provisions of the act and the fees to be charged should necessarily bear any relation to each other. It is only fair to expect that in the long run the returns from grazing fees should be sufficient reasonably to offset the costs of administration, protection, conservation, and development that are of a direct benefit to the grazing users. But such a relationship at this time during the initial stages of administration, protection, conservation, and development is unworkable. It is the opinion of the Department that the fees to be charged and the costs of administration, development, and improvement should be determined separately on their own merits.

ALLEGED ATTEMPTS TO NULLIFY OR MODIFY THE ACREAGE LIMITATION

The report deals at some length with what it alleges are attempts by the Department to nullify or modify the limitation placed by the act upon the acreage of vacant, unappropriated, and unreserved lands that may be placed in grazing districts. It might convey to some readers the implication that Congress found it necessary to amend the original Taylor Act to increase the limitation from 80,000,000 acres to 142,000,000 acres because of some improper action of the Department in learning from the owners of livestock using the range that a larger acreage of grazing districts was desired than was provided under the original limitation. It is believed, however, that the Congress acted purely on the merits of the situation.

The Department of the Interior, it is true, has sought to interpret the provisions of section 1 of the act with respect to the acreage limitation for the purpose of ascertaining their intended scope and application. Statutory interpretation is a recognized branch of the law to which resort must be had in many instances when the meaning of certain wording of an act is not altogether clear. It is only proper that the agency charged with the administration of a statute should seek to ascertain its true intent in order that the will of the Congress may be given effect.

The testimony of the Department favoring the increase in the limitation was based upon the summary of tabulations made at a series of meetings held in the Western States during 1934–35, at which users of the range indicated that they desired districts established with an acreage totaling 142,640,000 acres. At that time the Department believed that 143,000,000 acres would be sufficient acreage for all grazing lands suit-

able for inclusion in grazing districts.[1] The following is quoted from testimony presented to the Committee on the Public Lands of the House of Representatives on March 1, 1935, when that committee was holding hearings on the proposed amendment, as an example of the interest in the establishment of grazing districts:

"On January 24, 1935, a State-wide meeting was held at Reno, Nev., under the Taylor Grazing Act, attended by approximately 600 persons.

"A State-wide advisory committee was elected from the local sheep and cattle men, and immediately after the main meeting the entire State committee went into executive session and recommended unanimously that the entire State of Nevada be put into five districts under the act, covering an area of 51,000,000 acres of public domain."

To date, grazing districts have been established covering a total of approximately 33,600,000 acres of public domain in that State.

The Department will consider it a duty to bring to the attention of Congress the need for any further increase in the limitation. However, before doing so, it would feel obliged properly to interpret the scope of the present limitation. This becomes more important as the extent of the limitation becomes nearly exhausted, a matter that is receiving the attention of the Department at the present time in order that it will be prepared to meet further needs in the establishment of grazing districts.

ALLEGED EFFORTS TO CREATE ADDITIONAL DISTRICTS WITH OR WITHOUT THE CONSENT OF THE USERS

The committee report treats, also, with what it declares to be efforts of the Department over a period of years and still in progress to create additional grazing districts or to make additions to those already established in the State of Nevada, with or without the consent of the users in the affected areas. As indicated in the quotation cited above, the stockmen of Nevada early in 1935, selected a committee consisting of 45 prominent stockmen from all parts of the State, from among approximately 600 persons who attended a State-wide meeting held at Reno, Nev., to discuss the establishment of grazing districts. This committee recommended that the entire State of Nevada, covering an area of 51,000,000 acres of public domain, be placed in grazing districts. One of the reasons for raising the limitation to 142,000,000 acres was to make it possible to follow the wishes of these people. Subsequently, however, for reasons not fully understood, certain stockmen and other residents have opposed the establishment of further districts so that, at this time, there are some 19,000,000 acres more or less of public land in Nevada which, except for certain areas now used as a bombing range, are still being used under much the same conditions as applied to the remainder of the public land before the Taylor Act was passed in 1934. There have even been objections, in some instances, to holding meetings formally to discuss the establishment of new districts or making additions to existing ones.

The Department has followed the policy of establishing grazing districts only with the approval of the majority of the users who attended meetings formally held for considering establishment of districts, except in instances where some emergency relating to the public interest exists. It may be that there are differences of opinion among individuals in the Department as to the existence of an emergency sufficient to warrant the establishment of additional grazing districts in Nevada, as expressed in the intradepartmental memoranda, from which the committee report quotes at length. However, it would appear that the Department should be judged by its actions and not by what may have been discussed at some intradepartmental conference. Action with reference to the 19,000,000 acres in Nevada has long been delayed owing to the objections of some of the residents in the area involved. The policy of establishing districts in that area only upon the consent of the resident users has been followed and will be followed unless the Department finds that failure to establish administration upon this land constitutes an emergency involving the public interest in matters for which it is made responsible by law.

The necessity of safeguarding the public interest in the public land has always been a fundamental policy of the Department of the Interior under my administration. This position was stated in the Acting Secretary's letter to Senator McCARRAN, January 7, 1940, and quoted in the report as follows:

"As I view the Taylor Grazing Act, it is a mandate to the Department of the Interior to administer all federally owned lands in the interest of conservation and stabilization of the livestock industry. It is the desire of the Department, in carrying out this mandate, to adhere to the wishes of the local livestock operators concerning the establishment of grazing districts to the extent that they may be consistent with proper land administration. However, the Department could not agree if their wishes would result in defeating the principles and purposes of the Taylor Act."

There are two ways by which the public interest in the public domain lands may be safeguarded under the Taylor Act—by including the lands in grazing districts or by leasing them under section 15 of the act. Therefore, if it is the consensus of the interested users that the lands in central and southern Nevada are so situated as not to justify their inclusion in grazing districts, and if appropriate proceedings under the law lead to a conclusion that these lands should not be placed under grazing district administration, the Department will then consider leasing them under section 15 of the act.

Sincerely yours,

HAROLD L. ICKES,
Secretary of the Interior.

Mr. McCARRAN. Mr. President, on March 28 last, the chairman of the subcommittee of the Committee on Public Lands and Surveys, the senior Senator from Nevada, in reply to the so-called dissent letter of the Secretary of the Interior, filed a reply, in which at the conclusion I said:

Nothing that has come to our attention in bureaucratic administration presents a more glaring demand for prudent, economic, and drastic curtailment by the Appropriations Committees of both Houses; and we respectfully suggest that the report and the Secretary's letter and this reply be presented to the members of the Appropriations Committee having the Interior Department appropriation in hand.

I respectfully ask unanimous consent that this letter also be inserted in the RECORD in connection with my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 28, 1945.

Hon CARL A. HATCH,
Chairman Committee on Public Lands and Surveys, Senate Office Building, Washington, D. C.

DEAR SENATOR: I am in receipt of a copy of a letter of date March 3, 1945, addressed to yourself as chairman of the Committee on Public Lands, and purporting to be signed by the Secretary of the Interior, Hon. Harold L. Ickes. The letter referred to has as its introductory expression the desire of the Secretary to dissent from the findings made in the second partial report of the Senate Committee on Public Lands and Surveys. This is a reply to the letter referred to.

In this letter, Secretary Ickes, or whomsoever under the Secretary formulated the letter, undertakes to "dissent from the findings made in the second partial report of the Senate Committee on Public Lands and Surveys, pursuant to Senate Resolution 241, Seventy-sixth Congress and Senate Resolution 39, Seventy-eighth Congress, and more specifically entitled, 'The Grazing Service, Its Growth in 10 Fiscal Years, 1936–45.'"

Whoever prepared the dissent for the Secretary was careful not to challenge any statement of fact in the partial report filed with your committee and with the Senate, and which is known as Report No. 404, part 2, Seventy-eighth Congress, second session. Substantially all, if not all, of the 10-page dissenting letter, purporting to be signed by Secretary Ickes, is defensive. It appears to be limited to an attempt to justify the growth, size, and scope of the Grazing Service, the areas it administers, and the manner in which these have been expanded. Attempted argument on these points would seem hardly to be pertinent here, since the story unfolded in the report and based on facts taken from the files and records of the Grazing Service speaks for itself.

The Secretary's letter takes up the topic first, The Growth of the Grazing Service, and fully half of the 10 pages are devoted to a long and labored argument that attempts to justify that growth. The argument falls into two parts: First, the Secretary attempts to interpret his early estimate of the cost of administering the Taylor Grazing Act as applicable only to the first year or years thereof, and that this estimated cost contemplated only the administration of some 50,000,000 acres to be in grazing districts. Secondly, it is argued at length that as the administration developed it was found that the Taylor Grazing Act imposed upon the Department many and varied responsibilities, which in turn required the rendering of numerous and costly and ever-expanding services.

Apparently, these later-discovered responsibilities and required services were not thought of by either the Congress or the Department when the Taylor grazing bill and the amendments to the act were under consideration, from 1933 to 1936. Yet these constitute what the Interior Department likes to call its mandate for Congress; and they furnish the major basis, or justification for the constant and increasing expansion of the Grazing Service and the areas under its administration.

After a careful reading of the extended hearings before the Public Lands Committees of Congress, through 1933 to 1936, it is difficult to escape the conclusion that the Department has overlooked few opportunities to develop and expand its mandate, through its own interpretations. These interpretations apparently are still in process and illimitable.

Some of these interpretations, pertaining to the areas administered by the Grazing Service and the attempts to extend them, are outlined in the second partial report by quotations from the Department's files, but these are passed over in the Secretary's letter. It seems to matter little that these ever-broadening intepretations are in conflict with the opinion of the Attorney General as to the clear intent of Congress and the Taylor Grazing Act.

The Secretary frankly admits that the Department takes no pride in its earlier estimates of the cost of administration, and

[1] Report to the Senate on H. R. 1094 (Public, 827, 74th Cong.).

he then proceeds to argue that his own estimate of $150,000 per year was intended to apply only to the early stages of administration and to an area of 50,000,000 acres to be included in grazing districts. In support of this he quotes the following from the statement of Assistant Solicitor Poole before the House committee on February 21, 1934: "We do not, however, think it will cost greatly in excess of $150,000 a year to administer the bill. That would be very nominal if spread over the 50,000,000 acres which, we contemplate, would be placed within grazing districts the first year of the act's operation." (This statement is also quoted in the second partial report, p. 3). However, it was clearly stated in these hearings that the bill and act would cover an estimated total of 173,000,000 acres, since the isolated tracts, which are administered by the General Land Office, are covered by section 15 of the act.

Two days later, in the same hearing, the following interrogatory was directed to Secretary Ickes by a member of the committee:

"Mr. Poole gave us as his opinion the other day that if the bill passes and these public lands in these public-land States are turned over to the Interior Department that, with the machinery that they already have through the General Land Office and otherwise, it can be administered annually for approximately $150,000 in addition to your machinery already set up. Do you concur on that, Mr. Secretary?" The Secretary's reply was indirect, but it implied concurrence. (See p. 3, second partial report.) On the same day Mr. Poole told the committee: "These administrative agencies (General Land Office and Geological Survey) need but little supplemental aid in administering the Taylor bill."

In a letter of February 17, 1934, to the chairman of the House committee, just a few days prior to the above testimony, Secretary Ickes made this significant statement: "The cost of administration will depend largely upon the character and intensity of administration. It is believed that these should be kept at a minimum and by reason of operations already carried on by the Department of the Interior throughout the public-land area the cost can be held to a very nominal figure and perhaps can be defrayed entirely from normal appropriations made for the Land Department." (See second partial report, p. 3.)

A year later, March 5, 1935, when the same House committee had under discussion the appropriation requested for the Division of Grazing, the following discussion ensued:

"Mr. WEARIN. Does the gentleman mean to infer, in other words, that the operation cost would reasonably begin to be larger next year, if this bill passes?

"Mr. POOLE. I think not. The process of organization is by far the most expensive, and it should certainly decrease rather than increase in administrative detail." (Second partial report, p. 4.)

These statements and others cited in the second partial report from testimony before the committees of Congress, do not support the present contention of the Secretary with respect to the early estimates of the cost of administration.

The Secretary's letter next offers comments under the heading, "Alleged intention to increase receipts in order to justify larger appropriations." The statements on this subject are limited to one paragraph, and these differ in no important particular from those that appear in the second partial report. It is difficult to discern what dissent the Secretary intended to convey.

There then follows, under the above general heading, two full pages of discussion on grazing fees, the principal import of which appears to be, (1) that the period of nominal grazing fees was intended, by the Interior Department, to be limited to the early stages of administration, and (2) that the Taylor Grazing Act was not intended to be a revenue-producing measure. The Secretary specifically states: "It is the opinion of the Department that it is not so intended." He added that: "Revenue producing is taken to mean that collections exceed the expenditures so as to result in a net revenue to the Government."

But it is hard to see the relevancy of this discussion or any discussion of grazing fees to the second partial report. That report is not concerned with grazing fees, except indirectly. The report was written before the increase in grazing fees was proposed by the Director of Grazing, on November 23-25, 1944, though it was not printed until a short time thereafter.

The Secretary's third dissent is treated under the heading "Alleged attempts to nullify or modify the acreage limitation." The criticism, if such it may be designated, is confined to a pious fear that the committee report "might convey to some readers the implication that Congress found it necessary to amend the original Taylor Act to increase the limitation from 80,000,000 acres to 142,000,000 acres because of some improper action of the Department in learning from the owners of livestock using the range that a larger acreage of grazing districts was desired than was provided under the original limitation."

This apprehension is evidently aroused by the statement on page 33 of the report that "immediately after the original act was approved the Department proceeded to hold a series of meetings of livestock men throughout the public-land States. * * * As a result of these meetings the Department immediately took steps to establish 50 grazing districts, with tentative boundaries, embracing approximately 140,000,000 acres of the public domain. The Department then asked the Congress to increase the area limitation from 80,000,000 acres to approximately 142,000,000 acres. This the Congress did, after extensive hearings. * * *"

This procedure on the part of the Department did actually provoke much resentment and questioning in the committees of Congress. Typical of these congressional reactions is the following questioning by Congressman MOTT, directed to Mr. Poole on March 5, 1935: "Why did not the Department go ahead and organize these districts on the basis of the 80,000,000 acres, as the law provides, instead of proceeding without authority to organize them on a larger basis and then coming in to Congress and asking for an amendment of the law to conform to the manner and scale on which they actually had organized the grazing districts? My question is, Why that was done?" (See p. 39 of second partial report.)

This third dissent by the Secretary omits all other reference or reply to the full seven pages in the second partial report, which factually portray, from the Department's own files and record, its persistent and continuing "attempts to nullify or modify the acreage limitation." These attempts have gone on, in defiance of the clear intent of the Congress and the Taylor Grazing Act.

First, the Department got its Solicitor to rule that a withdrawal of the full 173,000,000 acres, effected 5 months after the passage of the Taylor Grazing Act, removed the entire area from the category of "vacant, unappropriated, and unreserved public lands," and that, therefore, none of these lands were subject to the limitation on acreages in grazing districts. But the Attorney General ruled that such an interpretation would make the acreage limitation a nullity; that Congress clearly intended the language and limitation in the act to apply to public lands which were vacant, unappropriated, and unreserved at the time the act was passed, and not at some future date.

Next, the Grazing Service attempted to have withdrawn for inclusion in grazing districts an area which would have increased the total areas to 10,000,000 acres in excess of the 80,000,000-acre limitation then in effect. It was proposed that this withdrawal be made under the authority of a law (of 1910) other than the Taylor Grazing Act. However, the Commissioner of the General Land Office objected to this attempt to circumvent, by indirection, the clear meaning of the act, and the proposed withdrawal was not approved.

Failing in these directions, the Grazing Service, and certain other Department officials, including the Assistant Secretary, have since then arbitrarily interpreted an increasing number of categories of public lands within grazing districts to be not chargeable to the acreage limitation. The fact that a high proportion of these allegedly nonchargeable public lands were withdrawn or reserved subsequent to the passage of the act and therefore are clearly in violation of the ruling by the Attorney General and the clear meaning of the act, appears not to enter into the equation. Through these interpretations, if allowed to stand, the areas of public lands within grazing districts can easily be extended indefinitely, by the simple device of classifying increasing portions thereof as not chargeable to the acreage limitation.

These are the matters treated in detail in the second partial report as the attempts to nullify or modify the acreage limitation. But these the Secretary chose to omit, and fails to deny, in his dissent from this section of the report.

The Secretary's final dissent from the committee's report is presented under the heading "Alleged efforts to create additional districts with or without the consent of the users." Here again, the Secretary does not challenge any of the facts presented in the report, which is almost exclusively factual throughout. The Secretary stated that early in 1935 a meeting of approximately 600 persons was held in Reno, Nev.; that from these a committee of 45 stockmen was selected; and that this committee recommended that the entire State be placed within grazing districts. This could not be done because the 80,000,000-acre limitation was then in effect, hence some 19,000,000 acres have been left outside of the districts.

The Secretary makes this rather remarkable statement, viewed in the light of the record disclosed by the committee report: "The Department has followed the policy of establishing grazing districts only with the approval of the majority of the users who attended meetings formally held for considering establishment of districts. * * *" This assertion can be true only in the sense that the Grazing Service and certain other Department officials, attempt to recognize as binding only the original committee meeting, held in Reno early in 1935. Yet, over the intervening years, numerous other meetings of public-land users have been held at different points in the State, the latest being at Alamo, Nev., on June 30, 1944.

Most, or all, of these meetings were held pursuant to official notices published in the local press and in the Official Register. At substantially all of these meetings, when voting was permitted, the results disclosed large majorities to be opposed to the establishment of additional districts or the extension of existing ones. Just why these meetings are not considered by the Grazing Service and the Secretary to have been formally held or valid is far from clear.

The committee report discloses that the General Land Office has quite consistently maintained that the original meeting of 1935 is no longer binding and it has insisted that new meetings are necessary to meet the requirements of the act before new districts or new district areas may be established. The later meetings referred to above have resulted from that insistence. But the Grazing Service still contends that the original meeting of 1935 meets all requirements.

The record in the committee report, taken from the files of the Grazing Service, shows that at the Alamo meeting of June 1944, at least, the Grazing Service officials who conducted it were under instructions not to permit an expression through a vote and that a vote, if taken, would be in nowise binding upon the Department. However, a vote was taken, by the stockmen themselves, in spite of the Grazing Service officials present, and the result was a very large majority opposed to any extension of the grazing district area. But immediately after this meeting the Acting Director of Grazing, who presided, recommended to his superior that, in spite of the vote, the proposed area be added to the grazing district.

In the face of this record, set forth in much more detail in the committee report, the Secretary's declaration that "The Department has followed the policy of establishing grazing districts only with the approval of the majority of the users who attended meetings formally held * * *" hardly calls for further comment.

The Secretary's letter contains this further comment: "For reasons not fully understood, certain stockmen and other residents have opposed the establishment of further districts * * *." It is respectfully suggested that if the Secretary will carefully read pages 40 to 48 of the second partial report these reasons will become reasonably clear. Much further clarification is available in the considerable volume of petitions, protests, and other correspondence which has flowed during the past 3 or 4 years from the resident Nevada stockmen and the Department's field employees to the Grazing Service, the office of the Secretary, and to the Nevada delegation in Congress.

The report sought to be dissented from by whomsoever prepared the letter for the Secretary passes through the fire of the Secretary's letter with its glaring facts still untarnished. The report reveals unjustifiable expansion of the Grazing Service and unwarranted expenditures by that Service. Nothing that has come to our attention in bureaucratic administration presents a more glaring demand for prudent economic and drastic curtailment by the Appropriations Committees of both Houses; and we respectfully suggest that the report and the Secretary's letter and this reply be presented to the members of the Appropriations Committee having the Interior Department appropriation in hand.

Respectfully,

PAT MCCARRAN.

UTILIZATION OF MANPOWER RESOURCES—CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes.

Mr. LANGER obtained the floor.

Mr. BROOKS. Will the Senator yield to me?

Mr. LANGER. I yield to the Senator from Illinois.

Mr. BROOKS. Mr. President, it is my judgment that the passage of the pending bill would mark a tragic chapter in our democratic way of life under our representative form of government. This great, free land composed of more than 135,000,000 free men and women, representing all the creeds, colors, and cultures of mankind, is at death grips with the forces of arrogant totalitarian powers throughout the world. We have called, trained, equipped, and dispatched more than 11,000,000 of our sons and daughters to the ends of the earth to meet and to defeat the armed forces of men who would destroy our form of government and our way of life.

The war news is good. Our armies have swarmed over the Rhine in Germany and are beating back the enemy toward the heart of their country in Berlin. General MacArthur is mopping up after his return to the Philippines. Our Navy has decisively defeated the enemy's navy in the Pacific, and the marines by capturing strategic islands are clearing the way for future landings on the coasts of China or Japan.

Any mention of these successes and victories carries with it the profound gratitude and indebtedness of our entire people to the men and women who have paid with their lives or wounded bodies for our safety and our freedom. We are proud of and pay our highest tribute to the military and naval leaders of our country as they map the strategy, lay the plans, and direct our forces in their march toward ultimate victory.

In a somewhat lesser degree, but nonetheless sincere, we express our highest praise and profound appreciation to the men and women who have made such great contributions to this unprecedented conflict of arms—to the millions of men and women who have worked in our factories and mines, on the farms, on the trucks, steamships, and railroads; to the industrial managers who have developed modern production methods; to the scientists and doctors who have worked wonders in the laboratories; to the millions who, in their own way, unheralded and unsung, have made their constant contribution to our gigantic war effort.

Mr. President, never in the history of mankind has any people contributed so much and gone so far to preserve their own freedom and extend its possibilities throughout the world.

This unprecedented accomplishment which we must push and support to its ultimate end is the accumulated result of the united effort of a free people who would rather die than lose their freedom.

Our fighting forces, recruited from every walk and element of our Nation, have proved to be the best fighting men and women on earth because they are free, born of free parents. They have the initiative, the genius, and the unconquerable will of the daughters and sons of freedom.

They are meeting the enemy and beating him with superior instruments and weapons and munitions developed, manufactured, or produced by freemen at home.

The American production for this global war effort has surprised our friends and completely astounded our enemies.

Today, as our gallant sons and daughters forge their way along tragic and bloody roads to victory, we in the Senate are considering the passage of a bill which would change the method by which the free American people have thus far performed the production miracle of the ages.

By this bill it is proposed to place in one man's hands the power to shackle and bind both labor and industrial management to future Government edict. Under this proposed law we would say to the patriotic men and women of America that henceforth, under pain of penalty, "Your actions, efforts, and contributing endeavors will be determined by one man who shall write regulations, and if you violate them you shall be punished by imprisonment for not more than 12 months, or by fine not to exceed $10,000, or both." Under this proposed law, we would say to the patriotic men and women of labor and management, as well, "Now that you have produced the supplies for the greatest armed force in American history, now that you have produced the supplies for our allies when their backs were to the wall until the very eve of victory in Europe, you will henceforth be denied the individual freedom for which your sons and daughters have fought or died and for which you have produced so much." Under this proposed law we would say to every industry or business enterprise, "Henceforth if you incur the displeasure of one man or his swarm of agents, he has power to penalize, or possibly ruin your business." Under the provisions of this proposed law, even a returned wounded veteran who sought or secured employment in a war-production plant would be subject to a fine or imprisonment for violation of a regulation promulgated by a civilian who had neither seen, suffered, nor sacrificed in any front-line service in the defense of his country.

Mr. President, it has been argued that we must adopt the pending conference report because it is the duty of the Congress to raise and support armies.

No one would contend that we should not do whatever is necessary to provide the production to supply and support our gallant men and women to the very limit of the resources of America. To support and supply them is our first duty and obligation. However, the production problem of America was, and is, essentially an industrial problem. The heads of our armed forces outline, define, and determine the nature, kind, and numbers of instruments, weapons, and articles they need, and the inventive genius and capacity of American labor and industrial leadership have worked miracles in providing them.

Today the heads and leaders of all branches of labor and management throughout America not only ask us not to pass this bill but warn us that its passage will retard our unprecedented production and cause confusion and chaos that may prolong the war.

Since this global gigantic war effort demands our united ability and effort, it becomes our duty to determine whose advice we shall take as we attempt to fulfill our grave responsibility.

I have not questioned the advice of the military and naval leaders as to the strategy which they would follow. I have not questioned their judgment as to the size of the Army, Navy, or component parts. I have not questioned their determination as to the number or kinds of ships, planes, weapons, or supplies they wanted. In all of these matters they are the best qualified judges by training and experience to advise the Congress, and they have had complete

support. They have been trained as professional men in the art of strict military and naval tactics and rigid discipline, but they are not trained professional men as experts in the art of labor and management cooperation so necessary to maximum production.

Therefore, I shall follow the combined and unanimous advice of labor and management in my supreme desire to produce the maximum of weapons and materials to save every possible life at the front and hasten the day of ultimate victory.

We must keep in mind, Mr. President, that there has been a growing philosophy of government all over the world whereby ambitious men with their military strength and might have centralized power in the hands of individuals whereby the rights and liberties of men were withdrawn and denied. It was this philosophy which was not courageously resisted that resulted in the tragic conflict in which we are now engaged.

The same philosophy has moved with regrettable speed in our own country. We have passed through emergency after emergency, each time yielding up more and more power in the hands of the few. From a nation living under written statutes, interpreted by courts of justice, we have moved with tragic swiftness to a people ruled by regulations and judged by bureaus and commissions.

Power feeds upon power, and the war has added not only to the necessity for certain powers but the lust for more and more power. In the light of our magnificent production record and the unanimous advice of those responsible for future production, this bill represents another unwarranted grab for power that should be emphatically rejected.

It has always been understood that when the armed forces asked for unlimited funds and authority, they were providing for a surplus for at least 6 months' supply in advance of their present operations. The war in Europe is moving today with far greater success than was originally anticipated and with less cost in life and matériel. How, then, can such an assault upon civilian liberty at home, as is provided for in this bill, be necessary at this late hour? Why enslave American civilians on the eve of the liberation of the people of the Old World?

I have great respect for and confidence in our American system of production in labor and management. They are not separate and apart from our united war effort. They are blood and sinew of it. Their sons and daughters, their husbands and loved ones, fill the ranks of our armed forces. Given a definite program, they will do in the future what they have done in the past. They will prove that free labor will continue to work miracles in the cause of freedom. Before the Congress grants more power over the lives of our civilians we should demand that existing agencies be efficiently manned and existing power be intelligently utilized.

The Congress has the duty to raise and support armies and navies to protect our country and our liberty. It is also our solemn duty to protect our liberties at home while our Army and Navy fight for them abroad. Therefore, Mr. President, to support our armed forces, I shall vote against the conference report and thereby protect the liberties at home for which they fight.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. LANGER. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The VICE PRESIDENT. Does the Senator from North Dakota yield for that purpose?

Mr. LANGER. I yield.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Murdock
Austin	Gurney	Murray
Bailey	Hart	O'Daniel
Ball	Hatch	O'Mahoney
Bankhead	Hayden	Pepper
Barkley	Hickenlooper	Radcliffe
Bilbo	Hill	Reed
Brewster	Johnson, Calif.	Revercomb
Briggs	Johnson, Colo.	Saltonstall
Brooks	Johnston, S. C.	Shipstead
Buck	Kilgore	Smith
Burton	La Follette	Stewart
Bushfield	Langer	Taylor
Butler	Lucas	Thomas, Okla.
Capper	McCarran	Thomas, Utah
Chavez	McClellan	Tydings
Connally	McFarland	Vandenberg
Cordon	McKellar	Wheeler
Donnell	McMahon	Wherry
Downey	Magnuson	White
Ellender	Maybank	Wiley
Fulbright	Millikin	Wilson
George	Moore	Young
Gerry	Morse	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], the Senator from Rhode Island [Mr. GREEN], the Senator from North Carolina [Mr. HOEY], the Senator from Louisiana [Mr. OVERTON], the Senator from Georgia [Mr. RUSSELL], the Senator from Nevada [Mr. SCRUGHAM], the Senator from Mississippi [Mr. EASTLAND], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from New York [Mr. MEAD], the Senator from Washington [Mr. MITCHELL], and the Senator from Delaware [Mr. TUNNELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Pennsylvania [Mr. MYERS] is absent on public business.

The Senator from Massachusetts [Mr. WALSH] is absent on an inspection tour for the United States Navy.

Mr. WHERRY. The Senator from Michigan [Mr. FERGUSON] is absent on official business of the Senate as a member of the Special Committee to Investigate the National Defense Program.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. HAWKES], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Ohio [Mr. TAFT], the Senator from Idaho [Mr. THOMAS], and the Senator from New Hampshire [Mr. TOBEY] are necessarily absent.

The Senator from Indiana [Mr. WILLIS] is absent on official business of the Senate as a member of the committee attending the funeral of the late Representative James V. Heidinger, of Illinois.

The PRESIDING OFFICER (Mr. Taylor in the chair). Seventy-one Senators having answered to their names, a quorum is present.

The question is on agreeing to the conference report on House bill 1752.

Mr. LANGER. Mr. President——

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

ORDER FOR RECESS TO MONDAY

Mr. BARKLEY. While a quorum is present, I wish to express the hope that Senators will remain on the floor so that it will not be necessary to have quorum calls. I think it is obvious that there cannot be a vote today on the conference report; but it is desirable to conclude as much of the discussion as it is possible to conclude today, so that we may have a vote at our next session It is not contemplated that we shall have a session tomorrow.

Therefore, Mr. President, I ask unanimous consent that when the Senate concludes its business for today it stand in recess until 12 o'clock noon on Monday next.

The PRESIDING OFFICER. Without objection, it is so ordered.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATIONS

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. McKELLAR. I wish to let Senators know that later in the afternoon, perhaps about 2 o'clock, I shall ask unanimous consent, with the consent of the Senator who then has the floor, to have the Senate proceed to the consideration of the bill known as the Treasury and Post Office appropriations bill, about which there is practically no controversy, and to which there are only three or four small amendments. I hope to have the Senate proceed to the consideration of the bill at approximately 2 or 2:15 p. m. today, and I should be glad to have Senators remain here or be present at that time, at any rate.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHITE. Let me say to the Senator from Tennessee that, from what I have been able to learn from Senators on this side of the aisle, I judge there is no essential controversy regarding any items in the bill.

Mr. McKELLAR. I do not think it will take 10 minutes to dispose of it.

Mr. LANGER. Mr. President, I wish to discuss the pending conference report.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. McKELLAR. Before the Senator begins his speech, and if he does not object, I ask unanimous consent that the pending business be temporarily laid aside and that the Senate proceed to the consideration of House bill 2252, making appropriations for the Treasury and Post

Office Departments for the fiscal year ending June 30, 1946, and for other purposes. It will take only a few minutes to dispose of it.

Mr. LANGER. I yield for that purpose.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Tennessee that the pending business be temporarily laid aside and that the Senate proceed to the consideration of House bill 2252?

There being no objection, the Senate proceeded to the consideration of the bill (H. R. 2252) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. McKELLAR. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment and that the amendments of the committee be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the amendments of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Treasury Department—Office of the Secretary," on page 1, line 10, after the word "Treasury", to insert "Fiscal Assistant Secretary of the Treasury", and on page 2, line 2, after the word "Columbia", to strike out "$350,000" and insert "$360,000."

The amendment was agreed to.

The next amendment was, under the heading "Fiscal Service—Bureau of Accounts," on page 6, line 22, after the word "expenses" to strike out "including expenses of attendance at meetings of organizations concerned with the work of the Bureau of Accounts."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Narcotics," on page 19, line 12 after the words "in all", to strike out "$1,168,900" and insert "$1,167,400"; and in line 18, after the word "therewith", to strike out "and not exceeding $1,500 for attendance at meetings concerned with the work of the Bureau of Narcotics."

The amendment was agreed to.

The next amendment was, under the subhead "Secret Service Division," on page 23, line 5, after the word "captain", to insert "one inspector"; and in line 7, after the word "law", to strike out "$250,000" and insert "$264,500."

The amendment was agreed to.

The next amendment was, under the subhead "Procurement Division," on page 31, line 24 after the word "Columbia" and the semicolon, to strike out "expenses of attendance at meetings concerned with the work of such Division"; and on page 32, line 5, after the word "automobiles", to strike out "$15,000,000" and insert "$14,999,000."

The amendment was agreed to.

The next amendment was, under the heading "Title II—Post Office Department—Washington, District of Columbia—Office of the Postmaster General," on page 33, line 6, after the word "Columbia", to strike out "$240,000" and insert "$247,450."

The amendment was agreed to.

The next amendment was, under the subhead "Salaries in bureaus and offices," on page 33, line 12, to increase the appropriation for the Office of Budget and Administrative Planning from $36,000 to $37,300.

The amendment was agreed to.

The next amendment was, on page 33, line 14, to increase the appropriation for the Office of the First Assistant Postmaster General from $693,000 to $723,000.

The amendment was agreed to.

The next amendment was, on page 33, line 16, to increase the appropriation for the Office of the Second Assistant Postmaster General from $550,000 to $555,500.

The amendment was agreed to.

The next amendment was, on page 33, line 18, to increase the appropriation for the Office of the Third Assistant Postmaster General from $830,000 to $898,000.

The amendment was agreed to.

The next amendment was, on page 33, line 20, to increase the appropriation for the Office of the Fourth Assistant Postmaster General from $441,800 to $467,680.

The amendment was agreed to.

The next amendment was, on page 33, line 22, to increase the appropriation for the Office of the Solicitor for the Post Office Department from $113,000 to $123,200.

The amendment was agreed to.

The next amendment was, on page 33, at the end of line 23, to increase the appropriation for the Office of the Chief Inspector from $290,000 to $293,600.

The amendment was agreed to.

Mr. LANGER. Mr. President, I should like to revert to the amendment on page 31, in line 24, and propound a question to the distinguished chairman of the committee. The language beginning on page 31 in line 20, reads as follows:

Surplus property program: For expenses of care and handling and other necessary expenses of the Procurement Division incident to the disposal of property under the Surplus Property Act of 1944; including personal services in the District of Columbia; stationery (not to exceed $90,000); purchase (including exchange) of lawbooks, books of reference, and periodicals; printing and binding (not to exceed $100,000); advertising; and maintenance, repair, and operation of passenger automobiles; $14,999,000.

I ask the Senator from Tennessee if the sum indicated of $14,999,000 is the correct amount.

Mr. McKELLAR. It is the correct amount.

Mr. LANGER. How could that much money be used?

Mr. McKELLAR. The Senator will note that certain language has been stricken out. Mr. President, I ask that the item be passed over temporarily.

The PRESIDING OFFICER. Without objection, the item will be passed over, and the next amendment of the Committee on Appropriations will be stated.

The next amendment was, on page 34, line 4, after the word "laws", to strike out "$375,000" and insert "$435,000."

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses, Post Office Department," on page 34, line 16, after the figures "$200" and the semicolon, to strike out "expenses, except membership fees, of attendance at meetings or conventions concerned with postal affairs, when incurred on the written authority of the Postmaster General, not exceeding $2,000"; and in line 23, after the word "for", to strike out "$135,000" and insert "$133,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Chief Inspector," on page 36, line 18, after the word "inspectors", to strike out "$3,050,000" and insert "$3,096,750."

The amendment was agreed to.

The next amendment was, on page 37, line 8, after the word "Service," to strike out "$950,000" and insert "$962,500."

The amendment was agreed to.

The next amendment was, on page 37, line 15, after the word "inspectors", to strike out "$950,000" and insert "$970,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of the First Assistant Postmaster General," on page 42, after line 10, to insert:

Balances due foreign countries: The unexpended balance of the appropriation "Balances due foreign countries, 1943" in the Treasury and Post Office Departments Appropriation Act, 1943, is hereby made available for the fiscal year 1946 and prior years.

The amendment was agreed to.

The PRESIDING OFFICER. That concludes the committee amendments. The Chair understands that it is desired to revert to the item on page 31, line 20, and that item is now before the Senate.

Mr. McKELLAR. Mr. President, it will be recalled that the Congress created the Surplus Property Board to take charge of all surplus property. There are laws on the statute books which permit various departments to sell surplus property. I believe that every department of the Government is included. I am informed that the departments are functioning under those laws which give them the right to sell surplus property. A large sum was appropriated last year for surplus property. I believe it was almost as large as the sum asked for this year. It was used in connection with the disposal of surplus property. I may say to the Senator from North Dakota that I myself am not sure whether it would not be wise to determine that the Surplus Property Board shall have entire control of the sale of surplus property, instead of the control being placed in the departments. I doubt very much the wisdom of having both the Board and the departments do the work.

Mr. LANGER. Mr. President, I have in my hand a copy of Public Law 457, the Surplus Property Act of 1944. It is my understanding that Mr. Gillette, Mr. Heller, and Mr. Hurley, for all three of whom I voted, will have charge of the disposal of surplus property. To my surprise I find in the bill now before the Senate an item of approximately $15,000,000 for the use of one department.

In last night's Washington Star appeared the following article:

GILLETTE SAYS AGENCIES ARE BYPASSING BOARD IN SELLING SURPLUSES

Testimony by Chairman Guy M. Gillette, of the Surplus Property Board, that Government agencies were selling surpluses without his knowledge brought demands today for legislation tightening his control.

Senators WHERRY, Republican of Nebraska, and ELLENDER, Democrat, of Louisiana, instructed him to draft amendments giving his Board the right to take charge of any property it regards as surplus.

Mr. Gillette said he learned by accident that three generators from a magnesium plant at Lake Charles, La., were to have been sold to a Dutch concern. Two days after making an inquiry, he said, the Defense Plant Corporation declared them surpluses.

Under the act creating his Board, he told the Senate Small Business Committee which is inquiring into prospects for future use of aluminum and other light-metals facilities, his Board cannot step in until the owning Federal agency has declared property surplus.

Many agencies have authority under previous acts to make sales without declaring goods or properties surplus, he added.

"I think the necessary amendments to take care of that should be offered as quickly as possible," Senator WHERRY said.

Mr. Gillette told reporters later that he learned that 450,000 candy bars had been sold by one agency which had authority to sell them because of the possibility of deterioration.

Mr. Gillette said he was making a survey of Government plants of every description, including a $400,000,000 investment in aluminum plants and facilities.

Mr. President, because of section 17 of Public Law 457, I am very much interested in this subject. I invite attention to the fact that the two members who were first appointed to the Board were supposed to take charge of all the surplus property in America at the time of their appointment. They were appointed, as I remember, away back in November. November went by and December, and when the Congress met in January the President appointed former Senator Gillette. That was the first moment he was available under the laws of the country. So January has gone by and February has gone by and now we are at the end of March. I have taken occasion several times to go down to interview that Board. The farmers of North Dakota and the farmers all over the Northwest want to get hold of some of the trucks, but every time I go there I am met by the statement that no funds are available to the three gentlemen who constitute the board, Mr. Gillette, the chairman; Mr. Heller, and Mr. Hurley, and they have not even the authority to appoint a man in North Carolina or in Tennessee or in Maine or North Dakota or California or any other State of the Union to take charge of the selling of this property, and in the meantime the property is being dissipated. Every day sales are being made all over the United States, and in great many instances the Board does not know anything about them until after the property is sold. Today when I pick up this bill I find another item of $15,000,000 to be used by the Procurement Division of the Treasury Department. I certainly want to register emphatic objection to it. I do not want to be a party to this measure being passed with that item in the bill, and I therefore move, Mr. President, that that item be stricken from the bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from North Dakota.

Mr. McKELLAR. Mr. President, I desire to be heard.

Mr. AIKEN. I should like to obtain some information if the Senator will yield.

Mr. McKELLAR. I yield.

Mr. AIKEN. How would $15,000,000 be used?

Mr. McKELLAR. I will read a statement to the Senate:

The estimate of the requirements for the Office of Surplus Property, Procurement Division, Treasury Department, for the fiscal year 1946, amounts to $20,750,000, exclusive of overtime. Including a supplemental appropriation in the amount of $11,430,000, which is pending before Congress, the corresponding amount for the fiscal year 1945 totals $17,680,000. Excluding cost for overtime pay in the fiscal year 1945 of $1,842,376, the requirement for the fiscal year 1946 represents a net increase of $4,884,376.

The primary function of the Office of Surplus Property of the Procurement Division is the disposition of all property of the consumer-goods type declared to the Procurement Division as surplus to the needs of Government agencies.

The Office of Surplus Property succeeds the Federal Property Utilization Branch of the Procurement Division, which was established to carry out the provisions of Executive Order 9235 of August 31, 1942, providing for the effective conservation and utilization of all types of property owned by the Federal Government. Subsequently, Executive Order 9425 of February 4, 1944, established the Procurement Division as the agency to receive and dispose of all war surplus property identified as consumer goods, making it subject, however, to the direction of the Surplus War Property Administration. In addition to these two Executive orders, legislation on the subject has just passed the Congress in the form of the Surplus Property Act of 1944, Public Law 457, Seventy-eighth Congress.

Mr. AIKEN. Mr. President, how much of this money will be available to the Surplus Property Board set up under the authorization of Congress? How much will be available to Senator Gillette's Board?

Mr. McKELLAR. The Senator will see that there are two separate organizations. One is for war surplus property and the other is for surplus property of the departments.

Mr. AIKEN. How much is appropriated at the present time for the Gillette Board?

Mr. McKELLAR. I do not know. No appropriation has come before our committee. It may have gone to the House, but as yet no such appropriation has reached the Senate Committee on Appropriations.

Mr. AIKEN. From all I can learn, Mr. President, there is going on another most flagrant violation of the intent of Congress in the executive department. As I understand, the Surplus Property Board which the Congress authorized and which it was expected would take charge of the disposal of surplus property——

Mr. McKELLAR. Surplus war property.

Mr. AIKEN. Surplus war property, estimated to have a value of $100,000,000,000.

Mr. McKELLAR. It was some such figure.

Mr. AIKEN. Of course, we know that that is probably an exaggeration. But this Board has not been permitted to function; it has not been permitted even to hire a competent staff of technical and legal experts. There is still being retained in charge of this work, I understand, one of Mr. Clayton's right-hand men, though Congress indicated that they did not want him to be the Surplus Property Administrator, and when the Board appealed to Mr. Byrnes' office for assistance in setting up a staff, they were told they could just as well use Mr. Clayton's staff and save hiring one of their own. In other words, there is apparently a definite effort to see that this Board does not function in the manner which Congress intended it should function. Unless something is done in a few months' time someone will come before Congress and say, "Now, see what you have done; the Board you set up has been a miserable failure; you have got to have this matter of disposing of surplus war property handled by one strong man, and we know just the man."

I do not think Congress intended to have it operate in that way. I think that that Board comprised of Mr. Gillette, Mr. Heller, and Mr. Hurley should have the money to enable them to perform the functions which it was intended they should perform, and if further legislation is necessary to keep them from being bypassed, I do not think we can enact such legislation too quickly.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LANGER. I have in my hand Public Law 457, creating the Gillette board. In my judgment, it provides for the sale of more than surplus war material. Here are the objectives of it:

SEC. 2. The Congress hereby declares that the objectives of this act are to facilitate and regulate the orderly disposal of surplus property—

Not only war property but "surplus property"—

(a) to assure the most effective use of such property for war purposes and the common defense;

(b) to give maximum aid in the reestablishment of a peacetime economy of free independent private enterprise, the development of the maximum of independent operators in trade, industry, and agriculture, and to stimulate full employment;

(c) to facilitate the transition of enterprises from wartime to peacetime production and of individuals from wartime to peacetime employment;

(d) to discourage monopolistic practices and to strengthen and preserve the competitive position of small business concerns in an economy of free enterprise;

(e) to foster and to render more secure family-type farming as the traditional and desirable pattern of American agriculture;

(f) to afford returning veterans an opportunity to establish themselves as proprietors

of agricultural, business, and professional enterprises;

(g) to encourage and foster post-war employment opportunities;

(h) to assure the sale of surplus property in such quantities and on such terms as will discourage disposal to speculators or for speculative purposes;

(i) to establish and develop foreign markets and promote mutually advantageous economic relations between the United States and other countries by the orderly disposition of surplus property in other countries;

(j) to avoid dislocations of the domestic economy and of international economic relations;

(k) to foster the wide distribution of surplus commodities to consumers at fair prices;

(l) to effect broad and equitable distribution of surplus property;

(m) to achieve the prompt and full utilization—

I call the Senator's attention to the word "prompt," and this was away back in November—

(m) to achieve the prompt and full utilization of surplus property at fair prices to the consumer through disposal at home and abroad with due regard for the protection of free markets and competitive prices from dislocation resulting from uncontrolled dumping;

(n) to utilize normal channels of trade and commerce to the extent consistent with efficient and economic distribution and the promotion of the general objectives of this act (without discriminating against the establishment of new enterprises);

(o) to promote production, employment of labor, and utilization of the productive capacity and the natural and agricultural resources of the country;

(p) to foster the development of new independent enterprise;

(q) to prevent, insofar as possible, unusual and excessive profits being made out of surplus property;

(r) to dispose of surplus property as promptly as feasible without fostering monopoly or restraint of trade, or unduly disturbing the economy, or encouraging hoarding of such property, and to facilitate prompt redistribution of such property to consumers;

(s) to dispose of surplus Government-owned transportation facilities and equipment in such manner as to promote an adequate and economical national transportation system; and

(t) except as otherwise provided, to obtain for the Government, as nearly as possible, the fair value of surplus property upon its disposition.

I wish to say to the distinguished junior Senator from Vermont that I think he was entirely correct in what he said a few moments ago, that is, that we want the Gillette committee, the three men appointed by the President of the country, to see to it that there shall not be a recurrence of the scandals which developed after World War No. 1 in the sale of property. Upon this very floor some of us stated we were willing to vote for Mr. Heller and Mr. Hurley at the particular time their nominations were before the Senate because it was understood that Senator Gillette was going to head the committee as chairman. Yet today, after all this time, we find him without funds, without any staff, and absolutely helpless, apparently, so far as the sale of surplus property is concerned.

Mr. President, I do not think it is right that in the pending measure there should be an appropriation of $15,000,000 to be turned over to one single department, to be used by it, as it would be in case the bill were passed as it is.

Mr. McKELLAR. Mr. President, it is to be turned over to the Treasury Department, which has had charge of the disposal of surplus property for a long time.

Mr. AIKEN. How much is the appropriation?

Mr. McKELLAR. About $15,000,000. I wish to show what the Treasury Department has been doing. I shall put the table in the RECORD, but I shall read from it to show what has been accomplished under the present law, and before the new Board has taken hold. As to that matter I shall speak in a moment.

The total appraised value of the property taken over from July 1, 1943, to June 30, 1944, amounted to $131,000,000 and the total sales amounted to $96,776,532. It is a tremendous business, and since the war came on, of course it has been greatly augmented. As the Senator from Vermont stated a few moments ago, it has been thought that the war properties alone will amount to a hundred billion dollars. I do not think the figure will be that high, but it was such a stupendous sum that the Congress passed the law to which the Senator has referred.

If the Board which was established under the law has ever functioned or has ever taken over the sale of surplus property, our committee has not been advised of it. Instead of that the Budget Bureau has sent to the Treasury—and I shall read the language at this point—this estimate of appropriations.

First, I ask unanimous consent to put into the RECORD the figures as to what the Treasury has done in this connection.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Summary statement of acquisitions and disposals, fiscal year 1944

	Declarations or receipts of property (appraised value)	Total sales and disposals (appraised value)	Analysis of total sales and disposals		
			Sales (appraised value)	Transfers to Federal agencies (appraised value)	Work Projects Administration and National Youth Administration loans to educational institutions (appraised value)
Opening inventory, July 1, 1943	$8,146,352				
July 1943	6,661,762	$5,742,431	$3,943,286	$1,799,145	
August 1943	2,676,452	3,457,971	2,624,114	833,857	
September 1943	4,049,007	5,657,210	3,067,931	1,438,998	$21,150,281
October 1943	12,191,082	13,319,224	10,294,080	2,704,814	230,330
November 1943	6,733,248	4,906,606	2,565,022	1,699,506	642,078
December 1943	13,822,795	4,318,253	1,677,055	2,121,384	519,814
January 1944	27,131,300	15,533,404	9,828,705	4,218,086	1,485,613
February 1944	12,201,358	9,814,814	6,215,926	2,272,048	1,326,840
March 1944	16,043,922	16,084,703	12,780,988	1,957,720	1,346,075
April 1944	6,317,935	6,397,732	4,172,359	1,927,253	298,120
May 1944	5,380,679	5,903,606	3,812,532	580,101	1,510,433
June 1944	9,725,378	5,640,728	3,401,428	2,233,669	5,631
Total	131,083,070	96,776,532	64,383,426	23,876,591	8,516,815
Closing inventory (appraised value) (confirmed) June 30, 1944	34,306,538				
Work in process (reported cost) June 30, 1944	11,650,966				
Total inventory, June 30, 1944	45,957,504				

Summary statement of acquisitions and disposals, period July 1 to Nov. 30, 1944

	Declarations or receipts of property (appraised value)	Total sales and disposals (appraised value)	Analysis of total sales and disposals		
			Sales (appraised value)	Transfers to Federal agencies (appraised value)	Work Projects Administration and National Youth Administration loans to educational institutions (appraised value)
Opening inventory, July 1, 1944	$34,306,538				
July 1944	12,563,055	$11,417,833	$7,267,256	$3,463,574	$687,002
August 1944	20,678,135	9,068,604	7,223,040	1,379,592	465,976
September 1944	21,650,750	11,117,741	10,018,266	1,004,116	95,359
October 1944	18,495,267	13,591,579	13,094,269	399,738	97,571
November 1944	17,287,660	13,945,487	11,937,289	1,991,224	16,974
Total	124,981,405	59,141,251	49,540,121	8,238,246	1,362,884
Closing inventory (appraised value) (confirmed) Nov. 30, 1944	65,840,157				
Work in process (reported cost) Nov. 30, 1944	33,553,534				
Total inventory Nov. 30, 1944	99,393,691				

Mr. McKELLAR. Mr. President, I wish to make a statement as to what Mr. Pehle, the present head of the Surplus Property Disposal Agency of the Treasury Department, has said about this. I read from page 617 of the hearings before the House committee on the Treasury Department appropriation bill:

Mr. KEFFE. And are subject to change from time to time as the regulations may change on orders of this Board; is that right?

Mr. PEHLE. Yes, that is entirely correct. As a matter of working relationships, I think that the regulations enacted by the previous administration stay in effect until the Board changes them. But the Board could change the types of property assigned to the Treasury Procurement for disposition and take away from or add to the amount of the property to be disposed of through this agency.

They have not acted, and this property must be disposed of. Something will have to be done.

Mr. McMAHON. Mr. President, will the Senator from Tennessee yield to me?

Mr. McKELLAR. I yield.

Mr. McMAHON. The Senator from Tennessee has stated that the Budget Bureau has not recommended any appropriation for the Surplus Property Board which was created by the Congress.

Mr. McKELLAR. It has recommended some appropriation.

Mr. McMAHON. I wondered under what fund the Surplus Property Board was now operating.

Mr. McKELLAR. I shall give the Senator the information. A bill has not come through, but I can state what is proposed, as follows:

Salaries and expenses, Office of War Mobilization and Reconversion.

For all necessary expenses of the Office of War Mobilization and Reconversion, including the Office of Contract Settlement, the Surplus Property Board, and the Retraining and Reemployment Administration, in carrying out the provisions of the act of October 3, 1944—

Which is the act in question—

(Public Law 458), the act of July 1, 1944 (Public Law 395), the act of October 3, 1944 (Public Law 457), and all other powers, duties, and functions which may be lawfully vested in the Office of War Mobilization and Reconversion, including fees and expenses of witnesses; printing and binding; not to exceed $10,700 for deposit in the general fund of the Treasury for cost of penalty mail as required by section 2 of the act of June 28, 1944 (Public Law 364); and purchase of two passenger automobiles; $2,359,500 (act of June 28, 1944, Public Law 372; act of Dec. 22, 1944, Public Law 529).

Estimate, 1946, $2,359,500.

The total estimate for the Surplus Property Board is $982,000.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. McMAHON. The Senator from North Dakota [Mr. LANGER] has read from the Surplus Property Act. It stands to reason that the objectives of that act could not be attained by the Board with an appropriation of $980,000. It is perfectly obvious from former Senator Gillette's testimony that the Surplus Property Board is being bypassed, and that surplus property is actually being disposed in places where the Congress did not care to have it done. I, for one, should like to see this item stricken out, so that we might place the power to dispose of surplus property where Congress said it should be lodged. The Surplus Property Board up to date, from information I have, has sold nothing, and one can buy nothing from the Board. Surplus property is sold by the Treasury Department, by the Army, and by the Navy. As I understand, such was not the intent of Congress. The will of Congress is being circumvented by depriving the Board of the means for disposal of surplus property and placing it in the hands of other agencies.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. AIKEN. I think the reason the Board is not functioning is because of an oversight on the part of Congress. We established this Board in the Office of War Mobilization. The Board cannot function until the Office of War Mobilization says it can function.

Mr. McMAHON. Then I think the Board ought to be taken out of the Office of War Mobilization.

Mr. AIKEN. It certainly should be taken out of the Office of War Mobilization, because, as I understand, the Office of War Mobilization has not permitted the Board to function. In the meantime other agencies of Government have gone ahead and disposed of their surplus property. I shall give the Senate an excellent illustration of what is taking place. In New York 50,000 pairs of nurses' shoes were declared surplus. Prospective purchasers were not able to buy them from the Government. They were forced to buy them through a speculator who received a profit of 30 cents on each pair of shoes. That is an example of what is going on today.

Mr. President, there is no question of the intent of Congress when it enacted the surplus-property law, and there is no question that the intent of Congress is today being flagrantly violated and that the Board is being circumvented.

Mr. McKELLAR. Mr. President, so far as this particular item is concerned, it comes here really by direction of the Board, because the Treasury Department is acting under the War Mobilization Act. There is no question about that. So far as amendment of the War Mobilization Act is concerned and the establishment of this Board somewhere else, that will have to be done by a legislative act. It cannot be done in an appropriation measure. We are now doing what the law provides, and we cannot go beyond the law. We cannot legislate on an appropriation bill.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I yield.

Mr. CHAVEZ. There is no question in my mind of the intent of Congress that the disposal of Government property shall be placed in charge of the Surplus Property Board. But Congress was a little negligent in that connection, and did not repeal prior law which permitted other agencies to continue the work they were doing. I do not like the law as it now is. I wish the Surplus Property Board had sole control of disposition of surplus property; but under the law as it now is, the Procurement Division of the Treasury Department is performing some of its functions. It is doing what Congress has already ordained it should do.

Mr. McKELLAR. Mr. President, we cannot in an appropriation bill make the change suggested. That must be done in a legislative measure. I agree with the Senator from New Mexico. I voted for the creation of the Surplus Property Board and voted to have it dispose of surplus property. I hope it will perform the duties Congress has given to it. If the Senator from Vermont [Mr. AIKEN] wants to carry out that idea, as I do, the only way it can be done is to enact a law which will cover the situation, and transfer to the Surplus Property Board the appropriation here provided for authorities which now exist.

Mr. AIKEN. I want the Senator from Tennessee to understand that I am not trying to deprive the Procurement Division of its appropriation, because it has certain functions to perform anyway.

Mr. McKELLAR. Yes.

Mr. AIKEN. But I am taking occasion to call attention to the violation of the intent of Congress in not permitting the Surplus Property Board to perform the functions for which Congress created it.

Mr. McKELLAR. I agree with the Senator from Vermont entirely.

Mr. CHAVEZ. Mr. President, will the Senator again yield?

Mr. McKELLAR. I yield.

Mr. CHAVEZ. The difficulty is that we thought we were giving to the Surplus Property Board, which we created, authority to make sales of surplus property. The President nominated three men to that Board, and the Senate confirmed the three nominations. The difficulty is that while we were giving the Board authority to do certain things we did not deprive other agencies of the Federal Government of the power of doing the same thing. That is the whole difficulty.

Mr. McKELLAR. Yes; that is the difficulty.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. McMAHON. I should like to point out to the Senator from Tennessee that so long as the Director of War Mobilization will not permit the Budget Bureau to come forward and recommend the appropriation of funds for this Board, there is nothing else for the Surplus Property Board to do except to turn its function over to the Treasury Department. There is nothing else it can do. So long as we continue making appropriations for the Procurement Division there is nothing that will be done to rectify the situation, unless, of course, we enact other legislation providing that the Surplus Property Board shall be taken from the Office of War Mobilization.

Mr. McKELLAR. Other legislation will have to be enacted, but I may say to the Senator that this is the first time I ever knew that the War Mobilization Board had any authority over the Bureau of the Budget. I thought the Bu-

reau of the Budget had some authority itself.

Mr. McMAHON. As I understand, the Bureau of the Budget passes on requests made by the heads of the executive departments. The Bureau of the Budget does not initiate any request. The Director of War Mobilization comes before the Bureau and says, "I want so much money to operate this department." The Bureau of the Budget can increase the amount or cut it down, but the Budget Bureau does not initiate the request. So long as the Director of War Mobilization will not initiate the request for a proper appropriation so that the Surplus Property Board can carry out the mandate of Congress, the Board is going to be in the nature of a false front, as it were. I will say to the Senator that if I were a member of that Board, charged under the law to do certain things, I should not feel very comfortable when I found that, due to the fact that I was deprived of funds for administration, I was not able to accomplish what I was charged with doing.

Mr. McKELLAR. I will say to all Senators that it will be easy enough to correct the situation. By a simple amendment to the Surplus Property Act this appropriation could be transferred to the Surplus Property Board which Congress has created, and we could direct the Board to use the money for the purposes for which the Congress expected it to be used, and for which in my judgment it should be used. I do not think we ought to have various departments of government disposing of surplus property. It should not be done. But what is being suggested now cannot be done in connection with the pending appropriation bill.

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. CHAVEZ. The difficulty with which the committee was confronted was that it is not a committee which deals with legislation. The committee passes upon requests for appropriations made by Government departments and agencies and recommended by the Bureau of the Budget. We cannot legislate in connection with the pending measure. I believe the Senator from Connecticut [Mr. McMAHON], the Senator from North Dakota [Mr. LANGER], and the Senator from Vermont [Mr. AIKEN] to be strictly correct in their views, but legislation is necessary to cure the situation, and we cannot legislate on the pending measure. A certain degree of neglect rests with Congress in connection with the passage of the original surplus property disposal bill.

Mr. McKELLAR. We cannot stop sales as they are now being conducted under the present law. All I can say is that if any Senator will introduce a bill to make this correction in a legislative way, I shall vote for it, because I think one body ought to do the entire work. The surplus property bill was passed overwhelmingly. I am not sure that there was any material opposition to the bill. The law ought to be made effective; and if an amendment to the law is necessary in order that the law may be properly executed, we should adopt a proper amendment.

Mr. McMAHON. For the information of the Senator, let me say that I shall introduce such a bill.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. LANGER. I do not believe that such a course is necessary. In my opinion, the law is adequate to take care of the situation. I invite the attention of Senators to section 10, dealing with the duties and authority of the Board. It reads as follows:

SEC. 10. (a) Except as provided in subsection (b) of this section, the Board shall designate one or more Government agencies to act as disposal agencies under this act. In exercising its authority to designate disposal agencies, the Board shall assign surplus property for disposal by the fewest number of Government agencies practicable and, so far as it deems feasible, shall centralize in one disposal agency responsibility for the disposal of all property of the same type or class.

Subsection (b) reads as follows:

(b) The United States Maritime Commission shall be the sole disposal agency for surplus vessels which the Commission determines to be merchant vessels or capable of conversion to merchant use, and such vessels shall be disposed of only in accordance with the provisions of the Merchant Marine Act, 1936, as amended, and other laws authorizing the sale of such vessels.

The United States Maritime Commission is excepted. Mr. Gillette's Board is given power over every single authority which previously was selling these goods, except the United States Maritime Commission.

Mr. McKELLAR. Mr. President, I invite the attention of the Senator from North Dakota to the section of the act which he has just read:

In exercising its authority to designate disposal agencies, the Board shall assign surplus property for disposal by the fewest number of Government agencies practicable—

Under that language, as I understand, the Board has assigned surplus property to the Treasury Department for disposal.

Mr. LANGER. That is not my understanding at all.

Mr. McKELLAR. It may not be; but I wish to read to the Senator from the report of the House committee:

Surplus-property program: The amount carried in the bill, $15,000,000, is $5,750,000 less than the Budget estimate and $865,624 less than the amount appropriated for comparable items in 1945. This appropriation is for the expenses of the Procurement Division of the Treasury Department in carrying out the functions assigned to it under the Surplus Property Act of 1944. The disposal program is just beginning to develop and it is not possible to forecast accurately what the need for 1946 will be inasmuch as it is not possible to determine the amount or character of property which eventually will be turned over to the Procurement Division for disposal. Many of the items to be sold are of such character as to be readily usable by civilians and local governmental units while others—such as a quantity of helmets released by the Office of Civilian Defense—are not in demand on the civilian market and present a difficult and probably expensive merchandising problem. This latter category will be large and the best intelligence and ingenuity available must be utilized to recover for the Treasury the largest possible amount.

So the Senator will see that under authority of the law under which the Board is operating, it has designated the Treasury Department to sell this large amount of property.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. AIKEN. While the Surplus Property Board is authorized to designate any Government agency, yet the difficulty seems to lie in section 5 of the Surplus Property Act of 1944. Section 5 begins as follows:

There is hereby established in the Office of War Mobilization, and in its successor, a Surplus Property Board (hereinafter called the "Board")—

As I understand, the difficulty lies in the fact that the Office of War Mobilization does not give the Surplus Property Board the "go ahead" signal to perform the functions which Congress expected of it.

Mr. McKELLAR. It cannot be blamed, because Congress has so constituted the Board. The act says:

There is hereby established in the Office of War Mobilization, and in its successor, a Surplus Property Board (hereinafter called the "Board")—

That is a matter of legislation.

Mr. AIKEN. That is true.

Mr. McKELLAR. We are acting under that law. The Surplus Property Board has recommended that the Treasury Department handle this large amount of property, as it is not only authorized but directed to do; and we have appropriated the money. We can do nothing else.

Mr. AIKEN. The trouble seems to lie in the fact that when the Surplus Property Board asked the Office of War Mobilization for authority to set up technical and legal staffs, it was told that it could use the staffs of the departments which were previously headed by Mr. Clayton and Mr. Jones. Until a short time ago, in the offices of the Surplus Property Board there were only 40 employees to handle the disposal of $100,000,000,000 worth of property. Anyone knows that they simply cannot do it.

Mr. McKELLAR. That is a matter of legislation. That is not a matter of appropriation. The Senator, I know, understands that.

Mr. AIKEN. I understand that thoroughly; but I merely wished to point out where the difficulty lies. I believe that the Congress should take action as soon as possible to correct this unfortunate situation.

Mr. McKELLAR. This is an appropriation bill, and we cannot legislate on an appropriation bill. Let me say to the Senator that it seems to me that the Surplus Property Board ought to have absolute control. I do not know what the facts are, but I have heard that sales of surplus property are being made, that certain property is being declared surplus which ought not to be declared surplus, and that the Government is likely to suffer a very large loss. We ought to put some agency in control of disposing

of the surplus property of this Government, give that agency the broadest authority, and hold it to the strictest accountability.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. THOMAS of Utah. I am exceedingly happy that the Senator from North Dakota read into the RECORD the objectives of the Surplus Property Disposal Act. I think it is timely and proper to make a statement about those objectives, in line with what has been said.

There are present the Senator from Vermont [Mr. AUSTIN] and the Senator from Colorado [Mr. JOHNSON], who served on the conference committee, of which I had the honor to act as chairman, in the writing of the act. Every one of the objectives stated in the act reads almost as a definition of America's ideals of economic life and a definition of free enterprise. Each of those statements was placed in the law advisedly. To state the situation simply, our committees had heard testimony to the effect that it was the idea of those in charge of disposal of Government property to liquidate such property as quickly as possible and turn it into cash. In view of the fact that probably as much as $100,000,000,000 worth of property was to be disposed of, it seemed to us almost unbelievable that the act would be administered so narrowly. The $100,000,000,000 worth of property belongs to the people of the United States. It should be disposed of to their advantage. Therefore, it seemed necessary for us to establish some principles regarding the economical disposal of the property.

It will be remembered that one of the provisions of the act is that it shall be administered in such a way as to contribute to full employment. I think the committee worked during the month of August and perhaps during the month of September on the matter. It was only last May that the international labor organization took action which is extremely important for the economy of the whole world, when it subscribed to the theory that governments should handle their affairs in such a way as to contribute to the full employment of the people. Probably such an aim relating to the accomplishment of the general welfare is outside the provisions of our Constitution. So this definition was included.

If the Congress does not have the vision to see the importance of having the Surplus Property Disposal Board realize that the matter does not relate solely to this particular amendment to the Treasury-Post Office appropriations bill, and if the Congress, representing the people of the United States, is not sufficiently alert to realize that the Board which handles the disposal of the property should do so in accordance with the fundamental principle that the property belongs to the people of the United States and that it should be handled for their benefit, we shall have failed to do something which is very important.

Therefore, I am happy that the Senator from North Dakota and the Senator from Vermont have called the attention of the Senate to one of the most important functions which a department or agency of Government will have to perform in the next several years.

Mr. McKELLAR. Mr. President, I hope very much that the item will remain in the bill. We cannot do anything else. I assure the Senators who have so properly brought up the matter because this is the time when it should be brought up, that I desire to help them in every way possible to give the Board which the Congress has established the utmost authority to control these matters.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. McMAHON. In the light of what the Senator from Utah has so eloquently said, I think it would be well to state for the RECORD at this point that Chairman Guy M. Gillette, of the Surplus Property Board, has said that Government agencies were selling surpluses without even his knowledge. In view of the importance of the question to the American people, I think that is a very important statement for the Chairman of the Surplus Property Disposal Board to have made before a committee of Congress, and I hope we take due note of it.

Mr. AIKEN and Mr. LANGER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I promised to yield to the Senator from Vermont; therefore, I now yield to him; and thereafter I shall yield to the Senator from North Dakota.

Mr. AIKEN. Mr. President, I simply wish to say that I, for one, am well aware of the efforts made by the Senator from Tennessee to see to it that the Surplus Property Board was set up correctly and that the disposal of surplus property was properly handled. I wish to testify to that at this time.

Mr. McKELLAR. Mr. President, I wish to say—and then I shall yield to the Senator from North Dakota—that the Surplus Property Board's appropriation will be before the Senate shortly, and at that time it will be in order to direct that the entire appropriation be turned over to the Board, if the Senate so desires. Such a provision is not now in order, and we should permit the appropriation provided in the pending bill to be made. Later, when the Surplus Property Board's appropriation comes before the Senate, we can take care of the matter in that way.

Mr. HAYDEN. Mr. President, will the Senator yield to me for a moment?

Mr. McKELLAR. I yield.

Mr. HAYDEN. There is one way by which the intent of Congress could be indicated, namely, by imposing a limitation on the appropriation. I have prepared such a limitation somewhat hastily, and I suggest that it might be advisable to adopt it. It reads as follows:

Provided, That no part of this appropriation shall be available for expenditure unless and until the Surplus Property Board has authorized the Procurement Division to dispose of particular lots or categories of surplus property.

Such an amendment would be in order.

Mr. McKELLAR. Mr. President, I would have no objection to accepting such an amendment, but I wish to point out to the Senator that, in effect, it would give authority for the Board itself by majority vote to proceed as it has heretofore been doing. I doubt the wisdom of that. However, if such an amendment were agreed to by the Senate and went to conference, we might work out something which would be entirely satisfactory.

Mr. HAYDEN. The statement was made on the floor of the Senate that the Procurement Division was disposing of property without the knowledge of the Surplus Property Board.

Mr. McKELLAR. That is correct.

Mr. HAYDEN. If that be true, it could not be done hereafter, if my suggestion were adopted, without letting the Board know about it and obtaining the Board's consent.

Mr. McKELLAR. Such an amendment would be helpful to that extent. So far as I am concerned, I would be willing to accept an amendment of that sort, and to take it to conference. Of course, we cannot legislate on an appropriation bill, but I would be willing to take such an amendment to conference.

Mr. AIKEN. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I yield.

Mr. AIKEN. Of course, we do not desire to cripple the Procurement Division. Is any part of the $15,000,000 required for any other purposes? In other words, I desire to make sure that such an amendment, if adopted, would not conflict with the intent of Congress.

Mr. McKELLAR. No; it would not.

Mr. President, let me inquire whether the Senator from Arizona offers the language he has read as an amendment?

Mr. HAYDEN. I do.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 32, at the end of line 5, it is proposed to change the period to a colon, and insert "*Provided*, That no part of this appropriation shall be available for expenditure unless and until the Surplus Property Board has authorized the Procurement Division to dispose of particular lots or categories of surplus property."

Mr. LANGER. Mr. President, will the Senator yield to me?

Mr. McKELLAR. I yield.

Mr. LANGER. I wish to ask the distinguished Senator whether any other agencies are selling such goods, so far as he knows?

Mr. McKELLAR. I have only seen what has appeared in the newspapers. It has been said that goods have been sold without reference to the Board or without even asking the approval of the Board. I have no doubt that the purpose of the Senator from Arizona in offering the amendment was to make sure that such things should not occur again. I really think the Senators who are interested in this matter should prepare a legislative amendment to the present law.

Mr. HAYDEN. I think so, too.

Mr. McKELLAR. They should prepare such an amendment, so there could be no mistake about the authority of the Senate to adopt it. That would be the better way to handle the matter.

However, we can agree to an amendment imposing a limitation on this appropriation. It seems to me that the Senator from Arizona has been most helpful in attempting to remedy the situation of which various Senators have spoken. I am very much obliged to all Senators for their interest in this matter.

Mr. LANGER. Mr. President, why could we not adopt an amendment which would include other agencies, in addition to the procurement agency?

Mr. HAYDEN. That could not be done in the pending bill, because this item provides an appropriation for the procurement agency, and that is all. We can impose a limitation as to how that agency shall expend its money, but we cannot go beyond that.

Mr. McKELLAR. We cannot legislate on this bill, I say to the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Arizona [Mr. HAYDEN].

The amendment was agreed to.

Mr. LANGER. Mr. President, I invite the attention of the Senate to another feature in connection with what is happening to our surplus commodities. This morning the distinguished junior Senator from Texas showed me a newspaper release under date of March 19, reading as follows:

> The Reconstruction Finance Corporation, the disposal agency for Government-owned surplus producers' and capital goods, reported that through February 15, 1945, it had acquired salable property having a reported cost of $606,003,000. Included in this amount were 18,656 salable aircraft with a reported cost of $206,700,000. As of the date of the report, property reported costing $152,413,000 had been sold for $101,752,000.
>
> Inventory of nonsalable property, as of the same date, consisting of 13,165 aircraft of military and combat types, is shown costing $640,236,000.
>
> The part that surplus aircraft plays in the total volume of goods certified as surplus to the Reconstruction Finance Corporation for disposal requires explanation to the extent of pointing out that the salable class of planes includes only the liaison, primary trainer, cargo, transport, and trainer types.

I have before me a list of surplus property which was sold by the R. F. C. I will read it because I should like to know what Mr. Gillette's Board is doing. That is the agency to whom we thought we had turned this matter over. Now we find the R. F. C. handling this character of materials.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. McKELLAR. I invite the attention of the Senate to a very peculiar situation. The R. F. C., which was made the agent in this matter, is not even required to pay into the Treasury of the United States the money it receives. I may say that I am having the legislative counsel prepare a bill which would require not only the R. F. C., but all other agencies of the Government which receive money on behalf of the United States, to pay such money into the Treasury of the United States as general receipts. That has a bearing on the matter about which the Senator from North Dakota is speaking. We should be very careful to see that governmental agencies not only function properly, but that they pay their receipts into the Treasury of the United States.

Mr. LANGER. Mr. President, only a few weeks ago I attended a meeting of a subcommittee of the Special Committee to Study and Survey Problems of Small Business Enterprises. At that time a discussion occurred concerning the sale of 10,400 10-ton jacks. Only 2 companies were manufacturing them in this country. The jacks had been originally sold to the Government for $80 each. Many of them were resold in the original condition in which they were delivered. The Government sold them back at $42.50 each to the 2 companies which had manufactured them, in spite of the fact that the Government had received a bid of $51.80 each for the jacks. An agreement was made with the manufacturer as to the price for which he was to resell the jacks. I believe the sum was $59.99 to the dealer. The dealer was to sell them to the farmer for $89.80. The committee of which the distinguished Senator from Montana [Mr. MURRAY] was chairman, protested. Yet, Mr. Clayton said that he would rather sell the jacks to the manufacturers than to dispose of them through distributors, and that he had the power to do so. It was then that the Congress became busy and passed the Surplus Property Act, because in that one transaction alone to which I have referred the Government lost more than $300,000.

November, December, January, and February have passed, and March has almost gone, and we find the R. F. C. handling the following items which they call principal acquisitions:

Garment leather	$4,692,000
Industrial chemicals	1,739,000
Paints, varnishes lacquers, japans, thinners	1,559,000
Steel blooms, billets, slabs	1,223,000
Steel plates, rolled	2,696,000
Steel strip	2,734,000
Steel bars	5,326,000
Tool steel	4,760,000
Steel wire, except barbed, twisted, rope, cable, etc	3,227,000
Fabricated structural iron and steel	1,115,000
Insulated wire and cable	1,852,000
Compressors and pumps	2,358,000
Cranes, derricks, hoists, winches	2,099,000
Miscellaneous general purpose machinery	1,232,000
Electrical rotating equipment	4,731,000
Primary electric power transmission and distribution equipment	1,287,000
Special industry furnaces, kilns, etc	1,431,000
Miscellaneous special machinery	9,294,000
Machine tools	70,400,000
Machinery allied to primary metal-forming machines	1,147,000
Hydraulic presses	1,960,000
Mechanical presses	10,905,000
Forging machinery	1,128,000
Welding machinery and equipment	1,830,000
Testing and measuring machines	$2,905,000
Heating furnaces and devices	5,474,000
Miscellaneous metalworking equipment	1,010,000
Tools, attachments, etc., for machines	4,608,000
Commercial and specialized radio equipment	1,285,000
Electronic tubes	18,806,000
Electronic equipment components and subassemblies	3,474,000
Crude animal products, inedible, except fibers	34,230,000
Crude vegetable products, inedible, except fibers	15,273,000
Fibers, vegetable and animal, unmanufactured	50,500,000
Coal, crude petroleum, and related crude hydrocarbons	70,699,000
Metallic ores, concentrates, and their unrefined metallic products	14,117,000
Crude nonmetallic minerals, except coal and petroleum	24,282,000
Leather	4,698,300,000
Boot and shoe cut stock and shoe findings	210,000
Wood basic materials, except pulpwood	1,046,863,000
Pulp, paper, and paperboard	82,346,000
Textile basic manufactures	96,420,000
Industrial molasses	25,131,000
Oils, fats, waxes, and derivatives, animal and vegetable	3,345,000
Petroleum and coal products, except raw materials for chemicals industries	676,070,000
Chemicals	6,009,559,000
Iron, and iron and steel scrap	627,137,000
Steel	22,966,851,000
Ferro and nonferrous additive alloys	607,000
Nonferrous metals	1,965,820,000
Fabricated metal basic products	5,148,718,000
Nonmetallic mineral basic products—chiefly structural	396,955,000

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. AUSTIN. Is that a list of the acquisitions of the Reconstruction Finance Corporation for sale at some time in the future?

Mr. LANGER. It says here under date of the 13th of March:

> The Reconstruction Finance Corporation, the disposal agency for Government-owned surplus producers and capital goods, reported that through February 15, 1945, it had acquired salable property having a reported cost of $606,003,000.

Mr. AUSTIN. I thank the Senator.

Mr. LANGER. So apparently this outfit has this property which we thought the Gillette committee had.

Mr. AIKEN. Does it say where the property was acquired?

Mr. LANGER. No; it gives a list and states where some of this stuff is located. It is scattered from hell to breakfast—Atlanta, Boston, Charlotte, Chicago, Cleveland, Dallas, Denver, Detroit, Kansas City, Los Angeles, Minneapolis, New Orleans, New York, Omaha, Philadelphia, Portland, Richmond, Salt Lake City, St. Louis, San Francisco, Seattle—all over the country.

Mr. AIKEN. I was called out of the Chamber. Of what does this property consist?

Mr. LANGER. I read a part of it. I will go over it again.

Mr. AIKEN. No; just in a general way.

Mr. LANGER. It consists of everything imaginable, such as garment leather, industrial chemicals, paints, steel of various kinds, and so forth.

Mr. AIKEN. That would indicate that it was acquired from its own corporations, such as the Defense Supplies Corporation, the Defense Plants Corporation, and other corporations set up by the R. F. C., would it not?

Mr. LANGER. No matter where they acquired it, it is my understanding, and I believe the majority of the Senate at the time we passed the law creating the Gillette committee understood, that that committee would have charge of the sale of everything. Is not that the understanding of the Senator from Vermont?

Mr. AIKEN. Yes; that is absolutely true.

Mr. LANGER. It is my understanding further that that was the intention of the Senate to make impossible what took place after World War No. 1. I have with me a document showing some of the unconscionable things which took place after World War No. 1. For example, I mentioned a few moments ago tractors. Here is what took place in World War No. 1 with regard to tractors, according to the report of the Select Committee on Expenditures in the War Department, in 1921:

During the progress of the World War, before the United States became involved in it, it was ascertained that a tractor, developed in the United States, the principal patents of which were held by the Holt Manufacturing Co., was well adapted for military purposes.

By means of a mechanical device this machine runs upon a track, carried by the machine, and by means of this contrivance many obstacles could be overcome, such as mud, ditches, etc., which could not be surmounted by other tractors then known.

Soon after our entrance into the war we began to purchase these tractors, the first contract being made with the Holt Manufacturing Co. on July 3, 1917, for 1,500 55-horsepower tractors and 90 120-horsepower tractors. Other contracts were let later on to the same company, also to the Chandler Motor Car Co., the Reo Motor Car Co., the Maxwell Motor Co., the Federal Motor Co., the Interstate Motor Co., and the Stutz Motor Car Co. (4482). Altogether we ordered:

120-horsepower tractors	90
55-horsepower tractors	1,500
75-horsepower tractors	260
20-ton tractors	1,255
10-ton tractors	5,123
5-ton tractors	9,650
2½-ton tractors	4,984
Total	22,772

What happened to them?

Contracts awarded for these machines approximated $100,000,000. Approximately 7,500 tractors were delivered on the contracts, at an expense of approximately $30,000,000 to the Government. These were all of the caterpillar type and all made and delivered on Ordnance contracts. Two thousand seven hundred and eighty of these machines, principally of the heavy type, were delivered by the Holt Manufacturing Co. and 4,793 of the lighter types by other contractors. The Reo Motor Car Co. delivered 2,000 5-ton tractors and the Maxwell Motor Co. 2,000 5-ton tractors before and after the armistice. The average price paid for the 5-ton tractor was approximately $4,500, while for the 10-ton tractor it averaged about $6,000.

The original contract entered into with the Holt Manufacturing Co., on March 11, 1918, is found on pages 4478 to 4481 of the hearings. This contract provided that the contractor would furnish the necessary information, patents, etc., to permit the Government to manufacture, or have manufactured for it, tractors, vehicles, and parts for military purposes during the war and in its own arsenals for the life of the patents owned by the contractors, or to, further, have them built by the Holt Manufacturing Co. if so desired.

On the acceptance of the contract the Government paid $300,000 in cash to the contractor for this privilege, and thereafter, for information, inspection, and supervision, cost of same, plus 10 percent thereof for profit and for sample machines and parts, cost and 15 percent for profit. The contract further provided that if, at the close of the war, the United States Government had on hand a greater number of tractors than was necessary for its military use and should desire to sell or otherwise dispose of same, the contractor should have the first right to option for the purchase of such articles—

That was absolutely in violation of law—

or the right to sell them for the United States Government on a basis then to be agreed upon.

On the cancelation of the contracts, after the armistice, there were a vast number of rough castings and partially finished parts in the various factories made for tractors. The United States retained about 6,800 of these tractors, which are in service with troops, in storage at the various depots, and a certain number undergoing repairs. Presumably, the difference between the 6,800 retained and the number actually furnished may indicate the number that were with the American Expeditionary Forces and ultimately sold to France.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. O'DANIEL. I am glad the Senator from North Dakota and others are bringing out the defects in our system of selling surplus property, caused by too many departments handling it, instead of it being handled by the one agency which Congress set up for that explicit purpose.

Among the articles advertised for sale as surplus property of the R. F. C., I believe the Senator mentioned, or at least I think the paper from which he was reading listed, a quantity of coal, crude petroleum, and related crude hydrocarbons which cost $70,699. That was on February 15, 1945.

I hold in my hand another news release by the Reconstruction Finance Corporation of March 17 in which they have made a preliminary commitment to the Columbia Carbon Co. for $1,500,000 for plant expansion to make more carbon, and another preliminary commitment of $5,000,000 to the United Carbon Co. for plant expansion. So it looks to me as if the R. F. C. is really making an attempt to be self-perpetuating, selling surplus hydrocarbon to obtain more money to loan to the carbon companies to enable them to produce more surplus carbon to be sold, and so on, around and around they go.

It looks like this system might develop self-perpetuating Government agencies, but by no means self-sustaining ones.

I do not mean to criticize the R. F. C. for making loans to these carbon companies, because I really believe that plant expansion for producing carbon black should have been made long ago. But I am in favor of the Surplus Commodity Commission handling the sale of all surplus property and taking those duties away from the R. F. C. and other agencies so they will have more time to devote to the functions which they were specifically created to handle.

Mr. McKELLAR. Mr. President, I think we all have an understanding of this matter now. The Senator from North Dakota has rendered a fine service in calling the attention of the Senate to the situation. But this is the last amendment to be acted on before the passage of the bill, and I was wondering whether the Senator would object to the passage of the bill, and then continue his speech, if he saw fit to do so?

Mr. LANGER. I do not wish to seem arbitrary, but I am very much concerned about the matter of bypassing Senator Gillette's Board as it is claimed it is being bypassed.

Mr. McKELLAR. I feel the same way about it.

Mr. LANGER. The only way by which we can stop it is by refusing appropriations to the agencies which are bypassing Senator Gillette and his Board.

Mr. HAYDEN. It is not possible, in the present parliamentary situation, to do that. No money appropriated in the pending bill can be expended unless Senator Gillette and his Board approve it.

Mr. LANGER. I should like to make a parliamentary inquiry: Can we not amend the bill so as to include all other agencies aside from this procurement agency?

The PRESIDING OFFICER (Mr. BRIGGS in the chair). It would only be in order to include the funds carried in the particular bill now pending.

Mr. HAYDEN. That is the point.

Mr. LANGER. Then I inquire of the distinguished Senator from Tennessee when the next appropriation bill will come before the Senate.

Mr. McKELLAR. I understand it is in the House, and the House will act upon it soon after it reassembles. The House is in a quasi recess, and it will probably be about 2 weeks before the bill reaches the Senate.

I shall be glad to call the Senator's attention to this appropriation when the matter is reached, and I understand the Senator from Connecticut [Mr. McMAHON] intends to introduce a bill correcting the legislative situation. I should be glad to cooperate with him in that, because I think the so-called Gillette Board, or the Surplus Property Board, should be in charge of the disposition of the property.

My reason for saying that is that it is claimed by some that there will be $100,000,000,000 of property to be disposed of. That is an enormous sum of money. If we got $100,000,000,000 for the property, that would pay one-third of the debt the United States will owe when the war shall close.

It is exceedingly desirable, it seems to me, to have one board absolutely in control of the whole matter, and I shall go to any limit to bring that about. We cannot do it in connection with the pending bill. It is impossible. Everything that could be done under the bill has already been provided for by the amendment proposed by the Senator from Arizona. We have gone the limit we can go in connection with this bill. I hope the Senator from North Dakota will permit the bill to be passed with the understanding that there are two ways of correcting the situation to which he has called attention, one by increasing the appropriation, or turning it over to the Surplus Property Board. The other way is by legislation. I hope the Senator will take either of those courses and allow the pending bill to be passed. I am greatly obliged to him for having called this matter to the attention of the Senate at this time.

Mr. LANGER. I might add that the Senator has been very kind to me in giving me all this time in connection with the matter I have been discussing, and I very warmly appreciate his courtesy.

As the Senate knows, my State is 95 percent agricultural. At the time we passed the bill creating the Gillette Board, there was inserted section 17, which I hold in my hand. We thought the farmers in the West would be able to buy some of the machinery to be disposed of. They have sent delegation after delegation to Washington; they have been to see former Senator Gillette, not once, but many times, and they said, "When are we in the Northwest going to be able to get some of those tractors, or some other surplus farm machinery?" I have been present when Senator Gillette replied—and I think he is about as good a man as the President could have selected in the entire United States to head the Surplus Property Board—and he threw up his hands and said, "We have not any appropriation for it."

Mr. McKELLAR. I agree with the Senator, but it cannot be handled in connection with the pending bill. It must be taken care of in the bill which carries an appropriation for Senator Gillette's Board, or it will have to be done, and preferably it should be done, by legislative action, because of the defects in the present law. I agree with the Senator all along the line. I think that if the gentlemen to whom he has referred had gone to the legislative committee having the control, they would have obtained action before this.

Mr. STEWART. Mr. President, will the Senator from North Dakota yield to me in connection with the remarks my colleague has just made?

Mr. LANGER. I yield.

Mr STEWART. We have been going into the very matter the Senator from North Dakota is discussing for the last 5 or 6 days, and have had three or four meetings about it. My interest in the matter is because of the fact that I am chairman of the Surplus Property Subcommittee of the Small Business Committee of the Senate.

I may say to my colleague, the acting chairman of the Committee on Appropriations, that we have been informed that some of those who are in authority, so to speak, have persuaded the Budget Bureau to refuse to recommend to the Committees on Appropriations, both of the House and the Senate, the request of Senator Gillette's Board for this appropriation, which is, of course, a sufficient appropriation; and we have been informed the amount the Budget would recommend would permit the Gillette Board to maintain only a skeleton organization.

In my judgment, and in the opinion of members of the Small Business Committee and others who have been discussing this matter in the last few days, it is thought that is quite wrong. As a matter of fact, I think most of the thinking is now along the line that there should be adopted sooner or later an amendment to the surplus-property law placing complete authority for the disposal of the surplus property under the Gillette Board. This Board, comprised of former Senator Gillette, Governor Hurley, and Colonel Heller, of California, is charged with reporting periodically to the Congress what progress it makes, and to make certain other statements in the reports. It is also charged in the act itself with the responsibility of seeing that small businessmen throughout the country shall have a preference in the purchase of such surplus property as they might need in order to reestablish themselves in business after the war. The Board is also charged with the responsibility of seeing that preference is given to ex-servicemen when they return after the war and undertake to establish themselves in business.

The position has been taken by those who have been construing the act—and possibly it is a sound position—that under it the Board can act only in an advisory capacity—that is, that they are only a policy-making board—that they cannot force or compel any of the disposal agencies, any of the agencies which have power of disposal, to do anything, except in case, perhaps, they violate a regulation or policy which the Board might lay down, in which event some other agency might be selected by the Board to dispose of the property.

The act as it is drawn is very cumbersome. Most Senators remember its history. Numerous bills were introduced, representing many different philosophies, from the philosophy of freezing all surplus property for a period of 5 years to a policy of dumping it within 5 minutes after it is declared surplus, and all that sort of thing. So, as it stands now, it is a very cumbersome law.

Mr. McKELLAR. Mr. President, will my colleague yield?

Mr. STEWART. I yield.

Mr. McKELLAR. I do not at all agree with the Senator's construction of the law.

Mr. STEWART. That is, that they are merely a policy-making body?

Mr. McKELLAR. I do not agree with that at all. I do not think it was ever intended by the Congress to make the Board a mere policy-making body. If that is the trouble—and that seems to be a part of the trouble—it can only be cured by legislative action, and cannot be corrected on an appropriation bill such as the one now before the Senate.

Mr. STEWART. The Senator is correct. I did not know an amendment had been offered.

Mr. McKELLAR. If the action my colleague states has been taken by the Budget Bureau—that is, shelving this Board—I am not greatly surprised; but that information has not been presented to the committee as yet, nor has the appropriation come to us. When it comes before us, I assure the Senator our committee will undertake to act upon it as justice requires, and not upon a phase of the matter someone else has suggested.

Mr. STEWART. I am sure that will be done, and I think it is well that this matter has been discussed at this time in the Senate.

Mr. McKELLAR. I agree with my colleague.

Mr. STEWART. I think the Senator from North Dakota has made a valuable contribution.

Mr. McKELLAR. The discussion which has taken place has resulted in considerable enlightenment to those who heard it. The Senators who took part in the debate have done well in discussing the matter. I hope Senators will permit the bill to be passed this afternoon.

Mr. STEWART. Before I take my seat I should like to make an observation. A Senator said he understood there was in existence more than $100,000,000,000 worth of surplus property. That estimate was made last year while we were considering and discussing the surplus-property bill. That estimate of value would include money which went into the building of ships and many other things that are very expensive. But there possibly will be at least $50,000,000,000 of surplus property, which is the estimated cost of materials, which even small businessmen might want to purchase. So it can be said that this is possibly the largest deal in which the Government has ever been involved, except the war itself, and it is highly important that the strictest attention be given to it.

Mr. McKELLAR. And it has the greatest possibilities not only for error but for misconduct.

Mr. STEWART. There certainly is great opportunity, and there will continue to be, for speculation on the part of those who wish to speculate in surplus property.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER] to strike out the paragraph beginning with line 20, on page 31, and ending with line 5, on page 32, as amended.

The amendment was rejected.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2252) was read the third time and passed.

Mr. McKELLAR. I move that the Senate insist upon its amendments, request a conference with the House thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. GLASS, Mr. McKELLAR, Mr. TYDINGS, Mr. MCCARRAN, Mr. BAILEY, Mr. WHITE, Mr. GURNEY, and Mr. REED conferees on the part of the Senate.

PROPOSED REDUCTION OF TARIFFS ON FOREIGN IMPORTS—LETTER FROM TOM LINDER

Mr. LANGER. Mr. President, before I proceed to a discussion of the conference report I wish to read a telegram from Tom Linder, commissioner of agriculture of the State of Georgia. I do not happen to know the sender of the telegram personally, but in view of the letter which was sent to the Senate a few days ago by the President of the United States favoring free trade, and because I believe that if the substance of the President's letter were to be enacted into law it would result in wrecking agriculture, I wish to read the telegram from Tom Linder in full. Mr. Linder apparently has the same views as do the majority of the farmers of North Dakota and the great Northwest, including, I believe, the farmers of Montana. Mr. Linder's telegram is addressed to the chairman of the Senate Committee on Agriculture and Forestry, and is as follows:

DEPARTMENT OF AGRICULTURE,
Atlanta, Ga., March 27, 1945.

Senator ELMER THOMAS,
Chairman, Agricultural Committee,
Washington, D. C.:

I note the President's request for additional authority for executive branch of Government to reduce tariffs on foreign imports. It is obviously the intention of the administration to reduce the American farmer to a free-trade basis. It is imperative that a policy on foreign trade be adopted and announced. Under pre-war conditions, the American farmer could have existed under free trade provided industry had also been placed on a free-trade basis. In the post-war era, at least for several years, British and American industry will have no other competition. It is, therefore, necessary that the American farmer be protected from cheap imports. It is equally important to American industry for American farm prices to be sustained at high level. Cheap imports necessarily mean cheap farm prices immediately and ultimately it will force low industrial wages.

Industrial products exchanged for cheap raw materials will necessitate cheap industrial prices and therefore low industrial wages. The lowering of prices and wages means that the national debt will be vastly increased through the added number of hours of labor required to pay it. On the other hand, reducing the value of the dollar to equalize it with the monetary units of other nations will constitute a fraud upon every holder of Government bonds in the Nation. American farms have supplied greater numbers of fighting men according to total population than any other industry in the Nation. For the administration to betray these farmers who are fighting in foreign countries would be reprehensible. We heard one time something about "casting the money changers out of the temple." The money changers may be out of the temple, but they seem well entrenched in Washington.

TOM LINDER,
Commissioner of Agriculture.

Mr. LANGER. Mr. President, I also call the Senate's attention to a very illuminating editorial published in Capper's Weekly, in an issue of perhaps 3 months ago. The editorial was written by the senior Senator from Kansas. I do not happen to have it with me today. In the editorial the Senator from Kansas warned the American farmer to beware; that if we have free trade, and if we should export great quantities of materials to other countries, which did not have the money with which to pay for the materials, they would be obliged to pay for them in the form of imports of agricultural products which would force down the prices of the commodities the farmers of this country produce.

UTILIZATION OF MANPOWER RESOURCES—CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes.

Mr. LANGER. Mr. President, I address myself to the conference report which we have been considering for the past 3 or 4 days. I refer first of all to section 5 of the report, the part of the measure which particularly concerns me. In order that it may be clear in the minds of all of us, I wish to read it again. Section 5 is headed "Employment ceilings, hiring regulations, and prohibitions on leaving essential employment."

SEC. 5. (a) To the extent deemed by the Director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Director is authorized, by regulation—

(1) to prescribe employment ceilings in designated areas, activities, or places of employment, fixing the maximum number of workers, by age, sex—

I call the particular attention of the Senate to the word "sex"—

or occupational qualifications, who may be there employed, and prohibiting the employment of workers beyond such maximum number;

(2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers; and

(3) to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms—

I call attention to the word "farms"—

which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

Mr. President, I regret that under the rules it is impossible to amend a conference report. Also I regret that, owing to the death of the late Senator Moses, I was not present at the time when the original bill was considered in the Senate. However, my distinguished colleague the junior Senator from Vermont [Mr. AIKEN] very kindly consented to offer my two amendments, both of which were rejected, the last one at the request of the able Senator from Utah [Mr. THOMAS], who now has charge of the bill.

Mr. President, because of the fact that those two amendments were rejected, and because of other portions of the pending measure which I shall discuss, I find myself unable to vote for the adoption of the conference report. On the contrary, I shall vote against it, and I hope that enough of my colleagues will join me in so doing so that the report will be overwhelmingly rejected.

Mr. President, every Senator is aware of the fact that after World War No. 1, in 1924, the Democratic National Convention pledged the Democratic Party, in the event of another war, to draft wealth. If Democratic Senators are not familiar with that plank in the platform, they should examine what the Democratic Party said in 1924. If the Government can draft a farmer's boy, or draft a boy from a store in town and send him to fight to protect the lives and property of this country, then surely the Government should also draft property, wherever it needs it. Yet in the pending measure there is not one word about the Government drafting wealth or property. It has already taken our boys. Now it is proposed to draft girls and children and send them wherever they may be needed. But property is still sacred. We dare not touch it.

It was not only the Democratic Party which pledged itself to draft wealth in the next war. In 1924 the Republican Party also had such a plank in its platform. It was not going to be caught in that campaign with no such plank in its platform while the Democrats had a plank for the drafting of wealth in case of another war. So in 1924 the Republican Party also had a plank in its platform for the drafting of wealth.

Every Senator is aware of the fact that shortly after the end of the First World War the Democratic Party, in its platform of 1924, pledged that if we should ever have another war, if the time ever came again when this Nation would have to call upon the youth of America to protect lives and property in this country, the Government would draft as much as might be necessary of the property and wealth of the Nation.

Mr. President, today we have a debt rapidly approaching the sum of $300,000,000,000. Competent authorities estimate that by the time the war with Japan is over it may amount to $500,000,000,000. If that is true, Mr. President, then the debt of the average family in America will be $12,250. Those who are advocating the passage of the pending measure apparently are not concerned with the debt. They not only want our soldier boys to fight this war, but when they come home they want them to pay for the war, in addition to bleeding for it.

Up to the present time in this war we have not drafted wealth. Everyone is making money.

It was in an attempt to solve that problem that on the 8th of March I submitted an amendment to the pending measure, an amendment which in

my judgment should have been adopted. I had the amendment very carefully prepared, so that there could be no possible doubt as to its constitutionality. It provided for a capital tax, in addition to income taxes. The amendment read as follows:

At the end of the bill add the following new sections:

"SEC. —. (a) There shall be levied, collected, and paid for the calendar year 1945 and each calendar year thereafter a capital tax, computed as provided in subsection (c) of this section, upon the net capital of every individual, resident or nonresident.

"(b) The tax provided for in this section shall apply to net capital as computed in accordance with the provisions of this act; but in the case of a nonresident individual not a citizen of the United States shall apply only to the net capital computed on capital located within the United States.

"(c) The tax referred to in subsection (a) of this section shall be as follows:

"There shall be levied, collected, and paid for each taxable year upon the net capital of every individual a capital tax as follows:

"If the net capital is:	The capital tax shall be:
"Not over $100,000	0
Over $100,000 but not over $200,000.	2 percent of excess over $100,000.
Over $200,000 but not over $300,000.	$2,000, plus 4 percent of excess over $200,000.
Over $300,000 but not over $400,000.	$6,000, plus 6 percent of excess over $300,000.
Over $400,000 but not over $500,000.	$12,000, plus 8 percent of excess over $400,000.
Over $500,000 but not over $600,000.	$20,000, plus 10 percent of excess over $500,000.
Over $600,000 but not over $700,000.	$30,000, plus 12 percent of excess over $600,000.
Over $700,000 but not over $800,000.	$42,000, plus 14 percent of excess over $700,000.
Over $800,000 but not over $900,000.	$56,000, plus 16 percent of excess over $800,000.
Over $900,000 but not over $1,000,000.	$72,000, plus 18 percent of excess over $900,000.
Over $1,000,000 but not over $1,500,000.	$90,000, plus 28 percent of excess over $1,000,000.
Over $1,500,000 but not over $2,000,000.	$140,000, plus 38 percent of excess over $1,500,000.
Over $2,000,000 but not over $2,500,000.	$184,000, plus 48 percent of excess over $2,000,000.
Over $2,500,000 but not over $3,000,000.	$424,000, plus 58 percent of excess over $2,500,000.
Over $3,000,000 but not over $3,500,000.	$714,000, plus 68 percent of excess over $3,000,000.
Over $3,500,000 but not over $4,000,000.	$1,054,000, plus 78 percent of excess over $3,500,000.
Over $4,000,000 but not over $4,500,000.	$1,444,000, plus 88 percent of excess over $4,000,000.
Over $4,500,000 but not over $5,000,000	$1,884,000, plus 98 percent of excess over $4,500,000.
Over $5,000,000	$2,374,000, plus 99 percent of excess over $5,000,000."

Further on in the amendment provision is made for the definition of the term "net capital," and for other definitions.

Mr. President, in all sincerity, I ask why should not any citizen of our country gladly surrender $2,374,000 out of every $5,000,000 of income. He would still have more than half of it left. Our boys and girls have fought in order to help him obtain an income of $5,000,000. Some of them have lost their arms, their legs, their eyesight, or their reason. Should they now, in addition, be called upon to pay for the war after they return home?

This bill means the drafting of every individual in America. It would regulate our lives, and would send us hither, thither, and yonder. Why should it not also provide that when the youth, the very life and blood of the average family, are drafted, property and wealth may also be drafted?

Mr. President, I am fully aware of the fact that some of my colleagues are thinking about the income tax, and are thinking that persons whose incomes are in the upper brackets are taxed 91 percent of their income. What is there so terrible about that? Every Senator knows about the loopholes in that tax plan and knows about the billions upon billions of dollars which have been set aside for post-war protection—for the renegotiation of contracts, for the payment of dividends, and for the other purposes which ingenious lawyers have been able to devise.

Mr. JOHNSTON of South Carolina. Mr. President——

The PRESIDING OFFICER (Mr. SALTONSTALL in the chair). Does the Senator from North Dakota yield to the Senator from South Carolina?

Mr. LANGER. I yield.

Mr. JOHNSTON of South Carolina. The Senator is discussing a very important matter. In looking about the Chamber, I notice that a quorum is not present. Will the Senator yield for the purpose of letting me suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from North Dakota yield for that purpose?

Mr. LANGER. I would prefer not to yield for that purpose, unless the Senator insists on having me do so.

The PRESIDING OFFICER. The Senator from North Dakota declines to yield for that purpose.

Mr. JOHNSTON of South Carolina. Very well.

Mr. LANGER. I thank the distinguished Senator from South Carolina very much indeed.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MORSE. Although the Senator from North Dakota has declined to yield for the purpose of letting the absence of a quorum be suggested, I am sure he will agree with me when I say that the people of this country are very much more interested in the principles of the pending measure than would be indicated by the absence of Senators from the floor of the Senate of the United States.

Mr. LANGER. I think that is entirely true; I think there is no question about it.

Mr. President, let me say that I am also entirely familiar with the arguments, which I have heard all my life, to the effect that huge fortunes are necessary in order that there may be financing of industries; that the benefactions of the wealthy are responsible for advancements in science, for the endowment of art galleries, and for the production of operas; that the personal expenditures of the very wealthy persons give jobs to many people; and that, after all, big fortunes are soon dissipated, and that the grandson soon spends all the money left by his grandfather. "From shirtsleeves to shirtsleeves in three generations," the saying is. But, Mr. President, I respectfully submit that is not true, and I will prove it. I suggest that even the most cursory examination will show that large fortunes are not being dissipated, but on the contrary they are growing larger every day. It is now becoming plain that the major political and social problem for the next 25 years will center about the accumulation of great wealth in the hands of a few persons. Why disguise the truth? The United States is owned and dominated today by the hierarchy of 60 rich families, followed by 90 families of less wealth; and outside that group come 350 other families, less wealthy, but accounting for most of the incomes of $100,000 or more a year which do not accrue to those of the inner circle.

Mr. President, what has been taking place in this war? I hold in my hand a copy of the magazine Labor, the edition for April 8, 1944. Again I call attention to the fact that in the pending conference report we are not drafting a single dollar. We keep on taking the lives, and now we are going to take the liberties of every man, woman, and child, but we are not going to take a single dollar of money. Oh, no. We are going to let the soldiers pay for the war when they come back.

The article in Labor reads as follows:

WAR PROFITEERS ON BUYING SPREE

Americans who have made money out of this war went on a buying spree just before the new excise taxes went into effect on April 1.

Reports from all sections indicated the heaviest rush in history on perfumes, beauty preparations, furs and jewelry, on which the tax is boosted from 10 to 20 percent.

The Wall Street Journal declared that in some cities, notably those in the East, sales jumped 200 percent or more.

"It was just like Christmas," merchants were reported as saying.

Bibulous Americans also sought to circumvent a $3-a-gallon increase in the tax on spirituous liquors by laying in stocks before the deadline.

Mr. President, I have before me a copy of Labor, the issue of April 15, 1944. It contains an article entitled "Hysteria Created to Force Through Labor Draft Plan?" That, Mr. President, is the plan we are considering today. I ask unanimous consent that the article be printed in its entirety at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HYSTERIA CREATED TO FORCE THROUGH LABOR-DRAFT PLAN?—UNION CHIEFTAINS BELIEVE THAT MAY BE THE ANSWER TO UNBELIEVABLE CONFUSION—TRYING TO ALARM NATION—PROPAGANDA HIT BY REPORT SHOWING ARMY IS AT FULL STRENGTH

Almost unbelievable confusion has been created over the country by the rapid-fire changes in policies of the armed forces with respect to drafting men for military service.

Hardly a day passes that a new order is not put out countermanding one of the day before. Workers who give up their jobs, break up their homes, and wind up their affairs in order to report for induction are suddenly told they aren't wanted any more—at least for the present.

Latest in the long string of conflicting decrees handed out from Washington was one from Selective Service to all draft boards directing them to rush into uniform young men under 26 who have heretofore been deferred, and to stop everything else.

CARRIES OUT ORDERS

Some critics are disposed to blame Selective Service Director Lewis B. Hershey for the chaos, but Washington observers say he's not responsible, but is simply carrying out instructions from the "brass hats."

Whoever is at fault, the turmoil is tremendous. Even newspapers which have been supporting President Roosevelt's proposal to draft labor for the private profit of employers are bewildered.

What's behind all the confusion? Does it mean the military men in the Capital are at sea, or are they deliberately manufacturing hysteria in order to force through the totalitarian labor draft?

Labor chieftains were inclined to believe the latter is the real reason for the furor. They contended that the "brass hats," unable to put over conscription of workers in any other manner, are now trying to so stir up the country that it will, out of sheer alarm, accept rigid shackles for the workers of this country.

OVERPLAYED HAND

Some labor leaders voiced the opinion, however, that the military had carried things too far and may have overplayed its hand, giving a knockout blow rather than a boost to the drive for labor conscription.

For example, in the very midst of the hysteria, it was revealed in an Office of War Information report that the Army, rather than being desperately short of men, has reached its full-scheduled strength of 7,700,000 and that the Navy is not far behind its quota of 3,600,000.

To offset the effect of that disclosure, Army officials maintained the situation is still critical because they need 75,000 to 100,000 men a month to replace those discharged because they are overage, have been wounded, or have disabilities.

MANACLES NOT WARRANTED

However, the A. F. of L. declared this revelation proved this country has no manpower problem so grave as to warrant the manacles of a labor draft for the workers.

As a matter of fact, America in 1944 will need to increase its total labor force—for industry, agriculture, and the armed forces together—by not more than about a million. That's only about a sixth of the 5,800,000 added in 1943.

Since far greater demands of last year were met by voluntary means, it should be simpler to meet the much-lesser problem this year, the A. F. of L. maintained. This is particularly true, the federation said, since hundreds of thousands of the discharged soldiers will be available for jobs, besides great numbers who will be made idle by cut-backs and a backlog of 14,000,000 women with no young children who could be used.

WORKERS LAID OFF

"Furthermore, war industries reached their peak of employment last November and have been reducing their work forces since," A. F. of L. said. "Workers who see men and women laid off by the thousands in military cut-backs find it hard to understand why a draft of labor is necessary."

Substitution of compulsory methods for voluntary ones would be a crippling blow to war production, the federation contended. It would mean that workers, instead of being referred by experienced employment-service representatives to jobs for which they are best suited, would simply be ordered by draft boards to take assigned jobs, whether fitted for them or not.

Such a plan, the A. F. of L. contended, would be a godsend for union-hating employers. "They could use drafted labor to undermine a union," the federation pointed out.

END FLAGRANT WASTE

Brass hats would do better, the A. F. of L. said, to cooperate with labor in ending flagrant waste and hoarding of workers in war plants. Such waste has already been reduced sharply in hundreds of war factories by War Manpower Commission experts, often as a result of evidence brought to their attention by unions.

Frequently, however, Army or Navy procurement officers stationed in such plants have resisted efforts by unions and Manpower Commission specialists to increase efficiency and thus scale down needs for labor.

Unable so far to put over a complete draft for all workers, the "brass hats," as an entering wedge, are pushing for a coercive law to cover only IV-F's, those deferred from military service for physical disabilities.

LIKE NAZI SET-UP

They have been backed in this move by Congressman John Costello (Democrat, California), chairman of a House Military Affairs Committee, who is preparing a law along that line. Costello has even been talking about setting up a labor corps—which sounds on its face like the set-up in Nazi Germany.

Those IV-F's who fail to take so-called essential jobs—though more than two-thirds are already in them—would be herded into the corps and treated practically like slackers or common criminals.

Reaction to Costello's proposal has been so antagonistic that the California Congressman became alarmed and put out a statement, far from convincing, in which he sought to deny his plan called for labor conscription.

President William Green of the A. F. of L. declared, however, that a IV-F labor draft is just as un-American and dangerous as any other kind of conscription scheme.

GREEN LASHES PROPOSALS

In an address to a convention of the Operating Engineers' Union in Chicago, he lashed out at all such proposals because they would jeopardize the war effort.

"We may find that in the process of fighting fascism and nazi-ism, we have subjected ourselves to Fascist and Nazi restrictions that we will never be able to shake off," he warned.

"America must win the fight for freedom by working and fighting as free men and women under a free government—and in no other way.

"No draft director will be able to produce more skilled operating engineers, or other skilled workers, by snapping his fingers or waving a magic wand. No battalion of IV-F's will be able to replace a crew of operating engineers who have been drafted for military service."

"COCKEYED"

"Cockeyed draft management." Under that heading, two newspapers of wide circulation, not noted for their friendship to labor—the New York News and Washington Times-Herald—this week editorially denounced the utter confusion prevailing in administration of the Draft Act.

Young men expecting to be called don't know from day to day what their status will be and are simply "going nuts," the papers declared. They demanded clear-cut policies be adopted to end the "jitters".

"The sword of Damocles should be removed from above the heads of the possible draftees," the editorial said. "They should be told where they stand, by age, marital and industrial categories, and they should be told clearly. And they shouldn't be told something different every few days by somebody else."

Mr. LANGER. Mr. President, I have before me a copy of Labor, the issue of June 10, 1944. On the front page appears the following article:

RECORD PROFIT FOR ROCK ISLAND

The year 1943 was a record-breaker for the Rock Island, according to a report made by the trustee to the Federal court in Chicago, where the road is going through reorganization.

Revenues topped the previous peaks of 1929 and net railway operating income zoomed 48 percent above the record of that year.

One of the interesting features of the report was a comparison of 1943 and 1929 operating expenses. The figure for 1943 was more than $3,500,000 lower than for 1929—reflecting the increased productivity of the workers.

Mr. President, in Labor of July 8, 1944, the following is found on the front page:

Brass hats' scare campaign refuted by production facts. Workers are still toiling the limit, union chiefs aver.

I ask unanimous consent that the article, showing that the workers of America individually are producing more than ever before in the history of the country be placed in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BRASS HATS' SCARE CAMPAIGN REFUTED BY PRODUCTION FACTS—WORKERS ARE STILL TOILING THE LIMIT, UNION CHIEFS AVER—MILITARY LEADERS CONTRADICT EACH OTHER IN EFFORT TO AROUSE HYSTERIA—NO LETDOWN, BROWN SAYS—MUNITIONS ARE POURING OUT AT RECORD-BREAKING RATE, W. P. B. REPORT SHOWS

Almost every day during the past week brass hats drummed away on the theme that there has been a let-down on the home front and that workers are lagging in production. They blamed overoptimism about an early victory for this alleged condition.

Union leaders in touch with the war-production situation challenged the accuracy of this scare propaganda. They contended that, insofar as labor's all-out effort is concerned, there is nothing to be worried about.

President Harvey W. Brown of the machinists was among the labor chiefs who denied the charge of a let-down among the Nation's workers.

"The fact is, we of organized labor are just as much interested in winning the war as any military commander can be," he said. "Our boys and our brothers are in the thick of the fighting. It is absurd to think that we would fail them in any manner."

STRIKES DROP TO ZERO

As evidence that workers are giving their utmost, Brown and others pointed out that during the week of July 4, strikes fell practically to the zero mark, and official War Production Board reports showed records broken in nearly every branch of munitions output.

"If any criticism is to be leveled it should be directed," he said, "at those managements of war plants which closed down for 3 days just prior to and during Independence Day, despite a plea from Donald M. Nelson, War Production Board chairman, that operations be kept at full tilt."

"There may have been justification for some of the shut-downs," Brown declared, "but certainly, alongside the decline in production resulting from such action, the losses due to brief strikes that occur now and then pale into insignificance."

SHUT-DOWNS CONDEMNED

From other sources, too, came condemnation of managements for the 3-day holiday shut-downs. In Philadelphia 60 key war plants were reported closed. The acting regional director of the War Manpower Commission, Claude O. Lanciano, called this "a shameful condition."

General Motors closed 45 of its plants for the holiday interlude, and union officials representing General Motors workers said this had "created bewilderment and resentment among the employees who have been subjected from Washington to continuous pressure for greater and uninterrupted production."

The unionists said more man-hours were lost by this 3-day closing than occurred in an entire month from strikes over the whole country.

The week's drumfire of the "brass hats" started with release of a report made by Chiefs of Staff of the Army, Navy, and Air Force to President Roosevelt upon their return from the Normandy battle front.

They voiced alarm that recent battle successes "seem to have persuaded some people that the war is as good as won and that accordingly they can throw up their war jobs and go back to civilian life."

They pointed out that the desperate fighting abroad has caused "heavy losses" in war materials, "which must be replaced." Workers who make shifts to civilian jobs, in view of such needs, were compared to "deserters" on the fighting fronts.

This blast was followed by another 2 days later in which military chiefs claimed war production was lagging seriously.

SOMERVELL TRIES SCARE

Immediately after that Lt. Gen. Brehon Somervell gave a "scare" interview along the same line, but he wound up, as a sort of afterthought, by admitting that "loss of material during liberation of the French coast was considerably less than expected."

That last remark didn't jibe with the claims of the Chiefs of Staff, but it was typical of the inconsistencies in the hysterical outbursts of the "brass hats."

As a matter of fact, at the very time that they were raising the alarm, the War Production Board put out a report showing that in May production had beaten schedules in practically every line of munitions, including aircraft, landing vessels, naval ships, and heavy artillery.

In ships May was "the biggest month in naval history," taking a 58-percent leap above April, the W. P. B. revealed. The gain was so great that production will now taper off, particularly in landing craft, the Board said.

BOMBER OUTPUT JUMPS

Another Board report on aircraft production for June disclosed that, contrary to claims of the "brass hats," the output of four-motor bombers and other urgent craft was ahead of schedule. Some planes lagged behind, but that was in types not needed, Vice Chairman Charles E. Wilson, of the W. P. B., admitted.

Changes in specifications also caused trouble, according to Wilson. He didn't even intimate that the workers were to blame for any slow-up.

Some spokesmen inside the W. P. B. charged that the "brass hats" were deliberately painting a gloomy picture of production, partly to stir up sentiment for a labor draft and partly to frighten the country against returning to any additional manufacture of civilian goods, even though materials and manpower are available for the purpose.

These spokesmen pointed out that only a few weeks ago Chairman Nelson had announced orders were being issued to lift the lid somewhat on civilian production. "Brass hats" have since blocked these orders, and Nelson, ill in a hospital from pneumonia, has been unable to enforce his ruling.

Mr. LANGER. I now read from Labor for July 22, 1944:

For the first 3 months of this year—

That is for January, February, and March—

corporation profits after taxes were paid—

I wish to emphasize that, Mr. President. For the first 3 months of this year, 1944, corporation profits after taxes were paid—

soared to $2,215,000,000, a substantial advance over the same period last year. That "reflects the stability of industry," says the Department of Commerce of the United States Government. It also proves that big business is being well cared for during the war.

Now I wish to quote from Labor for November 11, 1944:

Du Pont profits at new peak. Oil concerns also do well. More about profits of war contractors.

The du Ponts, who hold high rank among big money makers, hung up a new high mark during the first 9 months of 1944, profits of $57,805,329 being $13,000,000 more than for the same period last year, the previous best showing.

This was after setting aside substantial reserves for taxes, for contract renegotiation, and post-war conversion.

The National City Bank of New York reported that the profits of 13 oil companies were boosted 27 percent during the 9-month period.

These same companies, Mr. President, a few months ago were hammering at the doors of Congress for a subsidy, and almost succeeded in getting away with it.

Why did they fail? Because union labor stopped them by publicity, by letting the soldiers and civilians all over the country, the common people, know what these folks were trying to put over.

The National City Bank also disclosed that 300 corporations whose reports were analyzed cleared $872,000,000, or $68,000,000 more than last year.

Yet, Mr. President, these are the same gentlemen who say, "Do not touch capital; let the soldier boys pay for this war when they come back."

Mr. President, I have before me a copy of Labor for August 26, 1944. It says:

Workers lag? Records prove to the contrary—

The article shows that in America a much better job has been done by men and women under the voluntary system than has been done in England by forced labor.

The article says:

Workers lag? Records prove to the contrary; their output jumps 35 percent in last 18 months. Propaganda about workers lagging on the home front was given a solar plexus blow—

By whom? Not by some irresponsible person but—

by the War Production Board of America this week.

Instead of letting down on the job as some labor critics have charged, the workers are turning out 35 percent more war output per man or woman than they did 18 months ago, the War Production Board revealed.

That rise in productivity alone is more than 200 times as great as all losses from strikes during that period.

Furthermore, because of that increased efficiency, the Nation's war plants are turning out far more munitions than a year and a half ago with 1,000,000 less employees on the pay roll.

With a million fewer employees on the pay roll, Mr. President, they are turning out 35 percent more products. Yet some Senators stand upon this floor and would have us cast away the fine system under which that result has been accomplished and install in its place the forced draft of labor.

Among the remarkable achievements by workers in reducing man-hours of labor per unit in the past 18 months the W. P. B. listed these:

Boeing Flying Fortress planes—35,400 man-hours per plane to 18,700.

An increase of almost 50 percent.

Liberty cargo ships at Kaiser shipyards—from 1,146,511 man-hours to 294,133.

A remarkable job.

Motor torpedo boats at Higgins Industries—from 65,000 to 25,000.

About the most phenomenal gains in productivity have been accomplished in west coast aircraft plants, the Board said. There, in the past 3 years, average output per worker soared 514 percent.

Not 35 percent, Mr. President, but 514 percent. That is the record under the War Production Board of this Government itself.

I am not at all content, however, merely to talk about union labor or laborers. Today I raise perhaps the sole voice on this floor in behalf of the farmers, and before giving the record as to what the farmers in America have done I wish to refer to yesterday's CONGRESSIONAL RECORD in order to show how the farmer is being ignored, yes, even being insulted, by those who think they own America.

Yesterday, at page 2944, the distinguished Senator from West Virginia [Mr. KILGORE] placed in the RECORD an agreement entered into by business and labor. The headline is "Business, Labor Frame Peace Code." Business and labor do it. The farmer is not even consulted. He merely makes possible the money with

which to pay the bills. I read from the RECORD:

BUSINESS, LABOR FRAME PEACE CODE—JOHNSTON OF CHAMBER, GREEN OF A. F. OF L., AND MURRAY OF C. I. O., OFFER NEW POST-WAR PLAN

(By Joseph A. Loftus)

WASHINGTON, March 28.—Three spokesmen for business and organized labor signed today a new charter of principles which they conceived as a guide to post-war industrial relations in the conviction that an essential for maximum production and peacetime prosperity was a minimum of strife and suspicion.

The signers were Eric Johnston, president of the Chamber of Commerce of the United States; William Green, president of the American Federation of Labor; and Philip Murray, president of the Congress of Industrial Organizations.

The National Association of Manufacturers was not a participant, but Mr Johnston said he hoped it would eventually subscribe to the charter.

I ask unanimous consent that this so-called charter again be printed in the RECORD, and I ask Senators to read it and I ask any one of them to rise on the Senate floor when we next meet and show me where in that entire new charter the farmer is mentioned even once, directly or indirectly.

The PRESIDING OFFICER. (Mr. JOHNSTON of South Carolina in the chair). Is there objection to the request of the Senator from North Dakota?

There being no objection, the charter was ordered to be printed in the RECORD, as follows:

Based on a mutual recognition of each other's prerogatives and responsibilities, the charter sets forth these guides and objectives for manganement and labor:

Encouragement of productive efficiency and technological advancement with a view to steadily improving standards of living, respect for the rights of private property and free choice of action; recognition of management's right to manage, free of unnecessary governmental interference or burdensome restrictions; recognition of the right to organize and bargain collectively without hindrances; cooperation in protection of the individual against involuntary unemployment and the hazards of old age and physical impairments; increased foreign trade and reasonable assistance to other countries; establishment of an international security organization and a national business-labor committee to promote better understanding at home.

Mr. LANGER. Mr. President, those who drew this agreement state how industry must be taken care of. This morning I was proud indeed to see the distinguished junior Senator from Nebraska [Mr. WHERRY] rise on the Senate floor and fight for the farmers of the Middle West; as a matter of fact, for the farmers of the entire Nation. I make this prediction, that if the Members of this body will get together and fight for the farmers a little, just a little, we will not have the spectacle of the head of the C. I. O. and the A. F. of L. and the Chamber of Commerce of the United States getting together and saying they are writing a charter for prosperity of the United States of America, entirely ignoring the farmer.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHERRY. I have been detained in committee work, and have not been able to remain in the Senate during all the Senator's remarks. I am intensely interested, of course, in the farming situation. I should like to ask the distinguished Senator whether he has in any way made an observation as to the effect of the pending bill on the farm labor in his State?

Mr. LANGER. I am just coming to that.

Mr. WHERRY. I thank the Senator.

Mr. LANGER. Mr. President, I have already put into the RECORD argument showing how necessary it is, so far as farm labor is concerned, to have a measure like that before us rejected. Now I wish to refer to the farmer.

I call the attention of Senators to the CONGRESSIONAL RECORD of March 2, pages 1656 and 1657. First I shall give the record of the State of North Dakota, because I am proud of the State's record. It led all other States in the buying of War bonds in the present war. It is far over its quota.

I call attention to the fact that, although the average production of corn was 21,000,000 bushels, we went far beyond that in 1944, the production being 172 percent of the average. We produced 82,000,000 bushels of oats in 1944, which was 215 percent of what we had previously raised. With nearly 50,000 farm boys gone to war, the farmers raised twice as much oats as they had ever raised before in the history of the State. They raised over twice as much barley as the average between 1937 and 1944. They raised nearly twice as much wheat. They raised three times as much flax. They raised nearly twice as many potatoes as they had ever raised before.

What is the record in the United States? It is so astounding, Mr. President, that I ask unanimous consent to insert in the RECORD at this point in my remarks a table showing that never in the history of America has the record made by the farmers of this country in 1944 even been approached.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Harvested acreage and production—Grains

	Harvested acreage (thousands of acres)						Production (thousands of bushels)					
	Average, 1930–39	1940	1941	1942	1943	1944	Average, 1930–39	1940	1941	1942	1943	1944
Corn	99,049	86,738	86,186	89,484	94,455	97,235	2,307,452	2,449,200	2,677,517	3,175,154	3,034,354	3,228,361
Wheat	55,743	52,980	55,642	49,464	50,648	59,309	745,575	816,698	943,127	981,327	841,023	1,078,647
Oats	36,653	35,393	37,965	37,899	38,395	38,984	1,016,061	1,235,628	1,180,663	1,358,730	1,137,504	1,166,392
Barley	10,732	13,496	14,220	16,782	14,768	12,359	226,460	309,235	362,082	426,150	324,150	284,426
Rye	3,298	3,210	3,570	3,837	2,755	2,254	37,899	40,601	45,364	57,341	30,452	25,872
Flaxseed	1,780	3,180	3,275	4,402	5,847	2,794	11,252	31,127	32,285	40,660	51,946	23,527
Grain sorghums (for grain)	4,083	10,325	5,082	5,896	6,662	9,117	52,747	121,371	111,784	107,245	103,864	181,755
Rice	943	1,069	1,214	1,477	1,468	1,466	45,712	52,754	51,323	66,363	64,843	70,237
Total	212,281	206,291	208,054	209,241	214,998	223,518	4,443,158	5,056,614	5,404,145	6,212,970	5,588,136	6,059,218

Source: Annual Summary, Crop Production, BAE.

Mr. LANGER. Mr. President, the railroadmen's publication "The Railroad Trainman" in its November 1944 issue printed excerpts from instructions issued by General Marshall, chief of staff, on August 21, 1944, in which General Marshall compliments the railroad men for the remarkable job they have done. In this document General Marshall says:

From shortly after Pearl Harbor until July 1 of this year we have had 9,285 strikes or work stoppages, and these have cost about 23,000,000 man-days of labor. It is obvious that our war effort would be even greater if perfect harmony had prevailed and these stoppages had not occurred.

On the other hand, so prodigious and faithful have been the efforts of the great majority of our people that the loss represents less than one-tenth of 1 percent of the total labor time available. This bears out the statement by the Secretary of Labor to Congress that the no-strike, no-lock-out pledge of labor and management "has been kept at a rate of 99 percent."

Mr. President, I ask unanimous consent that this document, which appears on pages 406, 407 and 408 of "The Railroad Trainman" for November 1944, may be printed in the RECORD at this point.

There being no objection, the matter refered to was ordered to be printed in the RECORD, as follows:

GENERAL MARSHALL ORDERS ARMY TO FIGHT ANTILABOR CAMPAIGN OF PRESS AND RADIO

The October 9 issue of George Seldes' weekly In Fact, "An antidote for falsehood in the daily press" ($1 per year, published at 25 Astor Place, New York 3, N. Y.), presents an exclusive story showing that the War Department and the United States Government have taken steps to bring to a halt the divide and conquer policy of irresponsible newspapers, columnists, and radio commentators, who have attempted to drive a wedge between the soldiers and labor.

Through the courtesy of In Fact, we present below excerpts from instructions issued by General Marshall, Chief of Staff, on August 21, 1944, to orientation officers in the Army, ordering discussions to counteract the main lies against the home front. These are followed by the War Department's Fact Sheet No. 29, entitled "Know and Have Faith in America and Its Future. Soldiers of Production."

In the words of Seldes:

"These two official documents should nail forever the series of falsehoods about strikes.

production of armaments, absenteeism, union troubles, high wages, labor profiteering, slacking and a thousand other news items which the Axis propaganda bureau has been picking up from Hearst, Howard, McCormick-Patterson and hundreds of other newspapers and their columnists and editorials; also the anti-union propaganda in the Fulton Lewis, Jr., Henry J. Taylor, Upton Close, and other programs on Mutual and Blue radio networks."

DOCUMENT NO. 1: GENERAL MARSHALL'S INSTRUCTIONS

WAR DEPARTMENT,
Washington, D. C., August 21, 1944.

WE'RE ALL ON THE SAME FRONT IN TOTAL WAR

Note to orientation officers: Among the points particularly desirable to stress in this week's discussion, The Home Front, are:

1. Our people at home are winning the production war against Germany and Japan;

2. The enemy unceasingly aims to create antagonism between our soldiers and our civilians;

3. In today's total war, there can be no real line drawn between home front and fighting front * * *

We have action on many fronts to follow these days * * * We are winning battles consistently in this total, global war * * * Today let's see how we stand on a front we're also winning. * * * We call it the home front.

There are lots of other things we call it, too. When we hear about the wildcat transportation strike in Philadelphia, or the strike in the coal fields, or the gasoline black market, we burn up. We figure they are letting us down. We damn selfish chiselers, and usually we are angry enough so that we damn the entire home front along with the chiselers.

Let's take a look at how the home front has been doing in its share of the war. But, first, what do we mean by home front?

HOME FRONT MET ENEMY CHALLENGE

Twelve millions of us are now in uniform * * * and for every 1 of us there are 10 of our people in civilian clothes. Each one of us knows his own people well; the home front is made up of those people of ours.

Included are 4,000,000 whom their selective-service boards turned down; there's another million, ex-servicemen, many of whom are still doing their part by working in war factories. * * *

Those of us in uniform were up against veteran armies of Germany and Japan and only through blood, sweat, and a bitter toil did we learn to outfight the enemy. Our home front also faced a challenge from the total war preparations by the enemy's home populations. * * *

During 1940, or last full year of peace, 37,000,000 people were employed * * * today, 44,000,000 Americans are at work combating the Axis home fronts, and this increase * * * has been accomplished despite the withdrawal of 12,000,000 men and women into the armed services. Since Pearl Harbor we've built $15,000,000,000 of new war industries in addition to converting our peace industries to war.

It has been a tremendous effort, and it, too, has cost in toil, sweat, and casualties.

We can be proud of the results America is showing. Our production front has not only caught up with the Axis; right now our people alone are giving us more weapons than the combined output of Germany and Japan. * * * This year [the Allies] have pushed our output to an overwhelming 4 to 1 edge over the Axis.

This giant production program is not being realized without difficulties. The most sensational of these are strikes. It should be noted that nobody has tried to cover them up. We read about them in our news sheets and hear about them over the radio. Our people on the production front hear about strikes, too, and some of them get just as angry as we do. It isn't a question of whether the strikers have a just cause or not. Our anger results from our natural fear that any strikes may prolong the war. What is the actual effect strikes have had upon our production?

From shortly after Pearl Harbor until July 1 of this year we have had 9,285 strikes or work stoppages, and these have cost about 23,000,000 man-days of labor. It is obvious that our war effort would be even greater if perfect harmony had prevailed and these stoppages had not occurred.

OFFICIAL: STRIKE LOSS ONE-TENTH OF 1 PERCENT

On the other hand, so prodigious and faithful have been the efforts of the great majority of our people that the loss represents less than one-tenth of 1 percent of the total labor time available. This bears out the statement by the Secretary of Labor to Congress that the no-strike, no-lock-out pledge of labor and management "has been kept at a rate of 99 percent."

(EDITORIAL NOTE.—The figures are even better. Officially given out by the Bureau of Labor Statistics they vary month by month from 99.92 percent to 99.96 percent presenteeism; there has never been an absenteeism of a full 1 percent.)

Not only has most of organized American labor [Editorial note: This means the unions] and management kept faith with their work pledge, but they have even gone further and formed labor-management committees with the sole purpose of increasing war production by cooperative action.

(Tribute is paid workers who produced marvelous ideas for increasing war production—1,000,000 ideas submitted.)

Our civilians are exactly like us, and we have just about the same proportion of men who slow the Army effort by going A. W. O. L., joining the V. D. ward, or just plain goldbricking. * * *

(EDITORIAL NOTE.—In Fact is the only publication in America which for years has been making this statement, that the percentage of strike days lost will compare favorably with days lost in the camps and at the front; now we have official confirmation of our statement which was always based on statistical truth.)

Our home front is also carrying a greatly increased tax burden. * * * High-living, champagne-drinking workers grab the headlines and feature comic strips. By contrast, a Department of Labor study asserts "The burdens of the war have been borne by nearly all factory workers in the form either of a reduced scale of living or of harder work without material improvement in current living."

There can be no stinting of costs in fighting our enemies. * * * We cannot limit ourselves to a million-dollar war or a billion-dollar war; we must fight an all-out war and produce whatever is necessary to defeat the Axis completely and in the shortest time.

"ENEMY WANTS US SPLIT"

(EDITORIAL NOTE.—The New York Sun and other Republican papers have published a chart showing Roosevelt expenditures as largest in history. These are war expenditures, every gun and tank and airplane built helping to save the lives of our men by overwhelming the enemy with fire power. The United States Army wants this; the Republican Party press smears the President for spending money on munitions which save thousands of our boys' lives. Several paragraphs praise the 4,500,000 who gave pints of blood and the farmers who "are producing 45 percent more food" than in World War No. 1; also the volunteer air-raid wardens.)

Lieutenant General Somervell summed up the home front's present task when he stated this month: "If we are going to keep down the cost in American life, then the cost in labor and effort for everyone back here must continue to rise. * * *"

(Under the heading "Enemy wants us split" the statement concludes):

Germany and Japan realize they cannot match the tremendous output of America and have acknowledged as much to their people. They have held up the American home effort as an example to their own populations. * * *

At the same time, the Axis has directed its propaganda machine toward driving a wedge between us and our home people supporting us. Enemy propaganda tries to make us mistrust our home people, and stories of strikes and black markets are exploited as being representative of the entire home front. It is clever propaganda because we all get angry at anything which might delay necessary supplies from reaching us.

Naturally, our enemy seeks to delay his inevitable defeat by trying to create a split between the fighting American and the producing American. Actually, in this war more than any previous one, there can be no honest distinction between home front and any other front. We're all on the same front.

By order of the Secretary of War:

G. C. MARSHALL,
Chief of Staff.

Official:

J. A. ULIO,
Major General, The Adjutant General.

Mr. LANGER. Mr. President, speaking of labor's railroad record I challenge any Senator or all Senators to tell us how the railroad record could have been any better than that made by the railroad men of this country. On the 26th day of November 1943, I read the following into the CONGRESSIONAL RECORD:

This outstanding performance of the railroads has been the result of the constructive, self-denying, and patriotic attitudes of both the managements and the men. * * * The labor force of the railroads has encouraged and supported every reasonable effort in these directions, has increasingly adjusted its working habits and arrangements to the needs of the emergency situation, and has used its skill and industry without stint in the interest of attaining these objectives. Fundamentally, a spirit of cooperation has vitalized the efforts of the managements and the men. Without free and complete and wholehearted cooperation between the carriers and their employees the magnificent record of the railroads, as made thus far, could not have been achieved.

What is that record, Mr. President? Here it is:

In spite of the fact that the railroads entered upon the war period with a plant that had suffered from 10 lean years of business, and from 10 years of subnormal maintenance, they handled, in 1942, about 50 percent more freight business and almost 100 percent more passenger business with about 24 percent fewer employees.

That is the record, Mr. President.

In the case of the railroad industry and its million and a quarter trained workers, the first critical year of our Nation's war effort was not another unhappy instance of "too little, too late." On the contrary, a greatly reduced number of workers, working with a railroad plant that had suffered from 10 years of undermaintenance, turned out the greatest transportation job in world history and made new records in labor efficiency and productivity.

While the total railroad wage bill in 1942 was only $36,000,000 above that of 1929—

The best year the railroads have ever had before that—

While the total railroad wage bill in 1942 was only $36,000,000 above that of 1929, the operating revenues of the railroads increased by $1,187,000,000 over 1929.

Let some of the opposition ponder that, Mr. President.

This meant that while 46 cents out of each revenue dollar went for wages in 1929, only 39 cents went for wages in 1942.

Listen to this:

However, the revenue freight ton-miles handled per employee increased from 269,000 to 502,000, which was an increase in transportation output per employee of almost 100 percent.

* * * * *

As a result of the record business handled in 1942 with a reduced number of workers, the operating revenues climbed to fantastic peaks. Never before had total operating revenues reached the $7,000,000,000 figure. In the earlier peak year of 1929 they had soared to $6,279,000,000.

However, in 1942, with 24 percent fewer employees, they reached the new high peak of $7,466,000,000.

It was on the basis of this increased labor output, this new peak record of labor efficiency, and these higher operating revenues and higher net profits, which were realized without proportionately higher operating expenses, that the board found after 44 days of exhaustive public hearings that the 8-cent hourly increase was warranted by the facts.

Mr. President, I have given the record of union labor. I have given the record of the farmer. I have given the record of those who work on the railroads. What about the coal miners, whom we continually hear damned? They have made a remarkable record, too. What is the record of the coal miners? A few days ago John Lewis had a meeting with the operators, in which he asked for a small wage increase. I am sure that Senators will all be interested in knowing what John Lewis said. I hold in my hand the official proceedings, from the United Mine Workers' Journal:

In addressing the conference on the second day, President Lewis again emphasized the responcibility of the industry's representatives in proceeding to negotiate an agreement in ood faith, declaring that the operators should forsake their "assumed dog-in-the-manger attitude, sitting back showing their fangs while they waited for the power of Government to crush the U. M. W. A. and discredit its policies." He warned that a like condition would not come to pass in 1945, "despite the lobby maintained here in Washington by the coal operators, and despite any secret and nocturnal importunities that they may have presented to representatives of Government prior to this meeting. The right of collective bargaining exists in this conference, and every moral, economic, and patriotic consideration requires that this joint conference representing this tremendous tonnage on the records of the meeting resolve these issues that are now presented.

"With the right of action within this meeting clearly established, it is a pertinent question as to the ability of industry to pay on the basis of the proposals presented to this conference. Let us take a look at that question both as affecting the coal industry and as affecting industry and finance at large.

"Two years ago the United Mine Workers said much about the rising cost of living, the economic repercussions resulting from the cost-plus policy followed by the Government in farming out its contracts for the munitions of war, the feeble results that would accrue from the fanatical cry of the leaders of the C. I. O. and the A. F. of L. to roll back prices in America. Roll 'em back—roll 'em back. Well, they have been rolled, all right, but they did not roll back; they rolled on and they rolled over those intellectual pint pots who thought that the waves of the sea could be brushed back by the passage of a resolution or a petition to the 'Great White Father.'"

At this point, Lewis began an analysis of the earnings of big industry during the war period as compared with those of the workingman, as well as the graft in war contracts, quoting Comptroller General Lindsay Warren's testimony to the effect that there have been more than $50,000,000,000 in war-contract graft alone.

Who says it? Not John Lewis; not Philip Murray; not Bill Green, but Lindsay Warren, the Comptroller General. I discussed that subject from this very desk about a year and a half ago. I pleaded with the late Senator Van Nuys, with tears in my eyes, not to abolish the statute enacted during the administration of Abraham Lincoln to protect the common people. It was abolished.

He then pointed to increases in working capital from twenty-four billions in 1939 to forty-six billions in 1944 to compare the take-home pay as between corporations and their employees.

"There is some information current on these questions now, and some startling information on what is happening in American industry and finance with respect to profits and the take-home pay of the captains of industry and the investors of this country, as corresponded to and related to the so-called take-home pay of the mine worker and other manual workers throughout the country. I cannot epitomize that statement any better than to read to you the following editorial in the United Mine Workers Journal of the issue of March 1, which is just off the press and which, perhaps, you have not read:

"'Lindsay Warren, Comptroller General of the United States, has the job of trying to protect the people of the United States from thieves who take public money.

"'But he has no power to stop them under this administration.

"'He estimates that the graft in the war to date is in excess of $50,000,000,000. Fifty billions is twice the cost of the last war, graft and all.

"'Warren is talking about the padding graft of cost-plus-a-fixed-fee contracts. There is plenty of other graft from overcharging, cutting of quality, and so on.'"

Mr. President, I shall not read all of this article. I wish to read certain portions of it.

The poor miners must eat, and they must wear at least a little clothing. The only way they can eat and have clothes is to buy food and clothing. Many of them are employed in mines owned by subsidiaries of the United States Steel Corporation. What is its record? In 1939 the United States Steel Corporation paid dividends amounting to $25,220,000. In 1944 it paid dividends amounting to $60,033,000, or nearly two and one-half times as much. In 1939 the United States Steel Corporation, which employs thousands of miners, had a working capital of $431,988,000. By 1941 it had increased its working capital from $431,000,000 to $552,000,000, which I think is roughly $120,000,000 more of undivided profits added to its working capital. That money is available for any purpose to which the corporation may wish to devote it, in addition to paying out the dividends mentioned. Mind you, Mr. President, the United States Steel Corporation paid out $60,000,000, and it added $120,000,000 more to its working capital. But that is not all; oh, no. In 1939 the United States Steel Corporation had a special reserve fund, a little sum of $38,638,000. In 1944 that fund, instead of amounting to $38,000,000, amounted to $195,000,000. So the United States Steel Corporation got the $60,000,000, it got the $120,000,000, it got the $195,000,000. But that is not all, even yet, Mr. President, it got some more. In 1939 the funded debt of the United States Steel Corporation—the amount of money it owed—was $246,061,000. In 1944 it did not owe $246,000,000; it had reduced its debt to $99,000,000, a reduction of almost $150,000,000.

During these years the annual dividend payments have been more than doubled, registering a total increase of $174,000,000 above the basis of the annual rate paid in 1939, and totaling $325,385,000 from 1939 to 1944, inclusive.

What have some of the other large corporations done? Let us see what the railroads have done. The Erie Railroad did not make any money at all in 1932; in that year it lost $3,142,000. But in 1943, with a war on, it made a profit of $12,000,000. The Wheeling & Lake Erie Railroad Co. in 1932 earned $435,000, payable in dividends. In 1943, instead of paying out $435,000, it paid out $3,930,000.

In my State there is a packing plant operated by Armour & Co. That is the outfit which was buying hogs a while ago, but the farmers could not sell them. It did not do so badly. In 1932 Armour & Co. lost money. At the end of the year it had a deficit of $2,500,000. But in 1943 it had a net profit of $11,445,000, and last year it did even better than that. By the way, let me refer to some of the poor devils in that area who are trying to raise hogs, and who came to Washington. For instance, a lady at Dickinson had 200 hogs. She was feeding them barley at a dollar a bushel and corn at $1.10 a bushel, but she could not sell them because the packing plant said there was not room for them. She wanted to know what to do with them. I told her to load the 200 hogs on a railroad car and send them to the President of the United States, so that he could give the head of every Government agency a hog and could show what a remarkably fine job they were doing for the farmers of the Northwest.

Over in Virginia one of the Members of the Senate had 80 hogs. He could not fatten them. He could not sell them. So that distinguished Senator gave away the 80 hogs, which weighed less than 80 pounds apiece.

Then there is Wilson & Co. It is another packing concern. In 1932 it

earned $51,000, but in 1943 it earned $7,000,000.

General Motors Corporation earned $230,000 in 1932—$230,599 to be exact. Mr. President, what do you suppose that corporation earned in 1943? Its earnings jumped from $230,599 to $149,780,000. Did you ever hear of a laboring man's wages being raised in that proportion, Mr. President?

Mr. MORSE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. LANGER. I yield.

Mr. MORSE. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator yield for that purpose?

Mr. LANGER. I do.

Mr. BARKLEY. Mr. President, will the Senator withhold the suggestion of the absence of a quorum for a moment?

Mr. MORSE. I withhold it for a moment.

Mr. BARKLEY. Let me ask whether the Senator from North Dakota desires to conclude his remarks today.

Mr. LANGER. I should like to conclude them today.

Mr. BARKLEY. An order has been entered that when the Senate concludes its session today it go over until Monday. I assume that the Senator from North Dakota desires to conclude his remarks today, because, if possible, a vote will be taken on Monday. If the Senator would like to conclude his remarks, I hope the Senator from Oregon will withhold the suggestion of the absence of a quorum, for, after the Senator from North Dakota concludes his remarks, we would like to have the Senate take a recess until Monday.

Mr. MORSE. Mr. President, my view is that the Senator from North Dakota is speaking on a bill which probably is of as vital importance to the people of this country as is any other bill which has been considered at this session. I think the Senator's remarks should be heard by at least a quorum of the Senate.

I fully understand that the final discussion will go over until Monday. I am glad it will, because I trust that between now and Monday the Senate of the United States will hear from the people of the United States on this measure. But I am very much of the opinion that the distinguished Senator from North Dakota is entitled to have his remarks heard by a quorum of the Senate.

Mr. BARKLEY. I appreciate that generous feeling on the part of the Senator from Oregon. In that connection, if he would suggest to me some way by which any Senator's remarks could be heard by a quorum of the Senate, I would welcome it.

Mr. MORSE. I am going to try it in this instance by calling for a quorum.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

Austin	La Follette	Smith
Ball	Langer	Taylor
Bankhead	McKellar	Thomas, Utah
Barkley	McMahon	Vandenberg
Briggs	Maybank	Wherry
Connally	Millikin	White
Donnell	Morse	Wiley
Hart	O'Mahoney	Young
Hayden	Pepper	
Hickenlooper	Revercomb	

The PRESIDING OFFICER. Twenty-eight Senators have answered to their names. A quorum is not present. The clerk will call the names of the absent Senators.

Mr. BAILEY, Mr. BURTON, Mr. CHAVEZ, Mr. CORDON, Mr. GEORGE, Mr. GERRY, Mr. GUFFEY, Mr. HATCH, Mr. HILL, Mr. JOHNSON of Colorado, Mr. KILGORE, Mr. LUCAS, Mr. MCCARRAN, Mr. MCFARLAND, Mr. MOORE, Mr. MURRAY, and Mr. SHIPSTEAD entered the Chamber and answered to their names.

The PRESIDING OFFICER (Mr. TAYLOR in the chair). Forty-five Senators having answered to their names, there is not a quorum present.

Mr. BARKLEY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

Mr. AIKEN, Mr. BROOKS, Mr. BUSHFIELD, Mr. CAPPER, Mr. JOHNSTON of South Carolina, and Mr. BUTLER entered the Chamber and answered to their names.

Mr. LUCAS. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LUCAS. What is the business before the Senate?

The PRESIDING OFFICER. The execution of the order of the Senate by the Sergeant at Arms.

Mr. RADCLIFFE, Mr. MAGNUSON, Mr. MURDOCK, Mr. O'DANIEL, and Mr. SALTONSTALL entered the Chamber and answered to their names.

The PRESIDING OFFICER. Fifty-six Senators having answered to their names, a quorum is present.

DISPOSAL OF SURPLUS PROPERTY

Mr. WHERRY. Mr. President, will the Senator from North Dakota yield to me?

Mr. LANGER. I yield.

Mr. WHERRY. While the distinguished junior Senator from Montana [Mr. MURRAY] is in the Senate Chamber, I should like to say with respect to the Small Business Committee, of which he is the chairman, that under his leadership the Small Business Committee has held, I should say, as many as a dozen hearings during the past 30 days, dealing with the disposal and the use of light metals in the post-war period. The Small Business Committee has assembled, under the Senator's guidance and leadership, as important a list of witnesses as, I think, could be found in the United States, including such firms as the Aluminum Corporation of America, the Reynolds Co., and, I judge, 45 or 50 others. The list includes not only producers of metals but fabricators of metals from one end of the country to the other. The committee is privileged to have the services of the senior Senator from Kansas [Mr. CAPPER], the senior Senator from Connecticut [Mr. MCMAHON], the junior Senator from Connecticut [Mr. HART], the junior Senator from Louisiana [Mr. ELLENDER], the junior Senator from Florida [Mr. PEPPER], the senior Senator from Iowa [Mr. WILSON], and other Senators. They have given as much of their time as they could to the discussions we have had and to hearing the testimony which has been adduced relative to the uses of light metals in the post-war picture.

The reason I rise now is because I understand that this morning when the Treasury and Post Office Departments' appropriation bill came before the Senate for consideration the distinguished Senator from North Dakota [Mr. LANGER] made an observation relative to an item of appropriation to the Treasury Department for the disposal of surplus property. I was not present at the time because I was pinch hitting for the distinguished junior Senator from Montana [Mr. MURRAY] and serving as acting chairman of the committee. I was also doing the same thing yesterday afternoon when the distinguished former Senator from Iowa, Mr. Guy Gillette, who is now one of the members of the Surplus Property Board, testified before the committee. It was my understanding from a colloquy had between the distinguished Senator from North Dakota and the senior Senator from Connecticut and other Senators that amendments would be offered which might help to remedy some of the weaknesses of the Surplus Property Act.

I should like to say to the Senate that I hope such amendments or suggestions for amendments will be withheld until the distinguished junior Senator from Montana, the chairman of the Small Business Committee, can submit to the Senate a report which we may all have an opportunity to digest, and then from the report siphon out the amendments and the legislation which may be necessary to place the Surplus Property Board in the position which Congress authorized it to occupy when it was set up. In the testimony, including that of former Senator Gillette, we find considerable variance of opinion as to the authority which the Surplus Property Board has under the Office of War Mobilization and Reconversion, and whether the Surplus Property Board should be in the Office of War Mobilization and Reconversion. Then there is the question of personnel and the question of appropriations. There is also the question whether the Surplus Property Board should be responsible for the disposition of surplus property, or whether it should act in an advisory capacity, and permit other agencies to make disposition of surplus property, thus being what might be called simply a technical board to make policies respecting disposition of surplus property.

Mr. President, reams of testimony have been taken. The testimony is highly informative. I think it will be of interest to every Member of the Senate. Not only was testimony given with respect to the uses of light metals, but also on the particular question which came up in the

hearing yesterday relative to the power and authority of the Surplus Property Board.

Mr. President, I am sure the junior Senator from Montana, the chairman of the Small Business Committee, will provide the required leadership, and if we can prepare the necessary amendments and offer them as amendments submitted on behalf of the Small Business Committee to proposed legislation, I believe they will be constructive and helpful, and that we will be able to iron out the difficulties which have been testified to by the distinguished former Senator from Iowa.

Mr. LANGER. Mr. President, in connection with the amendments the Senator from Nebraska has just mentioned, I call attention to another amendment which I believe is absolutely necessary. I call it to the Senator's particular attention, and also to the attention of the junior Senator from Montana. In an investigation held after World War No. 1 it was found that many individuals who held Government positions resigned their positions and then organized corporations which bought goods which were formerly under the jurisdiction of the individuals who had resigned from the Government service. I read from the hearings of the House Select Committee on Expenditures in the War Department as follows:

> The practice of permitting the man who has goods to sell or service to perform for the Government to transact this business for the Government, or to have any connection with it, is dangerous and ought to be avoided. No nation ought ever to be in this situation where such a thing is necessary. There is much to praise in the conduct of many of the business interests of the country during the war.

That is World War No. 1.

> The subcommittee does not desire to be understood as reflecting upon the patriotism or honesty of the men, as a whole, who responded to the Government's demand for goods and supplies during the war.

That is World War No. 1. We are now planning for what is to happen after World War No. 2, when we will have $100,000,000,000 or $106,000,000,000 worth of surplus goods.

But it wishes rather to convey the idea that the system adopted during the war, and, seemingly, brought about by foolish lack of preparedness, gave an opportunity to those who would profit by the misfortunes of war to profit to the fullest degree.

What actually occurred in the production of war materials under this loose system is well illustrated by a study of our contracts for artillery and artillery ammunition, as shown by the hearings.

We had 53 contracts for 37-millimeter shells, on which we expended $9,134,582. None of these shells ever reached our firing line.

We had 689 contracts for 75-millimeter shells, on which we expended $301,941,459. Of these shells, we fired 6,000.

We had 142 contracts for 3-inch shells, on which we expended $44,841,844. None of these shells reached the firing line.

We had 439 contracts for 4.7 shells, on which we expended $41,716,051. Of these shells, 14,000 were fired by our forces.

We had 305 contracts for 6-inch shells, on which we expended $24,189,075. None of these ever reached the firing line

We had 617 contracts for 155-millimeter shells, on which we expended $264,955,387. None of these ever reached the firing line.

We had 301 contracts for 8-inch shells, on which we expended $51,371,207. None of these ever reached the firing line.

We had 152 contracts for 240-millimeter shells, on which we expended $24,136,867. None of these ever reached the firing line.

We had 239 contracts for 9.2-inch shells, which cost nearly $55,000,000. None of them were ever used.

We had 71 contracts for 12-inch shells, for which we expended nearly $10,000,000. They were never used.

We had 6 contracts for 14-inch shells, which cost more than $1,000,000. None of them were ever used.

The thing that is important is that when these amendments are offered in the great committee headed by the distinguished Senator from Montana, I believe that one amendment ought to be that no one working for the Government should have the right to organize a corporation to deal with the Government. In one case it was found that certain Government employees resigned one day and organized a corporation the next.

In addition, I think it is absolutely vital that the committee headed by the distinguished junior Senator from Montana should make provision that the manufacture of war materials should stop the moment it can be stopped without injury to the war effort. I have a list showing that the vast majority of the shells to which I have referred were manufactured after the armistice was signed, when there was absolutely no need for them. There could not possibly have been any need for them.

I ask unanimous consent to place in the RECORD a table showing that the vast majority of the materials manufactured, upon which enormous profits were made, were manufactured after the war was over. I believe that it is vital that the law be so drafted as to protect us against such a loss in the future.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

	Quantity under contract	Quantity finished before armistice	Quantity to be finished after armistice
37 millimeter gun (infantry)	4,025	526	374
37-millimeter gun (tank)	5,083	50	1,150
3-inch antiaircraft gun	633	88	81
75-millimeter antiaircraft gun	51	51	
75-millimeter gun (American)	1,402	695	125
75-millimeter gun (British)	2,868	724	185
75-millimeter gun (French)	6,550	74	976
4.7 guns	1,244	157	260
155-millimeter guns	2,160	71	491
155-millimeter howitzer	3,000	1,172	617
8-inch howitzer	295	173	72
9.2-inch howitzer	100		1
240-millimeter howitzer	1,160	1	329
5-inch seacoast guns	28	28	
6-inch seacoast	78	77	
6-inch Navy gun	46	1	5
7-inch Navy gun	12	12	
195-millimeter guns	2		2
8-inch seacoast guns	77	58	4
8-inch Navy guns	14		14
8-inch .50 caliber gun	25		25
10-inch seacoast guns	40	40	
10-inch seacoast guns (Mod.)	36		36
12-inch seacoast mortars	91	91	
12-inch Chilean guns (caliber .50)	6	1	5
12-inch 120-caliber howitzers	121		1
14-inch Navy guns	48	6	42
16-inch howitzers	62		62
Total	29,257	4,396	4,857

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MURRAY. The Surplus Property Disposal Act as it now stands contains provisions which would permit the Board to exercise control over matters such as those to which the Senator has referred.

Mr. LANGER. Which board?

Mr. MURRAY. The Surplus Property Disposal Board. It has the power and authority to issue rules and regulations controlling the disposal of surplus property. It seems to me that the law in its present form would permit the Board to prevent such things as occurred in the last war.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHERRY. I suggest to the distinguished junior Senator from Montana that as a result of the hearings which were held yesterday and this morning, reports will be available. I do not wish to go into the merits of the question at this time. I merely wish to call the attention of the Senate to the fact that reports will be available. They will be very comprehensive, and I am sure that from the reports we can draft amendments which will strengthen the authority and administration of the Surplus Property Disposal Board.

So long as the subject has been mentioned, let me say that in his testimony yesterday former Senator Gillette stated that owning agencies were making disposals of property in this country today without the knowledge of the Board.

Mr. MURRAY. Yes.

Mr. WHERRY. I think the time has come to make up our minds whether to give the Board the full authority which Congress intended to give in the administration of the act, and whether to give the Board the personnel and appropriations necessary to administer the act, or whether we are to permit owning agencies to refuse to declare property surplus, and let them sell it, as some of them have done, under the interpretation that they already have the authority to do so under other laws.

A policy is being evolved which is not unified. I do not say that it is right or wrong. What I rose to say was supplementary to the remarks of the senior Senator from Connecticut [Mr. MCMAHON], who has also been in attendance at the hearings. He stated that certain amendments would be submitted. I believe it would be the part of wisdom to withhold such amendments until we can analyze the reports. We can then determine what amendments are necessary to strengthen or clarify the act, so that there will be no question about the disposal of property, or where the authority lies; and the Board will have the personnel to do the job.

Mr. MCMAHON. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MCMAHON. I should like to inform the Senator from Nebraska that, of course, I intend to consult with the committee and work with the committee as a member of the committee. All I intended to say was that I would devote

myself to the subject. I believe that action cannot be taken too soon.

Mr. WHERRY. I was not referring so much to the remarks of the senior Senator from Connecticut, as I was to the remarks of other Senators who had asked questions on the floor of the Senate. I was aware that the Senator from Connecticut was familiar with the situation. I was making the observation that I felt sure that after the committee meetings were finally concluded, there would be ample evidence so that there would be no question about what was needed to strengthen the Surplus Property Disposal Act.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. MURRAY. I fully agree with what has been stated by the Senator from Nebraska. We should not hurriedly rush in and propose amendments to the act without giving the subject the most careful study. Such study is being given to it now, and the Surplus Property Board itself is making a very exhaustive study of the situation with a view to recommending additional legislation, if it is found necessary to have additional legislation. It seems to me that we should not act too hastily. We should wait until the proper study has been made.

Mr. LANGER. Mr. President, let me say to the Senator that November, December, January, and February have gone by, and March is nearly over. Last night former Senator Gillette stated that certain property was being sold without his knowledge. I submit that we cannot wait 6 or 7 months more while such property is being disposed of.

Mr. MURRAY. In answer to the Senator from North Dakota, let me say that in my judgment the law as it now stands gives the Board full authority and power to control the situation. If the Board were to take control and exercise its authority, it could prevent many of the things about which complaint is made.

Mr. LANGER. The Senator knows that the Board has no personnel.

Mr. MURRAY. I concede that. Of course, it needs personnel.

Mr. LANGER. The Board has no appropriation.

Mr. MURRAY. It must have additional appropriations to permit it to build up an agency which will be effective. With its present personnel the Board cannot execute the functions required of it by the act. It has a tremendous problem. The Senator, in reading from the records as to property about to be disposed of through the R. F. C., indicated what a huge job this is, and how absolutely necessary it is that the Board be equipped with personnel to enable it to administer the act.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. O'MAHONEY. The discussion which has taken place this afternoon points a moral. The Surplus Property Act was passed during the last Congress, and it became a law after being signed by the President. The Surplus Property Board was created for the purpose of establishing a policy with respect to the disposition of surplus property. When the law was written it was deemed that it would furnish an efficient method of administration if the various departments of the Government which handle Government property should continue to act as disposal agencies, subject to the supervisory control of the Surplus Property Board with respect to policy.

I have no doubt that the Surplus Property Board now has complete authority to direct the activities of all the disposal agencies with respect to selling surplus property of the Government. The Congress permitted such agencies to continue as disposal agencies, because in many instances there would be loss to the Government if delay in declaring particular property surplus were to occur.

I did not arise to discuss the Surplus Property Act as a possibility of amendment, but, as I have said, to point a moral. We are almost in April, and the Surplus Property Board, created by the last Congress, is not yet efficiently operating. Time is required.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. McMAHON. One of the reasons why the Board has not been able to operate efficiently is that it has not had the money with which to operate.

Mr. O'MAHONEY. Unquestionably; it has not been allowed the necessary appropriations.

Mr. McMAHON. I think that will be found to be the bottleneck.

Mr. O'MAHONEY. Yes.

Mr. McMAHON. The Board has not been enabled to hire personnel. As I understand, there are no funds with which to pay the necessary personnel.

Mr. O'MAHONEY. The Senator is quite correct; and nothing I say should be deemed criticism of the Surplus Property Board. It is not intended as such. The Board has had great difficulty in preparing its regulations. All I desire to point out to the Senate is that we may expect exactly the same kind of delay if the war manpower bill should be enacted into law.

It will take the new agency just as long—indeed, a great deal longer—to learn how to dispose of men, than it has taken the Surplus Property Board to learn how to handle property.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. AIKEN. I should like to have the Senator yield long enough to permit me to say to the Senator from Montana and the Senator from Wyoming that Congress has given to the Surplus Property Board ample power to do the things we intended it to do, provided it has the approval of the Director of War Mobilization. On page 3 of the Surplus Property Act of 1944, it will be found that section 5 (a) provides that "There is hereby established in the Office of War Mobilization and in its successor, the Surplus Property Board," and so on.

As I understand, the reason why the Surplus Property Board cannot exercise any of the authority granted it by the Congress is that the Office of War Mobilization simply will not let it do so; and the Surplus Property Board has no money; it has no personnel. All it can do is sit there and vote. Some day the law may be amended so that the Board can really perform its duties effectively.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHERRY. I wish to summarize the situation briefly. We realize that the reason why the Surplus Property Board cannot perform effectively is, not that it is not holding meetings, but that, sitting under the Office of War Mobilization, it apparently does not have the authority or power which Congress intended to give it. It is that situation which we must correct, and we must do so immediately. It is a fact that the Surplus Property Board is being circumvented and bypassed in the disposal of surplus property this very day. That is the testimony of former Senator Gillette of Iowa.

Of course, the Senator from North Dakota is correct in stating that we should do it and should do it expeditiously; and we want to do it. But, again, I urge that the committee be permitted to conclude its hearings and write its report and submit it. I believe that from its report we can obtain the evidence we need in order to draft amendments to strengthen the act and to take the Surplus Property Board out of the War Mobilization agency, or at least to permit it to do the job which Congress intended it to do.

PARTICIPATION OF THE UNITED STATES IN WORLD PEACE ORGANIZATION

During the delivery of Mr. LANGER'S speech,

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. LANGER. I yield providing the remarks of the distinguished Senator from West Virginia are placed at the end of my speech.

Mr. REVERCOMB. I thank the Senator from North Dakota.

Mr. President, the announcement made in the press this morning that the British Empire is to have six votes, the United States is to ask for three votes, and Russia three votes in the world organization plan brought forth in the Dumbarton Oaks Conference, is a shock to many people of America who love their country and wish to protect its future. No such plan can be accepted. This Nation is today the strongest in military and naval might. She has contributed 60 percent of all materials used by the Allies in this war. She has sent her soldiers thousands of miles from home to fight the enemy. She has sent them further from home and from their homeland than any other soldiers have been sent. Her Navy is the largest in the world; her economic position, and her material wealth are the greatest upon the earth. And yet it is proposed that an inferior voting place in a world organization be given America. Such a plan is unthinkable.

The British Empire bases her claim of 6 votes upon the statement that the Empire is made up of 6 Dominions, or States, or Commonwealths. But all of them have a single interest and a single purpose in world affairs. They act in

concert. In peace they trade for their mutual benefit. In war they act in unison. A governor general, a commissioner, or a representative is sent from London to each of the Dominions or possessions of the British Empire, and each of the Dominions sends its representative to the British Government at London. They are, in fact and in substance, as much as 1 entity as are the several States of the American Union which constitute 1 Nation. If the British plan is to be followed as a basis for according votes in a world organization, the United States is entitled to 43 votes, 1 for each of its sovereign States. But, Mr. President, we ask for no such voting plan as that. If such a plan is to be followed, the Union of Soviet Socialist Republics, commonly called Russia, would be entitled to 1 vote for each state or republic within that Nation.

It seems to me that the fair and practical plan would be to give one vote to each nation or empire within the organization, and to reserve unto each of the stronger armed nations and empires the power of veto over any decision to use force as announced after the meeting at Yalta.

On April 25 of this year a conference will take place at San Francisco, Calif., at which time the plan of voting to which I have referred will be discussed and acted upon, and presented to the various governments affected by the proposed organization. I urge upon those who are sent to the conference as representatives of the United States that they act within the bounds of justice and fairness in protecting our Nation and its people who sent them to the conference. I hope that they will not assent to any plan which would give to this country an inferior voting position in any plan adopted at that meeting. If they do so, then the desire for an organization within which nations may discuss and try to solve their international problems is doomed; we will get nowhere. I do not believe the American people will accept any plan which gives to their country less voice and less voting power than is given to any other nation or empire within the organization. Americans are justified in taking such a view, and I hope they will not accept a position which is less than one of equality in every respect with that of other nations, empires, and unions.

Furthermore, Mr. President, I may say that with regard to any plan which we shall adopt—and today I believe the people of this country desire a workable plan—we will meet with fairness, and even with generosity, the viewpoint of other nations; but under no plan must we accede to a position for our country in which its future interests and its affairs in the world may be dominated by another country, regardless of what country or empire it may be.

I again thank the Senator from North Dakota for yielding to me.

Mr. LANGER. I am always glad to yield to the distinguished Senator.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. JOHNSTON of South Carolina. Mr. President, I have listened with interest to the junior Senator from West Virginia. At this time I can observe indications of what may happen in the future so far as entering into agreements to prevent wars is concerned. I hope that we shall never again allow small considerations to prevent us from entering into some form of cooperation having for its aim, at least, the attempt to prevent our Nation from engaging in another war, regardless of whether the form of cooperation agreed to gives to the United States three votes, England six votes, and Russia three or six votes. I—and I believe other Members of the Senate—want the United States to have just as much representation in any world plan as possible, but regardless of how much the representation shall be, I for one intend to vote that the United States enter into some kind of cooperation between the various nations in an attempt to prevent another war.

Mr. REVERCOMB. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from West Virginia?

Mr. LANGER. I yield.

Mr. REVERCOMB. I join the Senator from South Carolina in the view that this country may well enter into some organization with other countries of the world for the purpose of settling world problems; but I do not agree with him that we should enter just any plan, and I do not consider it a small matter in any sense that this great Nation should take a less place than any other nation in determining questions that will affect the destiny of the American people. We must not do that. I do not ask that they be given a greater voice; I do not ask that they dominate, but I do ask that they be given an equal voice and an equal voting right.

I make this statement today because I think it is timely.

The able representatives of this country who have been selected to meet with the representatives of other countries at San Francisco on the 25th of April should hear now, before that meeting takes place, the views of all Members of the Senate, if they care to express themselves and likewise the views of the American people. I say this in the hope that out of that conference some plan may come forth which is worth while and not one which will be doomed to utter failure. And any plan that will not give America equal voice and vote will fail and should fail.

EXECUTIVE SESSION

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. LANGER. I yield.

Mr. BARKLEY. Inasmuch as the discussion which has transpired since the last roll call has cleared up most of the controversial matters relative to the conference report on manpower legislation, I wonder whether the Senator will yield to me so that I may move that the Senate proceed to the consideration of executive business.

Mr. LANGER. Certainly.

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. TAYLOR in the chair) laid before the Senate a message from the President of the United States submitting the nomination of Roger T. Foley, of Nevada, to be United States district judge for the district of Nevada, which was referred to the Committee on the Judiciary.

THE CALENDAR

The PRESIDING OFFICER. If there be no reports of committees, the clerk will call the calendar.

COLLECTORS OF INTERNAL REVENUE

The legislative clerk read the nomination of Francis H. Smith to be collector of internal revenue for the first district of Pennsylvania.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John J. Quinlivan to be collector of internal revenue for the tenth district of Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COLLECTOR OF CUSTOMS

The legislative clerk read the nomination of Clara E. Sarvela to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I move that the nominations in the Public Health Service be confirmed en bloc.

Mr. LANGER. Mr. President, I wish to speak a good word for Kenneth A. Haines. I have known him for a long time, and I know he is one of the outstanding dental surgeons in America. I hope his nomination will be unanimously confirmed.

Mr. BARKLEY. Let me ask the Senator from what State Dr. Haines comes?

Mr. LANGER. I do not know. I know he is not from North Dakota.

Mr. BARKLEY. I merely wished to identify him. I thank the Senator for his accommodation.

Nevertheless, Mr. President, I ask unanimous consent that the nominations in the United States Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of the nominations.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of the confirmation of the nominations.

RECESS TO MONDAY

Mr. BARKLEY. As in legislative session, I move that the Senate take a

recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 36 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until Monday, April 2, 1945, at 12 o'clock meridian.

NOMINATION

Executive nomination received by the Senate March 30 (legislative day of March 16), 1945:

THE JUDICIARY

UNITED STATES DISTRICT JUDGE

Roger T. Foley of Nevada, to be United States district judge for the district of Nevada, vice Hon. Frank H. Norcross, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 30 (legislative day of March 16), 1945:

COLLECTORS OF INTERNAL REVENUE

Francis R. Smith to be collector of internal revenue for the first district of Pennsylvania.

John J. Quinlivan to be collector of internal revenue for the tenth district of Ohio.

COLLECTOR OF CUSTOMS

Clara E. Sarvela to be collector of customs for customs collection district No. 36, with headquarters at Duluth, Minn.

UNITED STATES PUBLIC HEALTH SERVICE

PROMOTIONS IN THE REGULAR CORPS

To be temporary dental surgeon, effective February 1, 1945

Kenneth A. Haines.

To be passed assistant sanitary engineers, effective date indicated

Albert H. Stevenson, May 1, 1945.
Frank Tetzlaff, May 1, 1945.
Callis H. Atkins, March 16, 1945.

To be temporary senior assistant surgeons, effective March 1, 1945

John K. McBane	Vernon R. Dennis, Jr.
Edwin D. Merrill	James R. Hurley
Frank A Buell	Herbert F. Hager
Wardell H. Mills	Andrew P. Sackett

To be temporary senior surgeons, effective March 1, 1945

Theodore J. Bauer
James R. Shaw
Joseph S. Spoto

To be temporary senior sanitary engineer, effective March 1, 1945

Allen D. Brandt

SENATE

MONDAY, APRIL 2, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Almighty and merciful Father, we would begin the day with Thee conscious of our helplessness and of Thy supreme and sovereign power. As Thou hast given us life, so, we implore Thee, sustain it and make us ready and willing for whatever service Thou wouldst have us do.

We thank Thee for the sacrament of April beauty, for the glory of common things and the light of heaven upon our daily path. Help us so to live that we may find eternity in the midst of time and that, walking the lighted way with pure intent to serve Thy kingdom of love; we may hasten the universal reign of the Risen Redeemer upon the earth. We ask it in the name of Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, March 30, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on March 31, 1945, the President had approved and signed the following acts:

S. 167. An act for the relief of Perkins Gins, formerly Perkins Oil Co., of Memphis, Tenn.; and

S. 681. An act to amend the National Housing Act, as amended, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, DEPARTMENT OF AGRICULTURE (S. Doc. No. 37)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $1,350,000 for the Department of Agriculture, in the form of an amendment to the Budget (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

REPORT OF DIRECTOR OF WAR MOBILIZATION AND RECONVERSION

A letter from the Director of War Mobilization and Reconversion, transmitting, pursuant to law, his second quarterly report (with an accompanying report); to the Committee on Finance and ordered to be printed as a Senate document with illustrations.

HOLDING OF CERTAIN LANDS IN MONTANA IN TRUST FOR INDIAN USE

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to declare that the United States holds certain lands in trust for Indian use, and for other purposes (with an accompanying paper); to the Committee on Indian Affairs.

HOLDING OF CERTAIN LANDS IN NORTH AND SOUTH DAKOTA IN TRUST FOR INDIAN USE

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to declare that the United States holds certain lands in trust for Indian use, and for other purposes (with an accompanying paper); to the Committee on Indian Affairs.

PERSONNEL REQUIREMENTS

A letter from the Chairman of the Federal Communications Commission, transmitting, pursuant to law, an estimate of personnel requirements of the Commission for the quarter ending June 30, 1945 (with accompanying papers); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the House of Representatives of the State of Illinois; to the Committee on Agriculture and Forestry:

"House Resolution 36

"Whereas the United States Fish and Wildlife Service of the Department of the Interior is considering extending the hunting season for ducks, due to the great increase in the duck population; and

"Whereas such an extension of the hunting season would be of small benefit to the Illinois hunters since the rivers and lakes are frozen over before the end of the present season rendering it useless in its last few days; and

"Whereas the ducks arriving in Illinois after having been fired upon in the Dakotas and Canada are both gun-shy and blind-shy when they reach Illinois, and render it almost impossible under existing regulations and conditions, to fully enjoy the sport of duck hunting; and

"Whereas if duck hunters were allowed to use live decoys from blinds, the chance of obtaining the limit would be made at least possible; and

"Whereas there is now pending before Congress H. R. 2081, a bill to permit the use of six live decoys to each blind in the taking of ducks: Therefore be it

"Resolved by the House of Representatives of the Sixty-fourth General Assembly of the State of Illinois, That we do hereby endorse H. R. 2081, and urge its passage, and respectfully request the Representatives in Congress and the two United States Senators from Illinois to give their support to this bill; and be it further

"Resolved, That copies of this preamble and resolution be forwarded by the secretary of state to the President of the United States, the Speaker of the House of Representatives of the Congress of the United States, the President of the Senate of the United States, the United States Fish and Wildlife Service of the Department of the Interior, and to each of the Senators and Representatives in Congress from Illinois.

"Adopted by the house March 21, 1945."

Two joint memorials of the Legislature of the Territory of Alaska; to the Committee on Commerce:

"Senate Joint Memorial 3

"To the Honorable the Congress of the United States, to the Honorable Henry L. Stimson, Secretary of War, and to the Honorable E. L. Bartlett, Delegate to Congress from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, respectfully represents that:

"Whereas the community of Tenakee, Tenakee Inlet, Alaska, is the center of a large fishing area and is utilized by a large number of fishermen; and

"Whereas there is no harbor or safe anchorage at or near said Tenakee and on account thereof those operating in the waters adjacent thereto are required, on the approach of severe and sudden storms, to run for shelter to distant ports, all of which entails great risk and loss of life and property as well as heavy expense: Now therefore

"Your memorialist, the Legislature of the Territory of Alaska in seventeenth session assembled, respectfully urges that the United States Government improve the harbor and build a breakwater at Tenakee, Alaska, as

soon after World War No. 1 as it can reasonably be done.

"And your memorialist will ever pray.

"Passed by the senate February 17, 1945.

"Approved by the Governor March 19, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

"House Joint Memorial 6

"To the President of the United States, to the Senate and House of Representatives of the United States, to the Secretary of the Interior, and to the Delegate from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska in seventeenth regular session assembled, respectfully represent that:

"Whereas the Honorable Franklin D. Roosevelt has recently expressed a deep interest in the need for the development and protection of Alaska's great natural resources; and

"Whereas the salmon-fishing industry in Alaska reached its peak of production; and

"Whereas the United States Fish and Wildlife Service has failed for the lack of funds to construct facilities to increase the salmon spawning acreage within the salmon spawning areas of Alaska; and

"Whereas an increase of population within the Territory of Alaska would be encouraged by additional salmon spawning areas or additional acreage: Now therefore

"Your memorialist, the Legislature of the Territory of Alaska, respectfully prays that the Congress of the United States appropriate the sum of $5,000,000 to the Fish and Wildlife Service of the United States Department of the Interior to be used over a period of 4 years for the purpose of reconverting, improving, and increasing, during the post-war period, the salmon spawning areas within the Territory.

"And your memorialist will ever pray.

"Approved by the Governor March 19, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

A memorial of the House of Representatives of the Territory of Alaska; to the Committee on Public Lands and Surveys:

"House Memorial 5

"To the Congress of the United States and to the Honorable E. L. Bartlett, Delegate to Congress from Alaska:

"Your memorialist, the House of Representatives of the Legislature of the Territory of Alaska, in seventeenth regular session assembled, respectfully represents:

"That there are vast areas of rich land in the Territory of Alaska, unoccupied, unappropriated, and unused, some of which is suited to agricultural purposes, some contains mineral, much of it contains timber, and, from all indications, petroleum and other valuable products.

"That the paramount need of the Territory in times of peace is the further settlement, and the development of all its known and potential resources.

"That the present war has taken into the armed forces of the United States great numbers of young men constituting the overwhelming majority of all those who are physically fit for military service, and that these men, residents of the Territory, are the ones upon whom the Nation must rely for the future settlement and development of the Territory: Now therefore

"Your memorialist respectfully prays that Congress enact the necessary legislation for the purpose of granting to every resident of Alaska now in the armed forces of the United States and, every branch thereof, upon his or her honorable discharge, not to exceed 160 acres of unappropriated land or public domain in the Territory of Alaska, to be selected by the applicant, and that a United States patent be issued therefor upon the filing of an application and the approval of a survey of the land selected.

"And your memorialist will ever pray.

"Approved by the Governor March 19, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

A resolution adopted by the Council of the City of Los Angeles, Calif., favoring the enactment of House bill 2346, the so-called merchant seamen's bill of rights; to the Committee on Commerce.

A resolution adopted by the Council of the City of Los Angeles, Calif., favoring the enactment of legislation to permit Sister Kenny to remain in the United States in order that she may continue her experiments toward the elimination of poliomyelitis in this country; to the Committee on Education and Labor.

A resolution adopted by the City Council of Philadelphia, Pa., favoring the designation of Philadelphia, Pa., as headquarters for any organization established for the maintenance of world peace; to the Committee on Foreign Relations.

By Mr. GREEN:

A resolution of the General Assembly of the State of Rhode Island; to the Committee on Naval Affairs:

"Senate Resolution 126

"Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to exert every effort to have the Walsh-Kaiser shipbuilding plant in Providence, R. I., made a permanent repair base for the United States Navy and the American merchant marine and at the same time to give every consideration to the feasibility of building a drydock in Providence.

"Whereas the services of the numbers of skilled craftsmen in the shipbuilding plant of the Walsh-Kaiser Co. in Providence, R. I., should be retained for the good of national production and stability: therefore be it

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they hereby are respectfully requested and urged to exert every effort to have the Walsh-Kaiser shipbuilding plant in Providence, R. I., made a permanent repair base for the United States Navy and the American merchant marine and at the same time to give every consideration to the feasibility of building a drydock in said city of Providence along the waters of the Providence Harbor and/or Narragansett Bay; and be it further

"Resolved, That duly certified copies of this resolution be transmitted by the Secretary of State to the Senators and Representatives from Rhode Island in the Congress of the United States."

By Mr. TYDINGS:

A resolution adopted by the Board of County Commissioners of Montgomery County, Md., favoring the enactment of legislation to eliminate the requirement of oath in connection with applications for benefits under laws and regulations administered by the Administrator of Veterans' Affairs; to the Committee on Finance.

A petition of sundry citizens of Union Bridge, Md., praying for the enactment of House bill 2082, Seventy-eighth Congress, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war; to the Committee on the Judiciary.

Petitions of sundry citizens of the State of Maryland, praying for the enactment of legislation providing 1 year of training for 18-year-old boys before being sent into battle; to the Committee on Military Affairs.

A resolution adopted by the Women's Society of Christian Service, Baltimore, Md., favoring the enactment of legislation providing for full rights of citizenship for American Indians; to the Committee on Indian Affairs.

By Mr. RADCLIFFE:

A resolution adopted by the Board of County Commissioners of Montgomery County, Md., favoring the enactment of legislation to eliminate the requirement of oath in connection with applications for benefits under laws and regulations administered by the Administrator of Veterans' Affairs; to the Committee on Finance.

SAN FRANCISCO CONFERENCE ON INTERNATIONAL ORGANIZATION

Mr. WILLIS. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD resolutions adopted by the Allen County, Ind., Republican Club containing some very pertinent and thought-provoking ideas about the forthcoming international security conference to be held in San Francisco during the month of April.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas the International Security Conference is to be held in San Francisco during the month of April 1945: Therefore, be it

Resolved, That the Allen County Republican Club sponsor a movement in this and other communities urging that all sessions of this conference be open to the American public through representatives of the press and radio; and be it further

Resolved, That in the event an international governing body be set up at the International Security Conference that a day-to-day record of the complete proceedings of this body, similar to the CONGRESSIONAL RECORD, be published and be made available to the American people, press, and radio as a safeguard to the sovereignty of the United States of America.

Whereas a secret agreement, understanding, or treaty by any representative of the Government of the United States of America with any foreign representative or government has never held a place in our free form of government, and is likely to interfere with the freedom of the people; and

Whereas free access of American citizens to all information on international agreements for open discussion and debate is a fundamental principle of a free republic; and

Whereas the present national administration is now committed to a policy of international cooperation requiring agreements, understandings, and treaties with foreign nations; and

Whereas the decision on all final treaties with these foreign nations rests with the Senate of the United States, whose every action is made daily available to the people, the press, and the radio through the published CONGRESSIONAL RECORD; and

Whereas the Constitution of the United States article 2, section 2, reads "The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur"; and

Whereas the executive branch of our Government has violated the principle of this section of the Constitution by making secret agreements and understandings with the representatives of other governments without the advice and consent of the Senate: Therefore, be it

Resolved, First, that the Allen County Republican Club of Fort Wayne, Ind., sponsor a movement in this and other communities looking toward an amendment to the Constitution of the United States giving all agreements and understanding between this Nation and any other nation the status of international treaties;

Secondly, that a completely detailed report of every agreement, understanding, or treaty by the President or other person in authority be immediately made to the Senate for its advice and consent, and that ratification require a two-thirds concurring vote by the Senate;

Finally, that such a constitutional amendment would prevent the insidious practice of making agreements whose provisions are kept secret from the American people, and would guarantee:

1. The balance of power of the three branches of government as set forth in our Constitution will be maintained;

2. The people will be promptly informed of all actions on foreign policy taken by their Government, through the CONGRESSIONAL RECORD and the press and radio; and finally

3. Assure the people that the sovereignty of the United States of America will be preserved at all times in its relationship to other nations.

UNIFORM MARRIAGE AND DIVORCE LEGISLATION

Mr. CAPPER. Mr. President, a few days ago I introduced Senate bill 726 and Senate Joint Resolution 47, dealing with uniform marriage and divorce legislation. These measures were referred to the Senate Committee on the Judiciary.

I have received a splendid letter from Willard L. Kauth, director of the Boys' Athletic League, a Nation-wide organization. I send this letter to the desk with the request that it be referred to the Judiciary Committee, and I ask unanimous consent that it be printed in the CONGRESSIONAL RECORD. I think Mr. Kauth sets forth strong reasons why sound family life in America will do much to keep the home fires burning.

There being no objection, the letter was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

BOYS' ATHLETIC LEAGUE, INC.,
New York, N. Y., March 22, 1945.

Senator ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPPER: The bill introduced by you to provide for uniform regulation of marriage and divorce is certain to win the approval of all those who have the public interest at heart. It strikes at the heart of the evil—the disrupted home, which is so largely responsible for juvenile delinquency and a life of criminal pursuit.

We have here at the Boys' Athletic League come face to face with the problem of broken homes. Our work for the past 20 years coming into contact with untold thousands of underprivileged boys and girls have definitely convinced us that most wayward youths lack proper parental guidance and the advantages of a normal life.

More than 150 social-welfare agencies in Greater New York participate in our activities and include community centers, social settlements, church houses, Y. M. C. A.'s, Y. M. H. A.'s and similar groups. Our aim has been to get youths off the streets, to inculcate character, to promote civic responsibility, to create higher ideals and at the same time take them out of lowly environment and send many of them to summer vacation camps.

Although we feel that though we have accomplished a tremendous amount of good we believe that uniform regulations to govern marriages and divorces are a progressive step in the prevention of much crime and a duty that society owes to the youths of America, "in keeping the home fires burning."

Most sincerely yours,

WILLARD L. KAUTH,
Director.

REPORT OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 27. A bill to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who are forced to cease operations because of the war; without amendment (Rept. No. 158).

S. Res. 35. Resolution to investigate certain activities of the Securities and Exchange Commission and the Post Office Department (Rept. No. 159).

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The VICE PRESIDENT laid before the Senate reports for the month of March 1945, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

PENSIONS COMMITTEE

APRIL 2, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of a person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Louis J. Meyerle	612 Bennington Dr., Silver Spring, Md	Veterans' Administration	$5,000

JAMES M. TUNNELL, *Chairman.*

COMMITTEE ON NAVAL AFFAIRS

MARCH 31, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Capt. James A. Saunders, U. S. Navy (retired).	4105 Oliver St., Chevy Chase, Md	Office of the Chief of Naval Operations, Navy Department, Washington, D. C.	$6,000
Chief Yeoman Herbert S. Atkinson (AA), U. S. Naval Reserve.	2405 Pennington Rd., Trenton, N. J	Bureau of Naval Personnel, Navy Department, Washington, D. C.	1,512

DAVID I. WALSH, *Chairman.*

SENATE NAVY LIAISON OFFICE

MARCH 31, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lt. Frederick A. McLaughlin, U. S. Naval Reserve.	5305 41st St. NW., Washington, D. C	Bureau of Naval Personnel, Navy Department, Washington, D. C.	$2,400
Lt. Joseph G. Feeney, U. S. Naval Reserve.	2745 29th St. NW., Washington, D. C	do	2,400
Yeoman (2d cl.) Eleanor W. St. Clair, U. S. Naval Reserve.	2134 R St. NW., Washington, D. C	do	1,152
Yeoman (2d cl.) Loretto F. Jochman, U. S. Naval Reserve.	do	do	1,152

The above employees are representatives of the Bureau of Naval Personnel, Navy Department, to assist Senators on naval personnel matters.

DAVID I. WALSH, *Chairman.*

WAR CONTRACTS SUBCOMMITTEE, SENATE MILITARY AFFAIRS COMMITTEE

UNITED STATES SENATE,
COMMITTEE ON MILITARY AFFAIRS,
April 2, 1945.

The VICE PRESIDENT,
United States Senate,
Washington, D. C.

DEAR MR. VICE PRESIDENT: Pursuant to Senate Resolution 319, I am transmitting herewith a list of employees of the War Contracts Subcommittee of the Senate Committee on Military Affairs who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the Department paying the salary of such employee, and the annual rate of compensation for each such employee.

Respectfully yours,

JOSEPH C. O'MAHONEY,
Chairman, War Contracts Subcommittee.

APRIL 2, 1945.

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Kurt Borchardt	6007 34th Pl. NW., Washington, D. C	Smaller War Plants Corporation, Washington, D. C	$5,600
Ann Cheatham	4900 South Capitol St. SE., Washington D. C	do	2,000
Bertram M. Gross	613 South Quincy St., Arlington, Va	Navy Department, Washington, D. C	8,000
Doris Phippen	40 Plattsburg Court NW., Washington, D. C	do	2,300

FIRST PROGRESS REPORT OF JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS (S. DOC. NO. 36)

The VICE PRESIDENT laid before the Senate a letter from the chairman and vice chairman of the Joint Committee on the Organization of Congress, transmitting, pursuant to House Concurrent Resolution 18, the first progress report of that committee on a study of the organization and operation of Congress, which was ordered to be printed.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that the first progress report of the Joint Committee on the Organization of Congress, which has just been laid before the Senate by the Vice President, be printed in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

LETTER OF TRANSMITTAL

UNITED STATES SENATE AND
HOUSE OF REPRESENTATIVES,
Washington, D. C., April 1, 1945.

Hon. HARRY S. TRUMAN,
Vice President of the United States.
Hon. SAM RAYBURN,
Speaker of the House of Representatives.

DEAR MR. VICE PRESIDENT AND MR. SPEAKER: By direction of the joint committee appointed pursuant to House Concurrent Resolution 18 of the Seventy-ninth Congress, to make a full and complete study of the organization and operation of the Congress, we hand you herewith the first intermediate report of that committee.

Sincerely yours,

ROBERT M. LA FOLLETTE, Jr.,
Chairman.
A. S. MIKE MONRONEY,
Vice Chairman.

ORGANIZATION OF CONGRESS—FIRST INTERMEDIATE REPORT

(Pursuant to H. Con. Res. 18)

INTRODUCTION

This committee was first established by the Seventy-eighth Congress, pursuant to Senate Concurrent Resolution 23, which passed the Senate on August 23 and the House on December 15, 1944. Under this resolution, a joint committee was appointed, composed of six Members of each House, who elected Senator Francis Maloney chairman and Representative A. S. MIKE MONRONEY vice chairman at a meeting of the committee on December 20, 1944. A few days later the Seventy-eighth Congress expired and with it this committee. Meanwhile, during the Christmas recess, the committee and the Congress suffered a severe loss in the sudden tragic death of Senator Maloney, who had been coauthor of the resolution creating this committee and an outstanding Senate leader in the effort to strengthen and improve the machinery and methods of Congress.

Following the organization of the Seventy-ninth Congress, House Concurrent Resolution 18, as amended by the Senate, was passed on February 19. The Senate amendments eliminated an earlier provision permitting the committee to utilize the services of voluntary and departmental personnel and prohibited committee recommendations "with respect to the rules, parliamentary procedure, practices, and/or precedents of either House." The resolution specifically provides, however, that the committee may study and recommend the consolidations and reorganization of committees. Vice President TRUMAN appointed Senator RICHARD B. RUSSELL to fill the vacancy caused by the death of Senator Maloney.

The joint committee met on March 3 on call of Vice Chairman MONRONEY, organized, and selected Senator ROBERT M. LA FOLLETTE, Jr., as its chairman and Representative A. S. MIKE MONRONEY as vice chairman. On the same day the committee selected George B. Galloway as staff director.

BACKGROUND OF STUDY

This committee was established in response to a growing realization among Members of Congress of the imperative necessity to provide ways and means which will enable the Congress more effectively to meet and discharge the responsibility and powers vested in the National Legislature by the Constitution.

Congressional interest in self-improvement had manifested itself by the introduction in recent years in both Houses of numerous bills and resolutions by Members of all political parties, proposing various changes in legislative organization and operation. Twenty-three such measures were introduced during the Seventy-seventh Congress, 43 during the Seventy-eighth Congress, and 36 during the first 2 months of the Seventy-ninth Congress, or a total of 102 during the last 4 years. Thirty of these originated in the Senate and 72 in the House.

Moreover, during the Seventy-eighth Congress alone, the subject of congressional reform was discussed on the floor of the House and Senate on no less than 40 separate occasions. The records reveal that an increasing number of Members of both Houses and political parties have expressed concern about the efficiency of Congress since 1941. Together they represent more than one-tenth of the total membership. These Members evidently recognize that the problem of making Congress a more effective legislative machine is becoming increasingly acute, that it is not a party problem, and that it demands solution regardless of the party situation in Congress.

Meanwhile, widespread public interest in a more effectively functioning Congress had also been manifested by a large number of magazine articles, newspaper editorials and columns, radio debates, forum discussions, and reports by civic and professional groups. In recent years public concern for the maintenance of the power of Congress in our governmental structure has been growing due to the tremendous increase in the number and complexity of the national and international issues with which the Congress must deal. Recently a variety of proposals have been advanced by responsible groups and individuals designed to improve and strengthen the instrumentalities of Congress both in its internal organization and in its relationship to other branches of the Government and the public.

The widespread interest in and out of Congress in the subject has been prompted in part by the fate of parliamentary institutions in various countries abroad. The triumph of totalitarianism had its beginnings in the decline and final break-down of their national legislatures which were either suppressed by the dictators or converted into mere pawns of power politics.

Moreover, the decline of Congress in relation to the executive branch of our Federal Government has caused increased legislative concern. Under the Constitution, Congress is the policy-making branch of Government. There are manifest growing tendencies in recent times toward the shift of policy-making power to the Executive, partly because of the comparative lack of effective instrumentalities and the less adequate facilities of the legislative branch. To redress the balance and recover its rightful position in our governmental structure, Congress, many Members feel, must modernize its machinery, coordinate its various parts, and establish the research facilities that can provide it with the knowledge that is power.

COMMITTEE ACTIVITIES TO DATE

Guided by these considerations and mindful of the importance of the study which it has been authorized to make, your committee has begun its hearings. Our first step has been to make a survey of congressional opinion in order to obtain the suggestions and recommendations of Senators and Representatives for the strengthening of Congress.

To this end three things have been done. First, a letter was sent (see appendix) on March 5 to every Member of both Houses soliciting their advice and suggestions. The response has been most gratifying. Nearly all those who have replied have welcomed the study and stressed its importance, and many have offered helpful suggestions.

Second, a series of hearings is in progress at which interested Senators and Representatives have appeared and given the committee the benefit of their advice and counsel. These hearings commenced on March 13 and will continue two or three times a week until all interested Members have been heard. The testimony to date has covered a wide range of topics and revealed the broad scope of

congressional interest in the general subject of the committee's study. (See appendix for a summary of the hearings.)

The committee wishes to express its deep appreciation for the valuable assistance it has thus far received from Members of the House and Senate and urges all who have not appeared or responded to do so at their earliest convenience.

Third, the committee's staff director has collected and analyzed all bills and resolutions proposing changes in legislative organization and operation that have been introduced in the Seventy-seventh to Seventh-ninth Congresses, inclusive, to date; digested the replies received from Members to our letter of inquiry of March 5; and prepared a list of Members interested in the organization of Congress, a study outline on Congress, a questionnaire for distribution among Members of Congress, and press releases summarizing all our hearings to date.

The Joint Committee on the Organization of Congress plans to proceed with its study as rapidly as possible. After it has heard all the Members who desire to appear, we shall invite others not Members of Congress to testify or submit statements in writing. A tentative list of the groups to be heard follows:

1. Officers and employees of Congress.
2. Executive officials.
3. Members of Senate and House Press Galleries.
4. Civic and other groups.
5. Interested professional organizations.
6. Private citizens.

CONTEMPLATED SCOPE OF STUDY

The committee is authorized and directed by House Concurrent Resolution 18 to—make a full and complete study of the organization and operation of the Congress, and to "recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; and the structure of and the relationships between the various standing, special, and select committees of the Congress."

The committee considers that these terms of reference are broad enough to permit it to study, among others, the following main subdivisions of the whole subject:

1. The staffing of Congress.
2. Committee structure and operation.
3. Relations between House and Senate.
4. Liaison between Congress and the Executive.
5. Legislative oversight of administration.
6. Relations with the electorate.
7. Relations with special-interest groups.
8. Congestion of legislative business.
9. The administrative organization of Congress.
10. Compensation of congressional personnel.

We plan to make a thorough study of each of these interdependent problems during the coming months.

CONCLUSION

This report is submitted at this time in accordance with the requirement of House Concurrent Resolution 18 that the committee's first report be made not later than April 1, 1945. The committee has had only 4 weeks of actual working time at its disposal; it has only made a beginning in its study of this great subject. Therefore, it would be premature for the committee to make any recommendations at this time.

In launching its study, the members of the committee are keenly aware of the vital importance of the assignment they have received and they wish to assure the membership of both the House and Senate that they will discharge their responsibilities to the best of their abilities, for we believe that upon a stronger and more effective Congress may well depend the preservation of democracy in the United States.

APPENDIX I

[H. Con. Res. 18, 79th Cong., 1st sess.]

CONCURRENT RESOLUTION

Resolved by the House of Representatives (the Senate concurring), That there is hereby established a Joint Committee on the Organization of the Congress (hereinafter referred to as the committee) to be composed of six Members of the Senate (not more than three of whom shall be members of the majority party) to be appointed by the President of the Senate, and six Members of the House of Representatives (not more than three of whom shall be members of the majority party) to be appointed by the Speaker of the House of Representatives. The committee shall select a chairman and a vice chairman from among its members. No recommendation shall be made by the committee except upon a majority vote of the Members representing each House, taken separately.

SEC. 2. The committee shall make a full and complete study of the organization and operation of the Congress of the United States and shall recommend improvements in such organization and operation with a view toward strengthening the Congress, simplifying its operations, improving its relationships with other branches of the United States Government, and enabling it better to meet its responsibilities under the Constitution. This study shall include, but shall not be limited to, the organization and operation of each House of the Congress; the relationship between the two Houses; the relationships between the Congress and other branches of the Government; the employment and remuneration of officers and employees of the respective Houses and officers and employees of the committees and Members of Congress; and the structure of, and the relationships between, the various standing, special and select committees of the Congress: *Provided*, That nothing in this concurrent resolution shall be construed to authorize the committee to make any recommendations with respect to the rules, parliamentary procedure, practices, and/or precedents of either House, or the consideration of any matter on the floor of either House: *Provided further*, That the language employed herein shall not prohibit the committee from studying and recommending the consolidations and reorganization of committees.

SEC. 3. (a) The committee, or any duly authorized subcommittee thereof, is authorized to sit and act at such places and times during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words.

(b) The committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties.

(c) The expenses of the committee, which shall not exceed $15,000, shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers signed by the chairman.

(d) The committee shall report from time to time to the Senate and the House of Representatives the results of its study, together with its recommendations, the first report being made not later than April 1, 1945. If the Senate, the House of Representatives, or both, are in recess or have adjourned, the report shall be made to the Secretary of the Senate or the Clerk of the House of Representatives, or both, as the case may be. All reports and findings of the committee shall, when received, be referred to the Committee on Rules of the Senate and the appropriate committees of the House.

Passed the House of Representatives January 18, 1945.

Attest: SOUTH TRIMBLE, *Clerk*.

Passed the Senate, amended, February 12, 1945.

Attest: LESLIE L. BIFFLE, *Secretary*.

House agrees to Senate amendments February 19, 1945.

Attest: SOUTH TRIMBLE, *Clerk*.

APPENDIX II

CONGRESS OF THE UNITED STATES—JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

(Created pursuant to H. Con. Res. 18)

As you know, the Congress has passed House Concurrent Resolution 18 providing for a study of ways of strengthening our legislative machinery. The committee is getting under way and feels that our first logical step is to seek information from the membership of the Congress. The help and suggestions of Members will be most valuable in this study.

We are not out on a fault-finding expedition, but rather to discover constructive ways to improve our work and to strengthen the institution of Congress. The interest and enthusiastic support of the country demonstrate that public interest is behind Congress in this effort.

There has been some misunderstanding of this study. We are not attempting a revision of our parliamentary procedures as they concern the passage of bills on the floors of the Congress. Rather, it is to improve our facilities to deal with the problems involved in the bills; facilitating the study of proposed legislation; expediting and strengthening committee work; following up by standing committees a study of the laws and their administration after passage; securing access to independent factual information and statistics pertaining to legislative questions.

Your ideas on these and any other subjects related to this entire field of study will be most valuable. If you will favor us with your views, outlining changes and improvements you believe will help Congress better to meet its constitutional duties under the ever-increasing load of work, we will deeply appreciate it. We would like to have your testimony or statement on any ideas you have. If you will advise us of your willingness to appear or to submit a statement, it will be of great help to the committee.

The committee asks that you respond within 10 days, if possible, because our first report must be submitted by April 1.

Sincerely yours,

———, ———,
Chairman.

———, ———,
Vice Chairman.

APPENDIX III

SYNOPSIS OF SUGGESTIONS RECEIVED FROM MEMBERS OF CONGRESS

On March 5, 1945, the chairman and vice chairman addressed a letter to each Member of Congress, soliciting their suggestions of

improvements in the organization and operation of Congress. There follows a digest of the replies received to date:

Suggestions by Senators

1 BAILEY: Each Senator should have a first-class research secretary, a suitable set of bookcases for reports and hearings, a department clerk, and a library of standard works and Supreme Court decisions. Two days a week should be reserved for committee meetings and 3 days for Senate meetings. Printing of irrelevant matter in the CONGRESSIONAL RECORD should be banned.

2. BRIGGS: Require debate to be germane to question before the Chamber. Devise a better method of informing Senators when a vote is to be taken.

3. BUCK: Establish an Office of the Coordinator of Congressional Activities with a Coordinator and Assistant Coordinator selected by the majority and minority leaders, respectively; and place the Legislative Reference Service, the legislative counsel, a joint document room, and the House and Senate committee clerks under the Coordinator. Hold joint hearings on common problems. Condition Federal grants-in-aid to States on statements of need from Governors.

4. FULBRIGHT: Advocated consolidation of committees and a well-organized group attached to the Senate to study and report on long-run problems, and a report-and-question period.

5. GURNEY: Reduce the number of committee assignments.

6. JOHNSON (Colorado): Suggested better staffing of standing committees, preferably joint staffs.

7. MCCARRAN: Provide standing committees with adequate funds and abolish special and select committees.

8. MILLIKIN: Make a complete study of bill history to determine nature and volume of committee work. Study existing committee jurisdictions and procedure to determine logic of existing system and problem of expert assistance. Study problem of joint committees and joint hearings. Consider better coordination of sessions of Congress and committee hearings.

9. REED: Reduce the number of standing committees and equip the remainder with expert staffs.

10. SHIPSTEAD: Congress should have its own legal and economic research force under civil service. Committee clerks should be put on civil-service status and be paid enough to get competent persons. Reduce the number of committees and do away with all special committees. Adopt a contributory old-age-retirement plan for Members.

11. SMITH: Reduce the number of committees; consolidate the Senate Commerce and Interstate Commerce Committees; create a Joint Committee on the District of Columbia.

12. SALTONSTALL: Advocates the publication of a single bulletin, comparable to the Massachusetts Bulletin of Committee Work, showing the committees of Congress, their members, all bills filed and referred to the various committees, their subject matter, dates of hearing, committtee recommendations, and final disposition.

13. TAYLOR: Delegate settlement of claims and District of Columbia Government; improve acoustics of Senate Chamber, and interpret Senate proceedings to public via a public-relations man at a gallery microphone.

14. TUNNELL: Harder work on part of members of committees.

Suggestions by Representatives

1. BARTLETT, Delegate from Alaska, and PIÑERO, Resident Commissioner from Puerto Rico: Give Delegates and Commissioners the right to vote in committees; permit a second Delegate and Commissioner from each Territory and Puerto Rico to sit in the Senate; and increase their staff allowances.

2. COCHRAN: Thinks we should have been empowered to report our recommendations in form of resolutions. (See also his testimony of March 13.)

3. DE LACY: Needs an assistant to handle service requests. Bill-drafting service should be expanded. Legislative reference service should be enlarged. Members should be allowed to deduct Washington expenses from income tax. Wants a long-distance telephone allowance and a higher air-mail allowance.

4. DOLLIVER: Refer settlement of private claims to Court of Claims.

5. HARE: Staffing of major committees in both Houses with qualified men. Let reporting committees pass on departmental rules and regulations before they become effective. Create an advisory commission of businessmen to furnish Congress reliable facts on post-war problems.

6. LANHAM: Suggests establishment of an Office of Fiscal Investigations, expert staffing of committees, and monthly executive committee sessions with administrative officers in charge of legislation emanating from committees.

7. MAY: There are too many committees; they ought to be consolidated. Would set up an efficient staff to investigate executive agencies. Staff the standing committees, also.

8. MILLER (Nebraska): Combine committtes concerned with related problems, equip Congress with an independent staff, let Judiciary Committee review executive directives, limit witnesses before Rules Committee, and restrict freedom of conference committees to change laws.

9. PLOESER: Reduce the number of committees; avoid making them too large; both Appropriation Committees should be adequately staffed to obtain full knowledge of executive expenditures.

10. RICH. Favors joint sessions of Ways and Means and Appropriations, delegation of claims, consolidating of pension committees, reorganization of Library of Congress, adequate staffing of all committees, and more businesslike management of Members' offices.

11. ROBERTSON (Virginia): Recommends creation of a joint, bipartisan committee to study proposed international federation of the democracies, elimination of obsolete standing committees and consolidation of minor ones, abolition of select investigating committees, reduction of powers of committee chairmen, and coordination of taxation and appropriations committees.

12. SCRIVNER: Would refer departmental rules and regulations back to committees which handled original legislation for their approval or rejection.

13. STOCKMAN: Elect committee chairmen by secret-ballot vote of all members of majority party; staff all committees with independent, unbiased experts; let each member have an executive secretary at $6,000; grant a travel allowance for one complete annual tour of the Member's district; extend the merit system of appointments; reorganize and reduce the committee system, providing for twin committees in both Chambers; adopt the question period; delegate the settlement of private claims to a Federal agency; lengthen House terms to 4 years and stagger them; and increase congressional salaries.

14. TABER: Research staff should be under control of House and Senate, not under Librarian or Comptroller General.

15. TRIMBLE: Let committees and the Houses meet on different days. Expand the Office of Legislative Counsel and provide Members with expert staffs.

16. WHITE: Reorganize, strengthen, and streamline the House Appropriations Committee.

17. WIGGLESWORTH: Congress should spend from $200,000 to $300,000 a year for an adequate and competent staff. All reports and recommendations of the Comptroller General should be promptly considered, preferably by a special committee.

APPENDIX IV

RESOLUTIONS AND BILLS PROPOSING CHANGES IN LEGISLATIVE ORGANIZATION AND OPERATION INTRODUCED IN THE SEVENTY-SEVENTH CONGRESS

Senate

S. Res. 30—Mr. Adams; January 8, 1941 (Rules).

Amends rule VIII so as to prohibit action by unanimous consent on bills in cases where a Senator has given written notice of his objection to their consideration.

S. Res. 50—Mr. Eilbo; January 23, 1941 (Rules).

Admits to the floor of the Senate female clerks to Senators and committees.

S. Res. 158—Mr. Guffey and Mr. White; August 25, 1941 (Audit and Control the Expenses of the Senate). (Passed.)

Authorizes the employment of a research assistant for each of the majority and minority leaders of the Senate.

S. Res. 293—Mr. Downey; September 23, 1942 (Military Affairs).

Provides for an investigation looking to the creation of greater unity and cooperation between Congress and the President in the prosecution of the war.

S. Res. 315—Mr. Pepper; November 23, 1942 (Rules).

Amends the so-called cloture rule of the Senate.

S. Con. Res 42—Mr. Barkley; December 15, 1942. (Agreed to.)

Authorizes the presiding officers of the two Houses to sign enrolled bills and joint resolutions after sine die adjournment.

S. J. Res. 87—Mr. Davis; June 26, 1941 (Library).

Creates a joint congressional bipartisan committee to study post-war problems.

House

H. Res. 47—Mr. Nichols; January 8, 1941 (Rules).

Amends rules X and XI of the House of Representatives by establishing a standing Committee on Aviation.

H. Res. 100—Mr. Maas; February 7, 1941 (Rules).

Amends rules X and XI of the House of Representatives by establishing a standing Committee on Air Services.

H. Res. 387—Mr. Rankin; December 12, 1941 (Rules).

Amends clause 40, rule XI, of the Rules of the House of Representatives of the Seventy-seventh Congress to define the jurisdiction of the Committee on World War Veterans' Legislation.

H. Res. 414—Mr. Hall; January 21, 1942 (Rules).

Amends the discharge rule XXVII of the House of Representatives.

H. Res. 513—Mr. Collins; June 29, 1942 (Rules).

Providing for the amendment of rule X of the House of Representatives by establishing a standing Committee on National Defense.

H. Res. 516—Mr. O'Brien (Michigan); July 6, 1942 (Rules).

Amends rule XI, section 48 to require regular meeting dates for standing committees of the House of Representatives.

H. Res. 579—Mr. Lesinski; December 2, 1942 (Rules).

Amends clause 24 and clause 40, of rule XI, of the Rules of the House of Representatives of the Seventy-seventh Congress to define the jurisdiction of the Committee on Veterans' Affairs and the Committee on World War Veterans' Legislation.

H. J. Res. 179—Mr. Voorhis (California); May 5, 1941 (Accounts).

Establishes a legislative staff for the Congress.

H. J. Res. 182—Mr. Tolan; May 7, 1941 (Expenditures in the Executive departments).

Authorizes Executive departments to aid select and special committees of either House of the Congress.

H. J. Res. 244—Mr. Maas; November 5, 1941 (Rules.)

Creates a Joint Committee on Priorities and Allocations.

H. J. Res. 353—Mr. Dirksen; October 19, 1942 (Rules).

Establishes a Joint Congressional Committee on Military and Naval Affairs and Appropriations.

H. R. 984—Mr. Hill (Washington); January 3, 1941 (Accounts).

Provides for the installation of an automatic machine for recording and counting votes in the House of Representatives.

H. R. 4901—Mr. Keogh; May 28, 1941 (Accounts).

Amends the act of March 2, 1929 (ch. 536, 45 Stat. 1542), by establishing the Office of Law Revision Counsel.

H. R. 6667—Mr. Lanham; February 24, 1942 (Accounts).

Establishes an Office of Fiscal Investigations as an agency of the House of Representatives.

H. R. 7068—Mr. Keogh; May 11, 1942 (Accounts).

Amends the act of March 2, 1929 (ch. 536, 45 Stat. 1542), by establishing the Office of Law Revision Counsel.

H. R. 7842—Mr. Thom; December 3, 1942 (Judiciary).

Provides that the heads of the executive departments may occupy seats on the floor of the Senate and the House of Representatives.

RESOLUTIONS AND BILLS PROPOSING CHANGES IN LEGISLATIVE ORGANIZATION AND OPERATION INTRODUCED IN THE SEVENTY-EIGHTH CONGRESS

Senate

S. Res. 22—Mr. Wiley; January 7, 1943 (Foreign Relations).

Invites the President to join with the Senate in the creation of a Foreign Relations Advisory Council.

S. Res. 154—Mr. Gillette; June 1, 1943 (Rules).

Authorizes a study of the Standing Rules of the Senate with a view to their general revision.

S. Res. 169—Mr. La Follette; July 5, 1943 (Rules).

Revises the standing committees of the Senate and defines their jurisdiction.

S. Con. Res. 23—Mr. Maloney; November 9, 1943 (Rules).

Establishes a Joint Committee on the Organization of the Congress.

S. Con. Res. 32—Mr. Andrews; January 28, 1944 (Rules).

Provides for a joint rule of the House and Senate relative to the subject matter of bills and joint resolutions and manner of revising or amending statutes.

S. Con. Res. 47—Mr. Barkley; June 23, 1944. (Agreed to.)

Authorizes the presiding officers of the two Houses to sign enrolled bills and joint resolutions after adjournment.

S. J. Res. 22—Mr. Pepper; January 18, 1943 (Education and Labor).

Appoints a joint committee of the Congress to make a study of war and post-war problems.

S. J. Res. 60—Mr. La Follette; May 17, 1943 (Foreign Relations).

Establishes a committee to provide for the formation of a Pan-American Legislative Union.

S. J. Res. 145—Mr. Pepper; August 15, 1944 (Rules).

Authorizes the broadcasting of the proceedings of the Senate and the House of Representatives.

S. 764—Mr. Tydings; February 25, 1943 (Appropriations).

Establishes a joint committee of Congress to conduct studies, make analyses of, and evaluate requests for, appropriations.

S. 1556—Mr. Bone; November 30, 1943 (Expenditures in the Executive Departments).

Relates to the assignment of personnel from the executive branch of the Government to congressional committees in connection with certain investigations.

S. 1730—Mr. George and Mr. Murray; February 22, 1944 (Military Affairs).

Creates an Office of Demobilization, establishes general policies for the operation of that Office, provides for the settlement of claims arising from terminated war contracts, provides for the disposal of surplus Government property, etc. Includes section on surveillance by Congress.

House

H. Res. 19—Mr. Dirksen; January 6, 1943 (Rules).

Creates the Select Committee on Congressional Reorganization.

H. Res. 22—Mr. Ludlow; January 6, 1943 (Rules).

Creates a Committee on Fiscal Planning.

H. Res. 27—Mr. Voorhis of California; January 6, 1943 (Rules).

Provides for continuing review of the work of executive agencies by standing committees of the House.

H. Res. 60—Mr. Voorhis (California); January 19, 1943 (Rules).

Provides for continuing review of the work of executive agencies by standing committees of the House

H. Res. 126—Mr. Rankin; February 19, 1943 (Rules).

Relates to reporting debates as heard on the floor of the House.

H. Res. 325—Mr. Jensen; October 19, 1943 (Rules).

Provides examiners and other personnel necessary for the acquisition of adequate information for the use of the subcommittees of the Committee on Appropriations.

H. Res. 327—Mr. Kefauver; October 19, 1943 (Rules).

Amends the Rules of the House to provide for a question period at which heads of executive departments and independent agencies are requested to appear and answer questions.

H. Res. 354—Mr. Wickersham; November 10, 1943 (Rules).

Grants the subpena power to the Committee on Agriculture.

H. Res. 358—Mr. Lanham; November 18, 1943 (Accounts).

Establishes an Office of Fiscal Investigations as an agency of the House of Representatives.

H. Res. 365—Mr. Phillips; November 24, 1943 (Rules).

Amends rule XI of the Rules of the House so as to grant to standing committees the power of subpena.

H. Res. 410—Mr. Rankin; January 24, 1944 (Rules).

Amends the Rules of the House of Representatives to define jurisdiction of Committee on World War Veterans' Legislation.

H. Con. Res. 8—Mr. Dirksen; January 19, 1943 (Rules).

Establishes a Joint Congressional Committee on Economy and Efficiency, and for other purposes.

H. Con. Res 54—Mr. Monroney; November 9, 1943 (Rules).

Creates a joint committee for the purpose of studying means for improving the organization and effectiveness of Congress.

H. J. Res. 10—Mr. Dirksen, January 6, 1943 (Rules).

Establishes a Joint Congressional Committee on Military and Naval Affairs and Appropriations.

H. J. Res. 53—Mr. Burdick; January 14, 1943 (Rules).

Establishes a joint committee of the Senate and House to formulate social-security legislation.

H. J. Res. 57—Mr. Dirksen; January 13, 1943 (Library).

Provides additional research personnel for the committees of Congress.

H. J. Res. 66—Mr. Dirksen; January 25, 1943 (Rules).

Establishes the Joint Committee on Administrative Review.

H. J. Res. 116—Mr. Elmer; April 17, 1943 (Rules).

Provides for a more coordinated effort in developing a sound economy to meet the requirements of war and peace and to promote the general welfare. Creates a special joint bipartisan committee.

H. J. Res. 173—Mr. Pittenger; October 18, 1943 (Rules).

Establishes joint congressional committees to obtain complete information with respect to the functioning of the executive departments and independent agencies of the Government.

H. J. Res. 309—Mr. Hare; September 13, 1944 (Accounts).

Provides for the appointment of expert employees to assist major standing committees of the Senate and House of Representatives.

H. J. Res. 311—Mr. Coffee; September 19, 1944 (Rules).

Authorizes the broadcasting of the proceedings of Congress.

H. R. 78—Mr. Keogh; January 6, 1943 (Accounts).

Creates the Office of Law Revision Counsel in the House.

H. R. 83—Mr. Lanham; January 6, 1943 (Accounts).

Establishes an Office of Fiscal Investigations as an agency of the House of Representatives.

H. R. 1479—Mr. Kefauver; January 25, 1943 (Judiciary).

Provides that the heads of the executive departments may occupy seats on the floor of the Senate and the House of Representatives.

H. R. 2468—Mr. Cochran; April 12, 1943 (Accounts).

Authorizes the assignment of personnel from departments or agencies in the executive branch of the Government to certain investigating committees of the Senate and House.

H. R. 2499—Mr. Hoffman; April 15, 1943 (Judiciary).

Aids in the preservation of freedom of speech and of the press. Provides for conferences between Congress and executive officials.

H. R. 4252—Mr. Rees (Kansas); February 23, 1944 (Accounts).

Creates a congressional Bureau of Efficiency.

H. R. 4392—Mr. Kefauver, March 13, 1941 (Judiciary).

Creates an Office of Demobilization, establishes general policies for the operation of that Office, provides for the settlement of claims arising from terminated war contracts, prescribes the jurisdiction of courts in connection therewith, etc. Contains a section on surveillance by Congress.

H. R. 5227—Mr. Dingell; August 22, 1944 (Ways and Means).

Amends the Social Security Act, as amended, to provide a national program for war mobilization and reconversion, and for other purposes. Creates a Special Joint Committee on Post-War Adjustment.

H. R. 5485—Mr. Smith (Virginia); November 20, 1944 (Rules).

Creates a Joint Legislative Staff Service for the Congress; a Joint Committee on Appropriations; a Joint Committee on Executive Agencies and Procedures; a Joint Committee

on the Organization of Congress; and for other purposes.

H. R. 5486—Mr. Voorhis (California); November 20, 1944 (Rules).

Creates a Joint Legislative Staff Service for the Congress; a Joint Committee on Appropriations; a Joint Committee on Executive Agencies and Procedures; a Joint Committee on the Organization of Congress; and for other purposes.

RESOLUTIONS AND BILLS PROPOSING CHANGES IN LEGISLATIVE ORGANIZATION AND OPERATION INTRODUCED IN THE SEVENTY-NINTH CONGRESS TO MARCH 4, 1945

Senate

S. Res. 7—Mr. Fulbright; January 6, 1945 (Rules).

Provides for a report and question period.

S. Res. 12—Mr. Vandenberg; January 6, 1945 (Rules).

Adds a new standing rule relative to river and harbor projects.

S Res. 19—Mr. McCarran; January 6, 1945 (Rules).

Authorizes establishment of a standing Committee on Civil Aviation and Aeronautics.

S. Res. 30—Mr. Barkley; January 10, 1945. (Agreed to.)

Amends standing rules to provide for the appointment of 33 standing committees.

S. Res. 40—Mr. McCarran; January 22, 1945 (Rules).

Amends standing rules of Senate by authorizing standing committees to make investigations and conduct studies within their jurisdiction. Designed to obviate the need of establishing select or special committees.

S. Res. 77—Mr. Wherry; February 15, 1945 (Audit and Control Contingent Expenses of the Senate).

Relates to payments from the contingent fund of the Senate in connection with inquiries and investigations.

S. Con. Res. 7—Mr. Barkley (for Mr. Maloney); January 11, 1945 (Rules).

Establishes a Joint Committee on the Organization of Congress.

S. Con. Res. 10—Mr. Andrews; February 15, 1945 (Rules).

Establishes joint rules confining every bill and resolution to one subject, and requiring reenactment and publication of amended or revised laws.

S. J. Res. 2—Mr. La Follette; January 6, 1945 (Foreign Relations).

Establishes a committee to provide for the formation of a Pan-American Legislative Union.

S. 380—Mr. Murray et al; January 22, 1945 (Banking and Currency).

Creates a Joint Committee on the National Budget as part of a full-employment policy and program.

S. 469—Mr. Byrd; February 5, 1945 (Banking and Currency).

Provides for the financial control of Government corporations.

House

H. Res. 19—Mr. Lesinski; January 3, 1945 (Rules).

Amends the rules to define the jurisdiction of the Committee on Veterans' Affairs and the Committee on World War Veterans' Legislation.

H. Res. 24—Mr. Patman; January 3, 1945 (Rules).

Creates a Select Committee on Small Business and defines its powers and duties.

H. Res. 31—Mr. Kefauver; January 3, 1945 (Rules).

Amends the Rules of the House to provide for a report and question period at which heads of departments, agencies, and independent establishments in the executive branch of the Government are requested to appear and answer questions.

H. Res. 33—Mr. Ludlow; January 3, 1945 (Rules).

Creates a Committee on Fiscal Planning.

H. Res. 34—Mr. Randolph; January 3, 1945 (Rules).

Amends rules X and XI of the House of Representatives by establishing a standing Committee on Aviation.

H. Res. 55—Mr. Woodrum (Virginia); January 18, 1945 (agreed to).

Establishes a Select Committee on Post-War Military Policy.

H. Res. 61—Mr. Lanham; January 8, 1945 (Accounts).

Establishes an Office of Fiscal Investigations as an agency of the House of Representatives.

H. Res. 64—Mr Patman; January 8, 1945 (Rules).

Creates a Select Committee on Small Business of the House and defines its powers and duties.

H. Res. 65—Mr. Phillips; January 8, 1945 (Rules).

Amends rule XI of the Rules of the House so as to grant the standing committees the power of subpena.

H. Res. 91—Mr. Rankin; January 16, 1945 (Rules).

Amends clause 40, rule XI, of the Rules by defining the jurisdiction of the Committee on World War Veterans' Legislation.

H. Res. 98—Mr. Sumners (Texas); January 18, 1945 (Rules).

Amends rule III of the House with respect to the duties of the Clerk of the House.

H. Con. Res. 5—Mr. Dirksen; January 3, 1943 (Rules).

Establishes a Joint Congressional Committee on Economy and Efficiency, and for other purposes.

H. Con. Res. 17—Mr. Cunningham; January 9, 1945 (Rules).

Establishes a Joint Committee to Investigate Federal Government Competition with Private Business.

H. Con. Res. 18—January 22, 1945 (passed).

Establishes a Joint Committee on the Organization of the Congress.

H. J. Res. 4—Mr. Celler; January 3, 1945 (Rules).

Creates a Committee on Federal and State Relations.

H. J. Res. 6—Mr. Dirksen; January 3, 1945 (Library).

Provides additional research personnel for the committees of Congress.

H. J. Res. 64—Mr. Sumners (Texas); January 8, 1945 (Rules).

Creates a joint committee from the Senate and House to investigate and report as to how the Federal Government may get relief from the overburden of its governmental responsibility.

H. J. Res. 89—Mr. Coffee; January 29, 1945 (Rules).

Authorizes the broadcasting of the proceedings of Congress.

H. R. 397—Mr. Dirksen; January 3, 1945 (Judiciary).

Creates a Commission on Congressional Salaries.

H. R. 399—Mr. Dirksen; January 3, 1945 (Accounts).

Creates a Joint Legislative Staff Service for the Congress.

H. R. 471—Mr. Keogh; January 3, 1945 (Accounts).

Creates the Office of Law Revision Counsel in the House.

H. R. 588—Mr. Smith (Virginia); January 3, 1945 (Rules).

Creates a Joint Legislative Staff Service for the Congress; a Joint Committee on Appropriations; a Joint Committee on Executive Agencies and Procedures; a Joint Committee on the Organization of Congress; etc.

H. R. 628—Mr. Voorhis (California); January 3, 1945 (Rules).

Provides a Joint Legislative Staff Service for the Congress and for appropriate continuous review by committees of the Congress of the exercise by executive agencies of powers granted by the Congress and the carrying out of the intent of Congress as expressed in legislative enactment.

H. R. 1834—Mr. Hook; January 29, 1945 (Rules).

Prescribes the procedures of legislative investigating committees and protects the rights of parties under investigation by such committees.

H. R. 2202—Mr. Patman; February 15, 1945 (Expenditures in Executive Departments).

Establishes a national policy and program for assuring continuing full employment in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State, and local governments, and the Federal Government. Includes provision for a Joint Committee on the National Budget. Identical with S. 380.

APPENDIX V

JOINT COMMITTEE ON THE ORGANIZATION OF CONGRESS

Summary of hearings, March 13, 1945

The Joint Committee on the Organization of Congress opened its hearings today. The following members of the committee were present: Senators LA FOLLETTE (chairman), PEPPER, THOMAS, AND WHITE; and Representatives MONRONEY (vice chairman), COX, LANE, and PLUMLEY.

Senator LA FOLLETTE opened the hearings with a statement sketching the background of the committee's inquiry, the development of congressional interest in self-improvement, and evidence of public interest in legislative reform. "Congress has recognized the challenge," he said, "by creating this joint committee to make a full and complete study and recommendations for improvement." The chairman paid high tribute to the late Senator Maloney, coauthor of the resolution under which the joint committee is operating, and lamented his untimely death. Senator LA FOLLETTE went on to describe the committee's plan of action, stating that it has begun its inquiry with a survey of congressional opinion upon methods for strengthening the Congress. "Later on," he said, "the committee will hear other interested groups and individuals."

Senator MCCARRAN, of Nevada, chairman of the Senate Committee on the Judiciary, was the first witness. Senator MCCARRAN invited the committee's attention to the resolution (S. Res. 40) which he introduced on January 22, empowering the standing committees of the Senate to make investigations and conduct studies of matters within their jurisdiction. "This resolution aims," he said, "to obviate the necessity of setting up special investigating committees to study matters already within the jurisdiction of the existing standing committees." Senator MCCARRAN voiced his objection to the censorship exercised over the expenditures of the standing committees of the Senate by the Committee to Audit and Control. As an example of the crippling effect of such control, he pointed to the inability of the Judiciary Committee, because of lack of adequate funds, to make the study authorized by the Shipstead resolution of the operation of executive agencies.

Representative JOHN J. COCHRAN, of Missouri, chairman of the House Committee on Accounts, was the second witness. Mr. COCHRAN expressed regret at the limitations imposed upon the joint committee in section 2 of its authorizing resolution. He thought that the committee should have been given power to recommend legislation directly to both Houses, pointing out that the Committee on Rules could veto any or all recommendations ultimately made by the joint committee. Mr. COCHRAN welcomed the creation of this committee and expressed the hope that it would make a comprehensive study and not merely confine its recommendations to increased compensation for congressional personnel.

The main points made by Mr. COCHRAN were as follows: The Office of Legislative Counsel should be strengthened; Congress should be equipped with adequate research facilities to serve all its committees and Members; an Investigation Division should be established in the General Accounting Office to make special studies for standing committees. As a first step in this direction, he pointed out that the Independent Offices Appropriation Act provides $65,000 for this purpose. Mr. COCHRAN observed that the House of Representatives has already authorized several special investigating committees in the Seventy-ninth Congress; he expressed his objection to this device, feeling with Senator MCCARRAN that investigations should be made by the standing committees, with the assistance of the General Accounting Office. The Congressman also expressed himself as favoring the device of joint committees with joint staffs like the Joint Committee on Internal Revenue Taxation.

Mr. COCHRAN thought that the number of standing committees in the House might well be reduced to not more than 20 by dropping the inactive committees and consolidating those with overlapping jurisdictions. He gave several examples of possible committee consolidations.

Mr. COCHRAN also deplored the frequent turn-over among committee clerks every time a change in chairmanship occurred. These clerical positions, he felt, should be career jobs and the standing committees should be restaffed with qualified nonpartisan personnel. He gave the House Committee on Expenditures in the Executive Departments as an example of a committee which lacks a staff adequate to perform its functions.

There ensued a general round-table discussion among the members of the joint committee present, with special reference to the problem of adequate staffing, the resources and needs of the Legislative Reference Service in the Library of Congress, the use of exclusive committees in the House, the scope of the study to be made, and related matters.

Summary of hearings, March 15, 1945

The Joint Committee on the Organization of Congress continued its hearings today, pursuant to House Concurrent Resolution 18. The following members of the committee were present: Senator LA FOLLETTE and Representatives MONRONEY, COX, LANE, and MICHENER.

Congressman VOORHIS of California was the first witness. Mr. VOORHIS opened his statement by stressing the vital importance of the decisions facing Congress on post-war foreign and domestic problems. In order to meet these tasks effectively, he argued, Congress must be better organized and equipped than it now is. There is widespread public interest in and support for changes in legislative organization and operation designed to strengthen the Congress, he said.

Representative VOORHIS submitted to the committee a series of specific suggestions under the following headings:

1. Staffing: Both the individual Members, the committees, and Congress as a whole, he said, should be adequately staffed. Individual Members should be provided with administrative assistants at perhaps $7,500 a year to assist them in their office and departmental work and they should be also furnished with more technical assistants. Likewise, the supervisory and legislative committees of both Chambers should be equipped, according to Representative VOORHIS, with their own qualified, expert staffs. These committees now receive much valuable information from departmental experts, he admitted, as well as from representatives of special-interest groups, but such advice often amounts to special pleading, or is ex parte in character. He felt that Congress ought not to rely solely on interested agencies and private groups for guidance, but that it should equip itself with independent sources of reliable information. He paid tribute to the services rendered by the Legislative Reference Service in the Library of Congress, which is handicapped, he said, by low salary levels and should be strengthened. The Legislative Reference Service was described as a fact-finding, not a policy-recommending agency. In support of his recommendation under this heading, Mr. VOORHIS invited the committee's attention to two bills recently introduced by him; H. R. 5483 (78th Cong.) and H. R. 628 (79th Cong.) which would create a joint legislative staff service for the Congress, etc. In comments at this point, Mr. MICHENER raised the question of the danger of patronage appointments to the legislative staff and Mr. MONRONEY suggested that the committees have both majority and minority staff aids.

2. Committee structure: Representative VOORHIS advocated simplification of the committee structure of Congress through the process of consolidation. However, some committees, he felt, have too much to do and should be subdivided. Here he suggested that the Ways and Means Committee might well confine itself to taxation and be relieved of jurisdiction of legislation pertaining to social security. The seniority rule on committee chairmanships, he felt, is not always satisfactory, but he had no substitute to suggest.

3. Leadership: In order to furnish the Congress with that unity of command which it now lacks, Representative VOORHIS proposed the establishment of Majority and Minority Policy Committees, to be composed of the chairman and ranking minority members, respectively, of the major committees and to be assigned the responsibility of taking an over-all view of national policies and coordinating the legislative program. In at least one field, he pointed out, Congress has already moved in this direction by setting up special Senate and House Committees on Post-War Economic Policy and Planning. The speaker deprecated the practice of embodying legislation in appropriation bills and the tendency of legislative committees to give the right-of-way to legislation originating in the departments and to subordinate private Member bills. In this connection, Mr. MONRONEY suggested the designation of a docket day, at regular intervals, when committees would give exclusive consideration to private Member bills.

4. Functional group representation: Mr. VOORHIS also proposed the creation of a National Advisory Council, representing the various organized economic and social groups in the country as an advisory adjunct to the Congress. He cited the National Planning Association as an example of such a representative organization in the nongovernmental field.

5. Safeguarding delegated powers: Here the Congressman discussed the complex problem of administrative legislation, referring to the issuance of rules and regulations by administrative agencies under acts delegating powers to them. He felt that these acts should be more carefully drawn and that the standing committees of Congress should be staffed so that they could continuously review the exercise by executive agencies of powers granted by the Congress, as well as determine the extent to which the intent of Congress was being carried out in the administration of law. H. R. 628 of the Seventy-ninth Congress embodies this recommendation.

Representative JENNINGS RANDOLPH, of West Virginia, chairman of the House District of Columbia Committee, was the second witness. Mr. RANDOLPH made two main suggestions: First, that a Joint Committee on the District of Columbia be established as a measure of economy and efficiency; and, second, that the rules of the House of Representatives be amended to provide for the establishment of a new standing Committee on Aviation in order to handle more expeditiously the growing volume of legislative business in this field of transportation.

In response to a suggestion that it might be even better to grant self-government to the District of Columbia and so relieve the Congress of the task of a common council, Mr. RANDOLPH expressed himself in favor of granting the suffrage to residents of the District, as proposed in the Capper-Sumners resolution, but he anticipated no major change in local government here in the calculable future. The District Committee, he stated, met weekly before the war, but only twice a month, on the average, during the Seventy-eighth Congress. It has, however, a number of active subcommittees.

Mr. RANDOLPH agreed with the earlier testimony of Mr. COCHRAN; that many committees should be merged but he felt that the heavy legislative burdens of the Committee on Interstate and Foreign Commerce, which now handles aviation, together with the magnitude of this new form of transportation, justified the establishment of a new standing Committee on Aviation.

Summary of hearings, March 16, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to House Concurrent Resolution 18. The following members of the committee were present: Senators LA FOLLETTE, THOMAS, and PEPPER, and Representatives MONRONEY, MICHENER, and PLUMLEY.

Senator DOWNEY, of California, was the first witness. Senator DOWNEY opened his statement by emphasizing the growing congestion of legislative business and the prospect of its future increase, the heavy burden of work imposed upon Senators from all States, large and small, and upon their overworked office staffs. His office receives 300 letters a day on the average, and perforce gives priority to State business, leaving little or no time for the study of legislative problems. The Mexican Water Treaty, for example, required weeks of study to understand, but only three Senators on the average among the members of the Committee on Foreign Relations had been able to attend the hearings on it. Congress must be strengthened and made more efficient, he said, if it is to cope with the expanding volume of its business and to check bureaucratic power.

Senator DOWNEY's specific proposals are summarized as follows:

1. Every State delegation should have a corps of executive assistants at $7,500 per year to assist its members in handling State and local matters. In addition, each Senator should have one executive assistant for the same purpose. These men should have had at least 6 years' experience in Washington; they might well be trained for their duties, and some safeguard should be devised against patronage appointments.

2. The number of Senators on the major committees and the number of committee assignments should be reduced. Committee meetings now conflict and thus it is difficult to assemble a quorum of the members.

3. The practice of interrupting debate on pending bills by speeches on extraneous subjects should be corrected by setting aside the period from 10 to 12 a. m. for such speeches, which would be broadcast and announced in advance, under arrangements for a fair division of the time between the majority and minority.

4. While the Senator's present office help was adequate to handle his State work, if he were practicing law on a similar scale, he would require three executive assistants and two technicians, preferably young men between 30 and 40 years of age. With such help Senators could give more valuable service to the Nation.

In conclusion, Senator DOWNEY wished the committee success in its study upon the outcome of which he felt the survival of democratic government in the United States might well depend. Under existing conditions, he said, most important legislation originates in the executive departments, while Congress can only investigate and veto. Our National Legislature must be fortified in order to offset the expansion of executive power.

Representative KEFAUVER, of Tennessee, was the second witness. Mr. KEFAUVER expressed his gratification at the establishment of the joint committee and offered a series of specific suggestions under the following headings:

Methods of Reducing the Legislative Load

1. Set up an autonomous government for the District of Columbia and adopt the provisional order system for reviewing its acts.

2. Refer the settlement of private claims to the Court of Claims or to the district courts, a method by which claimants would receive more equitable treatment than they now do.

3. Enlarge the number of departmental offices in the Capitol such as those maintained now by the War Production Board and the War and Navy Departments, locate these offices next door to the rooms of the committees having jurisdiction over them, and place these offices in charge of responsible officials from the departments. This would save much leg work, promote closer cooperation between the legislative and executive branches, and facilitate committee work.

4. In establishing new administrative agencies, follow the Tennessee Valley Authority plan of handling matters affecting constituents.

5. Relieve Members of Congress of patronage problems in which there is usually more grief than political benefit. Mr. Monroney observed that in England there is a law against seeking political influence in appointments to administrative positions.

Committee Reorganization

1. Reduce the number of standing committees and define their jurisdiction in the rules. Give displaced members places on the consolidated committees and let the majority members choose the new chairman from among the former chairmen of the merged committees.

2. Set up twin committee systems in both Chambers and correlate them with the executive departments.

3. Modify the seniority rule, which works well in 75 percent of the cases, by having committee chairmen elected by secret ballot at the start of each session, a majority or two-thirds of the majority party members of the committee being required to elect, and let the chairmen so elected serve throughout the current Congress.

Committee Staffing

1. Committee clerkships should be career jobs and should be filled without regard to political affiliation, solely on merit, according to standards prescribed in the classification system. Such appointments would be made by a committee of five, of whom two should be named by the Speaker, two by the minority leader, and one by the chairman of the committee concerned. The clerks thus elected would become experts in their work and would serve the entire committee.

Staffing of Members

1. Members of Congress should have an administrative assistant if they need them. The volume of business varies from office to office; some Members now have adequate help, while others are understaffed.

2. Establish a pool of experts in the Legislative Reference Service on all important public problems and make them available to those Members who need such assistance.

3. Strengthen the Office of Legislative Counsel, the services of which are seldom available to individual Members since the office is preoccupied with committee work. Increase the staff of the office to 10 or 12 lawyers in each House, and have them attach to bills they draft memoranda explaining the purpose and substance thereof. While departmental suggestions on legislation are welcomed, bills in their final form should be drawn up by Congress itself.

Methods of Improving Liaison Between Congress and the Executive

1. Establish majority and minority policy committees in each Chamber.

2. Adopt the resolutions for a "report and question period" introduced in the House and Senate by Mr. KEFAUVER and Mr. FULBRIGHT (H. Res. 31 and S. Res. 8). This innovation could be introduced either by amending the standing rules or by a bill. Mr. KEFAUVER described how this plan would work in the House and the advantages he thought it would yield: It would focus public attention on the House; inform its Members regarding the conduct of the Executive; and provide a check on administration action. Joint sessions of Congress could be held to avoid separate question hours in each House, the proceedings of which would be broadcast. The Congressman had observed the operation of the question hour in the House of Commons on a recent visit to England where he found that the practice was not abused. Steps toward bringing Congress and the Executive face to face on a more limited scale were seen in the monthly meetings of the House Committee on Public Buildings and Grounds with the National Housing Administrator and his aides, as well as the informal meetings of the 79 Club in the House which have been addressed by top-flight Government officials.

3. Broadcast the proceedings of Congress as Senator PEPPER has proposed in his resolution (S. J. Res. 145, 78th Cong.). Such broadcasts would be designed to improve public understanding and appreciation of Congress. Senator PEPPER felt that the entire proceedings should be broadcast, leaving it to the radio audience to listen or not, according to their interests. Mr. KEFAUVER felt it would be better, at the beginning at least, to broadcast only the more significant debates. There would be little public interest, he said, in quorum calls and the transaction of routine business.

Summary of Hearings, March 19, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to H. Con. Res. 18. The following members of the committee were present: Senators LA FOLLETTE, BROOKS, and PEPPER, and Representatives MONRONEY, COX, MICHENER, and PLUMLEY.

Congressman WADSWORTH, of New York, was the first witness. Confining his testimony to the committee system in the House of Representatives, Mr. WADSWORTH said it had "grown like Topsy," in a planless manner, since the early days of the Republic, with the result that legislative matters are today scattered over some 48 committees, of which not more than 15 are important. The other committees rarely meet, he said, but have been continued to provide perquisites for their chairmen and assignments for new Members. New Members come to Washington with fresh enthusiasm, hoping to play a useful part in the legislative process, but their enthusiasm is soon dampened by assignments to unimportant committees. In order to correct these conditions, Mr. WADSWORTH recommended a sweeping reorganization of the committee system in the House. He proposed to reduce the number of standing committees in that chamber from 48 to 16, as follows:

Committee on Agriculture: Absorb Irrigation and Reclamation.

Committee on Appropriations: Absorb Expenditures in the Executive Departments.

Committee on Banking and Currency: Absorb Coinage, Weights, and Measures.

Committee on Civil Service: Absorb Census, Civil Service, Post Offices and Post Roads, District of Columbia.

Committee on Public Works: Absorb Flood Control, Public Buildings and Grounds, Rivers and Harbors, and Roads.

Committee on Interstate and Foreign Commerce: No change.

Committee on the Judiciary: Absorb Patents, and Revision of the Laws.

Committee on Foreign Affairs: Absorb Immigration and Naturalization, and Insular Affairs.

Committee on Labor: Absorb Education.

Committee on the Merchant Marine and Fisheries: No change.

Committee on the Armed Services: Absorb Military Affairs, and Naval Affairs.

Committee on Veterans Affairs: Absorb Pensions, Invalid Pensions, World War Veterans' Legislation.

Committee on Public Lands: Absorb Territories, Mines and Mining, Indian Affairs.

Committee on Ways and Means: No change.

Committee on Rules: No change.

Committee on House Administration: A new committee. Should manage the routine affairs of the House of Representatives. Absorb the Committee on Accounts, Committee on the Disposition of Executive Papers, Committee on Enrolled Bills, Committee on the Library, Committee on Memorials, Committee on Printing, Committee on Election of President and Vice President; Committees on Elections Nos. 1, 2, and 3.

Representative WADSWORTH also urged that a law be enacted providing for the handling of all claims against the Government by a specially created court or by the present Court of Claims and thus relieve the Congress of passing upon claim bills. This would result in the abolition of the Committee on Claims and the Committee on War Claims.

Special investigating committees are created, according to Mr. WADSWORTH, because the standing committees lack jurisdiction of the matters to be investigated. He proposed to give the 16 major standing committees comprehensive jurisdiction over all public problems. In response to an inquiry from Mr. MICHENER whether standing committees should have the power of subpena, Mr. WADSWORTH thought it should be left to the House itself to determine upon committee request. Senator LA FOLLETTE pointed out that this power is given all Senate committees at the start of each session.

Representative WADSWORTH also advocated better staffing of the streamlined standing committees, which would have 25 members each, on the average. By keeping the Appropriations Committee at its present size (43) every Member of the House would thus have an important committee assignment.

Representative HERTER, of Massachusetts, was the second witness. Mr. HERTER confined his testimony, for the most part, to a description of legislative procedure in Massachusetts, where he had been speaker of the house, with the thought that some features of the Massachusetts legislative practice might be worth congressional emulation. In that State the legislature, which first functioned as a court, still maintains the right of free petition and does not adjourn until all pending petitions for the redress of grievances have been acted upon. The text of and amendments to all bills are reviewed by competent legal authority at the third reading stage before enactment. Under its procedure the Massachusetts Legislature is able to dispose of an enormous volume of business. Mr. HERTER attributed this fact to its use of the following devices:

1. Time limit on bill filing: In Massachusetts all bills must be filed within 3 weeks of the opening of the session. Exceptions

are permitted in the case of messages from the Governor, certain departmental bills, and with the consent of the rules committee. With most legislation thus introduced early in the session, committees can plan their agenda. Public hearings are required on all bills. Mr. HERTER advocated congressional adoption of a similar time limit on bill filing and also the setting aside of a docket day, when committees would give exclusive consideration to private Member bills, a device which would, he thought, reduce the objections to the seniority custom.

2. Appeal from committee decisions: In Massachusetts every bill has to be reported on by the committee to which referred. If one-third of the members of a committee so desire, a bill must be put upon the calendar for a vote. Adverse committee reports are usually acquiesced in by the house. Mr. HERTER suggested that this form of appeal from adverse committee decisions would be less cumbersome than our method of discharge petitions.

3. Powers of the Rules Committee: Mr. HERTER suggested that the Committee on Rules should not have the power of deciding which committee reports may be considered by the whole House, but should be confined merely to determining the order of their consideration. The Rules Committee, he felt, ought not to be permitted to prevent the submission of favorable committee reports to the whole House.

4. Joint committees and joint hearings: The tendency in the Massachusetts House is to use joint committees and to hold joint hearings on common problems. This is done in the case of taxation and appropriation matters. This procedure saves the time of witnesses, results in a single set of hearings, and speeds up the legislative process.

5. Powers of conferees: Mr. HERTER would restrict the powers of conferees to the consideration of only those parts of pending measures with respect to which there is disagreement between the Chambers. Conference committees ought not to be able, he argued, to strike out sections that have passed both Houses or completely to rewrite bills in conference.

6. Legal language: Mr. HERTER thought that the language of the law is often too technical and confusing. He gave as an example the Merchant Marine Act of 1936, which he said was a hodgepodge of draftsmanship. To correct this condition he suggested following the Massachusetts practice under which pending legislation must be clarified by the office of legislative counsel before its final passage.

7. Handling fiscal affairs: Here the Massachusetts practice under the executive budget is to present a consolidated balance sheet giving an over-all picture of anticipated receipts and expenditures. Members and committees proposing appropriations in excess of the budget are required to specify the source of the funds from which the proposed expenditure is to be defrayed. In the financial operation of Congress, on the other hand, there is no fiscal pattern and appropriations are made in a vacuum. Mr. HERTER commended the Massachusetts practice to Congress in this respect.

He also suggested that the conduct of business on the floor of the House be more closely supervised by the Speaker so as to eliminate discussion irrelevant to the matter in hand.

In response to a query about broadcasting the proceedings of Congress, Mr. HERTER was doubtful of its wisdom. The radio networks could not give complete coverage to all proceedings of both Houses, which usually meet at the same time, which raises the problem as to which parts of the proceedings would be put on the air.

Summary of hearings, March 22, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to House Concurrent Resolution 18. Vice Chairman MONRONEY presided, and Representatives COX, LANE, MICHENER, and PLUMLEY were present.

Representative LAFOLLETTE, of Indiana, was the first witness. Mr. LAFOLLETTE presented the viewpoint of the individual Congressman on the question of staff assistance. He argued that not only the committees of Congress but also the individual Members need independent, unbiased, and qualified research help. Under existing conditions, he said, bills introduced by Members are often handed them by representatives of private organizations and the Member has no means of making adequate study of the underlying problems. All bills introduced should be accompanied, he suggested, by supporting briefs. Legislative staff personnel, he believed, should engage not merely in fact-finding, but should also make critical analyses of timely public problems and advise Members on questions of policy. They should also be appointed on a civil-service basis without reference to political affiliations, and solely on the basis of fitness to perform their duties.

Mr. LAFOLLETTE also urged that the House should have an opportunity to vote on all committee reports, including adverse ones, which is the practice in Indiana, Vermont, and other States. As it is, Mr. PLUMLEY pointed out, committees customarily refer bills to the departments concerned and are often guided by their wishes in disposing of them. A discussion ensued of the discharge-petition procedure under which few laws have been enacted.

In general, Representative LAFOLLETTE felt that Congress has two main tasks: to improve the quality of its work, and to make it more responsive to the democratic process.

Senator FULBRIGHT, of Arkansas, was the second witness. Senator FULBRIGHT concentrated his remarks upon the need of promoting better teamwork between the legislative and executive branches of the National Government. The system of separated powers worked well enough under the simple conditions of an earlier day, he said, but under modern conditions it gives rise to dangerous deadlocks which may jeopardize world peace and domestic prosperity after the war. During 27 out of the 79 Congresses to date, the executive branch and one or both Houses of the National Legislature had been controlled by opposite political parties, creating serious deadlocks. The positive role of the state in the modern world now makes it essential that we devise means for bridging the gap between Congress and the President. The basic problem, as the Senator put it, is one of combining a strong executive with the maintenance of legislative supremacy.

In order to satisfy these requirements, Senator FULBRIGHT submitted two suggestions: (1) Adoption of a report-and-question period (S. Res. 7) as a means of bringing Congress and the administration face to face and strengthening legislative control; and (2) the establishment of a Joint Executive-Legislative Cabinet to be composed of the members of the President's Cabinet, on the one hand, and, on the other, of the chairmen of the new streamlined joint standing committees of the Congress. This innovation, the Senator argued, would merely represent the logical extension of the principle of collaboration already being applied in the periodic conferences between State Department officials and members of the Committee on Foreign Relations. This cooperation was working well in the field of foreign affairs, at Mexico City, for example, and it might well be applied to the whole field of foreign and domestic policies. Establishment of such a joint cabinet, he said, would require neither an act of Congress nor constitutional amendment, but merely an Executive order and a joint resolution. In this way Congress would be able to participate in international negotiations at each stage of their development, thus implementing the "advice" as well as the "consent" provision of article II, section 2 of the Federal Constitution.

Senator FULBRIGHT also suggested, for adoption at some later date, the power of dissolution under which the President could dissolve the Government, in cases of deadlock between the two branches, and precipitate a general election. The Government should change hands, he thought, whenever the party in power loses the confidence of the country, as President Wilson did in 1918 and as President Hoover did in 1930, when their parties lost control of the House of Representatives.

Representative KEOGH, of New York, was the last witness. As chairman of the House Committee on the Revision of the Laws, Mr. KEOGH argued that the form as well as the substantive content of the law is important. He felt that the mechanics of bill drafting should be improved and that his committee should be equipped with an Office of Law Revision Counsel (H. R. 471) which should (a) examine all the public acts of Congress and submit recommendation to such committee for the repeal of obsolete, superfluous, and superseded provisions of law contained therein; (b) prepare and submit to such committee a complete compilation, restatement, and revision of the general and permanent laws of the United States, one title at a time, which shall conform to the understood policy, intent, and purpose of Congress in the original enactments, with such amendments and corrections as will remove ambiguities, contradictions, and other imperfections both of substance and of form, with the view of the enactment of each title as positive law; and (c) advise and assist the Committee on Revision of the Laws whenever called upon to do so.

Mr. KEOGH reviewed the history of efforts to codify the public acts of Congress, described the activities of his own committee, and explained the functions of the proposed Law Revision Counsel, the lack of which has hitherto rendered previous efforts at codification valueless. This reform, he stated, has been endorsed by many Federal judges and members of the bar, excerpts from whose letters of endorsement were inserted in the record of the hearing. The new Office of Law Revision Counsel, under Mr. KEOGH's plan, would be integrated with the existing Office of Legislative Counsel, which now receives an annual appropriation of $83,000, whereas executive agencies are spending many times as much for similar services. Mr. MONRONEY suggested that the bill-drafting service should also follow the Government Style Manual in order to promote uniformity of style in the Federal statutes.

Summary of hearings, March 26, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to House Concurrent Resolution 18. Those present were Senator LA FOLLETTE (chairman), Representative MONRONEY (vice chairman), and Messrs. COX, MICHENER, and PLUMLEY.

Congressman BLAND, of Virginia, chairman of the House Committee on the Merchant Marine and Fisheries, was the first witness. Mr. BLAND described the work and jurisdiction of his committee and its staff facilities. He compared the compensation of his committee staff with that of other major House committees. The clerk of the committee, for example, receives $3,200 per year, compared with $3,360 for other committee clerks. His assistant clerk receives $1,740, compared with $2,460 paid other assistant clerks. His janitor receives $1,260, compared with the prevailing janitor pay of $1,500. Mr. BLAND argued that these discrepancies should be corrected, and advocated the employment of the clerical force of congressional committees on a permanent nonpolitical basis.

Describing the volume of his committee business, Representative BLAND stated that, at the last session of Congress, 104 bills had been referred to it; 64 public hearings had been held; and 78 executive sessions, consuming 326½ hours; and 27 bills reported by the committee had been enacted. This committee works hard, he said, and is one of the most important in the House.

Representative BLAND made two positive proposals: First, that each Member should be authorized to employ an administrative assistant to help him on legislative problems; and, second, that the standing committees should be furnished funds to finance their investigations as a substitute for special committee inquiries. Because of lack of funds, he said, his own committee had been unable to make various important studies.

The second witness was Representative PRIEST, of Tennessee. Mr. PRIEST expressed his deep interest in the joint committee's undertaking and his concern whether Congress can continue to function, or even survive, unless steps are taken to reduce the legislative load. Eighty percent of his time, he said, is occupied with nonlegislative matters, including the handling of constituent requests before the departments. On a typical day, for example, 46 out of 48 visitors to his office came on nonlegislative business.

Mr. PRIEST made two suggestions to relieve Congressmen of nonlegislative burdens so as to enable them to give more time to legislation for public welfare: first, establish a general liaison office on Capitol Hill, with a competent staff, to assist Members in handling their departmental business; and, second, permit Members to employ administrative assistants on a permanent nonpartisan basis. He also advocated equipping the standing committees with expert staffs qualified to render independent advice on pending problems. As an example of the need of expert staffs, Mr. PRIEST cited the Interstate and Foreign Commerce Committee of which he is a member. This committee recently held 26 days of hearings on proposals to amend the Railroad Retirement Act, at which actuaries from the Railroad Retirement Board and the carriers presented conflicting tables. This committee needs an actuary on its staff, he said, in order to review and appraise such conflicting testimony.

In response to an inquiry from Representative MONRONEY for his opinion on Mr. RAMSPECK's proposal to establish a body of so-called assistant Congressmen to aid Members in their work, Mr. PRIEST doubted if this was the right solution of the staffing problem.

Summary of hearings, March 28, 1945

The Joint Committee on the Organization of Congress continued its hearings today pursuant to House Concurrent Resolution 18. Those present were Senator LA FOLLETTE (chairman), Senator PEPPER, and Representatives COX, LANE, and MICHENER.

Representative HAYS, of Arkansas, was the first witness. Mr. HAYS advocated consolidation of committees dealing with related matters and their adequate staffing. He urged that recess periods be planned more systematically, two or three times a year, so as to permit Members to maintain closer contact with their constituents, interpreting legislation to the voters and receiving their reactions. He favored the establishment of Committees on Public Welfare and National Defense. As a means of getting information concerning legislative policies and procedures abroad, Mr. HAYS favored the establishment of closer relations with parliamentary institutions in other countries. He suggested the establishment of a Pan-American Interparliamentary Union, including Canada, and described the activities of the British Empire Parliamentary Association.

Senator WHERRY, of Nebraska, was the second witness. Senator WHERRY called attention to the resolution which requires all standing and select committees of the Senate to submit monthly reports upon their use of borrowed personnel. He invited the committee's attention to his remarks on the subject in the Senate on January 29 last, pointing out that in the period from August 23 to December 31, 1944, 14 Senate committees had borrowed 97 individuals from 26 Federal agencies to assist them. During February 1945 these reports show that 9 Senate committees had utilized the services of 66 persons from various administrative agencies. The Small Business Committee of the Senate, for example, is relying largely on such borrowed help. The Senator intimated that he considered this a dubious practice in that it gives rise to divided loyalties. He thought the committees should hire their own help rather than borrow it. The Senator pointed out that many select committees set up for special purposes often prove to be permanent. One of these, he said, had not submitted a report for 12 years.

Congressman SUMNERS of Texas, chairman of the House Committee on the Judiciary, was the third witness. Judge SUMNERS invited the committee's attention to his House Resolution 98 authorizing the Clerk of the House, in case of a recess or adjournment, to receive on behalf of the House, any bill, resolution, order, or vote which may be returned to the House by the President with his objections. The purpose of this resolution, he explained, was to prevent the "pocket vetoing of bills."

Representative SUMNERS thought that the legislative power should be restricted to Congress alone. He deprecated the President's participation in legislation through exercise of the veto power, which is equivalent, he said, to 15 votes in the Senate and 71 votes in the House. He suggested that the Constitution might be amended so as to permit Congress to override a Presidential veto by a simple majority vote of both Houses. The Congressman also called attention to the growing tendency of Congress to reserve the right to terminate by concurrent resolution powers delegated to the President or department heads.

Representative SMITH of Virginia, chairman of the Select Committee to Investigate Acts of Executive Agencies Beyond the Scope of their Authority, was the last witness. Judge SMITH stated that his committee had prosecuted its inquiry for 2 years, rendered eight intermediate reports, and introduced a bill (H. R. 588) to create a Joint Legislative Staff Service for the Congress, a Joint Committee on Appropriations, a Joint Committee on Executive Agencies and Procedures, and a Joint Committee on the Organization of Congress. Confining his testimony to those provisions of this bill which would create a Joint Legislative Staff Service and a Joint Committee on Executive Agencies and Procedures, Judge SMITH cited four types of administrative legislation whereby, he said, our system of government is being changed and constitutional boundaries are breaking down:

1. Legislation by sanction: As an example of this practice, Representative SMITH cited the Montgomery Ward case and the case of a company which was forbidden to manufacture airplane landing lights because it refused to reinstate certain dismissed employees.

2. Legislation by subsidy: The granting of livestock subsidies to those observing Office of Price Administration meat and livestock prices was given as an example here.

3. Legislation by regulation: An example of this was seen in an order of the Wage-Hour Division, forbidding home work under certain conditions.

4. Legislation by interpretation: The interpretation of the Stabilization Act of 1942 by Executive and administrative orders, in such a way as to amend the revenue laws and deny court appeal, was given as an illustration of this type of legislation.

In order to correct these alleged acts beyond the scope of granted authority, Representative SMITH argued that Congress should have its own legislative staff service to draft its own legislation. The members of the legislative staff, he stated, should be appointed without reference to political affiliations and should (1) advise and assist the committees of both Houses of Congress in the analysis, appraisal, and evaluation of recommendations submitted to the Congress by the President or any executive agency; (2) aid legislative and conference committees of Congress in analyzing proposed legislation before them; and (3) assist congressional committees in the furnishing of a basis for a proper determination of measures affecting public policy.

Mr. SMITH also favored revamping jurisdiction of the standing committees in such a way as to utilize the enthusiasm and talents of new Members of Congress. Authors of bills should have an opportunity, he felt, to be heard by the committees to which they are referred. In order to ascertain whether any administrative rules or regulations are beyond the scope of the authority granted, or invade the constitutional rights and privileges or immunities of citizens, Mr. SMITH also advocated a Joint Committee on Executive Agencies and Procedures, with an adequate staff.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DOWNEY:

S. 807. A bill to improve salary and wage administration in the Federal service; to provide pay for overtime and for night and holiday work; to amend the Classification Act of 1923, as amended; and for other purposes; to the Committee on Civil Service.

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill to amend the Social Security Act, as amended, for the purpose of covering ministers of religion, and other officers or employees of churches and religious organizations under the old-age and survivors' insurance provisions of the act.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from North Dakota will be received and appropriately referred.

By Mr. LANGER:

S. 808. A bill to amend the Social Security Act, as amended, for the purpose of permitting the coverage of ministers of religion, and other officers or employees of churches and religious organizations under the old-age and survivors' insurance provisions of such act; to the Committee on Finance.

Mr. LANGER. Mr. President, I also ask unanimous consent to introduce for appropriate reference a bill known as the so-called Townsend Act, which is similar to the one I introduced last year and which was not acted on.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from North Dakota will be received and appropriately referred.

By Mr. LANGER:

S. 809. A bill to provide every adult citizen in the United States with equal basic Federal insurance, permitting retirement with benefits at age 60, and also covering total disability, from whatever cause, for certain citizens under 60; to give protection to widows with children; to provide an ever-expanding market for goods and services through the payment and distribution of such benefits in ratio to the Nation's steadily

increasing ability to produce, with the cost of such benefits to be carried by every citizen in proportion to the income privileges he enjoys; to the Committee on Finance.

By Mr. McFARLAND:

S. 810. A bill to amend title IV of the National Housing Act, and for other purposes; and

S. 811. A bill to assist veterans to establish small business enterprises by providing for reasonable exemptions from priorities, allocations, and rationing restrictions; to the Committee on Banking and Currency.

By Mr. McFARLAND (for himself and Mr. HAYDEN):

S. 812. A bill to amend section 3 of the San Carlos Act (43 Stat. 475–476) as supplemented and amended, and for other purposes; to the Committee on Indian Affairs.

By Mr. WHEELER:

S. 813. A bill authorizing the Secretary of the Interior to sell certain lands in the State of Montana to Estelle Hughes; and

S. 814. A bill authorizing the issuance of a patent in fee to Josephine Gray Hawk, to the Committee on Indian Affairs.

By Mr. STEWART (by request):

S. 815. A bill for the relief of Ogden & Dougherty, and for other purposes; to the Committee on Claims.

By Mr. FULBRIGHT:

S. 816. A bill authorizing appointments to the United States Military Academy and United States Naval Academy of sons of persons who were killed in action or have died of wounds or injuries received, or disease contracted, while serving in the armed forces of the United States during World War No. 1 or World War No. 2; to the Committee on Military Affairs.

By Mr. McMAHON:

S. 817. A bill granting a pension to Lillian Stevenson; to the Committee on Pensions.

RELIEF OF CERTAIN BASQUE ALIENS—AMENDMENT

Mr. McCARRAN submitted an amendment intended to be proposed by him to the bill (H. R. 1402) for the relief of certain Basque aliens, which was referred to the Committee on Immigration and ordered to be printed.

INVESTIGATION OF SECURITIES AND EXCHANGE COMMISSION AND POST OFFICE DEPARTMENT

Mr. McCARRAN submitted the following resolution (S. Res. 112), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the authority conferred by Senate Resolution 35, Seventy-ninth Congress, agreed to February 26, 1945 (relating to an investigation of the Securities and Exchange Commission and the Post Office Department) is hereby continued during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress until January 1, 1946; and that the limit of expenditures under such resolution is hereby increased by $5,000.

POLAND'S EXCLUSION FROM SAN FRANCISCO CONFERENCE ON INTERNATIONAL ORGANIZATION

Mr. WHERRY. Mr. President, my State has a large Polish population, and I receive many communications from constituents, as well as from citizens of other States, asking why Poland has not been invited to sit in at the United Nations Conference in San Francisco.

As one of the representatives in the Senate of the citizens of Polish descent in Nebraska, I have taken the liberty of addressing a letter to the Secretary of State, Hon. Edward R. Stettinius, which I feel expresses their thought relative to the place which Poland should have in the United Nations Conference at San Francisco. I ask unanimous consent to have printed in the RECORD at this point the letter addressed by me to the Secretary of State.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 31, 1945.

The Honorable EDWARD R. STETTINIUS,
The Secretary of State,
State Department, Washington, D. C.

DEAR MR. SECRETARY: I am deeply disturbed lest the forthcoming United Nations Conference on International Organization at San Francisco becomes a medium for the projection of the present wartime mentality of the victor nations into the peace. Personally, I find little reassurance in the invitations to this conference that were issued on March 5, to 39 nations, invitations which were based on a condition that no nations are to be permitted participation in these momentous decisions until they have proved themselves peace loving by issuing a declaration of war against the Axis. To me it is an ill omen that such truly peace-loving nations as Eire, Iceland, Sweden, and Switzerland are deliberately excluded from this conference.

But, Mr. Secretary, even were I to grant the necessity for such arbitrary action on the part of the great victor powers toward small neutral nations, I would still find it impossible to be reconciled to Poland's exclusion. What of Poland, Mr. Secretary? Why is Poland not invited? May I hasten to assure you that in my humble opinion the only answer to this question which will serve to quiet the rising fears in the minds of my constituents must be an answer entirely free of evasion. A continued refusal on the part of our Government to be frank with the American people on this matter will be one of the surest ways of sabotaging America's participation in any future international organization.

It is becoming perfectly obvious to every reasonable person that the question of Poland is no longer a matter of boundaries. The Curzon line was nothing but a temporary makeshift to facilitate armistice discussions following the last war and it has been completely ignored ever since the Treaty of Riga in 1920 between Poland and Russia, to which Russia gave her full and unqualified assent. The Polish question is not alone territorial. For hundreds of years the Polish Nation has undergone territorial expansion and contraction imposed on her by her more powerful neighbors.

The Polish question is not only a matter of satisfying minorities, for no greater absurdity could exist than that Russia should be the only multinational state permitted to exist, and such matters could only be honorable and justly adjusted through free plebiscites held under the auspices of an international commission.

The question of Poland is not a question of security for Russia. The Big Three have already agreed upon the permanent demobilization and disarmament of Germany, and the other nations of Europe are to have their security guaranteed through the new international organization which is to be formed at San Francisco. The question of Poland is not a question of compensation, for two wrongs never yet made a right. Is not talk about compensating Poland in the west for her losses in the east nothing but a blind to cover the doubly outrageous fact that such a compensation would force Poland to bite off a territory and population which she could not possibly digest and leave her even more vulnerable to the violent intervention of self-appointed protectors?

Certainly the Polish question is not a question of constitutional versus émigré governments, for as of today the Polish Government in exile is the only legal Polish Government in existence. This is the Government which Russia herself recognized on July 30, 1941, when she declared the German-Soviet treaty of 1939 null and void. It is significant that Russia did not withdraw this recognition until the tide of battle had turned in her favor, and that today Russia is the only nation that does not recognize the Polish Government in exile as the legitimate Polish Government.

It seems melancholy, indeed, that after more than 5 years of fighting this tragic war which originated in fulfillment of pledges given to Poland on March 31, April 6, and August 25, 1939, by England, we should find ourselves debating the issue of whether Poland is to be an independent state at all. It becomes increasingly clear to me and to a rapidly growing number of the American people that this has become a crucial issue in this war.

As such, Mr. Secretary, Poland herself has become a symbol—a smybol of the fate that seems to be in store for many of the small nations of the earth—a symbol of the kind of peace that is to issue from this war If Poland is excluded from the San Francisco Conference, upon what moral principle can the Big Three possibly lay the foundations of any future international organization? What of Finland, Latvia, Estonia, Lithuania, Rumania, Yugoslavia, Czechoslovakia, Hungary, Bulgaria, Greece, Albania, Austria, Turkey, Iraq?

The recent news of the obstructionist tactics of the Lublin Committee which has vetoed about every name on the list of 50 or 60 persons of eminence in Poland, which the Yalta Commission now sitting in Moscow has suggested as possible candidates for a new Polish Provisional Government, has only intensified my concern for the future of the Polish state. Is it not true, Mr. Secretary, that this Moscow-spawned Lublin Committee includes 9 Communists? Is it not also true that the continued conflict between the terroristic Lublin regime and the underground which takes its orders from London is breeding a violent civil war in Poland at this very moment?

Whatever may be the answers to these questions, Mr. Secretary, is it not time to be told the truth and the whole truth about the Polish situation? Have not the American people this right? Is this not your plain duty? Is it not time the American people were warned of the deadly nature of the compromises which are now being urged upon them by pointing out that in the case of Poland, what the mightiest armies of all time have been unable to effect, namely, the destruction of the Polish state, now threatens to be accomplished through compromise?

Mr. Secretary, the American people, their representatives in Congress, and I, as an individual, anxiously await answers to the following questions because we want to assure you we are all united in a desire to support America's participation in the genuinely democratic international organization founded upon the principles of justice:

1. Why must we refuse an invitation to Poland to the San Francisco Conference?

2. Is Russia truly intent on rebuilding a peaceful world? If so, why does she stand in the path of Poland's participation in the San Francisco Conference?

3. Will not such an act pave the way for the dissolution of a Polish state?

4. Taking Poland as a symbol, what will happen to eastern Europe and the Baltic countries?

5. Asking for myself, do you expect me as a Senator or as an individual to support any international organization that excludes Poland as an independent state?

If we are to perfect and participate in an international organization which we hope will be based upon the principles of Christianity and justice, it is of great importance and it is imperative that we have your answers to these questions now. Millions of Americans are asking these same questions that are herein set forth, and because of that fact I am making this letter public. The same Americans who are interested in these questions will be interested in your replies, and for that reason I beg of you to likewise publicize your answers.

Sincerely,

KENNETH S. WHERRY.

IMPORTANCE OF PRINTING TO THE WAR EFFORT—ADDRESS BY A. E. GIEGENGACK

[Mr. WILLIS asked and obtained leave to have printed in the RECORD an address entitled "The Importance of Printing to the War Effort," delivered by A. E. Giegengack, the Public Printer, before the Washington Club of Printing House Craftsmen, at Washington, D. C., on March 20, 1945, which appears in the Appendix.]

QUESTIONS ON VOTING PLAN UNANSWERED BY MR. STETTINIUS—ARTICLE FROM WASHINGTON EVENING STAR

[Mr. WHEELER asked and obtained leave to have printed in the RECORD an article entitled "Stettinius Refused To Answer 33 Questions on Voting Plan," published in the Washington Evening Star of March 31, 1945, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, notified the Senate that Hon. JERE COOPER, a Representative from the State of Tennessee, had been elected Speaker pro tempore during the absence of the Speaker.

ENROLLED BILL SIGNED

The message announced that the Speaker pro tempore had affixed his signature to the enrolled bill (S. 411) for the relief of Mrs. Mae F. Sutton, and it was signed by the Vice President.

THE FOOD SHORTAGE—STORAGE OF FOOD

Mr. WHERRY. Mr. President, among the hundreds of letters I have been receiving relative to the food shortage in the country, I recently received from Mr. C. W. Labatt, of the Labatt Wholesale Grocery Co., San Antonio, Tex., letters dated, respectively, March 15, 1945, March 22, 1945, and March 26, 1945, and enclosures consisting of war food sales listings.

The letters and enclosures present a new angle relative to the food situation in this country, namely, the dead storage of food in the United States. Because the conference report on the manpower bill is under consideration by the Senate I shall not detain the Senate by a statement of facts and figures, but I ask at this point to have the letters and the enclosures inserted in the RECORD.

The VICE PRESIDENT. Is there objection?

There being no objection, the letters and enclosures were ordered to be printed in the RECORD, as follows:

LABATT WHOLESALE GROCERY CO.,
San Antonio, Tex., March 26, 1945.

Hon. KENNETH S. WHERRY,
United States Senate,
Washington, D. C.

DEAR SIR: Your letter of March 20 just received. I have no objection to your placing my letter of March 15, 1945, also letter of March 22, 1945, in the CONGRESSIONAL RECORD, and hope that this will assist in some measure in relieving the acute civilian food situation by having the Government release vast quantities of foods they might now have in their warehouses instead of keeping them until they get out of condition, doing no one any good

Yours truly,

T. W. LABATT.

LABATT WHOLESALE GROCERY CO.,
San Antonio, Tex., March 22, 1945.

Senator WHERRY
Nebraska Senator, Senate,
Washington, D. C.

DEAR SENATOR: Referring further to my letter of March 15, which I assume that you received, I enclose herewith another offering of the War Food Administration on what they term "surplus merchandise," but which in effect is spoiled merchandise. They are offering, as you notice, 100,000 cases of canned evaporated milk for industrial purposes only. In other words, a baker can buy this and bake bread with it, but they prohibit the merchant buying it and selling it to the civilian trade. What difference there is in consuming this milk in bread and consuming it otherwise is food for thought.

We have been on an allotment of approximately 25 percent of our normal requirements of canned evaporated milk. Mothers give this canned evaporated milk to their babies and there is not enough in stocks of the merchants to supply the demand, and yet hundreds of thousands of cases are getting out of condition, or, in other words, are spoiling in the storages of the Government.

I don't know whether you want me to send you this kind of information or not, but it seems that you are interested in the food situation, and it does seem that whenever an investigation of this kind is started someone throws a monkey wrench in the machinery and it stops with a jolt.

Yours truly,

T. W. LABATT.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., March 21, 1945.

W. F. A. FOOD SALES LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest Regional Office, Walcott S. Black, W. F. A., 425 Wilson Building, Dallas 1, Tex.:

Dehydrated sweet potatoes: Approximately 15,378 pounds, unfit for human consumption. These are being offered under announcement Awds-23 to manufacturers of animal feed, distillers, and other industrial users. Stored at Dallas Bonded Warehouse, Dallas, Tex., and packed two 5-gallon lacquered cans per case with an average net weight of 17 pounds per can, the potatoes are offered on an "as is, where is" without recourse basis with bids solicited on the entire lot. Bids close at 12 noon March 29, 1945.

From Washington, D. C., office. Sales Branch, Office of Supply (C. C. C.), W. F. A., Washington 25, D. C.:

Off-condition evaporated milk: Approximately 100,000 cases, packed 48 14½-ounce cans per case, being offered under announcement Awd-357 to manufacturers for industrial purposes only. The milk is stored in various warehouses, principally in the Northeast. Bids considered on offers for entire lots only and must be on the basis of price per case at indicated location. Offers to purchase must be submitted to and received by the Contracts and Services Division, Sales Branch, Office of Supply, C. C. C., W. F. A., Washington 25, D. C., not later than 5 p. m. (e. w. t.) April 6, 1945.

Copies of this announcement and the list of lots being offered may be obtained from the Dallas Office, 425 Wilson Building. This sale is being handled by Brian T. Cunningham, Sales Branch, Washington. Telephone Republic 4142, extension 4226.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

None.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

From Western Regional Office, H. O. Wands, W. F. A., 821 Market Street, San Francisco, Calif.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

LABATT WHOLESALE GROCERY CO.,
San Antonio, Tex., March 15, 1945.

Senator WHERRY,
Senator from Nebraska,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: It is rather interesting to note that the Senate is seeking an answer to the shortage of food, trying to get an answer to the question, "What happened to America's food?" If you will go over the records of the Surplus Property Division for the past several months and find out exactly what they are offering for sale, I believe you will find that this is largely an answer to most of the food shortage. They purchased various quantities of foodstuffs and it finally found its way to what they term "dead storage." This is held an indeterminate length of time, when, as we understand it, they appoint a board of survey to condemn this merchandise for Army or Navy use. Then the Surplus Properties Division advertises the merchandise to the civilians.

This happened to millions of pounds of shortening, which is a cooking fat, which was offered for making soap; many thousands of pounds of raisins which were kept in storage until they became infested with worms, then they were offered for making wine; many cases of sauerkraut which was held and finally was sold and the Surplus Properties Division allowed 80 percent for spoilage. If this merchandise had been inspected from time to time, it could have been disposed of before it became spoiled or infested with vermin. No doubt the evaporated fruits were never placed in cold storage.

They have bought up enough No. 2 and No. 10 string beans to run this country for several years; and since these are not as popular with the Army probably as they should be, they are trying to unload same on the civilian trade.

The Government has commandeered all of the dried fruits of the country, with the exception of some prunes and raisins, and no doubt will keep them in storage until the worms infest same. There is a time limit upon all foods. You cannot keep dried fruits from 1941 pack until 1945, nor can you keep any canned fruits, canned vegetables, dried beans, or shortening an indeterminate length of time. If there was a survey made by your committee as to the amount of food that is in what they term "dead storage" and you find out how long this merchandise has been

resting there, you would no doubt find what happened to America's food, and you would also no doubt find that most of this merchandise is out of condition and unfit for human consumption.

We enclose herewith a list of offerings from the War Food Administration. They advise that they first submit these offerings to the original packer so that he can pass on the merchandise as being in first-class condition, then this original packer submits it to their customers, such as ourselves, designated as wholesale grocers. Evidently none of this merchandise has been in such condition that the original processors wish to take it over and dispose of it, as we have never as yet had a single offering from an original packer for any of the merchandise that the Government has put on sale. This would indicate to us that the goods have been held in storage such a length of time that they are not in first-class condition, and we would think that the pure-food authorities would step in on a proposition of this kind and not permit it to be sold.

Yours very truly,

LABATT WHOLESALE GROCERY CO.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., February 15, 1945.

W. F. A. FOOD SALES LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest Regional Office, Latham White, W. F. A., 425 Wilson Building, Dallas, Tex:

None.

From Washington, D. C., Office Sales Branch, Office of Supply, (C. C. C.), W. F. A., Washington 25, D. C.:

Canned green beans: To all green bean canners, established food distributors, and State purchasing agents 126,648 cases of 1942–43 pack. This is the balance of a larger quantity previously offered for sale to both original and competitive canners.

These are being offered at established prices, f. o. b. present location. A reconditioning allowance, not to exceed 10 cents per dozen on No. 2 cans and 15 cents per dozen on No. 2½ cans, or 45 cents per dozen on No. 10 cans, will be allowed if labor or materials are necessary to recondition packages or containers, including relabeling. An itemized claim for such allowances must be submitted to W. F. A. within 60 days from date of delivery.

Offers to buy should be for an entire lot and will be acted upon in order of receipt, subject to confirmation by wire. All offers to buy must be received by 5 p. m. (e. w. t.) March 2, 1945, and should be addressed to Sales Branch, Office of Supply, W. F. A., Washington 25, D. C.

This sale is being handled by Thomas R. Mylett, same address, telephone Republic 4142, extension 4956.

Attached is a list of the beans which are offered for sale.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

From Western Regional Office, H. O. Wands, W. F. A., 821 Market Street, San Francisco, Calif.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

WAR FOOD ADMINISTRATION,
COMMODITY CREDIT CORPORATION,
OFFICE OF SUPPLY,
Dallas, Tex., February 21, 1945.

GENTLEMEN: The War Food Administration is offering for sale to established food distributors and others approximately 126,648 cases of 1942–43 pack canned green beans.

Attached is a list of various lots showing the year of the pack, the variety, grade, original packer, present location, and the f. o. b. present location price. This price is subject to 1½ percent discount for cash.

Offers to buy should be for an entire lot, and will be acted upon in order of receipt, subject to confirmation by wire. All offers to buy must be received in Washington by 5 p. m. (e. w. t.) March 2, 1945, and should be addressed to Sales Branch, Office of Supply, W. F. A., Washington 25, D. C.

Very truly yours,

LATHAM WHITE,
Acting Chief, Procurement and Price Support.

Quantity	Year	Variety	Sieve, grade	Original packer	Location	Price per dozen
1,752 cases, 2½	1942	Cut flat	Ungraded extra standard	Belleview Canning Co., Belleview, Fla	Salisbury, Md	$1.27
850 cases, 2½	1942	Cut round	4 and 5 standard	Springdale Canning Co., Springdale, Ark	Memphis, Tenn	.98
1,623 cases, 6/10	1943	do	2 and 3 and 4 extra standard	E. J. Ritter Co., Bridgeton, N. J	Richmond, Va	6.35
1,906 cases, 6/10	1943	do	2 and 3 and 4 standard	do	do	6.10
1,159 cases, 6/10		do	Ungraded standard	Bentonville Canning Co., Bentonville, Ark	Louisville, Ky	4.75
2,030 cases, 2½	1942	do	4 and 5 and 6 standard	Bonnie Brae Packing Co., Pennellville, N. Y	Philadelphia, Pa	1.22
2,039 cases, 2½	1942	do	4 and 5 standard	do	do	1.24
2,033 cases, 2½	1942	do	3 and 4 and 5 standard	do	do	1.26
5,000 cases, 2½	1942	Cut flat	Ungraded, standard	American Stores Co., Hurlock, Md	Preston, Md	1.07½
3,552 cases, 6/10	1942		2 and 3 and 4 extra standard	Apte Bros. Canning Co., Tampa, Fla	Houston, Tex	7.01
1,010 cases, 2½	1942	Cut round	2 to 5 standard	Apte Bros. Canning Co., Hamilton, Ga	Richmond, Va	1.09
2,085 cases, 2½	1942	do	4 and 5 standard	Canner's Inc., Springdale, Ark	Memphis, Tenn	1.00
2,156 cases, 2½	1942	do	do	Gravette Canning Co., Gravette, Ark	do	1.00
1,630 cases, 2½	1943	do	Ungraded standard	Adel Canning & Pickling, Adel, Ga	Salisbury, Md	1.07½
1,658 cases, 2½	1943	do	do	do	do	1.07½
10,334 cases 6/10	1943	do	3 and 4 and 5 and 6 extra standard.	Land of the Sky Mutual Association, Waynesville, N. C.	Mount Airy, Md	5.68
1,650 cases, 2½	1942	do	Ungraded extra standard	Valley Canning Co., Canutillo, Tex	Houston, Tex	1.09
1,000 cases, 2½	1942	do	4 and 5 extra standard	Bentonville Canning Co., Bentonville, Ark	Louisville, Ky	1.09
1,927 cases, 2½	1943	Cut flat	2 and 3 and 4 extra standard	W. H. Roberts Co., Baltimore, Md	Baltimore, Md	1.27½
124 cases, 6/10	1942	Cut round	4 and 5 standard	Evangeline Pepper & Food, Martinsville, La	Memphis, Tenn	5.60
5,675 cases, 2½	1942	do	do	do	do	1.00
1,650 cases, 2½	1942	do	4 and 5 extra standard	do	do	1.12½
1,473 cases, 2½	1942	do	Ungraded extra standard	Prentiss Food Products Co., Prentiss, N. C	Salisbury, Md	1.47
2,943 cases, 2½	1942	Cut	2 and 3 and 4 standard	Delta Canning Co., Raymondville, Tex	Houston, Tex	1.01
1,000 cases, 2½	1942	do	Ungraded extra standard	Quality Products, Inc., La Feria, Tex	do	1.04
2,747 cases, 6/10	1942	do	2 and 3 and 4 standard	Harlingen Canning Co., Harlingen, Tex	do	6.00
802 cases, 6/10	1942	do	2 and 3 and 4 extra standard	do	do	6.50
1,695 cases, 2½	1942	do	do	Mission Foods, Inc., Mission, Tex	do	1.15
1,594 cases, 6/10	1943	Cut semiround	Ungraded standard	Ridge Canning Co., Glassboro, Tenn	Camden, N. J	5.35
7,800 cases, 2½	1942	Cut round	2 and 5 extra standard	Bush Bros. & Co., Dandridge, Tenn	Roanoke, Va	1.12½
2,182 cases, 2½	1942	do	Ungraded standard	Halstead Canning Co., Cortland, N. Y	Waverly, N. Y	1.22
2,182 cases, 2½	1942	do	3 and 4 standard	do	do	1.27
2,059 cases, 6/10	1942	do	3 and 4 and 5 standard	Hartmann Canning Co., Macedon, N. Y	Philadelphia, Pa	6.50
5,554 cases, 6/10	1943	Cut flat	2 and 3 and 4 extra standard	W. H. Roberts Co., Baltimore, Md	Baltimore, Md	6.35
1,708 cases, 6/10	1943	Cut round	Ungraded standard	W. E. Robinson & Co., Belair, Md	Harrisburg, Pa	5.35
552 cases, 2½	1943	do	4 and 5 and 6 extra standard	Land O'The Sky Mutual Association, Waynesville, N. C.	Mount Airy, Md	1.47
7,499 cases, 2½	1942	do	Ungraded standard	Cherokee Products Co., Haddock, Ga	Savannah, Ga	1.07½
4,099 cases, 2½	1942	Cut	do	do	do	1.07½
2,032 cases, 2½	1942	do	do	Elkins Canning Co., Fayetteville, Ark	St. Louis, Mo	1.00
3,790 cases, 6/10	1942	do	do	Litteral Canning Co., Fayetteville, Ark	do	4.66
12,720 cases, 6/10	1942	Cut flat	do	Mason Canning Co., Pocomoke City, Md	Preston, Md	5.35
315 cases, 6/10		Cut	do	H. J. McGrath Co., Baltimore, Md	Washington, D. C	5.35
1,235 cases, 6/10		do	do	Gibbs & Co., Baltimore, Md	do	5.35
1,165 cases, 6/10		do	do	W. H. Roberts, Baltimore, Md	do	5.35
1,200 cases, 6/10		do	do	Lord-Mott Co., Inc., Baltimore, Md	do	5.35

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., February 27, 1945.

W. F. A. FOOD SALES LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest Regional Office, Latham White, W. F. A., 425 Wilson Building, Dallas, Tex.:

Evaporated milk: Still being offered to manufacturers for industrial use only, overage milk at $2 per case in car lots and $2.25 less than carload lots, delivered.

From Washington, D. C., office, sales branch, Office of Supply (C. C. C.), W. F. A., Washington 25, D. C.:

Canned peas: To the original processors, approximately 20,724 cases from the 1942–43 pack. Processors' names and description of the peas shown below:

Number of cases	Packed	Grade	Original processor	Location	State processed
1,373	6/10	Extra Standard	Libby, McNeill & Libby, Chicago, Ill.	Wilmington, Del.	Washington.
2,205	24/2	Extra Standard Sweet	Stokeley Bros. & Co., Indianapolis, Ind.	Baltimore, Md.	Tennessee.
2,228	24/2	do	do	do	Maryland.
2,900	24/2	do	Silver Creek Preserving Co., Silver Creek, N. Y.	Buffalo, N. Y.	New York.
2,722	24/2	Extra Standard Alaska	Bentel Pickling & Canning Co., Bay City, Mich.	do	Michigan.
3,220	24/2	Standard Alaska	Fall Creek Canning Co., Pendleton, Ind.	Toledo, Ohio	Indiana.
2,222	24/2	Extra Standard Sweet	Marshall Canning Co., Marshalltown, Iowa.	Pittsburgh, Pa.	Iowa.
1,922	6/10	Fancy Sweet	do	do	Do.
1,932	6/10	Extra Standard Sweet	do	do	Do.

The original processors have until 5 p. m. (eastern war time), March 12, 1945, to submit offers.

This sale is being handled by Mr. Fenton Albright of the same office.

Roller dried whole milk: To the original processors, approximately 167,360 pounds processed by and being offered to Dairymen's League, New York, and 50,000 pounds Borden & Co., New York.

They will be given until 5 p. m. (eastern war time), March 6, 1945, to submit bids.

This sale is being handled by Mr. Brian T. Cunningham, of the same office.

From Western Regional Office, H. O. Wands, W. F. A., 821 Market Street, San Francisco, Calif.:

Baled loose cotton: Three hundred and thirty-seven bales totaling 161,205 pounds is being offered. This cotton is the accumulation of samples at the Bakersfield, Calif., and the Phoenix, Ariz., offices of the Cotton and Fiber Branch. Bids requested per pound by item numbers as follows:

Item 1: Two hundred and forty-eight bales, 123,848 pounds, stored at Magunden Gin Yard of Kern County Cotton Gin, Bakersfield, Calif.

Item 2: Eighty-one bales, 33,495 pounds, stored Western Compress Co., Phoenix, Ariz.

Item 3: Eight bales, 3,862 pounds, S. X. P. cotton, stored same as item 2.

Purchaser must assume accrued compress and storage charges.

Bids must be received by 5 p. m. (Pacific war time), March 8, 1945.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

None.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.)
Dallas 1, Tex., March 5, 1945.

W. F. A. FOOD SALES LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest Regional Office, Walcott S. Black, W. F. A., 425 Wilson Building, Dallas 1, Tex.:

None.

From Washington, D. C., Office, Sales Branch, Office of Supply, C. C. C., W. F. A., Washington 25, D. C.:

Canned peas—14,647 cases from 1942 and 1943 pack. These are being offered to the original processors only. They will have until 5 p. m. (E. W. T.) March 19, 1945, to submit offers.

Peas are listed for sale as follows:

Cases	Year	Packed	Grade	Processor	Stored	State processed
2,075	1942	24/2	Off Grade Alaska	Valders Canning Co., Valders, Wis.	East Liverpool, Ohio.	Wisconsin.
1,807	1943	24/2	Standard Alaska	Winnor Canning Co., Wauseon, Ohio.	Buffalo, N. Y.	Ohio.
1,805	1942	24/2	do	do	do	Do.
2,185	1943	24/2	Standard Sweet	Ray A. Ricketts Co., Canon City, Colo.	Omaha, Nebr.	Colorado.
1,025	1942	24/2	Extra Standard Sweet	Francis H. Liggett & Co., Oakfield, Wis.	Royersford, Pa.	Wisconsin.
2,175	1942	24/2	Standard Alaska	John H. Thuma Co., Owosso, Mich.	Buffalo, N. Y.	Michigan.
2,173	1942	24/2	do	do	do	Do.
1,402	1943	6/10	Extra Standard Sweet	San Juan Island Cannery, Mount Vernon, Wash.	Royersford, Pa.	Washington.

Grain, cereal products, beans, and peas: Off-condition odd lots totaling 31,673 bags located in various warehouses.

The items are listed for sale as follows:

Amount	Description	Location
Bags		
212	Dry Great Northern beans.	Wapekoneta, Ohio.
4,189	do	Charleston, S. C.
7,199	Dry pea beans	Detroit, Mich.
2,399	do	Mount Clemens, Mich.
2,400	do	Crosswell, Mich.
1,300	do	Rochester, N. Y.
2,000	do	Batavia, N. Y.
4,794	do	Niagara Falls, N. Y.
1,900	Cranberry beans	Batavia, N. Y.
1,196	do	Detroit, Mich.
800	do	Voorheesville, N. Y.
800	Green split peas	Bronx, N. Y.
424	Dry Alaska peas	Wapekoneta, Ohio.
23	Rice	Little Rock, Ark.
574	Hard white wheat flour.	Hutchinson, Kans.
1,463	Pinto beans	Toledo, Ohio.

Bids must reach Washington by 5 p. m. (E. W. T.), March 19, 1945. Further information and copies of announcement Awd-375, under which items are sold, may be obtained from Reed K. Pond, of the above office, or from any regional office.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Northeast Regional Office, B. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

From Western Regional Office, H. O. Wands, W. F. A., 821 Market Street, San Francisco, Calif.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., March 5, 1945.

W. F. A. FOOD SALES LISTINGS

In addition to the items announced for sale in FSL–D–13, dated March 5, 1945, the Washington Sales Branch, Office of Supply, is offering the following items:

Frozen pork cuts: A limited quantity is being made available to canners in the New York City trade area to enable them to fulfill their Government contracts for canned pork tushonka.

Dried raisins: Approximately 5,697 cans, 1942 crop raisins, being offered to the original packer. They are packed 36 15-ounce packages to the case and are stored in Norfolk, Va. One lot of 909 cases being offered to Sun Maid Raisin Growers of Fresno, Calif., and two lots of 2,388 cases and 2,400 cases to Rosenberg Bros. & Co., of San Francisco, Calif. Packers have until 5 p. m. (E. W. T.) March 24, to purchase.

Plug tobacco: Approximately 504 1-pound units of Horseshoe Brand plug tobacco stored in Leavenworth, Kans, is being offered to Liggett & Myers Tobacco Co., the original vendor. This tobacco was turned over to the W. F. A. for sale by another Government agency. The original vendor has until 5 p. m. (E. W. T.) March 14, to purchase.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

WAR FOOD ADMINISTRATION,
OFFICE OF SUPPLY (C. C. C.),
Dallas, Tex., March 8, 1945.

W. F. A. FOOD SALE'S LISTINGS

The War Food Administration is offering for sale the following listed items:

From Southwest regional office, Walcott S. Black, W. F. A., 425 Wilson Building, Dallas 1, Tex.:

Loose cotton, estimated to be 50,000 to 100,000 pounds net, this is an accumulation of samples at and stored in the Dallas Classing Office, otton and Fiber Branch, 1104 South Ervay Street, Dallas. The loose is in sacks, and the purchaser must agree to remove all sacks within 10 days from date of acceptance and to return empty sacks with-

in 20 days. Purchaser must have cotton weighed at his expense and furnish weight certificates. Settlement will be on the net weight of the cotton. Bids close at 12 noon March 15, 1945.

Lanolin, 3 hundred-pound drums stored at Pine Bluff Arsenal, Ark. In good condition and in new steel drums. This is being offered on announcement awards 16, with bids closing at 12 noon March 15, 1945.

From Washington (D. C.) office, Sales Branch, Office of Supply (C. C. C.), W. F. A., Washington 25, D. C.:

Canned peas, to original processors, approximately 18,073 cases of 1942 and 1943 pack. Peas are listed for sale as follows:

Cases	Year	Packed	Grade	Processor	Location
1,400	1943	6/10	Standard Sweet	Eddington Canning Co., Springville, Utah	St. Louis, Mo.
1,448	1943	6/10	do	do	Do.
2,270	1942	24/2	do	Silver Creek Canning Co., Ripon, Wis	Do.
1,891	1943	24/2	Extra Standard Sweet	Orleans County Canning Co., Barre Center, N. Y	Albion, N. Y.
7,019	1943	24/2	Standard Sweet	Idaho Canning Co., Payette, Idaho	Omaha, Nebr.
8,965	1943	24/2	Extra Standard Sweet	Stokeley Bros., Inc., Frederic, Wis	Eagle Harbor, N. Y.

Canners must submit offers to purchase to Sales Branch, O. S., by 5 p. m. (eastern war time), March 21.

Canned tomatoes: To original processors approximately 15,600 cases of standard grade from 1941, 1942, and 1943 packs. Tomatoes are listed for sale as follows:

Cases	Processor	Location
[1] 255	Ruby Canning Co., Ruby, S. C.	Belle Bluff, Va.
[2] 378	Allen Canning Co., Siloam Springs, Ark.	St. Louis, Mo.
[3] 10,000	Platt Low Canning Co., Santa Clara, Calif.	Santa Clara, Calif.
[2] 862	Wharton Canning Co., Huntsville, Ark.	St. Louis, Mo.
[4] 1,000	Carrollton Canning Co., Carrollton, Ky.	New York, N. Y.

[1] These 1943 tomatoes packed 24/2½.
[2] These 1942 tomatoes packed 6/10.
[3] These 1942 tomatoes packed 24/2.
[4] These 1941 packed 24/2½.

Processors have until 5 p. m. (eastern war time), March 21, to order.

From Northeast Regional Office, E. G. Southwick, W. F. A., 150 Broadway, New York, N. Y.:

Inedible frozen eggs: Three hundred and seventy-five 30-pound-net cans located 210 cans at Borden's, New York, N. Y.; 18 cans at Merchant's Refrigerating Co., New York, N. Y.; and 147 cans at seaboard, Jersey City, N. J. Bids close at 3 p. m. (eastern war time), March 16, 1945. Sale is handled by Arthur Klein, of above office.

From Midwest Regional Office, E. K. Riley, W. F. A., 5 South Wabash Avenue, Chicago, Ill.:

None.

From Southern Regional Office, Ralph Woodside, W. F. A., Western Union Building, Atlanta, Ga.:

None.

From Western Regional Office: H. O. Wands, W. F. A., 821 Market St., San Francisco, Calif.:

None.

NOTE.—Information on W. F. A. food sales may be obtained from any of the five regional offices or from Washington. Each office has information on offers being made from the other offices.

Mr. WHERRY. Mr. President, now that the letters are in the RECORD and the administration and all those who have to do with food can read them, I should like to ask four questions:

First. How much food is there in "dead storage" in this country?

Second. How long has this food been in storage?

Third. How often is it inspected?

Fourth. Why is it permitted to spoil?

I should like to have those who are responsible, if they will, write me letters in reply, and then I shall put them in the RECORD because if the charges made in the letters are true as to San Antonio, they are true of scores of other places throughout the country, and the Senatorial committee should certainly make an exhaustive investigation into the charges.

RESIGNATION OF DIRECTOR OF WAR MOBILIZATION AND RECONVERSION

Mr. MAYBANK. Mr. President, I ask unanimous consent to have the clerk read correspondence between the President of the United States and Mr. Justice Byrnes, the Director of War Mobilization and Reconversion, and when the letters shall have been read I should like to make a comment.

The VICE PRESIDENT. Without objection, the clerk will read as requested.

The Chief Clerk read as follows:

The President has received the following letter of resignation from the Honorable James F. Byrnes, Director of the Office of War Mobilization and Reconversion:

MARCH 24, 1945.

THE PRESIDENT,
The White House, Washington, D. C.

DEAR MR. PRESIDENT: Last June when the Congress was considering the bill to expand the Office of War Mobilization into the Office of War Mobilization and Reconversion, I advised the committees of both Houses that I would not remain to administer the reconversion program.

In November when I again advised you of my reason for not wishing to remain, we agreed that I should accept the appointment as Director of the newly created Office with the understanding that I would continue only until VE-day. This announcement was made by you. I remind you of this only because I hope that having remained for 9 months after expressing my desire to leave, you will view with sympathy what I now feel obliged to write.

I think VE-day is not far distant. My knowledge of the nature of the work now confronting the Office causes me to conclude I should not remain longer. The Office has already embarked upon the development of a program of reconversion. I have organized committees composed of representatives of the various agencies which have been at work for some time developing the program. In the report I shall submit to you next week that program will be outlined.

I am convinced that the person who is to direct the reconversion program should take charge of this Office now. He would then have an opportunity to familiarize himself with the plans we have made and can modify in such manner as he deems wise the plans he will be called upon to administer.

Therefore, I tender my resignation to become effective April 2. I fix that date because the law requires a report to be filed with you and with the Congress on April 1, and I think it my duty to file that report.

I sincerely appreciate the opportunity you gave me to participate in the war effort.

With assurances of my esteem, I am,

Sincerely yours,

JAMES F. BYRNES.

In a letter accepting Mr. Byrnes' resignation, the President wrote Justice Byrnes as follows:

MARCH 31, 1945.

Hon. JAMES F. BYRNES,
Director, Office of War Mobilization and Reconversion, Washington, D. C.

DEAR JIMMIE: I have read without surprise but nevertheless with a sense of heartfelt regret your letter of March 24. Of course, I am all too familiar with your desire to retire from public life, expressed publicly before both Houses of the Congress as long ago as June of last year and reiterated to me personally some months later.

Having no other alternative, I accept your resignation as Director of the Office of War Mobilization and Reconversion. I ask that you make your resignation effective the date your successor qualifies.

It is not pleasant to contemplate the severance of a relationship which has been as delightful to me personally as it has been of advantage to the national interest which you have served with such singular devotion and fidelity. I shall always remember the many burdens which you have taken from my shoulders. The Nation has been fortunate in these times of stress and strain that we could fall back on the counsel you were able to give us out of an experience gained in the discharge of so many positions of the highest trust and responsibility. As legislator, as jurist sitting on the highest Court in the land, and as man of affairs, you had a long preparation for the service which you have given your country in these war years.

I know that with characteristic vision you have already glimpsed the essential problems of reconversion. Although you go, I shall like to think that at any time in the future I can avail myself of your wisdom, knowledge, and understanding.

With every good wish,

Always sincerely,

FRANKLIN D. ROOSEVELT.

Mr. BARKLEY. Mr. President, will the Senator from South Carolina yield to me?

Mr. MAYBANK. I yield.

Mr. BARKLEY. Mr. President, I feel that I speak the unanimous sentiments of the Senate and largely of the country when I express my deep regret at the departure of Justice Byrnes from the position of Director of War Mobilization and Reconversion and, so far as we know, from public life.

Many of us here have known Mr. Byrnes for a generation. When I entered the House of Representatives in

March 1913 he was a Member and had been for 2 years. I served there with him many years; I served here with him many years, and have been in close contact with him since he resigned from the Senate to become Justice of the Supreme Court of the United States, and in even closer contact during his incumbency of the various civilian positions he has held under the war program.

I know of no one whose departure from public service would create a greater vacuum in that service than that of Justice Byrnes. He is a man of outstanding ability and unimpeachable character. He has a keen insight into the problems and the details of Government service, because during most of the years when he was in the House of Representatives he was a member of the Committee on Appropriations, and I think during most, if not all, his service in the Senate he was a member of our Committee on Appropriations, membership in which brings one into intimate contact with all the departments and bureaus and details of the Government of the United States. Such knowledge, acquired during years of experience, has not only been of value to Justice Byrnes, but has been of benefit to the country, and it is with the greatest regret that I take note of his departure from public life now. We all wish for him the greatest success and happiness in his future endeavors, whatever they may be.

Mr. President, our disappointment at the resignation and departure of Justice Byrnes is assuaged, however, by the appointment which has come to the Senate today of his successor in the person of Judge Fred M. Vinson. Judge Vinson served in the House of Representatives many years, and became one of the outstanding members of the Committee on Ways and Means. He not only became acquainted with all the details of government, but really became almost a tax expert. He was one of the most industrious and hard-working of the members of the Committee on Ways and Means, and contributed very largely to the solution of some of the tax problems.

Like Justice Byrnes, Mr. Vinson was appointed to the bench, but resigned, at the request of the President, to take civilian employment under the war program, and recently was moved to the office of Administrator of the lending agencies, and now is transferred to the position which is being vacated by Justice Byrnes.

I feel confident in saying that Judge Vinson will carry on the ideals of his new office, he will serve in that position with an understanding of the departments with which he will have to deal, and of the problems which will face him, and all of us, with regard to reconversion and reorganization of our economy for the peace days, no less than during the concluding days of the war.

I think it is fortunate, inasmuch as Justice Byrnes desired to retire, that the President has seen fit to appoint Judge Vinson as his successor.

Mr. WHITE. Mr. President, I wish to add a brief word to the remarks of the majority leader.

Like the Senator from Kentucky, I have had long association with Justice Byrnes. I served with him in the other body of the Congress, and I was privileged to serve with him in the Senate. He brought to the performance of his public duties a rare tact, a legislative genius, and a character which earned him the respect and the warm regard of all those who were privileged to be associated with him.

I regret his departure from public life. He served throughout his legislative career with distinction to himself and with honor to his State, and he has made a great contribution to the public welfare in all the positions he has held. I join in expressing regret that he has seen fit to sever his connection with the public service.

Mr. MAYBANK. Mr. President, I merely wish to add to what the distinguished majority leader and the distinguished minority leader have said regarding the resignation of Justice Byrnes. As the senior Senator from South Carolina, it is a source of regret to me that he has resigned. Having been a close friend of his for so long a period, and knowing of his desire to retire last fall, I was quite pleased at that time when he determined to remain in public office, and during the months since he has rendered most valuable service to the President of the United States and to the leaders of our armed forces. As the President has said, I am certain that he will miss Justice Byrnes' guiding hand and that he regrets that Justice Byrnes will be near him no longer to take so much off his shoulders, as the President expressed it in his letter.

Mr. President, I am certain that Justice Byrnes' great service and devotion to the public demonstrated during the stress and strain of war will always be appreciated by the people of the United States.

Mr. McKELLAR. Mr. President, I am quite sure there is nothing I could say about Justice Byrnes which would add to what has already been so well said by other Senators preceding me. When I first became a Member of the House of Representatives, nearly 34 years ago, I found Mr. Byrnes a Member of the House from South Carolina. He was then one of the most genial, delightful, attractive, and diplomatic of men, and in all the years which have since passed he has retained all those fine and pleasing characteristics. I never knew a more lovable or delightful character than Mr. Byrnes. His personality was most engaging and always alluring. We did not always agree on public questions; in fact, we frequently differed, but never in all the time of our association did an unkind word pass between us or an unkind thought find lodgment with either of us against the other.

As a statesman, Justice Byrnes has been an unusual success. He had a brilliant career in the House of Representatives, as well as later in the Senate. He was similarly successful as an Associate Justice of the Supreme Court, and as a member of the President's official household I can well understand how the President came to regard him as a tower of strength. He is honest, able, learned, courageous, manly, hard-working, versatile, and with a personality which cannot be excelled. He is really and truly a gentleman without fear and without reproach. These was perhaps no more personally popular Member of this body than he while he was here.

I can well understand how the President was inspired to write the beautiful letter he has issued, every word of which I endorse, from personal knowledge, from political association, and from the standpoint of one who has been long in the public service.

Mr. President, I could not let this occasion pass without saying that I join in all the beautiful things which have been said about Justice Byrnes by the Senators who have spoken. I wish Mr. Byrnes a continuance of his useful and splendid life in whatever field of work he undertakes; he deserves every good reward that may come to him. I have a deep sense of personal devotion to him.

Mr. DOWNEY. Mr. President, I rise to express my deep regret and concern because of Mr. Byrnes' resignation. His high integrity, intelligence, common sense, and judgment have been of the greatest value to our Nation in the critical circumstances which have surrounded it. Personally, I have always found Mr. Byrnes most courteous and effective in his conduct of public affairs; and for his help in the solution of many difficult war problems in California I am most grateful.

The resignation of Mr. Byrnes at this time is a profound loss to our country and to every citizen; and he should have from all of us our commendation, our gratitude, and our blessings.

The VICE PRESIDENT. The present occupant of the chair wishes to approve heartily the remarks, in tribute to James F. Byrnes, made by the majority leader [Mr. BARKLEY], the minority leader [Mr. WHITE], the Senator from South Carolina [Mr. MAYBANK], the Senator from Tennessee [Mr. MCKELLAR], and the Senator from California [Mr. DOWNEY].

PREFABRICATED HOUSES FOR ENGLAND, AND LUMBER SHORTAGE IN THE UNITED STATES

Mr. LANGER. Mr. President, I have received numerous letters from lumber companies in North Dakota, Minnesota, and Nebraska complaining about the lack of lumber, and particularly about the large amount of lumber which is going to be used to build prefabricated houses to be shipped to England, while the people in the United States are suffering from a lack of lumber. A letter which is typical is one received from the Robertson Lumber Co., of Minneapolis, Minn., and I wish to read it into the RECORD at this time:

MARCH 21, 1945.

Hon. WILLIAM LANGER,
United States Senate,
Washington, D. C.

DEAR SENATOR: We feel that it is our duty to write you at this time in regard to lumber being manufactured in the United States.

As you probably know, most of the lumber yards have insufficient stocks to even take care of old buildings which have to be repaired in order that they do not depreciate to a point beyond repair.

We are told that 30,000 prefabricated homes are to be sent to England in the very near future, and that England wants 10 times that number of homes, and will pull all political strings to get them. How many prefabricated homes will be wanted and sent to other countries we are unable to tell you, but in looking at some figures we have here it looks like they talk about 750,000 such homes which are to be given to people in occupied areas.

We have absolutely no objections to the Army and Navy getting all the lumber necessary to win this war, even though our yards may be entirely out of lumber; but we do not feel that our forests should be depleted and the lumber taken away from citizens of the United States, who have already gone without sufficient lumber for 4 years to keep their old buildings in normal repair—without even mentioning lumber for new barns, granaries, hog houses, and so forth, which are badly needed on most farms.

From reports we have, the lumber dealers in Canada still have normal stocks in their lumber yards and the people of Canada apparently have been well taken care of for the past 3 or 4 years. The lumber dealer in the United States has had only a fraction of the lumber he has needed for several years, and when the United States furnishes lumber for the Army and Navy to win this war we feel that we have done more than our share without taking the lumber needed in this country and lend-leasing a large portion of it to other countries.

We hope that all Congressmen will watch this lend-leasing of lumber so that it is not taken away from the people of the United States, who will need it badly, and given to other countries.

Our company, operating yards in Minnesota and North Dakota, has had practically no shingles to sell for 3 years—

I want to repeat that, Mr. President—

Our company, operating yards in Minnesota and North Dakota, has had practically no shingles to sell for 3 years and only a very limited amount of lumber, even though all of our yards are located in the agricultural district of these two States. Farmers even now are begging us for lumber, and we are unable to purchase sufficient quantities to allow them to keep their buildings in only moderate repair.

Yours very truly,

THE ROBERTSON LUMBER CO.
By RAY MARCY.

P. S.—Have just received authentic information that 30,000,000 feet of flooring alone will be used in the construction of the 30,000 houses for England, as well as millions of board feet of other types of lumber.

Mr. President, I may say that last summer while going through my State I found that lumber was so scarce that the women on the farms did not have sufficient lumber to build chicken coops in order to take care of the chickens they were attempting to raise. The farmers could not secure shingles to place on their granaries to save the wheat they had stored there. I sincerely hope that under no circumstances will this country, under lend-lease or in any other manner, send enough lumber overseas or use enough lumber here to manufacture 750,000 prefabricated homes for England, or any other country, or all the other countries put together.

UTILIZATION OF MANPOWER RESOURCES—CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes.

Mr. LANGER. Mr. President, I wish to return to the pending conference report. Before briefly summarizing what I said Friday upon the pending bill, I call the attention of the Senate to the fact that more millionnaires are being created by this war than were created by World War No. 1, and that, aside from raising the income-tax rates, nothing has been done about it by Congress. Enormous fortunes, some, of course, created by World War No. 1, still exist, and not only do they exist but, as I stated in my previous remarks, the vast aggregations of wealth have grown larger and are still growing larger daily. Yet today, Mr. President, Senators rise upon this floor and solemnly ask for the enactment of a law which will permit one man to enslave every individual in America, while property continues to be exempt, and men and women hold up their hands in horror at the idea of levying a capital tax to reduce the debt of the United States.

Of course, everyone knows that the more the debt is reduced the less of it the soldier boys will have to pay when they return home.

There is no more need for the enactment of the pending measure, in my opinion, Mr. President, than there is for a wagon to have five wheels. I conclusively proved on Friday, by the statement of General Marshall himself, that labor has broken all records for production in 1943. I proved by the records of the War Production Board that the railroad men, with a 24-percent decrease in manpower, worked so hard voluntarily that the railroads made a profit of more than $7,000,000,000, which is nearly half a billion dollars more than they ever made before in the history of the United States, their top year being 1929. I proved by the records of the Department of Agriculture that the farmers voluntarily—not by slave labor, but voluntarily—produced more food and more grain than has ever been produced before in a single year in the history of the world.

So what possible reason can there be for the enactment of this measure, unless the reason be that there are those who, already taking delight in ordering about the people of this country even to the minutest details of their lives, are grasping and grasping and grasping for more power and more power and still more power, so that they may tell not only the civilians of America what to do but may even regulate the lives of the soldiers who return home to this country.

I should like to have any Senator who is in favor of the bill answer the charge made, not by some inconsequential person, but by Lindsay C. Warren, Comptroller General. His statement is that there has been more than $50,000,000,000 of graft. I should like to ask any Senator who seeks to have this measure passed to refute the figures of the War Production Board that labor has done an outstanding job voluntarily. I should like to have any Senator deny that the railroad men have made an outstanding record in 1943. They did so voluntarily, Mr. President, and not through enslaved labor.

I conclusively proved on Friday by General Marshall's statement that labor had broken all records in production in 1943. I proved by the record of the coal miners, at a time when more than 75,000 of their sons had gone to war, that they had produced hundreds of thousands of tons of coal more than were ever produced in a single year in the history of the United States. Mr. President, that is their record, and it is a record in which every American can take pride.

While England and other countries have enslaved labor, this great democracy of ours has proved that in time of crisis men and women who own their own homes, who rule their own country, who select their own officials, who willingly sacrifice their own blood upon the field of battle, who will not yield an iota in their loyalty and patriotism, are outwardly as efficient as, and work longer hours than, the people of any enslaved nation upon the face of the earth. Why should this kind of free people have any man tell them where their wives, sons, and daughters will have to work, or separate a father from his family by a distance of 500 miles, or say to a family, "Leave your farm in North Dakota and go out to farm in Oregon, California, or Texas." Mr. President, in reply to those who say that that will not be done, my unanswerable question is, "Why give any man the power to do it?"

As I said Friday, if we are going to draft the youth of the country who are fighting to protect the lives and property of the people of America, then we should also draft the property, the wealth that they are fighting to preserve. I stated then that there are 60 families that control the destiny of this country—60 families supported by 90 more that have so many billions of dollars that the very fact that they have it is a disgrace to this country. Why should 1 family control the mines of America, another the timber, and another any other natural resource? Almighty God gave the wealth for all the people—not to any 60 families. It is only necessary to recall the remarks of the elder Rockefeller, that he "got this property from God," to remind one of the old claim made by the kings and queens of centuries gone by that they ruled by divine right of kings and not by the will of the people. The sooner we wipe out that kind of thing in this country the better off we shall be. Personally, I hope that every king, queen, duke, count, prince, earl, and any person with any other title, as well as every house of royalty, will be wiped out by this war. About the only good thing we got out of World War No. 1 was that we got rid of many of that class of people. They are no good as a group, and they never will be any good. The idea that one of royal blood should not associate with a man engaged in trade or a farmer or laborer, has no place in the modern trend of the twentieth century. As a matter of fact, some of the royal families have intermarried so much that they are suffering from all sorts of diseases, and their blood is so rotten that a tradesman or a

farmer who has a son or daughter of marriageable age would be unwise, indeed, to permit him to get mixed up with a scrawny, spavined, stuttering, half-witted person who has nothing to commend him except his money and his alleged superiority of alleged breeding.

I have noticed that whenever a great invention takes place it generally comes from an Edison, a Ford, or a Fulton; and then after a man of the people has invented something new, within a short time it seems to be controlled by 1 of the 60 families, supported by 1 of the 90 families who in America rapidly have formed a caste comparable to that of royalty in some of the European countries.

I proposed by an amendment to wipe out this condition by levying a capital tax, as a result of which the boys returning from the war would have billions of dollars less to pay on the war debt. Such a tax would in very truth and fact, "drive the money changers out of the temple" and keep them out.

Mr. President, of course, I realize that not many Members of the Senate have that view; but if I am the only liberal Republican in the Senate, I am happy to speak for liberal Republicans all over this country who feel the way I do; and I venture the prediction that if this country is ever visited by a revolution, if ever that time comes—and God forbid that it should come—it will have been brought on by the lords of wealth whose appetites are insatiable, whose greed for money is apparently endless, and who in their desperate desire to have power over their fellow men will in time of war use the war to enslave freemen.

We are here, Mr. President, supposedly as the guardians of America; we are here to make this a better place for the rank and file of the people to live in—to have business in and to enjoy their lives in. Under our laws, we pledge ourselves to support the Constitution of this country; and I for one propose to tear down these enormous fortunes and use them in paying the war debt, because I am entirely convinced that not only is that for the best interest of America, but in truth and fact for the very best interests of the very men and women who hold these concentrated fortunes. Inasmuch as the Senate rejected my amendment to make this possible, and has refused to go on with me in this amendment, I, of course, will vote against this measure, secure in the knowledge that I am right and that Senators who disagree with me are entitled to have me respect their opinions as I expect them to respect mine.

In conclusion, Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks portions of a speech on bloated fortunes, delivered by the late Senator Huey Long when he was speaking on this floor on the 4th day of April 1932, 13 years ago, when he used words almost identical with some of the things which I have said.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

AMERICA'S CRISIS

Why, if this Congress adjourns and does not provide a law for the effective starting on a redistribution of wealth in the United States you need not be worried about the amount of deficit that there is going to be in the National Treasury. If we adjourn here with this tax bill before us, with a bill passed as a result of it or with this bill passed, without providing a means for the redistribution of wealth in the United States today, and allow this snowball to go downhill for 2 or 3 more years as it is now, and allow this panic to be exploited as it is now being exploited to concentrate every business enterprise in this country, you do not need to worry about the Federal Government nor the Budget of the Federal Government. You will have a problem before you that is a great deal bigger than any problem of the Budget of the Federal Government.

I have letters which I have received today, which I intended to read to the Senate. One man, a peaceable citizen, has undertaken to make a living as long as he could, and finally went into a business prohibited by law because it was the only thing out of which he could make a living for his wife and children. He is now in the Federal penitentiary. Another letter is from a widow with a 19-year-old son that she is undertaking to send to college, living in a college town; and he cannot continue his work in the university because she cannot find the funds even to buy the books. Yet we are sitting here talking about balancing the Budget.

THE UNBLESSED COALITION

Who is thinking about those people? Who is thinking about this condition? Who is doing anything about it? Where is this bipartisan conference? I want to find it and write it a letter. Has it been blessed as the House conference was blessed? Have Rockefeller and Morgan and Baruch sent in their ill-fated recommendations and demands that were so effective in other administrations? Have they been sent in now? Is that what we are going to see done in this tax bill that is coming out here?

We are told that there never was a ruling class that abdicated. A great deal of speculation is made over who is the leader and who are the party leaders of this Nation, who are the leaders of Congress. I have been here long enough to say that if I had any legislation in the United States Congress today, I would a whole lot rather know that it had the sanction and approval of Morgan and Rockefeller and Baruch than to know that it had the sanction and approval of every party leader in both Houses of Congress. They are here to fight the tax on the importation of oil. They are here to fight the tax on stock exchanges.

We have a cotton exchange and a stock exchange in the city of New Orleans, just as they have a stock exchange and a cotton exchange in the city of New York, and I am not afraid to tell you that there is not a more nefarious enterprise that ever operated on the face of the globe than the stock exchanges and cotton exchanges in the city of New York and in the city of New Orleans. They have lived for years out of the miseries and the slim profits that might have meant some convenience and comfort to the people of this country, and there is no tax on the living face of the globe that can be more justly and properly assessed than a tax on the stock exchange and a tax on the cotton exchange. I am not politically afraid for them to know that I have expressed exactly those sentiments on the floor of the Senate. It does not make any difference to me whether they like it or not.

Now, these men are fighting the inheritance tax and the surtax. The newspapers tell us that this is a great effort to soak the rich. Soak the rich—the "soak-the-rich campaign." It is no campaign to soak the rich, Mr. President. It is a campaign to save the rich. It is a campaign the success of which they will wish for when it is too late, if it fails, more than anyone else on earth will wish for it—a campaign for surtaxes to insure a redistribution of wealth and of income, a campaign for inheritance taxes to insure a redistribution of wealth and of income.

IS WALL STREET ALONE TO HAVE THE COALITION?

Since we had a coalition of the Republican and Democratic leaders in the House and in the Senate that the House Members rebelled against, is it not possible that there can be some coalition of the Members of the United States Senate in the interest of the people of this country to raise these surtaxes and these inheritance taxes and to save these other forms of taxation that mean a prosperous America? Could there not be some anointed move from the Senate that would mean the protection of the people of this country?

Evidently we do not realize that there is a crisis. Apparently we do not. We do not have to go very far to find it out. Mr. Herbert Hoover, in his speech in Indianapolis the other day, said that we were now in the midst of the greatest crisis in the history of the world. If Mr. Hoover can be believed, neither disunion, rebellion, war, nor pestilence compares with the condition that faces the American people today. Mr. Hoover may not ever say this again. I do not think he will say it again. I think he had a rather unguarded moment, and probably his speech was not censored as it is going to be censored in the future. As campaign days draw closer the artist who can make words mean and not mean will no doubt interpolate these messages in such a way that they will offend but few, and benefit probably fewer. But Mr. Hoover went on to say that a different means of taxation had to be found for this country; that we had to find a means of taxation that would take the taxes off the small man. That is what Mr. Hoover said. I am going to read in a moment just exactly what he did say; that we had to formulate a tax policy that would take the taxes off the farmers and home owners of this country; and in the same speech—which evidently was not censored as most of them probably will be hereafter and probably have been heretofore—he went on and said that the remedy was by the distribution of wealth.

But now every power of the administration which can be brought from the White House is exerted against anything being done which means the distribution of wealth among the people of this country.

THE LIGHT OF AMERICA'S DREAM IS FADING

The great and grand dream of America that all men are created free and equal, endowed with the inalienable right of life and liberty and the pursuit of happiness—this great dream of America, this great light, and this great hope—has almost gone out of sight in this day and time, and everybody knows it; and there is a mere candle flicker here and yonder to take the place of what the great dream of America was supposed to be.

ANOTHER SLAVE OWNER

The people of this country have fought and have struggled, trying, by one process and the other, to bring about the change that would save the American country to the ideal and purposes of America. They are met with the Democratic Party at one time and the Republican Party at another time, and both of them at another time, and nothing can be squeezed through these party organizations that goes far enough to bring the American people to a condition where they have such a thing as a livable country. We swapped the tyrant 3,000 miles away for a handful of financial slave-owning overlords who make the tyrant of Great Britain seem mild.

Much talk is indulged in to the effect that the great fortunes of the United States are sacred, that they have been built up by the honest and individual initiative, that the funds were honorably acquired by men of

genius far-visioned in thought. The fact that those fortunes have been acquired and that those who have built them for the financial masters have become impoverished is a sufficient proof that they have not been regularly and honorably acquired in this country.

Even if they had been that would not alter the case. I find that the Morgan and Rockefeller groups alone held, together, 341 directorships in 112 banks, railroad, insurance, and other corporations, and one of this group made an after-dinner speech in which he said that a newspaper report had asserted that 12 men in the United States controlled the business of the Nation, and in the same speech to this group he said, "And I am one of the 12 and you the balance, and this statement is correct."

Twelve men. If we only had that passing remark, which, by the way, was deleted from the newspaper report which finally went out, although we have plenty of authority that the statement was made; if we did not have other figures to show it, we probably might not pay so much attention to that passing remark.

You want to enforce the law, you want to balance the Budget? I tell you that if in any country I live in, despite every physical and intellectual effort I could put forth, I should see my children starving and my wife starving, its laws against robbing and against stealing and against bootlegging would not amount to any more to me than they would to any other man when it came to a matter of facing the time of starvation.

Whoever tries to guard the existence of these fortunes becomes a statesman of high repute. He is welcome in the party councils. Whoever undertakes to provide for the distribution of these fortunes is welcome in no council.

They pass laws under which people may be put in jail for utterances made in war times and other times, but you cannot stifle or keep from growing, as poverty and starvation and hunger increase in this country, the spirit of the American people, if there is going to be any spirit in America at all.

LET ALL ENJOY OUR WEALTH IF THE COUNTRY IS TO BE SAVED

Unless we provide for the redistribution of wealth in this country, the country is doomed; there is going to be no country left here very long. That may sound a little bit extravagant, but I tell you that we are not going to have this good little America here long if we do not take care to redistribute the wealth of this country.

Here is a report of the Federal Trade Commission published in 1926. On page 56 I find this:

"The foregoing table shows that about 1 percent of the estimated number of decedents owned about 59 percent of the estimated wealth, and that more than 80 percent was owned by about 13 percent of this number."

That is the very conservative and highly subsidized Federal Trade Commission, which said that 1 percent of the decedents owned 59 percent of the wealth. It had been previously estimated, as I read the other day from the report of the Industrial Relations Committee, just 10 years before that time, that 2 percent of the people owned 60 percent of the wealth, and in 10 years the cycle grew, so that from one Government report the estimate that 2 percent of the people owned 60 percent of the wealth, in 10 years had become 1 percent of the people owning 59 percent of the wealth of this country. That is how that condition grew.

I have here an editorial which appeared in the Saturday Evening Post at the time this first report was published. This editorial appeared on September 23, 1916, in the Saturday Evening Post under the heading, Are We Rich or Poor? I read from the editorial, which is just a column:

"The man who studies wealth in the United States from statistics only will get nowhere with the subjects, because all the statistics afford only an inconclusive suggestion. Along one statistical line"—

This is the Saturday Evening Post in 1916 before its owner began to come to Washington in a $3,000,000 yacht. Says this editorial:

"Along one statistical line you can figure out a nation bustling with wealth; along another a bloated plutocracy comprising 1 percent of the population lording it over a starveling horde with only a thin margin of merely well-to-do in between."

That is from the Saturday Evening Post of September 23, 1916.

I saw an article in the World's Work for last month which gives the details of the Mellon fortune, and totals it up at seven billion nine hundred and ninety million four hundred and twenty-five thousand—that is enough without getting to the hundreds—seven billion nine hundred and ninety million. That is the Mellon fortune, with a footnote to the effect that it did not include two billion one hundred and sixty-six million his brother has. The Mellon fortune $10,000,000,000, and everybody knows that the Mellon fortune does not compare with the Rockefeller fortune. Thirty-two fortunes of the Mellon size would take every dime of property America has in it today. Thirty-two men. No wonder 12 men were in absolute control of the United States.

WHO OWNS AMERICA?

I have here the statistics showing the concentration of American industries.

Iron ore: 50 to 75 percent owned by the United States Steel Corporation.

Steel: 40 percent of the mill capacity owned by the United States Steel Corporation.

Nickel: 90 percent owned by the International Nickel Co.

Aluminum: 100 percent owned by the Aluminum Trust.

Telephone: 80 percent owned by the American Telephone & Telegraph Co. It is more than that, as they would state if they understood the subsidizing contract which that company requires every little independent telephone company to sign in order to get long-distance connections. If that were stated, it would be found that the telephone industry in the United States is 100 percent in the hands of the American Telephone & Telegraph Co.

Telegraph: 75 percent in the Western Union.

Parlor car: Pullman Co., 100 percent monopoly.

Agricultural machinery: The International Harvester Co. has 50 percent.

Shoe machinery: The United Shoe Machinery Co. has a monopoly.

Sewing machines: The Singer Sewing Machine Co. controls that field.

Radio: The Radio Corporation, 100 percent.

Sugar: The American Sugar Refining Co., 100 percent.

Anthracite coal: Eight companies, 80 percent of the United States tonnage.

Sulfur: Two companies own the world's deposits.

Oil: To show how conservative this report is, it states that 33 percent of the oil is controlled by five companies, when, as a matter of fact, they own 105 percent, if you can get that much out of the total quantity of oil produced. That which they do not own they have absolute dominion over and manipulate the oil tariffs and the importations of the foreign group in such a manner that no independent man can stay in the oil business in this country today in competition with the Standard Oil Co.

Meat packing: Two companies, 50 percent.

Electrical equipment: Two companies, 50 percent.

Railroad rolling stock: Two companies, monopoly.

Chemicals: Three companies, monopoly.

Matches: Two companies, monopoly.

Rubber: Four companies, monopoly.

Moving pictures: Three companies, monopoly.

Aviation: Three companies, monopoly.

Electric power: Four groups, monopoly.

Insurance: Ten companies, 66 percent of the insurance in force.

Banking: 1 percent of the banks control 69 percent of the banking resources of the United States:

That is the concentration that has occurred in this country.

The statistics further show that only 2 percent of the people ever pay income taxes. Mr. Mellon points out that that is a grave condition; that the law has been miraculously at fault in failing to collect an income tax against a larger percentage of the people.

It is not the law that is at fault. That is not the trouble at all. It is the infernal fact that 98 percent of the people of the United States have nothing, rather than it being the fault of the fact that only 2 percent of them pay any income tax.

Mr. Mellon wants to broaden the tax, so he said in his statement. He has gone to Europe by this time—at least we hope so. Mr. Mellon said that he wants the law broadened so as to cover more than 2 percent. That means that he wants to go into the pockets of the little man living from hand to mouth on the bank of some creek or in some little cabin with 40 acres and a mule. That means that he wants to reach down lower into the lower strata and take from the starvation wages of that class of people so that he might relieve the upper crust from paying the burdens of government.

I have here the address by President Hoover delivered at Indianapolis. Here is what he said:

"Above all, schemes of public works which have no reproductive value would result in sheer waste. Public works would result in sheer waste.

"The remedy to economic depression is not waste but the creation and distribution of wealth."

"The creation and distribution of wealth." He said further that in this creation and distribution taxes have got to be lifted from the small man. Therefore, Mr. President, there is necessity that something must be done in this crisis for the benefit of the people of the country, as well as for the benefit of balancing the Budget.

OVER 2,000,000 EARN LESS THAN 504 PLUTOCRATS

I have the statistics here. Here is how the income is being distributed. In 1929 there were 504 supermillionaires at the top of the heap who had an aggregate net income of $1,165,000,000. That is 504 people. These 504 persons could have purchased with their net income the entire wheat and cotton crops of 1930. In other words, there were 504 men who made more money in that year than all the wheat farmers and all the cotton farmers in this great land of democracy. Out of the 2 chief crops, 1,300,000 wheat farmers and 1,032,000 cotton farmers—2,300,000 farmers raising wheat and cotton—made less than those 504 men.

From the official statistics we find that $538,664,137 was the net income of the 85 largest income taxpayers in 1929. The 421,000 workers in the clothing industry received in wages $475,000,000. Those 85 men could have paid the entire wages of the clothing industry of the Nation and have had $100,000,000 left. Yes; there has got to be relief from this condition.

Mr. Gompers was termed a Socialist when he said:

"Hundreds of thousands of our fellow men, through the ever-increasing extensions and

improvements in modern methods of production, are rendered superfluous. We must find employment for our wretched brothers and sisters by reducing hours of labor or we will be overwhelmed and destroyed."

That was his statement, but the statement that the country faced any such thing as destruction was heralded as a preposterous statement, but Mr. Hoover came back and clarified the matter. He did not disturb Mr. Gompers' ashes, because they are underneath the earth all alone. Mr. Hoover came back and went Mr. Gompers one better. He said this is "the greatest crisis the world has ever known."

I have here a newspaper article in the nature of an interview with the Senator from Michigan [Mr. Couzens]. I want to read a line from that. This was published in the St. Louis Post-Dispatch of May 27, 1931:

"Senator James Couzens (Michigan) does not believe the depression in this country is due to world depression."

And I do not either.

"Nor does he believe that our recovery depends upon world recovery."

Nor do I.

"He believes, and emphatically says, that American capitalists caused the American depression mainly by taking an exorbitant share of the earnings of American industry and that recovery can be accomplished only by securing the livelihoods and increasing the purchasing power of American workers."

ALL AGREED "NO SWOLLEN FORTUNES"

I have here an article appearing in the Saturday Evening Post on the question of the distribution of wealth of this country. Whenever fear comes around, as it did in 1919, there was a fear that bolshevism was going to overrun this country like it threatened to overrun Europe. Then we get such expressions as this. We cannot get them at any other time. Here was the Saturday Evening Post, the great conservative journal, saying this:

"We want prosperity in America, but not swollen fortunes."

That is the Saturday Evening Post saying that we do not want "swollen fortunes in America." Then it went on to say:

"We want big rewards for men who do big constructive things, and jail sentences for the big fellows who steal the fruits of their work and the savings of small investors."

They wanted to put Rockefeller and Morgan in jail, according to this editorial; but today the cry is, "Soak the rich," and the man who undertakes to levy a penny on the concentrated bloated fortunes in the hands of a few of them is considered an outlaw.

"There have been altogether too many mavericks loose on the range, sucking cows on which they have no claim. There would be no real railroad mess, no necessity for trying to pare down wages in basic industries—"

The same thing prevailed then that prevails now, the same condition practically, and the Saturday Evening Post said:

"There would be no real railroad mess, no necessity for trying to pare down wages in basic industries, if there had been no banker control and no flagrant watering of the stocks of these corporations."

That was the Saturday Evening Post in 1919. It said, "We want prosperity, but no swollen fortunes," and that the men who have made most of these swollen fortunes by impoverishing the labor of the country ought to be put in jail. We are not trying to put them in jail. We are trying to save them from committing physical suicide in this country and pulling the temple down with everybody else in it.

But we have a coalition. We have a coalition of the Democratic Party leaders and the Republican Party leaders. Yes; we have a coalition. Who are the anointed of this coalition of Democratic and Republican leaders that is going to eliminate everything that means protection of the common men in this country? Where is this coalition? Where does it meet? With whom does it meet? Has it ever for once come out before the American people with anything except the statement that they have to hold the House in order? Will they come out with the same declaration that they have got to hold the Senate in order—not trying to do anything particularly, but only holding everything in order? The House is described as "being in rebellion" when it rebels against its leaders.

Is there going to be one coalition? Is that going to be the extent? Are there not men enough in the Senate of the United States who will see to it that there is a coalition for the people of the United States? Is there not some way there can be a coalition that takes into consideration the man with the house full of starving children, or has there got to be only one coalition to protect the banker control, which, it was said, as I have pointed out, ought to have been in the penitentiary 20 years ago? What is to be the coalition?

The pastor of Mr. John D. Rockefeller's church had something to say about it. I do not suppose he will ever say it again. They probably did not get to look over this speech of his in advance. If they had done so, it would possibly have been different. There would have been a different interpretation of it and they would have had more interpolations in it. Here is what Mr. Rockefeller's pastor said on December 28, 1930:

"See the picture of the world today—communism rising as a prodigious world power and all the capitalistic nations arming themselves to the teeth to fly at each other's throats and tear each other to pieces. * * * Capitalism is on trial. * * * Our whole capitalistic society is on trial."

I should say it is on trial—not the capitalistic system, but the lack of capital.

Then Mr. Rockefeller's pastor proceeded:

"First, within itself, for obviously there is something the matter with the operation of a system that over the western world leaves millions and millions of people out of work who want to work, and millions more in the sinister shadow of poverty."

There is bound to be something wrong with the system. Then he proceeds:

"Second, capitalism is on trial, with communism for its world competitor."

And it is.

"The verbal damning of communism now prevalently popular in the United States will get us nowhere. The decision between capitalism and communism hinges on one point: Can capitalism adjust itself to the new age?"

THE EXAMPLE OF MARIE ANTOINETTE

When the people of France cried for bread, Marie Antoinette said, "If they have no bread, let them eat cake." They reared back and took the head of the king and the queen. Today Marie Antoinette has been outdone 40 times over. The poor people have pleaded for jobs, for the right to work; they have pleaded for a living; they have pleaded for their homes; they have pleaded for clothes to wear; they have pleaded for food to eat. There are plenty of homes; there is ample food; there is everything that is needed for humanity; but instead of saying, "If you have not bread eat cake," the American people witness a so-called bipartisan agreement that under the claim of "balancing the Budget" reaches down and puts a tax upon people crying to this Government for relief.

Mr. John Dewey proceeds to say that there has got to be a redistribution.

Here is a quotation of the dean of the Harvard Graduate School of Business Administration, Wallace B. Donham:

"If we have not in our several countries the brains, ability, and the cooperative spirit necessary to cure such world-wide conditions as those in which we now find ourselves, then our mass production, our scientific progress, our control over nature may actually destroy civilization."

And that is what is going to happen. Machines are created making it possible to manufacture more in an hour than used to be manufactured in a month; more is produced by the labor of one man than was formerly produced by the labor of a thousand men; fertilizers are available whereby an acre of land can be made to produce from two to three, or even four times what it formerly produced; various other inventions and scientific achievements which God has seen fit to disclose to man from time to time make their appearance; but instead of bringing prosperity, ease, and comfort, they have meant unemployment; they have meant idleness; they have meant starvation; they have meant pestilence; whereas they should have meant that hours of labor were shortened, that toil was decreased, that more people would be able to consume, that they would have time for pleasure, time for recreation—in fact, everything that could have been done by science and invention and wealth and progress in this country should have been shared among the people.

REFUNDING MILLIONS TO THE WEALTHY

Mr. President, the senior Senator from Arkansas, our Democratic leader, whom I respect very highly and whom I honor for the great service which he has done to this country, saw fit to join in the clamor for the reduction of wages. I maintain there is no need of reducing any wages. Anyone should have seen the trouble which was coming when former Senator James A. Reed, of Missouri, rose on this floor when the tax bill of 1926 was under consideration in the Senate and said that the Democratic Party had been betrayed by its leaders. I thought that statement was a bit beyond the proper or necessary limit at the time; but the surtax was manipulated downward and the drive went on.

The coalition between the progressive Senators and the Democrats managed to keep the surtaxes not where they should have been, but nearer where they should have been than otherwise would have been the case. However, all of a sudden, the famous coalition occurred and the Duke's Mixture amendment went through here. It might have done North Carolina some good; it might have done some good to some college or colleges in North Carolina, but it was a means by which the Treasury paid out millions and millions and multiplied millions of funds. It was a retroactive amendment to open wide the gates of the Public Treasury and tell the capitalists to come and get not only what the Government was going to collect, but to come and get what they had already paid. So there were refunded out of the Public Treasury enormous amounts of money.

That was followed by the Mellon crusade to return and throw to the winds or to the public financial manipulators of this country hundreds of millions more of dollars. Then, Mr. President, they pared down the income-tax rates from 6 to 50, to 40, to 25, and down to 20, and the inheritance-tax rates were pared down in about the same manner and proportion, until now a bipartisan bill comes here, with all the blessing it ever had and a defunct Treasury as a result of it, concerning which ample warning was given at the time. A blind man could have seen what the country was being led into.

* * * * *

In conclusion, I am not asking any man in the United States Senate to do anything harmful to the rich people of this country. If you want to do them a favor, provide some way to put some of that wealth among some of the people of this country. If you want to make their lives secure provide a way for relieving the anxieties of 90 percent of the people in this country today who are in absolute fear of want and impoverishment. Provide a way whereby the world is going to provide a living for the people of the United

States, if you love these rich people as much as I love them. Yes, sir; provide a way to distribute it. If we sit here in this Congress and let this tax bill go back with a clause ipso facto annulling the law at the end of 2 years, so that these taxes will no longer be collected; if we do not raise these surtaxes and these inheritance taxes to a point where they cannot continue to perpetuate these massive fortunes in the United States, like a snowball going down hill; if we do not regulate them, when you have gone and gathered it all and all and all, in what condition are you going to leave the country? It is in it already. You do not have to go any farther. It is in it already. You mark my words: When we come back to the next meeting of the United States Senate, things are not going to be any better than they are right now, and not as good. You mark my words: You will look back on the year 1932 as a prosperous year in 1933.

You remember what I am saying. If we do not provide surtaxes and inheritance taxes to break up these large fortunes, and to provide for the needs of this Government from sources that are able to pay the cost, when we come back here in 1933 you are going to find a changed condition, and you will be wondering how conditions could have been as good in 1932 as they are now.

BUT WHY NOT THE DREAM OF AMERICA?

But, oh, Mr. President, if we could simply let the people enjoy the wealth and the accumulations and the earnings and the income and the machinery and the contrivances that we have. If, with the invention of every machine, we could secure the education of every man; if with increased production of every kind there could be less toil, more hours of pleasure and recreation; if there could be a happy and contented people enjoying what the Almighty has made it possible to provide; if there could be people clothed with the materials that we have to clothe them with today, and no place to put them; if the people could be fed with the food that we have to feed them with, and no place to put it; if the people could be sheltered in the homes we have today that the Federal land bank has taken away from them because they cannot pay the interest on the mortgages—if that could be done, if we could distribute this surplus wealth, while leaving these rich people all the luxuries they can possibly use, what a different world this would be.

"THY SOUL SHALL BE REQUIRED"

Do not take away anything they need. Leave them with all the luxuries that the world can provide them for hundreds and hundreds and hundreds of years. Leave them with every palace, with every convenience, with every comfort; but do not allow the concentration and stagnation of wealth to reach the point where it is a national calamity.

Will we do that? Will they do it? No; we know they will not do it. Will we do it for them? Maybe we will. Maybe we will not. There ought to be a coalition of the people; there ought to be a coalition of the Senators representing the rights of the people in a situation of this kind, as efficient as is the coalition of the bipartisan movement recommending and sponsoring the other side of the field.

We can do this. If we do not, we will leave these masters of finance and fame and fortune like the man in the Book of old, who said to himself, so the Bible tells us:

"I will pull down my barns, and build greater; and there will I bestow all my fruits and my goods.

"And I will say to my soul: Soul, thou hast much goods laid up for many years; take thine ease, eat, drink and be merry.

"But God said unto him: Thou fool, this night thy soul shall be required of thee."

Mr. MORSE. Mr. President, I wish to assure the Senate that I rise with a deep sense of humility to discuss the so-called manpower bill. Under ordinary circumstances, as a freshman Senator I would maintain my silence. However, I feel the significance of the bill is so vital to the future of this country that I would fail in my responsibility to my country if I did not protest some of the provisions and implications of the bill.

Before I proceed to discuss its implications, Mr. President, I should like to pay my respects to Justice Byrnes for the great service he has rendered his country during the war. It was my privilege and honor to serve in close relationship with him for 2 years while I was a member of the War Labor Board. If I had the privilege of awarding medals to great civilian generals on the home front, Justice Byrnes would be among my first choices. I have not always agreed with him on some of the policies he has promulgated or in respect to some of the procedures he has put into effect, but he stands before the American people today, in my judgment, with a record of unselfish public service which proves him to be one of the great Americans of our time.

In passing, I wish to point out that his resignation bears out rather interestingly the essence of an editorial entitled "Legislating for Byrnes," which was published in the New York World Telegram of last week, and which has already been printed in the RECORD. One of its paragraphs reads as follows:

Yet does Congress know how long Mr. Byrnes will remain as Director of War Mobilization? Or who would succeed him to those powers if he should quit, as he has many times expressed the desire to do?

Further the editorial states:

Congress should establish policies, define rights and responsibilities of citizens under Government by law, but it should not grant so much discretion to any man.

In other words, Mr. President, when we proceed to give arbitrary power to men, unchecked and without the protection of the necessary safeguards under our system of checks and balances, we should keep in mind the fact that the relationship of those men to such power is likely to be very temporary—as temporary as life itself and the ever-changing views of men.

Although at a later time in my remarks I hope, with the assistance of the chairman of the committee of conference, to review the bill, pointing out its similarities to the Senate bill and its differences, I wish to say at the beginning of my remarks that I think the committee of conference, in bringing out the bill, has performed an act similar to that of the salesman who was instructed by his employer, "When a customer comes in, remember, make him buy something. Don't let him go out of the store without buying something. Try to sell him some sort of a substitute."

Consequently when a customer walked into the grocery store and asked the salesman for some seasoning salt, the salesman looked at the shelf and discovering that they were out of seasoning salt said, "Well, we are out of seasoning salt, but we have Epsom salt; and, you know, after all, salt is salt."

I think it is most unfortunate that this bill has been presented to the Senate in its present form at this time. This is especially true when we remember that the thing which is most needed in America today is united confidence on the part of all the people in our Government and in the objectives of that Government and in the future plans of our Government. In my judgment, legislation such as that proposed by our committee in the pending measure is not of the type which will create unity in America. On the contrary, I believe it will create much disunity and great confusion.

This morning our people by the millions, in my judgment, are very much confused as to just where this administration plans to go, as to just what it has up its sleeve. Great issues confront the Senate in the critical months ahead, issues which call for the maximum amount of unified action on the part of the Senate. There should be no division on those issues or any partisanship whatsoever, because we must face, as the Senate perhaps has never faced in our history, the job of developing through our efforts, to the extent that we can, a world order to establish permanent peace. And I believe this administration should think a long time before it seeks to impose upon the Senate a manpower bill which raises suspicion, at least in the minds of many on my side of the aisle, including myself, as to just what the domestic economic program of the administration really is.

Mr. President, I cannot reconcile the procedures of this bill with a concept of government the phraseology of which I fear has become somewhat hackneyed. Nevertheless, so far as preserving representative government in this country is concerned, it is a phrase which is far-reaching in its significance and implications. If we are to maintain our political and economic democracy in America we must maintain it through a government by law instead of through a government by men. I know of no other legislation which was ever advanced or proposed by this administration that has gone farther down the road toward arbitrary and unchecked power. I know of no other legislation which permits men to exercise such arbitrary power as that which is being proposed in the work-or-fight bill. When the administration starts collecting the dividends in connection with the issues immediately ahead suspicion, lack of confidence, and even distrust of the administration, whish this legislation, if it passes, will arouse in this country, it will regret, I am sure, the pressure it is now putting on to force this bill through the Senate. The administration will have to assume the major responsibility for the dissension which will result from the passage of the bill, but unfortunately the country as a whole will have suffered from the consequences of that dissension.

Mr. President, I am not an adviser of the administration, but if I were I certainly would be pleading with it this

morning to call off the pressure which is being exerted to force this legislation through the Senate. I would do so in the interest of great issues which must be decided in the weeks to come.

The administration should not misinterpret the results of last November 7 and assume that it was given a mandate to proceed down the road toward the goal of establishing an all-powerful executive government in America. It received no such mandate. In the interest of establishing a permanent order of peace in the world, millions of voters went along with the administration because they believed that they should not change administrations at this time. I think they were mistaken, and I helped in an endeavor to produce a change. I am convinced that many of those who went along with the administration on international issues were highly critical of the domestic policies of the administration and of its procedural program for meeting domestic problems. The administration reads the ballots awry if it thinks that it received a blank check last November 7.

As one who is sometimes referred to as a suspect Republican [laughter], I make a plea to Senators on both sides of the aisle that they face the work-or-fight bill, not as partisans but in an effort to discover the facts pertaining to the bill and the implications involved. As Senators, let us try, not for the Republican Party or the Democratic Party but for the entire country, to rise to the occasion on both sides of the aisle and make clear to the administration that we will not go along with a domestic program which seeks to give more and more power to the executive branch of Government without first imposing necessary checks and balances upon those officials who are to be entrusted with power.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. Previous to now, I believe that no Senator has ever thought that either of the two great political parties was interested in this legislation as a political proposition. Although in the past we have assumed that it was not necessary to point it out, I think it should now be pointed out that in the conference there was one member of the Democratic Party who did not sign the report. He is chairman of the Democratic senatorial campaign committee. Two conferees on behalf of the Senate who supported the conference report are Republicans. So far as the Republican Party is concerned, or at least so far as the Republican conferees on behalf of the Senate were concerned, they were completely in favor of the conference report. The same statement holds true with reference to the conferees on the part of the House.

Since the beginning of the war, especially so far as the Senate Military Affairs Committee, the Senate Committee on Education and Labor, and the Senate Committee on Foreign Relations are concerned, there has never been any reference to political action in connection with any measure being considered.

I may go even further and state that among the supporters of a universal service act were not only Democrats, but Republicans. It should be pointed out that authors of the universal service bill were not Democrats, but Republicans.

I am sure the Senator from Oregon, as well as the people of the country, realize that no political consideration is involved in this measure. We have accepted wholeheartedly the words of our President, the Secretary of the Navy, and the Secretary of War, and not once has any Senator believed that those words contained any tinge of politics. The fear of those to whom I have referred is that, having "hit the bottom of the bucket," as they said, in manpower, they must be given control over manpower utilization in order to meet the uncertainties which may lie ahead pending the return of peace. Peace will not return suddenly. The problem is one of very grave concern to those who are coping with it.

I thank the Senator from Oregon for allowing me to make these remarks. I should dislike being called upon to defend the conference report on the basis of either the Democratic Party or the Republican Party.

Mr. MORSE. Mr. President, I thank the Senator from Utah for his observations. I shall have something to say in connection with the statement which he has just made with reference to what was stated by the President, the Secretary of the Navy, and the Secretary of War. I wish to say, however, that his comments in no wise change my impression of this bill, because I am satisfied that it is being pushed as an administration measure, by the administration to carry out a certain program which, in my judgment, the administration has in mind, which program I think procedurally will not be in the best interests of preserving representative government in America.

Mr. President, let me say that I was very happy to have the discussion of the pending conference report on the manpower bill go over until this week, and I was glad to be somewhat instrumental in helping along that course of action, because I believed that when the people of the country became fully aware of what this bill really provides the Senate would hear from them. I believe that the Senate is beginning now to hear from the pepole of the country, and I hope the voice of the country will counteract some of the pressure which was brought to bear last week by the officials of the administration. I shall refer later in my remarks to that pressure.

When I say that the Senate is hearing from the people I want to call attention to an editorial which appeared in that great newspaper, the San Francisco Chronicle, of March 29. It reads as follows:

SAN FRANCISCO, CALIF., *March 31, 1945.*

It is interesting to know that 167 Congressmen are willing to sell American liberty down the river by their vote on the manpower bill. American workingmen have produced and are producing more war material than all the rest of the world, friends and enemies included. They have done so since we got going 2 years ago; if they had not we should have lost the war.

The President, generals, admirals, and intercepted enemy dispatches all tell us we are winning. We have reached this position without giving Washington the power to order workingmen to go where, when, and how the official mind wants them to work in this factory or that plant or go to prison; that is what the manpower bill provides.

Mr. Roosevelt has asked the Senate to pass this bill approved by the House. Failure to do so he said would hamper successful conduct of the war. Nobody wants to hamper the war. But Mr. Roosevelt says it is being successfully conducted. The means to do so in far more perilous phases than now exist were not hampered by lack of the power now sought in the manpower bill. What is the requirement now to put American workingmen on a basis of serfdom? Why the proponents of this bill say that it is to assure a high level of production for the Pacific war when the European war is closed. We believe this to be a phony, a red herring drawn across the true significance of this vicious legislation. We further believe that some of the pressure for the law results from the bungling of manpower resources. This manpower bill made law would be the instrument that collectivists want for control of the American people. The best chance to get such a control is before the Germans capitulate. The doctrinaires know the psychological advantage of breaking in American opinion under the stress of world-wide war. The pressure is on the present to ask for power that should be given no human being however wise unless the Nation were in danger of destruction. It is a power that would be operated in individual application by dozens, scores, or hundreds of administrators, directors, and assistant deputy directors with authority to send anybody anywhere they decide. It is a dangerous, subtle assault and should be met and defeated by a Senate conscious of the priceless heritage of American freedom.

That is from the San Francisco Chronicle, a noted conservative and great American newspaper. I do not endorse necessarily all the language of the editorial, but I point out to the Senate that the pending bill is arousing just such controversies throughout the length and breadth of this land, and it is not good for national unity at a time when national unity in my judgment, is so vital to our general welfare.

Let me call attention to another editorial, one of March 30, in the same newspaper:

ENLIGHTENMENT NEEDED

War Mobilizer Byrnes has stopped construction of 72 war ships planned by the Navy. He believes they are intended for the postwar fleet and not the current need. Also he is looking into some other agencies with a view to ordering cut-backs, to conserve materials and make manpower available for more urgent requirements.

This naturally is opposed by the agencies involved. They say Byrnes is misinformed. We have not all the facts available and do not here attempt to take issue as stated by either side.

What does interest us is the more urgent requirements for which manpower is to be made available. What war industries need large reservoirs of manpower? Where are the plants located? What kind of labor do they require? Is it the kind of labor that will be made available by the cut-backs Byrnes has in mind?

These questions are not answered by the notices published from time to time that some local plant or military establishment needs 6 typists, 12 laborers and 24 expert

machinists, not of a kind turned out by a few weeks of intensive shop schooling. They are questions that deal with something broader than any local shortages of special kinds of labor.

The lay-off of thousands of workers in various war activities is in prospect. We are not suggesting that such activities, if they are surplus to war effort, should be continued anyhow to keep the jobs going. But if the cut-backs are made for the primary purpose of making manpower available for more urgent requirements the where and what of these should be stated. We believe that if the information is made public, workers already thrown out by cut-backs will go into jobs they can do without the manpower law now pending in the Senate, to threaten them with prison if they do not work.

Editorials such as that, I think, are rather representative of the growing point of view of the American press, and they are going to have a tremendous effect upon public opinion.

Again I wish to say that, while I think the bill will be defeated, yet if it passes it will not pass by a substantial majority, it will not be acceptable to at least a very large minority of the public, and, in my judgment, not acceptable to an overwhelming majority of the public.

National unity cannot be produced by legislation which causes such great breaches in public support. The enforcement problem which will be created by this bill is going to be a stupendous one, and it never will be met unless those in charge of enforcing it utilize the full power of the bill, and certainly we should not write a page of history in the midst of this war to the effect that it became necessary, in the judgment of Congress, to pass prison legislation in order to assure adequate production on the home front. Such legislation, in my judgment, is a real insult to the patriotism of American management and American labor.

I wish to take the time, Mr. President, for the RECORD to read an editorial that appeared this morning in the Portland Oregonian, of Portland, Oreg., and I should like to have the Senate keep in mind that on the west coast at this hour we are faced not with a manpower shortage but we are faced with a growing problem of unemployment. The problem of unemployment is spreading over America today. This bill cannot be justified on the ground that there is a manpower shortage. With a cut-back in the great shipyards, we are going to be confronted in the city of Portland with many more thousands of people walking the streets within the next few weeks than are walking the streets there this morning unless we proceed without delay to provide new war contracts in the Portland area or transfer the workers to war jobs elsewhere.

It is estimated that 10,000 previously employed war workers in the city of Portland are today out of jobs. And we discuss a manpower bill, based partly upon the theory that there is a manpower shortage.

Let us not argue about facts. As some one has so aptly put it, "You cannot argue about facts, you can only be ignorant about them." I say that those who are talking about a manpower shortage in this country today appear to be ignorant of the fact that there is a rising unemployment problem facing America. Do not tell me that it is going to be the policy of this administration to face unemployment by legislation which threatens to put people in jail unless they work where the administration tells them to work. I am confident American workers will perform war work whenever it needs to be done but they will resent, and rightly so, a reflection upon their patriotism by the use of coercion.

Mr. President, the editorial in the Portland Oregonian reads as follows:

The work or fight bill, which has passed the Lower House of Congress, is scheduled for action by Senate at an early date—possibly today. Its consideration will be accompanied by the distant din of victorious Allied arms in Europe. The enemy is being squeezed of his substance and his power. General Eisenhower proclaims that the German armies are whipped. The end of that phase of war is in sight.

At home, policy-faithful James F. Byrnes, War Mobilization Director, advises Congress that steps must be taken to dislodge qualified workers in nonessential industry and put them in essential industry, but present in detail reconversion plans that will follow victory day in Europe and accompanies them with statistics and forecasts that violently dispute his assertion a work-or-fight law is now necessary.

The last preceding estimate of number of employees needed in war production has already dropped from 700,000 to 250,000 to 300,000 temporary unemployment in the 6 months following VE-day, while conversion is under way, is foreseen at abou' 1,000,000 men.

And the Senate will have before it the new announcements of cancelation of certain contracts for naval vessels.

It is incomprehensible that there is need for compulsory labor in essential industries at a time when cut-backs in production are in near prospect. It is incongruous to maintain that American labor which produced prodigiously and adequately when demands for more and more came from every front and no end to output requirements was in sight will not finish the lesser job by voluntary effort.

By any reasonable analysis of his report to the President and to Congress, Mr. Byrnes' support of the work-or-fight bill is with "tongue in cheek" and that may be taken for granted as to support in some other high places. Whatever its real purpose—whether it be advanced as social experiment, or as further adventure in regimentation or in support of "austerity" in wartime—the essential war economic elements of work or fight bill, which once may have existed, have now disappeared. The Senate ought to make short work of the bill; common sense calls for its rejection.

Mr. President, I shall not take the time of the Senate to read into the RECORD more than samplings of communications numbering over 200 which I have received since last Thursday afternoon. I should like to have unanimous consent to have inserted in the RECORD at this point in my remarks a few of the communications. I shall read two or three.

The PRESIDING OFFICER (Mr. MURRAY in the chair). Is there objection to the request of the Senator from Oregon?

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG., *March 29, 1945.*

Hon. WAYNE MORSE,
Senate Office Building:

I heartily endorse your stand on the manpower bill and hope you will keep up the fight and be successful.

E. B. MACNAUGHTON,
President, First National Bank of Portland; Oreg.

PORTLAND, OREG., *March 28, 1945.*

The Honorable WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Sentiment here, as we gage it, is that work-fight legislation far too drastic in its effects on both management and labor.

I believe we should encourage you to oppose it.

FRANK E. MCCASLIN,
President, Portland Chamber of Commerce.

ALBANY, OREG., *March 28, 1945.*

Senator WAYNE L. MORSE,
Senate Office Building:

Wish to express our firm as being very much opposed to May bill (work or fight) as passed by House yesterday. Feel over-all effects damaging to economy and war effort. Trust defeat in Senate.

KAMPFER ROS.

PORTLAND, OREG., *March 28, 1945.*

WAYNE L. MORSE,
Senate Office Building:

This area does not need May-Bailey bill as we are all laying off workers due to lack of war contracts. I do not like bill nor authority placed in Byrnes' hands and believe penalty to employees will discourage movement to other war jobs as present employment terminates.

RAY S. BECKER CO.

PORTLAND, OREG., *March 28, 1945.*

Senator WAYNE MORSE,
Senate Office Building:

We are opposed to May-Bailey bill as now proposed. We feel it will retard rather than aid critical war production. We urge that you vote against this bill.

GUNDERSON BROS. ENGINEERING CORPORATION,
C. E. GUNDERSON.

PORTLAND, OREG.

Hon. WAYNE L. MORSE,
United States Senator,
United States Senate:

We are deeply concerned over prospective passage of May-Bailey bill. Disagree with bill, because, first, with full authority placed in hands one man could become political football; second, we believe critical production will be retarded because employees will leave jobs. Trust we see eye to eye.

WENTWORTH & IRWIN, INC.,
CHAS. W. WENTWORTH.

PORTLAND, OREG., *March 28, 1945.*

Hon. WAYNE L. MORSE,
United States Senate,
Washington, D. C.:

I am opposed to work-or-fight bill, because jurisdiction will rest entirely in Byrnes; also, stiff penalties on employees leaving critical industries will not be conducive to obtaining new workers. Hope you will see your way clear to vote against bill unless properly amended.

J. NEILS LUMBER CO.,
PAUL NEILS, *President.*

PORTLAND, OREG., *March 28, 1945.*

Hon. WAYNE MORSE,
United States Senator:

Strongly urge your efforts to defeat labor-draft bill, because at this date it can be nothing but a measure to secure control of

our economy and our lives now and after the war. It will get no labor for war industries, and in addition take as many persons to administer as the War Manpower Commission says it needs.

KENNETH I. TOBEY.

PORTLAND, OREG., *March 28, 1945.*

Senator WAYNE MORSE:

I believe that added confusion and injustice would be created if work-or-fight legislation passed. The sacrifices of liberty and freedom this legislation would impose upon America seems unnecessary now. I urge you to protect our freedom. Defeat this bill.

DOUGLAS R. GEROW.

CLEVELAND, OHIO, *March 29, 1945.*

The Honorable WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.:

Brotherhood Railroad Trainmen strongly urges Senate to reject conference committee report on manpower bill, H. R. 1752. We oppose bill, because it gives dictatorial power to one man. It provides penalties against employees that are not conducive to effective utilization of manpower. It would be a heavy blow to the morale of American labor which has made such a magnificent record in the battle for production.

A. F. WHITNEY, *President.*

WASHINGTON, D. C., *March 28, 1945.*

HON. WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

The Railway Labor Executives' Association convening today at the Hamilton Hotel, Washington, and representing practically all railroad labor, repeats its consistent opposition to drafting of workers for private profit and which position we have stated at the various hearings. We are equally opposed to the conference report H. R. 1752 now pending for action. Railroad labor has made a record of production never before equaled. We feel that enactment of legislation of this character will seriously interfere with the present outstanding performance of American labor both in wartime production and other wartime activities and we respectfully request that this legislation be defeated.

T. C. CASHEN,
Chairman,
J. G. LUHRSEN,
Executive Secretary, Railway Labor Executives' Association.

WASHINGTON, D. C., *March 28, 1945.*

Hon. WAYNE L. MORSE,
Senate Office Building,
Washington, D. C.:

Earnestly solicit your vote against work-or-jail bill. Passage of such a bill will seriously impair morale of American workers who under a voluntary system have established the greatest production record for the United States and our allies in the history of the world.

ED. J. BROWN,
International President, International Brotherhood of Electrical Workers.

PORTLAND, OREG., *March 29, 1945.*

Senator WAYNE MORSE,
Senate Office Building.

DEAR SENATOR: This morning's Oregonian carried the story of your courageous fight in opposition to the proposed work-or-fight bill now pending before the Senate. You are speaking the sentiments of the great majority of the working people of the State of Oregon, and I personally request that you continue to fight in that direction. Production record on the Pacific coast is outstanding and we think that some of the leaders in Washington should be aware of the fact by this time.

JACK SCHLAHT.

PORTLAND, OREG., *March 29, 1945.*

Hon. WAYNE MORSE,
United States Senator,
Senate Office Building:

Central Labor Council of Portland urgently request you oppose conference report on H. R. 1752. With war practically won this vicious and dangerous measure is uncalled for. It means approximating slavery and imposition of heavy penalty by one man. Your story in morning Oregonian March 29 encouraging.

Regards,

GUST ANDERSON,
Secretary, Central Labor Council of Portland, 101 Labor Temple.

PORTLAND, OREG., *March 29, 1945.*

Senator WAYNE MORSE,
United States Senate,
Washington, D. C.

Appreciate your efforts to stop H. R. 1752. Unthinkable such power be placed in hands of one man. Labor in Oregon knows labor draft unnecessary. Keep fighting for our interest.

JOINT COUNCIL OF DRIVERS 37.

PORTLAND, OREG., *March 29, 1945.*

Senator WAYNE MORSE,
Senate Office Building,
Washington, D. C.:

Entire membership of Warehousemen's Union, Local 206, urgently request that you oppose H. R. 1752. If this measure is successful in passing we are of the opinion that it will do nothing but seriously impede our relations with the employers in this area. We do not feel that any one man should be granted that much authority and power.

J. W. ESTABROOK.

PORTLAND, OREG., *March 28, 1945.*

United States Senator WAYNE MORSE,
Washington, D. C.:

Entire labor movement in Oregon unfavorable to compromise bill on manpower conscription. Free labor has an enviable record of production and can maintain that record only so long as they are free. Urgently request your negative vote on this bill.

R. E. BROWNELL,
Recording Secretary, Carpenters Local 226.

PORTLAND, OREG., *March 28, 1945.*

United States Senator WAYNE MORSE,
United States Senate,
Washington, D. C.

We respectfully urge you vote against work-or-jail bill.

E. A. BIRD,
Secretary, Portland Metal Trades Council.

COOSOAY, OREG., *March 29, 1945.*

Senator WAYNE L. MORSE,
United States Senate,
Washington, D. C.

The Southwestern Oregon Central Labor Council oppcses conference report on H. R. 1752 and ask that you express your opposition to same.

THOMAS CRUKSHANK,
Secretary.

ASTORIA, OREG., *March 29, 1945.*

WAYNE MORSE,
United States Senate,
Washington, D. C.:

The Astoria Central Labor Council requests that you oppose conference report on H. R. 1752.

J. L. FOOTE,
Secretary, Astoria Central Labor Council.

LA GRANDE, OREG., *March 30, 1945.*

WAYNE MORSE,
United States Senate,
Washington, D. C.:

We are opposed to conference report on H. R. 1752.

LA GRANDE CENTRAL LABOR COUNCIL,
By OPAL POWELL, *Secretary.*

NEW ORLEANS, LA., *March 29, 1945.*

Senator MORSE,
United States Senate,
Washington, D. C.

We strongly urge you to vote "No" on the conference report on the May-Bailey work-or-jail bill. It is not consistent with democracy to shackle labor. Shipyard workers are out of employment in practically every port in the Nation. There is no need for the May-Bailey bill.

W. T. CRIST,
Regional Director, I. U. M. S. W. A.-C. I. O.

PORTLAND, OREG., *March 29, 1945.*

Hon. WAYNE L. MORSE,
Senate Office Building:

I commend your attitude and the effort you are making to refuse Mr. Roosevelt his desire to extend his power over a free people. Should he be granted the power he is seeking, production instead of increasing would soon become a negligible volume.

C. L. KOSTER.

NEWPORT BEACH, CALIF., *March 29, 1945.*

Senator MORSE,
Senate Office Building:

Members urge you to vote "No" on the conference report on the May-Bailey work-or-jail bill.

LOCAL 52, I. U. M. S. W. A., C. I. O.,
President, SANDOVAL, and
Executive Secretary, ANDERSON.

BAKER, OREG., *March 29, 1945.*

Senator WAYNE MORSE:

We ask your continued opposition on H. R. 1752. Let's not draft labor for private profit. Those conditions are why our boys are dying over there.

A. L. CARLSON,
Secretary, Baker Central Labor Council.

PORTLAND, OREG., *March 29, 1945.*

Senator WAYNE MORSE,
United States Senate,
Washington, D. C.:

Labor still opposed to drafting of workers. Thousands being laid off daily on Pacific coast. Unthinkable draft necessary at this stage of the war. Chamber of commerce and both branches of labor agreed today draft unnecessary. Dangerous placing too much power in hands of one man, as House bill 1752 provides.

J. T. MARR,
Executive Secretary State Federation of Labor.

PORTLAND, MAINE, *March 31, 1945.*

Senator MORSE,
Washington, D. C.:

Local Fifty Iumswa C. I. O. remains unalterably opposed to the work-or-jail bill now in conference. It is not consistent with our democratic principles to shackle American labor at the very moment when our armies are liberating the slave labor of less fortunate nations with hundreds of unemployed shipyard workers in Portland and many more facing lay-offs at the Bath Iron Works. Maine workers demand your opposition to this bill. We must keep our Government free.

ANDREW A. PETTIS,
President, Local 50.

ROSEBURG, OREG., *March 31, 1945.*

WAYNE L. MORSE,
United States Senate:

Please use all of your influence to keep House Resolution 1752 from conference report. We do not want this bill to pass.

ROSEBURG CENTRAL LABOR COUNCIL,
LESTER R. WILLIAMS, *President.*

PORTLAND, OREG., *March 30, 1945.*

Senator WAYNE MORSE,
Senate Office Building:

Machinist Local 63 urgently request you oppose work-or-fight bill.

MACHINIST LOCAL 63.

EUGENE, OREG., *March 30, 1945.*

Senator WAYNE MORSE,
Senate Office Building:

The Eugene Central Labor Council requests you to oppose conference report on House Resolution 1752.

ELBERT T. DEMOSS, *Secretary.*

PORTLAND, OREG., *March 28, 1945.*

Hon. WAYNE MORSE,
United States Senator:

We urge you to oppose the war manpower bill which is detrimental to the welfare of the voluntary patriotic workers of this country.

FRED MANASH,
Secretary, Portland Building and Construction Trades Council.

CAMDEN, N. J., *March 29, 1945.*

Senator MORSE,
Senate Office Building:

Local No. 1 ship workers' union urges you to vote "no" on the conference report on the May-Bailey work-or-fight bill. The Navy Department just this week canceled contracts in the New York shipyard. Many other cancelations are being made in other war industries. It is our contention that this legislation is unnecessary.

HARRY R. DEITH,
Assistant Executive Secretary Local No. 1, Industrial Union of Marine and Shipbuilding Workers of America.

BROOKLYN, N. Y., *March 29, 1945.*

Senator MORSE,
Washington, D. C.:

The following is a telegram sent to Senator WAGNER and Senator MEADE, of New York, by our local at a special membership meeting of the Industrial Union of Marine and Shipbuilding Workers of America, Local No. 13, representing 25,000 shipyard workers in the port of New York. It was unanimously voted that you, our representative in the Senate, should voice our disfavor of the May-Bailey bill when it is presented on the floor of the Senate.

ELIOTT,
Secretary of Local 13, Industrial Union of Marine and Shipbuilding Workers of America.

PORTLAND, OREG., *March 31, 1945.*

Hon. WAYNE L. MORSE,
Washington, D. C.

DEAR SENATOR MORSE: It is with deep appreciation that we note your stand on the so-called work-or-fight legislation now before the United States Senate.

To us the passage of this legislation would be a long step toward regimenting our people by an administration which now has too much power, largely used to perpetuate itself.

We hope the time has come when the Congress will assert its constitutional right to make the laws of the Nation and enforce their administration as intended, rather than a government by directives of bureaucrats and visionaries not elected by the people.

With highest personal regard, we are,

Very truly yours,
Mr. and Mrs. O. E. HARKNESS.

Mr. MORSE. Mr. President, I have here a telegram from the president of the First National Bank of the city of Portland, Mr. E. B. MacNaughton. Certainly, at least, he cannot be charged with being unpatriotic or prolabor in his point of view. He is a great, patriotic, public-spirited citizen of the West. He says:

I heartily endorse your stand on the manpower bill and hope you will keep up the fight and be successful.

Here is a telegram from the president of the Portland Chamber of Commerce; one from one of the large retail employers of the State, operating a chain of retail establishments, Kampfer Bros. I have another from the Becker Co., and one from Gunderson Bros. Engineering Corporation, a concern which has made a great war record in wartime construction. I have here also a communication from Wentworth & Irwin, and other employers who are familiar with war production problems.

I have here a telegram from the Neils Lumber Co., and, at a later time in my remarks, I shall have something to say about the work-or-fight bill as it relates to the lumber industry.

There are many communications from labor, too. A. F. Whitney, president of the Brotherhood of Railroad Trainmen, who I think Senators on the other side of the aisle know has been an ardent and effective supporter of this administration from its very beginning, has this to say:

Brotherhood Railroad Trainmen strongly urges Senate to reject conference committee report on manpower bill. We oppose bill because it gives dictatorial power to one man. It provides penalties against employees that are not conducive to effective utilization of manpower. It would be a heavy blow to the morale of American labor, which has made such a magnificent record in the battle for production.

I have a similar telegram from T. C. Cashen, representing the executive council of the Railway Labor Executives.

Thus, Mr. President, the telegrams read all to the same general effect, that employers and labor oppose vesting in one man so much arbitrary power; and, second, they resent the negative implications of the bill upon the great record that American industry and American labor have made during the war, and I resent it, too.

Mr. President, I now wish to take a few minutes of the time of the Senate to discuss some of my observations while a member of the War Labor Board, in connection with wartime labor policies. I mean to be kind, but I insist upon being honest.

I wish to say, as one who has done a considerable amount of work in the settlement of labor disputes in this country since 1935, and who, during his term of office on the War Labor Board for 2 years, wrote a majority of the opinions of that Board, that I am not at all impressed by the argument which has been made over and over and over in this debate that we should enact this manpower bill because high military and naval authorities believe it should be enacted. That is a non sequitur, a great fallacy.

Mr. President, I will pay as strong a tribute, and with as much sincerity, as any Member of the Senate to the magnificent job our military and naval forces and their great leaders have done on the fields of battle to keep Americans free men. However, I wish to say with equal sincerity that if I wanted to be sure how a labor dispute should not be settled, I should first seek the views of the high military and naval officials of the country, because as a general rule I have found their approach to the settlement of disputes between free employers and free men involved procedures and policies which we should not permit to take root in America.

While I was a member of the War Labor Board, the late Secretary Knox honored me by asking me to serve him as a sort of one-man court of review to pass judgment upon the record made by a board of admirals in the handling of certain labor issues. The Secretary was concerned as to whether or not the record made by the naval officers constituted a fair hearing. At the time this service of mine was assumed to be a naval secret, but the Secretary in his own press conference at a later date made a statement as to my services in that regard, so I feel at liberty to comment upon them now. I took the cases and I studied the record, and in each and every case I found it necessary to recommend to the Secretary of the Navy that the board of admirals be reversed because they did not grant a fair hearing in accordance with well-established guaranties for a fair hearing under American law. I found further that the record of evidence in each case did not sustain the judgment of the admirals. Without exception the Secretary adopted by recommendations.

Mr. President, let us be frank about the matter. By training, by responsibility, by point of view, on the whole those in charge of the military and the Navy are men of action. They are men who want immediate results. They are inclined, and quite understandingly so, to say, "Well, if this is where we want to go, let us go there. Let this be the order. Let us get on with the business of getting out the goods. Do it this way." They fail to recognize that by great historical tradition in America there has developed in our people, fortunately, such a love for freedom that free men resent and resist dictation, whether that dictation comes from men in the Navy or in the military relating to civilian affairs, or whether it comes from an administrator in the executive branch of the Government. Further, I think it would be most unfortunate if American management and American labor were led to believe, if the bill were passed, that the Senate of the United States in passing it accepted the argument of the military and the Navy that it ought to be passed in the interest of military morale.

Mr. President, I said I want to be kind. It seems to me that criticism of what high military and naval officials have done in regard to this bill will serve little good purpose now, and therefore I pass over it simply with this observation. If there is a problem of morale in the military forces in regard to production on the home front, I am afraid that high military and naval officials have contributed toward creating that problem, and I think they owe it to free labor and free employers in America to see to it that more information goes to the soldiers and the men in the Navy on the fighting fronts in regard to the great backing they have received and are receiving on the home front. Our civilians have made a great record throughout this war. Their magnificent production record has been

made by free employers, free labor, free farmers, and free civilians devoted to the cause of the war and pledged to back up our fighting forces. They are keeping that pledge, the insult of this bill to the contrary notwithstanding.

Mr. President, I am not going to review some of the statements that have come out of high places in regard to this morale problem, but I do venture the conclusion that I do not think our men in the military services abroad have been given a balanced picture in regard to the great job that has been done on the home front. When the men come back and find out what we have been doing on the home front, and the extent to which they were misinformed while in service, it will be found that what is said in these emotional appeals which are being made now to the effect, "Just wait until the boys get home; they will do something about it," will come to pass, but in a different way than those making the arguments think. And I say—digressing for a moment—that I for one think it is a great disservice to our Nation for anyone to try to create any breach between the military forces and the civilians at home. And when the boys come back—those who come back having been willing to die to preserve the type of liberty I am arguing for here today—they will be the most militant among our population, in my judgment, in opposition to this trend of establishing a more and more powerful executive branch of government that does not permit of adequate checks to prevent the exercise of arbitrary and capricious powers. Most of them are going to return to the ranks of labor, and to the farms, and to small business, and they are going to see the significance of the principle of government I am defending here today. They are going to resent the attempt to camouflage it, which attempt I think is being made by the proponents of this bill.

So I say on this point, Mr. President, that the arguments of the Army and the Navy in regard to the problem of civilian production carry very little weight with me because, having observed them function in the field of civilian production for 2 years, I much prefer to leave the problem of civilian production in the hands of free employers and free labor in this country unrestricted by the type of dictatorship that the military and naval officials, at least, shall we say, unconsciously are seeking to impose upon us by this bill.

Mr. President, I said I would make a comment or two in regard to administrative pressures that are being used upon the Senate. Senators know that many telephone calls have come to them from high Government officials since the middle of last week urging that this bill be passed. I have received some. Let me say that in discussing the matter with me the cat came out of the bag many, many times. The black cat in the bag is the fear that unless we have some such bill as this, after hostilities have ceased, we cannot meet the unemployment and reconversion problems of this country.

In my judgment, we will never meet the unemployment problem of this country by the use of coercive devices. Oh, yes, I know there is a termination date in the bill. We have had termination dates before. It is the old practice again of conditioning people, getting them to think and act in a certain way, and then hoping that once that behavior pattern is repeated over and over again they will not object when under the guise of a new emergency an attempt is made to extend the principles of this type of bill. That is why I say that if we are going to make a fight for the preservation of freedom here on the home front, if we are going to make a fight against the attempts to regiment the economy of this country, the time to make that fight is now and on this bill. It may be our last chance, because if we give this sort of power of economic dictatorship to any man or to any agency, I think we will have a future fight on our hands in any attempt to regain the freedom we give away today.

Let me say a word about arbitrary action in government. There is much of it today. I am perfectly willing, where it can be shown that it is necessary for a more effective prosecution of war, to give up any home-front liberty. I think I have made that clear in many decisions from time to time. In case there are any doubting Thomases who think for a moment that I would defend any cessation of work or any strikes, let me make myself perfectly clear. Over and over again, in decision after decision, I have pointed out that there is absolutely no justification at any time, under any provocation, for a stoppage of work, or for a violation of the wartime labor policy by either labor or management. Thus, in one decision, I said:

> The calling of a strike is absolutely unjustified.
>
> Labor should never lose sight of the fact that the men in the armed services who are facing the enemy in battle have the right to expect uninterrupted production of war materials at home. Labor is making many sacrifices in this war, but our armed forces who are fighting and dying that labor in America may remain free are making much greater sacrifices. No combination of words, no rationalized alibis, no pleas of provocation or extenuating circumstances can be, will be, or should be accepted by our fighting forces as justifying work stoppages resulting from disputes between employers and employees, or between factions in their ranks.

In another decision, in the so-called Los Angeles transit case, I stated:

> Labor is entitled to its full share of credit for the great production record which has been made. It has made its sacrifices, but they have not been greater than the country has a right to expect of it in time of war. In fact, much greater sacrifices will probably have to be made not only by labor but by all groups before this war is over; if we are to maintain that stability in our national economy so essential to preserving a war economy which will permit of maximum production.
>
> Workers are entitled to a standard of living of health and decency that will permit of maximum war production, but beyond that, workers should not expect wage increases in the midst of a war. The life of an American soldier is a sacred thing. There is something almost sacrilegious about insisting upon improving the economic conditions of our civilians at home above a standard of living of health and decency, while at the same time so many of our young men are suffering and dying in our armed forces on foreign soil in order that our American way of life may be preserved.
>
> It is the obligation of all of us at home to dedicate ourselves to the task of ending this war in the shortest possible period of time and to effectuate that end we must be willing to increase our sacrifices at home to a degree not yet contemplated by most of us.

So to make myself perfectly clear, I do not plead against this bill as a proponent of industry or as a proponent of labor. I plead against it because I think the principles of representative government which it violates are too precious to sacrifice in the absence of a showing of necessity. I insist it must not pass if we are to protect and to preserve this form of government based upon a three department system of checks and balances.

That is no overstatement. I mean that we cannot continue to give to individual men the power to exercise the tremendous authority which this bill would give to the Director of War Mobilization and Reconversion, and maintain our check and balance system devised to protect us from the abuse of power by officials of government. It may be said, "What we can give we can take away. In case of abuse, Congress has authority to step in and correct the abuse, either by taking away power granted, or by restricting the power with some amendments."

Mr. President, I do not believe that is a very effective argument, judging from the wide power which the Congress has given to individuals during the past 12 years. The fact is that abuses of power exist. Yet one looks almost in vain for any record of action on the part of Congress during that period designed to check a power already granted when the power has been abused. There have been some exceptions. The point I wish to make is that the legislative pattern which is developing in this country is to give more and more power to some administrative agency, and not circumscribe that agency with the necessary checks to prevent the exercise of arbitrary action on the part of the Administrator.

When I speak of abusive practices, I should like to digress, in a way, although I think the principle is very much in point, to call attention to some abusive practices which I think are being engaged in by O. P. A. That is a good example, I think, of the administrative officials of a great agency engaging in many abusive practices in the enforcement procedure of the agency. All over the country there is being practiced by enforcement officers of O. P. A. the old technique sometimes employed by sheriffs in talking their way into a free home without a warrant. The O. P. A. enforcement officials are obtaining compromises of alleged violations without following procedures which in my judgment consitute due process of law.

I invite attention to an editorial published on March 16 in my home-town newspaper, The Eugene Register-Guard. The editorial is entitled "'Trial at Curb' Is Bad." It reads as follows:

> "TRIAL AT CURB" IS BAD
>
> Grocers and other merchants of the La Grande-Baker area in eastern Oregon are in

revolt against the O. P. A. practice which we discussed several months ago and dubbed "trial at the curb." Not only O. P. A. but the income tax people and other Federal agencies have employed swarms of so-called enforcement officers who travel about the country assessing penalties against violators.

This is the way the scheme works:

"Grocer A is confronted by an agent who accuses him of having committed X violations during a certain period. He is given the choice between making a contest (which he could do in the courts) or offering an immediate 'contributory settlement' in favor of the United States Government. Most of the accused pay rather than risk expensive litigation and other penalties."

There is grave danger of malpractice and corruption in this procedure. It is true that a record is made of settlements and these settlements are supposed to be confirmed by the local ration boards, but in most cases, so far as we can learn there is absolutely no valid record of the basis of the "contributory settlement" or of the discussions and arguments which take place between the agent in the field and the victim. And in any case, a ration board, under the present set-up, is not a court of law.

The reports from LaGrande and Baker indicate that in some of the cases over there these "settlements" were made without consent of the ration board or the ration board was actually instructed by O. P. A.'s field agents. McDaniel Brown, State director of O. P. A. says:

"It does appear that the representative of the Portland district exceeded his instructions."

The only excuse which has ever been offered by O. P. A. and other agencies for this rotten procedure is war urgency. Not even the war can excuse such rank violation of the basic right of every citizen to something resembling "trial by due process of law." In common prudence no Government agency can afford to turn scores of hastily chosen collectors loose on the land, with power to assess heavy cash penalties on the spot. It is a technique borrowed from the worst in big-time gangsterism.

Before I came to the Senate my law office had pending a series of cases involving abuses not only on the part of O. P. A., but on the part of enforcement deputies of other agencies, including the War Labor Board. Let me say that I believe that when we come to consider anew the O. P. A. legislation, it is of vital importance that before we renew it we should review this question of enforcement practices. I believe that price controls must continue after the war until civilian production can equal or balance the purchasing power of our people, because unless we maintain controls of that type we shall be confronted with the cheapening of the American dollar. I see no other answer to the problem.

As some have heard me say before, it seems to me that after the war our No. 1 domestic problem, next to unemployment—and of course both of them are connected—our No. 1 domestic problem will be to face the fight and win the battle against inflation, and we shall have to have O. P. A. controls in order to do that job. As I have said in several decisions we can never permit the pockets of American citizens to be filled with cheap money, because the moment we do that, we will have pockets close to empty stomachs.

The application I wish to make of this observation relative to O. P. A. practices to the bill before us is that we cannot continue to give administrative officers of our Government the unchecked power which many of them are exercising under the broad grants of power which Congress has enacted in major legislation. I frequently refer to grants of power in legislation as the passage of "sleeper" clauses. We have a beautiful example of one in the pending measure.

If we examine much of such legislation, we find little clauses to the effect that the Administrator or the Director shall be empowered to issue such orders, regulations, and directives as in his judgment are necessary to carry on the purposes and the intent of the act. We read in vain elsewhere in the statute to find any adequate check upon those powers. Oh, yes, Mr. President, we are told that there is always an eventual chance to take an appeal to court. Many of the O. P. A. enforcement officers apparently are aware of that; and so they say to the victim, "Of course, you know that if you do not want to make this compromise and pay $2,500 in full settlement of our allegations of violations amounting to many times that, you can go to court; but, you know, it will cost you a great sum of money to find out if we are right, and you cannot be sure that we will not win when we get to court."

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. AIKEN. In his study of the situation, has the Senator from Oregon found many instances or any instances in which emergency powers granted to the executive department in the last 12 or 14 years have been relinquished, or instances in which the Congress has failed to renew such powers at the expiration date?

Mr. MORSE. I know of no such instances, but I take it for granted that there have been some.

Mr. AIKEN. I realize that the N. R. A. was done away with by the decision of the Supreme Court. I should like to ask whether any Senator knows of any instances of the sort I have mentioned.

Mr. MORSE. I have not studied all the legislation, but I will venture the assertion that the whole pattern is one of giving the powers to an administrative agency and that agency retaining the powers, once they are vested. The pattern is not one which shows that Congress has been cautious about granting very broad, unchecked powers.

Mr. AIKEN. My observation has been that every time emergency powers have been granted, they have been geared into the machinery of government, so that when the expiration date arrives, often those who were opposed to them in the first place do not dare repeal the powers, for fear they will wreck the machine of which those powers have become a part by that time. It seems to me the same situation would very likely develop under the emergency power which is proposed in the pending measure.

Mr. MORSE. The observation of the Senator from Vermont coincides with my own views.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. TAFT. There are a few instances in which powers have been taken away. The chief one of which I think was when the Congress ended the power of the President to devalue the dollar. That power was renewed several times longer than it should have been, and was finally ended.

Also, of course, various emergency agencies, such as the W. P. A., the N. Y. A., and the C. C. C., were finally abandoned, after running for probably 3 or 4 years beyond the actual emergency which brought them into being.

Mr. MORSE. I thank the Senator.

Mr. President, I wish to say further that although I am sure I shall be found among those who believe that certain controls over the economic life of this country will be necessary for a period of time after the war ends, I shall also be found among those who will insist that in continuing the powers granted there shall be some amendments to some of the legislation which will provide for more adequate procedure for checking the abuses. I think that is particularly true in the case of O. P. A. legislation. As a general pattern, I would suggest in passing that I think when it comes to enforcing legislation passed by the Congress we should look more to the Department of Justice to develop the techniques and procedures for enforcement, and we should be inclined, in my judgment, to favor the development of independent administrative tribunals to exercise powers of judicial review over executive agencies. As I shall say later, of course one of the great weaknesses of the bill now proposed by the committee of conference is that under it we would not even have the appeal protection that we adopted by amendment at the time when we passed the Senate bill.

Of course it is easy to criticize. It seems to me there is a burden which rests on the shoulders of anyone who criticizes, namely, to offer constructive suggestions as to how the job should be done if it is not done in the way proposed. I think the bill passed by the Senate provided the machinery for doing the job. It was a combination, it seemed to me, of a voluntary system and sufficient compulsions to make it work. After all, as I said at the time when the Senate bill was under consideration here, it called for the granting of tremendous powers to the Chairman of the War Manpower Commission and to the Director of War Mobilization in connection with the fixing of ceilings. But the fixing of ceilings would have done the job. The opponents say that if the pending measure is not passed, men will quit work and will rush to civilian production.

The Senate bill contains controls to prevent that. The controls already exist under the Presidential powers under the War Powers Act, passed by the Congress, giving the President great authority. The powers of the War Production Board will continue. Under the Senate bill, with the power to fix ceilings the Government still would retain control over materials and over transportation priorities. The priority power is a tremendous one. It seems to me that is all the compulsion

we can justify placing upon freemen, in view of existing needs.

I was very much interested in two statements made by the President in recent days. One of them was a statement he made in commenting upon the great charter entered into by Eric Johnston and by the heads of the A. F. of L. and the C. I. O. Let me point out that in my judgment there is an example of what a voluntary system can do. If this Government only would bring to bear the advice of industry and labor in the solving of the manpower problems; if it would not proceed, as it has done too frequently, to issue instructions and orders without first finding out their applicability to the industries concerned; if it would counsel more with industry and labor, many of the problems which they face never would have arisen.

What did the President say in regard to the charter which was previously referred to? He said:

I am very pleased to learn of your plans to organize a committee of representatives of industry and organized labor to insure the continued close cooperation between labor and management to win the war and the peace. The close cooperation between labor and management during the war has made possible our great unexcelled achievements in war production. That great cooperation must be continued to make possible the full employment of labor and capital under our system of free competitive enterprise when hostilities cease. I hope you will press forward with your plans and report to me from time to time the progress achieved. I shall be happy to cooperate with you in every way possible.

That is a great statement. In my judgment it demonstrates exactly the spirit with which the President should meet that great landmark in labor relations in this country. But I cannot reconcile the statement with the implications contained in some of the President's language in connection with the work-or-jail bill. In that language he attempts to point out that this coercive measure, which provides, at least, the framework of an economic dictatorship, should be enacted in order to guarantee necessary war production during the closing period of the war. My suggestion is that if the President meant the language which he used when he passed judgment upon the recent industry-labor charter, he should proceed under a bill such as the one passed by the Senate, to bring together immediately a conference of representatives of American labor, American industry, and American farmers, and present them with whatever problems may exist in regard to manpower. In keeping with the spirit of the recent charter which has been referred to, and the language which he used in passing judgment upon it, the President should ask those representatives to work out, on a cooperative basis, the necessary program to make successful the administration of the Senate bill as originally passed. In my judgment he would meet with a response from American labor, management, and farmers, which would not fail him, just as they have not failed him at any time during this war.

The President has received and has deserved much cooperation; but, on the record of war production which has been made, free Americans do not deserve to have forced upon them an infringement of their liberties such as the President proposes by this bill.

Mr. President, I shall comment now on the potential success in administration of the conference report if it shall be adopted. Please remember my comments in opposition to any stoppage of work. If the bill should be enacted, and any stoppages of work should occur, instead of helping the war-production program, the bill would prove to be a great obstacle to it. I fear the bill would cause strikes. Why do I say that, Mr. President? Because men are human. When they work under provocations which involve injustices, in the heat of anger or under emotional strains they frequently suffer lapses of good judgment. If we tell free workers that they must carry out a directive issued by some person in Washington that they must remain on the job, or else—some of them will say, "Or else what?" Those who will suffer from such lapses of good judgment will still represent a minority of labor. However, it is my honest belief that if this bill should be enacted into law it would result in a great increase in strikes throughout the country. What then must be done? It is said that this is not a no-strike bill. I agree. Nevertheless it could be used to break unions. We have not yet devised any scheme—and neither would this bill nor any out-and-out no-strike bill do so—in this country to compel American workers to continue to work when they believe they are being imposed upon, and that a great injustice is being done to them.

Mr. President, I believe that I can predict some of the things which will happen if this measure becomes law. The law will be used by a minority of employers—while they may represent a minority they can still cause a great deal of trouble—to obtain a freeze order and then transgress the legitimate rights of organized labor within their plants. We have heard a great deal said about strikes during the war, but in most instances there was a mutuality of responsibility in connection with those strikes; the employers cannot escape their fair share of responsibility for most strikes. There is no justification for labor striking even because of provocation, but the fact remains that, under the so-called no-strike, no-lockout agreement, too many employers have provoked labor. That is why, time after time, decisions of the War Labor Board in connection with strikes were unanimous in insisting that employers desist from certain antilabor practices which were provocative of strikes. We never condoned strikes. But if this bill is enacted into law some employers of the country will obtain a freeze order and we shall observe to what lengths they will go in order to injure the legitimate interests of labor. I think it is to the everlasting credit of American industry in general that it is protesting against the enactment of this measure. The great industrial statesmen of America know that their future security is not to be found in legislation which will create instead of present labor disturbances. Rather, I think they are going to find that the great principles of the so-called American labor code point the way under a voluntary system of employer-labor relations to a type of procedure which will be necessary if American management, too, is to protect itself from economic regimentation. No, it is not an antistrike bill, but it will not be conducive to labor peace.

What will be another result of the bill? Another result will be the establishment of freezes in certain plants to the advantage at least in the opinion of labor, of the owners of such plants, from which advantage they will reap mercenary profits.

I do not agree with the distinguished Senator from North Dakota [Mr. LANGER] in all of the comments he made, but if we are to have a form of universal service act, I think it is very unfortunate that we do not go all the way, unless this is merely the first step in reaching the ultimate goal of regimentation. If we ever have a universal service act in the sense which has been discussed on the floor of the Senate, namely, that we will conscript all wealth and all labor under the guise that is necessary for a successful prosecution of the war, then we ought also to be willing to admit that the day that is done we will have lost the peace at home even though we may have won the war abroad. No, this bill cannot be justified on the ground that it will produce more goods, but it should be criticized on the ground that it will seriously interfere with war production.

We have had a little experience with labor freezes during the war. True, they did not have the same enforcement power behind them that this bill gives the Director of War Mobilization, but we have had some experiences with it in the lumber industry in the Pacific Northwest. It did not do the job. It created much dissension in the ranks of labor and industry, and it was not very long before the Manpower Commission returned to the open voluntary procedure for getting men into the lumber industry. As many employers told me, it does not do any good to refuse to give a man a certificate of availability if he insists on one. Tell him that he is frozen to his job and he will say, "Who is going to freeze me to a job?" Unwilling workers are not productive workers. Proponents of this bill can wrap the flag around themselves, they can make all the emotional appeals to patriotism they may care to make, but when an individual is confronted in a dispute with his employer on the issue whether or not he can or cannot leave his job, then, rightly or wrongly, there will be many workers who will say, "We will test that freeze."

That is what I mean when I say that the pending bill, if passed, will bring about an interference with war production rather than be an aid to it. We saw it in the lumber industry. It did not work there, and I predict that it will not work if adopted as a national policy on a compulsory basis.

I am sorry that so frequently during the course of the debate there have been, by implication, challenges to the patriotism of men, depending upon which side of this issue they stand. I certainly

make no such challenge. I have no question of the patriotism of every Member of this body, irrespective of how he may vote; but, as I said early in my remarks, I think it is most unfortunate that any question is raised with regard to whether a stand on this bill constitutes in effect a stand for the support or the nonsupport of our military forces.

It might be said in passing that it has been my observation that our military forces do not wave the flag; they plant it in defense of American liberty, and I think there should be less flag waving at home and more planting of the flag in the defense of American liberties here at home. I feel, as we come to vote on the conference report, that each one of us will be called upon to make a decision as to whether he favors an extension of executive power at the cost of legislative power. It is an extremely important principle of liberty.

I should like now to comment on two statements made by the distinguished Senator from Vermont [Mr. AUSTIN] in his remarks the other day in regard to the safeguards which are to be found in the pending conference report bill. As I recall, the essence of his remarks was to the effect that there is adequate protection provided in the bill to check the Director of War Mobilization if he seeks to exceed his authority. I listened to the remarks of the Senator from Vermont and then I read them at a later date, but I have failed to find any safeguards which would check the abuse of power to which I have objected in my remarks this afternoon.

Now, Mr. President, with the assistance of the chairman of the conference committee I should like briefly to discuss some of the differences between the bill as passed by the Senate and the bill brought back to the Senate by the conference report.

As I understand, the primary difference between the conference report bill and the bill as originally passed by the Senate is to be found in section 5 of the conference bill. Let me call the attention of the Senate to section 5 of the conference report bill in contrast with section 4 (b) of the bill as passed by the Senate.

The conference report bill reads, to the extent deemed by the Director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act. Whereas section 4 (b) of the Senate bill read, "to the extent necessary to carry out the purposes and meaning." For my information, I should like to ask the Senator from Utah [Mr. THOMAS] to tell us if the use of the language "to the extent deemed by the Director to be necessary" has any significance as contrasted with the language "to the extent necessary to carry out the purposes and meaning," as set forth in the Senate bill.

Mr. THOMAS of Utah. Mr. President, I think that, excepting for a strained legal interpretation, which did not come into our discussion in conference at all, there is no significant difference. I realize that the Senator from Oregon is probably thinking of a contrast between the two wordings as if he were pleading a case in court. No; the conference did not argue at all, as I remember, upon that point.

Mr. MORSE. The Senator has exactly in mind my concern, that is, assuming that we may get into court as a result of some of the actions of the Director of War Mobilization under the act, the congressional intent as to the extent of the powers granted becomes a very important question.

Mr. THOMAS of Utah. There is no doubt about that. If the bill should find itself in court, and if, for example, attorneys taking their respective sides were arguing the question, there is no doubt that the point raised by the Senator from Oregon would be important, but the conference did not consider that subject.

Mr. MORSE. Mr. President, that illustrates, of course, one of my great fears. Would that I were not fearful of abuse of power, but I think it is quite a different thing to grant to an agency power to the extent necessary to carry out the purpose, and to grant to the Director of the agency power to the extent that he deems it necessary.

Mr. THOMAS of Utah. Mr. President——

The PRESIDING OFFICER (Mr. TAYLOR in the chair). Does the Senator from Oregon yield to the Senator from Utah?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. I think that in relation to the argument which the Senator is making one should take into consideration the great fundamentals behind the powers of Congress and the powers of the Executive, and war powers. One should also take into consideration the great grants made by the Congress, being the war policy-forming branch of our Government, and the President, being the great "war carrying out" branch of our Government, if I may use language not taken from the textbooks or the lawbooks. If he will do so, I think the Senator will have his fears removed on this particular point, if he realizes the tremendous powers which have already been granted, and which it has been deemed the President would have as Commander in Chief, especially since the Civil War time, when these cases got into court after the war on the powers which President Lincoln had assumed. He cannot start a war, he cannot lay down policy for a war, but Congress leaves to him the carrying on of the war. So Congress, without any restraint on the words, has said to the President this—and this is from the War Powers Act, which in a sense was our guide, not for words, but for theory:

> Whenever the President is satisfied that the fulfillment of requirements for the defense of the United States will result in a shortage in the supply of any material or of any facilities for defense or for private account or for export the President may allocate such material or facilities in such manner, and upon such conditions and to such extent as he shall deem necessary or appropriate in the public interest and to promote the national defense.

Of course, the grant in the declaration of war given the President is an all-out grant; that is, the Congress of the United States, in its full right, pledged not only the lives of Americans but their property. So that it would seem to me that in discussing the bill, while there are differences between a wording here and a wording there, there is no difference in the minds of the Senate when it is granting the powers in the wordings employed.

Then, too, we must consider the termination provided in the act, which is so absolute and so complete, in spite of the fact that our Director of War Mobilization and Reconversion, who seemed to feel that the bill was lacking for peacetime, failed to read the terminal facilities written into the bill. I think that in defense of the conference committee we should say that this is a wartime act entirely and completely, and not only that, but that it was never intended and never could be intended for general application over the hundred and thirty-odd million people of the United States.

I know the Senator will not be put out when I say that every witness who testified stated that the bill was needed to take care of particular conditions in particular places, and that it would never have general application. In spite of that, the Senator's argument is logical, it is right, it is in keeping with what we are doing, but at the same time I ask him to consider the great grants which have been made, and to consider the fundamental necessity in government itself of leaving the execution of war, the carrying out of war, to the Commander in Chief, and I would appeal to him not to be frightened with the grants made, because we have made tremendously greater ones in the past, and we will continue to make them as long as we exist as a nation.

Mr. MORSE. I thank the Senator from Utah, and I assure him I find it a very unhappy situation for me to be in disagreement with him. At a distance I have really been a student of his, and have marveled at the great statesmanship he has given to this country as a Member of the Senate in handling industrial relations problems before and during the war.

Mr. THOMAS of Utah. I thank the Senator from Oregon.

Mr. MORSE. I do disagree with the Senator fundamentally as to the necessity for the bill. I am aware of the fact that the testimony to which he alludes is in the record, and I have read the testimony, but it is testimony which is grossly lacking in adequate factual support. Much of it is in the form of allegations. Little of it is backed up by support in the way of evidence and, so far as I know, there is no satisfactory rebuttal testimony in the reports before the committee to the effect that the bill which the Senate passed would not work. If the Senate bill would work—and I have yet to hear any evidence that would convince me that it would not work—then we certainly do not need the drastic power which the conference committee proposes in this bill. We should not enact it in the absence of clear and

preponderant evidence that it is necessary.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. I must ask the Senator to yield on that point, because no one worked harder for the Senate bill than did the chairman of the Senate Committee on Military Affairs. But there comes a time always when conferees enter a conference and have to bring about a meeting of minds; and that has been done in this case. If the Senator will ask us to point out how much of the Senate bill is in the conference report, we can show him that in much of the theory and the provisions for administration the Senate bill dominates the whole of the conference report. On the other hand, with respect to the differences which exist, the Senator's arguments are valid and proper, and no one can successfully gainsay them.

Mr. President, I think we are back again to the big question which the Senator himself has passed upon in handing down decisions in cases which came before him when he was a member of the War Labor Board. In those decisions he has pointed out strongly and well the powers of the President in wartime, and the need for action that has been taken. The Senator's decisions have contained most convincing arguments in defense of the War Labor Board. No one has taken a firmer position than the Senator has in carrying out what I think has been the will of the American people. In his decisions the Senator has followed the great philosophy respecting the war powers laid down in the Milligan case, which was decided after the President had acted and after the war was over, at a time when sober judgment could be passed upon the constitutionality of the powers exercised by the President, and the differences between the powers of Congress and those of the President. In reading some of the decisions handed down by the Senator from Oregon when he was a member of the War Labor Board, I am sure he was guided by the philosophy of the Milligan case more than anything else, because he was able at all times, and he did at all times, point out the great distinction between the powers of the Executive and the powers of Congress respecting the making of war and the carrying on of a war.

In spite of the fact that I personally would much rather be pleading for the Senate bill, and would much rather have the House recede and give us the Senate bill, I would have been happy if the House of Representatives had voted upon the Senate bill, and we had had the decision of the House upon it. But, as the Senator knows, the House did not vote on it, and we find ourselves with the conference report. We have done the best we could. Even though we find differences in wording between the various measures, I do not think the pending measure is in the least inconsistent with our great fundamentals, from the constitutional standpoint and from the legal standpoint. This is an American act. It is not an act which is going to turn our people into slaves. It is an act which gives to the President the power to carry through and carry on and execute the will of Congress and the will of the people of the United States to the successful culmination of the war. The war powers grant must of necessity be a grant successfully to carry on the war, and to use every medium consistent with law and consistent with the Constitution and consistent with the oath which all of us have taken, to bring about the defeat of the enemy. That is what the President's war powers mean, as I understand them.

Mr. MORSE. Mr. President, I thank the Senator very much for his observations. They make me very happy in that they make clear to me that so far as the Senator's choice is concerned he agrees with me that the bill passed by the Senate and the principles inculcated in it are to be preferred to the bill recommended to us by the conference committee. It seems to me that marks a very important point in this discussion. If the principles of the Senate bill are to be preferred, then I think our obligation is to defeat the conference bill and adopt the motion of the Senator from Wyoming [Mr. O'MAHONEY] to recommit the issue to the conference committee for further recommendation.

It is easy to say that one does not think that the bill could repass the House if resubmitted in its present form. That would be to discuss factors that none of us could determine for a certainty. Yet it is interesting to note that a good many Members of the House, several of whom voted for the bill, have told me since the House passed the bill that if they had another chance at it they would not vote for it. They felt that it was speeded through the House at such a rapid rate that if they had another chance at it they would vote against it. Hence I think that so far as parliamentary procedure is concerned, if what the Senator from Utah says is true, and I believe it is, that the Senate bill is to be preferred to the conference bill, we ought to vote the conference bill down and then have it recommitted for further study and report.

Now in regard to the comments made by the Senator from Utah concerning the war powers of the President. I had not intended to mention that subject for I thought the personal reference might be misinterpreted. The Senator is quite correct when he says that as a member of the War Labor Board I wrote most of the decisions, if not all the decisions of the Board on the issue of the war powers of the President. I took a position in regard to the war powers of the President yet to be passed upon by the Supreme Court of the United States. I handed down a decision on the war powers of the President in the great Little Steel case in which I said in effect that in the absence of any congressional act, Congress not having seen fit to set up the War Labor Board, but having left it to the President to set it up by Executive order, the President, who under our Constitution, in my judgment, does have exceedingly broad powers with which to prosecute a war, had the power to create the War Labor Board. My decision holds that the war powers of the President are broad enough to support the jurisdiction of the W. L. B. Its jurisdiction, as you know, was challenged by the steel companies in that case. I held further that the President had the power to carry out the decisions of the W. L. B. at least until such time as the Supreme Court ruled to the contrary. All my decisions on the war powers of the President—and this is the vital point—rest upon the criterion that the exercise of a particular power in a particular case is necessary under the law of national necessity. It is a question of fact. That is why it is an issue subject in the last analysis to judicial review.

The President, in my judgment, under his war powers, has the power in waging war to do anything on the military and the home front dictated by the law of national necessity. And until the Supreme Court of the United States rules for the first time in our history as to the limits of the law of national necessity, no one in this country can tell how far the President can go under his war powers. But I am satisfied that he cannot go any further than is necessary in carrying out his war powers under national necessity created by the war. In applying that rule to this measure I fail to find even substantial evidence, let alone a preponderance of evidence in the record of this debate that supports a finding that the facts concerning war production warrant granting such broad and sweeping powers to the Director of War Mobilization.

If a power is subject to abuse, or if a procedure is subject to abuse, I believe it is the obligation of the legislative branch of Government to check the danger of the abuse. I cannot go along with the bill because I cannot read it without seeing in it tremendous power being vested in one man. I believe that we ought to check it. I believe that we made some headway under the Senate bill in the direction of checking it; but we do not have in the bill as it comes from conference the checks which we had in the Senate bill, so far as appeal procedures are concerned. Under the Senate bill the Chairman of the War Manpower Commission was to do the work. He was the one who was to make the surveys, fix the ceilings, and issue rules, regulations, and orders to carry out the purposes of the act.

The Senate, with the utmost courtesy, acceded to an amendment which I proposed at the time the powers under the Senate bill were before us for consideration. That amendment provided that the tribunal which should pass judgment upon the powers of the War Manpower Commission should not be a tribunal appointed by the Chairman of the War Manpower Commission to pass judgment upon the reasonableness of the acts of the appointing authority. I argued that the appeal procedure, at least, ought to be transferred to another administrative agency. I proposed a transfer to the Director of War Mobilization and Reconversion. The Senate accepted my amendment.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Utah?

Mr. MORSE. I yield.

Mr. THOMAS of Utah. I think I should remark that the conference committee was conscious of the amendment offered by the Senator from Oregon and accepted by the Senate. Mention was made of the fact that in the transfer from the Director of the War Manpower Commission to the Director of War Mobilization and Reconversion, it would be necessary, of course, to leave in the Director appeal power; but it should be pointed out that under the terms of the bill as reported by the conferees, the Director is to call upon other agencies. It is not only rational, but proper, to believe that the agency which would be called upon to establish ceilings would be the War Manpower Commission. The War Manpower Commission would establish ceilings under the direction of the Director, and the Director would be under the direction of the President. At the same time, the Director of War Mobilization and Reconversion would appoint the appeal board. There would be two different institutions. So in spite of the fact that in the bill which is before us today there seems not to be respect for the Senator's amendment, in practice and in administration there would be respect for it.

I am glad that the Senator has brought up this point, because it was my intention, when I presented the conference report in the first instance, to call attention to the appeal provision and show that, due to the way in which the bill was rewritten, wherein we placed the over-all director of all the branches in charge of the administration of the act, it might seem that we had overlooked the question of appeal in accordance with the Senator's amendment; but in practice the Senator's theory would be followed.

Mr. MORSE. Mr. President, I understand the Senator's explanation; but the fact remains that the Director of War Mobilization and Reconversion would have the power to exercise, shall we say, original jurisdiction in all these matters. He would not have to call upon any other agency. He would have the power to exercise original jurisdiction if he should care to do so.

Mr. THOMAS of Utah. That, of course, is true; but that is not the way things work in our Government. If, for example, the Director of War Mobilization and Reconversion should try to establish an institution of his own, when a war manpower institution already existed, the Senator knows what the Appropriations Committee of Congress would do in that regard. We have been operating for 150 years, and in that time we have learned that the check system works thoroughly. Under those circumstances I do not believe that the dangers which the Senator fears are real dangers, because if an effort were made to duplicate the War Manpower Commission, appropriations would be required.

Mr. MORSE. Under the provisions of this bill the Director of War Mobilization and Reconversion would not have to establish any agency or set up any personnel to exercise on his own account what would amount to dictatorial judgment. When the Senator refers to how the Government works I cannot refrain from saying that there have been instances in which men in such positions as that of Director of War Mobilization and Reconversion have exercised their judgment, and have said, in effect, "This is the way it is to be." I want the reasonableness of those judgments passed upon by men who are not appointed by the Director to pass judgment upon his own opinions. In my judgment this represents a fundamental weakness in the bill. As I stated earlier in my remarks, we should develop at a very early date administrative tribunals to pass judgment upon the reasonableness of the acts of executive officers. The members of such tribunals should not owe a job obligation to executive officers whose acts come before them for review.

In my judgment we cannot pass over the procedural weakness of the bill by saying that in practice the power would be delegated administratively to other agencies. In my judgment what would happen would be that many of the decisions would be dictated by the Director of War Mobilization and Reconversion—I care not who he might be—because, given the great responsibility which the bill would place upon the office, it is only natural, men being human, that to protect themselves they would see to it that they themselves passed judgment on the great issues. It is the judgments upon the great issues which I believe entitle the people of this country to protection from the exercise of arbitrary power.

Mr. THOMAS of Utah. Mr. President, will the Senator further yield for a question?

Mr. MORSE. I yield, I am about to conclude.

Mr. THOMAS of Utah. The Senator from Oregon is making a great plea for the Senate bill, and I appreciate that. I am wondering if he can suggest how we might get the Senate bill, which was passed by such a large majority in the Senate, before Congress for its consideration. The Senator will remember that the Senator from Wyoming [Mr. O'MAHONEY], at the beginning of the discussion asked the Chair if it would be in order to send the conference report back to the conferees, so that the House of Representatives, which did not vote upon the Senate bill, might do so. The Chair ruled that it would be necessary to vote on the conference report first, that there must be action on the conference report. Can the Senator contribute in any way to a parliamentary situation whereby we could bring about a condition which would result in the House of Representatives voting upon or passing judgment upon the Senate bill? The bill passed the Senate with such a large majority that I should very much like to see the House have an opportunity to consider it. That is our big problem. If the Senator has any ideas along that line, or if any other Senator has any ideas which might be helpful to that end, the chairman of the Committee on Military Affairs would like to hear them.

Mr. MORSE. Mr. President, the Senator from Utah flatters me by suggesting that I might have an idea how this great body could proceed parliamentarily to get through Congress the bill which ought to be passed. Let me say that I have great confidence in the Senator from Utah and in the distinguished majority leader, the Senator from Kentucky [Mr. BARKLEY]. If the conference report should be voted down, and the bill sent back to conference, I am confident that those two leaders on the other side of the aisle would at least see to it that a full hearing was obtained in the House on the merits of the Senate bill.

I am satisfied that if we can just get the Senate bill reconsidered in the House, it will pass, because I think the House, too, has heard from the country.

I said I was about to close, although perhaps at a later time I shall add a comment or two during the debate. However, I cannot close without calling attention to a statement made by the President with which I find myself in complete disagreement. In issuing a statement on the bill he said:

> The manpower situation is still serious. In the days ahead of us there will be great temptation for workers to leave war plants. The failure to enact legislation will make the successful conduct of the war even more difficult.
>
> If the conference report is adopted, the Congress will have discharged its duty, and the responsibility for effectively and fairly handling the manpower situation will be placed squarely in the executive branch.

Mr. President, I must seriously quarrel with the observation that by adopting the conference report the Congress will have performed its duty. I think it will have performed a great disservice to this Nation if it adopts the report. If there is a manpower problem such as is indicated by the President's statement, if there is danger that workers will leave the plants, then I think that danger can be averted if the President will proceed to call representatives of industry, labor, and agriculture together at once, and get them to proceed on a voluntary and cooperative basis to carry out the principles of the Senate bill. That bill maintains the maximum amount of the exercise of individual choice compatible with the successful prosecution of the war. In my judgment, it preserves one of the basic liberties for which I think we are fighting. It saves us from adopting totalitarian methods as an instrument for winning the war, and it saves us from losing the peace at home.

I should like to close with the following summary statements:

First. My major premise is that these is nothing in the record to date to show that adoption of the conference report is necessary.

Second. There is nothing in the record, in my judgment, which supports the conclusion that the Senate bill will not do the job. We have from the chairman of the committee on conference the statement that if he were free to make a choice at this stage of the parliamentary proceedings, he would prefer the Senate bill. His observation carries great weight with me and convinces me all the

more that the conference report should be rejected.

Third. This conference report should be voted down because if it is adopted it will create disunity in America at a time when we need the greatest possible amount of unity.

In my judgment the pending measure, if enacted, will injure the confidence of millions of Americans—whether rightly or wrongly is immaterial now—in the good faith of this administration.

I need make no apologies for the stand I have taken in support of many of the social objectives of this administration, but I am going to insist that social objectives be attained and established under our representative form of government. It is the function of the judicial branch of Government to check abusive action on the part of the executive branch and legislative branches. The pending measure frightens me because I think it will feed the ammunition to those who are endeavoring to breed disunity in America today by raising the cry "the administration seeks to take over the economy of this country." I do not so charge, but I do charge that it proposes a procedure which makes it possible. Let me say that we cannot separate our substantive rights from our procedural rights. Men constantly are talking about deciding things on their merits and deciding things on the facts irrespective of procedure. Let me tell you that usually when they make such arguments and when at the same time they say, "Do not pay any attention to how we do it or to the procedure whereby we accomplish our end; let us get it done," those men overlook the importance of the observation that the substantive rights of every American are dependent upon his procedural rights.

If we allow the development of a procedure which will permit dictation by agencies or branches of the executive arm of Government without proper control against abuses, then in my judgment we shall have started down the road which leads to the development of an all-powerful executive branch at the expense of the legislative and judicial functions of representative government. My plea as a freshman Senator to you who know so much more about government than I do is that the Senate keep its ear to the ground in regard to the tumult that will be created if the Senate of the United States today places its stamp of approval upon the exercise of arbitrary, discretionary, and unchecked power by the Director of War Mobilization, whoever he may be. War production does not require it. The law of national necessity does not justify it.

Mr. SMITH. Mr. President, I rise to say a word in behalf of the conference report. I do so with great hesitation, because I should like to say to the distinguished junior Senator from Oregon who has just spoken that I believe he has presented to the Senate of the United States in the most effective way I have heard in a long time, some of the vital issues which are involved in the present controversy. I yield to no one in agreeing with him as to the dangers to representative government of one-man control, the dangers of using the war emergency as an excuse for doing things which will lead us down the wrong road in the future. But, Mr. President, we are in the midst of a great war and I am troubled by the fact that if we reject the conference report we may be offering no alternative. If the conference report is rejected, I fear that there will be no manpower legislation.

I give the greatest credit to the senior Senator from Wyoming [Mr. O'MAHONEY] and the senior Senator from West Virginia [Mr. KILGORE] for the bill they introduced, and on which we previously acted. I voted with enthusiasm for that bill and for the so-called Revercomb amendments, which, however, were not adopted. The conference between the House and Senate has made certain suggested changes. In the few remarks which I shall make I shall attempt to indicate why I do not think those changes are serious. The decision is a difficult one for me, because fundamentally I agree with my friend the junior Senator from Oregon regarding the basic principles he has stated. I wish to say that in determining my own position on the pending measure, I give credit to the good faith and sincerity of other Members of this body who may arrive at a different conclusion from mine. There is no monopoly anywhere on patriotism. Every Senator who has spoken on this measure has convinced me of his patriotism. It has made no difference whether he was for or against the bill. I recall the words spoken the other day by the distinguished senior Senator from Michigan [Mr. VANDENBERG] who said that he sincerely believed that if he voted against the bill he would thereby aid the cause of production rather than curtail it. The Senator from Oregon has just made the same point. It is a matter of individual opinion as to which is the more effective method.

I am glad that no partisanship is involved in this debate. I have heard Senators on both sides of the aisle speak for and against the conference report.

I do not agree with the statement of the Senator from Oregon that the adoption of the conference report would be likely to result in destroying our national unity. I personally think the reverse would be true. I believe that the enactment of this legislation would tend to make our attitude toward war production more consistent and would strengthen our national unity.

I have entertained grave doubts as to how I should vote in this matter. I have come to the conclusion that a mistake which was made from the beginning in debating this manpower bill was in the use of some of the expressions in describing it. I have heard the expression "work-or-go-to-jail bill." Sending people to jail is not our objective. I have also heard the expression "work-or-fight bill." I have heard the expression "slave labor," which is obviously ridiculous. I do not believe any of these to be proper expressions. I yield to no one in my tribute to the magnificent management-labor production which has been achieved in this war without the necessity of compulsion. However, Mr. President, that is not the issue before us. If we pass this bill, we shall not be casting any reflection on management and labor. If I thought differently, I would vote against the bill.

The issue before us is simply: What is the most orderly procedure which will bring about a full program of work and fight—not work or fight—in order to finish the war? This bill suggests a procedure which is orderly and easily understood. The debate has been confused by our overlooking the fact that we are in the midst of war and are not dealing with peacetime conditions. What the Senator from Oregon said applied absolutely to peace conditions. I agree with him, and he will have my complete support in applying his principles to a peacetime economy.

But fellow Senators, we are at war. Through this bill we are asking for certain simple things. Why? Because those on whom we have placed responsibilities for waging the war, such as officials in our War Department, and of our Navy Department, as well as the Chiefs of Staff, have stated that certain essential war needs must be met. They have stated that dangers have existed in the hoarding of labor and in the misapplication of labor. They have told us that as soon as peace is declared in Europe many will leave the plants in which they are working and seek employment in other industries. This bill provides a procedure to enable those who are patriotic and want to cooperate to continue in their employment, and only penalizes those who may willfully try to take a selfish advantage of the situation.

Mr. President, I feel that the provisions for so-called freezing jobs, and the provisions for establishing ceilings on manpower are reasonable steps to be taken in insuring continued war production.

Furthermore, I like the provisions in the bill for surveys to be made in Army and Navy plants, and in private industries to determine our war-manpower uses.

I wish to point out another feature of the bill. We have all heard of the need for more food. By adopting the revised Tydings amendment, which is incorporated in the conference report, we shall be protecting labor on the farms from being drawn away from this essential industry. Even if the conference report is not adopted we should pass legislation embodying this important principle.

Mr. President I cannot emphasize too strongly that the bill itself provides a fixed date of termination. The termination date is slightly over a year from today. Today is the 2d of April. The termination of these broad war powers is the 30th of June 1946. In the original bill provision was made for termination of the law upon the declaration of peace. It is obvious that such drastic powers as those provided in this bill should terminate upon a fixed date and not depend upon the uncertainties of a formal peace declaration. The philosophy of the bill has been attacked. Again I remind those who attack it that we must consider the difference between war conditions and peace conditions. The Selective Service Act contains provisions similar to some of those contained in the bill now before the Senate. Do we consider that our

young men who have been and are being drafted under the Selective Service Act are less patriotic because we told them they must go into the armed forces and prepare to fight? Can we look upon our soldiers who are fighting in Germany today and say that they are fighting in slave armies? Of course not. We would not even think of such a thing. Our eyes have been blinded by conflicting statements of the purpose of this measure. The Selective Service Act is an orderly procedure for building an army and a navy, and the measure now pending is designed similarly to insure continued production of necessary war materials.

As we approach the culmination of hostilities in Europe and prepare to carry the war forward against Japan it is essential that there be no slowing up of the entire operation. By the enactment of this measure production will be carried on by cooperation between management and labor as it has been carried on in the past. This measure provides merely for an orderly procedure of channeling men into the plants where they are needed and to keep them from stampeding into other plants, a movement which might well impede the war effort.

What are the objections made to the bill? Objection has been made to placing power in the hands of one man. Of course, we would object to this in peacetime, but we are at war. It has been said that management and labor should not be required to have supervision of war industries placed in the hands of one man, implying that production will be taken away from management and labor. I am unable to find anything in the bill that says that the Government or the War or Navy Departments will operate the plants; they will still be operated by management and labor as they have in the past.

It has been said that production is improving. Therefore it has been argued that we do not need the bill. Mr. Byrnes' report of yesterday stated that conditions were much improved. My own opinion is that, in spite of the fact that production is improving and we are about to move from victory in Europe to the war in Japan, now is the proper time for the orderly procedure which the bill calls for. It has been said that the war is about over. I think we all know that we have many real problems ahead of use before we win the war against Japan. One war is ending, but the other war is still in progress. The great danger ahead is the confusion which faces us in the immediate future because of the change in the war situation.

Mr. President, what about penalties? They seem to be summed up in one small paragraph. It is section 5 (b), which reads as follows:

> Whoever willfully violates the provisions of any regulation made under subsection (a)—
>
> Referring to ceiling and freezes—
>
> shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment of not more than 12 months or by a fine not exceeding $10,000, or both.

This is the usual penalty clause in all of our war legislation.

And let me emphasize the words "willfully violates." I do not anticipate there will ever be any need to impose penalties under this proposed act. I feel that the penalty provisions can be defended, although I was originally opposed to them, and voted to support the Senate bill. I feel that they can be defended on the ground that they protect honest cooperators against willful, selfish chiselers. I think we will all agree that when our Nation is mobilized in time of war and we are calling upon everybody to do his share, we are justified in saying to those few who will not cooperate, "Very well, you will have to take the consequences." That is the only place I can see where the penalties are going to operate. The workingman will be aided and protected in contributing his share to the all-out war effort.

Therefore, I find myself supporting the conference report. We are in a desperate war; if we can only get our minds off such expressions as "slave labor," "drafted labor," and "work or go to jail," and the other compulsory ideas, and get them on the idea of an orderly procedure to prevent chaotic conditions, to move us toward a right kind of solution of the problem which will face us, on VE-day and VJ-day, to help those who want patriotically to cooperate, then I find I am in a positive, not a negative, mood, a mood where I see that the unity of our country will be fostered by the all-out over-all equal pull of everybody. Then we can sincerely give a vote of confidence to our War Department, to our Navy Department, to our Chief of Staff General Marshall, and to our Chief of Naval Operations Admiral King. I believe that this is the important psychology today for the unity of our country. This will be my sincere vote.

Mr. JOHNSON of Colorado and Mr. BURTON addressed the Chair.

The PRESIDENT pro tempore. The Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, I desire briefly to discuss the conference report and the original Senate bill. It seems to me that some of the debate has been unfair to the conferees and to the conference report. When a conference is brought about and conferees are appointed to attend the conference, it is for the purpose of working out the differences between the two Houses.

Mr. President, I understand the Senator from Ohio has to make a 5 o'clock train, and I will yield to him.

Mr. BURTON. I will ask the Senator to proceed. I have decided not to take the train.

Mr. JOHNSON of Colorado. Very well. I did not want to take the floor away from the Senator from Ohio.

Mr. President, the House passed one bill on manpower, and the Senate passed another. They were as far apart as the two poles; they were entirely different, and they produced this highly controversial and very difficult problem. Conferees were appointed. I asked that I be not named on the conference committee; I did not want to be on it because I knew the difficulties that would confront the conferees; but I was named, nevertheless, and I did my very best to have returned to the Senate a bill as nearly like the Senate version as it was possible to bring out of the conference.

We sat in conference for 5 days, the Senate conferees on one side of the table and the House conferees on the other. We tried in every way we could to work out a basis of agreement. None seemed possible. The House stuck to its position, and the Senate stuck to its. There was a stalemate if ever there was one. Then the Senator from Vermont [Mr. AUSTIN], who is a most resourceful and able gentleman, brought forth the only kind of approach to this problem which was possible. It is not possible to ride a horse in two different directions at the same time; so the Senator from Vermont, although he did not use that expression, got two horses, the Senate horse and the House horse; he teamed them and tied them together and brought forth a bill containing all the Senate provisions and all of the House provisions, and with that approach the conference finally got underway. We considered it back and forth for a day or two, and finally I made a motion.

I have noticed in the press that I have been charged as being the author and sponsor of the compromise bill which is now before the Senate. I wish to say that I did not write one word of the bill. I did not even write a comma or a semicolon or a period or dot an "i" or cross a "t" of the original Senate bill or of the bill that was finally agreed upon by the two Houses. If I am the author of the conference report, if I am its sponsor, it would seem to me that I should have taken a more active part in drafting its provisions.

The Senator from Wyoming [Mr. O'MAHONEY] and the Senator from West Virginia [Mr. KILGORE] and the Senator from Michigan [Mr. FERGUSON] are the authors of the original Senate bill. Subsequently, of course, it was changed to some extent on the floor of the Senate, but they are the authors of that bill and not the Senator from Colorado.

What is my crime? What is it that I have done with respect to the conference report? Merely this: When the House bill and the Senate bill, tied into one bill, were before the conferees, I made a motion in conference that every provision in the combined bill relating to the drafting of individuals be eliminated and deleted. I was surprised when the House conferees accepted that proposal. I was surprised because they had been fighting for many days, and they seemed to be wedded to the idea that we must have a draft of labor in whatever bill was brought forth. They accepted it so quickly that I began to look under the seat to see what was there. It occurred to me that perhaps it was an antistrike bill, and so I asked the conferees. We had with us the legislative counsel of the House and the legislative counsel of the Senate. I asked the conferees whether or not it was an antistrike bill and whether or not under the provisions of the conference report, upon which we had almost agreed, if the pending strike of the coal miners, about which we have heard so much, should take place the miners could be punished by a year in

jail and a fine of $10,000, if they went out on strike. I was assured by the lawyer members of the conference, and I was assured by the counsel, that this was in no manner, way or means an antistrike bill, that it could not be used for that purpose. So I was satified, and I signed the report.

The VICE PRESIDENT. Does the Senator from Colorado yield to the Senator from Oregon?

Mr. JOHNSON of Colorado. I gladly yield.

Mr. CORDON. Referring for a moment to the statement the Senator from Colorado has just made, that the counsel assured him and the conference committee that this was not an antistrike bill, that there was nothing in it which could prohibit men from striking, are we not face to face with the fact as to the legal effect of the conference bill, that, if it shall be enacted, it will require men to stay on the pay rolls, but there is nothing in the wide world in it which will require them to do any work?

Mr. JOHNSON of Colorado. That is a point which I am not capable of discussing. The language speaks for itself. It provides for a freeze, and if a man violates the freeze and is to be penalized under the language of the conference report, criminal action must be brought against him in court, the case must be submitted to a jury, and if he is found guilty of willfully—the word "willfully" is used—and voluntarily quitting his employment in a plant which has been frozen, I suppose the judge would assess some penalty upon him.

I am unable to make any separation between an individual voluntarily quitting his job and laborers quitting en masse—group quitting. I cannot make a distinction between giving up a job voluntarily as in individual, and giving up a job voluntarily as a member of a group. But the lawyers contended that in the case where a group go out on strike, they are not quitting their employment.

Mr. CORDON. Will the Senator from Colorado yield further?

Mr. JOHNSON of Colorado. I yield.

Mr. CORDON. However, we do not need legal talent to enable us to understand that if they go out, for whatever purpose, they are not producing war goods, and are not helping the war effort.

Mr. JOHNSON of Colorado. The differences between the Senate bill, which was passed by an overwhelming vote of 63 for and 16 against, and the conference report, are these: Under the Senate bill the operating agency was to be the Chairman of the War Manpower Commission. Under the conference report the job has been handed to the Director of War Mobilization and Reconversion, the boss of the Chairman of the War Manpower Commission.

I think a mistake was made when that change was adopted. I thought so when we were in conference. I know there is a difference of opinion, but in my judgment the War Manpower Commissioner, Mr. McNutt, has done a magnificent job with the powers he has had. He has tried to operate on the voluntary system and keep the plants going, to provide labor for the plants, and to shut down nonessential plants so far as it was possible for him to do so. I think he has done fine work, and personally I very much favor the Senate version, giving to the War Manpower Commissioner the power to administer the provisions of the bill.

The War Manpower Commissioner is now operating without the benefit of statute. He is operating by means of directives, and that is not a very effective way to function. That method has produced unfortunate results. It is developing a disrespect for law. Disrespect for the Federal Government is promoted by having officials function without the benefit of statutes. But that is what we have been doing, and Mr. McNutt has gotten his job done by following the voluntary system, and by working without the benefit of statutes.

The House Members of the conference insisted that the Director of War Mobilization and Reconversion be given charge. They argued that provision could be made so that such duties as would fall to the Chairman of the War Manpower Commission might be delegated to him by the Director of War Mobilization and Reconversion; in other words, that the powers under this kind of legislation were so important and so drastic that they should be delegated to the highest possible authority. Their argument sounded reasonable to most of the conferees. I did not agree with it, but I did not have my way, and the bill was rewritten so that the Director of War Mobilization would be the active and operating agency under the bill.

During the course of the debate much has been said about the delegation of authority to the Director, and it has been contended that it is unwise to repose in the Director the power granted to him by the bill and the right to pass on his authority to subordinates. I call attention to the fact that Congress has already written that kind of a provision into the law. We wrote it into the law which created the Office of Director of War Mobilization and Reconversion. In the War Mobilization and Reconversion Act of 1944, to be specific, the important section is section 101 (d), and it contains a delegation of power. I have the language before me, and I shall read it into the RECORD:

> To the fullest extent practicable, the Director shall perform the duties imposed upon him through the facilities and personnel of other executive agencies, and for that purpose only he is authorized to delegate to the appropriate agencies and provide for the redelegation of the powers and duties vested in him, except the power to issue orders and regulations to other executive agencies.

The exemption does not affect the delegation of power which was made under the pending bill.

The following reasons may be advanced for construing this sentence to apply to future functions vested in the Director, as well as to functions vested in him by the act creating his office:

First. The language itself is broad enough to include such future functions.

Second. The sentence is preceded in the same paragraph by administrative provisions of general applicability to the Director and his functions. Clearly these provisions would apply in the case of future functions vested in the Director. There is no reason to think the authors of the act intended the application of this sentence to be restricted to functions under this particular act any more than in the case of the preceding sentence.

Third. The following sentence is expressly limited by the words "under this act." This may be said to indicate that when the authors of the act intended to have such a limitation they expressly provided for it, and that where it is not expressly provided for in the act it should not be read in.

Fourth. When an act creates a new administrative agency, there is nothing unusual about including general administrative provisions which are to apply to such functions as may be vested in such agency in the future.

Incidentally it might be noted that the exception from the power to delegate, which appears at the end of the sentence, is limited to "orders and regulations to other executive agencies." This apparently refers to orders and regulations authorized by section 101 (c) (2) of the act. Apparently the exception would not apply to regulations of the sort authorized by the manpower bill.

The argument falls flat that the bill provides for a new delegation of authority. The Director of War Mobilization already has the authority, under laws which are now on the statute books.

The other additions to the Senate version include the application of the penalty clause in section 5 to all violators, employees and employers. It seems hardly consistent to pass laws and provide that men shall not do certain things without imposing penalties. That is not the practice of the Congress. Whenever we pass a law prohibiting people from doing certain things we always include a penalty for violation of the statute. A penalty clause will be found in every effective law passed by the Congress. So that did not seem to be such a radical departure from regular congressional practice.

Another change is in section 5 (2), which provides for the acceptance of employment by workers. The Senate version read as follows:

> To prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers—

Then the conferees added—

> and the acceptance of employment by workers.

We heard much debate the other day concerning paragraph (2), but the argument came quite late. That language was already written into the bill by the Senate and adopted by a vote of 63 to 16.

Some Senators who took part in the debate turned back to section 2 and found a great deal of complaint with subsection (b), as follows:

> (b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply, and of the relative urgency of

the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most to the war effort; (4) by making available, for work in essential activities, workers presently employed in activities of relative unimportance to the war effort—

A great hullabaloo was raised about clause (4) in the Senate—

and (5) by promoting the maximum utilization by employers of their available work force.

As I have said, Mr. President, the Senate debated that subsection for hours. The debate, however, came late. That is the exact language of the Senate bill. Yet it was debated and some Senators tried to have it eliminated from the conference report ,in spite of the fact that the Senate had already adopted the language by an overwhelming vote.

Mr. AIKEN. Mr. President——

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Colorado yield to the Senator from Vermont?

Mr. JOHNSON of Colorado. I yield.

Mr. AIKEN. For a long time there has been in my mind the question, Is there authority in the bill for the Director of War Mobilization to recruit men and women for foreign employment?

Mr. JOHNSON of Colorado. For foreign employment?

Mr. AIKEN. Yes. For instance, for work in north Africa or in the Philippines. The Philippines, of course, would not be a foreign country. But could he recruit men and women for employment in countries outside the United States? I do not see any prohibition of it.

Mr. JOHNSON of Colorado. No; I do not see any prohibition of it either; but if such an authority exists it is contained in the original Senate bill for which the Senator himself voted.

Mr. AIKEN. That is true. And if workers were accepted for foreign service, they could be frozen into their jobs in foreign service, could they not? Of course, it is the conference committee bill which would permit the Director to freeze such workers in foreign service once they were there.

Mr. JOHNSON of Colorado. Paragraph (3) of section 5 is a freeze provision, and that was not in the original Senate bill.

Mr. AIKEN. The original Senate bill provided that the Director could recruit for service at distant places, and pay the workers' expenses in getting to their place of employment, and if they did as they were told while they were there he should pay them their passage home. However, if they did not do the kind of work they were told to do they would be left there, so far as the Director was concerned.

Mr. THOMAS of Utah. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. THOMAS of Utah. I think it should be said that the bill could not operate in a place where the United States does not have jurisdiction.

Mr. AIKEN. It would operate in this way, as I remember the wording of the bill—I do not have it before me—that if workers accepted work, we will say, in north Africa, and went there and then wanted to return home, the Director of War Mobilization could say, "I am not going to pay your fare home, and furthermore you are not going to receive any certificate when you get home." Would not that have the effect of freezing them there?

Mr. THOMAS of Utah. Civilian workers would go out of the country under contract with their employers.

Mr. AIKEN. If the bill is passed, and if the Director of War Mobilization can force men to go from Pennsylvania to California to find work, it might be desirable that he also have authority to tell them that they have to go to the Philippines to work. I was seeking information. It seems to me that such workers could be practically frozen in their work in any part of the world if the Director could once persuade them to go there.

Mr. JOHNSON of Colorado. Mr. President, it seems to me that the Senator's difficulty lies in the fact that he is mixing up recruiting with drafting. Recruiting is not drafting. Recruiting is bargaining with a man. A worker is told that a certain job is available, and he says, "Very well, I will take it." After he takes it, if it is in some kind of essential war work, it is true that the Director, if he thinks it is advisable, can place a freeze on that particular kind of work.

Mr. AIKEN. And he can freeze workers in any part of the world.

Mr. JOHNSON of Colorado. But the acceptance of the work is voluntary. We are not going to draft a man for foreign service. We are not going to take him by the nape of the neck and put him in foreign service and freeze him on the job. The motion of the Senator from Colorado in conference eliminated all that. There is no draft in the bill.

Mr. AIKEN. My question is, If he is once recruited could he be frozen in his job in the Philippines or north Africa or any other part of the world just as he could be in any part of the United States? It appears to me that the provisions of the measure, considered together, which permit the Director to refuse the worker a certificate, or a clean bill of health, or whatever it is when he comes home, and also permit the Director to refuse to pay the worker his fare home would have the result of quite effectively freezing him in any country, whether under the jurisdiction of the United States or not. It is on that subject I wanted to receive information.

Mr. JOHNSON of Colorado. I am sure this statement will satisfy the Senator: The Director has to move through a certain course before he can place a freeze. The bill sets up standards and provides regular channels, and makes provisions for that sort of thing. The Director must find that an area is in bad shape, and must declare it to be in bad shape before he can place a freeze order on it. It is not an automatic thing. Employment in war factories is not automatically frozen. Specific areas are dealt with. Under the provisions of the conference report each area, each plant, may have a freeze placed upon it, so as to take care of the spotty situation which confronts the Nation in regard to unemployment. There is no over-all shortage of workers. The situation is spotty. The bill provides for a spotty remedy. The Director can place a freeze order on a plant which is extremely essential, which is falling behind with its orders, which is not keeping up. A freeze can be placed on such a plant, and more laborers brought in; but they go in voluntarily.

Mr. AIKEN. If this bill is to be used for post-war purposes, I would expect that there might be a great deal of labor required, for instance, in the Philippines, and I would also say that according to the wording of the bill a man can virtually be frozen there. I still say that I do not know that that is undesirable, but I believe that anyone recruited for such a purpose should be recruited with his eyes open.

Mr. THOMAS of Utah. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I yield.

Mr. THOMAS of Utah. I think we ought to say that this bill does not provide for post-war activities. There is a definite termination date in the bill. It is a war bill, and it effect would terminate even before the end of the war, if the war should last beyond June 30, 1946.

Mr. AIKEN. I was simply going by what the Director of War Mobilization and Reconversion said in his report on Saturday.

Mr. THOMAS of Utah. I hope we shall not have to defend anything more than the bill.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. BARKLEY. In that connection, I wish to state that there is nothing in the report of the Director of War Mobilization and Reconversion which by any stretch of the imagination could be interpreted as extending the law beyond the date of termination stated in the bill itself. If I may trespass upon the time of the Senator from Colorado, let me say that we all expect that the war in Europe will be over before the war in Asia is concluded. During the interim between the end of the war in Europe and the end of the war in Asia, there may be a shifting of manpower. Questions of unemployment and the shifting of manpower from one factory to another, if such a thing should take place, would unavoidably have some effect upon the question of reconversion when the war is over; but it would be only an incidental effect.

I do not care what Mr. Byrnes may have said in his report. I read all that was in the newspapers yesterday about it, and I have just now received an official copy of the report. I find nothing in it which in any way attempts to create the impression that the act of Congress itself would not terminate when it says it shall terminate, namely, on June 30, 1946, or sooner if the President should issue a proclamation, or if Congress by concurrent resolution should terminate the act sooner.

So I think we need have no fear about what may happen after June 30, 1946, because if the act is not terminated sooner, it will automatically be terminated then, unless it is extended. Whatever may occur after that will be

incidental. It will not be the primary object of the bill itself.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. AIKEN. The Congress has been very good about extending emergency powers at the request of the President.

Mr. BARKLEY. I should not say that the Congress has been good. I should say it has been wise. It is not a question of goodness. It is a question of wisdom, and almost of compulsion, which is involved in the extension of most of the emergency laws.

Mr. AIKEN. I can see that an act such as this might aid in the reconversion period. I can see also that we might pay a very high price for such aid.

Mr. BARKLEY. It would be purely incidental aid. It would not be the primary object of the bill. No one would advocate this legislation on the ground of reconversion in the post-war period. If it is of any help in that respect, the help will be purely incidental, and because of what may take place in production in our factories prior to the termination of the act on the 1st of July 1946.

If I may trespass further upon the time of the Senator from Colorado, let me say that so far as the recruiting feature of the conference report is concerned, it is just as though there never had been a war, and we had had all over the country recruiting stations for the Army and Navy. In front of every post office there would be a flag, together with a poster of some kind, urging men to "Join the Navy and See the World." However, under those circumstances no one could compel anyone to join the Navy. The recruiting officers would be at their stations to receive applications of men who wanted to enter the service. The recruiting officers would explain in detail what service in the Navy or the Army would entail. The men would enter the service voluntarily. After entering the service, of course, they would be subject to the orders of the Navy Department or the War Department.

The recruiting referred to in the conference report is that sort of recruiting. It involves the acceptance by agencies of the Government of voluntary applications from men who wish to work in factories. There is not a line in the conference report, as I read it, which would enable the Government to send a human being anywhere in the United States from where he now is.

Mr. JOHNSON of Colorado. That is the understanding which we had. It was my motion that all provisions to the contrary be deleted. If the lawyers left any such provision in the bill, they did not do their job properly; and I believe that they did their job properly.

Mr. BARKLEY. As I read the conference report bill, the only basis of the argument as to compulsion revolves around the question of freezing. I am glad that the Senator from Colorado made the explanation that by no stretch of the imagination could there be an over-all freezing of everyone where he is now working.

Let us visualize the situation. Our men fighting all over the world need airplanes, guns, ammunition, and uniforms. Let us suppose that a certain factory in the United States is making airplanes, and running along smoothly. It may be supplying the demand of the men in the Air Corps. Then, let us suppose that for some reason the workers, either in groups or as individuals, should decide that they would like to get out of the airplane factory and go somewhere else while the going was good and because they desired, in view of the fact that the war was nearly over, to get in on the ground floor of civilian employment.

Mr. JOHNSON of Colorado. And perhaps beat some soldier to a civilian job.

Mr. BARKLEY. And perhaps beat some soldier to a civilian job, because the men in the factory are closer to the job, and can leave. Uncle Sam, through whatever agency is established—either the Director of War Mobilization and Reconversion, the War Manpower Commission, or some other agency—would say to those men, or to a single individual, in the airplane factory, "Hold on. Our boys are still fighting all over the world. They need airplanes. You stay here until the need has been supplied, and there is no longer any doubt about their getting the airplanes which they need. You stay here until that need is supplied." That is all that is meant by freezing. It might not apply to more than one factory in the United States.

Mr. JOHNSON of Colorado. It might not apply to any factory.

Mr. BARKLEY. It might not apply to any factory. It would all depend upon the circumstances.

It would be unthinkable to me that the strong arm of the Government of the United States could take one man on one side of the street, put him in uniform, and send him all over the world to fight, bleed, and die for his country, and yet be powerless to say to a man on the other side of the street, who has not put on a uniform, and who may never do so, "Hold on; do not leave this factory until your buddy on the other side of the ocean has all the airplanes, guns, bombs, ammunition, and everything else that he needs."

It seems to me incredible that our Government should say to the soldier, because he happens to be wearing a uniform and is in an area of danger, that he must take the chance of running short of the necessary supplies, either because we do not have the power or the willingness to say to his neighbor, "You stay in this factory until your buddy on the other side has been supplied."

That is all that freezing means to me. It is just as much a military operation as the fighting of the Battle of the Rhine, or the fighting on Iwo Jima, in Japan, or in China. It is a part of the military movement. It is a part of the resources which we pledged ourselves to make available to our men when we declared war. We said that we would pledge all our resources. That meant not merely copper, coal, and iron, or the wool from a sheep's back; it meant all our resources.

Mr. JOHNSON of Colorado. Including services.

Mr. BARKLEY. It meant human as well as material resources, and included services.

So far as this war is concerned, I do not recognize any difference between the power of the Government to deal with a man who is working on the farm between the plow handles, and who is told, "You must quit plowing and put on a uniform and fight and die, if necessary, in order that other men may continue to plow," and the power of the Government to say to another man who is plowing in the same field, or to a man who is making airplanes, guns, or anything else that the other boy needs, "You must remain at your job so long as our fighting men require the products of your labor." Why should we say to such a man, "You are a free agent; you do not have to make any contribution to the war effort unless you wish to do so"? That is all the conference report would do, as I see it.

The question of compulsion is sort of a nightmare. No one likes compulsion. I do not see in the pending conference report the semblance of involuntary servitude. It is all a part of the war effort; it is all in keeping with the decisions of our highest Court, namely, that Congress not only has the power to declare war but it has the power to do all things necessary to wage successful war. It would be a stupid interpretation of our Constitution for our courts to hold that the Congress can declare war but, after declaring it, cannot do anything toward winning it.

I apologize to the Senator for trespassing on his time.

Mr. JOHNSON of Colorado. Mr. President, I thank the Senator for his contribution.

Let me say that I think the spotty situation which exists relative to manpower problems should be mentioned. If the situation were not spotty but were general, it would be quite easy to pass a law to fit the whole picture, and to make such a law the final answer. It is not possible to do that, because conditions are spotty. Since we do not wish to cause any more distress than is necessary, we provide for the delegation of power which can be exercised in the discretion of the Director of War Mobilization.

Mr. BARKLEY. In the report received within the half-hour—the final report of Mr. Justice Byrnes, who relinquishes his position today—attention is called to the spotty condition, and in that report the statement is made that the condition is not an over-all one, it is not one which prevails everywhere, but it prevails only in certain regions. It is for the purpose of leveling off the situation in those areas that we are undertaking to enact legislation by which we will grant to an agency of government the power to say that if today the number of men working in a certain factory is not sufficient to enable the factory to turn out on schedule what it is expected to turn out, the men shall remain there until the need is met.

Mr. JOHNSON of Colorado. And if such authority is to be granted, we must leave its application to the discretion of someone in whom we have confidence.

Mr. BARKLEY. Of course. We are all human, and we must make allowances for human frailties; but, with all our misgivings about what we call one-

man power and the arbitrary administration of law, it would be infinitely better to give someone the power to determine where the shortages exist than it would be to pass a law freezing everyone everywhere, for fear there might be a shortage somewhere, and, therefore, in order to cover that situation, to apply the law to everyone wherever he worked.

Mr. JOHNSON of Colorado. I thank the Senator for his further observation.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. AIKEN. I should like to ask a question. If a man happens to be working in Honolulu or Dakar, could he be frozen to his work there? In other words, could a worker be frozen to one job as well as to another job? I understand he could be.

Mr. JOHNSON of Colorado. The answer is that he could be under certain conditions. The conditions are laid down in the conference report. It would not be automatic by any means. The Director would be required to find that certain things existed, before he could declare a "freeze." But he could declare a "freeze" in areas in which there was a need for essential employees.

Mr. AIKEN. That is what I wished to ascertain.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MORSE. I wish to make a brief observation and then ask a question.

I know the Senator knows that there are literally thousands of men in war plants today who have been persuaded to stay there, when what they wanted to do all along and what they want to do now is to go into the armed services. I think it is important that we make that point clear in the RECORD, in view of certain innuendos that, at least, one reads about in the newspapers today, namely, that many persons are working in war plants because they do not wish to participate in the military services. Various agencies of government tell us they have had great difficulty in getting men to stay in the war plants because they want to go into the armed services, and because they have wanted to do so since the beginning of the war. For instance, in the aircraft industry, the lumber industry, the copper industry, the railroad industry, mining, and right down the line, there are thousands and thousands of men who do not want to be there, but they have been persuaded to stay there because the Government and the agencies of government have represented to them that that is where they can render their best service in the war effort. I think it is unfortunate for the morale of the country, under the conference report, to say in effect to these workers, "Now we are going to freeze you there; you will have to stay there, because we are afraid that you are not patriotic enough to stay there without being forced to."

I do not know, and I doubt whether the Senator from Colorado knows, of any plant or any industry or any region in which this Government cannot get all the manpower it needs to do the job, if it will only make its needs known to labor and industry in those regions and in other parts of the country where there is a surplus of manpower. I do not know of any spot in this country where we cannot solve this problem on a cooperative, voluntary basis under the Senate bill. Let me say again in regard to the Senate bill that tremendous powers would be granted under it.

In reference to the so-called nonessential industries, to which the Senator from Kentucky is afraid the men may go in order to get some sort of a priority for post-war jobs, I think the Senator from Colorado will agree that the power to place a ceiling on those industries and the priority powers which now rest in the War Production Board would give the Government, under the Senate bill, all the authority it might need to check the type of abuse to which the distinguished Senator from Kentucky has referred, without imposing upon American labor and American industry the principle of the freeze. It is said by high Government officials who are urging that we adopt the conference report that it is not a draft. Well, Mr. President, a freeze is a type of draft. It is somewhat of a draft in reverse.

If the Senator from Colorado can sustain the burden of proof—and I think the burden of proof rests upon the committee—to show us that the bill proposed by the conference committee, with the principle of compulsion in it, by way of the freeze, is the only means by which we can do this job, and if he can convince me of that, I will vote for adoption of the conference report. But I am satisfied, on the basis of the record to date, that everything the Senator seeks to accomplish under the conference report can be accomplished under the Senate bill, and that the Senate bill will protect us from the abuses of the conference report bill.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I am glad to yield.

Mr. AUSTIN. The distinguished junior Senator from Oregon is thinking of the past; he is not thinking of present conditions, when the bottom of the manpower barrel has been scraped. We must now have 900,000 recruits and replacements for the armed forces. A large number of them must come from the factories which the Senator has described as holding young men, in view of the necessity of supplying those who already are overseas. The conference report is intended to care for that situation and to make it possible to take such men from the factories and put them into the armed forces by placing ceilings on employers, wherever there is an excess of manpower, and thus release a great number of men, a manpower pool, who will want a job, who need a job, and who will ask for a job. When they ask for it they will be referred to the places where young men have been taken from essential factories and put into the armed forces. Thus we can keep both ends of the battle going, all at the same time; we shall be filling the replacements—900,000 of them in the armed forces—and we shall also be inducing men on the home front to work where they are needed. In the ratio of 6 to 1 they now stand in line waiting to take care of the turn-over, the quitting, which would be prevented by the "freeze" provided for in the conference report. If the "freeze" is applied, the turn-over will be stopped and 6 men will be released for every man who is now being provided by the cushion. That is an industrial condition which it has been impossible to rectify upon any basis yet devised, although coercions under Executive orders have been applied to it. The orders were not obeyed. Not only was Executive coercion applied, but inducements in the form of increased wages were offered. That is the situation which has existed.

What does the distinguished Senator from Oregon call proof? If he will take the record and read the hearings, not merely those conducted on this bill but on a series of bills of similar character, he will find proof beyond doubt of the total failure to remedy this peculiar condition of shortages of manpower in spots here and there throughout the country. If this bill does not work, we will be confronted with another problem, but as a Congress we should be able to take at least one step forward in the proper direction.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. MORSE. I am perfectly willing to take proper steps forward, but I do not like to slide backward. I may say to the Senator from Vermont that I have read the RECORD, at least with respect to this bill, and I know of nothing in the RECORD which would justify the conclusion that it supports the statements which have just been made by the Senator. The fixing of ceilings, as provided for under the Senate bill, would accomplish at least the objectives to which the Senator has made reference.

The Senator spoke about the manpower problem. We have a manpower problem. I think the Senator from Colorado knows that in his section of the country, or at least a little farther west, there are problems of unemployment. I think that if those in control would tackle those problems which are now raising their heads, and under the provisions of the Senate bill, transfer men who are being dismissed from war production to other plants where they may be needed, they would solve the problems and avoid the procedures provided for by the conference report to which I objected earlier in my remarks today.

Mr. JOHNSON of Colorado. I thank the Senator from Oregon and the Senator from Vermont for their contributions. We all wish to know as much as we can about the conference report and the original Senate bill.

Mr. President, before being interrupted I was pointing out the differences between the original Senate bill—that is, the O'Mahoney-Kilgore-Ferguson bill—and the conference report. I have pointed out other differences as well. Perhaps the most important difference

occurs in section 5, paragraph 3, in regard to the so-called freeze. That matter has been discussed at length. I shall not tire the Senate by a reiteration of the arguments which have been made for or against the measure. I ask unanimous consent to have printed in the RECORD at this point a comparison, paragraph by paragraph, between the conference report and the original Senate bill.

There being no objection, the comparison was ordered to be printed in the RECORD, as follows:

CONFERENCE REPORT	SENATE BILL	CONFERENCE REPORT
That this act may be cited as the "War Manpower Act of 1945."	SEC. 15. This act may be cited as the "War Manpower Act of 1945."	
OBLIGATION OF SERVICE TO NATION		
SEC. 2. (a) In order to adequately support the Army and maintain the Navy during the present war, and to carry into effect the provisions of the declarations of war pledging all of the resources of the Nation to bring the conflict to a successful termination, every individual not in the armed forces shall have an obligation, when called upon, to serve the Nation in an activity essential to the war effort.	SEC. 1. That (a) every individual is obligated to serve the Nation in that capacity for which he or she is best qualified, and to continue in such capacity so long as his or her services are required, to the end that the Nation may make the most effective use of its manpower resources in support of the war effort.	
NOTE.—Conference report ties this bill to the war making powers of Congress rather than to its Commerce or other powers. In that respect the conference report is more restrictive.		
(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply, and of the relative urgency of the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most to the war effort; (4) by making available for work in essential activities, workers presently employed in activities of relative unimportance to the war effort; and (5) by promoting the maximum utilization by employers of their available work force.	(b) The purposes of this act are to provide the most practicable and effective means to accomplish the fulfillment of such obligation and to provide for making the most effective use of the manpower resources of the Nation by the following means, among others: (1) By providing for the accurate determination of manpower requirements and supply, and of the relative urgency of the needs of employers for workers; (2) by reducing wasteful labor turn-over and unnecessary labor migration; (3) by channeling available manpower to employments in which workers will contribute most to the war effort; (4) by making available, for work in essential activities, workers presently employed in activities of relative unimportance to the war effort; and (5) by promoting the maximum utilization by employers of their available work force.	
NOTE.—Section 2 (b) of conference report and section 1 (b) of Senate bill are the same.		
COORDINATION OF WAR PROCUREMENT AND MANPOWER		
SEC. 3. The Director of War Mobilization and Reconversion (hereinafter called the "Director") shall, subject to the direction of the President, provide for coordinating the activities of all departments and agencies of the Government responsible for production, procurement, or manpower in such manner as to carry out most effectively the purposes declared in section 2 of this act. The Director shall provide, among other things, that manpower requirements and the availability of manpower shall be given due consideration in determining where production schedules shall be increased or decreased and where contracts shall be awarded, terminated, or permitted to expire, and that notice shall be given to the appropriate agency of the Government responsible for manpower at the earliest practicable time of all changes or anticipated changes in war-production schedules, all awards or anticipated awards of war contracts, and all terminations or anticipated terminations of war contracts, which are likely to result in any substantial increase or decrease of the manpower requirements of any employer or any area. All departments and agencies of the Government shall comply with orders and regulations issued by the Director under authority of this section.	SEC. 3. (a) The Director of War Mobilization and Reconversion shall, subject to the direction of the President, provide for coordinating the activities of all departments and agencies of the Government responsible for production, procurement, or manpower in such manner as to carry out most effectively the purposes declared in the first section of this act. The Director shall provide, among other things, that manpower requirements and the availability of manpower shall be given due consideration in determining where production schedules shall be increased or decreased and where contracts shall be awarded, terminated, or permitted to expire, and that notice shall be given to the Chairman of the War Manpower Commission at the earliest practicable time of all changes or anticipated changes in war-production schedules, all awards or anticipated awards of war contracts, and all terminations or anticipated terminations of war contracts, which are likely to result in any substantial increase or decrease of the manpower requirements of any employer or any area. All departments and agencies of the Government shall comply with orders and regulations issued by the Director under authority of this section.	
NOTE.—These provisions of conference report and Senate bill are substantially the same.		
SURVEYS OF MANPOWER UTILIZATION		
SEC. 4. (a) The Director shall make or cause to be made in-plant surveys and other investigations of the use of manpower by the Department of War and the Department of the Navy, to determine the extent to which such Departments are making the most effective use, in activities relating to production, procurement, or repairs, of individuals in their employ or subject to their jurisdiction as members of the armed forces, and shall take or cause to be taken, appropriate measures to eliminate labor wastage and labor hoarding, and otherwise to promote the full utilization by such Departments of individuals in their employ or subject to their jurisdiction as members of the armed forces, and otherwise to carry out the purposes of this act.	SEC. 3. (b) The Director of War Mobilization and Reconversion shall make or cause to be made in-plant surveys and other investigations of the use of manpower by the	
NOTE.—These provisions of conference report and Senate bill are the same in substance.		
(b) The Director shall also provide in other cases for such in-plant surveys and other investigations of activities and places of employment, as may be necessary to determine the extent to which such activities or places of employment are making the most effective use of individuals in their employ, to the end that appropriate measures may be taken to eliminate labor wastage and labor hoarding, to promote full utilization for purposes essential to the war effort, by employers of their available work force, and otherwise to promote the purposes of this act.		
NOTE.—These provisions of conference report and Senate bill are the same in substance except for vesting the authority in the Director rather than the Chairman.		
EMPLOYMENT CEILINGS, HIRING REGULATIONS, AND PROHIBITIONS ON LEAVING ESSENTIAL EMPLOYMENT		
SEC. 5. (a) To the extent deemed by the director to be necessary and appropriate to carry out the purposes and means declared in section 2 of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Director is authorized, by regulation—		
(1) to prescribe employment ceilings in designated areas, activities, or places of employment, fixing the maximum number of workers, by age, sex, or occupational qualifications, who may be there employed, and prohibiting the employment of workers beyond such maximum number;		
(2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers and the acceptance of employment by workers; and		
(3) to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.		
NOTE.—Section 5 (a) of conference report and 4 (b) of Senate bill are substantially the same, except for the addition of the words "the acceptance of employment by workers" in clause (2) and the addition of clause (3), which is the "freeze" provision. The freeze provision is comparable to section 5 (n) (2) proposed to be added by the House bill to the Selective Service Act. The House freeze provision applied to men between the ages of 18 and 45 and froze all of them who were engaged in activities certified as essential. The conference provision is not limited as to age or sex, but contemplates that the freeze will be imposed only where necessary rather than in all essential activities.		
(b) Whoever willfully violates the provisions of any regulation made under subsection (a) shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by imprisonment for not more than		

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War Department and the Navy Department, to determine the extent to which such departments are making the most effective use, in activities relating to production, procurement, or repairs, of individuals in their employ or subject to their jurisdiction as members of the armed forces, and shall take or cause to be taken, appropriate measures to eliminate labor wastage and labor hoarding, and otherwise to promote the full utilization by such departments of individuals in their employ or subject to their jurisdiction as members of the armed forces, and otherwise to carry out the purposes of this act.

SEC. 4. (a) Except as to the cases covered by subsection (b) of section 3, the Chairman shall provide for such in-plant surveys and other investigations of activities and places of employment, as may be necessary to determine the extent to which such activities or places of employment are making the most effective use of individuals in their employ, to the end that appropriate measures may be taken to eliminate labor wastage and labor hoarding, to promote full utilization for purposes essential to the war effort, by employers of their available work force, and otherwise to promote the purposes of this act.

SEC. 4. (b) To the extent necessary to carry out the purposes and means declared in the first section of this act and also for the purpose of keeping activities and places of employment essential to the war effort in productive operation, the Chairman is authorized and directed, by regulation (1) to prescribe employment ceilings in designated areas, activities, or places of employment fixing the maximum number of workers, by age, sex, or occupational qualifications, who may be there employed and prohibiting the employment of workers beyond such maximum number, and (2) to prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers. No employer shall hire or retain in his employ any individual in violation of such regulations.

SEC. 4. (d) Any employer who willfully violates any regulation or any order made by the Chairman under paragraph (b) of this section shall be guilty of a misdemeanor and upon conviction thereof in the district court

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12 months or by a fine not to exceed $10,000, or both.

NOTE.—The penalty provision in conference report and Senate bill is same in effect except that in conference agreement it applies to other persons as well as to employers.

SEC. 5. (c) No wage or other compensation paid for services rendered in any employment commenced or continued in violation of any regulation made under subsection (a) shall be allowed or allowable as a deduction from income, or as a cost or expense, for the purpose of computing the tax payable under any act of Congress or for the purpose of determining the amount to be paid to or recovered from any person with respect to the performance of any contract with the United States. The provisions of this subsection shall not be applicable with respect to any case of a violation of a regulation by any person unless such regulation has been published in the Federal Register, has been published in a newspaper of general circulation in the community for 3 consecutive days, or has been served upon such person by personal service or by registered mail. The Director shall transmit to the Commissioner of Internal Revenue and other agencies of the Government responsible for the administration of any functions under this subsection copies of such regulations, and such additional information, as the Director deems will be useful to the Commissioner and such other agencies in administering their functions under this subsection.

NOTE.—These provisions are the same in effect in both cases.

ADMINISTRATIVE PROVISIONS

SEC. 6. To the maximum degree consistent with this act and with its purposes, local initiative, and cooperative efforts of management, labor, and agriculture shall be encouraged and utilized and use shall be made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and Government agencies. The management-labor committees and management-labor-agriculture committees (National, regional, State, and local) heretofore and hereafter established in connection with Government programs for the control or utilization of manpower shall be consulted on basic policy decisions made at their respective administrative levels in the course of the administration of this act.

NOTE.—Provisions in conference report and Senate bill substantially the same.

TRAVEL EXPENSES

SEC. 7. In the case of any individual who, in response to the request of the Director, agrees to accept employment outside the locality where he is then residing, the Director, in accordance with such regulations as he may prescribe, may furnish transportation to the location of such employment, and, if such individual complies thereafter with the requests and requirements of the Director with respect to his accepting and continuing in any employment or employments in the same locality until the Director determines that he is no longer needed in such locality for work essential to the war effort or that

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of the United States for the district in which such violation occurred, shall be punished by imprisonment for not more than 12 months or by a fine not to exceed $10,000, or both.

SEC. 8. No wage or other compensation paid for services rendered in any employment commenced or continued in violation of this act, or of any regulation or order of the Chairman thereunder, shall be allowed or allowable as a deduction from income, or as a cost or expense, for the purpose of computing the tax payable under any act of Congress or for the purpose of determining the amount to be paid to or recovered from any person with respect to the performance of any contract with the United States. The provisions of this section shall not be applicable with respect to any case of a violation of a regulation or order by any person unless such regulation or order has been published in the Federal Register, has been published in a newspaper of general circulation in the community for 3 consecutive days, or has been served upon such person by personal service or by registered mail. The Chairman shall transmit to the Commissioner of Internal Revenue and other agencies of the Government responsible for the administration of any functions under this section copies of such regulations and orders issued under this act, and such additional information, as the Chairman deems will be useful to the Commissioner and such other agencies in administering their functions under this section.

SEC. 2. (a) The Chairman of the War Manpower Commission, an agency of the Government created pursuant to Executive Order No. 9139, dated April 18, 1942, as amended and supplemented (hereinafter referred to as the "Chairman"), shall perform the functions vested in him by this act under the direction and supervision of the Director of War Mobilization and Reconversion.

NOTE.—This provision is omitted from conference report.

(b) The Chairman shall provide for the establishment of a national management-labor policy committee, regional management-labor committees, and State or local management-labor committees consisting in each case of representatives of labor, industrial management, and, where appropriate, agriculture, the members of which shall be appointed without regard to the civil-service laws or the Classification Act of 1923. These committees shall be consulted on basic policy decisions made at their respective administrative levels in the course of the administration of the functions vested in the Chairman by this act.

(c) To the maximum degree consistent with this act and with its purposes, local initiative and cooperative efforts of management, labor, and agriculture shall be encouraged and utilized and use shall be made of existing hiring channels such as private employers, labor organizations, professional organizations, schools, colleges, technical institutions, and Government agencies.

SEC. 4. (c) In the case of any individual who, in response to the request of the Chairman, agrees to accept employment outside the locality where he is then residing, the Chairman, in accordance with such regulations as he may prescribe, may furnish transportation to the location of such employment, and, if such individual complies thereafter with the requests and requirements made under this act with respect to his accepting and continuing in any employment or employments in the same locality until the Chairman determines that he is no longer needed in such locality for work es-

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there is other justifiable reason for his not continuing in such work in such locality, shall furnish transportation back to the locality from which transportation was originally furnished for such individual under this section, or to any other locality selected by the individual which is not farther distant. The cost of such transportation shall not exceed the amounts allowable for individual civilian employees in the executive branch of the Government and shall not include any per diem allowance. The Director shall exercise the authority conferred by this section only to the extent that he deems the exercise thereof necessary to aid in relieving manpower shortages which substantially impede the war effort.

NOTE.—Provisions in conference report and Senate bill substantially the same.

REEMPLOYMENT RIGHTS

SEC. 8. (a) The Director shall provide for the issuance of a certificate to any person with respect to whom he finds that such person (1) has left or has been released from a position (other than a temporary position) pursuant to a request or requirement made by the Director and (2) has complied thereafter with the requests and requirements made by the Director with respect to his accepting and continuing in any employment or employments until section 5 of this act ceases to be in effect or the Director determines that such person is no longer needed in work essential to the war effort or that there is other justifiable reason for the Director not to request or require such person to continue any longer in such work, whichever first occurs. Any person to whom such a certificate is issued under this subsection shall be entitled to the benefits of section 8 (b) (except the last paragraph thereof and except that in lieu of the 90-day period therein specified, the time within which application for reemployment in his former position must be made shall be 30 days), 8 (c), and 8 (e) of the Selective Training and Service Act of 1940, as amended, to the same extent as if he had left such position in order to be and had been inducted into the land or naval forces for training and service, had been relieved therefrom on the day on which such certificate is issued to him, and had been given the certificate referred to in section 8 (a) of such act.

NOTE.—Provisions in conference report and Senate bill substantially the same, except for omission of proviso which was in Senate bill.

SEC. 8. (b) Section 8 (b) of the Selective Training and Service Act of 1940, as amended, is amended by inserting at the end thereof the following new paragraph:

"If such person, within 90 days after having been relieved from such training and service or from such hospitalization, has become employed in an employment accepted by him pursuant to a request or requirement made by the Director of War Mobilization and Reconversion, any period (before sec. 5 of the War Manpower Act of 1945 ceases to be in effect) while he is employed in an employment so accepted by him (and any period, not exceeding 15 days, between leaving one such employment and entering upon another such employment) shall be disregarded in computing the 90-day period within which application for reemployment in his former position must be made and shall be counted as training and service in the land or naval forces for the purposes of subsection (c)."

NOTE.—Provisions in conference report and Senate bill substantially the same.

PERMISSION TO PAY OLD-AGE ASSISTANCE TO INDIVIDUALS NOTWITHSTANDING THEIR EMPLOYMENT DURING PRESENT WAR

SEC. 9. Notwithstanding the provisions of title I of the Social Security Act, as amended

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sential to the war effort, may furnish transportation back to the locality from which transportation was originally furnished for such individual under this subsection, or to any other locality selected by the individual which is not farther distant. The cost of such transportation shall not exceed the amounts allowable for individual civilian employees in the executive branch of the Government and shall not include any per diem allowance. The Chairman shall exercise the authority conferred by this subsection only to the extent that he deems the exercise thereof necessary to aid in relieving manpower shortages which substantially impede the war effort.

SEC. 6. (a) The Chairman shall provide for the issuance of a certificate to any person with respect to whom he finds that such person (1) has been released by his employer from a position (other than a temporary position) pursuant to a request or requirement made under this act and (2) has complied thereafter with the requests and requirements made under this act with respect to his accepting and continuing in any employment or employments until section 4 (b) ceases to be in effect or the Chairman determines that he is no longer needed in work essential to the war effort, whichever first occurs. Any person to whom such a certificate is issued under this subsection shall be entitled to the benefits of section 8 (b) (except the last paragraph thereof and except that in lieu of the 90-day period therein specified, the time within which application for reemployment in his former position must be made shall be 30 days), 8 (c), and 8 (e) of the Selective Training and Service Act of 1940, as amended, to the same extent as if he had left such position in order to be and had been inducted into the land or naval forces for training and service, had been relieved therefrom on the day on which such certificate is issued to him, and had been given the certificate referred to in section 8 (a) of such act: *Provided*, That this section shall not be construed to confer greater employment rights than the individual would have had if he had remained employed in such position during the period of the employment or employments accepted by him upon the request of the Chairman of the War Manpower Commission.

SEC. 6. (b) Section 8 (b) of the Selective Training and Service Act of 1940, as amended, is amended by inserting at the end thereof the following new paragraph:

"If such person, within 90 days after having been relieved from such training and service or from such hospitalization, has become employed in an employment accepted by him at the request of the Chairman of the War Manpower Commission under the War Manpower Act of 1945, any period (before sec. 4 (b) of such act ceases to be in effect) while he is employed in an employment so accepted by him (and any period, not exceeding 15 days, between leaving one such employment and entering upon another such employment) shall be disregarded in computing the 90-day period within which application for reemployment in his former position must be made and shall be counted as training and service in the land or naval forces for the purposes of subsection (c)."

SEC. 12. Notwithstanding the provisions of title I of the Social Security Act, as amended

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(relating to grants to States for old-age assistance), and of appropriations for payments thereunder, in any case in which any State pays old-age assistance to any individual at a rate not in excess of the rate of old-age assistance paid to such individual during the month of February 1945, any failure to take into consideration any income and resources of such individual arising from labor performed by him as an employee after the date of enactment of this act and prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President, shall not be a basis of excluding payments made to such individual in computing payments made to States under section 3 of such title, of refusing to approve a State plan under section 2 of such title, or of withholding certification pursuant to section 4 of such title.

NOTE.—Provisions in conference report and Senate bill are the same.

APPEALS

SEC. 10. The Director shall by regulation provide an opportunity for a hearing before an impartial administrative tribunal to any person who claims that any action taken with respect to him under this act or any regulation thereunder is unreasonable as applied to him or is inconsistent with this act or such regulation. Subject to such further administrative review as may be provided in regulations under this section, the determination made after such hearings shall be final. To the extent practicable and appropriate, such regulations shall provide for such hearings to be accorded in local areas and for such hearing tribunals to be so constituted as to permit the ascertainment of the views of persons selected as representatives of management, labor, and agricultural interests in the locality. The Director shall by regulation provide for and establish such administrative tribunals as may be necessary for the purposes of this section.

NOTE.—Provisions in conference report and Senate bill are the same.

MISCELLANEOUS ADMINISTRATIVE AND ENFORCEMENT PROVISIONS

SEC. 11. Paragraphs (3), (4), (6), (7), and (8) of subsection (a) of section 2 of the act of June 28, 1940 (54 Stat. 676), as amended by title III of the Second War Powers Act, 1942, shall be applicable with respect to this act to the same extent as such paragraphs are applicable with respect to such subsection (a) except that, for the purposes of this act, the word "President," wherever it occurs in such paragraphs, shall be deemed to refer to the Director.

NOTE.—Provisions in conference report and Senate bill are the same, except for use of the word "Director" instead of "Chairman."

ESSENTIAL AGRICULTURAL ACTIVITIES

SEC. 12. Section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"In carrying out the provisions of this subsection (except the proviso of the foregoing paragraph) the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or

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(relating to grants to States for old-age assistance), and of appropriations for payments thereunder, in any case in which any State pays old-age assistance to any individual at a rate not in excess of the rate of old-age assistance paid to such individual during the month of February 1945, any failure to take into consideration any income and resources of such individual arising from labor performed by him as an employee after the date of enactment of this act and prior to the seventh calendar month occurring after the termination of hostilities in the present war, as proclaimed by the President, shall not be a basis of excluding payments made to such individual in computing payments made to States under section 3 of such title, of refusing to approve a State plan under section 2 of such title, or of withholding certification pursuant to section 4 of such title.

SEC. 5. The Director of War Mobilization and Reconversion shall by regulation provide an opportunity for a hearing before an impartial administrative tribunal to any person who claims that any action taken with respect to him under this act, or any regulation or order thereunder, is unreasonable as applied to him or is inconsistent with such act, regulation, or order Subject to such further administrative review as may be provided in regulations under this section, the determination made after such hearing shall be final. To the extent practicable and appropriate, such regulations shall provide for such hearings to be accorded in local areas and for such hearing tribunals to be so constituted as to permit the ascertainment of the views of persons selected as representatives of management, labor, and agricultural interests in the locality. The Director of War Mobilization and Reconversion shall by regulation provide for and establish such administrative tribunals as may be necessary for the purposes of this section.

SEC. 7. Paragraphs (3), (4), (6), (7), and (8) of subsection (a) of section 2 of the act of June 28, 1940 (54 Stat. 676), as amended by title III of the Second War Powers Act, 1942, shall be applicable with respect to this act to the same extent as such paragraphs are applicable with respect to such subsection (a), except that, for the purposes of this act, the word "President", wherever it occurs in such paragraphs, shall be deemed to refer to the Chairman of the War Manpower Commission.

SEC. 11. Section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"In carrying out the provisions of this subsection (except the proviso of the foregoing paragraph) the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or

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condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board."

NOTE.—Provisions in conference report and Senate bill are the same.

SAVING PROVISION RELATING TO SELECTIVE TRAINING AND SERVICE ACT OF 1940

SEC. 13. Nothing in this act (except sec. 12) shall affect the powers under the Selective Training and Service Act of 1940, as amended, with respect to the classification and selection of persons for, or the induction, or deferment from induction, of persons into, the land or naval forces; or preclude the Selective Service System from classifying and selecting for induction any registrant who violates any regulation made under section 5, or preclude the land or naval forces from inducting such a registrant.

NOTE.—This provision is from section 5 (n) (8) added by the House bill to the Selective Service Act.

REPORTS

SEC. 14. The Director shall submit reports to the President, the Senate, and the House of Representatives on the 1st days of January, April, July, and October, on the activities undertaken or contemplated by him under this act. Such reports shall summarize and apprize manpower mobilization activities and problems.

NOTE.—These provisions of the conference report and the Senate bill are the same.

DEFINITIONS

SEC. 15. (a) As used in this act, the terms "employment", "work", "hire", "rehire", "employ", or words of similar import shall include any contract, arrangement, undertaking, or relationship whereby or under which an individual undertakes to perform a service or services for another, irrespective of the resulting legal relationship between the parties.

(b) The provisions of this act shall not be applicable with respect to the employment of persons by any State or any political subdivision thereof, without its consent.

NOTE.—These provisions of the conference report and the Senate bill are the same.

SEPARABILITY

SEC. 16. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act and the application of such provision to persons or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

NOTE.—These provisions of the conference report and the Senate bill are the same.

TERMINATION DATE

SEC. 17. The provisions of sections 4 and 5 of this act, and all regulations thereunder, shall cease to be effective upon the termination of hostilities in the present war, as declared by the President or by concurrent resolution of the two Houses of Congress, or upon June 30, 1946, whichever is the earlier.

NOTE.—These provisions of the conference report and the Senate bill are the same.

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condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board."

SEC. 9. The Chairman of the War Manpower Commission shall submit reports to the President, the Senate, and the House of Representatives on the 1st days of January, April, July, and October, on the activities undertaken or contemplated by him under this act. Such reports shall summarize and appraize manpower mobilization activities and problems.

SEC. 10. (a) As used in this act, the terms "employment", "work", "hire", "rehire", "employ", or words of similar import shall include any contract, arrangement, undertaking, or relationship whereby or under which an individual undertakes to perform a service or services for another, irrespective of the resulting legal relationship between the parties.

(b) The provisions of this act shall not be applicable with respect to the employment of persons by any State or any political subdivision thereof, without its consent.

SEC. 13. If any provision of this act, or the application of such provision to any person or circumstance, is held invalid, the remainder of this act and the application of such provision to persons or circumstances, other than those as to which it is held invalid, shall not be affected thereby.

SEC. 14. The provisions of section 2 (b) and section 4 (a) and (b) of this act, and all regulations, orders, or requirements thereunder, shall cease to be effective upon termination of hostilities in the present war, as declared by the President or by concurrent resolution of the two Houses of Congress, or upon June 30, 1946, whichever is the earlier.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. LUCAS. Is there anything in the present law which would prevent a man from leaving the factory in which he is now engaged in making essentials of war, say within the next 15 or 30 days, if he wanted to leave it?

Mr. JOHNSON of Colorado. There is no law on the subject.

Mr. LUCAS. The Senator is correct. In other words, if there are 10,000 men, for example, in a plant which is manufacturing machine guns, and the Army or the Navy decided that it needed more machine guns, there is nothing now which could prevent a single one of the 10,000 workers from leaving the job if he wanted to do so.

Mr. JOHNSON of Colorado. There is nothing except the requirement of a certificate of availability, which is given by the War Manpower Commission. That certificate merely makes it difficult for a person working to obtain another job,

because he must have the certificate before he can change his employment.

Mr. LUCAS. That is a minor penalty which does not mean very much.

Mr. JOHNSON of Colorado. It does not mean very much. It is a minor penalty.

Mr. LUCAS. In other words, if the war in Europe should come to an end say within the next 15 days and we should start stepping up the program with regard to the war in Japan, there is nothing in the basic law of this country which would prevent any number of men from returning to their homes in order to obtain early security, assuming they believe that the war with Japan may soon come to a close.

Mr. JOHNSON of Colorado. No; there is not one line of law on the subject.

Mr. LUCAS. If I may further trespass upon the Senator's time, it seems to me that the psychological effect which the end of the war in Europe will have on some workers in defense plants is quite clear. However, what I say hereafter in nowise affects the patriotism of the finest group of workers in all the world. The moment the war ends in Europe, which may be at any time, the one thing which many will think about, in my opinion, is, How soon can they return home? They have saved money, and have bought War bonds. I am merely trying to think what I would do if I were employed in such a plant and had left a fairly good job at home in order to go into defense-plant work and carry on this highly patriotic endeavor. It seems to me that I would say, "The war in Europe is over. We are winning magnificent victories in the Pacific. That war will probably not last long. So I will trudge back home in order to get there first and obtain some measure of security in the period immediately ahead. I will try to get a job in some plant, some store, or on the farm," and so forth.

Mr. President, I have the greatest respect for the workingman of this country. I know what he has done on a voluntary basis. I know that one of the most magnificent jobs ever done has been done by the hands of free labor in this country. Yet, on the other hand, at this psychological hour when we may need weapons in the war with Japan more than we have ever needed them before, we may experience a let-down when the war in Europe is over, the result of which will be a curtailment in the production of war implements which will be indispensable in effectually carrying on the war against the totalitarian powers in the Orient. Obviously, I hope this fear is of no avail. However, the speculation is of great import, if I should be correct. It seems to me that if the Senate of the United States does not adopt the conference report, it will be an invitation to the men working in defense factories to do the very thing I am talking about, because we will be saying that we too, do not believe that the war with Japan is going to last very long. I have great respect for the labor leaders of this country who are against this report. Philip Murray is one of the great leaders of labor in all its history. William Green is an able and sincere leader. I know of the ability and leadership of Eric Johnston, president of the Chamber of Commerce, who is against this report.

But, Mr. President, in this crisis I must stand by General Marshall, Admiral King, and General Arnold. They are the men who are asking for this kind of a law. They are the men who have carried on our greatest war so magnificently. The victories we have won as the result of the leadership of these men are something which will remain with American and world history so long as there is an American flag.

Mr. JOHNSON of Colorado. And they have had much help from industry and have had much help from labor.

Mr. LUCAS. There is no doubt about that, but what I am saying now is that I want to stand by them at this point, and give them what they want, what they think is necessary in order to carry on the war effort so that the conflict may be ended at the earliest possible time. I cannot do anything else. My conscience would not permit me to let the leaders of our armed froces down in this hour, which, in my humble opinion, is the most crucial hour in the war, so far as the prolongation of the fighting is concerned.

Mr. President, I despise compulsory action of any kind; I dislike the delegation of power to the executive branch of the Government; but this is war, and the most cruel war and the most devastating war history has ever known. I cannot let the boys at the front down. When I say that, I do not challenge the views or convictions of any other Senator. Those who oppose the report believe, no doubt, that they are helping our fighting men by voting against this report. I thank the Senator from Colorado for yielding.

Mr. JOHNSON of Colorado. The Senator is entitled to his view, even though the rest of us do not agree with him entirely. The matters we are discussing are very controversial. Everyone has his own slant on them, everyone has to see them with his own eyes, and arrive at his own determination.

Mr. MORSE. Mr. President, will the Senator from Colorado yield for two or three comments in connection with the remarks made by the distinguished Senator from Illinois?

Mr. JOHNSON of Colorado. I yield.

Mr. MORSE. I am sorry to hear the distinguished Senator from Illinois [Mr. LUCAS] confess a fear that when the war in Europe is over, American labor, or any segment of American labor and management, will let the country down in the war with Japan. I think that, in essence, is what the Senator's argument sums up to.

Mr. President, if that be true, we have done a mighty poor job in getting the people of this country to see the great issues which are at stake in the war against Japan. But I think I know enough about the point of view of labor and of management to say that it is my firm conviction that American labor and American management entertain no such fears as the Senator from Illinois would impute to them. It will be found that as soon as the war is over in Europe American labor and American management will continue to give to the armed forces of this country the same magnificent support they have given up to this hour.

I do not want to let Marshall, or King, or any other American leader down, but I am afraid that the best way to let them down is to pass the pending bill, with its resulting confusion, abuses, and divided public support.

In regard to the Senator's comments concerning potential or possible political features of the discussion, I am sure I can agree with him that certainly no one in the Senate in this critical hour would let such factors color his action. I mean it when I say that in these times what the people of the country are entitled to from every man in the Senate is that he be willing to sacrifice his political life, if necessary, in defense of the welfare of his country.

The Senator talks about the boys of the military forces returning, carrying with his statement the implication that they will resent a vote against the pending bill. I wish to say that I am satisfied that when the boys return and study the merits of the great historic debate that is proceeding in the Congress of the United States now, their judgment will be that we stuck by our guns at home, just as we expected them to in their battles across the sea.

I ask the Senator from Illinois, as I ask the Senator from Colorado, to tell me what he seeks to accomplish under the proposed conference bill which could not be accomplished under the bill as passed by the Senate. The Senate bill will not arouse the antagonism, the fears, and the misunderstandings I am sure will be aroused if the pending bill should be enacted.

Mr. AIKEN. Mr. President, will the Senator from Colorado yield for another question?

Mr. JOHNSON of Colorado. I shall reply first to the question of the Senator from Oregon. If the Senator wants to know the position of the Senator from Colorado on the conference report, I may say that personally I prefer the approach of the bill as it passed the Senate, but I was a member of a conference, meeting with men who had a different viewpoint altogether, and we found that we could not bring a conference report to the Senate unless we gave a little here and gave a little there. We eliminated the draft provision, which was very dear to many of the Members of the House, and we accepted the freeze provision which they had in their bill, and, outside of that, we brought in the bill as it passed the Senate. Ninety-five percent of the conference report is the Senate bill, in the language of the Senate bill, and when we struck out the draft we struck out about 10 pages of the joint bill.

Mr. AUSTIN. Nine pages.

Mr. JOHNSON of Colorado. I missed it by one page. We struck out nine pages, and the Senator from Wyoming remarked to me, when my motion was adopted, "You did not throw a monkey wrench into the machinery; you threw a sledge hammer."

Nevertheless, this is a conference report, and when we go to a conference we

have to try to reach some sort of an agreement. The other members of the conference from the Senate, and I did not want the conferees to kill the legislation. We felt that it was our duty to bring something back to the Senate so that it could be frankly and openly discussed, and so that a determination might be reached in accordance with the traditions of the Congress. That is what we did. If there was crime in it, we will have to confess to the crime. I am not trying to defend the conference report. If Senators will stop interrupting me for about 2 minutes, I will tell them why I am not trying to defend the conference report.

First, however, I yield to the Senator from Vermont, and then I want to proceed.

Mr. AIKEN. Section 5 (a) (3) authorizes the Director "to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment," and so forth.

Mr. JOHNSON of Colorado. Where is the Senator reading?

Mr. AIKEN. Section 5 (a) (3) of the conference report.

Mr. JOHNSON of Colorado. That is the freeze provision.

Mr. AIKEN. As the Senator will recall, when high military officials nearly a year ago predicted that the war in Europe would be over in 1944 there was a general exodus from some departments of government. The division chiefs were leaving every day to go home to get reestablished in their private business. Is the provision of the conference bill which I just read sufficiently broad to freeze such division chiefs of our Government departments in their jobs so they will not go home as soon as they think the war is nearly over?

Mr. JOHNSON of Colorado. The freeze is not applied on an individual basis.

Mr. AIKEN. They are the most important employees of all.

Mr. JOHNSON of Colorado. The freeze is employed on a plant basis.

Mr. AIKEN. Suppose the Director says, "We will freeze all persons in the War Production Board or the War Food Administration until the war with Japan is over." Is the bill sufficiently broad to authorize the Director to do that?

Mr. JOHNSON of Colorado. Yes; I think it is sufficiently broad to authorize him to do that. That, however, is merely my opinion. I do not claim to be an expert, but I think that could be done.

Mr. AIKEN. It should be done.

Mr. JOHNSON of Colorado. I think a department could have its employees frozen if it were done on a general basis and not on an individual basis. It could not be done on an individual basis. John Jones could not be frozen on a job and Tom Smith turned loose. They must all be frozen. Then each individual case can be considered for release on an individual basis.

Mr. AIKEN. Is it the Senator's opinion, then, that this language is sufficiently broad to freeze employees of the War Production Board and the War Food Administration and some of the other agencies in their jobs until the war is over, because they are really the most important of all?

Mr. JOHNSON of Colorado. Yes; I think it is sufficiently broad to freeze employment in departments. I feel certain it is, although, as I said, I am not an authority on such matters.

Mr. WHERRY. Mr. President——

The PRESIDING OFFICER (Mr. FULBRIGHT in the chair). Does the Senator from Colorado yield to the Senator from Nebraska?

Mr. JOHNSON of Colorado. I yield.

Mr. WHERRY. I should like to ask the distinguished Senator from Colorado if the placing of ceilings is not in reality an indirect draft.

Mr. JOHNSON of Colorado. Yes; I think it is an indirect draft. I cannot agree with certain Senators, or with expressions which I heard about the Senate, especially when the Senate bill was passed, that the Senate had passed a milk-and-water bill. When it passed the original Senate bill I think it passed one of the most drastic pieces of legislation ever acted upon by the Congress in the history of our country. Under it, Government officials could place a ceiling even down to the zero mark on the employees of any sort of industry, as the junior Senator from Kentucky [Mr. CHANDLER] said when we were debating the question in the Senate. That is a very drastic power. How does that drive a man into a war plant? Indirectly of course—his means of supply is cut off, his meal ticket is taken from him.

Mr. WHERRY. That is correct.

Mr. JOHNSON of Colorado. He has to find a job, and the only job available to him is a war job. He must take such a job. He has no choice. It is work or starve. The bill was called a work-or-starve bill. I agree with what the Senator from New Jersey said about the bad names we sometimes give our legislation, but in reality the Senate bill was a work-or-starve bill, if its provisions respecting ceilings were carried out.

Mr. WHERRY. Is that not true of the pending bill?

Mr. JOHNSON of Colorado. Yes. There is no change in it in that respect. The bill contains all the provisions of the Senate bill with respect to that subject.

Mr. WHERRY. That is correct. I thank the Senator from Colorado for his answer, because it is very direct, and I think the question is a vital one. We heard the majority leader and the Senator from Illinois [Mr. LUCAS] talk about freezing war workers to their jobs in plants which produce military airplanes. That is one side of the picture. But in my State, for example, where we have but little war work, the Director will have the authority under this measure to declare a ceiling on any business. Is that not correct?

Mr. JOHNSON of Colorado. Yes.

Mr. WHERRY. I have a furniture store and six employees. The Director may decide that two employees can do the job. He can take the other four and channelize them through the Employment Service to war work. In my State there are no critical labor areas, except area No. 3, and employees can be taken out of Nebraska and placed in critical areas where large war contracts have been placed. Is that not true?

Mr. JOHNSON of Colorado. No; I do not think so.

Mr. WHERRY. A man could be offered employment in such a place and if he did not accept and go there he could not have a job.

Mr. JOHNSON of Colorado. He may be offered employment, and he can accept it or reject it.

Mr. WHERRY. If he does not accept it, he is unemployed—is that not correct—and he cannot return to his old job?

Mr. JOHNSON of Colorado. Yes.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. TAFT. I wish to ask the Senator about one other change made which seems to have a very vital practical effect. That is in clause (2) where the Director, under the conference bill, but not under the Senate bill, is given power to prohibit or regulate the acceptance of employment by workers. That, it seems to me, goes beyond any manpower ceiling. The manpower ceiling is directed to a particular employer and under it he can employ only so many men. But if the Director is given the power to regulate or prohibit the acceptance of employment by workers, it seems to me an order can be issued saying to any man that he cannot accept employment except, we will say, in the airplane industry, or even in particular airplane plants which happen to be short of men. So it seems to me that the addition of the words in the conference report represent a very important change from the Senate bill, one which will authorize the issuance of regulations practically saying to a man, "Not only must you leave this plant but you can work only in this other particular plant." So it comes almost to a forced order to work.

Mr. JOHNSON of Colorado. Will the Senator be kind enough to inform us of what provision of the bill he is speaking?

Mr. TAFT. Section 5 (a) (2). Section 5 (a) (2) of the Senate bill reads:

> To prohibit or regulate the hiring, rehiring, solicitation, or recruitment of new workers by employers.

The conference report adds to that the following language:

> And the acceptance of employment by workers;

So that, as I interpret the language, orders may be directed not only to employers but to particular workers, or classes of workers, or to particular men.

Mr. JOHNSON of Colorado. Yes. That is an important change in the bill. I discussed that a moment ago while the Senator from Ohio was not on the floor. That addition to the Senate language was proposed by the House conferees. But at the present time the Manpower Commissioner is at least attempting something along that line through his certificate of availability. A man must have a certificate nowadays in order to obtain a job.

Mr. President, I wish to state why I am not supporting the conference report. Late Saturday evening the Director of War Mobilization and Reconversion issued a statement. Senators have heard what the Senator from Kentucky [Mr. BARKLEY] said about that a moment ago. I cannot agree with what the Senator stated. His interpretation does not at all coincide with mine. I read the language over very carefully; I read it a good many times. As a matter of fact, I could hardly believe my eyes when I read it. Because of the position which may be taken by the man to whom we are delegating this authority, I think it is important that we know what is in his mind. I regret exceedingly that Mr. Byrnes has severed his connection with the Government. I have great respect and great fondness for him. He is an able man. He has done a great job under extreme difficulties. I am sure he has had the confidence of everyone in this body. I regret that he is leaving the Government service. I know that he will be sorely missed when he returns to civil life. I know that we need men in this administration with the ability of Mr. Justice Byrnes.

Last Saturday night he issued a statement in which he said:

> Controls are necessary, not only for war production, but also for the production of essential civilian goods, and later to facilitate reconversion.

That is, labor controls are necessary not only for the purposes of the war, but for purposes of reconversion, and for the production of civilian goods. It is true, as has been pointed out on the floor of the Senate, that this bill is a war measure, in that it will terminate at the end of the war. But when we delegate authority to the Director of War Mobilization and Reconversion, and he tells us in plain English that he wants labor controls not only for war, but also for civilian production and for the reconversion period, it seems to me that we must pay some attention to what he says.

That would not be so bad, but as we continue reading his report we find that the curfew is not to ring after VE-day. We find that horse racing may be resumed; that all kinds of entertainment may continue as before; that no restriction is to be placed upon the use of coal and other fuels. In other words, we are going back to normal in all things, and at the same time we are going to give the Director the power to place a freeze—and he says he will need it—upon any industry which he thinks should have a freeze placed upon it, whether the industry is producing for war or for civilian uses. That is his own language—reconversion, civilian production, and war production.

What is a man who is frozen in a plant going to think when he sees everyone else getting back to the regular mode of life of the American people? How about the man who has left his filling-station job? I know of one little town in Colorado where 10 men operated filling stations. They are now in California working in war plants. What are they to think when they see everyone else getting back into business—the entertainment business, the horse-racing business, and every other business—and they are told that they must remain in a war plant? It does not make sense to me. I cannot fit the two things together at all. It does not seem to me that we would be justified in enacting a freeze law, while at the same time the Director announces to us that he is going to get back to normal as fast as he can in all these nonessential things.

Moreover, in the same report, Mr. Justice Byrnes tells us that he has stopped the construction of 72 naval vessels, as well as 142 additional Liberty ships, and certain high-octane gasoline plants which would not come into production until well into 1946. Because he has closed these plants, they will not need 40 tankers to carry the gasoline, and their construction has been stopped.

He says that in the first 3 months after VE-day the reduction in war orders will amount to 15 or 20 percent, and that in 12 months it may amount to 40 percent. What does that 40 percent mean in terms of jobs? It cannot possibly mean less than 10,000,000 jobs. Reduction of war orders by 40 percent probably means as many as 15,000,000 jobs. I feel very certain—and I have felt so for a long time—that instead of having a manpower problem in this country, very shortly we shall have an unemployment problem. It will come very rapidly. Mr. Byrnes also seems to be of that opinion, because he points out these very drastic reductions.

In the same report he states that unemployment after VE-day will be temporary in nature. I do not know what "temporary" may mean—whether it means 3 months, 6 months, or 12 months. However, the unemployed will have a pretty tough time if they have to go hungry even for only a week. They must find employment or they will go hungry. We cannot return to civilian production immediately. A great deal of retooling will be necessary. Most industries have been converted to war production. They are tooled for that purpose, and time will be required to convert back to civilian production. In the meantime 10,000,000 jobs will be out the window.

At the same time, there would be a law which would freeze men in other jobs. That is the reason why I am not supporting the conference report. Previously I had been supporting the conference report very reluctantly, because I thought it was a war measure. I was never convinced of the bugaboo of failure of production. I never believed that men would leave their jobs in great numbers as soon as VE-day arrived. I have never been convinced of it. However, it seemed to me that if we were making this a war job, and if there was any danger of that kind, the Congress, having confidence in such men as Mr. Justice Byrnes, might very well delegate to him authority to take care of any bad spots by freezing manpower. If certain plants should get out of line on civilian production, he could place manpower ceilings on them. I thought it was a war measure; and because I felt that Mr. Justice Byrnes had so much good judgment and discretion that he would not abuse the power, I was reluctantly going along with the conference report.

But now, when Mr. Byrnes tells us what his views are, and especially when we learn today that he is resigning and going back into civilian life, it seems to me that this is a poor time to freeze other persons on their jobs. Mr. Byrnes is going back to civilian life. What will the man think who is being frozen on a job out in Oregon? He will say, "Jimmy Byrnes quit and got himself a job. The war must be over. Everyone is going back to the normal way of life again."

It does not seem right to me to enact a drastic freeze law at a time such as this, and in the face of such a report as Mr. Justice Byrnes very frankly made to the country.

Mr. BURTON. Mr. President, I have appreciated this opportunity of listening to a full discussion of the conference report for I was a member of the conference committee.

This measure is a war measure. I wish to speak in support of the conference report because I believe the choice is between adopting the conference report or entirely failing to act. To fail to act would be a failure on the part of the Senate to meet a serious obligation in time of war.

It is nearly 3 months since the Chief Executive of the United States called the attention of the Congress to the fact that there was a need for stabilizing production in order to make sure that we would meet the schedules of essential war goods facing us. It is over 2 months since the House of Representatives met that request by passing the House bill. It passed a labor-draft bill. During the following 2 months the Senate committee and the Senate have considered the measure. The Senate was unwilling to pass the labor-draft measure, but it passed the Senate bill. I believe that in passing the Senate bill the Senate did meet the issue. To my mind the Senate bill was a measure which well met the challenge. It was sent to conference because the House had voted for a measure fundamentally different from the bill passed by the Senate, and the Senate cannot legislate alone. The obligation of the conferees was to find some way whereby the Senate and the House could agree. I believe the conferees on the part of the Senate went just as far as they had to go to obtain the consent of the House of Representatives, and no further. Therefore, I believe they have performed for the Senate the assignment we gave them.

The proof of this is that when this measure went back to the House of Representatives the conference report was approved by the House, but it was approved by a margin of but seven votes. The House had receded from the substance of its original proposal—a labor-draft bill—and it had received in return merely two modifications of the Senate bill. Those modifications stiffened the Senate bill just enough to get the approval of the House and no more. Under those circumstances, I believe the conference committee in reporting to the Senate is properly reporting that the conferees have modified the Senate bill as little as it can be modified and still obtain an act of Congress.

It is under those circumstances that I believe we should view the action taken by the House of Representatives just the other day.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. MORSE. As I understand the remarks of the Senator, he believes that the vote of 167 to 160 in the House of Representatives—in other words the closeness of the vote—is due to the fact that the representatives of the House of Representatives in the conference committee had yielded so much from the standpoint of the original House bill.

Mr. BURTON. I feel that way. I do so particularly in view of the fact that the House conferees unanimously declined to accept the Senate bill as such, or to consider the Senate bill as such in conference, and the House of Representatives had previously passed the House bill by a substantial majority.

Mr. MORSE. Let me suggest that as I read the CONGRESSIONAL RECORD of the day when the bill was passed by the House of Representatives, I say to the distinguished Senator from Ohio, I do not think there is anything in that RECORD that would support the guess the Senator has made. I do not think we know on just what basis the House voted by a vote of 167 to 160 to accept the conference report, but I would venture the suggestion—I can offer no more proof than can the Senator from Ohio—that there are a great many Members of the House of Representatives who voted for acceptance of the conference report who wished they could have voted for the Senate bill as such at that time.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. AUSTIN. The Senator from Ohio and I were members of the conference committee. I ask whether he remembers the events which occurred in the conference as I remember them, in the respect that we, the conferees on the part of the Senate, tried for days to get the conferees on the part of the House to accept the Senate version, but we were wholly unable to do so. Is that true?

Mr. BURTON. Absolutely.

Mr. AUSTIN. Very well. Then what is the use of talking about sending the conference report back to conference on the expectation that the conferees on the part of the House will yield and will accept the Senate bill? We have been through that experience. We certainly would not have come here with a compromise if we could have persuaded the conferees on the part of the House to accept the Senate version, which we tried to do.

Mr. MORSE. Mr. President, will the Senator yield further?

Mr. BURTON. I yield.

Mr. MORSE. I shall not trespass very much on the Senator's time, except to say that I think there is a great deal of use in returning the report to conference. I not only think that the conferees on the part of the House have since obtained much more information than they had at the time when the conferees agreed upon the report, but I think the Members of the House of Representatives generally have much more information now than they had at the time when they voted. It seems to me that the argument that we must choose between this legislation or no legislation is exceedingly fallacious. I think that if we will adopt the motion of the Senator from Wyoming [Mr. O'MAHONEY], when we get into a position to vote upon it, and send the report back to conference, we shall find that the Members of the House of Representatives will rise to their duty, as will the Members of this body, and that from the further conference there will come a new bill which I think will avoid many of the objections which we are raising to the pending measure.

I think the statement that we must choose between either this bill or no bill at all does not take into account the realities of the situation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. BARKLEY. Much has been made of the fact that the conference report was agreed to in the House by a vote of 167 to 160, which means that 108 Members of the House of Representatives were absent at the time when the vote was taken. No one knows how those absent Members would have voted. The fact that they were absent means that one-fourth of the membership of the House of Representatives was away. It is just as fair to assume that if all of them had been present and voting the conference report would have been adopted by an even larger majority as it is to say that it would have been rejected. I do not think any argument can be predicated on the fact that only three-fourths of the membership of the House of Representatives voted on the conference report.

Let me ask the Senator this question. The two bills were exactly opposite. Does the Senator from Ohio know, or does any other Senator know, of any instance in the past when the House accepted without change a bill written by the Senate, in which all the language adopted by the House was stricken out and the language of the Senate bill was inserted? If any Senator can cite an instance of such a proceeding, I should like to have him do so.

Mr. BURTON. I am sure the memory of the Senator from Kentucky goes back much farther than mine does; but let me say that in the conference the remark was made that the conferees did not know of any case in which that had occurred.

Mr. BARKLEY. I am sure the Senator referred to service in the Senate when he made his remark about our respective memories.

Mr. BURTON. Either way, I say to the Senator.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. BURTON. I yield.

Mr. MORSE. I think the Senator from Kentucky and I not only are agreed on the point that neither he nor I knows what the House of Representatives would do if it had a chance to act in this situation——

Mr. BARKLEY. No, Mr. President; but let me say, if the Senator will yield to me at this time, that I have never heard of a case in which a conference report was sent back to a further conference on the ground that no one knew what the House of Representatives would do if it had a chance to legislate anew. That is a very precarious way to legislate, it seems to me.

Mr. MORSE. I, too, understand that it is very seldom that a conference report has been sent back for a further conference. It is only because of the importance and urgency of the situation now facing the country that I have suggested that the precedent be broken.

Mr. BARKLEY. Of course, Mr. President, let me say, if the Senator from Ohio will further yield to me——

Mr. BURTON. I yield.

Mr. BARKLEY. I do not wish to get into an argument about what would have happened if something else had happened; but it seems to me that the Senate came out pretty well in the conference, in view of the fact that the Senate got approximately 90 percent of its bill, which is a fairly good result, based on the average of conferences between the Senate and the House.

Mr. BURTON. Mr. President, the reason why I mentioned the vote in the House of Representatives on the conference report was because a little while ago the Senator from Oregon stated what he has just repeated, and because I believe, as a result of my contacts with the conferees, that the Senator from Oregon is overestimating the situation. In reply to his suggestion I say that when the conferees on the part of the Senate met with the conferees on the part of the House, the conferees on the part of the House were most specific and plain in stating that they would not vote to report to the House a measure which amounted to the Senate bill. They would not agree to a conference report on that basis, and there would have been no agreement at all on such a basis. We know that at first hand. That is not an argument based on what happened in the House of Representatives after the conference report was before it. I mentioned the vote in the House of Representatives only to show that the conference report was nearly defeated, as it was.

Now the conference report is before the Senate, and the final choice rests with the Senate.

Let us remember that this is a war measure. It has been nearly 3 months since the needs of the Administration were placed before the Congress, yet the Congress has not taken action. The measure has been in the Senate itself for over 2 months, yet the Senate has not been able to convince itself of the merit of the modifications made in the Senate proposals by the conference committee, to which modifications the other House has agreed. The Senate has now the entire responsibility for this measure. We know that the House will not again be in session with a quorum until after April 10. As I see it, this is not the time for us to delay while the war calls upon us for action. We have fully debated both the conference report and the

bill as originally passed by the Senate. There are 14 excellent steps in the Senate proposals. If we enact them into law we shall be taking forward steps which are badly needed. Failure to enact them would set a bad example in a time of great need.

Mr. MORSE. I understand the House has adjourned subject to call.

Mr. BURTON. No; the House is taking a series of 3-day adjournments, under an agreement that no important business will be transacted until after April 10.

Mr. MORSE. I understand that there is an agreement that the Speaker will call the House back into session in case any important business arises for the House to transact.

Mr. BURTON. The House is meeting every third day. Possibly the House could be called into session in the meantime if it were necessary.

Mr. MORSE. Judging from the remarks of the Senator, this matter is important.

Mr. BURTON. Yes. But if the House is called into session to consider this matter there is no assurance that another conference will be had since the conference originally authorized has already acted.

Mr. President, we have been advised that we have an important schedule of production, partly for the European war and partly for the war with Japan. That schedule has been fully considered in the light of military events. We have received the advice of our highest military leaders who are in charge of the conduct of the war. It was repeated to us recently, even after the conference report had reached the Senate that this measure would meet the emergency, and that it was essential that it be passed. Our military leaders have told us that we are falling behind in our production schedules. We are told that these military and naval schedules are important. I trust that our men on the fighting fronts have not actually experienced a shortage of munitions. I have received reports running both ways on that subject. Assuming, however, that our soldiers have not actually been running short of munitions, yet the reserves have been cut into and those reserves are running short of the estimates set for them in planning the war. If Admiral King, General Marshall, and other officials charged with the conduct of the war tell us that there is a need to increase our schedule of production, it is up to us to find a method by which we can meet that need. The House of Representatives attempted to meet it with a labor draft, but the Senate objected to that method and substituted the Senate proposals.

I concurred in the action of the Senate because I thought to do otherwise would result in a handicap rather than a help in an early increase of production. When the Senate adopted its 14-point program, to which I have referred, I believe that the Senate, in its turn, met its responsibility to the men at the front, provided it could induce the House to follow its lead. The 14 points are as follows:

In section 2 we find a declaration of objectives and purposes which gives congressional emphasis to the need. That is an important declaration to the world which has not yet been made by the Congress.

In section 6 we provide for management-labor committees.

In section 3 we provide for coordination of schedules, awards, and termination of contracts.

In section 4 (a) we provide for surveys and corrections of manpower abuses in Government plants.

In section 4 (b) we provide for surveys and corrections of manpower abuses in other plants.

In section 5 (a) (1) we provide for employment ceilings.

In section 5 (a) (2) we provide for certificates of availability, regulations and prohibitions as to the employment of new workers.

In section 6 we provide for the channelization of employment, and priority referrals.

In section 7 we provide for transportation to and from distant points of work.

In section 8 we provide for reemployment after termination of assignment to a war job.

In section 5 (c) we provide for the disallowance in computing income taxes and contract payments of expenditures made in violation of this act by employers.

In section 11 we provide for enforcement of these provisions by court order.

In section 5 (b) we provide misdemeanor penalties for willful violations of the act.

In section 12 we clarify the provisions of the Tydings amendment.

Mr. President, to my mind those 14 points in the bill as it passed the Senate are vitally important, and the Senate should not retreat from them. If we abandon them we shall not meet the responsibility which we face. To vote against the conference report amounts to abandoning all of these 14 and doing nothing, merely because the report also contains a fifteenth.

Something was said concerning Mr. Justice Byrnes, his report, and his resignation. I wish to quote from his report. His report shows that he believes this legislation is essential. In speaking of the shortcomings of the system he says on page 8 of his report:

> All of the measures available to the Government were used to coordinate and integrate the work of the several agencies concerned with manpower. Nevertheless, I cannot say that we have had a comprehensive system that works efficiently.

On page 10 of the report he states:

> The administrative agencies responsible for war production have not had the requisite authority in the manpower fields to obtain a wide distribution of the available supply. The enactment of the legislation recommended by the Senate and House conferees will provide this authority. The responsibility to use it well will rest on the responsible administrative agencies.
>
> I believe that this legislation will expedite full-scale reconversion. It assures the undertaking of reconversion measures without interfering with the war production required to continue the war against Japan. We have this assurance only with positive manpower controls.

Speaking in the light of his experience, he points to the same thing to which the junior Senator from Connecticut [Mr. HART] pointed the other day. In the junior Senator from Connecticut we know that we have one of the greatest authorities on our needs in the Pacific war. He was in command of the Asiatic Fleet when the war began. He stated that in his judgment the United States needs additional manpower for production of war materials for our war with Japan. To use the phrase of the Senator from Connecticut, any failure to supply those needs means fighting the war to a draw rather than to a victory. Under those circumstances, Mr. President, the Senate should not fail to respond to the needs of our armed forces when those needs have been shown to us, as they have been shown to us in this case.

Mr. President, I believe that we should not retreat from the 14 points to which I have referred. The only ground which could be urged for retreating is the fact that two provisions have been added in the conference report in order to secure the assent of the House of Representatives. It is the opinion of the conferees that in the emergency now existing it would be well to accept those two points. One of them places in the Director of War Mobilization and Reconversion, the principal administrative authority, including the power to choose the Chairman of the War Manpower Commission to act under him if he should wish to do so. We regarded that as an administrative point which could be yielded if it meant the passage instead of the defeat of the bill. It apparently meant much to the House conferees.

The second point was the freeze. The freeze was far from an acceptance of the draft program. We already had authority in the Senate bill to establish employment ceilings, and require certificates of availability in places where they were needed. We merely added authority for a freeze in places where it might be needed to do work essential to the war effort. Furthermore, the worker remains on the job merely until the Director determines that it is no longer necessary for him to remain in such employment. If he has a justifiable reason for leaving such employment, it is also within the discretion of the Director to release him. We have therefore a flexible freeze added to a flexible ceiling. It would not be a Nation-wide freeze. In adopting those measures I believe that to a great degree we would meet the needs of the war effort.

It is clear that the war is going rather well for us in Germany at this time. Therefore, under the circumstances, we might say, if we guided our legislation by the reports from the front day by day, that we might postpone legislating. On the other hand, what it means to me is that we should pass our legislation but make it flexible so that it will meet the needs of the time as they arise, including those brought about by the war with Japan. We provide here, not a general freeze, not a general ceiling, but a freeze adapted to the needs and the time and place, so that in spots in this country where certain kinds of employment may be needed at different times, Congress will have placed in the hands of those who administer the law

authority to be sure that production will continue when and where it is needed. That is little enough for Congress to do in meeting the emergency. That is little enough insurance for our men at the front.

As to the Senate's 14 points, there is no controversy; those 14 points will remain in the bill if the conference report is accepted. To them the report adds an optional freeze, to be used in appropriate places. I believe that addition does not justify defeating the other 14 points. We owe it to the men in the service and to the leaders of our armed forces to respond to their request of nearly 3 months ago, to furnish the needed authority to insure the maintenance of the production schedules so necessary at this time.

Something has been said of morale. I am not arguing this matter on the basis of the probable effect of the adoption of the report on the morale of our soldiers, but I do wish to repeat a suggestion made to me, that the enactment of the pending measure, whether or not we have concluded our war in Germany, will mean that we are proceeding to maintain our full speed against Japan, and that we are providing enough authority so that there will be no doubt about our determination to press the war against Japan. That will have an adverse effect on the morale of Japan, if anything can have such an effect. It is the kind of message that will mean to Japan that we are going all the way with our attack on Japan, and that there will not be a chance for a draw on that side of the earth. That is the kind of message to send to the men fighting in the Far East. It is a message of full support from the home front, that there shall be no draw. It is a message to our men at the front everywhere: "We are not going to let you down."

What we are striving for is production for the war effort. We have been warned by our military and civil authorities that there is great need for added authority behind the program to increase production. We have had 3 months in Congress in which to act, 2 full months in the Senate. I believe we passed a good bill in the Senate. The question is how can we save it. I believe that the decision rests with us. Shall we accept the fifteenth point as an addition and go through with it and give the authority needed, or shall we let the plan drop and do nothing?

Mr. MORSE. Mr. President——

The PRESIDING OFFICER (Mr. McMAHON in the chair). Does the Senator from Ohio yield to the Senator from Oregon?

Mr. BURTON. I yield.

Mr. MORSE. I am in complete agreement with the Senator that the issue is one of production, and how best to get the production. I agree with the fourteen points. I only regret that you agreed to two principles in addition which in my opinion make it impossible for us to get the production we seek.

Mr. BURTON. Let me interrupt to say that unless we get a vote in the House on the fourteen points, we do not get the fourteen points.

Mr. MORSE. I am urging the Senator to join with me and give the House another opportunity to vote on the fourteen points.

Let me conclude my remarks by saying that I think the Senator not only does not give sufficient importance to the effect of the freeze provision on maximum production for the war effort, but I think he overlooks the importance of the other principle to which I tried to address myself in my remarks today, namely the significance of the great unchecked power the Senator agrees to under the conference report. It is incompatible with a government of checks and balances. When we go through the conference report we see some of the differences in language between it and the Senate bill, and see what our conferees have relinquished. I do not think they did it necessarily consciously and deliberately. I know how these reports have to be written—someone suggests certain language and no one raises any objection to it. But I wish to point out that the final pattern of this conference report is a pattern which gives great discretionary power to the Director of War Mobilization. I am convinced the courts will rule that he was given practically unchecked power.

Mr. BURTON. I do not believe it goes out of range of the power that has been given for similar activities during the war, and I do not believe it goes out of range of an emergency power which should be given to administrative authorities in meeting a wartime production need. I do not believe it goes nearly as far as does the House bill. I believe that in order to get a vote on the bill in the House, which is a body equivalent to the Senate in this Congress, that shall have to have more in the bill than we put in it in the first place, and I believe we are not going too far when we yield these two points in order that there may be provided the added authority so necessary to insure an increased schedule of production.

Mr. BARKLEY. Mr. President, I wish to read a paragraph or two from the report which Justice Byrnes made today and upon which reliance is now placed for opposition to the conference bill. It might be entirely appropriate at the conclusion of the address of the Senator from Ohio to read two or three paragraphs from the report. I read:

MANPOWER REQUIREMENTS

The immediate problem in manpower is to find the labor force needed to meet the requirements of the armed forces and essential civilian economy in the remaining period of a two-front war.

We can draw on new entrants in industry, veterans released from the Army, and workers released from declining war programs. However, we will still have a deficiency of 250,000 to 300,000 workers in war programs. Essential services are finding it difficult to maintain standards without additional manpower.

On previous pages of the report he stated that notwithstanding the good showing which was made in January and February, and even parts of March, the schedule of war production is still behind; it has not been met, and is not being met. He proceeds:

If we are to meet schedules, we must draw on workers in less essential activities. There is no other way out. We must still concentrate on getting the right workers into the right jobs and places at the right time.

During January and February definite progress was made in placing workers where needed. In these months, the United States Employment Service directed 2,000,000 persons (an all-time peak) to war and war-supporting jobs. Approximately 450,000 workers were placed in "must" plants. At the same time, separations cost us 300,000 "must" workers. About 160,000 are still needed in the "must" programs alone.

So that those who rely upon Justice Byrnes' report as a basis for opposing the conference report should read his entire report, and not pick out a casual sentence somewhere as a loophole through which to jump in order to escape the conclusions that do support the conference report.

Mr. HATCH. Mr. President, the pending measure presents many opportunities for oratory, eloquence, and debate. Frankly, I should rather discuss the issues involved in the measure from the standpoint of reason and intelligence, without any appeal to emotion, whether on one side or the other, although I concede there is plenty of room for appeal to emotion.

Mr. BARKLEY. Mr. President, will the Senator from New Mexico yield?

Mr. HATCH. I yield.

Mr. BARKLEY. I assume that at this hour the Senator from New Mexico would not be able to conclude his remarks, and if he is willing to yield, I shall move that the Senate suspend for the day.

Mr. HATCH. I yield for that purpose.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. McMAHON in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Albert A. Ridge, of Missouri, to be United States district judge for the western district of Missouri, vice Merrill E. Otis, deceased; and

John J. Wein, of Ohio, to be United States marshal for the northern district of Ohio, vice George J. Keinath, deceased.

By Mr. McFARLAND, from the Committee on the Judiciary:

Jed Johnson, of Oklahoma, to be a judge of the United States Customs Court, vice Thomas J. Walker, deceased.

By Mr. GERRY, from the Committee on Naval Affairs:

Lt. George Alexander A. Vandergrift, Commandant of the Marine Corps, to be a general in the United States Marine Corps; and

Sundry officers for temporary service in the Navy.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

RECESS

Mr. BARKLEY. Mr. President, there are no nominations on the Executive Calendar.

I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Tuesday, April 3, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 2 (legislative day of March 16), 1945:

DIPLOMATIC AND FOREIGN SERVICE

Richard P. Butrick, of New York, now a Foreign Service officer of class 1 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

H. Merle Cochran, of Arizona, now a Foreign Service officer of class 1 and a secretary in the Diplomatic Service, to be also a consul general of the United States of America.

H. Gordon Minnigerode, of the District of Columbia, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

Paul H. Alling, of Connecticut, to be a Foreign Service officer of class 2, a secretary in the Diplomatic Service, and a consul general of the United States of America.

William A. Fowler, of Oregon, to be a Foreign Service officer of class 4, a secretary in the Diplomatic Service, and a consul of the United States of America.

Robert T. Cowan, of Texas, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

DIRECTOR OF WAR MOBILIZATION AND RECONVERSION

Fred M. Vinson, of Kentucky, to be Director of War Mobilization and Reconversion for a term of 2 years, vice James F. Byrnes, resigned.

COAST AND GEODETIC SURVEY

Columbus M. Shinn to be aide with rank of ensign in the Coast and Geodetic Survey, from the 25th day of October 1944.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE LIEUTENANT GENERALS

Maj. Gen. Hoyt Sanford Vandenberg (major, Air Corps; temporary lieutenant colonel, Air Corps), Army of the United States.

Maj. Gen. Harold Lee George (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Maj. Gen. John Kenneth Cannon (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

TO BE MAJOR GENERALS

Brig. Gen. Clift Andrus (colonel, Field Artillery), Army of the United States.

Brig. Gen. Charles Bertody Stone 3d (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Brig. Gen. Isaac Davis White (major, Cavalry), Army of the United States.

Brig. Gen. Frank August Heileman (lieutenant colonel, Corps of Engineers), Army of the United States.

Brig. Gen. Hobart Raymond Gay (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. Walter Francis Kraus (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. Charles Andrew Willoughby (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Albert Cowper Smith (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. Clark Lodis Ruffner (major, Cavalry), Army of the United States.

Brig. Gen. Harold Whittle Blakeley (lieutenant colonel, Field Artillery), Army of the United States.

Brig. Gen. Donald Wilson (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Brig. Gen. William Frishe Dean (major, Infantry), Army of the United States.

Brig. Gen. Carter Bowie Magruder (major, Field Artillery), Army of the United States.

Brig. Gen. Lewis Andrew Pick (lieutenant colonel, Corps of Engineers), Army of the United States.

Brig. Gen. James Allen Lester (colonel, Field Artillery), Army of the United States.

Brig. Gen. Paul Bernard Wurtsmith (captain, Air Corps; temporary lieutenant colonel, Air Corps), Army of the United States.

Brig. Gen. James Edward Moore (major, Infantry), Army of the United States.

Brig. Gen. Howard McMath Turner (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Brig. Gen. Floyd Lavinius Parks (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. William Curtis Chase (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. Francis Henry Lanahan, Jr. (lieutenant colonel, Signal Corps), Army of the United States.

Brig. Gen. Frank Lewis Culin, Jr. (lieutenant colonel, Infantry), Army of the United States.

TO BE BRIGADIER GENERALS

Col. Joseph Merit Tully, Cavalry.

Col. Homer Watson Kiefer (lieutenant colonel, Field Artillery), Army of the United States.

Col. Morris Robert Nelson (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. William Lee Hart, Medical Corps.

Col. John Harrison Stokes, Jr. (lieutenant colonel, Infantry), Army of the United States.

Col. Thomas Benton McDonald (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Ray Lawrence Burnell (lieutenant colonel, Field Artillery), Army of the United States.

Col. John Murphy Willems (major, Field Artillery), Army of the United States.

Col. Andrew Christian Tychsen (lieutenant colonel, Infantry), Army of the United States.

Col. Wentworth Goss (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Charles Edward Dissinger (lieutenant colonel, Cavalry), Army of the United States.

Col. Mark McClure (major, Field Artillery), Army of the United States.

Col. James Wellington Younger (lieutenant colonel, Quartermaster Corps), Army of the United States.

Col. John Maurice Welkert (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Frederic William Boye, Cavalry.

Col. Richard Clare Partridge (lieutenant colonel, Field Artillery), Army of the United States.

Col. William Claude McMahon (lieutenant colonel, Infantry), Army of the United States.

Col. Charles Lanier Dasher, Jr. (major, Field Artillery), Army of the United States.

Col. Patrick Henry Timothy (lieutenant colonel, Corps of Engineers, Army of the United States.

Col. Ivan Lonsdale Farman (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Edward Thomas Williams (lieutenant colonel, Field Artillery), Army of the United States.

Col. Sidney Rae Hinds (lieutenant colonel, Infantry), Army of the United States.

Col. William Ludlow Ritchie (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Robert Leroy Dulaney (major, Infantry), Army of the United States.

Col. Elliott Raymond Thorpe (lieutenant colonel, Infantry), Army of the United States.

Col. Charles Joseph Barrett (major, Field Artillery), Army of the United States.

Col. Thomas Dreux Hurley, Medical Corps.

Col. William Edmund Waters (lieutenant colonel, Field Artillery), Army of the United States.

Col. Milton Abram Hill (lieutenant colonel, Infantry), Army of the United States.

Col. Paul DeWitt Adams (captain, Infantry), Army of the United States.

Col. John William Middleton (lieutenant colonel, Infantry), Army of the United States.

Col. George Bryan Conrad (lieutenant colonel, Field Artillery), Army of the United States.

Col. Henry Ray McKenzie (captain, Quartermaster Corps), Army of the United States.

Col. Alfred Rockwood Maxwell (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Bertram Francis Hayford (lieutenant colonel, Field Artillery), Army of the United States.

Col. David William Hutchison (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Richard Ulysses Nicholas, Corps of Engineers.

Col. Joseph Stubbs Robinson (lieutenant colonel, Coast Artillery Corps), Army of the United States.

Col. James Franklin Powell (lieutenant colonel, Air Corps; temporary colonel, Air Corps), Army of the United States.

Col. Ira Platt Swift (lieutenant colonel, Cavalry), Army of the United States.

Col. Emerick Kutschko (lieutenant colonel, Infantry), Army of the United States.

Col. George Russell Callender, Medical Corps.

Col. Lemuel Mathewson (major, Field Artillery), Army of the United States.

Col. Robert Homer Soule (lieutenant colonel, Infantry), Army of the United States.

Col. Charles Herbert Karlstad (lieutenant colonel, Infantry), Army of the United States.

Chaplain (Col.) Luther Deck Miller, United States Army.

Col. James Leo Dalton 2d (captain, Infantry), Army of the United States.

Col. Lloyd Henry Gibbons (lieutenant colonel, Infantry), Army of the United States.

Col. John Clarence Gordon (captain, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. John Harry Stadler, Jr. (major, Cavalry), Army of the United States.

Col. Butler Buchanan Miltonberger (lieutenant colonel, Infantry, National Guard of the United States), Army of the United States.

Col. Isidor Schwaner Ravdin (lieutenant colonel, Medical Reserve), Army of the United States.

Col. Maurice Milton Beach (captain, Air Reserve; temporary colonel, Army of the United States, Air Corps), Army of the United States.

Col. Samuel Morgan Thomas (major, Signal Reserve), Army of the United States.

Col. Donald Clinton Swatland (temporary colonel, Army of the United States, Air Corps), Army of the United States.

IN THE NAVY

Capt. Robert P. Briscoe, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 9th day of August 1943.

Commodore Oliver O. Kessing, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving in Pacific Ocean areas and in Southwest Pacific areas, and until reporting for other permanent duty.

Capt. Joseph C. Cronin, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Battleship Squadron 2, and until reporting for other permanent duty.

Capt. George Van Deurs, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Battleship Squadron 1, and until reporting for other permanent duty.

Capt. John T. Bottom, Jr., United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. John P. Womble, Jr., United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. John M. Higgins, United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. Roland N. Smoot, United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. Frederick Moosbrugger, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

Capt. Rodger W. Simpson, United States Navy, to be a commodore in the Navy, for temporary service to continue while serving as a task flotilla commander in destroyers, Pacific Fleet, and until reporting for other permanent duty.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 2, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker pro tempore, Mr. COOPER.

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

APRIL 2, 1945.

I hereby designate the Honorable JERE COOPER to act as Speaker pro tempore today.

SAM RAYBURN.

PRAYER

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Divine Redeemer, our mediator and advocate, who hast parted the curtain of the night, Thou hast revealed Thyself anew. In the thought of our immortality, grant that there may be a deep peace and an inward joy, a balm in every trouble, a light in every darkness, with our sincere desire to do Thy will. O Christ of the quiet heart, teach us the strength that comes from waiting patiently before Thee. As we lay our grievances at the foot of the cross, breathe into us the spirit of Thy fortitude and passion and give us grace to deny ourselves. Help us to build our lives on the magnificence of big things, upon the heart's highest hopes and instincts, and by faith in the world's Saviour hold on until the morning breaketh; O be with our whole land and make it the garden of the Lord. In Thy name who art the light and truth of the world. Amen.

The Journal of the proceedings of Thursday, March 29, 1945, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative principal clerk, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 37. Concurrent resolution authorizing the printing of a revised edition of House Document No. 394, Seventy-eighth Congress, second session, entitled "Handbook for Servicemen and Servicewomen of World War ¶I and Their Dependents, Including Rights and Benefits of Veterans of World War I and Their Dependents," as a public document, and providing for additional copies thereof; and

H. Con. Res. 38. Concurrent resolution authorizing the printing of the historical statement of the laws enacted and the regulations promulgated relating to veterans and their dependents, with a complete statement regarding expenditures for hospital and domiciliary construction as a House document, and providing for additional copies thereof.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. GLASS, Mr. MCKELLAR, Mr. TYDINGS, Mr. MCCARRAN, Mr. BAILEY, Mr. WHITE, Mr. GURNEY, and Mr. REED to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 411. An act for the relief of Mrs. Mae E. Sutton.

ADJOURNMENT OVER

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ELECTION OF SPEAKER PRO TEMPORE

Mr. SHEPPARD. Mr. Speaker, I offer a privileged resolution (H. Res. 212) and ask for its immediate consideration.

Resolved, That Hon. JERE COOPER, a Representative from the State of Tennessee, be, and he is hereby, elected Speaker pro tempore during the absence of the Speaker.

Resolved, That the President and the Senate be notified by the Clerk of the election of the Honorable JERE COOPER as Speaker pro tempore during the absence of the Speaker.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The oath of office as Speaker pro tempore was administered to Mr. COOPER by Mr. SHEPPARD.

EXTENSION OF REMARKS

Mr. WOODRUFF of Michigan asked and was given permission to extend his remarks in the RECORD in two instances; in one to include a short article from the Reader's Digest and in the other an article by Arthur Sears Henning.

Mr. AUGUST H. ANDRESEN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HORAN asked and was given permission to extend his remarks in the Appendix and include a column.

F. H. E. OIL CO. DECISION

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CARLSON. Mr. Speaker, I take this time to advise the House of the action taken by the Bureau of Internal Revenue in regard to a recent court decision on the regulation relating to intangible drilling and development costs for oil and gas wells. Personally, I want to commend Commissioner Joseph D. Nunan, Jr., and Deputy Commissioner Norman Cann for the fairness and promptness with which they dealt with this problem. Their decision to follow the regulations that have been in effect for the past 27 years rather than change them on the basis of a recent court decision will be must encouraging to the oil industry. Their decision in this matter is stimulating to industry as a whole and gives evidence of the fact that there are bureaus in Washington which understand the problems of business.

Commissioner Nunan wrote Hon. Wesley E. Disney, a former colleague, under date of March 29 in reply to his request for information regarding the procedure the Bureau proposed to follow as a result of the decision of the Fifth Circuit Court of Appeals dated March 6, 1945. In his letter to Mr. Disney, Mr. Nunan wrote as follows:

The Bureau proposes to continue to follow the provisions of section 29.23 (m)-16 of regulations 111, and corresponding provisions of prior regulations notwithstanding decision in case of F. H. E. Oil Co. In the event of a clarification of the law impelling such a change, in no event would such a

change be retroactive unless so directed by Congress.

You will note from this paragraph that in the event of a further clarification of the law which would impel a change on the part of the Bureau that the change would not be retroactive unless so directed by Congress.

It is my sincere hope that Congress will take definite steps to assure the industry that these regulations which have been in effect for 27 years may become a part of the law. Bills have been introduced to this effect and I hope definite and early action may be taken.

The Ways and Means Committee, during the hearings on the Revenue Act of 1942, went into this problem thoroughly and after hearing testimony from Randolph Paul, special tax adviser to the Secretary of the Treasury, and oil men, refused to make any changes in the existing law. Mr. Paul, in an appearance before the committee on April 16, 1942, stated:

> It may be suggested that the expensing of development costs could be disallowed merely by changing the regulations. It might be claimed, however, that the interpretation given by the regulations has become imbedded in the statute, since it is of long standing and has been retained unchanged in the regulations concomitant with several reenactments of the basic legislation.

Randolph Paul in this statement admitted that the regulations of the Bureau of Internal Revenue on expensing the development costs for oil production have been in effect so long that they are in fact regarded as law.

MESSAGE OF FELICITATION TO GEN. DWIGHT D. EISENHOWER

The SPEAKER pro tempore. The Chair announces that pursuant to the motion unanimously adopted on Saturday, March 24, 1945, the Speaker on Thursday, March 29, 1945, sent the following message to Gen. Dwight D. Eisenhower, Supreme Allied Commander, Supreme Headquarters, Allied Expeditionary Force:

> The United States House of Representatives, unanimously adopted a motion requesting me through you, to express to Gens. Jacob L. Devers, Carl Spaatz, Omar N. Bradley, Courtney H. Hodges, George S. Patton, William H. Simpson, James H. Doolittle, Lewis H. Brereton, Alexander McC. Patch, Leonard T. Gerow, and the officers and men of all ranks under their command our congratulations and sincere thanks for the magnificent victories they have won on the western front.
>
> SAM RAYBURN,
> *Speaker, United States*
> *House of Representatives.*

The SPEAKER pro tempore laid before the House the following communication which was read by the Clerk:

From S. H. A. E. F. forward.
To War Department, Washington, D. C.
(In the clear.)

Please pass the following to the Speaker of the House:

"DEAR MR. SPEAKER: I have immediately transmitted to the officers named in your message to me the commendations of the United States House of Representatives, and am publishing it to the whole command on behalf of all those who are not in position to answer personally. May I express to you the very deep appreciation of the United States forces here for the inspiration of this commendation. All of us are devoting redoubled energy toward the goal of complete victory.

"DWIGHT D. EISENHOWER."

HON. JED JOHNSON

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, it gives me a great deal of pleasure to announce to the House that the dean of the Oklahoma delegation, Hon. JED JOHNSON, has been nominated for judge of the United States Customs Court. Mr. JOHNSON has served the State of Oklahoma long and faithfully and has been elected for 10 terms. He is now serving almost his twentieth year in the House of Representatives. He has reached a most important position in the House as chairman of the Subcommittee on Appropriations for the Department of the Interior. He has handled with distinction the affairs of the Oklahoma delegation as dean of that delegation for a great many years.

Mr. JOHNSON will take to his new office a wide understanding of public affairs and the law. He is a graduate of the University of Oklahoma School of Law and has also attended l'Université de Clermont, France.

His experience in public affairs covers more than 28 years, with his distinguished service for 2 terms as a member of the Senate of the State of Oklahoma and 10 terms as a Member of the House of Representatives. During his experience in the Congress he has dealt with a wide range of public questions, including membership on many of the most important committees of the House.

For several years he served on the Committees of Public Lands, Territories, and Flood Control. Following this service he had membership on the Committee on Military Affairs for 4 years, and for the past 10 years has served on the important Committee on Appropriations.

He has been chairman of the Subcommittee on Interior Appropriations for the past 4 years, where he has acquired an even wider knowledge of Government administration and legislation. During this time he also has served for 10 years on the steering committee of the House and for 2 years served as its chairman. In addition, he has served for 10 years as chairman of the speakers bureau of the Democratic National Congressional Committee.

His interest has not only been in Government, but he has been active in civic affairs and has served with distinction in many offices of the American Legion and of the Thirty-sixth Division Veterans' Association. I know the good wishes of the House go with him if he chooses to accept this new appointment which is being tendered him in the appointment before the Senate today. I can express the hope of the Oklahoma Members that he will stay on the job as long as he possibly can in the House and continue to render as much service as possible to this body.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, as a member of the Subcommittee on Appropriations for the Department of the Interior, I wish to say I am not happy about the fact that our very able chairman, JED JOHNSON, may leave us.

However, for his own sake and because of my great admiration and respect for him as a courageous public servant, I sincerely feel that Jed deserves the best of all things good that the future has in store for him. I wish him godspeed in every undertaking all the rest of his life. I am sure that every Member of Congress feels as I do about our friend Jed, who has carried on here so ably and well in yielding to no man when an ideal or principle in which he believed wholeheartedly was at stake.

JED JOHNSON is well grounded in common sense and in addition being an able member of the bar he knows so well the laws of the land and how these laws should be administered to bring about the greatest good to the citizen of our Nation in order that we may preserve our American form of government.

My close association with Mr. JOHNSON has been of great value to me as well as an inspiration for which I am most grateful.

So I will just say thank you, Jed, and the best of luck to you and yours always.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SHEPPARD. Mr. Speaker, I know if the gentleman from Massachusetts [Mr. MCCORMACK] were here, he would have something to say relative to the selection of the gentleman from Oklahoma to be a member of the bench. In his absence, and following my own inclination, I want to pay my compliments to the gentleman for the splendid services he has rendered his State and his Nation during the long period of time he has been a Member of Congress. It has been my good fortune to work with him shoulder to shoulder in the past. I have always found him a most constructive gentleman to work with, a statesman, and a friend. I am sure when he goes to the bench he will there employ that same integrity and the same ability which he has exercised so well in the House. I extend to him my compliments.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. MURDOCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. Mr. Speaker, I want to add my voice in congratulation of our colleague from Oklahoma who has been nominated for a judgeship and at the same time express my regret on losing him from this chamber. I speak not as a colleague on the Appropriations Committee sitting on the same side of the table with Chairman JED JOHNSON, but as one who frequently went before that committee suggesting this or that appropriation for the West, especially in regard to irrigation and reclamation. One of my pleasant recollections is of his unfailing courtesy. Well do I remember when a great reclamation project in southern Arizona was hanging in the balance. I attribute its salvation at that time to the statesmanlike attitude of JED JOHNSON with regard to the appropriation.

This is not the first time that the President has dipped into the membership of the Appropriations Committee and nominated a westerner for a Federal judgeship, much to my regret. Of course, we have so many able men in the West that I am always happy to see appointments made from among them, but not always too happy to lose a friend from the House or a keyman who is so well informed and favorably inclined toward the West. I do know that the President has for some years past had his eye on JED JOHNSON, with a view of such an appointment as this, and from the standpoint of our colleague's training and experience in the law I personally feel that the choice is a good one, and I want to say that my best wishes go with him and his family in these new duties.

The SPEAKER pro tempore. The time of the gentleman from Arizona has expired.

ESSAY CONTEST ON CONSTITUTION FOR UNITED NATIONS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, our citizens, regardless of party or creed or color, are intensely interested in seeing to it that when victory comes, which we hope will be soon in all theaters of war, there will be written a permanent peace. Two young people, Pauline Pyles and Tony Pataki, from my congressional district are in Washington today. First prize winner, Darla Lon Eddy, was unable because of an injury to make the trip. They have won awards for the writing of clear-cut essays on the subject of a constitution for the United Nations. They are here as the guests of a splendid citizen of my district. I call him a rank-and-file citizen, a coal operator, R. M. Davis, of Morgantown, who is a pioneer in working for a permanent peace of the world. I believe their visit to our National Capital, and the recognition we give to these students, is something which will be embraced by the American people as symbolic of our earnest desire that peace must be nurtured in the hearts and minds of the youth of our land.

The SPEAKER pro tempore. The time of the gentleman has expired.

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his own remarks in the RECORD and include therein an editorial on the St. Lawrence seaway.

A BILL TO HELP WAR FOOD PRODUCTION

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. MURRAY of Wisconsin. Mr. Speaker, I have today introduced a bill that will increase the production of war foods. If passed it will prevent further persecution of producers who are making every effort to produce war foods. Please note the following:

First. The War Production Board allocated the materials to build expensive plants to make powdered whole milk.

Second. The War Food Administration asked the farmers to increase their milk production, to increase powdered whole milk.

Third. This powdered whole milk is used largely by the armed forces—over 90 percent of the product goes to war.

Fourth. In 1940 only 29,409,000 pounds were made, while in 1944 an estimated 172,000,000 pounds of this good food were produced. One-third of this production is in Wisconsin.

Fifth. This product before the war was not used to any extent for reconstituting to be used as fluid milk.

Sixth. The O. P. A. is suing the Wisconsin producers, largely co-ops, for charging too much for this war food. The O. P. A. contends a 24-cent per pound ceiling represents the price as per this date and that date. The producers have been selling the product for 26 cents per pound.

Seventh. The O. P. A. has not to this day put a dollar-and-cents ceiling on the product.

Eighth. It is surely a sad state of affairs when one Government agency can freeze one group with a cost-minus formula and other groups have so freely enjoyed the cost-plus formula.

Ninth. It is peculiar that milk for war cannot bring $2.65 per hundredweight but milk for the domestic consumer can bring $4 to $4.80 per hundredweight without ill effects even with 50 to 85 percent greater subsidies.

Tenth. This situation is all the more ridiculous when one realizes that the same milk now being diverted to powdered whole milk—a war product—at less than $2.65 per hundredweight could be purchased, transported hundreds of miles, and sold in bottles for 18 cents to 20 cents per quart or $8 to $10 per hundredweight for domestic consumption.

Eleventh. Some producers are not allowed to receive 5 to 6 cents per quart for war milk but other producers can receive from 8 to 10 cents per quart for their milk used for domestic consumption.

EXTENSION OF REMARKS

Mr. MURRAY of Wisconsin asked and was given permission to extend his remarks in the RECORD in two instances and include newspaper clippings.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD and include three editorials from the Milwaukee Journal.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include a colloquy he had recently with Bob Evans over radio station WFBL at Syracuse.

Mr. HILL (at the request of Mr. GILLIE) was given permission to extend his remarks in the RECORD and include a short article concerning beef, pork, and other food products.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. EARTHMAN asked and was given permission to extend his remarks in the RECORD and include an editorial.

POLAND

Mr. BIEMILLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BIEMILLER. Mr. Speaker, the State Department deserves congratulations for its prompt action in turning down the request of the Government of the U. S. S. R. that the Lublin Government of Poland be seated at the San Francisco Conference. Had we agreed to this demand, all hope for any just settlement of the Polish question would have disappeared.

It is no secret that many groups and individuals in America have been fearful for the future of Poland as outlined in the Yalta agreement. Many of them have refrained from criticizing that pact for fear of upsetting the unity of the United Nations.

If there is to be any real hope for Poland, a truly democratic government must be established. And those Americans who have a record of consistent support for the war and now plead for such a government cannot be dismissed as obstructionists or divisionists. I hope the State Department will soon tell us the exact status of negotiations for a new Polish Government.

The Russian Government must learn that Americans believe in democracy. We have no intention of interfering in the internal affairs of the U. S. S. R., but we do take seriously the Atlantic Charter guaranties of freedom and democracy.

I think the Milwaukee Journal gave the Government of the U. S. S. R. some sound advice when it said editorially on March 31:

> There are certain attitudes in Russia that are not helping the San Francisco Conference. Attacks by Pravda and War and Working Class on the motives of other nations are to be regretted. Russia, good as she has been in war, needs to grow up. The era demands that she play the role of an adult nation.

SUBSIDY ON MILK

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, it is my understanding that the War Food Administration has delayed cutting the subsidy on milk for every hundred pounds produced from 80 cents to 35 cents. This apparently reverses the policy indicated on February 14, which was to take effect April 1. This announcement of the higher figure will come with a great deal of satisfaction to a number of Representatives from the northeastern milkshed as well as to the up-State New York farmers, whose practical dependency on milk production rests upon the payment of a subsidy to make up the cost of production, which the Government has failed to recognize as necessary in order to meet the war food program. I for one hope that after the 1st of May this new policy will be continued in effect indefinitely, and that a dollar subsidy will be paid in place of the 70 cents which is now in effect.

Unsatisfactory as the practice of paying subsidies on milk is, it is still far better than nothing. To the dairy farmer it means the difference between his staying in or going out of business. A fair subsidy also means the difference between the farmer's meeting his cost of production or getting further into the red.

Of course, no one can expect agriculture to continue indefinitely to operate at a loss. That is why I raised my voice in protest against the subsidy slash. If the originally announced subsidy cut prevails after May 1, it will be senseless to continue the subsidy program.

Personally, I believe the only real solution is to raise the 70 cents subsidy now in effect, which the War Food Administration still insists will be reduced by half up to $1. This will keep the dairymen of the Northeast at their vital jobs for the duration. It will assure our civilian population, particularly in our great cities, of enough milk to build strong bodies for the tasks ahead.

I urge the War Food Administration once more to increase the milk subsidy program instead of allowing any more cuts.

AMERICAN CANCER SOCIETY

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HAYS. Mr. Speaker, I am sure that every Member of the House appreciates the fine message that we recently received from Dr. Herman C. Pitts, chairman of the board of directors of the American Cancer Society expressing gratitude for the support of Congress in the cause of cancer control, referring specifically to the action of the Seventy-fifth Congress in designating April of each year as cancer-control month and authorizing an annual proclamation by the President of the United States. On the eve of their appeal to the American people for increased support I should like to direct attention to the important service of this organization and to express the hope that their objectives may be reached. America has conquered other diseases and we have faith that by united efforts in the campaign against this terrible enemy, we may achieve ultimate success.

GEN. MARK CLARK AND THE FIFTH ARMY IN ITALY

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an article that appeared recently in certain newspapers by the gentlewoman from Connecticut [Hon. CLARE BOOTHE LUCE].

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, a few days ago the gentlewoman from Connecticut [Mrs. LUCE] wrote a very interesting and illuminating article in appreciation of Gen. Mark Clark and his work with the Fifth Army in Italy. I visited Italy in October and saw there the work of Gen. Mark Clark and his officers and men, the G. I.'s who are living down in the fox holes doing the fighting. I saw then the tremendous handicap under which these men are fighting; the weather, the snow, the ice, the mud, and the high mountains they have to surmount, and the disheartening lack of replacements. But whether lying wounded in hospitals or at the actual fighting front, I witnessed their courage and tremendously fine morale in spite of all their hardships and difficulties. They then were engaging 28 German divisions. Their work has had a lot to do with enabling the other armies to go forward to Berlin. General Clark's forces then were made up of soldiers of different nationalities which made his work much more difficult. He has accomplished much in making the Allies more united. He and his gallant army deserve our undying praise and thanksgiving.

TWO CITIES IN THE EIGHTEENTH CONGRESSIONAL DISTRICT OF CALIFORNIA FIRST OVER TOP ON RED CROSS FUNDS

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, not only does the great Eighteenth District of California in Los Angeles County and in my native State, achieve in matters of untiring, united work and effort to win this global war as promptly as possible—it also achieves in matters of the heart and of the spirit, as exemplified by traits and habits of generosity, and the expression of sympathy for those in need and in trouble.

The newspapers of the metropolitan city of Long Beach, which is my home city, and is the largest city in the Eighteenth Congressional District, and likewise probably the fourth or fifth city in population in California, proudly announced that Long Beach was the first of the largest cities of California to attain and exceed its Red Cross quota for moneys to be raised.

I congratulate the citizens of this great California city on their renewed demonstration of appreciation for the finest things in life; by their unselfish achievement in giving even more of their material wealth than they were asked to give; and by giving it sooner than other communities did. It is giving in this spirit which proves real greatness. Certainly, no higher purpose commands the unselfish and untiring devotion of every purpose than does the purposes and dedication of the Red Cross. In every field where sympathy, sacrifice, aid and assistance to those dying and injured and sick, and who have suffered catastrophe, or where calamity in a major way exists on the battle fronts and on the domestic front—here you find the intelligent, helping hand of this great server of mankind—the Red Cross.

At Long Beach, and in the Eighteenth Congressional District, are the great shipyards, the great Roosevelt Naval Base, and the largest dry docks in the world, the great aircraft industries, and literally hundreds of smaller war industries and manufacturing plants of war necessities. And, in the Eighteenth Congressional District, are literally hundreds of thousands of consecrated war workers, both men and women, busily engaged in producing the necessities for victory in this hellish war. Yet, Mr. Speaker, the high wages, the full employment, the increased level of living, and the higher purchasing power—these material things have not dimmed the sense of sympathy, good will, and understanding of the people of the Eighteenth Congressional District of California for the American Red Cross.

I am sure the Members of this House will understand, that having lived in this city of Long Beach, Calif., for over 35 years, I feel a sense of rightful pride in this recent practical demonstration of community cooperation, coordination, and generosity, in supplying from their material wealth, the moneys so necessary to this great servant of mankind, the Red Cross.

Not only does the Eighteenth Congressional District contain the first largest city in southern California to go over the top in this regard, but this district also has within it, the first city in the great populace county of Los Angeles to go over the top—to wit, the town of Artesia. And, Mr. Speaker, while the community of Artesia is not one of the first 15 cities of California in population terms, it is one of the most important, prosperous, and forward-thinking communities of the State. It is located in the northeast portion of the Eighteenth Congressional District. Its people are frugal, sober, and intensely industrious; they are for-

ward looking and extremely hospitable and generous. Its newspapers also proudly announced that it was the first city or town in the populace of Los Angeles County to exceed its Red Cross quota. I likewise equally commend the citizens of Artesia, for their like demonstration of the fact that it is in giving, instead of getting, which proves real greatness. I sort of sense, that it is a cause of just pride with which I speak this day of the achievement of these two important communities of the Eighteenth Congressional District, which I have the honor to represent.

It is when a giver gives out of his heart that enduring prosperity really enters into the giver's experience—or into the experience of the community, which cooperates as a community to achieve its responsibility in terms of sharing its prosperity with those who are in need, dying, sick, hungry, or in want. We must not forget that the Red Cross is not only the great heart of us all in wartime, it is likewise our messenger of understanding and helpfulness in times of peace.

Also, Mr. Speaker, word has come to me that the other communities of this Eighteenth District are likewise way up near the top of the list of our cities in the Nation in their promptness and in the amount they are giving. Everyone cannot be the first-place winner in a race; and, in this Red Cross campaign for funds, every community cannot be No. 1 in either time or amount, but I am naturally proud, and with a sense of understanding, that the folks of the whole Eighteenth Congressional District have risen to this opportunity to share their material prosperity by giving so much and so promptly to the American Red Cross.

I challenge the thinking and action of every Member of this great legislative body to the proposition—that in every way every Member of this House shall enthusiastically and emphatically do everything possible to encourage the American people to do their full duty through the American Red Cross.

SALE OF SURPLUS PROPERTY

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter written by me to the Quartermaster General, and his reply.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RICHARDS. Mr. Speaker, on March 6, 1945, I called to the attention of the House an advertisement appearing in a Birmingham, Ala., newspaper, signed by one Paul Locascio, 2221 First Avenue North, Birmingham, claiming that he had for sale "25,000 United States Army raincoats all in A–1 condition at $1.25 each, 3,500 used United States Army steel lockers at $1.50 each, and 10,000 pairs of used United States Army shoes—all have good uppers and double soles."

I stated at the time that my first quarrel was with the Army for disposing of such property as surplus. On March 9, 1945, I wrote the Quartermaster General of the United States Army as follows:

THE QUARTERMASTER GENERAL,
UNITED STATES ARMY,
War Department,
Washington, D. C.

DEAR SIR: I enclose herewith for your information advertisement from the Birmingham Age-Herald, January 4, 1945, concerning the disposal of property alleged to have been declared surplus by the United States Army. The advertisement is signed by Paul Locascio, 2221 First Avenue North, Birmingham, Ala.

I would thank you to look over this advertisement and let me have a report as to its accuracy. I would be particularly interested to know if this store had the goods described and, if so, how they came into possession of them, where they were obtained, and from what agency of the Government, and, if possible, the price paid for them.

Thanking you for your attention, I am,

Very respectfully,

J. P. RICHARDS,
Member of Congress.

Upon receipt of my letter, Maj. Gen. E. B. Gregory, the Quartermaster General, seemed very much concerned and immediately began an investigation. He sent a special agent to Birmingham to secure a direct report on the alleged sale. Upon receipt of this report, I received the following letter from Col. James V. Hunt, Quartermaster General, Assistant, for the Quartermaster General:

ARMY SERVICE FORCES,
OFFICE OF THE QUARTERMASTER GENERAL,
Washington, D. C., March 19, 1945.

Hon. JAMES P. RICHARDS,
House of Representatives,
Washington, D. C.

MY DEAR MR. RICHARDS: There is enclosed, in accordance with your request, a résumé of the information which was given you at the conference in your office with Mr. John E. Lynch, special investigator for the Office of the Quartermaster General, and undersigned on March 16, 1945.

On or about January 4, 1945, one or more advertisements appeared in the press of Birmingham, Ala., inserted by one Paul Locascio, operating a retail store, offering for sale 25,000 used United States Army raincoats, 10,000 pairs used United States Army shoes, and 3,500 used United States Army steel lockers. The prices were $1.25 for the raincoats, $1.50 for the shoes, and $1.50 for the lockers.

The "ad" described the raincoats: "All coats are in A–1 condition." Of the shoes, it said: "All shoes have good uppers and double soles"; and in describing the lockers: "A regular $6.95 value for a low price. Used steel lockers, each with tray. Ideal for storage uses."

The "ad" further stated: "Mail orders filled. Add 25 cents for handling charges. Make checks payable to Paul Locascio, 2221 First Avenue North, Birmingham."

On Tuesday, March 6, 1945, under the heading of "Disposal of surplus property," your remarks and comments pertaining to this matter were printed in the Appendix of the CONGRESSIONAL RECORD, page A1020.

On March 8, 1945, there appeared in the Washington Daily News an article based on your remarks as published in the CONGRESSIONAL RECORD, under the headline "Army sells necessary supplies at 'ridiculous prices,' is charge." The same day an officer called on you in your office to discuss the matter with you and ask your cooperation in securing all the details. This cooperation you most willingly gave, and, at the same time, expressed your deep concern over the disposal of all surplus property.

An expert investigator was sent at once to Birmingham from the Office of the Quartermaster General in Washington, where he was joined by an officer from the Service Command, under whose jurisdiction the salvage officers function and salvage sales are made.

Upon the return of the special investigator to Washington, and because of our mutual interest in the protection of our national economy and our taxpayers, the investigator was requested to make a full oral report to you and to answer fully and frankly any questions you might wish to ask. You expressed your appreciation of this thorough discussion of all details in the matter after this conference in your office on March 16, 1945, and stated that you were fully satisfied from the information given you by the investigator that the items were bought at salvage sales, that the Army had followed the regulations in inspecting and condemning these items as being of no further use to the Army, and that it appeared to you that the Army had acted with propriety and in accordance with regulations in its disposal of the items in question.

In reply to specific questions in your letter to the Quartermaster General, dated March 9, 1945, the following extracts from the report of the investigator are offered:

Shoes: Purchased at Camp Sibert, Ala., May 26, 1944; sealed bid, 25,000 pounds at 25 cents a pound. This is approximately 10,000 pairs at about 65 cents a pair. These shoes are all unserviceable for Army use.

Raincoats: Purchased by Paul Locascio, as follows:

Six thousand five hundred and fifty pounds at $0.085 per pound, from Camp Sibert, Ala., April 12, 1944.

Four hundred pounds at $0.05 per pound (rubberized), Fort Benning, Ga., November 14, 1944.

Two thousand pounds at $0.05 per pound (oil-treated), Fort Benning, Ga., November 14, 1944.

Eleven thousand five hundred and thirty-one pounds at $0.05 per pound (oil-treated), Drew Field, Fla., January 13, 1945.

Fifteen thousand five hundred and forty-eight pounds at $0.05 per pound (rubberized), Drew Field, Fla., January 13, 1945.

Ninety-four thousand seven hundred and twenty pounds at $0.06625 per pound (by Tillman & Levenson Co., for Locascio), Camp McCain, Miss., March 2, 1945.

A careful spot check was made, and all coats seen were unfit for Army use, being badly torn, parts missing, or stuck together. They could not be repaired for Army issue. A bale of the recently arrived coats from Camp McCain was sent to the Jersey City repair subdepot in New York City by express for thorough check and analysis. This report is not yet available.

Lockers, steel (foot lockers): Approximately 1,000 lockers were seen and inspected. All were unsuitable for further Army use, with or without repair. They were badly rusted, shelves missing, hinges broken, all locks were missing and most of them badly dented and sprung.

As stated to you by the investigator, new instructions on classification of shoes were sent to the field July 27, 1944. These instructions are very definite and have accomplished greater recovery of worn shoes than had formerly resulted. It is possible that some of the shoes bought by Locascio in the spring of 1944 could have been retained for some further use under the regulations published in July. No shoes have been sold to him subsequent to the publication of the July instructions.

For your information, the five various categories of classification now in effect on worn shoes are as follows:

1. Suitable for Army rebuilding: These shoes must possess good uppers that do not have deep cuts, scuffs, or burns in them, or

holes in the sides or counterpocket. Shoes in this category are stripped down and these good uppers are then used as the basis for reconstructing a new pair of shoes. These rebuilt shoes are issued in a first priority to troops being inducted into the Army and they have been very well received by the soldier inasmuch as the uppers have already been broken in.

2. Class O: Where uppers, soles, and heels are in a fair condition or can be put in good wearing condition with very minor repair. These shoes normally are shoes which are too good for rebuilding inasmuch as material wear is still left in the shoes. They are issued primarily to prisoners of war in compliance with the rules of the Geneva Convention. For your information, the Surgeon General of the Army prohibits the reissue of a worn pair of shoes to another soldier unless the shoes have been rebuilt.

3. For foreign relief: This category of worn footwear is composed of shoes that fall into a lower specification bracket than those required for Army rebuilding as described in paragraph 1. These shoes may have deep cuts or sweat cracks in the uppers, and by stitching such imperfections, they would still not qualify as an Army specification rebuilt shoe. The Treasury Department at Buford, Ga., has a contract facility whereby they are rebuilding these reject shoes from the Army rebuilding program and turning out a standard rebuilt shoe that is utilized by U. N. R. R. A. in liberated areas.

4. "As is" shoes: These are shoes that do not meet any of the specifications called for in the three categories above, but still have in them a certain amount of wear as an item of footwear when considered as such for people that are destitute for any form of footwear. In this connection, since September 1944, the Quartermaster General, through his direct action has disposed of over one-half million pairs of such shoes as cash sales to European governments for issue by the Red Cross in those areas.

5. Nonrepairable or salvage: These are shoes that are not suitable for any of the four categories listed above. For your information, in the past 4 months, less than one-tenth of 1 percent of all unserviceable shoes that have been turned in have gone into this category. A representative of the Quartermaster General, under existing regulations, must certify that these shoes are salvage shoes before any disposal action can be taken by the various posts, camps, and stations throughout the country.

The Quartermaster General sincerely appreciates your interest in this matter and in all cases where it may appear that our taxpayers may be carrying an undue burden. For 5 years, while carrying the great responsibility of his assignment, he has constantly and unremittingly carried on a vigorous war on waste of every kind. He has been most insistent that every penny be saved and every ounce of material be most advantageously used. His reclamation program is well known throughout the Army and the Congress. The dollar savings to our citizens have been tremendous and the contributions in critical materials to our heavily burdened civilian economy have been of immeasurable value. Millions of pairs of shoes have been rebuilt or repaired and almost every soldier you see in this country is wearing rebuilt shoes. The number of items of clothing repaired and reissued, the quantity of tentage of all kinds, and hundreds of other items of equipment that are now on "second or third runs" has resulted in savings of millions of dollars. Constant efforts are being made toward improvement. Any suggestions toward further reclamation are welcomed and every effort will be made to utilize all ideas that will effect further savings.

If further information or clarification is desired, please advise, and it will be a privilege to furnish it to you.

For the Quartermaster General:

Cordially,

JAMES V. HUNT,
Lieutenant Colonel,
Quartermaster Corps, Assistant.

Mr. Speaker, I might add that Colonel Hunt, the capable and genial congressional liaison officer of the Quartermaster Corps, personally came to my office bringing with him Mr. John E. Lynch, civilian investigator of the War Department, along with samples of the articles advertised for sale in Birmingham. Colonel Hunt and the investigator were at all times frank, candid, and honest and showed no disposition to conceal anything.

In justice to the Quartermaster General and the War Department I must say that I am fully satisfied from the report that the Army was not derelict in its duties in this instance. I am convinced that the stuff sold was junk and the Army was fortunate to get what the junk was sold for.

However, I am still very much concerned over the general confusion pertaining to the sale of war surplus property. The Army sells some of it, the Procurement Division of the Treasury Department some of it, and the War Surplus Property Administration is up in the air as to what its duties are and responsibility is. This board is fortunate in having an outstanding chairman, former Senator Gillette, and two other excellent men, Mr. Heller and Mr. Hurley, as members. But from the information I have been able to obtain they have been able to get nowhere on account of cross currents and lack of cooperation.

As to the sale of the particular Army surplus property in question here steps should be taken by the Department of Justice against the said Paul Locascio and others like him who have acquired useless and worn-out Army surplus property and falsely advertised same to the public as A–1 stuff. Newspaper advertisements of this kind create false impressions in the minds of American people and cause them to doubt the honesty and efficiency of our system of handling and disposing of surplus property.

EXTENSION OF REMARKS

Mr. MURDOCK asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an item from the Arizona Farmer and a form letter written to his constituents.

JOINT COMMITTEE ON THE REORGANIZATION OF CONGRESS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I take this time to call the attention of the House to the fact that the Joint Senate and House Committee on the Reorganization of Congress, of which I am a member, is holding hearings this week. It may be more convenient for some Members to be heard before that committee during the recess.

The committee meets at 10 o'clock in the morning, in the Senate District Committee room in the Capitol.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 411. An act for the relief of Mrs. Mae E. Sutton.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on Thursday, March 29, 1945, present to the President for his approval a bill and a joint resolution of the House of the following titles:

H. R. 2745. An act to amend section 8 of the act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921; and

H. J. Res. 142. Joint resolution providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives.

ADJOURNMENT

Mr. SHEPPARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 26 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Thursday, April 5, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

365. A letter from the chairman of the Joint Committee on the Organization of Congress, transmitting the first progress report of the Joint Committee on the Organization of Congress, Congress of the United States, pursuant to House Concurrent Resolution 18 (S. Doc. No. 36); to the Committee on Rules.

366. A letter from the Chairman and General Manager, Smaller War Plants Corporation, transmitting a copy of the personnel requirements of the Smaller War Plants Corporation for the fourth quarter of the fiscal year 1945; to the Committee on the Civil Service.

367. A letter from the Director of Office of War Mobilization and Reconversion, transmitting a copy of the second quarterly report in accordance with the War Mobilization

and Reconversion Act setting up his office (H. Doc. No. 137); to the Committee on Ways and Means and ordered to be printed with illustrations.

368. A letter from the Acting President, Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia; to the Committee on the District of Columbia.

369. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in the United States naval hospital, Seattle, Wash., on May 10, 1944; to the Committee on Claims.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McDONOUGH:

H. R. 2827. A bill to authorize the release of persons from active military service and the deferment of persons from military service, in order to aid in making possible the education and training and utilization of scientific and technological manpower to meet essential needs both in war and in peace; to the Committee on Military Affairs.

By Mr. BRADLEY of Michigan:

H. R. 2828. A bill to amend the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

By Mr. HAYS:

H. R. 2829. A bill to authorize the Secretary of Agriculture to transfer certain land in Jefferson and Arkansas Counties, Ark., to the Arkansas Agricultural Mechanical and Normal College, Arkansas; to the Committee on Agriculture.

By Mr. LEMKE:

H. R. 2830. A bill providing for Congress to coin and issue money and regulate the value thereof by establishing the Bank of the United States, owned, operated, and controlled by the Government of the United States; setting forth the scope and manner of the bank's operations; creating a Board of Control and defining the powers and duties of the Board and other persons charged with the bank's management, and for other purposes; to the Committee on Banking and Currency.

By Mr. MURRAY of Wisconsin:

H. R. 2831. A bill to increase war food production; to the Committee on Banking and Currency.

By Mr. PATRICK:

H. R. 2832. A bill making appropriations for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes; to the Committee on Appropriations.

By Mr. RANDOLPH:

H. R. 2833. A bill relating to the use of prisoners of war for the performance of skilled labor; to the Committee on Military Affairs.

H. R. 2834. A bill to extend the authority of the President under section 350 of the Tariff Act of 1930, as amended; to the Committee on Ways and Means.

By Mr. BIEMILLER:

H. J. Res. 147. Joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, United States Army, and for other purposes; to the Committee on Military Affairs.

By Mr. KING:

H. Con. Res. 39. Concurrent resolution to declare a governmental policy in relation to the apprehension and punishment of war criminals; to the Committee on Foreign Affairs.

By Mr. JENSEN:

H. Res. 213. Resolution providing examiners and other personnel necessary for the acquisition of adequate information for the use of the Subcommittees on Appropriations; to the Committee on Rules.

H. Res. 214. Resolution providing for payment of expenses incurred in carrying out the provisions of House Resolution 213; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of South Dakota, memorializing the President and the Congress of the United States to empower the Secretary of Agriculture to requisition certain material, equipment, and supplies not needed for the prosecution of the war and for the national defense and to use such material, equipment, and supplies in soil and water conservation work; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States to enact House bill 2274 providing for rearing ponds and a fish hatchery at a suitable location in the Upper Peninsula of Michigan; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Washington, memorializing the President and the Congress of the United States to enact legislation providing for the construction of a system of three canals that will enable vessels of medium draft to proceed from the Columbia River to Willapa Bay on the Washington coast; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HANCOCK:

H. R. 2835. A bill for the relief of James Lynch; to the Committee on Claims.

H. R. 2836. A bill for the relief of Angelo Gianquitti and George Gianquitti; to the Committee on Claims.

By Mr. HAVENNER:

H. R. 2837. A bill for the relief of George Stiles; to the Committee on Claims.

By Mr. HOOK:

H. R. 2838. A bill for the relief of George A. Curry; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

318. By Mrs. SMITH of Maine: Petition signed by Ruth P. Collind and other citizens of Waldoboro, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

319. Also, petition signed by Sarah E. Richardson and other citizens of Clinton, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

320. Also, petition signed by Mrs. Arthur Tatlock and other citizens of Gardiner, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

321. By the SPEAKER: Petition of New York State Federation of Post Office Clerks, petitioning consideration of their resolution with reference to favorable enactment of House bill 2071; to the Committee on the Post Office and Post Roads.

322. Also, petition of Puerto Rican Civic Association of San Juan, P. R., petitioning consideration of their resolution with reference to the removal for incompetence of Dr. Jose M. Gallardo, commissioner of education, for the better functioning of the school system; to the Committee on Insular Affairs.

SENATE

TUESDAY, APRIL 3, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father, again through sleep and darkness safely brought, restored to life and power and thought, we face a new day. Wilt Thou lift our duty above drudgery. Even in the heat and burden of noonday's task, let not our strength fail nor our vision fade. Make us patient and considerate one with another in the fret and jar of human contacts, remembering that even in the glare of public gaze each fights a hard battle and walks a lonely way. Give us, O Lord, a reverence for truth, a deep desire to think and speak truly, and a passion to hasten the day when the rule of justice and love shall engirdle the earth.

We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, April 2, 1945, was dispensed with, and the Journal was approved.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on April 2, 1945, he presented to the President of the United States the enrolled bill (S. 411) for the relief of Mrs. Mae E. Sutton.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

DECEMBER 1944 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a confidential report of the Corporation for the month of December 1944 (with an accompanying report); to the Committee on Banking and Currency.

CONTRACTS ENTERED INTO BY UNITED STATES MARITIME COMMISSION

A letter from the Chairman of the United States Maritime Commission, transmitting, pursuant to law, a report of contracts entered into or modified under authority of Public Law 46 cumulative for the period beginning January 1, 1945, and ending March 31, 1945 (with an accompanying report); to the Committee on Commerce.

REGULATION OF BUSINESS OF LIFE INSURANCE IN THE DISTRICT OF COLUMBIA

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended (with an accompanying paper); to the Committee on the District of Columbia.

PERSONNEL REQUIREMENTS

A letter from the Director of the Bureau of the Budget, transmitting, pursuant to law, a report of his determinations during the third quarter of the fiscal year 1945 of the number of employees required by the executive departments and agencies for the proper and efficient exercise of their respective functions (with an accompanying report); to the Committee on Civil Service.

A letter from the Administrator of Veterans' Affairs, transmitting, pursuant to law, an estimate of personnel requirements for the Veterans' Administration for the quarter ending June 30, 1945 (with accompanying papers); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the State of Pennsylvania; to the Committee on Finance:

"Whereas the tide of victory on the far-flung battle fronts of the world brings hope of an early termination of hostilities; and

"Whereas the end of the war will present to our United States, its government, its industries, its laboring people, complex problems of readjustment and reconversion; and

"Whereas in this period of transition, with its dislocation of business, resettlement of workers, and readjustment of returning veterans will result in a lack of immediate employment opportunity to millions of returning veterans: Now, therefore, be it

"*Resolved*, That it is the sense of this senate that we memorialize the Congress of the United States to pass a Veterans' Readjustment Act of 1945 to provide a continuation of pay to returning veterans, as a matter of right, for a period up to 12 months, to aid in the trying period of readjustment; and be it further

"*Resolved*, That a copy of this resolution be sent to the President, to the Senate and to the House of Representatives at Washington, D. C."

By Mr. DOWNEY:

A joint resolution of the Legislature of the State of California; to the Committee on Military Affairs:

"Senate Joint Resolution 11

"Joint resolution relative to the establishment of an Optometry Corps in the United States Army

"Whereas the California Legislature in fifty-fifth (fourth extraordinary) session, on June 13, 1944, adopted Assembly Joint Resolution No. 16, endorsing the formation of an Optometry Corps in the United States Army and in the Army of the United States, and reading as follows:

"'Assembly Joint Resolution 16

"'Relative to the establishment of an Optometric Corps in the United States Army

"'Whereas for the efficient functioning of the members of the armed forces of the United States it is necessary that their visual requirements be adequately cared for; and

"'Whereas the War Department estimates that 20 percent of United States soldiers require correction of their visual needs by the use of eyeglasses (approximately 2,200,000 individuals); and

"'Whereas at present the supplying of the visual needs is under the direction of the Medical Corps administered by the Surgeon General of the Army; and

"'Whereas to help fulfill these needs the Medical Corps is using the services of approximately 1,000 optometrists; and

"'Whereas the Surgeon General and The Adjutant General have declared that more optometrists are needed to insure adequate visual care for all members of the armed forces; and

"'Whereas these optometrists are being drafted as privates, and only in rare instances are they permitted to attain even noncommissioned rank; and

"'Whereas all these optometrists must be (1) graduates of a 4-year professional course in optometry at an approved university or school of optometry, and (2) licensed in one of the States of the United States; and

"'Whereas many optometrists have sought and obtained commissioned rank in other branches of the United States Army, so that they might attain the recognition accorded others with similar education and professional attainments; and

"'Whereas with adequate recognition most of the optometrists who are now serving in other branches of the armed forces would transfer to an Optometric Corps and help provide the needed personnel; and

"'Whereas many optometrists now in private practice would join the armed forces if they were able to do so in the manner permitted to other professionals, such as physicians, dentists, and nurses; and

"'Whereas the Surgeon General has stated that optometrists cannot be commissioned in the Medical Corps, as only licensed physicians can receive such commissions: Now, therefore, be it

"'*Resolved by the Assembly and Senate of the State of California (jointly)*, That the legislature of this State endorse the formation of an Optometric Corps in the United States Army and in the Army of the United States and request the Members of Congress to enact the same into law; and be it further

"'*Resolved*, That the chief clerk of the assembly prepare and transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully urged and requested to support the establishment of the said Optometric Corps'; and

"Whereas legislation has been introduced into the Seventy-ninth Congress to carry out the intent of this resolution, such legislation to be known as H. R. 1699 by Mr. SHORT: Now, therefore, be it

"*Resolved by the Senate and Assembly of the State of California (jointly)*, That the legislature of this State in fifty-sixth regular session, endorse the formation of an Optometry Corps in the United States Army and in the Army of the United States and request the Members of Congress to enact the same into law; and be it further

"*Resolved*, That the secretary of the senate prepare and transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the Congress of the United States, to each Senator and Member of the House of Representatives from California in the Congress of the United States, and that the Senators and Representatives from California are hereby respectfully urged and requested to support the establishment of the said Optometry Corps, and particularly H. R. 1699."

By Mr. THOMAS of Oklahoma:

A resolution of the House of Representatives of the State of Oklahoma; to the Committee on Foreign relations:

"House Resolution 29

"Resolution providing for a declaration of the federation of the world

"Whereas it is necessary at the present juncture of human affairs to enlarge the basis of organized society by establishing a government for the community of nations, in order to preserve civilization and enable mankind to live in peace and be free, the following principles and objectives are hereby enunciated in—

"'THE DECLARATION OF THE FEDERATION OF THE WORLD

"'Man, the source of all political authority, is a manifold political being. He is a citizen of several communities; the city, the State, the Nation, and the world. To each of these communities he owes inalienable obligations and from each he receives enduring benefits.

"'Communities may exist for a time without being incorporated but, under the stress of adversity, they disintegrate unless legally organized. Slowly but purposefully through the centuries, civilization has united the world, integrating its diverse local interests and creating an international community that now embraces every region and every person on the globe. This community has no government, and communities without governments perish. Either this community must succumb to anarchy or submit to the restraints of law and order.

"'Governments can only be established through the deliberate efforts of men. At this hour two elemental forces are struggling to organize the international community: totalitarianism and democracy. The former, a recent version of repudiated militarism and tyranny, is predicated upon the principle of compulsion, rules through dictatorship and enslaves men; the latter, a proved bulwark of the rights of man as a human being and as a citizen, derives its authority from the consent of the governed, embodies the will of freemen and renders their collective judgments supreme in human affairs. The cornerstone of totalitarianism is the ethnographic state, whose restricted interests define the scope of its favors; the foundation of democracy is man whose integrity is inviolable and whose welfare is its primary concern. The motivating power of the former is violence; of the latter, freedom. One feeds upon unscrupulous ambition; the other upon an enlightened sense of obligation.

"'One or the other of these forces will now triumph and govern mankind. The present conflict is irrepressible and decisive. It is the challenge of the ages to the generation of today, and represents those spiritually cosmic forces which visit the world at critical periods in human history to shape the destinies of men. This world cannot remain half slave, half free; half totalitarian, half democratic. The laws of civilized society prevent intercourse between slaves and freemen from being either congenial or profitable. If totalitarianism wins this conflict, the world will be ruled by tyrants, and individuals will be slaves. If democracy wins, the nations of the earth will be united in a commonwealth of free peoples, and individuals, wherever found, will be the sovereign units of the new world order.

"'Man has struggled from time immemorial to endow the individual with certain fundamental rights whose very existence is now imperiled. Among those rights is man's freedom to worship, speak, write, assemble and vote without arbitrary interference. To safeguard these liberties as a heritage for the human race, governments were instituted among men, with constitutional guaranties against the despotic exercise of political authority, such as are provided by elected parliaments, trial by jury, habeas corpus, and due process of law. Man must now either

consolidate his historic rights or lose them for generations to come.

"'The ceaseless changes wrought in human society by science, industry, and economics, as well as by the spiritual, social, and intellectual forces which impregnate all cultures, make political and geographical isolation of nations hereafter impossible. The organic life of the human race is at last indissolubly unified and can never be severed, but it must be politically ordained and made subject to law. Only a government capable of discharging all the functions of sovereignty in the executive, legislative, and judicial spheres can accomplish such a task. Civilization now requires laws, in the place of treaties, as instruments to regulate commerce between peoples. The intricate conditions of modern life have rendered treaties ineffectual and obsolete and made laws essential and inevitable. The age of treaties is dead; the age of laws is here.

"'Governments, limited in their jurisdiction to local geographical areas, can no longer satisfy the needs or fulfill the obligations of the human race. Just as feudalism served its purpose in human history and was superseded by nationalism, so has nationalism reached its apogee in this generation and yielded its hegemony in the body politic to internationalism. The first duty of government is to protect life and property; and when governments cease to perform this function, they capitulate on the fundamental principle of their raison d'être. Nationalism, moreover, is no longer able to preserve the political independence or the territorial integrity of nations, as recent history so tragically confirms. Sovereignty is an ideological concept without geographical barriers. It is better for the world to be ruled by an international sovereignty of reason, social justice, and peace than by diverse national sovereignties organically incapable of preventing their own dissolution by conquest. Mankind must pool its resources of defense if civilization is to endure.

"'History has revealed but one principle by which free peoples, inhabiting extensive territories, can unite under one government without impairing their local autonomy. That principle is federation, whose virtue preserves the whole without destroying its parts and strengthens its parts without jeopardizing the whole. Federation vitalizes all nations by endowing them with security and freedom to develop their respective cultures without menace of foreign domination. It regards as sacrosanct man's personality, his rights as an individual and as a citizen, and his role as a partner with all other men in the common enterprise of building civilization for the benefit of mankind. It suppresses the crime of war by reducing to the ultimate minimum the possibility of its occurrence. It renders unnecessary the further paralyzing expenditure of wealth for belligerent activity and cancels through the ages the mortgages of war against the fortunes and services of men. It releases the full energies, intelligence, and assets of society for creative, ameliorative, and redemptive work on behalf of humanity. It recognizes man's morning vision of his destiny as an authentic potentiality. It apprehends the entire human race as one family, human beings everywhere as brothers, and all nations as component parts of an indivisible community.

"'There is no alternative to the federation of all nations except endless war. No substitute for the federation of the world can organize the international community on the basis of freedom and permanent peace. Even if continental, regional, or ideological federations were attempted, the governments of these federations, in an effort to make impregnable their separate defenses, would be obliged to maintain stupendously competitive armies and navies, thereby condemning humanity indefinitely to exhaustive taxation, compulsory military service, and ultimate carnage, which history reveals to be not only criminally futile but positively avoidable through judicious foresight in federating all nations. No nation should be excluded from membership in the federation of the world that is willing to suppress its military, naval, and air forces, retaining only a constabulary sufficient to police its territory and to maintain order within its jurisdiction, provided that the eligible voters of that nation are permitted the free expression of their opinions at the polls.

"'It being our profound and irrevocable conviction:

"'That man should be forever free and that his historic rights as an individual and as a citizen should be protected by all the safeguards sanctioned by political wisdom and experience.

"'That governments are essential to the existence of communities and that the absence of government is anarchy.

"'That there exists an international community, encompassing the entire world, which has no government and which is destined, as a consequence of the present war, either to be ruthlessly dominated and exploited by totalitarianism or to be federated by democracy upon the principle of freedom for all nations and individuals.

"'That all human beings are citizens of this world community, which requires laws and not treaties for its government.

"'That the present conflict will determine the survival of free institutions throughout the world, and that it is morally incumbent upon this generation as one of the declared objectives of the current war, to federate the nations, in order to make secure, and hereafter unchallenged, freedom for all peoples everywhere, and in order to impart to those who are called to give their lives and fortunes for the triumph of democracy the positive assurance of the incorruptible utility of their sacrifice.

"'That world federation is the keystone in the arch of civilization, humanity's charter of liberty for all peoples and the signet authenticating at last the union of the nations in freedom and peace.

"'That the universal ordeal, through which mankind is now passing, marks the birth of a new epoch that will affirm for all time the indestructible solidarity of civilization and the abiding unity of the human race.

"'That there are supreme moments in history when nations are summoned, as trustees of civilization, to defend the heritage of the ages and to create institutions essential for human progress. In the providence of God, such a crisis is this hour, compelling in duty and unprecedented in responsibility—a fateful moment when men meet destiny for the fulfillment of historic tasks': Now, therefore, be it

"Resolved by the house of representatives:

"SECTION 1. That the House of Representatives of the State of Oklahoma does hereby solemnly declare that all peoples of the earth should now be united in a commonwealth of nations to be known as the federation of the world, and to that end it hereby endorses the declaration of the federation of the world as is specifically set forth in the preamble hereof, and makes said declaration a part of this resolution in the same manner as if same were recited herein, and requests the Senators and Members of the House of Representatives in Congress from the State of Oklahoma to support and vote for a resolution in the Congress of the United States, approving the principle of world federation and requesting the President of the United States to initiate the procedure necessary to formulate a constitution for the federation of the world, which shall be submitted to each nation for its ratification.

"SEC. 2. That there be selected a territory for the seat of government for the federation of the world, and that the nation in which the said territory is located be requested to withdraw its jurisdiction over this area and cede it to the federation of the world for its capital, with all the prerogatives and attributes of sovereignty, in order that there might be built in this area a city symbolic of world unity, adequate for the needs of the nations and worthy of the aspirations and destiny of mankind.

"SEC. 3. That a copy of this resolution be sent to each of the Senators and Members of the House of Representatives in Congress from the State of Oklahoma.

"SEC. 4. That this resolution shall be in full force and effect from and after its ratification.

"Adopted by the house of representatives the 15th day of March 1945."

A resolution of the House of Representatives of the State of Oklahoma; to the Committee on Military Affairs:

"House Resolution 30

"Resolution memorializing the congressional delegation from Oklahoma to lend their efforts to make it compulsory that everyone comply with the Government regulations in the war effort, enforcing them to cooperation in this crisis

"Whereas our Government has recently called upon the people of this Nation to close the night clubs at midnight, in order to cooperate with any and all things believed necessary on the home front to aid those young Americans on the battle front, in bringing this war to a speedy and victorious conclusion; and

"Whereas it is the belief of the members of the house of representatives of the twentieth session of the Oklahoma Legislature, that the citizens of our State will ask no special favors other than the special favors we want for the sick, wounded, and bereaved of this war; and

"Whereas we believe the midnight curfew law will help get this war over at the earliest possible moment and that we do not approve of the cafe societies, beer barons, and night clubs who are rifling the pockets of these night clubbers and causing absenteeism, by openly defying these regulations; and

"Whereas we do not believe that this regulation should apply to only a part of the citizens of this Nation and exempt the gin mills of New York or any other city, and that we feel that the city, large or small, who does not offer to cooperate in this movement is contemptible in its motivation and is unpatriotic; and

"Whereas on behalf of those sons of America who are spilling their blood on the battlefields in this war to preserve our hard-won freedom, we believe that the mayor of New York City, or the mayor of any other city, should show his patriotism and unswerving loyalty by abiding unreservedly to all rules and regulations, even though it might not allow sufficient time to profiteer on high-priced cocktails: Now, therefore, be it

"Resolved by the house of representatives of the twentieth legislature, That we memorialize the congressional delegation in Washington to take the necessary steps to see to it that these regulations are applied to everyone without special favors to any particular person or persons and that this resolution be taken by them as a frank and candid statement of not only the feelings

of the members of this house of representatives, but also the patriotic expression of the citizens of Oklahoma whom we represent.

"Adopted by the house of representatives the 21st day of March 1945."

A concurrent resolution of the Legislature of the State of Oklahoma; to the Committee on Military Affairs:

"House Concurrent Resolution 2

"Concurrent resolution memorializing the congressional delegation from Oklahoma to support national legislation to bring about legislation embodying the principle of universal military training for every qualified young male American in the United States

"Whereas it is perfectly obvious to every thinking American that a sound and definitely fixed and democratically conceived military policy for the United States is needed; and

"Whereas never in all our history have we had one, and it must be equally apparent that such a policy can be built and maintained only on the principle that every able-bodied American owes it as a duty to his country to undergo a type of training which will enable him to help defend the United States whenever it is attacked; and

"Whereas our record of unpreparedness cries aloud for adoption of universal military training as a basic American policy: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Oklahoma (the Senate concurring therein)*, That we memorialize our Oklahoma delegation in Congress to support and work for national legislation embodying the principle of universal military training that every qualified young male American shall receive the advantage of 12 months of required military training, integrated with his academic education and at an age least apt to disrupt his normal education and business life, and that for a reasonable period after training he shall serve in a Reserve component of our armed forces."

By Mr. MAGNUSON:

A joint memorial of the Legislature of the State of Washington, favoring the enactment of legislation providing for the construction by the United States of a system of three canals that will enable vessels of medium draft to proceed by a short sea-level canal from the Columbia River to Willapa Bay, on the Washington coast, thence by a short sea-level canal to Grays Harbor, and thence by a canal with a system of locks over a low divide to Budd Inlet, at the southern extremity of Puget Sound; to the Committee on Commerce.

(See joint memorial printed in full when laid before the Senate by the Vice President on March 30, 1945, p. 2968, CONGRESSIONAL RECORD.)

By Mr. CAPPER:

A petition of sundry citizens of Manhattan, Kans., praying for the enactment of Senate bill 599, to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, and for other purposes; to the Committee on Interstate Commerce.

BOXCAR SHORTAGE IN KANSAS

Mr. CAPPER. Mr. President, I desire to call attention again to the serious situation that confronts the grain growers and the grain trade, due to the boxcar shortage, accentuated by the shortage of available storage space.

I have just received a report from Lawrence Norton, chairman of the Kansas State U. S. D. A. War Board, which summarizes succinctly the situation in Kansas.

For this time of year there is stored on farms the largest bushelage of grain on record.

Large quantities of corn and grain sorghums are on the ground and deteriorating rapidly. The corn is of high moisture content, which means it will not keep long.

Unless this grain and these grain sorghums can be moved, and moved quickly, there will be an excessive loss of feed grains. My own feeling is that within the next year there is likely to be a shortage of grain feeds.

A number of us have been trying to obtain relief by having more boxcars made available in the grain-producing areas. The railroads, the O. D. T., and the I. C. C., report that the movement of empties to the West Central region from the East now approximates 1,300 cars a day. The I. C. C. has furnished me a comprehensive statement, showing that in some territories grain loading this year will be larger than last year and that everything possible is being done with the admittedly limited number of boxcars, motive equipment, and manpower. But I do not find anything in the report to show that the cars are being loaded in numbers at all sufficient to take care of the grain that should be moved.

This year we are experiencing a serious shortage of pork because proper steps to allow the distribution of surplus pork a year ago last winter were taken 5 months too late. If immense amounts of feed grains are allowed to be wasted this year, we may face a similar situation in feed grains next winter.

I hope that the combined efforts of the Government agencies and the railroads will result in an improvement in this situation, and accomplish it before it is too late.

I ask unanimous consent to have printed in the RECORD, as part of my remarks, and appropriately referred the letter from Mr. Norton.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
U. S. D. A. WAR BOARD,
Manhattan, Kans., March 31, 1945.

Hon. ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR SIR: Because of the seriousness of the boxcar and grain-storage situation, the Kansas U. S. D. A. War Board has studied this problem and wishes to present the following information:

1. There is in farm storage a very large bushelage of grain for this time of year. We believe it is the largest on record.

2. Large quantities of grain sorghum and corn are on the ground and deteriorating in quality rapidly.

3. The corn that is stored on farms is of very high moisture content. The majority of this corn will not keep throughout the summer months and must be moved in the near future to prevent further loss. The grain sorghum in farm storage contains about 15 percent to 16 percent moisture on the average. It is difficult to keep dry grain sorghum (containing 11 percent or 12 percent moisture) throughout the summer. It is impossible to keep grain sorghum with 13 percent or above moisture in farm storage through the summer.

4. From the above it can be readily noted that an excessive loss of feed grains will occur immediately unless this grain is moved.

5. All country elevators in the grain producing area of Kansas are full.

6. Moisture content in the soil is excellent. The stand is good. This State could produce its largest wheat crop in 1945. If grain is moved from farms and country elevators at the present slow rate between now and harvest, it is estimated that about 75,000,000 bushels of wheat will have to be piled on the ground at harvest time.

7. Contrary to many reports, there has been no substantial increase in movement of grain cars into Kansas.

8. C. C. C. bins are being sold or leased, and the sale and lease program has been completed in many counties.

9. Grain-storage structures on farms are given a high priority under the farm lumber program. The War Production Board officials are working with us splendidly on this program. Some new country elevator construction is being approved.

10. The construction of storage on farms, the use of C. C. C. bins, and the construction of some additional farm elevator space will only provide a slight solution of this problem.

11. The condition of the grain is such that transport trucks are being used to move some of the grain to terminal storage. This is very expensive and does not result in conservation of transportation facilities. This transportation method is being used in some cases to prevent complete loss of the grain.

12. The Kansas War Board is continuing to study this subject and will provide supplemental reports as soon as detailed surveys are complete.

The State war board has requested that this information be forwarded to appropriate offices who may be in a position to give assistance to any phase of this problem.

Very truly yours,

LAWRENCE NORTON,
Chairman, Kansas State U. S. D. A. War Board.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The VICE PRESIDENT laid before the Senate reports for the month of March 1945, from the chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

APPROPRIATIONS

APRIL 2, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
John F. Feeney	1425 Rhode Island Ave. NW	General Accounting Office, Washington, D. C.	$6,400
Harold E. Merrick	906 Aspen St. NW	do	4,800
Thomas J. Scott	1210 34th St. SE	Federal Bureau of Investigation, Department of Justice, Washington, D. C.	4,800
Mrs. Mamie L. Mizen	1434 Saratoga Ave	District of Columbia government	3,500

KENNETH MCKELLAR, *Acting Chairman.*

COMMITTEE ON PUBLIC LANDS AND SURVEYS

APRIL 2, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944 (see attached memorandum):

APRIL 2, 1945.

Memorandum to Senator CARL A. HATCH, chairman, Senate Committee on Public Lands and Surveys,

From: Senator PAT MCCARRAN, chairman, Subcommittee on the Administration and Use of Public Lands.

Those detailed from the Department of Agriculture, Forest Service, to assist with the work of the above subcommittee are as follows:

E. S. Haskell, senior administrative officer, Forest Service, CAF–12; basic salary, $5,000, per annum.

Elizabeth Heckman, clerk, CAF–5; basic salary, $2,000, per annum.

SUBCOMMITTEE ON WARTIME HEALTH AND EDUCATION

APRIL 2, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lauretta April	2714 Quarry Rd., NW., Washington, D. C.	War Production Board, 3d St. and Independence Ave. SW.	$3,200
Groff Conklin	514 2d St. NW., Washington, D. C.	do	5,600
Philip C. Curtis	4303 Russell Ave., Mount Rainier, Md	Navy Department, 18th St. and Constitution Ave. NW.	3,800
Richard P. Daniels	1743 Columbia Rd. NW., Washington, D. C.	Federal Public Housing Authority, 1201 Connecticut Ave. NW.	1,440
Ruth Fine	804 Houston Ave., Takoma Park, Md	do	2,000
Rose Gerber	2513 14th St. NE., Washington, D. C.	Navy Department, 18th St. and Constitution Ave. NW.	2,000
Harald Lund	476 N St. SW., Washington, D. C.	do	6,200
Carl Malmberg	1813 F St. NW., Washington, D. C.	Federal Security Agency, 1825 H St. NW.	5,600
Love Morgan	1607 18th St. SE., Washington, D. C.	Veterans' Administration, Vermont Ave. and I St. NW.	[1]2,000
Ruth Morgenstein	3022 Rodman St. NW., Washington, D. C.	do	2,000
Sari Schwartz	1701 16th St. NW., Washington, D. C.	Federal Public Housing Authority, 1201 Connecticut Ave. NW.	2,000
Lt. Leslie Falk, Medical Corps, Army of the United States.	2804 Terrace Rd. SE., Washington, D. C.	Pentagon Building, U. S. Army	2,000
Lt. Comdr. John B. Truslow, Medical Corps, U. S. Naval Reserve.	2067 Peabody St., West Hyattsville, Md.	U. S. Navy, 18th St. and Constitution Ave. NW.	3,000

[1] On extended leave without pay.

CLAUDE PEPPER, *Chairman.*

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

S. 818. A bill to provide that the several States shall continue effective measures of control and protection against the importation, introduction, and spread of noxious weeds, injurious insects and animal and plant diseases, and to guarantee that purchasers or recipients of seeds, livestock and poultry feeds, nursery stocks, fertilizers and other agricultural chemicals shall have the protection guaranteed them under the laws enacted by the several States; to the Committee on Agriculture and Forestry.

By Mr. MAGNUSON:

S. 819. A bill for the relief of counsel appointed by the United States District Court for the District of Columbia to represent certain defendants in the case of the United States against Joseph E. McWilliams et al.; to the Committee on Claims.

By Mr. PEPPER:

S. 820. A bill for the relief of the Growers Fertilizer Co., a Florida corporation; to the Committee on Claims.

By Mr. MAGNUSON:

S. J. Res. 51. Joint resolution granting permission to Charles Rex Marchant, Lorne E. Sasseen, and Jack Veniss Bassett to accept certain medals tendered them by the Government of Canada in the name of His Britannic Majesty, King George VI; to the Committee on Commerce.

EXTENSION OF EMERGENCY PRICE CONTROL AND STABILIZATION ACTS OF 1942—AMENDMENT

Mr. MURRAY (for himself and Mr. JOHNSON of Colorado) submitted an amendment intended to be proposed by them, jointly, to the joint resolution (S. J. Res. 30) extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, which was referred to the Committee on Banking and Currency and ordered to be printed.

GREEK INDEPENDENCE DAY ADDRESS BY SENATOR GREEN

[Mr. MCMAHON asked and obtained leave to have printed in the RECORD a Greek Independence Day commemoration address delivered by Senator GREEN at Boston, Mass., on March 25, 1945, which appears in the Appendix.]

THE YALTA VOTING AGREEMENT—ADDRESS BY SENATOR MAGNUSON

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD a radio address entitled "Is the Yalta Voting Agreement a Just One?" delivered by him under the auspices of the Free Speech Forum of the Newspaper Guild of New York, on March 27, 1945, which appears in the Appendix.]

THE NEW FEDERAL INSURANCE LAW—ARTICLE BY SENATOR O'MAHONEY

[Mr. HATCH asked and obtained leave to have printed in the RECORD an article entitled "The New Federal Insurance Law," written by Senator O'MAHONEY, of Wyoming, and published in the March 31, 1945, issue of the magazine America, which appears in the Appendix.]

JEWISH PARTICIPATION WITH ALLIED FIGHTING FORCES—ARTICLE BY MRS. CLARE BOOTHE LUCE

[Mr. HART asked and obtained leave to have printed in the RECORD an article under the heading "Palentinians fight to settle bloody score with 'Krauts'," written by MRS. CLARE BOOTHE LUCE, a Representative in Congress from the State of Connecticut, which appears in the Appendix.]

VIEWS OF SENATOR VANDENBERG ON SAN FRANCISCO CONFERENCE—EDITORIAL FROM BALTIMORE SUN

[Mr. WHITE asked and obtained leave to have printed in the RECORD an editorial from the Baltimore Sun of April 3, 1945, commenting on the views of Senator VANDENBERG with respect to the impending San Francisco Conference, which appears in the Appendix.]

WAR MANPOWER COMMISSION REGULATIONS ON EMPLOYMENT-STABILIZATION PROGRAM

[Mr. HATCH asked and obtained leave to have printed in the RECORD the War Manpower Commission regulations governing employment-stabilization programs, which appear in the Appendix.]

FULL POST-WAR EMPLOYMENT

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an interview

by Charles G. Ross with Mr. Beardsley Ruml on the subject of post-war employment, published in the St. Louis Post-Dispatch of March 19, 1945, which appears in the Appendix.]

THE HOUSING SITUATION IN WASHINGTON—ARTICLE BY MERLO J. PUSEY

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article entitled "N. I. C. B. Digest Clarifies Public-Private Housing Issues for Washington," from the Washington Post of April 1, 1945, which appears in the Appendix.]

THE AIRCRAFT CARRIER "ENTERPRISE"

[Mr. MAGNUSON asked and obtained leave to have printed in the RECORD a newspaper article entitled "*Big E* Builds Legend Her Men Never Forget," which appears in the Appendix.]

MAJ. GEN. E. B. GREGORY, QUARTERMASTER GENERAL OF THE ARMY

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an article entitled "General Gregory Has Huge Task Supplying Needs of Millions," written by Christine Sadler and published in the Washington Post of April 2, 1945, which appears in the Appendix.]

UTILIZATION OF MANPOWER RESOURCES—CONFERENCE REPORT

The Senate resumed consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940, and for other purposes.

Mr. HATCH obtained the floor.

Mr. LUCAS. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from New Mexico yield to the Senator from Illinois?

Mr. HATCH. I yield.

Mr. LUCAS. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Murray
Austin	Green	O'Daniel
Bailey	Guffey	O'Mahoney
Ball	Gurney	Pepper
Bankhead	Hart	Radcliffe
Barkley	Hatch	Reed
Bilbo	Hickenlooper	Revercomb
Brewster	Hill	Russell
Briggs	Johnson, Calif.	Saltonstall
Brooks	Johnson, Colo.	Shipstead
Buck	Johnston, S. C.	Smith
Burton	Kilgore	Stewart
Bushfield	La Follette	Taft
Butler	Langer	Taylor
Byrd	Lucas	Thomas, Okla.
Capehart	McCarran	Thomas, Utah
Capper	McClellan	Tobey
Chavez	McFarland	Tydings
Connally	McKellar	Vandenberg
Cordon	McMahon	Wheeler
Donnell	Magnuson	Wherry
Downey	Maybank	White
Eastland	Millikin	Wiley
Ellender	Moore	Willis
Fulbright	Morse	Wilson
George	Murdock	Young

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. HOEY], the Senator from Louisiana [Mr. OVERTON], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from New York [Mr. WAGNER] are necessarily absent.

The Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from New York [Mr. MEAD], the Senator from Washington [Mr. MITCHELL], and the Senator from Delaware [Mr. TUNNELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Pennsylvania [Mr. MYERS] is absent on public business.

The Senator from Massachusetts [Mr. WALSH] is absent on an inspection tour for the United States Navy.

Mr. WHERRY. The Senator from New Jersey [Mr. HAWKES], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Idaho [Mr. THOMAS] are necessarily absent.

The Senator from Michigan [Mr. FERGUSON] is absent on official business of the Senate as a member of the Special Committee to Investigate the National Defense Program.

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

Mr. HATCH. Mr. President, yesterday when I took the floor it was my intention to speak somewhat at length upon the pending conference report. Since that time, however, I have read the entire debate of yesterday and almost all the debate which had proceeded theretofore. I feel that anything I might say today might be largely in repetition of what has already been said, and I do not wish to delay the Senate unnecessarily, but I believe there are a few points which should be stressed.

First, Mr. President, let me say that I agree with all the fine, the glowing, and sometimes even the rather oratorical tributes which have been paid both to management and to labor. In what I shall say I do not want to detract from the magnificent accomplishments which have been achieved both by management and by labor. Yet in joining in these tributes I am not unmindful that the task is not yet completed. Final victory has not yet come. There has been no unconditional surrender by any enemy on the battlefield. I am not unmindful that we in the Congress of the United States cannot quit. We still have our duty to perform. Ours is a responsibility which we cannot shift to someone else.

Mr. President, I desire to pay a tribute to the Senate conferees, the representatives of the Senate, who were faced with an almost impossible task involving a deeply controversial subject. The differences between the House and the Senate were extreme. We appointed the Senate conferees to be our agents to try and reconcile those differences. The leader of the Senate conferees is the Senator from Utah [Mr. THOMAS]. I digress long enough to say that there is no better friend of labor in this body than the Senator from Utah. There is no man who has a deeper or more passionate interest in the preservation of democracy than has the Senator from Utah. Under his leadership the Senate conferees met with the House conferees, and after consultation, which always takes place in conference, the conferees finally resolved their differences and have presented the conference report to the Senate for our consideration.

Personally, I think the Senate conferees did a good job. I, for one, am going to sustain and uphold them, as our agents, in reaching the compromise agreement. Almost every conference brings about a compromise. On the floor of the Senate the conferees in the Senate have answered every legitimate and logical argument made against the report. The Senator from Utah discussed the report paragraph by paragraph in great detail, and explained it most carefully. The Senator from Vermont [Mr. AUSTIN] presented a most able constitutional argument, which to my mind was and is unanswerable. Yesterday the Senator from Ohio [Mr. BURTON] took up the different points of the conference report and made an argument which has not been as yet and cannot logically and legitimately be met. I simply take this moment to pay this tribute to our own agents, the conferees on the part of the Senate.

Mr. President, yesterday many tributes were paid to our former colleague, the former Justice of the Supreme Court of the United States, Mr. Byrnes. With every good thing that was said about him I am, of course, in hearty accord. My only regret is that words are so inadequate to express my own great admiration for Mr. Byrnes personally, and also my admiration for and my appreciation of his work as an official of Government. Under most difficult and trying circumstances he courageously performed the duties and discharged the heavy responsibilities which rested upon him, with credit to himself and for the welfare of his country.

Mr. President, yesterday the Senator from Colorado [Mr. JOHNSON] addressed the Senate. I am sorry he is not present in the Chamber at the moment. The Senator from Colorado also labored long on the conference report. But, Mr. President, I regretted to hear him say sarcastically, although I know it was not so intended, that Jimmie Byrnes had quit. The plain implication which arises from that statement is that Justice Byrnes quit and left his place of essential employment without justification. I am sorry those words were spoken, because the further implication was that by his quitting he was doing something which, by the provisions of the conference report bill we would deny to workers of America. I resent that implication.

There is no discrimination in this measure, for, by its own terms, it provides that any worker may quit and leave the most essential industry provided he has a justifiable reason. If any man has a justifiable reason for leaving his present position that man is Mr. Justice Byrnes. It is no secret—we all know it—that he remained in the public service for many months longer than he had intended to, longer than he desired to, longer perhaps than his own health and his own welfare justified. He had a right to leave. But it may be significant to note, Mr. President,

that the date of his letter of resignation is March 24. He had always said he would not leave until success had been achieved upon the western front, and the date of his letter was the date when our victorious fighting men crossed the Rhine and marched into the heart of Germany. Mr. President, I think Mr. Byrnes was entitled to do what he did. I believe he was justified in the action he took. I regret that a statement was made on the floor of the Senate which would be subject to such an implication as I have indicated.

Mr. President, in connection with my remarks about Mr. Justice Byrnes, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an editorial entitled "Art of Being Byrnes," published in the Washington Post of April 3, 1945.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ART OF BEING BYRNES

No man who has seen Justice Byrnes at work will want to see him leave the public service. He is the epitome of a quality that has a premium attached to it by the nature of the American political system. We mean compromise. Edmund Burke, writing on the need for reconciliation with the American Colonies, said that all government, "indeed, every human benefit and enjoyment, every virtue and every prudent act," is founded on compromise. What was necessary in relations with the Colonies became just as necessary in relations within the Federal system which grew out of the "bundle of compromises" of 1787. It is not a habit with Mr. Byrnes, it is an art. He knows when to compromise, and how, and that is a gift which makes Mr. Byrnes invaluable in our public life. In fundamental things Mr. Byrnes can be as unyielding as a man whose lack of addiction to compromise is merely the mark of stubborness.

Indeed, Mr. Byrnes' main task in this war has been to "hold the line" against inflation and economic instability. On October 3, 1942, he stepped down from the Supreme Court to become Director of Economic Stabilization. A year later he was put in overall charge of the home front, as Director of War Mobilization. When the prospect of peace began to be envisaged, he was also saddled with the problems of reconversion, and his office became known as the Office of War Mobilization and Reconversion. The burden has been onerous, the responsibility immense. Perhaps Mr. Byrnes' chief trouble in that time has been to persuade his subadministrators to share his sense of responsibility. He wanted to resign 15 months ago when the country had become mobilized within the voluntary framework that the President had created. His bags were packed when the new administration came in. Now that he has set the pattern for reconversion, he feels that he can step down with an easy conscience. The plans to be drawn up and carried through will require several more years, and it is Mr. Byrnes' feeling that they need a new hand at the helm. Mr. Byrnes' resignation brings in his former coadjutor, Judge Vinson, a man of similar quality and of similar congressional experience, a man equally respected for his sincerity and integrity and judgment, though, if anything, less pliable in his official dealings. No appointment could have been more appropriate.

Mr. Byrnes has often expressed a desire to go back to the practice of law. It is no secret that he was disappointed that he did not share the Democratic ticket last fall with Mr. Roosevelt. There are those who felt that his proper place, failing that selection, was the Secretaryship of State. But any disappointment on these scores that Mr. Byrnes may have felt has long since vanished, and there is not the slightest reason to think that his long-contemplated resignation is traceable to any reason other than the one assigned to it. What he needs now is a rest from the arduous, even killing, labors of the last few years. But we would warn him that the reaction of most of his old coworkers in Washington will be to wonder what public job he could best fill when he returns. There is one that readily occurs to us. That is the post of delegate to the Security Council in the new world organization, where the United Nations and the world will have need of that happy blend of firmness and compromise which Mr. Byrnes brings to his assignments.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER (Mr. BALL in the chair). Does the Senator from New Mexico yield to the Senator from Illinois?

Mr. HATCH. I yield.

Mr. LUCAS. I should like to know from Senators who participated in the conference whether, when it was decided to place the administration of the measure in the Director of War Mobilization and Reconversion, instead of in the War Manpower Commissioner, Director Byrnes knew anything about the change? I have heard statements both ways, and I should like to have the correct information.

Mr. AUSTIN. Mr. President, will the Senator from New Mexico yield to me?

Mr. HATCH. I yield.

Mr. AUSTIN. In the absence of the chairman of the conferees on the part of the Senate, I should like to say that the answer to that question is "No." The background of the change is substantially this: In the studies made for 2½ years relating to the suggested legislation we had considered the Chief Executive as the repository of these authorities. We had generally used the Chief Executive as the repository of these authorities, for the orderly conduct of the war on the home front, with the thorough understanding that the President personally could not perform those functions. We always provided in such bills for the employment by the President of established agencies and for authority to establish agencies to execute the provisions of the bill.

When the conference came to the consideration of the two opposing theories in the pending legislation there arose the question whether or not it would be wise to follow the custom heretofore followed in that regard. The question was discussed, and we finally decided that in theory we would be following the custom if we assigned these duties and gave this authority to the Director of War Mobilization and Reconversion, an office which had been established since the original bills were drafted making the Chief Executive the repository of the authority.

No personalities whatever entered into the discussion. It was a question of good government. In the execution of the policy of the Congress someone must be named as responsible; and whereas before that time we had named the President, we thought it was better policy, in view of the fact that the Office of Director of War Mobilization and Reconversion had been created, to vest the authority in that Office.

Mr. LUCAS. I thank the Senator from Vermont. That clears up the impression, sought to be created by some, that Jimmy Byrnes was seeking this position. I was positive that that was not true, and I was certain that some member of the conference would report accordingly.

While I am on my feet, if the Senator from New Mexico will further yield, I wish to say just a word about Justice Byrnes.

In my 10 years in Congress I have never known a more conscientious public servant. Very few men would have stepped down from the highest judicial position in America to assume the position which he took. But Jimmy Byrnes is a good soldier, and he heeded the command of the Commander in Chief. He is a real patriot. I know of no man in America who could have done a more efficient or more valuable job than has been done by Justice Byrnes in the position which he has occupied. Any implication sought to be made by any Member of the Senate that Justice Byrnes is stepping down in order to get some other job is not in line with the facts as I understand them.

The argument made yesterday by the distinguished senior Senator from Colorado [Mr. JOHNSON] when read carefully, is the best argument that has been made in favor of enacting this kind of measure at this time. As I read that argument, it appears to be an open invitation, the moment war is over in Europe, for everyone to quit his job. That is practically what it means. The Senator from Colorado takes Jimmy Byrnes to task for saying that when the war in Europe is over the curfew will be lifted. He also says that perhaps horse racing will come back; and then, because Justice Byrnes quits, he says that is an invitation for practically everyone else to quit.

Mr. President, it is my judgment that just so sure as we fail to enact this bill, or adopt some sort of conference report, many people of this country will follow that invitation. In my humble judgment, Senators who are making that kind of an argument are saying to the country that as soon as the war is over in Europe, it will soon be over in the Pacific, and that the best thing to do is to return home as fast as possible and obtain some security.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. MAYBANK. I should like to have the attention of the distinguished Senator from Vermont for a moment.

If my memory serves me correctly, late in January representatives of various Government agencies went to the White House and met in the office of the Director of War Mobilization. That office had supervision over Selective Service, and over War Manpower. The Chief Executive requested that that office be the overall administrative agency under the legislation which had come over from the House.

The Committee on Military Affairs so amended the original bill. Mr. Justice Byrnes did not ask for it. The question was asked as to whether or not that Office would assume the responsibility. As the Senator from Vermont has stated, section 3 was placed in the bill because it was good legislation to place the authority with the Commander in Chief, the President of the United States. That is correct, is it not?

Mr. AUSTIN. Mr. President, I ask permission to answer the question.

Mr. HATCH. I yield.

Mr. AUSTIN. Section 3 answers the question quite definitely in this way:

The Director of War Mobilization and Reconversion (hereinafter called the Director) shall—

I lay emphasis on these words—

subject to the direction of the President, provide—

And so forth. I was at a conference at which the President expressed approval of reposing this authority in the Director of War Mobilization and Reconversion. I do not know whether that was the conference to which the Senator referred.

Mr. MAYBANK. After that, when the conference report was submitted last week, it was clearly brought out on the floor of the Senate, in no uncertain terms, by the Senator from Utah [Mr. THOMAS] and myself, that the Director of War Mobilization and Reconversion, regardless of who he might be, would be under the direction of the Commander in Chief of the Army and Navy. The Committee on Military Affairs did not base its determination upon the personality of Mr. Justice Byrnes, for whom we all have the greatest affection, and whom I regard and respect so highly, but upon the testimony of the Secretary of War, the Secretary of the Navy, the Under Secretary of War, the Under Secretary of the Navy, and further testimony and requests from the leaders of our armed forces. That is the reason why some of us were so anxious to report the original bill from the committee before the compromise bill was brought out.

Furthermore, let me remind the Senate that when the President was overseas attending a conference he sent a letter to the committee asking us to report the bill. It was the President who sent a message to Congress asking us to pass it, for the good of the Army, for the good of the Navy, and for the good of our country. I joined my distinguished friend from Vermont in voting for various amendments in the committee, to strengthen the bill because we came to the conclusion that after all, in time of war, we must rely on and support—and I hope we shall rely on and support—the President of the United States, the Commander in Chief, and the heads of the Army and Navy, namely the Secretary of War, the Secretary of the Navy, the Assistant Secretaries, and Generals Marshall and Arnold, and Admiral King, and all others who are carrying on and making possible our victory.

I thank the Senator from New Mexico for yielding.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. AUSTIN. I should like to have it understood that I am not quoting the President of the United States with respect to anything which occurred in any conference. All I say is that the letters from the President, which are before the Senate, express the idea which I understood when in conference.

Mr. MORSE rose.

Mr. HATCH. Mr. President, I see the Senator from Oregon on his feet. I was about to comment upon the argument advanced yesterday by the Senator from Oregon. Does he wish me to yield at this point?

Mr. MORSE. Let me give the Senator something more to comment upon.

Mr. HATCH. Very well; I yield.

Mr. MORSE. I think it is only fair, in the absence of the senior Senator from Colorado [Mr. JOHNSON], or someone representing him, to say that I do not think the remarks of the Senator from Colorado are subject to the interpretation the Senator from Illinois has placed upon them. I think the statements made by the senior Senator from Colorado show rather clearly that the proponents of the conference report have not sustained the burden of showing the necessity for the type of procedure proposed by it. I pointed out yesterday that we shall find ourselves with a growing amount of unemployment, rather than with a manpower shortage. We certainly can meet the problem which confronts us without adopting the coercive tactics proposed in the conference report.

I should like to make a further comment in regard to the statements just made by the distinguished senior Senator from Illinois. I am very glad I have much more faith in the loyalty and patriotism of the masses of our people than apparently one would imply the Senator from Illinois has, judging by his comment that when VE-day comes large numbers of people will quit their jobs. I think we must recognize that the patriotism of the people throughout the country is just as great as the patriotism of the people of Washington. All we have to do is to make clear to them what the needs are for the successful prosecution of the war, and we shall find that such needs will be met on the basis of the voluntary principle which is found in the Senate bill, rather than on the basis of the principle of coercion contained in the conference report.

I should like to say further, if the Senator will bear with me a second longer, that I think much of the discussion yesterday afternoon overlooked the fact that, after all, there cannot be a successful prosecution of the war on the home front unless our people feel that we have taken them into our confidence as to the needs of war production on the home front. One reads the record in vain to find any evidence that the present administration has done the job it ought to do in making clear to American farmers, American laborers, and American employers what the administration thinks they need to do to support the war effort on the basis of the principle of voluntary cooperation.

Mr. HATCH. Mr. President, the Senator from Oregon has said he would make some observations about which I should comment. I do wish to comment about those observations, although I would rather not be diverted from the train of thought I had originally planned to develop in the course of my remarks.

The Senator has said that the people of America have not been taken into the confidence of the administration because there is nothing in the record to show that they have been. I presume the Senator from Oregon has reference to the testimony before the committee; but, in that event, I do not know where he has been. Did he not hear the speech made by General Somervell?

Mr. MORSE. Does the Senator wish me to answer now?

Mr. HATCH. Yes.

Mr. MORSE. The answer is "Yes."

Mr. HATCH. Then the Senator heard him declare what was needed, and the Senator heard Justice Byrnes, on the radio, on a Nation-wide hook-up, discuss the manpower situation. In the past several months the Senator has heard every responsible official of Government go over this question time and time again, before Senate committees, House committees, and on the radio. I do not know how the administration can take the people into their confidence other than in such ways. Even the President of the United States has sent his messages, which have been heralded throughout the Nation. What would the Senator from Oregon have done?

Mr. MORSE. Mr. President, does the Senator wish to yield to me at this point?

Mr. HATCH. I yield.

Mr. MORSE. I simply wish to say that when we read the speeches of General Somervell and the speeches of Secretary Stimson and the testimony in the record as submitted by the naval and military officials of the Government, we do not find evidence. We find a lot of flag-waving allegations, but we do not find evidence showing a failure to meet the production needs of this country, as alleged.

I state again, as I said yesterday—and I will be through in a moment—that if the Senators on the other side of the aisle will exert all the effort they are capable of exerting in inducing this administration to approve the Senate bill and to put into effect the provisions of the Senate bill, they will do the job which needs to be done and they will also do something which is much more important, namely, the job of preventing, insofar as public opinion in this country is concerned, a division of public opinion in regard to the great issues which will confront us in the immediate future. We cannot solve the problem which the Senate well knows the Senate must solve in the critical months ahead unless we have complete unity of public opinion. We cannot build up unity on the basis of suspicion.

Mr. HATCH. No; and the Senator cannot build up unity by standing before the Senate and saying that a simple measure such as the one before us, requiring men to remain in war industry, destroys freedom, and that we must have faith in the people. That does not breed unity.

Mr. AUSTIN rose.

Mr. HATCH. I yield to the Senator from Vermont.

Mr. AUSTIN. Mr. President, so many times the distinguished junior Senator from Oregon has challenged the record by saying there is no evidence to support the claim that such legislation is necessary, that I am moved to call his attention to page 127 and following pages in the Senate hearings on the pending legislation. On those pages there is to be found evidence which deals specifically with the places where the need is great. The evidence goes into detail, and it is the highest type of evidence in regard to facing the facts. That is what we are dealing with here. The assertions made during argument should be based upon the record.

Mr. HATCH. Mr. President, let me interrupt the Senator long enough to say that yesterday the Senator from Oregon said there can be not argument as to the facts. He said there may be ignorance as to the facts.

Mr. AUSTIN. Through the generosity of the Senator from New Mexico, I should like to read briefly from the record to support the thought I have expressed.

Mr. HATCH. I yield to the Senator from Vermont.

Mr. AUSTIN. I shall read from the statement of Mr. J. A. Krug, Chairman, War Production Board, beginning at the bottom of page 127 of the record:

In the steel industry, for "Blast furnaces, steel works, and rolling mills," in the peak months, with respect to labor, back in 1943—this happens to be February of 1943—we had 523,000 men and women. In November 1944 we had 473,000.

That was approximately 50,000 less workers.

In "Steel castings," in the peak months of 1943, we had 85,500 workers. At the present time, the last date I have figures for, we have 71,700.

That was approximately 14,000 less.

In "Drawn steel wire," which is one of our most critical things at the present time, we had, in 1943, 37,000 men. Now, we have only 32,000 despite the fact that the demands for these products have gone up constantly since 1943.

And so on. He continued with item after item.

He said as a conclusion from the facts:

Now, the point I am trying to make is that the so-called voluntary approach isn't even working for the "must" plants. It is demonstrated by the constant increase in the number needed. But even if it was working for the "must" plants, in the long run it is going to ruin the basic structures of war production, which are these raw-material industries transportation, utilities, and all the things that go to make up the final result, which is the tanks or guns or ammunition.

He continued beyond that, page after page, listing details of shortages of manpower, and proving beyond any question at all that the voluntary system, so-called—actually it has never been voluntary by any means; no system has been—as it had been tried up to that date, with the creeping coercions under Executive orders, had failed in the past, gave promise of failure in the future, and made necessary legislation which would put vitality into the efforts of procurement. That testimony is not the testimony of a military officer who has suffered criticism from Senators on the ground that military officers do not know the subject of production and procurement and, therefore, their evidence cannot be taken. I have pointed to the testimony of a witness who is not a military officer, who is not subject to that criticism, but who is qualified beyond any other one individual in the United States to testify upon the subject because he is in a position of responsibility with respect to it, and he knows the subject directly as an eyewitness.

Mr. HATCH. Mr. President, I promised to yield to the Senator from Illinois. I merely wished to say a word in answer to the charge made by the Senator from Oregon.

Mr. LUCAS. I thank the Senator from New Mexico for yielding to me.

Inasmuch as the junior Senator from Oregon [Mr. MORSE] has apparently taken over the leadership of the forces opposing the conference report, and desires to debate with every Senator on every question raised, I rise merely to reply to statements which he made in attempting to interpret the argument which I made in behalf of adapting the conference report. His interpretation of my remarks is wholly unwarranted.

I may say to the junior Senator from Oregon that he need not attempt to draw headlines throughout the country by questioning the patriotism of Members of the Senate or by comparing the patriotism of the people in one part of the country with that of the people in some other part of the country. I believe that I know my section of the country. I know the patriotism of the workers in my State. In my State there are probably more workingmen than there are in the State from which the Senator from Oregon comes. I have never questioned the patriotism of workers anywhere in the country. I do not want the Senator from Oregon even to imply on the floor of the Senate that I have questioned the patriotism of the American workingman I know what he has done with a free hand. I have commended the American workers time after time for the tremendous production record achieved by them.

I have reached my own judgment upon a very serious question as I see it in respect to the future. I am not trying to impugn the motives of any Member of the Senate in connection with any argument which he may make. I believe—I may be wrong, and I hope I am wrong—that the trend which the debate on this subject has taken will result in the conclusion on the part of the men in the plants that the moment the war has come to an end in Europe they may begin to trudge back toward their homes in order to find security. I am not questioning the patriotism or the motive of a man who would do that. We can easily place ourselves in his position and judge what we might do.

Much has been said about the war in Germany. Mr. President, I am one of those who do not believe that the war will come to an end in Germany overnight. I would not believe so even if the Government in Berlin should fall tomorrow. Germany is now practically without a government. I have seen some outlaws operate in the United States. I know they fight to the death. The greatest outlaw in the world today is Adolf Hitler, who heads a gang of bandits who are now moving toward the Bavarian Alps. They are not taking with them the young boys and old men who were placed by them on the western front; they are taking some of the best troops in Germany. They have in Italy approximately 18 to 20 divisions of the best storm troopers and the most fanatical Nazis. The way in which Hitler and his crowd prepared for this war convinces me that they have also prepared a place in the mountains to which they can flee whenever they decide that it is to their interest to do so. In addition, we have other countries enslaved by Hitler that must be given their freedom.

Yesterday we read in the press about the "werewolves" of Germany. They comprise an underground organization which consists largely of Hitler's criminals and Nazi outlaws. They have not given up. They will not until they are dead. So, regardless of what happens to Berlin, we shall have men in Germany for some time to come. They will need supplies in great quantities. In this particular hour of our crisis I have to legislate with that belief in mind. That, to me, is the only safe course.

When the war in Europe is over we shall be confronted with the problem of continuing the war against Japan. If Iwo Jima can be accepted as a case in point, and because of their fanaticism we have to kill as many Japs on other islands as we did there, before the end of the war we may have to kill from 4,000,000 to 5,000,000 Japanese. We shall also be confronted with the additional problem of supply lines becoming longer and longer. In my humble opinion this is no time to cease and desist.

Mr. President, some say that if we had enacted this legislation 3 years ago it would have done some good. I think the hour is here when the people of America must realize that the war will last longer than most of us have heretofore believed. I am now talking for the boys at the front. Already our casualty lists number nearly a million. I do not want to see the war prolonged a single day, or a single life lost as the result of the failure of some particular group in furnishing supplies at the proper place and at the proper time. I am not thinking about a social policy or a labor policy; I am not thinking about a naval policy, or a chamber of commerce movement. I am thinking about what is necessary for the boys at the front. That is my primary concern in this crisis. That is why I am in favor of the conference report. It is not all that everyone would desire; but it is the best that we could get out of the bill passed by the House and the bill passed by the Senate. All legislation comes through compromise.

Mr. President, again I assert to the Senator from Oregon that I do not want him to attempt to draw from my remarks inferences reflecting on my patriotism.

Mr. LUCAS subsequently said: Mr. President, with the permission of the

Senator from New Mexico, I ask unanimous consent to insert in the RECORD at the conclusion of the remarks which I made awhile ago an article entitled "Hitler Still Retains Power To Delay Total Defeat for Months," written by Gault MacGowan of the North American Newspaper Alliance, and published in today's Washington Star.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HITLER STILL RETAINS POWER TO DELAY TOTAL DEFEAT FOR MONTHS

(By Gault MacGowan)

GENERAL BRADLEY'S HEADQUARTERS IN GERMANY, April 3.—While the news from the front lines and the Allied spearheads is exhilarating, it is well to remember that Hitler still has the possibility of delaying for at least 12 months the day when such priority outfits as the First Division march down Fifth Avenue.

Depressing though the thought may be it is wise to reflect that even if we join up with the Russians within a few weeks there will still remain the following reduction tasks: The liberation of northern Holland, Denmark, northern Italy, and Hitler's Alpine hide-out.

Although the Wehrmacht is licked and Marshal Kesselring's reserves are rapidly dwindling, the fact remains that no one has yet made an unconditional surrender, and none save Hitler is empowered to speak in the name of the German people. The hundreds of thousands of soldiers who have surrendered hitherto have come under the provisions of the Geneva Convention, which guarantees them the same treatment, rank for rank, as is accorded the American soldier except that they receive their treatment behind bars. Only those civilians who have fluttered white flags over their homes may be inferred to have surrendered unconditionally, and even they are subject to the terms of the Geneva Convention governing treatment of civilians in occupied zones.

NAZI SYSTEM CONTINUES

The Nazis' murder of the Allied appointed mayor of Aachen indicates that there is no change of heart in the Himmler-controlled Nazi system, and since neither hope nor comfort is offered to the Nazi higher-ups there is no reason to believe that they will surrender as long as they have a few divisions of fanatical storm troopers capable of holding the Alpine passes.

Hopes are high that we may not ever have to fight an Alpine battle, as the fast-surrendering Wehrmacht may fail to provide a sufficient delaying action to permit an orderly get-away into the mountain fastnesses. But should we be obliged to do so, it is doubtful whether a few short summer months would be sufficient to smoke the rats out of their holes. Marshal Kesselring, a master of the art of stone-wall defense, would struggle to the utmost to protract the battle until winter closed down operations in the high Alps, giving him a respite until next spring.

Some believe that Hitler's stronghold—the National Redoubt, it is called—could be outlawed when Germany proper falls, and that bandit-extermination methods could then be employed, but you can't bomb all the earth's surface off the underground burrows there. Marshal Kesselring, despite the wreck of his effectives on the western front, still has twice as many men as the Reichswehr was allowed under the Versailles Treaty, and reports from Switzerland indicate that he is using them to withdraw the SS men under the cover of their operations until the National Redoubt is secured.

HITLER PLANS MAY FAIL

However, the German generals have made one military blunder after another since D-day, and with the German people in a mood to give in to the Americans now it is possible that Hitler's plans may miscarry, making possible a formal end of the war this year. But even that cannot be contemplated presently until every square mile of Germany is overrun by ourselves or the Russians.

History teaches that the Germans collapse quickly, once the rot set in. Like chess masters, once they see that the jig is up they do not bother to play out the game to the bitter end. But nazi-ism is an ideological and political rather than a military system and although its military wing lies in apparent ruins in the west it may yet have a last kick, and it would be unwise to expect anything like sudden surrender. Our linking up with the Russians for the occupation of Berlin would not necessary end the war either, and the question of when the war will end is purely academic.

The war, as we know war, has probably ended now. The final phase began when Marshal von Runstedt made his last vain attempt to smash our lines last December, lost all hope of gaining the initiative and, forced to fight west of the Rhine by Hitler's orders, failed to fight behind it.

But the hostilities cannot end until Hitler and his political henchmen have been rounded up. Insisting on unconditional surrender, we made their abdication virtually impossible by impending their flight to neutral countries. They can look about the world without finding either home or asylum. Hitler, like the gangster Dillinger, must await avenging justice, surrounded by his gunmen.

Our victorious military forces will need the support of the German people in the effort to exterminate their leaders, and General Eisenhower's policy is against seeking that cooperation. We can't expect a normal approach to the denunciation of the discredited and nationally ruinous Nazi government.

The greatest part of Germany lies in ruins. The Germans have only their own lives to save now, and they are doing that by surrendering piecemeal as we advance. Not until we hit the hard core of real Nazis and threaten their hide-out will the end really be in sight.

Mr. MORSE. Mr. President, will the Senator from New Mexico yield? I think he should allow me the courtesy of replying to the Senator from Illinois. I shall be very brief.

Mr. HATCH. I yield.

Mr. MORSE. Let me say to the distinguished Senator from Illinois that I am sure his eyesight will be much more accurate after he has read my remarks in the RECORD tomorrow than his hearing was when he listened to them today. There was nothing in my comments which would impugn the Senator's patriotism. I know that no Member of the Senate is more patriotic than is the Senator from Illinois. Before he jumps to conclusions with regard to my motives or implications, I urge him to read my remarks in the RECORD.

I accept most graciously the point which he made—I think it was well taken—in chastising me for participating at some length in this debate. I am perfectly aware that traditionally, perhaps, it is not the thing to do. But I assure the Senator from Illinois that I should not have said as much as I said in this debate if I had not been as deeply convinced of the correctness of my side of the issue as he apparently is convinced of the correctness of his side. The welfare of America calls upon men who have such convictions as I have to stand up and express themselves in defense of the principles of the kind of government for which I have argued. Having done so, and having recognized the merits of the Senator's little scolding, I assure him that I shall shortly go to lunch.

In closing, I may say to the Senator from Vermont [Mr. AUSTIN] that I have read the so-called evidence to which he has referred. Of course, it is possible to point out shortages here and there in the great production program which was put into effect all over the country; but in this country manpower is available to be transferred to those places under a voluntary system or such a system as could be found in the Senate bill, and it is not necessary to go to the length the proponents of this bill seek to go by way of asking us to adopt the conference report.

Mr. HATCH. Mr. President, I hope the Senator from Oregon will not go to his lunch immediately because I want further to comment a little on the remarks he made yesterday.

Mr. MORSE. I will stay for that, but I will not reply to the Senator.

Mr. HATCH. I will come to that now, and then the Senator can go to lunch.

The Senator from Oregon made a very able argument against the abuse of administrative power. He advocated and argued on the floor of the Senate for some system to curb excessive abuse of administrative power. It was an able argument; every point he made was sound; I was in accord with him a thousand percent, and if ever a bill with respect to administrative law comes before the Senate the Senator will find me supporting it, as I have done in the past, and I hope he will be on the same side speaking as ardently and vigorously as he did yesterday. But, according to the Senator's own decision to which he referred yesterday, wartime is different. Wartime is destructive of freedom; it is destructive of ordinary procedure of every kind; and, as he pointed out in his opinion, vast powers are conferred upon the Chief Executive, so vast that he himself does not know what they are until the Supreme Court of the United States has laid down the limits to which, under the Constitution of the United States, the Chief Executive may go in time of war. What does this bill have to do with that? How does it curb the wartime powers of the President. It does not do so at all. The able argument of the Senator from Oregon is applicable to ordinary times, to peacetimes, but it has no application to the situation which we confront today and which he himself so ably pointed out in the opinions which he rendered as a member of the War Labor Board.

He asks us now to go back to the Senate bill. Let him ask the Senate conferees about that. They tried to sustain the Senate bill, but there is another branch of the Congress. The Senate cannot write legislation just as it wants it. There must be consultation and there must be compromise. The House did yield; it did surrender on important parts of the bill which it had passed and for which it had just as much right to stand firmly and declare, "We will have this or nothing else," as the Senator would have the Senate conferees stand

and say, "We will have this or nothing else." Every Member of this body, with a few exceptions, perhaps, has served on conference committees. We know that if either body takes that position there can never be any legislation. It is idle to talk about going back to the Senate bill. That time has passed; that day has gone. We are here now considering the conference report, and I venture the prediction that if it is defeated that will be the last we will hear of either the Senate or the House bill. That is the practical situation with which we are confronted and every Senator knows and realizes that it is not necessary, it is not useful to talk about going back to something that has already gone.

Mr. President, I said the other day on the floor that I sat down in my office the other morning, I ask that I be not disturbed, and I took the conference report and studied it as deliberately and as carefully as I could and with such ability as I possess, trying to determine the question, Does the conference report bill destroy liberty and freedom? Does it enslave the workers of America? Those charges have been made here in the heat of debate. Only yesterday it was said this bill, if enacted, will enslave every man and woman in this country, and I have had telegrams from my State saying, "Do not vote for a slave bill." I wanted to know if this is a slave bill; I read it very carefully in the light of other legislation which has been passed, and I came to the considered conclusion that all it does is to say to the workers in designated areas who are engaged in work essential to the war effort that for the period of the war, with a definite period of termination——

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. LUCAS. I merely wish to refer to a comment that I heard over the radio last night to show how the effect of measures pending in Congress is distorted. A famous radio commentator told the American people last night that if the conference report should be adopted all civilians after the war—he did not say for how long—would be subject to this bill and would be under the direct control of the Government. That is what this commentator said, and that is the kind of propaganda that is going out to the country.

Mr. HATCH. That, Mr. President, is what I referred to, and I did not mean to make it personal to the Senator from Oregon when I said that kind of talk does not contribute to the unity of the war effort in any way whatsoever. It intends to, and actually does, create suspicion and distrust; it divides labor from Government and labor from management and destroys the unity of action for which the Senator from Oregon so eloquently pleads.

Oh, Mr. President, let us be reasonable, let us look at the bill as calm men considering important matters and without prejudice and without bias. Turning to section 5 (3) of the conference report bill, which is the vital section—what does it say? I read it:

(3) to prohibit the individuals employed in designated areas, activities, plants, facilities, and farms, which the Director deems are essential to the war effort, from voluntarily discontinuing such employment unless, in the case of any individual so employed, the Director determines that it is no longer necessary in the interest of the war effort for him to remain in such employment or that he has a justifiable reason for leaving such employment.

Mr. President, that paragraph does give power to the Director of War Mobilization and Reconversion, under the supervision of the President of the United States, to freeze employees in designated areas who are engaged in essential war work, in order to prevent them from quitting their jobs while their work is essential to carry on the war effort. I do not beg the question. It does give that power, and it is a strong power. It is a power which in peacetime not a single Member of Congress would think of giving to any individual. It is strictly a war measure, and nothing else. It does prevent the individual from exercising his constitutional and fundamental right to seek employment where he wants it, to quit a job when he wishes to do so, and to pursue his own individual way of life. It does do that; I do not deny that at all. But, Mr. President, my course of action in relation to this type of legislation was determined a long time ago. It took no persuasive letter from the President of the United States, and it takes no eloquent argument from Senators on this floor, to persuade me what to do when I think a thing is essential to the war effort.

Mr. President, I voted in peacetimes for the first draft law. I said to the youth of America, "We will destroy your freedom of action, we will take from you the right to work where you want to work. We will put you in uniform, and we will not let you quit. If you do, the penalty will be death." When I voted for that law, and when I realized that as the result of that vote the youth of this Nation would go to the battlefields and many of them would die, as they have died, my course of action in the future was made plain. I made up my mind that I would not hesitate to draft labor if necessary; though the pending bill is not a draft bill. I made up my mind that I would not hesitate to draft capital if necessary, because to me the supreme consideration was to back up with everything within the power of this great country of ours the boys we had forcibly deprived of their liberties, their choice of action.

I have not hesitated, and I shall not hesitate today or tomorrow, whenever we vote on the pending conference report, to say to the men engaged in manufacturing the things which the soldiers must have in order to fight and win the war, "You cannot quit, either." I shall not hesitate. The fact is, my chief objection to the conference report is that it is not sufficiently strong.

It has been made very clear on the floor of the Senate that nothing in the terms of the conference report bill would prevent strikes in industry. I am sorry that is so. With every due regard for the right of the workingman to strike and protect himself in peaceful times by every legitimate means, including the right to strike, which is legitimate, there is no power in the world which can convince me that any worker in a war plant has a right to stop the production of the things needed by the fighting men. Nothing will ever convince me that there should ever be any slow-down or any stoppage of work whatsoever in such a plant. I am sorry that the conference report bill is not stronger.

Mr. President, I had not intended to say these things, but the course of the debate has so developed that I thought it was wise to say them. Again I must say that I do not mean to disparage what the worker has done. I have been in every type and kind of war factory and munition plant in every part of the United States. I have seen the workers at their labor. I have seen them doing their work magnificently.

Yes, Mr. President, I also have seen the grandmother and I heard the moving story of the old lady engaged in war work, which was a true story. But I do not boast of the fact that we have been so inefficient in our handling of the manpower situation, that we have been so timid, and there has been so much hoarding of labor that it has been necessary for the grandmothers of the country to go into war plants in the last days of their lives. I am not proud of that fact, although I honor and respect the patriotism of the grandmother who has been mentioned, and all other grandmothers who have been so engaged.

In all the tributes we pay we must not be blinded to facts—and I now speak of facts. All has not been perfect either with management, or with labor, or with Government, even including the Senate itself. There have been slow-downs, there have been strikes, there has been greed on the part of some in industry. Those charges are true. We must not blind ourselves to them. Every time there has been a slow-down, every time production has slackened, there has been a delay in the ultimate victory, and every day of delay costs the lives of some American boys.

Mr. President, it has been argued on the floor of the Senate very strongly that every schedule has been met, that none were behind. That is not the fact. I shall read now from the testimony of the man charged with war production, testifying before a committee of which I am a member, before there was any manpower bill before the Senate, when our committee was investigating certain charges which had been made about the wastage of manpower. He was asked this question:

Is it true that the schedules have been met?

This was the testimony of Mr. Krug:

Briefly, the picture is about this: 60 percent of these thousands of schedules are on time. Some of them are ahead of time. About 40 percent are behind, and of that 40 percent, unfortunately something like 27 percent represent some of the most critical items in the war—critical in terms of the battle now going on in Europe, and critical in terms of the plan of action in the Pacific.

Schedules have not been met. As to the 27 percent, lest I might be misunderstood, I asked the question:

Did you mean 27 percent of the total or 27 percent of the 40 percent that is behind?

He said:

I meant 27 percent of the total behind schedule.

General Somervell has been quoted as saying that no military program, no campaign, has suffered in any way because of lack of production. So I asked Mr. Krug if that were true. He said:

I would not disagree with that, but that does not mean that if we had more we could not plan things and do things that we cannot otherwise do and are not planning to do.

Further testifying before our committee, Mr. Krug explained schedules as something altogether different from needs. "Schedules are made according to what is believed can actually be accomplished. It has no relation to needs." The question was asked:

Do not the services necessarily plan their campaigns * * * on what your schedule is? That is, what you think you can actually do?

Mr. Krug:

They do so.

Another question was:

And they (the services) make their plans according to your schedule of what you think can be actually accomplished?

Mr. Krug:

That is why we use a schedule rather than needs.
It is no use saying—

Mr. Krug continued—

if at the moment we could get another 30,000,000 yards of duck a month we could use them. We are 100,000,000 yards short now. We know we can't get it and have to plan with what we can get, and adjust the schedule with what we call reality.

Then the Senator from Michigan [Mr. FERGUSON], another member of the committee, said:

For instance, we had that in the airplane industry, in the Willow Run bomber plant. We got to the point where they were meeting schedule, but schedule was being cut down monthly for a while to anticipate what they could actually get out.

In other words, the schedule had to be lowered monthly to meet what could be produced. Schedule has no relation whatever to need. It relates only to what the planners believe can be done, and the schedule is set accordingly.

For instance, on the question of manpower, and there being no lack of it, but a surplus of it, Mr. Krug testified, after the Senator from Michigan had raised the question, that in the month of October last there had been a gain of 59 employees in the truck and tire industry, an industry which was critical and vitally needed. It was testified that from 2,000 to 6,700 additional workers were needed, yet the fact remains that only 59 workers were added to that program. There was a gain of only 59 workers.

Mr. MORSE. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from New Mexico yield to the Senator from Oregon?

Mr. HATCH. I yield.

Mr. MORSE. The Senator is aware of the fact that the manpower problem of last September and October was influenced, at least to some extent, by the great optimism which was created throughout the country by leaders in the administration and certain military leaders. It is not necessary to rehash that or thrash it out here; but I think it is the consensus of opinion that it was a great mistake on the part of the civilian government leaders and military leaders to spread that feeling of optimism last fall.

When the Senator cites statistics which deal with manpower problems which arose at a time when there was a feeling that there was a cut-back in store for us, I think it is quite understandable why it was really difficult to get men to go into certain plants.

Mr. President, I want to apologize to the Senator from New Mexico, because I told him I would not answer him. Yet after all I am such a searcher for truth that, in order to be true to myself, I must not permit implications to be left by the Senator's remarks which I do not think he really intended. I assure the Senator that I do not share his view that a Senator who stands on this floor and points out that there is, in his judgment, a growing suspicion and distrust on the part of a great many citizens in regard to the domestic policies of the present administration thereby becomes a contributor to disunity. Rather I think he performs a service to Senators on the other side of the aisle, especially when the speaker is as sympathetic as I am toward some of the main objectives which confront all of us in this country in the months ahead.

Mr. President, I am about through. I wish to say to the Senator that I think it is perfectly clear what our difference is. It is an honest difference over a question of fact. If in my judgment national necessity required the type of legislation the Senator is arguing for so eloquently I would be supporting it. But I say that the issue before us is to establish by clear evidence that it is necessary to go to the length the Senator proposes we go under the conference report rather than to adopt the principles of the Senate bill.

The Senator says, "Of course, the Senate bill is out. It is impossible to secure reconsideration of it." I have such a high regard for the political and legislative sagacity and ability not only of the Senator from New Mexico but of the great majority leader, the Senator from Kentucky, and the chairman of the Military Affairs Committee, the Senator from Utah, that I am convinced, if they made clear to the administration forces both in the Senate and in the House and at the other end of Pennsylvania Avenue, that the majority of Senators feel that on its merits this conference bill should not pass but that we should try to put into effect the principles of the Senate bill, ways would be found to secure a reconsideration of the Senate bill in the House. I happen to be one who is willing to take judicial notice of what I think is a fact, that if that strategy were followed by the Senators on the other side, the Senate bill would be passed by the House.

As my last remark—and I assure the Senator it is my last remark on the subject at this time—I think it would be most unfortunate for America and for the American people if the principles set forth in the conference report should ever become law for any period of time because its adoption will convince many Americans that we have started on the road to a complete regimentation of our economy.

Mr. HATCH. Mr. President, to that point I shall refer, but first I wish to say that when I was interrupted the figures I was giving respecting the tire industry were not given to point out particularly any deficiency in labor. What I was bringing out was leading up to another point, to another question, which we asked Mr. Krug, and that is why it was that only 59 employees were secured during that period of time. I want Senators to listen to the answer made by the Chairman of the War Production Board, the man upon whom we placed the responsibility for production. Mr. Krug said:

I account for that fact because we don't have any compulsory way to keep people on the job.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. HATCH. I yield.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WILEY in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Murray
Austin	Green	O'Daniel
Bailey	Guffey	O'Mahoney
Ball	Gurney	Pepper
Bankhead	Hart	Radcliffe
Barkley	Hatch	Reed
Bilbo	Hickenlooper	Revercomb
Brewster	Hill	Russell
Briggs	Johnson, Calif.	Saltonstall
Brooks	Johnson, Colo.	Shipstead
Buck	Johnston, S. C.	Smith
Burton	Kilgore	Stewart
Bushfield	La Follette	Taft
Butler	Langer	Taylor
Byrd	Lucas	Thomas, Okla.
Capehart	McCarran	Thomas, Utah
Capper	McClellan	Tobey
Chavez	McFarland	Tydings
Connally	McKellar	Vandenberg
Cordon	McMahon	Wheeler
Donnell	Magnuson	Wherry
Downey	Maybank	White
Eastland	Millikin	Wiley
Ellender	Moore	Willis
Fulbright	Morse	Wilson
George	Murdock	Young

The PRESIDING OFFICER. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. HATCH. Mr. President, before I proceed with a discussion of the next point I have in mind, I desire to answer at least on my part an argument which was made yesterday; namely, that whenever power has been granted to an executive agency the Congress has never rescinded or withdrawn any of that power.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. MORSE. I am sure the Senator realizes that the statement made yesterday in that connection was with regard to the pattern established in such cases. The general, over-all pattern has not been the withdrawal of such power. Yesterday there was a discussion, as the RECORD shows, of a few instances in which such power has been withdrawn;

but I repeat that the general pattern is not to take back the power, once it has been granted.

Mr. HATCH. I concede there is a great deal of truth in what the Senator from Oregon has just said. The situation he has described is the fault of the legislative branch of Government. I referred to that matter a while ago when I said I hoped there would be a bill before the Senate, some day, in regard to which the Senator from Oregon and I would be on the same side, fighting for it. But I was reminded today of a bill which does establish something of a pattern along the exact line we are discussing; namely, not only a pattern which the Congress might follow, but one which would also be indicative of the attitude of some of the executive agencies. The Second War Powers Act was before the Congress last December, for extension. The House of Representatives passed the bill extending the Second War Powers Act, but the House amended the Second War Powers Act so as to provide in substance—I shall not go into detail—for a judicial review, a thing for which I have contended. I have maintained that there must be some independent agency, either the courts or some other agency which the Congress might create, which would have power to review administrative decisions, so that absolute power would not rest in the hands of any person. The House of Representatives passed the bill providing for such a judicial review. The House sent the bill to the Senate, and it was referred by the Senate to the Committee on the Judiciary, I may say to the distinguished Senator who occupies the chair at this time [Mr. WILEY]. I was appointed chairman of the subcommittee in charge of the bill. When I saw that provision was made in the bill for judicial review, I debated whether it was wise. I called to my office representatives of the War Production Board, representatives of even the Office of Price Administration—in fact, the general counsel of the O. P. A.—and a representative of the Department of Justice, Mr. Hugh Cox. We sat around my desk and examined the bill. Those "greedy, grasping representatives of executive agencies" said to me, "We have no objection to that provision. It probably is a good thing." The Department of Justice did object technically as to one or two matters regarding which they thought the bill might be improved; but insofar as the principle of judicial review was concerned, they agreed with me that provision for it should be included. I so reported to the committee. The committee reported the bill, and it was passed by the Senate. I doubt whether half a dozen Senators knew we were taking back power which we had previously granted. I am sure they did not know that that withdrawal of power was made with the consent and, more than that, with the absolute approval of those Government agencies.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. MORSE. I assure the Senator from New Mexico that I find it much more pleasant to be in agreement with him than to be in disagreement. On this particular point we are in complete agreement. I assure him that when in the future he proceeds to try to have the principle of the bill he has just been discussing passed upon again by the Senate, he will have at least one additional voice to back him up. I am sorry I was not sooner a Member of the Senate so that I might have helped him.

Mr. HATCH. Let me say to the Senator that on the basis of the experience we had some years ago, when we passed such a bill, we might need the voice and vote of the Senator from Oregon.

Mr. President, I now pass to another feature which has absolutely amazed me. I have been astounded at the arguments made here against retaining men employed in essential industries by legislative action, and providing penalties if they leave their employment. I have been still more amazed when I have heard such arguments made by Senators who most vigorously support the right of the legislative branch of Government to write its own laws and to lay down its own rules, because, Mr. President, as a matter of fact, we have not had a voluntary system for many years. As a matter of fact, under powers heretofore granted, by rule and regulation of executive departments, workers are now forbidden to leave their work. Today they cannot quit—not by virtue of a law passed by Congress, but by rule of the executive branch of Government. Yet Senators stand here and say, "Do not pass this law; do not destroy freedom; do not destroy representative government." In effect, although they know it not, they are saying, "Continue to let the agencies in the executive branch of Government write the rules and regulations which we, as Senators, do not have the courage to write."

Mr. MORSE rose.

Mr. HATCH. I yield to the Senator from Oregon. I thought he would want to say something.

Mr. MORSE. The Senator knew that his statement would get a rise out of me. [Laughter.]

I may say to the Senator from New Mexico that my protest is that I do not believe we should permit widespread exercise of executive power in the absence of any necessity for it. I have always been of the belief that the Congress should write legislation, and that the courts should pass judgment upon its enforcement.

The Senator has referred to freezes by Executive order. Of course, he recognizes that there is no way of enforcing such freezes.

Mr. HATCH. Oh, yes; there is. I shall read the authority.

Mr. MORSE. The freezes do not produce the results which the Senator seems to think they do. Violations of them, ignoring them, and walking out on them have resulted in a complete break-down in that type of procedure.

I cannot refrain from again saying to the Senator that when he talks about procedures of the executive branch of government, I think the procedures proposed in the Senate bill would provide the legislative authority needed, would provide at least reasonable checks upon abuses, and would result in Congress doing what should be done in solving the manpower problem.

Let us consider the Senator's alternative; namely, to give to the executive branch of government the great unchecked power proposed by the conference report. The suggestion of such power makes it impossible for me to go along with it, or to reconcile it with the Senator's own premises.

Mr. HATCH. I realize that yesterday the Senator stated his position in regard to this matter. The unalterable fact remains that regulations are now promulgated. Workers are indirectly prohibited from leaving their jobs, and penalties are provided by rules and regulations of the executive branch of government, with the full approval of both labor and management.

Mr. President, I was discussing the fact that for a long time, by regulations of executive departments, we have had a compulsory system. It is true, of course, that it has been indirect. I stated that the compulsory system had the approval of both labor and management. I wanted to be sure about that. I had understood that such was the case. This morning I called the War Manpower Commissioner and obtained information which I shall put into the RECORD. My information is that under existing regulations of the executive branch of government no worker may leave employment in an essential war industry and obtain another position without a certificate of availability. There are other controls. But in testifying before our committee, Judge Hay—I digress to say that his recent death was a loss to this Nation—had this to say with reference to the theory upon which compulsion is now being imposed:

> Thus, by closing all new job opportunities to a worker, by closing all opportunities for a man to get a job, he can be compelled to remain in his present employment.

I repeat those last words: He can be compelled to remain in his present employment. By closing to him any chance or opportunity to get another job he is now forced to remain where he is.

Senators may say that there is no penalty. Yes, Mr. President, there is a penalty. Sixty days without work is the penalty. Sixty days must elapse after the worker quits his job before he may obtain one elsewhere. Yesterday it was said that that was only a minor penalty. I assert that closing the door of opportunity to any worker for 1 day or 1 hour is a severe penalty. Sixty days without employment may cause a man to starve.

I am sorry the Senator from Ohio has left the Chamber, because in his remarks he used the word "starvation." The penalty is 60 days without work, 60 days without pay, with no new job available.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. HATCH. I yield.

Mr. MORSE. May I point out to the Senator from New Mexico how I think the so-called voluntary freeze method under order of the Manpower Commission has functioned in actual practice?

Mr. HATCH. No; I do not yield for that purpose. I do not care how it has functioned. I do not care whether it has succeeded or failed. The principle remains the same; the executive branch of the Government has thought, as Mr. Krug thought, and as management and labor have agreed, that there must be compulsion in order to keep men at work. But in order to provide such compulsion they did not come to Congress, the responsible representatives of the people, and request that legislation be enacted. They wrote rules and regulations within the executive departments.

Mr. MORSE. Mr. President, will the Senator extend to me the courtesy of permitting me to make one comment?

Mr. HATCH. I yield.

Mr. MORSE. I merely wish to say that of course I think the real test, if what one is actually interested in is maximum war production, is to consider how these techniques work. That is the test. I should like to point out that the principles to which the Senator is referring in regard to the so-called compulsion by the Warpower Commission have not worked; they have not produced the result. What happens in actual practice? The labor and employer committee sits down and persuades men to stay at their work. Many of them do stay under persuasion, but when the men say they still will not work for their employer, a certificate of availability is made out and the worker goes down the road to another job and there is no 60-day waiting period. He goes to work in a shipyard or the next mill or some other war plant, because, as I tried to point out yesterday, we are dealing with the human factors, the dynamics of human nature, and we cannot, by trying to put either management or labor in a strait jacket when they think it is not necessary that they be put in a strait jacket, accomplish the magnificent production job they have demonstrated they can do and are doing.

Mr. HATCH. The Senator from Oregon has said that argument has failed; he has said that persuasion has failed; he has said that rules and regulations of departments have failed; that workers do quit their jobs and do not even wait 60 days to get other jobs. Mr. President, if persuasion has failed, if argument has failed, if reason has failed, if the regulations of the departments have failed, perhaps it is time that whatever restrictions, whatever rules are laid down should be laid down by the Congress of the United States in the law of the land.

There has been much said about faith in the people. I say to every Senator present if the Congress enacts this legislation I have sufficient confidence, I have sufficient faith in the law-abiding workers of America to believe that they will obey the law of the land. Senators who stand on the floor and say, "Do not pass this legislation, do not enact this law because it will be disobeyed," reflect upon the honor and integrity of every workman in this country. I am glad I have more faith than that: I am glad I believe in the people of America more than to think that they are going to disobey the law which their Congress says is essential to the war effort.

I can well understand why they might disobey a regulation of a department; I myself do not like regulations; they do not have, or people think they do not have, the weight, the force, and the effect of law; but when it comes to disobeying the law of the land, I think those who entertain such a thought doubt the patriotism and the honor and integrity of the American people.

Mr. CORDON. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Oregon?

Mr. HATCH. I yield.

Mr. CORDON. The Senator has expressed most eloquently his faith in the integrity of the American worker, a faith which I share; but I wonder if the Senator's faith in the integrity of the American worker is strong enough that he would be willing to cut out the penalty of a $10,000 fine and a year in jail, and rely on his faith only?

Mr. HATCH. Mr. President, I do not exactly understand what the Senator means by his question.

Mr. CORDON. The Senator from Oregon is willing not only to cut out the penalty but he is willing and is going to endeavor to cut out the bill.

Mr. HATCH. Mr. President, would the Senator from Oregon also cut out existing penalties? Would he cut out the penalties which the law now provides? It is idle to talk about such things. It sounds fine, but we are confronted with facts as they exist. It sounds fine to say that workers will not leave their employment. Those are grand words and they express a fine sentiment, but we know what is going to happen. We know, as a matter of fact, what did happen when our armies marched so gloriously and victoriously through France last summer. When it was thought the war in Europe would soon be over there was a quick and decided let-down in employment.

Mr. AIKEN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from New Mexico yield to the Senator from Vermont?

Mr. AIKEN. My understanding is that that let-down was due to the fact that Government orders were cut back, and 8 percent of the labor in the country laid off.

Mr. HATCH. I do not know what the Senator's understanding is. I know, as a matter of fact, what actually happened, and I know what is happening now, and I have it from the most responsible officials of the Government. Men are leaving their jobs, and when Germany collapses there is going to be an exodus of war workers.

In saying that I am not challenging the patriotism or any worker. I think it is a perfectly natural thing for a worker to do, and probably, if I were in his shoes, I would do exactly the same thing, but I am not going to stand on the floor of the Senate and with high-sounding phrases and fine words deceive myself as to the consequences which I know will ensue.

As I have said, I would not blame the workers too much. Probably, if I were one of them, I would do exactly the same thing. I have heard on my own radio as I drive to my office announcements suggesting to workers that they get a permanent job. War work is temporary; of course it is temporary; the workers know it is temporary, and I know it is, and after they have performed what they think is their full duty and the war is about over, they naturally think, "I have done my job and why should I not look around for myself?"

Mr. President, the war will not be over when Germany collapses. Sitting at present on this side of the Chamber is the distinguished Senator from Connecticut [Mr. HART] who probably knows more about the Pacific area than any other Member of the Senate. From his knowledge and his experience he tells us that Japan has always been a greater menace than Germany. I liked the argument which the Senator from Connecticut made. It was an able argument; it was based upon knowledge and experience.

Mr. President, I do not want by any act of mine to impose any restriction upon any American citizen; I do not want to destroy individual liberty. I doubt whether there is a Senator on this floor who believes more firmly than I believe in the rights of the individual. But I know that war destroys those rights. I know that war has destroyed the right of our fighting men even to life itself. I know there is not even freedom of the individual in civilian life in America, and I am not going to deceive myself by talking otherwise. Where is freedom and equality when I cannot go down to the grocery store and buy a pound of butter without a ration stamp? War destroys all these rights, and the fact that it does destroy liberty, and the fact that it does destroy freedom, is one of the reasons why I hate war so intensely, one of the reasons why I have done what I have been able to do and why I shall continue to do everything I can do to drive war from the world, because so long as war endures there will not be liberty and there will not be freedom.

Oh, Mr. President, it was a mild measure the Senate passed, it is a mild measure the conference report provides. It merely applies to the army on the home front, and it is an army, and if I had my way I would give proper recognition to every man who has helped to supply the munitions of war, which have made our great victories possible. I would raise the Stars and Stripes over every industry engaged in the manufacture of war materials, and I would launch each ship to the tune of the Star-Spangled Banner, because such industries are engaged in war work, and we merely propose to say to the workers, "You cannot quit until your job is finished," just as we said by the draft, just as we say by the Articles of War, to the fighting men, except that we provide for the army on the home front a mild penalty, and if a soldier quits he will pay with his life.

Mr. President, I hope the Members of the United States Senate this day, or whenever the vote shall be taken, will face this issue with some small measure of the courage and bravery with which

their sons daily offer their brave young lives on their country's altar.

Mr. CORDON. Mr. President, on the 20th day of February this year Mr. E. C. Sammons, of Portland, Oreg., who is vice president of the Iron Fireman Manufacturing Co., an outstanding public-spirited citizen, and chairman of the Oregon War Finance Committee, delivered an address before the Rotary Club in the city of Portland, Oreg., on the subject Industrial Development of Oregon During the Past 40 Years.

The title is somewhat of a misnomer. The address is chiefly a recital of the magnificent achievements of the State of Oregon in forwarding the war effort. Because the record of that State, I believe, demonstrates the high level of productive effort resulting from voluntary cooperation of labor and management under the free enterprise system, a matter which is important in the consideration of the measure now pending before the Senate, I ask unanimous consent to have the address incorporated in the RECORD at this point as a part of my remarks.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

My assignment is industrial development of Oregon during the past 40 years.

And what an amazing development that has been.

As we look back upon the Portland of 1905, which was at the time of the Lewis and Clark Exposition, Oregon industry was largely devoted to lumber mills and sailing ships carrying away the products of the mills. Then we had approximately 20,500 men on our industrial pay rolls. Today we have 313,526 with an annual pay roll of $589,000,000. A great deal of water has gone under our bridges, literally and figuratively, since that time. I shall not bore you with a lot of statistics, for I do not think they will interest you nearly as much as a quick picture of the perfectly marvelous job that American industry has achieved in this greatest of world wars.

A few years ago Hitler and his satellites said the democracies were weak, decadent, disunited, and could not and would not fight. They may have had some basis for that thought. We meant well prior to 1939, but our plan of demilitarization just did not work. It lead us into great peril. We had not launched a battleship in 18 years and our Army was half the size of that of Switzerland, but the fall of France and the peril of Britain galvanized us into action. Then came Pearl Harbor, that frightful, never-to-be-forgotten day. The day after Pearl Harbor Walter Fuller, chairman, and William P. Witherow, president, National Association of Manufacturers, issued this pledge to the Nation:

"Industry will build two battleships for every one that sinks. It will match every bomb with a dozen. It will blacken the skies with planes. It will produce and produce to the end that victory shall be swift and sure."

That pledge has been gloriously kept. The machines of industry have been whirring day and night for the past 3½ years. Just think of it. Since Pearl Harbor, thanks to the genius of our military leaders, a 10,000,000-man Army has been put into the field. Industry has fed this Army, clothed it, housed it, equipped it with millions of rifles, guns, mortars, planes, tanks, trucks, and other weapons, and has transported it to foreign shores in ships that were built while the Army was being assembled. Then there's the Navy, greatest of any in history, with its insatiable appetite for equipment. Remember, too, that industry furnished the Navy with its warships, its landing barges, its cargo ships, its planes, its guns and ammunition, in quantities sufficient to bring meaning into General MacArthur's ringing words, "I shall return," which in 1942 sounded so brave, yet so heart-breakingly futile.

Industry has made good on its pledge. We in Oregon can have full measure of satisfaction in our contribution to this great industrial achievement. Portland plants have established several world records in shipbuilding. For instance, Oregon Shipbuilding Corporation has delivered 406 ships; Swan Island has delivered 121 oil tankers; the Vancouver yard has delivered 123 ships, including 50 aircraft carriers, and is building more; Albina Engine Works has delivered 139 ships; Commercial Iron has delivered 159 ships, and in addition has repaired 225 ships; Willamette Iron & Steel Co. has launched 57 ships and converted 10; Gunderson Bros. have delivered 514 landing craft, 3,100 lifeboats, and 100 life rafts; Poole, McGonigle & Jennings have repaired nearly 500 ships—all of this since Pearl Harbor. All of these firms, of course, have had tremendous help from scores of Oregon concerns building component parts for these completed vessels. In addition, our people have produced billions of feet of lumber needed in the war effort. We have produced aluminum products by the tons; bomb fuzes by the hundreds of thousands; airplane parts running into millions of dollars; tank salvage trailers, lift trucks, and special war equipment of one kind or another that would stagger the imagination. America has become not merely the arsenal of democracy but the arsenal of our allies, no matter what their political philosophy may be, and they are not all democracies.

We have had a remarkable record of labor and management cooperation here in Oregon and for that we give thanks to excellent leadership throughout the State. I salute labor for the job it has done and since I am privileged to speak for management today, I wish you to know that industry will finish the job. We say this to the privates and the generals; to the gobs and the admirals. Industry wants to get this war over in the shortest possible time with the least possible loss of life. Industry hates war because it destroys lives. War wrecks homes. It imperils representative democracy. Economic chaos and crushing depressions are usually its aftermath, and I can assure you that management will work like good citizens, like good fathers, to hurry this war along. The managers of industry are something more than just so many businessmen. We, too, are husbands and fathers. We, too, are men who have blue stars in our windows for loved ones for whom we eternally pray. We and our wives, just as other husbands and wives, find ourselves shedding tears of anxiety when no one is looking.

So we say to the American people, to General Marshall, to General Eisenhower, to General MacArthur, to Admiral King, to Admiral Land, and to the G. I. Joes in the foxholes around the world—you have told us what you need, and so help us God, you will continue to get it. Wars are won by men who march that one extra mile—and shoot that one extra bullet. Wars are won by men who stick it out. A lot of Americans before us have stuck it out—the men at Valley Forge; Abraham Lincoln; the Lost Battalion in the Argonne Forest. A lot of Americans are sticking it out today, for instance the men closing in on Berlin, and the men who have just closed in on Manila. We are tired of war—all of us, I am sure—but we have got to stick it out. Management and labor will stick it out. General Eisenhower, in a sobering challenge the other day, said to the home front that "our field men must fight like hell" for victory. We know they cannot fight unless we here at home work like hell for victory. General Eisenhower—"industry will finish the job." Oregon will do its share.

Mr. TAYLOR. Mr. President, I feel called upon to say a few words about the work-or-fight bill, or the work-or-jail bill, or whatever one may care to call it. I made some remarks on the subject when the bill was before the Senate on a previous occasion, and I consider this a continuation of the same proposition.

It distresses me greatly to find myself on the opposite side of the fence from our distinguished and beloved majority leader the Senator from Kentucky [Mr. BARKLEY] and the Senator from Utah [Mr. THOMAS], for whom I have the highest regard and affection, and other able Senators who I know are honest in their convictions, but I, too, am honest in mine, and we happen to differ this time. I hope it will not occur many times.

Mr. President, the main argument urged for the bill at one time or another has been that it would boost the morale of our boys fighting on the battle fronts. I may say that only yesterday I talked with a soldier who has returned from the war. He is one of a group of some 27 young men who are taking a course at one of the universities here. They have been selected especially for certain training. I did not ascertain exactly the whys or wherefores, but they are all ex-servicemen, especially qualified to take the training. This young man was at my office talking with me, and he said they had discussed the compulsory work bill and that only 3 of the 27 were in favor of it.

To be fair in the matter, I must also add that a few evenings ago I was in a taxicab in which a serviceman, an officer, was riding. I asked him what he thought about the bill, and he said he was for it. I asked him why and said, "Workers have done an excellent job, and why at this late date should we enact a law drafting them to work, so to speak?" He replied, "Well, it would be a great boost for the morale of the boys."

I grant that there are probably some soldiers who would feel better if they knew that the workers on the home front had also been drafted. There are people who are naturally constituted that way. I knew a woman once who was compelled to go on a strict diet, and she made her husband take the diet also, although he did not need it. It made her feel better to know that he was having to follow the same diet, whether it was necessary or not. There may be some of our soldiers who have the same feeling. Merely because they have been drafted to go to work, they may want to see some compulsion applied to their brothers on the home front who are producing the goods with which the soldiers are fighting.

Mr. President, what is proposed strikes me as being somewhat comparable to this situation; I have two young sons. Suppose I put them to work doing different jobs, and they both worked well, but one of them felt that the other had not had as tough a job as he had. Perhaps one of them had to go out and

get dirty doing his work, while the other one had a nice, clean job, but they both worked well, and the one who got dirty was complaining; so, in order to appease him and make him feel better, suppose I should take the one who had the better job and give him a spanking so as to make the other brother feel better. I think that is the psychology of the matter, if we are to draft the workers simply to make the soldiers feel better.

I know that if I were on the battle front fighting, I would not feel better if I received word that the workers on the home front had been drafted, because the only justification I could have for putting my heart and soul into the battle would be the knowledge that I was fighting to preserve freedom at home.

It is said, "Well, if we can draft the soldiers we can draft the workers." I disagree. We have always drafted the soldiers, and we have never drafted the workers. In my estimation, it is absolutely a horse of a different color.

I know it will be said that I am against the administration in regard to this measure. I do not feel that I am against the administration. If my brother were doing something which I felt in my heart was wrong and I tried to dissuade him, I do not believe it could be honestly said that I was against him. I would be for him. I am for the administration. I want to keep the record clear, and I believe this is a mistaken course of action upon which the administration has embarked.

Mr. President, I should like to say a word about strikes. They have been brought into the argument from time to time. It has been said that this is not an antistrike bill, and some have said they wished it were an antistrike bill and that they would like to vote to outlaw strikes. While we are on that subject, I should like to present another angle. I believe that a great many strikes are deliberately fomented by management. I am not accusing all management or a large part of management of engaging in that practice, but I am convinced that they do such things. It always reflects to the discredit of labor, because if there is a strike, the fact that the strike has been called is headlined, but never do we see any account of why the strike was called, unless it be that mention is made of the fact that the strikers walked out because seven men were discharged, and the other workers did not like it. We are never given a detailed statement of why the seven men were discharged in the first place or given the real causes for the strike. I am sure that if Senators were similarly situated they would, in many cases, act exactly as the strikers do.

Mr. President, I received a first-hand account, recently, of a man who, when the war started, worked in one of the great automobile plants in Detroit. His employers transferred him to one of the new defense plants which was operated by the automobile company. His employers gave him a great pep talk concerning the important work he was to do. He felt the same way about it as they did. He was enthused over the prospect. He said, "I will manage this big job you are giving me if you will permit me to take my foreman with me as well as the men who have been working with me in my present job." His employers agreed. The man took 165 capable workers in whom he had every confidence to the new job. That job was to turn out bodies for airplanes. The assembly line was organized in the most efficient way possible, and the workers began turning out bodies for planes in unbelievable numbers, and quite soon more bodies had been made than wings or other parts could be found for. So the management began laying the workers off for about 3 days a week. That was the reward the workers received for the extra effort they had put into their jobs. I was told that Army inspectors would go through the plant and look over this man's assembly line, and somewhere down the line a lieutenant would hang a red tag on one of the airplane bodies. He would not say why he hung the tag there, what was the matter with the plane body, or anything else. He would simply hang the tag there, which meant that the line must stop. Then the Army officer would disappear, and lo and behold no one could find him for several days. During that time the workers were out of work. Naturally such circumstances are not conducive to keeping the workers satisfied and keeping their hearts in the job.

Another case which was called to my attention was that of a man who was given the job of wiring a new plant. He was to oversee the installation of all the wiring in the plant. He began his work and did the best he could. It was not expected that his job could be finished for several weeks, but the way he went at it it seemed he would complete the wiring job in a week or two. So an inspector came through the plant every day, and insisted that all the wiring be rounded up and placed in neat piles, and that all the material should be handily arranged so he could inspect it every day, simply for the purpose of slowing down the work so it would not be finished ahead of schedule and get out of line with the situation in general.

Then an order was issued in the same plant that no one was to do anything without receiving orders. That order was issued because the work was being done too well and too fast. One day a boy was ordered to go to a far-distant part of the plant and replace a light globe which had burned out. He went to that far-distant point and put in a new light globe. Then he noticed another light globe which had burned out, and he proceeded to replace it with a new one. When the man who issued the instruction that no one was to do anything without orders found out what the boy had done he discharged him for no reason except that he had replaced two burned-out lights instead of one. The workers went out on strike. Of course it was never publicized that the men struck because the boy was fired for replacing two burned-out light globes instead of one, thereby saving time and expense to the taxpayers by making one trip instead of two.

Mr. President, I simply give these illustrations because I am convinced that great injustice is being done the workers of America in blaming them for all the strikes that occur, without thoroughly looking into the matter and determining why the strikes occur. The fault is that the real reason behind the strikes is not properly publicized.

The Senator from Utah [Mr. THOMAS] last Friday said, "If we cannot trust our Government then we are indeed in a bad way." He was speaking of the conference bill. Other Senators expressed the fear that the vast powers we contemplated bestowing on someone might be misused. I feel it is not a question of trusting our Government. It is a question of trusting men. For instance, at the time the able Senator from Utah spoke it was our expectation that the powers were to be conferred on Justice Byrnes, and even in this brief span of time the Justice has resigned, and it will now be up to someone else to administer the measure.

The able junior Senator from Connecticut [Mr. HART] stated that those who did not want to work were not numerous; that they constituted only a small portion of the whole body of workers. In my remarks on a previous occasion I said that if we enacted a law to draft labor all we would get would be the dregs; that what we obtained would really not amount to much. I said that if we expected to get any work out of individuals who were drafted we would have to put them in battalions and place a man over them with a bayonet with instructions to gouge them a little if they did not work. That is the only way such individuals could be made to work.

So, Mr. President, I do not think the measure is justified on the ground that it might result in a few extra workers being employed. Unless it would result in getting more work out of those who are presently doing the work I cannot see the justification for it. Having worked in a defense plant myself, I am confident that the bill would not result in getting more work out of those who are now working.

In my previous talk on the work-or-fight legislation when it first came before the Senate I pointed out that in the plant in which I worked there were many able and faithful employees who had been there for a period of many years, but when the original freeze order on labor, freezing the workers to their jobs, went into effect, several of those men, merely because they were freedom-loving Americans and did not like the idea of being frozen to their jobs when they had been doing the best they could, insisted on quitting. Some of them later came back, but they quit to make sure that they could do so.

Mr. President, if we are to pass a bill which conveys to the Director of War Mobilization the powers contained in the pending conference report, let us not call it a bill to draft labor. Let us simply call it a bill to get the loafers. Let us make that distinction and at least try to remove a stigma from the loyal workers. We might place a provision in the measure that it shall not be applicable to anyone who has worked 250 days during the last year in an essential job, thus exempting those who have done the best they possibly could.

Of course, we should also except the soldier, the returning veteran, from the provisions of such a law.

Mr. President, I do not wish to give the impression that I am for the conference report. I am not. I voted for the original Senate bill, and I would be for it again if I had the opoprtunity to vote on it a second time. If we were to enact a law to draft workers and make them stay on the job I believe it would ruin their morale and gradually lessen the output of war materials. I know what I am speaking of because before I worked in the defense plant I had been in business for myself ever since I was 20 years old. During the 16 months I worked in a defense plant I made good wages. Those with whom I worked were pleasant and sociable. The management treated me well in every respect. But I wished to be free and independent. I was working for wages, with no prospect of advancement. If someone had told me that I had to stay there forever, that would have been the saddest day of my life. If any one had told me, "You are frozen for the duration," I would have stayed voluntarily, but it would have taken the spirit out of me. I am sure I could not have done as good a job as I had been doing. I did a good job when I had work to do.

If there are any Senators present who did not hear my previous talk, let me say that there is plenty of manpower in the defense plants. The plant in which I worked could have managed with 50 percent of the manpower it had, if the work had been properly laid out, and if contracts had followed one another consecutively; but they did not. A contract would be about to expire, and the word would get around, and we would slow down, waiting for a new contract. Sometimes we would make 1 day's work last for a week, waiting for a new contract to come along. Certainly the workers could not be blamed for that condition. There was nothing they could do to correct the situation. In the plant where I worked, there was no management-labor committee of any kind. All we were requested to do was to do what we were told, keep our mouths shut, and let someone else operate the plant.

It has been stated on the floor of the Senate that there is no difference between drafting a man to work in a plant on one side of the street which is owned by the Government, and drafting a man to work in a plant on the other side of the street, owned by a private individual. There is a vast difference, to my way of thinking. When we draft a man to work in a plant owned by the Government, to a certain extent he can be compared with a man who joins the Army. He is working for the Government, for the people—for himself, if you please. We can find more justification for drafting a man to work in a plant owned and operated by the Government than for drafting a man to work for a private individual, for the private profit of someone else. True, the goods he may produce in the private plant may be for the use of the armed forces; but between the armed forces and the worker is the private employer, who exacts a profit from his labor. If the argument holds good that it is just as proper to draft a man to work in a privately owned plant as in a publicly owned plant, let me say this: We do not object to having men drafted for war. They serve in the Army of the United States. But suppose some broken-down general should say to the Government, "I will raise an army to fight. I think I can get them for so much a head. You pay me, and I will get the army." I am certain that no one would agree to such an arrangement. That shows the difference between the Government actually operating the plant and a situation in which a private individual operates it and makes a profit from it. No one would entertain the idea that anyone should make a profit from the lives of fighting men.

Some concern has been expressed here lest the workers, after VE-day, will quit their jobs. The fear of losing one's job and not being able to find another is the best incentive I know of for keeping a job and staying on it. That is the situation at the present time.

I should like to read two or three clippings which I cut from newspapers in the past few days. The first is an Associated Press dispatch:

CUT-BACK IS ORDERED IN OUTPUT OF SMALL-ARMS AMMUNITION

A sizable curtailment in the expanding small arms ammunition program has been decided on, Government officials said today.

The cut-back, said to approximate 40 or 50 percent in two types of ammunition, including 50-caliber bullets, is expected to be followed by reductions in other types of small ammunition.

The decision to cut comes 4 months after a doubling of bullet production was announced by Chairman J. A. Krug of the War Production Board.

The second is also an Associated Press dispatch:

ALLIED GASOLINE STOCK NEAR FRONT ADEQUATE FOR DRIVE TO BERLIN

WITH THE UNITED STATES FIRST ARMY IN GERMANY, March 30.—Allied commanders say they have no fear that their drive through Germany will bog down from lack of fuel and supplies as it did at the Siegfried line after the great push across France and Belgium last fall.

Millions of gallons of gasoline are stored within a short distance of the front and huge stores of food and ammunition are available.

"If we never get another drop of gasoline from America, we will have enough on the European Continent to take us right into Berlin," one officer said. "We will never be short again in this war."

The next clipping is dated San Francisco, March 13. It is also an Associated Press dispatch. It reads as follows:

SURPLUS OF LABOR IN S. F. FEARED

SAN FRANCISCO, March 13.—Metal trades council spokesmen—

That is the union to which I belonged when I worked in a defense plant. The boys with whom I was so recently associated in a defense plant in San Francisco seem to have their worries—

Metal trades council spokesmen today asked manpower controls be lifted in the San Francisco Bay area as Sam Kagel, War Manpower Commission area director, predicted that 25,000 to 35,000 shipyard workers will have been discharged in this region July 15.

Does anyone believe that war workers are going to quit their jobs with such a surplus of skilled workers hanging over them?

Al Wynn, executive secretary of the Bay Cities Metal Trades Council, recommended permitting men discharged from war jobs to return to pre-war employment.

He made the plea at a meeting of council officials, executives of Government agencies, and Army and Navy representatives called to discuss anticipated pay-roll cuts in San Francisco Bay area shipyards.

Earlier Moore Drydock Co. announced it would halve its present 16,500 employees by the end of July.

Previously Marinship and the four major Richmond shipyards had announced lay-offs.

Even if some workers were to quit and go home, it seems to me that there would be plenty to take their places. We hear much said about workers going home and resuming their pre-war jobs. The Government now has the power to allocate materials. How are nonessential factories going to operate if they have no materials? The Government now has the power to allocate materials; and so long as governmental agencies have such authority, a factory engaged in nonessential work would experience great difficulty.

Mr. President, I have before me another article which I should like to read. The heading is:

How Does Boom End?—Portland Soon To See.

The dispatch is from Portland, Oreg., by the Associated Press. It begins as follows:

What happens to a boom town when the boom blows up? This shipyard center apparently is about to find out.

The shipyards, which boosted this area's population from 500,000 to 661,000——

Mr. MORSE. Mr. President, will the Senator yield?

Mr. TAYLOR. I yield.

Mr. MORSE. I wonder whether the Senator will do me the courtesy of incorporating that very excellent article in his remarks. I should like to have the entire article included in the RECORD.

Mr. TAYLOR. I will do so.

Incidentally, Mr. President, it may interest the Senator from Oregon to know that I was born in Portland, Oreg. I have never been glad of it, I say to the Senator, although not because I have anything against Portland. My father was a minister of the gospel at the time. He and his family lived in Idaho; our home was there. He went to Portland to hold a protracted meeting, and in those days they were very protracted. He went to Portland to try to save the souls of some of the sinners there. [Laughter.] While he was there—and he took the family with him—and while he was holding this meeting I was born in Portland. It has been a source of embarrassment to me, when I have run for office in Idaho and have been asked where I was born. I should like to be able to say that I am a native son of Idaho. But I have had to explain that, through an act of God, I was born in Portland. [Laughter.]

Mr. MORSE. I assure the Senator that what was Oregon's loss was certainly Idaho's gain. [Laughter.]

Mr. TAYLOR. Mr. President, I resume reading from the article:

The shipyards—

In other words, the Portland shipyards—

which boosted this area's population from 500,000 to 661,000, are beginning to slack off. For the first time since 1940, the United States Employment Service is able to fill all empty jobs. Police find a few penniless unemployed. Women depart from shipyards sobbing over dismissal slips. Sure, they could get other jobs; but canners and laundries don't pay as much.

There's no unemployment yet. But the War Manpower Commission estimates that the shipyards' 112,000 employees will shrink to 25,000 by year's end—with a corresponding drop in dozens of plants dependent on the yards.

It looks like the end of the war-workers' honeymoon. Men who flocked to the Portland-Vancouver area are beginning to quake in their welders' boots.

And so, frankly, is the chamber of commerce.

The article contains other statements about what they plan to do to try to overcome the sudden situation which has developed. Inasmuch as the Senator from Oregon has requested that the entire article be incorporated in the RECORD, I now ask unanimous consent that that be done.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HOW DOES BOOM END?—PORTLAND SOON TO SEE

(By Ann Reed Burns)

PORTLAND, OREG.—What happens to a boom town when the boom blows up? This shipyard center apparently is about to find out.

The shipyards, which boosted this area's population from 500,000 to 661,000, are beginning to slack off. For the first time since 1940, the United States Employment Service is able to fill all empty jobs. Police find a few penniless unemployed. Women depart from shipyards sobbing over dismissal slips. Sure, they could get other jobs; but canners and laundries don't pay as much.

There's no unemployment yet. But the War Manpower Commission estimates that the shipyards' 112,000 employees will shrink to 25,000 by year's end—with a corresponding drop in dozens of plants dependent on the yards.

It looks like the end of the war-workers' honeymoon. Men who flocked to the Portland-Vancouver area are beginning to quake in their welders' boots.

And so, frankly, is the chamber of commerce.

ADVISED "GO HOME"

What's to be done?

Civic leaders' best answer is that most newcomers better go back whence they came.

Some 150,000 persons hold war-born jobs slated to die with peace. Portland's permanent industries can't absorb any more. Returning servicemen will add to the problem.

"We'll do very well," said Mayor Earl Riley, "to take care of our own people and returning veterans."

Portland's industrial pay roll hit a $44,000,000 peak in January. By February it was down to $36,000,000. The mayor predicts it'll skid down to the pre-war $5,000,000 or $6,000,000.

Commissioner William Bowes expects permanent industry to cut its own pay roll. "Those industries are already employing a maximum labor force," he said. "Our only hope lies in new industries and public works. And our best program of public works probably can employ only 10,000 to 15,000."

Predictions on new industries vary from optimists expecting plants exploiting such things as wood waste and aluminum to take care of everybody, to cynics trying to decide which street is best for the breadlines.

SAVINGS PHENOMENAL

In any case, new industries are still around a peacetime corner. The shipyard slack-off is already in sight.

Portland hopes for a baby boom once the war actually ends. Three hundred firms told the chamber of commerce they expected to hire 10,000 more men after the war. Bonneville Power Administration has drafted county-by-county plans for new industries, more jobs. The chamber of commerce is urging some 80 firms to set up plants here.

Savings-choked banks report tremendous pent-up purchasing power. Surveys show workers eager to buy refrigerators, waffle irons, cars, and 12,000 await telephones. Builders already are picking up vacant property, confident of a giant housing market.

All that will help business—eventually. But there may be a big gap between the shipyard slack-off and full civilian production.

No one knows whether the yards actually will close down. Edgar F. Kaiser said the three huge yards he manages will try to continue in competitive shipbuilding.

WON'T EMPLOY MANY

Even though the yards stay open, they're not expected to employ as many men, L. C. Stoll, State War Manpower Commissioner, predicts the already declining shipyard pay roll will take a sharp dip in July, drop by 20,000 persons a month in the fall. That's when the problem will start.

Maybe the thousands will move on. Maybe they'll stay—and that'll be a dent in the State's unemployment compensation fund, now fat with $64,827,000.

Nobody knows. But if you want to know what happens when a boom blows up, come around in about 6 months. Portland's afraid it'll be able to tell you.

Mr. MORSE. Mr. President, I wish to say that I appreciate very much the Senator's courtesy in having that excellent article incorporated in the RECORD. I had read it. I was sorry I did not have it with me yesterday. If I had, I would then have incorporated it in my remarks. The article is written by one of the most able observers and reporters on the west coast. What she points out in regard to the situation in Portland is becoming true of the port of Seattle, as the distinguished Senator from Washington must know, I am sure; and it is becoming true of San Francisco, of San Pedro, and of all the other shipping centers on the west coast.

The article bears out what I said so many times yesterday during the debate, namely, that that section of the country already is confronted with an unemployment problem, and it is growing steadily worse. Certainly we do not need the provisions of the measure incorporated in the conference report in order to meet the war-production problem which may confront us.

Mr. TAYLOR. Mr. President, I thank the Senator from Oregon for contributing to my remarks and for bearing out what I have said.

Certainly with the unemployment situation growing in at least some sections of the country, if we had the original Senate bill which made provision for paying the way of workers from one part of the country to another, in order to get them to take jobs wherever they might be needed, it seems to me that a great amount of labor could be voluntarily recruited, at least in the west coast cities which now are being faced with a problem of unemployment or disemployment, as it seems to be more fashionable to call it, lately.

Frankly, Mr. President, another reason why I am opposed to adoption of the conference report is that while it proposes to draft labor, it does not propose to draft the manager of the factory. There is no provision that the manager must stay on the job. If his workers are making huge profits for him, he can head for Miami. Certainly some of the managers are doing that, if the articles we read in the newspapers have one ounce of truth in them. I am sure it is not the war workers, the wage earners, who are migrating to Miami to enjoy the sunshine there. That is another reason why I am opposed to adoption of the conference report as it stands. I am opposed to anything that discriminates against labor, in favor of the employers.

Mr. President, I believe I have nothing else to say on the pending subject. As I have said, this is not twice that I have opposed the administration. I am still opposed to the same measure to which I was opposed in the first place.

It has been said that the Senate got the best of the conference and that the conferees incorporated in the conference report 14 or 15 points from the Senate bill and only 1 or 2 from the House bill. That may be true. But suppose, in a measure which originated in the House, let us say, inasmuch as appropriation bills must originate there, the House included in that bill several dozen items appropriating a few thousand dollars for various departments of the Government; suppose that thereafter the bill came to the Senate, and suppose the Senate added 1 more item—an item for the appropriation of a few billion dollars. True enough, the House could say, "Well, what are we kicking about? We have 14 items in the bill, and the Senate added only 1." But our 1 item would amount to a great deal more than their 14.

That situation in reverse confronts us in connection with the conference report. We may have gotten 14 items into the report, but the 1 item the House included in it is the "sticker"; it is the item which provides for the grant of unlimited power. That is why I cannot go along with the conference report. Frankly, I am sorry.

Mr. DONNELL. Mr. President, the debate on the conference report has covered a very wide range of fact, law, and political philosophy. As I see it, the fundamental question before the Senate is whether the legislation proposed by the conference report is needed for the successful prosecution of the war. Every other matter and every other question, regardless of its importance, is subordinate to the question of whether the legislation proposed by the conference report is necessary for the successful prosecution of the war.

The junior Senator from Oregon [Mr. MORSE], as have other Members of this great body, expressed himself patriotically, clearly, and firmly to the effect that

if the successful prosecution of the war requires this legislation, he is willing to waive other points of objection, sound and impelling as some of them may be. The very preservation of the Nation itself is dependent upon the successful prosecution of the war.

The law of our Nation vests power in Congress to declare war, to raise and support armies, to provide and maintain a navy, and to make all laws which shall be necessary and proper for carrying into execution the powers enumerated. Those provisions have been construed to the broadest possible extent by the courts of our land as giving to the Congress the power to perform all acts necessary to carry on the war to a successful conclusion.

I shall quote a few sentences from the sixty-seventh volume of Corpus Juris, which every lawyer Member, as well as others in this great body, recognizes as an outstanding encyclopedia of law. At page 365 appears the following language:

> The power granted by the Constitution of the United States to the Federal Government to wage war necessarily includes the power to conduct war to a successful conclusion.

The language continues:

> It is not, however, limited to victories, but in general extends to all related matters which in any way tend toward the accomplishment of that end, including the mobilization and utilization of all resources of the country, and carries with it subsidiary authority to deal comprehensively with all exigencies created by war or arising from its inception, progress, and termination.

I continue reading:

> It follows that the Federal Government has plenary and exclusive powers over all matters pertaining to war, with which no State or its courts can interfere, and the Congress, in the protection of the common good, may enact all such legislation as in its wisdom it deems essential to the prosecution of the war with vigor and success, and may employ any means calculated to wage war successfully, provided it does not interfere with the power vested in the President by the Constitution as to command of the armed forces and the conduct of campaigns. In this connection the Congress has a broad discretion to prescribe extraordinary regulations in time of war, the war power of the Federal Government being, as has been said, at least as extensive as the police powers of the several States, although clearly distinguishable therefrom, and at least as great as its power under the commerce clause of the Constitution. In enacting such legislation the Congress is not limited to general regulations for the conduct of war, but may descend to the most minute directions.

I invite attention to the concluding sentence:

> Moreover, the power to make war carries with it inherently the power to guard against the immediate renewal of the conflict after a victory or a cessation of hostilities, and to remedy the evils which have arisen from its rise and progress.

So, Mr. President, this great body, the Senate of the United States, has properly recognized the fact that the fundamental question before us in the conference report is whether the proposed legislation is needed for the successful prosecution of the war. If it be so needed, I for one—and I believe I express the sentiments of other Members of the Senate—do not stand in fear of an attack being made upon the constitutionality of the proposed legislation, because the power to preserve the Nation necessarily involves the exercise of the greatest possible plenary powers on the part of the Congress.

I share the fears which were expressed by my distinguished friend and colleague from the State of Oregon [Mr. MORSE] when he pointed out the almost, if not entirely, unrestrained powers vested by the proposed bill in one individual.

I shall not trespass upon the time of the Senate in reiterating the illustrations used by my distinguished colleague. I merely assert that he has properly, as I see it, called attention to the fact that when the conferees agreed upon the conference report they extended and amplified the discretion which had been granted by the Senate in its action several weeks ago in adopting the committee substitute. Notwithstanding that fact, I view with appreciation the comments of our friend and distinguished colleague from Utah [Mr. THOMAS] when he indicated that there was no desire to alter the meaning of the language approved by the Senate by the insertion of certain words and phrases in the bill. Nevertheless, to my mind, by providing that the Director, to the extent deemed necessary and appropriate by him, may perform certain acts, the bill takes on a legal effect far beyond the provision that to the extent necessary and appropriate to carry out its intentions, certain things may be done.

Mr. President, the pending bill contains the same vice that was happily cured by the Senate a few weeks ago at or near the conclusion of the debate during that dramatic moment when my distinguished friend, the Senator from Oregon, rose. The vice to which I refer is that of placing in the hands of one individual unlimited power to formulate regulations, and by regulation, which he himself or his nominee, or designee, shall prepare, to select, designate, or create the body by which the regulations, their enforcement and application are reviewed.

So, Mr. President, I say that I share—and I think very appropriately—the fears and apprehensions expressed by my friend and seatmate, the distinguished Senator from Oregon, who has occupied many positions with distinction, credit, and honor to himself, and to the satisfaction of those whom he has served. But, in common with him, I assert that if in fact the successful prosecution of the war demands that this legislation be enacted, I stand in favor of it and will vote for it.

So the question as I see it simmers down to the one sentence, Is the legislation proposed by the conference report needed for the successful prosecution of the war? It has been asserted in various language, but, in substance, very much the same, that there are three reasons why it is needed for the successful prosecution of the war. The first reason is that the legislation proposed by the conference report is necessary in order to assure the production of munitions and supplies needed in the conduct of the war. The second reason suggested as to why the conference report bill is needed for the successful prosecution of the war is—and I quote the words of the President of the United States—that the enactment of the bill would "be heartening news to the armed forces."

The third reason which is asserted as to why the proposed legislation is necessary for the successful prosecution of the war is that it will emphasize to our enemies, both German and Japanese, that our people are determined to produce all the munitions of war which may be needed in order to complete the destruction of those enemies.

Mr. President, there may be some subsidiary or other reasons which I have overlooked, but to my mind those three are the ones upon which major emphasis has been placed. Upon their soundness or unsoundness rests the decision as to whether or not the pending bill should be enacted. Is this proposed legislation needed in order to provide production? Will it be heartening news to the armed forces, and, if so, I may add, will it produce beneficial results, and, third, will it give emphasis to our determination which will inspire fear and perhaps consternation on the part of our enemies?

I submit, Mr. President, that when these three reasons are analyzed they will be found to simmer down virtually to the first one, namely, the question whether this measure is necessary in order to provide production needed in the conduct of the war.

I based this statement upon these considerations: The mere passage of this measure will have no lasting beneficial effect on the morale of our armed forces unless its enactment will in fact result in largely increased production. Any mere temporary enthusiasm which might be generated among our soldiers and sailors by the announcement that this bill has been passed will be largely if not entirely dispelled and destroyed if this bill fails in its ultimate effect to increase materially the production of the needed supplies of war. Especially is that true if there should result resentment, the possibility of labor troubles, the growth of angry sentiments among the people of the Nation, and the lack of unity to which my colleague from Oregon [Mr. MORSE] referred.

Moreover, there is strong reason to believe that, regardless of the effect on production, and even if the bill should increase production, it would bring about a decrease in morale among many of our soldiers and sailors because of the feeling on their part that this bill would involve the regimentation of industry, the loss of liberty in our country, and the adoption by our Nation of the very principles against which our armed forces this very day are gloriously fighting and dying.

The effect of the passage of this proposed legislation upon the Germans and the Japanese is highly problematical. It is doubtful whether any appreciable number of their armed forces outside, perchance, their generals and leaders, will ever hear of the passage of this bill.

Furthermore, Mr. President, certainly the vast achievements of our Nation in production do not require further proof or emphasis to our enemies, dispersing

as they are on the German battlefields, and harried, embarrassed, and crushed as they are becoming in much of the Pacific area. I say that no further proof or emphasis is necessary to demonstrate to our enemies our determination to pursue this war to victory, regardless of all obstacles which may be in the way.

Moreover, our enemies will be affected as will our own soldiers, not so much by the passage of the proposed legislation as they will by its efficacy in producing more munitions of war which will contribute to the destruction and final overthrow of our enemies.

So, Mr. President, as I see it, the reason with respect to the morale of our own forces, and the one with respect to the alleged consternation which might come upon our enemies, simmer down through the funnel into the third and final one of the reasons upon which the advocacy of this bill rests, namely, that the bill would result in materially increased production, in our Nation, of war matériel which could be employed by our soldiers and sailors to defeat our enemies.

In determining how to vote on this bill, I am not relying on the possibility of a new conference report being submitted which will embody the substitute which the Senate recently passed. I do not base my opposition, for such it is on my part with respect to the bill, upon any confidence in the likelihood of another manpower bill being enacted. Personally, I shall favor, and I anticipate that I shall vote in favor of, a motion to recommit the bill to a further conference if the opportunity shall be afforded so to do. But you, Mr. President, and I, and all of us, realize that there is no certainty that the committee substitute can ever be revived if the pending conference report is rejected.

I recall that on this floor yesterday the distinguished junior Senator from Ohio [Mr. BURTON] said:

> But if the House is called into session to consider this matter there is no assurance that another conference will be had since the conference originally authorized has already acted.

And the distinguished Senator from Vermont [Mr. AUSTIN] expressed himself to similar effect in the RECORD yesterday. So, as I see it, as the matter now stands, the question before the Senate is whether to adopt the conference report or not, and this without regard to the reasonably likely result of the bill being recommitted for further conference, for there is no certainty that any other bill will be submitted to the Senate or will be enacted by the Congress if so submitted.

So, Mr. President, I return to the question whether the conference report bill will bring about substantial additional production. The fact that the President advocates the measure, and refers to the compromise contained in the conference report as not being in its entirety up to that which was recommended by General Marshall and Admiral King, indicates the sincere belief of the President of the United States, and perhaps also the belief, equally sincere, of General Marshall and Admiral King, that the conference report will bring about the desired production.

Mention has been made on the floor of the testimony of the Chairman of the War Production Board, Mr. Krug. It was my pleasure a few days ago, in company with some other Senators, to visit Mr. Krug and other gentlemen on quite another matter. I was impressed with his fairness and his genial personality. I have no doubt he is a man of real ability.

I have not read all the testimony in this case, three hundred-and-some-odd pages, but from what I have read, plus the illuminating discussion which has proceeded upon this floor, I think that I have secured an entirely adequate conception of the issues involved.

I say that Mr. Krug is a man of ability, and I am not unmindful of the testimony which he gave, and which was referred to here today. Yet I should like to point out briefly two things with respect to the testimony of Mr. Krug, and I promise not to trespass much longer on the patience of the Senate. One is the fact that his experience, as distinguished from that of another man or men to whom I shall refer in a moment, has not given him the opportunity to acquire the same knowledge on the question of employment as has the experience of one or more, at any rate, of the men to whom I shall refer.

Mr. Krug is a distinguished man. He served as research statistician with the Wisconsin Telephone Co. in 1930 and 1931. He was chief of the depreciation section of the Wisconsin Public Service Commission, 1932 to 1935. He was public utilities expert with the Federal Communications Commission, 1936 and 1937. He was technical director of the Kentucky Public Service Commission, 1937.

I digress at this point to comment upon the fact that our distinguished colleague the junior Senator from Kentucky [Mr. CHANDLER] with just pride, during the examination of Mr. Krug, referred to his early knowledge of, and association with, Mr. Krug in the State of Kentucky.

Mr. Krug was chief power engineer of the Tennessee Valley Authority, 1938 to 1940. I call attention to the fact that he was chief power engineer. I do not know how many men he had under him, but it is perfectly obvious and clear to my mind, from this account of his qualifications and experience, up to that time, that his primary qualifications and his primary experiences were along technical lines relative to public service utilities of one kind or another.

Then he was manager of power, I take it with the T. V. A., in 1940. He was chief power consultant with the O. P. M. in 1941. He was deputy director general for priorities in the W. P. B. in 1942. He was the program vice chairman and director of the Office of War Utilities of the W. P. B. in February 1943.

I concede the distinguished career of this gentleman. I believe he is 37 or 38 years of age and a man of ability. Yet I undertake to say two things, first, that to my mind the experience which he has had along technical lines by no means qualifies him to the extent that the head of the American Federation of Labor, or the head of the Congress of Industrial Organizations, or the head of the National Association of Manufacturers, or the heads of many of the State chambers of commerce, are qualified with respect to industry and employment, and with respect to the effect a regimentation bill would have upon employees.

I dare say that our distinguished colleague who spoke just before me, the Senator from the far West, the junior Senator from Idaho [Mr. TAYLOR], in his personal experience, to which he has so graphically and clearly alluded in the past in this body, has come in closer contact with the working man, the laboring man, and knows more about the effect of a given piece of legislation upon the average working man, than do many of us who have had other types of experience.

The other matter to which I desire to call attention with respect to Mr. Krug is the response which he made to the distinguished Senator from Wyoming, at page 148 of the record, when the Senator asked him:

> Senator O'MAHONEY. And we have outproduced the totalitarian power that is on our side, we have supplied Russia with material, and we have done all of this by a voluntary method, not by the totalitarian method.
>
> Mr. KRUG. I would be the last one in the world to discount the job that has been done. It is an amazing job.

This is the testimony of Mr. Krug. True, he has favored, and I have no doubt does yet favor, legislation requiring compulsory labor

What do some of those on the other side of the picture say about it? I shall call attention to only two or three. One to whom I particularly call attention is the one cited by the Senator from West Virginia a few days ago, Mr. Ira Mosher, president of the National Association of Manufacturers, his letter being quoted as having been written under date of March 28, appearing on pages 2944 and 2945 of the CONGRESSIONAL RECORD. He said this:

> I feel so deeply that I must repeat again that in the opinion of industry adoption of the conference report on manpower legislation will hamper and impede war production.

I omit portions of what he said, but he said this near the conclusion:

> It is nearly universal opinion that the conference report will retard and not intensify production. The pending conference report would set up legislation which raises a question of patriotism of these employees, which they do not deserve.
>
> I can only repeat that the passage of this bill in its present form is the most serious obstacle yet proposed for the production needed for victory.

So testifies the president of the National Association of Manufacturers of the United States.

I refer, in a very few words, to the comments made by Mr. William Green, president of the American Federation of Labor. His comments appear on page 2912 of the CONGRESSIONAL RECORD, under date of March 27, in a letter to the Senator from Wyoming [Mr. O'MAHONEY], in the concluding paragraph of which the writer says:

> I appeal in the name and in behalf of the 7,000,000 members of the American Federa-

tion of Labor to the Members of the United States Senate, many of whom have stood by the workers on critical occasions, to defeat this conference report, to preserve the freedom of labor, and to permit the workers to continue to prove through the exercise of skill and service that free labor is superior to slave labor.

Immediately following, on the same page and the next page, is an expression from Mr. Nathan E. Cowan of the C. I. O. legislative department, in which he voices strongly, vigorously, and eloquently, his opposition to the measure now pending before the Senate.

Mr. President, I conclude my reference to the evidence as to the effect of the proposed legislation by referring not to the word of someone, not to the spoken syllable of some orator, but to the demonstrated fact so vividly emphasized by Mr. Krug himself, when he points out that the record of production is an amazing record. It is, as has been so repeatedly mentioned on this floor, a record showing that we have excelled all our allies and all our adversaries combined.

Mr. President, reverting again to the question whether the enactment of the conference bill is needed for the successful prosecution of the war, in other words whether its enactment will bring that final result into which the other alleged reasons simmer down, namely substantial additional production, I submit that, although I do not by any means fail to assign proper credit to the military and naval and civil authorities of our Government for their splendid, glorious, industrious, and honorable achievement, nevertheless, on the question as to what method of attracting labor to war plants will bring about maximum production, the views of management and labor are of more value and entitled to more weight as evidence than are the views of persons who are not actively engaged in the production of commodities.

So, Mr. President, in conclusion, as I approach the vote upon this momentous bill concerning which I have engaged in small part in this historic debate—for I believe it is a historic debate—I am compelled first to the conclusion that the Congress has adequate power to pass this legislation; second, that there is every reason for the apprehension so vividly portrayed by the Senator from Oregon [Mr. MORSE] yesterday and today; third, that regardless of this apprehension, the question ultimately resolves itself to the simple interrogatory whether or not the bill is necessary for the successful prosecution of the war.

Mr. President, there are three reasons assigned why the bill should be enacted. One, the effect on morale of our own soldiers. Two, the contrary effect on the morale of our enemies. Three, the alleged increase of production. I find my mind forced to consider that the three simmer into the last-mentioned reason; and upon the face of the record, upon the face of the evidence, upon the debate which has taken place in this notable body during these momentous days, I am compelled to the conclusion that evidence has not been adduced which shows that a measure of this type, with its dangers, with its comprehensive and tremendous grant of power to one individual, is necessary for the successful prosecution of the war. Therefore, my vote, Mr. President, will be in opposition to the adoption of the conference report.

The VICE PRESIDENT. The question is on agreeing to the conference report on House bill 1752.

Mr. O'MAHONEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Murray
Austin	Green	O'Daniel
Bailey	Gurney	O'Mahoney
Ball	Hart	Pepper
Bankhead	Hatch	Radcliffe
Barkley	Hickenlooper	Reed
Bilbo	Hill	Revercomb
Brewster	Johnson, Calif.	Russell
Briggs	Johnson, Colo.	Saltonstall
Brooks	Johnston, S. C.	Shipstead
Buck	Kilgore	Smith
Burton	La Follette	Stewart
Bushfield	Langer	Taft
Butler	Lucas	Taylor
Byrd	McCarran	Thomas, Okla.
Capehart	McClellan	Thomas, Utah
Capper	McFarland	Tobey
Connally	McKellar	Vandenberg
Cordon	McMahon	Wheeler
Donnell	Magnuson	Wherry
Downey	Maybank	White
Eastland	Millikin	Wiley
Ellender	Moore	Willis
Fulbright	Morse	Wilson
George	Murdock	Young

The VICE PRESIDENT. Seventy-five Senators having answered to their names, a quorum is present.

Mr. BARKLEY. Mr. President, I had thought that I might make a very brief statement in regard to the conference report; but in order that we may have a vote and have it at once, I forego that opportunity and ask that the Senate now have a vote on the conference report, if it is at all possible.

The VICE PRESIDENT. The question is on agreeing to the conference report on House bill 1752.

Mr. BARKLEY, Mr. O'MAHONEY, Mr. RUSSELL, and other Senators asked for the yeas and nays.

The yeas and nays were ordered.

Mr. O'MAHONEY. Mr. President, I desire merely to say that, as I announced at the opening of the debate, it is my intention, if and when the conference report is rejected, to move that the Senate ask for a further conference with the House, so that the measure may be reconsidered in conference.

The VICE PRESIDENT. The question is on agreeing to the conference report. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Legislative Clerk proceeded to call the roll.

Mr. MAGNUSON (when Mr. MITCHELL's name was called). My colleague the junior Senator from Washington [Mr. MITCHELL] is necessarily detained on the west coast on public business for the Mead committee. He has a pair with the senior Senator from Maryland [Mr. TYDINGS]. I understand that if the Senator from Washington were present, he would vote "nay", and that if the Senator from Maryland were present he would vote "yea."

The roll call was concluded.

Mr. MAGNUSON. The senior Senator from Pennsylvania [Mr. GUFFEY] is necessarily absent on public business. If he were present he would vote "nay."

Mr. HATCH. My colleague the junior Senator from New Mexico [Mr. CHAVEZ] is necessarily detained on important departmental business.

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. HOEY], the Senator from Lousiana [Mr. OVERTON], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from New York [Mr. WAGNER] are necessarily absent. I am advised that if present and voting, the Senator from New York [Mr. WAGNER] would vote "nay."

The Senator from Virginia [Mr. GLASS] and the Senator from Maryland [Mr. TYDINGS] are absent from the Senate because of illness.

The Senator from New York [Mr. MEAD] and the Senator from Delaware [Mr. TUNNELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Pennsylvania [Mr. MYERS] is absent on public business.

The Senator from Massachusetts [Mr. WALSH] is absent on an inspection tour for the United States Navy. If present and voting he would vote "nay."

I further announce that the Senator from Florida [Mr. ANDREWS] is paired with the Senator from Pennsylvania [Mr. MYERS]. I am advised that if present and voting the Senator from Florida would vote "yea" and the Senator from Pennsylvania would vote "nay." The Senator from North Carolina [Mr. HOEY] is paired with the Senator from New York [Mr. MEAD]. I am advised that if present and voting the Senator from North Carolina would vote "yea" and the Senator from New York would vote "nay." The Senator from Louisiana [Mr. OVERTON] is paired with the Senator from Kentucky [Mr. CHANDLER]. If present and voing the Senator from Louisiana would vote "yea" and the Senator from Kentucky would vote "nay."

Mr. WHERRY. The Senator from Michigan [Mr. FERGUSON] is absent on official business of the Senate as a Member of the Special Committee to Investigate the National Defense Program. I am advised that if present he would vote "nay."

The Senator from New Jersey [Mr. HAWKES], who would vote "nay," is paired on this question with the Senator from New Hampshire [Mr. BRIDGES], who would vote "yea." Both Senators are necessarily absent.

The Senator from Wyoming [Mr. ROBERTSON] is necessarily absent. If present he would vote "nay."

The Senator from Idaho [Mr. THOMAS] is absent because of illness. If present he would vote "nay."

The result was announced—yeas 29, nays 46, as follows:

YEAS—29

Austin	Fulbright	Radcliffe
Bailey	George	Reed
Ball	Gurney	Russell
Bankhead	Hart	Saltonstall
Barkley	Hatch	Smith
Brewster	Hill	Stewart
Burton	Lucas	Thomas, Utah
Byrd	McClellan	Tobey
Connally	Maybank	White
Eastland	O'Daniel	

NAYS—46

Aiken	Johnson, Calif.	O'Mahoney
Bilbo	Johnson, Colo.	Pepper
Briggs	Johnston, S. C.	Revercomb
Brooks	Kilgore	Shipstead
Buck	La Follette	Taft
Bushfield	Langer	Taylor
Butler	McCarran	Thomas, Okla.
Capehart	McFarland	Vandenberg
Capper	McKellar	Wheeler
Cordon	McMahon	Wherry
Donnell	Magnuson	Wiley
Downey	Millikin	Willis
Ellender	Moore	Wilson
Gerry	Morse	Young
Green	Murdock	
Hickenlooper	Murray	

NOT VOTING—21

Andrews	Hawkes	Robertson
Bridges	Hayden	Scrugham
Chandler	Hoey	Thomas, Idaho
Chavez	Mead	Tunnell
Ferguson	Mitchell	Tydings
Glass	Myers	Wagner
Guffey	Overton	Walsh

So the conference report was rejected.

Mr. O'MAHONEY. Mr. President, I move that the Senate further insist upon its amendments, request a further conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. O'MAHONEY, Mr. AUSTIN, and Mr. BURTON conferees on the part of the Senate at the further conference.

Mr. HATCH. Mr. President, earlier in the day I stated that representatives of management, labor, and agriculture have approved the regulations issued by the War Manpower Commission. In effect, that amounts to approval of compulsory regulation. I ask unanimous consent to have printed in the RECORD as a part of my remarks the names of the representatives of labor, management, and agriculture who agreed to that proposal.

There being no objection, the names were ordered to be printed in the RECORD, as follows:

PRINCIPALS OF NATIONAL LABOR MANAGEMENT COMMISSION

MANAGEMENT REPRESENTATIVES

Conrad Cooper, assistant vice president in charge of operations of the Wheeling Steel Corporation.

Eric A. Johnston, president, United States Chamber of Commerce.

Frederick C. Crawford, National Association of Manufacturers.

LABOR REPRESENTATIVES

William Green, American Federation of Labor.

Philip Murray, Congress of Industrial Organizations.

AGRICULTURAL REPRESENTATIVES

Edward A. O'Neal, president, Farm Bureau Federation.

James G. Patton, president, National Farmers' Union.

Albert S. Goss, master, National Grange.

ORDER OF BUSINESS

Mr. BARKLEY. Mr. President, ordinarily we would attempt to have the Senate return to executive session for the consideration of the treaty with Mexico; but in view of the hour, in view of the fact that another conference report is ready for consideration, and in view of the further fact that I am advised that consideration of the conference report will not take long, I wonder whether it will be possible to have the Senate consider and dispose of that report.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CONNALLY. I am very anxious to have the Senate resume consideration of the water treaty between the United States and Mexico. We shunted it aside for a week, for discussion of the nomination of Mr. Aubrey Williams, but all to no avail; that nomination went up in a puff of smoke. Now the Senate has spent a week or more, a considerable length of time, on the manpower bill conference report, and it has gone up in a puff of smoke. I very much hope the majority leader will cooperate in helping obtain some action on the treaty. It has been before the Senate for a long time. It is a very important matter. It affects not only our material welfare but our international attitude.

Mr. BARKLEY. Mr. President, I wish to say to my friend the Senator from Texas, the chairman of the Committee on Foreign Relations, that it is my desire to cooperate in regard to the treaty; but, of course, the conference report is a privileged matter, and it might be injected at some other date. I thought that while we were in legislative session we might dispose of it, so that when we return to the consideration of the treaty with Mexico we could conclude its consideration without further interruption.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. I wish to inquire of the chairman of the Committee on Foreign Relations whether the rumored or suggested reservations or amendments—whatever they may be called—to the treaty have taken form, and whether they will soon be available for our study.

Mr. CONNALLY. I will say to the Senator that they are available now. I will give the Senator a copy. I have not yet formally submitted them, because I wished to confer with Senators who are interested, to see whether they are agreeable, before I have them printed in the RECORD.

Mr. JOHNSON of California. Mr. President, about a week ago a promise was made that I was to have a copy of the reservations.

Mr. CONNALLY. I now tender the Senator a copy.

Mr. JOHNSON of California. I thank the Senator. The copy comes 10 days late, but I appreciate receiving it.

Mr. CONNALLY. The Senate has not been actively engaged in consideration of the treaty for some time. Consideration of the conference report on the war manpower bill caused consideration of the treaty to be temporarily laid aside.

Mr. JOHNSON of California. Undoubtedly, that is true. May I retain this copy?

Mr. CONNALLY. The Senator may retain it. It is his copy.

Mr. JOHNSON of California. Does it cover all the objections which were made?

Mr. CONNALLY. Yes. I believe it covers the main objections which had been urged by certain Senators.

Mr. JOHNSON of California. Does the Senator from Virginia [Mr. BYRD] have a copy?

Mr. CONNALLY. I have loaned the Senator from Virginia a copy, and I am having other copies made available. I am having copies multigraphed.

Mr. JOHNSON of California. If the Senator will permit, I shall be glad to have my office prepare some copies.

Mr. CONNALLY. I shall be very glad to have the Senator do so.

Mr. BARKLEY. Mr. President, may I ask the Senator from Texas if he objects to the Senate proceeding to the consideration of the conference report on Senate bill 298?

Mr. CONNALLY. Will the Senator from Kentucky assure us that consideration of the conference report can be completed today?

Mr. BARKLEY. I believe so.

Mr. CONNALLY. Will the Senator further assure us that when we resume consideration of the treaty we shall not be disturbed by every mosquito that comes along?

Mr. BARKLEY. I assure the Senator from Texas that he will not be disturbed by any mosquito, but that possibly he may be disturbed by some hawk. [Laughter.]

CONTINUATION OF COMMODITY CREDIT CORPORATION—CONFERENCE REPORT

Mr. BANKHEAD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 298) to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That section 4 of the act approved March 8, 1938 (52 Stat. 108), as amended, is amended by striking out '$3,000,000,000' and inserting in lieu thereof '$4,750,000,000'.

"SEC. 2. The provisions of subsection (c) of section 381 of the Agricultural Adjustment Act of 1938 (52 Stat. 67) are suspended until the expiration of the two-year period beginning with the 1st day of January immediately following the date on which the President, by proclamation, or the Congress, by concurrent resolution, declares that hostilities in the present war have terminated. During the period of such suspension the Commodity Credit Corporation shall not sell any farm

commodity owned or controlled by it at less than the parity or comparable price therefor, except that the foregoing restriction shall not apply to (1) sales for new or byproduct uses; (2) sales of peanuts for the extraction of oil; (3) sales for export; (4) sales for seed or feed: *Provided*, That no wheat or corn shall be sold for feed at less than parity price for corn at the time such sale is made: *And provided further*, That in making regional adjustments in the sale price of corn or wheat for feed, the minimum price need not be higher in any area than the United States average parity price for corn; (5) sales of commodities which have substantially deteriorated in quality or of nonbasic perishable commodities where there is danger of loss or waste through spoilage; or (6) sales for the purpose of establishing claims against persons who have committed fraud, misrepresentation, or other wrongful acts with respect to the commodity. The method that is now used for the purposes of Commodity Credit Corporation loans for determining the parity price or its equivalent for seven-eighths-inch Middling cotton at the average location used in fixing the base loan rate for cotton shall also be used for determining the parity price for seven-eighths-inch Middling cotton at such average location for the purposes of this section.

"SEC. 3. The last paragraph of section 2 (e) of the Emergency Price Control Act of 1942, as amended by the Stabilization Extension Act of 1944, shall not apply to the operations of the Commodity Credit Corporation for the fiscal year ending June 30, 1946: *Provided*, That the making of subsidy payments and the buying of commodities for resale at a loss, by the Commodity Credit Corporation, shall be limited as follows: Obligations for making such payments and absorbing such losses may be incurred and paid by the Commodity Credit Corporation (a) in such amounts as may be necessary (1) to complete operations with respect to 1944 and prior year crop programs and (2) to fulfill obligations incurred prior to July 1, 1945, with respect to 1945 and prior fiscal year noncrop programs; and (b) in amounts which do not involve subsidy payments or losses in excess of (1) $568,000,000 for operations during the fiscal year ending June 30, 1946, with respect to the dairy production payment program, (2) $120,000,000 for operations during the fiscal year ending June 30, 1946, with respect to other noncrop programs, including the feed-wheat program, and (3) $225,000,000 with respect to the 1945 crop program operations: *Provided*, That not to exceed 10 per centum of each amount specified in clauses (b) (1), (2), and (3) shall be available interchangeably for the operations described in such clauses but in no case shall the total subsidy payments and losses absorbed under any one of such clauses be increased by more than 10 per centum: *Provided further*, That in carrying out the dairy production payment program, beginning April 1, 1945, the rate of payment for pound of butterfat delivered shall not be less than 25 per centum of the national weighted average rate of payment per one hundred pounds of whole milk delivered.

"SEC. 4. The first two sentences of section 1 of the act approved March 8, 1938 (52 Stat. 107), as amended, are amended to read as follows:

"'As of the 30th of June in each year and as soon as possible thereafter, beginning with June 30, 1945, an appraisal of all of the assets and liabilities of the Commodity Credit Corporation for the purpose of determining the net worth of the Commodity Credit Corporation shall be made by the Secretary of the Treasury. The value of assets shall be determined on the basis of the cost of such assets to the Commodity Credit Corporation, or insofar as practicable, the average market price of such assets during the last month of the fiscal year covered by the appraisal, whichever is the lower, and a report of any such appraisal shall be submitted to the President as soon as possible after it has been made.'

"SEC. 5. The first sentence of subsection (a) of section 7 of the act approved January 31, 1935 (48 Stat. 4), as amended, is amended by striking out 'June 30, 1945' and inserting in lieu thereof 'June 30, 1947'."

And the House agree to the same.

R. F. WAGNER,
J. H. BANKHEAD,
GEO. RADCLIFFE,
Managers on the part of the Senate.
BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
JESSE P. WOLCOTT,
FRED L. CRAWFORD,
Managers on the part of the House.

Mr. BANKHEAD. Mr. President, I ask unanimous consent for the present consideration of the conference report.

The VICE PRESIDENT. Is there objection to the present consideration of the conference report? The Chair hears none, and the question is on agreeing to the conference report.

Mr. BANKHEAD. Mr. President, I believe there is but one point in disagreement. I refer to the question pertaining to the additional amount which will be added to the borrowing power of the Commodity Credit Corporation.

Full hearings were held on the bill, both in the Senate and in the House. The Senate committee reduced the amount which had been requested by the Department of Agriculture. Request had been made for an increase in credit limit from $3,000,000,000 to $5,000,000,000. The committee reduced the amount to $4,500,000,000. The action of the committee was agreed to by the Senate. The bill was passed by the Senate and sent to conference.

The House committee reported in favor of $5,000,000,000. The bill went to the floor of the House and a vote was had on the question of reducing the figure of $5,000,000,000. One vote was on the question of a reduction to $4,000,000,000, and another vote was on the question of a reduction to $4,500,000,000. On each vote the House declined to agree to the reduction and passed the bill providing for $5,000,000,000. The Department of Agriculture had requested that amount. A conference committee was appointed. In addition to the point to which I have referred, a few other minor points were involved, but they were adjusted.

After the second meeting of the conference committee, or possibly the third—I am not sure which—and after full consideration and discussion, the conference agreed to divide the difference between the amount as passed by the Senate and the amount as passed by the House. It seemed to be about the only way in which the conferees could agree. By reason of the positive votes in the House the conferees of the House at first declined to yield. For some time the conferees on the part of the Senate declined to yield from the figure $4,500,000,000. Finally, the conferees on the part of the House made a proposal to reduce the amount of the authorization to $4,750,000,000, which was, of course, arrived at by dividing the difference between the two Houses.

The Senate conferees then voted to accept the offer and settle the question on the basis of $4,750,000,000, although the Department of Agriculture had stated that $5,000,000,000 would be needed.

The Senator from Ohio [Mr. TAFT], who was a member of the conference committee, and who was the author of the four-and-a-half-billion-dollar amendment in the Senate, declined to sign the conference report.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. TAFT. I think the Senator from Alabama should add the name of the Senator from New Hampshire [Mr. TOBEY], who also declined to sign the conference report.

Mr. BANKHEAD. Yes; the Senator from New Hampshire agreed with the Senator from Ohio and declined to sign the conference report.

The question before the Senate is whether or not the adjustment agreed to by a majority of the conferees on the part of the Senate, and by all the conferees on the part of the House—I believe they all agreed—is to be adopted or the whole conference report rejected.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. AIKEN. For what purpose was the $5,000,000,000 to be used?

Mr. BANKHEAD. No specific use was set forth for that exact amount of money.

Mr. Jones, the War Food Administrator, appeared before the Senate committee and also before the House committee. He was in consultation with the Senators handling the matter.

Of course, it is practically impossible for the Commodity Credit Corporation to anticipate its exact needs over a period of 2 or 3 years, when changes are taking place, when prices are fluctuating, when money is needed to support one price here and another price there, or to apply a subsidy here and another subsidy there, or make loans. It must be understood that the Commodity Credit Corporation makes loans, and supports prices whenever price supports are required.

Mr. AIKEN. Has a designated amount been named for dairy subsidies?

Mr. BANKHEAD. Yes; an amount was added by the Senate for dairy subsidies.

Mr. AIKEN. Was it later changed?

Mr. BANKHEAD. No. There was no dispute about it. The amount which the Senate had inserted in the bill was increased somewhat by the House, and there was no controversy about it in the conference committee.

As I understand, the subsidy item is eliminated by the agreement.

Mr. AIKEN. The $250,000,000 which has been eliminated is a sum which could have been used for unforeseen contingencies?

Mr. BANKHEAD. That is correct. Of course, the Senator knows, because he is a member of the Committee on Agriculture and Forestry and keeps in touch with everything of interest to the

farmer, that the Commodity Credit Corporation is to agriculture what the R. F. C. is to business.

Mr. AIKEN. That is correct.

Mr. BANKHEAD. It takes care, within the authorization of the law, of any financial needs which require relief, and no one can foresee what may be needed. In the first place, labor is scarce on the farm. We do not know whether the production of food crops this year will be anything like what it has been in the last 3 or 4 or 5 years, with ideal weather and ample manpower. We do not know what supporting prices are going to be required. We do not know what the needs will be for lend-lease and for the Army and for emergencies.

Of course, if the money is not needed, it will not be spent. This is not an appropriation; it is merely an authorization similar to that for the R. F. C. and the Smaller War Plants Corporation, which have authorizations along the same lines.

Mr. AIKEN. If the Senator is satisfied that the amount approved by the conference committee would take care of everything now in sight——

Mr. BANKHEAD. I could not say that. I think that in a year of emergency, such as the present year, it is the best we could do, the best the War Food Administration could do in making up the estimates. They first thought they could get along with the four and a half billion dollars, but later, in view of developments, they decided they really should have the $5,000,000. If the money is not needed, as I have said, it will not be spent; but if it is needed, it will be of very great assistance.

Of course, the report is a compromise. The House has practically adjourned for 2 weeks or longer, and the War Food Administrator is anxious to have the conference report adopted. He cannot make announcements of some plans which are contemplated until this authorization is made. So it would be very unfortunate to delay longer action on the conference report.

Mr. AIKEN. If the Senator is satisfied that the compromise reached between the two committees is a fair one, I certainly hope the report will be agreed to.

Mr. BANKHEAD. I think it is as fair a compromise as could be reached.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield.

Mr. LANGER. I am not on the committee and have just read the conference report for the first time. There is a great deal said about wheat and cotton and dairy products. Has this measure any connection at all with the flax program?

Mr. BANKHEAD. It provides whatever is necessary to carry out the flax program. The flax program was considered. There is no controversy about that.

Mr. LANGER. I notice it does not use the word "flax" anywhere, but I suppose that is covered by reference to some measure.

Mr. BANKHEAD. We put flax in the crop-insurance bill.

Mr. LANGER. I know, but is flax covered by this measure?

Mr. BANKHEAD. I do not know about that.

Mr. TAFT. Mr. President, will the Senator from Alabama yield?

Mr. BANKHEAD. I yield.

Mr. TAFT. There is no mention of flax in the program presented to justify the additional allowance.

Mr. BANKHEAD. It is not based on flax.

Mr. TAFT. There is a long list of products, but no mention of flax.

Mr. LANGER. Where could I get a list of the products which are covered?

Mr. TAFT. The Senator will find it in the Senate committee hearings.

Mr. BANKHEAD. If the Senator from Ohio will permit an interruption, I think $30,000,000 was otherwise specifically authorized for flax. The committee gave a good deal of consideration, at one time or another, to increasing the production of flax. I think some of the money authorized can be used for flax.

Mr. LANGER. I remember about the $30,000,000, and I notice the pending bill takes care of some debts that were owing by the Commodity Credit Corporation some time ago. The Senator is familiar with the fact that $10 an acre was promised to the farmers 2 years ago if they would raise flax, but it was never paid. I wondered whether that was included in this bill.

Mr. BANKHEAD. If it was included, it was in a general estimate by the War Food Administration. This is not a deficiency appropriation, is not so intended; it is an authorization for work in the future.

Mr. TAFT. Mr. President, will the Senator from Alabama yield?

Mr. BANKHEAD. I yield.

Mr. TAFT. In the Senate committee hearings there is a list, and at the bottom of the page is contained an item, "Reserve for other programs, $50,000,000."

My understanding is that the flax situation is covered by some other legislation, not by this.

Mr. LANGER. I remember the $30,000,000 appropriation, but the Senator is familiar with the fact that 2 years ago farmers were promised $10 an acre for raising flax. Thousands of farmers seeded the flax, but never got the money.

Mr. TAFT. I have heard that; I am not familiar with it.

Mr. LANGER. I wondered if the $50,000,000 would cover that.

Mr. TAFT. I do not think it is intended, because flax was never mentioned in the testimony at any time. My understanding was that the flax was covered by some other legislation and some other appropriation; but I cannot be certain of that.

Mr. LANGER. The $30,000,000 covers only the 1945 flax program, and I wondered if we could not get in the 1944 program.

Mr. TAFT. I do not think we can get anything in now, because this is a conference report, and it cannot be amended.

Mr. LANGER. But perhaps we might send it back to conference and get it in.

Mr. TAFT. That would be my preference.

Mr. AIKEN. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. AIKEN. I was going to suggest that the authorization for flax payments is covered in the crop-insurance law Congress passed some time ago; at least, that is my recollection. It was to the amount of $30,000,000, as I recall.

Mr. LANGER. But that was only for the 1945 crop. The farmers want to get payment for the 1944 crop. They never got their $10 an acre.

Mr. AIKEN. If there is anything owing the farmers for the 1944 crop, it seems to me Congress should see that it is paid. I certainly would be glad to do what I could toward helping to have provision made for its payment.

Mr. WHERRY. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. WHERRY. I should like to ask the distinguished Senator from Ohio with reference to the first two or three lines on page 2 of the conference report which have to do with "sales of commodities which have substantially deteriorated in quality or of nonbasic perishable commodities where there is danger of loss or waste through spoilage."

Was there any testimony, or was anything shown by the Commodity Credit Corporation, concerning food which spoiled or losses sustained by the storage of eggs and the 20,000,000 pounds of lard that went into the open tanks? Would this bill pay for those losses?

Mr. TAFT. Frankly, I do not remember whether there was any testimony to that effect or not. I think it is admitted that some food has spoiled and that there have been losses. Some of the losses of the Commodity Credit Corporation in the past have covered such items.

The provision to which the Senator has referred, which is a provision of the House bill which we accepted, provides that if foods have substantially deteriorated in quality or are nonbasic perishable commodities as to which there is danger of loss or waste through spoilage, that shall be taken into consideration.

Up to this time the Commodity Credit Corporation has had some doubt about its ability to sell food which has not spoiled, but as to which there is only danger of spoilage. I do not know why they have doubt about it, but apparently the reason why some commodities have spoiled is that the Commodity Credit Corporation could not sell, owing to some limitations on price, or against selling below parity, or some other restraint.

Mr. TOBEY. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. TOBEY. I merely wish to say to the Senator from Nebraska that if he has in mind—and I think he has; I know I have—the tremendous loss of 5,000,000 cases of eggs which ensued and which is just too bad, manifestly that loss was absorbed by the appropriation for the Commodity Credit Corporation.

Mr. WHERRY. That is one of the things I desired to inquire about. I should like to ask another question of the distinguished Senator from Ohio. I inserted in the RECORD yesterday three letters I received from a wholesale grocery

company in Texas which listed, as appears on page 3011 of the RECORD, more than 105,000 cases of food which has been declared surplus property and is now being offered for sale. On the next page was listed thousands of cases more. What I should like to ask the distinguished Senator is, Where does the surplus property come from, and is there a loss on it, and is that taken care of, in part, by this appropriation?

Mr. TAFT. I can only make the assumption that it is not. No Commodity Credit Corporation property would be declared surplus, as I understand. Surplus property must be Army supplies, or Navy supplies, or Treasury procurement supplies, or supplies of some one of the procurement agencies of the Government. As a general thing, the Commodity Credit Corporation has a right to sell whenever it wishes to do so, and it buys and sells constantly. It has a revolving fund.

Mr. WHERRY. Mr. President, I understand that under the Steagall Act it is the Corporation's duty to support prices by placing floors under meats and under grains, and so forth. So the Corporation does own commodities, does it not? The Commodity Credit Corporation buys and stores commodities.

Mr. TAFT. Oh yes. I will give a list of them in a moment. They have some $2,000,000,000 worth of commodities at the present time.

Mr. WHERRY. How many dollars' worth?

Mr. TAFT. Two billion dollars' worth at the present time.

Mr. President, the point involved in the disagreement is a narrow but I think a very important one. I think the Senate conferees agreed with the House conferees on every item of the bill until we came to the question of the total authorization to be given the Commodity Credit Corporation for borrowing. We, for instance, agreed to an increase of $68,000,000 in the subsidy for dairy products which the House had provided and upon which it insisted. In general we accepted the House bill. Then we came to the item which involves the increased borrowing power of the Commodity Credit Corporation. The Corporation had originally requested a borrowing power of $5,000,000,000. The Corporation now has a borrowing power of $3,000,000,000. It asked for an increase of $2,000,000,000. It had much less in the beginning, but the amount has been gradually increased.

Now it is proposed in one bite to increase the borrowing power about 66 percent, up to $5,000,000,000. The Senate committee reduced that to $4,500,000,000. I think I can show that $4,000,000,000 would be ample. We have been criticized over and over again for the tremendous borrowing power we have given the R. F. C. We heard such criticism during the debate on the nomination of Mr. Wallace. The criticism was that we had been perfectly lavish in allowing the borrowing of vast sums. Here is a case where that question comes up again. The matter ought to be considered like an appropriation, and in my opinion we ought not to grant this additional borrowing power unless Mr. Jones and the Commodity Credit Corporation can show that the amount is actually needed, and I maintain they have not shown it. As a matter of fact, when Mr. Jones was before the Senate committee he testified with regard to a proposal that the $2,000,000,000 increase requested in borrowing power be cut to a billion and one-half as follows:

> I think we can do all we planned to do within the terms of that, but I can understand the position of the committee. I think we can do everything within that, and I think with a billion and a half we could get the job done, and if an emergency arose come back and ask for more. However, with the restrictions you have in here, I think the $2,000,000,000 would be more desirable.

Again he said:

> I am perfectly willing for you to write in any reasonable restriction on the use of the funds that will keep us from going wild, but I would like to have as nearly as possible the amount authorized so we could give assurance to the farmer that Congress was going to carry this out. I think it would be better to get the full amount. However, if Congress feels that it is wise to limit to a billion and a half, all right.

And again in the House committee hearings he was asked the same question, and he said:

> We preferred the $2,000,000,000 because we felt, from the psychology of the situation, it was better to have an assurance * * *. The Senate committee took action cutting it to $1,500,000,000. I think it is probable that that will be sufficient for the period intended. If it is not we can come back and ask for additional authority. I should have preferred that it be $2,000,000,000. But I do not think we would be severely handicapped at this figure, if that proves to be the wisdom of the committee.

My own opinion, Mr. President, was that $4,000,000,000 would be sufficient, and when Mr. Jones testified before the Senate committee in effect we compromised with him and made it $4,500,000,000. Then the measure went to the House, which compromised and made the amount four and three-quarter billions. Then if we add the $250,000,000 appropriated last week after only an inconsiderable contest. Mr. Jones gets the whole $5,000,000,000 he asks for.

Mr. President, I do not think there is any need for this additional money. As a matter of fact the fund is a revolving one. It is true that what goes into subsidies is lost, but there is a provision in the statute that the amount lost shall be replaced by appropriation, and we did replace $250,000,000 of losses only last week. We are going to be faced immediately after July with further losses, and we will be asked to appropriate $500,000,000 or $600,000,000 more for losses which occurred during the present fiscal year. So in effect we can consider this as a revolving fund, and the question is how much of a revolving fund is necessary.

At the present time the Commodity Credit Corporation has invested, so to speak, in commodities, about $2,000,000,000. It now owns or holds under lease 6,373,000 bales of cotton costing $541,000,000. It now holds, or held at the time of this statement, 263,000,000 bushels of wheat costing $375,000,000. I am quite certain that most of it has been sold since that time, and cash has been paid for it. The Corporation held on October 31, 1944, 331,000,000 pounds of wool costing $174,000,000; 201,000,000 pounds of tobacco costing $158,000,000; and 606,000,000 pounds of dairy and poultry products costing $229,000,000. That is where the loss occurred to which the Senator from Nebraska referred. It holds miscellaneous commodities costing $550,000,000, or a total of $2,031,000,000.

Mr. AIKEN. What is the date of that statement?

Mr. TAFT. The date is October 31, 1944. It is the last balance sheet the Corporation was able to give us.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. WHERRY. That is the loss which has been incurred, and for the reasons I mentioned?

Mr. TAFT. No; this is not a loss.

Mr. WHERRY. What is it?

Mr. TAFT. This represents $2,000,000,000 of the presently authorized $3,000,000,000 which is invested in commodities today.

Mr. TOBEY. That is the Commodity Credit Corporation inventory.

Mr. TAFT. The only justification for any increase in borrowing power is that the Corporation must increase its inventory, and the plan as presented contains a long list of additional products which it desires to acquire. If we should provide exactly the additional amount for which the Corporation asks, which is $2,000,000,000 more purchasing power, the Corporation would buy additional cotton, additional wheat, additional wool, additional tobacco, additional dairy products, and additional miscellaneous products.

The figures which are presented to justify this request, which are contained in the hearings, show that the Corporation wants money to be able to acquire 3,600,000 additional bales of cotton, which would give it at the end of this period 10,000,000 bales of cotton. It wants to acquire, or thinks it may have to acquire, 350,000,000 more bushels of wheat, costing $500,000,000, which would give it a total of over 600,000,000 bushels of wheat.

For wool it is proposing to spend $247,000,000 in addition to the $174,000,000 already invested, to acquire a total of 831,000,000 pounds of wool, far more than the entire crop of wool in this country.

For tobacco it proposes to spend $86,000,000 more, for dairy products another $100,000,000, and for miscellaneous products $650,000,000.

Mr. President, the Commodity Credit Corporation has not shown any necessity for doing that. In fact, so far as the additional $500,000,000 requested for wheat is concerned, I do not think there is any question whatever that at the end of the next fiscal year there will be a smaller holding of wheat than there was on October 31, 1944.

In other words, instead of needing for wheat $500,000,000 more which the Corporation is requesting, it is likely that it will receive back in cash some $250,000,000 of the money already invested in wheat, because the situation is that today there is a shortage of wheat in the world, and every pound of wheat and

every pound of flour which can be produced will be required to feed the people of the world in the next 12 months. So I think the picture upon which this request is based is simply fantastic.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. AIKEN. Is there any estimate as to any amount of corn the Corporation may have to purchase in order to maintain the value under the Steagall amendment?

Mr. TAFT. Yes; the estimate includes $130,500,000 for purchase of corn.

Mr. AIKEN. Did the Corporation not request this additional amount in anticipation of the possibility that if the war ends the bottom may fall out, at least temporarily, from under farm markets? It did after the last war.

Mr. TAFT. Yes; but no one can see any justification for that. Since this estimate was made in October, the shortage has shifted. Today we have a shortage of food. It may be necessary to buy 10,000,000 bales of cotton, although I think that is a dangerously large amount for the Government to hold. But I can see no justification for the additional purchase of two wool crops. We have had no difficulty in getting rid of the wool crop. It comes in, and the Government buys it, and sells it within 6 months. So during a large part of the year there is no necessity for a great amount of money to carry the wool crop.

Mr. AIKEN. Do we not now have stored large stocks of wool?

Mr. TAFT. The Commodity Credit Corporation bought the wool crop; but today that crop is rapidly going out. I believe that within a very short time all the money invested in wool will be returned.

Mr. AIKEN. The reason given for wanting the additional sum is that it may be kept to maintain a floor under farm prices.

Mr. TAFT. It may be necessary to buy great quantities of many products, but the Commodity Credit Corporation can sell the products it has today. In other words, this is a revolving fund. We already have $2,000,000,000 invested, which we certainly ought to cash in if we possibly can. I do not know why we cannot cash in all of the $2,000,000,000, except for the cotton, in which we have invested about a half a billion dollars.

So on any reasonable estimate of requirements, the situation today is that the Commodity Credit Corporation has $2,000,000,000 invested. I am willing to give them another $1,000,000,000 to increase their holdings if they wish to do so, and another billion to take care of subsidies, until the money is refunded by appropriations. But I am perfectly convinced that a year from now they will actually have not 1 cent more invested in products than is invested today. Yet once we authorize the borrowing power, the money is there. To say that they will not use it unless they need it is not a true reflection of Government operations. Governments ordinarily use whatever they happen to wish to use; and they are very likely to use it whether they need it or not.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. TOBEY. It is not only not a true reflection of Government operations, but it is not a true reflection of human nature.

Mr. TAFT. That is true. It is not a true reflection of human nature. Every department believes that its affairs are most important.

Furthermore, there is this to consider: I believe that this entire estimate was presented on the theory of a 2-year period. As a matter of fact, the Commodity Credit Corporation must come back to Congress next year, because the subsidy program will come to an end. We are authorizing subsidies for only 1 year. The Commodity Credit Corporation must come back to Congress within 12 months; and certainly by that time, even on its own estimate, it will not have used more than an additional billion to invest in commodities, plus the subsidy program. So I feel perfectly confident that $4,000,000,000 is ample. I was willing to compromise with Mr. Jones on four and a half billion dollars, and so was he. Now, the House insists that the amount be increased. It insists that in addition to appropriating $250,000,000 in cash, the borrowing power be increased to $4,750,000.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BANKHEAD. The Senator is in error about the House appropriating $250,000,000. The House has not yet appropriated it.

Mr. TAFT. It has not?

Mr. BANKHEAD. No.

Mr. TAFT. We approved the appropriation in the Senate, however; and there is really a legal obligation to appropriate. The act provides that the impaired capital shall be made good once a year. I was in favor of the appropriation.

Mr. BANKHEAD. The appropriation is in conference.

Mr. TAFT. When the House put in the $5,000,000,000, it thought that the $250,000,000 was not going to be appropriated, because it had left it out of the bill.

Mr. President, all I have to say is that I cannot see any justification for more than $4,000,000,000. I was willing to compromise and make it four and a half billion. I do not believe that we ought to go 1 cent beyond that figure. On that basis, the Senator from New Hampshire and I refused to sign the conference report. I think it is a matter of principle. I believe that if we continue to authorize a Government corporation to borrow money and spend it, without appropriation, for anything that is within the power of the corporation—and its powers are practically unlimited—we should treat the matter with the same careful consideration and limitation as does the Appropriations Committee when it considers appropriations.

Mr. RADCLIFFE. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. RADCLIFFE. Is the Senator from Ohio apprehensive that if the figure is fixed at $4,750,000,000, more money will be loaned than if it is placed at $4,500,000,000? I was fully in accord with the views which were expressed in favor of the figure—$4,500,000,000. I believe that is probably sufficient. I realize, however, that it is not possible for us to forecast with assurance just how much will be necessary; but the Commodity Credit Corporation has a definite program to carry out.

Personally I felt very confident that $4,500,000,000 would probably be sufficient, and I so voted in committee. However, when it was found that conferees on the part of the House held a different opinion, and that they were forecasting, as we were, as to what would be necessary, both forecasts being on a more or less speculative basis, and were insisting upon $5,000,000,000, I was willing to go along to the extent of $4,750,000,000; but in doing so I did not think that the granting of the larger amount would necessarily mean that any more money would be loaned. I do not like the idea of appropriating money—if this can really be called an appropriation—or setting aside any sum of money which is not in any way necessary. I should like to have the impression of the Senator from Ohio as to whether he thinks there is likely to be any difference in the aggregate of loans, whichever the figure may be.

Mr. TAFT. I refer to the case of the Reconstruction Finance Corporation. Today the Reconstruction Finance Corporation has practically unlimited power to borrow money. Why? Because in each of the authorizations to borrow money, we did not watch the situation closely. We made the sky the limit. We have never rescinded the power of the Corporation.

The power to borrow is unlike an appropriation. Once the power is given, it is there for all time to come; and it is most unlikely that we shall ever decrease the capital of the Commodity Credit Corporation. I have never seen it done in the case of the Reconstruction Finance Corporation or any other corporation which we have created. It seems to me that as time goes on, if there is a limit, the tendency is to increase the program until the limit is reached, without coming back to Congress and again proving the need for some program. If the borrowing power exists, the pressure which makes a department hesitate at a new program is removed if the department has no necessity of coming to Congress for approval of a new program. It seems to me that granting additional borrowing power is even more important than granting additional appropriations.

Mr. RADCLIFFE. I am thoroughly in accord with the idea of rigid economy; but I was desirous to know whether the Senator from Ohio thinks there would be any more loans made if the higher figure were established than if the lower amount were agreed upon. As I understand, the lending of this money is not a matter of arbitrary caprice but follows a set schedule. When demands are presented in regard to certain commodities, loans are made really as a matter of course. We cannot forecast what these demands will be; but if requests are made

for loans, the loans will be made readily on the various commodities according to a fixed basis and program.

Mr. TAFT. If we were to maintain a minimum price for the wool crop, that might be done for $50,000,000 without any difficulty. On the other hand, if a great deal more money is available, it may be decided that the Government should buy the wool crop for an indefinite period. That would require $150,000,000 instead of $50,000,000; but since the money is there, the program can be proceeded with without reference to Congress. That is the kind of thing which is involved when additional power is given to proceed in a more expansive way, by a method whereby the Government has more power, engages in more activities, and goes further into private business.

Mr. RADCLIFFE. Will the Senator amplify that statement? He speaks about giving the Corporation more power. We know what that power is. We know what the program is. The Government will undoubtedly lend whatever it is called upon to lend on the various commodities. I should like to have the Senator tell me whether or not he thinks more will be loaned if the figure is set at $4,750,000,000 than if it is placed at $4,500,000,000. Personally, I prefer the figure of $4,500,000,000, but merely because the amount is smaller it would doubtless affect the aggregate of the loans made. There are, however, some uncertain factors as to the basis of these loans.

Mr. TAFT. I thought I had answered the Senator's question. There is a support-loan program required for 2 years after the war, but that is not the only activity of the Commodity Credit Corporation. It can do many other things. One of the things which it has done in the war—I do not say that it is not justified—is to buy the whole wool crop. The Government thus becomes the sole operator of the wool business. I believe that the wool interests wanted the Government to do that during the war, but the Commodity Credit Corporation can go into business up to the limit of $5,000,000,000. In addition to the loans which it may have to make under this program, the more money it has the more it can go into business. Today, with $5,000,000,000, it could take over the whole grain business if it so desired. It could buy and sell all the wheat in the United States, and the Government would have a complete monopoly of the wheat business. The more money we give the Commodity Credit Corporation, the more power it will have to do such things. Once we set up a corporation like this, its powers to operate in private business are almost unlimited. We ought to give it no more money than it needs. We should give it just enough money to do the things which we want done. It should not be given additional money or additional power.

Mr. RADCLIFFE. I agree with the Senator from Ohio that it is desirable to have all the restrictions possible, and we should do nothing whatever to encourage extravagance, but I cannot for the life of me believe that the Commodity Credit Corporation is going to run amuck if we set the amount at $4,750,000,000, whereas it will not do so if we leave the figure at $4,500,000,000.

Mr. TAFT. The Senator means that the $250,000,000 is not worth worrying about.

Mr. RADCLIFFE. No; I do not say that—of course not.

Mr. TAFT. I admit the question is one of degree; but up to date, so far as I know, Government corporations have always been granted every cent of borrowing power they have requested. In effect, that is what Mr. Marvin Jones will be getting under the conference report. I think we should indicate as a matter of principle that we are not going to give them every cent they request and that they will have to justify every program they contemplate. Mr. Jones has not justified the program he has asked for.

Mr. RADCLIFFE. I do not think the $250,000,000 invites any extravagance or additional loans. No one knows what the program will cost. The House of Representatives thought it would cost $5,000,000,000. The Senate thought it would cost $4,500,000,000. Everyone agrees that the Commodity Credit Corporation will handle the matter carefully. Again, I want to emphasize I was in favor of establishing the maximum lending power of the Corporation at $4,500,000,000, but I am willing to vote for the other amount under the special circumstances. I do not think the additional grant would induce the Commodity Credit Corporation to launch upon a career of extravagance, but would be merely available should the definite program agreed upon chance to require the larger amount.

Mr. TAFT. Mr. President, let me give the Senator an example, a case in which large funds were available to the Commodity Credit Corporation, and the Corporation used the funds to initiate a program not authorized by Congress, or, in other words, in my opinion, illegal. I refer to the fact that the Commodity Credit Corporation paid subsidies to the milk producers of the country. I do not say that policy was not a wise one, but the Commodity Credit Corporation went ahead with that program, which now is costing the Government $500,000,000 a year. The Corporation could not have gone ahead with that program if its borrowing power and lending power had been properly restricted. That particular program might be a proper one; nevertheless, the Commodity Credit Corporation undertook it without submitting it to Congress, without giving Congress an opportunity to express its judgment as to whether it thought the price of milk should be increased 2 cents or whether the dairy producers should be subsidized. The subsidy was established over the opposition of all the dairy producers, who asserted that the thing to do was to increase the price of milk. Why could the Commodity Credit Corporation do that? It could do it because it had $500,000,000 worth of borrowing power more than it needed for its legitimate purposes. That is why it was able to go ahead with that program.

Mr. AIKEN. Mr. President, ordinarily I would approve holding the Commodity Credit Corporation down to as small a borrowing power as possible, and requiring it to come back to Congress if it required more money; but it seems to me we are now in rather unusual circumstances. We do not know when the war in Europe will end, though we hope it will end soon. We know that when it ends there will be a cut-back in buying for our armed services.

We realize that more shipping will be available to transport food to the markets of the world, but we also must realize that the markets of the world will not be in a condition to pay American prices, and something will have to be done to maintain the agricultural prices of this country if we are not to see the purchasing power of farm people go down. It is obvious that the few months immediately following the end of the war will be the critical period during which there might be a collapse in farm prices.

The Government is required by the Steagall amendment to maintain a floor under farm prices. I do not wish to take the chance of depriving the Commodity Credit Corporation of this much borrowing power at this time, because the Corporation might have to use it very quickly. We know that some prices will collapse very quickly when the war in Europe ends, and we hope it will end very soon.

So I would feel much better if the Commodity Credit Corporation had sufficient borrowing power to enable it to continue its operations. The Corporation may have exaggerated its need. It has done so before. Ordinarily we should proceed very carefully in connection with a matter such as the one under consideration. However, last year when we made the appropriation for the Corporation we provided that its operations were to be placed under the scrutiny of the Office of the Comptroller General. That provision should be something of a safeguard. Fortunately, we have placed a number of other Government corporations under the scrutiny of the Office of the Comptroller General since that time.

Under present conditions I think it would be much safer to adopt the conference report and to authorize the Commodity Credit Corporation to have the additional $250,000,000 worth of purchasing power. It is true it would then have sufficient money to buy the whole wheat crop of the country or the whole wool crop, but it is also true that it may have to buy almost the entire wheat crop when the war in Europe ends, if the price begins to fall. I want the Commodity Credit Corporation to be able to do so if it has to.

Mr. TOBEY. Mr. President, the Senator from Ohio has very cogently summed up the reasons which caused both himself and me to refuse to sign the conference report. I think he has made out a sufficient case.

The fact remains that Marvin Jones—and let me say there is no man in Washington for whom I have greater admiration; I was associated with him for 6 years on the House Committee on Agriculture, and he has my confidence—came before the committee, and in answer to the questions of the Senator from Ohio said he could get along well enough, in his judgment, with the four and one-half

billion dollars' worth of borrowing power. The Commodity Credit Corporation asked for $5,000,000,000 worth of borrowing power.

The Senate Committee on Banking and Currency recommended that the borrowing power of the Corporation be fixed at $4,500,000,000. The bill carrying an authorization of that much borrowing power was passed by the Senate. The bill as passed by the House provided for $5,000,000,000 worth of borrowing power. Consequently, the bill went to conference, and the House conferees agreed that the Corporation's borrowing power should be $4,750,000,000.

I wish to see Marvin Jones stay so close to the Senate and House Committees on Banking and Currency that if he needs more money he will come back to those committees. As the Senator from Ohio has said, he must return in a year in connection with the subsidy matter, which perforce will expire then. I believe in consultation as frequently as possible between the heads of governmental agencies and the Congress. That is exactly what will occur if we limit the Commodity Credit Corporation to a borrowing power of $4,500,000,000, not $4,750,000,000. If we limit it to the smaller amount, when Mr. Jones needs more money he will come back before our committees and will justify the need.

I call for support of action of the Senate in voting to give the Commodity Credit Corporation a borrowing power of $4,500,000,000, taking Mr. Marvin Jones' word at par, and giving him what he told us he could get along with.

Mr. President, I ask for a vote on the conference report.

Mr. BARKLEY. Mr. President, it is obvious that there will have to be a yea-and-nay vote on the conference report, and before that it will be necessary to have a quorum call. I ask unanimous consent that at the hour of 12:30 p. m. tomorrow the Senate shall proceed to vote on the question of adoption of the conference report by yea-and-nay vote.

The VICE PRESIDENT. Is there objection to the unanimous-consent request of the Senator from Kentucky?

Mr. AIKEN. Mr. President, does the Senator mean to have the Senate vote on it without any further debate?

Mr. BARKLEY. At 12:30 p. m.; yes.

The VICE PRESIDENT. Is there objection to the unanimous-consent request of the Senator from Kentucky?

Mr. BARKLEY. Mr. President, my request involves the ordering of the yeas and nays on the question of agreeing to the conference report.

The VICE PRESIDENT. Without objection, the unanimous-consent request of the Senator from Kentucky is agreed to.

Mr. TAFT. Mr. President, will the Senator from Kentucky agree that 15 minutes may be allotted to each side, the use of the time to be controlled, respectively, by the senior Senator from Alabama [Mr. BANKHEAD] and myself?

Mr. BARKLEY. Of course I have no objection; but a part of the half hour will be taken up with a quorum call. Whatever time is available for discussion will of course, be divided between the two sides.

Mr. TAFT. Very well.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORT OF THE COMMERCE COMMITTEE

Mr. PEPPER, from the Committee on Commerce, reported favorably the nomination of Vice Admiral Russell R. Waesche, Commandant of the Coast Guard, to be an admiral in the United States Coast Guard.

The VICE PRESIDENT. If there be no further reports of committees, the clerk will proceed to state the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of JED JOHNSON, of Oklahoma, to be judge of the United States Customs Court.

Mr. THOMAS of Oklahoma. Mr. President, Representative JED JOHNSON is from my State of Oklahoma. He lives in my home congressional district. He has served in the House of Representatives for 18 years, and is now entering upon his nineteenth year. That means that he was elected to Congress 10 times. He succeeded me in the House of Representatives. I have been closely associated with him for a long period of time.

Representative JOHNSON was born in Texas, but educated in Oklahoma. He attended the University of Oklahoma and a university in Paris. He is well educated. He has had a vast amount of experience. He has been a mail carrier, a salesman, a teacher, an editor, a lawyer, and a Representative in Congress for almost 19 years. So, Mr. President, he is amply qualified to enter upon the duties of a Federal judge of the United States Customs Court. He is an able lawyer. He has practiced in the courts of Oklahoma, as well as in courts outside my State. He is eminently qualified by experience, education, and ability as a lawyer. He has been associated with a highly successful law firm in southwestern Oklahoma.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. WHITE. I have the same high opinion of Representative JOHNSON as that which has been expressed by the Senator from Oklahoma. I wonder if we may be assured that in the event of his nomination being confirmed today, within a reasonable time he will terminate his service in the House of Representatives and assume the duties of his new position.

Mr. THOMAS of Oklahoma. Of course, I am not authorized to speak directly for Representative JOHNSON, but I think I may speak for him indirectly.

He is chairman of the Subcommittee of the Committee on Appropriations of the House of Representatives, handling the Interior Department appropriation bill. He has been very much interested in that subject for several years. He has now completed the hearings on that bill. The bill is on the calendar and pending before the House of Representatives. It will be passed by the House within a few days after it resumes regular sessions following its Easter vacation. The bill will then come to the Senate and will not be here very long. I am advised that as soon as it has been disposed of by the Congress, Representative JOHNSON will tender his resignation and assume his duties as judge of the United States Customs Court.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. McFARLAND. I had the pleasure of attending the Oklahoma University Law School as a student with Representative JOHNSON. He was an outstanding student at that university. As has been pointed out by the distinguished senior Senator from Oklahoma, Representative JOHNSON was a distinguished lawyer in the State of Oklahoma at the time he was elected a Member of Congress. He served his country during the First World War. He attended the Université de Clermont, France, where he studied international law. During his service as a Member of Congress he has proved himself to be a lawyer of marked ability. In 1921 and in 1926 he served as State senator in the Oklahoma Legislature. Since 1927, as stated by the senior Senator from Oklahoma, he has been a Representative of his State in the National Congress from the Sixth Congressional District of Oklahoma. He served as a delegate from the United States Congress to the twenty-fourth annual peace conference of the Interparliamentary Union at Paris, France, in 1927. He attended similar world peace conferences at Geneva, Switzerland, in 1929, and at Paris, France, in 1937.

I believe that Representative JOHNSON's qualifications are of the very highest. It was with pleasure that I reported his nomination from the Judiciary Committee, where it received the unanimous approval of the committee.

The VICE PRESIDENT. The question is, Will the Senate advise and consent to the nomination of JED JOHNSON to be judge of the United States Customs Court?

The nomination was confirmed.

The VICE PRESIDENT. The clerk will state the next nomination on the Executive Calendar.

The legislative clerk read the nomination of Albert A. Ridge to be United States district judge for the western district of Missouri.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of John J. Wein to be United States marshal for the northern district of Ohio.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask unanimous consent that the nominations of postmasters be confirmed en bloc and that the President be notified.

The VICE PRESIDENT. Without objection, the nominations of postmasters are confirmed en bloc; and, without objection, the President will be notified forthwith.

THE MARINE CORPS

The legislative clerk read the nomination of Lt. Gen. Alexander A. Vandegrift to be a general in the United States Marine Corps.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask unanimous consent that the nominations in the Navy be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations in the Navy are confirmed en bloc.

That completes the Executive Calendar.

Mr. THOMAS of Oklahoma. I ask unanimous consent that the President be notified of all nominations confirmed today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 46 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, April 4, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 3 (legislative day of March 16), 1945:

THE JUDICIARY

UNITED STATES CUSTOMS COURT

JED JOHNSON to be judge of the United States Customs Court.

UNITED STATES DISTRICT JUDGE

Albert A. Ridge to be United States district judge for the western district of Missouri.

UNITED STATES MARSHAL

John J. Wein to be United States marshal for the northern district of Ohio.

IN THE NAVY

APPOINTMENTS IN THE NAVY, FOR TEMPORARY SERVICE

Richard S. Edwards to be admiral, to continue while serving as Deputy Commander in Chief, United States Fleet, and Deputy Chief of Naval Operations.

Henry K. Hewitt to be admiral.

Thomas C. Kinkaid to be admiral.

Walter S. Anderson to be vice admiral, to continue while serving as commander, Gulf sea frontier.

William S. Farber to be vice admiral, to continue while serving as Subchief of Naval Operations.

Arthur S. Carpender to be vice admiral, to continue while serving as commander, Midwest naval area.

James L. Kauffman to be vice admiral, to continue while serving as commander, Philippine sea frontier.

Edward L. Cochrane to be vice admiral, to continue while serving as Chief of the Bureau of Ships.

Edward J. Foy to be rear admiral in the Navy, to continue while serving as Deputy Commandant of Joint Army-Navy Staff College.

Howard A. Flanigan to be rear admiral, on the retired list, to continue while serving as head of Naval Transportation Service, Office of the Chief of Naval Operations.

Vance D. Chapline to be rear admiral in the Navy, to continue while serving as head of Fleet Maintenance Division, Office of the Chief of Naval Operations.

Irving H. Mayfield to be rear admiral in the Navy, to continue while serving as chief of the United States naval mission to Chile.

Harold M. Martin to be rear admiral in the Navy, to rank from September 11, 1943.

Ernest W. Litch to be rear admiral, to rank from October 9, 1943.

Thomas S. Comb to be rear admiral, to rank from October 22, 1943.

William M. Quigley to be commodore, to continue while serving as commander, United States naval base, Port Hueneme, Calif., and until reporting for other permanent duty, to rank from October 4, 1943.

John H. Magruder, Jr., to be commodore, to continue while serving as deputy commander, forward area, central Pacific, and until reporting for other permanent duty, to rank from April 13, 1944.

Clinton S. Braine, Jr., to be commodore, to continue while serving as commander, naval training station, Newport, R. I., and until reporting for other permanent duty, to rank from April 13, 1944.

Vernon F. Grant to be commodore, on the retired list, to continue while serving as commander, naval air bases, Saipan, to rank from October 25, 1944.

Stanley J. Michael to be commodore, to continue while serving as commander, naval air bases, Twelfth Naval District, and until reporting for other permanent duty, to rank from December 23, 1944.

Henry A. Schade to be commodore, to continue while serving as head of the United States naval technical mission in Europe, and until reporting for other permanent duty, to rank from December 23, 1944.

Robert O. Coman to be commodore, to continue while serving on the staff of commander, western sea frontier, and until reporting for other permanent duty, to rank from April 12, 1943.

Stewart A. Manahan to be commodore, to continue while serving as marine superintendent of the Panama Canal, and until reporting for other permanent duty.

Elliott B. Nixon to be commodore, to continue while serving as chief of staff to commander, Fourth Fleet, and until reporting for other permanent duty.

John R. Palmer to be commodore, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty.

Horace D. Clarke to be commodore, to continue while serving as commander, naval training station, Norfolk, Va., and until reporting for other permanent duty.

Tully Shelley to be commodore, to continue while serving as intelligence officer, Twelfth Fleet, and until reporting for other permanent duty.

Randall E. Dees to be commodore, to continue while serving as personnel officer, Pacific Fleet, and until reporting for other permanent duty.

John V. Murphy to be commodore, to continue while serving as Deputy Director of Naval Communications, and until reporting for other permanent duty.

Thomas B. Inglis to be commodore, to continue while serving as Deputy Director of Naval Intelligence, Office of the Chief of Naval Operations, and until reporting for other permanent duty.

Earl E. Stone to be commodore, to continue while serving on the staff (communications) of the commander in chief, United States Pacific Fleet, and until reporting for other permanent duty.

Jacob H. Jacobson to be commodore, to continue while serving as commander, United States naval operating base, Leyte, and until reporting for other permanent duty.

Wallace M. Dillon to be commodore, to continue while serving as commander of a naval air base, and until reporting for other permanent duty.

Houston L. Maples to be commodore, to continue while serving as a member of the United States Military Mission, Moscow, and until reporting for other permanent duty.

Augustus J. Wellings to be commodore, to continue while serving as director of inspection administration, Office of Procurement and Material, and until reporting for other permanent duty.

Robert E. Robinson, Jr., to be commodore, to continue while serving as chief of staff to commander, North Pacific Force, and until reporting for other permanent duty.

John F. Rees to be commodore, to continue while serving on the staff (shipping) of the commander in chief, United States Pacific Fleet, and until reporting for other permanent duty.

Raymond D. Tarbuck to be commodore, to continue while serving as chief of staff and aide to commander, Seventh Amphibious Force, and until reporting for other permanent duty.

Richard P. Glass to be commodore, to continue while serving as chief of staff to commander, South Pacific Force, and until reporting for other permanent duty.

Frank R. Talbot to be commodore, to continue while serving as deputy chief of staff, Tenth Army, and until reporting for other permanent duty.

John P. Whitney to be commodore, to continue while serving as deputy commander, Naval Air Transport Service, and until reporting for other permanent duty.

John Harper to be medical director, with the rank of rear admiral, to rank from September 16, 1942.

William W. Hargrave to be medical director, with the rank of commodore, to continue while serving as Chief of Personnel Division, Bureau of Medicine and Surgery, and until reporting for other permanent duty.

Joel T. Boone to be medical director, with the rank of commodore, to continue while serving as fleet medical officer, Third Fleet, and until reporting for other permanent duty.

John P. Owen to be medical director, with the rank of commodore, to continue while serving as fleet medical officer, Seventh Fleet, and until reporting for other permanent duty.

Thomas C. Anderson to be medical director, with the rank of commodore, to continue while serving on the staff (medical) of the commander in chief, United States Pacific Fleet, and until reporting for other permanent duty.

Morton D. Willcutts to be medical director, with the rank of commodore, to continue while serving as fleet medical officer, Fifth Fleet, and until reporting for other permanent duty.

John C. Adams to be medical director, with the rank of commodore, to continue while

serving as Chief of Aviation Medicine Division, Bureau of Medicine and Surgery, and until reporting for other permanent duty.

Carlton L. Andrus to be medical director, with the rank of commodore, to continue while serving as Chief of Planning Division, Bureau of Medicine and Surgery, and until reporting for other permanent duty.

Edwin D. Foster to be pay director, with the rank of rear admiral, to rank from June 18, 1943.

Morton L. Ring to be pay director, with the rank of rear admiral, to rank from April 19, 1943.

Murrey L. Royar to be pay director, with the rank of rear admiral, to rank from June 18, 1943.

William R. Bowne to be pay director, on the retired list, with the rank of commodore, to continue while serving as district supply officer, Third Naval District.

David W. Mitchell to be pay director, with the rank of commodore, to continue while serving as fleet supply officer, Service Force, United States Atlantic Fleet, and until reporting for other permanent duty.

William R. Ryan to be pay director, with the rank of commodore, to continue while serving as supply officer, staff of commander, United States Naval Forces, Europe, and until reporting for other permanent duty.

Archie A. Antrim to be pay director, with the rank of commodore, to continue while serving as planning and logistics officer, Bureau of Supplies and Accounts, and until reporting for other permanent duty.

Charles W. Fox to be pay director, with the rank of commodore, to continue while serving as supply officer in command, naval supply depot, Mechanicsburg, Pa., and until reporting for other permanent duty.

Joseph L. Herlihy to be pay director, with the rank of commodore, to continue while serving as fleet supply officer, Service Force, United States Pacific Fleet, and until reporting for other permanent duty.

William H. Smith to be civil engineer, with the rank of rear admiral, to rank from January 2, 1943.

Edward L. Marshall to be civil engineer, with the rank of rear admiral, to rank from January 2, 1943.

William O. Hiltabidle to be civil engineer, with the rank of commodore, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

Paul J. Halloran to be civil engineer, with the rank of commodore, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

Beauford W. Fink, Jr., to be civil engineer, with the rank of commodore, to continue while serving on the staff (construction) of the commander in chief, United States Pacific Fleet, and until reporting for other permanent duty.

Wallace B. Short to be civil engineer, with the rank of commodore, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

Robert C. Johnson to be civil engineer, United States Naval Reserve, with the rank of commodore, to continue while serving as officer in charge of a naval construction brigade.

Claire C. Seabury to be civil engineer, with the rank of commodore, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

Robert H. Meade to be civil engineer, with the rank of commodore, to continue while serving as officer in charge of a naval construction brigade, and until reporting for other permanent duty.

IN THE MARINE CORPS

TO BE GENERAL

Lt. Gen. Alexander A. Vandergrift to be general in the United States Marine Corps.

POSTMASTERS

FLORIDA

William F. Johnson, River Junction.

OHIO

Clayton L. Rupright, Beaverdam.
Ruth W. Steuart, Brookfield.

SENATE

WEDNESDAY, APRIL 4, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in this moment of quietness, hushing all discordant noises that we may hear Thy voice, we would ponder the pattern our lives are weaving, as we bow in Thy searching presence unto whom all hearts are open and from whom no desires are hid. When in the light of Thy righteousness and truth we examine ourselves, our recreant hearts are filled with regret and discontent; for we confess that we have missed the shining mark and come short of the glory. Yet, even in our failure to attain, we are lured by the haunting creed that life is a capacity for the highest. Help us to make it a pursuit of the best and, casting aside all counsels of despair, press on with buoyant feet, firm in the faith that for ourselves, our Nation, and for our world the best is yet to be. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, April 3, 1945, was dispensed with, and the Journal was approved.

CONTINUATION OF COMMODITY CREDIT CORPORATION—CONFERENCE REPORT

The Senate resumed the consideration of the conference report on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 298) to continue the Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes.

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Briggs	Connally
Austin	Buck	Cordon
Bailey	Burton	Donnell
Ball	Bushfield	Downey
Bankhead	Butler	Eastland
Barkley	Byrd	Ellender
Bilbo	Capehart	Ferguson
Brewster	Capper	Fulbright
Bridges	Chavez	George
Gerry	Mead	Taft
Green	Millikin	Taylor
Guffey	Moore	Thomas, Okla.
Gurney	Morse	Thomas, Utah
Hatch	Murdock	Tobey
Hill	Murray	Tunnell
Johnson, Calif.	Myers	Tydings
Johnson, Colo.	O'Daniel	Vandenberg
Johnston, S. C.	O'Mahoney	Wagner
La Follette	Pepper	Walsh
Langer	Radcliffe	Wheeler
Lucas	Reed	Wherry
McCarran	Revercomb	White
McClellan	Russell	Wiley
McFarland	Saltonstall	Willis
McKellar	Shipstead	Wilson
McMahon	Smith	
Magnuson	Stewart	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. HOEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Louisiana [Mr. OVERTON], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent.

The Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from West Virginia [Mr. KILGORE] and the Senator from Washington [Mr. MITCHELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS], the Senator from Connecticut [Mr. HART], the Senator from New Jersey [Mr. HAWKES], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The VICE PRESIDENT. Seventy-nine Senators having answered to their names, a quorum is present.

The question is on agreeing to the conference report on Senate bill 298 to continue the Commodity Credit Corporation, upon which question, under the unanimous-consent order of yesterday, the vote will be taken by yeas and nays at 12:30 o'clock today. The Senator from Ohio is entitled to the floor.

Mr. TAFT. Mr. President, the understanding is that we will divide the time between the opponents of the conference report and the proponents of the report. The report to which the Senator from New Hampshire [Mr. TOBEY] and I disagreed recommends a bill which will give the Commodity Credit Corporation borrowing power of $4,750,000,000 for the next 2 years for which the Corporation is to continue in operation.

My contention is that $4,000,000,000 is amply sufficient, that the Senate compromised in the committee with Mr. Marvin Jones, the head of the War Food Administration, by finally raising the amount to $4,500,000,000, and we contend that there is no justification for going further to $4,750,000,000, after Mr. Jones stated, as I read yesterday, that $4,500,000,000 was sufficient.

Mr. President, I wish to insert in the RECORD at this point the alleged justification for the increase, a table which appears on page 23 of the hearings before the Senate Committee on Banking and Currency.

The VICE PRESIDENT. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD, as follows:

War Food Administration — Commodity Credit Corporation—Estimate of increased borrowing authority required

Programs	I. Estimated net obligations for loans, purchases, and expenditures, Nov. 1, 1944, to Dec. 31, 1945	II. Estimated net additional obligations for period after VE-day
Barley, rye, and grain sorghums	$16,845,000	
Beans and peas, dry edible	6,336,000	$47,000,000
Cheese	18,600,000	
Corn	55,500,000	75,000,000
Cotton	331,200,000	30,000,000
Cotton, Egyptian	(15,270,000)	
Commodity export	75,000,000	
Dairy products	20,000,000	80,000,000
Dairy production	526,000,000	
Eggs	13,000,000	273,900,000
Fats and oils, foreign	(4,800,000)	
Fluid milk	14,000,000	
Fruits for processing	34,300,000	
General commodities purchase	(136,685,000)	(100,000,000)
Gun naval stores	(1,000,000)	10,000,000
Hay and pasture seeds	14,886,000	13,000,000
Hemp and milkweed floss	10,066,000	
Pork products		50,000,000
Oilseeds and products	295,100,000	
Peanut butter	15,000,000	
Irish potatoes	59,500,000	63,900,000
Sweetpotatoes	7,500,000	3,000,000
Rice		30,000,000
Shortening	1,500,000	
Sugar	63,000,000	
Tobacco	86,500,000	
Vegetables for processing	39,700,000	
Wheat	371,000,000	175,000,000
Wool	87,000,000	160,000,000
Carrying charges and operating expenses	125,000,000	

War Food Administration — Commodity Credit Corporation—Estimate of increased borrowing authority required—Continued

Programs	I. Estimated net obligations for loans, purchases, and expenditures, Nov. 1, 1944, to Dec. 31, 1945	II. Estimated net additional obligations for period after VE-day
Reserve for other programs	$50,000,000	
Total	2,178,778,000	$910,800,000
Total estimated net obligations:		
Nov. 1, 1944, to Dec. 31, 1945	2,178,778,000	
12 months after VE-day	910,800,000	3,089,578,000
Less estimated funds available:		
Cash Oct. 31, 1944	21,448,000	
Available borrowing power Oct. 31, 1944	811,365,000	
Appropriation pending	256,765,000	1,089,578,000
Total increase in borrowing authority required		2,000,000,000

Figures in parentheses indicate credits.

Mr. TAFT. Mr. President, I also ask that there be inserted in the RECORD at this point a table showing the commodities presently owned by the Commodity Credit Corporation, and under loan.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

War Food Administration—Commodity Credit Corporation—Commodities owned and under loan, Oct. 31, 1944

Commodity	Owned		Under loan		Total held	
	Quantity	*Amount*	*Quantity*	*Amount*	*Quantity*	*Amount*
Barley, rye, grain sorghums—bushels	303,531	$248,375.73	2,357,952	$1,988,092.52	2,661,483	$2,236,468.25
Corn—do	897,731	450,512.15	1,363,553	1,151,070.45	2,261,284	1,601,582.60
Cotton—bales	2,272,941	151,252,795.74	4,100,474	390,295,464.10	6,373,415	541,548,259.84
Foreign commodities:						
Sugar—tons	1,806,435	87,681,037.21			1,806,435	87,681,037.21
Other		45,331,829.78				45,331,829.78
Hemp and milkweed floss		23,174,081.01				23,174,081.01
Naval stores:						
Turpentine—barrels	178,504	5,958,019.14			178,504	6,127,294.95
Rosin—drums	2,927		15,271	169,275.81	18,198	
Oil seeds and products		26,688,574.69		6,883,496.99		33,572,071.68
Potatoes		11,536,185.05		987,580.59		12,523,765.64
Tobacco—pounds	198,265,488	157,884,494.97	2,919,230	843,471.97	201,184,718	158,727,966.94
Wheat—bushels	94,706,246	147,363,100.89	168,865,106	227,768,234.56	263,571,352	375,131,335.45
Wool—pounds	331,668,706	174,428,780.37			331,668,706	174,428,780.37
Miscellaneous		4,472,482.60		1,647,641.22		6,120,123.82
Subtotal		836,470,269.33		631,734,328.21		1,468,204,597.54
General commodities purchase program:						
Cotton, fiber, and naval stores—pounds	57,321,701	13,261,647.00			57,321,701	13,261,647.00
Dairy and poultry—pounds	606,994,422	229,133,853.00			606,994,422	229,133,853.00
Fats and oils—do	123,942,514	18,176,331.00			123,942,514	18,176,331.00
Fruits and vegetables—pounds	451,466,510	58,356,578.00			451,466,510	58,356,578.00
Grain products—do	991,000,383	61,263,868.00			991,000,383	61,263,868.00
Livestock products—pounds	558,015,981	93,833,133.00			558,015,981	93,833,133.00
Specia commodities—pounds	549,235,474	36,904,105.00			549,235,474	36,904,105.00
Butter and cheese, D. P. M. A		39,114,718.47				39,114,718.47
Miscellaneous		13,143,215.02				13,143,215.02
Grand total		1,399,657,717.82		631,734,328.21		2,031,392,046.03

Prepared Jan. 25, 1945: Treasurer's Office.

Mr. TAFT. Mr. President, very roughly speaking, the Commodity Credit Corporation have used $2,000,000,000 only of the $3,000,000,000 authorized. Their statement shows that they still have available for lending, after all these years, another billion dollars, and they are asking for $2,000,000,000 in addition to that, or a total of $3,000,000,000

I think the case is not made for their contention. Their fund is a revolving fund. They now have about $2,000,000,000 worth of commodities, most of which are in the course of being sold, and the money would be available again. I am convinced that if we increase the amount to $4,000,000,000, it would be more than sufficient for every reasonable purpose the Corporation may have, without any increase they may think necessary for the acquisition of commodities.

They say that at the end of the year and a half they will have to carry 600,000,000 bushels of wheat. I do not believe there will be such a necessity, and I think an examination into present conditions shows that there will be demand for much more wheat and flour throughout the world during the next year than there will be wheat and flour to supply the demand, so that, far from needing more money, they will actually cash in on some $375,000,000 which they already have in wheat, which, I feel convinced, will be returned in the form of cash.

My theory is not so much that there is a waste of money, but it is that once the borrowing power is given, tremendous additional power is lodged in the Commodity Credit Corporation. We have been criticized because we gave such vast powers to the R. F. C. Now it is proposed that we follow the same course with the Commodity Credit Corporation, and give them $5,000,000,000 with which they can engage in any business relating to food in the United States, with which they can put the United States into full control of the wheat business, if they wish to do so, or buy the whole crop. They bought the whole wool crop this year, and under the plan proposed they can continue to absorb other features of business if they so desire.

It seems to me that we should treat them just as we would in regard to an appropriation, that we should authorize exactly the amount of money which they show they need, and in my opinion, under present circumstances, they have not shown a need for more than a billion dollars additional, plus a billion for subsidies which, incidentally, will come to them when the money is finally appropriated. I feel perfectly confident that a year from now—and they will have to come back a year from now to get additional subsidies—having more money invested in commodities, they will have less than they have today.

Mr. REVERCOMB. Mr. President, does the Senator have time to yield for a question?

Mr. TAFT. I yield.

Mr. REVERCOMB. Will the change in amount from $4,750,000,000 to $4,500,000,000 make any difference in the milk subsidies being paid today by the War Food Administration?

Mr. TAFT. No. The Senate authorized the payment of $500,000,000 for milk subsidies during the ensuing fiscal year. The House increased the amount to $568,000,000, and our committee yielded to the House on that, as it did on everything else, except the one point on which the House proposed to compromise.

This will not in any way affect the subsidy program. It affects the permanent borrowing power of the Commodity Credit Corporation.

There is no question that they will have more than sufficient to meet their

needs. The total amount required for subsidies is about $800,000,000, and suppose it is paid, and we come to the end of the year; that money is reappropriated on recommendation of the Committee on Appropriations. The truth is that what we have here is no compromise at all, because they get $4,750,000,000.

The Senate will recall that a few days ago we appropriated $350,000,000 more, after considerable discussion, so that as a matter of fact when he gets through, Mr. Jones will have exactly what he started out to get. My feeling is that we must at some time take the position that we should not necessarily comply merely because a Government corporation wants additional borrowing power.

I ask the Members of the Senate to read the full discussion of this matter in yesterday's CONGRESSIONAL RECORD. My remarks begin on page 3077.

Mr. President, we do not have time now to go into a full discussion of the subject. If the conference report is rejected I shall move to send the bill back to further conference. In view of the fact that Judge Jones has said that he could get along well with an increase of a billion and one-half dollars, I see no reason why the House conferees should not yield. If the House conferees should not yield, they can at least submit the question to a vote of the House, and I feel confident, in view of the facts which have been developed, that the House will agree to the lower figure.

Mr. BANKHEAD. Mr. President, in view of the repetition by the Senator from Ohio of the statement which Mr. Jones made some 5 or 6 weeks ago, and the fact that conditions have materially changed since then, I shall ask the junior Senator from Maryland [Mr. RADCLIFFE] to make a brief statement.

Mr. RADCLIFFE. Mr. President, when the bill was being considered in conference the House conferees were very definitely of the opinion that Judge Jones thought $5,000,000,000 would be necessary and so insisted in discussing matters with Senate conferees, of which I am one. Since the session of the Senate of yesterday I have had a talk with Judge Jones and also with Mr. Hancock, head of Commodity Credit, and both of them are very emphatic in their statements. They believe strongly it would be highly desirable and probably necessary to fix the amount at $4,750,000,000. I still hope four and a half billion dollars will be sufficient, indeed, I hope $4,000,000,000 will be enough, but as Judge Jones says, there are certain factors in the nature of contingencies which cannot be reckoned with definitely, and therefore he thinks, in a spirit of caution, that the full amount requested should be provided. Certainly no one wants the farmers' program to be inconvenienced in any way if the sum provided should prove to be inadequate. Why take such a risk by being possibly too optimistic in our calculations?

Judge Jones also emphasized to me again this morning the fact that whether the sum is four and one-half billion dollars or $4,750,000,000 there is not going to be any difference in the general program of operation. The Government has a definitely set program which is going to be carried out in the interest of agriculture and of the general welfare. The point is that no one can foresee definitely just what the amount needed is going to be. Under the circumstances I think it is the part of wisdom to go along with the conference report, giving credence and support to Judge Jones' opinion, and Mr. Hancock's opinion, both expressed to me this morning, and giving weight to the views of the House of Representatives. Since the time set for voting as to whether or not we shall adopt this conference report will arrive in a few minutes. I shall not trespass further upon the time of the Senator from Alabama by repeating or developing the arguments which I made in the Senate yesterday in this matter. We should play safe by adopting the conference report.

Mr. BANKHEAD. Mr. President, in view of the fact that this is a conference report agreed to by eight of the conferees of the two Houses as opposed to two conferees, I shall not enter upon a detailed discussion of the evidence before the Senate committee and the House committee. The conferees dealt with the problem after the two Houses had acted. I say again, as I said yesterday, that the House voted twice for $5,000,000,000, and rejected motions made to reduce the amount, first to $4,000,000,000, and then to $4,500,000,000. The House voted both motions down, and by a substantial majority approved the $5,000,000,000 after Judge Jones had testified before the House committee some time after he appeared before the Senate committee.

Mr. President, in the conference the conferees had difficulty in reaching an agreement. This agreement was not hurriedly reached. We spent a day endeavoring to reconcile our differences chiefly upon the point now under discussion. The suggestion was first made that the compromise proposal of one and one-half billion dollars increase be agreed upon, and the House conferees rejected it because they said they had instructions from the House, by the votes taken in the House—not direct instructions, but what they construed to be the definite will of the House—and because the Department was insisting that there would be greater need, as time passed on, for food programs than there was when the bill was first introduced in the Senate.

So the matter rested for some days. I told the chairman of the House conferees that when they got ready to do something, to yield from the $5,000,000,000, to let me know, and I would call another conference meeting. After a week or 10 days, as I recall, Representative SPENCE called me and said that the five conferees on the part of the House had agreed to accept a settlement of $1,750,000,000 increase. I then called a meeting of the joint conference committee and after some discussion a majority of the Senate conferees agreed to that adjustment of the differences between the two Houses.

Mr. President, that report was submitted to the House. The House adopted it. The House has agreed to a series of 3-day recesses, and will not undertake to dispose of such matters as this report until the 16th of this month. A number of food programs are awaiting the action of Congress. A very large amount of this money is to be used, in addition to loans, for programs which involve crop production and the quantity of food supply. The announcement was made by the Department that the support prices were contingent upon the adoption of the conference report which would provide sufficient money to carry out the obligations.

Mr. REED. Mr. President, will the Senator yield?

Mr. BANKHEAD. I yield, but I remind the Senator that my time is very short.

Mr. REED. I wanted to express my agreement with the Senator from Alabama that the conference report should be adopted. I dislike to say that this is only an authorization, but that is all it is. I am a member of the Appropriations Committee subcommittee which deals with the appropriation, and I certainly will give it my attention when it comes before the committee.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BANKHEAD. My time is limited.

Mr. TAFT. Merely to correct the statement just made by the Senator from Kansas. When this money is authorized to be borrowed, it may be spent. There is no longer any appropriation required. There is no longer an appeal to the Appropriations Committee.

Mr. BANKHEAD. Please do not take any more of my time.

Mr. President, the Commodity Credit Corporation has planned well. The Corporation appraised the property it had last spring and found that it had lost only $260,000,000. We all know that Judge Jones is a careful and conservative man, of great experience in agricultural matters, and, of course, there will be no runaway program and no unwarranted expense. I submit it would be hazardous for the Senate to reject the programs which are contingent upon the amount of money the Congress provides. I think it would be hazardous for the Senate to reject the report because so many of the food programs are awaiting the approval of this measure. The farmers do not know whether the Senate is going to approve it or not. Payment to the farmers under many of the programs is dependent, so we are advised by the Department, upon the approval of this report, which would make available the additional amount of money requested.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. BANKHEAD. I cannot yield. I have only a minute left.

Mr. President, I submit that we cannot afford in these critical times to trifle with the food situation, especially when every day the information comes to us that there is increasing anxiety among the people, that there is greater danger of a threatened calamity because of shortage of food in the world. We should not cavil here over granting the authority to spend the money requested. The money is not appropriated by the

action we take now. It is not gone. No one here has objected to stupendous authorizations for the R. F. C. to finance business; but when we ask for an authorization for the food program which is small when compared with what has been done for business, we find Members of the Senate who, it would seem, are in a way willing to jeopardize the food supply.

I submit to the Senate that this is no time to let the farmers down. This is no time to be chiseling around and cutting down the authority of the Commodity Credit Corporation when so much is involved. The Commodity Credit Corporation is the one agency of the Government which can finance agricultural programs as the R. F. C. finances business programs.

I hope the conference report will be adopted.

The VICE PRESIDENT. The hour of 12:30 having arrived, under the unanimous-consent agreement entered into yesterday the Senate will proceed to vote on the conference report on Senate bill 298. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. HOEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Louisiana [Mr. OVERTON], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent.

The Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from West Virginia [Mr. KILGORE] and the Senator from Washington [Mr. MITCHELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

I am advised that if present and voting, the Senator from Florida [Mr. ANDREWS], the Senator from Arizona [Mr. HAYDEN], the Senator from North Carolina [Mr. HOEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from West Virginia [Mr. KILGORE], and the Senator from Washington [Mr. MITCHELL] would vote "yea."

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS], the Senator from Connecticut [Mr. HART], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from New Jersey [Mr. HAWKES], and the Senator from Wyoming [Mr. ROBERTSON] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is paired on this question with the Senator from Idaho [Mr. THOMAS]. If present, the Senator from North Dakota would vote "yea," and the Senator from Idaho would vote "nay." Both Senators are necessarily absent.

The result was announced—yeas 47, nays 32, as follows:

YEAS—47

Aiken	Bilbo	Eastland
Austin	Briggs	Ellender
Bailey	Chavez	Fulbright
Bankhead	Connally	George
Barkley	Downey	Green
Guffey	McMahon	Shipstead
Hatch	Magnuson	Stewart
Hill	Mead	Taylor
Johnson, Colo.	Murdock	Thomas, Okla.
Johnston, S. C.	Murray	Thomas, Utah
La Follette	Myers	Tunnell
Langer	O'Mahoney	Tydings
McCarran	Pepper	Wagner
McClellan	Radcliffe	Walsh
McFarland	Reed	Wheeler
McKellar	Russell	

NAYS—32

Ball	Donnell	Saltonstall
Brewster	Ferguson	Smith
Bridges	Gerry	Taft
Buck	Gurney	Tobey
Burton	Johnson, Calif.	Vandenberg
Bushfield	Lucas	Wherry
Butler	Millikin	White
Byrd	Moore	Wiley
Capehart	Morse	Willis
Capper	O'Daniel	Wilson
Cordon	Revercomb	

NOT VOTING—17

Andrews	Hayden	Overton
Brooks	Hickenlooper	Robertson
Chandler	Hoey	Scrugham
Glass	Kilgore	Thomas, Idaho
Hart	Maybank	Young
Hawkes	Mitchell	

So the conference report was agreed to.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A joint resolution of the Legislature of the State of California, favoring the enactment of legislation providing for the formation of an Optometry Corps in the Regular Army and the Army of the United States; to the Committee on Military Affairs.

(See joint resolution printed in full when presented by Mr. DOWNEY on 3d instant, pp. 3099–3100, CONGRESSIONAL RECORD.)

Resolutions adopted by Abruzzese and Orsarese Beneficial Societies, both of Bethlehem, Pa., favoring recognition of Italy as a full ally of the United Nations and that democratic representatives of Italy be invited to the San Francisco conference; to the Committee on Foreign Relations.

By Mr. WALSH:

A resolution adopted by the Italian-American Charitable Society, Inc., of Newton, Mass., favoring immediate recognition of Italy as a full ally of the United Nations and to safeguard its rights and privileges as such; to the Committee on Foreign Relations.

POLL BY AMERICAN LEGION ON COMPULSORY MILITARY TRAINING

Mr. BUTLER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a letter from the adjutant general of the American Legion, Post No. 1, concerning a poll conducted by that post with reference to compulsory military training.

There being no objection, the letter was received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

OMAHA POST, No. 1,
THE AMERICAN LEGION,
Omaha, Nebr., March 30, 1945.

Hon. HUGH BUTLER,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR BUTLER: On February 14, 1945, Omaha Post, No. 1, American Legion, passed a resolution on the proposed legislation for universal military training. The resolution passed unanimously at the post meeting, and the adjutant was instructed to conduct a poll among all members of the post, especially those with service in World War No. 2.

Post cards were sent to all 1945 paid-up members and they were asked to vote "yes" or "no" on the resolution that was adopted at the post meeting. This poll was conducted to provide authentic information to the Nebraska congressional delegation regarding the attitude of World War No. 1 and World War No. 2 veterans on this subject.

Results of the poll to date are World War No. 1 veterans, 2,795 affirmative and 396 negative votes; World War No. 2 veterans, 711 affirmative votes and 66 negative votes. This showed World War No. 1 veterans voted 6 to 1 in favor of the resolution and a still heavier ratio of 11 to 1 of World War No. 2 veterans in favor of the resolution.

You have stated in correspondence to this office that you were desirous of knowing the attitude of World War No. 2 veterans on the question of universal military training, and the result of this poll should be most convincing.

We are quite sure that if you will examine the results of polls that are taken of men now in the armed forces serving overseas, you will find the percentage in favor of military training is even greater than the results of the Omaha Post poll.

The returned cards supporting this poll are on file in our office at 105 City Hall, Omaha, for the inspection of anyone interested.

Yours very truly,

MATT D. JAAP,
Adjutant.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

S. 804. A bill to authorize certain additional appointments in the Officers' Corps of the Regular Army in initial grades not above the grade of captain; without amendment (Rept. No. 160); and

S. 805. A bill to insure further the military security of the United States by preventing disclosures of information secured through official sources; with an amendment (Rept. No. 161).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MEAD:

S. 821. A bill to modify harbor project at Oak Orchard, N. Y.; to the Committee on Commerce.

By Mr. WALSH:

S. 822. A bill to reimburse certain Navy personnel for personal property lost or damaged in a fire at Naval Base 2, Rosneath, Scotland, on October 12, 1944;

S. 823. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in the United States Naval Hospital, Seattle, Wash., on May 10, 1944; and

S. 824. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in Quonset Hut E-172 at the Amphibious Training Base, Camp Bradford, Naval Operating Base, Norfolk, Va., on January 20, 1945; to the Committee on Naval Affairs.

(Mr. BYRD introduced Senate bill 825, which was referred to the Committee on Naval Affairs, and appears under a separate heading.)

RESEARCH BOARD FOR NATIONAL SECURITY

Mr. BYRD. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill which provides for the establishment of a research board

for national security. This proposed legislation would establish a research board with direct responsibility for keeping military inventions abreast of the times in order to preserve our national security.

I know of nothing more important in the years to come than for this Nation to perform the necessary research work so that we will know about, and be prepared to use, if necessary for our own protection, new inventions and new methods of warfare.

It is a fact, which I do not think can be disputed, that both America and England have not been as successful in new developments of warfare as Germany has been. I was told by a military official of high authority that if Germany had perfected the robots a year soon, it is likely that England could not have survived.

We all pray and hope for permanent peace, but we must recognize the fact that our national security demands that we not permit other nations to excel us in new methods of warfare which could be used to destroy us. No man wants peace more than I do, and no one is more opposed to war, unless war is forced upon us; but I recognize the great need for having the best research capacity in this country constantly at work in the development, made possible by scientific investigation, of new methods of warfare and the best means to repel such attack as may be used by other nations against us.

The Secretary of the Navy, in his last report to Congress, said:

> The Navy believes that the solution of this problem (research) is the establishment by law of an independent agency devoted to long-term basic military research, securing its own funds from Congress, and responsive to, but not dominated by, the Army and the Navy.

It is in line with this recommendation that this bill is introduced. It provides that an Army officer, charged with this responsibility by the War Department, and a naval officer, with similar responsibility for the Navy, shall be members of this board. It provides that the Chairman of the National Advisory Committee for Aeronautics shall be a member, and such chiefs of services or divisions of the War and Navy Departments as the Secretary of War and the Secretary of the Navy may approve. It provides for the appointment of civilian scientists, engineers, or industrialists approximately equal to the number of officers of the Army and Navy on the board. The civilian members shall be nominated to the President by the National Academy of Science.

The duties and responsibilities of the board are outlined in the bill now introduced and an authorization for adequate expenses is provided.

The bill is so drawn as to utilize to the fullest extent the contributions made by civilian scientists, but it heads up to this board the responsibility of adequately conducting these scientific investigations and provides an independent appropriation for this purpose, without at the same time relieving the Army or Navy of responsibility for similar research.

It must be recognized that many of the new developments of warfare will be in the air, and it is in this field that the Germans made a very distinct advancement during the present war.

Our national security demands that our scientists in this country have full knowledge, both by their own research and by other means of investigation of new methods of warfare, so that they may be able to devise and make available new ways and means of defending ourselves from attack by such new methods as may be used against us.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from Virginia will be received and appropriately referred.

The bill (S. 825) to establish a research board for national security to insure the continued preparedness of the Nation along farsighted technical lines by providing for the application of scientific research to national security; to provide a means of utilizing in times of peace as well as war the services of the outstanding scientists of the Nation in the planning and executing of military research, and for other purposes, was read twice by its title, and referred to the Committee on Naval Affairs.

DEPARTMENT OF AGRICULTURE APPROPRIATIONS—AMENDMENT

Mr. BRIGGS submitted an amendment intended to be proposed by him to the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, which was referred to the Committee on Appropriations and ordered to be printed, as follows:

> On page 66, before the period in line 6, insert a colon and the following: "*Provided*, That in liquidating the farm labor community projects known as Delmo Labor Homes, located in southeastern Missouri, the Secretary is authorized, upon application made by the occupant of any unit, to sell such unit together with the site thereof to such occupant, at a price equal to the reasonable value thereof as fixed by the Secretary to be paid in installments within an agreed period of not more than 40 years in accordance with amortization schedules prescribed by the Secretary, with interest on the unpaid balance at the rate of 3 percent per annum, and upon such other terms and conditions as the Secretary may prescribe."

CHANGE OF REFERENCE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from the further consideration of the bill (S. 636) to repeal the act entitled "An act to prohibit financial transactions with any foreign government in default on its obligations to the United States," approved April 13, 1934, and that it be referred to the Committee on Finance. I have consulted with the chairman of the Committee on Foreign Relations and the chairman of the Committee on Finance and they have expressed no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

APPREHENSION AND PUNISHMENT OF WAR CRIMINALS

Mr. McCLELLAN. Mr. President, I send to the desk a resolution which I ask unanimous consent to submit, and for which I request appropriate reference. In order that the Senate may be advised as to the nature and purpose of the resolution, I shall read it at this time:

> Whereas this Nation and its principal Allies are pledged and resolved to continue hostilities in the present war until the Axis Powers have completely capitulated on the basis of unconditional surrender or the equivalent thereof; and
>
> Whereas complete military victory will not be achieved nor can the stability of peace and freedom from future wars be established and made secure, until and unless the high ranking officials of the Axis Powers responsible for acts of aggression by use of force against peaceful nations, and other war criminals and enemy collaborationists are apprehended, tried, and punished for the atrocious acts and crimes committed against humanity and world civilization; and
>
> Whereas it is a matter of general report and knowledge that many individuals who are responsible for and guilty of such acts and crimes have sought and are now preparing to seek and flee to a haven of refuge and safety in some neutral country or other place in the hope of evading capture and escaping a just judgment and punishment for their infamous and iniquitous deeds: Therefore be it
>
> *Resolved*, That it is the sense of the Senate that the high-ranking Axis officials responsible for this war and acts of aggression by use of force against peaceful nations, and all war criminals and enemy collaborationists, should be pursued, apprehended, and punished; and further, that our Government and the governments of the other United Nations should immediately take such action as may be appropriate and necessary to fully advise and inform all neutral nations and governments of the world that war criminals, enemy collaborationists, and the responsible officials of the Axis Powers and enemy countries will be sought out, pursued, and taken in any place to which they may flee, and that the receiving, harboring, and giving refuge to or withholding the custody of any such person or persons designated by this Government or by the other United Nation, as a war criminal, enemy collaborationist, or responsible enemy government official, will be considered by our Government and the other United Nations as an unfriendly act and an unwarranted interference with the administration of justice.

Mr. President, I am prompted to submit this resolution because it expresses my own views and because I believe it is important, timely, and in line with the policies heretofore announced by our Government. I think it is timely because the war in Europe, as we all concede and appreciate, is drawing to a successful close, to a victory which is equivalent to unconditional surrender. As the hour of victory approaches, all of us can anticipate and we recognize that those whom we class and whom we may regard and designate as war criminals, those who instigated the war, those who have been responsible for the atrocious crimes and acts against humanity and against civilization, are going to flee and seek refuge, and undertake to evade apprehension, trial, and punishment for the crimes they have committed.

On April 2, in the Washington Post, there appeared an article by the Associated Press, entitled "Board Completes Roll of War Criminals; Hitler Leads, Hirohito Apparently Included." I ask unanimous consent to have the article

printed at this point in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BOARD COMPLETES ROLL OF WAR CRIMINALS—HITLER LEADS, HIROHITO APPARENTLY INCLUDED

LONDON, April 1.—The United Nations War Crimes Commission placed Adolf Hitler's name at the top of the list of German criminals today and declared that heads of states would have no immunity from prosecution for Axis atrocities.

Apparently the Commission's strongly worded declaration applied to Emperor Hirohito of Japan and to regular army men who carried out the Axis war plans, although only Hitler was mentioned by name.

The Commission said that five lists of Germans and others who would be brought to trial had been drafted and that the hunt for war criminals was already under way.

TWO LISTS COMPLETED

Two lists of German criminals, one of Japanese, one of Italian and a fifth composed of Albanians, Bulgarians, Hungarians, Italians, and Rumanians have been prepared.

The Commission explained that names other than Hitler's were withheld to prevent forewarning suspects who could then attempt to escape.

"Moreover, publication at this stage of a list of the named persons might be used as a pretext for reprisals against helpless persons still under enemy control," the Commission said.

The Commission disclosed that a subcommission had been set up at Chungking in June 1944 to investigate and report to the United Nations War Crimes Committee on the situation in the Far East and Pacific areas.

The Chungking subcommission is composed of representatives of Australia, Belgium, China, Czechoslovakia, France, India, Luxembourg, the Netherlands, Poland, the United Kingdom, and the United States. Dr. Wang Chung-Hui, Chinese representative, is chairman.

WEIGHING EVIDENCE

At present the subcommission is examining material and information against the Japanese war criminals and will prepare lists to be forwarded to all participating United Nations.

The Commission disclosed that each of 16 nations had established national war crimes offices and investigations were being made and evidence collected on war crimes committed against each nation by its own citizens.

The Commission disclosed that early in its work it urged establishment of these national offices "to investigate war crimes against citizens or subjects of their own countries."

"When these offices feel a case is reasonably complete, they forward a summary of it to the United Nations war crimes commission or its subcommission, which examines the information," the report said.

HOME TRIALS FOR MOST

"Under this system the Commission performs a limited function and proceeds in a manner somewhat similar to a committing magistrate.

"Under the Moscow declaration, war criminals who have participated in atrocities—apart from major criminals, the treatment of whom was reserved for future decisions—will be taken back to the countries where they committed their crimes, there to be judged by the courts of such countries."

The five lists of war criminals already prepared have been given to agencies in the various countries affected "in order that the persons may be apprehended and turned over to the proper nations for trial." This is intended, the Commission said, to assure that criminals fleeing from their own country eventually would be returned to stand trial at home.

The United States and Great Britain have regular members on the United Nations Commission, with Russia sitting in effect as an observer. Representatives of the other United Nations contribute their evidence. Today's announcement constituted the first extended clarification of the Commission's status.

Mr. McCLELLAN. The United Nations War Crimes Commission apparently is making very satisfactory progress toward ascertaining, naming, and compiling information and evidence against many whom it deems guilty and who should be apprehended and tried for their iniquitous deeds.

Mr. President, in support of the resolution, I wish to call attention of the Senate to some statements made by the President of the United States, by the State Department, and by the three Allied Governments, Great Britain, Soviet Russia, and the United States.

On October 7, 1942, the President of the United States said:

I now declare it to be the intention of this Government that the successful close of the war shall include provision for the surrender to the United Nations of war criminals.

Again, Mr. President, I quote from the Moscow Conference a statement which was released on November 1, 1943. The statement was issued by the three Governments, Great Britain, Soviet Russia, and the United States. It reads as follows:

At the time of the granting of any armistice to any government which may be set up in Germany those German officers and men and members of the Nazi Party who have been responsible for, or have taken a consenting part in the above atrocities, massacres, and executions, will be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries and of the free governments which will be created therein. Lists will be compiled in all possible detail from all these countries, having regard especially to the invaded parts of the Soviet Union, to Poland and Czechoslovakia, to Yugoslavia and Greece, including Crete and other islands; to Norway, Denmark, the Netherlands, Belgium, Luxemburg, France, and Italy.

Thus the Germans who take part in wholesale shootings of Italian officers or in the execution of French, Dutch, Belgian, or Norwegian hostages, or of Cretan peasants, or who have shared in the slaughters inflicted on the people of Poland or in territories of the Soviet Union which are now being swept clear of enemy, will know that they will be brought back to the scene of their crimes and judged on the spot by the peoples whom they have outraged. Let those who have hitherto not imbrued their hands with innocent blood beware lest they join the ranks of the guilty, for most assuredly the three Allied Powers will pursue them to the uttermost ends of the earth and will deliver them to their accusers in order that justice may be done.

The foregoing statement, Mr. President, was released by President Roosevelt, Prime Minister Churchill, and Marshal Stalin, during or immediately following the Moscow Conference.

Mr. President, I have read the declaration of the Three Great Powers that they intend to pursue the war criminals to the ends of the earth in order that they may be returned to the scenes of their crimes and tried. All nations of the civilized world are interested in that being done. Even though surrender may be unconditional, our victory will not be complete unless the perpetrators of the crimes committed in this war are apprehended, brought before the bar of justice, tried, and appropriately punished.

The resolution which I have submitted simply states that it is the consensus of this body that our Government, as well as the other governments of the United Nations, should immediately take necessary steps fully to inform and advise all neutral countries that any harboring or receiving by them within their boundaries of war criminals who flee from their homelands in an effort to escape from the justice which awaits them, will be looked upon by the United Nations as an unfriendly act and an unwarranted interference with the administration of justice. It is my judgment that all governments of the United Nations should make this declaration now so that when those criminals attempt to flee to a neutral country, that country may know of the responsibility which it will assume if it receives them, gives protection to them, or refuses to surrender their custody when called on to do so.

Mr. President, I invite attention to a further statement made by the President of the United States in March 1944:

It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished. The United Nations have made it clear that they will pursue the guilty and deliver them up in order that justice be done. That warning applies not only to the leaders but also to their functionaries and subordinates in Germany and in the satellite countries. All who knowingly take part in the deportation of Jews to their death in Poland, or Norwegians and French to their death in Germany, are equally guilty with the executioner. All who share the guilt shall share the punishment.

Mr. President, I believe every real American applauds that statement and wants to see all steps taken necessary to carry out and effectively enforce that policy.

In speaking of neutral countries in September 1944 our State Department released to the press the following statement:

They were advised that the American people would not understand the extension of asylum or protection by neutral countries to any of the persons responsible for the war or for the many barbaric acts committed by the Axis leaders, and that relations between the United States and the neutral governments concerned would be adversely affected for years to come should the Axis leaders or their vassals find safety in those countries.

Mr. President, it is my belief that now is the time to inform all other governments that we intend to see that justice is done, and that we will pursue and apprehend those criminals wherever they may be found. If we take such action I believe that we will go a long way toward avoiding problems arising between us and those countries in the future in connection with this subject.

Mr. President, the blood of our heroes who have paid the supreme sacrifice cries out today from land and sea, from every battlefield of the world, that justice be meted out to those who have perpetrated these crimes. We shall not win a complete victory or lay the foundation of a permanent peace unless we destroy not only the armies which have inflicted great outrages, suffering, and death upon the world, but destroy the forces back of those armies, the individuals who gave the inspiration and direction to the launching and prosecution of this war. Those in high office who ordered or sanctioned the horrible atrocities committed in the guise of total war have forfeited the right to life and liberty, and our full duty to those of our loved ones who have made the supreme sacrifice will not have been discharged until full retribution has been exacted of those guilty of these major war crimes.

Mr. President, I trust that the committee to whom the resolution will be referred will take immediate action on it, and that it will be promptly agreed to by the Senate. By so doing we will let the world know of the sense of this body with regard to the course which should be pursued by our Government and the other governments of the United Nations, in order that no war criminal may escape proper punishment by receiving asylum in some neutral country.

The VICE PRESIDENT. Without objection, the resolution (S. Res. 113) submitted by the Senator from Arkansas will be received and referred to the Committee on Foreign Relations.

COMMISSIONING OF THE U. S. S. "MISSOURI"—ADDRESSES BY HON. BENNETT CHAMP CLARK AND CAPT. W. M. CALLAGHAN, UNITED STATES NAVY

[Mr. BRIGGS asked and obtained leave to have printed in the RECORD addresses delivered at the commissioning of the U. S. S. *Missouri* by Hon. Bennett Champ Clark and Capt. William M. Callaghan, United States Navy, which appear in the Appendix.]

PROPOSED MISSOURI VALLEY AUTHORITY—ADDRESS BY HON. C. PETRUS PETERSON

[Mr. BUTLER asked and obtained leave to have printed in the RECORD an address delivered by Hon. C. Petrus Peterson before the Nebraska Reclamation Association at Lincoln, Nebr., on January 20, 1945, which appears in the Appendix.]

ANALYSIS OF BRETTON WOODS AGREEMENT BY JOHN FRANCIS NEYLAN

[Mr. JOHNSON of California asked and obtained leave to have printed in the RECORD an analysis of the Bretton Woods Agreement by John Francis Neylan, of San Francisco, which appears in the Appendix.]

STAMP ISSUES COMMEMORATIVE OF THE WAR

Mr. O'MAHONEY. Mr. President, some weeks ago I ventured to suggest to the Post Office Department that the remarkable photograph which was taken by Associated Press photographer Joseph Rosenthal of the raising of the flag on Mount Suribachi in Iwo Jima be used as a design for a special stamp to commemorate the activities of the marines of our country. At the same time I suggested that other commemorative stamps be issued to honor the other branches of our armed services. As an instance, I suggested to the Post Office Department that perhaps a drawing of the bridge at Remagen, over which the First Army made the first crossing of the Rhine, would be a suitable design for one such stamp.

Some publicity was given to those suggestions. Today I was very much pleased to receive a letter from Capt. Charles Gillett, public relations officer of the Ninth Armored Division of the First Army, which, of course, is now serving in Europe. With his letter Captain Gillett transmitted to me one of the shoulder insignia used by the Ninth Armored Division, and he suggested that that insignia would be suitable to be used as part of the design of one of the proposed stamps.

I ask unanimous consent that Captain Gillett's letter be printed in the body of the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

PUBLIC RELATIONS SECTION,
HEADQUARTERS, NINTH ARMORED DIVISION,
United States Army, March 22, 1945.

The Honorable JOSEPH C. O'MAHONEY,
United States Senator,
United States Senate,
Washington, D. C.

DEAR SIR: Your recent proposal to the Senate that the Remagen Bridge be used as the central design in a stamp honoring the Rhine crossing was announced here in a brief newscast. Your recognition of the conditions surrounding the spectacular seizure of the bridge and your praise of the forces which captured it were received here with sincere appreciation by every member of the Ninth Armored Division.

To say that the men of the Ninth Armored Division are proud of their unit is a rank understatement. For each man is conscious of belonging to a team that continues to perform outstandingly, and each has the esteemed satisfaction of knowing that he is an integral part of a crack organization.

Because the identification of the Ninth Armored Division and the Remagen Bridge go hand in hand, I believe it would be appropriate for this division's symbol to be included on the commemorative stamp when it is produced. A copy of the triangular insignia, synchronizing infantry, cavalry, and artillery elements is enclosed.

Thank you, Senator, for your recognition of our efforts I might suggest that you keep your eye on the Ninth Armored Division in the future for there is much other work to be done, and all of us intend to be in on the doing of it from the commander, Maj. Gen. John W. Leonard, on down to the newest recruit.

CHARLES GILLETT,
Captain, Cavalry, Public Relations Officer.

TRIAL OF ELIHU BET ZURI AND ELIHU HAKIM—CENSORSHIP IMPOSED BY GREAT BRITAIN

Mr. LANGER. Mr. President, it has been 2 months since I took the floor to discuss the trial in Cairo of two young Palestinian patriots, Elihu Bet Zuri and Elihu Hakim. These men confessed to the assassination of Lord Moyne, the late British Resident Minister in the Middle East. The case took on world-wide importance when it was discovered that the assassination had been carried out under orders from an underground organization in Palestine which protested the cruel callousness of British officials toward the Hebrew tragedy of Europe in barring by force the opening of the doors of Palestine to their Hebrew brothers in Europe's death chambers.

This sensational trial was attended by correspondents from all over the world, but, because of British censorship, only a few stories reached America. For very understandable reasons the British did not allow the testimony of the trial to reach the civilized world. A strict censorship was imposed, and correspondents were unable to tell the story of those two young men who gave up their own lives in order to let the world know the unspeakable outrages perpetrated by the British against the Hebrew people of Europe and Palestine.

Mr. President, 2 months ago I spoke against this injustice and asked that the censorship on this trial be removed. But no answer was forthcoming from the British authorities in Egypt. I did receive a most sympathetic letter from the Ambassador from Egypt to this country, the Honorable Mahmoud Hassan, who assured me of the integrity of the Egyptian courts and their desire for justice, a fact with which I fully agree, for it was not the Egyptian court that was the cause of the censorship; it was the British Colonial Office. The only conclusion one can draw is that there must be much to hide about the situation in Palestine if such censorship could be upheld in the face of a great sympathetic public opinion protesting against it. The Senate will remember the outstanding men of America who signed the petition which was sent to the British, because I put the entire petition in the RECORD.

Mr. President, the two young men were sentenced to death—and still their testimony remained a "military secret." They have now been executed and, and in their last moments they walked bravely to the gollows chanting prayers. Their reasons still remain a secret to the world. I do not believe this is fair and proper, and I wish to raise my voice in protest and ask our British Allies to correct what can still be corrected and to release the full text of what the two condemned men had to say in their defense.

Mr. President, at this time I also want to ask unanimous consent that a statement by the Hebrew Committee of National Liberation, issued after the execution of Elihu Bet Zuri and Elihu Hakim, be printed in the body of the RECORD.

The PRESIDENT pro tempore. Without objection, the statement will be printed in the RECORD.

The statement is as follows:

The Hebrew Committee of National Liberation raises its voice in the strongest possible protest over the execution of the two Palestinian patriots—Elihu Bet Zuri and Elihu Hakim, who were driven to an act of desperation by the fatal indifference of the British Colonial Office to the disaster that had befallen the Hebrews in Europe. We mourn the death of the two young Hebrews who walked to the gallows unflinchingly and with erect heads. They gave their lives willingly and bravely, with courage derived from the hope that their death would make the infamy of their brothers' plight heard throughout the world. They have thus become martyred heroes in the annals of their people.

As we have repeatedly stated, we are opposed to assassination as a political weapon, but we feel that the insistence on the death sentence was unjustified in view of the extenuating circumstances in this tragic instance. We also wish to protest the complete censorship enforced by the British middle eastern authorities that prohibits even now the publication of the testimony given by the two condemned men when they stood trial.

It is obvious that it was intimidation by the British which prevented the Egyptian King and Government from exercising clemency. The death sentence was pronounced on January 18. Under Egyptian law executions must take place not later than 3 weeks after the pronouncement of sentence; yet it actually took place some 9 weeks later, the King and Government of Egypt having all this time had under favorable consideration the innumerable appeals for a clemency, but, as in the case of the bolted gates of Palestine, the sinking of the *Struma* and its 600 passengers, the sinking of the *Patria* with 250 casualties, the 140 Hebrews who died of malaria and ill-treatment on the isle of Mauritius to which the colonial illegially deported them, once again they had their victory. Now 2 more Hebrew graves have been dug in Egypt in addition to the graves of the hundreds of Hebrews who rushed from Palestine to stem Rommel's onslaught during the most critical period of this war, as did in fact, one of the men who was hanged yesterday. A German bullet did not get him but he who fought on the soil of Egypt, in a British uniform, is now dead at the hands of a British executioner.

That the British Government chose to ignore the flood of appeals for clemency that were voiced from many parts of the world, and particularly from outstanding Americans from all walks of life, as well as from all Jewish religious organizations, is further evidence to what degree the Tory Colonial Office is dominating the policy of the British Government in all matters concerning the Hebrew people.

Thus, two more Hebrew lives have been lost, seemingly an insignificant addition to the more than 4,000,000 Hebrews who have died in Europe. But here the ruthless imperialists have not merely passively aided Germany's extermination of our people, they have feverishly and actively forced the Government of Egypt to carry out the execution.

As the souls of Hakim and Bet Zuri returned to their Creator they met the millions of souls that came from Treblinka and Oswiecim and the other extermination camps. They met the souls of hundreds of thousands of gallant Tommies who died in Germany, in France, and in El Alamein, and they met the souls of pious British folk—women and children—who were bombed in their churches. The British looked at the Hebrew dead, who outnumber them 50 to 1, as if to say, "Have we all really died in vain?" And their faces flushed with shame and humiliation at the cruelty and sin of the colonial brothers, as will the faces of all decent Englishmen for years to come.

CECIL B. DE MILLE

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD, immediately following my brief remarks, a particularly brilliant St. Patrick's Day speech delivered on March 17, 1945, in Omaha, Nebr., by Mr. Cecil B. De Mille, the noted moving-picture magnate.

As every Senator will recall, Cecil B. De Mille's career in the moving-picture industry of this Nation extends back for more than a quarter of a century. During his distinguished career, he has directed some of the greatest motion pictures in modern history—such as the Ten Commandments, Ben Hur, Union Pacific, and a long list of other notable films.

Until recently, he was conductor of the Lux Radio Theater, bringing drama into the homes of millions of American radio listeners. In all his capacities Mr. De Mille has shown himself to be a loyal, idealistic American, placing emphasis on the highest ideals of life. There is no question about his patriotism, his love of freedom, his devotion to high ideals—ideals that most Americans have followed to make ours the greatest nation in the history of the world.

Mr. De Mille is no longer conductor of the Lux Radio Theater—and for a very strange reason, Mr. President. The reason is brought out in his speech. That reason, no matter what others say, is not because he is a Fascist. It is not because he is antilabor. It is not because he is against progress. His whole life is evidence that those who say and write such things are saying and writing untruths.

Mr. De Mille is no longer conducting the radio program for commendable reasons. He simply chose to refuse to give up a freedom—his right to vote as he pleased on a particular issue. He chose not to be subject to the tyranny of a labor union—a union of which he was a member in good standing and hoped always to so remain. He chose to stick by a right guaranteed him by our American Constitution rather than to let a union leader dictate to him how he should vote on a particular issue.

In this memorable speech Mr. De Mille makes no case against legitimate unionism. He makes no plea for reaction. He says nothing that does not contribute to liberalism.

On the contrary, Mr. President, I believe that in this speech Mr. De Mille sets forth clearly the issues of the basic, underlying political struggle going on today—a struggle which has little to do, as events have shown, with political partisanship or other considerations. He shows that he and millions of other Americans who stand by him are fighting for true unionism, for true social progress, for undisguised, pure liberalism, not the kind that is nothing in the world but totalitarianism in disguise.

Mr. De Mille is fighting, with modern weapons, the same fight against tyranny as did the men at Valley Forge and Bunker Hill. He is fighting for the liberties for which our best young men on the battle fronts of the world are fighting today.

Mr. President, in my judgment, we are now seeing in America another manifestation of the old truth that every generation must fight to keep the liberties passed onto it by its fathers. I take hope in the fact that when freedom was an issue, the American people have never faltered, they have never failed. But they must be wary today for strange doctrines, clothed in the dress of liberty but totalitarian in truth, are abroad in the world.

Liberty, this generation should be warned again and again, is not something we can fight for, put in a glass case in the Library of Congress and then feel safe. The fight between liberty and tyranny is unending. Two worlds are in constant conflict. I believe that Cecil B. De Mille, like many another thoughtful American, has seen the danger signals revealing that we have gone too far toward the totalitarianism against which we are fighting abroad.

It is said that when someone asked Benjamin Franklin what kind of government our forefathers had formed at the Constitutional Convention, Franklin replied:

> We have given you a representative government—if you can keep it.

In my judgment, this statement is more applicable to this generation than to any since that memorable day when we became a representative republic, a United States of America. We must fight harder, think more clearly, work more assiduously today, if we are to keep our Government representative in truth and not simply in name. And we had better not dawdle in our efforts, Mr. President, for powerful groups are now entrenched in high places, determined to seize and hold power in America.

Mr. President, I submit this speech by Mr. De Mille to every thoughtful American, with the prayer that he will think deeply on its words and its implications for him, for his family and for every freedom-loving American.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nebraska.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Mr. Jeffers, Governor Griswold, General Danielson, and fellow Americans, and to my friends of the air, greetings from Omaha on this day that honors the shamrock.

Mr. Jeffers, Omaha has changed quite a lot since I was here 6 years ago. Then the city was a lusty frontier town where, for that week, almost every man carried a six-shooter, wore boots, a beard, and a beaver hat. And almost every woman was a pioneer in gingham dress and sunbonnet.

Mrs. de Mille and I were swept back three-quarters of a century as we stepped from the train. For the union station had a log stockade around it, all the stores on Farnam Street had board and log fronts, and scouts and Indians and trappers roamed the streets.

It was a spectacle to commemorate the completion of the first transcontinental railroad—the mighty Union Pacific. It was a tribute to the pioneers who built America. To the brave men and women whose labor bound America from ocean to ocean with bands of steel—a truly united Nation.

But now war has come—and with its coming, something vital has gone. Something as vital as the air we breathe—something we cannot live without as freemen. Most of our liberty has gone.

I have been asked to tell you the reason why I no longer conduct the radio theater of the air that for many years has brought good drama to many millions of Americans. It may be of little importance to anyone but me that I no longer conduct this theater, but it is of vital importance to every man, woman, and child in this Nation why I no longer conduct it.

There are many distinguished guests in this room today—union members, civic and industrial leaders. I hope they and the listeners on the air hear me—not as a jury but as the fathers and mothers and brothers and sisters of American children—and American men and women fighting on the battle fronts of the world—and listen to me just as the good Americans you are.

But because my case involves a disagreement with a union, or at least with union authority, it is important for you to know that I hold in the highest regard the American labor unions. They have done a fine job for the American laborer. And the magnificent and superhuman job that the American workingman has done during this war—regardless of exceptions—makes one of the greatest sagas of unified endeavor the world has ever witnessed.

Mr. Jeffers is a union man. He has carried a union card for 55 years. As a union man, he rose to be president of the great Union Pacific Railroad.

He was not of the landed gentry. His father pounded earth behind the track layers as this pioneer railroad crawled westward. And Bill Jeffers got a job as a telegrapher, joined the telegraphers' union—from choice—and rose to be president of the road, not by force or coercion or political maneuvers, but because he was the best man.

That is free America. That is the land of opportunity—when the son of an Irish immigrant becomes president of the railroad on which his father shoveled dirt and drove spikes.

My host is a good union man. Many of these guests are good union men. And I believe that I am a good union man. But I would not consider myself a good union man if I did not object when I believe my union is making a mistake—nor would I consider myself a good union m if I obeyed my union boss' orders to pay money to support or oppose a proposition at an election when I hold a different political belief. Any more than I would consider myself a good American citizen if I voted the way a political boss told me to vote if I did not think he was right.

I would not support any person or measure that I thought was against the best interests of the Nation, no matter who told me to do so. Would you?

My case is simple. It is the case of every American workman. It is the right to be politically free.

Political freedom is the backbone of the Republic. Destroy it and you have broken the back of the United States.

I am a union man, and I believe I am speaking for an overwhelming majority of union men—leaders and members both—when I say the American workman must be politically free. Free from coercion and intimidation, with the right to make up his own mind at an election what candidates and measures he shall approve or disapprove. To which candidates and measures he shall give his money and support, and to which he shall refuse his money and his support.

For 10 years I have conducted a Radio Theater of the Air. After I had been conducting it for a year or so, a union was formed under the title of the American Federation of Radio Artists. I was asked to join and did so, and paid my $100 a year dues without question.

But when I signed for membership, I did not mean it to be a proxy, giving the union leaders the use of my free rights as a voter.

In joining the union, I did not suspect that I was required to give up my rights as an American citizen, or that I would ever be asked to place unionism above Americanism, or that I would not be free to support what party, people, or propositions I desired to support, or that I would actually be removed from my job because I would not concede the right of others to think for me politically.

Freedom has made America great, and there can be no freedom for the Nation if its people are not individually free.

About August 16, 1944, I received a letter from A. F. R. A. (that's the abbreviated name for my union), the first paragraph of which reads as follows:

"By action of the board of directors of A. F. R. A., each member has been assessed $1 to finance the campaign in opposition to No. 12 or the mistitled 'right of employment amendment,' to be submitted on the State ballot in November."

The last paragraph of the letter says in part:

"Immediate payment of assesment is required. It must be paid on or before September 1, 1944. Failure to pay will result in suspension."

Suspension, of course, automatically costs you your job.

You will note the board of directors made the assessment for a political purpose without calling the members to meeting. Without any authority, they made up the minds of 2,300 members that those members were opposed to proposition 12. They did not ask a contribution of $1—they demanded $1 on threat of suspension—and suspension denies the right to work.

Under the bylaws of the Los Angeles A. F. R. A. local, there is no mention of the right to assess for any purpose.

And upon my refusal to pay, on the grounds that my political beliefs were my own, I was told that I could not work. In other words, my right to earn a living depended upon my supporting somebody else's political opinion contrary to my own

You see, this is not a question of unionism or nonunionism. It is just a question of whether my rights at an election belong to me or whether they belong to a union.

And on that simple question rests the fate and future of this Nation. Whether we are to be a totalitarian country or a democracy. And we are not a democracy by just calling ourselves a democracy. Democracy means freedom of choice.

Do we have have to sell that freedom of choice for the right to earn a living?

I do not believe that is the purpose for which labor unions were formed. I do not believe that is the desire of the true American labor leaders. I know it was not the desire of Samuel Gompers. For it is un-American. And it is 100 percent wrong.

But A. F. R. A. was defending its power, and I was defending my right, so we went to court.

A judge of the Superior Court of Los Angeles County found in favor of the union on the ground—and mark this well—on the ground that proposition 12 was not a political issue.

Here was a proposition on the ballot to change the Constitution of the State of California, a proposition that had over 1,000,000 votes cast for it and over 1,000,000 votes cast against it, a measure which the absent soldier vote supported 2 to 1. But the court holds that it is not political, because it opposed the closed shop.

And the union, so said the court, was fighting for its existence. So the issue was not political.

Here in Omaha, where you have the railroad brotherhoods, which are among the greatest and best unions in the world, operating as an open shop under the Railway Labor Act of the Congress of the United States, it must seem strange to you that the Los Angeles judge said that the American Federation of Radio Artists was fighting for its existence because it was threatened with what you already have and under which you have grown into such a great and powerful and wise union, with the open shop.

The Los Angeles County judge apparently agrees with me that a political assessment is wrong—but not if a union needs the money to fight a proposition affecting it, to be voted on by 3,000,000 people.

So we have, at least in Los Angeles County, one law for the union and another for the lonely citizen who still has illusive hopes that we are living under a constitutional government with one law for all.

Well, we are living under a constitutional government, and I'm trying to find out whether it's the Constitution of the United States or the constitution of a union.

In the first court decision I found out.

But there is a famous case in which another court held: "It is not enough to say that a man's vote has not been influenced. It is also necessary for his freedom that he shall not have been coerced into supporting, by money or otherwise, the candidate or measure which he wishes to oppose."

Are we a totalitarian state or are we a democracy, and does democracy mean freedom of the individual or only freedom for the union and the ruling powers?

The devil wears many faces, and the American people want to see what face is really behind this new mask of false democracy. Who is it that controls the God-given right to earn a living? Who is this power that can condemn a man and his family to starvation if they don't comply with its desires?

Is this unseen power guided and inspired by the spirits of Washington, Adams, Jefferson, Madison, Lincoln? Is it inspired by the love of America and her tradition of freedom? Or is it inspired by a selfish desire for its own political advantage and power? What do you think?

From where did such ominous power arise in this land of the free? It comes from forced election contributions and control of a heavy voting power placed in a few hands, which gives a relatively few people coercive power over legislatures and Congress, and even may affect our courts.

This is no issue of unionism. It is an issue between all liberty-loving citizens and a few unscrupulous men who are trying to gather into their own hands, for their own use, the power of the people, just as it was gathered in Germany and Italy and in other totalitarian countries.

And if it is not quickly stopped, all individual rights and freedom will be gone, and only the right to obey left to us.

Thomas Jefferson said: "Resistance to tyrants is obedience to God."

The great majority of union membership and officers are fine, right-thinking American men and women. And yet we find a nation indignant and outraged against many unions, an army opposed to and threatening them, many courts and legislatures in terror of them. Why?

Because certain leaders have forsaken the high purpose for which the union was created and have gone into politics to control and bend the Nation to their will.

As the war moves on, country after country sees the specter of oppression and government by small cliques loom larger and darker over the world. The United States is no exception to this trend.

It is a pity that the Monroe Doctrine does not apply to foreign ideology as well as to foreign guns.

President Madison said: "It is proper to take alarm at the first experiment on our liberties."

And Abraham Lincoln said: "At what point is the approach of danger to be expected? If it ever reach us, it must spring from amongst us. * * * If destruction be our lot, we must ourselves be its author and finisher."

What does Lincoln say? That we cannot be defeated by an enemy from without—that if we ever go down to destruction, it will be from an enemy within.

To avoid this I ask that political freedom be restored to the American workingman. As long as a union remains the servant of the worker and not his master, both are safe.

I have great faith in the American people. If they retain their freedom, America retains her freedom. If the people sell their freedom, or it is taken from them by regimentation, no matter under what patriotic name it masquerades—if the right of free choice is taken from us, to be administered by our bosses, America is through. Its purpose is dead.

This Nation was conceived in liberty. For the sake of all mankind, don't let it die in bondage.

I am not speaking here for or against a closed shop. But a closed shop constitutes a monopoly of labor, and where any monopoly exists it should be controlled and regulated for the welfare of the community. It should be governed by the same kind of laws and restrictions that apply to a water company which controls all the water, or an electric company which controls all the light and power

Such companies cannot refuse service to a man because he will not contribute a dollar to their political campaign fund.

Where there is an uncontrolled monopoly of anything, including labor, as in my case, there is tyranny. Power corrupts, but absolute power corrupts absolutely.

The American people do not favor, and I believe they will not endure, tyranny. But there has been built up in this country an unelected government which is superseding in power and authority the elected government. And a dissenting voice raised against this unelected but all-encompassing power is condemned to obliteration, branded with the standard name of labor hater, labor baiter, Fascist, and other venomous terms, whereas in reality he is only pleading for constitutional government for all—the same law for the rich and the poor, the educated and the uneducated, the majority and the minority, union and nonunion. He is speaking out against the injustice of one imposing its will upon the other.

There must be 80,000,000 or 90,000,000 citizens of the United States who still believe in constitutional government and freedom of the individual.

There must be eighty or ninety million citiget that they are Democrats or Republicans, or Protestants or Catholics, union or nonunion—and unite to save their individual liberty and our rights as free Americans—unite to prevent our Government, our Congress, our legislatures, and our courts from being high pressured into submission by any minority groups of individuals operating for private purpose and gain; groups that have taken to themselves the divine right to control human destiny, even the right of life and death by control of the right to work.

Unfortunately, radical elements seem to have captured many sources of public information and dissemination of news, with the result that millions of unorganized, plain, common-sense Americans find themselves without outlets for the expression of their views. But eighty million or more still exist.

In many instances, those who would speak out are frightened by the "smear" technique which the un-American elements have adopted toward all who oppose them. However, somehow, somewhere, these millions of plain, common-sense people are going to find leadership and outlets for the expression of their will.

Then, like Gulliver—the sleeping giant of the great American people—bound down by the strings of the Boss Lilliputians—will rise up and walk.

We must find a voice for the great mass of Americans who want to cry out against the rape of American freedom.

We have fought five wars to a successful conclusion under our Constitution. I can see no reason for scrapping it in this one.

We have won the Battle of the Atlantic. The Battle of the Pacific, the Battle of France, and the Battle of the Philippines are won. And we are nearing victory, thank God, in the Battle of Germany. And all during these gallant and heavy-priced victories we have been losing the battle of America on the home front—losing the very purpose for which these other battles were fought.

If our men, whom we sent out to fight for freedom and the American way of life, return and find that we have changed from government by law to government by men—

That many of our courts no longer strive for justice but are ruled by political expediency—

That Government of the people is no longer by the people but by high-pressure minority groups—

That the one safeguard that remained to us, the people—our free rights at an election—has been taken from many of us—and delivered to a union board of directors—

That people in this country have been denied the right to work—forced from a trade or profession to which they have given their lives—condemned to idleness and the dole because they will not contribute to the political beliefs of others—

What will they say—these men who have been fighting on every battle front in the world. What will they say when they find that we at home have surrendered America—that we have been guilty of treason to our fighting forces by letting an enemy come in behind them and cut away their individual freedom while their blood was being shed for it abroad.

Have we, as a Nation, become so afraid to assert ourselves that we will sell our children into slavery?

If we throw away now the gifts of Washington, Jefferson, and Lincoln—if we undo now the work of the countless thousands who have given their lives for liberty—we shall be guilty of a crime against God and man that it will take centuries to expiate.

This country is the hope of mankind, and it was built upon the rock of individual liberty.

My voice is the voice of one crying in the wilderness: Make straight your paths for freedom, God's greatest gift to man.

It will be a hollow victory to you mothers whose sons are fighting abroad if they must return to serfdom here at home. They did not pay for the right to fight. Must they pay for the right to work?

You can stop this abuse of power, and you can stop Government from sanctioning such abuse of power, if you organize for just one thing—the right of the worker to be politically free.

And hang onto constitutional government as you would to a life raft in a boiling sea. The Constitution of the United States and the governing power of Congress are being replaced by administrative bodies with the power of making regulations which have the force of law.

This is dictatorship. You can stop this only through organization.

Too many Americans, big and little, have run to cover in the hope they can hide out through the storm, afraid of the propaganda machine that has been turned against them to shoot maledictions as a machine gun shoots bullets.

Don't think we are only threatened with totalitarianism. To a great extent we have totalitarianism today, because too many businessmen and laboring men alike have been Neros who fiddle while the liberty of their country burns.

I do not think that all who follow this course toward totalitarianism are bad Americans. Many of them are blind Americans who cannot see the net of regimentation into which they are swimming like a school of fish.

And the bait that draws so many eager fish is the alluring sound of free from worry, free from fear, free from want, free from everything, including freedom.

This is really no utopian dream for the workingman; it's the harnessing and enslaving of American might for private and political use.

Remember that all through history every free democracy has lasted but a few centuries and then passed into a dictatorship.

Don't be regimented. Don't be forced into obeying the political orders of your boss, union or industrial.

William Penn said, "Obedience without liberty is slavery."

Many of you are still free men and women. It is for you to rescue those of us who have felt the hand of tyranny upon us, before you yourselves are regimented and the right to work is taken from you as it has been from me.

Edmund Burke, a good Irishman, said:

"When bad men combine, the good must unite, else they will fall one by one, an unpitied sacrifice in an unequal struggle."

The unions were formed for better conditions and opportunity and freedom. The union man is in danger of losing for himself and his children and his grandchildren the very freedom and opportunity for which his union was created. All freedom depends on a truly free election.

In closing, may I say that I miss, more than I can tell you, my visit in 10,000,000 homes every Monday night. The friendship of those unseen millions warmed my heart as nothing in life has ever done, but I would rather never visit them again than visit them as a betrayer of the principles that made those homes possible.

There is one union that I place above all others—the Union of the United States of America.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

The VICE PRESIDENT. Reports of committees are in order.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. BAILEY, from the Committee on Commerce:

Capt. William K. Scammell, United States Coast Guard, to be a commodore, for temporary service, in the Coast Guard to rank from March 1, 1945, while serving as district Coast Guard officer, Twelfth Naval District, or in any other assignment for which the rank of commodore is authorized; and

Columbus M. Shinn, to be aide, with rank of ensign, in the Coast and Geodetic Survey, from the 25th day of October 1944.

By Mr. CONNALLY, from the Committee on Foreign Relations:

Fletcher Warren, of Texas, now a Foreign Service officer of class 2, to be Ambassador Extraordinary and Plenipotentiary to Nicaragua;

Paul H. Alling, of Connecticut, to be a Foreign Service officer of class 2, a secretary in the Diplomatic Service, and a consul general;

Richard P. Butrick, of New York, now a Foreign Service officer of class 1 and a secretary in the Diplomatic Service, to be also a consul general;

H. Merle Cochran, of Arizona, now a Foreign Service officer of class 1 and a secretary in the Diplomatic Service, to be also a consul general;

H. Gordon Minnigerode, of the District of Columbia, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul;

William A. Fowler, of Oregon, to be a Foreign Service officer of class 4, a secretary in the Diplomatic Service, and a consul;

Robert T. Cowan, of Texas, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul;

Frederick B. Lyon, of Michigan, to be a Foreign Service officer of class 4, a secretary in

the Diplomatic Service, and a consul general; and

Sundry Foreign Service officers, unclassified, to be Foreign Service officers of class 8.

DIRECTOR OF WAR MOBILIZATION AND RECONVERSION

Mr. BARKLEY. Mr. President, this morning, by unanimous vote of all members of the Finance Committee, including both Republicans and Democrats, the nomination of Judge Fred M. Vinson to be Director of War Mobilization and Reconversion was ordered to be favorably reported to the Senate.

Accordingly, I now report it.

In view of the vacancy now existing in that office, I ask unanimous consent that the nomination of Judge Vinson may now be considered.

The VICE PRESIDENT. Is there objection? The Chair hears none. Without objection, the nomination is considered and confirmed.

Mr. BARKLEY. I ask that the President be immediately notified of the confirmation of the nomination.

The VICE PRESIDENT. Without objection, the President will be notified forthwith of the confirmation.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.), between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.) a protocal supplementary to the treaty.

Mr. MILLIKIN obtained the floor.

Mr. O'DANIEL. Mr. President, will the Senator from Colorado yield to me?

Mr. MILLIKIN. I yield.

Mr. O'DANIEL. Mr. President, we have before us for consideration and action the United States-Mexico Water Treaty of February 3, 1945. I wish to make a few statements in favor of its ratification, because ratification means much to the people of this Nation, and particularly to the people of my State of Texas.

Inasmuch as treaties between sovereign nations represent milestones in world history, I want to turn back the pages of time and review briefly some of the history of these interested states and nations, which should have some bearing on the pending treaty, and should be taken into consideration in deciding the issue before us.

Prior to one of the world's most decisive victories, at San Jacinto, April 21, 1836, Texas was part of the Republic of Mexico. Following that great victory, the Treaty of Velasco was signed on May 14, 1836, between President Burnet for the Republic of Texas and General Santa Anna for the Republic of Mexico. The great victory of Gen. Sam Houston and his men at San Jacinto on April 21, 1836, culminated a struggle which has been going on for more than 3 centuries for the mastery of North America, and determined for all time that the entire country west of the Mississippi River to the Pacific Ocean should be part of the United States, should be English rather than Spanish, or something else. That battle represented a turning point in the history of North America. Today on the San Jacinto battleground stands a stately memorial shaft taller than the Washington Monument, and while the great victory of George Washington in the Revolutionary War marked the beginning of our Nation, yet the contribution of Sam Houston's efforts led to the addition to our Union of a land area even greater than our original holdings resulting from the victory of George Washington.

The State of Texas alone represents an area of more than 171,000,000 acres, and in addition to that area Texas sold to the United States over 100,000,000 acres, which now form part of the States of New Mexico, Colorado, Wyoming, Kansas, and Oklahoma.

Mr. President, the separation of this vast empire from its mother country presented a problem the handling of which has required wisdom and diplomacy every day since April 21, 1836. It will continue to require clear thinking and honorable action. It means much to acquire by military superiority, and negotiation, an empire the size of Texas, but I believe I am justified in saying that it means as much or more for an empire so acquired and so divorced from a nation as large as the Republic of Mexico to conduct itself thereafter on such an honorable and fair plane as to merit the lasting friendship and good will of its mother country.

I proudly call attention to the fact that the people of my State have thus conducted themselves for more than 108 years, and in calling attention to this fact let me pay tribute to the high character and friendly tolerance displayed throughout this century of time by our good neighbors south of the border. On both sides of the silvery Rio Grande, which forms an open and undefended boundary line of approximately 1,200 miles between two friendly nations, we find no fences, locked gates, or bristling cannon pointing in either direction. Instead we find peaceful homes, schools, and churches, and open bridges. On both sides of the river we find Texas citizens and citizens of Mexico mingling in commerce and civic and social life, even to the extent of intermarriage.

In my capacity as Governor of Texas, I have taken part in great good-will meetings on the international bridges. I have also joined in the good-will legislation of our State in granting scholarships in our Texas colleges and universities to the sons and daughters of our Spanish-speaking neighbors to the south. As further evidence of our desire to cultivate good will, I had the high honor and privilege of endorsing and signing Texas legislation which appropriated $1,500,000, which we used to purchase around 800,000 acres of land, which the State of Texas gave to our Federal Government for the purpose of setting up a great international park on the border. It is understood that the Republic of Mexico intends to set aside a like amount of land on their side of the Rio Grande as part of this Big Bend International Park. This great park will provide a place where citizens of both nations may go for recreation, pleasure, and enlightenment, with no concern as to whether or not they are at any particular time on United States soil or Mexican soil. It will be a vast and beautiful international playground, which by its very size typifies the bigness, soundness, and solidarity of our international friendship.

Mr. President, those are but a few of the things the citizens of my State have been doing for the last century to prove in an understandable manner that international friendship can be practical, as well as beneficial to all concerned. The good citizens in all of our other States, I realize, have also had their problems, and the record shows that they, too, have done a good job in most instances. While we in Texas may not be familiar with the problems of the people in other States, and especially those far from us, we are willing to listen to their advice on problems with which they must be more familiar. Whether that feeling is mutual as concerns their attitude toward us in Texas is for them to demonstrate, not for us to request. We have simply tried to do our duty as we understood it, and in view of having done this, I feel it is my duty to apprise this body of how we Texans, who are next door neighbors to the people of Mexico, feel about the ratification of this water treaty.

So far as Texas is concerned, we are almost unanimously of the opinion that the treaty should be ratified. On the basis of what it means to the future of Texas, and, through Texas, to the rest of the Nation, we solicit serious consideration by each Senator. As far as its alleged ill effects on other States is concerned, we grant that the people in those States are better qualified to know and explain them than are we in Texas, and I urge that all Senators give due consideration to what the Senators from those States say. But, after all the argument is in and all the facts are known, I trust that the vote of each Senator will be based on the broad consideration of what the treaty means to the future welfare of the citizens of our entire Nation in particular, with due regard to the rights of the citizens of other nations in general.

Let me explain briefly, Mr. President, what the ratification of the Mexican Water Treaty means to Texas. The entire Rio Grande watershed in Texas represents an area of approximately 25,000,000 acres, which equals the combined areas of six of our States, viz, Delaware, Connecticut, New Jersey, Massachusetts, Vermont, and New Hampshire. The lower end of this watershed comprises the counties of Star, Hidalgo, Cameron, and Willacy, representing nearly 3,000,000 acres of rich alluvial soil. Only about 40 years ago this area was largely a mass of tangled and waste underbrush. Today it is known as the Magic Valley of Texas. Its transformation was brought about by irrigation.

During this short period of about 40 years, this lower Rio Grande Valley has grown to a highly developed area, having a population of 250,000, with 21 cities and towns, all connected with broad, level streets or highways, lined on either side with tall, stately palm trees, and thousands of acres of beautiful and highly

productive orange and citrus orchards. There are thousands of beautiful homes, many modern school buildings, including two junior colleges, scores of dignified churches of practically every denomination, two large Army air fields, and the Brownsville airport. The Navy has Signal Corps and Coast Guard stations located on the coast of the Gulf of Mexico at Port Isabel. From the Brownsville airport several daily schedules are maintained to the Latin American countries and to eastern and northern points. The valley is served by two railway lines, as well as by two seaports, one at Brownsville, the other at Port Isabel. International bridges span the Rio Grande, connecting the Valley with Mexico by rail lines and highways. In other words, this beautiful, healthful, and highly productive magic valley at the land, air and ocean gateway to all our friendly republics to the south, is centrally located, continently speaking, at the crossroads of the Western Hemisphere, from which radiate in all directions railways, highways, airways, and ocean routes. Public utility corporations supply the area with abundant electricity, unlimited oil and natural gas, cable, radio, telephone, and telegraph services.

The valley enjoys a favorable year-around, semitropical climate, and has a highly fertile soil, particularly well adapted to the growing of citrus fruits and winter vegetables. There are 590,000 acres of land embraced in 22 active irrigation districts, which districts are well equipped with pumping plants, canal distributing systems, and other facilities. There are 122,000 acres in citrus orchards and about 328,000 acres in vegetables, cotton, and other food crops, making a total of nearly 450,000 acres under intense cultivation. Many of the lands produce 2 crops per year, and as a result, have very substantial production, the greater portion of which is shipped to other States. The farm income during the year 1944 was over $100,000,000, or one-ninth of the total farm income of the whole State of Texas. During the last shipping season, these 4 counties shipped 57,350 railway carlots of citrus fruits, fresh vegetables, canned citrus juices, and canned vegetables. These counties produced 124,440 bales of cotton for the year 1944. In addition, the valley shipped during the year several thousand carlots of other products, such as cattle, hogs, milk products, poultry, eggs, and cattle feeds. Many thousands of carlots of magic valley products were supplied to the armed services of our country.

On a conservatively appraised pre-war basis, there is invested in this valley a total of over $300,000,000, exclusive of Government properties such as the airfields. This investment, representing an average investment of about $1,200 per person is, to a large extent, owned by individuals of the active working class. A tabulation of ownership of the acreage shows 86 percent of the owners are small-farm operators owning farms of 40 acres or less. The population consists largely of aggressive citizens who came from practically all of our other States, seeking good health and prosperity.

Mr. President, the very foundation of the investments of these good people is irrigation water. The Rio Grande offers their only source of supply.

The Rio Grande in its present natural state is one of the most erratic streams in the world, fluctuating between periods of no flow at all to periods of flood flow reaching several hundred thousand second-feet. Greater floods have actually occurred on the lower Rio Grande than have ever visited the lower Colorado River even though that stream drains a far greater area.

The low flow of the Rio Grande is largely derived from the spring-fed sources, and is fairly constant in amount. The flood flow is unpredictable either as to time of occurrence or volume. Mexico through its tributaries to the Rio Grande contributes about two-thirds of the total river flow below Fort Quitman, while only one-third is derived from the United States.

The low flow of the Rio Grande has long been appropriated and put to beneficial use for irrigation in the United States and Mexico. This water supply is wholly insufficient to serve the existing developments in both nations. The flood flows caused by storms over the watershed frequently produce enormous quantities of water, often concentrated in high flood discharges, and instead of being beneficial, creates extensive ruin and destruction up and down the great length of this river.

One of the main purposes of this water treaty is to provide storage facilities along the river so as to control and regulate this erratic flood flow and use these flood waters to increase the low flow, thus utilizing all the waters for production, and eliminating destruction by floods. The Rio Grande, being an international stream, presents an entirely different problem from the Colorado River, which flows almost entirely through the territory of the United States. Dams and other facilities for storing and controling the waters of the Colorado River wholly within the borders of our own Nation can be accomplished without an international treaty, but such facilities cannot be constructed on the Rio Grande without an international treaty specifically authorizing it.

Existing uses from the Rio Grande in the United States below Fort Quitman and exclusive of the Pecos River effect an area of about one-half million acres, which has been developed into one of the greatest producing areas in the world. Mexico, cognizant of the possibilities in this field, and having abundant suitable land, has recently started on a program of development closely akin to that on the United States side of the river. Diversions on the Mexican side, without any international agreement, are possible because the present and contemplated development south of the border are mostly on or from the Mexican tributaries, where the control is wholly within their hands. In this development in Mexico, one large reservoir has already been constructed to control the entire low flow of the Rio San Juan. This stream, which enters the Rio Grande near Rio Grande City, formerly contributed a substantial part of the irrigation supply for the area in the United States. The gravity heading at Retamal, a direct diversion from the main river itself, through which diversions are made for further development in Mexico, although located downstream from the mouth of the Rio San Juan, is still above most of the pumps now serving American lands.

Since these developments in Mexico came into operation in about 1943, there have been increasingly more serious shortages of water experienced in the United States. The Mexican facilities are so located that it is possible for them to divert practically the entire low flow of the river. Any increased use by Mexico, where the construction of lateral and distribution systems is now taking place, will inevitably result in greater shortages of water to the lands in the United States. Thus, a highly critical situation exists and it is evident that something must be done and done quickly to protect our present investments.

The water treaty now under consideration if and when ratified will afford this protection to the lands in the United States by providing for the construction of storage dams on the Rio Grande to furnish the necessary regulation of water. No other solution to this perplexing problem has been discovered.

The Rio Grande is again very different from the Colorado River in regard to this danger to existing uses. Whereas any increase in the use by Mexico on the Rio Grande will very definitely curtail present uses in the United States, no such danger to existing uses on the Colorado River in the United States is evident.

The treaty makes ample provision for the protection of all of these existing uses on both streams in the United States, with the opportunity for further expansion on both streams.

Other attempts have been made to settle the problem of distribution of the waters of the Rio Grande, but without success. In 1924 the Congress passed an act authorizing the President to designate three special commissioners to cooperate with representatives of Mexico in a study regarding the equitable use of the waters of the Rio Grande below Fort Quitman, Tex. Mexico was unwilling to discuss the Rio Grande unless at the same time the problem of the Colorado River was also discussed. Accordingly by joint resolution approved March 3, 1927, the scope of the original investigation was broadened to include the Colorado River. The resolution specifically provided that the purpose was to secure information on which to base a treaty with Mexico relative to the use of the waters of the two streams. Permission was also granted to make a similar study of the Tijuana River, subject to Mexico's concurrence. The commissioners were appointed and a joint study of the three streams was made, but no agreement was reached. Mexico has shown no further willingness to treat on this subject until recent months, when the proposed treaty was negotiated.

This is the first time in history, Mr. President, when this Senate has had the opportunity to consider a treaty of this nature. Mexico has prevented us from the consideration of such a treaty for

over 100 years by showing insufficient interest in the matter. Certainly such prolonged unconcern on her part does not justify any assumption that she is the party most anxious for the ratification of this treaty. I make no bones about my interest in the problem, Mr. President. My interest is based exclusively on the benefits which I believe will accrue to the citizens of my State and my Nation by ratification of the treaty, and my fear of the dire consequences that will result if the treaty is not ratified.

I think we are justified in believing that our entire investment of more than $300,000,000 in the Magic Valley of Texas is in jeopardy, without the ratification of this treaty. I say that because, without the treaty, Mexico can and undoubtedly will, control and divert the water from her tributaries, which constitute about two-thirds of the total river flow below Fort Quitman, together with part of the one-third contributed by our tributaries. This would leave us only one-third of the flow or less, which without the benefit of storage facilities, which cannot be built on the Rio Grande without the treaty, would famish our irrigated lands so frequently as to render them incapable of operation on a self-sustaining basis, except on a very limited scale. Undoubtedly the rejection of this water treaty will be the pronouncement of the death sentence for our Magic Valley in Texas. On the other hand, with the ratification of the treaty, our present huge investment will be protected, and an additional amount of water can be salvaged and used to expand and develop our irrigated lands to about twice their present area and production. Surely, Mr. President, our present alarming food shortage should urge and hasten us to safeguard and protect this large and highly productive Magic Valley of Texas, which has been developed at such tremendous cost and sacrifice, and which produces such huge quantities of high quality foods.

I think we are all being realistically reminded at the present time that food shortages are of more vital concern to consumers than they are to producers. The preservation and expansion of food production in Texas assured by the ratification of this water treaty therefore is of vital importance to the citizens of every State in this Union because this food is shipped to every State. If this fact is thoroughly understood and fully realized by all Senators, I am confident the treaty will be ratified.

Mr. President, all through the hearings and debate on this treaty it has been brought out and quite generally stated or admitted that no objection is voiced from any source to the terms of the treaty as it pertains to the Rio Grande river settlement. I am glad that that feeling prevails; but one of the main purposes of my remarks is to show that as far as the Rio Grande part of the treaty is concerned it amounts to considerably more than merely a project to which there is no objection. It is a paramount project of necessity, if our Magic Valley of Texas is to survive. I therefore hope that Senators will look upon it in that light hereafter, instead of looking upon it merely as a nonobjectionable part of the treaty.

Mr. President, I feel that it is hardly necessary for me to remind the Senate that water is one of the basic necessities of life, both plant and animal life, as well as human life. It is therefore one of those things for which men have fought and will fight. When we come to the point of artificially controlling, impounding, or hoarding the waters of natural streams, it is highly important that due, honest, and just consideration be given the rights of all human beings claiming to have an interest in the waters of such streams. This is true whether the streams are international, interstate, intercounty, or intercommunity. Unless the problems are studied and proper adjustment made in advance by peaceful negotiation and treaty, potential dangers will inevitably eventually confront us.

It appears to me that when these potential dangers are known to exist, and especially when eight to ten million acre-feet of unused water is flowing annually from the Colorado River Basin into Mexico, while at the same time the lower Rio Grande Valley helplessly suffers for the lack of sufficient water, it is high time for the responsible representatives of the people in the Senate to give unusually sober and intense study to this pending and highly important treaty between the United States and Mexico.

Mr. President, I have not touched extensively on the treaty as it affects the people in the States of the Colorado River Basin. I have studied that phase of the problem, however, and am thoroughly convinced that the treaty is not only fair to them but is also quite generous. I believe that Senators from most of those States favor ratification, but I certainly grant to Senators who do not favor ratification their right to present their side of the case. Most assuredly its ratification will not cut their water off immediately, while, on the other hand, its rejection will most certainly serve to cut our water off in Texas at any early date.

So far as the administration of the treaty terms is concerned, I am satisfied that our Nation is fully protected. In all sections of the treaty in which provision is made for important matters to be decided, each Government is given the right to accept or reject; and as a second safeguard where expenditures of money are contemplated, each Government is guaranteed the right to appropriate or not appropriate such funds. I believe the treaty is a good treaty, that it is essential, and that it should be ratified at the earliest possible date.

Mr. WHITE. Mr. President, will the Senator from Colorado yield to me for the purpose of suggesting the absence of a quorum?

Mr. MILLIKIN. I yield.

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CONNALLY in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	O'Mahoney
Austin	Green	Pepper
Bailey	Guffey	Radcliffe
Ball	Gurney	Reed
Bankhead	Hatch	Revercomb
Barkley	Hickenlooper	Russell
Bilbo	Hill	Saltonstall
Brewster	Johnson, Calif.	Shipstead
Bridges	Johnson, Colo.	Smith
Briggs	Johnston, S. C.	Stewart
Buck	La Follette	Taft
Burton	Langer	Taylor
Bushfield	Lucas	Thomas, Okla.
Butler	McCarran	Thomas, Utah
Byrd	McClellan	Tobey
Capehart	McFarland	Tunnell
Capper	McKellar	Tydings
Chavez	McMahon	Vandenberg
Connally	Magnuson	Wagner
Cordon	Mead	Walsh
Donnell	Millikin	Wheeler
Downey	Moore	Wherry
Eastland	Morse	White
Ellender	Murdock	Wiley
Ferguson	Murray	Willis
Fulbright	Myers	Wilson
George	O'Daniel	

The PRESIDING OFFICER (Mr. FULBRIGHT in the chair). Eighty Senators have answered to their names. A quorum is present.

Mr. CONNALLY. Mr. President, will the Senator from Colorado yield to me for a moment?

Mr. MILLIKIN. I yield.

Mr. CONNALLY. Let me say that I very much hope that Senators will remain on the floor and will listen to the address which will be delivered by the distinguished junior Senator from Colorado [Mr. MILLIKIN]. He lives in the territory which is directly affected by the treaty. He sat with us for a large part of the time during the committee's hearings. He is thoroughly advised as to all the matters involved in the treaty. If Senators listen to him, they will not only be informed but they will be informed in detail.

I hope Senators will stay on the floor and will listen to the remarks of the Senator from Colorado.

Mr. MILLIKIN. Mr. President, in my discussion of the pending treaty, prior to its displacement by the manpower bill, it was pointed out that if one were to be influenced by the deluge of briefs, brochures, pamphlets, letters, telegrams, and the mouth-to-ear advice of the opposing California interests, the impression would be unavoidable that the other six States of the Colorado River Basin are strangers in interest to this treaty.

In order to establish a better perspective I reviewed some of the factors which may be considered in estimating the claim of a State to the waters of an interstate and international stream. Drainage areas, water contribution, water use, irrigated and irrigable lands were discussed.

As to the Colorado River Basin drainage area contribution: It was shown that Wyoming contributes 19,000 square miles; Colorado, 39,000 square miles; New Mexico, 23,000 square miles; Utah, 40,000 square miles; Arizona, 103,000 square miles; Nevada, 12,000 square miles; and California, the least of all, 6,000 square miles.

As to water contribution: It was shown that the percentages of contribution of

the various States in the river basin to the stream's average annual virgin runoff at the Mexican boundary are as follows: Arizona, 7.8 percent; Nevada, 1.1 percent; New Mexico, 1.7 percent; Utah, 13.3 percent; Wyoming 11.6 percent; Colorado, 64.5 percent; and California again the least of all, to wit, none at all.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. The Senator has not stated the amount of water contributed by Lower California to the Colorado River.

Mr. MILLIKIN What is that amount, if I may ask?

Mr. DOWNEY. It is zero.

Mr. MILLIKIN. It is zero. So, throughout the length of the stream in California nothing is contributed and in Lower California nothing is contributed.

Mr. DOWNEY Mr. President, will the Senator yield again?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. Perhaps some of the Senators do not understand that Lower California is a part of Mexico.

Mr. MILLIKIN Yes. So that neither Mexico, so far as it is interested in this stream, nor California, so far as it is interested in this stream, contribute anything to the stream.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. But is it not true that this is a treaty between Mexico and the United States?

Mr. MILLIKIN. That is true.

Mr. DOWNEY. And that the United States contributes a hundred percent of the water and Lower California or Mexico contribute nothing?

Mr. MILLIKIN. The point I am emphasizing is that this is a treaty between Mexico and the United States, and not a treaty between Mexico and California.

As to irrigated acreage in the Colorado River Basin: It was shown that Arizona as of 1939 irrigated 644,765 acres; Colorado, 844,494 acres; California, 473,749 acres; Nevada, 25,909 acres; New Mexico, 50,333 acres; Utah, 324,899 acres; Wyoming, 273,971 acres.

As to the use of water in the Colorado River Basin: That of the estimated long-term average virgin flow of the river at the Mexican boundary of approximately 18,000,000 acre-feet, the States of the United States within the Colorado River Basin are consuming about 7,200,000 acre-feet of water annually, of which about 5,000,000 acre-feet are being consumed in the lower basin and 2,200,000 acre-feet in the upper basin.

I hope that facts such as these have made it clear that six other States in the Colorado River Basin, Utah, Wyoming, New Mexico, Arizona, Nevada, and Colorado, have a direct and important interest along with California in this treaty.

As to Mexican uses: It was developed that in recent years Mexico has been using about 1,800,000 acre-feet of water annually from the Colorado River. This is about 20 percent of the entire amount of water now being used from that river.

By the operation of the treaty which allocates to Mexico a firm right to 1,500,000 acre-feet per year, the present 20 percent of use of that country will be progressively reduced while our percentage of use will progressively increase until under full beneficial enjoyment of the stream in the United States, Mexico will be limited to a use of about 8 percent.

It was developed that early in this century one of the California interests which is opposing this treaty, the Imperial irrigation district, through a Mexican subsidiary, made a contract with Mexico whereby that country was entitled to divert for its own use one-half of the water carried in the Alamo Canal.

The Alamo Canal takes off from the Colorado River in the United States a short distance above the boundary, then passes into Mexico and finally heads back into the United States. Prior to the construction of the All-American Canal which, as its name implies, is entirely within the United States, the function of the Alamo Canal was to serve the Imperial Valley of the State of California and the Mexican lands across the border.

The average annual diversion from the Colorado River by the Alamo Canal for the 13-year period immediately preceding the placing in operation of Boulder Dam was approximately 3,000,000 acre-feet. The maximum diversion was 3,423,511 acre-feet, and the minimum was 2,049,954 acre-feet in the low water year of 1934.

During 8 of those 13 years the annual diversions from the Colorado River into the Alamo Canal were well in excess of 3,000,000 acre-feet.

Therefore, Mexico for many years prior to Boulder Dam and prior to 1943 when the All-American Canal took over the function of serving the Imperial Valley, had a recognized right to use an annual average of 1,500,000 acre-feet from the Colorado River. The treaty before us provides the same right in Mexico.

Mr. AIKEN. Mr. President, will the Senator yield for a question to clear up a point in my mind?

Mr. MILLIKIN. I gladly yield.

Mr. AIKEN. I understand that Mexico is using an average of 1,800,000 acre-feet a year from the Colorado River at the present time.

Mr. MILLIKIN. Yes.

Mr. AIKEN. Under the treaty they would have a firm right to 1,500,000 acre-feet, and yet we hear that if the treaty is ratified it will be possible to develop a large additional acreage of land in Mexico. I am wondering how that can be if they do not obtain, under the treaty, at least as much water as they are using annually now.

Mr. MILLIKIN. It seems to me that that is a fallacious line of argument. Referring now to the lands in Mexico which one might call the opposite number lands to the lands of the Imperial Valley in the State of California, the acreage is, roughly, the same now as it was prior to Boulder Dam. We know the amount of water that was required to take care of that acreage prior to Boulder Dam, and we know the amount of water that is required to take care of that land now. In its over-all allocation to Mexico, the treaty provides no more water than enough to take care of that acreage. Therefore they either must take the water off that acreage and put it on to new acreage, or use it all on existing acreage.

I think what the Senator is driving at is this: That despite the ceiling which is placed on Mexico under the treaty, Mexico nevertheless will continue to use water which crosses her border which exceeds the treaty amount, and to that extent she might be in a position to irrigate additional acreage. Perhaps Mexico can irrigate for a time with additional water that crosses the border in excess of her ceiling amount, but that progressively reduces by operation of the ceiling by increasing use in the United States.

Mr. AIKEN. Under the terms of the treaty, would it be possible for Mexico to make better use of the water? Could it be better regulated so that additional acreage would be developed?

Mr. MILLIKIN. I am not in position to say what improvements Mexico, herself, could make in her own application of water.

Mr. AIKEN. I thank the Senator for the explanation, because I for one really want to learn all I can about the matter before I come to vote.

Mr. MILLIKIN. The treaty is very careful to preserve the domestic jurisdictions on each side of the line. Mexico cannot come up into the United States and tell us how to cultivate our lands, and we cannot go down into Mexico and tell that nation how to cultivate its lands.

Mr. AIKEN. Would this million and a half acre-feet be drawn by Mexico as it chooses throughout the year?

Mr. MILLIKIN. No; the treaty has very specific provisions for metering that water to Mexico during certain months, in certain amounts, and from certain sources.

Mr. AIKEN. I thank the Senator.

Mr. MILLIKIN. Mr. President, the record shows that this irrigation district which now so vociferously opposes the treaty is and has been perfectly willing to make the same allocation of Colorado River water to Mexico that is being made by this treaty, or an even greater allocation if it can make the contracts and if it can collect and stick into its own pocket the service, maintenance, and other charges which it has imposed and which it wishes to continue to impose on Mexico.

The lamentations and anguished cries of outrage which have been reverberating through the Halls of the Capitol because the water to be delivered to Mexico under the treaty will pass through American facilities, built at American expense, turn quickly into purring approvals when the same deliveries, processed by the same facilities, are made for cash on the barrelhead by this California irrigation district.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. CONNALLY. Has the Senator available any statistics as to the annual gross amount received by the Imperial Valley district from Mexico users of water?

Mr. MILLIKIN. That is set out in detail in the hearings. If the Senator will permit me, I shall introduce it and comment on it later.

Mr. CONNALLY. I do not want to be inaccurate, but my recollection is—and I am subject to correction—that it approximates half a million dollars a year.

Mr. MILLIKIN. That is my memory.

Mr. CONNALLY. I mean the gross amount this irrigation district collects now from users of water in Mexico.

Mr. MILLIKIN. That is my memory of the figure. Let me remind the Senator that in addition to the maintenance charges, and the other multiple charges which are listed in the exhibit to which I refer, there is also the possibility of very substantial revenues to the district if it were to operate the Pilot Knob plant, and sell power from that plant to Mexico.

Mr. CONNALLY. I am having a search made of the hearings to get an accurate statement as to the figures. I want to be fair, and I may be in error. I am speaking only from memory, but I am having a statement made up as to that matter.

Mr. DOWNEY. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. Gladly.

Mr. DOWNEY. I should like to make one comment. The relevant figures and data are in the record, and they are clearly opposed to the implications and statements which are just being made. There has been no net gain made by the Imperial irrigation district or its subsidiary on any operations with Mexico. On the operations of its subsidiary in Mexico, Mexico fixes all the rates to be paid, and in fact has not fixed them high enough to repay the district for its out-of-pocket expenses. On the facilities in the United States, no fair return has been made upon its investment.

Instead of these general implications, which have been made here for weeks with the promise that at some future time the categorical charge would be made and data submitted, I would suggest that we should leave this particular issue until the Senator has the specific charge about which he speaks. I have all the data in my desk, whenever the distinguished Senator desires to discuss specific charges and specific figures.

Mr. MILLIKIN. I shall have all the data, which I shall present in due order. I simply say that the evidence shows that this Mexican subsidiary—another way of saying the district—has been imposing maintenance charges and other charges, that they do amount to a very substantial sum, and that there have been recent negotiations for a continuance of that arrangement.

Mr. DOWNEY. Will the Senator yield further?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. Let me say, in connection with that, that the contract between the subsidiary company and the Government of Mexico provides that the Government of Mexico itself shall fix the charges, and the undisputed evidence is that the Government of Mexico has not fixed a sufficient charge to enable the subsidiary company to pay its out-of-pocket moneys, let alone make any return upon its investment, which is very large.

Mr. MILLIKIN. For present purposes I think we can assume that the district is not engaged in philanthropic activity. I believe the evidence will sustain that, and I shall undertake to adduce the evidence at a more timely point in the debate.

Mr. DOWNEY. Will the Senator yield?

Mr. MILLIKIN. I yield, of course.

Mr. DOWNEY. Of course, it is true that the Imperial irrigation district is not engaged in a philanthropic enterprise. In order to be able to irrigate our lands in the United States, we had to build a canal through Mexico, and as the cost of doing that Mexico acquired the right to use one-half of the waters which should flow through the canal constructed by the United States, at the expense of our citizens, along lands protected by levees built by the United States. Mexico likewise retained the right to provide the rate that should be paid the farmers of the United States for maintenance and operation charges. There is no question of philanthrophy. It is a question of the people in the Imperial Valley having to take what the Government of Mexico has desired to give.

Mr. MILLIKIN. And despite all those alleged coercions and all those alleged unfair practices, the district has recently been negotiating to have a continuance of that arrangement, and says that if this treaty fails, it will resume the negotiations.

As to the actual use of water from the Colorado River by Mexico prior to the construction of Boulder Dam: This is important because the opponents of the treaty concede that Mexico is entitled to the amount of water which she had been using prior to Boulder Dam. The opponents of the treaty concede, and the record substantiates, that prior to Boulder Dam, the Alamo Canal had made annual deliveries into Mexican laterals of as much as 750,000 acre-feet.

But it should be clearly understood that 750,000 acre-feet is not the full measure of this concession by the opponents of the treaty. To deliver 750,000 acre-feet to those Mexican laterals connecting with the Alamo Canal required a diversion from the Colorado River of approximately 1,100,000 acre-feet.

Mr. DOWNEY. Mr. President——

The PRESIDING OFFICER (Mr. MORSE in the chair). Does the Senator from Colorado yield to the Senator from California?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. On the contrary, I may say to the distinguished Senator, engineering records before the Foreign Relations Committee clearly show that it took less than 10 percent of the 750,000 acre-feet additional water to make the delivery. As a matter of fact, the actual additional amount required to make up seepage and other losses has run around 25,000 to 30,000 acre-feet. There is no evidence of any credible kind in the record showing that it took two or three or four hundred thousand acre-feet additional water to make that simple short delivery through the canal of 750,000 acre-feet.

Mr. MILLIKIN. I respectfully suggest to the distinguished junior Senator from California that there is evidence of the most credible kind in the record. The last time the Senator from California had the floor he stated that in 1943 or 1944, 1,100,000 acre-feet had been diverted from the river to serve the Mexican lands, the acreage being the same, in fact being somewhat less than before Boulder Dam. The necessary inference is that 1,100,000 acre-feet is the over-all requirement to serve 750,000 acre-feet or thereabout at the headgates of the Mexican laterals.

Mr. DOWNEY. Mr. President, will the Senator again yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. Of course the Senator is now indulging in argument based on circumstances and indirection, when the direct and positive engineering evidence of the company delivering that 750,000 acre-feet of water over a long period of time is in the record. We know exactly the additional amount of water that was required to carry that 750,000 acre-feet of water from the river to the laterals in Lower California.

The distinguished Senator makes the same argument that was made before the Foreign Relations Committee, that because in 1944 we allowed Mexico to use the All-American Canal and other facilities to take 1,100,000 acre-feet of water, and because, as was alleged, there is the same amount of land now being irrigated, and therefore from those alleged facts the Senator draws his conclusion.

It is a fact that neither Mr. Lawson nor any one for the State Department has made the slightest investigation preliminary to this treaty to find out the amount of acreage now being irrigated in Lower California or the amount of water being consumed.

Mr. President, I regret to impose upon the time of the distinguished Senator. I hope to not interrupt him again, but I do want to serve notice on the Senate that repeatedly these general vague statements are made based upon what in my opinion is totally inadequate or no evidence at all.

Mr. MILLIKIN. I can only repeat that the Senator himself has said that 1,100,000 acre-feet of water were diverted in 1943 or 1944 to serve the Mexican laterals. The record will show that there was delivered to the Mexican laterals about 750,000 acre-feet. The difference, of course, is the loss through evaporation and seepage from the point of diversion of the canal in the Colorado River to the points of delivery into the Mexican laterals. So that when we talk about what the use of water by Mexico was prior to Boulder Dam, the use was what had to be taken out of the river to satisfy that use. And it will be demonstrated, if it has not been demonstrated, that it was 1,100,000 acre-feet at least, under the evidence including that submitted by the distinguished junior Senator from California.

Mr. President, these diversions at the river of 1,100,000 acre-feet to produce

750,000 acre-feet in the Mexican laterals were measured in 1943 and 1944. I may interpolate to say that they were measured by the Bureau of Reclamation. They were made to irrigate about 200,000 acres of Mexican land tributary to the Mexican laterals connecting with the Alamo Canal.

Prior to Boulder Dam, these same laterals served as much as 216,000 acres, and, assuming the amount of water used per acre in 1943 and 1944 was the same as that used per acre prior to Boulder Dam, and I know of no reason for challenging the assumption, the diversion properly attributable to those particular Mexican lands prior to Boulder Dam was probably closer to 1,200,000 acre feet.

But Mexico has another claim to the use of Colorado River water prior to Boulder Dam which under the concession of the opponents of the treaty should also be added. Mexico, prior to Boulder Dam, was pumping water from the Yuma drain and from other points on the river for the irrigation of Mexican lands other than those served by the Alamo canal. The Yuma drain catches the return flow water from the Yuma irrigation district, which is on the American side of the border in the States of Arizona and California. The record, part III, page 953, indicates that this class of water pumped and used by Mexico from 1928 to 1934, inclusive, varied from 31,000 acre-feet to 186,000 acre-feet. It averaged about 100,000 acre-feet for that period.

It may be assumed, therefore, that the actual amount of water diverted from the river for use in Mexico before Boulder Dam aggregated in the neighborhood of 1,300,000 acre-feet.

The treaty allocates to Mexico 1,500,000 acre-feet although her present uses require the diversion of 1,800,000 acre-feet. Therefore, under these consessions, about 200,000 acre-feet per year is the amount of water in controversy.

Let us measure this in terms of burden.

Let us assume that at some remote future time the full amount of the water in controversy would have to be made good out of the firm water allocated to the upper and lower basins. Under the terms of the Colorado River compact the lower basin would have to contribute one-half of the controversial amount or 100,000 acre-feet. This burden would be divided among all the States making up the lower basin. California might have to contribute say, half of it, or 50,000 acre-feet while California at the same time would be using on her own lands and for her own purposes more than 4,000,000 acre-feet.

In considering the fairness of the 1,500,000 acre-feet allotted to Mexico under the treaty, and the part thereof in controversy, it should be remembered that during prior negotiations Mexico has insisted upon receiving 3,800,000 acre-feet. Mexico, under the treaty, gets less than one-half of what she has insisted upon, 300,000 acre-feet less than she has been using, and 200,000 acre-feet more than the opponents of the treaty by their arguments are compelled to concede.

It is estimated that Mexico could use 5,000,000 acre-feet per year from the Colorado River to irrigate lands which are readily irrigable. It is estimated that the United States could use 18,592,600 acre-feet of water from the Colorado River for irrigation. The ultimate use of such an amount of water in the United States, if the water should be available, would be very expensive and would require many years to consummate. On this basis, if this were the sole test and it is not—Mexico would be entitled to 21 percent and the United States to 79 percent of the waters of the stream.

It is interesting to note that the present percentages of use of water by the two countries is about the same as the potentialities of the two countries. It has already been pointed out that Mexico is now using about 20 percent of the water that is used throughout the entire course of the river. Under the pending treaty, Mexican uses will be progressively reduced until they are 8.3 percent of the water of the stream, and the uses of the United States will progressively increase until they are 91.7 percent of those waters.

In this connection, it should be remembered that about 10,000,000 acre-feet are wasting over the Mexican boundary every year and that physical conditions in Mexico are such that the water can easily be put to beneficial use. The construction of large works is not required. The reverse is true in the United States. It can be expected, therefore, that substantial increase in the use of water will take place in Mexico prior to full use in the United States. The treaty is a necessary means for placing a ceiling upon Mexico's expanding claims.

Mr. DOWNEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MORSE in the chair). Does the Senator from Colorado yield to the Senator from California?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. The statement that Mexico could easily use 10,000,000 acre-feet of water running to waste in the Gulf of California is in my opinion without the slightest foundation. It is grotesque and absurd. I ask the distinguished Senator, if Mexico, could easily and readily use 10,000,000 acre-feet now, why are we negotiating a complicated treaty requiring heavy expenditures on our part, in our own country, in the form of reservoirs for Mexico's benefit, giving her the valued use of head gates and diversion dams in the United States? Why is it that Mexico has been practically unable to use any water, except by virtue of diversion dams and structures in the United States? On the contrary, if the facts were fully known, without this treaty, Mexico could probably not use more than 200,000 or 300,000 acre-feet of water, and that at great hazard.

Mr. MILLIKIN. At the present time, according to the Senator's own statement, Mexico is diverting 1,100,000 acre-feet a year.

Mr. DOWNEY. That was the amount diverted in 1944 through the Alamo and the All-American Canal.

Mr. MILLIKIN. Yes.

Mr. DOWNEY. Our State Department attached a condition to such diversion, of which condition it pleaded ignorance before the Foreign Relations Committee. We had to get it from the Department of the Interior. The condition was that Mexico gained no right or precedent by the use of American facilities. The only way Mexico could use 1,100,000 acre-feet was by extraordinary uses of our facilities—our dams, our head gates, and our reservoirs. Let me say to the distinguished Senator that while that use was at considerable expense to us, it was agreed, 8 or 10 months ago, that Mexico would pay our water users a just price for their facilities. So far the State Department has even failed to inform them what charges are to be made or when they are to be paid.

Mr. MILLIKIN. I shall answer the latter part of the Senator's statement first. If the matter should ever come here, I shall be as zealous to see that California and California interests are reimbursed for facilities which are taken in connection with this treaty as I am in supporting the treaty. If any vested rights are being destroyed in doing what we are doing, they should be paid for.

Mr. DOWNEY. The Senator may not be aware of the fact that in 1941, 1942, 1943, and 1944, the only years, so far as I know, that Mexico ever used more than 750,000 acre-feet of water, she did so only with great difficulty and by extraordinary allowances and help from the United States Government, including the extra letting down of water in the river from Boulder Dam, the use of the All-American Canal, and other such methods. In 1944, while the All-American Canal was used by Lower California, the Department of the Interior and the State Department attached a condition in the documents which went to Mexico by which no precedent would be established for any future claim.

The distinguished Senator speaks of the Imperial Valley irrigation district as though it were some plutocratic organization. It is a body of farmers who, at great sacrifice and hazard, have assessed themselves to build the very expensive works which are now being used without charge, so far as I know, by the people of the United States, and without our State Department or our Department of the Interior even giving us an accounting, over a period of almost a year.

Mr. MILLIKIN. I can only repeat that any injury to those farmers based upon vested rights caused by this treaty is an injury for which they should be made whole.

Mr. DOWNEY. Mr. President, I deeply appreciate that statement of the Senator. If and when a treaty does go through, the farmers of the Imperial district, who are not plutocrats, as the Senator might think from remarks which he may have heard, will still own the levee and the main canal in Lower California, worth many millions of dollars of hard-earned money invested by American farmers. This treaty gives not the slightest consideration to that investment. So far as the treaty is concerned, Mexico can totally appropriate all those works without any compensation to the farmers of California, who built them, while on the other hand we are engaging to build Davis Dam in the United States,

at a cost of $45,000,000, largely for the benefit of Mexico, without one cent of contribution from Mexico, and we are giving her the advantage of other facilities costing hundreds of millions of dollars.

Mr. MILLIKIN. We must assume that if the Mexican subsidiary of the Imperial irrigation district is wrongfully injured by this treaty, it will have a claim; and I can only say that I believe that any help that should be given to bring about satisfaction of any just claim would be readily forthcoming from those interested in the treaty.

The Senator has stated that Mexico received the supplies of water which she received in 1943 and 1944 as a result of the use of American facilities, and as a result of great inconvenience to everyone; but she got the water, and she will either continue to get it that way or she will provide her own facilities. According to engineering advice a heading like the heading which supplies the Alamo Canal is readily feasible just below the border. Pumping has not even started in Mexico. All we need to do is to take a look at the history of pumping on the Rio Grande and study what has been performed there by pumping, and we can see what Mexico could do on the Colorado. It will be seen that there will not be any need for Mexico to slight herself in using Colorado River water.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. I think it is advisable for the Senate to know that the lowest place on the Colorado River at which a diversion dam may be safely built is in United States territory, about 8 miles above the upper boundary. After crossing the boundary there is found a great alluvial silt delta, without any stone abutments or any banks. At any rate, Mexico would have no right to build a diversion dam in the limitrophe section of the river there, because one end of the dam would have to rest upon American soil, and the dam would flood lands in Arizona. I may also say to the distinguished Senator that the Gadsden Treaty has a bearing. It would prevent Mexico from putting a dam in the Colorado River. There are many reasons why Mexico could not successfully divert any substantial amount of water, except by this treaty and by the use of American facilities.

The loose statements that Mexico could easily use 10,000,000 acre-feet of water are based upon no facts. As a matter of fact, Mexico has never successfully used a drop of water there, other than in isolated years and in comparatively small amounts, except by the use of American facilities.

Mr. MILLIKIN. Mr. President, the fact of the matter is that Mexico has made substantial increases in the amount of water she has used and is using in the Colorado River by pumping. The fact of the matter is that the record shows engineering opinion that she can put a heading—I was not talking about a dam—on her own soil, just as the Rockwood heading is on our own soil. From such a heading Mexico could serve her own facilities.

Speaking about a dam: There is a treaty which requires the nations to keep the Colorado River open for navigation; but the compact between the States declares that the Colorado River is not navigable. If we, by our works in the United States, so control the river as to keep it from being navigable, I doubt whether a navigation treaty would continue to have very much effectiveness.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. As a matter of fact, the constant stream of water coming out of Boulder Dam and going down the Colorado River makes the Colorado River navigable all the year 'round. I wish to say to the distinguished Senator that several times an attempt has been made to get a heading in the silt delta of the Colorado River below the international boundary. Such attempts never have succeeded. A great disaster once occurred when that was tried. The river broke loose and flooded great areas of the country and made the Salton Sea. The best engineering opinion is that they probably could not get any heading at all in there.

I may also say that the river bed is in loose, light silt, so that in any month or any year the river may wander from 5 to 6 miles from its course. Any attempt to pump it or control it in the delta is almost impossible. It is true that Mexico probably has been pumping 200,000 or 300,000 acre-feet of water, precariously and uncertainly. She was pumping both from the Gila and from the Colorado. However, her crops, would have failed, one year, if we had not let extra water out of Boulder Dam.

The truth is that without this treaty and without the use of our pumps, dykes, and dams, Mexico would be practically helpless; and Mexico knows it.

The reason why Mexico did demand 200,000 or 300,000 acre-feet of water at one time was that at that time our ditch went through Mexico. But it no longer does that, and we are no longer subject to that servitude. So now, of course, Mexico wants to make a treaty that will take care of her needs for her agricultural economy.

I hope a treaty will be worked out; but I do not think that loose and inaccurate statements such as were made before the Committee on Foreign Relations, statements which we in California know are not true, constitute a proper or logical basis for arguing for a treaty.

Mr. MILLIKIN. Mr. President, I, of course, do not criticise the distinguished Senator for proclaiming the virtues of his own witnesses and disparaging those of the others; but the record is full of testimony that Mexico could open a heading in the river below the boundary, the same as the Rockwood heading. The fact is that Mexico is pumping an increasing amount of water. That accounts for the increase in Mexican use between the time of the completion of Boulder Dam and the present time.

In considering the 1,500,000 acre-feet of water provided by the treaty for Mexico, we should remember that the larger part of the water will consist of return flow of water which reaches the river after its last use on American land. There has been some difference in engineering opinion as to the amount of the return flow. The Bureau of Reclamation says it will be in the neighborhood of 1,000,000 acre-feet a year. I have seen estimates of lesser and greater amounts. I think we are warranted in accepting the estimates of the Bureau of Reclamation. Thus, the real cost of the treaty to us will be approximately 500,000 acre-feet of water; that is to say, 500,000 acre-feet of water is the amount of water which we allocate to Mexico, and which in the far-distant future we in the United States might be able to use.

There has been criticism of the salinity of the return flow. The critics denounce the treaty as profligate; and, without the slightest change of pace, they denounce the treaty as not giving Mexico enough good water. Let me say that the return flow will be saline, but it will be only slightly more saline than it was when last used in the United States. The salinity of the return flow which Mexico has agreed to take under the treaty is not due to the treaty. It is due to the legitimate use and reuse of the water in the United States and to the geographical position of the last users on the stream. Mexico cannot expect better water and does not expect better water than the downstream users in the United States will have.

The 500,000 acre-feet of water which will go to Mexico through the All-American Canal to supplement the return flow will also be increasingly saline, for it will reflect the intense future use and reuse of the water in the upper basin. But, again, that will not be the fault of the treaty. The lower basin States and Mexico will have to take the water as it comes to them. The upper basin States give no guaranty as to salinity to the lower basin States, and neither the upper basin nor the lower basin can give a guaranty of salinity to Mexico.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. I dislike to continue to interrupt the Senator, but he is very courteous and kind to me, and I hope he will bear with me again.

The distinguished Senator stated that the water, as it comes out of Boulder Dam and as used by the users in the United States, will not be much better water than the water after it is used there and as it goes down to California.

Mr. MILLIKIN. I did not say that.

Mr. DOWNEY. Will the distinguished Senator repeat what he did say when he said it would not be very much more saline?

Mr. MILLIKIN. I said in effect that the return flow will be slightly more saline than the water was when last used in the United States. I said that as to the 500,000 acre-feet of water that will come through the All-American Canal, it will become increasingly saline because it will be subjected to constantly increasing use and reuse in the upper basin.

Mr. DOWNEY. I appreciate the statement of the distinguished Senator. The expression the Senator used was that the water which would be used in Lower California would be slightly more saline than the water used in the lower basin States in the United States. Let me say to the distinguished Senator that I think the situation is very much more serious than that. I think that on this point, at least, there was complete unanimity of opinion among the experts. Their testimony was that at the present time the water in Lake Mead has about 750 parts of salt per million, and that looking ahead 20 or 25 years they would expect it to have about 1,000 parts of salt per million, and that is fairly good water for irrigation.

But after that water comes out of Lake Mead and is used in Arizona it will have 2,700 parts of salt per million. That is water of a very poor quality and, according to one distinguished expert, is largely unusable.

I wish to say to the distinguished Senator from Colorado that under his interpretation of the treaty I think the treaty is a perfectly useless one for Mexico to enter into. She would receive water so saline that it would be practically unusable. For that reason I am certain that no one will ever interpret the treaty in that way. The result will be the establishment of standards of salinity by some international court of arbitration. Where that would take us in connection with this treaty, no one knows.

Mr. MILLIKIN. I believe the obvious answer to the statement of the Senator from California is that because of the geographical position of Mexico she must necessarily accept the water in the condition in which it is when it reaches the border. She cannot expect us to give her better water than we ourselves are using. The utterly worthless water about which the Senator has spoken is water that was just used on Arizona lands. It was slightly better before it got to Arizona, and so on up the stream. Conversely, it becomes more saline as it comes down the stream. There is no way to set aside the simple gravitational fact that water runs down hill, and that the quality of water changes, becomes more saline as it goes down the stream. We can make no other kind of an arrangement with Mexico. The treaty was negotiated in part by Mexican engineers. It was negotiated by men who know as much about the stream as we know about it. They know about salinity. They know about the saline condition of the water when it comes out of Arizona as return flow. They know the condition of the water in Lake Mead just as well as we know it. We do not need to give them instruction in their business. They are great experts in water. They looked at the situation. They knew what the water would be like. They were willing to accept it. Why should anyone in the United States complain?

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. If the Government of Mexico wishes knowingly to make a treaty under which Mexico would be obligated to accept water of such poor quality that it might be of no value whatsoever to her, I can make no objection. But I may say to the distinguished Senator that there is no language in this treaty which would compel Mexico to accept worthless water. Such language is merely read into the treaty by indirection or implication. No court of international arbitration would ever stultify itself by holding that this treaty would obligate Mexico to take useless water. I may say further to the distinguished Senator that if he wishes to save a great deal of time and energy he should bring his ability to bear upon changing the language of the treaty which provides that Mexico agrees to take the water regardless of quality. If he will do that, 75 percent of the time now being consumed will be saved. Let us say in simple language what the Senator says the treaty means.

Mr. MILLIKIN. Mr. President, when the Senator says that water may be taken from any source, whatever it may be, he states the situation precisely. Such language is not implication. There is nothing imaginative about it. The Mexican engineers know that the water must come down the stream. They know that it must come out of canals from the return flow. They know that it also comes out of the All-American Canal. Those are the sources of the water. They know its origins.

The Senator from California continues to harp on our delivery to Mexico of water which he says she could not use. Mexico can use any water that we have used, and the most saline of the return flow will be water which we have just used.

Mr. DOWNEY. The distinguished Senator from Colorado is not following the record. The undisputed evidence on this point—and all experts agree on this—is that the water out of Lake Mead coming to Arizona would be fairly good water, but that after having run through the salty soil of Arizona or California it would become so impregnated with salt that it would be practically unusable. A letter has been presented from the most distinguished expert on the subject in the United States. He placed the limit of tolerance of saline water at 2,000 parts per million. The Bureau of Reclamation itself testified that the saline content of this water would be 2,700 parts per million. If the treaty means "regardless of quality," why not satisfy us by adding the words "regardless of quality"?

Mr. MILLIKIN. When the treaty provides that Mexico shall accept water from any and all sources, regardless of origin, that is exactly what it means.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. MILLIKIN. In just a moment. The Senator from California has stated that all the experts have said that this water would be too saline for use. I think the Senator will agree that he was somewhat extravagant in that statement, because there was quite a division of opinion on the subject of salinity.

Mr. DOWNEY. Mr. President, I was referring to water which had come down from Lake Mead and had been used on American soil. I believe that the testimony of all the experts was to the effect that such water would be of a very poor quality, and possibly totally unusable.

Mr. MILLIKIN. Allow me to ask the distinguished Senator from California if he wishes us to give Mexico water of a better quality than we ourselves are using.

Mr. DOWNEY. The treaty which California has proposed to make would give to Mexico 750,000 acre-feet of water out of Lake Mead, which would be the best water we could give her, and additional amount through a return flow of perhaps 750,000 acre-feet.

Mr. MILLIKIN. In that event California would give to Mexico more water of a better quality than is guaranteed under this treaty.

Mr. DOWNEY. No. This treaty would furnish Mexico with water which might be almost unusable.

Mr. MILLIKIN. How the Senator from California can suggest that we should give Mexico water of a better quality than she is willing to accept, and at the same time condemn the treaty for giving to Mexico what it provides is beyond my comprehension.

Mr. DOWNEY. Of course, I claim that this treaty has approximately 50 ambiguities in it.

Mr. MILLIKIN. Let us discuss one ambiguity at a time.

Mr. DOWNEY. Yes. One of the ambiguities is with regard to the quality of water to which Mexico is entitled. If Mexico knowingly wants to enter into a treaty to accept the return flow of what we have used in the lower basin States, regardless of its quality, I cannot object in behalf of Mexico. But I am strenuously maintaining to the Senate that no court of international arbitration would ever hold that Mexico had obligated herself to accept that kind of water. It would hold that there is an implied guarantee of quality. Then we may enter into some dispute which may be harmful to the interests of the States involved.

Mr. MILLIKIN. Mexico knows the stream and the quality of the water which will cross her border. Mexico has agreed to the treaty.

Mr. LA FOLLETTE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wisconsin?

Mr. MILLIKIN. I yield.

Mr. LA FOLLETTE. The last statement made by the able Senator from Colorado is the one which I wished to have made in the RECORD at this time, because I have heard the junior Senator from California [Mr. DOWNEY] say over and over again that, in the light of the terms of this treaty, Mexico would have a right subsequently when water delivered to her becomes more saline to raise that question in a court of arbitration. It seems to me, in view of the language contained in article 10, which provides for the delivery of water and sets forth the amount of water, it must be assumed that the men who negotiated the treaty on behalf of Mexico were aware, as the Senator says, of the fact

that geographically Mexico is the last to receive the water after it has been used and reused as it comes down the stream.

To my lay mind, it seems perfectly preposterous to take the position that subsequently, in the light of this treaty and the long negotiations which have taken place in arriving at its terms, Mexico would ever have a leg to stand on in even suggesting the submission of the question of the quality of the water to a court of arbitration in succeeding years.

Mr. MILLIKIN. I agree entirely with the distinguished senior Senator from Wisconsin, and thank him for his very able contribution.

We are members of an arbitration system with the other republics to the south of us. If this question is not resolved by this treaty, it will be resolved under that arbitration system. And if there were no arbitration system to which we had committed ourselves, I respectfully suggest that the upper basin States, which cannot make their long-range plans for the maximum use of the water to which they are entitled until they know the amount of water to which Mexico is entitled, would ask this Government to initiate an arbitration.

The question then arises, What would be the criteria of judgment guiding the decision of the arbitrators?

Toward the end of the debate, when the treaty was last before the Senate, I commenced to develop what I respectfully submit is the proper rule for the allocation of the waters of international streams. In brief, it is the rule of equitable apportionment. This has been declared to be the rule by our own Supreme Court in *Kansas* v. *Colorado*, (206 U. S. 46) and in other cases decided by that tribunal. In practice in acting on water treaties which have come before it, it has been the rule of the United States Senate. It is the rule when the States of the United States agree among themselves on the division of the waters of interstate streams.

Equitable apportionment does not mean exactly equal shares. Its measure does not turn on any single isolated circumstance. It means, as the term implies, a result that is fair and just under all of the relevant circumstances.

Let us see what the Senate did in connection with the convention of 1906 with Mexico. That convention concerned the Rio Grande. That river rises in Colorado. Up in Colorado and in New Mexico we were making such rapidly expanding uses of the water of that stream that we finally commenced to dry up the long-estalished uses of Mexico down on her side of the stream. That fact, together with a period of drought, brought about tension between the countries. There were diplomatic negotiations. Mexico claimed a right to the water that she had been using. The Attorney General of the United States denied the right. He affirmed that this country can do as it pleases with an international stream so long as it is in this country. But, nevertheless, the negotiations proceeded and the convention came to the Senate for its advice and consent. What was done? The Senate advised and consented to the convention, whereby we agreed to give Mexico the water that she had been using, and whereby we agreed at our expense to build in the State of New Mexico, in the United States, the Elephant Butte Dam which would serve to impound and regulate that supply. That was the conception of the Senate of equitable apportionment in that particular problem. The convention said that we are not establishing a precedent. It said that we are not conceding a right. Let us not call it a precedent; let us call it an illuminating historical incident.

We have made treaties affecting the Milk River and the St. Marys River, which rise in Montana and flow into Canada, whereby under principles of equitable apportionment existing uses were recognized. The opinion of the Supreme Court in the case of Kansas against Colorado, to which I referred, affirms that equitable apportionment is the rule of international law governing solution of problems of this kind between sovereignties. I should like to read a brief excerpt from that opinion. I read from pages 97 and 98:

> As Congress cannot make compacts between the States, as it cannot, in respect to certain matters, by legislation compel their separate action, disputes between them must be settled either by force or else by appeal to tribunals empowered to determine the right and wrong thereof. Force under our system of government is eliminated. The clear language of the Constitution vests in this Court the power to settle those disputes. We have exercised that power in a variety of instances, determining in the several instances the justice of the dispute. Nor is our jurisdiction ousted, even if, because Kansas and Colorado are States sovereign and independent in local matters, the relations between them depend in any respect upon principles of international law. International law is no alien in this tribunal. In the *Paquete Habana* (175 U. S. 677, 700) Mr. Justice Gray declared:
>
> "International law is part of our law and must be ascertained and administered by the courts of justice of appropriate jurisdiction as often as questions of right depending upon it are duly presented for their determination."
>
> And in delivering the opinion on the demurrer in this case Chief Justice Fuller said (185 U. S. 146):
>
> "Sitting, as it were, as an international as well as a domestic tribunal, we apply Federal law, State law, and international law as the exigencies of the particular case may demand."
>
> One cardinal rule, underlying all the relations of the States to each other is that of equality of right. Each State stands on the same level with all the rest. It can impose its own legislation on no one of the others, and is bound to yield its own views to none. Yet, whenever, as in the case of *Missouri* v. *Illinois* (180 U. S. 208), the action of one State reaches through the agency of natural laws into the territory of another State, the question of the extent and the limitations of the rights of the two States becomes a matter of justiciable dispute between them, and this Court is called upon to settle that dispute in such a way as will recognize the equal rights of both and at the same time establish justice between them.

The Colorado River compact was based expressly on the principle of equitable apportionment, and let us see what it did. The introduction to the compact reads:

> The States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, having resolved, to enter into a compact * * * have agreed upon the following articles:
>
> ART. I. The major purposes of this compact are to provide for the equitable division and apportionment of the use of the waters of the Colorado River system.

Now, let us see how they did it. I read from article III, paragraph (a).

> There is hereby apportioned from the Colorado River system in perpetuity—

Just as this treaty makes its apportionments in perpetuity—

> to the upper basin and to the lower basin, respectively, the exclusive beneficial consumptive use—

Not of a percentage of the flow of the stream but a specific amount of the water of the stream—

> of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist.

Paragraph (b) reads:

> In addition to the apportionment in paragraph (a), the lower basin is hereby given the right to increase its beneficial consumptive use of such waters—

Not by some indefinite, indeterminate percentage formula but—

> by 1,000,000 acre-feet per annum.

Paragraph (c) reads:

> If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River system, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b)—

And they aggregate 16,000,000 acre-feet—

> and if such surplus shall prove insufficient for this purpose, then, the burden of such deficiency shall be equally borne by the upper basin and the lower basin, and whenever necessary the States of the upper basin shall deliver at Lee Ferry water to supply one-half of the deficiency so recognized in addition to that provided in paragraph (d).

Mr. WILEY. What is the date of that instrument?

Mr. MILLIKIN. The date of the compact?

Mr. WILEY. Yes.

Mr. MILLIKIN. The compact became effective shortly after the Boulder Canyon Project Act was approved in December of 1928.

Now let me make the point that here were the States of this basin negotiating for the express purpose of making an equitable apportionment of water. This is the objective which would govern any international tribunal. In doing that and in applying the principle the States of the basin agreed that Mexico shall have the first cut out of any surplus, and if that is not enough the deficiency shall be supplied out of the firm waters which they agreed to allocate to the upper and the lower basins.

Then the compact proceeds, in paragraph (f), to say:

> Further equitable apportionment of the beneficial uses of the waters of the Colorado River system unapportioned by paragraphs (a), (b), and (c) may be made in the manner provided in paragraph (g) at any time after October 1, 1963, if and when either

basin shall have reached its total beneficial consumptive use as set out in paragraphs (a) and (b).

If the allocation of the waters of this stream were left to arbitration, rather than to solution by treaty, surely this voluntary act, joined in by California, by all the sovereign States of this river basin, would be considered as furnishing one of the guides to decision.

It would not escape the attention of the arbitrators that the States of the basin, including California, considered it equitable to apportion the waters to the two basins in perpetuity; considered it equitable to apportion specified amounts in perpetuity; considered it equitable to reserve for a treaty with Mexico the first draft on surplus waters, and if the surplus should prove insufficient, to make good the deficiency out of the firm allocations to the two basins; considered it equitable to guarantee the lower basin the delivery from the upper basin of 75,000,000 acre-feet each period of 10 progressive years.

It would not escape the attention of the arbitrators that beneficial user as of the date of the compact was the predominant factor leading to the apportionments made between the two basins. It would not escape the attention of the arbitrators that the upper-basin States, which contribute practically all the water of the stream, and which therefore have the first dominion over it, and the first opportunity of user, were willing to make substantial concessions in order to place a ceiling on the lower basin uses.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. FULBRIGHT. Is there any provision in the compact as to the quality of the water the upper basin must supply the lower basin?

Mr. MILLIKIN. I am grateful to the distinguished Senator for the question. There is no such provision in the compact, and the water necessarily will become more saline from its headwaters in Colorado and Wyoming until it finally reaches the Gulf of California.

Mr. FULBRIGHT. Is there any provision in the compact such as that in the pending treaty about the source and origin of the water? Is that feature mentioned?

Mr. MILLIKIN. There is nothing whatever in the compact as to source or origin of water.

Mr. FULBRIGHT. In other words, it is assumed it would be the natural source?

Mr. MILLIKIN. Of course, the Colorado River Basin is mentioned, and to some extent is defined. I thank the Senator.

Mr. SMITH. Mr. President, will the Senator from Colorado yield?

Mr. MILLIKIN. I am glad to yield.

Mr. SMITH. The Senator used the expression "equitable apportionment." Does he mean by that, equitable apportionment based on actual beneficial use applied to a present beneficial use, or a potential use in the future? Did the compact contemplate possible future uses in the area, or the actual use as of the date of the compact?

Mr. MILLIKIN. The compact took into consideration the actual uses that were being made as of that date and estimated future uses.

Mr. SMITH. And that principle would be the same principle to be applied in considering a future treaty with Mexico. It would be both the actual beneficial use applied by Mexico, and the possible future use that would be a fair share of the water system.

Mr. MILLIKIN. It seems to me that any tribunal approaching this problem and applying the doctrine of equitable apportionment would consider existing uses, rates of development, and estimated future uses.

Mr. SMITH. I asked the question merely to bring that out, because it seems to me to be important. If we limit ourselves merely to the beneficial use which Mexico might have made prior to the Boulder Dam construction, we might still overlook the fact that she might have some equitable claim for future possibilities which should be considered.

Mr. MILLIKIN. The compact looked a long distance into the future. The division was made under a number of equitable factors considered to be relevant by those who negotiated the compact.

If this matter went to arbitration, would the arbitrators fail to observe our own precedents? Would the arbitrators fail to observe how we have handled such problems in the convention with Mexico of 1906 and in the treaties affecting the Milk and St. Mary's Rivers? Would they fail to observe that our Supreme Court has declared the rule of equitable apportionment as a principle of international law governing the allocation of waters flowing through two of our own sovereign States? Would such arbitrators accord to Mexico less sovereignty, less sovereign rights than our Supreme Court has accorded our own States in deciding a water allocation matter? Would such arbitrators fail to note that the Supreme Court in Kansas against Colorado repudiated the Harmon doctrine that an upstream sovereignty can do as it pleases with the waters within its borders?

Would the arbitrators feel that it would be just, fair, and equitable if Mexico, which is now using 20 percent of the used waters of the Colorado and which is in position to make rapid expansion of her uses, should be progressively restricted until she could use only 8 percent of the water of the stream while the upstream sovereignty is increasing its uses by more than 100 percent? That is what results from this treaty.

This is an excellent deal for the United States and we had better take it while we have the chance. Arbitrators might reach a decision far less favorable to us.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DONNELL. May I inquire of the Senator whether or not he thinks that in an arbitration such as he has mentioned there would be taken into consideration in determining the rights of Mexico the fact that waters had been permitted to be used by Mexico, a portion of which waters had been collected in facilities constructed within the United States, and the use of which portion of waters in Mexico had been made possible by reason of the construction of those facilities in the United States?

Mr. MILLIKIN. Personally, Senator, I do not think there is the slightest question of it. Therefore we look into the treaty to see what is the quid pro quo for that. The quid pro quo, I suggest, is the establishment of a ceiling which is less than the present use which Mexico is making, and which cuts off her possibility of future expansion of use.

Mr. DONNELL. Will the Senator yield for the presentation of a hypothetical case and an inquiry based thereon?

Mr. MILLIKIN. I will yield for that purpose.

Mr. DONNELL. I understand it to have been argued in the course of this debate that if, due to the construction and maintenance in the United States of physical facilities, there would be made available to Mexico water in volume greater than that which was available to Mexico before the construction of those facilities, the availability of such additional quantity of water would not confer on Mexico the legal right to a continuance of the use of an amount of water greater than that which was available to Mexico before the construction of those facilities.

The inquiry I should like to make of the Senator does not relate to the question, however, as to what legal rights, if any, would be conferred on Mexico by the availability of the increased flow of water after the construction of the facilities. My inquiry relates rather to the matter of equities to which I understand the Senator has addressed himself. My inquiry relates to what equities, if any, would be conferred on Mexico by the availability of such increased flow of water after and due to the construction of those facilities.

My inquiry includes this hypothetical case. Assume that before the construction of the facilities 750,000 acre-feet of water were annually available to Mexico from the Colorado River. Assume further that after the construction of the facilities 1,800,000 acre-feet of water were for a period of 50 consecutive years allowed to be available to Mexico from the river. Assume that during this 50-year period farms in Mexico were irrigated by the entire 1,800,000 annual acre-feet, investments were made in homes upon those farms, and many towns and small cities were built in the territory surrounded by the farms.

Assume finally that at the end of the 50 years the United States were suddenly to shut off from Mexico all over and above 750,000 acre-feet.

My inquiry is: Does the Senator think that in an arbitration proceeding between Mexico and the United States the fact that the United States had for 50 years allowed to be available to Mexico the excess over the 750,000 acre-feet, which excess had been available because of the construction and maintenance of the facilities in the United States, would constitute an equity in favor of Mexico

which might tend to entitle Mexico to a right to the continued future use of some or all of the 1,800,000 acre-feet, even though over one million acre-feet of that 1,800,000 acre-feet had been available because of the construction and maintenance of those facilities?

Mr. MILLIKIN. Mr. President, I should like the opportunity to examine the question with care before committing myself to a final answer. But so far as the equities are concerned, it is perfectly clear that during all the years prior to Boulder Dam the unregulated waters of the river were passing into Mexico. The Alamo Canal was constructed prior to Boulder Dam. It took its water from the unregulated river. The contract which the Mexican subsidiary of the Imperial irrigation district entered into gave Mexico the right to one-half of the waters of that canal, and the evidence showed that that would have amounted to roughly 1,500,000 acre-feet. That is the right to water. The right to water I think would be one circumstance that would be considered.

The right of Mexico prior to Boulder Dam to increase her uses out of the river by pumping or by any other available method would be something that might be considered. Boulder Dam might be considered as an equity in our favor, on the ground that it gives Mexico a regulated supply of water more readily usable than the supply before the building of the dam.

But we cannot go too far with that. If a man goes into a neighborhood of modest dwellings and builds a palace and thereby makes the property in the neighborhood more valuable, he cannot pass the tin cup and say "Make good the values that I have brought to your property." We cannot reach a complete equitable solution on the basis of works in the United States, because if we follow that too far we are then brought to the point where the United States could build so many works within its own boundaries that it could shut off all water from Mexico regardless of its prior uses.

But perhaps there is an equity in balancing the aid of our facilities against a ceiling on Mexico against expanding uses. We are giving ourselves the opportunity to expand to our maximum, whereas Mexico must limit herself before she has barely touched the lands which she could irrigate. We would have to provide a strong offset to that.

I would not attempt to stand here and state every circumstance which could be taken into consideration in arriving at an equitable solution. The Senator knows that the great merit of equity is that it is not strictly defined, and that it operates on broad principles of fairness and justice.

Mr. DONNELL. Does the Senator believe that if the United States permits a certain facility to be constructed in this country, and then for half a century voluntarily allows Mexico to obtain some benefit from that facility, Mexico may, even though the results which she enjoys were in part occasioned by the facility in the United States, still acquire some equity in an arbitration proceeding by reason of the voluntary permission on the part of this Government to Mexico to avail herself of the water?

Mr. MILLIKIN. I should say unquestionably that if Mexico were not bound, as I say she would be bound by this treaty, to limit her use, she could build up a very strong equity in that way.

Mr. DONNELL. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. FERGUSON. Am I to understand that if this treaty is approved and becomes a treaty between the two Nations it will forever eliminate from arbitration any question of the water involved?

Mr. MILLIKIN. That is the purpose of the treaty. In my opinion that will be accomplished by the treaty.

Mr. FERGUSON. The next question is this: Suppose we should allow a greater use than that provided for in the treaty. Would such excess use be subject to the arbitration agreement between the two Nations?

Mr. MILLIKIN. I should say that it would not be, for the very simple reason that the treaty, by express language, cuts off that kind of a claim.

Mr. FERGUSON. In other words, if we have a water treaty, we shall not be concerned in the future with arbitration of the water question.

Mr. MILLIKIN. Assuming that you refer to the pending treaty, I unhesitatingly answer "no."

Mr. WHITE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gerry	Pepper
Austin	Green	Radcliffe
Bailey	Guffey	Reed
Ball	Gurney	Revercomb
Bankhead	Hatch	Russell
Barkley	Hill	Saltonstall
Bilbo	Johnson, Calif.	Shipstead
Brewster	Johnson, Colo.	Smith
Bridges	Johnston, S. C.	Stewart
Briggs	La Follette	Taft
Buck	Langer	Taylor
Burton	Lucas	Thomas, Okla.
Bushfield	McCarran	Thomas, Utah
Butler	McClellan	Tobey
Byrd	McFarland	Tunnell
Capehart	McKellar	Tydings
Capper	McMahon	Vandenberg
Chavez	Magnuson	Wagner
Connally	Mead	Walsh
Cordon	Millikin	Wheeler
Donnell	Moore	Wherry
Downey	Morse	White
Eastland	Murdock	Wiley
Ellender	Murray	Willis
Ferguson	Myers	Wilson
Fulbright	O'Daniel	
George	O'Mahoney	

The PRESIDING OFFICER. Seventy-nine Senators having answered to their names, a quorum is present.

Mr. MILLIKIN. Mr. President, I now wish to give further attention to the claim of California interests that they are being oppressed by their Government in favor of a foreign country. It has been asserted that California is paying for Boulder Dam and that, therefore, it is unjust to use that dam to regulate and stabilize the flow of water for Mexico.

The fact is that the Boulder Canyon Project Act, under which Boulder Dam and Lake Mead were constructed, expressly forbids the making of charges for the water. I read from the act:

> That no charge shall be made for water or for the use, storage, or delivery of water for irrigation or water for potable purposes in the Imperial or Coachella Valleys—

In California the extent of this beneficence is appreciated when it is realized that Boulder Dam and the Mead Reservoir cost approximately $80,000,000, and that out of 4,400,000 acre-feet of firm water which are claimed for California, 3,850,000 acre-feet of water, less a relatively small amount for other projects, have been allocated by that State to the exempted valleys, namely, the Imperial and the Coachella Valleys.

So far as California is concerned, reimbursement of the cost of Boulder Dam is made mainly by power users, and they are not hurt by the treaty.

The second answer is that Davis Dam, which has already been authorized, and for which appropriations have already been made, will be able to meter out the Mexican allocation without the use of more than one-half its capacity. Davis Dam, under present conditions of development, could serve this particular function if Boulder Dam were not on the river.

It is said that California has committed herself to sizable expenditures, such as those for the Los Angeles aqueduct, relying on the Colorado River, and on contracts with the Secretary of the Interior for the necessary supply of water. It has been said San Diego needs water and will not receive it from the Colorado River unless the Californian claims against its waters are satisfied.

Let us look these charges squarely in the face. I ask Senators to recall that under the Colorado River compact 16,000,000 acre-feet of water are allocated to the upper and lower basins; that the only draft on surplus authorized by the compact is to satisfy any allocation that might be made in a treaty with Mexico. The rest of the surplus, if any, under the express provisions of the compact which I have read cannot be apportioned before 1963, and then and thereafter only if and when one of the basins reaches its full consumptive use.

I wish to demonstrate that every subsequent statute and agreement of importance that must be considered in connection with the treaty is expressly subordinated to the water apportionments of the Colorado River compact, and that this inescapable fact destroys any claim that interests in California are being dealt with unjustly.

Then I shall briefly outline the extent of the claims of Californian interests to Colorado River water, which will make clear the extent to which those interests have gambled for water rights which they do not have, and which they cannot get prior to 1963. From this analysis it will be apparent that any infirmity of the claim on water for any of these California projects is not an infirmity of this treaty, is not an infirmity of the compact, and is not an infirmity of any statute of Congress, but is a self-imposed infirmity, to be solved only to the extent that it can be solved by action of Cali-

fornia in California, or by apportionment to California of surplus waters after 1963 under the conditions and contingencies specifically provided which I have read in the Colorado River compact.

Mr. SMITH. Mr. President, will the Senator yield for a question?

Mr. MILLIKIN. I yield.

Mr. SMITH. Am I to understand that under the compact California receives 4,400,000 acre-feet of water out of the lower basin?

Mr. MLLIKIN. No; the situation did not arise in that way. In connection with the enactment of the Boulder Canyon Project Act, and by the terms of that act, California was required to pass a self-limitation statute whereby she would not make claim on the firm water of the stream for more than 4,400,000 acre-feet. California enacted such a self-limitation statute, and that is the basis of whatever may be the right to which the Senator has referred.

Mr. SMITH. I so understood the arrangement; but I wished to be sure about it.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. I think that inadvertently the Senator from Colorado did not state the full provisions of the Boulder Canyon Project Act.

Mr. MILLIKIN. I did not state them completely.

Mr. DOWNEY. California was limited to 4,400,000 acre-feet plus one-half of the surplus.

Mr. MILLIKIN. Yes. I was only referring to the 4,400,000 acre-feet which have been referred to by the distinguished junior Senator from New Jersey.

The Boulder Canyon Project Act was enacted for the purposes, among other things, of building Boulder Dam and the All-American Canal. The act contains provisions for furnishing necessary funds, and the reimbursement of them. It provides authority to make power and water contracts, and authorizes the construction of a power plant.

My present purpose is to make the point, and as rapidly as possible, that the compact entered into between the States is the dominating instrument which runs through and subordinates all the other agreements of any importance which need be considered by the Senate. I shall read a few excerpts from the Boulder Canyon Project Act. Then I shall return to the allocations which are mentioned in that act with respect to California.

I now read from the opening clause of the Boulder Canyon Project Act:

That for the purpose of controlling the floods, improving navigation, and regulating the flow of the Colorado River, providing for storage and for the delivery of the stored waters thereof for reclamation of public lands and other beneficial uses exclusively within the United States, and for the generation of electrical energy as a means of making the project herein authorized a self-supporting and financially solvent undertaking, the Secretary of the Interior, subject to the terms of the Colorado River compact hereinafter mentioned—

I ask Senators to remember at this point that the compact sets aside the first cut of the surplus waters of the stream for any treaty which we may make with Mexico—

is hereby authorized to construct, operate, and maintain a dam and incidental works in the main stream of the Colorado River at Black Canyon or Boulder Canyon adequate to create a storage reservoir of a capacity of not less than 20,000,000 acre-feet of water—

And so forth. I now read from section 4 (a):

SEC. 4. (a) This act shall not take effect and no authority shall be exercised hereunder and no work shall be begun and no moneys expended on or in connection with the works or structures provided for in this act, and no water rights shall be claimed or initiated hereunder, and no steps shall be taken by the United States or by others to initiate or perfect any claims to the use of water pertinent to such works or structures unless and until (1) the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming shall have ratified the Colorado River compact, mentioned in section 13 hereof, and the President by public proclamation shall have so declared, or (2) if said States fail to ratify the said compact within 6 months from the date of the passage of this act then, until six of said States, including the State of California, shall ratify said compact and shall consent to waive the provisions of the first paragraph of article XI of said compact, which makes the same binding and obligatory only when approved by each of the seven States signatory thereto, and shall have approved said compact without conditions, save that of such six-State approval, and the President by public proclamation shall have so declared, and, further, until the State of California, by act of its legislature, shall agree irrevocably and unconditionally with the United States and for the benefit of the States of Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming, as an express covenant and in consideration of the passage of this act, that the aggregate annual consumptive use (diversions less returns to the river) of water of and from the Colorado River for use in the State of California, including all uses under contracts made under the provisions of this act and all water necessary for the supply of any rights which may now exist, shall not exceed 4,200,000 acre-feet of the waters apportioned to the lower basin States by paragraph (a) of article III of the Colorado River compact, plus not more than one-half of any excess or surplus waters unapportioned by said compact, such uses always to be subject to the terms of said compact.

The States of Arizona, California, and Nevada are authorized to enter into an agreement which shall provide (1) that of the 7,500,000 acre-feet annually apportioned to the lower basin by paragraph (a) of article III of the Colorado River compact, there shall be apportioned to the State of Nevada 300,000 acre-feet and to the State of Arizona 2,800,000 acre-feet for exclusive beneficial consumptive use in perpetuity, and (2) that the State of Arizona may annually use one-half of the excess or surplus waters unapportioned by the Colorado River compact, and (3) that the State of Arizona shall have the exclusive beneficial consumptive use of the Gila River and its tributaries within the boundaries of said State, and (4) that the waters of the Gila River and its tributaries, except return flow after the same enters the Colorado River, shall never be subject to any diminution whatever by any allowance of water which may be made by treaty or otherwise to the United States of Mexico but if, as provided in paragraph (c) of article II of the Colorado River compact, it shall become necessary to supply water to the United States of Mexico from waters over and above the quantities which are surplus as defined by said compact, then the State of California shall and will mutually agree with the State of Arizona to supply, out of the main stream of the Colorado River, one-half of any deficiency which must be supplied to Mexico by the lower basin, and (5) that the State of California shall and will further mutually agree with the States of Arizona and Nevada that none of said three States shall withhold water and none shall require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses, and (6) that all of the provisions of said tri-State agreement shall be subject in all particulars to the provisions of the Colorado River compact, and (7) said agreement to take effect upon the ratification of the Colorado River compact by Arizona, California, and Nevada.

Here is an interesting clause:

The States of Arizona, California, and Nevada are authorized to enter into an agreement which shall provide (1) that of the 7,500,000 acre-feet annually apportioned to the lower basin by paragraph (a) of article III of the Colorado River compact, there shall be apportioned to the State of Nevada 300,000 acre-feet and to the State of Arizona 2,800,000 acre-feet for exclusive beneficial consumptive use in perpetuity, and (2) that the State of Arizona may annually use one-half of the excess or surplus waters unapportioned by the Colorado River compact, and (3) that the State of Arizona shall have the exclusive beneficial consumptive use of the Gila River and its tributaries within the boundaries of said State—

Mark this, please—

and (4) that the waters of the Gila River and its tributaries, except return flow after the same enters the Colorado River, shall never be subject to any diminution whatever by any allowance of water which may be made by treaty or otherwise to the United States of Mexico—

Again the treaty is foreshadowed, not only in the compact, but in the Boulder Canyon act itself. The section proceeds:

but if, as provided in paragraph (c) of article III of the Colorado River compact, it shall become necessary to supply water to the United States of Mexico from waters over and above the quantities which are surplus as defined by said compact, then the State of California shall and will mutually agree with the State of Arizona to supply, out of the main stream of the Colorado River, one-half of any deficiency which must be supplied to Mexico by the lower basin, and (5) that the State of California shall and will further mutually agree with the State of Arizona and Nevada that none of said three States shall withhold water and none shall require the delivery of water, which cannot reasonably be applied to domestic and agricultural uses, and (6) that all of the provisions of said tri-State agreement shall be subject in all particulars to the provisions of the Colorado River compact, and (7) said agreement to take effect upon the ratification of the Colorado River compact by Arizona, California, and Nevada.

It is my understanding, Mr. President, that the tri-State compact just mentioned has not been entered into. I read that to refute, and I say to refute competely, any notion that the Mexican treaty was foreshadowed in the compact, and thereafter was lost sight of.

Over in section 5 it is said:

Contracts respecting water for irrigation and domestic uses shall be for permanent service and shall conform to paragraph (a) of section 4 of this act.

I read now from section 8, subclause (a):

SEC. 8. (a) The United States, its permittees, licensees, and contractees, and all users and appropriators of water stored, diverted, carried, and/or distributed by the reservoir, canals, and other works herein authorized, shall observe and be subject to and controlled by said Colorado River compact in the construction, management, and operation of said reservoir, canals, and other works and the storage, diversion, delivery, and use of water for the generation of power, irrigation, and other purposes, anything in this act to the contrary notwithstanding, and all permits, licenses, and contracts shall so provide.

I read from section 13 (a):

SEC. 13. (a) The Colorado River compact signed at Santa Fe, N. Mex., November 24, 1922, pursuant to act of Congress approved August 19, 1921, entitled 'An act to permit a compact or agreement between the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming respecting the disposition and apportionment of the waters of the Colorado River, and for other purposes," is hereby approved by the Congress of the United States, and the provisions of the first paragraph of article II of the said Colorado River compact, making said compact binding and obligatory when it shall have been approved by the legislature of each of the signatory States, are hereby waived, and this approval shall become effective when the State of California and at least five of the other States mentioned, shall have approved or may hereafter approve said compact as aforesaid and shall consent to such waiver, as herein provided.

All through the Boulder Canyon Project Act the most specific effort is made to subordinate it to the compact, and to make sure that the California interests understand that.

I read now from subclause (b) of section 13:

(b) The rights of the United States in or to waters of the Colorado River and its tributaries howsoever claimed or acquired, as well as the rights of those claiming under the United States, shall be subject to and controlled by said Colorado River compact.

I read now from subclause (c) of section 13:

(c) Also all patents, grants, contracts, concessions, leases, permits, licenses, rights-of-way, or other privileges from the United States or under its authority, necessary or convenient for the use of waters of the Colorado River or its tributaries, or for the generation or transmission of electrical energy generated by means of the waters of said river or its tributaries, whether under this act, the Federal Water Power Act, or otherwise, shall be upon the express condition and with the express covenant that the rights of the recipients or holders thereof to waters of the river or its tributaries, for the use of which the same are necessary, convenient, or incidental, and the use of the same shall likewise be subject to and controlled by said Colorado River compact.

Mr. President, the lawyers present will appreciate the power of subclause (d) of section 13. It establishes all these subordinations to the compact as covenants running with the land.

I now read from section 18:

SEC. 18. Nothing herein shall be construed as interfering with such rights as the States now have either to the waters within their borders or to adopt such policies and enact such laws as they may deem necessary with respect to the appropriation, control, and use of waters within their borders, except as modified by the Colorado River compact or other interstate agreement.

The last section contains this clause:

SEC. 20. Nothing in this act shall be construed as a denial or recognition of any rights, if any, in Mexico to the use of the waters of the Colorado River system.

Now, I shall read from the California Water Limitation Act. Remember, I am driving to the point that this treaty does no injustice to California interests. The Boulder Canyon Act said in effect, "Before we go ahead with this thing, California has to limit her claims on the water of the stream, she has to pass a self-limitation statute," the California Legislature did pass such a statute effective as of August 14, 1929. After preliminary recitals, the statute reads:

The State of California as of the date of such proclamation—

That is, the proclamation making the compact effective—

agrees irrevocably and unconditionally with the United States and for the benefit of the States of Arizona, Colorado, Nevada, New Mexico, Utah, and Wyoming as an express covenant and in consideration of the passage of the said Boulder Canyon Project Act that the aggregate annual consumptive use (diversions less returns to the river) of water of and from the Colorado River for use in the State of California including all uses under contracts made under the provisions of said Boulder Canyon Project Act, and all water necessary for the supply of any rights which may now exist, shall not exceed 4,400,000 acre-feet of the waters apportioned to the lower basin States by paragraph "a" of article III of the said Colorado River compact—

That is, the firm water—

plus not more than one-half of any excess or surplus waters unapportioned by said compact, such uses always to be subject to the terms of said compact.

Which we have noted cannot be apportioned until 1963, and then only if and when one of the basins has reached its full consumptive use. "Such uses always to be subject to the terms of the compact."

Let me read to the Senate the priorities which California herself has established for the use of that water. I am reading now from article 7 of the Imperial District contract, the contract between that district and the Secretary of the Interior, dated December 1, 1932. The priorities which California, through her own water officials, have set up for the guidance of the Secretary of the Interior in connection with this contract and subject to the compact are listed.

First, second, third, and fourth priorities include water for the Imperial irrigation district and 550,000 acre-feet of water per annum for the Metropolitan Water District of Southern California and/or the city of Los Angeles.

These four priorities together completely exhaust the California allocation under her own self-limitation statute to 4,400,000 acre-feet of the firm water of the stream.

There are fifth, sixth, and seventh priorities, and they necessarily must be satisfied, if they can be satisfied, out of future now-unapportioned waters of the stream. I hope they can be satisfied. I hope the stream will produce more water than has ever been estimated. I hope that every one of their priorities will be made good. But California limited herself and by her own act proceeded to establish priorities in excess of the limitation.

California's self-established priorities total 5,362,000 acre-feet, which are 962,000 acre-feet more than her own claim to firm water.

Perhaps Senators can now understand one of the mainspring motives for opposing an allocation to Mexico.

Arizona has a contract for water, and so does Nevada. Let me read a few excerpts from the Arizona contract, and then I will pass on. I read from paragraph 2 of the contract:

The Secretary acting under and in pursuance of the provisions of the Colorado River compact and Boulder Canyon project Act, and acts amendatory thereof, or supplementary thereto—

And so forth, and so on. I now read from paragraph 7, subparagraph (a)—

Subject to the availability thereof for use in Arizona under the provisions of the Colorado River compact and the Boulder Canyon Project Act, the United States shall deliver and Arizona, or agencies or water users therein, will accept under this contract each calendar year from storage in Lake Mead, at a point or points of diversion on the Colorado River approved by the Secretary, so much water as may be necessary—

And so forth. I now read from subparagraph (b)—

The United States also shall deliver from storage in Lake Mead for use in Arizona, at a point or points of diversion on the Colorado River approved by the Secretary, for the uses set forth in subdivision (a) of this article, one-half of any excess or surplus waters unapportioned by the Colorado River compact to the extent such water is available for use in Arizona under said compact and said act, less such excess or surplus water unapportioned—

Remember, the apportionment does not take place until 1963—

by said compact as may be used in Nevada, New Mexico, and Utah in accordance with the rights of said States as stated in subdivisions (f) and (g) of this article.

I am now reading from subparagraph (c) of paragraph 7:

This contract is made upon the express condition and with the express covenant that the United States and Arizona, and agencies and water users therein, shall observe and be subject to and controlled by said Colorado River compact and the Boulder Canyon Project Act in the construction, management, and operation of Boulder Dam, Lake Mead, canals and other works, and the storage, diversion, delivery, and use of water for the generation of power, irrigation, and other uses.

There are other paragraphs to the same effect running all through this contract and running through the Nevada contract.

California can claim the amount of firm water to which she limited herself, California can claim her share, whatever it may be, of unapportioned waters when and if they are apportioned under the compact in 1963 or later, but California—and when I refer to California I refer to these California interests—these California interests have no right to scuttle

this compact, to scuttle a treaty foreshadowed by the compact, to scuttle the Boulder Canyon Project Act, so that the chances of making good these excess appropriations made by these California interests may be improved.

It is apparent that if the prior right of the Mexican treaty to the waters of the Colorado can be defeated or to the extent that it can be minimized, to that extent the gamble on these infirm water rights is bettered. Here we have one of the mainspring motives for the opposition to the treaty.

But the compact stands unimpaired between the States which entered into it, including the State of California. It cannot be amended or destroyed by indirection or by unilateral action. If it is to be changed it must be changed with the consent of all the States which are parties to it.

The other States cannot proceed with their rightful developments until the Mexican apportionment has been completed. If these overappropriations of water by California interests are to be validated, if these paper claims to purely contingent future surplus waters are to be made firm, this can only be at the expense of the compact, at the expense of the water apportionments made therein, which is to say at the expense of the other basin States.

The other States in Colorado River Basin have not attempted to control the internal division by California of the water that is available to her. That is California's problem. Every other State in the basin has a similar problem. There is not a State in the basin that would not like to have more water. Every State in the basin has communities that would like to have more water. The California priorities on the water that is available to California were established by the California interests and by California officials. If the division of water so made is not equitable, if it leaves some California interests without any water or without sufficient water, the remedy is in action by California in California.

In this connection it is interesting to note that the Los Angeles aqueduct, with a firm water priority under California's own internal allocation of 550,000 acre-feet per year is using annually only something in the order of 35,000 acre-feet. The Imperial irrigation district is using about 69 percent of its firm allocation as determined by the California water authorities. The excess of unused water, resting on firm water rights in the Los Angeles aqueduct, would support twice the population of southern California; and that population is now swollen to all time highs. The point is that there is firm water available in the river for California to meet emergent needs; and California, I assume, has the power to protect her internal interests.

The other basin States have their own problems. They rest upon present shortages of water—not on fears of future shortage. All of the other basin States need water at this moment for supplemental use on existing projects. Let me cite one or two examples.

In Wyoming there is need for a supplemental water supply for areas irrigated by the North Platte River. Those areas can be supplied only by supplemental water coming from the Colorado River.

In the South Platte River Basin in Colorado there is a great need, and there has been for many years, for a supplemental water supply for 1,200,000 acres.

In the Rio Grande Basin of the Colorado River, shortages of water supply have existed for many years for 600,000 acres of land which are presently irrigated. As a partial solution, a project has already been authorized for construction by which supplemental water will be brought into the basin from tributaries of the Colorado River to aid in supplying supplemental water to 400,000 acres of the 600,000 acres in the Rio Grande Basin of the Colorado.

In New Mexico, in the Rio Grande Basin, need exists for a supplemental supply, and the only source of this supply is the Colorado River water.

In central Arizona 700,000 acres of land, at present irrigated, is woefully short of water. The only water available to take care of the shortages for these lands is the Colorado River water.

In the Great Salt Lake Basin of Utah, about 500,000 acres of land are irrigated. Shortages of water for these lands have existed for many years. Some of the shortages have already been taken care of by transmountain diversions which bring Colorado River water to the basin. The only source of water to take care of the remaining shortages is Colorado River water.

It will be impossible to plan all these and other transmountain and other diversions as well as projects within the natural basin on a sound basis, unless a treaty is consummated with Mexico which will definitely limit the amount of water that she will receive from the Colorado River system.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. WILEY. Am I correct in my understanding that to meet the present needs of California only approximately 2,000,000 acre-feet are required? I refer to the present needs of California, and not the allocated needs.

Mr. MILLIKIN. I should say 2,000,000 acre-feet plus.

From October 20 to December 22, 1925, the Committee on Irrigation and Reclamation of the Senate conducted a series of hearings in accordance with Senate Resolution No. 320 to make complete investigation with respect to the proposed legislation relating to the protection and development of the Colorado River Basin. As a witness during those hearings, Mr. Phil Swing, a very able man, a fine lawyer, I believe then a Member of Congress, and one of the authors of the Swing-Johnson bill, and now the leader, outside the Senate, of the opposition to the treaty, made the following statement, which is as pertinent today as it was then. The statement appeared on page 191 of the hearings before the Committee on Irrigation and Reclamation, United States Senate, Sixty-ninth Congress, first session:

So this situation appears to me to be as clear as day, that if the United States Treasury is burdened with $25,000,000 or $30,000,000 to build a flood-control dam, or if it is burdened with any amount to build a storage dam, that water is going to be turned loose, and we are charged with the knowledge, and the American Government is charged with knowledge of the geography of the country, and that water is bound to run nowhere except down to Mexico, where it will be put to a beneficial use. Why shouldn't it be? The land is level, it is awaiting reclammation. It has no water right at the present time. Possibly it can gain legal water right merely by beneficial use, which we will be bound to recognize. But every time this question has ever arisen between our Government and any other government, we have recognized the moral claim of the opposite country to the amount of water which they have put to a beneficial use. If Mexico should succeed in putting 600,000 or 800,000 or 1,000,000 acres under cultivation, I challenge any one of us here to make the assertion that we could or we would, rather, subsequently withdraw that water from that land. Public opinion of the world would not support it. It would constitute the economic murder of any community which we stood by and permitted to develop with the use of this water. And we would be further estopped if we became an active party by making it possible and storing the water and turning that water down to them.

Again, on page 192, Mr. Swing, continuing, states:

We must, in order to get water for ourselves, guarantee water for them, no matter what the cost may be to us. And it is not merely that they get the use of it temporarily, because it is my conviction that no treaty will be negotiated with Mexico which does not follow the precedent which treaties have already established and recognized, the use or extent to which it has been put in Mexico at the time the treaty is negotiated.

Mr. CONNALLY. Mr. President, I wish to express high admiration for the address of the Senator from Colorado, and to say that he has presented very forceful and cogent arguments. My only regret is that more Senators have not been on the floor of the Senate to hear his admirable address.

There has been considerable discussion relative to reservations to remove the doubts entertained by some Senators as to the administrative features of the treaty, particularly those with reference to the powers of the American section of the International Boundary Commission. I hold in my hand a statement of the reservations which I propose to offer. I am glad to request that the statement be read and that it be printed and lie on the table.

In addition to the reservations outlined in the statement, there is an additional reservation relative to another aspect of the treaty. As to that reservation, I have been in collaboration with another Senator. Probably he will offer it himself at a later time. For the moment, I wish to have the statement which I send to the desk read, and have it printed and lie on the table.

Mr. DOWNEY. Mr. President, before the statement is read, will the Senator yield to me?

Mr. CONNALLY. I yield.

Mr. DOWNEY. Does the Senator think it proper to divulge to us the nature or general scope of the other reservation to which he has referred?

Mr. CONNALLY. The other reservation merely makes clear that the clause of the treaty relative to 1,700,000 acre-feet of water and 1,500,000 acre-feet of water is to the effect that the 1,700,000 acre-feet of water includes the 1,500,000 acre-feet, and that they are not two separate amounts.

Mr. DOWNEY. The Senator does have a reservation regarding that matter; does he not?

Mr. CONNNALLY. I am agreeable to it, but I am not offering it at this time.

The VICE PRESIDENT. Without objection, the statement submitted by the Senator from Texas will be read, and it will be printed and lie on the table.

The statement was read, as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, Seventy-eighth Congress, second session, a treaty between the United States of America and the United Mexican States, signed at Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tia Juana Rivers and of the Rio Grande from Fort Quitman, Tex., to the Gulf of Mexico, and Executive H, Seventy-eighth Congress, second session, a protocol, signed at Washington on November 14, 1944, supplementary to the treaty, subject to the following understandings:

(a) That no commitment for works or expenditures, other than those specifically provided for in the treaty, shall be made by the United States section of the International Boundary and Water Commission without prior approval by the legislative branch of the Government;

(b) That nothing contained in the treaty or protocol shall be construed as rendering inapplicable to the administrative powers and functions of the United States section of the International Boundary and Water Commission normal constitutional controls and processes insofar as they affect persons and property in the territorial limits of the United States; and

(c) That nothing contained in the treaty or protocol shall be construed as authorizing the United States section of the said Commission to control the distribution of water to users within the territorial limits of any of the individual States.

Mr. CONNALLY. Mr. President, I know of no other Senator who cares to address the Senate at this time. If any Senator manifests a desire to address the Senate today, of course he may proceed; but I see no signs of such a desire.

I am perfectly willing to proceed to vote on the treaty, so far as I personally am concerned.

Mr. DOWNEY. Mr. President——

The VICE PRESIDENT. Does the Senator from Texas yield to the Senator from California?

Mr. CONNALLY. I yield.

Mr. DOWNEY. Let me inquire whether the Senator from Texas yields the floor or whether he yields temporarily.

Mr. CONNALLY. I yield temporarily.

Mr. DOWNEY. I wish to say that, so far as I know, none of the Senators who oppose the treaty wish at this time or propose at all to make any lengthy addresses on it. So far as I am concerned, I am anxious to begin to submit specific amendments and reservations to the treaty. I have certain amendments which I should like to begin to present and to have the Senate vote on tomorrow, so far as I am concerned. If the Senate, or if the Senator from Texas, desires to have the Senate proceed with their consideration this afternoon, of course, I am entirely agreeable to having such a course pursued.

Mr. WHITE. Mr. President, I doubt whether a quorum could be obtained this late in the day.

Mr. CONNALLY. Mr. President, it has been suggested that it is very doubtful whether a quorum could be obtained at this late hour. No doubt that suggestion is worthy of consideration.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CONNALLY I yield.

Mr. ELLENDER. Can either the Senator from Texas or the Senator from California give us an idea as to when it will be possible to have the Senate vote on the treaty as a whole?

Mr. CONNALLY. Of course, it is my desire that every Senator who cares to discuss the treaty shall have an opportunity to do so; but I observe that very few Senators have indicated to the Chair thus far—at least, according to the list which has been kept—that they desire to speak on the treaty.

The VICE PRESIDENT. Only the Senator from California has said to the Chair that he desires to make a few remarks, and the Senator from California has said he would like to do so tomorrow.

Mr. CONNALLY. I am most anxious to obtain proper consideration and early action on the treaty, inasmuch as the senior Senator from Michigan [Mr. VANDENBERG] and I are scheduled to go to San Francisco on official business of the highest import. I shall have to leave Washington on the 17th of April in order to fulfill that engagement. I realize that my presence in the Senate is not necessary for consideration of the treaty, and yet I assume that other members of the committee probably would be reluctant to take over the burden of handling the treaty, and I would not seek to impose that burden on them unwillingly.

So, Mr. President, I now move——

Mr. WHITE. Mr. President, will the Senator withhold his motion for the moment?

Mr. CONNALLY. I withhold it.

Mr. WHITE. The Senator from California has indicated that he has certain amendments or reservations to offer for the consideration of the Senate. I wonder whether it would not hasten an understanding of the amendments and their disposition if they were presented so that they might be available to Senators tomorrow.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. I already have had printed and on the desk for several days the amendments to article II which I intend to begin to call up for consideration tomorrow. So they are available for the Senate.

Mr. CONNALLY. Would it not be practical for the Senator to offer all his amendments to the entire treaty, so that Senators could be considering them? That is what the Senator from Maine had in mind, I assume.

Mr. WHITE. That is what I had in mind. I did not refer alone to the particular amendments which it may be proposed to offer tomorrow; but, so far as I am concerned, I think it would be helpful and informative to Senators, if there are amendments or reservations to be proposed, to have them printed and made available at the earliest possible moment.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. I shall be very happy indeed to accede to that suggestion, and I shall present the remainder of the amendments as rapidly as I can.

The VICE PRESIDENT. The Chair understands that 8 or 10 amendments now lie on the desk.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. ELLENDER. The Senate has debated this treaty for several days. I am wondering if it would be possible for the proponents and the opponents of the treaty to agree upon a specific date when a vote on the treaty and the amendments thereto could be taken.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WHITE. In my judgment it would be somewhat premature to enter into an agreement at this time as to a date upon which a vote may be taken, although the sooner that day arrives the more agreeable it will be to me.

Mr. CONNALLY. Several Senators are in the same category as the Senator from Louisiana. He has expressed his intention to leave Washington by a certain date. It will be very difficult for him to return in time to vote on the treaty. Notwithstanding my desire always to acquiesce in what the distinguished minority leader may say, I will make a unanimous-consent request. Mr. President, I ask unanimous consent that the Senate vote on the treaty and all amendments thereto not later than 5 o'clock on April 11, 1945. That will be a week from today.

Mr. WHITE. Mr. President. Personally I have no possible objection to an agreement of that character being entered into. However, I do not believe it would be quite proper to enter into such an agreement at this time in the absence of so many Senators. As we look around the Chamber we can note the absence of many Members of the Senate. I hope the Senator from Texas will not press his request, because, if he does, I shall have to object.

Mr. CONNALLY. I wished to make the request before the Senator objected. I do not like to withdraw a request under compulsion. [Laughter.]

Mr. WHITE. I may say to the distinguished Senator from Texas that there is nothing in me that threatens him.

Mr. CONNALLY. I was about to accede graciously to the Senator's suggestion, but I dislike the final whip crack which he has made that if I make the request he will object.

Mr. WHITE. I was merely trying to be reasonably honest with the Senator.

Mr. CONNALLY. Mr. President, I shall not press the request at this time. I give notice now, however, that I shall renew the request at some time tomorrow.

Mr. ELLENDER. Mr. President, I express the hope that soon after the Senate meets tomorrow an agreement may be reached between the proponents and the opponents to vote on the treaty and all amendments thereto not later than a week from today.

Mr. DOWNEY. Mr. President, I wish to point out that this treaty is so complicated, so serious, and so important, at least to those of us who live in the Southwest, that I cannot very well exaggerate its importance and its complications. In view of the fact that the suggestion of the Senator from Texas with regard to limiting debate comes somewhat early, I may point out that so far more than three-quarters of the time in the consideration of the treaty has been consumed by speeches on the part of Senators favoring the treaty, and that less than one-quarter of the time has been consumed by Senators who oppose the treaty. There will be no disposition on my part to prolong unnecessarily discussion of the treaty, but I feel sure that there are other Senators who oppose the treaty and will wish to speak. I have been anxious for the past day or two to proceed immediately with consideration of the treaty, get our teeth into it, take it apart, and see whether the Senate wants to question it, and if so, to what extent. I shall do everything I can to expedite matters.

Mr. CONNALLY. Mr. President, I have no disposition to allow the proponents of the treaty to monopolize the time. I am perfectly willing to couple my request, when and if made, with the understanding that the time shall be equally divided, half of it to be under the control of the senior Senator from California [Mr. JOHNSON], or his colleague the junior Senator from California [Mr. DOWNEY], and the other half to be controlled by a Senator acting in behalf of the proponents. If the proponents of the treaty have consumed more time so far than have the opponents of the treaty, there has been no intention on the part of the proponents to limit the time of the opponents. Perhaps the proponents were not ready to proceed, just as they are not ready to proceed this afternoon. No Senator appears to be ready at this time to make a speech against the treaty.

Mr. DOWNEY. Mr. President, I am always ready and willing to speak against the treaty; but I do not wish to speak. I would rather allow Senators to see what the treaty really is, by beginning to offer amendments to its various articles.

Mr. CONNALLY. I made an exception. I should have said that none of the opponents of the treaty were ready to speak unless it was the junior Senator from California, whom we all know is ready to fire away with machine-gun rapidity. I say that in the best of humor.

The VICE PRESIDENT. The Senator from Texas has withdrawn has request for unanimous consent.

UNITED STATES COAST GUARD—NOMINATION

Mr. CONNALLY. Mr. President, on behalf of the junior Senator from Florida [Mr. PEPPER], I ask that the nomination appearing on the calendar be laid before the Senate.

The VICE PRESIDENT. The clerk will state the nomination.

The Chief Clerk read the nomination of Vice Admiral Russell R. Waesche to be admiral in the United States Coast Guard.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. CONNALLY. I ask unanimous consent that the President be immediately notified.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

That completes the calendar.

RECESS

Mr. CONNALLY. I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 46 minutes p. m.) the Senate, in executive session, took a recess until tomorrow, Thursday, April 5, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 4 (legislative day of March 16), 1945:

WAR MOBILIZATION AND RECONVERSION

Fred M. Vinson to be Director of War Mobilization and Reconversion for a term of 2 years.

UNITED STATES COAST GUARD

TO BE ADMIRAL

Russell R. Waesche to be an admiral in the United States Coast Guard.

SENATE

THURSDAY, APRIL 5, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Thou great Companion of the sons of men, daily Thou dost invite us to seek Thee, and every day Thou offerest Thyself to be found of us. We thank Thee that Thou hast so framed our hearts that our deepest instincts anchor us to Thee; that Thou hast so created everything that he who loves the truth can never miss Thee at the last.

Grant to us to dream great dreams and not to disobey the heavenly vision. And though the hope betimes seems forlorn may we be found ready to lead it. Without stumbling and without stain may we follow the gleam until the day is ended and our work is done. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, April 4, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker pro tempore had affixed his signature to the enrolled bill (S. 298) to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes, and it was signed by the Vice President.

LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following business was transacted:

COMMITTEE SERVICE

Mr. WHITE. Mr. President, as in legislative session I ask unanimous consent for the present consideration of the order which I send to the desk.

The VICE PRESIDENT. The clerk will read the order.

The Chief Clerk read as follows:

Ordered, That the Senator from North Dakota [Mr. YOUNG] be assigned to service on the following committees: Agriculture and Forestry, the District of Columbia, Manufactures, and Immigration.

The VICE PRESIDENT. Without objection, the order is agreed to.

Mr. WHITE. Mr. President, I wish to express my appreciation to the majority leader for the consideration he has shown in working out this arrangement.

Mr. BARKLEY. I thank the Senator from Maine, and I am sure the new Senator from North Dakota will be a valuable addition to the committees to which he has been assigned and to the Senate itself.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

PERSONNEL REQUIREMENTS

Letters from the Attorney General and the President of the United States Civil Service Commission, transmitting, pursuant to law, estimates of personnel requirements for their respective offices for the quarter ending June 30, 1945 (with accompanying papers); to the Committee on Civil Service.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of New York; to the Committee on Finance:

"Whereas by the end of the war there will be approximately 15,000,000 men and women in the armed forces of our Nation and New York State's share will be approximately one and one-half million; and

"Whereas most of these men and women will have lost from 1 to 4 years, or even longer from the accumulation of benefits provided by the old-age and survivors' insurance; and

"Whereas this will effect a real loss in benefits to be received at the time of retirement inasmuch as such benefits are dependent upon contribution by both employee and employer; and

"Whereas the old-age and survivors' insurance is wholly a Federal program; and

"Whereas it is the sense of the people of the State of New York manifested in their respective representatives in the legislature that the returning veteran justly deserves and is entitled to fair and generous treatment: Therefore be it

"Resolved (if the senate concur), That the Congress of the United States be and is hereby respectfully memorialized to enact with all convenient speed appropriate legislation providing that men and women in the armed forces shall receive appropriate wage credits on their old-age and survivors' insurance accounts for their period of military service; and it is further

"Resolved (if the senate concur), That copies of this resolution be immediately transmitted to the President of the United States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of Congress duly elected from the State of New York, and that the latter be urged to do all in their power to accomplish the purposes of this resolution."

A resolution adopted by Post No. 28, the American Legion, of Spartanburg, S. C., favoring the enactment of legislation providing universal military training for the youth of the Nation; to the Committee on Military Affairs.

A resolution adopted by the Society of St. Peter, the Apostle, Bethlehem, Pa., favoring recognition of Italy as a full ally of the United Nations and that democratic representatives of Italy be invited to the San Francisco Conference; to the Committee on Foreign Relations.

A resolution adopted by the City Council of the City of Cambridge, Mass., favoring the enactment of legislation to create a Fair Employment Practices Commission; to the Committee on Education and Labor.

By Mr. SALTONSTALL (for himself and Mr. WALSH):

Resolutions of the General Court of Massachusetts; to the Committee on Banking and Currency:

"Resolutions urging the Members of Congress from the New England States to confer with the Office of Price Administration with a view to quickly effecting an adjustment in the egg price ceilings in the New England area

"Whereas at the suggestion of the Governor, the General Court of Massachusetts on March 27, 1945, passed an act giving to him the powers he requested as being necessary to secure during the present poultry shortage a sufficient supply of poultry to meet the needs of hospitals in the care and treatment of their patients; and

"Whereas the general court believes that while such action is necessary to meet the present crisis, further action is necessary to stop certain unlawful practices in the sale and distribution of poultry which greatly aggravate the present shortage emergency; and

"Whereas the general court cannot by itself remedy the fundamental causes of the existing emergency which was, in its belief, originally caused by the failure of the Office of Price Administration to recognize the peculiar conditions under which the New England poultry industry is forced to operate; and

"Whereas the entire price structure as it applies to table eggs must be immediately revised upward in order to save what is left of the laying flocks now being rapidly liquidated in the New England area; and

"Whereas a continuation of the current conditions for even a short period of time will tend to completely wreck the New England poultry industry: Therefore be it

"Resolved, That the General Court of Massachusetts urges the Members of Congress from each of the New England States to confer with the Office of Price Administration with a view to quickly effecting an adjustment in the egg price ceilings in the New England area, and to take promptly such other action as may be necessary to rectify such conditions; and be it further

"Resolved, That copies of these resolutions be transmitted forthwith by the State secretary to the presiding officer of each branch of Congress, to each of the Members of said Congress from each of the New England States, and to the Governor of each of said New England States."

By Mr. WILSON (for himself and Mr. HICKENLOOPER):

A concurrent resolution of the General Assembly of the State of Iowa; to the Committee on Foreign Relations:

"House Concurrent Resolution 18

"Whereas it is important that peace of the allies be a just, firm, practical, and lasting peace; and

"Whereas the youth of our Nation has been tested physically, mentally, and morally and found competent; and

"Whereas the youth of our Nation are most concerned because of their age, the age of their families and the problems confronting them; and

"Whereas in every war it is the youth who shoulder the arms and give their blood and lives, and know the horrors of war, the beach heads, pillboxes, and sacrifices; and

"Whereas these men who have given so much of their lives and time to our public welfare and have the interests of their country and the philosophy of our republican form of representative government at heart: Therefore be it

"Resolved by the house (the senate concurring), That the Fifty-first General Assembly of the State of Iowa respectfully requests that the Congress of the United States and the President of the United States, immediately take the necessary steps to provide for a qualified representation of the young men and women of the military forces of World War No. 2, who have seen active service on the foreign battlefields, to serve as members of the commission or delegation representing the United States of America at the peace table, and that they have an active voice in determining the peace policies of the world. The members of the armed forces have served us all, and we know would serve us well in really establishing a just and lasting peace; it is further

"Resolved, That the chief clerk of the house be instructed and authorized to send copies of this resolution to the Iowa Representatives and Senators in Congress and to the President of the United States, the Vice President of the United States, and the Speaker of the House of Representatives in Washington, D. C."

APPROPRIATION FOR SURPLUS PROPERTY ACTIVITIES — LETTER FROM CHAIRMAN OF THE SURPLUS PROPERTY BOARD

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter from Hon. Guy M. Gillette, Chairman of the Surplus Property Board, dated April 2, 1945, in reference to certain testimony with respect to appropriations for the surplus-property activities of the Procurement Division of the Treasury Department.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SURPLUS PROPERTY BOARD,
Washington D. C., April 2, 1945.

Hon. KENNETH MCKELLAR,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: My attention has been called to the discussions on the floor of the Senate on March 30 with respect to the appropriation for the surplus property activities of the Procurement Division of the Treasury Department and the amendment thereto which was adopted by the Senate. It seems clear to me that the discussion leading up to the introduction and adoption of such amendment was in large part based upon an erroneous impression of statements made by me and reported in the public press. A newspaper account of what I said is quoted on page 2978 of the CONGRESSIONAL RECORD.

My comments were directed not at the Treasury Department or any other disposal agency but to the practice of owning agencies in disposing of surplus property without declaring it surplus under the Surplus Property Act of 1944. The Treasury Department is a disposal agency under the jurisdiction of the Surplus Property Board and its disposals of surplus property are subject to such regulation as the Surplus Property Board may impose under the Surplus Property Act of 1944. Under the act the Board not only designates the disposal agencies but has full power to adopt appropriate regulations governing their activities in such detail

as the Board deems desirable. I refer specifically to sections 9 and 10 of the Surplus Property Act of 1944. As I see it, therefore, the Senate amendment to the Treasury Department's appropriation is not necessary, serves but to add confusion, and in my opinion should be eliminated.

I think that it is also appropriate for me to say that I believe much of the criticism of the surplus property activities of the Treasury made on the floor of the Senate on March 30 is unwarranted. We agree with the statement made in the recent report of the Mead committee that in the disposal of surplus property the Procurement Division of the Treasury "is doing as good a job as can be expected under the circumstances. They have been forthright in admitting and attempting to correct their inevitable mistakes, and are intelligently attempting to solve their problems."

If you have no objection, I would welcome the inclusion of this letter in the CONGRESSIONAL RECORD.

Very sincerely,

GUY M. GILLETTE,
Chairman.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WILSON, from the Committee on Claims:

S. 392. A bill for the relief of Nebraska Wesleyan University; with amendments (Rept. No. 162).

By Mr. JOHNSTON of South Carolina, from the Committee on Claims:

S. 176. A bill for the relief of the city of Memphis, Tenn., and Memphis Park Commission; without amendment (Rept. No. 163).

By Mr. WHERRY, from the Committee on Claims:

H. R. 1353. A bill for the relief of J. P. Harris; without amendment (Rept. No. 164).

By Mr. CAPPER, from the Committee on Claims:

H. R. 1396. A bill for the relief of Anne Loacker; without amendment (Rept. No. 165).

By Mr. WILSON, from the Committee on Claims:

H. R. 990. A bill to provide for the reimbursement of certain civilian personnel for personal property lost as a result of the Japanese occupation of Hong Kong and Manila; without amendment (Rept. No. 166).

By Mr. ELLENDER, from the Committee on Claims:

S. 567. A bill for the relief of Mrs. Freda Gullikson; with amendments (Rept. No. 167);

H. R. 201. A bill for the relief of the Dempsey Industrial Furnace Corporation; without amendment (Rept. No. 168);

H. R. 202. A bill for the relief of Angelina Bourbeau; without amendment (Rept. No. 169);

H. R. 206. A bill for the relief of St. Vincent's Infirmary and Dr. Alvin W. Strauss; without amendment (Rept. No. 170);

H. R. 209. A bill for the relief of David B. Smith; with an amendment (Rept. No. 171);

H. R. 807. A bill for the relief of Mrs. Wilma Louise Townsend; without amendment (Rept. No. 172);

H.R. 1079. A bill for the relief of Ray L. Smith; without amendment (Rept. No. 173);

H. R. 1135. A bill for the relief of Gus A. Vance; without amendment (Rept. No. 174);

H. R. 1707. A bill for the relief of Murray W. Moran; with amendments (Rept. No. 175); and

H. R. 1983. A bill for the relief of Benjamin D. Lewis; with an amendment (Rept. No. 176).

By Mr. HILL, from the Committee on Expenditures in the Executive Departments:

H. R. 2284. A bill to eliminate the practice by subcontractors, under cost-plus-a-fixed-fee or cost-reimbursable contracts of the United States, of paying fees or kick-backs, or of granting gifts or gratuities to employees of a cost-plus-a-fixed-fee or cost reimbursable prime contractors or of higher tier subcontractors for the purpose of securing the award of subcontracts or orders; without amendment (Rept. No. 177).

By Mr. CONNALLY, from the Committee on Foreign Relations:

H. R. 2013. A bill to extend for 1 year the provisions of an act to promote the defense of the United States, approved March 11, 1941, as amended; without amendment (Rept. No. 178);

S. Res. 109. Resolution making available an unexpended balance for entertaining distinguished visitors to the United States by the Committee on Foreign Relations; without amendment, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate; and

S. Res. 111. Resolution authorizing the Committee on Foreign Relations to employ additional temporary clerical assistance; without amendment, and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

INVESTIGATION OF TREATMENT BY THE JAPANESE OF PRISONERS AND CIVILIANS IN THE PHILIPPINES

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report back favorably, with an amendment, Senate Resolution 79, and ask unanimous consent for its present consideration.

The VICE PRESIDENT. The resolution will be read by title for the information of the Senate.

The CHIEF CLERK. Senate resolution 79, to investigate the treatment by the Japanese of prisoners and civilians in the Philippines.

Mr. WHITE. Mr. President, will the Senator from Illinois make a brief explanation of the resolution, and tell us something about its origin?

Mr. LUCAS. The resolution was submitted by the Senator from Iowa [Mr. WILSON] for the purpose of obtaining information from civilian internees and prisoners of war in order that Congress may have such information in the event it wishes to refer to it for any purpose.

Mr. WHITE. As I understand, the purpose is to gather this information about the treatment by the Japanese of war prisoners and civilians in the Philippine Islands?

Mr. LUCAS. Yes. The Senator from Iowa submitted the resolution and it was originally referred to the Committee on Military Affairs which approved it unanimously. Subsequently it was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and that committee also approved it. I am confident that the resolution is entirely proper. The committee of which I am chairman has recommended an amendment so as to provide an appropriation of $2,000 for the purpose of the resolution.

Mr. WHITE. I hope the resolution will be agreed to.

Mr. LUCAS. I thank the Senator.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The amendment reported by the committee will be stated.

The amendment was on page 2, line 12, after the dollar sign to insert "2,000," so as to make the resolution read:

Resolved, That the Committee on Military Affairs, or any duly authorized subcommittee thereof, is authorized and directed to take testimony from civilians and military and naval personnel returning to the United States from the Philippine Islands, for the purpose of making a full and complete record concerning the treatment accorded by the Japanese in the Philippine area to persons captured by them and to the population of the Philippines. The committee shall report to the Senate from time to time, with such recommendations as it deems appropriate.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-ninth Congress, to employ such experts and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $2,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

The amendment was agreed to.

The resolution as amended was agreed to.

PERSONS EMPLOYED BY A COMMITTEE WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The VICE PRESIDENT laid before the Senate a report for the month of March 1945, from the chairman of a certain committee, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
SPECIAL COMMITTEE TO STUDY
PROBLEMS OF AMERICAN SMALL BUSINESS,
March 31, 1945.

The VICE PRESIDENT,
United States Senate, Washington, D. C.

DEAR MR. VICE PRESIDENT: Pursuant to Senate Resolution 55 I am transmitting herewith a list of employees of the Special Committee to Study Problems of American Small Business who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the Department paying the salary of such employee, and the annual rate of compensation for each such employee.

Respectfully yours,

JAMES E. MURRAY,
Chairman.

By DEWEY ANDERSON,
Executive Secretary.

SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES

APRIL 1, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Brainard Cheney	3418 Highwood Dr. SE., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	$6,500
Agnes E. Crivella	1408 Buchanan St. NW., Washington, D. C.	War Production Board, Washington, D. C.	2,700
Emerald G. Devitt	2425 27th St. S., Arlington, Va.	do	2,000
Elsie A. Digges	120 C St. NE., Washington, D. C.	do	1,800
Harry J. Evans	3010 Gainesville St. SE., Washington, D. C.	Reconstruction Finance Corporation, Washington, D. C.	6,500
F. Preston Forbes	502 Four Mile Rd., Alexandria, Va.	Department of Commerce, Washington, D. C.	4,600
Carol M. Fuller	2101 S St. NW., Washington, D. C.	Office of Price Administration, Washington, D. C.	2,100
Scott K. Gray, Jr.	119 Joliet St. SW., Washington, D. C.	Reconstruction Finance Corporation, Washington, D. C.	4,600
Stella J. Groeper	1127 Branch Ave. SE., Washington, D. C.	War Production Board, Washington, D. C.	2,600
Kathleen Kimball	1701 Park Rd. NW., Washington, D. C.	do	2,000
Elizabeth P. Lucas	1730 North Quincy St., Arlington, Va.	do	1,800
John W. Nelson	1445 Ogden St. NW., Washington, D. C.	do	5,600
Vernice M. O'Mullane	Alcott Hall, Washington, D. C.	do	1,620
Grace F. Purdy	230 Rhode Island Ave. NE., Washington, D. C.	Office of Price Administration, Washington, D. C.	3,300
Martha G. Ray	1457 Park Rd. NW., Washington, D. C.	War Production Board, Washington, D. C.	2,100
Arthur G. Silverman	719 D St. NE., Washington, D. C.	Office of Price Administration, Washington, D. C.	5,600
Lt. (Jr. Gr.) George H. Soule	4020 Beecher St. NW., Washington, D. C.	Navy Department, Washington, D. C.	2,000
L. Evelyn Spicer	1433 Decatur St. NW., Washington, DC	War Production Board, Washington, D. C.	2,600
Frederick W. Steckman	4000 Cathedral Ave. NW., Washington, D. C.	Maritime Commission, Washington, D. C.	5,000
Margie L. Strubel	4632 12th St. NE., Washington, D. C.	War Production Board, Washington, D. C.	1,800
Allen G. Thurman	210 East Shepherd St., Chevy Chase, Md.	Maritime Commission, Washington, D. C.	6,500
Alfred J. Van Tassel	1622 Mount Eagle Place, Alexandria, Va.	War Production Board, Washington, D. C.	6,500
Olga Yelenesics	2400 13th St. NW., Washington, D. C.	do	2,100

JAMES E. MURRAY, *Chairman.*

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. JOHNSON of Colorado:

S. 826. A bill to authorize correspondence schools to participate in the program for the education of veterans; to the Committee on Finance.

By Mr. McFARLAND:

S. 827. A bill to grant to personnel in the military or naval forces certain benefits with respect to accumulated leave, and for other purposes; to the Committee on Military Affairs.

By Mr. CAPPER:

S. 828. A bill to amend the act entitled "An act to regulate and fix rates of pay for employees and officers of the Government Printing Office," approved June 27, 1924, so as to include journeywomen bindery operatives; to the Committee on Printing.

By Mr. MYERS:

S. 829. A bill to amend section 5 of the Railroad Retirement Act of 1937, relative to death benefits, and subchapter B of chapter 9 of the Internal Revenue Code; to the Committee on Interstate Commerce.

S. 830. A bill to provide for investigating the matter of the establishment of a national park in the old part of the city of Philadelphia for the purpose of conserving the historical objects and buildings therein; to the Committee on the Library.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940—AMENDMENT

Mr. STEWART (for himself, Mr. REVERCOMB, Mr. WILSON, and Mr. JOHNSON of Colorado) submitted an amendment intended to be proposed by them, jointly, to the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended, which was ordered to lie on the table and to be printed.

PRODUCTION OF SEED LEGUMES AND SWEET CLOVER—AMENDMENT

Mr. BUTLER submitted amendments intended to be proposed by him to the bill (S. 558) to provide for the adequate production of seed legumes required in the war food-production program, which were referred to the Committee on Agriculture and Forestry and ordered to be printed.

NATIONAL PROGRAM FOR FULL EMPLOYMENT

Mr. WAGNER. Mr. President, on January 22 the Senator from Montana [Mr. MURRAY], the Senator from Utah [Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY], and myself introduced a bill (S. 380) to establish a national policy and program for assuring continuing full employment in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government. This bill, usually referred to as the full-employment bill, was referred to the Committee on Banking and Currency.

Since the issues raised by the bill are of far-reaching importance, reports have been requested from almost every Federal agency. Specifically, the agencies were asked to give the Banking and Currency Committtee their preliminary comments on the following four questions:

First. If we were assured of continuing full employment after the war, what might the effect be on the sectors of our economy with which your agency is concerned?

Second. If S. 380 were enacted by the Congress, what might be the role of your agency in helping achieve full employment?

Third. In the present planning of your agency's post-war activities, what assumptions, if any, have you made with regard to the post-war level of the gross national production, the national income, and employment?

Fourth. What specific improvements in S. 380 might be considered by the Banking and Currency Committee?

As these reports are being received, I am having them analyzed and digested, so that within a few weeks a complete summary of all the reports will be available to the Banking and Currency Committee and to the general public. At this time I should like to call special attention to the reports I have just received from Leo Crowley, Chairman of the Federal Deposit Insurance Corporation, and Chester Bowles, Price Administrator.

Mr. Crowley points out that—

> If we do not in considerable measure solve the business-depression problem, bank losses may again become so large as to cause the [Federal deposit] insurance fund to become a considerable burden upon the Government.

Mr. Crowley also expresses his hope that in the administration of the full-employment bill, emphasis would be given to the "general program for encouraging increased non-Federal investment and expenditure," as set forth in subsection (b) of section 3. He points out that—

> We have never yet made an adequate effort to secure a tolerable operation of the economic system through an enlightened, coordinated policy with respect to banking and currency, monopoly and competition, wages and working conditions, foreign trade and investment, agriculture, taxation, social security, the development of natural resources.

In the letter from Chester Bowles attention is called to the fact that—

> The assurance of continuing full employment and production during the transition and after the war would aid us in controlling prices both now and during the transition. * * * [The] desire to make a killing during the war, which is one of the main difficulties operating beneath the surface not only in minds of many businessmen but also farm and labor groups, is at bottom a result of fear of the future and would disappear if they had any solidly based reason to believe that large markets, high levels of production, sales, and jobs, would continue as a normal characteristic of the economy rather than as a mere wartime phenomenon.

Mr. President, I ask unanimous consent that the reports to the Banking and Currency Committee from Mr. Crowley and Mr. Bowles, to which I have referred, may be printed at this point in the RECORD in connection with my remarks.

The VICE PRESIDENT. Without objection, the request of the Senator from New York will be complied with.

The reports are as follows:

FEDERAL DEPOSIT INSURANCE CORPORATION,
Washington, D. C., March 31, 1945.

Hon. ROBERT F. WAGNER,
Chairman, Committee on Banking and Currency, United States Senate,
Washington, D. C.

MY DEAR SENATOR WAGNER: In your letter of March 3 you requested the opinion of the Federal Deposit Insurance Corporation with respect to S. 380, a bill to establish a national policy and program for assuring continuing full employment in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government.

Inasmuch as this bill is designed to attack the problem of economic depression on a broad front, it is of vital interest to this Corporation. We agree that the depression problem should be approached on an over-all basis and not as a series of separate and distinct problems. The problems of agricultural depression, unemployment, business failure, mortgage delinquency, and bank failure are all tied together, and for the most part cannot be solved separately. The many committees of Congress which are largely concerned with problems arising out of depressions should coordinate their activities; likewise, the various branches of the executive department must coordinate their functions with a view to reducing, if not eliminating, business depressions. Furthermore, the activities of the legislative and executive branches of the Government must be coordinated.

A solution of the business-depression problem is of the utmost significance to deposit insurance. The great concentrations of bank failures in the past have occurred in periods of general and deep depression. If the severity of these depressions could have been limited, a great portion of the bank failures would not have occurred and bank failures would not have become a major social problem. If by intelligent coordinated action business fluctuations can in the future be kept within reasonable bounds, bank failures will not become so numerous as to embarrass the deposit-insurance system. On the other hand, if we do not, in considerable measure, solve the business-depression problem, bank losses may again become so large as to cause the insurance fund to become a considerable burden upon the Government. The success of deposit insurance depends upon adequate bank supervision, bank examination, and bank management on the one hand, and avoidance of major business depressions on the other. But if it is possible to say which of these factors is the more important, it is probable that the avoidance of major business depressions would contribute most toward avoiding unreasonably large bank losses and keeping the deposit-insurance system solvent. This Corporation, therefore, is most happy that the Congress is undertaking to treat as a unit the entire business-depression problem.

It is, however, my earnest hope that the emphasis in applying a program of this sort would be upon the program which is outlined in subsection (b) of section 3, "a general program for encouraging * * * increased non-Federal investment and expenditure," rather than upon the program outlined in subsection (c), "a general program for * * * Federal investment and expenditure." Certainly we have never yet made an adequate effort to secure a tolerable operation of the economic system through an enlightened, coordinated policy with respect to "banking and currency, monopoly, and competition, wages and working conditions, foreign trade and investment, agriculture, taxation, social security, the development of natural resources, * * *." I believe that a proper coordinated treatment of these and similar matters will permit such a successful operation of the economic system that we will only in unusual circumstances and to a limited degree need to proceed to the type of program contemplated in subsection (c).

It would be a great mistake to approach this problem with a predilection that non-Federal investment and expenditure cannot be increased sufficiently, and that it is a foregone conclusion that it will be necessary to unbalance the Federal Budget chronically in order to make up the slack. It is easy to make a case for additional Federal expenditures since there is always a certain amount of unemployment in peacetimes, but the should be resorted to only in genuine emergencies. I am convinced that habitual and extensive use of public investment as a device to maintain employment in the economic system will lead to the disappearance of the free, private-enterprise, economic system which has achieved the economic prosperity of modern times.

Very truly yours,

LEO T. CROWLEY,
Chairman.

OFFICE OF PRICE ADMINISTRATION,
Washington, D. C., March 27, 1945.

Hon. ROBERT F. WAGNER,
United States Senate,
Washington, D. C.

DEAR SENATOR WAGNER: I have received your letter of March 3 transmitting a copy of S. 380, a bill "to establish a national policy and a program for assuring continuing full employment in a free competitive economy through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government," and asking for my preliminary comments on certain questions. I agree with you that the issues posed by the bill are of far-reaching importance, and I am glad to answer your questions.

1. "If we were assured of continuing full employment after the war, what might the effect be on the sectors of our economy with which your agency is concerned?"

As you know, price control will continue to operate only so long as it is authorized by the Congress. There is general agreement that it is a wartime measure. While control over some prices should be continued, if necessary, after the last shot is fired, it will not be continued as a permanent feature of our peacetime economy. Since it is the long-run economic problems with which S. 380 is concerned, I take it that this question is directed primarily toward other agencies.

I think it desirable, however, to call your attention to the fact that the assurance of continuing full employment and production during the transition and after the war would aid us in controlling prices both now and during the transition. This would be the case so long as the assurance of full employment were provided soon, even though the assurance relates to the post-war period.

The reason why price control in the war and transition period will be aided by the assurance of full employment and full production can be stated briefly. During the war we have succeeded in holding prices relatively stable in the face of advancing costs, yet aggregate profits have increased, primarily because there has been such an enormous expansion in the volume of production and sales. Without this expansion the resistance to our ceilings on the part of business would undoubtedly have been far greater and more successful than it has been. Not only has this expansion of production been necessary to our success so far but assurance that it will be maintained is necessary for our continued success in the period to come. Business firms fear the effects on profits of a decline in their sales. Price ceilings which they accept when business operations are at peak levels often appear unacceptable to them when they foresee a lower volume of production and sales. They tend to resist not only continuation of present ceilings in the future but even maintenance of the existing ceilings in the present period. In the absence of any assurance that business will continue to operate at high levels, many firms want to make all they can while the opportunity exists. I am firmly convinced that this desire to make a killing during the war, which is one of the main difficulties operating beneath the surface not only in minds of many businessmen but also farm and labor groups is at bottom a result of fear of the future, and would disappear if they had any solidly based reason to believe that large markets, high levels of production, sales, and jobs would continue as a normal characteristic of the economy rather than as a mere wartime phenomenon.

2. "If S. 380 were enacted by the Congress, what might be the role of your agency in helping achieve full employment?"

As I pointed out above, the Office of Price Administration, being a wartime agency, would have no continuing role in helping to achieve full employment. Its operations during the emergency period, however, contribute substantially to that end whether S. 380 is passed or not. O. P. A. can aid the post-war economy by giving the country a sound price structure in which relations between costs and prices permit generous profits at high levels of operations, but do not choke off mass buying by excessive margins. We seek to establish prices which are consistent with high wages and high volume so that mass purchasing power can be sustained. This does not apply only to pricing of goods now being produced; it applies also to those which have been out of production during the war but will come into production when reconversion begins.

I am attaching a copy of our memorandum on reconversion problems. The final section gives some of my personal views about pricing for full employment and full production.

3. "In the present planning of your agency's post-war activities, what assumptions, if any, have you made with regard to the post-war level of the gross national production, the national income, and employment?"

Our present plans are based upon the assumption that we do not know what will occur, and therefore must be ready to meet any contingencies. In order to discharge our responsibilities, we are prepared for the possibility of an intense post-war boom of the kind that occurred following the last war and that had such disastrous consequences. We are prepared to meet an intense demand for consumer durable goods of all sorts and possibly for other consumer goods. There may also be a boom period of business buying to replenish depleted inventories of all sorts, which can be prevented from feeding on itself only if effective control over prices is maintained. On the other hand, we expect to remove controls, commodity by commodity, as soon as it becomes clear that supply and demand in a particular commodity field are in balance.

4. "What specific improvements in S. 380 might be considered by the Banking and Currency Committee?"

Section 3 (a): I suggest that the words "and detail" be omitted from the first sentence. I do not think it is advisable to make transmission of a detailed National Budget mandatory. If the President wished and were able to transmit data on expenditures by detailed categories at full employment levels and at prospective actual levels, he could do so even without these words.

In the last sentence of section 3 (b) I suggest that "taxation" be mentioned first among the types of program proposed. Section 3 as a whole gives an impression of what many regard as undue emphasis upon Federal expenditure and inadequate reference to tax remission. This has been commented upon by some readers of the bill.

The objection might be met, or, at least, weakened, if taxation were put in a more prominent place.

Section 3 (g): Change "the President may" to "the President shall."

Section 8 (b): This clause might be more reassuring if after the word "manpower" there were added "land, other fixed and liquid capital or economic resources."

These minor alterations are the only ones that occur to me now. I think the wording of the policy declaration in section 2 (b) is, on the whole, satisfactory. If the use of the word "right" continues to encounter the sort of objection raised by Senator TAFT, namely, that it means something legally enforceable by the individual job seeker, some expression such as "are entitled to" might be substituted for "have the right to." The former expression has fewer legal connotations.

I have been advised by the Director of the Bureau of the Budget that there is no objection to the submission of this letter.

With kindest regards,

Sincerely,

CHESTER BOWLES,
Administrator.

NATIONAL PROGRAM FOR FULL EMPLOYMENT—ADDRESS BY REPRESENTATIVE HOOK, OF MICHIGAN

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address on the so-called full-employment bill delivered by Representative HOOK, of Michigan, to the Marine and Shipbuilding Workers of America on March 23, 1945, at Camden, N. J., which appears in the Appendix.]

PROBLEMS AND OBJECTIVES OF AMERICAN FOREIGN POLICY—ADDRESS BY THE SECRETARY OF STATE

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD an address delivered by the Secretary of State at Chicago, Ill., on April 4, 1945, before the Council of Foreign Relations, which appears in the Appendix.]

MEMORIAL ADDRESS BY CHAPLAIN ROLAND B. GITTELSOHN AT FIFTH MARINE DIVISION CEMETERY

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD a memorial address delivered by Chaplain Roland B. Gittelsohn at the Fifth Marine Division Cemetery, on Iwo Jima, which appears in the Appendix.]

GLOBAL PHONETIC ALPHABET—LETTER BY FORMER SENATOR OWEN

[Mr. THOMAS of Oklahoma asked and obtained leave to have printed in the RECORD a letter dated March 29, 1945, addressed by former Senator Robert L. Owen to Miss Alice Paul, national chairman, National Women's Party, on the subject of a global phonetic alphabet, which appears in the Appendix.]

NEW HAMPSHIRE AND DUMBARTON OAKS—ADDRESS BY EARL S. HEWITT

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an address entitled "New Hampshire and Dumbarton Oaks," delivered by State Senator Earl S. Hewitt, of Hanover, N. H., before a meeting of the United States Department of Agriculture Extension Service, in Washington, D. C., April 3, 1945, which appears in the Appendix.]

VOTING IN THE PROPOSED WORLD ORGANIZATION—EDITORIAL FROM THE CONCORD DAILY MONITOR

[Mr. BRIDGES asked and obtained leave to have printed in the RECORD an editorial entitled "Disturbing," from the Concord Daily Monitor, of Concord, N. H., of April 2, 1945, which appears in the Appendix.]

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	Myers
Austin	Gerry	O'Daniel
Bailey	Green	O'Mahoney
Ball	Guffey	Pepper
Bankhead	Gurney	Reed
Barkley	Hatch	Revercomb
Bilbo	Hill	Russell
Brewster	Hoey	Saltonstall
Bridges	Johnson, Calif.	Shipstead
Briggs	Johnson, Colo.	Smith
Buck	Johnston, S. C.	Stewart
Burton	La Follette	Taft
Bushfield	Langer	Taylor
Butler	Lucas	Thomas, Okla.
Byrd	McCarran	Thomas, Utah
Capehart	McClellan	Tunnell
Capper	McFarland	Vandenberg
Chavez	McKellar	Wagner
Connally	McMahon	Walsh
Cordon	Magnuson	Wheeler
Donnell	Mead	Wherry
Downey	Millikin	White
Eastland	Moore	Wiley
Ellender	Morse	Willis
Ferguson	Murdock	Wilson
Fulbright	Murray	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], the Senator from Arizona [Mr. HAYDEN], the Senator from South Carolina [Mr. MAYBANK], the Senator from Louisiana [Mr. OVERTON], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from Maryland [Mr. TYDINGS] are necessarily absent.

The Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from West Virginia [Mr. KILGORE] and the Senator from Washington [Mr. MITCHELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

Mr. WHERRY. The Senator from Illinois [Mr. BROOKS], the Senator from Connecticut [Mr. HART], the Senator from New Jersey [Mr. HAWKES], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], the Senator from New Hampshire [Mr. TOBEY], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The VICE PRESIDENT. Seventy-seven Senators have answered to their names. A quorum is present.

DEATH OF MAJ. GEN. MAURICE B. ROSE

Mr. DOWNEY obtained the floor.

Mr. JOHNSON of Colorado. Mr. President——

The VICE PRESIDENT. Does the Senator from California yield to the Senator from Colorado?

Mr. DOWNEY. For how long?

Mr. JOHNSON of Colorado. One minute.

Mr. DOWNEY. Mr. President, for the sake of the distinguished Senator from Texas [Mr. CONNALLY] I am anxious to expedite the pending treaty and, of course, if 30 or 40 minutes are taken up with interruptions, it is impossible to make progress. I shall gladly yield to the Senator from Colorado, but I hope we may be allowed to go forward with the treaty.

Mr. JOHNSON of Colorado. Mr. President, today memorial services are being held at the Beth Ha Medrosh Hogodol Synagogue, in Denver, Colo., for Maj. Gen. Maurice B. Rose. The services will be conducted by Rabbi C. H. Kauvar, who confirmed Maurice when he was 13 years old.

General Rose got his first military training as a private in the Colorado National Guard. He distinguished himself and added laurels to his State and country as a soldier and as an officer in World War No. 1.

For several days the press has carried stories of General Rose's dauntless courage in directing his tank division from the foremost position. His orders were not "Forward, march," but "Follow me." That is the new technique of American military leadership, and it is effective leadership, as proven by the success of American arms on every battle front.

Mr. President, it is significant that this stalwart American general made the supreme sacrifice in the week of the Passover, a season of profound significance to the people of his faith, and a season when sacrifice is commemorated by them. May his great sacrifice purchase all the freedoms for his beloved America and for all the world, both Jew and gentile, is our prayer and our hope.

Mr. President, another American hero has joined the ranks of the immortals.

Mr. MILLIKIN. Mr. President, I wish to add my endorsement to the remarks which my distinguished colleague, the senior Senator from Colorado, has made regarding the unfortunate death of General Rose. I should like to add that my distinguished colleague and I have requested the War Department to make a full investigation of the circumstances of the death of General Rose so that it may be determined whether he was accorded the rights of a prisoner or was shot down in cold blood after he had surrendered.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.), between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.), a protocol supplementary to the treaty.

The VICE PRESIDENT. The treaty is before the Senate as in Committee of the Whole, and article 1 is open to amendment.

Mr. DOWNEY. Mr. President, it is now my intention to present to the Senate proposed amendments or reservations to the pending treaty. I am in entire sympathy with the position of the distinguished senior Senator from Texas [Mr. CONNALLY]. It is not my desire in any way to prolong this debate, but rather to speed it along. I want the RECORD to show that up to date more than three-quarters of the time has been consumed by speakers on behalf of the

treaty and less than one-quarter by speakers opposed to the treaty. We shall not delay unduly.

However, Mr. President, I think that before acting on a treaty of this great importance to the southwestern section of the United States, on a compact which will bind us, presumably, in perpetuity, we are entitled to careful consideration of the issues we desire to raise.

I now categorically declare to the Senate that never in the history of the United States has any treaty or proposed law been presented in any branch of our Government prescribing such extreme powers as are contained in the treaty, or clothed in such ambiguous and confusing language.

Mr. President, those are strong words, but I believe that a reading of the treaty, article by article, will corroborate and confirm what I have said. I have counted more than 50 major ambiguities in this treaty, in which language so unusual and so involved has been used, that disinterested lawyers with whom I have discussed it are unable to form any precise conclusion concerning its meaning.

One might think that this involved and ambiguous language sprang from stupidity, or that the treaty had been drafted by persons who were not lawyers, but a strange fact will develop as we go through the treaty. Every ambiguity, however it may be resolved, protects the interests of Mexico, as they have been represented by our State Department. Every one of them conceals traps and almost fatal dangers for the States of the Southwest and the water users of that area.

So far as the Colorado River is concerned, the heart and soul of this treaty lies in article 10, which allots to Mexico, it is claimed, 1,500,000 acre-feet of water by a guaranteed right and 200,000 acre-feet provisionally.

When article 10 is read I think everyone will agree with what has been generally assented to so far, that the article, as written, is so confusing and ambiguous that no one can tell whether it means 3,200,000 acre-feet or 1,500,000 acre-feet. Consequently, respecting the most important factor of this whole treaty, the amount of water that Mexico is to get, it is now admitted that there is a fatal ambiguity in the language. So the distinguished Senator from Texas [Mr. CONNALLY]—and I may say this without any disrespect to him, for I know he is not responsible for it—has stated that he would present an interpretive reservation, which would make that language clear. After 2 weeks he did present interpretive language to the Senate but the language of the interpretive reservation, as presented, was even less meaningful and precise than the language of the treaty itself, and I understand the distinguished Senator struck it out of the reservations he had printed.

The State Department evidently spent 2 weeks on that interpretive reservation, and produced something even more confusing and ambiguous than the language which everyone now admits needs clarification.

Let me say further to this distinguished body, that the powers granted in the treaty as it now is written are very great. But the framers of the treaty went far beyond even the enormous powers contained in the present language of the treaty, and it was only because of the opposition of representatives from California that there was a protocol exchanged, taking away from the International Boundary and Water Commission the right to operate every lateral and every head gate in the entire Southwest. Had it not been for the opposition of California witnesses, the treaty would have been so destructive and would have contained such a far-reaching grant of power, that water users in Colorado and the other Southwestern States would have little idea as to their future growth and development.

Mr. President, as is now admitted by all, article 10 is confusing and ambiguous respecting the grant of water. There is no clear statement as to standards of salinity or degree of quality required. Of course, one can place his own interpretation on it; but a few simple plain words would remove these issues from any doubt. On the point of salinity, as we shall see when we reach article 10, the treaty is so ambiguous as to become a fatal trap for American water users in the Southwest.

The distinguished Senator from Texas in his able argument yesterday referred to this 1,500,000 acre-feet of water as a ceiling. It is nothing of the kind. For all practical purposes it is a floor. It is true there is employed some indefinite and useless language, from which it may be argued that under some circumstances there may be a diminution of that right, but, as a matter of fact, that 1,500,000 acre-feet is a floor, a guaranteed floor, and not a ceiling. And article 10 carefully leaves open the strong presumption that Mexico may, by use, materially increase her allotment beyond the 1,500,000 acre-feet.

Mr. President, in article 10 there are found two expressions of prime legal import. One of them is "extraordinary drought" and the other is "guaranteed annual quantity." The very attorney who drafted this treaty on behalf of the United States, a lawyer of Texas, is on record as saying that that expression "guaranteed annual quantity" is meaningless, in that the word "guaranteed" could be stricken out, without changing the meaning as he believes it to be. He even had the temerity to say that the expression "extraordinary drought" means nothing more than drought.

In article 10 alone, are many, many ambiguities which go to the very heart of this controversy. Mr. President, I hope the Senate can consider those ambiguities in turn, one by one, and help us in the Southwest, because we vitally need the help of the Senate to devise a decent, plain, precise treaty.

Apparently there is some feeling that the Senate should keep its hands off, that whatever we do should be done by light, and perhaps ineffective, interpretive understandings, rather than by amendments. Let me say this for the benefit of Senators: A great many treaties which have been presented to the Senate of the United States have either been rejected or materially amended. The professors of political philosophy and experts on treaty making are almost unanimous in saying that the work of the Senate on those treaties has been of immense benefit to the people of the United States in protecting our rights, in clarifying language, or in preventing unwise commitments.

We all have in mind one famous treaty with respect to which the Senate has been both criticized and defended. I refer to the treaty dealing with the League of Nations. That, of course, dealt with principles of ideology. But with respect, as a whole, to the treaties on which the Senate has acted, a large proportion by way of amendment or rejection, it is now almost unanimously conceded, so far as I know, that the work of the Senate has been of outstanding help. I plead with Senators. We need their help in protecting not only Arizona and Nevada, but Colorado and California.

Mr. President, before I offer a specific amendment, I should like to place the Senate on guard in this respect: In this treaty, as to the Colorado, Mexico gives up literally nothing. All the guaranties, all the facilities, all the expenditures for her benefit, flow from us to her. We are the grantors in every case. We guarantee to build and maintain Davis Dam, and to maintain the All-American Canal, and guarantee 1,500,000 feet of water, or whatever the amount may be. Under the clear decisions on the law, with very little dissent, a contract or treaty is most strongly construed against the grantor. Every ambiguity would be resolved against us in any international court of arbitration.

Mr. President, I do not desire to burden the Senate to a greater extent than is necessary. When I appeared before the Foreign Relations Committee, I cited numerous authorities to that effect. I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks my testimony on that subject before the Committee on Foreign Relations.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

I first, again, want to read a brief statement of the law of construction of contracts as between the grantor and the grantee. Let me say that while the authorities are not uniform, the overwhelming and prevailing weight of authority is that in construing a deed or a contract of grant, every possible ambiguity and uncertainty is taken against the grantor. The theory of the law is that if a man is conveying or giving something away, he is going to be vigilant in his own interests and will use guarding language. Consequently, we have this general rule in the law of deeds and contracts: That a grant will be construed liberally against a grantor.

A treaty is no more than a contract between two sovereigns and is to be interpreted by the same rules which govern contract law. (*Sullivan* v. *Kidd* (254 U. S. 433).)

If we turn to Williston on Contracts to determine the rules of contract construction, we find that generally all restrictive clauses in a deed on the use of property will be interpreted in favor of the grantee (Williston 620). It seems to be a general rule in the construction of grant of property that, while a reasonable construction is to be desired, all doubts are to be resolved in favor of the grantee. (*Stone* v. *Pillsbury* (45 N. E. 768);

Wall v. *Landmar* (148 S. E. 779); *Justice* v. *Justice* (39 S. W. (2) 50).)

This theory is based on the old common-law rule of construction that a grantor cannot derogate from his own grant.

It is further the rule that "under and apart from statute it is asserted that in case of ambiguity, a contract must be construed most strongly against the person undertaking or entering the obligation (13 E. J. S. 546).

"If the language used is ambiguous, the subject matter and attendant circumstances will be considered in the light of the rule that a grant is construed most strongly against a grantor. When the language of an exception casts doubt on the intent of the grantor, such doubt will be resolved in favor of the grantee."

That is a quotation from an appellate court case *Saulsberry* v. *Maddix* (125 Fed. (2) 430) in which certiorari was denied in the Supreme Court.

Then, quoting again from another Federal case, *Shell Petroleum Corp.* v. *Ward* (100 F. (2) 778), in which certiorari was denied by the Supreme Court:

"It is a principle of universal application that grants are liberally construed against the grantor; the opposite is true of exceptions which are strictly construed against him."

Then there are two cases in the Supreme Court of the United States dealing with treaties, *Factor* v. *Laubenheimer* (290 U. S. 276); *Aspura* v. *City of Seattle* (265 U. S. 332), which hold as follows:

"Language is to be read in connection with the universal law of treaty interpretation, to wit, if a treaty fairly admits of two constructions, that enlarging rather than restricting the rights claimed thereunder should be preferred."

Mr. DOWNEY. The Supreme Court of the United States has held that a treaty is nothing more than a contract between two nations; that the nation which grants anything is presumed to have looked after its own interests; and that the presumptions will be against it. Consequently, let us remember, as we go through this treaty, that, according to the authorities, every implication will be indulged in to enlarge uncertain provisions and to construe ambiguities against the grantor, which, on the Colorado River, at least, is solely the United States of America.

Mr. President, I ask Senators to examine the majority report on the treaty, which is now on their desks, and turn to page 18, the second paragraph on that page. The first amendment which will be offered is to strike out the second paragraph of article 2. I should like to read that paragraph to the Senate. Before doing so, let me say that, so far as I know, in no treaty ever made by any nation—certainly in none made by the United States—in no law, and in no Executive order, has there been such a grant of power as is contained in paragraph 2 of article 2. Let me read it:

> The application of the present treaty, the regulation and exercise of the rights and obligations which the two Governments assume thereunder, and the settlement of all disputes to which its observance and execution may give rise are hereby entrusted to the International Boundary and Water Commission, which shall function in conformity with the powers and limitations set forth in this treaty.

Mr. President, in the next paragraph the International Boundary and Water Commission, which is made up of only two men, one from Mexico and one from the United States, is given the status of an international body. I take it that it is admitted by everyone that its acts, as such an international body, are not subject to any correction or limitation by the courts of the United States, or by the Congress of the United States. In order that we may clearly understand just what is attempted here, I wish now to read the first two lines of the paragraph following the one which I have just read:

> The Commission shall in all respects have the status of an international body, and shall consist of a United States section and a Mexican section.

Clearly this treaty, in the opening paragraph, reenforced with extraordinary and dictatorial powers in other parts of the treaty, sets up an international body, and clothes it with judicial capacity and power to decide every possible dispute between States and private individuals, both in the United States and in Mexico, which may arise out of the observance and execution of the treaty. Let me call the attention of the Senate to this language:

> The application of the present treaty, the regulation and exercise of the rights and obligations which the two governments assume thereunder, and the settlement of all disputes to which its observance and execution may give rise are hereby entrusted to the International Boundary and Water Commission—

Elsewhere in the treaty, the Commission is given the power to create its own rules of judicial procedure to determine disputes. As we go further into the treaty we see that those disputes will be not only almost innumerable, but of vast importance. Suppose for instance there is a deficit in the amount of water going to Mexico, and that deficit must be supplied, and California claims it must come from Arizona, and Arizona claims it must come from Colorado. That would be a dispute, which would be taken over by two men, one now a citizen of Texas and one a citizen of Mexico. They could act, if they so desired, in star-chamber proceedings. They could dispose of vast rights and could bind our citizens by the stroke of a pen.

This treaty, in giving the International Boundary and Water Commission the power to decide disputes, gives it the further right to determine the persons and objects and subjects to which the treaty may be applied, so that the Commission itself has the power, in a way that would be binding upon any of our courts, to determine of what disputes it shall have jurisdiction. As one reads the well guarded, precise, and clear treaty with Great Britain covering the waters of the rivers on the boundary between the United States and Canada, and then reads this extreme, unguarded language, one begins to wonder if there is a decay in our Government and in our governmental intellect. Here is a body which has a right, not only to determine all disputes on a certain subject, but to determine of what disputes it has jurisdiction. It has the power to determine the scope and the comprehension of the treaty. It has the power to determine all the rights, obligations, and consequences that follow this treaty.

Mr. President, there is a strong class of cases which deny that our courts can take any jurisdiction over a governmental agency which acts under treaty powers; but for the purpose of this particular argument, I have no desire to go into that class of cases, because we are not dealing here with an agency of the United States. We are dealing with an agency which is expressly made an international body. We are dealing with a corporation, if you please, which is given judicial power, I take it, not subject to any constitutional controls, to any laws of the United States, or to any processes of our courts or of Congress.

An able lawyer from Colorado, Mr. Breitenstein, testified. He summed up the thought of all the State Department's witnesses on this point, to the effect that this international body would not be suable in the courts of the United States, or subject to their control or limitation. I shall quote from the transcript of Saturday, February 17, at page 1553. Mr. Breitenstein said:

> Well, the next point which I wished to mention was the controls which exist over the agencies which are set up by the treaty. The assertion has been made here that the treaty creates an administrative agency which is not subject to proper controls. First, you must understand, of course, that the International Commission is of a little different status than the United States section; I am sure you appreciate that. There is no international tribunal before which either nation could go to have a judicial review of the determinations of the International Commission, so they must be accepted until we have some international court which perhaps would have some such jurisdiction; and we do not have it now.

Later he said:

> The point I was trying to make, Senator, was this, that the International Commission as such is not subject to any judicial controls because there is no tribunal before which it can be haled or in which its decisions may be reviewed.

The distinguished senior Senator from Texas has had printed certain interpretive understandings of the treaty, which he says it is his intention later to offer. Those interpretive reservations, if they mean anything, do not go to 90 or 95 percent of the extreme, dictatorial powers granted in this treaty. Why? Because those understandings, as printed, only purport to affect the power of the American section. That is all we could affect by an understanding of that sort. They do not even purport to affect the powers of the State Department or of the International Commission; and 90 or 95 percent of the powers to which we object are conveyed to the International Commission or to the State Department, not to the American section.

Mr. CONNALLY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. FULBRIGHT in the chair). Does the Senator from California yield to the Senator from Texas?

Mr. DOWNEY. I yield.

Mr. CONNALLY. I do not care to enter into an argument with the Senator on that point at this time, but I do challenge the accuracy of the statement, and at the

proper time I shall make an appropriate response.

Mr. DOWNEY. Mr. President, I ask to have brought to me from the desk the reservations presented last night by the distinguished senior Senator from Texas. When I made that statement—I may be wrong and if I am I wish to correct myself—I assumed that the reservations are still in the same form in which they were when the distinguished Senator from Texas handed them to me.

Reservation or interpretation numbered (a) reads as follows:

(a) That no commitment for works or expenditures, other than those specifically provided for in the treaty, shall be made by the United States section of the International Boundary and Water Commission without prior approval by the legislative branch of the Government.

(b) reads as follows:

(b) That nothing contained in the treaty or protocol shall be construed as rendering inapplicable to the administrative powers and functions of the United States section of the International Boundary and Water Commission normal constitutional controls and processes insofar as they affect persons and property in the territorial limits of the United States.

(c) reads as follows:

(c) That nothing contained in the treaty or protocol shall be construed as authorizing the United States section of the said Commission to control the distribution of water to users within the territorial limits of any of the individual States.

Mr President, I know the distinguished Senator presented those interpretive reservations in the belief that they went to the heart of some of the evils which have been discussed. They do not do so, however, because they only purport to fetter the United States section, not the International Boundary and Water Commission.

Mr. CONNALLY. Mr. President, will the Senator further yield?

Mr. DOWNEY. I yield.

Mr. CONNALLY. The Senator from California is bound to know that the International Commission is composed of the American section and the Mexican section. It cannot do anything except when both sections agree. If the limitations and reservations deny to the American section authority to act, for all intents and purposes that nullifies the action of the whole Commission. We are not going to pretend to try to make a reservation saying what Mexico shall do with regard to her own commission. That would not be appropriate. But we certainly put the limitation on the American section. In effect it means the Commission itself, because the Commission cannot do anything unless both the American section and the Mexican section agree.

Mr. DOWNEY. Mr. President, if that is the interpretation which the distinguished Senator desires to place upon the treaty, then it has been written with an ambiguity so extreme——

Mr. CONNALLY. I may say to the Senator from California——

Mr. DOWNEY. Just a minute, please.

Mr. CONNALLY. The Senator from California has referred to me. I think that I am entitled to have the Senator yield to me.

Mr. DOWNEY. The treaty is so extreme in ambiguities that there are 30 different places in the treaty which are contrary, as I shall later show, to the declaration which has been made by the Senator from Texas.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CONNALLY. I do not wish to be brusque in regard to this matter; but every Member of the Foreign Relations Committee knows that the treaty does not contain a line with which the Senator from California agrees. He is against every period, every semicolon, and every comma. If he could do so, he would delete from the treaty everything in it. The amendments which he has offered are, of course, intended for that very purpose. He knows that the Imperial Valley irrigation district in southern California is now receiving from Mexico—at least, according to my recollection, and I am having the facts compiled—a half million dollars a year. The testimony given before the committee by members of the Imperial Valley irrigation district was substantially as follows: "We are against the treaty because we think it would imperil our investments in the canal and the works which we constructed in Mexico in order to convey the water to Mexican users."

Mr. DOWNEY. Mr. President, the Senator from Texas has given a typical example of the way in which the hearings were conducted before the Foreign Relations Committee. We would be considering a serious, relevant, and particular point such as the one now before the Senate; the distinguished Senator from Texas would try to answer it by some kind of charge of greed on the part of some irrigation company in California. Perhaps there was no other answer to be made.

I wish to read to the Senate again the language to which I am objecting. First, allow me to say that the treaty clearly comprehends four agencies, instrumentalities, or sovereignties, namely, the Governments of Mexico and the United States, the Departments of State of Mexico and the United States, the International Boundary and Water Commission, and the respective sections which compose that body Consequently, throughout the treaty there appear provisions for certain duties, obligations, and rights which are given to the Governments of Mexico and the United States, some to the Secretaries of State, some to the international body to which I have referred, and some to the respective sections. Allow me to read the paragraph again:

The application of the present treaty, the regulation and exercise of the rights and obligations which the two Governments assume thereunder, and the settlement of all disputes to which its observance and execution may give rise are hereby entrusted to the International Boundary and Water Commission.

In the next sentence the Commission is said to have the status of an international body. The testimony of the attorneys of the State Department was to the effect that, while our own agencies would be subject to suit, the Commission, acting as an international body, would not be so subject.

Mr. President, I can look forward 10, 15, or 20 years, and realize that this treaty will probably cause innumerable disputes in the State of California alone, as to the diminution of water rights expected to be required in order to make up the water for Mexico. Clearly, beyond any doubt, the International Boundary and Water Commission is to be made a judicial body, with judicial power to settle all those disputes, as well as disputes which may arise between the various States, power companies, and irrigation companies. If the distinguished Senator from Texas does not believe that language to have any meaning, why does he want it placed in the treaty?

I desire to read another sentence in explanation of some of the remarks which I shall later make:

Wherever there are provisions in this treaty for joint action or joint agreement by the two Governments—

I pass over some of the language—

it shall be understood that the particular matter in question shall be handled by or through the Department of State of the United States and the Ministry of Foreign Relations of Mexico.

As we shall later see, this treaty is designed so as completely to bypass not only our courts and Congress, but even the President of the United States. As we shall also later see, the two State Departments, are given extraordinary powers.

Mr. President, in order to show how little the reservations presented by the Senator from Texas would help, allow me to read one of the shortest but most important articles in the treaty. I wish categorically to assert that we may, in respect to what I am about to say, draw similar implications concerning the meaning of the other articles. Article 19 reads as follows:

The two Governments—

I interpolate that under the definition which has been used, that would mean the two Secretaries of State—

shall conclude—

I emphasize the word "conclude"—

such special agreements as may be necessary to regulate the generation, development, and disposition of electric power at international plants, including the necessary provisions for the export of electric current.

It is very plain indeed that the two Secretaries of State are to be given a blank check to go into the power business, to whatever extent they may desire. It may be that if they enter into a special agreement to build a $250,000,000 electric power plant on the Rio Grande, Congress will refuse to make the appropriation and thereby breach the treaty. But clearly and unequivocally the Congress would be giving blank checks to our State Department to enter into the power business, to whatever extent and under whatever conditions it may wish.

I am not in any way opposed to the generation of power under proper conditions, or under the control of proper public agencies. But it seems abhorrent and alarming to me that we are asked to create in the respective State Departments the right to proceed to the construction of great power projects, and thereby bind Congress, and place us in a position where we shall be dishonored for breaching the treaty if we do not meet the terms of the contracts which we ourselves have solemnly assured Mexico may be made by our State Department.

Mr. MILLIKIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from California yield to the Senator from Colorado?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Any contemplated power plant of the type described by the Senator would have to meet with the prior approval of Congress, would it not, under the interpretative reservations?

Mr. DOWNEY. No, Mr. President; the Senator has been led into an error. The interpretative reservations only attempt to curtail the power of the American section.

Section 19 deals with the powers of the State Departments of the two countries; the reservations do not.

Mr. MILLIKIN. The Senator's point is, then, that the Commission as such could engage in an enterprise of that kind without the prior consent of Congress?

Mr. DOWNEY. No, Mr. President; my statement is, that the "two Governments," which are defined to be the respective Secretaries of State of the two Nations, may do that. Has the distinguished Senator article 19 before him? I will hand it to him. It is only three or four lines. If he will read it aloud, then we can understand each other more clearly, I hope.

Mr. MILLIKIN. I am willing to read it to the Senator.

Mr. DOWNEY. Let the Senator read it aloud.

Mr. MILLIKIN. It reads:

> The two Governments shall conclude such special agreements as may be necessary to regulate the generation, development, and disposition of electrical power at international plants, including the necessary provisions for the export of electric current.

Mr. DOWNEY. Under the treaty, as I have said, the "two Governments" are defined to mean the Secretaries of State of the respective nations, and, if the Senator will again look at the reservations offered by the distinguished Senator from Texas, he will see that the limitations are only on the action of the American section. As a matter of fact, if proper and just reservations and limitations are to be placed upon the State Departments and the International Boundary Commission, we had much better rewrite the whole treaty. I have not even started to point out 1 percent of the extreme, ambiguous, and uncertain language of the treaty. Let me say to the distinguished Senator that, with all his wit and learning, I do not believe he can find a single law or a single treaty containing such extreme, ambiguous, far-reaching language as paragraph 2 of article 2 contains.

Mr. WHERRY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Nebraska?

Mr. DOWNEY. I yield.

Mr. WHERRY. I should like to ask the Senator if he will make a further observation relative to the restriction on the powers provided in subparagraph (a) on page 2 of the so-called reservations, and state whether that also applies to the two Governments if they should contract to do certain things by their State departments? It is my understanding of the Senator's statement that the restrictions in paragraph (a) apply only to the Commission. Therefore, even though the Commission is restricted by the requirement that it shall come back to Congress and ask for legislative approval of anything it might want to do, yet that does not in any way restrict the Departments of State in carrying out a separate contract under the treaty.

Mr. DOWNEY. Let me say that is partly, but not entirely, what I mean. Certainly there is nothing in reservation (a) that in any way limits the powers of the State Departments to go into the hydroelectric business, however they may want to; but, likewise, there is nothing in paragraph (a) that limits the International Boundary and Water Commission, an international body. It only limits action by the United States section, which is a different entity. We have two distinct entities. The International Boundary and Water Commission is given diplomatic status. It has engineers; it has attorneys; it is given specific powers. The United States section is made an agency of our Government, and the reservation curtails nothing more than our local agency.

Mr. WHERRY. So that the reservation does not control the action of the entire Commission?

Mr. DOWNEY. That is correct; clearly it does not. I might say that that was the clear intimation of the witnesses of the State Department when they testified. They, themselves, made exactly the same discrimination I am making between the International Boundary and Water Commission and the sections in the respective countries.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. May I invite the distinguished Senator's attention to the fifth paragraph of article 2 which I shall read? It is as follows:

> The jurisdiction of the Commission shall extend to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary, each section of the Commission retaining jurisdiction over that part of the works located within the limits of its own country. Neither section shall assume jurisdiction or control over works located within the limits of the country of the other without the express consent of the Government of the latter. The works constructed, acquired, or used in fulfillment of the provisions of this treaty and located wholly within the territorial limits of either country, although these works may be international in character, shall remain, except as herein otherwise specifically provided, under the exclusive jurisdiction and control of the section of the Commission in whose country the works may be situated.

In relation to that I invite the Senator's attention to paragraph (a) of the proposed interpretative reservations, which says:

> That no commitment for works or expenditures, other than those specifically provided for in the treaty, shall be made by the United States section of the International Boundary and Water Commission without prior approval by the legislative branch of the Government.

Since the jurisdiction of these structures and works which are limited to the boundaries and the limitrophe sections of the streams are confided to the separate sections, since the construction and operation of plants is a part of their jurisdiction, since these sections must come to Congress for prior approval, what remains of the Senator's point?

Mr. DOWNEY. Mr. President, it is very clear from the statement of the distinguished Senator from Colorado that I have not yet been able to make my point clear to him. Later on we will discuss, I think at considerable length, the very ambiguous and confused provision the Senator has just read; but we are not discussing that language now, and I should rather not be diverted from the point we are discussing.

Mr. MILLIKIN rose.

Mr. DOWNEY. Let me finish. What I am now saying is that under paragraph 2 of article 2 the International Boundary and Water Commission, an international body, is given the jurisdiction and the right to decide all disputes that may arise in the execution and observance of the treaty. That is a clause clearly conferring a judicial capacity to settle disputes.

The language found later deals with control or physical operation or occupation of certain of the properties to be built, or certain of the land to be employed, either by the section or by the Commission. I am now discussing just one point. Unless we restrict ourselves to one point, we shall become endlessly confused, because this treaty is filled with such verbosity and extreme and confusing language that unless we settle on one point, and determine it, we shall never make any progress at all.

Mr. MILLIKIN. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from California yield to the Senator from Colorado?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I am heartily in favor of the Senator's one-point theory. I do believe, however, that, in order to understand what we are doing, we have to relate the particular parts of the treaty to the other parts of the treaty which bear on the same subject matter.

Mr. DOWNEY. Mr. President, I believe the distinguished Senator from Colorado just read a reservation. Let us read it again:

> That no commitment for work or expenditures, other than those specifically provided for in the treaty, shall be made by the United

States Section of the International Boundary and Water Commission.

Again I wish to say that in the treaty the power of the respective sections to agree upon any work, or commit the governments to any obligations, is negligible. They are given the duty of establishing gaging stations in the international streams, and some other minor matters. The point I am trying to make to the distinguished Senator is that the great power of this treaty is lodged in the international body hereby created, a new creature in the international world, as Halley's comet once was, and in the respective Secretaries of State.

Clearly this international body is made a judicial agency, with power to create its own procedure, and to settle all disputes which may arise in the observation and execution of the treaty.

Mr. MILLIKIN. Mr. President, I ask the Senator to yield for one very brief observation.

Mr. DOWNEY. I yield.

Mr. MILLIKIN. All the Senator has said must necessarily relate itself to the other provisions of the treaty which have to do with the jurisdiction and the duties of the Commission, the Commission as distinguished from the sections of the Commission. I assume that in due course the Senator will come to that.

Mr. DOWNEY. Yes. I may say to the distinguished Senator that of course that is true, but let me point out to him that a dispute arising between Mexico and the United States, or between our citizens, would not have any particular situs, I assume. The dispute would arise over the whole area. What we are dealing with in the second paragraph is the right of the International Boundary Commission to settle all disputes which may arise. Later, in a very confused and ambiguous way, as we shall see, we deal with specific jurisdiction over specific properties, the right to control them, the right to handle them. I have no doubt the very persuasive intellect of the Senator will attempt to work out some rational explanation of this matter.

I am reminded somewhat by the persons who have defended the treaty of the character in Alice in Wonderland who used language so loosely that he was finally charged with it, and he said, "Do not worry; my language means what I say it means."

Mr. President, I cannot take that attitude. This treaty will be in perpetuity, and tens of thousands of communities and citizens in Colorado, California, and elsewhere, by this treaty, will have all their disputes arising under it—and other matters, too, as we shall see as we get along—referable to a new kind of judicial agency, the International Boundary and Water Commission.

Let me say to the distinguished Senator that if he does not think it means that, if he thinks it means something else much more harmless and much more rational, let us amend it. But certainly it says in unequivocal language, "This Commission shall have the power to settle all disputes arising out of this treaty." Language could not be more explicit.

Mr. MILLIKIN. Will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. First, as to the Senator's reference to Alice in Wonderland, I am sure he wants us to believe that language means what he says it means.

Mr. DOWNEY. No; I say to the distinguished Senator that I do not. I want to make language so plain that, instead of having a fruitful source of serious controversy and bitterness for the next hundred years, we may now settle definitely and precisely what it means.

I wish to say to the few Senators who are honoring me by their presence that in 250 words we could have written a Colorado River treaty saying that the United States of America guarantees delivery, through the Bureau of Reclamation, or whatever agency we choose, of 750,000 acre-feet, or a million and a half acre-feet.

Instead of that, we have involved ourselves in provisions so mysterious, and in ambiguities so great, that before the Senate of the United States is through with this treaty, no mind here will be able possibly to follow all its complications. It happens I have studied the treaty for 30 days, and at the end of 30 days I am more confused and disturbed about its ambiguous, and I think fatal, language, so far as we are concerned, than I was in the first week.

Mr. MILLIKIN. Will the Senator yield further?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. With reference to the dispute to which the Senator was referring, any dispute that is other than a pure abstraction must necessarily reflect itself into action on one side or the other of the border. When it does that, it falls into one or the other of the sections. I merely suggest for the Senator's consideration that when it does that, it becomes subject, so far as the American section is concerned, to all our constitutional processes.

Mr. DOWNEY. But, Mr. President, the Senator is making the same fatal argumentative error he is using throughout. He is saying that disputes shall be decided by the respective sections of the nations, but this treaty does not say that.

Mr. MILLIKIN. I beg the Senator's pardon; I did not say that. I said that the disputes to which the Senator refers, which will be taken up by the Commission as such, unless they are abstractions, must reflect themselves into action on one side of the border or the other, and that the moment they do they fall under the jurisdiction of the respective sections; and that when they do, then, so far as the United States is concerned, the American section, under one of the interpretative reservations, becomes subject to all our constitutional processes.

Mr. DOWNEY. The distinguished Senator would not have made that statement, I think—and I say this respectfully—if he had been more familiar with 10 or 15 other provisions of the treaty. Let me read to him from article 24, which, I think, gives 8 or 9 other categories of extreme and complicated power. I read from page 33 of the report, subdivision (c):

> The International Boundary and Water Commission shall in general exercise and discharge the specific powers and duties entrusted to the Commission by this and other treaties and agreements in force between the two countries, and to carry into execution and prevent the violation of the provisions of those treaties and agreements. The authorities of each country shall aid and support the exercise and discharge of these powers and duties, and each Commissioner shall invoke when necessary the jurisdiction of the courts or other appropriate agencies of his country to aid in the execution and enforcement of these powers and duties.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. Not quite yet. Clearly the plan of the treaty—and it cannot be denied—is to create a new judicial agency, an international body, which will have the power to decide and determine, under its own rules of procedure, domestic disputes in the United States. It is then given the power to call upon every authority in the United States to enforce its decrees.

Mr. MILLIKIN. Will the Senator yield?

Mr. DOWNEY. Not yet. I have looked up the word "authority," and it is almost the broadest word which could have been found. It includes everything from a bailiff up to the Supreme Court of the United States. It includes the Army of the United States.

Clearly, in simple, unequivocal language, the International Boundary and Water Commission is given not only the power to decide these disputes but each Commissioner is then called upon to demand that any authority in the United States or Mexico exercise its power to enforce the decisions of the Commission.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. The Senator has made two criticisms. The first is that the sections of the Commission shall cooperate with each other in securing the objectives of the treaty. Does the Senator suggest that they should fight each other?

His second point is that when they have something to do they shall use the lawful processes of this country to do it. His other criticism is that they do not use the lawful processes of the country.

Which way is the Senator going to ride the horse?

Mr. DOWNEY. Mr. President, I think that sort of questioning and that sort of statement are not helpful in working out a sensible, rational treaty. It would be very simple indeed for the treaty to provide that Mexico shall be entitled to a million acre-feet of water, more or less, whatever it may be, and that it shall be the duty and the obligation of the Bureau of Reclamation to deliver it to her, or that the Army, or some other agency, shall do it, and then let us continue to settle our own disputes. Let us continue to handle our own issues and controversies, as we have since 1776 been entitled to handle them.

Mr. MURDOCK. Mr. President, will the Senator yield to me so I may suggest the absence of a quorum?

The PRESIDING OFFICER (Mr. HILL in the chair). Does the Senator from California yield for that purpose?

Mr. DOWNEY. I yield; yes.

Mr. MURDOCK. I suggest the absence of a quorum.

The PRESIDING OFFICER The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	George	Myers
Austin	Gerry	O'Daniel
Bailey	Green	O'Mahoney
Ball	Guffey	Pepper
Bankhead	Gurney	Reed
Barkley	Hatch	Revercomb
Bilbo	Hill	Russell
Brewster	Hoey	Saltonstall
Bridges	Johnson, Calif.	Shipstead
Briggs	Johnson, Colo.	Smith
Buck	Johnston, S. C.	Stewart
Burton	La Follette	Taft
Bushfield	Langer	Taylor
Butler	Lucas	Thomas, Okla.
Byrd	McCarran	Thomas, Utah
Capehart	McClellan	Tunnell
Capper	McFarland	Vandenberg
Chavez	McKellar	Wagner
Connally	McMahon	Walsh
Cordon	Magnuson	Wheeler
Donnell	Mead	Wherry
Downey	Millikin	White
Eastland	Moore	Wiley
Ellender	Morse	Willis
Ferguson	Murdock	Wilson
Fulbright	Murray	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present.

Mr. DOWNEY. Mr. President, before the quorum call I had been discussing a proposed amendment to strike out paragraph 2 of article 2, giving an international body, the International Boundary and Water Commission, judicial capacity to decide all disputes arising in the United States from this treaty. I have stated categorically that there is no such grant of power in any other treaty, in any law of the United States, or, so far as I know, of Great Britain. The power is clearly given in this treaty to an international organization, which is beyond the jurisdiction of our own courts, to decide our own disputes, and to enforce its judgments by use of all the authorities in the United States, apparently from bailiffs up to the Army of the United States.

To clearly understand this particular issue, I think it is necessary for the Senate to have some information and knowledge concerning subdivision (d) of article 24, to be found on page 33 of the majority report. Let me say, as we read that subdivision, that we are again taken into a world of ambiguity and confusion. I charge that the only possible explanation of the astonishing language here used is the design of someone who drafted the treaty to usurp the powers of the Senate, and to deceive the Senate.

Subdivision (d) or article 24 reads as follows :

(d) To settle all differences that may arise between the two Governments with respect to the interpretation or application of this treaty, subject to the approval of the two Governments. In any case in which the Commissioners do not reach an agreement, they shall so inform their respective Governments reporting their respective opinions and the grounds therefor and the points upon which they differ, for discussion and adjustment of the difference through diplomatic channels and for application where proper of the general or special agreements which the two Governments have concluded for the settlements of controversies.

Mr. President, I now wish to point out, first, the two different interpretations which might be made of the first sentence of subdivision (d). Probably it is the interpretation one would naturally make; but by making that interpretation we have a totally irrational statement. Let me read the first sentence:

(d) To settle all differences that may arise between the two Governments—

Let me interpolate that that means the two Secretaries of State—

with respect to the interpretation or application of this Treaty, subject to the approval of the two Governments.

If we take that sentence to mean what we would ordinarily expect it to mean, it says that if the two Secretaries of State have an argument or difference about the interpretation of the treaty, they will pass it along to the International Boundary and Water Commission for its adjudication. Then, if the Commission makes an adjudication, that decision will not mean anything, unless it suits both Governments, which already have differed regarding the controversy. There does not seem to be any rationality in that arrangement. The two Governments provide for the appointment of an umpire to settle their dispute, but the dispute has to be settled to the satisfaction of both of them.

Let me say that inasmuch as my interest was aroused regarding this matter, I referred to the Canadian treaty, to find whether it had parallel or similar provisions. I find that it does have. The Commission created by the treaty between Great Britain and the United States is given the power to adjudicate and settle disputes, if the Senate consents and if a question or issue is referred. The Canadian-American Commission is composed of six members. If a majority of four decides on a certain judgment regarding a dispute referred to it, that judgment becomes binding on both Nations.

Then I wondered whether it would hereafter be contended by someone, "Well, this sentence really should read as follows: 'Subject to the approval of the two Governments, to settle' "—that means to determine—" 'all differences that may arise between the two Governments with respect to the interpretation of the Treaty,' " and so on.

If we transpose that clause, we at least have the possibility of an interpretation that, when the Secretaries of State differ, they may agree with each other that they will have the disputes determined by the International Boundary and Water Commission, if its members can agree.

This treaty has been written in Spanish and in English. In many of its confused, bewildering points, especially those where the United States clearly is going to take the worst of it, there is a difference between the meaning of the two translations. I have before me the Spanish and American translations. I cannot conceive that any man who is acquainted with the Spanish and English languages could believe that the two different translations meant the same thing. I have had a translation made from the Spanish, by someone in the Library of Congress. Now let me point out the difference between the two translations, and why I draw the conclusion that there is a deliberate design to deceive the Senate, and to usurp powers the Senate has never yet given away.

The English version of the treaty reads as follows:

To settle all differences that may arise between the two Governments * * *, subject to the approval of the two Governments.

The Spanish translation reads as follows:

To settle, with the approval of the two Governments, all the differences which may arise.

In other words, there is a very weighty transposition of the phrase "subject to the approval of the two Governments," and the phrase is changed from "subject to the approval of the two Governments" to "with the approval of the two Governments."

I think it is very clear that the claim would be made—and recourse would be had to the Spanish translation, which undoubtedly would sustain it—that the two Governments, when they desire to do so, may refer a dispute to the International Boundary and Water Commission, and that Commission will have the power of determination. I would not object to that arrangement, if it were properly safeguarded and in precise language, and if there were a commission of, let us say, six members, instead of two, dealing with judgments which may involve rights worth hundreds of millions of dollars.

But let us go a little further, and let me explain to the Senate why I think this covering up and confusion of language and the differences between the two translations are deliberate. The treaty is one of the most involved, ambiguous grants of power ever attempted to be made. It stands in startling contrast to the other water treaty entered into by the United States. As I have said heretofore, the Canadian treaty was negotiated by Lord Bryce, the famous British writer, then Ambassador to the United States, and by the great, now departed, Elihu Root. Their treaty is simple, plain, precise, guarded—just as different from the excess verbiage and complications of the pending treaty as day is different from night.

Let me read to the Senate the very short paragraph in the Canadian treaty paralleling subdivision (d) of article 24. I now read article X of the Canadian treaty:

Any questions or matters of difference arising between the high contracting parties, involving the rights, obligations, or interests of the United States or the Dominion of Canada either in relation to each other or to their respective inhabitants, may be referred for decision to the International Joint Commission by the consent of the two parties—

I may say those two parties are the Government of the United States and the Government of Great Britain—

it being understood that on the part of the United States any such action will be by and

with the advice and consent of the Senate, and on the part of His Majesty's Government with the consent of the Governor General in Council. In each case so referred, the said Commission is authorized to examine into and report upon the facts and circumstances of the particular questions and matters referred to, together with such conclusions and recommendations as may be appropriate, subject, however, to any restrictions or exceptions which may be imposed with respect thereto by the terms of the reference.

I interpolate to say that not only are the Senate and the President of the United States entitled to pass upon the question whether there shall be a reference, but the Senate of the United States has the right to help frame the questions and determine the issues. I may say that follows our universal custom, so far as I know.

I read further:

A majority of the said Commission shall have power to render a decision or finding upon any of the questions or matters so referred.

If the said Commission is equally divided or otherwise unable to render a decision or finding as to any questions or matters so referred, it shall be the duty of the Commissioners to make a joint report to both Governments, or separate reports to their respective Governments, showing the different conclusions arrived at with regard to the matters or questions so referred, which questions or matters shall thereupon be referred for decision by the high contracting parties to an umpire chosen in accordance with the procedure prescribed in the fourth, fifth, and sixth paragraphs of article XLV of The Hague Convention for the pacific settlement of international disputes, dated October 18, 1907. Such umpire shall have power to render a final decision with respect to those matters and questions so referred on which the Commission failed to agree.

There is a plain, simple, concise method of referral, written in language which any of us can understand, and properly safeguarding the rights of both countries.

Let us again compare that to the very ambiguous and confusing language of the pending treaty, reading as follows:

(d) To settle all differences that may arise between the two Governments with respect to the interpretation or application of this treaty, subject to the approval of the two Governments. In any case in which the Commissioners do not reach an agreement, they shall so inform their respective Governments reporting their respective opinions and the grounds therefor and the points upon which they differ, for discussion and adjustment of the difference through diplomatic channels and for application where proper of the general or special agreements which the two Governments have concluded for the settlements of controversies.

Mr. President, allow me to point out that here is an attempt, under the treaty, to allow the State Department and the International Boundary Water Commission to bypass the Congress of the United States and the President of the United States in the settlement of disputes. In considering the Spanish translation, I think it is clear that the language would be held to mean that the two governments, acting through their respective Secretaries of State, could refer any question for final determination to the two sections. I am sure that the reason for that ambiguity in the English translation is a palpable desire to appropriate certain powers from the President and the Congress of the United States.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WHITE. The Senator has referred to the English and Spanish translations. I am interested in knowing whether the terms of the treaty as expressed in the two texts differ as to authenticity.

Mr. DOWNEY. Yes; they do. Relying on the judgment of Spanish scholars, I understand there are several major differences between the two translations which might lead us into a world of difficulties. If the distinguished Senator from Maine wishes to compare the Spanish and English translations on this particular point, and is sufficiently familiar with Spanish to read it, I hand him a copy of the Spanish translation and invite his attention to the top of the page where he will observe differences in translation of the pertinent phrases. He will note the words "to settle", and then the qualifying phrase "subject to approval" placed at the end of the sentence.

Mr. President, let us consider the next step. Paragraph (d) of article 24 continues:

In any case in which the Commissioners do not reach an agreement, they shall so inform their respective Governments reporting their respective opinions and the grounds therefor and the points upon which they differ for discussion and adjustment of the difference through diplomatic channels—

And so forth. Manifestly one would think that if the two Governments had a difference of opinion on some point of the treaty, had been unable to reconcile it, and the two Commissioners could not agree, nothing could be accomplished through diplomatic channels. So I think that is a minor and unimportant phrase in the treaty.

Let us take the last clause and see into what an unlimited field of speculation it draws us. I now read from the last three lines of paragraph (d):

And for application where proper of the general or special agreements which the two Governments have concluded for the settlement of controversies.

Mr. President, what does that mean? It refers to the possibility of a dispute which has arisen between the two State Departments being referred to some tribunal or some agency for settlement under general or special agreements arrived at between the two Governments. I have made an extended search and have been unable to find that we have any special agreement with Mexico for the settlement of disputes. It may very well be, Mr. President, that special agreements without this authority have been made between our two Governments for the settlement of disputes, but I have been unable to ascertain any facts concerning them.

I may also say that it might be thought that provision is being made to refer the controversy or the issue under the international arbitration treaty of the pan-American nations of 1929. But again we see that that could not be done. Let us bear in mind throughout this discussion that this treaty becomes more misleading and more confusing unless it is read with the understanding that the term "two Governments" means the respective Secretaries of State of the United States and of Mexico. With that in mind, let us again read the last three lines:

For application where proper of the general or special agreements which the two Governments have concluded for the settlement of controversies.

Mr. President, I think that only one interpretation can be made of that language, namely, that the two State Departments have effectually and totally attempted to bypass both the Congress and the President of the United States. Because there are now no special agreements, and because the language provides for special agreements by the State Department, it is clearly within the power of the State Departments to create, if they so desire, any kind of a tribunal without reference to the Senate or the President, and present any issues in any way which they may desire.

If the treaty shall be ratified, it is so certain that "he who runs may read," that within 20 years the people of the Southwest will face a major catastrophe. We are asked to make an arrangement freely and gratuitously to give Mexico the use of from 5,000,000 to 6,000,000 acre-feet of water. In looking ahead 20 years we know that the return flow will be a large part of the water going down the river. It will be highly saline. There will be a shortage of water. During those years Mexico will have been using twice as much water as the upper basin States. The whole treaty has been drafted so as to allow Mexico to use our facilities for the receipt of five or six million acre-feet of water. Then we might become involved in several great controversies. We might be faced with questions such as, Is Mexico entitled to the same kind and quality of water guaranteed under the treaty? Is Mexico entitled to claim that she has built up a right by virtue of the use of that water and that we would now attempt to destroy her civilization which we ourselves helped to build through our own facilities?

(At this point Mr. DOWNEY yielded to Mr. LUCAS for consideration of Senate Resolution 79, which appears elsewhere in today's RECORD under the appropriate heading.)

Mr. DOWNEY. Mr. President——

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MURDOCK. I make the point of no quorum.

The PRESIDING OFFICER. Does the Senator from California yield for that purpose?

Mr. DOWNEY. Yes; I yield.

The PRESIDING OFFICER. The point of no quorum having been made, the clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Brewster	Byrd
Austin	Bridges	Capehart
Bailey	Briggs	Capper
Ball	Buck	Chavez
Bankhead	Burton	Connally
Barkley	Bushfield	Cordon
Bilbo	Butler	Donnell

Downey	McCarran	Saltonstall
Eastland	McClellan	Shipstead
Ellender	McFarland	Smith
Ferguson	McKellar	Stewart
Fulbright	McMahon	Taft
George	Magnuson	Taylor
Gerry	Mead	Thomas, Okla.
Green	Millikin	Thomas, Utah
Guffey	Moore	Tunnell
Gurney	Morse	Vandenberg
Hatch	Murdock	Wagner
Hill	Murray	Walsh
Hoey	Myers	Wheeler
Johnson, Calif.	O'Daniel	Wherry
Johnson, Colo.	O'Mahoney	White
Johnston, S. C.	Pepper	Wiley
La Follette	Reed	Willis
Langer	Revercomb	Wilson
Lucas	Russell	

The PRESIDING OFFICER. Seventy-seven Senators having answered to their names, a quorum is present.

Mr. DOWNEY. Mr. President, in the first part of this address I stated that the reservations or interpretations which the distinguished chairman of the Committee on Foreign Relations stated would be presented were entirely futile and meaningless, because they attempt to go only to the power granted to the American section of the International Boundary and Water Commission, and do not purport to go to the power granted to the International Boundary and Water Commission, or to the two State Departments.

I also stated that at least 90 or 95 percent of the dictatorial and extreme powers granted in the treaty were lodged in the International Boundary and Water Commission and in the State Departments. Only to a very minor degree are they lodged in the respective sections in each nation.

Mr. President, I had pointed out one of the very simplest and shortest of the articles, but one conferring on the State Departments huge power and authority. It is article 19. It is only three lines long, and I wish to read it again, and again I want to say in advance, that among the definitions of phrases contained in the treaty, the expression "two Governments" is said to mean the State Departments of the two Nations. Article 19 reads:

> The two Governments shall conclude such special agreements as may be necessary to regulate the generation, development, and disposition of electric power at international plants, including the necessary provisions for the export of electric current.

In that article the Senate of the United States is saying to the State Departments, "You have a green light. You may build whatever electric generating plants you think are advisable, and you may build transmission lines"—and, as I shall show in other sections—"have entire power of sale and regulation."

One of the most amazing things in the hearing and in the treaty is the myriad of inaccuracies appearing almost everywhere. As we proceed, I think that in almost every article and every sentence we can point out either very loose and negligent explanations or language, or a design to deceive the Senate of the United States.

A black book, so-called, was first distributed to the members of the Committee on Foreign Relations by the State Department, containing an alleged description and account of the treaty. In many cases the statements in it are inaccurate, or incomplete, distorted, or totally false.

The black book, in discussing article 19, says this:

> This article makes provision for the regulation by the two Governments of the generation and disposition of electric energy at international plants which may be built on the boundary portion of the Rio Grande.

There is no such limitation in article 19. Other statements by the representatives of the State Department show, as the face of the treaty shows, that article 19 is in the portion of the treaty dealing with the Colorado River, the Tia Juana, and the Rio Grande. Yet here was the person who drafted this black book either so totally ignorant of the facts that he misstated them, or intentionally designing to misconstrue the powers.

The powers under article 19 are not limited by the treaty to the Rio Grande, as improperly stated in the black book.

Article 19 raises a great many questions. In the first part of the treaty, where the Commission is given the power to build electrical plants, they are characterized as hydroelectric plants. For some reason in article 19 the prefix "hydro" is dropped out. So I think the fair implication arises that under the authority contained in article 19 the two State Departments could put in steam plants if they desired. We have found in the West, and I think elsewhere throughout the United States, that the proper and rational regulation and disposition of hydroelectric power requires the concurrent use of power produced by steam.

Again I would have no objection, if it was desired in the treaty to give some power, and plainly and precisely to define and delimit it, but we are left in a state of confusion and uncertainty after reading article 19 as to whether it is solely a grant of power for hydroelectric plants or whether also it carries the right to build steam plants with it.

The reason I am making these comments at this particular time is because, when I began my address, I stated that I later would present an amendment to the Senate striking out paragraph 2 of article 2 of the treaty, which gives the International Boundary Commission the complete and plenary power to determine the meaning of the treaty and the rights and obligations existing under the treaty.

Mr. President, I know of no other law that Congress has passed which gives such a grant of power to any of our own governmental agencies as is contained in article 19. I am somewhat familiar with the power given to the Reclamation Bureau and other governmental agencies in the West, but I know of no such unlimited grant.

I forgot to mention that while the very moderate and concise Canadian treaty comes up for renewal every 5 years, this treaty, of course, may be in perpetuity. It can never be changed except by consent of both countries, although it may be breached by Congress if we want to dishonor our own contract.

Mr. President, I ask Senators to reflect upon the second paragraph of article 2 in connection with article 19. I might say there are a great many conditions in the treaty in which the construction of that language becomes of immense importance. I am taking article 19 only because it is very short and simple and deals with conditions with which we are all familiar. I would say if we give the ordinary meaning to the language in paragraph 2 of article 2 that—

> The application of the present treaty, the regulation and exercise of the rights and obligations which the two Governments assume thereunder, and the settlement of all disputes to which its observance and execution may give rise are hereby entrusted to the International Boundary and Water Commission.

It would certainly give to that Commission the power to say whether that section applied to steam plants as well as hydroelectric plants; applied to what kinds of distribution systems. It would give the Commission the right to devote the power wholly to public uses or to sell it to some great private corporation.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield.

Mr. MILLIKIN. Will the Senator not concede that under one of the interpretative reservations proposed by the distinguished senior Senator from Texas, that before any work shall be constructed the prior consent of Congress must be had?

Mr. DOWNEY. I did not clearly understand the question.

Mr. MILLIKIN. I ask the Senator whether he would concede that there is a proposed reservation before this body whereby before any works or plants are constructed the prior consent of Congress must be had?

Mr. DOWNEY. No, Mr. President. I wish to say to the distinguished Senator that I am quite sure that he is wrong in that respect. The interpretative reservations are very plain. If I may read the language in all three of them:

> That no commitment for work or expenditures shall be made by the United States section of the International Boundary and Water Commission.

Throughout those three reservations, I might say to the distinguished Senator from Colorado, the expression is used "the United States section of the International Boundary and Water Commission." That would not in any way curtail or limit the grant of power to the two Secretaries of State. Not at all, Mr. President.

Mr. MILLIKIN. Let me ask the distinguished Senator: Where would the Commission as such get the money to build these power plants?

Mr. DOWNEY. I will say to the distinguished Senator that, when we go deeper into the treaty, I think some Senators will probably agree that the Commission will have the power to borrow the money and perhaps even compel the R. F. C. to loan money. We will go into that later. But let us consider the immediate point. I presume the Commission would come to Congress for the money, for an appropriation, and I will

freely grant that Congress would have the right to breach the treaty if it so desired. The Supreme Court has held that when the intention of Congress is unequivocal not to live up to the terms of a treaty, the later statute overrides the treaty. As the distinguished Senator knows, under the Constitution, the laws of Congress and treaties are made the supreme law of the land. The treaty is an obligation between two governments, but if the Congress wants to dishonor itself, if Congress wants to say, "Surely we agreed that this contract could be made and this procedure be followed, but now we are sorry and we will not make the necessary appropriations," Congress can do so.

Mr. MILLIKIN. To shorten the discussion between us, the assumption on my part is that Congress would have to give preliminary consent. That is either implied in the treaty, or results from a reservation. On that assumption, which I do not ask the Senator to join, I suggest that Congress then, as it customarily does in all its authorization bills, could limit and prescribe all the duties with respect to the generation and distribution of electric energy.

Mr. DOWNEY. The treaty simply is not written that way. It would be very simple to add three or four lines, providing that before the American section of the International Boundary and Water Commission, the Commission itself, or the respective governments, meaning the two State Departments, shall make any commitments, they shall receive the prior consent of Congress. We could do that, Mr. President, but we have not done it. Again, let me say that the interpretative reservations do not even attempt to reach the conditions of article 19.

Mr. MILLIKIN. I did not intend to go into the whole field of interpretation. I am listening intently to the Senator's arguments. I merely wish to offer the suggestion that the Secretary of State, the R. F. C., and other domestic agencies are under the control of Congress. If we wished to do so—I am not suggesting that we should—we could prescribe a legislative code for the conduct of the Secretary of State with reference to treaties of this kind. Congress enacts the laws which give the Secretary of State his power. It could take away every power of the Secretary of State. It could prescribe a complete code for the use of his power. The same situation applies with respect to the Reconstruction Finance Corporation. If we wished to do so—and I make nothing particular of the argument at this moment—we could completely limit all the agencies which the Senator thinks might possibly have a hand in furnishing money for the construction of such projects.

Mr. DOWNEY. Of course, we could; and that is one of the things I will seek to have done in connection with this treaty. I wish to have it made plain that neither the American section, the Commission itself, nor the State Department, shall have the power to enter into contracts binding the Government.

The Senator and I seem to differ with respect to article 19. It is so simple, so plain, and so precise that I cannot make any other meaning out of it. Let me read it again—

> The two Governments—

By definition, meaning the two State Departments—

> shall conclude—

I emphasize the word "conclude." It means to bring to a final end—conclude, as against Congress and the President—

> such special agreements as may be necessary to regulate the generation, development, and disposition of such electric power at international plants, including the necessary provisions for the export of electric current.

I am not saying to the distinguished Senator that this body does not have the right to change that provision. I hope it will. I am only saying that the interpretative reservations already presented by the Senator from Texas do not go to that extent at all, although, judging from his remarks, he evidently believes that they do.

Mr. MILLIKIN. I do not wish to argue with the Senator at this time with respect to his interpretation of the interpretative reservations of the treaty. I am merely suggesting that, on the basis of the assumption which I have stated, and which I do not ask the Senator to accept, Congress, when it appropriates the money, in accordance with its traditional habit, can prescribe all the rules and regulations applicable to spending of the money. After the Congress has done that, it is customary routine administrative practice for the responsible agencies to make the necessary administrative contracts. There is nothing novel about that. Under the Boulder Canyon Act, Arizona, Nevada, and California have administrative contracts with the Department of the Interior, which were authorized by Congress.

Mr. DOWNEY. I think the Senator fails to take into account the fact that a treaty is a contract between two sovereignties. It can be made by our President for us, if the Senate gives its advice and consent. In the unequivocal language of the treaty, we are saying to Mexico, "your Secretary of State and our Secretary of State shall have the right to bind the two Governments by whatever arrangements they may wish to make for the production, disposition, and transfer of electric power." There is no reason for the distinguished Senator and me to argue about it. If he is willing to add 5 or 10 lines to the treaty, between 50 and 100 bad situations can be cleared up by such language, providing that before the Secretaries of State, the American Section of the International Boundary and Water Commission, or the International Boundary and Water Commission itself, can make any binding contract, the plans must first be submitted to the Congress of the United States and receive its approval. It is something which we do not have to leave in doubt.

Mr. MILLIKIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from California yield to the Senator from Colorado?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I am listening very intently to the Senator's development of his views. He has stated that the matter does not have to come to Congress for its prior consent. The issue is, Does it or does it not? That is why I make my present comments on the basis of an assumption.

Mr. DOWNEY. Again, I wish to have it clearly understood that this is only one of many cases in which, under the treaty, agencies or persons are given the green light by us to do whatever they wish to do in certain respects. Of course, it is true that if our Government, through the Secretary of State, should enter into a contract with Mexico to spend $250,000,000 for hydroelectric plants, the House of Representatives and the Senate could say, "We gave you the power to make that contract, but we think it is an improvident contract, and we are not going to live up to it. We are not going to let you have the money."

Congress would have the power to do that. The sovereignty of the United States would then be in default. There might be an appeal to international arbitration; and, to the extent that Mexico might show that she was injured by our failure to live up to our treaty, she could possibly demand reparations. We certainly would be disgraced in the eyes of the world, because we would be breaching our treaty.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. O'MAHONEY. As I understand the argument which the distinguished Senator from California is making, it is to the effect that the terms or words of article 19, when interpreted in the light of paragraph 2 of article 2, convey to the International Boundary and Water Commission the authority to make special agreements. Is that the Senator's contention?

Mr. DOWNEY. In paragraph 2 of article 2, power is given by us to the International Boundary and Water Commission to determine the scope of the powers and privileges of the two nations under the treaty. The International Boundary and Water Commission would have the right to say what should be the limits on the two Governments—that is, the two Secretaries of State—under article 19. I am now referring only to the second paragraph of article 2.

Mr. O'MAHONEY. The second paragraph of article 2 merely provides that the International Boundary and Water Commission shall have the authority to apply the present treaty, if it shall be approved, and shall have the power to regulate and exercise the rights and obligations which the two Governments assume under the treaty. That is correct, is it not?

Mr. DOWNEY. Yes; that is correct.

Mr. O'MAHONEY. The question which I wish to ask the Senator is whether it is his contention that article 19, which provides that the two Governments shall conclude such special agreements as may be necessary to regulate the generation, development, and disposition of electric power at international plants, amounts to a conveyance to the International Boundary and Water Commission of the

power to make such special agreements?

Mr. DOWNEY. No, Mr. President; I have not been making any such contention as that.

Mr. O'MAHONEY. I wished to be clear. I thank the Senator.

Mr. DOWNEY. Article 19 very clearly gives to the State Departments of the two countries the power to conclude such special agreements as they wish to conclude, relating to hydroelectric power and perhaps to other kinds of power. Article 19 is very simple; it is very precise. It gives to our State Department, on behalf of the United States, the power to conclude whatever kind of treaty it desires to have concluded. In effect, we pass over to the State Department, in advance, the treaty-making power.

Perhaps I make a somewhat broader interpretation of the word "application," in paragraph 2 of article 2, than the distinguished Senator from Wyoming does. I have looked up the definition of the words "The application of the present treaty." I think we thereby make the Boundary Commission the judge or the agency which shall determine with what scope and as to what rights and against what persons the treaty shall apply. The Senator from Wyoming may be correct in giving it the meaning he does, in regard to the application of the treaty; but that can scarcely be the correct meaning, because under the treaty powers are given to the State Department and to the American section.

Mr. O'MAHONEY. Mr. President, will the Senator further yield?

Mr. DOWNEY. I yield.

Mr. O'MAHONEY. I merely asked a question. I did not make an attempt to interpret the language. I merely tried to make clear in my own mind what the Senator's point was.

Now, returning to article 19, I wish to ask the Senator on what ground he contends that the use of the phrase "the two Governments" means the two State Departments.

Mr. DOWNEY. If the distinguished Senator from Wyoming will return to article 2, paragraph 3, reading:

> The Commission shall in all respects have the status of an international body, and shall consist of a United States section and a Mexican section. The head of each section shall be an engineer commissioner.

Now I read the important language:

> Whenever there are provisions in this treaty for joint action or joint agreement by the the two Governments, or for the furnishing of reports, studies, or plans to the two Governments, or similar provisions, it shall be understood that the particular matter in question shall be handled by or through the Department of State of the United States and the Ministry of Foreign Relations of Mexico.

Mr. O'MAHONEY. The words "by or through" are used. If the Senator will pardon me, let me say that I judge that to be merely a saving clause to make it clear that the International Boundary Commission shall not have the authority to carry on the negotiations, but that the negotiations shall be carried on solely by the Department of State of our Government and by the Ministry of Foreign Relations of Mexico. So it seems to me that the language the Senator has cited is restrictive, and not at all a grant of power, as the Senator argues.

Mr. DOWNEY. Mr. President, throughout the hearings, the witnesses on the part of the State Department assumed that when the expression "the two Governments" was used, it included and referred to the two State Departments. I think it is very clear that it does.

Mr. O'MAHONEY. It has never been my understanding that the word "Government," as so used, refers to an appointive branch of the Government of the United States. Certainly, when used in an international treaty, the word "Government," it seems to me, in all reason and common sense should be interpreted as applying solely to the Government in its entire capacity; namely, the executive, legislative, and judicial branches.

Mr. DOWNEY. I agree with the distinguished Senator. By simply striking out a few words we will clarify the point. I may say that the witnesses for the State Department assumed that the correct interpretation is the one I have made.

Perhaps ambiguity may be found in the use of the words "or through." If so, let us leave them out. If we leave them out, we find that the language is—

> Whenever there are provisions in this treaty for joint action or joint agreement by the two Governments, or for the furnishing of reports, studies, or plans to the two Governments, or similar provisions, it shall be understood that the particular matter in question shall be handled by the Department of State of the United States and the Ministry of Foreign Relations of Mexico.

Such a provision clearly bypasses the Congress and, I think, the President of the United States.

If the distinguished Senator will read the reports of the State Department and the testimony on behalf of the State Department, he will find that they clearly give that interpretation and meaning to the provision; namely, that the expression "two Governments," when used in the treaty, calls for action by or through the State Department.

Let me ask the distinguished Senator to examine article 19. If the Senator gives it any interpretation other than that, how does he mean that the two Governments shall enter into the special agreements? Does the Senator mean they shall do so by another treaty coming before the Senate?

Mr. O'MAHONEY. It might easily be so. It would depend upon what the type of agreement might turn out to be. It might be a purely administrative agreement which would not require any action by the Senate of the United States.

It seems to me that we have here a clear illustration of what an executive agreement can be. An executive agreement, as I have always understood it, means an agreement to carry out an obligation which has been clearly assumed in the constitutional manner. A treaty, however, goes beyond that, and it involves considerations of governmental policy.

I have risen to question the Senator merely in order to make my own mind clear as to his argument regarding the extent of the power which he believes this language conveys to the State Department. My own inclination at the present state of the development of the argument is to interpret this language as meaning merely that where executive agreements in their narrow sense are necessary, they may be carried out by negotiations by the State Department; but I see nothing here to indicate any intention to convey away the treaty-making power of the Government of the United States, which includes the Senate. Perhaps the Senator will convince me as he proceeds.

Mr. DOWNEY. Mr. President, I have no hope of convincing the Senator if this very plain language does not do so. The treaty provides, for some particular, specific reason, that where the expression "two Governments" is used, it means that the matter shall be handled by the State Departments. I do not think anyone else has taken the position the Senator takes, so far as I know, with the possible exception of the distinguished junior Senator from Colorado. All the witnesses on the part of the State Department and all the other witnesses, so far as I understand, and certainly all the lawyers on our side, considered that it is very plain that this language is a clear designation of power on the part of the two Governments regarding the development and disposition of power.

Again, I say to the distinguished Senator that, even if we assume he may be correct, certainly the language is highly ambiguous. Here is a phrase which comes into the treaty, one which has never before been used in any treaty or law of which I know. It is a simple matter to strike it out, and to provide that whenever the two Governments are named, such agency as the Senator may have in mind shall act.

I, for one, certainly cannot agree that under article 19 it would be necessary for the State Department, in making the contract as provided for in article 19, to act by and with the consent of the President and of Congress.

Mr. O'MAHONEY. Let me ask the Senator another question. I have before me the reservations intended to be proposed by the distinguished chairman of the Foreign Relations Committee, the senior Senator from Texas. Paragraph (a) reads as follows:

> (a) That no commitment for works or expenditures, other than those specifically provided for in the treaty, shall be made by the United States section of the International Boundary and Water Commission without prior approval by the legislative branch of the Government.

Is it the contention of the Senator from California that because this reservation refers to the United States section of the Commission it does not prevent the two Governments, under article 19, from making a special agreement to expend money for the generation, development, and disposition of electric power without prior approval?

Mr. DOWNEY. Mr. President, I believe that that part of the reservation is as plain as daylight. It applies only to the power of the United States section. It does not apply to the power of the State Departments, or the power of the International Boundary and Water Commission. If the distinguished Senator

thinks that it does, or that it should, we can easily insert the words "to the International Boundary and Water Commission and the State Departments." There is no purpose in having a vast amount of ambiguity. We have been dealing only with comparatively simple matters. Later I shall show the Senator to what complication and bewilderment we may come in this matter.

Mr. President, again I wish to point out how wholly inaccurate were the reports on this treaty which were made by representatives of our Government to the Foreign Relations Committee. We have already seen a marked difference of opinion in two translations. We have already read from the black book in which was described a very different situation concerning article 19 of the treaty.

Mr. WILEY rose.

Mr. DOWNEY. I shall be very happy to yield to the Senator from Wisconsin whom I see standing.

Mr. WILEY. Mr. President, I have listened to the argument of the Senator in relation to article 19 of the treaty. If we were to insert the word "hydro" before the word "electric," and insert the word "hydro" before the word "plants" would that in his opinion clarify the language?

Mr. DOWNEY. Yes; I think it would help very much to clarify the language.

Mr. WILEY. I wish to propound to the Senator another question. Paragraph (a) of the Connally reservation reads as follows:

> That no commitment for works or expenditures, other than those specifically provided for in the treaty, shall be made by the United States section of the International Boundary and Water Commission without prior approval by the legislative branch of the Government.

Would the Senator's objection be satisfied by inserting, in line 7, after the words "by the" the words "State Department or"?

Mr. DOWNEY. I believe the insertion of those words would greatly improve the language. I may suggest that instead of inserting the words "United States section" we insert the words "State Department." That would meet my objection. There are Senators who are very much more experienced than I am. Throughout this treaty and in the reservations, strange and unusual language has been used, indicating that the draftsmanship was that of someone who is not a lawyer or even familiar with the processes of the United States Government. The distinguished Senator who has just spoken will note in the suggested reservation that instead of providing for action by an act of Congress, which would naturally be expected, the language is, "approval by the legislative branch of the Government." If the language had been "approval by the Senate," we would have a different thing. Does the use of the words "by the legislative branch" mean a concurrent resolution? I do not know. I discussed the point with representatives of our legislative counsel, and they stated that they had no idea why that particular language had been used. The usual expression is, "by act of Congress," which would require the signature of the President of the United States, if the law were approved by him, or, if not, a law which had been enacted over his veto.

Throughout the treaty and, as we shall see later when examining the reservations, there is weird and unusual language which any lawyer will find exceedingly difficult properly to assess.

Again, I wish to point out how totally inaccurate and misleading were the statements made to the Foreign Relations Committee by certain individuals. Perhaps some of the Senators have overlooked it, but there is involved in this treaty not two rivers but three rivers. The third river is the Tia Juana. It is a small, humble, and modest stream which rises in Lower California and flows into the Pacific Ocean above San Diego. There are hundreds of farmers living in the Tia Juana Valley who are dependent upon irrigation from that stream. One of our beautiful cities in that region obtains its water supply from the Tia Juana River.

The Mead report was to the effect that it would be very simple and easy for the State of California, or the city of San Diego, to enter into some kind of an agreement with Mexico concerning the use of the water from the Tia Juana. I think it should be done. I do not think the Federal Government should be burdened with the matter, except to give its consent. Naturally, I, for one, shall protest as loudly as I can against interfering with the welfare of the people living in the Tia Juana Valley.

In the report of the Secretary of State which was transmitted by the President to the United States Senate it is unequivocally stated, in language so plain that no one can doubt its meaning, that the only provisions in the treaty relating to the Tia Juana River are those providing for an investigation and for recommendations to the two countries involved. In carefully reading the treaty I believe that all Senators will be convinced that it would hand over to our two State Departments complete power of treaty making between Mexico and the United States regarding the Tia Juana River.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WHITE. A moment ago the Senator was speaking of reservations which have been suggested, and from which I quote in part. Paragraph (a) of the Connally amendment reads:

> That no commitment for works or expenditures, other than those specifically provided for in the treaty, shall be made by the United States section of the International Boundary and Water Commission without prior approval by the legislative branch of the Government.

The meaning of that reservation turns entirely on what is specifically provided for in the treaty. It causes me to invite the Senator's attention to article 24 of the treaty, the first paragraph of which reads:

> The International Boundary and Water Commission shall have, in addition to the powers and duties otherwise specifically provided in this treaty, the following powers and duties:

That language refers to the powers and duties which are conferred on the International Boundary and Water Commission under article 24 of the treaty.

Paragraph (a) of article 24 of the treaty reads in part as follows:

> To initiate and carry on investigations and develop plans for the works which are to be constructed or established in accordance with the provisions of this and other treaties or agreements in force—

And so forth. Are the powers as set forth in paragraph (a) of article 24, as well as paragraphs (b) and (c), specifically provided for in the treaty?

As a second question I should like to ask the Senator whether the language which I am about to read relates only to treaties and agreements which are in force at the time this instrument is ratified—if it shall be ratified—or whether it includes treaties and agreements which may hereafter be negotiated and hereafter put into force between the two Governments. The language to which I refer reads as follows:

> Established in accordance with the provisions of this and other treaties or agreements in force.

Mr. DOWNEY. I should like to be helpful to the distinguished Senator as he has been to me so many times, but both provisions about which the Senator inquires are, to me, ambiguous. I do not know. Among our own group of lawyers—and there are some very able men here from California, I might say to the distinguished Senator from Maine—there is a marked difference of opinion as to what would constitute a specific power. The American section of the International Boundary and Water Commission has almost no power to make commitments for money or for buildings, but one of the powers it does have is to provide for gaging stations on international streams. Among our own group of lawyers, there was a radical difference of opinion as to whether that was a specific power or a general power. In other words, under that could the American section proceed to make arrangements under a specific power to put in gaging stations, or would the specific power relate to a particular gaging station? I simply do not know.

I have forgotten the second part of the Senator's question, but I could not have answered that either, because the language is too ambiguous.

Mr. WHITE. The substance of what the Senator has said furnishes no information at all to me.

Mr. DOWNEY. Yes, I understand; and I have no information to give, because to me the questions raised by the Senator could be learnedly argued by distinguished lawyers, such as we have in the Senate, and very persuasively argued, as the distinguished Senator from Colorado argued yesterday, but I cannot think that persuasive argument removes the ambiguity.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WILEY. In relation to article 24, a portion of which was read by the minority leader, I refer to paragraph (b), which in part reads:

> To construct the works agreed upon or to supervise their construction.

Is it the judgment of the distinguished Senator from California that if paragraph (a) of the so-called Connally resolutions were amended to read as I suggested, to wit, "That no commitments for work or expenditures, other than those specifically provided for in the treaty, shall be made by the Government," or, we will say, "the State Department, or the United States section of the International Boundary and Water Commission, without approval by the legislative branch of the Government," then there would be provided such a check as the Senator has spoken about. In other words, there could not be a free-for-all expenditure by either the Secretary of State or the United States section of International Boundary and Water Commission.

Mr. DOWNEY. Yes; I would agree with what the Senator says on that point. Apt language could be used to convey clearly the idea that the Congress of the United States must agree to what it is wanted to have done.

Mr. WILEY. In other words, the argument suggested by the Senator that, without some such language, if the power were conferred, the Department of State and the United Staes section of the International Boundary Commission might go ahead and make contracts and thereafter if the money was not forthcoming it would be a breach of the treaty—that argument then would not be effective because the reservation would take care of that situation; would it not?

Mr. DOWNEY. I think it would. I might say to the distinguished Senator from Wisconsin who so faithfully attended the hearings of the Foreign Relations Committee, that almost innumerable other questions are involved. Generally, throughout this treaty, the United States Government obligates itself to build certain works, diversion dams, storage reservoirs, and hydroelectric plants. Some of those are specific commitments. Throughout the treaty there is not one word about what shall be done with any of the money which may accrue from the sale of water or power. There is not even a statement that the International Boundary Commission or our State Department must, out of the receipts, pay for the operation and maintenance of the diversion dams. As a matter of fact, there is a specific obligation on the part of the United States Government to pay for certain things, including the construction cost and the operation and maintenance; but we are left in a tremendous void as to what shall be done with the receipts. Will they be deposited generally in the United States Treasury? Will the State Department or the Commission have the power to operate a private business and take in money and pay costs and expenses? What I am leading up to is: The treaty is filled with such unusual, suspicious, and challenging language that it could be discussed for weeks and the more it was discussed the more confusing it would be.

Let me call the attention of the Senate to a few more words in article 24, subdivision (a) which deals with the powers and duties of the International Boundary and Water Commission:

(a) To initiate and carry on investigations and develop plans for the works which are to be constructed or established in accordance with the provisions of this and other treaties or agreements in force between the two Governments dealing with boundaries and international waters; to determine, as to such works, their location, size, kind, and characteristic specifications; to estimate the cost of such works; and to recommend the division of such costs between the two Governments—

I want to emphasize the next clause—

the arrangements for the furnishing of the necessary funds.

"The arrangements for the furnishing of the necessary funds." So far as I am advised by the lawyers representing the Senate, they know of no such language in any other treaty or in any law. They do not know what it means. Could it be argued that it means that to the extent the receipts are coming in for the sale of water and power the International Boundary Commission shall recommend the further expenditure of the money to build additional works and facilities? Does it mean that this international body, which it is admitted cannot be sued in the United States, is to have the power to borrow money? Does it mean, if the International Boundary and Water Commission wanted to recommend to the two State Departments that $100,000,000 should be borrowed from the R. F. C. for the purpose of building a hydroelectric plant, that that would come within the purview of this language? Simple, ordinary language would provide for an appropriation by the Congress, if that is what is meant.

The Commission may possibly want to borrow money or to build new plants with the receipts from plants specifically agreed to be constructed under the treaty. I do not know; but I say there is a large possibility that if these specific irrigation and power facilities are once constructed there will be a huge income accruing to someone.

In that connection, let us involve ourselves in further speculation. As I say, I have studied the terms of this treaty for 30 days, and I know far less about its meaning now than I knew before I began to study it. But let us take up the paragraph in article 23 at the top of page 33. Amongst the Members of the Senate are some superlatively fine lawyers. If any of them have a clear-cut opinion as to what this language means, I shall be very grateful to receive it—

Each Government—

As we know, the words "the two Governments" mean the State Departments of the respective Nations, but here is the expression "each Government." Does that mean again the State Departments, or does it refer to the sovereignties? Let us assume for the time being that refers to the sovereignties—

Each Government shall retain, through its own section of the Commission and within the limits and to the extent necessary to effectuate the provisions of this treaty, direct ownership, control, and jurisdiction within its own territory and in accordance with its own laws, over all real property, including that within the channel of any river, rights-of-way and rights in rem, that it may be necessary—

And so on. Does that mean that legal title will be taken by each section—is that what it means—to the exclusion of the Government of the United States? Why is that expression used, "direct ownership and control through its own section of the Commission"? What is the reason for putting that in? What does it mean? If these facilities are to be built by the Government of the United States, why would we want to vest title, ownership, and control in the respective sections?

Mr. FERGUSON. Mr. President, will the Senator from California yield?

Mr. DOWNEY. I yield.

Mr. FERGUSON. Could that section mean the Secretary of State? Is there any authority for the Secretary of State—that is, the executive branch of the Government, I take it—to own real estate?

Mr. DOWNEY. So far as I know, there is none.

Mr. FERGUSON. As I understand, when we refer to the Department of State, we are not referring to a constitutional body or office, we are referring to a statutory office, and therefore we are referring to the executive branch of the Government alone, because the Secretary of State is part and parcel of the executive branch. So it could not mean, could it, that the Secretary of State was to hold title to this land? Do we not find that the word "government" here is used with a different meaning, and when the Government is to act, it seems to confer upon the Secretary of State the power to act for the Government?

Mr. DOWNEY. That is a very persuasive and logical argument, but if the Senator will now permit me to ask him a question, what does the distinguished Senator believe is the purpose in having the ownership and control vested in the American section rather than in the Government of the United States? Let me develop the point a little further, and then if the distinguished Senator wants me to yield, I should like to do so, because I should like to think aloud on this treaty.

As I have said, the whole treaty is a total void, so far as stating who shall run these works, how much they shall charge, where the money shall be deposited, what obligations shall be met, and what kind of an accounting there may be. The distinguished Senator from Tennessee [Mr. MCKELLAR] was rightly somewhat disturbed over present conditions in connection with the T. V. A. This goes so far beyond that that we are in a different world. As we will later see, there is a direct obligation on the part of the two Governments, and particularly the United States not only to construct these works, but to maintain and operate them.

What is to become of the money that comes in from the sale of power or from the sale of water? Will it come into the legal possession and title and bank account of the American section? Would that section then have a free hand to expend it as it desired, of course, as a trustee, to go on with additional development? I am not indicating mis-

appropriation. I might say, in connection with this, that there are many other provisions bearing on this subject.

Mr. FERGUSON. Does it not refer to this body to be set up as an international body, when the two sections are acting together? There is no doubt about that, is there?

Mr. DOWNEY. That is clearly a legal entity of a new character.

Mr. FERGUSON. That international body, as I understand, is not subject to the jurisdiction of any court?

Mr. DOWNEY. That seems to be agreed.

Mr. FERGUSON. The Congress or the Constitution has not conferred any power over an international body. But as to who may handle the money, I state frankly I find no provision in the treaty as to what particular agent would handle the money, unless it would be the Commission.

Mr. MILLIKIN. Mr. President, will the Senator from California yield?

Mr. DOWNEY. I yield gladly.

Mr. MILLIKIN. Let me suggest to the distinguished junior Senator from Michigan that if this treaty, with the interpretative reservations, preserves to Congress the right to exercise its prior judgment on whether or not, we will say, an electrical plant shall be built, then, under our accustomed procedure in drafting statutes which authorize works, we prescribe all the terms and conditions under which that plant shall be operated so far as we are concerned, and what shall happen to the revenues, so far as we are concerned

Mr. FERGUSON. Will the Senator from California yield in order that I may reply to the Senator from Colorado?

Mr. DOWNEY. I yield to the Senator from Michigan.

Mr. FERGUSON. I could only answer that by saying that if the two Governments are to act and confer upon this Commission certain power, then the question of the Senator from Maine is material. If they specifically confer the right to construct certain works and make certain expenditures, then the reservation would not apply, because it says—

(a) That no commitment for works or expenditures other than those specifically provided for in the treaty, shall be made by the United States section of the International Boundary and Water Commission without prior approval by the legislative branch of the Government.

I thought that the question asked by the senior Senator from Maine was very pertinent, and it has not yet been answered. It was as to whether or not under article 24 all the work has not been specifically provided for by the treaty, even though it is not spelled out, even though it is not said it is so many yards up a river or so many yards down a river, yet it is provided for in the treaty, and it would not be necessary to come back to Congress for anything specifically provided for in the treaty. I think our trouble probably will be over the words "specifically provided for."

Mr. MILLIKIN. I agree with the Senator that those things which are specifically provided take on the nature of an authorization in this treaty. The question is as to other works which might be built which are not specifically provided, such as these electrical plants about which we have been talking, whether these would have to come to Congress for prior approval. If they come to Congress for prior approval—and that is my assumption at the present time—then we, under our accustomed procedure, as we do whenever we have a power project in connection with a dam, would establish the terms under which the project should be operated, and would prescribe about the revenues, and what should be done with them. That was my point in making my intervention.

Mr. FERGUSON. I would agree that if a project were not specifically provided for in the treaty, it would be necessary to come back to this body, and this body would have to appropriate, and in the appropriation and in the control of the building of the project we could provide who would collect the money and who would not. I agree with the Senator.

Mr. MILLIKIN. Would the Senator be good enough to point out to me, if he has found such a provision, where a specific electrical plant has been authorized?

Mr. FERGUSON. It is provided for in paragraph (a) of article 24:

The International Boundary and Water Commission shall have in addition to the powers and duties otherwise specifically provided in this treaty, the following powers and duties:

(a) To initiate and carry on investigations and develop plans for the works which are to be constructed or established in accordance with the provisions of this and other treaties or agreements in force between the two Governments dealing with boundaries and international waters; to determine, as to such works, their location, size, kind and characteristic specifications; to estimate the cost of such works; and to recommend the division of such costs between the two Governments, the arrangements for the furnishing of the necessary funds, and the dates for the beginning of the works, to the extent that the matters mentioned in this subparagraph are not otherwise covered by specific provisions of this or any other treaty.

Mr. DOWNEY. Mr. President—

Mr. MILLIKIN. Mr. President, will the Senator permit me to finish?

Mr. DOWNEY. I will yield in a moment. Let me read the specific provision relating to the Rio Grande, about which the Senator asked, in connection with the section that has just been read by the distinguished Senator from Michigan. I read now article 7, on page 22, as follows:

ARTICLE 7

The Commission shall study, investigate, and prepare plans for plants for generating hydroelectric energy which it may be feasible to construct at the international storage dams on the Rio Grande (Rio Bravo). The Commission shall report to the two Governments in a minute the works which should be built, the estimated cost thereof, and the part of the works to be constructed by each Government. Each Government agrees to construct, through its section of the Commission, such works as may be recommended by the Commission and approved by the two Governments. Both Governments, through their respective sections of the Commission, shall operate and maintain jointly such hydroelectric plants. Each Government shall pay half the cost of the construction, operation, and maintenance of such plants, and the energy generated shall be assigned to each country in like proportion.

Before I turn the discussion back to the Senator from Colorado I should like to say that while each government is obligated to pay half the cost of construction of such plants, and the energy shall be equally divided, in the construction of the storage dams which are much the most costly item, the United States is to pay very much more than one-half.

I now turn the discussion back to the Senator from Colorado.

Mr. MILLIKIN. I may say to the distinguished junior Senator from Michigan that from the language the Senator from Michigan last read, and the language which the distinguished junior Senator from California last read, there is certainly no specific authorization for the construction of any particular electrical plant. It is analogous to the authority we give all the time, for example, to the United States Army engineers to make investigations and to come back with a report. There is no specific authorization in any such provision.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WHITE. Article 24 provides:

The International Boundary and Water Commission shall have * * * the following powers and duties:

(a) To initiate and carry on investigations and develop plans for the works which are to be constructed or established in accordance with the provisions of this and other treaties or agreements.

I take it the words "treaties or agreements" are used somewhat technically. A treaty must be ratified by the Senate, and an agreement is executive in character and need not come to the Senate for ratification.

The thing which troubles me is that if in a treaty or if in an agreement it is provided that dam A with appurtenant works shall be built, that is specific, and that would lift that work out from under the requirement of this reservation, as I understand.

Mr. MILLIKIN. Yes, but may I ask the distinguished senior Senator from Maine: What is the particular works that he has in his mind? I mean, let us either keep it in a specific category, or in an unspecific category.

Mr. WHITE. I am not quite clear what is in my mind, to be perfectly frank about it. I am groping and seeking to obtain information from the clarity of the Senator's mind. But I take it the language "and develop plans for the works which are to be constructed" refers to dams or sluiceways or powerhouses or something appurtenant to the building of a dam across the river, or the building of a powerhouse without any reference to a dam. If that is provided for in a treaty, or if it is provided for in an executive agreement, then it seems to me—perhaps I should ask this as a question rather than to make it as an assertion—that the reservation does not reach that situation at all; but we have a situation where a definite agreement is made for the building and construction of certain works without any reference to the prior action or subsequent

action of the Congress. I am asking that as a question, rather than asserting it to be so.

Mr. FERGUSON. Mr. President, will the Senator yield to me?

Mr. DOWNEY. I yield.

Mr. FERGUSON. I have one question to ask in relation to article 19. We were speaking of electric power plants. The article provides as follows:

The two Governments shall conclude such special agreements—

We remember that the word "agreements" was used in article 24—

as may be necessary to regulate the generation, development, and disposition of electric power at international plants, including the necessary provisions for the export of electric current.

I am troubled by the question whether we do not specifically provide for electric power plants in the treaty when we say in article 19:

The two Governments shall conclude such special agreements as may be necessary to regulate the generation, development, and disposition of electric power at international plants.

And therefore they are outside the provision of paragraph (a) of the reservation. I should like to have an answer from the able Senator from Colorado to that question.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I should say that there is nothing more specific about that, nothing more binding about that, than when we tell the Army engineers, as we constantly tell them in legislation passed by Congress, to study a certain stream and make a report. That is a specific instruction, but it is not a specific project.

Mr. DOWNEY. Mr. President, in connection with this very interesting and illuminating discussion that has been carried on, I again wish to reread article 7. Preliminary to its reading, I want to say that I understood the representatives of the State Department and of the State of Texas to assert that there was specific obligation in this treaty beyond the power of anyone honorably to change, to build certain works in the Rio Grande. I should like to see if the language does not bear that out. The language is as follows:

The Commission shall study, investigate, and prepare plans for plants for generating hydroelectric energy which it may be feasible to construct at the international storage dams on the Rio Grande.

And they are provided for elsewhere in the treaty.

The Commission shall report to the two Governments—

Now we come back to the definition of the Secretaries of State—

the works which should be built, the estimated cost thereof, and the part of the works to be constructed by each Government.

Then comes the following language:

Each Government agrees to construct, through its section of the Commission, such works as may be recommended by the Commission and approved by the two Governments. Both Governments, through their respective sections of the Commission, shall operate and maintain jointly such hydroelectric plants. Each Government shall pay half the cost—

And so on. It seems very clear to me that in this language the phrase "both Governments" is used in contradistinction to the phrase "each Government." I know the persuasive eloquence of the distinguished Senator from Colorado, and I know that he can illuminate the discussion perhaps by giving some other interpretation. It seems to me that here is a specific obligation, that we now undertake to do this thing down on the Rio Grande. I may say I am not specially complaining about it. What I do complain about is that we do not have to build our facilities on the Colorado River, with the Federal Government paying all cost and expenses, including works of magnitude, while on the Rio Grande the Federal Government very generously agrees to do all the building.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CONNALLY. I do not think that is true. But it is certainly conceivable that the reason it is desired to utilize these dams for electric power purposes is to get some of the money back and provide for the financing of the building of the dams through the sale of power. They are not going to give the power away. It is not going to be free.

Mr. DOWNEY. Mr. President, of course, that is a possible theory; but certainly Congress is not providing that kind of a set-up in this treaty. When we built the Boulder Canyon project, and when we built the T. V. A., careful and precise rules of financing, repayment, and accounting were laid down. Here we are in a total void, apparently turning over everything to either the State Departments or to the International Boundary and Water Commission.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WILEY. Has the distinguished Senator any information as to any agreements or treaties between the two Nations—Mexico and the United States—in reference to any specific works, such as dams or hydroelectric plants?

Mr. DOWNEY. Yes. I may say to the distinguished Senator that there was evidence before the Committee on Foreign Relations that it was expected, though there was no commitment, that the dams specifically provided for in this article would cost $86,000,000, of which the United States Government would pay 60 percent, and Mexico 40 percent. If I am in error, the distinguished Senator from Texas will correct me.

Mr. WILEY. That was not my point. My question was whether or not the Senator has any information, or can refer us to any treaty or agreement between the executive department and Mexico heretofore, which refers specifically to the construction of any dam site or hydroelectric power plant.

Mr. DOWNEY. I will say to the Senator that I cannot do so. There has been publicity, quoting Mr. Lawson as to expected expenditures of $167,000,000 in the Rio Grande Valley under this treaty, immediately after the treaty is approved; but I cannot vouch for the accuracy of that story.

Mr. WILEY. I think it is important, in view of the discussion which has taken place here, to find out whether or not any such executive agreements exist, so that Congress may know what it is doing.

I should like to ask one further question. The discussion here, in relation to specific dams or specific water-power plants, has not definitely designated any specific plant. Such plants are referred to only in a general way. Can the distinguished Senator point to any provision in the treaty which would come within the language "other than those specifically provided for"?

Mr. DOWNEY. I think we can get the easiest cross-section of this whole matter by reading in toto one of the articles. It will give us a complete picture. I should like to do that. I believe it will furnish the Senator the viewpoint he desires.

Mr. WILEY. Does that refer to specific dams which must be constructed?

Mr. DOWNEY. No; not specific dams.

Mr. WILEY. Or specific hydroelectric power plants?

Mr. DOWNEY. No; it does not refer to specific projects. In the treaty provisions affecting the Colorado River, we agree, at the expense of the United States, to construct Davis Dam, which will cost about $45,000,000; but a large part of its benefit will be dedicated to Mexico.

Mr. WILEY. Does the Senator understand that the words "other than those specifically provided for in the treaty" have reference to those two dams?

Mr. DOWNEY. No. Davis Dam is specifically provided for in the treaty.

Mr. WILEY. Is there any way in which the Senator can elucidate the words "those specifically provided for in the treaty"?

Mr. DOWNEY. It is my understanding that they refer to three dams on the Rio Grande, the Davis Dam on the Colorado River, and some other works on the Colorado River.

Mr. WILEY. Is there any estimate as to what those works would cost?

Mr. DOWNEY. I believe that the total cost would be upwards of $150,000,000.

Mr. WILEY. Is there any reason why those should be excluded from the appropriation or directive action of the Congress?

Mr. DOWNEY. I do not think so.

Mr. WILEY. I thank the Senator.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. FERGUSON. The Senator has stated that certain projects on the Rio Grande and one on the Colorado are provided for. It is the intention of the United States Government that appropriations be made by Congress for the erection of those specific dams or projects, is it not?

Mr. DOWNEY. Yes; that is correct.

Mr. FERGUSON. If we wish to make this reservation clear, so that Congress will appropriate money only for works specifically provided for, could it not be done by striking from subdivision (a) in line 6 on page 2 of the reservation the

words "other than those specifically," so as to read, "That no commitment for works or expenditures provided for in the treaty shall be made by the United States section of the International Boundary and Water Commission without prior approval by the legislative branch of the Government"?

Mr. DOWNEY. Let me say to the distinguished Senator that that reservation applies only to action by the United States section. It does not apply to action by the Commission, or by the State Departments. That is what we are discussing.

Mr. FERGUSON. But at least what the United States section would build would be built after appropriation by the Congress.

Mr. DOWNEY. Mr. President, under the treaty 90 or 95 percent of the building will be done by the State Departments or the International Boundary and Water Commission. Article 19 gives no authority to the American section. It gives authority to the State Departments, as I interpret it. Apparently the distinguished Senator from Wyoming [Mr. O'MAHONEY] was not entirely in accord with me in my interpretation, but I believe that upon further study it will be seen that that is true.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WILEY. Adopting the suggestion of the distinguished Senator from Michigan, the provision would be very much clarified if we were to say that no commitments for works or expenditures provided for in the treaty or agreements shall be made by the State Department or the United States section.

Mr. DOWNEY. That certainly would very much strengthen it; and I believe that such an amendment would be in the right direction.

Mr. President, let me digress from the main line of the argument to say that I appreciate the interest which Senators are taking in clarifying this treaty, in relation to appropriations and work. However, to us, that field represents only a comparatively small proportion of the evils of the treaty. As I attempted to point out in the beginning, the International Boundary and Water Commission is made an international organization, admittedly beyond the power of our courts or the limitations of our Constitution. It is given, among other powers, the right to settle, as it desires, all private disputes. There are many other excessive and extreme powers granted in the treaty, besides the right to proceed to determine upon great constructions and expend money. Dean Roscoe Pound says that merely requiring these agencies to come back to Congress, for the purpose of determining appropriations in advance, would remove only a comparatively small part of this extraordinary grant of power.

In order that we may have a bird's-eye view in what I think is a very simple way, I should like now to consider a very short article, namely, article 16.

Mr. McCARRAN. Mr. President, will the Senator yield to me so that I may make the point of no quorum?

Mr. DOWNEY. Yes; I yield.

Mr. McCARRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	George	Myers
Austin	Gerry	O'Daniel
Bailey	Green	O'Mahoney
Ball	Guffey	Pepper
Bankhead	Gurney	Reed
Barkley	Hatch	Revercomb
Bilbo	Hill	Russell
Brewster	Hoey	Saltonstall
Bridges	Johnson, Calif.	Shipstead
Briggs	Johnson, Colo.	Smith
Buck	Johnston, S. C.	Stewart
Burton	La Follette	Taft
Bushfield	Langer	Taylor
Butler	Lucas	Thomas, Okla.
Byrd	McCarran	Thomas, Utah
Capehart	McClellan	Tunnell
Capper	McFarland	Vandenberg
Chavez	McKellar	Wagner
Connally	McMahon	Walsh
Cordon	Magnuson	Wheeler
Donnell	Mead	Wherry
Downey	Millikin	White
Eastland	Moore	Wiley
Ellender	Morse	Willis
Ferguson	Murdock	Wilson
Fulbright	Murray	

The PRESIDING OFFICER. Seventy-seven Senators have answered to their names. A quorum is present.

The Senator from California has the floor.

Mr. DOWNEY. Mr. President, I regret that the able senior Senator from Wyoming [Mr. O'MAHONEY] is not present. Earlier in the day he expressed a doubt with reference to the meaning of the words "two Governments" and stated that he thought they meant the respective State Departments of the United States and Mexico. I am about to read from part 1 of the hearings before the Foreign Relations Committee concerning the treaty, and from the statement which was made by a representative of the Department of State. I quote from the report of the State Department, appearing on page 162 of the hearings. Referring to article 2, the report states:

> This article specifies the Department of State of the United States and the Ministry of Foreign Relations of Mexico as the agencies to represent the two Governments in every case where action by the two Governments is required.

While some Senators may entertain doubt with regard to the meaning of that language, in its statement to the Foreign Relations Committee the State Department very clearly expressed the same idea that I have expressed, namely, that under the treaty immense powers are vested in the State Department by this treaty.

Mr. President, as I analyze the various ambiguities to which I have referred, of which there are many, I shall likewise invite the attention of the Senate to the distortions, inaccuracies, and, in some instances, absolute misrepresentations with regard to documentary facts which cannot be denied by the representatives of the State Department and the propopents of the treaty. I shall read to the Senate article 16 of the treaty. It is very short and simple. It is found on page 30 of the committee report. Before doing so, however, I shall read from the letter of the President of the United States transmitting the treaty to the Foreign Relations Committee, and explaining what it means. If this were the only mistake, that would be one thing. But it is not. It is typical of the entire hearings, which were filled with gross exaggerations and misrepresentations.

> Part IV, consisting solely of article 16, places upon the Commission the duty of making investigations and reports regarding the most feasible projects for the conversion and use of the waters of the Tia Juana River system and of submitting recommendations for the allocation of these waters between the two countries.

That letter of transmittal states as definitely, simply, and precisely as anything could state, that article 16 only gives the power of investigation and recommendation to the Commission. In reality, it turns over to the International Boundary and Water Commission forevermore, and to our State Department, complete power and control over the water rights and the rights growing out of them in the Tia Juana River.

I now read article 16:

> In order to improve existing uses and to assure any feasible further development, the Commission shall study and investigate, and shall submit to the two Governments for their approval—

Again, Mr. President, let us remember that the two Governments are the two State Departments—

> 1. Recommendations for the equitable distribution between the two countries of the waters of the Tia Juana River system;
>
> 2. Plans for storage and flood control to promote and develop domestic, irrigation, and other feasible uses of the waters of this system;
>
> 3. An estimate of the cost of the proposed works and the manner in which the construction of such works or the cost thereof should be divided between the two Governments;
>
> 4. Recommendations regarding the parts of the works to be operated and maintained by the Commission and the parts to be operated and maintained by each section.

Let us now come to the vital paragraph—

> The two Governments through their respective sections of the Commission shall construct such of the proposed works as are approved by both Governments, shall divide the work to be done or the cost thereof, and shall distribute between the two countries the waters of the Tia Juana River system in the proportions approved by the two Governments. The two Governments agree to pay in equal shares the costs of joint operation and maintenance of the works involved, and each Government agrees to pay the cost of operation and maintenance of the works assigned to it for such purpose.

So I say, Mr. President, the statement concerning article 16 as found in the President's letter transmitting this treaty to the Senate is wholly and grossly inaccurate. I can make no charge as to whether it was loose and careless service to the Government of the United States or whether it is by design; I do not know. I do not know whether some person connected with it intended to minimize this article and to misrepresent it to the Senate. Of course, I make no charges of any kind against the President of the United States or Mr. Hull. It happens

that I talked with both of them about this treaty, and mentioned the great trials and burdens they bear, but someone who prepared that letter in the State Department grossly misrepresented article 16 to the Committee on Foreign Relations of the Senate of the United States. If this were the only case, it would be one thing, but it runs throughout the whole history of this treaty.

Mr. AUSTIN. Mr. President——

The PRESIDING OFFICER (Mr. BRIGGS in the chair). Does the Senator from California yield to the Senator from Vermont?

Mr. DOWNEY. I yield.

Mr. AUSTIN. Does the Senator wish to state what the legal effect of the letter of the President transmitting the treaty is?

Mr. DOWNEY. I would state this. I suspect that statement, along with many other inaccurate statements to the Committee on Foreign Relations, brought about the approval of the treaty by the Committee on Foreign Relations, which it otherwise would not have received. What effect it actually had on the distinguished members of the Senate Committee on Foreign Relations, I do not, of course, know.

Mr. AUSTIN. That was not what my question was directed at. I wonder if the Senator claims that the letter of transmittal has any effect on the terms of the treaty.

Mr. DOWNEY. Not at all. It does not limit the plenary and extreme power given to this international body over the lives and well-being of the citizens of Tia Juana Valley. So far as I, as a Senator, am concerned, I wish the whole article could just be stricken out of the treaty.

Mr. President, Tia Juana is a small river. We can probably easily work out, with hardship and trouble, arrangements with Lower California, but to bring in the great and unlimited powers of people from the Rio Grande to run us down there, to say how we shall distribute the water, how we shall use it, what we shall use it for, is an act of tyranny which to me seems as extreme as anything against which we fought in 1776.

It may be that there is a bait there, that we are being offered a subsidy by the Federal Government, which apparently in this article not only obligates itself to build all the works there, but to operate and maintain them. It might be we would be a great gainer, as Texas is, in this treaty. But I, speaking only for myself, have no desire to have the lives and well-being of the people of Tia Juana Valley fettered by that sort of thing. It might be that the International Boundary Commission might not do anything under that article for a century. It might be that within 30 days after the treaty went into effect, if it contained that provision, the Commission might take action which would grievously affect and control the lives and well-being of those people.

Mr. President, one of the most distinguished men who ever sat in this body, who was born in New Hampshire and went to the Senate of the United States from Massachusetts, in pleading the Dartmouth College case, made John Marshall and the Supreme Court weep, it is said, when, in the peroration of his great argument he referred to Dartmouth College as a small college, but said, "There are those who love it well." I have no desire to make anyone weep or to evoke any sympathy, but I do ask the Senate of the United States not to fetter us with this kind of a treaty. We do not know whether it will ever become effective, and we do not know what will happen to us if it does.

Under article 16, the International Boundary Commission is given the power to recommend to the State Departments to allocate the waters between the two countries, to say what they shall be used for, and paragraph 2 of article 2 goes further and makes the International Boundary Commission a judicial body to determine the rules of procedure, by which every right hereafter in the Tia Juana Valley may be settled.

The Tia Juana River rises in Lower California, which is part of Mexico. It is not a large stream. It is comparatively insignificant as contrasted with the Rio Grande and the Colorado. It flows down into the United States near San Diego, and goes into the Pacific Ocean. We have only a few hundred farmers now utilizing its water. Coronado, a beautiful city near San Diego, gets its domestic water supply from the Tia Juana. Who knows how the vater is going to be distributed? Who knows what rights will be assigned, and to whom? Does this treaty mean that, as a part of the work which could be done, the water could be taken away from the city of Coronado? I do not know. Does it mean that the water could be taken away from the farmers of the Tia Juana Valley and given to San Diego? I do not know. What can be done in Lower California under the terms of this treaty? I do not know. But I do know that plenary and complete power is granted in the treaty over the future water development and hydroelectric development and probably sanitation development along the Tia Juana River. I am informed that a hydroelectric plant there would be of very doubtful value, but that already the members of the International Boundary Commission are considering the possibility of a hydroelectric plant.

As the distinguished Senator from Oregon [Mr. MORSE] pointed out a few days ago in his argument against the work-or-fight bill, there is a continuous struggle to maintain free democracies, and to prevent the growth and aggression of bureaucracy, which is attempting constantly to limit the powers of the legislative branch, and to conduct public affairs in secret, dark rooms, without public notice, and without sufficient investigation. I was thoroughly in accord with what the distinguished Senator from Oregon said in the closing portion of his eloquent debate against the work-or-fight bill.

I wish to say that here, in this treaty, are found the same principles, enlarging the powers of bureaucracy, and tending to strike down the power of deliberative bodies such as the Senate of the United States and the House of Representatives. We are clearly by this section bartering away all treaty-making power on the Tia Juana River. We are saying to the State Department and to the International Boundary Commission, "We abdicate our duty to these people, and you are entrusted with these great treaty-making powers."

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. If under the treaty as it now stands, or if under the proposed interpretive reservations, or otherwise, the works and dams for the Tia Juana Valley were finally brought back to Congress for prior approval, would the Senator continue to object?

Mr. DOWNEY. Yes. I should object on two other grounds. The first is that the International Boundary Commission, an international organization, declared by the treaty to be such, free of any restraint by Congress or by our judges or by our Constitution, under this treaty, would forevermore be made a judicial body to determine every dispute which might arise out of this treaty among our farmers, or municipalities, or other persons, in that area.

Mr. MILLIKIN. Will the Senator yield further?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. The Senator is now bringing into my limited point the whole range of the debate. Let us assume, for the purpose of the discussion, that the Senator could be satisfied on the other matters. If the works to be constructed came to Congress for prior approval, would the Senator then be satisfied?

Mr. DOWNEY. No, I would say to the distinguished Senator, I would not in the case of Tia Juana. This just places us suspended somewhere out in chaos. We have no assurance that the International Boundary Commission, headed by Mr. Lawson, of Texas, would ever get out to Tia Juana and do anything. We have no assurance that it would be 5 or 10 or 20 years, and we would object for that reason. If the Senate of the United States thinks it proper to make a specific provision, dividing the waters of the Tia Juana and providing for storage dams and hydroelectric plants, let it do so now. Otherwise let us leave it out of the treaty. In addition to that, I am not willing to subject the people of California to a judicial tribunal consisting of a citizen of Mexico and a citizen of Texas, with unlimited judicial power, and all the authority of the United States Government back of him to enforce the decree.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Is the Tia Juana an international stream?

Mr. DOWNEY. Yes; it is an international stream.

Mr. MILLIKIN. I repeat my question. It being an international stream, if works are planned, and when planned by the Boundary Commission, are brought in here to Congress for prior approval, what can be the objection—I will ask a double-barreled question—and how could the Congress, it being an international stream, make an international settlement for that stream except through the Boundary Commission? In other words,

how could Congress do it under its own powers?

Mr. DOWNEY. Mr. President, I will answer that question very directly. But first I want to say it is. The Senator apparently does not understand that the first thing I am complaining about is that this treaty, the way it is drawn respecting the Tia Juana, suspends us in limbo, out in space, in a vacuum. It would prevent us from accomplishing anything. It would bring about no assurance when action would be taken. Why not leave it out of the treaty entirely, and then whenever the International Boundary Commission, or the State of California, or Lower California have any plans, they can come before the Senate with a specific treaty or executive agreement?

I shall answer the question. The distinguished Senator argued at great length and very persuasively, and I am sure converted many Senators, to an alleged fact about the Mead report, which I think, after personal investigation on the Colorado River and after careful reading of the Mead report, was totally erroneous. I shall take that up later. In any event, let me say that the Mead report was founded on 18 months of investigation on the Tia Juana, the Colorado, and the Rio Grande. As the result of that, a recommendation was made to give approximately 750,000 acre-feet of Colorado River water to Mexico, plus another small amount. Mr. Mead, a man of distinguished character, whose report, as I have said heretofore, bears upon it the golden seal of integrity and intelligence, says that, in his opinion, it would be much better not to bring in the great treaty-making powers of the Senate on the Tia Juana. He suggests that a simple business arrangement could be worked out between San Diego city or San Diego County and the people in Mexico who now control the water.

I might say to the distinguished Senator that, of course, whatever is done should be done under the auspices, I think, of the Bureau of Reclamation. We do have under the Constitution of the United States, as I am sure the distinguished Senator knows, the power for States to make treaties with foreign governments. The State of California, acting on behalf of San Diego, has the power and the privilege to make a compact with Lower California or with Mexico, subject to the consent of the Congress of the United States. That is part of a power that has been many times utilized in the United States. States have many times made compacts between themselves with the consent of Congress. I think the vast allocation of power, the complication, the uncertainty of this treaty, is wholly out of place and represents nothing more than a bureaucratic urge to grab more power and to spread out.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Assuming that California might make a compact with Mexico; assuming that, that would involve more delay.

Mr. DOWNEY. Mr. President, there is no hurry. If we have a treaty or a compact in the next 10 or 20 years——

Mr. MILLIKIN. Just a moment ago the Senator was complaining of the lack of hurry so far as the Tia Juana is concerned.

Mr. DOWNEY. No, Mr. President; the Senator is misquoting me, or perhaps I misspoke myself. I am complaining of the total uncertainty of the time feature. It might be that the State Departments or the Boundary Commission would act on this matter a century from now, or they might act on it 30 days from now. We out there in California think we can get along very well, and Lower California can, for the next 10 or 20 years without any compact for further development of the Tia Juana. I do not want to burden the Senate with that small river and its trials and tribulations, but what I am concerned about is, that we here create this International Boundary Commission and give it judicial capacity. It can say to the city of Coronado, "We are going to cut off your water. We are going to give it to farmers. We can reverse it." They can go into an improvident hydroelectric project if they want to. They may engage in a sewer system project. They may develop other uses.

One of the things that is making my own heart weep is that I have seen and followed the statements of Commissioner Lawson. I dislike to speak critically of any man, but he is the Commissioner. He is the man who, with a man from Mexico, would be in complete charge of the allocation, distribution, and sale of all the water and the power developed on the Tia Juana. He and his Mexican associate would have the power of making final determination of every dispute that might arise in the little county of San Diego.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. As I understand the distinguished Senator's remarks, first he is willing that the whole subject be deferred from 15 to 20 years. Second, he is critical because there is no definite plan that has been evolved by the International Boundary Commission. Third, he feels that the International Boundary Commission will have too much power.

I respectfully suggest that the first two branches of his argument more or less cancel themselves out. Also if a compact is to be negotiated between California and Mexico, that would probably be surrounded with the same difficulties, to the extent that there are difficulties, surrounding the present treaty.

But I drive again to the end point. Assuming that the treaty now provides, or assuming that interpretative reservations will provide that whatever the plan which may be evolved by the Commission for the Tia Juana shall first come here to the Senate for approval, would the Senator continue to object?

Mr. DOWNEY. Yes; I might say to the distinguished Senator, because there is no time limit fixed. We do not want to leave the rights on the Tia Juana suspended in uncertainty as to time. Whenever it is time to make a treaty, let us come in with a specific one to the Senate of the United States, or make our own compact.

I might say that we out in the West—and the Senator, of course, is a distinguished member of the bar out there—are familiar with municipal and irrigation and sewer contracts. In a simple contract that any able lawyer could prepare in a few hours, an agreement could be made between some municipal corporation in San Diego and the water users of the Tia Juana in Mexico that will definitely and simply and precisely settle everything, without the creation of vast and complicated and uncertain machinery and a great and growing bureaucracy to administer it.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I want the Senator to know that I make this remark in the utmost good nature, and with the highest degree of respect; but I am sure the Senator would find 200 objections to the simplest agreement which might be brought here.

Mr. DOWNEY. The Senator from Colorado and other Senators have repeatedly attempted to answer pertinent arguments with that sort of comment. To me that is not argument.

Let us pass from the viewpoint of the poor little water users and the municipal users on the Tia Juana, turned over to the mercy of the International Boundary and Water Commission, to some other phases of this question. The only reason I am discussing the Tia Juana is that the provisions of the treaty with respect to the Tia Juana are simple and short, and they illuminate the picture, as it really exists with respect to the Colorado and the Rio Grande.

Notice this language:

> The two Governments agree to pay in equal shares the cost of joint operation and maintenance of the works involved.

They also agree to pay for the works themselves. Undoubtedly, if this treaty is acted upon, it will mean the impounding of a substantial amount of water for domestic and farming uses, and for the creation of hydroelectric power. This treaty would leave Uncle Sam in the improvident situation of pledging his national honor to build reservoirs, hydroelectric plants, and other facilities for the distribution of power and water without one word in the treaty as to who is to fix the rates, how they are to be fixed, who is to collect the money, or what is to be done with the money.

In the light of other phrases in the treaty, it is perfectly plain that, if the International Boundary and Water Commission were to be left in control of the situation under the terms of the treaty, the entire cost of building those works, running into many millions of dollars, and the entire cost of maintenance and operation, would be borne by the United States and Mexico; but there would be a very large income. What would become of that income? Does anyone care? We have never done this sort of thing before, that I know of. The complaint of the Senator from Tennessee [Mr. McKELLAR] with respect to the T. V. A. pales into insignificance in comparison. It is said that hereafter we can enact some law to provide for the income. Why not provide for it now?

If we want this kind of a treaty, does the treaty mean that the United States assumes the obligation, at its own expense, to build and maintain all these works? Does it mean that water users and power users will obtain water and power for nothing? Does it mean that the International Boundary and Water Commission may take in the money and use it to build additional facilities? Does it mean that the money will go into the general fund of the Treasury of the United States? Does it mean that out of the receipts the Commission may pay the cost of maintenance and operation, and then, if either a deficit or net profit results, report to the Congress? That does not seem to be so. The language of the treaty provides that the Governments shall bind themselves to pay all the costs and expenses of maintenance and operation.

Earlier in the debate I referred to the Canadian treaty. As we read the Canadian treaty we see that its language is plain and precise. It carefully guards the rights of both sovereignties and of the citizens of both countries. That treaty was drafted by two distinguished men, whom I have previously mentioned, namely, James Bryce and Elihu Root.

The Canadian treaty provides that it shall be renewed every 5 years. Perhaps that statement is not strictly accurate. I believe that either nation has the right to denounce the treaty on 1 year's notice, at the end of 5 years. Each nation reserves to itself the power to correct mistakes and to make adjustments. In the case of the pending treaty, we have complicated powers and ambiguous language, which no human mind can measure; and the treaty would be in perpetuity.

I have previously stated that one of the most striking facts in this whole controversy is that the treaty is so wantonly ambiguous with regard to a ceiling against Mexico, with regard to salinity, with regard to the amount of water, and with regard to many other questions, that undoubtedly many arguments would develop among our own people, and there would be many controversies between the two Nations.

Beyond any doubt, it is proposed to vest in an international body judicial power to determine every right, and to enforce its judgment in both the United States and Mexico. Likewise, the State Departments of both countries would be vested with authority to make special agreements and to arbitrate any of these great questions, apparently entirely bypassing not only the Senate, but also the House of Representatives and the President of the United States.

The grants of power are so extreme that there is nothing comparable with this treaty in any of our laws or any of our other treaties. That statement is verified for me by disinterested attorneys representing the Senate of the United States. When I think of how we safeguard our grants to the Bureau of Reclamation, and how improvident free we are in dealing out extreme powers to this international body, I must admit a sense of shock and dismay.

Mr. President, I have not the slightest criticism to make of any Senator for his action in the Committee on Foreign Relations, or for any course he may pursue on the floor of the Senate. I spent many months in concentrated study of the issues involved; and I do not yet know enough to give final advice as to the proper kind of treaty. When I testified before the Committee on Foreign Relations, I stated that I had one of the most distinguished and intelligent bodies of jurors that any lawyer could have. I also stated that it was the most absent body of jurors that any lawyer ever had. With the exception of the senior Senator from Texas [Mr. CONNALLY], the senior Senator from California [Mr. JOHNSON], the junior Senator from Colorado [Mr. MILLIKIN], and myself, there was an average attendance of three Senators at the hearings before the Committee on Foreign Relations. The issues are so vast and complicated that I do not believe that anyone can rapidly comprehend the situation.

Morever, what shocked and bewildered me, and I admit that I am prejudiced, was that on at least 20 major propositions witnesses for the State Department gave the most misleading and distorted testimony. I have only the highest respect, admiration, and affection for the distinguished Senator from Colorado; but when I heard him declare to the Senate that this treaty would give little more water to Mexico than was given by the Mead report, I was shocked and astonished.

Mr. President, I wish to develop this one point tonight, clearly and simply. Unfortunately, there are 20 of these points; but this one is crystal clear. It is known to every reputable engineer in the West. When engineers for the State Department developed this point, which the Senator from Colorado honestly, persuasively, and sincerely argued on the floor of the Senate, I saw smiles of derision on the faces of engineers who are in favor of the treaty—not those who are against it—but those who are in favor of it.

Dr. Elwood Mead was one of the great men of the West. For many years he was Commissioner of Reclamation. He was a man of the highest integrity and the greatest intelligence. He was chairman of the International Water Commission in 1928 and 1929. With a joint engineering staff he conducted an 18-month investigation of the waters of the Tia Juana, the Colorado, and the Rio Grande. Engineers from Mexico joined with engineers from the United States. They made common findings; and in almost every factual matter they agreed Where there were a few minor discrepancies, those were pointed out, and each side attempted to support its own position. Everyone who has ever dealt with this problem has simply accepted the fact that as a result of that 18 months of investigation and the ripe; rich wisdom of Dr. Mead, the Mead report recommended the giving of 750,000 acre-feet of water, and perhaps possibly another small amount, on the ground that that was all Mexico ever had used out of the unregulated flow of the river, or all she ever could use. I shall not discuss the merits of that decision now. I am discussing another point at this time. That 750,000 acre-feet, which was to include all return flow, was tentatively offered, with the possibility that an additional amount such as would be necessary to compensate for evaporation and seepage in the main canal, from the Colorado River to the Mexican laterals, might be allowed. That additional amount was not part of the offer; undoubtedly it was tentatively made, in a bargaining spirit. All the discussion and papers and data clearly indicate that the additional amount could not be more than 25,000 or 50,000 acre-feet.

Mr. MILLIKIN rose.

Mr. DOWNEY. I ask the Senator to let me finish my statement. The Senator has argued for his position for hours.

I think I can show the Senator why that must be true. The Alamo Canal, after it is taken out of the river in the United States, goes down through Mexico, and extends for 60 miles in Mexico. Fifty percent of the water which is diverted from the Alamo Canal in Mexico is delivered to the Mexican laterals in the first 30 miles. The grotesque, absurd and, I regret to say, unhappy claim was developed for days at a time before the Committee on Foreign Relations by the most extreme, indirect, and circumstantial argument, which was very ably repeated yesterday by the Senator from Colorado, that in order to compensate for the losses due to evaporation and seepage, an additional 300,000 or 400,000 acre-feet of water would be required. Anyone who has dealt with irrigation canals, as I have, knows that statement is absurd. There cannot be any such loss. If there were any such loss for an insignificant stretch of canal, the canal could be concreted, and then there would be no loss whatsoever.

At any rate, assuming the correctness of that unwarranted allowance for evaporation and seepage, they build up the amount to 1,000,000 acre-feet of water, and then they attempt to build up the return flow to the amount of the present treaty allotment. The offer included in the Mead report, including all return flow, is 750,000 acre-feet.

Mr. MILLIKIN. Mr. President——

Mr. DOWNEY. I ask the Senator to wait just a minute, and I will give him something to answer. [Laughter.]

Under the treaty, we shall have to deliver to Mexico 1,700,000 acre-feet of water or 1,500,000 acre-feet of water, or perhaps far more. The Bureau of Reclamation and all its engineering staffs have made careful studies of the amount of seepage and evaporation losses in the Colorado River in its 300-mile course from Boulder Dam down to the Mexican boundary. The Bureau of Reclamation states as its opinion that the flowing of 8,000,000 acre-feet of water down the river to the international boundary, and to the points of diversion near it, would result in a loss of only 600,000 acre-feet of water, or approximately a 7-percent loss in 300 miles. The Colorado River spreads out over a great river bed. The evaporation, in proportion to the amount of water, would be far greater than in the Alamo canal. The amount of seepage would be in about the same proportion. Any engineer who would claim that 300,000 or 400,000 acre-feet of

water would be lost in transporting 750,000 acre-feet of water 30 miles would say that there would be a loss of 4,000,000 or 5,000,000 acre-feet of water in the Colorado River, in carrying that 8,000,000 acre-feet of water the 300 miles.

I admit that I have done exactly what the distinguished Senator from Colorado did; I have argued by indirect or circumstantial evidence, when the direct evidence is so plain that no one can deny it.

The fact is that last year we diverted out of the river, into the Alamo Canal 1,100,000 acre-feet of water. All the engineers are agreed, as a matter of district records that are undisputed, that out of the 1,100,000 acre-feet of water, we actually delivered to the Mexican laterals 980,000 acre-feet of water, so that there was a loss, last year, of approximately 10 percent, not 25 percent or 30 percent or 40 percent.

Let me also say that we have the actual engineering records of the district, showing the amount of water which was diverted to Mexico for the 15 or 20 years prior to the construction of Boulder Dam. The maximum amount Mexico ever did use in her laterals was 750,000 acre-feet of water; and in n year was there a 10-percent loss in that amount by way of seepage and evaporation.

The distinguished Senator from Colorado entirely ignores those figures. He entirely ignores what I would say is common sense, as known by engineers and attorneys, and he makes an indirect argument, based on circumstantial evidence, so attenuated and so unsound that I know he will want to try to persuade the Senate again by further argument, and I will yield to him.

Mr. MILLIKIN. Mr. President, the Senator has made a very interesting disclosure. He said the maximum use from the Mexican laterals was 750,000 acre-feet of water; but he said that last year, under the diversion of 1,100,000 acre-feet—just how many acre-feet did the Senator say?

Mr. DOWNEY. Nine hundred and eighty thousand acre-feet of water was delivered to the Mexican laterals.

Mr. MILLIKIN. Yes; the Senator said that last year, in connection with the diversion of 1,100,000 acre-feet of water, 980,000 acre-feet of water was delivered to the Mexican laterals.

Mr. DOWNEY. With a loss of less than 10 percent.

Mr. MILLIKIN. The Senator impales himself on one of these two horns: Last year there was less acreage which took water from those Mexican laterals than there was before the construction of Boulder Dam—which would indicate that prior to the construction of Boulder Dam more than 750,000 acre-feet of water was being used on those particular lands—or else the fact is that less than 980,000 acre-feet of water was taken through those laterals last year. Will the Senator please state which one is the fact?

Mr. DOWNEY. Mr. President, I do not object to any language which the Senator may choose to use, because he has been kind and gracious to me, and I am willing that he use whatever language he desires to use in relieving his feelings. But I do not quite understand what the Senator means. It must be this: That it is now the claim of Mexico that she is irrigating less acreage than she was irrigating before the construction of Boulder Dam, and therefore, since it required 1,100,000 acre-feet from the river to satisfy that lesser acreage, we must have been giving her 1,100,000 acre-feet before the construction of Boulder Dam. Is that what the Senator means?

Mr. MILLIKIN. Before the construction of Boulder Dam there was more acreage, consuming the same amount of water per acre than there vas last year. We learned that last year 980,000 acre-feet of water were taken to service a smaller acreage than had been serviced before Boulder Dam.

Mr. DOWNEY. Mr. President, in order that the Senate may thoroughly understand the entire story, let us recapitulate a little further.

In 1941, 1942, and 1943, Mexico tried to develop pumping on the lower river. She suffered severe losses because the river meanders, and the flow is uncertain. Then Mexico began to abandon her pumping. But in 1944 she had more land than she could irrigate by pumping, which had not proved successful. Mexico said that she had sustained a very heavy loss, running into millions of dollars, and would continue to sustain it unless we relieved her. She was relieved by a plan which was worked out by the Secretary of State, the Bureau of Reclamation, and the Imperial irrigation district. Through the All-American Canal, and partly through the Alamo Canal, she was given 1,100,000 acre-feet of water. I have no objection to the Senator making whatever argument he cares to make out of the situation which I have described, but in frankness, I think he should state to the Senate that the State Department attached a condition to the delivery of the water that it should not constitute any precedent by which Mexico should receive that much water again.

Mr. President, we do not have to indulge in an involved argument in attempting to determine how much acreage was irrigated before the construction of Boulder Dam, and how much acreage has been irrigated since then. We have the definite records of the Mexican company and the United States company with regard to the diversion of 1,100,000 acre-feet of water out of the river, and the delivery into the laterals of 980,000 acre-feet. I believe the loss was approximately 7 or 8 percent, and not 25 or 30 percent, as the distinguished Senator was led to believe by certain witnesses, the most important of whom was, I believe, the witness from the State of Colorado. We also have the records as to what was required in delivering 750,000 acre-feet of water. The loss of 300,000 or 400,000 acre-feet of water in the canal in the distance involved, is almost unbelievable. At an almost insignificant additional cost it would be possible to concrete the canal and prevent the loss.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Not much consideration has been given to waste. There is a loss of more than 1,000,000 acre-feet of water into the Salton Sea every year.

Mr. DOWNEY. Of course, the Senator is now on an entirely different point. He is referring to the return flow.

Mr. MILLIKIN. The Senator was making a point with respect to waste. I was merely rebutting that small point by saying that waste is not being given much consideration. Ten million acre-feet of water is going over the line in any event. The wastage into the Salton Sea is more than a million acre-feet per year.

Mr. DOWNEY. Mr. President——

Mr. MILLIKIN. Will the Senator permit me to continue? I have not disturbed him in his rather prolonged speech which involved me. The Senator stated that during a measured year 1,100,000 acre-feet of water was taken out of the Colorado River to supply the Mexican laterals. I believe the Senator will admit that the lands which have been serviced by pumping are different lands entirely from the ones about which he was speaking. So I considered the statistics with regard to pumping out of the Yuma drain over a long period of years, and I added that amount to the 1,100,000 acre-feet. Then, in order to bring that into relation with the Senator's claim as to what was being used during pre-Boulder Dam days I developed that the acreage which was watered from the Mexican laterals last year was less than it was during the year in which the maximum was taken before the construction of Boulder Dam. The Senator has not answered my statement. I am willing that the Senator jump either way, but I suggest that he jump one way or the other.

Mr. DOWNEY. First, Mr. President, allow me to say to the distinguished Senator from Colorado that he has spoken about the waste of a million acre-feet of water into the Salton Sea. I do not know why the Senator has made such an unguarded statement. It is true that practically all of the water used in Imperial Valley for irrigation finds its way through return flow into the Salton Sea. It is water which has been used and reused, and is so salty that no one could use it, although under this treaty there are some who think that Mexico would be obligated to use it. I do not know. However, it is the return flow. To Senators who do not understand irrigation I may say that in order to carry away salt from land used for the growing of vegetables, for example, it is necessary to have some extra amount of water. That is what we call the return flow.

The Senator has required me to comment upon another point. We have definite engineering records on both sides of the line as to the amount of water required to compensate for the seepage and losses sustained before the construction of Boulder Dam. What does the Senator do? He assumes a certain acreage before the construction of Boulder Dam and a certain acreage now, and he concludes that that indicates that we must have taken 1,100,000 acre-feet of water out of the Colorado River before the construction of Boulder Dam. In the first place, I think it is an

admitted fact that at the present time, because some of the land has become more saline, more water is being used per acre. The use was increased 10 or 15 percent. That is not all. By circumstance and indirection the distinguished Senator has taken the figures of Mr. Lawson, who stated that Mexico had used 1,800,000 acre-feet of water in 1926. Mr. Lawson appeared before the Foreign Relations Committee. His verbatim testimony appears in the record, in which he stated unequivocally to our committee that a corps of engineers had determined the amount of land being irrigated in Lower California. He made the statement that a large organization was used, including many assistants. Finally on cross-examination he was brought to the unequivocal admission that neither he nor anyone under him had made any investigation, and that he had only one engineer in Lower California who accepted 100 percent the statement of the Mexicans as to the amount of land they were irrigating, and the amount of water they were using.

There has been no investigation made by anyone to determine the amount of water being used in Mexico now, or the amount of land being used.

Mr. BARKLEY. Mr. President, the Senator from California indicates that he does not desire to proceed further at this time, and I wish to make a suggestion. The debate might run on interminably on general ideas about the treaty, for it and against it as a whole, and it seems to me it has developed far enough now so that we should begin to get some concrete proposals before the Senate, and vote on them.

A large number of amendments have been printed and are lying on the table. The Senator from California himself has had about 9 or 10 amendments printed, which are now lying on the table, and which will lie there until the Fourth of July unless some Senator offers one of them. It seems to me we should begin to offer these amendments and reservations, if they are to be offered, in whatever form they are to come, so that we may debate them and vote upon them. We will never get anywhere by merely discussing the general provisions of the treaty to which objection is being made unless the amendments which are proposed are to be offered and debated and voted upon by the Senate.

I respectfully suggest to the Senator from California, and to any other Senator who has any amendments to offer to the treaty, or any reservations to offer to it, that they be offered. Only one can be offered at a time; and if they are all offered and debated and voted upon, it will take a considerable length of time. I submit that very respectfully to all Senators concerned.

When we began the debate today, I got the impression from the Senator from California that he intended to offer one of his amendments and debate it so that we might have something to shoot at, and then finally vote on. I hope that when we meet tomorrow whatever amendment is to be offered first will be offered, and then we may debate it and dispose of it. Otherwise we never will get anywhere in the consideration of the treaty.

Mr. DOWNEY. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. Certainly.

Mr. DOWNEY. I wish to assure the distinguished majority leader that I am anxious to facilitate the consideration of the amendments and of the treaty, I have no desire to harass or delay, but I certainly do not intend to submit to the Senate a concrete amendment to be voted upon, involving great issues to my State and to the Nation, when the only opportunity I have is perhaps to talk to a maximum of 15 or 20 Senators, and on an average to not more than 4 or 5. I should rather walk out of the Senate of the United States than submit an issue under these conditions, because of course Senators who do not hear the debate and are not informed naturally will assume that, the State Department having presented this treaty, presented a good treaty. Until I am at least given an opportunity to present my ideas in some definite, concise way, to at least a respectable number of Senators, I shall not call up any amendment.

Mr. BARKLEY. In that connection I wish to state that we all know that the treaty has been debated, and many of the statements and arguments about it have been repeated over and over again. It is unfortunate that a larger number of Senators do not remain in the Senate to listen to the general debate on the treaty. It is thoroughly understandable why many of them do not feel it necessary to do so, but that does not change the unfortunate situation to which I have had reference.

I do not know why more Senators do not remain here. There is no way to compel them to do so, because every time a point of no quorum is made a quorum is developed and then it evaporates before the roll call is over. My experience here has led me to believe that the best way to get a quorum to remain in the Senate, or to keep what the Senator calls a respectable attendance, is to have some concrete proposition before the Senate. We cannot keep Senators here indefinitely over a general debate on a treaty or anything else, and I think the Senator from California will find that if he offers something which goes to the merits of the treaty, in the way of an amendment or a reservation, he will be honored by a larger attendance of Senators than he can ever expect to remain and listen to merely prolongated debate upon the general treaty itself. I say that with great respect. The Senator is an able, attractive, and illuminating speaker, and it is through no disrespect toward him that more Senators do not attend, but I think that if he will get something before us by way of a peg on which we can hang our hats, more Senators will hang their hats on it.

Mr. DOWNEY. Will the Senator yield?

Mr. BARKLEY. Certainly.

Mr. DOWNEY. I first express my appreciation of the gracious statement the Senator has made concerning me. I am in total agreement usually with what the distinguished leader has in mind, and I may say I started out at 12:15 today to discuss a particular amendment, to wit, the amendment to strike out paragraph 2 of article 2.

Mr. BARKLEY. But the Senator has not yet offered the amendment. It is printed and is lying on the table, but it has not been offered.

Mr. DOWNEY. I am not willing to bring it up, for a vote at least. I am willing to offer it; and the first thing tomorrow morning, if it will make the distinguished Senator happy——

Mr. BARKLEY. It is not a question of my happiness. I can be happy under the most adverse circumstances. Sometimes the more adverse, the happier I am, and I have never been happier than I am at this moment. [Laughter.]

Mr. DOWNEY. Everyone will admit that the conditions confronting the distinguished majority and minority leaders are exceedingly adverse, and we are all sympathetic with the burdens which they bear. I shall gladly present my first amendment tomorrow morning as soon as I can get the floor, and if a quorum of the Senate is present and will listen to me for 15 or 20 minutes, I shall submit the amendment to a vote. I shall not myself submit it to a vote if there is not a sufficient number of Senators here to listen to the argument.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Sundry officers for appointment in the Navy for temporary service.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

FOREIGN SERVICE

Mr. BARKLEY. Mr. President, I ask that the nominations on the Executive Calendar be acted on.

The VICE PRESIDENT. The clerk will proceed to state the nominations.

The legislative clerk proceeded to read sundry nominations in the Foreign Service.

Mr. BARKLEY. I ask unanimous consent that the Foreign Service nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the Foreign Service nominations are confirmed en bloc.

THE COAST GUARD

The legislative clerk read the nomination of William K. Scammell to be commodore.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

COAST AND GEODETIC SURVEY

The legislative clerk read the nomination of Columbus M. Shinn to be aide, with rank of ensign.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified in all these cases.

The VICE PRESIDENT. Without objection, the President will be notified forthwith of all confirmations of today.

RECESS

Mr. BARKLEY. Mr. President, the committees are not very busy now in the mornings. The Committee on Foreign Relations has reported practically everything before it, the Committee on Banking and Currency has disposed of the O. P. A. bill, and the report is now being prepared. I think the Senate ought to begin to meet at 11 o'clock and try out meeting at that hour for awhile; therefore, Mr. President, I move that the Senate now take a recess until 11 o'clock tomorrow morning.

Mr. JOHNSON of California. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. JOHNSON of California. Mr. President, I do not on personal grounds want to do anything which would result in the loss of a single hour of time in this dispute or controversy, but we have proceeded thus far in rather an orderly fashion—or disorderly fashion if you choose—and we have not accomplished very much. My colleague says he will present a particular amendment tomorrow when the Senate reconvenes, and I think it should reconvene at the usual time.

Mr. BARKLEY. I will say to the Senator from California that several weeks ago I suggested that during the consideration of the pending treaty the Senate should meet at 11 o'clock a. m. The Senator from California objected and suggested that we not begin meeting at 11 o'clock until the following week. The following week the Senate engaged in debate on the nomination of Aubrey Williams, and, of course, discussion of the treaty did not take place. It seems to me that we have now reached the point where the Senate could well meet at 11 o'clock.

Mr. JOHNSON of California. It was no fault of ours that the Senate for a considerable time discussed the nomination of Aubrey Williams.

Mr. BARKLEY. Oh, no; I am not saying that it was the fault of anybody in particular. It was the fault of everybody.

Mr. President, it seems to me we might try tomorrow, Friday, meeting at 11 o'clock.

The VICE PRESIDENT. The Senator from Kentucky has made a motion which is not debatable. The question is on agreeing to the motion.

The motion was agreed to; and (at 5 o'clock and 1 minute p. m.) the Senate, in executive session, took a recess until tomorrow, Friday, April 6, 1945, at 11 o'clock a. m.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 5 (legislative day of March 16, 1945:

FOREIGN SERVICE

Fletcher Warren to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Nicaragua.

Richard P. Butrick to be consul general of the United States of America.

H. Merle Cochran to be consul general of the United States of America.

H. Gordon Minnigerode to be consul of the United States of America.

Paul H. Alling to be Foreign Service officer of class 2, a secretary in the Diplomatic Service, and a consul general of the United States of America.

Frederick B. Lyon to be Foreign Service officer of class 4, a secretary in the Diplomatic Service, and a consul general of the United States of America.

William A. Fowler to be Foreign Service officer of class 4, a secretary in the Diplomatic Service, and a consul of the United States of America.

Robert T. Cowan to be consul of the United States of America.

PROMOTIONS EFFECTIVE MARCH 1, 1945

To be Foreign Service officers of class 8

Charles W. Adair, Jr.	Alfred H. Lovell, Jr.
H. Gardner Ainsworth	John M. McSweeney
Donald B. Calder	Bromley K. Smith
Robert J. Cavanaugh	Henry T. Smith
Leonard J. Cromie	William L. Smyser
C. Vaughan Ferguson, Jr.	John L. Topping
	James S. Triolo
Lewis E. Gleeck, Jr.	John W. Tuthill
Richard E. Gnade	William W. Walker
Bartley P. Gordon	Fred E. Waller
Richard A. Johnson	Fraser Wilkins
M. Gordon Knox	

UNITED STATES COAST GUARD

TEMPORARY SERVICE

William K. Scammell to be commodore, for temporary service, in the Coast Guard, to rank from March 1, 1945, while serving as district Coast Guard officer, Twelfth Naval District, or any other assignment for which the rank of commodore is authorized.

COAST AND GEODETIC SURVEY

Columbus M. Shinn to be aide, with rank of ensign, from October 25, 1944.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 5, 1945

The House met at 12 o'clock noon and was called to order by the Speaker pro tempore, Mr. COOPER.

Rev. Russell Wharton Lambert, minister, Centennial Methodist Church, Rockford, Ill., offered the following prayer:

Most merciful and loving Father of mankind, we give Thee thanks for the capacities within our lives for appreciation, understanding, and gratitude, and for the powers to develop these into justice, love, and loyalty.

Let us be aware of our mission of justice among all nations, creeds, and colors.

May there be the understanding of justice that will lead us into the spiritual grandeur of love for God and for all men. From our gratitude for the blessings of freedom, may there come an acceptance of responsibility that will lead us in devout loyalty to God's purpose and in enlightened loyalty to humanity's dreams of brotherhood and peace.

In these days that are filled with great hopes, but are also weighted with sorrow and suffering, enable us, we pray Thee, to seek Thy will for our great Nation. May the truths of the prophets and of Jesus draw us to an acceptance of Thy lordship.

Comfort Ye the homes of the sorrowing, ease the minds of the troubled, lift up the hearts that seem without hope, open the eyes of the confused. So inspire us with zeal for the great new tasks that are set before us, that our age may lose itself in dedication, that we in the living present may find ourselves on the threshold of Thy kingdom on earth. Amen.

The Journal of the proceedings of Monday, April 2, 1945, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 298) entitled "An act to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes."

The message also announced that the Senate disagrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 1752) entitled "An act to amend the Selective Training and Service Act of 1940, and for other purposes."

The message also announced that the Senate further insists upon its amendment to the foregoing bill disagreed to by the House; asks a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. THOMAS of Utah, Mr. JOHNSON of Colorado, Mr. O'MAHONEY, Mr. AUSTIN, and Mr. BURTON to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consen in behalf of our colleague the gentleman from New York [Mr. KEOGH] that there may be inserted in the RECORD some editorials and his comments with reference thereto.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ADJOURNMENT OVER

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn over until next Monday.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that on Tuesday, April 10, after the disposition of all legislative business, I may be permitted to address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JARMAN. Mr. Speaker, I also ask unanimous consent that on Wednesday, April 25, after the disposition of all legislative business, I may be permitted to address the House for 20 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mr. PLUMLEY (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD on two occasions and to include in each some newspaper articles.

Mr. PRIEST asked and was given permission to extend his remarks in the RECORD and include an editorial from the Washington Post on the subject of Congress and the people.

Mr. MAHON asked and was given permission to extend his remarks in the RECORD and include a speech made in New York on April 4 by Fleet Admiral Ernest J. King, and further to extend his remarks and include certain letters written by him.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include an article from Nation's Business.

LIVESTOCK FEED

Mr. HOPE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HOPE. Mr. Speaker, the people of this country are gravely concerned over the possibility of a food shortage. With respect to the question of meat this shortage already exists and is daily becoming more serious. The supply of meat depends upon the amount of livestock feed available. A poor feed crop this year or the loss of any of our existing supplies of feed will further curtail the amount of meat which will be available during the coming months.

With this thought in mind I call to the attention of the committees in the House and Senate which are investigating the food situation the fact that there are millions of bushels of valuable livestock feed which is now rotting on the ground because of a lack of transportation. Unless relief is speedily afforded there will be lost forever the equivalent of millions of pounds of pork, beef, and poultry.

Everyone knows how serious is our shortage of transportation facilities. Everyone knows that our railroads and the Office of Defense Transportation are laboring under tremendous difficulties in trying to move the vast amounts of war material, food, and other necessary supplies. As short as we are of transportation facilities, however, there is no justification for a policy which is resulting in the loss of valuable food supplies at a time when food shortages become more threatening every day. It is time that those who have the responsibility for allocating transportation give greater heed to this situation than has previously been the case.

BASES IN THE PACIFIC

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, in a speech delivered in New York last night Fleet Admiral Ernest J. King warned America that we must not at the end of this war give up necessary bases in the Pacific which have been won by the blood and sacrifice of American fighting men. Fleet Admiral King hit the nail squarely on the head, and I applaud the statement he made.

Mr. Speaker, the American flag should never be pulled down at Iwo Jima, and we should retain every Pacific base which which is essential to our defense in the Pacific.

In planning for peace we must face the realities. America cannot at the peace conference give up these hard-won bases without betraying the best interests of our country and endangering the future security of America.

In a communication to the President, the Secretary of State, the Secretary of War, and the Secretary of the Navy I have today urged that we make no commitments as a nation which would preclude our retaining these hard-won bases which may control the destiny of the Pacific and the destiny of America and the world.

EXTENSION OF REMARKS

Mr. JENSEN asked and was given permission to extend his remarks in the Appendix of the RECORD and to include a letter to him from C. J. Potter, Deputy Solid Fuels Administrator for War, together with a release from Mr. Ickes, Solid Fuels Administrator, relative to the coal shortage and the necessity of continuing coal production.

Mr. KOPPLEMANN asked and was given permission to extend his remarks and include an address made by him on Monday last before the Waterbury chapter of the Hartford diocese on the subject, Should Labor Unions Engage in Politics?

INCREASED POPULATION IN CALIFORNIA

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

UNITED STATES CENSUS FIGURES SHOW EAST MOVING WEST

Mr. DOYLE. Mr. Speaker, the United States Census Bureau figures, recently released, show that my native State of California, during the given period, has had the largest population increase of any State of our great Nation. The official report shows the increase to be 1,839,000. This tremendous increase did not largely develop from birth rate, therefore there has been marked migration westward to the great State of California from other States.

It would hardly be polite, nor is it necessary, for me to name the States which, according to the same census, show a substantial decrease in population for the same period.

My purpose is not to boast, chide, or cause regret, misgiving, or apprehension on the part of the distinguished Members of the House from States showing decreases in population. But, gentlemen, my purpose is to presently urge these startling figures to your attention for the purpose of forcing you to, at least for a minute, to recognize the movement of population to the West is not something new; it is as old as the first landing of the Pilgrims on our Atlantic seaboard. Yes, indeed; it even antedates that historical date. Longer than any Member of this House has lived, has the population of the United States been moving steadfastly and continuously to the West. If you say that man's normal, roving, pioneer spirit has caused this movement, then I will agree with you it has been one of the contributing factors. But, Mr. Speaker, there are natural causes of this movement to the west coast which are beyond the determination of ordinary man. Geography, climate, natural resources, and advantages—these have always been the normal, natural causes of population moving westward—they will always remain such causes. Nothing man can do will ever control these factors in the determination of where man shall live. This is so, because these major factors which I herein relate and which have systematically sent the population westward from all sections of our great Nation, are God created and Nature endowed.

Nor is the fact that hundreds of thousands of war workers have flocked into California to engage in war work under more favorable climatic and other conditions sufficient explanation of the fact that always the trails and roads have led there with increasing numbers of pedestrians and travelers along that westward road. The population records so speak. My native State of California gained its great population with which it promptly entered the Union of States, on account of the discovery of the natural resources of gold. Since that date, other great natural resources in California and the west coast have been discovered by man. While I chiefly speak of the moving of population into California from over the Nation, I call your attention to the fact that the other West Coast States are similarly situated, even though to a lesser degree.

Even when I was a high-school lad at Long Beach, Calif., our history books and lecturers then told us the time would come when the ports of California and the west coast would be the largest and busiest ports of our Nation; because they fronted the great Pacific Ocean and the world's populations living on the shores of this greatest of the world's oceans. Now, it does seem the developments of science have so shrunk distance and lessened time of transportation between the nations of the world, that the Pacific Ocean is relatively a small lake. So, the great populations across this lake are daily coming closer to the shores of the Pacific coast for matters of trade and commerce. Also, they are drawing closer in terms of art, culture, education, and research.

Gentlemen, as we think in terms of the coming peace and the reconversion of industry and manufacture to normal peacetime pursuits and production, I challenge your thinking to the proposition that the great industrialists, trade,

and commerce factors of the East and South portion of our great Nation, cannot safely continue to tolerate or encourage any freight rate or barrier, restriction, or limitation, which seeks to choke off or cancel the normal flow of trade and commerce to and from California and other Western States. While I am not presently familiar with details of ways and means which are reported to have been employed for this purpose, and for the purpose of centering and controlling certain trade and commerce into other centers of our great Nation and so as to keep it from transferring to California and other Western States, I know it must needs be a matter for immediate conscientious thinking and treatment; so that, in the readjustment which comes with necessary reconversion, there shall be fair, just treatment of the rights of, and of the necessity of, allowing and even encouraging normalcy in freight channels, courses, and lines throughout our Nation. Call it specialization in industry and manufacturing, if you will. Admit that California and the Western States must have a fair price on steel and other heavy construction materials, if you will. Let us frankly face the fact that California and the western States are in a better position to do certain things because of natural forces and resources there available, than are certain other areas of our great Nation. For instance, just before I came to Washington from the great maritime and naval port of Long Beach, Calif., I visited the shipyards there located, and one of the high officials of the great shipbuilding yard there located significantly called my attention to the fact that there in my home city of Long Beach, the men constructing those great war and maritime ships could work longer and more hours, under more favorable climatic and physical conditions, than they could work in most any other section of our land. This means that costs there should be less for such construction. This means that the cost to the taxpayers should be less.

Our Census Bureau has again spoken. Its language and figures are significant. I hope it is a clear message to the industrialists and manufacturers in this Nation. I hope it is recognized for its real worth to us, and that railroads, transportation companies, governmental commissions, industrialists and manufacturers, and those in control of interstate commerce and trade rates and tariffs will take heed, and will resultingly act more intelligently with reference to this sure and certain increase in population in California and the western area of our Nation. It is well said that time marches on. It can be equally well said that the east moves west.

Mr. Speaker, a very significant, well-written, and informative editorial appeared in the Press-Telegram and Long Beach Sun, under date of March 12, 1945, and has provoked my remarks of this day on the floor of this great legislative body. The writers of this great daily metropolitan paper are always watching for and analyzing such significant movements as occur in our Nation and the world. I wish this editorial to be quoted in my remarks.

CENSUS BUREAU'S STORM SIGNALS

Population estimates made by the Census Bureau show how wrong it would be to assume that California and the rest of the Pacific coast are merely thinking in terms of pre-war boosters when they urge that the steel industry developed in the West since the start of the war be continued. They have a far deeper interest in seeing that their war industries are not dismantled at the end of the war.

West and South in the period 1940–44 have increased their populations nearly 4,000,000, largely at the expense of the northeastern section of the United States. It is the result of workers leaving the region where American industry before the war was largely concentrated, to take jobs in new industrial communities of the West and South, like Los Angeles County, the San Francisco Bay area, and San Diego in California; Mobile, Ala.; Norfolk, Va.; Portland, Oreg.; and the Puget Sound cities.

California's population increase is the greatest, 1,839,000, while New York State has lost 846,000, Pennsylvania has lost 653,000, and Oklahoma has lost 271,000.

Indications are that the great majority of the nearly 2,000,000 new Californians will want to stay here. If they do stay here, they must have jobs. If they are left jobless, the result will be disastrous to them and their families, and likewise to the society upon which they will become dependent.

These are the conditions giving great civic importance to the efforts by Henry J. Kaiser to retain his wartime steel plant at Fontana, and of other western industrialists to keep industries going here after the war. It is their business, but it also is the business of the entire Pacific coast. Increased population with jobs is a great asset; without jobs, it would be a gigantic burden of unemployment relief.

NATIONAL PARK IN PHILADELPHIA

Mr. BRADLEY of Pennsylvania. Mr. Speaker, I am today introducing a bill to provide for investigating the matter of the establishment of a national park in the old part of the city of Philadelphia, for the purpose of conserving the historical buildings in that section of the city and the contents and objects therein.

I am doing this in response to petitions from numerous citizens of Philadelphia as well as in conformity with sentiment expressed at a mass meeting held several weeks ago in the mayor's office in the Philadelphia City Hall. I may say the objective of the bill is endorsed by the mayor of Philadelphia, the Honorable Bernard Samuel, on behalf of the city of Philadelphia, the various historical societies of Pennsylvania, and the Philadelphia Chamber of Commerce and Board of Trade representing the business interests of the city.

The purpose is to create a commission to survey the area specified in my bill and to authorize the commission to receive information and data in order to determine the advisability and justification for the establishment of such a park.

The area to be surveyed by the commission comprises that part of Philadelphia adjacent and contiguous to the locality in which Independence Hall, Congress Hall, Old City Hall of Philadelphia where the first Supreme Court of the United States met, Carpenters' Hall and other historical buildings are situated. Some of the buildings in this area are run down and dilapidated to such an extent that the historical societies of Pennsylvania and others who have petitioned me with respect to this legislation feel they constitute a fire hazard which threatens the safety of these historic shrines which mean so much to our Nation.

I am indebted to my colleague the gentleman from Florida [Mr. PETERSON] chairman of the Committee on Public Lands, for his interest and cooperation and his promise to hold hearings in the near future on this bill. At those hearings the representatives of the various historical, civic, and business organizations of Philadelphia and Pennsylvania will be given opportunity for presentation of data to the committee, which will enable the members of the committee to make their determination with regard to a favorable report on this legislation.

POWER TO EVADE TAXES IS POWER TO DESTROY

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Speaker, Chief Justice Marshall's famous dictum that the power to tax is the power to destroy has a corollary. That corollary is that the power to evade taxes is also the power to destroy.

The Office of Defense Transportation has taken over some truck lines in South Dakota and in other midwestern States, and up to this time it has been evading the taxes and fees which other trucking companies have to pay to the States for operating trucks. This controversy has been turned over to the Honorable James Byrnes for settlement. I recently addressed a communication to Mr. Byrnes suggesting that before he vacated the high office which he now has and from which he has unfortunately resigned, he add to his public achievements by settling rightfully this controversy so that State sovereignities may be protected and so that the States can collect from private truck lines the taxes necessary, if they are to maintain the highways and State governments.

Obviously, to permit the Federal Government to take over private business enterprises and then evade the payment of taxes would be giving the Federal Government the power to destroy State sovereignty and State's rights in this country. This is a fundamental issue if we are to prevent the complete collapse of State governments. It is an issue which our State governments dare not lose. Mr. Byrnes has the authority and the opportunity to decide it correctly before his resignation takes effect. It is an important item on his agenda of unfinished business and I hope and trust he will complete this work before he ends his distinguished career of public service.

The SPEAKER pro tempore. The time of the gentleman from South Dakota has expired.

LORD HALIFAX IN OKLAHOMA

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I deeply regret the ill-mannered and discourteous attack made upon an official representative of one of our great fighting allies in the Congress recently.

I refer to the unwarranted and rude attack made upon Lord Halifax on his visit to Oklahoma when he was an invited guest by the Governor of the State of Oklahoma and by the mayors of several communities. This attack was made by the Tulsa Tribune and by my distinguished colleague the gentleman from Oklahoma [Mr. SCHWABE].

IGNORES TRADITION OF HOSPITALITY

Ignoring the traditional hospitality for which the West is famous for entertaining invited guests within our borders, the gentleman from Oklahoma [Mr. SCHWABE] has seen fit to criticize the Ambassador for witnessing a coyote hunt in the western part of the State. In all fairness, if the gentleman from Oklahoma, Congressman SCHWABE, wishes to be fair, he would have known the Ambassador was within the boundaries of our State as a guest and had no responsibility for the planning of whatever affairs were given for him by his Oklahoma hosts on this visit.

Many Members of this Congress, many of our public officials, yes, and thousands of our fighting men have been received hospitably in England. I know of no case in which such discourteous treatment has been shown to invited American guests as was shown to these distinguished guests invited to our State by officials of the State. I think this is a cheap attempt at international mischief making and has no rightful place on the floor of this Congress.

ACCEPTED STRENUOUS SCHEDULE

In extending my remarks I would like to point out that Lord and Lady Halifax and their heroic son, Richard Wood, accepted at the request of many State cities the most strenuous kind of schedule so that they could meet and understand the people of this great section of our country. In addition to endless conferences, speeches, and official visits, Lady Halifax and Mr. Wood spent much of their time visiting the wounded soldiers in our hospitals, talking to Red Cross workers, and in assisting in other lines of important war work.

Because of the great sacrifices that this family have made, they were warmly received and their friendly visit was deeply appreciated by the entire State, and particularly by the families of the men who fight side by side with the men from their country.

These unfair attacks by my colleague and by the Tulsa Tribune in no way reflect anything except the microscopic minority of the people of the State of Oklahoma.

Mr. Speaker, I would like to include in the extension of my remarks an editorial recently published in the Daily Oklahoman, the largest newspaper in the State, likewise resenting and criticizing the unfairness of these attacks:

OKLAHOMA CRUDE

Other people are just like we are. If they, upon visiting Oklahoma, receive courteous and generous treatment, they will acquire a pleasing impression of our State and people and will retain a very pleasant memory through all their subsequent years. But if they encounter just one act of intentional discourtesy, their first visit is likely to be the last, and they probably will be disposed to judge all the people by the discourtesy of the few.

When Lord Halifax and his party visited Oklahoma recently, the State had a real opportunity to impress an empire with the fact that Oklahomans in the mass are not the Okies of Steinbeck's imagination. But thanks to the intemperateness of a very few, Lord Halifax is likely to have an unpleasant memory of Oklahoma as long as he shall live. While in the State he was berated by some in language as crude as their own peculiar ideas of courtesy. Upon his return to Washington he received from a well-known Oklahoman a letter complaining of the "lies" told to Americans by the British. And, as if the letter was not crude enough in all conscience, it was placed in the CONGRESSIONAL RECORD by a strangely assembled Oklahoma Congressman.

WAS INVITED GUEST

If Lord Halifax had come to Oklahoma in his individual capacity as an individual visitor, he would have deserved the courteous treatment that gentlemen are so careful to accord. But, he came officially as the representative of a great empire. He came in such a capacity that any discourtesy shown to him was tantamount to an offense to one of the greatest of the nations. Moreover, he came as an invited guest. Hence, any crudeness shown in our reception of him may have the tendency to convince millions of people that the picture of Oklahomans drawn in the Grapes of Wrath was a true and an accurate picture.

Naturally enough, all Oklahomans have resented the name of "Okies." But all of us had just as well realize that all of us are going to wear that appellation just as long as a few give proof that they deserve it.

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HAYS. Mr. Speaker, my reaction to the unwarranted attack of the Tulsa Tribune is one of sadness as well as anger that this attack should have been made upon a guest in our section of the country, the great Southwest, which I love. I do not question the propriety of voicing a difference of opinion with representatives of the British Empire, but this kind of expression was altogether inconsistent with the gracious spirit of the man himself. He is a great man, and he loves our people. He and his family have suffered in the defense of our institutions and for the common cause. As a citizen of Arkansas, one of the States included in his itinerary, I resent the vicious attack that has been made. I hope the people of the British Empire will understand that the people of this country appreciate the friendliness so well exemplified by their Ambassador and that our differences will be settled impersonally and honorably.

The SPEAKER pro tempore. The time of the gentleman from Arkansas has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I have asked for this brief time to say I agree wholeheartedly with the sentiments of the gentleman from Arkansas [Mr. HAYS] and my colleague the gentleman from Oklahoma [Mr. MONRONEY]. I am glad to join them in saying that the Tulsa Tribune editorial does not reflect the sentiments of the rank and file of the people of our State or country. Moreover, I desire here and now to humbly apologize to Lord and Lady Halifax and their family and host of friends in Oklahoma and throughout the world for the unkind, uncalled for and discourteous treatment of them at the hands of one of the large daily newspapers in Oklahoma.

I am sure that a vast majority of our citizens feel that it was indeed an honor to our State to have Lord Halifax pay us a visit. Our citizens also deem it a high honor that one of England's best-known, beloved, and honored sons, Richard Wood, heroic son of Lady and Lord Halifax, who lost both legs in defense of the liberties of mankind accompanied our recent distinguished guests to Oklahoma. While in our State, as pointed out by my colleague, this legless hero took time to visit many hospitals crowded to overflowing with sick and disabled overseas veterans. He brought much cheer to them. One of the crowded hospitals he visited was in my home city of Chickasha. According to reports coming to me from several friends, including patients at that hospital, our sick and wounded boys do not share the views of the editor of the Tulsa Tribune, who apparently is more interested in promoting the "hate England" campaign at this critical time than in promoting unity among our allies in this war.

The people of Oklahoma, as well as American citizens everywhere, know that Lord and Lady Halifax have suffered grievous personal loss as a result of this tragic war. They have given more than mere lip service to the war. Another fine son whose memory all Americans honor and revere paid the supreme sacrifice that mankind everywhere might be free, including the freedom of the press.

In conclusion, Mr. Speaker, permit me to reiterate and reemphasize that as a Representative of the Commonwealth of Oklahoma we do deeply and sincerely appreciate the honor that these distinguished guests have paid our State, and again offer our apologies for the fact that such an unfortunate attack should have been made, and especially that it should have found its way into the CONGRESSIONAL RECORD. Of course, it is all inexcusable. May I express the hope that out of the bigness of their hearts Lord and Lady Halifax and their distinguished

and honored son will accept our assurance that the editorial in question that has been broadcast throughout the world does not represent the true sentiments of our people, but that Americans in Oklahoma and the Nation hold them in high regard and in sincere affection.

The SPEAKER pro tempore. The time of the gentleman from Oklahoma has expired.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I am rather surprised at the remarks of my very good friend, the able gentleman from Oklahoma [Mr. MONRONEY]. By general agreement, as announced by the majority leader, there were to be no controversial matters on the floor of the House from March 29 to April 10. This understanding was clarified by the majority leader in his remarks to the House, found on page 2870 of the CONGRESSIONAL RECORD of March 27. A 1-minute speech or an extension of remarks may not be considered controversial. A speech, however, severely criticizing and castigating—even though it is not an outright attack—the judgment and conduct of a Member of the House certainly comes within the category of controversial matter.

I have not read the extension of remarks of the gentleman from Oklahoma [Mr. SCHWABE], wherein he included an editorial from one of the leading newspapers in Oklahoma. I, therefore, make no observation concerning the merits of the editorial or the wisdom of inserting it in the RECORD. With the assurance that nothing controversial was to be before the House, many of our colleagues, who were not required to remain in Washington because of committee or other work, have returned to their homes for a few days. I assume that the gentleman from Oklahoma [Mr. SCHWABE], like a majority of the other Members, has returned home. At least he is not one of the few present here today.

In these circumstances, it seems to me that the remarks to which I have referred are regrettable. Possibly if the language used reflects on the conduct of the gentleman from Oklahoma [Mr. SCHWABE] a motion to expunge from the RECORD might be in order. That, of course, would be controversial business, might require a roll call, and would be unfair to those Members who in good faith are out of the city.

Mr. Speaker, there can be no objection to the several gentlemen from Oklahoma apologizing for an editorial in one of their home papers if they are not in agreement with the editorial. However, I do deplore the approach to this matter in the absence of the gentleman from Oklahoma [Mr. SCHWABE] without his knowledge, and with no opportunity on his part to explain his position.

The SPEAKER pro tempore. The time of the gentleman from Michigan has expired.

For what purpose does the gentleman from Oklahoma rise?

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. The Chair regrets that Members cannot be recognized to proceed for 1 minute a second time.

JUSTICE BYRNES

Mr. RICHARDS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and include two editorials from Washington papers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RICHARDS. Mr. Speaker, the retirement of Justice Byrnes has met with universal regret. Probably no man connected with our Government has been held in greater esteem from all quarters. Few, if any, have carved out more illustrious records in all three of the coordinate branches of our Government. He deserves a rest now, but the time will probably come when he will be called to step into the breach again; and he will answer "Here" as he always has.

As samples of the commendatory things being said of Justice Byrnes by the press, I quote editorials from the Washington Post and the Evening Star:

[From the Washington Post of April 3, 1945]

ART OF BEING BYRNES

No man who has seen Justice Byrnes at work will want to see him leave the public service. He is the epitome of a quality that has a premium attached to it by the nature of the American political system. We mean compromise. Edmund Burke, writing on the need for reconciliation with the American Colonies, said that all government, "indeed, every human benefit and enjoyment, every virtue and every prudent act," is founded on compromise. What was necessary in relations with the Colonies became just as necessary in relations within the Federal system which grew out of the "bundle of compromises" of 1787. It is not a habit with Mr. Byrnes; it is an art. He knows when to compromise, and how, and that is a gift which makes Mr. Byrnes invaluable in our public life. In fundamental things Mr. Byrnes can be as unyielding as a man whose lack of addiction to compromise is merely the mark of stubbornness.

Indeed, Mr. Byrnes' main task in this war has been to "hold the line" against inflation and economic instability. On October 3, 1942, he stepped down from the Supreme Court to become Director of Economic Stabilization. A year later he was put in overall charge of the home front, as Director of War Mobilization. When the prospect of peace began to be envisaged, he was also saddled with the problems of reconversion, and his office became known as the Office of War Mobilization and Reconversion. The burden has been onerous, the responsibility immense.

Perhaps Mr. Byrnes' chief trouble in that time has been to persuade his subadministrators to share his sense of responsibility. He wanted to resign 15 months ago when the country had become mobilized within the voluntary framework that the President had created. His bags were packed when the new administration came in. Now that he has set the pattern for reconversion, he feels that he can step down with an easy conscience. The plans to be drawn up and carried through will require several more years, and it is Mr. Byrnes' feeling that they need a new hand at the helm. Mr. Byrnes' resignation brings in his former coadjutor, Judge Vinson, a man of similar quality and of similar congressional experience, a man equally respected for his sincerity and integrity and judgment, though, if anything, less pliable in his official dealings. No appointment could have been more appropriate.

Mr. Byrnes has often expressed a desire to go back to the practice of law. It is no secret that he was disappointed that he did not share the Democratic ticket last fall with Mr. Roosevelt. There are those who felt that his proper place, failing that selection, was the Secretaryship of State. But any disappointment on these scores that Mr. Byrnes may have felt has long since vanished, and there is not the slightest reason to think that his long-contemplated resignation is traceable to any reason other than the one assigned to it. What he needs now is a rest from the arduous, even killing, labors of the last few years. But we would warn him that the reaction of most of his old coworkers in Washington will be to wonder what public job he could best fill when he returns. There is one that readily occurs to us. That is the post of delegate to the security council in the new world organization, where the United Nations and the world will have need of that happy blend of firmness and compromise which Mr. Byrnes brings to his assignments.

[From the Washington Evening Star of April 3, 1945]

MR. BYRNES DEPARTS

The extent and genuineness of the sense of disappointment with which the announcement of his departure from public life has been received is the best measure of the service which James F. Byrnes has rendered and the best tribute to his qualities as a man. In 1942, after a long and creditable career in public life, Mr. Byrnes was serving on the Supreme Court—the highest distinction to which any lawyer can aspire. But he did not hesitate to put the security and the honor of that post behind him when the President asked for his aid in preparing the country for the grim test of war. As head of the Office of Economic Stabilization and, later, as Director of the Office of War Mobilization, Mr. Byrnes became known as Assistant President, and, indeed, his domestic burdens and responsibilities were second only to those of the Chief Executive.

It may well be doubted that any other man could have accomplished more in these difficult posts. Occasional mistakes were made, but they are insignificant when measured against the accomplishments for which Mr. Byrnes is entitled to full credit. In his approach to all problems the national welfare was his first consideration, and this remained true when he sought a solution through a process of compromise as well as when he felt obliged to adhere to a policy of uncompromising firmness. In pursuing this course Mr. Byrnes made enemies, and they were able to deny him a place on the Democratic Party ticket last fall. It is an undeniable fact, however, that the enemies which he has made and the nature of their complaints against him are an impressive tribute to Mr. Byrnes and the unselfish quality of his performance.

In leaving public office now, Mr. Byrnes is giving effect to a desire expressed as long ago as last summer, and there is no occasion to look behind the stated reasons for his resignation. As he steps down, it is fortunate that the President can turn to a successor with the experience, character, and reputation of Judge Vinson, even though his advancement will leave a vacancy in the Federal Loan Administration which will be hard to fill.

THE YALTA CONFERENCE

Mr. LEWIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a newspaper article.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. LEWIS. Mr. Speaker, Premier Stalin is a realist. At Yalta he made a proposition to Prime Minister Churchill and President Roosevelt that, in my opinion, is in keeping with the realities of the world situation. His proposal is, as reported in the Washington Post of Thursday, April 5, 1945, in the column of Drew Pearson, as follows:

The tip-off as to how Joe Stalin feels about smaller nations was given more than a year ago in a private talk with Cuban Ambassador Concheso. It gave a significant indication of why Stalin demands three votes in the United Nations Assembly.

Stalin amazed the Ambassador with his knowledge of Cuban labor and economic problems, but talked as if Cuba were part of the United States. Concheso explained that the Platt amendment had been abrogated and Cuba now had complete political freedom. But this made little impression on Stalin. He viewed Cuba as wedded to the United States of America.

Then he turned to Argentina. And with considerable vehemence he remarked that it was about time the United States took Argentina in hand and forced it to join the Allies. Stalin's eyes flashed when he talked of Argentina and he seemed to believe that the United States had complete control of the entire American Continent.

Ambassador Concheso explained that Argentina was a long way off from the United States of America and that the United States took pains to respect the independence of Latin-American states. But Stalin seemed unconvinced.

STALIN'S BORDER STATES

Since then, evidence has increased that the Soviet considers (1) Latin America as a bloc which will always vote with the United States, (2) smaller nations close to a big power as legitimate satellites of that power.

For instance, when Winston Churchill visited Moscow last summer, Stalin was very frank in saying that Russia must have a series of states on her western border—Poland, Rumania, Finland—which were friendly to her. He made it plain that the Soviet would not tolerate for a minute a government in these bordering states which did not cooperate with the U. S. S. R.

Since then Stalin has changed the Government of Rumania when it suited him, has forced the Allies to accept the Polish Lublin Government, and has caused a Government turn-over in Finland.

So the coldly realistic Stalin figures that the tactics he employs with his neighbors are employed also by the United States of America with its neighbors; and if not, then it's this country's fault. In fact, his only complaint to the Cuban Ambassador was that the United States didn't crack down on Argentina.

SIXTEEN SOVIET VOTES

Stalin's views regarding small countries were expressed quite clearly at the closed-door sessions of the Dumbarton Oaks Conference. Ambassador Gromyko pointed out that Russia, occupying one-sixth of the earth's surface, would have only one vote, while the British Commonwealth would have six.

Stettinius replied that the United States, almost as large as Russia, had only one vote and was not complaining. Gromyko countered with the reminder that the United States dominated 20 Latin-American republics and could swing 21 votes.

For a while the Dumbarton Oaks parley was completely deadlocked. But finally Gromyko revealed that his Government planned to organize 16 Soviet republics.

At this both Roosevelt and Churchill hit the ceiling.

In the end Russia agreed to postpone the question of 16 votes until Churchill, Roosevelt, and Stalin could sit down together. This was what F. D. R. faced at Yalta.

And out of this came the compromise of three votes for both the United States of America and the Union of Soviet Socialist Republics.

He proposed, according to belated accounts of the conference from the White House, that the Union of Soviet Socialist Republics be given three votes in the assembly of the world organization tentatively sketched at Dumbarton Oaks. To this proposition, President Roosevelt acceded and promised Premier Stalin that the United States would support such a proposition at the San Francisco Conference.

The basis for Stalin's proposal is the recognition that a vast country such as Russia, wielding a tremendous power in the community of nations, should not be confined in its voting in the assembly to the same representation as, for instance the little country of Haiti, having but a small fraction of the area and population and resources of the Union of Soviet Socialist Republics, and that it is in accordance with the realities of the situation to confine the voting power of the great nations of the world to the same representation as that accorded to the relatively minor nations of the world. With this position, I am in entire agreement, and I approve the President's promise to support Mr. Stalin's position at the San Francisco Conference, and to ask for the same representation for the United States of America—namely, three votes in the assembly. The only fault that I would find with either Mr. Stalin's proposal or Mr. Roosevelt's is that they both fall short of what I conceive to be a fair basis of representation for the United States of America and for the Union of Soviet Socialist Republics. I think the British position to the effect that the independent component parts of the British Commonwealth of Nations should each be entitled to a vote in the assembly is in strict accordance with the realities. On this basis I understand that Britain will claim and obtain a vote for each of the independent component parts of the British Commonwealth of Nations, commonly called the British Empire. On this basis that empire would have six votes.

It seems to me that, if the British Empire is to have 6 votes, the Union of Soviet Socialist Republics, consisting of 16 autonomous republics constituting the Soviet Union, should be entitled on the same basis to 16 votes. On that same basis the United States should have a vote for each 1 of the 48 States that comprise our Union, and, in order to give substance to that proposition, I shall introduce a measure which, if enacted, will confer upon each one of our States all of the attributes of sovereignty and all of the powers which, under our Constitution, Congress is authorized to grant.

I believe Mr. Stalin's proposal and the proposal of the British Empire for such multiple representation is realistic, and I regret that the President has announced that he is receding from the position he took at Yalta in requesting multiple representation for the United States. The only complaint that I can have with the President's Yalta proposition is that it is only partially realistic, and that America should have in any assembly of nations a representation approximately proportionate to the power and influence which she wields. It is for that purpose that I am introducing the measure above referred to, and I trust that Congress may see fit to enact it in order to lend substance to our claim to be a union of 48 sovereign States. While it may be that the voting power in the assembly of nations accorded to the United States may not be exactly the number of States in the Union, it is manifestly in accordance with realities to accord to the United States, to Russia, to Great Britain, and possibly some of our other United Nations, voting representation proportioned to their power, wealth, influence, population, and territorial extent. In fact, it might be wise, if the new community of nations is to be a real instrument for the peace of the world, to make the voting strength of each nation in the assembly and in the council a variable proposition from year to year, taking into account not only the elements heretofore named but also giving increased representation as a recognition from year to year of achievements in the sciences and the arts and in peaceful achievements for the benefit of mankind. I feel sure that, with the combined wisdom of the nations in the San Francisco Conference, they may be able to develop such a flexible voting basis as will give credit and due weight in the organization of the nations for achievements in the works of peace and civilization.

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

LORD HALIFAX IN OKLAHOMA

Mr. FOLGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FOLGER. Mr. Speaker, I do not know anything about this but I think something pretty bad has happened that these gentlemen have been talking about.

Mr. MONRONEY. Mr. Speaker, will the gentleman yield?

Mr. FOLGER. I yield.

Mr. MONRONEY. Mr. Speaker, I thank the gentleman from North Carolina for yielding to permit me to clear up the matter mentioned by the distinguished gentleman from Michigan, the acting minority leader. I regret too, Mr. Speaker, that some sections of the press of the Nation have made an issue out of the Ambassador's visit as a result of my colleague's remarks in the RECORD and his reprinting of the Tulsa Tribune editorial therein.

I regret that it is necessary now, without further delay, to try to correct this matter. I endeavored to call the gentleman from Oklahoma [Mr. SCHWABE] to notify him that I intend to answer him. I am sorry he is out of the city.

But I cannot agree with my colleague from Michigan that this should be left unanswered indefinitely—or to wait until

the Congress might happen to be back for its regular business on the 10th or 12th or 15th of April. The blaming of Lord Halifax for the use of automobiles or airplanes in an Oklahoma coyote hunt is offensive, and damaging to our relations with a fighting ally. The fact that the hunt was arranged solely by the Oklahoma people and in no way the responsibility of Lord Halifax who was present merely as an invited guest, is important.

That was the reason my statement was made at this time. I do not believe, and I do not think the gentleman from Michigan can find anything in my remarks that can be expunged from the RECORD of this House.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

EXTENSION OF REMARKS

Mr. BECKWORTH asked and was given permission to extend his remarks in the RECORD and include an article.

NEW CONTRACT WITH ALUMINUM MONOPOLY SHOULD BE CANCELED FOR AMERICA'S WELFARE

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker, our handling of the vast program for war procurement of aluminum involves every segment of our national economy, now and after the war.

The Metals Reserve Company, a subdivision of the R. F. C., has just signed a new contract with the Aluminum Co. of Canada, to purchase another 250,000,000 pounds of aluminum. The Aluminum Co. of Canada is the Canadian front for the giant American aluminum trust, Alcoa. That fact alone is deeply disturbing, and particularly so when all accompanying facts are marshaled to stand beside it.

We certainly are not so narrow in our views that we would protest the purchase of needed and vital war materials from a company located within the boundaries of an ally. Certainly there is no Member of this Congress who would be so shortsighted as to insist that we cut off our war supplies because we do not want a monopoly to produce them.

What is wrong with what is commonly referred to as the Shipshaw deal is that it is stifling the American aluminum industry. It is risking at least $50,000,000 of taxpayers' money invested in the Pacific Northwest alone. It will cost us $10,000,000 more for aluminum than we could produce it for ourselves.

And this vast wastage comes atop an outright loss of at least another $65,000,000—or possibly $100,000,000—already invested in uneconomic aluminum plants whose location in high-cost power areas can only be understood as having been dictated by those who wanted to protect Alcoa from real post-war competition.

Now, the Shipshaw contract has been extended. This renewal may cripple the post-war prospects of at least one entire section of our Nation—the Pacific Northwest. That is not the concern alone of us who come from that section. If one section suffers, the Nation suffers. If monopoly is aided to stifle free enterprise for potential competitors, our whole economic system becomes more unworkable, and our 60,000,000 post-war jobs program becomes unrealizable.

Not the least objectionable feature of this contract is that it comes at the very moment when the circuit court of New York, in a final decision, has branded the vast aluminum empire of Alcoa a monopoly and ordered its dissolution after the war if competition is not by that time firmly established.

The entire Shipshaw deal, originated and engineered by the Reconstruction Finance Corporation and the Metals Reserve Company under Jesse Jones, is a national scandal. I see no reason now that a scandal left by Jesse Jones should be perpetuated after he himself has left us.

Mr. Speaker, so vital is it to this Nation to win this war as quickly as possible that most of us excuse almost any act if it will help defeat the Axis 1 day sooner. If it could be shown that this 250,000,000-pound contract with Aluminum Co. of Canada, a wholly owned subsidiary of a corporation whose stock is held by the same stockholders who control Alcoa and dominated by the same 11 individuals who rule American aluminum production, is essential to victory, or will bring that victory a single hour sooner, there would be no logical ground for protest.

With this in mind, a week ago I urged the Senate Small Business Committee, which has been investigating the light-metals industry, to look thoroughly into this contract.

After an exhaustive study of my own I have reluctantly concluded that the extension of the Shipshaw contract cannot longer be excused on the basis of the war urgency, that the extended contract must be canceled, and our own Government-owned plants—under private management the potential post-war competitors of Alcoa—be given the opportunity to produce this needed aluminum.

Let me review some of the facts which have come to my attention. I know that I do not need to detail the great solicitude which we have previously shown for the Aluminum Co. of Canada—the Alcoa of our northern neighbor. My esteemed colleague the gentleman from the Sixth District of Washington [Mr. COFFEE] has ably exposed this solicitude long before I was a Member of this Congress.

In April of 1943—2 years ago—my colleague introduced a resolution to investigate Jesse Jones' assistance to Alcoa's Canadian front. He presented a startling array of facts.

Repeatedly since then the gentleman from Washington [Mr. COFFEE] and other able Members have detailed the way in which the Defense Plant Corporation and the Reconstruction Finance Corporation gave more than $68,500,000 of our taxpayers' money to the Aluminum Trust in Canada, and how the 11 stockholders owning a majority interest in both the American and Canadian companies got from the D. P. C. and R. F. C. here, and from the Canadian Government, a $300,000,000 aluminum plant at Shipshaw, in Canada, for an investment of only $15,000,000 of their own money.

We loaned the $68,500,000 interest-free. We arranged to give the principal, too, through prices enough more than what we paid any American producer so that all of the original $68,500,000 would eventually come out of our pockets.

That original deal might have been justifiable because the only people who knew how to produce aluminum were the ones we had permitted to monopolize 90 percent of the virgin ingot business through the years before the war. But did we help potential competitors of Alcoa on the same favorable terms? We did not.

We gave them no interest free money. What the R. F. C. loaned American competitors of Alcoa was at 4 percent interest. We gave no American producer specially high prices to help him repay the principal. While we were paying Alcoa of Canada 17 cents or more a pound for aluminum, we rigidly demanded 15 cents a pound as a ceiling from American competitors of the aluminum trust.

At this same time, we were putting $271,000,000 of American money into Defense Plant Corporation aluminum plants of our own. Who chose the sights for these plants, I do not know. But anyone who will aquaint himself with the problems of aluminum production can easily discover that every time you add one mill to the cost of electric power at an aluminum plant, you add a cent a pound to the cost of producing aluminum. For it takes 10 kilowatt-hours of power to produce 1 pound of aluminum.

This fact must have been known to those who located our American plants. Yet, they put:

A $33,000,000 plant at Maspeth, N. Y., where power costs 6.5 mills.

A $19,800,000 plant at Massena, N. Y., where power costs 6.5 mills.

A $17,000,000 plant at Burlington, N. J., where power costs 6.5 mills.

Consequently, the cost of production at these plants, all of which were later closed, was 16 cents or more a pound. The selling price was 15 cents a pound.

Thus, we lost on every pound produced; from the day the site was picked for these plants, we were destined to lose.

The gentlemen from New York and from New Jersey are as interested in this problem as any of us, because they now have in those sections D. P. C. plants which cannot produce aluminum at an economically sound price, and are therefore only $65,000,000 junk piles when it comes time to interest private investors in them for post-war developments.

While these mistakes were being made—and through them Alcoa was being assured of no real competition from such high-cost plants in the post-war world ahead—the D. P. C. did locate in low-cost power districts, other aluminum plants.

We in the Pacific Northwest are blessed with an abundance of hydroelectric power, and we have had the vision—and

this administration and Congress has had the vision, to develop that power through Grand Coulee and Bonneville. We hope to develop it further through a Columbia Valley Authority.

It was this power which gave to us in the Northwest ideal locations for aluminum plants.

Alcoa and Reynolds, the only private competitor the monopoly has and one which came into existence without benefit of special Government aid such as we granted to Alcoa's Canadian counterpart, took advantage of this situation. Alcoa has a plant at Vancouver, Wash. Reynolds located a plant at Longview, Wash.

The Defense Plant Corporation also invested $50,000,000 in Northwest plants. One at $23,500,000, in Spokane; one, at $19,600,000, in Troutdale, Oreg.; and one at $6,554,000, at Tacoma, Wash.

All of these plants benefit from our cheap Northwest power, the cheapest power in this Nation at 2 mills. As a consequence they did produce, and are producing aluminum at from 10 to 11 cents a pound, and they returned to this Government, when they produced at capacity, between $14,000,000 and $15,000,000 a year in profits.

South along the Pacific coast, which also has hydroelectric power, although at a price nearly double that in the Northwest, two other plants were located, a $13,000,000 plant at Los Angeles and a $8,000,000 plant at Riverbank, Calif.

With the higher power cost, these two plants could not return a profit to the Government, but they could, and did, produce aluminum for the war at virtually cost.

For nearly 3 years now, there has been rightful agitation to locate an alumina plant at tidewater in the Pacific Northwest. Aluminum is made from a white, flour-like substance, known as alumina, chiefly produced from bauxite. The D. P. C. erected two alumina plants, one at Hurricane Creek, Ark., at a cost of $39,045,000, and one at Baton Rouge, La., at a cost of $28,567,000. The Baton Rouge plant hardly got into operation when it was closed.

Had this plant been located at tidewater in the Pacific Northwest, or had it been removed there, or had a new plant been erected to supply the 2,000 tons of alumina which the Northwest plants consume a day, the investment would have been paid off in freight-rate savings in 3 years.

Meanwhile, there was being developed a process of extracting alumina from Northwest clays. Five small pilot plants, to experiment in the production of alumina from clay, were authorized. Today, we still await the operation of such a plant at Salem, Oreg.

Had full attention been given to the production of almuinum under these circumstances on the Pacific coast, we could have already saved millions of dollars during this war in terms of returned profit from low-cost production. We could have regained the more than $50,000,000 of Government investment in western aluminum plants through sale to willing private investors. And we would have laid the ground work for a great new light metals industry, armed and prepared to assume its role of a competitor with the great giant, Alcoa, in the post-war world. We would have contributed toward the prosperity we seek, and the 60,000,000 jobs we are pledged to attain.

But—no! Last August came the pronouncement that we had "aluminum running our of our ears." D. P. C. ordered cut-backs all along the line.

Riverbank and Los Angeles plants were closed—added, at that moment, to the $65,000,000 junk pile of eastern plants. Two pot lines at Troutdale were closed. Two were closed at Spokane.

Last month one of these pot lines at Spokane reopened.

No effort was made to bring to the Northwest an alumina plant of any type. Yet, men of vision must know that a nearby source of alumina would be profitable to the Government's operation now, and will be essential to the post-war disposal of Government facilities without great loss. With the war in the Pacific gathering in velocity, it is criminal to clog our badly pressed railroads to the coast with shipments of alumina from Arkansas which could be made cheaply in the Northwest.

The shocking fact is that if those cutbacks in the Pacific coast production of aluminum had not been made last August, America would by this time have produced 25 percent more aluminum than is called for in our contract with the Canadian Alcoa and at a saving for our taxpayers of 4 cents on every one of the 250,000,000 pounds just authorized.

If the R. F. C. would cancel that new contract and reopen the Northwest's pot lines, which it should do, we could produce in our own country within 6 months the amount the contract with the Canadian monopoly demands.

In cold dollars, at 4 cents a pound, we would save $10,000,000, and on every penny of that 4 cents a pound saving, this Government would receive 85 percent of the profit, in accordance with the terms of its contracts with the operators of D. P. C. plants.

It is not a question of giving the contract to Canada's Alcoa or not having aluminum for the war. We can produce what we need by operating the plants we have already built with Government funds. We can get it cheaper. At the same time, we can preserve the Government investment in our own efficient, low-cost plants and make them more attractive for post-war disposal to private interests.

Alcoa has just been held by the Circuit Court of New York to be a monopoly operating in violation of the Sherman antitrust law. Alcoa has just been told that after the war it must dissolve unless it is by that time no longer the sole source of virgin ingots in this country.

Aluminum, Ltd., in Canada has just been found to have actively participated in the organization of an illegal world cartel.

The disposition of D. P. C. aluminum plants, especially those which can produce economically and in competition with Alcoa, must not be prejudiced now by further contracts with Aluminum, Ltd., especially when the aluminum we need we can get by operating the facilities we have built ourselves.

The future of this great industry, the future of the great aviation industry, the future of the people who have come to the Northwest to work in our mighty war plants there, the future of private investors who look to the beginnings of light metals production in that great, rich area, and more generally, the future of our whole country, free from the restrictive effects of monopoly, unshackled from world cartels, are all involved to some degree in the R. F. C.'s most unwise extension of the Shipshaw contract.

It should be immediately canceled and the Northwest's plants should be put to work at full blast.

DEVELOPMENT OF MILITARY PLANES

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. SPARKMAN. Mr. Speaker, on Tuesday, March 27, in the debate here in the House on the manpower bill, the gentleman from New York [Mr. TABER] charged Members on this side of the aisle with playing politics with national defense in June 1939.

These people—

He said—

voted against a provision in the War Department appropriation bill providing $9,000,000 to develop the Flying Fortress and the fighting planes of this country at a time when we had no designs suitable for the construction of either.

They wanted to build ghost airplanes, not fighting airplanes, * * * and by their operations they delayed the development of our Flying Fortresses and our fighter planes 3 months at a very critical period.

The remarks were quite irrelevant to the debate, as so many remarks of the opposition are, and ordinarily I should ignore them. But we have a duty, I think, to keep the record straight.

The facts are that in June 1939, 3 months before the outbreak of war in Europe, there was before the House a War Department appropriation bill including funds for the construction of 5,500 military planes, as recommended by the Secretary of War, General Arnold, and Gen. Malin Craig, then Chief of Staff.

The bill had the backing of the aviation industry and aviation experts, including Colonel Lindbergh, once the darling of the opposition, who said:

It would be, in my opinion, an error to reduce the number of planes called for in the expansion program of the Army Air Corps.

But this did not satisfy the gentlemen on the Republican side of the House. Oh, no; they knew far more about our air needs than the Chief of Staff, General Arnold, and other aviation experts. So they proposed by an amendment to cut down the size of the appropriation and reduce construction by 1,283 planes.

Any planes we built would be no good, they said, taking a slap at American ingenuity and engineering that even some of their colleagues protested. And why the hurry? From their own private sources they knew that there was not going to be a war. Before we went ahead as recommended, we should wait a year or two for further research and experimentation—as if the Army, Navy, and the aviation industry had not been conducting research and experimentation all along.

Besides, it was said, it would "save a lot of money," and "a little later"—notice that phrase—some of the money could be allocated for research and development.

Now, the War Department appropriation bill carried an item of $10,000,000 for just such purposes. But that was not enough, the Republican generals decided. In their infinite wisdom they proposed to deny the War Department almost 1,300 badly needed planes, almost a fourth of the number asked for, and instead give it an additional $9,000,000 for experiment and research.

When the matter came to a vote, the House wisely decided by a majority of 217 to 150 that it would follow the competent technical advice of the Army rather than the Republicans' political strategy; 122 Republicans voted for the crippling amendment, and only 5 against.

On the record, who was in favor of providing fighting ships, and not ghost ships, still in blueprint stage on the drawing board? Who was playing politics on national defense? Who consistently followed a narrow partisan line and irresponsibly sniped at all preparedness measures right down to Pearl Harbor? Who voted against acquiring stock piles of strategic war materials in 1939? Who voted against the Selective Service Act in 1940? Who voted against the extension of the Selective Service Act in the summer of 1941, less than 6 months before Pearl Harbor?

If I were a gentleman on the other side of the aisle, I would show the greatest modesty and exercise the utmost restraint in talking of my party's record on the Army Air Forces expansion bill of 1939 or any other part of our pre-Pearl Harbor preparedness program that is now paying off in the greatest military victory of history, thanks to the foresight of the President and the administration.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore announced his signature to an enrolled bill of the Senate of the following title:

S. 298. An act to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes.

ADJOURNMENT

Mr. SHEPPARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 28 minutes p. m.), under its previous order, the House adjourned until Monday, April 9, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship-sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 a. m.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANDOLPH:

H. R. 2839. A bill to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia; to the Committee on the District of Columbia.

By Mr. ROBINSON of Utah:

H. R. 2840. A bill to amend section 6 of the Defense Highway Act of 1941, as amended; to the Committee on Roads.

By Mr. WICKERSHAM:

H. R. 2841. A bill relating to the deductibility from gross income of intangible drilling and development costs incurred in connection with the drilling of wells and the preparation of wells for the production of oil or gas; to the Committee on Ways and Means.

By Mr. BRADLEY of Pennsylvania:

H. R. 2851. A bill to provide for investigating the matter of the establishment of a national park in the old part of the city of Philadelphia, for the purpose of conserving the historical objects and buildings therein; to the Committee on the Public Lands.

By Mr. KING:

H. R. 2852. A bill to create a Natural Resources Board, and for other purposes; to the Committee on the Public Lands.

By Mr. McGEHEE:

H. R. 2853. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in the United States naval hospital, Seattle, Wash., on May 10, 1944; to the Committee on Claims.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ABERNETHY:

H. R. 2842. A bill for the relief of Montgomery County, Miss., districts Nos. 2 and 3; to the Committee on Claims.

By Mr. BECKWORTH:

H. R. 2843. A bill for the relief of the legal guardian of James Harold Nesbitt, a minor; to the Committee on Claims.

By Mr. BLOOM:

H. R. 2844. A bill granting an increase in pension to Mrs. Katherine Nelson; to the Committee on Pensions.

By Mr. HAVENNER:

H. R. 2845. A bill for the relief of Ruth Muzio (Mrs. Joseph Muzio) and the legal guardian of Louis Muzio; to the Committee on Claims.

H. R. 2846. A bill for the relief of A. Boyd Puccinelli; to the Committee on Claims.

H. R. 2847. A bill for the relief of A. Boyd Puccinelli; to the Committee on Claims.

By Mr. HAYS:

H. R. 2848. A bill for the relief of the legal guardian of Wilma Sue Woods, Patsy Woods, Raymond E. Hilliard, and Thomas E. Hilliard, minors; to the Committee on Claims.

By Mr. HESELTON:

H. R. 2849. A bill for the relief of James R. Walsh; to the Committee on Claims.

H. R. 2850. A bill for the relief of Felix Napiorkowski; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

323. By Mr. LEONARD W. HALL: Petition, containing 176 signatures, in opposition to the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

324. By Mr. McCORMACK: Petition of the General Court of Massachusetts, urging the Members of Congress from the New England States to confer with the Office of Price Administration with a view to effecting an adjustment quickly in the egg price ceilings in the New England area; to the Committee on Banking and Currency.

325. By Mr. SHORT: Petition of Rev. Glen Trowbridge and other members of the Church of the Brethren of Carthage, Mo., opposing compulsory peacetime conscription legislation; to the Committee on Military Affairs.

326. By Mrs. SMITH of Maine: Petition signed by Blanche G. Cobb and sundry other citizens of Lisbon Falls, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

327. By the SPEAKER: Petition of Abruzzese Beneficial Society of Bethlehem, Pa., petitioning consideration of their resolution with reference to an extension of an invitation to attend the Conference of Allied Nations at San Francisco to democratic Italy; to the Committee on Foreign Affairs.

328. Also, petition of Orsarese Beneficial Society of Bethlehem, Pa., petitioning consideration of their resolution with reference to extension of an invitation to attend the Conference of Allied Nations at San Francisco to democratic Italy; to the Committee on Foreign Affairs.

SENATE

FRIDAY, APRIL 6, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met in executive session at 11 o'clock a. m., on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God our Father, whom we seek in all our need and through all the mystery and perplexity of life, without whom we cannot live bravely or well, show us Thy will in all the maze of paths our uncertain feet may take. As we draw near to Thee now in prayer do Thou graciously draw near unto us, until we become more sure of Thee than of midday light: Come to us in the common life that entangles us; meet us in the thorny questions which confront us; make Thy highways through the avenues of sense; clothe Thy glory in our failing flesh; breathe through the things that are seen the peace of the unseen and eternal. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, April 5, 1945, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Daniel
Austin	Gurney	O'Mahoney
Bailey	Hart	Pepper
Ball	Hatch	Radcliffe
Bankhead	Hayden	Reed
Barkley	Hill	Revercomb
Bilbo	Hoey	Russell
Brewster	Johnson, Calif.	Saltonstall
Bridges	Johnson, Colo.	Shipstead
Briggs	Johnston, S. C.	Smith
Burton	La Follette	Stewart
Bushfield	Langer	Taylor
Butler	Lucas	Thomas, Okla.
Capehart	McCarran	Thomas, Utah
Capper	McClellan	Tobey
Chavez	McFarland	Tunnell
Connally	McKellar	Tydings
Cordon	McMahon	Vandenberg
Donnell	Magnuson	Wagner
Downey	Mead	Walsh
Eastland	Millikin	Wheeler
Ellender	Moore	Wherry
Ferguson	Morse	White
Fulbright	Murdock	Wiley
George	Murray	Willis
Gerry	Myers	Wilson

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from South Carolina [Mr. MAYBANK], the Senator from Louisiana [Mr. OVERTON], and the Senator from Nevada [Mr. SCRUGHAM] are necessarily absent.

The Senator from Virginia [Mr. GLASS] is absent from the Senate because of illness.

The Senator from West Virginia [Mr. KILGORE] and the Senator from Washington [Mr. MITCHELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

Mr. WHERRY. The following Senators are necessarily absent:

The Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Ohio [Mr. TAFT], the Senator from Idaho [Mr. THOMAS], and the Senator from North Dakota [Mr. YOUNG].

The VICE PRESIDENT. Seventy-eight Senators have answered to their names. A quorum is present.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following business was transacted:

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on April 5, 1945, he presented to the President of the United States the enrolled bill (S. 298) to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report stating all of the facts and pertinent provisions of law in the cases of 13 individuals whose deportation has been suspended for more than 6 months under the authority vested in him, together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

PERSONNEL REQUIREMENTS

Letters from the Chairman of the Reconstruction Finance Corporation and the Administrator of the Office of Price Administration, transmitting, pursuant to law, estimates of personnel requirements for their respective offices for the quarter ending June 30, 1945 (with accompanying papers); to the Committee on Civil Service.

REPORT OF THE AMERICAN NATIONAL THEATRE AND ACADEMY

A letter from the chairman of the board of the American National Theatre and Academy, transmitting, pursuant to law, the annual report of the American National Theatre and Academy for the year 1944 (with an accompanying report); to the Committee on the Judiciary.

REPORT OF TARIFF COMMISSION CONCERNING CERTAIN PRODUCTS AND THE RATIO OF IMPORTS IN RELATION THERETO (S. DOC. NO. 38)

The VICE PRESIDENT laid before the Senate a letter from the Chairman of the United States Tariff Commission, which was read, as follows:

UNITED STATES TARIFF COMMISSION,
Washington, April 5, 1945.

The PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: I have the honor to transmit herewith certain information in partial response to Senate Resolution 341, Seventy-eighth Congress, agreed to on December 8, 1944.

The material forwarded at this time consists of the general introduction to the report and separate sections for the following schedules of the Tariff Act of 1930:

Schedule 2: Earths, earthenware, and glassware.

Schedule 6: Tobacco and manufactures.

Schedule 13: Rayon and manufactures.

If, as I understand, arrangements are made to have this material printed, the data with respect to other schedules of the Tariff Act will be forwarded directly to the Printing Office in order that a printed report may be available to the Members of the Senate shortly after all of the material has been completed.

Sincerely yours,

OSCAR B. RYDER,
Chairman.

The VICE PRESIDENT. The letter and accompanying report will be referred to the Committee on Finance.

Mr. GEORGE. Mr. President, I think the report from the chairman of the Tariff Commission just laid before the Senate should be printed as a Senate document, but I submit the request that all sections of the report be printed in one volume. That will necessitate the holding of the present section of the report until the further sections have been completed by the Tariff Commission. I make the request, therefore, that the report be printed in one volume and that the printing be deferred until the other sections have been submitted.

The VICE PRESIDENT. Is there objection to the request of the Senator from Georgia? The Chair hears none, and it is so ordered.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Legislature of the State of New York; to the Committee on Finance:

"Whereas the borough of Brooklyn, county of Kings, city and State of New York has been allocated a veterans' facility to care for the vast veteran population of this borough and neighboring boroughs; and

"Whereas the locating of the facility has been deferred due to the lack of a suitable site; and

"Whereas the War Department has at Fort Hamilton more acreage than is deemed necessary at this time; and

"Whereas several attempts have been made to have the War Department transfer title to the Veterans' Bureau of sufficient acreage on which to build this facility; and

"Whereas up to the present the committee in charge of securing this facility for Brooklyn has been unable to get a definite commitment from the War Department for this acreage: Now, therefore, be it

"*Resolved (if the senate concur)*, That the Legislature of the State of New York hereby requests the War Department of the United States to transfer at once title to sufficient acreage at Fort Hamilton in the borough of Brooklyn to the United States Veterans' Administration in order that the Veterans' Bureau may be enabled to start construction of this hospital at once in order to relieve the overcrowding in the other veteran facility in the city of New York; and be it further

"*Resolved (if the senate concur)*, That copies of this resolution be transmitted to the Secretary of War of the United States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State."

A resolution of the Legislature of the State of Minnesota; to the Committee on Foreign Relations:

"Whereas the Nazi persecution and wholesale slaughter of Jews in Europe have outraged the conscience of the civilized world and have vastly aggravated the tragedy of the Jewish problem there; and

"Whereas at the end of the present war large numbers of European Jews will find themselves in desperate need for a new home where they can rebuild their lives in dignity and security; and

"Whereas after World War No. 1, Great Britain had accepted at the instance of the Allied and Associated Powers the mandate for Palestine and had undertaken 'to facilitate the establishment of a Jewish national home in Palestine,' an undertaking subsequently approved by 52 nations, including the United States; and

"Whereas this policy was concurred in by a joint resolution unanimously adopted by both Houses of the Congress of the United States on June 30, 1922; and

"Whereas the Democratic and the Republican Party in their national conventions of 1944, adopted platforms in favor of the reestablishment of Palestine as a free and democratic Jewish commonwealth; and

"Whereas the President of the United States on October 15, 1944, expressed his approval of this aim which he stated to be 'in accord with the traditional American policy and in keeping with the spirit of the "four freedoms"': Now, therefore, be it

"Resolved by the House of Representatives of the State of Minnesota (the Senate concurring therein), That we of the State of Minnesota express our profound sympathy with the millions of innocent victims of the enemy's ruthless extermination policy, and that we demand just punishment of all those who perpetrated these horrible crimes against humanity; and be it further

"Resolved, That the United States should take appropriate measures to the end that Palestine should be opened for free immigration and unrestricted colonization so that the Jewish people may rebuild their ancestral homeland as a free and democratic Jewish commonwealth; and be it further

"Resolved, That copies of this resolution should be forwarded to the President, the Secretary of State, the Senate, and to the House of Representatives of the United States of America."

Approved March 29.

EDWARD J. THYE,
Governor of the State of Minnesota.

A resolution adopted by Societa Italiana Di Mutuo Soccorso, of South Bethlehem, Pa., favoring recognition of Italy as a full ally of the United Nations and that democratic representatives of Italy be invited to the San Francisco Conference; to the Committee on Foreign Relations.

By Mr. VANDENBERG:

A concurrent resolution of the Legislature of the State of Michigan; to the Committee on Commerce:

"House Concurrent Resolution 28

"Concurrent resolution memorializing the Congress of the United States to enact House Resolution 2274, providing for rearing ponds and a fish hatchery in the Upper Peninsula

"Whereas Congressman HOOK has introduced into the House of Representatives of Congress, House Resolution 2274, providing for the establishment and construction of rearing ponds and a fish hatchery at a suitable location in the Upper Peninsula of Michigan; and

"Whereas the establishment and construction of such rearing ponds and fish hatchery will be of benefit to the sportsmen and people of the State of Michigan, and of especial benefit to the people of the Upper Peninsula: Now, therefore, be it

"Resolved by the house of representatives (the senate concurring), That the members of the Michigan Legislature urge that the Congress of the United States enact House Resolution 2274, providing for rearing ponds and a fish hatchery in the Upper Peninsula; and be it further

"Resolved, That copies of this resolution be transmitted to the President of the Senate and Speaker of the House of Representatives of the Congress of the United States, to the members of the House Committee on the Merchant Marine and Fisheries, and to the Michigan Members in the Senate and House of Representatives of Congress."

A resolution of the House of Representatives of the State of Michigan; to the Committee on Foreign Relations:

"House Resolution 33

"Resolution expressing the opinion of the house of representatives that veterans of World War No. 1 and World War No. 2 be represented at the World Peace Conference

"Whereas a resolution has been presented to the House of Representatives of Congress, voicing a plea that veterans of World War No. 1 be represented at the World Peace Conference; and

"Whereas the American veterans of World War No. 2 are interested in, and have asked for, this same representation at the Peace Conference; and

"Whereas the men who do the fighting should be the men who make the peace, as they know the situation vastly better than someone who has not been at the front or even in a uniform; and

"Whereas Michigan now has almost 500,000 men in the service, many of them fully qualified, both by experience and ability, to sit at the conference table for peace: Now, therefore, be it

"Resolved by the house of representatives, That the members of the house ask our Congressmen in Washington to support this measure and use every effort in their power to see that representatives of veterans of World War No. 1 and World War No. 2 be at the Conference for World Peace which meets in San Francisco; and be it further

"Resolved, That copies of this resolution be transmitted to the President of the United States, to the President of the Senate and Speaker of the House of Representatives of Congress, to the Michigan Members in the Senate and House of Representatives of Congress, and to the secretary of the American Veterans of World War No. 2."

(The VICE PRESIDENT laid before the Senate a resolution of the House of Representatives of the State of Michigan identical with the foregoing, which was referred to the Committee on Foreign Relations.)

A petition of sundry citizens of Detroit, Mich., praying for the enactment of legislation to regulate the production and distribution of margarine and soya butter; to the Committee on Agriculture and Forestry.

A resolution adopted by the Dickinson County (Mich.) Bar Association, favoring the enactment of the so-called McCarran bill, being the bill (S. 7) to improve the administration of justice by prescribing fair administrative procedure; to the Committee on the Judiciary.

A petition of sundry citizens of Mount Clemens, Mich., requesting a change in the order of Office of Defense Transportation which restricts large gatherings where transportation is involved, so that religious organizations may not be affected thereby; to the Committee on Military Affairs.

WORLD ORDER COMPACT—PETITIONS

Mr. BURTON. Mr. President, there is no institution more thoroughly suited to keeping our Government close to our people than the exercise of the right of the people peaceably to assemble and to petition the Government for a redress of grievances. This is emphasized in the first amendment to the Constitution of the United States, as a part of our Federal Bill of Rights.

It is, accordingly, of special interest to the Senate to find this right of petition freely exercised throughout the Nation in support of a world order compact and an international organization for the better ordering of the interdependent life of nations, the preservation of peace with justice, and the furtherance of the general good of all peoples. Such an expression is timely, for it reflects widespread interest not only in a general principle, but in the proposal for a general international organization which is pending today before the world, and which is intended to conform to the action taken by the Senate on November 5, 1943.

The star of destiny will shine over San Francisco on April 25, 1945, when the representatives of at least 44 peace-loving nations are expected to assemble to consider the establishment of a general international organization based upon the principle of the sovereign equality of all peace-loving states, open to membership by all such states, large and small, for the maintenance of international peace and security.

Two Members of the Senate will be associated with those representing the United States of America at San Francisco. It is, therefore, fitting that there be communicated to them through petitions addressed to the Senate the faith and the prayer of the people of the United States that progress shall be made at that conference toward securing every possible assurance that the infinite sacrifices of this war shall not have been made in vain. It is the prayer of the people of America that this Nation and the world shall there agree upon a world order compact that will substantially improve the chances for the maintenance of international justice, peace, and security for many years to come.

In support of such a world order compact more than 5,000 people, assembled in more than 100 communities, have framed their petitions on the model of the ancient Mayflower Compact, and have forwarded them to me for formal submission to the Senate.

So that the Senate may fully appreciate the relationship of these petitions to the Mayflower Compact, I recall to the Senate the following language from that early document upon the basis of which our Pilgrim forefathers established their Government when in Plymouth more than three centuries ago. That document read:

In the name of God, Amen. We, whose names are underwritten, the loyal subjects of our dread sovereign lord King James, * * * having undertaken for the glory of God and advancement of the Christian faith and the honor of our King and country a voyage to plant the first colony in the northern part of Virginia, do by these presents solemnly and mutually, in the presence of God and one another, covenant and combine ourselves together into a civil body politic, for our better ordering and preservation and furtherance of the end aforesaid; and by virtue hereof do enact, constitute, and frame such just and equal laws, ordinances, acts, constitutions, and offices from time to time as shall be thought most meet and convenient for the general good of the colony; unto which we promise all due submission and obedience. In witness whereof we have hereunto subscribed our names at Cape Cod, * * * Anno Domini 1620.

With this compact before them, these pioneers of today, dedicated to the fatherhood of God and the brotherhood of man, present to the Senate of the United States their individually signed petitions in the following form:

In the name of God, Amen. We, whose names are underwritten, loyal members of ——— Church of ———, do solemnly and mutually, in the presence of God and one another, covenant and combine ourselves together to work for a just and cooperative world order. We pray that our Nation shall help to establish an international organization for the better ordering of the interdependent life of nations, the preservation of peace with justice and the furtherance of the general good of all peoples. Unto this great task we commit our wills and our ways. In witness whereof we have hereunto subscribed our names. Anno Domini 1944–45.

I ask that these petitions be received and filed as a part of the records of the Senate of the United States and referred to the Committee on Foreign Relations.

The VICE PRESIDENT. Without objection, the petitions presented by the Senator from Ohio will be received and referred to the Committee on Foreign Relations.

AUTHORIZATION FOR SPECIAL COMMITTEE TO INVESTIGATE PETROLEUM RESOURCES TO FILE REPORT

Mr. O'MAHONEY. Mr. President, I ask unanimous consent that if the Senate adjourns or recesses over the week end at the conclusion of its business today, the Special Committee to Investigate Petroleum Resources be granted permission to file a report tomorrow with the Secretary of the Senate.

The VICE PRESIDENT. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and it is so ordered.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BILBO:

S. 831. A bill for the relief of James Alves Saucier; to the Committee on Claims.

By Mr. JOHNSTON of South Carolina:

S. 832. A bill to repeal the automobile-use tax; to the Committee on Finance.

By Mr. EASTLAND (for himself and Mr. STEWART):

S. 833. A bill to change the name of Pickwick Landing Dam to Kenneth McKellar Dam; to the Committee on Commerce.

(Mr. LANGER introduced Senate bill 834, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

(Mr. LANGER also introduced Senate bill 835, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

(Mr. LANGER also introduced Senate bills 836 and 837, which were referred to the Committee on Education and Labor, and appear under separate heading.)

(Mr. LANGER also introduced Senate bill 838, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. LANGER also introduced Senate bill 839, which was referred to the Committee on Civil Service, and appears under a separate heading.)

By Mr. CAPEHART:

S. 840. A bill to extend unexpired patents for periods equal to the length of time such patents shall have been in force during the war; to the Committee on Patents.

By Mr. MEAD:

S. 841. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, so as to eliminate the so-called tontine deduction; to the Committee on Civil Service.

By Mr. HILL:

S. 842. A bill for the relief of the Elmira Area Soaring Corporation; to the Committee on Claims.

(Mr. LANGER introduced Senate Joint Resolution 52, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

MORTGAGE LOANS BY FEDERAL LAND BANKS—DEFICIENCY JUDGMENTS

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill. I introduced an identical bill some time ago, but have been unable to get action upon it by the committee to which it was referred. I now reintroduce the bill because it is of vital importance to the farmers throughout the country. It is a bill to amend the Federal Farm Loan Act as amended so as to prohibit Federal land banks from refusing to make mortgage loans in States the laws of which prevent the rendering of deficiency judgments. It is so short that I will read it:

Be it enacted, etc., That section 14 of the Federal Farm Loan Act, as amended, is hereby amended by adding at the end of such section a new paragraph as follows:

"Seventh. To refuse to make mortgage loans under this act in any State for the reason that the laws of such State prohibit the rendering of deficiency judgments in foreclosure proceedings of mortgages or other liens or contracts."

Mr. President, in the Northwest during the drought for a period of 10 or 11 years the Federal land bank commenced to foreclose its loans by wholesale. In one county in North Dakota four pages of one of the newspapers, which was made up of eight pages, contained nothing but advertisements of mortgage foreclosures. The overwhelming number were foreclosures by the Federal Land Bank of St. Paul, Minn.

My State, as perhaps every Senator upon this floor knows, has a law which provides that the farmers of the State can insure their crops against hail. Thousands upon thousands of farmers took advantage of that law, with the result that they saved between fifty and sixty million dollars. During the period of drought in that area the Federal land bank set the example of foreclosing, and the insurance companies and loan companies followed the example and also commenced to foreclose. I was Governor of the State at the time. They started selling the land of many of these poor people, some of whom and their parents before them had lived on it for 75 years. I was Governor of the State at that time, and I declared a moratorium. I did not know how much authority I had to declare a moratorium, but I declared it, and I enforced it by calling out the militia. Shortly after that the legislature of the State passed a law which provided that in North Dakota a deficiency judgment could not be obtained.

Now, Mr. President, let me give an example of what happened there. A large concern that does business all over the United States sold a poor woman a washing machine. The only way she could make her living was by taking in washing, and she was supporting a family. She had paid for the washing machine every single penny except $3.50. At Grand Forks, N. Dak., one fine morning a lawyer drew up replevin papers. The sheriff was sent from Grand Forks, N. Dak., to Northwood, N. Dak., a distance of approximately 45 miles, and took away from the poor woman the washing machine, which originally cost $87.50, and had all been paid for except $3.50, and carried it to Grand Forks. Under the law of North Dakota, the lawyer got $25, which is the fee allowed by statute, and the sheriff got 10 cents a mile in addition to per diem; so that if that lady got her washing machine she would have to pay approximately $50. The State senator for Northwood called me on the telephone and told me about it. I sent a telegram to the sheriff, advising him that if he did not get that washing machine back at 8 o'clock that night, and if I did not have a telegram from him by 7 o'clock in the evening, I, as Governor, would remove him from office and appoint a new sheriff for Grand Forks. The next morning, needless to say, the washing machine was back in that lady's home at Northwood, N. Dak. That is a case that pertains to personal property.

Now as to land. I want the Senate to remember that that drought lasted for 10 years. Take the case of a man who had a piece of land which had been in his family for 75 years; his grandfather, perhaps, had settled on the land and fought the Indians. During the days of prosperity the farmer bought another farm and another piece of land and made the farm a little larger and again a little larger. I know of instances, Mr. President, in World War No. 1 when a farmer could go to the bank and, without one dollar of security, merely by signing a note, obtain $10,000 or $12,000.

President Wilson said he wanted us to raise wheat. I will never forget in World War No. 1 the slogan that an army "marched on its belly"; and, Mr. President, all over that State hundreds of thousands of acres of land in the western part of North Dakota which up to that time had been grazing land were broken up and seeded to crops so that the farmers of North Dakota might help win the war by producing food. Indeed, Mr. President, if a farmer did not break up a piece of land he was called a slacker and unpatriotic, and the State council of defense, appointed along with other such councils in the effort to win the war, issued an order that if any man should not break up his own land by a certain day anybody could go on his land and break it up, seed it to crops, and the council of defense would decide what portion of the crop would go to the owner. The owner had only to a certain day to break up his own land; and if he did not break it up, I repeat, anybody could go on to his property and with a plow break it up. The result was that hundreds of thousands of acres of land which never should have been seeded were broken up and put into crops. What is true as to North Dakota, I think, is true all throughout that area.

The result was when the drought came that land blew away; the air was black with dust. Many a farmer farther east had his crop ruined by the dust blown from the western part of the State. I remember on the 7th day of July of a certain year there was a crop which was half-matured, and a very strong wind came up and commenced to whip in under the roots; I was there and saw 160 acres of that crop blown away almost overnight.

So the Legislature of North Dakota, possibly to reward the farmers who had broken up their land and helped win World War No. 1 by producing food, and partly because in other sections of North

Dakota crops had been exceedingly poor on account of the drought, passed a law known as the antideficiency judgment law. The law provided that if a man buys a farm, say, for $10,000, and has paid, say, $8,000 on it, neither the insurance company, the Federal land bank, nor any other institution could go there and foreclose that piece of land, and take it, as they did before I became Governor, for a thousand or $2,000, and then sue and get a judgment for seven or eight or nine or $10,000 more, depending upon the interest that was paid.

Mr. President, the instant that law was passed the Federal land bank in St. Paul, Minn., said, "We will not make any more loans in the State of North Dakota." Previously, because the State of North Dakota had provided that the farmers could get hail insurance, the Federal land bank said, because of the fact that the premium, which was only a few cents an acre, was a first lien, that they would make no more loans in North Dakota.

Mr. President, in 1933, 1935, 1937, 1939, 1941, 1943, and in 1945 the Federal land bank maintained a lobby trying to have the Legislature of North Dakota repeal the antideficiency judgment law. I am proud of the fact that this year, when North Dakota has led every State in the Union in the purchase of War bonds, when we oversubscribed our quota by 81 percent, and led all the States in the Union, in this year, when North Dakota is the richest State in the Union, according to bank deposits per capita—the farmers in the legislature, in spite of that prosperity, said, "We do not know, but perhaps hard times will come again some time. Perhaps, among all our people here in North Dakota, there are some who have had hard luck, who have been in a small area where something has happened to the crops, and because of our experience in almost the entire State we are going to protect this small minority." The legislature refused to repeal the antideficiency judgment law. So we have a great institution in St. Paul which has not made a loan to a single person in North Dakota in 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, and 1945. For 15 years the Federal land bank, which is supposed to have been created for the interest of the farmers in this country, has not made a single loan in North Dakota.

Mr. President, I believe we should either wipe out the Federal land bank entirely, because if North Dakota could get along without these loans, certainly all the other States could get along without them, or, if the Federal land bank is to exist and to continue to do business, that institution should not have the power to say to any State, "You are going to pass the kind of legislation we want or we shall penalize you by not making any loans in the State and by being tough"—as they have been—"we are going to be tough on those who made these loans, which up to this time some of the borrowers have not repaid."

Mr. President, we are debating today the Texas treaty. I wish to go back to 1918, when I was attorney general of North Dakota, and the Federal land bank tried to put over the same deal in that State. Under Mr. Wilson, they did not like the kind of political organization we had. They said we in North Dakota were too "red." So when the legislature, away back in 1918, passed a law which provided that counties should furnish the seed and feed to poor farmers who could not feed their crops, who did not have feed for their horses and did not have seed for their land, when, in 1918 and the beginning of 1919 the legislature passed a law that the counties should furnish seed and feed, the same Federal land bank said it meant that they would not have a first lien on the land, and therefore they could not lend the farmers of North Dakota a single dollar. So it was when I came to Washington, away back in the early part of 1919; and what did I find here? I found that in the State of Texas there were irrigation projects. There was a law providing that if one irrigated his land, there was a first lien on the land. But the Federal land bank did not stop making loans in Texas because there was a first lien on the land to pay for irrigating it.

I went to a great statesman here, Mr. McAdoo, who at that time was in charge of practically all the money, during World War No. 1, the man who had charge of all the bond drives. I said to Mr. McAdoo that we wanted to have the land bank continue these loans. I did not get anywhere. Those with whom I talked said they wanted an opinion, first of all from the Solicitor General. It took me 10 days to get the opinion. He finally held it could be done. I took that back to the Farm Board, which I think at that time was headed by Mr. Herbert Quick, the Acting Chairman when Mr. McAdoo was not there, and they said, "That is pretty good." But they wanted also an opinion from the Attorney General of the United States. So I went to see the Attorney General of the United States, and it took me nearly a week to see him. When I finally saw him he said the matter was in the hands of the First Assistant Attorney General. When I saw the First Assistant Attorney General, he said he was sorry he could not do anything, but it was in the hands of the Second Assistant Attorney General. Finally, when I saw the Second Assistant Attorney General I was told he could not do anything, that it was in the hands of the Third Assistant Attorney General.

It happened that I had a friend in BOB TAFT, the present senior Senator from Ohio. I had been here 6 weeks trying to make the Federal land bank at St. Paul do its ordinary duty. I went to the distinguished Senator, who at that time was Assistant Food Administrator under Herbert Hoover; I laid the facts before him, and Mr. TAFT went to the Third Assistant Attorney General and in a matter of a few hours, less than a day, he had the opinion which the Farm Board wanted.

I thought my troubles were all over. I had the Attorney General's opinion and the opinion of the Solicitor General; but the Federal land bank said that they did not mean anything to them, that they wanted a bond put up. Mr. President, who do you suppose they wanted to sign the bond? They wanted the commercial clubs in the various counties in which the lands were located, upon which the farmer would want a loan. Imagine the absolute absurdity of that. Take, for example, Aberdeen, S. Dak., where my distinguished friend the junior Senator from South Dakota [Mr. BUSHFIELD] lives. If a group of farmers needed a hundred thousand dollars or two hundred thousand dollars in loans on their lands from the Federal land bank, would the commercial club in the city of Aberdeen guarantee those loans? Cannot Senators see the absurdity of it?

Of course, the Federal land bank in St. Paul knew that no commercial club in America would do that. So I spent another week in Washington, and finally I said, "Perhaps we can get a surety company to guarantee these loans," and in a moment of weakness the Farm Board said, "That is all right. We will take a surety company." So they gave me a list, upon request, of 30 surety companies. I went over to Baltimore, to Mr. Bland, who was president of the Fidelity & Deposit Co., and I got a bond for $15,000,000 guaranteeing every single one of these loans. The surety company charged a commission of 1 percent, which every farmer in North Dakota had to pay if he wanted a loan.

When I became Governor in January 1933, when a surety bond was offered, the bank would not take it. They said, "Under the law we cannot do these things."

Mr. President, since the G. I. bill was enacted, they are making loans to veterans. Under the G. I. law the banks are making loans to veterans, with the consent of the Government of the United States, with the Government guaranteeing half, up to $4,000. Loans are being made with no attention being paid to the anti-deficiency judgment law. So we have the anomalous situation of one department of the Government holding that the anti-deficiency judgment law of North Dakota makes no difference at all, and the department will proceed and make loans, but the Federal land bank still says it will not make loans in the State of North Dakota.

Mr. President, the purpose of my bill is simply to direct the Federal land banks, not only in the St. Paul district, but in the other 11 districts of America as well, to make these loans. I was unable to secure action on the bill before the Senate committee during the previous session of Congress, so I have introduced a similar bill in this session of Congress with the hope that it will be considered.

I now ask unanimous consent that I may introduce the bill, and that it be referred to the appropriate committee.

There being no objection, the bill (S. 834) to amend the Federal Farm Loan Act, as amended, so as to prohibit Federal land banks from refusing to make mortgage loans in States the laws of which prevent the rendering of deficiency judgment, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Banking and Currency.

RELIEF OF CERTAIN PERSONS OVER 38 YEARS OF AGE FROM MILITARY OR NAVAL SERVICE

Mr. LANGER. Mr. President, I now wish to introduce another bill which provides for the relief of certain persons over the age of 38 from military or naval service. Omitting the enacting clause, the bill is as follows:

That any enlisted man in the military or naval service of the United States who (1) has or shall have attained the thirty-eighth anniversary of the date of his birth, (2) is married, (3) shows to the satisfaction of the Secretary of War or the Secretary of the Navy, as the case may be, that he will regularly engage in an occupation or endeavor supporting the war effort or the national health, safety, or interest, shall, upon application therefor, be discharged or released from active duty in such service.

Mr. President, we all hope and believe that the war with Germany will be ended in a short time. My reason for preparing this bill is that the head of the F. B. I., J. Edgar Hoover, a few days ago made a statement concerning the tremendous increase in delinquency among the youth of America, especially among the girls. Delinquency among our youth has increased to an extent which is absolutely alarming.

My bill provides that a man who has reached the age of 38, and is married, shall, when the war with Germany is over, be discharged and allowed to go home and take care of his family.

Mr. President, I ask unanimous consent to introduce the bill and that it be referred to the appropriate committee.

There being no objection, the bill (S. 835) to provide for the release of certain persons over the age of 38 from military or naval service, was received, read twice by its title, and referred to the Committee on Military Affairs.

PROMOTION AND FINANCING OF VOCATIONAL AND OTHER TRAINING

Mr. LANGER. Mr. President, I also ask unanimous consent to introduce for appropriate reference a bill to authorize the appropriation of additional funds to assist the States and Territories in promoting and financing vocational and other training, and for other purposes.

Mr. President, I will state the purpose of the bill. We have in North Dakota more colleges in proportion to the population than has any other State of the Union except Iowa, but what we lack in North Dakota is junior colleges. We have only two or three of them in the entire State. My bill provides that universal training and adult education may be combined in junior colleges.

In North Dakota less than one-fourth of 1 percent of our population is illiterate. Illiteracy has all but been wiped out in North Dakota. There are men, however, who work during the day and want to go to night school. In some instances retired farmers, some of whom are not American citizens, although there are very few such individuals, will, under my bill, be given an opportunity to go to school, and their wives as well, and become sufficiently familiar with the laws of the country to enable them to pass the naturalization tests.

There being no objection, the bill (S. 836) to authorize the appropriation of additional funds to assist the States and Territories in promoting and financing vocational and other training, and for other purposes, was received, read twice by its title, and referred to the Committee on Education and Labor.

PAYMENT OF GRATUITIES TO PARENTS OF CHILDREN HEREAFTER BORN

Mr. LANGER. Mr. President, I also ask unanimous consent to introduce for appropriate reference a bill to provide for the payment of gratuities to the parents of children hereafter born. I introduced a similar bill as an amendment to the last income-tax measure pending in the Senate. At that time the measure was not debated at very great length. I will read the bill. After the enacting clause it provides:

That the Chief of the Children's Bureau is hereby authorized and directed to pay to the parents of each child born in the United States after the date of enactment of this act, the sum of (a) $500 if such parents are the parents of one other child, (b) $750 if such parents are the parents of two other children, and (c) $1,000 if such parents are the parents of three or more other children.

SEC. 2. The payments authorized under the first section of this act shall be made promptly upon the furnishing of such information as the Chief of the Children's Bureau may require, and shall be made to the parents jointly, or to the survivor where only one parent is living at the date of receipt of such payment.

SEC. 3. (a) The sums payable under the provisions of this act shall not be assignable, shall not be subject to the claims of creditors of any person to whom they are paid; and shall not be liable to attachment, levy, or seizure by or under any legal or equitable process whatever.

(b) No part of any amount paid pursuant to the provisions of this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with any gratuity paid under this act, and the same shall be unlawful, any contract to the contrary notwithstanding.

Then there are penalty provisions providing for fine, imprisonment, or both, in case of violation of the proposed act.

Mr. President, the legislative bureau made an investigation for me of the subject matter covered by the bill. The bureau found that in many foreign countries similar laws are in effect at the present time.

I am sure every Senator has read statements appearing in the newspapers of cases of poor families furnishing as many as eight soldiers in this war. There is no one on this floor who is not familiar with the fact that nearly 1,000,000 boys were kept out of the war because they could not meet the educational tests, simple as they finally were made by the Army. I never could understand why this country should not be willing to assist a poor father and mother with a large family, and more especially, perhaps, a widow with a large family of little children, in providing a decent education for their boys and girls. Certainly when there is a family of four or five or six children no reason exists why it should not be helped by the Government.

Everyone familiar with the social philosophy of the late Theodore Roosevelt knows that he was one of the great advocates of large families in America. I certainly am not one who wants to see the birth rate decline in the United States to the point where it is exceeded by the death rate.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from North Dakota will be received and appropriately referred.

The bill (S. 837) to provide for the payment of gratuities to the parents of children hereafter born, was received, read twice by its title, and referred to the Committee on Education and Labor.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT RELATING TO TAX

Mr. LANGER. Mr. President, I also ask unanimous consent to introduce for appropriate reference a bill to amend the Civil Service Retirement Act. The bill merely provides that no annuity payment shall be subject to any tax of any kind. Some of the annuitants have no income except a small annuity. The investigation before the Civil Service Committee disclosed that many of them have annuities of $50, $60, or $70 a month. One lady from New York who is 70 years old testified that she was trying to live on $50 a month.

There being no objection, the bill (S. 838) to amend the Civil Service Retirement Act approved May 29, 1930, as amended, so as to exempt annuity payments under such act from taxation, introduced by Mr. LANGER, was received, read twice by its title, and referred to the Committee on Finance.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT RELATING TO ANNUITY

Mr. LANGER. Mr. President, I also ask unanimous consent to introduce for appropriate reference a bill to amend further the Civil Service Retirement Act approved May 29, 1930, as amended and approved May 24, 1942. This is simply an act of justice. One provision of the bill is as follows:

In the case of those who, before the enactment of this act, shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, or the act of May 29, 1930, as amended, the annuity shall be recomputed and paid in accordance with the provisions of section 4 of this act.

The next section provides:

During the period beginning on the date of enactment of this act and ending 6 months after the cessation of hostilities in the present war, all annuities heretofore or hereafter awarded under the act of May 22, 1920, as amended, or the act of May 29, 1930, as amended, shall be increased by 15 percent. Each such annuitant shall be paid only such increase as will not cause his aggregate annuity, exclusive of additional annuity purchased by an employee's voluntary contributions under the provisions of section 10 of the act of May 29, 1930, as amended, to exceed a rate of $2,500 per annum.

Mr. President, this bill would affect approximately 7,000 persons, some of whom are widows and some of whom are men formerly employed under the civil service, and who have retired. Before this war started some of them were receiving $50 or $60 a month. They cannot posibly live on it.

Every Member of the Senate remembers that in December 1943 we increased the pay of all Federal employees 15 per-

cent, but that did not apply to the old people who were no longer working and who were trying to exist on the pittances they were receiving before the war and before the increase in the cost of living.

The bill which I have introduced simply provides that those who are receiving less than $2,500 a year—and, as I stated, some of them are receiving only $50 a month—shall also receive the benefit of the 15-percent increase.

The VICE PRESIDENT. Without objection, the bill will be received and appropriately referred.

The bill (S. 839) to amend the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942, and for other purposes, was read twice by its title and referred to the Committee on Civil Service.

CONVICTION IN IMPEACHMENT CASES BY MAJORITY VOTE OF THE SENATE—PROPOSED AMENDMENT TO THE CONSTITUTION

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference a joint resolution proposing an amendment to the Constitution of the United States to permit conviction in impeachment cases upon the concurrence of a majority of the Senators present.

Mr. President, we have read a good deal in the newspapers to the effect that the House of Representatives wishes to have something to say about the ratification of treaties. Several Senators have written articles which have been published in the newspapers, to the effect that they believe that a simple majority of the Senate ought to be sufficient to ratify a treaty. The theory of the House of Representatives is that either a simple majority of the Senate should be sufficient, or that the treaty should be concurred in also by a majority of the House.

If the Senate is to surrender the right which it now has under the Constitution, to reject a treaty by the votes of one-third of the Senators present plus one, I ask Senators why a simple majority of the Senate should not be sufficient for conviction in an impeachment case involving a civil officer such as a Federal judge.

The other day I looked at the records which were furnished me by the legislative counsel. The records disclose that only six Federal judges have been successfully impeached, the last one by one vote. Certainly if we are to adopt the rule that a thing so important as a treaty may be approved by a simple majority vote of Senators, we should not require a vote of two-thirds of the Senators present to sustain a conviction in a case involving the impeachment of any public official.

The VICE PRESIDENT. Without objection, the joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 52) proposing an amendment to the Constitution of the United States, to permit conviction in impeachment cases upon concurrence of a majority of the Senators present, was received, read twice by its title, and referred to the Committee on the Judiciary.

SICK LEAVE FOR GOVERNMENT PRINTING OFFICE EMPLOYEES

Mr. LANGER. Mr. President, I ask unanimous consent to submit a resolution dealing with the Government Printing Office in the city of Washington. The resolution reads in part as follows:

Resolved, That the Committee on Civil Service, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete investigation of practices in the Government Printing Office relating to the granting of sick leave, particularly to the refusal of the Public Printer to permit an employee to work on the sixth day of any workweek in which such employee has been absent because of illness. The committee shall report to the Senate at the earliest practicable date the results of such study and investigation, together with such recommendations as it deems advisable.

Another part of the resolution merely provides for a transcript of any testimony which may be taken.

Under the system now in operation at the Government Printing Office, a man or a woman working there may be sick 1 day in the week. He may be anxious, in order to make both ends meet—because the pay is very small—to work an extra day. At the present time the Public Printer will not permit him to do so. It is hoped that after the investigation provided for in the resolution a suitable measure may be drafted by the Committee on Printing, to which I assume the resolution will be referred.

The PRESIDING OFFICER. Without objection, the resolution will be received and appropriately referred.

The resolution (S. 114) was referred to the Committee on Printing, as follows:

Resolved, That the Committee on Civil Service, or any duly authorized subcommittee thereof, is authorized and directed to conduct a full and complete investigation of practices in the Government Printing Office relating to the granting of sick leave, particularly the refusal of the Public Printer to permit an employee to work on the sixth day of any workweek in which such employee has been absent because of illness. The committee shall report to the Senate at the earliest practicable date the results of such study and investigation together with such recommendations as it deems advisable.

For the purpose of this study and investigation, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $———, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

DISCRIMINATION IN TREATMENT OF COAL MINERS

Mr. LANGER. Mr. President, last night I read a statement in the newspaper to the effect that the Secretary of the Interior, Mr. Ickes, is now proposing to take over the coal mines unless "wildcat" strikes are stopped. In that connection I invite the attention of Senators to the RECORD about 3 weeks ago, which contains a speech delivered by John L. Lewis, which I had printed in the RECORD.

Last year Mr. Lewis testified before a congressional committee that all the miners were begging for at that time was an opportunity to work 8 hours a day 6 days a week, or 48 hours a week, so that they could earn enough money to keep body and soul together. I ask Senators to bear that testimony in mind as I read an article published in Labor for August 5, 1944:

SENTENCING OF COAL BARONS ALMOST BREAKS JUDGE'S HEART—NEW YORK JURIST APOLOGIZES FOR IMPOSING MEAGER PENALTIES ON MEN WHO ADMITTED GOUGING CONSUMERS

NEW YORK, August 2.—Federal Judge John Clark Knox, put on the bench by President Wilson a quarter of a century ago, was called upon this week to impose sentences on 28 Pennsylvania anthracite coal companies which had virtually pleaded guilty to conspiring to fix prices in violation of the Sherman antitrust law, and it hurt him almost as much as it did the defendants.

The companies, together with 26 officers, entered pleas of nolle contendere—which means they refused to contest—to a government suit filed last January.

After suspending sentences on the individual defendants, Judge Knox, with an apology that was almost abject, imposed fines on the companies ranging from $750 to $5,000—a mere bagatelle compared with the tribute they had exacted from consumers, according to Government attorneys.

Even these meager penalties pulled at the heartstrings of Judge Knox, who declared in passing sentences:

"One might plausibly argue that the defendants, instead of being evil-minded malefactors, were animated by worthy motives and accomplished good ends."

Disregarding the fact that the companies and their officers had practically admitted the Government charges, Judge Knox declared he "doubted that the public had been made to suffer because of the misdeeds of the defendants."

And then just to make his solicitude utterly inexplicable to observers, Judge Knox warned the defendants that if they repeated the offenses and were again brought before his court, he would have to send them to jail.

Mr. President, in connection with that article, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, pages 11, 15, 16, and 17 from the United Mine Workers Journal for March 15, 1945. I wish to explain that they do not comprise the entire article. The top part of it was previously printed in the RECORD at my request approximately 2 weeks ago, and has been cut out.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

LEWIS' FACTUAL ANALYSIS OF "TAKE-HOME PAY" SHOWS WORKERS ARE "HOLDING THE BAG"

* * * * *

And the coal industry knows something about the cutting of quality—

"But the cost-plus racket alone has taken fifty billions from the people."

Fifty billions is money derived from taxes paid on corporate earnings and taxes paid at the source by the workers of this country that they did not take home.

"In addition to what they have taken for themselves, the war profiteers have cut the efficiency of production and hoarded so many workers on padded pay rolls as to create the appearance of a manpower shortage when there is no shortage.

"This is the war that President Roosevelt promised nobody would make any money out of."

If you don't mind ending a sentence with a preposition.

"As to just how well the President's promise is holding good, the S. E. C. reports the net working capital of corporations has reached a new record of $46,500,000,000 as compared with $24,600,000,000 at the close of 1939—almost double.

"But this discloses only in part the extent to which the rich are getting richer, for during the past 5 years the funded debts of corporations have been reduced by many billions. Plant enlargements have been paid for and charged to maintenance. All sorts of tax-dodging tricks have been utilized to cover up profits converted into hidden assets in one form or another. Contingent funds total billions.

"And then there is the matter of tax refunds, which aggregated $1,800,000,000 as of June 1944, and are piling up at the rate of $200,000,000 every 3 months."

Did I hear any coal operator in America protest those billions of tax refunds to corporate industry? No, apparently not.

"And on top of this there are many other avenues open to garner billions in the adjustment of Government contracts when the war ends.

"Warren wants the law reenacted which formerly made it a criminal offense for Government officials to quit their jobs to help private firms prosecute claims against the Government. This law was repealed when the present war came on. Evidently some smart fellows in the Government were even then getting ready to sell out Uncle Sam and prepared their immunity in advance.

"Some of these fellows were in noncombatant branches of the Army and Navy. Warren told a House committee: 'You and I know men who were wearing the uniform a few months back who now are out prosecuting big claims against the Government.'"

It has long been a standard practice in Washington for the great corporations that maintain lobbies here to pass the word among the penurious division and department heads of Government where they have claims pending that if anybody wants a good job a little later on it will be available in that corporation at a higher salary, of course, than the Government was paying, and it does not hurt them in the allocation of Government contracts in having returns of billions of dollars of tax money—rather a savage indictment of what is going on with the people's money in this country, made by a responsible officer of Government to the Congress.

But we hear no outcry against it on the part of those who sit in places of power. Rather do we hear an outcry against the humble citizen who, through his organization, is merely trying to secure that degree of participation that will keep him going until this dreadful war ends and provide for his family in a halfway decent manner.

In the minds of some people, we have billions to squander but not one cent to give the mine workers upon whom this country depends.

Let's examine the growth of take-home pay and equities for stockholders—and this means equity for stockholders in the coal industry as compared to the equities for the workers of the country. Coal associations and publicity representatives of the coal industry have, during the past several wage-negotiation periods, endeavored to prove to the public that percentagewise and in actual dollars and cents take-home pay, coal miners have fared far better than American workmen engaged in any other basic industry. They go back to 1932, the bottom of the depression years, when cutthroat competition had not only destroyed the livelihood of the coal miners, the credit of the merchants in the coal-mining towns, the value of coal properties, but impoverished the stockholders and capital structure of the coal industry and wiped the industry out as a taxpaying entity of the Government. They actually picture as a justifiable wage at that time the weekly starvation earnings of $13.91 for less than half-time employment, and using this figure as a base index of 100, they attempt to show that mine workers have received a wage increase of 268.9 percent, based on a weekly wage of $51.31, and 128.1 percent on an hourly basis. The weekly wage figure used is a composite average of the pay received by all the supervisory forces, superintendents, coal miners, and all others working in and around the mines.

Operators seldom mention the fact that the basic rate in coal mines is $1 per hour, that is, for underground work. Likewise, they never recall that, during the decade preceding the depression, the basic wage scale was $7.50 a day. And, right now, they are hesitant in mentioning the fact that coal miners are working a 54-hour week—more than twice the working time that they performed in 1932, because then they didn't have the opportunity to work any more time.

Since the operators have chosen the base period, let us make a comparison of the leverage of earnings as between corporations and individuals under wartime conditions, which is all revealing of how, under wartime, cost-plus contracts, the rich get richer and the poor get poorer.

Take the case of U. S. Steel, which recorded a deficit in 1932 of $71,175,705, and its earnings record, beginning with 1939 and including 1944. U. S. Steel is the greatest producer of coal represented in this joint conference; it uses more coal, employs more men, and buys more coal in the open markets of this country than any other single agency throughout the industry. Its financial condition is important as related to the problems of this conference. Its power and influence in this conference may be a determining factor in what this conference does. By reason of those facts the financial condition of this organization and its record of earnings over this period and its present financial condition now is of the utmost and controlling importance to the mining population of this country, and indirectly to every citizen. So, let us look at the figures.

STEEL IS WELL HEELED FOR RAINY DAY

In 1939 U. S. Steel Corporation paid dividends amounting to $25,220,000. In 1944 it paid dividends amounting to $60,033,000.

In 1939 it had working capital of $431,988,000. By 1944 it had increased that working capital to $552,311,000, which I think roughly is $120,000,000 of undivided profits added to its working capital—there for any purpose the corporation wishes, in addition to paying out the dividends mentioned.

In 1939 the U. S. Steel Corporation had in a special reserve fund a little sum of $38,638,000. In the same special fund in 1944 it had $195,000,000.

In 1939 the funded debt of the U. S. Steel Corporation was $246,061,000. In 1944 the U. S. Steel Corporation had reduced that funded debt to $99,115,000, which, conservatively, is some reduction from earnings from profit received on the sale of manufactured products.

During these years the annual dividend payments have been more than doubled, registering a total increase of $174,000,000 above the basis of the annual rate of that paid in 1939, and totaling $325,385,000 from 1939 to 1944 inclusive.

Profits during this same period total $303,676,000, while the funded debt was reduced from $246,000,000 to $99,000,000—a total of $145,000,000 reduction.

Working capital increased from $431,988,000 to $552,311,000—a net increase of $120,323,000—while the special all-purpose bookkeeping fooler and tax dodger, known as special reserve, increased from $38,638,000 to $195,000,000—a nifty net of $156,362,000 for a rainy day.

Yes; one could stand a lot of rain with that amount of money.

Thus, despite greatly increased taxes, increased plant facilities, higher cost of raw materials, maintenance of plant equipment, and the purchase of new machinery, U. S. Steel has during this 5-year period increased admitted assets of $421,685,000, which, added to dividends of $325,385,000, makes an over-all total take of $747,070,000.

As an example of how corporations employ clever bookkeeping methods to cover hidden earnings, an examination of United States Steel's 1944 earnings shows that the corporation set aside $30,000,000 to cover retroactive payments resulting from the W. L. B.'s differential wage award of from 4 to 6 cents per hour as between shifts. The facts are that the payment of this retroactive sum will adjust the corporate-tax base for U. S. Steel to the extent that the corporation will have to pay only $4,300,000 of the total $30,000,000 sum involved. U. S. Steel can deduct the remainder from its tax obligations to the Government, just the same as the coal operators are going to deduct from their tax obligations 60 percent of the $60,000,000 that it is going to take to pay labor's participating royalty. The leading stock-brokerage statistical service estimates the cost of the steel wage-differential increase to the industry as a whole at $75,000,000 a year, but points out that the actual net cost, after tax offsets, will be only $14,000,000 a year.

To meet future increased labor costs resulting from the W. L. B. fringe-wage increase, the O. P. A. promptly increased steel prices, to become effective on shipments as of January 11, 1945, as follows:

1. Hot rolled carbon plates, produced to sheared mill or universal mill width and length tolerances, 10 cents per 100 pounds.

2. Hot rolled carbon steel sheets, 10 cents per 100 pounds.

3. Galvanized sheets, roofing and siding, 15 cents per 100 pounds.

4. Nails and staples, other than galvanized, 25 cents per 100 pounds.

5. Rails, all types and grades, $3 per gross ton.

Further increases are promised as soon as an industry-wide cost survey is completed. Increases, according to the O. P. A., "will be provided for other iron and steel products that are being produced at an out-of-pocket loss, and, at the same time, the present 'interim' increases will be given a final adjustment"—upward, no doubt.

I read you the following tables of earnings, dividends, sales, reserves, and working capital of U. S. Steel from 1939 to 1944:

[From Business Week of February 10, 1945]

	1939	1940	1941	1942	1943	1944 [1]
Sales	$904,152	$1,076,471	$1,620,515	$1,862,952	$1,972,345	$2,082,010
Federal taxes	12,975	26,300	118,700	153,070	84,317	63,000
Special reserves			25,000	25,000	25,000	25,000
Net income	41,120	102,211	116,171	71,249	62,632	60,293
Dividends	25,220	60,033	60,033	60,033	60,033	60,033
Working capital [3]	431,988	471,330	495,794	515,068	519,342	552,311
Special reserves [2]	38,638	39,247	72,499	100,181	126,567	[3] 195,000
Funded debt [2]	246,061	203,066	193,295	151,909	136,660	99,115

[1] Preliminary report. [2] On Dec. 31. [3] Estimated.

I will be interested indeed when the representative of the U. S. Steel Corporation arises on this floor and says to this conference that it can't pay the increases asked by the mine workers, in the face of that astounding and astonishing financial record.

U. M. W. A. STANDS FOR INDUSTRIAL PROSPERITY

Understand the mine workers correctly, please. They have no objection to the U. S. Steel Corporation or any other corporation conducting a prosperous business. They want its investors to have a return. They want to encourage free enterprise and business initiative, but the coal miners of this country want the right to live also while this is being done. They want the right to eat and have shelter and to provide for their families and also to provide for that rainy day that the U. S. Steel Corporation has provided for.

And do you know what the rainy day is that the steel corporation has in mind? That is the post-war period of economic convulsions in America that nearly sunk the U. S. Steel Corporation after the crash in 1929, and they are looking forward to another one, and they are openly and admittedly saying they must have funds set aside to carry that corporation through that period of nonearning and no business and unemployment and high taxes. And we agree that they ought to have the right to make that provision and set aside that rainy-day fund, but we ask the U. S. Steel Corporation and all others similarly situated and their representatives in this conference to accede to these mine workers the same right—and if you don't accede it we will take that right anyhow.

I will read additional corporations which are representative in this Government, showing how they have fared in take-home money between 1932 and 1943. It is a small list, but it is representative. I can't burden you by reading all the list, it is too large; it would be repetitious, it would be burdensome. These convey the thought and these demonstrate what is being done.

The Erie Railroad Co, in 1932 operated on the basis of a deficit of $3,142,997. In other words, its stockholders did not get any money, and the net assets of the company were reduced by that amount. The value of their stock shrunk to that degree—I mean, the book value, not the market value.

In 1943, the Erie Railroad earned $12,069,303—I mean figured out in profits and dividends. It does not show what it earned, it does not show what it set aside, it does not show what is secreted, it does not show what it charged off on multitudinous items. It just shows their dividends, and from three million minus to twelve million plus—not bad for the Erie.

Wheeling and Lake Erie Railway in 1932 earned $435,000, payable in dividends. In 1943 it paid out $3,930,129—nearly four million.

Armour & Co., which sells food and things to eat, had a deficit of $2,526,000 in 1932 and earned $11,445,499 in 1943.

Wilson & Co. earned $51,326 in 1932 and $7,403,182 in 1943.

General Motors Corporation earned $230,000 in 1932—well, $599 extra—and in 1943 General Motors earned $149,780,000.

Hudson Motor Car Co. had a deficit of $5,429,000 in 1932 and earned $1,637,000 in 1943.

Packard Motor Car Co., a deficit of $6,824,000 in 1932, and $4,000,000 plus in 1943.

Studebaker Corporation, a deficit of $8,254,000 in 1932, and earnings of $2,835,000 in 1943.

The Island Creek Coal Co. earned $934,650 in 1932, and in 1943 it earned $2,244,000. That is the company that just recently had its prices raised in company stores by the O. P. A., which we will talk about later.

Jones & Laughlin Steel Corporation had a deficit of $4,471,000 in 1933 and a profit of $9,512,000 in 1943.

Bethlehem Steel Corporation had a deficit of $19,404,000 in 1932 and a profit of $32,124,000 in 1943 after all its charges.

Inland Steel, which has coal mines represented in this conference, like Bethlehem, like Jones & Laughlin, had a deficit of $3,320,000 in 1932 and earnings of $10,801,000 in 1943.

Youngstown Sheet & Tube Co. had a deficit of $13,272,000 in 1932 and earnings of $6,037,000 in 1943. That is after provision for contingencies of $1,650,000 in 1943, which would run up those earnings.

The Baltimore & Ohio Railroad had a deficit of $6,334,000 in 1932 and earnings of $30,509,000 in 1943. These figures may be boring and commonplace to some of the operators who are here, but they are revealing and astounding to the coal miners who are present. They will be read with interest back in the mining communities.

Illinois Central, with a deficit of $3,500,000 in 1932, went up to earnings of $25,000,000 plus in 1943. Now, that is good management, that is taking advantage of a situation—capital S.

Pennsylvania Railroad increased its earnings from $9,000,000 plus in 1932 to $85,000,000 plus in 1943.

Pittsburgh & West Virginia Railway had a deficit of $453,000 plus in 1932 and earnings of $1,400,000 in 1943.

New York Central had a deficit of $18,000,000 plus in 1932 and earnings of $62,000,000 plus in 1943.

The Reading Co.—not the Reading Railroad—had earnings of $4,000,000 in 1932 and $11,800,000 in 1943.

Here are some coal-company figures, just taken at random:

Truax-Traer Coal Co. had earnings of $1,025,000 in 1943 and earnings of $1,133,000 in 1944.

Virginia Iron, Coal & Coke, earnings of $49,082 in 1943, $71,000 in 1944.

West Virginia Coal & Coke, earnings of $635,405 in 1943, after provision for contingencies of $100,000, and earnings of $1,033,000 in 1944.

Clinchfield Coal Corporation, earnings of $602,000 in 1944.

Consolidation Coal Co., for the first 9 months of 1944 had earnings of $2,469,000; Consolidation Coal and subsidiaries for the year 1943, consolidated balance sheet, earnings of $1,661,000. And it shows here, as it does with many other coal companies, that the earnings of the holding companies are shrunken and built up to protect extended investments embraced in subsidiary corporations not yet achieving their maximum earning power.

With respect to coal companies these figures ofttimes fail to give the whole picture.

The Pittsburgh Coal Co., in 1943 had earnings, ending September 30, 1943, of $2,570,000.

Pittsburgh Coke & Chemical, for 9 months ending September 30, 1944, $302,000, and for the year ending September 30, 1943, $750,000.

Pond Creek Poahontas Co., earnings for the year 1943, $556,900.

United Electric Coal Co.'s earnings for 1943, $742,000, and for 1944, $837,000.

Eastern Gas & Fuel Associates, the Koppers Coal Division, in 1938 had earnings of $272,000, and in 1943, $3,119,000.

Peabody Coal Co. in 1933 had a deficit of $417,000; in 1943 it earned $1,910,000, and in 1944, $1,952,000.

Koppers Coal Division is another one of those companies that recently arranged to have the prices in its company stores increased in accordance with an arrangement they made with O. P. A., and the following are the price increases resulting from O. P. A.'s reclassification of coal-company stores, by which they removed from group III a lower bracket, to group I, the highest of the retail profit-margin brackets. The price increases range from 5 to 45 percent upon the different commodities they sell, which, of course, are very largely articles of food, clothing, and household essentials. It applies to 9 company stores owned by the Island Creek Coal Co., and 33 company stores owned by the Koppers company. Both of these concerns are well financed, well operated, with great financial resources and doing well, yet they were able to come to Washington and arrange at this time and under these circumstances that they would be privileged to recover a larger percentage of the earnings of their employees who deal in their company stores by being able to charge them more for their goods.

Who was it said something about "rolling 'em back"? We don't know how it was arranged; we have no knowledge of the secret arrangements that were made to the officials of Government to enable Jim Francis to have this deal put over in Washington—Francis, of course, being the Island Creek Coal Co., or an executive of it.

PRICE GYP WILL EXTEND TO ALL FIELDS

We recognize, of course, that this increase of the company stores of these two corporations is the forerunner of a general increase allowable to all company stores in the mining regions of this country, because certainly the Government cannot withhold from other citizens similarly situated for too long a time the same privileges accorded to Mr. Francis and the associate Koppers corporation. Roughly speaking, there are about 3,600 company stores in the mining industry—I mean the coal-mining industry. Two of them have got these increases. The mine workers were not privileged to have a hearing on this subject. The transactions took place in secret, through secret connivance with Government officials, and we had no knowledge of it until it was launched and announced, like a blow in the face.

Of course, we are alarmed, because obviously this action is the precursor of a general increase in the price of commodities essential to life in the company stores of this country, and, by the same token, when that is done, of course, it will be necessary to permit the independent merchant in the

same area where they exist to have similar privileges.

There is the economic and social crime that has been perpetrated upon the miners of these regions that have to deal with the Koppers company stores and with the Island Creek Coal Co. stores, and we have every reason to believe that this regrouping will be extended to other companies.

It is merely symbolic of what is occurring in American industry under present conditions. It means that the investors are getting take-home money and that the workers of this country are not getting very much to take home, and if they are able to take it home they can't keep it at home very long, because somebody will have to go to the company store and pay these prices, so the Island Creek Coal Co. and the Koppers Coal Division can pay larger dividends to their investors and send more men to joint conferences to work against coal miners' achieving more take-home money. That is what it amounts to.

Yet, notwithstanding that action, provocative as it was, gratuitously insulting as it was to men who have to work for a living under a frozen-wage structure, the mine workers refrained from asking for an increase of their base-wage structure, and they come to this conference showing a restraint that at least should be considered as being commendable.

I shall anxiously await the rising in this conference of spokesmen for the coal operators to plead the poverty of the industry and the penury of the coal industry against the wage proposals of the United Mine Workers, made in 1945. I have been interested today in reading in some newspapers the reactions of some operators to the proposals of the United Mine Workers, how quickly they arrive at an impromptu decision that the mine workers' program will cost $2 a ton or more, and therefore, it is unworthy. If it costs money they are against it. If it makes money, of course, they are for it—for themselves.

As a matter of fact, that is the customary procedure of the operators, to immediately arise and in a loud voice say that the mine workers' wage proposals will cost so many hundred million dollars, that they will saddle an additional burden on the backs of the coal-consuming public that as guardians of the public welfare they must protest the additional outrage of the mine workers' receiving any more money for their labor or services than they have in the past. I suppose when they say that they fell more righteous, and I think that the rich sometimes like to feel righteous, because I read somewhere that it is easier for a camel to pass through the eye of a needle—to go somewhere, I have forgotten where.

With respect to labor's participating royalty, it is said that it will cost $60,000,000, and therefore it is not virtuous. Well, even if it did cost $60,000,000 per annum, it is virtuous, because it will add to the years of life of hundreds of thousands of men; because it will lessen the burden of sorrow and tragedy that bears heavily upon the men in the mines; because it will liquidate the obligation which society owes to the men who serve society; because it will add to the efficiency of the industry, and because it won't cost the coal operators a single, solitary cent, and they have no warrant for any attitude of hostility toward this proposal.

Any schoolboy knows that 10 cents a ton on 600,000,000 tons of production is $60,000,000. That is not what the operators will have to pay, not at all. The $60,000,000 will be offset by tax adjustments with the Government on the basis of the present earning capacity of the industry and its corporate units, to the amount of 60 percent, or a reduction of $36,000,000 from this $60,000,000 that the coal operators will not have to pay. The remaining $24,000,000 of the amount is the equivalent of 4 cents a ton upon the production of 600,000,000 tons, as affecting the consumers' total destination price, and the cost to the consumers of this tonnage of coal is something like $4,200,000,000. The cost at destination to the consumer will be the relationship of 24 to 42, or the relationship of 4 to 7, which amounts to something infinitesimally less than six-tenths of 1 percent increase to the consumers' coal bill—something less than two-thirds of 1 percent increase in cost at destination to consumers' prices. And then they say it will cost $60,000,000.

THE INDUSTRY SHOULD PROTECT ITS WORKERS

The coal operators have no intention of paying that when it is agreed to. They are going to pass it on to the public if there is anything left to pass on. For years I have been hoping that the coal operators of this country, sometime, just once, perhaps, would find themselves capable of taking an affirmative position on some question of great magnitude and great importance to the men who man this industry. My hopes on that question have not as yet come true, but I am going to live in hope that in this conference, at this time, these men who represent this production and the investment of the coal industry may justify their life's work by voluntarily acceding to a proposal which they know, in their minds and in their hearts, is justified from every social and economic standpoint, and that it is within the ability of the industry to pay, and it is warranted at this time.

The manpower of the coal industry is being reduced, it is being worn out by the hard work of the men remaining in the industry, the long hours, the bad air, the bad conditions, the constant expenditures of physical injury, the nervous strain from working in the hazards of the industry. They are wearing out, and the manpower is being reduced—being reduced by death and by injury and by the constant currying of the industry for manpower for the armed forces which is going on now. We are not going to have many coal miners for a very long time. You can't make coal miners. The coal industry has no sources of supply for its manpower. When a man is killed or taken away, or his back is broken or his flesh is burned from his bones, we have no replacements in the mines.

The young men have gone far afield and they are carrying the flag in the strange countries of the earth. They do not go to the mines, and no intelligent workmen in any other industry will come into the coal mines. First, because he values his life and his safety too much, and, secondly, he is untrained, and, third, he can't afford to leave his industry to come into the low-paid mining industry.

So the manpower is being dissipated and production will fall. The Secretary of the Interior has issued a statement saying that it will be 50,000,000 tons short of requirements this year. I don't know how accurate he might be. He has sometimes been inaccurate, but that is what he says, and he used the public money to get the information upon which he bases the statement.

What are we going to do for coal in this country? Hadn't we better preserve the miners we now have? Hadn't we better give them the necessary medical and surgical attention that they need? They are not getting it now. It is a slipshod method. I could talk for an hour on the strange and improper conditions that exist with relation to the medical attention to our people in the mining industry. I could talk about the farming out of medical profits and medical contracts and the character of the services that medical attention. It is self-evident, and the amounts paid by the mine workers for that medical attention. It is self-evident, it is known to the industry. There is no man here within the sound of my voice who does not recognize those facts.

So why not preserve those men in a capacity to serve? Why not remove from their minds the horror that tomorrow they may be killed by the fall of a hanging rock or by the terrible ravages of a burning mine explosion that tears through the galleries of the mines? Why not remove that fear from their minds so that they will know if that occurs—and it may—their families will be protected with proper insurance and proper provision and their children will not become public charges in some instances.

Those, after all, are things that constantly haunt the minds of mature men and women who have family responsibilities. Believe it or not, like it or not, it is there. It is the age-old desire for security—security not for one's self but security for one's loved ones. Let the question of a few dollars, a few thousand, a few million dollars stand in the way of giving that security to these men who serve in this fashion now? I call upon the industry, and I call upon the American people, to stand up and pay their obligations to the men who serve them in this mining industry. Any consideration of profits, any consideration of the selfish, craving desire for money cannot be permitted to stand in the way of this consideration. The industry is in position to do it now more so than it has ever been, and it should be done—it should be done.

I compliment the mine workers of the country upon their conservative action in formulating a program that so clearly exemplifies their restraint, that emphasizes their patriotism, that exhibits their desire to serve, and it should be an object lesson to this collective-bargaining conference that we hope to resolve these questions here.

ST. LAWRENCE WATERWAY DEVELOPMENT — CORRESPONDENCE BETWEEN SENATOR AIKEN AND NEW ENGLAND COAL DEALERS' ASSOCIATION

Mr. AIKEN. Mr. President, the New England Coal Dealers' Association has sent to me, and I assume to the other Senators from New England, a letter containing a copy of resolutions adopted by its board of directors in opposition to the St. Lawrence seaway. These resolutions show such a complete lack of familiarity on the part of the directors of the New England Coal Dealers' Association with what the St. Lawrence seaway is or what it would do, that I have written a letter to the president of the association setting forth the real facts in regard to the St. Lawrence seaway. I ask unanimous consent to have a copy of the letter I received as well as a copy of my reply printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

NEW ENGLAND COAL DEALERS' ASSOCIATION, INC.,
Boston, Mass., February 20, 1945.

Hon. GEORGE D. AIKEN,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: The directors of the New England Coal Dealers' Association, at a meeting held at the Parker House, Boston, Mass., February 16, 1945, unanimously passed the following resolution:

"Be it resolved, That the New England Coal Dealers' Association, represented by its officers and a quorum of its directors in meeting assembled at Boston, Mass., this 16th day of February 1945 hereby records its earnest and unalterable opposition to the construction of the St. Lawrence waterway and power project; and be it further

"Resolved, That a copy of this resolution be spread upon the minutes of this associa-

tion and that copies thereof be sent to the Governor of each of the New England States and to the United States Senators and the Members of Congress from the New England States."

This association is a nonprofit corporation, existing under the laws of the Commonwealth of Massachusetts, with a membership of 709 equipped retail fuel dealers throughout the 6 New England States. Its members employ thousands of workers in their yards and on their trucks, pay millions of dollars of taxes annually to State and Federal agencies, have millions of dollars invested in real estate and equipment, and supply the entire New England territory with a vital necessity of life—fuel.

In taking this action, the directors were actuated by the following considerations:

1. The proposal is uneconomic. Even with governmental freedom from taxes and finance charges, the enterprise cannot possibly be self-supporting. To saddle the country as a whole with the huge initial costs and deficit financing for a project which can benefit at best a limited section of the country is unsound.

2. As a waterway, the project will be of little benefit to the shipping interests of the country. The proposed depth of water is not sufficient to permit the passage of ships of the United States Maritime Commission. This limitation will necessarily throw the traffic into the hands of foreign shipping interests.

3. The area to be benefited by the proposed waterway is already adequately served by existing transportation facilities. To set up facilities which will further divert traffic from existing railroad lines is dangerous from a national security standpoint. The railroads must be maintained at all costs.

4. It is uneconomical to construct artificial waterways which can at best be used for only 6 months out of the year.

5. The possibility that additional tonnages of cheap foreign fuel may be made available to a large section of the country will further complicate a most serious domestic coal-mining situation.

For these and other reasons the New England Coal Dealers' Association has gone on record by formal resolution as being strongly opposed to the construction of the St. Lawrence water and power project, and urges you to exert your utmost efforts to prevent its adoption.

Very truly yours,

J. L. JOHNSON,
President.

APRIL 4, 1945.

J. LEONARD JOHNSON,
President and Chairman, New England Coal Dealers Association, Boston, Mass.

DEAR MR. JOHNSON: I have your circular letter of February 20 transmitting a resolution of the directors of the New England Coal Dealers Association against the St. Lawrence project.

You state in your letter the grounds upon which the directors took such action. I have carefully looked over this reasoning and must confess that I am disturbed by the superficiality of the arguments upon which such an important step has been taken. You give five considerations which have actuated your directors, and I shall briefly comment on each.

First, you state that the St. Lawrence project is uneconomical, that it cannot possibly be self-supporting. This is inaccurate, for official studies conducted by the Department of Commerce under Herbert Hoover and Jesse Jones, both gentlemen incidentally not given to unsound ideas, have indicated that the savings in transportation costs would be many times the annual overhead and operating expenses of the seaway. Studies of the power project by the Federal Power Commission and the New York Power Authority similarly prove that the savings to the consumers of the electricity would be more than ample to meet the cost of power and will save in addition some $26,000,000 a year to the people of New York and adjacent territory. In a word, your first point is simply inaccurate. Gov. Tom Dewey recently proposed that New York and Ontario build the seaway and power project on a self-liquidating basis if the Federal Government fails to act.

Secondly, you state that the seaway would be of little benefit to the shipping interests of the country, because the depth of the water is not sufficient to permit the passage of ships of the United States Maritime Commission. This limitation you state will throw the traffic into the hands of foreign shipping interests. This subject is thoroughly covered in part II of the St. Lawrence survey of the Department of Commerce, copy of which I am sending you herewith. The Maritime Commission has been building ships of different sizes and drafts. Some ships draw over 27 feet; others less than that. But as far as the operating efficiency of those ships in the 27-foot channels of the St. Lawrence route is concerned, there is no doubt but the ships can be used profitably. A study of ships entering and leaving any of our harbors, and of those passing through the Panama Canal, will easily prove to you that ships are not always loaded down to the limit of their registered draft. Furthermore, proper control over the loading of fuel and stores at Montreal will save as much as 2½ feet from the loaded draft of the ships. A full cargo is not necessarily one that utilizes every foot of registered draft nor is an economically paying cargo one that pulls the ship down to the water line. An unbiased opinion as to what ships can go up the St. Lawrence would show that the Maritime Commission ships would be able to utilize the St. Lawrence seaway even when their registered draft is above 27 feet by the proper scheduling of loadings of coal, naval stores, and cargo between Great Lakes harbors and Montreal.

As for foreign ships, to which you refer, after this war most foreign countries will be able to operate any significant number of ships only to the extent that the United States will turn over to them surplus ships, and only to the extent that we help them in building new ones. In either case, because we want them to have and use ships, I suppose we shall welcome them into our harbors on all three coasts of the United States. I am yet to learn of an adequate reason why such ships should not come to our fourth coast line in the North, just as they do into our harbors on the Atlantic, Gulf, and Pacific coasts. Let me quote from the official opinion of the whole United States Maritime Commission approving the St. Lawrence project:

"There can be little doubt but that the projected seaway would benefit oceangoing transportation in merchant vessels in both the foreign and domestic trades, since the seaway would open to such vessels thousands of miles of additional coast line and would permit them direct access to one of the most highly industrialized and agriculturally prolific regions in the United States."

In the third place, you state that the area to be served by the waterway is already adequately served by existing transportation facilities and that to set up the facilities which would further divert traffic from existing railroad lines is dangerous from a national security standpoint. The railroads, you say, must be maintained at all costs. I shall not quarrel with anyone who states that we need our railroads not only from a national security point of view but also for our daily commerce and traffic in peacetime. I would be happier, of course, if we had had more adequate railroad service in World Wars Nos. 1 and 2, and I would even be more favorably inclined if their rates were lower. The St. Lawrence seaway does not raise the question of the security and stability of our railroad system. That issue is based upon a complete misapprehension and is the product of false propaganda. The total capacity of the proposed St. Lawrence seaway is 25,000,000 tons, of which normally 9,000,000 tons already move on the existing 14-foot canals, which give us additional capacity of another 16,000,000 tons of new traffic. Just how can anyone argue that 16,000,000 tons of waterborne traffic would ruin our railroads whose traffic is over 1,000,000,000 tons a year is simply beyond comprehension. Furthermore, with the growth of our country the additional traffic which will go by the St. Lawrence seaway need not and will not be a diversion of traffic from existing railroads, but will be new commerce not now in existence.

Even with the construction of the St. Lawrence project the railroads would have to expand their equipment and their services to meet future requirements. And the St. Lawrence project will save railroads the necessity of maintaining idle equipment in the winter months because the peak of traffic on railroads comes in August, September, and October. During these months, the low-cost bulk cargo of the Middle West could take to the ships over the St. Lawrence River.

Your fourth point requires only brief comment. The length of the navigation season on the St. Lawrence is not 6 months but approximately from the last week of April to the first week of December, which is a little more than 7 months of the year. The average navigation season in the 20 years 1920–39 was 237 days on the St. Lawrence and the shortest navigation season during those years was 219 days.

The fifth point concerns the danger of importation of cheap foreign fuel into American ports. This point, I assume, you are most directly concerned with. You state that additional tonnage of cheap foreign fuel may be made available to a large section of the country and that this will further complicate a most serious domestic coal mining situation. I am a little startled to find this assertion coming from one who presumably is in the center of the coal business in one of our great ports on the Atlantic. Boston, as you know, has excellent harbor facilities and is as near to cheap foreign fuel resources, presumably English coal, as any port in the United States. If the danger to which you refer were at all likely, one would assume that Boston would be one of the great coal-producing centers in the country. The greatest market for coal is in the coastal States along the Atlantic and Gulf coasts. In 1940 it is estimated that the States from Maine to Texas in this coastal region required for consumption 142,000,000 short tons of coal. Here was presumably a very attractive market for foreign coal with no obstacles in our harbors and no tariffs preventing foreign producers from dumping coal in this market at ballast rates. And yet the total imports of coal of all kinds in 1940 were only 507,360 short tons, of which 254,719 tons were via Atlantic ports, 140 tons via Gulf ports, 37,061 tons via Pacific ports, none via the Great Lakes, and the remaining 215,440 tons by land.

Although it may be objected that 1940 was not a normal year, estimates show that in 1939 these same States consumed 133,000,000 tons and that the imports were 602,960 tons. In fact, it is important to note that, in general, imports of coal have gradually declined during the past several decades.

I am sure, Mr. Johnson, that you know of these facts as you are well acquainted with the coal business in New England as well as in the rest of the country. If in fact there were any danger of foreign coal being dumped in the United States in any appreciable quantities, I would not be amiss in assuming that you would be in Washington overnight claiming protection against such ruinous invasion of our markets. But we have not found it necessary to put a tariff on coal because there is no such danger. New England is

one of the best markets for coal and one where the price of coal is among the highest in the country because of the long rail hauls involved in bringing coal to homes and factories up there. Yet we have not had to fear competition from coal produced by foreign labor and dumped at ballast rates. By what reasoning then can you argue that the Great Lakes district which is much closer to the coal mines of Ohio, West Virginia, Kentucky, and Illinois, than even Boston, could be invaded by foreign coal? The only argument heretofore presented is that outgoing ships would carry grains and, without bulk cargoes to bring back from Europe, will come loaded with coal as ballast. But the same unbalance of cargo between east-, and west-bound traffic exists out of Boston, New York, Philadelphia, Baltimore, New Orleans, and Houston as it does from Montreal and as it would from Great Lakes ports. Ships now come back from Europe in ballast to ocean points without bringing coal because they cannot compete with us on price. Why would it be easier for ships to take coal in ballast into the Great Lakes area than it is to bring it now into New York and Boston?

I have written this letter at length because it disturbs me greatly that misinformation should be disseminated, unwittingly perhaps, through such distinguished and patriotic organizations as the New England Coal Dealers Association. I am sending copies of this letter to the other members of your board of directors for I wish them to know how I feel about this particular issue. I am ready to listen and will weigh carefully and sympathetically any representations of our citizens in New England based on a correct statement of facts.

Sincerely yours.

THE DANGER OF GOLD INFLATION

Mr. BUTLER. Mr. President, the Wall Street Journal of New York under date of April 2 carried about two columns with reference to the development of a new gold field in South Africa which may have some bearing on our consideration of several suggestions that will be before the Senate in the near future. One of the morning newspapers published in Washington in today's issue remarks that the United States is committed to buy from Russia $2,000,000,000 in gold at $35 an ounce.

These items have prompted a short statement which I should like to read into the RECORD at this time, because I think it bears on questions which are under consideration at the moment:

The Bretton Woods agreement creating an International Monetary Fund, combined with amazing news from South Africa, is bringing us face to face with the problem of the inflation of our currency by gold production on an hitherto incredible scale. Lord Keynes recognized this danger when he wrote in his proposal for an International Clearing Union that we need a quantum of international currency not determined in an unpredictable and irrelevant manner as, for example, by the technical progress of the gold industry. Subsequent events have confirmed his warning which was ignored in preparing the final draft of the Bretton Woods agreement.

In the Wall Street Journal of April 2, 1945, there is published an article by its London correspondent which deals with recent developments of the gold mining industry in South Africa. This article describes the West Rand field which gives promise of being twice the size of the original Rand, and also describes the Orange Free State field which, though very new, already has led competent mining authorities to believe that its production will rival that of the old Rand. The Orange Free State field even now is said to have half a dozen embryo mines capable of producing from 400,000 to 500,000 ounces of gold annually, if present indications are confirmed by shaft sinking. In the West Rand field, where development is more advanced, one of the producing mines, known colloquially as the "Blyvoor," is said to be one of the richest gold mines ever discovered.

In 1941 the estimated world production of gold, outside the U. S. S. R. for which no statistics are available, was $1,288,945,000, of which South Africa produced $504,263,000 (Federal Reserve Bulletin, March 1945, p. 281). If these new fields should double, or treble, South African production the problem of marketing this output will be acute.

One of the dangers of the Bretton Woods agreement setting up an International Monetary Fund is that it gives an international body, controlled by the major gold-producing nations of the world, other than the United States, and their economic satellites, power to require the United States to buy gold which it does not want, under the terms of article VII, section 2, which provides:

"The fund may, if it deems such action appropriate to replenish its holdings of any member's currency, take either or both of the following steps:"

The first step is perhaps not applicable. The second step is as follows:

"2. Require the member to sell its currency to the fund for gold."

Our currency could be inflated by the continued purchase of gold because it has been the practice of the United States Treasury to pay for gold by obtaining credits through the procedure of printing Federal Reserve gold certificates, which are deposited in the Federal Reserve banks. The more gold we buy the more money we print.

The United States Treasury recognizes the inflationary aspects of continued purchases of gold by this method. The cure for this difficulty, which it tried from December 1936 to April 1938, was to borrow money to pay for the gold. It hardly seems practical to suggest that we should increase the burden of our national debt to pay for foreign gold which we do not need, or want, particularly when the supply is to be so greatly increased. Furthermore, if the money were borrowed from the banks of the Nation, it would have substantially the same inflationary effect as the method now in use.

The Bretton Woods agreement creating an international monetary fund would deprive us of the ability to refuse to buy unneeded gold, which is the sensible way to meet the problem, and is a method which was successfully used by Sweden and other neutral nations during World War No. 1. It also gives a veto power to every member of the fund which has 10 percent or more of the total of the quotas, under article IV, section 7, to prevent a uniform change in the par values of currencies, or, in plain English, to alter the price of gold. As the United Kingdom and the U. S. S. R. are the only nations, aside from the United States, which qualify under this provision of the agreement, either of these two nations, who profit from the high price of gold, could prevent the rest of the world from lowering the price of gold to a value more consistent with the increased supply.

If the United States belonged to the international monetary fund, it would not be practicable for us alone to lower the purchase price which we pay for gold, assuming to change the par value of our currency, that we received permission from the fund because by altering the parity of the dollar in relation to other currencies the price of our goods on the world market would rise to such an extent that our export markets would be destroyed.

Congress should not, under these circumstances, abdicate its constitutional power to coin money, regulate the value thereof, and of foreign coin, by ratifying the Bretton Woods agreements.

LET'S PREVENT CHAOS IN COTTON—ARTICLE BY SENATOR EASTLAND

[Mr. McCLELLAN asked and obtained leave to have printed in the RECORD an article entitled "Let's Prevent Chaos in Cotton," written by Senator EASTLAND, and published in the April 1945 issue of Country Gentleman, which appears in the Appendix.]

POLISH REPRESENTATION AT SAN FRANCISCO CONFERENCE—LETTER BY SENATOR McMAHON

[Mr. McMAHON asked and obtained leave to have printed in the RECORD a letter addressed by him to the Secretary of State regarding Polish representation at the coming conference at San Francisco, which appears in the Appendix.]

TAXES AFTER THE WAR—ADDRESS BY BEARDSLEY RUML

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address on the subject Taxes After the War, delivered by Beardsley Ruml, in the nonpartisan forum before the Nation Republican Club, New York, March 31, 1945, which appears in the Appendix.]

THE MISSOURI RIVER AUTHORITY—ADDRESS BY JEROME WALSH

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address delivered by Jerome Walsh in connection with a joint discussion with John B. Gage, mayor of Kansas City, before the open forum of the All Souls Unitarian Church, Kansas City, Mo., March 25, 1945, which appears in the Appendix.]

THE ST. LAWRENCE WATERWAY DEVELOPMENT—ARTICLE BY JAY FRANKLIN

[Mr. AIKEN asked and obtained leave to have printed in the RECORD an article entitled "St. Lawrence's Case Bad Pre-War Error. A Pistol at Hitler," written by Jay Franklin, and published in the Cleveland (Ohio) Plain Dealer of March 23, 1945, which appears in the Appendix.]

VICTORY DINNER IN HONOR OF AUBREY WILLIAMS—ARTICLE BY GOULD LINCOLN

[Mr. BILBO asked and obtained leave to have printed in the RECORD an article written by Gould Lincoln and published in the Washington Evening Star of April 5, 1945, on the subject of the victory dinner in honor of Aubrey Williams, which appears in the Appendix.]

THE SAN FRANCISCO CONFERENCE—LETTER BY PHILIP MARSHALL BROWN AND EDITORIAL IN WASHINGTON STAR

[Mr. SMITH asked and obtained leave to have printed in the RECORD a letter written by Philip Marshall Brown dealing with the San Francisco Conference, published in the Washington Evening Star of April 5, 1945, and an editorial published in the Washington Star of the same date, which appear in the Appendix.]

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.), between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.), a protocol supplementary to the treaty.

Mr. O'MAHONEY submitted an amendment intended to be proposed by him to the reservation intended to be proposed by Mr. CONNALLY to the pending treaty, which was ordered to lie on the table and to be printed, as follows:

On page 2, line 16, after the word "States", insert "or as impairing the power of the Congress of the United States to define the terms of office of members of the United States section of the International Boundary and Water Commission or to provide for their appointment by the President by and with the advice and consent of the Senate."

The PRESIDING OFFICER (Mr. HOEY in the chair). The treaty is before the Senate as in Committee of the Whole. Article 1 is open to amendment. If there be no amendment to article 1, amendments to article 2 are in order.

Mr. DOWNEY. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from California will be stated.

The CHIEF CLERK. In the first sentence of the third paragraph of article 2 it is proposed to strike out the words "shall in all respects have the status of an international body, and."

Mr. DOWNEY. Mr. President, yesterday I had intended to present to the Senate a different amendment from the one which I have now offered. The amendment which I had intended to offer would strike out paragraph 2 of article 2.

Paragraph 2 of article 2 is of such importance to the American people and to our entire governmental system that I do not intend to submit it to the Senate until it can receive proper and adequate attention and treatment. I doubt if there is a single Senator present who realizes the tremendous departure of that provision. It would set up an international body as a judicial instrumentality in the United States to decide disputes and controversies among our own citizens. That provision was never submitted to the Department of Justice. It was not submitted to the legal counsel of the United States Senate. So far as I know—and I believe I attended all the hearings—it did not receive one bit of attention by the Senate Committee on Foreign Relations.

The provision to which I refer would vest judicial power in the International Boundary and Water Commission, to decide disputes among citizens of the United States. That is a new departure in American jurisprudence and American government. It might have consequences so profound that no human mind could foresee them. I am sure that no Senator has any idea whether the judgments of the International Boundary and Water Commission would be subject to the provisions of the United States Constitution.

Any fair consideration of this provision involves intricate and difficult questions of due process of law, constitutional law, and American jurisprudence. The Senate, with a paper quorum present, is now purporting to consider a new instrumentality in the history of the world and the history of the United States, without any concern and very little preparation.

Mr. President, I wish to make myself clear. I have not the slightest criticism of members of the Senate Committee on Foreign Relations. I know that while the hearings were in progress every member of the committee, on almost every day, had to give attention to matters of vital concern to him. While I was attending the meetings of the Committee on Foreign Relations, I had to neglect important legislation before two or three of the major committees of this body, as well as my office work, and work of large importance on the floor of the Senate. In what I am saying I imply no criticism of any member of the committee who was not present.

During the past 24 hours many Senators have communicated with me, expressing their regret because they were compelled to be absent from Washington, or from the Senate chamber. Several Senators asked me not to bring to a vote until Monday the amendment which we were discussing yesterday, so that they could be present to debate it, consider it, and vote on it. That is the reason, Mr. President, that I have offered another amendment. One would think that it would be of considerable importance to the Foreign Relations Committee and to the Senate; but so far as I am concerned, it is of very minor importance as compared with the amendment which I am passing over.

First I wish to reread the short paragraph which I was discussing yesterday, which one of my amendments would strike from the treaty. That is the provision to which I have just been referring. Next, I shall read the language in the treaty which called forth the amendment which I have offered today.

The language about which I was speaking yesterday, and which other Senators were discussing, reads as follows:

The application of the present treaty, the regulation and exercise of the rights and obligations which the two Governments assume thereunder, and the settlement of all disputes to which its observance and execution may give rise are hereby entrusted to the International Boundary and Water Commission, which shall function in conformity with the powers and limitations set forth in this treaty.

I wish to make it clear to the Senate that that provision must refer to private disputes among our own citizens, our own States, and our own municipalities, because there is a subdivision of another article in the treaty which deals at length with the settlement of disputes between the two Governments over the interpretation and application of the treaty.

I take it that no one denies that this would give plenary judicial power to this international body. For the benefit of those Senators who have not yet been advised, let me say that that international body, with probably more unrestrained judicial power than any other judicial body in the United States, would consist of one representative from the United States—our Commissioner—and one from Mexico, who by the treaty are given power to make their own rules of procedure and the power to call upon every authority in the United States to enforce their decisions.

Immediately after the language I have just read, there appears this new and to me startling language:

The Commission shall in all respects have the status of an international body.

Mr. President, what is the meaning of that sentence? If there is any Senator who can advise me what its meaning is, I shall be interested to know. This boundary commission, which is made a judicial instrumentality of the United States to decide our domestic disputes is declared to have the status of an international body. I myself made as extensive an investigation as my limited time and ability permitted. I asked the advice and assistance of members of the Senate legal bureau. I called upon the Department of Justice. So far as I have been able to ascertain up to now, there has been no law in the United States defining what constitutes an international body. So far as we know, there is no such definition any place in the world. It is true that the United States has entered into certain arrangements by which we have become, directly or indirectly, members of an organization such as the U. N. R. R. A. or the commission which administers the treaty between Canada and the United States; but in none of those laws is there used such a phrase as "international body" or "status of an international body."

I first went to Words and Phrases and to the law dictionaries to try to find out what the gentlemen who drafted this measure meant by "status" in connection with the sentence "The Commission shall have the status of an international body." I thought there was a possibility that there might be judicial decisions or statements to the effect that a status was the aggregate of the rights, powers, duties, and obligations of an individual or corporation; but there is no such definition. No such meaning has ever been attached to the word "status."

I wish to read to you two of the typical definitions of the word "status." I cannot find that in the history of American or British jurisprudence the word "status" has been given any other meanings than the ones I am about to read:

Status is the legal standing or position of a person, as determined by his membership in some class of persons legally enjoying certain rights or subject to certain limitations and conditions in respect of liberty or servitude, majority or infancy, marriage or celibacy.

Another definition is:

The status of an individual, used as a legal term, means the legal position of the individual in or with respect to the rest of the community.

When we speak of a man's being a slave or a freeman, married or single, infant or adult, we are speaking of his legal status. I cannot find that we could properly say that a defunct corporation has the status of a defunct corporation. I cannot find that the word "status" is ever used except in the sense I have described.

Mr. President, throughout the treaty there is the most inaccurate and loose

use of words. I do not think any lawyer could have participated in the drafting of this treaty, because scarcely any of the phrases used in it are such as would be used by a lawyer. There are certainly none such as would be used by a journalist or a representative of the press, because they certainly make their meaning clear and precise. On the other hand, we are, by the treaty, thrust into a fog of uncertainty.

However, Mr. President, I suppose a court of international arbitration would have to give some meaning to the word "status." If our great Government enters into a treaty which uses that expression, if the Senate of the United States, with its collective wisdom, advises and consents to the use of that language, certainly an international tribunal of arbitration would have to presume that we meant something. Again, I say, if any Senator can advise me what this phrase or sentence means, I would be glad to have his advice, because I have been cogitating over its meaning for about a month, and I have not yet solved the dilemma.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. I should like to make a suggestion on the subject. Assuming that the powers of the Commission are limited to those things which are international in their nature, to wit, works or structures on boundaries and in the limitrophe sections of streams, it necessarily follows that the Commission exercises an international function, and therefore it follows that it has an international status. We cannot put conflicting domestic controls over international structures. It must necessarily, to the extent that it has international jurisdiction, be an international body and have international status.

Mr. DOWNEY. Mr. President, of course, the treaty itself in its provisions should show, plainly and precisely, just what are the powers of this body in the international field and in the domestic field. I may say that innumerable powers, privileges, and rights in the treaty itself are given to this so-called international body. Of course, an international court of arbitration would go to the treaty to see what those rights, powers, duties, and obligations are. But the sentence reads as follows:

> The International Boundary Commission shall have the status of an international body.

We have no international body defined anywhere in our law. We do not have its status defined. We are participating in many international organizations, all of which have different kinds of powers, privileges, duties, and obligations. If every international organization in which we are participating had the same status, that is, the same aggregate of powers, and if we were thereby giving, by this language, that same power to this Commission, that would be one thing. But I wish to speculate upon what it might mean. A distinguished attorney from California, relying wholly upon this phrase, I think, said that since this body is made an international body by the treaty, it is not subject to any of our legal controls or constitutional processes, because our laws are only national, and they could not apply to an international body.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. In just a moment. I think it is possible that whoever placed that language in the treaty did so as a safeguard against this international body being made subject, in its actions or in its conduct, to any of our ordinary judicial practices, constitutional or financial, or other kinds of limitations. As the Senator will agree, I may say that Mr. Breitenstein expressed that same opinion to the Foreign Relations Committee. I now yield to the Senator from Colorado.

Mr. MILLIKIN. Mr. President, I repeat that inasmuch as its functions are international in character, the Commission cannot be subject to conflicting domestic administrations, jurisdictions, or processes on both sides of the line. It necessarily must exercise an international function. In exercising an international function I think that it must necessarily have the status of an international body. I think the words make it clear that the jurisdiction over those matters which are international in character shall not be torn apart by the exertion of conflicting domestic powers on both sides of the line.

Mr. DOWNEY. Allow me to say to the distinguished Senator from Colorado that I am very much in agreement with most of what he has said. So far as international disputes over this treaty are concerned, I think it would be wholly proper, by apt language, to give that international body certain powers to determine those disputes, and to act in international matters arising out of the administration of the treaty. But allow me again to invite the attention of the Senate to the fact that the prior paragraph entrusts to this Commission the settlement of all disputes, not those arising out of an asserted breach of the treaty by one nation or the other, but all disputes arising out of the observance and execution of the treaty.

There is another section in the treaty, by which the International Boundary and Water Commission would be given very ambiguous and uncertain authority to settle disputes arising between the two Governments. Clearly, the language in article 2 does not refer to those disputes. It can only refer to disputes among States, citizens, municipalities, and other organizations in Mexico, and among similar classes in the United States. It is easily foreseen that those suits will be numerous and of very great importance to all of us in the Southwest. In a discussion with the Senator from Arizona, the Senator from Colorado, in his very eloquent and precise way, anticipated such a controversy.

I may possibly misrepresent the Senator's position. While his position is possibly a rational one, it could give rise to the necessity of an adjudication. Under this treaty it is said by proponents that Mexico must take the return flow. It is anticipated that a large part of the return flow will come from Arizona. From our viewpoint, it may well be that California and Arizona will contribute in return flow all the water which we must give to Mexico. It would then be necessary for the upper basin States to make good in fresh, firm water the remainder of the water due Mexico. I do not intend to argue that question before the Senate, because it would lead us into complications relating to the respective rights under the controversy which I have outlined. That is a question in the consideration of which the Supereme Court of the United States would no doubt consume a week.

All I am saying is that, if a dispute takes place under this treaty, and an argument ensues between Arizona and the upper basin States as to what section of our area shall give to Mexico the necessary amount of water to make up a deficit, the dispute will be one arising out of the observance and execution of this treaty.

I wish to say to the distinguished Sentor from Colorado that I would trust his judgment as quickly as I would trust my own, and perhaps more quickly. I realize that he is trying to work out a fair treaty, just as I am trying to work out a fair treaty. But it does seem to me that the language to which I have referred was happily stated, to give the International Boundary and Water Commission authority, in controversies, to adjudicate the questions which I have described.

Mr. MILLIKIN. Will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Mr. President, I suggest most respectfully that the Senator from California is confusing two issues. He has offered an amendment designed to strike out the words which give the Commission a status as an international body. I do not intend to redebate with the distinguished Senator the entire field of the treaty in connection with each one of his amendments. In coming directly to the question before the Senate, namely, whether the Commission shall have the status of an international body, I suggest that it would be fatal if it had any other status. I think it is constructive to state it affirmatively. I think the statement should be affirmatively made that the body has such status.

If I may suggest, the confusion arises out of the fact that the Senator claims that the jurisdiction of the Commission as an international body is not clear. I suggest to the Senator that in any respect in which it is not clear, it can be made clear by suitable interpretive reservations. As I have already stated, I do not intend to debate the entire range of the treaty in connection with each one of the amendments. When it is once made clear that the functions of the Commission are confined to international functions, we cannot escape the conclusion that it is an international body and should have that status.

Mr. DOWNEY. Mr. President, I may be in error, but I think the Senator is being misled by his associates. He has referred to the words "status of an international body." According to all legal definitions, the word "status" has

no meaning concerning, and has never been applied to, anything except an individual. I will grant to the distinguished Senator, that in this treaty we should very clearly define the duties, international or otherwise, of the Internationary Boundary and Water Commission. By so doing we would know what they are. The Commission may build joint works; it may make recommendations; it may conclude special agreements, or perform whatever other duties which we may entrust to it. But when it is said that the Commission has the status of an international body, I should like to ask the Senator this question: Does that give the international body any other privileges, powers, or rights than those otherwise provided for in the treaty?

Mr. MILLIKIN. Mr. President, I suggest that the language negatives the possibility that the functions of this Commission can be torn apart and defeated by a conflict of domestic jurisdictions from both sides of the line. I suggest also that it ties in with the later provisions of the treaty having to do with diplomatic immunity.

Mr. DOWNEY. Mr. President, for almost 40 years there has been in effect, between the United States and the British Government, a treaty regulating the use of water on the Canadian border. The treaty contains no such language or provision as that to which the Senator from Colorado has referred, and under it our two Governments have gotten along very well. We have had a water convention with Mexico since 1906, and have gotten along very well. In all those treaties the powers and duties of the body were very aptly and precisely stated. If we assume that this treaty will be made by the Senate of the United States to state precisely the powers of this Commission, then we will have done everything that we can do or should do. If we give it the power, for instance, to build hydroelectric plants on the common boundary and to operate them, we will know exactly what they can do and what they should do.

Now let me say that the distinguished attorney Mr. Breitenstein, of Colorado, upon whom I think the Senator from Colorado very largely depends for advice and counsel, gives this phrase a far greater meaning than does the Senator from Colorado. Mr. Breitenstein said:

> There is no international tribunal before which either nation could go to have a judicial review of the determinations of the International Commission, so they must be accepted until we have some international court which perhaps would have some such jurisdiction; and we do not have it now.

Then he says:

> The point I was trying to make, Senator, was this, that the International Commission, as such, is not subject to any judicial controls because there is no tribunal before which it can be haled, or in which its decisions may be reviewed.

Was Mr. Breitenstein attempting to say, by that, that we have in mind a court of international jurisdiction which we will create by treaty in the future, and then by virtue of this language, which makes this Commission an international body and gives it a status, that automatically the international court, subject to the preliminary determination by the Commission, would take jurisdiction of the domestic disputes in the United States?

Mr. President, let me say furthermore that there is at least strong language indicating the possibility that the idealistic, and I think naive, gentlemen who drafted this treaty had in mind the possibility of the International Boundary and Water Commission borrowing money to build projects. By giving the Commission the status of an international body, does that mean that at present, or under some future treaty, the Senate of the United States may be met by the claim that this organization has the right to go ahead with the building of facilities by borrowing money.

I am not judging in advance that that would be a bad thing, and probably, under the Bretton Woods agreement, we would be practically borrowing our own money. I am not yet familiar in any great detail with the Bretton Woods agreement, but assume that at the present time, or under some amendment of it, provision is made that any organization having the status of an international body would be entitled to borrow money from the international bank. Would this language then mean that this treaty confers borrowing power upon this international body because its status has been defined as that of an international body, since the treaty was made?

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield.

Mr. MILLIKIN. I suggest a quick answer to the Senator's suggestion is that if we should ever ratify some other treaty that would give special privileges to bodies having an international status, then this particular body would be considered, and we would either confer such privileges on this body or we would withhold them as we saw fit, in our judgment. I think the Senator is needlessly disturbing himself about that.

Mr. DOWNEY. Time will prove who is needlessly being disturbed about this treaty. We have not yet even begun upon the ambiguities and the vast and uncharted powers that this treaty attempts to give, not one of which, so far as I know, was ever considered by the Senate Foreign Relations Committee. Dean Roscoe Pound has said that nowhere in the history of the United States is there such an extreme grant of power. He describes it as rising to the point of unbridled and untrammeled dictatorship in administration. So far as I know, not one single moment was spent by the Foreign Relations Committee considering any of these great questions which will develop steadily. There are 50 such ambiguities and uncertainties in this treaty, 2 of which we have been discussing, and some of them are far more complicated and serious than this.

I should like to call the attention of the lawyers of the Senate to the intricacy of this subject, and to the uncharted wilderness into which this sort of loose language in making vast grants of power leads.

Now, after 2 weeks of work, I presume by the State Department, the distinguished chairman of the Foreign Relations Committee has sent to the desk and had printed certain understandings which, he said, it would be his purpose to ask to have added to the treaty at some stage of the proceedings. I wish to say, in the first place, that I think the officials of the State Department who drafted these reservations knew that they were futile. The great share of the power delegated by this treaty is lodged in the State Department and in the International Boundary and Water Commission. These reservations or understandings reach nothing, except the limiting of the power of the American section, which is something totally different.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. Not for a moment. It would be, of course, a comparatively simple matter to add to these interpretive reservations language designed to apply them to our State Department and to the International Commission. That would be a very simple thing to do, since 95 percent of the power is lodged in those two instrumentalities. I suppose that is what the distinguished chairman of the Foreign Relations Committee, perhaps, may in his wisdom decide to do. He is present, and I do not want to speak for him. But let me show how perfectly futile these reservations would be and into what a state of confusion and uncertainty they would take us.

Reservation B, proposed by the distinguished chairman of the committee, reads as follows:

> That nothing contained in the treaty or protocol shall be construed as rendering inapplicable to the administrative powers and functions of the United States section of the International Boundary and Water Commission normal constitutional controls and processes insofar as they affect persons and property in the territorial limits of the United States.

That reservation goes only to curtailing the power of the American section. If we once make this commission an international body, can we then fetter it with our constitutional inhibitions and processes? I certainly am not prepared to express an opinion; I do not know enough about constitutional law; I have not studied the question; I have not thought about it. But now let us proceed with a very superficial analysis of this language:

> Nothing * * * shall be construed as rendering inapplicable to the administrative powers and functions of the United States section * * * normal constitutional controls.

Is there any Senator here who has any idea what is meant by "normal constitutional controls"? I called upon the legal counsel of the Senate to explain the phrase. They say that so far as they know, in no statute we have ever passed has that expression been used; they know of no such expression in any decision of any court. They have no idea what it means. We have constitutional processes and provisions. We do not have abnormal, subnormal, or normal constitutional provisions.

Now, let me go a step further.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Of course, if they are normal, they are not abnormal, and that excludes the abnormal, and, as the Senator says, the subnormal. I suggest that perhaps the language was used because there was an enormous clamor that this treaty sets up abnormal powers of all kinds, abnormal extensions of constitutional theory, and that therefore we should get back to normal constitutional processes and limitations, and so forth.

Mr. DOWNEY. The distinguished Senator may be correct as to what prompted the use of the phrase "normal constitutional controls," but I say the use of such an expression as that, unknown in the history of the law, so far as I know, meaningless, uncertain, merely stigmatizes this treaty for what it is, not one of the most defectively drafted documents but by far the most defectively drafted document in the history of jurisprudence.

Mr. President, if this were the only slip of normal language, the only use of some word which had no meaning, it would be one thing, but as we go further into the treaty we will find that almost every sentence is impregnated with the same vice, of loose and inaccurate language.

Let us disregard the inept, and loose, and inaccurate language, in which this reservation is drawn——

Mr. MILLIKIN. Will the Senator yield?

Mr. DOWNEY. No.

Mr. MILLIKIN. Will the Senator yield for just a slight observation?

Mr. DOWNEY. Not now. Let us assume this treaty is properly drafted by the members of the State Department. Let us say that nothing in the treaty shall take away from citizens of the United States their constitutional protections in any adjudication which may be made by this international body. Would that help us any? I do not know. There are distinguished lawyers sitting here. Let us reflect a moment.

I presume that if the President of the United States and the Senate of the United States want to embark upon a new channel of jurisprudence, with the stormy and chaotic way that will lie ahead, they have a right to do it. I suppose that if, by treaty, we want to provide that an international body shall become the judicial instrument to determine all the disputes which may arise among citizens of our Nation as a result of the observance of the treaty, they have a right to do so. I think it is very probable, although I am not certain, that the jurisdiction of our State courts and Federal courts to determine disputes in California, as to how our water shall be diminished to give this water to Mexico; or as to what would be the effect of return flow; or as to how we would balance our rights against Arizona, can be turned over to an international body. I suppose if the Senate wants to create an international body, which would usurp the functions of our courts, it has the right to do so.

Ordinarily, of course, Federal jurisprudence could not take jurisdiction over State disputes. But we have two conditions here existing which might give the Federal sovereign the right to legislate. One is that on the Rio Grande and the Colorado River we are dealing with navigable international waters. That might bring Federal jurisdiction into being, under the Constitution.

Likewise, by the Constitution, the treaty-making power is lodged in the Senate of the United States and in the hands of the President. I am not expressing any positive opinion, because I do not know—we are out on an uncharted sea—but I suppose that if the Senate of the United States desires to advise and consent to this treaty, it has the right to throw the disputes over water rights of American citizens from all over the great Southwest, in disputes over their water rights, into the hands of an international body, consisting of one citizen from the United States and one from Mexico. I suppose we have a right to do that.

Of course, under the due process clause of the Constitution—and I speak with some degree of uncertainty here—it is my remembrance, from what I learned a long time ago at the University of Michigan, that under the Supreme Court's decisions we have certain rights, which have come down to us through the centuries, jury trials in certain cases, the right to have witnesses sworn, the right to notice, and the right to certain kinds of process. In this treaty we not only vest plenary power in the Boundary Commission as an international body to hear and determine all disputes arising in our own country out of the treaty, but in another article, which I shall be glad to find and read to any Senator who desires to have me do so, we grant to the Commission the power to create its own rules of procedure. I might state that, under the Canadian treaty, very careful and precise and well-worked-out rules of procedure were presented, which might be done in this case; I do not know. Whether they would provide for a jury trial, whether they would provide for certain processes, whether they would provide that the International Boundary and Water Commission should sit in certain places, I do not know. It might well be that Los Angeles, Calif., or El Paso, Tex., might be made the residence of this tribunal. People from the Colorado River might have to journey to Texas, or Texans to California, or those Coloradans who were interested would have to travel down into California or into Texas to present their causes of action.

I would doubt that there is anything in this reservation, if it were made to apply to the International Boundary Commission, which would prevent the Senate and the President from taking away from our citizens the right to submit our causes of action and controversies to our own courts and the Supreme Court of the United States. I think that probably could be done, and we might be made to submit our causes to an international tribunal.

I do not think there are many Senators who are directly concerned with, or who know very much about, the Colorado River Basin States. We are a long way removed from them. I think very few Senators have any conception of the fact that this water is our very life line—one we could not do without. But let me suggest that if by this treaty we are going to create an international body, with the power to try domestic disputes within the United States, why not carry it into the petroleum treaty?

Mr. President, I have been advised that the petroleum treaty, which was presented to the Senate last August, was filled with the same kind of defects and weaknesses as is this treaty, and that it received prompt and vigorous attention from the Foreign Relations Committee, and, I believe, was withdrawn.

Why not provide that aviation disputes and food disputes arising between the citizens of the United States should be subject to international control? Suppose some treaty is made restricting the production of cotton in the United States and in the rest of the world, or sugar beets or sugarcane. Such a treaty might lead to innumerable disputes between the different States of the Union and farmers of the Union. Will the treaty before us be a precedent, under which we are to have foreigners descend upon the United States to settle those disputes? Is it not enough, Mr. President, to say we have got to guarantee and give to Mexico a certain amount of water out of our reservoirs and appliances? Is that not enough? Do we then have to have imposed upon us a judicial bureaucracy which may deal with and settle all the unfortunate controversies that will result from the treaty? Is not the guaranty of the United States that we will deliver to Mexico 750,000 or 2,000,000 acre-feet enough? Can we not settle our own disputes?

Mr. President, so far as the Colorado River is concerned, the treaty could have been adequately written, plainly and precisely, in 500 simple words. We would only have had to say that the Government of the United States guarantees to Mexico a certain amount of water, defining it under schedules of a certain quality, and then let us carry it out through our Bureau of Reclamation or our Army engineers. Let any necessary action be taken by our own courts, by our own Congress, by our own agencies.

Mr. President, at some later stage of this debate I will show clearly, and it cannot be denied, that, even under the interpretation placed upon the treaty by the State Department, the treaty will cost us not 1,500,000 acre-feet of water but 2,500,000 acre-feet of water. On the basis of the interpretation heretofore made by the State Department, and on a possible and a probable future interpretation it might cost us twice that amount.

Let me very briefly show why that is true. It is 300 long, hot, arid miles from Lake Mead, which we have built, down to the Mexican border. If it were desired to bring 1,500,000 acre-feet of water from Lake Mead down to the Mexican border—and I think the evidence is undisputed

on this point—it would be necessary to let out of that reservoir close to 2,000,000 acre-feet of water, because the water must move over 300 hot miles, with consequent evaporation and seepage.

I wish to correct that statement a trifle. The treaty provides not for 1,500,000 acre-feet but for 1,700,000 acre-feet under certain conditions. That 200,000 acre-feet will probably only be delivered about 75 percent of the time. So the treaty provides for an average allotment of 1,650,000 acre-feet. One could not hope to get 1,650,000 acre-feet of water down to the Mexican border without letting out of Lake Mead or Davis Reservoir over 2,000,000 acre-feet of water. If the treaty is ratified, then, when the day of reckoning comes around, the upper basin States and the lower basin States will begin to understand into what a noose they have placed their necks.

The treaty does something else. It guarantees the delivery of 1,500,000 acre-feet of water according to schedules that Mexico is to serve upon us, and under those schedules Mexico may say to the United States: "During the month of July we want flowing down to us constantly 600 second-feet." Senators understand that a second-foot is a measure of rate of flow, and an acre-foot a measure of volume. Six hundred second-feet, flowing for 24 hours, will produce 1,200 acre-feet. So we are placing ourselves in a situation where we are going to do something for Mexico which we would not do for any of our States or for any person. We are going to guarantee the delivery of not less than 600 second-feet of water.

Mr. President, suppose we deliver only 550 second-feet or 570 or 590 second-feet, we will clearly have breached our agreement with Mexico. We can very readily give to Mexico far more than the 600 second-feet. We will not dare to give her less or we will be liable in damages, and we should be.

Mr. President, if we are improvident enough to assume this type of obligation and impress this servitude upon our reservoirs, in favor of a country which did nothing to develop them, we ought to be prepared to pay the bill.

Let us see what the result will be. It is admitted that, in addition to losses by evaporation and seepage, which would amount to in excess of 15 percent in that long river flow, we will have another substantial loss. I should like to have the Senate understand that it is 300 long miles from Lake Mead, where the water will be stored and let out to Mexico, down to the Mexican border. To hear distinguished Senators argue, and to hear engineers who appeared on behalf of the State Department before the committee in favor of the treaty, one would think it would be very easy to draw 600 second-feet of water out of Lake Mead and let it flow down into Mexico.

Mr. President, that water, after it leaves Lake Mead, will traverse 300 miles. It will take 4 days to make the journey. No engineering skill can judge within 15 percent the volume of water which is required to produce a given amount of water when it is let out of Lake Mead and measured down at the Mexican border. Why is that? A second-foot of water is a cubic foot of water passing a point each second of time. The rate of flow is a most important factor. If we have a heavy wind blowing down the Colorado River, the water may move 20 percent faster than if we have a heavy wind blowing up the Colorado River. Heat or cold makes a difference in the movement of the water. In addition, no one can say whether there will be 2, 3, or 5 percent of water wasted at the various head gates and diversion dams before it reaches Mexico. The undisputed engineering testimony is that we must allow, for the Mexican use, at least 15 percent, for the balancing and regulation feature alone, above what we grant. If we must start 2,000,000 acre-feet of water down that river in order to overcome seepage and evaporation, we must add at least another 300,000 acre-feet as a regulatory factor. If we were dealing with our own citizens, the contract would provide, for example, 600 second-feet, more or less, provided that over the course of a month it must balance. But that is not this treaty. We are proposing to commit ourselves, by a guaranteed right, supported by the national honor, to deliver this water according to schedule. Senators will find that provision in article 15. If during a certain month Mexico should call for a rate of flow—and it is in the singular and not in the plural—of 500 or 600 second-feet, we would be required to deliver it, or Mexico's crops would be damaged.

Let us stop talking about the cost of this guaranty as being 1,500,000 acre-feet. Any prudent businessman, engineer, or lawyer—and I hope, ultimately, prudent Senators—will come to realize that it is not 1,500,000. It is 1,500,000 plus, tentatively, 200,000 plus evaporation and seepage losses, in a hot country, along 300 miles of river, plus the amount necessary to assure the fulfillment of our guaranty. The figure might easily reach 2,500,000 acre-feet.

In fairness, there is one factor which I have not considered in this discussion. The effect of some of those figures might be overcome if Mexico, under this treaty, were compelled to take the return flow, however saline it might be, because then the amount of water, including the return flow, would have to be gaged by a different rule. But the distinguished Senator from Arizona [Mr. MCFARLAND], who, when he was a judge in Arizona, tried the only salinity case ever tried in the United States, served notice on the Senate that so long as water was usable, there would be no return flow. Let me say the same thing for California, and for the West. Water is so vital and precious to us, that we are not going to let it get away from us so long as it is usable. Whatever amount Mexico gets in return flow will be so saline that it will be valueless.

The distinguished Senator from Colorado [Mr. MILLIKIN]—and I do not doubt his good faith—tried to persuade the Senate that the return flow which Mexico would receive would be only a little more saline than before we had used the water. Mr. President, that is nonsense. First, we must understand that conditions in the lower and upper basin States as regards salinity are totally different. When this water has its genesis in the mountains of Utah, Wyoming, or Colorado, it is crystal clear. Most of the lands in those States are not very saline, so water in Colorado and Utah—or at least in Colorado and Wyoming—can be used and re-used without becoming very saline.

The distinguished Senator from Colorado overlooked another important point in his discussion of salinity, as did the experts of the State Department. They submitted figures before the Committee on Foreign Relations dealing with salinity in areas where there is 25 or 30 inches of rainfall. Of course, if the moisture of heaven, fresh and pure, is mixed with an equal amount of irrigation water, the salinity is cut in half. In the territory referred to, the rainfall is 20 or 25 inches; but down in our deserts for years at a time there is not enough rainfall to get down to the ground.

Mr. President, this is the simple fact: The experts are all agreed that the present salinity of Lake Mead is about 750 parts per million. In 25 or 30 years, due to greater use in the upper basin States, it will probably approach 1,000 parts per million. That is fairly good water for irrigation. That is what we in the lower basin hope to get for our first application of that water.

The distinguished Senator from Colorado reiterated that the use of the water once, in the lower basin States, would not depreciate its quality very much. Let us see what the facts are, as developed by the experts. To obtain advice on this question, I went to the Department of Agriculture. The Department recommended to me the man considered the most expert on salinity in the United States. Suppose that, in Arizona, 4 acre-feet of water, impregnated with salinity to a degree of 1,000 parts per million, were applied to an acre of ground. It must be understood that 3 of those acre-feet would be taken up by the plants and by evaporation, and there would be approximately 1 acre-foot of return flow. I originally calculated that if the ground were not becoming more saline, the 1 acre-foot of return flow would have to carry as much salt as had been carried by the original 4 acre-feet, or four times as much. So I thought that the water which would come off the Arizona lands would be impregnated with 4,000 parts of salt per million; and since water becomes nonusable when it has 2,000 or 3,000 parts per million, of course I was disturbed. However, the experts showed me that I was wrong, because out of this salty water certain of the salts are precipitated onto the soil. They are generally the harmless salts. They are not carried out by the return flow.

So the actual records show that the kind of water being used by Arizona would have its salinity increased, by one application for irrigation, from a thousand parts to 2,700 parts per million. That is because 1 acre-foot of water

would then have to hold the salt formerly held in solution by 4 acre-feet, less the amount of salt precipitated in the land. Water with 2,700 parts per million, of course, is unusable water, and Mexico will never take it.

Mr. President, I have strayed rather far from the point on which I started. What I wished to point out is that we are, in reality, dealing with a treaty which involves not 1,500,000 acre-feet of water, under the interpretation of the State Department, but 2,500,000 acre-feet of water. Probably we will not be able to get any credit for our return flow to Mexico; but Arizona and California, being on the river banks, will be entitled to credit, as against the upper basin States, for the amount of water they return to the river, that is, for the return flow.

The questions demanding solution which may arise are many and varied. Under this treaty we are placing the citizens of the Colorado River Basin States under the jurisdiction of an international body entitled to establish its own procedure for the determination of these questions.

Mr. GEORGE. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. GEORGE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Daniel
Austin	Gurney	O'Mahoney
Bailey	Hart	Pepper
Ball	Hatch	Radcliffe
Bankhead	Hayden	Reed
Barkley	Hill	Revercomb
Bilbo	Hoey	Russell
Brewster	Johnson, Calif.	Saltonstall
Bridges	Johnson, Colo.	Shipstead
Briggs	Johnston, S. C.	Smith
Burton	La Follette	Stewart
Bushfield	Langer	Taylor
Butler	Lucas	Thomas, Okla.
Capehart	McCarran	Thomas, Utah
Capper	McClellan	Tobey
Chavez	McFarland	Tunnell
Connally	McKellar	Tydings
Cordon	McMahon	Vandenberg
Donnell	Magnuson	Wagner
Downey	Mead	Walsh
Eastland	Millikin	Wheeler
Ellender	Moore	Wherry
Ferguson	Morse	White
Fulbright	Murdock	Wiley
George	Murray	Willis
Gerry	Myers	Wilson

The PRESIDING OFFICER. Seventy-eight Senators have answered to their names. A quorum is present.

The Senator from California [Mr. DOWNEY] has the floor.

(At this point Mr. DOWNEY yielded to Mr. LANGER for the introduction of several bills which appear elsewhere in today's RECORD under the appropriate headings.)

Mr. CONNALLY. Mr. President, may we have a vote on the amendment?

Mr. DOWNEY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. REVERCOMB in the chair). The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Daniel
Austin	Gurney	O'Mahoney
Bailey	Hart	Pepper
Ball	Hatch	Radcliffe
Bankhead	Hayden	Reed
Barkley	Hill	Revercomb
Bilbo	Hoey	Russell
Brewster	Johnson, Calif.	Saltonstall
Bridges	Johnson, Colo.	Shipstead
Briggs	Johnston, S. C.	Smith
Burton	La Follette	Stewart
Bushfield	Langer	Taylor
Butler	Lucas	Thomas, Okla.
Capehart	McCarran	Thomas, Utah
Capper	McClellan	Tobey
Chavez	McFarland	Tunnell
Connally	McKellar	Tydings
Cordon	McMahon	Vandenberg
Donnell	Magnuson	Wagner
Downey	Mead	Walsh
Eastland	Millikin	Wheeler
Ellender	Moore	Wherry
Ferguson	Morse	White
Fulbright	Murdock	Wiley
George	Murray	Willis
Gerry	Myers	Wilson

The PRESIDING OFFICER. Seventy-eight Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment proposed by the Senator from California [Mr. DOWNEY] to strike out certain words in the first sentence of the third paragraph of article 2 of the treaty.

Mr. CONNALLY. Mr. President, I desire to propound a unanimous-consent request, to the effect that the Senate shall vote on the pending amendment not later than 3 p. m. today.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas that a vote be taken on the pending amendment not later than 3 o'clock today? The Chair hears none, and it is so ordered.

Mr. DOWNEY. Mr. President, I might suggest that some arrangement be proposed by the distinguished majority leader or by the chairman of the Foreign Relations Committee as to the division of time on the amendment. I do not desire to consume the whole hour.

Mr. CONNALLY. Perhaps we could vote now without further discussion.

Mr. BARKLEY. How much time does the Senator from California desire?

Mr. DOWNEY. I think the time should be divided equally, but let the proponents have the opening and the closing.

Mr. BARKLEY. I do not object to any arrangement as to a division of time, but I do not know whether any Senator who is opposed to the amendment intends to occupy any time, unless the Senator from Texas desires a few minutes.

Mr. CONNALLY. I might use 5 minutes.

Mr. BARKLEY. I myself might use about a minute and a half.

Mr. JOHNSON of California. That is such a generous allowance of time that I can hardly accept it. I understood the Senator from Kentucky to say that he would agree to a second and a half.

Mr. BARKLEY. No. I said I might want a minute and a half, but I will withdraw that if the Senator objects.

Mr. JOHNSON of California. No. I thought that was such a liberal allowance that I could not understand why the Senator suggested it.

Mr. BARKLEY. I will reduce it to a minute, if the Senator would prefer.

Mr. JOHNSON of California. Probably I misunderstood the Senator.

Mr. DOWNEY. Mr. President, unless I am interrupted by argument and comments I shall occupy considerably less than 30 minutes. That certainly will give ample time, under the allowance, to Senators who desire to speak in opposition to the amendment.

Mr. President, the amendment proposes to strike out in the first sentence of the third paragraph of article 2, the words "shall in all respects have the status of an international body, and."

The amendment would not strike out the remainder of the paragraph, so that the paragraph would read:

> The Commission shall consist of a United States section and a Mexican section—

And so forth. All this amendment would accomplish would be to delete from the treaty the very vague and general statement that the Boundary and Water Commission shall have the status of an international body.

I wish to say, Mr. President, there is no need of such uncertain and vague verbiage in the treaty in order to give the Boundary and Water Commission ample power to carry out all its duties and responsibilities. Here is a legal expression so vague and meaningless that I do not think there is a Senator who can ascribe any definite and precise meaning to it.

It was suggested by an attorney on behalf of the treaty, Mr. Breitenstein, a rather able lawyer from Colorado, that, because this Commission is made an international body, it would not be subject to any limitation or curtailment by our courts or other governmental authorities. We have at the present time ample law, declared by the Supreme Court, as to the right of the courts to construe treaties and limit or enforce their application. We certainly do not need any language such as this to increase the power of the Commission.

Mr. President, I desire to remind the Senate that there is language in this treaty which indicates the possibility that works and facilities may be financed by the International Boundary and Water Commission by borrowing. It may be that whoever put that language in had some kind of an idea that in the Bretton Woods agreement international bodies would be allowed to borrow from the International Bank funds. Certainly, I do not believe the Senate wants to leave in this treaty any vague and ambiguous language that might lead to that sort of a claim of right. I do not think we should change existing law as to legal rights and disabilities under a treaty.

Another suggestion which was made before the Foreign Relations Committee was that, if the Commission is declared to be an international body, none of our courts would have jurisdiction, but it might be that, upon the creation of an international court, such court would have appellate jurisdiction over the judgments and decrees of the International Boundary and Water Commission. As I have already pointed out to the Senate, this treaty purports to give to the

Boundary and Water Commission plenary judicial power to settle all domestic disputes arising out of or incidental to the treaty. I must admit that with that startling and new power in this treaty, I fail to see the necessity of writing into it other vague and ambiguous language.

This morning I stated that after consultation with the Department of Justice, after consultation with the Legislative Counsel of the Senate, and after considerable work myself, we could not find in the present laws of the United States or Great Britain or in any treaty any such declaration as this. It has no meaning at the present time. What meaning it may have under other treaties and agreements we can only guess.

I say, Mr. President, that the Senate of the United States owes a duty to the people of the United States to strike out of this treaty this unlawyerlike, vague, and uncertain language, leading us into kinds of claims and controversies we may only guess.

Mr. President, apparently I have lost both the majority leader and the distinguished chairman of the Foreign Relations Committee. I wanted to say that, so far as I am concerned, I am now ready to submit the argument and have a vote. I would request that, if there are any other Senators who desire to express themselves, particularly those on the other side who are not represented in the agreement as to time, they should be allowed a chance to do so within the hour of limitation.

Mr. DONNELL. Mr. President, may I ask the Senator a question, please?

Mr. DOWNEY. I yield.

Mr. DONNELL. The question has to do with the form in which the amendment is phrased. Is it phrased as an amendment striking out language, or is it phrased as a reservation or interpretative addition to the treaty?

Mr. DOWNEY. It is framed as an amendment striking out certain language.

Mr. DONNELL. May I ask, Mr. President, whether or not, in the opinion of the Senator, the effect of the adoption of the motion to strike out language would be tantamount to a rejection of the treaty on the theory that it would not be an acceptance of the treaty in its entirety?

Mr. DOWNEY. I would not consider it a rejection but an amendment. I must admit, however, that, as an amendment, it would have to go back for renegotiation with the Government of Mexico.

In that connection I should like to say that I think it is possible so to frame a reservation that the same thing could be accomplished as the amendment seeks to accomplish. Such a reservation would have something of this character, that the Senate advises and consents to the making of this treaty upon the understanding that the language of this paragraph, quoting it, shall have no force or meaning, and shall not be considered a part of the treaty. It is true that if that were done, it could go directly to the Mexican Senate for their ratification, I understand, with that understanding, if it were made a part of the treaty.

I also wish to say to the distinguished Senator from Missouri that several other Senators have expressed the idea to me that, in the condition of the world at the present time, with the San Francisco Conference approaching, it might be more conducive to international welfare and morale to cleanse and purify this treaty, by reservations or understandings, rather than by amendments. I presume that was in the mind of the Senator when he asked the question.

Mr. DONNELL. I inquire of the Senator whether, in view of the statement he has made, it is his intention to press the amendment as a proposal to strike out certain language, or to press it as an interpretative addition to the treaty, similar, in other words, to the Connally reservations or interpretations, so far as form is concerned.

Mr. DOWNEY. Mr. President, the amendment is presented in the form of an amendment, and while this colloquy is proceeding, if I could make a parliamentary inquiry, I should like to ask whether it is in order at the present time to present reservations or understandings to the treaty as a part of the advice and consent, or do they have to come at some later time?

The PRESIDING OFFICER. The Chair is advised by the Parliamentarian that they would come after the resolution of ratification is submitted.

Mr. DOWNEY. Mr. President, I understood that to be the fact, that we must present our amendments now, but that we cannot present understandings or reservations at the present time. I understand that is what the Chair holds.

The PRESIDING OFFICER. Not for consideration.

Mr. DOWNEY. So I say to the distinguished Senator from Missouri, if there are Senators present who are sympathetic to the amendment, perhaps are committed in principle to it, but who believe that, for reasons of national and international morale and welfare, the amendment should be rather made in the form of a reservation, I shall have no objection, of course, to their voting against the amendment.

Mr. DONNELL. Mr. President, will the Senator yield further?

Mr. DOWNEY. I yield.

Mr. DONNELL. In my judgment, quite a different question is involved, depending on whether the Senator's proposal is presented as an amendment to strike out language, or as a reservation or understanding. In other words, there may be some who would favor it as an understanding or as a reservation, and who for certain reasons, as the Senator has indicated, might be constrained to oppose it as an amendment, striking language from the treaty.

To my mind, though I am not at all expert along such lines, and do not mean so to indicate, the legal effect of striking out language from the treaty as presented, while perhaps not technically a rejection, would have very much the same effect. That is to say, a treaty is presented to us in its entirety, and if a motion to strike out certain portions is agreed to, it means that the instrument as submitted to us has in effect been rejected. Certainly the distinguished Senator and I agree, I think, as has been indicated so clearly by him, that regardless of whether it would be in effect technically a rejection, striking out the language would necessitate returning the treaty for renegotiation. So, to my mind, there is certain advantage, from the standpoint of the proponents of the amendment, in having the suggestion presented later as a reservation or understanding.

Mr. DOWNEY. Mr. President, I am very happy, indeed, and satisfied to accede to the suggestion of the distinguished Senator from Missouri, and I appreciate his suggestion. So far as I am concerned, at the present time I withdraw the amendment, and shall present further argument on it if and when a reservation is presented.

Mr. BARKLEY. Mr. President, if the Senator will permit me in that connection, I had intended to speak very briefly in opposition to the amendment on the very ground suggested by the Senator from Missouri, and the same argument applies to all the amendments which will be offered changing the text of the treaty.

Undoubtedly adoption of such an amendment would require the resubmission of the treaty to the Mexican Government and the renegotiation of the matter involved, as acceptance of the amended instrument would not be acceptance of the treaty presented by the State Department and by the President.

Whether the matter covered in this particular amendment could be wisely adopted as a reservation will, of course, have to be passed upon by the Senate if and when such a reservation shall be offered. However, it is difficult for me to anticipate how a reservation or interpretation could be made which would eliminate the language sought to be eliminated by the amendment offered by the Senator from California. What he is seeking to do is to eliminate that part of the treaty which says that the Commission shall in all respects have the status of an international body. Whether it says that it is an international body or does not say so may not make any difference. It is an international body, it is an international commission.

Furthermore, I do not think the word "status" is susceptible of the very narrow interpretation which has been placed upon it by the argument of the Senator from California. The word "status" does not apply merely to an individual, it applies to almost any situation. It might be used in the sense of "standing." We frequently say, "What is the status of affairs?" That does not apply to an individual. Or we may say, "What was the status of the law prior to a certain decision?" The word "status" is bound to have a broader connotation than simply an indication of the legal position in which an individual may find himself with reference to his rights or to the law. So that in interpreting the word "status," it seems to me the language used in the treaty is appropriate. I cannot understand how a reservation could later be offered changing the meaning of the language which

was until a moment ago sought to be stricken out, which says that this international commission shall have the status of an international body. But we can argue that when we get to it, if such a reservation shall be offered.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DOWNEY. I think the Senate can say anything it desires by way of reservation. If it desires to say that it advises and consents to the ratification of this treaty upon the understanding that such and such language shall not be considered a part of the treaty, I think it has the right to do that.

Mr. BARKLEY. I do not agree to that, but we can argue that when the time comes. Certainly, if the Senate by reservation can strike language from a treaty, it can strike it out by an amendment or motion to that effect. But if a reservation strikes out an integral part of the treaty, and says it is not a part of the treaty, that does not relieve us of the obligation to go back to the other country and have the matter renegotiated to see whether they agree to any such interpretation of the language. But the amendment having been withdrawn, there is no reason for discussing it.

Mr. DOWNEY. Will the Senator yield to me to propound a parliamentary inquiry?

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. DOWNEY. I desire to be advised by the Chair whether or not amendments will still be in order to the various articles of the treaty after reservations and understanding have been presented and adopted?

The VICE PRESIDENT. The Parliamentarian informs the Chair that under the precedents of the Senate any article of the treaty may be recurred to and amended.

Mr. BARKLEY. That is not the question the Senator propounded. He asked whether after the reservations to the resolution of ratification, interpretative or otherwise, have been adopted, amendments may then be offered to the treaty. That is the inquiry.

Mr. DOWNEY. Yes, Mr. President; the Senator has very precisely stated my inquiry.

Mr. BARKLEY. I have contended all along that after the resolution of ratification, with such reservations as may be appended to it, has been adopted, amendments to the treaty are not then in order.

The VICE PRESIDENT. That is true. The Senator from Kentucky had stated the case exactly. The Chair misunderstood the previous inquiry. Amendments would not be in order after the resolution of ratification has been agreed to or has been submitted.

Mr. DOWNEY. Mr. President, that was not my inquiry. My inquiry was whether, after the treaty has been reported to the Senate from the Committee of the Whole, and after reservations or understandings to the resolution of ratification have been adopted, we could still go back to the amendment of the treaty?

The VICE PRESIDENT. Reservations cannot be offered until the resolution of ratification has been offered, and that stage cannot be reached until after the stage of amendment has been passed.

Mr. DOWNEY. Mr. President, may I propose a further parliamentary inquiry?

The VICE PRESIDENT. The Senator will state it.

Mr. DOWNEY. Is it the implication from that statement that the reservations and understandings have to be acted on in the Senate, after the treaty has been reported from the Committee of the Whole to the Senate?

The VICE PRESIDENT. After there are no further amendments to be offered in the Senate, then the next step is the offering of the resolution of ratification. The Parliamentarian advises the Chair that the resolution of ratification cannot be offered until it is known what the Committee of the Whole and the Senate have done with regard to amendments.

Mr. CONNALLY. Mr. President, as I understand the rule, the Senate should consider all amendments and dispose of them. When the final resolution of ratification with reservations is offered, of course the reservations may be amended at that time.

The VICE PRESIDENT. Yes; the reservations may be amended.

Mr. CONNALLY. But the last opportunity, the last chapter in the proceedings, is the resolution of ratification with the reservations?

The VICE PRESIDENT. The Senator has stated the case correctly.

Mr. DOWNEY. Mr. President, probably my question has been answered two or three times, but I should like to rephrase it and have a final precise answer. Do I correctly understand that the effect of what has been said by the Chair is that, after any reservations or understandings have been adopted, it is then too late to present any amendment to the treaty?

The VICE PRESIDENT. That is true.

Mr. BARKLEY. Mr. President, from a parliamentary standpoint our position here in the executive session in regard to this treaty is analogous to the House of Representatives going into the Committee of the Whole House on the state of the Union to consider legislation. During that status in Committee of the Whole House on the state of the Union amendments are offered and agreed to or rejected. Then when the bill has been completed and all amendments have been adopted or rejected, the Committee rises, as it is said, and goes back into the House. Then, under the rules, no amendment to the bill can be offered in the House as such, but a motion to recommit may be offered, with instructions or without instructions. In a sense we are in a situation analogous to that. While we are in the Committee of the Whole, as we are now on the treaty, amendments may be offered and considered, and when the Committee of the Whole has completed its consideration of the treaty, and amendments have been offered and disposed of, we go out of the Committee of the Whole into the Senate, and it is in the Senate as a Senate that the resolution of ratification is offered and agreed to.

The VICE PRESIDENT. That is the Chair's understanding. The Parliamentarian informs the Chair that after the treaty is reported from the Committee of the Whole to the Senate the Senate has to pass on what was done in Committee of the Whole.

Mr. BARKLEY. That is true. That is the same analogy I am referring to under the procedure in the House of Representatives. In other words, after amendments have been adopted in the Committee of the Whole to the treaty, then when we come out of the Committee of the Whole into the Senate, which is more or less of a parliamentary fiction, the Senate as such then has to pass on what has been done in the Committee of the Whole.

The VICE PRESIDENT. That is true.

Mr. BARKLEY. It can either reject or adopt what the Committee of the Whole has done.

The VICE PRESIDENT. Yes; and new amendments, the Parliamentarian advises the Chair, may be proposed in the Senate.

Mr. BARKLEY. Let us see about that, Mr. President.

The VICE PRESIDENT. That is before the resolution of ratification is presented.

Mr. BARKLEY. Oh, yes.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. The Chair has just answered the inquiry I had in mind. It is my understanding that after the Committee of the Whole has completed its labors and has reported to the Senate, and before the resolution of ratification has been presented, amendments may be offered in the Senate. That is, we might accept or we might reject the recommendations of the Committee of the Whole, or we might modify in the Senate the recommendations of the Committee. Am I correct in that understanding?

The VICE PRESIDENT. Yes; and new amendments may be proposed in the Senate before the resolution of ratification is presented. The Parliamentarian informs the Chair that under the rule 1 day must elapse before the resolution of ratification may be offered.

Mr. WHITE. One further inquiry, Mr. President. After the Committee of the Whole has completed its labors and has reported the treaty to the Senate, debate on the various amendments and other actions of the Committee of the Whole is in order in the Senate.

The VICE PRESIDENT. Just the same as it was in the Committee of the Whole.

Mr. DOWNEY. Mr. President, I desire to propound a further parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. DOWNEY. Would it be within the power and within the rules of the Senate for the Senate to attach to this treaty reservations or understandings which would directly negative and, in effect, strike out certain language in the treaty? Is there anything in the rules of the Senate which would prevent that being done?

The VICE PRESIDENT. The Parliamentarian informs the Chair that there is nothing in the rules which defines the scope or the nature of amendments or reservations.

Mr. DOWNEY. Then, Mr. President, I hereafter will act upon the assumption that, if it is the desire of a majority of the Senate to attach understandings or reservations to the treaty, in effect, directly contradicting and negativing certain language of the treaty, there would be nothing in the Senate rules to prevent action by amendment to that effect?

The VICE PRESIDENT. That is correct.

Mr. LUCAS. Mr. President, do I understand from the last ruling that a reservation which in effect is an amendment to the treaty can be presented after the Senate adopts the resolution of ratification?

The VICE PRESIDENT. No. That is not the ruling of the Chair.

Mr. LUCAS. That is practically as I understood it.

The VICE PRESIDENT. When the resolution of ratification is presented, no amendments are in order.

Mr. LUCAS. After the resolution of ratification is adopted by the Senate, do I understand that then reservations to it are in order?

The VICE PRESIDENT. No; when the Senate adopts the resolution of ratification that is the end of it. No more reservations may be proposed.

Mr. LUCAS. When do the reservations come in?

The VICE PRESIDENT. Before the resolution of ratification is acted upon and after it has been presented.

Mr. LUCAS. If I understood the able Senator from California a moment ago, he said he would seek to do through reservation what he does not now want to do through amendment, and I thought the Chair held that he could do that.

The VICE PRESIDENT. The Chair is not passing upon the legal effect of what that may be, but the rules of the Senate do not prevent him from offering reservations before the resolution of ratification is adopted.

Mr. LUCAS. That was my understanding also, but from the inquiry made by the able Senator from California I reached the conclusion that if he did not offer the amendment now which would strike out certain language in the treaty he ultimately would offer the same amendment in the form of a reservation.

The VICE PRESIDENT. The Senator can do that when the resolution of ratification is presented, in the form of a reservation, but not as an amendment.

Mr. LUCAS. I confess that I do not understand the situation.

The VICE PRESIDENT. In other words, a reservation is not an amendment.

Mr. BARKLEY. Mr. President, there is nothing in the rules of the Senate which would prevent the Senate from doing an illegal thing if it were foolish enough to do it. The Constitution of the United States fixes a 4-year term for the President, but Congress, without any violation of the rules of the Senate, could pass a measure providing for a 6-year term, without amending the Constitution. Of course, it would be illegal, but it would not be a violation of the rules of the Senate.

The VICE PRESIDENT. That is true.

Mr. LA FOLLETTE. Mr. President, as I understand the situation, for a long period of time the Senate had a procedure whereby all legislation was first considered in Committee of the Whole; and under the Senate practice and procedure, after a measure had been considered in Committee of the Whole and amendments had been offered and either adopted or rejected, the measure was then reported to the Senate, and the Committee of the Whole dissolved, so to speak. Any Senator or group of Senators could reserve the right to present the same amendments and ask for separate votes upon them in the Senate after the Committee of the Whole had been dissolved.

The rules were amended following the unfortunate experience—as I viewed it at the time—which the Senate had in the consideration of the so-called Smoot-Hawley bill. We spent approximately 8 months in Committee of the Whole revising the bill. Following all that debate, and all the votes and roll calls—I believe there were approximately 800, if my memory serves me correctly, or perhaps 1,800—when the bill was before the Senate, after the Committee of the Whole had been dissolved, all the work of 8 months was upset. The right to present the same amendments to the Senate was reserved and a logrolling arrangement was made among representatives of the producers of 4 basic commodities. All the work which the Senate had done in Committee of the Whole for 8 months was upset, and we back-tracked over all those amendments.

That incident created a sentiment in the Senate which resulted in the amendment of the rules; but, as I view it, unfortunately the Senate did not do away with the procedure of consideration of treaties in Committee of the Whole. So it seems to me that so far as the consideration of treaties is concerned, we are in much the same situation as that which existed when we had the Committee of the Whole for the consideration of legislation.

I take it there is nothing either in the rules or precedents which would prevent any Senator from offering any amendment while the treaty is in Committee of the Whole and being read article by article. Any Senator is at liberty to offer any amendment to the actual text of the treaty which he desires to offer for the consideration of the Senate. When the treaty is reported from the Committee of the Whole to the Senate I assume that the precedents would be the same, and that such amendments could be reserved for future action in the Senate itself when the Committee of the Whole is dissolved. After that procedure is concluded we reach the point at which reservations can be offered, when the resolution of ratification is pending and prior to the action of the Senate thereon.

The VICE PRESIDENT. The Senator has very clearly stated the case.

The Chair will read from the rule; paragraph 2 of rule XXXVII is as follows—the Chair is reading it into the RECORD in order to substantiate all which has been done in the Senate today:

> When a treaty is reported from a committee with or without amendment it shall, unless the Senate unanimously otherwise direct, lie 1 day for consideration; after which it may be read a second time and considered as in Committee of the Whole, when it shall be proceeded with by articles, and the amendments reported by the committee shall be first acted upon, after which other amendments may be proposed; and when through with, the proceedings had as in Committee of the Whole shall be reported to the Senate, when the question shall be, if the treaty be amended, "Will the Senate concur in the amendments made in Committee of the Whole?" And the amendments may be taken separately, or in gross, if no Senator shall object; after which new amendments may be proposed. At any stage of such proceedings the Senate may remove the injunction of secrecy from the treaty or proceed with its consideration in open executive session.
>
> The decisions thus made shall be reduced to the form of a resolution of ratification, with or without amendments, as the case may be, which shall be proposed on a subsequent day, unless, by unanimous consent, the Senate determine otherwise; at which stage no amendment shall be received unless by unanimous consent.
>
> On the final question to advise and consent to the ratification in the form agreed to, the concurrence of two-thirds of the Senators present shall be necessary to determine it in the affirmative; but all other motions and questions upon a treaty shall be decided by a majority vote, except a motion to postpone indefinitely, which shall be decided by a vote of two-thirds.

Mr. O'MAHONEY. Mr. President, yesterday during the discussion of the able junior Senator from California with respect to the interpretation of the words "two Governments" as they appear in article 19 of the treaty, I rose to inquire of him if he contended that article 19 conveys to the Department of State power and authority which ordinarily belongs to the Government. It was my understanding that that was his contention. I do not agree with it.

Later in the afternoon I was absent from the Chamber in attendance upon a committee. I find that the able Senator recurred to this point and made the following statement, which appears on page 3127 of the RECORD:

> Mr. DOWNEY. Mr. President, I regret that the able senior Senator from Wyoming [Mr. O'MAHONEY] is not present. Earlier in the day he expressed a doubt with reference to the meaning of the words "two Governments" and stated that he thought they meant the respective State Departments of the United States and Mexico.

Mr. President, that is precisely what I did not mean. I rose to interrogate the Senator, because I understood him to be contending that, somehow or other, this treaty was constituting the State Department as the Government.

Mr. DOWNEY. Mr. President, if the Senator will yield to me, did not the Senator read that statement in my language, saying that I thought the Senator had expressed doubt that the two Governments meant the State Departments? Perhaps some word is omitted.

Mr. O'MAHONEY. This is the Senator's statement. I should like to correct the RECORD.

Mr. DOWNEY. I should like to have the RECORD corrected if it is wrong.

Mr. O'MAHONEY. This is the sentence uttered by the able Senator from California, according to the RECORD:

Earlier in the day he—

Referring to myself—

expressed a doubt with reference to the meaning of the words "two Governments" and stated that he thought they meant the respective State Departments of the United States and Mexico.

That is not descriptive of my position. It is descriptive of the position of the Senator from California.

Mr. DOWNEY. Yes, Mr. President. As the RECORD carries my statement, it is an erroneous statement of the Senator's position. The transcript was corrected for me by someone else, and I rather believe that probably a correction was made which reversed our positions.

Mr. President, I do not know whether it is necessary to obtain unanimous consent to correct the permanent RECORD——

Mr. O'MAHONEY. That will not be necessary. We are correcting it by the discussion which is now taking place.

Mr. DOWNEY. I appreciate having the Senator call my attention to my apparent error.

Mr. O'MAHONEY. In order that we may clearly understand the matter, I desire to refer again to article 19, which reads as follows:

The two Governments shall conclude such special agreements as may be necessary to regulate the generation, development, and disposition of electric power at international plants, including the necessary provisions for the export of electric current.

I understood the Senator from California to contend that that constituted a delegation of power to the State Department to do the things which are referred to in article 19, and that his construction to that effect was dependent upon the following sentence, which appears in the third paragraph of article 2 of the treaty:

Wherever there are provisions in this treaty for joint action or joint agreement by the two Governments, or for the furnishing of reports, studies, or plans to the two Governments, or similar provisions, it shall be understood that the particular matter in question shall be handled by or through the Department of State of the United States and the Ministry of Foreign Relations of Mexico.

When I first rose to interrogate the Senator yesterday I expressed the opinion that this sentence was merely a saving clause, designed to make clear that the State Department should carry on the negotiations, not that it should have unlimited power, but that this was merely a saving clause to make it clear that the International Boundary Commission, or the United States section thereof, should not be powered to carry on negotiations. I still adhere to that point of view.

The Senator from California, during my absence, referred to the outline and analysis of the treaty articles which appear on page 162 of volume 1 of the hearings. He read this sentence, apparently as evidence to support his point of view:

This article specifies the Department of State of the United States and the Ministry of Foreign Relations of Mexico as the agencies to represent the two Governments in every case where action by the two Governments is required.

Mr. President, it seems to me that the use of the infinitive "to represent" is quite clear. It makes it apparent to me, at least, that all in the world this sentence does is to specify that representation of the Government of the United States shall be carried on by the Department of State. The sentence cited by the Senator from California appears in paragraph 3, of article 2. In the following paragraph I find these two sentences:

The Commission or either of its two sections may employ such assistance and engineering and legal advisers as it may deem necessary. Each Government shall accord diplomatic status to the Commissioner, designated by the other Goverhment.

Mr. President, it is my contention that the word "Government," as used in that sentence in article 2, clearly refers to the Government of the United States or the Government of Mexico.

On page 10, the first sentence in article 5 reads as follows:

The two Governments agree to construct jointly, through their respective sections of the Commission, the following works—

And so forth. Clearly, Mr. President, the words "the two Governments," as used there, refer to the Government of the United States and the Government of Mexico, not to the State Departments. The same is true on page 11, in article 8, the first sentence of which reads, "The two Governments recognize that both countries have a common interest in the conservation and storage of waters," and so forth.

Mr. President, I have no doubt at all, after having looked at the treaty again and after having reread the remarks of the distinguished junior Senator from California, that article 19 does not constitute a delegation of power to the Department of State.

Mr. MILLIKIN. Mr. President——

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Colorado?

Mr. O'MAHONEY. I yield.

Mr. MILLIKIN. A parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MILLIKIN. Has the amendment which has been before us been withdrawn?

The VICE PRESIDENT. It has not been withdrawn.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. DONNELL. I thank the Senator. Mr. President, referring to the inquiry just made by the Senator from Colorado, let me say it is my understanding that the junior Senator from California had proposed an amendment, namely, to strike out, in the third paragraph of article 2, the words "shall in all respects have the status of an international body," and that subsequently the junior Senator from California withdrew that amendment. I should like to inquire if my understanding is correct. I ask for information, so that there may be no confusion; at least, in my own mind.

The VICE PRESIDENT. The Chair asks the Senator from California whether he did or did not withdraw his amendment.

Mr. DOWNEY. Mr. President, I believe I did not, but I intended to withdraw it. I now withdraw it.

Mr. DONNELL. Then, Mr. President, I now understand that the amendment has been withdrawn. Is that correct?

The VICE PRESIDENT. That is correct; the amendment has been withdrawn.

Mr. CONNALLY. Mr. President——

The VICE PRESIDENT. The Chair recognizes the Senator from Texas.

Mr. CONNALLY. Mr. President, at this time I wish to state a proposed unanimous-consent agreement.

I ask unanimous consent that hereafter no Senator shall speak on any amendment for more than 30 minutes, or on any amendment to an amendment for more than 30 minutes.

Mr. DOWNEY. I object.

The VICE PRESIDENT. Objection is heard.

Mr. CONNALLY. I ask unanimous consent that hereafter no Senator shall speak for more than 45 minutes on any amendment.

Mr. DOWNEY. I object.

The VICE PRESIDENT. Objection is heard.

Mr. CONNALLY. I ask unanimous consent that the Senate proceed to vote on the treaty and all amendments thereto not later than April 11.

Mr. DOWNEY. I object.

The VICE PRESIDENT. Objection is heard.

Mr. CONNALLY. I ask unanimous consent that the Senate proceed to vote on the treaty and all amendments thereto not later than 4 o'clock on April 12.

Mr. DOWNEY. I object.

The VICE PRESIDENT. Objection is heard.

Mr. CONNALLY. I ask unanimous consent that the Senate proceed to vote on the treaty and all amendments thereto not later than 4 o'clock on April 13.

Mr. DOWNEY. I object.

The VICE PRESIDENT. Objection is heard.

Mr. CONNALLY. Mr. President, will the Senator from California indicate what date would be satisfactory to him?

Mr. DOWNEY. Mr. President, let me say that at least five or six Senators who are very much interested in the treaty are now out of town. All of them have promised to be back on Monday.

Mr. CONNALLY. If it be satisfactory to the Senator, I will renew the request on Monday.

Mr. DOWNEY. When I have had an opportunity to consult with certain Senators, including the senior Senator from California [Mr. JOHNSON], and the distinguished senior Senator from Nevada [Mr. MCCARRAN], who is now being de-

tained from the Senate, I shall be very glad to indicate what I think should be done, and to what I personally would be willing to consent. I may say to the distinguished Senator from Texas that several other Senators on both sides of the aisle have told me that they believe the proper way in which to approach any change in this treaty is by reservation. That is my understanding of what I have been told. I believe that there are groups who are now preparing to review the treaty and determine what action they believe should be taken. So far as I am concerned I cannot consent to any unanimous-consent agreement until after I have been more fully advised of the wishes of some of my colleagues, and have observed the trend of the debate.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. BARKLEY. Will the Senator from California indicate any method by which he can help secure the presence of Senators who are now returning to Washington, or secure the presence of Senators who will return later? So far as I am concerned, it would appear that we can get a vote on nothing because of the absence of Senators in various parts of the country and of the world.

Mr. DOWNEY. Mr. President, knowing the very energetic efforts which have been made by the distinguished majority leader and by the distinguished minority leader to reach the splendid objectives to which the Senator from Kentucky has referred, and knowing their ability and energy, I have no desire to offer any advice as to how the desired results may be achieved.

Mr. BARKLEY. Will the Senator help secure the presence next week of the Senators of whom he speaks until we can reach a vote?

Mr. DOWNEY. I will certainly try to keep them here. I will go down on my knees and beg them to remain, because their votes will be favorable to what some of us consider to be the right side of the issue.

Mr. BARKLEY. The Senator has not given a very encouraging promise, because the Bible says that the prayers of the righteous availeth not. [Laughter.]

Mr. CONNALLY. Mr. President, the Senator from California has stated that he cannot agree to any limitation of debate without first consulting with his associates and with others. Will he endeavor to do so at an early date, and ascertain their wishes?

Mr. DOWNEY. Mr. President, I will endeavor to have some statement ready to make by, say, Tuesday noon. Several Senators have advised me that they will return on Monday next. The distinguished Senator from Texas knows that it will be my duty, of course, first of all, to seek the advice and counsel of the senior Senator from California [Mr. JOHNSON] and the senior Senator from Nevada [Mr. MCCARRAN]. I think the junior Senator from Utah [Mr. MURDOCK] and the junior Senator from Arizona [Mr. MCFARLAND] should also be consulted.

Mr. CONNALLY. The Senator from California is free to consult anyone whom he pleases. I am merely wondering if he will expedite his consultations as much as possible.

Mr. DOWNEY. I will try to have some statement ready for the distinguished Senator, with whom I am intensely sympathetic, by next Tuesday.

Mr. CONNALLY. I thank the Senator very much.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD at this point as a part of my remarks a digest of press and radio comment on the Mexican water treaty.

There being no objection, the digest was ordered to be printed in the RECORD, as follows:

DIGEST OF PRESS AND RADIO COMMENT ON MEXICAN WATER TREATY

EDITORIALS

New York Times, February 25: "Approval [of the treaty] * * * would probably do more to cement good feelings and reinforce our delegates' protestations of this country's good intentions toward its Latin-American neighbors than any fine words spoken in the jewel room of Chapultepec Castle."

New York Herald Tribune, February 22: "The Senate now threatens to hold up a treaty which Latin-Americans regard as a test of our sincerity and good intentions at a moment when we most need to demonstrate them. Foreign policy cannot be successfully conducted in that way."

Washington Post, February 13: "This treaty, in Latin-American estimation, is the key to the realities of our professions as a good neighbor. * * * It is in the material no less than in the moral interests of the country that the treaty be ratified with minimum delay We find nothing in the record to sustain the charge that the treaty sells California down the river."

Baltimore Sun, February 24: "It is not quite clear how California would deny Mexico's claim other than by brandishing the might of the United States over Mexico's head."

New York Evening Post, February 3: "The State Department practices diplomacy of a high order when it writes a treaty to settle a long-standing dispute and writes it so that it is both mutually profitable and just."

Washington Star, February 24: "The decision [to pass the treaty] will be an important one, since in the eyes of the Mexicans and other peoples to the south it will be regarded as a significant test and measure of our good neighborliness."

Chicago Sun, February 27: "We have much to gain and nothing to lose by recognizing our neighbor's rights by voluntary agreement."

Springfield (Mass.) Republican, February 20: "It is unquestionable * * * that Mexico would have a strong case before an international arbitration tribunal, if the treaty were rejected."

Nashville Tennesseean, March 20: "The treaty * * * would do much to encourage the hesitant small powers by a fresh demonstration of thoroughgoing justice on the part of a Big Five member toward a lesser neighbor."

Grand Rapids Press, March 20: "If local interests are successful in preventing a constructive solution, on a national basis, of this issue between the United States and Mexico, the precedent thus established might seriously endanger our Latin-American relations."

Pittsburgh Post-Gazette, March 22: "By ratifying the water treaty promptly, the Senate could set a good example in international cooperation which is more important to this country than the selfish interests of any State."

Norfolk Virginia-Pilot, February 26: "If the treaty should be rejected, Mexico would be in a position to profit from the move * * * under the Pan American Arbitration Treaty. * * * Hearty Senate approval * * * would seem to be the proper response."

Louisville Courier-Journal, February 26: "Unless a majority of the Senate stirs itself to see that this contemptuous disregard of the first element of good neighborliness is not decisively defeated, our legislators will have proved once again that fair words on international cooperation are not yet to be backed up by the deeds which confirm them."

Louisville Times, February 24: "How can we expect Mexico to think us serious in our profession of neighborliness when we rob them of water?"

Providence (R. I.) Journal, February 24: "The Senate should ratify this test of our good faith through works."

St. Louis (Mo.) Star-Times, February 19: "On the facts, the rejection of the water-rights treaty would be a strain on our relations with Mexico. * * * Certainly, the Senate must place a higher value on that international goodwill than on California's greediness."

Birmingham (Ala.) Age-Herald, February 19: "It would be unfortunate if a small majority should jeopardize the success of a treaty which would mean so much to future Mexican-American relations."

Fort Worth (Tex.) Star-Telegram, February 17: "The Senate * * * should approve the treaty, affording a clear, lasting definition of respective allotments to the interested region."

St. Cloud (Minn.) Times, February 12: "It would be most unfortunate if Congress, because of jealousy of some Southwest States, would refuse to confirm the water agreement."

Houston (Tex.) Post, February 16: "The treaty affords an opportunity for a practical application of the good-neighbor policy—a policy of good deeds rather than sweet words."

San Angelo (Tex.) Standard-Times, February 16: "The treaty should be quickly approved by the Senate. At this particular time the action of the Senate on treaties is being watched by the people of the world as never before."

Tuscon (Ariz.) Star, February 13: "If the Senate does not ratify the treaty, Mexico can go right on as she has been doing, using increasing amounts of the water of the river, because that water will be available. If she puts it to beneficial use, she can claim in the future an even greater amount than 1,500,000 acre-feet, because she will have established a good title to it."

Phoenix (Ariz.) Republic, February 1: "This treaty does more than cement the good-neighbor relations with our southern neighbors. It protects the vested water rights of the Colorado River and Rio Grande in the United States by establishing these rights."

Tucson (Ariz.) Star, January 25: "The advantages to California as well as the United States of ratification are overwhelming."

NEWSPAPER COLUMNISTS

Sumner Welles, Washington Post, February 14: "The pending treaty is an example of constructive and preventive statesmanship on the part of both governments involved. Its ratification * * * will have a profoundly helpful effect in strengthening confidence thrcughcut the other Americas—at a moment when it is much needed—in the consistency of the policy of the Government of the United States to deal fairly and justly with all of its American neighbors."

Mellett, Washington Star, February 3: "Bothering State Department as much as threat to amicable Latin-American understanding involved in the situation in the

preview the controversy offers of kind of opposition that may develop when Senate comes to consider the proposed world security organization."

Pearson, Post, February 19: "California campaign is being waged against one of the most carefully negotiated treaties in recent history. California is the biggest beneficiary and also the biggest squawker."

Washington Memo by Van Devander and Player, New York Post, January 26: "If Senator JOHNSON got the necessary votes to kill off the treaty, it would be a famous victory for California citrus growers, but it would be a stunning blow to United States-Mexican amity."

RADIO COMMENTATORS

Godwin, Blue Network, February 8: "If definite control is not placed over the water flow on both sides of the border, in years to come Americans may find out that the Mexicans are using and drawing off more of these valuable and necessary waters than would be good for the American side."

Tomlinson, Blue Network, February 4: "Water treaty deserves approval of our legislators because it is fair and just to all concerned. It would merit favorable action by Senate even if it means a real sacrifice on our part."

Eaton, Blue Network, February 6: "The issue is in reality whether we can live only for ourselves or whether we have got to learn to live with others as well. When Mr. Stettinius has to discuss problem or post-war economy in South America and this country, he will discuss questions which are going to influence far more California and every State than whatever may happen to the flow of water one way or another from Rio Grande and Colorado Rivers. Let's hope that we don't get so tangled up in theory that we can't see the forest because of the trees."

MISCELLANEOUS

Christian Science Monitor, Stanford, January 24: "Water treaty will provide a significant and timely test of the sincerity of the Senate's protestations of international cooperation."

Christian Science Monitor, Stanford, February 3: "Treaty's importance extends far beyond the continent or hemisphere to include whole world. Senate testimony is being followed closely south of the border, in fact, all over the world."

Christian Science Monitor, Stanford, February 15: "Hearings are of paramount concern, for, besides the question of disposition of water, future relations of United States and Mexico and even relationships of United States to rest of Latin America are involved."

Christian Science Monitor, Stanford, February 23: "Chairman CONNALLY is anxious to get Senate approval of treaty by the time of the San Francisco Conference. The psychological advantage of being able to point to this fait accompli in good relations between the United States and Mexico would be considerable."

Philadelphia Record, Morris, February 25: "It is hard to see validity in any objections to treaty. Actually, it is only to Mexico that irreparable damage might really be accused—to Mexico, to the good-neighbor policy, and to American internationalism."

Minneapolis Morning Tribune, February 28, Fagg: "Mexico has viewed with concern the heated debates over the treaty, which they regard as highly equitable on both sides. Hope has been expressed that Congress would not permit regional pressure to defeat a measure of such international benefit."

Newsweek, February 19: "Mexican reactions justified the fear of the State Department that the bitter attacks on the treaty would do nothing to improve inter-American relations, particularly on the eve of the Chapultepec Conference."

New Republic, February 12: "Besides the water rights, two big issues are involved: Latin America is watching to see whether the northern colossus is really willing to treat a neighbor as an equal; the world is watching to see whether log-rolling special interests can use the anachronistic Senate two-thirds rule to block any fair treaty and keep the United States isolated internationally as in times past."

Commonweal, February 16: "If enemies of the treaty succeed, they will deal a vicious blow to good relations between ourselves and Mexico, for Mexicans, whose very livelihood depends upon securing their share of water from these rivers, will be able to point once again to Yankee hypocrisy, with its verbal professions of friendship and its denial of the substance of life to those whom it professes to love. * * * A treaty which puts definite and drastic limitation on Mexico's own development and which also allows for fulfillment of titanic plans for expansion of irrigation and power in the United States can hardly be termed overgenerous to Mexico."

America, February 17: "Our relations with Mexico have always been a fair test of our relations with Latin America. We have a good chance to do the decent thing."

United States News, February 9: "Foreign countries see treaty as test of good-neighbor policy and of United States willingness to cooperate in international problems."

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. LUCAS. A moment ago the Chair laid down a very concise and clear-cut opinion as to the parliamentary situation in the Senate with reference to the treaty. As I recall, I heard nothing in his opinion as to when reservations may be offered. Am I correct in understanding that, after the consideration of the treaty has been concluded in the Senate and the resolution of ratification has been submitted and gone over for 1 day, reservations may then be offered to the resolution of ratification?

The VICE PRESIDENT. Yes; reservations may be presented at that time.

Mr. LUCAS. May amendments and reservations be presented at the same time, or must the amendments be offered first?

The VICE PRESIDENT. After the resolution of ratification is offered, no amendment is in order. Amendments are in order in the Committee of the Whole or in the Senate prior to the presentation of the resolution of ratification. After the resolution of ratification is offered, no amendment is in order.

Mr. LUCAS. After the treaty is in the Senate and has been passed over for 1 day, may amendments be offered?

The VICE PRESIDENT. No.

Mr. LUCAS. Only reservations may be offered at that time, and after reservations are offered, that is the end of it?

The VICE PRESIDENT. That is the interpretation of the Chair. The Chair has read the rule in the RECORD, and it is very clear.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. Does the Chair mean that any amendment, even though it has been rejected in the Committee of the Whole, may be reoffered prior to time when the resolution of ratification is presented?

The VICE PRESIDENT. Yes.

Mr. WHERRY. So in reality, all we are doing in the Committee of the Whole is to conduct a skirmish. When the treaty comes before the Senate we may either support or try to defeat any amendment which was agreed to or rejected in the Committee of the Whole. We may do so prior to the submission of the resolution of ratification.

The VICE PRESIDENT. The Senator is correct. The Committee of the Whole is only a fiction.

Mr. BARKLEY. Mr. President, I wish to have cleared up another point to which I believe the Chair referred when he announced the rule. After the Committee of the Whole reports the treaty to the Senate and the treaty is in the Senate, under the rule it must then be read article by article, and amendments may be offered to each article as read. Am I correct in my understanding?

The VICE PRESIDENT. No; the treaty is considered article by article only in Committee of the Whole, but it is open to amendment as to any article while the treaty is being considered by the Senate at any time before the presentation of the resolution of ratification.

Mr. BARKLEY. When the treaty gets back into the Senate it will be read only by title.

The VICE PRESIDENT. The Senator is correct.

Mr. WHITE. During the second reading of the treaty in the Committee of the Whole the treaty is read article by article, is it not?

The VICE PRESIDENT. The Parliamentarian advises the Chair that the treaty was read the second time by reading the title by unanimous consent.

Mr. WHITE. If there had been no unanimous consent granted, the second reading of the treaty in the Committee of the Whole would be article by article?

The VICE PRESIDENT. That is correct. That stage has been passed.

Mr. WHITE. I assume that under such practice, amendments, if any, should be offered to the articles as they are read.

The VICE PRESIDENT. That is the understanding of the Chair, but under the precedents the Senate may recur to an article, after it has been passed by, to consider an amendment.

Mr. DOWNEY. Mr. President, I send an amendment to the desk and ask to have it stated.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. MAGNUSON. I wish to propound a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MAGNUSON. I am still somewhat confused in regard to the parliamentary situation. Am I correct in understanding that after the treaty is reported to the Senate, it is then open to amendment?

The VICE PRESIDENT. That is correct.

Mr. MAGNUSON. Am I correct in understanding that after the amendments are rejected or agreed to the treaty lies over for a day?

The VICE PRESIDENT. The resolution of ratification cannot be offered until 1 day elapses.

Mr. MAGNUSON. And after the elapse of 1 day are reservations in order?

The VICE PRESIDENT. Reservations to the resolution of ratification are in order, but no amendments are in order.

Mr. MAGNUSON. No amendments are in order.

The VICE PRESIDENT. The Senator is correct.

Mr. MAGNUSON. I thank the Chair.

The VICE PRESIDENT. The clerk will state the amendment offered by the Senator from California.

The CHIEF CLERK. It is proposed to amend by striking out the second sentence in the third paragraph of article 2 and inserting in lieu thereof a new sentence as follows: "Each section shall be headed by three Commissioners." In the third sentence in the fourth paragraph of such article it is proposed to amend by striking out the word "Commissioner" and inserting in lieu thereof the word "Commissioners".

Mr. DOWNEY. Mr. President, it is my opinion that no Senator can hope to approach the problems involved in this treaty, or to understand what reservations or amendments should be made to the treaty, until after he has reviewed the entire treaty in some detail and has gained a general understanding of its comprehension and scope.

We have been debating at considerable length the powers and privileges given under article 2 of the treaty to the International Boundary and Water Commission. When we turn to article 24 we find perhaps 50 or 75 different powers and privileges granted to the International Boundary and Water Commission. I doubt if it is possible to form any judgment of what should be done with article 2 until article 24 has been considered in considerable detail.

Let me also say that this treaty merely continues in existence, with a changed name, a commission which was organized by our Government and the Mexican Government, as I recall, in 1889; the treaty confirms in this new commission all the old powers and procedures laid down in the treaty of 1889. Consequently, I am of the opinion that the quickest and most comprehensive and certain way for Senators to understand what this treaty comprehends is by considering—not voting on necessarily—the various articles. I have, therefore, sent to the desk another amendment to article 2. Its general objective and purpose may be very simply and readily stated. It would increase the two-man Commission to a six-man Commission.

Let me first state that under the treaty of 1909 between Great Britain and the United States, regulating the boundary waters between Canada and the United States, provision was made for a six-man commission. I very fervently hope the Senate will strip away from the pending treaty the extraordinary and multitudinous powers which in its present form it grants; but, certainly, considering that the situation on the Colorado and the Rio Grande is much more involved than that which exists on the Canadian-American border, much greater power and much greater responsibility must be given to the Commission under this treaty than to the Commission under the Canadian treaty, and we must accept much more serious consequences in the event of unwise action by the two-man commission for which provision is at present made.

Mr. President, I dislike to speak critically of, or in any way to condemn, any man who cannot be present and answer me immediately; but, rightly or wrongly, we in California are very confident that three citizens of Texas, one of whom was the present International Boundary Commissioner, Mr. Lawson, not only bartered our rights away, in order to obtain a wonderful treaty for the State of Texas on the Rio Grande, but were so unfamiliar with our problems, so unsympathetic, and so unconcerned, that even from the standpoint of workmanship and draftsmanship, they framed an exceedingly unfortunate treaty. I would have a sense of horror if this treaty, as it is presently framed, were adopted by the Senate and I knew that Commissioner Lawson, who for 26 years has been a resident of El Paso, Tex., and is directly and vitally concerned in the Rio Grande would be the Commissioner dealing with the Mexican Government and the rights and obligations relating to the two great streams covered by this treaty.

I come from a professional background in which it is believed that no man can, at the same time, serve two masters. I care not what a man's sincerity and integrity may be, every human being, if he is prejudiced, attempts to rationalize so as to attain the objectives his subconscious mind desires. It has been recognized down through thousands of years, by every jurisprudence the world has known, that no man should, at the same time, be allowed to serve two masters.

I shall not charge that Commissioner Lawson willfully bartered away our rights in the Colorado to gain an advantageous Rio Grande treaty, but I undertake to say that that is exactly what has happened.

In the future, under this treaty, hundreds of millions of dollars, perhaps billions of dollars, may be spent under the jurisdiction of the International Boundary and Water Commission, great causes may be decided, and great rights may be created or sacrificed; and if the Government of Mexico is making two claims upon the United States at the same time, one for a concession or alleged right on the Rio Grande and the other on the Colorado, should we on the Colorado be subjected to the jurisdiction of Mr. Lawson under such conditions?

Mr. President, I have already placed in the RECORD a statement by Mr. Lawson which, if it had been made in a court of law under oath, I think might have subjected him to the penalty for perjury, certainly to contempt of court, because, clearly and unequivocally, he tried to convince the Senators who had heard him that a long, careful, and exhaustive investigation of the water now being used and the lands now being irrigated in Lower California had been made under his supervision. Clearly, that was designed to mislead the committee. Finally, he was compelled to admit that his statements were categorically wrong. No large organization went from the United States to Mexico; no assistants accompanied the single engineer; but Mr. Lawson appeared before the committee, and, in effect, said, "Well, one of my subordinates was down there for a period of time"—the length of which he did not even know—"and was told by water users and other Mexican citizens the amount of water they were irrigating and the land they were using."

The distinguished Senator from Colorado has many times said that he would present to the Senate evidence showing that Mexico was using 1,800,000 acre-feet of water in 1944, but the only evidence which has been presented was the statement of Mr. Lawson that his subordinate told him that Mexican officials and Mexican citizens told him something which has been presented for acceptance here in the Senate of the United States.

Mr. President, how do you think we in California feel about this situation, when we will probably have as our supreme ruler the most powerful and dictatorial man in the whole Southwest, a citizen of Texas, who has already displayed a complete ignorance of the problems of our great basin, a lack of sympathy and concern for them, and a disposition to trade off rights on the Colorado in order to obtain a desirable treaty for Texas?

In the treaty as it relates to the Rio Grande the Federal Government, not the people of Texas, bears the whole burden; on the Colorado nothing is given to us, but, on the contrary, we must build one reservoir alone—I am referring to the Davis Dam—costing us, as power users, it is true, $45,000,000, which under this treaty will be largely dedicated to the citizens and waters users of Mexico.

Mr. President, if this treaty shall be ratified, if these great enterprises proceed, and if serious disputes arise between the two Governments, as they will, where will we, in the great Southwest, be, if a citizen of Texas remains the boundary commissioner, as he probably will, and continues to barter away our rights?

Suppose, for instance, when the water of the Colorado River does begin to get saline, not as good as it is now, Mexico very justly, and I think very intelligently, should make the claim that she is entitled to better water; and suppose that there were at the same time disputes and controversies on the Rio Grande; and Mr. Lawson, a citizen of Texas, should be deciding both rights at the same time. We have to apply ordinary common sense to what transpires. Of course, the Government of Mexico has looked at these dual arrangements on the Rio Grande and the Colorado as really one arrangement, from its viewpoint.

As I recall, citizens of Texas on the Rio Grande get the use of three or four hundred thousand acre-feet of water from the tributaries of Mexico without giving up any compensating advantage. Of course, Texas has a generous, advantageous treaty. I think it is fair to say that two acre-feet of water from the Colorado are given up for every acre-foot that has been generously given to Texas on the Rio Grande.

Mr. President, I know of no two-man commission which has such tremendous obligations and burdens and responsibilities, and territory and area to cover, as has this one. We are suggesting to the Senate something to which I should think Mexico could not possibly object; namely, that the Commission be enlarged to six members, three to come from the United States and three from Mexico, and I think in some enabling act, or in the treaty itself, provision should be made that one of the Commissioners appointed should have been a resident of the Colorado River Basin area for 10 or 20 years, that another should have been a resident of the Rio Grande area, and that a third should be drawn from the Nation as a whole, outside either basin.

Mr. President, I, for one, would not consent to place myself in a position in which at the same time I would try to pass upon the respective rights and obligations between the two Governments on the Rio Grande and the Colorado. I might, as an honorable man, try to be objective, but I know that as a citizen of California, vitally concerned, I would have no right to act in any kind of judicial capacity affecting this treaty, or the great rights and obligations which are to grow out of it. Of course, I am partisan for California. I try to be honest with the Senate, I try to be intelligent and careful in my preparation of facts, but, of course, I am a prejudiced, partisan witness. I do not want to speak for Senators from any other State on the Rio Grande or the Colorado, but it seems to me that they feel the same.

Mr. President, I presume this amendment could be carried into effect by some sort of a reservation or understanding; that the present Commission, consisting of two members, should be enlarged to six, and that they should be drawn from certain sections of the country. We undoubtedly would have a much better execution of the treaty. We undoubtedly would have better performance and better execution both for the people on the Rio Grande and those on the Colorado, and for the Nation as a whole.

Mr. President, to carry this thought somewhat further, yesterday I read into the RECORD the very clear and precise and carefully conceived plan in the Canadian-American treaty for determining disputes between the two sovereign Nations, Great Britain and the United States, which might arise out of that treaty. If one reads it and compares it with the half-baked, slipshod, imperfect, inaccurate, ambiguous provisions in the pending treaty for arbitration, one has a sense of intense disappointment that the officials of the State Department who designed and prepared this treaty did not turn to the simple, precise language of the Canadian treaty and follow it.

I would say, let us follow the Canadian-American treaty; let us provide, as is provided in it, that under proper reservations and action by the Senate and the President of the United States, and the representatives of Mexico, international disputes arising under this treaty may be referred to this group of three citizens from each nation. Let us provide that in the event there is no majority vote on one side or the other, if the Commission is equally divided, there shall be recourse to an umpire. Such a provision can be framed in a few hundred words. We have a beautifully written form in the Canadian treaty. No one would object to that. But when we turn to the ambiguous, uncertain language of the pending treaty, having, I think, a decidedly different meaning in the Spanish translation from that in the American translation, when we see how uncertain and confused it is, certainly we must realize that it is necessary to amend article 24, subparagraph (d).

Mr. President, that was the next amendment I desired to present to the Senate. I might say to the distinguished Senator from Texas that, following my colloquy with the distinguished Senator from Missouri [Mr. DONNELL], which followed conversations I had with several Senators on both sides of the aisle, I desire to await the action which may come in a spontaneous development in the Senate on understandings and reservations, before I press any of the amendments to a vote. But I say to any Senator who is sufficiently interested in this matter to begin to consider reservations and understandings that we shall be deeply grateful to Senators from States outside the Colorado River Basin who may interest themselves in this problem. I hope they will bear in mind the possibility of an understanding which would increase the membership of the Commission from the two members to six.

Mr. President, I send to the desk and ask to have stated another amendment to article 2.

Mr. WHERRY. Mr. President——

The PRESIDING OFFICER (Mr. SALTONSTALL in the chair). Does the Senator from California yield to the Senator from Nebraska?

Mr. DOWNEY. I yield.

Mr. WHERRY. Did the Senator say he is offering an amendment to increase the number of the personnel of the Commission from two to six?

Mr. DOWNEY. Yes.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WHERRY. The Chair some time ago made a decision respecting parliamentary procedure. As I understand the decision, the Senator can offer an amendment now in the Committee of the Whole. After the Committee rises and makes its report the amendment can either be accepted or rejected. If it is rejected in the Committee of the Whole the Senator can offer it again in the Senate before the resolution of ratification is presented. The resolution of ratification after it is offered must lie over for 24 hours. Or if the amendment is rejected, then the Senator can offer it as a reservation, if it is properly worded as a reservation.

Mr. President, am I correct in my statement?

Mr. DOWNEY. Let me say, Mr. President, that the Senator from California very clearly made that precise inquiry, and the Presiding Officer, after consultation with the Parliamentarian, answered in the affirmative. So I assume what the Senator has said is correct.

Let me further say that I have been confused and bewildered over the treaty for 30 days, and I am not sure that I, myself, understand just what will be the parliamentary procedure. I think, however, it is as the Senator from Nebraska has stated it, but I am not an authority on the subject.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. DONNELL. I inquire of the Senator whether or not he has examined into the different effects or results, if any, that may follow from the adoption of an amendment and the adoption of a reservation. The particular point in my mind is this: If the treaty shall be amended, I understand from the statement made by the Senator a half hour or so ago upon the floor that it would be necessary to renegotiate the treaty. On the other hand, if a reservation is adopted, by what means can the acceptance by Mexico of the reservation be procured? Does it again necessitate renegotiation or would the mere fact that Mexico would proceed to operate under the treaty, without express language, without express negotiations, itself constitute acceptance of the reservation? May I ask the Senator his view with respect to that, and whether or not he has authority at hand which would enlighten us upon that question?

Mr. DOWNEY. I may say to the distinguished Senator from Missouri that I have made some examination of treaties which have contained amendments and reservations, and I have read some of the textbooks on the subject. I think it is rather difficult to answer the Senator very definitely or precisely. We are apparently in a new land of pioneering and development of procedure.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I shall be glad to yield in a moment.

A treaty may be affected by the Senate, as a result of its advice and consent, by what is termed interpretations, understandings, reservations, and amendments. It is my own opinion, and I might say there are distinguished authorities on treaty making who agree with me, while others seem to disagree, that any of these methods might rise to the dignity and power of any of the other methods if the language is apt.

I think we may obtain a better understanding of this matter if I read a very brief portion of the resolution of ratification in the Canadian-American treaty containing the language there used, I will read only the pertinent parts:

> Resolved further, as a part of this ratification, that the United States approves this treaty with the understanding—

And so on. I might say that there was an understanding which rather amplified the treaty. After setting forth the understanding the language continues—

> And that this interpretation will be mentioned in the ratifications of this treaty as conveying the true meaning of the treaty, and will, in effect, form a part of the treaty.

Then before the treaty was signed by the Governments this is added—

And whereas the said understanding has been accepted by the Government of Great Britain, and the ratifications of the two Governments of said treaty were exchanged in the city of Washington on the 5th day of May—

And so on—

Now, therefore, be it known that I, William Howard Taft, President of the United States of America, have caused the said treaty and the said understanding, as forming a part thereof, to be made public, to the end that the same and every article and clause hereof may be observed—

And so on. Then, in addition to that there was a protocol of exchange in which again the understanding was recited:

On proceeding to the exchange of the ratifications of the treaty—

And so on—

the undersigned plenipotentiaries, duly authorized thereto by their respective Governments, hereby declare that nothing in this treaty shall be construed as affecting, or changing, any existing territorial or riparian rights in the water—

And so on. And the interpretation attached to the treaty by the Senate is recited at full length. That is in the protocol of exchange.

So I would say to the distinguished Senator I think it is rather plain that if in our understandings or reservations we make it very clear that they become a part of the treaty itself, and that the ratification by the other nation must be based upon them, then, while no new renegotiation is required, there must be a statement by the other government of acceptance of the understanding.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. BARKLEY. The Senator now is seeking to increase the number of Commissioners from two to six. The Commission is not created by this treaty. The Commission has been in existence for more than half a century. It is in existence by reason of another treaty or agreement between the United States and Mexico. Certainly, whether it is by way of amendment or by way of reservation, we cannot increase the size of an existing commission whose services are made available in the administration of this treaty without resubmitting the matter to Mexico and having Mexico either by renegotiation or by some act of the Mexican Government likewise agree to the increase of this Commission from two to six. So that it does not matter whether it is done by amendment or by reservation, we must go back to Mexico with it in order that Mexico may agree to it. It is a change in the treaty. It is an increase by 300 percent of the number of men on the Commission. We cannot do that unilaterally. It would have to go back to Mexico, and it would be tantamount to a rejection of the treaty in the terms in which it is submitted to the Senate.

Mr. WHERRY. Mr. President, will the Senator yield for a question?

Mr. DOWNEY. I yield.

Mr. WHERRY. If what is referred to could be accomplished as a reservation, what would be the difference between doing it in that way and doing it as an amendment to the treaty itself, so far as procedure is concerned?

Mr. BARKLEY. So far as the effect and necessity of going back and renegotiating the treaty is concerned, there is no difference whatever.

Mr. DOWNEY. Mr. President, let me say I am categorically opposed to the position taken by the distinguished Senator from Kentucky. I am generally delighted to follow his intellectual processes, but I cannot do so now. It is true that in 1889 we entered into a treaty with Mexico providing for a two-man commission to be known as the International Boundary Commission. It had very limited jurisdiction and very limited power. This treaty takes that Commission over, it adopts the powers given the Commission, and changes the name of the Commission. It was the International Boundary Commission. Under this treaty it becomes the International Boundary and Water Commission; and the treaty gives it vastly enlarged powers and responsibilities.

Instead of being a very simple situation, as under the 1889 treaty, where there were two men merely dealing with the changing boundaries, principally of the Rio Grande—that was its principal function—and carrying out the provisions of a prior treaty relating to the changing boundaries of the limitrophe sections of the two rivers, it now becomes a vast bureaucratic set-up with tremendous powers and responsibilities.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. BARKLEY. The amendment of the Senator which is now pending has nothing to do with those powers. It has nothing t do with the change of the name. The amendment now pending simply increases the size of the Commission from two to six, regardless of its powers. The amendment, if adopted, would not touch those things. I say, regardless of that, we cannot change the size of this Commission, which has been created by the Governments of the United States and Mexico, and referred to in this treaty, even though they add another word "Water" to its title—we cannot change the size of that Commission, either by amendment or by reservation, without going back to Mexico to renegotiate the treaty or to have action on the part of Mexico in order to agree to the change.

Mr. DOWNEY. Mr. President, I cannot agree to that statement.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DOWNEY. Let me make one further comment, and then I shall be glad to yield.

The Senator from Kentucky stated to the distinguished Senator from Nebraska that he conceded that if this change could be made by amendment, it could be made by an understanding.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. BARKLEY. I stated that whether it were done by amendment or by reservation, if it changed the terms of the treaty, it would have to be submitted to Mexico for approval. There is a difference between a reservation merely interpreting a treaty, or an article of a treaty, and a reservation changing the treaty. We cannot, by a reservation interpreting the treaty, say that two means six. We cannot interpret the Commission into a Commission of six. That involves a change in the size of the Commission. What I said to the Senator from Nebraska was that if there is a change in the text or structure of the treaty itself, it makes no difference whether the change is made by amendment or reservation; it must go back to the other country.

Mr. DOWNEY. Mr. President, conceding the greater learning and experience and more rapid and efficient intellectual processes of our distinguished majority leader—and I say that very seriously and sincerely—I still cannot agree with him. If the sovereign government of the United States, speaking through its President and Senate, should say to Mexico, "We consent to the ratification of this treaty, provided you consent to increase the number of Commissioners from two to six," I cannot see why that would not be an accomplished fact, if Mexico should say, "Yes; we are glad to have the membership of the Commission increased."

Perhaps I am in error. However, I cannot see why the two Governments cannot do anything they wish to do. As a matter of fact, if the Senate and the President were dealing with the properly constituted authorities in Mexico, it could be done by correspondence, so long as there was a meeting of the minds. If the United States and Mexico were to say, "As a part of this treaty we will increase the membership of the Commission from two to six," I must say that I can see no reason in logic or common sense why it could not be done.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. LUCAS. The Senator admits that in the event the membership of the Commission were increased from two to six, either through reservation or amendment, that action must go back to Mexico for some sort of ratification or agreement.

Mr. DOWNEY. Yes; but there is a difference between a ratification with mere added understandings and reservations, and a renegotiation. A renegotiation, of course, would be the result of what we might term a rejection of the treaty in its present form, while a reservation would simply say, "We will accept this treaty if it is understood in a certain way, and certain other provisions are made a part of the treaty."

Mr. LUCAS. Assuming for the purposes of the question that the Mexican Senate occupies a place in the Mexican Government similar to that occupied by the United States Senate with respect to the Government of the United States,

does the Senator contend that the Mexican Senate would not have to consider the proposal now submitted by the able Senator from California, whether in the form of an amendment or reservation?

Mr. DOWNEY. Undoubtedly the Mexican Senate would have to consider the treaty, together with any reservations or interpretations we might adopt; and I presume they would have to be consented to by the President of Mexico, or whoever else joins in the treaty-making power of Mexico.

Mr. LUCAS. What is the difference between the position of the Senator from California and that of the Senator from Kentucky?

Mr. DOWNEY. I would rather not speak for the distinguished Senator from Kentucky; I shall speak for myself. As I understood what he said, it would not be possible to increase the membership of the Commission from two to six by any action of the Senate and the President of the United States on this treaty. I understand that to be his position.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. BARKLEY. What I said was—and I do not see how there is any escape from it—that there is already in existence a Commission, which has been in existence since 1889. It is composed of two men, one an American and the other a Mexican. That Commission is recognized in this treaty as the agency for carrying out its terms and administering it on the boundary in the distribution of the waters affected by the treaty. The Senate of the United States cannot, by itself, increase the membership of that Commission to six, or any other number, either by amendment or by reservation.

My point is that if we adopt either an amendment or a reservation providing that we ratify the treaty with the understanding that the membership of the Commission is to be increased from two to six it must go back to Mexico, and the two Governments must agree to increase the membership to six. We cannot do it by ourselves. When we say that we will not ratify the treaty unless the membership of the Commission is increased to six, in effect we reject the treaty, unless Mexico, by legislation or otherwise, or through negotiation—and it would have to be by an act of the Mexican Legislature—should agree to a Commission of six

Mr. DOWNEY. Mr. President, evidently I have not understood what the distinguished Senator has been saying. Of course, it is true that if we should attach such a reservation, it would require some sort of protocol or action by the treaty-making power in Mexico, in which it would be said, "We hereby ratify this treaty, as amended, or according to the reservations made by the Government of the United States." Of course, it would have to go before the Mexican Senate, and it would have to be submitted to the President of Mexico, and a protocol of exchange would have to be signed by him, just as the protocol to the Canadian treaty was signed by President Taft and by the supreme representative of the British Government in Canada.

Mr. President, I make no dogmatic pretension to knowledge on this subject. On the issue which I have been discussing with the distinguished majority leader I am merely following what seems to me to be common sense. However, as I understand the parliamentary declaration, we could accomplish by reservation anything we could accomplish by amendment; but, of course, I did not assume from that that such action would obviate the necessity of consent by the President of Mexico and by the Mexican Senate to our reservations or understanding.

Mr. President, the issue which is now being debated may be illuminated by reading the first paragraph of article 2, which is very brief:

> The International Boundary Commission established pursuant to the provisions of the convention between the United States and Mexico signed in Washington, March 1, 1889, to facilitate the carrying out of the principles contained in the treaty of November 12, 1884, and to avoid difficulties occasioned by reason of the changes which take place in the beds of the Rio Grande (Rio Bravo) and the Colorado River shall hereafter be known as the International Boundary and Water Commission, United States and Mexico, which shall continue to function for the entire period during which the present treaty shall continue in force. Accordingly, the term of the convention of March 1, 1889, shall be considered to be indefinitely extended, and the convention of November 21, 1900, between the United States and Mexico regarding that convention shall be considered completely terminated.

The last-mentioned convention, I think, had to do with the time the treaty would run, limiting the time.

Later on in that section we find the following:

> The duties and powers vested in the Commission by this treaty shall be in addition to those vested in the International Boundary Commission by the convention of March 1, 1889, and other pertinent treaties and agreements in force between the two countries except as the provisions of any of them may be modified by the present treaty.

In any event, Mr. President, at some proper point in the debate, either by way of understanding or by way of amendment, I will ask the Senate to pass upon this point.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Kentucky?

Mr. DOWNEY. I yield.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Chavez	Hayden
Austin	Connally	Hill
Bailey	Cordon	Hoey
Ball	Donnell	Johnson, Calif.
Bankhead	Downey	Johnson, Colo.
Barkley	Eastland	Johnston, S. C.
Bilbo	Ellender	La Follette
Brewster	Ferguson	Langer
Bridges	Fulbright	Lucas
Briggs	George	McCarran
Burton	Gerry	McClellan
Bushfield	Green	McFarland
Butler	Gurney	McKellar
Capehart	Hart	McMahon
Capper	Hatch	Magnuson
Mead	Reed	Tunnell
Millikin	Revercomb	Tydings
Moore	Russell	Vandenberg
Morse	Saltonstall	Wagner
Murdock	Shipstead	Walsh
Murray	Smith	Wheeler
Myers	Stewart	Wherry
O'Daniel	Taylor	White
O'Mahoney	Thomas, Okla.	Wiley
Pepper	Thomas, Utah	Willis
Radcliffe	Tobey	Wilson

The PRESIDING OFFICER. Seventy-eight Senators having answered to their names, a quorum is present.

Mr. DOWNEY. Mr. President, the pending amendment, if accepted by the Senate, would increase the personnel of the Boundary Commission from two members to six, and I have suggested that in some proper form we might provide that of the three selected by the United States, one should come from the Colorado River Basin, one from the Rio Grande, and one from elsewhere in the Nation.

Our distinguished majority leader, while not, I understand, expressing any viewpoint upon the wisdom of the increase, expressed at some length to the Senate his own belief that it would not be possible, or perhaps feasible, if I understood him, to accomplish the increase of personnel on the Commission during this treaty hearing and as a part of its ratification.

Mr. President, I still remain unconvinced by the statement of our distinguished leader; but I am, of course, as I stated before, not at all dogmatic in my conclusions. He may be right and I may be in error; but I think that if the distinguished leader is correct he himself is making a very strong argument against the ratification of the treaty. As we go further into the treaty, into this wilderness into which we have now penetrated only a few feet, we will begin to get a view of power so complicated, dictatorial, and vast, and so serious in its consequences, that I think all of us will agree that such powers should not be exercised by one man on the part of the United States.

I must plead ignorance; I do not even know whether the name of the individual would have to come before the Senate of the United States for confirmation. Certainly, under the present law, Mr. Lawson, our present Boundary Commissioner, would not have to receive the approval of the Senate. We would, in effect, as the treaty is at present, be passing over to Mr. Lawson a transcendentally great power. He would have the right to go into the hydroelectric business, to fix the rates, to receive the money, and, insofar as the treaty appears, make no accounting for it to anyone. His power over the existence of great communities in the Southwest would be untrammelled and enormous.

Mr. President, just how great those powers would be I should like very briefly to develop to the Senate by reading article 24, which begins in the following language:

> The International Boundary and Water Commission shall have, in addition to the powers and duties otherwise specifically provided in this treaty, the following powers and duties.

Article 24 deals wholly with powers and duties given to the Commission. These powers and duties, as we read them, it must be understood, are in addition to the powers and duties given to the Commission by the convention between Mexico and the United States adopted in 1889; they are in addition to the tremendous powers given in article 2, in which article even the judicial power to settle all domestic disputes arising out of the observance of the treaty is vested in the Commission, and they are in addition to the innumerable specific powers granted throughout the treaty in relation to specific projects.

Mr. President, with this preliminary statement, let me now begin to develop these powers. I now read subdivision (a) of article 24:

To initiate and carry on investigations and develop plans for the works which are to be constructed or established in accordance with the provisions of this and other treaties or agreements in force between the two Governments dealing with boundaries and international waters; to determine, as to such works, their location, size, kind, and characteristic specifications; to estimate the cost of such works; and to recommend the division of such costs between the two Governments, the arrangements for the furnishing of the necessary funds, and the dates for the beginning of the works, to the extent that the matters mentioned in this subparagraph are not otherwise covered by specific provisions of this or any other treaty.

Here is at least the power to investigate and recommend; to apportion costs between the two Governments; and to find a way of securing the funds. Whether that means anything more than coming to Congress for an appropriation I do not know. It is unusual and extraordinary language.

Subdivision (b) of article 24 provides as follows:

To construct the works agreed upon or to supervise their construction and to operate and maintain such works or to supervise their operation and maintenance, in accordance with the respective domestic laws of each country. Each section shall have, to the extent necessary to give effect to the provisions of this treaty, jurisdiction over the works constructed exclusively in the territory of its country whenever such works shall be connected with or shall directly affect the execution of the provisions of this treaty.

Paragraph (c) is as follows:

(c) In general to exercise and discharge the specific powers and duties entrusted to the Commission by this and other treaties and agreements in force between the two countries, and to carry into execution and prevent the violation of the provisions of those treaties and agreements. The authorities of each country shall aid and support the exercise and discharge of these powers and duties, and each Commissioner shall invoke when necessary the jurisdiction of the courts or other appropriate agencies of his country to aid in the execution and enforcement of these powers and duties.

I read the other paragraphs of article 24:

(d) To settle all differences that may arise between the two Governments with respect to the interpretation or application of this treaty, subject to the approval of the two Governments. In any case in which the Commissioners do not reach an agreement, they shall so inform their respective Governments reporting their respective opinions and the grounds therefor and the points upon which they differ, for discussion and adjustment of the difference through diplomatic channels and for application where proper of the general or special agreements which the two Governments have concluded for the settlements of controversies.

(e) To furnish the information requested of the Commissioners jointly by the two Governments on matters within their jurisdiction. In the event that the request is made by one Government alone, the Commissioner of the other Government must have the express authorization of his Government in order to comply with such request.

(f) The Commission shall construct, operate, and maintain upon the limitrophe parts of the international streams, and each section shall severally construct, operate, and maintain upon the parts of the international streams and their tributaries within the boundaries of its own country, such stream-gaging stations as may be needed to provide the hydrographic data necessary or convenient for the proper functioning of this treaty. The data so obtained shall be compiled and periodically exchanged between the two sections.

(g) The Commission shall submit annually a joint report to the two Governments on the matters in its charge. The Commission shall also submit to the two Governments joint reports on general or any particular matters at such other times as it may deem necessary or as may be requested by the two Governments.

Mr. President, in order to understand the complications and the powers involved in the paragraphs of article 24, let us begin to look at one of them. Let us analyze or attempt to analyze one of which we have already spoken, which I think should be construed in conjunction with paragraph 2 of article 2, which latter, to me, very plainly gives to the Commission the power to settle all private disputes between citizens or States of the United States and Mexico growing out of this treaty.

One reason why I think we must conclude that paragraph 2 of article 2 deals with the Commission's jurisdiction over private disputes, that is between States and municipalities and irrigation companies and citizens, is because paragraph (d) of article 24 clearly deals with the power of the Commission in relation to the disputes arising under the treaty between the two Governments.

I may say, Mr. President, I really have too greatly curtailed my statement, because the Commission may have power respecting any contracts involving any questions along the international border. The power of the Commission may extend to far greater extent than the specific matters covered by the treaty.

To reinforce that statement I will read the following from paragraph (c) before I read from paragraph (d):

In general to exercise and discharge the specific powers and duties entrusted to the Commission by this and other treaties and agreements in force between the two countries, and to carry into execution and prevent the violation of the provisions of those treaties and agreements.

Again, Mr. President, I must correct myself. I now notice that that language does not even limit the jurisdiction of the Commission to the international boundary or international waters. Apparently the powers of this Commission may be extended by apt executive agreement or treaty to any matter involved between the two countries of Mexico and the United States. I have probably read this article 24 or 30 times, and I never realized that paragraph (c) extended the powers of the Commission potentially by possible future treaties or executive agreements to deal with any subject matter between the two countries.

Senators who heard a certain portion of my argument yesterday afternoon will recall that I said there apparently is a distinctly different meaning given to the treaty and particularly to paragraph (d) of article 24 by the Spanish translation as compared with the English text. I might say for the benefit of the Senate the treaty has equal validity in both the Spanish and the American languages, and in the case of any dispute each translation should be considered to have equal parity in any country. The specific difference between the language as used in the Spanish translation and in the English text lies apparently in the first sentence of paragraph (d). In the English text it reads:

To settle all differences that may arise between the two Governments with respect to the interpretation or application of this treaty, subject to the approval of the two Governments.

In the Spanish translation we find the transposition of a very vital clause, so that it reads in the Spanish translation:

To settle, with the approval of the two Governments, all differences that may arise between the two Governments.

Far be it from me to make any dogmatic statement concerning the meaning or the meanings of this treaty; but, after a very considerable study of the English text, I think that that sentence would mean that if the two Governments had a difference of opinion they could submit it to their Commissioners, and if the Commissioners agreed, then it would become binding, if both Governments also agreed, "subject to the approval of the two Governments." In other words, the sentence would not be very rational. It would merely mean that if the two Governments could not agree, they would submit the question to the Commission. If a unanimous report was there agreed to which was satisfactory to both Governments, then that should settle the issue. Of course, that does not sound very rational. But if, on the other hand, the language is attempting to work out an arrangement parallel to that which is contained in the Canadian-United States treaty, then the language of the Spanish translation could readily mean that if both Governments agree they could refer a dispute to the International Boundary and Water Commission, and the decision of that Commission would then become final. There is a serious difference between the two versions.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CORDON. Am I to understand that it is the Senator's contention that, whereas the English wording specifically provides in paragraph (d) the power of the Commissioners to settle differences which may arise is subject to the approval of the two Governments, with reference to the Spanish translation the

meaning may well be that the two Governments may agree in advance between themselves to let the two Commissioners settle the differences, and thus, by the advance agreement, confirm whatever decision the two Commissioners may reach?

Mr. DOWNEY. Yes, Mr. President. I think that would probably be the interpretation by a judicial court of the respective translations. I do not say it dogmatically. Oddly enough—and I must depend upon Spanish scholars for this—in connection with the words "subject to the approval of the two Governments," the word "con" in Spanish for "subject" would be translated to our word "with." There is a very great difference in the use of those two words in this translation, as between "with the approval" and "subject to the approval." In addition, the most vital and pregnant phrase, "subject to the approval of the two Governments" is taken from the beginning of the sentence in the Spanish translation and placed at the end of the sentence in the English translation.

Mr. CORDON. Then, according to the Senator's understanding, the technical difference in the wording is that the English wording requires approval by both Governments after the Commissioners, between themselves, have reached an agreement or settlement; whereas the Spanish language version might permit the two Governments, before any settlement is agreed upon between the Commissioners, to agree in advance to abide by that settlement when it is reached by the Commissioners, without any additional approval by the two Governments.

Mr. DOWNEY. Yes, Mr. President.

When I began the consideration of this treaty and saw this weak, loose, inaccurate, ambiguous, and defective language, at first I assumed that some very inexpert, ignorant, loose-thinking persons had drafted the treaty. But when I found about 50 ambiguities, all of them apparently skillfully designed to suppress the real meaning, or to provide what might be a trap for the people of the United States, I ceased to be so credulous and naive.

I am merely making a deduction. I now believe that paragraph (d) is designed to secure a reference by the two Governments to the Boundary Commission, as is provided in the Canadian treaty; but the Canadian treaty very precisely and definitely sets out the arrangement. Under that treaty we have six Commissioners. If a question is referred to the Commission, and there is a majority vote, that ends the matter, and the decision is binding. The finding definitely becomes an adjudication. If the Commission is equally divided, an umpire is chosen, under the provisions of the Hague Convention, and he has the power to make the binding decision.

I believe that some young men who considered themselves much wiser than the Senate of the United States—and I am not saying that they may not be correct in that view—thought that the power of the Senate should be curtailed. Consequently, they thought the wise way to do it would be to make this provision innocuous looking and sounding in English, but make it slightly ambiguous, so that it could receive either interpretation, and then have it so written in Spanish that it would be apparent that a different meaning was intended. I believe that the reason they did so was that under the Canadian treaty it is specifically provided that the definite questions and issues for arbitration must be submitted to the President and to the Senate. Under the treaty the questions are framed by the Senate and the President of the United States, and then submitted to arbitration. The gentlemen who drafted the pending treaty apparently wanted to bypass the Senate of the United States entirely, and even the President of the United States. They simply did not want to be bothered. This offered a short, easy way of settling disputes between the two Nations involving perhaps great consequences, by the most informal proceedings. The Senate of the United States, or even the President of the United States, might never know in advance about the proceedings.

At the present time there is a dispute between the State of Texas and Mexico over the ownership of a substantial amount of land in El Paso. I believe it is called the Chamizal dispute. Clearly, under this treaty, if the Secretaries of State of the two countries wished, in some informal way, to refer the question to these Commissioners, we might find that, within 24 hours, the United States had lost a substantial part of El Paso. Perhaps we should not lose it, but at least we should be dishonored, if we did not follow the solemn decree entered into.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CONNALLY. I cannot interrupt the Senator each time he makes a statement which I do not think is correct. However, I must dissent in the strongest language from the statement which he has made with respect to Texas and the Boundary Commission, because it is not true. It cannot be true under this treaty.

Mr. DOWNEY. Clearly the Commissioners are given the power to deal with any dispute in our international waters in the limitrophe section. The Senator will correct me if I am mistaken. I am only stating what the experts have told me. I am informed that the dispute between the Governments of Mexico and the United States over the land in El Paso arose because of a change in the course of the river, where it forms the boundary. That is distinctly a boundary dispute in the limitrophe section. I believe that, if the distinguished Senator follows this language through, he will see that he is helping to create, by an entirely informal and unguarded arrangement, a method by which, without the knowledge of the distinguished Senator, the rights of the city of El Paso and of the State of Texas might be seriously affected by some judgment or decree.

I am not contending that the great State of Texas and the people of the United States might not have the physical power to resist such a decree. However, such a course on our part would dishonor our obligation under the proposed treaty, because clearly, under this treaty in unequivocal language, the International Boundary and Water Commission is given the power to determine that sort of dispute, if it is referred to the Commission by the Secretaries of State.

Mr. President, let us delve a little further into this paragraph and see into what a wilderness of confusion we continue to go:

> In any case in which the Commissioners do not reach an agreement, they shall so inform their respective Governments, reporting their respective opinions and the grounds therefor, and the points upon which they differ, for discussion and adjustment of the difference through diplomatic channels and for application where proper of the general or special agreements which the two Governments have concluded for the settlement of controversies.

The provision that when the Commissioners cannot agree they shall refer the question back to their Governments, and it shall then be considered through diplomatic channels is, of course, merely window dressing, because manifestly the two Governments, before they would ever refer such a dispute to the Commission, would exhaust whatever means they had of conciliation by diplomatic communications.

Certainly, if the Boundary Commissioners themselves, by disagreeing, further reinforced the judgment of their respective Departments of State, we could not expect that there would be any chance of getting any further action out of diplomatic procedure. It is possible, but hardly probable.

But to come down to the further meat in this extraordinary coconut that contains so much strong food, we have something most important:

> And for application where proper of the general or special agreements which the two Governments have concluded for the settlement of controversies.

Again we go back to the definition contained in article 2, and we find that when the two Governments are referred to, the treaty means action by their State Departments. Consequently, it is clear that under this provision the two State Departments would have the right to make whatever general or special agreements they might wish to make, establishing any kind of an arbitrary tribunal and, again I say, totally bypassing the customary processes of the American Government.

Mr. President, we could take every one of these subdivisions, I think, and could pass into a world of conjecture and uncertainty. We can tell from a reading of the treaty that, under it, extraordinary and far-flung powers are given; but we cannot tell what some court of international arbitration, or some Secretary of State ,or some Boundary Commissioner, might say would be the ultimate meaning of these treaty provisions.

Let me call the attention of the Senate again to the fact that I have previously had printed in the RECORD a statement of the principles of law applying to the interpretation of treaties by a court or other body. The clear rule is that treaties shall be construed in a way to enlarge, as opposed to restricting, the

powers granted. That is parallel to another rule applicable to the treaty; namely, that in every case every ambiguity is to be resolved against the grantor. On the Colorado River, at least, the United States is the only grantor. It is the only one which is giving up anything. Under the plain decisions of the Supreme Court of the United States, every ambiguity will be resolved against us and every power will be enlarged, within the possible meaning of the treaty, in relation to our obligations as a grantor.

That takes me back again to the direct theme which I am now presenting to the Senate; namely, do we wish to entrust to two men, and one of them not a citizen of our country, these tremendous rights and obligations? We know they are far flung and mighty. We do not know to what limts they may be extended.

I wish to make very clear to the Senate that in nothing that I am saying have I made any implication against any representative or official of the Mexican Government. If I were speaking in the Senate of Mexico, I would speak even more emphatically. I think Mexico would be very foolish indeed to grant to her Commissioner, one of her own citizens, the right to grant tremendous potential powers to representatives of the United States. I do not think either the people of Mexico or the people of the United States can have any conception as to what those powers might be developed into, during the next 50, 100, or 200 years.

I see that several other Senators have come on the floor of the Senate. I wish to call attention to the fact that while the Canadian-United States treaty on boundary waters is precise, simple, and definite, does not carry any unusual powers, and under it the two Governments retain the right to denounce its terms every 5 years and to enter into a new treaty or to modify the old treaty, such is not the case in regard to the treaty now under consideration. Under the pending treaty we enter into obligations for 25, 50, 100, or perhaps 1,000 years, unless both Nations desire to meet and abrogate it; but so long as either Nation insists that it remain a binding contract between the two Nations, the other Nation will, in honor, be obligated to follow the terms of the treaty.

Mr. President, I must admit some degree of surprise in the developments in the Senate. I have heard able and eloquent Senators express great disturbance and concern over granting, to some of our domestic agencies, powers which could be cut off in 24 hours, whenever Congress and the President wished so to do, or whenever two-thirds of the Congress so desired, even though the President did not. I heard the distinguished senior Senator from Tennessee [Mr. McKELLAR] express great concern about certain powers given the Tennessee Valley Authority, and he made out a very strong case; but, of course, he himself would be compelled to admit that there is a sword of Damocles constantly hanging over the men who are administering that agency, because Congress, whenever it wishes to do so, can limit or cut off the authority of the persons who are managing the Tennessee Valley Authority. However, that could not be done in the case of the pending treaty. Once we have accepted it, with all it means, it becomes a binding compact for an indefinite period, and one which we, in honor bound, will be obligated to carry out.

Mr. CORDON. Mr. President, will the Senator yield to me?

Mr. DOWNEY. I yield.

Mr. CORDON. I do not desire to divert the Senator from his theme, and I am perfectly willing to wait until a later time.

Mr. DOWNEY. No; I shall be very glad to yield at this time for an interrogation.

Mr. CORDON. Then, I call the attention of the Senator to paragraph (b) of article 24, and particularly to the sentence reading as follows:

> Each section shall have, to the extent necessary to give effect to the provisions of this treaty, jurisdiction over the works constructed exclusively in the territory of its country whenever such works shall be connected with or shall directly affect the execution of the provisions of this treaty.

I wish to ask the Senator to comment on that provision, with particular reference to whether, in his opinion, it means that the section representing the United States, for instance, shall have jurisdiction over irrigation works not constructed under the terms of this treaty, but constructed, let us say, years prior to the adoption of the treaty, but the water from which works may in somewise affect the operation of the treaty.

Mr. DOWNEY. Mr. President, I am very happy the Senator has raised that question. I may say to him that I think it is now admitted by everyone that the power contained in that provision would have allowed the American section, really, ultimately to control every irrigation facility or work on the main stream of the Colorado River or any of its tributaries. A strange thing happened. California very strongly resisted that provision; and, strangely enough, to the aid of California came the Department of the Interior. We found that representatives of the Department of the Interior were very much alarmed and concerned, because they felt that this provision might give to the American section practically the entire control and jurisdiction over Boulder Dam and all the works on the upper Colorado. I do not believe that California alone could accomplish it; but, with the aid and assistance of one great bureaucracy, we were able to help curb another. A protocol was attached to the treaty, which is before the Senate as a part of the treaty. I think it will be interesting to read it at this stage of the debate. It is now admitted that, without this protocol, vast powers would be given to the Commission. If the State Department could have put this treaty through the Senate without the protocol, it would have done so.

Does the Senator have other questions, or shall I read the protocol? It is very short.

Mr. CORDON. I have already read it. I should be pleased to have it repeated.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CONNALLY. The Senator from California said that it was admitted by all that the American section would have control over all irrigation districts and waterways connected with the Colorado. I wish to say that that was not stated—at least, it was not stated in the committee hearings. The Boundary Commission has never made any pretense of doing any more than to control the works on the boundary. It is specifically provided in the protocol that all the operations in the United States shall be under the jurisdiction of the Bureau of Reclamation. The Bureau of Reclamation sent representatives to the committee who advocated the adoption of the treaty. Therefore, the Bureau of Reclamation is in favor of the treaty.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CORDON. I share the feeling which has been expressed by the distinguished Senator from Texas. However I became somewhat disturbed when I noted in the reservations proposed by the Senator from Texas that paragraph (c) provides:

> That nothing contained in the treaty or protocol shall be construed to authorize the United States section of the said Commission to control the distribution of water to users within the territorial limits of the individual States.

Upon reading that paragraph it occurred to me that there must have been some uncertainty on the part of the Senator from Texas as to the meaning of the protocol or paragraph (c) would not have been included in the reservations.

Mr. CONNALLY. Mr. President, if the Senator from California will yield, I shall reply to the Senator from Oregon.

Mr. DOWNEY. I yield.

Mr. CONNALLY. The reservation was not drawn because of any fear I had entertained but because several Senators stated that they wished to make clear the limitation of power of the Boundary Commission. I acceded to their request. The Boundary Commission has never asserted or exercised any such authority as that which has been suggested. It has informed the committee and me personally that it does not intend to exercise any such authority in the future. So I readily agreed to the reservation.

I may also say to the Senator from Oregon that the Senator from Colorado [Mr. MILLIKIN] and I are working on the reservations and have taken into account the views and fears of various Senators. The language will no doubt be changed in such a way as to satisfy those Senators. I am willing to agree to the changes so long as they do not violate any of the explicit terms of the treaty. No difficulty need be feared along that line, because, so far as the United States Commissioner is concerned, we have entire control over him; and when we place a limitation upon his authority, we place it on the Boundary Commission, because there must be unanimity of agreement before anything can be done. The fears which have been expressed were more on the ground that the Boundary Commission could make recommendations and carry them out.

But when recommendations are made, they have no validity whatever until agreed to by the two Governments. That does not mean, so far as the United States is concerned, the Secretary of State, or any particular functionary; it means the constitutional processes of the Government of the United States, including the action of the President of the United States.

I thank the Senator from California.

Mr. DOWNEY. Mr. President, I wish to read one sentence which, among many others, caused great pain and bewilderment to the people of California. It is plain to me from a reading of the language that as the treaty was drafted and submitted to the President by the State Department, and later transmitted to the Senate, the American section could take over Boulder Dam, Davis Dam, and every other facility connected with the operation of the treaty. I read:

> Each section shall have, to the extent necessary to give effect to the provisions of this treaty, jurisdiction over the works constructed exclusively in the territory—

I ask Senators to note these important words—

> of its country whenever such works shall be connected with or shall directly affect the execution of the provisions of this treaty.

Mr. President, this treaty cannot possibly be carried out without the use of Boulder Dam and Davis Dam. As a matter of fact, it is conceded in the treaty that one of the main purposes of constructing Davis Dam is to help meter the water to Mexico. It can be shown that this treaty could not be carried out except by tremendous development all along the river.

In connection with that statement, Mr. President, I state a fact which may startle and amaze Members of the Senate. Boulder Dam will provide only about 15,000,000 feet of storage which we may be free to use. We must maintain storage capacity in Boulder Dam in order to provide against floods. We must provide a certain amount of storage capacity below which we cannot go for future purposes. In addition, the first 3,000,000 acre-feet of storage capacity are preserved for what we call silt accumulation; 150,000 acre-feet of silt comes down that river every year. The lowest outlet in Boulder Dam is above the level of 3,000,000 acre-feet, which never can be drawn out because it is below the outlet gates. That space is set aside in order to take care of 20 years' accumulation of silt. That amounts to 150,000 acre-feet a year. Consequently, it can be easily demonstrated that there are only about 15,000,000 acre-feet of storage capacity upon which we can draw.

When a cycle of drought presents itself, in order to satisfy Mexico and meet the commitments under our contracts in the lower basin, we shall have to draw down for Mexico not only 1,500,000 acre-feet of water, but a quantity beyond that, to cover the seepage and evaporation in the river, and beyond that a quantity to cover the regulatory or balancing water. So, in order to satisfy our guaranty to Mexico, we would entirely exhaust, over a period of 7 or 8 years, the entire storage of Boulder Dam. In reality, Mr. President—and this may sound like an astonishing statement—when we once give this proposed guaranty to Mexico we set aside about 15,000,000 acre-feet of stored water, in order to provide for Mexico during the dry cycles. If that is not distressing enough, instead of having dry cycles for 10 years, we may have one of 20 years; and the people of the United States would look very foolish attempting to fulfill the rights guaranteed to Mexico.

Mr. President, let me say that, evidently, the Secretary of State of the United States and the Spanish Ambassador, Mr. Nájera, thought it was necessary to make this protocol, which distinctly states, in effect, that jurisdiction over such structures as Davis Dam and Boulder Dam is reserved in the Bureau of Reclamation, and not in the American section. So I reiterate what I stated previously, that it is now admitted, by this very protocol, that, as this treaty came from the State Department, it did give vast powers to the American section, some of which have now been reduced by the protocol.

Mr. DONNELL. Mr. President, will the Senator from California yield?

Mr. DOWNEY. I yield.

Mr. DONNELL. Does the Senator have objection to returning for a moment to the question of the procedure, whether by reservation or amendment?

Mr. DOWNEY. I have no objection.

Mr. DONNELL. I apologize to the Senator for diverting him from his argument, but he will recall that earlier in the day he withdrew a certain amendment which he had offered by which there would have been stricken from article 2 the words "shall in all respects have the status of an international body, and." I have been somewhat concerned, as the debate has progressed later this afternoon, over certain remarks which I made in connection with that particular proposed amendment, and I should now like to state that I indicated, as I recall, that there might be some who would vote for the substance of the proposal if offered as a reservation, but not if offered as an amendment.

I should like to say to the Senator, so that I may correct any improper conclusion which may be drawn from the situation, that, in my present judgment, either an amendment or a reservation to that effect would, in substance, constitute a rejection of the treaty, because it would change the treaty.

As I see it, it would bear a very close analogy to the law of contracts. If an offer is submitted and is changed by the other party, it amounts to a rejection of the contract. If questions should arise as to what is meant by the expression "international body," we could adopt an interpretative statement which we would submit to Mexico defining our understanding of the term "international body." There would be no conflict between the treaty and our interpretation. It would simply be an interpretation of a term which is undefined in the treaty.

I therefore undertake to say that there may not be accomplished, in my present judgment by a reservation that which could not likewise be accomplished by an amendment. In other words, what in language would constitute a rejection by an amendment would constitute a rejection even in the form of a reservation.

In my judgment, any amendment which constitutes a reservation would, of course, have to be referred back to Mexico in order that there might be agreement as to whether Mexico's interpretation of such language as has been interpreted by our reservation is the same as our interpretation. But I do not consider that a reservation which amounts to an interpretation would be a rejection of the treaty.

I thank the Senator very much for permitting this interruption in his argument.

Mr. DOWNEY. I thank the distinguished Senator for the interruption, and the very precise statement of his position, with which I am in general agreement. However, I think that the word "reject" in connection with an amendment or reservation is perhaps too strong a word. I do not understand that there would be any final rejection of the treaty. The effect of an amendment or reservation would be to say to Mexico, "We are not satisfied with this treaty in this particular form. We want the treaty, we are for the treaty, but we think there should be certain reservations or amendments, and we merely cite them, and, if they are acceptable to you, this will become a binding treaty."

I know that, speaking legally and technically, the Senator is right in using the word "rejection" because we would be saying in effect to Mexico "We reject the treaty in its present form," but we would be adding this language: "However, if you are willing to take this reservation or this amendment, the treaty will be acceptable." I am sure there is a meeting of the minds on that.

Mr. JOHNSON of California. Mr. President, I suggest the absence of a quorum.

Mr. BARKLEY. Will the Senator withhold the suggestion a moment?

Mr. JOHNSON of California. Certainly.

Mr. BARKLEY. In conversation with the junior Senator from California earlier in the afternoon, it was suggested that a vote be taken on the pending amendment. The Senator indicated to me that he did not care to force a vote on the amendment, but intended to withdraw it. If the Senator has changed his mind about that, I should like to suggest that we might fix a time for voting Monday on the amendment now pending.

Mr. DOWNEY. Mr. President, I intend over the week end, after consultation with other Senators, to develop the policy I personally desire to follow. I have not even discussed this with the senior Senator from California. It is very possible we will present the amendment, and I am willing to have a unanimous-consent agreement that we vote on it at some particular time on Monday.

Mr. BARKLEY. The Senator is willing now to enter into such an agreement?

Mr. DOWNEY Yes.

Mr. BARKLEY. Inasmuch as the Senate will no doubt meet at 11 o'clock, I would suggest that we have an agreement to vote on the pending amendment at not later than 12 o'clock, applying

only to the pending amendment offered by the Senator from California.

Mr. WHITE. Mr. President, would there be an understanding that the time might be equally divided if there were a contest?

Mr. BARKLEY. Oh, yes. There would probably be a quorum call, and whatever time was available for debate before 12 I would agree might be divided equally between the proponents and opponents.

Mr. DOWNEY. Mr. President, I had almost consented to the request. I should be reluctant to do that, because we would have no assurance that we might get a quorum here by 5 minutes to 12. Quorums are very slow to assemble, especially when the Senate meets at 11 o'clock. I would rather make this proposal to the distinguished leader, or have him make it. Suppose we agree to vote within 40 minutes after the argument begins, and equally divide the time.

Mr. BARKLEY. Of course, that is subject to the possibility that even after the argument begins some Senator who has the floor will yield to some other Senator to make another point of no quorum, and not much time will be left for the argument. I do not think we would have any difficulty about getting a quorum Monday morning, because Senators who are now absent from the city will be returning, I am sure.

Mr. DOWNEY. Does the Senator mean a quorum in fact or theory?

Mr. BARKLEY. I mean a quorum in fact. I will guarantee the Senator a quorum in fact, and if the Senator will help me to get the War Production Board to grant a priority on balls and chains, I will try to hold Senators here.

Mr. DOWNEY. Mr. President, I hope the distinguished majority leader will not press his request. I should be reluctant to accept the request, because there certainly is a possibility that a quorum might not be present before 1 o'clock.

Mr. BARKLEY. The Senator knows that it will not require 2 hours to obtain a quorum.

Mr. DOWNEY. I beg pardon; I meant to say 12 o'clock. So far as I am concerned, I shall be willing to limit the argument on behalf of the amendment to 20 minutes.

Mr. BARKLEY. My purpose would be to call for a quorum the first thing on Monday. I do not think it would take 10 minutes to develop a quorum. We have not had any trouble in getting a quorum present. The trouble is, we cannot tell how often a quorum will be called for. I am willing to vote at 11:30 or 12 o'clock; at any time. The Senator from California has debated the amendment all afternoon.

Mr. DOWNEY. Mr. President, perhaps I have heretofore been too optimistic about results, and have regretted it, but now, in order to accommodate our distinguished leader, I shall consent to the agreement he has requested.

The PRESIDING OFFICER. Without objection, the request of the Senator from Kentucky is agreed to.

Mr. BARKLEY. I thank the Senator from California. The understanding is that we will vote at not later than 12 o'clock on Monday, on the assumption that we will meet at 11 a. m. That is the understanding.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. SALTONSTALL in the chair) laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

POSTMASTERS

Mr. BARKLEY. Mr. President, will the Senator from California yield?

Mr. DOWNEY. Yes; I yield.

Mr. BARKLEY. I ask that the nominations on the Executive Calendar be acted on.

The PRESIDING OFFICER. The clerk will proceed to state the nominations.

The legislative clerk proceeded to read sundry nominations of postmasters.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

The PRESIDING OFFICER. Without objection, the Navy nominations are confirmed en bloc.

That completes the nominations on the Executive Calendar.

Mr. BARKLEY. I ask that the President be notified of all nominations this day confirmed.

The PRESIDING OFFICER. Without objection, the President will be so notified.

RECESS TO MONDAY

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. on Monday next.

The motion was agreed to; and (at 5 o'clock and 1 minute p. m.) the Senate, in executive session, took a recess until Monday, April 9, 1945, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate April 6 (legislative day of March 16), 1945:

SECURITIES AND EXCHANGE COMMISSION

James J. Caffrey, of New York, to be a member of the Securities and Exchange Commission for a term expiring June 5, 1950.

James G. Smyth, of San Francisco, Calif., to be collector of internal revenue for the first district of California, in place of Harold A. Berliner.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 6 (legislative day of March 16), 1945:

IN THE NAVY

TEMPORARY SERVICE

Robert P. Briscoe to be a rear admiral, to rank from August 9, 1943.

Oliver O. Kessing to be a commodore, to continue while serving in Pacific Ocean areas and in Southwest Pacific areas, and until reporting for other permanent duty.

Joseph C. Cronin to be a commodore, to continue while serving as chief of staff to commander, Battleship Squadron 2, and until reporting for other permanent duty.

George Van Deurs to be a commodore, to continue while serving as chief of staff to commander, Battleship Squadron 1, and until reporting for other permanent duty.

To be commodores to continue while serving as task flotilla commanders in destroyers, Pacific Fleet, and until reporting for other permanent duty

John T. Bottom, Jr. — Roland N. Smoot
John P. Womble, Jr. — Frederick Moosbrugger
John M. Higgins — Rodger W. Simpson

POSTMASTERS

OHIO

Everett D. Crumrine, La Fayette.
Pearl C. Brown, Middlefield.
Virginia Bagent, North Industry.

SENATE

MONDAY, APRIL 9, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met in executive session at 11 o'clock a. m., on the expiration of the recess.

The Reverend Jacob S. Payton, D. D., of Washington, D. C., Assistant Director of the General Commission of Army and Navy Chaplains, offered the following prayer:

Eternal God, source of all strength, truth, and wisdom, the multitude of Thy mercies turns our thoughts in gratitude to Thee. On the threshold of the week's activities, we dedicate ourselves to that which is highest. In the name that is above every name, we place our trust. To Thee, the guardian of the faithful, we commit our spirits. Upon Thy promises we rest our hopes. During these troubled and distraught times, to Thee, who art our refuge and our strength, we renew our vows of obedience.

With the multitudes of many lands, we unite in the petition that Thy will may be done on earth as it is in heaven. We pray that in coming days there may be established that which will usher in the reign of law among all governments and the peace and security awaited with such eager expectancy. Endow our leaders with the faith that will multiply their strength and the Christian courage that will not let them falter. In Thee, the unwearied guide, we place our confidence to lead all Thy children through the darkness to light, through despair to hope, and through failure to triumph. We offer our prayer in the name of Jesus our Saviour. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, April 6, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on April 5, 1945, the President had approved

and signed the act (S. 411) for the relief of Mrs. Mae E. Sutton.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Daniel
Austin	Guffey	O'Mahoney
Bailey	Gurney	Overton
Ball	Hart	Pepper
Bankhead	Hatch	Radcliffe
Barkley	Hawkes	Reed
Bilbo	Hayden	Revercomb
Brewster	Hickenlooper	Russell
Briggs	Hill	Saltonstall
Brooks	Hoey	Shipstead
Buck	Johnson, Calif.	Smith
Bushfield	Johnson, Colo.	Taft
Butler	Johnston, S. C.	Taylor
Byrd	La Follette	Thomas, Okla.
Capehart	Langer	Thomas, Utah
Capper	Lucas	Tobey
Chandler	McCarran	Tunnell
Chavez	McClellan	Tydings
Connally	McFarland	Vandenberg
Cordon	McKellar	Wagner
Donnell	McMahon	Walsh
Downey	Magnuson	Wheeler
Eastland	Millikin	Wherry
Ellender	Moore	White
Ferguson	Morse	Wiley
Fulbright	Murdock	Willis
George	Murray	Wilson
Gerry	Myers	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from South Carolina [Mr. MAYBANK] are necessarily absent.

The Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent from the Senate because of illness.

The Senator from West Virginia [Mr. KILGORE] and the Senator from Washington [Mr. MITCHELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Tennessee [Mr. STEWART] is absent on public business.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES], the Senator from Ohio [Mr. BURTON], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The VICE PRESIDENT. Eighty-three Senators have answered to their names. There is a quorum present.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate, as in Committee of the Whole, resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.), a protocol supplementary to the treaty.

The VICE PRESIDENT. The question is on agreeing to the amendment proposed by the Senator from California [Mr. DOWNEY] to article 2 of the treaty, upon which an agreement has been entered into to vote not later than 12 o'clock today, with the intervening time to be equally divided between the proponents and opponents of the amendment.

The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out the second sentence in the third paragraph of article 2 and to insert in lieu thereof a new sentence as follows: "Each section shall be headed by three Commissioners"; and in the third sentence in the fourth paragraph of such article to strike out the word "Commissioner" and to insert in lieu thereof the word "Commissioners."

Mr. DOWNEY. Mr. President, so far as I am concerned, and I know of no other Senator who has a contrary attitude, although there may be some who do, I have no intention of presenting any amendment to the treaty, as I believe what we want to do to the treaty can be wholly accomplished by proper reservations and understandings.

I therefore desire to state in the first place that I withdraw the amendment which is now pending.

The VICE PRESIDENT. Is there objection to the withdrawal of the amendment offered by the Senator from California? Unanimous consent is required because of the agreement having been entered into to vote not later than 12 o'clock today.

Mr. CONNALLY. Mr. President, does the Senator from California intend to offer any other amendment, if he withdraws the pending amendment?

Mr. DOWNEY. No, Mr. President, I have stated as unequivocally and categorically as I can that it is not my intention, and, so far as I know, it is not the intention of any other Senator to offer any further amendment, as we believe we can properly accomplish what we want to attempt to accomplish by understandings and reservations.

Mr. CONNALLY. Mr. President, do I understand correctly—and this is somewhat in the nature of a parliamentary inquiry—that if the request of the Senator to withdraw his amendment is agreed to, and no other amendments are offered, then the resolution of ratification will be next in order?

The VICE PRESIDENT. The treaty will then be reported to the Senate, and the resolution of ratification will then be in order. It will have to lie over 1 day.

Mr. BARKLEY. That is, provided no other amendment is offered in the Senate, which may be done.

The VICE PRESIDENT. That is correct.

Mr. CONNALLY. One other question. If the pending amendment is withdrawn, and the Committee of the Whole rises and reports the treaty to the Senate, can we then determine today whether there are any other amendments, so that tomorrow we may proceed to consider the resolution of ratification?

The VICE PRESIDENT. The Chair would then be able to state only that the treaty is in the Senate and open to amendment. It is then open to amendment just the same as it has been in the Committee of the Whole.

Mr. CONNALLY. We would not have to wait until tomorrow to do that? We can proceed, as the Chair has just stated, immediately after the withdrawal of the amendment has been agreed to?

The VICE PRESIDENT. It is the understanding of the Chair that when the treaty is reported from the Committee of the Whole to the Senate amendments are in order.

Mr. CONNALLY. It has to lie over 1 day before the resolution of ratification can be presented. The treaty would not have to lie over 1 day, however, for the purpose of offering amendments.

The VICE PRESIDENT. Amendments can be offered to the treaty, but the resolution of ratification cannot be offered immediately. It cannot be offered until the next day, except by unanimous consent.

Mr. CONNALLY. I agree with the Chair. That is the inquiry I propounded. So we could proceed, after the treaty was reported to the Senate from the Committee of the Whole, to determine whether there are any amendments to be offered to the treaty?

The VICE PRESIDENT. That is correct.

Mr. CONNALLY. If there are no amendments to be offered, then we can adjourn until tomorrow, at which time we can present and consider the resolution of ratification?

The VICE PRESIDENT. The Senator is correct.

Mr. WHERRY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. WHERRY. As I understand, after the Committee of the Whole rises and reports the treaty to the Senate, then opportunity immediately comes to offer amendments to the treaty?

The VICE PRESIDENT. The Senator is correct.

Mr. WHERRY. And Senators can continue to offer amendments until every Senator who desires to offer amendments has had an opportunity to do so. Then the treaty will lie over for 1 day, and at the expiration of that time, and prior to the adoption of the resolution of ratification, reservations may be offered.

The VICE PRESIDENT. The Senator is correct.

Mr. WHERRY. I should like to ask another question in view of that statement. Is it necessary for an amendment which may be offered immediately after the Committee of the Whole rises and reports the treaty to the Senate to lie over for 1 day before the amendment is considered?

The VICE PRESIDENT. No, it is not.

Mr. WHERRY. An amendment can be offered immediately thereafter from the floor, and it may be considered immediately?

The VICE PRESIDENT. Yes, and the amendment can be acted upon if the Senate so desires.

Mr. WHERRY. I thank the Chair.

Mr. DOWNEY. Mr. President, I should like further to clarify my own position, and I speak only for myself. It is not my intention to offer any amendments to the treaty itself, and so far as I know, no other Senator has such an intention, although I cannot speak for all Senators, having talked to only a few.

I am most sympathetic to the situation of the distinguished chairman of the Foreign Relations Committee. I know,

without any diagram, the tremendous responsibilities and burdens he now bears. I want to endeavor to accommodate him in any way I possibly can.

Two or three Senators have indicated to me that some time the latter part of this week they might present considerable argument on, I think, the treaty itself, and one of the most distinguished of those Senators is now on the floor, the senior Senator from Nevada [Mr. McCARRAN]. I do not desire to speak for him at all, or for any other Senators who have expressed to me an indication they may want to address the Senate on the treaty itself. But, Mr. President, I wish to say that I think the treaty is exceedingly ambiguous in language. I think there are extreme powers contained in it that everyone in the Senate will want to strip away. I make this proposal. I should be most happy to proceed during the remainder of the afternoon and tomorrow morning with a conference under the leadership of the distinguished Senator from Texas, to which should be invited all Senators from Texas and the Colorado River Basin States, the group of Republican Senators who have been making a particular study of the treaty, and any other Senators who wish to participate. I do not say that I believe we can clear away all controversial issues; but I believe we can save the distinguished Senator perhaps 2 or 3 weeks of debate. In an informal conference many of the complications and ambiguities be stripped away, whereas if we must consider the treaty on the floor of the Senate in free-for-all discussion, in my judgment a great deal more time will be required.

The VICE PRESIDENT. Is there objection to the request of the Senator from California that his amendment be withdrawn?

The Chair hears none, and the amendment is withdrawn.

Without objection, the order for a vote will be rescinded.

The treaty is open to further amendment.

Mr. DOWNEY. Mr. President, I wish to make one further observation. Throughout the consideration of this subject I have repeatedly made one statement categorically and dogmatically. No one seems particularly interested in it. I make it again. California has repeatedly proposed a much better arrangement for Lower California and Mexico than is provided in the pending treaty, if we concede as correct the interpretation of the treaty given by the State Department. The most important reservation or understanding which I shall present to the Senate has to do with the waters to be allocated to Mexico.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. BARKLEY. If no further amendments are to be offered in Committee of the Whole, would we not save time if the treaty were reported to the Senate? Then, if no amendments are to be offered in the Senate, the reservations which the Senator has in mind can be offered. It seems to me that if no further amendments are to be offered in Committee of the Whole, we might gain time by saving until later the discussion of the reservations to be offered. That is only a suggestion. After the treaty has been reported to the Senate from the Committee of the Whole, any amendment which was in order in Committee of the Whole will be in order in the Senate.

Mr. DOWNEY. Mr. President, I shall detain the Senate for only about 10 minutes. I shall not resist reporting the treaty from the Committee of the Whole to the Senate. As a matter of fact, I shall be glad to have that action taken. I think it would expedite consideration of the treaty.

What I wish to make clear to the Senate is this: It is the claim of the State Department that Mexico is obligated to take 1,500,000 acre-feet of water, regardless of its quality or salinity, or whether it is usable or nonusable. In my opinion it is wholly within the bounds of possibility that every acre-foot of the 1,500,000 acre-feet might be return flow, and might be so saline as to be utterly worthless to Mexico.

So far as I am concerned, I have too high a regard for Mexico and for the honor and integrity of my own country, to vote for a treaty containing a provision which our State Department says might, under certain conditions, obligate Mexico to take perfectly useless water.

I am much more deeply concerned over another phase. I know that no court of international arbitration would ever stultify itself by so interpreting this treaty. Furthermore, I know that a court of international arbitration might set up salinity standards which would prove so disastrous for every State in the Colorado River Basin that we should never recover from the shock of what might happen.

Mr. President, that issue can be clarified simply and easily by one understanding—the most important reservation which I shall present. I propose to suggest that Mexico be granted 1,500,000 acre-feet of water, and that of the 1,500,000 acre-feet, at least 750,000 acre-feet shall be the best water we have in the lower basin States, out of Lake Mead. That is all we can give her. I do not know how saline that water is going to be; but we can at least guarantee Mexico the best water we have. She should not be compelled to take more than 750,000 acre-feet of return flow. The only thing I ask is that it be precisely stated in the treaty that with respect to the return flow, Mexico shall agree to take it regardless of quality.

The distinguished junior Senator from Colorado [Mr. MILLIKIN] stressed on the floor what was emphasized and repeated before the Committee on Foreign Relations, namely, that it is expected that in excess of 1,000,000 acre-feet of this water will be return flow. I think perhaps all of it might be return flow. Under the reservation which I am suggesting, Mexico would be in a far better position, and so would we, because we would limit our obligation to deliver water out of Lake Mead to 750,000 acre-feet. That would enable us to plan definitely for the future, without the unhappy problem of salinity being left unresolved.

I have made a rather concentrated study of this treaty for months. I have said heretofore that even yet I am not definitely prepared to pass on the treaty. Over the week end I discovered certain facts with reference to salinity which are most alarming to me. I rather understood from what the distinguished junior Senator from Colorado said that he had considered the implications of that situation before I had done so.

The present salinity in Lake Mead is approximately 750 parts of salt per million, which is very good water. The prognosis of the Bureau of Reclamation and of other instrumentalities is that in the future we may expect that degree of salinity to increase to 1,000 parts per million, which is still very good water. I am now led to believe—I cannot state it as a certainty, but I believe it to be true—that the estimate that in the future the salinity of the water in Lake Mead will be 1,000 parts per million was based upon the assumption that in Colorado the transmountain diversions will be 500,000 acre-feet.

I am also informed now that Colorado has certain plans for diversion, which are perfectly proper—I have no objection to them—far exceeding that amount. I have heard the figure 2,000,000 or 3,000,000 acre-feet of diversion discussed by representatives of the Bureau of Reclamation.

What is the importance of that? The importance of it, Mr. President, is that it would mean, I assume, that the very freshest, clearest water in Colorado would go over to the eastern slope—snow water, rain water, and other water up in the pines, with almost no salinity.

Another effect, in my opinion, would be that there would be a greater use and reuse of the remaining waters, for reasons which I shall not go into, with consequent increased salinity. In my opinion there is at least a possibility, from the facts we now know, that the salinity of Lake Mead might be considerably beyond the 1,000 parts per million which we have been contemplating.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. McFARLAND. The lower-basin States have no protection from salinity, have they?

Mr. DOWNEY. No; we have not. We might find ourselves in a very distressing situation if we were to receive from Lake Mead water with a salinity of 1,500 or 2,000 parts per million. The amount of land which we might be able to irrigate in California and Arizona might be reduced by 25, 30, or 40 percent. I do not wish to enter into an argument on this question on the floor of the Senate.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. McFARLAND. If we specify in the treaty the quality of water to be delivered to Mexico, then we will be giving Mexico will we not, protection which we in the lower basin States will not have ourselves?

Mr. DOWNEY. If we should do that, we would; but I do not think we can afford to do that, Mr. President.

Mr. McFARLAND. Does the Senator know of any decree establishing a water right or duty of water whereby the quality of the water or the salinity of the water which must be delivered is specified?

Mr. DOWNEY. I know of many irrigation contracts, I may say, Mr. President. I would prefer not to enter into an argument on this point at this time. Let me say that I do not think the distinguished Senator has followed my statement. I was suggesting that in order to avoid having to set up a standard of salinity, which admittedly is very difficult, we could agree to give to Mexico 750,000 acre-feet of water out of Lake Mead. That is the best water we could give her. We could not do any better than that. If it eventually contains 1,500 or 2,000 parts of salt per million, it will be very inferior water. We could not give her any better water than that, but at least we could agree to give her the water before it was used in Arizona and California, where its salinity might be increased three or four times more.

The Bureau of Reclamation says in regard to the water now being used in the Yuma Valley, in Arizona, that if we assume it has a thousand parts of salt per million, it expects to have the flow impregnated to the extent of 2,700 parts per million. If we assume, however, that the salinity is 1,500 parts per million, and if there is use and reuse in Arizona and California, then the water might have 4,000 or 5,000 or 6,000 parts of salt per million, and of course such water would destroy any land in 2 or 3 years.

Mr. McFARLAND. But the Senator would give Mexico a better contract, by specifying that a larger amount of water would be delivered from Lake Mead than is provided by the pending treaty. Mexico agreed to the lesser amount. Why should we have such great interest all at once in having Mexico receive water with a small amount of salinity, when she herself understands this proposition?

Mr. DOWNEY. Mr. President, I think the distinguished Senator is in error. There is not one line in the pending treaty that guarantees Lower California any water from Lake Mead. So far as the treaty is concerned, Mexico would be obligated to take the whole 1,500,000 acre-feet from water that had already been used in the lower basin.

Mr. McFARLAND. Oh, yes; but the water which is delivered through the All-American Canal must come from Lake Mead or from farther up the river, above the Imperial Dam.

Mr. DOWNEY. It would be entirely possible from an engineering standpoint to make delivery of 375,000 acre-feet, as indicated by the treaty, from water which had already been used. There is no provision that the water which goes into Mexico must be water which has not been used in the lower basin. Let me say that that amount of water is only 375,000 acre-feet, as the Senator knows, in the long run. If that water happened to have 1,500 or 2,000 parts of salt per million, and was then mixed with water which had 4,000 or 5,000 parts of salt per million, of course, the water would be perfectly useless.

Mr. President, it may be that the distinguished Senator from Arizona would like to have a treaty which might possibly give Mexico water which was largely unusable. I am not winning to breed controversy and hate in the future by a treaty of such a character.

On the other hand, so far as I am concerned, I am not willing to leave the treaty open, because of a patent ambiguity as to the quality of the water, so that at some future time we might have to make an arrangement to give Mexico water as of present quality or an amount equal to that, or all of it out of Lake Mead, or something of the sort, which I say would be exceedingly disastrous not only for California but likewise for Arizona, Nevada, and all the other States in the river basin.

At any rate, Mr. President, I desire to make plain that the greatest change that we ask in the treaty, outside of cutting away some of the ambiguous and extreme powers, is one clarifying the treaty as regards salinity and giving a much better treaty to Mexico than she now has, a treaty not more favorable to California, but more favorable to Mexico.

Mr. President, there are just two other very minor reservations or understandings which we expect to present to the Senate, and I do not think they will take more than a day to argue and debate. One of them is as follows: I suggested in the amendment which has just been withdrawn that because of the very great responsibilities of the Boundary and Water Commission it should have six members, instead of two. I am somewhat persuaded by my distinguished majority leader, whom I love to follow whenever I can, if he is reasonable [laughter] that such a change in the treaty might not be advisable if the Senate should make it.

Mr. BARKLEY. Mr. President, the Senator's last remark was a very important reservation on his part. [Laughter.]

Mr. DOWNEY. Mr. President, I may say it is not very often that I cannot follow my distinguished leader, and it is with deep humility and regret that I ever fail to follow him.

I do not think the Senate would believe it fair either to the Colorado River Basin or to the Rio Grande Basin, under existing conditions, to have the Water Commissioner, who is to have plenary power over both basins, come from either of the great basins. One of my proposed understandings will be to provide for perhaps at least a year's investigation with Mexico to see whether the Commission can be increased to six members, with Mexico's consent; and, failing that, to provide that the Commissioner shall come from some place in the United States other than either of the great basins. I feel that it is not only right as a matter of principle but I am prepared to go through the record, if necessary, to show that the present Commissioner, a resident of Texas for 26 years, has dealt so loosely and inaccurately and unworthily with the treaty, so far as the Colorado River Basin is concerned, that we, at least, will oppose having him continue in that office, as long as I have the physical endurance to do so.

Mr. President, we are preparing our reservations and interpretations as rapidly as we can. I hope they will all be in shape today, and I shall be very happy to have them presented to the steering committee of the Republican group and to the distinguished senior Senator from Texas [Mr. CONNALLY] as soon as they are ready.

Again I reiterate that if the distinguished senior Senator from Texas wishes to have consideration of the treaty concluded this week, so as to be ready to go to San Francisco—and I wish to Godspeed him on his voyage and help him—I suggest that by 1 or 2 o'clock a group of us begin to work on the treaty and consider the proposed interpretive reservations and qualifications; and I will hold myself at the command of the Senator for that purpose.

The PRESIDENT pro tempore. The treaty is in the Committee of the Whole, and is still open to amendment. If there be no further amendments to be proposed, the treaty will be reported to the Senate.

The Senate, as in Committee of the Whole, has had under consideration the treaty, Executives A and H, and has made no amendment thereto. The treaty is in the Senate, and open to amendment.

No further amendment being proposed, the next parliamentary step is the presentation of the resolution of ratification.

Mr. CONNALLY obtained the floor.

Mr. BARKLEY. Mr. President, will the Senator yield to me?

Mr. CONNALLY. I yield.

Mr. BARKLEY. I wish to propound a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. Under the rule requiring that the treaty lie over a day before the resolution of ratification can be offered, does the rule require an adjournment of the Senate, so as to have another legislative day, or can the matter be handled by having the Senate take a recess?

The PRESIDENT pro tempore. If the Senate goes into legislative session, that would terminate the executive session of the Senate for today, and the resolution of ratification could be brought up tomorrow.

Mr. BARKLEY. The point is, whether in executive session or legislative session, an outright adjournment must be taken in order that 24 hours may elapse.

The PRESIDENT pro tempore. That would probably mean a calendar day and not a legislative day.

Mr. BARKLEY. I suppose the safest thing to do would be to adjourn for 1 day instead of taking a recess.

Mr. President, I have a further parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. If the Senate should go into legislative session and transact legislative business for the remainder of the day, or any part of it, and then recess as in legislative session until tomorrow, would the rule be complied with so far as an executive session is concerned?

The PRESIDENT pro tempore. In the opinion of the Chair, that procedure would be in compliance with the rule.

Mr. BARKLEY. I thank the Chair.

Mr. CONNALLY. Mr. President, I understand that the treaty is now in the Senate?

The PRESIDENT pro tempore. Yes; the treaty is in the Senate. If there be no amendment to be proposed to the treaty, the next step is the presentation of the resolution of ratification, which, however, can be offered today only by unanimous consent.

Mr. CONNALLY. I understand that, but I wanted to see if we could determine whether there were any amendments to be offered to the treaty in the Senate, and then proceed to the resolution of ratification tomorrow.

The PRESIDENT pro tempore. The Chair has already announced that the treaty is in the Senate and open to amendment. The Chair repeats that statement. Is there any amendment to be proposed at this time?

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. MURDOCK. When the resolution of ratification is submitted to the Senate, is the resolution open to amendment by way of reservations?

The PRESIDENT pro tempore. Yes; it is open to amendment in the form of reservations.

Mr. BARKLEY. Mr. President, has the Chair announced that no amendments have been offered?

The PRESIDENT pro tempore. Are there any amendments to be proposed in the Senate to the treaty? There appear to be none. That is as far as the Senate can go today except by unanimous consent.

Mr. CONNALLY. Mr. President, I ask unanimous consent to offer the resolution of ratification at this time.

Mr. DOWNEY. Mr. President, I object.

The PRESIDENT pro tempore. Objection is heard.

UNITED STATES - MEXICO WATER TREATY — CORRESPONDENCE WITH HERBERT HOOVER

Mr. SMITH. Mr. President, I ask unanimous consent to have printed in the RECORD what I consider to be an important and interesting letter from former President Hoover in connection with the Mexican Water Treaty. The letter came to me after my distinguished colleague the senior Senator from New Jersey [Mr. HAWKES] had read to the Senate an earlier letter from Mr. Hoover, which raised some questions which I requested Mr. Hoover to clarify, inasmuch as there seemed to be some confusion in the record with regard to them.

Upon receipt of Mr. Hoover's reply, I referred the matter to the distinguished junior Senator from Colorado [Mr. MILLIKIN], one of the advocates of the pending treaty, and he furnished a very interesting and illuminative series of comments on Mr. Hoover's letter, based on engineering information furnished to him by the State Department. I ask unanimous consent to have Mr. Hoover's letter and the comments thereon, both of which I regard as an important contribution to the debate on the Mexican Treaty, printed in the RECORD.

There being no objection, the letter and comments were ordered to be printed in the RECORD, as follows:

NEW YORK, N. Y., *March 30, 1945.*

Hon. H. ALEXANDER SMITH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I have your letter inquiring for my answer to the statement:

"The consensus of engineers now is that the average virgin run-off of the Colorado River Basin is approximately 18,000,000 acre-feet, leaving a surplus of 2,000,000 acre-feet per year."

The following are the answers to these assertions:

1. THE FALLACY OF "LONG-TERM AVERAGES"

The figure of 18,000,000 acre-feet given you represents an average of 43 years. It is impossible to irrigate on long-term averages. The quantity available for irrigation during a drought period is dependent upon the quantity which it is practicable to carry over from flood years in reservoirs, and this is limited as to quantity and time because of annual evaporation losses from the reservoirs. In the period covered by accurate records, 1897 to 1944, the flow in about half of the 48 years was subnormal. Some of the recurring droughts of that period lasted 10 years or more.

The average virgin run-off of the entire system from 1897 to 1944, inclusive, including the waters of the Gila River and its tributaries, was 17,800,000 acre-feet, but of this 1,300,000 acre-feet represented the flow of the Gila River and its tributaries, reaching the main stream in a state of nature, all of which flow of the Gila River is currently utilized and virtually none of which reaches the main stream. I am advised that the average of 1931-40, comparable to the figure of 18,000,000 acre-feet given you was less than 13,000,000 acre-feet, and that the flow of the entire system for the year 1934, for example, was only about 5,000,000.

2. RETURN FLOW

Reliance on return flow as a source from which the guaranty to Mexico would be made good is fallacious. The Colorado River compact allocates "beneficial consumptive use." Consumptive use, in general, as the treaty recognizes, is the diversion less the return to the river. If, as proponents of the treaty say, 900,000 acre-feet would be available in return flow from American projects, Arizona or the other States furnishing that return flow would be entitled, under the Colorado River compact, to increase diversions of fresh water by that quantity. Return flow is not some new source found outside of the Colorado River compact.

3. DANGER OF A GUARANTY

It is inviting trouble to guarantee 1,500,000 acre-feet to Mexico on the assumption that the run-off available for division amounts to 18,000,000 acre-feet, when, in fact, the run-off during the controlling dry decade is about one-third less. If the treaty's allocation to Mexico is based on the assumption that the run-off is 18,000,000 acre-feet, then obviously the Mexican allocation should be specifically related to that figure, and diminished to the extent that the run-off falls below the assumed base.

In short, Mexico should have a fair pro rata of the flow of the river, not a guaranty. The only approach to proration contained in the treaty is in the extraordinary drought or so-called escape clause. This, for reasons stated below, is wholly inadequate.

4. EXTRAORDINARY DROUGHT

The "extraordinary drought" clause in article 10 of the treaty makes relief from the guaranty to Mexico dependent on a "parlay" of three contingencies: (a) Extraordinary drought which (b) curtails American consumptive uses, and (c) makes it difficult to deliver water to Mexico. As to the three elements of this gamble, at the peril of American water users:

(a) What is an extraordinary drought? For about half of the 48 years covered by accurate records the flow of the Colorado River system was subnormal. There was nothing extraordinary about this deficiency; the droughts unfortunately were ordinary occurrences, and all reclamation development must take them into account or pay the penalty of overexpansion. One such drought lasted 10 years, from 1897 to 1906, inclusive, and another has lasted at least 14 years, from 1930 to date. The limiting low-water decade was 1931 to 1940, but worse ones may come again, as they unquestionably did before our records were scientifically kept. Would a court of arbitration say that the water conditions prevailing when the treaty was negotiated, and for a decade prior thereto, were "extraordinary"?

(b) Reduction in American consumptive uses: If the arbitration court should say that these recurring periods of subnormal flow constituted an extraordinary drought, the treaty would nevertheless entitle us to diminish deliveries to Mexico only if American consumptive uses were diminished. However, if stored water were released from reservoirs and if American consumptive uses were thereby sustained and not diminished, the guaranty to Mexico would remain in full force. In fact, the Reclamation Bureau figures assume that in a decade like 1931–40, under conditions of full development, Mexico would be supplied in full by drafts on Boulder Canyon storage, thereby exhausing virtually the whole active capacity of the reservoir, while the southwestern communities would have been shorted in deliveries under their Government contracts by 762,000 acre-feet per year, or a quantity roughly equivalent to the annual water supply of Philadelphia.

(c) Would drought make deliveries to Mexico difficult? The foregoing discussion indicates the impossibility of saying what circumstances would make it difficult to deliver water to Mexico. If the water were being conserved in the reservoirs because the American water users were provident enough to curtail their uses and save their water against continuation of the drought, obviously it would not be difficult from a physical standpoint to release that water to Mexico. Exchanges might be compelled between American reservoirs to sustain the deliveries to Mexico, but with unpredictable effects on the water rights of American users among themselves.

All three elements of the escape clause are questions of fact, to be determined by the arbitration court if the two commissioners or their superiors do not agree. These questions are not, as has been stated elsewhere, questions which the American commissioner is given power to decide. They are examples of the many uncertainties in this treaty which may tie up the American development of the whole Colorado River Basin, including particularly the upper basin, in endless litigation, much of it of an international character, if the treaty is ratified without correction.

Yours faithfully,

HERBERT HOOVER.

COMMENTS ON MR. HOOVER'S LETTER DATED MARCH 30, 1945, PREPARED BY SENATOR MILLIKIN, OF COLORADO, BASED ON ENGINEERING INFORMATION FURNISHED BY THE STATE DEPARTMENT

The following comments are numbered in accordance with the numbers appearing in Mr. Hoover's letter:

1. In this section Mr. Hoover discusses what he terms the fallacy of long-term averages. Studies by engineers of the United

States Bureau of Reclamation and by other engineers indicate that sufficient storage can and will be provided on the Colorado River fully to equate the flow of the stream to the so-called long-term average. Mr. Hoover states that from 1897 to 1944 about one-half of the years was subnormal. This can be expected. When dealing with a series of data and the averages thereof it can be assumed that approximately one-half of the series will be above normal and one-half will be below normal.

Mr. Hoover mentions that as a part of the long-term estimate of 17,800,000 acre-feet as the virgin run-off of the entire river system, there is included 1,300,000 acre-feet of the flow of the Gila River and its tributaries reaching the stream in the state of nature. He then states that all of the Gila River water is currently utilized and virtually none of it reaches the main stream. This is true, but the consumption that takes place on the Gila River is a charge against the allocation of 16,000,000 acre-feet made to the upper and lower basins by the Colorado River compact. The virgin flow of the Gila River, therefore, should be included as a part of the total virgin flow of the Colorado River system. It is true that during the 10-year period 1931–40, the virgin flow at Lee Ferry was something less than 13,000,000 acre-feet and that for the year 1934 at Lee Ferry it was only about 5,000,000 acre-feet. However, again it must be stated that sufficient reservoirs will be available to equate the flow of the stream to the long-term average.

2. Mr. Hoover states that reliance on return flow as a source from which the guaranty to Mexico would be made good is fallacious. It is understood that return flow reaching the river below Imperial Dam, estimated at upward of 900,000 acre-feet, will not be used in the United States and will go to Mexico in any event. In the recent negotiations Mexico demanded a delivery of 2,000,000 acre-feet to the Alamo Canal by way of the All-American Canal. Under such an arrangement Mexico would have received the return flow reaching the river below Imperial Dam and would not have been charged with it. Officials of the Imperial Irrigation District from time to tme have suggested that all deliveries to Mexico be made through the All-American Canal. In this case Mexico would receive the return flow without the United States receiving credit for it. Therefore, reliance on return flow as a source from which the guaranty to Mexico will be made under the treaty is not fallacious.

3. Mr. Hoover states that it is inviting trouble to guarantee 1,500,000 acre-feet to Mexico on the assumption that the run-off available for division amounts to 18,000,000 acre-feet. The guaranty of a fixed amount of water to a lower user is not unique. The upper basin States by the terms of the Colorado River compact guarantee a delivery at Lee Ferry of 75,000,000 acre-feet in successive 10-year periods. The upper basin States are not protected in this delivery by any escape clause. The United States in the 1906 Convention guarantees a delivery of 60,000 acre-feet of water to Mexico with an extraordinary drought or so-called escape clause. The seven States of the Colorado River Basin when they ratified the Colorado River compact agreed to guarantee the delivery to Mexico of whatever water might be allocated to her under any right recognized by a treaty. This will be found in the language of article III (e).

It must be understood that the treaty was a result of very strenuous negotiation and that many matters were considered. A guaranty of 1,500,000 acre-feet is much more favorable to the United States than the award of a larger amount of water on the basis of a sliding scale. The allocation of the smaller amount on a guaranteed basis also will result in much less difficulty in the administration of the treaty. It is not the desire of the United States that Mexico shall relate her uses each year to stream flow records or uses of water in the United States.

4. Mr. Hoover discusses the extraordinary drought clause under three subparagraphs. In (a) he raises the question as to the definition of "extraordinary drought." The Convention of 1906 contains an extraordinary-drought provision. Such provision was invoked during the low-water decade, 1931–40, mentioned by Mr. Hoover, and no question was raised by Mexico or anyone else as to its being an extraordinary drought.

Under subparagraph (b) Mr. Hoover discusses reduction in United States' consumptive uses. It must be plainly understood that this provision was placed in the treaty for the protection of the United States. Reduction in consumptive uses will occur in the upper basin during a protracted period of drought several years before the drought will be felt in the lower basin. The provision can be invoked at the time consumptive uses in any part of the upper basin fall below the ordinary.

Mr. Hoover states that the Reclamation Bureau figures assume that in the decade like 1931–40 under conditions of full development Mexico would be supplied in full by drafts on Boulder Canyon storage, thereby exhausting virtually the whole active capacity of the reservoir while the southwestern communities would have been shorted in deliveries under their Government contracts by 762,000 acre-feet per year. In the first place the Reclamation Bureau figures do not indicate that the whole active capacity of the reservoir would be exhausted due to the terms of the Mexican treaty in such a period as 1931–40. Secondly, Mr. Hoover includes in his calculations 962,000 acre-feet of contracts which California has, which are not firm contracts. The water covered by them is in addition to the firm supply of 4,400,000 acre-feet per year of Colorado River water to which California has limited her use by statute. Water cannot be allocated under the Colorado River compact for such contracts until after 1963 and there probably would not be sufficient water available at that time to satisfy the contracts. The infirmity of the contracts stem not from the treaty, but from their terms. Water under all the contracts providing for deliveries from Lake Mead is conditioned on its availability under the Colorado River compact and the Boulder Canyon Project Act. The 762,000 acre-feet mentioned in Mr. Hoover's letter is a part of these infirm contracts.

Under subparagraph (c) Mr. Hoover discusses the question "Would drought make deliveries to Mexico difficult?" Ultimately a system of reservoirs will be constructed along the main Colorado River and its tributaries below irrigation development in the upper basin largely to generate hydroelectric energy and to make available surplus water that cannot be made available by Lake Mead due to its limited capacity. As soon as an extraordinary drought occurs and there is a reduction in the ordinary consumptive use in the upper basin and there is a commencement of a depletion of the capacity of one of the main stream reservoirs, it can be considered that it is difficult to make deliveries of the full amount of water to Mexico provided for in the treaty and the provisions of the extraordinary drought clause can be invoked.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Miles F. McDonald, of New York, to be United States attorney for the eastern district of New York, vice Harold Maurice Kennedy, resigned;

J. Albert Woll, of Illinois, to be United States attorney for the northern district of Illinois; and

Roger T. Foley, of Nevada, to be United States district judge for the district of Nevada, vice Frank H. Norcross, retired.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Mabel E. McMichael to be postmaster at Lennon, Mich.

Mr. BARKLEY. Mr. President, it is apparent that this is as far as we can go on the treaty in executive session today. I therefore move that the Senate proceed to consider legislative business.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Kentucky.

Mr. CONNALLY. Mr. President, as I understand, it has already been determined that no amendments have been offered to the treaty.

The PRESIDENT pro tempore. None has been proposed. The Chair has twice inquired whether any Senator desired to propose an amendment.

Mr. BARKLEY. There must be a point beyond which amendments cannot be proposed, and I understand that point has been reached.

The PRESIDENT pro tempore. The Chair assumes so. No amendment has been offered.

Mr. BARKLEY. So when we recess until tomorrow, and then go into executive session, no amendments may be offered. The resolution of ratification may be offered and reservations to it would then be in order.

The PRESIDENT pro tempore. Only reservations may be offered to the treaty tomorrow.

Mr. BARKLEY. That is correct.

Mr. MURDOCK. Mr. President, does the Chair rule that amendments are out of order at the present time, and that no amendment to the treaty itself may be offered when we meet in executive session tomorrow?

The PRESIDENT pro tempore. The Chair has asked twice for amendments and no amendment was proposed.

Mr. MURDOCK. I understand that; but when we go into executive session tomorrow, prior to the submission of the resolution of ratification, the treaty will still be open, will it not, under the rules of the Senate, to further amendment?

Mr. DOWNEY. Mr. President, will the distinguished Senator yield to me?

Mr. MURDOCK. I do not have the floor, but I should like to have an answer to my inquiry, Mr. President, if I may have it.

The PRESIDENT pro tempore. The Chair is of the opinion that having asked twice for amendments today, and no amendments having been offered, the Members of the Senate would be estopped tomorrow from offering amendments.

Mr. MURDOCK. There would be no further opportunities to offer amendments to the treaty itself?

The PRESIDENT pro tempore. No.

Mr. DOWNEY. Mr. President, I wish to express regret if in any way any action on my part has precipitated anything which is not according to the wishes of the distinguished Senator from Utah. It was my understanding that he did not have any amendments to offer.

Mr. MURDOCK. I have a reservation which I intend to offer, and I am very hopeful that the distinguished chairman of the Foreign Relations Committee will agree to the reservation. However, I have not been so advised. The action taken this morning is somewhat surprising to me.

The PRESIDENT pro tempore. The Senator will have an opportunity tomorrow to offer his reservation.

LEGISLATIVE SESSION

Mr. BARKLEY. I renew my motion that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

INTERIM REPORT OF SPECIAL COMMITTEE TO INVESTIGATE PETROLEUM RESOURCES FILED DURING THE RECESS

Under authority of the order of the 6th instant,

Mr. O'MAHONEY, from the Special Committee to Investigate Petroleum Resources, submitted on April 7, 1945, an interim report (No. 179), pursuant to Senate Resolution 36 (extending S. Res. 253, 78th Cong.), authorizing a full and complete study and investigation with respect to petroleum and petroleum products.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the Vice President:

A resolution adopted by Clarence A. Dunning Post, No. 21, the American Legion, Summerville, S. C., favoring the enactment of legislation providing universal military training for the youth of the Nation; to the Committee on Military Affairs.

By Mr. SALTONSTALL (for himself and Mr. WALSH):

Resolutions of the General Court of Massachusetts; to the Committee on Banking and Currency:

"*Resolved*, That the General Court of Massachusetts hereby memorializes the Congress of the United States to provide for Federal housing projects in the west, south, and northern sections of the city of Boston, which projects shall be commenced after the termination of the present war; and be it further

"*Resolved*, That copies of these resolutions be sent forthwith by the State secretary to the President of the United States, to the United States Housing Authority, to the Presiding Officer of each branch of Congress, and to the Members thereof from this Commonwealth."

(The VICE PRESIDENT laid before the Senate resolutions of the General Court of Massachusetts identical with the foregoing, which were referred to the Committee on Banking and Currency.)

Resolutions of the General Court of Massachusetts; to the Committee on the Judiciary:

"Whereas there is an unmistakable trend in the Federal Government toward national socialism through the authority granted to bureaus, departments, and otherwise; and

"Whereas this trend appears to be deliberate on the part of certain persons whose activities have been greatly increased while our people have devoted all energies toward a great war effort; and

"Whereas the necessary unity of the citizens of the Nation during the present emergency is endangered by said activities; and

"Whereas the freedom and independence of every American citizen, for which our forefathers have fought and died, and for which the flower of our Nation is again fighting and dying, are seriously threatened by said activities; and

"Whereas the usurpation by the Federal Government of the rights and powers of the separate States is rapidly leading to the centralization of power in the hands of Federal administrators, and to the extinction of our representative form of government: Therefore be it

"*Resolved*, That the General Court of Massachusetts, where the rights of free men were born, being cognizant of the peril which faces those rights, hereby urgently petitions the Congress of the United States, in the name of all of the citizens of this Commonwealth, so far as consistent with the vigorous prosecution of the war, to take immediate steps to halt the infringement upon the right of the separate States and of the citizens thereof, and to return to government under the principles of the instrument under which we have so long prospered, the Constitution of the United States, and under which the rights of the individual are inviolate, so that the Government of this great Nation shall again be, and continue to be, one of laws, and not of men; and be it further

"*Resolved*, That the state secretary forthwith send copies of these resolutions to the President of the United States, to the Vice President, to the Secretary of State, and to the Members of Congress from Massachusetts."

RESOLUTIONS OF VERMONT GENERAL ASSEMBLY

Mr. AUSTIN. Mr. President, the General Assembly of Vermont passed recently two joint resolutions which affect the interest of the general public of the United States and which call the attention of Congress to certain problems. I ask unanimous consent that certified copies of the resolutions be published in the RECORD at this point and appropriately referred. One is J. R. H. 30, entitled "Joint resolution relating to veterans' benefits in old-age and survivors' insurance, approved April 3, 1945." The other is J. R. H. 37, entitled "Joint resolution relating to the proposed schedule of dairy production and subsidy payments for the last 9 months of 1945, approved April 5, 1945."

The VICE PRESIDENT. Without objection, the resolutions will be received, printed in the RECORD under the rule, and appropriately referred.

To the Committee on Finance:

Whereas by the end of the war there will be approximately 15,000,000 men and women in the armed forces of our Nation and Vermont's share will be approximately thirty-five thousand; and

Whereas most of these men and women will have lost from one to four years or even longer from the accumulation of benefits provided by the old-age and survivors' insurance; and

Whereas this will effect a real loss in benefits to be received at the time of retirement inasmuch as such benefits are dependent upon contribution by both employee and employer; and

Whereas the old-age and survivors' insurance is wholly a Federal program; and

Whereas it is the sense of the people of the State of Vermont manifested in their respective representatives in the legislature that the returning veteran justly deserves and is entitled to fair and generous treatment: Therefore be it

Resolved by the senate and house of representatives, That the Congress of the United States be and is hereby respectfully memorialized to enact with all convenient speed appropriate legislation providing that men and women in the armed forces shall receive appropriate wage credits on their old-age and survivors' insurance accounts for their period of military service; and it is further

Resolved, That the secretary of state immediately transmit a certified copy of these resolutions to the President of the United States, the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of Congress duly elected from the State of Vermont, and that the latter be urged to do all in their power to accomplish the purposes of this resolution.

STATE OF VERMONT,
Office of Secretary of State:

I hereby certify that the foregoing is a true copy of J. R. H. 30, entitled "Joint resolution relating to veterans' benefits in old-age and survivors' insurance," approved April 3, 1945.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Montpelier, this 5th day of April A. D. 1945.

[SEAL] RAWSON C. MYRICK,
Secretary of State.

(The VICE PRESIDENT laid before the Senate a joint resolution of the General Assembly of the State of Vermont identical with the foregoing, which was referred to the Committee on Finance.)

To the Committee on Agriculture and Forestry:

Whereas the War Food Administration has announced a schedule of dairy production subsidy payments for the last 9 months of 1945, to be effective beginning April 1;

Whereas the payments provided in this schedule are at substantially lower rates than the payments which were in effect during most of the corresponding months of 1944;

Whereas the proposed lower scale of payments is wholly inadequate to maintain dairy returns and production in the New England milk markets, due to the continued high cost of hay, grain, labor and other items affecting the dairy farmers' costs of production;

Whereas it has been authoritatively estimated that the proposed lower payments will result in a reduction of returns to New England dairy farmers, as compared to the same period of 1944, of about $3,500,000;

Whereas Vermont milk producers will share proportionately in this prospective reduction;

Whereas Vermont will suffer more from this reduction than any other New England State because of the greater relative importance of the dairy industry to the economy of this State;

Whereas for the past 15 months there has been a continued shortage of dairy products in the Northeast region;

Whereas officials of the Federal Government have requested an increase in milk production for 1945 over 1944 to meet the needs of our armed forces, our allies, and our civilian population;

Whereas a schedule of price or subsidy levels sufficient to maintain dairy returns and production is essential if a sharp drop in the

supply of milk and milk products is to be avoided;

Whereas it is apparent that those responsible for the proposed scale of payments have failed to give consideration to market needs and production conditions prevailing in New England;

Whereas it is the policy of the Federal Government to pay subsidies rather than to permit the price of milk to rise to a point where the dairy farmer may obtain a fair return in the market for his product; and

Whereas we recognize that payments adequate to maintain production must be made if no increase in price is to be permitted: Therefore be it

Resolved by the senate and house of representatives, That we hereby express our disapproval of the proposed schedule of dairy production payments as announced by the War Food Administration for the last 9 months of 1945, for the reasons above stated and respectfully request that the schedule be reviewed and revised in the light of the market needs and production conditions affecting the dairy industry in Vermont and throughout New England, to the end that payments for the balance of the current year at least may be maintained at the levels established for the year 1944; and be it further

Resolved, That the secretary of state is hereby authorized and directed to transmit copies of these resolutions to Hon. Marvin Jones, Administrator of the War Food Administration, and to each Member of the Vermont delegation in Congress.

STATE OF VERMONT,
Office of Secretary of State:

I hereby certify that the foregoing is a true copy of J. R. H. 37, entitled "Joint resolution relating to the proposed schedule of dairy production subsidy payments for the last 9 months of 1945," approved April 5, 1945.

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Montpelier, this 5th day of April A. D. 1945.

[SEAL] RAWSON C. MYRICK,
Secretary of State.

FREE FLOW OF NEWS

Mr. REED. Mr. President, I ask unanimous consent to have printed in the RECORD as a part of my remarks, and appropriately referred, Concurrent Resolution 12, adopted by the Kansas State Legislature, memorializing the Congress of the United States and the Secretary of State to seek international agreements to guarantee the free flow of news.

There being no objection, the concurrent resolution of the Legislature of Kansas was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, under the rule, as follows:

Senate Concurrent Resolution 12

Concurrent resolution memorializing the Congress of the United States and the Secretary of the State Department to seek international agreements to guarantee the free flow of news

Whereas we realize that the free and untrammeled flow of news and information between nations is an essential for lasting comity between nations; and

Whereas all channels of news must be kept open, with equality of access to information at the source, if lasting peace is to be achieved: Now, therefore, be it

Resolved by the Senate of the State of Kansas (the House of Representatives concurring therein), That the Congress of the United States and the Secretary of State are hereby memorialized to seek international agreements to guarantee the free flow of news between nations; be it further

Resolved, That the secretary of state shall transmit enrolled copies of this resolution to each Member of Congress from Kansas, including both Senators and Representatives, and to the Secretary of the State Department.

STUDY OF INTERPRETATION OF FEDERAL AGENCIES AND THE SUPREME COURT OF THE COMMERCE CLAUSE OF THE CONSTITUTION

Mr. REED. Mr. President, I also ask unanimous consent to have printed in the RECORD as a part of my remarks and appropriately referred, Concurrent Resolution 18, adopted by the Kansas State Legislature, memorializing the Congress of the United States to institute a study of the interpretation of Federal agencies and the Supreme Court of the commerce clause of the United States Constitution.

There being no objection, the concurrent resolution of the Legislature of Kansas was received, referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 18

A concurrent resolution memorializing the Congress of the United States to institute a study of the interpretation of Federal agencies and the Supreme Court of the commerce clause of the United States Constitution

Whereas the tendency in recent years of various Federal agencies and the Supreme Court of the United States has been to interpret regulations affecting the commerce clause of the United States Constitution so as to bring within the control of Federal agencies practically every type of human activity and which tendency is contrary to the long-established practice since the adoption of the Constitution and is against the wishes of a great majority of the people: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein), That we urge and request the Congress of the United States to immediately institute a study of the interpretation by the various Federal agencies and the Supreme Court of the United States of the commerce clause of the United States Constitution with a view to amending the Constitution of the United States by limiting and defining the words "commerce among the several States" found in said clause in such a manner as will return to the people of the United States the freedom of individual action which they once had; and be it further

Resolved, That the secretary of state be instructed to send enrolled copies of this resolution to the Vice President of the United States, the Speaker of the House of Representatives of the Congress of the United States and the Members of the Kansas delegation in the House of Representatives and the Senate of the United States.

(The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Kansas identical with the foregoing, which was referred to the Committee on the Judiciary.)

FLOOD CONTROL AND IMPROVEMENTS IN THE MISSOURI RIVER BASIN

Mr. CAPPER. Mr. President, I desire to call attention to one of three resolutions adopted by the Legislature of the State of Kansas, forwarded to me by the Honorable Frank J. Ryan, secretary of state.

House Concurrent Resolution 24 memorializes Congress to not create a Missouri Valley Authority with practically unlimited powers.

The resolution asks that appropriations be made to carry on the programs for additional flood control, irrigation, and development of navigation on the Missouri, and commends the work of the Corps of Engineers and the Bureau of Reclamation for their action in effecting coordination of their activities within the Missouri River Basin.

I call attention especially to section 3 of the resolution—House Concurrent Resolution 24 of the Kansas Legislature—which reads as follows:

That while it may be necessary to create some permanent administrative coordinating agency to regulate the use of water resources when development has been further advanced along the Missouri River and there is no objection to calling it a Missouri Valley Authority, we object, however, to granting such administrative agency unchecked authority to engage in private business, operate farms, remove hundreds of thousands of acres of land from tax rolls, take over the administration of education and local and State laws, and in general do the economic planning for the entire area.

While I have the floor, Mr. President, I want to suggest that the Congress would do well to consider very carefully any legislation which proposes to give broad powers to a Federal agency to control the economic and social life of the people of any region of the United States. So far, I believe, the Tennessee Valley Authority seems to have justified itself; it will take several years, perhaps a decade or two, after this war ends to measure just what the T. V. A. is and does between wars.

Furthermore, it should be considered whether it is necessary, for reclamation and irrigation and flood control, to create regional authorities which in time might replace the State governments almost entirely. It can be pointed out what has been done by T. V. A.; it has been a great help to the people. I believe Boulder Dam also has been successful, without the creation of any regional authority such as T. V. A.

There are many angles to the proposition. I have no intention of taking up the time of the Senate now on the proposed Missouri Valley Authority. I ask unanimous consent to have printed in the RECORD at this point and appropriately referred, House Concurrent Resolution 24, by the Kansas Legislature, adopted by the house of representatives March 16, 1945, and by the senate March 20, 1945.

There being no objection, the concurrent resolution of the Legislature of Kansas was received, referred to the Committee on Commerce, and ordered to be printed in the RECORD, under the rule, as follows:

House Concurrent Resolution 24

Concurrent resolution relating to flood control and improvements in the Missouri River Basin and memorializing the Congress to not create a Missouri Valley Authority with practically unlimited powers

Whereas the Congress of the United States has enacted legislation providing for additional flood control and also for a further development of navigation on the Missouri River; and

Whereas plans are being made for an even greater development of the Missouri River

including a great development of irrigation; and

Whereas said improvements should be made at the earliest possible time in view of the destruction of life and property and the loss to industry, agriculture, and commerce caused by recent floods and the continuous waste of valuable water resources within this basin; and

Whereas improvements of the type contemplated have been carried on in the past by the Corps of Engineers, United States Army, and the Bureau of Reclamation, Department of the Interior; and

Whereas the said Government agencies have had charge of such developments for many years and have planned and are prepared to execute the said works of improvement with no delay at the conclusion of the war; and

Whereas it has been suggested that in order to further the progress of this development, a Missouri Valley Authority should be formed with broad powers similar to the Tennessee Valley Authority: Now, therefore, be it

Resolved by the House of Representatives of the State of Kansas (the Senate concurring therein):

SECTION 1. That we endorse the aforementioned improvement program and recommend and urge upon the Congress of the United States of America that the coordinated plan for the control and use of the waters of the Missouri River Basin, as now authorized by law, be given immediate adequate appropriation so that the plan can be executed as expeditiously as is consistent with the public economy.

SEC. 2. That we commend the Corps of Engineers and the Bureau of Reclamation for their action in effecting coordination of their activities within the Missouri River Basin.

SEC. 3. That while it may be necessary to create some permanent administrative coordinating agency to regulate the use of the water resources when development has been further advanced along the Missouri River and there is no objection to calling it a Missouri Valley Authority, we object, however, to granting to such administrative agency unchecked authority to engage in private business, operate farms, remove hundreds of thousands of acres of land from the tax rolls, take over the administration of education and of local and State laws, and in general to do the economic planning for the entire area.

SEC. 4. That a copy of this resolution, suitably engrossed, be transmitted by the secretary of state to the Vice President of the United States as presiding officer of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to each Member from Kansas in the Senate of the United States and in the House of Representatives of the United States, and to the legislature of each State bordering or through which the Missouri River flows.

(The VICE PRESIDENT laid before the Senate a concurrent resolution of the Legislature of the State of Kansas identical with the foregoing, which was referred to the Committee on Commerce.)

INCLUSION OF POTATOES IN THE LIST OF BASIC AGRICULTURAL PRODUCTS

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the members of the potato division of the United Fresh Fruit and Vegetable Association at its forty-first annual meeting recently held in Washington, D. C., asking Congress to take action that will include potatoes in the list of basic agricultural products.

There being no objection, the resolution was received, referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

Potato Division Resolution 2

Whereas white potatoes are an essential and an economical article of diet in a vast majority of American homes; and

Whereas white potatoes constitute one of the largest and most staple crops produced by American agriculture; and

Whereas agriculture should be encouraged and safeguarded in the production of an adequate supply of white potatoes of good quality: Therefore be it

Resolved, That the potato division of the United Fresh Fruit and Vegetable Association, in convention assembled at Chicago this 22d day of January 1945, take immediate steps to inaugurate legislation designed to include white potatoes in the list of basic agricultural products; and be it further

Resolved, That the Commodity Credit Corporation be empowered by law to provide price support for white potatoes without recourse to individual congressional action, when the necessity for price support arises, and under the same provisions as those applicable to wheat, corn, rice, cotton, peanuts, and tobacco.

THE FOOD AND FEED SITUATION IN KANSAS

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as part of my remarks, and appropriately referred, a copy of a letter addressed by J. C. Mohler, secretary of the Kansas State Board of Agriculture, concerning the food and feed situation in the State of Kansas, to the Senator from Oklahoma [Mr. THOMAS], chairman of the Senate Committee on Agriculture and Forestry.

I call attention to the facts, as stated by Secretary Mohler, that production and reserve stocks of food and feed in Kansas are unusually high. I call particular attention to the fact that entirely too much corn and grain sorghums is still on the ground in many sections of the State, and that both these feeds are deteriorating rapidly.

A present critical problem—

Secretary Mohler says—

is transportation, cars to move our grains to prevent further spoilage and to clear our elevators and bins for handling the forthcoming wheat crop * * * it is a tragedy that no adequate provision has been made for marketing available food supplies so sorely needed by a hungry world.

I send the letter to the desk for publication in the RECORD.

There being no objection, the letter was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

KANSAS STATE BOARD OF AGRICULTURE,
State House, Topeka, April 4, 1945.

Hon. ELMER THOMAS,
Chairman, Senate Committee on Agriculture, United States Senate, Washington, D. C.

DEAR SENATOR THOMAS: Pursuant to my letter acknowledging your telegram of March 31, I am submitting the information requested as to existing food supply and prospects for food production during the current year in Kansas, for the record in connection with the scheduled hearings of your committee on these matters:

Despite heavy marketings of cereals and of meat animals during 1944, the food potentialities of Kansas in 1945 are greater than was the case a year ago. This is partly due to heavy carry-over of wheat and corn.

As of January 1, wheat on Kansas farms totaled approximately 60,000,000 bushels—12 percent more than holdings a year ago—and wheat stored in the State off farms (nearly 8 percent greater than in 1944) adds another 21,000,000 bushels. Corn on farms, nearly 71,000,000 bushels, is 65 percent greater than amounts so held last year, with an all-time carry-over of grain sorghums, estimated at 50,000,000 bushels. (A survey by the State war board issued March 31, shows as of that date farm storage bushelage of grain as perhaps the largest on record.)

Cattle on feed January 1, 322,000 head, were 15 percent over 1944 operations. Sheep on feed were at an all-time high, 900,000 head, many of which have since gone to market, but favorable feeding conditions materially extended the marketing period of these animals.

Meat animals marketed will not adversely affect our livestock inventories. Cattle on hand January 1, slightly over 4,000,000 head, are 2 percent over 1944 numbers. Sheep and lambs on hand, nearly one and one-half million head, are 50 percent over 1944 holdings.

Decreases in the State's output will be evident in marketings of pork, dairy products, and perhaps of poultry and eggs. Favorable feed conditions now existing will mitigate somewhat declines in inventory of dairy cattle, swine, and poultry, and will induce maximum unit yields of pork, milk, and poultry products.

The crop outlook for the current year is excellent, with a present prospect of one of the greatest wheat yields in the State's history.

Kansas plantings for 1945 crops, however, promise to be about 300,000 acres under 1944 operations, or a probable total for the State of some 23,000,000 acres. Reductions are indicated in corn, oats, barley, sorghums, and potatoes. Flax and soybeans will be increased by 37 percent and 10 percent over 1944 plantings.

Soil moisture, a prime element in Kansas crop production, is abundant throughout the State. Of course, producers are under a greater handicap than ever with respect to farm labor and machinery, and ju t what effect this may have upon the year's production remains to be seen. A present critical problem is transportation, cars to move our grains to prevent further spoilage and to clear our elevators and bins for handling the forthcoming wheat crop. Considerable grain is piled on the ground, and the moving of high-moisture corn and sorghums in farmers' bins is a matter of much concern, to avoid further depreciation.

In view of the farmers' magnificent response to the Government's appeal for production and the trying need for food as currently reported in the press, it is a tragedy that no adequate provision has been made for marketing available food supplies so sorely needed by a hungry world.

Very truly yours,

J. C. MOHLER, *Secretary.*

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HILL:

S. 843. A bill to prohibit the prosecution of claims against the United States or Government corporations by employees or former employees; to the Committee on Expenditures in the Executive Departments.

S. 844. A bill for the relief of Charles F. Burgess; to the Committee on Pensions.

By Mr. GURNEY:

S. 845. A bill for the relief of Mabel Fowler; to the Committee on Claims.

By Mr. MURRAY:

S. 846. A bill authorizing the payment of allowances in lieu of quarters or rations in kind to certain enlisted men; to the Committee on Military Affairs.

By Mr. WHEELER:

S. 847. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Christine West; and

S. 848. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to Everett F. McInerney; to the Committee on Indian Affairs.

By Mr. MURRAY (for himself and Mr. WHEELER):

S. 849. A bill to create a commission to be known as the Alaskan International Highway Commission; to the Committee on Foreign Relations.

(Mr. MORSE introduced Senate bill 850, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. BUSHFIELD introduced Senate bill 851, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. JOHNSON of Colorado:

S. 852. A bill to provide for increasing the rate of pension for veterans of the Civil War, and veterans of the War with Spain, who are blind or helpless or so nearly blind or helpless as to require regular aid and attendance; to the Committee on Pensions.

By Mr. PEPPER:

S. 853. A bill to provide for the retirement of any officer of the National Guard who has served an aggregate of 25 years in the National Guard and who has served as Chief of the Militia Bureau or Chief of the National Guard Bureau; to the Committee on Military Affairs.

S. 854. A bill to provide that members of the Florida State militia company, known as the Jasper Blues, shall be credited with service in the United States Army during the War with Spain; to the Committee on Pensions.

S. J. Res. 53. Joint resolution proposing an amendment to the Constitution of the United States relating to the making of treaties; and

S. J. Res. 54. Joint resolution requesting the President to issue a proclamation designating the second Sunday in October as Old Folks Day; to the Committee on the Judiciary.

S. J. Res. 55. Joint resolution authorizing the broadcasting of the proceedings of the Senate and the House of Representatives; to the Committee on Rules.

EDUCATION AND TRAINING OF VETERANS

Mr. MORSE. I ask unanimous consent to introduce a bill to provide that the education and training provided for by the Servicemen's Readjustment Act of 1944 shall be made available to veterans on an equal basis, without regard to age. I ask that the bill be referred to the appropriate committee.

I wish to say that it is impossible from the standpoint of fairness, to justify the present discriminatory features of the act. When the war is over we shall have a great many educational adjustments to make, and I think the opportunities provided for by the bill should be open to veterans without regard to age. For example, let me refer to the Nation's needs for professional training in medicine, law, engineering, and other professional fields. I do not think it is fair to prevent access to such training on the part of our veterans because of any age requirement.

There being no objection, the bill (S. 850) to provide that the education and training provided for by the Servicemen's Readjustment Act of 1944 shall be made available to veterans on an equal basis without regard to their age, introduced by Mr. MORSE, was received, read twice by its title, and referred to the Committee on Finance.

RETIRED PAY FOR MILITARY PERSONNEL

Mr. BUSHFIELD. Mr. President, I have received a great many letters from retired enlisted men and retired commissioned personnel complaining about the small amount of their retired pay and the necessity for some assistance. I now ask unanimous consent to introduce for appropriate reference a bill covering all retired personnel of the Army, Navy, Marine Corps, and Coast Guard, to provide for the furnishing of assistance to them.

There being no objection, the bill (S. 851) to provide for exclusion from gross income for income-tax purposes certain amounts received as retirement pay by retired military personnel, was received, read twice by its title, and referred to the Committee on Finance.

INVESTIGATION OF SHORTAGE OF FREIGHT CARS FOR GRAIN SHIPMENTS

Mr. REED. Mr. President, I ask unanimous consent to submit a resolution for appropriate reference and in connection with the resolution I ask to have printed in the RECORD a copy of a letter I have written to Carroll Miller, Interstate Commerce Commission; J. Monroe Johnson, Director, Office of Defense Transportation; and John J. Pelley, president, Association of American Railroads, which explains the purpose of the resolution.

The VICE PRESIDENT. Without objection, the resolution will be received and appropriately referred and, without objection, the letter presented by the Senator from Kansas will be printed in the RECORD.

The resolution (S. Res. 115) was referred to the Committee on Interstate Commerce, as follows:

Whereas some 2,000 country elevators essential to the marketing of wheat, corn, oats, sorghum grains, etc., in the States of Montana, Minnesota, Kansas, North Dakota, South Dakota, Iowa, Nebraska, Oklahoma, and Texas are filled with grain and are closed down through inability to get railroad cars for out-bound shipments of grain now on hand and thereby depriving the farmer of his only method of moving his crop; and

Whereas flour mills throughout the States named are either closed or operating part time because of insufficient freight-car supply to move wheat out-bound from country elevators or flour in-bound from the mills, including the filling of contracts for flour for the armed forces; and

Whereas some millions of bushels of sorghum grain have been piled on the ground on farms in Texas, Oklahoma, and Kansas since being harvested last October and November because of lack of freight cars to move the harvested grain, much of such grain has deteriorated and is now deteriorating; and

Whereas in the important corn-producing States of Iowa, Nebraska, South Dakota, Minnesota, Kansas, and others the corn crop of 1944 was harvested under weather conditions which left scores of millions of bushels of corn with a moisture content above the limit permitted for commercial corn marketing, thereby subjecting such corn to rapid deterioration. Millions of bushels have deteriorated and millions of bushels are now deteriorating because of the inability of country shippers to obtain freight cars necessary for the movement of this grain to primary markets and processing mills where special drying facilities are found; and

Whereas in all the grain States of the West business is partly paralyzed. Farmers, millers, marketers, and others are suffering heavy financial losses because of a totally inadequate freight-car supply to meet the requirements of that section for movement of grain already produced; and

Whereas this condition has now obtained for a longer period than for any previous harvesting period and with no signs of improvement adequate to meet the situation; and

Whereas a most representative conference of the grain producers, country elevators, terminal elevators, grain markets, and millers met at Kansas City on March 22, and set out clearly and at length this condition and prepared a petition to the Interstate Commerce Commission, the Office of Defense Transportation, and the Association of American Railroads asking for substantial relief; and

Whereas the Interstate Commerce Commission failed to give the matter adequate consideration and failed to take any action in the way of relieving the situation; the Office of Defense Transportation went further and scornfully rejected the prayer of the Kansas City grain conference on March 22 for relief; and

Whereas the Association of American Railroads has not corrected the flagrant dislocation of the grain-car supply to which attention has been repeatedly been called over a period of several months: Therefore be it

Resolved, That the Committee on Interstate Commerce of the Senate, or any duly authorized subcommittee thereof, is authorized and directed to promptly institute a thorough investigation into all phases of this situation, to investigate all factors contributing to, and continuing this condition to the great financial loss of the grain States and imperiling the Nation's supply of food and feed grains necessary for our national welfare and endangering the production of sufficient materials for supplying the armed forces with bread, and to report its findings as early as practicable with such recommendations as it finds proper and necessary to correct existing conditions and prevent recurrence in the future.

The letter presented by Mr. REED is as follows:

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE COMMERCE,
April 5, 1945.

Hon. CARROLL MILLER,
Interstate Commerce Commission.

Hon. J. MONROE JOHNSON,
Director, Office of Defense Transportation.

Mr. JOHN J. PELLEY,
President, Association of American Railroads.

GENTLEMEN: I am addressing this letter to the parties named above because of the distressing failure to fully comprehend the transportation situation in the Grain Belt. This failure is especially pronounced on the

part of the Interstate Commerce Commission and the Office of Defense Transportation. I am referring now to Commissioner Miller's letter (and accompanying documents) of March 31, and to the letter of Colonel Johnson's dated April 2. I deeply regret that this intemperate letter was ever written or mailed. I shall discuss its lack of justification later.

I shall deal in this letter with Midwest and Southwest grain production and transportation. Conditions in the Northwest are comparable to those in the Midwest and Southwest. It is possible, however, to separate the Northwest from the other areas. It is impossible to separate the Midwest and the Southwest from a grain production and a grain transportation point of view.

Wheat is the staple food the wor.d over. The winter wheat output is generally from three-fifth to two-thirds of the total wheat production of the country. The principal producing States in the Hard Winter Wheat Belt and their crops for 1943 and 1944 are stated here:

	1943	1944
	Bushels	*Bushels*
Kansas	144,241,000	191,609,000
Oklahoma	31,711,000	85,914,000
Texas	36,366,000	74,746,000
Colorado	31,616,000	19,134,000
Nebraska	61,285,000	35,944,000
Total	305,219,000	407,407,000

The great bulk of wheat requires transportation—first, to the mill, and secondly, from the mill to the consumer. It will be observed that the winter wheat crop of 1944, for the five States named, was more than 33 percent above the crop of 1943.

Sorghum grains are largely produced in three States. Virtually all sorghum grains require transportation. The 1943 and 1944 crops in the three important production States are stated below:

	1943	1944
	Bushels	*Bushels*
Kansas	14,500,000	49,468,000
Oklahoma	5,355,000	12,915,000
Texas	71,817,000	96,724,000
Total	91,672,000	159,107,000

The increase in the sorghum grain crop is about 70 percent.

As both grains require transportation in something like the same degree, and are produced in the same territory, I am considering those two grains together. The total output of wheat and sorghum grains in Kansas, Oklahoma, Texas, Nebraska, and Colorado, for 1943, was 396,891,000 bushels. For 1944 the same crops, in the same States, amounted to 566,514,000 bushels—an increase of 43 percent.

Adequate consideration of the transportation needs in this territory for 1944, as compared with 1943, must give consideration to these facts.

Apparently neither the Interstate Commerce Commission nor the Office of Defense Transportation paid any attention to this factor. I shall come back to this point later.

The Corn Belt is easily distinguished from the Wheat Belt. Not many States produce both corn and wheat in substantial quantities. In the territory under consideration, Kansas is shown as producing both.

Corn production in Iowa, Nebraska, and Kansas for 1944, as compared with 1943, is stated below:

	1943	1944
	Bushels	*Bushels*
Iowa	605,454,000	607,608,000
Nebraska	216,632,000	329,855,000
Kansas	84,318,000	114,793,000
Total	906,404,000	1,052,256,000

There was a slight increase in Iowa, which is the largest corn-producing State. There is a very heavy increase in Nebraska and a considerable increase in Kansas, which is not a heavy corn-producing State. Some eighty-odd percent of corn is consumed locally and does not require rail transportation. In that respect it differs from both wheat and sorghum grains. The increase in corn production in these three States was 146,000,000 bushels. If we take 15 percent of that amount, it would represent the increase in corn transportation that would be required in these three States. That would be about 21,900,000 bushels of corn in addition to the transportation required a year previous. Estimating corn loadings at 1,700 bushels to the car, about 13,000 additional cars would be required this year, in these three States, for additional corn transportation. Using the same figure for wheat and for sorghum grains, the increased production of 169,000,000 bushels would require 100,000 additional cars to handle just the increase. Adding the 13,000 cars required for additional corn movement, we have a total of 113,000 additional cars above those needed to move the 1943 crop.

From reports of the Association of American Railroads, I have taken loadings on seven railroads which handle the bulk of the grain movement in Kansas, Oklahoma, and Texas, and part of the transportation required for Nebraska and Iowa. This table has been broken into two parts. The first period runs from July 1 to December 30, 1943, and the same period in 1944. In that period, the great bulk of wheat, and virtually all sorghums, normally moves out of the growing area. I also show the movement from January 1 to March 24, both for 1944 and 1945. The table is set out below:

Cars loaded with grain and grain products

	July 1 to Dec. 30, 1943	July 1 to Dec. 30, 1944	Jan. 1 to Mar. 24, 1944	Jan. 1 to Mar. 24, 1945
Atchison, Topeka & Santa Fe	97,011	112,000	42,232	40,396
Chicago, Burlington & Quincy	106,921	79,000	45,109	26,416
Chicago, Rock Island & Pacific	86,206	88,854	38,595	32,846
Missouri Pacific	65,614	59,866	28,906	22,536
Missouri, Kansas & Texas	19,227	18,493	8,025	8,339
St. Louis & San Francisco	26,951	27,173	10,708	11,817
Union Pacific	76,401	64,236	30,735	29,938
Total	478,331	450,222	204,310	182,279

It will be observed that on these seven most important grain-carrying railroads in the areas I am discussing, we were 28,000 cars short of the transportation supply of 1943 up to December 30, 1944. We should have had 43 percent more carloadings to provide for the increased crop. That is the important factor of which both the Interstate Commerce Commission and the Office of Defense Transportation are either ignorant of or are ignoring.

From all the "cackling" that was done over the telephone, and in Commissioner Miller's letter, about an increase of some thousand or so of carloading in the week ended March 24, 1945, and the projection of that increase up to and including June, one would think that the Interstate Commerce Commission and the Office of Defense Transportation had a final and complete answer to the difficulties to which their attention has been so earnestly called by the grain producers, the grain trade and the milling interests of the Midwest States. The table shows that from January 1 to March 24 this territory was short 22,031 carloadings as compared to a year ago. The aggregate actual deficiency in carloadings in this territory is 50,000.

This does not touch the question of moving the increased grain production which, as estimated, would require 113,000 cars in addition to the carloadings required to move the crop of a year previous. Combining these sums, this territory is short 163,000 carloadings.

An increase of a thousand or so cars a week does not scratch the surface of this problem. At this rate the transportation shortage in this area would be relieved late in 1946 or in 1947.

I am astonished and disappointed that two agencies to which I have given such unqualified support throughout my entire public life should make so grievous an error either through ignorance or inadequate understanding.

I shall deal briefly, and only briefly, with the memorandum attached to the letter of Commissioner Miller. I do not know who prepared the memorandum on which his letter was based. There is little of value in this memorandum for this purpose. Some of the figures given are incorrect and some are irrelevant. Some are based upon a lack of understanding of the situation. For example, I quote from page 3:

"Admittedly the country stations have not had a fully adequate boxcar supply in recent weeks, but the light receipts of wheat is due in part to the country elevators giving preference to the loading of high-moisture corn."

Only one not familiar with grain-loading conditions would make a statement of that kind. Wet corn and wheat do not usually pass through the same elevators in volume at any time and certainly not at the same time.

In discussing that part of the corn crop threatened with spoilage, some reference is made to a Nebraska committee. I do not know anything about that committee. I have before me a telegram from southwest Nebraska, dated April 2, which reads:

"Elevators loaded to capacity with damp corn. About 20 percent grain car requirements furnished. Approximately 70 percent crop still piled on ground on farms. Serious damage will result unless cars are furnished soon."

From the United States Department of Agricultural War Board for the State of Kansas I have a letter dated March 31, which states:

"Large quantities of grain sorghum and corn are on the ground and deteriorating in quality rapidly."

From the superintendent of transportation of the Missouri Pacific Railroad I have a telegram, dated April 3, which reads in part:

"Two hundred and twenty cars wet corn pressing for movement. Estimated 6,000 cars grain on ground on farms adjacent our territory."

From the superintendent of transportation of the Rock Island Railroad I have a telegram dated April 2, which reads in part:

"Three thousand two hundred and ten cars wet corn pressing for movement of which about 1,000 carloads on farms on ground. Have 3,000,000 bushels other grain on farms in bins and on ground. Our boxcar situation not eased, in fact, steadily growing worse."

In the memorandum attached to Commissioner Miller's letter, under paragraph 5, reference is made to the Santa Fe as being the only road reporting sorghums on the

ground and that it reports a total of only 72,000 bushels.

I have a telegram from the superintendent of transportation of the Santa Fe Railroad, dated April 1, which reads in part:

"Total 2,415,000 bushels sorghum grains on ground on farms. Eighty-six thousand elevators railroad stations."

It is difficult to obtain completely accurate information about these matters. All reports are more or less estimates or approximations. That the whole situation is definitely serious is beyond doubt.

The Bureau of Agricultural Economics reports 900,190,000 bushels of corn on farms in Iowa, Missouri, Nebraska, and Kansas on January 1, 1944, as compared with 751,159,000 on January 1, 1945. The same authority reports 95,621,000 bushels of wheat on the farms in Kansas, Oklahoma, and Texas on January 1, 1945, as compared with 69,838,000 on January 1, 1944.

What I have said here indicates devastating ignorance or incredible indifference on the part of the Interstate Commerce Commission and the Office of Defense Transportation. I think the car-service division of the Association of American Railroads has a better understanding of the problem. I keep in touch with the transportation officers of the grain-carrying railroads in this territory and receive information fom them, as well as the car-service division. I have a very high regard for these transportation officers and for the officials of the car-service division. I have no criticism of the over-all performance of the railroads.

I am definitely criticizing the railroads for this situation and since I have read Commissioner Miller's letter, and Colonel Johnson's letter, I join the Interstate Commerce Commission and the Office of Defense Transportation in the criticism.

I deeply regret the intemperate letter of Colonel Johnson addressed to President Jessen, of the Kansas City Board of Trade. As a matter of fact, the grain conference at Kansas City on March 22 was as representative a conference of that character as it would be possible to assemble. Kansas City is the natural meeting point for the grain and milling interests of that territory. I had no advice of the intent to hold such a meeting and knew nothing about it until I received the same information as was sent to the Interstate Commerce Commission, to the Association of American Railroads, and to the Office of Defense Transportation. The fact remains, however, that in general the report of that conference correctly described the situation prevailing over the entire Grain Belt. I do not wholly agree with some of the suggestions made for relief, but this does not justify a wholesale indictment of the good faith of the conference nor lessen the value of its report as accurately stating a desperate condition created by a shortage of transportation. Neither is a charge of selfishness justified. I happen to personally know many, perhaps most, of the men composing that conference. The country has no more fair-minded citizens than the men who participated in the meeting in Kansas City on March 22.

The O. D. T., and possibly the I. C. C., has fallen into the error of assuming that the Kansas City Board of Trade was the only party to the expression of March 22. That is a grievous error. That statement, as indicated by the signature attached to the "Statement of Grain and Flour Milling Interests Regarding the Shortage of Cars" was signed by the most representative group of grain producers, processors, and marketers possible to assemble. Representatives of all branches of grain production, marketing, and processing were present from Minnesota, Iowa, Missouri, Kansas, Nebraska, Oklahoma, Colorado, and Texas. The great primary markets of St. Louis, Minneapolis, Kansas City, Omaha, St. Joseph, Fort Worth, Enid, Wichita, Hutchinson, Amarillo, and others were present and attached their signatures to the statement. The milling trade of that whole section was fully represented.

When Colonel Johnson suggested a conference be held in my office, Wednesday, March 28, I telephoned Mr. Walter Scott, of the Kansas City Board of Trade, whom I regard as one of the best informed men on grain transportation and grain economics in the whole United States, suggesting that he come down and participate in the discussion. He did so on my invitation.

The situation produced by inadequate transportation in the grain States of the Middle West is the worst I have ever seen. Grain is on the ground and spoiling. Mills are running part time because there are no cars to either bring wheat in from the country or take the flour out of the mills. Ability of the flour millers to fulfill war contracts and military needs is gravely impaired. In recent months the number of country elevators closed for lack of sufficient cars has gone as high as 2,500 and has not fallen below 1,800 at any time. This includes the Northwest.

That fact alone should challenge the instant attention of the Office of Defense Transportation and the Interstate Commerce Commission. Business is partly paralyzed in the grain section of the country. It is the grain from these States that feeds the people of the United States and whatever grain is sent abroad for suffering peoples must come from these States.

This thing is not new. From Dodge City, Kans., in October 1944, I wired the Car Service Division of the Association of American Railroads about the sorghum-grain situation. It was being held on the ground on farms where grown because the country elevators were full of wheat which could not be moved because of the shortage of cars.

I participated in a conference at Kansas City the latter part of October or the first part of November in which farm organization representatives, grain producers, the flour millers, and the grain trade were represented. At that time, the matter was vigorously presented to the car service division. At that time a dislocation of the necessary boxcars was strongly indicated and relief was promised. Some relief was given. It was not adequate and little had been accomplished when severe storms in the Northeast began around the middle of December. There is no underestimating the severity of those storms nor the effect upon all forms of transportation. I do not know of anybody who undertakes to do that.

I am certainly astonished, however, to find this language on page 2 of Colonel Johnson's letter:

"I want to remind you that during the period those gateways were paralyzed by weather, except for a few embargoes, the shipping public, including you, shipped into that area without regard and wondered why they didn't get their cars back."

This is a most astonishing suggestion. By everybody familiar with transportation by railroad, it has been regarded as a duty devolving upon the railroads to keep shippers informed as to the ability to deliver shipments. It is hardly to be expected that shippers a thousand miles or more away from storm-affected territory could have knowledge on that point. Embargoes are laid by railroads themselves or by regulatory authority. It has never been regarded as a duty of the shippers to place an embargo upon themselves.

I want to call special attention to the extent of dislocation of boxcars as between railroads. There are other factors to be considered, of course, than the one factor of ownership of cars. This is the first factor, however, to be considered. The reports of the Association of American Railroads show the following percentages of boxcars on the railroads named as related to their ownership of that type of car:

Percentage of boxcars to ownership on certain railroads

	Nov. 1, 1944	Mar. 15, 1945
EASTERN ROADS		
Boston & Maine	277.4	302.2
New York, New Haven & Hartford	220.3	354.1
Lehigh Valley	176.8	264.7
Erie	120.6	141.8
Delaware & Hudson	125.9	163.6
Reading	139.2	154.6
Central of New Jersey	127.8	244.6
Atlantic Coast Line	165.8	115.9
WESTERN ROADS		
Great Northern	72.3	43.1
Northern Pacific	71.1	53.4
Chicago, Milwaukee & St. Paul	73.9	57.5
Chicago, Burlington & Quincy	85.1	62.4
Rock Island	84.3	73.2
St. Louis-San Francisco	59.3	51.9
Missouri Pacific	98.9	86.2
Missouri, Kansas & Texas	91.5	80.6

As I have already indicated, ownership of boxcars is not the only factor to be considered but it is the first factor. When railroads, like the Boston & Maine and the New York, New Haven, & Hartford, must utilize practically their entire boxcar ownership for the handling of l. c. l. freight, it necessarily follows that they are using some other lines' boxcars for their carload loading even though the complete movement is on their own rails. This situation has been repeatedly brought to the attention of the Association of American Railroads. It is time that something was done about it. We have not come to a time when l. c. l. freight on eastern railroads may use western railroad cars while western grain rots on the ground.

In recent days and weeks, I have had perhaps 50 requests, mostly by telegraph, for a complete investigation of the boxcar situation by the Senate Committee on Interstate Commerce This fact was discussed in the conference in my office on Wednesday, March 28, at which Colonel Johnson was present, as well as officers of the A. A. R. I had hoped such a movement could be avoided and so expressed myself to all interests present. Events have taken a turn that makes such avoidance more difficult and perhaps impossible. That will be developed in the next few days.

The treatment of this question by Commissioner Miller and Division 3 of the I. C. C. is so casual and so obviously based upon incomplete information and inadequate consideration that the matter cannot possibly be left in this shape so far as the Interstate Commerce Commission is concerned. While I have not agreed with all of the suggestions made by the conference in Kansas City, I emphatically disagree with the last paragraph of Chairman Miller's letter of March 31, which reads in part as follows:

"It is believed that the policies and methods so far pursued will more quickly furnish the relief you seek than would the methods you propose."

Chairman Miller takes altogether a too complacent attitude and apparently has a wholly inadequate conception of the problem.

This problem goes far beyond regional distress and damage to all Midwest interests because of inadequate transportation.

This situation is a national tragedy and must be given adequate attention.

The Midwest is the bread basket of the Nation and is expected to be able to furnish bread grain, not only for our own people but for the occupied territories in other countries. The Midwest farmer has planted his crops in accordance with a national program set out by the Department of Agriculture and the War Food Administration. With help from

favorable weather, he has produced abundantly.

His grain requires transportation to be useful and without transportation will be wasted.

Such waste is a loss not only to the grain producer but deprives the people of this country and the world of needed food. Wheat is easily the most desired food material for general relief purposes throughout the conquered territories. That this food waste should occur through too much complacency on the part of some agencies and a lack of vigorous handling by other agencies is not to be accepted as satisfactory for a single moment.

It is very true that under orders of the A. A. R., empty boxcars are now moving westward but they are not yet moving in the volume necessary to relieve the present situation and prevent a great waste of food material. More vigorous action must be taken by the A. A. R. If such action is not forthcoming, certainly the Interstate Commerce Commission will be requested to give or direct the O. D. T. to issue service orders that will require a boxcar movement in volume to overcome the dislocation now existing at the expense of the western railroads and their shippers.

This is not all.

A winter wheat crop is in prospect that will exceed the 1944 crop in the Winter Wheat Belt by a substantial percentage. I am not expecting nor even hoping for a storage of empty boxcars in the wheat territory equivalent to what was customary through all the years up to last year. But I am expecting and shall take all steps possible to obtain for the western railroads a sufficient number of their own boxcars to move grain out of their own territory before the 1945 crop comes on. Otherwise, the movement of the 1945 crop will be seriously interfered with and great losses will result. The movement will be difficult enough if the grain presently on hand is gotten out of the way. It will be an impossible situation if that is not done.

If this should require an investigation by the Senate Interstate Commerce Committee to obtain the desired action, and it is necessary to include the Interstate Commerce Commission as well as the Office of Defense Transportation, and the policies of the Association of American Railroads, that will be done.

This is a matter of so deep concern to my fellow citizens, not only in Kansas, but of the entire Midwest, and of the Nation, that my plain duty requires the writing of this letter and the placing of the facts contained herein before the agencies named. I am not content to let the matter drift as it has been drifting with no vigorous or conclusive action in sight.

Very truly,

CLYDE M. REED.

TRIAL AND PUNISHMENT OF PERSONS GUILTY OF ATROCITIES UPON PRISONERS OF WAR AND CIVILIANS

Mr. PEPPER submitted the following resolution (S. Res. 116), which was referred to the Committee on Foreign Relations:

Whereas the time has come when international brigandage which has brought on the present wars and been responsible for the perpetration of unspeakable crimes upon prisoners of war and innocent civilians must be suppressed; and

Whereas such international crime can never be effectively suppressed unless stern justice is dealt out to those who have committed such criminal acts: Now, therefore, be it

Resolved, That it is the sense of the Senate of the United States that the United Nations shall make due arrangement and provision for the trial and punishment of those responsible for the war crimes of military aggression and private wrong committed during the war; and be it further

Resolved, That it is the sense of the Senate of the United States that the Government of the United States shall take its full part in working out and executing plans concurred in by the United Nations for the trial and punishment of those guilty of the crimes of military aggression and atrocities committed during the war upon prisoners of war and civilians.

REORGANIZATION OF CONGRESS

Mr. WILEY. Mr. President, there has recently come to my desk a very interesting report on the reorganization of Congress. It was prepared by the committee on Congress of the American Political Science Association. Three universities, two private research agencies, and three Government departments have faculty or staff members on this committee. I recommend to each Member of Congress, if he has not already read the report, that he do so. On page 78 there are the findings and recommendations. I read them:

IV. FINDINGS AND RECOMMENDATIONS

SUMMARY OF CONGRESSIONAL HANDICAPS

Summing up now the principal conclusions of our survey, we find that Congress as an institution is handicapped in the performance of its proper functions in the following ways:

1. By being overburdened by many local and private matters which divert its attention from national policy-making and which it ought not to have to consider.

2. By the lack of adequate, independent, technical advice necessary for wise law-making, and the lack of sufficient secretarial service to handle requests from constituents and routine chores.

3. By too many committees with overlapping jurisdictions and by the diffusion of responsibility for the development and coordination of legislative policy.

4. By inadequately developed channels of communication with the Executive, making team-work between them difficult.

5. By the lack of adequate facilities for the continuous inspection and review of administrative action.

6. By the importunities of special-interest groups which tend to divert legislative emphasis from broad questions of public interest.

7. By the need of a redistribution of power, especially in the House of Representatives.

8. By the inadequate compensation of its personnel.

Beginning on page 79 there is found the Recapitulation of Recommendations. I ask that the recapitulation of recommendations on pages 79, 80, and 81 may be printed in the RECORD at this point in my remarks.

There being no objection, the recapitulation was ordered to be printed in the RECORD, as follows:

RECAPITULATION OF RECOMMENDATIONS

In order to mitigate these handicaps and remedy these defects in the internal organization and operation and the external relationships of Congress, we submit the following recommendations:

1. That Congress divest itself, because of the heavy volume of legislative business, of such work and activities as it can appropriately delegate to other agencies, such as the government of the District of Columbia, the settlement of private claims and pensions, and other private and local legislation, eliminating Private Calendar.

2. That the committees of Congress be adequately equipped with independent, qualified experts to aid them in making laws, such experts either to be attached to the committees themselves or drawn from a central pool or joint legislative staff service, or both.

3. That appropriations to the Legislative Reference Service and to the Office of Legislative Counsel be substantially increased so as to strengthen their research and legal facilities.

4. That the committee systems of both Chambers be simplified by (a) eliminating the inactive committees; (b) consolidating those with overlapping jurisdictions; (c) creating twin committees organized functionally in both Houses; and (d) correlating them with major areas of public policy and administration.

5. That a Legislative Council be established, to be composed of the Vice President, the Speaker of the House, the majority leaders in both Chambers, and the chairmen of the reorganized standing committees (sitting separately in each House); and that it be the duty of this Legislative Council to plan and coordinate the legislative program of Congress and to promote more effective liaison and cooperation with the Executive.

6. That the reorganized standing committees also be utilized as vehicles of communication and collaboration between Congress and the corresponding administrative agencies within their respective jurisdictions; and that the heads of the major departments and administrative agencies appoint congressional secretaries who shall devote full time to liaison with their corresponding committees in Congress.

7. That the function of legislative oversight of administrative performance be entrusted by Congress primarily to the subcommittees of the House Committee on Appropriations. The subcommittees should hold informal, open hearings at regular intervals, at which the heads of their corresponding administrative services should respond to questions submitted in advance or at the hearing, by both members and nonmembers of the subcommittee, under rules of orderly procedure prescribed by Congress, and discuss the agency's problems and policies with the committee. A full public record of these proceedings should be kept by the subcommittee clerks.

8. That all groups, representatives of which appear before congressional committees, should register and make full disclosure of their membership, finances, etc.

9. That an automatic time limit of, say, 6 years be fixed upon service as chairman of a standing committee; or, alternatively, that standing committee chairmen be chosen at the beginning of each Congress by the committee on committees of the majority party, as they are in some of the States; and that committee chairmen be required by the standing rules to (a) call committee meetings when desired by a majority of the members; (b) report bills within 10 days after the committee has taken favorable action, failing which report, any member of the committee could report the bill; and (c) keep a complete public record of all committee proceedings except executive sessions.

10. That the annual salaries of Senators and Representatives be increased to $15,000; that each Member's annual allowance for clerical hire be substantially increased; and that the Civil Service Retirement Act be amended so as to make Members of Congress eligible for retirement annuities on a contributory basis after long legislative service.

Congress must choose

Faced with these handicaps and proposed remedies, Congress must consider which of them would strengthen the democratic process. Many of the proposed changes could be effected merely by amending the rules of the House and Senate. They are based on the belief that Congress must modernize its

machinery and methods to fit modern conditions if it is to keep pace with a greatly enlarged and active executive branch. This is a better approach than that which seeks to meet the problem by reducing and hamstringing the Executive. A strong and more representative legislature, in closer touch with and better informed about the administration, is the antidote to bureaucracy. Unless it chooses to modernize its machinery and equip itself with the tools it needs, a frustrated Congress may become, as Senator O'MAHONEY has warned, "merely a timid and formal appendix to bureaucracy."

In general, it seems to us that Congress has an important choice before it:

1. It may continue as at present without change. This course would mean that it would suffer from increased pressure of work, mitigated slightly from time to time by haphazard delegation of powers; that its tasks would be on such a scale that it would be humanly impossible to do them well; and that it would consequently continue to decline in public esteem and that leadership would steadily shift to the Executive.

2. Or Congress may introduce some constructive changes in its organization and operation with a view to more speed, better coordination, more efficient use of personnel, and a unified leadership.

We believe that the time is propitious for Congress not only to reconsider its internal organization and operation, but also to undertake important changes in the political and economic order. But, as Thomas Jefferson once said, "it takes time to persuade men to do even what is for their own good."

Mr. WILEY. Mr. President, a number of these recommendations are restatements of those heretofore made by Members of Congress. Some I have personally made. I recommend a thorough perusal of this report by the committee having this study under consideration.

I also recommend to the committee consideration of the subject of what functions, which during the depression era and during the war the Federal Government has taken over, should be returned to the States. It is conceded by everyone that the Members of the House and the Senate are overburdened by many matters which divert their attention from national policy making and which it should not be the business of a legislator to consider. If this committee would recommend that the functions of government which belong to the States and the local communities be returned to the States and communities, and that were done, I think we would find that Congress could do a much better job in legislative matters which, after all, is its primary function.

RADIO FREQUENCY MODULATION—TELEGRAM FROM E. F. DcDONALD, JR.

[Mr. TOBEY asked and obtained leave to have printed in the RECORD a telegram addressed to him by E. F. McDonald, Jr., president of the Zenith Radio Corporation, of Chicago, Ill., relative to radio frequency modulation, which appears in the Appendix.]

ENFORCEMENT OF O. P. A. REGULATIONS—EDITORIAL COMMENT

[Mr. MORSE asked and obtained leave to have printed in the RECORD editorials from The Dalles (Oreg.) Chronicle, Crow's Pacific Coast Lumber Digest, and the Oregonian, relating to enforcement of O. P. A. regulations, which appear in the Appendix.]

THE CALENDAR

Mr. BARKLEY. Mr. President, in view of the situation now existing in the Senate, it seems to me that we might dispose of some legislative business on the calendar. For that purpose, I ask unanimous consent that the Senate proceed to the consideration of bills on the calendar to which there is no objection.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the clerk will proceed to state the measures on the calendar. Is it desired to begin at the point where the Senate ended consideration of bills at the last call of the calendar?

Mr. BARKLEY. There are only four bills prior to that point. I suggest that we begin at the beginning of the calendar.

The VICE PRESIDENT. The clerk will proceed to state the measures on the calendar, beginning with Calendar No. 42.

EXTENSION OF LIFE OF SMALLER WAR PLANTS CORPORATION

The Senate proceeded to consider the bill (S. 105) to amend Public Law 603 (77th Cong., 2d sess., ch. 404), which is entitled "An act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes," which had been reported from the Committee on Banking and Currency with an amendment to strike out all after the enacting clause and insert:

That the first sentence of section 4 (d) of the act entitled "An act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes," approved June 11, 1942, as amended, is amended to read as follows: "The Corporation shall not have succession beyond December 31, 1946, except for purposes of liquidation, unless its life is extended beyond such date pursuant to an act of Congress."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to extend the life of the Smaller War Plants Corporation."

AMENDMENTS TO INTERSTATE COMMERCE ACT

The Senate proceeded to consider the bill (S. 47) to amend the Interstate Commerce Act, as amended, which had been reported from the Committee on Interstate Commerce, with amendments on page 2, line 4, after the word "connection", to strike out "with rates and charges on freight"; and on the same page, line 10, after the word "until", to strike out "June 1, 1945" and insert "6 months after the approval of this act", so as to make the bill read:

Be it enacted, etc., That the first sentence of paragraph (2) of section 3 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(2) No carrier by railroad and no express company subject to the provisions of this part shall deliver or relinquish possession at destination of any freight or express shipment transported by it until all tariff rates and charges thereon have been paid, except under such rules and regulations as the Commission may from time to time prescribe to govern the settlement of all such rates and charges and to prevent unjust discrimination: *Provided*, That the provisions of this paragraph shall not be construed to prohibit any carrier or express company from extending credit in connection or express shipments transported for the United States, for any department, bureau, or agency thereof, or for any State or Territory or political subdivision thereof, or for the District of Columbia: *Provided further*, That the provisions of this paragraph with respect to express companies and express shipments shall not become applicable until 6 months after the approval of this act."

SEC. 2. Paragraph (5) of section 16 of the Interstate Commerce Act, as amended, is amended to read as follows:

"(5) Every order of the Commission shall be forthwith served upon the designated agent of the carrier in the city of Washington or in such other manner as may be provided by law. In proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice of the suspension of a tariff or schedule upon an attorney in fact of a carrier who has filed said tariff or schedule in behalf of such carrier naming the rates, fares, charges, classifications, or practices, involved in such proceedings shall be deemed to be due and sufficient service upon the carrier, and service of notice of the suspension of a joint tariff or schedule upon a carrier which has filed said joint tariff or schedule to which another carrier is a party naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service upon the several carriers parties thereto. Such service of notice may be made by mail to such attorney in fact or carrier at the address shown in the tariff or schedule. The provisions of this paragraph are additional to those made in section 6 of the act of June 18, 1910 (U. S. C., 1940 edition, title 49, section 50)."

SEC. 3. The first sentence of paragraph (6) of section 20 of the Interstate Commerce Act, as amended, is amended to read as follows:

"The Commission or any duly authorized special agent, accountant, or examiner thereof shall at all times have authority to inspect and copy any and all accounts, books, records, memoranda, correspondence, and other documents, of persons which directly or indirectly through rental agreements with shippers or otherwise furnish cars to or for use by any carrier by railroad or express company subject to this part or which furnish protective service against heat or cold to or on behalf of any carrier by railroad or express company subject to this part: *Provided, however*, That such authority shall be limited to accounts, books, records, memoranda, correspondence, or other documents which pertain or relate to the cars or protective service so furnished."

SEC. 4. Subparagraph (c) of paragraph (7) of section 20 of the Interstate Commerce Act is amended to read as follows:

"(c) Any carrier or lessor, or person furnishing cars or protective service, as referred to in paragaph (6) of this section, or any officer, agent, employee, or representative thereof, who shall fail to make and file an annual or other report with the Commission within the time fixed by the Commission, or to make specific and full, true, and correct answer to any question within 30 days from the time it is lawfully required by the Commission so to do, shall forfeit to the United States the sum of $100 for each and every day it shall continue to be in default with respect thereto."

SEC. 5. (a) The third sentence of subsection (a) of section 221 of the Interstate Commerce Act is amended by striking out the word "registered."

(b) The last sentence of such subsection (a) is amended to read as follows: "In proceedings before the Commission involving the lawulness of rates, fares, charges, classifications, or practices, service of notice of the suspension of a tariff on schedule upon an attorney in fact of a carrier who has filed said tariff or schedule in behalf of such carrier naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service upon the carrier and service of notice of the suspension of a joint tariff or schedule upon a carrier which has filed said joint tariff to which another carrier is a party naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service upon the several carriers parties thereto, but such manner of service shall not be considered as excluding service in any other manner authorized by law."

SEC. 6. (a) The third sentence of subsection (a) of section 315 of the Interstate Commerce Act is amended by striking out the word "registered."

(b) The last sentence of such subsection (a) is amended to read as follows: "In proceedings before the Commission involving the lawfulness of rates, fares, charges, classifications, or practices, service of notice of the suspension of a tariff or schedule upon an attorney in fact of a carrier who has filed said tariff or schedule in behalf of such carrier naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service upon the carrier and service of notice of the suspension of a joint tariff or schedule upon a carrier which has filed said joint tariff to which another carrier is a party naming the rates, fares, charges, classifications, or practices involved in such proceedings shall be deemed to be due and sufficient service upon the several carriers parties thereto, but such manner of service shall not be considered as excluding service in any other manner authorized by law."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. TYDINGS subsequently said: Mr. President, Senate bill 47, the second bill on the calendar, was passed a few moments ago. This is a pretty comprehensive bill, one dealing with freight shipments in interstate commerce.

My understanding is that the chairman of the Committee on Interstate Commerce, the Senator from Montana [Mr. WHEELER], who is not in the Chamber at present, desired to present some amendments to the bill before it was passed, and I myself am not satisfied with the bill in its present shape, for the same reason, I think, as that on which the opposition of the Senator from Montana is based.

I therefore ask unanimous consent that the action by which the bill was passed be reconsidered so that the bill may remain on the calendar until we can understand whether it is in the final form in which it should be at this time.

Mr. WHITE. Mr. President, I shall not object to the request of the Senator from Maryland, but as I understand the situation, the bill was thoroughly considered by the Committee on Interstate Commerce. Representatives of the Interstate Commerce Commission presented their views to the committee, and it seemed to the committee—I think the action was unanimous—that the bill was in the form in which the committee desired to have it passed. I shall not interpose any objection, however, to the request of the Senator from Maryland.

Mr. TYDINGS. I have no disposition to object to ultimate passage of the measure. I simply wish to make sure that the bill, which would amend the Interstate Commerce Act as amended, is in the proper form. That is why I have asked that the action taken on the bill be now reconsidered, so the bill may go back on the calendar, and when it comes up the next time for consideration I shall make no objection.

The VICE PRESIDENT. Without objection, the votes by which the bill was ordered to be engrossed for a third reading and passed are reconsidered, and the bill will be returned to the calendar.

BILL PASSED OVER

The bill (H. R. 1793) to confer jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear, determine, and render judgment upon the claim of the board of trustees of the Saunders Memorial Hospital, was announced as next in order.

The VICE PRESIDENT. The Senator from South Carolina has requested that the bill go over. It will be passed over.

MRS. MILDRED RING

The bill (H. R. 949) for the relief of Mrs. Mildred Ring, was considered, ordered to a third reading, read the third time, and passed.

ESTATE OF BEATRICE WITHERS, DECEASED, AND MARY M. WITHERS

The Senate proceeded to consider the bill (S. 174) for the relief of the estate of Beatrice Withers, deceased, and Mary M. Withers, which had been reported from the Committee on Claims with amendments.

The first amendment was, on page 1, line 5, after the word "to", to strike out "the estate of Beatrice Withers, late of Memphis, Tenn., the sum of $7,925, in full satisfaction of the claim of such estate against the United States for compensation for the loss of a building at No. 322 North" and insert "Mary Martha Withers, as trustee for herself and Myrtle Withers Figgatt and Lochie Withers Giddings under an indenture executed by Beatrice Withers bearing the date of July 14, 1942, the sum of $4,425, in full satisfaction of the claim of such trustee against the United States for compensation for the loss of a building at No. 322 North."

The amendment was agreed to.

The next amendment was, on page 2, line 6, after the word "Army", to strike out "aircraft" and insert "airplane."

The amendment was agreed to.

The next amendment was, on the same page, line 7, after "1944", to strike out "the sum of $4,791.93 in" and insert "(2) to Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased, the sum of $3,791.93 in."

The amendment was agreed to.

The next amendment was, on the same page, line 15, after the word "and", to strike out "(2)" and insert "(3)."

The amendment was agreed to.

The next amendment was, in the same line, after the name "Mary", to strike out the initial "M" and insert "Martha."

The amendment was agreed to.

The next amendment was, in line 16, after the name "Tennessee", to insert "individually."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Mary Martha Withers, as trustee for herself and Myrtle Withers Figgatt and Lochie Withers Giddings under an indenture executed by Beatrice Withers bearing the date of July 14, 1942, the sum of $4,425, in full satisfaction of the claim of such trustee against the United States for compensation for the loss of a building at No. 322 North Claybrook Street, Memphis, Tenn., which was destroyed by fire when a United States Army airplane crashed into such building on April 20, 1944; (2) to Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased, the sum of $3,791.93 in full satisfaction of the claim of such estate for compensation for the loss of personal property belonging to the said Beatrice Withers, which was destroyed in such fire; and the sum of $5,000 in full satisfaction of all claims arising out of the death of the said Beatrice Withers as a result of such fire; and (3) to Mary Martha Withers, of Memphis, Tenn., individually, the sum of $1,734.04, in full satisfaction of her claim against the United States for compensation for the loss of personal property belonging to her, which was destroyed in such fire: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The title was amended so as to read: "A bill for the relief of Mary Martha Withers, as trustee, Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased; and Mary Martha Withers, individually."

RELIEF OF SETTLERS ON INTERNATIONAL STRIP, NOGALES, ARIZ.

The Senate proceeded to consider the bill (S. 69) for the relief of settlers on the International Strip at Nogales, Ariz.

Mr. LANGER. Mr. President, may we have an explanation of the bill?

Mr. TUNNELL. Mr. President, this bill involves an old controversy as to whether persons in the town of Nogales should have compensation for a 60-foot strip of land lying along the Mexican border. It seems that this land was taken for use as a sort of international strip along about 1898. There have been various attempts to have the amount claimed to be due paid.

Along about 1912, as I recall, the matter was submitted to the Court of Claims. That court found that there was the damage, but said there was nothing due the individuals for the land since their title was not good. The question as to title did not seem to the Committee on Claims to be very material if the persons were damaged to the extent claimed.

The Senator from Arizona [Mr. HAYDEN] has been, according to the record—I have never talked with him about it—trying to have passed this bill or a similar bill giving compensation to the people who had been damaged by the taking of this strip. Many of them have died but the rights have been passed on. I think the Claims Committee thought that these people should have their damages. That is the history of it.

The VICE PRESIDENT. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following persons or, in case of their decease, to their legal representatives, the sums stated after each of their names, in full compensation for the losses incurred by them because of the destruction and removal in 1899 of their buildings and other property by authorities of the United States from premises severally occupied by them on what is commonly called the International Strip, in the town of Nogales, Ariz.; John T. Brickwood, $3,750; Edward Gaynor, $4,250; Theodore Gebler, $1,200; Lee W. Mix, $1,450; Arthur L. Peck, $2,350; Thomas D. Casanega, $500; Joseph de Lusignan, $3,250; Joseph H. Berger, $1,800.

EXEMPTION OF MEMBERS OF ADVISORY BOARD FROM CERTAIN PROVISIONS OF CRIMINAL CODE AND REVISED STATUTES

The Senate proceeded to consider the bill (H. R. 1527) to exempt the members of the Advisory Board appointed under the War Mobilization and Reconversion Act of 1944 from certain provisions of the Criminal Code and Revised Statutes, which had been reported from the Committee on the Judiciary with an amendment, on page 1, at the end of line 4, to strike out "or in section 19 (c) of the Contract Settlement Act of 1944 (Public Law 395, 78th Cong.) or in section 27 of the Surplus Property Act of 1944 (Public Law 457, 78th Cong.)."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to exempt the members of the Advisory Board appointed under the War Mobilization and Reconversion Act of 1944 from certain provisions of the Criminal Code."

BILL PASSED OVER

The bill (S. 461) authorizing the acquisition for park purposes of certain lands adjacent to Rock Creek Park in the District of Columbia, was announced as next in order.

Mr. CORDON. Mr. President, I should like to have an explanation of the bill.

The VICE PRESIDENT. The Chair is advised that the Senator from Mississippi [Mr. BILBO] reported the bill. He is not on the floor.

Mr. BARKLEY. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

RESOLUTION PASSED OVER

The resolution (S. Res. 83) to change the reference of Senate bill 541 to amend the Civil Aeronautics Act, as amended, from the Committee on Interstate Commerce to the Committee on Commerce, was announced as next in order.

Mr. BARKLEY. Mr. President, that resolution will have to go over.

The VICE PRESIDENT. The resolution will be passed over.

COMPACT BETWEEN COLORADO AND KANSAS FOR DIVISION OF ARKANSAS RIVER WATERS

The bill (H. R. 914) granting the consent of Congress to the States of Colorado and Kansas to negotiate and enter into a compact for the division of the waters of the Arkansas River, was considered, ordered to a third reading, read the third time, and passed.

AMENDATORY CONTRACTS UNDER IRRIGATION ACT

The Senate proceeded to consider the bill (S. 37) to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made and for other purposes, which had been reported by the Committee on Irrigation and Reclamation with an amendment.

Mr. TAFT. Mr. President, may we have an explanation of the bill?

Mr. O'MAHONEY. Mr. President, in 1939 Congress passed a bill which authorized the Bureau of Reclamation through the Department of the Interior to negotiate during the period of 5 years repayment contracts under the reclamation law. The 5-year period expired last year. The purpose of this bill is to renew that authority for a period of 5 years after the termination of the war, the reason, of course, being that the war has intervened and many of these renegotiations have not been carried out. It has seemed desirable to the committee that the authority should be extended for a period of 5 years after the termination of the war.

Mr. TAFT. As I understand, the bill does not change the general basis of the repayments.

Mr. O'MAHONEY. Not at all, and I hope the bill may be passed.

The VICE PRESIDENT. The amendment reported by the committee will be stated.

The amendment was, in section 3, page 4, line 13, after the word "and", to strike out "provision" and insert "provisions", so as to make the bill read:

Be it enacted, etc., That section 4 (d) of the Reclamation Project Act of 1939 is hereby amended to read as follows:

"(d) For each project contract unit where a repayment contract is entered into pursuant to this section, each year the percentage of the normal returns for said year by which the annual returns of said year exceed or are less than said normal returns shall be determined by the Secretary. For each unit or major fraction of a unit of said percentage of said increase or decrease there shall be an increase or decrease, respectively, of 2 percent in the amount or amounts of the installment or installments for said year under the organization's obligation or obligations as determined under subsections (b) and (e) of this section. Said latter amount or amounts as thus increased or decreased shall be the payment or payments of construction charges due and payable for said year, except that in no event shall the amount of the said payment or payments due and payable for any year be less than 15 percent nor, as determined by the Secretary, more than from 150 to 200 percent, inclusive, of the amount or amounts of the installment or installments for said year under the organization's obligation or obligations as determined under subsections (b) and (e) of this section. The Secretary is hereby authorized to amend any repayment contracts heretofore or hereafter entered into pursuant to the provisions of this section to conform to the provisions of this amendment."

SEC. 2. Section 7 (c) of the Reclamation Project Act of 1939 is hereby amended to read as follows:

"(c) The Secretary from time to time shall report to the Congress on any proposed contracts negotiated pursuant to the authority of subsection (a) or (b) (1) of this section, and he may execute any such contract on behalf of the United States only after approval thereof has been given by act of Congress. Contracts, so approved, however, may be amended from time to time by mutual agreement and without further approval by Congress if such amendments are within the scope of authority heretofore or hereafter granted to the Secretary under any act, except that amendments providing for repayment of construction charges in a period of years longer than authorized by this act, as it may be amended, shall be effective only when approved by Congress."

SEC. 3. Section 17 of the Reclamation Project Act of 1939 is hereby amended to read as follows:

"(a) The authority granted in sections 3 and 4 of this act for modification of existing repayment contracts or other forms of obligations to pay construction charges shall continue through December 31, 1950, or December 31 of the fifth full calendar year after the cessation of hostilities in the present war, as determined by proclamation of the President or concurrent resolution of the Congress, whichever period is the longer.

"(b) The Secretary is hereby authorized, subject to the provisions of this subsection, to defer the time for the payment of such part of any installments of construction charges under any repayment contract or other form of obligation (exclusive of contracts entered into under this act) that are due and unpaid as of the date of this amendment or which will become due prior to the expiration of the authority under subsection (a) of this section as he deems necessary to adjust such installments to amounts within the probable ability of the water users to pay. Any such deferment shall be effected only after findings by the Secretary that the installments under consideration probably cannot be paid on their due dates without undue burden on the water users, considering the various factors which in the Secretary's judgment bear on the ability of the water users so to pay.

"The Secretary may effect the deferments hereunder subject to such conditions and provisions relating to the operation and maintenance of the project involved as he deems to be in the interest of the United States. If, however, any deferments would affect installments to accrue more than 12 months after the action of deferment, they shall be effected only by a formal supplemental contract. Such a contract shall provide by its terms that, it being only an interim solution of the repayment problems dealt with therein, its terms are not, in themselves, to be construed as a criterion of the terms of any amendatory contract that may

be negotiated pursuant to sections 3, 4, or 7 of this act."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF FACT FINDERS' ACT

The bill (H. R. 1534) to amend the Fact Finders' Act was considered, ordered to a third reading, read the third time, and passed.

REDUCTION OF TEMPORARY WARTIME GRADES OF GENERAL OFFICERS

The bill (S. 701) to provide a method for the wartime reduction of temporary grades held by general officers of the Army of the United States was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, during the continuance of any of the wars in which the United States is now engaged and for 6 months thereafter, the President, without the advice and consent of the Senate, is authorized to appoint any member of the Army of the United States who since August 27, 1940, has been appointed, by and with the advice and consent of the Senate, to the temporary grade of major general in the Army of the United States or to any higher grade, and whose appointment to such grade has been terminated, to any temporary general officer grade in the Army of the United States which is lower than the grade held under the appointment terminated.

ACQUIRING BUILDINGS AND GROUNDS IN FOREIGN COUNTRIES

The bill (H. R. 685) to amend the act entitled "An act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America," approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest, was considered, ordered to a third reading, read the third time, and passed.

WEIGHTS AND MEASURES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 122) to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended, which had been reported by the Committee on the District of Columbia with amendments.

The amendments were, page 7, section 3, line 9, to strike out "multiplies" and insert "multiples of"; on page 8, after line 10, to insert a new section, as follows:

SEC. 4. Strike out section 14 of said act and insert in lieu thereof the following:

"SEC. 14. That bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon, half gallon, 3 pints, 1 quart, 1 pint, half pint, or 1 gill. Such bottles or jars shall have clearly blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of using false measure."

On the same page, after line 23, to insert a new section, as follows:

SEC. 5. Insert after section 22 of said act the following new section:

"SEC. 22½. The Superintendent of Weights, Measures, and Markets is further authorized to make purchases of food in connection with the investigation and detection of sales of food by misrepresentation or false advertising in violation of the act entitled 'An act to prevent fraudulent advertising in the District of Columbia,' approved May 29, 1916; and there are hereby authorized to be appropriated annually such sums as may be necessary for carrying out the purposes of this section."

And on page 9, line 12, after the word "substitutes", to insert "butter, butter substitutes", so as to make the bill read:

Be it enacted, etc., That the act of Congress entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended, is hereby further amended as follows:

Strike out section 3 of said act and insert in lieu thereof the following:

"SEC. 3. That the Superintendent and, under his direction, his assistants and inspectors, shall have exclusive power to perform all the duties provided in this act. They shall, at least every 6 months, and oftener when the Superintendent thinks proper, inspect, test, try, and ascertain whether or not they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia by any owner, agent, lessee, or employee in determining the weight, size, quantity, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for transportation, sale, barter, exchange, hire, or award, or the weight of persons for a charge or compensation, and shall approve and seal, stamp, or mark, in the manner prescribed by the Commissioners, such devices or appliances as conform to the standards kept in the office of the Superintendent, and shall seize and destroy or mark, stamp, or tag with the word 'condemned' such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing or measuring device of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or, having the same under his control, shall permit to be used for any of the purposes enumerated in this act any weight, scale, beam, measure, weighing or measuring device whatsoever unless the same has been approved in accordance with the provisions of this act within 6 months prior to such use, or that does not conform to the standards kept in the office of the Superintendent of Weights, Measures, and Markets, or that does not bear the approval seal, stamp, or mark prescribed by the Commissioners, or which, having been condemned, has not thereafter been approved as provided in this act.

"Any person who shall acquire or have in his possession after the passage of this act any scale, weighing instrument, or nonportable measure or measuring device, subject to inspection or test under the provisions of this act, which has not been approved in accordance with the provisions of this act within 6 months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners, shall notify the Superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the Superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this act any portable measure or measuring device, subject to inspection or test under the provisions of this act, which has not been approved in accordance with the provisions of this act within 6 months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners shall cause the same to be taken to the office of the Superintendent for inspection and test.

"Every peddler, hawker, huckster, transient merchant, or other person with no fixed or established place of business shall, before using any weight, scale, measure, weighing or measuring device for any of the purposes enumerated in this act, cause the same to be taken to the office of the Superintendent for inspection and test semiannually, and shall not use for the purposes herein mentioned any weight, scale, measure, weighing or measuring device which has not been approved within 6 months prior to the time of such use, and does not bear the approval seal, stamp, or mark prescribed by the Commissioners."

SEC. 2. Insert at the end of section 7 the following:

"No person shall charge or collect for any commodity or commodities a sum greater than the price or prices indicated or quoted at the time of sale. No person shall charge, collect, or accept any money for any commodity which he shall not have delivered or which he shall not have agreed to deliver. When a whole number or fraction, or both, are used in representing the price or quantity of any commodity, thing, or service offered or exposed for sale, such number or combination of numbers shall be of such size as to indicate clearly the price or quantity of such commodity, thing, or service."

SEC. 3. Strike out section 11 of said act and insert in lieu thereof the following:

"SEC. 11. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any manner other than by weight. No person shall sell or deliver or attempt to deliver to any purchaser within the district of Columbia any coal, charcoal, or coke unless the quantity so sold or delivered or attempted to be delivered to each purchaser shall have been weighed separately. No person shall deliver to any purchaser within the District of Columbia any coal, charcoal, or coke unless the same shall have been kept separated from any other coal, charcoal, coke, or other commodity after same has been weighed as aforesaid until final delivery thereof.

"No person shall deliver or attempt to deliver any coal, charcoal, or coke in a quantity of one-fourth of a ton or more without accompanying the same by a delivery ticket and a duplicate thereof, the original of which shall be in ink or indelible substance, on each of which shall be clearly and distinctly expressed the following information:

"(a) The gross weight of the load, the tare weight of the delivery vehicle, and the net weight of the coal, charcoal, or coke expressed in pounds avoirdupois;

"(b) The name of the owner and location of the scale on which the coal, charcoal, or coke shall have been weighed;

"(c) Name and address of the seller and of the purchaser; and

"(d) The name of the person who weighed said coal, charcoal, or coke.

"Upon demand of the Superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery,

the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent, or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to a public scale, owned and operated as hereinafter provided, or to any legally approved private scale in the District of Columbia, the owner of which may consent to its use, and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon, truck, or other vehicle used to the same scale and permit to be verified the weight of the wagon, truck, or other vehicle.

"When coal, charcoal, or coke is sold in quantities of one-fourth ton or more, it shall be sold in quantities of one-fourth ton, one-half ton, 1 ton, or in multiples of a ton. When coal, charcoal, or coke is sold in quantities of less than one-fourth ton, it shall be weighed at the time of delivery or sold in packages containing 100 pounds, 50 pounds, 25 pounds, 15 pounds, or 10 pounds. No package of coal, charcoal, or coke shall be made for sale, kept for sale, offered for sale, exposed for sale, or sold unless it shall have distinctly and conspicuously printed on the outside thereof in plain bold-face type, not smaller than 36 point, the name of the commodity, the quantity of contents in pounds, and the name and address of the maker of said package. When coal, charcoal, or coke is sold and delivered in packages, no delivery ticket shall be required.

"No coal, charcoal, or coke shall be sold which contains at the time the weight is taken more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke.

"Every vendor of coal, charcoal, or coke shall cause his name and address to be distinctly and conspicuously displayed in letters and figures at least 4 inches high on both sides of every vehicle used by or for him for the sale or delivery of coal, charcoal, or coke. In case of an estate, the trustee, administrator, or executor, or other person in charge of the affairs of such estate shall be deemed to be the vendor."

SEC. 4. Strike out section 14 of said act and insert in lieu thereof the following:

"SEC. 14. That bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon, half gallon, 3 pints, 1 quart, 1 pint, half pint, or 1 gill. Such bottles or jars shall have clearly blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemed guilty of using false measure."

SEC. 5. Insert after section 22 of said act the following new section:

"SEC. 22½. The Superintendent of Weights, Measures, and Markets is further authorized to make purchases of food in connection with the investigation and detection of sales of food by misrepresentation or false advertising in violation of the act entitled 'An act to prevent fraudulent advertising in the District of Columbia,' approved May 29, 1916; and there are hereby authorized to be appropriated annually such sums as may be necessary for carrying out the purposes of this section."

SEC. 6. Strike out the last sentence of section 19 of said act and insert in lieu thereof the following: "All fish, meat, poultry, meat products, lard, lard substitutes, butter, butter substitutes, and cheese shall be sold by avoirdupois weight."

SEC. 7. Strike out section 28 of said act and insert in lieu thereof the following:

"SEC. 28. That the Commissioners are hereby authorized and empowered to make such regulations as may be necessary for the control, regulation, and supervision of all markets owned by the District of Columbia and that the Superintendent, under the direction of the Commissioners, shall have supervision of all produce and other markets owned by the District of Columbia, shall enforce such regulations regarding the operation of the same as the Commissioners may make, shall make such investigations regarding the sale, distribution, or prices of commodities in the District of Columbia as the Commissioners may direct, and shall make reports and recommendations in connection therewith."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

THE DISTRICT OF COLUMBIA TRAINING SCHOOL

The Senate proceeded to consider the bill (S. 123) to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from th District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended, which had been reported from the Committee on the District of Columbia with amendments, on page 3, line 14, after the words "to the", to strike out "Board of Public Welfare" and to insert "Collector of Taxes of the District of Columbia"; on line 16, before the word "quarterly", to strike out "or", and after the word "quarterly" to insert the words "or monthly"; on line 17, after the words "of the", to strike out "Board of Public Welfare" and to insert "said Collector of Taxes", so as to make the bill read:

Be it enacted, etc., That section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and section 15 thereof, as amended, be amended to read as follows:

"SEC. 14. If the order for admission is as a public patient, and it shall appear then or at any time thereafter that the patient has an estate out of which the Government may be reimbursed for his maintenance, in whole or in part, the court shall order the payment out of such estate of the whole or such part of the cost of maintenance of said patient at said institution as it shall deem just, regard being had for the needs of those having a legal right to support out of said estate, which said order shall remain in full force and effect unless modified by the court. Upon the death of such feeble-minded person while an inmate at such institution or within 5 years after discharge therefrom, his estate shall be liable to the District of Columbia for the cost of his maintenance at said institution, and the claim of the District of Columbia shall be a preferred claim.

"SEC. 15. If the order for admission is as a public patient and the court at any time finds that the patient has not an estate out of which the District of Columbia may be fully reimbursed for his maintenance, the father, mother, husband, wife, and adult children of such feeble-minded person, if of sufficient ability, shall pay the cost to the District of Columbia of his maintenance at the District Training School, at Laurel, Md. The Commissioners of the District of Columbia may petition the District Court of the United States for the District of Columbia, at any time during the commitment of such feeble-minded person to said institution, to direct any such relative or relatives to pay the District of Columbia, in whole or in part, for his maintenance at said institution: *Provided*, That in no case shall any such relative or relatives be required to pay more than the actual cost to the District of Columbia of the maintenance of such feeble-minded person.

"If the District Court of the United States for the District of Columbia finds that any such relative or relatives is or are able to pay for the maintenance of such feeble-minded person, in whole or in part, it may make an order requiring payment by any such relative or relatives of such sum or sums as it may find he or they are reasonably able to pay and as may be necessary to provide for the maintenance of such feeble-minded person. Said order shall require the payment of such sum or sums to the Collector of Taxes of the District of Columbia annually, semiannually, quarterly, or monthly, as the court may direct. It shall be the duty of the said Collector of Taxes to collect the said sum or sums due under this section and section 14, and turn the same into the Treasury of the United States to the credit of the District of Columbia. If any such relative or relatives made liable for the maintenance of such feeble-minded person shall fail to provide or pay for such maintenance, in accordance with the order of court, the court shall issue to such relative or relatives a citation to show cause why he or they should not be adjudged in contempt. The citation shall be served at least 10 days before the hearing thereon.

"Any such order may be enforced against any property of any such relative or relatives made liable for the maintenance of such feeble-minded person, in the same way as if it were an order for temporary alimony in a divorce case.

"Upon the death of any such relative ordered by the court to pay for the maintenance of such feeble-minded person in whole or in part, the estate of such relative shall be liable to the District of Columbia for the unpaid amount due the District of Columbia under said order of court at the time of the death of said relative, and the claim of the District of Columbia shall be a preferred claim against such estate."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

SALARIES OF TEACHERS, ETC.

The bill (S. 124) to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924 (Public, No. 188, 68th Cong.), be amended to read as follows:

"SEC. 16. That when necessary, the Board of Education, on written recommendation of the Superintendent of Schools, is authorized and empowered to appoint temporary teachers: *Provided*, That such appointments shall be made for a limited period not to extend beyond June 30 of the fiscal year in which the appointments are made, and the Board

of Education is authorized to terminate the services of any temporary teachers at any time, on the written recommendation of the Superintendent of Schools: *Provided further*, That all temporary teachers shall be assigned to the basic salary of the class in which the service is to be performed, and shall not be entitled to longevity allowance in said class."

DISPOSITION OF FUNDS COLLECTED BY THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 125) to provide for the disposition of funds collected by District of Columbia examining, licensing, and other boards and commissions, and for other purposes, which had been reported from the Committee on the District of Columbia with amendments, in section 1, on page 2, line 4, after the word "Architects" and the comma, to strike out "Boxing Commission"; in section 2, page 2, in line 13, after the word "commissions", to strike out "including the power to require of members and employees of said boards and commissions the giving of bond for the faithful discharge of their duties in accordance with the act approved June 28, 1935 (49 Stat. 430, ch. 332)," and to insert "and are further authorized and empowered to require such members and employees of said boards and commissions as the said Commissioners may determine to give or renew bond to the District of Columbia for the faithful discharge of their duties and to fix the penalty of any such bond. The said Commissioners are also authorized to relieve such members and employees from any other requirement of law relating to bonds of said members and employees", so as to make the bill read:

Be it enacted, etc., That fees and charges for permits, examinations, licenses, certificates, and registrations and all other revenue or income now or hereafter authorized by law to be collected by District of Columbia examining, licensing, and other boards and commissions, namely: Board of Accountancy, Board of Barber Examiners, Board of Cosmetology, Real Estate Commission, Commission on Licensure to Practice the Healing Art, Board of Dental Examiners, Nurses Examining Board, Board of Optometry, Board of Pharmacy, Board of Podiatry Examiners, Board of Examiners in Veterinary Medicine, Board of Examiners and Registrars of Architects, an Anatomical Board, shall be paid to the Collector of Taxes of the District of Columbia and by him deposited in the Treasury of the United States to the credit of the District of Columbia.

SEC. 2. The Commissioners of the District of Columbia are authorized to prescribe rules and regulations to facilitate and insure the collection of such fees, charges, and other revenue or income authorized by law to be collected by such boards and commissions, and are further authorized and empowered to require such members and employees of said boards and commissions as the said Commissioners may determine to give or renew bond to the District of Columbia for the faithful discharge of their duties and to fix the penalty of any such bond. The said Commissioners are also authorized to relieve such members and employees from any other requirement of law relating to bonds of said members and employees. It shall be the duty of the auditor of the District of Columbia to audit the accounts of the said boards and commissions and make report thereof to the said Commissioners. For the purpose of performance of such duty the auditor shall have free access to the books of account, records, and papers of the said boards and commissions.

SEC. 3. Employees of the said boards and commissions, other than members thereof, shall be appointed by the Commissioners of the District of Columbia on recommendation of the respective boards and commissions. The regular annual employees of said boards and commissions shall, for the purposes of laws relating to compensation, classification, retirement, and leave be employees of the government of the District of Columbia. The said Commissioners may in their discretion fix and change from time to time, without reference to the Classification Act of 1923, as amended, the compensation of employees of said boards and commissions employed on a temporary or part-time basis. Nothing herein contained shall be construed as affecting existing laws relating to the appointment, qualification, compensation, tenure of office, or duties and authority of members of said boards and commissions. Appropriations for the payment of compensation of members and employees and expenses of said boards and commissions are hereby authorized.

SEC. 4. Notwithstanding any other provision of law, any surplus or balance in any fund or account derived from fees or charges for licenses, permits, examinations, issuance of certificates, and registrations of licensees, or other revenue or income authorized by law to be collected by said boards and commissions shall be available to pay such lawful expenses and compensation of members and employees of said boards and commissions as may have been incurred or accrued prior to the effective date of this act, and shall remain available for such purposes until the last day of the fiscal year in which this act shall take effect and promptly thereafter any and all balances in such funds shall be paid to the Collector of Taxes of the District of Columbia and by him deposited in the Treasury of the United States to the credit of the District of Columbia.

SEC. 5. The provisions of this act shall become effective July 1, 1945.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 463) to amend section 927 of the Code of Laws of the District of Columbia relating to insane criminals was announced as next in order.

Mr. McCARRAN. Let that go over.

The VICE PRESIDENT. The bill will be passed over.

RECORDING OF VETERANS' DISCHARGE CERTIFICATES

The bill (S. 638) to amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Code of Laws of the District of Columbia, approved March 3, 1901, be amended by adding thereto the following new section:

"SEC. 548a. The recorder shall also receive for record and record all certificates of service and certificates of discharge of persons released from active duty in or discharged from the armed forces of the United States, for which no fee shall be charged or collected, but the record of any certificate authorized by this section to be recorded shall not constitute constructive notice of the existence or contents of such certificate. For making certified copies of any of the foregoing certificates from the records in the office of the recorder the usual fees shall be charged."

BILL PASSED OVER

The bill (H. R. 2552) to amend paragraph (c) of section 6 of the District of Columbia Traffic Act, as amended by act approved February 27, 1931, was announced as next in order.

Mr. LANGER. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

EMPLOYMENT OF FEMALES IN THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (H. R. 2122) to extend to 6 months after the termination of hostilities the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits, which had been reported from the Committee on the District of Columbia with amendments, on page 1, line 8, after the word "thereof", it is proposed to strike out "'on the date 6 months after the termination of hostilities in the present war, as proclaimed by the President or as specified in a concurrent resolution of the two Houses of Congress, whichever is the earlier'" and to insert "'June 30, 1946'", so as to make the bill read:

Be it enacted, etc., That section 1 of the act entitled "An act to regulate the hours of employment and safeguard the health of females employed in the District of Columbia", approved February 24, 1914, as amended (D. C. Code, title 36, Supp. III, sec. 36-301), is amended by striking out "June 30, 1945" and inserting in lieu thereof "June 30, 1946."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bil lto be read the third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill to extend to June 30, 1946 the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits."

AMENDMENT OF FEDERAL RESERVE ACT

The bill (S. 510) to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes, was announced as next in order.

Mr. THOMAS of Oklahoma. Let the bill go over.

Mr. TAFT. Mr. President, the senior Senator from New York [Mr. WAGNER] is not present, but I think I should say that this bill should be taken up at the earliest possible time.

Mr. BARKLEY. The Senator from New York was present a moment ago, but stepped out temporarily.

The VICE PRESIDENT. Objection being heard, the bill will be passed over.

EASEMENT TO THE STATE OF TEXAS ON THE SAN JACINTO MILITARY RESERVATION

The bill (H. R. 510) granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and

upon the San Jacinto Military Reservation in Galveston County, Tex., was considered, ordered to a third reading, read the third time and passed.

BILL PASSED OVER

The bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended, was announced as next in order.

Mr. REVERCOMB. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

HOPS

The bill (S. 427) to repeal section 3 of the act approved April 13, 1938, as amended, relating to hops, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such act are applicable," approved April 13, 1938, as amended (U. S. C., 1940 ed., Supp. III, title 7, sec. 608c–1), is hereby repealed.

BILL PASSED OVER

The bill (S. 655) amending the act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and interpreter of the Klamath General Council, was announced as next in order.

Mr. REVERCOMB. Mr. President, may we have an explanation of the bill and the purposes of it?

The VICE PRESIDENT. The bill was reported by the senior Senator from Wyoming [Mr. O'MAHONEY]. In the absence of explanation, it will be passed over.

DELLA O'HARA

The Senate proceeded to consider the bill (S. 90) for the relief of Della O'Hara, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the word "appropriated", to strike out "to Della O'Hara, of Forest City, Ill., the sum of $10,525, in full satisfaction of all claims against the United States for compensation for the death of her husband, George O'Hara, who was killed as the result of a collision with a United States Army truck between Manito and Forest City, Ill., on December 6, 1943, and for property damage resulting from such collision," and to insert "the sum of $7,882.97 to the estate of George O'Hara, in full settlement of all claims against the United States for the death of the said George O'Hara, late of Forest City, Ill., who was killed as the result of a collision with a United States Army truck between Manito and Forest City, Ill., on December 6, 1943", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $7,882.97 to the estate of George O'Hara, in full settlement of all claims against the United States for the death of the said George O'Hara, late of Forest City, Ill., who was killed as the result of a collision with a United States Army truck between Manito and Forest City, Ill., on December 6, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of George O'Hara."

NURSES FOR THE ARMED FORCES

The Senate proceeded to consider the bill (H. R. 2277) to insure adequate nursing care for the armed forces, which had been reported from the Committee on Military Affairs with amendments.

The first amendment of the committee was, on page 3, line 14, after the word "service" and the comma, to insert "or who has volunteered for religious service at home or abroad or who is taking theological training in order to consecrate her life to religious service", so as to read:

No person who, as a member of any religious organization, association, or sect, has taken a vow or vows, consecrating her life to religious service, or who has volunteered for religious service at home or abroad, or who is taking theological training in order to consecrate her life to religious service, shall be classified as available for induction into the land or naval forces pursuant to the provisions of this title.

The amendment was agreed to.

The next amendment was, on page 5, line 21, after the word "age" and the comma, to strike out "or to married women whose marriage occurred prior to March 15, 1945, but" and to insert the word "and", so as to make the paragraph read:

SEC. 25. This title (other than the provisions requiring registration) shall not apply to women with dependent children or with children under 18 years of age, and shall not affect the voluntary recruitment of any qualified women, who are not deferred after classification, for the Army Nurse Corps, the Navy Nurse Corps, or the Nurse Corps of Naval Reserve, or the appointment of members of such corps as commissioned officers as now provided by law.

The amendment was agreed to.

Mr. TAFT. Mr. President, may we have an explanation of the bill?

Mr. McKELLAR. Mr. President, I wonder whether this is the nursing bill, so-called.

The VICE PRESIDENT. The junior Senator from Alabama [Mr. HILL] reported the bill.

Mr. THOMAS of Utah. Mr. President, this bill was reported by the junior Senator from Alabama from the Committee on Military Affairs. It is the nurses' draft bill. It came over from the House of Representatives with one or two corrective amendments made on the floor of the House over which there was no dispute at all. The amendments in the House were offered from the floor, and the first amendment recommended by our committee, which has already been read and agreed to, is an amendment extending the religious order provision to all churches. The provision agreed to in the House was one which, it was assumed by certain churches, would permit the religious orders of only one church to be considered. The other amendment is one in regard to men nurses. There is another amendment extending the draft to married persons, not on the basis of marriage, but on the basis of dependency.

Mr. BUSHFIELD. Let the bill go over.

The VICE PRESIDENT. The bill will be passed over.

GEORGE WEBB

The bill (H. R. 1344) for the relief of George Webb, was considered, ordered to a third reading, read the third time, and passed.

MRS. SUE B. BOWEN, ADMINISTRATRIX OF THE ESTATE OF CLYDE BOWEN, DECEASED

The bill (H. R. 1716) for the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased, was considered, ordered to a third reading, read the third time, and passed.

DR. DAVID R. BARGLOW

The bill (H. R. 1539) for the relief of Dr. David R. Barglow, was considered, ordered to a third reading, read the third time, and passed.

MARGARET G. POTTS

The bill (H. R. 933) for the relief of Margaret G. Potts, was considered, ordered to a third reading, read the third time, and passed.

MRS. ELLEN McCORMACK

The bill (S. 359) for the relief of Mrs. Ellen McCormack, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ellen McCormack, of Saugus, Mass., the sum of $549.52, in full satisfaction of her claims against the United States (1) for rembursement of medical and other expenses incurred because of personal injuries sustained by her, and (2) for compensation for personal property lost or damaged, as a result of an accident which occurred when she was struck by a United States Army vehicle, near the intersection of Broadway and Essex Street, in Saugus, Mass., on May 6, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

FRED CLOUSE AND MRS. EMILY G. CLOUSE

The bill (H. R. 945) for the relief of Fred Clouse and Mrs. Emily G. Clouse, was considered, ordered to a third reading, read the third time, and passed.

FRANCES EUBANKS OATES

The Senate proceeded to consider the bill (S 78) for the relief of Frances Eubanks Oates, which had been reported

from the Committee on Claims with an amendment, on page 1, line 5, after the word "appropriated" and the comma, to strike out "to Frances Eubanks Oates, of Birmingham, Ala., the sum of $10,000, in full satisfaction of her claim against the United States for compensation for the death of her husband, William Edward Oates," and to insert "the sum of $6,453 to the estate of William Edward Oates, in full satisfaction of all claims against the United States for compensation for the death of the said William Edward Oates, late of Birmingham, Ala.", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $6,453 to the estate of William Edward Oates, in full satisfaction of all caims against the United States for compensation for the death of the said William Edward Oates, late of Birmingham, Ala., who was killed when the motorcycle which he was riding was struck by a United States Army truck on United States Highway No. 31 near Montgomery, Ala., on December 2, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of William Edward Oates."

HYMAN L. SCHIFFER

The Senate proceeded to consider the bill (H. R. 1325) for the relief of Hyman L. Schiffer, which had been reported from the Committee on Claims with an amendment, on page 1, line 5, after the word "to", to strike out "Hyman L. Schiffer" and to insert "Mrs. Rose Schiffer", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Rose Schiffer, of Brooklyn, N. Y., the sum of $500, in full settlement of all claims against the United States for the refund of a bail bond posted for Frieda Schiffer, an alien, same being forfeited on March 13, 1940, when she failed to appear for deportation: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of Mrs. Rose Schiffer."

MRS. W. V. JUSTICE

The bill (H. R. 1483) for the relief of Mrs. W. B. Justice was considered, ordered to a third reading, read the third time, and passed.

BEN GRUNSTEIN

The bill (H. R. 2055) for the relief of Ben Grunstein was considered, ordered to a third reading, read the third time, and passed.

DANIEL BAKER CO., OF MANCHESTER, KY.

The bill (H. R. 1676) for the relief of the Daniel Baker Co., of Manchester, Ky., was considered, ordered to a third reading, read the third time, and passed.

FLORENCE J. SYPERT, ADMINISTRATRIX

The bill (H. R. 1492) for the relief of Florence J. Sypert, administratrix, was considered, ordered to a third reading, read the third time, and passed.

KATHERINE SMITH

The Senate proceeded to consider the bill (H. R. 1567) for the relief of Katherine Smith, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of", to strike out "$4,772" and to insert "$3,772", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, to Katherine Smith, of Pleasant Street, Marion, Mass., the sum of $3,772, in full settlement of all claims against the United States on account of personal injuries of a permanent nature suffered by her on April 20, 1942, when the automobile in which she was riding was struck by Government vehicle No. W-427233, belonging to the War Department and operated by a private of said Department on Route No. 28 in the town of Wareham, Mass.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

A. P. SCARBOROUGH

The bill (H. R. 1012) for the relief of A. P. Scarborough was considered, ordered to a third reading, read the third time, and passed.

MRS. DOROTHY STOWELL

The bill (H. R. 1669) for the relief of Mrs. Dorothy Stowell was considered, ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "An act for the relief of the estate of Ralph A. Stowell."

MURRAY B. LATIMER

The bill (H. R. 787) for the relief of Murray B. Latimer was considered, ordered to a third reading, read the third time, and passed.

SOUTHERN BITUMEN CO.

The bill (H. R. 266) for the relief of the Southern Bitumen Co. was considered, ordered to a third reading, read the third time, and passed.

JAY TAYLOR CATTLE CO.

The bill (H. R. 1094) for the relief of the Jay Taylor Cattle Co. was considered, ordered to a third reading, read the third time, and passed.

JAMES A. KELLY

The Senate proceeded to consider the bill (S. 328) for the relief of James A. Kelly, which had been reported by the Committee on Claims with amendments, on page 1, line 9, after the word "injury", to insert "on October 8, 1940"; and on page 2, line 5, after the word "act", to strike out the period and insert a colon and the words "*Provided*, That any benefits that may be awarded shall not accrue prior to the date of enactment of this act", so as to make the bill read:

Be it enacted, etc., That sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., title 5, secs. 767, 770), are hereby waived in favor of James A. Kelly, who is alleged to have sustained an injury on October 8, 1940, while employed as a laborer at the United States Navy Yard, Portsmouth, N. H., and his case is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if he files a notice of such disability and claim for compensation with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act: *Provided*, That any benefits that may be awarded shall not accrue prior to the date of enactment of this act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

LEO EDWARD DAY

The bill (H. R. 1324) for the relief of Leo Edward Day, was considered, ordered to a third reading, read the third time, and passed.

H. J. BLEXRUD ESTATE

The bill (H. R. 791) for the relief of H. J. Blexrud estate, was considered, ordered to a third reading, read the third time, and passed.

W. C. WORNHOFF AND JOSEPHINE WORNHOFF

The Senate proceeded to consider the bill (S. 498) for the relief of W. C. Wornhoff and Josephine Wornhoff, which had been reported from the Committee on Claims with amendments, on page 1, line 6, after the words "sum of", to strike out "$2,200" and insert "$1,100"; on line 8, after the word "injuries", to strike out "and property damage"; on line 8, before the words "for reimbursement", to strike out the word "and"; on line 9, after the word "medical" and the comma, to strike out the words "hospital, and other"; on

line 10, after the words "by him" and the comma, to insert the words "and loss of earnings"; on page 2, line 4, after the words "sum of", to strike out "$2,000" and insert "$1,000", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to W. C. Wornhoff, of Forest Park, Ill., the sum of $1,100, in full satisfaction of his claim against the United States for compensation for personal injuries sustained by him, for reimbursement of medical expenses incurred by him, and loss of earnings as the result of an accident which occurred when the automobile which he was driving was struck by a United States mail truck, in Riverside, Ill., on July 4, 1943; and (2) to Josephine Wornhoff, of Forest Park, Ill., the sum of $1,000, in full satisfaction of her claims against the United States for compensation for personal injuries sustained by her as a passenger in such automobile, and for reimbursement of medical, hospital, and other expenses incurred by her, as a result of such accident: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CHARLES H. DOUGHERTY, SR.

The bill (H. R. 934) for the relief of Charles H. Dougherty, Sr., was considered, ordered to a third reading, read the third time, and passed.

FOREST LUMBER CO., LAMM LUMBER CO., AND ALGOMA LUMBER CO.

The Senate proceeded to consider the bill (S. 428) to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of the Forest Lumber Co., which had been reported from the Committee on Claims with an amendment to strike out all after the enacting clause and insert the following:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of the special fund "5T352 Proceeds of Labor, Klamath Indians, Oregon," to the Forest Lumber Co., a corporation organized and existing under the laws of the State of Delaware, with its principal office and place of business in Kansas City, Mo., the sum of $44,772.62; to the Lamm Lumber Co., a corporation organized and existing under the laws of the State of Oregon, with its principal office and place of business in Modoc Point, Oreg., the sum of $12,126.39; and to the Algoma Lumber Co., a corporation organized and existing under the laws of the State of California, with its principal office and place of business in Los Angeles, Calif., the sum of $25,094.56. The payment of such sums, or so much thereof as may be available under the special fund "5T352 Proceeds of Labor, Klamath Indians, Oregon," shall be in full settlement of all claims against the United States for damages because of the illegal collection from the Forest Lumber Co., the Lamm Lumber Co., and the Algoma Lumber Co., of the respective sums by officers of the United States between April 1, 1928, and March 31, 1931, which sums, and no part thereof, were due from said companies, and which sums were paid under protest into the Treasury of the United States; and being the amounts awarded to these companies by a judgment of the United States Court of Claims January 12, 1938, which judgment was on January 3, 1939, reversed by the Supreme Court of the United States, not on the merits but because it was held that the United States Court of Claims had no jurisdiction of the cases: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the Forest Lumber Co., Lamm Lumber Co., and Algoma Lumber Co."

CONTINENTAL CASUALTY CO.

The Senate proceeded to consider the bill (H. R. 1307) for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc., which had been reported from the Committee on Claims with an amendment on page 1, line 5, after the words "appropriated, to", to strike out "Continental Casualty Co., a corporation, Chicago, Ill., the sum of $9,202.12, in full satisfaction of all claims against the United States, resulting from payments made by it to the following persons for personal injuries sustained as the result of a collision involving an automobile bus operated by Montgomery City Lines, Inc., and a United States Army truck in the city of Montgomery, Ala., on September 30, 1940: Lena Buffington, $6; Mrs. M. P. Warr, $5; J. D. Lee, Jr., $5; Frances Burch, $7.75; Jean Hall, $5; Catherine L. McCue, $77.22; Bessie Bunn, $35; Alfred F. King, Jr., $150; Mrs. Grace King, $100; Pauline Ellis, $75; Inez Miller, $29; Mary Wash Burks, $65; Mrs. G. Hall Walker, Jr., $27.50; Florence Radford, $2,500; Caroline Norman, $20; Ruth Burnett, $55; Joe Mac Walker, $23.50; Tom Golsby, $250; Pauline Cherry, $825; Mildred McCue, $1,600; Mrs. Sara D. Cobb, $130; Gertrude Jackson, $122; Lillian Earnest, $145; Joe Guthrie, $271; Arthur S. Townsend, $1,297; James Stinson, $124; W. M. Castleberry, $358.15; Daisie Cook, $400; J. E. Long, $200; Aubrey A. Lewis, $125; Herbert Mainor, $15; Eleanor Walker, $4; and George H. Rowan, $150.

"SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to Montgomery City Lines, Inc., Montgomery, Ala., the sum of $266.49, in full satisfaction of all claims against the United States for compensation for property damage sustained by it as the result of the said collision", and insert "'Montgomery City Lines, Inc., Montgomery, Ala., the sum of $266.49, in full satisfaction of all claims against the United States for compensation for property damage sustained by it as the result of a collision involving one of its vehicles and a United States Army truck in the city of Montgomery, Ala., on September 30, 1940."

Mr. LUCAS. Mr. President, before action is taken on the amendment of the Senate I should like to have the Senator from Louisiana [Mr. ELLENDER] explain the bill rather fully if he will.

Mr. ELLENDER. Mr. President, the Claims Committee gave much consideration to the pending bill. It is for the relief of the Continental Casualty Co. in the sum of $9,202.12. An Army truck ran into an automobile bus belonging to and operated by the city of Montgomery in the city of Montgomery. The city was insured against liability by the Continental Casualty Co. The bill contains a list of the persons injured as a result of the collision and the amount paid by the Casualty Co. aggregated $9,202.12. Since the Army was admittedly at fault, the Casualty Co. seeks to recover what is paid out. The Claims Committee has consistently taken the position of refusing to pay for damages which have been insured against by the party damaged. In this case there was no semblance of gross negligence on the part of the Government, and, as I stated, the committee has had before it in the past many similar bills, and has invariably turned them down. The committee takes the position that an insurance company is usually paid a fair premium for insuring against damages and there is no reason why such companies should look to the Government for relief.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. LUCAS. The bill came over from the House, as I understand, and the House allowed the damages in the amount of the claim by the company?

Mr. ELLENDER. Yes.

Mr. LUCAS. And the House recognized the justice of this type of claim, which the Senate Claims Committee apparently refuses to recognize?

Mr. ELLENDER. Yes.

Mr. LUCAS. Let me ask the Senator this question: What would happen to this claim in the event the Senate should adopt the amendment which has been reported by the Claims Committee?

Mr. ELLENDER. It would mean that the claimant will remain out of pocket $9,202.12, and will have to stand the loss.

Mr. LUCAS. In other words, it would mean that there is nothing the House could do about it if the Senate were to agree to the amendment?

Mr. ELLENDER. As the Senator knows, the House can refuse to concur in the Senate amendment and ask for a conference. A conference can be had between representatives of the House and Senate.

Mr. LUCAS. That is exactly what I thought. What has happened in the past, if anything, when the Senate has consistently refused to recognize the doctrine of subrogation, and when the House has passed a measure in which it has recognized that doctrine?

Mr. ELLENDER. The Senate has usually thrown out such claims. I know of one case in recent years that slipped

through the Congress. I was not present when it happened; otherwise I would have opposed it.

Mr. LUCAS. As I understand the facts in this case, there is no question that the War Department admits negligence upon the part of the Government employee who was responsible for the accident.

Mr. ELLENDER. Yes; that is true. The Senate Claims Committee takes the position, however, that the Continental Casualty Co. was paid a premium to protect the city of Montgomery in this case. Since it was paid a premium, and since it is engaged in the insurance business, we can see no valid reason why the Federal Government should stand behind the company and assume its responsibility or may I say, reimburse it for claims paid by it in the regular course of its business.

Mr. LUCAS. I am not sure that I can agree with the Senator from Louisiana. I know that in the courts of law the doctrine of subrogation is recognized for a casualty company or an individual who is on a bond just the same as the courts recognize the original liability. I cannot for the life of me see the justice or the equity of the action of the Senate Claims Committee refusing to recognize that doctrine which is established throughout the country. The House constantly recognizes it in bills of this nature. I speak now primarily of a principle which seems to me to be rather vital, and I feel that the Government of the United States, regardless of what has transpired in the past, should pay the liability if the agent of the Government in the first instance is responsible. There is no question from the facts, as I understand, that there was gross negligence upon the part of the Government's agent, and the casualty company has been compelled to pay more than $9,000 in damages to the people who were injured as the result of the accident. Certainly the Government would be compelled to pay those damages and would gladly pay them if no casualty company was involved.

Mr. ELLENDER. If there were no negligence, yes. The Senator is exactly correct.

Mr. LUCAS. If there were no casualty company involved, the Government would be out the $9,000.

Mr. ELLENDER. As I have stated this company is in the insurance business. It receives premiums and in return guarantees the insured against losses. The committee has taken the position in the past and I hope will maintain it in the future that it will not reimburse insurance companies against losses paid by them in the course of their business.

Mr. LUCAS. Of course, I do not intend to make a fuss about the policy. It is a long-established policy of the Claims Committee not to recognize casualty companies or insurance companies, under the doctrine of subrogation, in the consideration of claims for damages paid for injuries of this kind. I am constrained to believe that the Senate is wrong. In my judgment we ought to pay such claims to a casualty company just as we pay them to individuals. I believe that the House is correct, and I hope the House will ask for a conference on this bill.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "A bill for the relief of Montgomery City Lines, Inc."

Mr. LANGER. Mr. President, what happened to Calendar No. 104, Senate bill 461?

The PRESIDING OFFICER. The bill was passed over.

The clerk will state the next business on the calendar.

BILL PASSED OVER

The bill (H. R. 534) to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes, was announced as next in order.

Mr. REVERCOMB. Let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

SUSPENSION OF ENFORCEMENT OF CERTAIN OBLIGATIONS AGAINST OPERATORS OF GOLD AND SILVER MINES

The bill (S. 27) to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who are forced to cease operations because of the war was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That any person who is or has been engaged in mining gold or silver from any mining property which he holds under a contract (1) providing for his purchase of such property, or giving him an option to purchase such property, and (2) requiring the performance of certain work on such property, or periodic or installment payments with respect thereto, or both, and who is unable to mine gold or silver from such property because he is unable, for reasons beyond his control, to obtain the necessary supplies and equipment, or because of the operation of any statute, rule, regulation, order, or requirement of the United States or any agency thereof, may institute a proceeding in the appropriate district court of the United States or in any State court of competent jurisdiction to be relieved of his obligations under the contract under which he holds such property.

SEC. 2. The court may, in its discretion, if it finds that the ability of such person to perform the work or make the payments required under such contract has been substantially impaired by reason of the fact that he is unable for one or more of the reasons listed in section 1, to mine gold or silver from such property—

(a) make an order suspending, in whole or in part, the requirement that such work be performed or such payments be made; and

(b) make such other disposition of the case as may be equitable to conserve the interest of all parties: *Provided, however*, That in no case shall such suspension under (a) extend for more than 1 year after the termination of the present war.

SEC. 3. Whenever a proceeding is instituted in accordance with section 1 of this act the court may, upon cause shown, make a temporary order suspending the requirements for performing work and making payments under the contract pending final disposition of such proceeding, and may make such additional and supplementary orders as may be necessary for proper disposition of the case.

SEC. 4. No person shall be held liable in any proceeding in any court for any damages, penalty, or forfeiture on account of any act done or omitted to be done in good faith in accordance with or in reliance upon any provision of this act or any order or judgment of a court made pursuant to any such provision.

SEC. 5. For the purposes of this act, the term "person" includes any individual, partnership, firm, corporation, association, or other organization, or the legal representative of any of the foregoing.

SEC. 6. If any provision of this act or the application thereof to any person or circumstance shall be held invalid, the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

ADDITIONAL APPOINTMENTS IN OFFICERS' CORPS OF THE REGULAR ARMY

The bill (S. 804) to authorize certain additional appointments in the Officers' Corps of the Regular Army in initial grades not above the grade of captain was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That notwithstanding the provisions of any other law, and irrespective of vacancies, the President of the United States, by and with the advice and consent of the Senate, is authorized to appoint not to exceed 250 officers in the Officers' Corps of the Regular Army in initial grades not above the grade of captain. The names of appointees may be placed in such positions on the promotion list as the Secretary of War shall determine to be in the best interests of the Military Establishment, except that an appointee in a branch the officers of which are not on the promotion list may be credited for purposes of promotion with any number of years of service not in excess of the number required by law for promotion to the grade next above that in which the initial appointment is made. Any appointments under this act shall be made from commissioned officers serving in the armed forces during the present war who have demonstrated their professional qualifications and leadership during such service. The foregoing authority shall expire 1 year subsequent to the date of the enactment of this act.

SEC. 2. The maximum authorized peacetime commissioned strength of the Regular Army is hereby increased by 250, and such increase in the maximum authorized peacetime commissioned strength shall be allocated among the various branches of the Regular Army in such proportions as the Secretary of War may prescribe. The appointments authorized by this act may be made in any branch or branches of the Regular Army regardless of the authorized peacetime commissioned strength of such branch or branches, but any appointments made in any branch above the increase allocated by the Secretary of War under this act shall not constitute a permanent increase in the authorized peacetime strength of that branch.

SAFEGUARDING OF MILITARY INFORMATION

The Senate proceeded to consider the bill (S. 805) to insure further the military security of the United States by preventing disclosures of information secured through official sources, which had been reported from the Committee on Military Affairs with an amendment on page 1, line 4, after the word "or", to insert "by virtue of his employment by any person, firm, or corporation performing services for the United States or", so as to make the bill read:

Be it enacted, etc., That whoever, by virtue of his employment by or performance of services for the United States or by virtue of his employment by any person, firm, or corporation performing services for the United States or by virtue of his service in the armed forces of the United States, having obtained, or having had custody of, access to, or knowledge of (1) any information concerning the nature, preparation, or use of any code, cipher, or cryptographic or cryptanalytical system of the United States or any foreign government, or (2) any information concerning the design, construction, use, maintenance, or repair of any device, apparatus, or appliance used or prepared or planned for use by the United States or any foreign government for cryptographic or cryptanalytic purpose, or (3) any material which has been, or purports to have been, prepared or transmitted in or by the use of any code, cipher, or cryptographic system of the United States or any foreign government, or (4) any information concerning the cryptographic or cryptanalytic activities of the United States or any foreign government, or (5) any information which has been or purports to have been derived from cryptanalysis of messages transmitted by the United States or any foreign government, shall, without authorization by the head of the department or agency by which such person was employed or in which he performed services at the time when he had custody of or access to or obtained knowledge of the above-described information or material, communicate, furnish, or transmit to another or publish any such information or material, shall be fined not more than $10,000, or imprisoned not more than 10 years, or both. Authorizations, as herein provided, shall be granted only in accordance with regulations prescribed by the President.

SEC. 2. Whoever, by virtue of his employment by or performance of services for any foreign government or by virtue of his service in the armed forces of any foreign government, having obtained, or having had custody of, access to, or knowledge of (1) any information concerning the nature, preparation, or use of any code, cipher, or cryptographic or cryptanalytical system of the United States, or (2) any information concerning the design, construction, use, maintenance, or repair of any device, apparatus, or appliance used or prepared or planned for use by the United States for cryptographic or cryptanalytic purpose, or (3) any material which has been, or purports to have been, prepared or transmitted in or by the use of any code, cipher, or cryptographic system of the United States, or (4) any information concerning the cryptographic or cryptanalytic activities of the United States, or (5) any information which has been or purports to have been derived from cryptanalysis of messages transmitted by the United States, shall without joint authorization by the Secretary of State, the Secretary of War, and the Secretary of the Navy communicate, furnish, or transmit to another or publish any such information or material, shall be fined not more than $10,000, or imprisoned not more than 10 years, or both.

SEC. 3. The term "foreign government" as used herein includes any person or persons acting or purporting to act for or on behalf of any military or naval force, faction, party, department, agency, or bureau of or within a foreign country, or for or on behalf of any government or any person or persons purporting to act as a government within a foreign country, whether or not such government is recognized by the United States.

SEC. 4. (a) The term "cryptographic" as used herein includes any code, cipher, secret writing, deception, mechanical or electrical device, or other method used to disguise or conceal the meaning of any communication.

(b) The term "cryptanalytic" as used herein includes all methods of interception and all methods of obtaining information of the contents of cryptographic communication.

Mr. REVERCOMB. Mr. President, may we have an explanation of this bill for the benefit of the Senate?

Mr. THOMAS of Utah. Does the Senator wish an explanation of the amendment?

Mr. REVERCOMB. No; an explanation of the bill itself.

Mr. THOMAS of Utah. The bill provides for filling a gap in regard to the punishment of persons who may divulge military secrets. I presume the bill becomes necessary because of the great number of radio communications, radio being used for the transmission of codes. The bill is sponsored by both the Army and the Navy. It is a measure which is necessary in peacetime, but at the present time it is extremely necessary.

The committee amendment provides for the inclusion of any person who, by virtue of his employment by any person, firm, or corporation performing services for the United States, comes into possession of certain information or dealing with matters which should be deemed secret.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NEBRASKA WESLEYAN UNIVERSITY

The Senate proceeded to consider the bill (S. 392) for the relief of Nebraska Wesleyan University, which had been reported from the Committee on Claims, with amendments, on page 1, at the beginning of line 7, to strike out "its claim" and insert "all claims"; on page 2, line 2, after the name "Nebraska", to insert "and its tenant, Herman Platt, of Fort Crook, Nebr."; in line 3, after the word "the", to strike out "sums" and insert "sum"; in the same line, after the words "sum of", to strike out "$2,306.48 and $3,421.22" and insert "$5,727.70"; in line 4, after the word "of", to strike out "its" and insert "all"; and on page 2, line 11, after the word "upon", to strike out "claimant's" and insert "the university's", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nebraska Wesleyan University, of Lincoln, Nebr., the sum of $16,000, in full settlement of all claims against the United States as compensation for damage to its real estate described as west half of section 12, township 13, range 13, in Sarpy County, Nebr., consisting of approximately 320 acres, more or less; to pay to Nebraska Wesleyan University, of Lincoln, Nebr., and its tenant, Herman Platt, of Fort Crook, Nebr., the sum of $5,727.70, in full settlement of all claims against the United States as compensation for crop damage in the years 1941 and 1942, respectively; all of which damages were caused by changes in the topography of land in connection with the construction of the Fort Crook aircraft assembly plant and testing field on the Fort Crook Military Reservation resulting in collection and discharge of water upon the university's land and payment for which damages has been refused by the United States and its agent: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Nebraska Wesleyan University and Herman Platt."

CITY OF MEMPHIS, TENN., AND MEMPHIS PARK COMMISSION

The bill (S. 176) for the relief of the city of Memphis, Tenn., and Memphis Park Commission was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any funds in the Treasury not otherwise appropriated, to the city of Memphis, Tenn., and the Memphis Park Commission, the sum of $45,000, in full settlement of all claims against the Government of the United States for compensation for damages sustained by said city and its park commission on account of the destruction of the building known as the Woman's Building and its fixtures and equipment located in the fair grounds of said city by fire on January 19, 1943, occasioned by the negligence of agents and representatives of the United States Army, who, at the time, were in possession and control of said building, together with a large portion of the Memphis Fair Grounds and improvements thereon, for use exclusively for the purposes of a military reservation under lease thereof by the city of Memphis to the United States, wherein, in effect, the United States agreed that it would restore the leased premises to the same condition as that existing at the time of entering upon the same in the event of the damage or destruction thereof occasioned by the negligence of the lessee: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

J. P. HARRIS

The bill (H. R. 1353) for the relief of J. P. Harris was considered, ordered to a third reading, read the third time, and passed.

ANNE LOACKER

The bill (H. R. 1396) for the relief of Anne Loacker was considered, ordered to a third reading, read the third time, and passed.

REIMBURSEMENT OF CIVILIAN PERSONNEL FOR LOSS OF PERSONAL PROPERTY AT HONG KONG AND MANILA

The bill (H. R. 990) to provide for the reimbursement of certain civilian personnel for personal property lost as a result of the Japanese occupation of Hong Kong and Manila was considered, ordered to a third reading, read the third time, and passed.

ANGELINA BOURBEAU

The bill (H. R. 202) for the relief of Angelina Bourbeau was considered, ordered to a third reading, read the third time, and passed.

DEMPSEY INDUSTRIAL FURNACE CORPORATION

The bill (H. R. 201) for the relief of the Dempsey Industrial Furnace Corporation was considered, ordered to a third reading, read the third time, and passed.

MURRAY W. MORAN

The Senate proceeded to consider the bill (H. R. 1707) for the relief of Murray W. Moran, which had been reported from the Committee on Claims with amendments, on page 1, line 5, after "Murray W.", to insert "and Elsie P."; in line 8, after "Murray W." to insert "and Elsie P."; and in line 9, after the words "loss of", to strike out "his" and insert "their".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act for the relief of Murray W. and Elsie P. Moran."

DAVID B. SMITH

The Senate proceeded to consider the bill (H. R. 209) for the relief of David B. Smith, which had been reported from the Committee on Claims with an amendment, on page 1, line 6, after the words "sum of", to strike out "$3,627.10" and insert "$2,067.10."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

MRS. WILMA LOUISE TOWNSEND

The bill (H. R. 807) for the relief of Mrs. Wilma Louise Townsend was considered, ordered to a third reading, read the third time, and passed.

ST. VINCENT'S INFIRMARY AND DR. ALVIN W. STRAUSS

The bill (H. R. 206) for the relief of St. Vincent's Infirmary and Dr. Alvin W. Strauss was considered, ordered to a third reading, read the third time, and passed.

MRS. FREDA GULLIKSON

The Senate proceeded to consider the bill (S. 567) for the relief of Mrs. Freda Gullikson, which had been reported from the Committee on Claims with amendments, on page 2, line 1, after the word "injury", to insert "alleged to have been"; and on the same page, line 10, after the word "death", to insert *"Provided,* That no benefits hereunder shall accrue prior to the approval of this act."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the provisions and limitations of sections 15 to 20, both inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended, are hereby waived in the case of Frederick H. Gullikson, formerly employed by the United States Indian Irrigation Service as a drag-line operator at the Fort Belknap Indian Agency, who died as a result of an injury alleged to have been sustained by him on May 18, 1940, in the course of such employment; and the United States Employees' Compensation Commission is authorized and directed to consider and act upon any claim filed with the Commission within 1 year after the date of enactment of this act, by or on behalf of Mrs. Freda Gullikson, widow of the said Frederick H. Gullikson, for compensation or other benefits under the provisions of such act of September 7, 1916, as amended, on account of such death: *Provided,* That no benefits hereunder shall accrue prior to the approval of this act.

RAY L. SMITH

The bill (H. R. 1079) for the relief of Ray L. Smith was considered, ordered to a third reading, read the third time, and passed.

GUS A. VANCE

The bill (H. R. 1135) for the relief of Gus A. Vance was considered, ordered to a third reading, read the third time, and passed.

BENJAMIN D. LEWIS

The Senate proceeded to consider the bill (H. R. 1983) for the relief of Benjamin D. Lewis, which had been reported from the Committee on Claims with an amendment on page 1, line 9, after the word "who", to insert "is alleged to have."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILLS PASSED OVER

The bill (H. R. 2284) to eliminate the practice by subcontractors under cost-plus-a-fixed-fee or cost-reimbursable contracts of the United States of paying fees or kick-backs was announced as next in order.

Mr. CORDON and Mr. TAFT asked that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 2013) to extend for 1 year the provisions of an act to promote the defense of the United States, approved March 11, 1941, as amended, was announced as next in order.

Mr. LANGER. Mr. President, let the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

That completes the calendar.

EXTENSION OF LEND-LEASE

Mr. BARKLEY. Mr. President, the last bill called on the calendar, House bill 2013, provides for the extension of lend-lease. It is important that this proposed legislation be considered at the very earliest possible date. Therefore, inasmuch as we have completed the call of the calendar, I move that the Senate proceed to the consideration of Calendar No. 176, House bill 2013.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 2013) to extend for a period of 1 year an act to promote the defense of the United States, approved March 11, 1941, as amended.

Mr. VANDENBERG. Mr. President, I do not wish to take the floor away from the chairman of the Committee on Foreign Affairs or any of the majority members of the committee, if they wish to make a preliminary statement on the subject of the pending bill. On the other hand, I am obliged to leave the Chamber shortly, and I am anxious to make a statement of my own respecting this bill. If it is agreeable, I shall proceed.

Mr. CONNALLY. Mr. President, that is entirely agreeable to me.

Mr. VANDENBERG. I thank the Senator.

Mr. CONNALLY. The Senator collaborated with us in the committee on the bill, and I am glad to have him make a statement.

Mr. VANDENBERG. Mr. President, I rise, from the minority side of the Senate Committee on Foreign Relations, to join in recommending the approval of the pending bill, which would extend lend-lease for another year, or for such shorter period as Congress may direct by concurrent resolution.

Lend-lease is an integrated part of the war effort of the United Nations. We could no more sensibly withdraw it in our own self-interest, pending conclusive victory, than we could withdraw our armies or navies from the combat zones. Under lend-lease America has made a contribution of astronomical proportions to the common cause of the United Nations, a contribution the nature and extent of which is without parallel in human relations. From March 1941 to December 1944 it amounted to $35,000,000,000, offset by reverse lend-lease amounting to about $4,000,000,000. Theoretically it is returnable, or repayable in various forms and offsets; but actually few of us have any net illusions upon this score. The intermingling of United Nations' resources in a common effort, and the extent of the destruction of those resources in total global war makes a mathematical balance impossible. I therefore suggest that the incalculable importance of lend-lease is ever to be borne in mind whenever and wherever America's role in this war is measured. All our allies have made great contributions to this common and triumphant effort, some of them equally incalculable in terms of human suffering and appalling devastation, which we have been spared. It would be impossible to put a cash estimate upon these precious human values. Therefore, any comparisons are invidious. I simply suggest, as we review lend-lease,

that in addition to our superbly heroic fighting sons on every battlefront beneath the sun, we are entitled to count lend-lease as one of the magnificent American contributions to this common victory over the foes of civilization.

Before I take my seat I wish to clear up some popular misunderstandings regarding lend-lease. It is no service to our mutual international relationship, upon the friendly maintenance of which the post-war hopes of America and the world depend, but on the contrary it is distinct disservice, for our people to nourish needless prejudices based upon erroneous conceptions which flow from groundless rumors and fantastic gossip, which are always cumulatively contagious in time of war. I shall revert to this phase of the problems before I conclude.

It is equally essential, Mr. President, that there be no misunderstandings at home or abroad; that lend-lease stops when hostilities cease; that lend-lease is intended by the Congress to be exclusively an instrument of war; and that it must not be used by our own administrators, nor can such use be anticipated by our allies, for post-war relief, rehabilitation, or reconstruction. The clearer this distinction is emphasized now the safer we shall all be from tomorrow's disappointments and tomorrow's bitterness. The purpose of the pending bill is not only to extend lend-lease through the duration of hostilities but also to make textually clear that it does not extend beyond hostilities except for liquidation purposes. I support the bill for both purposes and both objectives.

Mr. President, the critically important part of the original 1941 Lend-Lease Act, in connection with the post-war problem, is section 3 (c). With its original dates changed pursuant to the terms of the pending renewal bill, section 3 (c) reads as follows:

(c) After June 30, 1946, or after the passage of a concurrent resolution by the two Houses before June 30, 1946, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a); except that until July 1, 1949, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign country made before July 1, 1946, or before the passage of such concurrent resolution, whichever is the earlier.

Mr. President, in my view the intent of this language was clear, even though the construction placed upon it could be ambiguous. It did not and does not mean that lend-lease commitments for post-war uses can be made prior to the termination of hostilities and then executed in a subsequent 3-year period. This subsequent 3-year period is provided solely as a period of liquidation for unfinished war contracts made solely for war purposes during the progress of the war. Lend-lease is an instrument of war and nothing else. It was not intended, it is not and it must not be allowed to become an instrument of post-war relief, rehabilitation, and reconstruction.

In passing House bill 2013, the pending measure, the House took occasion further to nail down these limitations, in the following proviso which the Senate Committee on Foreign Relations has approved:

Provided, however, That nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction—

And so forth. This total proviso ought to leave no final room for doubt that lend-lease shall not be used, even indirectly, for post-war purposes. It is, of course, inevitable that some commodities have a dual use, both war and post-war. It is not meant that such commodities shall be presently barred under lend-lease simply because they may have a use which extends over into the post-war period. That would defeat even the war purposes of the bill. But it is meant that in the assignment of lend-lease commodities our administrators shall use sound judgment in the allocation of dual-purpose supplies, particularly as we approach the deadline when hostilities will cease, so that the congressional intent shall be scrupulously observed.

Despite all the law we can write upon the subject, however, it is inevitable that the success of observance of the congressional intent is finally dependent upon the discretion of the Lend-Lease Administration. Therefore, the attitudes and interpretations of Administrator Leo T. Crowley become of vital concern. Under such circumstances, I am glad to say that the testimony of Administrator Crowley has repeatedly demonstrated that he totally concurs in this expressed congressional intent, and that it is his repeatedly asserted purpose to live, so far as humanly possible, within the literal text of the law. But we cannot close our eyes to the fact that, despite every legislative precaution, we are finally at the mercy of the Administrator, checked solely by the vigilant use of our own appropriating power.

I am glad to assert that I have the greatest confidence in Administrator Crowley in this regard. He was asked many times, and in many different ways, in both the House hearings and the Senate hearings on this bill, how he feels about his authority under the bill. He never failed to make the same unqualified answer. It may be summed up in a quotation of his testimony at page 53 of the House hearings. Mr. Crowley said:

I do not think we have any right to use lend-lease for post-war economic purposes.

There has been considerable public discussion regarding the new lend-lease agreement with France. Mr. Crowley discussed this specifically in his testimony before the Senate committee. I think it discloses the right way in which Congress wants all lend-lease handled in this aspect. Therefore, I wish to read briefly from Mr. Crowley's testimony on the French agreement, because I think it is significant, illuminating, and reassuring. Mr. Crowley's report to the Senate Foreign Relations Committee contained the following statement:

The basic purpose of the French agreement is to provide the supplies and services needed by France to mobilize and fully use her resources and manpower in the prosecution of the war. Eight French divisions and 300 supporting units aggregating in all some 225,000 men, in addition to a French air force of more than 15,000 men, equipped with lend-lease arms and other supplies, are now fighting into the heart of Germany.

The Army and the Foreign Economic Administration have undertaken to furnish arms for an additional eight French divisions. Continental France, as we all know, is also an important base of Allied military operations. French ports, transportation facilities, and war industries, through reverse lend-lease, are playing a vital role in support of our fighting forces. Tires, tents, and other war supplies are being produced in French factories and by French manpower under reverse lend-lease, and with the help of lend-lease France can furnish a far greater volume of reverse lend-lease which can further help to shorten the war. The French agreement protects the United States interests by determining some of the obligations of France in advance of the war's final conclusion. The French have agreed to pay for long-life supplies such as locomotives and freight cars which may have some residual peacetime use. They have also agreed to pay for any supplies in the program which may be produced too late to be of use by the French in the war, and which are not more urgently needed by this country for other purposes. Thus the agreement provides for an orderly and efficient liquidation of the agreed supply program when the war actually ends, in a manner which helps to reduce our post-war surplus problem, our contract termination problems, and the waste of our materials and manpower. In addition, the agreement specifically reserves the right of the United States to withhold supplies whenever it is in our national interest to do so.

I may say, Mr. President, that to my way of thinking that is the use of Mr. Crowley's discretion in a fashion which Congress should approve because it implements the congressional intent upon which I have been endeavoring to put my great emphasis.

I have also said, Mr. President, that real congressional control is through appropriations. It is at this point that the lend-lease program, it seems to me, becomes much too vague. In the course of the conduct of the war, particularly in its earlier and more desperate stages, we resorted to many hasty legislative devices in providing arms for both ourselves and our allies. We made direct lend-lease appropriations, and we authorized transfers from other appropriations. As a result the balance sheet presents a confused and often imponderable contemplation. I want to call the attention of the Senate to some figures in this regard.

I said a moment ago that Lend-Lease has spent a total of $36,000,000,000. Where did it come from? It came from a total of $28,000,000,000 in actual direct appropriations to the President for lend-lease purposes. It came, in addition, from a total of $35,970,000,000 of transfers authorized from the appropri-

ations for the War Department, the Navy Department, and kindred war agencies of the Government. In other words, at the present time, with the war reaching its maximum tempo on the European front, although lend-lease up to the moment has expended only $36,000,000,000 it has had a total appropriation authorization of $64,000,000,000, and will presently make a request for additional direct appropriations. I repeat, Mr. President, that in the throes of the earlier crisis of the war it was probably necessary for some of this improvisation to occur.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. VANDENBERG. I will yield in a moment. It seems to me that we have now reached a point where we should need no longer to confront any such maze or conglomeration of fiscal mathematics. I yield to the Senator from Kentucky.

Mr. BARKLEY. The Senator from Michigan has referred to the fact that direct appropriations to the President amount to approximately $28,000,000,000 for lend-lease.

Mr. VANDENBERG. Yes.

Mr. BARKLEY. And that the additional exchange or transfer from materials abroad by the War and Navy Departments to our allies would bring the total up to approximately $64,000,000,000. But, as a matter of fact, is it not true that the $28,000,000,000 has been largely exhausted, and only the difference between approximately $28,000,000,000 and $35,000,000,000 has been used by way of transfer, so as to make the total available amount approximately $35,000,000,000 or $38,000,000,000?

Mr. VANDENBERG. That might be the net result of the mathematics, but I must say to the Senator from Kentucky in all candor that this method of expenditure is so interlocking and so involved that it is impossible for me to make a categorical reply to the Senator's question.

Mr. BARKLEY. I appreciate that. Out of the total money appropriated for the purpose to which the Senator has referred, and out of the total possible transfers of material in kind, a much larger amount could have been given by lend-lease to the allies than was given. My point is that I believe that the transferable part of the $35,000,000,000 to which the Senator has referred consists of approximately the difference between $28,000,000,000 in cash and the $35,000,000,000.

Mr. VANDENBERG. That may be. The Senator will understand that I am not complaining against any direct additional appropriations for lend-lease.

Mr. BARKLEY. I understand.

Mr. VANDENBERG. Mr. President, what I am saying is that the time has passed when there should be unexpended authorizations of one kind or another, amounting to a net of approximately $28,000,000,000 floating around in a twilight zone of loose uncertainty. There still may be flexibility, but there should be no longer any need of ambiguity as to our lend-lease commitments. We cannot reach that phase of the matter in this particular bill because this is merely an extension of the general basic lend-lease authority for another year. When appropriations are sought under this extension I hope the vigilant Appropriations Committee of the Senate will endeavor to take some of the dubious elastic out of these blank checks upon the Public Treasury.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. TAFT. I do not understand how the Appropriations Committee can act as a check when already there has been appropriated more money than can possibly be spent in the next 12 months. It seems to me that there should be put into this bill a cancelation of the preexisting unused appropriation.

Mr. VANDENBERG. Mr. President, I sympathize with my friend's viewpoint in respect to this problem. But as I stated to the Senator from Kentucky [Mr. BARKLEY], these expenditures are so interlocking in respect to previous transfers and to balances in direct appropriations that I would not feel free on the floor of the Senate, in connection with this particular bill, to undertake a blanket denunciation of all the remaining power of transfer. But I repeat that when the next Lend-Lease request for a direct appropriation under this extension comes before the Appropriations Committee, it seems to me that the situation will clearly call for a most scrupulous survey of all the direct and indirect resources which Lend-Lease enjoys. Inasmuch as the greatest burden on the lend-lease task will soon be relieved, I think that from now on we should be able to deal in far more specifically channeled funds.

By way of illustration, I may add that we were told in the committee that upon the termination of hostilities in Europe the British lend-lease commitments for the subsequent 12 months will be only about one-half of what they were in the preceding year under full hostilities on both fronts.

Mr. SHIPSTEAD. What are the approximate figures?

Mr. VANDENBERG. The British lend-lease during the past 12 months was approximately $10,000,000,000. The contemplated amount during the first year after the end of hostilities in Europe is approximately $5,000,000,000.

This leads me, Mr. President, to what I believe to be a desperately important generalization. I am not meaning to say, for an instant, that the United States does not have an interest—even a self-interest—and an obligation in respect to relief, rehabilitation, and reconstruction in the external, post-war world. On the contrary, I accept a substantial responsibility in this aspect. I simply lay down what I believe to be the indispensable proposition that this is a contemplation which is separate from the war and distinct in itself; that our external post-war budgets must not be confused with our war budgets; and that Congress must have a direct and conscious opportunity to deal with external post-war relief, rehabilitation, and reconstruction on their own independent merits.

To this end, I respectfully suggest that the administration should prepare for us an over-all estimate of the total commitments which it contemplates in this post-war field. Instead of a reckless piece-meal process which deals from time to time with sectors of the problem—unrelated to the problem as a whole—we should be able to judge each sector against the background of the whole. Otherwise we cannot act with prudence and foresight or with the elementary precaution which we owe to our own people.

Let me indicate precisely what I mean. What will be asked of us in respect to U. N. R. R. A. within the foreseeable future—even though it be at best only a speculative guess?

What will be asked of us for vividly necessary relief in places which U. N. R. R. A. does not reach?

What will be asked of us in the lend-lease hang-over?

What will be asked of us under the Bretton Woods agreements?

What expenditures are contemplated in the great name of pan-American cooperation in the immediate years to come?

What is our expected financial stake in various other international organizations, present and prospective?

What will be our expenditures in the rehabilitation of the Philippines—a challenge which has a priority right-of-way? What will be asked of us in respect to the expanded Export-Import Bank?

What is contemplated by way of direct Government post-war credits to our Allied friends?

This does not exhaust the list. It merely exemplifies the problem. I submit that it is high time we tested this total prospectus against the available American resources which, in the midst of our own terrific post-war necessities, we can commit to these external purposes. This is not only due our own people; it is also due the world which otherwise may be misled into a reliance and an expectation which it is physically and fiscally impossible for us to fulfill. Such ultimate disappointments, such ultimate disillusionments, shatter good will and damage international friendships.

I suggest no intimation that we shall not do our full part in helping the United Nations to reconstruct a healthy, happy world. But I do suggest that we are neither big enough nor rich enough to become permanent almoner to the whole earth. I add that we face no such obligation, moral or otherwise, despite a tendency in some places, both at home and abroad, to assign us automatically to this role, almost as though we owed reparations to our allies in return for having made colossal contributions to their victory. I speak in no spirit of complaint. I speak only in a spirit of candor which believes that our very precious international friendships will best survive the post-war strain if we frankly understand each other's problems before they come to crisis.

I favor this extension of the Lend-Lease Act as an indispensable link in our cooperation with our allies in the conduct of the war. But I say, in this connection, that it is time we put our minds upon the total responsibilities that are accumulating for us in respect to future international expenditures. Our Joint

Congressional Committee on Internal Revenue Taxation has been wrestling for 4 months with the stupendous internal problem which the Congress and the people of the United States will confront in respect to internal post-war expenditures and taxes. It is lost labor except as we are equally realistic in respect to our external obligations. I am asking for an over-all estimate from our administrative authorities in respect to these external post-war obligations. There is a bottom to every barrel, even America's. There is a last straw which can break any camel's back. A bankrupt America can be of no ultimate help to the world. The memory of our sweet generosity would be little consolation in the midst of our own insolvency.

Mr. President, I said when I started that I wanted to disabuse the minds of Congress and the country in respect to some of the typical misconceptions which are abroad in the land regarding lend-lease. In spite of what may seem to be the rather critical attitude of my more recent remarks, I am reverting now to the proposition that so long as this war continues lend-lease is an utterly indispensable part of our common United Nations' effort and we could no more refuse our approval to the pending extension of lend-lease than we could think of withdrawing our armies and navies from the combat. But lend-lease, inevitably, in an operation of this kind is the natural victim of many misunderstandings and misinterpretations.

One of the most useful things that Administrator Crowley brought to the Senate Foreign Relations Committee was a running summary covering some of these misconceptions. I shall not take the time of the Senate to present the total analysis that Mr. Crowley brought us, but I desire to give the Senate a few typical examples which quite clearly demonstrate that we would do well to hunt the facts before we accept too readily some of the tales which circulate throughout the country. For example:

It is widely rumored that our allies plan to use lend-lease materials in their export trade in competition with us when the war has ended. The rumor is heard in connection with various types of goods, but is currently concentrated on aircraft.

This is Mr. Crowley's answer:

We retain title to all lend-lease material that has not been lost, destroyed, or consumed. We shall determine whether we wish to move the material back to the United States, sell it, or otherwise dispose of it. We, therefore, control the post-war availability of such materials.

In a word, our title is conclusive from start to finish, and there can be no manhandling of these commodities in the fashion indicated.

Here is another story Mr. Crowley reports, and with which we are all more or less familiar:

Americans who have stood in long lines in recent months to purchase cigarettes have sometimes heard the rumor that one reason for the cigarette shortage was the large number furnished to other countries under lend-lease.

This is Mr. Crowley's reply:

Our lend-lease exports of cigarettes in 1944 required only about 1¼ percent of our production during that period. Some of the cigarettes which we have lend-leased have gone to the French forces in Africa; the remainder have been furnished to British armed forces on various war fronts. No cigarettes have been supplied under lend-lease for civilians. For every cigarette which we lend-leased in 1944 we sent 26 to our armed forces abroad, and the people of this country smoked 55.

Here is another rumor:

There is a rumor current to the effect that the British charge us high rental costs for air fields in the British Isles.

This is Mr. Crowley's comment:

The British have built 133 airfields for us at a cost to themselves of $440,000,000 and have turned them over to us as reverse lend-lease without payment by us. The figures entered in the reverse lend-lease accounts represent actual cost to the British which are generally below costs for similar construction in this country. They maintain these fields, at a cost of many millions of dollars, and in addition have furnished to our air forces large quantities of goods, including 1,500,000 pounds of chemicals, 1,700,000 hand and machine tools, 50,000 rubber tires, 34,000 tubes for our air fleet, and ammunition ranging from small-arms ammunition to 2,000-pound blockbusters.

Mr. BREWSTER. Mr. President——

The PRESIDING OFFICER (Mr. TAYLOR in the chair). Does the Senator from Michigan yield to the Senator from Maine?

Mr. VANDENBERG. I yield.

Mr. BREWSTER. One of the items to which the Senator did not refer in connection with our obligations to foreign countries, which illustrates a rather curious operation of lend-lease, was that while giving away some $36,000,000,000 in lend-lease, we have incurred obligations for the many supplies we have secured abroad, so that as of September 30, 1944, according to the report of the Department of Commerce, the United States owes $6,000,000,000 in short-term obligations to foreign countries which is immediately available on call against us. That is a very substantial item. As offsetting that, we have less than $500,000,000 of obligations they owe to us. The result is that the balance owed by us abroad, so far as I know, is not taken into account in any other figures which the Senator has given, or in any of the ordinary discussions of this question.

Mr. VANDENBERG. I thank the Senator for his comment. I have no doubt, as I indicated in my previous observations, that there are many exhibits of a kindred nature which should all be brought together in one over-all survey to show the Congress what is in total contemplation by way of post-war obligations which we must confront in behalf of our allies.

No one would wish to be niggardly about the matter, every one of us wants America to do its full share, but somewhere, somehow, sometime, there must be a recognition of the fundamental proposition, as I have said before, that there is a limit even to American resources. I submit to the administration and its leaders that we are entitled to this over-all survey of our contemplated obligations before we are asked to make any of the obligations.

Mr. BREWSTER. Will the Senator yield further?

Mr. VANDENBERG. I yield.

Mr. BREWSTER. The conclusion drawn by a most competent authority in Fortune magazine was that whereas we started the war with two-thirds of the free gold of the world, at the present time, as a result of the operation of various factors, we have approximately two-fifths of the free gold of the world, which indicates a very marked decline in our position as a creditor nation. I speak of this because constantly in our discussions we are told we are the greatest creditor nation in the world. That is still constantly reiterated. As a matter of fact, we are one of the greatest debtor nations in the world, unless we figure that we can charge up lend-lease, and I take it no one seriously contemplates that we carry that as a substantial asset on our books, aside from what material items may be returned. Aside from such items, in balances to the world we owe $6,000,000,000 on short-term balances at the present time.

Mr. VANDENBERG. I again thank the Senator, and I again say that his remarks are directly in line with the basic inquiry which I submit to the management of this Government this afternoon. It is not enough that piecemeal demands should come down to us in respect to our post-war obligations. No Senator, on his responsibility to the American people, can make a sound judgment respecting any piecemeal request for external aid except as he can measure it against the total request that is to be made of us on all fronts and in all aspects, and until that is done, I submit, Mr. President, it is impossible for us to respond to our obligations to our own American people, or to deal with our allies on any basis which gives them any right of dependable expectation for tomorrow and the day after.

I shall not burden the Senate with any more of Mr. Crowley's exhibits respecting what he calls Fiction versus Fact. I have simply read enough to indicate that his report to the Committee on Foreign Relations is a gold mine in regard to this phase of the problem. I recommend to any Senator a study of Mr. Crowley's chapter entitled "Fiction versus Fact," in his report to the Committee on Foreign Relations, before too much credence is placed on some of the stories which are heard regarding the maladministration of lend-lease. So far as I am concerned, I have total confidence that if it is humanly possible for one administrator to avoid maladministration, Mr. Crowley will do it.

Now, Mr. President, I wish to conclude. My chief reason for rising was, first, to indicate my total belief that an extension of lend-lease is absolutely indispensable to the war effort, and should be made without cavil or equivocation.

Then I wanted to make the point very plainly that it is the intention of Congress that lend-lease shall stop when the war ends and shall not be used, directly or indirectly, for relief, rehabilitation, or reconstruction. Then I desired to make the point that the prevailing loose method of making funds available for lend-lease is entirely out of character and countenance at the present stage of

the war proceedings, and that we should have far more intimate and accurate control over the funds made available to lend-lease.

Finally, I wanted to make this over-all point, which I do not think can be too greatly emphasized, that precisely in the same spirit in which the Joint Congressional Committee on Internal Revenue Taxation is now attempting to anticipate the over-all internal financial picture of the United States for the next few years to come, I think it is equally essential, even more so, that we should have a similar over-all survey of the obligations which are contemplated in the external field.

I say again, Mr. President, this suggests no lack of earnest purpose to take our full place and do our full part in continuing the international cooperation with our dependable friends—I should like to underline those words—in an interdependent post-war world. It intimates no disposition to close our eyes to obligations which we shall assume and share with the other United Nations in aiding stricken allies to rise again from the bitter ashes of the cruel calamities they have intimately suffered in this brutal war. It has no thought of attempting to ignore the call of the humanities or intelligent self-interest which, from our own standpoint, indispensably require the speediest possible restitution of international stabilities. I hope we may fully help our deserving friends to help themselves. I agree with the distinguished Secretary of State when he warns that the post-war challenge to the United Nations is a challenge on many different fronts and that appropriate collective action must be integrated on all of them.

I am only asserting that we, too, have a desperately difficult American post-war problem of our own to which our resources must be primarily dedicated; that the admonition of Holy Writ is unescapable, "If any provideth not for his own and specially for those of his own house, he hath denied the faith and is worse than an infidel"; that there are limits to the external post-war burdens which our people can carry; and that it is only elementary prudence for this Government to give the Congress an over-all survey and summary of what is presently in contemplation lest we improvidently err in dealing with the problem on a piecemeal basis.

Mr. President, I conclude as I began. I favor another extension of the Lend-Lease Act as an indispensable military factor in the triumph of the United Nations upon every fighting front where their irresistible battle banners have been unfurled. I favor rigidly confining lend-lease to its statutory character, namely, an instrumentality of war which ceases to function when hostilities have stopped. I favor a completely separated budget to handle our post-war relationship with our external battle comrades of today and our peacetime friends of tomorrow. I hope for an early over-all survey of these prospective obligations lest we over-commit our own resources in haphazard, piecemeal programs, and lest we thus unwittingly invite insolvency at home and disillusionment abroad.

And Mr. President, in great humility may I say this final word before I take my seat, inasmuch as this is probably one of my last opportunities to speak before a great adventure which impends? I am leaving shortly for an unsought assignment at the San Francisco Conference where organized humanity confronts the grave responsibility of answering the yearnings of a war-torn world which prays in many tongues at countless hearthstones for a dependable formula that shall dissipate the scourge of war forever. I hope that the distinguished senior Senator from Texas and I may be able to bring back to our colleagues, at no too distant date, a treaty of salvation which may deserve their approval in the name of enlightened American self-interest and for the sake of a happier world where peace with justice may bless free men. Despite the obstacles which rise to jeopardize our course, despite temporary discouragements which fade in potency when weighed against the mighty end in view, we must persevere for organized peace. I could not leave without this pledge to you that I shall devote every effort within my power to reach this precious goal for which our bravest soldier-sons have died all round this sorrowing globe. I could not leave without asking for your constant prayers.

Mr. TAFT. Mr. President, I should like to ask the Senator from Michigan a question. Did the Lend-Lease Administration make any estimate of how much more material would be shipped abroad altogether, and how much of that would be after the end of the German war? Was any estimate submitted by the Lend-Lease Administration of the program which the Senator says should be coordinated and presented as a whole?

Mr. VANDENBERG. The only inforformation on that subject which I recall is that which I gave the Senate, I think when the able Senator from Ohio was out of the Chamber.

Mr. TAFT. I will state why I was out in the Chamber. I think the bill is of tremendous importance. It was brought up without any notice to the Senate. I do not think it ought to be passed today, and I went out in order to try to dig up the material I have collected in connection with the measure. I greatly regret that I was not able to hear the beginning of the Senator's statement.

Mr. VANDENBERG. I am sure the Senator from Ohio will understand that I was not complaining or criticizing him for his temporary absence, because his faithful fidelity to his floor responsibilities are a familiar legend. What I was about to say was that in the Senator's absence I indicated the only concrete exhibit which I think bears upon the Senator's question, and that is this: Mr. Crowley was asked about the relationship in the case of British lend-lease between the sum total for last year and the prospective total for the first year after hostilities conclude in Germany. I suppose that comparison of figures would answer the Senator's question.

Mr. TAFT. Approximately, yes.

Mr. VANDENBERG. The approximate answer is that the British lend-lease during the last 12 months was $10,000,000,000. The contemplated British lend-lease during the first year after the conclusion of hostilities in Europe is $5,000,000,000.

Mr. TAFT. But in addition to that we have entered into an agreement with France for two and one-half billion dollars, all of which now will probably be delivered after the end of the German war. Is there a total somewhere? That is what I was waiting for.

Mr. VANDENBERG. In the Senator's absence, if I may refer timidly to that factor once more, I read the French agreement, because I think it fairly well indicates the effort Mr. Crowley is making to protect the precise point the Senator from Ohio has in view. I think the Senator will find that under the terms of the French agreement the situation is in our control every minute of the time, and that the French are obligated to pay for any post-war utility which hangs over commodities with a dual purpose which go to France prior to the termination of hostilities.

Mr. TAFT. Yes, but I may point out to the Senator that the agreement to pay during a period of 20 years is not really an agreement to pay, it is an agreement that we make a loan to France, a post-war loan, which is a part of the program to which the Senator has referred which should be included in any over-all estimate of what we are going to lend foreign countries after the war.

Mr. VANDENBERG. I agree with the Senator from Ohio completely. He cannot have any quarrel with me whatever in the desire for every bit of this information which bears upon our post-war obligation. That is the whole purpose of my presentation of the subject today.

Mr. TAFT. I agree 100 percent with everything the Senator has said as to the necessity particularly of an over-all statement of how much we are going to lend to the rest of the world after this war, because I think such loans are gifts, or probably will be gifts, and it seems to me that before we pass the bill we have a right to a comprehensive statement of what this lending program is and how much it will involve. What I was trying to find out was whether there was any over-all estimate of how much money is going out under lend-lease. So far as we know, the appropriations are unlimited, so we have no further control when the bill is passed over how much we are going to lend foreign countries altogether after the 1st of July, assuming the German war ends before that time. Is there any over-all estimate of that kind presented to the Senate?

Mr. VANDENBERG. Mr. President, I do not want to rob the Senate Foreign Relations Committee of its prerogative in presenting its own bill from the majority side of the Senate. I can only say for myself that the figures in respect to specific appropriations and the fiscal balance sheet were not of specific concern in respect to the mere extension for 1 year of a basic lend-lease authority. What I have said in respect to that extension is that I deeply hope that before any additional appropriations are made the Senate Appropriations Committee will vigilantly explore every penny of the already overhanging unexpended

balances before anything is added to the sum total.

Mr. TAFT. What concerns me is the amendment of the act wherein the House undertook to place a limit on post-war lending. The language is:

Provided, however, That nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction; except—

And it seems to me that the exception absolutely kills the amendment—

except that a contract or agreement entered into in accordance with this act in which the United States undertakes to furnish to a foreign government defense articles, services, or information for use in the prosecution of the present war and which provides for the disposition, on terms and conditions of sale prescribed by the President, of any such defense articles, services, or information after the President determines they are no longer necessary for use by such government in promoting the defense of the United States shall not be deemed to be for post-war relief, post-war rehabilitation, or post-war reconstruction.

The effect of that, it seems to me, nullifies the exception. In effect it says that if the President makes the lend-lease agreement before the war ends, he may lend to the foreign nation whatever is not delivered at the time the war ends. The Senator says that we retain control. The President retains control. The Congress does not retain control. Congress gives the President the power, and it seems to me that the President may proceed to lend in indefinite amounts, if the contract is signed beforehand.

Mr. VANDENBERG. All I can give the Senator is Mr. Crowley's explanation of the second proviso in the House amendment. Mr. Crowley's statement reads as follows:

The purpose of this second provision is to permit the orderly and efficient liquidation of war supply contracts with foreign governments as contemplated by section 3 (c) as originally enacted, through the purchase by foreign governments, for cash or on credit, of such supplies as may not be produced or delivered in time to be of use in the war. It would continue to permit the making and carrying out of war surplus agreements such as that recently concluded with the French Government.

It is perfectly obvious from that statement that it may involve post-war French credits; but they must be identified, and they must be made the subject of direct post-war contracts. That is the purpose of the House provision. They cannot be hidden under a general lend-lease grant.

Mr. TAFT. However, the effect of the French agreement is such that I doubt whether any of the $2,500,000,000 will reach them before the end of the German war. It seems to me that that terminates all justification for sending it, and it becomes immediately a post-war loan. In fact, I believe it is contemplated as a post-war loan. I have no doubt of it. I think it was so interpreted by the newspapers. For Mr. Crowley to say, "I am not using this for post-war loans," at the same time that he is using it for post-war loans, it seems to me is a direct contradiction of terms as to how the power is to be used, now that it is being extended.

I do not understand the business of making a contract for a year to send $5,500,000,000 to England, for example. Whatever is not delivered when the war ends, the President may lend to them, obviously for post-war purposes. Certainly there is no war purpose to be served by delivering any goods after the war is over. That cannot possibly be for war purposes. Yet we say that the President may lend such material to France, or to any other nation, after the war is over. We say that it is not for post-war purposes; but, obviously, it is for post-war purposes. I cannot vote for the bill unless it is amended, because I think it is a foreign-lending bill, covering the post-war period. What I should really like to have is an opportunity to present an amendment along that line, to stop all export of goods under lend-lease agreements when the war ends, unless we thereafter enact some kind of a lending law to lend money to foreign countries. I believe we shall have to lend money to foreign countries; but this provision is wide open. I believe that when we propose to lend money to foreign countries, we ought strictly to limit the amount. We ought to decide how much we are going to lend the first year after the war, and place a limitation upon it in the statute.

Mr. VANDENBERG. Mr. President, I wish to make a final observation regarding the Senator's last statement. I totally agree with his demand for the most intimate specifications in regard to foreign loans and foreign expenditures, and the foreign shipment of American resources. I do not believe that he is justified in saying that there is any purpose, at least on the part of Administrator Crowley and the Lend-Lease Administration, to ship 1 pound of post-war commodities after the completion of hostilities, except as there may be some commodity involved which has been previously committed for shipment, and which it is to our greater advantage to ship than to scrap here at home. If an effort was ever made in a committee to nail down an administrator in respect to his purposes, it was in both the House and the Senate committees in respect to Mr. Crowley. I consider Mr. Crowley to be not only an honorable man, but a highly dependable administrator, with a very enviable record in the public service. I believe that Mr. Crowley intends to stop lend-lease when the war ends, and that the only commodities involved in any post-war consideration will be those which are still hanging over for shipment, those which have been previously committed for war purposes, but which may ultimately serve the dual purpose of a post-war peacetime use. In respect to that use, the purpose of the French agreement, as I understand it, and as I understand Mr. Crowley, is to put that residual value into the form of a post-war payable contract. Whether it is ever going to be paid, I do not know. I agree that that is a part of the general inventory which we ought to have in respect to our post-war obligations. But, so far as the basic fact is concerned, I do not believe there is power enough on earth to cause Administrator Crowley to make post-war shipments of post-war commodities, under lend-lease, to any nation in the world.

Mr. TAFT. Mr. President, let me read the French agreement:

These long-life articles—

Mentioning locomotives, railroad ties, merchant ships, harbor water craft, fishing fleets, inland water craft, metal-working machinery, industrial equipment, and machinery for mines, totaling $900,000,000—

are being furnished under section 3 (c) of the Lend-Lease Act, and are put on these terms because, while they have an important and useful part to play in the war, a large part of their usefulness may also serve post-war purposes. Under the agreement production and delivery will not have to stop on these goods even though the war should end before they were finished. The French agree to take and pay for such goods and the United States Government can proceed with an orderly liquidation of the lend-lease contracts in the manner provided for under section 3 (c) of the Lend-Lease Act. The program for long-life equipment of this character is subject to substantially the same limitations as apply to schedule 1.

I think the French fully expect to get all that material. I have no doubt that they do; and I believe that if we do not give it to them we shall be falling down in a moral obligation. I think that is the whole basis of the French agreement, no matter what Mr. Crowley's policy may be.

Mr. LANGER. Mr. President, I wish to tell the distinguished senior Senator from Michigan that I believe I speak the feelings of every Member of the Senate in telling him that I hope that he and the distinguished senior Senator from Texas [Mr. CONNALLY] will have a very happy and successful journey to San Francisco. We feel confident that he and the senior Senator from Texas will do a very fine job.

Mr. VANDENBERG. I am grateful to the Senator.

Mr. LANGER. I am sure that the Senator will take with him what he asked for a few moments ago, namely, not only the prayers of Members of the Senate but also the prayers of mothers and fathers all over the United States, if not all over the entire world.

Mr. SMITH. Mr. President, I am very glad to echo the words just spoken by the senior Senator from North Dakota [Mr. LANGER] in presenting my cordial greetings and assurances of affection and confidence to the Senator from Michigan on the trip to San Francisco which he is about to take.

Mr. LANGER. Mr. President, a year ago I was the only Senator on this floor who voted against the extension of lend-lease. I have been very proud of that vote, inasmuch as it affected not only the entire country but, particularly, also the State of North Dakota. Nothing which has occurred has convinced me more of the correctness of my action in that respect than what happened in the Senate earlier today when the distinguished junior Senator from Kansas [Mr. REED] introduced his resolution. I wish to say before I read it that I shall welcome interruptions; I shall be glad

to have Senators interrupt me at any time while I am addressing the Senate to request me to yield for any questions. I wish to say further, Mr. President, that I do not believe any man upon this floor who is representing agriculture should leave just now, at least, for a little while, while some of the other Members of the Senate may ask questions relative to this particular point.

This morning the junior Senator from Kansas [Mr. REED] introduced the following resolution:

Whereas some 2,000 country elevators essential to the marketing of wheat, corn, oats, sorghum grains, et cetera, in the States of Montana, Minnesota, Kansas, North Dakota, South Dakota, Iowa, Nebraska, Oklahoma, and Texas—

I may add, Mr. President, that the resolution omits listing a number of other States, such as Illinois and Wisconsin—

are filled with grain and are closed down through inability to get railroad cars for outbound shipments of grain now on hand and thereby depriving the farmer of his only method of moving his crop; and

Whereas flour mills throughout the States named are either closed or operating part time because of insufficient freight-car supply to move wheat inbound from country elevators or flour inbound from the mills including the filling of contracts for flour for the armed forces; and

Whereas some millions of bushels of sorghum grain have been piled on the ground on farms in Texas, Oklahoma, and Kansas since being harvested last October and November because of lack of freight cars to move the harvested grain; much of such grain has deteriorated and is now deteriorating;

Whereas in the important corn producing States of Iowa, Nebraska, South Dakota, Minnesota, Kansas, and others, the corn crop of 1944 was harvested under weather conditions which left scores of millions of bushels of corn with a moisture content above the limit permitted for commercial corn marketing, thereby subjecting such corn to rapid deterioration. Millions of bushels have deteriorated and millions of bushels are now deteriorating because of the inability of country shippers to obtain freight cars necessary for the movement of this grain to primary markets and processing mills where special drying facilities are found; and

Whereas in all the grain States of the West business is partly paralyzed.

That is what the distinguished junior Senator from Kansas had in his resolution—

Farmers, millers, marketers, and others are suffering heavy financial losses because of a totally inadequate freight-car supply to meet the requirements of that section for movement of grain already produced; and

Whereas this condition has now obtained for a longer period than for any previous harvesting period and with no signs of improvement adequate to meet the situation; and

Whereas a most representative conference of the grain producers, country elevators, terminal elevators, grain markets, and millers met at Kansas City on March 22—

Nearly a month ago, Mr. President—

and set out clearly and at length this condition and prepared a petition to the Interstate Commerce Commission, the Office of Defense Transportation, and the Association of American Railroads asking for substantial relief; and

Whereas the Interstate Commerce Commission failed to give the matter adequate consideration and failed to take any action in the way of relieving the situation; the Office of Defense Transportation went further and scornfully rejected the prayer of the Kansas City grain conference on March 22, for relief; and

Whereas the Association of American Railroads has not corrected the flagrant dislocation of the grain car supply to which attention has been repeatedly called over a period of several months: Therefore be it

Resolved, That the Committee on Interstate Commerce of the Senate or any duly authorized subcommittee thereof, is authorized and directed to promptly institute a thorough investigation into all phases of this situation, to investigate all factors contributing to, and continuing this condition to the great financial loss of the grain States and imperiling the Nation's supply of food and feed grains necessary for our national welfare and endangering the production of sufficient materials for supplying the armed forces with bread, and to report its findings as early as practicable with such recommendations as it finds proper and necessary to correct existing conditions and prevent recurrence in the future.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. AIKEN. In connection with the resolution submitted by the Senator from Kansas [Mr. REED], I may say that for a generation farsighted and patriotic Americans have foreseen the possible situation in which America might find herself in time of war, because of a break-down in transportation in the midwestern area of the country. Some have urged the adoption of a method by which grain could be moved, namely, the construction of the St. Lawrence seaway. Yet, opponents of the seaway, including certain eastern railroads, eastern utility companies, and others who have made a fortune for generations in the handling of grain at elevators and in the transportation of grain, have been sufficiently powerful to bring about the situation in which America now finds herself.

Mr. President, the welfare of our country comes ahead of unwarranted profits on the part of a small group of men who have brought about the deplorable transportation condition which now exists. If the St. Lawrence seaway had been constructed, not only could grain now be moved from western areas to east coast ports, or to other ports of the world, but it could be moved at a cost of approximately 8 cents a bushel. I hope the Congress will take cognizance of that fact and not lose any time in authorizing the construction of this great waterway which would connect our midwest areas with all the ports of the world, and put an end to the condition which now exists with respect to many of our transportation difficulties.

We do not know how long this war will last, or when the next one will begin. However, I hope we shall have sense enough not to continue to allow a group of selfish opponents of the great St. Lawrence waterway project to continue in their obstinate, selfish opposition to the waterway.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. BUTLER. I did not happen to be present when the resolution was presented by the junior Senator from Kansas and read, so I was happy to have the Senator from North Dakota read it.

The resolution presents a view of the situation about which perhaps few Members of the Senate have had an opportunity to know. To those of us who come from that section of the United States where, when we have a crop we have it in abundance, as has been evidenced in the past several years, the situation is really tragic.

What the Senator from Vermont has said with regard to building the St. Lawrence seaway may be correct. The construction of the seaway might prove to be a solution of much of our transportation difficulties in the future. I think I have a practical suggestion for those who are interested in helping to solve the situation. We are at war. The relief for which we pray must come soon if it is to do any good to those of us who are confronted with the present situation.

The railroads of the country have done a marvelous job in handling traffic forced over their lines during the present war emergency. I wish to commend them for the work which they have done. It has been accomplished under great difficulties. They are still struggling in order to do the work. But during the past week a situation has developed which I wish to mention in connection with the subject now under consideration.

A contract was let for the construction of igloos at a naval depot. They are to be constructed of concrete at Hastings, Nebr. The cost of the construction will total many thousand dollars. The igloos would be used for the storage of munitions, which may be needed at some time in the future. The contract calls for the use of approximately 200,000 barrels of cement, which, at an average load of 40 tons to a car, would fill approximately 5,000 railroad cars. Senators may wonder why 5,000 cars are needed to handle the cement. According to the conception of many persons, certain cars are built for handling cement only; but, as a matter of fact, grain shippers in that area are now shipping grain in cement cars because of their inability to obtain cars of the usual construction. When I was in the West a few days ago I saw shelled corn being shipped in open cars covered with tarpaulins. I saw stock cars with the spaces between the side boards filled with lumber and lined with paper. They were used for the shipment of grain.

Mr. President, the railroads are doing a wonderful job. Those of us who give business to the railroads have cooperated with them in every way we could.

In letting a contract for the extension of the naval depot to which I have referred 5,000 cars were called for. One cement plant is located within about 50 miles of the site of construction, and another within approximately 100 miles. The 200,000 barrels of cement which will be needed will be hauled from very distant points. I know that those charged with the transportation of the cement wonder how they will perform the work in addition to everything else which they are asked to do. A request was made that

the contract be amended so as to allow the delivery of cement and materials from a nearby point by truck instead of by cars. By following that procedure, the railroad cars which would otherwise be used could be diverted to relieve the situation in respect to the transportation of grain.

We are quite proud of the record of labor, farmers, and the railroads in Nebraska. Not one single strike has occurred in a war industry in the State of Nebraska. I hope there are other States which can claim a similar record, but unfortunately there are some which cannot. In Nebraska we wish to cooperate with the war effort 100 percent, and we want the various departments of Government also to cooperate with the war effort.

Mr. LANGER. Mr. President, I hold in my hand the hearings before the Committee on Foreign Affairs of the House of Representatives when Mr. Crowley testified. As the distinguished Senator from Nebraska [Mr. BUTLER] said a moment ago the railroads have done a magnificent job. The trouble has been, however, that they have not had sufficient equipment. Lend-lease has sent boxcars and locomotives and also farm machinery, as the testimony of Mr. Crowley himself shows, to other countries.

I might say that I myself investigated conditions in my State, and I found that under lend-lease in 6 weeks last year during July and August 566 rubber-tired tractors and 366 rubber-tired combines were sent into Canada through the one little town of Portal, N. Dak., a small port of entry, and that at the very time when the farmers of North Dakota were begging for tractors and combines and plows and other kinds of farm machinery, but could not get it. Today I have the report of Mr. Crowley showing how much of it went to other countries and the reason for sending it there.

What is the situation today because of the fact that railroad cars and locomotives are not available? I have a telegram from Rock Lake, N. Dak., which reads—I may say that all the telegrams I shall read are addressed to me:

> We haven't received any boxcars since March 19. We need boxcars badly.
>
> OSBORNE MCMILLAN ELEVATOR CO.,
> C. A. OLSON.

Here is a telegram from Gladstone, N. Dak., which reads:

> We received no cars this last week.
>
> OCCIDENT ELEVATOR CO.

In a little while I shall read the record.

Here is a telegram from the International Elevator Co., a large concern at Lana, N. Dak.:

> One boxcar last week.
>
> INTERNATIONAL ELEVATOR CO.

Here is a telegram from Geneseo, N. Dak.:

> Retel received one boxcar first week of April.
>
> OSBORNE MCMILLAN ELEVATOR CO.

Here is a telegram from Sutton, N. Dak.:

> Our elevator is badly in need of boxcars. Last week we received two cars. Elevator blocked.
>
> SUTTON FARMERS UNION GRAIN CO.

Here is one from Ekelson, N. Dak.:

> Received no cars last year. One car this morning. Five since the first of the year.
>
> URBANA FARMERS UNION ELEVATOR.

Here is one from Makoti, N. Dak.:

> Fifty percent of wheat still on farms. Urge you use your influence to get more cars for month west.
>
> FARMERS ELEVATOR CO.

Here is one from Temvik, N. Dak:

> Received 1 car last week. Have received only 13 cars since the 1st of January.
>
> TEMVIK FARMERS ELEVATOR CO.

Temvik is right in the heart of the grain-growing section.

Here is one from Loraine, N. Dak.:

> Loaded two cars with grain last week.
>
> HURLEY FARMERS CO-OP ELEVATOR CO.

Here is another telegram from Loraine:

> Received one car last week.
>
> INTERNATIONAL ELEVATOR CO.

Here is a telegram from Overly, N. Dak.:

> We received one boxcar past week.
>
> OVERLY CO-OP ELEVATOR CO.

Here is a telegram from Hazelton, N. Dak.:

> Received two boxcars. One April 2, one April 7.
>
> OCCIDENT ELEVATOR CO.

Hazelton is also in the heart of the grain producing section.

Here is a telegram from Wolford, N. Dak.:

> Received one boxcar during week.
>
> FARMERS COOPERATIVE ELEVATOR CO.

Here is one from Heimdal, N. Dak.:

> Had one boxcar last week. Situation bad.
>
> EQUITY FARMERS ELEVATOR CO.

Here is one from Roth, N. Dak.:

> No boxcars received first week in April.
>
> ROTH FARMERS UNION ELEVATOR.

Here is one from Alice, N. Dak.:

> Received two grain cars last week.
>
> PEAVEY ELEVATORS.

Here is one from Binford, N. Dak.:

> No boxcars received since March 24.
>
> PEAVEY ELEVATORS.

March 24 was nearly a month ago.

Here is one from Golden Valley, N. Dak.:

> Received 2 boxcars first week of April; can use 40.
>
> FARMERS GRAIN CO.

They got two boxcars, Mr. President. Cars are sent all over the globe, but here in America our farmers cannot get them. What is the result? The result is the resolution submitted today by the distinguished junior Senator from Kansas [Mr. REED].

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. MORSE in the chair). Does the Senator from North Dakota yield to the Senator from Minnesota?

Mr. LANGER. I yield.

Mr. SHIPSTEAD. I have just received notice that they are abandoning the use of four passenger trains running on the main line of the Soo through North Dakota and Minnesota, namely, trains 105 and 106, and 107 and 108. The Senator is no doubt familiar with those trains. They have been running for the past 40 years.

Mr. LANGER. I am very familiar with them. I begged the railroad to leave these trains on, but they took them off, as the senior Senator from Minnesota says. They have gone, although they have been running for 40 years.

Here is a telegram from Richardton, N. Dak.:

> As per your wire, we received one car.
>
> OCCIDENT ELEVATOR CO.

Here is one from Washington, N. Dak.:

> Received two boxcars last week.
>
> INDEPENDENT ELEVATOR CO.

Here is one from Willow City, N. Dak.:

> Received two boxcars for grain loading last week.
>
> WILLOW CITY FARMERS ELEVATOR CO.

Here is one from Cooperstown, N. Dak.:

> Received one boxcar week ending April 7.
>
> SHEPARD FARMERS ELEVATOR CO.

Here is one from Dodge, N. Dak.:

> We had one car the last week, only nine since January 1.
>
> FARMERS COOPERATIVE ELEVATOR CO.

It was only a few years ago, Mr. President, that Dodge was one of the primary grain cities in the entire Northwest.

Here is a telegram from Pekin, N. Dak.:

> Received one car last week, two cars since the first of the week.
>
> PEKIN COOPERATIVE ELEVATOR CO.

Here is a telegram from Bergen, N. Dak.:

> Had four cars past week, five so far this year.
>
> OSBORNE MCMILLAN ELEVATOR CO.

Here is a telegram from Wales, N. Dak.:

> Received one boxcar past week.
>
> WALES FARMERS ELEVATOR.

Here is a telegram from Nekoma, N. Dak.:

> No boxcars received last week.
>
> NEKOMA FARMERS COOPERATIVE, ELEVATOR CO.

Here is another telegram from Dodge, N. Dak.:

> Received one car this week.
>
> PEAVEY ELEVATOR.

Here is a telegram from Petersburg, N. Dak.:

> Received one boxcar last week. Need cars.
>
> PETERSBURG FARMERS COOPERATIVE ELEVATOR CO.

Here is a telegram from Stanton, N. Dak.:

> Received 2 cars for week. Could use 50 more.
>
> STANTON GRAIN CO.

Fifty to two is about the proportion, Mr. President.

Here is a telegram from Juanita, N. Dak.:

> Received three boxcars this last week.
>
> PEAVEY ELEVATORS.

Here is a telegram from Landa, N. Dak.:

> Retel. Saturday we received two boxcars.
>
> LANDA COOPERATIVE ELEVATOR CO.

Here is a telegram from Rutland, N. Dak.:

Received two boxcars past week.
RUTLAND FARMERS COOPERATIVE GRAIN CO.

Here is a telegram from Lisbon, N. Dak.:

Your wire asking for number of boxcars received past week. We received three cars after making most urgent appeals for cars in order to make room for handling of seed grain. Full particulars by air-mail letter.
J. N. JOHNSON SEED CO.

The farmers come in and want to obtain seed, but there is no way this elevator can clean seed because its bins are all full.

Here is a telegram from Velva, N. Dak.:

One boxcar received last week. Keep after them.
VELVA FARMERS UNION ELEVATOR.

Here is another telegram from Lisbon, N. Dak.:

Retel. Received one boxcar last week.
E. N. NELSON ELEVATOR.

Here is a telegram from Coteau, N. Dak.:

Four boxcars received last week.
FARS ELEVATOR CO.

Here is a telegram from Linton, N. Dak.:

Received four boxcars this week.
OCCIDENT ELEVATOR CO.

Here is a telegram from Watford City, N. Dak.:

Re telegram. Have had one grain box since April 1.
FARMERS COOP ELEVATOR CO.,
E. VENSEN.

Here is another telegram from Watford City:

Re telegram. One grain box so far this month.
INTERNATIONAL ELEVATOR,
C. B. STAFNE.

Here is a telegram from Napoleon, N. Dak.:

One car this week and that had a load of seed barley shipped in. Need cars badly for farm store grain.
NAPOLEON FARMERS CO.

Here is a telegram from Mott, N. Dak.:

Received 3 boxcars last week. Need 50 to take care of arrive. Sales situation desperate. Buyers threatening cancelation of contracts. Cannot sell any more to arrive because too many contracts unfilled, but still have to buy stored grain. Have 150,000 bushels ready for shipment here. Estimate 700,000 still on farms to be moved. Grain going out of condition. Farmers' bins all full. Cannot even move enough to get room to clean seed grains.

That is a deplorable situation, Mr. President. The telegram concludes:

Present rate of boxcars won't see grain move before new crops start moving. Do everything you can to get us boxcars.
L. V. DUNKANSON ELEVATOR,
Hetting, N. Dak.,
CLARE STOCKING, *Manager*.

The next is a telegram from Willow City:

We have been blocked since January 6. Can load 100 cars and need for immediate loading 3 cars daily. Over 500 members want to haul grain. Immediate action needed so grain will be moved and not allowed to spoil in farmers' bins. Get in touch with Senator WHEELER and insist on a substantial daily increase of empties for grain movement exclusively.
WILLOW CITY FARMERS ELEVATOR CO.,
H. S. HAALUND, *Manager*.

Evidently they wanted me to see the Senator from Montana because he is chairman of the Committee on Interstate Commerce. Of course I got in touch with him promptly.

I call attention to the following telegrams:

MOTT, N. DAK., *April 7, 1945*.
Received 4 boxcars last week need 97 to take care of arrive sales. Situation desperate. Buyers threatening cancelation of contracts. Cannot sell any more to arrive because too many contracts unfilled, but still have to buy stored grain. Have 310,000 bushels ready for shipment here. Estimate 500,000 still on farms to be moved. Grain going out of condition. Farmers' bins all full. Cannot even move enough to get room to clean seed grains. Present rate of boxcars won't see grain moved before new crop starts moving. Do everything you can to get us boxcars.
MOTT MILL & ELEVATOR CO.,
L. V. DUNCANSON, *Manager*.

BATTLEVIEW, N. DAK., *April 7, 1945*.
Received only one car this week and three cars the month of March.
FARMERS COOPERATIVE ELEVATOR CO.

LAWTON, N. DAK., *April 7, 1945*.
Received two grain box this week. Elevator blocked with grain.
LAWTON GRAIN & FARMERS ELEVATOR CO.

CORINTH, N. DAK., *April 7, 1945*.
Received two boxcars.
FARMERS ELEVATOR CO.

ROLETTE, N. DAK., *April 7, 1945*.
Received one boxcar this week.
FARMERS ELEVATOR.

UPHAM, N. DAK., *April 7, 1945*.
Received one boxcar this week. Situation extremely acute here.
UPHAM FARMERS ELEVATOR CO.

EDMORE, N. DAK., *April 7, 1945*.
Got 3 boxcars this week and only 18 since January 1 this year. All grain in heating condition.
FARMERS SHIPPING & SUPPLY CO.

LISSON, N. DAK., *April 7, 1945*.
Re tel received no boxcars this week.
CARTER ELEVATOR CO.

EDMORE, N. DAK., *April 7, 1945*.
Elevators full of grain. Need cars urgently. Do something. We got four cars during January, February, and March. Got one this week.
DERRICK FARM ELEVATOR CO.

BOWDON, N. DAK., *April 7, 1945*.
Received three boxcars this week. Two boxcars during month of March, one during month of February. Twenty-seven thousand five hundred bushels cash grain on hand February 1. Thirty-six thousand bushels cash grain on hand April 1, which we are unable to ship account no cars available.
BOWDON GRAIN CO.

CROSBY, N. DAK., *April 7, 1945*.
We have received one car for grain this week; elevator blocked; just room for cleaning grain. There is danger of grain spoiling in the elevator, not being able to turn it, and there is grain in cribs on farms that will get out of condition if not moved soon.
CROSBY FARMERS GRAIN CO.

WELLSBURG, N. DAK., *April 7, 1945*.
Yours date received. One car this week.
VICTORIA ELEVATOR CO.

GLADSTONE, N. DAK., *April 7, 1945*.
Our order is for five cars per local train day; have not had a car since February 17.
FARMERS UNION ELEVATOR CO.

They need five cars a day. How in the name of heaven can the Government expect to have those farmers exist out there in that kind of a condition?

I have received these further telegrams:

ROGERS, N. DAK., *April 7, 1945*.
Received no boxcars this week.
FARMERS ELEVATOR & MERCHANDISE CO.

REGAN, N. DAK., *April 7, 1945*.
Two cars received since January 1. None this week.
REGAN FARMERS UNION CO-OP,
W. W. SCOTT, *Manager*.

STANLEY, N. DAK., *April 7, 1945*.
We have received three cars this week.
FARMERS UNION CO-OP ELEVATOR CO.

FLASHER, N. DAK., *April 7, 1945*.
We received one boxcar this week for loading.
OCCIDENT ELEVATOR CO.

GARDNER, N. DAK., *April 7, 1945*.
Received one boxcar this week.
GARDNER FARMERS ELEVATOR CO.

KNOX, N. DAK., *April 7, 1945*.
Your message date received two boxcars for grain loading this week.
FARMERS UNION ELEVATOR CO. OF KNOX.

TAYLOR, N. DAK., *April 7, 1945*.
Have had four boxcars since January 1, 1945. Crew will be here soon to make needed repairs to elevator and must ship out grain.
FARMERS ELEVATOR CO.

OBERON, N. DAK., *April 7, 1945*.
Received two boxcars past week. Am plugged and trying to clean seed grain for farmers. Your assistance requested and will be appreciated.
FARMERS' UNION CO-OP ELEVATOR,
C. P. LARSON.

BEACH, N. DAK., *April 7, 1945*.
Occident Elevator, Beach, received two cars, Chama two, Golva one.
OCCIDENT ELEVATOR.

MOTT, N. DAK., *April 7, 1945*.
Received 1 boxcar last week; need 20 to take care of arrive sales; situation desperate. Buyers threatening cancelation of contracts. Cannot sell any more to arrive because too many contracts unfilled; still have to buy in stored grain. Have 50,000 bushels ready for shipment here; estimate 150,000 still on farms to be moved. Grain going out of condition; farmers' bins all full; cannot even move enough to get room to clean seed grains. Present rate of boxcars won't see grain moved before new crops start moving. Do everything you can to get us boxcars.
L. V. DUNCANSON ELEVATOR,
V. D. DUNCANSON, *Manager*.

That is really in South Dakota, right on the line between North Dakota and South Dakota.

I read telegrams from Walhalla and Hebron, N. Dak.:

WALHALLA, N. DAK., *April 7, 1945*.
We received one boxcar this week.
INTERNATIONAL ELEVATOR CO.

WALHALLA, N. DAK., *April 7, 1945.*
Farmers Union Elevator Co. operating two elevators received two cars this week.
FARMERS UNION ELEVATOR CO.

HEBRON, N. DAK., *April 7, 1945.*
We received 2 boxcars the past week; had 50 ordered; elevator completely blocked since January 10, 1945. Will require 200 boxcars to move balance of 1944 crop.
HEBRON FARMERS' UNION ELEVATOR CO.

Oh, Mr. Crowley says they send them to other countries. I have his report here showing they send them, but none are sent to the farmers of the United States. They send them to north Africa, and I shall take up a discussion of north Africa and Ethiopia before I get through with this matter. I hope the distinguished Senator from South Dakota will return to the Chamber and read some of the letters he has received from soldiers who tell of acres of land filled with combines which have been there for years, and not one of them used. Of course, what happened a year and a half ago will probably happen again. I offered Resolution 105, when millions and millions of bushels of flax, wheat, oats, and barley were piled upon the ground all over the State of North Dakota, and snow came and covered the grain.

I have also received the following telegrams:

GLENBURN, N. DAK., *April 7, 1945.*
Your wire received re boxcars have had two this week the first since March 20, 1945.
FARMERS UNION ELEVATOR CO.

MOTT, N. DAK., *April 7, 1945.*
Retel received two boxcars this week.
OCCIDENT ELEVATOR.

BALTA, N. DAK., *April 7, 1945.*
Received one boxcar this week.
ST. ANTHONY AND BALTA ELEVATOR CO.

ROGERS, N. DAK., *April 7, 1945.*
Received no boxcars this week.
OSBORNE MCMILLAN ELEVATOR CO.

TOWER CITY, N. DAK., *April 7, 1945.*
Had no cars since March 30. Filled up on grain. Needed badly.
PEAVEY ELEVATOR.

ANETA, N. DAK., *April 7, 1945.*
One boxcar this week.
M. F. M. GRAIN CO.

MONTPELIER, N. DAK., *April 7, 1945.*
Received four boxes this week account had hot grain in elevator, otherwise probably would have received one.
MONTPELIER GRAIN CO.

HAMAR, N. DAK., *April 7, 1945.*
We received no cars this week. In fact, only two grain boxes this year outside of a few coal cars we were permitted to use for grain. Do your best. Thanks.
HAMAR COOPERATIVE ELEVATOR CO.

That corroborates what the distinguished senior Senator from Nebraska [Mr. BUTLER] said a few moments ago about conditions in Nebraska, where cement cars are being used to ship corn. In North Dakota coal cars are being used, and anyone who has ever shipped wheat in a coal car knows the loss that accrues, and the trouble it takes to put such cars in shape to ship wheat.

The following telegrams are from Dunn Center, Deering, Berthold, Kulm, and Mandan, N. Dak.:

DUNN CENTER, N. DAK., *April 7, 1945.*
Retel we received two cars past week.
OCCIDENT ELEVATOR CO.

DEERING, N. DAK., *April 7, 1945.*
Received one car this week.
RISING FARMERS ELEVATOR CO.

BERTHOLD, N. DAK., *April 7, 1945.*
Received three cars in January, two cars in February, six cars in March, four cars in April. Elevator blocked most of the time with several thousand bushels on farms to be moved as soon as we can get cars to move it.
BERTHOLD FARMERS ELEVATOR.

KULM, N. DAK., *April 7, 1945.*
Received one boxcar for week ending April 7.
FARMERS COOPERATIVE ELEVATOR CO.

MANDAN, N. DAK., *April 9, 1945.*
We shipped eight boxcars this week.
SLOPE ELEVATOR CO.

I have received a telegram from Deslacs, as follows:

Received three cars this week. Urgent need of more.
FARMERS ELEVATOR CO.

A telegram from Richardton, N. Dak.:

Two boxcars received this week.
RICHARDTON FARMERS UNION ELEVATOR CO.

A telegram from Litchville, N. Dak., where the Governor of the State lives, as follows:

Re telegram, one car received this week.
J. C. MILLER ELEVATOR.

A telegram from Gackle, N. Dak.:

One grain car received this week. Cars needed very badly.
COOPERATIVE ELEVATOR CO.

A telegram from Emerado, N. Dak.:

Re telegram, we received two boxcars this week.
FARMERS COOPERATIVE ELEVATOR CO.

A telegram from Osabrock, N. Dak.:

Loaded two cars this week.
FARMERS COOPERATIVE ELEVATOR CO.

A telegram from Litchville, N. Dak.:

Re telegram, one car received this week.
GIEBINK ELEVATOR.

A telegram from Aneta, N. Dak.:

One boxcar this week.
FARMERS UNION ELEVATOR ASSOCIATION.

A telegram from Sharon, N. Dak.:

Received one boxcar this week. Need lots more. Thanks.
FARMERS COOPERATIVE ELEVATOR.

A telegram from Ray, N. Dak.:

Received three cars this week.
INDEPENDENT ELEVATOR CO.

Also a telegram from Minnewaukan, N. Dak.:

No boxcars received this week.
FARMERS UNION ELEVATOR CO.

A telegram from Cuba, N. Dak.:

We have received no boxcars the past week.
J. C. MILLER ELEVATOR.

A telegram from Eckman, N. Dak., as follows:

Received one boxcar this week.
OSBORNE MCMILLAN ELEVATOR CO.

A telegram from Hague, N. Dak.:

We received one boxcar this week, but need many more.
FARMERS ELEVATOR CO.

A telegram from Erie, N. Dak.:

Received two grain cars this week.
ERIE GRAIN CO.

Then I have a telegram from Berlin, N. Dak., that is the town near which resides my distinguished colleague the junior Senator from North Dakota [Mr. YOUNG]. The telegram is as follows:

Got one car this week. Urgent need of cars.
BERLIN FARMERS UNION GRAIN CO.

A telegram from Harwood, N. Dak.:

Received one boxcar this week.
FARMERS ELEVATOR,
A. W. SCOTT.

A telegram from Orrin, N. Dak.:

Loaded one boxcar that was emptied here.
WOODWORTH ELEVATOR CO.

Mr. President, the only car the Woodworth Co. received was one which had been shipped in to Orrin containing some sort of goods which, after it was emptied, was promptly loaded by the Woodworth Elevator Co. with wheat.

A telegram from Appam, N. Dak.:

Wire received. Thanks. Have received 2 boxcars this week. Would like 12 more at once.
APPAM FARMERS ELEVATOR CO.

Mr. President, all the time the grain the farmers are holding up there is spoiling. The farmers want to get out into the fields and do their farm work. Seeding time is at hand. They cannot empty their granaries, they cannot clean their seed because the granaries are all filled up.

A telegram from Ayr, N. Dak., as follows:

Received one boxcar this week.
INTERNATIONAL ELEVATOR CO.

A telegram from Tuttle, N. Dak.:

Received one car during week. Elevator blocked. Do what you can for us.
TUTTLE GRAIN CO.

A telegram from Mapleton, N. Dak.:

Received no cars this week.
MAPLETON FARMERS CO-OP ELEVATOR,
CLINT MCFADEN, *Manager.*

A telegram from Arnegard, N. Dak.:

No cars 11 days. Serious delay in moving farm-stored grain. Will have about 200,000 bushels to move before next crop.
FARMERS CO-OP ELEVATOR CO.

A telegram from Ray, N. Dak.:

Received two cars this week.
VICTORIA ELEVATOR CO.

A telegram from Kramer, N. Dak.:

Received no cars this week. Three needed.
OSBORNE MCMILLAN ELEVATOR CO.

A telegram from Tuttle, N. Dak.:

Re tel only received one car during week. Elevator blocked last 2 months.
FARMERS EDUCATIONAL & CO-OP UNION ELEVATOR CO.

A telegram from Maddock, N. Dak.:

Have received three boxcars the past 2 weeks.
MADDOCK FARMERS GRAIN CO.

A telegram from Maddock, N. Dak.:

Two cars this week. First for many days. Filled to capacity. Carrying charges mounting daily.

JAMESTOWN GRAIN CO.,
R. F. BOEHM, *Owner.*

The farmers have to keep storing the grain. They cannot ship it out. Mr. President, it seems that the farmers of America do not amount to much, but by all means help the farmers of Europe, the farmers of Ethiopia.

A telegram from Cavalier, N. Dak.:

One boxcar received this week.

INTERNATIONAL ELEVATOR CO.

Then I have received a telegram from Valley City, N. Dak., right in the very heart of the grain country of the Northwest, as follows:

Retel no boxcars received this week. Only one boxcar in last 3½ months.

BERAE FARMERS CO-OP ELEVATOR CO.

A telegram from Epping, N. Dak.:

Received 3 boxcars this week, wanted 30.

VICTORIA ELEVATOR CO.

The following telegram came from Havana, N. Dak.:

Received four boxcars this week.

FARMERS CO-OP GRAIN CO.

A telegram from Wahpeton, N. Dak.:

We received three boxcars this week.

FARMERS MILL & ELEVATOR.

A telegram from Crosby, N. Dak.:

Received one car last week; average five cars per month for last 3 months. Elevators, granaries, cribs full with no chance for moving or processing grain to guard against any weevil infestation and spoilage.

FARMERS UNION ELEVATOR CO.

A telegram from Regent, N. Dak., as follows:

Retel, received three boxcars past week.

OSBORNE-MCMILLAN ELEVATOR CO.

Also a telegram from Mohall, N. Dak., as follows:

Two boxcars received this week.

ST. ANTHONY & DAKOTA ELEVATOR CO.

A telegram from New England, N. Dak.:

Retel, received three boxcars past week.

GEO. C. BAGLEY ELEVATOR CO.

A telegram from Harvey, N. Dak., as follows:

Please be advised we have had grain cars as follows: 6 for January, 2 for February, 3 for March, and 1 for April; can use 18 per week.

HARVEY FARMERS UNION ELEVATOR CO.,
A. WELK, *Manager.*

Mr. President, think of it—6 cars for January, 2 for February, and 3 for March, and 1 for April, 12 in all during 4 months, and they can use 18 cars a week.

The following telegram was sent to me from Kloten, N. Dak.:

Get in touch immediately with Interstate Commerce Committee, Chairman WHEELER, and insist on a substantial daily increase in empty boxcars from eastern roads to western roads, and the latter be required to place those cars in country for grain movement, otherwise grain taken in during the winter will spoil if we do not get same moved out before warm weather sets in. We have had three boxcars at our elevators since December 12. Do all you can for elevators here in the country.

KLOTEN FARMERS UNION ELEVATOR CO.

Think of it, Mr. President, only three boxcars received since December 12.

A telegram from Van Hook, N. Dak.:

Please contact Chairman Interstate Commerce Committee WHEELER and urge him have boxcars moved to this territory for grain. Loading elevators all blocked. Only one car received this week and four last month.

FARMERS UNION COOPERATIVE
ELEVATOR ASSOCIATION,
GERALD RANUM.

Another telegram from Van Hook, N. Dak.:

Received one grain box this week.

OCCIDENT ELEVATOR CO.

A telegram from Lankin, N. Dak., as follows:

We urge that you get in touch with Interstate Commerce Committee, Chairman WHEELER, and insist on a substantial daily increase of empty boxcars from eastern roads to western roads, and the latter be requested to place these cars in the country for grain movement exclusively. Immediate action is necessary to avoid spoiling of grain and warehouse space be made available to handle the increased production. Farmers are being called to produce in 1945, and in reply to your wire no cars received this week.

LANKIN FARMERS UNION ELEVATOR CO.,
T. J. SOBOLIK, *Manager.*

A telegram from Grenora, N. Dak., as follows:

We had three cars in February, four in March, two so far this month; we could use eight cars per day for the next 2 months.

GRENORA FARMERS ELEVATOR CO.

In other words, they have had three cars in February, four in March, and two in April so far, nine altogether, whereas they can use eight cars a day for the next 2 months. I was in Grenora some time ago, and I know that the granaries in the entire neighboring country are filled.

A telegram from Edmunds, N. Dak.:

Received one car this week.

EDMUNDS FARMERS UNION GRAIN CO.

A telegram from McClusky, N. Dak., as follows:

Received three cars this week.

OCCIDENT ELEVATOR.

A telegram from Powers Lake, N. Dak.:

Received three boxcars this week; prior to this week, three a month since January 1.

FARMERS EQUITY ELEVATOR CO.

A telegram from Dickinson, N. Dak.:

Loaded 3 cars this week, 19 since January 1; been blocked since January 10.

FARMERS' COOPERATIVE
UNION ELEVATOR CO.

A telegram from Zap, N. Dak., as follows:

Retel. No boxcars received this week.

PEAVEY ELEVATORS.

A telegram from North Valley City, N. Dak., as follows:

Retel. Received one rough boxcar this week.

OCCIDENT ELEVATOR CO.

That means they had to fix up the car and get it in shape so they could ship grain.

A telegram from Page, N. Dak., as follows:

Received no cars for a month.

AWALDEN ELEVATOR CO.

Mr. President, that is in the Red River Valley, the very heart of the wheat country.

I have also the following telegrams:

HAZEN, N. DAK., *April 7, 1945.*

Received 2 boxcars this week. Need 50 more.

FARMERS' ELEVATOR OF HAZEN.

HAZEN, N. DAK., *April 7, 1945.*

Received 2 boxcars this week. Can use 50 more.

HAZEN GRAIN CO.

ROLLA, N. DAK., *April 7, 1945.*

No boxcars this week.

WM. ELLIOTT.

MCHENRY, N. DAK., *April 7, 1945.*

Two cars received this week.

PEAVEY ELEVATORS,
L. D. OVERBECK, *Manager.*

GRAFTON, N. DAK., *April 7, 1945.*

Have received three boxcars for loading this week.

FARMERS' COOPERATIVE GRAIN CO.

ROLLA, N. DAK., *April 7, 1945.*

No boxcars this week.

FARS GRAIN CO.

MOHALL, N. DAK., *April 7, 1945.*

No boxcars received this week.

GUNDERSON HANSEN ELEVATOR CO.

HAZEN, N. DAK., *April 7, 1945.*

Received two boxcars this week.

OCCIDENT ELEVATOR.

WARWICK, N. DAK., *April 7, 1945.*

Received one car this week; eight cars this year.

EQUITY ELEVATOR & TRADING CO.

Mr. President, how would you like to operate a business in the heart of the grain country, and receive eight boxcars so far this year?

Here are some further telegrams:

FULLERTON, N. DAK., *April 7, 1945.*

We have had no boxcars since March 20. Your efforts to help us will be greatly appreciated.

Respectfully.

OSBORNE MCMILLAN ELEVATOR CO.
EARL NELSON, *Agent.*

PARK RIVER, N. DAK., *April 7, 1945.*

Loaded one boxcar this week.

PARK RIVER FARMERS ELEVATOR.
E. KELNER.

HENSEL, N. DAK., *April 7, 1945.*

Thank you. Received one grain box this week. No cars shipped since February 16, when coal car was loaded.

HENSEL FARMERS UNION ELEVATOR,
CHAS. R. WEED.

Again we find the farmers trying to ship wheat in old coal cars.

I read more telegrams:

RUGBY, N. DAK., *April 7, 1954.*

We received two grain box this week.

RUGBY FARMERS UNION
COOPERATIVE ELEVATOR,
M. A. MONGER, *Manager.*

CARRINGTON, N. DAK., *April 7, 1954.*

Two grain boxes placed and loaded this week.

HONLON GRAIN CO.,
Dover, N. Dak.

HILLSBORO, N. DAK., *April 7, 1945.*
Received two cars this week.
ELDORADO ELEVATOR & TRADING CO.,
HERMAN KOERING.

HILLSBORO, N. DAK., *April 7, 1945.*
Received six cars this week.
EQUITY ELEVATOR & TRADING CO.

FILLMORE, N. DAK., *April 7, 1945.*
One car received since March 1.
FILLMORE EQUITY ELEVATOR CO.

That is in the heart of the grain country, in Benson County.

FILLMORE, N. DAK., *April 7, 1945.*
No cars the past 2 weeks; situation drastic.
OSBORNE MCMILLAN ELEVATOR CO.,
B. THOMPSON, *Agent.*

JESSIE, N. DAK., *April 7, 1945.*
No car since February 26. Am 80 percent full.
JESSIE FARMERS MERCANTILE AND ELEVATOR CO.

TOLNA, N. DAK., *April 7, 1945.*
Did not receive any cars this week.
TOLNA FARMERS UNION ELEVATOR,
F. T. PATTERSON.

OSNAEROCK, N. DAK., *April 7, 1945.*
No boxcars received this week. Twenty-five boxcars needed for immediate loading.
RASMUSSON GRAIN CO.

CANDO, N. DAK., *April 7, 1945.*
Received one boxcar this week.
TOWNER COUNTY GRAIN CO.

CRYSTAL, N. DAK., *April 7, 1945.*
Elevator full to roof; could load out 14 cars this week. Need 25 bad.
FARMERS ELEVATOR CO.

RAWSON, N. DAK., *April 7, 1945.*
Haven't seen a car for 10 days. Have over 45,000 bushels in elevator, approximately 30,000 bushels cash grain over station; volume approximately 500,000 bushels.
RAWSON COOPERATIVE ELEVATOR CO.

Half a million bushels, and he has not seen a car for 10 days.

BELFIELD, N. DAK., *April 7, 1945.*
Received three boxcars this week, during month of February two, during March two cars.
FARMERS UNION ELEVATOR CO.

BEULAH, N. DAK., *April 7, 1945.*
Retel this afternoon, received one boxcar this week.
OCCIDENT ELEVATOR.

PLAZA, N. DAK., *April 7, 1945.*
We received one boxcar for grain this week.
PLAZA EQUITY ELEVATOR CO.

CANDO, N. DAK., *April 7, 1945.*
I received one boxcar this week.
H. C. WOLD.

LARK, N. DAK., *April 7, 1945.*
Two cars—first cars since December.
OCCIDENT ELEVATOR.

December, January, February, March, and April, and they have two boxcars in which to ship grain. The whole surrounding country is a farming community.

BEULAH, N. DAK., *April 7, 1945.*
One boxcar received this week.
PEAVEY ELEVATOR.

ADRIAN, N. DAK., *April 7, 1945.*
Received 1 boxcar this week. Could use 26.
ADRIAN EQUITY ELEVATOR CO.

ROLLA, N. DAK., *April 7, 1945.*
One boxcar this week.
STANTHONY ELEVATOR CO.

ROSS, N. DAK., *April 7, 1945.*
Received two cars this week; total nine cars this year.
VICTORIA ELEVATOR CO.

DELAMERE, N. DAK., *April 7, 1945.*
Received two cars this week.
P. H. GUST ELEVATOR.

NEW SALEM, N. DAK., *April 7, 1945.*
Three cars this week.
NEW SALEM FARMERS UNION ELEVATOR CO.

BISMARCK, N. DAK., *April 7, 1945.*
Had four cars this week.
PEAVEY ELEVATOR.

BOWESMONT, N. DAK., *April 7, 1945.*
Two boxcars received this week.
OCCIDENT ELEVATOR CO.

WILLISTON, N. DAK., *April 7, 1945.*
We have had two cars this week.
FARMERS ELEVATOR CO.

LUVERNE, N. DAK., *April 7, 1945.*
Received two boxcars this week.
LUVERNE FARMERS
COOPERATIVE ELEVATOR CO.

HOOPLE, N. DAK., *April 7, 1945.*
We received two boxcars this week.
HOOPLE FARMERS' GRAIN CO.

MEDINA, N. DAK., *April 7, 1945.*
Received one boxcar this week loaded April 3.
MEDINA FARMERS' UNION GRAIN CO.,
F. L. RUDOLP.

CLEVELAND, N. DAK., *April 7, 1945.*
Received two cars this week.
FARMERS COOPERATIVE ASSOCIATION.

STREETER, N. DAK., *April 7, 1945.*
Received 3 cars last week, but we need 17 more.
FARMERS COOPERATIVE ELEVATOR CO.

ADAMS, N. DAK., *April 7, 1945.*
Received wire. No cars this week.
ADAMS FARMERS ELEVATOR CO.

CUMMINGS, N. DAK., *April 7, 1945.*
Received no boxcars this week.
CUMMINGS FARMERS ELEVATOR CO.

MAKOTI, N. DAK., *April 7, 1945.*
Cars received this week, three.
FARMERS COOPERATIVE ELEVATOR CO.

WEST HOPE, N. DAK., *April 7, 1945.*
Answering yours date, received one boxcar this week.
KUROKI ELEVATOR CO.

MILNOR, N. DAK., *April 7, 1945.*
Re telegram two boxcars.
FARMERS GRAIN & TRADING CO.

HARVEY, N. DAK., *April 7, 1945.*
Re your telegram, received two grain boxes this week, two cars in March.
FARMERS GRAIN & FEED CO.,
L. H. PALMER.

That is in the very heart of the grain country in Wells County. They received two boxcars in March.

ALAMO, N. DAK., *April 7, 1945.*
We received three boxcars this week.
ALAMO FARMERS CO-OP ELEVATOR CO.

SANISH, N. DAK., *April 7, 1945.*
Received two grain cars this week. Your efforts greatly appreciated.
FARMERS UNION ELEVATOR,
R. J. DINWOODIE.

BISBEE, N. DAK., *April 7, 1945.*
Did not receive any boxcars this week.
BISBEE GRAIN CO.,
F. J. BONN.

NOONAN, N. DAK., *April 7, 1945.*
We received two boxcars this week. Both elevators blocked.
FARMERS COOPERATIVE ELEVATOR CO.

HATTON, N. DAK., *April 7, 1945.*
Received three cars this week. Five cars month of March.
HATTON FARMERS ELEVATOR CO.

That is in the very heart of the grain country of America, Mr. President, where they ought to be getting 12, 13, or 14 cars a day.

CLIFFORD, N. DAK., *April 7, 1945.*
Re tel only received one boxcar this week.
CLIFFORD FARMERS COOP ELEVATOR CO.

AMBORSE, N. DAK., *April 7, 1945.*
Received no cars this week.
OSBORNE-MCMILLAN ELEVATOR CO.

EMBDEN, N. DAK., *April 7, 1945.*
No empties received.
FARMERS GRAIN CO.

That is in the middle of the Red River Valley. No empties received.

FAIRDALE, N. DAK., *April 7, 1945.*
No cars received this week. Elevator is full.
FARMERS CO-OP ELEVATOR CO.

AMBROSE, N. DAK., *April 7, 1945.*
Received one boxcar this week.
AMBROSE FARMERS ELEVATOR CO.

ALKABO, N. DAK., *April 7, 1945.*
Received one empty car.
FARMERS ELEVATOR CO.

BRAMPTON, N. DAK., *April 7, 1945.*
Two cars.
BRAMPTON FARMERS ELEVATOR CO.

COLGAN, N. DAK., *April 7, 1945.*
Received only one empty boxcar for grain loading this week, first one since March 23. Have received only seven cars all together since January 1.
FARMERS ELEVATOR CO.

SANISH, N. DAK., *April 7, 1945.*
Received two grain cars this week; cars needed badly.
VICTORIA ELEVATOR CO.,
N. J. JANSKI.

FORTUNA, N. DAK., *April 7, 1945.*
Received four cars this week; nine during February and March.
FARMERS' ELEVATOR CO.

DONNYBROOK, N. DAK., *April 7, 1945.*
Received one boxcar this week, making only five cars this year.
FARMERS UNION ELEVATOR CO.

Five cars this year at Donnybrook, in a great community, with farmers for 50 miles in every direction.

LEHR, N. DAK., *April 7, 1945.*
Have received two boxcars this week.
EICHHORN AND SON,
By RICHARD A. BECKE.

COGSWELL, N. DAK., *April 7, 1945.*
Received two boxcars this week.
CO-OP GRAIN CO.

OVERLY, N. DAK., *April 7, 1945.*
Received no boxcars the past week.
OSBORN MCMILLAN ELEVATOR CO.

MINTO, N. DAK., *April 7, 1945.*
Re your wire date Minto received no boxcars this week.
FARMERS CO-OP ELEVATOR CO.

STRASBURG, N. DAK., *April 7, 1945.*
Received three boxcars past week.
FARMERS ELEVATOR CO.

WEETHOPE, N. DAK., *April 7, 1945.*
Answering yours date received one boxcar this week.
FARMERS ELEVATOR CO.

FORMAN, N. DAK., *April 7, 1945.*
We received one boxcar this week.
FARMERS COOPERATIVE ELEVATOR CO.

GARDENA, N. DAK., *April 7, 1945.*
Your wire date. Received one boxcar this week.
OSBORNE MCMILLAN ELEVATOR.

KRAMER, N. DAK., *April 7, 1945.*
We had one boxcar this week.
KRAMER EQUITY ELEVATOR CO.

WATFORD CITY, N. DAK., *April 7, 1945.*
Re tel. One boxcar this month.
ST. ANTHONY & DAKOTA ELEVATOR CO.

That is the county seat of a county as large as some States. It received no box cars this month.

DEVILS LAKE, N. DAK., *April 7, 1945.*
Re tel date. No boxcars received this week.
FARMERS MILL AND ELEVATOR ASSOCIATION.

That is a town of 9,000 population, in the heart of the grain country. No boxcars were received this week

BLANCHARD, N. DAK., *April 7, 1945.*
Re tel only received two boxcars this week.
BLANCHARD FARMERS UNION GRAIN CO.

EPPING, N. DAK., *April 7, 1945.*
Received three boxcars this week.
FARMERS UNION GRAIN CO.

ANAMOOSE, N. DAK., *April 7, 1945.*
Received one boxcar this week.
FARMERS UNION GRAIN ASSOCIATION.

LIDGERWOOD, N. DAK., *April 7, 1945.*
Three boxcars received this week. This was more than received previous month.
FARMERS CO-OP ELEVATOR CO.

FLAXTON, N. DAK., *April 8, 1945.*
We have had three boxcars this week.
VICTORIA ELEVATOR CO.

BUXTON, N. DAK., *April 8, 1945.*
We have received two boxcars this week. Four since January 1. Line house, that usually handle one-fourth as much grain as we do, has received four cars in same period. Have been plugged on oats and barley for several weeks. Large volume of farm storage that will not move in time for next crop unless cars start coming through. Will greatly appreciate anything you can do to relieve this situation.
FARMERS UNION ELEVATOR CO.

TUNBRIDGE, N. DAK., *April 8, 1945.*
I received one boxcar last week.
FARMERS COOP ELEVATOR CO.,
BENNIE SOLLIN, *Manager.*

DOUGLAS, N. DAK., *April 8, 1945.*
Received 1 car last week. Total of 8 cars in 3 months. Need over 100 cars to move last year's crop which is still on hand.
DOUGLAS FARMERS ELEVATOR CO.

Of course, that means the farmers still have it around there, Mr. President.

WOODWORTH, N. DAK., *April 8, 1945.*
Retel received one grain box March 29, no other since that date. Orders for grain cars filed since January 26 are unfilled.
M. D. SORENSON ELEVATOR.

TIOGA, N. DAK., *April 8, 1945.*
Received 3 cars past week, need 20 cars at once.
E. O. DICKINSON GRAIN CO.

HETTINGER, N. DAK., *April 9, 1945.*
Received 7 cars during March, 4 cars this week. Need 30 cars next 3 weeks.
P. E. KNUDSON MILL & ELEVATOR.

If he wants 30 boxcars in the next 3 weeks he will have to get them back from Ethiopia, north Africa, Paris, or somewhere else.

CHURCHS FERRY, N. DAK., *April 8, 1945.*
Six boxcars ordered since February 22, not filled. Ordered 6 more for next week.
FARMERS CO-OP ASSOCIATION.

Well, that gentleman is very optimistic. He has ordered six boxcars since February 22, and has not received them yet, so he has ordered six more for next week.

EMRICK, N. DAK., *April 8, 1945.*
Have not received any grain box since March 31. Account scarcity of grain box we have even got down to loading gondolas with wheat. Farmers' granaries so full they are unable to find room to clean their grain. Both of our elevators are blocked. Please do all you can to alleviate this situation.
CYRUS CLOUGH.

TOLLEY, N. DAK., *April 8, 1945.*
No boxcars received the past week.
TOLLEY GRAIN GROWERS ASSOCIATION.

FOREST RIVER, N. DAK., *April 8, 1945.*
Re tel had only one boxcar during last 22 days.
FARMERS ELEVATOR CO.

BELFIELD, N. DAK., *April 8, 1945.*
Received three boxcars past week four other cars since January 26.
OCCIDENT ELEVATOR CO.

LEONARD, D. DAK., *April 8, 1945.*
Received one boxcar for grain loading this week.
PEAVEY ELEVATORS.

DICKINSON, N. DAK., *April 7, 1945.*
Two boxcars received this week.
OCCIDENT ELEVATOR.

NEW ENGLAND, N. DAK., *April 7, 1945.*
Received three boxcars past week.
OSBORNE MCMILLAN ELEVATOR CO.

NEW ENGLAND, N. DAK., *April 7, 1945.*
No boxcars received this week.
BEULAH FARMERS UNION ELEVATOR.

ZAP, N. DAK., *April 7, 1945.*
Received last grain box March 24.
FARMERS CO-OP. CO.

WYNDMERE, N. DAK., *April 7, 1945.*
Have not had any boxcars since March 30.
MOSELLE ELEVATOR CO.

ROCKLAKE, N. DAK., *April 7, 1945.*
Have received no boxcars this week. Something must be done to move this grain soon.
CROCUS FARMERS' UNION ELEVATOR CO.,
Crocus, N. Dak.

THELAN, N. DAK., *April 7, 1945.*
Received no boxcars this week.
OCCIDENT ELEVATOR.

MAX, N. DAK., *April 7, 1945.*
We have not received any grain boxes since February 12.
MAX GRAIN CO.

CROSBY, N. DAK., *April 7, 1945.*
This week two cars. Thank you.
OSBORNE MCMILLIAN ELEVATOR CO.

BEACH, N. DAK., *April 7, 1945.*
No cars this week up to 5 p. m. today.
BEACH COOPERATIVE GRAIN CO.

MAX, N. DAK., *April 7, 1945.*
Our elevator has been plugged since mid-January. Have received following number of cars since January, 5; February, 2; March, 5; April, 1.
EQUITY FARMERS' ELEVATOR CO.

PAGE, N. DAK., *April 7, 1945.*
Received no grain cars this week.
PAGE ELEVATOR CO.

BAKER, N. DAK., *April 7, 1945.*
Our last boxcar was received March 22.
FARMERS UNION CO-OP ELEVATOR CO.

ENDERLIN, N. DAK., *April 7, 1945.*
Received two cars this week.
ENDERLIN FARMERS ELEVATOR CO.

MAYVILLE, N. DAK., *April 7, 1945.*
None this week.
MAYVILLE GRAIN CO.

BRADDOCK, N. DAK., *April 7, 1945.*
We haven't had a boxcar since March 21.
P. W. BERKHOLTZ ELEVATOR CO.

MCVILLE, N. DAK., *April 7, 1945.*
Received no repeat, no boxcars this week.
MCVILLE EQUITY ELEVATOR & TRADING CO.

BRISBANE, N. DAK., *April 7, 1945.*
Received two boxcars the past week.
OSBORNE MCMILLAN ELEVATOR CO.

DAZEY, N. DAK., *April 7, 1945.*
Received only one grain box this week.
PEAVEY ELEVATOR CO.

HARLOW, N. DAK., *April 7, 1945.*
Received no boxcars this week. Ordered eight.
OSBORNE MCMILLAN ELEVATOR CO.

He ordered eight, but received none.

MOHALL, N. DAK., *April 7, 1945.*
One boxcar received this week.
AUTH INDEPENDENT ELEVATOR.

SHEYENNE N. DAK., *April 7, 1945.*
Received 3 cars this week and need 40 more for wet grain at once.
EQUITY ELEVATOR AND TRADING CO.

Of course, Mr. President, if they do not get them the grain will spoil, and either the farmers who produced the grain will lose it or, if they have sold it to the elevator company, the elevator company will lose it; and inasmuch as the elevator is a local cooperative concern, the farmers around there who put in their crop last year will lose it.

HARLOW N. DAK., *April 7, 1945.*
Received no boxcars this month; have ordered 35 cars.
FARMERS UNION CO-OP ELEVATOR CO.

LIGNITE, N. DAK., *April 7, 1945.*
We got four cars this week.
AGENT STA AND DAKOTA ELEVATOR CO.

BARTON, N. DAK., *April 7, 1945.*
One boxcar this week. Total of four since January 1.
BARTON INDEPENDENT ELEVATOR CO.

CAVALIER N. DAK., *April 7, 1945.*
Blocked on all grains. Got one car this week.
FARMERS CO-OP ELEVATOR CO.

ELDRIDGE, N. DAK., *April 7, 1945.*
Received one the 3d.
FARMERS UNION CO-OP ELEVATOR CO.

WAHPETON, N. DAK., *April 7, 1945.*
We have no boxcars this week.
PEAVEY ELEVATOR.

ENDERLIN, N. DAK., *April 7, 1945.*
Received one car.
OSBORNE MCMILLAN ELEVATOR CO.

NORMA, N. DAK., *April 7, 1945.*
Your message date received 1 boxcar this week, elevator blocked, have 28 cars ordered now.
FARMERS CO-OP ELEVATOR CO.

MARION, N. DAK., *April 7, 1945.*
One grain car received this month. Four elevators blocked.
MARION EQUITY ELEVATOR.

HORACE, N. DAK., *April 7, 1945.*
Last boxcar received January 10.
FARMERS ELEVATOR CO.

That telegram is from Horace, Mr. President, almost in the middle of the Red River Valley, a farming community in its entirety, and we learn that it has not received a boxcar since January 10.

MCCLUSKY, N. DAK., *Apr. 7, 1945.*
Received four cars this week. Including one at Picardsville.
MCCLUSKEY FARMERS ELEVATOR.

BLABON, N. DAK., *April 7, 1945.*
Received one boxcar, four gondolas this week.
INTERNATIONAL ELEVATOR CO.

They, too, are shipping their wheat in coal cars.

I see that my distinguished colleague, the Senator from Nebraska, has returned to the floor of the Senate. Let me inform him that the people in his State are not the only ones who ship their grain in cement cars, because the telegram I hold in my hand reads as follows:

MAYVILLE, N. DAK., *April 7, 1945.*
Loaded one machine car and one cement car that went empty at Mayville.
FARMERS COOPERATIVE ELEVATOR CO.

NORMA, N. DAK., *April 7, 1945.*
Your message date received. One boxcar this week. Elevator blocked. Have 19 cars orders now.
OSBORN MCMILLAN ELEVATOR CO.

BERWICK, N. DAK., *April 7, 1495.*
Re your telegram, received one boxcar this week.
ST. ANTHONY & DAKOTA ELEVATOR.

HAGUE, N. DAK., *April 7, 1945.*
Received one boxcar during this week.
OSBORNE MCMILLAN ELEVATOR CO.

STEELE, N. DAK., *April 7, 1945.*
Have received one car this week.
FARMERS UNION ELEVATOR CO.

STEELE, N. DAK., *April 7, 1945.*
Have received two cars this week.
OCCIDENT ELEVATOR.

AUBURN, N. DAK., *April 7, 1945.*
Received one boxcar this week.
AUBURN FARMERS ELEVATOR CO.

FAIRMOUNT, N. DAK., *April 7, 1945.*
No grain cars received this week.
VICTORIA ELEVATOR CO.

TOWNER, N. DAK., *April 7, 1945.*
We have had two cars this week.
FARMERS ELEVATOR CO.

MILTON, N. DAK., *April 7, 1945.*
Have had no cars since March 10, and only two in March.
FARMERS CO-OP ELEVATOR CO.

ZEELAND, N. DAK., *April 7, 1945.*
We need boxcars in this territory. There is a lot of grain to be moved; some wheat beginning to heat; so will you please see what you can do about it?
ZEELAND FARMERS UNION
CO-OP ASSOCIATION.

FREDONIA, N. DAK., *April 7, 1945.*
Highly appreciate your inquiry. First week of April we had one car; same was unloaded at this station. We are always blocked, and could use 10 to 12 cars a week for some time.
FARMERS CO-OP ELEVATOR CO.

FULLERTON, N. DAK., *April 7, 1945.*
No boxcars since March 21. Elevator blocked. Farmers holding thousands bushels on farms.
FARMERS ELEVATOR CO.,
S. O. FRIEND, *Manager.*

HARVEY, N. DAK., *April 7, 1945.*
Received two boxcars this week and two boxcars during the month of March.
OSBORNE MCMILLAN ELEVATOR CO.,
L. A. BERDAHL, *Agent.*

RYDER, N. DAK., *April 7, 1945.*
Boxcar situation serious. Wheat spoiling. Use your influence. Get us cars from eastern roads for grain movement in North Dakota. Received one boxcar this week.
RYDER FARMERS UNION ELEVATOR,
R. G. MILLER.

Well, Mr. President, that is what I am trying to do today. I see the distinguished majority leader in the Senate Chamber, and I am trying to use my influence with him. I am reading these telegrams in order to bring the situation to his attention.

Mr. BARKLEY. Mr. President——

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from North Dakota yield to the Senator from Kentucky?

Mr. LANGER. I yield.

Mr. BARKLEY. I may say to the Senator from North Dakota that I myself am not in the boxcar business.

Mr. LANGER. The Senator may not be in the boxcar business, but there sits the man who presided in very fine fashion over the Democratic National Convention 4 years ago.

Mr. BARKLEY. We did not even have any boxcars out there. [Laughter.]

Mr. LANGER. Well, Mr. President, to whom can a Senator of the minority go, if not to the majority leader, the Democratic manager on the other side of the aisle?

Mr. BARKLEY. If the Senator will point out to me any railroad president or railroad general manager with whom I have any influence in connection with the distribution of boxcars, of course, I shall be glad to render any service I can. But I do not know of any such individual or any such railroad or any such official with whom I have any influence.

The Senator has been reading a number of telegrams, evidently in reply to messages he has sent to people in his State asking how many boxcars they have had within a given period. I imagine many of us could send telegrams to our States asking how many boxcars the people there have received for certain purposes within the last year or two; and if we did so I suppose we would find that there is a shortage of boxcars on all the railroads, due to war conditions, because of the priority of shipments for war purposes. I do not think the particular telegrams the Senator from North Dakota has been reading shed any light which would show that the situation in North Dakota is different from that which may exist in other parts of the country.

But if I had a boxcar, I will say to the Senator, I would let him have it.

Mr. LANGER. Mr. President, I am glad the the distinguished majority leader made that speech.

I hold in my hand telegrams which have come to me, and which were received long before I sent out the telegrams to which reference has been made. I want the majority leader to know that I did not invite the sending of these telegrams. I have received many telegrams. Here is a sample of them:

MEDINA, N. DAK., *April 7, 1945.*
Get in touch with Interstate Commerce Committee Chairman WHEELER on boxcar situation. Must have more empty boxcars in Northwest States to move wet grain stored in elevators and farms to market to avoid heavy spoilage and warehouse space must be made available to handle the increased production farmers are being called to produce in 1945.
MEDINA FARMERS UNION GRAIN CO.
F. L. RUDOLP, *Manager.*

Here is another telegram:

TOLNA, N. DAK., *April 7, 1945.*
We need cars; we ask you to do all in your power to have more empty cars diverted from East to this section of the country so grain can be moved and not have to lay in storage and spoil as some has very high moisture content.
TOLNA FARMERS UNION ELEVATOR,
F. T. PATTERSON.

Here is a telegram from Reynolds, N. Dak.

We call your attention to critical boxcar shortage throughout Northwest. Our eleva-

tor ordered cars in December. To date we have received one car. We have had to turn away thousands bushels of grain because elevator is blocked, causing financial loss to farmers and ourselves, besides our loss of prestige. Hundreds other elevators blocked. Thousands and thousands bushels in farm storage. Farmers clamoring for chance to deliver. Urge you contact Senator WHEELER, chairman of Interstate Commerce Committee, insisting cars be moved from eastern to western roads.

REYNOLDS CO-OP ASSOCIATION,
C. PETER HAUGEN,
Secretary-Treasury.

And so forth. I have the remainder of the telegrams before me, Mr. President. If the distinguished majority leader wants me to read them I shall be glad to read them into the RECORD. I have received approximately 40 or 50 such telegrams.

Mr. President, who is to blame for the situation about which complaints are being made?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LANGER. I will yield in a moment. I wish to invite the attention of the distinguished majority leader to the fact that a year and a half ago I submitted Senate Resolution 105. A hearing was held on it before the Interstate Commerce Committee, and witnesses from various States were present. At that time we warned those who were handling lend-lease that the situation would become more serious. We told them that we needed boxcars and locomotives in the United States, and that we needed farm machinery. Apparently it did no good for us to talk, as will be shown by a record which I hold in my hand and which I received only last Saturday. The excuse was given that in Buffalo, for example, in the northeastern part of the United States there had been an unprecedented fall of snow. I have letters from men who were handling the situation there. They said that just as soon as the snow melted they would see that thousands of cars were sent to the Northwest. That was in January.

Mr. BARKLEY. Who made that statement?

Mr. LANGER. Mr. Black, of the O. D. T. He wrote me the letter and made the statement. The statement was corroborated by the junior Senator from New York [Mr. MEAD], who lives in Buffalo. He told me that there had been an unprecedented snowstorm in the locality surrounding Buffalo, and that that condition might have accounted for the delay in sending cars to the Northwest.

Mr. President, what does the record show? In January, when we were told that cars were snowed in in New York State and the surrounding locality, a thousand and seventy cars were sent over the Soo line to North Dakota. In February only 624 were sent. In March, after the snow had been melted for a long time, only 871 cars were sent, or approximately 200 fewer cars than had been sent in January.

The situation is serious to the farmers of my State. It is just as serious to them as would be the situation to the people of Connecticut if industry there should stop entirely because of strikes. When boxcars do not come into North Dakota the situation is serious. The farmers there cannot have brought into the State necessary seed grain, and they have not had an opportunity to clean their grain.

I want the distinguished majority leader to know that I have before me approximately 40 or 50 telegrams, and it becomes important to do something about the complaints which are set forth in those telegrams. Most of the complaints are signed by farmer union elevators.

When I submitted Senate Resolution 105 it was said that one man was stirring up all this trouble. Therefore I got in touch with the senior Senator from Illinois [Mr. LUCAS]. I told him that I wanted to be certain that it would be all right to make an inquiry. He is the chairman of the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. BARKLEY. Mr. President, the reason I suggested that these messages were in reply to inquiries or telegrams which had been sent by the Senator from North Dakota was that in many of the telegrams which were read by the Senator the language began with the words in effect, "In reply to your message" or "in reply to your telegram."

Mr. LANGER. The Senator is correct.

Mr. BARKLEY. I assumed that those telegrams had been received by the Senator in reply to telegrams which he had sent to various persons.

Mr. President, I am not undertaking to condone the shortage of cars. We all know that the railroads of this country have been burdened beyond all precedent in the transportation of war materials. We all know that the transportation of war materials and all forms of munitions was given a certain priority. It was necessary to do so. There was no way to avoid it. I do not suppose there is any greater proportionate shortage of boxcars in the State of the Senator from North Dakota than there is in my own State or in other States. All of us would like to have as many boxcars as we could get. But we all know the situation. I do not think it is quite fair to the railroad companies of the country, and to the O. D. T., which is really operated from the Interstate Commerce Commission, which has a reputation of being a body of fair-minded men, to criticize them for the absence of boxcars in certain localities of the country. The head of the O. D. T. is one of the members of the Interstate Commerce Commission. The O. D. T. not only has control over the allocation and distribution of boxcars and engines, but over trucks, busses, and other forms of transportation. It is inconceivable to me that the O. D. T., composed in part of the personnel of the Interstate Commerce Commission, should single out the State of North Dakota and discriminate against it. We all know there is a shortage of railroad transportation. The shortage is due to war conditions. In view of that fact I think the railroads are entitled to have it said that on the whole they have done one of the most magnificent jobs ever done in the history of the United States in serving the people of this country in the midst of the war. Twenty-five years ago it was necessary for the Government to take charge of the railroads and operate them, because, in a sense, they had broken down. So far during the present war the Government has not been required to take over the railroads. The railroads have increased their rolling stock as much as they could under the circumstances. The fact that an unusually large percentage of their rolling stock has been used in the transportation of war materials is something that could not be avoided. The condition to which the Senator has referred as existing in his own State might be multiplied more or less by many similar situations in various parts of the country. They are due to war conditions.

Mr. LANGER. Mr. President, I myself said to the Senator on the 26th day of November 1943, when we tried to get the railroad men an 8-cent-an-hour increase in their pay, that they were deserving of the increase. Nothing that he can now say in praise of the railroads, or railroad labor, could be in addition to what I said on the occasion to which I have referred. However, he apparently was absent from the Chamber for a while, because he has not grasped the point of my remarks. I am not criticizing the railroads; I am not criticizing the O. D. T. I am saying that I voted against the extension of lend-lease a year ago, and I shall vote against it again unless farm implements, boxcars, and locomotives are excluded. I have no objection to munitions, tanks, and guns being sent to our allies, but in my hand I hold the report of Mr. Crowley——

Mr. WHERRY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Nebraska?

Mr. LANGER. I yield.

Mr. WHERRY. Commenting upon the remarks of the distinguished Senator from Kentucky [Mr. BARKLEY], I should like to say for the benefit of the RECORD and also for the benefit of Senators who are present that I have been closely associated with other Midwestern Senators, including the Senator from Kansas [Mr. REED], the Senator from Montana [Mr. WHEELER], the Senator from North Dakota [Mr. LANGER], and practically all the Senators from the corn belt, in an effort to relieve the situation which has arisen, starting as early as last December, relative to the shortage of boxcars.

What the distinguished and most respected majority leader says is absolutely true. The shortage of boxcars presents one of the most acute situations ever known, I presume, in the history of the country. Yet the condition suggested by the Senator from Kentucky is not the only one which has brought about the faulty distribution of boxcars from one railroad to another, and from one section of the country to another. If the majority leader will take the time

to examine the exhibits which have been placed in the RECORD for months by the distinguished Senator from Kansas, I am satisfied he will find that the New England railroads—I include them all, but I think the New York, the New Haven & Hartford has been the worst violator—have had, at times, 360 percent more boxcars than they owned. It is true that they do not own as many boxcars in proportion to what they use, as do other railroads throughout the country, but the large number of boxcars in New England is unusual.

Every Senator is familiar with the reason given, which was the terrific snowstorms which prevailed throughout New England. As the Senator will remember, when he came back here recently he made a statement about that on the floor of the Senate. I went with the distinguished Senator from North Dakota and the Senator from Kansas to see the officials of the Office of Defense Transportation, particularly those in charge of the boxcar situation, and they definitely told us at that time that they expected the situation to change for the better; in fact, they told the Senator from Kansas that they would have 1,600 boxcars moving to the West daily within a certain time, and if they did that the western Senators would be satisfied. The largest number they moved throughout the Middle West on the different railroads was about 1,200 boxcars. Certainly the storm situation has passed in New England; the acute situation has long since been relieved, for it has been nearly 2 months since the heavy snowfalls, and yet the most unfavorable report which has been given to us about the eastern roads and the boxcar shortage was presented last month, thus showing a continued bad situation.

I want to proceed constructively, I will say to the distinguished majority leader, the Senator from Kentucky, because we are receiving daily from all over the Midwest—from farmers there, our constituents—letters and telegrams which are worded practically the same as the telegrams the distinguished Senator from North Dakota has read here this afternoon.

I think the situation is probably a little more acute in Nebraska even than it is in North Dakota because of the fact that we have on the ground 100,000,000 bushels of corn, which is damp, which has a high-moisture content, and which is likely to spoil, and boxcars are desperately needed. It is one thing to get boxcars to transport good grain, but it is another thing to get them so as to ship the good grain and send the spoiled grain to the drier, so that the corn can be saved for the production of meat.

I do not want to burden the Senate with too lengthy a statement; but I should like to ask permission to read a letter from my own home town, which I think summarizes the hundreds of telegrams and letters I could put into the RECORD, most of which I have turned over to the Senator from Kansas, by the way, because I understood that he would probably get something done about this matter without undertaking an investigation.

Here is a letter which is typical of the letters that come from my State. It is dated April 4, 1945, and is addressed to me personally:

DEAR KENNETH: Thousands of bushels of corn will be lost in southeastern Nebraska in a very short time if railroad boxcars are not made available to move last year's crop to market.

Much corn is still in the open on farms, and today every elevator in Pawnee County is completely filled, with no cars obtainable for loading. This condition has been unchanged for 3 months and the railroads tell us that it will not change.

That statement that there is no chance that the condition may change deeply impresses me.

Terminal grain interests inform me that they have appealed to the Interstate Commerce Commission but they have refused to intervene and alter the present set-up.

Of course the Interstate Commerce Commission has a very forceful argument because as the distinguished majority leader has said there has been a need for priority of boxcars to transport munitions of war and equipment of war to our fighting forces. So we do not want to be arbitrary about that particular phase of the argument.

The carriers contend that their cars are in the east and that eastern users are refusing to release the cars for movement back to the Midwest.

I think that is something that should be very forcefully brought to the attention of Senators. The eastern lines are using these cars and not releasing them, as they should, when they have fulfilled the mission for which priority was granted. The cars ought to go back to the railroads which own them so they can fulfill the needs of the local communities which those railroads serve. I wanted to bring that point to the attention of the distinguished Senator from North Dakota. I think these cars should be sent to the railroads that own them if and when the eastern railroads have unloaded their cargoes and the priority for the particular equipment and munitions because of which they got the cars has been fulfilled. It looks to me as if they are simply borrowing and keeping the cars, to the loss of the farmers of Nebraska and other States who need them in order to ship their corn.

One more thing in the letter which I hope the Senator from North Dakota will discuss—he has already mentioned it, but I hope he will dwell on it some what—is this:

Anything that you can do or any influence which you might have that will result in some grain boxes coming this way will certainly be a job well done for Nebraska farmers and a big lot of good corn can be saved from imminent spoilage. This situation is really serious and the remedy must be urgent.

We are lending money through 20 agricultural agencies to increase food production. We have loaned millions of dollars to the farmers through the Farm Security Administration; we have loaned through other agencies so that the farmers could put in crops on an incentive basis in order that we might provide food for our armed forces, our civilian population, and our allies.

I do not want to wear out my welcome with my friends on the floor of the Senate, but I want to say once again that in Nebraska we have corn that is spoiling. All we can do with it is either to send it to be dried so as to prevent spoilage else put it in the feed lot and feed our cattle so as to produce meat. I have made it clear to the Senate that cattle feeders are not putting feeders in their feed lots, our only hope for this corn crop, which has been financed privately and also by Government agencies, is to save it before it spoils.

In a few days, in my section of the country, where the corn is simply racked up in open cribs, it will spoil, and a great loss will be suffered, not only by individuals, but by the Government.

I earnestly endorse the resolution submitted by the distinguished Senator from Kansas, and I really believe it is high time that something be done to see that the boxcars which are now being kept in the East by some of the railroads, after they have fulfilled their mission of transporting munitions and equipment, are returned to the Midwest, so that we can ship the grain, which will spoil if we cannot get it to the elevators and dry it, and it can be sent on its way. I hope the distinguished Senator from North Dakota, before he takes his seat, will give his experience regarding the spoilage of grain. To me, Mr. President, the situation seems very unusual. It is not merely a question of getting boxcars so that a farmer can sell his grain, it is a question of getting boxcars so that they can ship grain which will otherwise spoil. It is an unusual situation, different from the one to be found in seasonal times of the year, when there is much grain ready to be sent to the market.

Before I take my seat I should like to call the attention of the distinguished Senator from North Dakota, as well as the majority leader, and especially of the senior Senator from Ohio, as I have already done privately, to the fact that I think the language on page 3 of the bill will have to be gone over more thoroughly and suggested amendments made, if we are to have a bill which will do what I think the authors of the bill intended to accomplish. I think the language on page 3, starting with section 2, is contradictory, and I suggest that the Senator from Ohio might discuss it, because I feel it would not accomplish the purpose which is intended.

Mr. TAFT. If the Senator from North Dakota will yield, I may say I intend to speak later on the question raised by the Senator from Nebraska, and I think perhaps I had better discuss the whole matter at one time.

Mr. BUTLER. Mr. President, will the Senator from North Dakota yield?

Mr. LANGER. I yield.

Mr. BUTLER. I desire to take just a moment to make an observation about the latest available reports—and I think the Senator from North Dakota has the volume in his hand—showing that $120,000,000 of the appropriation for the French loan will be expended for boxcars. There are only so many boxcars which can be made in the United States and every plant is working to full capacity, and has been throughout the war,

not making boxcars only, but other things essential to the war effort.

Regardless of what the provision is for furnishing railway equipment to the French under the lend-lease deal, which has not yet been completed, indeed, it has scarcely started, it appears, from looking over the reports made in the last few days—and I shall quote the figures from one or two reports—that in one of our eastern ports there were 121 carloads of railway rolling equipment on hand, there were 239 carloads of steel, there were 614 carloads of automobiles, trucks, and parts, headed for the lend-lease territory.

At another port there were 206 carloads of railway equipment on hand not unloaded. The week of March 30 at one port there were 147 carloads of railway rolling equipment on hand billed to the British, but not unloaded. At another port there were 183 carloads of railway equipment billed to the British on lend-lease, but not unloaded.

The point I wish to stress is that we can make only so much. We have our own problems to solve, along with the problems of our allies abroad, and it seems to me but reasonable that a larger percentage of the output of the car manufacturers in America should be turned over to our own railroads until they can catch up and can have sufficient rolling stock and cars to take care of the business in this country.

Mr. BUTLER subsequently said: Mr. President, a moment ago, when the Senator from North Dakota [Mr. LANGER] was speaking, I was obtaining figures on the number of carloads of agricultural machinery booked for export and available on hand at the various ports of the United States for the week ending March 30. The figures are as follows:

Billed to the British Government: Road-building material and agricultural equipment, 90 carloads.

To the army, 278 carloads.

To the Russians on lend-lease, 44 carloads.

To other governments on lend-lease, 36 carloads.

For commercial use, 83 carloads.

That makes a total of 531 carloads of road-building and agricultural equipment which was on hand in ports for export during the week ending March 30, 1945. It proves that considerable farm machinery is being shipped abroad.

Mr. LANGER. Mr. President, I have in my hand the document mentioned by the distinguished Senator from Nebraska. It is the Department of State bulletin for March 4 last. As the distinguished Senator has said, the plants here are working to capacity on locomotives and railroad cars, at a time when four trains in North Dakota and Minnesota have already been taken off because the railroad has not the capacity to run them.

I wish to read a paragraph from the bulletin of the Department of State. This is what is going to be given to France:

> In addition to these supplies of materials provided under schedule 1 certain categories of long-lived capital goods will be provided under schedule 2 to enable France to produce and transport military equipment and other war goods for our combined forces. This will reduce the burden on our own output of such goods and will save vital shipping.
>
> These long-lived capital goods which have a war-connected use are to be supplied to the French, who agree to pay for them in full against 20 percent down payment, and the balance in equal annual installments, within not to exceed 30 years, with interest at 2¾ percent per annum.

The articles and services in schedule 2 and their estimated maximum cost are as follows:

Locomotives	$200,000,000
Railroad cars	140,000,000

Mr. President, if a farmer in this country wants to make a loan from the Federal Government on a first farm mortgage the Government asks 4½ or 5 or 5½ percent, but it is going to lend money to the farmers of France at 2¾ percent, and it is going to give them 30 years in which to pay.

During the last war I was attorney general of my State, and at that time President Wilson said, "Raise wheat. For God's sake raise wheat, because we have to have wheat for the Army which has to march on its belly. We must have food." The farmers of North Dakota broke up hundreds of thousands of acres of land in the western part of the State, where they knew they were taking desperate chances on a crop. They borrowed money to pay for the seed, and for feed, and they thought, of course, that if they did not obtain a crop, the Government would be lenient. But it was not that way at all. When the war was over the Government forgave the debts of England, it forgave the debts of one foreign country after another, but in North Dakota there is an imaginary line. On the one side are Manitoba and Saskatchewan, and on the other side is North Dakota. The land is alike. The Canadians were our allies. We fought the First World War together. But when the war was over the farmers of Manitoba and Saskatchewan had their debts canceled. In the United States the Government sued every farmer who did not pay.

We had hearing after hearing, since I came to Congress, before Governor Black. We said, "In heaven's name let there be some agency which can adjust the debt of a farmer who is destitute and broke." Could we get that kind of a bill through any committee? We had farmers here, we had here the head of our railroad commission, who had been a farmer before he became railroad commissioner. At one time we got a measure into the full Committee on Agriculture and Forestry, but they did not report it to the Senate.

What do we find today? If a man dies and leaves a wife and four or five little children, and he owed a seed and feed loan which amounted to over a thousand dollars, the Government would take the last dollar, put the widow in the poorhouse, and take every cent there was. It might break up the family, but the Government must take the last penny it can get. Across the line the farmers in Manitoba and Saskatchewan laugh at the farmers of North Dakota. They laugh at citizens of this country.

Mr. President, the sponsors of the pending bill have the audacity of doing the same thing all over again. They are going to give the French $200,000,000 worth of locomotives and $100,000,000 worth of boxcars while we do not have enough cars in America to move our own crops.

That is not all. What has been done about farm machinery? At a time when our farmers in the Northwest were begging for tractors and for combines, because they knew that in a few days the wind would come and the grain would shell out, at that time, in July and August, right by the doors of the farmers the railroads hauled cars of rubber-tired combines and tractors through the town of Portal under lend-lease into Canada.

Mr. President, I voted against the extension of lend-lease, and I am going to vote against it and am going to speak against it so long as I have any breath left in my body in order that the farmers of America may receive justice. It is absurd that under lend-lease such things should be going on.

The arguments originally advanced for lend-lease were that we were going to give munitions and guns and tanks to our allies. Nothing was said about farm machinery. It is absurd that our farm machinery should be sent under lend-lease. When I brought it to the attention of the proper officials, they said that only a little farm machinery was going to be sent, less than 2 percent. Then the figure was raised to 3 percent, and I saw a statement in a newspaper a few days ago that the figure was more than 4 percent. The report, however, says a trifle more than 3 percent.

I wish to call the attention of the Senate to testimony by Mr. Crowley in the hearings before the House committee, in which he defends the sending of farm machinery under lend-lease. A little chart was placed in front of the House committee. Chairman BLOOM asked:

> Are there any questions? Is farm machinery included in that blue area?
>
> Mr. WILLETT. No, sir. Farm machinery—

Senators, listen to this—

> Farm machinery is included in the industrial products group.

Imagine looking for farm machinery in the industrial products group. That is the last place one would look for it.

> Mr. CROWLEY. Well, now, be careful about that farm machinery.

Mr. Crowley saw that Mr. Willett apparently was not being frank with the committee, so he interjected:

> Well, now, be careful about that farm machinery. What do you mean by farm machinery?

That was asked by Mr. Crowley.

> Mr. WILLETT. There is a certain amount of farm machinery sent to the United Kingdom and north Africa, and a small amount is sent to Russia. The total is less than 3 percent of our total production since the beginning of lend-lease.

The day before Mr. Crowley himself, in a newspaper interview, had said it was 4½ percent roughly.

> Mr. JOHNSON. Three percent of what? I did not hear.
>
> Mr. WILLETT. The total value of farm machinery sent under lend-lease amounts to 3 percent of our total farm machinery production in the United States.
>
> Chairman BLOOM. Three percent of what?

No wonder he was puzzled.

> Mr. WILLETT. Of our total production of farm machines in the United States.

Chairman BLOOM. Oh, of the total production manufactured in this country?

Mr. WILLETT. That is right.

Mr. President, Representative A. L. MILLER, of Nebraska, went overseas to make an investigation. Every once in a while trips are taken by Representatives and Senators. Some people believe the trips do not amount to much. That, however, is not always true, because we find here an important statement by Representative MILLER of what he saw on his trip overseas. I might add that the Department of State denies the truth of Mr. MILLER's statement, and furnishes numerous explanations for what he says. I am sorry I did not have more time to prepare for this argument because the consideration of the bill came up unexpectedly and there was not a chance to prepare for it. My remarks are entirely extemporaneous. I had no time to prepare myself as the Senator from Michigan [Mr. VANDENBERG] did.

I read from page 167 of the hearings before the Committee on Foreign Affairs of the House, as follows:

REMARKS OF CONGRESSMAN A. L. MILLER, OF NEBRASKA, BEFORE THE FOREIGN AFFAIRS COMMITTEE

Mr. MILLER. Mr. Chairman, I desire to thank you for the invitation to appear before the Committee on Foreign Affairs and offer a few observations on lend-lease. I should like to also suggest an amendment to the act as it now exists.

I shall propose the same amendment to the bill before I get through. I continue to read:

I believe that lend-lease to our allies has been necessary. It does occur to me, however, that there have been many abuses and mistakes which should not be repeated.

Last September, when visiting in England, I had the experience of seeing thousands of tractors, plows, and discs, lend-lease equipment which we had sent to England, which was not being used.

Mr. President, that was at the very time when our farmers were praying for plows. If I can show Senators one telegram, I can show them 500 telegrams from farmers sent to me saying, "For heaven's sake, give us a plow, give us a binder, give us a harrow, or give us a disc."

I continue to read:

Last September, when visiting in England, I had the experience of seeing thousands of tractors, plows, and discs, lend-lease equipment which we had sent to England, which was not being used. I believe there were at least 640 acres packed tight with farm machinery.

Mr. President, 640 acres represents a field a mile long and a mile wide.

I believe there were at least 640 acres packed tight with farm machinery.

When I went home a year ago or so I held a hearing in the county of Hettinger, N. Dak., which is not one of our larger counties, and 400 farmers came to the hearing. They said they could not get farm machinery, they could not get repairs. The county agent testified that the year before in that one county the farmers had lost over $1,000,000 worth of flax and wheat because they did not have the machinery necessary to handle the crops. Yet while the farmers there could not get a binder, a combine, or a tractor, Representative MILLER says farm machinery was being sent across the seas, I suppose at the expense of the taxpayers of this country, and at least 640 acres were packed tight with farm machinery.

While inspecting this machinery which was new, 10 or 12 Army trucks came up to unload additional machinery. It is my understanding that the farm machinery and seed we sent to England made it possible for them to raise their own production from around 35 percent of their food needs to about 70 percent. It is my considered opinion, however, that we have shipped entirely too much farm machinery to England. We should not anticipate and meet the needs of the countries after this war is over, especially when our own farmers are suffering from lack of farm machinery.

It is my opinion that Congress should sharply cut the amounts of nonmilitary equipment being furnished under lend-lease. We are interested in winning this war. Our lend-lease equipment should be directly connected with the munitions and equipment of war.

That, Mr. President, I agree with. As I stated a little while ago, I propose to offer an amendment to the pending measure before it is voted upon.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. WHERRY. Did not the Senator recently, in company with other Senators, visit the Chairman of the War Production Board relative to the question of the farm-machinery requirement of this year, and the steel quotas?

Mr. LANGER. Yes.

Mr. WHERRY. It was my understanding, at the first meeting, that we would have the same quotas this year that we had last year. Is the Senator informed that within the past week an order has gone out from the Chairman of the War Production Board that the allotment of steel for these quotas is to be reduced 30 percent?

Mr. LANGER. I had not heard about it.

Mr. WHERRY. The directive has already gone out that the allotment of steel for farm machinery for this quarter will be reduced 30 percent from last year's quota. I wish to inform the distinguished Senator that I asked the Chairman of the War Production Board if it was the intention to reduce the amount of farm machinery for lend-lease, and he stated that the lend-lease quotas would be reduced in the same proportion as those of our own farmers.

With the directive reducing the amount of machinery 30 percent, with the shortage of labor on the farms, and the fact that we are furnishing 76 percent of the men on the western front, what does the Senator think will be the situation in respect to the production of food in this country on Midwest farms during the coming crop season, considering the shortage of machinery in addition to the other shortages, and in view of the further fact that 96,000 men a month are still being taken under the draft?

Mr. LANGER. The result can be only famine, as the Senator well knows, if that situation continues. Even the figures which the Senator has mentioned are deceiving. It is said that a certain amount of steel has been set aside for the production of farm machinery. That does not mean that the farm machinery has been produced. The record shows that 2 weeks ago the manufacturers were 30 percent behind in the amount of machinery they had promised to produce. Of course, the excuse they gave was lack of manpower.

Mr. BUTLER. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. BUTLER. A moment ago I interrupted the Senator from North Dakota to speak about the number of carloads of railway equipment on hand at ports awaiting shipment abroad. I have just looked over the last report which I have available, for the week ending March 30. Including all carloads for export—and that could mean only lend-lease, or for our own use abroad, most of it destined for lend-lease shipment to Britain and Russia—the total figures are as follows:

There were at our various ports during the week ending March 30, 24,795 carloads awaiting handling. During the week previous there were 5,634 cars unloaded. There were placed in storage—I do not know whether that means in cars, or in buildings alongside the tracks—a total of 3,549 cars.

In looking over the railroad reports for many weeks, it will be found that constantly there are approximately 25,000 carloads of merchandise for export, awaiting handling at the various ports in our country. With about 5,000 being handled each week that means that those representing our Government who are responsible for the movement of lend-lease material, as well as war materials, are moving them into the ports at a rate about five times the rate at which they can be handled. A car which is promptly unloaded will do 100 times the work of a car which is loaded and left on the track under load for a considerable period of time.

I mention this matter to illustrate that those who are responsible for the receipt and handling of this tremendous amount of material have allowed this condition to exist for many weeks, and perhaps it will continue to exist during many weeks to come. Cars which should be unloaded and returned to the country to take care of the situation about which the Senator from North Dakota has been speaking are left under load.

Mr. LANGER. I thank the Senator very much.

Mr. President, I should like to read a letter from one of the outstanding grain men of North Dakota, Mr. R. F. Gunkelman, of Grandin, N. Dak., in the middle of the Red River Valley. This man is an expert.

Your wire asking for the number of box cars we received this week came in late this afternoon. We have loaded 2 cars this week and 2 last week. We have 165,000 bushels of all grain on hand, and a lot of it out in the country farmers are anxious to deliver.

The population of this little town is approximately 500.

Since January 1, with the exception of eight empties received, we have loaded out only such cars as we have unloaded. The farmers have a lot of grain that they would like to redeem before April 30. But with the uncertainty as to shipping elevators are unable to redeem.

Because of the fact that the elevators cannot get boxcars, they cannot even redeem their Commodity Credit Corporation loans.

This car shortage is costing northwestern elevators and farmers a lot of money.

As example, we bought a lot of oats in January. We have not been able to get cars to move the oats.

Let me explain that. That means that the farmers brought in the oats. The farmers in that locality raised the oats and the elevators bought them in January.

We have not been able to get cars to move the oats. The May future has not been a hedge. Cash oats are dropping much faster than the May option. So every elevator that has cash oats on hand is taking a real licking. If our railroads serving this area had a reasonable percentage of their own cars on line they could furnish shippers a fair amount of cars.

That bears out exactly what the distinguished junior Senator from Nebraska [Mr. WHERRY] stated.

With the large amount of grain left in North Dakota as of April 1, unless we begin to get a fair amount of cars, we will have no place to put the new crop when it is harvested.

Mr. President, to show what the so-called experts do with their charts when they come before a committee, the experts had a chart before the House committee. I read from the hearings:

Chairman BLOOM. What does your chart show?

I know that both Senators from Nebraska will be interested in this testimony on farm machinery before the House committee.

Chairman BLOOM. What does your chart show?

Mr. COX. The chart shows the production in terms of billions of dollars of farm machinery, excluding crawler-type tractors, of just over $600,000,000 in 1945, and just over $200,000,000 in 1935, with a jagged curve between 1935 and 1945. That is under the "special statements" table in the third chart.

Mr. MUNDT. Have you translated those figures into terms of farm-machinery units?

Mr. COX. What kind of units?

Mr. MUNDT. Any kind of units.

Mr. COX. No. This is the value of over-all production. We can give you the breakdown by type.

Mr. MUNDT. I mean it is a very surprising and gratifying chart, if it is correct, as is indicated, that there is more farm machinery available now in this country than at any time since 1935.

Mr. CROWLEY. That is not our field, of course.

Mr. MUNDT. No; but that is your chart.

Mr. CROWLEY. The production of farm machinery is not under our jurisdiction.

Mr. MUNDT. I know, it is surprising, and we want to be sure this evidence is all accurate. I was just trying to check to be sure that there was not some element involved, such as the extra cost, which is now charged to make farm machinery.

There is the testimony. Of course, everyone knows we do not now have anywhere near as much farm machinery as we need.

Finally, Mr. President, I ask unanimous consent to have printed at this point in the RECORD as a part of my remarks a statement and table showing the amount of farm machinery which has been sent to other countries under lend-lease.

There being no objection, the statement and table were ordered to be printed in the RECORD, as follows:

EXPORTS OF FARM MACHINERY AND AMOUNT OF FOOD RECEIVED UNDER REVERSE LEND-LEASE

No farm machinery has been exported, to the present time, from the United States for the United Nations Relief and Rehabilitation Administration.

Total exports of farm machinery under lend-lease to all countries since the beginning of the program up to November 1, 1944, amounted to $53,600,000.

The total value of food received by the United States under reverse lend-lease and without payment by us is shown in the following table:

Country	End date	Value
United Kingdom	June 30, 1944	$48,904,086
Australia	Sept. 30, 1944	147,936,000
New Zealand	do	65,137,000
India	do	26,374,000
French North and West Africa	do	4,731,000
New Caledonia	do	180,000

The figures shown above for the United Kingdom do not include (*a*) the value of complete rations and bread furnished to United States forces in Britain; and (*b*) the value of foodstuffs furnished to United States forces in the British colonies, because figures for such issues are not presently available in Washington. The table does not include figures for Russia and the Netherlands West Indies for similar reasons.

Mr. LANGER. The table is to be found on page 40 of the hearings before the House committee. It shows that the total exports of farm machinery, under lend-lease, to all countries, since the beginning of the program on November 1, 1944, has amounted to $53,600,000 worth. That is what has been given away in the form of farm machinery.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Daniel
Austin	Guffey	O'Mahoney
Bailey	Gurney	Overton
Ball	Hart	Pepper
Bankhead	Hatch	Radcliffe
Barkley	Hawkes	Reed
Bilbo	Hayden	Revercomb
Brewster	Hickenlooper	Russell
Briggs	Hill	Saltonstall
Brooks	Hoey	Shipstead
Buck	Johnson, Calif.	Smith
Bushfield	Johnson, Colo.	Taft
Butler	Johnston, S. C.	Taylor
Byrd	La Follette	Thomas, Okla.
Capehart	Langer	Thomas, Utah
Capper	Lucas	Tobey
Chandler	McCarran	Tunnell
Chavez	McClellan	Tydings
Connally	McFarland	Vandenberg
Cordon	McKellar	Wagner
Donnell	McMahon	Walsh
Downey	Magnuson	Wheeler
Eastland	Millikin	Wherry
Ellender	Moore	White
Ferguson	Morse	Wiley
Fulbright	Murdock	Willis
George	Murray	Wilson
Gerry	Myers	

The PRESIDING OFFICER. Eighty-three Senators have answered to their names. A quorum is present.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a list of lend-lease appropriations which have been made up to the present time, as well as transfers authorized from other appropriations. I invite the attention of Senators to the list. I think the information which it contains is very valuable and should appear in the RECORD.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Lend-lease appropriations to the President

First lend-lease appropriation (Mar. 27, 1941)	$7,000,000,000
Second lend-lease appropriation (Oct. 28, 1941)	5,985,000,000
Third lend-lease appropriation (Mar. 5, 1942)	5,425,000,000
Fourth lend-lease appropriation (June 14, 1943)	6,273,629,000
Fifth lend-lease appropriation (June 30, 1944)	3,538,869,000
Total lend-lease appropriations to the President	28,222,498,000

As of Jan. 31, 1945, the status of this appropriation was as follows:

Allocated to departments	$27,763,098,563
Available for allocation	459,399,437
Obligated	23,957,788,743
Unobligated allocations	3,805,309,820
Disbursed	19,707,569,087
Unliquidated obligations	4,250,219,656

TRANSFERS AUTHORIZED FROM OTHER APPROPRIATIONS

Direct appropriations have been made to the War and Navy Departments and to the Maritime Commission for the procurement of items which are in the main common to the uses of our own armed forces and those of our allies. These items when produced can be used, in other words, by our own armed forces or those of our allies in the manner in which they can be most effective in defeating our common enemies. It is not until they are ready for distribution that they are allocated by the military experts in accordance with strategic needs. The appropriation acts in question authorize transfers to our allies up to stated amounts under the Lend-Lease Act. That does not mean that transfers up to the stated amounts have to or will necessarily be made. All that it means is that there is sufficient flexibility for the military experts to assign the supplies where they will do the most good in winning the war.

War Department:	
Third supplemental, 1942	$2,000,000,000
Fourth supplemental, 1942	4,000,000,000
Fifth supplemental, 1942	11,250,000,000
Sixth supplemental, 1942	2,220,000,000
Military Appropriation Act, 1943	12,700,000,000
Total, War Department	32,170,000,000
Navy Department: Second supplemental, 1943	3,000,000,000
Departments other than War: Third supplemental, 1942	800,000,000
Grand total	35,970,000,000
Grand total available for lend-lease	64,192,498,000

NOTE.—In addition to the foregoing, Congress has with certain limitations authorized the leasing of ships of the Navy and merchant ships constructed with funds appropriated to the Maritime Commission without any numerical limitation as to the dollar value or the number of such ships which may be so leased. (See, for example, Public Law 1, 78th Cong., approved February 19, 1943, and Public Law 11, 78th Cong., approved March 18, 1943.)

Total lend-lease aid to Jan. 31, 1945	$37,383,451,538
Principal departments furnishing lend-lease aid:	
War Department	17,256,541,297
Navy Department	6,115,116,143
Agriculture	4,978,398,496
Treasury	3,195,098,502

Foreign Economic Administration, analysis of appropriations, allocations, obligations, and disbursements under the Lend-Lease Act, as of Jan. 31, 1945

Appropriation title and department	Amount of appropriation	Allocations		Unallocated appropriations	Obligations		Unobligated allocations	Disbursements		Unliquidated obligations
		This month	To date		This month	To date		This month	To date	
I. DEFENSE AID SUPPLEMENTAL APPROPRIATION ACTS										
Ordnance and ordnance stores	$1,467,305,956.42									
Navy Department		$253,438.67	$527,767,551.04		[1] $1,332,156.67	$463,378,145.96	$61,389,405.08	$2,886,234.60	$382,545,773.09	$80,832,372.87
Treasury Department			47,420.08			47,417.41	2.67		47,417.41	
War Department			935,274,497.72		[1] 789,111.79	918,298,899.98	16,975,567.74	[1] 845,284.11	917,963,410.82	335,489.16
Total	1,467,305,956.42	253,438.67	1,463,089,438.84	$4,216,517.58	[1] 2,121,268.46	1,381,724,463.35	81,364,975.49	2,040,950.49	1,300,556,601.32	81,167,862.03
Aircraft and aeronautical material	2,484,624,933.84									
Navy Department		5,346,671.38	311,749,910.93		[1] 17,437.44	236,360,984.97	75,388,925.96	163,960.33	197,555,065.22	38,805,919.75
Department of Commerce (loan agencies, Reconstruction Finance Corporation)			500,000.00			500,000.00			500,000.00	
Treasury Department			5,317,485.76		20.00	5,217,401.97	100,083.79	245.50	5,216,975.65	426.32
War Department			2,161,810,338.96		[1] 3,486,293.95	2,123,425,962.63	38,384,376.33	288,822.31	1,998,255,314.20	125,170,648.43
Total	2,484,624,933.84	5,346,671.38	2,479,377,735.65	5,247,198.19	[1] 3,503,711.39	2,365,504,349.57	113,873,386.08	453,028.14	2,201,527,355.07	163,976,994.50
Tanks and other vehicles	739,272,940.26									
Navy Department			11,659.90			11,261.25	398.65		11,261.25	
Treasury Department		7,800,000.00	115,542,771.21		35,923,738.46	92,928,502.56	22,614,268.65	5,093,193.39	31,182,240.52	61,746,262.04
War Department			631,072,771.58		878,937.00	618,354,301.27	12,718,470.31	845,215.87	618,093,183.57	261,117.70
Total	739,272,940.26	7,800,000.00	746,627,202.69	[1] 7,354,262.43	36,802,675.46	711,294,065.08	35,333,137.61	5,938,409.26	649,286,685.34	62,007,379.74
Vessels and equipment for vessels	4,121,703,433.00									
Department of Commerce (loan agencies, Reconstruction Finance Corporation)		[1] 16,921.16	1,775,600.82		[1] 16,921.16	1,775,600.82		[1] 16,921.16	1,775,600.82	
Maritime Commission			630,638,788.46		10,000.00	620,333,277.98	10,305,510.48	6,187,557.11	531,144,484.29	89,188,793.69
Navy Department		20,331.20	810,810,084.55		[1] 81,610.93	743,670,758.58	67,139,325.97	1,163,419.42	625,531,916.00	118,138,842.58
Treasury Department			1,618,575.46		1,449.68	1,318,711.87	299,863.59	9,525.38	1,304,464.73	14,247.14
War Department			300,073.64			300,073.64			300,071.64	2.00
War Shipping Administration		253,900,000.00	2,651,927,025.54		168,066,001.31	2,479,787,908.30	172,139,027.24	73,330,393.71	1,213,737,815.35	1,266,050,182.95
Total	4,121,703,433.00	253,903,410.04	4,097,070,148.47	24,633,284.53	167,978,918.90	3,847,186,421.19	249,883,727.28	80,673,974.46	2,373,794,352.83	1,473,392,068.36
Miscellaneous military equipment, supplies and materials	304,288,140.58									
Executive Office of the President			250,000.00		[1] 3,117.40	246,882.60	3,117.40		97,859.14	149,023.46
Navy Department			23,258,850.60		[1] 514,657.51	10,046,803.10	13,212,047.50	[1] 411,444.17	9,969,935.67	76,867.43
Treasury Department			3,578,836.01		178.54	3,403,416.82	175,419.19	178.54	3,403,416.82	
War Department			273,474,145.06		[1] 29,944.98	254,659,639.05	18,814,506.01	[1] 498,793.14	252,429,202.36	2,230,436.69
Total	304,288,140.58		300,561,831.67	3,726,308.91	[1] 547,541.35	268,356,741.57	32,205,090.10	[1] 910,058.77	265,900,413.99	2,456,327.58
Facilities and equipment for production	1,087,688,106.72									
Department of Agriculture			5,165,000.00			4,556,360.66	608,639.34	22,556.05	4,102,387.06	453,973.60
Maritime Commission			71,000,000.00			68,176,900.05	2,823,099.95	[1] 55,435.58	65,736,957.78	2,439,942.27
Navy Department			109,677,106.00		4.17	105,873,808.87	3,803,357.13	282,769.07	79,805,986.83	26,067,822.04
Treasury Department			131,288,022.32		129,055.39	119,565,132.08	11,722,890.24	266,124.04	113,319,460.00	6,245,672.08
War Department			769,778,502.17		[1] 451,446.56	758,711,878.04	11,066,624.13	2,084,224.21	750,022,854.29	8,689,023.75
Total	1,087,688,106.72		1,086,908,690.49	779,416.23	[1] 322,387.00	1,056,884,079.70	30,024,610.79	2,600,237.79	1,012,987,645.96	43,896,433.74
Agricultural, industrial, and other commodities and articles	16,680,588,589.18									
Department of Agriculture		312,143,250.00	7,793,737,869.00		216,205,591.98	6,816,652,917.43	977,084,951.57	112,214,042.60	5,473,322,761.06	1,343,330,156.37
Maritime Commission			20,973,858.24			20,973,858.24			20,973,858.24	
Navy Department		315,007,246.56	2,371,807,880.60		83,036,915.18	1,663,612,112.29	708,195,768.31	106,134,170.63	1,643,747,079.39	19,865,032.90
Treasury Department		21,061,090.00	5,491,745,921.55		101,407,381.46	4,277,874,554.36	1,213,871,367.19	97,868,672.88	3,597,094,496.50	680,780,057.86
Office of the Secretary		14,505,334.39	188,223,143.09		14,505,334.39	188,202,024.99	21,118.10	14,222,222.22	187,723,486.32	478,538.67
War Department		[1] 18,236,783.00	338,400,700.40		27,351,247.14	238,882,017.55	99,518,682.85	3,444,302.94	152,133,199.01	86,748,818.54
War Shipping Administration			103,718,664.76			97,380,815.47	6,337,849.29		26,512,609.85	70,868,205.62
Federal Public Housing Authority		6,500,000.00	56,500,000.00		3,726,579.90	3,726,579.90	52,773,420.10			3,726,579.90
Total	16,680,588,589.18	650,980,137.95	16,365,108,037.64	315,480,551.54	446,233,050.05	13,307,304,880.23	3,057,803,157.41	333,883,441.27	11,101,507,490.37	2,205,797,389.86
Servicing of defense articles	790,817,900.00									
Maritime Commission			88,722,520.94		[1] 4,498,029.98	51,933,958.62	36,788,562.32	766,713.50	45,220,070.22	6,713,888.40
Navy Department			118,001,061.00		[1] 903,112.64	100,860,032.05	17,141,028.95	[1] 308,777.90	96,767,081.85	4,092,950.20
War Department			17,312,630.42		[1] 6,336.81	16,846,404.10	466,226.32	137,983.45	14,886,350.79	1,960,053.31
War Shipping Administration			533,430,979.06		10,196,538.66	474,834,767.60	58,596,211.46	8,673,396.82	307,326,153.24	167,508,614.36
Total	790,817,900.00		757,467,191.42	33,350,708.58	4,789,059.23	644,475,162.37	112,992,029.05	9,269,315.87	464,199,656.10	180,275,506.27

[1] Credit.

Foreign Economic Administration, analysis of appropriations, allocations, obligations, and disbursements under the Lend-Lease Act, as of Jan. 31, 1945—Continued

Appropriation title and department	Amount of appropriation	Allocations		Unallocated appropriations	Obligations		Unobligated allocations	Disbursements		Unliquidated obligations
		This month	To date		This month	To date		This month	To date	
I. DEFENSE AID SUPPLEMENTAL APPROPRIATION ACTS—con.										
Miscellaneous services and expenses	$500,000,000.00				$13,264.17	$8,661,401.51	$14,595,110.57	$155,013.27	$5,360,651.82	$3,300,749.69
Department of Agriculture		$34,000.00	$23,256,512.08		[1] 106,817.42	13,252,502.50	2,213,794.41	27,155.33	10,464,339.10	2,788,163.40
Executive Office of the President		11,667.45	15,471,296.91		50.00	181,509.09	284,490.91	22.22	151,688.09	29,821.00
Federal Security Agency			436,000.00		1,309.54	392,927.43	107,072.57	1,309.54	279,132.81	113,794.62
Federal Works Agency			500,000.00		316.92	9,757.19	242.81	1,674.98	9,718.77	38.42
Department of the Interior			10,000.00			255,563.62			255,563.62	
Maritime Commission			255,563.62		[1] 287,385.73	33,240,140.82	8,127,059.18	159,048.69	24,440,918.71	8,829,222.11
Navy Department		3,835,000.00	41,407,200.00			390,083.80			390,083.80	
Department of State			390,083.80		2,444,357.74	55,432,988.04	18,895,308.81	2,359,915.78	50,172,599.55	5,260,388.49
Treasury Department		12,480,009.00	74,323,296.85		[1] 1,946,274.65	212,480,937.32	38,976,805.51	[1] 388.45	196,983,281.57	15,497,655.75
War Department		5,000.00	251,457,742.83		[1] 304,620.75	7,572,210.00	7,477,780.00	[1] 215,520.99	6,646,500.29	925,709.71
War Shipping Administration		[1] 10,000,000.00	15,050,000.00							
Total	500,000,000.00	6,365,667.45	422,592,696.09	$77,407,303.91	[1] 185,800.18	331,910,021.32	90,682,674.77	2,488,230.37	295,154,478.13	36,755,543.19
Administrative expenses	33,208,000.00				255,777.22	11,332,468.27	500,928.73	261,739.65	11,058,533.17	273,935.10
Department of Agriculture		746,250.00	11,833,397.00		4.29	432,533.58	1,966.42	4.29	425,682.73	6,850.85
Department of Commerce (Census)			434,500.00		6.85	4,230,176.91	255,995.63	23.33	4,216,492.97	13,683.94
Executive Office of the President			4,486,172.54			2,544,132.03	3,867.97		2,543,939.35	192.68
General Accounting Office			2,548,000.00			1,500.00			1,500.00	
Department of Labor			1,500.00		45.54	1,075,681.38	1,866.62	[1] 3,675.72	1,056,606.40	19,074.98
Maritime Commission			1,077,548.00			863,813.92	11,186.08		863,813.92	
Navy Department			875,000.00		98,051.17	6,608,087.83	195,136.17	96,874.11	6,527,889.07	80,198.76
Treasury Department			6,803,224.00			1,654,737.38		19.45	1,609,031.53	45,705.85
War Department			1,654,737.38			1,405,427.73	176,083.27	1.50	1,350,918.89	54,508.84
War Shipping Administration			1,581,511.00							
Total	33,208,000.00	746,250.00	31,295,589.92	1,912,410.08	353,885.07	30,148,559.03	1,147,030.89	354,986.61	29,654,408.03	494,151.00
Total defense aid supplemental appropriation acts	28,209,498,000.00	925,395,575.49	27,750,098,562.88	459,399,437.12	649,476,880.33	23,944,788,743.41	3,805,309,819.47	436,792,485.49	19,694,569,087.14	4,250,219,656.27
Transfers as reimbursements to prior appropriations	13,000,000.00		13,000,000.00			13,000,000.00			13,000,000.00	
Total	28,222,498,000.00	925,395,575.49	27,763,098,562.88	459,399,437.12	649,476,880.33	23,957,788,743.41	3,805,309,819.47	436,792,485.49	19,707,569,087.14	4,250,219,656.27
Recapitulation by department:										
Department of Agriculture		312,923,500.00	7,833,992,778.08		216,474,633.37	6,841,203,147.87	992,789,630.21	112,653,351.57	5,493,844,333.11	1,347,358,814.76
Department of Commerce (Census)			434,500.00		4.29	432,533.58	1,966.42	4.29	425,682.73	6,850.85
Department of Commerce (R. F. C.)		[1] 16,921.16	2,275,600.82		[1] 16,921.16	2,275,600.82		[1] 16,921.16	2,275,600.82	
Executive Office of the President		11,667.45	20,207,469.45		[1] 109,927.97	17,729,562.91	2,477,907.44	27,178.66	14,778,691.21	2,950,870.80
Federal Public Housing Authority		6,500,000.00	56,500,000.00		3,726,579.90	3,726,579.90	52,773,420.10			3,726,579.90
Federal Security Agency			436,000.00		50.00	181,509.09	284,490.91	22.22	151,688.09	29,821.00
Federal Works Agency			500,000.00		1,309.54	392,927.43	107,072.57	1,309.54	279,132.81	113,794.62
General Accounting Office			2,548,000.00			2,544,132.03	3,867.97		2,543,939.35	192.68
Department of Interior			10,000.00		316.92	9,757.19	242.81	1,674.98	9,718.77	38.42
Department of Labor			1,500.00			1,500.00			1,500.00	
Maritime Commission			812,698,279.26		[1] 4,487,984.44	762,749,239.89	49,919,039.37	6,895,159.31	664,387,540.55	98,361,699.34
Navy Department		324,462,687.81	4,315,396,364.62		79,900,558.43	3,357,957,861.81	957,408,502.81	110,069,380.67	3,061,238,831.93	296,719,029.88
Department of State			390,083.80			390,083.80			390,083.80	
Treasury Department		41,341,090.00	5,830,270,553.24		140,004,232.44	4,562,396,212.94	1,267,874,340.30	105,694,729.62	3,808,268,960.25	754,127,252.69
Office of the Secretary		14,505,334.39	188,223,143.09		14,505,334.39	188,202,024.29	21,118.10	14,222,222.22	187,723,485.32	478,538.67
War Department		[1] 18,231,783.00	5,380,536,110.16		21,520,775.40	5,143,614,850.96	236,921,259.20	5,456,102.53	4,902,675,899.78	240,938,951.18
War Shipping Administration		243,900,000.00	3,305,708,180.36		177,957,919.22	3,060,981,219.10	244,726,961.26	81,788,271.04	1,555,573,997.62	1,505,407,221.48
Subtotal	28,209,498,000.00	925,395,575.49	27,750,098,562.88	459,399,437.12	649,476,880.33	23,944,788,743.41	3,805,309,819.47	436,792,485.49	19,694,569,087.14	4,250,219,656.27
Transfers as reimbursements to prior appropriations	13,000,000.00		13,000,000.00			13,000,000.00			13,000,000.00	
Total	28,222,498,000.00	925,395,575.49	27,763,098,562.88	459,399,437.12	649,476,880.33	23,957,788,743.41	3,805,309,819.47	436,792,485.49	19,707,569,087.14	4,250,219,656.27
II. SPECIAL FUNDS DEPOSITED BY FOREIGN GOVERNMENTS										
Executive Office of the President	4,974.25	600.00	4,974.25		82,942.45	4,974.25	2,325,723.40	621,964.28	4,974.25	2,310,298.71
Navy Department	14,961,130.84	275,327.96	12,400,340.90	2,560,789.94	316,417.11	10,073,617.50	7,400,773.87	645,582.92	7,763,318.79	3,788,338.48
Treasury Department	41,927,691.74		41,877,522.61	50,169.13	[1] 1,236.61	34,476,748.74	2,803,885.22	[1] 27,994.58	30,688,380.26	69,400.22
War Department	9,229,386.61		8,619,656.27	609,730.34	[1] 598.67	5,815,771.05	167,455.66	624.46	5,746,370.83	1,047,125.15
War Shipping Administration	1,258,077.92		1,254,602.92	3,415.00		1,087,207.26			40,082.11	
Total	67,381,261.36	275,927.96	64,157,156.95	3,224,104.41	397,524.28	51,458,318.80	12,698,838.15	1,240,177.08	44,243,126.24	7,215,192.56
III. ALL APPROPRIATIONS UNDER LEND-LEASE ACTS										
Grand total	28,289,879,261.36	925,671,503.45	27,827,255,719.83	462,623,541.53	649,874,404.61	24,009,247,062.21	3,818,008,657.62	438,032,662.57	19,751,812,213.38	4,257,434,848.83

[1] Credit.

Mr. TAFT. Mr. President, this bill comes up rather as a surprise to me, because I thought we were engaged in trying to finish the consideration of the Mexican Water Treaty, and I did not contemplate that other major legislation would interrupt it. In fact, I thought the statement was made by the senior Senator from Texas a few days ago that no interruption would be allowed in the consideration of the treaty. So I am not entirely ready with the proposals I wanted to make in the way of amending the bill. However, I offer an amendment and ask that it be read. It may perhaps change the approach tomorrow.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. It is proposed on page 2 to strike out the semicolon in line 10 and all words in the line after the semicolon, and to strike out all of lines 11 to 20, inclusive, and to insert a period.

Mr. TAFT. Mr. President, I vish to make it perfectly clear that while I was originally opposed to lend-lease in peacetime, I think lend-lease is the most effective method of conducting a war, and I have no desire whatever to limit in any way its use for the purpose of winning the war or carrying through to a successful conclusion either the German war or the Japanese war.

My interest in the bill relates solely to the use of lend-lease to carry out what are in effect postwar loans to various foreign nations. I am not opposed to some post-war loans to foreign nations, but it seems to me that we are now confronted with a whole series of measures all tending in the same direction, all tending to provide loans to foreign nations, all tending to increase the exports of this country, and advanced very largely for the purpose of putting people to work in this country and building up international trade. In my opinion, international trade or exports increased or prosperity built up on the basis of such a tremendous lending program will be wholly artificial, will produce an unprecedented inflation, and will finally bring us back to a complete collapse, and another depression, such as that we experienced in 1932.

In the original act there was section 3 (c), which provided:

> After June 30, 1946, or after the passage of a concurrent resolution by the two Houses before June 30, 1946, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a), except that until July 1, 1949, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1946, or before the passage of such concurrent resolution whichever is the earlier.

Under that section, before the pending bill was introduced, the administration had been drawing up what they called 3 (c) contracts, the most typical example of which is the French contract, a contract evidently drawn up for the purpose of providing goods and materials for the post-war period.

Of course, it is very difficult to distinguish between the kinds, because under lend-lease we provide foodstuffs and raw materials; we provide manufactured goods; we provide all kinds of civilian supplies, and, of course, those are exactly the same kinds of things that are going to be required in the post-war period. But it is obvious, from the nature of the French agreement, that it was contemplated that most of those materials should be supplied perhaps after the end of the German war, when they would no longer be useful for any war purpose and were supplied largely for the purpose of rehabilitation.

The French agreement provided, first, that we would furnish supplies to equip additional French divisions. Those are dealt with first, and while the exact figure has not been given, I think the cost is two or three hundred million dollars. That is under the general lend-lease agreement. Then the administration makes something it calls specifically "3 (c) agreements," with a desire to take advantage of the loophole in the original Lend-Lease Act.

I read from the joint statement of the State and Treasury Departments and F. E. A.:

> War production materials and other vital supplies and services will be furnished by the United States to the French under these agreements on lend-lease until a determination by the President that they are no longer necessary for the prosecution of the war.

He finds, then, that they are no longer necessary.

> After this determination, the French may under the 3 (c) agreement continue to receive the undelivered balances of certain supplies in the program and to pay for them on specified credit terms—

Something like payment in 20 years, with interest at the rate of 2⅜ percent per annum. In other words, we are making a loan to the French for post-war purposes, and that is the very purpose of the French agreement—

> with the reserved right to have the programs or contracts canceled upon paying the United States its out-of-pocket costs. The United States agrees to deliver the programed supplies to the French, after this determination by the President, unless the President determines that it is not in our national interest to do so.

The President does not need to go on, but so far as Congress is concerned, we authorize him to make a loan up to two and a half billion dollars to the French Government for post-war purposes.

The articles which are to be supplied are then listed:

War materials for war use and essential civilian supply (cotton, metals, steel, chemicals, synthetic rubber, drugs, medical supplies, etc.)	$840,000,000
Food, milk, pulses, edible oils, seeds	185,000,000
Petroleum supplies	132,000,000
French prisoner-of-war supplies	48,000,000
Short-life manufacturing equipment for war production	250,000,000

Manufacturing equipment, I suppose, is hand tools and machine tools.

Freight charges	$220,000,000

That makes $1,675,000,000. Some of that material can be used for the war, but the chances are, of course, that none of it, practically, will reach France before the war with Germany is ended, and I do not suppose anyone expects the French to help us in the war with Japan.

In addition to these supplies and materials provided under schedule 1, certain categories of long-life capital goods would be provided under schedule 2 to enable France to produce and transport military equipment and other war goods for our combined forces.

* * * * *

Locomotives	$200,000,000
Railroad cars	120,000,000
Merchant marines (that is, ships)	140,000,000
Harbor watercraft	32,000,000
Fishing fleet	8,000,000
Inland watercraft (barges)	50,000,000
Metalworking machinery	100,000,000
Industrial equipment	150,000,000
Machinery for mines, arsenals, etc.	100,000,000

The total of those items is $900,000,000. The grand total is two and a half billion dollars, all of which, for all practical purposes, will be post-war. The French understand that, and they intend they shall get it on loan.

Personally, I am willing to support a loan to France, but I do not think it should be made under lend-lease. I think if we are to authorize a loan to France, we should authorize it, and if the war shall end before most of these goods are delivered, they should not be delivered unless Congress thereafter authorizes a loan to France.

The bill contains this language:

> *Provided, however,* That nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction.

I assume that means that the President could not carry out a lend-lease contract once the war was over because obviously it could no longer be for lend-lease goods.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. McMAHON. I have been thinking about the statement made by the Senator from Ohio that we do not expect France to help us in the Pacific war The Senator stated that he did not think any one anticipated that the French would aid or assist us. I do not want that statement to go unchallenged, because France has great interests in the Far East, and I for one would think we would be justified in expecting France to help to the extent of her military ability if it becomes necessary in the war in the Pacific.

Mr. TAFT. Perhaps I made an extreme statement. I think, however, that France is obviously exhausted and unable to conduct war on the other side of the world, and if I were to estimate the amount we might conceivably allot to the French operation in Indochina, I think $100,000,000 would finance all the activities France will ever undertake there. I do not think two and a half billion dollars is going to have any rela-

tion to the conduct of the war in Indochina.

Then this amendment, Mr. President, having excluded the carrying out of a contract for post-war relief, puts in an exception which I propose to strike out, which seems to me to throw the door wide open again. It provides:

Except that a contract or agreement entered into in accordance with this act in which the United States undertakes to furnish to a foreign government defense articles, services, or information for use in the prosecution of the present war and which provides for the disposition, on terms and conditions of sale prescribed by the President, of any such defense articles, services, or information after the President determines they are no longer necessary for use by such government in promoting the defense of the United States shall not be deemed to be for post-war relief, post-war rehabilitation or post-war reconstruction.

The second paragraph simply nullifies the first paragraph. It refers to the French contract, if you please, and says to the President, "You may proceed and make all the contracts you want to, such as the French contract, under this exception." I see, therefore, no particular reason why there might not be many billion dollars of the money already appropriated for lend-lease covering a long period, and then delivered on a loan after the war, that is as over-all, when it cannot be any longer for war purposes. In fact the President has to determine that the money is no longer necessary for war purposes, and then he may turn the whole thing into a loan to all the foreign nations.

It seems to me that obviously that particular provision should be stricken out.

I do not quite understand the figures on the British agreement. There was published in December a reference to the British agreement, and I read from the New York Times of November 30:

American assistance in helping Great Britain rebuild her export trade and a 43 percent reduction in lend-lease aid to that country after the defeat of Germany are provided for under terms of the lend-lease agreement for the "second" phase of the war.

Details of the agreement were made public here today in a joint statement by Leo T. Crowley, Foreign Economic Administrator, Secretary of State Edward R. Stettinius, Jr., and Secretary of the Treasury Henry Morgenthau, Jr.

The same day Mr. Churchill made a speech in the House of Commons describing the lend-lease agreement. The article from which I have just read continues:

The new arrangements, which will go into effect when the Reich falls, provide for $5,500,000,000 of lend-lease aid to Britain in the ensuing year, of which $2,700,000,000 will be munitions and $2,800,000,000 nonmunitions items, including about $800,000,000 worth of petroleum products for the Allied oil pool, a considerable amount of shipping and raw materials for making munitions.

The $5,500,000,000 would represents 43 percent cut from the present rate of lend-lease aid.

That might have been the present rate of lend-lease aid, but the last report of the Lend-Lease Administration filed at the end of the year shows that the total lend-lease aid to the United Kingdom from January to November 1944, was $4,680,000,000, which at the same rate would amount to about $5,000,000,000, not $10,000,000,000 in the year 1944, and the five and one-half billion dollars will actually be an increase over the lend-lease aid given to Britain in the year 1944. The figure $10,000,000,000 represents the total lend-lease aid to all countries, whereas the five and one-half billion dollars represents the contemplated lend-lease to Britain in 12 months after the end of the German war.

Mr. Churchill made a statement about it which was a little hard for me to follow. He said:

The defeat of Germany will make possible reductions in the lend-lease program, and in certain fields we have been able to anticipate these changes and to work out the basis of a new program from the beginning of 1945. Thus, from that date we shall no longer get shipments to this country under lend-lease of any manufactured articles for civilian use which enter into the export trade, nor of many raw materials and semifabricated materials such as iron, steel, and some nonferrous metals. We shall then be free to export a wide range of goods made from those materials.

He said further:

There is not and never has been any question of reexporting in commerce any articles we received under lend-lease, nor in general shall we receive in this country under lend-lease finished articles identical with those we export.

But whether they are to be paid for under the same arrangement as the French arrangement, under a 30-year credit, is not entirely clear.

In any event, there is a British agreement which is apparently something like the French agreement. It was widely stated, in fact I think it is well authenticated, that the Russians have asked for $6,000,000,000. I think they have been told that they cannot now get it under lend-lease, and we will have to figure some other method of loaning it to them. I am not sure about that. I am told that Mr. Crowley says he is not going to use this money for post-war purposes, but there are two difficulties with Mr. Crowley's statement. In the first place, he certainly has not repudiated this exception clause which permits him to lend the money in effect for post-war purposes, and, in the second place, Mr. Crowley may not be the Foreign Economic Administrator and may not have the say when the time comes to enter into these agreements. So I do not think we can rely on anything Mr. Crowley told the Foreign Relations Committee. The hearings have not been printed as yet, so we cannot determine what Mr. Crowley promised the Foreign Relations Committee.

Mr. President, I feel strongly on the subject of post-war loans because it seems to me they contemplate a vast expansion of manufacture beyond what we can produce. The Senator from North Dakota has referred already to the conflict over boxcars and locomotives for our railroads and for those of France. I think there should be some equitable division. But a few days ago Mr. Eccles, before the Senate Committee on Banking and Currency, expressed the opinion that far from making vast loans to foreign countries after the war, we would have to limit exports, because for several years we would be unable to produce the goods which would be sought by our own people who could buy them, and by those in other countries who would be trying to buy them.

I should like to make some general remarks, Mr. President, on the change of the situation which seems to have occurred. Until within a few months the public concern has been that there might be great unemployment and depression after the war in connection with the demobilization of the Army and of millions of workers in war plants. The fear has been that it may be impossible to convert war industry into peace industry in time to care for those who have been released. This was a set-up for the advocates of public spending. Their propaganda took prompt advantage of this public concern to advance many global projects for the use of Federal money. And we have this hang-over.

I have not any doubt that in the beginning it was contemplated that most of the post-war relief in Europe should be handled through the lend-lease under paragraph 3 (c); 3 (c) was made for that purpose. Every city throughout the Nation has been urged to prepare a program of public works and get ready to build itself over. The idea is implied that the Federal Government will provide the funds.

The President's January message to Congress contained many plans for spending public money, all with the implication that they were necessary to provide jobs. Already we have increased the funds of the Commodity Credit Corporation by $2,000,000,000. Federal agencies are planning loans for the reconversion and extension of industrial plants. Unemployment compensation rates are to be increased.

There is another method by which money may be loaned abroad, and that is in the disposition of surplus commodities. I believe the Surplus Property Administrator has power to sell on credit, and he may plan to sell large amounts of surplus commodities to foreign nations on credit.

This same argument for the creation of jobs has been used to promote plans for lending large sums of money throughout the world. Apparently, in addition to the surplus property disposal on credit, in addition to the method of lending through lend-lease, and in addition to Bretton Woods, which will supply about $6,000,000,000 for lending abroad, the administration intends also to increase the lending power of the Export-Import Bank by one and a half billion dollars. Again, the principal justification for the whole program seems to be the idea that by the spending of Government money we can meet the problem of unemployment in the United States.

I should like to make it clear that I believe in a public works program, but only for public works which are intrinsically of value, from which the public gets its money's worth.

I believe in the extension of humanitarian measures, such as medical care, housing, and education, but only to the

extent that they are justified by the improved conditions which they bring about.

Yesterday I read a book by Professor Hansen, in which, in effect, he urges all these social welfare measures, not for social welfare, but to create a vast Government spending program which will create employment. I believe in reasonable loans to foreign nations for rehabilitation, but only to the extent necessary that the foreign nations may put their own economic machinery in order.

I endorse 100 percent what the Senator from Michigan [Mr. VANDENBERG] stated. I believe that the administration should tell us how much money it thinks we ought to lend after the end of the German war. I do not know how much assistance the British will require in conducting the Japanese war. I cannot believe it will be anything like the amount covered by the last British agreement for $5,500,000,000. But certainly it seems to me that we should know the total outlay. I am willing to undertake reasonable loans for rehabilitation of foreign countries; but it has always seemed to me that if we lend perhaps two or three billion dollars the first year, a couple of billion the second year, and a billion the third, we shall have done about as much as we should do to help foreign nations get on their own feet.

What I object to is the theory, so widely advanced, that these programs can be justified on the ground that they are a method of spending public money, and that the American people can achieve prosperity only by spending themselves into prosperity. Not only is that theory unsound, but it ruins the programs themselves, because it destroys all discrimination in determining the soundness and the relative importance of various public works, of varying social welfare programs, and of different kinds of foreign trade and loans to various nations. It destroys the vital importance of designing and carrying out the programs in the most efficient and economical way.

But suddenly the whole basis for the theory has been undermined, and the administration, or those branches of the administration which still talk of pouring out Government money to make jobs, find themselves confuted by the expressions of their own colleagues. Even many loyal administration supporters have come to fear that the real danger after the war will be inflation rather than unemployment and depression.

The situation is wholly unlike that existing during the period following the last war. We have never had so many reserves of buying power in this country to stimulate economic prosperity. At the same time, 4 years of war produced a great backlog of demand to call those reserves into use for buying goods. When the war ends there will be perhaps $40,000,000,000 of series E bonds in the hands of middle- and lower-income groups. Many of them will be cashed. There is an excess of $17,000,000,000 of currency in the hands of individuals. Individual deposits in savings banks and checking accounts have increased by $32,000,000,000 over what they were before the war. That is a total of $89,000,000,000 of liquid spending power in the hands of individuals alone. If the Government promptly settles its bills on the cancelation of contracts, corporation cash reserves will probably be at least $20,000,000,000 over normal pre-war cash.

We must consider that there is $6,000,000,000 in State unemployment compensation funds ready to be paid out to the unemployed. There is a very liberal provision for unemployment compensation to discharged veterans. It may amount to as much as $1,000 apiece. After the World War there was no unemployment compensation. We have provided liberally for loans to veterans to enable them to buy homes, farms, and businesses. If 4,000,000 of the 15,000,000 veterans take advantage of this privilege, $3,000,000,000 of spending power will be produced.

There is another factor which is not generally considered. After the end of the German war we shall still be running at a deficit of $35,000,000,000 a year while the war with Japan continues, and even after the war with Japan ends expenses can be reduced only gradually to the normal budget, and there will probably be an accumulated deficit of $25,000,000,000 more over 2 or 3 years before even a conservative government can reach a balanced budget.

Furthermore, foreign nations have large reserves even today, without any loans from this country or any further lend-lease aid. Mr. Eccles testified recently that there is $10,000,000,000 of cash and earmarked gold in this country owned by foreign nations and their nationals, ready to be spent. The total resources of foreign nations, in gold and dollars, and in short-term securities capable of being transferred into dollars amount to $25,000,000,000. That is Mr. Eccles' testimony.

Of course, Mr. Eccles considered it necessary to place a limit on exports, or to make an allocation of exports, because he said that if we allow all this money to be spent at once in this country we shall produce a dangerous inflation.

Mr. Byrnes' report states that he has designated a committee to coordinate foreign shipments under Mr. Crowley to prevent the abuse of foreign buying power.

I noticed that only last Thursday Mr. Bernard Baruch, who is one of the best economic advisers in the country, made a statement in England that American servicemen would not have anything to worry about when they got home, and that "there will be more work in the United States than there will be hands with which to do it."

In short, the best opinion today fears inflation after the war rather than depression, except for a brief period of readjustment. Public works and other permanent projects will hardly get under way during that short period. It is important that all public bodies and corporations be ready to go ahead with repairs and replacements to meet the immediate needs of those who cannot get work. The whole country is shabby and in need of repair. Estimates show that a number of billions of dollars can be spent simply in putting our present plants in first-class condition and providing the kind of temporary jobs we need; but a huge program of permanent public works would get going only in time to compete for materials with feverish activity in private industry. The logic of the situation is such that it destroys the spending-for-jobs or lending-for-jobs argument which has carried all before it up to this time.

Mr. Byrnes' last report is exceedingly interesting. Incidentally he says, with reference to lend-lease:

> These foreign countries have been able to expand their gold and dollar assets by more than $8,000,000,000 since 1940.

There is only one way by which they have been able to expand their gold and dollar assets, and that is through the operation of lend-lease. The effect of lend-lease has been that we have given away most of what we export—about $12,000,000,000 a year. We pay for most of what we import, about $3,000,000,000 a year; and our soldiers are spending American dollars all over the world. We are paying the costs of occupation. All that money is gathered up, and builds up balances in the United States.

On the general subject Mr. Byrnes says:

> The opportunities for reconversion and reemployment during the period from VE-day to VJ-day seem likely to surpass the reduction in munition output. The outlook in general indicates that the demand for labor will exceed supply. Manpower may well be a reconversion bottleneck in many localities.

He further states:

> One thing is clear. We should not be stampeded into large public works programs.

Again he says:

> We must be prepared to make loans to foreign countries which need American goods and cannot pay immediately, if there is a reasonable prospect of repayment. Loans made abroad, merely to provide employment at home, are unsound. They will produce international financial difficulties when the time comes for repayment.

That is the end of the quotations from Mr. Byrnes. All the quotations are from the report which Mr. Byrnes made the day before he resigned.

Mr. President, administration agencies such as the O. P. A. have been before us asking for the continuation of their power after the war, on the ground that it is necessary to prevent inflation. Mr. Eccles has advocated a tax on speculation. These demands are utterly inconsistent with the policy of those who insist upon a vast outpouring of public funds to create jobs.

What is this inflation which is feared? Everyone is familiar with the kind of inflation they had in Germany when prices increased to fantastic figures and money became of no value. They know the hardship and suffering, the destruction of savings and life-insurance values, the destruction of security, leading to a break-down of the whole system of government as well as business. But inflation can be very dangerous without reaching that ultimate catastrophe. In

1929 we had an inflation in which there was no increase in commodity prices or the cost of living. That is what fooled everyone. It was reflected in an abnormal increase in capital values and particularly in stocks, but it led to a complete distortion of values, to a violent depression, and to unemployment and hardship.

My own view is that we have inflation whenever we achieve a false prosperity by artificial means which cannot be indefinitely sustained and steadily increased. We may reach that condition by an undue expansion of private credit such as we had in 1929. But we can reach it more surely by Government spending and a huge deficit and an increase in public credit. Today we have arbitrarily held prices down to about a 30-percent increase over 1940. But wages have gone up more than that. Capital values in stocks and real estate, including farms and homes, are steadily increasing. How far controls can be effected in peacetime, whether any method can be devised to control capital values, is very doubtful. There is only one way that I know of to prevent inflation, and that is to stop Federal deficits, stop the further expansion of credit abroad, as well as at home, balance the budget, and control the excessive development of private credit.

We must, therefore, keep taxes reasonably high and reduce Government expenses, so as to stop a further increase in the public debt. We must encourage the development of private industry and build up foreign trade by sound means. But if we build them up by vast Government spending which cannot be permanently maintained without financial destruction, we are bound to create an inflation like that of 1929, even though we control commodity prices, and we will bring about in due time a worse depression than that of 1932.

Some of the economic planners admit in theory that the budget should be balanced over a period of, say, 10 years; but practically they plan deficits whenever they think that the national income or the level of employment is not sufficiently high. This means that they will be constantly justifying a constant further deficit. Furthermore, unless we plan a balanced budget in normal and somewhat subnormal times, we will never balance it at all. Government activities cannot be started and then stopped overnight. We saw that in the "emergencies" after the former depression. They go on steadily spending the cash. There is only one safe plan, and that is to pay our way as we go. If we run into a real depression we will have Government deficits without planning for them.

Our danger, as I see it, is that we will not recognize an inflation based on artificial stimulants, even though we are in the middle of it. In 1929 many intelligent men told us that we had reached a new era of permanent prosperity. The only way to prevent depressions is to maintain prosperity by sound methods, and avoid an inflation both of credit to private individuals and credit to the Government.

Mr. President, at the present time there is a very strong Nation-wide propaganda deliberately promoted by the State Department and other Government agencies to sell the American people on the importance of foreign trade and on lending large sums of money in order to produce that foreign trade. Again they emphasize the necessity of exports in order to create additional jobs supposed to be needed in this country, and they appear to be willing to sacrifice all principles of economy and sound finance in order to promote exports. Vast loans by this Government are being proposed, as well as devices like Bretton Woods, which have the effect of loans.

I do not desire to depreciate the importance of foreign trade although I think some economists and politicians exaggerate it beyond all reason. This country happens to be largely self-sufficient, and exports have never, in recent decades, brought in more than 6 percent of the national income of this country. But an export trade which is based on lending money in large sums is pure inflation, and creates a wholly artificial activity bound to collapse in time with the most dangerous results. If the loans are in reasonable sums and can be repaid within a reasonable time, of course, the increased activity is legitimate; but if we were to go ahead with a program of lending approximately $5,000,000,000 a year, we would simply give away the product of our workmen's labor and the product of our machines, because any loans in such a tremendous amount would never be repaid. Today such loans are mounting up to very substantial sums.

In connection with lend-lease and the pending bill we start with apparently $2,500,000,000 to France and $5,500,000,000 to Great Britain. More than half of that is loans. We apparently have, as I say, a contemplated loan to Russia. We have another billion and a half dollars in the Export-Import Bank and $6,000,000,000 in Bretton Woods. With all the plans which are being concocted, I do not know what the total may be. I thoroughly endorse the demand of the Senator from Michigan that the administration get together all its plans for foreign lending and tell us what the total is, because it is impossible to pass on any one of these proposals until we have some kind of a picture of the whole thing and are able to form an intelligent judgment about how much we should lend and how much we should not lend. Obviously, if foreign nations have $25,000,000,000, there are many countries to whom we will not have to lend at all. On the other hand, there are no doubt other countries to whom we will have to lend. But take Great Britain. Today the British have in this country foreign balances equal to what they were when the war started, so far as gold dollars and short-term securities, net, are concerned. They have nearly a billion and a half dollars more than they had when lend-lease started in 1941. That does not necessarily mean that they are better off, because they owe a great deal more money all over the rest of the world. They owe billions of dollars to India, for instance. They owe billions of dollars to other countries which have not been lend-leasing all the supplies they have sent to Britain, as we have been doing; and there may be a case for some additional loan to Great Britain in order to put that nation on its feet in connection, perhaps, with the funding of the frozen sterling balances which are owed by many countries throughout the world.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. The Senator is undoubtedly aware that the British Government is the largest individual holder of American securities in the world. On the first day after the declaration of war, the House of Commons passed an act by which all securities held by British nationals were taken over by the British Government. On that evening the House of Lords ratified the act. Britain has been making money all the time. There is no reason why she should not be in possession of large balances in addition to what she has received from lend-lease.

Mr. TAFT. My information is that at the beginning of the war Great Britain had in this country a considerable number of securities. She took over the securities of her nationals, as the Senator from Minnesota has said. Then she borrowed money from the R. F. C., which was secured by those securities. The net value of the securities which she had, on which she borrowed, was approximately a billion and a half dollars. Today she has approximately $1,100,000,000 net, over and above the loan which she received from the R. F. C.

Mr. President, under present conditions and for many years to come, it is wholly impossible to expect any repayment of loans in the volume which is now being suggested. We had our experience in the twenties. Government post-war loans were followed by billions of private loans. When we finally woke up to the fact that none of those loans could be repaid we stopped lending. The result was the collapse of the whole artificial export trade which had been created, and an intensification of the 1932 depression. Surely with that experience before us we are not going to begin the process all over again, this time with the taxpayers' money instead of that of individuals. We ought to recognize that everything under lend-lease up to this time had been a gift. So far as I am concerned, I am willing to wipe it off the books.

As a matter of fact, the propaganda now being put out is just another phase of the spending theory, another method by which Government money can be lavishly distributed, on the same old theory that we can spend ourselves into prosperity. It is just as unsound as the undertaking of a vast public works program at home, based solely on the theory that it will provide 60,000,000 jobs.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. McMAHON. The Senator just made the statement that so far as he was concerned he would be willing to wipe lend-lease off the books.

Mr. TAFT. I did not mean to wipe the Lend-Lease Act off the books, but to

cancel the outstanding lend-lease obligation, whatever it may be.

Mr. McMAHON. I so understood the Senator. However, I think that this is a particularly unfortunate time for the Senator's statement to go out as expressing the sentiment of the Senate of the United States. I wish to register my dissent to any statement of that kind, because at this stage I am not prepared to take such action.

Mr. TAFT. I respect the Senator. I cannot speak for him or for any other Member of the Senate. I expressed a similar opinion when we enacted the original Lend-Lease Act. At that time I said that, so far as the war was concerned, I was willing to make lend-lease a gift. I had never thought of the Lend-Lease Act in any way except in the sense of what actually could be repaid in kind during the war. There may be a few payments in kind which will be made after the war. Perhaps they should be made, but I do not think they will amount to much. It would be most unfortunate if the huge sum of approximately $30,000,000,000, less approximately $3,000,000,000 in reverse lend-lease, should hang as a debt over the world for years to come, as did the debts of the First World War.

After it became apparent that those debts could not be repaid and would not be repaid, I thought that they should be canceled. I have the same feeling with respect to the present lend-lease obligation.

It is almost impossible to find out what the Government's program is for foreign lending. The bureaucrats have become so used to a lavish treatment of every foreign nation as to lose all sense of values. Lend-lease has been distributed not only for military purposes but for political purposes to every little nation in the world willing to say it is at war with Germany. Apparently there has been authorized a total sum of $64,000,000,000 for lend-lease, of which only thirty-six billion has been spent. The inclination of the administration is to use the balance for post-war loans, although the bill was enacted solely for war purposes. We have seen the French agreement covering two and a half billion dollars. More than one-half of this appears to be for permanent use, and hardly any of it will get to France before the end of the German war. Of course, the rest of it is to be paid for by France, but over a long period of years. In effect, the act is being used to make a post-war loan to France.

The administration is now denying that it intends any further use of lend-lease in this manner. Nevertheless, we know that Russia has applied for a long-term loan of $6,000,000,000 and related it to the lend-lease program and expects to get it. There are well-substantiated rumors that Mr. Roosevelt has tentatively agreed that the British shall get five and a half billion dollars after the end of the German war. Ostensibly this would be to help them wage the war against Japan, but practically a large part of it would be in effect a post-war loan.

We have already appropriated $1,350,000,000 for U. N. R. R. A. relief. We are being asked to increase the capital of the Export-Import Bank to $2,200,000,000. We are presented with the Bretton Woods agreements, under which we put in about $6,000,000,000, more than one-half the good money in the two funds, all of which can be loaned out by boards controlled by the borrowers within approximately 2 years.

We are being urged today to give immediate approval to the Bretton Woods agreement. I think we are entitled to a comprehensive statement of the administration's policy of lending money abroad before we proceed further. What is the whole foreign need and how much can we safely lend or contribute with any chance of recovering it? How much do the foreign nations really need? How much can they do for themselves, So far as I know, there has been no public statement of this situation, and even the facts are being concealed. Many members of the administration seem to be yearning to give away American money as well as American rights, and they do not want Congress to know about it.

Do the foreign nations need this money? Under the lend-lease policy there has been a steady increase in foreign balances. Mr. Eccles testified that today foreign nations and foreign nationals have $25,000,000,000 in cash, gold, and short-term securities which can be used for purchases in this country. Mr. Byrnes has just said that foreign nations have built up their balances here by $8,000,000,000 since the war started. Under lend-lease even the British have actually built up their balances in this country, until today it is estimated that the total of these balances and their net securities and investments approximates three and a half billion dollars, about the same as when the war started, and one and a half billion dollars more than when lend-lease began.

Of course, there are some countries with no cash, and even the British situation is not as good as it looks, because of vast sums owed to other countries. My point is that this situation ought to be viewed as a whole, and ought to be laid before Congress and the American people. Then we can adopt a reasonable program of foreign loans, enough to provide necessities for distressed people during the first year after the war, and to supply the materials and tools required to get their economic machinery in working order.

Many people are influenced in favor of foreign loans by the unconscious feeling that the world can be rehabilitated only by American dollars, and that we are now such a tremendously powerful and magnanimous nation that we can bring freedom from want to billions of people who have never enjoyed it. With due respect to the kindness and humanity of those who favor the pouring out of American dollars throughout the world, I believe this feeling is an evidence of our exaggerated self-confidence and national conceit. Of course, we can help, but the only kind of help which is really effective is that which helps these other nations to help themselves. They must work out their own salvation. Their cities and public works can be better rebuilt with their own labor, curing their own problems of unemployment.

The prosperity of most peoples depends upon their own character. Some people, with no natural resources, like the Scandinavians, have built a great civilization. Others with vast natural resources are still poverty-stricken. We can help by lending them the money to buy here the machinery and other products they have not the present means to manufacture.

Broadly speaking, I believe that a very few billion dollars wisely distributed can supply those nations without funds with sufficient aid for them to get going.

Many Americans feel that we can buy foreign good will. Frankly, I do not believe one can ever make a man his friend by lending him money, unless one intends to continue lending him more and more for all time to come. I do not believe that a nation which relies on another nation to assist it indefinitely is doing itself any good. In short, I do not believe that American dollars can make the world go round; and any government that has that idea can easily wreck the finances of this country and destroy our own standard of living, without doing anyone else any good.

Foreign trade, like domestic trade, can only be based soundly on an exchange of goods advantageous to both parties. That is, exports only benefit us if they are paid for by imports. How far are we willing to accept imports? There is plenty of general talk against the tariff, but it is very difficult to persuade Congress or the American people that we should make such reductions as to destroy any American industry and throw many men out of work, in order that we can import that kind of product and thereby export some other kind of American goods. What do we gain, it is asked, by importing our roller bearings from Sweden and putting the Timken Roller Bearing Co. out of business at Canton, Ohio? The Timken Co. tells me that without a tariff it cannot possibly compete with the Swedish manufacturers of roller bearings. Theoretically we could then perhaps export more automobiles to Sweden, and the men who now make roller bearings could go to work making automobiles. But do we gain enough by getting our roller bearings a little cheaper to make this change worth while? Do we not get too many eggs in one basket, like the automobile industry, and build up an economy based on an export trade which is much less stable than the home market?

The theory is that by finding markets for export trade we put men to work, and then have the additional purchasing power which can buy imported goods without decreasing the amount of domestic goods bought. That is an effective argument. But since it is admitted that exports are of no use unless paid for by imports, and that an American market must be created for those imports, why is it not just as easy to create an additional home market for home goods as it is to create an American market for imported goods?

The truth probably lies between the two extremes. Some additional market can be created for imported goods which is not available for domestic products. Those imported goods are presumably cheaper and may stimulate increased de-

mand. But the idea that foreign trade soundly developed can produce any tremendous increase in employment, unless we are going to give away our products at the expense of the taxpayer, is a mirage.

There can certainly be no sound or permanent expansion of employment by the Government inflating exports by excessive loans, but only through the gradual building up by hard work of a foreign trade based on mutual advantage in the exchange of certain types of goods. I believe that a reasonable reduction in some tariff rates can encourage imports without destroying American industry. But, after all, imports depend more on prosperity in this country than they do on tariffs, if we can judge from the figures of 1928 and 1929. Our imports in those years, with almost the highest tariffs we have ever had, were greater than they have ever been before or since and a greater proportion of national income, far greater than they have been since the passage of the Reciprocal Trade Agreement Act.

I have never been for that act for two reasons. First, it delegates complete legislative power to the Secretary of State to lower the tariff to 50 percent of the statutory rates without any standard fixed by Congress, and without any hearing to those whose business may be vitally affected. While it purports to authorize a special agreement with a particular country in return for benefits to the United States from that country, the reduction made for that country under the most-favored-nation clause applies to all other countries, even those which make no concession to the United States.

I do not think we should return to congressional tariff making, but I do believe Congress should prescribe definite rules by which a board may reduce tariff rates after proper hearings. If further concessions are necessary to particular countries to enable them to establish a sound economy and secure tariff rates below those available to other nations, such agreements, I believe, should be submitted to Congress for approval.

I certainly am not willing to vote for the new proposal that the President be given authority, in his arbitrary discretion, to reduce statutory rates by 75 percent. I think it is perfectly reasonable, in trying to work out a world in which every nation may have markets available for its exports so that it can import essential goods, that we make special agreements with one nation without bringing into effect most-favored-nation clauses. By such special agreements we may also be able to assist the export of our agricultural products, a surplus of which is very difficult to prevent.

Mr. President, I wish to reaffirm my principal point, that inflation is the great danger we face in the post-war world, inflation arising out of the method by which we have financed the war, and the spending proclivities of the present administration. It can bring on a depression which may well destroy our entire system. We ought to follow Mr. Byrnes, and get rid of the idea that we should plunge into a tremendous public-works program. We ought to follow Mr. Byrnes in his belief that "foreign loans made abroad merely to provide employment at home are utterly unsound."

We ought to get back to earth. This country is the same country it was when the war began. We can resume the progress of 150 years, and build up a happy people and a standard of living which will be the model for the world. We can move forward with more imagination and invention. We can steadily extend our system of humanitarian measures in old-age pensions, health, housing, and education. We can encourage and promote foreign trade. But we can only achieve permanent progress if we base these actions on the same principles of sound finance which have made progress in the past, and not by blowing artificial bubbles of inflation from the soap of Government spending.

Mr. President, it seems to me that the attitude of the present administration toward lend-lease and toward all the rest of the foreign lending is one of scattering largess broadcast throughout the world. Apparently we have gotten a conception of dollars beyond all realities. We had to have a deficit because we could not possibly help it, but when the war ends we will have to turn back to the same principle we had before the war of balancing the Budget. We will have to get our ideas down from billions to millions, and we will have to impose restraints on operations of the kind involved here, which are provided for in language which contradicts itself and which I think defeats its own ends in this measure. We should get back to specific limitations on the character of loans which can be made and specific limitations on the amount of money which can be authorized for these various projects.

The PRESIDING OFFICER (Mr. MORSE in the Chair). The question before the Senate is on agreeing to the amendment of the Senator from Ohio.

Mr. TAFT. On that question I ask for the yeas and nays.

Mr. BARKLEY. Mr. President, I wonder if we could fix an early hour tomorrow for a vote on the lend-lease bill and all amendments thereto.

Mr. TAFT. I would object to fixing an hour for a vote. I should be willing to have debate limited fairly drastically, to 15 or 20 minutes to each Senator.

Mr. BARKLEY. I do not know what the Senator from Texas has in mind about resuming the executive session immediately on our meeting tomorrow. I do think it is important that we dispose of the pending bill if we can do so without too much delay.

I ask unanimous consent that during the further consideration of the pending lend-lease bill no Senator shall speak more than once or longer than 15 minutes on the bill or any amendment thereto.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Kentucky?

Mr. TAFT. Reserving the right to object, does the suggestion mean an overall 15 minutes?

Mr. BARKLEY. No; it would mean 30 minutes in one speech; that is, on an amendment and the bill the Senator could speak 30 minutes; after he had used 15 minutes on an amendment, he would have 15 minutes on the bill.

Mr. TAFT. There might be one other amendment I desired to offer. I may wish to approach the question from another point of view. I assure the Senator that I do not intend to delay in any way.

Mr. BARKLEY. The Senator would have the right to make one speech of 30 minutes, which could be made on any one amendment he wanted to offer.

Mr. WHITE. But he would have 15 minutes on any other amendment, as well.

Mr. BARKLEY. Yes.

The PRESIDING OFFICER. Is there objection to the request? The Chair hears none, and it is so ordered.

RECESS

Mr. BARKLEY. Mr. President, it was made clear earlier in the day that if we recess until tomorrow in legislative session, and then go into executive session tomorrow, the 24-hour requirement of the rule with reference to the offering of the resolution of ratification on the Mexican Treaty would be complied with.

The PRESIDING OFFICER. The Chair holds that, so far as the executive session is concerned, it would be a new executive session.

Mr. BARKLEY. That serves the purpose, because we will recess as in legislative session, and then decide when we meet tomorrow whether we will finish the pending bill or go into executive session. I hope we can finish the consideration of the pending bill in a very short time.

There are no nominations on the Executive Calendar, therefore I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock p. m.) the Senate took a recess until tomorrow, Tuesday, April 10, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 9 (legislative day of March 16), 1945:

UNITED STATES PUBLIC HEALTH SERVICE

The following-named candidates for appointment in the Regular Corps of the United States Public Health Service:

Willard H. Wright to be senior scientist, effective date of oath of office.

Dean A. Clark to be surgeon, effective date of oath of office.

Maurice LeBosquet, Jr., to be sanitary engineer, effective date of oath of office.

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE MAJOR GENERAL

Brig. Gen. Benjamin Wiley Chidaw (major, Air Corps; temporary lieutenant colonel, Air Corps; temporary colonel, Army of the United States, Air Corps), Army of the United States.

IN THE MARINE CORPS

Brig. Gen. Claude A. Larkin to be a major general in the Marine Corps, for temporary service, from the 1st day of April 1945.

Brig. Gen. William P. T. Hill to be a major general in the Marine Corps, for temporary service, from the 1st day of April 1945.

Col. Ivan W. Miller to be a brigadier general in the Marine Corps, for temporary service, from the 21st day of January 1945.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 9, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Most holy Father, whose spirit broods over the hearts of men, fill our souls with the freedom of the children of God. "Blessed is the man who walketh not in the counsel of the ungodly, nor standeth in the way of sinners, nor sitteth in the seat of the scornful, but his delight is in the law of the Lord and in His law doth he meditate day and night. For the Lord knoweth the way of the righteous, but the way of the ungodly shall perish." We praise Thee for the disclosure of the divine teaching; write it in our hearts, O Lord. When we are faint, Thy healing balm is near. When we are weary and stumble, Thy staff gives support. We pray Thee to keep us constant in our labors and manly in our bearing toward one another. Thou who hast given us home and country, all that the human soul should ask, may we use our blessings, not for self-aggrandizement but for the light and inspiration of others; and help us to apprehend more fully the eternal love of the infinite heart of our Heavenly Father. In the name of the Teacher of Nazareth. Amen.

The Journal of the proceedings of Thursday, April 5, was read and approved.

ADJOURNMENT OVER

Mr. COOPER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. COOPER. Mr. Speaker, I desire to announce that I am informed the Appropriations Committee is not yet ready to report an appropriation bill. In view of this situation, there will be no legislative program for this week.

I therefor ask unanimous consent that when the House adjourns today it adjourn to meet on Thursday next.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Illinois [Mr. HOWELL] be permitted to extend his own remarks in the RECORD concerning our late colleague, Judge Heidinger, of Illinois, and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

HOG PRODUCTION AND MARKETING

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, the farmers of Iowa are leaders in producing food for the Nation and our armed forces. Just now they are vitally concerned about our food production program as it relates to the production of hogs. Congress and the country should know that hog production and hog marketing thus far this year are far below the requirements of our war food production program and that the situation is not likely to improve in 1946 unless the $13.75 floor price on hogs is restored without further delay.

Many reasons are being advanced for the lower production of hogs this year. One of the chief reasons is the fact that producers are losing faith in their Government. Too many promises have been broken in the past and the producer has now come to the point where he wants some definite assurances that he is going to be protected in the price of hogs if he is going to meet the food production goals. The producer has not forgotten that he was severely penalized in selling his hogs last year when they became overweight and he does not intend to be caught that way again. The unfair treatment afforded him simply made him turn away from hog production to other farm activities which gave him more assurance for the future.

To make matters worse, at the very time the hog producer was battling with this marketing problem, the floor price on hogs was reduced to $12.50 per hundredweight and limited to 200 to 240 pound barrows and gilts. Not being satisfied with penalizing the hog producer on weights, the bureaucratic professors in Washington took a dollar and a quarter off of the floor price and in so doing completely demoralized the hog market. Little wonder then that the hog producer does not know which way to turn at the present time. He is intensely patriotic and wants to do his full part in producing the food needed to win the war. On the other hand he is entitled to know what kind of treatment he is going to be given by his Government if he continues to produce the hogs which he is expected to produce. He cannot be blamed for curtailing his hog production in the light of his past unpleasant experience.

Our farmers are not asking for an unrestricted chance to get rich during the war emergency. Very few are asking for a subsidy, although there is much logic in their contention that if the meat packer is given a subsidy, similar treatment should be afforded the hog producer. Certainly if hog production needs to be encouraged by a subsidy, it should go direct to the producer and not to the processor.

In the last analysis, if we are to have a large production of meat in the form of pork, the old floor price of $13.75 per hundredweight—Chicago basis—must be restored and all weight limits must be removed. In view of increased labor costs, higher cost of feed, and the shortage of manpower on the farm, the hog producer can see no future for himself unless he is granted an assurance of at least a $13.75 floor. He then will know exactly what to look forward to in the months that lie ahead. Not only should he be protected now but he should have the further assurance that he will have some protection during the readjustment period following the war. In any event, he should be assured of the $13.75 price for at least another year, preferably until December 1946.

Even the floor is advanced to $13.75 at the present time, it will do little to stimulate any larger hog production this spring, but it will induce a larger fall pig crop. Therefore, time is of the essence if we are to have a larger production in the months ahead. The producer must of necessity plan immediately for breeding of sows for fall farrowing, so there must be no delay. It is generally agreed throughout the hog-producing territory that maintenance of the present floor price of $12.50 per hundredweight—Chicago basis—on good to choice 200–270-pound butchers will result in a smaller fall pig crop, but that a raise in the floor price to $13.75 without weight limit will greatly encourage production.

Our farmers and hog producers are ready to go forward with the war food-production program of the Nation. Their past record shows that they have never shirked their responsibilities. All they ask is fair treatment at the hands of their Government, which, of course, means common-sense administration from those in Washington who are charged with the duty of food production.

EXTENSION OF REMARKS

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD and include an article sent overseas on Filipino guerrillas.

Mr. REED of New York (at the request of Mr. CARLSON) was given permission to extend his remarks in the RECORD and include extraneous matter.

Mr. CARLSON asked and was given permission to extend his remarks in the RECORD and include a newspaper article called to his attention by the gentlewoman from Connecticut [Mrs. LUCE].

Mr. HÉBERT asked and was given permission to extend his remarks in the RECORD and include an editorial from the New Orleans Item.

FILIPINOS NEED FOOD AND MEDICINE

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. STEFAN. Mr. Speaker, I ask for the survival of the Filipino people. Thousands of Filipinos have died that American boys might live.

The New York Times on April 5, 1945, published excerpts from a message received by Henry J. Kaiser, national chairman of the united national clothing

collection for overseas war relief, from President Sergio Osmeña of the Philippine Commonwealth.

President Osmeña declared in his cablegram:

I saw the path of destruction left by the Japanese. I saw the pitiful survivors who came straggling back to their homes. Barefoot, ragged, almost naked, they came back, looking in vain for wives, mothers, husbands, fathers, children who had died.

All are barefoot, all are ragged, all are homeless. All of them need shoes for their feet, clothing to cover their nakedness, bedding to sleep on.

The barbarism of the Japanese aggressor in defeat surpasses even his cruelty in victory. As the campaign for the liberation of the Philippines has progressed, the Japanese have wantonly destroyed homes, public buildings, food, clothing, medical stores, and all means of production which they could not carry away with them as loot. The Filipinos do not only have to carry on without raw materials, they have no plows for the planting, no needles and thread for sewing, no hammers and saws for building, no stoves, kitchen utensils, and no table equipment for preparing and serving what little food is available.

What this situation means is just this:

The son of the Mindanao guerrilla who died by Japanese gunfire while building the airfield in the interior which helped to make possible the American landings will not have a roof for his head.

The Visayan guerrilla who was a cog in the most effective destruction of Japanese field headquarters during the entire campaign will go hungry.

The widow of the Luzon guerrilla who, mortally wounded, dragged himself to the advance guard of the American forces driving on Clark Field to tell of an ambush which awaited them around a bend in the road, will walk in rags.

The Philippine campaign is not yet ended. Thousands of Japanese still remain, in the north of Luzon and on hundreds of islands, large and small. More and more we are dependent upon the skill and knowledge of the Filipino guerrilla. Our own armed forces are given the best in food, clothing, equipment, and in the provisions for their loved ones at home. It is inconceivable that we should expect the Filipino guerrillas to fight without shoes, without clothing, with inadequate food, weighed down by the realization that their loved ones are starving, homeless, and in rags.

Any let-down on the courageous activity of the Filipino guerrillas for any reason means that more of our boys will die. Our job is not only to maintain the present efficiency of the Filipino guerrillas, but to increase that efficiency. Not one among us would care to feel that, because of an avoided responsibility we have willfully condemned an American soldier to his death. Yet, in very truth, that would be what we would be doing if we denied the Filipino people food, clothing, and shelter.

Barefoot Jaime, his feet torn by the sharp rocks of northern Luzon, stops to bathe his feet in the cool of a mountain stream. He will not see the hidden mortar that he would have seen had he not lost that 5 minutes. Private (1st cl.) Smith, of Georgia, who might have had his name on the veterans' roll will have his name on the casualty list. Or Juan, broken by the news of a sick wife who is unable to secure medical care, will drowse on guard. Sergeant Jones, of Oregon, will be listed as missing. Hungry Urbano stumbles on an abandoned Japanese command post. Here is food aplenty. This fortune might not come again. He eats hastily and crams his knapsack with all he can carry. He gets to the crossroads too late to see the Japanese column which has just passed. Lieutenant Carlson, of Nebraska, will not plow again in the spring.

I do not want this terrible responsibility to forever rest upon the House of Representatives. I do not want this feeling that I shared in the death of American soldiers to forever weigh upon my conscience.

What the people of Nebraska buy and sell to the Philippines is an infinitesimal part of our trade relations with that region. But I have a fierce and enduring desire to bring Nebraska boys in our armed services back to their homes. Aid to the closest of our allies cannot bring all these boys back. But it can reduce the number that will never return.

I know these Filipinos. I lived in the Philippines. I was a member of the Philippine Constabulary. As a member of the congressional committee aiding in the inauguration of the Philippine Commonwealth Government I returned to Manila in 1935. I have constantly kept the problems, the sacrifices, and the accomplishments of the Filipino people before this distinguished body. I know these Filipinos. They will fight as long as they have breath in their lungs and blood in their veins for the kind of freedom which we, as Americans, understand and appreciate.

What do the Filipinos want? What are their absolute minimum needs?

For answer to these questions I turn to the report of the Technical Committee to the President of the Philippines issued in October 1914, entitled "Certain Phases of Philippine Relief and Rehabilitation."

The stated functions of the committee are as follows:

1. To study and recommend plans for the relief and rehabilitation of the population upon the reoccupation of the Philippines and for the restoration of public and private property;

2. To study and make recommendations on present and post-war trade, finance, and other relationships between the Philippines and the United States and other countries;

3. To study and recommend plans for the rehabilitation, reconstruction, and readjustment of the Philippine economy, including agricultural, financial, commercial, and industrial reconstruction, and future development; and

4. In general, to survey and analyze the post-war problems of the Philippines, particularly those that may be assigned to it from time to time, and to make recommendations for the solution of those problems.

In accordance with these stated functions, the committee laid down the minical requirements for the first 6-month and the first year of reoccupation. The minimum requirement for food was set at 647,086 metric tons. The minimum import clothing requirements for 1 year were set at 151,347,000 yards. The medical requirements for the first 6-months period were set at 268 basic medical units; 90 antimalarial drug units; 240 obstetrical bags; 6 X-ray equipment units; 164 X-ray supply units; six 200-bed hospitals; thirty 40-bed hospitals; a hundred 10-bed hospitals; 18 basic laboratories; 5 malarial survey laboratories; 30 antimalarial equipment units; 180 antimalarial supply units; 450 general dispensary units; 142 ambulances; and 36 quarter-ton trucks. In addition, basic requirements were set for sanitation and veterinary supplies.

We cannot afford to wait. We must examine the needs of the Filipino people and supply those needs, those basic needs, of the men and women who are fighting and dying that Americans might live. Clothing, feeding, and housing the Filipino people is an elemental issue. It demands action. They must be cared for before they can care for themselves. Before the Philippines assumes normal functions—either as a commonwealth or as a nation—we must keep that governmental unit from being a commonwealth of the crippled or a nation of the naked. By providing the necessities of life for Filipinos we are helping our own and preserving a people who have suffered greatly and contributed greatly to victory in the Pacific. By providing the necessities of life for Filipinos we are saving the lives of Americans in the armed forces. By providing the necessities of life for Filipinos we will be furthering the over-all offensive in the Far East and bringing the day of final victory and peace nearer to our country and to the world.

POST-WAR REFUND

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. CARLSON. Mr. Speaker, the war in Europe is rapidly drawing to a conclusion and industry must make plans for reconversion. We need immediate production of peacetime goods, production that will furnish employment and maintain a high level of national income after the Government spending declines.

In the Revenue Act of 1942 Congress provided for a post-war refund of 10 percent of the excess-profits tax. Under existing law these bonds would not be available for use by the corporation until the second, third, fourth, and fifth year after cessation of hostilities. The money for these refunds has been collected through taxes and is being held as a credit to the corporation in the form of nonnegotiable, nontransferable, noninterest-bearing bonds. Today I am introducing a bill which, if enacted into law, would make the proceeds from these bonds available 60 days after the cessation of hostilities in Europe. The termination date is to be set by proclamation of the Supreme Allied Commander.

This is but the first step in a series of tax moves that should be made to provide full employment.

CONTROL OF JAPANESE ISLANDS

Mr. HÉBERT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HÉBERT. Mr. Speaker, I have just introduced a resolution to the effect that it is the sense of Congress that the United States should retain permanent possession and control of all those islands in the Pacific which the United States has taken or hereafter takes from Japan during the present war and which were in the possession and control of Japan prior to December 7, 1941.

This resolution, Mr. Speaker, gives an opportunity for the people of the United States themselves to have a voice in the San Francisco Conference and at least a "stand-by" position at any peace table when the terms of victory are promulgated.

It is my conception of our form of government that the Congress of the United States reflects and expresses, as far as possible, the will, desires, and wishes of the people of the United States. Assuming this conception to be correct, this resolution offers the Congress the opportunity to express itself—and thereby express also the will of the people—before, not after, any treaties, deals, or trades are entered into between the United States and our valiant allies.

It is my firm belief that the islands in the Pacific which have been bought and paid for with American blood should be kept under our control and direction for our future national security. These islands are absolutely necessary for our defense and should be annexed, maintained, and controlled by our own naval forces. I subscribe to the expressions of Fleet Admiral Ernest King that the United States should keep these islands in the Pacific for our own protection and survival. I have been willing to accept Admiral King's recommendations, as well as the other members of the Joint Chiefs of Staff, for the conduct of the war. I am equally willing to accept the same authorities' word for our requirements of preparedness in order to prevent as long as possible another war.

If and when that other war does come, however, I want America to be as ready for the fight before the attack as America is now ready, but tragically ready too many months after the attack.

To whom do we owe an accounting for the future possession of those islands except to those who today lie buried on them and to those who fought to gain possession of them?

Those who died have died a permanent death. There is nothing temporary about their death. Why should they not leave to their heirs the permanent possession of what they died to gain.

The men who died at Lexington and Valley Forge did not leave a temporary possession to those of us who lived in after years. Those gallant patriots established our first beachhead on the shores of independence and freedom.

The men who died at Bull Run and Gettysburg did not release the possessions handed to them by the martyrs of a previous generation, but gained a tighter grip on that beachhead to hand to a future generation.

The men who died in Belleau Woods and Chateau Thierry thought they were dying to reaffirm their rights to the possessions handed them, but we who lived know they died in vain.

They died in vain because we broke faith with them.

The war which we are fighting today has come as a result of that breach of trust and faith.

Let us not break faith again.

Let us be realistic about this whole business.

Let those of us who live today guarantee for tomorrow the way of life for which those of yesterday died.

Let our voices be heard before, and not after, diplomats sit around any conference table and pass judgment on our future existence.

I have every confidence in those great Americans who will represent us at the San Francisco Conference; I have every confidence in President Roosevelt. Having such confidence I feel that they would welcome an expression from the American people, through their elected representatives, as to whether or not the United States should barter away these blood-drenched and life-bought islands in the Pacific, or annex them for our own future protection and security.

Can we do less than say out loud what we think and feel inwardly at this time?

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include an address delivered by Charles S. Hazen, of the Bureau of Reclamation, entitled "The Benefits of Irrigation."

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD and include an editorial from the Washington Times, and further to extend his remarks and include an article from the B'nai B'rith organization.

Mr. OUTLAND (at the request of Mr. HAVENNER) was given permission to extend his remarks and include an article from the Los Angeles Times.

Mr. ANDERSON of New Mexico asked and was given permission to extend his remarks in the RECORD and include an address delivered by the Governor of New Mexico.

Mr. GATHINGS asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Washington Star on the subject of First Lt. Edgar H. Lloyd, of Blytheville, Ark.

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a resolution I introduced today to name the veterans' hospital in Sioux Falls, S. Dak., the Royal Johnson Memorial Veterans' Hospital, in commemoration of our late colleague in this House; further to extend my remarks and include a resolution I have just introduced advocating the establishment of an International Office of Education; and further to extend my remarks and include a copy of a letter I have addressed to Senator VANDENBERG in connection with the San Francisco Conference.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on two subjects, in the first to include a statement by the Missouri Farmers' Association on the fight against farmer cooperatives, and in the second to include a timely editorial from Labor on renovating Congress.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an interesting and informative article by Walter Lippmann.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent that on Thursday, next, following any special orders heretofore entered, I may be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

NO LET DOWN NOW—IT'S STILL A LONG ROAD TO TOKYO

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker, now, as every Member of this House joins in the Nation's rejoicing over the good news reaching us from our world battlefronts, it is particularly heartening and most timely to receive word of the Soviet Government's denunciation of its neutrality pact with Japan. On every front our arms are meeting success. Everywhere our fighting men, our men of the merchant marine, and our soldiers of production are beating our enemies down.

The faith which America placed in this administration, in Congress, in the strategy, and in the strength and true purposes of the great nations unitedly fighting the Fascist Powers and the support which the people of this country have given are bearing the fruit we so greatly desired.

One of the most important immediate consequences of our great Soviet ally's denunciation of its pact with Japan is the reminder that action should be to those who are unduly and prematurely celebrating the end of the war. Even with Russia's ultimate help, we still have a long hard road to Tokyo.

Americans are the greatest optimists. Our country has performed so many miracles that we expect them daily.

I am optimistic, too. I have always expected better things, better ways of living, better conditions, and greater wealth for the common man. But I am worried because too many are saying that with the VE-day in Europe just around the corner, the Japs will be a push-over. Some are urging cut-backs in war production. Loose talk begins that soon war workers can leave their plants and get away from the high cost rent and food areas which are robbing them of their earnings and crowding them together under any roof.

Even here in Congress, voices begin to ask why we should support war measures with the "war so near its end."

In this hour, with victory in Europe so widely anticipated, I beseech you, gentlemen, to look at the map of the Pacific, to consider the greatest battle front of history. Thousands of miles of lines of ocean communications, bitterly fought for islands, vast stretches inland upon the continent of Asia, the touchy problems crippling our great and gallant, but most unfortunately, our disunited ally, China—these are the grim facts which must temper optimism.

In his second official report, Fleet Admiral Ernest J. King, March 1, made these concluding remarks:

> We have heard much of things being ahead of schedule in the Pacific. Actually, we have had no schedule, except to go as far and as fast as the means in hand would permit.
>
> It can be said that the war today is ahead of our expectations of last year. This should stimulate rather than sap our determination to carry on with every means we can muster. I have said before, and I repeat—a quick and easy Pacific victory cannot be taken for granted, even after the European war is over. While we rejoice in the reoccupation of Guam and of the Philippines, from which our forces were driven 3 years ago, we must constantly realize that we are only now gaining a position from which we can assault the heart of the Japanese strength.
>
> That is our goal, and the enemy is welcome to know that we shall continue to press him with every means at our command. But the very speed of our advance has created new production problems. Our accelerated operations are placing a heavy strain upon reserves of certain vital items, while production of certain necessities is falling behind mounting requirements. It is only by unrelenting support and effort on the home front that our advance can continue.
>
> While we contemplate with pride the accomplishments of the past 12 months—accomplishments without precedent in naval history—we must never forget that there is a long, tough, and laborious road ahead.

I underscore Admiral King's closing words, "There is a long, tough, laborious road ahead."

The men who have seen their comrades killed and wounded on Iwo Jima and Peleliu and in the Philippines, our brave men fighting in the Pacific, and our men and women war workers in the Pacific coast shipyards, aluminum, lumber, and aircraft plants know that the war is not over.

While many did not wholly welcome President Roosevelt's request that Congress enact manpower legislation, it was widely understood on the Pacific coast that the President's concern was both with getting that last burst of productive power to strike final blows against a desperately fighting enemy and with being able to stop any undisciplined movement by management or labor out of war plants back to nonessential civilian production before the war in the Pacific passes the climax of its fighting.

Today, the slogan "Remember Pearl Harbor," has a new meaning. Where today is the voice of the pro-Axis press which so loudly demanded that America abandon the war against the European citadels of Fascist and Nazi tyranny for a Pacific-first war? Where are Hitler's friends who thought to save his system by withdrawing America from the side of its British and Soviet allies into a lone struggle in the Pacific?

They are hiding like rats in their holes while their idol goes down in Europe and the mighty combination of arms which has encompassed that defeat turns for the destruction of Japan.

This administration and this Congress, which have set the over-all policies and guided our Nation, in concert with its allies, so near to victory, will never forget Pearl Harbor, will not fall short of the sacred goal set that grim December day.

REPRESENTATIVE JED JOHNSON

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NORRELL. Mr. Speaker, several days ago the President nominated our colleague, the gentleman from Oklahoma, the Honorable JED JOHNSON, to be judge of the United States Customs Court at New York City.

Later the great Judiciary Committee of the United States Senate unanimously recommended the confirmation, and the Senate, without debate, unanimously confirmed the appointment.

These high compliments paid to our distinguished colleague by the President and the Senate are concurred in by every Member of the House of Representatives. We have worked with him for a period of 20 years in this House and we all have the greatest respect and admiration for his ability, honesty, and integrity.

He is presently serving as chairman of the subcommittee of the House Appropriations Committee handling Interior Department bills. I serve with him on this subcommittee and I know that he has the love, respect, and admiration of every member of that subcommittee, regardless of party. He has made an able and courageous Representative. This House will not only sustain great loss if and when he resigns, but his district, the State of Oklahoma, and our Nation will sustain an outstanding loss in not having the benefit of his services as a Member of this House in the future.

The fact that he was recognized as a capable attorney at the time of his election to Congress, and his reelection to the House in each successive election during the last 20 years, and his standing among his colleagues, is evidence that he has written his name upon the hearts of men, first upon the hearts of his constituents in Oklahoma, then upon the hearts of his colleagues in Congress, and upon the hearts of his fellow men. This is the reason he has been nominated and confirmed for this high office. He has followed the advice of someone who said:

> I wrote my name upon the sand
> And trusted it would stand for aye;
> But soon, alas, the refluent sea
> Had washed my feeble lines away.
>
> I carved my name upon the wood
> And, after many years, returned again;
> I missed the shadow of the tree
> That stretched of old upon the plain.
>
> To solid marble, next, my name
> I gave as a perpetual trust;
> An earthquake rent it to its base,
> And now it lies, o'erlaid with dust.
>
> All these had failed; in wiser mood
> I turned and asked myself, "What then?"
> If I would have my name endure,
> I'll write it on the hearts of men.

He is, however, especially qualified to render great service to the judiciary of this Nation and this opportunity fully justifies his call from the legislative to the judiciary. Being a splendid scholar, an able and experienced legislator, he should and will become a great judge. His decisions will always be according to the law, regardless of his own philosophy and ideas.

USE OF INFLAMMABLE MATERIAL IN THE MANUFACTURE OF CHILDREN'S COWBOY SUITS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, we were all shocked by the horrible accounts of innocent little boys being burned to death in cowboy suits that had been treated with some kind of inflammable materials.

About 2 years ago one of the most disastrous fires of its kind of which I have ever known took place in a night-club dance hall near Boston. It was found, according to the information I got, that the walls, as well as the furniture, had been treated with nitrocellulose, an inflammable substance, that caught fire and burned to death a great many innocent people.

Yet, with that horrible tragedy before them, certain individuals treated a circus tent in Hartford, Conn., with the same or a similar substance last year in order "to make it shine," with the result that it caught fire and burned to death a large number of people—to say nothing of the ones who were crippled or scarred for life or trampled to death in the panic caused by it.

In this morning's press was one of the most horrifying stories I have ever read—of an outfit in New York manufacturing cowboy suits for little boys using the

same or some other inflammable material to make them look attractive. Already we have reports that three small boys have been burned to death as a result of these suits catching fire. Anybody who has sense enough to operate a factory certainly has sense enough to employ chemists to tell them when they are using dangerous materials.

I hope the Committee on Interstate and Foreign Commerce, which has jurisdiction of matters of this kind, will investigate it and see that legislation is reported to the House to put a stop to the reckless use of these inflammable materials, and that the Department of Justice will see to it that the ones responsible for this criminal practice are vigorously prosecuted.

The SPEAKER. The time of the gentleman from Mississippi has expired.

ADJOURNMENT

Mr. COOPER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 16 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Thursday, April 12, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship-sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

370. A letter from the Director of Executive Office of the President, Bureau of the Budget, transmitting five tables covering the determinations of the Director of the Bureau of the Budget during the third quarter of the fiscal year 1945, of the number of employees required by the executive departments and agencies; to the Committee on the Civil Service.

371. A letter from the Attorney General, transmitting copies of reports to the director of the Bureau of the Budget, covering the personnel requirements for the fourth quarter of the fiscal year 1945; to the Committee on the Civil Service.

372. A letter from the President of the United States Civil Service Commission, transmitting a copy of the personnel requirements for the fourth quarter of the fiscal year 1945; to the Committee on the Civil Service.

373. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting a copy of the estimate of the personnel requirements, for the quarter ending July 1, 1945; to the Committee on the Civil Service.

374. A letter from the Administrator of Office of Price Administration, transmitting a copy of the estimate of personnel requirements, for the quarter ending June 30, 1945; to the Committee on the Civil Service.

375. A letter from the Acting Secretary of State, transmitting a draft of a proposed bill for the relief of Mr. Nelson R. Park, American Foreign Service officer, formerly assigned as American consul at Barranquilla, Colombia; to the Committee on Foreign Affairs.

376. A letter from the Attorney General, transmitting a report stating all of the facts and pertinent provisions of law in the cases of 13 individuals whose deportation has been suspended for more than 6 months, under the authority vested in me by the said statute, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

377. A letter from the Archivist of the United States, transmitting lists or schedules, covering records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

378. A letter from the Acting Secretary of War, transmitting a draft of a bill to authorize certain additional appointments in the Officers' Corps of the Regular Army in initial grades not above the grade of captain; to the Committee on Military Affairs.

379. A letter from the Chairman of United States Maritime Commission, transmitting report of contracts entered into or modified under authority of Public Law 46, cumulative for the period beginning January 1, 1945, and ending March 31, 1945; to the Committee on the Merchant Marine and Fisheries.

380. A letter from the Administrator of Veterans' Affairs, transmitting a draft of a bill entitled "A bill to amend section 35 of chapter III of the act of June 19, 1934, entitled 'An act to regulate the business of life insurance in the District of Columbia,' as amended"; to the Committee on the District of Columbia.

381. A letter from the Chairman of the Reconstruction Finance Corporation, transmitting a report of the Reconstruction Finance Corporation for the month of December 1944; to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ELLIOTT: Joint Committee on Disposition of Executive Papers. House Report No. 416. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed

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PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ENGLE of California:

H. R. 2854. A bill to add certain public and other lands to the Shasta National Forest, Calif.; to the Committee on the Public Lands.

By Mr. CARLSON:

H. R. 2855. A bill to provide for the maturity of excess-profits tax refund bonds after the war with Germany; to the Committee on Ways and Means.

By Mr. HÉBERT:

H. R. 2856. A bill to provide for better enforcement of law within the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. HOCH:

H. R. 2857. A bill to establish a national library of motion pictures; to the Committee on the Library.

By Mr. LUTHER A JOHNSON:

H. R. 2858. A bill to provide for dispensing with oath or affirmation as a method of verifying certain instruments; to the Committee on the Judiciary.

By Mr. MANSFIELD of Montana:

H. R. 2859. A bill to provide pensions for disabled veterans of the World War under similar conditions, and in the same amounts, as now provided for disabled veterans of the Spanish-American War; to the Committee on World War Veterans' Legislation.

By Mr. MUNDT:

H. R. 2860. A bill to name the Veterans' Administration facility to be constructed at Sioux Falls, S. Dak., the Royal Johnson Memorial Veterans' Hospital; to the Committee on World War Veterans' Legislation.

By Mr. LEMKE:

H. R. 2861. A bill to regulate interstate and foreign commerce in agricultural products; to prevent unfair competition; to provide for the orderly marketing of such products; to promote the general welfare by assuring an abundant and permanent supply of such products by securing to the producers a minimum price of not less than cost of production, and for other purposes; to the Committee on Agriculture.

By Mr. MANSFIELD of Montana:

H. R. 2862 A bill to provide for adjustments in connection with the Crow irrigation projects, Crow Indian Reservation, Mont.; to the Committee on Indian Affairs.

By Mr. WELCH:

H. J. Res. 148. Joint resolution to quiet the titles of the respective States, and others to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States, and to prevent further clouding of such titles; to the Committee on the Judiciary.

By Mr. MUNDT:

H. Res. 215. Resolution urging the formation of an organization to be known as the International Office of Education; to the Committee on Foreign Affairs.

By Mr. HÉBERT:

H. Con. Res. 40. Concurrent resolution expressing the sense of Congress that the United States should retain permanent possession and control of Japanese islands taken by the United States during the present war; to the Committee on Foreign Affairs.

By Mr. MAHON:

H. Con Res 41. Concurrent resolution expressing the sense of the Congress of the United States that the United States shall retain possession and control over all islands in the Pacific Ocean which are liberated by American arms, and for other purposes; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States to appropriate the sum of $5,000,000 to the Fish and Wildlife Service, Department of the Interior, to be used over a period of 4 years for the purpose of improving and increasing the salmon spawning areas within the Territory; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to enact appropriate legislation providing that men and women in the armed forces shall receive appropriate wage credits on their old-age and survivors' insurance accounts for their period of military service; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Arizona, memorializing the President and the Congress of the United States to pass House Resolution 141, to investigate war prison camps; to the Committee on Rules.

Also, memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States to pass a Veterans' Readjustment Act of 1945 to provide a continuation of pay to returning veterans for a period up to 12 months; to the Committee on World War Veterans' Legislation.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States

to establish an Optometry Corps in the United States Army; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States to enact H. R. 2081 into law, a bill to permit the use of live duck decoys; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Vermont, memorializing the President and the Congress of the United States to enact appropriate legislation providing that men and women in the armed forces shall receive appropriate wage credits on their old-age and survivors' insurance accounts for the period of military service; to the Committee on Ways and Means.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States to enact the necessary legislation to grant to every resident of Alaska now in the armed forces of the United States, upon honorable discharge, land not to exceed 160 acres of unappropriated land or public domain in the Territory; to the Committee on the Public Lands.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States to improve the harbor and build a breakwater at Tenakee, Alaska; to the Committee on Rivers and Harbors.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. MANSFIELD of Montana:

H. R. 2863. A bill for the relief of Maurice J. O'Leary; to the Committee on Military Affairs.

By Mr. MOTT:

H. R. 2864. A bill for the relief of Leslie Junior High School; to the Committee on Claims.

By Mr. WELCH:

H. R. 2865. A bill for the relief of Edward Holstrom; to the Committee on Military Affairs.

By Mr. HÉBERT:

H. R. 2866. A bill for the relief of Rita Chauvin Green; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

329. By Mr. GAMBLE (by request): Petition signed by 53 residents in the Twenty-eighth Congressional District of New York, opposing the enactment of H. R. 2082; to the Committee on the Judiciary.

330. By Mr. DWORSHAK: Petition of the twenty-eighth session of the Legislature of the State of Idaho, Senate Concurrent Resolution No. 5; to the Committee on Roads.

331. By Mr. LUTHER A. JOHNSON: Petition of Mrs. Clovis Mitchell, president, and Miss Berta Curlin, educational chairman, Ellis County Branch of American Association of University Women, Waxahachie, Tex., favoring legislation for the reorganization of the United States Office of Education, and appropriation of adequate financial support for that office; to the Committee on Education.

332. Also, petition of House Concurrent Resolution No. 25 of the Legislature of the State of Texas, memorializing Congress to amend the Social Security Act so as to extend its benefits to State, county, and city employees; to the Committee on Ways and Means.

333. Also, petition of Mrs. Louise McClure and Mrs. W. D. Anderson, of Waxahachie, Tex., favoring legislation for the reorganization of the United States Office of Education, and appropriation of adequate financial support for that Office; to the Committee on Education.

334. By The SPEAKER: Petition of city of Los Angeles, Calif., petitioning consideration of their resolution with reference to favorable enactment into law of H. R. 2346, the seamen's bill of rights; to the Committee on the Merchant Marine and Fisheries.

335. Also, petition of City of Los Angeles, Calif., petitioning consideration of their resolution with reference to placing the council of that city on record to encourage Sister Kenny to remain in the United States and continue her valuable work; to the Committee on the District of Columbia.

336. Also, petition of City of Cambridge, Mass., petitioning consideration of their resolution with reference to favoring a State fair employment practices committee; to the Committee on the Judiciary.

337. Also, petition of Societa Italiana Di Mutuo Soccorso Di South Bethlehem, Pa., petitioning consideration of their resolution with reference to extend to democratic Italy an invitation to attend the Conference of Allied Nations at San Francisco; to the Committee on Foreign Affairs.

338. Also, petition of the Society of St. Peter the Apostle, Bethlehem, Pa., petitioning consideration of their resolution with reference to extend to democratic Italy an invitation to attend the Conference of Allied Nations at San Francisco; to the Committee on Foreign Affairs.

339. Also, petition of the City Council of the City of Philadelphia, petitioning consideration of their resolution with reference to designation of Philadelphia as headquarters for any organization established for the maintenance of world peace; to the Committee on Foreign Affairs.

SENATE

TUESDAY, APRIL 10, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rt. Rev. Lawrence J. Shehan, pastor of St. Patrick's Church, Washington, D. C., offered the following prayer:

In the name of the Father and of the Son and of the Holy Ghost. Amen.

O God of wisdom, pour forth the light of Thy divine wisdom on this assembly. Conscious of the grave problems with which our country is faced today, conscious, too, of the fact that the future of the whole human race will in large measure be affected by the deliberations and decisions of this Senate, we beg Thy blessing upon these men on whose shoulders rests so great a responsibility. Fill their minds with the light of Thy truth, strengthen their wills that they may follow the truth as they see it, give to their hearts unity of purpose in the determination to work for the highest good, not only of those they represent but of all that vast multitude of men who look to them this day in hope. This we ask through Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, April 9, 1945, was dispensed with, and the Journal was approved.

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Daniel
Austin	Guffey	O'Mahoney
Bailey	Gurney	Overton
Ball	Hart	Pepper
Bankhead	Hatch	Radcliffe
Barkley	Hawkes	Reed
Bilbo	Hayden	Revercomb
Brewster	Hickenlooper	Russell
Briggs	Hill	Saltonstall
Brooks	Hoey	Shipstead
Buck	Johnson, Calif.	Smith
Burton	Johnson, Colo.	Taft
Bushfield	Johnston, S. C.	Taylor
Butler	La Follette	Thomas, Okla.
Capehart	Langer	Thomas, Utah
Capper	Lucas	Tobey
Chandler	McCarran	Tunnell
Chavez	McClellan	Tydings
Connally	McFarland	Vandenberg
Cordon	McKellar	Wagner
Donnell	McMahon	Walsh
Downey	Magnuson	Wheeler
Eastland	Millikin	Wherry
Ellender	Moore	White
Ferguson	Morse	Wiley
Fulbright	Murdock	Willis
George	Murray	Wilson
Gerry	Myers	

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], and the Senator from South Carolina [Mr. MAYBANK] are necessarily absent.

The Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from West Virginia [Mr. KILGORE] and the Senator from Washington [Mr. MITCHELL] are absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Tennessee [Mr. STEWART] is absent on public business.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The VICE PRESIDENT. Eighty-three Senators having answered to their names, a quorum is present.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

MULTIPLE TAXATION OF AIR COMMERCE

A letter from the Chairman, Vice Chairman, and members of the board of the Civil Aeronautics Board, transmitting, pursuant to law, a report relating to multiple taxation of air commerce (with an accompanying report); to the Committee on Commerce.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The VICE PRESIDENT appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. CAPPER:

A petition of sundry members of the Y. W. C. A., of Ford, Kans., praying for the adoption of the Dumbarton Oaks proposals with the eight improvements suggested by the Federal Council of Churches; to the Committee on Foreign Relations.

A petition of sundry citizens of Valley Center, Kans., praying for the enactment of the bill (S. 599) to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages, and for other purposes; to the Committee on Interstate Commerce.

SALMON RIVER ROAD, IDAHO

Mr. TAYLOR. Mr. President, I ask unanimous consent to present for printing in the RECORD and appropriate reference a memorial from the Legislature of the State of Idaho imploring favorable consideration from Congress in the matter of a road down the Salmon River in the State of Idaho. When this matter may be brought before the Senate at some future time I shall speak on the proposal at some length. I may say now that from the town of Shoup, Idaho, to Riggins is a distance of 120 miles. Sixty-seven miles of the road are uncompleted. At the present time our citizens must drive 520 miles in order to go from Shoup to Riggins, a distance of 120 miles.

There being no objection, the resolution was received, referred to the Committee on Post Offices and Post Roads, and ordered to be printed in the RECORD, under the rule, as follows:

Senate Concurrent Resolution 5

Concurrent resolution providing that the Governor of the State of Idaho appoint a committee of three persons, to act without salary or expense of any nature whatsoever, to work with the United States Senators and Representatives of the State of Idaho on a program for the completion of a highway following Salmon River, Idaho, to Lewiston, Idaho

Whereas the completion of the highway extending down the Salmon River from Salmon, Idaho, to Lewiston, Idaho, would very greatly reduce the transportation mileage for hauling agricultural, mineral, and lumber products for all such producers in northeastern Idaho, eastern Idaho, northern Utah, and western Wyoming, seeking a northwest coast market, or a Pacific coast market to the Orient; and

Whereas the Congress of the United States has seen fit to appropriate the sum of approximately $100,000,000 for the purpose of constructing a waterway between Portland, Oreg., and Lewiston, Idaho, to provide adequate water-transportation facilities to the Pacific coast; and

Whereas the construction of this Salmon highway between Salmon, Idaho, and Lewiston, Idaho, has been completed with the exception of 67 miles extending through the primitive area of our State held by the Federal Government; and

Whereas Nature has provided a water grade following the Salmon River for the completion of this great project through this mountain range at a point where the climate is quite favorable for transportation throughout the entire year; and

Whereas the north and south highway extending from Lewiston, Idaho, into southern Idaho, together with the proposed Lolo Pass connecting the western part of Montana directly with Lewiston, Idaho, will probably furnish transportation facilities serving both of these territories of southern Idaho and western Montana: Now, therefore, be it

Resolved by the Senate of the twenty-eighth session of the Legislature of the State of Idaho (and the House of Representatives concurring), That we most respectfully urge upon the Congress of the United States of America to immediately or as soon as necessary labor can be obtained, make necessary arrangements for the completion of this Salmon River highway project; be it further

Resolved, That a committee of three persons be appointed by the Governor of the State of Idaho, without salary or expense of any nature whatsoever, to carry out the intent and purpose of this resolution and to work with the United States Senators and Representatives in Congress; be it further

Resolved, That the secretary of state of Idaho be authorized, and he is hereby directed, to forward certified copies of this resolution to the Senators and Representatives in Congress from this State.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 496. A bill to make it a criminal offense for certain escaped convicts to travel from one State to another; without amendment (Rept. No. 181); and

H. R. 1525. A bill relating to escapes of prisoners of war and interned enemy aliens; without amendment (Rept. No. 180).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. VANDENBERG:

S. 855. A bill to extend the rehabilitation and educational benefits under veterans regulations to citizens of the United States who served in the military or naval forces of any allied government; to the Committee on Finance.

By Mr. JOHNSON of Colorado:

S. 856. A bill to amend subparagraph (c), paragraph I of part II, Veterans Regulation No. 1 (a), as amended, so as to grant pensions at wartime rates for disabilities received on or after October 8, 1940; to the Committee on Finance.

By Mr. O'DANIEL:

S. 857. A bill for the relief of Raymond W. Ford; to the Committee on Claims.

S. 858. A bill to permit direct sales of surplus property consisting of vehicles and small machinery to veterans for their use in earning a livelihood, and to give veterans a preference for 10 days in the purchase of such property; and

S. 859. A bill to permit direct sales of surplus property consisting of vehicles and small machinery to farmers for their use in earning a livelihood, and to give farmers a preference for 10 days in the purchase of such property; to the Committee on Expenditures in the Executive Departments.

S. 860. A bill to provide for the common defense in relation to the sale of alcoholic liquors to members of the land and naval forces of the United States; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

S. 861. A bill to prohibit the unauthorized use of the name or insignia of the future Farmers of America, and for other purposes; to the Committee on the Judiciary.

By Mr. TAYLOR:

S. 862. A bill to amend the act entitled "An act for the relief of certain settlers in the town site of Ketchum, Idaho," approved July 11, 1940, so as to extend for 3 years the time for making application for benefits thereunder; to the Committee on Public Lands and Surveys.

By Mr. PEPPER:

S. 863. A bill to promote the general welfare through the appropriation of funds to assist the States and Territories in providing more effective programs of public kindergarten or kindergarten and nursery-school education; to the Committee on Education and Labor.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940—AMENDMENT

Mr. WILLIS. Mr. President, complaints continue to come to every Senator's office about the disregard by the local draft boards of the Tydings amendment, which provides for the deferment of farm labor. This amendment was reaffirmed in the manpower bill recently passed, and which is now pending in conference. Because of the crucial period now faced by the farming industry and because of the lack of assurance that the manpower bill will ever be enacted into law, I ask unanimous consent to submit herewith an amendment to House bill 2625, a bill to extend the Selective Training and Service Act of 1940, as amended. The amendment reaffirms the Tydings amendment as it is contained in the manpower bill.

The amendment also provides for a review of the men inducted into the service since the 1st of January 1945, and for the honorable discharge of all those who would have been deferred under the provisions of the Tydings amendment.

I ask unanimous consent that the amendment be printed in full in the RECORD at this point in my remarks, and that it lie on the table for further consideration.

There being no objection, the amendment submitted by Mr. WILLIS was received, ordered to lie on the table, to be printed, and to be printed in the RECORD, as follows:

Amendment intended to be proposed by Mr. WILLIS to the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended, viz: On page 2, after line 4, insert a new section as follows:

"SEC. 2. (a) Section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"'In carrying out the provisions of this subsection (except the proviso of the foregoing paragraph) the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board.'

"(b) In the case of any person who was inducted into the land or naval forces on or after January 1, 1945, under the Selective Training and Service Act of 1940, as amended, and who prior to such induction was engaged in an agricultural occupation or endeavor, the selective-service local board which had

jurisdiction over such person at the time of his induction shall immediately reopen and reconsider the case. If upon such reconsideration the selective-service local board shall find that such person would have been deferred from training and service had the amendment made by subsection (a) of this section been in effect on and after January 1, 1945, it shall notify the Secretary of War if such person was inducted into the Army, or the Secretary of the Navy if such person was inducted into the Navy, Marine Corps, or Coast Guard of its findings, and upon receipt of such notification the Secretary of War or the Secretary of the Navy, as the case may be, shall cause such person to be honorably discharged from the service. Nothing in this subsection shall be construed to prevent any person so discharged from being subsequently reinducted into the land or naval forces, if such person at any time after his discharge ceases to be eligible for deferment under section 5 (k) of the Selective Training and Service Act of 1940, as amended."

Mr. GURNEY. Mr. President, in connection with the amendment I wish to inform the Senate, especially the Senator from Indiana, that the Committee on Military Affairs this morning reported a bill with the language concerning farm deferments about as it appeared in one section of the manpower bill In other words, the Military Affairs Committee this morning gave favorable consideration to the question just raised by the Senator from Indiana, and reported to the Senate today a House bill, with a change in the bill as it passed the House incorporating the language of the provision in the manpower bill as it was agreed to in conference.

Mr. WILLIS. Mr. President, I am aware of the action taken by the Committee on Military Affairs, but the measture to which the Senator refers is a separate bill, and will require passage by both Houses of Congress, and, as I understand, the signature of the President, before it may become effective. Is not that correct?

Mr. GURNEY. That is correct.

Mr. WILLIS. Therefore I am offering this amendment, which contains the same language, as a part of the bill to extend the Selective Service Act.

RADIO FORUM ON NATIONAL HOUSING PROGRAM—ADDRESS BY SENATOR ELLENDER

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an address by Senator ELLENDER and discussion on the radio forum conducted by the American Federation of Labor on national housing program, which appear in the Appendix.]

SOCIAL SECURITY FOR DOMESTIC EMPLOYEES—ARTICLE BY ARTHUR J. ALTMEYER.

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an article entitled "Social Security for Domestic Employees," written by Arthur J. Altmeyer, Chairman of the Social Security Board, and published in the January issue of the Social Security Bulletin, which appears in the Appendix.]

MUST 10,000,000 AMERICANS STAY POOR?—ARTICLE BY SENATOR PEPPER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article entitled "Must 10,000,000 Americans Stay Poor?" written by him and published in the Magazine Digest for May 1945, which appears in the Appendix.]

POLICE CAR CONSERVATION AND SAFETY PROGRAM

[Mr. BARKLEY asked and obtained leave to have printed in the RECORD a statement on the subject Police Car Conservation and Safety Program, issued by the Automotive Safety Foundation of Washington, D. C., which appears in the Appendix.]

CONTINUATION OF PAY OF MEMBERS OF ARMED FORCES FOR 12 MONTHS FOLLOWING DISCHARGE

Mr. GUFFEY. Mr. President, on March 6, 1945, I introduced Senate bill 675, to provide that all service men and women on honorable discharge from the armed forces of the United States shall be entitled to 1 year's pay at regular monthly periods as a means to enable the veterans of this war to make their personal readjustments to post-war economic conditions.

This bill will in no way affect the existing law as to mustering-out allowances, nor will it supplant any of the provisions of the so-called G. I. bill of rights or other measures enacted for the benefit of veterans of World War No. 2.

This proposal, which incidentally has received the unanimous approval of the Pennsylvania State Senate—Democrats and Republicans alike—and which is now in the course of receiving the approval of the Pennsylvania State Assembly, is designed to serve as a bridge between the present period of wartime employment in the armed forces of the United States and the coming period of full post-war employment.

Every Member of this body knows that full American post-war employment is a political, social, and economic necessity for the United States and for the world.

That is because, without full American production in the post-war period not only this country, but the rest of the world will fall into chaos.

Here alone on the face of the world are the industrial resources, unimpaired and manned by trained labor, with which to meet the demand for civilian goods of every kind needed for the world's reconstruction and rehabilitation.

If those civilian goods are not produced, the rest of the world will literally face economic catastrophe and social chaos, with political repercussions which might well nullify the victory of the United Nations in this war against the Axis.

Full American production can only be made possible only by full American employment. Certainly I cannot see the Congress or public opinion permitting the mass export of American goods and services if the American people themselves are unemployed and in need of relief. From the point of view of just, intelligent selfishness, full employment is necessary to protect the people and the Treasury of the United States. If we have mass unemployment after V–E day, the American people will be forced to turn their V bonds into the Treasury for cash with which to pay their bills and meet their living expenses.

The average American has not made money during this war. He has merely made a living, and he has turned his small savings into War bonds which are payable on demand at the Treasury of the United States. If he loses his job, he will have no choice. He must cash his War bonds. You and I know very well what that would do to the Treasury and to the public welfare. It would compel the Treasury to borrow further from the banks billions of dollars, and the release of those billions into circulation would create a condition of inflation that would raise prices cruelly, while misery itself remained unabated.

It would indeed be unfortunate if our people were given grounds for the belief that only war brings real prosperity and peace the return of mass-misery, mass-poverty, and mass-unemployment, such as ravaged our people in the years of depression.

One thing more should be mentioned in connection with my bill. That is that this measure is absolutely opposed to paternalism. It gives to the individual veteran a chance to plan his own post-war career, a chance to make his own post-war readjustments.

It does so without referring him to any Federal bureau, groups of social workers, psychoanalysts, or bureaucrats, either State or national; and without submitting his plans and hopes to the will of any political planners. In other words, let the veterans do their own planning, and let us be content with making the arrangements by which they can do that planning.

We know that we must have full employment if we are to avoid trouble at home. We know that we must have full production if the war-torn areas of the world are to escape chaos, catastrophe and social revolution, which will affect also our own people.

We trusted our boys to take north Africa, and they took it.

We trusted our boys to take Guadalcanal, and they took it.

We trusted our boys to invade France, and they invaded France.

We trusted our boys to liberate the Philippines, and they liberated the Philippines.

We trusted our boys to take Iwo Jima, and they took Iwo Jima.

We trusted our boys to cross the Rhine, and they crossed the Rhine.

We trust our boys finally to take Berlin and Tokyo and to end once and for all the threat of Axis slavery in the world.

We should trust our boys to make their own post-war plans and readjustments, to make peace more prosperous than war, and to make their return happier than their departure.

It is my intention to ask hearings before the Senate Military Affairs Committee on this proposal to place in the hands of the individual servicemen themselves the choice of how they intend to do this. It is my firm belief that the Government of the United States should not attempt to regulate or even to define the details of what the veterans decide to do when they come home from this war.

Let service men and women decide what they want to do in the reconversion period. Give them as their due, a year's pay in regular monthly installments, and let them do the deciding. This is

their country. They fought for it. They saved it for all of us.

My bill is a simple, practical proposal to bring them back to it, on their own terms, and not on ours, and to permit them to make their own world.

EXTENSION OF LEND-LEASE

The Senate resumed the consideration of the bill (H. R. 2013) to extend for a period of 1 year an act to promote the defense of the United States, approved March 11, 1941, as amended.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the senior Senator from Ohio [Mr. TAFT], which will be stated.

The CHIEF CLERK. It is proposed on page 2, line 10, after the word "reconstruction", to strike out the semicolon and the words "Except that a contract or agreement entered into in accordance with this act in which the United States undertakes to furnish to a foreign government defense articles, services, or information for use in the prosecution of the present war and which provides for the disposition, on terms and conditions of sale prescribed by the President, of any such defense articles, services, or information after the President determines they are no longer necessary for use by such government in promoting the defense of the United States shall not be deemed to be for post-war relief, post-war rehabilitation or post-war reconstruction," and insert a period.

Mr. TAFT. Mr. President, yesterday I offered the amendment which has just been stated, and spoke at some length on it. I shall briefly review what the question is.

My proposal is to strike out on page 2 all of the second part of the proviso. The proviso reads:

Provided, however, That nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction.

I do not see why we should not put "period" at that point. That is the principle upon which the Congress has agreed, it was the principle contained in the Lend-Lease Act, it was the principle to which, so far as I can see, every Senator on this floor agrees, that nothing shall authorize the President to use the lend-lease arrangement for entering into a contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction.

It is proposed that there be an exception. This is the language:

Except that a contract or agreement entered into in accordance with this act in which the United States undertakes to furnish to a foreign government defense articles, services, or information for use in the prosecution of the present war and which provides for the disposition, on terms and conditions of sale prescribed by the President, of any such defense articles, services, or information after the President determines they are no longer necessary for use by such government in promoting the defense of the United States shall not be deemed to be for post-war relief, post-war rehabilitation, or post-war reconstruction.

All that has to be done in order to nullify the first part of the proviso is for the President to act under the provision that when he finds the articles are no longer necessary, he may sell them to the other government on credit. All he has to do is to insert that provision in a lend-lease contract, and the first sentence, namely "that nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction" is immediately nullified.

Not only that, Mr. President, but such action has been actually taken in the French agreement. Under the French agreement our Government is to give two and a half billion dollars to France, in the way of supplies, which have no direct connection with the operation of the war, but are primarily for civilian relief and rehabilitation and for the rehabilitation of the French railroads, which no doubt would be useful if the war were still in progress in Europe 12 months from this time, but obviously not useful for any immediate purposes.

We have built up our own railroads in France, and are transporting the supplies to the front ourselves. We do not need a great many French locomotives and French cars for that purpose. We have actually made an agreement which purports to cover materials for use in the war, and yet, obviously, from the very circumstances of the case, particularly with the German to end in a short time, it is primarily a contract for post-war relief and rehabilitation. It is excepted from the prohibition by the exception under which, when the war ends, the President may sell all the articles to the French on 30 years' credit. That is simply a nullification of the first part of the proviso.

It seems obvious to me that if Congress means that lend-lease is not to be used for post-war relief and rehabilitation, it should say so in clear terms. I have yet to hear any reason why the last part of the proviso should remain in the bill.

Mr. President, on the amendment, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LA FOLLETTE. Mr. President, I shall support the amendment offered by the Senator from Ohio.

In fighting this war it has been necessary for the Congress to delegate vast powers to the Executive and to the various agencies and departments of Government in order that the resources, the manpower, and the wealth of this mighty Nation might be mobilized to prosecute the war on a global scale never before attempted in human history. So far as I am concerned, I voted for each and every proposal delegating to the Executive such power as I believed to be justified by the facts and the evidence presented, and as being essential to the successful conduct of this terrible war. Nevertheless, I have wherever possible insisted that the Congress should limit the period for which those powers were delegated, and, insofar as I could successfully do so as an individual Senator, I have sought to insist that the delegation of such powers should be separated and should be terminated at the conclusion of the war, or within a reasonably short time thereafter.

Mr. President, I have taken this position because I am convinced, from such study as I have been able to give to the history of this country, and to the effect of war upon the accretion of power in the executive arm of the Government, that in view of the vast powers which we have been required to yield up to the Executive to enable him to conduct a war of the complexity, distance, and magnitude of that now being waged, the question of the restoration of the balance of power as between the executive and the legislative arm of the Government is one which tests the ingenuity and the courage of the representatives of the people in Congress assembled.

In supporting the proposal offered by the Senator from Ohio, I do not wish to be placed in the position of saying in advance that I am not in favor of this mighty Nation doing its full share to bring about, so far as is humanly possible, a revival of economic activity and prosperity in the world. But, Mr. President, I am convinced that unless the amendment shall be adopted the Congress will be yielding up for the post-war period authorization for a program of rehabilitation which, save for the one control insofar as the total amount of appropriations is concerned, is unlimited in character.

Mr. President, I have confidence that a majority of both Houses of Congress will be generous in voting to contribute to the rehabilitation of the post-war economies of the nations which have been devastated by this horrible conflict; but the determination and the policy making should be the primary responsibility of the Congress. I say in passing that I do not believe that the cause of continuity, insofar as the policy of this Government is concerned, toward economic cooperation in the world will be served unless the representatives of the people make the determination as to how much and as to how far this country should go in that direction.

Mr. President, each generation as it comes on in a country has a tendency to think of the Nation in terms of the economic environment of the preceding generation. The Creator lavishly endowed the portion of the North American Continent which has now come to be the United States of America, insofar as its natural resources are concerned; but in the course of the development and exploitation of those natural resources we have followed a policy which only in recent years has been in anywise reversed, namely, a policy of profligate and wasteful development and exploitation. The natural resources of a country are the fundamental base which determines the standard of living and the cultural as well as the economic development of its people. I do not believe that even Senators and Representatives who have tried to follow the course of the conduct of this war have any appreciation of the extent to which our natural-resource base

has been depleted, to mention not at all the enormous indebtedness which we have incurred and will continue to incur before this war comes to its conclusion.

Mr. President, the Congress should have an opportunity to face a complete and comprehensive schedule to determine what this Nation is willing and able to do—and I emphasize the word "able." We should have a complete and comprehensive statement of what is proposed to be the contribution of this Nation to the rehabilitation and restoration of the devastated nations of the world. We shall never obtain that from the executive branch of the Government if we continue to enact legislation which permits that branch to extend beyond the actual conduct of the war exclusive executive control over the commitments which are to be made so far as rehabilitation and relief abroad are concerned.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I will yield in a moment.

All that the amendment of the Senator from Ohio does, as I see it, is to make certain that when the time comes for the Congress to determine upon what the Nation is willing and able to do as its full and generous contribution to the problem of rehabilitating the world, it will force the executive to come back to Congress and to permit the policy-making arm of government, under our Constitution, to discharge its responsibility.

I now yield to the Senator from Maryland.

Mr. TYDINGS Mr. President, I do not see how anyone can take exception to the Taft amendment or the statement of the Senator from Wisconsin. We hear it said on all sides that as soon as the war is over we must recapture the powers which have been delegated to the executive department and get democracy back on a firm footing. I cannot think of any power which has been granted that is wider in scope or more quantative in its riches than the power of lend-lease without restraint in the post-war period. Consequently I think there is an argument to be made to fortify the position of the Senator from Ohio, to wit, that whatever advantage our country may enjoy at the peace table, whether it be in the idealistic sphere or the material sphere, ought not to be given away in advance. Therefore, if we say in advance, "You may have almost anything you ask for which we are able to give within reason," we shall have lost a tremendously important psychological weapon at the peace conference.

Like the Senator from Wisconsin, I want to be generous in the post-war period, but I do not want to sign a blank check for use after the war is over. The blank-check era ought to end with the cessation of hostilities, and therefore we ought to know what we are doing before we give hostages to fortune.

Mr. LA FOLLETTE. Mr. President, I appreciate the comments of the able Senator from Maryland. We have already adopted and agreed to U. N. R. R. A. and have made substantial appropriations therefor, and we have made vast and staggering appropriations for lend-lease. Yet it developed before the Foreign Relations Committee that in some foreign countries neither of these organizations is now able to operate. Upon questioning Mr. Crowley, I was informed that they are working "downtown," as he put it, on a program to take care of that situation.

Mr. President, I do not wish any Senator to think that I am saying the Senate should adopt this amendment for the purpose of preventing action in this field. I am, on the contrary, saying that the only way Congress is ever going to obtain a comprehensive statement and recommendation from the executive branch of the Government to cover the vast field and the complex problems which are created by the devastation of war, is to take the position that we insist that this policy must be determined by the Congress, and that the officials in charge must come back to Congress and obtain authorization and authority for it.

One more word, Mr. President, and then I am done. May I say that vast as are the resources of this Nation we have materially reduced our resource base in the conduct of this global war? The capacity of the country to discharge the obligations and the desire which it has to do its full share in the post-war world will be directly limited by the extent to which the domestic economy of this vast Nation is successfully reconverted to peacetime activity and it becomes possible to discharge whatever commitments we make. I can think of nothing which would more seriously impair the future foreign relations of the United States than for it to become committed to a program which was beyond the capacity of the Nation to discharge.

The only way we can weigh that problem, complex as it is, is to have it presented in a comprehensive form, as the Constitution intended to the policy-making arm of the Government, where it can be reviewed in its entirety, instead of having it proposed by a number of different executive agencies piecemeal, each, perhaps, working on it independently.

Mr. President, I hope the amendment offered by the Senator from Ohio will be adopted. I wish also, in conclusion, to make it clear that nothing I may have said is to be taken nor is my vote to be taken, as indicating any lack of confidence in the present Administrator of the F. E. A.

Mr. WILEY. Mr. President, the matter of lend-lease extension goes deep into the heart of our future foreign policy, United Nations war plans, and our domestic program.

I was one of those who, prior to Pearl Harbor, voted against the establishment of the lend-lease program. On March 24, 1941, I stated:

> I have every sympathy with the objectives which this (lend-lease) appropriation may further.
>
> However, my conscience required that I vote against the pre-Pearl Harbor lend-lease appropriation, even though, as I stated:
>
> I realize that this appropriation measure will pass. I realize also that there will be further requests for billions and that Congress is liable to make these appropriations without any hesitancy and with comparatively little thought unless the people of this country wake up.

My reasons for voting against lend-lease at that time were stated as follows:

1. As a protest against the President's failure to inform Congress what steps he is taking to secure collateral security for the people.
2. Because I believe that the appropriation is not backed up by a realistic tax program.
3. Because of the utter lack of any disposition on the part of the administration to cut down on nondefense items.
4. As a protest against the laxity, yes, in some instances criminal negligence, of the administration in handling the people's money.
5. Because the power of the Congress with reference to appropriations and other matters has become synonymous with the "must" requests or dictates of the Chief Executive.
6. Because billions of dollars do not grow on berry bushes.

The reasons which I advanced have stood the test of time. However, December 7, 1941, came and with it Pearl Harbor. Like many of my colleagues, I willingly overlooked the aforementioned compelling reasons and therefore consistently voted for every cent of lend-lease money requested of Congress during the period of the war.

Today the matter of lend-lease extension again faces us. Again there are many dangers implicit in this situation. Some of these dangers are new, some are the same that I originally stated 4 years ago.

What are they? They are:

First. We may by premature termination of lend-lease weaken the ability of our allies to render us real assistance in the elimination of the German foe and in the prosecution of the war effort in the Pacific.

Second. We may, by making financial commitments abroad in no fewer than nine separate categories, such as through U. N. R. R. A., through direct credits, through the Export-Import Bank, through lend-lease, and so forth, indulge in the same folly of duplicating, conflicting, and overlapping effort that we have so disastrously indulged in on the home front throughout the period of the present administration.

Third. We may be continuing the dangerous, strictly wartime system of blanket authorizations to the Chief Executive.

Fourth. We may be building up foreign nations for an awful let-down by making greater promises than the United States, with its limited and already greatly extended resources, can fulfill.

Fifth. We may by reckless spending be courting our own financial insolvency.

Sixth. We may be attempting to spoon feed particular nations and thus abuse their inherent pride and self-respect and inevitably bring down upon our own heads their wrath and indignation.

Seventh. We may, by an over-abrupt termination of our lend-lease contracts, cause a profound dislocation of our internal economy. I wish to stress this

point, because I shall have something to say about it in relation to Mr. Crowley's comments.

Eighth. We may, by an arbitrary reorganization of our foreign-aid instrumentalities, take away from the hands of practical and experienced men the job of administering our foreign-aid program.

I believe these dangers can be met in the following manner:

First. We must help our allies to render us real assistance in achieving victory in the west and in the Far East.

Second. We must receive from the Chief Executive a total, coherent picture of all the instrumentalities by which America will be extending foreign aid. Such a picture must define in a clear-cut and precise manner the projected amounts of revenue required from America, the sources of such revenue, the uses of such revenue, the time periods involved, and so forth.

Third. We must at the earliest possible moment restore our American system of checks and balances and establish all our foreign aid upon the basis of specific congressional authorization of money.

Fourth. We must make abundantly clear to the foreign nations the true extent to which we intend and are capable of aiding them in order that they may proceed with their own plans on the soundest possible basis, and may not come to expect more than we can fulfill.

Fifth. We must establish our own domestic and foreign financial system upon the most solvent of bases, and must take into account the true financial abilities of foreign nations.

Sixth. We must help our allies to help themselves and to have their problem solved through their own efforts in order that they may maintain their own pride and self-respect.

Seventh. In planning for the termination of lend-lease contracts we must be certain that we are not putting our own Government or our own private contractors out on a limb. As promised to us by Mr. Leo Crowley, we will have the option to cancel unfulfilled lend-lease contracts at the time of cessation of European hostilities. We must be able to deal on an equitable basis without domestic manufacturers with whom we have made lend-lease contracts.

Eighth. We must keep the business of foreign aid in the hands of men who have proven their practical ability to discharge their responsibilities in the manner the Congress decides and demands.

These, then, are the issues and the suggested means by which we may effectively face those issues.

Mr. President, since Pearl Harbor I have, as I have stated, considered lend-lease as a great war instrumentality. Since that time I have supported every extension of lend-lease. It places, and it has placed, in the hands of Government tools with which it can act quickly and efficiently without the need of going through the legislative process. Nations at war cannot stop to deliberate. They must act quickly; they must have the tools, the means, the money, the men, the power. Lend-lease makes it possible for the executive branch of the Government to take effectively any and all measures necessary to the effective prosecution of the war. In other words, for the war period lend-lease does away with the checks and balances which it is so important to maintain and retain in peacetime, lest liberty itself be jeopardized.

We are told that the war in Europe will soon be over. How long it will be, I do not know and I think no one knows. The question before the Senate is whether, we should make it possible for the Executive in the liquidation of lend-lease contracts to exercise, after the war in Europe is over, lend-lease powers which will operate indirectly in the rehabilitation of the devastated countries of Europe, or whether Congress should insist that in the rehabilitation of such European countries it should act specifically upon the money needs or loans for each.

That matter was discussed in committee, and assurance was given by Mr. Crowley that the moment the war terminated no more contracts would be made for lend-lease. He recognized, he said, that lend-lease was a war measure, not a peacetime measure. He also brought out clearly that under the so-called 3 (c) contracts which have been mentioned in the Senate, such as the one with France, if we pass the pending lend-lease extension bill without the Taft amendment there will be power in the hands of the Lend-Lease Administrator to liquidate lend-lease contracts.

Let me use an illustration; Suppose that under lend-lease powers our Government has made a contract to sell France 50 locomotives, suppose it has made a corresponding contract with our locomotive-production plants, and suppose that 25 of the locomotives have been delivered, and then the war comes to an end. The 25 locomotives which are in France belong to America, but there is an outstanding contract for 25 other locomotives which France would like to have. Under the 3 (c) contracts, we have the option of canceling the contract or of permitting France to buy the locomotives. The lend-lease locomotives which have been delivered will have deteriorated in part. Who will be in the best position to handle that liquidation? The answer must be that the Lend-Lease Administrator will be in the best position to do so.

The locomotives are in France. If we cancel the contract they will belong to us. We must bring them back to America. France needs them. Provision has been made to enable her to buy them. We will, as I say, deal through the Lend-Lease Administrator. So, if it is to the best interests of this country to do so, not only will the 25 locomotives which are in France be sold to France, but the 25 locomotives which have not yet been produced will be produced, thereby providing work for both labor and industry in America.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. TAFT. It is obvious that the Lend-Lease Administrator can dispose of the locomotives as surplus property, and if the Export-Import Bank, or some other agency, will give France a 30-year credit, or if France can obtain a loan from the new international bank, she can offer cash to buy that material and surplus property. My objection is to the power proposed to be given to lend money for 30 years in the amount of approximately two and one-half billion dollars. That is the difficulty with the portion of the proviso which I am trying to have stricken out.

The PRESIDENT pro tempore. The time of the Senator from Wisconsin has expired.

Mr. WILEY. I shall take time on the bill.

Mr. President, it appears to me that it is six of one and half a dozen of the other. As a practical proposition—I heard Mr. Crowley outline it in the committee—it seems to me that in this bill it is specifically provided that when the war ends the Lend-Lease Administrator may not make any more contracts, but can liquidate the contracts already made. By the bill it is provided that he shall be the liquidating agent of the Government. As the distinguished Senator from Ohio has suggested, the problem could be handled otherwise. France could obtain credit from the Export-Import Bank, or perhaps from some other agency. Let us be practical about it and see how it would work. Twenty-five locomotives are in France. Twenty-five locomotives are on the production line in America. The Lend-Lease Administrator handles the transaction. It is typical of hundreds of similar transactions. We do not want the locomotives to be brought back to America. We are parties to a contract under which France may buy them. Let us assume that we do not give the power which it is proposed to give. At the end of the war we shall have 25 locomotives. Someone must negotiate for their disposal. Who shall it be? Shall it be someone who has had nothing to do with the locomotives? Very well. Someone must see that France is given credit. Which agency shall it be? It is not determined. There will be delay after delay. The property will deteriorate. It seems to me that we are faced with a practical question.

I agree with everything which has been said by the distinguished Senator from Ohio [Mr. TAFT], and my distinguished colleague from Wisconsin [Mr. LA FOLLETTE] about the necessity of seeing to it that the executive power is not enlarged.

Yesterday I said on the floor of the Senate:

> I also recommend to the committee consideration of the subject of what functions, which during the depression era and during the war the Federal Government has taken over, should be returned to the States. It is conceded by everyone that the Members of the House and the Senate are overburdened by many matters which divert their attention from national policy making and which it should not be the business of a legislator to consider. If this committee would recommend that the functions of government which belong to the States and the local communities be returned to the States and communities, and that were done, I think we would find that Congress could do a much better job in legislative matters which, after all, is its primary function.

Since coming to the Senate I have taken the position that this body should make sure that the executive branch does not overreach and assume power which it should not have. I have seen great nations such as Germany, Italy, and others, go down under the impact of power which had been granted to an individual or individuals. But that is not the situation here. We stop lend-lease when the war ends. But we say to the Administrator, "Mr. Administrator, you know this job better than anyone else. You have been handling these materials. They are in France. We do not want you to ship them back to America. You sell them."

Mr. TAFT. Mr. President, will the Senator further yield to me?

Mr. WILEY. I yield.

Mr. TAFT. Of course, any materials now in France were delivered under the agreement, and they are not covered by the proposed amendment. The amendment applies only to materials which have not yet been shipped. So far as locomotives are concerned, I suggest that there may be great use for them in this country.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield?

Mr. BARKLEY. In that connection, it might be observed that Mr. Crowley said that while the locomotives may have been delivered, title to them is in the United States, and that when the war ends the United States must determine what it will do with the materials which have been delivered. Materials in that category are no different from materials which have not been delivered, because the Government must dispose of them in the same way.

Mr. WILEY. The Senator from Kentucky is correct. The title to all lend-lease property is in the United States. The only distinction is that, assuming the locomotives have been used for 6 months, they will have deteriorated considerably. It would be the duty of the Administrator to decide on a fair price for them.

Mr. President, I am thinking about other angles. If all at once we say that we will cancel all contracts applying to the future, what will such action mean to our industries and our labor? Consider, for example, the 25 locomotives about which I have been talking; if we cancel the contract we shall have a problem on our hands with the manufacturers of the locomotives. The manufacturers will have a claim against the United States Government. Men will be out of work and material will not be used. As I have already said, I think it is "six of one and a half dozen of the other."

I was very much impressed with the argument which was made by my distinguished colleague and friend the Senator from Ohio [Mr. TAFT]. In most cases I go along with him; but I think that in this case we are making mountains out of mole-hills. We are merely saying to this great agency, which has done such a great job, "You are the liquidating agency. We give you the power to liquidate, and we hold you responsible." I am familiar with the question of administration. Hundreds of millions of dollars' worth of property have been sent to various parts of the globe by the Lend-Lease Administrator. Are we going to put that property into the hands of someone else for disposal? Are we going to cut off suddenly the power of the Administrator, and then turn the matter of surplus property over to some other agency, or are we going to let the Lend-Lease Administrator, who has been in entire control of the whole situation up to now, do the job?

Mr. President, I have just one more word to say. A statement was made yesterday by my great friend from Ohio about forgiving lend-lease. One of the arguments recently made in the press was with regard to America's need of the great island bases which we are now conquering. If we have claims against other nations for $36,000,000,000, for example, I am not in favor of wiping the slate. I am in favor of having a Churchill, or some good Scotsman bargain for us, and say to our allies, "We have these claims against you. We want to be just, but we need these outer bases as bulwarks for our defense." In other words, we should use every claim which we have in a realistic manner in order to insure that our people will not be sold down the river.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. TAFT. Does the Senator think, for example, that the Surplus Property Administrator will ever say to France, "If you want lend-lease, you must give us New Caledonia?" If such a thing were to be done, the Administrator might have to provide accordingly for it in the agreement before giving away two and a half billion dollars' worth of lend-lease. I question the advisability of the course suggested by the Senator from Wisconsin, and I am quite certain the present administration will not follow it.

Mr. WILEY. There is no question in my mind that there are certain persons in the administration who will agree with the Senator's conclusion. But, Mr. President, we are trustees of the people's values. The money which we are loaning, indeed, which we are giving away, does not belong to this administration or to this body; it belongs to the 136,000,000 people of the United States, and we must be a little bit realistic in approaching these world problems.

Yesterday the distinguished Senator from Michigan [Mr. VANDENBERG] asked for the prayers of this body when he goes forth to San Francisco. The people are praying that this body will wake up and that the administration will wake up to a sense of trusteeship of the things which we control on behalf of all the people.

Mr. BARKLEY. Mr. President, I fear that there exists a total misconception of the purpose of the provision in the bill extending lend-lease which is now before the Senate and which the Senator from Ohio seeks to eliminate.

Mr. LUCAS. Mr. President, will the Senator yield? I should like to make a point of no quorum, if the Senator does not object.

Mr. BARKLEY. I yield to the Senator.

Mr. LUCAS. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Daniel
Austin	Guffey	O'Mahoney
Bailey	Gurney	Overton
Ball	Hart	Pepper
Bankhead	Hatch	Radcliffe
Barkley	Hawkes	Reed
Bilbo	Hayden	Revercomb
Brewster	Hickenlooper	Russell
Briggs	Hill	Saltonstall
Brooks	Hoey	Shipstead
Buck	Johnson, Calif.	Smith
Burton	Johnson, Colo.	Taft
Bushfield	Johnston, S. C.	Taylor
Butler	La Follette	Thomas, Okla.
Capehart	Langer	Thomas, Utah
Capper	Lucas	Tobey
Chandler	McCarran	Tunnell
Chavez	McClellan	Tydings
Connally	McFarland	Vandenberg
Cordon	McKellar	Wagner
Donnell	McMahon	Walsh
Downey	Magnuson	Wheeler
Eastland	Millikin	Wherry
Ellender	Moore	White
Ferguson	Morse	Wiley
Fulbright	Murdock	Willis
George	Murray	Wilson
Gerry	Myers	

The PRESIDENT pro tempore. Eighty-three Senators have answered to their names. A quorum is present.

Mr. BARKLEY. Mr. President, I wish to thank the Senator from Illinois for the good intentions which he exhibited in making the point of no quorum in the hope that a sufficient number of Senators would be on the floor while this important matter is being discussed to make it worthwhile to discuss it; but there are not as many on the floor now as there were when the Senator made his point of no qucrum.

I do not know what has happened to the Senate of the United States. I regret to say what I am going to say, but it seems to me that it has reached an all-time peak in irresponsibility of attendance on the floor of the Senate. We can get but few Senators to come here while there is under consideration one of the most important matters that will be before the Senate in weeks, involving billions upon billions of dollars worth of property; and when the debate has been concluded Senators will come trooping in, asking somebody at the door what the Senate is voting on and how they should vote. It does not present a very encouraging picture of deliberation in the Senate of the United States.

Mr. ELLENDER. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. BARKLEY. I yield.

Mr. ELLENDER. I was under the impression that the Senate was going to consider for the next 2 weeks the Mexican Water Treaty. That may be the reason why many of our colleagues are not present.

Mr. BARKLEY. We had up the lend-lease bill all yesterday afternoon; we entered into an agreement for a limitation of debate. Any Senator who read the RECORD must know that we recessed in legislative session with this matter before the Senate. The fact that we had pending a treaty, which was laid aside yesterday under the rules because it had

to be laid aside, it seems to me offers no excuse for the chronic absenteeism on the floor of the United States Senate.

Senators have come to me during the last few days by dozens and asked me what we could do to improve attendance in the Senate. If someone will tell me what to do, I shall be happy to cooperate in doing it. If there is anyone now present on the floor of the Senate who disagrees with what I am saying, I shall yield to him to rise and controvert it.

Mr. ELLENDER. Mr. President, the point I tried to make a while ago——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. BARKLEY. I yield.

Mr. ELLENDER. The point was that all of us—I know that I was under such an impression—thought that for the next 2 or 3 weeks the Senate would be considering the Mexican treaty, and with that in mind I expected to leave for Louisiana this evening. If our distinguished majority leader had told us a week ago what the program would be, I would not have made that appointment for this week.

Mr. BARKLEY. I appreciate the Senator's comments upon that subject. Each Senator has control of whether he remains here or not but it is discouraging for those who try to legislate in the Senate to find continually Senators' places empty, and the Senate Chamber empty, and no one here to listen, even during the consideration of a treaty as important as the treaty with Mexico. I do not think the consideration of a treaty offers any excuse for wholesale absenteeism on the part of the Senators of the United States.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MAGNUSON. I do not disagree with the distinguished majority leader, but he has asked for a suggestion. It seems to me that if the committee chairmen would not schedule committee meetings for afternoon, we would have a much better attendance. I am sure the Senator will find that half the United States Senate this afternoon is in one committee or another. I know I personally had two meetings scheduled. They are both important; sometimes they seem more important than some of the speeches I hear on the floor of the Senate; but I think that if we could work that out, we would have much better attendance.

Mr. BARKLEY. I do not know, and I have no way of knowing, what committees are in session when the Senate itself is in session. Except in the greatest of emergencies, committees should not be in session when the Senate is in session. It seems to me that in behalf of the Senate itself, out of respect to appearances, and the impression derived by men and women who come to the Senate and look down upon it from the galleries, we should be willing to remain here, and at least make it appear we are doing our duty, whether we are or not.

[Manifestations of applause in the galleries.]

Mr. MURRAY. Mr. President, will the Senator from Kentucky yield?

Mr. BARKLEY. I yield.

Mr. MURRAY. I can readily understand the position the majority leader takes, but I think it would be only fair to say that Senators are under great pressure in connection with committee work, and that it would be impossible to carry on the work of the committees unless Senators were absent from the floor at various times. It is unfortunate, but nevertheless I do not think Senators who are engaged in legitimate committee work should be subjected to criticism for their failure to be on the floor when an important matter is being considered, because the work of the committee is sometimes just as important and just as vital as the work on the floor.

Mr. BARKLEY. I am not criticizing any individual Senator or the chairmen of any of the standing or special committees.

Mr. ELLENDER. Whom is the Senator criticizing?

Mr. BARKLEY. I am talking about the Senate as a whole.

Mr. ELLENDER. That includes those attending committee meetings.

Mr. BARKLEY. Mr. President, if attendance on committee meetings is to be given as a chronic and perpetual excuse for absenteeism from the floor of the Senate, we should adopt a rule that if a committee is to be in session when the Senate is in session, the Senate should have some notice of it. And when there is a roll call of the Senate to determine whether there is a quorum present, we should stop the practice of having the names of the Senators put on the roll when they are not here to answer to their names.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LA FOLLETTE. I merely wish to say that I had intended to discuss today the subject to which the Senator has been alluding, but I had refrained from bringing it up because I knew there was a limitation of debate in connection with the pending bill which provides for the extension of the Lend-Lease Act. I want the RECORD to show that at the conclusion of the consideration of the proposed legislation I shall endeavor to obtain the floor to make some remarks on the subject the Senator has been discussing.

Mr. BARKLEY. Mr. President, I had not intended to comment upon this situation during the limitation of debate, but I was prompted to do so by the utter failure to get a quorum of Senators here, although the announcement by the Chair shows that 49 Senators were on the floor. We all know 49 Senators were not on the floor at any time during the roll call, or after it ended. Senators come in and answer to their names, and then go out. In the House of Representatives there used to be a practice, when a point of no quorum was made, of locking the doors so that Members of the House could not get out, at least until the roll call had been completed. There are many legislatures in the country which have similar rules, and they do not even unlock the doors after the roll call is finished until a vote is had on the measure, the consideration of which brought about the roll call.

Mr. BROOKS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. BROOKS. I should like to make the point that there are 23 Senators in attendance on this side, and there are 19 on the other side.

Mr. BARKLEY. If the Senator from Illinois thinks that is of any importance, very well. I suppose his idea was to inject some partisanship into the question. I am not talking about Democrats or Republicans; I am talking about the United States Senate.

Mr. President, in whatever time I have left, I shall discuss the amendment now pending.

As I started to say a while ago, I think there is a total misconception with reference to the pending measure and the language which the amendment of the Senator from Ohio seeks to eliminate. In order that we may understand what is involved, I wish to read a section of the original act. The bill the Senate is now considering is only a modification, a clarification, of the original Lend-Lease Act. Subsection (c) of section 3 of the original act provides:

> After June 30, 1943, or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a), except that until July 1, 1946—

Which is the end of the free period contemplated by the Congress for the liquidation of lend-lease—

> except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier.

In other words, when Congress passed the original Lend-Lease Act it provided the 3-year liquidation period during which contracts made prior to July 1, 1943, could be carried out by the agency or by the Government. What the pending bill does is merely to enlarge somewhat upon that language by providing that—

> Nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction.

It was never the intention of Congress that lend-lease should be used for post-war relief for reconstruction or rehabilitation. The President himself has over and over declared that when the war ends lend-lease shall end. In his statement recently issued, and in his annual message, the President emphasized the fact that when the war ends no more loans shall be made, no more grants of any kind shall be made, under the Lend-

Lease Act. But Congress was wise enough to realize that a time would come when we would have to liquidate a vast amount of property scattered all over the world. The Senator from Wisconsin [Mr. WILEY] has referred to engines, or locomotives, but there are vast quantities of property of all kinds, not only in France but probably in Africa, in Italy, in England, in Belgium, and in Russia, and there will be vast quantities of property in Germany and in China and on all the islands of the sea, which has been carried there under lend-lease, and as a part of the war program. What are we going to do with that property? The title to every ounce of it is in the United States Government. Are we going to leave it piled up in foreign countries to disintegrate or evaporate; if it happens to be engines, to rust; or if it happens to be boxcars, to remain where it is indefinitely subject to the ravages of the weather?

Mr. CORDON. Mr. President, will the Senator yield?

Mr. BARKLEY. I have only a few minutes left.

Mr. CORDON. Has not Congress passed the act creating the Surplus Property Board to take care of that situation?

Mr. BARKLEY. No, not altogether. Not only have we sent boxcars overseas, but, as was referred to yesterday, agricultural implements have been sent overseas to enable the countries to which they were sent to produce food for our soldiers and as a part of the war effort, in order to save shipping space of our own merchant marine which would otherwise be needed to carry food and supplies from the United States. We still have title to that property. It may not be economically sound or wise to try to bring all that property back to the United States. If it is brought back and is sold in this country it would come in competition with products of our own factories and with our own labor for whom we are undertaking to provide jobs when the war shall end.

So all this provision of the bill does is merely to emphasize what everyone has said, that the lend-lease law shall not be used for the purpose of rehabilitation, reconstruction or relief, and in order not to restrict ourselves too sharply by the provision that it shall not be used for such purposes, the bill makes this provision in the language which the Senator from Ohio now seeks to strike out:

> Except that a contract or agreement entered into in accordance with this Act in which the United States undertakes to furnish to a foreign government defense articles, services, or information for use in the prosecution of the present war and which provides for the disposition, on terms and conditions of sale prescribed by the President, of any such defense articles, services, or information after the President determines they are no longer necessary for use by such government in promoting the defense of the United States shall not be deemed to be for postwar relief, postwar rehabilitation or postwar reconstruction.

All that language means is that wherever this property may be, the title to which is in the Government of the United States, when the war shall end and it is to be sold to any private purchaser or any government, whether it be engines or boxcars or spades and shovels or whatever it may be, if it is still unconsumed and still usable, the sale of the property to any government shall not be regarded as the use of the lend-lease law for reconstruction, rehabilitation or for relief.

Mr. Crowley in testifying before the committee was very frank. He said that all this property will be subject to sale. It will be sold and not given away. It will not be loaned and it will not be leased. It will be sold if it is salable and usable. On what terms of credit it may be sold I do not undertake to say. I suppose that would depend entirely on the economic condition of each nation to which we might want to sell it, but it will be sold. It will not be given away; it will not be leased; it will not be loaned.

Mr. President, there will be billions of dollars worth of property, located all over the world, concerning which we must make up our minds whether it is more economical to sell it where it is, even on liberal terms of credit, or bring it back to the United States in ships which will be needed for the transportation of our soldiers from the war fronts back to their homes, or whether we shall simply let it lie where it is, unused, and if it happens to be physical property, subject to the deterioration of the weather, or if it happens to be food, subject to decomposition or other forms of disintegration.

Mr. JOHNSON of Colorado. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from Colorado?

Mr. BARKLEY. I yield.

Mr. JOHNSON of Colorado. Why not dispose of it under the Surplus Property Board which the Congress created for that very purpose?

Mr. BARKLEY. Because a considerable part of this property does not necessarily come under the terms of the law which Congress passed creating the Surplus Property Board, and, in the next place, if we say to the President, "You cannot dispose of any of the property; you must sell it through the Surplus Property Board," it may be years before we are able to dispose of it under such conditions. We know how long it took at the end of the last war to dispose of $7,000,000,000 worth of surplus property. It is said we will have $100,000,000,000 worth of surplus property left at the end of this war.

Mr. JOHNSON of Colorado. I do not know how the President could sell it faster than the Surplus Property Board could sell it.

Mr. BARKLEY. In the first place, the President, having entered into a contract with one of the United Nations for lend-lease, and at the end of the war having found himself in possession of a great amount of surplus property, in my judgment, he can enter into a more speedy and probably a more advantageous contract with the nation which has possession of or in whose territory the property may be located than can be made by any other agency of the Government after bringing the property back to the United States and selling it under the conditions suggested by the Senator from Colorado.

Mr. ELLENDER. Mr. President——

The PRESIDING OFFICER (Mr. LUCAS in the chair) Does the Senator from Kentucky yield to the Senator from Louisiana?

Mr. BARKLEY. I yield.

Mr. ELLENDER. The proviso on page 2, ending in line 9, reads as follows:

> *Provided, however,* That nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction.

After that language follows the exception. It would seem to me that the exception as written nullifies the proviso and seems to indirectly give the President the right to enter into an agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction. Does not the Senator agree with my interpretation?

Mr. BARKLEY. If the Senator will bear with me for a moment, I think he will conclude that he is mistaken.

The PRESIDING OFFICER. The time of the Senator from Kentucky on the amendment has expired.

Mr. BARKLEY. I shall take some time on the bill.

In the first place, the present law does not authorize the President to enter into such a contract. This language was put in the bill in order to make the situation clear, to dissipate the doubts of anyone that under lend-lease the President could enter into a contract for rehabilitation, reconstruction, or relief.

Mr. ELLENDER. Then why the exception?

Mr. BARKLEY. The exception was put in the bill so that, during the 3-year limitation period, in cases where the President has entered into contracts for lend-lease property to be used as a part of the war effort, he may be able to carry out and complete such contracts which are partially consummated, and dispose of the property to the advantage of the United States.

Mr. ELLENDER. The Senator admits that under the lend-lease law as now written the President cannot spend money for post-war relief, post-war rehabilitation, or post-war reconstruction. That is true, is it not?

Mr. BARKLEY. That is true.

Mr. ELLENDER. If the exception which the amendment seeks to strike from the bill were left in, that would indicate that the President would have the right to do that very thing and I am certain it would be so construed.

Mr. BARKLEY. Not at all. The first part of the proviso was inserted to calm the fears of many who thought that under the guise of lend-lease the President might enter into post-war contracts. It was inserted in the House in order to calm the fears of many persons who were afraid that the President was going to use lend-lease in order to make post-war contracts, notwithstanding the fact that the original law gave him the power, during a 3-year period, to liquidate the contracts made under lend-lease. That language was inserted in the House, as

was the language of the exception, to make sure that, while the President may not enter into any post-war relief, rehabilitation, or reconstruction contracts under lend-lease, he is not restricted, in the 3-year period, from disposing of the property he finds on his hands, or completing contracts entered into under the original law.

Mr. ELLENDER. Could he not do so under existing law, if the contracts were not for post-war relief, rehabilitation, or reconstruction?

Mr. BARKLEY. He might be able to sell an engine or a boxcar; but if an engine or a boxcar were half completed, he could not finish the product. He could not carry to completion the construction of the engine, boxcar, or truck, in order to sell it to the greatest advantage.

Mr. ELLENDER. I am not familiar with the details of all the transactions and agreements made by the President, with France, to rehabilitate the railroads and other facilities of that country. Does the Senator believe that under the lend-lease law as enacted, the Administrator has the authority to use lend-lease funds to repair railroads, furnish locomotives, repair cotton mills, and furnish raw materials, and so forth.

Mr. BARKLEY. What happened with respect to the French contract was this: We entered into quite a large contract with France. Every item in that contract provides for material essential in the war effort. The rehabilitation of the French railroads was necessary in order that they might transport supplies from France to Germany, Belgium, Holland, or wherever the war was in progress, and in order that they might transport supplies from the harbors to which we have access to the front lines. It is inconceivable that the usefulness of that property should end with the close of the war. While it was loaned or leased, or assigned to France as a part of the war program, when the war ends, of course the property may be useful in rehabilitating and reconstructing France. But it is to be paid for by the French Government to the United States on terms agreed upon between the United States and France. The prices and terms of repayment will be agreed upon.

Mr. ELLENDER. Would the Senator offer the same argument with respect to advances made to rehabilitate other factories in France?

Mr. BARKLEY. Yes, if the advances were made to help France to reconstruct her factories to produce war goods. That is the only purpose for which such advances have been made. The Senator shakes his head, as though he were in doubt about it.

Mr. ELLENDER. I am wondering about the extent to which lend-lease has been used. Following the Senator's argument, a great deal of money and goods could easily be made available to the Czechs for the same purpose, or to Belgium or the Netherlands, so that what we are now trying to prohibit could be indirectly done.

Mr. BARKLEY. If any Senator or anyone else in the United States is willing to assume that the President of the United States is going to perpetrate a fraud on the American people, or is willing to intimate that he would make loans ostensibly for war purposes, but in fact for post-war reconstruction, he can take that view. I do not believe that the President of the United States, or Mr. Crowley, Mr. Stettinius, or anyone else who has had anything to do with the administration of the lend-lease law has deliberately, and by design, or for any other reason, gone beyond the powers conferred upon him in the Lend-Lease Act to make grants and leases for war purposes. Merely because when the war is over, or even while the war is in progress, the rehabilitation of a railroad, the reconstruction of a bridge for war purposes, or the reconstruction of a factory to produce munitions, may later incidentally prove to be of benefit to France, we cannot deny the loan or the advance because incidentally it may ultimately help in the solution of the economic problems in France.

When the war ends, whatever has been loaned, leased, or assigned to France, or to Czechoslovakia—if anything has been assigned to Czechoslovakia as a part of the lend-lease war effort—will be the property of the United States. Title to every ounce of it will be in the Government of the United States; and if it is to be retained by a foreign government, it will be paid for by that government to the United States. We gave the Government 3 years in which to carry out the liquidation.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. ELLENDER. Mr. President——

Mr. BARKLEY. I yield to the Senator from Louisiana.

Mr. ELLENDER. I am not trying to blame anyone for what has been done in France, or what may be done in the future under lend-lease; but I believe that the law has been stretched almost to the breaking point in doing what has been done in France. That is my personal opinion.

Mr. BARKLEY. That is a matter of opinion; and, of course, the Senator is sincere and honest in his opinion, as he is in all things. If I may use the Senator's own expression, I believe it is stretching it a little to say that we went beyond the purposes of lend-lease in our own self-defense in any country which we had to invade, and from which we had to drive the Germans, where the bridges, railroads, and harbors had been destroyed, if we made commitments under lend-lease in order that we might restore those facilities, not merely for the benefit of France or some other country, but in order that we might transport our armies, our munitions, and supplies to the seat of war.

Mr. ELLENDER. An army usually has the funds and facilities to do such things in conquered territory. As I understand, we made every effort to occupy the port of Antwerp so as to use that port to bring food, supplies, and munitions to our armies.

Mr. BARKLEY. The Senator says that armies usually do such things in conquered territory. However, this is the only time in the history of the world when there has been such a thing as lend-lease, so I do not think we can assume what is usually done. Furthermore, I do not believe we can say that armies are overly sentimental about such things. In my judgment, an army is actuated by military necessity and military wisdom. I do not believe that our armies have been overly sentimental; nor do I believe that the President, Mr. Crowley, or anyone else connected with lend-lease contracts has been overly sentimental. They have done what they thought it was necessary to do in the conduct and winning of the war. If they have erred on the side of generosity by granting more than was necessary, and we criticize them for that, I can only imagine how much we would criticize them if they had not done enough.

That is especially true of France, where as the Senator knows, the Germans had exploited not only the agricultural production of France, but also her factories. The Germans converted them into war plants, and then destroyed them as they retired from France. We could not get the benefit of full production in French munitions factories without lend-lease, and we made lend-lease grants. It may be that when the war is over, the help which we have given to France, which was help to ourselves, will be of some incidental benefit to the French people. We cannot help that, but we ought not to complain about it. If there is any property there as a result of such operations, it still belongs to the United States. It will not be given away or loaned. If the French Government desires to keep it, it will be paid for. It may not be economical or wise to tear out and bring back to this country much of the machinery which has been used in factories in France.

Mr. ELLENDER. If it is paid for by France, I presume it will be paid for at France's own prices. As the Senator knows, a railroad in place in France is of no benefit to anyone except France.

Mr. BARKLEY. That may be true. I do not believe that we can say that it will be paid for at France's own prices. We have the choice of selling it to our best advantage or taking it out of France and bringing it back to the United States, where it would compete with our own labor and our own production. Of course, it may be dumped into the ocean.

Mr. ELLENDER. Did the committee call any witnesses who testified as to the extent to which aid similar to that which was given to France was extended to other countries?

Mr. BARKLEY. As I recall, we had before the committee as witnesses Mr. Crowley, who is the Administrator, and Mr. Cox, who is the attorney. I do not recall whether anyone else appeared.

The statements of both Mr. Crowley and Mr. Cox were not only frank and open, but they apparently satisfied all the members of the committee, and the bill was reported unanimously, without amendment.

The contract with France differs somewhat from the contracts with other countries. There is what is called a master contract, but there are variations from it, depending upon the country and the conditions. I am sure the Senator must recognize that the situa-

tion in France was different from that in any other country. We were invading France; we were going into a country where all the physical properties, means of transportation, and everything else had practically been destroyed. We had to start almost from scratch to build up France, in order that our soldiers and our supplies might get beyond where they would be immediately needed, to where they are now being used so successfully for the termination of the war. It was necessary to have a little different contract with France, and the amount was larger; although, taking the full period during which we have made lend-lease commitments, we find that we have made lend-lease commitments to Great Britain for larger amounts than the amounts involved under the contract between the United States and France about which we have been talking. But that covers a period of 3 or 4 years.

Mr. ELLENDER Was there any evidence respecting the agreement to rehabilitate the mills of France which were engaged in manufacturing cotton yarns, and other cotton-mill products.

Mr. BARKLEY. I do not recall that that matter was gone into.

Mr. ELLENDER. As I understand, the $2,000,000,000 lend-lease contract incorporated within it the purchase price of a considerable amount of raw cotton and the rehabilitation of many cotton mills, so as to enable them to manufacture the raw cotton to cloth. Is that correct?

Mr. BARKLEY. It is possible and perhaps probable that in the production of cloth for the Army and for our own purposes, whether for clothing or for any other war purpose, the machinery in those mills has been improved and rehabilitated; but the title is still in the United States.

Mr. ELLENDER. The title in what?

Mr. BARKLEY. In the property, whatever it may be.

Mr. ELLENDER. I know that; but what property does the Senator mean?

Mr. BARKLEY. I do not mean the title to the whole plant, but I mean the title in whatever machinery has been put into the plant by the United States, in order to have the plant manufacture cotton goods or anything else needed for war purposes. The title to it is still in the United States; and when the war ends we can either bring back the property to this country or we can dispose of it; and if we dispose of it to France, it will be paid for by the French.

Mr. ELLENDER. Is the Senator from Kentucky of the opinion that lend-lease, as originally enacted by Congress, contemplated such agreements?

Mr. BARKLEY. Yes; I think it did.

Mr. ELLENDER. I do not. Time will tell and my guess is that much money and tons of goods were utilized far beyond the scope of lend-lease as most of us understood it when first enacted by the Congress.

Mr. BARKLEY. Mr. President, yesterday a great deal was said about agricultural machinery——

The PRESIDING OFFICER. The time of the Senator from Kentucky has expired.

Mr. BARKLEY. Very well, Mr. President; let me say in conclusion that I hope the amendment will be rejected.

Mr. WHERRY. Mr. President, I will yield to the Senator from Kentucky.

Mr. BARKLEY. The Senator cannot yield to me if my time has expired.

Mr. WHERRY. I thought I would yield the floor to the Senator.

Mr. BARKLEY. Well, Mr. President, my time has expired, and that means that I am through.

Mr. WHERRY. Mr. President, I should like to ask a question of the majority leader because I have listened most attentively to what he has said, and I think his remarks have been most worth while and entirely worth listening to with a great deal of care.

In the first place, let me say that I endorse everything the Senator from Kentucky has said about attendance on the floor of the Senate, and I say to him that I wish to cooperate with him in every way I can.

Mr. BARKLEY. I thank the Senator. Of course I do not like to lecture or castigate my colleagues, but I think what I said earlier in my remarks was entirely justified.

Mr. WHERRY. Of course it was.

Now, Mr. President, I should like to have the able senior Senator from Kentucky comment on a question which interests me. In connection with the observations which have been made by the Senator from Ohio, the point which interests me most in respect to the contractual relationship existing under lend-lease is the provision to be found on page 2, in the second section. I should like to ask the Senator whether he thinks that all the property he mentioned as possibly being left in some European country could be disposed of in the manner suggested by the distinguished Senator from Oregon, through the Surplus Property Board; or if it could not be disposed of in that way, could it be disposed of by means of a loan made by the proper officials of government who now have that authority?

Mr. BARKLEY. I think it is possible that any surplus property we may have, property which is declared to be surplus by any of the departments which have possession of property or are using it for war purposes, could be sold under the Surplus Property Act and under the jurisdiction of the Surplus Property Board. But that is not the whole problem which is presented by the 3-year period about which we are talking.

Suppose we are making trucks, under lend-lease contracts, for France or Belgium or Russia or China or Great Britain, and suppose we have a vast number of trucks which are half completed, and which are being manufactured under lend-lease. If the Taft amendment is adopted and if the 3-year period is to be restricted, the President would not have any authority to go ahead and complete the manufacture of those trucks in order that they might be sold, when completed, to the advantage of the United States. They would have to be sold as uncompleted trucks.

There are many other points to be considered. Suppose we have contracted to send rails to France, for instance, to be used to reconstruct her railroads, or suppose we have contracted to send bridge material to her, in order that the bridges over which we are to send our supplies and our soldiers may be reconstructed. Suppose those bridges are half completed. The bridge materials might be on their way to France. Are we going to have the ship turn around in the middle of the ocean and bring back the material, or are we going to sell the material to a government which needs it and will pay for it when the war is over, and when the material is no longer needed for war purposes?

The provision which the Senator from Ohio is seeking to strike out is made necessary only because of what precedes it, in an effort to interpret section 3 (c) of the original act, by saying that it shall not be used for reconstruction, rehabilitation, or relief. If that provision is not retained, we will not even need the second provision of the section which the Senator from Ohio is seeking to strike out.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TAFT. In respect to the question of uncompleted trucks, I do not understand that such matters would in any way be affected by the amendment. The limitation would be solely on a contract with a foreign government. If the President has made a contract to build trucks for the United States, nothing would invalidate such a contract.

Mr. BARKLEY. That is not what I was saying, and the Senator knows it. I did not say anything about contracts to build trucks for the United States.

Mr. TAFT. That is what I understood the Senator to say.

Mr. BARKLEY. I was talking about trucks being built under lend-lease for some foreign country.

Mr. TAFT. But they would be built under a contract with an American truck company; and under that contract the company would be making the trucks for the United States Government. The contract would in no way be involved by anything contained in the second section.

Mr. BARKLEY But the title would be in the United States Government and would remain there, and the trucks would be made to fulfill a contract between the United States Government and some other country for the furnishing of trucks. The Senator will not deny that.

Mr. TAFT. No; but there is nothing in the amendment which would in any way involve or prevent completion of the trucks. When we got through it is true we would have the trucks on our hands, but we could find thousands of people in this country who would be more than glad to have an opportunity to buy them.

Mr. BARKLEY But would it be better to sell the trucks in this country? We would be undertaking to make other trucks in our own factories in the United States, and we would be undertaking to employ American labor in the process of their manufacture. Would it be more effective to sell the trucks abroad or to bring them back from overseas and to

sell them in competition with trucks which were being made day by day, by the emploment of millions of our own people?

Mr. TAFT. Mr. President, will the Senator further yield?

Mr. WHERRY. I yield.

Mr. TAFT. The point I should like to make is that, in my opinion, the amendment in no way affects trucks or any other material which might have been delivered to a foreign government. I care not whether the title is in our country or where it is; we would have furnished the material to the foreign government and there it would be. If we wished to let the foreign government have it for nothing, the President could do that under the Lend-Lease Act, or he might agree to take long-term paper for the trucks, or he might do anything he pleased. Nothing contained in the amendment would in any way limit him. Once the President has given such material to a foreign government, there is no limitation on him in respect to anything else he may wish to do with it.

The amendment would limit the President only in connection with the carrying out of a contract for the delivery of goods. As I interpret the section, it provides that after the war ends the President must not deliver goods under such contracts for post-war rehabilitation, reconstruction, or relief.

Mr. BARKLEY. Mr. President, will the Senator from Nebraska yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Kentucky?

Mr. WHERRY. I yield to the Senator from Kentucky. We want information, and I am willing to have it obtained in my time.

Mr. BARKLEY. So long as the war lasts the lend-lease Administrator may deliver materials to foreign governments. When the war ends he may not deliver a single one of them to foreign governments under lend-lease, because they are no longer needed for war purposes. But he may continue to deliver them for money. I am trying to make the point that to allow the Government of the United States to complete delivery of a great deal of this property and receive cash for it will place the Government in a more flexible and advantageous position than would result from trying to saw the situation off on a given day like the butt end of a log. The Senator from Nebraska knows what I mean.

Mr. WHERRY. I certainly understand the Senator from Kentucky. [Laughter.]

Mr. BARKLEY. We cannot saw it off at any time like the butt end of a log. That is why, nearly 5 years ago, recognizing that there must be a period of liquidation and that there must be flexibility, Congress gave the Administrator 3 years in which to liquidate lend-lease. It was recognized that judgment and discretion must be left in the Administrator or the President to dispose of this property at the greatest possible advantage, and for the greatest sum of money which can ultimately be received, thereby reducing our public debt and our taxation. That is what we are all looking forward to.

Mr. WHERRY. Mr. President, I appreciate what the Senator from Kentucky has said, and I wish to propound a question to him in my time.

From the remarks made by the distinguished majority leader it is my understanding that if the Taft amendment is adopted, at the end of the war the lend-lease contracts will immediately terminate. Am I correct? The Senator said the contracts would be cut off like the butt end of a log.

Mr. BARKLEY. When the war ends, either by proclamation of the President or by a concurrent resolution of Congress, further ability to contract will end.

Mr. WHERRY. When the contracts were terminated, what would become of the trucks which the Senator mentioned, which are on the assembly line? Would the President have full authority, under the Senator's interpretation, to continue to dispose of that property, or would it be turned over to the Surplus Property Board?

Mr. BARKLEY. Under subsection (c) of section 3 of the original act the President is authorized to complete those contracts.

Mr. WHERRY. Yes.

Mr. BARKLEY. If a contract is only partly completed the President has the right to bring about its completion. He may not deliver the material for lend-lease, but he has the right to dispose of it. I would not argue that under the law establishing the Surplus Property Board, we could not dispose of that property in some fashion, wherever it might be. My point is that we cannot dispose of it to as great advantage by putting it on the market and selling it in competition with other materials, as we can by dealing with the Government to which we have assigned the property.

Mr. WHERRY. Does the majority leader believe that the President of the United States would be in a better position to dispose of that property than would the Surplus Property Board, which inquires into all such matters?

Mr. BARKLEY. My answer to the question is "Yes." I think the Surplus Property Administrator, who really does this work, will be in better position, advantageously, to dispose of the property than would the Surplus Property Board. That is not altogether the fault of the Surplus Property Board, because there is a great deal of confusion in the interpretation of the law which Congress passed. I think that we shall have to clarify some of the provisions of the law in the not distant future.

Mr. ELLENDER. Mr. President, will the Senator yield so that I may propound a question to the Senator from Kentucky?

Mr. WHERRY. I yield.

Mr. ELLENDER. A moment ago I expressed the view that the provision in section 2 was nullified by the exception clause contained therein. I ask the Senator from Kentucky why it is necessary to place the exception in the bill which begins at line 10 and ends at line 20, when, if the amendment is adopted, there will appear in Public Law 11 the following language in respect to the termination of contracts:

> After June 30, 1946, or after the passage of a concurrent resolution by the two Houses before June 30, 1946, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a); except that until July 1, 1949—

This is the language to which I am referring—

> any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1946, or before the passage of such concurrent resolution, whichever is the earlier.

Mr. WHERRY. Mr. President, I desire to carry out the wishes of the distinguished Senator from Louisiana. Does the Senator have 15 minutes left?

Mr. BARKLEY. I shall not trespass upon the Senator's time any further.

Mr. ELLENDER. In the light of the language which I read, I should like to have the Senator state why it is necessary to provide an exception in section 2 of the bill.

Mr. BARKLEY. Because the first part of the provision on page 2 is an effort to interpret an existing law. The House inserted that language in order to insure that non- of the lend-lease materials shall be considered to be for the purpose of rehabilitation, reconstruction, or relief. But the subsequent language was put in in order to insure that, although the authority to carry out the terms of the contracts was provided in the law when originally enacted, it shall not be regarded as lend-lease for the purpose of rehabilitation, relief, or reconstruction. The fact that a contract is carried out, and disposition is made of property under the original law, shall not be construed to be reconstruction, rehabilitation, or relief. The language is an effort further to interpret and clarify what Congress had in mind when it enacted the law.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. ELLENDER. As I understand the Senator from Kentucky, the language in subsection (c) of section 3 of Public Law 11, providing how a contract or agreement shall be terminated, would not apply to the disposition of lend-lease for post-war relief, post-war rehabilitation, or post-war reconstruction.

Mr. BARKLEY. My interpretation, not only of the amendment but of the original act, is that all such contracts were made for war purposes, and that when the war ends no further contracts may be made for war purposes.

Mr. ELLENDER. Under section 2 of the bill we are prohibiting the use of lend-lease for post-war relief. I cannot, for the life of me, see why the exception to which I have referred must be made a part of the language of the bill, when we already have the language in section 3 which I read.

Mr. BARKLEY. Because during the 3-year period following the termination

of the war we prohibit the authorization of these materials for rehabilitation, reconstruction, or relief.

Mr. ELLENDER. I am unable to see how that construction can be placed on the language inasmuch as the prohibition is already contained in the law which was enacted.

Mr. WHERRY. Mr. President, I want to thank the distinguished majority leader for his observations and also the distinguished Senator from Louisiana for the contribution made by him. This is the very thing that I brought to the attention of the majority leader yesterday. In the light of the explanation made by him, it resolves itself down to this: Do we want the President of the United States to have the authority to dispose of property that is to be delivered after the war terminates, and can the President of the United States do a better job of it than the Surplus Property Board? That is the way it looks to me, and I think that is in keeping with the answer made by the distinguished majority leader.

I feel this way about it: There is no testimony in the record to give the Members of the Senate any idea as to what commitments have been made between those in authority here and the French Government. I understand some doubt is evidenced by the distinguished Senator from Ohio to that effect.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. BARKLEY. I will say that the testimony of Mr. Crowley and Mr. Cox was taken in the committee by a stenographer. I do not know why the testimony has not been printed.

Mr. WHERRY. It has not been printed in the Senate record and the agreement is not in the House record.

Mr. BARKLEY. It has not been printed, but I say that both those gentlemen answered satisfactorily every question asked them by every member of the committee without regard to politics.

Mr. WHERRY. I might say to the majority leader, that regardless of the committees, what we want is evidence brought on the floor of the Senate of the United States. The French contract is not here; we do not know with certainty what goods or materials are involved; but if we take the answers made by the gentlemen whom the majority leader just mentioned we find that practically all the commitments made to France are for materials that are other than what are called munitions and implements of war.

Mr. BARKLEY. Mr. President, will the Senator yield there?

Mr. WHERRY. I yield.

Mr. BARKLEY. There is nothing in the testimony, nothing in any statement in the House of Representatives or before the Senate committee that a single pound of anything was committed to France that is not essential in the war. It may be that when the war is over some of this stuff will be left over; but Mr. Crowley and Mr. Cox both testified unequivocally that there is nothing in the contract that provides that any material shall be furnished to France that is not a war material.

Mr. WHERRY. I appreciated the interest and the answer of the majority leader, but this is the first time that has been brought to my attention, and I have no other way of knowing except from the observation of the distinguished majority leader. I am not a member of the committee.

Mr. BARKLEY. I regret that the statement of Mr. Crowley and the statement of Mr. Cox have not been printed. I do not know why they were not, unless the committee or perhaps the chairman thought that inasmuch as the report on the bill was unanimous it was not necessary to go to the expense of printing the hearings.

Mr. WHERRY. Let me suggest to the majority leader that it has been rumored—I do not know whether it is true—that a commitment of $3,000,000,000 has been made to Russia.

Mr. BARKLEY. That is absolutely untrue, and has been denied categorically. Of course, there are all sorts of rumors around. Mr. Crowley undertook to answer all of them in the statement he made to the committee. But there is no commitment of any kind by Mr. Crowley or anybody else. There have been newspaper stories that Russia wanted $6,000,000,000. That is an independent matter and has nothing to do with lend-lease. That is for reconstruction and rehabilitation, if it is granted, and it is a matter for the future, which would be handled by an entirely different agency, and not until Congress had authorized by general law the granting of such credit, not only to Russia but to any other country.

Mr. WHERRY. I want to thank the distinguished Senator from Kentucky, the majority leader. That is the first time that statement has ever been made where I could hear it as a Member of the United States Senate. It is the first time I have ever heard a word of explanation about it. Yet we are asked to support legislation which I think, if it is not amended as proposed by the Senator from Ohio, will simply write a blank check to the President of the United States, who can, if he is so disposed, without further action by Congress, make contracts that will continue for 1 year, under which goods to be sent across the water may be delivered 3 years from that time.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. BARKLEY. The Senator said a moment ago that it was the first time he had ever heard such a statement as that made by me. If he has listened yesterday to the very able speech of the Senator from Michigan, who is a member of the Committee on Foreign Relations and who propounded some 13 questions to Mr. Crowley and Mr. Cox, he would have known that the Senator from Michigan stated that the whole program of post-war reconstruction — grants and loans and credits—was a matter to be taken up independently of lend-lease, and taken up by the Congress of the United States, and he wanted a blueprint from the President or someone else, as we all do. Congress has not granted any checking authority to the President. Congress has not authorized the President to grant any credit to any nation outside lend-lease, and nobody contemplates, least of all the President, the making of any such commitments until he has the authority to do so.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TAFT. I do not understand, though, that even the French agreement has been put in any record or that Mr. Crowley put it in the record of the hearings of the Foreign Relations Committee. He certainly did not put them in the House record, because I have it here; nor do I think the last British agreement was put in the record. So far as I know—and I raise the question—no recent lend-lease agreements have been put in the record of the Senate hearing on this question, and we are wholly without information as to what those agreements are.

Mr. WHERRY. Mr. President, I should like to say in conclusion that I trust the majority leader will not feel that I have irritated him, although he has put considerable force in some of his answers. Here we are called upon to continue lend-lease. Some of us believe in lend-lease so far as it will help this country in the purposes of national defense; but I want to go on record as being opposed to such a program after this war terminates. When the war is concluded, if any materials are being made by a contractor I think such property should be turned over as Congress has prescribed under the Surplus Property Disposal Act and should be disposed of as provided by statute. I think the President of the United States should no longer have anything to say about it or make commitments for our people to any other country under the terms of the bill the committee reported to the Senate.

I want to thank the majority leader for answering my questions, because he has thrown much light on some of the things said about certain Government agencies as well as about what we are going to do for France and Russia and some other countries under the theory of lend-lease. I think that anything we might do for those countries should take the form of a loan.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. BARKLEY. There is no particular opprobrium to be attached to anybody because the lend-lease contracts have not been put into the record. It is not customary for us to put all contracts between the Government of the United States and other countries into the record. The only chance we had to discuss this question was when Mr. Crowley and Mr. Cox appeared before the committee on the bill extending the lend-lease law to June 30, 1946. I do not recall now whether the French contract was made a part of the testimony; it may not have been, but there is no desire to keep it secret. The Senator knows that every time the Government makes a contract none of us rush to put it into the record.

Mr. WHERRY. Once again I want to thank the distinguished majority leader

for his contribution. I was not charging there was secrecy, but I say that we are called upon here to give what I call a blank check for the disposition of this property which comes under lend-lease contracts, after the war is concluded, and the Congress of the United States ought to know what is included in those commitments if we are to vote on them. I myself do not know, and I think I speak the mind of most other Senators when I say that we had no way of obtaining this information until we got it from the majority leader on the floor this afternoon. I thank him. I am more convinced than ever that the purpose of this amendment is to enable us to proceed in the light of the majority leader's speech, so that when the war terminates, if there are on hand goods of value, they should be properly disposed of as has already been provided by the Surplus Property Act.

Mr. BALL. Mr. President, I shall vote for the Taft amendment. I am very strongly in favor of this country extending post-war loans, and even relief, where necessary to relieve economic chaos in Europe once the war is over; but I do not think we should do it under the Lend-Lease Act. It was not intended for that purpose, and I think it is an abuse of the power which Congress granted the Executive to use it for such a purpose.

As I read the proviso beginning in line 6, it seems to me the language which the Senator from Ohio seeks to strike out completely nullifies the first part of the proviso, because it provides that any contract "which provides for the disposition, on terms and conditions of sale prescribed by the President, of any defense articles shall not be deemed to be for post-war relief."

As I read that, it means that if we enter into a contract now for lend-lease aid, and perhaps only one-tenth of it has been delivered when the war in Europe ends, the President can proceed to manufacture the other nine-tenths under the contract and deliver it under any kind of terms and conditions of sale which he fixes, and obviously it would be for post-war relief or rehabilitation, because the war would be over.

The Senator from Kentucky has raised the question of what we are going to do at the time the war ends about property which, under contract, has already been delivered in a country across the water. I certain do not think any Senator would insist on bringing all that property back to the United States and disposing of it here. If the language of the proviso could be so altered that it would apply only to the President's authority to dispose of property which had already been delivered under a contract, I do not think there would be any opposition to the proviso; and if that can be worked out in conference, I certainly shall support it. But as I read the language, it would not apply only to materials which had been delivered. If the contract with France, for instance, had been only 10 percent delivered, under this provision the President could proceed to manufacture in this country the remaining 90 percent and deliver it to France on any kind of terms and conditions he agreed to. I think that is definitely a loan or sale of some kind for post-war rehabilitation of France, and, as I have said, it nullifies the first part of the proviso.

I think we will probably desire to grant some post-war credit to France for reconstruction, but let us do it on that basis, and not do it under the guise of a lend-lease contract to help win the war.

Mr. President, I hope the amendment will be agreed to.

Mr. TAFT. Mr. President, I shall take my time on the bill. I think it has been made very clear now that there is no intention to interfere in any way with what has already been delivered to foreign countries. It has been delivered, it is there, we cannot get it back, unless they give it to us. They may owe it to us. A tremendous amount of it has been completely destroyed. The President is given power under the Lend-Lease Act to say, "You can have that for nothing," or to fix the compensation which is to be paid for it, and he may do so on terms of cash or on terms of a loan. That is agreeable to me, and that does not affect this bill in any way.

The purpose of the amendment is to provide that the President may not after the end of the war continue to carry out any longer a contract for the delivery of stuff which was previously contracted for.

Mr. BALL. Mr. President, will the Senator yield?

Mr. TAFT. I yield one question, because my time is very limited.

Mr. BALL. Is it not the Senator's opinion that the language he seeks to strike out actually broadens the President's authority under the act?

Mr. TAFT. I think it does, because it provides that if a certain thing is done with a lend-lease contract there is an exemption from all the provisions about not selling for post-war relief, post-war rehabilitation, post-war construction. If there was a desire to write the first part of the program and then provide how the President could dispose of the property, that would be one thing, but why this peculiar and ambiguous language, which excepts from the post-war castigation, if we may call it that, any contract which contains the one provision that the President may sell the property? If that is inserted, then the whole contract is exempted.

Undoubtedly that is included to take care of the French contract, which, obviously, I think was made for post-war purposes. I am not so much concerned even about that contract, but it sets an example so that exactly the same thing can be done with the British, the same thing can be done with the Russians, the same thing can be done with any other country. The property may be described as being for war purposes, of course, if the war is going on. We have been feeding Great Britain foodstuffs. The simplest kinds of commodities are defense articles, and they can be included, and the only question is whether they are delivered before the end of the war or after the end of the war. Certainly foodstuffs delivered after the end of the war are for post-war rehabilitation, and the mere fact that we reserve the right to sell them should not change that result.

Even if there is anything in the suggestion of the Senator from Kentucky, I think the purpose should be indicated in much clearer language, and not in language which attempts to exempt certain kinds of contracts.

Mr. President, I ask that there be inserted at this point in my remarks the joint statement of the State and Treasury Departments and the F. E. A. relating to the French contract, released to the press March 4, 1945, appearing in the State Department official bulletin.

The PRESIDING OFFICER. Is there objection?

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

JOINT STATEMENT BY STATE AND TREASURY DEPARTMENTS AND F. E. A.

Joseph C. Grew, Acting Secretary of State; Henry Morgenthau, Jr., Secretary of the Treasury; and Leo T. Crowley, Foreign Economic Administrator, acting for the Government of the United States on lend-lease and reverse lend-lease discussions with Jean Monnet, representative of the Provisional Government of the French Republic, made the following statement on February 28:

Three agreements relating to lend-lease and reverse lend-lease aid have been concluded with the French: (1) A master agreement identical with those entered into with the United Kingdom, China, the Soviet Union, and other countries; (2) a reciprocal aid agreement similar to those entered into with the United Kingdom, Australia, New Zealand, and others; and (3) an agreement under section 3 (c) of the Lend-Lease Act.

The first two agreements with the French are based on the same principles as the lend-lease and reverse lend-lease agreements made by the United States with our other allies. The third agreement is the first to be concluded with any of the United Nations. A similar agreement is in negotiation with the Soviet Union.

The underlying fundamental principle of the lend-lease agreements is the one previously laid down by the President of the United States: "Until the unconditional surrender of both Japan and Germany, we should continue the lend-lease program on whatever scale is necessary to make the combined striking power of all the United Nations against our enemies as overwhelming and as effective as we can make it."

All of the supplies, services, and information covered by the agreements with the French Provisional Government are directly connected with the prosecution of the war. The basic purpose of the whole program is to enable all French resources and the whole French Nation—soldiers, workers, producers, and farmers—to be mobilized and used for the war against the common enemy. Supplies, services, and information solely for reconstruction or rehabilitation purposes are excluded from these agreements. Supplies required by the French solely for post-war purposes will have to be handled by other means since the Lend-Lease Act is, and is being administered as, a war-supply measure. Economic and financial cooperation by all the United Nations in many different ways will doubtless be required to meet such post-war problems. Effective action in this field will require both international and national action by the respective governments, including in many cases legislative action.

As in the case of other lend-lease countries, the amounts and types of materials, services, etc., which are to be supplied under these lend-lease agreements continue to be subject,

as always, to adjustments from time to time in accordance with the changing conditions of the war. When finished munitions are produced and available for delivery, they are assigned by the Munitions Assignments Board under the direction of the combined Chiefs of Staff in the light of the strategic considerations prevailing at the time of the assignment. Similar procedures are and will continue to be in effect for other war supplies that each country may make available to the other.

The United States has already furnished France, under lend-lease, with guns, ammunition, tanks, and other finished munitions and supplies for eight French divisions, and 300 supporting units, aggregating in all zones 225,000 men, in addition to a French air force of about 15,000 men. In the words of Secretary of War Stimson:

"During the past year of operations some of those French divisions fought superbly by the side of our American troops in the Fifth Army in the very difficult campaign up through the Italian Peninsula. Thereafter, these French troops took an indispensable part in the landing in southern France in support of our invasion of Normandy, resulting in the capture of the ports of Marseille and Toulon, the triumphant march up the Rhone Valley through Lyons, and the successful junction with General Eisenhower's forces on the German frontier. It is proper to say 'indispensable' because without those French divisions the American forces alone could not have carried through that campaign with any comparable saving of losses on our side. As it was, those losses were at a minimum. Subsequently, as members of the French First Army, these same French troops have helped effectuate the rescue of the Province of Alsace, including Strasbourg, and the present holding of the upper Rhine boundary."

Supplies to equip additional French divisions and units will be furnished under lend-lease pursuant to the terms of these agreements.

War production materials and other vital supplies and services will be furnished by the United States to the French under these agreements on lend-lease until a determination by the President that they are no longer necessary for the prosecution of the war. After this determination, the French may under the 3 (c) agreement continue to receive the undelivered balances of certain supplies in the program and to pay for them on specified credit terms, with the reserved right to have the programs or contracts canceled upon paying the United States its out-of-pocket costs. The United States agrees to deliver the programed supplies to the French, after this determination by the President, unless the President determines that it is not in our national interest to do so.

The maximum aid to be furnished the French by the United States under the 3 (c) agreement is specified in two schedules. The articles and services in schedule 1 and their estimated maximum cost are as follows:

Raw materials for war use and essential civilian supply (cotton, metals, steel, chemicals, synthetic rubber, drugs, medical supplies, etc.)	$840,000,000
Food (milk, pulses, edible oils, oilseed, seeds)	185,000,000
Petroleum supplies	132,000,000
French prisoner-of-war supplies	48,000,000
Short life manufacturing equipment for war production	250,000,000
Freight charges (rental and charter of vessels)	220,000,000
	1,675,000,000

The supplies and services to be furnished under schedule 1 include such items as cotton for the production of cotton duck for tents and other textiles for the armed forces, rubber for the production of tires for military vehicles, and similar war-production materials. They also include other vital supplies such as petroleum, hand tools and trucks for war production and other essential operations, and food and medical supplies for war workers and others of the French people so that they can fight, produce, and work most effectively in the winning of the war.

Supplies and services under schedule 1 do not include finished armament, etc., for the use of French military forces. Up to the extent that they are not found to be necessary in the joint war effort by the President, any undelivered balances of schedule 1 items may, subject to the reservation of the President to withhold in the national interest, be acquired by the French. Such items are to be paid for by the French in 30 annual installments beginning July 1, 1946, or on the 1st day of July following delivery with interest at 2⅜ percent per annum.

In addition to these supplies and materials provided under schedule 1, certain categories of long-life capital goods will be provided under schedule 2 to enable France to produce and transport military equipment and other war goods for our combined forces. This will reduce the burden on our own output of such goods and will save vital shipping. These long-life capital goods which have a war-connected use are to be supplied to the French, who agree to pay for them in full against 20 percent down payment on delivery and the balance in equal annual installments within not to exceed 30 years, with interest at 2⅜ percent per annum.

The articles and services in schedule 2 and their estimated maximum cost are as follows:

Locomotives	$200,000,000
Railroad cars	120,000,000
Merchant marine	140,000,000
Harbor watercraft	32,000,000
Fishing fleet	8,000,000
Inland watercraft (barges)	50,000,000
Metal-working machinery	100,000,000
Industrial equipment	150,000,000
Machinery for mines, arsenals, etc	100,000,000
Total	900,000,000

These long-life articles are being furnished under section 3 (c) of the Lend-Lease Act and are put on these terms because, while they have an important and useful part to play in the war a large part of their usefulness may also serve post-war purposes. Under the agreement production and delivery will not have to stop on these goods, even though the war should end before they were finished. The French agree to take and pay for such goods and the United States Government can proceed with an orderly liquidation of the lend-lease contracts in the manner provided for under section 3 (c) of the Lend-Lease Act. The program for long-life equipment of this character is subject to substantially the same limitations as apply to schedule 1.

Both of these programs are subject to periodic review in the light of the war conditions and particularly after the end of the European war. Such reviews will have as their central objective the carrying out of the intent of the Lend-Lease Act. From the beginning of the program in March of 1941, lend-lease aid has been extended for one purpose—and for one purpose only—the defense of the United States and to enable our allies to bring the full weight of their men and resources to bear against our common enemies. Accordingly, it is understood between the two Governments that the United States has a broad power to cancel or revoke procurement programs or contracts if the President determines that it is in our national interest to do so. Actual delivery will always be subject to the development of the military situation, and the changing demands of strategy, as well as to economic and financial factors which affect our national interest.

The reciprocal-aid agreement—the second of the agreements noted above—has been made retroactive to D-day in order to cover supplies and services provided to the armed forces of the United States by the French since that time and without payment by us.

The supplies and services being furnished to us by the French under reverse lend-lease include textiles, military-vehicle tires, batteries, telephone wire, chemicals, and other vital war materials, railroad and port facilities and services, hotels, warehouses, and other facilities and services. The French have placed their industrial production, insofar as it can be brought into operation, at the service of the common war effort.

The reciprocal-aid agreement reaffirms the central principle that the French are to render us benefits on reverse lend-lease thus putting into effect the kind of combined war supply operations which have previously been so effective in aiding the United Nations to progress to victory over the common enemies.

Mr. TAFT. Mr. President, the French contract undertakes first to provide for some military supplies, and of course no one objects to that. It is to equip additional French divisions. Then it proceeds to provide for $1,675,000,000 worth of raw materials, cotton, metals, steel, chemicals, rubber, drugs, medical supplies, milk, pulses, edible oils, oil seed, seeds, oil; and short-life manufacturing equipment for war production, $250,000,000. That is rather significant, when we turn to the other category and find that we are putting up $100,000,000 worth of metal working machinery, $150,000,000 worth of industrial equipment, and $100,000,000 worth of machinery for mines, arsenals, and so forth, which is not apparently short-life equipment for war production. It is contrasted. They built up two things. Evidently the latter were clearly intended for post-war delivery. As a matter of physical possibility, hardly any of this two and a half billion dollars worth of material can be or will be delivered before the end of the war.

Mr. President, I have referred to the French contract. But it is said that if the war should continue for 2 years, all those materials could properly be used for war purposes, so Mr. Crowley can say, "We do not furnish anything that is not for war purposes." But the actual conditions are such that as a matter of fact some of it is for post-war relief, and it is expressly excepted by this language. In fact, the language is drawn for the purpose of excepting it, so that we can sell to France on credit—and the agreement provides for terms—up to two and one-half billion dollars worth or we may say up to $2,000,000,000 worth which is left. "Such items are to be paid for by the French in 30 annual installments beginning July 1, 1946, or on the first day of 2⅜ percent per annum." That is provided for the whole two and a half billion dollars. It is an authority to make a loan to France.

I do not know what the British agreement is—I have not a copy of it—but I

do know that it was freely rumored, and was printed in Newsweek on November 20, that at Quebec Prime Minister Churchill had made certain demands, as follows:

1. That in the first 12 months after the defeat of Germany, Great Britain shall receive from us $3,500,000,000 of so-called military lend-lease material. This would include such things as rolling stock and many other materials which, although necessary to war, also would be useful for post-war purposes.

2. That in addition Great Britain shall also receive during this period $3,000,000,000 of nonwar supplies, such as raw materials, tools, and so forth, needed by the British for post-war reconversion.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I regret I have no time to yield at present because of the limitation on debate.

Details of the agreement were made public in a joint statement by Mr. Crowley, Secretary Stettinius, and Secretary Morgenthau on November 30. The New York Times article said:

The new arrangements, which will go into effect when the Reich falls, provide for $5,500,000,000—

Reduced from $6,500,000,000 to $5,500,000,000, but otherwise much the same—

of lend-lease aid to Britain in the ensuing year—

After the Reich falls, after the end of the German war—

of which $2,700,000,000—

Instead of the $3,500,000,000 in the bill—

will be munitions and $2,800,000,000 nonmunitions items, including about $800,000,000 worth of petroleum products.

The three officials said that the new arrangement represented no change in the policy which precluded commercial export of articles received under lend-lease.

I do not know whether that agreement has been closed; but certainly under the language I am trying to strike out we could proceed and make that agreement with Great Britain just as we made the French agreement, and exactly like it, knowing full well that four or five billion dollars of it is not to be delivered until after the war. We could go right ahead and make that contract, and the language of the bill would entirely exempt it from the general prohibition of the act against carrying out post-war rehabilitation, reconstruction, and relief.

Mr. President, it seems to me perfectly obvious that we should carry out the policy of Congress. If there is any difficulty in disposing of surplus property, the President, if he does not have the power under the Surplus Property Act, which I think he has, can come back and ask for it. But certainly the policy of Congress, as I understand it, and of every Senator who has spoken on the floor, is expressed in these words:

Provided, however, That nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction.

My amendment would insert a period at that point and strike out the remainder of section 2.

Mr. VANDENBERG. Mr. President, I do not care to repeat myself in respect to my position as indicated yesterday in my address to the Senate, but I desire to state very briefly why I intend to vote for the amendment submitted by the able Senator from Ohio.

I do not think there is any disagreement between the Senator from Kentucky [Mr. BARKLEY] and the Senator from Ohio in respect to the ultimate objectives. We are all in agreement that lend-lease must not be used directly or indirectly, by subterfuge or otherwise, for post-war relief, rehabilitation, and reconstruction. I think we must also all agree that there must be some sort of a liquidation formula in respect to the lend-lease hang-over when hostilities are concluded.

The language which the able Senator from Ohio is seeking to strike from the bill deals with this hang-over. It is the liquidation clause. It gave me great trouble when it was before the Foreign Relations Committee. We discussed it at length. It occurred to me that a liquidation period, to begin with, of 3 years, was out of character with our purpose to terminate lend-lease at the end of the war. We discussed with Mr. Crowley the possibility of reducing this period to 2 years or 1 year.

Mr. Crowley agreed at one point that it might be reduced to 2 years; but in the final analysis the committee took Mr. Crowley's view that the purpose of this proviso is all in the interests of the United States itself, all in the interests of an orderly liquidation of lend-lease obligations. I still think there is a great deal to be said for that point of view, and I am not quarreling with the able Senator from Kentucky in his presentation of the matter at all.

On the other hand, Mr. President, I think it is perfectly apparent that under the terms of the House bill it is perfectly possible for a new lend-lease commitment to be made 24 hours before the end of hostilities, and it becomes very problematical then whether, even though it amounts to billions of dollars, it is not covered into this authority of the President to continue that lend-lease contract into the future for at least 3 years on the basis of a post-war settlement by the Allied country which is the beneficiary of the arrangement.

I confess that I do not like the implication of a two and one-half billion dollar lend-lease commitment being made on the very eve of what we hope will soon be the termination of hostilities. It seems to me that that can carry within itself the very implication that the program is intended to carry over into the post-war period.

So, Mr. President, I come to the conclusion which I shall state and then take my seat. I think there is a necessity for a clause providing for liquidation, which is the purpose of the clause which the Senator from Ohio seeks to strike. I think there is a serious question as to whether the actual language before us accomplishes the purpose we all have in mind. I shall vote to strike it so far as the Senate is concerned, so that the conference committee may explore the subject with a further inquiry into all the various phases of the matter which have been raised in the course of this debate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Ohio [Mr. TAFT].

Mr. BARKLEY. On this question the yeas and nays have been ordered, have they not?

The PRESIDING OFFICER. The yeas and nays have been ordered, yes.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Green	O'Daniel
Austin	Guffey	O'Mahoney
Bailey	Gurney	Overton
Ball	Hart	Pepper
Bankhead	Hatch	Radcliffe
Barkley	Hawkes	Reed
Bilbo	Hayden	Revercomb
Brewster	Hickenlooper	Russell
Briggs	Hill	Saltonstall
Brooks	Hoey	Shipstead
Buck	Johnson, Calif.	Smith
Burton	Johnson, Colo.	Taft
Bushfield	Johnston, S. C.	Taylor
Butler	La Follette	Thomas, Okla.
Capehart	Langer	Tobey
Capper	Lucas	Tunnell
Chavez	McCarran	Vandenberg
Connally	McClellan	Wagner
Cordon	McFarland	Walsh
Donnell	McMahon	Wheeler
Downey	Magnuson	Wherry
Eastland	Millikin	White
Ellender	Moore	Wiley
Ferguson	Morse	Willis
Fulbright	Murdock	Wilson
George	Murray	
Gerry	Myers	

The PRESIDING OFFICER. Seventy-nine Senators have answered to their names. A quorum is present.

Mr. GEORGE. Mr. President, I do not wish to detain the Senate or prevent an immediate vote on this question; but it seems to me that the issue is greatly confused. It ought to be clear what we are doing, if we are to do anything about it.

When we enacted the original lend-lease law it contained this provision:

After June 30, 1943—

That was the original termination date—

or after the passage of a concurrent resolution by the two Houses before June 30, 1943, which declares that the powers conferred by or pursuant to subsection (a) are no longer necessary to promote the defense of the United States, neither the President nor the head of any department or agency shall exercise any of the powers conferred by or pursuant to subsection (a)—

This is the exception which was in the original act—

except that until July 1, 1946, any of such powers may be exercised to the extent necessary to carry out a contract or agreement with such a foreign government made before July 1, 1943, or before the passage of such concurrent resolution, whichever is the earlier.

That is the original law. It was intended that we were to arm the countries

whose defense was regarded as essential to our own defense. Who can say how much shorter this horrible war has been made by the exercise of the lend-lease powers, even though we may think they have been abused, than if those powers had not been granted by the Congress? If the war has been shortened 1 hour, and one single American life has been saved, I shall never be an apologist for the passage of the Lend-Lease Act.

I have read from the original act. In the House, when the present proposal to renew the act was brought forth, it was proposed to amend the section which I have just read, which is subsection (c) of section 3, by striking out the period after the word "earlier", inserting a semicolon, and the following new language: "*Provided, however*, That nothing in section 3 (c) shall be construed to authorize the President to enter into or carry out any contract or agreement with a foreign government for post-war relief, post-war rehabilitation, or post-war reconstruction."

Then a new exception was inserted. Why? For the purpose of saving the original provision of the act itself; for the purpose of preserving the original intent and purpose of the Congress of the United States. That was the only purpose. Without this exception nothing could be done by the President by way of a contract or agreement with a foreign country at the time he makes an advance under lend-lease, which would not be condemned. Look at it for a moment and see if that is not true. Is it conceivable that anything that is on hand after the actual termination of the Lend-Lease Act by its terms, which is now proposed to be made June 30, 1946, or earlier if we pass a concurrent resolution in Congress, could be used? What could the President forfend? What could he liquidate in advance? What agreement could he make which would be advantageous to the country? With the adoption of the Taft amendment he would be absolutely forbidden to do anything after the actual termination date of the act which might tend to the post-war rehabilitation, reconstruction or relief of any other country. Of course, the law might be applicable to mere shot and shell which had been fired, but it could not apply to anything except a limited category of explosives, or something which was wholly consumed. It could not apply to a jeep. It could not apply to a gun, a gun carriage, or a piece of rubber. It could not apply to a railroad car or a railroad locomotive. It could not apply to blankets, shoes, or anything else. To adopt the language which the House inserted, as proposed to be bobtailed through the Taft amendment, would be to nullify the original provision of the Lend-Lease Act.

Do we wish to do that? If we do, I think we ought to understand it very thoroughly. I do not believe that the country will misunderstand it. I am very sure that the country will not misunderstand our action here today.

Senators speak of the Surplus Property Board as though it could step into the shoes of the Lend-Lease Administrator and execute all his functions with respect to everything that we have all over the world.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. TAFT. I rise merely to suggest that the Surplus Property Board is going to do that very thing with respect to billions of dollars' worth of Army property which is now abroad.

Mr. GEORGE. Yes.

Mr. TAFT. I do not quite see why it should not carry out that function with respect to such small lend-lease property as has not yet been delivered to foreign nations. Practically all of it is delivered in this country. There may be a little of it hanging around.

Mr. GEORGE. Mr. President, I see a very good reason why the Surplus Property Board cannot do so. The Surplus Property Board is not equipped to go all over the world and inspect this property. It is not equipped to determine the value of the property. It cannot determine, except after laborious investigation, what the original cost of production was, or anything else about the property. Why throw it all away?

We may have an innate distrust of the President. We may say that he is going to misuse and abuse the powers given him. I do not like to take that view.

Let me call attention to a further fact. The original Lend-Lease Act had in it this liquidating provision for the benefit of the United States. It was intended to benefit the United States. Can anyone say whether or not we could have done better with lend-lease without this provision in the law? Can any Senator answer honestly before the American people that we would have obtained more or less by way of reverse lend-lease if we could not have carried out the liquidation provision contained in the original act? What is our situation? At the time when we estimate what is to be advanced to any nation under lend-lease, we must do it in advance of the actual extension of credit, so to speak. We must estimate it a year ahead, in order that we may know what our own budget will be, in order that Congress may be advised what will be needed in order to administer lend-lease. At the time when the agreement is closed or when the understanding has been reached and has been put into writing, with all the safeguarding clauses which have been inserted in the lend-lease agreements, then it is said, "But some of these goods or some of these arms or some of these implements may carry over into the peace." Why not at this time fix their value? Why not at this time liquidate what you will pay? Why not at this time close the account?

Whatever anyone may think of the President, that is the sensible way to carry out the transaction. Whatever anyone may think of anyone else who will use the power, that is the time to have the foreign nation agree with us, that is the time to find out what the foreign nation is going to furnish us by way of reverse lend-lease. We may poohpooh that if we wish to do so, and we may throw it to the winds, but actually it has already amounted to more than $4,000,000,000. It is not a small item. Actually it is an item of significance. The only time to do it is when the agreement is made or when the point is reached of closing the commitment with a foreign country. Then we should say, "This item here may carry over, and this item here costs so much. You shall assume an obligation to repay at that price."

What will the Surplus Property Disposal Board know about it or do about it? What will become of it? It will be lost unless it is safeguarded at the time.

Mr. President, I do not wish to have lend-lease used for purposes of the relief, rehabilitation, or reconstruction of any country. On this floor I pleaded as earnestly as I would plead in the beginning that lend-lease be considered as a weapon of war, only as a means of defending the United States, which then had not gone to war, only as a means of building up our defense. It may have been a costly method; it may have been unwisely administered. There may be those who now will take advantage of it, as we think—let me emphasize that we only think—when we are approaching the end of the war, even in Europe.

We have agreed to make advances to France totaling approximately $2,575,000,000. Nine hundred million dollars, or almost $1,000,000,000, of that is in property which will have some post-war value whenever the war ends.

So our Government is saying, "With respect to those items, you will pay the cost of production, and you will save us harmless against the contracts we are now making with our own manufacturers to bring into being the things which we are making and which we propose to deliver to you. We will settle now as regards what those items are worth on a cost basis, or on some other reasonable basis. You will agree to take; you will agree to pay."

How do we know what we saved by that procedure? Senators say that no doubt we will do great things for the world when the war is ended and when the last shot has been fired; no doubt we will be liberal; no doubt we will not be niggardly; no doubt we will help the starving peoples of Europe, and so forth.

The VICE PRESIDENT. The Senator's time on the amendment has expired Does the Senator desire to take time on the bill?

Mr. GEORGE I shall take a little time on the bill, Mr. President.

When are we going to do it? We had a chance to do it with France—France, an original ally, an original enemy of Germany—France, against whom all the mighty power of Germany and the Nazi Army was leveled at a time when they were unbeatable. France went down; and through all the Gethsemane of agony and blood, she suffered. Then we sought to reach our enemies through France. France was thus twice overrun. Of course, her roads were destroyed, her bridges were ruined, her rolling stock was gone. Her factories were idle. How do we know that we did not advance less to France under this agreement, because of the fact that we could now agree with France on something that she herself would do? We

have to use her ports. Our great armies are to be moved back through France when the war in Germany finally ends. Many of our troops, at least, must be, and will be, moved back through France. How do we know that we would not have felt, and France would not have felt, that if she could not have the privilege of now buying and fixing her liability under the lend-lease agreement, she would not desire at our hands a much larger sum?

That is the sum total of the sinning of the Lend-Lease Administrator to date. He has cut down, through negotiation for the first 12 months after the fall of Germany and the end of the German war, by approximately 40 percent or a little better, perhaps, or a little less, the advances made to Great Britain and her Dominions in 1944, under lend-lease. In other words, from a total of approximately $10,000,000,000 in 1944, the present negotiations indicate that we will advance only as much as $5,500,000,000 for the full year after the end of the war in Europe. Do we not expect that it will be our desire to have the friendship of Great Britain after the war with Germany? Do we not realize that we have the stubborn enemy on the other side of the world yet to deal with? Are not British Armies fighting today in India? Are they not now invading Japanese-held territory? Do we not need the friendship and the active assistance of Great Britain? Perhaps we will not need the assistance of her navy at this time, because of the strength and greatness of our own; but certainly we will need the help of Great Britain to finish this war. We will need France. France has possessions in the far Pacific. Certainly we will need such assistance as France may be able to give us. We will need the assistance of France in order to clear out of Germany.

The common impression, Mr. President, and the one usually prevailing, is that France is doing nothing. Let me say that France has today, so I am told by our own authorities, approximately 225,000 men in Germany itself, and approximately 15,000 more men in her Air Corps and her ground forces supporting her Air Corps; and she is preparing to raise an army of 8 additional divisions. They will be needed for the occupation of Germany, to enable our forces to leave Germany. They may be needed for a whole year. They may be needed for a longer period of time than that. But the lend-lease agreement with this liquidating clause was intended to benefit the United States; it was intended to aid us in making advantageous agreements with foreign governments; it was intended to save what we could save.

The fact which many of us may face, namely, that there have been abuses or that there may be great abuses, is, it seems to me, no reason why we should now strip the Lend-Lease Act of this liquidating provision which certainly is advantageous if we are to keep any part of the House amendment to section 3 (c) of the original act itself.

My position is well known. I do not believe that I need to restate it. I have never been in favor of spending for spending's sake. I thoroughly agree that we should have an over-all picture of what we propose to do as soon as we know what we intend to do. I think we should have it not only as to the outside world, but here in the United States. If any Members of this body have stood here and contended against the destructive doctrine—as I believe—of our English friend Lord Keynes, I have been one of that number. I believe with all my heart that his theories will bankrupt Britain if she follows them for another 40 years. But I am greatly heartened when I realize that whatever influence the doctrine of deficit spending in order to create purchasing power, as sometime advocated by Lord Keynes, may have here—and it has taken root—it will not be very long approved in England.

Another English economist proposed a program of pensions, general pensions, from "the womb to the tomb." He was unable to get very much of a following in England, because the British Government and the British people declined to accept it.

Mr. President, another theory has taken hold of America. I refer to the full-employment doctrine, and the 60,000,000-job program of Henry Wallace. I suggest that Senators get the latest book of Sir William Beveridge and read it. I have stood against the doctrine of deficit spending as permanent policy as strongly as any other Member of this body.

With respect to the proposal before us, I must accept facts as they are. The American people elected Mr. Roosevelt as the President of the United States. Our individual constituents elected us to represent them in this body. The lend-lease provision, if we retain not only the first part of it but reject the amendment striking out the liquidating clause, is designed to benefit our own country. It is intended to enable our Government to liquidate accounts as we go along, with a reasonable reliance on the officials of government properly to discharge their duties.

The head of this Government was elected by the American people. Small segments of that same constituency elected each of us as their representatives.

I am trying to do my duty. This provision in the Lend-Lease Act is a wise one. The amendment offered by the distinguished Senator from Ohio would destroy the liquidating provision in the original Lend-Lease Act. For that reason I hope that it will be rejected.

SEVERAL SENATORS. Vote.

The VICE PRESIDENT. The question is on agreeing to the amendment of the Senator from Ohio on page 2, in line 10 of the bill, to strike out all after the word "reconstruction." On this question the yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. EASTLAND (when his name was called). On this question I have a pair with the senior Senator from Maryland [Mr. TYDINGS]. If he were present he would vote "yea." If I were at liberty to vote I would vote "nay."

The roll call was concluded.

Mr. MAGNUSON. Mr. President, the junior Senator from Washington [Mr. MITCHELL] is necessarily absent on public business. If he were present he would vote "nay."

Mr. WAGNER. My colleague the junior Senator from New York [Mr. MEAD] is necessarily absent. If he were present he would vote "nay."

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], and the Senator from South Carolina [Mr. MAYBANK] are necessarily absent.

The Senator from Virginia [Mr. GLASS] and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from West Virginia [Mr. KILGORE] is absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Tennessee [Mr. STEWART] and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

The Senator from Utah [Mr. THOMAS] is detained in one of the Government departments on official business.

I further announce that the Senator from South Carolina [Mr. MAYBANK] is paired with the Senator from Idaho [Mr. THOMAS]. If present and voting, the Senator from South Carolina would vote "nay" and the Senator from Idaho would vote "yea." The Senator from Utah [Mr. THOMAS] is paired with the Senator from New Hampshire [Mr. BRIDGES]. If present and voting, the Senator from Utah would vote "nay" and the Senator from New Hampshire would vote "yea."

Mr. WHERRY. On this question I announce the following pairs:

The Senator from New Hampshire [Mr. BRIDGES], who would vote "yea," with the Senator from Utah [Mr. THOMAS], who would vote "nay"; and

The Senator from Idaho [Mr. THOMAS], who would vote "yea," with the Senator from South Carolina [Mr. MAYBANK], who would vote "nay."

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The result was—yeas, 39, nays, 39, as follows:

YEAS—39

Aiken	Ferguson	Reed
Ball	Gurney	Revercomb
Brewster	Hart	Saltonstall
Brooks	Hawkes	Shipstead
Buck	Hickenlooper	Smith
Burton	Johnson, Calif.	Taft
Bushfield	Johnson, Colo.	Tobey
Butler	La Follette	Vandenberg
Capehart	Langer	Wheeler
Capper	Millikin	Wherry
Cordon	Moore	White
Donnell	Morse	Willis
Ellender	Overton	Wilson

NAYS—39

Austin	George	McCarran
Bailey	Gerry	McClellan
Bankhead	Green	McFarland
Barkley	Guffey	McMahon
Bilbo	Hatch	Magnuson
Briggs	Hayden	Murdock
Chavez	Hill	Murray
Connally	Hoey	Myers
Downey	Johnston, S. C.	O'Daniel
Fulbright	Lucas	O'Mahoney

Pepper	Taylor	Wagner
Radcliffe	Thomas, Okla.	Walsh
Russell	Tunnell	Wiley

NOT VOTING—18

Andrews	Kilgore	Scrugham
Bridges	McKellar	Stewart
Byrd	Maybank	Thomas, Idaho
Chandler	Mead	Thomas, Utah
Eastland	Mitchell	Tydings
Glass	Robertson	Young

The VICE PRESIDENT. On this question the yeas are 39 and the nays are 39. The Chair votes "nay," and the motion of the Senator from Ohio is lost.

Mr. LA FOLLETTE. Mr. President, I desire to discuss briefly the subject which was introduced during the consideration of the pending measure by the Senator from Kentucky [Mr. BARKLEY]. I wish to make it plain at the outset that anything which I may have to say concerning the problem of attendance of Members of the Senate during the deliberations of this body are not in any wise to be taken as a reflection upon any individual Senator or group of Senators, nor upon this great institution of democracy in which I have had the honor to serve now for nearly 20 years. No man on this floor has greater reverence for this institution or deeper appreciation of the important part which it has played in the development of American democracy in the past than have I, and no man has higher hope for the part which it may be destined to play in the future; and I think I may say, without immodesty, that there is no other Member of this body who is more keenly aware of the tremendous problems and the important duties which have devolved upon Members of the United States Senate and which I fear will increase in importance and complexity as we enter the period of peace and reconversion.

I am aware of the tremendous demands which fall upon any man who endeavors to discharge the responsibilities now confronting a Member of the United States Senate. I know full well, because I have experienced it, man and boy, of the enormous increase in the amount of office work, which is a necessary part of the service rendered by United States Senators to their constituents. I am aware of the extremely heavy burdens which fall upon Senators as the result of their multiplicity of service upon vitally important committees handling questions of the greatest magnitude and of the most difficult complexity. So, Mr. President, what I have to say concerning this matter, I repeat, is not intended in any wise as a criticism, but more as an appreciation of the staggering burdens now carried by every Member of this body who is well enough to be on the job.

Mr. President, for some time I have been concerned about the fact that the increasing burdens of responsibility and of duty which have devolved upon the Members of this body have tended to decrease the attendance in the Senate of the United States when this body is transacting legislative business. After all, the transaction of such business is an important part of the functions of a United States Senator, and, regardless of what detractors have said concerning the debates in the Senate, I state it as my deliberate conviction, after a long period of service as an employee of the Senate and now for nearly 20 years as a United States Senator, that the deliberations of this body are important not only insofar as the actual formulation of legislative policy is concerned, but likewise because the debates furnish information to the constituents of Senators as to the reasons which have ultimately determined their position upon the vital questions which affect, for good or ill, the welfare of every man, woman, and child in the United States.

Nevertheless, Mr. President, I hope we will not forget that this Chamber is, after all, the show window of the Senate of the United States in action. A few days ago I happened to glance at the gallery, and I saw there 25 or 30 Army privates in uniform. I could from my seat see that on the left breast of each and every one of them were service ribbons indicating that they had been in active combat somewhere in this global war. There were just 6 United States Senators, by actual count, on the floor of the Senate at that time, and I could not help wondering what impression these 25 or 30 young men, representing the flower of the manhood of America, returning from their fox holes, God knows where, might have of this branch of the National Legislature. It would have been unfitting for me to rise in my place to explain to them that no doubt each and every Senator who was not present was either in his office trying to discharge the responsibilities of his office work, was at an executive department attempting to straighten out some matter for a constituent, or was attending an important committee meeting.

The members of the Joint Committee on Organization of Congress have done me the great honor to select me as the chairman of that committee. I have carefully refrained, as the chairman of the committee, from making any statements which might in any wise indicate that I was attempting, even if I had the power, which I do not, to prejudge the work of the committee. We have been under way for only a short period of time. I wish to take this opportunity to thank my colleagues in this Chamber, and the Members of the other House, for the interest which they have evidenced in this very important question. I have come to the conclusion, since the Senator from Kentucky raised this question, that I should not remain silent, because I do not know how long it will be before this committee may be in a position to make any recommendation concerning the organization of Congress.

Mr. President, I should also like to state in advance that what I am about to say is not intended as a reflection on any employee of the Senate. For 6 years I had the honor to be an employee of the United States Senate as secretary to my father. I know most of the employees of the Senate intimately, and I have a high regard for their fidelity in their service to this body.

Without making any new suggestions as to what might be done in attempting to attack the main causes of absenteeism in the Senate, I think there now exists in the rules a provision which, if enforced, would help to maintain a better attendance on the floor, and if a practice which had its inception and has been carried on solely with the idea of being of service to Senators were abandoned, we might make a step forward, without as I have said, attempting to attack the main causes, all of them legitimate, which produce absenteeism in the Senate.

The first provision of rule 5 I should like to read, of course, for the RECORD, because I feel certain every Senator is familiar with it:

> No Senator shall absent himself from the service of the Senate without leave.

That rule, Mr. President, to my certain knowledge, is observed only in the breach. I call for the enforcement of the rule.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. TAFT. Does the Senator consider that rule to apply to Senators who are in the city?

Mr. LA FOLLETTE. I certainly do.

Mr. TAFT. Is the rule violated if a Senator leaves the Chamber to interview a reporter, in the President's Room, for instance, or is it intended merely to keep Senators in the city?

Mr. LA FOLLETTE. If I may say so to the Senator from Ohio, I think the intent of the rule is clear and that it is without exception. Of course, it would not be necessary in the Senate, as in a fifth-grade classroom, to get permission to go out of the door, but it certainly means that, so far as the production of a quorum is concerned, no Senator has the right, without leave of the Senate, to be beyond call of the Senate. I would say, for example, that a strict observance of this rule would require a Senator if he expected to be absent from the Chamber to go downtown to an executive department on official business, to obtain leave of the Senate, because obviously he would be gone beyond the call of the Senate, and that is the important thing in maintaining a quorum, namely, that there must be a sufficient number of Senators within the precincts and confines of the Capitol Building to produce a quorum, and thus to permit the Senate to function.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. WHITE. I take it the fundamental purpose of that rule is to assure that a quorum of the Senate shall be present in the Senate during the sessions of the Senate.

Mr. LA FOLLETTE. Yes; or at least that they shall be within ready call of the Senate so that a quorum, at any time that it is necessary to produce it, may be obtained without undue delay of the functioning of the Senate.

Likewise I wish to call the attention of the Senate to section 39 of title 2——

The VICE PRESIDENT. The time of the Senator has expired. The Senator is speaking on the bill. No amendment is pending.

Mr. LA FOLLETTE. I understood the limitation applied only to the Taft amendment.

The VICE PRESIDENT. No; the limitation is in effect during the further consideration of the bill.

Mr. LA FOLLETTE. Very well. I am sorry I misunderstood the situation.

The VICE PRESIDENT. The bill is still before the Senate and open to amendment.

If there be no further amendment, the question is on the third reading of the bill.

The bill (H. R. 2013) was ordered to a third reading and read the third time.

Mr. LANGER. Mr. President, I send to the desk an amendment to the bill, which I offer and ask to have read.

The VICE PRESIDENT. The Chair will state that the pending bill has been read the third time. In order that an amendment may be offered at this time, unanimous consent must be obtained.

Mr. BARKLEY. Mr. President, the Senator from North Dakota had intended to offer an amendment, and so advised me. I ask unanimous consent that the Senator be permitted to offer the amendment, notwithstanding the third reading of the bill.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none, and it is so ordered.

Mr. LANGER. Mr. President, I offer the amendment.

The VICE PRESIDENT. The amendment will be stated.

The LEGISLATIVE CLERK. Before the period in line 20 it is proposed to insert a colon and the following: "*And provided further*, That nothing contained in this act shall be construed to authorize the manufacture for, or the disposition to, any foreign government, of any machinery, implements, or equipment, suitable for use on the farm."

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. LANGER. I yield to the Senator from Wisconsin.

Mr. LA FOLLETTE. I will take 15 minutes on the amendment to conclude what I have to say. I wish to call attention to the statute, indicating that Congress has sought effectively to deal with this problem in the past. The provision in the statute is paragraph 39 of title II of the United States Code annotated:

> Deductions for absence: The Secretary of the Senate and Sergeant at Arms of the House respectively, shall deduct from the monthly payments of each Member or Delegate the amount of his salary for each day that he has been absent from the Senate or House, respectively, unless such Member or Delegate assigns as the reason for such absence the sickness of himself or of some member of his family.

We all know, Mr. President, that that statute is not enforced; but I believe and I think I have a right as a Member of the Senate to call for the enforcement of the rules of the Senate, and I now here formally call for the enforcement of paragraph 1 of rule V, which I read previously, namely that no Senator shall absent himself from the service of the Senate without leave.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. Yes, briefly.

Mr. BARKLEY. A similar rule exists in the House of Representatives. When I was a Member of the House some years ago it was very difficult to obtain a quorum, and the House adopted a resolution docking the salaries of Members until they should have returned to Washington. The trains were crowded with Members on their way back to Washington.

Mr. LA FOLLETTE. That would not be necessary. I may say again that so far as I am concerned nothing I have said or shall say should be taken as any reflection upon Senators, because it is my observation that Senators are hard working, conscientious and overburdened. But I do call for the enforcement of this rule, and I insist that hereafter Senators obtain leave of the Senate when they desire to go outside the precincts of Capitol Hill where they are available for a quorum.

Likewise, Mr. President, as a Member of this body, I call formally for the abolition from this day forward of the practice which has grown up during the years of putting Senators on a quorum call as if they were present, although they did not answer on the particular call. The practice as it works now is that the desk is furnished a list from the Republican side and from the Democratic side of Senators who are known to be out of the city. Then the roll is called. A few Senators appear. The names of a sufficient number are put on the roll to constitute a quorum, and then subsequently, no matter it if is 4 hours later, the name of any Senator who puts in a visible appearance in the Chamber is placed on that roll.

Today, there were 32 Senators present in the Chamber when the announcement was made that 49 were present or had responded. I venture the assertion that if I had not made these remarks and if the Senator from Kentucky had not made the remarks he made, when the RECORD appeared tomorrow morning it would show 79 Senators as having answered on the first call.

One of the reasons why Senators, feeling the pressure of work upon them, do not appear when the roll is called, is that they know that so far as the official record is concerned they can be listed as being present if they show up any time during the day. I feel certain that the abolition of that practice will have the effect of producing a physical quorum, or if I may so describe it, a physically embodied quorum of Senators. If they once come into the Chamber, perhaps they will be inclined to remain.

I feel that I should stop at this point with suggestions as to further remedies, because I should like to see the effect of the enforcement of paragraph 1 of rule V, and the requirement that a Senator must be present on a particular call and answer to his name audibly before his name can be placed upon the call as being present. I should like to see the effect of the enforcement of that rule on attendance in the Senate.

As indicated by paragraph 39 of title II, which I have read, I believe that there are other remedies. In fact, I have devised one which I think might be effective in producing a quorum promptly, but it is a rather drastic step, and I shall not propose it at this time.

In conclusion, Mr. President, let me say that we must bear in mind that our failure to be present in the Chamber in person can have nothing but a most unfortunate effect upon the estimation in which people hold not only this body, but the whole concept of representative government.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. FULBRIGHT. I fully agree with the Senator; but would the Senator consider a further step which might solve the dilemma in which Senators find themselves? What about a rule, for example, which would prevent our being called from the Chamber? As the Senator knows, we are all continually subject to such calls during sessions of the Senate. Would such a rule help?

Mr. LA FOLLETTE. I think it might help.

Mr. FULBRIGHT. Should there be some rule or understanding among Senators with regard to sessions of committees while the Senate is in session?

Mr. LA FOLLETTE. The Senator very well knows, because he was a distinguished Member of the House, that the House has a rule that when the House is in session no committee may meet without permission of the House, except by unanimous consent. I believe that one or two House committees have authority to meet when the House is in session.

Mr. FULBRIGHT. The Appropriations Committee has such authority. It is my experience that Members of the House abide by the rule.

Mr. LA FOLLETTE. I have had experience in conference committees or joint committees, with Members of the House saying that they must leave to answer a quorum call in the House.

Mr. FULBRIGHT. Is not the difficulty that we are on so many committees? In the House I was a member of one committee. In the Senate I am a member of four committees.

Mr. LA FOLLETTE. I think that is one aspect of the problem, as I have tried to indicate.

Mr. FULBRIGHT. Simply laying down the requirement that Senators must be present in the Chamber would put Senators in an impossible situation.

Mr. LA FOLLETTE. I do not think it would put them in an impossible situation. I believe that such a requirement would cause many Senators to remain in the Senate chamber. I believe that we should try this plan first, because I do not wish to see a solution of the problem of attendance in the Senate delayed until we can attack all the primary causes of absenteeism. I am satisfied in my own mind that the two things which I have suggested would go far toward producing better attendance in the Senate. If not, we shall have to resort to some of the other remedies.

As the Senator from Arkansas knows, I am keenly interested in trying to solve the primary causes; but that may take a long time. In the meantime, in my opinion, we must do something about attendance in the Senate. Therefore, I have suggested these two measures as steps in that direction.

The Senator knows as well as I do that it is not always a committee meeting which detains a Senator. He may

be in his office dictating letters, or being interviewed by constituents, which is a vital part of a Senator's work. When a quorum call comes, he reaches for the telephone and calls the Democratic cloakroom or the Republican cloakroom and asks, "What is up in the Senate?" He is informed that it is only a quorum call. He asks whether or not a vote is imminent. The answer is "No." He hangs up the receiver and continues with his work.

I believe that we could put a stop to that practice by enforcing paragraph 1 of rule V. It would eliminate a practice which is not in conformity with the Rules of the Senate, or with any common-sense application of the effect of a demand for a quorum.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield if I have any further time.

Mr. MAGNUSON. I am seeking information. At this moment the Subcommittee on Aviation of the Committee on Commerce is holding a meeting downstairs to consider the question of airports in this country. I am a member of that subcommittee. If the rule to which the Senator has referred were enforced, what would be the procedure? Would I rise and say, "Mr. President, may I go downstairs to attend a meeting of the Subcommittee on Aviation?"

I was a Member of the House for many years, as was the Senator from Arkansas [Mr. FULBRIGHT]. When committees of the House meet during sessions of the House, specific permission is requested for members of the committees to be absent from sessions of the House. When permission is granted, it is so recorded. If a Member of the House wishes to be absent from sessions of the House for a considerable period of time because of illness in the family or because of official business, he obtains leave of absence. Today the Mead committee is out of the city somewhere holding hearings. I suppose word will go out from the Press Gallery today that Senators who are members of that committee are absent. In the House, when a Member is absent for any reason, leave of absence is granted.

Mr. LA FOLLETTE. It is required under the rules of the House.

Mr. MAGNUSON. Yes. In the House that rule is rigidly observed. There are little slips for the Members to fill out.

Mr. LA FOLLETTE. All I am asking at this time is enforcement of the rule of the Senate.

Mr. MAGNUSON. I am wondering how that rule would work when a Senator was attending a committee meeting.

Mr. LA FOLLETTE. A Senator could govern himself accordingly. If a Senator wishes the RECORD to show where he is, he has a perfect opportunity and right to do so. However, in my opinion the practical application of this rule would not cover the situation which the Senator describes, because a committee meeting in the Capitol or the Senate Office Building would be within call of the Senate. If a call for a quorum were made, the Senator would be able to respond to it. However, if a Senator goes outside the precincts of the Senate and beyond call—if, for example, he goes downtown to a department, where he cannot know that there is a call for a quorum or a vote—I think he should ask to be excused for that purpose.

Mr. MAGNUSON. As is done in the House?

Mr. LA FOLLETTE. Yes. He should not leave the city without permission. If the law were properly enforced, a Senator would have 1 day's pay deducted from his salary for every day he was absent without permission of the Senate.

Mr. MAGNUSON. Does not the Senator agree with me that when committees meet during sessions of the Senate, the chairman of the committee or subcommittee should ask permission of the Senate for the committee to meet during sessions of the Senate?

Mr. LA FOLLETTE. I certainly think so, although we have no rule prohibiting meetings of committees during sessions of the Senate. That may be one of the things which is required. However, I am trying to think of something which we can do now. I believe that the two suggestions which I have made might help in that direction. As the Senator knows, under the existing practice, if there should be a call for a quorum, the clerk of the aviation subcommittee, for example, would call up someone in the cloakroom and give him a list of Senators in attendance at the committee meeting. That list would be presented to the clerk at the desk, and the names of those Senators would be entered on the roll. That does not produce a quorum.

Mr. WHERRY. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. WHERRY. I should like to ask a question in regard to the mechanics of the operation, following up the question asked by the Senator from Washington. Who would grant leave? Suppose I were to rise and ask the Presiding Officer for permission to leave the Senate. Would leave be granted by the Presiding Officer?

Mr. LA FOLLETTE. No. Permission would be granted by unanimous consent. It would be granted by the Senate itself.

Mr. WHERRY. If objection were made, a Senator could not obtain such permission?

Mr. LA FOLLETTE. That is correct.

Mr. VANDENBERG. Mr. President, will the Senator yield?

Mr. LA FOLLETTE. I yield.

Mr. VANDENBERG. The rule provides that no Senator shall absent himself from the service of the Senate without leave. Is not a Senator in the service of the Senate if he is attending a committee meeting?

Mr. LA FOLLETTE. I have just stated that we have no rule similar to the rule of the House, prohibiting meetings of committees when the Senate is in session. I do not believe that any Senator must obtain permission to attend a committee meeting; but I certainly believe that if a Senator wishes to go outside the precincts of the Senate, where he cannot respond to a quorum call or a call for a vote, under this rule he should obtain leave of the Senate to do so.

The VICE PRESIDENT. The time of the Senator from Wisconsin has expired.

Mr. WHITE. Mr. President, I wish to say a very brief word about the situation discussed by the Senator from Kentucky and also by the Senator from Wisconsin. I think it appropriate that it should be discussed; indeed, I think discussion of the problem is needed. I happen to be one of those who have viewed for some years with the gravest apprehension the centralizing process which has been going on in our Federal Government. To use the hackneyed expression, I have viewed with alarm the constant expansion of government, until government today reaches into almost every field and every activity of human life. I especially have been concerned at what I consider to be the growing powers of the Executive. The increased powers of the Executive have been in large part at the cost of the two other coordinate branches of the Government, the judiciary and the legislative branches. I think the legislative branch has fallen immeasurably in public esteem in late years. I say to the Senator from Wisconsin and to other Senators that we are not going to restore the prestige of this great legislative body, we are not going to bring it back to the influence it once had in this country, to the respect which at one time was entertained for it—we are not going to bring it back to that high place with empty seats during the sessions of the Senate, with the galleries looking down on us and seeing but a handful of Senators present, and even that handful sometimes indifferent to the discussion that is going on.

Mr. President, I think one way to check what I call executive encroachment upon the legislative branch, one way to restore somewhat the respect which should be entertained for the legislative branch of the Government, one way to restore the legislative body to its former high estate, is to see to it that we are present in our places listening, learning, legislating, and when we shall have done that—and I have some notions as to contributions that might be made, but I shall not undertake to state them now—I think there will be a change for the better. I welcome the discussion by the Senator from Wisconsin of this subject matter.

The VICE PRESIDENT. The pending question is on agreeing to the amendment of the Senator from North Dakota [Mr. LANGER].

The Senator from North Dakota is recognized.

Mr. LANGER. Mr. President——

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. FULBRIGHT. I wish to ask a question of the Senator from Wisconsin. The Senator's committee does not have authority, does it, to make recommendations with regard to the rules of the Senate?

Mr. LA FOLLETTE. No; I do not think that is a proper interpretation of the limitation. The limitation is that the committee may not make any recommendations concerning rules of procedure and debate. Of course, the question is one of interpretation. But knowing what was in the minds of those who suggested the limitation, I am inclined to

construe it rather liberally, just so long as we do not tread on the ground which I know was in the minds of those who proposed it. Of course, my colleagues on the committee, when we come to make our recommendations, may not agree with me about that point.

Mr. FULBRIGHT. In the light of the discussion which has been had, it would seem very appropriate for the Senator to make some recommendations with regard to some of these matters. I hope he will.

Mr. LA FOLLETTE. I thank the Senator.

Mr. REVERCOMB. Mr. President——

The VICE PRESIDENT. The Senator from North Dakota has the floor. Does he yield?

Mr. LANGER. I yield.

The VICE PRESIDENT. The Chair must state that inasmuch as the Senator from North Dakota now has the floor, if he yields, the time taken by Senators to whom he yields will be charged against his time.

Mr. LANGER. Very well; I have yielded to the Senator from West Virginia.

Mr. REVERCOMB. Mr. President, I have listened wtih a great deal of interest to these discussions, some of them critical. Certainly I take no issue with any desire on the part of anyone to enforce the rules of the Senate; but, I think it quite unfortunate that these excoriations of the Senate and its actions should come at this time, when perhaps they may be heard by persons who do not thoroughly understand the situation. However much Senators may say they do not mean to criticize the Senate and its Members, the effect may be that of criticism, and much of it unjust criticism.

I wish to say to the Senate that we have now been in session, day after day, for some time; that the work of Senators is not only on the floor of this Chamber but elsewhere. We have to serve with the committees which are meeting from time to time. We have work for our constituents and must receive delegations from our States which call upon us, particularly with respect to the administration of some of the laws under the commissions and bureaus of the Federal Government. Delegations are constantly coming to Senators, complaining about the treatment they receive in connection with the enforcement of some of the laws. It is a duty of Senators, and a very high duty, to meet with such delegations and to aid them all they can. That duty often conflicts with our duty to be on the floor of the Senate.

So I say today, and I say it in all kindness, that I think it is unfortunate that this criticism, this excoriation, should come at this time, particularly in view of the fact that it may leave a misunderstanding in the minds of some who have heard it. The Senate is a hard-working body, in the main. Most of the Members of this body work as hard as any men I know. I rise at this time in all earnestness to defend the Senate.

Mr. LANGER. Mr. President, yesterday I stated at length what is happening in our country in reference to farm machinery. I stated that throughout the Northwest farmers are suffering for lack of farm machinery. I told the Senate that in the county of Hettinger, N. Dak., the county agent testified that in 1943 in that one county the farmers lost approximately $1,000,000 because they did not have the farm machinery they needed in order to cultivate and harvest their crops.

I hold in my hand the hearings before the House committee on the lend-lease extension bill. They show that the total exports of farm machinery under lend-lease to all countries since the beginning of the lend-lease program, up to November 1, 1944, amounted to $53,600,000 worth.

Mr. President, yesterday I demonstrated very clearly that at the time when the farmers in the Northwest were begging for tractors and combines and plows, at that very time, through the one little town of Portal, N. Dak., 566 rubber-tired tractors and 355 combines were sent in 6 weeks, during July and August, under lend-lease, to Canada.

Under lend-lease such machinery has been sent to north Africa; it has been sent to all parts of the United Kingdom; it has been sent almost all over the world—and all at the expense of the farmers of the United States.

Mr. MORSE. Mr. President, may there be order in the Senate Chamber? I think one way to improve the dignity of the proceedings in the Senate is to have Senators pay attention when they are on the floor of the Senate.

The VICE PRESIDENT. Let there be order in the Senate. The Chair has been trying to obtain order, but it is very difficult to do so when Senators hold conferences on the floor of the Senate.

Mr. LANGER. Mr. President, I now call attention to page 41 of the hearings before the House Committee on Foreign Affairs. Mr. JOHNSON, who was testifying in favor of the lend-lease extension bill, replied, in answer to a question:

Mr. JOHNSON. I would like to make this request: In connection with the data that you are to prepare for Mr. MUNDT, in answer to how much farm machinery had been exported under lend-lease and how much under U. N. R. R. A., I would like at the same time to have that statement give us the amount of food that we have received under lend-lease in reverse, or reverse lend-lease.

Then, Mr. President, I discovered that no farm machinery at all has been sent abroad under U. N. R. R. A. I very respectfully submit that after the war in Europe terminates, we can send, under U. N. R. R. A., all the farm machinery that is needed in order to produce food. Let me point out that the amendment provides that the machinery cannot be sent abroad under lend-lease. It can be sent abroad under U. N. R. R. A. The manufacturers can sell any amount of it they wish to sell, and the American people will be paid for it, as in the case of other exports.

Mr. President, I wish to place in the RECORD at this time, and I ask unanimous consent to do so, approximately 100 telegrams which are along the same line as those which I read into the RECORD yesterday. I make this request because the telegrams show the desperate condition in which the farmers all over the northwestern part of our country find themselves.

There being no objection, the following telegrams, addressed to Senator LANGER, were ordered to be printed in the RECORD:

KELSO, N. DAK., *April 9, 1945.*

We received 1 car last Friday, first one since March 19. Have not been able to do any business for 3 weeks due to car shortage. Will take at least 20 cars to start business again.

EQUITY ELEV..TOR & TRADING CO.,
O. CHRISTIANSON.

SOUTHAM, N. DAK., *April 9, 1945.*

No cars received this week. Received four since December 1944.

SOUTHAM ELEVATOR CO.

ASHLEY, N. DAK., *April 9, 1945.*

Had no boxcars for 2 weeks.

KLAUSS ELEVATOR CO.

BOWMAN, N. DAK., *April 9, 1945.*

Loaded last week 15 cars out of 14 elevators. Could use 150 cars.

WESTERN LUMBER & GRAIN CO.

NORTHWOOD, N. DAK, *April 9, 1945.*

Re telegram. Received 7 boxcars last week. Loaded our first wheat since February 20. Have 200,000 bushels to ship.

NORTHWOOD EQUITY ELEVATOR CO.

ZAHL, N. DAK., *April 9, 1945.*

Received one boxcar week ending April 7. Please do utmost to get more. Much grain in danger of spoilage.

ZAHL CO-OP GRAIN & TRADING CO.

MINNEWAUKAN, N. DAK., *April 9, 1945.*

We are facing a critical boxcar shortage. Must have cars to process seed grains in order to increase production for coming year and to move grain which is becoming out of condition.

FARMERS UNION ELEVATOR CO.

PILLSBURY, N. DAK., *April 9, 1945.*

Had 5 cars January, 4 cars February, 9 cars March, 5 cars April. Shipped 98 cars same period last year.

PILLSBURY ELEVATOR CO.,
FRANK MCKAY.

ROCKLAKE, N. DAK., *April 9, 1945.*

Received one car past week. Thousands bushels in territory must be shipped before warm weather arrives or a high percentage of loss will result through spoilage. Because of excessive moisture, cars must be made available to save this vital food and feed grain.

ROCKLAKE FARMERS' UNION
ELECTRIC ASSOCIATION,
R. L. CARTER, *Manager.*

BOTTINEAU, N. DAK., *April 9, 1945.*

Boxcar situation critical Most elevators have been blocked for 3 months. Estimate 140,000 cars to move grain on farms alone in Central and Northwest States. Large amounts of grain are in danger of spoilage. We urge you to contact Interstate Commerce Commission and insist on substantial increase of empty boxcars from eastern roads to western roads to be used in the country for moving some of this grain.

CARBURY FARMERS UNION ELEVATOR CO.

DOYON, N. DAK., *April 9, 1945.*

Received four gondolas, one boxcar last week.

SUNDEEN & TRONSON GRAIN CO.

VENTURIA, N. DAK., *April 9, 1945.*
Two coal cars loaded in March. No cars since March 21. Why the discrimination?
SAYLER ELEVATOR CO.

FAIRDALE, N. DAK., *April 9, 1945.*
No cars for 2 weeks.
SCHREDER ELEVATOR CO.

SOURIS, N. DAK., *April 9, 1945.*
Had one car for grain last week and only 4 cars this year.
SOURIS COOPERATIVE ELEVATOR CO.

WHITMAN, N. DAK., *April 9, 1945.*
No cars received in April. Please try get empties quick.
EQUITY ELEVATOR & TRADING CO.

COULEE, N. DAK., *April 10, 1945.*
Received only 10 grain cars in last 3 months.
COULEE FARMERS UNION ELEVATOR CO.

REYNOLDS, N. DAK., *April 9, 1945.*
No boxcars received, last car received March 15
REYNOLDS FARMERS ELEVATOR CO.

PINGREE, N. DAK., *April 9, 1945.*
Received one boxcar last week.
PINGREE GRAIN CO.

NEWBURG, N. DAK., *April 9, 1945.*
Re tel have only received one car.
NEWBURG COOPERATIVE ELEVATOR CO.

YPSILANTI, N. DAK., *April 9, 1945.*
Four grain boxcars last week.
YPSILANTI EQUITY ELECTRIC CO.

WISHEK, N. DAK., *April 9, 1945.*
Received two grain cars last week.
DOYLE GRAIN CO.,
W. J. DOYLE.

WISHEK, N. DAK., *April 9, 1945.*
Received two grain cars last week.
UNION ELEVATOR CO.

STREETER, N. DAK., *April 9, 1945.*
Received four cars last week, but we need 10 more.
STREETER ELEVATOR CO.

TIOGA, N. DAK., *April 9, 1945.*
Received two boxcars for grain last week.
VICTORIA ELEVATOR CO.

WILLISTON, N. DAK., *April 9, 1945.*
Re tel. received 3 cars last week. Need at least 100 cars for April.
FARMERS UNION GRAIN & SUPPLY CO.

CASSELTON, N. DAK., *April 9, 1945.*
Received four cars Great Northern, three Northern Pacific last week.
CASSELTON ELEVATOR CO.

SHERWOOD, N. DAK., *April 9, 1945.*
One grain box furnished week ending March 7.
FARMERS UNION ELEVATOR CO.

AMENIA, N. DAK., *April 9, 1945.*
Four cars received last week, need 30 more.
AMENIA SEED AND GRAIN CO.

SHERWOOD, N. DAK., *April 9, 1945.*
One grain box furnished week ending March 7.
FARMERS UNION ELEVATOR CO.

GARRISON, N. DAK., *April 9, 1945.*
Received two cars last week.
FARMERS UNION ELEVATOR CO.

SHERWOOD, N. DAK., *April 9, 1945.*
One grain box furnished week ending March 7.
CARGILL, INC.

GARRISON, N. DAK., *April 9, 1945.*
Received two cars last week.
OCCIDENT ELEVATOR CO.

BROCKET, N. DAK., *April 9, 1945.*
Received one boxcar last week; cars needed.
EQUITY ELEVATOR & TRADING CO.

DEERING, N. DAK., *April 9, 1945.*
Received one boxcar this week.
VICTORIA ELEVATOR CO.

UNDERWOOD, N. DAK., *April 9, 1945.*
One car February, one car March, one April.
FARMERS ELEVATOR & MERCANTILE CO.

UNDERWOOD, N. DAK., *April 9, 1945.*
Received one empty boxcar this week.
PEAVEY ELEVATORS.

CALIO, N. DAK., *April 9, 1945.*
Received one car last week.
OSBORNE MCMILLAN ELEVATOR CO.

HANNAH, N. DAK., *April 9, 1945.*
Received one car in March, one in April; elevator full.
HANNAH FARMERS COOPERATIVE ELEVATOR CO.

LINTON, N. DAK., *April 9, 1945.*
Loaded 4 cars last week.
FARMERS ELEVATOR CO.

BOTTINEAU, N. DAK., *April 9, 1945.*
In reply to your wire we did not receive any cars the week of April 7.
CARBURY FARMERS UNION ELEVATOR CO.

WIMBLEDON, N. DAK., *April 9, 1945.*
Your wire received. Two boxcars last week.
WIMBLEDON FARMERS ELEVATOR.

SHELDON, N. DAK., *April 9, 1945.*
Did not receive any grain cars last week.
SHELDON FARMERS ELEVATOR CO.

CLEVELAND, N. DAK., *April 9, 1945.*
Received one car.
OCCIDENT ELEVATOR CO.

KRAMER, N. DAK., *April 7, 1945.*
Please contact Interstate Commerce Committee Chairman WHEELER. Insist on more boxcars to move our grain. Warm weather will start it to get out of condition. Must clean out soon to handle 1945 production.
KRAMER EQUITY ELEVATOR CO.

TEMVIK, N. DAK., *April 7, 1945.*
Elevator blocked, no cars in sight, 50 percent grain in country to be shipped. Please take action to get cars.
TEMVIK FARMERS' ELEVATOR CO.

ANAMOOSE, N. DAK., *April 7, 1945.*
I call to your attention the critical boxcar shortage that exists throughout the entire Central and Northwest States; that hundreds of elevators are blocked; that it is estimated 140,000 cars would be required to move the wheat alone now on farms. Grain marketing in 12 primary markets is 60,000,000 bushels, or 35,000 boxcars less during present period as compared with year ago, in spite of a 20-percent increase in production in 1944. I urge you, as our best Senator, to get in touch with Interstate Commerce Committee chairman immediately and insist on a substantial daily increase of empties from eastern roads to western roads, and they later be required to place those cars in country for grain movement exclusively. There is need for immediate action so that grain will be moved and not allowed to spoil and that transportation and warehouse space must be made available to have the increased production farmers are being called to produce in 1945.
FARMERS' UNION GRAIN ASSOCIATION,
G. H. DAVIDSON, *Manager.*

YORK, N. DAK., *April 10, 1945.*
Received 2 boxcars last week.
HONG FARMERS ELEVATOR CO.

BLAISDELL, N. DAK., *April 10, 1945.*
Received three boxcars last week.
FARMERS COOPERATIVE ELEVATOR.

ALICE, N. DAK., *April 9, 1945.*
Received four grain cars last week. Letter following.
FARMERS ELEVATOR CO.

FEMBINA, N. DAK., *April 9, 1945.*
Received three cars past week, two February, and two March.
VICTORIA ELEVATOR CO.

CLYDE, N. DAK., *April 9, 1945.*
Received only one boxcar last week.
PEOPLES GRAIN CO.

NIOBE, N. DAK., *April 9, 1945.*
Received two grain boxes last week.
NIOBE FARMERS COOPERATIVE ELEVATOR CO.

RAY, N. DAK., *April 9, 1945.*
Had 16 cars since January 1, 4 of them last week.
RAY FARMERS UNION ELEVATOR CO.

MADDOCK, N. DAK., *April 7, 1945*
We are asking your help in remedying boxcar situation now existing. Grain in this community was put in bin last fall containing a high percent of moisture and if this grain is not moved in the next few weeks thousands of bushels of grain will be wasted. Please do what you can to help the farmers make this grain available for the war effort.
MADDOCK FARMERS GRAIN CO.
HENRY BENSON.

MADDOCK, N. DAK., *April 7, 1945.*
Let us have some action on boxcar shortage. Our grain is heating in bin. Investigate and report.
JOE HAAGENSTAD.

NOONAN, N. DAK., *April 7, 1945.*
We would like you to look into car situation. A lot of wheat on ground in fields which should be shipped out at once; 300,000 bushels waiting to be brought in. Do all you can about getting cars, we need them badly. Grain may spoil and farmers need to make room for coming crop. Thank you.
FARMERS COOPERATIVE ELEVATOR CO.
ROBERT K. LAMMER.

GLADSTONE, N. DAK., *April 7, 1945.*
Wish you would do your utmost to relieve car shortage. Our elevator has been blocked since January 1, and could have handled 50

cars since. Got 9 cars since first of year. Have 20,000 bushels wheat going out of condition and cannot move same. There is 50 percent of grain still on farms and no elevator able to take in grain due to car shortage.

FARMERS UNION ELEVATOR CO.

SHERWOOD, N. DAK., *April 7, 1945.*

We urge you to contact Interstate Commerce Committee Chairman WHEELER, and insist on a substantial daily increase of empty boxcars from eastern roads to western roads and the latter be required to place these cars in country for grain movement exclusively. We need immediate relief to save grain from spoilage and to make room for increased production called for 1945.

FARMERS UNION ELEVATOR CO.

LA MOURE, N. DAK., *April 7, 1945.*

Kindly use your utmost influence to have grain cars diverted to this State to alleviate acute shortage in car situation.

FARMERS UNION GRAIN CO.,
RUDOLPH HERMAN, *Manager.*

HAZELTON, N. DAK., *April 7, 1945.*

Elevators filled. Car situation serious. Farmers reporting winter stored grain out of condition. Urge immediate action get cars.

HAZELTON FARMERS UNION
ELEVATOR CO.,
M. PFLUGRAPH.

JUD, N. DAK., *April 7, 1945.*

Please get in touch with Interstate Commerce Committee Chairman WHEELER and insist on a substantial daily increase of empties from eastern roads to western roads. Latter to be placed in the country for grain movement. Immediate action is necessary so grain can be moved to avoid spoilage and get transportation and warehouse room for the next crop of increased production which farmers are being called on to produce.

JUD FARMERS UNION GRAIN CO.,
FRED W. JAHN.

MANVEL, N. DAK., *April 7, 1945.*

Our boxcar situation is very critical. Farmers' grain going out of condition causing great losses. Please do something.

MANVEL FARMERS UNION
ELEVATOR CO.,
ROBERT A. BUSCH.

SCRANTON, N. DAK., *April 7, 1945.*

For the past 3 months we have been unable to operate because of the small number of grain cars we have received to ship our grain. Seventy percent of 1944 grain crop is still on the farms; much of it in poor storage. We ask you to get in touch with Senator WHEELER of the Interstate Commerce Committee and insist on a substantial increase of grain cars from the eastern roads to our territory so we can move this grain. Prospects are for another big crop and unless we can move some of this grain now there will be no place to store this grain and we will be plugged entirely.

SCRANTON EQUITY EXCHANGE,
SAM ELENBAUM, *Manager.*

ZAP, N. DAK., *April 6, 1945.*

The empty boxcar situation in this territory is terrible. We have some 25,000 bushels of grain ready for immediate shipment and it is almost impossible to get cars. See if there is anything you can do.

FARMERS COOPERATIVE CO.

BEACH, N. DAK., *April 6, 1945.*

Have shipped 14 cars grain since January 1, 1945. Elevator blocked continuously. Estimated 1,000,000 grain in territory. Granary mostly full. Prospects favorable for another big crop.

BEACH COOPERATIVE GRAIN CO.

MOTT, N. DAK., *April 6, 1945.*

We urge you to back Senator WHEELER, chairman, Interstate Commerce Committee, to get grain cars to the Northwest. Sixty-five percent of last year's crop still to be moved

MOTT EQUITY EXCHANGE.

GOLDEN VALLEY, N. DAK., *April 6, 1945.*

We would appreciate very much if you would get in touch with Senator WHEELER, chairman of Interstate Commerce Committee, to do something to relieve the grain-car shortage. We have this time about 60 cars wheat on hand ready to ship and about as many more in the country. Only had 5 cars in the last 3 months. Soon have to make room for new crop and possible increase in production.

FARMERS GRAIN CO.

BEULAH, N. DAK., *April 6, 1945.*

Request that you get in touch with I. C. C. Chairman WHEELER and insist an increase of boxcars for movement grain stored on county farms and elevators. Unless present situation improves, farmers will go into new crop period without ample storage for their grain, resulting in considerable loss through spoilage. If the farmers are expected to increase their 1945 production, it is absolutely necessary that provision be made for movement of grain stored on farms and in elevators now and for the crop to be harvested this fall.

BEULAH FARMERS UNION
ELEVATOR CO.

NEW ENGLAND, N. DAK., *April 6, 1945.*

Acute shortage of boxcars for moving grain is going to cause serious hardship and loss in this territory unless immediate relief obtained. This station alone will require 900 cars to move grain now on farms to make room for new crop Received only 22 cars for loading during March against need for 300. Will require 300 cars monthly until July 1 to make room for new crop if farmers are going to have protection for increased production their Government is asking of them.

FARMERS EQUITY EXCHANGE,
HENNING STROM, *Manager.*

HARLOW, N. DAK., *April 6, 1945.*

The grain car situation is very serious in North Dakota. Our elevator blocked a large amount of grain on farms which must be moved soon. Do what you can to get cars out in North Dakota for prompt loading of grain.

FARMERS UNION COOPERATIVE
ELEVATOR CO.

ELLENDALE, N. DAK., *April 6, 1945.*

Please contact Interstate Committee Chairman WHEELER and insist on substantial daily increase grain empties from East to protect grain now in store houses and elevators from spoiling and keep cars in Northwest to protect increased production in 1945.

FARMERS UNION COOPERATIVE,
IRWIN GESME, *Manager.*

RICHARDTON, N. DAK., *April 7, 1945.*

Urgently request you immediately get in touch Interstate Commerce Committee Chairman WHEELER and insist on a substantial increase of empties from eastern roads to western roads for grain movement exclusively. Immediate action necessary so grain will not spoil and have warehouse space to handle new grain. Half old wheat still on farms unable to move. Elevator blocked.

RICHARDTON FARMERS UNION ELEVATOR,
ROBERT GALLAGHER.

KILLDEER, N. DAK., *April 7, 1945.*

Wiring you in regards to car shortage house blocked since January 15; 30 percent of last year's crop to move yet. Should have cars immediately and made available for next 2 months in order move present crop before harvest.

KILLDEER EQUITY ELEVATOR CO.

FLASHER, N. DAK., *April 7, 1945.*

Fifty percent of 1944 wheat crop still not marketed. Elevators blocked. Grain stored on farms in inadequate bins. Urge that you contact Interstate Commerce Committee and Chairman WHEELER and insist on a substantial daily increase of empties from eastern roads to wheat territory so that grain may be moved before further spoilage.

FLASHER FARMERS UNION ELEVATOR CO.

ROTH, N. DAK., *April 6, 1945.*

We urge you to get in touch with Chairman WHEELER and insist on more boxcars for North Dakota. We have 100,000 bushels grain to move in this territory. We are 100 percent blocked.

ROTH FARMERS UNION ELEVATOR.

ELGIN, N. DAK., *April 6, 1945.*

Due to railway boxcar shortages all local elevators are filled up with cash grain which makes it unprofitable in fact hazardous to buy grain. Also there is still 50 percent or better of the 1944 crop on the farms. Much of this grain is in open bins and sheds and must be moved before the new crop is harvested to prevent spoilage and make room for handling new crop. We feel that the situation is serious and that a special effort must be made to get grain cars so that this problem can be cleared up before the summer rains and heat come. We ask that you bring this problem before the Interstate Commerce Commission and O. D. T. so that we can get cars to handle this grain.

ELGIN FARMERS UNION ELEVATOR CO.

FALKIRK, N. DAK., *April 7, 1945.*

Have Interstate Commerce Committee Chairman WHEELER get some cars out here. Elevator plugged for 4 months, also have 40,000 bushels wheat outside in small bins which will spoil unless we can move it.

FARMERS UNION ELEVATOR &
MERCANTILE CO.

ANETA, N. DAK., *April 7, 1945.*

Boxcar situation critical, more boxcars needed.

FARMERS UNION ELEVATOR ASSOCIATION.

WILDROSE, N. DAK., *April 9, 1945.*

Our elevator received two cars past week.

NELSON GRAIN CO.

BOTTINEAU, N. DAK., *April 9, 1945.*

Received one car last week.

WHEATLAND ELEVATOR.

ROHRVILLE, N. DAK., *April 9, 1945.*

Re tel. 7th: One boxcar received.

ROHRVILLE FARMERS UNION ELEVATOR CO.

CARTWRIGHT, N. DAK., *April 9, 1945.*

I received two cars this week.

INTERNATIONAL ELEVATOR CO.

GRACE CITY, N. DAK., *April 9, 1945.*

Shipped four cars grain week April 2.

PEAVEY ELEVATORS.

WELLSBURG, N. DAK., *April 9, 1945.*

Your wire received. One boxcar, week of April 7.

FARMERS' EQUITY ELEVATOR CO.

NAPOLEON, N. DAK., *April 9, 1945.*
We did not get any boxcars last week.
M. E. MEIER ELEVATOR.

HURDSFIELD, N. DAK., *April 9, 1945.*
Received three boxcars last week.
OCCIDENT ELEVATOR.

HEATON, N. DAK., *April 9, 1945.*
Received three boxcars last week.
OCCIDENT ELEVATOR,
F. J. NEWMILLER.

BUTTE, N. DAK., *April 9, 1945.*
Have received two cars the past week.
O & M ELEVATOR CO.

NORTHGATE, N. DAK., *April 9, 1945.*
Week ending April 7, 5 boxcars.
OCCIDENT ELEVATOR.

NEW ROCKFORD, N. DAK., *April 9, 1945.*
Received 3 boxcars last week. Could use 50 cars in the next month. Suggest you get in touch with Interstate Commerce Committee Chairman WHEELER at once, to increase the number of boxcars for the Northwest.
MUNSTER EQUITY ELEVATOR,
W H. GULLING, *Manager.*

PARK RIVER, N. DAK., *April 9, 1945.*
Re tel. one boxcar past week.
FARMERS UNION ELEVATOR CO.

ROSS, N. DAK., *April 9, 1945.*
Received 2 boxcars; total, 11 cars this year.
ROSS FARMERS' ELEVATOR.

ELDRIDGE, N. DAK., *April 9, 1945.*
Two cars received last week.
OCCIDENT ELEVATOR CO.

MCCLUSKY, N. DAK., *April 9, 1945.*
Received three boxcars this week.
WAHL GRAIN CO.

GOODRICH, N. DAK., *April 9, 1945.*
Relative to your inquiry about boxcars; we had 4 cars this week, should have had 20.
FARMERS COOPERATIVE ASSOCIATION.

VERONA, N. DAK., *April 9, 1945.*
Received two cars this week; should have more at once. House will be blocked as soon as roads dry.
VERONA FARMERS UNION GRAIN CO.

LANSFORD, N. DAK., *April 9, 1945.*
Received one boxcar last week.
HURD INDEPENDENT ELEVATOR.

GLADSTONE, N. DAK., *April 9, 1945.*
No cars since March 17; 11 cars this year.
BIRDSALL ELEVATOR.

COULEE, N. DAK., *April 7, 1945.*
Imperative you impress upon I. C. C. Chairman WHEELER need for substantial daily increase of empty grain boxes to move the grain out and make room for increased production called for in 1945. Cars should move from eastern roads to western roads and placed in counties for grain movement exclusively.
COULEE FARMERS UNION ELEVATOR.

RAWSON, N. DAK., *April 7, 1945.*
With acute car shortage, elevators blocked. Nearly every farmer all bins full of grain. If we can't start movement said grain soon, the farmers won't have room to store the coming crop. Would appreciate very much if you would get in touch with Interstate Commerce Commission and insist that they move a substantial number of cars from eastern roads to Northwest.
RAWSON COOPERATIVE ELEVATOR,
JOHN COVILIN.

RYDER, N. DAK., *April 10, 1945.*
Re telegram: Only received four grain cars February, three cars in March, one car so far in April. Please do your best.
FARMERS UNION ELEVATOR.

PARSHALL, N. DAK., *April 10, 1945.*
Received 2 cars past week.
PARSHALL GRAIN CO.

PARSHALL, N. DAK., *April 10, 1945.*
Received 4 cars past week 2 elevators.
FARMERS UNION COOPERATIVE ELEVATOR CO.

PARSHALL, N. DAK., *April 10, 1945.*
In reply to your wire, 10 boxcars since January 1; 1 last week; elevator blocked.
OSBORNE MCMILLAN ELEVATOR CO.

WYNDMERE, N. DAK., *April 9, 1945.*
In answer your wire relative boxcars received our last boxcar April 2.
FARMERS ELEVATOR CO.

CAYUGA, N. DAK., *April 9, 1945.*
Received two boxcars week April 7.
PRODUCERS MARKETING CO.

DAZEY, N. DAK., *April 9, 1945.*
Had one car last week, short 10 cars on cash wheat, 2 cars cash oats, 1 car cash flax, 1 car cash barley, and 15 cars of other grain to dispose of between now and July 1.
CARL OGLESBY,
LEON ANDERSRT,
SATRE LYLE BENDER,
HELMER CRISTENSON,
H. M. HANSEN,
MELVIN QUICK,
Directors.

REYNOLDS, N. DAK., *April 9, 1945.*
Received one boxcar last week.
REYNOLDS GRAIN ELEVATOR.

REGAN, N. DAK., *April 9, 1945.*
Loaded only 1 car since January 20. Need 13 at once.
PEAVEY ELEVATOR.

BURNSTAD, N. DAK., *April 9, 1945.*
We did not have any boxcars for the last 2 weeks.
FARMERS UNION ELEVATOR CO.,
OTTO A. KREIN.

TURTLE LAKE, N. DAK., *April 9, 1945.*
Equity Elevator & Trading Co. received 3 cars last week and the Occident Elevator 2 cars. We estimate that there is about 250,000 bushels of grain in the country to be shipped. Farmers living some distance from town have not sold any of last year's crop due to car shortage.
EQUITY ELEVATOR & TRADING CO.,
JOHN SEEGER, *Manager.*
OCCIDENT ELEVATOR,
G. L. BROKOFSKY, *Agent.*

HAMPDEN, N. DAK., *April 9, 1945.*
We had 2 boxcars the past week. Thanks for the inquiry.
HAMPDEN FARMERS ELEVATOR CO.

SOUTH HEART, N. DAK., *April 9, 1945.*
Have received 20 boxcars for grain from January 1 to date; that would be enough for about 5 days' run; will need 250 cars to move last year's grain before the new crop.
FARMERS COOPERATIVE ELEVATOR CO.

FLASHER, N. DAK., *April 9, 1945.*
We received no boxcars last week.
FLASHER FARMERS UNION ELEVATOR CO.

TRENTON, N. DAK., *April 9, 1945.*
One boxcar last week.
FARMERS ELEVATOR CO.

EDGELEY, N. DAK., *April 9, 1945.*
Had three cars.
FARMERS UNION GRAIN CO.

SAWYER, N. DAK., *April 9, 1945.*
During January, February, and March received 47 cars in 1944; during January, February, and March received 10 cars in 1945; received 4 cars first week in April 1945; have suffered great losses because of poor distribution of cars.
SAWYER FARMERS COOPERATIVE ASSOCIATION.

ANTLER, N. DAK., *April 9, 1945.*
Received four boxcars last week; none week before.
ANTLER COOPERATIVE GRAIN CO.

PORTLAND, N. DAK., *April 9, 1945.*
We received 4 cars last week. This is unusual; 75 cars of cash grain in our elevators We have been blocked since January 15.
PORTLAND FARMERS UNION ELEVATOR CO.

TOWER CITY, N. DAK., *April 9, 1945.*
Had no grain boxes last week; elevator full.
TOWER CITY GRAIN CO.

WYNDMERE, N. DAK., *April 9, 1945.*
Received two boxcars on April 2.
FARMERS GRAIN & FUEL CO.

GRANO, N. DAK., *April 9, 1945.*
Received one boxcar last week.
ATLANTIC ELEVATOR CO.

BATTLEVIEW, N. DAK., *April 9, 1945.*
Had two boxcars last week.
The ST. ANTHONY & DAKOTA ELEVATOR CO.

SHELDON, N. DAK., *April 9, 1945.*
Did not receive any grain cars last week.
COBURN FARMERS ELEVATOR CO.

GOLDEN VALLEY, N. DAK., *April 9, 1945.*
Received 2 boxcars past week, 30 more needed.
OCCIDENT ELEVATOR.

FARGO, N. DAK., *April 9, 1945.*
Received last week two cars at Oriska, three Durbin, nine Sanborn, none Wild Rice, one Gilby, two Honeyford, one Meckinock, none Herrick.
VALLEY GRAIN CO.
RED RIVER GRAIN CO.

MINOT, N. DAK., *April 9, 1945.*
We received four boxcars last week.
MINOT FARMERS COOPERATIVE GRAIN ASSOCIATION.

BUFFALO, N. DAK., *April 6, 1945.*
DEAR SIR: In answer to your wire just received in regard to boxcars. I have had two cars this week. I might also add that I had only two during March.
Yours truly,
W. R. ENDERSBE, *Manager.*

CARRINGTON, N. DAK., *April 7, 1945.*
No boxcars received this week.
FARMERS INDEPENDENT ELEVATOR CO.
M. F. WALSH, *Manager.*

EDMUNDS FARMERS UNION GRAIN CO.,
Edmunds, N. Dak., April 7, 1945.
Hon. WILLIAM LANGER,
Washington, D. C.

DEAR MR. LANGER: I have two elevators full of grain and one house has weevils and bran worms and would like to get cars to get some of the grain out so I could turn the grain over before there is any more loss on the grain. I got four cars from the railroad and took off the tops of each bin, but that does not help me out. Please do what you can to help out.

Yours truly,

D. E. LUHRS, *Manager.*

NIAGARA COOPERATIVE ELEVATOR CO.,
Niagara, N. Dak., April 7, 1945.
Hon. WILLIAM LANGER,
United States Senator,
Washington, D. C.

DEAR SENATOR LANGER: In reply to your telegram regarding the grain-car situation.

During the month of March we loaded six cars of grain; four of those cars were shipped in to this station with coal or other merchandise, so we were really furnished only two cars in March.

We loaded one car this week, with the exception that today we loaded an ore car, which is only a very small car, and is shipped at the responsibility of the consignor or the consignee; in other words, the railroad company will not assume responsibility for loss from using open-car equipment.

We are blocked much of the time. We are unable to clean grain for our patrons for the reason that we cannot get room for handling.

Yours very truly,

E. F. LIND, *Manager.*

KINDRED FARMERS ELEVATOR CO.,
Kindred, N. Dak., April 7, 1945.
Hon. WILLIAM LANGER,
United States Senator,
Washington, D. C.

DEAR MR LANGER: We have your wire requesting information on the number of cars we have received this past week. We had 3 cars set in here and picked up 2 in the yards for the best record we have had for any week this year. At the present time we have 37 cars ordered and are waiting for them. It is exceptionally bad for us as seed cleaning is coming on when we will be so rushed with this chore it is going to be difficult to find time to load, and then we have our annual cut off on April 30 and should get this stuff out so we can get our cut-off made. Hope you can put some pressure on the guys who are running this show and if they come with any more cracks like they did about its being "presumptuous" to ask for cars to relieve this condition; put them in their place on that also.

Thank you for your interest in this matter and I hope you can get some quick action.

Respectfully yours,

O. H. JOHNSON,
Manager Elevator Department.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. JOHNSON of Colorado. The Senator has disclosed the great shortage of farm machinery and has pointed out that sufficient farm machinery has not been made available to our farmers. Of course, the Senator from North Dakota knows that our farmers are confronted with the most serious problems that ever faced farmers in the entire history of the world. In spite of those problems they are measuring up in the most magnificent way. But does the Senator know that short as the supply of farm machinery is this year, next year the manufacture of farm machinery will be reduced 40 percent, and that the decision to do so has already been made by departments in Washington?

Mr. LANGER. I did not know that until this afternoon, when I was so informed by a distinguished Senator who is a member of the Committee on Agriculture and Forestry and who is familiar with the situation to which the Senator from Colorado refers. The situation spells absolute disaster for the farmers, because reports already indicate that there is a 30-percent reduction in the manufacture of farm machinery. If there be added to that reduction another of 40 percent, it will mean that the farmers who have not been able to buy machinery will be practically destitute of necessary farm machinery.

Mr. WHERRY. Mr. President, I have been informed in the past few days by representatives of the War Production Board that the farm machinery quota for this quarter has been cut back 30 percent from the original basis of a year ago. Furthermore, no reduction was made in lend-lease requirements with regard to farm machinery. That information was received by me from the office of the War Production Board. There is a shortage of farm machinery. That statement applies especially to the present quarter. The allotment of machinery which we have been afforded heretofore is to be reduced considerably.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER].

Mr. LANGER. Mr. President, on my amendment I ask for the yeas and nays.

The VICE PRESIDENT. Is the request sufficiently seconded?

The yeas and nays were not ordered.

Mr. WHERRY. Mr. President, I suggest the absence of a quorum.

Mr. BARKLEY. Mr. President, I wonder if the Senator from Nebraska will withdraw his request. I have no objection to a yea-and-nay vote being taken on the amendment of the Senator from North Dakota.

Mr. WHERRY. Mr. President, I do not wish to delay the Senate. I withdraw my point of no quorum.

Mr. BARKLEY. Mr. President, I shall not unduly delay the Senate. The amendment on which we are about to vote reads as follows:

And provided further, That nothing contained in this act shall be construed to authorize the manufacture for, or the disposition to, any foreign government, of any machinery, implements, or equipment suitable for use on the farm.

If the amendment were adopted, it would mean that under the lend-lease program we could not lend, lease, or provide any machinery to any country for the purpose of producing food for our own armies. No corn, wheat, grain, or any other food product of any kind could be raised in many foreign countries for the purpose of feeding our own men who are in the Army and Navy of the United States. Certainly the Senate should not agree to an amendment of that nature. I hope the amendment will be rejected.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER]. On this question the yeas and nays have been requested. Is the request sufficiently seconded?

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. HILL. I announce that the Senator from Florida [Mr. ANDREWS], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], and the Senator from South Carolina [Mr. MAYBANK] are necessarily absent.

The Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Arkansas [Mr. MCCLELLAN] and the Senator from Utah [Mr. THOMAS] are detained in Government departments on business pertaining to their respective States.

The Senator from Washington [Mr. MITCHELL] is absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Texas [Mr. O'DANIEL], the Senator from Tennessee [Mr. STEWART], and the Senator from Maryland [Mr. TYDINGS] are absent on public business.

I further announce that the Senator from South Carolina [Mr. MAYBANK] is paired with the Senator from Idaho [Mr. THOMAS]. If present and voting, the Senator from South Carolina would vote "nay" and the Senator from Idaho would vote "yea."

The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I am advised that, if present and voting, the Senator from Utah would vote "nay."

Mr WHERRY. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS]. He is necessarily absent.

The Senator from Idaho [Mr. THOMAS], who would vote "yea," has a pair on this question with the Senator from South Carolina [Mr. MAYBANK], who would vote "nay."

The Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The result was announced—yeas 28, nays 47, as follows:

YEAS—28

Bankhead	Hickenlooper	Shipstead
Brooks	Johnson, Calif.	Taft
Buck	Johnson, Colo.	Thomas, Okla.
Bushfield	La Follette	Wheeler
Butler	Langer	Wherry
Capper	McCarran	Wiley
Downey	McKellar	Willis
Eastland	Millikin	Wilson
Gurney	Moore	
Hawkes	Revercomb	

NAYS—47

Aiken	Gerry	Murray
Austin	Green	Myers
Bailey	Guffey	O'Mahoney
Ball	Hart	Overton
Barkley	Hatch	Pepper
Bilbo	Hayden	Radcliffe
Brewster	Hill	Russell
Briggs	Hoey	Saltonstall
Burton	Johnston, S. C.	Taylor
Chavez	Kilgore	Tobey
Connally	Lucas	Tunnell
Donnell	McFarland	Vandenberg
Ellender	McMahon	Wagner
Ferguson	Magnuson	Walsh
Fulbright	Morse	White
George	Murdock	

NOT VOTING—21

Andrews	McClellan	Scrugham
Bridges	Maybank	Smith
Byrd	Mead	Stewart
Capehart	Mitchell	Thomas, Idaho
Chandler	O'Daniel	Thomas, Utah
Cordon	Reed	Tydings
Glass	Robertson	Young

So Mr. LANGER's amendment was rejected.

The VICE PRESIDENT. The bill having been read three times, the question now is, Shall the bill pass?

The bill (H. R. 2013) was passed.

EFFECT OF STABLE MONEY PACTS ON AMERICAN EXPORTS

Mr. BUTLER. Mr. President, in view of the fact that we have just extended the Lend-Lease Act, I should like to have permission to read into the RECORD for about half a minute material taken from one of the daily papers of Omaha under date of September 23, 1944. The article is entitled "Stable Money Pacts Signed. Trade Agreements Ban United States Goods." The article is by Lou Schneider, and reads:

The Netherlands, Belgium, and Luxemburg Governments concluded, several months ago, post-war trade and money agreements. France, Belgium, and the Netherlands are now concluding a like agreement. As soon as that is completed, Great Britain will sign a similar accord with the Dutch-French-Belgian bloc.

These economic agreements call for a stabilizing of currency exchange rates and the suspending of all trade tariffs between the nations involved. Purpose is for rapid post-war rehabilitation and to form a western European bloc as far as trade and commerce goes.

The international monetary machinery set up at the Bretton Woods Conference will not be disturbed. But, outside of lend-lease shipments from America, the new setups will be a "lock-out" of United States exports—except for essentials unobtainable elsewhere.

EDITORIAL COMMENT ON THE FULL-EMPLOYMENT BILL

Mr. MURRAY. Mr. President, since the introduction of the full-employment bill, sponsored in the Senate by the Senator from New York [Mr. WAGNER], the Senator from Utah [Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY], and myself, and in the House by Representative WRIGHT PATMAN, the newspapers of the country have made a significant contribution to public understanding of the problem through continuous editorial discussion of post-war employment in general and the full-employment bill in particular.

I ask unanimous consent that some of the more important editorial comments upon the full-employment bill may be printed at this point in the RECORD in connection with my remarks.

There being no objection, the editorial comments were ordered to be printed in the RECORD, as follows:

[From the Nashville Tennesseean of March 31, 1945]

FOR ALL HANDS

In the intervening weeks since the introduction of Senator MURRAY's full-employment bill, the reaction of American business has not been such as to indicate an appreciation of the fact that because the problem involves a major Government responsibility there will definitely be some sort of legislation in this field.

Full employment—or full prosperity—lies within our production potential, as the current war has served to demonstrate. Yet 60,000,000 jobs far exceed our best peacetime record. Should we follow our traditional pattern of boom and collapse, the current heights which we have achieved would contribute to the violence of the downward plunge and would increase the depth and length of the depression. Our production potential cannot be realized—and slowly but progressively expanded—without concerted planning and effort.

Because this inescapably entails grave Government responsibility, Congress may be expected to act to set up such safeguards as it can to prevent a crash from our present heights and to encourage an expanding peacetime economy. It would be an act of extreme short-sightedness on the part of American business to set itself against such inevitable legislation.

By such a course it would forfeit the opportunity to contribute constructive criticism and advice and share in making such legislative safeguards serve most usefully. The childish and unconstructive criticism of the President's goal of 60,000,000 jobs during the past 90 days is an example of the negative attitude assumed by some spokesmen of industry. Talk like "the emphasis in jobs is all wrong; it's production that counts" is mere twaddle. The President's meaning is clear. He chose to define the goal in concrete terms of employment. Other terms could have been just as meaningful.

Business leaders now have before them Senator MURRAY's proposal for Government's contribution toward prosperity. His bill puts primary emphasis on supplementing private initiative with Federal public-works programs to assure a full budget of jobs. If no broader or sounder program is forthcoming, this bill or another of similar nature will likely pass. Business stands to benefit by a helpful and constructive attitude toward such legislation. It has everything to lose by adopting a defensive and petulant position.

[From the Rapid City (S. Dak.) Journal of March 20, 1945]

UP DICTATOR, DOWN PEOPLE

Plans for employment after the war are subject to a wide uncertainty because of the impossibility of the human mind to weigh all the imponderables.

Many experts have set 60,000,000 as the number of jobs it will be necessary for a prosperous nation to fill after the war. Some of the experts are getting pessimistic. They are fearful that it can't be done.

Comes now another expert, Ralph Robey, with the robust statement that 60,000,000 jobs is a fantasy. He sets the number of those who will be willing to work at 58,000,000 to 59,000,000 and from these figures deducts the normal number who will not work, anyway, the women who will go back to the home, the numbe. who will remain in the armed forces, and arrives at a figure of 54,000,000. If it is 54,000,000 instead of 60,000,000, he contends, the situation will be very much easier to contend with. That extra 6,000,000 would be an immensely harder nut to crack than all the rest.

Extraordinary efforts are being made to meet the situation. Private industry feels that it is on the spot and has been planning vigorously. For more than 18 months it has been moving to meet the situation—to bring about expanding industry in every community. It relies upon the demonstrated fact that initiative, vision, and courage have always accounted for a large part of every productive movement in the world's history. Enough steam behind private enterprise, it thinks, will solve the problem.

Government is alert to the situation also. One theory is that government should do everything, another that government should supplement the efforts of private enterprise, take up the slack, supplement, round out the efforts of industry which fall short.

The struggle of Fascists, Communists, National Socialists, and other social extremists, all of which would exalt what they think would be security at the expense of liberty, is enormously aided by the gross wastes, losses, and despairs of war. Liberty is in dire peril; democracy, which we believe is the hope of the world, is fighting for its life. Unless we can strike a balance between private enterprise and government regimentation it will be up dictator, down people.

Senator MURRAY, of Montana, has a bill in Congress, which, on its face at least, attempts to reconcile this clash between private enterprise and government domination.

The declared objectives of this bill are to foster free competitive enterprise, the expansion of private capital in trade and commerce, the development of national resources and the assurance at all times of adequate employment.

It aims to win three objectives by a government set-up which shall estimate the number of people requiring employment, the volume of needed investment, the degree to which this volume is in sight, the amount of cooperation from government which will be needed to supplement the investment in sight.

The President would be required to submit to Congress plans and a budget to meet any such shortage.

There are two high hurdles. The first is the imponderables which the human mind can neither estimate or agree upon, and the second is that we shall continue for the next 4 years to have the same kind of a political government which we have had for the last 12, a government which is not disposed to an impartial weighing of the known factors but is committed to government as the ruler, not the servant, of man.

[From the St. Louis Post-Dispatch of January 23, 1945]

SENATOR MURRAY'S BILL

Senator JAMES E. MURRAY has introduced a bill to implement a new principle of democratic government. It is called a "full employment bill," and is designed to gear public works, not to politics, not to doles, but to the Nation's need for jobs at any given time. It would set up the almost automatic machinery whereby Federal projects would be thrown into the breach when private enterprise could not provide maximum employment—and only then. The bill will be ill-received by many conservatives. Actually it is aimed at showing up the very system that made America great.

In his historic message to Congress of January 11, 1944, President Roosevelt enunciated the principle which the Murray bill would put into practice. At that time he set forth an economic bill of rights "under which a new basis of security and prosperity can be established." One of those rights was "the right to a useful and remunerative job."

During the Presidential campaign, he returned to that theme. Both candidates accepted the idea that public works must be relied upon when necessary to bridge the chasm between unemployment and full employment, but Mr. Roosevelt was the more forceful. "To assure the full realization of the right to a useful and remunerative employment," he said at Chicago, "an adequate program must provide America with close to 60,000,000 productive jobs."

He returned to the new bill of rights in his recent message, called the right to a job "the most fundamental" of all, and added. "The Federal Government must see to it that these rights become realities." Firmly he continued: "We must make sure that private enterprise works as it is supposed to work."

Ideas always march ahead of events, and principles ahead of the tools that make them operate. The idea of popular government grew in Greece and flowered, many centuries later, under the care of such men as John Locke and Rousseau and Jefferson, until finally the framers of the Constitution made it a reality.

Similarly, the idea that government has economic as well as political responsibilities has been growing in this country since the Homestead Acts were passed under Lincoln. It grew with the Sherman Act under Theodore Roosevelt; with the setting up of the Bureau of Reclamation. Mr. Hoover said in 1930 that "Economic depression cannot be cured by legislative action or Executive pronouncement." Yet he took huge strides toward the principle of economically responsible government when he set up the R. F. C.

The idea grew all over the world with industrial and technical progress and the exhaustion of new land frontiers. When men were out of work by the millions, they had nowhere to turn except to government, and the resultant unrest proved dangerous to the very life of democracy. It was thus in Germany.

England tried the dole. The United States tried C. W. A., W. P. A., C. C. C., and similar projects, some of which were sound and survived. The administration, beginning in 1932, was faced with the stark necessity of keeping democracy on its feet and keeping out revolutionary movements and methods of solving a mass unemployment problem unequaled in history.

However lyrically the principle of "jobs for all" may be expressed, that is what is behind it. Another wave of mass unemployment in this country might see democracy, the private enterprise system, representative government as we know it, collapsing. The alternative is to strengthen the whole system by guiding it into new evolutions and improvements that will face up to the changing times and conditions, yet without impairing the initiative of American business or the enterprise of American industry.

What Senator MURRAY proposes is the most promising machinery yet offered, because it relates employment to production by annual survey; because it confines Federal spending to those areas and periods where private enterprise can't make the grade. The President's principle and MURRAY's plan are based on the thesis that strong and independent people want no freedom to hunger; that the time has passed when government can "let them eat cake." The choice now lies between progress and survival or stagnation and economic disaster.

[From the Fort Worth (Tex.) Star-Telegram, January 25, 1945]

PEACETIME JOBS

The national full employment bill, sponsored by Senators WAGNER, MURRAY, and O'MAHONEY, and statements by Henry A. Wallace as nominee for Secretary of Commerce bearing the same assurances of post-war jobs for all are calculated to mislead many people that the Federal Government as in the depression will provide such.

The size of our national debt and heavy taxation will be a barrier to the plan of made-work by the Government, save in extreme emergencies, and hence it is necessary that the people realize that the source of employment in the post-war period will be private enterprise, which provides productive work. Thus, the rejuvenation of business and industry becomes the cardinal objective of any post-war plan of full employment. That fundamental proposition is obscured by the undue emphasis upon the function of government in affording work for the people. It is confirmed by the following statement in the Senate bill: "It is the policy of the United States to foster free competitive enterprise and the investment of private capital in trade and commerce and in the development of natural resources of the United States."

The import of that sound principle should not be lost in the political pressure for public-works projects, unemployment compensation, subsidies, and other expediencies which in future years will be financed by taxes rather than borrowings. Incidentally, should the Senate bill be passed, the preparation of "a national employment and production budget" should be delegated to men of business experience and ability such as the ousted Secretary of Commerce, Jesse H. Jones, rather than inexperienced theorists such as Henry Wallace.

[From the Charleston (W. Va.) Mail of January 31, 1945]

THE MURRAY BILL

Implementation of the administration's program to provide "full employment" during the post-war period has begun with the introduction of the Murray bill in the Senate. Tackling the employment problem as a mathematical exercise, the proposal is based upon this scheme: First, determine how many jobs are needed each year; subtract from this the number of jobs likely to be made by private enterprise; estimate how much that figure can be increased by Government encouragement to private industry, and add on enough federally created jobs to equal the total originally accepted as necessary for full employment.

From the administrative standpoint, the measure calls for a national production and employment budget, to be formulated annually by the President and submitted to Congress along with the Federal Budget covering Government expenditures. The proposed production and employment lay-out would embody detailed information on employment under private enterprise and federally encouraged private enterprise. Also recommended in the bill is a general program of public works to be paid for with Government funds. But the recurrence of the W. P. A. idea of made work under governmental supervision is prevented by the provision that public works would be carried on by private concerns operating under Government contracts.

Under the Murray bill, there would be a joint committee on the national budget, including nine Members of each house. Its duties would consist chiefly of studying the document and reporting their findings by March 1 in order that other congressional committees might be guided in dealing with legislation relating to the National Budget.

Whether this proposed measure is the best solution to the problem of providing jobs for Americans after the war is a matter which merits exhaustive investigation and careful consideration by Congress. It should not be overlooked by either the executive or the legislative branches of the Government, however, that jobs cannot be regarded as so many objects to be counted from time to time. Their number is directly dependent upon many factors. Of these, none is more important than a Government policy which encourages the expansion of industries on an independent basis. With the proper incentive, American industry might progress to the point of utilizing all the post-war manpower without financial assistance from the Government.

[From the Chicago Times of January 31, 1945]

JOBS FOR ALL

Business and government are in close agreement on the number of jobs it will take to maintain high level employment when the war ends and Johnny comes marching home. If Johnny is to find security and prosperity, President Roosevelt has said, an adequate program must provide America with close to 60,000,000 productive jobs.

The Committee for Economic Development, a businessmen's group organized to anticipate the rightful demands of veterans and war workers returning to civilian work, sets a figure of fifty-three to fifty-six million needed post-war jobs 30 to 45 percent above the 1940 figure.

BUSINESS PLANS TO PROVIDE JOBS

Business is making its own plans to try to maintain that figure. The Committee for Economic Development, in cooperation with local chambers of commerce and trade associations, has made surveys to learn what local business and industry expects to be able to do when the war ends. "These estimates," says the Committee for Economic Development, "do not represent guaranties of jobs, but they do mean that definite plans have been made to provide the number of jobs each survey indicates."

When business cannot unequivocally guarantee full employment, Government must step in. Senator JAMES E. MURRAY, of Montana, has introduced a measure which would synchronize Government planning with that of private enterprise. The bill is regarded by New Dealers as one of the means by which President Roosevelt's economic bill of rights can be made a reality. It also seems in line with the San Francisco campaign statement made by Gov. Thomas E. Dewey:

"If at any time there are not sufficient jobs in private employment to go around, then Government man and must create additional job opportunities. There must be jobs for all. * * *

"Whether we like it or not, and regardless of the party in power, Government is committed to some degree of economic direction."

William B. Benton, vice chairman of the Committee for Economic Development, has said: "Businessmen must rid themselves of hostility to evolution and change in the responsibilities of Government in the discharge of its proper functions. Without Government, business cannot do the job after this war that must be done."

CONGRESS WOULD ACT IF BUSINESS FAILED

The Murray bill would throw the resources of Government into a survey of upcoming business each year. Congress would be given annual reports on job prospects. If less than full employment was indicated, Congress would first take measures to encourage increased private employment, and finally, if necessary, outline a program of Federal expenditures. It should be noted well that the key role is assigned to Congress, not to the President.

Henry A. Wallace, nominated by Roosevelt to be Secretary of Commerce, has declared the Federal expenditures should not be in the nature of W. P. A. or relief jobs but should be for private jobs created through contracts with private companies.

The Murray proposal makes clear, however, that Federal spending would be confined only to those areas and to those periods in which private enterprise couldn't quite make the grade. Conservatives have reacted with a fear that the measure would encourage Government-planned national economy. The National Association of Manufacturers has described the bill as tackling the unemployment problem as "an arithmetical exercise."

It could hardly be denied that a certain amount of arithmetic will be required in any measure which is intended to act as a substitute for our former policy of waiting until unemployment is upon us before doing something. The statistician is as important to government in these modern, complex times, as he is to business.

TEAMWORK COULD BRING PROSPERITY

Under Murray's arithmetical exercise Government and business would be better informed about each other. Both have promised us a dynamic and expanding econ-

omy. Uncertainty on both sides ought to be reduced to a minimum. Business can help by frankly stating its job limitations. Government can help by laying out its program on taxes, public expenditures, etc., well in advance.

Business has learned it cannot bring real and lasting prosperity without Government cooperation. Government has learned it must depend on private industry to "carry the ball" most of the time. The Murray proposal contemplates an experiment in teamwork.

[From the Standard-Examiner, of Ogden, Utah, January 30, 1945]

SENATOR MURRAY'S PROPOSAL

Montana Senator JAMES E. MURRAY'S full employment bill was introduced in the Senate in the midst of exciting war news with a result that it has not received the attention nor the pro and con discussion that otherwise would have been devoted to the proposal.

The bill states that "if full employment cannot be achieved otherwise, it is the Federal Government's responsibility to provide such volume of Federal investment and expenditure as may be needed to produce the jobs."

Murray's measure, which is co-sponsored by THOMAS of Utah, O'MAHONEY of Wyoming, and WAGNER of New York, calls for the President to submit each year to Congress a "national production and employment" budget. Besides revealing the contemplated expenditures by the Federal Government, this budget would show the estimated expenditures of business, consumers, and State and local governments.

The Government would step in with a Federal program, provided the budget revealed the need of Federal expenditures to stimulate the economy so full employment could be achieved.

This is not a new idea. President Hoover suggested this method of providing stability and a dynamic economy early in his administration, but neglected to press for its accomplishment when the depression laid us low.

The Murray bill has a desirable quality in that first responsibility for employment is placed with industry, which responsibility business intends to accept, the Government merely supplementing to complete the economic setting for full employment.

[From the Burlington (Vt.) Free Press of January 29, 1945]

THE RIGHT TO A JOB

Probably with the idea of helping President Roosevelt solve the problem of providing 60,000,000 jobs in the United States in the post-war period, Senator JAMES E. MURRAY, of Montana, has introduced a sweeping "full employment bill," which also has the sponsorship of Senators WAGNER, of New York, THOMAS, of Utah, and O'MAHONEY, of Wyoming. It is noted by the Associated Press that the ideas of these men frequently represent those of the President.

The central idea in this bill is that it would establish the right to a job as a Federal policy, such right applying to every American able to work and having finished the period of required schooling, or who does not have full-time household responsibilities.

If "full employment" is not otherwise achieved, this bill would make it the Federal Government's responsibility "to provide such volume of Federal investment and expenditure as may be needed" to produce the jobs. This might be done either through "priming the pump" of business development with Government funds or through actual provision of public works construction in sufficient volume to take up the slack in employment.

The method of procedure would be for the President to transmit to Congress each year a national production and employment budget, showing not only the contemplated regular expenditures of the Federal Government, but also the estimated expenditures of business, consumers, and State and local governments. If the total estimated outgo was considered less than that thought to be necessary to provide full employment, the President would recommend such additional Federal expenditures as might be necessary to reach that goal.

This idea of guaranteeing a job to everybody who seeks one, regardless of circumstances, has far-reaching possibilities. It could lead to a situation where the Federal Government would become so great an employer of labor that its employees would hold predominant voting strength and would be in effect a political organization tied to the administration in power. It is not pleasant to think of the results of such a situation.

Proponents of the bill stress the fact that it provides that initial reliance be placed on the stimulation of private expenditure, through new currencies in banking, currency, wages, social security and incentive taxation. Yet at any time that the President felt private expenditure was not doing the job adequately, he could call for the stepping up of public spending. Such authority to turn on the faucet of public expenditures for jobs would place upon him tremendous responsibility and the opportunity to use it as a political lever.

Some commentators have expressed the opinion that the bill is not as radical as it seems at first reading, that it may be intended primarily to promote spending of Federal funds in certain sections of the country, as in the days of the P. W. A. and the W. P. A. in the construction of roads, airports, river developments, etc.

But proponents of the bill have stated frankly that they fear private initiative cannot or will not take up the slack when war contracts end, and they feel that Government must step in immediately and provide employment for all left unemployed. It is not entirely clear whether unemployment compensation is to be used as a cushion before resorting to Federal expenditures to provide jobs.

Nor is it clear whether jobs are to be guaranteed to everybody able and willing to work, even though they were not working before the heavy demands of the war period caused them to take jobs.

There are many details about this proposed legislation which need clarifying. Of course, nobody should suffer because of unemployment, but there are other ways of meeting the problem besides Government-financed jobs.

[From the West Palm Beach (Fla.) Post of February 1, 1945]

RAMIFICATIONS OF MURRAY BILL

Montana Senator JAMES E. MURRAY'S highly controversial ever-normal economy bill, officially titled "The Full Employment Bill of 1945," has been introduced in the new Congress after a complete job of overhauling and rewriting.

When Senators MURRAY, TRUMAN, and REVERCOMB put the idea for this bill in a report submitted to Congress last December, their purpose was merely to stimulate discussion of their original concept of preparing an annual budget for the entire national economy, private as well as public, and then trying to do something about it.

Discussion developed immediately and in quantity, hot and cold. From all the criticisms material was obtained for redrafting the bill in the form in which it is now before Congress. In the redrafting, Senators ROBERT F. WAGNER, of New York, ELBERT D. THOMAS of Utah, and JOSEPH C. O'MAHONEY, of Wyoming played important parts and the revised bill has been introduced with the backing of these three as well as Senator MURRAY. Backed by this important senatorial quartet the bill easily becomes one of the major objectives of the new Congress and as such it is worth some careful study.

The statement of purpose of the original bill was to establish a national policy and program for assuring continuing full employment. The purpose of the revised bill is stated by adding to the above "in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State, and local governments and the Federal Government." This important difference is made to calm the fears of businessmen who got the idea that Congress was about to embark on some radical social reform in which it would guarantee jobs to everyone, come happiness or hard times. In discussing the revised full employment bill, Senator MURRAY quotes from and endorses Governor Dewey's San Francisco campaign speech of last September in which the Republican Presidential candidate stated that the Government's first job is to create job opportunities when there are not enough private jobs to go around.

MURRAY'S new bill limits this last resort Government aid creating employment opportunities by removing all mention of "guaranteeing" jobs and further specifying that all Government efforts to prevent unemployment before it happens must be confined to stimulating private investment and contributing to the national wealth. This is intended to rule out all W. P. A. and leaf-raking projects.

Though the bill seeks full employment, no mention is made of guaranteeing 60,000,000, or any other specific number of jobs. In fact, on Senator O'MAHONEY'S suggestion the bill would limit the policy of the Government to providing job opportunities for only those "Americans who have finished their schooling and who do not have daily household responsibilities." In other words, no job opportunity for women and kids who don't need it, and no forcing of a breakup of the great American home just for the sake of creating jobs for 60,000,000 people when there aren't that many people needing jobs.

Senator MURRAY makes it clear that his bill is no "job budget" bill as it was originally misunderstood to be in much of the press comment, and as Senator ROBERT A. TAFT, of Ohio, criticized it as being in his recent New York speech.

The Murray-Wagner-Thomas-O'Mahoney bill, as it must now be identified, would provide for a far-reaching and fundamental reform of Congress through its proposal to create a joint committee of 15 Senators and 15 Representatives to receive from the President his annual estimates on the national economy. This joint committee would be required to present to the Congress an annual bill which would in effect add up all sectors of the national economy, private as well as governmental, and recommend a national policy for dealing with the country's financial and employment well-being. This would insure an annual or even more frequent debate in Congress on national economic policy and it is intended to lead to the adoption of a fiscal policy which would seek to prevent inflation as well as depression, thus contributing to the maintenance of a national "ever normal economy."

From the Enid (Okla.) News of February 2, 1945]

THE GOVERNMENT MUST BRIDGE THE GAP

Unless every reasonable precaution is taken to protect against it, post-war unemployment may reach mass unemployment and force hardships upon families whose supporters want work but will be unable to get it. Such

conditions must not be permitted to obtain in this country and will not be if adequate steps are now taken to prevent it.

It is going to take some time to reconvert such plants as are not needed in war production to the manufacture of consumer's goods. In view of our extended war with Japan some 7,000 miles distance the collapse of Germany will not release many war plants for consumer purposes and as a consequence, until full release from war production can be obtained, there will be such a lapse of normal employment as will require major measures to prevent it.

The full-employment bill, introduced by Senator MURRAY in company with Senators WAGNER, THOMAS of Idaho, and O'MAHONEY, is in recognition of the unemployment probability mentioned. In the language of the author, Senator MURRAY'S bill declares that "it is the policy of the United States to foster free competitive enterprise and to assure the existence at all times of sufficient employment opportunity for all Americans who have finished their schooling and who do not have full time home and family responsibilities."

It sets up a consumer and worker budget system requiring the President to report to Congress at the beginning of each regular session on the extent to which the economy is providing jobs for all. The bill provides for no fixed proportions of the National Budget to be supplied by consumer business or Government.

It will be noted that the bill declares "assurance of the existence at all times of sufficient employment." It does not mean assurance to John Jones that he will be given a job at a set salary and a definite social standing. It does not guarantee to provide specific individuals. It simply assures the existence at all times of sufficient employment to those seeking a job.

Under the provisions of the bill every encouragement is to be given free enterprise to expand its activities so that it will be able to increase its employment. This should be good news to the 3,000,000 small businesses in the country and the large businesses as well.

But as previously stated it is going to take some time for reconversion and during such period unemployment reaching the mass stage is liable to occur, unless there is some major measure to authorize the Government to bridge the gap with employment to all who are willing to work. This is the barrelhead statement of the actual conditions we may be called upon to confront in this country, and in order to prevent it the bridge should be planned and built now by the Government as an emergency measure. Reservoirs of jobs should be created to accommodate all sections of the country and for improvements that will be substantial to supply our future needs.

The full employment bill introduced by the Senators named outlines what seems to be a good plan and contains many good provisions, but it does not bridge the gap between part relief and full relief of private enterprise and future development to carry the load. To bridge the gap of unemployment is not only necessary to preserve free enterprise but our representative democracy as well.

[From the Sun, of Chicago, January 24, 1945]

FOR A JOBS BUDGET

It takes no gift of prophecy to see that if we get into a post-war depression, whatever administration is then in power will be compelled by public opinion to get us out. That administration will spend more than it takes in, if necessary. It will aid business, initiate public works, expand public services, if necessary. It will promote slum clearance and develop natural resources, if necessary.

These things will happen because a people's government cannot stand by while the people struggle with adversity. The Murray full employment bill, introduced in Congress Monday, proposes to recognize that fact. It proposes that Congress and the Executive shall acknowledge in advance their responsibility for the general economic welfare.

Under the Murray bill the President would be required each year to present a "jobs budget," estimating the volume of employment anticipated from the ordinary operations of business. If this estimate fell short of full employment, the President would be required to present a specific program of fiscal, tax, and public-works policies to fill the gap. A joint committee of both Houses of Congress would then be required to study the President's program and recommend legislative action on it.

Note that this is no plan for changing the private-enterprise basis of our economy, but a plan for enabling that economy to provide full employment. It would commit no future Congress to anything, yet would fix responsibility for advance planning on the basis of which Congress could act intelligently and in time if it so willed. Let us have an end to idle talk of full employment; let us have a full employment bill.

THE FULL EMPLOYMENT BILL—ARTICLE BY DR. MILTON GILBERT

Mr. MURRAY. Mr. President, in most of our discussions on postwar problems we find it necessary to use some measurement of the level of economic activity in America. Increasingly in our committee hearings, in our executive sessions, and in our debates on the floor of the Senate, we find that the level of economy in America is measured in terms of the "national income" or the "gross national product." In fact, the full-employment bill, which has been introduced in the Senate by the Senator from New York [Mr. WAGNER], the Senator from Utah [Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY], and myself, and in the House of Representatives by Representative PATMAN, makes direct use of the concept of the "gross national product."

It is exceedingly gratifying, therefore, to learn that the National Industrial Conference Board, an outstanding research organization for private business, has recently held a conference at which the entire subject of the national income and the gross national product was fully and thoroughly explored. Fortunately, the National Industrial Conference Board has published a special report entitled "Measuring and Projecting National Income" on the proceedings of this conference.

I should like to call special attention to the leading article in that report. It is entitled "National Income: Concepts and Measurements," and it was prepared by Dr. Milton Gilbert, who is Chief of the National Income Unit in the Bureau of Foreign and Domestic Commerce. I should like to call special attention to Dr. Gilbert's statement that "welfare measurement is not the purpose of the Department of Commerce in measuring the national income," but that the basic purpose is the measurement of economic activity. It is also particularly interesting to note that he closes his article by admitting one big defect in the Commerce Department's statistics, namely, "that they do not make everybody who uses them an economist."

Mr. President, I ask unanimous consent that the important article to which I have referred may be printed at this point in the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From Measuring and Projecting National Income: Studies in Business Policy No. 5]

NATIONAL INCOME: CONCEPTS AND MEASUREMENTS

(By Milton Gilbert, Chief, National Income Unit, Bureau of Foreign and Domestic Commerce, United States Department of Commerce)

My function at this meeting, as I understand it, is to tell you what the national income and national product are so that the other two speakers can argue about the magnitude of these measures after the war.

The national income and product statistics have been subjected to a minor barrage of criticism during the war, the substance of which seems to be that while the figure looks precise when you see it in the newspapers—$159,600,000,000, or something like that—it is actually very arbitrary because the apparent preciseness results only from the particular definition we choose to adopt. As a matter of fact, say these critics, there are many definitions which could be used, all of which would give a different national income figure. Therefore, the preciseness is completely illusory.

Furthermore, it is said, the national income has no real meaning, no matter what definition is adopted. I have even been quoted by an enterprising journalist myself to support this view, much to my surprise.

I sympathize with the confused state of mind of these critics because I was in the same position not so many years ago when I first started to work on this subject. If you delve into the matter you will find that national income research has been in a process of development so that the literature contains many different ideas on its meaning and measurement. When you first read this literature, you will have a hard time, I think, making up your mind just what national income does mean, what definition is suitable, and what use you can make of the data.

DIFFERENCES IN CONCEPT

The main reason for the differences in ideas about how to measure the national income is the fact that the purpose assumed by most of the writers is the construction of a measure of changes in economic welfare over time. They assume, in other words, that the question you want to answer by means of national income statistics is: Are we better off this year than last year or 5 years ago and by how much? If that is taken as the objective, countless questions are injected into the problem of calculating the national income—questions which depend in some cases upon individual judgment and which, to some extent, are not even subject to measurement. Whether the Nation is economically better off or not certainly does not simply depend upon the value of its income as we commonly use that term in business accounting.

I want to emphasize, to start with, that welfare measurement is not the purpose of the Department of Commerce in measuring the national income, and I would say that most estimators of national income in most countries, whether they say that is their purpose or not, do not follow through on that purpose. Our purpose is much more prosaic and simple, and that is to show the structure of the national accounts. I mean by this that we attempt in national income and national product measurements to summarize the accounting transactions which actually appear in the combined books of the Nation—the accounting records of business, Government, and consumers.

You will understand our purpose if you think of the analogy of a business firm keeping a profit-and-loss account. The purpose there is to have a record of the various transactions of receipts and costs to aid in solving the problems of management—and not only to be able to calculate profits. Similarly, in national income accounting we want not only the total but the various transactions of receipts and expenditures. Now, the profit record of a company is obviously most useful data if you want to form a judgment about changes in the position of the firm over the years. But other information would be needed for adequate appraisal—information, say, about the whole industry or the whole economy. The same is true of national income. It is important data in appraising changes in economic welfare, but it is not the whole story.

Let us imagine ourselves in possession of the complete income and expenditure accounts of every economic unit in the Nation, and that we want to summarize them in some way that will be useful in the analysis of current economic conditions. We have to ask ourselves what transactions from those accounts are we going to take off to put into our consolidated account for the Nation as a whole. This decision must naturally depend upon what you want your consolidated account to be an account of

ACCOUNTING ON NATIONAL SCALE

There are, I believe, two basic accounts that may be set up for the Nation as a whole. The first of these is an account containing all the transactions on a consolidated basis relating to the current production of goods and services. This account is shown in table 1. Since it is an account, and since it is derived from double-entry bookkeeping records, it has a right-hand side and a left-hand side. The account might appropriately be called the National Income and Expenditures Account; the items in it on both the receipts and expenditures sides relate to the current production of goods and services.

The other basic account is one relating to the income and expenditures of individuals. I have shown this account in table 2 for illustrative purposes, but I intend to talk mostly about the national account in table 1.

As I said, the first thing to recognize about this account is that it is an account, and not merely a single total. It has a right-hand side representing the expenditures of consumers, business, and government for the goods and services produced, and a left side representing incomes and the other charges that account for the total of expenditures. If the bookkeeping of the Nation is kept correctly, the totals at the bottom of each side of the account must balance.

To elaborate, the right side of this account is essentially a consolidated sales account for the economy as a whole, adjusted for the change in business inventories during the period. It is made up mostly of business sales—sales to consumers, sales to business for capital purposes, and sales to government. These business sales are on a consolidated basis, since intrabusiness sales of raw materials and goods in process are eliminated. Therefore, the total of business sales which is included in the right side of this national account is made up of sales of the final products of the year being measured. This sales total is converted into a measure of the production of the business system by the inclusion of the change in business inventories.

In addition to business sales, the right side of the account contains the Government production of services that are used by the Government for community purposes. You might look upon this production as Government sales to itself.

The left side of the account shows the charges that are made against the consolidated sales total. The bulk of those charges are the incomes of the factors of production—the income of labor, management, and capital, including labor hired by the Government. In addition to factor incomes, the left side of the account contains the other charges against sales, the important items of which are business taxes and depreciation charges.

You can see from the table that we take the right side of the account as it is for our measure of the value of total production and label it the gross national product. It is gross for one reason, because it includes private capital outlays on a gross basis—that is, without deduction of the depreciation charges.

On the left side of the account, we take a total of the incomes of the factors of production and label it national income. Therefore, the national income differs from the gross national product by the amount of business taxes and depreciation charges. As you can see, the national income estimated for 1944 comes to approximately $160,000,000,000; the gross national product comes to approximately $197,000,000,000.

TABLE 1.—*National income and expenditures account, 1944*

[In billions of dollars]

Income:	
Wages and salaries	114.8
Proprietor's income:	
Agricultural	12.7
Other	12.3
Interest	7.0
Net rents	4.0
Profits after taxes	8.8
(National income)	159.6
Depreciation charges, etc	9.0
Corporate income and excess-profits taxes	14.0
Other business taxes	14.0
Gross national product	196.6
Expenditures:	
Consumers' expenditures	96.5
Private gross capital outlays	2.5
Government expenditures for goods and services	97.6
Gross national expenditure	196.6

Source: U. S. Department of Commerce.

TABLE 2.—*Income and outlay account of individuals, 1944*

[In billions of dollars]

Income:	
Wages and salaries	110.8
Proprietors' income:	
Agricultural	12.7
Other	12.3
Interest	7.0
Net rents	4.0
Dividends	4.2
Transfer income	5.3
Total income payments	156.3
Outlay:	
Purchases of goods and services	96.5
Taxes	23.4
Savings	36.4
Total outlay	156.3

Source: U. S. Department of Commerce.

QUESTIONS OF MEANING AND USE

We are often asked which of these is the better measure of economic activity. I think from the set-up of the account it is apparent that there is no answer to that question. If you are interested in the market value of production—what goods and services were sold at the prices paid for them—then you have to take the product side of the account. You might, as I mentioned before, deduct depreciation charges and get a net national product rather than a gross. But you cannot use the national income if you are looking at markets or consumer spending or Government purchasing or business investment.

If, on the other hand, you are interested in the use of resources in the economy and the income arising out of the use of resources, then the national income is the appropriate measure. The reason you would not take the entire left side of the account in this case is that depreciation charges and business taxes do not represent a market evaluation of resource use. If you want to look at it that way, you can say they do not represent work done by labor or capital. I will make an amendment to that later.

The next thing to recognize about this account is that, inasmuch as the figures are taken from business, Government, and consumer records, they must be expressed in the first instance in terms of dollars. They show dollars of income and expenditure for the year in question because our accounting is done in terms of dollars.

Now, suppose the national income or the gross national product is higher in a particular year than it was the year before, what can the increase possibly mean? Well, there are three possible reasons or some combination of them that must provide the answer.

First of all, being expressed in terms of dollars, the rise could represent merely an increase in prices. The situation is the same as with the sales or profits of a business. Profits can go up from one year to the next, because the company received a higher price for its product without producing any more goods.

Second, the rise can mean that the economic system used more labor and capital in the productive process and was turning out more goods thereby.

Third, the rise can mean that the economic system used the same amount of labor and capital more effectively or efficiently, and obtained an increase in production thereby.

I must emphasize that in deciding from one year to the next which of those three alternatives represents the true situation—to explain why the national product or national income did go up (or down)—you cannot look merely at the data in the national account. You have to have additional data and supplementary analysis of prices and the use of real resources. It is the same in the case of profits; you cannot tell why profits went up just by looking at the fact that they did go up.

PROBLEMS OF MEASUREMENT

Ordinarily, in peacetime, such an analysis is not too difficult within the range of accuracy needed for practical purposes. As a matter of fact, in most years prices do not move very violently. There are figures on the volume of employment, and you know that the amount of capital invested does not change radically from year to year but only by small increments. Furthermore, the changes in productivity from year to year are usually of moderate proportions. Therefore, a large part of the year-to-year fluctuations in the national income and the gross national product are due to increasing or decreasing use of resources. Man-hours of employment are greater or less, machines are more or less fully utilized, and so on.

In wartime, however, say the period since 1939, it is extremely difficult to distinguish among price changes, changes in productivity, and changes in the quantity of labor and capital used so as to account for the increase in the value of the national product. The reason is not simply a lack of data but rather that there is no way of disentangling the three factors in a period when there are drastic changes in the structure of production.

The problem is this: If a firm stops producing automobiles and starts producing tanks, there is no way of measuring its efficiency in the second period in order to make a comparison with its efficiency in

the first period. The difficulty is all the greater because efficiency in this connection does not mean mechanical efficiency but economic efficiency—that is, efficiency in creating value. A shift in the sales of a business from an unprofitable line to a profitable line would be an increase in productivity in this sense—even though within the plant there was exactly the same mechanical efficiency in producing both lines but for some reason or other the business received a better price on the profitable line. Of course, that would be an increase in efficiency from the purely business standpoint also because profits would go up while costs remained the same.

As a matter of statistical practice, we have tried to calculate the increase that has occurred in the national product during the war exclusive of the rise in prices. We do it in part because if we did not we would have innumerable telephone calls and letters asking for the calculation. And rather than having a good many people throughout the country go through the same statistical manipulation, we do it for them. But we do it also because in many actual administrative problems of government and business it is necessary to assume constant productivity when the structure of output changes, even though that assumption is of doubtful validity from a theoretical standpoint. In our article we have tried to emphasize the practical and inherent difficulties of adjusting for price changes during the war, so that the reader would use the data with caution.

AREAS OF CONTROVERSY

I would like to come now to some of the criticisms that have been made of the national income and national product figures, and to give our view regarding the arguments raised.

There are three main areas of controversy. The first concerns whether or not the items which we include in the national income and national product are the right items—whether we include too many or leave out some. The second is whether there is duplication in some sense in these totals, that is whether they are on a completely consolidated basis. The third has to do with the way we measure income and product originating in government.

What should be included?

On whether the right items are in or not, the main criticism during the war has concerned the inclusion of war expenditures. You can see the item "Government expenditures for goods and services" on the product side of the account stands at a very healthy figure of almost $98,000,000,000. Some people think it is inflated by the amount of war expenditures because, they say, the enormous rise in war expenditures has not made us better off than we were before the war.

It is apparent that this criticism assumes the national product should measure changes in economic welfare. I can only repeat that we are not trying to measure welfare, but the value of production from a business point of view.

It is undeniable that the tanks and planes were produced and sold, so that if you went to measure production they must be included. I would even say that if we omitted war expenditures from the national product the figure would be useless for the purpose of business analysis and that they would have to be added back by marketing and business analysis.

We get the same sort of argument fairly continuously about such things as expenditures for alcoholic beverages or cigarettes and, from somewhat different quarters, about expenditures for things like advertising. Many people seem to have some pet kind of expenditure that they think is unproductive, does not do anybody any good, and that people are foolish for spending their money on, and they want us to reflect their views by leaving those items out of the national product. If we did, the figures would not have the same utility as they have with everything in. If the analytical problem requires a sales total, then there must be a sales total. One cannot leave out some items because he thinks people are foolish for spending their money on them. The same holds for war expenditures from our standpoint, and I believe from the standpoint of business analysis.

A more subtle argument is sometimes raised about the inclusion of government in these totals. It is argued that the real source of value in the economic system is private enterprise and that government, in effect, uses part of that value but does not add to it. Therefore, both these figures are too large by the amount of income originating in government. That sort of argument has a long history in economic thought going back to the physiocratic idea that all value rose from the land. Once the crops were raised, the economy was finished producing value. From there on, value was only being divided up, so to speak. I personally have no sympathy with that sort of economic philosophy, but for our purposes here I think it is necessary only to recognize that such considerations are irrelevant from the point of view of market analysis or the structure of the national accounts.

If Government wages and salaries were eliminated from national income, you could not call the resulting measure the total national income, because it would not be the total earnings of the factors of production. A man employed in the Chrysler plant producing automobiles, earning $2,000 per annum, is in the national income at $2,000. That $2,000 represents the market evaluation of his services to current production.

Similarly, a Government clerk is in the national income at $2,000 because that represents the market value of his services to production. If his earnings were left out, it seems to me obvious that you would not be accounting for the total use of economic resources. This is apparent from the fact that if the clerk were not needed in Government he could certainly do something else, and that something else would produce an income in addition to the $2,000 income of the worker in the automobile industry.

Another criticism is that counting profits after corporate income taxes is incorrect for deriving a measure of the value of economic resources used in current production. Here it is argued that the correct measure of the contribution is profits before taxes.

We believe this argument is correct and are considering revising our figures accordingly. In fact, we have tentatively agreed on this procedure in discussion with British and Canadian representatives for establishing a uniform international concept of national income. When there is a tax like the excess-profits tax, which practically means that there can be a tremendous increase in production and no increase in profits after taxes, then I think profits after taxes become meaningless for the purpose of national income measurement.

Are there duplications?

We come now to the second type of criticism—duplication in the totals. The first duplication we are accused of is that capital outlays are taken gross instead of net in the gross national product. All I can say is that it is obviously true; that is why we call the national product gross. This arises from measuring production without allowing for the wear and tear of the equipment used in the productive process. There are several reasons why we do it this way.

The first is that in our detailed statistics we have the capital outlays spelled out in considerable detail by type of product. Now you cannot express these detailed figures in net terms because the depreciation figures are not available on a product basis. However, that is not a crucial argument because we could deduct depreciation in a lump sum at the bottom of the table to show net capital outlays as a total.

A more fundamental reason is that the source of depreciation data is income-tax returns, whereas the source of data for the outlay estimates is production records, and we are not sure those two sources match. In order to avoid possible misleading conclusions, we do not subtract the former from the latter. You can see the problem by looking at the figures. Depreciation is running about $9,000,000,000 a year and gross capital outlays about $3,500,000,000. By subtraction there would be negative net capital formation of $6,500,000,000. We would be saying that private capital was wearing down at the rate of $6,500,000,000 a year. Well, we are far from sure that that is the case or anything close to the case. There are such considerations as the 5-year amortization of war facilities. Will they be worn out in 5 years? How many of them will have to be scrapped, and so on? The fact is that some research will have to be done before we can say anything about the relation of depreciation from an operating standpoint to depreciation for tax purposes. I would be happy to see the conference board do some work on the subject. As you know, the problem is apt to become more difficult because the trend of thinking is toward greater use of depreciation tax allowances as an incentive to investment.

The second charge of duplication I want to mention relates to the Government expenditures figure in the gross product. The thesis here is that the measure of the national product should include only the final products of the economic system. However, it is argued, some Government services are rendered to business, so that when total government is added to the output of business there is duplication.

Take, for example, expenditure by the Government for building a road. Consumers ride on it for pleasure and business uses it to transport the products of industry. This thesis is that the part of the cost of the road required for transporting the products of business should not be counted because it is not a final product—the final product being the business goods carried over the road.

If there is any validity to this argument that validity derives from taking economic welfare as the objective of measurement. It implies that the value of private enterprise output includes the value of the Government services that are said to be rendered to business, which seems to me at least an open question. In any case, the argument is not valid if the purpose is to obtain a consolidated sales total. Industry does not purchase part of road construction—as it purchases raw materials or partly fabricated goods—and to assume it does would yield measures of national income and national product that would not accurately reflect the accounts used in our economic system.

The third charge of duplication relates to the inclusion of business taxes in the values of the goods in the gross product, particularly the taxes other than corporate income and excess-profits taxes. What is meant here is that cigarettes, for example, should be included in consumers' expenditures at their value less the excise tax rather than at their market price inclusive of tax as is now the case.

As I said before, I do not think this is a question of the right or wrong way to handle these taxes, but of the measurement relevant to the problem being analyzed. If you want to know what was paid in the market for the goods purchased, then you have to take the figure inclusive of taxes, because the taxes are in the sales total. If you want to get at what went to the factors of production exclusive of those taxes, you have to use the national income total on the other side of the national account. It is possible obviously to express the value of certain goods

excluding particular taxes on those goods. But all business taxes cannot be deducted commodity by commodity except by arbitrarily allocating a large amount of general business taxes.

Are Government costs measured correctly?

The third type of criticism is that directed at our measurement of government. It is said that we measure government at cost, and it is at least implied that it is not worth what it costs. I think that argument, too, assumes we are trying to measure how much better off the Nation is in one year than another. If you simply want to know what the Government paid for the goods and services it purchased then you have to take, as we do, the market price for the labor the Government hires directly and for the goods it purchases from private enterprise.

This argument implies that we should measure not what the Government buys but the services it renders its citizens with what it buys. The idea that there is a difference between these magnitudes is dependent upon a belief that there is a certain amount of waste by the Government in using the goods and services it purchases. Now, we do not conceive it as our function in measuring the entire gross national product to decide whether people spend their money wisely or whether they do not. We do not attempt to make such decisions for consumers, business, or Government. Furthermore, if we did set up this type of measure of the value of production it would not be a substitute for purchased values in the analysis of market problems. The Government did purchase the tanks. It did hire the labor. It did purchase the airplanes included in the gross national product. And those things are valued at what the Government paid for them. Whether the Government wasted some of that production or not seems to me to be an entirely different question, and one which anyone can answer as he pleases so far as the Department of Commerce is concerned.

I would like to close by admitting to the one big defect of these statistics, and that is that they do not make everybody who uses them an economist. You will see them used foolishly quite often. I do not think you can blame those misuses on the data or on the set-up of the tables. It just happens that a lot of the nonsense that passes for economics is not improved by expressing it in terms of national income or national product. We try to give our interpretation of the data in our articles so that the reader may at least examine our views before committing himself to different conclusions. But it is evident that some people either disagree with us or else do not pay much attention to what we say.

CONFIRMATION OF NOMINATIONS

Mr. BARKLEY. Mr. President, in order that we may consider the few nominations on the Executive Calendar without affecting the status of the treaty which is the unfinished business, I ask unanimous consent that the Senate proceed to consider the nominations on the Executive Calendar, as in executive session.

There being no objection, the Senate, as in executive session, proceeded to consider the nominations on the Executive Calendar.

THE JUDICIARY

The legislative clerk read the nomination of Roger T. Foley to be United States district judge for the district of Nevada.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of J. Albert Woll to be United States attorney for the northern district of Illinois.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Miles F. McDonald to be United States attorney for the eastern district of New York.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk read the nomination of Mabel E. McMichael to be postmaster at Lennon, Mich.

The VICE PRESIDENT. Without objection, the nomination is confirmed.

Mr. BARKLEY. I ask that the President be notified of all nominations this day confirmed.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

Sundry nominations for appointment in the Regular Corps of the United States Public Health Service.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Sundry officers for temporary appointment in the Army of the United States.

PRINTING OF RESOLUTION OF RATIFICATION AND RESERVATIONS TO WATER TREATY WITH MEXICO

Mr. CONNALLY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. CONNALLY. Is the Senate now in legislative session?

The VICE PRESIDENT. Yes; the Senate is in legislative session.

Mr. CONNALLY. For the information of the Senate I desire to offer at this time for printing—I do not care to offer it formally—a draft of the resolution of ratification together with a series of reservations. Many Senators have been concerned about some portions of the treaty, particularly with respect to the power of the Boundary and Water Commission and the power of the Secretary of State and such matters, so these reservations have been prepared with a great deal of care and attention by the Senator from Colorado [Mr. MILLIKIN], myself, the attorney for the Boundary Commission, the Boundary Commissioner, and others who are acquainted with this matter, and we think they will remove every doubt Senators have expressed concerning the treaty.

I ask unanimous consent that the draft of the resolution of ratification and the series of reservations may be printed and lie on the table, so that tomorrow when the Senate goes into executive session I can offer them.

The VICE PRESIDENT. Without objection, the matters referred to will be printed and will lie on the table.

Mr. MURDOCK. Mr. President, I ask unanimous consent to have printed for the information of the Senate and to have lie on the table a reservation which I intend to offer to the resolution of ratification of the treaty.

The VICE PRESIDENT. Without objection, the reservation will be printed and lie on the table.

Mr. HAWKES submitted 2 reservations, Mr. DOWNEY (for himself and Mr. JOHNSON of California) submitted 15 reservations, and Mr. JOHNSON of California (for himself and Mr. DOWNEY) submitted 14 reservations, intended to be proposed by them, respectively, to the resolution of ratification of the treaty between the United States of America and the United Mexican States, signed at Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande from Fort Quitman, Tex., to the Gulf of Mexico, which were severally ordered to lie on the table and to be printed.

RECESS

Mr. BARKLEY. Mr. President, the Senate still being in legislative session, I move a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 14 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, April 11, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 10 (legislative day of March 16), 1945:

THE JUDICIARY

UNITED STATES DISTRICT JUDGE

Roger T. Foley to be United States district judge for the district of Nevada.

UNITED STATES ATTORNEYS

J. Albert Woll to be United States attorney for the northern district of Illinois.

Miles F. McDonald to be United States attorney for the eastern district of New York.

POSTMASTER

MICHIGAN

Mabel E. McMichael, Lennon.

SENATE

WEDNESDAY, APRIL 11, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Reverend Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou whose greatness our finite minds cannot comprehend and whose amazing goodness surpasses all our understanding, we rejoice that day by day we are the beneficiaries of Thy bountiful providence. We pray that we may manifest our gratitude by an eager desire to release the hidden splendor of humanity, emancipating it from fear and from want.

Grant that our President, our Vice President, and all who have been entrusted with the privilege, the opportunity, and the responsibility of government may know how to evoke within the

heart of the world a passion to order its life by the principles of justice, righteousness, good will, and love.

May the dawning of that day be hastened when nations everywhere shall express their freedom and their sovereignty, not in any imperialistic tendencies but in a responsible trusteeship, seeking to bring about a more ethical and equitable distribution of those blessings which Thou hast ordained to be the heritage of all mankind.

To Thy name, through the Christ our Saviour, we shall give the glory. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, April 10, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries.

ENDORSEMENT OF FULL EMPLOYMENT BILL BY SECRETARY OF AGRICULTURE

Mr. WAGNER. Mr. President, as chairman of the Banking and Currency Committee, I have just received a report from the Honorable Claude Wickard, Secretary of Agriculture, endorsing the full employment bill, S. 380.

After stressing the importance of full employment for the farmers of America, Mr. Wickard points out that the full employment bill "provides private enterprise scope to employ as many workers as it possibly can, which seems to me to be a wise policy."

The Agriculture Department's report concludes with the following statement:

Enactment of such a bill would, in my opinion, constitute a great landmark in the establishment of a modern economic policy by this Nation. It would be in the interests of all our citizens—farmers, laborers, and businessmen.

Mr. President, I ask unanimous consent that the Agriculture Department's report, to which I have just referred, be printed at this point in the RECORD in connection with my remarks.

The VICE PRESIDENT. Without objection, the request of the Senator from New York will be complied with.

The matter referred to is as follows:

DEPARTMENT OF AGRICULTURE,
Washington, April 6, 1945.

Hon. ROBERT F. WAGNER,
Chairman, Committee on Banking and Currency,
United States Senate.

DEAR SENATOR WAGNER: I am glad to reply to your letter of March 3, asking for my opinion on S. 380, a bill to establish a policy for assuring continuing full employment, since I believe this is a matter of very great importance to all groups in the Nation. Your four questions will be answered in order.

1. If we were assured of continuing full employment after the war, what might the effect be on the sectors of our economy with which your agency is concerned?

This question was partly answered in my letter to Senator MURRAY last December, as follows:

"Your draft bill to establish a national policy and program for assuring continuing full employment is a proposal of real importance and significance. Any proposal to relate our Federal fiscal policies to our national economy in such a way as to maintain full employment and insure high levels of business activity is worthy of our deepest consideration. Such a proposal is of equal significance to all segments of our economy, including agriculture.

"As I have stated many times before congressional committees and elsewhere, the first essential to solving post-war farm problems is maintaining full industrial production and employment of workers, because farmers sell and will continue to sell most of what they produce on the domestic market. Only through full employment at good wages can they have plenty of customers able to pay fair prices for their products.

"The consequences of widespread unemployment in this country in the post-war period could well prove to be detrimental, not only to the welfare of our citizens who are unemployed but would be most costly to the rest of our people and to the Federal Government itself. As a matter of fact, another depression might strike at the very foundation of our entire political economy."

The Association of Land Grant Colleges and Universities recognized the importance of high employment to farmers in the recent report of their committee on post-war agricultural policy, as follows:

"WE NEED HIGH-LEVEL EMPLOYMENT AND PRODUCTION

"Towering above all other considerations is our need for nearly full employment and unrestricted production. These are important to everyone, and not the least to farmers. The amount of money that urban people have to spend largely determines how good customers they are for farm products. In addition, high-level industrial production brings a large supply of goods to farmers at reasonable prices, and it also provides job opportunities for those who are not needed in agriculture. Urban people in turn are benefited by good farm income and high-level farm production.

"High-level employment in non-agricultural industry means very much more to farmers than any 'farm program' the Government may attempt. Manipulations of agricultural production and prices are no substitute for good consumer markets."

Our Bureau of Agricultural Economics has recently completed a study of What Peace Can Mean to the American Farmers. According to that study, if the Nation can maintain full employment, farmers should continue to receive cash income of around $17,000,000,000 annually from the sale of their products, or more than twice pre-war. With moderate depression this would drop to around twelve and one-half billion, and with severe depression would drop to around six and one-half billion. The table enclosed summarizes these estimates of the effect of prosperity or depression on the welfare of farmers. At full employment, it is estimated agriculture would provide work for about 8,000,000 people, as compared to about nine and three-tenths millions on the average before the war (many of whom were not fully utilized). Full employment would also give farmers and their sons not needed in agriculture, good opportunities for work off the farm either full-time in industry, or as part-time farmers.

Farm land values have increased sharply during the war period, and many farms have changed hands at the higher prices. With continuing full employment, farmers who have bought farms on mortgages at present prices should have relatively little difficulty in paying for them. If there should be moderate or severe depression with corresponding great reductions in prices of farm products and in farm incomes, land values will be certain to decline. Farm foreclosures and bankruptcies would rise, and great distress would spread through the farming regions much as it did in the two decades after the last war.

2. If S. 380 were enacted by the Congress, what might be the role of your agency in helping achieve continuing full employment?

The major role of this Department would be:

(a) Planning production goals and farm programs in line with the large market for farm products which would be available under full employment. This would involve increasing production in some lines such as beef cattle, dairy cows, vegetables, and fruits, above even the expanded wartime levels, and contracting production in other lines, such as potatoes, oil crops, and dry beans, where war requirements have led to expansion above any potential peacetime needs.

(b) Aiding the Budget Bureau or other agencies to prepare estimates of the Nation's prospective expenditures, under subsection 3 (a), with particular reference to estimating farmers' investment in buildings and machinery, farmers' expenditures for consumption, etc.

(c) Aiding the Treasury Department or other agencies in estimating the probable effects of proposed modifications in tax and other Federal policies and activities, suggested under subsection 3 (b), upon the amounts of private investment which might be made by farmers.

(d) When other measures are "deemed insufficient to provide a full employment volume of production" subsection 3 (c) calls for the preparation of measures by which employment may be increased through public investment or expenditures, for consideration by the Congress. The Department of Agriculture would have particular responsibility to explore the possibilities and to make tentative suggestions for measures in the field of food and agriculture, such as were indicated in the President's message to Congress in January 1945. These might include measures in the fields of conservation or improvement of soils, water, and forests; the provision of adequate health, education, and other services to farmers; providing needed farm facilities such as electricity, housing, etc.; and expanding consumption for low-income groups generally through measures such as stamp plans, school lunches, etc. We assume that in accordance with subsection 4 (a) some single agency would be designated to coordinate the measures tentatively developed by various departments and agencies into a consistent program to be submitted to Congress by the Administration, and are aware, of course, that none of such proposed measures would become effective unless adopted by the Congress.

3. In the present planning of your agency's post-war activities, what assumptions, if any, have you made with regard to the post-war level of the gross national product, the national income, and employment?

The assumptions made in our post-war planning are indicated in the enclosed table. Here we have taken full employment as corresponding to a gross national product of $188,000,000,000 or a net national income of 150,000,000,000, with 2,000,000 unemployed and 57,500,000 employed. (These estimates were made after extensive consultation with interested experts in other departments, and of course are subject to revision in the light of further study.) Most of our post-war planning is based on the assumption that the nation will find means to reach and maintain such full employment. We are, however, making some plans as to what lifebelts farmers might fall back on in case full employment is not maintained, and emergency efforts are found necessary to protect their welfare in case there should be conditions of more or less severe depression.

4. What specific improvements in S. 380 might be considered by the Banking and Currency Committee?

Most of the activities covered by this bill are beyond the competence of this Department. We have noticed, however, that in discussions of such measures, the question has often been raised as to whether flexible taxes could not be used as one of the control devices as well as flexible expenditures. Section 6 (b) already recognizes that there is need for administrative flexibility with reference to the rate of Federal expenditures and investment, subject to such principles and standards as may be set forth in appropriate legislation. It therefore occurs to me to ask whether the committee might not feel it worth while to explore the issue as to whether or not it might be desirable to have this section cover tax flexibility as well as expenditure flexibility. Merely to illustrate the idea, it would be possible for Congress to authorize that withholding taxes could be reduced temporarily whenever the President found that such reduction was necessary in order to maintain sufficient buying power, pending the enactment by Congress of other measures to correct the situation. No doubt there are many alternative devices by which such tax flexibility could be provided which the committee might find it worthwhile to examine and consider.

Finally, the proposal involves making the maximum effort to stimulate employment by private business first, and then providing employment from Federal funds only to the extent necessary to supplement private employment. This provides private enterprise scope to employ as many workers as it possibly can, which seems to me to be a wise policy.

Enactment of such a bill would, in my opinion, constitute a great landmark in the establishment of a modern economic policy by this nation. It would be in the interests of all our citizens—farmers, laborers, and businessmen.

The Bureau of the Budget has informed me that it has no objection to the submission of this report.

Sincerely,

CLAUDE R. WICKARD,
Secretary.

Employment, prices, and income in the United States, 1935–39, 1943; and estimates for 1950 under assumed conditions

Item	Unit or base	1935–39	1943	1950 (approximate)		
				Full employment	Intermediate employment	Serious depression
		(1)	(2)	(3)	(4)	(5)
Total labor force	Millions	53.8	62.6	60.0	60.0	60.0
Armed forces and ½ million casualties	Millions	.3	9.1	2.5	2.5	2.5
Total unemployment	Millions	10.2	1.1	2.0	7.0	17.0
Total civilian employment	Millions	43.3	52.4	55.5	50.5	40.5
Total agricultural employment	Millions	9.3	8.3	8.0	8.5	9.0
Total nonagricultural employment	Millions	34.0	44.1	47.5	42.0	31.5
Gross national product	Billions of dollars	81.9	186.5	188.0	130.0	76.5
National income	Billions of dollars	65.4	147.9	150.0	105.0	57.5
Wholesale prices, all commodities, index	1926	81.0	103.0	103.0	87.0	66.0
Cash income from farm marketings	Billions of dollars	8.0	19.2	17.0	12.5	6.5
Net income of farm operators	Billions of dollars	4.2	11.4	9.3	6.5	3.0
Prices received by farmers, index	1910–14	107.0	193.0	165.0	125.0	75.0
Prices paid, interest and taxes, index	1910–14	128.0	162.0	165.0	140.0	120.0
Parity ratio (prices received versus prices paid)	1910–14	84.0	119.0	100.0	89.0	62.0
Food consumption, per capita, index	1935–39	100.0	106.0	118.0	110.0	100.0
Agricultural production, index	1935–39	100.0	129.0	[1] 135.0	[1] 125.0	[1] 115.0

[1] Production consumers would buy at the prices assumed.

SECOND QUARTERLY REPORT OF U. N. R. R. A.—MESSAGE FROM THE PRESIDENT

The VICE PRESIDENT. The Chair lays before the Senate a message from the President of the United States which the clerk will read.

The legislative clerk read as follows:

To the Congress of the United States of America:

I am transmitting herewith the second quarterly report on U. N. R. R. A. expenditures and operations under the act of March 28, 1944, authorizing United States participation in the work of the United Nations Relief and Rehabilitation Administration.

In the course of their victories United Nations armies have liberated millions of people and have done their best to provide them with a minimum amount of essential civilian supplies. But the needs of the liberated people cannot be met by the armed forces alone. Their chief task is to fight and to defeat the enemy.

During the course of the war U. N. R. R. A. can help the liberated people only to the extent that military considerations of operations, supply, shipping, and distribution make it possible. The requirements of the armed forces for accelerated military operations have had the first call on our supplies, our shipping, and the unloading and transportation facilities in the liberated areas.

Notwithstanding the exigencies of the war U. N. R. R. A. has shipped some supplies to the liberated areas and U. N. R. R. A. personnel has begun to aid in the distribution of these supplies. It has begun, too, to assist in the immense task of repatriating the millions of displaced United Nations nationals and to assist in preventing and controlling the spread of disease among the victims of war. As rapidly as circumstances permit, U. N. R. R. A. is furnishing emergency and essential aid to the heroic people who fought the Nazis before the invaders overran their lands, who fought them later during the period of occupation, and who are now fighting side by side with the forces of the other United Nations.

We in America, who have been so fortunate as to have the battle for the world waged beyond our shores, propose as participants in U. N. R. R. A. to do all in our power to help these victims of war begin to regain their strength so that they can help themselves and assume their rightful places as partners in achieving victory and in building a lasting peace.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 11, 1945.*

The VICE PRESIDENT. The message with the accompanying report will be referred to the Committee on Foreign Relations.

CALL OF THE ROLL

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Ball	Gurney	Overton
Bankhead	Hart	Reed
Barkley	Hatch	Russell
Bilbo	Hawkes	Saltonstall
Briggs	Hayden	Shipstead
Brooks	Hickenlooper	Smith
Burton	Hoey	Taft
Byrd	Johnston, S. C.	Taylor
Capper	La Follette	Thomas, Utah
Connally	Langer	Tunnell
Donnell	McCarran	Vandenberg
Downey	McClellan	Wagner
Eastland	McFarland	Wherry
Ferguson	McKellar	White
Fulbright	McMahon	Wiley
Gerry	Moore	Wilson
Green	Morse	
Guffey	O'Mahoney	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], and the Senator from South Carolina [Mr. MAYBANK] are necessarily absent.

The Senator from Louisiana [Mr. ELLENDER], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Tennessee [Mr. STEWART] are absent on public business.

The Senator from Washington [Mr. MITCHELL] is absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from North Carolina [Mr. BAILEY], the Senator from New Mexico [Mr. CHAVEZ], the Senator from Georgia [Mr. GEORGE], the Senator from Alabama [Mr. HILL], the Senator from Colorado [Mr. JOHNSON], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Washington [Mr. MAGNUSON], the Senator from Utah [Mr. MURDOCK], the Senator from Texas [Mr. O'DANIEL], the Senator from Florida [Mr. PEPPER], the Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS], the Senator from Oklahoma [Mr. THOMAS], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are detained in various committee meetings and on official business pertaining to their respective States.

Mr. WHERRY. The Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], the Senator from New Hampshire [Mr. TOBEY], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senators from Vermont [Mr. AUSTIN and Mr. AIKEN], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Nebraska [Mr. BUTLER], the

Senator from Indiana [Mr. CAPEHART], the Senator from Oregon [Mr. CORDON], the Senator from California [Mr. JOHNSON], the Senator from Colorado [Mr. MILLIKIN], the Senator from West Virginia [Mr. REVERCOMB], and the Senator from Indiana [Mr. WILLIS] are detained in committees and on official business.

The VICE PRESIDENT. Fifty-two Senators having answered to their names, a quorum is present.

LEAVE OF ABSENCE

Mr. VANDENBERG. Mr. President, I ask for leave of absence for the duration of the San Francisco Conference, and in connection with the preparatory conferences relating thereto.

The VICE PRESIDENT. Is there objection to the request of the Senator from Michigan? The Chair hears none, and the permission of the Senate is granted.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A concurrent resolution of the Legislature of the State of Iowa; to the Committee on Commerce:

"Senate Concurrent Resolution 17

"Be it resolved by the senate (the house concurring):

"Whereas the Congress of the United States has enacted legislation providing for additional flood control and also for a further development of navigation on the Missouri River; and

"Whereas plans are being made for an even greater development of the Missouri River including a great development of irrigation; and

"Whereas said improvements should be made at the earliest possible time in view of the destruction of life and property and the loss to industry, agriculture, and commerce caused by recent floods and the continuous waste of valuable water resources within this basin; and

"Whereas improvements of the type contemplated have been carried on in the past by the Corps of Engineers, United States Army, and the Bureau of Reclamation, Department of Interior; and

"Whereas the said Government agencies have had charge of such developments for many years and have planned and are prepared to execute the said works of improvement with no delay at the conclusion of the war; and

"Whereas it has been suggested that in order to further the progress of this development, a Missouri Valley Authority should be formed with broad powers similar to the Tennessee Valley Authority: Now, therefore, be it

"Resolved by the General Assembly of the State of Iowa:

"1. That we endorse the aforementioned improvement program and recommend and urge upon the Congress of the United States of America that the coordinated plan for the control and use of the waters of the Missouri River Basin, as now authorized by law, be given immediate adequate appropriation so that the plan can be executed as expeditiously as is consistent with the public economy.

"2. That we commend the Corps of Engineers and the Bureau of Reclamation for their action in effecting coordination of their activities within the Missouri River Basin.

"3. That we oppose Senate bill 555, introduced on February 15, 1945, and is now in the Committee on Commerce, because such bill would—

"(a) Create a Federal corporation clothed with the power of government, fortified by law with a functional flexibility of a private corporation and freed of all the legal restraints which experience has demonstrated are necessary and desirable.

"(b) Place the States within the Missouri Valley Basin, subservient to a super-State controlled by three men, so far as the control and development of the water resources of the Missouri Valley Basin are concerned.

"(c) Stifle industrial growth, individual enterprise, and agricultural development inasmuch as the proposed Federal corporation would be in control of a basic economic resource.

"(d) Establish a precedent for the establishment of a similar authority in the Missouri Valley Basin, which would be detrimental to the best interests of the State of Iowa and the Nation at large.

"4. That a copy of this resolution, suitably engrossed, be transmitted by the chief clerk of the house of representatives and the secretary of senate to the Vice President of the United States, to the Speaker of the House of Representatives of the United States, to each Member from Iowa in the Senate of the United States and in the House of Representatives of the United States, and to the legislature of each State bordering or through which the Missouri River flows.

"We, Kenneth A. Evans, Lieutenant Governor of Iowa, and W. J. Scarborough, secretary of the senate, hereby certify that the above and foregoing resolution was adopted by the senate and house of the Fifty-first General Assembly of Iowa.

"KENNETH A. EVANS,
"Lieutenant Governor of Iowa."

By Mr. WALSH (for himself and Mr. SALTONSTALL):

Resolution of the General Court of Massachusetts; to the Committee on Finance:

"Resolution memorializing Congress for the construction and maintenance of a veterans' hospital in the city of Lawrence, Mass.

"Whereas the lack of adequate hospital facilities in this Commonwealth for the care of veterans of the present war presents a most serious situation; and

"Whereas it is most urgent that immediate steps be taken to remedy such situation: Therefore be it

"Resolved, That the General Court of Massachusetts hereby urges the Congress of the United States to immediately pass such legislation and make such appropriations as may be necessary to provide for the construction and maintenance in the city of Lawrence, Mass., of a veterans' hospital; and be it further

"Resolved, That copies of these reductions be sent forthwith by the State secretary to the President of the United States, to the Presiding Officer of each branch of Congress, and to the Members thereof from this Commonwealth."

By Mr. AUSTIN:

A resolution of the Legislature of the State of Vermont; to the Committee on Foreign Relations:

"Resolved by the senate and house of representatives, That this legislature approves and supports without reservations the aims, purposes, and hopes of the world conference to be held at San Francisco, Calif., April 25, 1945, understanding as we do that the organization of world security arising therefrom will be based upon the plans formulated at Dumbarton Oaks.

"That the secretary of state forward copies of these resolutions to the Members of Congress from Vermont requesting them to give their active support to the said world conference and to the treaty that emerges therefrom without reservations.

"Approved April 6, 1945.

"MORTIMER R. PROCTOR,
"Governor."

By Mr. HATCH:

A joint memorial of the Legislature of the State of New Mexico; to the Committee on Public Lands and Surveys:

"House Joint Memorial 1

"Joint memorial memorializing and requesting the Congress of the United States of America to enact a law granting 10,000,000 acres of land from the public lands of the United States of America, situated in the State of New Mexico, in trust to the said State of New Mexico, under the same restrictions and limitations as previous grants under provisions of the act of June 20, 1910 (36 Stat. 557) and for the benefit of the Home and Training School for Mental Defectives, Girls' Welfare Home, Carrie Tingley Crippled Children's Hospital, the Museum of New Mexico, Boys' Reform School at Springer, public buildings at the capital, water reservoirs for New Mexico irrigation purposes, for the establishment of a school of medicine, New Mexico Tuberculosis Sanatorium, and the common schools of New Mexico

"Be it resolved by the Legislature of the State of New Mexico:

"Whereas the New Mexico Home and Training School for Mental Defectives, Los Lunas, New Mexico, a State institution of which the facilities are generally known to be definitely inadequate for the purpose for which such home and training school was established; and

"Whereas, the Girls' Welfare Home, Albuquerque, N. Mex., a State institution for delinquent girls, has inadequate facilities and funds for a progressive program worthy of its purpose; and

"Whereas the Carrie Tingley Hospital for Crippled Children, a State institution for the care and treatment of crippled children, with emphasis on the treatment of those afflicted with infantile paralysis, while splendidly equipped for the work, is deserving of maintenance revenues; and

"Whereas the three foregoing institutions are almost entirely financed by legislative appropriations and the service and needs are such that each is worthy of invariable basic income; and

"Whereas the Museum of New Mexico, an important institution which was inadvertently omitted from the original group of State institutions receiving land grants, conserves and houses invaluable collections of the greatest cultural importance in the fields of art, archaeology, ethnology, and history; repairs and maintains various historic sites and State monuments; maintains an extensive research library in the fields of its interests; and operates 10 branch museums in various communities of the State; and

"Whereas the Boys' Reform School, Springer, N. Mex., a State industrial school for delinquent boys, although the beneficiary of a previous grant of land is greatly in need of additional facilities, equipment, and funds to accomplish the service for which the same was established; and

"Whereas the public buildings at the capital, a program for which previous grants have been insufficient and many futile attempts have been made to finance the remodeling of present structures, and the construction of new buildings to provide greatly needed governmental office space; and

"Whereas previous grants of lands to New Mexico for the benefit of its water reservoirs for irrigation purposes have proved insufficient to provide reasonable revenues for proper study, determination, and development of the water resources of this arid State; and

"Whereas, the State Tuberculosis Sanatorium, Socorro, N. Mex., the only free-bed

tuberculosis institution in New Mexico, is supervised and maintained by a limited allotment from the funds appropriated to the department of public welfare, said institution's capacity being therefore inadequate to meet the needs of the needy tubercular people of the State, and since the greatest need exists because of the increasing need and for the orderly development of the health program of New Mexico; and

"Whereas a school of medicine and nursing, to be established at some future time and in connection with some established educational institution, as the legislature may direct, is imperative to the future; and

"Whereas the common schools, by reason of continuous growth and anticipated postwar expansion, will unquestionably require additional financial resources in order to meet these increased obligations to the children of New Mexico; and

"Whereas the foregoing represents certain definite social and economic needs and services essential to the welfare and well-being of the people of New Mexico; and

"Whereas the tax resources of New Mexico are both variable and limited, and grants of public lands would give relief to taxpayers and insure correspondingly greater benefits to the people; and

"Whereas there exists for administration of such lands as sought the New Mexico State Land Office, which has, under the several commissioners of public lands since statehood, administered previously granted lands at minimum cost in a manner worthy of the trust imposed, and unequalled in any other State of the Union: Now, therefore, be it

"Resolved by the House of Representatives and the Senate of the State of New Mexico:

"Section 1. That the Seventy-ninth Congress of the United States of America, now in regular session assembled in Washington, D. C., be and the same hereby is memorialized and requested to enact a law during the present session of Congress, as soon as may be done, granting ten million (10,000,000 A.) acres of public lands of the United States of America, situated in New Mexico, notwithstanding said lands are now or may hereafter be embraced within any Executive order of withdrawal, or grazing district authorized under the act of June 28, 1934 (48 Stat. 1269), to the State of New Mexico, in trust for the use and benefit of the following named New Mexico institutions or purposes in the following amounts or acreage, respectively: For Home and Training School for Mental Defectives, 1,000,000 acres; for Girls' Welfare Home, 500,000 acres; for Carrie Tingley Crippled Children's Hospital, 500,000 acres; for the Museum of New Mexico, 1,000,000 acres; for the Boys' Reform School, 500,000 acres; for public buildings at the capital, 2,000,000 acres; for water reservoirs for irrigation purposes, 1,500,000 acres; for establishment in the future of a school of medicine, surgery, and nursing at such educational institution as the legislature shall determine, 1,000,000 acres; for the New Mexico Tuberculosis Sanatorium, to remain under direction and management of the New Mexico Department of Public Welfare, 500,000 acres; and for the common schools of the State of New Mexico, 1,500,000 acres, making a total grant of 10,000,000 acres of land.

"SEC. 2. That the lands requested to be granted shall be under the same restrictions and limitations as those of the enabling act, being the act of June 20, 1910 (36 Stat. 557): *Provided, however,* That the selections of same shall in no way be hindered by the reservations and established grazing districts authorized under the provisions of said act of Congress of June 28, 1934 (48 Stat. 1269): *And provided further,* That the Congress may make provision for protection of existing preference rights of permittees and lessees and further providing for lease after appraisement and classification of such lands, and authorizing the New Mexico Commissioner of Public Lands and agents of the United States to enter into cooperative undertakings with respect thereto.

"SEC. 3. Be it further

"Resolved, That engrossed copies of this house joint memorial be placed upon the permanent records of the office of the secretary of state of New Mexico.

"SEC. 4. Be it further

"Resolved. That copies of this resolution be forthwith sent respectively to the President of the United States of America, to the President of the United States Senate, to the Speaker of the House of Representatives of the United States of America, and to the Senators and Representatives of New Mexico in Congress.

"Approved by me this 7th day of April 1945.

"JOHN J. DEMPSEY,
"Governor, State of New Mexico."

By Mr. WILEY:

A joint resolution of the Legislature of the State of Wisconsin, memorializing Congress, the Office of Price Administration, and the War Food Administration to take steps to relieve the butter shortage; to the Committee on Banking and Currency.

(See resolution printed in full when presented today by Mr. LA FOLLETTE.)

A joint resolution of the Legislature of the State of Wisconsin, rescinding the action of the 1943 Wisconsin Legislature in adopting enrolled Joint Resolution 75, memorializing Congress to call a convention to consider an amendment to the Constitution of the United States providing a limitation on taxes imposed by Congress on incomes, transfers of property and gifts, except in time of war; to the Committee on the Judiciary.

(See resolution printed in full when presented today by Mr. LA FOLLETTE.)

RESOLUTIONS OF WISCONSIN LEGISLATURE

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to present three joint resolutions adopted by the Wisconsin Legislature which I ask to have printed in the RECORD and appropriately referred.

The VICE PRESIDENT. Without objection, the resolutions will be received, appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Banking and Currency:

Assembly Joint Resolution 3

Joint resolution memorializing Congress, the Office of Price Administration, and the War Food Administration to take steps to relieve the butter shortage

Whereas there is at present a shortage of butter which has necessitated the drastic rationing of the domestic supply despite the fact that more milk is now being produced in the United States than at any time in the history of the dairy industry; and

Whereas this butter shortage has been created artificially by maintaining an unreasonably low ceiling on the price of butterfat which has resulted in a planned divergence of the available milk supply to other branches of the dairy industry, notably the production of evaporated and powdered milk; and

Whereas it is known authoritatively that surpluses of evaporated and powdered milk, far in excess of present and future military and lend-lease needs, are being built because of this artificial divergence; and

Whereas butter is the "gold standard" which gives prosperity and balance to the entire dairy industry; and

Whereas this artificial divergence of milk to other branches of the dairy industry is having a detrimental effect on the production of butter, is unnecessarily depriving the civilian population of one of the most nutritious foods known to man and is causing the butter substitute industry to be built up at the expense of the dairy industry: Now, therefore, be it

Resolved by the assembly (the senate concurring), That this legislature respectfully memorializes the Congress of the United States, the War Food Administration, and the Office of Price Administration to immediately take steps to adjust the ceiling price of butterfat so as to encourage a more normal flow of the available milk supply to butter production; be it further

Resolved, That properly attested copies of this resolution be sent to the Office of Price Administration, the War Food Administration, and to each House of the Congress and to each Wisconsin Member thereof.

(The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Wisconsin identical with the foregoing, which was referred to the Committee on Banking and Currency.)

To the Committee on Commerce:

Assembly Joint Resolution 8

Joint resolution memorializing the President and Congress of the United States to take such steps as are necessary to enable development of the Great Lakes-St. Lawrence waterway immediately upon termination of the war

Whereas the President has termed the proposed development of the Great Lakes-St. Lawrence waterway for travel by seagoing vessels more important to the country's public than any other project of this nature; and

Whereas for 50 years outstanding Americans in official and civilian life, concerned with the economic welfare of the people of this country, have urged this undertaking as vital to the full development of the country's resources and inland transportation facilities; and for 20 years the Governors and Legislatures of the State of Wisconsin, regardless of political affiliations, have gone on record as favoring such a project; and

Whereas every effort in the past to make this seaway a reality has failed because of vigorous opposition from selfish interests; and

Whereas the urge for this seaway is today strong and virile and will continue so to be until the Great Lakes-St. Lawrence waterway is made adequate for navigation of seagoing vessels and furnishes Midwest farm, factory, mine, and shipyard products access to the markets of the world; and

Whereas a seaway from the Great Lakes to the tidewaters of the Atlantic will increase our national security in time of crisis, aid in the restoration of our foreign markets after the war, stimulate development of the resources of the Midwest and lower transportation costs; and

Whereas if authorized and undertaken as an immediately post-war works program such project will provide a cushion to the employment shift when the eventual change from war to peace-time conditions arrives, and will furnish a full measure of opportunity for employment to the returning soldier: Now, therefore, be it

Resolved by the assembly (the senate concurring), That the Legislature of the State of Wisconsin memorializes the President and Congress of the United States to make such treaties and to enact such legislation as is necessary to authorize development of the Great Lakes-St. Lawrence waterway for navigation of seagoing vessels immediately upon termination of the war; and be it further

Resolved, That properly attested copies of this resolution be sent to the President, to both Houses of the Congress, and to each Wisconsin Member thereof, to the governing bodies of Wisconsin port cities, and to the major cities bordering the Great Lakes with a fervent plea for aggressive action in furthering this cause.

(The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature

of the State of Wisconsin identical with the foregoing, which was referred to the Committee on Commerce.)

To the Committee on the Judiciary:

Assembly Joint Resolution 11

A joint resolution rescinding the action of the 1943 Legislature of Wisconsin in adopting enrolled Joint Resolution 75, memorializing Congress to call a convention to consider an amendment to the Constitution of the United States providing a limitation on taxes imposed by Congress on incomes, transfers of property, and gifts, except in time of war

Whereas the 1943 Legislature of Wisconsin adopted and transmitted to each House of the Congress of the United States Joint Resolution 75 memorializing the Congress to call a convention for the purpose of considering an amendment to the Constitution of the United States fixing a specified limitation on the taxes which Congress may impose on incomes or transfers of property at or after death or by way of gift, except in time of war; and

Whereas a number of the members of the 1943 legislature who favored the proposal, many of whom are members of the 1945 legislature, consider the proposal as an arbitrary and unjust restriction upon the constitutional right of the Congress to provide for the general welfare of the United States: Now, therefore, be it

Resolved by the assembly, the senate concurring, That the 1945 Legislature of Wisconsin hereby rescinds the action of the 1943 legislature in adopting Joint Resolution 75 and directs that a copy of this rescinding resolution be transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and each Member of the Congress from this State.

(The VICE PRESIDENT laid before the Senate a joint resolution of the Legislature of the State of Wisconsin identical with the foregoing, which was referred to the Committee on the Judiciary.)

NURSES FOR THE ARMED FORCES

Mr. CAPEHART. Mr. President, I ask unanimous consent to present a letter from a group of representative men nurses, which corresponds to a petition, together with a summarization of the number of men nurses available, and a statement of why and how they may be used in the armed forces. In view of the fact that important legislation dealing with this problem is now pending in Congress, and will be before this body shortly, I believe this information to be of much value and worthy of careful consideration. Accordingly, I ask that the letter, summarization, and statement referred to, be printed in the RECORD at this point as a part of my remarks, and that the same be appropriately referred.

The VICE PRESIDENT. Is there objection to the request of the Senator from Indiana? The Chair hears none, and it is so ordered.

The letter, summarization, and statement were received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

SICK BAY, UNITED STATES MARITIME SERVICE TRAINING STATION,
St. Petersburg, Fla., 1945.

In an attempt to secure justice and fair play for our profession, a group of representative men nurses respectfully write this letter and solicit your support as well as the support of other fair-minded and public-spirited citizens.

Few people are aware of the fact that men nurses are denied commissions in the armed forces, although women nurses with no greater training or experience are enrolled as commissioned officers. This discrimination is purely on the basis of sex. Men nurses receive practically identical training that women nurses do and must pass the same State board licensing examinations. The training of men nurses is such that it will make them more valuable in wartime, since they are trained with special emphasis on psychiatric and genito-urinary nursing, both fields in which the need for expert nursing personnel is particularly acute and in which it is generally conceded that men are more effective than women in dealing with men.

This discriminatory attitude toward men nurses seems unwise and unjust, especially since there is a serious shortage of nursing personnel in the armed forces, and since there is a Nation-wide appeal to young women to enter training. Because of this discrimination, the majority of men nurses have sought employment in defense plants, the United States Maritime Service, and other essential industries, rather than enter the armed forces as enlisted men under circumstances where their professional training would either be ignored, or where their scope of usefulness would be greatly limited.

The commissioning of men nurses on the same basis as women nurses would better serve the interests of the armed forces in that front-line assignments could be given to these men who, by virtue of their sex, could better withstand combat conditions both physically and emotionally.

At the American Nurses' Association convention held in Buffalo, N. Y., in June 1944, the women nurses passed on resolutions whole-heartedly endorsing our cause

THOMAS J. LANE, Congressman from Massachusetts, introduced a bill (H. R. 4760) into Congress on May 5, 1944. This bill died due to lack of action by the Seventy-eighth Congress.

We might add, finally, that there are two bills, H. R. 68 and H. R. 483, before the present Congress which would grant recognition to men nurses.

Your interest in our behalf will be greatly appreciated.

Sincerely yours,

Vinton H. Wenner, registered nurse; Wayne Chapman, registered nurse; Victor Neu, registered nurse; Luther P. Christman, registered nurse; Henning R. Willers, registered nurse; Gerald Phalin, registered nurse; Philip R. Farinella, registered nurse; LeRoy Bartlett, registered nurse.

If any further information is required, inquiries may be addressed to any of the men signing this letter, or to the following officer of the Men Nurses' Section of the American Nurses' Association: LeRoy N. Craig, chairman, 4401 Market Street, Philadelphia, Pa.

I. MEN NURSES AVAILABLE

(a) In 1940 there were 8,169 graduate men nurses in the United States. Assuming one-third of these to be of military age and physically fit, 2,700 would be in the Army Nurse Corps.

(b) In the same year, 800 men student nurses were enrolled in the 4 large schools of nursing exclusively for men nurses, and in the mixed schools. The schools would have graduated one-third of their enrollment each year, which would have meant 1,200 additional graduate nurses if the schools had been permitted to function normally, and all of those nurses would be in the armed forces as, unlike the women nurses, they would have no choice. The schools could not continue a normal enrollment of men students because insofar as men nurses were not recognized in the armed forces, reserve units could not be set up for the boys until their education was completed, as in the case with the medical doctors.

(c) Withdrawal of this number of men from combat duty or other services would not cause a serious handicap, but their addition to the Nurse Corps would substantially reduce the present shortage.

(d) There is no question but that the women nurses are rendering efficient and heroic service wherever they are, but there is no doubt that men nurses would be more adaptable to services in field and mobile hospitals in combat zones.

II. PROPOSALS

(a) Amendments of the law of 1904 to include men nurses in the Army Nurse Corps.

(b) Granting of commissions to men nurses in the armed forces on the same basis as the women nurses.

Ever since Pearl Harbor we men nurses have been striving for recognition as nurses in the armed forces. We are not seeking glory; rather, we wish to serve in a capacity in which we sincerely believe the greatest value would be gained from our highly specialized training and experience.

We have intensified our efforts recently because of the critical shortage of nurses in the services. We want our fighting men to have the best care that medical science can give. We have received favorable replies from many Congressmen and other interested officials, yet the Army and Navy Medical Departments continue to offer the same objections to our recognition.

It is time to analyze these objections. From the Surgeon General of the Army, we quote two statements. One: "The situation concerning male nurses is not at all parallel to that of female nurses, who are appointed for a single specific type of duty for which they are peculiarly qualified by reason of their sex."

What does this mean? What is this specific type of duty for which men nurses are not qualified? Both men and women nurses have the same education and training. Both pass all regulations set by the National League of Nursing Education. Both are licensed in the same manner.

Statement number two: "Army nurses of either sex must accord patients all the usual care required by the duties of their profession, including a variety of intimate offices and quasi-menial services. Women of officer rank can render these duties without incongruity, while men of such rank could not."

We ask, why not? We realized we would have to render such services when we entered our chosen profession and have rendered these services in civilian life without loss of respect. In fact, in certain types of conditions, male patients have particularly appreciated our relieving the embarrassment occasioned when women performed these duties, and often the treatment has been much more effective just because the barrier of sex was removed. Not infrequently the care of male patients has been left to untrained personnel because of the ever-present problem of sex, and the results have been very unsatisfactory. This is particularly true of psychiatric and genito-urinary diseases. If men cannot render such services to their fellow men without losing respect, then certainly the whole medical and scientific field should have lost its respect and high standing long ago. In many instances doctors have had to perform menial tasks because of the lack of trained co-workers, and yet have retained the respect and undying gratitude of their patients. That is part of the tradition of both the nursing and medical professions.

We are informed that male nurses may enter the Hospital Corps, where, if qualified, they may enter officer candidate school and obtain a commissioned rank. Many men nurses have tried for the past 4 years to qualify for O. C. S., and yet none have rank equal to that of women nurses with whom they have trained (and whom in many cases they have supervised). If these men were qualified to supervise these women and have equal or more experience in their profession, surely they should be allowed to serve side by side with them, rather than under them in an entirely different branch of the service.

Moreover, there is a difference between the Nurse and the Hospital Corps. The Nurse Corps is composed of qualified trained personnel which supervises the work of the Hospital Corps. The latter is largely composed of previously untrained personnel who have received their training from the military schools. Since men nurses are trained, qualified workers in civilian life, why is it impossible to utilize this skill in military life on the same basis as that of women nurses—namely, in the Nurse Corps? Is it fair to ask men nurses, who have expended time and effort to gain further education and the right to call themselves R. N. in civilian life, to start all over again in military life to gain, finally, recognition as nurses, and on the other hand grant women nurses full recognition immediately upon enrollment?

The Surgeon General of the Medical Corps tells us how simple it is to gain entrance into the medical units of the armed services, but here are a few facts we have found out from actual experience. We are barred from the Army and Navy Nurse Corps and under present draft laws are unable even to enlist in the armed forces. We may only apply for voluntary induction and hope to be put in the Hospital Corps, though even this is not guaranteed. We are unable to benefit at all from our previous medical training. We receive the rank of private if we are allowed to enter the Army Medical Corps. It has been said that it is easier to get into heaven than into the Army or Navy Nurse Corps, yet 10,000 nurses are still urgently needed. We are merely asking permission to share the same standing in military life accorded us in civilian life—that is, the right to join the nursing corps, where we can make our maximum contribution to the war effort.

May we have that chance?

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. DOWNEY, from the Committee on Military Affairs:

S. 421. A bill to provide for the promotion of certain American prisoners of war; without amendment (Rept. No. 182).

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

H. R. 1701. A bill to amend section 2, Public Law 140, Seventy-seventh Congress; without amendment (Rept. No. 183); and

H. R. 2388. A bill to provide for enlistments in the Regular Army during the period of the war, and for other purposes; with an amendment (Rept. No. 184).

By Mr. GURNEY, from the Committee on Military Affairs:

H. J. Res. 106. Joint resolution to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort; with an amendment (Rept. No. 185).

By Mr. McCARRAN, from the Committee on the Judiciary:

S. Res. 87. Resolution to investigate the disposal of the Government's interest in the Nashville (Tenn.) Tennessean; with an amendment (Rept. No. 186), and, under the rule, the resolution was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

BILL AND JOINT RESOLUTION INTRODUCED

A bill and joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WHEELER:

S. 864. A bill to amend the Interstate Commerce Act, as amended; to the Committee on Interstate Commerce.

By Mr. DOWNEY:

S. J. Res. 56. Joint resolution authorizing the removal of the fountain erected near the intersection of Pennsylvania Avenue and Seventh Street NW., in the District of Columbia, pursuant to the joint resolution approved July 6, 1882, and the acceptance from the State of California of a suitable statue, memorial, or monument to be erected in place thereof; to the Committee on the District of Columbia.

SAFEGUARDING OF MILITARY INFORMATION—RECONSIDERATION OF SENATE BILL 805

Mr. FERGUSON. Mr. President, on Monday of this week there was taken from the calendar and passed Senate bill 805, to insure further the military security of the United States by preventing disclosures of information secured through official sources. At this time I wish to enter a motion to reconsider the votes by which the bill was ordered to be engrossed for a third reading and passed. I think it is very important that the Senate should give further consideration to the measure, and that it should be amended.

The VICE PRESIDENT. The motion of the Senator from Michigan will be entered.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940—AMENDMENTS

Mr. WHEELER submitted three amendments intended to be proposed by him to the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended, which were severally ordered to lie on the table and to be printed.

PREFERENTIAL CONSIDERATION OF QUALIFIED WAR VETERANS IN EMPLOYMENT

Mr. FULBRIGHT submitted the following concurrent resolution (S. Con. Res. 13), which was referred to the Committee on Education and Labor:

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress so long as American war veterans are unemployed and when their employment needs are not met by the guaranties of the selective-service law and when preferential employment is not otherwise provided in governmental work, then unemployed American war veterans should receive preferential consideration by private employers when such veterans are qualified.

WATER SUPPLY BELOW BOULDER DAM (S. DOC. NO. 39)

Mr. McCARRAN. Mr. President, on March 17 of this year I addressed a letter to Hon. Harry W. Bashore, Commissioner of Reclamation, stating that I wanted further light on the supply and demand equation for Colorado River water, as developed in the testimony of himself and Mr. Riter before the Senate Committee on Foreign Relations.

To this letter I received Mr. Bashore's reply, and a table setting forth the flows, and other matters. This information is of such vital importance that I respectfully ask unanimous consent that the correspondence and the table be printed as a Senate document.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

EXPEDITION OF CAPT. JOHN C. FREMONT—ARTICLE BY PAUL I. WELLMAN

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article entitled "John C. Fremont Left This Settlement To Open the West 100 Years Ago Today," from the Kansas City Times of May 29, 1943, which appears in the Appendix.]

FARLEY SPEAKS OF FUTURE—EDITORIAL FROM THE BRIDGEPORT POST

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an editorial entitled "Farley Speaks of Future," from the Bridgeport Post of March 31, 1945, which appears in the Appendix.]

INDIVIDUALISM IN AMERICA—ARTICLE FROM THE BOSTON POST

[Mr. McMAHON asked and obtained leave to have printed in the RECORD a comment under the heading "Wise words," published in the Boston Post of March 31, 1945, which appears in the Appendix.]

GOVERNMENT IN THE LIFE OF THE PEOPLE—EDITORIAL FROM THE BEDFORD DAILY TIMES-MAIL

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an editorial entitled "When Do We Get Enough Government," published in the Bedford Daily Times-Mail, of Bedford, Ind., in the issue of April 4, 1945, which appears in the Appendix.]

THE MEAT SHORTAGE—EDITORIAL FROM INDIANAPOLIS NEWS

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an editorial entitled "Put Your Cows Together, Boys," published in the Indianapolis News, which appears in the Appendix.]

A POST-WAR FARM PROGRAM—THE FULL PARITY EXPORT PLAN EMBODIED IN THE BANKHEAD-EASTLAND BILL

Mr. EASTLAND. Mr. President, the senior Senator from Alabama [Mr. BANKHEAD] and I have introduced an agricultural bill which has been referred to and is now pending in the Committee on Agriculture and Forestry. The object of this bill is to secure economic justice and parity income for the farmers of the United States who produce for their livelihood wheat, cotton, lard, pork products, corn, tobacco, rice, fruits, and other farm commodities.

FARM PROBLEM STILL UNSOLVED

Since 1920 the greatest domestic problem in the United States has been the farm problem. After 25 years it remains unsolved. Our failure to solve it has caused more poverty and suffering in this country than any other one thing or combination of things except war itself. It is true, Mr. President, the present abnormal war conditions act as an opiate to deaden the pain of this disease. However, America still suffers from it. The same conditions that caused it are still present. The malady has not been

arrested, but because of our greatly expanded productive capacity, due to the war, it will set in with devastating effect to American agriculture in the post-war period unless measures are taken to cure it.

Mr. President, millions of words have been spoken; a great number of laws have been passed; billions of dollars have been spent; thousands of people have been hired in a vain attempt to cure the disease. It has all failed because no concerted attempt has been made to remove the causes of the trouble. The causes are agricultural surpluses. Acreages have been reduced. The surpluses are still piled up. This illness will be fatal unless necessary, sensible, and practical measures are taken to move farm products into consumption. In fact, Mr. President, we produce for consumption and under our capitalistic system the producer is entitled to a price for his product which will yield to him a profit. Because of this surplus the American farmer has not for 25 years on an average received a price for his product sufficient to support his family at a decent American level. The cause of the disease is the surplus, and until measures are taken to move that surplus into consumption, and at the same time give to the farmer a decent price for his product, the disease with its attending poverty, debt, low living standards, and human suffering will continue and intensify.

It is no solution simply to reduce acreages when surpluses pile up. Remove the cause of the surplus. A starving and ragged world is in need of all we can produce. Simply to reduce the acreage is suicidal. It has not solved the farm problem and it never will. The channels of world trade must be reopened if agriculture is to be benefited.

WORLD PEACE RESTS ON AN ECONOMIC FOUNDATION

We stand at the crossroads in America today. The American people, the peoples of the world, look to the American Congress for leadership. The hopes, the prayers, the aspirations of mankind go with our deliberations. The welfare of unborn generations, the future of the modern world is in our hands. We are pledged to set up a peaceful and well-ordered world. We are pledged to set up a world organization which will banish the tears, the suffering, the horrors of war. We must so organize the world that mankind will live in peace for generations yet to come. Peace, prosperity, human happiness are impossible things unless the world is so organized that all mankind will have access to the raw materials and resources of the earth. Political rights, democracy, do not dwell with men who are poverty-stricken and hungry. There must be no "have not" nations if the post-war world is to be a world of peace.

Mr. President, American agriculture must not be permitted to return to the threadbare thirties. We must not permit the farmers of this country again to suffer the abject poverty which was their lot from the great depression until the present tragic catastrophe. As has been well said, the only self-contained community is a graveyard, and world peace is an impossibility without world trade. A political organization of the nations of the earth to prevent aggression and enforce the peace cannot succeed unless it is founded upon economic freedom, which means the removal of the barriers which prevent the flow of world commerce. World trade is necessary to make mankind prosperous and contented. Without it Dumbarton Oaks will fail. Unless we restore world trade it is absolutely certain there will be a third world war. This is the decision, Mr. President, that America must make. We must promote and encourage world trade. We must accept foreign goods in the United States. Any sacrifice we make is cheap if by so doing we secure permanent peace. Unless we follow the road to world prosperity, the blood, the tears, the sacrifices of the American people will have all been in vain. In fact, Mr. President, it is the purpose of the bill to promote the necessary expansion of world commerce in such a way as not to injure American industry and not to reduce the American price level, but to remove agricultural surpluses for the welfare of the Nation and the prosperity of the world. It will give the nations of Europe the food and fiber so necessary for their prosperity.

Americans too often forget how the loss of our foreign markets resulted in 12 long years of declining farm prices. They forget that our pre-1930 cotton export market created more employment than W. P. A. or P. W. A. provided at their peak.

We have normally in the United States, Mr. President, a surplus-producing agricultural machine. The economists tell us that it takes 2½ acres of productive soil to produce the food and fiber necessary to support a human being at decent living standards. The United States today has 16 acres of land per capita, a large portion of it productive. American agriculture cannot prosper if it can produce only the food and fiber for the people of the United States. Sixteen acres of productive soil per capita, when 2½ acres is all that is necessary to support a human being, means simply that agriculture must export or die. The war has still further greatly expanded the productivity of this agricultural machine. Our agricultural production today is 33 percent above the 1935 to 1939 average. It is now more necessary than ever that we regain export markets. Our markets must be world markets. Our customers must be mankind. If the American agricultural industry is to produce only for the domestic market—as it is now doing, except for lend-lease—then it is faced with bankruptcy; industry is faced with shut-downs, the industrial worker with unemployment, and the country with depression. It is certainly a fundamental fact in our economy that when the farmer cannot buy, the industrial worker cannot work. Furthermore, this domestic market will be much smaller in the post-war era when consumption and production go back to normal standards.

CAUSE OF THE FARM PROBLEM

Mr. President, what is the solution, and how will the Bankhead-Eastland full parity export plan cure this situation, and what will be the result in the United States if it is enacted into law? The answer, of course, is that we must regain our export markets. But what is the cause of the loss of those markets and what is the remedy? There is one fundamental cause of the loss of these markets, and that cause is the protective tariff. Any relief must come through the tariff. It is possible to give agriculture relief, as this bill does, without repealing the tariff and without injury to the price levels of American industry or the wage scales of industrial labor.

Mr. President, how has the tariff cost American agriculture its export markets? Trade is a two-way street. It is fundamentally an exchange of commodities. There is only one way that a person can buy anything and that is through the sale of commodities or personal services. Foreign nations, with the exception of Britain and Russia, have little gold, and the only way they can pay American agriculture for its products is through the sale to us of their products. The sale to us of their commodities is the only way they can get the dollars to pay the American farmer for his surplus production of cotton, wheat, lard, pork, and other farm products. Many of these nations are industrial nations. In fact, the great markets, the necessary markets, for our surplus farm production are the industrial nations of the earth. They are nations which produce manufactured goods identical with manufactured goods produced in the United States. These nations urgently need raw cotton. They desire and prefer the American product. They desperately need wheat, wool, rice, lard, pork products, and fruits produced in the United States. In fact, the continent of Europe, overpopulated and with a shortage of resources, has depended for generations on the farm products produced by our surplus-producing American agricultural machine. There is a desperate, urgent necessity that they receive these products from us. That they receive raw materials for their industries and food for their populations is necessary if they are to prosper. It is necessary if the Dumbarton Oaks agreement is to succeed. Mr. President, it is vital that they receive this food and fiber from American farms if America is to be prosperous. In fact, world prosperity and peace in the future depend upon whether or not we trade with and exchange commodities with them. This means that we must take their industrial products—take what they have to sell even though those products are identical with products manufactured in the United States. Trade is the only way they can acquire the dollar exchange necessary to purchase and remove the agricultural surplus which for many years has brought poverty and suffering to the farmers of America. Under this bill we can do that without injury to, but with great benefit to, American industry.

There is another condition which grows out of the tariff that must also be solved before agriculture is materially benefited. Our tariff rates on incoming dutiable goods averaged 59 percent in 1932 under the Hawley-Smoot tariff. No reciprocal trade agreements were made with certain

foreign industrial nations. With others reciprocal trade agreements did not go into effect until so shortly before the war that their influence was not felt. The result is that the price level for finished manufactured goods of many types in the United States is still 40 to 60 percent higher than the world price level. This has artificially increased from 40 to 60 percent the cost of such goods which the farmer must buy. It has lowered his standard of living. It has placed him at a disadvantage in competition with foreign agriculture. To compensate him the Government, through commodity loans of the Commodity Credit Corporation, has initiated a loan program which artificially holds up the price of American farm products above the world price level. By our acreage reduction program we have attempted to reduce production to American needs. By holding the price of our products above the world price we drive foreign purchasers away. They, of course, purchase their requirements where they can be purchased the cheapest. American cotton today is worth, roughly, 6 cents a pound more than the world price. Other farm products are also held artificially higher than their world prices. These artificial prices are necessary because the farmer must pay artificial prices for the industrial products which he must purchase. It is only justice to hold the price of American farm products at these levels. This program, however, in the long run will be fatal, because no provision is made to move these farm products into consumption. To reduce the acreage is no answer. Surpluses still pile up, and we still further reduce the acreage. This causes unemployment and will bankrupt agriculture, for under these policies all export markets, in time, will be swept away and we shall produce only for domestic consumption.

FULL PARITY EXPORT PLAN EXPLAINED

Mr. President, what does this full parity export bill provide? It provides that all import duties paid under the Tariff Act of 1930, as amended, upon any article imported into the United States or any of its possessions, shall be refunded if an amount equal to the sum of the value plus import duties is used by the importer or his assignee to purchase and export surplus agricultural commodities produced in the United States. The act simply means that import duties paid to get foreign-manufactured goods into the United States would be refunded, provided the value of the goods at the world price level, plus the tariff duties paid to get them into this country, were used to purchase agricultural commodities, of which the United States has a surplus.

Let me give an illustration. If certain foreign goods of the value of $100,000 at the world price level reach the port of New York, there will be due on those goods tariff duties of approximately $60,000. Sixty thousand dollars will be due, for the reason that in the aggregate our duties total 60 percent. When this sum is paid and these goods are delivered into the United States, there will be an investment in those commodities of $160,000. Goods of the value of $100,000 abroad cost $160,000 when the tariff is paid and they are delivered in this country. In the United States, however, these identical goods are worth, in the markets, roughly $160,000, instead of their $100,000 value abroad, for the reason that our domestic price level for many manufactured commodities is approximately 60 percent higher than the world price level. They can readily be sold in the United States for this amount. We would tell the foreigner, or the importer, whoever he might be, "Use this $160,000 to buy for export American agricultural products, of which we have a surplus, and we will refund you the $60,000 in tariff duties that you have paid to get these commodities into this country."

As I have said, Mr. President, trade is but the exchange of commodities, and the key to this whole thing is the purchase of foreign goods at the American price instead of the world price, which would enable the sale of surplus farm products for export at the American price or parity price. By increasing the price of foreign goods to the American price, we would enable the foreign purchaser to buy our surplus farm products at the American price level. This would be an exchange of commodities at the American price level and at the American standard of living. No cheap foreign goods could come in to saturate the American market and lower the wage scale and living standards of Americans, whether they were employed in industry or agriculture. Under this system the British could pay the American cotton grower a parity price of 22 cents a pound. In other words, the same $100,000 of British goods would buy as many bales of cotton at the American parity price of 22 cents a pound as it would buy from Brazil at 16 cents a pound, for the reason that the goods worth $100,000 at the world level are worth $160,000 in this country. This would be true of all surplus agricultural commodities. It would bridge the gap between the higher American price level and the world price. It would obviate the necessity of a two-price system. Instead of permitting the price of American farm products to fall to the low world level and impoverish our farmers, we would raise the value of foreign goods imported in this country to the American level, and thus would enable these foreign goods to buy American farm products at the American level of prices. Remember, Mr. President, trade is the exchange of commodities. A foreign nation must sell its goods or services to get the money to purchase our products. Raise the price of these same goods to the American price, and they will buy farm products at the American level.

Furthermore, we would protect the domestic price structure for industrial goods, and thus would protect industrial jobs. With this bill enacted into law, it would become to the farmers' interest to protect the American price structure for industrial goods, because the maintenance of this price structure would enable him to get parity prices or higher than world prices for his products. He would get parity or higher than world prices, no matter whether those products were sold for foreign or domestic consumption. In other words, the American farmer would secure parity or higher than world prices for all his production, regardless of where it was sold. It would obviate the necessity of and the argument for the unsound two-price system.

This measure, Mr. President, would be a certain cure for the farm problem. It would be a cure for the problem of the surplus because it would establish an exchange of commodities, and it would provide the necessary dollar exchange for foreign nations to purchase our products, and further, it would provide them with dollar exchange sufficient to pay parity for American farm products.

Mr. President, this measure is in no sense a subsidy. It is not a subsidy, because the goods would never have come into the United States in the first place, and the refunded tariff revenues would never have been paid if the importer or shipper had not known that the tariff duties paid would be refunded upon the purchase of surplus agricultural commodities. In fact, the object in their shipping their goods here would be to acquire the wheat, cotton, and other commodities so necessary for their welfare. The ability to acquire them by the sale of their goods would be the whole object of the transaction, and the payment of the tariff duties would not be made with the intention that they would remain in the Treasury, but with the purpose and intention of getting them back. The bill would cost the Treasury nothing. In fact, by raising farm income it would place millions of new tax dollars into the Treasury of the United States.

AMERICAN INDUSTRY SAFEGUARDED

Mr. President, the crux of this whole situation is the importation of foreign industrial goods into the United States to pay for our exportable surplus of farm products. By it, foreign countries would acquire the essential dollar exchange to purchase farm surpluses. I full well realize that there is grave fear in every segment of American business and labor that the importation of foreign manufactured goods would destroy the American standard of living and would impoverish our country. I do not feel that these fears are well grounded. Frankly, I am violently opposed to our present tariff structure. However, Mr. President, in this measure there are adequate safeguards for the high-tariff men. Every manufacturing industry would be protected. Not one industrial price level would be reduced. No industry and no industrial worker would be injured. No such thing could happen if this bill were enacted into law. In the first place, the goods would come in, as I have shown, at the American price level. In the next place, the total amount of foreign manufactured goods that would come into America under this bill would be limited to the amount necessary to buy up our peacetime exportable farm surpluses of wheat, cotton, lard, pork products, fruits, tobacco, and rice. Finally, the imports of every type of manufactured goods could be held to prorated quotas, if that should be deemed necessary. If under this plan enough goods came into America each year to purchase the normal exportable surplus of these commodities, it

would equal only 2 percent of the normal business of this country, not enough to depress the prices of a single American product, not enough to throw a single American industrial worker out of work, not enough to injure American business. Furthermore, not one dollar of America's cash buying power for American manufactured goods would be sent abroad; only our surplus agricultural commodities would be used as payment for foreign goods. American industry would not lose a single dollar of American business, because we would increase our foreign trade sufficiently to absorb our peacetime crop surpluses. American industry would not lose, but would gain enormously by the increased rural demand for American manufactured goods that would result once the price-depressing, poverty-producing crop surpluses had been eliminated from the country.

LABOR'S STAKE IN RURAL PROSPERITY

Mr. President, American labor has a great stake in the enactment of this legislation. It would mean full employment for Americans. Enactment of this bill, by removing the surplus agricultural production, would greatly increase the purchasing power of the millions who farm in this country. It would mean new markets for industrial goods. It would mean a very great increase in the consumption of industrial commodities. Consumption means production, and production means jobs. Agricultural surpluses in normal times are, as everyone knows, price-destroying, and they reduce the purchasing power of the millions who engage in agriculture for their livelihood. Remove the surpluses, increase agricultural purchasing power by billions of dollars, and you have a tremendous market for the products of American industry. It takes the purchasing power of American agriculture to make the wheels of industry spin. When agriculture cannot buy, the industrial worker cannot work. When we make agriculture prosperous, as this bill would do, we also make the industry of the country prosperous.

During the great depression we learned a tragic and expensive lesson. It is that America alone cannot be prosperous, but our prosperity depends absolutely upon world prosperity. The American people alone cannot be prosperous in a world of poverty and rags. When we purchase the products of our neighbors across the seas we make it possible for them to purchase American products—the food and fiber which is necessary in order for them to have the necessities of life. Trade begets trade. It is an expanding thing. When markets are found for our surplus agricultural production the purchasing power of our own farmers is increased, and when we buy the product of foreign industrial nations we increase their purchasing power and the expanding world trade thus created will be a great boon to American industry.

WHAT THE FULL-PARITY EXPORT PLAN WILL DO FOR THE COTTON FARMERS

By restoring the cotton acreage of the South from its present low level of 20,000,000 acres to a level of 30,000,000 acres, which it will certainly do because of the increased exports of American cotton, and by continuing the present high per-acre yields arising from improved methods of production, the South could easily produce an average of 15,000,000 bales of cotton a year. Domestic consumption will absorb about 6,000,000 bales, leaving 9,000,000 bales for export. The entire 15,000,000 bales would bring the parity price if the full parity export plan were in effect.

Let us assume that parity in the postwar era continues at its present level of approximately 22 cents. Fifteen million bales at 22 cents a pound means a value of $1,650,000,000 for 1 year's cotton lint production.

The income of the South from cotton lint from 1935 to 1939 averaged $640,000,000 a year, or only about 39 percent as much. Increased income in the South from cotton due to the full parity export plan would, therefore, be $1,010,000,000 per year.

Under the A. A. A. agricultural conservation, and parity-payment programs total-benefit payments of all types to cotton farmers from 1933 to 1939, inclusive, amounted to $1,093,000,000.

Mr. TAFT. Mr. President, does the Senator care to be interrupted?

Mr. EASTLAND. I yield.

Mr. TAFT. I do not understand how we are going to sell 9,000,000 bales of cotton at $100 a bale when apparently it can be produced in Brazil and in Egypt for $50 a bale. In other words, it seems to me that it is not the tariff which has created the difficulty in exporting cotton, but that it is, primarily, the high price of American cotton.

Mr. EASTLAND. If the Senator had been present when I explained the situation he could have readily seen that price is not the fundamental element to consider. For example, as I have already stated, goods which are worth $100,000 abroad if brought into this country and the tariff duties paid are worth approximately $160,000, because our industrial price level in the United States is approximately 60 percent above the average world price level.

Mr. TAFT. It seems to me——

Mr. EASTLAND. Mr. President, allow me to finish, and then the Senator from Ohio may ask me a question.

The bill merely provides that those goods may be shipped into this country and sold for $160,000. That amount would be used for the purchase of surplus cotton, wheat, or any other surplus farm commodity such as, for example, pork products. Those commodities would be bought for export. Then the $60,000 in tariff duties would be refunded. After all, trade is but the exchange of commodities. Goods worth $100,000 abroad could be used to buy cotton from Brazil at 16 cents a pound. Yet, commodities which are worth $100,000 abroad are worth $160,000 in this country.

These manufactured goods valued at $160,000 in America, when the duty is paid, would buy more cotton here in America at 22 cents a pound than the same goods valued at $100,000 abroad would buy of Brazilian cotton at 16 cents a pound.

It is the tariff which raises the price level of American manufactured goods above the world level. When we raise American crop prices to parity with our industrial prices we automatically raise American crop prices approximately the same degree above world crop prices as American industrial prices are above world industrial prices. This plan simply provides the mechanism for using the difference in industrial prices to balance the difference in crop prices, so we can export our crop surpluses. It would work for wheat and other peacetime crop surpluses just as readily as for cotton.

Mr. TAFT. As I understand the Senator's plan, we would remit the tariff if the money were used to buy surplus agricultural products. Am I correct?

Mr. EASTLAND. Yes.

Mr. TAFT. If the whole tariff were remitted it would amount to approximately $250,000,000 a year. A billion dollars worth of cotton could not be exported on the basis of $250,000,000 of tariff duties remitted.

Mr. EASTLAND. Of course, the tariff duties assessed in the past cannot be used as a criterion. Foreign goods are not being shipped into this country today because, in many instances, the tariff wall keeps them out. When the duties are refunded new goods and new commodities will come into this country.

Mr. TAFT. The difficulty with which we are confronted in connection with agricultural surpluses is this: Suppose we import $5,000,000,000 worth of goods——

Mr. EASTLAND. Nothing like that would be necessary under this bill.

Mr. TAFT. We imported $4,000,000,000 worth of goods in 1928 and 1929 when the highest tariff this country ever had was in effect.

Mr. EASTLAND. We did what we did because we were following an absolutely foolish policy of lending European nations money in order to buy our products—money that was never repaid. Furthermore, world trade tends to follow very closely the curve of prosperity or depression in any period. The Senator's statement proves that when we have a high level of prosperity such as this bill would provide, the Nation can absorb this quantity of imports without damage to industry.

Mr. TAFT. Mr. President, will the Senator further yield to me?

Mr. EASTLAND. I yield.

Mr. TAFT. I do not think that the Senator's statement is true. Our lending of money to foreign nations may have allowed them to buy our goods, but it would hardly have allowed them to ship goods to us. Let us take an example. Suppose we are able to import $4,000,000,000 or $5,000,000,000 worth of goods. Let us say we are able to export $4,000,000,000 or $5,000,000,000 worth of goods instead of $3,000,000,000 worth. The difficulty, as I see it, is that we make a great many manufactured products much cheaper than other nations can make them. Some articles cost more, but such things as automobiles, for example, are made at a lower cost in this country than in other

countries. When it comes to competing in the export market we would find that our manufactured goods, instead of agricultural commodities, would become surplus. Perhaps the Senator would endeavor to meet that situation through the tariff; but I believe that the tariff would be so infinitesimal compared to the total amount of imports that his plan would not materially relieve the condition of agricultural surplus.

Mr. EASTLAND. Every economist knows that foreign exchange is involved. This measure would provide the dollar exchange with which to purchase commodities, and the use of parity for our production in this country would provide more money with which to buy goods which are sold here.

Mr. TAFT. The ordinary and standard argument, however, is not that which is made by the Senator. It is that lowering the tariff wall would reduce the whole level of prices in this country to such an extent that the farmer could buy more cheaply the things he must buy. That would involve also lowering the price of cotton.

Mr. EASTLAND. The Senator is entirely beyond the point. There is nothing involved in the nature of free trade. This measure would leave every single tariff level intact. The Senator has not gone into this question. The manufacturers' organizations, as well as many economists and other individuals who have studied the subject, say that the plan is absolutely feasible.

Mr. TAFT. I have gone into the subject. The Senator very kindly gave me a copy of his bill nearly 2 years ago. I studied the question. I deny, however, that there are living economists who have approved the plan. Like the Senator from Mississippi, I am looking for some solution of the agricultural surplus commodity situation. I thoroughly agree that a solution must be found, but I do not think the Senator's suggestion would in any way increase the sale of agricultural surpluses, except possibly to the extent of the tariff duties—and the Senator would require the purchasers to spend only a portion of those—possibly $100,000,000 or $200,000,000—in buying agricultural instead of manufactured products.

I believe that postwar planning has been notably deficient. I think the Senator is making a contribution, but I have never been convinced, and I am not now convinced, that his plan would bring about the export of any substantial amount of cotton at 20 cents a pound when other nations can produce it at 10 cents or 15 cents a pound.

Mr. EASTLAND. The Senator is wholly in error as to the response this plan has had among leading economists. In fact, I do not know a single economist to whom it has been presented in detail who does not favor it. As I told the Senator, the same goods used to purchase foreign cotton at 16 cents when sold here will purchase American cotton at parity, because the goods are worth 60 percent more in this country than they are abroad. I have a hat which is worth $2.50 abroad, but it is worth $3.75 in the United States. That hat if sold in this country for $3.75 will buy more cotton and wheat and other farm commodities at parity than it would buy in Brazil at a price of 16 cents for cotton and 40 cents less than the American figure for wheat. If the concept of parity prices is correct—and I know of no one who denies it—then this plan is necessary to permit production.

Mr. TAFT. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Ohio?

Mr. EASTLAND. I yield.

Mr. TAFT. What would the Senator do with the tariff on wheat? Would he say that if a man paid the tariff on wheat brought into this country he could take it back and buy American wheat and transport it somewhere else?

Mr. EASTLAND. Of course, the measure does not provide for reducing agricultural duties. The crux of the whole thing is to maintain the tariff of 44 cents a bushel on wheat, because it is simple that when the tariff is maintained it causes a price higher than the world price and it will enable the wheat farmer to get the benefit of the parity price, whereas a surplus tends to destroy the price of the product.

Mr. TAFT. Mr. President, I think the Senator's argument really defeats itself; for if we maintain the 44 cents tariff on wheat in order to keep the price of wheat 44 cents higher than the world price, then how are we going to export the wheat at that higher price all over the world?

If the Senator proposes to have our wheat sold abroad at the world price, then the remission of the tariff is not different from the ordinary export subsidy.

Mr. EASTLAND. But the same amount of goods, the identical goods that would be used to purchase wheat 44 cents a bushel cheaper than the American price abroad would buy the American product at a parity price because the same goods are worth more in this country. It is a question of simple mathematics.

It is incorrect to call the rebating of tariffs under this plan a subsidy because the tariffs rebated are on goods not now coming into the country at all and which are permitted to come in only with the intention of being exchanged for our crop surpluses.

Mr. President, the full-parity export plan would give the cotton farmers in 1 year approximately as much gain over their average pre-war income as they got from the Government in benefit payments during this entire 7-year period, and do so at no cost to our Government. Such is the superiority of full economic health based upon abundant natural circulation of goods as compared to economic jaundice caused by the tariff with life sustained only by shot-in-the-arm benefit payments.

Assuming that each of the major cotton-producing States continues to produce its pre-war percentage of the total amount of cotton raised, this would mean an annual gain in income from cotton for each cotton State as follows:

Texas	$252,000,000
Mississippi	145,000,000
Arkansas	100,000,000
Alabama	89,000,000
Georgia	85,000,000
South Carolina	67,000,000
Louisiana	59,000,000
North Carolina	45,000,000
Oklahoma	39,000,000
Tennessee	36,000,000
California	36,000,000
Missouri	25,000,000
Arizona	18,000,000
New Mexico	9,000,000

Please note that these figures do not constitute total income from cotton, but simply the increase in income from cotton over the pre-war standards.

Worked down to the average individual farmers, the general average would be:

Nine hundred and twenty dollars more cash money a year for the average cotton farmer in Texas.

Five hundred and fifty dollars more cash money a year for the average cotton farmer in Mississippi, where the farms are smaller.

Six hundred and fifty dollars more cash money a year for the average cotton farmer in Arkansas.

Four hundred and forty dollars more cash money a year for the average cotton farmer in Alabama.

Five hundred dollars more cash money a year for the average cotton farmer in Georgia.

Six hundred dollars more cash money a year for the average cotton farmer in South Carolina.

Five hundred dollars more cash money a year for the average cotton farmer in Louisiana.

Four hundred and thirty dollars more cash money a year for the average cotton farmer in North Carolina.

Four hundred and fifty dollars more cash money a year for the average cotton farmer in Oklahoma.

Four hundred and fifty dollars more cash money a year for the average cotton farmer in Tennessee.

One thousand five hundred dollars more cash money a year for the average cotton farmer in Missouri.

Six thousand eight hundred dollars more cash money a year for the average cotton farmer in California.

Nine thousand dollars more cash money a year for the average cotton farmer in Arizona.

Three thousand dollars more cash money a year for the average cotton farmer in New Mexico.

All three of the last named States have a relatively small number of cotton farmers who own large plantations.

In summary, this works out to an average gain in income to individual cotton farmers all over the United States of $635 a year.

And this gain is not based upon a return to the 40,000,000 acres that were planted in cotton in the 1920's, but upon a return to only 30,000,000 acres.

The full parity-export plan will bring the abundant life, economically speaking, to the American cotton farmer, and do it, not by legerdemain, but simply by moving cotton into consumption—thereby insuring not merely market, but price as well.

Mr. President, in discussing what this proposed legislation will accomplish for the cotton farmer I used the present parity price of 22 cents per pound. To be perfectly fair this does not take into consideration price reductions which be necessary to meet the competition from rayon and other synthetic fibers. Cotton and synthetics will fight it out on quality and price. Frankly, I am not alarmed over competition from these products. My concern is to remove the cause of agricultural poverty and that very thing this bill will do.

MECHANIZATION WILL NOT SOLVE THE COTTON PROBLEM

Mr. President, the cotton South is on the verge of a great mechanical upheaval. Cotton will be produced on a large scale mechanically when the war is over and materials are available. We are on the threshold of the day when one man on a tractor will cultivate 200 acres of cotton instead of a man and mule working 10 acres as is the custom today. Mechanical farming will greatly reduce the cost of producing cotton. It is said that mechanical farming will solve the cotton problem. Mr. President, nothing could be further from the facts. The fundamental cause of the cotton problem is the protective tariff. It is the loss of export markets. The fundamental cause of the loss of the export market is, as I have shown, the inability of foreign countries to purchase cotton because of the shortage of dollar exchange in foreign countries. This is the cause, and mechanical farming does not remedy that situation. If American cotton was priced cheaper than the cotton of Brazil or of other foreign producing nations, we could still not sell our product because of the inability of the foreign industrial nations to purchase it. It is fundamental that we cannot sell alone on price. There must be price; there must be ability to buy. Mechanical farming will not solve the cotton problem because it will not give foreign countries their much needed dollar exchange.

There are vast areas of the South, Mr. President, where it is impossible to farm mechanically because the topography of the country is hilly and broken. In these areas there live millions of people who now depend largely upon the production of cotton for their livelihood. Will they be driven from the cotton business, and will the future cotton in America be grown in the alluvial valleys and on the plains of the Southwest? This is certain to happen if the cotton acreage of this country is further drastically reduced. It is fundamental that if only a small amount of cotton is grown, if we grow cotton only for domestic consumption the low-cost producing areas will grow it. The areas which can be farmed mechanically will produce the cotton. Oh, this can be delayed temporarily by acreage quotas and other restrictions, but in the long run the alluvial valleys and the plains of the Southwest under such a system will grow the cotton. We must have volume production of cotton in order to keep the States of Alabama, Georgia, the Carolinas, and other sections of the Cotton Belt in the business. We must have volume production of cotton in order to keep in the cotton business the millions of small farmers who are unable to mechanize. We have potential customers for all our cotton. The world needs, the world desires all the cotton that can be grown in America. There is a ready world market for all the cotton that can be grown in every part of the Cotton Belt. If we will but reopen world markets and through trade permit them to purchase our product, there will be profitable markets for the production of every part of the Cotton Belt. There will be volume production and volume markets. Cotton will be grown in every part of the belt; in the low-cost areas and the high-cost areas; on the small farms and the big farms. There will be prosperity throughout the South.

WHAT THE FULL PARITY EXPORT PLAN WILL DO FOR THE WHEAT FARMER

Mr. President, by restoring the wheat acreage of the Nation from its 1935–39 level of 56,000,000 acres to its normal level of 60,000,000 acres, and by continuing an average production level of 15 bushels per acre, as may conservatively be assumed, this Nation could produce an average of 900,000,000 bushels of wheat a year. Domestic consumption would absorb about 700,000,000 bushels, leaving approximately 200,000,000 for export. Under the full-parity export plan, the entire 900,000,000-bushel crop would bring our wheat farmers the parity price.

Let us assume that parity in the post-war era continues near its present level of $1.52. Let us round that to $1.50. Nine hundred million bushels of wheat at $1.50 means an average annual value of $1,350,000,000 for the Nation's wheat crop.

The income of all the wheat farmers of the Nation averaged only $607,000,000 per year in the 1935–39 pre-war base period—or less than half as much. Increased income to our wheat farmers due to the full parity export plan would, therefore, amount to $743,000,000 per year.

Under the A. A. A., agricultural conservation, and parity payment programs aggregate Government benefit payments to all wheat farmers from 1933 to 1940 inclusive totaled $694,000,000. Thus the $743,000,000 gain which the full parity export plan would give our farmers in 1 year is more than they received in 8 years of benefit payments—and the money would not come out of the Federal Treasury.

Let us break down this $743,000,000 gain to the Nation's wheat farmers into gain by individual States.

Assuming that the great wheat-producing States continue to produce the same proportion of the Nation's wheat in the post-war era, as in our pre-war 1937–39 base period, the full parity export plan would mean an annual gain in income of $123,000,000 to the wheat farmers of Kansas, $51,000,000 to the wheat farmers of North Dakota, $47,000,000 to the wheat farmers of Oklahoma, $45,000,000 to the wheat farmers of Nebraska, $44,000,000 to the wheat farmers of Ohio, $41,000,000 to the wheat farmers of Washington, $40,000,000 to the wheat farmers of Illinois, $33,000,000 to the wheat farmers of Missouri, $30,000,000 to the wheat farmers of Montana, $30,000,000 to the wheat farmers of Indiana, $28,000,000 to the wheat farmers of Minnesota, $27,000,000 to the wheat farmers of Texas, $22,000,000 to the wheat farmers of Pennsylvania, $21,000,000 to the wheat farmers of Idaho, $17,000,000 to the wheat farmers of South Dakota.

Please note that these figures do not indicate total income from wheat, but simply the increase in income possible over the pre-war standard.

Worked down to the individual farmer of each of these States, this means $1,260 more cash money a year to the average wheat farmer of Kansas because of the full parity export plan, $800 more cash money a year to the average wheat farmer of North Dakota, $920 more cash money a year to the average wheat farmer of Oklahoma, $777 more cash money a year to the average wheat farmer of Nebraska, $360 more cash money a year to the average wheat farmer of Ohio, $3,200 more cash money a year to the average wheat farmer of Washington where the wheat acreage is very large, $630 more cash money a year to the average wheat farmer of Illinois, $400 more cash money a year to the average wheat farmer of Missouri, $1,200 more cash money a year to the average wheat farmer of Montana, $400 more cash money a year to the average wheat farmer of Indiana, $350 more cash money a year to the average wheat farmer of Minnesota where the wheat fields have shrunk in size because of dairying, $1,000 more cash money a year to the average wheat farmer of Texas, $270 more cash money a year to the average wheat farmer of Pennsylvania, $900 more cash money a year to the average wheat farmer of Idaho, $400 more cash money a year to the average wheat farmer of South Dakota.

In summary, this works out to an average of $536 a year for the average wheat grower in the United States—and this includes many very small producers, since wheat is grown in every State in the Union except Florida.

Now, let me remind the Senators from the great Pacific Northwest that this bill is vital for the prosperity of their wheat growers, because it will enable us to export wheat, and most, if not practically all, the wheat grown in their States is grown for export.

WHAT THE FULL PARITY EXPORT PLAN WILL DO FOR THE CORN PRODUCERS

By restoring the corn acreage of the Nation from its 1935–39 level of 92,000,000 acres to the 100,000,000 acreage previously considered normal, and, indeed, often surpassed prior to 1933, and by continuing present high average per-acre yields resulting principally from the growing of hybrid corn, total United States production of corn would average 3,000,000,000 bushels a year. It actually surpassed that in 1942, 1943, and 1944 with less than 100,000,000 acres in production. We can safely assume an average crop of 3,000,000,000 bushels, therefore, with full acreage restored and the average production of recent years, namely, 30 bushels an acre, maintained.

While most corn is marketed on the hoof rather than as a cash crop, I should

like to speak now in terms of the potential value of the entire crop since our farmers get their money out of it in one way or another.

Under the full parity export plan, these 3,000,000,000 bushels of corn, whether marketed directly or indirectly, would in effect bring the full parity price.

Let us assume that in the after-war period corn will remain at its present parity of $1.10. This means a value of $3,300,000,000 for the average annual United States corn crop.

From 1935 to 1939 the annual value of the total United States corn crop averaged only $1,430,000,000 a year, or less than half as much. Full acreage plus full parity—both obtainable under the full parity export plan—would add $1,870,000,000 annually to the value of the United States corn crop.

Under the A. A. A., agricultural conservation, and parity-payment programs, total Government-benefit payments to corn farmers from 1934 to 1942, inclusive, including the corn-hog A. A. A. payments, came to $1,256,000,000, or only two-thirds as much as the gain in crop value the full parity export plan would give them in 1 year. It would take approximately 15 years of Government corn benefit payments to equal the $1,870,000,000, grain in crop value that the full parity export plan would give in 1 year.

Let us reduce this $1,870,000,000 annual increase in the value of the corn crop, and see how much gain it would represent for each major corn-producing State. It would mean $294,000,000 annual gain to the State of Iowa, $263,000,000 annual gain to the State of Illinois, $127,000,000 annual gain to the State of Indiana, $121,000,000 annual gain to the State of Ohio, $106,000,000 annual gain to the State of Minnesota, $75,000,000 annual gain to the State of Missouri, $64,000,000 annual gain to the State of Wisconsin, $64,000,000 annual gain to the State of Texas, $62,000,000 annual gain to the State of Nebraska, $59,000,000 annual gain to the State of Tennessee, $57,000,000 annual gain to the State of Kentucky, $53,000,000 annual gain to the State of Pennsylvania, $47,000,000 annual gain to the State of North Carolina, $45,000,000 annual gain to the State of Michigan, $45,000,000 annual gain to the State of Alabama, $42,000,000 annual gain to the State of Georgia, $41,000,000 annual gain to the State of Mississippi, $32,000,000 annual gain to the State of Arkansas, and proportionate gains for other States, for every State in the Union is a producer of corn.

Remember, the preceding figures did not show the total potential value of the corn crop, but simply potential gain in the value of the corn crop.

Let us work this, too, down to the individual corn producer in each major corn State. The full parity export plan would mean the following gains to individual corn producers: $1,500 annually to the individual corn producer in Iowa, $1,400 annually to the individual corn producer in Illinois, $850 annually to the individual corn producer in Indiana, $650 annually to the individual corn producer in Ohio, $700 annually to the individual corn producer in Minnesota, $400 annually to the individual corn producer in Missouri, $400 annually to the individual corn producer in Wisconsin, $220 annually to the individual corn producer in Texas, $600 annually to the individual corn producer in Nebraska, $300 annually to the individual corn producer in Tennessee, $270 annually to the individual corn producer in Kentucky, $400 annually to the individual corn producer in Pennsylvania, $180 annually to the individual corn producer in North Carolina, $300 annually to the individual corn producer in Michigan, $200 annually to the individual corn producer in Alabama, $170 annually to the individual corn producer in Georgia, $150 annually to the individual corn producer in Mississippi, $160 annually to the individual crop producer in Arkansas.

The gain to each farmer would depend, of course, upon the size and productivity of his corn acreage.

For the United States as a whole—and this includes a great many small corn producers from every State in the Union—the average gain per individual corn producer would be $419. Many of these same farmers would share other substantial cotton, wheat, tobacco, rice or other gains possible under the full parity export plan. The sum total of these gains would work an economic revolution in the South and West.

WHAT THE FULL PARITY EXPORT PLAN WILL DO FOR THE HOG PRODUCERS

Mr. President, the potential increase in the value of the corn crop under the full parity export plan is closely paralleled by the increase in the value of hog production. Inasmuch as it is in the form of pork and pork products that most farmers get the larger share of their money out of their corn, and inasmuch as it is in the form of lard and other pork products that our surplus corn must be largely exported, I should like to give the figures for hogs as well, with the understanding, of course, that there is considerable overlapping in these figures and the figures I have just given for corn.

The full parity export plan would mean the following gains per average hog-producer in each State as follows:

	Gain a year
Iowa	$1,450
Illinois	920
Indiana	900
Nebraska	800
Minnesota	700
Ohio	660
South Dakota	520
Wisconsin	500
Missouri	430
Kansas	430
Michigan	300
Kentucky	200
Oklahoma	200
Tennessee	180
Georgia	160
Texas	150
Mississippi	75

And for the average hog producer of the United States as a whole, a gain of $374 a year.

Substantial as these gains are, they are smaller than the gain for corn. But it must be remembered that corn as grain or ensilage is also fed to poultry, beef cattle, and to dairy herds. Under the full parity export plan substantial gains would come to producers of all these important products of our farms.

WHAT THE FULL PARITY EXPORT PLAN WILL DO FOR THE TOBACCO PRODUCERS

Mr. President, the tobacco producers would also greatly benefit from the enactment of this bill. These are the figures:

By restoring the tobacco acreage of the Nation from its low 1935–39 average of 1,640,000 acres to its normal average of about 1,800,000 acres, and by continuing present per acre yields, total United States production of tobacco would average 1,710,000,000 pounds a year.

This entire 1,710,000,000 pounds of tobacco would bring parity prices if the full parity export plan were in effect.

Assuming that tobacco parities remain the same in the post-war era as today, this means an annual average value of $522,000,000 for the United States tobacco production compared to an average of only $277,000,000 in the 5 years before the war. Increased income to the tobacco farmers due to the full parity export plan would therefore be $245,000,000 a year.

Under the A. A. A., agricultural conservation and parity payment programs, total benefit payments to the Nation's tobacco growers from 1933 to 1943, inclusive, came to only $153,000,000, or an average of $14,000,000 a year. It would take the Government benefit payments of 17 years to give the tobacco farmers of this Nation as much as they will gain in 1 year under the full parity export plan.

Such, Mr. President, is the superiority of plain, unhampered production and buying and selling over crop reduction programs and benefit payments.

Let us break down this $245,000,000 per annum gain of United States tobacco growers and show the gain by States:

North Carolina tobacco growers would gain $83,000,000 a year.

Kentucky tobacco growers would gain $60,000,000 a year.

Virginia tobacco growers would gain $22,000,000 a year.

South Carolina tobacco growers would gain $19,000,000 a year.

Tennessee tobacco growers would gain $19,000,000 a year.

Georgia, tobacco growers would gain $15,000,000 a year.

Connecticut tobacco growers would gain $11,000,000 a year.

Florida tobacco growers would gain $9,000,000 a year.

Let us break this gain down into extra cash money a year for the individual tobacco growers in different States.

The full parity export plan would give $570 more cash money a year to the average tobacco farmer of North Carolina; $470 more cash money a year to the average tobacco farmer of Kentucky, where the average planting is smaller, $470 more cash money a year to the average tobacco farmer of Virginia; $640 more cash money a year to the average tobacco farmer of South Carolina; $280 more cash money a year to the average tobacco farmer of Tennessee, where the average planting is less than 2 acres; $420 more cash money a year to the average tobacco farmer of Georgia; $9,600 more cash money a year to the average tobacco farmer of Connecticut, where the plantings average 15 acres and where a very expensive type of tobacco is produced; $1,400 more cash money a year to the

average tobacco farmer of Florida; $400 more cash money a year to the average tobacco farmer of Maryland; $3,800 more cash money a year to the average tobacco farmer of Massachusetts; $700 more cash money a year to the average tobacco farmer of Pennsylvania; or $500 more cash money to the average tobacco farmer of the entire United States.

Mr. President, the same startling gains possible under the full parity export plan in the case of the major crops are also possible in the case of the so-called minor crops.

WHAT THE FULL PARITY EXPORT PLAN WOULD DO FOR THE RICE PRODUCERS

Let us examine the case of rice, which is produced almost wholly by four States—Louisiana, Texas, Arkansas, and California. Like wheat, rice is one of our most heavily exported crops.

The annual value of the rice crop of this Nation during the 1935–39 pre-war base period averaged only $36,000,000 a year because rice was so far below parity.

If we merely continue present rice acreages and yields and secure parity for our rice growers in the post-war years as will be possible on the entire crop—both the domestically consumed and the exported portions—under the full parity export plan, we would raise the value of the rice crop to $84,000,000 per year. This is a gain of $48,000,000 a year.

Mr. President, Government benefit payments have been made to the rice growers of this Nation for the past 9 years. During these 9 years they have totaled $27,000,000.

The full parity export plan would increase the income of the rice growers of this country $48,000,000 in 1 year. Government payments have been $27,000,000 in 9 years. It would take the benefit payments of 16 years to do as much for the rice growers as the full parity export plan would do in 1 year.

INADEQUACY OF BENEFIT PAYMENTS

Mr. President, I am not belittling benefit payments. They were a lifesaver thrown to our farmers in a time of crisis. They enabled our farmers to survive. But they have been simply an emergency device. They have never made our farmers prosperous. There is a great difference between survival and prosperity. The full parity export plan would enable our farmers to take full advantage of the natural agricultural wealth of this Nation, of the natural agricultural export position of this Nation, and to become thereby fully as prosperous in peacetime as they are now—temporarily—in wartime.

The tremendous superiority of full production plus parity price—both possible under the full parity export plan—over benefit payments is shown by the fact which I have now demonstrated, that:

In the case of cotton, it would take the benefit payments of 7 years to equal the gain that the full parity export plan would have in 1 year.

In the case of wheat, it would also take the benefit payments of 8 years to equal the gain that the full parity export plan would give in 1 year.

In the case of corn, it would take the benefit payments of 15 years to equal the gain that the full parity export plan would give in 1 year.

In the case of tobacco, it would take the benefit payments of 17 years to equal the gain that the full parity export plan would give in 1 year.

In the case of rice, it would take the benefit payments of 16 years to equal the gain that the full parity export plan would give in 1 year.

These computations are made on the basis of present parity prices.

Let us enact legislation which will give our farmers the prosperity which is really their due, and which with their hard labors and long hours they abundantly earn.

But, Mr. President, let us proceed to note what the $48,000,000 gain in income to the rice growers of this Nation possible under the full parity export plan would mean to the individual rice growers of the four great rice-producing States:

It would mean an annual gain in income of $3,400 to the average rice grower of Louisiana.

It would mean an annual gain in income of $15,000 to the average rice grower of Texas.

It would mean an annual gain of income of $6,000 to the average rice grower of Arkansas.

It would mean an annual gain in income of $17,000 to the average rice grower of California.

It would mean an annual gain of $5,000 to the average rice producer throughout the entire United States.

There are less than 10,000 rice producers in the United States. That is why the individual gains are so high. But they deserve parity like all other farmers and they deserve the right to produce, just as much as urban labor deserves the right to work.

WHAT THE FULL PARITY EXPORT PLAN WILL DO FOR THE APPLE PRODUCERS

Mr. President, I have concluded my analysis of the gains possible to the cotton, wheat, corn, hog, tobacco, and rice farmers of the United States. These farmers have all had their lot ameliorated to some degree by benefit payments. But there are producers of other crops in this country who produce an exportable surplus, yet have had virtually no benefit payments. I refer to the fruitgrowers of America. They have suffered a reduction from normal income as severe as that suffered by many of the larger farm groups already mentioned.

Because so many different kinds of fruit are produced, I have had to confine myself to two of the major kinds: apples and oranges. Yet gains similar to what I am about to show for the producers of these two fruits would be secured by other fruit farmers as well.

Assuming no change in the production of commercial apples—that is, in the acreage or yield—by simply giving our apple producers a parity price for their fruit, the full parity export plan will add $118,000,000 annually to the income of the apple producers of this country as compared to their average income during our 1935–39 base period. During this base period their average income was only $90,000,000. If they could get parity prices after this war, their income would total $208,000,000, or a gain, as aforesaid, of $118,000,000 per year.

Let us see what this would mean in increased annual income to the individual orchardists of our leading apple-producing States:

Take the great apple-producing State of Washington. It would mean an annual gain in income of $5,800 to the average individual commercial apple producer of that State.

Take New York, our second greatest apple-producing State. It would mean an annual gain in income for the average individual apple producer there of $2,700.

Differences in gain are due, of course, to differences in average size and average productivity of the orchards in various States.

Take the State of Virginia, third among our great apple-producing States. The full parity export plan would mean a gain in income of $1,200 a year to the average producer of apples in this State.

Take Pennsylvania, our fourth greatest apple-producing State. It would mean a gain of $1,400 to the average apple producer in Pennsylvania.

Take Michigan, fifth in commercial apple production. It would add $380 to the annual return from apples to the producers there.

Take Ohio, next in importance. It would add $800 to the average commercial apple producer's income in Ohio.

Take California. It would mean a gain of $1,800 to the average individual apple grower there.

In West Virginia. It would mean a yearly gain of $1,400.

In Oregon it would mean a yearly gain of $3,500 to the average individual commercial apple grower.

For the United States as a whole it would mean a yearly gain of $1,400 to the average commercial apple grower.

Mr. President, all these potential gains are due simply to the difference between present parity and the subparity prices which prevailed from 1935 to 1939. They are based on no assumption of increased apple production. Yet we must increase our apple production. We have just built the world's largest dam in the greatest apple-producing State in the Union. Grand Coulee will irrigate an area approximately the size of Connecticut. But our apple producers, our skilled orchardists, cannot afford to put even a portion of this area into additional apple orchards if they cannot get parity for what they already produce. If Grand Coulee is to prove a profitable investment, we must be able to export more apples. This we can do under the full parity export plan, and we can get parity for all we export—just as we can for all we consume domestically. The full parity export plan is essential to the success of the Grand Coulee project. It will make this great dam a bonanza to the State of Washington. Without the full parity export plan, Grand Coulee will simply add to our price-depressing surpluses in many lines.

WHAT THE FULL PARITY EXPORT PLAN WILL DO FOR THE ORANGE PRODUCERS

Now, Mr. President, let us take a look at oranges.

The average annual value of oranges from 1935 to 1939 was $72,000,000. This does not include other citrus crops.

Orange production has been running about eighty-five to ninety million boxes in recent years. It will reach 100,000,000 boxes when new orchards come into production. A parity price for a crop this large, assuming the continuation of current parity, would mean a value of $202,000,000 for the total orange crop—a gain possible under the full parity export plan of $130,000,000 per year.

Let us see what this also means in terms of cash money—extra cash money—per year for the average orange grower in different States. As in the case of rice, there are only four major producing States: California, Florida, Texas, and Arizona.

To the average orange grower the full parity export plan would mean a gain of $3,400 a year in California, $2,300 a year in Florida, $920 a year in Texas, and $990 a year in Arizona.

This is from oranges only and does not include all citrus fruits, which might raise these figures 50 percent.

Mr. President, the full parity export plan will do as much for the fruit farmers of this country as it will do for the cotton, wheat, corn, tobacco, or rice farmers.

WHAT THE FULL PARITY EXPORT PLAN WILL MEAN IN TERMS OF GROSS AND NET FARM INCOME

The total value of these seven crops—cotton, wheat, corn, tobacco, rice, apples, and oranges (hogs being omitted because of the considerable duplication with corn)—averaged only $3,152,000,000 a year in the 1935–39 base period. Full production and parity price—both possible under the full parity export plan—would raise this income to $7,316,000,000. That means a gain of $4,164,000,000 to the farmers of America each year because of the full parity export plan.

What would that mean to American industry in terms of restored and sustained buying power for their products? Let us reduce these figures to the individual average American farmer. There were 6,097,000 farms in America in 1940, according to the census. The average gross income of these 6,000,000 farmers in the 1935–39 base period came to only $1,610 per year. That incredibly low income is gross income, Mr. President, per farm family. It includes food consumed on the farm; it includes all benefit payments; it includes even the computed rent on farm dwellings. I wish every Member of the Senate would file away in his mind a figure of such prime significance: $1,610, the average annual gross farm income in the 1935–39 prewar base period of America's 6,000,000 farmers. In the meagerness of this one figure we have the gravity of the farm problem summarized.

Let us see what the full parity export plan would do to ameliorate this abject poverty. Computed on a basis of only these seven crops, it would add $683 a year to the average income of every American farmer—raising the total gross income from $1,610 to $2,293.

Yet this gain of 683 per average farmer is computed from only seven crops comprising only one-third—almost an exact third—of the total value of United States farm production. Since similar gains on other farm products would be made under the full parity export plan, not from such large exports in every case as from assurance of parity price, it is safe to assume that these other gains would raise the average annual gross farm income of this Nation to not less than $3,000 per farmer.

Let us break these figures down to the irreducible unit—the net farm income per farm family in the base period of 1935–39 and the net gains possible under the full parity export plan.

Total net income for all the farmers of America came to $5,324,000,000 a year on the average from 1935–39. Divided among America's farm families, this came to $827 per farm family. Mr. President, I ask Members of this Senate to keep this figure in mind—$827, the average net farm income per farm family in the 1935–39 base period. Anyone who wishes to perpetuate so low a net farm income cannot be called a friend of the farmer, or an advocate of economic justice.

I have already shown how full parity would raise the gross income of the average United States farm family from $1,610 to at least $3,000. Since approximately three-fourths of this gain, viewing the over-all picture of all crops, is due to the realization of parity and the remainder to increased production and export, the net gain to our farmers would be relatively greater than the gross gain, because the achievement of parity prices would not add anything to the cost of production. We may, therefore, conservatively estimate that the net income of the average United States farm family will go up from $827 to not less than $2,000. This, then, Mr. President, is the sum and substance of what the full parity export plan could do for the United States farmer: It would raise his average net income from its pre-war level of only $827 to not less than $2,000.

The "abundant life" will then begin to leave the realm of rhetoric and enter the realm of mathematics. It will begin to jingle in the pockets of the millions hitherto ill-fed, ill-clothed, ill-housed. Our factory workers will sense it in want ads calling for their services. Sixty million jobs can be insured for the worker by insuring prosperity for the farmer. This the full parity export plan provides the means to do.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a table showing total gains to each State from the seven aforementioned crops possible under the full parity export plan.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Annual gain per State possible from 7 crops under the full parity export plan

[In millions of dollars]

State	From cotton	From wheat	From corn	From tobacco	From rice	From apples	From oranges	Total for State from 7 crops
Maine								
New Hampshire								
Vermont								
Massachusetts				3				3
Rhode Island								
Connecticut				11				11
New York		8				15		23
New Jersey		1.5						1.5
Pennsylvania		22	53	4		9		88
Ohio		44	121			5		170
Indiana		30	127					157
Illinois		40	263					303
Michigan		18	45			7		70
Wisconsin		2	64					66
Minnesota		28	105					133
Iowa		10	294					304
Missouri	25	33	75					133
North Dakota		51						51
South Dakota		17	24					41
Nebraska		45	62					107
Kansas		123	28					151
Delaware		1.5						1.5
Maryland		8	17	2				27
Virginia	2	10	36	22		10		80
West Virginia		3				4		7
North Carolina	45	7	47	83				182
South Carolina	67	1.8	23	19				111
Georgia	85	1.8	42	15				144
Florida	2			9			50	61
Kentucky		7	57	60				124
Tennessee	36	4.5	59	19				119
Alabama	89		45					134
Mississippi	145		41					186
Arkansas	100	.7	32		9			142
Louisiana	59		23		20			102
Oklahoma	39	47	24					110
Texas	252	27	64		13		5	361
Montana		30						30
Idaho		21						21
Wyoming		2						2
Colorado		12						12
New Mexico	9	2						11
Arizona	18	1					1	20
Utah		5						5
Nevada		.4						.4
Washington		41				27		68
Oregon		17				3		20
California	36	17			7	4.7	77	142
United States	1,010	743	1,870	245	48	118	130	4,164

VALUE OF PLAN TO CATTLE AND WOOL PRODUCERS

Mr. EASTLAND. Mr. President, in addition to the farm commodities which I have enumerated, of which we usually produce a surplus in the United States, there are two other great American farm products which, due to expanded war production or conditions growing out of the war, will vitally need the principles of this bill in the post-war era. I refer to cattle and wool. We normally do not have surplus cattle production in the United States; however, this industry has shown great expansion in the past 14 years. With the exceptions of Texas and Oklahoma, there were in the Southern States, in 1930, 9,313,000 head of cattle. In 1944 in these same States there were 13,851,000 head of cattle, or an increase in cattle population of 48.7 percent. In addition, the livestock population in Texas and Oklahoma in this same period increased 2,500,000 head. Excluding Texas and Oklahoma, there are in the South today, Mr. President, from Arkansas and Louisiana to Maryland, more cattle than there are in all the Western States from Montana to New Mexico to the Pacific. Furthermore, the hog population of the South has increased 70 percent since 1930. In spite of this terrific increase the livestock industry in the South is still in its infancy. We have long grazing seasons and fertile soil, and within the next few years there will be a much greater increase in southern livestock production. The American beef consumption, today and normally, about equals domestic production. In the post-war era, due to our continually expanding production, we will become a surplus beef producer. This surplus will destroy the price structure for meat. It will impoverish the cattle producers just as surplus production has impoverished the other surplus agricultural producers of the Nation. Its effect upon our economy will be tragic. A hungry world needs this increased beef production. The only solution is to sell the surplus abroad. This would enable the cattle producers of America to remain prosperous in the post-war era.

Mr. President, take the case of wool. On September 1, 1944, our wool surplus was 669,000,000 pounds. These wool stocks are 231 percent of normal. We have on hand today a tremendous surplus, amounting to 1½ years' domestic wool production. When the war is over this gigantic wool surplus will glut the market and will destroy American wool values. There is only one solution, and that is to move this wool into export. That would protect the American wool grower. It would save him from great loss. But how can it be exported? Only by accepting foreign goods in payment. This measure, if enacted into law, would permanently solve the problem.

VALUE OF PLAN TO UNITED STATES SHIPPING INDUSTRY

Mr. President, in addition to the gains that would accrue to our farmers directly and to American industry indirectly because of the full parity export plan, there would be still another type of gain. I refer to the increased income of United States shippers, once the peacetime agricultural export business of this Nation is restored.

Let me present some figures to show the extent of this gain.

Take cotton: During the 1935–39 base period, our cotton exports averaged 5,300,000 bales a year. Under the full parity export plan they would average 9,000,000. This gain of 3,700,000 bales would be the quivalent of 25,000 cargo tons.

Take wheat: During the 1935–39 base period our wheat exports averaged only 63,000,000 bushels a year, as compared to the traditional 200,000,000-bushel export total which would again be possible under the full parity export plan. This gain, amounting to 137,000,000 bushels, would be the equivalent of 3,699,000 cargo tons.

Take corn: Our exports of this commodity from 1935 to 1939 averaged 44,000,000 a year—only 1.3 percent of our total production. Under the full parity export plan we could readily export 200,000,000 bushels of corn for feed purposes, and that would still be only 6 percent of our total production. Yet it would mean a gain of 3,900,000 cargo tons to the United States shipping industry.

Without going into so much detail, let me summarize the gains to shippers that would result from increased export of other agricultural commodities under this plan.

Restoring the export of pork and pork products—which means principally lard—to the 1920–25 level would mean an increase of 488,000 cargo tons. Gains through increased rice export would equal 200,000 tons. Gains through increased tobacco export in peacetime would amount to 33,000 cargo tons. Gains from increased exports of fruit, other grains, poultry and eggs, dairy products, and all other agricultural commodities would aggregate not less than 1,000,000 cargo tons, making a total of 10,145,000 cargo tons of additional export business for United States shippers. When we add a conservatively estimated 2,000,000 tons of foreign manufactured goods imported in exchange for these exports, we get a grand total of 12,000,000 tons of additional shipping for the United States shipping industry possible through the full parity export plan.

Mr. President, at a time when we are concerned about the post-war employment of thousands of young men now serving as merchant seamen and the post-war disposal of hundreds—yes, thousands—of merchant vessels constructed during this war, here is a constructive proposal: First, enact legislation to insure a restoration of United States export business. That would mean the salvage of many of our ships, the employment of thousands of merchant seamen, profits for our shipping companies, and prosperity for American agriculture and industry.

FOREIGN DEMANDS FOR AMERICA'S CROP SURPLUSES

Mr. President, it is recognized that a 10-percent surplus of a crop will depress the price of that commodity as much as 20 percent. The price-depressing effect of the surpluses is one of the principal reasons which necessitate export. Normally more than 50 percent of the cotton crop is grown for the foreign market. Aside from cotton, our annual crop surpluses are relatively small. These surpluses are large enough to depress prices at home, but not so large but that a ready demand exists abroad for all that we can produce beyond our domestic needs. The tremendous proportion which the surplus problem assumed in regard to our cotton in past years was not, therefore, because of the difficulty raised by the surplus on an annual basis, but because of the cumulative effect of the surplus problem. We permitted surpluses to pile up year after year, and each year we reaped the total price-depressing effect of all the surpluses which had accumulated throughout the years. If we had faced the problem on an annual basis and exported each year's surplus as it was produced, our problem would have been modest indeed. The world always has needed and always will need every surplus pound of crop commodities America can produce. In peacetime, if this bill is enacted, agricultural surpluses produced in the United States will, on the average, total two and one-fourth billion dollars in value, of which about one billion would be cotton and the remainder various foods. Two and one-fourth billion dollars worth of American surplus food and fiber divided annually among 450,000,000 Europeans comes to only $5.00 per capita per year, or 1¼ cents per day per capita. Could anyone say that Europe does not need 1¼ cents per capita per day of America's cotton and America's peacetime surplus food supply?

These sums are insignificant; yet, these insignificant amounts stand between American agriculture and prosperity. They stand between happiness in the United States and peace in Europe.

Mr. President, this bill would remove from American agriculture the devastating hand of bureaucratic control. It would prevent the regimentation of the farmers of this country. It would, in time, remove the necessity for acreage restriction, and would create in America and abroad an era of bountiful prosperity. The doctrine of scarcity has failed. It means regimentation. It means bureaucratic control. It means unemployment and poverty; and furthermore, it means totalitarianism and war.

These are the fundamental issues at stake in the fight to reopen the avenues of world trade and create a prosperous world, which is necessary for the preservation of peace. This measure, in my judgment, more than any one thing would banish poverty from our country.

Mr. President, if it does not pass and the South loses permanently her export outlets for cotton, then millions of acres of fertile soil will be diverted to the production of livestock, grains, and dairy products in competition with the farmers of other sections of the country. Such a trade war would be suicidal to the entire economy of our country. A 10-percent increase in the production of any commodity means a 20-percent decrease in the price of that commodity. A 20-percent reduction in normal agricultural prices would bankrupt the agricultural producers of that commodity within the

entire United States. This is the great stake that all Americans, regardless of the section in which they live, have in the recapture by the South of her export cotton markets. This bill solves the question. It solves it with justice to every business and to every American.

INADEQUACY OF RECIPROCAL TRADE AGREEMENTS

Mr. President, I have no quarrel with the efforts made to reduce trade barriers by the reciprocal trade agreement system. This system is a step in the right direction, and I shall vote to continue this program. I shall vote to authorize the State Department to reduce tariff duties more than the 50 percent now authorized in the act. But let no one be so naive as to believe that this program will solve the farm problem. Let no one be so naive as to believe that this program will reopen the now clogged avenues of world trade. To be perfectly candid, this program has been administered since its inception to benefit American industry and not American agriculture. The treaties negotiated have largely been with South American countries, producers of raw materials, the competitors of the farmers of America. These treaties have largely been negotiated to take in competitive farm products to pay for and to increase the export markets for industrial goods.

Mr. President, the treaty program has failed agriculture, and agriculture needs other channels to accomplish what these treaties have failed to accomplish. There is absolutely no conflict between this program and the reciprocal trade treaty program. The program embodied in this bill can and should work hand in hand with the reciprocal treaty system.

CONCLUSION

Mr. President, the soil of America is fertile. Our farmers are intelligent. They have built the greatest agricultural empire in the history of the world. In creating this empire they have surmounted the greatest hardships and the greatest obstacles which ever confronted any people. The present protective tariff is the greatest discrimination ever fastened upon any people, anywhere. It has cost the farmers of America billions of dollars. By depriving them of their export markets and causing surpluses to pile up, and by artificially increasing the prices of the things the farmers must buy, it has lowered the standard of living and impoverished the man who tills the soil for his livelihood. It has deprived the farmer of the fruits of his labor. It has done this to benefit a few industries on the Atlantic seaboard. By this blind greed they have impoverished the country, caused mass unemployment, human suffering, and pushed the world into the abyss of war. Like Samson, they have pulled down upon themselves the pillars of the temple. It is my candid judgment, Mr. President, that the tariff has impoverished 100 men for every 1 that it has enriched. It is time that these discriminations cease. The sons of the millions who depend upon agriculture for their livelihood are fighting this war for human liberty. They are fighting it for economic freedom. They are fighting it to make America free, happy, and prosperous. Mr. President, they are not fighting to perpetuate a system which has held their fathers and their fathers' fathers in economic bondage to the great tariff barons of the country. Our protective tariff system is the greatest discrimination of the modern age. It is time for all Americans to be placed upon the same plane of economic equality before the law. It is time for all Americans to have equal opportunity to enjoy the fruits of their labor. This measure would remove the tariff discrimination. It would safeguard the private enterprise system in America. It would make America strong and free. It would remove permanently the regimentation and bureaucratic control of agriculture. With it our expanding, job-giving, agricultural production would become a blessing instead of a tragedy. It would herald in the post-war world the greatest era of prosperity for all men, whether in farm or factory, that we have ever seen in America, and it would permit the bounties of American production to move to the hungry and the naked of the earth. It would reopen the channels of world trade. It would insure the success of Dumbarton Oaks. It would mean peace and prosperity throughout the earth.

ABSENTEEISM IN THE SENATE

Mr. BARKLEY obtained the floor.

Mr. WILEY and Mr. WHERRY addressed the Chair.

The PRESIDING OFFICER (Mr. HATCH in the chair). Does the Senator from Kentucky yield; and if so, to whom?

Mr. BARKLEY. I yield to the Senator from Wisconsin if he wishes to make a brief statement.

Mr. WILEY. I wish to make a few remarks in relation to the treaty.

Mr. BARKLEY. I was about to move that the Senate go into executive session.

Mr. WILEY. I realize that, but I did not think that what I was about to say would make any difference, in view of the fact that a conference is apparently now being held between members of the Committee on Foreign Relations.

Mr. BARKLEY. On behalf of the Senator from Texas I wish to offer a resolution of ratification, together with a reservation which the Senator has prepared, both of which are subject, as we understand, to any modification which may be agreed to by interested Senators.

Mr. WHERRY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from Nebraska?

Mr. WHERRY. I should like to consume only 5 minutes of the Senate's time.

Mr. BARKLEY. I had been recognized by the Chair, and I was about to move that the Senate proceed to the consideration of executive business.

Mr. WHERRY. Will the distinguished majority leader grant me approximately 5 minutes?

Mr. BARKLEY. I will withhold my motion.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. WHERRY. Mr. President, yesterday the distinguished majority leader made an observation with reference to absenteeism in the Senate. I know that the observation was directed in part to the fact that the names of Senators appear on the quorum call when, in some cases, the Senators are not actually present. Moreover, the distinguished majority leader, as well as the distinguished senior Senator from Wisconsin [Mr. LA FOLLETTE], objected because so few Senators were present on the floor of the Senate. I joined with the statement of the distinguished majority leader, and stated that I wished to cooperate with him in securing the presence of Senators in the Chamber whenever it is possible for them to be present.

When the distinguished Senator from Wisconsin rose he very dramatically and truthfully made the statement which is found on page 3247 of the RECORD, namely, that at one time only six Senators were present in the Chamber, and he wondered what kind of an impression the servicemen in the galleries would carry home with them relative to this branch of the legislative arm of their Government. I think the statement was timely and honestly made.

While I wish to cooperate in every way with the suggestion of the Senator from Wisconsin and that of the distinguished majority leader, I feel that it should be stated that yesterday afternoon there were 3 quorum calls. On the first 2 calls 82 Senators were marked "present." The criticism was made that many of them were not actually present, and, of course, I think that criticism was absolutely justified; but I have checked the committee meetings which were held yesterday afternoon, and I say for the benefit of the Senate, and particularly of the distinguished Senator from Wisconsin, because he is chairman of a committee which is attempting to streamline Congress, or rather make suggestions to take care of committee work, that I think more committee meetings were held yesterday than have been held in many days in the United States Senate. Special committees were holding sessions, such as the Light Metals Committee, the Small Business Committee, the committee holding meat hearings, the Appropriations Committee, which had a subcommittee meeting, and the Foreign Relations Committee. There were committee meetings in committee rooms continuously yesterday afternoon. While I absolutely agree that there must be cooperation in the effort to have the Members of the Senate remain on the floor, yet on the roll call which preceded the first vote yesterday afternoon 79 Senators answered to their names. On a yea-and-nay vote a Senator must be present in order to vote when the roll is called. There were 78 Senators in the Senate Chamber plus 1 Senator who had a pair, which made 79 Senators present, 78 voting.

The distinguished Senator from Wisconsin suggested that Senators should at least be within the precincts of Capitol Hill so as to be available on a roll call. I desire to point out—and not from a partisan angle at all, for I am including all the Senators who were present—out of a possible 40 Republican senatorial

votes, 36 were recorded. The distinguished Senator from Idaho [Mr. THOMAS], as we all know, is quite ill at his home; the distinguished Senator from New Hampshire [Mr. BRIDGES] is having a medical check-up in his own State; the Senator from Wyoming [Mr. ROBERTSON] was called home because of personal business to which it was absolutely necessary that he attend; and the Senator from North Dakota [Mr. YOUNG] had to return to North Dakota in order to make arrangements to move to Washington to fill his place here in the Senate. So 36 votes of Republican Senators out of a possible 40 were recorded, and 2 were ill and 2 others were away from the Senate because of urgent business.

Forty-four Democratic Senators out of a possible 56 voted yesterday on the first yea-and-nay vote. I am not here to say why the other Democratic Senators did not vote; I am not making any charge or saying anything in a partisan way. What I am bringing to the attention of the Senate is that 78 Senators voted yesterday on the first yea-and-nay vote and 75 voted on the second yea-and-nay vote. When we consider the number of committee meetings that were being held yesterday, which required Senators to leave the floor of the Senate—and I am not in any way attempting to detract from the constructive argument made by the distinguished Senator from Wisconsin or that made by the majority leader—the fact that there were available within the precincts of the Capitol Hill 78 Senators, in fact 79 Senators, because 78 voted and 1 was paired, in my opinion, constitutes a very good showing; indeed, if Senators will go back over the RECORD, they will find that it compares favorably with the average RECORD vote in the United States Senate.

I think we should not call it absenteeism and have the public interpret it to mean that Senators leave the Senate and are not about their business. Senators were here; they were available on the roll call, and 78 Senators voted, and 1 was paired, making 79. I am proud of that fact.

I want the majority leader to know that we want to cooperate with him. I have done my best in the capacity in which I am serving on this side of the aisle to secure the attendance of Senators on the floor of the Senate. If we go back over the votes for past weeks or months, it will be found that the votes ran about as the vote ran yesterday, and that being so, the impression should not be created in the minds of the people of the United States that Senators generally are not interested in the work of the Senate, and that there were only eight Senators on the Senate floor yesterday, for they were within the precincts of the Capitol Building, and were here subject to call. I am certainly proud of the fact that 36 Republican Senators of a total of 40 voted twice yesterday afternoon.

EXECUTIVE SESSION

Mr. BARKLEY. I think we might as well go into executive session now, and I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDING OFFICER (Mr. HATCH in the chair) laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

Mr. BARKLEY. Mr. President, the unfinished business automatically is the treaty with Mexico.

The PRESIDING OFFICER. The treaty with Mexico is the unfinished business.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.), between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and a protocol (Executive H, 78th Cong., 2d sess.) supplementary to the treaty.

Mr. CONNALLY. Mr. President, by instruction of the Committee on Foreign Relations I present the resolution of ratification to which are appended a number of reservations as a part of the resolution of ratification itself. These reservations have been suggested in order to try to meet some of the objections of certain Senators. I ask that the clerk read the resolution of ratification and the reservations.

The PRESIDING OFFICER. The clerk will read the resolution of ratification and the reservations.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, Seventy-eighth Congress, second session, a treaty between the United States of America and the United Mexican States, signed at Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande from Fort Quitman, Tex., to the Gulf of Mexico, and Executive H, Seventy-eighth Congress, second session, a protocol, signed at Washington on November 14, 1944, supplementary to the treaty, subject to the following understandings:

(a) That no commitment for works to be built by the United States in whole or in part at its expense, or for expenditures by the United States, other than those specifically provided for in the treaty, shall be made by the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, the United States section of said Commission, or any other officer or employee of the United States, without prior approval by the legislative branch of the Government. It is understood that the works to be built by the United States, in whole or in part at its expense, and the expenditures by the United States, which are specifically provided for in the treaty, are as follows:

1. The joint construction of the three storage and flood-control dams on the Rio Grande below Fort Quitman, Tex., mentioned in article 5 of the treaty.

2. The dams and other joint works required for the diversion of the flow of the Rio Grande mentioned in subparagraph II of article 5 of the treaty, it being understood that the commitment of the United States to make expenditures under this subparagraph is limited to its share of the cost of one dam and works appurtenant thereto.

3. Stream-gaging stations which may be required under the provisions of section (j) of article 9 of the treaty and of subparagraph (d) of article 12 of the treaty.

4. The Davis Dam and Reservoir mentioned in subparagraph (b) of article 12 of the treaty.

5. The joint flood-control investigations, preparation of plans, and reports on the Rio Grande below Fort Quitman required by the provisions of article 6 of the treaty.

6. The joint flood-control investigations, preparations of plans, and reports on the lower Colorado River between the Imperial Dam and the Gulf of California required by article 13 of the treaty.

7. The joint investigations, preparation of plans, and reports on the establishment of hydroelectric plants at the international dams on the Rio Grande below Fort Quitman provided for by article 7 of the treaty.

8. The studies, investigations, preparation of plans, recommendations, reports, and other matters dealing with the Tijuana River system provided for by the first paragraph (including the numbered subparagraphs) of article 16 of the treaty.

(b) Nothing contained in the treaty or protocol shall be construed as rendering inapplicable statutory or constitutional controls and processes, insofar as they affect persons and property in the territorial limits of the United States, to the administrative powers and functions of the Secretary of State of the United States, the Commissioner of the United States section of the International Boundary and Water Commission, the United States section of said Commission, or any other officer or employee of the United States.

(c) That nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, or the United States Section of said Commission, to interfere with the domestic administration within the United States of the appropriation, distribution, or use of water: *Provided, however*, That nothing herein contained shall be construed as in any way impairing the obligations of the United States of America to the United Mexican States under the treaty and the protocol.

(d) That "international dam or reservoir" means a dam or reservoir built across the common boundary between the two countries.

(e) That the words "international plants," appearing in article 19, mean only hydroelectric generating plants in connection with dams built across the common boundary between the two countries.

(f) That the words "electric current," appearing in article 19, mean hydroelectric power generated at an international plant.

(g) That by the use of the words "The jurisdiction of the Commission shall extend to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary * * *" in the first sentence of the fifth paragraph of article 2, is meant: "The jurisdiction of the Commission shall extend and be limited to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary * * *."

(h) The word "agreements" whenever used in subparagraphs (a), (c), and (d) of article

24 of the treaty shall refer only to agreements entered into pursuant to and subject to the provisions and limitations of treaties in force between the United States of America and the United Mexican States.

(i) The word "disputes" in the second paragraph of article 2 shall have reference only to disputes between the Governments of the United States of America and the United Mexican States.

(j) That the quantities of 1,500,000 acre-feet and 1,700,000 acre-feet of water referred to in subparagraph (b) of article 10, and in paragraph E of article 15, of the treaty, include, and are not in addition to, the quantity of 1,500,000 acre-feet of water, the delivery of which is guaranteed under subparagraph (a) of article 10.

(k) The United States recognizes a duty to require that the protective structures to be constructed under article 12, paragraph (a), of this treaty, are so constructed, operated, and maintained as to adequately prevent damage to property and lands within the United States from the construction and operation of the diversion structure referred to in said paragraph.

Mr. TAFT. Mr. President, I do not think these reservations should be adopted at this time, if that is what the proposal is. I think we should have an opportunity to examine them. Once they are adopted, I do not suppose they would be subject to amendment, would they?

The PRESIDING OFFICER. After they were adopted, they would not be open to amendment.

Mr. CONNALLY. The Senator from Texas is not insisting on their immediate adoption. They were merely presented.

Mr. TAFT. Apparently the vote was about to be taken.

The PRESIDING OFFICER. The Senator from Ohio has the floor. Senators desiring recognition will address the Chair.

Mr. TAFT. I yield to the Senator from Texas.

Mr. CONNALLY. I have said what I desired to say.

Mr. TAFT. My only suggestion is that there be an agreement that the reservations not be voted on until tomorrow.

Mr. CONNALLY. I suppose we could very profitably, or unprofitably, employ the time. If any Senator desires to speak on the reservations this afternoon, I shall not insist on a vote.

Mr. TAFT. Perhaps the Senator would explain the reservations, and state why they are necessary to the treaty, which I had thought was already perfect.

Mr. CONNALLY. Some of us think it is perfect, but other Senators fear that in some instances the language of the treaty confers powers which its proponents do not believe it does confer. Without in any way changing the treaty, we propose to add these interpretative reservations, saying that "so and so," according to our view, means "so and so," with the hope of satisfying Senators who have complained particularly about the language. I do not wish to take up the time of the Senate, unless the Senate desires that I explain the reservations. They are self-explanatory, but I can explain them briefly.

Mr. WHITE. Mr. President, was it the Senator's thought that these reservations, which had committee approval, were to be considered en bloc?

Mr. CONNALLY. No; they are subject to amendment seriatim.

Mr. BARKLEY. They are offered en bloc as a part of the resolution of ratification, but each is separate, constituting a separate paragraph. Of course any one of them is subject to amendment from the floor by any Senator who has an amendment to offer.

Mr. WHITE. That prompts me to repeat my inquiry. The Senator from Kentucky says they are offered en bloc. I am wondering—it is not an objection I am voicing—whether it was the purpose to act on them, en bloc, or to consider them separately.

Mr. BARKLEY. Of course, each of the reservations was originally offered as a separate reservation. The committee took them all into consideration and authorized that they be offered together as a part of the original resolution of ratification. But each one of them is subject to separate action by the Senate, if the Senate wishes to take them up seriatim, from (a) to (k) and act on them separately. The reservations are just like paragraphs in a bill, subject to amendment, if any Senator wishes to have that done.

Mr. CONNALLY. Mr. President, I thoroughly agree with the Senator from Kentucky. We felt, however, that since we were offering them as a part of the resolution of ratification, it would be better for Senators to have them all in one place, all with the treaty proposed. If any Senator objects to anything in one of the reservations, he may offer an amendment, or may offer a reservation independent of these reservations.

Mr. WHITE. I did not intend to offer any objection to their consideration en bloc. I understand they have been approved by the Committee on Foreign Relations, and are here with that approval.

Mr. CONNALLY. That is correct.

Mr. WHITE. So far as I am concerned, I am perfectly willing to have them all adopted en bloc. I merely wanted to know what the procedure was to be.

Mr. CONNALLY. They are subject to amendment, like any other proposal.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. MURDOCK. I wish to make a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. MURDOCK. My inquiry is whether amendments may be offered to the reservations?

The VICE PRESIDENT. Amendments may be offered to the reservations just the same as amendments are offered to bills.

Mr. MURDOCK. If I may, I should like to ask the distinguished chairman of the Foreign Relations Committee a question? We have just completed a hearing before a subcommittee appointed by the chairman of the Foreign Relations Committee this morning. At that hearing I presented a reservation which was printed and is now on the table. I thought the understanding was that at least we would have some word from the subcommittee as to its attitude on the reservations which were presented to it before we proceeded with action on the reservations of the committee.

Mr. CONNALLY. I will say to the Senator that there is no agreement about waiting. I would agree that we proceed to submit the reservations, and then in the course of their consideration, if we see fit to change them, after conference with any Member of the Senate, we will offer amendment to the reservation to that effect. I did not understand that there was any agreement that we would postpone action in the Senate awaiting the action of the subcommittee of the Committee on Foreign Relations, because that would be a useless waste of time.

Mr. MURDOCK. Mr. President, would the distinguished Senator object to a recess of 1 hour until we could ascertain what action the subcommittee is going to take? It is not my desire to occupy the time of the Senate by a long discussion of my reservation, and I am inclined to the belief that the subcommittee might agree with me.

Mr. CONNALLY. I have no objection to an hour's recess to meet the views of the Senator from California [Mr. DOWNEY] and the Senator from Utah [Mr. MURDOCK]; but I doubt if Senators will get action in the subcommittee within an hour.

Mr. BARKLEY. Mr. President, I was about to suggest that the Senate stand in recess, in executive session, until 3:30 p. m., which is a little more than an hour.

Mr. MURDOCK. Why not make it 4 o'clock?

Mr. BARKLEY. The trouble about recessing until 4 o'clock is that when we have reached 4 o'clock every one will want to quit and go home. There will be many excuses at 4 o'clock for not remaining. If we are going to recess I think we might try our hand at it until 3:30.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MURDOCK. I should like to say that in my opinion what happened this morning in the Foreign Relations Committee has saved probably days of debate in the Senate. I doubt that the subcommittee can act on all the reservations that will be submitted to it by 3:30 this afternoon.

Mr. BARKLEY. Mr. President, it was not my understanding that there was any serious disagreement over some of the reservations which the committee adopted and on which the members agreed. There were two or three out of six or eight as to which some question was raised. I do not know what the subcommittee will do, because it had full jurisdiction to modify any of the reservations which were agreed upon if Senators had any suggestions to offer. But it was not my understanding that all of them would necessarily be subject to modification. So far as I am concerned, and I am sure the Senator from Texas agrees, in order to accommodate the Senators in any reasonable way that will bring about an accord and also save as much time as possible, I have no personal

objection to the Senate taking a recess until 4 o'clock.

Mr. MURDOCK. If the Senator will further yield, I will say that the only reason I am asking for so much time is to save the Senate from probably a lengthy discussion on my part. I want to avoid that.

Mr. BARKLEY. Mr. President, I modify my request and ask that the Senate now stand in recess until 4 o'clock p. m. today.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. McMAHON. I want to comment on the suggestion made by the able majority leader that when 4 o'clock arrives Senators might want to go home. The truth is that at 4 o'clock we might want to go to our offices and sign a couple of hundred pieces of mail and meet 16 or 20 constituents who desire to see us.

Mr. BARKLEY. Mr. President, my expression about going home was a figure of speech. Of course, I would not hold any Senator literally to that interpretation. But if we were to recess until 4 o'clock we all know how difficult it would be to get Senators back in the Senate Chamber. Senators would then already be at their offices dictating and signing mail and conferring with constituents. It is difficult to resume at 4 o'clock. But in order that we may try it and give Senators ample time to negotiate and look over what the subcommittee may have to offer, I renew my request that the Senate stand in recess until 4 o'clock.

Mr. WHITE. Mr. President, will the Senator reserve his request for a moment?

Mr. BARKLEY. Yes.

Mr. WHITE. It has been reported about the Chamber that a number of reservations are to be offered by individual Senators which would not have the status of committee reservations. Does the distinguished majority leader have any information in respect to that matter?

Mr. BARKLEY. I have just been handed a group of reservations, containing some which are presumably to be offered from the floor and are not included in the reservations which were considered this morning by the committee. I have no way of knowing whether they will be offered from the floor. It may be that if we cover a large territory of disagreement or misunderstanding in regard to the treaty in the reservations which have been offered and sponsored by the committee, we may obviate the necessity of having amendments offered, at least to some extent, from the floor.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. TAFT. If these reservations are adopted at this time, are they adopted in the Committee of the Whole, and are they open to reconsideration when the treaty is in the Senate itself?

Mr. BARKLEY. The Senate is not in Committee of the Whole now. It is in the Senate itself.

The VICE PRESIDENT. The stage of the Committee of the Whole has been passed, and the proceeding now is in the Senate itself.

Mr. BARKLEY. The treaty was reported to the Senate without amendment, and it was announced that amendments to the text of the treaty would not be in order.

Mr. TAFT. Mr. President, then I think there ought to be an agreement that these reservations should not be voted on today. Frankly, if they are to be voted on today I shall vote against the treaty.

Mr. BARKLEY. We are not urging a vote on the reservations today.

Mr. TAFT. That is the important thing. I do not see why the discussion cannot proceed, but I am only concerned that we shall have sufficient time to examine the reservations. They are very complicated.

Mr. BARKLEY. I agree with the Senator that the discussion might proceed; but we are not urging that the Senate vote on the reservations today. We are trying to give the Senators who propose to confer about the matter time to see what they can do by way of getting together, and I propose that the Senate recess until 4 o'clock, but if any Senator present wants to speak, either on the treaty or on any other subject, I assure him that there will be one auditor present.

RECESS

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky that the Senate take a recess until 4 o'clock p. m.?

Mr. JOHNSON of California. Yes, Mr. President.

The VICE PRESIDENT. The Senator from California objects.

Mr. BARKLEY. The Senator objects to a recess being taken until 4 o'clock?

Mr. JOHNSON of California. Yes. I think it is outrageous.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state it.

Mr. BARKLEY. Is a motion in order that the Senate recess until 4 o'clock?

The VICE PRESIDENT. Yes; it is in order for the Senator to make such a motion.

Mr. JOHNSON of California. Wait a moment. Why does the Senator want to recess until 4 o'clock?

Mr. BARKLEY. The question of recessing was suggested to me by the Senator's colleague the junior Senator from California [Mr. DOWNEY] and the Senator from Utah [Mr. MURDOCK], in order that the subcommittee which was appointed this morning to go into this matter further with Senators interested might have an opportunity to report to the Senate. That is all there is to it.

Mr. JOHNSON of California. I have been sitting in committee since 10 o'clock this morning, and I now object to being dragooned into staying here after 4 o'clock this afternoon.

Mr. BARKLEY. Let me say to the Senator from California, Mr. President, that nobody is attempting to dragoon him or any other Senator.

Mr. JOHNSON of California. What is the Senator attempting to do?

Mr. BARKLEY. I am attempting to have a recess of the Senate at the suggestion of the Senator's own colleague, until 4 o'clock, so we could see what might come out of the conference.

Mr. JOHNSON of California. I think the Senator is mistaken with respect to my colleague.

Mr. BARKLEY. I do not think I am, Mr. President.

I move that the Senate take a recess until 4 o'clock today.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Kentucky.

The motion was agreed to; and (at 2 o'clock and 30 minutes p. m.) the Senate took a recess until 4 o'clock p. m.

On the expiration of the recess the Senate reassembled, and the Vice President resumed the chair.

Mr. BARKLEY. I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll, and during the roll call the following occurred:

Mr. BARKLEY. Mr. President, may I at this stage withdraw the request for a quorum?

The VICE PRESIDENT. Is there objection to the request of the Senator from Kentucky? The Chair hears none.

Mr. BARKLEY. I have just received word from the senior Senator from Georgia [Mr. GEORGE], chairman of the subcommittee which is working on the matter of the treaty and the reservations in the Committee on Foreign Relations, that the subcommittee is making progress, and he requests that the Senate recess until tomorrow. I think his suggestion should be complied with.

Mr. HART. Mr. President, I ask unanimous consent that there be printed and lie on the table a reservation to the pending treaty which I may submit at a later date.

The VICE PRESIDENT. Without objection, the reservation will be received and printed, and will lie on the table.

CONSIDERATION OF NOMINATIONS

Mr. BARKLEY. Mr. President, I ask that the Senate consider the nominations on the Executive Calendar.

UNITED STATES PUBLIC HEALTH SERVICE

The legislative clerk proceeded to read sundry nominations in the United States Public Health Service.

Mr. BARKLEY. I ask unanimous consent that the Public Health Service nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the Public Health Service nominations are confirmed en bloc.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I ask unanimous consent that the Army nominations be confirmed en bloc.

The VICE PRESIDENT. Without objection, the Army nominations are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The VICE PRESIDENT. Without objection, the President will be notified forthwith.

SATURDAY SESSION

Mr. CONNALLY. Mr. President, we have been in recess for a considerable portion of the day out of deference to certain Senators who are endeavoring to work out an agreement for the early disposition of the treaty and the reservations. I do not know what the disposition of the leadership would be, but I wish to suggest that personally I very much hope that the Senate will have a session Saturday, beginning at 11 o'clock a. m. and continuing as long as we can transact any business.

Mr. BARKLEY. Mr. President, I am sympathetic with the request. I realize the urgency of the Senator's situation in regard to the treaty and an important conference which is to be held at San Francisco, as we all know.

Mr. WHITE. I take it, however, that the Senator from Texas would not insist on the Saturday session if we disposed of the treaty before that time.

Mr. CONNALLY. The Senator from Maine has a very penetrating intellect. [Laughter.]

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 11 o'clock a. m. tomorrow.

The motion was agreed to; and (at 4 o'clock and 7 minutes p. m.) the Senate, in executive session, took a recess until tomorrow, Thursday, April 12, 1945, at 11 o'clock.

NOMINATIONS

Executive nominations received by the Senate April 11 (legislative day of March 16), 1945:

DEPARTMENT OF COMMERCE

Alfred Schindler, of Missouri, to be Under Secretary of Commerce.

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

TO BE COLONEL WITH RANK FROM MARCH 1, 1945

Lt. Col. Barrington Lockhart Flanigen, Coast Artillery Corps (temporary colonel).

TO BE COLONEL WITH RANK FROM MARCH 12, 1945

Lt. Col. Otto Frederick Lange, Infantry (temporary colonel).

TO BE COLONELS WITH RANK FROM APRIL 1, 1945

Lt. Col. Harlan Leslie Mumma, Quartermaster Corps (temporary brigadier general).

Lt. Col. Alexander Mathias Weyand, Infantry (temporary colonel).

Lt. Col. James Ellis Slack, Cavalry (temporary colonel).

Lt. Col. Marvin Boyle, Field Artillery (temporary colonel).

Lt. Col. Harold Preston Kayser, Infantry (temporary colonel).

APPOINTMENTS, BY TRANSFER, IN THE REGULAR ARMY OF THE UNITED STATES

TO QUARTERMASTER CORPS

Lt. Col. Paul Vincent Kellogg, Infantry (temporary colonel), with rank from August 18, 1940.

TO AIR CORPS

Capt. Richards Montgomery Bristol, Infantry (temporary colonel), with rank from June 12, 1940.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 11 (legislative day of March 16), 1945:

UNITED STATES PUBLIC HEALTH SERVICE

APPOINTMENTS IN THE REGULAR CORPS

Willard H. Wright to be senior scientist, effective date of oath of office.

Dean A. Clark to be surgeon, effective date of oath of office.

Maurice Le Bosquet, Jr., to be sanitary engineer, effective date of oath of office.

IN THE ARMY

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be lieutenant generals

Hoyt Sanford Vandenberg
Harold Lee George
John Kenneth Cannon

To be major generals

Benjamin Wiley Chidlaw
Clift Andrus
Charles Bertody Stone 3d
Isaac Davis White
Frank August Heileman
Hobart Raymond Gay
Walter Francis Kraus
Charles Andrew Willoughby
Albert Cowper Smith
Clark Louis Ruffner
Harold Whittle Blakeley
Donald Wilson
William Frishe Dean
Carter Bowie Magruder
Lewis Andrew Pick
James Allen Lester
Paul Bernard Wurtsmith
James Edward Moore
Howard McMath Turner
Floyd Lavinius Parks
William Curtis Chase
Francis Henry Lanahan, Jr.
Frank Lewis Culin, Jr.

To be brigadier generals

Joseph Merit Tully
Homer Watson Kiefer
Morris Robert Nelson
William Lee Hart
John Harrison Stokes, Jr.
Thomas Benton McDonald
Ray Lawrence Burnell
John Murphy Willems
Andrew Christian Tychsen
Wentworth Goss
Charles Edward Dissinger
Mark McClure
James Wellington Younger
John Maurice Weikert
Frederic William Boye
Richard Clare Partridge
William Claude McMahon
Charles Lanier Dasher, Jr.
Patrick Henry Timothy
Ivan Lonsdale Farman
Edward Thomas Williams
Sidney Rae Hinds
William Ludlow Ritchie
Robert Leroy Dulaney
Elliott Raymond Thorpe
Charles Joseph Barrett
Thomas Dreux Hurley
William Edmund Waters
Milton Abram Hill
Paul DeWitt Adams
John William Middleton
George Bryan Conrad
Henry Ray McKenzie
Alfred Rockwood Maxwell
Bertram Francis Hayford
David William Hutchison
Richard Ulysses Nicholas
Joseph Stubbs Robinson
James Franklin Powell
Ira Platt Swift
Emerick Kutschko
George Russell Callender
Lemuel Mathewson
Robert Homer Soule
Charles Herbert Karlstad
Luther Deck Miller
James Leo Dalton 2d
Lloyd Henry Gibbons
John Clarence Gordon
John Harry Stadler, Jr.
Butler Buchanan Miltonberger
Isidor Schwaner Ravdin
Maurice Milton Beach
Samuel Morgan Thomas
Donald Clinton Swatland

SENATE

THURSDAY, APRIL 12, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met in executive session at 11 o'clock a. m., on the expiration of the recess.

The Reverend John Falconer Fraser, D. D., pastor, National Baptist Memorial Church, Washington, D. C., offered the following prayer:

O Thou who art above all governments, eternal in Thy majesty and higher than all principalities and powers, we come to Thee to invoke Thy blessing upon this gathering. We would join our voices with the voices of angels and the redeemed hosts of the Lord, ascribing majesty and honor and glory to Thy holy name. We have no moral right to enter into the presence of Thy holiness, and we can only base our plea upon the merits of One in whom was found no stain of sin and who was for guilty sinners slain.

We would ask Thy blessing upon the President of the United States and all who are related to him in the affairs of Government. We would ask Thy blessing upon every assembly making laws for the various States. We would pray Thy blessing upon both Houses of Congress. Bless, we pray Thee, the body that is here, the body set apart to deliberate and determine such measures as will make for the benefit of our country and for the good of mankind. We would pray before Thee for the appointed officers in the fighting forces of our country and all who serve under their command. We would ask Thy greatest blessings to be upon the thousands who are yet prisoners of war, and pray that the day of their deliverance may be at hand.

We thank Thee for the promise of victory so near, victory in a war we are compelled to fight because it is the only road to peace. We would pray Thy blessing upon all conferences and assemblies looking toward post-war measures that will make for the uplift of the nations and for the understanding of various races and nationalities of people, and for the securing of peace on earth and good will among men.

Now we come asking Thy special blessing, O Lord our God, upon the thousands of homes receiving sad messages from abroad. Give the consolation and the comfort and the ministry of Thy divine spirit in every house of mourning. Grant that our Nation and our world may be established in righteousness as we look forward to that happy day when He shall come whose right is to reign, and

He shall reign forever and ever over all the kingdoms of mankind and men shall come to know God from the least unto the greatest, when every knee shall bow and every tongue confess that Jesus Christ is Lord to the glory of God the Father. This we ask in and through that name that is above every name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., April 12, 1945.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. ALBEN W. BARKLEY, a Senator from the State of Kentucky, to perform the duties of the Chair during my absence.

KENNETH MCKELLAR,
President pro tempore.

Mr. BARKLEY thereupon took the chair as Acting President pro tempore.

THE JOURNAL

The ACTING PRESIDENT pro tempore. Without objection, the reading of the Journal of the proceedings of the calendar day Wednesday, April 11, will be dispensed with, and the Journal will stand approved.

EUROPEAN INFLUENCES IN THE WESTERN HEMISPHERE

Mr. WILLIS. Mr. President, I wish to call the attention of the Senate to an article written from Cuba by R. Hart Phillips and carried in the March 27, 1945, issue of the New York Times. I draw the attention of the Senate to this article for several reasons, all of which appear to me to be both pertinent and timely.

In the first place, the article makes plain the fact that another power, a European power, is extending its influence in the Western Hemisphere, apparently with the idea of indoctrinating the citizens of a neighboring country with ideas of government divergent from ours.

In the second place, the article makes plain the fact that that European power, namely Russia, is an ally of ours in war, and supposedly is engaged in an all-out war against our mutual enemy, and to that nation we have extended vast material aid through our lease-lend policy, but yet that power still has resources enough to pour large sums of money and to send a disproportionately large number of diplomats to Cuba.

In the third place, this article raises the important question: In so acting, is not Russia violating the spirit, if not the letter, of the Monroe Doctrine, so recently affirmed in a pan-American agreement?

Mr. President, our memory is short indeed if we cannot recall that only a few short months ago—in 1940, 1941, and 1942—the newspapers and magazines of this Nation were filled with facts concerning the huge fifth column built up in Latin America by a European nation that became our enemy—Germany.

Yet another growing European power—Russia—is building up strong material, trade, and spiritual ties in Latin America, and there are few articles concerning it in our magazines and newspapers. This lone article is like a beacon shining in the news darkness. Why are not more articles written about this subject so as to give the people of this country an idea of the new force that is moving into the Western Hemisphere?

I do not challenge Russia's right to extend her influence here, if our Department of State does not challenge that right; but I challenge the wisdom of any European nation becoming strong enough to make or break governments in Cuba, or anywhere in Latin America; and I think that Senators and the people should be fully warned of what is happening.

It is a matter of common knowledge, as Mr. Phillips hints in his article, that today Mexico is a hotbed of communism. It is further generally known that other smaller Latin American nations are going in more and more for radical governments. It would appear that our good-neighbor policy, costly as it has been in recent years, has made few friends for our form of government.

Soon our representatives will go into conference with representatives of other nations to set up an instrumentality dedicated to the preservation of peace in the world, through better understanding among the nations of the earth. We must be frank in stating our position with respect to our future intentions if the plan desired becomes of lasting force. Have we not the right at this time to expect other nations, especially our major allies, to be equally frank in revealing their intentions toward us?

Mr. President, I ask unanimous consent to have inserted in the RECORD at this point as a part of my remarks this enlightening article by R. Hart Phillips, sent from Habana, Cuba, March 26 to the New York Times and headed "Communist drive centering on Cuba."

The VICE PRESIDENT. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

COMMUNIST DRIVE CENTERING ON CUBA—SOVIET POURS IN PROPAGANDA IN BID FOR INFLUENCE AS GRAU AND LABOR GIVE SUPPORT

(By R. Hart Phillips)

HAVANA, March 26.—Russia's bid for influence in Latin America has made Cuba one of the focal points of Communist propaganda in the western hemisphere. Like the other United Nations, the Soviet Union is pouring a steady stream of propaganda into the Latin-American countries, but unlike her allies, who confine themselves largely to publicizing their war aims and efforts, Russia's purpose is to weld the masses into a solid bloc of opinion that can be utilized by her in future.

The United States, Great Britain, and the U. S. S. R. are the nations carrying on the largest campaigns among our southern neighbors today, but there is no doubt that of the three, the Soviet propaganda is the greatest in volume, the most attractive, the most appealing from a psychological viewpoint, and the most effective.

The Latin-Americans are in the process of being educated in communism and they are willing students. They are being shown the decadence of the capitalist system, the ways it can be combated, the tremendous advantages enjoyed by the working class in Russia as compared with other countries, the power of the proletariat.

STRONG GOVERNMENT SUPPORT

They also are being taught to consider Russia as the most powerful and progressive nation of the world and to look to her for guidance. By radio and newspapers, by magazines, pamphlets, books, lectures, art exhibits, and personal missionary work, by every conceivable means, the future opinion of Latin America is being shaped in the communistic mold.

While it is conceded that Mexico is the No. 1 center of Soviet activities, Cuba is running that country a close race. In no other nation of the Americas has the Communist Party received the government support given it in Cuba, both by the Batista regime and the present Grau administration. In no other country do the Communists exercise such complete control over labor, or have at their disposal such excellent propaganda media as in Cuba.

These media include a powerful radio station with the only international channel assigned to the island, an excellent newspaper, daily direct cable service that furnishes news hot from the Moscow press, not only to the Communist organ, but to many other newspapers—free of charge; an organization which extends down into the smallest village of the island; publishing facilities for books, pamphlets, and other literature; as well as training schools.

HUGE DIPLOMATIC STAFF

Out in the exclusive Vedado residential district is the luxurious Soviet Legation, with some 50 staff members, including a press attaché. No other diplomatic representation in Cuba boasts such an official. All this despite the fact that Cuba had only a few Russian citizens when diplomatic relations were established with the Soviet Union in 1942. At present, the Cuban Foreigners Registration Bureau lists Poles, Lithuanians, Rumanians, and many other citizens of the small countries bordering the U. S. S. R. who have taken out Russian papers. Nor does Cuba do any business with Russia.

The Soviet Legation is doing a magnificent job selling communism to the Cubans, particularly to the masses. Its staff members are intelligent, hard-working, and enthusiastic, and the scope of their activities is amazing.

LABOR CHANNELS HELPFUL

The channels of propaganda open to them through control of all island labor unions by the communistic Confederation of Cuban Workers hardly could be improved upon. No movement or organization is too small to receive attention. It is in this way that the "free" movements here of the various European nations, often ignored by the United States and Great Britain, all have been gradually brought under the Russian wing.

One of the few failures of the Soviet agents has been their inability to bring together under Russian guidance the various organizations of the Spanish Republicans in Habana.

Cuba, undoubtedly, will become an even greater center of Russian activities. It is an ideal point of contact for organization and education, due to its strategic location and excellent travel facilities; and the unity of its labor organizations, the indifference of its wealthy classes, as well as the proximity of the island to the United States, make it an excellent proving ground for communism in America.

LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following business was transacted:

REPORT OF EXCHANGE STABILIZATION FUND

The VICE PRESIDENT laid before the Senate a letter from the Secretary of the Treasury, transmitting, pursuant to

law, the annual report of the Exchange Stabilization Fund for the year ended June 30, 1944, including a summary of the Fund from its establishment to June 30, 1944, which, with the accompanying report, was referred to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the VICE PRESIDENT:

A resolution of the Senate of the Commonwealth of Pennsylvania; ordered to lie on the table:

"Whereas Gen. George Smith Patton is the hero of many successful engagements on the battlefield in the European theater of operations in World War No. 2; and

"Whereas Gen. George Smith Patton, by virtue of his many brave and valorous deeds on the field of battle, his brilliant leadership and his willingness at all times to undergo the same hardships and the same hazards as the men in his command, thereby winning their undying loyalty, and the admiration of the entire Allied world; and

"Whereas the municipality of Patton, in the county of Cambria, Commonwealth of Pennsylvania, was founded by John Patton and is the only municipality in the United States so named; and

"Whereas the citizens of the municipality of Patton are eager to, and are making plans to pay homage to the great allied commander, Gen. George Smith Patton, who bears the same name as the founder of the municipality in which they reside; and

"Whereas the residents of the municipality of Patton take justifiable pride in the fact that they live in the only municipality of the name of Patton in the United States; and

"Whereas letters received by the postmaster of the municipality of Patton from residents in all sections of the United States, requesting mail which bears the postmark of the municipality of Patton, is an indication of the nation-wide attention which the municipality of Patton is attracting: Now, therefore, be it

"*Resolved*, That the Senate of the Commonwealth of Pennsylvania hereby commends the citizens of the municipality of Patton for their patriotism and loyalty, and is in hearty accord with their plans to honor Gen. George Smith Patton by staging a welcome home celebration at the end of the war, and inviting the President of the United States, Gen. George Smith Patton, and the Governor of the Commonwealth of Pennsylvania to take part in this outstanding occasion; and be it further

"*Resolved*, That a copy of this resolution be forwarded to the President of the United States, Gen. George Smith Patton, the President of the United States Senate, the Speaker of the House of Representatives, and the Governor of the Commonwealth of Pennsylvania."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Territories and Insular Affairs:

"Senate Joint Memorial 5

"*To the Honorable Franklin D. Roosevelt, President of the United States; to the Congress of the United States; to Hon. Harold L. Ickes, Secretary of the Interior; and to the Honorable E. L. Bartlett, Delegate to Congress from Alaska:*

"Your memorialist, the Legislature of the Territory of Alaska, in the seventeenth regular session assembled, does most respectfully represent:

"Whereas this legislature now convened is desirous of protecting the resources of Alaska, not only to assure livelihood for present residents but also to give opportunity within Alaska to war veterans and civilian settlers after this present war; and

"Whereas reindeer constitute the only agricultural resource of the great tundra lands of western Alaska between Bristol Bay and Barrow; their skins are vitally needed by all residents for winter outer garments, sleeping bags, and other essential uses, and full development of the mineral, fur and game resources will be retarded without reindeer skins; they are essential for fresh meat, particularly during war periods as food for both soldiers and civilians in event shipping lanes are cut by enemy action; they have furnished 44,000,000 pounds of meat, worth an estimated $8,880,000 to residents since original breeding stock was imported and, since the war, at least 75 tons have been used by the United States Army, defense workers and Government institutions and personnel; they are the only domesticated meat animals known to man which are able to convert the plants of this cold tundra land into valuable animal products by digging their own food from beneath the snow; and

"Whereas the caribou, wild deer, moose, and wild sheep of Alaska have been worth millions of dollars to residents thereof in food, clothing, receipts from hunters, and in tourist travel stimulated by the presence of such species, but these animals appear doomed to extinction unless wolves and coyotes are reduced by prompt action of the Federal Government before they have destroyed these valuable species, or have reduced breeding stock so much that recovery will take generations, it being self-evident that these predators, because of having large litters and their ceaseless killing, tend naturally to increase more rapidly than their prey until they are reduced only by the scarcity and final destruction of such prey; and

"Whereas wolves and coyotes have already caused reindeer to decrease from about 641,000 to 90,000 since 1932; have destroyed wild deer and moose in some sections; and are believed to have caused reduction of caribou in this Territory; and

"Whereas the Territory of Alaska is making every effort within its power to destroy wolves and coyotes by paying high bounties thereon, but this has failed to reduce them in our great Alaska wilderness, where airplanes are essential for wolf killing and for transporting Government hunters; and

"Whereas the National Park Service of the Interior Department, notwithstanding the costly destruction caused by wolves and coyotes or the efforts being made by this Territory to destroy them, is breeding these destructive creatures in great refuges, namely, in approximately 6,700,000 acres of scattered national parks and monuments, by preventing any killing of them therein; and

"Whereas destruction of wolves and coyotes on reindeer ranges requires indirect attack on them by constant reindeer herding, and direct attack by use of suitable aircraft and other means for which natives and the Office of Indian Affairs lack funds; and

"Whereas the Bureau of Biological Survey has not been appropriated sufficient money for predator control in Alaska: Now, therefore

"Your memorialist, the Legislature of the Territory of Alaska, in seventeenth regular session assembled, respectfully petitions the National Government: To increase the appropriation of the Office of Indian Affairs to an amount needed to support herding schools for natives at all reindeer herds, and to purchase and operate suitable aircraft for supervising herding and killing predators; to increase the appropriation of the Bureau of Biological Survey to an amount needed for full-scale attack on predators within Alaska; and to remove all restrictions upon killing wolves and coyotes within national parks and monuments in this Territory.

"And your memorialist will ever pray."

"Approved by the Governor March 21, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

Resolutions of the General Court of the State of Massachusetts, favoring the enactment of legislation providing for the construction and maintenance of a veterans' hospital in the city of Lawrence, Mass.; to the Committee on Finance.

(See resolutions printed in full when presented by Mr. WALSH (for himself and Mr. SALTONSTALL) on April 11, 1945, p. 3264, CONGRESSIONAL RECORD.)

A resolution adopted by the Saturday Lunch Club, of Minneapolis, Minn., commending the President and pledging support to him in his efforts to further the cause of peace and unity; to the Committee on Foreign Relations.

By Mr. TUNNELL:

A concurrent resolution of the Legislature of the State of Delaware; to the Committee on Commerce:

"Senate Concurrent Resolution 18

"Concurrent resolution in reference to improvements in the Indian River and Bay

"Whereas a bill having for its purpose the improvement of numerous harbors and streams in the United States is under consideration by Congress; and

"Whereas certain proposed improvements to the Indian River and Bay located in Sussex County, Del., are affected by said bill; and

"Whereas such proposed improvements are expected to have widespread and beneficial effect upon the population and business of the State of Delaware: Now, therefore, be it

"*Resolved by the Senate of the State of Delaware (the house of representatives concurring therein)* That the Delaware Representatives in the Congress of the United States are earnestly requested and urged to give all possible support to the passage of the measure designed to make improvements in numerous rivers and harbors in the United States including a number of projects in the State of Delaware of which the dredging of the Indian River and Bay is one, and to contact and give assistance to the proper departments and agencies of the Federal Government, so that improvement to the channel in the Indian River and Bay may be accomplished at the earliest practicable date.

"That a copy of this resolution be sent by the secretary of state to the Senators and Representatives who represent the State of Delaware in the Congress of the United States.

"Approved March 26, 1945.

"WALTER W. BACON,
"Governor."

By Mr. GREEN:

A joint resolution of the General Assembly of the State of Rhode Island; to the Committee on Immigration:

"Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to endorse and to use every effort to have passed House Resolution 511, now pending in Congress, which is a bill to liberalize the naturalization laws

"Whereas there is now pending in the Congress of the United States of America House Resolution 511, which is a bill to liberalize the naturalization laws, by providing that an alien 50 years of age or over who has resided in the United States for the period beginning July 1, 1924, or prior thereto, may become naturalized without being required to speak the English language, sign his declaration or petition in his own handwriting, or meet other educational requirements, providing also that a declaration of intention to become a citizen of the United States of America shall not be

required of any alien whose son or daughter has served or is serving honorably in the military or naval forces of the United States during the present war; and

"Whereas House Resolution 511 has been approved and endorsed by the Naturalization Division of the Department of Justice and has also been sponsored by the Supreme Lodge of the Order Sons of Italy in America, which organization was responsible for the introduction of the measure: Now, therefore, be it

"Resolved, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are respectfully requested to endorse and to use every effort to have passed House Resolution 511, now pending in Congress; and be it further

"Resolved, That duly certified copies of this resolution be transmitted by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States."

By Mr. WILEY:

A joint resolution of the Legislature of the State of Wisconsin, memorializing the President and Congress to take such steps as are necessary for the development of the Great Lakes-St. Lawrence Waterway immediately upon termination of the war; to the Committee on Commerce.

(See resolution printed in full when presented by Mr. LA FOLLETTE on April 11, 1945, p. 3265, CONGRESSIONAL RECORD.)

MINIMUM SUBSIDY RATES FOR MILK AND CREAM

Mr. WILEY. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the Wisconsin Council of Agriculture (Cooperative), with reference to the fixing of minimum subsidy rates for milk and cream.

There being no objection, the resolution was received, referred to the Committee on Banking and Currency, and ordered to be printed in the RECORD, as follows:

Resolved, That the Wisconsin Council of Agriculture (cooperative) go on record as supporting legislation that would fix minimum rates below which milk and cream subsidies should not be permitted to fall and that these minimum rates shall be announced for a period ending not sooner than March 31, 1946, in accordance with the following table:

Subsidy	Milk per hundredweight	Butterfat per pound
1945—April, May, June.	Not less than—45 cents per hundredweight.	Not less than—15 cents per pound.
1945—July, August, September.	60 cents per hundredweight.	Do.
1945—October, November, December.	70 cents per hundredweight.	17 cents per pound.
1946—January, February, March.	....do.....	Do.

Provided further, That the subsidy on butterfat shall not be less than 25 percent of national weighted average rate for milk.

Provided, however, That the subsidy so paid on butterfat shall apply only if the fat is manufactured into butter.

Resolved further, That a copy of this resolution be transmitted to each Member of the Congress from Wisconsin and to the executive secretary of the National Cooperative Milk Producers' Federation.

PARTICIPATION BY ITALY AT SAN FRANCISCO PEACE CONFERENCE

Mr. HAWKES. Mr. President, I ask unanimous consent to present for printing in the RECORD, and appropriate reference, a resolution adopted by the Order of the Sons of Italy in America, petitioning the President of the United States to invite Italy to the San Francisco Conference.

This resolution was adopted by the Order of the Sons of Italy at their meeting in New York on Saturday, March 31, 1945.

The VICE PRESIDENT. Without objection, the resolution presented by the Senator from New Jersey will be received, referred to the Committee on Foreign Relations, and printed in the RECORD.

Whereas our organization, Your Excellency, by its constitution is specifically enjoined to maintain, consolidate, and promote the continuance of friendly relations between the people of the United States and the people of Italy; and

Whereas we, the executive committee of the committee to promote world peace, Supreme Lodge Order Sons of Italy in America, have been convened to consider the latest diplomatic events concerning the promotion of world peace; and

Whereas we note with regret that while 39 nations have been invited by the sponsoring powers, of which the United States is one, to attend the San Francisco Conference, Italy has been excluded; and

Whereas decisions will be taken at said confegence which will affect the future of the world and all of its people, decisions dealing with the world that will emerge and function after Germany and Japan will have been defeated and peace declared; in short decisions establishing a peace organization to cope with the problems of the future, it is inconceivable that a nation of 47,000,000 people, the third largest population in Europe, including enemy Germany, a nation which for 2,000 years, despite repeated foreign invasions, oppression, and exploitation, has contributed outstandingly to the civilization and the progress of mankind (a record without parallel), should be excluded, while others, by comparison, small, obscure, and unimportant, should be invited. How any conference can purport to set up an organization to maintain peace on the continent of Europe, much less throughout the world, without recognizing the primary importance of the strategic geographical position of Italy, if it did not care to consider anything else, it is difficult to understand, unless, of course, some disposition concerning this position has already been determined which will neutralize what nature ordained in the beginning.

To extend an invitation to the Kingdom of Iraq, whose total population is less than four millions, to cite but one of those invited to participate, and to exclude Italy, is tantamount to say that 4,000,000 Iraquians are more important in the scheme of things as it will exist tomorrow—and it should always be kept in mind that the charter to be drafted is for the world of tomorrow—than 47,000,000 Italians.

Obviously, the conclusion cannot be true that Iraq, and this is not said in any disparaging sense whatever, is more to be preferred, or more important, in drafting a charter intended to maintain the peace of the world of tomorrow.

Without stopping to evaluate the comparative importance of the nations that have been invited and those which have not, or the justice of the formula followed in excluding some and inviting others, suffice it to say that peace is indivisible and that anything which affects any sizable part or people of the world, affects the entire world. If we have learned anything from the grim tragedy of this war, we have learned that. We have also learned, to our infinite sorrow, that aviation has abolished isolation. It is, therefore, absolutely necessary that this conference, which is really a constituent assembly, a first step in the planning of a better world, leave no stone unturned in bringing about a real meeting of the minds of the peoples who constitute the most numerous nations of the world. If this is to be a people's peace, all peoples must be heard. It necessarily follows that unless they are represented, they will not be heard. Without Italy being heard no lasting peace can be built. To attempt it without her would sow the seed of future discord, and fly in the face of the experience of the ages that peace is evanescent and lasts only so long as it remains upon the firm foundation upon which it was built, the foundation of justice. What we seek is peace, not a sword.

Certainly the Italy of tomorrow, democratic Italy, the new Italy, that we American citizens of Italian origin have labored to create at the request of our Government, first by our appeals beamed over the airways to the people of Italy to revolt against their Fascist-Nazi oppressors, lay down the arms, and accept the guaranties of the Atlantic Charter and the "four freedoms," and now by the blood and sacrifice of our soldier-sons, 1,000,000 strong, fighting on every European battle front, certainly that new Italy of tomorrow is not encouraged to press forward along the pathway of freedom and democracy, to take as your excellency has so well said, its respected place among the family of nations; that new Italy, is not encouraged, we repeat, to strive onward by being excluded, coldly and with calculation, from this first concert of those respected nations of the world.

Your excellency said, and we sincercly believe you, upon the occasion of your welcoming the first ambassador of Italy to be accredited to our Government since diplomatic relations were severed in December, 1941 that:

"The United States cherishes full faith and confidence that Italy will create in its own home and will help to create for Europe a political and social organization worthy of the hearts and mind of its people."

Recognition of Italy as a full ally, we are told, would have insured an invitation to Italy from the sponsoring powers to attend. Certainly the recognition would help Italy "to create in its home," where it is needed the most, that "political and social organization" envisioned by Your Excellency.

To the young government of Bonomi, set up with so many birth pangs, not the least of which was British interference, struggling now among a sea of troubles to gain for Italy that respected place as a sovereign nation, a bid to Italy to attend would have been of priceless help; her exclusion is not merely unfortunate, it may well be a death blow.

The power to avert any dire consequence from the failure to invite Italy rests with Your Excellency. There is still time to exercise it. We know how interested you have been and how valiantly you have striven to bring about the establishment of an organization to maintain international peace and security. But for you the miracle of Dumbarton Oaks would never have been achieved. We wholeheartedly endorse and praise, without reservation, all you have done in that regard.

We know how great your influence is with the sponsoring powers which have issued the invitation to attend and how a word from you will move them to issue an invitation to Italy. We respectfully petition you to say that word. We ask you to say it not

only because of what we have said above, but because this invitation will prove to the people of Italy who listened to our pleas from America and acted upon them that they have not been let down; that what the leaders of America said about the Atlantic Charter and the "four freedoms" was not mere lip service; and, lastly, because the people of Italy have earned the recognition from the United Nations because of the invaluable military assistance they have rendered to the common cause to end the war victoriously. One of the latest American commentators, Marquis Childs, writing from Rome, recently said in part—

"In many ways the Italians are helping the Allied war effort. Military men with whom I have talked in this theater almost all agree that Italian divisions are performing a valuable service. The pressure on the Allied line that runs across the peninsula is great, and Italian regiments have helped to relieve that pressure. * * * Italian service troops using mules, have carried munitions and supplies right up to fox holes over almost impassable mountain trails. Again, their knowledge and experience have counted for a great deal. All this is evidence of the continuing vitality of the Italian people in spite of fascism, disgrace, and defeat. Perhaps, when once again the North and South are united, there will be a new focus for Italian hope, which today seems to have died utterly."

Do not let that hope die, Your Excellency. Rather, bring it to full, radiant life by welcoming Italy to this historic world conclave, the child of your heart and mind, so that she may take her respected place among the family of nations and work side by side with them for the realization of mankind's millenial dream, an organization to effectively maintain international peace and security.

Let this Easter, Your Excellency, signify the rise of a new Italy, to the end that purified by sorrow and sanctified by suffering, she may be reinstated to her former place as the mother of culture and religion in the world; and

Whereas it appears that there is doubt as to the exact diplomatic status of Italy as one of the United Nations, and how that status affects her eligibility to be invited to participate in the San Francisco conference and other matters, particularly lend-lease aid: Therefore be it

Resolved, That Your Excellency be and is hereby respectfully petitioned:

1. To recognize Italy as a full and equal ally.

2. To use your good offices to the end that the United Nations recognize Italy as a full and equal ally.

3. To use your good offices with the sponsoring powers to see to it that Italy be invited forthwith to attend the San Francisco conference.

4. To extend lend-lease aid to Italy so that her present economic distress may be relieved by the resumption of industry and production through said aid; and be it further

Resolved, That a copy of this resolution be spread upon the minutes and forwarded to His Excellency, the President of the United States; the Secretary of State; the President of the Senate, and the Speaker of the House of Representatives.

FRANK J. V. GIMINO, *Chairman*,
SALVATORE LO PRESTI,
FRANK PALLERIA,
Judge EUGENE V. ALESSANDRONI,
Judge FRANCIS GIACCONE,
Committee to Promote World Peace, Supreme Lodge, Order Sons of Italy in America.

SUFFERINGS AND HARDSHIPS OF PEOPLE OF ITALY—RECOGNITION OF ITALY AS AN ALLY OF THE UNITED NATIONS

Mr. REED. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD, a letter in the nature of a petition from Mrs. Mary Cornella and Mrs. Mary Giacometti, of Frontenac, Kans., regarding the indescribable sufferings and hardships now being endured by the unfortunate people of Italy and the recognition of Italy as an ally of the United Nations.

There being no objection, the letter was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

FRONTENAC, KANS., *April 2, 1945.*

Hon. CLYDE M. REED,
United States Senator of Kansas,
Washington, D. C.

DEAR SIR: Lodge No. 15 of the Columbian Federation, the American-Italian fraternal organization, who fought fascism since its inception, beg of you to use all your influence in order that Italy be recognized as an ally, to extend lend lease aid to Italy, to use your good offices that American citizens of Italian extraction should be afforded ample opportunities to help, with their own means, their kin, who are suffering over there, by permitting packages of at least 11 pounds, as before the war, to be sent to all of liberated Italy.

These American-Italians' profound loyalty to our great country is unquestionable. Their sons and their brothers are fighting in the American services on all fronts all over the world; they have given and are giving ample proof of their devotion and valor and are laying their lives on the field of battle.

The recognition of Italy as an ally is in the interest of the speedy winning of the war, a permanent and democratic peace, and is consistent with our national policy of domestic and world stability.

Your cooperation will be an invaluable contribution toward speedy victory and a lasting democratic peace.

Respectfully,

MARY CORNELLA.
MARY GIACOMETTI.

SHORTAGE OF CARS FOR SHIPMENT OF GRAIN

Mr. REED. Mr. President, the situation produced by inadequate transportation in the grain States of the Middle West is the worst I have ever seen. Grain is on the ground spoiling. Mills are running part time because there are no cars, either to bring the grain in from the country or to take flour out of the mills.

I ask unanimous consent to present a group of letters and telegrams I have received from Kansas particularly, and from other States in the Grain Belt as well, dealing with the very severe shortage of grain cars available for transportation. These communications are only a part of the hundreds I have received.

I ask that the letters and telegrams be printed in the RECORD and referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. Is there objection to the request of the Senator from Kansas? The Chair hears none, and it is so ordered.

The letters and telegrams were received, referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

KANSAS CITY, MO., *March 27, 1945.*

Senator CLYDE M. REED,
Senate Office Building,
Washington, D. C.:

Boxcar situation getting progressively worse. Mills going down intermittently. Three going down tonight nothing in sight for them tomorrow. Mills running out of wheat. Other types cars being used to move wheat to mills but this is poor substitute. Mills booked beyond ability to ship at present rate car supply. A. A. R., O. D. T., and I. C. C. have had ample opportunity to correct balance of cars as between East and West but have failed. Believe Senate can make real contribution by investigating the whole matter.

J. W. HOLLOWAY.

HUTCHINSON, KANS., *March 27, 1945.*

Hon. CLYDE M. REED,
United States Senator:

Shortage of grain and grain products boxcars critical over Kansas. According reports from our association membership and western half State in dire need grain cars to move hundreds of thousands of bushels wheat and milo pow piled on ground out in open. This grain piled on ground getting out of condition fast and should be moved quick or thousands of tons food will become unfit human consumption. Elevators practically all full and unable receive additional grain until cars available relieve blocked situation. Must have relief soon. Please propose investigation by Senate Committee on Interstate Commerce.

O. E. CASE,
Secretary, Kansas Grain Feed & Seed Dealers Association.

SALINA, KANS., *March 27, 1945.*

Hon. CLYDE M. REED,
United States Senate,
Washington, D. C.:

Car situation progressively worse. Have resorted to use open and closed hoppers and stock cars for wheat hauling but mill effort handicapped by failure of carriers to supply flour cars in sufficient quantities. Furthermore use of special equipment does not relieve coarse grain accumulations which will be with us when new wheat crop moves unless cleaned up soon. Apparent indifference of those in authority has created a condition which is leading to chaos. Suggests program for construction of new cars. Meanwhile should have Senate investigation make cars available and prevent spoilage of crops.

THE ROBINSON MILLING CO.,
ED MORGENSTERN.

TOPEKA, KANS., *March 27, 1945.*

Hon. CLYDE M. REED,
Senate Office Building:

Car situation here desperate. Have been unable at times to get enough cars to keep running and our wheat shippers with whom we have many thousands of bushels of wheat contracted are not able to get cars for shipment and we are almost out of wheat. We have heavy Army shipments to make besides our domestic shipments to our baker customers. Believe Senate should investigate situation. Urge return of western-owned cars by eastern railroads and give western railroads help and encouragement in building new cars. We dread what will happen when new crops come on market.

THE THOMAS PAGE MILL CO.

NEWTON, KANS., *March 29, 1945.*

Senator CLYDE REED,
United States Senate,
Washington, D. C.:

Boxcar situation serious, forcing shutdown our mill with large Government flour contracts unshipped. Superintendent Santa Fe advises they received from eastern lines at Chicago last week average four cars daily. Trying buy wheat Hutchinson, Wichita, Salina, Dodge City, Enid, but unable find single car. Situation critical advise immediate Senate investigation car situation eastern lines.

NEWTON MILLING & ELEVATOR CO.

KANSAS CITY, MO., *March 27, 1945.*

Hon. CLYDE M. REED,
United States Senate, Washington, D. C.:

The boxcar situation is so serious that it is threatening the complete close-down of our mills. Have only been able to operate our Hutchinson, Kans., mill two-thirds of the time since March 14, which has been caused by lack of boxcar equipment. Our activities have been limited at our other mills—North Kansas City, St. Joseph, and Clinton, Mo., for the same reason. More serious is the fact that wheat is not moving from the country elevators to the mills. Unless something is done immediately the mills will not have wheat to grind. Use is being made of coal cars to move wheat, but this does not give us boxcars in which to ship flour. The available supply of suitable coal cars is very limited and also unsatisfactory to protect the quality of the grain. This situation has been caused by boxcar tie-up on the eastern railroads and their failure to return them to the western lines, and also that a great percentage of cars returned are unuseable for grain. In our opinion, unless relief is received immediately, there will be a complete shut-down of the mills. All grain and milling interests have brought this matter to the attention of A. A. R., O. D. T., and I. C. C. continuously, and useable boxcars are still not reaching us. We respectfully urge that the Senate institute an investigation of the boxcar supply immediately, to prevent a collapse of our industry.

COMMANDER LARABEE MILLING CO.,
T. C. MCGRATH, *Vice President.*

NORTH KANSAS CITY, MO., *March 27, 1945.*

Hon. CLYDE REED,
United States Senate Office Building,
Washington, D. C.:

We appreciate your very great interest in car problem facing grain and milling industry in this area. Your work has always been the most effective in this matter of anyone in Washington. We feel you should know railroads are not complying with their promises as to number of cars they would deliver daily to western lines. We believe you should instigate Senate investigation of this situation. We are not getting half the cars needed to supply our wheat requirements and to load out-bound flour and feed. We operate mills at Newton, Kans.; Blackwell, Okla.; and North Kansas City, Mo., in addition to 15 country stations. Just have advice from our Newton, Kans., manager unless he gets empty cars tonight Newton Mill must cut running time, as warehouse space filled and railroads promise no relief. Our mill-feed stocks at these mills is very big, as we have held back loading it in order to get out flour, but this mill feed is needed by feeders and we are behind on shipments on feed contracts. We have requested Missouri Pacific to furnish cars at Newton for purposes of loading wheat from our country stations, but are advised they will only furnish cars when houses are completely filled. Army is pressing for delivery of flour contracts. Also many domestic bakers inform us they are running dangerously low on flour and must have shipments. We do not know where the cars are, but cannot help but be very suspicious. Eastern lines are simply not releasing them in accordance with orders we understand they were given. The situation is fast approaching chaotic stage. Flour production will be cut very seriously unless something is done immediately.

THE MIDLAND FLOUR MILLING CO.

KANSAS CITY, MO., *March 27, 1945.*

Senator CLYDE M. REED,
Washington, D. C.:

We operate mills in Kansas City, Topeka, Lindsborg, McPherson, and Russell, having total capacity of 20,000 hundredweight daily. We have given Army and lend-lease about 25 percent of our output. For past several months our ability to produce has constantly been hampered with shut-downs at one mill or another due to lack of boxcars to transport flour Finally that situation has penetrated so deeply that it has affected our ability to get wheat so that presently we are confronted with both lack of wheat in our elevators and shortage of cars to load flour. Recently we started using open gondolas and boarded up cattle cars to transport wheat, but it is not helping us to load cars of flour. We struggle from day to day not knowing whether or not we can operate next 8 hours. Located in center of country, with large quantity our production going to eastern seaboard and Gulf ports. Empties have a way of being picked off en route here as they start their journey back. We feel that a Senate investigation of what happens to boxcars would be helpful. Also suggest priorities for building additional cars.

L. S. MYERS,
General Manager, Rodney Milling Co.

WICHITA, KANS., *March 28, 1945.*

Hon. CLYDE M. REED,
United States Senate,
Washington, D. C.:

Surveys indicate that eastern lines are hogging western lines boxcars which are needed in Kansas and other grain-producing States to move the huge amount of accumulated grain now on farms in country elevators and terminal houses. Large amounts of grain now piled on ground. Estimate it would require all boxcars now owned by railroad to move grain now on farms. Of 25,000 cars said to have been delivered western lines, within last 30 days, no appreciable number have appeared in grain-producing territory west of Mississippi River. From July 1 to March 10 12 primary grain markets have received 35,000 less carloads grain than for corresponding period year ago, and crops have increased over 20 percent over year ago figure. Grain receipts at these markets are now 9,000 less cars per week than for corresponding period year ago. Suggest an immediate congressional investigation, and that a directive be issued to the Interstate Commerce Commission to issue a car-service order that requires eastern lines to immediately deliver to western lines all cars in excess of eastern lines ownership that eastern lines have misappropriated to their own lines use, and that western lines have cars in excess to their own ownership to handle grain that is in distress on farms and the large accumulation in country elevators and terminal houses before the coming bumper crop is on us for handling.

THE WICHITA BOARD OF TRADE.

MARIENTHAL, KANS., *April 7, 1945.*

Senator CLYDE M. REED,
Washington, D. C.

DEAR MR. REED: The grain car shortage in this community is affecting the farmer here to such an extent that I feel it my duty to write to you asking you to help our community in securing cars to relieve this critical situation.

There is much grain deteriorating from lying on the ground all winter that the country and farmer are suffering a great loss. I have been having to turn down one truck load after another because my elevator is filled to capacity, and I am unable to secure cars for the movement of this grain.

The prospects of another bumper crop is so good at present that unless help is given in the way of improving this car shortage to move this grain to the terminals, much more grain will have to be piled on the ground. It's a proven fact that a great number of bushels of grain is lost by this practice.

It seems to me that the eastern railroad lines are taking advantage of the situation by holding cars that normally would be coming to the West to handle grain shipments. I would like to know the reason for their attitude.

Hoping you will devise ways and means of easing this situation for us out here in this getting this grain moved. I remain,

Respectfully yours,
ROMAN DROSTE, *Manager.*

SUSANK, KANS., *April 7, 1945.*

Senator CLYDE M. REED,
Washington, D. C.

DEAR SENATOR: I am writing to you in regards to the boxcar situation because I feel that you can help us.

Much grain has been turned down because the elevators have been filled and the inability to secure cars for the movement of these grains.

The farmers have been complaining bitterly because of the shortage of cars, since much of their grain has deteriorated. We are faced with a bumper crop, and unless some help is given in the way of improving this car shortage the country and the farmer will suffer a great loss.

Why should the eastern lines be allowed to hold cars that normally would be coming to the West to handle grain shipments?

I wish to thank you and appreciate the effort that you will do to correct this car shortage for us.

Yours very truly,
VERNON OCHS, *Manager.*

D. F. CARTER LAND AND ABSTRACT CO.,
Leoti, Kans., April 9, 1945.

Senator CLYDE M. REED,
Senate Chamber, Washington, D. C.

DEAR SENATOR REED: I wish to compliment you on the stand that you are taking in Congress regarding the transportation matter, which so vitally affects our community here. While you are very likely familiar to some extent with these local conditions, no doubt, you will appreciate additional, dependable information regarding our situation here in Wichita County, Kans.

Leoti, the county seat of our county, and the principal market for grain has had but 9 cars for grain since January 16, and those were cars unloaded here from incoming freight, and reloaded. Our elevators are full, there is a great deal of grain that has been on the ground on account of lack of cars to ship out from here, and we have the prospect of another good wheat crop, the harvest for which is only about 60 days off.

It is certainly vital to this territory as well as saving a lot of grain in order to get a bunch of extra cars in here to handle this situation, and to make a great saving in grain, which is vital to the war effort at this time. We supervise for the nonresident landowners, and have the handling of a lot of grain here, much of which should have been settled for along in January, but the tenants can do nothing but bring us the same story, that the elevators are full and no cars. We can't help but feel that something can be done about this, if enough pressure is brought to bear on those companies and those who have the control of this matter to loosen up

this car situation, and let us get this last year's crop on to the market, as well as getting ready for the one that is in prospect.

We are advised that there are a lot of cars on short lines that could be diverted if enough pressure is brought to bear as well as from other points. Now, Senator, let me again say we appreciate the effort you have made in our behalf, and we hope that you will get results. You, or rather we, can get resolutions from our local civic organizations, as well as city and county governing bodies if desirable.

With kind personal regards, and awaiting your convenience, I am,

Yours very truly,

D. F. CARTER.

CEDAR KANS., *April 7, 1945.*

Hon. CLYDE REED.

DEAR SIR: I am manager of the Morrison-Gregg-Mitchell Elevator here, and I am writing to you about the car shortage, as there is a large amount of 2-year-old wheat on the farms and a large amount of last year's wheat, and also a large amount of the corn that is still on the ground as they don't have bin room to shell it, and another bumper wheat crop coming on, so, if we don't get cars soon to get this grain out of the way, it sure will be a big loss to the farmer at harvest time. I haven't had a car since February 2, 1945, so if you can do some thing for the farmers, now is the time to do it.

Yours respectfully,

ALLEN KELLING.

THE KANSAS MILLING CO.,
Wichita, Kans., March 30, 1945.

Hon. CLYDE M. REED,
United States Senate,
Washington, D. C.

DEAR SENATOR: I have seen some reports that the car situation was easing up and getting better, but I wish to advise you that in our area, it is not better; it is even worse. There has been no relief whatsoever and the railroads here do not give us any encouragement.

We were down about a third of the time last week for lack of cars, some of our products going to the Army and some of it is going to industrial alcohol plants.

The cars are just not being delivered to the roads serving this area; or if they are, they are being used for purposes other than milling and grain.

Yours truly,

D. S. JACKMAN,
Vice President and General Manager.

SMITH CENTER COOPERATIVE
MILL & ELEVATOR CO.,
Smith Center, Kans., April 9, 1945.

Hon. CLYDE M. REED,
Washington, D. C.

DEAR SIR: I am writing you with regard to the boxcar situation here in Smith County on the Rock Island Railroad system.

We have only had 9 cars to load with grain so far in 1945, and could have used at least 100.

To make it plain, the need is critical out here, as the corn is on the ground and starting to spoil, and if there isn't something done immediately the farmers will have a great loss when the spring rains start.

Please do what you can to help, and we will appreciate it very much.

Yours truly,

OREN FLINT, *Manager.*

FARMERS UNION ELEVATOR,
Downs, Kans., April 7, 1945.

Hon. CLYDE M. REED,
Washington, D. C.

DEAR SENATOR REED: We are sure you are doing all you can regarding the boxcar shortage in the West, but want to let you know the situation here. There are thousands of bushels of corn and sorghums on the ground, and spoiling, and as germination time comes and spring rains will spoil much faster.

We have had an unusual crop of both, and the farmers do not have cribs and bins for same, and unless some relief is afforded they will take a heavy loss.

What incentive is there for farmers to raise foods if they have to lose them?

We have had 9 boxcars since the 1st of January and could of used 40, at least, and to make things more complicated have the promise of a bumper wheat crop coming on by June 20.

We are only one of three elevators here, and all have had the same experience.

Jar Colonel Johnson out of his office and get someone that is competent.

We sure appreciate your efforts in this matter and all others that you think are right and the way you get things done and are 100 percent for you.

Thanking you very much, we are,

Sincerely yours,

A. G. BLANKENSHIP,
Manager.

CORNING GRAIN CO.,
Corning, Kans., April 7, 1945.

Senator CLYDE M. REED,
Washington, D. C.

DEAR SENATOR: I am writing to you in regard to the grain-car situation in this community.

On February 17 we had 12,000 bushels of corn in the elevator and quit buying corn on account of the high moisture content of the grain. Since that time we have not bought any corn, and we still have 6,000 bushels in the elevator.

I would estimate there is 25,000 bushels of corn in farmers' hands that is piled on the ground and in open cribs in this territory that will undoubtedly spoil unless we get some relief soon.

Thanking you for your interest in the matter, I remain

Yours truly,

R. W. CONNER.

UHLMANN GRAIN CO.,
Kansas City, Mo., April 6, 1945.

Senator CLYDE M. REED,
Senator from Kansas,
Washington, D. C.

DEAR SENATOR REED: We operate quite a number of country elevators in Kansas, Nebraska, and Oklahoma, where, as you know, there is a great deal of grain on the ground waiting for boxcars to be shipped to terminal markets and to other parts of the country. This grain is in a very critical condition and millions of bushels are going out of condition every day on account of lack of shipping facilities. We even tried to haul some of it by truck, but the O. D. T., in Washington, Kansas, and Omaha consistently refused us permits to buy trucks.

We operate 22 elevators and have only 1 truck, whereas we ought to have 2 trucks for each elevator in order to give farmers at least a semblance of service. However, boxcars are the crying need at this moment, and so far we have hardly received 1 car per week at each of our elevators, whereas we ought to get at least 1 car a day at each elevator. Consequently, we have a great deal of grain, especially corn and sorghum grains, going out of condition and becoming unfit for even feed.

We are sending you a sample of corn of which car after car is coming to market now on account of having been left on the ground and in country elevators too long waiting to be moved. This corn was perfectly good 3 or 4 weeks ago, but now it is unfit for use.

We request, therefore, that you please demand from the O. D. T. and the I. C. C. that adequate shipping facilities be furnished immediately to western States; otherwise many millions of bushels of grain will perish, which grain is badly needed, both at home and abroad, by millions of starving people. The Army also needs tremendous quantities of flour and feed, which demand the grain trade and the flour mills are unable to fill on account of lack of cars.

Your immediate attention to this matter, therefore, is urgently needed.

Yours truly,

S. PETO.

FARMERS COOPERATIVE
ELEVATOR ASSOCIATION,
Greenleaf, Kans., April 7, 1945.

Hon. Senator CLYDE M. REED,
Washington, D. C.

DEAR SENATOR: I wish to take a little of your time in calling to your attention the very serious condition brought about by the shortage of grain cars here.

In January 1945 our sales were over $47,000. We shipped out 17 cars of grain and received 5 cars of coal and feed. The Missouri Pacific Railroad Co. has just set 1 car for us since it was not shipped into Greenleaf full. Our elevator is now carrying over 15,000 bushels of wheat and over 15,000 bushels of damp corn. We are moving the corn from one bin to another every week trying to keep it in condition. We do not know whether or not we can keep it in condition by moving it when the germination season arrives.

We shipped out 2 cars of grain in March. We received 1 car of seed oats and 1 car of oyster shell and refilled them to get these 2. We are unable to purchase any more corn from farmers until we can ship some of what we have in the elevator. We were offered about 12,000 bushels this last week which we were unable to purchase on account of the car shortage.

Our 1945 wheat crop is very promising and lots of farmers have been able to sell their 1944 crop and clear bins, so will be obliged to do something with their wheat outside of their own storage as wheat cannot be piled outside on the ground and be kept on account of too much moisture.

If there is anything that can be done to force the eastern roads to return cars that belong to the western roads, it should be done and not let this corn and wheat go to waste out here.

Yours very truly,

L. J. HOOVER, *Manager.*

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation, a list of records transmitting to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

REPORT OF THE FINANCE COMMITTEE

The following report of a committee was submitted:

By Mr. GEORGE, from the Committee on Finance:

H.R. 2348. A bill to provide for the coverage of certain drugs under the Federal narcotic laws; without amendment (Rept. No. 187).

ENTERTAINMENT OF DISTINGUISHED VISITORS BY FOREIGN RELATIONS COMMITTEE

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate, I report favorably, without amendment, Senate Resolution 109, and I ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The resolution (S. Res. 109) submitted by Mr. CONNALLY on March 23, 1945, and which had been previously reported by the Committee on Foreign Relations, was read, as follows:

Resolved, That the unexpended balance of amounts made available under Senate resolution 163, Seventy-eighth Congress, first session, agreed to July 1, 1943, shall remain available for expenditure during the remainder of the Seventy-ninth Congress for the purposes stated in said resolution.

Mr. WHERRY. Mr. President, I should like to have an explanation of the resolution.

Mr. LUCAS. I yield to the Senator from Texas, the chairman of the Foreign Relations Committee, to explain the resolution.

Mr. CONNALLY. Mr. President, during the last session of Congress the Committee on Foreign Relations was given a small fund with which to pay for entertainment, lunches, and so forth, for distinguished foreign visitors. I will say to the Senator that up to that time the chairman of the Foreign Relations Committee of the Senate as well as the chairman of the Foreign Affairs Committee of the House had borne these expenses out of their own personal purses. A very small amount was expended from the fund. I do not recall what the exact amount was. There is a small balance left over. So we ask that that balance be made available during the present session of Congress.

Mr. WHERRY. I ask the distinguished Senator if he will tell us how large the balance is.

Mr. CONNALLY. Does the Senator from Illinois know?

Mr. LUCAS. I do not know.

Mr. CONNALLY. I was advised about it. It is only two or three hundred dollars.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution was considered, and agreed to.

CLERICAL ASSISTANCE FOR COMMITTEE ON FOREIGN RELATIONS

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I report favorably, with amendments, Senate Resolution No. 111, and ask unanimous consent for its immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read as follows:

Resolved, That the Committee on Foreign Relations hereby is authorized, during the remainder of the Seventy-ninth Congress, to employ additional clerical assistance to be paid from the contingent fund of the Senate at the rate of $3,600 per annum.

Mr. WHERRY. I should like to have an explanation of the resolution. I am a member of the committee, and should at least like to know what the committee is doing about the matter.

Mr. LUCAS. The Senator has been informed of practically every matter that has been considered by the committee. I have just conferred with the Senator from Illinois [Mr. BROOKS], my colleague. The Senator from Nebraska was not on the floor at the time. This is a simple resolution which had previously been reported from the Committee on Foreign Relations asking for an additional clerk at the rate of $3,600 per annum to be paid at that rate until June 30, 1945.

Mr. WHERRY. Is that in keeping with the present policy?

Mr. LUCAS. It is in keeping with the present policy which has heretofore been laid down by the committee of which the Senator from Illinois is chairman.

Mr. WHERRY. I thank the chairman of the committee. Had we had a committee meeting in which we dealt with the resolution, I should have been glad to agree to the resolution, as I am now.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, submitted by Mr. CONNALLY on March 26, 1945, and which had been previously reported from the Committee on Foreign Relations.

The amendments of the Committee to Audit and Control the Contingent Expenses of the Senate were, in line 2, after the word "authorized", to strike out the comma and "during the remainder of the Seventy-ninth Congress," and in line 5, after the words "per annum", to insert "until June 30, 1945."

The amendments were agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That the Committee on Foreign Relations hereby is authorized to employ additional clerical assistance to be paid from the contingent fund of the Senate at the rate of $3,600 per annum, until June 30, 1945.

UNIFORM SYSTEM OF BANKRUPTCY THROUGHOUT THE UNITED STATES—CHANGE OF REFERENCE

Mr. McCARRAN. Mr. President, an agreement has been reached between the chairman of the Committee on the Judiciary and the chairman of the Interstate Commerce Committee of the Senate with respect to the discharge of the Committee on Interstate Commerce from further consideration of House bill 37 and reference of the bill to the Committee on the Judiciary.

Mr. WHITE. Mr. President, I understand the Senator from Nevada is acting in consequence of an arrangement which has been worked out between him and the chairman of the Committee on Interstate Commerce of the Senate.

Mr. McCARRAN. That is correct.

Mr. WHITE. The resolution refers to a uniform system of bankruptcy throughout the United States?

Mr. McCARRAN. That is correct.

I now ask unanimous consent for the present consideration of Senate Resolution 94.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution (S. Res. 94) which had been submitted by Mr. McCARRAN on March 26, 1945, as follows:

Resolved, That the Committee on Interstate Commerce be discharged from the further consideration of the bill (H. R. 37) to amend section 77 of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States," as amended, and that it be referred to the Committee on the Judiciary.

Mr. McCARRAN. Mr. President, I offer an amendment to the resolution.

The VICE PRESIDENT. The amendment will be stated.

The CHIEF CLERK. It is proposed to strike out the period at the end thereof and to insert a colon and the following proviso: "*Provided*, That when reported to the Senate, such bill shall be referred to the Committee on Interstate Commerce."

Mr. McCARRAN. Mr. President, the chairman of the Committee on Interstate Commerce and the chairman of the Committee on the Judiciary have agreed to this arrangement, the bill to be first dealt with by the Committee on the Judiciary and then referred to the Committee on Interstate Commerce.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to, as follows:

Resolved, That the Committee on Interstate Commerce be discharged from the further consideration of the bill (H. R. 37) to amend section 77 of the act of July 1, 1898, entitled "An act to establish a uniform system of bankruptcy throughout the United States," as amended, and that it be referred to the Committee on the Judiciary: *Provided*, That when reported to the Senate, such bill shall be referred to the Committee on Interstate Commerce.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BUTLER:

S. 865. A bill for the relief of Richard A. Allberry; to the Committee on Claims.

(Mr. MAGNUSON introduced Senate bill 866, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. THOMAS of Utah:

S. 867. A bill for the relief of Ruby Doris Calvert, as administratrix of the estate of Frederick Calvert, deceased (with an accompanying paper); to the Committee on Claims.

Mr. CORDON. Mr. President, I ask unanimous consent to introduce for appropriate reference a bill authorizing annual payments to States, Territories, and insular governments for the benefit of their local political subdivisions based on the fair value of national-forest land situated therein, and for other purposes.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from Oregon will be received and appropriately referred.

By Mr. CORDON:

S. 868. A bill authorizing annual payments to States, Territories, and insular governments for the benefit of their local political subdivisions, based on the fair value of the national-forest lands situated therein, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. O'MAHONEY:

S. 869. A bill relating to disbursement of joint funds of the Shoshone and Arapaho Tribes of the Wind River Reservation; to the Committee on Indian Affairs.

BENEFITS TO WIDOWS OF PERSONS WHOSE DEATH RESULTS FROM SERVICE IN THE ARMED FORCES

Mr. MAGNUSON. Mr. President, when Congress passed the so-called G. I. bill of rights, I think it unconsciously and perhaps inadvertently eliminated a very small category of individuals who are justly entitled to the benefits under the act. I refer to the widows of those who might be killed in action or who died as the result of diseases contracted in line of duty. I am today introducing a bill to include such widows, who compose a very small category of American citizens. They are justly entitled to these benefits. The bill provides that a widow shall have the same rights to buy a home or continue her education as if the deceased were living. I think they should be included in the act.

I have discussed this matter informally with officials of the War Department and officials of the Navy Department and others in the military, and they all believe the bill represents a very just and equitable amendment to the act.

Mr. President, I ask unanimous consent to introduce the bill for appropriate reference.

The VICE PRESIDENT. Without objection, the bill introduced by the Senator from Washington will be received and appropriately referred.

The bill (S. 866) to extend benefits under the Servicemen's Readjustment Act of 1944 to the widows of persons whose death results from service in the armed forces was read twice by its title and referred to the Committee on Finance.

PRINTING OF REPORT ON SURVEY OF FISHERY RESOURCES

Mr. BAILEY submitted the following concurrent resolution (S. Con. Res. 14), which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That the letter of the Secretary of the Interior, dated February 2, 1945, transmitting, pursuant to Public Law No. 302, Seventy-eighth Congress, approved May 14, 1944, a report on a survey of the fishery resources of the United States and its possessions, be printed as a Senate document, and that 33,100 additional copies shall be printed, of which 10,000 copies shall be for the use of the Senate, 22,100 copies for the use of the House of Representatives, 500 copies for the use of the Committee on Commerce of the Senate, and 500 copies for the use of the Committee on the Merchant Marine and Fisheries of the House of Representatives.

POST-WAR SAVINGS AND OPPORTUNITIES FOR THEIR INVESTMENT

Mr. DOWNEY submitted the following resolution (S. Res. 117), which was referred to the Committee on Banking and Currency:

Resolved, That the Committee on Banking and Currency, or any duly authorized subcommittee thereof, is hereby authorized and directed (1) to investigate and determine as to the post-war era the source and magnitude of savings by individuals, corporations, and businesses of all kinds, and by governmental units—Federal, State, and local, (2) to investigate and determine the opportunities for the investment and employment of savings in the post-war period, and (3) to assemble and analyze all data tending to show to what extent, and how, the savings and capital proceeding from the national income of our people, when fully employed, may be absorbed and utilized in proper investments or may tend to stagnate and produce depressions. The committee shall report to the Senate at the earliest practicable date the results of its investigation, together with such recommendations with respect to necessary legislation as it may deem advisable.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Senate in the Seventy-ninth Congress, to employ such experts, and such clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expense of the committee, which shall not exceed $1,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

FOREIGN OWNERSHIP OR CONTROL OF RADIO PATENTS

Mr. CAPEHART (for himself and Mr. WHEELER) submitted the following resolution (S. Res. 118), which was referred to the Committee on Interstate Commerce:

Resolved, That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the relationship of foreign companies and persons to radio and other communication in the United States and the effect of such relationship upon the national economy and safety of the United States, with particular reference to patents owned or controlled by such foreign companies or persons and arrangements or agreements made by such foreign companies or persons concerning radio and other communication. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation together with such recommendations as it may deem desirable.

For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings; to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress; to employ such clerical and other assistants; to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents; to administer such oaths; to take such testimony; and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed $10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

ONE HUNDRED AND TWENTY-FOURTH ANNIVERSARY OF GREEK INDEPENDENCE—ADDRESS BY THE AMBASSADOR OF GREECE

[Mr. GREEN asked and obtained leave to have printed in the RECORD an address delivered by the Ambassador of Greece, at Worcester, Mass., March 25, 1945, in commemoration of the one hundred and twenty-fourth anniversary of Greek independence, which appears in the Appendix.]

AN OPEN LETTER FROM GENEROSO POPE, URGING INVITATION OF ITALY TO THE SAN FRANCISCO CONFERENCE

[Mr. McMAHON asked and obtained leave to have printed in the RECORD an open letter from Generoso Pope, publisher of Il Progresso Italo-Americano, to the members of the United States security delegation, dated April 11, 1945, which appears in the Appendix.]

REDUCTION IN OUTPUT OF FARM MACHINERY—ARTICLE FROM NEW YORK TIMES

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article entitled "Farm Machinery Cut 23 Percent in Output," published in the New York Times of April 11, 1945, which appears in the Appendix.]

AUTHORIZATION FOR USE OF LUMBER OVERSEAS

[Mr. LANGER asked and obtained leave to have printed in the RECORD a release of the War Production Board concerning authorization for the use of lumber overseas, which appears in the Appendix.]

CALL OF THE ROLL

Mr. LANGER. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Magnuson
Austin	Fulbright	Millikin
Bailey	George	Morse
Ball	Green	Murdock
Bankhead	Hart	O'Daniel
Barkley	Hatch	O'Mahoney
Briggs	Hawkes	Overton
Brooks	Hill	Saltonstall
Burton	Hoey	Smith
Butler	Johnson, Calif.	Thomas, Utah
Byrd	Kilgore	Tunnell
Capehart	La Follette	Walsh
Capper	Langer	Wherry
Chavez	Lucas	White
Connally	McCarran	Wiley
Donnell	McFarland	Wilson
Downey	McKellar	
Eastland	McMahon	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from Kentucky [Mr. CHANDLER], and the Senator from South Carolina [Mr. MAYBANK] are necessarily absent.

The Senator from Louisiana [Mr. ELLENDER], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. MYERS], the Senator from Tennessee [Mr. STEWART], and the Senator from Idaho [Mr. TAYLOR] are absent on public business.

The Senator from Washington [Mr. MITCHELL] is absent on official business with the Special Committee to investigate the National Defense Program.

The Senator from Mississippi [Mr. BILBO], the Senator from Rhode Island [Mr. GERRY], the Senator from Arizona [Mr. HAYDEN], the Senator from Colorado [Mr. JOHNSON], the Senator from Arkansas [Mr. MCCLELLAN], the Senator from Florida [Mr. PEPPER], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Georgia [Mr. RUSSELL], the Senator from Oklahoma [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are attending committee meetings and on official business pertaining to their respective States.

Mr. WHERRY. The Senator from Maine [Mr. BREWSTER], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], the Senator from New Hampshire [Mr. TOBEY], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent.

The Senator from Ohio [Mr. BURTON] is detained on official business of the Senate.

The following Senators are detained in committee meetings and on official business:

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Oregon [Mr. CORDON], the Senator from South Dakota [Mr GURNEY], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Oklahoma [Mr. MOORE], the Senator from Kansas [Mr. REED], the Senator from West Virginia [Mr. REVERCOMB] the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Ohio [Mr. TAFT], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Indiana [Mr. WILLIS].

The VICE PRESIDENT. Fifty-two Senators having answered to their names, a quorum is present.

LEAVE TO ATTEND COMMITTEE MEETING

Mr. CHAVEZ. Mr. President, I should like to make a parliamentary inquiry of the Chair.

The VICE PRESIDENT. The Senator will state it.

Mr. CHAVEZ. The Committee on Education and Labor was in session this morning when the quorum call came. The chairman of the committee asked us to be back in committee in 15 minutes. Under the ruling as reported by the press and supposed to have been made by the Chair yesterday, is it necessary to ask for official permission to leave the Chamber now in order that we may go back to the committee?

The VICE PRESIDENT. If the committee is meeting in the Capitol Building and the members are immediately available on call of the Senate, there is no reason for asking permission.

Mr. CHAVEZ. What if it is meeting in the Senate Office Building?

The VICE PRESIDENT. Then they must ask permission, because some time is required to get from the Senate Office Building to the Capitol.

Mr. CHAVEZ. Mr. President, I ask permission to leave the Chamber to attend a meeting of the Committee on Education and Labor.

The VICE PRESIDENT. Without objection, permission is granted.

LEAVE OF ABSENCE FOR MEMBERS OF BOARD OF VISITORS TO NAVAL ACADEMY

Mr. WALSH. Mr. President, I ask that the Senators who are members of the Board of Visitors to the Naval Academy may have leave of absence from the Senate on Monday, Tuesday, and Wednesday of next week.

The VICE PRESIDENT. Is there objection to the request of the Senator from Massachusetts? The Chair hears none, and leave of absence is granted.

LEAVE OF ABSENCE

Mr. HILL. Mr. President, the Senate Committee on Military Affairs has an engagement of several days standing with Gen. Brehon H. Somervell, commanding general of the supply forces of the Army. I ask unanimous consent that members of the Senate Committee on Military Affairs may be permitted to keep this engagement at the Pentagon Building, and may absent themselves from the Senate, and from the call of the Senate, during such time as the meeting may occupy.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and permission is granted.

Mr. MCKELLAR. Mr. President, I am under an engagement to make a Jefferson Day address at Knoxville, Tenn., tomorrow night, and I ask unanimous consent to be excused until next Monday.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MCKELLAR. I yield.

Mr. DOWNEY. Reserving the right to object, does the distinguished Senator intend to make the usual eloquent and oratorical address which he generally makes? [Laughter.]

Mr. MCKELLAR. I am unable to say.

Mr. DOWNEY. I am sure he will do so, and therefore I make no objection to his being absent.

Mr. MCKELLAR. I thank the Senator.

The VICE PRESIDENT. Is there objection to the request of the Senator from Tennessee? The Chair hears none, and leave is granted.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 201. An act for the relief of the Dempsey Industrial Furnace Corporation;

H. R. 202. An act for the relief of Angelina Bourbeau;

H. R. 206. An act for the relief of St. Vincent's Infirmary and Dr. Alvin W. Strauss;

H. R. 266. An act for the relief of the Southern Bitumen Co., of Ensley, Ala.;

H. R. 510. An act granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and upon the San Jacinto Military Reservation in Galveston County, Tex.;

H. R. 695. An act to amend the act entitled "An act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America," approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest;

H. R. 787. An act for the relief of Murray B. Latimer;

H. R. 791. An act for the relief of H. J. Blexrud estate;

H. R. 807. An act for the relief of Mrs. Wilma Louise Townsend;

H. R. 914. An act granting the consent of Congress to the States of Colorado and Kansas to negotiate and enter into a compact for the division of the waters of the Arkansas River;

H. R. 933. An act for the relief of Margaret G. Potts;

H. R. 934. An act for the relief of Charles H. Dougherty, Sr.;

H. R. 945. An act for the relief of Fred Clouse and Mrs. Emily G. Clouse;

H. R. 949. An act for the relief of Mrs. Mildred Ring;

H. R. 990. An act to provide for the reimbursement of certain civilian personnel for personal property lost as a result of the Japanese occupation of Hong Kong and Manila;

H. R. 1012. An act for the relief of A. P. Scarborough and J. D. Ethridge;

H. R. 1079. An act for the relief of Ray L. Smith;

H. R. 1094. An act for the relief of the Jay Taylor Cattle Co., Amarillo, Tex.;

H. R. 1135. An act for the relief of Gus A. Vance;

H. R. 1324. An act for the relief of Leo Edward Day and Phillip Tamborello;

H. R. 1344. An act for the relief of George Webb;

H. R. 1353. An act for the relief of J. P. Harris;

H. R. 1396. An act for the relief of Anne Loacker;

H. R. 1492. An act for the relief of Florence J. Sypert, administratrix of the estate of Leona Connor Childers;

H. R. 1483. An act for the relief of Mrs. W. V. Justice;

H. R. 1534. An act to amend the Fact Finder's Act;

H. R. 1539. An act for the relief of Dr. David R. Barglow;

H. R. 1676. An act for the relief of the Daniel Baker Co., of Manchester, Ky.;

H. R. 1716. An act for the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased;

H. R. 2013. An act to extend for 1 year the provisions of an act to promote the defense of the United States, approved March 11, 1941, as amended; and

H. R. 2055. An act for the relief of Ben Crumstein.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.), between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th

Cong., 2d sess.), a protocol supplementary to the treaty.

The VICE PRESIDENT. The question is on agreeing to the reservations proposed yesterday by the Senator from Texas [Mr. CONNALLY] on behalf of the Committee on Foreign Relations, to the pending Mexican water treaty.

Mr. CONNALLY. Mr. President, I invite the attention of all Senators to the fact that there is now printed and lying on the desk of each Senator a copy of the resolution of ratification which I offered. Attached thereto are certain reservations which have been very carefully drawn. They have been thoroughly considered by the Committee on Foreign Relations. They were offered by me at the direction of the Committee on Foreign Relations.

However, yesterday afternoon, through an excess of caution, the committee authorized and directed a subcommittee to hear interested Senators who had complaints to make respecting the reservations, or who desired further reservations. As a result, I wish to modify reservation (b) on page 4, which I understand I have the right to do, by adding certain language.

The PRESIDENT pro tempore. The committee has the right to modify its reservations. The modification will be stated.

The CHIEF CLERK. On page 4, line 11, of the resolution of ratification, in reservation (b), after "United States", it is proposed to insert a semicolon and the following: "or as impairing the power of the Congress of the United States to define the terms of office of members of the United States section of the International Boundary and Water Commission or to provide for their appointment by the President by and with the advice and consent of the Senate or otherwise."

Mr. WHITE. Mr. President, will the Senator indicate again just what the amendment is

Mr. CONNALLY. It is a modification of reservation (b), on page 4 of the resolution of ratification, by adding certain language.

The PRESIDENT pro tempore. The reservation is modified accordingly.

Mr. CONNALLY. Mr. President, at the direction of the Committee on Foreign Relations, I desire to modify reservation (c) on page 4 of the resolution of ratification by striking out reservation (c), on page 4, after line 11, down to and including all of line 22 on page 4, and substituting certain language in lieu thereof.

The PRESIDENT pro tempore. The modification will be stated.

The CHIEF CLERK. On page 4 of the resolution of ratification, after line 11, it is proposed to strike out:

(c) That nothing contained in the treaty or protocal shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, or the United States Section of said Commission, to interfere with the domestic administration within the United States of the appropriation, distribution, or use of water: *Provided, however,* That nothing herein contained shall be construed as in any way impairing the obligations of the United States of America to the United Mexican States under the treaty and the protocal.

And insert in lieu thereof the following:

That nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, or the United States Section of said Commission, to alter or control the distribution of water to users within the territorial limits of any of the individual States.

The PRESIDENT pro tempore. The reservation is modified accordingly.

Mr. CONNALLY. Mr. President, those are the two modifications which I suggest. The Senator from Utah [Mr. MURDOCK] is interested in an amendment to reservation (j) on page 6 of the resolution of ratification. I have been conferring with him. I am glad to yield to him at this time.

Mr. MURDOCK. Mr. President, on behalf of the senior Senator from Wyoming [Mr. O'MAHONEY], the junior Senator from Arizona [Mr. MCFARLAND] and myself, I offer a substitute for the committee's reservation (j).

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 6 of the resolution of ratification, after line 3, it is proposed to strike out:

(j) That the quantities of 1,500,000 acre-feet and 1,700,000 acre-feet of water referred to in subparagraph (b) of article 10, and in paragraph E of article 15, of the treaty, include, and are not in addition to, the quantity of 1,500,000 acre-feet of water, the delivery of which is guaranteed under subparagraph (a) of article 10.

And to insert in lieu thereof the following:

(j) That the 1,700,000 acre-feet specified in paragraph (b) of article 10 includes and is not in addition to the 1,500,000 acre-feet, the delivery of which to Mexico is guaranteed in subparagraph (a) of article 10; second, that the 1,500,000 acre-feet specified in three places in said subparagraph (b) is identical with the 1,500,000 acre-feet specified in said subparagraph (a); third, that any use by Mexico under said subparagraph (b) of quantities of water arriving at the Mexican points of diversion in excess of said 1,500,000 acre-feet shall not give rise to any future claim of right by Mexico in excess of said guaranteed quantity of 1,500,000 acre-feet of water.

Mr. CONNALLY. Mr. President, I am willing to accept the amendment to reservation (j).

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WHITE. Is the amendment which the Senator from Utah offers a substitute for reservation (j), or is it an addition?

Mr. MURDOCK. It is a substitute for reservation (j) as offered by the committee. As I understand, the chairman of the committee agrees to accept it.

Mr. CONNALLY. Yes; I agree to accept it.

Mr. MURDOCK. Mr. President, my purpose in offering the substitute for reservation (j) submitted by the committee is to resolve a very genuine and sincere doubt in my mind, in which doubt I am joined by other Senators, as to the language contained in article 10 of the treaty which allots water to Mexico from the Colorado River. Yesterday I made a statement to the subcommittee which was considering these matters for the Committee on Foreign Relations, and presented my reservation. I believe that the language of the substitute offered by me clarifies beyond question the meaning and intent of the language of article 10. In my opinion, the most important part of the treaty with Mexico, as it involves the Colorado River, is the question of quantity.

Having that language fully clarified to my satisfaction and to the satisfaction of the junior Senator from Arizona [Mr. MCFARLAND] and the senior Senator from Wyoming [Mr. O'MAHONEY], it is my intention now to vote for the ratification of the treaty.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Utah [Mr. MURDOCK] to reservation (j) in the resolution of ratification on page 6, after line 3.

The amendment was agreed to.

Mr. CONNALLY. Mr. President, the Senator from Wyoming [Mr. O'MAHONEY] has a reservation to which I shall have to give some attention in a few minutes.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. O'MAHONEY. Mr. President, the Senator from Texas has been good enough to point out that the text of a resolution which I offered and had printed last week has been inserted in the modifications to the reservations which he has submitted today.

My reservation was intended to make clear that the Congress of the United States does not sacrifice any of its power or jurisdiction to fix the terms of office of members of the United States section of the International Boundary and Water Commission, and does not impair the right of the Congress to provide for confirmation of the appointment of such members by the advice and consent of the Senate, or otherwise. That suggestion has been adopted, and I thank the Senator and the Committee on Foreign Relations for having acceded to that suggestion.

Mr. CONNALLY. Mr. President, I thank the Senator for his generous remarks with respect to the Committee on Foreign Relations. I use them to balance some of the things which have been said on the other side of the question.

Mr. President, I am extremely anxious that the Senate should fix a time to dispose of the reservations to the treaty. I therefore ask unanimous consent that the Senate proceed to vote upon the reservations to the treaty and all amendments thereto not later than 2 o'clock p. m. on next Monday.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. DOWNEY. Mr. President, reserving the right to object, I ask the distinguished Senator from Texas if he is willing to change the agreement so that it will provide that the vote shall be taken at 3 o'clock next Monday instead of at 2 o'clock?

Mr. CONNALLY. If the Senate will agree to it, I am willing.

Mr. DOWNEY. Mr. President, I also desire to ask the Senator if he is willing to change the agreement so that the vote shall be taken at that time instead of at no later time.

Mr. CONNALLY. At that time? I think that if we say "not later than 3 o'clock" and we conclude the debate before that time, we may proceed to vote. The language of the agreement guarantees that so long as any Senator is able to stand on the floor and debate, the vote will not come until 3 o'clock on Monday. I mean to include in my request the understanding that at 3 o'clock the Senate shall proceed to vote on the reservations and amendments thereto without further debate.

Mr. DOWNEY. Mr. President, there are other Senators who are vitally concerned in this matter who desire to present their arguments on Monday. In view of that fact, I ask the Senator from Texas if he is willing to modify his unanimous consent request so as to provide that the vote shall take place on Monday not later than 3 o'clock?

Mr. CONNALLY. That is what I said.

Mr. DOWNEY. Very well. But if there were no speakers present say at 4 o'clock or 3 o'clock this afternoon, it would still be understood that the vote would go over.

Mr. CONNALLY. No. What does the Senator mean by "go over"?

Mr. BARKLEY. Mr. President, if the Senator from Texas will yield for a suggestion, I may say that I appreciate the fact that many Senators wish to know precisely when the vote will take place. I see an advantage in agreeing that we will vote at 3 o'clock sharp on Monday next instead of not later than that time. I think that Senators would like to be assured that if the debate runs out before that time the vote will not be taken until 3 o'clock on Monday next.

Mr. DOWNEY. Yes. I desire to know if the distinguished leader will accede further to me in this matter. In my opinion, the reservations which the Senator from Texas has presented have very greatly improved the treaty. I am far from being satisfied with the treaty, even with the reservations, but they certainly very greatly improve it. However, the reservations are very technical. Changes have been made in them since yesterday. I wish to do all I personally can do to accelerate the work of the Senate in connection with this matter. I feel quite sure that justice will be served if the reservations of the Senator from Texas are not taken up until tomorrow. They should be printed in final form and an opportunity should be afforded to all Members of the Senate to study them. Therefore, I think that we should have an understanding at this time that the reservations will not be taken up and discussed until tomorrow.

Mr. CONNALLY. Does the Senator from California object to any Member discussing the reservations?

Mr. DOWNEY. No; I have no objection to that. I should like to have the opportunity—and this is not made as a condition—to sit down with the distinguished Senator from Georgia [Mr. GEORGE], as well as other Senators who are members of the Foreign Relations Committee, to see if we cannot clarify our minds in three or four respects in connection with these reservations. I believe certain technical defects are involved which the Senator himself would wish to have corrected; but, knowing the very fine intellect of the Senator from Georgia, I may be the one who will be converted. I think that what I am saying is in the interest of saving the time of the Senate, as well as good policy. I should like to ask the Senator from Georgia if he is willing to sit down with us in a discussion of these reservations.

Mr. CONNALLY. Mr. President, that is a matter of private arrangement between the Senator from California [Mr. DOWNEY] and the Senator from Georgia [Mr. GEORGE].

Mr. DOWNEY. Mr. President, another understanding in which I am sure the distinguished Senator will immediately join, is that the unanimous-consent agreement is dependent upon a quorum being present in the Senate today, Friday, and Monday.

Mr. CONNALLY. How about Sunday? [Laughter.]

Mr. DOWNEY. Mr. President, I do not believe we should be obligated to vote if no quorum were present from now until 3 o'clock next Monday. Many of these controversial matters can be argued and disposed of if a quorum is present. I have understood that a quorum will not be present tomorrow and that we shall not be able to do business. Manifestly, we cannot enter into unanimous-consent agreements if a quorum is not present.

Mr. BARKLEY. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Kentucky?

Mr. CONNALLY. I yield.

Mr. BARKLEY. I think a quorum will be present in the Senate. It is difficult to fix a time for voting with a proviso that the agreement will be nullified if at any time today, tomorrow, or on Monday next, a quorum is not present.

I am satisfied there will be a quorum in town the rest of today and tomorrow and Monday. I will make use of all the parliamentary authority I have, and the Senator from Texas will do the same, to provide that a quorum shall be present; but the Senator knows that there is no way on earth that we can guarantee that 49 Senators will be here at every minute during the remainder of today and tomorrow and Monday.

Mr. DOWNEY. Mr. President, I am not endeavoring to raise any technical point. I am not now striving for a greater state of perfection such as the distinguished Senator from Wisconsin [Mr. LA FOLLETTE] is now envisioning. I am not requesting that. So far as the remainder of the afternoon is concerned, I would not raise any question, because I personally want to go over the reservations presented by the Senator from Texas. But if the Senate in its session tomorrow attempts to dispose of 10 or 15 of the reservations, by way of voting on them and getting them out of the way—and I hope that will be done—and if a quorum is not present and we can not do any business, how can the Senator expect me to obligate myself under those conditions?

Mr. BARKLEY. Let me ask the Senator a question. I understand that the unanimous-consent request to vote at 3 o'clock on Monday is a request to vote on all the reservations. As I understand, it is not contemplated that the Senate will vote tomorrow on all the reservations, but that the Senate will begin to vote on them, and that on Monday at 3 o'clock the Senate will vote on all the remaining reservations, and that they may be discussed between now and then by any Senator who wishes to discuss them. That is my understanding of the unanimous-consent request of the Senator from Texas.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. WHITE. The Senator from Kentucky has stated the situation precisely as I understand it to be, and I earnestly hope that the request of the Senator from Texas will be agreed to, so that we shall all know with definiteness when voting is to begin and when voting is to conclude on all the reservations and on the treaty itself.

I simply do not see how it is practicable to arrive at an agreement as to any contingencies which might nullify or take away the vitality of the unanimous-consent agreement which is pending. What little influence I may have, I assure the Senator, will be exerted to the full toward keeping all Members of the Senate in the Senate Chamber so that they may have the benefit of the discussion which may occur during the next 2 days.

Notwithstanding all the complexities of this problem, I feel strongly that it is a matter of moment, that it has been pending for weeks on end, that there has been long and learned discussion of many of its phases, and that we should bring the discussion to a conclusion, and should dispose of the matter, whatever may be the outcome on the basis of the votes which will be cast.

I hope the Senator from California will not interpose objection to the unanimous-consent request made by the Senator from Texas.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. I think the implication which may be drawn from some of the remarks just made is not wholly fair. I know of no other matter so complicated and so important as the pending treaty which has occupied such a small amount of the time of the Senate. The principal arguments have been made by the distinguished junior Senator from Colorado [Mr. MILLIKIN] and myself,

with the distinguished senior Senator from Texas [Mr. CONNALLY] taking 1 day. There have been only 4 or 5 days of straight time occupied in this very important and complicated discussion. The time has been almost equally divided. On my part, I desire to accelerate the matter in every way I can.

Let me say further——

Mr. CONNALLY. Mr. President, will the Senator permit me to make an observation at this point?

Mr. DOWNEY. Certainly.

Mr. CONNALLY. So far as the division of time is concerned, I am willing to have the opponents of the treaty have two-thirds of the remaining time, the proponents to have one-third.

Mr. DOWNEY. Mr. President, let me continue my remarks in this way: I did not mean to indicate, although I presume my language probably could have been so interpreted, that on all the reservations and the amendments thereto no vote would be had until Monday. I thought the Senate would be in session, say, tomorrow, voting on amendments to the reservations and on reservations, and would get as many as possible out of the way, and that at 3 o'clock on Monday the Senate would vote on all reservations which had not previously been disposed of, and also would vote at that time on the treaty itself.

Mr. CONNALLY. That is all right.

Mr. DOWNEY. My friend the distinguished senior Senator from Texas says to me, "That is all right." The difficulty is, suppose a quorum is not present tomorrow.

Mr. CONNALLY. A vote cannot be had if a quorum is not present——

Mr. BARKLEY. Mr. President, if the Senator will yield to me, let me say that if any Senator makes the point of the absence of a quorum, the Senate cannot vote until a quorum is present. I pledge to the Senator, even though I may get still farther in the dog house with my colleagues, that I will use every ounce of influence I have to see that a quorum is present. I know the Senator wishes to help facilitate the handling of this matter.

My notion is that if any Senator objects to having a vote taken on any of the reservations tomorrow, the Senate will vote on them beginning at 3 o'clock on Monday. I grant that it is possible that some of the reservations may encounter no opposition; they may be acceptable to all Senators, and no Senator may desire to discuss them.

Mr. DOWNEY. Mr. President, of course the difficulty in that connection is that it is probable that many Senators will be voting on reservations which they have not heard discussed or argued at all. Perhaps they would vote even more intelligently under such circumstances; I do not know, but I am not willing so to assume.

Mr. BARKLEY. In respect to any such reservation, a request on the part of any Senator that consideration of the reservation go over until 3 o'clock on Monday would be granted, even if the request included all the reservations.

Mr. DOWNEY. Let me propound a parliamentary inquiry: Would a unanimous-consent agreement that the reservations and any amendments thereto could be called up and could be voted on tomorrow, even if a quorum were not present——

Mr. BARKLEY. No.

Mr. CONNALLY. No; that could not be done, if any Senator raised the point of the absence of a quorum.

The PRESIDENT pro tempore. If any Senator were to raise the point of the absence of a quorum, a quorum would have to be developed before the Senate could vote on the reservations.

Mr. CONNALLY. Mr. President, I understood the Senator to say that he was in favor of nearly all the reservations.

Mr. DOWNEY. I am.

Mr. CONNALLY. Then there will not be any debate on them, if we are able to eliminate debate on them in that way.

Mr. DOWNEY. I have no argument to make on many of the reservations, but I have some reservations which I wish to present.

Mr. CONNALLY. I understand.

Mr. DOWNEY. Let me say in conclusion—and I have been leading up to this climax—that there is one reservation which I desire to present. If the distinguished Senator from Texas will accept it, that will permit me to greatly reduce my argument on the floor of the Senate. The reservation to which I refer is one to which I think most Senators will accede, on the ground that it is a fair one.

I should like to read the reservation to the Senate, and then I shall ask the Senator whether he will agree to accept it, as a part of the unanimous-consent agreement:

> That within 6 months after the date of entry into force of this treaty the two Governments shall enter into negotiation of a protocol to this treaty, which shall provide that each section of the Commission shall be headed by three Commissioners, and that one of the Commissioners of the United States Section shall be a resident of the Lower Rio Grande Basin; one a resident of the Colorado River Basin; and the third shall be a person not now residing in a State within, or partially within, either of said basins: *Provided*, That if such protocol is not made within 1 year after the date of entry into force of the treaty, thereafter the United States Commissioner shall be a person not now residing in any State within, or partially within, either of said basins; and that this understanding will be mentioned in the ratifications of this treaty as conveying the true meaning of the treaty, and will in effect form a part of the treaty.

I desire to point out to the distinguished Senator, before he expresses himself on the reservation, that it is merely a request by the Senate of the United States that Mexico consider a protocol such as I have suggested in the reservation. If Mexico is willing to consider it, and if she presents some matters in that connection, the reservation and such additional matters will then come back to the Senate of the United States, for its further deliberation and possible acceptance.

The reservation contains the proviso that if within 1 year a new treaty increasing the personnel of the International Boundary Commission is not made, thereafter no individual who is a resident either of the Rio Grande Basin or the Colorado River Basin may be the Commissioner.

I wish to say to the distinguished Senator that I do not believe he himself would believe that a man from either basin should deal with Mexico in regard to the respective contrasting rights or obligations in both the lower basins. I have no desire to stand upon the floor of the Senate and go through the record made in the hearings, taking seriatim the testimony of Mr. Lawson, showing how loose and inaccurate and ignorant he is about the treaty, showing how he failed to investigate vital matters concerning the treaty. So far as I am concerned I am going to take all the time I can be allowed by the laws of nature and by the Senate in order to convince the Senate that we in the Colorado River Basin should not be under the dominion and control of Mr. Lawson in future operations. The reservation would give him an opportunity to retain his position as one of the three, if it should be worked out; if it should not be worked out, it would give him time to rearrange his affairs thereafter.

Mr. CONNALLY. Mr. President, the Senator from California has many times on the floor bitterly attacked Mr. Lawson because, he says, he is a Texan. As a matter of fact Mr. Lawson is not a Texan. He is a career man of the Reclamation Service. He became a member of the Boundary Commission because he was regarded as an excellent engineer and as being familiar with the engineering problems involved and the duties that would attach to the Boundary Commission. As a matter of fact, Mr. Lawson graduated from one of the universities of California; at the moment I cannot say whether it was the University of California or Leland Stanford, but I think it was Leland Stanford. The testimony in the record before the committee was that his first experience with waterways was on the Colorado River, where he went as a young engineer as long ago as I now recall as 1902; in any event many years ago, before he ever had any connection with the Boundary Commission or even any connection with the Rio Grande. That is Mr. Lawson's background. He resides at El Paso, Tex., because the duties of his position require that he reside somewhere on the border, so that he may properly perform his duties.

Mr. President, I cannot agree to accept this sort of a reservation. The question involved is not a proper subject of reservation. The reservation is a change of the treaty; it is a rejection of the treaty, and if it should be adopted as a reservation Mexico would very likely say, or could say, "You have rejected the treaty and therefore it will be necessary to enter into a renegotiation of the whole problem." I cannot agree to the reservation because, after all, it proposes legislation; it undertakes to legislate on behalf of the United States in a treaty as to what shall become of a boundary commissioner and what his duties shall be and how he shall be appointed in the future.

I do not mind saying to the Senator that I would have no objection, indeed I should encourage, the State Department to take this matter up independently of the treaty with Mexico, and if an agreement could be worked out in the intervening time well and good; but I cannot see my way clear to accept the reservation; I think it is unreasonable; I think it is absolutely beyond serious contemplation that anybody could agree to that sort of a reservation to a treaty.

Mr. BARKLEY, Mr. DOWNEY, and Mr. HAWKES addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Texas yield, and, if so, to whom?

Mr. CONNALLY. I yield first to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, I wish the attention of both the Senator from Texas and the Senator from California. It seems to me that the reservation suggested by the Senator from California very largely deals with a matter of domestic legislation on the part of Congress. Would not the Senator's purpose be served by the adoption even of an independent resolution by the Senate, not a part of the treaty or the resolution of ratification, suggesting to the State Department that they open negotiations with Mexico with a view to increasing the size of the Commission? I doubt very much whether a reservation on this treaty saying where the Commissioners shall reside or where they shall not reside would be a proper matter for a reservation to the treaty, but the Congress could provide for that by legislation which it might enact, following an agreement with Mexico increasing the size of the Commission. We could provide by our own domestic legislation where our member of the Commission should come from. Personally, I should be glad to cooperate in support of an independent resolution of that sort, but I think that to put it on this treaty really goes beyond the scope of a legitimate reservation.

Mr. DOWNEY and Mr. HAWKES addressed the Chair.

The PRESIDENT pro tempore. Does the Senator yield, and, if so, to whom?

Mr. CONNALLY. I yield first to the Senator from California.

Mr. DOWNEY. Mr. President, I think both the distinguished majority leader and the distinguished chairman of the Foreign Relations Committee misapprehend the purport of this reservation. It in no way seeks to bind Mexico. All it does is to direct our State Department to begin negotiations with Mexico to ascertain if Mexico will consent to a new treaty or a new protocol increasing the personnel of the International Boundary and Water Commission.

Mr. BARKLEY. Mr. President, if the Senator from Texas will yield further, let me say that, in addition, it provides that if at the end of a year a treaty has not been made on that subject, then our representative on the Commission shall not come from a certain territory, which is a matter of domestic legislation which would have to be agreed to by both Houses of Congress. We can pass that character of legislation, but certainly in determining where an appointee of the United States, to be confirmed by the Senate, should come from both Houses have to take part. We cannot do that, it seems to me by a reservation to the treaty.

Mr. HAWKES. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from New Jersey?

Mr. CONNALLY. I yield to the Senator for an insertion in the RECORD.

Mr. HAWKES. No; I do not desire to insert anything in the RECORD.

Mr. CONNALLY. I yield for a moment.

Mr. HAWKES. Unless the Senator yields to me I am going positively and definitely to object to the request for unanimous consent agreement. Let me say——

Mr. CONNALLY. I am under so much compulsion and pressure——

Mr. HAWKES. I am not trying to bring any pressure on the Senator, but I have asked him two or three times to let me make a brief statement.

Mr. CONNALLY. I have said to the Senator that as soon as we could pass on the question of fixing a time to vote I would yield to him.

Mr. HAWKES. I desire to speak to that question after I refer to an aspersion made on my character by a newspaper editorial.

Mr. CONNALLY. I do not know anything about the editorial.

Mr. HAWKES. Someone knows about it, and I want to find out who he is.

Mr. CONNALLY. I want to have a ruling on this question as soon as I can. Mr. President, I renew my request that the Senate vote not later than Monday at 3 o'clock on all reservations then pending and not adopted and on the treaty.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. TAFT. I object.

Mr. HAWKES. I object.

Mr. HAWKES. Mr. President, will the Senator from Texas yield to me for a moment?

Mr. CONNALLY. The Senator asked me to yield to him, yet he has just objected.

Mr. HAWKES. I had to object. The Senator, it seemed to me, was trying to put something over.

Mr. CONNALLY. The Senator had my assurance that as soon as we passed on the pending matter I would yield to him.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HATCH. I inquire what is pending before the Senate?

The PRESIDENT pro tempore. The request for unanimous consent.

Mr. HATCH. That has been objected to.

The PRESIDENT pro tempore. The Senator is correct. The question is on agreeing to the reservation proposed by the Senator from Texas on behalf of the Committee on Foreign Relations to the pending Mexican Water Treaty.

Mr. CONNALLY. Mr. President, if I have the floor, I now yield to the Senator from New Jersey, as I told him all the time I would yield as soon as we could obtain action on the unanimous-consent request.

Mr. HAWKES. Mr. President, it is amazing to me that this great body seems to think it is more important to ratify the Mexican Water Treaty before the meeting of the San Francisco Conference than it is to protect the interests and the rights of the American people. I cannot understand it. I am in favor of ratifying this treaty before the San Francisco Conference is held if we can do it intelligently and know what we are doing, but I certainly shall not vote to ratify the treaty if it is to be rushed through the Senate in great haste so that it may repose on the table at San Francisco. I insist that the Senate should act wisely and well, because the treaty will be the supreme law of the land and will live in perpetuity, unless the Mexican people agree to change it. I am one of those who do not wish to act in haste and repent at leisure, and I do not propose to be placed in that position.

Now, let me say, Mr. President, that I believe my colleagues in the Senate are entitled to know what I am about to say. In the Washington Post of April 11 there appeared an editorial which was inspired by the distinguished majority leader's statement about absenteeism in the Senate, and Senators failing to fulfill their duty and failing to be on the job. The newspaper editorial ascribes motives to me which I wish to discuss frankly before the Senate. I cannot believe that a man like Mr. Eugene Meyer, who is the publisher of the Washington Post, would knowingly lend himself to a statement such as was made in the Post editorial yesterday.

Let me read it:

> In recent days, when our inter-American unity has been awaiting a test on the vote on the Mexican water treaty, they—

The Senators—

> have been compelled to listen to the specious and long-winded opposition of Senators DOWNEY and HAWKES.

Mr. President what statement could be more ridiculous and absurd than that? My constituents back home are all the time asking me why I do not talk on the floor of the Senate. There is not a Senator in this Chamber today who can say I have ever been long-winded or specious. If there is one, I should like to have him rise and say it. I give him a chance.

Let me read further:

> Senator DOWNEY thinks that on the ruins of pan-Americanism he can protect the dreams of California.

All the Senator from California [Mr. DOWNEY] wants to do, and all I want to do, and all every decent American should want to do, is to protect the contracts and the compacts which have been made with our States, public agencies, and private citizens, under the authority of this great Government which we represent here as the elected representatives of the people back home.

I will ask Senators to listen to this, if they want to hear something strange:

> Senator HAWKES has his Californian landholding son-in-law to think about.

Mr. President, my colleagues are entitled to know that my son-in-law never had a dollar's worth of real-estate property in his life. He is just a young man who is trying to make a living. He does not even own the house in which he lives. I own it. And with the exception of that house in Pasadena, I do not own a dollar's worth of real-estate property west of New Jersey. Think of this newspaper trying to smear me and reduce my power in the Senate in working for what I believe to be right.

I know the Members of the Senate do not believe for one moment that the discussions we have had have not aided us in thinking more wisely. The distinguished chairman of the Committee on Foreign Relations has submitted a series of reservations, although the treaty in its original form as reported from the committee by the distinguished Senator from Texas was supposed to be ready for ratification without change. The debate which has been had in this body, participated in by numerous Senators, has tended to bring about clarity and produce a better understanding of the treaty and its meaning. I do not hesitate to say that even yet there are very few Members of the Senate who understand all the implications of the treaty.

I do not intend to call names. I could say this editorial was a deliberate lie. I could say it was an inspired editorial, as some of my friends have said. Some of them have even named the lawyer connected with the Boundary Commission who was in the editor's office the day before the editorial appeared. I shall not touch on that.

President Lincoln made a very wonderful statement, which I leave with the Senate, when he said:

> I do not have the time to read, much less the time to answer, all the attacks that are made upon me. If I did so, this shop might just as well be closed for any other business. I am doing the best I know how, the very best I can, and I intend to keep on doing so to the end, knowing that if what I do turns out all right, I shall need no defense, whereas if what I do turns out wrong, the angels swearing that I was right would make no difference.

Mr President, that is a pretty good philosophy. I am going to give Mr. Meyer a chance to apologize for his editorial.

I am telling my colleagues—not with venom or bitterness at all, for the world is on fire and I do not wish to add to its intensity—that if we are to have peace, it must be founded in truth and justice.

I should like to say to the chairman of the Committee on Foreign Relations, the distinguished Senator from Texas, and my very good friend, whom I respect very highly, that I have offered two reservations to the treaty. I have not heard anything from him about them, even though I appeared before the subcommittee yesterday. The two reservations, I believe, should be acceptable to any legislator and any American citizen. At least I have no doubt of my ability to convince the people on the subject.

The first reservation would clear up the point about who has the right to declare a drought in this country. Under the treaty as now framed, the American Commissioner has the right to declare there is surplus water so that we can give Mexico 200,000 additional acre-feet. Inasmuch as we have made it possible for three-fourths of the water we are giving to Mexico to be available at all, why should we not have the right to declare when there is a drought and not leave that question open? The State Department says it is clear; that it is intended or that "it is assumed"—those being the words—that we have the right. I ask why leave it to assumption?

I wish to read the reservation:

> With the understanding, as a part of this ratification—
>
> That the fact of existence of extraordinary drought, the reduction of consumptive uses in the United States attributable thereto, and of all other factors interfering with the delivery to Mexico of water of the Colorado River under the last paragraph of article 10 of this treaty shall be determined by the United States Section.

Mr. President, this reservation merely says what the State Department tells the Committee on Foreign Relations in its hearings is assumed to be a fact. Why leave the question open, subject to argument and disagreement, perhaps to be decided by an international arbitration court, when it is so easy to clear it up? If the State Department testimony before the Committee on Foreign Relations is correct—and I sat in the meeting and heard it—if we are honestly informed, as I assume we are, then I say to the Senate let us make the meaning clear.

I also have a reservation which it seems to me every American citizen and every Member of the Senate should favor. The reservation is designed to protect those who have relied upon compacts and contracts with the Government of the United States. If we cannot protect our own citizens, if we cannot keep faith with our own States and our own public agencies and our own citizens, then I ask what right a foreign power has to rely upon our good faith under any treaty we may make with such foreign power when it suits our convenience to break it, and we have the power to break it. The reservation reads:

> With the understanding, as a part of this ratification—
>
> That nothing in this treaty shall impair or require violation of any valid compact or contract heretofore made by the United States, with its States, public agencies, or citizens.

That is all there is to it—that we will not impair or violate any contract. Suppose I make a contract with some of my colleagues, or tell them they can rely upon something, and they do rely upon it, and then when I am making a contract with another group I say that the second contract will not cause me to fail to fulfill my contract with my colleagues. It is just a matter of keeping faith.

Mr. President, I should like to have the distinguished Senator from Texas tell us how he feels about the two reservations; but I wish to state very frankly that unless they are acted upon by the Senate my objection to a vote on Monday at 3 o'clock p. m. will stand.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. HAWKES. I yield to my colleague.

Mr. SMITH. As the colleague of the distinguished senior Senator from New Jersey, I wish to state to the Senate that I had overlooked the editorial to which he has just referred, and I am deeply shocked by it. I have known the Senator for many years, and to attribute such motives to him is absolutely inexcusable.

Mr. HAWKES. I thank my colleague from New Jersey.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HAWKES. I will yield in a moment; but before doing so I wish to say that while I appreciate the remarks of my colleague, and receive them with a sense of appreciation, I have a very definite feeling in my heart that there is not a Senator in this Chamber, on either side of the aisle, who does not know that I would not have been standing in the Senate advocating these things in connection with the treaty if I had one dollar's worth of interest in it, directly or indirectly, or if any member of my family had one dollar's worth of interest affected by the treaty, directly or indirectly, or if any friend of mine, to my knowledge, had an interes which would be affected by the treaty directly or indirectly.

Mr. President, I want to make the statement so specific that there can be no question about it. Of course, this is merely the same kind of a smear, Mr. President and Members of the Senate, which the New Deal wished on me from the day I was elected. They threatened to investigate me, but never came near me. The very day I was nominated they began to threaten me in the newspapers. My answer was, "Come and see the records. They are all here waiting for you, and I am also." They never came near me, but the smear continued for 2 years. The report of the Senate committee was delayed month after month; but when it was made to the Senate, I was found to be lily white and pure.

Mr. President, we now have something to think about. I am not talking about this matter because I am angry. I am talking about it because we in America who believe in what we have had must stand up for honesty and truth and must stand together.

I should like to leave with the Senate the little thought that in the testimony before the Foreign Relations Committee the attorney general of the State of California produced evidence showing that W. O. Jenkins, who, on February 26, 1918, was appointed American consular agent at Pueblo, Mexico, holding that position until November 30, 1930, when the Pueblo office was closed and he handed in his resignation, and who is now a citizen of Mexico, together with his associates—and I know of no one in this body who knows who his associates are; at least I do not—apparently bought 550,000 acres of land in Mexico from the syndicate of which Mr. Chandler, of the Los Angeles Times, was a member, at a price of from 50 to 75 cents an acre. If any Senator knows anything about what that 50-cent-an-acre property is worth when water is placed on it 3 feet deep a year, he will wonder, as I do, who Jenkins is and who are Jenkins' associates.

Senators, why be hurried into ratifying this treaty, which will live forever if we keep faith, and unless Mexico lets us out—and I will guarantee Mexico will not let us out. Let us consider the treaty carefully. Let us make the treaty wisely so we can live with it. Let us make it on a basis which will satisfy the people of the United States, who are looking only for justice. Let us make it on a basis which will promote peace and good will.

I should be delighted, Mr. President, if the senior Senator from Texas would tell me how he feels respecting my two reservations. If he does not wish to do so at the moment, I ask that my objection stand as it is, and it will stand positively until the Senate has considered these matters. I shall have much more to say about why we, as the representatives of the people of the various States of the American Union, should be as keenly alert to protect the interests of the people of the United States as we are to play Santa Clause and make foreign nations happy, and try to buy their friendship, and make them into good neighbors by being extravagantly generous at the expense of our own people.

Will the Senator from Texas give me his comments at the moment?

Mr. CONNALLY. I may say to the Senator from New Jersey that at the moment I should not care to undertake to discuss the reservations as an interruption of the Senator's address. They will be discussed by some Member of the Senate on this side before debate is concluded. I wish to say that I have no sympathy with attacks in the press upon the conduct of the Senator from New Jersey. I knew nothing about them one way or the other.

Mr. McCARRAN. Mr. President, will the Senator raise his voice?

Mr. CONNALLY. I said, Mr. President, that I have no sympathy with the attack in the press to which the Senator from New Jersey referred. I knew nothing about it until after it was printed in the press. I myself did not even read it. Someone called it to my attention. Of course, neither the Foreign Relations Committee nor any member of the committee had anything whatever to do with such a report.

Mr. HAWKES. Mr. President, I want to emphasize and reemphasize the point I made when I began to speak, that there is no hurry in the world about ratifying the treaty. According to the distinguished chairman of the Foreign Relations Committee, negotiations about the matter have been proceeding for 40 years and work on this document has been under way for several years. The Mexican Legislature, which must ratify the treaty, will not be in session until September 10. I plead with the Members of this body not to be rushed into taking action so that this treaty may be in San Francisco by April 25, and then be sorry about it the rest of their lives and be criticized, possibly, by some of our returning soldiers to whom we may wish to allocate land in these arid regions, and then have them find out there is no water; that we have simply sent them out to a desert.

Mr. President, I know the section of country which would be affected by the treaty. I am not just a wayfarer who wandered into California once upon a time. I have been going there for 44 years. I have seen the development of the great city of Phoenix, Ariz., from nothing but a town with sand roads into a beautiful city. I also know what water means. It is more precious than gold. One can eat what grows out of the ground if there is the magic combination of water and sunshine. Crops which grow from the ground can be eaten, but gold cannot be.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. HAWKES. I yield.

Mr. McCARRAN. I understood the Senator to propound a question to the Senator from Texas respecting his two reservations. I further understood the Senator from Texas to state that the matter would be discussed later on, but that he did not agree to accept the reservations. Have I correctly stated what occurred?

Mr. CONNALLY. Mr. President, I do not think the Senator from Texas should be expected to rise in the Senate and say, "Yes, we will accept the reservations," without giving them some consideration. I am frank to say that at the moment I am not agreeable to accepting them.

Mr. McCARRAN. The reservations came before the subcommittee of the Committee on Foreign Relations and were discussed before the subcommittee. I wonder if any action was taken by the subcommittee respecting the reservations?

Mr. HAWKES. The distinguished Senator from Georgia [Mr. GEORGE], the chairman of the subcommittee, is present.

Mr. GEORGE. Mr. President, the Senate Foreign Relations Committee authorized the chairman of the committee to offer in connection with the resolution of ratification certain reservations, and the chairman of the committee did offer those reservations to the Senate. Then the question arose whether those reservations might be improved or might be changed or modified in any way that would be helpful to other Members of the Senate who had certain objections to the treaty. A subcommittee was appointed. I was designated as chairman. I believe the senior Senator from Kentucky [Mr. BARKLEY] was designated as a member. The Senator from Vermont [Mr. AUSTIN] was also designated as a member of the subcommittee. The Senator from Kentucky did not serve, because it was necessary for him to be present on the floor of the Senate. The Senator from Florida sat with the other members of the subcommittee for about 2 hours yesterday.

The subcommittee went over the reservations offered by the Chairman of the Foreign Relations Committee, which the full committee had authorized him to offer as committee amendments; but it did not consider that it had any jurisdiction to accept or reject any other reservation which might be submitted by any Senator. The particular matter covered in the two reservations offered by the distinguished Senator from New Jersey [Mr. HAWKES] was not covered by any one of the reservations offered by the chairman of the committee, the senior Senator from Texas. Therefore, we were of the opinion that we had no jurisdiction either to reject them or accept them, our sole duty being to consider the amendments which had been authorized as committee amendments, for the purpose of perfecting them, if we could, or so modifying them as to bring about an agreement. I am happy to say that we succeeded, with respect to two or three of the controversial reservations, in so modifying them as to obtain an agreement, which has already been announced on the floor today by the distinguished junior Senator from Utah [Mr. MURDOCK] and the distinguished senior Senator from Wyoming [Mr. O'MAHONEY]. We did not, therefore, affirmatively pass upon the two reservations which the Senator from New Jersey has offered. However, he can, of course, offer them to the treaty on the floor, and they can be discussed here.

The Senator is open-minded and very fair. I believe that on reflection he will see that the amendments, although they seem fair looked at from one point of view, could not be put in a treaty without really denying effectively the power of the Federal Government to negotiate treaties with foreign countries.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. GEORGE. I am glad to yield.

Mr. HAWKES. Let me say to my very distinguished colleague from Georgia that if what he has just stated is true, I could never agree to any treaty. In other words, if I were asked to approve a treaty which prevented me from saying that the Federal Government shall not breach its compacts or contracts with its own States and citizens, I could never consent to do so.

Mr. GEORGE. Mr. President, the Senator does not quite understand what I am saying. If he will allow me to interpose, let me say that I regret the publication of anything in a newspaper which reflected upon him. He certainly knows that I am not responsible for it in any way.

Mr. HAWKES. I certainly do; and I wish to have the RECORD show that I know the Senator is not responsible.

Mr. GEORGE. I am not responsible and do not concur in it at all. I greatly deplore such reckless and unfounded statements regarding the Senator from New Jersey or any other Member of this body.

With respect to the merits of his reservations, two of which he submitted to the subcommittee, we did not reject them, for the reason which I have stated. We had no jurisdiction. We were not authorized to consider them, unless by way of amendment to one of the reservations offered by the Senator from Texas, the chairman of the committee. I have not before me now the two reservations. One of them relates to the question of who shall have the authority to say when an unusual or extraordinary drought occurs. Of course, that means in the United States. It means in the area from which the waters which form the Colorado River system come. I believe the Senator will find that the treaty

very definitely provides that any disputes which may arise shall be settled by the tribunal established under the terms of the treaty. We did have one amendment defining disputes as meaning disputes between the United States and Mexico, so as to remove any question which might have existed in the mind of anyone that the commission or other tribunal provided for under the treaty for the settlement of disputes would have any authority to settle disputes arising between any individual and the United States Government or the Mexican Government.

The situation is, as will be found by reading and studying the treaty, that if a dispute arose about a drought, namely, whether an extraordinary drought existed—and such a question is always a factual one, and there would be no way to preclude its consideration as such—the dispute would, of course, be determined upon the evidence obtained in this country. It would be obtained largely on the basis of our own records, on the basis of official findings by our own Government, because Mexico would have no jurisdiction to come into the United States and make a determination of the question. But if there were an actual dispute between the United States and Mexico, it would be a matter for diplomatic adjustment between the two Governments. If they could not adjust it, it would be a matter which would be settled, as all other disputes must necessarily be settled, by the two Governments whenever they have such disputes.

I should like to submit a question to the Senator, as a fair-minded Senator: Would he think a treaty would commend itself to any other government if we were to say, "We propose to make a treaty with you, but we propose to have the exclusive right to make findings as to any disputed facts with reference to the treaty which we are proposing to make."

I think the Senator must agree that an attitude of that kind would preclude the possibility of ever agreeing to a treaty on any matter which depended, finally, upon a fact regarding an event which might subsequently occur.

Mr. HAWKES. Mr. President, my distinguished friend the Senator from Georgia, asks me questions and then answers them himself. I am sure he is more able to answer many questions than I am; but I wish to say to the Senator, and I ask him not to forget it, that in the hearings in the Committee on Foreign Relations, not only I but a number of other persons asked who would determine when there was an extraordinary drought. The answer from the State Department was, "We would"—in other words, the United States Commissioner.

I asked, "How can you prove that? Where is that provided for in the treaty?"

The witness for the State Department said, "It is assumed."

I said, "Let us not assume it."

I am only asking that the treaty be expressed in language so clear and precise that we will be able, so far as possible, to avoid disputes which would have to be submitted to arbitration, because I know something about disputes which are made the subject of arbitration.

I do not think there is anything unfair about the request I have made. Unless someone is able to assure me that the matter is settled so that there will not be a dispute in the future over something which then will lie exclusively within our own country, I shall vote against the treaty.

Mr. GEORGE. I can understand that, if that is the attitude of the Senator, if he is really opposed to the treaty, of course.

Mr. HAWKES. I am not opposed to a treaty.

Mr. GEORGE. I assume that the Senator is not opposed to it.

Mr. HAWKES. Yes.

Mr. GEORGE. Then I ask the Senator to consider frankly and candidly what his proposal amounts to. We are considering a condition, namely, an extraordinary drought in the United States, which, if occurring in the future, might greatly diminish the amount of water which we, under the pending treaty, would solemnly agree that Mexico should have under the treaty; but the Senator desires that we alone determine any questions in that connection.

Mr. HAWKES. Mr. President, is the Senator forgetting what I have just stated, namely, that the State Department has said that we alone would settle it?

Mr. GEORGE. I assume it is meant that we alone will settle the question, in the sense that we will keep all the records, and that we will have in our country all the records regarding rainfall, the measurements of water, and similar data.

However, suppose that, notwithstanding, there is a dispute, and suppose that the amount of water Mexico will get—whether she will get any water or will get none or will get half the amount of water which is guaranteed—will depend upon the outcome of the determination of the dispute. If the Senator takes the attitude that we alone must settle a dispute of that kind which may arise in the future, then I think he is opposed to the treaty, because I do not think a treaty could be negotiated with any other country on that basis.

Mr. HAWKES. Mr. President, let me ask the Senator at that point what he thinks is meant by the statement by the Department of State of the United States, as it was made before our Committee on Foreign Relations——

Mr. GEORGE. Mr. President, I have already said to the Senator that I think it would mean, and all it could mean would be that we would have in our possession all the data bearing upon the question whether an extraordinary drought had occurred. Our officials would have made all the measurements and would have obtained all the data. The only question would be as to a simple, factual finding based upon our data, upon the official findings of our own Government.

But if, beyond that, Mexico were to say, "Nevertheless, we dispute what you say; we contend that an extraordinary drought did not occur"—and of course I refer to such an occasion arising at some time in the future, because we are dealing with the future—then there would be a dispute which could only be dealt with diplomatically by the two governments; and if the governments were not able to settle it or adjust it by means of the machinery set up by the treaty itself, the question would become the subject of arbitration, just as would any other question which could not be disposed of by other means.

The point I make is that I do not think the Senator is irrevocably opposed to the treaty. If he is not irrevocably opposed to the treaty, I do not see how he can insist that, upon the finding of a vital fact which will directly affect all the benefits which Mexico will receive under the treaty, we would not even consider with Mexico the question whether we were right or wrong in determining that fact. If that is to be our attitude we shall never have a treaty with Mexico or with any other government, I should say.

Therefore, I think the Senator, after taking a full view of the matter in the light of everything provided by the treaty, could not desire to insist that provision be made in the treaty that the United States would be the final judge with respect to such facts.

Mr. HAWKES. Mr. President, I wish to have my two reservations presented for action by the Senate.

Mr. GEORGE. I understand that, of course. The Senator has a perfect right to present them.

Mr. HAWKES. I thank the Senator from Georgia for his remarks; and think that he and I have a right to be the same good friends and still have a very distinct difference of opinion in regard to the matters which we have been discussing. After all, that is what we are fighting the war for, namely, to preserve the right to have and express difference of opinion. I do not think that the fact that I wish to have the treaty made clear indicates in any way that I do not wish to have a treaty. It means that I do not wish to have a treaty which will bring trouble, grief, and disputes to the United States of America. I wish to have a treaty which will preserve the rights of our citizens. I wish to have a treaty which will be made as clear as it is possible to make it with the proper use of the English language.

Mr. President, I have requested consideration of my reservations. I shall conclude by saying that I wish to have the reservations I have offered receive the samesame consideration which has been received by the reservations offered by the Committee on Foreign Relations.

LEAVE OF ABSENCE

Mr. LANGER. Mr. President, I ask unanimous consent to be excused from the Senate for 2 or 3 hours to keep an appointment with the Secretary of the Navy.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong.,

2d sess.), between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.), a protocol supplementary to the treaty.

Mr. McFARLAND obtained the floor.

Mr. McCARRAN. Mr. President, will the Senator yield, in order to permit me to suggest the absence of a quorum?

Mr. McFARLAND. I yield.

Mr. McCARRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. (Mr. MAGNUSON in the chair) The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ball	Hatch	Moore
Bankhead	Hawkes	Murdock
Barkley	Hayden	O'Daniel
Bilbo	Hoey	Saltonstall
Briggs	Johnson, Calif.	Smith
Buck	Kilgore	Taft
Connally	La Follette	Thomas, Okla.
Eastland	Langer	Tunnell
Ferguson	McCarran	Vandenberg
Fulbright	McFarland	Wherry
George	McKellar	White
Gerry	McMahon	Wiley
Green	Magnuson	Wilson
Hart	Millikin	

The PRESIDING OFFICER. Forty-one Senators have answered to their names. A quorum is not present. The clerk will call the names of absent Senators.

The legislative clerk called the names of absent Senators, and Mr. CHAVEZ, Mr. DONNELL, Mr. OVERTON, and Mr. WALSH answered to their names when called.

The PRESIDING OFFICER. Forty-five Senators have answered to their names. A quorum is not present.

Mr. BARKLEY. I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The PRESIDING OFFICER. The question is on the motion of the Senator from Kentucky.

The motion was agreed to.

The PRESIDING OFFICER. The Sergent at Arms will execute the order of the Senate.

After a little delay, Mr. BAILEY, Mr. BROOKS, Mr. DOWNEY, and Mr. MORSE entered the Chamber and answered to their names.

The PRESIDING OFFCER. Forty-nine Senators have answered to their names. A quorum is present.

Mr. McFARLAND. Mr. President, I believe that no State in the Colorado River Basin is more vitally affected by the Mexican Water Treaty than Arizona. We in Arizona have a high appreciation of the value of water and its proper and conservative use. I do not believe there is a State in the Union which has produced more with the amount of water available than has Arizona. With an average annual run-off of little more than a million and a half acre-feet in the Gila and Salt Rivers, Arizona citizens have placed into cultivation approximately 750,000 acres of land and have made the barren desert one of the garden spots of the world. In addition, Arizona has irrigated approximately 60,000 acres in the original Yuma project from the Colorado River and some other small areas along the Colorado River. And there remain approximately 5,000,000 additional acres of fertile land which could be irrigated if only water were available. Our water rights date back to an early date. There are adjudicated rights on the Salt and Gila Rivers dating back to the 1860's.

I believe it is pertinent to review briefly here the history of irrigation in Arizona. The first dam for storage of water to be built in our State was the Roosevelt Dam, which has a storage capacity of approximately 1,637,000 acre-feet of water. Construction of Roosevelt Dam was begun in 1903 and was completed about 1910. Since that time three other dams have been constructed on the Salt River and two dams on the Verde River, a tributary of the Salt River. Thus, the total capacity of all reservoirs in the Salt River project is somewhat in excess of 2,000,000 acre-feet of water. Within the borders of the Salt River Valley project there are 242,000 acres of irrigated lands, producing crops valued in excess of $30,000,000 annually. There are four other smaller projects near the Salt River Valley project, irrigated partly by gravity and partly by pumps. On the Gila River we have the San Carlos project which is a joint Indian-white project comprising some 100,000 acres irrigated from the Coolidge Dam, which has a storage capacity of 1,200,000 acre-feet of water. Upstream from this project, there is the upper Gila project of about 50,000 acres which is dependent entirely upon the normal flow of the river and not upon stored water. Finally, we have a large 100,000 acre project in the Casa Grande Valley, irrigated solely by pumped water.

But here again, we are in the same position as many other irrigation projects in the west—our water supply simply cannot keep up with our agricultural and horticultural development. The Salt River project alone, for example, has grown from 100,000 acres to approximately 242,000 acres since the construction of the Roosevelt Dam. And, while in the past we have been able to save crops and maintain our economy by pumping water, this source of water supply is being rapidly depleted. We are, in fact, overpumping; we are constantly lowering the underground water level, and are reaching the stage where it is becoming uneconomic to continue to pump water at greater and greater depths. It is plain that in Arizona we shall be forced to reduce the number of acre-feet of water pumped each year. This simply means that acreage already cultivated and prosperous will again have to become a part of the desert unless we in Arizona can supplement our water supply from another source—and the only remaining source is the Colorado River.

At recent hearings in the West before an Irrigation and Reclamation Committee subcommittee, of which I happen to be chairman, testimony was given summarizing the amounts of additional water needed by the various Arizona projects. I ask unanimous consent to insert in the RECORD at this point a brief table covering this aspect of the case.

The PRESIDING OFFICER. Is there objection?

There being no objection, the table was ordered to be printed in the RECORD as follows:

Summary

Project	Area	Supplemental water	Reduced pumping
BELOW ELEVATION 1,300 FEET			
1. Salt River Valley Water Users Association	*Acres* 245,000	*Acre-feet* 250,000	*Acre-feet* 50,000
2. Roosevelt water conservation district	40,000	75,000	50,000
3. Roosevelt irrigation district	40,000	90,000	70,000
4. Maricopa County municipal water conservation district	35,000	70,000	15,000
5. Buckeye irrigation district	20,000	30,000	15,000
6. Gillespie Water Co.	20,000	50,000	15,000
7. Marinetta and Bumstead lands	20,000	40,000	20,000
8. Southwest Cotton Co.	12,000	25,000	10,000
10. Gila River Indians	50,000	75,000	None
11. Upper Gila lands	50,000	75,000	None
18. Deer Valley	5,000	15,000	10,000
Total	537,000	795,000	255,000
BELOW ELEVATION 1,520 FEET			
12. San Carlos irrigation district	50,000	75,000	None
9. Queen Creek area	15,000	30,000	15,000
17. Magma area	7,000	15,000	5,000
Total	609,000	915,000	275,000
BELOW ELEVATION 1,575 FEET			
13. Electric district No. 2	40,000	80,000	40,000
Total	649,000	995,000	315,000
BELOW ELEVATION 1,700 FEET			
14. Electric district No. 4	40,000	80,000	40,000
15. White electric district	35,000	50,000	20,000
Total	724,000	1,125,000	375,000

NOTE.—Supplemental water required is net at head of district's canal system.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. LANGER. I suggest the absence of a quorum.

The PRESIDING OFFICER. Does the Senator from Arizona yield for that purpose?

Mr. McFARLAND. No; I do not yield for that purpose. I thought the Senator from North Dakota wanted to insert some matter into the RECORD.

The PRESIDING OFFICER. The Senator from Arizona declines to yield.

Mr. McFARLAND. Mr. President, it is clear from this summarization that central Arizona needs a minimum of additional 1,125,000 acre-feet of water above and beyond what is now being obtained from irrigation reservoirs and by means of pumping. It will be noted the State must reduce its present water-pumping supply by at least 375,000 acre-feet of water in order to prevent the lowering of the underground water table to the stage where it will become uneconomic to maintain further pumping.

Stated in another way, if central Arizona is unable to supplement its present water supply by an additional 1,125,000 to 1,500,000 acre-feet, we will experience a situation whereby farmers will have to move off the land, and lands once fertile and productive will go back to desert

wastes. Arizona is an agricultural State; its economy rests largely on the welfare of its farmers and the productivity of its lands. Reduce the water supply and you reduce the tillable land. This relation between water and our economy is already hanging by too narrow a thread; cut it only by the slightest amount and our agriculture will not be able to support our cities and towns.

I am not overdramatizing the situation. I am stating plain facts which people who are not familiar with this question between water and land in desert areas find hard to understand. We in Arizona face a most serious problem. We have looked forward to the time when we could utilize the much-needed Colorado River water—a lifesaver for our people. We have looked forward to that day, not alone because we need additional water for present projects but because in Arizona we have hundreds of thousands of additional acres of the finest land in the world, waiting only for water to produce abundantly, land which will make ideal homes for the veterans of this and the last war.

I think that the Senate should understand that it is somewhat incongruous for some of us to stand here before our own people and plead for a share of what is ours, particularly in these times. After all, I am not speaking for Arizona alone, or for Arizona's citizens alone. I am concerned with Arizona's problems, of course; it is my duty to present her peoples' case here as forcibly as I can. But we in the United States find ourselves facing a food shortage. A Senate committee is investigating food shortages; a House committee is doing the same; the O. P. A. is conducting a full-scale investigation of the same subject. On all sides we hear the cry to produce more agricultural commodities, more livestock. We must help feed the world, our President tells us. Well and good. But how are we going to do that if we take away from our States the ability to increase food production? In speaking here for Arizona and her legitimate requirements for additional water, I am not speaking for Arizona alone; I am, I hope, speaking for the welfare of our United States and their economy, and their ability to produce more and more to feed and clothe our own people and the stricken people of other parts of the world.

I do not believe there is a single Colorado River Basin State which can now or will in the future be able to more profitably use the waters of the Colorado River than Arizona. Moreover, Arizona has a fair and equitable claim to share in these waters. It was testified during the hearings on the treaty that the total drainage basin of the Colorado River is 244,000 square miles. Let us see how that drainage basin is divided:

Mexico has 2,000 square miles—the smallest area in the basin from which practically no water reaches the river.

California has 4,000 square miles, the smallest of any State in the basin from which practically no water reaches the river.

Nevada has 12,000 square miles; Wyoming has 19,000 square miles; New Mexico has 23,000 square miles; Colorado has 39,000 square miles; Utah has 40,000 square miles; and Arizona has 103,000 square miles. Thus Arizona has 43 percent of the total area of the entire Colorado River Basin—in short, almost half the entire basin is in Arizona and more than 90 percent of Arizona is within the Colorado River Basin. And may I add, to emphasize the Federal Government's interest in looking out for Arizona's interests, that more than 74 percent of the land in Arizona is owned by the Federal Government.

These are facts, not fancies. I cite them, not because I claim that Arizona's vast area within the basin means that she furnishes the most water to the Colorado—Arizona does not—but rather because they are compelling statistics in consideration of the equities in allocating the waters of the Colorado River.

The Colorado River rises in Colorado and flows in that State for a distance of 245 miles, thence in Utah for a distance of 285 miles, thence in Arizona for a distance of 292 miles. From that point it forms the boundary between Arizona and Nevada for a distance of 145 miles, thence the boundary between Arizona and California for a distance of 235 miles, thence to form the boundary between Arizona and the United States of Mexico for a distance of 16 miles, and from that point for 75 miles it flows through the Republic of Mexico into the Gulf of Lower California.

Thus, the Colorado River runs through and as a boundary of Arizona for a total distance of 527 miles, as compared to 235 miles as only a boundary of California. This fact, coupled with the larger water basin in Arizona, certainly gives Arizona a greater right to the waters of the Colorado River than our sister State of California. Yet California up to date has received by far the greater portion of the benefits from the Colorado River.

I do not mean by this that I have any fault to find with the fact that California has fought hard to get every drop of water possible from the Colorado River, and especially do I not have any fault to find with the able Senior Senator from California [Mr. JOHNSON], who has an enviable record in his fight to develop the use of the Colorado River for the benefit of his State. He has served California well. He has fought hard and I have the greatest respect for him and for his ability, as I do for the Junior Senator of that State [Mr. DOWNEY], who also is making a splendid record and a very hard fight against the treaty. But I mention these matters because I want the Senate of the United States to understand that we in Arizona are just as much interested in this problem as is California; that we need every drop of water possible just as much as do our neighbors in the State of California.

Therefore, when I take a different position on some of the issues of this fight, it is because of my conviction, after long and deliberate study, of the soundness of my position.

However, I am sure that we can at least agree upon this much, that the lower-basin States lose more from the allocation of water to Mexico under this treaty than do the upper-basin States. The reason is simply that under the Colorado River compact the amount of water allocated to Mexico under this treaty must first be supplied from the surplus waters, and then, if there is any deficit in the allocation, the deficit would have to be made up equally by the upper and lower-basin States. But the surplus water from which Mexico is to receive her allocation is water for which Arizona, California, and Nevada have a contract; Arizona has a contract for 2,800,00 acre-feet of 3-A water, plus one-half of the surplus water less one-twenty-fifth which is contracted for by the State of Nevada; California has contracts for 5,362,000 acre-feet—4,400,000 acre-feet of 3-A water and 962,000 acre-feet of the surplus water, which I understand is estimated to be California's half of the surplus as provided for under the Boulder Canyon Project Act and the California Exclusion Act. The important thing is that these surplus waters which will have to be used under the compact to supply Mexico with whatever amount may be granted her, are waters which California and Arizona have expected to use.

According to the testimony of the Government engineers, the surplus will be adequate to supply the water guaranteed under the Mexican Treaty. So it is perfectly natural that the upper basin States would be easier to satisfy with the Mexican Treaty than are the lower basin States. After all, if the engineers are correct, the upper basin States will not lose any water by the treaty, while the lower basin States stand to lose vast amounts of water.

Mr. Harry W. Bashore, Commissioner of the Bureau of Reclamation, testified with respect to the records of the flow of the river since 1897, and stated that the average original flow at the international boundary is approximately 17,750,000 acre-feet. As agricultural and economic developments in the Colorado Basin area increased and with future developments projects, conflicts arose between the affected States as to the proper division of the waters of the Colorado River. It was these conflicts that brought about the signing of the Colorado River compact in 1922. By this agreement 7,500,000 acre-feet were apportioned permanently to the upper basin area above Lees Ferry, a point on the river near the Utah border, and 7,500,000 acre-feet were apportioned to the lower basin States. In addition, however, the lower basin States were given the right to increase their use by 1,000,000 acre-feet annually. This was done to reciprocate for the flow of the Gila River system in Arizona, representing approximately the amount of the water delivered by the Gila River and its tributaries to the Colorado. So the original allocation of water by the compact amounted to 16,000,000 acre-feet.

This proposed Mexican Treaty would give Mexico the right to use 1,500,000 acre-feet of water, which would, under Mr. Bashore's figures, practically complete the allocation of all the waters of the Colorado River. The engineers' figures may vary a little as to estimates of water available. But, if we accept Mr. Bashore's figures, California cannot expect more than the original 4,400,000

acre-feet of consumptive use, nor Arizona more than 2,800,000 acre-feet of consumptive use, plus the waters in the Gila River system, and when we view the immediate and prospective needs of central Arizona to supplement the water supply for the lands already in cultivation and hundreds of thousands of acres of additional lands which could be placed into cultivation, it must be clear why the citizens of Arizona are seriously concerned.

Of course, some of the engineers, including Mr. Tipton, estimate there will be some surplus. We in Arizona certainly hope so, because I believe it is obvious that the 2,800,000 acre-feet of water allocated to us will not begin to meet the needs of Arizona. This much is clear and beyond dispute—if there is to be a surplus it will be small indeed. Therefore, to be completely realistic and practical, we should in our consideration of the treaty and its effect on the States of the Colorado Basin, accept the concensus that whatever surplus there may be will be of no material concern.

Let us analyze the provisions of the treaty and the objections made to it to determine whether it is desirable that it be approved. I am, of course, confining my remarks to the provisions of the treaty in regard to the Colorado River, for Texas and New Mexico are in accord in their approval of the provisions as they relate to the Rio Grande River.

Mr. President, in analyzing the proposed treaty with Mexico to determine whether the Senate should advise and consent to its ratification, it is my opinion that the first and most important question is how much water Mexico is entitled to from the Colorado River. The Foreign Relations Committee of the Senate had long and exhaustive hearings upon this subject.

An Attorney General of the United States, Judson Harmon, in a letter in the year 1895 stated that the United States owed no obligation to a lower riparian state; that a state exercised exclusive sovereignty over the waters within its own borders. However, it was recognized by all of the witnesses in the hearing before the Foreign Relations Committee, both those opposing and supporting the treaty, that Mexico, as a matter of equity and comity, is entitled to some of the waters of the Colorado River. There were those who contended that Mexico should be limited to the maximum use before the construction of the Boulder Dam, but all agreed that the Republic of Mexico is entitled to some water.

The question then naturally arises, if, because of comity between nations the United States must permit water to go down the Colorado River for use in Mexico, by what yardstick should we measure the waters to which Mexico is equitably entitled? Personally, I believe that in equity the proper yardstick to use is the determination of how much, under the laws of prior appropriation, the laws of the States involved, would Mexico be entitled to receive under the facts as they exist. It is, of course, admitted that this question must be settled by treaty or by arbitration.

I will discuss the matter of arbitration a little later. It is conceded that the maximum use of water by Mexico at the time the Boulder Dam was built was 750,000 acre-feet a year, delivered at her laterals, and, I believe the testimony shows that over a period of time—the preceding years—the average was about 600,000 acre-feet. At any rate, under the law of prior appropriation, we must admit that Mexico had appropriated to beneficial use 750,000 acre-feet of water, delivered at her laterals. It is contended by some that Mexico should be limited to this amount of water under any treaty negotiated between our respective nations. On the other hand, there was testimony to the effect that Mexico diverted and used 1,805,000 acre-feet in the year 1943. If this amount was diverted by Mexico in the year 1943, the next question is whether under the law of prior appropriation Mexico established a right to the use of this amount of water.

The argument has been made that Mexico could not have diverted this amount of water had it not been for the building of the Boulder Dam. The Government engineers testified they could. This is an engineering question. As to the availability of water, that is also an engineering question. I would refer to the testimony of Mr. Tipton on page 1195 of the hearings, in which he stated:

> Under natural-flow conditions with the development in the United States, as it was immediately preceding the placing in operation of Boulder Dam and for such a period of run-off as 1902 to 1940, there would have been sufficient water in the river each year, so far as quantity is concerned, to have provided Mexico with 1,500,000 acre-feet. However, the seasonal distribution would not have been parallel in all years with the seasonal distribution of the 1,500,000 acre-feet, in accordance with the manner in which Mexico is using water.

Also, on page 1196, he gave further testimony along this line. Mr. President, I will not read this testimony in full, but I ask unanimous consent that page 1196 of the hearings be incorporated at this point as a part of my remarks.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

> For 26 years of a 39-year period, 1902 to 1940, the maximum deviation from an assumed ideal requirement would have been 1 percent or less per annum.
>
> Senator JOHNSON of California. Were you there in 1902?
>
> Mr. TIPTON. No, sir; I was not, sir.
>
> There would have been 7 years when the deviation would have been greater than 5 percent, 5 years when it would have been greater than 10 percent, and 2 years when it would have been greater than 15 percent. The same conditions were to some extent true with respect to the lack of parallelism between the water supply and the requirements of the Imperial irrigation district.
>
> An analysis was made of the records of run-off at Yuma. Those records were adjusted for increased uses that had taken place upstream during the period of record. The Gila River flow was entirely eliminated, because it is largely unusable on account of its flashy character. It was found that after taking care of the Imperial irrigation district and taking care of the 1,500,000 acre-feet of the Mexican area and the Imperial irrigation district, whose requirements was assumed of 2,500,000 acre-feet, there would have remained in the stream a very substantial quantity of water, ranging from a minimum amount in 1934, which was the lowest year of record, of only 4,000 acre-feet, to a maximum of 19,000,000 acre-feet. The next lowest year was 1940. Three million six hundred thousand acre-feet would have remained in the stream unused in that year.
>
> I wish to correct my statement. The next low year would have been 1902, when there would have been 2,625,000 acre-feet remaining unused.
>
> The shortages to the Mexican area, assuming the conditions that I have described, would have been as follows:
>
> In 1902, 432,000 acre-feet—understand, when I say shortages, it is the lack of parallelism between the flow in the stream and the requirements—1903, 62,000 acre-feet; 1904, 15,000 acre-feet; 1905, 18,000 acre-feet; there were no shortages in 1906, 1907, 1908, 1909; 1910, 47,000 acre-feet; 1911, no shortage; 1912, no shortage; 1913, 1,000 acre-feet; 1914, no shortage; 1915, 31,000 acre-feet; 1916, 1917, and 1918, no shortages; 1919, 14,000 acre-feet; 1920, 1921, 1922, and 1923, no shortages; 1924, 152,000 acre-feet; 1925, no shortages; 1926, 29,000 acre-feet; 1927, no shortage; 1928, 13,000 acre-feet; 1929 and 1930, no shortages; 1931, 228,000 acre-feet; 1932, no shortage; 1933, 87,000 acre-feet; 1934, 673,000 acre-feet; 1935 and 1936, none; 1937, 42,000 acre-feet; 1938, none; 1939, 173,000 acre-feet; and 1940, 194,000 acre-feet.
>
> I wish to call attention to the fact that this analysis was made on a monthly basis, and within many of these months there could have been a shortage on a daily basis. The river could have been dry or substantially less than the momentary requirement. I wish to call attention to the fact, however, that plants are tolerant. They live off the soil moisture, whether they get the water required today or next week; so long as it is in the soil from a previous application of water the plants will subsist.
>
> Shortages as great as these and much greater exist under many large canal systems in the upper basin. So it is my opinion that Mexico could have diverted and carried on successful irrigation requiring the diversion of 1,500,000 acre-feet of water prior to Boulder, with uses in the United States as they were immediately prior to Boulder.

Mr. McFARLAND. Mr. President, the substance of Mr. Tipton's testimony is to the effect that Mexico could have diverted and carried on successful irrigation requiring the diversion of more than 1,500,000 acre-feet of water prior to the construction of Boulder Dam, with uses in the United States as they were immediately prior to Boulder. Other engineers testified there was sufficient water of the Colorado River after the building of Boulder Dam for Mexico to establish a right to 1,800,000 acre-feet in the year 1943.

If water was available, was there anything in the building of the Boulder Dam which prevented Mexico from establishing a right to the use of this water? I do not believe that anyone would seriously contend that the building of the Boulder Dam, the Parker Dam, and even the Davis Dam, which was authorized before this treaty was negotiated, would appropriate sufficient waters to prevent lower users from establishing a definite water right to 1,800,000 acre-feet of water, even assuming that the construction of these dams carried with it an appropriation of all the waters for all of the lands for which they were intended to irrigate. This is so because of the 7,500,000 acre-feet of water allotted to the upper basin States, only 1,952,000 acre-feet have been placed to beneficial use, and when the present construction is

completed for the diversion of waters in the upper basin States, the total diversion will be 2,624,000 acre-feet, which leaves a remaining amount of 4,876 000 acre-feet which no one could contend had been appropriated under the law of prior appropriation. Of course, there are plans to put these waters to beneficial use, just as we have plans to put all the water in the lower basin States to beneficial use, but Mexico was not a party in the Colorado compact and would not be bound by it. Therefore, so far as Mexico is concerned even if we conceded that the building of the lower dams was an appropriation of all of the waters to which we are entitled under the Colorado River compact, there still is not an appropriation of the balance of the waters in the upper basin States as against someone not a party to the compact.

So I believe it is plain that if Mexico were a State in the United States, its users would have, under the doctrine of prior appropriation, established a beneficial use of this amount of water. This is on the premise that we accept testimony of the engineers that the waters were available from the normal flow of the river, since the whole of the Colorado River has not been appropriated and put to beneficial use.

Personally, I want to see Mexico held to the lowest possible amount of water. I feel that it is my duty and the duty of the United States Senate to see that such a policy is adopted for the protection of the rights of the people—not only of the State of Arizona, but of the entire Colorado River Basin.

It is the duty of our Government to insist upon the protection of the rights of these citizens, but in determining what is right, we must, of course, take into consideration the rights of other nations and we must recognize that those nations will some day assert their rights.

It has been stated by those who favor the treaty that we would be forced to arbitrate this question of water rights under the Inter-American Arbitration Treaty which was signed on behalf of the United States in 1929 and ratified by the Senate in 1935. Article 1 of the Arbitration Treaty provides as follows:

> The high contracting parties bind themselves to submit to arbitration all differences of an international character which have arisen or may arise between them by virtue of a claim of right made by one against the other under treaty or otherwise, which it has not been possible to adjust by diplomacy and which are juridical in their nature by reason of being susceptible of decision by the application of the principles of law.

In article 2 it is provided that there are excepted from the terms of the treaty controversies "which are within the domestic jurisdiction of any of the parties to the dispute and are not controlled by international law."

Article 4 provides that "the parties to the dispute shall formulate by common accord, in each case, a special agreement which shall clearly define the particular subject-matter of the controversy, the seat of the court, the rules which will be observed in the proceedings, and the other conditions to which the parties may agree."

It is also provided that if an accord is not reached within 3 months the agreement should be formulated by the court. In connection with this article, I wish to point out that the United States made the following reservation:

> That the special agreement in each case shall be made only by the President, and then only by and with the advice and consent of the Senate, provided two-thirds of the Senators present concur.

Article 7 provides that an award settles the dispute definitely and without an appeal.

Mexico, at the time of the ratification, made the following reservation:

> Mexico makes the reservation that differences which fall under the jurisdiction of the courts shall not form a subject of the procedure provided for by the convention, except in case of denial of justice, and until after the judgment passed by the competent national authority has been placed in the class of res judicata.

I am of the opinion that if requested we would have to submit this question for arbitration.

On the other hand, those opposing the ratification of the Mexican water treaty contend that questions under it would not have to be submitted for arbitration under the arbitration treaty because of the reservations which I have just quoted. Regardless of which position is correct, I think we must all recognize that our historic and present policy of taking a leading role in trying to bring about peaceful settlements of disputes between nations binds us morally to in some way fairly and equitably settle this question. Whether it be by treaty or by a board of arbitration or by some international court of justice that might be set up in the future for the settlement of such disputes is beside the point.

We cannot, and must not, assume the role of being a powerful Nation which expects to maintain by force anything that is not equitable and just. Nor would the people of the United States want our Government to assume such a position. On the other hand, none of us wants to give away a single right belonging to our people.

But as I have pointed out before, the question we must decide is what is right, what is equitable, and what, in the name of comity, Mexico is entitled to in the settlement of the rights of the Colorado River. As I analyze the testimony, I wish to point out that the Department of State and the engineers representing the Government of the United States have made a record before the Foreign Relations Committee which could be used effectively against the United States at any future date this matter might come up for settlement through arbitration or otherwise.

Mr. LUCAS. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. O'DANIEL in the chair). Does the Senator from Arizona yield to the Senator from Illinois?

Mr. McFARLAND. I yield.

Mr. LUCAS. It seems to me that the point which the Senator has made with respect to the law of arbitration cannot be repeated too often on the floor of the Senate in connection with this important debate. Candidly, it is one of the controlling forces which finally caused me to make up my mind to support the treaty. After listening to the testimony before the committee day after day and analyzing it, I reached the very definite conclusion that in the very near future the United States must in some way settle the great questions relating to water which now exist between Mexico and our Government.

I agree with the Senator that unless we settle those questions by treaty at this time, we shall be morally bound to submit them to arbitration for final settlement. In my opinion, if we should refuse to arbitrate them, we would stand before the world in a bad light.

That point has been made over and over again; the distinguished Senator from Colorado [Mr. MILLIKIN] and other Senators have made it. To me it is one of the controlling factors. In other words, this question must be settled either by means of a treaty or through arbitration.

So far as I am concerned, the evidence before the committee is fairly definite, conclusive, and clear that we would obtain more through the treaty which is now pending before the Senate for ratification than we would be able to obtain through arbitration. That is the testimony, and I think it is conclusive. I refer to the testimony of witnesses who had no particular interest in the controversy one way or the other. The testimony along that line which I followed was given by two or three witnesses. I considered their testimony to be absolutely fair and impartial, and not colored in any way from the standpoint of interest in California, Utah, Arizona, or any other State. To me it is one of the most import considerations in the entire controversy, and I am glad that the able Senator from Arizona has touched upon it in the way he has. It cannot be repeated too often. Members of the Senate who read the testimony should view the question not only from the standpoint of the national aspect of the problem, but also from the standpoint of world interest, and from the standpoint of the settlement of the peace to come.

A Senator said a few minutes ago, as I recalled—I think it was the able senior Senator from New Jersey—that he hoped the treaty would not be approved before the delegates arrived at the San Francisco Conference. I wish to make an observation on that point. It seems to me that one thing the Senate should do is to act on the treaty before the San Francisco Conference meets. In my humble opinion, the delegates at the San Francisco Conference should know whether the Senate of the United States is going to ratify the treaty.

Mr. HAWKES. Mr. President, will the Senator yield to me for a moment, since I was referred to?

Mr. LUCAS. I do not have the floor.

Mr. McFARLAND. When the Senator from Illinois concludes, I will yield to the Senator from New Jersey.

Mr. HAWKES. I merely wish to correct a statement the Senator from Illinois just made. He said that I said I

hoped the Senate would not approve the treaty before the San Francisco Conference met. I never said anything of the kind.

Mr. LUCAS. Let me ask what the Senator did say.

Mr. HAWKES. I said I hoped the Senate would not approve the treaty without giving it very careful thought and consideration, just because it was desired to have it approved before April 25. That is a vastly different thing.

Mr. LUCAS. Very well.

Mr. HAWKES. I must object to having the Senator say that I said things which I did not say at all.

Mr. LUCAS. I would not do that; but I think I drew a fair inference from the statements the Senator made.

Mr. HAWKES. But the Senator can not think for me.

Mr. LUCAS. I would not attempt to do that.

Mr. HAWKES. The Senator must not do that.

Mr. LUCAS. No; I would not do that. I would not wish to be in that category at all.

The Senator from New Jersey referred to the San Francisco Conference, and he left the impression with me that he hoped consideration of the treaty might continue until after the San Francisco Conference. I do not wish to have the treaty rushed through the Senate, Mr. President, but I think all Senators fairly well understand by now how they will vote on the treaty. It has been discussed for several weeks, and hearings on it were held for 6 or 8 weeks. I am of the honest opinion that the best thing the Senate could do would be to vote on the treaty one way or the other before the deliberations begin at approaching the San Francisco Conference. That is another reason why I should like to have the Senate vote on the reservations as expeditiously as possible.

I do not wish to have anything rushed through the Senate; but I undertake to say that if the Senate cannot ratify a treaty with Mexico by the two-thirds vote which is required under the Constitution of the United States, our delegates will go to the San Francisco Conference handicapped in the eyes of the rest of the world. Under those circumstances, the other delegates to the Conference will say, "If the Senate of the United States has taken 8 weeks in hearings before a committee to hear testimony and has taken 6 weeks or 8 weeks"—whatever the time may be—"in debate upon a proposed treaty between the United States and Mexico, and still the Senate cannot agree on it, what will the Senate do when it comes to consider the great problems involving the whole world when the peace treaty comes before it for ratification?"

No one can tell me that such delay on the part of the Senate will not leave in the minds of the delegates to the San Francisco Conference a doubt and a cloud regarding what the Senate will do. They will think of what happened in 1920, when the Senate debated the League of Nations, and finally killed it with reservations. That is exactly what will be said and thought by the delegates to the San Francisco Conference unless the Senate makes some kind of decision one way or the other on the pending treaty. I hope the decision will be in favor of the treaty, as a matter of comity, good will, fairness, and equity, not only to the United States but also to Mexico, and as an instrumentality showing the way to the delegates at the San Francisco Conference. I hope the Senate of the United States will act favorably on the pending treaty between the two countries.

I am sorry to have trespassed upon the time of the Senator from Arizona. I thank him for permitting me to interrupt him.

Mr. McFARLAND. Mr. President, I thank the Senator from Illinois for making a valuable contribution to my remarks upon the pending subject.

I wish to say to the Senate that, so far as I am concerned, I have not tried to rush consideration of the pending question. I do not believe it has been rushed. The treaty has been pending before the Senate for almost a year. The Committee on Foreign Relations held exhaustive hearings on it. The Senate has now been debating the treaty for days. I have arrived at my decision, after careful and deliberate study, and I believe that other Senators have arrived at their decisions. When Senators have done that, I believe it is important for us to make the decision at the earliest possible moment.

Mr. President, the point I was endeavoring to make was that I personally believe we are bound by the testimony of the Government witnesses and engineers in the hearings. I believe that any board of arbitration or any court would say, "The representatives of the Government of the United States testified at the hearings to certain facts, and we will not go beyond their testimony."

Mr. McCARRAN. Mr. President, does the Senator mean that the facts, as testified, are not disputed?

Mr. McFARLAND. I do not mean to say that the facts testified by the engineers from California are not disputed.

Mr. McCARRAN. I refer to other engineers as well.

Mr. McFARLAND. In reference to other engineers, I say that when engineers representing the Government of the United States testify to certain facts a board of arbitration or a court would not go beyond their testimony. If the able senior Senator from Nevada were a judge in a certain case, and if the issues as between two States or two nations were presented by representatives of those States or nations, and if the representatives of one of them testified to certain facts and representatives or engineers on the other side of the case testified to the same facts, would the Senator go behind those facts? Would he not bind that nation by the testimony of its own representatives?

Mr. McCARRAN. Most certainly not; and when the Senator from Arizona was serving as a judge in a court he would not have done anything of the kind either; it would be the last thing he would have done. The Senator would look for the truth in regard to all the facts, as he looked for it when he sat as a judge in a court. He did not take the testimony of the Government every time the Government testified, did he? I hope he did not. If he did, he went wrong many a time.

Mr. McFARLAND. Let me say to the Senator that if those who represented a company—or in this case a nation—made certain definite admissions——

Mr. McCARRAN. Who made definite admissions?

Mr. McFARLAND. The representatives.

Mr. McCARRAN. The representatives of what?

Mr. McFARLAND. The representatives of whoever might be the litigants. In this case they would be representatives of the Government of the United States—our representatives. If our representatives testified to certain facts, their testimony would be accepted. The persons who are representing us have testified to these facts; there is no dispute as to them.

Mr. McCARRAN. They dispute among themselves. What is the use in referring to representatives of the Government? The Government is not in accord on this matter. The Bureau of Reclamation says that we do not now have sufficient water from the Colorado River to meet the necessities. Why say that the Government is in accord?

Mr. McFARLAND. Mr. President, I am talking about the facts which were testified to by the Government representatives.

Mr. McCARRAN. If the Senator says that he would decide in favor of the Government against everything else, then I cannot argue with him.

Mr. McFARLAND. Mr. President, I do not say that, as a matter of law, any court or board of arbitration would be bound to decide in any particular way. But the knowledge that our own engineers had testified to these facts would be very persuasive when presented before any board of arbitration or any court. Perhaps the distinguished Senator from Nevada interprets the facts differently than I interpret them.

Mr. McCARRAN. No; but the Government engineers did not testify unanimously on what were considered to be the facts. Representatives of the Bureau of Reclamation testified contrary to the testimony of others, and stated that the river does not now have sufficient general flow to supply the necessities of the area which needs water. That statement was published, and it is now in the form of a Senate document.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. LUCAS. The Bureau of Reclamation was in favor of the treaty, was it not?

Mr. McFARLAND. Representatives from the Bureau so testified.

Mr. LUCAS. As I understand, the Bureau of Reclamation is in favor of the treaty. I may state further, in line with what the distinguished Senator from Arizona has said, that whatever the testimony may be, it is a matter of record and any court of arbitration which may be called upon to look into this case at some time in the future will be bound, under the rules of law, to give that testimony the weight which it deserves. As the Senator said a while ago, the engineers who testified before the Committee on

Foreign Relations testified with regard to many matters, and they could not repudiate their testimony even if they wished to do so. Of course, a court would take that testimony into consideration. The court would look for the truth; but certainly the testimony of high-ranking engineers of the United States Government, with expert knowledge upon technical matters of the kind involved, would be given consideration by any court or board of arbitration which wanted to be fair.

Mr. McFARLAND. I thank the Senator from Illinois. He has stated the point which I was trying to make. Any board of arbitration or court would take into consideration the testimony of representatives of the United States Government in regard to these matters. If such testimony were corroborated by the testimony of representatives of other nations, I seriously doubt that a board of arbitration or a court would accept the testimony of independent engineers with regard to estimates which might differ.

Mr. President, I agree with the distinguished junior Senator from California that all the water Mexico used in 1943 was not measured. I refer to the testimony of Mr. Lawson in which he gave the following data in regard to the diversion of water by Mexico in the year 1943: Area irrigated from the Alamo Canal, 191,700 acres; irrigated from other sources 101,400 acres, making a total of 293,100 acres. Water diverted through the Alamo Canal, 1,152,000 acre-feet; and from other sources, 653,000 acre-feet, making a total of 1,805,000 acre-feet in the year 1943.

I do not think there is any question about the amount of water diverted by the use of the Alamo Canal because it was properly measured by the canal company. The remaining amount of 653,000 acre-feet was estimated. I refer to the testimony of Mr. Lawson, beginning on line 10 of page 962 of the hearings and ending at the bottom of page 962. Mr. Lawson testified that approximately 104,000 acre-feet of the water which was diverted was from waste and drainage of the Yuma project. I understand that this is a reasonably correct estimate. As to the remaining 550,000 acre-feet, these figures were arrived at in the following manner: First, it was estimated that there were approximately 90,000 acres under cultivation in the lower delta irrigated by pumping and gravity from the lower river. This estimate was based on aerial photographs and field investigation, as well as from cotton gin finance company records.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. McCARRAN. I do not wish to interrupt the Senator too frequently, but I noted that he spoke of 1943.

Mr. McFARLAND. I was speaking of the year 1943.

Mr. McCARRAN. How much land did Mexico have under irrigation prior to the time the people of the United States constructed Boulder Dam?

Mr. McFARLAND. I believe the testimony may vary on that point; but, as I understand, Mexico was irrigating approximately the same acreage from the Alamo Canal, or 191,700 acres.

Mr. McCARRAN. No; I think the agreed statement was that they had not to exceed 750,000 acre-feet.

Mr. McFARLAND. The Senator misunderstood me. I thought he asked me about acres.

Mr. McCARRAN. No; I am speaking of acre-feet of water.

Mr. McFARLAND. I beg the Senator's pardon. I do not think there is any question that prior to the construction of Boulder Dam the maximum amount of water which Mexico had used was 750,000 acre-feet a year.

Mr. McCARRAN. The amount of water which Mexico used was more nearly 600,000 acre-feet.

Mr. McFARLAND. As I had stated before the Senator came upon the floor, I believe the testimony was that over a period of years the average was 600,000 acre-feet.

Mr. McCARRAN. That is correct. We built Boulder Dam at a cost of approximately $260,000,000. The dam was built not by the United States, but by the people of the section which it serves. They are paying for it day by day. They are also paying interest on the money which they borrowed. When the dam is paid for the United States will not have been put to one single dollar of cost for the construction of Boulder Dam. The situation is one of rare occurrence in connection with the construction of dams in this country. The Grand Coulee Dam and other dams were built by the Government of the United States. Boulder Dam was built by the people of the section which is served by the dam. It was built by the people of Arizona, the people of my State of Nevada, and the people of California. It is being paid for now by taxation imposed upon the people of the State of Arizona, the people of my State, and the people of the State of California. During the time the Senate was considering the Boulder Canyon Act it was stated on the floor of the Senate by my predecessor, who afterward became chairman of the Foreign Relations Committee, that the water conserved by Boulder Dam would be the property of the people of the United States and would not be considered for utilization by the people of Mexico. That statement was later confirmed by action of the Senate. Shall we now repudiate the statement and say to the people with whom the contract was made, namely, the people of the States of Arizona, Nevada, and of California, as well as other States, "We will repudiate the contract and set it aside. Every water right which you have under it is to be set aside"? Is the Senator from Arizona going to join in that repudiation? I hope not.

Mr. McFARLAND. Mr. President, in answer to the senior Senator from Nevada, I would state that I agree with what he has to say, but I do not know of any law in the United States or any law between nations to the effect that when a State builds a dam across a river all the water of the river is appropriated.

Mr. McCARRAN. The Senator's own State—and he was a judge in his State and he knows what the laws of Arizona are—and every one of the western arid and semiarid States have written into their constitutions a repudiation of the riparian act and have set up the law of prior appropriation. That being true, the rule of prior appropriation applies to every State in the Colorado River system, and the ending treaty would set aside forever that law because the right of prior appropriation would be subject to the dictates of those who control arrangements under this treaty.

Mr. McFARLAND. Mr. President, as I stated a little while ago, if we accept the principle of law that the building of Boulder Dam was an appropriation of all the water of all the lands which were intended to be irrigated by that dam, and then if we include the Parker Dam, and the Davis Dam, which has already been authorized by the Congress of the United States, all the waters of the Colorado River would not be appropriated because the upper basin States have not completed their appropriation of waters, and there would still be water going down the river from which Mexico, not being a party to the compact, could appropriate under the law of prior appropriation.

Mr. McCARRAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield further to the Senator from Nevada?

Mr. McFARLAND. I yield.

Mr. McCARRAN. The Senator now revokes his statement that the testimony of the Government should be binding. The testimony of the Government, through the Reclamation Bureau, is to the effect that there is a deficit when the waters of the Colorado River are utilized in keeping with the rights of the Colorado River system. So, the Senator must now blow hot or he must blow cold; he must either say that he will stand on his first proposition that the testimony of the Government will be binding and we will not look for any further testimony except that of the Government of the United States, or he will reject the testimony of the Government of the United States as set forth in the record coming from the Bureau of Reclamation in which they say there is a deficit. He can take either horn of the dilemma he likes.

Mr. McFARLAND. I leave it to the Senate as to whether I am blowing cold and hot at the same time. My position is that the estimate of the Government engineers and their testimony should be carefully weighed in passing upon this matter, for the reason that a board of arbitration would give great weight to such testimony if this question were ever submitted in the future to such a board.

Mr. McCARRAN. Mr. President, may I ask the Senator a question?

The PRESIDING OFFICER (Mr. MAGNUSON in the chair). Does the Senator from Arizona yield to the Senator from Nevada?

Mr. McFARLAND. I yield.

Mr. McCARRAN. I have heard a great deal about a board of arbitration. I am wondering just what value a board of arbitration would be to a farmer whose head gates are shut down in midsummer by order of the Boundary Commission. When water is needed in an irrigated area it is needed at once, not after an

arbitration passes on the question, because it is then too late. I am wondering what the Senator from Arizona, knowing the arid and semiarid West as we all know it, thinks about a board of arbitration that would act through the machinery of this particular treaty, when, as a matter of fact, no one can successfully deny that the Boundary Commission can say to every water user in the entire Colorado River system, "You must shut down your head gates because we have guaranteed to Mexico 1,500,000 acre-feet, and we are unable to deliver it unless we can shut down the head gates now and let the water run through. I am wondering what the Senator will say with regard to arbitration when, as has been done quite recently in the past, the gates of the Boulder Dam are shut down by order of the State Department, or, under the treaty, by order of the Boundary Commission because we are short 1,500,000 acre-feet for Mexico. I am wondering what the people of his own State will say when power is shut off from Boulder Dam.

Mr. McFARLAND. Mr. President, as I said in the beginning, I do not believe there is a State in the Colorado River Basin, indeed, I do not believe there is a State in the United States that has a higher appreciation of the value of water than has the State of Arizona.

I should like to say further in answer to the distinguished Senator from Nevada that we are not in the happy position in which the people of his State are, for they have been allocated by contract under the Boulder Dam Act all the water they can put to beneficial use.

Mr. McCARRAN. The Senator is in error about that. We have been allotted 300,000 acre-feet.

Mr. McFARLAND. I think that was estimated by your own agencies, and if they had asked for more it would have been granted.

Mr. McCARRAN. That may be true, but let me say to the Senator from Arizona that Arizona persistently refused to come into that arrangement. Arizona could have had the same thing if she had so desired.

Mr. McFARLAND. We refused, Mr. President, because we did not feel that we were getting an equitable share of the water by reason of the claims being made by our sister State of California. We could never get an agreement with California. We have more lands that could be irrigated by Colorado River water by far than both California and Nevada.

Mr. McCARRAN. That is correct, and that is what I am fighting for and that is what I wish the Senator from Arizona would join us in fighting for, to reclaim the lands of his own State by the waters of the Colorado River, instead of sending them down across the international boundary to reclaim lands in Mexico.

Mr. McFARLAND. Let me say to the Senator from Nevada that if I thought for one moment that Arizona could get more water by rejecting this treaty, I would vote against it.

Mr. MILLIKIN. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Colorado?

Mr. McFARLAND. I yield.

Mr. MILLIKIN. Awhile ago the distinguished Senator from Nevada made a statement, if I understood him correctly, that the Boundary Commission could interfere with privately owned headgates.

Mr. McCARRAN. I certainly do say that.

Mr. MILLIKIN. If there is any provision of that kind in the treaty, I respectfully suggest that it has been removed by interpretative reservations which have been offered by the distinguished senior Senator from Texas.

Mr. McCARRAN. I have seen none such, and I know of none. I am taking the treaty as I find it. If there are removals from the treaty, I should like to know of it, but today we stand on the treaty, and I do not think the Senator from Colorado will deny that.

Mr. MILLIKIN. In a moment——

Mr. McCARRAN. Will the Senator from Colorado deny that?

Mr. MILLIKIN. I do deny that there is any such power in the treaty, and if it is in the treaty it has been definitely clarified by interpretative reservations.

Mr. McCARRAN. Let the Senator please clear up this one question. He says that if it is in the treaty it has been set aside by reservations not yet adopted. The fact of the matter is, it is in the treaty, because the whole administration of this matter is in the hands of the Boundary Commission, and the Boundary Commission is the one which will say that 1,500,000 acre-feet must be passed to Mexico. How will they say it? When a shortage of water occurs, they will say, "We have guaranteed to Mexico 1,500,000 acre-feet. It is up to us to get it," and they will go right up the river system, to the Senator's State, and to mine, and to others, and say, "We have got to fulfill our guaranty," and down go the headgates.

Mr. MILLIKIN. Will the Senator from Arizona yield further?

Mr. McFARLAND. I yield.

Mr. MILLIKIN. I should like to suggest to the distinguished senior Senator from Nevada that the operation of the Boundary Commission will not in anywise resemble the description he has given of it. Under the treaty, the protocol, the interdepartmental understandings, and the interpretative reservations, the Boundary Commission and those agencies which have to do with the delivery of water to Mexico will be entirely in the hands of the Federal Government. Davis Dam, which will be the principal works to meter out the allocation of Mexico, will be under the control of the Bureau of Reclamation. It involves no contact between the Boundary Commission, or the American section of the Boundary Commission, and any private user of water.

Mr. McCARRAN. I wish the Senator were correct. There would be no trouble at all to surmount this difficulty if he were. But the Senator is in error. The whole matter of administration is in the Boundary Commission. That being true, the delivery of 1,500,000 acre-feet of water is for the Boundary Commission. Whenever a shortage occurs, the Boundary Commission can be called upon by Mexico to deliver the guaranteed quantum of water. If the Senator can find anything in the treaty which refutes my position, I should be glad to have it.

Mr. MILLIKIN. Will the Senator from Arizona yield further?

Mr. McFARLAND. I yield.

Mr. MILLIKIN. As soon as I can get to my papers, I shall read to the Senator from Nevada the reservation.

Mr. McCARRAN. I beg the Senator's pardon. I am not talking about reservations. The reservations are not before us. The treaty is before us, and the Senator from Arizona is discussing the treaty.

Mr. HATCH. Mr. President——

The PRESIDING OFFICER. The Senator from Arizona has the floor. Does he yield, and if so, to whom?

Mr. MILLIKIN. Will the Senator permit me to finish my question?

Mr. McFARLAND. I yield to the Senator from Colorado.

Mr. MILLIKIN. When I first challenged the correctness of the statement of the senior Senator from Nevada, I think I said that by virtue of the treaty and the committee reservations which have been offered here it would be made very clear that the Commission could not interfere with any private headgate. The Senator from Nevada, if I may refresh his memory, told me that I, too, was blowing hot and cold——

Mr. McCARRAN. That is true.

Mr. MILLIKIN. I repeat the statement, and in a moment or two I shall find the specific reservation, and if the Senator from Arizona will yield, I shall read it into the RECORD.

Mr. McCARRAN. I shall be very glad to know of any such reservation.

Mr. MILLIKIN. We are discussing the treaty and the reservations.

Mr. HATCH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from New Mexico?

Mr. McFARLAND. I yield.

Mr. HATCH. The statement has been made that the reservations are not before the Senate. A parliamentary inquiry. What is before the Senate?

The PRESIDING OFFICER. The question before the Senate is on agreeing to the reservations as proposed yesterday by the Senator from Texas [Mr. CONNALLY], on behalf of the Committee on Foreign Relations, to the pending Mexican water treaty.

Mr. McCARRAN. I take it that the Senator from New Mexico referred to me. I make no such statement. I said the reservations have not been accepted by the Senate. I say so again.

Mr. HATCH. If the Senator from Arizona will yield further——

Mr. McFARLAND. I yield.

Mr. HATCH. I have no desire to enter into a controversy with the Senator from Nevada. I distinctly understood the Senator to say that the reservations were

not before the Senate, and that prompted the parliamentary inquiry. Certainly they have not been accepted. If they had been accepted, I do not think we would be debating them.

Mr. McFARLAND. Mr. President, I shall cover some of the matters just mentioned, and particularly the reservation referred to, later in my remarks. Some of the questions which have been raised were covered by me in the earlier part of my address.

At the time I was interrupted I was discussing the matter of the 1,805,000 acre-feet of water which the Government engineer testified was used by Mexico in the year 1943. As I pointed out, I do not think there is any question about the amount of water diverted by the use of the Alamo canal, for the reason that it was properly measured by the canal company. The remaining amount of 653,000 acre-feet was estimated.

I refer to the testimony of Mr. Lawson, beginning in line 10, page 962 of the hearings, and ending at the bottom of page 962. Mr. Lawson testified that approximately 101,000 acre-feet of the water which was diverted was from waste and drainage of the Yuma project. I understand this is a reasonably accurate estimate. As to the remaining 550,000 acre-feet, this figure was arrived at in the following manner. First it was estimated that there were approximately 90,000 acres under cultivation in the lower delta irrigated by pumping and gravity from the lower river. That is an estimate based on aerial photographs and field investigations, as well as from cotton-gin finance company records.

I might interpolate here that if the same system were used that is used in the United States, the finance companies would base the amount of their loans on the number of acres cultivated.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. I ask if the distinguished Senator should not in fairness say that Mr. Lawson, at the end of a long cross-examination, was compelled to admit that every alleged fact, all data he pretended to give to the committee concerning the amount of water diverted below the border into Lower California, came from sources in Mexico, that the airplane maps were prepared by Mexican aviators, and not by persons from the United States, and that all the investigation was by Mexico, except that he sent one man down there who took the word of the Mexican officials?

Mr. McFARLAND. I believe Mr. Lawson testified that these acres were investigated—even if it were by one man—by visiting the lands, and that was coupled with evidence which was obtained by the finance company as to the amount of acres under cultivation.

I know that in Arizona, if a man wants to borrow money to finance his crops, the finance company sees to it that it knows how many acres he is cultivating. Otherwise it would find itself suffering great losses by advancing too much money.

Mr. DOWNEY. Will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. The evidence further showed that these finance companies, the cotton ginning companies, are themselves located in Mexico, and are dependent upon this water supply, and will greatly benefit and profit by an enlarged water supply. Does the Senator think that the Senate of the United States, in a solemn matter of this kind, should have as one of its chief sources of information, as to the amount of water used in Lower California, statements from cotton ginning companies in Mexico which will profit by the pending treaty?

Mr. McFARLAND. I say to the Senator that certainly we should take into consideration all possible evidence of any nature whatsoever which we can obtain in the Republic of Mexico. I do not know how we can go down there and measure water or measure land without the consent of Mexico.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. Yes.

Mr. DOWNEY. Let me say that Elwood Mead found a way in 1928. For 18 months the joint engineering staff of the two Governments investigated the amount of water used from the Rio Grande both by the United States and Mexico, as well as from the Colorado River. After Mr. Lawson had represented to the Foreign Relations Committee that there had been a thorough and complete investigation, he was finally compelled to admit that he had one man down there for a certain length of time—I do not know for how long—who obtained all his information by way of statements of individuals in Mexico hostile to us, whose interests are opposed to ours. That might have satisfied the Senator when he was a judge in Arizona, although from his high reputation I doubt it, but the fact that Mr. Lawson, the Commissioner from Texas, takes all his information from our adversary in this case, does not satisfy me.

Mr. McFARLAND. I admit there was no measurement of the water used on these lands. I understand that the individuals and companies irrigating this land kept no record of measurements of the amount of water diverted or pumped. I might state that while irrigation districts in Arizona keep records as to pumped water, individual farmers do not keep such a record. The estimate of the amount of water which was used on these 90,000 acres was made upon the assumption that the water duty was the same as that of the lands under the Alamo canal.

While, as stated by the junior Senator from California, these are only estimates—it would of course have been desirable to have had accurate measurements of the amount of water which was used—in fairness to the State Department I do not know of any way this information could have been obtained nor do I know of any way it could be obtained in the future without the consent of the Mexican people and the Mexican Government. They, of course, could keep an accurate record, but we would have no way of compelling them to do so, nor would we have any way of checking their measurements unless they permitted such checking. However, the 1,152,000 acre-feet figure is accurate, leaving only 340,000 acre-feet of the 1,500,000 acre-feet actually guaranteed under this treaty.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. Does the distinguished Senator have any information about what statements of adverse use were made in connection with the 1,100,000 acre-feet used in Lower California through our appliances? Does not the distinguished Senator think that of great importance if the water was given to Mexico upon the condition that temporary use for 1 year should not be a precedent for future years? I think the distinguished Senator ought to discuss that point.

Mr. McFARLAND. I know of no law which prohibits an appropriator of water under prime appropriation from changing its point of diversion. As a matter of fact, the State laws which I have examined are to the effect, and all the decisions are to the effect that you may change your point of diversion. The fact remains that they did use this amount of water. The engineers say that they can divert it in the future regardless of what we may do. The distinguished Senator from California may not agree with the engineers, but that is their testimony.

Mr. DOWNEY. Mr. President, will the distinguished Senator again yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. I do not think the Senator has quite understood the point I am endeavoring to make. If Mexico were in vital need of water and we agreed with our own appliances from our own country to help her get extra water to save her crops when she could not obtain the water from pumping, but we attached to the delivery of the water the understanding that it should constitute no precedent for future deliveries, it seems to me it would be not only an important but an all-conclusive statement. A man would have a pretty tough time being a good neighbor if he could not say to his friend, "Sure, you can use my lawnmower this Sunday, but do not think that gives you any right to take it every Sunday. And do not think that because I let you borrow my lawnmower on Sunday you can have my rake and hoe on Tuesday and Wednesday."

What we were trying to do was to be a good neighbor to Mexico to save her crops by using our appliances. Mexico is raising no claim that she is not bound by that precedent. But our State Department failed or neglected to state that essential fact to the committee and would not produce the documents in the case.

Mr. McFARLAND. I understood from the testimony at the hearings that the Mexican people did have some kind of a contract. I believe testimony in detail was given as to the right to the use of water from the Alamo Canal. I do not

think that is disputed by the Senator from California.

Inasmuch as the 104,000 acre-feet which was diverted from the waste and drainage of the Yuma project is a reasonably accurate estimate, I personally believe that we can be reasonably sure that at least 1,500,000 acre-feet was diverted by the Mexican people in the year 1943. But even if we take the position, as did the junior Senator from California, that the State Department did not have sufficient data upon which to make the estimate of 1,800,000 acre-feet, the engineers of that Department have, by giving that testimony, made an admission on record of the use of this amount of Colorado River water by the Mexican people. If this question were ever arbitrated in the future, or if it were placed before an international court, if one should be set up for the settlement of such dispute, would not a court or arbitrators immediately say to the United States, "Your engineers testified that Mexico used this amount of water"? And when Mexico herself testified that she used this amount of water, it seems to me that it would be indeed difficult for the United States ever to go behind these figures.

So, looking at it from a practical standpoint, it is my opinion that we are and will be bound by the testimony of our own engineers, and, for the purpose of determining whether we should accept the present treaty as just and equitable, we must accept the figures and the testimony of the State Department as accurate.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. I assume that the implication from the Senator's remarks is that since Mexico was using 1,500,000 acre-feet of water, more or less, therefore it gives her a right to that amount of water. Is that the implication from the Senator's statement?

Mr. McFARLAND. Mr. President, I tried to point out and analyze the testimony for the purpose of determining whether under the law of prior appropriation Mexico would have established under those laws the right to divert and use that amount of water. I am sorry the Senator missed a portion of my remarks.

Mr. DOWNEY. I did hear that statement. That was merely preliminary to another question. I wish to ask the distinguished Senator a question, and I ask it purely in a judicial spirit. Does the Senator take the next step, that since Mexico is entitled to 1,500,000 acre-feet of water, more or less, whatever it may be, she is entitled to about the same quality of water she is now using, or does the Senator think in the future we could substitute 1,500,000 acre-feet of worthless water?

Mr. McFARLAND. I should like to discuss that subject when I come to it. I shall reach it a little later.

As I was saying, on the basis of the laws of prior appropriation, if we accept the testimony of the engineers that Mexico could have diverted and used this amount of water if the Boulder Dam had not been constructed, and when we look at the records and find that we have not begun sufficient construction which when completed, would have appropriated this remaining water, we must admit Mexico has, in effect, established an equitable right to 1,800,000 acre-feet to beneficial use.

Of course, some of this testimony is disputed by the engineers from California, but I say again that it is my opinion that in any future settlement that we might make we would be bound by the testimony of our Government engineers. In the event that in the future we should be faced with the question of how much water was used by Mexico, Mexico would immediately say, as would the Senator from California if he were representing a client, "Your engineers admitted that we used 1,800,000 acre-feet in 1943."

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. I cannot help adding this observation—and the Senator may not wish to pursue it: If I assume that Mexico is entitled to 750,000 acre-feet of water because she was using that amount before Boulder Dam, and the distinguished Senator asumes that she is entitled to 1,500,000 acre-feet of water since Boulder Dam, regardless of who is right, it seems that we are both irresistably driven to the conclusion that on the basis of international equity we would be compelled to allow Mexico to get usable water of about the same quality as that with which she established her right. I cannot conceive of any rule of international equity which would bind us to give 750,000 or 1,500,000 acre-feet, but enable us to qualify that obligation by saying, "Surely, you had 1,500,000 acre-feet of good water, but we are obligated to give you that much only in saline water, which you cannot use." That would cut out the heart and soul of equity law, and common sense; yet if I correctly understand, that is the position of the Senator.

Mr. McFARLAND. As I previously stated, I will discuss that question when I reach it.

In other words, the engineers have made a record in these hearings which, in any dispute between our Government and the Government of Mexico, would undoubtedly be accepted by a board of arbitration as correct.

I point out these matters not for the purpose of casting any reflection upon their testimony, but for the purpose of calling to the attention of the Senate the necessity of accepting their testimony.

The treaty calls for a guaranteed quantity of 1,500,000 acre-feet. This is 300,000 acre-feet less than what was used in the year 1943. Mexico receives the advantage of regulated flow, which is worth a great deal to it. On the other hand if we were compelled to grant Mexico 1,800,000 acre-feet, the extra 300,000 acre-feet would be worth a great deal to us during most years.

I do not want to give away any more water than is absolutely necessary. However, after giving careful study to all of the testimony introduced before the committee, as well as careful consideration to facts already within my knowledge, I feel that it is better to allow Mexico this amount of water than to take the chance of her establishing a legal right to a larger amount in the future.

One of the objections made to the treaty is that it is contended that under article 10 (b) Mexico could establish a use of 1,500,000 acre-feet which could be interpreted to be additional to the 1,500,000 acre-feet guaranteed under article 10 (a). However, this objection, I understand, is removed by the reservation which was presented and adopted, which will give the interpretation that the 1,500,000 acre-feet mentioned in article 10 (b) is meant to be the same as that mentioned in article 10 (a), and to the effect that the amount of water to which Mexico has a right under this treaty is limited in total to 1,500,000 acre-feet.

It is also contended that Mexico may temporarily increase her use of water by means of a dam made possible by this treaty, and that this increased use would become permanent through a second treaty or by arbitration decisions on American ambiguities in the treaty. I do not believe that this fear is well founded, particularly in view of the reservation which I have just discussed. I know that it has been suggested that we should place in the treaty a restriction against Mexico's using more than a definite amount of water, regardless of whether we use the water or not, and regardless of the fact that it may be flowing into the Gulf of Mexico. I cannot conceive of the Republic of Mexico or anyone else ever agreeing to such a proposition. When the waters of the Colorado River pass over the boundary line of the United States into Mexico, we lose any right which we previously had to control or claim them. Such a provision in a treaty would certainly be a novel one. Such a provision in irrigation law would certainly be a novel one, and I think an unjust one. In my opinion, the limitations contained in this treaty would forever bar Mexico from ever claiming the right to any additional water above that provided in the treaty, when we take into consideration the reservation which I have just discussed.

Another objection has been made to the language contained in article 10 (b), which provides:

> In the event of extraordinary drought or serious accident to the irrigation system in the United States, thereby making it difficult for the United States to deliver the guaranteed quantity of 1,500,000 acre-feet a year, the water allotted to Mexico under subparagraph (a) of this article will be reduced in the same proportion as consumptive uses in the United States are reduced.

I agree that in my opinion this paragraph could have been made much more desirable so far as the United States is concerned. I admit there could be a great deal of dispute and argument as to what constitutes an extraordinary drought or serious accident to the irrigation system. It is my opinion that this provision of the treaty should have been spelled out in more definite terms. I believe provision could have been made for a reduction when the total water of the river in the United States in any year was below a definitely fixed amount.

However, when we examine this provision we find that it is not worth a great deal to the respective users. In other words, if our consumptive use in the United States were ordinarily 16,000,000 acre-feet per year and we had to reduce our consumptive use by as much as 20 percent, which would be a very material reduction in the use of water, Mexico would be required to reduce her consumptive use by a total of only 300,000 acre-feet. If 300,000 acre-feet of water were spread out among all of the American users of the 16,000,000 acre-feet, it would not give any single user very much relief. But, of course, whatever relief is given is worth something, and whatever relief we can get out of the present wording will be worth something.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. Does not the distinguished Senator agree with me that it would not be spread out among the persons using 16,000,000 acre-feet or 15,000,000 acre-feet of water? Does not the Senator agree that it would fall solely, absolutely, and destructively upon the water users with the lowest priority?

Suppose 100,000 acre-feet fell upon California, and suppose the city of San Diego had the lowest priority. It would not reduce San Diego's priority by 20 percent; it would totally wipe it out.

Mr. McFARLAND. There might be certain instances in which that would be true; but the reduction would be spread out as between users with the same water rights.

As to whether there ever would be a need for reducing the consumptive use would depend largely upon how many acres of land were irrigated in the United States with the 16,000,000 acre-feet. If we spread our use out over too large a number of acres, we would have in some years a greater shortage than we would have if we kept a safe amount of storage in our reservoirs. I am sure we would be unwilling to place any limitation upon the water belonging to us. So, as I stated above, although I would like to see improvement made in the wording of this paragraph, I do not think it involves sufficient objection to warrant rejection of the treaty.

Much has been said in regard to the use of our storage works for the benefit of Mexico. I think there is no question that this would be true. Mexico would receive a regulated flow of the river. For this she would give up the right ever to claim 1,800,000 acre-feet of water per annum, the approximate amount which she used during the years 1943 and 1944. Also she would give up the right ever to establish a use for a larger amount of water. Objection is also made to having this amount guaranteed to the Republic of Mexico. We can only make the same answer to this objection that I have just made, namely, that Mexico would give up the right ever to claim a larger amount of water. I may add that this is in line with the Colorado River compact which requires the upper basin States to allow a flow of 75,000,000 acre-feet of water over any 10-year period. While the guarantee of 1,500,000 acre-feet would have its disadvantages, it also would have the advantage of permitting us to use the remainder of the water of the Colorado River, regardless of how large the flow might be, above the average quantity in any particular year. We, of course, have dams to regulate the flow so that we, too, can depend with reasonable certainty upon a definite amount of water from year to year. Also, if we were to admit that Mexico had established a right to the use of 1,800,000 acre-feet, we would be receiving the right to use the extra 300,000 acre-feet, which should offset the guaranty.

Mr. President, another objection made by some of those opposing the treaty is that it does not specify the quality of water to be delivered. I know of no decree in the United States adjudicating water rights which contains such a provision. It is strange, indeed, that water users in the Colorado River Basin should be insisting upon such a provision when they themselves do not have such protection.

Mr. JOHNSON of Colorado and Mr. DOWNEY addressed the Chair.

The PRESIDING OFFICER (Mr. SALTONSTALL in the chair). Does the Senator from Arizona yield; and if so, to whom?

Mr. McFARLAND. I yield first to the Senator from Colorado.

Mr. JOHNSON of Colorado. The Senator has said he knows of no precedent for a provision of this kind. Does the Senator know of a similar situation anywhere else in the United States or in any other part of the world, where water is used to the extent that it is used in the lower areas of the Colorado River Basin?

Mr. McFARLAND. I do not think there is any difference between the use of water by the lower-basin States, the use of water by the upper-basin States, and the use of water by Mexico.

It is proposed that under the contract we in our State would have to use the return flow from the State of Colorado, regardless of the fact that it would contain a higher degree of salinity than it would have when it reached the State of Colorado.

Mr. JOHNSON of Colorado. Yes; but the Senator knows that the water which would go down the Colorado River from Colorado would not contain a dangerously high content of salt and alkali. The Senator knows that the water that would be given to Mexico, that would cross the boundary line, would be heavily impregnated with salts and alkalis of every description. So the situation regarding the water crossing the boundary line into Mexico would be different from the situation regarding water used by the States in the other parts of the Colorado River Basin or water used from other rivers in the United States.

Mr. McFARLAND. Mr. President, I should like to complete my explanation on this point. I say they do not have such protection, for the reason that if the quality of the water were mentioned in the treaty, Mexico would without question want quality defined and spelled out. It will be noted that the treaty provides: "Such waters shall be made up of the waters of said river whatever their origin." This provision, in my opinion, would give us a great advantage, in that we would receive credit for all return flow and seepage water which would get into the stream. No objection is there made to the quality of such seepage and return waters.

The Salt River Valley water users case, which has been mentioned in the debate and in the hearings, which is the only case bearing upon the salinity of irrigation water that I know of, was tried in my own State. I happened to be the trial judge. In that case some of the water users asked the court to enjoin the Salt River Valley water users from delivering pumped water or from mixing pumped water with gravity water from the Salt River, which contained a much smaller salt content, in supplying the water to which they were entitled under a decree of the court. They contended that they had old, established water rights which entitled them to pure river water—that is, until that course of supply was exhausted. There were three sources of water supply: what is known as the normal flow of the river, the stored water impounded by the reservoirs, and the pumped water. Those were recognized sources of supply of water which the Salt River Valley Water Users Association was required to deliver to its users. I found from the facts which were introduced that the pumped water was less desirable, inasmuch as it contained a higher salt content, but that by delivering a greater quantity of the pumped water the same results could be approximated as those obtained by the use of pure river water. I held that the Salt River Valley Water Users Association was bound to do equity to its users and that, therefore, where pumped water was used, a greater quantity should be given to the users.

But, Mr. President, the basis of the decision was that a greater supply of water was required when pumped water was used. The water rights were attached to the lands, and in adjudicating water rights the duty of the water naturally becomes very important. But the Mexican Treaty is a mere contract for the delivery of a definite number of acre-feet of water, and no reference is made to water rights for particular lands or to the water duty for those lands.

The number of acres which Mexico irrigates with the waters she receives under the treaty is a matter entirely in Mexico's hands. And when we talk about usable water as far as the salt content is concerned, this is a relative term. Water can be used with salt content up to at least 3,000 parts per million if sufficient quantity is used to wash the salt on through the land, but the less salt the more usable the water.

There is nothing in the Colorado River compact which provides for the quality of the water to be delivered by the upper-basin States to the lower-basin States. Indeed, we all know that the upper-basin States are entitled to and will get credit for their return flow and that we are in the lower-basin States and will get a little less desirable water under the compact than will the upper-basin States.

So I say, Mr. President, the Mexican Government understands the problems of the Colorado River just as we do. As a matter of fact, some of the Senators have stated that Mexico understands them better than we do. But in any event, Mexico knows its water will be a little less desirable than the users above just as we in the Lower Basin States know that our water will be a little less desirable than that of the Upper Basin States. And when we take into consideration the provision that I have just mentioned; namely, such waters shall be made up of the waters of said river whatever their origin. I do not think that there is any doubt this problem of quality of water is well understood by both governments.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield to the Senator from Nevada.

Mr. McCARRAN. Will the Senator from Arizona kindly permit me to revert to his statement with reference to the case that came before him while he was a judge? I refer to the Salt River case.

Mr. McFARLAND. I am glad to have the Senator refer to it.

Mr. McCARRAN. In that case the question of usability of the water was paramount, was it not?

Mr. McFARLAND. The Senator is correct.

Mr. McCARRAN. That question was really the crux of the controversy, was it not?

Mr. McFARLAND. The Senator is correct.

Mr. McCARRAN. Very well. If this treaty is entered into, what do we guarantee to Mexico? Do we guarantee usable water?

Mr. McFARLAND. We guarantee to Mexico waters out of the river, whatever their origin.

Mr. McCARRAN. What about the quality of the water?

Mr. McFARLAND. Mexico is to receive the water, whether it is return-flow water or not.

Mr. McCARRAN. Very well. I propounded a similar question to the Assistant Secretary of State when he was testifying before the Committee on Foreign Relations. I asked him whether we were bound to deliver usable water and he refused to answer. Have we "put something over" on Mexico in this treaty?

Mr. McFARLAND. As I have already stated to the Senator from Nevada, I think Mexico understands this matter as well as we do. She understands the value of water as much as do the Senators in this Chamber. As a matter of fact, she may understand this treaty even better than we understand it.

Mr. McCARRAN. I have no doubt about the Senator's last statement because I think we have not tried very hard to understand the treaty.

Mr. McFARLAND. I hope the Senator's statement does not include me. I have tried to understand the treaty.

Mr. McCARRAN. I think there were no more than approximately five members of the committee present at any meeting of the committee when I was present during the consideration of the treaty.

Mr. McFARLAND. I did not miss a single hearing.

Mr. McCARRAN. I believe there were only approximately 20 Members of the Senate present on any day during the debate on the treaty. What the Senator has said is perhaps true; Mexico may understand the treaty better than do some Senators. I do not think she understands it any better than some of us who are from States the interests of which are affected.

Mr. President, I repeat my question: Is this water to be usable water or is it to be of any quality that we may deliver? Will not the answer to that question come out of the record, and is it not the record that we are furnishing this water for irrigation purposes? Would not Mexico be in position to say to us, "You knew you were guaranteeing this water for irrigation purposes, and you are furnishing water so saline that it is destructive to irrigation. You have, therefore violated the treaty and you must furnish us with water which is usable for irrigation." In that case would not the great Senator of today from Arizona, and the great judge of yesterday in Arizona, decide in the affirmative, as he did in the Salt River case?

Mr. McFARLAND. I thank the Senator for his kind remarks.

Mr. McCARRAN. The Senator is entitled to them. They are coming to him.

Mr. McFARLAND. I thank the Senator. I am glad that the Senator agrees with my statement that the record is the answer to his question.

Mr. McCARRAN. If the record is the answer, then we must purify the water which we furnish to Mexico.

Mr. McFARLAND. As I understand the testimony—I have studied it very carefully—it is to the effect that Mexico must accept whatever water comes out of the river, no matter what its origin may be.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. JOHNSON of Colorado. I have listened to the speech of the Senator from Arizona with a great deal of interest. I find myself in complete agreement with his arguments. I think they are logical. He has covered the situation in a very able and enlightening manner.

Mr. McFARLAND. Mr. President, on the basis of the statement of the Senator from Colorado, I think I should make a double bow. [Laughter.]

Mr. JOHNSON of Colorado. However, the Senator made one point with which I am unable entirely to agree. I refer to his statement with regard to the quality of the water which we must furnish Mexico. Perhaps I am more sensitive on that point than are other Senators, for I once sustained a considerable loss in connection with irrigated lands because of the saline content of the water which was used for irrigation purposes. I know the dangers which are involved. The section of the treaty dealing with the quality of the water which Mexico is to receive is one which I greatly fear. I hope that it may be clarified. I hope that before this debate shall end an amendment will be agreed to with respect to the quality of the water which we must deliver to Mexico. Unless such an amendment shall be agreed to I think that the fear of the Senator from Arizona, namely, that the whole matter will be thrown into an international controversy, will prove to have been justified.

Mr. McFARLAND. Does the Senator wish to give Mexico water of a better quality than is provided for in the treaty?

Mr. JOHNSON of Colorado. No.

Mr. McFARLAND. Does the Senator wish to give Mexico water of a quality inferior to that provided for in the treaty?

Mr. JOHNSON of Colorado. No.

Mr. McFARLAND. What does the Senator wish to give Mexico?

Mr. JOHNSON of Colorado. I want it to be understood what the quality shall be. The Senator from Colorado is willing to give to Mexico a million and a half acre-feet of water as provided in the treaty. However, the Senator from Colorado wishes the treaty to provide that we will furnish that amount of water to Mexico regardless of its quality. Then the Senator from Colorado would be satisfied. He would be willing to let nature take her course as to whether the water is to be better, worse, or whatever condition it may be.

Mr. McFARLAND. So far as the Senator from Arizona is concerned, he thinks that matter is very plain and well understood by Mexico.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. Mr. President, if I understand the meaning of what has been said by the distinguished Senator from Arizona he is of the opinion that the pending treaty means that Mexico must take water regardless of quality, does he not?

Mr. McFARLAND. Yes, I think so.

Mr. DOWNEY. Then, if it might prevent several days of debate and uncertainty and clear up the ambiguity in the minds of such Senators as the junior Senator from Colorado and the junior Senator from California, would not the Senator support us in adding to the treaty, "It is understood that the water to be taken by Mexico shall be taken regardless of quality"? Why not?

Mr. McFARLAND. I do not believe we should add any more reservations to this treaty than are absolutely necessary. I feel that adequate reservations have already been presented. We have all presented our reservations to the committee and the committee has carefully weighed the views of all of us. There is much involved in the wording of the reservations. Now if we say to Mexico "regardless of quality," if we put in reservations such as that, it would make Mexico think that we were going to try to deliver to her the worst water we could. We are not going to do that; we are going to give her exactly what we are entitled to in the lower-basin States, that is: the water which comes from the upper-basin States. We are going to give her the water of the river. If we are for this treaty then let us be for it; if we are against it let us be against it. Let us not put into the treaty something which will lead Mexico to believe we intend to put

something over on her. She understands this river. I will say again that I believe Mexico understands this river and the problems of the river thoroughly; she understands what we are getting. Why should we be so concerned about her welfare all of a sudden.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. I am not concerned about the welfare of Mexico, though I want a fair and decent treaty for Mexico; but I am concerned because I know that no court of international arbitration would ever stultify itself by compelling Mexico to take this practically useless saline return flow, and that means the water users in Arizona and in California and in all the other basin States would face a tremendous disaster by the imposition of some kind of a standard of salinity.

If the distinguished Senator will yield to me for one further question, since he has said that there is no standard of salinity set up in the Colorado River compact; I ask him has not Arizona already been given a contract under the Boulder Dam Compact Act for 2,800,000 acre-feet of consumptive use?

Mr. McFARLAND. And for half the surplus.

Mr. DOWNEY. Yes, and half the surplus. Does that not mean that there can be a million acre-feet more or less added to that 2,800,000 acre-feet to wash out the salt, and that the State of the distinguished Senator will only be charged the actual amount of water used and there will be deducted from the amount applied to take care of the salt the amount of the return flow?

Mr. CONNALLY. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from Texas?

Mr. McFARLAND. I yield.

Mr. CONNALLY. It is somewhat remarkable it seems to me that California interests are concerned and are afraid that Mexico is going to get some water that is not useful. If it would not be useful for Mexico, it would not be useful for California, and why are they insisting that they have unusable water and that fresh and usable water be guaranteed to Mexico?

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. If this water is so unusable that it cannot be availed of by either Arizona or California—and both States are certainly going to use it so long as it is of decent quality—and Mexico does not have to take it, that means, undoubtedly, we would have to give to Mexico 1,500,000 acre-feet of water of the same quality and of the same standard now as that in Lake Mead, which would be ruinous to us all.

Mr. McFARLAND. I wish I could be sure that the Senator from Colorado would be willing to give us 3,800,000 acre-feet of water to supply the 2,800,000 acre-feet contract.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. McFARLAND. I yield.

Mr. MURDOCK. The Senator is not talking and not acting under the delusion, is he, that either Utah, Colorado, or Wyoming is going to deliver his State any such pure water to reduce salinity?

Mr. McFARLAND. I thought the Senator from Utah would respond to that, but if the Senator from California is willing to give Arizona that amount, the Senator from Utah does not think I would refuse the offer, does he? If he will give it to me, I will take all the water for Arizona that I can get.

Mr. MURDOCK. If the Senator will yield, I want to serve notice on him now, and I think the distinguished Senator from Colorado and the distinguished Senator from Wyoming, who was here a moment ago, will join me in serving notice on Arizona, California, and Nevada that, so far as the quality of water that arrives at Lee's Ferry is concerned, that is not the responsibility of the upper-basin States; if it is not good water, it is your funeral and not ours.

Mr. McFARLAND. I regret very much that the junior Senator from Utah is not as liberal about water with us in Arizona as is the Senator from California, but I might say that this is the first time I have ever known California to be liberal to Arizona when water is concerned.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. It sounds to me as though the distinguished Senator from Arizona does not understand the plans and the program of the Bureau of Reclamation and the provisions of the Boulder Dam Project Act. The truth is the Bureau of Reclamation under the allocation to Arizona of 2,800,000 acre-feet of beneficial use expects to deliver to Arizona 3,800,000 feet of water. That 1,000,000 acre-feet of water, according to the Bureau of Reclamation, will go back into the river as a return flow and will go to Mexico.

Mr. McFARLAND. That is a different proposition; that is consumptive use. Of course, we are entitled to and will receive credit for the return flow, but I understood the Senator—perhaps I misunderstood him—to say that we would be entitled to an extra million acre-feet because of the salinity of the water. I was very happy that he was generous, and was unhappy that the Senator from Utah and the Senator from Colorado and the other Senators from the upper-basin States could not go along with him.

Mr. DOWNEY. Mr. President, will the Senator yield again?

Mr. McFARLAND. I yield.

Mr. DOWNEY. I do not believe the Senator from Arizona yet understands the situation. The very reason that Arizona will be given 3,800,000 acre-feet of water to apply in Arizona is that Arizona is entitled to 2,800,000 acre-feet consumptive use. In order to get the 2,800,000 of consumptive use, she will have to use 3,800,000 acre-feet, that being the percentage according to the Bureau of Reclamation. The extra 1,000,000 acre-feet will return to the river, and, of course, Arizona will get credit for that, which will reduce Arizona's consumptive use to 2,800,000 acre-feet. I might say that in all probability a court of international arbitration will figure Mexico's right by the same standard as the Boulder Canyon Project Act, and, in order to get the beneficial use of 1,500,000, she will be given 2,500,000 or 3,000,000 or 3,500,000 acre-feet, just as Arizona and California will be given. If we have a water right in California of 1,800,000 acre-feet of consumptive use, the owner of the water right will have so long as the water is in the river and available to demand two or three or five hundred thousand acre-feet of water additional in order to wash the salt out of the land.

I say again, if the distinguished Senators do not realize that, following the rule of the Boulder Canyon project compact, Mexico would be entitled to far more than 1,500,000 acre-feet, some time in the future the water users of our State will have an unhappy awakening.

Mr. MURDOCK. Mr. President, will the Senator from Arizona yield?

Mr. McFARLAND. In a moment. I should like to say to the distinguished junior Senator from California that I leave it to the Senator who understands this proposition. I would not even suggest he did not understand it, but I think I do understand it. I believe I will have made myself clear when I shall have concluded.

I now yield to the Senator from Utah.

Mr. MURDOCK. If I understood the Senator from California correctly, he made the statement that consumptive use in California meant diversion less return.

Mr. DOWNEY. Less return flow to the river, of course.

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from California?

Mr. McFARLAND. I yield.

Mr. MURDOCK. Mr. President, the Senator is correct when he says consumptive use under the treaty, under the Boulder Canyon Project Act, and under the compact, is diversion less return flow to the river, but it is rather difficult for the Senator from Utah to understand how California can take the water clear out of the river system and have any return flow to the river.

Mr. McFARLAND. It does not have any return flow.

Mr. MURDOCK. That is what I understood—return flow which may develop from diversions.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. I primarily was talking about Arizona. We have a different problem in California.

Mr. MURDOCK. Will the Senator from Arizona yield?

Mr. McFARLAND. I yield.

Mr. MURDOCK. I am satisfied the Senator is correct in what he says about Arizona; that is, from whatever is diverted the return flow to the river is deducted in figuring consumptive use.

Mr. McFARLAND. In other words, we have a right to divert that much more water above in order to get the 2,800,000 acre-feet.

Mr. MURDOCK. Arizona has the right to take credit for the return flow in her consumptive use.

Mr. McFARLAND. Yes.

Mr. MURDOCK. But if the water is taken clear out of the river, and the return flow does not return to the river, such return flow is not deductible from diversion in order to ascertain the consumptive use. Am I not correct?

Mr. DOWNEY. Yes; I wish to say that I am entirely in agreement, and my remarks applied only to those cases in which there was a return flow which necessarily had been used, and providently used, to wash out the salt. If I understand the distinguished Senator from Arizona, there is now no argument between us, because he has stated that they are entitled to additional water for the purpose of washing out the salts, and to obtain a net beneficial use.

Mr. McFARLAND. Certainly we are entitled to credit for the return flow to the river. As I understood the Senator from Utah, I do not believe he would for one moment state that if we received, for instance, 2,800,000 acre-feet, we diverted that amount, and 500,000 acre-feet returned to the river, we would be entitled to more than the 500,000 acre-feet, because the other water which we used had a high salt content.

Mr. MURDOCK. Mr. President, if the Senator will yield, I am not trying to say what either Arizona or California is entitled to. What I wanted to keep the record straight about was the definition of consumptive use, which in my opinion is very important. Under the compact, as I understand, consumptive use, if I may state it again, is the water diverted less return flow which goes back into the river.

Mr. McFARLAND. That is correct, whether it has a high salt content or is pure water.

Mr. MURDOCK. The Senator is correct. The salt content has nothing to do with the use, as I understand.

Mr. McFARLAND. That is correct. So we do not get any extra water because of the salinity. I wish we did. I would hope that the Senator from Utah would be generous to us and give us that extra million acre-feet the Senator from California is going to give us; but I am afraid he will not.

Mr. MURDOCK. Will the Senator yield further?

Mr. McFARLAND. I yield.

Mr. MURDOCK. The Senator made a statement in his argument this afternoon on two or three occasions about which I want to be sure. It is with reference to the 1,800,000 acre-feet which is claimed to have been used by Mexico in 1943. I think the Senator has stated a time or two that the United States Government would probably be bound by the evidence of our engineers at some future time in a court of arbitration.

Mr. McFARLAND. That is, if we do not ratify the treaty. I want to add that. If I did not make it clear, I should have made that clear.

Mr. MURDOCK. My reason for calling the Senator's attention to the statement with reference to the 1,800,000 acre-feet is that at some time in the future Mexico might even want to take his statement before a court of arbitration. As I understood the Senator, he was not admitting that Mexico had established a right to the 1,800,000 acre-feet, but was merely using that figure for purposes of argument. Am I correct in that?

Mr. McFARLAND. I am merely using it for purposes of argument. I have never stated that that is the correct figure. I stated that that was the testimony of our engineers, the representatives of our Government. I say that our engineers have made a record here, whether it be correct or not, which would be used against us in the future if there were an arbitration. I do not want to be understood as casting any reflection upon their testimony. The other Senators can make up their own minds as to whether it was correct or not, and whether it was based upon proper measurements or not. I was using that, not for the purpose of accepting it myself, but for the purpose of the necessity of considering it in determining whether we should ratify this treaty or not, and for that purpose only.

Mr. MURDOCK. The Senator certainly does not want to make a record at this time in the United States Senate that Mexico has established a right to 1,800,000 acre-feet of water.

Mr. McFARLAND. No; and if we do not ratify the treaty, I will be present at any proceeding trying to show that Mexico is not entitled to very much water, just as the Senator from Utah and every Senator from other interested States would be.

Mr. MURDOCK. I am sure the Senator would be, and I did not want him to make the record.

Mr. McFARLAND. I should like to give her less water, if I could get by with it. I am frank in saying I am selfish to that extent in favor of the United States, if one wants to call it selfishness. As the Senator knows, the water problem is a very serious one to us in the West.

In further answer to the question as to the salinity of the water, I should like to state to the distinguished Senator from Colorado again that the question as to whether water is useful is a relative one. We have users in Arizona who are pumping water, not using gravity water, but who are pumping water which has a salt content as high as 12,000 parts to a million. I know that that is altogether too salty, and many of the users have had to abandon their farms because the salinity was too high. But there are users who are using very saline water, water with a pretty high salinity, and making some of the best alfalfa in the United States.

I spent 3 months trying the case we have mentioned, listening to the evidence regarding salinity of water, and the important matter is that if we use only enough water to penetrate, for instance, 3 feet into the soil, all of the salt content in the water will stay in the upper 3 feet of soil. If enough water is used to wash the salt on down through and carry it off, then the users can get by with water with a higher salt content. For that reason more water is required, if one is using water with a high salt content.

With that explanation I should like to point out that this question is pretty well decided in the treaty, in article 10 (b) which states that:

> Mexico shall acquire no right beyond that provided by this subparagraph by the use of the waters of the Colorado River system, for any purpose whatsoever, in excess of 1,500,000 acre-feet annually.

That does not state that if the water is less usable she will obtain a greater amount, but it states that she will acquire no right beyond 1,500,000 acre-feet of water. I will discuss a little more in detail later on concerning what the salt content will be in the water which Mexico will receive.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield once more?

Mr. McFARLAND. I yield.

Mr. JOHNSON of Colorado. I am glad the Senator has discussed this point in detail in the light of his experience in cases which have come before him when he was on the bench, because to me it is the heart and soul of the whole treaty whether we are to deliver 1,500,000 acre-feet of poor water or of a certain other quality. I want to support the treaty, in fact, I am supporting the treaty, and I expect to vote for it, but I have been greatly troubled by this one point. So I am grateful to the Senator for clearing the point up as much as he has cleared it up, and I am glad to have him state for the record that the treaty does not provide for the delivery of any more water than 1,500,000 acre-feet. That, I understand, is his understanding of the treaty.

Mr. McFARLAND. That is my understanding of the treaty.

Mr. JOHNSON of Colorado. And that that amount is regardless of quality.

Mr. McFARLAND. Regardless of quality, yes. I think that is plain. I do not want to be continually referring to a case which I tried, but it is the only case I know of on the subject, and therefore I should like to tell a little bit about some of the evidence, in just about one paragraph. One of the witnesses testified in the case that he used pump water with a very high salt content to wash out the salt in the ground, and the reclaimed ground which had already had a high degree of salt, so high that it could not have been cultivated before. So water with a high degree of salinity can be used, if a sufficient quantity of it is used.

As to what the salt content will be brings us to the question of how much return flow there will be for which we will receive credit. The testimony of the Government engineers, based on an estimate of 930,000 acre-feet of return flow, shows that the return flow will contain 2,700 parts of salinity per million which is usable. Of course, when the water is mixed with water delivered from the Imperial Dam the quality of the mixture will be much improved and more desirable.

Mr. Robert L. Lowry, engineer for the American section of the International Boundary Commission, testified that the 1,500,000 acre-feet to be delivered to Mexico will ultimately be supplied from the following sources: Return flow, 930,000 acre-feet; desilted, 100,000 acre-feet; unused Gila flow, 100,000 acre-feet, making a total of 1,130,00 acre-feet which will be supplied from below the

Imperial Dam. Little of this water could be used by the United States except by pumping.

Mr. John R. Riter, engineer in the Reclamation Service, broke the return-flow figures down as follows:

One hundred and thirty-five thousand acre-feet of return flow from the Yuma project.

Four hundred thousand acre-feet of return flow from the Gila project, which is based on 160,000 acres of land irrigated by 960,000 acre-feet of water.

Three hundred and thirty thousand acre-feet of return flow from central Arizona. This estimate is based upon the release of 440,000 acre-feet from the Gillespie project. That is the last central Arizona project on the Gila River of any size. However, 110,000 acre-feet of this return flow would be lost by evaporation and seepage if the river is channelized. Of course, if the river were not channelized, an additional 110,000 acre-feet would be lost according to Mr. Riter's testimony. This would amount to fully 50 percent of the water released from the Gillespie project.

It should be emphasized, however, there is no return flow to the Colorado River from the central Arizona projects. The virgin flow of the Gila River at Gillespie Dam is estimated by the Reclamation Service to be 1,753,000 acre-feet. It is admitted by all that none of this water reaches the Colorado River except a little in flood flashes. We use and reuse the water and what little water is released from the Gillespie Dam is lost by evaporation and seepage.

Testimony was also given that the records kept on the Salt River show that when we have had wet years, and even with the water which came in from rainfall below Gillespie Dam, the loss is practically 50 percent which bears out the testimony of Mr. Riter that there would be a loss of at least 50 percent if water were allowed to go on down the Gila River into the Colorado without the river being channelized. For a distance of approximately 150 miles from the Gillespie Dam to the Colorado River the water flows in a sandy river bed where there is also a large amount of evaporation, particularly in the summer months. So it is a question of how much water Arizona will want to allow to go on down the river; whether our users will prefer to use water of a little higher salt content rather than lose half of the water.

However, this is a question for Arizona to decide. As pointed out by the engineers representing California, we may try to save some of this return flow from the lower Gila project as well as the Yuma project. But I cannot see how the other States of the basin are concerned with this problem because we in Arizona are entitled to consumptive use. Naturally if, for example, as to the 2,800,000 acre-feet, we allow 500,000 acre-feet, for example, to reach the Colorado River, we will of course divert 500,000 acre-feet more in its place.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. Will the Senator allow me to congratulate him upon the very clear, precise statement he has just made?

Mr. McFARLAND. I thank the Senator.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. McFARLAND. I yield.

Mr. MURDOCK. Where will the return flow from the Arizona projects reach the channel of the river? Will it be below the Imperial Dam?

Mr. McFARLAND. Yes. It will be below the Imperial Dam.

Mr. MURDOCK. Will there be any return flow above the Davis Dam?

Mr. McFARLAND. Very little.

Mr. MURDOCK. As I understand, the Boulder Dam is the highest dam on the Colorado River. Next will be the Davis Dam. Am I correct?

Mr. McFARLAND. The Senator is correct in his statement.

Mr. MURDOCK. And then the Parker Dam?

Mr. McFARLAND. Yes.

Mr. MURDOCK. And then the Imperial Dam?

Mr. McFARLAND. That is a diversion dam.

Mr. MURDOCK. And the lowest dam on the river at the present time is the Laguna Dam?

Mr. McFARLAND. Yes.

Mr. MURDOCK. Which, as I understand, is not used at this time.

Mr. McFARLAND. No. The Imperial Dam took its place.

Mr. MURDOCK. The Imperial Dam was substituted for the Laguna Dam.

Mr. McFARLAND. Yes.

Mr. MURDOCK. But the great volume of the return flow, whatever it is, will come into the river below the Laguna Dam?

Mr. McFARLAND. Yes, the Senator is correct.

Mr. MURDOCK. The point I am trying to make is whether or not the United States, with its present dams, taking the Laguna Dam as the lowest dam on the river, will have any control whatever over return flow reaching the limitrophe section of the river?

Mr. McFARLAND. Only in the event that we should pump it back into the canal.

Mr. MURDOCK. Unless it is pumped back, the United States will have no control over the great volume of return flow.

Mr. McFARLAND. That is correct.

Mr. MURDOCK. As I understood the distinguished Senator, he claimed—if I correctly remember the term—that in fulfilling the treaty obligation to Mexico the United States Government would receive credit for the return flow to the limitrophe section of the river. Is that correct?

Mr. McFARLAND. The Senator is correct.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. DOWNEY. I should like to have the Senator address himself to this problem: In the hearings no consideration was given to the fact that California may some day have a return flow of half a million or a million acre-feet of water. Does the Senator conceive that there is any legal or moral reason why California should not work out some arrangement to receive credit similar to that which Arizona will receive by returning its flow to the river?

Mr. McFARLAND. Unfortunately there is no return flow from California, and could not be without a considerable lift. The water flows on down to the Salton Sea. It would be fine if there were a return flow, because we would have that much more water in the basin. But it flows on down to the Salton Sea, and no one can receive any credit for it.

Mr. DOWNEY. Of course, the engineering problem and the cost involved in catching that water before it gets into the Salton Sea and pumping it over a 150- or 250-foot rise into the Colorado River would be insignificant. The value of the water for which we shall receive credit when we do that—and I believe we undoubtedly shall—will be 100 times the engineering cost. I believe that any full consideration of this problem ought to embrace the possibility of California, as well as Arizona, having a return flow of 500,000 or 1,000,000 acre-feet of water to the Colorado River. If we do not consider that possibility, we fail to consider one of the major potential facts in this whole area.

Mr. McFARLAND. Let me say to the Senator from California that I am not an engineer, and I am not going to pass upon that question. I have heard the Senator from California testify quite a bit on that question, but I am not going to testify on it. I am going to assume that this thing is to be done in the way in which it has been done in the past; so I am not going to pass upon that engineering question.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. MURDOCK. I am rather reluctant to continue interrupting, but, as I understand, there is no burden on Arizona, California, or any of the Colorado River Basin States in connection with this treaty with Mexico. As I understand, under the treaty the burden is a burden on the Federal Government, and not on any individual State.

Mr. McFARLAND. That is correct; and of course, the water will have to be supplied in accordance with the Colorado River compact.

As I was about to say, we are entitled to consumptive use, just as each of the other basin States is entitled to consumptive use. I do not believe that it makes any difference to the other basin States what we do with our water—whether we use it all, and reuse it until it is all used up, and there is no return flow, or whether we let a larger amount go down.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. MURDOCK. As I understand the evidence, the return flow of the Arizona projects to the limitrophe section of the river will be below a point where it could be rediverted and reused in Arizona, except by pumping.

Mr. McFARLAND. That is correct.

Frankly, I have serious doubts that there will be the amount of return flow

estimated by the Government engineers. But even if there is half of the estimated amount of return flow, it is still important. All of the States are interested in seeing that the United States gets credit for all of the water in the Colorado River which flows into Mexico. This is the principal reason for the treaty proviso for a diversion dam to be placed in the river.

This brings us to the question of whether a diversion dam should be allowed to be constructed in the limitrophe section of the river.

The people of Yuma have for many years fought the building of a dam in this locality and now fear damage from seepage and flood in the event one is constructed. The treaty provides in article 12 that "Regardless of where such diversion structure is located, there shall simultaneously be constructed such levees, interior drainage facilities and other works, or improvements to existing works, as in the opinion of the Commission shall be necessary to protect lands within the United States against damage from such floods and seepage as might result from the construction, operation, and maintenance of this diversion structure. These protective works shall be constructed, operated, and maintained at the expense of Mexico by the respective sections of the Commission, or under their supervision, each within the territory of its own country.

With this section in the treaty coupled with the reservation which my colleague [Mr. HAYDEN] and I presented and which the committee has accepted providing that the United States recognizes a duty to require that the protective structures provided for under article 12, paragraph (a) be so constructed, operated, and maintained, as to adequately prevent damage to property and lands within the United States, from such construction and operation. By this reservation the Mexican Government is given notice of the dangers to property and lands in the United States from these structures. I feel the Yuma people can rely on our Government's seeing that no damage will occur. Surely we can rely on the promise of our Government.

There are other objectionable features in the opinion of some of us which have been removed by the reservations presented by the chairman of the Foreign Relations Committee [Mr. CONNALLY]. I shall not discus them, for with the reservations they become unimportant. However, one of the reservations meets an objection of our largest irrigation project, the Salt River Valley Water Users' Association. I refer to the reservation presented which prevents any interference or control over the irrigation within the boundaries of the respective States. This reservation does not relieve our Government of its duty to supply the amount promised in the treaty to Mexico. It does protect old-established water rights such as those on the Salt and Gila Rivers which existed prior to the passage of the Boulder Canyon Act and the building of the Boulder Dam, and this reservation together with others and the wording of the treaty itself makes it clear that it is not the intent of the treaty to in any way modify our domestic laws.

Mr. President, because this reservation is an answer to the objection which was made by the senior Senator from Nevada—I am sorry he is not in the Chamber at this moment—I should like to read the reservation into the RECORD:

That nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States section of the International Boundary and Water Commission, or the United States section of said Commission, to alter or control the distribution of water to users within the territorial limits of any of the individual States.

I wish to express my appreciation to the committee for its willingness to protect the respective States from interference by the Commission in the administration of their water rights; also for its willingness to guard against damage to the people of Yuma; and for the other reservations, such as the one which I have discussed, making it clear that Mexico cannot receive a right to more than 1,500,000 acre-feet of water.

Mr. President, I said in the beginning that the amount of water to be delivered to Mexico is the important part of the treaty. For the reasons I have stated, I feel that we should accept the treaty, and we should thus prevent the possibility of having Mexico establish an equitable right to a larger amount of water. I am not interested in the arguments made for the acceptance of this treaty on account of the good-neighbor policy. This treaty is by far too important to our Nation for the United States Senate to base its decision upon that kind of an argument. We cannot afford to give important resources for good will. No nation should expect it; and such an argument has the opposite effect upon me.

I want the United States Senate to know and I want the people of my State to know that I have arrived at my conclusions after careful and deliberate consideration of the facts alone.

Mr. HAWKES. Mr. President, will the Senator yield?

The VICE PRESIDENT. Does the Senator from Arizona yield to the Senator from New Jersey?

Mr. McFARLAND. I yield.

Mr. HAWKES. I have asked the Senator to yield because he has referred to the Salt River Valley Water Users' Association. I happen to have a copy of the statement by that association on the subject of the pending treaty. I hold the statement in my hand. I wish to inquire whether the Senator agrees with item No. 4, on page 1, which I should like to read at this time. It is entitled "The Preservation of Existing Rights":

The treaty shall not be deemed to amend the Colorado River compact, the Boulder Canyon Project Act, or any contractual obligation of the United States thereunder, nor to impose upon the waters of the Gila River and its tributaries any burden in respect to Mexico, except return flow originating below Gillespie Dam.

Mr. McFARLAND. Mr. President, I urged the committee to adopt as much of that reservation as it could. In place of that reservation, the committee adopted the reservation I have just read. If the Senator from New Jersey refers to what California claims to be a contract to build a power dam at Pilot Knob, I do not agree to that. I do not believe the then Secretary of the Interior ever had a right to make such a contract, and California was bound by the notice of the wording of the Boulder Canyon Act. That is my interpretation.

If the Senator inquires whether there would be an interference with the laws and with the Colorado River compact, I say I do not think the treaty would do so. Again let me repeat that I do not believe California had any right to make that kind of contract. I am not going to be bound by any such contract. I will admit that perhaps California is entitled to something for the use of the All-American Canal to take the water to Mexico; but if that is what the Senator has in mind in his reservation, I am against it.

Mr. HAWKES. Let me ask the Senator a question. The question whether this is a good contract is one which can be determined under our judicial system in the United States; is it not? Is the Senator opposed to protecting a contract or a compact which has been made, if it is a good one, according to the American system of jurisprudence?

Mr. McFARLAND. I may say to the Senator from New Jersey that I am in favor of making a treaty which will give us every possible drop of water. I do not blame the senior Senator from California for fighting for California. As I said at the beginning of my statement, I have the greatest admiration for the Senator. But I believe we should make a treaty which will give the greatest benefits to us in the United States. If we take all the water through the All-American Canal, we will not receive credit for the return flow, which is very important.

As I said before, I do not believe the then Secretary of the Interior had any right to make such a contract; and if the purpose of the Senator from New Jersey in proposing the reservation is to establish the rights of California under that contract, I say to the Senator that I will vote against the reservation.

Mr. HAWKES. The Senator certainly believes, I am sure, from my knowledge of him, that a contract in California is just as sacred as a contract in Arizona.

Mr. McFARLAND. Does the Senator take the position that if an official—or a bureaucraft, as those on the other side of the asile like to call them—makes a contract that is not authorized under law, we in the Senate should recognize it?

Mr. HAWKES. I have not said that.

Mr. McFARLAND. That is what I am saying.

Mr. HAWKES. I understand. I am endeavoring to ascertain whether the Senator would agree with what I have said. Let us pay no attention to references to bureaucrats, or other references to administrative bodies. If the contract is a good one, would the Senator from Arizona be in favor of having the Government of the United States keep faith with the States and public agencies in connection with it?

Mr. McFARLAND. It may even be necessary to condemn certain rights. Someone may have a right to a piece of land; he may own it. His right to that land is a good right; but sometimes the Government of the United States has to condemn land and take it over. But I am not willing to defeat the treaty in order to satisfy the people of the Imperial irrigation district.

Mr. HAWKES. Mr. President, will the Senator tell me whether I am correctly informed that the American Federation of Labor has gone on record in the Senator's State as being opposed to the treaty in its present form? I should like to know.

Mr. McFARLAND. I have received telegrams from some representatives of labor who stated they favor the treaty; and I have received from other representatives of labor telegrams stating that they were opposed to the treaty. Our people in the State of Arizona are divided on this question.

I have spent months studying the question. I have given it careful consideration. I think I have studied it as much as has the Senator from New Jersey. I know that my State is more vitally affected than the Senator's State is.

Mr. HAWKES. Let me interrupt sufficiently long to say that my State is not affected at all, except as it is a part of the United States. As such, the people of my State are interested in seeing that the United States keeps faith with its citizens and with the various States.

Mr. McFARLAND. Mr. President, I appreciate the interest the Senator from New Jersey has taken in the pending question. I am glad to see Senators from other States take an interest in this very important matter, because it is important to us in the West. Water is our very lifeblood. We are dependent on it. It is only because I feel that the treaty is best for my State and is best for the Nation that I am willing to vote for ratification of the treaty with the reservations I have mentioned.

Mr. HAWKES. I thank the Senator.

Mr. McFARLAND. Mr. President, as I said before, I wish to have the Senate know and I wish to have the people of my State know that I have arrived at my conclusions after careful and deliberate consideration of the facts alone. To be frank, I would prefer to have a treaty giving less water to Mexico because of the value of water to the future of my State and to our Nation. But I have decided that this treaty is the best we can expect to get; and if we do not accept and ratify this treaty, Mexico may establish rights to more water, and some day we may be forced to give more water, or to refuse to do so, after a decision of arbitrators. Under those circumstances, we could maintain such a position solely because we are a powerful nation. I do not believe we would do that.

So, Mr. President, if the reservations which we have requested and which are recommended by the committee, are accepted, I shall cast my vote for ratification of the treaty.

LEAVE OF ABSENCE

During the delivery of Mr. McFARLAND'S speech,

Mr. HILL. Mr. President, I have an engagement to make an address tomorrow evening at Louisville, Ky. I ask unanimous consent to be absent until Monday if necessary.

The PRESIDING OFFICER (Mr. SALTONSALL in the chair). Is their objection to the request of the Senator from Alabama?

Mr. McFARLAND. Mr. President, reserving the right to object, will the Senator remain on the floor during the remainder of the day?

Mr. HILL. If the distinguished Senator from Arizona continues to speak it will not require any request on his part to insure my presence. [Laughter.]

The PRESIDING OFFICER. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

BIRTHDAY ANNIVERSARY OF SENATOR MAGNUSON

Mr. WILEY obtained the floor.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. WILEY. For what purpose?

Mr. MURDOCK. For a brief statement before the Senator from Washington [Mr. MAGNUSON] leaves the Chamber.

Mr. WILEY. I yield.

Mr. MURDOCK. In examining the biographies of our colleagues I find that today is the anniversary of the birth of the very genial and able Senator from Washington [Mr. MAGNUSON]. I take this opportunity to extend to him the congratulations of his colleagues on this very happy occasion.

Mr. President, in sizing up the Senator a moment ago I decided that he might wish to leave the Chamber in order, perhaps, to celebrate the anniversary of his birth and eat a birthday cake.

Mr. WILEY. Am I to understand that the anniversary is that of the Senator's birth or his marriage?

Mr. MURDOCK. It is the anniversary of his birth.

Mr. WILEY. Very well.

Mr. MURDOCK. It is now growing late, and if he desires to be excused I think it would be a mark of respect for the Senate to excuse the distinguished Senator from Washington for the remainder of the day.

The VICE PRESIDENT. Is there objection to the request of the Senator from Utah?

Mr. McCARRAN. I object.

The VICE PRESIDENT. Objection is heard.

Mr. McFARLAND. Mr. President, I move that the Senator from Washington [Mr. MAGNUSON] be excused for the remainder of the day.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Arizona.

The motion was agreed to.

Mr. BARKLEY. Is the privilege being forced upon the Senator from Washington against his wish?

The VICE PRESIDENT. Apparently it is. [Laughter.]

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS.

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.), between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.), a protocol supplementary to the treaty.

Mr. WILEY. Mr. President, I feel somewhat hesitant to speak on the subject of the treaty now before the Senate. I was a member of the committee which for more than 4 weeks considered the treaty. I saw partisans of Texas, of California, and perhaps one or two other States take charge of the sessions by main force. They conducted the hearings and the remaining members of the committee injected questions now and then.

We are at a period in our own history when international politics engage the attention and the thought of our people. The thinkers and statesmen of all nations are likewise engaged. International politics cannot be separated from what we might call international economics. The prosperity of every nation depends upon the economic set-up of that nation. Economics, of course, is dependent upon consumption, production, and distribution.

Because the nations of the world have grown closer together, we are constantly thinking about what will satisfy the desires and the human wants of our own and other like-minded peoples.

The recent Chapultepec Conference indicates quite clearly—and I have particular reference to the attitude of the conferees—that the nations of the Western Hemisphere are tied together by economic and political bonds as strong as the law of gravity that pulls the waters of the Rio Grande into the Gulf of Mexico, and the waters of the Colorado River into the Gulf of Lower California.

For over half a century Mexico and the United States have been seeking a solution of the problem arising out of international waters—international rivers. Water is a great material resource. Heretofore there has been a failure successfully to manage the economics of the waters of these two rivers. I believe that out of the awakened conscience arising from this global war has come this treaty. We know that no matter how we seek to equalize material values, differences will arise as to the distribution thereof, unless accompanied by understanding and a desire for fraternity.

I believe this treaty is a step in the right direction. In discussing the matter, I shall rigidly refrain from any personal criticism. I do not think that such a course lends itself to lucidity of thinking.

After over 4 weeks of listening in committee to testimony on the subject of the Mexican Water Treaty, and all that time seeking to preserve a judicial attitude toward the whole subject, I find myself in a position where, with the adoption of certain reservations, I can support the treaty. Someone has said that if one were to support only those measures which coincide 100 percent with his own views, he would never support any measure. What we have to do in voting on legislation or treaties is to

consider the whole picture and take that course which is most nearly right.

In this assembly of 96 men, no 2 of whom have the same background—religiously, economically, politically, racially, or geographically—we see in operation the system of checks and balances which has made America great and maintained her type of democratic republic.

Now I believe that this treaty, if it becomes the law of the land, equitably settles the water rights of the two nation in relation to three international rivers—the Tijuana, Rio Grande, and Colorado Rivers.

I listened for more than 4 weeks to the testimony. There was a great deal of repetition. It was only after the testimony was closed and after going through the arguments presented by very distinguished people that I reached my conclusion. One must rise above personal conflicts and fears, and view this whole matter as an American. I realize that I am fortunate in that respect. While I have countless friends in California and Texas, I feel that this is an American undertaking. I realize that in such undertakings we in America have an obligation to look out for our own. If I had any prejudice it was at the start, as I felt that we might not have looked out for our citizens of California. But I have had too many lawsuits to know that until the facts are all in, it is inadvisable for a jurist to decide the case in his own mind. So I kept my mind open throughout the "trial" period.

Having reached my conclusions, I should like to present my specific thoughts on them. First, let us review the matter specifically with relation to the States involved. There is no question that the treaty is a very good treaty so far as Texas is concerned. There is no dispute about that fact. The system of dams will not only equate the flow of the Rio Grande, but will give Texas 50 percent of the Rio Grande flow while about 70 percent of the flow is contributed from Mexican streams. It will make possible the development of thousands of more acres in Texas and insure water supply for the thirsty ground already cultivated. It will harness the Rio Grande and stop floods.

The situation on the Colorado is not as clear. That is evident by the fact that people in the same State disagree on the facts and conclusions. Engineers for the Government and for California cannot agree on the facts and lawyers do not agree on the law. There are some facts, however, in relation to the Colorado which we can set down as reasonably certain:

(a) At present the Colorado, with the Boulder Dam, has more than sufficient water in it to take care of the present needs of the seven States.

(b) Prior to the building of the Boulder Dam, Mexico did not put to use more than 600,000 to 700,000 acre-feet of water from the Colorado. Since the building of the dam, she has put to use approximately 1,100,000 acre-feet.

(c) At present there flow into the Gulf of Mexico something like 10,000,000 acre-feet, wasted.

(d) The Reclamation Department of the Government in 1922 had set up figures, which I shall quote later, showing future demands in the Colorado Valley under Government contracts and an estimate of available water supply. This would show some 2,000,000 feet shortage during dry cycles. This estimate was revamped by a witness who calculated the discrepancy at approximately 800,000 feet.

(e) The construction of the Boulder Dam and the construction of other dams in the upper and lower basins will make it possible to equate the flow of water and, as civilization grows in the basin, to distribute the water in accordance with the Colorado compact.

I might say that it was not contradicted that if this treaty shall become the law of the land, it will facilitate this work in the Colorado River Basin, making thousands of acres available for new settlement and the utilization of the waters of the Colorado.

(f) The main issue or difference between the contention of the Government and California centered around the amount of water to be guaranteed to Mexico.

California was ready to guarantee 750,000 acre-feet of pure water or usable water but not 1,500,000 acre-feet. California contended also that the language in the treaty meant that 1,500,000 acre-feet of the water of the Colorado River might well mean guaranteed usable water and that it might be necessary, because of the saline content of water 30 or 40 years from now, to contribute a lot more water to make it usable. The contention of the State Department is that the treaty speaks for itself and that whatever the condition of the water of the Colorado, due to the use of the same in the upper stretches, Mexico would have to accept the water in the condition it is in.

After studying the text of the treaty, after realizing that Mexican engineers knew what they were about, and realizing also that if the time should come in the years ahead when the water was so saline that it was unusable for agricultural purposes, this very treaty itself would be the greatest protection that the last users in the United States could have.

On the subject of salinity, I am satisfied—which shows that I am an optimist—that if this matter became very important, the ingenuity of man would find the answer. Already in a small way we know that hundreds of our boys whose ships have been torpedoed at sea or whose airplanes have ceased to function above the ocean, who have been obliged to take to the rafts, have by a very simple device made use of the ocean water so they would have water to drink.

I am not selling America short on the saline question. We will have that answered if it ever becomes an issue, but the best evidence obtainable indicates it will not be an issue for 40 or 50 years to come.

As I recall, under the compact California was entitled to some 4,400,000 acre-feet. Today she is using about 2,200,000.

We have said that the treaty was a good one as far as Texas is concerned, and in arriving at the conclusion we did, we think it is a good treaty as far as America is concerned.

So, now, let us review the treaty from the point of view of the United States as a whole, while making further references to particular States.

THE MERITS OF THE TREATY

(a) The treaty definitely settles a troublesome question between the two nations. In the hearings and on the floor of the Senate, much has been said about this question of arbitration. I can add nothing to that subject. I do know that this Nation, which has been the leader in the field of international arbitration and standing for the validity of international law, could not in good conscience refuse to arbitrate in the future the question of what quantity of water Mexico would be entitled to have released to her. Of course, that issue could not arise for many years to come because now, as I have said, some 10,000,000 acre-feet flow into Mexico. But under this treaty, Mexico would be estopped in claiming more than what was agreed to. As I view the future, that is a very important consideration.

(b) The treaty results in harnessing the Rio Grande, doing away with floods, creating electric power, creating wealth on both sides thereof.

(c) In the Colorado River Basin, it definitely settles the meaning of the language in the Colorado compact, relating to a future treaty with Mexico. It endangers no one's water rights or possible rights for many years to come.

(d) It will bring about quicker consummation of planned projects in the United States and that means development in certain arid sections.

Mr. President, that is extremely important when we think of the growth of population in this country, and when we think of 10,000,000 of our boys returning from the war. There will be land available for them; and if the treaty shall be ratified and become the law, the land will be used. If we continue to leave this matter up in the air, it will interfere with the consummation of the plans which are already laid.

It will not in the slightest degree threaten any of the investments made by California. That is an important consideration. I have reached that conclusion after having gone into the matter. In fact, it will definitely let everyone know just where they are at. California today is only using about 2,000,000 acre-feet. Under the compact, she has a right to 4,400,000 acre-feet. There are outstanding contracts for 5,400,000 acre-feet, and I feel that under the equated flow of the river these contracts will be taken care of when and if they are needed and the water is needed. There will be water to spare—at least, for many years to come.

(f) Something has been said to the effect that the negotiators of the compact estimated a greater water supply in the Colorado River than present records indicate exist. At that time; that is, when Mr. Hoover was in the picture, the nego-

tiators estimated the supply to be 20,000,000 acre-feet—yes; up to 22,000,000 acre-feet. It is my understanding that estimates of the United States Bureau of Reclamation ending in the year 1920 and estimates made by the Bureau at the present time do not revise downward the Bureau's estimate of the water supply of the Colorado River since the compact was negotiated.

The distinguished senior Senator from California presented a report of February 23, 1922, by the United States Bureau of Reclamation. In table 9, on page 37 of that report, the flow of the Colorado River at Yuma is estimated at an average of 17,550,000 acre-feet per annum for the period of record ending 1920. The flow at Boulder Dam is estimated at 16,407,000 acre-feet. The Bureau at present estimates the mean annual virgin flow of the river at Yuma at 17,751,000 acre-feet per annum, which is about 200,000 acre-feet more than it estimated this flow to be at the time the 1922 report was prepared. The virgin flow at Boulder Dam, as estimated now by the Bureau of Reclamation, is 17,331,000 acre-feet. This is 861,000 acre-feet more per year than the estimate which appeared in the 1922 report. Engineers for the Bureau of Reclamation and other engineers estimate that sufficient storage will be provided on the river under ultimate conditions fully to equate the flow of the stream to the long-time average. Therefore, the results of the records of run-off for the period 1931–40, inclusive, have not justified any reduction in the figure of safe water supply.

(g) Something has been said about there being an excess of demand over supply in the upper basin. It will be remembered that in 1922 the allocation was for 7,500,000 acre-feet per annum to the upper basin. While at that time there was no thought of transmountain diversion, there is thought of that now. However, to offset that, it has now been found that there is a lesser amount of acreage susceptible of irrigation within the natural basin of the Colorado River than was estimated in 1922.

(h) Under the Colorado River compact, there is the obligation of the upper basin to deliver to the lower basin not less than 75,000,000 acre-feet in any 10-year period. As the upper basin develops and storage dams are created, the United States Bureau of Reclamation estimates that there will be constructed in the upper basin some 38,000,000 acre-feet of storage in order to increase irrigation development in that basin, and to generate hydroelectric energy. To generate the electricity, the water must be released, just as something over 10,000,000 acre-feet are released at Boulder now to generate the electricity which California buys. The operation of such reservoirs for the generation of electricity will so equate the flow of the stream that the upper basin delivery at Lee Ferry will always be made. This should banish any doubt as to the ability of the upper basin in the years to come to fulfill its obligation under the Colorado River compact.

(i) We have no disagreement with those who, looking into the future, say that the Colorado River is a natural resource of the United States and will become of greater and greater importance and value as time goes on. It is for that very reason that a treaty should be consummated at this time. I call the Senator's attention to a table found in the Reclamation report, Problems of Imperial Valley and Vicinity, Senate Document No. 142, Sixty-seventh Congress, second session, 1922. A table which appears on page 38 of this Senate document shows the estimate made by the Bureau of the ultimate acreage that would be irrigated below Boulder Canyon:

TABLE 12.—*Estimated ultimate demand*

(All lands below Boulder Canyon)

	Acres
United States	1,220,000
Mexico	800,000
Total	2,020,000

A break-down of the Mexican acreage is given in table 3 on page 32 of the Senate document, as follows:

Mexico:	*Total ultimate acreage*
Under Imperial Canal	255,000
Under All-American Canal	30,000
Delta south of Volcano Lake and Bee River	250,000
Sonora	265,000
Total	800,000

On page 75 of the report, the following statement appears:

Storage required: It is expected that some storage will be required for full development of the lands under the Imperial Canal in California and Mexico. The question of water supply and storage requirements of this project must be considered in conjunction with the subject as a whole on the Colorado River, and it is being so considered in the general water-supply report being prepared on the lower Colorado River in connection with the investigations required under the Kinkaid Act.

It may be noted that the report of the Bureau of Reclamation of the Problems of Imperial Valley and vicinity considered that 800,000 acres ultimately would be irrigated in Mexico, and that some storage would be required for this purpose. Under the present duty of water in the Mexican area, the 800,000 acres of land would require a diversion from the river of 4,800,000 acre-feet of water. The aggregate acreage under the two items to which the footnote in the above table applies is 285,000 acres. Under the present diversion duty in Mexico this acreage would require a diversion from the river of 1,510,000 acre feet.

It must be remembered that the Colorado River is an international stream and that the United States cannot do with it entirely as she sees fit. The effect of the treaty will be to confine Mexican development to a much smaller acreage than that which the Bureau report of 1922 estimated would ultimately be irrigated, and to permit a material increase in the acreage and the use of water in the United States over the estimate made in that report. The Bureau report of 1922 estimated that the water demand for the ultimate acreage in the entire basin in both countries would be 12,531,000 acre-feet. Under the treaty, the use of Colorado River water by the United States alone can be in excess of 16,000,000 acre-feet per annum.

(j) It has been contended also that the language in the compact which referred to a treaty to be made with Mexico was indefinite and therefore the amount should not be over 750,000 acre-feet. That is based on the suggestion that Mexico was at that time using only some 500,000 to 600,000 acre-feet per year. The distinguished Senator from Colorado has shown how Mexico was using more than that—that this amount was delivered to the laterals of the Alamo Canal and did not include canal losses, desilting water, and carriage water. We must bear in mind that the acreage irrigated in Mexico by the Alamo Canal in 1943 and 1944 was 191,700 acres and 197,900 acres, respectively, and that the diversion through the Alamo Canal for 1943 and 1944 was 1,100,000 acre-feet.

Each Senator, of course, will give these facts just such importance as he thinks they merit, in determining the justice and the equity of the treaty. As to whether or not the negotiators of the compact considered possible such a treaty as the present one, all we have to consider is that the total water supply of the basin was assumed to be 20,000,000 acre-feet to 22,000,000 acre-feet. The negotiators of the compact allotted to the two basins an aggregate of 16,000,000 acre-feet and provided that in the event of a treaty with Mexico, the Mexican water should come first out of the surplus over and above the 16,000,000 acre-feet, and if that were not sufficient each basin would make up the deficiency equally out of the 16,000,000 acre-feet allocation. I actually believe that the terms of the present treaty are such that there will be no encroachment on the use by the United States of the 16,000,000 acre-feet. The water that goes to Mexico will be in the surplus above the 16,000,000 acre-feet. Of course, what the various States had in mind at the time of the compact as to the amount of water that was to be allocated to Mexico when the treaty was made is not controlling. We are simply asking ourselves, as representatives of the Federal Government, what is the equitable, fair apportionment. I believe the negotiators arrived at that. You and I know that, as the Colorado is developed with reservoir dams, with power projects, and these projects will be paid for, I hope, like Boulder Dam was by the consumers of electric energy. We know that the water will have to leave those reservoirs and flow down the stream just as the 10,000,000 acre-feet have to leave Boulder every year to generate California's demand for electric juice.

(k) We now come to an important matter which has raised a doubt in the minds of some Senators. I refer to the escape clause. I believe that it is not uncertain, and in view of all the facts—and by facts I mean the proof relating to the water supply of the Colorado—I do not believe that it jeopardizes the rights of any of our nationals. The escape clause is as follows:

In the event of extraordinary drought or serious accident to the irrigation system in the United States, thereby making it difficult

for the United States to deliver the guaranteed quantity of 1,500,000 acre-feet a year, the water allotted to Mexico under subsection (a) will be reduced in the same proportion as consumptive uses in the United States are reduced.

(l) The whole argument against this treaty seems to center around the general allegation that we are not playing fair with California, and that we are impairing existing American rights. This is a serious indictment. First, we have to remember the quantity of water that was allotted under the compact to the lower basin—7,500,000 acre-feet. Of this amount, California received 4,200,000 acre-feet. Second, we have to remember that with that 4,200,000 acre-feet, California establishes the priority. No one else has any right in that process. Third, that from the generation of electricity alone at Boulder Dam, over 10,000,000 acre-feet flow down the Colorado. Fourth, we know that the entire cost of Boulder Dam will be repaid by the users of hydroelectric energy, and that the generation of such energy will not be impaired by the terms of the treaty. Fifth, now let us take the example of the Los Angeles aqueduct. We know the population of southern California reached an all-time peak due to many Army camps and war industries located in that area, and yet during 1943 only 35,000 acre-feet of water was diverted through this aqueduct. But if conflict should arise between the various interests in California as to the use of California's share of the water of the Colorado River, then that is a matter which California must settle. But it is apparent that with California only using some 2,000,000 acre-feet, and having the right to use 4,400,000 acre-feet, it will be a long time before she has any need for her allotted share, and, of course, there will be no objection to her using any of the surplus water as long as the use thereof does not interfere with the rights of the other States and Mexico.

(m) If it should be developed that after the lapse of decades the treaty operated so as to endanger what we might call equitable rights of investors, then I would be one who would feel that there was a claim against the Government. But all this is highly conjectural. Take, for instance, the Imperial irrigation district bonds. No one would say that they were sold on the basis of speculative returns from the sale of water to Mexico or the generation of energy at Pilot Knob power plant.

(n) It is always difficult to mete out exact justice, and yet we have to consider, in arriving at a figure relating to acre-feet, the present conditions of development in Mexico. She is using now approximately 1,800,000 acre-feet, and, with 10,000,000 acre-feet going down into Mexico, I am informed she could make use of a great deal more. She could build diversion dams; she could increase her pumping facilities. If this went on for any length of time she might increase her acreage, and I do not think that the argument could properly be made that because we built Boulder Dam and thus made possible an equated flow for her utilization she could not obtain any equitable right.

We are not talking now about the law between States. We are talking about human factors, human relations, equitable considerations. I believe there is a great difference between that situation which might arise and one where she agreed by a solemn treaty that her rights should be limited to 1,500,000 acre-feet. Engineers have said that under present conditions absolutely no drawn-down of Boulder Dam storage would be necessary to meet Mexico's demand during a decade such as 1931 to 1940, inclusive; that Davis Dam and Bullshead Reservoir will be entirely adequate to supply water to Mexico in accordance with the terms of the treaty under present conditions on the river. Less than one-half of the capacity of the reservoir would be required in the lowest year of record—1934—for this purpose.

(o) When the treaty says that the allocation of water from the Colorado River to Mexico is from any and all sources, and that Mexico shall acquire no right for the use of waters of the Colorado River system for any purpose whatsoever in excess of 1,500,000 acre-feet annually—that is pretty clear Anglo-Saxon, and it makes sure that those who negotiated the treaty—Mexicans and Americans alike—fully understood the situation.

(p) Let us bear in mind that Davis Dam is already authorized for construction, and one of its purposes is to meter water to Mexico in the event that this treaty becomes the law of both nations. The treaty does not authorize Mexico to use American power for pumping from the Colorado River and it does not give Mexico a part of the power proceeds from Pilot Knob power plant. The treaty does provide that if this plant is built and if revenues therefrom become available to pay a part of the cost of Imperial Dam and the All-American Canal down to and including Pilot Knob, then the Mexican payments toward the All-American Canal shall be reduced in proportion to the reduction in the total cost. Congress can enact legislation to dispose of the revenues from Pilot Knob power plant in any way it sees fit.

(q) The treaty obligates Mexico to construct a diversion structure at some place below the upper boundary. It may be partly on American soil or it may be wholly on Mexican soil. There is no provision that obligates Mexico to construct a diversion dam wholly or partly on American soil.

(r) The treaty also provides that at the time Mexico does build a diversion structure, regardless of where it is constructed, simultaneously there shall be constructed whatever works are necessary to prevent the flooding and seeping of American lands. Without this treaty, Mexico is under no inhibition with respect to a dam wholly in her own territory.

(s) Now as to the administrative provisions. I believe that Congress, through its control of appropriations, retains complete control over the actions of the American Commissioner which involve the expenditure of money. However, in order that that matter may be cleared up, I understand that all the parties of this controversy have agreed that by amendment or reservation, article 19 shall be changed so as to make clear that it provides for hydroelectric power at hydrointernational plants, and that the reservation suggested by the Senator from Texas [Mr. CONNALLY] shall be adopted.

(t) We have said very little about the Rio Grande. This treaty is imperatively necessary to make sure that Mexico does not materially increase her uses of the Colorado River water and the water of the Rio Grande, to the detriment of our own nationals. She can divert the waters of the Rio Grande very easily, because the terrain slopes that way, and she is already doing it to a considerable extent. We cannot stop the 10,000,000 acre-feet that now go into the Gulf of Mexico from the Colorado, because we have no available use for the same. It just makes common sense that we get together. I believe that the negotiators of this treaty—Mexican and American alike—did a good job.

Mr. President, I do not believe it ever strengthens one's case to bring in personalities. In many a lawsuit when I noticed that my opponent was not arguing the case, but was referring to one of my witnesses or to myself, I referred to the statement Lincoln once made, that he had noticed that when a man damned his opponent it was clear evidence of the fact that he had a damned poor case of his own.

I am convinced that these men, who are water men, whose lives are tied up with this subject, who have lived in this work, are statesmen of the first water.

Perhaps the treaty is not written the way I would write it. This international Commission has been in existence, as we have said, for over 50 years. It is not a part of the bureaucratic machinery of the last decade. It is an essential part of the Government. Its functions, as provided by law heretofore passed and extended by this treaty, relate to the development of resources, valuable water resources in this country and in the boundary between our country and Mexico. Its personnel is made up of honorable men who understand the law of water and who have lived, some of them for decades, with this problem which now can be happily solved.

I believe that the technique of fear has been utilized to a great extent, and that many fine people have the impression that we are again being a Santa Claus. In my humble opinion, there is no question of Santa Claus in the picture. We are receiving quid pro quo. We are receiving value for value, but what is more, we are establishing something we have tried to establish for 50 years. Three rivers are involved.

No, Mr. President; I cannot see that we are being a Santa Claus. As I see it, we are getting rid of the grounds for controversy. We are adjusting matters in relation to three international streams. A glance at the map should alone settle the need for this international agreement. I have said nothing about the Tijuana, but on looking at the map, I found that in this case we were the last user.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. MOORE. I have heard the Senator more than once say that we are disposing of a question which affects three streams.

Mr. WILEY. That is correct.

Mr. MOORE. As a matter of fact, we are doing nothing whatever, are we, with reference to the Tijuana River except delegating the authority of the Commission to make a treaty?

Mr. WILEY. I can agree with the fact, but I cannot agree with the conclusion. We are setting up the mechanism which will handle the future problems on the Tijuana, and in the treaty we are providing that it cannot be handled without an appropriation from Congress. We are putting into existence a mechanism whereby the Tijuana will receive international treatment by a competent water commission created under law by both governments.

If we were to apply the rule that some would have applied in relation to the Colorado, it might result in the application of the same rule to our detriment on the Tijuana. To infer that the American Commissioner would in the administration of his duty, sell America short, of course, is no argument whatever. Anyone knows that any public official, especially a technician in his own field, who would do that sort of thing, could be removed overnight. But this work relating to rivers is the life job of men who live the science. For 4 weeks I sat and listened to those men testify. They stood up under a severe grilling. Those men live that science. That does not mean that this treaty is perfect. As I have already stated, I was instrumental in obtaining two reservations. No human being is perfect.

Mr. President, we are now approaching the Conference at San Francisco. I do not expect that out of San Francisco will come any magic formula for the salvation of the world. However, if we can take one step forward, and pass this treaty, we shall go to San Francisco with realism in our hearts; and, what is more, we will have demonstrated a willingness to cooperate with our nearest neighbor in solving a problem which is full of dynamite.

Only a few years ago Maine objected when we settled the boundary line and took what she thought was a little of her own land. But the Federal Government, seeing the Federal question, did what was necessary. I ask the Senator from Maine if I am not correct in that statement.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. WHITE. The Senator is approaching the facts. [Laughter.]

Mr. WILEY. I am very grateful to the distinguished Senator from Maine for that concession.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. TAFT. I have always understood that it was thought that we put something over when we took as much land as was put into Maine. Was not Lord Ashburton accused by the British Government of being unduly generous?

Mr. WHITE. I do not wish to become involved in details; but the truth is that we sent such troops as Maine could muster to the eastern boundary, and we held on to what we thought was our own. The Webster-Ashburton Treaty did not do so badly by us, but I have always felt that the presence of our troops on the border and the determination of our people to hang on to our own made a real contribution to the ultimate result.

Mr. WILEY. Mr. President, this is not the main subject.

Mr. WHITE. To Maine it is an important matter.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. WILEY. I yield.

Mr. BARKLEY. I have always understood that it was not so much a question of the amount of land that was conceded to Maine, but the kind of land which Maine obtained.

Mr. WHITE. A portion of the land involved is in the county which produces about 70,000,000 bushels of potatoes a year, which makes every other county in the United States look like pikers when it comes to raising potatoes.

Mr. WILEY. Mr. President, I think I should have the appreciation of the Senator from Maine for giving him the opportunity at this time to boost Maine potatoes. The rest of us do not know much about the subject, we just eat them.

Getting away from facetiousness, the treaty before the Senate is not something which has just been born. It is the result of years of negotiation and effort. Two great peoples have come together. I do not believe that the Senate of the United States will separate them. As I previously stated, we are approaching the conference at San Francisco. I believe that it is important that the treaty be approved before our colleagues, the Senator from Texas [Mr. CONNALLY] and the Senator from Michigan [Mr. VANDENBERG], arrive at San Francisco—approved on its merits. It has not been hurried. The deliberations in committee lasted almost 5 weeks.

Mr. President, with the reservations which have been proposed, I have no mental reservations in voting for the treaty.

LEAVE OF ABSENCE

Mr. HATCH. Mr. President, I have an engagement which will require my absence from the Senate to go to the House Office Building. Time is slipping by and my engagement begins at 4:30 this afternoon. There will probably be another quorum call today. I therefore request unanimous consent that I may absent myself from the Chamber in order to go to the House Office Building and keep a previous engagement which I have made.

The VICE PRESIDENT. Without objection, the request of the Senator from New Mexico will be complied with.

PERSONAL EXPLANATION

Mr. REVERCOMB. Mr. President, I understand two quorum calls have been had today, and I was not present to answer to my name at either of them. I wish to explain that, as a member of the Military Affairs Committee, I, together with other members of the Military Affairs Committee, have been at Army headquarters in the Pentagon Building and at Fort Myer on official business.

The VICE PRESIDENT. The Chair will state that the Senator from Alabama [Mr. HILL] asked and obtained permission for the Senator from West Virginia and other members of the Committee on Military Affairs to be absent from the Senate on official business.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.) a protocol supplementary to the treaty.

Mr. MOORE. Mr. President, the treaty between Mexico and the United States was entered into by the Governments of the two countries more than a year ago, but in my judgment, the time for consideration of the treaty by the Senate has not been sufficient to give Senators who are interested in it ample information with reference to its merits.

The impending Conference at San Francisco is advanced as a sufficient reason for hurrying consideration of the treaty. I am not prepared to discuss that question; but, to me, that reason is not entirely persuasive. It seems to me that the importance of the treaty is such that there is no special reason why there should be so much hurry about it. Very frankly, I have been impressed with the importance of the treaty. I have tried to understand it. I have given a good deal of thought to it. I have read the conflicting statements and briefs of the various contending parties. Still, I should like to have more time to consider the treaty, so that when I cast my vote on it I may feel that I am doing what is right.

The treaty is the result of negotiations which have been in progress for many years. It deals with two rivers—not three rivers—namely, the Rio Grande, which is a boundary river, and the Colorado River, which is entirely within the United States, except for a short distance. It empties into the Gulf of California on the Mexican side of the border.

Mexico has shown no interest in a treaty for the division of the waters of the Rio Grande, and has refused to consider the matter seriously unless we, at the same time, were willing to negotiate with respect to the Colorado River.

I believe the evidence shows that the waters of the Rio Grande are made up from drainage, about 40 percent from the United States and 60 percent from Mexico. Mexico has exercised its right to utilize the waters from the streams on the Mexican side flowing into the Rio Grande. It is said that Mexico has utilized the waters to such an extent that a shortage of water on the American side has been caused, and that this shortage of water has worked a great hardship on those whose efforts and industry have developed a great farming area, known

as the Rio Grande Valley in the State of Texas. The shortage of water for this area of Texas is a sizable disaster to this magic valley. I believe that by developments damming up the water and the use of the water on the Mexican side, the water customarily used on the Texas side has been decidedly reduced to the great detriment, as I say, of the people living in that Texas valley.

On the Colorado River large sums of money furnished by our own people have been employed to control the floods and impound the waters of that wild river. By the employment of those facilities we have minimized the damage of the floods to the Imperial Valley of California and to the land adjacent to the mouth of the Colorado River in Mexico. We have not only minimized the damage of the floods, but we have conserved the water of the floods, so that it may be regularly and beneficially utilized, both by the valleys of Mexico and California.

Prior to the building of the Boulder Dam and other facilities, the country of Mexico used what water it could obtain from the Colorado River when it was an unregulated river, as likewise did the people on the American side. I think the testimony shows that the greatest amount of water ever used beneficially by Mexico prior to the damming of the stream was 750,000 acre-feet a year. The average amount used did not exceed 600,000 acre-feet a year. The proponents of this treaty, both on the part of Mexico and the United States, have agreed that Mexico would have under it 1,500,000 acre-feet; and in consideration of that, Mexico and the United States would agree to build dams and facilities on the Rio Grande River to so regulate the river that the amount of water would be substantially enhanced for beneficial use on both sides of the stream; the water from the stream would be equally divided; and by such division, the magic valley of Texas could be sustained in a very valuable production to our own country and our own people. That would be gratifying to the people living in the valley and gratifying to the rest of our own country. It is a consummation devoutly desired.

There are no better or more deserving people than the people who inhabit the Rio Grande Valley of Texas, and there are no better or more deserving people than those who live in the Imperial Valley and the southern portion of the great State of California. Without the application of water other than the usual rainfall, both those areas are what we call desert countries. By the application of water, both have a valuable production not exceeded on the face of the earth. The American people must feel a deep concern for both areas.

The industry and genius of the American people living in California and in other basin States of the great Colorado River have long visualized the great blessing that would accrue by the regulation of that Colorado stream and the conservation of its waters. To that end, in 1928 the Congress passed an act vitalizing a compact between the Colorado River States. It provided for the possibility of the full utilization of the very valuable water resources of that stream; and that act also provided that the impounded waters were to be for the exclusive use of the States which could so utilize them, and that Mexico should never acquire any rights to the waters so impounded by our dams. I think the evidence clearly shows that by the unregulated flow of the river Mexico could never utilize more water than is proposed by the opponents of the treaty, to wit, 750,000 acre-feet. Mexico had full notice that it would never be the intention of our country to provide her with water, by the use of our facilities, in excess of the average amount of water she could have utilized from the unregulated flow of the stream. The improvements on the Colorado River by our own country and our own people were of such a character that they not only enabled the people living along the river and adjacent to it to use the water for farming purposes and domestic uses, but they could also use it for the development of power. So valuable was that power resource that State agencies contracted to reimburse our Government for every dollar it had expended for the improvements, and thus gave to our country a great resource free of expenditures by the taxpayers.

The people of California have committed themselves to the expenditure of hundreds of millions of dollars, relying upon the good faith of our country. They expect our Government to keep its solemn agreement with them. Now to give to the county of Mexico an additional 750,000 acre-feet of water would deprive the people on the American side of a resource which they had a right to depend upon, by reason of the agreement with their Government. I believe that to breach that confidence now would convict our Government of a breach of faith and a breach of the integrity in regard to its contract.

The proponents of the treaty now contend that ratification of the treaty would stabilize the use of the disputed waters from the Colorado and would stabilize the use of the waters along the Rio Grande, so that each country would know what to depend upon. It is claimed by the proponents that since the building of the dam on the Colorado, the beneficial use which the people on the Mexican side have been able to make of the water constitutes a right, and that by arbitration their right to a very much larger amount of water than that provided for in the treaty might be sustained. I do not believe there is any justification for that apprehension. I think neither equity nor comity of nations would justify such a finding. I doubt whether the matter could legally be made a subject of arbitration. I believe that a gratuity of this water to Mexico, at the expense of the rights of our own people, would contribute nothing to a neighborly feeling between the countries. I believe that the country of Mexico would have more respect for our country if we would insist upon our own equitable rights. To go beyond that would, I believe, condemn us for stupidity, and would detract from the respect Mexico would have for us. I think hard feelings would be engendered between the two countries, and that neighborly friendliness would be impaired, rather than improved.

The issue then becomes a controversy between the people on the Colorado River and our own people on the American side of the Rio Grande. In other words, it becomes a controversy between Texas and California. Not more than 8 States are directly concerned with the utilization of the waters of both of those rivers. It seems to me that the Senators from 40 of our States are called upon to ratify a treaty with a foreign country that will benefit Texas and will injure California. The decision is not an easy one to make; but by reason of the contract made between our Government and the States on the Colorado, I consider that they have vested rights that would now be disturbed by such a treaty; and I cannot understand how this body, actuated by the justice which it desires to accord, can agree to ratify the treaty.

The VICE PRESIDENT. The question is on agreeing to the reservations offered by the Senator from Texas, as amended.

Mr. TAFT. Mr. President, if we are not going to adjourn or take a recess at this time, but are to continue, I wish to ask the Senator from Texas about some of the reservations.

Mr. CONNALLY. Very well.

Mr. TAFT. I am concerned about the control or the statutory powers or whatever other powers would be given to the International Commission, particularly to the American Commissioner. In reservation (b) the Senator has proposed that—

> Nothing contained in the treaty or protocol shall be construed as rendering inapplicable statutory or constitutional controls and processes, insofar as they affect persons and property in the territorial limits of the United States, to the administrative powers and functions of the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, the United States Section of said Commission, or any other officer or employee of the United States.

What bothers me is whether there are any statutory or constitutional controls or processes to which any powers conferred by a treaty can be subjected. In other words, if it is possible to have the reservation drafted in such a way, I should like to have it provide that we shall have the same statutory and constitutional control over these functions as if they were created by statute, rather than by treaty.

What I am concerned about is the apparently established rule that a treaty is at least on a level with the Constitution, so that if something is put in a treaty, we cannot raise the constitutional questions which we can raise with regard to something provided in a statute. Merely to provide that "Nothing contained in the treaty or protocol shall be construed as rendering inapplicable statutory or constitutional controls and processes" would not seem to me to meet the objections I have to those powers, if no such processes or controls apply to treaties.

Mr. CONNALLY. This reservation was drawn for the purpose of satisfying certain Senators who were fearful of a possible exercise of control by the Boundary Commission and other functionaries in

connection with the execution of the treaty. We have provided that they shall not have such powers, and that they shall be subject to the statutes, constitutional controls, and processes of the United States.

Mr. TAFT. If what the Senator has stated were made a part of the resolution of ratification, I should have no objection to it. The form of the language seems to me not to subject the members of the Boundary Commission to such processes.

Mr. CONNALLY. They are subject to them now. All we are saying is that nothing in the treaty shall change that status. The testimony on the part of the Boundary Commissioners and other functionaries before the committee was to the effect that they never had assumed such authority, and they do not assume it now. They do not try to exercise any control of international works except on the border. However, because of an extreme desire to satisfy objections of Senators, this language was inserted. It applies only to our side of the border. Mexico is not concerned. We inserted language to the effect that nothing contained in the treaty shall render inapplicable any of the controls that we may now possess.

It is further provided in the treaty that the works in the United States, as well as their maintenance, shall not be under the control of the Boundary Commission but under the control of the Bureau of Reclamation. The building of Davis Dam and other works wholly within the United States will be under the control of the Bureau of Reclamation. This reservation is intended to continue, regardless of anything which may be contained in the treaty, the same constitutional and statutory provisions which now exist. For example, appropriations and other processes of government will continue in effect.

I should like to ask the able Senator from Colorado [Mr. MILLIKIN], who participated in drafting these reservations, to explain how he views their effect.

Mr. MILLIKIN. Mr. President, the preliminary history leading to this particular reservation was a criticism which the American Bar Association had made. The American Bar Association took the position that the treaty was profligate in its grant of administrative and judicial powers to the Boundary Commission. Therefore, those who drafted the reservation were endeavoring to meet the criticism and make very clear the fact that nothing contained in the treaty or protocol should destroy constitutional or statutory controls within the territorial limits of the United States.

I am trying to learn the exact point which the Senator from Ohio has in mind. If the reservation did not exist, under the theory of the American Bar Association, and those who have echoed such theory in the hearings and before the Senate, if they are correct in their interpretation of the treaty, statutory and constitutional controls would be advisable.

The language of the reservation meets the claim head-on by stating that statutory controls and constitutional processes in the domestic field shall not be deemed to be inapplicable. That is the intent of the reservation.

Mr. TAFT. The question is whether the intent is carried out by the language of the reservation. I agree with the intent.

Mr. CONNALLY. Mr. President, will the Sentaor yield?

Mr. TAFT. I yield.

Mr. CONNALLY. I have before me a letter from Mr. William L. Ransom, former president of the American Bar Association, with regard to this matter. I think it would be well to read a paragraph from the letter. I shall not take time to read the entire letter. It states in part as follows:

> The American Bar Association has not opposed the treaty or asked that it be amended. The American Bar Association has not concerned itself with the merits of the treaty. The association's point is a very simple and proper one, which can be dealt with, I think. It is also important, as I see it.
>
> The American Bar Association's point is this: Insofar as the American Commissioner acts alone, as to internal matters in the United States, he should be and remain subject to the laws of the United States, to the powers of the Congress, and to judicial review as to his quasi-judicial determination.

We were trying to meet through the reservation the views expressed in the letter from which I have read. The writer of the letter was not concerned with the Mexican section of the Commission, but with the United States section, and wants the Commission to be made subject to the laws and Constitution of the United States.

Mr. TAFT. Mr. President, I think perhaps I should restate my objection to the amendment, and my contention that it does not carry out the purpose of the American Bar Association, or the purpose of the Senator from Texas. Paragraph 2 of article VI of the Constitution reads as follows:

> This Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.

And so forth. Therefore, treaties are placed on a level with the Constitution itself; and, as I view it, treaties, as well as obligations under them, are not subject to constitutional limitations. I further believe that they do not necessarily reserve any rights given by the Constitution to individuals, to Congress, or to courts.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. TAFT. I yield to the Senator from Utah.

Mr. MURDOCK. I believe a treaty could abrogate a statute, but, in my opinion, the very fact that treaty-making powers stem from the Constitution certainly places the Constitution above treaties, statutes, or anything else. If the power to make treaties stems from the Constitution, then certainly a treaty cannot abrogate the Constitution, which gives it life.

Mr. TAFT. That argument might have been made in the case of the State of Missouri against Holland, a migratory-bird case. The decision in that case held that the treaty on migratory birds conferred on Congress power which it could exercise within the State of Missouri but which it could not exercise without the treaty, in spite of the language of the tenth amendment of the Constitution reserving to the States all powers not universally given to the Federal Government. In that case Mr. Justice Holmes, in effect, held that treaties are superior to, or at least on a level with, the Constitution. That doctrine has never clearly worked out, but there is still the possibility that it will.

The treaty provides:

> The Commission shall determine the cases in which it shall become necessary to locate works for the conveyance of water or electrical energy and for the servicing of any such works, for the benefit of either of the two countries, in the territory of the other country, in order that such works can be built pursuant to agreement between the two Governments. Such works shall be subject to the jurisdiction and supervision of the section of the Commission within whose country they are located.

So, if we build a power plant in this country, we confer by treaty on the American Section of the Commission, one man, it seems to me, the power to supervise and regulate the power works and to dispense power.

My difficulty arises when we come to reservation (b), providing that "Nothing contained in the treaty or protocol shall be construed as rendering inapplicable statutory or constitutional controls and processes." That is not the question. The question is whether the fact that it is in a treaty does not eliminate any constitutional or statutory controls and processes, and set the Commission up as an independent body created by treaty, and no longer subject to regulation by the legislature.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CONNALLY. I suggest to the Senator that the effect of the reservation is, not to put it in the treaty, and not to give the body those powers. How would this suit the Senator?

> Nothing contained in the treaty or protocol shall be construed to interfere with the statutory controls and processes so far as they affect the persons—

And so forth.

Mr. TAFT. I have not worked out the exact language, but I suggest that there should be added something of this sort:

> And the same constitutional or statutory controls and processes shall apply to such administrative powers and functions as if they were created by statute.

That is what I think should be added, so that we will not have a negative statement, but a direct, positive statement.

I think something can be worked out. I do not desire to object to the reservation, I think it is all right as it is, but I think it should go a little further than it does.

Mr. BARKLEY. Mr. President, there is always difficulty in transposing language of a reservation, but it seems to me that everyone agrees with the objective, and if the objective can be accomplished by transposing the language so as

to have it begin with the word "insofar", in line 3, it could be made to read, "So far as they affect persons", and so forth, "the treaty and protocol shall be held subject to statutory or constitutional controls and processes within the United States."

Mr. TAFT. I think perhaps that would be a simpler way of stating it. I suggest we can work out something before tomorrow which will be satisfactory.

The VICE PRESIDENT. The question is on agreeing to the reservation proposed by the Senator from Texas.

Mr. TAFT. There is one other reservation about which I should like to raise a question, and I should be glad to do it now, if it is desired, but I think it might be worked out without debate.

Mr. DOWNEY. What was the announcement by the Chair?

The VICE PRESIDENT. The question is on agreeing to the reservation presented by the Senator from Texas yesterday.

Mr. CONNALLY. Why can we not agree on some of the reservations which are not objected to?

Mr. DOWNEY. The reservations have not been printed in final form. We may agree to a large majority of them, but I may wish to discuss some of them tomorrow morning when they are printed in final form.

Mr. CONNALLY. They are printed in final form up to now.

Mr. DOWNEY. I do not believe they include the changes made by the subcommittee.

Mr. CONNALLY. No; they will be printed in the RECORD tonight.

Mr. BARKLEY. New copies should be printed of the amended reservations. I ask unanimous consent that all reservations be printed carrying the language of the modifications submitted by the subcommittee and by the Senator from Texas, the chairman of the full Committee on Foreign Relations, which have not yet been printed, and are not now in full upon our desks.

The VICE PRESIDENT. The request of the Senator from Kentucky, as the Chair understands it, is that the reservations be reprinted as modified in the committee, and by the Senator from Texas, and on the floor of the Senate today, for appearance on the table tomorrow morning.

Mr. BARKLEY. That is correct.

The VICE PRESIDENT. Without objection, the request of the Senator from Kentucky will be complied with.

Mr. CONNALLY. Mr. President, I renew my request for a unanimous-consent agreement that the Senate vote at 3 o'clock, Monday, on the reservations and the treaty.

Mr. DOWNEY. Mr. President, several Senators have asked me to make objection.

Mr. CONNALLY. Does the Senator make objection?

Mr. DOWNEY. I do.

Mr. LA FOLLETTE. I wish to inquire of the Senator from Kentucky at what time the Senate is to meet tomorrow.

Mr. BARKLEY. I had hoped that the Senate could meet at 11 o'clock, but the Senator from California has suggested that other conferences—I do not know with whom—are in progress which may result in saving some time, and I am willing to save an hour tomorrow if by so doing we can save a day or two, so I am going to yield to the Senator's usually persuasive and seductive importunities by moving that the Senate recess until 12 o'clock tomorrow; but I shall expect results when we return tomorrow.

Mr. DOWNEY. I am very grateful to the Senator.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GEORGE, from the Committee on Finance:

James G. Smyth, of San Francisco, Calif., to be collector of internal revenue for the first district of California, in place of Harold A. Berliner.

By Mr. OVERTON, from the Committee on Commerce:

Alfred Schindler, of Missouri, to be Under Secretary of Commerce.

By Mr. WALSH, from the Committee on Naval Affairs:

Brig. Gen. Claude A. Larkin to be a major general in the Marine Corps for temporary service from the 1st day of April 1945;

Brig. Gen. William P. T. Hill to be a major general in the Marine Corps for temporary service from the 1st day of April 1945; and

Col. Ivan W. Miller to be a brigadier general in the Marine Corps for temporary service from the 21st day of January 1945.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Stella Creekmore, to be postmaster at Rockholds, Ky.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 56 minutes p. m.) the Senate, in executive session, took a recess until tomorrow, Friday, April 13, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 12 (legislative day of March 16), 1945:

SECURITIES AND EXCHANGE COMMISSION

James J. Caffrey, of New York, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1945; vice Robert H. O'Brien.

IN THE NAVY

Commodore Edmund W. Burrough, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 11th day of April 1943.

Capt. Harold B. Miller, United States Navy, to be a rear admiral in the Navy, for temporary service, to continue while serving as Director of Public Relations, Navy Department, Washington, D. C.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 12, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou Sovereign God of the universe, we pray that our minds and hearts may have a clear and confident realization of the eternal truth that Thou art man's unfailing friend and counselor.

Grant that in our thoughts and toils during this day we may aspire and endeavor to do Thy will more perfectly. When the evening hour comes may we receive that benediction which Thou dost bestow upon the faithful.

Bless our President, our Speaker, and all who are now carrying such heavy burdens and responsibilities. Sustain them by Thy grace and the companionship of Thy presence.

We pray that this bleeding and war-torn world may soon be forever delivered from the forces of evil and destruction. Inspire us to dedicate ourselves humbly and heroically to the building of a social order in which the spirit of the Prince of Peace shall prevail.

In the name of the Christ we offer our prayers and our petitions. Amen.

The Journal of the proceedings of Monday, April 9, 1945, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed joint resolutions and bills of the House of the following titles:

On March 29, 1945:

H. J. Res. 142. Joint resolution providing for the employment of Government employees for folding speeches and pamphlets, House of Representatives.

On March 31, 1945:

H. J. Res. 141. Joint resolution making supplemental appropriations for the fiscal year ending June 30, 1945, in lieu of certain appropriations contained in H. R. 2374, Seventy-ninth Congress, first session, and for other purposes;

H. R. 1360. An act for the relief of F. L. Gause and the legal guardian of Rosalind and Helen Gause, minors;

H. R. 2126. An act making appropriations for the fiscal year ending June 30, 1946, for civil functions administered by the War Department, and for other purposes; and

H. R. 2745. An act to amend section 8 of the act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921.

On April 3, 1945:

H. R. 2404. An act to increase the debt limit of the United States, and for other purposes; and

H. J. Res. 115. Joint resolution relative to determination and payment of certain claims against the Government of Mexico.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 201. An act for the relief of the Dempsey Industrial Furnace Corporation;

H. R. 202. An act for the relief of Angelina Bourbeau;

H. R. 206. An act for the relief of St. Vincent's Infirmary and Dr. Alvin W. Strauss;

H. R. 266. An act for the relief of the Southern Bitumen Co., of Ensley, Ala.;

H. R. 510. An act granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and upon the San Jacinto Military Reservation in Galveston County, Tex.;

H. R. 685. An act to amend the act entitled "An act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America," approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest;

H. R. 787. An act for the relief of Murray B. Latimer;

H. R. 791. An act for the relief of H. J. Bleeud estate;

H. R. 807. An act for the relief of Mrs. Wilma Louise Townsend;

H. R. 914. An act granting the consent of Congress to the States of Colorado and Kansas to negotiate and enter into a compact for the division of the waters of the Arkansas River;

H. R. 933. An act for the relief of Margaret G. Potts;

H. R. 934. An act for the relief of Charles H. Dougherty, Sr.;

H. R. 945. An act for the relief of Fred Clouse and Mrs. Emily G. Clouse;

H. R. 949. An act for the relief of Mrs. Mildred Ring;

H. R. 990. An act to provide for the reimbursement of certain civilian personnel for personal property lost as a result of the Japanese occupation of Hong Kong and Manila;

H. R. 1012. An act for the relief of A. P. Scarborough and J. D. Ethridge;

H. R. 1079. An act for the relief of Ray L. Smith;

H. R. 1094. An act for the relief of the Jay Taylor Cattle Co., Amarillo, Tex.;

H. R. 1135. An act for the relief of Gus A. Vance;

H. R. 1324. An act for the relief of Leo Edward Day and Phillip Tamborello;

H. R. 1344. An act for the relief of George Webb;

H. R. 1353. An act for the relief of J. P. Harris;

H. R. 1396. An act for the relief of Anne Loacker;

H. R. 1483. An act for the relief of Mrs. W. V. Justice;

H. R. 1492. An act for the relief of Florence J. Sypert, administratrix of the estate of Leona Connor Childers;

H. R. 1534. An act to amend the Fact Finders' Act;

H. R. 1539. An act for the relief of Dr. David R. Barglow;

H. R. 1676. An act for the relief of the Daniel Baker Co., of Manchester, Ky.;

H. R. 1716. An act for the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased;

H. R. 2013. An act to extend for 1 year the provisions of an act to promote the defense of the United States, approved March 11, 1941, as amended; and

H. R. 2055. An act for the relief of Ben Grunstein.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 209. An act for the relief of David B. Smith;

H. R. 1307. An act for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc.;

H. R. 1325. An act for the relief of Hyman L. Schiffer;

H. R. 1527. An act to exempt the members of the Advisory Board appointed under the War Mobilization and Reconversion Act of 1944 from certain provisions of the Criminal Code and Revised Statutes;

H. R. 1567. An act for the relief of Katherine Smith;

H. R. 1669. An act for the relief of Mrs. Dorothy Stowell;

H. R. 1707. An act for the relief of Murray W. Moran;

H. R. 1983. An act for the relief of Benjamin D. Lewis; and

H. R. 2122. An act to extend to 6 months after the termination of hostilities the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits.

The message also announced that the Vice President has appointed Mr. BARKLEY and Mr. BREWSTER members of the Joint Select Committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of Commerce.
3. Department of the Navy.
4. Department of the Treasury.
5. National Archives.
6. Office of Defense Transportation.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 27. An act to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who are forced to cease operations because of the war;

S. 37. An act to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes.

S. 69. An act for the relief of settlers on the International Strip at Nogales, Ariz.;

S. 78. An act for the relief of the estate of William Edward Oates;

S. 90. An act for the relief of the estate of George O'Hara;

S. 105. An act to extend the life of the Smaller War Plants Corporation;

S. 122. An act to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended;

S. 123. An act to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharge from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended;

S. 124. An act to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924;

S. 125. An act to provide for the disposition of funds collected by District of Columbia examining, licensing, and other boards and commissions, and for other purposes;

S. 174. An act for the relief of Mary Martha Withers, as trustee; Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased; and Mary Martha Withers, individually;

S. 176. An act for the relief of the city of Memphis, Tenn., and Memphis Park Commission;

S. 323. An act for the relief of James A. Kelly;

S. 359. An act for the relief of Mrs. Ellen McCormack;

S. 392. An act for the relief of Nebraska Wesleyan University and Herman Platt;

S. 427. An act to repeal section 3 of the act approved April 13, 1938, as amended, relating to hops;

S. 428. An act for the relief of the Forest Lumber Co., Lamm Lumber Co., and Algoma Lumber Co.;

S. 498. An act for the relief of W. C. Wornhoff and Josephine Wornhoff;

S. 567. An act for the relief of Mrs. Freda Gullikson;

S. 638. An act to amend the Code of Laws of the District of Columbia by adding a new section 548a and providing for the recording of veterans' discharge certificates;

S. 701. An act to provide a method for the wartime reduction of temporary grades held by general officers of the Army of the United States; and

S. 804. An act to authorize certain additional appointments in the Officers' Corps of the Regular Army in initial grades not above the grade of captain.

The message also announced that the Vice President has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Navy.
3. Federal Works Agency.
4. National Archives.
5. Petroleum Administration for War.

INTERNATIONAL AIR TRANSPORT POLICY

The SPEAKER. The Chair recognizes the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 417) back favorably without amendment a privileged resolution (H. Res. 176) authorizing that the report from the Attorney General of the United States dated February 28, 1945, on International Air Transport Policy, be printed, with illustrations, as a House document, and providing for the printing of additional copies thereof, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

Resolved, That the letter from the Attorney General of the United States transmitted to the House of Representatives on February 23, 1945, including a report by the Attorney General on International Air Transport Policy, pursuant to the provisions of section 205 of the War Mobilization and Reconversion Act, be printed, with illustrations, as a House document, and that 1,000 additional

copies be printed for the use of the Committee on Expenditures in the Executive Departments.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. JARMAN. I yield.

Mr. MICHENER. This is a unanimous report from the Committee on Printing, is it?

Mr. JARMAN. That is correct.

Mr. MICHENER. The gentleman from Pennsylvania [Mr. RICH] agrees to it?

Mr. JARMAN. I understand he does.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes on Tuesday next after the disposition of the business of the day and other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES: SECOND QUARTERLY REPORT OF U. N. R. R. A. EXPENDITURES AND OPERATIONS

The SPEAKER laid before the House the following communication from the President of the United States, which was read, and together with the accompanying papers referred to the Committee on Foreign Affairs and ordered printed with illustrations:

To the Congress of the United States of America:

I am transmitting herewith the second quarterly report on U. N. R. R. A. expenditures and operations under the act of March 28, 1944, authorizing United States participation in the work of the United Nations Relief and Rehabilitation Administration.

In the course of their victories United Nations armies have liberated millions of people and have done their best to provide them with a minimum amount of essential civilian supplies. But the needs of the liberated people cannot be met by the armed forces alone. Their chief task is to fight and to defeat the enemy.

During the course of the war U. N. R. R. A. can help the liberated people only to the extent that military considerations of operations, supply, shipping, and distribution make it possible. The requirements of the armed forces for accelerated military operations have had the first call on our supplies, our shipping, and the unloading and transportation facilities in the liberated areas.

Notwithstanding the exigencies of the war U. N. R. R. A. has shipped some supplies to the liberated areas and U. N. R. R. A. personnel has begun to aid in the distribution of these supplies. It has begun, too, to assist in the immense task of repatriating the millions of displaced United Nations nationals and to assist in preventing and controlling the spread of disease among the victims of war. As rapidly as circumstances permit, U. N. R. R. A. is furnishing emergency and essential aid to the heroic people who fought the Nazis before the invaders overran their lands, who fought them later during the period of occupation, and who are now fighting side by side with the forces of the other United Nations.

We in America, who have been so fortunate as to have the battle for the world waged beyond our shores, propose as participants in U. N. R. R. A. to do all in our power to help these victims of war begin to regain their strength so that they can help themselves and assume their rightful places as partners in achieving victory and in building a lasting peace.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE, *April 11, 1945.*

MESSAGE FROM GENERAL BRADLEY

The SPEAKER laid before the House the following communication:

From Twelfth Army group, T. A. C., signed Bradley. To United States House of Representatives. A. G. W. A. R., please pass.

"Troops of the First, Third, Ninth, and Fifteenth United States Armies gratefully welcome your good wishes, with the knowledge their victories largely reflect the great strength of the Nation."

MESSAGE FROM GENERAL DEVERS

The Speaker laid before the House the following communication:

Hon. SAM RAYBURN.

The Speaker, House of Representatives:

The following message has been received from General Devers for delivery to you:

"General Patch and I wish to express our appreciation and the appreciation of the officers and men of our commands for the motion of congratulations adopted by the United States House of Representatives."

MESSAGE FROM GENERAL SPAATZ

The SPEAKER laid before the House the following communication:

Hon. SAM RAYBURN.

The Speaker, House of Representatives:

Lt. Gen. Carl Spaatz has asked the War Department to express to you, on behalf of himself and the members of his command, their sincere thanks and appreciation for your message of congratulations, which was delivered to him by General Eisenhower.

General Spaatz asks that you be assured that the appreciation of the efforts of his command expressed by the House of Representatives is a source of inspiration to him and his men.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Saturday next.

Mr. Speaker, may I say that this carries out the resolution introduced by the gentleman from Alabama [Mr. JARMAN] to have the House meet at that time for the celebration of Pan-American Day.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that on Tuesday next, after the reading of the Journal and before the legislative business, the Commissioner from the Philippines, General Romulo, be permitted to address the House for one-half hour.

Mr. MICHENER. Mr. Speaker, reserving the right to object, and I shall not object, can the majority leader advise us as to next week's program?

Mr. McCORMACK. I am hopeful that I will be able to do that within a very short time.

I am looking into that now and am hopeful that I may be able to confer with my friend in a few minutes.

Mr. CANNON of Missouri. Reserving the right to object, Mr. Speaker, and in connection with the question of the program for the week, the statement was made in the House when it last met that the Appropriations Committee was not ready to report an appropriation bill and in view of the situation there would be no legislative program for the week. While it may not have been so intended, the implication was that the committee had in some way been derelict in its duty in the matter of having business ready for the consideration of the House. The only conclusion to be drawn from the statement is that the House had expected to take up business this week and would have taken up business this week but for the failure of the committee to report expected business.

As a matter of fact the committee was prepared to report, and would have reported, bills had it not been directed to withhold them. It was announced by the majority leader that no business of a controversial nature would be taken up before April 16. But for that announcement, the committee could have had two bills ready.

In addition, there were conference reports which could have been ready for consideration this week. The Senate was insistent on having a conference on the first deficiency bill and disposing of it before the recess. I took up the matter with the leadership of the House, but it was not considered advisable to dispose of it before the recess. I then suggested that conference be held during the recess and the conference report be taken up last Monday, but the leadership thought best not to bring up any controversial business this week. The implication that the failure of the House to get down to business this week is due to any failure on the part of the Appropriations Committee to have business ready is wholly unwarranted.

The SPEAKER. What two bills is the gentleman speaking of that the Committee on Appropriations could have brought in this week.

Mr. McCORMACK. I am very glad the gentleman from Missouri has made that statement. The gentleman from Missouri can now help the gentleman from Massachusetts and answer the inquiry of the gentleman from Michigan. We would like to put an appropriation bill on the legislative program for Tuesday of next week. Will it be satisfactory to the gentleman to consider the naval appropriation bill at that time?

Mr. CANNON of Missouri. That would be entirely satisfactory.

Mr. McCORMACK. Will the gentleman be ready on Wednesday with the Interior Department appropriation bill?

Mr. CANNON of Missouri. Certainly. We will have it ready the week following the disposition of the naval bill. We

could have had either bill ready this week.

The SPEAKER. The occupant of the chair had a conference with the gentleman from California [Mr. SHEPPARD] on last Monday and sought his knowledge of when he could bring up the bill making appropriations for the Navy Department. The gentleman from California [Mr. SHEPPARD] conferred with his committee, and notified the Chair that he could not possibly be ready before next Tuesday.

Mr. CANNON of Missouri. That was due, Mr. Speaker, to the fact that we were notified that there would be no business until the 16th. We could have had it ready and we could have had a conference report ready on Monday if we had not been advised no business would be taken up.

The SPEAKER. That is not what the Chair was advised. The gentleman from California was sitting in the House. What the Chair has stated was the fact.

Mr. CANNON of Missouri. The gentleman from California's subcommittee is not the only subcommittee and his bill is not the only bill reported out by the Committee on Appropriations. The Interior Department appropriation bill was also ready for disposal and had originally been scheduled to precede the bill of the gentleman from California. It was only at the earnest request of the gentleman from California that I sidetracked the Interior Department bill in order to give him right-of-way. We could have had either bill ready had we not been told that there would be no business this week. Furthermore, I am certain the gentleman from Massachusetts, the majority leader, will bear me out in the statement that we were ready to bring in a conference report on last Monday if the House leadership had requested it.

The SPEAKER. The Chair is not talking about that. The Chair is talking about a bill.

Mr. CANNON of Missouri. I have just explained that we could have had not only one bill but two bills had we not been directed by the House leadership not to bring in any business this week.

The holiday has been an embarrassment to the Committee on Appropriations. We have three bills on which the Senate has requested conference: First deficiency; independent offices; Treasury-Post Office.

The holiday has delayed these conferences. It has also delayed the consideration of the Federal Security bill, and will delay the commencement of the hearings on the legislative bill and the national war agencies bill. The committee has not delayed the House. On the contrary, the House has delayed the committee.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

EXTENSION OF REMARKS

Mr. MARCANTONIO asked and was given permission to extend his remarks in the RECORD and include a speech delivered in New York City last Friday.

Mr. LUTHER A. JOHNSON (at the request of Mr. POAGE) was given permission to extend his remarks in the RECORD and include a speech delivered by the Foreign Minister of the Republic of Mexico.

Mr. BLAND asked and was given permission to extend his remarks in the RECORD and include a sermon delivered by Dr. A. J. McCartney, pastor of the Covenant First Presbyterian Church, Washington, D. C.

Mr. PLUMLEY asked and was given permission to extend his remarks in the RECORD and include two letters.

THOMAS JEFFERSON, THE IMMORTAL

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, Thomas Jefferson's niche as one of the four immortals among the founders of the American Republic becomes more and more secure as the years roll by, and his title to that place in American history more and more assured.

It is well for us, Mr. Speaker, to take time out these hectic days to observe the anniversary of the birth of this man and to recall that in the first 49 years of his life, among other things which he had accomplished, he had taken part in the agitation against the Crown policy in Virginia; served with conspicuous ability in the Continental Congress; drafted the Declaration of Independence; won the fight for religious freedom, for the abolition of primogeniture and entail; served as Governor of Virginia at a time of great danger and disorder; designed our system of coinage; expedited the future westward expansion of the Nation; represented his country with outstanding success at the most important court in Europe; designed and built Monticello; planned the University of Virginia.

What a record of achievement crowded into so short a time as the life of any man.

On the 13th of April, the anniversary of Jefferson's birth, we shall honor ourselves when we honor the memory of one of America's great men, great both as a private citizen and public servant. We should never fail to observe and to emphasize with pride and gratitude the magnitude of the debt we owe to him.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that after the other special orders today the gentleman from South Dakota [Mr. MUNDT] may be permitted to proceed for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INSPECTION OF VETERANS' FACILITY AT PERRY POINT, MD.

Mr. ROE of Maryland. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. ROE of Maryland. Mr. Speaker, at the request of my distinguished colleague the Congressman from Mississippi [Mr. RANKIN], chairman of the Committee on Veterans' Legislation, I visited the veterans' facility at Perry Point, Cecil County, Md., on April 3 last.

This institution contains at the present time 1,646 inmates, about 400 of whom are from the Second World War. Practically all of them are mental cases. The hospital is in charge of Col. H. G. Clark, who showed me every courtesy and consideration, and who went with me on my tour of the institution. I was also accompanied by Dr. Davis, whom I have known for many years, he and I both being graduates of Washington College at Chestertown, and being members of the board of visitors and governors of that institution.

When I arrived at the hospital about 10 a. m., quite a group of boys were indulging in a game of softball. I went into the recreation building where they were planning for moving pictures that evening, and where they play basketball, handball, and bowl. I visited the swimming pool and then went to ward 12, where the most violent cases are located. I saw these men go into dinner. I visited the main dining hall, went all through the storehouses, went into the kitchen and saw the noon meal being prepared. All the food seemed to be most wholesome. About 900 men ate in this dining room. They were served cafeteria style. Every man had ample food and hot food.

I visited the library, the librarian being a young lady who lives only 6 miles from my home, and whom I knew for some years. About 20 of the inmates were in the library reading when I was there. I went to the operating room and the medical supply room and met several of the physicians, had dinner in the nurses' dining room, and had a fine report of the cadet nurses who had only recently been assigned to the hospital.

I was impressed throughout my trip with Colonel Clark, with the fine feeling existing towards him by the inmates. He seemed to know them all personally, and they seemed to know him.

I examined briefly the work being done to enlarge the institution. The new work is just a little beyond the completion of the foundation stage. I was advised that the institution has teams for bowling, softball, baseball, and so forth, and that they have regular athletic contests with each other.

The institution is beautifully located at the head of Chesapeake Bay, the Susquehanna River on the right and the Northeast River on the left.

I found everything in neat, clean, wholesome condition, with efficiency and competency plainly evident on every hand. I saw nothing that I thought merited or justified any criticism of any kind.

WORLD'S FAIR FOR VICTORY, PEACE, AND PROGRESS, LOS ANGELES, CALIF.

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, the millions of people of Los Angeles County, in my native State of California, announce that they invite the world to Los Angeles County to participate in a World's Fair of Victory, Peace, and Progress, during the years 1948, 1949, and 1950.

Yesterday, I received copy of a resolution unanimously adopted by the Los Angeles County Board of Supervisors on March 27, 1945. The resolution relates that on July 27, 1943, the board of supervisors adopted resolution signifying intention to sponsor a county of Los Angeles World's Fair of Victory, Peace, and Progress. Since that date, it has, of course, not taken such steps as would interfere or limit its fullest function to help win the war at the earliest possible date. Every official board of public servants in Los Angeles County, as well as the people generally, are tirelessly at work in the labor of love, sacrifice, and patriotism for the earliest winning of the war. But, by taking a minute here and a minute there and making use of it, when otherwise that minute, or leisure-time hour, might have otherwise been used, a group of community leaders, county-wise in their representation, have been studying and planning together. The tangible result is now announced in the resolution to which I refer, and which I include as the conclusion of my remarks.

The preliminary study and thinking for this world's fair grew out of a world's fair commission which was created by the Los Angeles County Supervisors to study the feasibility of a post-war world's fair. The following citizens composed that commission: William H. Evans, Dr. Rufus von Kleinsmid, Mrs. Leiland Atherton Irish, Thomas Gregory, John B. Kingsley, Eldred L. Meyer, Ray Myers, C. D. Russell, Dr. Russell W. Starr, and Theodore Rosequist.

Upon receipt of report which sponsored and set in motion plans for this World's Fair of Victory, Peace, and Progress, supplementary thinking and planning of other groups was invited.

As Congressman from the Eighteenth District of California, I am happy to now learn that my home city of Long Beach is recognized as the logical geographical situation during the fair, which will be countywide. I have received word that the following citizens of Long Beach are designated as an executive committee: Messrs. Clarence Wagner, Ernest A. Webb, Thomas Gregory, Frosty Martin, William S. Grant, Cal Demarest, Gus Walker, Werner Hartman, Glen Gerkin, Douglas Newcomb, Captain Coffman, and Colonel Evans. This group of active, successful citizens of my home city generally are representative of the official city family of management, labor, manufacture, industry, finance, chamber of commerce, and of the interest of the Army and Navy.

So, Mr. Speaker and Members, I am proud to take this brief time to cordially invite you to an occasion and place in 1948, 1949, and 1950, which will be most hospitable and from which you will never want to return to your own home State or community. California is a way of living. I invite you to plan to go there personally and see how it is done. You will thereupon be captivated by it.

The following resolution was unanimously adopted by the Los Angeles County Board of Supervisors in their meeting of March 27, 1945:

"Whereas on July 27, 1943, the Los Angeles County Board of Supervisors adopted a resolution which signified its intention 'to sponsor a County of Los Angeles World's Fair of Victory, Peace, and Progress' for many logical reasons; and

"Whereas the commission appointed to make the preliminary study has presented its conclusions resulting from almost 2 years of activity; and

"Whereas the commissioners are unanimous in the opinion that a fair in Los Angeles County is both feasible and desired by the public; and

"Whereas they have presented to this board a plan for county-wide action which will culminate in unifying the community in the achievement of post-war civic improvements; and

"Whereas we daily draw nearer to the post-war era wherein activities of this nature will be all important; and

"Whereas it is generally conceded that there is need for, especially during the post-war era, greater and more effective cooperation between the various comunities and political subdivisions within Los Angeles County; and

"Whereas the years 1948–49–50 will be celebrated Statewide as centennial years (see S. Con. Res. 19, Weybret; and A. B. 163, Middough and others), and because the Los Angeles County area will play a major role in said celebration; and

"Whereas Long Beach is forming a corporation known as the Los Angeles County California Centennial, 1949–50, and has presented evidence to the Commission of its ability and willingness to provide a site and finances for a post-war "World's Fair of Victory, Peace, and Progress"; and

"Whereas a Hollywood group likewise is planning participation in the centennial celebration; and

"Whereas many other communities in the county have plans under way for participation, or will have; and

"Whereas there is a recognized need for an unbiased central authority to correlate, sponsor, help plan, exploit, and participate in the various centennial connected plans: Therefore be it

"*Resolved*, That, in order to carry on and accomplish the above-described objectives, we do hereby reconstitute the World's Fair Commission to be the Los Angeles County California Centennial Authority with all those powers and duties conferred upon it which will enable it to perform its above-described functions, chiefly, that of sponsoring, helping to plan and promote, as well as to participate in a Los Angeles County Centennial Fair Celebration (Los Angeles County World's Fair of Victory, Peace, and Progress); and be it further

"*Resolved*, That all powers and duties resting in the World's Fair Commission (under our July 27, 1943, resolution) be transferred to this authority; and that organization of the authority follow the pattern outlined in the World's Fair Commission's March 21, 1945, report to the board of supervisors; and be it further

"*Resolved*, That the board of supervisors hereby commends the World's Fair Commission members for their unselfish and untiring effort in behalf of the welfare of this community."

PAN-AMERICAN DAY

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JARMAN. Mr. Speaker, I simply wish to call the attention of my colleagues to the meeting of the House on Saturday, to which the distinguished majority leader has already referred.

As you will recall, it results from a resolution passed by the House several weeks ago, setting aside that date, April 14, which was long ago designated as Pan-American Day, for the celebration by this body of the occasion.

I realize fully that a meeting of the House on Saturday is quite unusual. I am also well aware of the fact that since the House has transacted no business for the past few weeks, many Members are at home and will then still be at home. Therefore I know that the number of Members of the House who will be here on Saturday will be small. Consequently I request that all of those who are in town, and can conveniently do so, attend that meeting of the House, and again I extend the invitation to all of you who wish to do so, to indulge in remarks germane to that occasion, either by making them or extending them in the RECORD.

The SPEAKER. The time of the gentleman from Alabama has expired.

EXTENSION OF REMARKS

Mr. BECKWORTH asked and was given permission to extend his own remarks in the RECORD and include a resolution sent to him.

PERMISSION TO ADDRESS THE HOUSE

Mr. BAILEY. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks and include an article quoting Attorney General Biddle on the evils of international cartels.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. BAILEY. Mr. Speaker, in connection with legislation I have introduced relating to international cartels—H. R. 2612—I desire to call to the attention of House Members a statement made by Attorney General Biddle, as reported by the Associated Press from Philadelphia, under date of April 7.

I am asking permission to have this statement printed in today's RECORD, and I hope it will be the pleasure of the several Members to read this grave warning

of the evils sure to result if this insidious cartel system is not destroyed.

The SPEAKER. Without objection, the gentleman may make the extension indicated.

There was no objection.

[From the Washington Evening Star]

CARTEL PLANS WILL FADE IF UNITED STATES STANDS FIRM, ATTORNEY GENERAL SAYS

PHILADELPHIA, April 7, 1945.—Attorney General Biddle predicted today that world cartels will disappear if United States retains a firm stand against the private trade agreement.

Mr. Biddle asserted in an address at a luncheon meeting of Philadelphia's Foreign Policy Association that "today there is a well-recognized movement to get this country to adopt the cartel system," which, he said, would curtail necessary post-war industrial expansion.

Minimizing suggestions that cartels may become entrenched in other nations and place restrictions against trade with this country unless business firms here join up, the Attorney General said the United States was too vast a producer and consumer for that to happen.

"The problem, for a while at least, will not be that Europe will be excluding our goods, but whether we will be ready to accept hers." Mr. Biddle said. "The talk of Europe excluding American trade, unless we agree to cartel restrictions, just doesn't make sense." For many years to come, he declared, European nations will be clamoring for our goods.

"I sometimes doubt if the cartel advocates are doing Europe justice," he said. "Why should a continent which was held in the grip of a giant monopolistic system be assumed to be an advocate of that system in the years to come?

"Of course, some of the monopolists have not changed their minds. But we have not yet heard from the people, from the ordinary businessmen, from the men of vision, who will reconstruct Europe with hope in new opportunities."

EXTENSION OF REMARKS

Mr. TALLE. Mr. Speaker, I desire to submit two requests to extend my remarks: In the first extension, to include an editorial from the National Grange Monthly; and in the second, to include a resolution adopted in the General Assembly of Iowa pertaining to the centennial celebration of the statehood of Iowa.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CREATION OF DEPARTMENT OF VETERANS' AFFAIRS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include as part of my remarks a bill I am introducing to create a Department of Veterans' Affairs, its administrator to be a member of the President's Cabinet.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachussets. Mr. Speaker, I have come to the conclusion that in order to secure adequate care and services for the veterans there must be created a Department of Veterans' Affairs with a Secretary with Cabinet rank. In the G. I. bill of rights we provided that the Veterans' Administration should have priorities second only to the Army and the Navy. These priorities have not been secured and the Administrator of Veterans' Affairs states that he has not been able to secure doctors, nurses, and other personnel as well as equipment necessary to give adequate care and assistance to the veterans. There should be a Cabinet member sitting at the Cabinet meetings to fight for the rights of the veterans. They surely deserve the best we can give them

I am introducing a bill which would establish a Department of Veterans' Affairs, and I ask for its early consideration.

SHIRLEY TEMPLE

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, we may rest assured that democracy is vigorously alive, not decadent or dying, as charged by our Nazi opponents, when we read the announcement recently made by Shirley Temple, this sweetheart of the world, that she is engaged to marry an ordinary American soldier, G. I. John George Agar, of Beverly Hills, Calif.

This is democracy in action. Shirley Temple was made great by democracy plus her brilliant talent. Next to Roosevelt, Churchill, and Stalin, Shirley Temple is one of the best known individuals in the world, and, unlike the Big Three, she is the most beloved and has no opposition or enemies.

All Members of the House of Representatives rejoice in her democratic decision to marry an ordinary G. I. Joe when it was hers to choose from the world's great. All Members of the House wish her long and blessed happiness.

EXTENSION OF REMARKS

Mr. JOHNSON of Indiana. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from Illinois [Mr. HOWELL] be permitted to extend his own remarks in the RECORD and to include therein a speech delivered by Admiral King before the Academy of Political Science of New York City on April 4.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. JOHNSON of Illinois. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein part of a letter from a constituent of mine, a very prominent cattle feeder, on the subject of meat prices.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

ITALY AND THE SAN FRANCISCO CONFERENCE

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BUCK. Mr. Speaker, Italian regulars and Italian guerrillas have been fighting and bleeding and dying for the Allied cause for more than 18 months. Italy grasped its earliest opportunity to repudiate fascism and dictatorship. Italy today is a democratic country. Italy is on our side in the war. Italy is entitled to a place at the San Francisco Conference.

EXTENSION OF REMARKS

Mr. SPRINGER asked and was given permission to extend his remarks in the RECORD and to include an article on the subject of the United Nations Conference on International Organizations.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. STEVENSON asked and was given permission to extend his remarks in the RECORD and include a copy of a letter from a constituent.

Mr. GRANGER asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HARE asked and was given permission to extend his remarks in the RECORD and include an article from the Greenville News of April 8.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include an editorial from the San Francisco News.

Mr. ROONEY asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. ZIMMERMAN asked and was given permission to extend his remarks in the RECORD and include a statement by Oscar Johnson.

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD and include copies of three letters to the President of the United States.

VETERANS PARTICIPATE AT THE PEACE CONFERENCE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include newspaper articles.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, during the month of June, 1944, at a meeting of the Costello Post, the American Legion, in Washington, D. C., this ex-servicemen's organization went on record to support the proposal to send a G. I. delegate to the forthcoming peace conference, and this was the original proposal of this character insofar as it is now known. Following this action by this post many letters were sent to both political and veteran leaders throughout the country urging the adoption of this proposal.

In the month of September, 1944, the national convention of the American Legion, held in Chicago, Ill., took up this same proposal, and this idea spread very rapidly throughout the country, and to the far corners of the world. The veterans of this war, and the people generally, want a real G. I. representative to sit

at the peace table. They are entitled to a voice in the discussions of our peace for the future; they have waged the war, they have made the greatest sacrifices, and their voice should be heard in the peace conference. They want a representative present at the conference, and I hope their pleas will be heard, and heeded. They are entitled to have their G. I. present in the conference when peace is discussed.

Mr. Speaker, under unanimous consent to extend my remarks in the RECORD, I include several newspaper articles upon this same subject, which follow:

[From the Washington Daily News of April 2, 1945]

G. I. REPRESENTATIVE

(By Daniel M. Kidney)

Commander Harold Stassen will be the G. I. Joe representative at the San Francisco Conference, according to a letter written by Joseph C. Grew, as Acting Secretary of State.

The letter was made public today by Vice Commander Joseph Leib, of the Costello American Legion Post here.

Mr. Leib had written Secretary of State Stettinius suggesting that some combat soldier be given a seat on the American delegation to the United Nations peace meeting April 25.

Under Secretary of State Grew replied, March 30:

"As you may be aware, Commander Harold Stassen has been appointed a member of the United States delegation. It is felt that he will fully represent the point of view of men who have been serving overseas."

Three times elected Republican Governor of Minnesota and prominently mentioned as a G. O. P. Presidential possibility, Commander Stassen has been flag officer to Admiral Halsey in the Pacific.

He resigned as governor to take the Navy commission.

The Army Times, published here, urged editorially this week that cartoonist Sgt. Bill Mauldin be sent to the Conference to represent the Foxhole Fraternity.

The Washington Daily News suggested Sgt. Joe McCarthy, editor of Yank, the G. I.'s magazine, referring to his long experience in dealing with the G. I. point of view, and acting as his spokesman.

Both are long-time, front-line fighters against the Nazis.

The Army Times pointed out that the plea for a combat soldier to sit at the peace table had been approved in polls by 8 of 10 civilians. It was presented to his post last June by Mr. Leib and adopted by the national convention of the American Legion in September of 1944.

[The Washington Post of April 3, 1945]

ONLY SERVICE VOICE AT PARLEY TO BE STASSEN'S

Apparently implying that no other serviceman or veteran will be added to the American delegation to the United Nations Security Conference at San Francisco, Undersecretary of State Joseph C. Grew has declared that Commander Harold Stassen "will fully represent the point of view of men who have been serving overseas."

Grew's announcement came in a letter to Joseph Leib, vice commander of the Costello American Legion Post here, who had written Secretary of State Stettinius urging that a combat soldier be given a place at the peace table. Leib presented the proposal to his post last June and the national convention of the Legion adopted it in September. His letter from the Undersecretary, dated March 30, apparently gave Commander Stassen official designation as the conference spokesman for the men in uniform.

Commander Stassen, who resigned as Governor of Minnesota to take a Navy commission, has been flag officer to Admiral William F. Halsey and recently returned to the Pacific for a few weeks additional duty before attending the San Francisco parley, which is scheduled to open April 25.

[From the Army Times of October 28, 1944]

FOX-HOLE PEACE PLANS

Fox-hole occupants have their own peace plans. Based on first-hand experience they reflect the attitudes of those who have met the enemy and fought alongside the Allies.

Although every fox-hole peace plan has its own ideas for reaching the goal, every goal is the same—No World War No. 3.

Although few of these fox-hole occupants are trained in the diplomatic niceties that have become a mark of the Foreign Service, the fox-hole diplomats have become America's best salesmen. In every land where they have lived and trained they have left a mark and, in turn, have absorbed the wisdom of those nations from the man in the street.

Although the armchair strategists and diplomats might scoff, it is not ill-advised to recommend that Joe have his representatives at the peace table. A muddy, war-weary veteran isn't very likely to lose sight of his goal in the hocus-pocus of diplomatic jockeying.

[From the Army Times of March 31, 1945]

A JOE AT THE PEACE TABLE

Some months ago we proposed that a combat veteran be seated at the peace table. Since then the idea has swept the Nation on a wave of popularity with polls indicating that 8 out of 10 civilians favor the proposal.

When we suggested a peace-conference representative we had in mind a man from the ranks, a true representative of fox-hole fraternity. We believe that although stars and bars might well represent the combat forces, it is G. I. Joe who has the greatest appreciation for the ideals for which he fights. He has met and defeated the enemy, fought beside our allies and has been ambassador of good will in liberated nations. He knows the cost of victory.

Just that sort of a Joe is Sgt. Bill Mauldin. Although he has parlayed an observant eye and a talented pen into big money he is still the buddy of every tired, unshaven fighting man in our armed forces. He is their friend and champion—because he, too, is a member of fox-hole fraternity.

We believe Bill first should be invited to the San Francisco Conference. With his intimate knowledge of the mud, pain, death, and realities of war he would contribute stability and reality to the conference as the representatives jockey for power and prestige. Sergeant Mauldin would keep his eye on the ball.

We have no doubts as to the young cartoonist's ability to stay in there and pitch for his convictions. When he locked horns with General Patton recently, Bill got at least a draw—which makes him big league in our books And if the representatives decide to doll up with their many medals, Bill has one to wear—one which all fighting men are proud to wear, the Purple Heart.

Yes, Sergeant Mauldin has many qualifications for the job. He is young and married. He has hopes and ambitions for his son, whom he has not yet seen. He has been in service long enough to rate a service stripe and a number of overseas stripes. He is ambitious and talented. He is representative of the American young men and women wearing khaki and blue. We think he would be in there working for a better nation and a better world. We think he would do a good job.

And besides, if he ever faltered or weakened Joe and Willie would be right there to remind him that he was speaking for the ration-eating doughboys.

[From the Washington Daily News of March 30, 1945]

A G. I. DELEGATE?

There has been a lot of talk about having a G. I. Joe present at the San Francisco Conference. The idea is peculiarly American; it suits our romantic ideas about democracy and so on.

Well, is there anything to it?

Sometimes we make such gestures—and they remain gestures. Some inarticulate hero, heavy with medals, is dragged into some situation as a sort of symbol, and the myth of democracy may be preserved, but its substance may be absent. He is feted, he meets all the topside people; he even sits in at meetings; and then he is wafted back to obscurity and the play goes on as before. If there is to be a G. I. delegate, let's have him functional—not decorative.

One function a G. I. could perform—besides being the G. I.'s voice—would be to tell the soldiers in their own terms what went on. To do so would not only take a G. I. but a qualified observer of tact and stability. Nobody has suggested anyone specifically, yet. So here's an idea: If there is to be a G. I. delegate, why not someone like Sgt. Joe McCarthy, editor of Yank, the G. I.'s magazine? Neither officer nor civilian has anything to do with Yank, published by soldiers in 16 editions at 12 points all over the world, with a circulation of 2,000,000. Sergeant McCarthy chauffeured an Army mule in a pack artillery outfit for a year. As Yank editor, he has been in the African, Caribbean, Mediterranean theaters, in England, Italy, on the western front, and so on. We don't know him personally, but perusal of his paper indicates he knows his G. I.'s. Yank has been publishing a world-wide page called The Soldier Speaks, in which G. I.'s discuss such post-war questions as compulsory military training, women in industry, what shall we do with our enemies, and so on. That, and Yank's mail page, where the G. I. has his say, have given the American soldier more freedom of expression than any other soldier in any other army of the world, past or present.

So very probably a G. I. like Sergeant McCarthy could not only interpret for the American soldier what went on at the conference, but, what is more important, could interpret for the conferees the hopes and dreams of the men all over the world who are shedding their blood to make the San Francisco Conference possible.

THE O. P. A. IN ACTION

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEVENSON. Mr. Speaker, on February 2, more than 2 months ago, I wrote the O. P. A. here in Washington asking that Office to consider an increase in the sugar allotment in Sauk County, Wis., in my district, citing facts to indicate an increase of population in that county of 30 percent to 100 percent due to the influx of workers at the Badger Ordnance Works near Baraboo, Wis. The O. P. A. replied after 2 weeks, admitting that there had been a 15-percent increase in population in Sauk County for the period January 1943 to August 1943, and a 10-percent increase for the period September 1943 to March 1944. But I was informed by the O. P. A. that because the tabulation of the issuance of war ration book 4 disclosed an increase of 3.2 percent in the number of ration

books issued, there would not be any possibility of giving the relief requested by the people of Sauk County.

At the time of the issuance of ration book No. 4 the Badger Ordnance Works had the smallest number of employees at any time since it started operations, due to a temporary shut-down of powder lines. I informed the O. P. A. of this fact, which they should have known, and submitted figures verified by the Department of Labor statistics that the number of milk customers in that community had increased 99 percent and milk consumption had nearly trebled; that all buildings and dwellings in Baraboo, Prairie du Sac, and Sauk City were filled to overflowing and the Government had authorized the construction of 650 new dwelling units at the Badger Ordnance Works site to take care of the increased population; and also that the sewage disposal in those cities had increased 36 percent in the city of Baraboo and 102 percent in Prairie du Sac and Sauk City.

After waiting almost 6 weeks for a reply from the O. P. A. I received a letter from them on April 10 containing this lucid and enlightening observation:

> You submit as evidence in contrast to our method tabulating issuance of war ration book No. 4, statistics showing the increased consumption of milk, water, gas, electricity, and increased use of banking, postal, and telephone service. While this data is of interest, nevertheless the figures probably reflect an increase in business due to the higher earning capacity of the community rather than a substantial increase in population.

I have written to Chester Bowles, head of the O. P. A., telling him I could not follow the line of reasoning of his office when they conclude that an increase of the sewage disposal of 36 percent in one city and 102 percent in two other cities in Sauk County reflected an increase in business due to the higher earning capacity of the community rather than a substantial increase in population. Is it any wonder that the people all over the country are becoming more and more disgusted with the obstinacy of the O. P. A.?

PERMISSION TO ADDRESS THE HOUSE

Mr. GRANGER. Mr. Speaker, I ask unanimous consent that on Tuesday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that on Monday next, following any special orders heretofore entered, I may be permitted to address the House for 30 minutes on the subject of the Bretton Woods agreement.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina.

There was no objection.

NEED FOR AN ALUMINUM ADMINISTRATOR

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. DE LACY. Mr. Speaker, the Senate Small Business Committee in the past 2 days has gone thoroughly into the matter of aluminum production and procurement, including the recent 250,000,000 pound contract with the Aluminium Co. of Canada, whose stock is controlled by the same group which controls Alcoa in this country.

I was privileged to participate in the Senate committee proceedings, and to my utter amazement I found that nobody in the entire Government has any centralized control over aluminum production, procurement, and eventual disposal to private industry of our $700,000,000 investment in aluminum.

The W. P. B., the R. F. C., the Metals Reserve Corporation, the Defense Plant Corporation, and the Surplus Property Board form a five-ring aluminum circus, and there isn't even a ringmaster. This is what makes possible an amazing paradox, that Alcoa's sister Canadian company, grown through Government aid to the largest aluminum producer in the world, cannot only destroy independent American aluminum producers and by sheer weight of production almost compel the closing and junking of our cheaply operating Government-owned facilities, but could run Alcoa itself out of the aluminum business.

What makes this statement not utterly fantastic is the simple fact that the same people who own the Aluminum Co. of America own the Aluminium Co. of Canada. Their $300,000,000 plant in Canada has less than $15,000,000 of their own money invested. Through post-war cartel arrangements, which the Canadian company has already illegally engaged in according to the United States Circuit Court of Appeals, that company may easily hope to dominate the world market and through the necessity of having to earn for so vast a plant a return on only the small amount of their own capital actually invested, they are in a profit position superior to any actual or potential American company including Alcoa, their American operation.

The War Production Board has worked miracles in the procurement of war materials of all kinds. What we need now, in order to prevent the same chaos which retarded our war effort during conversion days of 1940 and 1941 from destroying our post-war capacity to dispose of Government-owned aluminum facilities, is a single aluminum administrator, with the powers and duties proposed in the resolution I am introducing today.

Had we been possessed of a light metals administrator, to coordinate our entire aluminum program, we would not now be faced with the possibility of closing some of the most profitable Government-owned aluminum plants, endangering their post-war disposal to private investors, while we purchase aluminum at higher cost from Canada.

Here is the kind of an aluminum circus we are running:

In one ring of our aluminum circus, W. P. B. juggles procurement of light metals, and shouts across to the performing Metals Reserve actors to get so much metal from such-and-such a place.

Meanwhile, Defense Plant Corporation is dancing on the tightwire of keeping $271,000,000 worth of American-owned aluminum facilities operating. But W. P. B. may well be shooting the props out from under that tightwire with its order to Metals Reserve.

R. F. C. swings from the trapeze of Government loans to American aluminum producers, and hopes that some of the other actors have not removed the net below by orders to cut back aluminum production and make R. F. C.'s investment so much confetti.

Surplus Property Board stands in the entrance, hoping that before its time for its act in selling the properties, the entire tent does not come roaring down around its ears.

Here we have the greatest show on earth from the standpoint of our post-war future and we are running it not much better than the kids who put on their one-pin admission shows in garages and woodsheds.

It is not too late to correct this situation. Passage of the resolution which I am offering today will bring a solution to the problem, will assure our post-war future, and will save this Government millions of its already invested capital. This we can do. We would be derelict as legislators if we did anything less.

EXTENSION OF REMARKS

Mr. LESINSKI asked and was given permission to extend his remarks in the RECORD and include a resolution of the Polish-American Congress adopted March 9, 1945.

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and include a short poem.

Mr. WICKERSHAM asked and was given permission to extend his remarks in the RECORD and include a letter from the president of the University of Oklahoma.

Mr. LUDLOW asked and was given permission to extend his remarks in the RECORD and include an article by Mr. E. L. Kohler.

Mr. TOLAN asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD and include an editorial from the San Antonio Express entitled "Keep Political Hands Off the Army Engineers."

Mr. DICKSTEIN asked and was given permission to extend his remarks in the RECORD and include a serviceman's prayer.

AUTOMOBILE AND BOAT USE TAX

Mr. ROGERS of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a House resolution passed by the House of Representatives of the State of Florida.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROGERS of Florida. Mr. Speaker, one of the first bills I introduced when I came to this Congress was the bill to

repeal the nuisance automobile and boat use tax. The House of Representatives of the State of Florida has taken cognizance of that bill and has passed a memorial, known as House Resolution 7, calling upon this Congress to repeal that nuisance tax. I think it is time that Congress thinks more about repealing some taxes rather than trying to tax everything we can find.

Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following which was passed by the House of Representatives of the State of Florida on the 10th day of April 1945, and known as House Resolution 7:

"House Resolution 7

"Whereas there was enacted by Congress, section 557 of the Revenue Act of 1941, which became section 3540 of the Internal Revenue Code, a law which placed a tax of $5 annually on all automobiles; and

"Whereas it appears that such a tax is an unsuitable method of raising Federal revenue, because it does not take into account the value of the vehicle, it duplicates automobile license taxes imposed by the States, and because it is difficult to collect under the system now used; and

"Whereas a distinguished former member of this house, Hon. DWIGHT L. ROGERS, Representative in Congress from the Sixth Congressional District of the State of Florida, has introduced in the Congress H. R. 1926, which would repeal this unfair and discriminatory tax: Now, therefore, be it

"*Resolved by the House of Representatives of the State of Florida*, That the Representatives in Congress from Florida be urged to support said H. R. 1926 or some other pending legislation which would repeal the automobile-use tax now in force and being collected by the Federal Government; and be it further

"*Resolved*, That a copy of this resolution be mailed by the clerk of this house to each Representative in Congress from the State of Florida."

The foregoing resolution was duly introduced by Messrs. Ray and Fuqua, of Manatee, and Burwell and Stirling, of Broward, on the 10th day of April 1945, and duly passed by the house of representatives on the 10th day of April 1945.

The proceedings thereof appear upon the pages of the journal of the House of Representatives of the Florida State Legislature of the 10th day of April 1945.

EVANS CRARY,
Speaker of the House of Representatives.
LAMAR BLEDSOE,
Chief Clerk of the House of Representatives.

PERMISSION TO ADDRESS THE HOUSE

Mr. FISHER. Mr. Speaker, I ask unanimous consent that today, following any special orders heretofore entered, I may be permitted to address the House for 35 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

TREATMENT OF PRISONERS OF WAR

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include some excerpts and articles dealing with prisoners of war.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DICKSTEIN. Mr. Speaker, you may recall that some time ago I had occasion to call the attention of the Members of the House to the surprisingly excellent manner in which we were treating the German prisoners of war in the war prisoners' camps in this country.

I pointed out that we were going out of our way in coddling these men who have killed so many of our American boys, and included, as an example, a menu at one particular camp which is typical of the food they receive.

Some of our colleagues object to any criticism of treatment of war prisoners because, as they point out, we are obliged to honor the Geneva Convention prescribing the treatment of war prisoners, and, above all, they feel it is necessary for us to act in such manner as to prevent retaliation by the Nazis against American prisoners of war held in German camps.

I have always had serious doubts as to the Nazis' living up to the provisions of the Geneva Convention, no matter what we may do, and to the kindness shown by the Germans to our boys because the Nazi ideology and Nazi manner of warfare do not include decent treatment of anyone.

In the last few days the American Army has liberated a number of prison camps where the Germans had been mistreating their prisoners of war, and, although we feared the worst from Germany's gangster Government, the details that have come to light surely have surpassed all our fears.

The New York Times of April 5 contained an article which I would now like to read to the House:

[From the New York Times of April 5, 1945]

WHOLE WORLD APART

It is not solely, nor even chiefly, in the geographical sense that certain dispatches in this newspaper yesterday were as far apart as the poles. They illustrate two ideologies so sharply contrasted that there is not room for both of them in the same world. One could only swallow the lump in his throat when the read Meyer Berger's account of amputation cases from Iwo landed at Johnston Island by huge Navy C–54's and borne to hospital wards at the neap-tide hour of 3 a. m., and of these same sorely wounded fighting men relaxed and refreshed by frank tears after U. S. O. girls, roused from their sleep, sang softly, with wet eyes, the song of their choice, You'd Be So Nice to Come Home To. This is a saga of heroism not afraid of emotion; the kind of heroism that knows fear and compassion and the love of simple, kindly, human things; the heroism that has carried the fighters of a supposedly soft democracy to their triumphs.

On the reverse side of the shield are the dispatches of Richard Johnston and John MacCormac from Germany about Stalag 9–B, Wegscheide, where for 4 months 6,500 Allied soldiers have been starving to death in the foulest degradation, and the prison camp at Eselheide, where 9,500 Russian prisoners were found so near starvation that they fought savagely for a loaf of bread and a scoop of raw flour from the ground. These stark and grim accounts pile another stone on the edifice of evidence which the whole war has built as to the true nature of the German enemy. After Poland, Rotterdam, Lidice, Warsaw, and the whole bleak litany of horror which has been written, we and our allies should need no further proof of the character of the gangsters whom we fight. But if living skeletons of Wegscheide and Eselheide serve to stiffen our resolve for unconditional victory and unmitigated punishment for the war criminals, they will have rendered a final pitiful service to their country.

The story itself upon which the editorial is based appears in two dispatches from the front by correspondents of the New York Times. They are as follows:

[From the New York Times of April 4, 1945]

AMERICANS SAVED IN PRISON OF DEATH

(By Richard J. H. Johnston)

BAD ORB, GERMANY, April 3.—Atop a wooded hill 3 miles southeast of this pleasant village stands Stalag 9–B Wegscheide, a Nazi war prisoner camp. For the last 4 months 6,500 Allied soldiers, including 3,200 Americans, have been slowly starving to death there amid scenes of foulest degradation, which are virtually impossible to describe.

A few days ago I wrote an account of the capture of a prisoner hospital on this front in which conditions were described as appalling. The word does not define the living-death scene I witnessed today.

Into a barbed-wire enclosure 400 feet square these 6,500 men were driven like cattle by German troops to spend 4 months awaiting slow death or liberation. For all but some 100 liberation came at 6:30 a. m. yesterday, when a One Hundred and Sixth United States Cavalry group captured this town and the camp. Among those who died before rescue from this hell were 36 Americans.

MEN'S STORIES DEFY BELIEF

I spent 4 hours today talking with the living skeletons who survived. They were divided into nationality groups—Americans, British, French, Serbs, and Russians. There were, in addition to the Americans, 2,200 British, including scores of "red devil" paratroop survivors of Arnheim and hundreds who had been in German prison camps since Dunkerque; 450 French, 450 Russians, and 200 Serbs.

Dirty for want of soap and towels, these caricatures of men had stories to tell that defied belief. Most of the Americans had been taken in the Ardennes offensive in January on the Belgian and Luxemburg fronts.

British veterans of Dunkerque, Tobruk, Greece, Crete, and the western front reached this place from two camps in Silesia, at Lamsdorf and Sagan, from which they were marched 500 miles in 8 weeks after the Russian advance on the German defenses on the eastern front. That march, a prelude to their treatment here, itself was a fierce indictment of the Nazis.

Four or five weeks ago the British arrived here, joining the Americans and others. The United States prisoners had been serving with the One Hundred and Sixth, Twenty-eighth, and One Hundred and First Airborne Divisions in the Ardennes when taken. It took most of them 2 to 4 weeks to reach this place. They were hauled in boxcars attached to slow trains, and spent days on sidings without heat or food.

Unmarked and undistinguishable from cars carrying German war materials, they were subjected to Allied bombing and strafing. The Nazi guards threatened to shoot any man who tried to leave the cars. En route these men were forced to labor repairing railroad bomb damage under slave conditions in numbing cold.

BITTER MEMORIES STAND OUT

Many died of wounds, illnesses, or exhaustion. Some were shot to death by the guards when they were unable to perform heavy labor. But all that was dimmed in the mem-

ories of the men I talked with. Bitter in their memories, though, are recollections of a 32-mile march through snow from the Ardennes without food or water; of being crowded 60 men in a boxcar without heat; of having to use helmets in lieu of toilet facilities; of singing carols amid the stench and crush in the cars on Christmas Eve; of trying to lie down in the filth on the car floors to sleep, and of trying to divide 1 loaf of bread among 10 men on Christmas morning.

From all this these young, once robust Americans came here. They were billeted in 18 flimsy, rotting wooden buildings, one of which housed 160 men. This was possible because the building, 60 by 40 feet, was utterly bare of furniture. There were no beds, no chairs, not even blankets.

The stench of this building was overpowering and these once healthy and vigorous youths kept apologizing to me for their appearance and for the danger of my catching lice from them. On legs devoid of muscle or tissue—mere skin-encased bones—they stood tottering around me, each trying to tell his bit of this story.

They whipped off their dirty shirts to show me their skinny, blotched bodies. "I lost 60 pounds, I guess," said one veteran of the December offensive. Another tried to give me an idea of how husky he once was by displaying a faded picture of himself and mother. It was hard to believe it was the same man.

A LOSING FIGHT FOR LIFE

One of two United States doctors, officer prisoners, who were permitted to stay with the men, said the daily diet was less than 1,400 calories in this prison. Soup without substance, ersatz bread, indigestible cheese, and a vile coffee substitute were handed out in microscopic portions to these men, who fought to maintain life. Their rescue was fortunate because they were losing the fight.

The sanitation facilities for this building housing 160 consisted of one water tap, from which a feeble dribble splashed in a crusted, tiny bowl. The toilet was a hole in the floor. These had to serve the 160, who had no soap, no towels; only cold water.

They slept on the bare floor, close-huddled, crowding every inch. Not all could lie down at the same time because of insufficient floor space. They had to take turns standing up.

On February 6 Allied planes strafed this unmarked camp. Three Americans and unrevealed numbers of others were killed. Between December 26 and February 20, 80 cases of pneumonia were treated. Only one of these, all Americans, died. The sole drug the doctors had was a few sulfa pills, which the men contributed from their combat first-aid packs when they arrived. With this meager store of drugs the two American doctors treated a dozen different diseases.

"A pair of clean hands, one needle-holder, one pair of forceps, one pair of scissors, and a spool of black cotton thread was our surgical equipment," a medic, one of eight assisting doctors, told me. He took me to the "pharmacy." On two 1½-foot shelves rested the sparse assortment of things that anyone can buy for a couple of dollars in a drug store without a prescription.

RED CROSS PACKAGES STOLEN

The Americans received one shipment of Red Cross prisoner-of-war packages.

"There were 2,199 packages," a sergeant told me. "One hundred and one packages of the shipment were missing. They were stolen by the German guards. We had borrowed 705 packages from the Serbs some time before and paid them back out of the shipment. What was left had to be divided among 3,200 men."

[From the New York Times of April 4, 1945]

YANKS BARE PRISON HORROR—"GHOSTS" FIGHT OVER FOOD

(By John MacCormac)

WITH UNITED STATES SECOND ARMORED DIVISION, IN GERMANY, April 3.—A war correspondent sees some grim sights. Not often among them, however, is that of men fighting one another frantically for a loaf of bread or scooping up raw flour from the ground and wolfing it down in handfuls. Men, particularly if they are soldiers in the same army, must be mad with hunger to do that.

The 9,500 Russian prisoners of war whom this correspondent saw today in a German prison camp at Eselheide, some 11 miles southeast of Bielefeld, were as near starvation as it seemed possible for men to be and survive. For weeks before some 12 to 15 had been dying daily, and of those who continued to hold body and soul together there were some who obviously were doing so only by an effort of will. They looked like ghosts.

There are said to be some 20,000,000 displaced persons in Germany and, after what this correspondent saw today, that term should go down in history as one of the most colossal euphemisms of all time. Among them are many millions of Allied war prisoners. The location of the camps in which they were confined is well known to the Allied bombing commands and presumably to supreme headquarters. The replacement of displaced persons is a problem to which the allied governments have given much thought and is acknowledged to be the most immediate task of the United Nations Relief and Rehabilitation Administration.

CAMP HORRIFIES AMERICANS

But when a tank company of the Eighty-second Reconnaissance Battalion liberated at 4 p. m. yesterday what was known to the Germans as Prisoner of War Camp 326, it came as a total surprise. When the conditions of the camp were investigated, surprise changed to horror and, when its needs were ascertained, to perplexity. The Eighty-second was operating as a mopping-up force for the American Second Armored Division, which had broken through the enemy lines three days earlier and was racing eastward. The job of the Eighty-second was to fight Germans, not to feed Russians.

But when the Russians in camp 326 saw American tanks approaching they had only one thought—that deliverance was at hand—and deliverance for them, after some three years of semistarvation, had come to mean only one thing, food. Still above them in 12 towers that watched and warded the camp were 200 German guards with machine guns, but the prisoners cared no more for them.

What they cared for, after subsisting for months on 9 ounces of bread a day, plus soup faintly reminiscent of vegetables, was food, food in the camp warehouses. So they stormed the warehouses. Their own camp committee tried to restrain them with rifles, which the German guards had given to them on this last day of durance. But it was useless. By mere body pressure they broke in the walls of two warehouses.

Said First Lt. Donald P. Chase, of Lexington, Mass., liaison officer with the Eighty-second:

"I never saw such a sight. One man would grab a loaf of bread and try to wolf it down. Others would fight him for it until finally there would be nothing but crumbs on the ground. The German guards in their towers were afraid to come down. They wouldn't budge even when we fired machine guns over their heads. Our men had to go up and haul them down.

"I don't blame them. When you see a man eating raw cabbages whole, as if they were watermelons—a man who looks like death warmed over—I guess you don't feel very comfortable if you're the guy responsible for his condition."

MEN SCAVENGE FOR FOOD

Finally Capt. George Karl, of Ellenville, N. Y., commander of the tank company, posted his tanks around the camp, armed five Russians who seemed more responsible than the rest and allowed the German camp commandant to surrender his guards and the camp, which he did in a formal letter written in bad English.

When this correspondent arrived at the camp 3 hours later he saw its occupants still searching the ground for flour, bread crumbs, and raw macaroni, which had been spilled there as a result of the rush on the warehouses. What they found they ate just as it was.

There were Ukrainians among them, and Cossacks, slant-eyed Tartars, men from the Urals and the steppes. But they had two things in common—their uniform and their hunger. One kissed the hand of a correspondent who gave him a cigarette. Another, to whom I gave a K ration, trembled and became speechless. But these men, emaciated as they were, were the strong ones. They had enough energy left to fight one another for food.

They seemed hale and hearty compared with some of those in the prison hospital with its 3,000 inhabitants. A Russian Medical Corps colonel who showed me around could speak German. He showed me one hut containing men who had nothing more or less wrong with them than sheer starvation. He lifted the shirt of one poor fellow to show how his spine almost cleaved to his breastbone. Hunger had wrought so mightily on this soldier that against a strong light his body would have been semitransparent.

He was a mere shadow of a man who had to hold on to his cot for support. He wept when he told how he had been marched with two other haggard survivors of the same ordeal for a month and a half from the eastern front to the camp. During all that time, he swore, his guards gave him no food. He had lived only because of the charity of peasants, Russian, Polish, and German, in the lands through which he had passed. He had been unable to regain weight on the starvation fare in this camp.

HOSPITALS WITHOUT SUPPLIES

The Russian doctor—a calm, forthright man who seemed to have the situation as well in hand as could any man—took me into another hut that contained 400 survivors of abdominal operations. They needed a special diet, but there had been none for them. He had almost no medicine, antiseptics, or bandages. Only two of the dozen huts for lying cases had sheets or blankets. None had had heat until 3 days ago, when the prisoners, growing bold as word of the war's progress reached them, seized stoves from the camp commissary and installed them themselves. But as the prisoners grew bolder their German guards became more nervous and in one hospital hut were a number of Russians who had been shot by the guards for approaching too near the barbed wire that surrounded the camp or calling too urgently for food.

In his letter of surrender, which was interlarded with references to the Geneva Convention, the German camp commandant said there were a fortnight's provisions in stock. He supplemented this with some crocodile tears over the condition of his prisoners. I saw thousands of loaves of bread stacked up. But when we left the still intact warehouses the problem of distributing them without provoking another riot had not been worked out.

Mr. President, other newspapers have also given the story to the world, but I believe Congress should be given these details, since it may induce some of our Members to take a different view as to how far the German "supermen" really may be trusted to live up to any agreements or treaties. All the gruesome details of the tortures of American prisoners of war in Germany should be kept in mind when the time comes to write a treaty of peace with the world's greatest gangsters.

LEAVE OF ABSENCE

Mr. DINGELL. Mr. Speaker, on behalf of my colleague the gentleman from Wisconsin [Mr. WASIELEWSKI] now on leave of absence, I ask unanimous consent that because of pressing and important official business he be granted additional leave to and including April 18.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

BRETTON WOODS

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BENNET of New York. Mr. Speaker, the Congress will soon be called upon to vote on the so-called Bretton Woods agreement and on several amendments which will undoubtedly be proposed. Probably no more complex and important subject will be considered at the present session.

On a recent morning, at my request, the gentleman from Michigan [Mr. WOLCOTT] devoted an hour and a half of his time to a discussion of the principal features of the agreement and of the proposed amendments with some of the newly elected Republican Members of Congress.

He did this with complete impartiality and everyone of us came away with a much clearer understanding of the issues involved than we had before.

I want to pay public tribute to the gentleman from Michigan for his helpful discussion and I hope that when the gentleman from Michigan is allotted time in connection with the debate on the bill there will be a full attendance of Members of this House.

I am sure that those who do listen will be as much assisted in a comprehension of the issues involved as we were.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and include therein a resolution.

Mr. SUNDSTROM asked and was given permission to extend his remarks in the RECORD and include a poem written by Lt. Mitchell T. Ancker.

Mr. LEFEVRE asked and was given permission to extend his remarks and include an editorial from the New York Herald Tribune.

Mr. HOEVEN asked and was given permission to extend his own remarks in the RECORD.

Mr. HOEVEN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HOPE asked and was given permission to extend his remarks in the RECORD and include a letter by Dr. J. S. Davis.

Mr. JENSEN asked and was given permission to extend his remarks in the Appendix and include Senate Concurrent Resolution 17 passed by the Iowa Assembly in opposition to a Missouri Valley Authority.

Mr. JOHNSON of Indiana asked and was given permission to extend his remarks in the RECORD and include therein a letter.

Mr. DOLLIVER asked and was given permission to extend his remarks and include house concurrent resolution passed by the General Assembly of Iowa.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include a radio speech that he recently made.

PAYMENTS OF OLD-AGE SECURITY BENEFITS

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. EDWIN ARTHUR HALL. Mr. Speaker, I wish to draw the attention of the House to a recent resolution passed by the State Legislature of New York memorializing the Congress to pass legislation to give an appropriate credit for the purposes of old-age and survivorship insurance to those who are fighting in the armed forces of the United States, for their service in such forces.

I think it is time the House began considering such a proposal. I am for the idea. I am going to introduce legislation to take care of it.

Under the Railroad Retirement Act and the civil-service retirement law, servicemen who come under these categories are provided for in this manner. But that does not help the millions in this war who are on the outside. Adequate provision should be made for them, too.

It seems to me that any man fighting for his country should have credit for time spent in service applied to insurance for his old age. It should not stop with just one group or two groups. The credit given should be universal whether the man be a Government employee, a railroad worker, or one of the millions working for private enterprise.

Regardless of where they worked before the war or what they worked at, they should all be treated alike and in a fair manner. After all, they are all soldiers. I ask the sympathetic consideration of the Members of the House, so that all veterans will be given a chance to have these benefits paid.

The SPEAKER. The time of the gentleman from New York has expired.

SPECIAL COMMITTEE TO INVESTIGATE FOOD SHORTAGES

Mr. AUGUST H. ANDRESEN. Mr. speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks and to include therein a letter to the War Food Administrator and also a release from the department.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

[Mr. AUGUST H. ANDRESEN addressed the House. His remarks appear in the Appendix.]

PROGRAM FOR NEXT WEEK

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MICHENER. Mr. Speaker, I take this time to ask the majority leader what the program will be for next week.

Mr. McCORMACK. Monday will be the Consent Calendar; Tuesday the Private Calendar; Wednesday the naval appropriation bill. I assume that will be finished in 1 day. If not, that will continue. Thereafter the Department of the Interior appropriation bill. That will continue until disposed of. That is the program for next week.

Mr. MICHENER. And there will probably be some conference reports?

Mr. McCORMACK. Yes. I thank the gentleman for calling that to my attention. If any conference reports come in, of course, they will be taken up.

The SPEAKER. The time of the gentleman from Michigan has expired.

THE PORK SHORTAGE

Mr. VURSELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VURSELL. Mr. Speaker, if the Office of Price Administration and the War Food Administration, whose conflicting rules and orders have been partially responsible for the acute hog and pork shortage, will heed the advice of the St. Louis Live Stock Exchange and act quickly on two suggestions this organization makes, the pork shortage can be halted to some extent until production can catch up with consumption.

This organization, the second largest in the nation, operated by men who know the livestock business, processing and marketing, suggest, first, that the War Food Administration immediately increase the floor price guaranty for

barrows and gilts 180 pounds up, to $13.75 Chicago basis, same as a year ago with this price structure continued to March 31, 1946. They claim that this move will stimulate hog production and that it will be much cheaper for the Government if a surplus is created to make good on the price than with packer subsidies now being paid.

Second, that the O. P. A. immediately attempt to stop the diversion of hogs away from regular market channels by establishing larger ceiling differentials for the market. This will channel hogs into the Federal inspected packing house markets and will lessen the supply that is now going to the black markets.

The livestock exchange points out that there were 44 percent less hogs being slaughtered through Federal inspected terminal markets during the first 2 months of this year than reached these regular markets 1 year ago. They point out further that a check on 12 principal markets of the United States for the first 2 months of this year shows a drop from the first 2 months of last year of 58 percent. In other words, less than half the hogs are going into the regular markets of the Nation than were just 1 year ago, while the black market is booming.

It is to be hoped that the War Food Administration and the Office of Price Administration, who have the power to make these changes, will, at the same time, exercise good common sense and make them.

The St. Louis Livestock Exchange says:

If the situation is to be relieved, action must be taken immediately by the War Food Administration and the Office of Price Administration.

It is high time these two organizations, who have this power, use it before the market for the farmers of this country is destroyed, the distribution meat service organizations of this country are driven out of business, and a real meat famine proceeds to the point where we cannot properly feed our own people and our military forces, to say nothing of our commitments by the administration to help feed the other nations and the liberated countries where food is becoming the most important matter to those people all over the world.

O. P. A. FAILURES

Mr. JENKINS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JENKINS. Mr. Speaker, frequently in the past 2 years I and other members of the Republican Congressional Food Study Committee have stood on this floor and vigorously protested the fallacious food policies of the New Deal. Its policies have been unsound and its administration has been arrogant and inefficient. In spite of these and other protestations, the New Deal has defiantly pursued its course until today the Nation is aroused as it probably has not been aroused before over a purely economic situation. Rather than acknowledge its inefficiency the O. P. A. defiantly attempts to defend itself when there is no defense. The messy situation that has been developed in the Senate investigation in the last few days with reference to meat had previously been partially developed by our Food Study Committee.

The muddling methods of the Food Department of the O. P. A. have been destructive in many other respects.

The policies adopted in the handling of sugar are indefensible.

Failure to make preparation for the production of future crops will bring serious consequences.

For many reasons farmers and producers everywhere have announced a curtailment of production.

Nothing has been done to supply the urgent need for farm implements. On the contrary, a further reduction is probable.

Lack of cooperation between the food authorities of the O. P. A. and the War Food Administration carries destructive consequences.

The only solution of this serious problem is a complete cleaning out of the Office of Price Administration as it applies to food. This should apply both to personnel and to policies.

All food activities should be placed under one head with full authority and full responsibility. The President should appoint a good man and then leave him alone to operate without Presidential or political interference.

The producer is the most important factor in the food problem and he should be encouraged and not threatened.

Processors and distributors are important factors and if they had been given proper consideration, the widely prevalent black market might have been prevented. Many thousands of honest retail grocers and butchers have been put out of business by the punitive methods employed by the New Deal.

Nobody objects to rationing when it is necessary. A complete abandonment of price control is not advisable now, but the American housewife has every reason to complain of the innumerable senseless regulations to which she has been subjected in her efforts to provide food for her family. The situation is serious and will become more serious. Everybody is dissatisfied. It is now right up to the President. It is an executive matter which the President cannot avoid.

LEAVE OF ABSENCE

Mr. MUNDT. Mr. Speaker, I ask unanimous consent that my colleague the gentleman from South Dakota [Mr. CASE] may have indefinite leave of absence due to a death in his family.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

EXTENSION OF REMARKS

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein a letter on the food situation from B. E. Cunningham, secretary of the Sioux City, Iowa, Livestock Exchange.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article which appeared in the Helena, Mont., Independent Record of April 8, 1945.

The SPEAKER. Is there objection to the request of the gentlemen from Montana?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include some brief excerpts from a report.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

AWARD OF CONGRESSIONAL MEDAL OF HONOR

Mr. ROBSION of Kentucky. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, I have today asked the indulgence of the House so that I may bring to the attention of the House and to the country the fascinating and gripping story of Pvt. (1st cl.) Wilburn Ross, route 2, Strunk, McCreary County, Ky. It is one of, if not the most remarkable story that I have ever read in the naval and military annals of our country. It is the story of a 22-year old American soldier who, having killed and wounded singlehanded more than 58 German soldiers in a contest not unlike the battle between David and Goliath, at Mount St. Jacques, France, last October, was recently awarded the Congressional Medal of Honor—the highest award that this Government bestows upon either enlisted man or officer in our Army.

Private Ross served heroically in 1943 in the Italian campaign. He was slightly wounded in one fight and seriously wounded in another, for which he received the Purple Heart with Oak Leaf Cluster, and he was also awarded the combat infantryman's badge.

His company was ordered to take a hill, if possible, at Mount St. Jacques, France, which was defended by strongly entrenched German troops. The Germans were too strong for our boys, as they were in a sheltered position, with superior equipment. All of Private Ross's company was killed except 32. Because of

the heavy German fire they were forced to dig in within 200 yards of the German position under heavy gunfire from the Germans occupying the hill. Under the protection of heavy gunfire the company of Germans marched down the hill. Private Ross had the only machine gun. He insisted on taking his machine gun and placing it in front of the other 32 survivors of his company, and between the Germans and his comrades. These survivors had rifles, but only a small amount of ammunition. The survivors remained in the background.

Here I desire to let First Sgt. Gerald T. Heckman, of Gloucester, N. J., who led the riflemen of the infantry, describe what happened:

Protected by heavy fire the Germans rushed down the hill. They were shouting and yelling. Private Ross waited until they were a dozen yards from his position before he opened up. His machine gun cut them down like a combine going through a wheat field. They withdrew, and the second attack was concentrated on Ross. The enemy automatic fire caused bits of the ground to jump up all around Ross, and it did not seem possible he could live in that fire and fire back at them.

BULLETS BOUNCED OFF TRIPOD

All during this attack Private Ross was the object of attack of a deadly concentration of enemy rifles. I saw bullets bounce off his tripod and other bullets caused sparks from stones on the ground around him. The enemy soldiers crawled to within 12 or 15 feet of Ross and all had grenades in their hands. They were at such close range that he frequently had to jump up and pick up his one gun to change direction of the fire. Our company was desperately low on ammunition.

Before the eighth attack the Germans reorganized. Almost all our riflemen were out of ammunition. They abandoned the foxhole and took up a new position behind Private Ross. While he fired on the advancing enemy, some of our riflemen crawled on their hands to the machine gun, took several rounds from the the belt, and crawled back to their position. Private Ross had protected the entire company with his life. He again broke the assault. Just as the Germans were breaking away his gun ceased firing. He had used eight boxes of ammunition and that was all he had. None of the eight surviving riflemen had any ammunition left and they withdrew 50 yards to the rear, where the mortar squad was located; but Private Ross decided to sweat it out in his firing position. He was alone when the ninth and last counterattack got under way. This time the Germans were determined to knock him out. They opened up on him with a hail of automatic weapons and grenades all around him. When the Germans saw that he was not replying to this fire, riflemen and those with grenades rushed in to finish him off. We were sweating it out with bayonets fixed when two of our men brought up six more boxes of ammunition, and we rushed them to Private Ross just as the Germans closed in. Loading rapidly he squeezed off burst after burst into the enemy. He killed over 40 Germans. The Germans were charging up in mass formation and within seconds Ross had killed over 40 and wounded many others. The surviving Germans ran back to the line of departure and the counterattacks were over.

When he ran out of ammunition Private Ross sat there as if he had plenty. But another minute and the Germans would have swarmed over his empty gun.

Private Ross's lieutenant, William T. Wardell, of Beardstown, Ill., gives a graphic description of the battle of Private Ross with the Germans. Lieutenant Wardell said in part:

I pointed out to him that he had already done his duty and I told him that it was needless to stay out there 40 yards in front of the rest of the company on the chance that more ammunition might arrive. He merely shook his head. When the enemy turned and ran, German corpses were piled high around the gun.

For sheer courage, for masterful judgment, cool and calculated action, I am sure there is no instance in the history of our country that will surpass that of Private Ross.

AWARDED CONGRESSIONAL MEDAL OF HONOR

When the report of the heroic action of Private Ross reached the War Department a short time ago, they awarded him the Congressional Medal of Honor with a citation in the following language:

For conspicuous gallantry and intrepedity at risk of life above and beyond the call of duty. After experiencing his last raid Private Ross was advised to withdraw to the company command post together with 8 surviving riflemen; but as more ammunition was expected, he declined to do so. After having killed and wounded more than 58 Germans in more than 5 hours of combat and saved the remnants of his company from destruction, Private Ross remained at his post the following day for a total of 36 hours. His actions throughout this engagement were an inspiration to his comrades and maintained the high traditions of the military service.

THE ONLY KENTUCKIAN

Approximately 9,000,000 men have been inducted into the United States Army during this war, and they have fought heroically and courageously on every battle front of the world. But only 28 enlisted men have been awarded the Congressional Medal of Honor, and only 12 of these 28 were privates, first class; and the War Department advises me that Private Ross is the only enlisted man from Kentucky who has received this distinction in the present World War.

I want it clearly understood that nothing I say here is intended to detract from the patriotic and courageous services that have been rendered by millions of other men in our armed services in all parts of the world. Many an enlisted man has rendered services "at risk of life and beyond the call of duty" and no doubt their acts have not been brought to the attention of the War Department and they have not received any citations.

I have always believed and still believe that we have the finest men and officers in the world in our Army, and the same goes for our Navy. American fighting men have not been defeated on land or sea or in the air. They have added imperishable glory to our country. And the heroic action of this hill country boy from Kentucky has helped to contribute to the very highest and best traditions of American fighting men from Lexington in 1775 to this very day.

HONORABLE, HUMBLE, PATRIOTIC FAMILY

The father of this fine soldier is Mr. Ned Ross, his mother is Mrs. Maude Ross. They have a little hillside farm in McCreary County, Ky., and have brought into the world a number of fine children. They could not make a livelihood from the sterile soil of that little mountain farm alone. The father has worked getting out timber and in the mines for the Stearns Coal & Lumber Co. Pvt. Wilburn Ross has a second brother, Osborne Ross, 21 years of age. He joined the Army early in the war and on January 3, 1945, was severely wounded in the battle of Leyte, P. I., and he is now at White Sulphur Springs, W. Va., recovering from these severe wounds. And there is a third brother, Conrad Glen Ross, who is a little over 18 years of age, and he is in the Army in the foreign service. These boys worked on the farm in the timber woods and in the coal mines.

What a wonderful contribution this father and mother and these three patriotic sons have made in their sacrifices to our country! This great republic can never fully repay its debt of gratitude to this father and mother and these sons and to the millions of other fathers and mothers and sons who have given so much to our country in this emergency.

A GREAT INSPIRATION

The Rosses are a patriotic, God-fearing, liberty-loving family. In fact they are a part of that great section of our country where the people know but one allegiance and that is to the United States, and where they follow but one flag and that is the Stars and Stripes. There is no spot large enough in my congressional district to put up a staff carrying a flag of a country or people disloyal to this Nation. I have never heard of a single person in all the 17 counties in my district accused of disloyalty to our country in this war.

The lives of this family should be an inspiration to all of us. If we had the spirit of Private Ross, would there be any stoppage in our munitions plants, or any let-down on the farms or on the railroads, or other activities essential to our war effort, to produce all the ships, munitions, food, and clothing necessary, and more, to enable our defenders to win an early and conclusive victory over our enemies?

Private Ross did not quibble about hours or pay. He remained on duty, according to the records of his superiors, after having spent 5 hours in this terrible ordeal, and he remained on duty that night and the following day—36 hours in all. Would not some of us have thought we had done a very good day's work when we had killed and wounded 58 Germans, under the terrific strain that this private soldier was under? But this fine American boy remained on duty in the tense atmosphere of impending attack on the western front for 36 hours after this remarkable achievement.

Let us all do all we can to emulate the fine example of this father and mother and these three fine sons, and put forth every effort within our power to bring

victory at the earliest moment possible so that all the sons and daughters, husbands, brothers, and others may return to their homes and loved ones, and that we may again enjoy the blessing of peace.

EXTENSION OF REMARKS

Mr. NORRELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD with reference to the citation awarded to my constituent Fred E. Gross and include certain data.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

THE MEAT SUPPLY

Mr. BUFFETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BUFFETT. Mr. Speaker, the bungling of the administration on the meat supply of America is a most serious problem. Many alibis for this failure have been advanced, including a statement a few days ago indicating that supplies of feed were not large enough to justify additional cattle feeding.

I have just returned from the Middle West cattle-feeding section. I found there tremendous supplies of feed, so large that there are areas where corn and alfalfa, which together form an almost perfect cattle-feeding ration, are in such oversupply that they are unsalable at prices 25 to 40 percent below O. P. A. prices.

I found corn and alfalfa that farmers had been trying to sell for months deteriorating in the fields. The reasons are twofold. First, livestock feeding has declined, due both to the price structure and the draft raid on farm help. Secondly, the boxcar situation has made it impossible to sell these feeds at most elevators.

The reason for the meat shortage is not a shortage of feed. That alibi is a fake.

EXTENSION OF REMARKS

Mr. WELCH asked and was given permission to extend his remarks in the RECORD and include an address delivered by Fleet Admiral Ernest J. King, Commander in Chief of the United States Fleet and Chief of Naval Operations, before the Academy of Political Science of New York City on April 4 of this year.

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD and include a letter.

Mr. PITTENGER asked and was given permission to extend his remarks in the RECORD in two instances; in one to include a radio address delivered by D. D. Monroe, grand sire of the Independent Order of Odd Fellows of Clayton, N. Mex., and in the other to extend his remarks in connection with the St. Lawrence seaway and power project and to include editorials and excerpts from articles.

HYMAN L. SCHIFFER

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1335) for the relief of Hyman L. Schiffer, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "Hyman L. Schiffer" and insert "Mrs. Rose Schiffer."

Amend the title so as to read "An act for the relief of Mrs. Rose Schiffer."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

MRS. DOROTHY STOWELL

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1669) for the relief of Mrs. Dorothy Stowell, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Amend the title so as to read: "An act for the relief of the estate of Ralph A. Stowell."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MURRAY W. MORAN

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1707) for the relief of Murray W. Moran, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 5, after "W." insert "and Elsie P."

Page 1, line 8, after "W." insert "and Elsie P."

Page 1, line 9, strike out "his" and insert "their."

Amend the title so to read: "An act for the relief of Murray W. and Elsie P. Moran."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BENJAMIN D. LEWIS

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1933) for the relief of Benjamin D. Lewis, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 1, line 9, after "who" insert "is alleged to have."

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BLAND asked and was given permission to extend his remarks in the RECORD and include an article appearing in the Journal of Commerce on the subject Great Britain Seen in Strong Post-War Shipping Position.

SPECIAL ORDERS

The SPEAKER. Under a previous order of the House, the gentleman from South Dakota [Mr. MUNDT] is recognized for 15 minutes.

TEACHER APPRECIATION WEEK IN SOUTH DAKOTA

Mr. MUNDT. Mr. Speaker, in an official proclamation Gov. M. Q. Sharpe, of South Dakota, has set aside this week in April—April 8 to 14, inclusive—as teacher appreciation week in South Dakota. It is well, Mr. Speaker, that we should give thought, even in the midst of this awful war, to the sacrifice and service given by the teachers of youth, and I wish that teacher appreciation week were being commemorated this week throughout the entire United States. A nation which appreciates and adequately rewards its teachers, sir, is a nation which is building wisely for the future.

In calling upon the citizens of South Dakota to set aside this week in April to express their appreciation for the public-spirited service rendered by the teachers of our State, Governor Sharpe issued the following proclamation:

GOVERNOR'S PROCLAMATION

Whereas those who teach the oncoming generations of our citizens are performing an indispensable and important work for the public benefit; and

Whereas we can improve and strengthen the influence of our teachers for the general good by giving some public recognition and appreciation of their important and useful functions in promoting the general welfare and aiding in the grand objective of individual and racial development: Now, therefore,

I, M. Q. Sharpe, Governor of South Dakota, do hereby proclaim and declare the period of April 8 to April 14, 1945, as teacher appreciation week in South Dakota and suggest that our people commence to give careful consideration of the position and needs of our teachers as individuals and as public servants doing an important work for the benefit of all; and I do urge all of our citizens during that time to consider and practice appropriate ways and means of expressing our appreciation to our teachers in all schools for their public-spirited work, and to give them our encouragement by visiting their

schools and classes and cooperating with them always for the production of the best grade of citizenship for our country. I would recommend to all student bodies and organizations, including the Young Citizens' League, that they put on some kind of appropriate school program or exercises during teacher appreciation week.

In witness whereof I have hereunto set my hand and caused to be affixed the great seal of the State of South Dakota, this 15th day of February 1945.

M. Q. SHARPE,
Governor of South Dakota.

Attest:

Mrs. L. M. LARSEN,
Secretary of State.

Mr. Speaker, South Dakota is one of the States of the Union which throughout its short but brilliant history has always placed great emphasis upon the importance of education. We have preserved our public-school lands. We have established a group of growing and important State institutions of higher learning. The session of the legislature which has recently adjourned passed an appropriation measure implementing an earlier adopted teacher-retirement law so that for the first time our educators have access to an operating retirement plan which will minimize the insecurity of illness and old age. South Dakota's sole contribution to famed Statuary Hall in this Capitol Building is a statue to a great educator, Gen. W. H. Beadle, whose likeness in bronze was fashioned as a result of funds made possible by contributions from the school children and teachers of South Dakota.

Even so, the teachers of South Dakota like the teachers of other States of the Union, are not paid salaries which are anywhere nearly commensurate with the time they have devoted to their own preparation or the talents which they display as the tutors of tomorrow's citizens. Most of them could earn considerably more were they to give up their classrooms and devote their efforts to the marts of trade, to our great production industries, or to the practice of other professions. The fact that so many teachers have stayed by their jobs throughout this long war is indeed a great tribute to the unselfish devotion which they have to the cause of education. It is a fact which the rest of us should never fail to appreciate, and it is something which we should keep in mind as provisions are made in the postwar era for the expansion and improvement of educational opportunities in this Republic.

Mr. Speaker, the following figures are for the Nation as a whole and not for South Dakota and while I am glad to say teachers' salaries in South Dakota are above the median they are still so low that they compare unfavorably with other professions in our State. However, the average salary of all teachers, principals, and supervisors in the public schools of this country in 1942 was $1,500. For rural teachers throughout America, the average was only about $900. These figures are much lower than comparable figures for the salaries of Federal Government employees doing civilian work which for the same period was $1,926 and which on the average represent workers with less collegiate training than the teachers in our schools. For employees in manufacturing industries who work shorter hours and in positions of less responsibility the average salary for the same year was $2,043. So long as a nation pays higher rewards to those who work with material things than it pays to those who train our children, Mr. Speaker, that nation still has much to learn about the relative values of life.

When Thomas Jefferson founded the great University of Virginia he chose as the motto for that school, "And ye shall know the truth, and the truth shall make you free." How tragically we are all seeing the veracity of that saying being written across the face of the world in the blood of our best young men during this global war. If children around the world could have been taught the truth during the past quarter of a century, the great, silent force of education might well have prevented a war which force of arms and show of might entirely failed to stop.

Even today, with victory near, the crying need of the hour is for high-minded, intelligent, freedom-loving teachers in every country of the world to teach oncoming generations the virtues of peace and the vicious follies of the hatreds, the greeds, the disregard for the rights of others, the selfishness, and the vanities which always lead to war. Here in America, let us resolve to better reward our teachers and better equip our schools so that in peace as in war we can show the rest of the world how to develop and display the effective forces which are needed to secure results.

Fully as much as the great productive capacities of our farms and our factories and the unbending courage of our men and women in uniform, Mr. Speaker, our American schools have contributed to our victories in this war. Last September in France while I was having lunch with General Eisenhower in his headquarters, he told me and a number of my colleagues who were with me on a mission that one of the great superiorities which the American soldier displayed over his Nazi adversary was the ability to think for himself and to exercise his own initiative in a tight spot. General Eisenhower rightfully attributed that mental alertness and agility to the training which American soldiers received in the classrooms of the schools of this Republic. But let us remember that without the inspirational leadership of a teacher, the bare walls of a classroom or the bookcases of a library could do little to quicken the imagination or train the mind of the average American student who is today distinguishing himself with valor in battle areas all over the world.

Following this war the demands upon our educational system will exceed anything in all our previous history. Not only will hundreds of thousands of young men and women discharged from the armed services be crowding our schoolrooms in search of more learning but to their ranks will be added almost equal numbers of boys and girls of school age who have disrupted their schooling to work in the defense industries. The realization of the dreams and hopes of all these eager youngsters will depend primarily upon the ability of this Republic to have available a gigantic corps of well-trained, professional-minded, and adequately paid teachers.

A dissatisfied or a disspirited teacher in a classroom, sir, can do more to dampen the ardor and discourage the ambition of a student than anything else which all the imps of ignorance can conceive to hold a nation in intellectual darkness. Conversely, books cannot grow so old nor classrooms become so bleak that education can be withheld from the student who is fortunate enough to face each day a teacher who loves the profession which he or she has selected as a lifetime career.

Statistics gathered by the United States Department of Labor indicate that between 2,000,000 and 3,000,000 young people, 18 years and less of age, are now employed in industry and on our farms, in contrast with a peacetime average of 900,000. Education faces the challenge of drawing these boys and girls out of the labor market and back into our institutions of learning. This country, Mr. Speaker, faces the challenge of making schools and teachers available to this great group in addition to the great numbers who will come home from the war eager to avail themselves of the provisions in the G. I. bill of rights which make it possible for them to go to school or college.

So much confidence have I in the tremendous force of education that I have introduced two bills in the present session of Congress designed to utilize the influences of education in the promotion and preservation of a just and permanent peace. One of them is H. R. 1740, which would provide for exchange scholarships among the student teachers of the teacher-training institutions of the pan-American republics. The other is House Resolution 215, which would place this House on record favoring the establishment of an international office of education to serve as a great clearing house of educational ideals and to encourage the right type of training in proper principles of peaceful behavior among students throughout the world.

Twelve of the happiest—and perhaps the most fruitful—years of my life were spent as a high-school or college teacher. I know from experience that if we Americans will give education a real opportunity to demonstrate its great effectiveness that it can go far toward equipping this Republic to meet the great challenge which it confronts and that it can render trojan service wherever in the world it is utilized as a force for peace and as a device for implementing and expanding freedom by the simple process of teaching eternal truths to people everywhere.

The SPEAKER. Under a previous order of the House, the gentleman from Mississippi [Mr. RANKIN] is recognized for 1 hour.

TENNESSEE VALLEY AUTHORITY—OVERCHARGES FOR ELECTRICITY, 1944

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain tables and other data I have compiled on the power question.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, throughout the country certain interests are attacking the Tennessee Valley Authority, with two objects in view, to discredit the work of that great organization and to prevent the creation of additional authorities throughout the country to develop and distribute the water power of this Nation.

While that is going on we see a great flood sweeping down the Ohio River destroying millions of dollars' worth of property and wiping out human lives. We see the same deplorable conditions on the Missouri River and other large streams throughout the Nation. Far down the Mississippi, as a result of the failure to develop regional authorities on these various tributaries, we see the Mississippi breaking over its levees and destroying untold millions of dollars' worth of property as well as destroying human lives and depriving the people of a great fertile area of this country of the opportunity to make a crop during the year 1945.

All of this could have been prevented by the development of authorities such as the T. V. A. on these great tributaries.

There seems to be in progress an organized campaign of abuse and misrepresentation of the Tennessee Valley Authority, its costs, its functions, its operations, and its benefits to mankind.

Twelve years ago on this floor I led the fight for the creation of the Tennessee Valley Authority, while my distinguished friend, who has now passed to the great beyond, George W. Norris, of Nebraska, led the fight at the other end of the Capitol.

We had the support of the administration. The bill was passed after a hard fight, and President Roosevelt signed it, creating the Tennessee Valley Authority as it stands today.

The T. V. A. has proved to be the greatest development of ancient or modern times. It has done more for the American people than any other project that has ever been instituted, and it is doing more now for you and the people you represent than any other development yet undertaken, as I will show you before I leave the floor this afternoon.

You see no destructive floods on the Tennessee. They are all under control.

We have a splendid navigation channel on the Tennessee all the way up to Knoxville.

The T. V. A. is generating about 12,000,000,000 kilowatt-hours of electricity each year that was formerly going to waste. It is now being used to light the homes and business establishments, operate the appliances, turn the wheels of industry, and produce the materials of war for our men on the various fighting fronts.

By the coordination of those dams we were able to cut the flood crest on the Ohio and save the city of Cairo a few years ago.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. GROSS. Is it true that the Tennessee River is the only river that flows through seven States and drains the Federal Government?

Mr. RANKIN. That is the brightest thing the gentleman from Pennsylvania has said since he advocated "licking the platter clean."

I hope the gentleman remains in the Chamber. I am going to discuss the power rates in Pennsylvania in a moment, and I want to ask why he piddles around with such matters while the people of Pennsylvania are overcharged $104,000,000 a year for their own electricity.

Now, if anybody else wants to get in on this discussion the door is open, because this issue reaches into every home.

But let me go back to the floods on the Tennessee. A few years ago the people of Cairo were all sitting on the anxious seat, expecting that the water would sweep over the levee and destroy that city. Had it not been for the dams on the Tennessee that would have occurred. But those dams held back the flood waters of the Tennessee and saved Cairo. We have spent almost a billion dollars trying to control floods on the Mississippi River. But the Tennessee Valley Authority is the only thing that ever held back the flood crest to such an extent as to save the lower Mississippi Valley from destructive overflows.

In 1927, if we had had the T. V. A. in operation we could have held these flood crests down to where they would never have broken over, and all that devastation would have been prevented.

In addition to that, we have built a navigation channel all the way from Paducah, Ky., to Knoxville, Tenn., and opened up one of the finest sections of this world to navigation. This can be done on every other large stream in America.

But that is not all, the T. V. A. is generating 12,000,000,000 kilowatt hours of electricity a year, that is being used not only by domestic and commercial and industrial consumers in the area, but it is also going into war production. Had it not been for the power generated on the Tennessee River, and on the Columbia River, I do not know what we would have done in this great war emergency.

But throughout the country we find various and sundry charges being made to the effect that the Tennessee Valley Authority is a burden on the Treasury of the United States. I see that the mayor of Kansas City, Mo., of all places, stated that "The United States Treasury has advanced capital to the extent of $700,000,000 for the T. V. A.," and that "actual interest charges are buried in the vast general expenses of the Treasury."

Then he goes on and attempts to show that the T. V. A. is a burden upon the taxpayers of the Nation. But listen to his statement:

> During the year T. V. A. made payments in lieu of taxes amounting to $2,000,000, which was 6 percent of gross revenue. At the same time the privately owned and operated power companies paid approximately 24 percent of their revenues in taxes, or four times the T. V. A. figure.

In 1936 and 1937 the Federal Power Commission issued a report on the taxes of the various power companies of the entire Nation. I have that report before me. It shows that the gross percentage of taxes to gross revenue of private power companies were not 24 percent, but 13.2 percent.

If they are paying any more taxes now than they did then, it is excess profits taxes, based on the overcharges for electricity throughout the country. But the mayor of Kansas City used this figure $700,000,000 as investment in the T. V. A. to which he attempted to relate power earnings after deductions of expenses and other programs.

The United States Chamber of Commerce was more lavish in attributing capital funds to the assorted programs of T. V. A. I believe they called it a billion dollars. In discussion of the T. V. A. in connection with the Nation-wide referendum on national water resources policies among local chambers of commerce last year, the United States Chamber of Commerce declared that the T. V. A. public-utilities business represents a billion-dollar investment, of which it says that a hundred million was attributed to the municipal and cooperative distributors of T. V. A. power.

The Edison Electric Institute, in its appraisal of the Tennessee Valley Authority, was less liberal in its claim, but it included part of the facilities for flood control and navigation to run the power investment up to $555,000,000, including the investment of the distributors.

So we find this $450,000,000 difference between these various critics, all of whom represent the viewpoint of those selfish interests that were literally plundering the American people on power rates when the T. V. A. was created, and are plundering them yet in some sections of the country, including Kansas City, and the whole State of Missouri, as I will show before I close.

Let us now see what these investments amount to. The facts which these propagandists seek to obscure are simple. As to investments the T. V. A. on June 30, 1944, had total fixed assets of $757,500,000. Included in the gross investment was the investment in multi-purpose dams providing navigation and flood control as well as power, and other dams and steam generating stations, and a chemical plant of more than $9,000,000. General plants of nearly $13,000,000; and construction in progress totaled more than $188,000,000. These are the items which propagandists would charge

against the electric rate payers in the Tennessee Valley area.

The total investment in power facilities on June 30, 1944, amounted to $403,000,000 instead of a billion, as contended by the Chamber of Commerce of the United States, for which depreciation reserves of nearly $44,000,000 had been provided, leaving a net investment of $359,300,000. The power consumers are not supposed to pay for flood control and navigation any more than power consumers along the Mississippi, the Ohio, or the Missouri are supposed to pay for flood control on those streams or the power consumers in Massachusetts are to pay for the construction or improvement of the Cape Cod Canal.

In the fiscal year 1944 the T. V. A. power operations provided nearly $35,500,000 in gross revenue.

Is the gentleman from Pennsylvania [Mr. GROSS] still present?

After provisions for all expenses including $2,169,000 in payments in lieu of taxes to States and counties the power operations provided a net income of $14,116,000, or about 40 percent of the gross revenue. Not even the frantic wails of the assorted propagandists of the Nation can change the fact of this net income or surplus, nor can they obscure the plain fact that T. V. A. power operations are on a self-supporting and paying basis. Nor can they support their claim that T. V. A. should pay 22 or 23 or 24 percent of its gross revenue in taxes. Again the facts are simple. T. V. A. under section 13 of the T. V. A. Act makes payment to the States and counties in which it operates to safeguard these subdivisions against loss of ad valorem taxes resulting from the purchase of reservoir lands and power properties by the Federal Government through T. V. A. The propagandists failed to point out that the $2,169,000 paid in lieu of taxes by T. V. A. last year exceeded by $800,000 the taxes formerly paid to the States, counties, and municipalities under private ownership of these reservoir lands and utility properties which had been purchased by the T. V. A.

The municipal and cooperative electric power systems distributing T. V. A. power also paid taxes, or made payments in lieu thereof. The combined total is $4,137,000, which exceeded by more than $1,200,000 the property taxes formerly paid on all reservoir lands and power properties purchased by the T. V. A. and the distributors.

Again the charge is made that the T. V. A. pays no taxes. Here again they fail to point out that whereas the Federal taxes of utilities consist chiefly of a proportion of the net income, the entire net income of T. V. A. is the property of the Federal Government.

They talk about private companies paying 24.5 percent of their gross revenues, which is almost twice what the record shows they did pay in 1936, but even then they fail to point out that 6.8 percent even of that is paid as taxes on excess profits. Where do they get those excess profits? By wringing them from the power consumers of this country in overcharges.

Now, as the T. V. A. progresses through its twelfth year, I submit, as I pointed out a few minutes ago, that it has proved to be the greatest development of its kind the world has ever known. And I am going to tell you why. In the first place, it has not only controlled floods and provided for navigation channels, but it has saved 12,000,000,000 kilowatt-hours of electricity a year that was absolutely going to waste. Do you know what that means? We all hear so much about manpower these days. Electricity is the greatest servant mankind has ever known, and the only one the man and woman of ordinary means can afford; and they can afford it only when the rates are such that they can afford to pay them.

The power generated at Muscle Shoals alone, one dam on the Tennessee River, exceeds the combined physical strength of all the slaves freed by the Civil War. Now, bear that figure in mind.

The power generated by the Tennessee Valley Authority today exceeds the combined physical strength of every man in the United States living east of the Mississippi River.

The power generated at Boulder Dam on the Colorado River exceeds the combined physical strength of every man in the United States living west of the Mississippi River.

The power generated at Grand Coulee in 24 hours exceeds the combined physical strength of the entire manhood of the Nation working 8 hours a day.

But what is this power worth if we do not get it out to the people at rates they can afford to pay?

I want to go back and call your attention to some of the rates we were paying before the T. V. A. was created.

When we created the Tennessee Valley Authority in 1933, the power interests were buying power at Muscle Shoals under a contract with the Hoover administration at about 2 mills a kilowatt-hour and selling it to us at 10 cents a kilowatt-hour. The average rate paid in Florence, Ala., just across the river, was the same as that paid in Tupelo, Miss., my home town 100 miles away, and here it is. I am going to read you those rates, and then I am going to read the present rates.

RESIDENTIAL RATES 1933

First 30 kilowatt-hours a month, 10 cents a kilowatt-hour.

Next 170 kilowatt-hours a month, 8 cents a kilowatt-hour.

Next 300 kilowatt-hours a month, 7 cents a kilowatt-hour.

Next 350 kilowatt-hours a month, 6 cents a kilowatt-hour.

All over 850 kilowatt-hours a month, 5 cents a kilowatt-hour.

RESIDENTIAL RATES 1945

First 100 kilowatt-hours a month, 2 cents a kilowatt-hour.

Next 250 kilowatt-hours a month, 1 cent a kilowatt-hour.

Next 700 kilowatt-hours a month, 4 mills a kilowat-hour.

All over 1,050 kilowatt-hours a month, 7 mills a kilowatt-hour.

The domestic consumers in that area were using an average of only about 30 kilowatt-hours a month at that time. I believe by 1933 they got up to 35 kilowatt-hours a month in Florence, Ala. I will show you in less than a minute what they are using in Florence now. They used 291 kilowatts a month in January 1945 instead of 35, as in 1933.

What do you suppose they pay for it now? An average of 1.12 cents a kilowatt-hour. What do you suppose they paid wholesale to get that power? Let us look at that. Instead of paying 2 mills a kilowatt-hour as the power interests did in 1933, they pay 3.88 mills a kilowatt-hour wholesale. Where the power company was paying 2 mills and selling it at a top rate of 10 cents, they buy it for 3.88 mills and sell it at a top rate of 2 cents a kilowatt-hour—or an average of 1.12 cents a kilowatt-hour.

In 1933 in my town 19 percent of the domestic customers were using electric refrigerators. Today between 95 and 100 percent of the power consumers in my town have electric refrigerators.

Let us turn to these rates and see what we are paying now. Let us just read this domestic schedule again. The residential rates that are paid, and let us just compare them as we go along, and I will show you where all this griping is coming from. Here is their schedule for 1933. The first 30 kilowatt-hours per month, 10 cents a kilowatt-hour.

Here is our present schedule: The first 100 kilowatt-hours a month, 2 cents per kilowatt-hour.

Their next block was 170 kilowatt-hours, 8 cents per kilowatt-hour.

Our next block is 250 kilowatt-hours, 1 cent per kilowatt.

Their next block was the next 300 kilowatts, 7 cents per kilowatt-hour.

Ours is the next 700 kilowatt-hours, 4 mills per kilowatt-hour. These rates prevail in Corinth, Tupelo, and Columbus in Mississippi; Decatur, Ala., and many other towns and cities throughout the T. V. A. area.

Where they paid 5 cents for all over 850 kilowatt-hours in 1933, we now pay 7 mills per kilowatt-hour for all above 1,050 kilowatt-hours per month, because up to that amount the average is 7 mills, and we extend that on to maintain that level. Yet we pay interest on investment, 6 percent. Our power systems are separate from the other city properties. We pay interest on the bonds and pay all overhead charges. Then the only thing we can do with the surplus is to reduce the rates or extend the service. We cannot extend the service in those towns and cities because everybody has electricity. So we began to reduce the rates. That increased consumption to where the T. V. A. asked us not to reduce the rates any more because they needed this power for war purposes. Therefore in Tupelo, and other cities, we paid back to the consumers in the

form of dividends in Government bonds enough to reduce the domestic rate to an average 1 cent per kilowatt-hour, whereas 12 years ago we were using 42 kilowatt-hours a month in that town and were paying on an average of 9.4 cents a kilowatt-hour for it.

The average rate paid for domestic electricity throughout the T. V. A. area now is 1.79 cents per kilowatt-hour, as against an average of about 3.65 cents a kilowatt-hour for the rest of the country.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes, I yield.

Mr. COLE of Missouri. How wide is the area of the Tennessee Valley Authority?

Mr. RANKIN. I am glad the gentleman asked that question because I am one of the men who settled that question when Senator Norris and I introduced the bill creating the T. V. A. We provided that this power is to be distributed throughout the distribution radius. The Army engineers in 1930, in their report stated that this power could be transmitted economically a distance of 350 miles.

Mr. COLE of Missouri. On either side?

Mr. RANKIN. In any direction, from any dam, which they said would reach St. Louis and New Orleans. We are carrying it now, as far as 250 miles. That is about as far as we have gone. That is down through the district I have the honor to represent.

Mr. DE LACY. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. Yes.

Mr. DE LACY. Does not the gentleman believe these remarkable figures he is citing of reduction in rates are a great encouragement to industrialization of the country by free enterprise?

Mr. RANKIN. Oh, yes. Now, understand me, I am as anti-Communist, anti-Fascist, anti-Nazi, antitotalitarian as any man in Congress, or out of it; but I want to draw this distinction: The power business is not a private business. It is a public business. Why? Because electricity today is one of the necessities of our modern life. That is one reason. Another reason is it must be handled by a monopoly. You cannot have a half dozen concerns distributing power to a town or a community. The overhead would eat them up, worse than it is doing some of you now.

Again, the waterpower of this country already belongs to the people, to the Federal Government. That was decided in the Ashwander case. Chief Justice Hughes delivered the opinion in that case. I was there and heard it. He simply followed the philosophy of John Marshall and all of the other great judges who had preceded him on that august tribunal.

Again, in the Appalachian power case, it was decided that the power in the tributaries also belonged to the Federal Government. We are therefore dealing with power that already belongs to the American people, already belongs to the Government. It must be handled by a monopoly and it is a necessity in every modern life. Therefore it is a public and not a private business.

Mr. DE LACY. I agree with the gentleman but I am afraid he misunderstood the purport of my question. I was trying to bring out that the reduction of these excessive rates in every area, including our own Northwest, has resulted in the vast upspringing of industry under private enterprise.

Mr. RANKIN. Oh, yes, and the areas that do not have cheap electricity are going to suffer after this war is over. That is one reason it is so necessary to develop our water power now, as provided in my bill, H. R. 1824.

The T. V. A. does not sell power at retail—it is selling some probably at the present time to war plants—but the T. V. A. program is to sell the power wholesale to the municipal systems or to cooperative power systems or to private power companies, but to fix a retail rate, at least the maximum rates at which it is to be sold to the ultimate consumers. In 1930 the Army engineers said this—I want you to get this because this is on that subject of transmission. They said to pay 4 percent on the investment, which is a good return for a Government investment, this power should be sold wholesale at the following rates:

At the switchboard at 1.352 mills a kilowatt-hour.

Transmitted 100 miles, 1.993 mills a kilowatt-hour.

Transmitted 200 miles, 2.310 mills a kilowatt-hour.

Transmitted 250 miles, 2.467 mills a kilowatt-hour.

Transmitted 300 miles, 2.625 mills a kilowatt-hour.

Transmitted 350 miles, 2.775 mills a kilowatt-hour.

Since you have asked so much about my own district, I will show you what we pay for this power.

At the end of a hundred-mile line, instead of paying 1.993 mills a kilowatt-hour Tupelo pays 4.94, or almost 5 mills a kilowatt-hour. Instead of selling it at 10 cents a kilowatt-hour maximum and 9.4 cents average, Tupelo is selling it at a maximum rate of 2 cents a kilowatt-hour and an average of 1.15 cents a kilowatt-hour, to residential consumers.

There is the rub, there is the difference. We are taking the greatest resource America has outside of the soil from which we live and making it available to the American people at rates they can afford to pay.

At 200 miles away the Army engineers said it should be sold at 2.31 mills a kilowatt-hour. At 250 miles it should be sold at 2.467 mills a kilowatt-hour. At 300 miles it should be sold at 2.625 mills a kilowatt-hour; and at 350 miles away, which the Army engineers point out would reach both New Orleans and St. Louis, it should be sold wholesale in order to pay 4 percent on the investment at 2.775 mills per kilowatt-hour.

We had the Army engineers and we had the private engineers on the stand in the St. Lawrence case, and every single one of them on both sides testified that power could be transmitted at around four-tenths of a mill a kilowatt-hour for each hundred miles. I said: "Well, in order that we may keep it in our minds easily we will just say half a mill." They said: "That is ample."

You can transmit power from Muscle Shoals or any of the rest of these dams, 300 miles at a mill and a half a kilowatt-hour. That is the transmission costs, and includes line losses, as well as all other costs.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Arizona.

Mr. MURDOCK. In order to develop all the waterpower in this country we would need just about as much money as we are spending in one month's time in this war.

Mr. RANKIN. Why certainly. In 30 years every dollar that is now charged to power will be paid back to the Government with interest and in 50 years it will pay for all the developments for flood control and navigation, reforestation, fertilizer, and every other investment.

Let us see what this means to you. When I came to Congress the record shows that we were using 40,000,000,000 kilowatt-hours of electricity a year. That figure was published by the private power companies, and you will find it in the electric institute reports as well as in the World Almanac. My opinion is that the private concerns that were making their own electricity, in order to get it more cheaply, probably were producing 10,000,000,000 kilowatt-hours a year. We will say that raised the amount 50,000,000,000 kilowatt-hours. Let me take the year 1944 and I will give you some figures. Last year there was generated and sold in the United States 196,425,000,000 kilowatt-hours of electricity. There was 49,211,000,000 manufactured by the people who used it, manufacturing concerns that make their own electricity. That amounted to a total of 245,363,000,000 kilowatt-hours. Then in addition to that we imported 2,585,000,000 kilowatt-hours of electricity. Of couse, that came from a short distance. The gentleman from Pennsylvania [Mr. GROSS] should have remained here. That came from just across the river in Ontario, Canada. That raised the amount of electricity used in this country last year to 248,221,912,000 kilowatt-hours. I have said time and time again that in 10 years after this war closes we will be using half a trillion kilowatt-hours a year and long before the turn of the next century the American people will use 1,000,000,000,000 kilowatt-hours a year. In other words, we are entering the electric age.

There are 220,000,000,000 kilowatt-hours a year now going to waste down our navigable streams and their tributaries, including the Ohio, the Missouri, the Arkansas, the Delaware, the Savannah, the St. Lawrence, and other streams throughout the country.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. The gentleman mentioned the Missouri River Valley a moment ago. There is quite a difference. There is quite a bit of difference in the lay of the land in the Missouri River Valley and that of the Tennessee Valley.

Mr. RANKIN. I understand that.

Mr. COLE of Missouri. I wonder if the gentleman has available the extent of land that was sacrificed in order to build these dams in each instance? The reason I ask that question is this: Along the Missouri River, particularly in northwest Missouri, that land is very fertile. It will grow most anything. I believe that that is one of the principal objections by those who oppose the M. V. A. in my district.

Mr. RANKIN. The private power interests and others who are manifesting local interest at long distance made the same complaints against the creation of the Tennessee Valley Authority. I am not sure that they did not make the same complaint against the building of Boulder Dam. I remember when they had Boulder Dam up here in the House, I heard some of the cries that I heard the other day against this proposed Potomac Valley development—the Potomac River right here in the Nation's Capital, with power running to waste right down through the city. They said, "Why, if you build that dam up the stream, sometime we will get into a war and somebody will blow it up and drown everybody in Washington." I said, "Oh, how familiar that sounds. I hear the echo of the Power Trust in California, Utah, Arizona, and Nevada in 1928." They said, "If you build Boulder Dam, there will come an earthquake and drown everybody from there to Mexico."

By the way, I want to say to you Members that if you have never been through Boulder Dam, it is worth walking from here to Nevada to go through that great enterprise. I know some people who know nothing, and care nothing, about the power question, or about what these great developments mean, will say that is an exaggeration, but I consider the trips I made to go through those great dams worth more to me than anything else I have ever done. There is no other structure on earth like Boulder Dam. And the same thing can be said of Grand Coulee.

Mr. COLE of Missouri. I know that the gentleman as a member of the Committee on Rivers and Harbors has urged that the committee visit all of these dams, the Tennessee Valley dams and all the other projects throughout the Nation. I, for one, as a member of that committee, am very eager to do that.

Mr. SHEPPARD. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. SHEPPARD. I wish to compliment the gentleman on the splendid interest he has shown in the development of power throughout the country and on the results he has accomplished. May I ask him if he is in position to weigh the possibilities involved in the so-called Mexican Water Treaty, as to what the result might be as it would affect the gentleman's program, and if he has any comments to make upon that issue.

Mr. RANKIN. I have not gone into that question thoroughly. My prejudice, if I have any, is in favor of the water users and the people who use the power that is generated by that water; but I have not gone into it carefully and am not so sure about it. However, I certainly would not want to see any of the water taken away from behind Boulder Dam or those other great dams that are supplying electricity to that section of the country, or supplying the water to water the land that those people are going to have to depend upon for a living in the years to come. That is my feeling on the proposition, but as I said, I have not gone into the merits of the proposition.

Mr. SHEPPARD. I thank the gentleman and compliment him on the attitude he has just expressed. We in California appreciate that attitude very much.

Mr. RANKIN. I want to get back to the gentleman from Missouri [Mr. COLE], because he asked a very intelligent question, as did the gentleman from California, and I want to give him as intelligent an answer as I can.

Let me say in passing that the bill I introduced, H. R. 1824, provides for the creation of an authority in the Central Valley. By firming up the power in the Central Valley, by the use of a stand-by plant, we can give the people of the entire State of California the same power rates they are now getting in Los Angeles through the use of Boulder Dam power.

Now let me get back to my distinguished friend from Missouri. I want to say to him that the high dams would not be built in the flat country where these rich lands are situated. The high dams where this power would be generated would be farther up the stream. But they would hold back the flood waters. In flood time they would be high enough so that by a proper coordination they could be made to hold back the flood waters and prevent those disastrous floods that the people in the Kansas City area and throughout Missouri, and that whole section of the country in fact, have been subjected to this year and in the years that have passed and gone.

Mr. COLE of Missouri. We recently passed a bill authorizing the building of dams under what is known as the Pick plan on the Missouri River. Would that be workable?

Mr. RANKIN. I do not think so. I think you are going to have to have an authority with a coordinated program from one end of the river to the other. If that is done we do not propose to take a single drop of water from the people on the upper stretches of the Missouri where it is needed for irrigation, not a single drop. It will not be necessary.

But by building these dams we can provide a channel as far up as Sioux City, or as far as is necessary for navigation. We can control these destructive floods that now sweep down the Missouri every year and at the same time generate possibly ten or twelve billion kilowatt-hours of electricity a year that is now going to waste.

Do you realize what that means? Let me give you an idea of what this power going to waste in our navigable streams and their tributaries amounts to. The reason I am telling you this is that our place in the post-war world is going to depend, to a large extent, upon how well America is electrified. Let me repeat that. You talk about exports; you talk about commerce. When this war is over America's place in the world is going to depend largely upon how well our country is electrified for every single purpose.

Let us get back to these dams on the Tennessee. They told me then, "Why, you are going to flood some lands that are rich." What did we do? We bought those lands and paid what they were worth. "Oh," they said, "you are going to flood a cemetery." The T. V. A. went there and removed the remains in those cemeteries in order not to shock the sensibilities of the relatives of the ones who were buried there. Today, Tennessee, north Mississippi, north Alabama, and north Georgia, the area affected, are producing just as much, if not more, crops than they ever did and are living on a standard they never enjoyed before; and for the first time in all history the farmers in that area enjoy the use of electricity in their homes.

Look at the floods sweeping across the State of Louisiana now. They may not produce a bale of cotton on that flooded land this year. If it breaks over the levee on the Mississippi side you will see thousands of acres flooded. It is true the T. V. A. does flood some land, but that land was all purchased, and those people who owned it were paid for it. Today they are living, as I said, especially the people in the rural sections, on a standard they never enjoyed before in all the history of the country.

When this program went into effect and these rates were cut, people began to use electricity for the purpose for which it was intended. We started then a program of rural electrification. That program started in the courthouse in my home county. We organized the first cooperative power association. Then I went into every other county in the district and did the same thing. Then when they got organized and made ready, the T. V. A. asked us to incorporate, and we went to the legislature and had a law passed to have those power associations incorporated, nonprofit, cooperative power associations. Today we have throughout this whole country a system of rural electrification that is moving on toward what I hope in a few years will be 100 percent electrification of the farms of this Nation.

In 1936 the International Power Conference was held here in Washington. Their report shows that in this country we had 10.9 percent of our farms electrified at that time. As a rule, they were the homes of what we call town farmers—men who lived close enough to town to send their children to the city

schools and far enough out of town to avoid city taxes. They had electricity, but the average farmer had none. At that time, according to that report, Austria had 95 percent of her farms electrified. Germany had 90 percent. Japan, 90 percent. Italy, 94 percent. France, 98 percent. Holland and Switzerland, 94 to 98 percent. Even far-off New Zealand, that new, sparsely settled country, had 65 percent of her farms electrified; and we only had 10.9 percent of our farms electrified—here in the richest farming country in the world.

Every time I got to talking about rural electrification in those days, men would rise on both sides of the aisle and ask: "How far are you going with this movement to electrify farm homes? The first thing the farmer will do will be to buy a radio."

I said, "Why not? Then he will not have to go to town to get misinformed; he can get it at home; he will not even have to read the newspaper. Of course, he should have a radio if he wants one."

When the bill creating the Rural Electrification Administration was passed it limited to $40,000,000 a year the amount that could be allowed for R. E. A. in any one year. In 1938 all points of order were waived against the relief bill. I offered an amendment for an extra $100,000,000 for rural electrification and got it adopted by only seven votes. But we got our hundred million, and that added to the $40,000,000 gave us $140,000,000. The next year we got another hundred million and the next year another hundred million, including the forty million provided for under the general law. That really started rural electrification on its way, and today we have 42.2 percent of our farms electrified, as will appear from the following table, which tells one of the greatest stories of material progress ever made by the farmers of any country. I hope every Member will study it carefully, especially with reference to the R. E. A. progress in his own State:

Comparison of rank, percentage, and number of farms electrified with central-station service, 1935, 1940, and 1944, by States and for the United States

Area	Farms, Jan. 1, 1945 [1]	Farms receiving central-station electric service, Dec. 31, 1934			Farms, Apr. 1, 1940 [1]	Farms receiving central-station electric service, Apr. 1, 1940			Farms receiving central-station electric service, June 30, 1944 [2]			Increase in electrified farms, from Dec. 31, 1934, to June 30, 1944		
	Number	Number [2]	Percent	Rank	Number	Number [1]	Percent	Rank	Number	Percent	Rank	Number	Percent	Rank
United States	6,812,350	743,954	10.9	------	6,096,799	1,853,249	30.4	------	2,572,960	42.2	------	1,829,006	245.8	------
Alabama	273,455	11,053	4.0	33	231,746	33,907	14.6	41	60,500	26.1	37	49,447	447.4	15
Arizona	18,824	5,577	29.6	12	18,468	5,607	30.4	24	8,100	43.9	25	2,523	45.2	46
Arkansas	253,013	2,943	1.2	47	216,674	21,303	9.8	45	37,900	17.5	44	34,957	1,187.8	3
California	150,360	81,093	53.9	1	132,658	107,904	81.3	4	118,600	89.4	3	37,507	46.3	45
Colorado	63,644	7,145	11.2	25	51,436	14,823	28.8	25	24,200	47.0	24	17,055	238.7	27
Connecticut	32,157	10,138	31.5	10	21,163	16,995	80.3	5	18,800	88.9	4	8,662	85.4	40
Delaware	10,381	1,791	17.3	20	8,994	3,545	39.4	21	5,100	56.7	20	3,309	184.8	31
Florida	72,857	5,760	7.8	26	62,248	15,476	24.9	28	20,500	32.9	33	14,800	259.6	26
Georgia	250,544	6,956	2.8	41	216,033	42,469	19.6	33	72,100	33.4	30	65,144	936.5	5
Idaho	45,113	13,433	29.8	11	43,063	25,439	58.3	13	33,200	76.0	13	19,767	147.2	35
Illinois	231,312	28,379	12.3	23	213,439	80,027	37.5	22	115,500	54.1	22	87,121	307.0	17
Indiana	200,835	23,476	11.7	24	184,549	91,127	49.4	17	129,500	70.2	14	106,024	451.6	14
Iowa	221,986	32,047	14.4	22	213,318	73,308	34.4	23	116,200	54.5	21	84,153	262.6	23
Kansas	174,589	13,224	7.6	28	156,327	27,960	17.9	37	41,200	26.4	36	27,976	211.6	28
Kentucky	278,298	8,480	3.0	39	252,804	38,607	15.3	40	61,500	24.3	41	53,020	625.2	10
Louisiana	170,216	2,826	1.7	46	150,007	16,078	10.7	44	26,200	17.5	44	23,374	827.1	8
Maine	41,907	13,959	33.3	8	38,980	20,221	51.9	15	23,500	60.3	19	9,541	68.4	41
Maryland	44,501	6,791	15.3	21	42,175	17,170	40.7	20	25,600	60.7	18	18,809	277.0	20
Massachusetts	35,094	14,494	41.3	7	31,897	26,220	82.2	2	27,300	85.6	5	12,806	88.4	38
Michigan	196,517	42,152	21.4	17	187,589	131,126	69.9	7	153,700	81.9	7	111,548	264.6	22
Minnesota	203,302	13,783	6.8	30	197,351	50,075	25.4	26	84,500	42.8	26	70,717	513.1	12
Mississippi	311,683	2,802	.9	48	291,092	26,078	9.0	46	47,800	16.4	46	44,998	1,605.9	1
Missouri	278,454	17,893	6.4	31	256,100	39,204	15.3	39	64,700	25.3	39	46,807	261.6	24
Montana	50,564	2,768	5.5	32	41,823	7,947	19.0	34	10,800	25.8	38	8,032	290.2	18
Nebraska	133,616	9,544	7.1	29	121,062	22,832	18.9	35	34,400	28.4	35	24,856	260.4	25
Nevada	3,696	946	25.6	15	3,573	1,555	43.5	19	1,760	49.3	23	814	86.0	39
New Hampshire	17,695	9,495	53.7	2	16,554	10,845	65.5	10	13,700	82.8	6	4,205	44.3	47
New Jersey	29,375	15,162	51.6	4	25,835	21,298	82.4	1	23,400	90.6	2	8,238	54.3	43
New Mexico	41,369	1,350	3.3	37	34,105	4,479	13.1	42	6,900	20.2	42	5,550	411.1	16
New York	177,025	57,825	32.7	9	153,238	102,283	66.7	9	118,200	77.1	11	60,375	104.4	36
North Carolina	300,967	9,672	3.2	38	278,276	67,627	24.3	29	98,500	35.4	28	88,828	918.4	6
North Dakota	84,606	1,968	2.3	43	73,962	3,218	4.4	48	5,800	7.8	48	3,832	194.7	29
Ohio	255,146	48,048	18.8	19	233,783	137,680	58.9	11	180,000	77.4	10	132,852	276.5	21
Oklahoma	213,325	5,648	2.6	42	179,687	20,149	11.2	43	33,800	18.8	43	28,152	498.4	13
Oregon	64,826	17,839	27.5	14	61,829	36,369	58.8	12	47,700	77.1	11	29,861	167.4	32
Pennsylvania	191,284	45,182	23.6	16	169,027	94,081	55.7	14	112,800	66.7	15	67,618	149.7	34
Rhode Island	4,327	1,975	45.6	6	3,014	2,457	81.5	3	2,900	96.2	1	925	46.8	44
South Carolina	165,504	3,796	2.3	44	137,558	27,568	20.0	32	52,300	38.0	27	48,504	1,277.8	2
South Dakota	83,303	2,939	3.5	36	72,454	3,981	5.5	47	7,800	10.8	47	4,861	165.4	33
Tennessee	273,783	9,727	3.6	34	247,617	38,884	15.7	38	61,700	24.9	40	51,973	534.3	11
Texas	501,017	11,466	2.3	45	418,002	79,127	18.9	36	130,200	31.1	34	118,734	1,035.5	4
Utah	30,095	16,130	52.5	3	25,411	17,411	68.5	8	19,700	77.5	9	3,570	22.1	48
Vermont	27,061	7,945	29.4	13	23,582	12,213	51.8	16	15,400	65.3	16	7,455	93.8	37
Virginia	197,632	14,954	7.6	27	174,885	42,144	24.1	30	58,000	33.2	32	43,046	287.9	19
Washington	84,381	40,060	47.5	5	81,086	58,283	71.4	6	66,700	81.7	8	26,640	66.5	42
West Virginia	104,747	3,647	3.5	35	99,282	25,199	25.4	27	33,100	33.3	31	29,453	807.6	9
Wisconsin	199,877	39,206	19.6	18	186,735	87,556	46.9	18	115,000	61.6	17	75,794	193.3	30
Wyoming	17,487	527	3.0	40	15,018	3,474	23.1	31	5,300	35.3	29	4,773	905.7	7

[1] U. S. Census Bureau. [2] Edison Electric Institute. [3] Rural Electrification Administration survey, 1944.

Somebody asked: "How far are you going with this rural electrification?" I said: "We will not quit until we have gone with the power line just as far as the tax gatherer goes; we are going to go to every home that can be reached by the draft. We are going to electrify every farm home in America."

Mr. OUTLAND. I wish to compliment the gentleman on his very comprehensive and instructive statement. Perhaps I am anticipating, but is the gentleman going to comment upon the implications of the Central Valley Authority in California?

Mr. RANKIN. I have already discussed it. I know nothing that would be worth more to the people of central and northern California, including the Sacramento and the San Francisco areas—I know of nothing that would be worth more to them than the development of an authority in the Central Valley and the installation of steam plants to firm that power up to maintain an equal flow at the top level the year around.

Mr. OUTLAND. Did the gentleman also discuss the reasons for the opposition to the development out there?

Mr. RANKIN. I think that is apparent; yes. I have gone up against that opposition ever since John Raker was in the House. I believe I was here when the first Raker bill was passed. We tried to get that Hetch-Hetchy power delivered directly to the people of San Francisco. This is not a new proposition. I have been in this fight a long time—even in California.

These fellows jump on me, they even send people down in my district to agitate the people against me by saying that JOHN RANKIN is in favor of developing water power in California or on the St. Lawrence.

There are twelve or thirteen billion kilowatt-hours of electricity going to waste in the St. Lawrence every year.

As for the overcharges, last year, according to the Ontario rates, the rates charged right across the river, the overcharge in New York State alone amounted to $225,424,434.

One good live yardstick such as the St. Lawrence would provide would break those rates down by probably $200,000,000 a year in the State of New York alone.

You know, the poorest people on earth are the poor in a great city. They seem to be more hopeless and more helpless than anybody else, and you have many of them in that area. The best thing you could do for them would be to give them cheap electricity, in order to enable them to enjoy some of the comforts and conveniences of the modern home.

In Maine the overcharges were $10,000,000, according to the Ontario rates; in Massachusetts they were $67,000,000; in New Hampshire, $7,000,000; in Vermont, $4,581,000; in Connecticut, $30,460,000; and in Rhode Island, $11,623,000. Add that up and it runs up to around $350,000,000 a year of overcharges in that area, not including Pennsylvania and New Jersey.

As I said, there are 230,000,000,000 kilwatt-hours of hydroelectric power a year going to waste in our navigable streams and their tributaries. That is equal to 115,000,000 tons of the finest bituminous coal. Suppose that coal would float and it were floating down our rivers at the rate of 115,000,000 tons a year. Why, you could not get to the bank of one of those rivers for people there trying to recover it. Yet this power is flowing to waste, and the Members of the House and the Members of the other body are leaning back on any development at all. Suppose it were wheat. That 230,000,000,000 kilowatt-hours of electricity is equal in value to the entire wheat crop of the United States running to waste down our streams. Suppose the 900,000,000 bushels of wheat was floating down these streams every year, going to waste, and that you could recover it without injury to it. Why, you could not get to the bank of the average stream for the people there gathering it in. That merely illustrates the power end of the question. That merely shows the value of the electric power that is going to waste.

We hear men from the coal districts saying it is going to lower the price of coal; that it will interfere with our coal mines. At the rate we are going, 100 years from now we are not going to have any coal. It will be exhausted, or virtually so. In 100 years or so from now, all our gas and oil fields will probably be exhausted. Yet we find these very fellows opposing the saving of power that is going to waste that can be used now by building these dams and the devolpment of these authorities.

Last year we sold in this country 196,000,000,000 kilowatt-hours of electricity. I want to show you to whom we sold it, and I am going to insert these tables in the RECORD for you to read.

DOMESTIC CONSUMERS

On the domestic side the 27,365,000 residential consumers of this country used 30,752,839,000 kilowatt-hours, for which they paid $1,091,000,000. Under the Tennessee Valley rates it would have cost them $614,524,000, or $476,393,000 less, and it would have cost less under the Tacoma, Wash., rates, the Bonneville rates, and the Ontario rates, as the following table, broken down by States, will show. If you want to see how much the residential consumers of your own State were overcharged for their electricity last year, just look at the following table:

TABLE 1.—*Residential electric service, 1944*

State	Estimated sales data for 1944			Estimated revenues and consumer savings under rates in effect in—							
	Number of customers	Total kilowatt-hours	Total revenues	Tennessee Valley Authority		Tacoma, Wash.		Bonneville Administration		Ontario, Canada	
				Revenues	Savings	Revenues	Savings	Revenues	Savings	Revenues	Savings
Alabama	294,513	427,315,000	$10,837,563	$7,337,030	$3,500,533	$6,621,751	$4,215,812	$7,575,457	$3,262,106	$5,722,233	$5,115,330
Arizona	100,640	145,577,000	5,079,024	2,250,008	2,829,016	2,031,610	3,047,414	2,321,114	2,757,910	1,737,342	3,321,682
Arkansas	168,024	172,855,000	7,258,861	3,469,736	3,789,125	3,135,828	4,123,033	3,585,877	3,672,984	2,707,555	4,551,306
California	1,913,779	2,089,580,000	65,635,756	43,647,778	21,987,978	39,447,089	26,188,667	45,091,764	20,543,992	34,064,957	31,570,799
Colorado	224,591	224,607,000	8,959,072	4,891,653	4,067,419	4,416,822	4,542,250	5,043,958	3,915,114	3,816,565	5,142,507
Connecticut	484,519	556,439,000	21,238,208	11,277,488	9,960,720	10,173,102	11,065,106	11,638,538	9,599,670	8,792,618	12,445,590
Delaware	62,773	70,001,000	3,028,202	1,453,537	1,574,665	1,311,211	1,716,991	1,498,960	1,529,242	1,135,576	1,892,626
District of Columbia	69,872	233,330,000	5,649,890	4,683,759	966,131	4,231,768	1,418,122	4,892,805	757,085	3,655,479	1,994,411
Florida	380,556	561,966,000	21,026,879	9,251,827	11,775,052	8,368,698	12,658,181	9,567,230	11,459,649	7,233,246	13,793,633
Georgia	396,832	575,684,000	16,748,691	10,132,595	6,615,496	9,161,206	7,586,885	10,467,557	6,280,534	7,921,847	8,820,244
Idaho	111,515	246,598,000	5,779,067	3,340,301	2,438,766	3,016,673	2,762,394	3,450,103	2,328,964	2,606,359	3,172,708
Illinois	1,897,282	2,025,512,000	75,566,228	43,223,882	32,342,346	39,067,740	36,498,488	44,584,075	30,982,153	33,702,538	41,863,690
Indiana	788,437	874,602,000	34,010,978	18,842,082	15,168,896	17,005,489	17,005,489	19,420,268	14,590,710	14,692,742	19,318,236
Iowa	485,237	462,621,000	19,017,632	9,965,239	9,052,393	8,995,340	10,022,292	10,288,539	8,729,093	7,778,211	11,239,421
Kansas	347,708	352,071,000	14,117,079	7,340,881	6,776,198	6,635,027	7,482,052	7,580,871	6,536,208	5,731,534	8,385,545
Kentucky	365,675	368,488,000	12,957,879	7,787,685	5,170,194	7,036,128	5,921,751	8,033,885	4,923,994	6,077,245	6,880,634
Louisiana	304,908	304,226,000	12,777,303	6,184,215	6,593,088	5,596,459	7,180,844	6,388,652	6,388,651	4,829,821	7,947,482
Maine	199,869	189,746,000	8,091,156	3,721,932	4,369,224	3,357,830	4,733,326	3,840,299	4,247,857	2,904,725	5,186,431
Maryland	484,668	400,720,000	14,600,610	8,541,357	6,059,253	7,709,122	6,891,488	8,818,768	5,781,842	6,672,479	7,928,131
Massachusetts	1,167,130	977,596,000	45,676,033	21,970,172	23,705,861	19,869,074	25,806,959	22,700,988	22,975,045	17,174,188	28,501,845
Michigan	1,384,291	1,881,292,000	56,810,779	35,961,223	20,849,556	32,438,955	24,371,824	37,097,439	19,713,340	28,064,525	28,746,254
Minnesota	563,359	656,896,000	22,847,402	13,320,035	9,527,367	12,017,733	10,829,669	13,754,136	9,093,266	10,395,568	12,451,834
Mississippi	156,742	177,016,000	5,542,631	3,081,703	2,460,928	2,782,401	2,760,230	3,175,928	2,366,703	2,405,502	3,137,129
Missouri	724,411	788,512,000	26,958,497	15,662,887	11,295,610	14,126,252	12,832,245	16,148,140	10,810,357	12,212,199	14,746,298
Montana	99,937	122,453,000	4,256,662	2,162,384	2,094,278	1,953,808	2,302,854	2,234,748	2,021,914	1,689,895	2,566,767
Nebraska	236,067	246,352,000	9,822,009	5,343,222	4,478,877	4,822,651	4,999,448	5,510,198	4,311,901	4,174,392	5,647,707
Nevada	26,541	41,348,000	1,497,406	693,299	804,107	625,916	871,490	715,760	781,646	540,564	956,842
New Hampshire	133,327	120,306,000	5,649,200	2,479,999	3,169,201	2,242,732	3,406,468	2,559,088	3,090,112	1,937,676	3,711,524
New Jersey	1,156,352	1,010,538,000	47,707,910	22,899,797	24,808,113	20,657,525	27,050,385	23,615,415	24,092,495	17,890,466	29,817,444
New Mexico	61,059	56,792,000	2,628,830	1,080,449	1,548,381	975,296	1,653,534	1,114,624	1,514,206	843,854	1,784,976
New York	3,544,544	3,111,409,000	136,961,050	68,891,408	68,069,642	62,317,278	74,643,772	71,082,785	65,878,265	53,825,693	83,135,357
North Carolina	425,958	553,193,000	17,619,496	10,272,166	7,347,330	9,267,855	8,351,641	10,606,937	7,012,559	8,016,871	9,602,625
North Dakota	75,808	83,961,000	3,549,028	1,707,082	1,841,946	1,543,827	2,005,201	1,763,867	1,785,161	1,334,435	2,214,593
Ohio	1,735,025	2,100,660,000	69,348,283	44,382,901	24,965,382	40,152,656	29,195,627	45,839,215	23,509,068	34,674,142	34,674,141
Oklahoma	314,025	298,942,000	13,151,379	6,246,905	6,904,474	5,641,942	7,509,437	6,457,327	6,694,052	4,879,162	8,272,217
Oregon	287,522	656,539,000	12,462,847	8,861,084	3,601,763	8,001,148	4,461,699	9,147,730	3,315,117	6,916,880	5,545,967
Pennsylvania	2,214,521	2,316,303,000	87,062,754	48,581,017	38,481,737	43,879,628	43,183,126	50,148,146	36,914,608	37,872,298	49,190,456
Rhode Island	191,120	146,517,000	7,373,879	3,384,610	3,989,269	3,052,786	4,321,093	3,487,845	3,886,034	2,639,849	4,734,030
South Carolina	206,322	266,352,000	8,027,514	4,880,729	3,146,785	4,407,105	3,620,409	5,033,251	2,994,263	3,813,069	4,214,445
South Dakota	78,319	78,867,000	3,402,673	1,609,464	1,793,209	1,452,941	1,949,732	1,660,504	1,742,169	1,255,586	2,147,087
Tennessee	395,115	671,356,000	13,465,803	10,866,903	2,598,900	9,816,570	3,649,233	11,217,014	2,248,789	8,483,456	4,982,347
Texas	953,764	941,176,000	38,283,594	19,639,484	18,644,110	17,763,588	20,520,006	20,290,305	17,993,289	15,351,721	22,931,873
Utah	145,674	191,579,000	5,641,469	3,215,637	2,425,832	2,905,357	2,736,112	3,317,184	2,324,285	2,510,454	3,131,015
Vermont	76,187	89,511,000	3,958,755	1,777,481	2,181,274	1,607,255	2,351,500	1,836,862	2,121,893	1,389,523	2,569,232
Virginia	428,815	536,777,000	19,647,879	10,649,150	8,998,729	9,627,461	10,020,418	10,983,164	8,664,715	8,311,053	11,336,826
Washington	514,170	1,256,959,000	21,298,250	16,420,951	4,877,299	14,844,880	6,453,370	16,953,407	4,344,843	12,821,547	8,476,703
West Virginia	279,114	253,523,000	10,035,987	5,499,721	4,536,266	4,967,814	5,068,173	5,670,333	4,365,654	4,295,402	5,740,585
Wisconsin	664,622	797,071,000	25,998,617	14,767,214	11,231,403	13,337,291	12,661,326	15,235,190	10,763,427	11,517,387	14,481,230
Wyoming	43,761	41,105,000	1,851,648	872,126	979,522	788,802	1,062,846	925,824	925,824	681,406	1,170,242
United States	27,365,000	30,752,839,000	1,090,917,832	614,524,188	476,393,644	555,207,420	535,710,412	634,375,074	456,542,758	479,721,835	611,195,997

COMMERCIAL CONSUMERS

There were 4,250,000 commercial consumers of electricity in this country last year. They used 30,740,000,000 kilowatt-hours for which they paid $815,546,000. Under the T. V. A. rates it would have cost $396,876,000, or $418,669,000 less. Under the Tacoma rates $335,207,000 less; Bonneville rates, $479,721,000 less; Ontario rates $611,195,000 less. These are the merchants, the men who operate stores, warehouses, filling stations, hotels, restaurants, and other small establishments who have to keep their books balanced. They are bearing this overcharge of $418,669,000 a year, or more than 100 percent, as the following table will show:

TABLE 2.—*Commercial electric service, 1944*

State	Estimated sales data for 1944			Estimated revenues and consumer savings under rates in effect in—							
				Tennessee Valley Authority		Tacoma, Wash.		Bonneville Administration		Ontario, Canada	
	Number of customers	Total kilowatt-hours	Total revenues	Revenues	Savings	Revenues	Savings	Revenues	Savings	Revenues	Savings
Alabama	38,796	227,724,000	$5,902,124	$3,399,623	$2,502,501	$2,779,900	$3,122,224	$3,671,121	$2,231,003	$3,210,755	$2,691,369
Arizona	15,691	266,992,000	4,814,128	2,137,473	2,676,655	1,742,714	3,071,414	2,305,967	2,508,161	2,017,120	2,797,008
Arkansas	35,648	176,670,000	6,310,493	2,675,649	3,634,844	2,183,431	4,127,062	2,883,895	3,426,598	2,013,047	4,297,446
California	159,998	4,169,433,000	66,840,307	42,309,914	24,530,393	34,556,439	32,283,868	45,651,930	21,188,377	39,903,663	26,936,644
Colorado	38,361	267,056,000	7,394,929	3,549,566	3,845,363	2,891,417	4,503,512	3,823,178	3,571,751	3,342,508	4,052,421
Connecticut	62,331	445,311,000	13,915,894	5,816,844	8,099,050	4,745,320	9,170,574	6,276,068	7,639,826	5,482,862	8,433,032
Delaware	9,084	53,343,000	1,568,731	707,498	861,233	577,293	991,438	762,403	806,328	666,711	902,020
District of Columbia	11,178	252,230,000	4,863,255	3,832,245	1,031,010	3,131,936	1,731,319	4,075,408	787,847	3,623,125	1,240,130
Florida	71,549	592,211,000	17,779,828	6,685,215	11,094,613	5,440,627	12,339,201	7,200,830	10,578,998	6,294,059	11,485,769
Georgia	64,416	516,162,000	14,165,195	6,827,624	7,337,571	5,566,922	8,598,273	7,365,901	6,799,294	6,445,164	7,720,031
Idaho	20,562	140,536,000	3,348,753	1,660,981	1,687,772	1,349,547	1,999,206	1,784,885	1,563,868	1,560,519	1,788,234
Illinois	251,574	1,481,422,000	49,913,834	23,858,813	26,055,021	19,516,309	30,397,525	25,805,452	24,108,382	22,561,053	27,352,781
Indiana	108,606	710,082,000	19,605,725	9,998,920	9,606,805	8,155,982	11,449,743	10,783,149	8,822,576	9,430,354	10,175,371
Iowa	96,249	558,219,000	17,421,715	8,954,762	8,466,953	7,317,120	10,104,595	9,669,052	7,752,663	8,432,110	8,989,605
Kansas	59,097	508,011,000	11,479,477	5,774,177	5,705,300	4,706,586	6,772,891	6,221,877	5,257,600	5,452,752	6,026,725
Kentucky	48,604	224,213,000	6,981,478	3,686,220	3,295,258	3,009,017	3,972,461	3,972,461	3,009,017	3,476,776	3,504,702
Louisiana	49,868	372,163,000	11,340,881	4,547,693	6,793,188	3,697,127	7,643,754	4,899,261	6,441,620	4,286,853	7,054,028
Maine	30,350	119,601,000	3,745,217	1,726,545	2,018,672	1,404,456	2,340,761	1,853,882	1,891,335	1,621,679	2,123,538
Maryland	77,538	433,178,000	12,567,765	6,899,703	5,668,062	5,642,926	6,924,839	7,452,685	5,115,080	6,522,670	6,045,095
Massachusetts	169,483	739,581,000	27,610,686	10,740,557	16,870,129	8,752,587	18,858,099	11,568,877	16,041,809	10,133,122	17,477,564
Michigan	169,142	1,436,032,000	39,103,316	19,942,691	19,160,625	16,266,970	22,836,337	21,506,824	17,596,492	16,892,633	22,210,683
Minnesota	102,856	535,437,000	18,629,524	8,662,729	9,966,795	7,060,590	11,568,934	9,333,392	9,296,132	8,159,732	10,469,792
Mississippi	30,618	181,325,000	5,458,375	2,330,726	3,127,649	1,899,515	3,558,860	2,510,853	2,947,522	2,194,267	3,264,108
Missouri	125,706	715,883,000	20,490,449	10,634,543	9,855,906	8,687,950	11,802,499	11,474,651	9,015,798	10,040,320	10,450,129
Montana	21,607	105,492,000	3,141,113	1,492,029	1,649,084	1,212,470	1,928,643	1,601,968	1,539,145	1,400,936	1,740,177
Nebraska	41,826	250,966,000	6,932,168	3,639,388	3,292,780	2,966,968	3,965,200	3,923,607	3,008,561	3,431,423	3,500,745
Nevada	5,112	92,091,000	1,540,108	686,888	853,220	560,599	979,509	740,792	799,316	648,385	891,723
New Hampshire	17,642	61,619,000	2,344,160	1,036,119	1,308,041	846,242	1,497,918	1,118,164	1,225,996	977,515	1,366,645
New Jersey	187,591	839,706,000	33,784,899	12,669,333	21,115,556	10,338,176	23,446,713	13,682,880	20,102,009	11,959,851	21,825,038
New Mexico	12,501	111,588,000	3,798,298	1,431,958	2,366,340	1,166,077	2,632,221	1,545,907	2,252,391	1,352,194	2,446,104
New York	596,872	4,070,525,000	135,823,432	54,057,726	81,765,706	44,142,615	91,680,817	58,268,252	77,555,180	51,069,610	84,753,822
North Carolina	71,899	513,242,000	12,916,108	7,181,356	5,734,752	5,850,997	7,065,111	7,736,749	5,179,359	6,768,041	6,148,067
North Dakota	22,050	81,421,000	3,313,827	1,381,866	1,931,961	1,123,387	2,190,440	1,487,908	1,825,919	1,299,020	2,014,807
Ohio	212,709	1,319,089,000	38,234,094	21,105,220	17,128,874	17,243,576	20,990,518	22,787,520	15,446,574	19,958,197	18,275,897
Oklahoma	54,827	248,710,000	8,519,626	3,833,832	4,685,794	3,118,183	5,401,443	4,123,499	4,396,127	3,603,802	4,915,824
Oregon	43,104	456,712,000	7,586,908	4,491,450	3,095,458	3,664,477	3,922,431	4,848,034	2,738,874	4,233,495	3,353,413
Pennsylvania	309,913	1,546,014,000	45,754,197	22,877,099	22,877,098	18,713,467	27,040,730	24,661,512	21,092,685	21,595,981	24,158,216
Rhode Island	24,572	93,303,000	4,055,442	1,650,565	2,404,877	1,342,351	2,713,091	1,772,228	2,283,214	1,549,179	2,506,263
South Carolina	34,618	247,116,000	5,884,631	3,160,047	2,724,584	2,577,468	3,307,163	3,407,201	2,477,430	2,977,623	2,907,008
South Dakota	21,713	84,527,000	3,184,852	1,350,377	1,834,475	1,101,959	2,082,893	1,458,662	1,726,190	1,273,941	1,910,911
Tennessee	55,751	368,979,000	7,231,368	5,387,369	1,843,999	4,396,672	2,834,696	5,806,789	1,424,579	5,083,652	2,147,716
Texas	159,258	1,422,486,000	33,045,635	16,093,224	16,952,411	13,119,117	19,926,518	17,348,958	15,696,677	15,167,946	17,877,689
Utah	17,498	1,043,633,000	10,515,466	4,826,599	5,688,867	3,932,784	6,582,682	5,184,125	5,331,341	4,542,681	5,972,785
Vermont	11,596	52,164,000	1,682,408	750,354	932,054	610,714	1,071,694	807,556	874,852	706,611	975,797
Virginia	64,374	619,917,000	14,260,312	6,688,086	7,572,226	5,461,699	8,798,613	7,215,718	7,044,594	6,317,318	7,942,994
Washington	63,719	1,019,912,000	14,243,857	9,842,505	4,401,352	8,033,535	6,210,322	10,640,161	3,603,696	9,286,595	4,956,862
West Virginia	37,502	160,962,000	5,467,536	2,772,041	2,695,495	2,263,560	3,203,976	2,996,210	2,471,326	2,618,950	2,848,586
Wisconsin	106,745	755,638,000	19,330,744	10,361,279	8,969,465	7,466,866	10,863,878	11,192,501	8,138,243	9,781,356	9,549,388
Wyoming	7,296	51,611,000	1,703,502	749,541	953,961	609,854	1,093,648	807,460	896,042	705,250	998,252
United States	4,250,000	30,740,238,000	815,546,760	396,876,962	418,669,798	323,946,503	491,600,257	428,018,363	387,528,397	372,073,806	443,472,954

We have 1,418,900 industrial consumers. Last year they used 134,932,159,000 kilowatt-hours, for which they paid $1,347,689,000, or an overcharge of $440,089,000 according to the T. V. A. rates; $742,240,000 according to the Tacoma rates; $461,525,000 according to the Bonneville rates; and $504,441,000 according to the Ontario rates. Examine the following table and you will see what these overcharges amounted to in your own State:

TABLE 3.—*Industrial and other electric service, 1944*

State	Estimated sales data for 1944			Estimated revenues and consumer savings under rates in effect in—							
				Tennessee Valley Authority		Tacoma, Wash.		Bonneville Administration		Ontario, Canada	
	Number of customers	Total kilowatt-hours	Total revenues	Revenues	Savings	Revenues	Savings	Revenues	Savings	Revenues	Savings
Alabama	41,898	4,660,402,000	$29,625,984	$21,804,724	$7,821,260	$14,546,358	$15,079,626	$21,301,082	$8,324,902	$20,264,173	$9,361,811
Arizona	1,855	556,392,000	5,015,945	2,528,036	2,487,909	1,685,358	3,330,587	2,467,845	2,548,100	2,347,462	2,668,483
Arkansas	23,492	971,883,000	10,584,301	6,922,133	3,662,168	4,614,755	5,969,546	6,763,368	3,820,933	6,435,255	4,149,046
California	325,296	9,936,512,000	113,800,568	106,403,531	7,397,037	71,011,554	42,789,014	103,899,919	9,900,649	98,892,694	14,907,874
Colorado	20,491	448,417,000	7,142,347	4,299,693	2,842,654	2,864,081	4,278,266	4,192,558	2,949,789	3,992,572	3,149,775
Connecticut	8,208	1,663,189,000	23,144,574	14,604,226	8,540,348	9,743,866	13,400,708	14,257,658	8,887,516	13,562,720	9,581,854
Delaware	1,710	302,791,000	3,462,725	2,295,787	1,166,938	1,530,524	1,932,201	2,240,383	1,222,342	2,133,039	1,329,686
District of Columbia	768	1,172,625,000	9,163,080	6,560,765	2,602,315	4,379,952	4,783,128	6,404,993	2,758,087	6,093,448	3,069,632
Florida	4,235	668,538,000	10,709,740	5,836,808	4,872,932	3,887,636	6,822,104	5,697,582	5,012,158	5,419,128	5,290,612
Georgia	1,358	1,942,368,000	17,100,390	12,226,779	4,873,611	8,156,886	8,943,504	11,936,072	5,164,318	11,354,659	5,745,731
Idaho	5,430	583,439,000	3,805,956	2,896,333	909,623	1,933,426	1,872,530	2,827,825	978,131	2,690,811	1,115,145
Illinois	89,571	9,209,340,000	104,089,515	59,851,471	44,238,044	39,970,374	64,119,141	58,498,307	45,591,208	55,583,801	48,505,714
Indiana	82,943	4,061,010,000	47,387,906	29,854,381	17,533,525	19,902,921	27,484,985	29,143,562	18,244,344	27,721,925	19,665,981
Iowa	44,271	1,128,582,000	13,780,312	8,846,960	4,933,352	5,897,974	7,882,338	8,640,256	5,140,056	8,226,846	5,553,466
Kansas	28,385	753,074,000	10,219,267	6,836,690	3,382,577	4,557,793	5,661,474	6,673,181	3,546,086	6,346,165	3,873,102
Kentucky	19,595	1,788,484,000	18,759,230	12,362,333	6,396,897	8,235,302	10,523,928	12,062,185	6,697,045	11,480,649	7,278,781
Louisiana	4,666	1,941,693,000	15,595,686	10,183,983	5,411,703	6,799,719	8,795,967	9,950,048	5,645,638	9,466,581	6,129,105
Maine	7,378	716,777,000	7,502,797	4,959,349	2,543,448	3,308,733	4,194,064	4,839,204	2,663,593	4,606,717	2,896,080
Maryland	30,128	2,013,857,000	23,679,499	14,326,097	9,353,402	9,542,838	14,136,661	13,970,504	9,708,995	13,307,878	10,371,621
Massachusetts	7,778	3,100,941,000	48,776,437	28,973,204	19,803,233	19,315,469	29,460,968	28,290,333	20,486,104	26,924,593	21,851,844
Michigan	20,633	5,714,322,000	63,756,448	35,193,551	28,562,889	23,462,373	40,294,075	34,364,725	29,391,723	32,707,058	31,049,390
Minnesota	22,838	1,220,748,000	17,502,292	10,956,435	6,545,857	7,315,958	10,186,334	10,693,900	6,808,392	10,168,832	7,333,460
Mississippi	14,765	506,923,000	6,321,400	4,014,089	2,307,311	2,673,952	3,647,448	3,919,268	2,402,132	3,723,305	2,598,095

TABLE 3.—*Industrial and other electric service, 1944*—Continued

State	Estimated sales data for 1944			Estimated revenues and consumer savings under rates in effect in—							
	Number of customers	Total kilowatt-hours	Total revenues	Tennessee Valley Authority		Tacoma, Wash.		Bonneville Administration		Ontario, Canada	
				Revenues	Savings	Revenues	Savings	Revenues	Savings	Revenues	Savings
Missouri	30,508	2,593,243,000	$32,850,107	$23,027,925	$9,822,182	$15,341,000	$17,509,107	$22,469,473	$10,380,634	$21,385,420	$11,464,687
Montana	2,246	1,624,923,000	8,825,514	7,404,006	1,420,908	4,933,462	3,892,052	7,228,096	1,597,418	6,875,075	1,950,439
Nebraska	11,920	428,036,000	5,636,469	3,849,708	1,786,761	2,570,230	3,066,239	3,759,525	1,876,944	3,573,521	2,062,948
Nevada	124	35,336,000	487,597	399,288	88,309	266,592	221,505	389,830	98,067	371,290	116,607
New Hampshire	2,928	234,196,000	5,271,626	3,579,434	1,692,192	2,388,047	2,883,579	3,495,088	1,776,538	3,326,396	1,945,230
New Jersey	4,826	4,386,901,000	49,604,620	20,217,121	20,387,499	19,494,616	30,110,004	28,522,657	21,081,963	27,193,727	22,470,893
New Mexico	2,360	45,571,000	828,987	396,256	432,731	264,447	564,540	387,137	441,850	368,070	460,917
New York	22,451	14,394,021,000	125,414,500	72,991,239	52,423,261	48,660,826	76,753,674	71,235,436	54,179,064	67,849,245	57,565,255
North Carolina	26,241	2,498,049,000	24,787,222	18,937,438	5,849,784	12,641,483	12,145,739	18,491,268	6,295,954	17,598,928	7,188,294
North Dakota	1,162	34,340,000	781,758	427,622	354,136	285,342	496,416	417,459	364,299	397,133	384,625
Ohio	99,667	11,513,353,000	113,997,732	72,958,548	41,039,184	48,677,032	65,320,700	71,248,582	42,749,150	67,828,651	46,169,081
Oklahoma	23,397	1,162,763,000	13,422,445	8,952,771	4,469,674	5,972,988	7,449,457	8,751,434	4,671,011	8,321,916	5,100,529
Oregon	13,424	2,154,986,000	10,931,217	9,706,921	1,224,296	6,471,280	4,459,937	9,477,365	1,453,852	9,018,254	1,912,963
Pennsylvania	98,131	14,230,165,000	144,683,103	101,712,221	42,970,882	67,856,375	76,826,728	99,252,609	45,430,494	94,478,066	50,205,037
Rhode Island	1,527	640,165,000	10,193,582	6,248,666	3,944,916	4,169,175	6,024,407	6,105,956	4,087,626	5,810,342	4,383,240
South Carolina	12,635	1,202,764,000	11,293,159	8,639,267	2,653,892	5,759,511	5,533,648	8,435,990	2,857,169	8,029,436	3,263,723
South Dakota	2,118	88,690,000	1,830,661	970,250	860,411	648,054	1,182,607	946,452	884,209	900,685	929,976
Tennessee	15,005	4,751,471,000	23,567,237	21,045,543	2,521,694	14,046,073	9,521,164	20,550,631	3,016,606	19,560,807	4,006,430
Texas	81,102	3,534,211,000	41,755,146	27,516,641	14,238,505	18,372,264	23,382,882	26,890,314	14,864,832	25,554,149	16,200,997
Utah	543	35,584,000	693,628	495,250	198,378	330,167	363,461	483,459	210,169	459,875	233,753
Vermont	6,474	179,481,000	3,198,892	2,325,594	873,298	1,551,463	1,647,429	2,271,213	927,679	2,162,451	1,036,441
Virginia	13,870	1,533,918,000	16,822,196	11,809,182	5,013,014	7,889,610	8,932,586	11,540,026	5,282,170	10,968,072	5,854,124
Washington	28,290	6,435,530,000	26,425,871	22,065,002	4,360,269	14,719,210	11,706,661	21,537,085	4,888,786	20,506,476	5,919,395
West Virginia	25,498	2,940,688,000	27,970,933	18,796,467	9,174,466	12,530,978	15,439,955	18,348,932	9,622,001	17,453,862	10,517,071
Wisconsin	83,878	2,627,081,000	34,469,021	20,819,289	13,649,732	13,891,015	20,578,006	20,336,722	14,132,299	19,337,121	15,131,900
Wyoming	1,483	64,386,000	1,019,706	570,066	449,730	380,384	639,412	556,809	462,987	529,274	490,522
United States	1,418,000	134,932,159,000	1,347,689,718	907,600,581	440,089,137	605,449,226	742,240,492	886,164,206	461,525,512	843,248,553	504,441,165

Last year we had 33,033,900 consumers of all classes. They purchased and used 196,425,236,000 kilowatt-hours, for which they paid $3,254,000,000. Under the T. V. A. rates they would have cost them $1,919,000,000, or $1,335,000,000 less; under the Tacoma, Wash., rates they would have saved $1,769,000,000; under the Bonneville rates they would have saved $1,305,000,000; and under the Ontario rates they would have saved $1,559,000,000.

More than a billion dollars in overcharge are paid by the electric consumers of this country every year.

Here is the table showing those overcharges by States:

TABLE 4.—*Total electric sales, 1944*

State	Estimated sales data for 1944			Estimated revenues and consumer savings under rates in effect in—							
	Number of customers	Total kilowatt-hours	Total revenues	Tennessee Valley Authority		Tacoma, Wash.		Bonneville Administration		Ontario, Canada	
				Revenues	Savings	Revenues	Savings	Revenues	Savings	Revenues	Savings
Alabama	375,207	5,315,441,000	$46,365,671	$32,541,377	$13,824,294	$23,948,009	$22,417,662	$32,547,660	$13,818,011	$29,197,161	$17,168,510
Arizona	118,186	908,961,000	14,909,097	6,915,517	7,993,580	5,459,682	9,449,415	7,094,926	7,814,171	6,121,924	8,787,173
Arkansas	227,164	1,321,408,000	24,153,655	13,067,518	11,086,137	9,934,014	14,219,641	13,233,140	10,920,515	11,155,857	12,997,798
California	2,599,073	16,195,525,000	246,276,631	192,361,223	53,915,408	145,015,082	101,261,549	194,643,613	51,633,018	172,861,314	73,415,317
Colorado	283,443	940,080,000	23,496,348	12,740,912	10,755,436	10,172,320	13,324,028	13,059,694	10,436,654	11,151,645	12,344,703
Connecticut	555,058	2,664,939,000	58,298,676	31,698,558	26,600,118	24,662,288	33,636,388	32,171,664	26,127,012	27,838,200	30,460,476
Delaware	73,567	426,135,000	8,059,658	4,456,822	3,602,836	3,419,028	4,640,630	4,501,746	3,557,912	3,935,326	4,124,332
District of Columbia	81,818	1,658,185,000	19,676,225	15,076,769	4,599,456	11,743,656	7,932,569	15,373,206	4,303,019	13,372,052	6,304,173
Florida	456,340	1,822,715,000	49,516,447	21,773,850	27,742,597	17,696,961	31,819,486	22,465,642	27,050,805	18,946,433	30,570,014
Georgia	462,606	3,034,214,000	48,013,676	29,186,998	18,826,678	22,885,014	25,128,662	20,769,530	18,244,146	25,721,670	2,292,006
Idaho	137,507	970,573,000	12,933,776	7,897,615	5,036,161	6,299,646	6,634,130	8,062,813	4,870,963	6,857,689	6,076,087
Illinois	2,238,427	12,716,274,000	229,569,577	126,934,166	102,635,411	98,554,423	131,015,154	128,887,834	100,681,743	111,847,392	117,722,185
Indiana	979,986	5,645,694,000	101,004,609	58,695,383	42,309,226	45,064,392	55,940,217	59,346,979	41,657,630	51,845,021	49,159,588
Iowa	625,757	2,149,422,000	50,219,659	27,766,961	22,452,698	22,210,434	28,009,225	28,597,847	21,621,812	24,437,167	25,782,492
Kansas	435,190	1,613,156,000	35,815,823	19,951,748	15,864,075	15,899,406	19,916,417	20,475,929	15,339,894	17,530,451	18,285,372
Kentucky	433,874	2,381,185,000	38,698,587	23,836,238	14,862,349	18,280,447	20,418,140	24,068,531	14,630,056	21,034,670	17,663,917
Louisiana	359,442	2,618,082,000	39,713,870	20,915,891	18,797,979	16,093,305	23,620,565	21,237,961	18,475,909	18,583,255	21,130,615
Maine	237,597	1,026,124,000	19,339,170	10,407,826	8,931,344	8,071,019	11,268,151	10,536,485	8,802,685	9,133,121	10,206,049
Maryland	592,334	2,847,755,000	50,847,874	29,767,157	21,080,717	22,894,886	27,952,988	30,242,357	20,605,517	26,503,027	24,344,847
Massachusetts	1,344,391	4,818,118,000	122,063,156	61,083,933	60,379,223	47,937,130	74,126,026	62,560,198	59,502,958	54,231,903	67,831,253
Michigan	1,574,066	9,031,646,000	159,670,543	91,097,473	68,573,070	72,168,307	87,502,236	92,968,988	66,701,555	77,664,216	82,006,327
Minnesota	689,053	2,413,081,000	58,979,218	32,939,199	26,040,019	26,394,281	32,584,937	33,781,428	25,197,790	28,724,132	30,255,086
Mississippi	202,125	865,264,000	17,322,406	9,426,518	7,895,888	7,355,868	9,966,538	9,606,049	7,716,357	8,323,074	8,999,332
Missouri	880,625	4,097,638,000	80,299,053	49,325,355	30,973,698	38,155,202	42,143,851	50,092,264	30,206,789	43,637,939	36,661,114
Montana	123,790	1,852,868,000	16,223,289	11,059,019	5,164,270	8,099,740	8,123,549	11,064,812	5,158,477	9,965,906	6,257,383
Nebraska	289,813	925,354,000	22,390,736	12,832,318	9,558,418	10,359,849	12,030,887	13,193,330	9,197,406	11,179,336	11,211,400
Nevada	31,777	108,775,000	3,525,411	1,779,775	1,745,636	1,452,907	2,072,504	1,846,382	1,679,029	1,560,239	1,965,172
New Hampshire	153,897	516,121,000	13,264,986	7,055,552	6,169,434	5,477,021	7,787,965	7,172,340	6,092,646	6,241,587	7,023,399
New Jersey	1,348,769	6,237,145,000	131,097,419	64,786,251	66,311,168	50,490,317	80,607,102	65,820,952	65,276,467	56,984,044	74,113,375
New Mexico	75,920	213,951,000	7,256,115	2,908,663	4,347,452	2,405,820	4,850,295	3,047,668	4,208,447	2,564,118	4,691,997
New York	4,163,867	21,575,955,000	398,198,982	195,940,373	202,258,609	155,120,719	243,078,263	200,586,473	197,612,509	172,744,548	225,454,434
North Carolina	524,098	3,564,484,000	55,322,826	36,390,960	18,931,866	27,760,335	27,562,491	36,834,954	18,487,872	32,383,840	22,938,986
North Dakota	99,020	199,722,000	7,644,613	3,516,570	4,128,043	2,952,556	4,692,057	3,669,234	3,975,379	3,030,588	4,614,025
Ohio	2,046,801	14,933,102,000	221,580,109	138,446,669	83,133,440	106,073,264	115,506,845	139,875,317	81,704,792	122,460,990	99,119,119
Oklahoma	392,249	1,710,415,000	35,693,450	19,033,508	16,659,942	14,733,113	20,960,337	19,332,260	15,761,190	16,804,880	18,888,570
Oregon	344,050	3,268,237,000	30,980,972	23,059,455	7,921,517	18,136,905	12,844,067	23,473,129	7,507,843	20,168,629	10,812,343
Pennsylvania	2,622,565	18,092,482,000	277,500,054	173,170,337	104,329,717	130,449,470	147,050,584	174,062,267	103,437,787	153,946,345	123,553,709
Rhode Island	217,219	879,385,000	21,622,903	11,283,841	10,339,062	8,564,312	13,058,591	11,366,029	10,256,874	9,999,370	11,623,533
South Carolina	253,575	1,716,252,000	25,205,304	16,680,043	8,525,261	12,744,084	12,461,220	16,876,442	8,328,862	14,820,128	10,385,176
South Dakota	102,159	252,084,000	8,418,186	3,930,691	4,488,095	3,202,954	5,215,232	4,065,618	4,352,568	3,930,212	4,987,974
Tennessee	405,871	5,791,806,000	44,264,408	37,299,815	6,964,593	28,259,315	16,005,093	37,574,434	6,689,974	33,127,915	11,136,493
Texas	1,194,124	6,297,873,000	113,084,375	63,249,349	49,835,026	49,254,969	63,829,406	64,529,577	48,554,798	56,073,816	57,010,559
Utah	163,715	1,270,796,000	16,850,563	8,737,486	8,313,077	7,168,308	9,682,255	8,984,768	7,865,795	7,513,010	9,337,553
Vermont	94,257	321,156,000	8,840,055	4,853,429	3,986,626	3,769,432	5,070,623	4,915,631	3,924,424	4,258,585	4,581,470
Virginia	707,059	2,660,612,000	50,730,387	29,146,418	21,583,969	22,978,770	27,751,617	29,738,908	20,991,479	25,596,443	25,133,944
Washington	696,179	8,712,401,000	61,907,978	48,329,058	13,638,920	37,597,625	24,370,353	49,130,654	12,837,325	42,615,018	19,352,960
West Virginia	342,514	3,355,173,000	43,474,456	27,068,229	16,406,227	19,762,352	23,712,104	27,015,475	16,458,981	24,368,214	19,106,242
Wisconsin	855,245	4,179,790,000	79,798,382	45,547,782	33,850,600	35,695,172	44,103,210	46,764,413	33,033,969	40,635,864	39,162,518
Wyoming	52,540	157,102,000	4,574,946	2,191,733	2,383,213	1,779,040	2,795,906	2,290,693	2,284,853	1,915,930	2,659,016
United States	33,033,900	196,425,236,000	3,254,154,310	1,919,001,731	1,335,152,579	1,484,603,149	1,769,551,161	1,948,557,143	1,305,596,167	1,695,944,194	1,559,110,116

Mr. HAVENNER. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. HAVENNER. Earlier in the gentleman's interesting speech he referred to the fact that in excess of 90 percent of all the farms in the countries of central and southern Europe had electric services prior to the war, and I believe only about 10 percent of the farms of this country had electric service.

Mr. RANKIN. That is right.

Mr. HAVENNER. Can the gentleman tell me to what cause he attributes that great disparity in electric service as between Europe and the United States?

Mr. RANKIN. I do not know how they got such a start on us, but I do know why we were held back. We were held back by the same kind of propaganda I have referred to here.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. SCHWABE of Missouri. The gentleman mentioned the great State of Missouri and asserted, I believe, that the people of the Missouri Valley were perhaps foolish if they did not have a valley authority.

Mr. RANKIN. I did not say "foolish"; the gentleman misunderstood me if he thought I said "foolish."

Mr. SCHWABE of Missouri. I think it is true that the people of the Missouri Valley are just as anxious to have the benefits to be derived from the development of their waterways and natural resources as anybody can be. They are interested in flood control and cheap electricity just as are the people of any other section, and they are going to insist upon the development of these natural resources, irrespective of the name by which the system may be called. It is a question as to whether we are doing to follow what has been done in the Tennessee Valley and by the valley authorities.

We have certain existing legislation that provides for these things, for the control of power, and so forth. We have preached the benefits; but I should like for the gentleman to touch upon how we could benefit by setting up this valley authority over existing legislation.

Mr. RANKIN. I will say this: That they have not controlled the floods on the Missouri, and I fear they never will at the rate they are going.

Mr. SCHWABE of Missouri. But how could that be helped by setting up a valley authority over existing legislation?

Mr. RANKIN. Because they would place dams at the right places; and when they know there is a flood crest on its way, they can let the water out from behind those dams if necessary, close them at the right time, and keep the flood crest from synchronizing with the flood crest on the various tributaries, or the Ohio, or the upper Mississippi, and in that way they can protect the people of the Missouri Valley as well as the people along the lower Mississippi. You are not protecting the people in that area. I understand your floods are worse this year than they have ever been, or as bad.

Mr. SCHWABE of Missouri. I think the gentleman is mistaken. They were worse last year than they have been in 100 years. This year has not passed as yet.

Mr. RANKIN. The last 2 years your floods have been worse than they have ever been. We do not have flood damage on the Tennessee. That stream is completely controlled.

Mr. SCHWABE of Missouri. My people are more interested in flood control in central Missouri than in the development of power, although they appreciate cheaper electricity. Will the gentleman tell me what the chances would be of our deriving any more flood-control benefits by setting up a power authority?

Mr. RANKIN. Simply because you would have a coordinated system that would close the dams at the right times and places just as they do on the Tennessee. Suppose there is a wet spell throughout the whole country and the Tennessee Valley Authority knows there is a flood crest coming down the Mississippi River, the Missouri, or the Ohio. That flood crest will reach there at a given time. They let the water out from behind their dams, lowering them, in order that it may pass that point before that flood crest arrives. They then close the dams and hold back the water until the flood crest passes. It is the only way you are going to control the floods on the stream. They have not done it on the Mississippi. I repeat what I have said before, you have spent all this money on the Mississippi River, but today they are suffering the same disasters they suffered 20 years ago, probably not to quite as great an extent, but the same kind.

Mr. SCHWABE of Missouri On the Tennessee, how does the area that was subject to floods before the setting up of the Tennessee Valley Authority compare with the area that is normally flooded now under the existing program?

Mr. RANKIN. I do not know the percentage.

Mr. SCHWABE of Missouri. I have heard that there is almost as much land flooded now normally as was subject to floods prior to the building of these dams.

Mr. RANKIN. There is a good deal of land flooded, that is true, but all that land was paid for.

If you want to see real crops in this country, go down in the Tennessee Valley. If you want to see real corn and cotton and cattle produced, I know of no place that you could get a better picture than down in the Tennessee Valley.

Did it ever occur to you that that kind of criticism never comes from the people down there? Had it ever occurred to the gentleman from Missouri that all this protest about their flooding some land in Tennessee did not come from the people in that area? We have had all this protest about what they have done to the Tennessee River, but not a word of it comes from the people who are affected and who are getting the benefits of not only the flood control and navigation but of the cheap electricity it provides.

Mr. SCHWABE of Missouri. What control do the people of the Tennessee Valley have or what control does Congress have over the administrative structure of the T. V. A.?

Mr. RANKIN. Congress has it all. It is a governmental agency. We can do just what we please with it.

Mr. SCHWABE of Missouri. Could the Congress destroy the Tennessee Valley Authority if it wished to do so?

Mr. RANKIN. Yes; it certainly could.

The gentleman asked what control the people have down there. They have had more control than they had before, because heretofore their local power systems were controlled, I believe, from headquarters in New York. Today every city or every county has its own system It buys the power from T. V. A. at wholesale. It knows what it is going to buy for and it knows what the maximum rate at which it is to be sold. That maximum rate is sufficient to pay all overhead expenses and to pay interest on their investment, and at the same time lay up a surplus. So they are enjoying more privileges, more freedom, as far as their power systems are concerned, than they have ever enjoyed before.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. MURDOCK. I want to compliment the gentleman for this splendid statement. The most significant thing I have heard today on this floor is this, that we have been developing these rivers piecemeal. The most significant thing we ought to do in the future is to develop them in a coordinated way.

Mr. RANKIN. Certainly.

Mr. MURDOCK. I believe we have built our structures and channelled the waters to the sea, making the rivers rise right up above certain valleys, instead of catching the water up at the headwaters and retaining it and thus preventing the disastrous floods.

Mr. RANKIN. Use these waters for all purposes. Where water falls, it should first be used to water the people. Next it should be used to water the stock, and next to water the land. Then it should be used for the development of hydroelectric power, for the benefit of the people in that area. Then for navigation purposes.

Now, flood control is not a use, but all this coordinated program means also control of the floods, holding the flood waters back at the right time, and preventing them from devastating your country. I cannot see where anybody from Missouri can kick on that.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. RANKIN. I yield.

Mr. SCHWABE of Missouri. The people of Missouri object to having a lot of their valuable lands, valley lands, inundated that are not now inundated the year round. If we have just as much flood control under the proposed M. V. A. system, we will have to have as much storage space for that purpose in the dams as we would have under existing legislation. If we have in addition the production of power, then those dams would have to be high. If the dams are high, it means more reservoirs and more land inundated.

Mr. RANKIN. The truth of the business is the high dams would be beyond you, where the banks are higher, and not down in the lowlands. You would not go

down here in the lowlands of the Mississippi to build a high dam, because if you did the water would break over above it.

Mr. SCHWABE of Missouri. How far above?

Mr. RANKIN. I do not know the exact engineering figures, but some of the largest ones would be at least up as far as Omaha or Sioux City.

Mr. SCHWABE of Missouri. That would be 300 miles above where we want to use the power.

Mr. RANKIN. Oh, you can transmit this power 300 miles and get it cheaper than you people are getting your power in Missouri now by at least $30,000,000 a year.

Now, let us take Windsor, Canada. Windsor, Canada, is 258 miles from Niagara Falls. They transmit this power over power lines to Windsor, Canada, and sell it at the Ontario rates. If Michigan had those rates the people of that State would have saved $68,573,000 last year. That is according to the T. V. A. rates, but according to the Ontario rates they would have saved $82,006,000.

This is one of the greatest economic issues that has ever confronted this Nation, involving flood control, navigation, and power development as well as employment for our returned servicemen when this war is over.

In order that you may fully realize what these overcharges mean to the people you represent, I will give them again, broken down by States:

ALABAMA

During the year 1944 the people of Alabama used 5,315,441,000 kilowatt-hours of electricity for which they paid $46,365,671.

Under T. V. A. rates, the cost would have been $32,541,377, a difference of $13,824,294.

Under the Tacoma, Wash., rates, the cost would have been $23,948,009, a difference of $22,417,662.

Under the Bonneville rates, the cost would have been $32,547,660, a difference of $13,818,011.

Under the Ontario rates, the cost would have been $29,197,161, a difference of $17,168,510.

ARIZONA

During the year 1944 the people of Arizona used 968,961,000 kilowatt-hours of electricity for which they paid $14,-909,097.

Under the T. V. A. rates, the cost would have been $6,915,517, a difference of $7,-993,580.

Under the Tacoma, Wash., rates, the cost would have been $5,459,682, a difference of $9,449,415.

Under the Bonneville rates, the cost would have been $7,094,926, a difference of $7,814,171.

Under the Ontario rates, the cost would have been $6,121,924, a difference of $8,-787,173.

ARKANSAS

During the year 1944 the people of Arkansas used 1,321,408,000 kilowatt-hours of electricity for which they paid $24,153,655.

Under T. V. A. rates, the cost would have been $13,067,518, a difference of $11,086,137.

Under the Tacoma, Wash., rates, the cost would have been $9,934,014, a difference of $14,219,641.

Under the Bonneville rates, the cost would have been $13,233,140, a difference of $10,920,515.

Under the Ontario rates, the cost would have been $11,155,857, a difference of $12,997,798.

CALIFORNIA

During the year 1944 the people of California used 16,195,525,000 kilowatt-hours of electricity for which they paid $246,276,631.

Under T. V. A. rates, the cost would have been $192,361,223, a difference of $53,915,408.

Under the Tacoma, Wash., rates, the cost would have been $145,015,082, a difference of $101,261,549.

Under the Bonneville rates, the cost would have been $194,643,613, a difference of $51,633,018.

Under the Ontario rates, the cost would have been $172,861,314, a difference of $73,415,317.

COLORADO

During the year 1944 the people of Colorado used 940,030,000 kilowatt-hours of electricity for which they paid $23,-496,348.

Under T. V. A. rates, the cost would have been $12,740,912, a difference of $10,755,436.

Under the Tacoma, Wash., rates, the cost would have been $10,172,320, a difference of $13,324,028.

Under the Bonneville rates, the cost would have been $13,059,694, a difference of $10,436,654.

Under the Ontario rates, the cost would have been $11,151,645, a difference of $12,344,703.

CONNECTICUT

During the year 1944 the people of Connecticut used 2,664,939,000 kilowatt-hours of electricity, for which they paid $58,298,676.

Under T. V. A. rates, the cost would have been $31,698,558, a difference of $26,600,118.

Under the Tacoma, Wash., rates, the cost would have been $24,662,288, a difference of $33,636,388.

Under the Bonneville rates, the cost would have been $32,171,664, a difference of $26,127,012.

Under the Ontario rates, the cost would have been $27,838,200, a difference of $30,460,476.

DELAWARE

During the year 1944 the people of Delware used 426,135,000 kilowatt-hours of electricity, for which they paid $8,059,658.

Under T. V. A. rates, the cost would have been $4,456,822, a difference of $3,602,836.

Under the Tacoma, Wash., rates, the cost would have been $3,419,028, a difference of $4,640,630.

Under the Bonneville rates, the cost would have been $4,501,746, a difference of $3,557,912.

Under the Ontario rates, the cost would have been $3,935,326, a difference of $4,124,332.

DISTRICT OF COLUMBIA

During the year 1944 the people of the District of Columbia used 1,658,185,000 kilowatt-hours of electricity, for which they paid $19,676,225.

Under T. V. A. rates, the cost would have been $15,076,769, a difference of $4,599,456.

Under the Tacoma, Wash., rates, the cost would have been $11,743,656, a difference of $7,932,569.

Under the Bonneville rates, the cost would have been $15,373,206, a difference of $4,303,019.

Under the Ontario rates, the cost would have been $13,372,052, a difference of $6,304,173.

FLORIDA

During the year 1944 the people of Florida used 1,822,715,000 kilowatt-hours of electricity for which they paid $49,516,447.

Under T. V. A. rates, the cost would have been $21,773,850, a difference of $27,742,597.

Under the Tacoma, Wash., rates, the cost would have been $17,696,961, a difference of $31,819,486.

Under the Bonneville rates, the cost would have been $22,465,642, a difference of $27,050,805.

Under the Ontario rates, the cost would have been $18,946,433, a difference of $30,570,014.

GEORGIA

During the year 1944 the people of Georgia used 3,034,214,000 kilowatt-hours of electricity, for which they paid $48,013,676.

Under T. V. A. rates, the cost would have been $29,186,998, a difference of $18,826,678.

Under the Tacoma, Wash., rates, the cost would have been $22,885,014, a difference of $25,128,662.

Under the Bonneville rates, the cost would have been $29,769,530, a difference of $18,244,146.

Under the Ontario rates, the cost would have been $25,721,670, a difference of $22,292,006.

IDAHO

During the year 1944 the people of Idaho used 970,573,000 kilowatt-hours of electricity, for which they paid $12,-933,776.

Under T. V. A. rates, the cost would have been $7,897,615, a difference of $5,036,161.

Under the Tacoma, Wash., rates, the cost would have been $6,229,646, a difference of $6,634,130.

Under the Bonneville rates, the cost would have been $8,062,813, a difference of $4,870,963.

Under the Ontario rates, the cost would have been $6,857,689, a difference of $6,076,087.

ILLINOIS

During the year 1944 the people of Illinois used 12,716,274,000 kilowatt-hours of electricity, for which they paid $229,569,577.

Under T. V. A. rates, the cost would have been $126,934,166, a difference of $102,635,411.

Under the Tacoma, Wash., rates, the cost would have been $98,554,423, a difference of $131,015,154.

Under the Bonneville rates, the cost would have been $128,887,834, a difference of $100,681,743.

Under the Ontario rates, the cost would have been $111,847,392, a difference of $117,722,185.

INDIANA

During the year 1944 the people of Indiana used 5,645,694,000 kilowatt-hours of electricity, for which they paid $101,004,609.

Under T. V. A. rates, the cost would have been $58,695,383, a difference of $42,309,226.

Under the Tacoma, Wash., rates, the cost would have been $45,064,392, a difference of $55,940,217.

Under the Bonneville rates, the cost would have been $59,346,979, a difference of $41,657,630.

Under the Ontario rates, the cost would have been $51,845,021, a difference of $49,159,588.

IOWA

During the year 1944 the people of Iowa used 2,149,422,000 kilowatt-hours of electricity, for which they paid $50,-219,659.

Under T. V. A. rates, the cost would have been $27,766,961, a difference of $22,452,098.

Under the Tacoma, Wash., rates, the cost would have been $22,210,434, a difference of $28,009,225.

Under the Bonneville rates, the cost would have been $28,597,847, a difference of $21,621,812.

Under the Ontario rates, the cost would have been $24,437,167, a difference of $25,782,492.

KANSAS

During the year 1944 the people of Kansas used 1,613,156,000 kilowatt-hours of electricity, for which they paid $35,815,823.

Under T. V. A. rates, the cost would have been $19,951,748, a difference of $15,864,675.

Under the Tacoma, Wash., rates, the cost would have been $15,899,406, a difference of $19,916,417.

Under the Bonneville rates, the cost would have been $20,475,929, a difference of $15,339,894.

Under the Ontario rates, the cost would have been $17,530,451, a difference of $18,285,372.

KENTUCKY

During the year 1944 the people of Kentucky used 2,381,185,000 kilowatt-hours of electricity for which they paid $38,698,587.

Under T. V. A. rates, the cost would have been $23,836,238, a difference of $14,862,349.

Under the Tacoma, Wash., rates, the cost would have been $18,280,447, a difference of $20,418,140.

Under the Bonneville rates, the cost would have been $24,068,531, a difference of $14,630,056.

Under the Ontario rates, the cost would have been $21,034,670, a difference of $17,663,917.

LOUISIANA

During the year 1944 the people of Louisiana used 2,618,082,000 kilowatt-hours of electricity for which they paid $39,713,870.

Under T. V. A. rates, the cost would have been $20,915,891, a difference of $18,797,979.

Under the Tacoma, Wash., rates, the cost would have been $16,093,305, a difference of $23,620,565.

Under the Bonneville rates, the cost would have been $21,237,961, a difference of $18,475,909.

Under the Ontario rates, the cost would have been $18,583,255, a difference of $21,130,615.

MAINE

During the year 1944 the people of Maine used 1,026,124,000 kilowatt-hours of electricity for which they paid $19,-339,170.

Under T. V. A. rates, the cost would have been $10,407,826, a difference of $8,931,344.

Under the Tacoma, Wash., rates, the cost would have been $8,071,019, a difference of $11,268,151.

Under the Bonneville rates, the cost would have been $10,536,485, a difference of $8,802,685.

Under the Ontario rates, the cost would have been $9,133,121, a difference of $10,206,049.

MARYLAND

During the year 1944 the people of Maryland used 2,847,755,000 kilowatt-hours of electricity for which they paid $50,847,874.

Under T. V. A. rates, the cost would have been $29,767,157, a difference of $21,080,717.

Under the Tacoma, Wash., rates, the cost would have been $22,894,886, a difference of $27,952,988.

Under the Bonneville rates, the cost would have been $30,242,357, a difference of $20,605,517.

Under the Ontario rates, the cost would have been $26,503,027, a difference of $24,344,847.

MASSACHUSETTS

During the year 1944 the people of Massachusetts used 4,818,118,000 kilowatt-hours of electricity for which they paid $122,063,156.

Under T. V. A. rates, the cost would have been $61,683,933, a difference of $60,379,223.

Under the Tacoma, Wash., rates, the cost would have been $47,937,130, a difference of $74,126,026.

Under the Bonneville rates, the cost would have been $62,560,198, a difference of $59,502,958.

Under the Ontario rates, the cost would have been $54,231,903, a difference of $67,831,253

MICHIGAN

During the year 1944 the people of Michigan used 9,031,646,000 kilowatt-hours of electricity, for which they paid $159,670,543.

Under T. V. A. rates, the cost would have been $91,097,473, a difference of $68,573,070.

Under the Tacoma, Wash., rates, the cost would have been $72,168,307, a difference of $87,502,236.

Under the Bonneville rates, the cost would have been $92,968,988, a difference of $66,701,555.

Under the Ontario rates, the cost would have been $77,664,216, a difference of $82,006,327.

MINNESOTA

During the year 1944 the people of Minnesota used 2,413,081,000 kilowatt-hours of electricity, for which they paid $58,979,218.

Under T. V. A. rates, the cost would have been $32,939,199, a difference of $26,040,019.

Under the Tacoma, Wash., rates, the cost would have been $26,394,281, a difference of $32,584,937.

Under the Bonneville rates, the cost would have been $33,781,428, a difference of $25,197,790.

Under the Ontario rates, the cost would have been $28,724,132, a difference of $30,355,086.

MISSISSIPPI

During the year 1944 the people of Mississippi used 865,264,000 kilowatt-hours of electricity, for which they paid $17,322,406.

Under T. V. A. rates, the cost would have been $9,426,518, a difference of $7,895,888.

Under the Tacoma, Wash., rates, the cost would have been $7,355,868, a difference of $9,966,538.

Under the Bonneville rates, the cost would have been $9,606,049, a difference of $7,716,357.

Under the Ontario rates, the cost would have been $8,323,074, a difference of $8,999,332.

MISSOURI

During the year 1944 the people of Missouri used 4,097,638,000 kilowatt-hours of electricity, for which they paid $80,299,053.

Under T. V. A. rates, the cost would have been $49,325,355, a difference of $30,973,698.

Under the Tacoma, Wash., rates, the cost would have been $38,155,202, a difference of $42,143,851.

Under the Bonneville rates, the cost would have been $50,092,264, a difference of $30,206,789.

Under the Ontario rates, the cost would have been $43,637,939, a difference of $36,661,114.

MONTANA

During the year 1944 the people of Montana used 1,852,863,000 kilowatt-hours of electricity, for which they paid $16,223,289.

Under T. V. A. rates, the cost would have been $11,059,019, a difference of $5,164,270.

Under the Tacoma, Wash., rates, the cost would have been $8,099,740, a difference of $8,123,549.

Under the Bonneville rates, the cost would have been $11,064,812, a difference of $5,158,477.

Under the Ontario rates, the cost would have been $9,965,906, a difference of $6,257,383.

NEBRASKA

During the year 1944 the people of Nebraska used 925,354,000 kilowatt-hours of electricity for which they paid $22,390,736.

Under T. V. A. rates, the cost would have been $12,932,318, a difference of $9,558,418.

Under the Tacoma, Wash., rates, the cost would have been $10,359,849, a difference of $12,030,887.

Under the Bonneville rates, the cost would have been $13,193,330, a difference of $9,197,405.

Under the Ontario rates, the cost would have been $11,179,336, a difference of $11,211,400.

NEVADA

During the year 1944 the people of Nevada used 168,775,000 kilowatt-hours of electricity for which they paid $3,525,411.

Under T. V. A. rates, the cost would have been $1,779,775, a difference of $1,745,636.

Under the Tacoma, Wash., rates, the cost would have been $1,452,907, a difference of $2,072,504.

Under the Bonneville rates, the cost would have been $1,846,382, a difference of $1,679,029.

Under the Ontario rates, the cost would have been $1,560,239, a difference of $1,965,172.

NEW HAMPSHIRE

During the year 1944 the people of New Hampshire used 516,121,000 kilowatt-hours of electricity for which they paid $13,264,986.

Under T. V. A. rates, the cost would have been $7,095,552, a difference of $6,189,434.

Under the Tacoma, Wash., rates, the cost would have been $5,477,021, a difference of $7,787,965.

Under the Bonneville rates, the cost would have been $7,172,340, a difference of $6,092,646.

Under the Ontario rates, the cost would have been $6,241,587, a difference of $7,023,399.

NEW JERSEY

During the year 1944 the people of New Jersey used 6,237,140,000 kilowatt-hours of electricity for which they paid $131,097,419.

Under T. V. A. rates, the cost would have been $64,786,251, a difference of $66,311,168.

Under the Tacoma, Wash., rates, the cost would have been $50,490,317, a difference of $80,607,102.

Under the Bonneville rates, the cost would have been $65,820,902, a difference of $65,276,467.

Under the Ontario rates, the cost would have been $56,984,044, a difference of $74,113,375.

NEW MEXICO

During the year 1944 the people of New Mexico used 213,951,000 kilowatt-hours of electricity for which they paid $7,256,115.

Under T. V. A. rates, the cost would have been $2,908,663, a difference of $4,347,452.

Under the Tacoma, Wash., rates, the cost would have been $2,405,820, a difference of $4,850,295.

Under the Bonneville rates, the cost would have been $3,047,668, a difference of $4,208,447.

Under the Ontario rates, the cost would have been $2,564,118, a difference of $4,691,997.

NEW YORK

During the year 1944 the people of New York used 21,575,955,000 kilowatt-hours of electricity, for which they paid $398,198,982.

Under T. V. A. rates, the cost would have been $195,940,373, a difference of $202,258,609.

Under the Tacoma, Wash., rates, the cost would have been $155,120,719, a difference of $243,078,263.

Under the Bonneville rates, the cost would have been $200,586,473, a difference of $197,612,509.

Under the Ontario rates, the cost would have been $172,744,548, a difference of $225,454,434.

NORTH CAROLINA

During the year 1944 the people of North Carolina used 3,564,484,000 kilowatt-hours of electricity, for which they paid $55,322,826.

Under T. V. A. rates, the cost would have been $36,390,960, a difference of $18,931,865.

Under the Tacoma, Wash., rates, the cost would have been $27,760,335, a difference of $27,562,491.

Under the Bonneville rates, the cost would have been $36,834,954, a difference of $18,487,872.

Under the Ontario rates, the cost would have been $32,383,840, a difference of $22,938,986.

NORTH DAKOTA

During the year 1944 the people of North Dakota used 199,722,000 kilowatt-hours of electricity, for which they paid $7,644,613.

Under T. V. A. rates, the cost would have been $3,516,570, a difference of $4,128,043.

Under the Tacoma, Wash., rates, the cost would have been $2,952,556, a difference of $4,692,057.

Under the Bonneville rates, the most would have been $3,669,234, a difference of $3,975,379.

Under the Ontario rates, the cost would have been $3,030,538, a difference of $4,614,025.

OHIO

During the year 1944 the people of Ohio used 14,933,102,000 kilowatt-hours of electricity, for which they paid $221,580,109.

Under T. V. A. rates, the cost would have been $138,446,669, a difference of $83,133,440.

Under the Tacoma, Wash., rates, the cost would have been $106,073,264, a difference of $115,506,845.

Under the Bonneville rates, the cost would have been $139,875,317, a difference of $81,704,792.

Under the Ontario rates, the cost would have been $122,460,900, a difference of $99,119,119.

OKLAHOMA

During the year 1944 the people of Oklahoma used 1,710,415,000 kilowatt-hours of electricity, for which they paid $35,093,450.

Under T. V. A. rates, the cost would have been $19,033,508, a difference of $16,059,942.

Under the Tacoma, Wash., rates, the cost would have been $14,733,113, a difference of $20,360,337.

Under the Bonneville rates, the cost would have been $19,332,260, a difference of $15,761,190.

Under the Ontario rates, the cost would have been $16,804,880, a difference of $18,288,570.

OREGON

During the year 1944 the people of Oregon used 3,268,237,000 kilowatt-hours of electricity for which they paid $30,980,972.

Under T. V. A. rates, the cost would have been $23,059,455, a difference of $7,921,517.

Under the Tacoma, Wash., rates, the cost would have been $18,136,905, a difference of $12,844,067.

Under the Bonneville rates, the cost would have been $23,473,129, a difference of $7,507,843.

Under the Ontario rates, the cost would have been $20,168,629, a difference of $10,812,343.

PENNSYLVANIA

During the year 1944 the people of Pennsylvania used 18,092,482,000 kilowatt-hours of electricity for which they paid $277,500,054.

Under T. V. A. rates, the cost would have been $173,170,337, a difference of $104,329,717.

Under the Tacoma, Wash., rates, the cost would have been $130,449,470, a difference of $147,050,584.

Under the Bonneville rates, the cost would have been $174,062,267, a difference of $103,437,787.

Under the Ontario rates, the cost would have been $153,946,345, a difference of $123,553,709.

RHODE ISLAND

During the year 1944 the people of Rhode Island used 879,985,000 kilowatt-hours of electricity for which they paid $21,622,903.

Under T. V. A. rates, the cost would have been $11,283,841, a difference of $10,339,062.

Under the Tacoma, Wash., rates, the cost would have been $8,564,312, a difference of $13,058,591.

Under the Bonneville rates, the cost would have been $11,366,029, a difference of $10,256,874.

Under the Ontario rates, the cost would have been $9,999,370, a difference of $11,623,533.

SOUTH CAROLINA

During the year 1944 the people of South Carolina used 1,716,232,000 kilowatt-hours of electricity for which they paid $25,205,304.

Under T. V. A. rates, the cost would have been $16,680,043, a difference of $8,525,261.

Under the Tacoma, Wash., rates, the cost would have been $12,744,084, a difference of $12,461,220.

Under the Bonneville rates, the cost would have been $16,876,442, a difference of $8,328,862.

Under the Ontario rates, the cost would have been $14,820,128, a difference of $10,385,176.

SOUTH DAKOTA

During the year 1944 the people of South Dakota used 252,084,000 kilowatt-hours of electricity for which they paid $8,418,186.

Under T. V. A. rates, the cost would have been $3,930,091, a difference of $4,488,095.

Under the Tacoma, Wash., rates, the cost would have been $3,202,954, a difference of $5,215,232.

Under the Bonneville rates, the cost would have been $4,065,618, a difference of $4,352,568

Under the Ontario rates, the cost would have been $3,430,212, a difference of $4,987,974.

TENNESSEE

During the year 1944 the people of Tennessee used 5,791,806,000 kilowatt-hours of electricity for which they paid $44,264,408.

Under T. V. A. rates, the cost would have been $37,299,815, a difference of $6,964,593.

Under the Tacoma, Wash., rates, the cost would have been $28,259,315, a difference of $16,005,093.

Under the Bonneville rates, the cost would have been $37,574,434, a difference of $6,689,974.

Under the Ontario rates, the cost would have been $33,127,915, a difference of $11,136,493.

TEXAS

During the year 1944 the people of Texas used 6,297,873,000 kilowatt-hours of electricity for which they paid $113,084,375.

Under T. V. A. rates, the cost would have been $63,249,349, a difference of $49,835,026.

Under the Tacoma, Wash., rates, the cost would have been $49,254,969, a difference of $63,829,406.

Under the Bonneville rates, the cost would have been $64,529,577, a difference of $48,554,798.

Under the Ontario rates, the cost would have been $56,073,816, a difference of $57,010,559.

UTAH

During the year 1944 the people of Utah used 1,270,796,000 kilowatt-hours of electricity for which they paid $16,850,563.

Under T. V. A. rates, the cost would have been $8,537,486, a difference of $8,313,077.

Under the Tacoma, Wash., rates, the cost would have been $7,168,308, a difference of $9,682,255.

Under the Bonneville rates, the cost would have been $8,984,768, a difference of $7,865,795.

Under the Ontario rates, the cost would have been $7,513,010, a difference of $9,337,553.

VERMONT

During the year 1944 the people of Vermont used 321,156,000 kilowatt-hours of electricity for which they paid $8,840,055.

Under T. V. A. rates, the cost would have been $4,853,429, a difference of $3,986,626.

Under the Tacoma, Wash., rates, the cost would have been $3,769,432, a difference of $5,070,623.

Under the Bonneville rates, the cost would have been $4,915,631, a difference of $3,924,424.

Under the Ontario rates, the cost would have been $4,258,585, a difference of $4,581,470.

VIRGINIA

During the year 1944 the people of Virginia used 2,690,612,000 kilowatt-hours of electricity for which they paid $50,730,387.

Under T. V. A. rates, the cost would have been $29,146,418, a difference of $21,483,969.

Under the Tacoma, Wash., rates, the cost would have been $22,978,770, a difference of $27,751,617.

Under the Bonneville rates, the cost would have been $29,738,908, a difference of $20,991,479.

Under the Ontario rates, the cost would have been $25,596,443, a difference of $25,133,944.

WASHINGTON

During the year 1944 the people of Washington used 8,712,401,000 kilowatt-hours of electricity for which they paid $61,967,978.

Under T. V. A. rates, the cost would have been $48,329,058, a difference of $13,638,920.

Under the Tacoma, Wash., rates, the cost would have been $37,597,625, a difference of $24,370,353.

Under the Bonneville rates, the cost would have been $49,130,653, a difference of $12,837,325.

Under the Ontario rates, the cost would have been $42,615,018, a difference of $19,352,960.

WEST VIRGINIA

During the year 1944 the people of West Virginia used 3,355,173 kilowatt-hours of electricity for which they paid $43,474,456.

Under T. V. A. rates, the cost would have been $27,068,229, a difference of $16,406,227.

Under the Tacoma, Wash., rates, the cost would have been $19,762,352, a difference of $23,712,104.

Under the Bonneville rates, the cost would have been $27,015,475, a difference of $16,458,981.

Under the Ontario rates, the cost would have been $24,368,214, a difference of $19,106,242.

WISCONSIN

During the year 1944, the people of Wisconsin used 4,179,790,000 kilowatt-hours of electricity for which they paid $79,798,382.

Under T. V. A. rates, the cost would have been $45,947,782, a difference of $33,850,600.

Under the Tacoma, Wash., rates the cost would have been $35,695,172, a difference of $44,103,210.

Under the Bonneville rates, the cost would have been $46,764,413, a difference of $33,033,969.

Under the Ontario rates, the cost would have been $40,635,864, a difference of $39,162,518.

WYOMING

During the year 1944, the people of Wyoming used 157,102,000 kilowatt-hours of electricity for which they paid $4,574,946.

Under T. V. A. rates the cost would have been $2,191,733, a difference of $2,383,213.

Under the Tacoma, Wash., rates the cost would have been $1,779,040, a difference of $2,795,906.

Under the Bonneville rates, the cost would have been $2,290,093, a difference of $2,284,853.

Under the Ontario rates, the cost would have been $1,915,930, a difference of $2,659,016.

The SPEAKER. The time of the gentleman from Mississippi has expired.

The SPEAKER pro tempore. Under previous order of the House the gentleman from Texas [Mr. FISHER] is recognized for 35 minutes.

AN ANALYSIS OF H. R. 2232, A BILL TO CREATE A PERMANENT FAIR EMPLOYMENT PRACTICES COMMISSION

Mr. FISHER. Mr. Speaker, I desire to discuss the contents of H. R. 2232, a proposal to create a permanent so-called Fair Employment Practices Commission, now pending before the Rules Committee.

In my judgment, the bill cannot stand the glare of the midday sun. It cannot withstand a searching examination and a fair analysis. The measure is most dangerous and contains provisions which when disclosed in their true meaning will both amaze and astound the membership of this House, and the whole country, for that matter.

Mr. Speaker, this bill was reported favorably by a majority of the members of the Committee on Labor. Those who signed the committee report and thereby endorsed the measure as it is now written are: Chairman NORTON, of New Jersey; RANDOLPH, of West Virginia; KELLEY, of Pennsylvania; HOOK, of Michigan; PATTERSON, of California; GEELAN, of New Jersey; GREEN, of Pennsylvania; POWELL of New York; WELCH, of California; BALDWIN, of New York; MCCONNELL, of Pennsylvania, and ADAMS, of New Hampshire. Being unable to agree with the majority, I filed and there is printed in the report my minority views. The bill is now before the Rules Committee and I am informed that a discharge petition may be filed. It would seem, therefore, that at this stage in the history of the measure its contents should be publicized and the fullest possible discussion had of the implications that would follow its passage.

The bill would set up a 5-man Commission, with 5-year overlapping terms, each to draw a salary of $10,000 a year. It is provided that the Congress shall delegate to this bureau tremendous legislative, judicial, and administrative powers and functions. The Commission would have the power to "establish such regional offices as it deems necessary," and could appoint "such officers and employees as it deems necessary." The agency could also utilize voluntary and uncompensated services. Thus no limit is placed on the number of regions that could be created or employees who could be hired, under the terms of this measure.

POWER OF F. E. P. C. AGENTS

Now, Mr. Speaker, how would this bureau operate and what would be its powers? Section 6 (g) of the bill provides that the Commission may meet and exercise any or all of its powers at any place, and may "by one or more of its members or by such agent, or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States."

It is further provided that any agent, agency, or referee could be designated to

take complaints charging discrimination, and require the defendant therein to appear before the agent at a certain time and place for a hearing or trial. Witnesses could be summoned from "any place in the United States or any Territory or possession thereof, at any designated place of hearing." Such witnesses would get the same witness and mileage fees as are paid in United States courts. The agent could conduct the hearing, administer oaths, examine witnesses, and receive evidence.

It can be readily seen, Mr. Speaker, that this so-called agent would be a big man in this America of ours. He would be clothed with unprecedented judicial powers. He would be a roving one-man court. In most respects his authority would exceed that now enjoyed by ordinary Federal judges. It is interesting to consider some of those powers and how they could operate in relation to issues affecting valuable property rights of millions of our citizens.

To begin with, Mr. Speaker, these F. E. P. C. judges who would hear and try cases could be appointed without restraint as to any particular qualifications. A voluntary social-service worker could be appointed to conduct a trial anywhere in the land. That is not true in the case of ordinary Federal judges, whose basic qualifications are defined by law.

JUDGE AND PROSECUTOR

It is well to point out that these F. E. P. C. judges would be unlimited in number and could go anywhere in the country, take complaints and conduct trials. They would occupy unique roles. Each would be at the same time the judge, the prosecuting attorney and the investigator in the case. The prosecutor after hearing the disgruntled job seeker could file the complaint and would then naturally set about to obtain evidence to sustain his judgment in taking the case. Why, it is even provided that this judge may enter a victim's place of business and examine or copy any evidence desired that related to the investigation. According to this bill he would not need to bother about securing a search warrant or showing probable cause for the search. If the victim should willfully resist, prevent, impede, or interfere with the search, it is provided that he would subject himself to a $5,000 fine or a year in prison, or both.

There, Mr. Speaker, we have a proposal to have a prosecutor out collecting evidence to be used against a man whose rights are later to be judged by this same prosecutor. Can you imagine the gall of the thing? No ordinary Federal judge has comparable powers. But this is not an ordinary judge that it is proposed to create. Proponents of the measure have said it is the purpose of the bill to promote democracy and freedom in this country. Perhaps that explains many features of this proposal. Perhaps there are some who desire to create a new brand of democracy and a novel type of freedom in America.

Let us go a little further. At the hearing that would follow the collection of evidence, it is provided that the F. E. P. C. judge would call the witnesses, question them, cross examine the opposition, pass on the admissibility of testimony and otherwise handle the development of the case. It would be hard to imagine a more typical kangaroo court. It would indeed be a travesty on the word "justice." No ordinary Federal judge could do what this F. E. P. C. judge would be empowered to do.

In the conduct of the hearing, ordinary rules of evidence that must be observed and respected in ordinary courts in meting out justice would not be binding. The judge would be free to admit hearsay evidence, ex parte statements, conclusions of witnesses, nonexpert testimony on expert subjects, legal conclusions of witnesses, and could ignore other well-established rules that are time tested and which have been found essential in our system of jurisprudence that has been a thousand years in the making.

NO JURY TRIAL ALLOWED

But suppose the victim should decide to try his case before a jury of his peers, what would happen? He would be told that the Congress of the United States had provided that he would not be allowed to try his case to a jury. Mr. Speaker, I fear there has been a tendency in recent times to treat the jury method of resolving contested issues in many types of cases as an outmoded practice of a passing era. Even in situations where rather severe penalties of the law may be invoked against a man for a violation, as is true in the bill I am now discussing, the victim is deprived of his last refuge of protection, that of a trial before a jury of his own peers. I predict that one of these days there will be a tidal wave of rebellion against just that sort of thing. This encroachment upon simple, fundamental rights will not escape the challenge of an aroused people once they become conscious of its growth and implications.

It may be contended the F. E. P. C. judge is really not the final arbiter in the case, that the Commission sitting in Washington makes the formal order. That is true, but everyone knows it would be absurd to think that the Commission could read and digest voluminous records of multiplied thousands of such cases. The Commission would of necessity have to rely upon the findings and conclusions of its agents who, acting as trial judges, saw the witnesses and heard the case. I do not think anyone would seriously make a contrary contention.

RIGHT TO APPEAL IS A FARCE

The proponents point with pride to the fact the victim has a right of judicial review by appeal to a United States Circuit Court of Appeals. Again, Mr. Speaker, that alleged right is a farce. There is in fact no real right of appeal except as a formality. That is because the bill provides the judicial review shall be in the same manner, to the same extent, and subject to the same provisions of law as in the case of the National Labor Relations Board. Section 10 (e) of the law relating to the latter provides:

> The findings of the Board as to the facts, if supported by evidence, shall be conclusive.

That means, of course, that if the prosecution made out a prima facie case, the circuit court would have no choice but to affirm the action of the commission. If the F. E. P. C. judge was competent to run loose, he could surely establish a prima facie case in any prosecution he undertook.

But the bill goes further to make it more certain that the defendant in the case will not and cannot afford to appeal. That is the evident reason for the provision in section 7 of the bill giving the F. E. P. C. the power to require reinstatement or hiring an employee "with or without back pay." Therefore, a victim could hardly afford to appeal because if the judgment should be affirmed, as almost surely it would be, he could be required to pay the complainant regular wages throughout the period of the appeal. The victim who chose to appeal would thus subject himself to a severe penalty in the form of accumulated back wages, totaling perhaps $2,000 or more before final motion would be taken on the appeal. Besides, if he won on appeal, he would probably have another case filed against him the next week and the whole thing would have to be done over again.

GIVES F. E. P. C. CONTROL OVER HIRING TEACHERS

Mr. Speaker, I now call attention to section 4 of the bill. It provides as follows:

> The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of the United States or of any State.

Now, what does that mean? It simply means that the bureau that that bill would create would assume jurisdiction over employment practices of every State, every State highway department, every city, county, school board, and of every other "instrumentality or creature" of the States.

It is a bold attempt to gain Federal control of an important phase of our educational system—that of the employment of teachers. Not only that: a private corporation is a "creature" of the State where it is incorporated. Therefore, an attempt is here made to give this Federal agency control over the employment practices of every private corporation in the land, regardless of the character of their business with respect to interstate commerce. Yes, Mr. Speaker, by section 4 an attempt is made to give this bureau control over the employment practices of every police department, of every fire department, and of every city government in the Nation. That is true because under the law each county, city, and political subdivision is, as a matter of law, a "creature" of the State.

A VOTE FOR BILL WOULD BE VOTE FOR SUBVERSIVE EMPLOYEES

Mr. Speaker, I shall not take time to discuss many of the provisions of H. R. 2232. In passing, I desire to refer briefly to section 6 (f), wherein it is provided that all employees of the present Fair Employment Practice Committee created by Executive Order No. 9346 shall be "transferred to and become employees of" the commission that would be cre-

ated. I am informed that provision is without precedent in legislative history. I recall very well that within the past 2 years there has been much said here on occasions about certain employees of the Government who had communistic or subversive records. Such employment practices were freely condemned, and, I thought, rightfully so. Yet here is an attempt to have this Congress put its stamp of approval and endorsement on each and every employee now on the pay roll of the F. E. P. C. by having the Congress itself rehire each of them. And it is a well-known fact that more than a dozen employees of the present F. E. P. C. have records that are of a subversive nature and that are at least questionable. There are at least three of such employees who have signed Communist Party petitions within the past 4 years. wants to endorse the records of those men? It is certain that any Member Is there any Member of this body who who votes for H. R. 2232, or who impliedly endorses it by signing a discharge petition in an attempt to force its passage, will thereby be putting his or her stamp of approval upon each and every employee of the present F. E. P. C. I am wondering how many Members of this House would care to defend that sort of a vote before the people of this country?

REPEALS JOB PREFERENCES FOR VETERANS

Mr. Speaker, there is another point that I should like to call to the attention of this House before I conclude my remarks. It will be recalled that when the Selective Service Act was originally enacted, provision was made whereby selectees would have the right to apply for their old jobs when they should be released from military service. In other words, they were given certain job preferences. Again, in the Starnes Act of last year, certain preferences were set up in the employment of veterans. There have been other enactments along this same line, creating a policy of job preferences in many categories in behalf of war veterans. Most of us have supported and favored that type of legislation. Yet, if H. R. 2232 is enacted into law, it will probably have the effect of repealing many of those rights that have been established by law.

It may be said that the bill does not say that, and that is true. But every lawyer here knows that there are two ways in which to repeal existing laws: one is by a direct repeal, and the other is repeal by implication. In the latter case, the rule as I understand it is that where two or more laws are passed that are inconsistent with each other, the most recent enactment takes precedence over prior ones and repeals by implication all laws found to be inconsistent with the most recent law passed. What would be the situation with respect to this bill? Here is a measure which prohibits discrimination because of race, color, and so forth, in all employment coming within its jurisdiction. It provides that it shall be unfair employment practice "to refuse to hire any individual because of such individual's race, creed, color, national origin, or ancestry." In other words, no exceptions are made. All individuals, whether they be veterans or otherwise, are included in the jurisdictional power of the proposed Commission. Therefore, does it not follow that if an employer should hire a veteran and in doing so discriminated against a nonveteran because of the latter's race, that the Commission would be able to say: "You must hire the non-veteran, because he belongs to a minority race and you have discriminated against him for that reason." If the employer answered by saying: "I discriminated all right, but I am protected by the veteran job-preference law," he might be told that the Congress had repealed the veteran preference laws inconsistent with H. R. 2232. I merely submit that possibility for consideration to the membership.

In any event, without regard to job-preference laws, there will be many who will prefer veterans in certain employment. There will be many veterans who go into business for themselves and who will want to employ friends and former buddies in the service. Moreover, there will be many businessmen who as fathers of veterans may have reason to prefer to employ a war veteran. If this bill is passed, all such natural preferences will be subject to the control and review of a bureau that would administer the law.

Not the judgment of the employer, but the whims and prejudices of the Commission would settle that issue.

BILL STEMS FROM MINORITY PRESSURE GROUP

Mr. Speaker, what is the rush about this legislation? Where is all the pressure coming from? Members on this floor and elsewhere have told of the pressing demand for early action. Two years ago there was no agitation for a permanent law. Five years ago it was an unheard-of thing. Yet now we are told that to save democracy and freedom the measure must be enacted at once.

It is more than evident that this proposal is the handiwork of organized minority pressure groups who see a chance to capitalize on wartime conditions to rush into law a measure which in normal times would be the object of almost universal ridicule. The world is now ablaze in war. The people are concerned with the progress of our armies. They are concerned about the safety of their sons who are out there in the breach of battle. Millions of anxious ears are pressed against radio sets listening for a clue or an intimation of what may have happened to a son or a friend. Millions who leave home for a few hours are today calling their Western Union to say: "If I should get a message from the War Department, you can reach me during the next 3 hours at so and so."

It is in this setting of mental anguish and fearful suspense that this bill to change the rules in the middle of the stream is being pushed. The great unorganized majority know but little about what the effect of this measure would be. Their attention is centered on other things at the moment. Few realize it would vitally affect the property rights and employment methods and practices of tens of millions of businessmen, merchants, and farmers. Only today I received a letter from a man at Eugene, Oreg., relative to H. R. 2232, in which he said, "The public in general knows nothing about this bill being under consideration."

STRIKES BLOW AT PRIVATE ENTERPRISE

Can it be, Mr. Speaker, that the pressure groups are rushing this thing in a desperate and frantic attempt to get it passed before the veterans of this war come marching home and exert their natural indignation toward it? It is but natural to suppose that such opposition would exist. This war is not being fought to destroy one of the basic attributes of competitive free enterprise in America. I refer to the right of an American citizen, when he borrows and invests a few dollars in a business and takes his risk on making it succeed, and thereby creates a few jobs, to then use his own good judgment in the selection of his employees. The degree of that man's success or failure depends in no small measure on his ability to select dependable, loyal, industrious men to assist him in the operation of that business, yet, if H. R. 2232 were enacted into law, that man's judgment would be subject to review by this bureau in Washington. He could be told, "You must hire this man; you must fire that man; you must promote the other man because he belongs to a minority race."

Is that the sort of new democracy and freedom the sponsors of this legislation want to set up in America? Does not efficiency count for anything any more? Under this proposed new order is a premium to be placed on the rights of the lazy and the disgruntled? Are people to be told by an independent bureau what their opinions must be and how their minds must operate in choosing employees?

Mr. Speaker, only in a totalitarian state where there is government control of the whole economy can there be true job equality for all. A well-operated penitentiary lends itself to that sort of thing. Inside its walls there is very little job discrimination; no difference in income. That is, of course, because of the control and regimentation that is practiced over all the people who live there. With sufficient powers of enforcement and with enough jails, it is conceivable the same general methods could be made to operate over a nation. Perhaps this is a step in that direction.

Indeed that sort of thing has operated in several countries during the past decade. The question is, Do we want to take a very definite step in that direction in free America?

ORDERLY PROGRESS VERSUS FORCE AND COERCION

Mr. Speaker, there are but few people who do not dislike unfounded discrimination and prejudice just for prejudice's sake. But how can those things be dealt with and reduced? Can it be done by force and coercion, by pitchforks and jails? Or can it best be done in the American way of education, promotion of mutual understanding, and orderly progress? Sponsors of this bill say use force and the jails, arbitrary control and regimentation. They say, "We must have a law with teeth in it." Opponents

say use the time-tested American method which has given us 300 years of phenomenal progress. We are now approaching the crossroads. Which way does this Congress propose to go?

Mr. Speaker, this proposal, if enacted, would be unenforceable. Laws cannot be sustained without the support of public opinion. The measure would have the natural effect of arousing racial feeling and would promote discrimination and prejudice. The result would naturally be strikes, riots, and industrial strife. The law would definitely set the clock of progress back for the Negro race, for whose alleged benefit it is designed. Its enactment would be manifestly unfair to them.

RULE BY BUREAUCRACY

Mr. Speaker, if someone should ask the question here, "How many Members of Congress favor a system whereby the people would be governed by bureaucracy rather than by responsible representatives of the people," how many hands would go up? Yet this proposal would make permanent and vastly increase the powers of a wartime, temporary bureau to control the employment practices of a major portion of the people of this Nation. What are you going to do about it? It is one thing to talk against that method of governing the people and another thing to vote against it.

Another result of the enactment of a measure of this kind would be the creation of a fertile field for the racketeers, blackmailers, and shysters. Merchants and farmers would be constantly subject to harassment by agitators, troublemakers, and disgruntled job seekers. The operator of a business could easily be kept in court half of his time answering complaints alleging discrimination by him with respect to the hiring, discharging, or promotion of some employee or applicant for a job. In addition, there would be that class of people who make their living by not working—those who live by their wits in making the thrifty and industrious support them. As I have said, the field would be most inviting. A trained, biased champion would be furnished any complainant, at Government expense. Complaints could be trumped up and filed. The employer would be tempted to settle out of court and avoid the expense of employing a lawyer, spending hours or days in court, and probably eventually losing out. Prejudice would become a commodity to be bootlegged.

Mr. Speaker, it is my fervent hope that before any Member of this House votes for this bill or signs a discharge petition with respect to it, the measure will be very carefully studied. After all, I cannot believe the majority of the Members feel there is a need for a change from our present economic system. If not, then why take a radical step toward state socialism when our present plan admittedly is working. Why impose practices that would involve resentment and irritation and lead to racial bitterness, violence, slowdowns, and strikes? Why not let orderly, gradual progress continue and through that system provide more and better jobs for all the people, regardless of race, creed, or color?

Mr. COX. Mr. Speaker, will the gentleman yield for a brief observation?

Mr. FISHER. I yield to the gentleman from Georgia.

Mr. COX. As for myself I want to thank the gentleman for his very informative discussion. I think he has done a splendid job in exposing the ignorance of the innocent and the hypocrisy of those who advocate the adoption of this bill. He has done a splendid job in exposing the viciousness of the measure.

Mr. FISHER. I thank the gentleman for his generous comments.

EXTENSION OF REMARKS

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD on two subjects and include resolutions adopted by the Illinois General Assembly.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 27. An act to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who are forced to cease operations because of the war; to the Committee on Mines and Mining.

S. 69. An act for the relief of settlers on the international strip at Nogales, Ariz.; to the Committee on Claims.

S. 78. An act for the relief of the estate of William Edward Oates; to the Committee on Claims.

S. 90. An act for the relief of the estate of George O'Hara; to the Committee on Claims.

S. 122. An act to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia; and for other purposes," approved March 3, 1921, as amended; to the Committee on the District of Columbia.

S. 123. An act to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharge from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended; to the Committee on the District of Columbia.

S. 124. An act to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924; to the Committee on the District of Columbia.

S. 125. An act to provide for the disposition of funds collected by District of Columbia examining, licensing, and other boards and commissions, and for other purposes; to the Committee on the District of Columbia.

S. 174. An act for the relief of Mary Martha Withers, as trustee; Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased; and Mary Martha Withers, individually; to the Committee on Claims.

S. 176. An act for the relief of the city of Memphis, Tenn., and Memphis Park Commission; to the Committee on Claims.

S. 328. An act for the relief of James A. Kelly; to the Committee on Claims.

S. 359. An act for the relief of Mrs. Ellen McCormack; to the Committee on Claims.

S. 392. An act for the relief of Nebraska Wesleyan University and Herman Platt; to the Committee on Claims.

S. 427. An act to repeal section 3 of the act approved April 13, 1938, as amended, relating to hops; to the Committee on Agriculture.

S. 428. An act for the relief of the Forest Lumber Co., Lamm Lumber Co., and Algoma Lumber Co.; to the Committee on Claims.

S. 498. An act for the relief of W. C. Wornhoff and Josephine Wornhoff; to the Committee on Claims.

S. 567. An act for the relief of Mrs. Freda Gullikson; to the Committee on Claims.

S. 638. An act to amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates; to the Committee on the District of Columbia.

S. 701. An act to provide a method for the wartime reduction of temporary grades held by general officers of the Army of the United States; to the Committee on Military Affairs.

S. 804. An act to authorize certain additional appointments in the Officers' Corps of the Regular Army in initial grades not above the grade of captain; to the Committee on Military Affairs.

ENROLLED BILLS SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 201. An act for the relief of the Dempsey Industrial Furnace Corporation;

H. R. 202. An act for the relief of Angelina Bourbeau;

H. R. 206. An act for the relief of St. Vincent's Infirmary and Dr. Alvin W. Strauss;

H. R. 266. An act for the relief of the Southern Bitumen Co., of Ensley, Ala.;

H. R. 510. An act granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and upon the San Jacinto Military Reservation in Galveston County, Tex.;

H. R. 685. An act to amend the act entitled "An act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America," approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest;

H. R. 787. An act for the relief of Murray B. Latimer;

H. R. 791. An act for the relief of H. J. Blexrud estate;

H. R. 807. An act for the relief of Mrs. Wilma Louise Townsend;

H. R. 914. An act granting the consent of Congress to the States of Colorado and Kansas to negotiate and enter into a compact for the division of the waters of the Arkansas River;

H. R. 933. An act for the relief of Margaret G. Potts;

H. R. 934. An act for the relief of Charles H. Dougherty, Sr.;

H. R. 945. An act for the relief of Fred Clouse and Mrs. Emily G. Clouse;

H. R. 949. An act for the relief of Mrs. Mildred Ring;

H. R. 990. An act to provide for the reimbursement of certain civilian personnel for personal property loss as a result of the Japanese occupation of Hong Kong and Manila;

H. R. 1012. An act for the relief of A. P. Scarborough and J. D. Ethridge;

H. R. 1079. An act for the relief of Ray L. Smith;

H. R. 1094. An act for the relief of the Jay Taylor Cattle Co., Amarillo, Tex.;

H. R. 1135. An act for the relief of Gus A. Vance;

H. R. 1324. An act for the relief of Leo Edward Day and Phillip Tamborello;

H. R. 1344. An act for the relief of George Webb;

H. R. 1353. An act for the relief of J. P. Harris;

H. R. 1396. An act for the relief of Anne Loacker;
H. R. 1483. An act for the relief of Mrs. W. V. Justice;
H. R. 1492. An act for the relief of Florence J. Sypert, administratrix of the estate of Leona Connor Childers;
H. R. 1534. An act to amend the Fact Finders' Act;
H. R. 1539. An act for the relief of Dr. David R. Barglow;
H. R. 1676. An act for the relief of the Daniel Baker Co., of Manchester, Ky.;
H. R. 1716. An act for the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased;
H. R. 2013. An act to extend for 1 year the provisions of an act to promote the defense of the United States, approved March 11, 1941, as amended; and
H. R. 2055. An act for the relief of Ben Grunstein.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 201. An act for the relief of the Dempsey Industrial Furnace Corporation;
H. R. 202. An act for the relief of Angelina Bourbeau;
H. R. 206. An act for the relief of Saint Vincent's Infirmary and Dr. Alvin W. Strauss;
H. R. 266. An act for the relief of the Southern Bitumen Co., of Ensley, Ala.;
H. R. 510. An act granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and upon the San Jacinto Military Reservation in Galveston County, Tex.;
H. R. 685. An act to amend the act entitled "An act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America," approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest.
H. R. 737. An act for the relief of Murray B. Latimer;
H. R. 791. An act for the relief of H. J. Blexrud estate;
H. R. 807. An act for the relief of Mrs. Wilma Louise Townsend;
H. R. 914. An act granting the consent of Congress to the States of Colorado and Kansas to negotiate and enter into a compact for the division of the waters of the Arkansas River;
H. R. 933. An act for the relief of Margaret G. Potts;
H. R. 934. An act for the relief of Charles H. Dougherty, Sr.;
H. R. 945. An act for the relief of Fred Clouse and Mrs. Emily G. Clouse;
H. R. 949. An act for the relief of Mrs. Mildred Ring;
H. R. 990. An act to provide for the reimbursement of certain civilian personnel for personal property loss as a result of the Japanese occupation of Hong Kong and Manila;
H. R. 1012. An act for the relief of A. P. Scarborough and J. D. Ethridge;
H. R. 1079. An act for the relief of Ray L. Smith;
H. R. 1094. An act for the relief of th Jay Taylor Cattle Co., Amarillo, Tex.;
H. R. 1135. An act for the relief of Gus A. Vance;
H. R. 1324. An act for the relief of Leo Edward Day and Phillip Tamborello;
H. R. 1344. An act for the relief of George Webb;
H. R. 1353. An act for the relief of J. P. Harris;
H. R. 1396. An act for the relief of Anne Loacker;
H. R. 1483. An act for the relief of Mrs. W. V. Justice.
H. R. 1492. An act for the relief of Florence J. Sypert, administratrix of the estate of Leona Connor Childers;
H. R. 1534. An act to amend the Fact Finders' Act;
H. R. 1539. An act for the relief of Dr. David R. Barglow;
H. R. 1676. An act for the relief of the Daniel Baker Co., of Manchester, Ky.;
H. R. 1716. An act for the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased;
H. R. 2055. An act for the relief of Ben Grunstein; and
H. R. 2013. An act to extend for 1 year the provisions of an act to promote the defense of the United States, approved March 11, 1941, as amended.

ADJOURNMENT

Mr. COX. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 52 minutes p. m.), under its previous order, the House adjourned until Saturday, April 14, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will meet on Wednesday, April 18, 1945, at 10:30 o'clock for the purposes of holding executive hearings.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship-sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

382. A communication from the President of the United States, transmitting a proposed provision pertaining to the appropriation for the fiscal year 1946 for the disposal agencies under the Office of War Mobilization and Reconversion in the form of an amendment to the budget for said agency for said fiscal year (H. Doc. 120, 79th Cong.) (H. Doc. No. 140); to the Committee on Appropriations and ordered to be printed.

383. A letter from the Secretary of War, transmitting a draft of a bill, to authorize the payment of the sum of $2,421 to Mrs. Ruby Doris Calvert, 31 Tower Street, West Hartlepool, Durham, England, as administratrix of the estate of Frederick Calvert, her deceased husband, for damages on account of the death of the decedent who lost his life when he was struck by a United States Army vehicle in Reykjavik, Iceland, on November 14, 1942; to the Committee on Claims.

384. A letter from the Archivist of the United States, transmitting lists or schedules, covering records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

385. A letter from the Chairman of the Federal Communications Commission transmitting a report of the personnel requirements for the quarter ending June 30, 1945; to the Committee on the Civil Service.

386. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill, to declare that the United States holds certain lands in the State of Montana in trust for Indian use, and for other purposes; to the Committee on Indian Affairs.

387. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to declare that the United States holds certain lands in the States of North and South Dakota in trust for Indian use, and for other purposes; to the Committee on Indian Affairs.

388. A letter from the Chairman of the Civil Aeronautics Board, transmitting recommendations from the Civil Aeronautics Board, with regard to multiple taxation of air commerce (H. Doc. No. 141); to the Committee on Interstate and Foreign Commerce and ordered to be printed with illustrations.

389. A letter from the Chairman of the American National Theatre and Academy, transmitting an annual report for 1944 of the American National Theatre and Academy; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. House Resolution 176. Resolution authorizing that the report from the Attorney General of the United States dated February 28, 1945, on International Air Transport Policy, be printed, with illustrations, as a House document; and providing for the printing of additional copies thereof; without amendment (Rept. No. 417). Referred to the House Calendar.

Mr. ELLIOTT. Joint Committee on the Disposition of Executive Papers. House Report No. 418. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. McCOWEN: Committee on Immigration and Naturalization. H. J. Res. 51. Joint resolution to correct an error in section 342 (b) (9) of the Nationality Act of 1940, as amended by the act of September 27, 1944; without amendment (Rept. No. 419). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BARRETT: Committee on Immigration and Naturalization. H. R. 267. A bill for the relief of Jack Scarton or John Skarton, formerly Simon Jan Skarzenski; without amendment (Rept. No. 420). Referred to the Committee of the Whole House.

Mr. BARRETT: Committee on Immigration and Naturalization. H. R. 270. A bill for the relief of John Damacus; with amendment (Rept. No. 421). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLMER:

H. R. 2867. A bill authorizing annual payments to States, Territories, and insular governments, for the benefit of their local political subdivisions, based on the fair value of the national forest lands situated therein, and for other purposes; to the Committee on the Public Lands.

By Mr. KING:

H. R. 2868. A bill to prohibit the eviction from their homes of the wives, children, and dependents of members of the armed forces for the purpose of permitting other persons to occupy the premises; to the Committee on Military Affairs.

By Mr. MANASCO:

H. R. 2869. A bill to provide uniform allowances for the transportation of civilian officers and employees, their families and effects, upon permanent transfer from one official station to another or from one Federal agency to another; to the Committee on Expenditures in the Executive Departments.

H. R. 2870. A bill to amend the act of March 3, 1933, to permit allowances for transportation in excess of minimum first-class accommodations, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. MANSFIELD of Montana:

H. R. 2871. A bill to create a commission to be known as the Alaskan International Highway Commission; to the Committee on Foreign Affairs.

By Mr. MARTIN of Iowa:

H. R. 2872. A bill authorizing the city of Keokuk, Iowa, to purchase, maintain, and operate a toll bridge across the Mississippi River at Keokuk, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. MAY:

H. R. 2873. A bill to authorize certain additional appointments in the Officers' Corps of the Regular Army in initial grades not above the grade of captain; to the Committee on Military Affairs.

By Mr. RANDOLPH:

H. R. 2874. A bill to amend the Code of Laws for the District of Columbia to authorize any corporation formed under authority of subchapter 3 of chapter 18 of such code to specify in its bylaws that a less number than a majority of its trustees may constitute a quorum for the transaction of the business of the corporation; to the Committee on the District of Columbia.

By Mr. RANDOLPH:

H. R. 2875. A bill to amend an act entitled "An act to fix the salaries of officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia"; to the Committee on the District of Columbia.

By Mr. CLEMENTS:

H. R. 2876. A bill to provide that compensation for service in the armed forces outside of the continental limits of the United States or in Alaska during the present war shall be excluded for income-tax purposes; to the Committee on Ways and Means.

By Mr. RANDOLPH:

H. R. 2877. A bill to amend section 35 of chapter III of the act of June 19, 1934, entitled "An act to regulate the business of life insurance in the District of Columbia," as amended; to the Committee on the District of Columbia.

By Mr. DE LACY:

H. J. Res. 149. Joint resolution to provide for the appointment of a light metals administrator and defining his duties and powers; to the Committee on Expenditures in the Executive Departments.

By Mr. LEWIS:

H. J. Res. 150. Joint resolution conferring all powers permitted by the Constitution of the United States to the individual States with the consent of Congress; to the Committee on the Judiciary.

By Mr. LEMKE:

H. J. Res. 151. Joint resolution proposing an amendment to the Constitution relating to the election and term of office of the President and Vice President; to the Committee on Election of President, Vice President, and Representatives in Congress.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to take steps to relieve the butter shortage; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to call a convention to consider an amendment to the Constitution of the United States providing a limitation on taxes imposed by Congress on incomes, transfers of property and gifts, except in time of war; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to take such steps as are necessary to enable development of the Great Lakes-St. Lawrence waterway immediately upon termination of the war; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States by requesting increase in the appropriation of the Office of Indian Affairs to an amount needed to support herding schools for natives at all reindeer herds, to remove all restrictions upon killing wolves and coyotes within national parks and monuments in the Territory, and for other purposes; to the Committee on the Territories.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States urging that appropriate means be used to open Palestine to the free immigration and unrestricted colonization by the Jewish people; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Michigan, memorializing the President and the Congress of the United States that veterans of World War No. 1 and World War No. 2 be represented at the World Peace Conference; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Pennsylvania, memorializing the President and the Congress of the United States urging that a welcome home celebration at the end of the war be held for Gen. George Smith Patton, with the President and the Governor of Pennsylvania attending, at the municipality of Patton, in the county of Cambria, Commonwealth of Pennsylvania; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Iowa, memorializing the President and the Congress of the United States to oppose Senate bill 555; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of Kansas, memorializing the President and the Congress of the United States to institute a study of the interpretation of the Federal agencies and the Supreme Court of the "commerce clause" of the United States Constitution; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to amend the Social Security Act so as to extend its benefits to State, county, and city employees; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to provide for Federal housing projects in the west, south, and north ends of Boston; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States to confer with the Office of Price Administration with a view to quickly effect an adjustment in the egg price ceilings in the New England area; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States for the construction and maintenance of a veterans' hospital in the city of Lawrence, Mass.; to the Committee on World War Veterans' Legislation.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H. R. 2878. A bill for the relief of J. C. Bateman; to the Committee on Claims.

H. R. 2879. A bill for the relief of Capt. John Earl Dwyer, to the Committee on Claims.

By Mr. AUCHINCLOSS:

H. R. 2880. A bill for the relief of Fred E. Weber; to the Committee on Claims.

By Mr. DURHAM:

H. R. 2881. A bill for the relief of the Central Leaf Tobacco Co., Inc.; to the Committee on Claims.

By Mr. FOGARTY:

H. R. 2882. A bill for the relief of Fritz Hallquist; to the Committee on Claims.

By Mr. OUTLAND:

H. R. 2883. A bill for the relief of Robert Hinton; to the Committee on Claims.

By Mr. PETERSON of Georgia:

H. R. 2884. A bill for the relief of B. H. Spann; to the Committee on Claims.

H. R. 2885. A bill for the relief of Mrs. Frank Mitchell and J. L. Price; to the Committee on Claims.

By Mr. PRIEST:

H. R. 2886. A bill for the relief of the estate of Harper Theodore Duke, Jr.; to the Committee on Claims.

By Mr. TIBBOTT:

H. R. 2887. A bill for the relief of Joseph Mrak; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

340. By Mr. CLASON: Memorial of the General Court of Massachusetts for the payment by the Federal Government of one-half the expense of old-age assistance; to the Committee on Ways and Means.

341. By Mr. CLEMENTS: Petition of the executive council of the Negro Citizens Improvement Association of Union County, Ky., urging the enactment of H. R. 5—the Community Recreation Services Act; to the Committee on Public Buildings and Grounds.

342. By Mr. GWYNNE of Iowa: Petition to prohibit the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

343. By Mr. KEOGH: Petition of the voters of the twenty-second and twenty-fourth assembly districts of Brooklyn, N. Y., with reference to the recognition of Italy as an ally of the United States; to the Committee on Foreign Affairs.

344. By Mr. BRYSON: Petition of Mrs. Edward A. Kummell and 174 citizens of Miami, Fla., urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

345. Also, petition of Mrs. Frank R. Wilson and 1,617 citizens of the State of Indiana, urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

346. Also, petition of Mrs. W. E. Shafer and 54 citizens of Cleveland, Ohio, urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

347. Also, petition of Mrs. Mary Lea Smith and 60 citizens of Birmingham, Ala., urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

348. Also, petition of Mrs. Walter G. Wilson and 139 citizens of Mooers, N. Y., urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

349. Also, petition of Mrs. Janie S. Thomas and 23 citizens of Winston-Salem, N. C., urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

350. Also, petition of G. G. Hunt and 370 citizens of the State of Michigan, urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alocholic liquor in the United States for the duration of the war; to the Committee on the Judiciary.

351. Also, petition of Mrs. G. W. Kees and 212 citizens of the State of Maryland, urging enactment of H. R. 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

352. By Mr. MARTIN of Massachusetts: Petition of the general court of Massachusetts, urging payment by the Federal Government of one-half of the cost of old age assistance; to the Committee on Ways and Means.

353. By Mrs. ROGERS of Massachusetts: Petition of the General Court of Massachusetts urging the Congress of the United States to provide for the payment by the Federal Government of one-half of the expense of old age assistance; to the Committee on Ways and Means.

354. Also, petition of City Council of Boston, Mass., urging favorable action on House Joint Resolution 43 asking that national recognition be given to the 19th day of April 1775; to the Committee on the Judiciary.

355. Also, petition of the General Court of Massachusetts asking for the construction and maintenance of a veterans' hospital in the city of Lawrence, Mass., to the Committee on World War Veterans' Legislation.

356. By Mrs. SMITH of Maine: Petition signed by Miss Elizabeth E. Crook and other citizens of Bristol, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

357. Also, petition signed by Mrs. Mabel Dearnley and members of the Methodist Church of Lisbon Falls, Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

358. By Mr. SMITH of Wisconsin: Petition of Wisconsin State Legislature, requesting Congress to take steps to relieve the butter shortage; to the Committee on Agriculture.

359. Also, petition of Wisconsin State Legislature requesting Congress to call a convention to consider an amendment to the Constitution of the United States providing a limitation on taxes imposed by Congress on incomes, transfers of property and gifts, except in time of war; to the Committee on the Judiciary.

360. Also, petition of Wisconsin State Legislature, urging development of the Great Lakes-St. Lawrence waterway immediately upon termination of the war; to the Committee on Rivers and Harbors.

361. By the SPEAKER: Petition of Post No. 4 of the American Legion Chapter of Puerto Rico, petitioning consideration of their resolution with reference to granting privileges to the veterans of both wars in the obtaining of jobs with all Federal and insular agencies; to the Committee on World War Veterans' Legislation.

362. Also, petition of the American Cancer Society, petitioning consideration of their resolution with reference to appreciation for past support of Congress and hoping for continued enthusiastic moral support by that body in the future; to the Committee on Interstate and Foreign Commerce.

363. Also, petition of the Wholesale Dry Goods Institute, Inc., petitioning consideration of their resolution with reference to opposition of Government operated corporations and farm and consumer cooperatives which enjoy freedom from Federal taxes under section 101 of the internal revenue laws; to the Committee on Ways and Means.

364. Also, petition of Louis and Nan Antonsanti, Puerto Rico, petitioning consideration of their resolution with reference to opposition of independence bills for Puerto Rico; to the Committee on Insular Affairs.

365. By the SPEAKER: Petition of the Municipal Assembly of Mayaguez, P. R., petitioning consideration of their resolution with reference to supporting every measure toward total eradiction of colonial status in Puerto Rico; to the Committee on Insular Affairs.

366. Also, petition of 250 Americans of Polish descent, residents of Johnstown, Pa., petitioning consideration of their resolution with reference to requesting Congress to back the President in realizing the aims of the Crimean declaration; to the Committee on Foreign Affairs.

367. Also, petition of the annual assembly of the Puerto Rico Teachers' Association, petitioning consideration of their resolution with reference to the adoption of peaceful means to terminate the present political regime in Puerto Rico on a basis of mutual understanding and harmony with the People of the United States of America; to the Committee on Insular Affairs.

368. By Mr. WELCH: Petition of the California State Legislature, House Resolution No. 153, relative to the enactment by Congress of legislation amending the revenue laws to validate depletion allowances affecting the oil industry; to the Committee on Ways and Means.

SENATE

FRIDAY, APRIL 13, 1945

(Legislative day of Friday, March 16, 1945)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The Reverend Hunter M. Lewis, B. D., associate minister, Church of the Epiphany, Washington, D. C., offered the following prayer:

O Almighty God, the God of the spirits of all flesh, Author of life and Lord of death: We bow our heads in silent grief that it hast pleased Thee to call unto Thyself the soul of Thy servant, Franklin, into whose hands Thou hadst placed the leadership of our Nation.

For his stainless character, the richness of his intellect, and his unremitting service to his country in time of sorest need, we yield Thee humble thanks, O Lord, beseeching Thee to help us to pray "Thy will be done." Lord, vouchsafe him light and rest, joy and consolation in Thy presence, in the ample folds of Thy great love.

Comfort, we beseech Thee, his loved ones in their sorrow. Remember them, O Lord, in mercy; endue their souls with patience, and give them grace to know that neither death nor life can separate them from loved ones who are with Thee.

O God of our salvation, in the midst of sudden perplexity, may we find Thy peace. Grant to the President of our Nation special gifts of wisdom and understanding, of counsel and strength. Dispel for us all the night of doubt and fear, and lighten our darkness as we go forward in Thy name, until at length we, too, may hear Thy voice, "Well done, thou good and faithful servant." Through Jesus Christ our Lord. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The Chief Clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., April 13, 1945.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. LISTER HILL, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

KENNETH MCKELLAR,
President pro tempore.

Mr. HILL thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, April 12, 1945, was dispensed with, and the Journal was approved.

DEATH OF THE PRESIDENT OF THE UNITED STATES

Mr. BARKLEY. Mr. President, while the Senate has not yet received, according to custom, official notice of the death of the President of the United States, I am sure that all of us who assemble here this morning assemble with heavy hearts and with depressed spirits. We assemble, Mr. President, in the midst of grief, not only on the part of our official body, not only on the part of the Congress, not only on the part of the American people, but we assemble amid that grief and contrition of spirit that pervades the entire world at this hour.

It is given to few men to occupy the Chief Magistracy of this great Nation of ours, which was conceived in liberty and

dedicated, as Lincoln said, to the proposition that all men are created equal; not equal in physical power, not equal in intellectual endowments, not equal either in moral fiber, but without regard to differences—physical, moral, or intellectual—without regard to differences of race, color, or religion, are born equal in the right and opportunity to enjoy the blessings of freedom under a Nation and under laws and under a system which undertakes, so far as human institutions can do so, to guarantee the equal enjoyment of every right which a government ought to guarantee to those who support and defend it. It is, therefore, given to few men to attain this high distinction as the head of a nation so dedicated and so conceived, but it is a rarer thing for fate and destiny to call to supreme leadership in the world any man born of woman. Franklin D. Roosevelt enjoyed that high distinction.

We do not honor him today merely because the American people allowed him to shatter precedent; we do not honor him merely because he, through the interposition of destiny, became a world leader; we honor him today because also of his personal qualities—of his moral and intellectual stature; we honor him as an American; we honor him as a citizen of the world in the true sense, and we rejoice to honor him in that capacity because wherever men long for liberty, wherever they fight for the enjoyment of human rights, wherever they shed their blood today or tomorrow, or lay down their lives in order that a great ideal may be attained; his name is and will be cherished and revered around the world and throughout all the ages.

Born to affluence, in which so many seek repose and enjoyment, he was unwilling to live the life of the idle. Early in life he espoused the cause of the common man and the common woman. Early in life he dedicated his abilities, which in many respects were so amazing, to the cause of those who are inarticulate, those whose names never appear in the columns of the press, those about whom books are never written, those who dwell in the shadows rather than on the peaks of human existence, those who dwell in the shadows where the sun rarely penetrates to shed that light of intellectual and moral superiority which ought to be, and is, the ambition of every normal human being.

Franklin D. Roosevelt spurned the idleness, spurned the listlessness, spurned the repose which might have been his for the asking, in order that he might become here, and as an agency of fate throughout the world, the symbol and the spokesman of all those who hope for a better life and for a better world.

Stricken down in early life by an affliction which might also have caused him, with justification, to look forward to a life of inactivity and of comfortable ease, so far as man may be said to have ease and comfort when stricken by a physical malady from which he never wholly recovers, he was unwilling to assume the posture of inactivity or of repose, because in that body of his, stricken as it was by this affliction, there was an indomitable spirit, there was a moral and intellectual strength, which would not permit him, in this great world of opportunity, to spend the remainder of his life as many others would have been induced to spend it under such an overwhelming handicap.

We honor him today, Mr. President, not only because earlier he overcame what might have been a logical and natural tendency, and later overcame physical handicaps the equal of which no man in his station had ever encountered in this or any other nation; we honor him today, as we have honored him in the years gone by, because he conquered overwhelming burdens and hardships, because his moral and spiritual make-up enabled him to overcome physical handicaps, because in his case mind was supreme over matter, by reason of which he became, in my judgment, the world's greatest leader while he occupied the station of leadership.

He had great qualities, Mr. President, but he did not possess those great qualities without great faults, for God has not so designed life that men may be without faults, however great may be their intellectual and moral qualities. All great men have been possessed of faults, as well as high and noble qualities. Washington had them, Jefferson had them, Lincoln had them, Woodrow Wilson had them, Franklin D. Roosevelt had them. But in the magnitude of Franklin Roosevelt's performance, in the magnitude of his accomplishment, in the magnitude of his influence, in the magnitude of the reverence and respect and almost adoration in which he has been held throughout the world, faults are swallowed up, and will be swallowed up when the impartial historian shall write the record not only of this man, but of the time in which he lived. Faults will be swallowed up in the affirmative record of virtues and great success, like death itself is swallowed up in victory.

It was my good fortune to be intimately acquainted with the President. I had known him as Assistant Secretary of the Navy in the administration of Woodrow Wilson. I had known and seen him at national conventions of his political party. I had seen him at San Francisco in 1920 when he was nominated for Vice President. I had seen him in New York in 1924 as he came out upon the platform to place in nomination for the high office which he afterward held with such distinction, and from which he has just departed, that Happy Warrior who preceded him to the grave by only a few months. I saw him again at Houston, Tex., 4 years later, when, somewhat improved from the physical illness from which he suffered in 1924, he again placed the same man in nomination for this high office. I saw him fly to Chicago in 1932, taking no note of danger, taking no note of chance, but coming there to inspire those who had honored him with the nomination which led to his election to a great office. I had seen much more of him during the last 12 years, in which, by reason of my official position, I came in constant contact with him.

I did not always agree with the President about everything. In almost every case when we had divergent views we discussed them in the utmost frankness and candor, and nearly always came to an agreement about the policy which should be adopted. But when we now and then may have disagreed, either as to policy or principle, we did so with a recognition of the sincerity of each other, of the right of each to entertain and retain and to fight for the things in which we believed. We did so with that utmost respect which I always held for him, and that affection with which I looked upon him as a person and as a President of the United States. I always had the satisfaction of feeling that I also enjoyed his respect and his affection, and he gave me assurance of both on innumerable occasions.

Mr. President, I should be utterly insincere and ungrateful if I did not here acknowledge before my colleagues and before my country that I entertained for the President, and for all he represented, the deepest affection and the deepest respect. So much so, Mr. President, that I find it difficult now, with the emotions which stir my heart, to speak upon the subject.

In the midst of our grief we must take new courage. His tired body rests in the long sleep which it has earned, worn out in the service of his country, worn out in the service of the ideals of this man who became as much a casualty of this war as any soldier, sailor, marine, or other American, or the follower of any flag, no matter upon what battlefield he may have fought, but his spirit, Mr. President, lives today, and it will continue to live and to inspire our country and to inspire the world.

In our grief let us take new courage, let us tighten our belts on this day of sadness, let us gird our loins, and, with unity, with courage, and with determination let us move forward to the attainment of the goal which he set for us not only here but throughout the world.

For the President's family I voice our inexpressible sorrow and grief. I cannot overlook or forget the stoicism, the courage, and the fortitude with which his wife accepts this visitation of Providence.

In the new President, who so lately was among us here, I express my utmost confidence, and assure him of my desire to cooperate. I believe I express the will of the Senate when I say that all of us here, without regard to politics, desire to accord to him that sympathetic cooperation which is so essential, and which he will need in the days which are to come.

Mr. President, in the light of the President's passing, in view of the sentiments which I have attempted feebly to put into words, I send to the desk, as in legislative session, a resolution which I ask the Senate to consider.

The ACTING PRESIDENT pro tempore. As in legislative session, the clerk will read the resolution.

The Chief Clerk read the resolution (S. Res. 119), as follows:

Resolved, That the Senate has learned with profound regret and sorrow of the death of the late President of the United States, Hon. Franklin Delano Roosevelt, illustrious statesman and leader in the Nation and in the world.

Resolved, That as a token of honor and in recognition of his eminent and distinguished public services to the Nation and to the world, the Presiding Officer of the Senate shall ap-

point a committee of 16 Senators to join a similar committee to be appointed on the part of the House of Representatives to attend the funeral services of the late President.

Resolved, That the Senate tenders its deep sympathy to the members of the family of the late President in their sad bereavement.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the late President.

Mr. WHITE. Mr. President, within the span of my life, six Presidents of the United States have died in office or soon after the relinquishment of their official burdens. No one of them, no President since Abraham Lincoln, met the weight and complexity of problems which for 12 long years rested upon our President whose death we today sorrowfully note.

The passing of Franklin D. Roosevelt is one of history's somber tragedies. He was a great leader of our people and of world thought and effort. His genius in leadership was unmatched in the political life of our Nation. He had a vision which looked beyond the near, to new horizons, and he sought in these adventure and advance of our social, economic, and political frontiers.

Mr. President, he had a magnificent courage which lifted him above and beyond physical infirmities.

At the hour of his passing, there were bound to him in amazing degree the loyalty and affection of countless millions here and throughout the world. He rapidly and surely approached in the ending of war and his plans for a world organization of united nations, the grand climacteric of his career.

Mr. President, I am assured that great as is this country's loss, the tasks begun by President Roosevelt in behalf of victory, of justice, and of peace, will be finished, and that a better world will come. His indomitable spirit will lead in his death as he led in life.

To Mrs. Roosevelt and to her family go assurances of my deepest and my abiding sympathy.

Mr. WAGNER. Mr. President, Franklin D. Roosevelt, the greatest man New York has ever given to the Nation, as great a man as America has ever given to the world, is gone.

As Moses, who brought from God to man the old commandments at the foundation of our ethics, died after seeing, but before entering, the promised land into which he was leading his people out of the wilderness, so Roosevelt, the modern spokesman for social justice, the modern champion of the liberties of all peoples, has left us just short of full attainment of his goals.

But let us take comfort that God gave him more than a glimpse of the success of his work. The President knew yesterday morning that victory was in our hands. He knew that the world organization, for which he strove, had become a reality. He knew that his voice in the wilderness, warning us of the dangers of international barbarism, had become a great voice heard by all mankind.

I remember Franklin Roosevelt as a young man in the New York State Senate, back in 1911, when both he and I were Senators in that body. He showed then of what he was made. When he started a battle for progressive legislation, or for good government, he never let up until his objective was attained. In the same way, he overcame a physical catastrophe that would have made most men lose hope. As President, he began at once to work with all his courage and great gifts, for the welfare of his fellow man. Nothing could deter him. He brought health to our economy by strengthening it with social justice. His reforms will be felt for generations.

That was the first half of his work. The second half began in 1937 or even earlier, when he commenced to fight fascism with all his heart, with all his soul, and with all his might. He aroused us to our danger. He organized us for victory. Now, with Berlin almost taken, our leader is fallen.

But Roosevelt still lives, and will ever live. His wisdom and example will guide his successor, Harry S. Truman, to whom our Nation now looks with understanding and confidence and full support in the great tasks falling upon him.

May America and the world have the strength to complete what Roosevelt more than started—to complete a just and lasting peace—and then to finish here in America the task of creating opportunities for all the people to earn decent livelihoods, to live in good homes, to educate their children well, and to be protected in their illness and old age.

Franklin Roosevelt's greatness will grow upon us all as distance gives us perspective. Like our very greatest Americans, in stature, he will become more and more heroic with the passing years.

I have known him, worked with him, and loved him for so many years, that I cannot say more now—except to express the sympathy we all feel for his brave wife and devoted children.

Mr. VANDENBERG. Mr. President, words are pathetic messengers. In this hour of anxious tragedy, when the bowed hearts of all the civilized earth join ours this fateful morning in humble, poignant sorrow that Franklin Delano Roosevelt, the thirty-first President of the United States, has been gathered to his fathers, nothing that we say here can add to the glory of his stature or to the measure of our grief. He belongs now to history, where he leaves a mark which not even rushing centuries can erase.

Those who were his loyal opposition, no less than those who were his intimate associates, have always recognized in him a rare crusader for his human faiths, an amazing genius in behalf of his always vigorous ideals, a valiant knight in the armor of his commandership as he waged global war. We join the Nation and the world upon their knees this sorrowing morning before his deeply honored bier.

He bravely mastered his own physical handicap with a courage which never lapsed as he fought his way to an unprecedented pinnacle at home and to dominant influence around the world. His untimely death will be mourned at every hearthstone, and on every battle front where freedom wins the victory to which he literally gave his life. A successful peace must be his monument.

Mr. President, a new President of the United States has stepped from the Senate Chamber to take over responsibility in this critical hour. America moves on, mourning her great dead and pledging her loyalty to a new leader who grasps the torch of our destiny and faces the future unafraid.

I am instructed by the minority conference of the Senate to report that it met this morning and dispatched the following message to the President of the United States:

> In this critical and sorrowing hour, when you are called to the supreme responsibility of the Republic, we send you this expression of our faith and trust in you, and the assurance of our sustaining prayers. We shall cooperate with you for the winning of the war and a successful peace at home and abroad. We have directed a committee to call upon you at your convenience to advise with you.

Mr. President, when the country staggered 80 years ago under the awful impact of the news that Abraham Lincoln was dead, James A. Garfield concluded a message to the Nation with ringing words, which I now make my own, "God reigns, and the Government in Washington still lives."

Mr. CONNALLY. Mr. President, in the death of Franklin D. Roosevelt the world has lost its outstanding leader in the cause of peace, human progress, and welfare. He exerted a tremendous influence upon the world with regard to the establishment of an instrumentality for world peace and world security. I know that it would be his wish that this Nation and people continue to go forward in the cause which was close to his heart.

It is gratifying to know from the lips of the new President, and from the lips of those who are directly concerned with the international affairs of the United States, that this work shall go on, and that at San Francisco we hope to realize the ambitions and the dreams of Franklin D. Roosevelt in the establishment of a world organization for peace and security.

Mr. President, while we are surrounded by the gloom of grief, while our people are bowed under the tremendous burdens that that grief brings us, I feel that Franklin Roosevelt died as he would have wished to die, in the midst of his duties and responsibilities and surrounded with the great tasks in which he wrought so wonderfully. I have always believed that if I were a farmer I should love to be called to my fathers out in my fields, surrounded by growing crops and lowing herds. If I worked in a shop, I should wish to be called amidst my tools and the implements of my toil. If I were an attorney at the bar, I should love to be called when I was pleading a cause which I regarded as just and right. If I were a statesman, I should love to feel that with my last expiring breath I had endeavored to advance the cause of human progress and development. If I were a soldier, I should prefer to die with a sword in my hand.

So I believe the President died as he would wish to die. He died with the armor upon him which he had worn so gallantly, and with a sword in his hand, fighting for triumph in this war and for the establishment of an instrumentality for peace.

I know that the new President—President Truman—will carry on the great work left in his hands. Already he has given expression to that purpose and that ambition—a purpose which will have the aid, support, and advice, not only of the Senate but of all responsible Government officials. I am confident that President Truman will grasp the banner which has fallen from the lifeless hands of our great leader and will carry it on toward the achievement of our high purposes and our lofty ambitions.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the resolution submitted by the Senator from Kentucky.

The resolution was unanimously agreed to.

The ACTING PRESIDENT pro tempore appointed the following Senators to attend the funeral services at the White House: Mr. MCKELLAR, Mr. BARKLEY, Mr. WHITE, Mr. GEORGE, Mr. HAYDEN, Mr. WAGNER, Mr. VANDENBERG, Mr. CONNALLY, Mr. THOMAS of Utah, Mr. GREEN, Mr. MEAD, Mr. TUNNELL, Mr. MILLIKIN, Mr. WHERRY, Mr. CORDON, and Mr. SALTONSTALL.

The ACTING PRESIDENT pro tempore also appointed the following Senators to attend the funeral at Hyde Park: Mr. BARKLEY, Mr. WHITE, Mr. LA FOLLETTE, Mr WAGNER, Mr. AUSTIN, Mr. HATCH, Mr. O'MAHONEY, Mr. GUFFEY, Mr. PEPPER, Mr. HILL, Mr. MEAD, Mr. LUCAS, Mr. BURTON, Mr. MAYBANK, Mr. BALL, Mr. FERGUSON, and Mr. MCMAHON.

ADJOURNMENT TO MONDAY

Mr. BARKLEY. Mr. President, as a further mark of respect to the memory of the late President of the United States, I move that the Senate adjourn until Monday next.

The motion was unanimously agreed to; and (at 12 o'clock and 38 minutes p. m.) the Senate adjourned until Monday, April 16, 1945, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

SATURDAY, APRIL 14, 1945

The House met at 12 o'clock noon.

Rt. Rev. Msgr. Patrick J. McCormick, rector, Catholic University of America, offered the following prayer:

Out of the depths have I cried unto Thee, O Lord. Lord, hear my voice: Let Thine ears be attentive to the voice of my supplication.

Almighty and merciful Father, who, in Thy inscrutable judgment and unsearchable way, hast called unto Thyself the soul of Franklin Delano Roosevelt, Thy faithful servant, whom Thou didst permit to lead and govern our people during a portentous period in our life as a nation, we bow in humble submission to Thy holy will. In this hour of national sadness and grief we turn to Thee, the God of all consolation and hope, and we plead for him, for with Thee there is merciful forgiveness and plenteous redemption, that he may have the reward of eternal happiness; we plead also for ourselves, our country, and Nation, that what has been gained and won for us by a life that was unselfishly spent to bring to all his fellows the means to live in security and prosperity will be furthered by our efforts and prospered by Thee. We pray for victory over our enemies, over those forces of evil that threatened and would have destroyed our achievements as a nation and our ideals for a better and fuller life; and we pray that in a common victory with our allies we may soon restore to the nations of the earth, to all mankind, the blessings of freedom and peace; this we beseech Thee through the merits of Thy Son, our Lord and Saviour, Jesus Christ. Amen.

The Journal of the proceedings of Thursday, April 12, 1945, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Gatling, its enrolling clerk, announced that the Senate had adopted the following resolution (S. Res. 119):

Resolved, That the Senate has learned with profound regret and sorrow of the death of the late President of the United States, Hon. Franklin Delano Roosevelt, illustrious statesman and leader in the Nation and in the world.

Resolved, That as a token of honor and in recognition of his eminent and distinguished public services to the Nation and to the world, the Presiding Officer of the Senate shall appoint a committee of 16 Senators to join a similar committee to be appointed on the part of the House of Representatives to attend the funeral services of the late President.

Resolved, That the Senate tenders its deep sympathy to the members of the family of the late President in their sad bereavement.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the late President.

Resolved, That as a further mark of respect to the memory of the late President the Senate do now adjourn until Monday next.

The message also announced that pursuant to the above resolution, the Acting President pro tempore appointed Mr. MCKELLAR, Mr. BARKLEY, Mr. WHITE, Mr. GEORGE, Mr. HAYDEN, Mr. WAGNER, Mr. VANDENBERG, Mr. CONNALLY, Mr. THOMAS of Utah, Mr. GREEN, Mr. MEAD, Mr. TUNNELL, Mr. MILLIKIN, Mr. WHERRY, Mr. GORDON, and Mr. SALTONSTALL members of said committee on the part of the Senate.

THE LATE HONORABLE FRANKLIN DELANO ROOSEVELT

Mr. MCCORMACK. Mr. Speaker, I offer a resolution (H. Res. 216) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the House of Representatives has learned with profound regret and sorrow of the death of the late President of the United States, Hon. Franklin Delano Roosevelt, illustrious statesman and leader in the Nation and in the world.

Resolved, That as a token of honor and in recognition of his eminent and distinguished public services to the Nation and to the world the Speaker of the House shall appoint a committee of 15 Members of the House to join a similar committee appointed on the part of the Senate to attend the funeral services of the late President.

Resolved, That the House tenders its deep sympathy to the members of the family of the late President in their sad bereavement.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the late President.

The resolution was agreed to.

The SPEAKER. The Chair appoints the following Members of the House to attend the funeral services at the White House: Mr. RAYBURN, Mr. DOUGHTON of North Carolina, Mr. VINSON, Mr. BLAND, Mr. BLOOM, Mr. CANNON of Missouri, Mr. COCHRAN, Mr. RAMSPECK, Mr. SNYDER, Mr. CURLEY, Mr. MARTIN of Massachusetts, Mr. WOODRUFF of Michigan, Mrs. ROGERS of Massachusetts, Mr. JENKINS, and Mr. AUCHINCLOSS; and the following Members of the House to attend the funeral at Hyde Park: Mr. RAYBURN, Mr. MCCORMACK, Mr. SABATH, Mr. LEA, Mrs. NORTON, Mr. COOPER, Mr. BULWINKLE, Mr. MAY, Mr. PETERSON of Florida, Mr. QUINN of New York, Mr. MARTIN of Massachusetts, Mr. HALLECK, Mr. ARENDS, Mr. LEFEVRE, and Mr. BALDWIN of New York.

ADJOURNMENT

The SPEAKER. The Clerk will report the remainder of the resolution.

The Clerk read as follows:

Resolved, That as a further mark of respect to the memory of the late President the House do now adjourn.

The resolution was agreed to; accordingly (at 12 o'clock and 5 minutes p. m.) the House adjourned until Monday, April 16, 1945, at 12 o'clock noon.

SENATE

MONDAY, APRIL 16, 1945

The Senate met in executive session at 12 o'clock meridian.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God of birth and of death, God of the living and of the living dead, in whose hands are the souls of the righteous, in merciful pity Thou seest the startled, saddened faces of Thy children of every kindred and clime lifted to Thee in sobbing sorrow. We cry unto Thee from an earth which seems strangely poorer since it gently opened to receive the discarded mortal garment of Thy servant, Franklin Delano.

O Thou help of the helpless and of those who walk in the valley of the shadow of death, we give Thee thanks for the work and worth of this greatest captain of his time, when revolutions have shaken the earth and ancient social landmarks have been swept away with the flood and fury of human discontent. For his clear vision of the nature and purpose of satanic forces which threatened to engulf the world, for his fine

scorn of the snobbery of class and color, for his heroic triumph over bodily affliction and disability—a precious gift to our shattered sons who return from battle to face the same test—for his steadfast faith in the processes of democracy as the hope of today and the wave of the future, for his brave rebuke to all who would drag Americanism to the level of differing backgrounds rather than to lift it to the dream of common goals, we praise Thee, Thou master of all good workmen.

Upon his dearest in the bowed circle of grief pour the consolation of Thy love and the assurance that he has but entered another and larger room in the Father's many-mansioned house.

Earnestly we pray for the anointing of Thy grace and the undergirding of Thy strength and the spirit of wisdom and understanding upon his successor in the high office, who steps from this Chamber and emerges from the loins of the common people to lead in the most awesome hour of history. Facing burdens and tasks too heavy for any man, use him as the channel of Thy purpose as in every crisis Thou hast used men of humble and contrite heart.

With him as the symbol of our national dedication and with our allies in this fight to make men free, we here highly resolve that the peace that is to be and the world united for peace and progress and an ampler life for all mankind shall be the high white monument leaping to the skies in memory of our lost leader. In the name of the blessed Lord whom he adored. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, April 13, 1945, was dispensed with, and the Journal was approved.

LAST ADDRESS PREPARED BY PRESIDENT ROOSEVELT

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD the address which had been prepared by the late President Roosevelt for delivery over a Nation-wide radio hook-up on last Friday night.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Americans are gathered together this evening in communities all over the country to pay tribute to the living memory of Thomas Jefferson—one of the greatest of all democrats—and I want to make it clear that I am spelling that word "democrats" with a small "d."

I wish I had the power, just for this evening, to be present at all of these gatherings.

In this historic year, more than ever before, we do well to consider the character of Thomas Jefferson as an American citizen of the world.

As Minister to France, then as our first Secretary of State, and as our third President, Jefferson was instrumental in the establishment of the United States as a vital factor in international affairs.

It was he who first sent our Navy into far distant waters to defend our rights. And the promulgation of the Monroe Doctrine was the logical development of Jefferson's far-seeing foreign policy.

Today this Nation which Jefferson helped so greatly to build is playing a tremendous part in the battle for the rights of man all over the world.

Today we are part of the vast Allied force—a force composed of flesh and blood and steel and spirit—which is today destroying the makers of war, the breeders of hate, in Europe and in Asia.

In Jefferson's time our Navy consisted of only a handful of frigates—but that tiny Navy taught nations across the Atlantic that piracy in the Mediterranean—acts of aggression against peaceful commerce and the enslavement of their crews—was one of those things which, among neighbors, simply was not done.

Today we have learned in the agony of war that great power involves great responsibility. Today we can no more escape the consequence of German and Japanese aggression than could he avoid the consequences of attacks by the Barbary Corsairs a century and a half before.

We as Americans do not choose to deny our responsibility.

Nor do we intend to abandon our determination that, within the lives of our children and our children's children, there will not be a third world war.

We seek peace—enduring peace. More than an end to war, we want an end to the beginnings of all wars—yes, an end to this brutal, inhuman, and thoroughly impractical method of settling the differences between governments.

The once powerful malignant Nazi state is crumbling; the Japanse war lords are receiving, in their own homeland, the retribution for which they asked when they attacked Pearl Harbor.

But the mere conquest of our enemies is not enough.

We must go on to do all in our power to conquer the doubts and the fears, the ignorance and the greed, which made this horror possible.

Thomas Jefferson, himself a distinguished scientist, once spoke of the "brotherly spirit of science, which unites into one family all its votaries of whatever grade, and however widely dispersed throughout the different quarters of the globe."

Today, science has brought all the different quarters of the globe so close together that it is impossible to isolate them one from another.

Today we are faced with the preeminent fact that, if civilization is to survive, we must cultivate the science of human relationships—the ability of all peoples of all kinds to live together and work together in the same world at peace.

Let me assure you that my hand is the steadier for the work that is to be done, that I move more firmly into the task, knowing that you—millions and millions of you—are joined with me in the resolve to make this work endure.

The work, my friends, is peace; more than an end of this war—an end to the beginnings of all wars; yes, an end, forever, to this impractical, unrealistic settlement of the differences between governments by the mass killing of peoples. Today as we move against the terrible scourge of war, as we go forward toward the greatest contribution that any generation of human beings can make in this world—the contribution of lasting peace—I ask you to keep up your faith. I measure the sound, solid achievement that can be made at this time by the straight edge of your own confidence and your resolve. And to you, and to all Americans who dedicate themselves with us to the making of an abiding peace, I say:

The only limit to our realization of tomorrow will be our doubts of today. Let us move forward with strong and active faith.

FRANKLIN D. ROOSEVELT

Mr. HATCH. Mr. President, the press of the Nation, the radio, through its programs and by its commentators, leaders in Congress, officials of the Nation, men and women in every walk of life—in fact, all the people of America—without regard to politics or other selfish consideration, have responded in our Nation's hour of sorrow, sadness, and tragedy in a manner such as the world has never before seen. Not as a public official but as an American citizen, I rise today to express my gratitude for the superbly wonderful way in which these tremendous forces have met what to a less courageous people might have meant disaster.

Press and radio—friend and foe of the previous administration alike—through editorial comment, through the news services, and in every possible way, rose to the occasion with a patriotism never before witnessed in any country. Had the communications systems been directed and controlled, as they are in many countries of the world, the tributes to the departed Commander in Chief and the good will expressed for the incoming President could not have shown a more united spirit than was demonstrated here in free America by concerted, purely voluntary, and wholly cooperative effort inspired noly by patriotic devotion to the Nation's welfare.

That same spirit of unswerving patriotism was manifest in every town and city throughout the land. In the pulpits of the churches, in memorial halls, in thronging crowds lining city streets and country lanes, America spoke her voice of sublime courage, faith, and confidence.

Let me now, Mr. President, in simple words, express to all of these and to every American, no matter where he lives or where he serves, on the battlefields or in civil life, my own great pride and faith in my country, her people, and her future, for, possessed by such indomitable courage, by such supreme faith, America will meet, overcome, and conquer every enemy of freedom and liberty on battlefield or domestic front. The spirit of a great people marches on—confident, triumphant, and unafraid—to the end, Mr. President, in the words of an immortal American, "that government of the people, by the people, and for the people shall not perish from the earth."

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks communicated to the Senate the resolutions of the House adopted as a tribute to the memory of Hon. Franklin Delano Roosevelt, late the President of the United States.

The message announced that the House had agreed to a concurrent resolution (H. Con. Res. 42) providing that the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 16th day of April 1945, at 1 o'clock p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them, in which it requested the concurrence of the Senate.

JOINT MEETING OF THE TWO HOUSES

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 42, which was read by the legislative clerk, as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 16th day of April 1945, at 1 o'clock p. m., for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

Mr. BARKLEY. I move that the Senate concur in the House concurrent resolution.

The motion was agreed to.

CONDOLENCES ON DEATH OF THE LATE PRESIDENT ROOSEVELT

The PRESIDENT pro tempore laid before the Senate radiograms of condolences on the death of the late President Franklin Delano Roosevelt, which were ordered to lie on the table and to be printed in the RECORD, as follows:

MARACAIBO, *April 13, 1945.*

Congress of the United States of North America, Washington, D. C.:

In this hour of irreparable loss for the people of North America and the world, we unite our voice in expressing our condolence and great sympathy.

JEWISH COLONY OF MARACAIBO,
ELIAS ABADI, *President.*
JAIME GELMAN, *Secretary.*

MEXICO.

Congress of the United States, North American Capital, Washington, D. C.:

The National Anti-Nazi-Fascist Committee expresses its profound sorrow over the death of the great statesman and democrat, His Excellency Franklin D. Roosevelt. It constitutes an irreparable loss to all humanity and to the people of the United States.

For the National Committee:

The PRESIDENT,
ALFREDO FELIX DIAZ ESCOBAR.

FRANKLIN DELANO ROOSEVELT AND PRESIDENT TRUMAN—ADDRESS BY SENATOR McMAHON

Mr. TAYLOR. Mr. President, I ask unanimous consent to have printed in the RECORD at this point an address on the late President Franklin D. Roosevelt and President Harry S. Truman, delivered by the senior Senator from Connecticut [Mr. McMAHON], over the Atlantic Radio Network on Sunday evening, April 15, 1945.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

At 2 o'clock this morning the special train carrying the official Senate and House delegations passed through Philadelphia. I happened to awaken and looked out of the window and saw thousands lining the right of way.

I awoke again at 5 o'clock when the train had reached the vicinity of Mount Vernon, N. Y., and saw the scene repeated.

The depth of the devotion of the plain people to their departed leader could not be more clearly shown than by their willingness to stand for hours in the middle of a cool April night just so they could, as a last mark of their respect, bow their heads as all that remained of this great American passed by.

Caesar, Pericles, Alexander, Napoleon, and Hitler came to world power as conquerors of men's bodies by the sword. Here was a man who came to world influence and world respect and affection because he conquered the hearts of men.

Power to Franklin Roosevelt meant an opportunity for service to his fellowmen and not the enjoyment of self-gratification.

He is gone but his works will live after him as long as man has tongue to pay tribute to one of the world's greatest servants.

Tomorrow the Congress gathers to hear President Truman make his first statement of policy.

We who know him wait confident in the belief that he will bear aloft the torch which he has taken up from the hand of Franklin Roosevelt.

Harry Truman is an American patriot. He believes in our American institutions, and he has a deep faith in the essential strength and collective wisdom of the American people.

He is honest, he is sincere, he is hard working and intelligent. These are the qualities that have won him the faith and companionship of his colleagues in the Senate. The Senators of the United States are keen judges of men. The American people may be assured that he has been tested in a severe crucible and not found wanting.

In language in which "he being dead and yet speaketh," let us invoke a continuance of the same protecting care which has led us from small beginnings to the eminence we this day occupy. Let us seek to deserve that continuance by our devotion to justice in world councils, by well-directed attempts to assuage the bitterness which too often marks unavoidable differences of opinion by the promulgation and practice of just and liberal principles and by an enlarged patriotism which shall acknowledge no limits.

Harry Truman deserves this kind of support. The future peace of the world may well lie in his wisdom and sagacity, in his judgment and the power of his will for right.

Let us unite in his support to the end that this cruelest of all wars shall soon be over and permanent peace obtained.

The American people can pay President Roosevelt's memory the greatest respect by becoming even stronger in their determination to fight for the cause of enduring peace, the cause to which the President gave his life.

WAR DEPARTMENT GENERAL ORDER NO. 29 ANNOUNCING THE DEATH OF PRESIDENT ROOSEVELT

Mr. LUCAS. Mr. President, I ask unanimous consent to have incorporated in the RECORD at this point General Order No. 29 of the War Department, announcing the death of Franklin Delano Roosevelt, President of the United States.

There being no objection, the War Department order was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
Washington, D. C., April 13, 1945.

GENERAL ORDER NO. 29

I. The following order of the Honorable Henry L. Stimson, Secretary of War, announces to the Army the death of Franklin Delano Roosevelt, President of the United States:

"It is my duty as Secretary of War to announce to the Army the death of Franklin Delano Roosevelt, President of the United States, which occurred at Warm Spring, Ga., at 1635 hours, April 12, 1945.

"The Army is deeply grieved at the untimely death of our Commander in Chief. He prepared us to meet the savage onslaught of our enemies and helped us through the bitterness of our early reversals. His unwavering courage in the face of overwhelming odds, his abiding faith in the final triumph of democratic ideals, and his clear vision of the paths to be followed were a source of constant inspiration. He gave the Army unstintedly of his strength and wisdom and his unremitting labors hastened his death. Although he leaves us while there is still much hard fighting ahead, the ultimate victory has been fashioned of his heart and spirit.

"Memorial services shall be held on the day of the funeral, April 15, at all posts, camps, and stations, war operations permitting, at which time this order will be read.

"The former Vice President of the United States, Harry S. Truman, has taken the oath of office and assumed the duty of President in accordance with the provisions of the Constitution."

II. The national flag will be displayed at half staff at the headquarters of all military commands and vessels under the control of the War Department from 0800 hours local time, April 13, 1945, until sunset May 12, 1945, west longitude dates, war operations permitting.

The wearing of mourning bands, the draping of colors and standards, and the firing of salutes will be dispensed with because of war conditions.

III. The body of the late Commander in Chief will be interred at Hyde Park, N. Y., on April 15, 1945.

By order of the Secretary of War:

G. C. MARSHALL,
Chief of Staff.

Official:

J. A. ULIO,
Major General,
The Adjutant General.

EXPRESSION OF CONFIDENCE AND FAITH IN PRESIDENT TRUMAN

Mr. WILEY. Mr. President, a great American President, worn out in the public service has passed to his eternal reward. Political differences vanish, old conflicts and wounds are healed in the deep grief and respect of the Nation for its departed Chief Executive. But the ship of state moves on, and the American crew will rally in continuing unity around its new captain, Harry S. Truman, to guide the ship safely to the port of peace. We may well recall at this time the appropriate words spoken after the passing of President Garfield: "God's in His heaven, all's well with the world, and the Republic still lives."

History will evaluate the life of President Roosevelt. Will he be classified among the great immortals of America and the world? Time only will tell. For the last 3 days America has been expressing herself over the radio, in the churches, in great gatherings, through the channel of music—expressing her appreciation of the life that has dwelt among us. The Greeks, when a loved

one passed on, feasted, knowing that their loved one was with the immortals. They had this idea long before Easter came to the world. But I shall not speak of the departed.

The task before us is so tremendous, so full of unanswered questions and unsolved problems, that in the words of the Great Teacher we will say, "Let the dead bury their dead." As I have stated, the ship of state moves on, and we, the American crew, are obligated to gather around the new captain, Harry S. Truman. It is of him I wish to speak today.

Perhaps a few incidents will describe him better than mere generalities. But first let me say that he is typically American; born poor, and now elevated to the highest office in the land. He has had to work for everything he has achieved. He knows the value of a dollar. He knows also his own limitations, and has demonstrated in the Senate of the United States a faculty for straight thinking, integrity, dependability, and faith in the future of America. As chairman of the Truman committee he picked the best brains available, and when he found facts detrimental to the best interests of America, he exposed them, and he never hesitated even to lay the blame on the White House itself. That is a very wholesome attribute in a public official. If in the future months and years of his term he admits his mistakes and profits by them, America will also profit. If during his term he continues to surround himself with men of ability and integrity, the Republic will be the beneficiary.

Harry S. Truman is a man of great faith. Just last Wednesday he was one of our breakfast group—an informal meeting for spiritual fellowship—and he entered into the general discussion. David Lawrence presided. The Vice President spoke simply and understandingly of human problems. There was no thought that within 48 hours he would become the head of this Nation.

President Truman said to his colleagues the day after he took office, "We must stay together and work together." Truman is a born cooperator. If he follows through on this principle, he will, indeed, be a great blessing to America. Already his success in getting Stalin to send Molotov to the United States for the San Francisco Conference foreshadows his effectiveness in that direction.

I recall that when I came back to Washington last November and saw Harry Truman, I went up to him and shook his hand, and asked him why he came into my State and talked against me. "Well," he said, "Alec, that is politics. The committee wanted me to go in, but you know, I don't think I hurt you a bit." I said, "Well, I agree with you—I agree the constituency of one State does not like to have people of another State come in and tell them how to vote." And then he smiled and said, "I hope you don't hold that against me." I said, "No, I don't hold anything against you." Then he made this statement, "I have a rule in my life, never to remember a slight or an injury and never forget a favor or a kindness rendered." I say to you that if Harry S. Truman follows through on that great principle, America will be the beneficiary. Lincoln incorporated that principle in his life.

Friday noon, approximately 18 hours after he was sworn into office, I met President Truman in the office of the Secretary of the Senate. With me was a Milwaukee resident, Victor Brown. When Harry Truman heard I was in the Secretary's office he came out and gave me one hand and Mr. Brown the other, and he said, "Alec, it is a hard road ahead—pray for me." As he stood there looking straight into my eyes, I put my arms around his shoulder and said, "Mr. President, I know that you will be adequate and competent to meet the problems of the future." He thanked me and stated that he wanted to see me at the White House some time.

The only fear that exists now in Washington is among officials in high places who fear they may lose their jobs.

The Trumans, the President and Mrs. Truman and their daughter, are just folks like those we know back home in our own towns—common-sense folks, who like normal living; hard-working folks who like good books, and music, and friendly people.

It was just 2 weeks ago last Sunday that my wife and I were guests at a small afternoon tea given in honor of the Truman's. After a light lunch, I asked the Vice President to play the piano. He hesitated. Then I grabbed his arm and escorted him to the piano, and he played two selections. He loves music. He plays well. It was Shakespeare who said, "The man that hath no music in himself * * * is fit for treasons, stratagems, and spoils." Truman has music in his soul, and it provides a great outlet for him. This very fact should give us reassurance and confidence.

My primary reason for referring to these things is that the Good Book says that "Faith is the substance of things hoped for, the evidence of things not seen." We can forget partisan politics in connection with both domestic and foreign policies for the next 3 years at least. Many of us who fought against going into this war realize that the issue of intervention and nonintervention went out the window when the Japs attacked Pearl Harbor. Our sons on every continent on earth are shedding their blood for victory in arms and for the further victory in peace which we think of as the substance of things hoped for—some kind of international collaboration that will make another international holocaust like the present one impossible.

The Republicans of the Senate, on Friday last, sent a telegram to President Truman, as follows:

> In this critical and sorrowing hour, when you are called to the supreme responsibility of the Republic, we send you this expression of our faith and trust in you and the assurance of our sustaining prayers. We shall cooperate with you for the winning of the war and a successful peace at home and abroad. We have directed a committee to call upon you at your convenience to advise with you.

This telegram evidences the faith and the trust of Harry Truman's former associates in the Senate—faith and trust in him. If all America has that faith and trust, I am sure the Nation will prove adequate in this great period of travail and challenge.

Yes; if we, the people, realize the power of right thinking, we will get rid of doubt and fear, human misconceptions, human misrelationships, and fulfill the destiny of the Republic—to make more actual the freedoms for the race.

LEAVE TO ATTEND SUBCOMMITTEE MEETING

Mr. OVERTON. Mr. President, a subcommittee of the Commerce Committee has under consideration the proposal for the establishment of a Missouri Valley Authority. Quite a number of witnesses are here, and the subcommittee desires to hold afternoon sessions. May the members of the subcommittee be permitted to absent themselves from the session of the Senate in order to attend the subcommittee meeting?

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and permission is granted.

LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following business was transacted:

DISPOSITION OF EXECUTIVE REPORTS

The President pro tempore laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The President pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Commerce:

"House Joint Memorial 11

"To the honorable the Congress of the United States, to the Honorable Henry L. Stimson, Secretary of War, and to the Honorable E. L. Bartlett, Delegate to Congress from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, respectfully represents that:

"Whereas the city of Ketchikan, Tongass Narrows, is the center of the largest fishing area in Alaska and is utilized by the largest number of fishing vessels in Alaska; and

"Whereas there is insufficient harbor or safe anchorage at Ketchikan and on account thereof those operating in the waters adjacent thereto are required, on the approach of severe and sudden storms, to seek shelter to distant ports, all of which entails great risk of loss of life and property as well as heavy expense:

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska in seventeenth regular session assembled, respectfully urges that the United States Government enlarge the harbor facilities and build a breakwater with a ferry landing approach attached thereto in Tongass Narrows adjacent to Ketchikan, Alaska, as soon as priorities might be made available for the construction of such a project.

"And your memorialist will ever pray.

"Passed by the House, March 20, 1945.

"Approved by the Governor March 22, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Foreign Relations:

"Senate Joint Memorial 2

"To the United States Senate and House of Representatives in Congress assembled, to the Secretary of State, to the Secretary of the Interior, and to the Delegate from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, respectfully represents that—

"Whereas the United States Army for military purposes recently constructed a road from Haines, Alaska, to connect with the Alaska Highway at a place called Dezadeash in Yukon Territory, Canada; and

"Whereas this road going in a northwesterly direction from Haines traverses approximately 42 miles of American territory—a part of the Territory of Alaska—and then passes through northern British Columbia and southern Yukon territory to the main United States-Canadian boundary on the one hundred and forty-first meridian; and

"Whereas the area through which this route passes in British Columbia and Yukon Territory and lying southerly and southwesterly therefrom is virtually unpopulated and is not known to be of any special or considerable value or importance; and

"Whereas the Dominion of Canada and Alaska now embrace hundreds of thousands of square miles of similar terrain of which practically no use is being made; and

"Whereas the Canadian Government to the present moment has not made any commitment as to the maintenance of any part of the highway lying in Canada; and

"Whereas it is deemed desirable that the entire length of the road between Haines and the main United States-Canadian boundary lying on the one hundred and forty-first meridian should be brought under the jurisdiction of the United States in order that there might be direct communication between the people of the United States and people residing in the Territory of Alaska; and

"Whereas it has been suggested that a transfer might be effected between the Governments of the United States and Canada so as to give the Canadian Government ample compensation for that part of their land which we desire either in cash or by conveyance to Canada of a tract of land of approximately the same area lying north of 66° north latitude and east of the one hundred and forty-fourth meridian; and

"Whereas the people of Alaska deem it important to the development of Alaska, as proposed by the President of the United States after his recent visit to the Territory, to bring the Territory in more direct communication with continental United States:

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, does respectfully pray that negotiations be entered into immediately with the Canadian Government for the exchange, sale, lease, or transfer of so much of the territory lying in British Columbia and the Yukon Territory as may be necessary in order that the whole road for its entire length might be brought under the jurisdiction of the Government of the United States.

"And your memorialist will ever pray.

"Passed the senate February 5, 1945.

"Approved by the Governor March 21, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Immigration:

"House Joint Memorial 22

"To the United States Senate, to the House of Representatives, and to the Delegate to Congress from Alaska:

"Your memorialist, the Legislature of the Territory of Alaska, in Seventeeh Regular Session assembled, respectfully represents that:

"Whereas the people of Alaska realize that the future of the Territory in no small measure depends upon the settlement in Alaska of considerable numbers of people; and

"Whereas many efforts have been made to assist groups in settling permanently in Alaska; and

"Whereas the people of the Territory have during the last few years considered a number of proposals for the settlement of large groups of different peoples; and

"Whereas each of the said proposals has been rejected on the ground that the Territory, incorporated into the Union of States, should be considered an integral part of the United States and not a part set aside for the indiscriminate and wholesale dumping of peoples of different races and nationalities; and

"Whereas H. R. 2499, introduced in the House of Representative by Mr. CASE of South Dakota, if enacted, would permit the admission as nonquota immigrants into the Territory of Alaska persons of Finnish descent who have served honorably in the land or naval forces of the United Nations:

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, respectfully prays that H. R. 2499, authorizing and directing the Attorney General of the United States to admit to the Territory of Alaska as nonquota immigrants for permanent residence in such Territory, Finnish persons or persons of Finnish descent, who have been honorably discharged from service in or with the land or naval forces of any of the United Nations, and their wives and children, should not pass unless the bill be so amended that the Finnish persons wishing to settle in this country be permitted to enter the United States generally on a nonquota basis and to settle in Alaska in the same manner and on the same terms as in any State of the Union, should it be their wish to do so.

"And your memorialist will ever pray.

"Approved by the Governor March 21, 1945.

"ERNEST GRUENING,
"Governor of Alaska."

A joint memorial of the Legislature of the Territory of Alaska; to the Committee on Public Lands and Surveys:

"Senate Joint Memorial 1

"To the honorable the Congress of the United States:

"Your memorialist, the Legislature of the Territory of Alaska in the seventeenth regular session assembled, does most respectfully submit that:

"Whereas this legislature now convened is facing the task of devising ways and means of safeguarding the Territory's population and welfare during the present conflict, and of planning for a broader economic development that will insure a sound future for our own returning veterans and thousands of others in the armed forces and large numbers of civilians, all of whom are looking forward to a home in the northern frontier; and

"Whereas the area of the Territory of Alaska in land and water is 378,165,760 acres and of this amount 20,850,000 acres is in the national forests; 6,706,938 in national parks and monuments; 214,471 acres reserved for power sites and withdrawn for power site classification; 32,370 acres reserved for air navigation sites; 23,000,000 acres in military and naval reserves; 48,000,000 acres in the northern Alaska Petroleum Reserve; 15,000 acres in lighthouse reservations; 2,339,950 acres in Indian and native reservations; 13,800,840 in game and bird refuges; 9,000,000 acres in highway and railway reservations; 253,440 acres in the Matanuska Valley colonization project; 270,000 acres patented under various public land laws; and

"Whereas there is a total of 151,482,909 acres of reserved land in the Territory of Alaska with plans underway for further withdrawals at the direction of the Secretary of the Interior; and

"Whereas the Secretary of the Interior while publicly voicing a desire to aid and assist in populating the Territory and developing its resources has, notwithstanding, followed a persistent course to the contrary, and through questionable interpretation of his powers has withdrawn vast areas of land and water from the public domain and prohibited their use and development by the people; and

"Whereas a continuation of such a policy will lead to placing most of Alaska in reservations and curb its development and the welfare of its people; and

"Whereas it has been through the years the announced policy in connection with public lands in the Nation to make them available to the people, thus building a great and virile nation of strong and independent people; and

"Whereas the actions of the present Secretary of the Interior, the Honorable Harold L. Ickes, are in direct conflict with this policy;

"Now, therefore, your memorialist, the Legislature of the Territory of Alaska, in seventeenth regular session assembled, respectfully petitions the Congress of the United States through its proper committee to immediately investigate the policies of the Secretary of the Interior relating to land withdrawals in Alaska that relief may be granted the people of the Territory from the ever-growing burden resulting from his policies, and that copies of this memorial be sent to the President of the Senate, the Speaker of the House of Representatives, the Honorable E. L. BARTLETT, Delegate to Congress from Alaska; the Public Lands and Surveys Committee of the Senate and the Public Lands Committee of the House of Representatives.

"And your memorialist will ever pray.

"Passed by the senate February 13, 1945."

A petition of sundry Polish relief organizations of Rochester, N. Y., praying for aid for the people of Poland; to the Committee on Foreign Relations.

A resolution adopted by the National University Committee of Burrell D. Hodges Detachment, Marine Corps League, and Old Dominion Post, No. 67, National Defense Committee, the American Legion, both of Norfolk, Va., favoring the enactment of legislation establishing a national university (coeducational) in memory of the honored American dead of World Wars No. 1 and No. 2; to the Committee on Education and Labor.

A resolution adopted by the council of the city of Los Angeles, Calif., favoring the enactment of House bill 2071, to reclassify the salaries of postmasters, officers, and employees of the Postal Service, and to establish uniform procedures for computing compensation; to the Committee on Post Offices and Post Roads.

By Mr. TYDINGS:

A resolution adopted by a joint meeting of the Maryland Branch of the Catholic Central Verein and the Catholic Women's Union of Maryland, Baltimore, Md., remonstrating

against the enactment of legislation providing for compulsory peacetime military training; to the Committee on Military Affairs.

By Mr. CONNALLY:

A concurrent resolution of the Legislature of the State of Texas; to the Committee on Finance:

"House Concurrent Resolution 25

"Whereas the benefits of the Social Security Act and particularly of the Unemployment Compensation Act have been extended by the Congress to cover a major portion of the people of the country who are employed in industry, business, and other private pursuits, but not to that large body of our people who are employed by the several States and their counties, municipalities, and other political subdivisions; and

"Whereas such State employees are performing work and labor equally essential and deserving of consideration and recognition to that of all others now protected by law; and

"Whereas the adherence to such a policy by the Congress is an unfair discrimination against those in essential public service and ultimately will so detract State, county, and municipal employment that worthy and efficient people will seek other employment, all to the great impairment of the civil services and the welfare of the people: Therefore be it

"*Resolved by the house of representatives (the senate concurring)*, That the Congress of the United States be memorialized to amend the Social Security Act so as to extend its benefits to State, county, and city employees; and be it further

"*Resolved*, That the chief clerk forward a copy hereof to the Vice President of the United States as President of the Senate, to the Speaker of the House of Representatives, and to each of the Texas Representatives in the Senate and House of the Congress with the request that it shall be presented to each body for consideration and appropriate action."

By Mr. SALTONSTALL (for himself and Mr. WALSH):

Resolutions of the General Court of the State of Massachusetts; to the Committee on Finance:

"Resolutions memorializing Congress for the payment by the Federal Government of one-half of the expense of old-age assistance

"*Resolved*, That the General Court of Massachusetts hereby urges the Congress of the United States to provide for the payment by the Federal Government to the States of one-half of the expense of old-age assistance; and be it further

"*Resolved*, That copies of these resolutions be sent forthwith by the State secretary to the President of the United States, to the presiding officer of each branch of Congress, and to the Members thereof from this Commonwealth."

(The PRESIDENT pro tempore laid before the Senate resolutions of the General Court of Massachusetts identical with the foregoing, which were referred to the Committee on Finance.)

ENDORSEMENT OF DUMBARTON OAKS PROPOSALS

Mr. SMITH. Mr. President, I ask unanimous consent to present, for printing in the RECORD and appropriate reference, a resolution adopted by the Assembly of the State of New Jersey on the 3d day of April, endorsing the Dumbarton Oaks proposals and especially extending warm greetings to and expressing full confidence in Representative CHARLES A. EATON, an honored Member of the House of Representative from the State of New Jersey, and one of the delegates to the San Francisco Conference.

Mr. President, it gives me great pleasure to add my own personal word of appreciation of Representative EATON, and I join in the expression of full confidence in him from all the people of the State of New Jersey.

The PRESIDENT pro tempore. Without objection, the resolution presented by the Senator from New Jersey will be received, appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Foreign Relations:

Whereas every citizen in the State of New Jersey hopes and prays that the coming conference in San Francisco on April 25 will establish a world organization for lasting peace; and

Whereas the State of New Jersey has been signally honored by the choice of one of its distinguished citizens, Representative CHARLES A. EATON, of Watchung, Somerset County, as a member of the American delegation to the San Francisco Conference; and

Whereas the citizens of New Jersey are agreed, as evidenced by the broadest bipartisan support, that a sound basis for establishing a world organization for peace is contained in the proposals submitted by the Dumbarton Oaks Conference: Therefore be it

Resolved by the House of Assembly of the State of New Jersey, That—

1. Warm greetings and full confidence are hereby extended to Representative CHARLES A. EATON on behalf of the people of New Jersey.

2. The Dumbarton Oaks proposals are hereby approved as a sound basis for constructing a general international organization for maintaining peace.

3. The Members of the United States Senate be, and they are hereby, memorialized to support by their voice and vote the Dumbarton Oaks proposals.

4. Copies of this resolution, signed by the speaker and attested by the clerk, be forwarded to Representative CHARLES A. EATON, each member of the American delegation to the San Francisco Conference on April 25, and to each Member of the United States Senate.

MISSOURI VALLEY AUTHORITY—RESOLUTIONS BY MISSOURI RIVER STATES COMMITTEE

Mr. BUTLER. Mr. President, we were informed a moment ago by the Senator from Louisiana [Mr. OVERTON] that a subcommittee of the Commerce Committee was holding hearings in connection with Senate bill 555. The committee of Missouri River States meeting in Omaha on April 5, just a few days ago, adopted resolutions which I think should be placed in the RECORD at this time for the benefit of those who are interested in Senate bill 555 and similar bills. Therefore I ask that the two resolutions be printed in the body of the RECORD and appropriately referred.

There being no objection, the resolutions were received, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

RESOLUTION CONCERNING HEARINGS BEFORE SENATE COMMITTEES ON THE MISSOURI VALLEY AUTHORITY BILL, S. 555

The Missouri River States Committee, representing the 10 States of this valley watershed, with a membership of 10 governors, and 2 appointed committeemen from each State in session at the city of Omaha on April 5, 1945, takes note of the fact that the Missouri Valley Authority bill, S. 555, has been referred, first to the Senate Commerce Committee, second to the Senate Reclamation and Irrigation Committee and third to the Senate Agriculture Committee, each for a 30-day period. It points out the inconvenience and cost to the States of the Missouri River Basin were the Governors and other officials of these States required to make three separate trips to appear before each committee. It is hereby respectfully urged that these committees at some definite time arrange for a joint hearing before which such governors and officials may appear.

RESOLUTION CONCERNING THE DEVELOPMENT OF THE MISSOURI RIVER BASIN AND CONCERNING AUTHORITY MEASURES NOW BEFORE THE CONGRESS

The Missouri River States Committee, representing the 10 States of this valley watershed, with a membership of 10 governors and 2 appointed committeemen from each State, in session at the city of Omaha on April 5, 1945, wishes to review accomplishments, legislative and otherwise, since its last meeting on August 5 and 6, 1944; also, to present findings with recommendations looking to early and complete development of the land and water resources of the entire river basin.

First and foremost, the committee wishes to express generous appreciation and thanks to the President, the Congress, and to the administrative agencies for what has been accomplished relative to the development of the Missouri River Basin since its August 1944 session.

The recommendations of the former session were that there must be a unified plan of development. The President and the Congress were urged to direct the Army engineers and the Bureau of Reclamation to bring before the Congress a plan of coordinated engineering. It was further urged that any unified plan which might be adopted should not adversely affect the use of water for the irrigation of land in the upstream States.

There is now abundant cause for satisfaction because each of these recommendations has been made effective. The Federal agencies concerned have coordinated their engineering, as authorized by law, and the Congress, through the amended Flood Control Act, the amended rivers and harbors bill, and otherwise by congressional enactment, has established policies and law so that existing agencies may carry on a complete development of the land and water resources of the Missouri River Basin, including irrigation, flood control, navigation, hydroelectric power, soil conservation, and other beneficial uses. Initial congressional authorizations have been made to so provide.

Therefore, the Missouri River States Committee, sincerely appreciating this enabling legislation and administrative action, wishes now to further comment and recommend to the President and to the Congress:

1. The early appropriation of funds sufficient to complete plans and specifications—following the $400,000,000 authorized by the Seventy-eighth Congress, and the President's request for additional funds for this purpose—because that will enable development of this great area, as well as to provide for post-war construction and employment.

2. The speeding up of these prebuilding plans in order to afford time and opportunity to observe and make effective the new statutory provision that there shall be consultation with the States in cases of misunderstandings or differences of opinion.

3. A further study by Congress as to the necessity of additional provisions governing what each agency shall continue to do, as the Nation and the States enter upon a solution of the problems pertaining to the development of the Missouri River Basin and other interstate watersheds.

4. That the time has come to consider the establishment of Federal statutory water policies, and then by using existing agencies

develop not only the 2,500-mile Missouri River Basin, but also other watersheds of the Nation.

5. We strongly urge that any consideration of the administration of the facilities resulting from the proposed development of the Missouri River Basin recognize the rights of and grant adequate representation to the people and the States affected.

6. We do not approve the "authority" measures which have heretofore been introduced in Congress, as we object to granting any agency unchecked authority to engage in private business, operate farms, remove hundreds of thousands of acres of land from the tax rolls, take over the administration of education and of local and State laws, and in general do the economic planning for the entire area.

PARTICIPATION BY ITALY AT SAN FRANCISCO CONFERENCE

Mr. GREEN. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the city council of the city of Providence, R. I., asking that Italy be allowed to participate as an ally in the San Francisco Conference.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

Resolution 201

Whereas friendly diplomatic relations have been reestablished and are now being enjoyed between the United States of America and Italy; and

Whereas Italy was the first of the enemy countries to renounce and overthrow spontaneously the totalitarian regime and Nazi domination, and by doing so mortally weakened that coalition, and for the last 2 years has eagerly and wholeheartedly joined with this country and its allies so that it has become a full-fledged cobelligerent; and

Whereas such recognition and diplomatic relations of Italy would further strengthen the long-standing ties of gratitude of the people of Italy and the people of the United States; and

Whereas since becoming a cobelligerent, Italy has proven of great value during this present conflict, and may be of further political value in extending the beneficent influence of our Government's foreign policy for the equitable solution of European problems in a world of peace and justice: Now, therefore, be it

Resolved, That it is the sentiment of this city council that the appeal of Italy be recognized, and that it as an ally participate in the San Francisco Conference; and be it further

Resolved, That the city clerk be and he hereby is directed to transmit to the Senators and Representatives of the State of Rhode Island in Washington a certified copy of this resolution.

OPPOSITION OF TRANS-MISSOURI-KANSAS SHIPPERS BOARD TO MISSOURI VALLEY AUTHORITY AND GOVERNMENTAL JURISDICTION OVER INTERSTATE COMMERCE COMMISSION

Mr. CAPPER. Mr. President, I have received a letter and statements from the Trans-Missouri-Kansas Shippers Board, of Kansas City, Mo., registering their opposition to the bills being proposed in Congress to create a Missouri Valley Authority, and also opposing the bill to make the Interstate Commerce Commission subject to the jurisdiction of the executive departments and agencies of the Government. I ask unanimous consent to present this letter and statements and that they be printed in the RECORD and appropriately referred.

The PRESIDENT pro tempore. Without objection, the letter and statements presented by the Senator from Kansas will be received, printed in the RECORD, and appropriately referred.

To the Committee on Commerce:

TRANS-MISSOURI-KANSAS
SHIPPERS BOARD,
Kansas City, Mo., April 11, 1945.

Hon. ARTHUR CAPPER,
United States Senator,
Washington, D. C.

DEAR SENATOR CAPPER: The executive committee of the Trans-Missouri-Kansas Shippers Board, representing 1,800 shippers in this area, held a meeting in Kansas City, Mo., March 20, 1945, at which considerable discussion was given item 5 on our docket covering legislation.

I have been directed to call your attention to the views and action of this organization. Attached you will find excerpt from the executive committee report covering legislative discussion as printed on page 8 of our proceedings.

When these bills are presented to Congress we hope you will take action along the line set forth in the attachment.

Yours very truly,

H. J. GOUDELOCK,
General Chairman.

MISSOURI VALLEY AUTHORITY—S. 555, H. R. 2203

The Trans-Missouri-Kansas Shippers Board is opposed to the bills being proposed in Congress to create a Missouri Valley Authority.

All of the essential needs in the Missouri Valley have been provided for in the flood-control bill signed by the President of the United States December 22, 1944, and the rivers-and-harbors bill signed by the President of the United States March 2, 1945. These bills represent best views of the United States Army engineers, Reclamation Bureau of the Department of the Interior, the Department of Agriculture, and the Federal Power Commission.

The proposed bills are purely an effort to grab power beyond any necessity and unduly subject this area to a regimentation such as has never before been attempted in a democratic nation.

It would be an utter waste of effort and subject private management to undue and unreasonable restrictions and competition and destroy private initiative.

It is proposed to establish a state of socialism answerable not even to Congress for its acts.

To the Committee on Interstate Commerce:

INTERSTATE COMMERCE COMMISSION

"The Trans-Missouri-Kansas Shippers Board opposes any and all efforts to make the Interstate Commerce Commission subject to the jurisdiction of the Department of Commerce or any other executive department or agency of the Government. There is no surer way of involving our transportation industry in political buttonholing tactics than make it impotent to serve the needs of our national economy."

The executive committee also went on record opposing passage of two bills (S. 293 and H. R. 1362), proposing to amend the railroad retirement and unemployment insurance system as the passage of these bills would give preferential treatment of certain groups.

The officers of the board were directed to communicate these views to our Senators and Congressmen and take such other action as may seem to them appropriate.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. TYDINGS:

S. 870. A bill for the relief of Harry J. Schneider; to the Committee on Claims.

By Mr. GREEN:

S. 871. A bill conferring jurisdiction upon the United States District Court for the District of Rhode Island to hear, determine, and render judgment upon the claim of Raymond LaPearl; to the Committee on Claims.

By Mr. MAYBANK:

S. 872. A bill for the relief of William M. Sanders; to the Committee on Finance.

By Mr. THOMAS of Oklahoma:

S. 873. A bill proposing that no reduction be made in service-connected permanent and total disability compensation and/or insurance ratings, and for other purposes; to the Committee on Finance.

By Mr. CORDON:

S. 874. A bill to amend the act relating to contracts and agreements under the Agricultural Adjustment Act, approved January 25, 1934, as amended; to the Committee on Agriculture and Forestry.

WORLD WAR MEMORIAL TEMPLE—AMENDMENTS

Mr. PEPPER submitted amendments intended to be proposed by him to provide for the construction of a suitable memorial to those who served in the armed forces in World War No. 1 and World War No. 2, to be known as World War Memorial Temple, which were referred to the Committee on Public Buildings and Grounds and ordered to be printed.

MEMORIAL IN HONOR OF FRANKLIN DELANO ROOSEVELT

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to submit a concurrent resolution which I wish to read. It is as follows:

Whereas the United States of America has erected a memorial to the first President of the United States, George Washington, known as the Father of Our Country; and

Whereas the United States of America has erected a memorial to Thomas Jefferson, the Father of Democracy; and

Whereas the United States of America has erected a memorial to Abraham Lincoln, the Savior of the Union; and

Whereas many other suitable memorials have been erected to various notables; and

Whereas the Nation having suffered the great loss of another outstanding President of the United States, Franklin Delano Roosevelt; and

Whereas Franklin Delano Roosevelt is the No. 1 casualty of World War No. 2; and

Whereas Franklin Delano Roosevelt is known throughout the world as one of the greatest humanitarians of all time; and

Whereas Franklin Delano Roosevelt has established a Nation-wide foundation for the care and cure of infantile paralysis; and

Whereas Franklin Delano Roosevelt is the father of many social reforms in the United States; and

Whereas Franklin Delano Roosevelt has established and put in motion the machinery for a world-wide peace; and

Whereas Franklin Delano Roosevelt has performed countless other services both to this Nation and to the world: Now, therefore, be it

Resolved, That the Senate and the House appoint appropriate committees from each House for the purpose of making recommendations for the selecting, financing, and

erecting of an appropriate memorial to eulogize and exemplify the life of this great benefactor of the human race.

The PRESIDENT pro tempore. Without objection, the concurrent resolution submitted by the Senator from South Carolina will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 15) was referred to the Committee on the Library.

KANSAS AGAIN EXCEEDS NATIONAL WAR FUND QUOTA

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD the report of Judge W. D. Jochems, of Wichita, as to the exceptionally fine showing made by the people of Kansas with respect to the National War Fund.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

KANSAS UNITED WAR FUND, INC.,
Topeka, Kans., April 4, 1945.

The Kansas United War Fund raised $1,245,611.82 in the second National War Fund campaign conducted last fall. Of this amount more than $1,000,000 has been remitted to our State war fund treasurer and sent by him to the National War Fund. All of the counties in Kansas have remitted in full except eight. In these counties remittances are being made to State headquarters as deferred payments are collected locally.

The funds raised last fall are now at work all over the world through the U. S. O., War Prisoners' Aid, United Seamen's Service, and 19 other war relief and war-related agencies. The money obtained in the campaign is already bringing happiness to tired and weary fighters on the front lines who have the opportunity of watching a U. S. O. camp show. It is going behind the barbed wire of prison camps to brighten the long hours for lonely prisoners of war. It is helping to provide United Seamen's Service units for the men of the merchant marine in ports and on beachheads throughout the world. It is helping to bring relief from many months of suffering to our friends of the Allied countries by supplying food, clothing, medicine, etc.

Kansas is again near the top nationally in the list of States to first raise its quota in the second National War Fund campaign. Eighty-four counties of the 105 counties in the State reached or exceeded the quota. Of the 21 counties that did not reach the quota, several raised 90 percent or more.

We deeply appreciate the splendid results achieved throughout Kansas in the second National War Fund campaign. We are also greateful for the continued loyalty and devotion of all our chairmen and workers and their realization of the vital necessity of remaining at their posts until the war is won.

W. D. JOCHEMS,
President.
FRANK L. BYNUM,
State Director.

Kansas United War Fund—Campaign report by districts, 1944

District	District chairman	Number of counties in district	Number of counties over top	Quota	Amount raised
1	Paul Boatwright	2	2	$14,406	$16,806.83
2	Robert G. Volk	2	2	18,513	19,688.18
3	Maj. L. B. Rutherford	1	0	18,574	14,550.00
4	E. W. Stilwell	1	0	93,667	85,532.00
5	F. H. Elvig	2	2	26,176	27,495.11
6	Emil J. Miller	2	1	32,368	30,165.72
7	C. J. Carey	2	2	11,464	11,866.00
8	Judge Harry W. Fisher	1	1	11,770	12,186.32
9	Maynard W. Angwin	1	0	27,463	24,700.00
10	Rev. Melvin Booth	1	0	16,306	9,655.52
11	Huston McDonald	1	0	20,536	16,978.22
12	Richard L. Becker	1	1	34,635	34,911.00
13	Rev. Frederic W. Litchman	2	2	20,904	21,436.62
14	Senator Stanley E. Toland	2	1	14,774	14,512.66
15	Ray S. Pierson	3	2	26,654	26,680.93
16	David Neiswanger	1	1	67,982	73,982.00
17	B. L. Lohmuller	2	0	16,062	12,331.43
18	Charles A. Swiercinsky	2	0	20,966	14,524.79
19	Chester C. Brewer	3	3	32,919	34,791.33
20	M. C. Gugler	2	2	23,173	23,822.60
21	Frank Foucke	1	1	19,126	19,212.29
22	W. M. Richards	2	2	25,134	26,213.64
23	John F. Hughes	1	1	20,475	23,205.08
24	V. N. Barton	2	1	8,031	7,681.14
25	Clarence Mogle	1	1	26,666	26,857.00
26	L. P. Jeter	1	1	14,712	14,738.77
27	Judge Grover Pierpoint	1	1	184,330	187,881.42
28	Carl K. Suderman	2	2	28,505	32,481.56
29	A. Q. Miller	2	1	34,819	34,180.24
30	Judge Charles A. Walsh	2	1	17,349	14,912.73
31	Fred Beeler	2	2	13,119	13,120.03
32	J. E. Kissell	4	3	24,828	27,101.83
33	H. S. Kilby	3	3	35,434	39,031.23
34	G. Carl Hipple	3	3	53,823	58,696.62
35	W. C. Gould	8	8	42,301	51,939.32
36	H. A. Kohl	6	6	22,561	25,244.12
37	Lester McCoy	12	12	33,597	39,095.61
38	C. M. Larson	5	4	26,422	27,590.26
39	A. C. Hancock	8	8	28,446	33,355.04
40	F. C. Dickey	3	1	17,656	16,465.63
	Total	105	84	1,226,000	1,245,611.82

27 of the 40 districts went over the top.
Of these 27 districts, there were 23 in which every county raised or exceeded its quota.
84 counties of the 105 in the State went over the top.

UNITED NATIONAL CLOTHING CAMPAIGN, APRIL 1–30, 1945

Kansas war fund leaders are being asked to cooperate in an extreme Nation-wide campaign to secure clothing for free distribution to the needy and destitute people of war-devastated countries which will be held during the month of April.

The committees which will conduct the campaigns are made up of representatives of all community interests—church, school, labor, civic clubs, women's clubs, P. T. A., youth organizations, veterans' groups, and others. The Rotary, Kiwanis, and Lions Clubs have been asked to serve jointly in the campaign. A goal of 150,000,000 pounds of clothing has been set. It is estimated that more than 125,000,000 people are in liberated or to-be-liberated nations of Europe which are in dire need of clothing. Of these, more than 30,000,000 are children.

This clothing campaign is not a part of the National War Fund or of the Kansas United War Fund, but both organizations have approved this worth-while effort and urge cooperation of local war-fund leaders.

UNITED SEAMEN'S SERVICE CLUB ESTABLISHED AT MANILA

Negotiations are now being completed for a building in Manila to be used as a United Seamen's Service Club for merchant seamen bringing supplies to General MacArthur's army.

The Manila building will be a combined residence and recreation club and will have overnight accommodations for 150 merchant seamen. This building will become the one hundred and thirtieth unit in the world-wide chain of United Seamen's Service Clubs.

LIBERATION OF FINMARK ALLOWS DISTRIBUTION OF RELIEF SUPPPLIES

The liberation of Finmark, northernmost province of Norway, has started a rush of relief supplies to the long-suffering people of this bleak peninsula from American relief for Norway.

Already 10,000 packages of food and 10 carloads of clothing have been given to Norwegian families who fled into the mountains in Sweden to escape being driven southward with the retreating Germans.

Other funds from this agency have been used to obtain medicine, clothing, and food for young Norwegians who hid in the woods to escape German labor draft.

U. S. O. TO AID IN READJUSTMENT OF VETERANS AND WOUNDED

Five hundred U. S. O. clubs are now operating near Army general hospitals to help returned convalescent servicemen. Appreciating the value of this program, the Surgeon General's office has asked U. S. O. to be a factor in training the whole community in the reception of these servicemen.

U. S. O. Camp Shows has also entered this field by establishing the camp shows hospital circuit and a hospital sketching program for the entertainment of men in hospitals in this country.

SEAMEN PRISONERS PRAISE NATIONAL WAR FUND AGENCIES

War Prisoners Aid and United Seamen's Service were praised by 42 merchant seamen repatriated from the Milag-Nord prison camp in Germany on the exchange ship *Gripsholm*.

Many of the seamen who recounted their experience echoed the gratitude of Frederick Anderson Strand, master of the steamship *Honomu*, which was torpedoed in the North Atlantic in 1942 when he said they "would have gone crazy" but for the books and games provided by War Prisoners Aid.

SHORTAGE OF FARM MACHINERY—LETTER FROM PAUL SCHILLA

Mr. LANGER. Mr. President, I have received a letter from Paul Schilla, one of the leading hardwaremen of North Dakota, who has been in business in North Dakota for 35 years. The letter is short, and I read it, as follows:

DICKINSON, N. DAK., *April 5, 1945.*

DEAR SENATOR LANGER: How does the W. P. B. expect farmers to harvest crops if they can't buy a fork handle or other necessary farm repairs?

Sincerely,

PAUL SCHILLA,
Schilla Hardware & Furniture.

Mr. President, this man resides 40 miles north of the county of Hettinger, where in 1943, according to the sworn

testimony of the county agent, the farmers lost $1,000,000 on wheat and flax which they were unable to harvest because of the lack of farm machinery.

ADDRESS BY SENATOR CHAVEZ ON THOMAS JEFFERSON AND INTER-AMERICAN UNITY

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD an address delivered by him on Thomas Jefferson and Inter-American Unity, before the meeting of Latin-American Judge Advocates, at Monticello, Charlottesville, Va., April 11, 1945, which appears in the Appendix.]

ADDRESS BY HON. JAMES A. FARLEY BEFORE MARYLAND BANKERS' ASSOCIATION

[Mr. TYDINGS asked and obtained leave to have printed in the RECORD an address delivered by Hon. James A. Farley at a meeting of the Maryland Bankers' Association, in Baltimore, Md., on April 12, 1945, which appears in the Appendix.]

WORLD PEACE—INTERVIEW WITH JAMES M. COX

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an interview with Hon. James M. Cox, printed in the Miami Daily News of April 1, 1945, which appears in the Appendix.]

POST-WAR EMPLOYMENT FOR WAR VETERANS

[Mr. LUCAS asked and obtained leave to have printed in the RECORD a statement by John Thomas Taylor, national legislative chairman, American Legion, and an address by Edward N. Scheiberling, national commander, American Legion, dealing with post-war employment for war veterans, which appear in the Appendix.]

BRETTON WOODS PROPOSALS—ANALYSIS BY HAMILTON OWENS

[Mr. RADCLIFFE asked and obtained leave to have printed in the RECORD an article by Hamilton Owens, editor in chief of the Baltimore Sun, analyzing the Bretton Woods proposals, published in the Baltimore Sun of April 12, 1945, which appears in the Appendix.]

CASTING BREAD UPON THE WATERS—EDITORIAL BY MAURICE R. FRANKS

[Mr. HAWKES asked and obtained leave to have printed in the RECORD an editorial entitled "Casting Bread Upon the Waters," by Maurice R. Franks, editor of the Railroad Workers' Journal, published in the April 1945 issue, which appears in the Appendix.]

THE SAN FRANCISCO CONFERENCE AND DUMBARTON OAKS—ADDRESS BY LOTHROP STODDARD

Mr. SHIPSTEAD. Mr. President, yesterday morning Lothrop Stoddard made a very important radio address over Station WMAL, dealing with the important questions involving the conference to be held at San Francisco, as well as the Dumbarton Oaks agreement. I ask unanimous consent that the address delivered by him may be printed in the body of the RECORD in order that the Senate may be informed upon some of the important questions Mr. Stoddard discusses.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Last Thursday afternoon there fell athwart the earth the shadow of a great bereavement. The sudden passing of Franklin Delano Roosevelt, who for more than 12 years had molded and guided America's course, and who had been one of the prime architects of the grand alliance known as the United Nations in a supreme struggle against the Axis menace, crosscuts and complicates every problem of both war and diplomacy, and adds a new element of uncertainty to a world situation already far from assured. Philosophically, it raises anew the age-old question as to how far the death of an outstanding leader changes the course of history. Those who accept the great-man theory will tend to see in the late President's untimely removal from the helm of the ship of state a potential catastrophe; while those who view the most eminent human personalities as embodiments of a basic trend of the times which both elevates and motivates them will tend to view the loss of our former Chief Executive as less irreparable.

Whichever theory may be the more applicable to the present instance, it seems unquestionable that the disappearance of so widely acknowledged a world figure from this earthly scene will produce far-reaching consequences, directly or indirectly, both within this Nation and on the international plane. To attempt anything like a general survey of possibilities, with their infinite ramifications, would far transcend the limits of the brief time at my disposal for this broadcast. So I deem it more profitable as well as more feasible to leave to subsequent broadcasts discussion of developments as they become manifest by the course of events. Today, therefore, I shall confine myself to a few of the more obvious consequences.

One point which it is well for us to appreciate is the tremendous impact which President Roosevelt's death had abroad—an impact in some respects sharper and deeper than it was at home. Here in democratic America, Mr. Roosevelt was seen, as it were, near to, alike as a man, as a citizen, and in his political capacity open to criticism as well as to commendation. But from the far perspective of distant lands, the human and partisan aspects of our Chief Executive tended to vanish and President Roosevelt came to be regarded as a veritable incarnation of America's power, spirit, and attitude. This has been especially true of those countries with an authoritarian form of government, unappreciative of the constitutional limitations on our Executive. To the average Russian, for instance, a personal agreement between the President and Marshal Stalin would be decisive, so long as both heads of state were alive and in office. That accounts in part for the perturbation which Mr. Roosevelt's death has caused in Moscow. Conversely, the average German, accustomed to an almost idolatrous reverence for Hitler, has tended to diabolize President Roosevelt and thus to believe that the sudden removal of what they deem the American Fuehrer will cause disorganization in our war effort and disruption in inter-Allied unity. Dr. Goebbels and his corps of skilled propangandists are today doing their best to spur the German people to last-ditch efforts by hopes which our armies on German soil will soon show to be vain. The upshot in both cases is an undue emphasis on the personal aspect of a change in American directorship which may give rise to many misconceptions and consequent disappointments abroad.

Such misconceptions are undoubtedly enhanced by the fact that, in his handling of foreign affairs, as in all other phases of his administration, Franklin D. Roosevelt was strongly "personal." Even more than President Wilson, he was, as a current adage puts it, "his own Secretary of State" and relied largely on emissaries of his own, responsible to him alone. This off-the-record diplomacy was accentuated by his secretive parleys with Prime Minister Winston Churchill and Marshal Stalin, where private understandings were arrived at, perhaps not fully known in their finer implications even to the handful of trusted intimates to whom were confided what had transpired. This tenuous tissue of personal contacts and meetings of minds has been dissolved by the hand of death. Mr. Roosevelt's successor is neither constitutionally nor morally bound by them, even if he can be apprized of their more subtle nuances. Churchill and Stalin know this, realize the significance, and will doubtless act accordingly. And it is unlikely that they can establish a similar relationship with Mr. Truman, not merely on account of the new President's relative inexperience in foreign affairs, but also because the political record shows a different attitude toward the conduct of public business. With a background, training, and experience widely different from that of Franklin Roosevelt, Harry S. Truman's political attitude can perhaps best be described as that of a traditional "constitutionalist." In the words of Lewis Wood, Washington correspondent of the New York Times: "Those closest to the new President are positive that there will result a type of government in which the congressional branch will assume a very important role and where many men throughout the Federal establishment will be called to aid and advise the new Executive. Mr. Truman's intimates are definite in describing the new President's philosophy as utterly opposed to a situation where any one division of the Government, or any one individual, should exercise an influence above the others. Mr. Truman's faith that the Congress should share with the President in viewing situations and making decisions was amply illustrated, these friends asserted, by his taking luncheon on the very first day of his term of office with Senatorial and House leaders." It is likewise typified by what is understood to be his selection of James F. Byrnes as Presidential confidant, in place of Harry Hopkins. And the indications are that many changes in the Presidential entourage will take place within a relatively short time.

All this does not mean that there will be any notable alterations in the general course of our foreign policy. Indeed, at the very moment of his induction to the Presidency, Mr. Truman specifically announced that the war would be waged with unabated vigor to a wholly successful conclusion and that the San Francisco Conference would be held on schedule. Nevertheless, it seems equally apparent that our foreign affairs will be conducted in a different spirit and by somewhat different methods. To begin with, it looks as though there would be a general devolution of responsibility from the White House to the various branches of Government. The conduct of diplomacy will presumably return to the State Department, while grand strategy will again be the special province of the Army and the Navy. All this should spell a revival of traditional practices in government and a more equable balance between the executive and legislative branches as the founding fathers originally intended. That is one of the chief reasons for anticipating a successful start of the new administration. As David Lawrence expressed the matter in his syndicated column yesterday: "He (Mr. Truman) knows representative government. Cooperation between the executive and legislative branches, essential in time of war but even more so in the transition period after the peace, may prove to be the outstanding characteristic of the administration of President Truman."

All this should logically enhance the prospects of a favorable outcome for the San Francisco Conference, in terms of America's national interest. As already remarked, President Truman is in no way bound by the personal commitments privately made by his predecessor with Churchill and Stalin, especially with the latter, at Teheran and Yalta. It had become pretty apparent that Stalin had got very much the best of the bargain at both those doplimatic poker parties, and that Mr. Roosevelt and his entourage were in an embarrassing position both with American public opinion and the other

members of the United Nations. A striking instanace of this was the White House's backdown on the matter of three votes for this country in the projected world assembly, to balance Moscow's demand for similar preferential treatment, while at the same time Mr. Roosevelt's spokesmen admitted that our representatives would be bound to support the Russian demand at the Conference, if it should be made. That was because Mr. Roosevelt had made a personal deal with Stalin at Yalta. But now that Mr. Truman is President, the deal need no longer hold, and a situation as illogical as it was unfortunate has thereby been automatically eliminated.

Apropos of that three-vote business, whose disastrous implications I discussed at length last Sunday, I am delighted to see that Sumner Welles, former Under Secretary of State, has come out in his syndicated column this week against the project, and in terms as strong as my own. "If," he writes, "the United Nations agree to this proposal, the nature of the international organization proposed at Dumbarton Oaks will be radically changed. * * * It was recognized in the Dumbarton Oaks formula that if the sovereign equality of all nations was to be anything more than a phrase, the assembly of the coming international organization should be a body in which every state, great or small, would have an equal voice. The principle involved is basic. If the major powers are to have multiple voting rights in the assembly, the concept of the sovereign equality of nations goes by the board. * * * The creation of a world assembly upon such a foundation would mean the beginning of the end of the individuality, and of the sovereign independence of all the smaller peoples. International democracy and international justice are at stake. Our very capacity to obtain a durable international organization which world public opinion would support is involved. It is, of course, disquieting that any fundamental divergence of opinion on fundamental questions should develop at this time among the United Nations. But it would appear to me that a question is here presented which does not admit of compromise. Those who believe that world peace and world progress can come only through the establishment of an international organization based on justice and right, and not through the creation of a dictatorship of the major military powers, must hope that the delegates of the United Nations assembled at San Francisco will not agree to this fundamental departure from the sound principles contained in the proposals of Dumbarton Oaks."

Of course I am deeply gratified that so eminent an authority on world affairs as Sumner Welles should have taken precisely the same stand I took last Sunday, when the matter had not hitherto been basically set forth. And I am equally gratified that a change in administration has relieved our representatives at San Francisco from the onus of seconding or otherwise supporting so dangerously and insidiously revolutionary a proposal as that which Marshal Stalin broached and gained assent to at Yalta. President Truman can start his foreign policy in no better fashion than by taking a firm stand on this vital issue and sticking to it, no matter what may immediately ensue.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.) a protocol supplementary to the treaty.

The PRESIDENT pro tempore. The question is on agreeing to the reservations offered on behalf of the Committee on Foreign Relations.

Mr. CONNALLY. Mr. President, I ask unanimous consent that we proceed to consider seriatim the reservations offered on behalf of the committee.

The PRESIDENT pro tempore. Without objection, it is so ordered. The question is on agreeing to reservation (a).

Mr. TAFT. Mr. President, may I ask the Senator from Texas if he will make a statement as to the total cost involved in the various works which are definitely authorized by the treaty, as limited by reservation (a)?

Mr. CONNALLY. To be absolutely accurate, I shall have to wait a few moments for the details. However, I can give a general outline.

Mr. TAFT. My only suggestion is that in effect we are passing an authorization bill covering certain specific works. If no limitation is provided in the reservation, which I am willing to forego, I think we should have a definite statement as to how much in dollars we are committing the country.

Mr. CONNALLY. I asked one of the members of the staff of the International Boundary Commission to prepare a detailed memorandum on that subject, and I am sure it is in existence.

I can make a general statement. Take the case of the Davis Dam, for example, on the Colorado River. The Congress has already authorized the construction of that dam, and has already made the appropriation for the dam, so there will be no added expenditure as to that particular dam.

In the case of the Rio Grande River, Congress has already authorized, and, I believe, appropriated for, a dam on that river costing about $60,000,000. That will revert to the Treasury, or be applied to the projects under this treaty. My understanding is that for all these projects there will be an increased appropriation of approximately $15,000,000.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. CONNNALLY. I yield.

Mr. MILLIKIN. The data which I have taken from the record indicate that the share of the United States in the diversion dam referred to in the treaty will be $2,500,000. The Mexican share will be $2,500,000.

Our share in the storage dams on the Rio Grande will be $53,000,000, and Mexico's share will be $33,000,000.

The proration of costs between the United States and Mexico of the Rio Grande storage dams is based upon the estimated storage capacities required by each country, this being the basis of division prescribed by the treaty. The proration of costs of the diversion dam is based upon the estimated benefit to each country, this being the basis of division prescribed by the treaty for the cost of such structures.

Federal project No. 5, the valley gravity canal and storage project, has already been authorized by Congress for construction at a cost of $60,000,000, part of which has already been appropriated. The building of the treaty dams will eliminate the necessity for the expenditure of an estimated $42,000,000 of this sum, at the same time affording flood control and a better water supply. Deducting this fund from the estimated total cost to the United States of works specifically provided for in the treaty leaves a total net cost to the United States of approximately $13,500,000.

As to the Colorado and Tia Juana Rivers, work on the Tia Juana River has not reached a stage where plans have been completed or where estimates may be made. Whenever they are completed, they will have to come back to Congress for authorization and appropriation.

In addition to the items which I have mentioned, there will be possibly some gaging stations, of very minor cost.

Mr. CONNALLY. My understanding is that some of the works on the border will be paid for entirely by Mexico.

Mr. MILLIKIN. That is correct.

Mr. CONNALLY. Because Mexico will receive the benefits, she will pay for all of certain installations.

Mr. MILLIKIN. For example, Mexico will pay for the diversion dam on the Colorado River. Mexico will pay her proportionate share of the cost of the All-American Canal, which will be used in diverting water to her. Mexico will pay entirely for certain flood-control projects on the Colorado River.

Mr. CONNALLY. I thank the Senator.

Mr. McCARRAN. Mr. President, I should like to propound a question to the Senator from Texas and also the Senator from Colorado. As I understand, Mexico has not contributed anything and will never contribute anything to the cost of structures erected within American territory. Am I correct in that statement?

Mr. MILLIKIN. No. Mexico will pay her proportionate cost of the All-American Canal.

Mr. McCARRAN. That is, in Mexico?

Mr. MILLIKIN. No; from Imperial Dam down to the Pilot Knob wasteway. Mexico will also pay for a little stretch of canal which may be necessary from the wasteway to connect with the Alamo Canal.

Mr. McCARRAN. But so far as the diversion portions are concerned and the diversion dam——

Mr. MILLIKIN. Mexico will pay for the diversion dam.

Mr. McCARRAN. That is Mexican property. That diverts the Mexican water from the Colorado.

Mr. MILLIKIN. The diversion dam may be either in the limitrophe section of the river or it may be below the limitrophe section; but wherever it is, Mexico will pay for it.

Mr. McCARRAN. That is correct; but it will divert only Mexican water. It will divert no water to be used by American citizens.

Mr. MILLIKIN. That is correct.

Mr. McCARRAN. I should like to ask one further question. I do not know whether it comes properly under this particular reservation or not, but I ask it now nevertheless: How much water must be released from Boulder Dam or other diversion works on the Colorado River proper in order to deliver 1,500,000 acre-feet to Mexico?

Mr. MILLIKIN. Does the Senator have in mind evaporation and other losses?

Mr. McCARRAN. I mean, taking everything into consideration, how much water must be released from Boulder Dam and other diversion works, such as the Davis Dam and the Parker Dam, in order to deliver 1,500,000 acre-feet to Mexico?

Mr. MILLIKIN. I should not want to give an offhand answer to that question; but, roughly speaking, it would be perhaps one-seventh of the total water released from Boulder Dam to supply the combined lower basin and Mexican uses.

Mr. McCARRAN. I am not talking about the lower basin at all. I am speaking about what we must do at Boulder Dam in order to deliver 1,500,000 acre-feet to Mexico.

Mr. MILLIKIN. I should not wish to make an offhand estimate.

Mr. McCARRAN. Has the Senator ever read Senate Document No. 39, which I hold in my hand, and which consists of correspondence between myself and Commissioner Bashore? I think perhaps the Senator from Colorado and the Senator from Texas would be somewhat surprised if I were to invite their attention to page 5 of that document, and especially to question 12, which I propounded to the Commissioner of Reclamation. The question begins near the bottom of page 5:

Question 12. Proposed Mexican Treaty (face amount, 1,500,000 acre-feet).

This treaty guarantees 1,500,000 acre-feet at the border.

(a) How much water would you have to release at Boulder in order to deliver 1,500,000 acre-feet to Mexico at the border?

The next question:

(b) Under the proposed treaty, would there be any charge against the Mexican allocation on account of reservoir losses or losses in the stream in transit?

The next question:

(c) If not, would not all of the reservoir losses have to be borne by the American users, even that portion which would have been chargeable to the 1,500,000 acre-feet delivered to Mexico, if that quantity had been delivered to an American user?

Answer by Commissioner Bashore——

JOINT MEETING OF THE TWO HOUSES

Mr. BARKLEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Texas yield to the Senator from Kentucky?

Mr. CONNALLY. I yield.

Mr. BARKLEY. The House of Representatives has requested that the Senate be in the Hall of the House of Representatives at quarter to 1. In order that we may comply with that request, I think we shall have to suspend at this point. Therefore, I ask unanimous consent that the Senators now assemble and proceed to the Hall of the House of Representatives, and that immediately after the joint meeting the Senate reassemble in its Chamber for the further consideration of the treaty during the remainder of the day.

The PRESIDENT pro tempore. Without objection, it is so ordered; and the Senate will now proceed to the Hall of the House of Representatives.

Thereupon (at 12 o'clock and 42 minutes p. m.) the Senate headed by the President pro tempore, and escorted by the Secretary (Leslie L. Biffle) and the Sergeant at Arms (Wall Doxey), proceeded to the Hall of the House of Representatives for the purpose of hearing an address by the President of the United States.

ADDRESS BY THE PRESIDENT OF THE UNITED STATES

[The address by the President of the United States this day delivered at a joint meeting of the two Houses of Congress is printed on p. 3389 of the House proceedings in today's CONGRESSIONAL RECORD.]

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate having returned to its Chamber at 1 o'clock and 32 minutes, it reassembled in executive session, with the President pro tempore in the chair; and resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and a protocol (Executive H, 78th Cong., 2d sess.) supplementary to the treaty.

Mr. BARKLEY. Mr. President, at the time the Senate took a recess to go to the Hall of the House of Representatives the Senator from Nevada [Mr. McCARRAN] was propounding some questions to the Senator from Colorado [Mr. MILLIKIN] which the Senator from Colorado had not had an opportunity to answer.

I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	O'Mahoney
Austin	Gurney	Overton
Ball	Hart	Radcliffe
Barkley	Hawkes	Revercomb
Bilbo	Hayden	Russell
Brewster	Hickenlooper	Saltonstall
Bridges	Hill	Shipstead
Briggs	Hoey	Smith
Brooks	Johnson, Calif.	Stewart
Burton	Johnson, Colo.	Taft
Byrd	Langer	Taylor
Capehart	McCarran	Thomas, Okla.
Capper	McFarland	Thomas, Utah
Chandler	McKellar	Tunnell
Chavez	McMahon	Tydings
Connally	Maybank	Vandenberg
Cordon	Millikin	Wheeler
Donnell	Moore	Wherry
Downey	Morse	White
Ellender	Murdock	Wiley
George	Murray	Willis
Gerry	Myers	Wilson
Green	O'Daniel	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] and the Senator from New York [Mr. WAGNER] are absent on public business.

The Senator from Massachusetts [Mr. WALSH] is absent in attendance at meetings of a 3-day session of the Board of Visitors to the Naval Academy, for which purpose he secured leave of absence from the Senate.

The Senator from West Virginia [Mr. KILGORE] has been unavoidably detained.

The Senator from Washington [Mr. MITCHELL] is absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from New Mexico [Mr. HATCH], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. LUCAS], the Senator from Washington [Mr. MAGNUSON], the Senator from Arkansas [Mr. McCLELLAN], the Senator from Florida [Mr. PEPPER] are absent attending committee meetings and on official business pertaining to their respective States.

Mr. WHERRY. The Senator from New Hampshire [Mr. TOBEY] is necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The following Senators are detained in committee meetings and on official business:

The Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Nebraska [Mr. BUTLER], the Senator from Michigan [Mr. FERGUSON], the Senator from Kansas [Mr. REED], and the Senator from Wyoming [Mr. ROBERTSON].

The PRESIDING OFFICER (Mr. TYDINGS in the chair). Sixty-nine Senators have answered to their names. A quorum is present.

Mr. DOWNEY. Mr. President, I wish to address my remarks to the chairman of the Foreign Relations Committee on some rather small but, I believe, important matters.

I invite the attention of the Senator from Texas to reservation (a), on page 2, line 18, where the expression "without prior approval by the legislative branch of the Government" is used. The reservation provides, in effect, that before commitments may be made by any of the agencies concerned with this treaty, there must be prior approval by the legislative branch of the Government. I have consulted with distinguished Senators and other able attorneys, and none of them seems to know why the reservation uses that expression instead of "approval of the Congress of the United States."

Mr. CONNALLY. Mr. President, I accept that modification. The language would then read "without prior approval of the Congress of the United States."

The PRESIDING OFFICER. The reservation is modified accordingly. The question is on agreeing to reservation (a) as modified.

Mr. DOWNEY. Mr. President, so far as I am concerned, reservation (a) as modified, is now in form satisfactory to me.

Mr. TAFT. Mr. President, I merely wish to confirm what I understood the Senator from Texas and the Senator from Colorado to say; that is, that the total cost of items 1 to 8, inclusive, in reservation (a), will not exceed a figure between $15,000,000 and $20,000,000 net,

after crediting the amount for the project which can now be abandoned. Is that a correct statement?

Mr. CONNALLY. Mr. President, a little while ago I stated that a memorandum had been prepared by those who are acquainted with this subject. The memorandum shows that the Senater from Colorado [Mr. MILLIKIN] was quite accurate in the statement he made earlier in the debate. There is a tabulation of the different items and offsets. The net result is a total net cost to the United States for the works prescribed by the treaty, obligations for which we assume, of $13,500,000.

Mr. TAFT. Does that amount include the cost of joint investigations. I do not suppose they would be a material item, but I inquire for purposes of the record.

Mr. CONNALLY. I do not know whether they are included. I know of no estimate regarding them.

Mr. TAFT. I do not suppose the cost of the joint investigations could possibly exceed several million dollars.

Mr. CONNALLY. They would not amount to that much, because the work of the Commission will continue, and in connection with its work it could make such investigations, and probably as a general matter with little added cost.

Mr. TAFT. I am not particularly interested in the exact amount. I simply wished to have it confirmed that the total cost of everything named in (a) would not, in all probability, exceed $20,000,000 net.

Mr. CONNALLY. Easily not.

Mr. MILLIKIN. Mr. President——

Mr. CONNALLY. I yield to the Senator from Colorado.

Mr. MILLIKIN. In the question directed to me by the distinguished senior Senator from Ohio [Mr. TAFT], he asked whether the amount was net, making allowance for the project which he mentioned on the Rio Grande. I should say it is net, also after making allowance for Davis Dam, which has already been authorized.

Mr. TAFT. Yes; I understand.

Mr. CONNALLY. I wish to be frank with the Senator. Of course, there are no final, definitive data as to exact costs; but these are in conformity with the preliminary estimates of the engineering authority.

Mr. TAFT. Is the Senator placing the statement in the RECORD at this point?

Mr. CONNALLY. I am perfectly willing to do so, if that is the desire of the Senator from Ohio.

Mr. TAFT. I should like to have that done.

Mr. CONNALLY. Very well. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement of the estimated cost of construction of works specifically provided for in the Mexican water treaty.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

ESTIMATED COST OF CONSTRUCTION OF WORKS SPECIFICALLY PROVIDED FOR IN THE MEXICAN WATER TREATY

While detailed engineering studies and further investigation will be necessary before final plans and cost estimates can be prepared, preliminary data now available are sufficient to indicate that the costs will be about as follows:

Item	Estimated costs		
	United States	Mexico	Total
Rio Grande:			
Storage dams	$53,000,000	$33,000,000	$86,000,000
Diversion dam	2,500,000	2,500,000	5,000,000
Total	55,500,000	35,500,000	91,000,000

The proration of costs between the United States and Mexico of the Rio Grande storage dams is based upon the estimated storage capacities required by each country, this being the basis of division prescribed by the treaty. The proration of costs of the diversion dam is based upon the estimated benefit to each country this being the basis of division prescribed by the treaty for the cost of such structures.

NOTE.—Federal project No. 5, the valley gravity canal and storage project, has already been authorized by Congress for construction at a cost of $60,000,000, part of which has already been appropriated. The building of the treaty dams will eliminate the necessity for the expenditure of an estimated $42,000,000 of this sum, at the same time affording flood control and a better water supply. Deducting this sum from the estimated total cost to the United States of works specifically provided for in the treaty, $55,500,000, leaves total net cost to United States of works prescribed by treaty, $13,500,000.

If power plants at the international dams are authorized and installed, a substantial portion of the costs of these dams may be repaid out of power revenues.

COLORADO AND TIJUANA RIVERS

The United States will build the Davis Dam at its expense, but this dam had already been authorized by Congress for construction by the Bureau of Reclamation, and preliminary work had been commenced before the war emergency required its suspension. Imperial Dam and the reach of the all-American Canal from Imperial Dam to the Pilot Knob wasteway will be used in part for the delivery of a portion of Mexico's water. These have already been constructed and are in operation. A proportionate part of their cost and the cost of their maintenance and operation will be paid by Mexico. All other works on the Colorado prescribed by the treaty for the purpose of delivering Mexico's water are to be built at Mexico's expense. No works on the Tijuana River are specifically provided for.

The PRESIDING OFFICER. The question is on agreeing to reservation (a), as modified.

Mr. DOWNEY. Mr. President——

Mr. McCARRAN. Mr. President, I should like to know who has the floor.

Mr. DOWNEY. I shall be glad to yield to the Senator. First, Mr. President, I should like to say that I have a final suggestion to make relative to reservation (a) before it is finally disposed of. My suggestion is rather routine in its nature, but I shall present it at this time. I may say to the distinguished senior Senator from Texas that I think in the reservations we should follow the form which was used in connection with the Canadian treaty and, likewise, in connection with all other important treaties, so far as I know. I speak in reference to the following language, namely, the recital beginning on the first page of the resolution of ratification:

Resolved * * *, That the Senate advise and consent to the ratification—

Then I skip language, and come down to line 9 on page 2—

subject to the following understandings:—

I wonder whether the distinguished Senator would be willing to agree to change the expression "subject to the following understandings" so as to make it conform to the language which is used in the Canadian treaty and in all other important treaties of which I know. That language reads as follows:

And that these understandings will be mentioned in the ratification of this treaty as conveying the true meaning of the treaty, and will in effect form a part of the treaty.

Mr. MILLIKIN. Mr. President, will the Senator yield to me?

Mr. DOWNEY. I yield.

Mr. MILLIKIN. Is it the Senator's intention to have that language added to each of the reservations, or at some place at the end of all of them?

Mr. DOWNEY. I am suggesting that it be added on page 2, in line 9, after the clause "subject to the following understandings." I suggest that we add at that point the language "and that these understandings will be mentioned"—and so forth. That addition should be made in line 9, on page 2.

Mr. CONNALLY. Mr. President, let me say to the Senator that if those words are used at that point, it will be unnecessary to use them at any other place in the reservations.

Mr. DOWNEY. That is correct.

Mr. CONNALLY. And it would not be necessary to make any effort to tie them on at the end.

Mr. DOWNEY. That is correct.

Mr. CONNALLY. If the Senator will reduce his suggestion to writing, I think I shall agree to it.

Mr. DOWNEY. I have it reduced to writing.

Mr. CONNALLY. Then I ask the Senator to send it to the clerk and have it read at the desk.

Mr. DOWNEY. I do so.

The PRESIDING OFFICER. The amendment offered by the Senator from California will be stated.

The LEGISLATIVE CLERK. In the resolution of ratification, on page 2, line 9, after the word "understandings", it is proposed to add the following:

, and that these understandings will be mentioned in the ratification of this treaty as conveying the true meaning of the treaty, and will in effect form a part of the treaty.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from California.

The amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on agreeing to reservation (a), proposed by the Committee on Foreign Relations, as amended.

Mr. McCARRAN. Mr. President, am I to understand that the Senator from California has yielded the floor?

Mr. DOWNEY. I shall be very glad to yield.

Mr. McCARRAN. I do not wish to have the Senator yield; but before the reservation is accepted or rejected by the Senate, I wish to have an opportunity to present some information which I think the Senate should have had at the very outset.

Mr. DOWNEY. Then, Mr. President, with one explanatory remark I shall yield the floor.

Reservation (a), as presented and amended, is now in a form which is satisfactory to me. I have one other important change to suggest to subsequent reservations, and I have some other matters to present; but I yield now.

Mr. McCARRAN obtained the floor.

Mr. LANGER. Mr. President, will the Senator yield to me?

Mr. McCARRAN. I yield.

Mr. LANGER. I ask unanimous consent to be excused from the Senate while I have a meeting with representatives of the Department of Agriculture dealing with some drainage matters in North Dakota and Minnesota.

The PRESIDING OFFICER. Is there objection to the request of the Senator from North Dakota? The Chair hears none, and the permission of the Senate is granted.

Mr. McCARRAN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	George	Morse
Austin	Guffey	Murdock
Ball	Gurney	Murray
Bankhead	Hart	Myers
Barkley	Hawkes	O'Mahoney
Bilbo	Hayden	Radcliffe
Bridges	Hickenlooper	Revercomb
Briggs	Hill	Taft
Burton	Johnson, Calif.	Taylor
Bushfield	Johnson, Colo.	Thomas, Utah
Butler	Johnston, S. C.	Tunnell
Capehart	La Follette	Vandenberg
Chandler	Lucas	Wherry
Chavez	McCarran	White
Connally	McClellan	Wiley
Cordon	McFarland	Wilson
Donnell	McKellar	Young
Downey	McMahon	
Ellender	Millikin	

The PRESIDENT pro tempore. Fifty-five Senators have answered to their names. A quorum is present.

The Senator from Nevada is recognized.

Mr. CHAVEZ subsequently said: Mr. President, if the Senator from Nevada will yield to me, I should like to propound a parliamentary inquiry with reference to the last roll call. I left the Senate floor about 10 minutes before the call, and went to my office to attend to some office business. The buzzers for a quorum call sounded, and I immediately left my office for the Chamber, but by the time I reached here the roll call had been concluded. Am I supposed to be absent from that quorum call?

The PRESIDING OFFICER (Mr. HILL in the chair). The Senator's name was not recorded as being present.

Mr. CHAVEZ. I ask unanimous consent, under the circumstances I have stated, that my name be recorded as being present.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Mexico? The Chair hears none, and it is so ordered.

Mr. McCARRAN. Mr. President, before the recess was taken to enable the Senate to go over to the House of Representatives I had propounded a question of the Senator from Colorado. The question was, How much water are we bound, under the pending treaty, to release from Boulder Dam to Mexico?

I wish to say to the Senator from Colorado, lest perchance he has not the information immediately at hand, that I respectfully refer him to what is now Senate Document No. 39, entitled "Water Supply Below Boulder Dam—Data Submitted by Hon. Harry W. Bashore, Commissioner of Reclamation, in Response to Inquiries From Hon. PAT MCCARRAN, a United States Senator From Nevada, Relative to Water Supply Below Boulder Dam."

I draw the Senator's attention to page 6 of the document. I think the answer given by Commissioner of Reclamation Bashore is somewhat startling to those of us who had perhaps thought differently. My query to him is found in——

Question 12. Proposed Mexican treaty (face amount, 1,500,000 acre-feet).

This treaty guarantees 1,500,000 acre-feet at the border.

(a) How much water would you have to release at Boulder in order to deliver 1,500,000 acre-feet to Mexico at the border?

(b) Under the proposed treaty, would there be any charge against the Mexican allocation on account of reservoir losses or losses in the stream in transit?

(c) If not, would not all of the reservoir losses have to be borne by the American users, even that portion which would have been chargeable to the 1,500,000 acre-feet delivered to Mexico, if that quantity had been delivered to an American user?

Mr. Bashore's answer and discussion are as follows:

(a) If, for the purpose of this analysis, the small amount of unused Gila water is neglected (testified to previously in the hearing to average 100,000 acre-feet annually), there would need be released from Boulder Dam, earmarked for delivery to Mexico, 1,500,000 acre-feet of water annually.

Is it the understanding of the Senator from Colorado and the other proponents of the pending treaty that we would have to earmark for release from Boulder Dam the full quantum of water we guarantee to Mexico. If so, what becomes of the return flow about which we have heard so much, what becomes of the question of salinity about which we have heard so much, and what is the quality of the water we are to deliver, if it be earmarked 1,500,000 acre-feet from Boulder Dam?

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. McCARRAN. The question was propounded by the Senator from Colorado, and certainly I yield.

Mr. MILLIKIN. I find nothing in the treaty that applies to the release of one million and a half acre-feet of water from Boulder Dam to supply the treaty allocation of water to Mexico. On the contrary, article 15 of the treaty, under schedule II, requires the delivery at the boundary line by means of the All-American Canal of 500,000 acre-feet each year from the date Davis Dam and Reservoir are placed in operation until January 1, 1980, and the delivery of 375,000 acre-feet of water each year thereafter.

That, so far as I am able to find, is the only requirement of delivery attached to any particular structure or works on the river. The remainder, under the theory of the proponents of the treaty, may be made up of return flow.

Mr. McCARRAN. I thank the Senator for the reply, because I take it that many of us have been laboring under the very same idea. Here we have a Government agency that has to do with releasing of the water and will have to do directly and indirectly with the delivery of the water at the boundary, and here we have the statement of the Commissioner of Reclamation set forth in a Senate document, so that Senators must vote on this question with their eyes wide open, who says in answer to my inquiry, and I read from page 6 of Senate Document 39:

If, for the purpose of this analysis, the small amount of unused Gila water is neglected—

That is, left out and not considered—

(testified to previously in the hearings to average 100,000 acre-feet annually), there would need be released from Boulder Dam, earmarked—

Mark you, earmarked—

for delivery to Mexico, 1,500,000 acre-feet of water annually.

I draw that to the attention of the Senate especially in view of other things to which I shall refer later.

Mr. MILLIKIN. Mr. President, is it convenient for me to interrupt the Senator now?

Mr. McCARRAN. Certainly.

Mr. MILLIKIN. I first want to say that I should like to study what Commissioner Bashore said in the light of the whole context, but I wish to repeat that there is nothing whatever in the treaty that supports the contention that 1,500,000 acre-feet have to be specifically metered out of Boulder Dam or any structure to meet the Mexican allocation. The only provision, as I said before, which might limit delivery of water to Mexico to definite structures, to wit the All-American Canal, is in article 15, and the amount ranges from 375,000 to 500,000 acre-feet a year. A prior provision of the treaty says the water shall come from any source, regardless of its origin.

Mr. McCARRAN. I persist in this matter because I am confident that this treaty is being considered and, I regret to say, will be voted on, when the Senate does not appreciate its full purport or meaning.

Mr. President, without desiring to take up the time of the Senate to too great an extent, I think it well for the RECORD, because I wish the RECORD to be clear about this matter, that I read the entire Senate document, which is not very long. It propounded certain questions to the authority in this country which has to do with conservation of water, and with all the natural water impounded everywhere. For that reason I shall read

the entire document, and in it are Mr. Bashore's answers. I read:

MARCH 17, 1945.

Hon. HARRY W. BASHORE,
Commissioner of Reclamation,
Washington, D. C.

DEAR MR. BASHORE: I want some further light on the supply and demand equation for Colorado River water, as developed in the testimony of yourself and Mr. Riter before the Senate Committee on Foreign Relations in connection with the pending treaty with Mexico. This testimony seems to me to be confusing because of its treatment of reservoir losses and reservoir draw-down.

Will you be good enough to fill in the annexed table and answer the questions relating to it which follow? I would like to have this as soon as possible.

Sincerely,

PAT MCCARRAN.

(The table and questions which were annexed to Senator MCCARRAN's letter were repeated in Commissioner Bashore's data submitted in response; see below.)

DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D. C., March 31, 1945.

Hon. PAT MCCARRAN,
United States Senate.

DEAR SENATOR MCCARRAN: I am pleased to transmit herewith a table of information concerning the flows of the Colorado River. These data are in answer to your letter of March 17, 1945.

I trust you will find that this information fulfills your needs. Please let me know if I may be of further service.

Very truly yours,

H. W. BASHORE, *Commissioner.*

COLORADO RIVER

(Under conditions of ultimate development)

ANNUAL SUPPLY, REQUIREMENTS, AND DEFICIT DURING LOW FLOW PERIODS (SUCH AS 1931–40)

I. Annual supply

Question 1. Average flow at Lee Ferry.

The figures furnished the Senate Foreign Relations Committee assumed an average flow at Lee Ferry of 7,500,000 acre-feet. It is assumed that this means that in a low-flow decade like 1931–40, the total delivery by the upper basin would be the compact requirement of 75,000,000 acre-feet.

Answers and discussion: Question 1. The assumption is correct that by using an average flow of 7,500,000 acre-feet this means that in a low-flow decade like 1931–40 the total delivery by the upper basin would be the compact requirement of 75,000,000 acre-feet.

Mr. MILLIKIN. Mr. President, I do not wish to interrupt the Senator; perhaps he would rather read the entire document before he submits to interruption.

The PRESIDNG OFFICER. Does the Senator from Nevada yield to the Senator from Colorado?

Mr. MCCARRAN. Certainly.

Mr. MILLIKIN. I should like to suggest that during the 10-year period just referred to we actually let down 108,000,000 acre-feet.

Mr. MCCARRAN. That may be true, but I am merely giving Commissioner Bashore's answers to me. I continue reading from the document:

Question 2. Plus: Inflow from springs and tributaries, Lee Ferry to Boulder Dam.

The figures furnished the Senate committee show 800,000 acre-feet. What justification can you give for this figure during a period of low flow, such as the decade 1931–40?

Answer and discussion: Question 2, re "Inflow from springs and tributaries, Lee Ferry to Boulder Dam, 800,000 acre-feet." The figure of 800,000 acre-feet was determined by comparing the recorded flows of the Colorado River at Lee Ferry and below Boulder Dam, correcting the latter figure by storage changes in Lake Mead and estimated past reservoir losses to reflect the inflow to Lake Mead. This flow was then corrected by the present use of water between Lee Ferry and Boulder Dam to reflect conditions as they would be without any irrigation development below Lee Ferry.

Question 3. Less: Losses, Lee Ferry to Lake Mead.

The figures given the Senate committee omit this item. What reservoir and other evaporation losses between Lee Ferry and Boulder Dam should be assumed?

Answer and discussion: Question 3, re "Losses, Lee Ferry to Lake Mead." In the question, the committee refers to "reservoir and other losses," while the table refers to "losses." It is presumed that what is meant is the natural stream losses, since item 4 covers losses from reservoirs. On the assumption that question 4 is intended to cover reservoir losses, the answer to question 3 is determined in the following manner: We did not compute the natural stream losses. Since the determination of the inflow in item 2 is the net difference in recorded flows between Lee Ferry and Boulder Dam, that figure represents the net gain which is the inflow to the river in excess of channel losses.

Question 4. Less: Reservoir losses on Lake Mead and other reservoirs between Lee Ferry and Boulder Dam.

Your figures omit this.

(a) What reservoir losses on Lake Mead itself should be assumed?

(b) On what area, and how many acre-feet per acre of reservoir surface per year?

Answer and discussion: Question 4, re "Reservoir losses on Lake Mead." The table asks for reservoir losses on Lake Mead and other reservoirs between Lee Ferry and Boulder Dam. In making this determination the reservoir losses have been computed as the increased losses due to reservoir construction over and above the natural losses that did or would exist prior to the building of the reservoirs. The following table shows our computation of these losses:

Name of reservoir	Average evaporating area in 1,000 acres				Annual rate of loss in feet				Annual loss in 1,000 acre-feet		
	Originally		Following reservoir development		Originally		Following reservoir development		Originally	Following development	Charge to reservoir
	Water	Land	Water	Land	Water	Land	Water	Land			
Marble Canyon	1.5	8.2	9.2	0.5	6.0	1.0	5.0	1.0	17	47	30
Bridge Canyon	.6	17.0	15.6	2.0	7.0	1.0	5.0	2.0	21	82	61
Lake Mead	8.0	155.0	130.0	33.0	7.0	.8	6.0	1.2	180	820	640
Total, Lee Ferry to Boulder Canyon	10.1	180.2	154.8	35.5	------	------	------	------	218	949	731

Question 5. Net amount available for release from Boulder Dam without drawing down storage.

Your figures omit this.

Mind you, Mr. President, these are questions propounded to Commissioner Bashore, and they go to the very heart of this subject.

To arrive at the physical quantity of water available for releases at Lake Mead, should not losses between Lee Ferry and Lake Mead, and the reservoir losses on Lake Mead itself, be deducted? If this is done, what is the actual physical amount available for delivery from Lake Mead, without any draw-down on storage?

Answer and discussion: Question 5, re "Net amount available for release from Boulder Dam without drawing down storage." This is the sum of the average flow at Lee Ferry and the net gain, Lee Ferry to Boulder Dam, minus the estimated reservoir losses between Lee Ferry and Boulder Dam. The figure is 7,569,000 acre-feet.

Question 6. Plus: Inflow between Boulder Dam and the Gila.

Your figures omit this.

(a) How much inflow between Boulder Dam and the Gila do you assume?

(b) From what streams?

Answer and discussion: Question 6, re "Inflow between Boulder Dam and the Gila." The principal stream in this area is the Williams River, which has a recorded discharge in the 10-year period of 125,000 acre-feet.

Question 7. Less: River losses below Boulder Dam.

Your figure is apparently 600,000 acre-feet.

Answer and discussion: Question 7, re "River losses below Boulder Dam." This figure resulted from questioning during the hearings on the proposed Mexican treaty by Senators DOWNEY and JOHNSON on the California exhibit, which showed river losses below Boulder Dam of 600,000 acre-feet and that we stated we took no issue with them. The figure of 600,000 acre-feet represents the net difference in future flow between Boulder Dam and Imperial Dam! In other words, this is the net loss over and above the inflows described in question 6. To arrive at the absolute loss, the net river loss should be added to the figure derived for question 6. Accordingly, in completing the table above, items 6 and 7 have been combined and a figure of 600,000 acre-feet used to represent the net river loss.

Question 8. Total net amount physically available for delivery without drawing down Lake Mead storage.

What is the total remainder available for use, without draw-down on Boulder Dam storage?

I again bring this point to the attention of the Senate, because it is highly involved in the consideration of the treaty; indeed, it goes to the very heart of it. Contracts have been entered into with the people of the lower basin who built Boulder Dam. The people of Nevada, the people of Arizona, and the people of California built Boulder Dam; not the Government of the United States by any means. Contracts having been entered into, we are interested to know whether the power for which we are paying and will continue to pay is to be affected by the draw-down on Lake Mead. It has been affected in the past, when the State Department made a demand 2 years ago on the Interior Department for an excess draw-off of the water of Lake Mead, and had it not been for an unusual season which followed, shortage in power would have resulted. We fear

that shortage of power will result if the treaty is ratified.

Answer and discussion:

Question 8, re "Total net amount physically available for delivery without drawing down Lake Mead storage." This is the figure, derived as suggested, in item 5, minus the net river loss of 600,000 acre-feet, which results in an answer of 6,969,000 acre-feet.

Mr. President, that figure is exceedingly significant. Again I went into another phase of this question with the Commissioner because I thought the Commissioner's word on this matter was to be highly regarded in solving certain questions involved in the approval of the treaty, he and his bureau being the recognized authority on matters of water conservation.

Question 9. Nevada contract (face amount, 300,000 acre-feet).

The Nevada contract calls for a delivery of a total of 300,000 acre-feet. You stated your assumption of the Colorado River compact as requiring reservoir losses to be charged as though they were consumptive uses, against the contract.

(a) What, then, is the amount of the reservoir loss to be deducted from the 300,000 acre-foot gross figure used in the Nevada contract; and

(b) What becomes the net consumptive use under the Nevada contract?

Question 10. California contracts (face amount, 5,362,000 acre-feet).

Next, as to the California contracts, totaling 5,362,000 acre-feet:

(a) Is it not true that the Boulder Canyon Project Act and the California Limitation Act provide that the California contracts are to be measured by diversions less returns to the river?

(b) Would they, therefore, be subject to any charge for reservoir losses?

Question 11. Arizona contract (face amount, 2,800,000 acre-feet).

Assuming the foregoing to be true, let us go next to the Arizona contract, for 2,800,000 acre-feet plus half the surplus.

(a) What reservoir losses would you deduct there; and

(b) What would the net deliveries become?

Answer and discussion: Questions 9, 10, and 11 discuss, respectively, the Nevada, the California, and the Arizona contracts with a determination as to how the reservoir losses have been proportioned. The subject of reservoir losses is one on which there is not uniform agreement among the States as to how they should be proportioned. In the various discussions of the Committee of Sixteen there seems to be uniform agreement that reservoir losses in the upper basin should be charged against the upper basin allocation under the compact of 7,500,000 acre-feet. Among many engineers and lawyers there is a feeling that similarly in the lower basin the main stem reservoir losses should be charged against the compact water allotted to the lower basin. In the Arizona contract there is a provision in article 7 (d) which reads, in part, as follows: "* * * and such obligation shall be subject to such reduction on account of evaporation, reservoir, and river losses as may be required to render this contract in conformity with said compact and said act."

Neither the Nevada nor the California contracts contain clauses concerning charge for reservoir evaporation loss. The final outcome is one of those unsolved questions on the river. However, at this time it should be recalled that the wording of the supplemental statement, inserted in the hearings on February 21, 1945, read as follows:

"In reconstructing this table I have assumed that reservoir losses in the lower basin are charged against the water contracts and this means that the actual amount delivered under those contracts will be reduced by proportionate reservoir losses. I recognize that this reflects an interpretation of the Santa Fe compact and that it is in no way binding on anybody and it is presented merely as an analysis."

In the absence of agreement on the manner of charging reservoir losses—

Says the Commissioner—

it is difficult to suggest how such loss would be distributed. In this study it is assumed that Lake Mead loss would be distributed on a proportionate basis among the Nevada, Arizona, and California contracts. Since the Marble Gorge and the Bridge Canyon Reservoirs are located entirely within Arizona it is assumed that these reservoir losses would be charged entirely to Arizona. Assuming that such basis is agreed to by all, the following charges of reservoir loss would be made under the contracts:

	Acre-feet
Nevada contract, 3/75 of Lake Mead loss	26,000
California contracts, 44/75 of Lake Mead loss	375,000
Arizona contract, 28/75 of Lake Mead loss	239,000
All of the Bridge Canyon and the Marble Canyon losses	91,000
Total	330,000
Total, all contracts	731,000

Net delivery under contract: Under items 9, 10, and 11, if it should be held and agreed to that beneficial consumptive use includes reservoir losses and these reservoir losses are charged against the contracts as indicated herein, then the so-called remaining net demands would be—

	Acre-feet
Nevada	274,000
California contracts	4,987,000
Arizona contract	2,470,000

Question 12. Proposed Mexican treaty (face amount, 1,500,000 acre-feet).

This treaty guarantees 1,500,000 acre-feet at the border.

(a) How much water would you have to release at Boulder in order to deliver 1,500,000 acre-feet to Mexico at the border?

(b) Under the proposed treaty, would there be any charge against the Mexican allocation on account of reservoir losses or losses in the stream in transit?

(c) If not, would not all of the reservoir losses have to be borne by the American users, even that portion which would have been chargeable to the 1,500,000 acre-feet delivered to Mexico, if that quantity had been delivered to an American user?

Answer and discussion: Question 12, re "proposed Mexican treaty."

(a) If, for the purpose of this analysis, the small amount of unused Gila water is neglected (testified to previously in the hearing to average 100,000 acre-feet annually), there would need be released from Boulder Dam, earmarked for delivery to Mexico, 1,500,000 acre-feet of water annually.

(b) The treaty measures the Mexican allocation as water in the boundary portion of the river, hence there would not be any charge against the Mexican allocation on account of reservoir losses or losses from the stream in transit.

(c) The question is correct in its statement that under these conditions all of the reservoir losses will have to be borne by the American users, even that portion which would have been chargeable to the 1,500,000 acre-feet delivered to Mexico, if that quantity had been delivered to an American user.

Question 13. Total requirements.

You show in the figures given the Senate committee a total of annual requirements of 9,962,000 acre-feet. Revising this to charge against this figure the aggregate of the reservoir losses, which you say you assume are chargeable under the compact, what would this total of 9,962,000 acre-feet shrink to?

Answer and discussion: Question 13, re "Total requirements." Revising the figure of 9,962,000 acre-feet for the estimated reservoir losses of 731,000 acre-feet (shown in item 4) the net demand would shrink to 9,231,000 acre-feet.

III. ANNUAL DEFICIT

Question 14. Deficit (difference between item 8, "Total net amount physically available for delivery," and item 13, "Total requirements").

You have a total supply physically available for delivery, after deducting reservoir and stream losses, of — acre-feet, per item 8 above. Deducting from this the total of the contract and treaty requirements, what is the total deficit?

Answer and discussion: Question 14, re "Deficit." The deficit without storage draw-down from Lake Mead (item 13 minus item 8), would be 2,262,000 acre-feet.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. FERGUSON. Does the Senator have the figure representing the amount of water which goes over the dam for the purpose of creating power, and which has no relation to control for irrigation purposes?

Mr. McCARRAN. That amount, of course, varies from year to year. I have not the amount for this year. It will vary as the new turbines are installed.

Mr. FERGUSON. Was that question considered in connection with question No. 14?

Mr. McCARRAN. I take it it was.

Mr. FERGUSON. That amount was considered in connection with question 14?

Mr. McCARRAN. My answer is "Yes."

Mr. FERGUSON. I thank the Senator.

Mr. McCARRAN. We now come to question 15. Again I invite the attention of the Senate to the fact that this stored water is the property of the people of the lower basin, the property of American citizens.

Question 15. Portion of deficit to be made good by draw-down on Lake Mead storage.

This deficit would be met either by drawing down Boulder Dam storage or by failing to deliver the contracted quantities, or both.

(a) You intend to draw down on Lake Mead storage 1,500,000 acre-feet according to the statement given the Foreign Relations Committee. Can you explain why you think it safe to go that high in your drafts on storage?

(b) In 10 years such as 1931–40, drawing down storage at that rate, would not 15,000,000 acre-feet of storage be exhausted?

(c) What of a 14-year period like 1931–44, instead?

(d) What is the total active storage of Lake Mead; i. e., the gross capacity minus dead storage, flood control, and other reservations?

Answer and discussion: Question 15, re "Draw-down on Lake Mead storage."

(a) The figure of 1,500,000 acre-feet annual draw-down during a low 10-year period such as 1931–40 was assumed as this is the amount of storage necessary to make the total yield of the stream in the low period equal to the long-time average yield. As explained in the Bureau of Reclamation testimony of February 20, 1945, the ultimate plan for development of the water resources of the

Colorado River provides sufficient storage capacity both in the upper basin and in the lower basin to fully equate the stream flow, that is, to make the usable yield of the stream in low periods equal to the long-time average usable yield.

(b) In the 10 years, such as 1931–40, drawing down storage at the indicated average rate would result in exhaustion of 15,000,000 acre-feet of storage in 10 years.

(c) With regard to the question about a 14-year period such as 1931–44 instead. The run-off in the years after 1940 was above average; hence, in that period it is believed that there would be some recovery of Lake Mead storage.

(d) The total storage capacity of Lake Mead is 32,359,000 acre-feet. This is allocated as follows:

	Acre-feet
Flood control	9,500,000
Live storage for regulation	19,652,000
Dead storage below intake	3,207,000
Total	32,359,000

The testimony given by the Bureau of Reclamation used a round figure of 20,000,000 acre-feet for the active capacity of Lake Mead. In this connection it should be borne in mind that, as addition.' upstream storage is provided on the Colorado River, the Bureau of Reclamation plans contemplate that the flood-control reserve at Lake Mead will be reduced by about 5,000,000 acre-feet.

Question 16. Remaining deficit, i. e., overdraft, or shortage on deliveries.

How much is the remaining overdraft or shortage of deliveries under American contracts, after making the annual draw-down on Lake Mead storage, which you assume?

Answer and discussion: Question 16, re "Overdraft, or shortage on deliveries." The remaining overdraft, or shortage on deliveries, under the American contracts, after making the annual storage draw-down of 1,500,000 acre-feet would be 762,000 acre-feet.

Mr. MILLIKIN. Mr. President, will it be convenient for the Senator to yield to me now?

The PRESIDING OFFICER (Mr. MAYBANK in the chair). Does the Senator from Nevada yield to the Senator from Colorado?

Mr. McCARRAN. I yield.

Mr. MILLIKIN. Will the Senator please repeat the last net figure?

Mr. McCARRAN. I shall be glad to do so, and I shall read the whole answer and discussion, as follows:

Question 16, re "Overdraft, or shortage on deliveries.

This shows the shortage on deliveries, taking into consideration everything before the Mexican allocation and guaranty is complied with.

The remaining overdraft or shortage on deliveries—

Says the Commissioner—

under the American contracts, after making the annual storage draw-down of 1,500,000 acre-feet—

Which is the Mexican treaty—

would be 762,000 acre-feet.

Mr. MILLIKIN. That would include, would it not, 962,000 acre-feet to which California makes claim, in excess of her firm water rights under her contracts and her self-limitation statute?

Mr. McCARRAN. I do not so understand, because her claim, as I understand it, has never yet received the dignity of being adjudicated.

Mr. MILLIKIN. Earlier in his statement, where he indicates the various contracts, I think he does reflect the 962,000 acre-feet which California has claimed and which has no basis under the firm allocations of water between the States.

Mr. McCARRAN. Yes; but I do not understand the statement to reflect it in the 762,000 acre-feet figure.

Mr. MILLIKIN. Mr. President, will the Senator yield for a correction?

Mr. McCARRAN. I yield.

Mr. MILLIKIN. Awhile ago I said that during the exceedingly dry period of 1941–42 we in the upper basin had put in 108,000,000 acre-feet at Lees Ferry. I should have said we let down 101,000,000 acre-feet.

Mr. McCARRAN. Well, a few million acre-feet do not make much difference in connection with the treaty.

I read further:

SUMMARY—COLORADO RIVER

(Under conditions of ultimate development)

ANNUAL SUPPLY, REQUIREMENTS, AND DEFICIT DURING LOW FLOW PERIODS (SUCH AS 1931–40)

This analysis assumes reservoir losses Marble Gorge and Bridge Canyon charged entirely to Arizona and Lake Mead Reservoir losses prorated three seventy-fifths Nevada, forty-four seventy-fifths California, and twenty-eight seventy-fifths Arizona.

Then the Commissioner proceeds to give the figures for annual supply:

I. Annual supply

	Acre-feet
1. Average flow at Lee Ferry	7,500,000
2 and 3. Net inflow from springs and tributaries in excess of natural losses, Lee Ferry to Lake Mead	800,000
4. Less reservoir losses on Lake Mead, Bridge Canyon, and Marble Gorge between Lee Ferry and Boulder Dam	731,000
5. Net amount available for release from Boulder Dam without drawing down storage	7,569,000
6 and 7. River losses below Boulder Dam in excess of inflow between Boulder Dam and Gila	600,000
8. Total net amount physically available for delivery without drawing down Lake Mead storage	6,969,000

II. Annual requirements

(Reservoir losses deducted)

9. Nevada contract (face amount 300,000 acre-feet)	274,000
10. California contracts (face amount, 5,362,000 acre-feet)	4,987,000
11. Arizona contract (face amount, 2,800,000 acre-feet)	2,470,000
12. Proposed Mexican treaty (face amount, 1,500,000 acre-feet)	1,500,000
13. Total requirements	9,231,000

Mr. MURDOCK. Mr. President, will the Senator yield there?

The PRESIDING OFFICER (Mr. LA FOLLETTE in the chair). Does the Senator from Nevada yield to the Senator from Utah?

Mr. McCARRAN. I yield.

Mr. MURDOCK. In giving the net amount in the right-hand column, I observe that the figure for the Nevada contract is 274,000 acre-feet. However, the contract is for 300,000 acre-feet; is it not?

Mr. McCARRAN. Of course, the 274,000 acre-feet is the amount remaining after reservoir losses.

Mr. MURDOCK. That is the net amount after deduction for reservoir losses; is it?

Mr. McCARRAN. Yes. The same is true with reference to the figures given for the California and Arizona contracts.

However, it will be noticed that no reservoir or other losses are charged against the 1,500,000 acre-feet which we propose to deliver to Mexico.

I now read further:

III. Annual deficit

14. Deficit (difference between item 8, "Total net amount physically available for delivery," and item 13, "Total requirements")	2,262,000
15. Portion of deficit to be made good by draw-down on Lake Mead storage	[1] 1,500,000
16. Remaining deficit, i. e., overdraft, or shortage on deliveries	762,000

[1] In explanation of Lake Mead draw-down of 1,500,000 in 1931–40 period; this is annual storage release required to make supply in low period equal long-time average supply. Plans contemplate sufficient storage on river to accomplish this.

Then I transmitted another letter to Commissioner Bashore, after receiving his careful comments on my first letters. On April 6, 1945, I wrote him as follows:

APRIL 6, 1945.

Mr. HARRY W. BASHORE,
Commissioner, Bureau of Reclamation,
Interior Department,
Washington, D. C.

MY DEAR MR. COMMISSIONER: I have your very nice letter of March 31, enclosing a table of information in response to my letter of March 17.

The material you have submitted prompts two additional inquiries, in addition to those Nos. 1 to 16 in my letter of March 17.

(17) The footnote to the table accompanying your letter of March 31 states:

"In explanation of Lake Mead drawn-down of 1,500,000 in 1931–40 period; this in annual storage release required to make supply in low period equal long-time average supply. Plans contemplate sufficient storage on river to accomplish this."

Will you please furnish a table showing names, reservoir capacities, construction costs, and annual evaporation losses, of the reservoirs constituting this storage.

(18) Your response to my questions 9, 10, and 11 shows reservoir losses amounting to 731,000 acre-feet charged against the Nevada, California, and Arizona contracts, reducing the net amount to be delivered thereunder by those quantities, but no reservoir losses charged to Mexico. If it should be determined that the reservoir losses are not chargeable to these American contracts,

(a) Would not the deficit shown in item 14 be increased from 2,262,000 acre-feet to 2,993,000 acre-feet; and

(b) Would not the remaining deficit shown by item 16, i. e., overdraft or shortage on deliveries be increased from 762,000 acre-feet to 1,493,000 acre-feet?

Thank you for your courtesy in this matter, and my kind personal regards to you.

Sincerely,

PAT MCCARRAN.

I received from Commissioner Bashore the following letter:

DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D. C., April 9, 1945.

Hon. PAT MCCARRAN,
United States Senate.

DEAR SENATOR MCCARRAN: In your letter of March 17, 1945, you asked 16 questions concerning the Colorado River. I furnished the replies to those questions to you on March 31.

Your letter of April 6 supplements that exchange of correspondence by asking two additional questions, (17) and (18). I am pleased to show the answer to them in the following:

(17) The following table shows, for potential reservoirs, the name, capacity in thousands of acre-feet, the probable construction cost in thousands of dollars, and the estimated annual evaporation losses in thousands of acre-feet.

He then submits the following table:

Name of reservoir	Capacity of reservoir	Probable construction cost	Estimated annual evaporation losses
	Acre-feet		*Acre-feet*
Flaming Gorge	1,500,000	$6,300,000	34,000
Red Canyon	50,000	3,100,000	2,000
Juniper	1,250,000	4,600,000	28,000
Lily Park	75,000	800,000	6,000
Echo Park	5,560,000	38,000,000	84,000
Split Mountain	320,000	2,600,000	8,000
Desolation	930,000	16,500,000	47,000
Rattlesnake	500,000	18,800,000	10,000
Sapinero	500,000	6,600,000	5,000
Dewey	8,200,000	30,600,000	163,000
Moab	183,000	5,600,000	4,000
Dark Canyon	1,400,000	90,000,000	54,000
Bluff	3,000,000	16,000,000	84,000
Goosenecks	500,000	2,900,000	13,000
Slickhorn	300,000	4,200,000	18,000
Great Bend	1,000,000	7,700,000	42,000
Glen Canyon	8,600,000	45,400,000	191,000
Marble Gorge	500,000	30,000,000	30,000
Bridge Canyon	3,720,000	406,000,000	61,000

Mr. Bashore then concludes his letter as follows:

(18) If it should be determined that United States contracts should not be charged with reservoir losses, deficits would be increased by 731,000 acre-feet, and the answers to questions (14) and (16) would be increased to 2,993,000 acre-feet and 1,493,000 acre-feet, respectively.

I hope that these data will satisfactorily fulfill your needs.

Very truly yours,

H. W. BASHORE,
Commissioner.

Mr. President, I have read Mr. Bashore's letter to the Senate lest perchance it might not have been previously drawn to the attention of Senators, although a copy of the communication has been on their desks for several days. I think it represents one of the most important pieces of information yet conveyed to the Senate. It discloses what some of us have been contending, namely, that we are being asked to repudiate contracts entered into between our Government and those who furnished money to construct Boulder Dam for the purpose of producing power for California and other States.

If the question confronting us were one involving money which had been furnished by the Treasury of the United States, that would be one thing. It is a question involving the people of a great region who furnished the money for the construction of the dam.

Allow me to say parenthetically that this matter does not affect alone the State of California. It has been pointed out and emphasized by the proponents of the treaty that this is a battle by the State of California against the treaty, and that California stands alone in her opposition. Mr. President, this is not a question of the State of California standing alone. It is a question of the rights of a great region which in the future will afford homes for millions of people. It is a question of the lifeblood of that region being taken away from it by the proposed treaty.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. MCCARRAN. I yield.

Mr. MURDOCK. The names of several of the reservoirs which were read by the Senator are familiar to me. I am wondering if the Senator infers from a statement by Commissioner Bashore that those reservoirs will be biult under reimbursable contracts under the reclamation law, or that they will be built as projects under this treaty at the expense of the Federal Government.

Mr. MCCARRAN. I am unable to answer the Senator's question. I can probably draw the same inference which the Senator can draw. I think when the reservoirs are built they will be built by the people of the region which they serve. Boulder Dam was built by the people of the region which it serves, and is being maintained for the benefit of those people. The money which was furnished to build Boulder Dam was hazarded in the faith that the Government of the United States would not repudiate, invalidate, or weaken the force of the agreement which had been entered into. The people of that region had to subscribe for every killowatt of power to be produced by Boulder Dam before a shovelful of cement was poured in the process of construction of the dam. Had the power not all been subscribed for, and payment guaranteed, there never would have been a Boulder Dam. The question is now raised: Shall we take from those people the very thing for which they contracted and bonded themselves, and for which they hazarded and are now hazarding their wealth? The pending treaty would take away from the citizens of America and give to the citizens of another country. All this treaty does is to give, give, and guarantee to give more. In return for that, not one thing is to be received. We are to guarantee to Mexico 1,500,000 acre-feet of water. Does Mexico guarantee anything with regard to the welfare of the State of Texas, for example? Not a single drop of water is guaranteed by Mexico to any of the lands of Texas. Nothing is guaranteed by Mexico in return for our guaranty to her of 1,500,000 acre-feet of water.

Mr. President, with what is this treaty concerned? Is it not true that the treaty has in contemplation water for irrigation across the Mexican line and in the Mexican area? For several days we have discussed nothing but the use to which the water is to be put in the years to come. That being true, can any Senator read the treaty and not read into it the question of the quality of water which is to be delivered to Mexico? If not, what is the quality to be, and how is the water to be delivered? It is not merely 1,500,000 acre-feet of water which we must deliver, but it must be usable water. Therefore, we must furnish not only 1,500,000 acre-feet of water, but we must furnish that volume of water in a usable condition. Not only that, but we must furnish 1,500,000 acre-feet at the intakes of the Mexican works. The water must be taken to the intakes by a head of water. It is impossible to release only 1,500,000 acre-feet of water from Boulder Dam and deliver the same quantity of water at the intakes of Mexico. It is the head of water which is important. So America is being asked to guarantee not only 1,500,000 acre-feet of water for agricultural purposes, but to guarantee that that much water shall be delivered in a usable condition. The water can not be delivered in buckets or by any means except by a head of water which must be released in order to deliver 1,500,000 acre-feet to the Mexican intakes.

Mr. President, I shall not detain the Senate at any great length. This is not alone, I repeat, a question of the State of California. California has been charged with the responsibility, but it is not California's alone. The problem involves the great Rocky Mountain region, which in the future will furnish homes for millions of men and women who are to develop that great western area of the United States. If we are to relinquish our interest in that region and say that from now on it shall be an area of desolation, and that no more water is to be used by it from the Colorado River system, if we are to say that every water right on the Colorado River system is chargeable with the delivery of 1,500,000 acre-feet to Mexico then we will approve this treaty. But, if on the other hand, we say that America is looking forward to the time when millions of homes will be builded on the now arid and semi-arid regions of the West, then we can no more ratify this treaty than we can take the life blood from our neighbor. This is the life blood of the West; this is the life blood of the desert; this is the life blood of this country, if we are to expand. So, Mr. President, I shall vote against this treaty in any event, because of its far-reaching significance, and because of the fact that America is giving its all and getting nothing in return.

The PRESIDING OFFICER. The question is on agreeing to reservation (a) proposed by the Senate Committee on Foreign Relations as modified.

Reservation (a) as modified was agreed to.

The PRESIDING OFFICER. The question recurs on reservation (b) as modified.

Mr. TAFT. Mr. President, I offer an amendment to be inserted in line 3, page 4, after "(b)".

Mr. LUCAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. LUCAS. Do I understand correctly the able Senator from Ohio is now referring to reservation (b)?

Mr. TAFT. Yes; reservation (b).

The PRESIDING OFFICER. Reservation (b) as modified is the pending ques-

tion, and the Senator from Ohio has the floor.

Mr. LUCAS. Let me say that I do not find a page 4 of reservation (b), which is on my desk.

Mr. BARKLEY. The reservations have all been printed together following the resolution of ratification in one document.

The PRESIDING OFFICER. Will the Senator from Ohio kindly restate his amendment?

Mr. TAFT. I have not finished stating it.

The PRESIDING OFFICER. Will the Senator state it again, beginning at the beginning, because the clerks at the desk have not been able to get it?

Mr. TAFT. I move after "(b)" in line 3, that the following words be inserted:

Insofar as they affect persons and property in the territorial limits of the United States, the powers and functions of the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, the United States Section of said Commission, and any other officer or employee of the United States, shall be subject to the statutory and constitutional controls and processes.

I move further to strike out all the words in line 4 after the word "construed" and all of lines 5 to 11, inclusive, so what remains after the insertion will read:

Nothing contained in the treaty or protocol shall be construed as impairing the power of the Congress of the United States to define the terms of office of members of the United States Section of the International Boundary and Water Commission or to provide for their appointment by the President by and with the advice and consent of the Senate or otherwise.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CONNALLY. Where does the Senator desire his amendment to come in?

Mr. TAFT. At the beginning of the reservation after "(b)".

Mr. CONNALLY. Very well.

The PRESIDING OFFICER. The clerk will read the reservation as it would read if the amendment of the Senator from Ohio were agreed to.

Mr. TAFT. Mr. President, may I make this explanation first? It was the original intention to substitute the amendment read by me for all of reservation (b), but since that time it has already been modified by inserting the last clause regarding the definition of the term of office, which I do not desire to modify. Therefore, I leave that part in, and my amendment is really a substitute for the portion from line 4 to line 11, inclusive, approximately.

The CHIEF CLERK. As proposed to be amended reservation (b) would read:

(b) Insofar as they affect persons and property in the territorial limits of the United States, the powers and functions of the Secretary of State of the United States, the Commissioner of the United States section of the International Boundary and Water Commission, the United States section of said Commission, and any other officer or employee of the United States, shall be subject to the statutory and constitutional controls and processes. Nothing contained in the treaty or protocol shall be construed as impairing the power of the Congress of the United States to define the terms of office of members of the United States section of the International Boundary and Water Commission or to provide for their appointment by the President by and with the advice and consent of the Senate or otherwise.

Mr. TAFT. Mr. President, this is the amendment which was discussed on Thursday last, as I recall. Its principal purpose is to turn the words around so that the direct statement is made that the powers granted to the Boundary and Water Commission shall be subject to statutory and constitutional controls and processes, instead of simply saying that nothing in the treaty shall remove them from such controls and processes, because it is not clear to my mind that in making a treaty we do not by making the treaty remove them from such statutory and constitutional controls and processes.

Mr. CONNALLY. Mr. President, I will say to the Senator from Ohio that I am willing to accept his amendment.

Mr. TAFT. I had understood that it was satisfactory.

I might call attention to one other change which I think is important. The reservation as written made applicable statutory or constitutional controls to administrative powers and functions of the Commission. It may be that some of the powers of the Commission are semijudicial in nature; the Commission in fact is to make decisions and enforce them and therefore I am not certain that the word "administrative" makes it clear that all such powers would be subject to constitutional and statutory restrictions.

Mr. WHITE. Mr. President, I take it the Senator construes the word "administrative" as restrictive and exclusive, and that that is the reason for removing it.

Mr. TAFT. Yes. It seemed to me that it might be claimed that the powers which were judicial in nature were not covered by the reservation.

Mr. CONNALLY. The Senator included that in his original amendment?

Mr. TAFT. Yes. I was merely calling attention to it as a part of the change which is being made.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Ohio [Mr. TAFT] to reservation (b) proposed by the Committee on Foreign Relations as modified.

The amendment to the reservation was agreed to.

The PRESIDING OFFICER. The question recurs on agreeing to reservation (b) as amended.

Reservation (b) as amended was agreed to.

The PRESIDING OFFICER. The question now recurs on reservation (c) as modified.

Mr. WHITE. Mr. President, will the Senator from Texas yield to me in order to enable me to ask a question?

Mr. CONNALLY. I do not have the floor.

Mr. WHITE. In the reservation just agreed to there is a reference to the Secretary of State of the United States, the Commissioner of the United States section of the International Boundary and Water Commission, and the United States section of the Commission, and then there are included the words "or any other officer or employee of the United States." I am wondering why the same words "or any other officer or employee of the United States" should not be inserted at the end of line 22 in reservation (c) so that it would read:

That nothing contained in this treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States section of the International Boundary and Water Commission, the United States section of such Commission, or any other officer or employee of the United States.

And so forth. I think that would conform the language of reservation (c) to the language of reservation (b), which has just been agreed to. Would there be any objection to that?

Mr. CONNALLY. Mr. President, I may say to the Senator that I think it would be wholly unnecessary because the only officers who could have any authority under the treaty are enumerated. There is no delegation of authority to anybody else under the treaty. Personally, however, I would have no objection to the insertion of the words.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. MILLIKIN. The omission of that language was not inadvertent. The point is that the United States, through the Bureau of Reclamation, will have under its control or within its ownership all the works necessary to meet the Mexican obligation. The fear was that the Commission, or the United States Section thereof, or that the United States Commissioner, might try to interfere with water rights and water administration within the States. But I believe that the distinguished senior Senator from Maine will recognize at once that under all of our reclamation projects and under any of these reclamation plants which will have to be administered to satisfy the treaty, every time a water requisition to meet the treaty is made there necessarily will be a division of water in the reservoir between the private users under the reclamation projects and under power projects, and the Mexican obligation. Therefore, if we included any officer or employee, that would include the officers and employees of the Bureau of Reclamation, and if we could reach them with this sort of thing, we would be powerless to meet our obligation to Mexico.

Mr. WHITE. Mr. President, the Senator from Colorado has suggested that the Senator from Maine has a knowledge about irrigation matters which he disclaims. If the Senator from Colorado and the Senator from Texas think my suggestion is not appropriate, I shall not press it.

Mr. CONNALLY. I thank the Senator from Maine.

Mr. MURDOCK. Mr. President, I dislike to disagree with the distinguished Senator from Colorado and the distinguished Senator from Texas, but it seems to me that the amendment suggested by

the Senator from Maine is important and necessary, for the reason that under the protocol we bring into the administration of the treaty the employees and officers of the Bureau of Reclamation. If we say, as we do in reservation (c), that "nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State, the Commissioner of the United States Section of the International Boundary and Water Commission, or the United States Section of said Commission, to alter or control the distribution of waters to users within the territorial limits of any of the individual States," we leave out the very people who are brought in under the protocol to administer the treaty under the orders of the Commission. It seems to me that the amendment of the Senator from Maine certainly could in no way harm the reservation. It would make reservation (c) conform to the pattern set out in reservation (b), and bring into the reservation, as I understand it, all the employees and officers of any agency called to the administration of the treaty under the protocol.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Colorado.

Mr. MILLIKIN. I believe the distinguished junior Senator from Utah will agree with me that we are looking to the Bureau of Reclamation, especially with reference to the operation of Boulder Dam, Davis Dam, and the Imperial Dam, and a section of the All-American Canal, to meet our obligation to Mexico.

Mr. MURDOCK. That is correct.

Mr. MILLIKIN. The protocol applies to those works where the Commission does not have exclusive jurisdiction.

Mr. MURDOCK. It applies, does it not, to Boulder Dam, to Davis Dam, to Parker Dam, and to every other facility of conservation or storage or diversion along the whole river?

Mr. MILLIKIN. Any that has a multiple use, including meeting the Mexican obligation.

Mr. MURDOCK. That is true.

Mr. MILLIKIN. If we apply this language to those officials of the Bureau of Reclamation by way of example, they cannot meet the Mexican obligation because, as I said before, and I respectfully repeat, every time they open a valve they are making a domestic distribution of water for the benefit of the irrigationists under the dam.

Mr. MURDOCK. That is correct.

Mr. MILLIKIN. If they cannot do that, then you are destroying their function in that particular, and you are destroying their function as being the metering-out agency for the satisfaction of the treaty.

Mr. MURDOCK. I say that reservation (c) is just as meaningless as it can be in its present form. If the employees and agents of the American section of this Commission can do the job, what we attempt to prohibit in reservation (c), is there any difference between that and having the Commission itself do it, or having the American section do it?

Mr. MILLIKIN. Will the Senator yield?

Mr. MURDOCK. I yield.

Mr. MILLIKIN. The provision was inserted to meet fears as to these particular agencies, fears that the Secretary of State, or that the United States Commissioner, or that the United States section might interfere with the administration of our water within the States. There was no fear about the Bureau of Reclamation because we have traditional administration by the Bureau of Reclamation, and we are accustomed to it, and there was no objection to it. It was covered by the protocol.

Mr. MURDOCK. Certainly; and what I am insisting is that the protocol covers the very point which the distinguished Senator is making—that it would lodge the manual and administrative functions, which could be performed directly by the American section of the Commission, in the agencies of the United States heretofore doing that particular kind of work.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. In just a moment. I do not know who is the author of reservation (c), but the very purpose of the reservation is to provide that under the treaty the American section of the International Boundary and Water Commission cannot come up and interfere with the domestic rights of the people of the United States. That is why the reservation was drawn.

Under the protocol we remedied that situation, so far as the American section of the International Boundary and Water Commission was concerned, by saying that they should not directly do this. But they will do it through other agencies, one of them, of course, being the Bureau of Reclamation.

It is said in the reservation that the American section of the International Boundary and Water Commission shall not do this directly, but permits it to do it indirectly, and under and in conformity with their orders promulgated and issued under the treaty. Their agents, made so by the protocol—the Bureau of Reclamation—can do the very thing that the reservation attempts to prevent.

I now yield to the distinguished Senator from Texas.

Mr. WHITE rose.

Mr. CONNALLY. I defer to the Senator from Maine.

Mr. WHITE. Mr. President, it looks to me as though we would be naming a handful of people who could not do this thing, but would be leaving wide open permission to a thousand others to do it.

Mr. MURDOCK. The Senator is exactly correct. We say by reservation (c) to the people who are named first under the treaty, "You cannot do it." They cannot do it under the protocol. They are precluded by the protocol from doing this directly, but it must be done by the Bureau of Reclamation. So the Senator is exactly correct. We say to a group over here, the American section of the International Boundary and Water Commission, "You cannot do it directly. You keep your hands off. But you issue orders to your agents over here, the Bureau of Reclamation, and they can do the very thing which we attempt to prohibit and inhibit by reservation (c)."

Mr. MILLIKIN and Mr. FERGUSON addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Utah yield, and, if so, to whom?

Mr. MURDOCK. I yield to the Senator from Colorado.

Mr. MILLIKIN. I think the difference between us is this. Someone must let the water out of the dams and regulate the works to meet the Mexican obligation. Those dams and works being committed to multiple purposes, there necessarily is an alteration or a control of the distribution of waters to the users within the territorial limits of the individual States. There cannot be anything else. When we say to the Bureau of Reclamation, "You cannot alter or control the distribution of waters to users within the territorial limits of any of the individual States," we are telling it that it cannot exercise its functions. In a sense the Bureau does that every time it lets water out of the reservoirs.

Mr. MURDOCK. The Senator is absolutely correct, but if the reservation is right in theory, then certainly it should be right in practice. If it is correct in theory, then it should be correct in practice. The thing we desire to prohibit is "to alter or control the distribution of water to users within the territorial limits of any of the individual States."

That is the thing we wanted to prohibit. That is the thing we wanted to stop. We did that so far as the International Boundary and Water Commission is concerned by providing in the protocol that it had to be done by the Bureau of Reclamation. But by the protocol the Bureau of Reclamation then becomes a part and parcel of the administrative agency under the treaty. We simply have extended the administration of the treaty to additional individuals, and we give them the absolute right under the treaty and under this reservation to do the very thing we are attempting to stop, and that is "to alter or control the distribution of water to users within the territorial limits of any of the individual States."

If we consider that it is wrong for the American section to do that thing, then it is just as wrong for them to do it by order through the Bureau of Reclamation.

Mr. DOWNEY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOWNEY. May we have a statement to the Senate as to just what is the amendment to the reservation we are now discussing?

The PRESIDING OFFICER. The question before the Senate is on agreeing to reservation (c) as proposed by the Senate Committee on Foreign Relations, as modified.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. WHITE. I may say to the Senator from California that the modification referred to by the Chair is the inclusion, after the word "Commission" in line 22, of the words "or any other officer or employee of the United States."

The PRESIDING OFFICER. May the Chair correct that last statement? There is no amendment pending at this time. The modification referred to in the statement of the Chair took place on April 12.

Mr. MURDOCK. As I understand it the Senator from Maine offered an amendment.

The PRESIDING OFFICER. It is not so understood by the Chair or by anyone at the desk. The Senator from Maine [Mr. WHITE], as the RECORD will show, asked someone in the Senate why it would not be a good idea to have the amendment made, but no amendment has been tendered.

Mr. MURDOCK. Then, I am laboring under a misapprehension.

Mr. WHITE. I think the Presiding Officer is technically correct. I do not think I did, in appropriate language, offer the amendment. I asked a question as to the appropriateness of such an amendment. But now, if I am privileged to do so, I offer the amendment.

The PRESIDING OFFICER. Does the Senator from Utah yield for that purpose?

Mr. MURDOCK. I yield for that purpose.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

Mr. WHITE. If the clerks do not have it, the amendment is as follows: On page 4, after the comma at the end of line 22, to insert the following: "or any other officer or employee of the United States."

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The CHIEF CLERK. On page 4, line 22, after the word "Commission" and the comma, it is proposed to insert "or any other officer or employee of the United States."

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. CONNALLY. Mr. President, I should like to have the attention of the Senator from Colorado [Mr. MILLIKIN] and the Senator from Maine [Mr. WHITE]. The background of this reservation is that certain Senators feared that under the treaty the International Boundary Commission or the Secretary of State would undertake to interfere with the private water rights of States. So this reservation was designed to deny them that sort of authority. But, Mr. President, if the amendment of the Senator from Maine were to be adopted it would seem to me we would seriously interfere with the Bureau of Reclamation Service itself. It is not only the duty of the Reclamation Bureau to allocate waters among private users, but to let the water out to each State under the compact and under the agreements with respect to how much water each State shall receive. The Reclamation Bureau does that from time to time in a way which fits into its program. If we are to say in an amendment that the Bureau of Reclamation shall have no power to alter or control the distribution of water——

Mr. TAFT. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. TAFT. The reservation does not say it shall have no power. It says that the treaty shall not confer any power on the Bureau to do it. I do not quite see the reason for objection to including the words of the amendment, because I do not understand that the treaty gives the Bureau of Reclamation any power to alter or control the distribution.

Mr. CONNALLY. Our purpose, which is stated elsewhere in the treaty, was outside of purely international matters; it was the States and all their functionaries were to continue in their power just as they are now without any treaty. That is what we have endeavored to do in all these reservations. But it seems to me that when we say that the Bureau of Reclamation cannot control the distribution of water we prohibit the Bureau from doing what it is created to do. The Bureau of Reclamation is created to control the distribution of water within the United States, not with Mexico, except as an incident to its functions, but one of the highest duties which the Bureau performs is to take charge of reclamation projects and distribute the water to the various users and to projects, and it is its further duty to distribute and control the water as between the allocation to the various States. Yet some Senators would want to say that the Bureau shall have no authority to alter or control the distribution of water. It seems to me that is a very serious proposal. What we are trying to protect and what we are trying to guard against and what we are trying to do, and are going as far with as we possibly can go without destroying the effect of the instrument, is to say that the Boundary Commission cannot do it, the United States section cannot do it, and we are trying to protect the situation and meet the objection which was made. When we meet that objection, then another objection of more far-reaching character is brought forth.

Mr. LUCAS, Mr. FERGUSON, and Mr. McFARLAND rose.

The PRESIDING OFFICER. Does the Senator from Utah yield; and if so, to whom?

Mr. MURDOCK. I do not yield at this time.

The PRESIDING OFFICER. The Senator from Utah declines to yield at this time.

Mr. MURDOCK. Mr. President, I do not intend to argue against ratification of the treaty because of the inclusion of my reservation on quantity of water, but I cannot consistently sit in my seat today and see a reservation of this kind adopted without attempting to make it complete and clear as to our intent. Senators know what irrigation means to the West. Senators know that when this treaty shall be adopted it will mean that we do interfere with the rights of the United States of America. Senators know that rights which date back to 1860 in my State will be interfered with unless protected as I am now insisting. In 1860 the Mormon pioneers went out into that desert territory country and with little more than their hands excavated the canals from tributaries of the Colorado River, through solid rock in many places in Utah. I dare say that today if we were to ask the same number of men to go out and reclaim land and appropriate water under the conditions that those pioneers had to do it, they would throw up their hands in holy horror because they would think they were confronted with an inhuman task. The pioneers, however, did it.

Mr. President, we find that under this proposed treaty those rights which were created back in 1860 are put on the same basis, the same priority, as the 1,500,000 acre-feet guaranty to Mexico. The thing that Senators from the Western States wanted to preclude, the thing they object to today and have objected to is for any Federal agency to step in and alter or control the distribution of waters within our States to which our people are entitled.

If it is wrong for the American Section of the International Boundary and Water Commission to control and alter the distribution of domestic rights in the United States, then it is just as wrong for it to do so through the agency of the Bureau of Reclamation.

The Senator from Ohio pointed out what, in my opinion, is the very crux of this thing, and that is that nothing contained in the treaty or protocol shall be construed as authorizing any of the agencies under the treaty to alter or control the distribution of water to users within the territorial limits of any of the individual States. Not that we take away any functions under law now enjoyed by the Bureau of Reclamation. An order might be made by the International Boundary and Water Commission to turn so much water down to Mexico, that would curtail the 1860 rights in my State and what now in the treaty or reservations would prevent such a thing being done. Rights which go back to 1860 should not be put on an equality with rights created under this treaty with Mexico. I believe that those who take that position are absolutely right. If we authorize the International Boundary and Water Commission to do the job either directly, or indirectly through some agency, we clothe the Commission with power and jurisdiction to do the very thing which we attempt here to prohibit. We attempt to say that the Commission shall not come into any State and alter or control the distribution of water to users within the territorial limits of the State.

In my opinion, Mr. President, the amendment of the Senator from Maine to this reservation should be adopted. If it is not adopted, as the Senator very well put it, we simply say, to one group under the treaty, "You cannot do it"; but to another group we say, "It is all right for you to do the very thing which we do not want done." That seems to me to be exactly the situation in which we find ourselves today. I hope that the amendment of the Senator from Maine will be agreed to.

Mr. MILLIKIN. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. MILLIKIN. I should like to read the second paragraph of the protocol to the treaty:

> Wherever, by virtue of the provisions of the treaty between the United States of America and the United Mexican States, signed in Washington on February 3, 1944,

relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Río Grande from Fort Quitman, Tex., to the Gulf of Mexico, specific functions are imposed on, or exclusive jurisdiction is vested in, either of the sections of the International Boundary and Water Commission, which involve the construction or use of works for storage or conveyance of water, flood control, stream gaging, or for any other purpose, which are situated wholly within the territory of the country of that section, and which are to be used only partly for the performance of treaty provisions, such jurisdiction shall be exercised, and such functions, including the construction, operation, and maintenance of the said works, shall be performed and carried out by the Federal agencies of that country which now or hereafter may be authorized by domestic law to construct, or to operate and maintain, such works. Such functions or jurisdictions shall be exercised in conformity with the provisions of the treaty and in cooperation with the respective section of the Commission, to the end that all international obligations and functions may be coordinated and fulfilled.

Therefore, under the treaty and under the protocol, it is provided that within the United States the Bureau of Reclamation or some other agency named by the Congress shall attend to the job of metering water to Mexico. If we say that no person other than those specified here shall have the power to do that—and that is what we are saying by the amendment—there is no one to carry out the obligation of the treaty. That is what we come to. There has been no objection to the Bureau of Reclamation, for example, making the divisions, alterations, and distributions necessary to meet the requirements of the treaty. Someone must do it, or it will not be done. The protocol requires that it be done by our internal agencies—by the Bureau of Reclamation, or some other agency which we may select. Now we are considering an amendment which provides that neither the Commission, the American section, the American Commissioner, nor anyone else can carry out the treaty.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I should like to answer the argument of the distinguished Senator from Colorado. Does he take the position that the Bureau of Reclamation is not under the orders of the International Boundary and Water Commission in metering water to Mexico?

Mr. MILLIKIN. I do not take that position and if in its division of the waters, we will say, behind Davis Dam necessary to meet irrigation needs, power needs, and the requirements of the Mexican treaty, there is an alteration, or some sort of unlawful interference with a domestic right, we have provided for that by our reservation giving statutory and judicial control. Someone must execute this treaty.

Mr. MURDOCK. I do not doubt that. Of course, someone must execute the treaty, but the Senator must remember that this is an extraordinary treaty. It allows a foreign government to divert its water in the United States of America. It is an extraordinary treaty in that it provides that while the water is diverted in the United States, the people of the United States must suffer the entire loss in the transportation of the water from the point of diversion to the point of delivery in Mexico.

It is extraordinary in another respect, in that from one end of the river in the United States to the other we dedicate in perpetuity every dam and reservoir that now exists on the river, or that we ever build on the river, to the use of the Mexican guaranty of 1,500,000 acre-feet of water.

Of course it is extraordinary. In my opinion, in order to carry out the extraordinary features of the treaty, the United States will be compelled to throw out the window many of the customs and traditions on which the West has been built. The Government would say to us in the West, "In order to carry out the extraordinary terms of this treaty, you people in the West must agree to a delegation of power to the International Boundary and Water Commission, either directly or indirectly, to come up into your own facilities all along the river and its tributaries and there alter and control the right on which the West has been built over almost a century." Mr. President, we shall find the utmost difficulty in administering this treaty unless the West is willing to surrender its long-established rights to the Federal Government agencies.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. DOWNEY. I wish to ask the distinguished Senator from Utah a question. If the Bureau of Reclamation is included in this reservation, does he not think that a court of international arbitration might be forced to find the power in the International Boundary and Water Commission to carry out the terms of this treaty? It seems that under the terms of the treaty, so far as there is authority, there must be some agency to make proper provision for the use of the waters.

Mr. MURDOCK. That is exactly the point I am making.

Mr. DOWNEY. May I conclude?

Mr. MURDOCK. Certainly.

Mr. DOWNEY. If we excluded every possible agency in the United States, I am wondering whether we would by necessity drive a court to say that the power to do whatever has to be done would be obtained by the International Boundary and Water Commission—the very thing we are attempting to avoid.

Mr. MURDOCK. The Senator is entirely correct. We are confronted in the treaty with a situation which is intolerable. We are confronted in the treaty with a situation which not a Senator from the West would dare vote for. So the negotiators of the treaty now bring forth, after much labor, what is called a protocol. In the protocol they say to us, "Although the International Boundary and Water Commission cannot do what is solely objectionable directly, we are going to constitute as the agents of that Commission, the Bureau of Reclamation, and by doing that we cure and remedy what every Senator from the West knows is a terrific encroachment on western irrigation rights."

Mr. President, when that is done we shall find that all we have done, unless the amendment of the Senator from Maine is adopted, is to say to the group over here, as I have already said today, "You can do the thing which the group over there cannot do."

Mr. McFARLAND and Mr. LUCAS addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Utah yield; and if so, to whom?

Mr. MURDOCK. I yield first to the Senator from Arizona.

Mr. McFARLAND. Mr. President, I, myself, worked rather hard for reservation (c). I wished to have reservation (c) placed in the treaty primarily for the reason that in Arizona we have old, established water rights dating back to the 1860's, which I wished to protect.

I do not want the Commission or anyone else to have the authority to come into my State and alter or control irrigation in any manner. That was the reason why I insisted upon and worked for the adoption by the committee of reservation (c). That was my interpretation of the reservation; I believe that if reservation (c) is adopted, the Commission can look only to one source, namely, the Davis Dam, which will be the regulatory dam for the delivery of water to Mexico. I realize that it must necessarily follow that if there were a shortage of water, the different States would have to contribute in accordance with the Colorado River compact. As I stated last Thursday, I would not want anyone to have the right to come into my State and lift the head gates and let the water down.

I believe that reservation (c) would accomplish that purpose. As I see it, reservation (c) would compel the Boundary Commission to look to one source, which is the regulatory dam, on the Colorado River, namely, Davis Dam, which is to be built partly for that purpose.

Mr. MURDOCK. Mr. President, will the Senator point out to me anything in reservation (c) which would accomplish what he has said? Certainly there is nothing in reservation (c) which even looks to the Davis Dam or even mentions it or intimates in the slightest that Davis Dam is to be looked to exclusively for the carrying out of the treaty.

Mr. McFARLAND. I should like to say that the treaty makes the Davis Dam the regulatory dam on the Colorado River. It would be the duty of whoever was in charge of the dam—which, of course, would be the Department of the Interior—to see that the water behind the dam was so regulated that Mexico could be supplied with the water provided for in the treaty. That is my contruction.

Mr. MURDOCK. Where in the treaty does the Senator find any such instructions or directions as those to which he has just referred?

Mr. McFARLAND. Mr. President, the regulatory dam is to be built for that purpose. I will call the Senator's attention to it in a moment.

Mr. MURDOCK. There is no question that Davis Dam is to be constructed under the treaty. There is no question that Davis Dam is to receive the discharges from Boulder Dam. Of course, it is hoped by me and by other Senators who

have some interest in the Colorado River that Davis Dam would control and regulate the flow to Mexico. But as I remember the treaty, nothing is directly said in it to that effect, except that a part of the storage capacity will be used to facilitate delivery of water to Mexico.

Now, the distinguished junior Senator from Arizona has said he does not wish to have the International Boundary and Water Commission interfere with water rights in his State or on the tributaries of the Colorado River in his State, but still he is perfectly willing, as I understand, to have the Bureau of Reclamation step into the picture as the employee or agent of the International Boundary and Water Commission and do the very job which he would not permit to be done directly by the Commission. Is that the Senator's position?

Mr. McFARLAND. No, Mr. President, that is not my position. They do not have that jurisdiction over our dams. But under the treaty they would have jurisdiction over the Davis Dam. That is my interpretation of the purpose of Davis Dam as a regulatory dam. It is my opinion that, with this provision included, neither the Bureau of Reclamation nor anyone else could come within the boundaries of my State and control irrigation there.

Of course, as pointed out by the Senator from Colorado, someone would have to say how much of the water we could get. I realize that someone would have to apportion the water to the various States, under the compact, in the case of a water shortage. But under no circumstances could they disturb the old, established water rights, particularly those of the Salt and Gila Rivers in the State of Arizona. That was what I was working to protect. I do not wish to have them meddle with the waters of the Salt and Gila Rivers in any way, and I believe reservation (c) accomplishes my purpose.

I have no objection to the provision offered by the Senator from Maine.

Mr. MURDOCK. I am a little confused about the position of the Senator from Arizona, having in mind his persistent and able efforts for his constituents. It seems to me that for at least 4 or 5 years there would be no Davis Dam. The only dams which would be on the river would be the ones which are there today.

Mr. McFARLAND. I may say to the Senator that I am not afraid of what the situation may be within 4 or 5 years, because development in the Colorado River Basin States will not occur to the extent that there will not be plenty of water in the next 5, 10, or probably 20 years.

Mr. MURDOCK. That may be true for even 25 or 30 years, but ultimately the day will come when, in my opinion, there will be a shortage of water in the Colorado River system to fill all the needs. It was pointed out earlier today, in connection with the reading of Senate Document 39 by the Senator from Nevada [Mr. McCARRAN], that at present there is a deficit in the waters available for distribution, in connection with the demands on the river.

Now Senators tell me they do not want any Federal agency to control or alter the distribution of water to users within the territorial limits of any of the individual States. I do not want that to be done, either. Then Senators rise on this floor and tell me that while they object to having the International Boundary and Water Commission do that thing directly, they have no objection to having the Bureau of Reclamation or other Federal officials step into their States, under orders of the International Boundary and Water Commission, and do the very thing to which they say they object. That is what can be done under this reservation, that is what can be done under the protocol, and that is what can be done under the treaty, unless we remedy it by way of reservation.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. LUCAS. I ask the able Senator from Utah who, or what agency, will have control of the distribution of the water after the treaty and protocol go into effect? Who will have control of the distribution of the water insofar as Mexico is concerned?

Mr. MURDOCK. No doubt the International Boundary and Water Commission will have control.

Mr. LUCAS. Is it the Senator's understanding that they will have control of the diversion of any water which comes through Davis Dam or any other dam to old Mexico?

Mr. MURDOCK. That is my understanding of the treaty. I understand that we are guaranteeing to Mexico 1,500,000 acre-feet of water annually. I understand that it becomes the business of and jurisdiction of the International Boundary and Water Commission to control the works within the United States in order to assure the diversion, transportation, and delivery to the diversion point of Mexico of ample water to fill our obligation under the treaty.

Mr. LUCAS. If the Senator's position is correct——

Mr. MURDOCK. Does the Senator disagree with me?

Mr. LUCAS. I am not sure whether I do or not, but if the Senator's position is correct the reservation would seem to negative the position which the Senator takes, because reservation (c) definitely states:

> (c) That nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States section of the International Boundary and Water Commissioner, or the United States section of said Commission, to alter or control the distribution of water to users within the territorial limits of any of the individual States.

Of course, a certain amount of water must go to Mexico, and if the extraordinary drought we have heard suggested ever occurs, then someone must make distribution of water to Mexico. The Senator now states that it would be the International Boundary and Water Commission.

Mr. MURDOCK. What the Senator refers to would come under the amendment of the Senator from Maine. The position of the Senator from Utah is simply this: Senators who say that they do not want these things to be done within their own States are blowing hot and cold by ratifying a treaty the terms of which cannot be carried out except through Federal agencies doing the very thing to which the Senators object. The position of the Senator from Utah further is this: If Senators mean what they say they mean in reservation (c) then they should go the entire length and say that that which cannot be done by the principal cannot be done by the agent or employee.

Mr. LUCAS. I should like to make a further observation.

Mr. MURDOCK. Will the Senator from Illinois point out to me the error of my construction of the treaty?

Mr. LUCAS. If the Senator is correct in his understanding, and if an emergency of drought should ever arise, it seems to me that this reservation would prohibit the International Boundary and Water Commission from altering or controlling the distribution of any water which affected any one of the States in the Colorado River Basin. I may be mistaken.

Mr. MURDOCK. That is exactly what this reservation, as now written, would do.

Mr. LUCAS. Then, insofar as the distribution of water is concerned, who will make the final determination in carrying out the terms of the treaty? Someone must make the determination.

Mr. MURDOCK. I repeat what I said a few minutes ago. When the treaty is ratified those who must carry it into effect, those who will have jurisdiction of it, are the ones who compose the International Boundary and Water Commission. We cannot get away from that fact.

Mr. LUCAS. Then, under the Senator's theory, this reservation is futile.

Mr. MURDOCK. Yes; it is. All this reservation does is to provide that the International Boundary and Water Commission may not do certain things directly. They may not allow any person who is on their pay roll do them, but they may order the Bureau of Reclamation to do exactly the thing which may not be done directly by the Commission under the reservation. If Senators do not want the waters of Colorado, Arizona, Wyoming, and Utah distributed and controlled by a Federal agency, they should not ratify this treaty.

Mr. BARKLEY. Mr. President, will the Senator from Utah yield for a question?

Mr. MURDOCK. I yield.

Mr. BARKLEY. Under the reservation as it is now drawn, neither the Secretary of State nor the American section of the Commission could do certain things. Someone under a different law would control the distribution of the waters. What I am worried about is that this language would prohibit any officer of the United States who now has control over the distribution of the water from exercising the right which he has heretofore exercised under laws enacted by the Congress to regulate and control irrigation and reclamation. It seems to me that this language would include all other officers not excepting

those who are in the Bureau of Reclamation.

Mr. MURDOCK. Does the distinguished majority leader refer to the reservation?

Mr. BARKLEY. I am referring to the amendment offered by the Senator from Maine.

Mr. MURDOCK. What difference does the amendment make? The Senator certainly takes the position, does he not, that waters of the Colorado River delivered to Mexico must be delivered under the treaty?

Mr. BARKLEY. Yes, absolutely. But, there are some officers in the United States, especially in the Bureau of Reclamation, who have authority to deal with waters delivered in the United States, which authority they derive from existing laws and not from this treaty.

Mr. MURDOCK. Absolutely; but the Senator does not take the position, does he, that the Bureau of Reclamation, or officers of any other department of the United States Government, have any authority under this treaty until it is ratified?

Mr. BARKLEY. No; I do not take that position. So far as the distribution of water under reclamation laws is concerned, I am not sure that those officers would have any authority under the treaty. But I fear that this language would take away from them such authority as they now have to deliver water.

Mr. MURDOCK. All that the amendment of the Senator from Maine does is to include the little group which is left out under the reservation but included in the protocol. It will be necessary to say to them in effect, "You may do these things under orders of the International Boundary and Water Commission, but the direct employees of the Commission may not do them.

Mr. BARKLEY. As I understand the International Boundary and Water Commission has no authority over the Bureau of Reclamation.

Mr. MURDOCK. It will have authority if this treaty is ratified.

Mr. BARKLEY. The little group which this language includes is not a little group which might be left under the International Boundary and Water Commission, but all officers of the United States, no matter what their status may be, even though they exercise authority under laws heretofore enacted. Under this language that authority would be taken away from them.

Mr. MURDOCK. I think the Senator is in error; the amendment of the Senator from Maine takes no authority away from anyone, except such authority as is conferred by the treaty and protocol. It does not affect any statutory law.

Mr. BARKLEY. I am directing my remarks to the amendment to the reservation. I am sure no Senator wants to take away from the Bureau of Reclamation whatever authority it now has under the laws which Congress has heretofore enacted.

Mr. MURDOCK. No, and the amendment does not do that.

Mr. BARKLEY. The effect of this language is not limited to the little group under the authority of the International Boundary and Water Commission. It is not limited to the group under the American section of the Commission. The language includes all officers of the United States, high or low. They are prohibited from doing certain things. I think the Bureau of Reclamation and Irrigation may exercise the authority which it already has in the distribution of water which is available.

Mr. MURDOCK. The Senator is absolutely correct in assuming, as all other Senators do, that someone must perform the administrative functions under the treaty. But like other Senators on this floor, I take the position that I do not want any Federal officers of the Reclamation Bureau or any other agency, or as a direct employee of the International Boundary and Water Commission, to come into my State and order or control the disposition of water to users within the territorial limits of the State. But Senators are willing to sponsor the treaty, to rise and speak for the treaty, Senators want to have the treaty ratified, but they do not want to take the consequences which are bound to follow in their own States when the treaty is ratified. That is a thing I do not understand.

I now yield to the Senator from Oregon, who has been on his feet for some time.

Mr. CORDON. Mr. President, if I understood the majority leader correctly he took the position that the amendment offered by the Senator from Maine, if adopted, would result in prohibiting any officer of the United States, including officers of the Reclamation Bureau, from having any authority to order or control the distribution of water in the several basin States, even though such officer, agency, or board had the authority under other law. If that is his contention, I cannot quite follow his reasoning, in view of the fact that reservation (c) provides that "Nothing contained in the treaty or protocol shall be construed as authorizing any officer or employee to alter, control," and so forth. I see nothing in that which would prohibit any officer of the United States from exercising that authority under any existing law that is separate and apart from the treaty. It simply does not extend any additional authority; in fact, it specifically prohibits any authority flowing to such an officer under the provisions of the protocol or the treaty. I would ask the Senator from Utah if that is his conception of the meaning of the language.

Mr. MURDOCK. That is my understanding, that whatever laws are today governing the Bureau of Reclamation or any other agency which has to do with the storage facilities and the diversion facilities along the Colorado River will remain exactly as they are. We will not take anything away from them. But when we ratify the treaty, then we clothe the International Boundary and Water Commission with jurisdiction and power and the command to step in under the treaty and through facilities in the United States, see that Mexico gets 1,500,000 acre-feet of water annually.

If Senators want that and are going to ratify the treaty by voting for it, then why will they stand on the floor of the Senate and say that they object to this agency or some other agency coming under its control from doing the very thing which must be done under the treaty? Why do we not meet the situation head-on? Why do we not say that we are guaranteeing, under the treaty, 1,500,000 acre-feet of water to Mexico, and, having guaranteed that under a solemn treaty we are willing that the International Boundary and Water Commission step in and control and alter waters and water rights in the United States to the extent necessary to carry out a guaranty of 1,500,000 acre-feet of water to Mexico?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield to the Senator from Texas.

Mr. CONNALLY. Mr. President, would it satisfy the Senator, disregarding for the moment the amendment of the Senator from Maine, if we say "the United States section of such Commission, directly or indirectly to alter or control the distribution of water," and so forth?

Mr. MURDOCK. I wish to say to the Senator that the amendment offered by the Senator from Maine was not anticipated by me. Inasmuch as the able Senator from Maine offered the amendment, it is not a question as to what I want but what he wants. I told the Senator from Texas a few days ago, when he agreed to my reservation, that I would vote for the treaty. I intend to vote for the treaty, but I do not want to fool myself—I do not want to fool Senators here on the floor of the United States Senate—into the belief that we can guarantee 1,500,000 acre-feet of water to Mexico and not interfere with rights in the United States necessarily and sufficiently to make the delivery.

Mr. CONNALLY. The question I asked the Senator was whether he would be agreeable to the reservation as printed if we changed it to say "the United States section of said Commission, directly or indirectly," and so forth? His complaint was that the Commission would act indirectly. Would it satisfy him to say "directly or indirectly"?

Mr. MURDOCK. Whatever language the Senate adopts I must submit to, because, in my opinion, it is quite obvious the treaty is going to be ratified. My only reason for taking the floor this afternoon is to point out to Senators that we cannot guarantee 1,500,000 acre-feet of water to Mexico and put it on an equality with the oldest rights in Wyoming, the oldest rights in Utah, the oldest rights in Arizona, and then, in case of a shortage of water, not interfere with some of those rights.

Mr. CONNALLY. Let me ask the Senator a question. If we agree to give Mexico 1,500,000 acre-feet of water, somebody has to deliver it to her.

Mr. MURDOCK. Absolutely; the Senator is as right as he can be.

Mr. CONNALLY. Under the amendment, as I construe it, nobody could deliver her a drop, because the amendment would prohibit the Boundary Commissioner of the American section, and the Reclamation Bureau, and every officer of the United States, from in anywise

altering and controlling the water. How in the world can we deliver 1,500,000 acre-feet to Mexico if nobody, no officer, no Reclamation Service, and nobody else, has any way whatever of controlling the flow of the water? It is not being controlled now; 10,000,000 acre-feet of it now go down the Colorado River into the Gulf of Southern California, without any control, and this amendment would continue that status, because nobody could do anything about it.

Mr. CHANDLER. Mr. President, will the Senator from Utah yield?

Mr. MURDOCK. I yield.

Mr. CHANDLER. The treaty calls for a certain amount of water to be delivered to Mexico. Of course, if the Senate ratifies the treaty, it is going to be the responsibility of someone to see to it that the water is delivered to Mexico.

Mr. MURDOCK. Absolutely.

Mr. CHANDLER. It is not my intention to vote for this treaty. I do not wish to delay a vote on it, because I know how anxious the distinguished Senator from Texas is to finish the discussion, but, except subject to certain reservations, which are of limited scope and importance, final and complete authority is given in the treaty to the Commission to determine what is to be done to execute the treaty. I want the Senate to understand exactly what the general over-all policy is going to be, because Dr. Timm is one of those responsible for this proposal, I think perhaps more responsible than anyone else. Dr. Timm said:

> All existing irrigation, drainage, flood control, and power projects in these river systems should be nationalized and all such future projects should be undertaken by the respective national governments. Privately owned utilities and irrigation companies should be excluded altogether; and present ownership by local governments, wherever it exists, should be replaced by national ownership.

I call the attention of the Senate to the fact that since 1909 we have had a treaty with Canada, under which the Commissioners only have authority to recommend changes to their respective government, and then, after the suggestions have gone through the mill, either of legislation or of careful scrutiny, the changes may be made if permission is given to do what is sought to be done.

Mr. President, it is an unusual thing we are attempting here, and it is unusual power we are conferring, even, as I have said, with the reservations we have already made, with which I am not entirely familiar, and others which may be made. As originally submitted to the Senate, there was in the treaty no provision for review, but there was complete and absolute an unchecked authority conferred on the Commission, or what is left of it. I do not wish to delay a vote on the treaty, but I do not intend to vote for this sort of thing, and I think the Senate should carefully consider its vote before it ratifies this treaty. It is an absolute agreement to give 1,500,000 acre-feet of water to Mexico in periods of drought as well as in seasons of ample water, and by the treaty the power will be given to someone, the Boundary Commissioner, I assume, to carry out the agreement, and he will undertake to deliver the water. It will be no consideration of his whether a State of the United States wants that to be done; he must deliver the water to Mexico, because when the treaty is ratified by the Senate it has behind it the full faith and credit of this Government to deliver 1,500,000 acre-feet of water to Mexico.

Mr. President, I fear the Senate may do a bad thing here. We should proceed with great caution. I do not want to withhold from Mexico water which we can afford to give her; but I do not want to give the water of the United States to Mexico and leave our own people without a reasonable supply.

Mr. President, I do not want to trespass on the time of the Senate nor on the time of the Senator from Utah, but I wish to say that if the treaty in its final form is as it is now framed I shall not vote for it.

Mr. MURDOCK. Mr. President, the important thing which is wrong with the treaty is the guaranty part of it. If the United States Government had said that Mexico is entitled to 1,500,000 acre-feet of water at some point designated, as it did on the Rio Grande, then we would not have all this administrative trouble. If the treaty did not contain the provision that the United States Government must step in and guarantee, as the Senator from Kentucky has said, a certain amount of water in case of drought or in case of an abundant water supply, we would not have all this trouble which confronts us today. But when we say by treaty that our Government in perpetuity guarantees 1,500,000 acre-feet to another country, then we undertake to deliver that amount of water. We undertake to manipulate and regulate by facilities in the United States to the end that it will be delivered, and we further say that notwithstanding the fact that we have spent nearly three-quarters of a billion dollars on the Colorado, that those facilities in perpetuity are dedicated to the delivery of water to a foreign country.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me?

Mr. MURDOCK. I will yield to the Senator from Wyoming in a moment.

Mr. President, even if it were the utmost desire of the Congress of the United States in the future to build a dam on the river exclusively for the people of the United States, we cannot under the terms of the treaty do so. Why? Because of the provision in the treaty that says that we cannot diminish by one drop the delivery of water to Mexico until we first diminish and cut down the consumptive use in our own country. What an absurd position for this Government to take.

I now yield to the Senator from Wyoming.

Mr. O'MAHONEY. Mr. President, the Senator from Texas made a suggestion a moment ago which it seems to me would settle this particular point of controversy. He asked the Senator from Utah if he would be willing to accede to an alteration of reservation (c) whereby it should provide that the United States section of the Commission shall not have the power, directly or indirectly, and so forth. I understood the Senator from Utah to say that that language would be acceptable to him.

Mr. MURDOCK. It would be acceptable to me. I do not know whether it would be acceptable to the Senator from Maine.

Mr. O'MAHONEY. Mr. President, I ask if the Senator from Maine would not also agree to that language.

Mr. WHITE. Mr. President——

Mr. O'MAHONEY. Before the Senator answers that question, may I trespass upon the time of the Senator from Utah to say how this matter impresses my mind? The treaty provides an agency to carry out its terms, and the protocol defines that agency. Neither in the treaty nor in the protocol is it provided that any other officer of the Government of the United States shall have any jurisdiction. If the Senate, in a reservation, should deny to the United States section of the Boundary Commission, to the Commission itself, and to the Secretary of State, the right to alter or control the distribution of water to users within the several States, it is inconceivable to me as a practical matter that any one of those agencies could go behind that reservation and say "While we cannot do it, we ask you to do it." It is simply inconceivable to me that that would be done.

Mr. WHITE. Mr. President, the Senator has asked me whether I would be satisfied with the suggested change proposed by the Senator from Texas. Of course, the area immediately affected is a long distance from the State of Maine, and what happens to the waters in that region is so far as I am concerned, academic, except as I have an interest in the well-being of that section of the country, even though it is remote from the section from which I come. If the Senators representing the Western States are agreeable to the suggestion made by the Senator from Texas, it is perfectly agreeable to me.

Mr. O'MAHONEY. Mr. President, will the Senator yield for another moment?

Mr. MURDOCK. I will.

Mr. O'MAHONEY. I venture to say that by close scrutiny of any document sometimes we may be inclined to emphasize too greatly the importance of words. I recognize the importance of words, but I also recognize that it is very easily possible to give shades of meaning which are not intended.

As I was saying a moment ago to the Senator from Maine, it seems inconceivable to me that any subordinate agency of government or any superior agency of the Government of the United States should undertake to do anything with respect to this treaty which by a reservation is denied to the agency which is set up in the treaty to administer it. So, if I may say so to the Senator, I am inclined to believe that the defenders of the treaty, the Senator from Texas and the Senator from Colorado could very well accept the amendment which was offered by the Senator from Maine, because I think it deals, as it was intended to deal, with the distribution of waters within the respective States. But I also think that those of us who represent the

upper basin States may very well be satisfied with the alteration which has been suggested by the Senator from Texas. I think it amply covers the situation.

Of course it is true that by this treaty we are guaranteeing to Mexico 1,500,000 acre-feet, but we are guaranteeing that from all sources, and in the treaty we are providing for the administration of the Davis Dam, the construction of which has already been authorized by the Congress. We know that the construction of that dam and the construction of other works which we propose to seek authority to construct in the upper basin States, in the State of Utah, and in the State of Wyoming, will make more water available, and by every single structure that is built we shall make it easier upon our water users because we shall store more waters for them. If we do not do this we run the risk of perpetuating a condition which is destructive of our rights in the upper basin States. So I feel, Mr. President, that perhaps a little overscrutiny here is leading us to look forward to conditions which will not exist if, after we ratify the treaty, we can immediately bring about the construction of these works. It is important to have the dams built in Wyoming and Utah, and to have the water stored to stop the continuous waste of millions of acre-feet into the sea.

Mr. MURDOCK. I am very happy to have the Senator make the contribution which he has made. I am certainly not making a play on words. I believe that if anyone is trying to be practical this afternoon it is I. I repeat that when we guarantee 1,500,000 acre-feet of water to Mexico we must make up our minds that the water rights of the United States are going to be altered, controlled, and interfered with when necessary in order to make the delivery of that water. Some Senators like to make a play on words, and say that we will not let the Commission do it, but we will let some one else, under the Commission's orders, do the very same thing. To me it makes no difference who does it. If the treaty is ratified and we guarantee the water, then what difference does it make whether the International Boundary and Water Commission alters and controls water rights in my State, or whether someone else does it. If they are altered and controlled by some Federal agency in furtherance of this treaty, what difference does it make by what agency it is done? I just do not like the idea of any Federal agency interfering with water rights in my State. Water and water rights in my State have always been exclusively under State jurisdiction.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. McFARLAND. I do not agree with the distinguished Senator from Utah that water rights will be altered or controlled in the United States. I believe that the old established water rights are protected by reservation (c). I do not believe that the words which are suggested by the Senator from Maine [Mr. WHITE] would change the situation, because it is provided—

That nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States section of the International Boundary and Water Commission, or the United States section of said Commission—

The amendment of the Senator from Maine would add the words "or any other officer or employee of the United States"—

to alter or control the distribution of water to users within the territorial limits of any of the individual States.

I see no objection to the words suggested by the Senator from Maine.

How are we going to supply the water? Section (b) of article 12 of the treaty provides as follows:

(b) The United States, within a period of 5 years from the date of the entry into force of this treaty, shall construct in its own territory and at its expense, and thereafter operate and maintain at its expense, the Davis storage dam and reservoir, a part of the capacity of which shall be used to make possible the regulation at the boundary of the waters to be delivered to Mexico in accordance with the provisions of article 15 of this treaty.

That provides where the water is to come from. It is to come from Davis Dam. The treaty would not alter any law. The Colorado River compact provides that if a treaty is entered into with Mexico, the waters which are given to Mexico shall be supplied, first, from the surplus waters. Under the compact it would be the duty of the Bureau of Reclamation to store sufficient water in Davis Dam from the surplus water to supply the waters which we guarantee to Mexico.

Mr. MURDOCK. Mr. President, let me make a suggestion.

Mr. McFARLAND. I would like to complete my statement.

Mr. MURDOCK. The Senator is speaking of a surplus of water. While he is on that point, let me say that I am not at all concerned about a surplus of water. Of course, so long as there is a surplus of water no one is hurt. The only reason for having the treaty is to protect Mexico against being curtailed when there is a shortage, when there is not a surplus, when it becomes necessary to come up into the Senator's State and my State and take waters away from the people and turn them down to Mexico. So I am not at all interested in the question of surplus.

Mr. McFARLAND. We in Arizona have hoped to be able to get half of the surplus water, less one twenty-fifth, which we have agreed Nevada may receive under her contract with the Secretary of the Interior.

If the surplus water did not supply these water rights, the Secretary of the Interior or someone else would have to say to the people in the upper basin States, "You let down half of the water needed for Mexico." Then there would be held back the delivery of a certain percentage of the 2,800,000 acre-feet for which we have a contract, a certain percentage of the 4,400,000 acre-feet of California, and a certain percentage of the 300,000 acre-feet of Nevada. That is the way the waters are supposed to be supplied. Perhaps the machinery is not adequately provided for in the treaty.

I think it is plain under this provision, and it will be especially plain with the amendment which has been suggested, that no one could disturb our old-established water rights. The treaty would not in any way repeal or alter them. The water would have to be supplied first from the surplus, and then, if there were not sufficient surplus, one-half from the upper basin States' allotment, and one-half from the lower basin States' allotment.

As I previously stated, my object in urging the reservation was to prevent our old water rights from being disturbed, which include all the waters of the Salt and Gila Rivers.

Mr. MURDOCK. The Senator certainly knows, does he not, that the International Boundary and Water Commission is the agency to which jurisdiction is given by the treaty? He knows that if any orders are given for the turning down of water under the treaty, they must come from the International Boundary and Water Commission. As I understand, all we do under reservation (c) is simply to say that the International Boundary and Water Commission may do through the Bureau of Reclamation what it could not do with its own employees.

Mr. President, if Senators wish to do that, I cannot stop them. All I can do is to attempt to persuade them of their error. As I say, I have agreed to support the treaty, and I intend to support it. A reservation was adopted the other day at my suggestion as to the quantity of water, and on the question of quantity I am sure my reservation clarifies the uncertain language of the treaty. I believe that we have now limited Mexico to 1,500,000 acre-feet of water, but I am not going into the thing blindfolded. I know that if and when the time comes when there is a shortage of water, if this treaty is ratified, the rights in the United States must give up sufficient water to take care of the guaranty to Mexico.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield. I was about to yield the floor.

Mr. CHANDLER. If we were not confronted with shortages, we would not have any treaty.

Mr. MURDOCK. We would not need a treaty.

Mr. CHANDLER. We would not need a treaty if water were plentiful. That is the reason why I am going to vote against the treaty.

Mr. MURDOCK. If the Senator will permit me to interrupt him at that point, the Senator was not confronted, and is not now confronted, with the situation which I confront. I know that this treaty is going to be ratified. My hope was that I could at least obtain a reservation absolutely limiting the quantity of water. In order to obtain such a reservation I agreed to vote for the treaty.

Mr. CHANDLER. If there is ever a shortage, and we are forced under this treaty to furnish 1,500,000 acre-feet, the Commission will take water away from the little cities and towns. The Senator from Maine says that at present the question is only of academic interest to Maine. It is probably only of academic

interest to Kentucky; but, for the life of me, I cannot understand why the Senate of the United States should now renounce a policy which has proved highly satisfactory to the people of the United States since 1909, when we entered into a treaty with Canada, under which nothing can be done by the Commissioners except by way of recommendation. Nothing can be done except through the ordinary channels of Government. The Commission must make its recommendations to the legislatures, and they must pass through the normal procedures of government. If that policy is changed, we shall have to answer for it when a portion of the water in the little cities and towns of Utah and Arizona is taken away to guarantee water to Mexico.

Mr. President, I do not wished to be placed in that position. I do not wish to establish a policy of national control of the water supplies of the States. I fear that that is what the Senate is doing. We have a perfectly good example of a treaty which has been effective and satisfactory both to Canada and the United States since 1909. Here there is a complete abandonment of all the principles involved, and the embracing of a new national socialistic principle, to which I will not be a party.

I have not yet seen any reservation which would change my mind on that matter.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MURDOCK. I am about to conclude.

Mr. CONNALLY. I wish to ask a question.

Mr. MURDOCK. Very well; I yield.

Mr. CONNALLY. Would it be agreeable to the Senator to omit the White amendment and to insert the words "directly or indirectly"?

Mr. MURDOCK. That would be agreeable.

Mr. CONNALLY. Would that be agreeable to the Senator from Maine?

Mr. WHITE. That would be satisfactory to me—or, Mr. President, I retract those words, and will leave it by saying that I shall not object.

Mr. CONNALLY. Very well; that is what I was hoping.

The PRESIDENT pro tempore. Does the Senator from Maine withdraw his amendment?

Mr. WHITE. Yes, Mr. President; I withdraw my amendment.

The PRESIDENT pro tempore. The question now is on agreeing to the amendment of the Senator from Texas.

Mr. CONNALLY. Mr. President, my amendment is after the words "of said Commission", to add the words "directly or indirectly."

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Texas.

The amendment was agreed to.

The PRESIDENT pro tempore. The question now is on agreeing to reservation (c), as amended.

Reservation (c), as amended, was agreed to.

Mr. CONNALLY. Mr. President, I should like to have the attention of the Senator from California. I make the unanimous-consent request that beginning on Wednesday next at 2 o'clock the Senate proceed to vote on all reservations then pending and undisposed of and on the treaty, without further debate.

The PRESIDENT pro tempore. Is there objection to the unanimous-consent request of the Senator from Texas?

Mr. JOHNSON of California. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. CONNALLY. Mr. President, will the Senator from California indicate a date which would be agreeable to him?

Mr. JOHNSON of California. No; but I would hope to make it a very early date.

Mr. CONNALLY. So far as I am concerned, the Senator can have all the time he wishes to have.

Mr. JOHNSON of California. I am not asking that, and I am not asking any favors of anyone in this body. I simply do not wish to be cut off. I know that a proposition to limit debate would cut us off and would leave us without recourse.

My preference is to permit consideration of the treaty to run along for a day or two days. It seems to me the procedure today has been outrageous. We listened to the address by the new President of the United States, in which he told us what his views are; but we have so little interest in them that we have returned to the Senate Chamber and have proceeded to have something to do with a miserable treaty which has been fixed up with Mexico.

Mr. CONNALLY. Mr. President, has the Senator concluded?

Mr. JOHNSON of California. Yes.

Mr. CONNALLY. I modify my request to the extent that the intervening time be divided, half for the proponents and half for the opponents, the allotment to be under the control of the Senator from California.

Mr. JOHNSON of California. No; I will not consent to having anything left under my control.

Mr. CONNALLY. I beg the Senator's pardon. He is the senior minority member of the committee, and I was trying——

Mr. JOHNSON of California. Yes, but I have been by-passed with a regularity which is simply astounding.

Mr. CONNALLY. I am sorry; I have not by-passed the Senator on any occasion.

Mr. JOHNSON of California. Well, we will let that ride.

Mr. CHANDLER. Mr. President, will the Senator from Texas yield to me for a moment?

Mr. CONNALLY. I yield.

Mr. CHANDLER. I know how anxious the Senator from Texas is to obtain a vote on the treaty. As I have heretofore stated, I do not wish to interfere with the making of such an arrangement, if in the judgment of those who advocate the treaty it should be pressed through at this time. I do not think it is so important that it perhaps should be hurried through merely in order to have its consideration concluded before the beginning of the San Francisco Conference; because I, for one, feel that the Senate could take more time on the treaty. Of course, if the Senator from Texas and other Senators would agree to do so, I do not think it would be hurtful either to those who advocate the treaty or to those who oppose it——

Mr. JOHNSON of California. Nor do I think that any particular amount of time will be occupied.

Mr. CHANDLER. I do not think the time when the treaty is finally acted on is a matter of great importance. I do not think the peace of the world depends on whether we agree to give Mexico 1,500,000 acre-feet of water or whether we do it quickly.

I have stated my position. I do not intend to vote for the treaty. But I should like to suggest to the Senator from Texas that unless he thinks the treaty is a life-or-death matter, perhaps it would be better not to try to rush it through before the Senator leaves for the San Francisco Conference. I do not think the time when the treaty is finally ratified is as important as is the Senator's attendance at the conference at San Francisco. I understand that the Senator is to attend the Conference, and that perhaps the State Department or the chairman of the committee or someone else may wish to have the treaty acted upon before the Senator leaves for the Conference. I express my own view when I say that I wish no attempt would be made to hurry through consideration of the treaty, if that would mean that a vote would be had on the treaty within the next few days.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I wish to say a word, and then I shall yield.

I say to the Senator from Kentucky that the Committee on Foreign Relations gave nearly 5 weeks to the hearings on the treaty. Everyone who wished to appear and make a statement to the committee was given an opportunity to do so. The Senate itself has been working on the treaty, off and on, for some time—perhaps 2 or 3 weeks.

Mr. JOHNSON of California. Oh, no.

Mr. CONNALLY. I said the Senate had been working on the treaty off and on. The consideration of the treaty has not been continuous.

Mr. JOHNSON of California. The proceedings on the treaty certainly have been off and on, but the total amount of time devoted to consideration of the treaty does not amount to 3 weeks or 2 weeks or 1 week.

Mr. CONNALLY. Very well. Nevertheless, Mr. President, I am not in any rush. I wish every Senator to have an opportunity to be heard on the treaty. I desire to absolve myself from the implication made by the Senator from Kentucky that I am insisting on early action upon the treaty on a personal account.

Mr. CHANDLER. I did not mean any reflection on the Senator. If my remark was offensive to the Senator, I withdraw it. I merely thought the Senator was anxious——

Mr. CONNALLY. I am anxious; but I am going to the Conference at San Francisco, regardless of the status of consideration or action on the treaty. Of course, I should like to have the Senate complete its action on the treaty before I go to the Conference; but at the

same time I realize that my presence in the Senate is not necessary in connection with consideration of the treaty, except as regards the one vote I have. So I am not endeavoring to push or rush the matter at all.

Today is Monday. I thought that by Wednesday, at 2 o'clock, we could be in a position to vote on the pending reservations and on the treaty. It has been rather thoroughly discussed. Every reservation will, no doubt, cause some little comment. However, in the face of objection, I cannot insist on my suggestion of a limitation.

I now yield to the junior Senator from California.

Mr. DOWNEY. Mr. President, I should like to make a brief statement. So far as I am concerned—and so far as I know, I speak also for the representatives from California who are in Washington, namely, the lawyers—I have no further objection to the reservations offered by the Senator from Texas. I had expected to argue at considerable length the question of a reservation clearing away what I consider to be the ambiguities in the treaty relative to salinity; but after careful thought in the dark recesses of the night I have concluded not to present any reservation or argument on salinity or on what I still consider to be a serious ambiguity in the treaty.

For myself I have to offer, as coming from our group in California, three reservations which we consider of material importance. I hope that perhaps the distinguished senior Senator from Texas will consent to one or all of them. The distinguished senior Senator from New Jersey [Mr. HAWKES] has a very important reservation which he desires to present and to argue and to have voted on. So far as I know, there are no other reservations to be presented. There may be other Senators who have some to offer, but there are no others of which I know, and I have no knowledge of any other Senators who wish to speak on the treaty.

I suggest that if the distinguished senior Senator from Texas would simply agree to continue with consideration of the treaty and the reservations, we would very soon know how much time would be required. I think that is all the distinguished senior Senator from California desires to know.

Mr. JOHNSON of California. I think we will die of inanition before then; but even if we do not, we will reach the limit of any discussion which may be held upon this subject. I do not want to put myself in the position of being cut off. There is apparently a determination to leave us against the blank wall of a date agreed upon. I am satisfied that we can let nature take her course and that we can arrive at a conclusion within the time which certain Senators have specified.

Mr. CONNALLY. Very well. Mr. President, I was prompted to make my request by the fact that many Senators are coming and going. I thought it would be advantageous to all Senators if a definite time were fixed for voting so that Senators who desire to return to vote would be supplied with an advance notice as to when the vote will take place.

Mr. JOHNSON of California. There is a very important matter in connection with the voting. Does the Senator object to voting by proxy?

Mr. CONNALLY. I do not think there is any rule of the Senate by which we can vote by proxy.

Mr. JOHNSON of California. I wanted to inquire of the Senator.

Mr. CONNALLY. I cannot overrule the rules of the Senate.

Mr. JOHNSON of California. Oh, yes; the Senator can.

Mr. CONNALLY. If I could I would overrule them and vote on Wednesday next.

Mr. JOHNSON of California. The Senator would vote proxies, would he?

Mr. CONNALLY. No; I would not vote proxies.

Mr. JOHNSON of California. Why not?

Mr. CONNALLY. Because the rules of the Senate do not allow that to be done.

Mr. JOHNSON of California. Oh, the rules of the Senate. What do they amount to with Senators who are now present? Tomorrow we shall have the attendance of other Senators.

Mr. CONNALLY. Very well.

Mr. President, I ask for a vote on reservation (c).

The PRESIDENT pro tempore. The question is on agreeing to reservation (c) as amended.

Reservation (c), as amended, was agreed to.

The PRESIDENT pro tempore. The next question is on agreeing to reservation (d).

Reservation (d) was agreed to.

The PRESIDENT pro tempore. The next question is on agreeing to reservation (e).

Reservation (e) was agreed to.

The PRESIDENT pro tempore. The next question is on agreeing to reservation (f).

Reservation (f) was agreed to.

The PRESIDENT pro tempore. The next question is on agreeing to reservation (g).

Reservation (g) was agreed to.

The PRESIDENT pro tempore. The next question is on agreeing to reservation (h).

Reservation (h) was agreed to.

The PRESIDENT pro tempore. The next question is on agreeing to reservation (i).

Mr. DOWNEY. Mr. President, in order that the Senate may have an understanding of this reservation——

Mr. JOHNSON of California. We do not have any understanding of these reservations.

Mr. DOWNEY. I merely wish to say that these reservations, and the following ones, with one exception, were all submitted by us to the chairman of the Foreign Relations Committee and were kindly agreed to. I may say that I was greatly disturbed by the apparent language of the treaty which would give the International Boundary and Water Commission the power to step in as a judicial agency and settle disputes in the United States. Reservation (i) would prevent that being done.

Mr. JOHNSON of California. Has not the reservation been disposed of?

Mr. DOWNEY. We were just about to dispose of it.

The PRESIDENT pro tempore. The question is on agreeing to reservation (i).

Reservation (i) was agreed to.

The PRESIDENT pro tempore. The Chair is informed that reservation (j) has already been agreed to.

Mr. MURDOCK. Mr. President, inasmuch as the language at the beginning of the reservation was changed this morning by agreement with the Senator from Texas—I believe the amendment was offered by the Senator from California—I am wondering if it would not be just as well at this time to agree to reservation (j) as amended.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and reservation (j), as amended, is agreed to.

The next question is on agreeing to reservation (k).

Reservation (k) was agreed to.

The PRESIDENT pro tempore. That concludes the reservations submitted on behalf of the committee. The resolution of ratification is open to further amendment.

Mr. DOWNEY. Mr. President, while I did not object to reservation (k), which I believe was included among the reservations of the Senator from Arizona, it is my judgment that perhaps a further reservation would be very helpful to the treaty.

I understand that one matter was inadvertently omitted from the treaty which, if corrected, would be very much to the advantage of Mexico and to which Mexico could have no objection. I believe it should be considered in connection with reservation (k).

Mr. JOHNSON of California. We now have enough arrangements for the benefit of Mexico.

Mr. DOWNEY. Mr. President, I may say to the distinguished senior Senator from California that representatives from California are very anxious to have inserted the language which I am about to discuss. I think it is very much to the benefit of both the United States and Mexico that such language be inserted. Our leaders from California are very anxious to have it included.

The reason I wish to discuss the particular reservation which I shall send to the desk in a moment and ask to have read is this: Under the treaty, within 5 years Mexico is obligated to construct a diversion dam in the limitrophe section of the Colorado River, or below the limitrophe section in Mexico. The placing of that diversion dam in the river for the purpose of diverting water for Mexican use will back up water to the boundaries of Arizona and California, resulting in the possibility of damage from seepage or flood. Provision is made in the treaty for cooperation between the two Governments in providing, at the expense of Mexico, flood control for those lands. I myself do not believe that the stipulations are wholly adequate to give as much protection to our water users in California and Arizona as they should have. The junior Senator from Arizona [Mr. MCFARLAND]—and if I am in error I am sure he will correct me—and I are of the

same belief. He presented what I think is a very valuable amendment to reservation (k), as follows:

The United States recognizes the duty to require that the respective structures be constructed under article 12, paragraph (a), of this treaty are so constructed, operated, and maintained as to adequately prevent damage to property and lands within the United States from the construction and operation of the diversion structure referred to in said paragraph.

Mr. President, I congratulate the Senator upon that reservation. I think it was a very necessary and vital one, and I am very happy he had it included in the reservations.

I wish to point out a certain condition. A wild and turbulent river known as the Gila comes down from the State of Arizona. It is said that the flash floods which occur on the Gila perhaps every 10 or 20 years are greater in magnitude than any great floods which have been caused by the Colorado River. I understand the engineers both in Mexico and the United States are in agreement that no diversion dam which could be built in the limitrophe section of the river or below it could withstand such a tremendous flood on the Gila, even though the flood did not follow one in the Colorado River. I think it has been the plan of all the engineers to have built on the Gila River a storage dam which would prevent a great and destructive flood which might come down the Gila River and destroy this diversion dam, causing serious floods both in Arizona and California.

Mr. President, with this explanation, I should like to have stated at the desk a reservation applicable to this condition on the Gila River.

The PRESIDENT pro tempore. The clerk will state the proposed reservation.

The LEGISLATIVE CLERK. At the end of the reservations following the resolution of ratification, it is proposed to insert the following:

That the United States, within a period of 5 years from the date of the entry into force of this treaty, shall construct at its expense, and thereafter operate and maintain at its expense, a flood-control dam and reservoir on the Gila River in the vicinity of Sentinel Ariz. with a capacity of not less than 3,000,000 acre-feet and that the main diversion structure referred to in subparagraph (a) of article 12 of this treaty shall not be constructed until said flood-control dam has been completed and placed in operation, nor shall said main diversion structure be constructed until approved by the Commission.

Mr. CONNALLY. Mr. President, this is a matter wholly within the United States, which we can handle at any time by appropriation or statute. I do not think it has any proper place in the treaty, for obvious reasons, and I hope it will not be agreed to.

Mr. DOWNEY. Mr. President, let me point out to the distinguished Senator that in the treaty there is an obligation on the part of Mexico to construct this diversion dam in the limitrophe section of the river. If that dam is constructed in the limitrophe section of the river and a flood comes down the Gila before we construct a dam on the Gila, there might be tens of millions of dollars, or conceivably hundreds of millions of dollars, damage in Arizona and California.

I have tried to be as considerate as I could about the Rio Grande, but I do not believe the chairman of the committee is justified in asking us to accept a treaty which creates a very great and serious trap and potential danger for Arizona and California.

Mr. President, I understand that all engineers on both sides are agreed that it would be a very dangerous policy to build a diversion dam in the limitrophe section of the Colorado River before we throttle down the Gila River. In urging this reservation I know I am speaking for the benefit of both the great States of California and Arizona, and for their water users. I should be exceedingly reluctant to see the treaty ratified in a form which would obligate Mexico to construct a diversion dam in the limitrophe section of the river while we would not be obligated to safeguard against tremendous injury of water users in the United States. I implore, I supplicate, the distinguished chairman of the committee not to seek to have the treaty ratified by the Senate in a form so unfair to the lower-basin States and creating such a trap as it does. I may say I know of no argument against the reservation. I am very sure that the generous and merciful hearts of the Senators from the upper-basin States will not want to subject us in the lower basin to the hazards which would arise from this treaty in its present form.

Mr. MILLIKIN. Mr. President, the treaty provides that the risks in connection with the diversion dam shall be a matter of most careful study between the two sections and in the Commission. It provides that the necessary protective works shall be built along with and as a part of a coordinated plan. It is possible that that particular dam might be a part of the logical plan, but we cannot sit here now and do an engineering job. If we adopt this reservation, we are amending the treaty. There is nothing in the treaty about it. We are putting a new engineering feature on a job which Mexico, under the treaty, has agreed to do at her expense, and under plans which are agreeable to us. I hope, therfor, that the reservation may be defeated, and I blieve that the reservation in which the distinguished Senator from Arizona was so much interested will give that extra stimulus to vigilance on the part of the United States in seeing that all proper things are done.

As has been stated by the distinguished Senator from Texas, if it should develop that this is outside the realm of the treaty or outside of the duty of Mexico, or is something which needs to be done, I do not think there would be any disposition to shrink from the problem on this side of the line. I should think that it would be proper to bring that in after we know what are the plans to protect this diversion structure and to create the additional and incidental things which will make it a sound structure.

Mr. McFARLAND. Mr. President, I wonder if this question might go over until tomorrow. Naturally, representing the State of Arizona, I should like to see everything in the treaty possible to protect the people of Arizona. I am very highly appreciative of reservation (k), which the Senate has adopted. The dam referred to by the Senator from California, in my opinion, should be ultimately constructed. If for no other reason, it should be constructed because it will capture 100,000 acre-feet of water a year which cannot be impounded in any other way.

These extra waters of the Gila come down in flash floods and cannot be used without a storage dam. I appreciate very much the courtesies which have been extended to me by the distinguished chairman of the Committee on Foreign Relations and other Senators, and I should like to talk to them about this amendment between now and tomorrow.

Mr. DOWNEY. Mr. President, I shall certainly accede to the request of my distinguished friend from Arizona and not press the reservation to a vote tonight. However, I wish, in connection with what the Senator from Colorado has just said, to point out some facts.

Again, I do not like to be critical, but there are 10 or 15 omissions in the treaty which I have not pointed out for reasons. The matter sought to be covered by my reservation is one of 10 or 15 other omissions on the part of men who apparently were so careless that they failed to understand the problem. This is a serious and terrible omission.

I may say to the Senator from Colorado [Mr. MILLIKIN], who, I think, has spoken inadvertently, that there is no provision in the treaty, so far as I can read and can understand the English language, which would lead to an investigation of the building of a dam on the Gila River. I read language found in article 13:

The Commission shall study, investigate, and prepare plans for flood control on the lower Colorado River between Imperial Dam and the Gulf of California, in both the United States and Mexico.

And so on. I doubt if that language would include a study of flood conditions 100 miles from the Imperial and the boundary in the limitrophe. It may be that that language can be extended so it might be said they can go 100 miles up the Gila, but I think the language would be rather attenuated if stretched to convey such a meaning.

Mr. President, let me say that the weakness of the whole treaty on this point is that, so far as Mexico is concerned, no levees have to be built to protect Arizona or California, except by the consent of both Commissioners. If we in the United States said it would take $10,000,000 or $25,000,000 or $50,000,000 properly to protect our lands against waters that might be backed up by the dam built by Mexico, levees would not be built unless the Commission acceded to their construction. The language is as follows:

Regardless of where such diversion structure is located there shall simultaneously be constructed such levees, interior drainage facilities, and other works, or improvements to existing works, as in the opinion of the Commission shall be necessary to protect lands within the United States against damage from such floods and seepage as might result from the construction, operation, and maintenance of this diversion

structure. These protective works shall be constructed, operated, and maintained at the expense of Mexico by the respective Sections of the Commission.

And so on. It was because of the fatal weakness in that language, which in reality means nothing if Mexico does not want to consent to it, that the distinguished junior Senator from Arizona very rightly added to the reservations a provision reciting that the United States recognizes its obligation to protect those lands. But, Mr. President, I for one am unwilling to rest unhappily or sleep uneasily upon a general commitment of that kind by the Federal Government. Here we are obligating Mexico and giving her the right to build a diversion dam in the limitrophe. If she once starts the dam and completes it, and before we build the dam in the Gila a great flash flood comes, tens of millions or hundreds of millions of dollars of damage might be done and hundreds of lives might be lost. It is true that probably our State could make a claim against the United States. Perhaps Mexico would be responsible. But I do not think we ought to be placed in such a position.

Mr. President, in order that the Senate may understand the situation, let me say that the maximum flood within historical times upon the Colorado River—and floods have done tremendous damage in the delta—has been 220,000 second-feet. That is a turbulent, tremendous volume of water; but there has been within historical times one flood run-off on the Gila of 240,000 second-feet, a flood so tremendous that a dam could not be built against it, a flood so terrifying that if there were a dam to divert it the damage could not be calculated. It might take out the wall between the river and the Imperial Valley. It might divert the whole Colorado River down into the Imperial Valley.

Mr. President, I admit that it is unfortunate to have to legislate this way on the Senate floor. I want to say there are 10 or 15 inadvertencies such as this in the treaty respecting the Colorado River, one of the first being the failure even to apprehend the problem of underground waters in the lower delta.

Mr. President, in order to help out I am passing those inadvertencies over. But this matter constitutes a real and a terrible danger, and I am unwilling to pass it over.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield.

Mr. BARKLEY. If I understand, the treaty does not deal with a dam on the Gila River such as that contemplated.

Mr. DOWNEY. That is correct.

Mr. BARKLEY. It is not a part of the treaty, and it is not dealt with at all.

Mr. DOWNEY. Not at all.

Mr. BARKLEY. So that Mexico is under no obligation under the treaty to participate in the construction of such a dam and the United States is not prohibited by the treaty from the construction of such a dam, is it?

Mr. DOWNEY. That is correct.

Mr. BARKLEY. While I realize the proximity of the Gila to the problem, it seems to me it would be just about as appropriate to say that we ratify this treaty with the reservation that the United States create the Missouri Valley Authority, or build a dam in some other river that may run into the Rio Grande, or that may run into the Colorado, but which is not in any way contemplated in the treaty, as to say, that this treaty is ratified that the United States builds a dam on the Gila River.

I appreciate what the Senator has said, and from his statement I think I would support legislation in the Senate to authorize and begin the construction of the dam. But inasmuch as it is not in any way covered by any part of the treaty, we cannot put anything in it which obligates Mexico to do anything about it, and we would not want to, I suppose, if we could. It occurred to me that a reservation is not quite the proper approach to the subject. I am sympathetic, and as I said, I think I would support legislation authorizing the construction of the dam, but I do not see how it is appropriate to adopt a reservation, which is a modification, or an understanding, or an effort to get at an understanding about what is in the treaty, when there is nothing in the treaty which deals with the subject matter of the reservation.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DOWNEY. Yes; I yield.

Mr. McFARLAND. I call the attention of the Senator from Kentucky to paragraph (a) of article 12 of the treaty, which provides that:

> Regardless of where such diversion structure is located there shall simultaneously be constructed such levees, interior drainage facilities, and other works, or improvements to existing works, as in the opinion of the Commission shall be necessary to protect lands within the United States against damage from such floods and seepage as might result from the construction, operation, and maintenance of this diversion structure. These protective works shall be constructed, operated, and maintained at the expense of Mexico by the respective sections of the Commission, or under their supervision, each within the territory of its own country.

It is anticipated that something may have to be done to provide the necessary protection.

Mr. BARKLEY. The diversion structure referred to there, as I understand, is a part of the treaty, and Mexico would be obligated to pay for it, but I do not understand that this particular flood-control dam in the Gila River is a part of it.

Mr. JOHNSON of Colorado. We do not want to put any burden upon Mexico which we ought not to put on her.

Mr. McFARLAND. I should like to have this matter go over until tomorrow, Mr. President. I should like to confer with my colleagues about it. It is now 10 minutes after 5 and I think we may gain a little time by having the matter go over until tomorrow, if there is no objection.

Mr. DOWNEY. Mr. President, I am willing to depart from this particular reservation now, if I am not baited further by some of my dearly beloved colleagues, and I would suggest that some of the Senate leaders communicate with Mr. Bashore, the Commissioner of the Bureau of Reclamation, and if Mr. Bashore is of the opinion that the dam ought to be built, that might have a very strong influence with the Senate.

I think the surveys have all been made. Everyone recognizes the vital need of this project. I will go further and say that certain individuals on the other side of this question have told me that this provision was left out of the treaty through sad inadvertence and gross carelessness.

Mr. CONNALLY. Exactly. Therefore the Senator wishes to make a new treaty.

Mr. DOWNEY. No.

Mr. CONNALLY. The Senator is proposing to modify the treaty, and, in effect, to reject it.

Mr. DOWNEY. Mr. President, before the Senator proceeds, let me make a further statement. We would not be rejecting the treaty, because this understanding or reservation would not place any additional burden upon Mexico. It merely provides that the United States Government shall assume an additional burden to amply protect water users within the United States.

Mr. CONNALLY. Under the terms of this reservation, would not the construction of the other works be conditioned upon the construction of this dam? The other works could not be constructed at all until the dam was constructed.

Mr. DOWNEY. We provide that the dam shall be built immediately.

Mr. CONNALLY. If that is not a modification of the treaty, I do not know what a modification is. The things which we promise to do in the treaty could not be done until the United States built this dam. That is a modification of the treaty, and amounts to a rejection of the treaty.

The Senator wishes to know what Mr. Bashore said. There is no use in consulting him. He testified before the committee. I shall not read his testimony at length. He went over the whole situation and testified unqualifiedly that he was for the treaty, and hoped that it would be ratified.

I read from page 1707 of the printed hearings:

> Mr. BASHORE. Senator, we certainly need a treaty with Mexico. The longer we go without a treaty with Mexico, in my opinion, the more disadvantageous the position of the United States becomes. I think the treaty distribution or allocation of water between the two countries under the terms of this treaty is about as fair as you can get it. I had nothing to do with negotiating the treaty; I saw it only after it was signed. I have studied it very carefully, and, so far as I am concerned, I think the treaty is probably as good as we will get.
>
> The CHAIRMAN. Well, do you favor its ratification?
>
> Mr. BASHORE. Yes, sir; I favor its ratification.

He then proceeded to point out the element of time and stressed the importance of our doing now what we propose to do, rather than giving Mexico an opportunity to increase her uses and thereby build up an equitable claim to more water than the treaty would give her.

That is what Mr. Bashore thinks about the treaty.

Mr. DOWNEY. Mr. President, does the Senator from New Mexico [Mr. HATCH] wish to have me yield to him?

Mr. HATCH. No; I have no particular desire that the Senator from California yield to me at this time. It so happens that the Gila River rises in New Mexico, and all the water that goes down the Gila River also rises in New Mexico. I have followed the stream from its head almost to its mouth. I have seen the Gila River in Arizona. The Senator from Arizona [Mr. McFARLAND] is smiling. I know a great deal about it. I am a little perplexed about the argument which has been proceeding. I have heard the distinguished junior Senator from Arizona express his thoughts and opinions with respect to the Gila River. There is quite a controversy between our two States over that particular river and its waters. I believe that we might be able to settle that controversy among ourselves. I do not believe there is any need for international complications over the waters of the Gila River. I have also talked with Mr. Bashore. I know what Mr. Bashore's idea is. I know about the dams and the projects which are proposed. I will say to the Senator that I am not at all worried.

Mr. DOWNEY. Mr. President, first let me offer my apologies to the Senator from New Mexico because I inadvertently gave all the credit to Arizona for the mighty Gila, intermittent as it is.

Mr. HATCH. I wish the Senator could see the Gila River in Arizona. Has he ever seen it?

Mr. DOWNEY. When I was a young boy of 18 or 19 I surveyed along the whole course of the Gila. I have seen a flood come down it so fast and furious that it would take away one's breath and terrify him.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. HATCH. The greatest trouble in Arizona is the fact that the floods do not come down often enough or fast enough. The people of Arizona want fresh water from New Mexico. They want flash floods, too.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. McFARLAND. I cannot agree with my distinguished colleague from New Mexico that all the waters of the Gila River come from New Mexico. There are waters of the Gila which come from the basin in Arizona.

In this particular part of the Gila River there are floods which come from even below the Gillespie Dam in Arizona. They are what are termed flash floods. Sometimes they come down in great torrents. They do not come down often enough to be of value for irrigation without a storage dam.

Mr. President, I should like to have this reservation passed over until tomorrow. I should like to talk with the Senator from Texas and other Senators, to see if a satisfactory agreement cannot be reached.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. WILEY. May we have stated this evening before we suspend the other two suggested amendments?

Mr. DOWNEY. Yes; I shall be glad to have that done.

Mr. President, I discussed at considerable length subdivision (d) of article 24 of the treaty, providing, I think, for the settlement by reference of international disputes arising over this treaty between the two Governments. It was in that connection that I stated that in my opinion there was a different meaning in the English translation than that in the Mexican translation. I wish to read one or two sentences from subdivision (d) of article 24. I begin about the middle of it:

> In any case in which the Commissioners do not reach an agreement, they shall so inform their respective Governments reporting their respective opinions and the grounds therefor and the points upon which they differ, for discussion and adjustment of the difference through diplomatic channels—

I emphasize the following language—

> and for application where proper of the general or special agreements which the two Governments have concluded for the settlements of controversies.

I may say, without particular discussion of that subject this evening, that those of us who have attempted to study and evaluate clause (d) of article 24 are left very much confused and bewildered as to whether or not a reference, with respect to an important international argument, could be made by the State Departments, thus bypassing the United States Senate and the customary practice of referring a dispute to some commission. I am not speaking about disputes which can be settled between the two Governments by diplomatic procedure. I am speaking of major disputes which the Governments are unable to settle, and which they desire to refer to some umpire or international tribunal for settlement.

I now send to the desk and ask to have stated a proposed reservation curing the defect, as we see it.

The PRESIDING OFFICER. The reservation will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the resolution of ratification, it is proposed to insert the following:

> That on behalf of the United States, any joint agreement which is in substance a treaty, provided for in or contemplated by this treaty (including any point approval of recommendations of the Commission relating to the Tijuana River system under article 16 of this treaty), or any general or special agreement for the settlement of controversies under subparagraph (d) of article 24 of this treaty shall be made only by the President and then only by or with the advice and consent of the Senate, provided two-thirds of Senators present concur.

The PRESIDING OFFICER. The reservation will lie on the table and be printed.

Mr. DOWNEY. Mr. President, I now send to the desk another reservation, being the last one which I intend to present, and ask to have it stated for the information of the Senate.

The PRESIDING OFFICER. The reservation will be stated for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the resolution of ratification it is proposed to insert the following:

> That nothing contained in this treaty or protocol shall authorize or require the taking of any property or rights within the United States held or used for a public service by a public agency unless—
>
> (a) It is essential that such property or rights be used exclusively for treaty purposes; or
>
> (b) Such property or rights are to be used only in part for treaty purposes and the interested public agency will not consent to the use on reasonable terms; and
>
> (c) In either case until a court of competent jurisdiction has determined these facts and full payment has been made of the consideration determined by such court to be adequate to compensate for the loss in use and value of the property or rights to be taken.

The PRESIDING OFFICER. The reservation will lie on the table and be printed.

The PRESIDENT pro tempore. The question is on agreeing to the first reservation offered by the Senator from California [Mr. DOWNEY] in behalf of himself and his colleague [Mr. JOHNSON].

LEAVES OF ABSENCE—HOUR OF MEETING—ATTENDANCE ON COMMITTEES

Mr. LA FOLLETTE. Mr. President, I have been advised that it is the intention of the majority leader to move that when the Senate takes a recess tonight it take a recess until 11 o'clock tomorrow morning. I have had an appointment of long standing with one of the departments of Government. I ask unanimous consent that I may have leave of the Senate to fulfill that engagement tomorrow.

The PRESIDENT pro tempore. Without objection, consent of the Senate is granted.

Mr. WHERRY. Mr. President, in view of what has been said by the distinguished senior Senator from Wisconsin about the contemplated motion of the majority leader to have the Senate take a recess until 11 o'clock tomorrow, I should like to say to the majority leader that there are several important committee meetings which are scheduled for 10 o'clock tomorrow morning. In addition to the meat hearing, the meetings of the subcommittees of the Appropriations Committee, and meetings of half a dozen other standing committees, there is to be a hearing on the boxcar shortage, which has been set by the Senator from Montana [Mr. WHEELER]. It occurs to me that if the Senate is to convene at 11 o'clock tomorrow morning, there should be some way by which Senators who now are being marked as absent when a quorum call is had can be counted. It seems to me that difficulty should be ironed out, so that there would be no difficulty for Senators who are doing the spade work in the committees, and who cannot attend committees and be on the floor of the Senate at the same time.

The reason I bring this matter to the attention of the Senate is that Senators who are absent from the Senate sessions because they are at committee meetings are marked absent on the quorum call,

and it is necessary for one to read further in the RECORD to find out whether such Senators were present in committee meetings or where they were when the quorum call was had. As the matter now stands, a Senator who is in a committee meeting is marked absent when a quorum call is had in the Senate. It does very little good to have a subsequent announcement made of his attendance at a committee meeting, because the average person stops reading that part of the RECORD when he has read the list of those present and those absent.

Mr. SHIPSTEAD. Mr. President, I desire to call attention to the fact that agricultural commissioners from all over the United States are in Washington ready to attend the committee hearing on the food shortage at 10 o'clock tomorrow morning. The Committee on Agriculture and Forestry is extremely anxious to hear them, but it cannot do so in an hour.

Mr. BARKLEY. Mr. President, the Senate has been meeting at 11 o'clock as often as possible since the treaty has been before it. All of us desire to have the Senate dispose of the treaty as soon as possible. We hope to dispose of it tomorrow. We have not tried to obtain an agreement to vote at any particular time tomorrow.

Mr. JOHNSON of California. Probably we could dispose of it tomorrow.

Mr. BARKLEY. I think the chances are that we can dispose of it tomorrow; but in order to be more sure of that, I thought we might arrange to have the Senate meet at 11 o'clock tomorrow morning. However, if there is any reason why the Senate should not meet at 11 o'clock tomorrow, on account of other engagements, I am willing to have the Senate meet at 12 o'clock.

Mr. WHERRY. I appreciate the Senator's attitude. I referred to the fact that Senators have been marked absent when quorum calls were had, when in fact they have been in attendance at committee meetings. I know of Senators on our side of the aisle who have been at committee meetings which are very important. We wish to be in the Senate when it convenes, but certainly some arrangement should be made, if the Senate is to meet at an early hour and if committee meetings will be going on at the same time.

Mr. MORSE and Mr. CONNALLY addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Nebraska yield, and if so, to whom?

Mr. WHERRY. I yield first to the Senator from Oregon.

Mr. MORSE. I thank the Senator for yielding to me. I am required to take a 6 o'clock train in order to fulfill an engagement. Mr. President, I ask unanimous consent to absent myself from the Senate tomorrow, in order that I may fulfill an engagement of long standing to make a speech in New York City.

The PRESIDENT pro tempore. Without objection, consent of the Senate is granted.

Mr. CONNALLY. Mr. President, will the Senator now yield to me?

Mr. WHERRY. I yield.

Mr. CONNALLY. I suggest to the Senator that the RECORD will be entirely clear if, when certain Senators are detained by their attendance at committee meetings, other Senators who are present in the Senate Chamber so advise the Senate, by making statements to that effect for the RECORD.

Mr. WHERRY. Let me suggest to the Senator that in the last 3 or 4 days we have not been proceeding on that basis. If the majority leader will agree to have such an arrangement made, that will be perfectly satisfactory.

Mr. BARKLEY. In regard to any "fixing" program, which has been abused, as we all know, I should prefer not to reinaugurate it at the moment. I should prefer to have the Senate take a recess until 12 o'clock noon tomorrow.

Mr. HAWKES. Mr. President, will the Senator yield to me?

Mr. WHERRY. I yield.

Mr. HAWKES. I should like to say that I am thoroughly in accord with what the majority leader has been doing. I have been entirely in agreement with what the majority leader and the minority leader said last week in reference to obtaining better attendance at sessions of the Senate. However, the Senate is now considering a treaty which will bind the United States for eternity, if I know anything about it; but at the same time we admit that many Senators cannot be present in the Senate because they have other engagements which are more important—namely, certain committee meetings.

Mr. BARKLEY. Of course, Mr. President——

Mr. HAWKES. I ask the Senator to wait just a moment. I leave it to the people of the United States to determine whether we should rush through the treaty, when we are all admitting at the session this evening that we cannot get the Senate here to consider it.

Mr. BARKLEY. We are not admitting anything of the sort. No one has tried to rush the treaty. Every Senator has had an opportunity to discuss it. If we were to withhold voting on it for the next 6 months, the chances are that conditions would not be improved insofar as attendance in the Senate during debate on the treaty is concerned. We all know that if all 96 Senators were in their seats, under the rules of the Senate any Senator could suggest the absence of a quorum; and then, instead of allowing the Chair to have the right under the rules of the Senate to count a quorum, he would have to have the clerk call the name of each Senator; and if 49 Senators appeared, there would be no way under heaven to get the other 47 Senators into the Senate, if they did not wish to come.

Mr. HAWKES. Mr. President, will the Senator further yield?

Mr. WHERRY. I yield.

Mr. HAWKES. I do not wish to have the distinguished majority leader misunderstand me. I am very sympathetic with what he has been trying to do. It is what in business I have tried to do all my life. I would not undertake to run an organization with 3 or 4 directors present when 21 of them should be present. I would not undertake to run an organization with only 1 or 2 officers present when 15 officers should be present. For many years in business I have been doing what the distinguished majority leader has been requesting. I ask the Senator whether he does not think that serious thought should be given to enabling Senators to be present in the Senate Chamber when they should be here and also to be present in committees when they should be there.

I further desire to say at this point in the RECORD that I do not wish to have the people of the United States think that the Senators whom I know in this body are shirking their duty or are negligent or are remiss in answering to their responsibilities. I have worked hard all my life, but I must frankly admit that never have I worked so hard as I have since my service in the Senate. I believe the other Members of this body could make a similar statement. Let me say that I have the utmost respect for my colleagues as I see them working day and night trying to keep up with the proceedings in the Senate and with their work in committees and at the same time attending to their voluminous correspondence and making an effort to see their constituents when they call on important business.

Let us remember that a Senator cannot see his constituents when he is on the floor of the Senate. He must either step outside the Senate Chamber or else go to his office and see his constituents there. Taking care of his constituents is the most important duty a Senator has, outside of doing his duty in the Senate Chamber.

Mr. WHERRY. Mr. President, I thank the Senator from New Jersey for his contribution.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. LA FOLLETTE. I simply wish to call attention to the fact that the RECORD does not necessarily show that Senators are absent, without a notation about the committee work or other business upon which they are engaged. The statement made by the Senator from Nebraska would, I think, inadvertently leave the impression that the RECORD does not show anything with respect to Senators who do not respond to quorum calls.

Therefore, I invite the attention of the Senate to the call of the roll on April 12, 1945, at the suggestion of the Senator from North Dakota [Mr. LANGER] that a quorum was not present. If the Senator from Nebraska will refer to page 3290 of the RECORD he will find that not only did the Senator from Alabama [Mr. HILL] make a statement as to the whereabouts of many Senators, and what they were engaged upon, but that the Senator from Nebraska [Mr. WHERRY] himself said:

> The Senator from Maine [Mr. BREWSTER], the Senator from Wyoming [Mr. ROBERTSON], the Senator from Idaho [Mr. THOMAS], the Senator from New Hampshire [Mr. TOBEY], and the Senator from North Dakota [Mr. YOUNG] are necessarily absent. The Senator from Ohio [Mr. BURTON] is detained on official business of the Senate.

There follows a list of several Senators who were detained in committee meetings and on official business. So the RECORD does show that many Senators were engaged in committee work, or official business, or were necessarily absent for one reason or another, and it does not leave the impression that the absence of the Senators was not accounted for.

I thank the Senator for permitting me to make this statement.

Mr. WHERRY. Mr. President, what the Senator from Wisconsin has stated is the reason for my bringing this matter to the attention of the majority leader. The only way by which we can clear Senators who are in committee meetings is by making a statement for the RECORD. We may miss some Senator. We may not account for all of them. It would be unfair to a Senator who is working diligently in a special committee inadvertently to omit from the RECORD an explanation of his absence.

It is important to point out that in answering quorum calls it is sometimes necessary for a Senator to leave a committee. He comes to the Senate, answers to his name, and returns to his committee. Later he may be called back to the Senate to answer another quorum call. Today there were two quorum calls. A number of Senators answered each call. Absent Senators were in committee meetings and it was necessary for them either to come to the Senate and answer to their names, or rely on the leaders on both sides of the Chamber to account for their absence. If we are to hold committee hearings beginning at 10 o'clock in the morning we should adjourn them promptly at 12 o'clock in order to allow Senators to come to the Senate. When the Senate convenes at 11 o'colck there is usually an overlapping of 1 hour between sessions of committees and the session of the Senate.

Senators cannot competently perform their tasks if they are required to spend time running back and forth between committees and the Senate. If we are to hold sessions at 11 o'clock and require Senators to be present in response to quorum calls, we should have an understanding with the leaders of the Senate with respect to a proper procedure to follow which will eliminate the difficulties about which complaints have been made.

Mr. SHIPSTEAD. Mr. President, with all due respect to the Senate, I think this discussion is much ado about nothing. A Representative in Congress from Illinois once ran for reelection on the platform that he had answered every quorum call during his service in Congress, and some of his colleagues told me that he had never attended a committee meeting. We have followed the rules of the Senate almost from time immemorial. No one can properly accuse Senators of not attending to their business. Everyone knows that Senate committees meet in the forenoon and in the afternoon. We, as Senators, are not sitting here in the Chamber for the purpose of exhibiting ourselves for the benefit of constituents who come to Washington to get a look at the Senate.

I say frankly that much of what has been said reflects on the Senate. Senators who find themselves unable to be present constantly in the Chamber, listening to arguments, should not be subject to criticism by the public. According to the poet, they also serve who only stand and wait. Senators receive hundreds of letters each day, and have many things to do besides sitting in the Senate Chamber and listening to arguments. Senators who are unable to attend a particular session or sessions of the Senate can read the RECORD the following morning and inform themselves as to what occurred in the Senate during the previous day.

Mr. BARKLEY. Mr. President, an 11 o'clock session of the Senate is rare. Under our rules, we meet at 12 o'clock noon. Only in cases of emergency do we ever meet at 11 o'clock. So far as afternoon sessions of committees are concerned, I doubt very much whether there are ever a sufficient number of committees in session in the afternoon to occupy the time of a quorum of the Senate. I doubt very much if on any day of the Congress 49 Senators have at the same time been in committee meetings. So we can obtain a quorum in the Senate. We do not have to have the same Senators present each day. If committees must meet in the afternoon, I believe that they should meet close enough to the Senate Chamber to allow their members to come to the Chamber and answer to their names when quorum calls are made. However, I have no control over the matter. I have already agreed to move, when the Senate takes a recess today, that it take a recess until 12 o'clock noon tomorrow. Therefore this entire discussion is wholly academic.

Mr. WHERRY. Mr. President, I repeat that I wish to cooperate in every way with the majority leader. I understand that the Senate is to take a recess until 12 o'clock noon tomorrow. I think the remarks which I have made are pertinent. If the Senate is to meet at 11 o'clock I hope some plan can be worked out so that there will be no interference with the work of committees, and so that we may eliminate the confusion which has arisen in the past few days in connection with quorum calls.

LEAVES OF ABSENCE

Mr. SMITH. Mr. President, I told the chairman of the Foreign Relations Committee that I would be present when the vote on the treaty was taken. I have since learned that I have a luncheon engagement in New Jersey tomorrow with various service groups. I therefore ask unanimous consent that I be allowed to be absent from the Senate tomorrow.

The PRESIDENT pro tempore. Without objection, permission is granted.

Mr. HICKENLOOPER. Mr. President, I have a long standing engagement in Dayton, Ohio, for tomorrow night, and I ask unanimous consent that I may absent myself tomorrow if necessary.

The PRESIDENT pro tempore. Without objection, permission is granted.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.), a protocol supplementary to the treaty.

Mr. HAWKES. Mr. President, I am sure the majority leader will be glad to have me do what I am about to do. I send to the desk two reservations in connection with the treaty, and ask that they be read tonight.

The PRESIDENT pro tempore. The reservations will be read for the information of the Senate.

The LEGISLATIVE CLERK. At the end of the resolution of ratification it is proposed to insert the following:

> That the fact of existence of extraordinary drought, the reduction of consumptive uses in the United States attributable thereto, and of all other factors interfering with the delivery to Mexico of water of the Colorado River under the last paragraph of article 10, of this treaty, shall be determined by the United States section.

and that this understanding will be mentioned in the ratifications of this treaty as conveying the true meaning of the treaty, and will in effect form a part of the treaty.

At the end of the resolution of ratification it is proposed to insert the following:

> With the understanding, as a part of this ratification—
>
> That nothing in this treaty shall impair or require violation of any valid compact or contract hertofore made by the United States, with its States, public agencies, or citizens, and that this understanding will be mentioned in the ratification of this treaty as conveying the true meaning of the treaty and will in effect form a part of the treaty.

JUST BE YOURSELF, MR. PRESIDENT—EDITORIAL FROM THE WASHINGTON DAILY NEWS

Mr. LA FOLLETTE. Mr. President, I feel sure that every Senator who was in attendance today at the joint session of the Senate and the House of Representatives was proud of the manner in which our former colleague, who has now had this vital and important responsibility thrust upon him, conducted himself. I feel sure that every Senator is sympathetic toward the President in the situation in which he now finds himself.

In this connection, I invite attention to an editorial entitled "Just Be Yourself, Mr. President," published today in the Washington News. The first paragraph of the enditorial reads:

> President Truman is finding that in this country there's no shortage of one thing. That's advice. He's getting more advice from more sources than any other man in the world. It's surprising how many people know just exactly what Mr. Truman ought to do to run this country right.

I ask unanimous consent that the editorial be printed in the RECORD at this point as a part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

JUST BE YOURSELF, MR. PRESIDENT

President Truman is finding that in this country there's no shortage of one thing. That's advice. He's getting more advice from more sources than any other man in the world. It's surprising how many people know just exactly what Mr. Truman ought to do to run this country right.

Fortunately for his peace of mind the new President is by nature a good listener, and is gifted with a sense of humor and a sense of proportion. And he's not exactly wet behind the ears—he's 61 years of age, has spent a large part of his adult life in the public service, has been around Washington the last 10 years and knows more than most about what goes on here. So Mr. Truman probably will take all this volunteer advice in his stride.

Mr. Truman once defined himself as a "common-sense liberal." We've a hunch that what this country wants right now is just a strong application of common-sense liberalism, to the solution of our problems, foreign and domestic. The country wants the war won quickly, wants the peace made as secure as practical statesmanship can make it.

In the peace to come, the country wants to be itself again, without too much direction from Washington. We don't want to sacrifice any of the social gains toward which the late President Roosevelt aimed. We want their attainment.

We want as many of our individual liberties as we can retain, and as much social security as we can afford. We want to continue collective bargaining. We want social responsibility in business management, stability in farm prices, free commerce in free markets, truth in securities. We want monopolies regulated and opportunities open for all. We want everybody to have a chance to get ahead. We want all this without burdening future generations with too much debt. We want to pay our way as we go.

All those things Mr. Truman believes in, as his voting record in Congress testifies. He has a fundamental faith in our constitutional government, an abiding confidence in the wisdom of our representative processes. Members of the Senate and House who have watched Mr. Truman's work as a lawmaker reciprocate that confidence. They will want to help him.

Being a man of some substance, character, and heft, Mr. Truman probably can endure all this advice without faltering or turning aside. But, after all, he need only be himself—a common-sense liberal—and go ahead with his job.

President Truman's first diplomatic move is as significant as it is successful.

The big test of his statesmanship in foreign affairs will be the Golden Gate Conference. When he entered the White House the darkest shadow on the coming Conference was Marshal Stalin's refusal to send Foreign Commissar Molotov as head of the Soviet delegation. Mr. Truman's first major act as President was to message Mr. Stalin that Mr. Molotov's attendance at the United Nations Conference "would be welcomed as an expression of earnest cooperation" by Russia. The marshal promptly agreed.

The boldness, the skill, and the success of this move should quiet some of the fears regarding the President's lack of diplomatic training and unfamiliarity with Big Three negotiations.

Obviously the President is handicapped somewhat by the necessity of picking up in the midst of delicate foreign negotiations at a most critical moment in world affairs. The difficulty now is even greater because the late President Roosevelt was in effect his own Secretary of State, and conducted foreign affairs largely on a personal level with Mr. Stalin, Mr. Churchill, and other foreign heads. But Secretary Stettinius and Mr. Byrnes, Mr. Truman's closest adviser—were at Yalta, as was Mr. Hopkins. Their reports to Mr. Truman make up in part for the failure to keep a written American record at Yalta, though they were not present at important private sessions of the Big Three.

But this is not as severe a handicap to Mr. Truman as it may appear. Indeed, it has great advantages. It gives Mr. Truman a freer hand He is not bound by the off-the-record personal understandings of his predecessor.

Of course he is committed—and nobody need have any doubts on that score—by all formal Roosevelt agreements, to the full extent of the limited authority of any President to make binding commitments in advance of Senate ratification. But, since the Atlantic Charter United Nations Declaration, and the Hull-Moscow Pact, are acceptable to Congress and the new administration, there is no difficult problem here—as in some Allied countries—over the basic Allied agreements.

The problem, rather, is to apply and perfect the tentative Dumbarton and Yalta plans in line with those basic pledges of the Altantic Charter. Fortunately the late President made clear that the Dumbarton and Yalta plans are subject to revision by the United Nations at San Francisco—inevitably so, because the other Allies cannot be bound by agreements to which they are not party.

If the surprisingly sure touch of his quick move in the Molotov matter is an indication, President Truman understands the San Francisco problem and how to handle it.

CONSIDERATION OF NOMINATIONS ON THE EXECUTIVE CALENDAR

Mr. BARKLEY. Mr. President, I ask that the nominations on the Executive Calendar be now called.

The PRESIDENT pro tempore. Without objection, the clerk will state the nominations on the calendar.

COMMERCE

The legislative clerk read the nomination of Alfred Schindler to be Under Secretary of Commerce.

Mr. WHITE. Mr. President, I hope it is not presumptuous on my part, but I was wondering whether, in the changed circumstances which have so recently come about, these nominations should be considered at this time. I merely raise the question.

Mr. BARKLEY. I have received no request from anyone to postpone them.

Mr. WHITE. I have no desire to suggest that they be postponed, but I did think it was proper to inquire about it.

Mr. BARKLEY. I understand that former Senator Truman, who was lately Vice President and is now President of the United States, had knowledge of the appointment of Alfred Schindler as Under Secretary. I have heard of no objection.

Mr. WHITE. I make no question in the case.

Mr. BRIGGS. Mr. President, the President, when he was Vice President, asked me to take an active part in having this nomination confirmed.

The PRESIDENT pro tempore. The question is, Will the Senate advise and consent to this nomination?

The nomination was confirmed.

COLLECTOR OF INTERNAL REVENUE

The legislative clerk read the nomination of James G. Smyth to be collector of internal revenue for the first district of California.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

POSTMASTER

The legislative clerk read the nomination of Stella Creekmore to be postmaster at Rockholds, Ky.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. BARKLEY. I ask unanimous consent that the Marine Corps nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the Marine Corps nominations are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified in all these cases.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 42 minutes p. m.) the Senate, in executive session, took a recess until tomorrow, Tuesday, April 17, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 16, 1945:

DEPARTMENT OF COMMERCE

UNDER SECRETARY

Alfred Schindler, to be Under Secretary of Commerce.

COLLECTOR OF INTERNAL REVENUE

James G. Smyth, to be collector of internal revenue for the first district of California.

IN THE MARINE CORPS

FOR TEMPORARY SERVICE

Claude A. Larkin to major general, from April 1, 1945.

William P. T. Hill to be major general, from April 1, 1945.

Ivan W. Miller to be brigadier general, from January 21, 1945.

POSTMASTER

KENTUCKY

Stella Creekmore, Rockholds.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 16, 1945

The House met at 12 o'clock noon.

The Reverend Jacob S. Payton, D. D., Washington, D. C., Director of the General Commission on Army and Navy Chaplains, offered the following prayer:

Almighty God, our Heavenly Father, we acknowledge Thy excellency, we return thanks for Thy continued goodness, and confess to Thee our sins and shortcomings. Amid the tribulations of our times, we need Thy peace for our hearts. In a day of confusion, we require the wisdom which is from above. In a

clamorous world, teach us to be silent that we may hear what the Lord doth say. We turn to Thee, O Lord, whose mercy endureth forever and whose promises to those who put their trust in Thee are faithfully kept.

We pray for the President of the United States as he assumes his heavy responsibilities. Grant him strength for his labors, discernment of the things that make for national righteousness, courage for the realization of his ideals, and always a steadfast faith in Thee in directing the destinies of America.

Sustain our fighting forces with valor and guard us against failure to protect and preserve the peace and the freedom bought by their sacrifices. We offer our prayer in the name of Jesus Christ our Saviour. Amen.

The Journal of the proceedings of Saturday, April 14, 1945, was read and approved.

JOINT SESSION OF THE HOUSE AND SENATE

Mr. McCORMACK. Mr. Speaker, I offer a resolution and ask for its immediate consideration (H. Con. Res. 42).

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on Monday, the 16th day of April 1945, at 1 o'clock post meridian, for the purpose of receiving such communications as the President of the United States shall be pleased to make to them.

The resolution was agreed to.

RECESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the Speaker may declare a recess at any time during the day, subject to the call of the Chair.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CONSENT CALENDAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of the Consent Calendar today may be dispensed with and that it be in order to call the Consent Calendar on tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Massachussets?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 42. Concurrent resolution providing for a joint session of the Congress on Monday, April 16, 1945.

RECESS

The SPEAKER. The Chair declares the House in recess subject to the call of the Chair.

Thereupon, at 12 o'clock and 4 minutes p. m., the House stood in recess, subject to the call of the Chair.

JOINT SESSION OF THE HOUSE AND SENATE

At 12 o'clock and 45 minutes p. m. the Doorkeeper, Mr. Ralph R. Roberts, announced the President pro tempore and the Members of the United States Senate.

The Senate, preceded by its President pro tempore, Secretary, and Sergeant at Arms, entered the Chamber.

The President pro tempore of the Senate took the chair at the right of the Speaker, and the Members of the Senate took the seats reserved for them.

The SPEAKER. On the part of the House the Chair appoints the following members of the committee to escort the President of the United States into the Chamber: Messrs. McCORMACK, DOUGHTON of North Carolina, and MARTIN of Massachusetts.

The PRESIDENT pro tempore of the Senate. On the part of the Senate the Chair appoints as members of the committee to escort the President of the United States into the Chamber Senators BARKLEY, WHITE, and GEORGE.

At 12 o'clock and 52 minutes p. m. the Doorkeeper, Mr. Ralph R. Roberts, announced the Chief Justice and Associate Justices of the Supreme Court.

The Chief Justice and the Associate Justices of the Supreme Court entered the Chamber and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 55 minutes p. m. the Doorkeeper, Mr. Ralph R. Roberts, announced the Ambassadors, Ministers, and Chargés d'Affaires of foreign governments.

The Ambassadors, Ministers, and Chargés d'Affaires of the foreign governments entered the Chamber and took the seats reserved for them in front of the Speaker's rostrum.

At 12 o'clock and 57 minutes p. m. the Doorkeeper, Mr. Ralph R. Roberts, announced the Cabinet of the President of the United States.

The members of the Cabinet of the President of the United States entered the Chamber and took the seats reserved for them in front of the Speaker's rostrum.

At 1 o'clock p. m. the Doorkeeper, Mr. Ralph R. Roberts, announced the President of the United States.

The President of the United States, escorted by the committee of Senators and Representatives, entered the Hall of the House and stood at the Clerk's desk. [Applause, the Members rising.]

The SPEAKER. Members of the Congress: I have the great pleasure and the high privilege of presenting to you the President of the United States.

ADDRESS OF THE PRESIDENT OF THE UNITED STATES

The PRESIDENT. Mr. Speaker, Mr. President, Members of the Congress: It is with a heavy heart that I stand before you, my friends and colleagues in the Congress of the United States.

Only yesterday, we laid to rest the mortal remains of our beloved President, Franklin Delano Roosevelt. At a time like this, words are inadequate. The most eloquent tribute would be a reverent silence.

Yet, in this decisive hour, when world events are moving so rapidly, our silence might be misunderstood and might give comfort to our enemies.

In His infinite wisdom, Almighty God has seen fit to take from us a great man who loved, and was beloved by, all humanity.

No man could possibly fill the tremendous void left by the passing of that noble soul. No words can ease the aching hearts of untold millions of every race, creed, and color. The world knows it has lost a heroic champion of justice and freedom.

Tragic fate has thrust upon us grave responsibilities. We must carry on. Our departed leader never looked backward. He looked forward and moved forward. That is what he would want us to do. That is what America will do.

So much blood has already been shed for the ideals which we cherish, and for which Franklin Delano Roosevelt lived and died, that we dare not permit even a momentary pause in the hard fight for victory.

Today, the entire world is looking to America for enlightened leadership to peace and progress. Such a leadership requires vision, courage, and tolerance. It can be provided only by a united Nation deeply devoted to the highest ideals.

I call upon all Americans to help me keep our Nation united in defense of those ideals which have been so eloquently proclaimed by Franklin Roosevelt.

I want, in turn, to assure my fellow Americans and all of those who love peace and liberty throughout the world that I will support and defend those ideals with all my strength and with all my heart. That is my duty, and I shall not shirk it.

So that there can be no possibe misunderstanding, both Germany and Japan can be certain, beyond any shadow of doubt, America will continue the fight for freedom until no vestige of resistance remains.

We are deeply conscious of the fact that much hard fighting is still ahead of us.

Having to pay such a heavy price to make complete victory certain, America will never become a party to any plan for partial victory.

To settle for merely another temporary respite would surely jeopardize the future security of all the world.

Our demand has been, and it remains, unconditional surrender.

We will not traffic with the breakers of the peace on the terms of the peace.

The responsibility for the making of the peace—and it is a very grave responsibility—must rest with the defenders of the peace, the United Nations. We are not unconscious of the dictates of humanity. We do not wish to see unnecessary or unjustified suffering. But the laws of God and of man have been violated and the guilty must not go unpunished. Nothing shall shake our determination to punish the war criminals even though we must pursue them to the ends of the earth.

Lasting peace can never be secured if we permit our dangerous opponents to plot future wars with impunity at any mountain retreat, however distant.

In this shrinking world, it is futile to seek safety behind geographical barriers. Real security will be found only in law and in justice.

Here in America we have labored long and hard to achieve a social order worthy of our great heritage. In our time tremendous progress has been made toward a really democratic way of life. Let me assure the forward-looking people of America that there will be no relaxation in our efforts to improve the lot of the common people.

In the difficult days ahead, unquestionably we shall face problems of staggering proportions. However, with the faith of our fathers in our hearts, we fear no future.

On the battlefields, we have frequently faced overwhelming odds—and won. At home, Americans will not be less resolute.

We shall never cease our struggle to preserve and maintain our American way of life.

At this very moment America, along with her brave allies, is paying again a heavy price for the defense of our freedom. With characteristic energy, we are assisting in the liberation of entire nations. Gradually, the shackles of slavery are being broken by the forces of freedom.

All of us are praying for a speedy victory. Every day peace is delayed costs a terrible toll.

The armies of liberation today are bringing to an end Hitler's ghastly threat to dominate the world. Tokyo rocks under the weight of our bombs.

The grand strategy of a United Nations' war has been determined—due in no small measure to the vision of our departed Commander in Chief. We are now carrying out our part of that strategy under the able direction of Admiral Leahy, General Marshall, Admiral King, General Arnold, General Eisenhower, Admiral Nimitz, and General MacArthur.

I want the entire world to know that this direction must and will remain unchanged and unhampered.

Our debt to the heroic men and valiant women in the service of our country can never be repaid. They have earned our undying gratitude. America will never forget their sacrifices. Because of these sacrifices, the dawn of justice and freedom throughout the world slowly casts its gleam across the horizon.

Our forefathers came to our rugged shores in search of religious tolerance, political freedom, and economic opportunity. For those fundamental rights, they risked their lives. We well know today that such rights can be preserved only by constant vigilance, the eternal price of liberty.

Within an hour after I took the oath of office, I announced that the San Francisco Conference would proceed. We will face the problems of peace with the same courage that we have faced and mastered the problems of war.

In the memory of those who have made the supreme sacrifice, in the memory of our fallen President, we shall not fail.

It is not enough to yearn for peace. We must work, and if necessary, fight for it. The task of creating a sound international organization is complicated and difficult. Yet, without such organization, the rights of man on earth cannot be protected. Machinery for the just settlement of international differences must be found. Without such machinery, the entire world will have to remain an armed camp. The world will be doomed to deadly conflict, devoid of hope for real peace.

Fortunately, people have retained hope for a durable peace. Thoughtful people have always had faith that ultimately justice must triumph. Past experience surely indicates that, without justice, an enduring peace becomes impossible.

In bitter despair, some people have come to believe that wars are inevitable. With tragic fatalism, they insist that as wars have always been, of necessity, wars will always be. To such defeatism, men and women of good will must not and cannot yield. The outlook for humanity is not so hopeless.

During the darkest hours of this horrible war, entire nations were kept going by something intangible—hope. When warned that abject submission offered the only salvation against overwhelming power, hope showed the way to victory.

Hope has become the secret weapon of the forces of liberation.

Aggressors could not dominate the human mind. As long as hope remains the spirit of man will never be crushed.

But hope alone was not and is not sufficient to avert war. We must not only have hope but we must have faith enough to work with other peace-loving nations to maintain the peace. Hope was not enough to beat back the aggressors as long as the peace-loving nations were unwilling to come to each other's defense. The aggressors were beaten back only when the peace-loving nations united to defend themselves.

If wars in the future are to be prevented, the peace-loving nations must be united in their determination to keep the peace under law. The breaking of the peace anywhere is the concern of peace-loving nations everywhere.

Nothing is more essential to the future peace of the world than continued cooperation of the nations which had to muster the force necessary to defeat the conspiracy of the Fascist powers to dominate the world.

While these great states have a special responsibility to enforce the peace, their responsibility is based upon the obligations resting upon all states, large and small, not to use force in international relations except in the defense of law. The responsibility of the great states is to serve and not dominate the peoples of the world.

To build the foundation of enduring peace we must not only work in harmony with our friends abroad but we must have the united support of our own people.

Even the most experienced pilot cannot bring a ship safely into harbor, unless he has the full cooperation of the crew. For the benefit of all, every individual must do his duty.

I appeal to every American, regardless of party, race, creed, or color, to support our efforts to build a strong and lasting United Nations organization.

You, the Members of Congress, surely know how I feel. Only with your help can I hope to complete one of the greatest tasks ever assigned to a public servant. With divine guidance, and your help, we will find the new passage to a far better world, a kindly and friendly world, with just and lasting peace.

With confidence, I am depending upon all of you.

To destroy greedy tyrants with plans of world domination, we cannot continue in successive generations to sacrifice our finest youth.

In the name of human decency and civilization, a more rational method of deciding national differences must and will be found.

America must assist suffering humanity back along the path of peaceful progress. This will require time and tolerance. We shall need also an abiding faith in the people, the kind of faith and courage which Franklin Delano Roosevelt always had.

Today, America has become one of the most powerful forces for good on earth. We must keep it so. We have achieved a world leadership which does not depend solely upon our military and naval might.

We have learned to fight with other nations in common defense of our freedom. We must now learn to live with other nations for our mutual good. We must learn to trade more with other nations so that there may be—for our mutual advantage—increased production, increased employment, and better standards of living throughout the world.

May we Americans live up to our glorious heritage.

In that way, America may well lead the world to peace and prosperity.

At this moment, I have in my heart a prayer. As I assume my heavy duties, I humbly pray to Almighty God, in the words of Solomon:

"Give therefore Thy servant an understanding heart to judge Thy people, that I may discern between good and bad: For who is able to judge this Thy so great a people?"

I ask only to be a good and faithful servant of my Lord and my people. [Applause, and Members rising.]

At 1 o'clock and 24 minutes p. m. the President retired from the Hall of the House of Representatives.

The members of the President's Cabinet retired from the Hall of the House of Representatives.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments retired from the Hall of the House of Representatives.

The Chief Justice and Associate Justices of the Supreme Court retired from the Hall of the House of Representatives.

At 1 o'clock and 25 minutes p. m. the Speaker announced that the joint session was dissolved.

Thereupon the President pro tempore and the Members of the Senate returned to their Chamber

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 1:27 p. m.

MESSAGE OF THE PRESIDENT REFERRED TO THE COMMITTEE OF THE WHOLE HOUSE ON THE STATE OF THE UNION

Mr. McCORMACK. Mr. Speaker, I move that the message of the President of the United States be referred to the Committee of the Whole House on the state of the Union and ordered printed.

The motion was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. STEWART, indefinitely, on account of official business.

To Mr. BENNETT of Missouri, for an indefinite period, on account of official business.

To Mr. MANASCO, indefinitely, after Wednesday, April 18, on account of official business.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 29 minutes p. m.) the House adjourned until tomorrow, Tuesday, April 17, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Brand Names and Newsprint Subcommittee of the Committee on Interstate and Foreign Commerce, at 10:30 o'clock a. m., Tuesday, April 17, 1945.

To resume hearings on the subject of newsprint.

There will be a meeting of the Brand Names and Newsprint Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m. Monday, April 23, 1945.

Business to be considered: A public hearing on the subject of compliance.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship-sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

390. A letter from the Archivist of the United States, transmitting lists or schedules, covering records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

391. A letter from the Director of Budget and Reports, Navy Department, transmitting report showing the name, age, legal residence, rank, branch of service, with special qualifications therefor, of each person commissioned from civilian life into the United States Naval Reserve, the Marine Corps Reserve, and the Coast Guard Reserve, during the period February 1 to March 31, 1945, inclusive, who have not had prior commissioned military service; to the Committee on Naval Affairs.

392. A letter from the Secretary of the Treasury, transmitting annual report for the fiscal year ending June 30, 1944, of the Exchange Stabilization Fund created by section 10 (b) of the act, including a summary of operations of the fund from its establishment to June 30, 1944; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PITTENGER: Committee on Claims. H. R. 2286. A bill for the relief of Jane Thayer; without amendment (Rept. No. 422). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT of Wyoming:

H. R. 2888. A bill relating to disbursement of joint funds of the Shoshone and Arapaho Tribes of the Wind River Reservation; to the Committee on Indian Affairs.

By Mrs. BOLTON:

H. R. 2889. A bill to provide for the wearing of wound chevrons and war-service chevrons by members of the naval forces of the United States; to the Committee on Naval Affairs.

By Mr. HARRIS:

H. R. 2890. A bill to amend the Internal Revenue Code; to the Committee on Ways and Means.

H. R. 2891. A bill to amend subsection (4) of section 200, and subsection (3) of section 500, of the Soldiers' and Sailors' Civil Relief Act of 1940, as amended; to the Committee on Military Affairs.

By Mr. MARTIN of Iowa:

H. R. 2892. A bill authorizing the city of Keokuk, Iowa, to purchase, maintain, and operate a toll bridge across the Mississippi River at Keokuk, Iowa; to the Committee on Interstate and Foreign Commerce.

By Mr. MUNDT:

H. R. 2893. A bill to amend the act of February 15, 1929; to the Committee on Indian Affairs.

By Mr. VINSON:

H. R. 2894. A bill to impose certain restrictions on the disposition of naval vessels and facilities necessary to the maintenance of the combatant strength and efficiency of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. PHILBIN:

H. R. 2895. A bill to authorize the granting of national service life insurance to certain members of the armed forces who have been denied such insurance for physical reasons; to the Committee on World War Veterans' Legislation.

By Mr. VINSON:

H. R. 2896. A bill to provide for the advancement of Vice Admiral Emory S. Land, Construction Corps, United States Navy, retired, to the rank of admiral; to the Committee on Naval Affairs.

By Mr. HOOK:

H. R. 2897. A bill authorizing the President of the United States to award posthumously, in the name of Congress, a Medal of Honor to Franklin Delano Roosevelt; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H. J. Res. 152. Joint resolution designating January 30, the birthday of the late President Franklin Delano Roosevelt, as a national holiday, and designating his cottage at Warm Springs, Ga., as a national shrine for the American people; to the Committee on the Judiciary.

By Mr. PHILLIPS:

H. J. Res. 153. Joint resolution to quiet the titles of the respective States, and others, to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles; to the Committee on the Judiciary.

By Mr. MORRISON:

H. Res. 217. Resolution to express the sense of the House of Representatives that April 22, 1945, be set aside and observed as President Truman Day; to the Committee on the Judiciary.

By Mr. LANE:

H. Res. 218. Resolution designating the title of the Conference to be held at San Francisco as the Roosevelt Conference; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, a memorial was presented and referred, as follows:

By the SPEAKER: Memorial of the Legislature of the Egyptian Chamber of Deputies, memorializing the President and the Congress of the United States, by expressing sincerest sympathy and condolences for the terrible loss sustained through the untimely death of our great President; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUFFETT:

H. R. 2898. A bill for the relief of the Anderson Equipment Co., Omaha, Nebr.; to the Committee on Claims.

By Mr. ELLSWORTH:

H. R. 2899. A bill for the relief of Joseph A. Hannon; to the Committee on Claims.

H. R. 2900. A bill for the relief of Edward P. Standley; to the Committee on Claims.

By Mr. KEARNEY:

H. R. 2901. A bill for the relief of Mrs. Janet McKilip; to the Committee on Claims.

By Mr. REED of New York:

H. R. 2902. A bill for the relief of Althea Briggs Horton; to the Committee on Claims.

By Mr. ROBSION of Kentucky:

H. R. 2903. A bill granting a pension to Clarence DeHart; to Committee on Invalid Pensions.

By Mr. SHEPPARD:

H. R. 2904. A bill for the relief of Clyde Rownd, Della Rownd, and Benjamin C. Day; to the Committee on Claims.

H. R. 2905. A bill for the relief of William P. Gillingham; to the Committee on Claims.

H. R. 2906. A bill for the relief of Coy C. Brown; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

369. By the SPEAKER: Petition of the president of the Progressive Union Republican Party of San Juan, P. R., petitioning consideration of their resolution with reference to expressing profound sympathy to this Nation for the loss caused by the death of our beloved President; to the Committee on Foreign Affairs.

370. By Mr. MURDOCK: Petition of the Legislature of Arizona, House Joint Memorial 3, requesting the establishment of additional hospital beds for war veterans in Arizona; to the Committee on World War Veterans Legislation.

371. By Mr. HOPE: Petition by citizens of Attica, Kans., relative to Bryson bill; to the Committee on the Judiciary.

372. By Mr. KEARNEY: Petition containing the signatures of 20 citizens of Hartwick, Otsego County, State of New York (Thirty-first Congressional District), advocating the enactment by the Congress of the Bryson bill H. R. 2082; to the Committee on the Judicary.

SENATE

TUESDAY, APRIL 17, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Out of the depths have we cried unto Thee, O God of our salvation. But even in the darkened valley of unutterable loss our anxious eyes are fixed on the hills of Thy help and healing, our lonely hearts are stilled and strengthened by the sustaining certainty that no loss can include the loss of Thee.

In this numbing and bewildering hour may there come to us, Thy children, the awed vision which for Thy ancient prophet changed dirges of despair into paeans of victory:

"In the year that King Uzziah died I saw the Lord high and lifted up."

May the searching splendor of that great white throne which is not empty lift up our drooping hearts, rebuke our foolish pride, restore our fearful spirits, and endue us with power for the unfinished task of rebuilding the shattered world after the pattern shown us in the Mount. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, April 16, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF A BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on April 12, 1945, the President had approved and signed the act (S. 298) to continue Commodity Credit Corporation as an agency of the United States, increase its borrowing power, revise the basis of the annual appraisal of its assets, and for other purposes.

TRIBUTE TO THE LATE PRESIDENT ROOSEVELT BY JAMES M. COX

Mr. PEPPER. Mr. President, in the Miami Daily News of April 15, 1945, appears a magnificent editorial containing a biography and eulogy of our late great President Roosevelt by Hon. James M. Cox. This article, by the man who was running mate of President Roosevelt in 1920, will be a valuable addition to the permanent literature on this great and good President, for whom we sorrow so much.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ROOSEVELT

(By James M. Cox)

In this hour of a nation's grief, we cannot but feel that death, that mute autocrat from whose decisions there is no appeal, has been most unkind. But this has happened before. If Lincoln had been spared, the wounds of war would have been more quickly healed, and the South would have been spared the horrible experiences of reconstruction. If Woodrow Wilson had not fallen in the midst of his struggle for peace, the world might have been vastly different today. And now, in this needful hour with so many things to be done—things that the President knew more about than anyone else—we find ourselves constantly confronted by the question, Why did this tragic thing have to be? Perhaps the deep meaning of it all, as with Lincoln and Wilson, is beyond the finite mind.

While the President was greatly beloved, we are apt to think selfishly of the loss which we have sustained. Our minds turn to the unfinished tasks, but is there not a loftier emotion? By all the deserts of logic and justice, should not our President have been kept here a little longer to see the fruits of his labors? If he had thought that the giving of his life now would be a benediction and aid to the struggle for an enduring peace, he would have had no complaint.

It may well be that our thinking of what he would have done so well brings with it a more solemn appreciation of what he has already done. Maybe we are more aware of noble deeds that must not be undone. If this is to save us from the worst sides of human nature that have been so costly in our politics in the past, then it is well that our President passes from his earthly labors to the peace of a happy immortality.

I never knew Franklin D. Roosevelt until after we both were nominated at the San Francisco convention in 1920. He came to Columbus, where I was serving as Governor. He was tall and youthful in appearance, but a fine specimen of physical manhood. He remained there to attend the meeting of the Democratic National Committee, and we were together several days. His charm of manner, so widely noted through his later career, was with him then. He accepted in good spirit every decision that was made as to campaign policy. He was intensely interested in government; and while he had a forward-looking view of domestic matters, the campaign was devoted almost exclusively to the League of Nations issue. He came to Dayton on notification day. He and I, at the head of a parade, walked to the fairgrounds, about a mile and a half away. Most people he met had never seen him, but he made a fine impression, and the general comment was that the party had acted wisely in placing him on the ticket. He was a good loser and never, to me, at least, gave evidence of a disturbing disappointment over the result of the election.

In the years that followed there was a regular flow of correspondence between us. After physical affliction fell upon him he visited the Florida Keys. He was always an enthusiastic devotee of bone fishing. I visited him on the houseboat which he had leased for his cruise. The cruel blow had left him badly impaired physically, but his vibrant spirit remained. He was certain things would turn out all right and he could go on in his normal pursuits of life.

I did not favor his nomination in 1932, but while others fell by the wayside in that contest and the three succeeding ones, I gave my loyal support both in our newspapers and on the stump. He was kind enough to say to me in 1936 that my speech, delivered over a coast-to-coast network, was the very best of the campaign. He both wrote me and talked to me gratefully over the telephone about my radio address in 1944.

Many of his critics have looked upon him as a crusader, ruthless in his destruction of long established policies of government. They have seemed to believe that he came into the White House with a fixed purpose—to tear up the existing order. I never believed that. It was Lincoln who said that men do not make events, events make men, and from the desolation that had fallen upon the country in 1933 came his remedial program.

The platform of 1932, a very able document, by the way, gave no detailed guide of what was to follow if the Democratic cause prevailed. Business was paralyzed, banks were closed, foreclosures of mortgages were throwing people out of their homes, labor was disturbed, farmers were bankrupt, and the average man, particularly conscious of what he deemed to be governmental neglect, was ready to enlist behind the President in an entirely new departure.

A well-known scientist once said to me that in boring around, seeking to discover what nature had kept concealed, passages were found into caverns and channels that led to discoveries much more important than what was being objectively sought. And so it was with Roosevelt. The deeper he got into the consequences of our ills the more apparent it was that our organs of government were more sorely afflicted than we knew.

While he knew of the part I had played in remaking our whole State government in Ohio under a new constitution and that I was often called a radical and Socialist at the time, he still recognized that many liberals, including myself, did not entirely agree with his philosophies. But the difference was more in administrative method than principle. And yet not a single unpleasant incident ever marred our friendship. His attitude of mind toward me in 1920 never changed. This generous gesture continued even though the fates had altered our ranks. This naturally helped bind me to the man in ties of real affection.

He knew he was taking advanced positions and that some things which he advocated were embarrassing to his sincere friends. I recall a circumstance illustrative of this. In the campaign of 1940 he visited the war plants in Dayton. He was given a tremendous welcome. When we passed my newspaper office, the Daily News, all the employees had gathered at the windows. I pointed out Walter Locke, our editorial writer in chief, and remarked to Roosevelt: "There is your friend Walter Locke, the most zealous and one of the ablest New Deal writers in the country." With a Roosevelt smile he facetiously observed, "He must have made an awful lot of trouble for you."

Quite frequently I visited the President in the White House, but always at his invitation, because I had a strong feeling that unbidden visitors were making a trespass on time that should have been put to better uses. We always lunched at his desk, and I recall many interesting conversations. I never discussed official patronage with him and he often spoke about it. It so happened that at one of our luncheon engagements in 1940 he told me of his plans to create more of a nonpolitical Cabinet and said that conditions would seem to justify a coalition arrangement. On a writing pad before him was the list of names of those whom he was considering. I strongly objected to two of them, contending with respectful vigor that they would not be accepted by the country as a real intention on the part of the President to create better efficiency within the Government. He ran his pencil through both names. Later he appointed Stimson and Knox as the

war, took the initiative in proposing to Po- will be received and appropriately re- larly with the European and Asiatic nations

heads of the War and Navy Departments, respectively.

He often reminded me of what he said was a good piece of advice, namely, that he should never make an important decision when he was either mentally or physically tired. It was a gloomy day in Washington; the fogs which seem so fond of the Potomac Valley had almost excluded any view of the Monument from the President's office. I remarked that one could not live in that climate without having depressing days. When they came and tasks were knocking on his door for attention, he should dismiss them from his mind and come back to them in better shape to deal with them.

It was always my feeling that in the campaign of 1944 the President believed that he would live out his term of office, if he were elected. If he had any doubts about it, then beyond question our critical military situation with the certainty of difficult times ahead in the making of peace, convinced the President that he should not desert his post, but should give all his strength even to his last hour, if it was fated that it should come before 1949.

It must have been the Yalta Conference which broke down his great powers of resistance. He was an inordinately industrious man, a most remarkable thing in the face of his physical affliction. There is nothing so wearing on body and brain and nerve centers as conferences. At Yalta the issues to be met could not but have been most exacting of his powers of endurance. It must have been more trying on Roosevelt than either Churchill or Stalin because the United States had been held responsible for the failure of the League of Nations and in the midst of present discussions, the head of our Government must have been constantly mindful that a greater responsibility rested upon him.

This tremendous load must have taken its toll. Health reports after his return were more or less disquieting although, in a telephone conversation I had with him just before he left for Warm Springs, he seemed to be quite himself. I remarked that if he was as well as he sounded, he must be in good shape. He said the most bedeviling thing was sinus trouble which persisted in the Washington climate. Nowhere else was he ever conscious of it.

I apologized for taking his time, but he continued to talk, asking why I did not come to see him. I was complimented because I thought I caught a note of homesickness for old friendships in his voice.

He was a man of great physical courage like his sons who followed him into the war and yet, his moral courage was just as striking. He could easily have been a man of deep hatreds because the attacks on him were, if possible, more virulent than those that fell upon Jefferson and Jackson. He was a man of great common sense and realized that it was perfectly natural that men and interests, separated by the new order from governmental preferences, would husband most of their resentments for him. I remember his once saying to me that he was sure the common people of the country loved him. Those were his precise words, and he further observed that that was ample compensation for all of the unpleasant things that had come.

Sometime after the London Economic Conference of 1933 he asked me to come to Washington and dine with him in the evening. The table was set in his workroom upstairs in the White House. He asked for a word picture of the London event—both events and personalities. Many things related bestirred his mirth. I never saw him laugh so heartily. He begged me to go back to Dayton and put into a written manuscript everything I had stated to him.

It is safe to assert that no President ever knew so much about the ramifications of Government departments. There was some basis for the complaint that he wanted too many departmental operations tied in to the White House. His administration might have functioned better and he might have lived longer if more matters of detail and even minor policy had cleared through the Cabinet Members. The conferences he held, even before we went into the war, and the delegations which were permitted to come to see him would have been enough to overpower a normally healthy person. I told him this one day and said he ought to put the Cabinet to work. He merely laughed and said there was something in the Roosevelt blood which kept him moving all the time.

No President ever knew so many people in the country—professional and college men, social workers, business executives, citizens of many types. His habit of calling men by their first names on short acquaintance was due to the spirit of comradeship which possessed him. He loved people and was not one to hide his confidence in others.

On his visit to Dayton in 1940, he dined with our family in the evening at Trailsend. His address which he broadcast over the radio from his private car came 2 or 3 hours later and this afforded an intensive discussion about the probabilities of war. It was very apparent that major plans were blueprinted in his mind in preparation for war if it had to come. He spoke of the supplies of tin and rubber that would be available and the value of British securities held in America which, if liquidated, would make a considerable sum, but would not be sufficient to keep England in the war very long. It was about this time that the President, with great adroitness took steps to keep England alive as a going nation, without giving encouragement to a pestiferous element in our country which was generating considerable opposition. It is fair to assume that except for this Hitler might have made his headquarters in London. We can go further in this speculation and ask ourselves whether Russia could have survived without the aid from us. If it can be said that these two countries were saved at the outset by American help, then for this President Roosevelt was responsible.

Let no one be deceived nor permit himself in prejudice to believe that Roosevelt was not the real leader in our war movements. Every industrial leader and every military commander, whether on land or sea, was kept on the alert by his untiring vigilance. He believed in our powers of production and expressed his convictions in the face of timidity, doubt, and sarcasm of many men who had spent their lives in the manufacturing industry. It took courage to set aside the rule of seniority in the Army and Navy and his unfaltering move which had been so carefully thought out was a factor in our military successes. Naturally he consulted responsible leaders in the Army and Navy, but any recommendations they made to the President had to be sold to him by the force of sheer fact and logic. So close was he to those on the war fronts that everyone from the privates up looked upon him as their leader with deep affection and confidence.

In the preparations for peace his mind was burdened day and part of the night with the strategy of diplomacy and there is no doubt in the mind of a single unprejudiced person in this country that history will give him full credit for the part he played. His domestic policies, in principle, were accepted by the opposition political party in the campaign of 1944.

This, it seems to me, is a truthful brief of what Roosevelt accomplished as President of the United States. One cannot appraise it all without being reminded of Stanton's remark at the death of Lincoln, "He now belongs to the ages."

Mr. PEPPER. Mr. President, I also ask unanimous consent to have printed in the RECORD an article by Hon. James M. Cox, published in the Miami Daily News of April 13, in which ex-Governor Cox states that President Roosevelt will rank with Jefferson, Jackson, and Wilson in the history of our country.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

HE WILL RANK WITH JEFFERSON, JACKSON, WILSON, SAYS EX-GOVERNOR COX

The saddest thing of it all is that death had to deny to the President the hour of what would have been his two greatest triumphs—victory to our arms and lasting peace for the peoples of the earth. He was so much a part of both and carried them so near to completion that history will ascribe them largely to his genius and humanity.

In the social and economic reforms which he has brought to our country, he will rank with Jefferson, Jackson, and Wilson. For his mastery in international statesmanship, he will stand alone, the most conspicuous of all our Presidents. He held his own with Churchill and Stalin, two resolute characters. Time will reveal that his last strength was given not only to make world peace a living thing for generations to come but to preserve the rights of our country. His greatest domestic contribution was the creation of a better life for the average man. That will stand as his monument.

Our hopes and prayers are that the death of our President will bring a sobering reflection to all nations and a resolve to preserve, as an endearing structure, the cause for which he died.

LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following business was transacted.

TERRITORIAL INTEGRITY OF POLAND

Mr. BRIDGES. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution sent to me by the Polish-American Congress, New Hampshire division, on the subject of the territorial integrity of Poland.

The PRESIDENT pro tempore. Without objection, the resolution will be received and appropriately referred.

To the Committee on Foreign Relations:

Resolution of the Polish-American Congress, New Hampshire Division

The State of New Hampshire division of the Polish-American Congress, consisting of delegates representative of approximately 40 Polish organizations of the State of New Hampshire namely, parishes, benevolent societies, fraternal clubs, civic and musical organizations, Polish veterans' groups, and, in addition, prominent clergymen, business and commercial leaders from all parts of the State of New Hampshire, in meeting assembled on April 4, 1945, through its executive board, unanimously resolved and adopted the following resolution:

"Whereas England declared war on Germany to guarantee the sovereignty and territorial integrity of Poland; and

"Whereas the President of the United States, in enumerating the aims of the United Nations, declared against any territorial acquisitions by the United Nations, and against any territorial changes that did not accord with the freely expressed wishes of the peoples concerned; and

"Whereas the Soviet Union, far from complaining about the terms of the treaty of Riga (March 1921), years prior to the present

war, took the initiative in proposing to Poland a treaty of nonaggression and neutrality based on respect for the then existing frontier; and

"Whereas Poland faithfully observed this treaty, refusing several proposals from Hitler Germany to become an ally with him in attacking Russia, and

"Whereas a deadly threat, not only to Poland's eastern frontier but to Poland's independent existence, is implied in the decisions of the Crimea Conference to sanction Russia's proposal to brutally and unilaterally partition and appropriate all of Poland east of the so-called Curzon or Molotov-Ribbentrop line; and

"Whereas the circumstances surrounding the disposition and placement of the proposed territorial boundary lines of the Republic of Poland, as well as the manner in which the people of this nation shall be permitted to determine the kind and form of their own government, give rise to serious concern as to whether the inherent rights and economic advantages of these peoples shall be safeguarded; and

"Whereas eastern Poland, east of the Russia proposed arbitrary Curzon line, would be of minor importance to Soviet economy, yet this area is indispensable to a healthy Polish economy, as it contains 84 percent of Poland's limited reserve of oil, almost three-fifths of its forests, and a very high percentage of its agriculture output; and

"Whereas the Soviet Union is further striving to foist on the peoples of Poland a governing body composed of Russian citizens of questionable character, reputation, and allegiance, which government is clearly nonrepresentative of the Polish people but actually a minority government that could not exist without Russian arms; and

"Whereas the only hope for world peace lies in the fulfillment of the provisions of the Atlantic Charter, which provide not only for the restoration of all territories seized by aggression in this war but also grants to each nation the privilege of selecting its own government without subversive interference or coercion on the part of any nation, large or small:

"We, therefore, on the 4th day of April in the year of our Lord 1945 most firmly protest both against the decisions of the Yalta Conference in relation to the fifth partition of Poland and against the method by which this and other decisions concerning Poland were reached and denounce said decisions as a violation of sound morality and international law; and

"Humbly petition and strongly urge you to exert all the power, influence, and voice of your good office to effectuate and press forward remedial measures to right the wrong arbitrarily imposed on Poland by clearly reaffirming the most urgent necessity, if world peace is to be realized, of strict and unequivocal adherence of all Allied Nations to the principles enunciated and pronounced in the Atlantic Charter as to the right of self-determination of all peoples, small or powerful alike.

"POLISH-AMERICAN CONGRESS,
NEW HAMPSHIRE DIVISION,
"JOSEPH J. BETLEY, *President*."

ADDITIONAL HOSPITAL BEDS FOR DISABLED VETERANS IN MINNESOTA

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to present for printing in the RECORD and appropriate reference a concurrent resolution adopted by the Legislature of Minnesota memorializing the Congress of the United States to enact such legislation as may be necessary to provide for additional hospital beds for disabled veterans in the State of Minnesota.

The PRESIDENT pro tempore. Without objection, the concurrent resolution will be received and appropriately referred, and, under the rule, be printed in the RECORD:

To the Committee on Finance:

Concurrent resolution memorializing the Congress of the United States to enact such legislation as may be necessary to provide for additional hospital beds in the State of Minnesota for disabled war veterans

Whereas there are at the present time approximately 2,400 beds in the State of Minnesota which are available for injured and disabled war veterans; and

Whereas this number is entirely inadequate and there is an acute shortage in this State of beds for this purpose; and

Whereas there is at the present time a waiting list of about 300 such veterans who are in need of hospitalization; and

Whereas the number of returning veterans who need hospital treatment is increasing daily and will greatly increase in the immediate future; Now, therefore, be it

Resolved by the Senate of the State of Minnesota (the House of Representatives concurring), That the State memorialize the Congress of the United States to enact such legislation as may be necessary to provide in the immediate future for additional beds for disabled veterans in the State of Minnesota; be it further

Resolved, That the secretary of state of the State of Minnesota is instructed to transmit a copy of this resolution to the President of the Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Minnesota.

DEVELOPMENT OF THE ST. LAWRENCE WATERWAY

Mr. SHIPSTEAD. Mr. President, I also ask unanimous consent to present for appropriate reference and printing in the RECORD a concurrent resolution adopted by the legislative assembly of Minnesota memorializing the Congress of the United States to take prompt action to ratify the agreement between the Government of the United States and the Dominion of Canada for the development of the St. Lawrence waterway.

The PRESIDENT pro tempore. Without objection, the resolution will be received and appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Foreign Relations:

Concurrent resolution memorializing the Congress of the United States to take prompt action to ratify the agreement between the Government of the United States and the Dominion of Canada for the development of the St. Lawrence waterway

Whereas representatives of the Governments of the United States and of the Dominion of Canada in 1941 consummated and signed an agreement for the development of the St. Lawrence River, both for navigation and power purposes, so as to permit free passage of ocean-going ships from the Atlantic Ocean to the head of the Great Lakes and into the heart of the American Continent, and make available the development of this great potential source of electric energy for necessary public use; and

Whereas the agreement was under consideration by the Congress of the United States at the time of the Japanese attack at Pearl Harbor, and shortly thereafter we were at war with the Central Powers in Europe, as a consequence of which action on the agreement was advisedly deferred; and

Whereas world developments since 1941 have made it increasingly apparent that the securing of a permanent and just peace will inevitably be attended with vastly increased commerce with foreign nations, and particularly with the European and Asiatic nations, and the great industries located on the Great Lakes and the agriculture of the Northwest States will benefit as a result of the opening of the St. Lawrence as a shorter route for ocean commerce to deliver to foreign nations the products of our industries and agriculture, and more than ever before the development of the power to be generated by the St. Lawrence is recognized as a vital economic necessity; and

Whereas the agreement is now again being submitted to the Congress of the United States for approval, the Presidents of the United States for the past 25 years have committed themselves to the development of the St. Lawrence, and President Franklin D. Roosevelt has characterized the St. Lawrence project as of economic value comparable to the Panama Canal, and a vital necessity as a defense measure; and

Whereas the State of Minnesota, through its legislature, for the last 25 years has affirmed its continued support of this project, and through the Great Lakes-St. Lawrence Tidewater Commission of Minnesota has continuously promoted the development of the St. Lawrence River, believing that the project is a vital necessity for the stimulation and development of the resources of this State and of the entire Northwest, as well as a great economic advantage to the Nation, and that the project has already been too long delayed: Now, therefore, be it

Resolved, That the senate, the house of representatives concurring, commend and support the President of the United States in his steadfast, consistent, and energetic support of this project, and urge the Congress of the United States, without further delay, to approve and ratify the agreement already concluded with the Dominion of Canada, and provide the necessary funds for the speedy completion of this great project as a vital, economic, and defense necessity.

That the secretary of state be instructed to send copies of this resolution to the President, the Vice President, the Speaker of the House of Representatives of the United States, and to each of the Senators and Representatives in Congress of the State of Minnesota.

METHODS OF ASSURING PEACE — RESOLUTIONS BY WARREN POST, NO. 23, OF THE AMERICAN LEGION, BOWLING GREEN, KY.

Mr. CHANDLER. Mr. President, I am in receipt of resolutions adopted by Warren Post, No. 23, of the American Legion at Bowling Green, Ky. The resolutions have been sent to me by Hon. W. M. Willey, commander of the post. The resolutions relate to future conferences and efforts to secure peace for the people of the United States. I believe they are very good and sound resolutions, and I ask unanimous consent to present them for appropriate reference and printing in the RECORD at this point as a part of my remarks.

There being no objection, the resolutions were received, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Whereas Warren Post, No. 23, American Legion, Bowling Green, Ky., has for the past several weeks, been giving consideration to the proposed enactment, now in congressional committees, providing for what is generally termed "universal military training" following the present World War; and

Whereas since the introduction of this proposed enactment, the Yalta Conference of the three great leaders, Roosevelt, Churchill, and Stalin, has occurred, and, soon thereafter, the historic and successful Pan-American Conference was held in Mexico City; and

Whereas on April 25, 1945, a conference of United Nations representatives will open in San Francisco, Calif.; and

Whereas we hope that in the fight for peace the United Nations are ahead of schedule as they are in the pursuit of the war, and those individuals and organizations who believe profoundly in the wisdom of strong national defense either recognize or should recognize that the Allied Nations of the world are moving in a determined manner toward a new world order; and

Whereas various proposals on what constitutes a good national defense were made on various assumptions of the future: Now, therefore, be it

Resolved, That Warren Post, No. 23, American Legion, Department of Kentucky, pursuant to a vote of the membership present at its regular meeting date on the 10th day of April 1945:

1. It is the opinion of the members of said post that future wars will be fought by marching science and marching resources, and not so much by marching men—that the next war, if it occurs, will be largely fought out by long-range bombs and rockets, which are now at the beginning of untold development and expansion—that it will be, in large part, a war of long-range artillery duels across the oceans—that robot bombs and rocket projectiles are now in their experimental stage, with the battered English people serving as "guinea pigs"—that our children have an appointment with the future scientific development of these aggressor nations; be it further

Resolved by Warren Post, No. 23, American Legion, That now is the time for all America to give serious consideration to a broad, comprehensive program for good national defense, and to that end, we propose:

1. SCIENTIFIC ARMAMENTS FOR DEFENSE

(a) Creation of an army of laboratory scientists and technicians—working with a passion for the development of all forms of lethal weapons—with the hope that the very fact of their possession by this country will prevent the necessity for their use.

(b) Build up large stock pile of metallic resources, and however much the country may be at peace for a while, preserve it with determination against its possible necessary use.

(c) Reconvert American industry at the close of this war in such a manner that it can be turned back to war industry much more quickly than heretofore.

2. INTERNATIONAL INTELLIGENCE CORPS

The development of a highly trained, competent International Intelligence Corps, to the end that this country should not again have a pay the frightful price of guessing at what is going on in the rest of the world to the end that there be no more unfortunate incidents typified by Pearl Harbor.

3. PERMANENT MILITARY AIR FORCE

(a) The training of at least 100,000 volunteer, hand-picked aviators annually. Make pay, living conditions, promotion, and careers in Army aviation sufficiently attractive to secure the necessary young men on a voluntary basis. Thus development of the finest and most modern Air Force in the world.

(b) Begin their training at an early age. Much of it could be done in the elementary schools.

(c) The whole period of advance training should embrace 4 to 5 years, embodying the whole field of aeronautics. Should not only be perfectly trained pilots but should be masters of the science of aeronautics.

4. A REVITALIZED PEACETIME ARMY

(a) Continue to clean up the Regular American Army. Even before this war started we were raising our standards for admission.

(b) Invite and attract a large volunteer Army with good pay, comforts of living, good environment. Make Army life a career comparable to trades and occupations in civilian life. Instead of making it easy to get into and hard to get out of, as heretofore, reverse the order and make it hard to get in, but easy to get out. No less discipline, but much more freedom.

5. SUBSIDIARY NATIONAL DEFENSE AGENCIES

(a) The rebuilding and reorganization following this war of the National Guard, the State militia, and a much larger development of the R. O. T. C. training program; be it further

Resolved, That by proposing the aforesaid program we would not intend for immediate action to be taken, but we do propose that the enactment providing military conscription following the war be held in abeyance until it is determined whether this country is to become a part of a cooperative world movement or whether these cooperative measures are to fail. If they are to succeed, it is impossible for us or anyone else to determine what our national course is to be. If they are to fail, then we favor the early adoption of the program set forth above. The program which the American Legion proposes is not a patchwork program. It recognizes, first, the new hazards for America in modern scientific warfare, and, secondly, that so-called universal military training, when and if passed by Congress, will probably be so modified that it would be nothing more than a delusion to look upon it as adequate national defense.

A stand is not taken for or against universal military training, but proponents—whose good faith we do not question—have said, "It will create such a great body of effective reserves that this country will be forever safe from attack." We believe the above quotation represents honest but dangerous thinking. We look forward, hopefully, to a broad program of physical training following this war, but we do not regard a physical fitness program as adequate to our national defense in the kind of world in which America will strive to live peacefully, when this conflict is ended; be it further

Resolved, That a copy of these resolutions be given to the press, a copy forwarded to the Honorable EARLE CLEMENTS, Congressman from the Second District of Kentucky, Washington, D. C.; a copy to the national commander of the American Legion; and a copy to Senator A. B. CHANDLER, Senator from Kentucky on the Military Affairs Committee; also a copy be sent Senator ALBEN BARKLEY, majority leader of the Senate of the United States, and a copy be sent Garland Bryant, commander of the American Legion of Kentucky.

G. C. GEORGE, *Chairman*,
J. MURRAY HILL,
C. STEVE ROEMER,
RODES K. MYERS,
W. M. WILLEY,
Dr. JNO. W. BLACKBURN,
Committee.

(All of Bowling Green, Ky., and members of Warren Post, No. 23, American Legion.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCARRAN, from the Committee on Appropriations:

H. R. 2603. A bill making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes; with amendments (Rept. No. 188).

By Mr. CHANDLER, from the Committee on Military Affairs:

S. 225. A bill to authorize the carrying of Civil War battle streamers with regimental colors; with an amendment (Rept. No. 189).

By Mr. MAYBANK, from the Committee on Military Affairs:

S. J. Res. 34. Joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, United States Army, and for other purposes; without amendment (Rept. No. 190).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCARRAN:

S. 875. A bill for the relief of Mercy Duke Boehl; to the Committee on Immigration.

Mr. LUCAS. Mr. President, I ask unanimous consent to introduce a bill and that it be appropriately referred.

I also ask unanimous consent to introduce another bill, on behalf of the majority leader the Senator from Kentucky [Mr. BARKLEY] and myself, authorizing the President of the United States to award posthumously a Congressional Medal of Honor to Franklin Delano Roosevelt.

The PRESIDENT pro tempore. Without objection, the bills will be received and appropriately referred.

By Mr. LUCAS:

S. 876. A bill relating to the dismissal of indictments, informations, or complaints in criminal cases by the Attorney General or the United States Attorney; to the Committee on the Judiciary.

By Mr. LUCAS (for himself and Mr. BARKLEY):

S. 877. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to Franklin Delano Roosevelt; to the Committee on the Library.

(Mr. WAGNER (for himself, Mr. GEORGE, and Mr. MURRAY) introduced Senate bill 878, which was referred to the Committee on Finance, and appears under a separate heading.)

By Mr. TYDINGS:

S. 879. A bill to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia; to the Committee on the District of Columbia.

(Mr. BUSHFIELD introduced Senate bill 880, which was referred to the Committee on Finance, and appears under a separate heading.)

(Mr. BRIDGES introduced Senate bill 881, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. HILL (for himself and Mr. BANKHEAD):

S. 882. A bill to provide for the establishment of a national fertilizer policy and program; to authorize the construction of certain fertilizer plants by the Government and farmers' cooperatives as a part of said program; to provide as a necessary incident of said program for the operation of such Government-constructed fertilizer plants by farmers' cooperatives; to provide for the testing and demonstrating of fertilizers produced in such Government and cooperative plants on a Nation-wide scale; to provide for the exploration of fertilizer resources on the public lands; and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. BAILEY:

S. 883. A bill for the relief of Charlie Tyson; and

S. 884. A bill conferring jurisdiction upon the United States District Court for the Middle District of North Carolina to hear, determine, and render judgment upon certain claims of the Patuxent Development Co., Inc.; to the Committee on Claims.

By Mr. CHANDLER:

S. 885. A bill to reduce the fees for postal money orders issued to members of the armed forces serving outside the continental limits of the United States; to the Committee on Post Offices and Post Roads.

By Mr. CORDON:

S. 886. A bill for the relief of Clarence S. Osika; to the Committee on Claims.

By Mr. SHIPSTEAD:

S. 887. A bill to regulate commerce by exempting interstate vendors from liability for payment or collection of certain State taxes; to the Committee on Finance.

By Mr. THOMAS of Utah:

S. 888. A bill to authorize the Secretary of War to exchange with the Rosslyn Connecting Railroad Co. certain lands in the vicinity of the War Department Pentagon Building, in Arlington, Va.; and

S. 889. A bill to amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps; to the Committee on Military Affairs.

CREDIT TO SERVICEMEN UNDER FEDERAL OLD-AGE AND SURVIVORS INSURANCE PROGRAM

Mr. WAGNER. Mr. President, for the Senator from Georgia [Mr. GEORGE], the Senator from Montana [Mr. MURRAY], and myself, I ask unanimous consent to introduce a bill to provide credit for servicemen under the Federal old-age and survivors insurance program, which I ask to have appropriately referred.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

The bill (S. 878) to amend title II of the Social Security Act, as amended, by giving insurance credits under the Federal old-age and survivors insurance provisions of that act for military service, and for other purposes, introduced by Mr. WAGNER (for himself, Mr. GEORGE, and Mr. MURRAY), was read twice by its title and referred to the Committee on Finance.

Mr. WAGNER. Mr. President, for the distinguished chairman of the Committee on Finance [Mr. GEORGE], the distinguished chairman of the Committee on Education and Labor [Mr. MURRAY], and myself, I have just introduced a bill to safeguard the insurance rights of servicemen and servicewomen under the Federal old-age and survivors insurance provisions of the Social Security Act. Representative LYNCH, of New York, is introducing a companion bill in the House.

Legislation to this end is a matter of simple justice to our servicemen and is necessary to round out a comprehensive legislative program for servicemen and veterans. Legislation of this sort is necessary to prevent the insurance protection of servicemen under social security from being impaired and in some instances from being permanently lost.

The bill is designed to treat service men and women under old-age and survivors insurance just as though, instead of entering service, they had remained in civilian life in jobs covered under this program. The Government would pay the regular contributions required under the law. The bill contains additional provisions designed to prevent duplication of benefits between old-age and survivors insurance and the various noncontributory Federal benefit programs.

GENERAL SUPPORT FOR BILL

In the last Congress I introduced legislation which proposed to extend to servicemen both unemployment insurance and old-age and survivors insurance. The unemployment insurance features of my bill were incorporated in the G. I. bill of rights. The old-age insurance provisions were not included in the G. I. bill since those in charge of the G. I. bill thought that it would be better to incorporate them in a separate bill.

The bill which I have introduced today is similar to the bills on the same subject which I introduced in the last Congress. Everyone is in agreement with the general objective of the proposed legislation. The veterans' organizations, the labor and employers' organizations, the Social Security Board, several State legislatures, and representatives of both major political parties—all have endorsed the basic idea.

From 1940 on, the late President Roosevelt repeatedly recommended to Congress the enactment of appropriate legislation on the subject. I earnestly hope, therefore, that the bill can be speedily enacted into law.

A provision having the same objective as the bill which I have introduced was passed by the Senate as a part of the bill which later became the Second Revenue Act of 1940. However, the provision was deleted by the conference committee and the following statement was made in the conference report:

> The managers on the part of the House desire to state that they agree with the managers on the part of the Senate that * * * the proposals (to preserve the old-age and survivors insurance protection of servicemen) should be given prompt and careful consideration * * *. It is hoped that a comprehensive study of the subject matter contained in the President's message of September 14, 1940, be made as soon as practicable to the end that the proposals contained therein may be enacted into law with all reasonable dispatch.

In its eighth annual report to the Congress the Social Security Board recommended legislation on this subject as follows:

> An immediate problem related to coverage arises from the situation of the millions of persons now in the armed forces. Because of the eligibility provisions and the method of computing benefits under the program, the insurance protection which service men and women may have acquired before their induction will be partly or wholly used up, and the amount of potential benefits payable to them or to their survivors will diminish. Service men and women have protection against death while in service, or after service from service-connected causes, in the form of benefits provided under veterans' legislation; in some cases, survivors of veterans who die while in service will be eligible for both veterans' benefits and old-age and survivors insurance benefits. After discharge from service, however, many veterans will be without any survivorship protection in the event of death from non-service-connected causes. The problem with respect to veterans who live to retirement age is less acute, since very few who leave military service after the war will be ineligible for old-age and survivors insurance benefits because of their military service, and, though benefit amounts will be somewhat reduced in all cases, the amount of the reduction will be small. Moreover, the great majority of the present members of the armed forces will not reach retirement age for many years. As a solution to the problems with respect to the armed forces, the Board recommends the adoption of provisions which will equitably protect potential insurance rights developed before entrance into the armed forces and which will give equitable wage credits based on periods of national service in lieu of private employment. Such provisions should be accompanied by appropriate arrangements to reimburse the insurance system out of general funds of the Treasury.

Both the Civil Service Retirement Act and the Railroad Retirement Act already contain provisions under which an individual's period of military service is taken into account in computing old-age retirement benefits. The need for similar provisions concerning the Federal old-age and survivors insurance program is at least as great as in the case of these two other contributory Federal retirement systems.

Not only is legislation to preserve the old-age and survivors insurance rights of servicemen necessary, but it is highly desirable that the legislation be enacted as soon as possible. Prompt enactment of legislation is necessary so that monthly benefits may be paid currently in the future.

As of February 28, 1944, about 64,000 claims for benefits had already been filed by the survivors of persons who died in military service, and this figure probably represents only a small proportion of the number of claims which would have arisen if credit for military service had been given under the program. I have received hundreds of letters during the past 4 years from all over the country—and from men stationed all over the world—asking why the Congress has not taken action on this matter. Other Senators undoubtedly have had the same difficulty I have experienced in explaining to the satisfaction of these claimants why the social-insurance protection of the servicemen has not been maintained. Obviously, the longer the enactment of appropriate legislation is postponed, the greater will be the administrative burden of attempting to make satisfactory explanations, of keeping records of service deaths, of locating survivors of deceased servicemen, and of adjudicating claims, in cases where death occurred prior to enactment.

SUMMARY OF THE BILL

The bill would, in general, be effective as of September 7, 1939, the date on which the late President Roosevelt proclaimed a state of limited emergency to exist. Each serviceman would for social-security purposes, be deemed to have been paid $160 for each month of service after that date and before the date on which he is no longer required to continue in service. The figure of $160 represents a fair approximation of the value of the average serviceman's pay and perquisites. The same figure is used in the provision under which servicemen are given military-service credit under the Railroad Retirement Act. The use of a uniform

figure for all servicemen will considerably simplify the work of the Social Security Board and of the service departments.

The Government would pay both the employer and employee contributions. The amendment authorizes appropriations to the trust fund equal to the amounts which would be payable with respect to the wages of servicemen at the current tax rates imposed on employers and employees under the program. Appropriate retroactive contributions would also be authorized. However, it is contemplated that, under the amendment, actual appropriations would be less than the authorized amounts to the extent that full benefits were not paid to servicemen or their survivors by reason of the provisions preventing undesirable duplications of benefits.

In cases where a serviceman died prior to the enactment date of the amendment, benefits to his survivors would normally be payable retroactively, or, if benefits had already been awarded, the benefit amount would be recomputed to take account of his wages for military service, and the recomputed amount would be effective retroactively.

The provisions designed to prevent undesirable duplications of old-age and survivors insurance benefits with payments by the Veterans' Administration would apply in cases where wage credits had been granted under the amendments and the beneficiary—either the ex-serviceman himself or a survivor—was eligible to receive veterans' benefits based on the same period of service. In general, the portion of the old-age and survivors insurance benefits attributable to the war-service wage credits would be withheld in such cases.

However, if the serviceman had been covered under the program for a minimum period of about a year and a half, either before or after his period of military service, his benefits or those of his dependents or survivors would not be reduced below the minimums provided by the program, even if the beneficiary were also eligible for veterans' benefits.

Under the amendment, the portion of an individual's benefit attributable to wage credits for military service would be labeled "gratuitous." This designation would not only serve to mark out the portion of the old-age and survivors insurance benefit which would be subject to reduction if veterans' benefits were also payable, but in addition it would serve to avoid the payment of duplicate benefits based on military service under the various Federal retirement programs—in particular, the railroad retirement program and the civil-service retirement program. Under the railroad program, the individual's benefit amount is computed, in general, without regard to his military service if he is receiving "gratuitous" Federal benefits based on the same service.

The same principle is recognized in the Civil Service Retirement Act, although an amendment to that act would eventually become necessary in order to make the principle apply to the "gratuitous" part of benefits under the old-age and survivors insurance program arising from military service.

Mr. President, I ask unanimous consent to have printed in the RECORD in connection with my remarks a number of statements and resolutions by veterans' organizations and State legislatures urging the enactment of legislation to protect the old-age and survivors insurance benefits of members of the armed forces.

There being no objection, the matters referred to were ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
WASHINGTON HEADQUARTERS,
Washington, D. C., January 19, 1945.

Hon. ROBERT WAGNER,
United States Senate,
Washington, D. C.

DEAR SENATOR WAGNER: During the Seventy-eighth Congress you introduced the bill S. 1813, for yourself, Senator GEORGE, and Senator Clark, of Missouri. This was bill to amend title II of the Social Security Act, as amended, by giving insurance credits under the Federal old-age and survivors insurance provisions of that act for military service by providing for adjustment of benefits received under such title in certain cases.

The American Legion is vitally interested in this subject, and at the last national convention, held in Chicago, Ill., in September 1944, a resolution was adopted, the resolving clause of which reads as follows:

"*Resolved*, That the American Legion urges an immediate amendment to the Social Security Act providing a suitable credit for all military commissioned and noncommissioned personnel from date of entry into the military service or on or after October 16, 1940 (date of first selective-service registration)."

Therefore, if you can see your way clear to reintroducing this measure, it will be very much appreciated by the American Legion.

Thanking you and with best wishes, I am,

Sincerely,

FRANCIS M. SULLIVAN,
Executive Director,
National Legislative Committee.

RESOLUTION OF THE VETERANS OF FOREIGN WARS OF THE UNITED STATES

(Submitted by Post 321, Fostoria, Ohio, to committee on war service and veteran employment: Submitted for approval by the committee as amended. Adopted by the 1934 National Encampment.)

Resolution 318

Resolution to amend the Social Security Act

Whereas the present social security laws was enacted at a time when the United States was at peace and did not contemplate entering a war; and

Whereas the provisions of that law provides for the wage earner to work a certain number of quarter years to become eligible for the benefits provided by said law, and if he has less than this number of quarter years credits his family is not benefited by the provisions of said law; and

Whereas, on December 8, 1941, we entered a war following a period of selective service training wherein thousands of wage earners was taken from their regular employment and inducted into the service, both military and naval; and

Whereas these men were removed from the social security rolls, and each 3 months spent in the service of the country deducted one-quarter year credit from the wage earner and reduced the benefits payable to his family in event of his death, and resulting in thousands of families being deprived of the benefits otherwise payable under the social security law; and

Whereas the Congress of the United States can by an amendment to the Social Security Act, render thousands of American servicemen eligible and give to the dependents and survivors of these soldiers, sailors, and marines dying in the service of the country, the benefits envisaged by the Congress that enacted the original law, by writing into the law a section whereby men inducted into the service or enlisting therein, after September 8, 1939, will be credited with having earned the sum of $160 a month while in the service and the Government paying into the Social Security fund the tax on said amount. In this manner all will be entitled to the benefits of said law and the families of men in service will not lose the benefits of said law: Therefore be it

Resolved by the Forty-fifth National Encampment, Veterans of Foreign Wars of the United States, That the Congress be advised of the condition and petitioned to enact into law the subject matter of this resolution, to the end that justice be done this great number of personnel who have left their regular employment wherein they were covered by Social Security and entered a more hazardous employment in the defense of their country without the protection guaranteed their families by the social security law. And that Congress set forth in said law that "youths of 18 years who were not gainfully employed prior to entering the service shall be credited with the same earnings for Social Security protection as those who were gainfully employed and had social security accounts prior to induction." And that the national service officer and national legislative officer of the Veterans of Foreign Wars be instructed to immediately consult with Members of Congress to induce said members to prepare and present an amendment to the Social Security law embodying the provisions of this petition.

MILITARY ORDER OF THE PURPLE HEART

(This veterans' organization, at their twelfth annual convention at Lancaster, Pa., August 6-9, 1944, adopted the following resolution, which had been submitted to the convention by the Mount Vernon (Washington, D. C.) Chapter.)

A resolution to provide for post-war adjustment for veterans of World War No. 2

Whereas unless detailed advance plans have been made to prevent it, there will otherwise probably be several million veterans of World War No. 2 vainly looking for suitable employment who, in spite of the assurances given in the Selective Service Act, will be unable to secure same, because of the technological and economic changes which will in the meantime have occurred; and

Whereas several necessary steps will need to be taken to prevent millions of World War No. 2 veterans from continuing indefinitely to be unemployed, such as (1) the issuance of adjusted-service pay certificates or bonds, the amount of which should be based on the length and place of service of such discharges; (2) accrual of credits for unemployment compensation and old-age insurance benefits, based upon length of service; (3) development of private enterprise; (4) increased standards of living for all Americans; (5) increased public works, nationally and locally, and many other such steps which cannot now be specifically enumerated: Now, therefore, be it

Resolved by Mount Vernon Chapter, Military Order of the Purple Heart, assembled in regular session in Washington, D. C., this 7th day of June 1944, That the national service director of the Military Order of the Purple Heart is hereby authorized and directed to confer with other national officers of the Military Order of the Purple Heart, with the national officers of other veteran organizations, in the formulation of specific objectives, and to take such steps to bring about the enactment of such legislation, and to provide for such Presidential Executive orders, and the execution of such plans, as are designed to provide for the full suitable, gainful employment of all returning veterans of World War No. 2; and be it further

Resolved, That this resolution be submitted to the Department, District of Columbia, Military Order of the Purple Heart, for approval and presentation to the next national convention of the Military Order of the Purple Heart for their consideration and adoption.

Source: Proceedings of the twelfth annual convention of the Military Order of the Purple Heart; House Document No. 686, Seventy-eighth Congress, second session.

STATEMENT BY MILLARD W. RICE, NATIONAL SERVICE DIRECTOR, DISABLED AMERICAN VETERANS, BEFORE COMMITTEE ON WORLD WAR VETERANS' LEGISLATION, MARCH 28, 1944

(Hearings on H. R. 3917 and S. 1767, p. 262)

The Federal Government should also establish similar credits, available to the Federal Social Security Board for old-age insurance purposes.

RESOLUTIONS AND MEMORIALS OF STATE LEGISLATURES RE THE OLD-AGE AND SURVIVORS INSURANCE PROTECTION OF SERVICEMEN

Joint memorial of the Legislature of the State of Utah (Senate Joint Memorial 1): Submitted to both Houses of the United States Congress on March 27, 1945, and referred to the appropriate congressional committees. This memorial urges the enactment of legislation to expand the scope and coverage of the social security program, and specifically calls for legislation to protect the old-age and survivors insurance benefits of members of the armed forces. (CONGRESSIONAL RECORD, March 27, 1945, p. 2800.)

Concurrent resolution of the Legislature of the State of New York: Submitted to the United States Senate on April 5, 1945, and referred to the Senate Committee on Finance. This resolution is essentially the same as the Utah joint memorial referred to above. (CONGRESSIONAL RECORD, April 5, 1945, p. 3108.)

Joint resolution of the General Assembly of Vermont (Joint Resolution 30): This resolution, approved by the Vermont Legislature on April 3, 1945, memorializes the Congress of the United States to enact with all convenient speed legislation providing that men and women in the armed forces shall receive appropriate old-age and survivors insurance wage credits for their period of military service. (CONGRESSIONAL RECORD, April 9, 1945, p. 3179.)

NAMING OF NEW VETERANS' HOSPITAL AT SIOUX FALLS, S. DAK.

Mr. BUSHFIELD. Mr. President, there is now under construction in the city of Sioux Falls, S. Dak., a new veterans' hospital. In that State the late Royal C. Johnson, who was a Member of the House of Representatives for 15 years, was one of the foremost public men in this country in the service of the veterans of the First World War.

I ask unanimous consent to introduce for appropriate reference a bill designating this hospital at Sioux Falls, S. Dak., as the Royal C. Johnson Veterans' Hospital.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

The bill (S. 880) to provide for designation of the United States Veterans' Administration Hospital at Sioux Falls, S. Dak., as the Royal C. Johnson Veterans' Hospital, was read twice by its title and referred to the Committee on Finance.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. LANGER. I wish to say that Royal C. Johnson lived close to the North Dakota line. He was one of the outstanding men of the entire Northwest, as the distinguished Senator from South Dakota well knows. Until recently his son was a prisoner of the Japanese in the Philippine Islands. The widow of the late Representative Royal C. Johnson lives in Washington with several small children. His son has made a very distinguished record in this World War.

POSTHUMOUS AWARD OF CONGRESSIONAL MEDAL OF HONOR TO WILLIAM MITCHELL

Mr. BRIDGES. Mr. President, more than a year ago I introduced a bill providing for the posthumous award to Billy Mitchell of the Congressional Medal of Honor. The bill was referred to the Committee on Military Affairs, was favorably reported from that committee, and was passed unanimously by the Senate. It died somewhere in the House of Representatives.

I now ask unanimous consent to introduce a similar bill, and it be appropriately referred.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

The bill (S. 881) authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell, was read twice by its title and referred to the Committee on Military Affairs.

NOTICE OF MOTION TO SUSPEND THE RULE—AMENDMENTS TO DEPARTMENTS OF STATE, JUSTICE, ETC., APPROPRIATION BILL

Mr. McCARRAN submitted the following notice in writing:

In accordance with rule XL of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill (H. R. 2603) making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes, the following amendments, namely:

On page 16, line 3, after the word "countries", insert "*Provided further*, That reimbursements incident to the maintenance of commissary service authorized under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received: *Provided further*, That a detailed report shall be made to Congress annually of the receipts and expenditures of said commissary service."

On page 16, line 18, after the word "Columbia", insert "*Provided*, That all refunds, repayments, or other credits on account of funds disbursed under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received."

On page 20, line 23, after the word "organizations", insert "printing and binding without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111); entertainment; and representation allowances as authorized by the act of February 23, 1931, as amended (22 U. S. C. 12, 23c)."

On page 28, after line 21, insert:

"Conference of Allied Ministers of Education in London: For all necessary expenses of the participation by the United States in the Conference of Allied Ministers of Education in London, or its successor, and in addition for surveys and studies related to the work thereof, including personal services in the District of Columbia and elsewhere without regard to civil-service and classification laws; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; entertainment, stenographic reporting and other services by contract, books of reference and periodicals, and rent of office space, without regard to section 3709 of the Revised Statutes; printing and binding; and the share of the United States in the expenses of the secretariat of the conference; $172,000, payable from the appropriation 'Emergency fund for the President', contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended."

On page 28, after line 21, insert:

"Cultural relations with China and the neighboring countries and countries of the Near East and Africa: For all expenses, without regard to section 3709 of the Revised Statutes, necessary, to enable the Secretary of State independently or in cooperation with other agencies of the Government to carry out a program of cultural relations with China and the neighboring countries and with countries of the Near East and Africa, $1,390,000 (payable from the appropriation 'Emergency fund for the President', contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemental and amended), including the purchase of books, publications, scientific and other equipment, and educational and cultural materials; contributions of money and materials to, and contracts with, educational, cultural, and nonprofit institutions and organizations in the United States and the above countries, directly or through independent agencies; compensation, allowances, and grants to citizens of the United States and the above countries who are students, professors, or technical specialists, at such rates and under such regulations as may be determined by the Secretary of State, including expenses incurred by such persons in traveling between places of residence, Washington, D. C., and posts of duty abroad, and including travel expenses of citizens of the above countries without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926 as amended; advance of moneys without regard to section 3648 of the Revised Statutes; printing and binding; and not to exceed $20,000 shall be available for temporary employment of persons or organizations, by contract or otherwise, without regard to the civil-service and classification laws; and, subject to the approval of the President, the Secretary of State is authorized to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the above countries any part of this amount for direct expenditure by such department, agency, or independent etsablishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred."

On page 30, line 21, after the word "adopt", insert "to pay the actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses, of citizens of the other American republics while traveling in the Western Hemisphere, without regard to the Standardized Government Travel Regulations, and to make advances of funds notwithstanding section 3648 of the Revised Statutes."

On page 31, line 6, after the word "discretion", insert "and, subject to the approval of the President, to transfer from this ap-

propriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the other American republics any part of this amount for direct expenditure by such department or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred: *Provided further*, That not to exceed $100,000 of this appropriation shall be available until June 30, 1947."

On page 32, after line 14, insert "Not to exceed $250,000 of the foregoing appropriations for personal services shall be available for the employment, on duties properly chargeable to each of said appropriations, of special assistants to the Attorney General without regard to the Classification Act of 1923, as amended."

On page 33, line 14, after the word "reference", insert "and employment of special attorneys and expert witnesses at such rates of compensation as may be authorized or approved by the Attorney General or his Administrative Assistant."

On page 37, line 8, after the sum, insert "*Provided*, That the United States marshals and their deputies may be allowed, in lieu of actual expenses of transportation, not to exceed 4 cents per mile for the use of privately owned automobiles when traveling on official business within the limits of their official station."

On page 43, line 6, strike out the semicolon and insert "*Provided further*, That this appropriation shall be available without regard to section 3709 of the Revised Statutes or section 322 of the act of June 30, 1932 (40 U. S. C. 278a), when authorized or approved by the Attorney General, for the acquisition of or alterations, improvements, and repairs to premises."

On page 45, line 13, after the sum insert "*Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed $500."

On page 48, line 7, after the sum, insert "*Provided*, That hereafter the Secretary may designate an officer of the Department to sign minor routine official papers and documents during the temporary absence of the Secretary, the Under Secretary, and the Assistant Secretary of the Department."

On page 49, line 16, after the word "imports", insert "temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act."

On page 49, line 24, after the word "tolls", insert "and not to exceed 3 cents per mile for travel performed in privately-owned automobiles within the limits of their official posts of duty, of employees engaged in census enumeration or surveys."

On page 50, line 18, after the semicolon, insert "not to exceed $5,000 in fiscal year 1946 for entertainment of officials in the field of aviation of other countries when specifically authorized and approved by the Administrator."

On page 51, line 9, after the word "available", insert "without warrant action."

On page 51, line 19, after the semicolon insert: "and not to exceed 3 cents per mile for travel, in privately owned automobiles within the limits of their official posts of duty, of employees engaged in the maintenance and operation of remotely controlled air-navigation facilities."

On page 54, line 2, after the numerals "1946", insert "without warrant action."

On page 55, lines 3 and 4, strike out "experts, and guards on a contract or fee basis" and insert "and experts, and in the case of airplane accidents the employment of temporary guards on a contract or fee basis without regard to section 3709 of the Revised Statutes."

On page 67, line 21, before the semicolon, insert "the proceeds from such resales to be credited to the appropriation from which the expenditure for such supplies was made and a report shall be made to Congress annually showing the expenditures made for such supplies and the proceeds from such resales."

On page 68, after line 2, insert "During the fiscal year 1946 the Secretary of Commerce may delegate his authority to subordinate officials of the Coast and Geodetic Survey, the Weather Bureau, and the Civil Aeronautics Administration, to authorize payment of expenses of travel and transportation of household goods of officers and employees on change of official station: *Provided*, That in no case shall such authority be delegated to any official below the level of the heads of regional or field offices."

On page 68, after line 2, insert:

"Not to exceed $1,000 of the appropriations in the Department of Commerce Appropriation Act, 1945, available for travel shall be available under regulations to be prescribed by the Secretary of Commerce for obligations incurred by officers and employees of the Department of Commerce for traveling expenses of returning members of their immediate families from outlying Territories and possessions of the United States to their former homes in the United States or points of not further distance, since the outbreak of hostilities in December 1941, regardless of the fiscal year during which such obligations were incurred."

On page 75, after line 16, insert:

"Miscellaneous salaries: For salaries of all officials and employees of the Federal Judiciary, not otherwise specifically provided for, $1,400,000: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges (exclusive of any temporary additional compensation) shall be fixed by the Director of the Administrative Office without regard to the Classification Act of 1923, as amended, except that the salary of a secretary shall conform with that of the main (CAF–4), senior (CAF–5), or principal (CAF–6) clerical grade, or assistant (CAF–7), or associate (CAF–8) administrative grade, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the junior (P–1), assistant (P–2), associate (P–3), full (P–4), or senior (P–5) professional grade, as the appointing judge shall determine, subject to review by the judicial council of the circuit if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of any temporary additional compensation) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed $6,500 per annum, except in the case of the senior circuit judge of each circuit and senior district judge of each district having five or more district judges, in which case the aggregate salaries shall not exceed $7,500."

Mr. McCARRAN also submitted 24 amendments intended to be proposed by him to House bill 2603, making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes, which were severally ordered to lie on the table and to be printed.

(For text of amendments referred to, see the foregoing notice.)

THE BOXCAR SHORTAGE

Mr. CAPPER. Mr. President, I sincerely hope that the hearings which opened today before a subcommittee of the Senate Committee on Interstate Commerce investigating the boxcar shortage, as the result of a resolution offered by my colleague the junior Senator from Kansas [Mr. REED], will result in early and effective action. In this connection I desire to call attention of the Senate to conditions in Kansas, as reported to me by Mr. Lawrence Morton, chairman of the Kansas State U. S. D. A. War Board.

Farm stocks of grain are one-third larger than a year ago. Stocks of wheat in local elevators are 20 percent larger than a year ago.

Nearly two and one-half million bushels of corn are still on the ground, and deteriorating rapidly, as well as some 650,000 bushels of grain sorghums. Both are of high moisture content, and are deteriorating rapidly.

A large wheat crop, perhaps the second largest in Kansas history, is in prospect. Mr. Morton estimates that 75,000,000 bushels of wheat will have to be piled on the ground after harvest unless boxcars are furnished, and also that the movement of boxcars into Kansas has not yet shown any great increase over 6 weeks ago. I ask unanimous consent to have his report printed as part of my remarks, at this point in the RECORD.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

UNITED STATES
DEPARTMENT OF AGRICULTURE,
U. S. D. A. WAR BOARD,
Manhattan, Kans., April 14, 1945.

Hon. ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR SIR: The Kansas State U. S. D. A. War Board submits the following summary statement as a second report on the boxcar and grain storage situation.

1. The April 10 Kansas Crop Report issued by the Agricultural Statistician for the Bureau of Agricultural Economics and the State Board of Agriculture shows that farm stocks of grain on Kansas farms are 33 percent larger than those of a year ago.

2. Stocks of grain in practically all country elevators make impossible the acceptance of deliveries from farms unless some loading out into grain cars is accomplished. The January 1, 1945, stocks of wheat in interior mills, elevators, and warehouses were 21,360,000 bushels compared to 16,500,000 bushels a year ago and 16,644,000 bushels for the years 1935–43.

3. County agricultural conservation committees report that 650,000 bushels of grain sorghum and about 2,450,000 bushels of corn are on the ground at present and deteriorating in quality.

4. The moisture content of much of the grain sorghum and corn now in storage is very high and quality will deteriorate rapidly when warm weather arrives.

5. The Kansas crop report indicates a 1945 wheat crop in Kansas totaling 231,557,000 bushels. If this production is secured, it will be the second largest crop on record. Favorable moisture conditions continue to benefit most of the major grain producing areas of central and western Kansas.

6. There has been no noticeable change in the boxcar movement into this area recently. The very large stocks of grain in bins and elevators and the moisture content of much of this grain makes it imperative that it be moved. Failure to move the grain will cause loss and will choke the outlets for 1945 crops.

7. It is highly probable that 75,000,000 bushels of wheat and other grain will have

to be piled on the ground at harvest time unless all intensive efforts possible are taken to prevent this condition.

8. Agricultural agencies are encouraging farmers to provide adequate storage for at least a portion of the grain which they expect to produce in 1945. Bins owned by the Commodity Credit Corporation are being sold and rented and all such bins will be used. Judging from the applications for farm lumber or grain storage construction received, it is our opinion that not enough farmers are availing themselves of the lumber and building materials now available for grain storage. More individual farmers should make their applications at this time before the harvest season arrives.

9. The prospective winter wheat crop is 40,000,000 bushels above last year. April 1 farm stocks of grain (including corn, wheat, oats, and barley) are 23,000,000 bushels above a year earlier. Very heavy farm reserves of sorghum grain (January 1, 1945, farm stocks were 32,000,000 bushels), with grain stocks much heavier than last year, have caused country elevators to become blocked. The situation is becoming extremely critical, particularly throughout the western two-thirds of the State.

It is the opinion of the War Board that the only satisfactory solution of the present problem is that more grain cars be made available immediately to move stocks of grain from country elevators.

Very truly yours,

LAWRENCE NORTON,
Chairman, Kansas State
U. S. D. A. War Board.

Mr. LANGER. Mr. President, in connection with the remarks of the distinguished Senator from Kansas I may say that I attended the hearing before the Senate Interstate Commerce Committee this morning. I wish to add to what the Senator from Kansas has said that the record shows that in the last 4-month period approximately 35,000 fewer boxcars were furnished to transport corn, wheat, flax, rye, and barley out of the State of North Dakota than were furnished during the same 4-month period a year ago.

DEFICITS ARE POLITICAL—EDITORIAL FROM NEW YORK HERALD TRIBUNE

Mr. TYDINGS. Mr. President, I ask unanimous consent to have printed in the RECORD an editorial entitled "Deficits Are Political" from the New York Herald Tribune of April 15, 1945. The editorial comments on the speech recently delivered by Hon. James A. Farley in Baltimore before the Maryland Bankers' Association.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

DEFICITS ARE POLITICAL

Speaking before the Maryland Bankers' Association on Thursday, James A. Farley took occasion to utter some wholesome truths about the new philosophy of planned economy, which in most cases is, of course, merely a synonym for planned spending. With the business of waging the war and getting back to a peacetime economy completed, he observed, the country will have to choose "whether it will live within its income, and foster business growth, or take the easy way of deficit financing, leading to political regimentation of business and unavoidably to the destruction of the American system of free enterprise."

It may be asked, perhaps, what Mr. Farley, who is regarded primarily as a politician, is doing in the arena with men like Keynes, in Britain, and Hansen, in this country, who have marshaled elaborate and fine-spun economic and monetary theories to support the doctrine, so fashionable in New Deal circles at the moment, that it is the State's function to solve all of the individual's economic problems and to meet all his social needs. The answer is that the emergence of such a philosophy at this time is essentially a political phenomenon, and not as some of our economic dilettantes in Washington would have us believe, the flowering of a new, streamlined system of economics. As Rufus Tucker pointed out in his excellent treatise on the subject before the Academy of Political Science the other evening, there have always been people to rationalize "the easy way" for governments to solve their problems, and there always will be.

What has actually happened, as Mr. Farley has seen too well in Washington, is that the administration, which came into office pledged to a balanced budget, has lost sight of its original purposes in the scramble of opposing groups for power. As the Government yielded to the pressure of one group, others were encouraged to increase their demands, and to exert pressure for special advantages." Mr. Farley asks, "Where is this trend leading us?" A great contemporary economist, in a great book, has not only told us recently where it will lead, unless it is halted, but has shown us precisely why it must inevitably lead to that end. The economist is Friedrich Hayek, and the book is the Road to Serfdom. And a great statesman, Mr. Winston Churchill, speaking to his party members only a few days ago, expressed the same philosophy when he declared: "There is one thing we certainly shall not do. We shall not bid for votes or popularity by promising what we cannot perform, nor shall we compete with others in election baits or lures."

Thus, Mr. Farley, the practical politician and businessman, may find himself out of fashion at the moment, but he finds himself in good company. Mr. Farley may not be at home on the dialectical tilting grounds of Mr. Keynes, but he knows what produces deficits, and has given some thought to their effect in terms of private enterprise and personal liberty, matters which Mr. Keynes is frank enough to admit worry him little, if at all.

ADDRESS BY DR. FREDERICK BROWN HARRIS AT ROOSEVELT MEMORIAL SERVICE

[Mr. HILL asked and obtained leave to have printed in the RECORD the address delivered by Dr. Frederick Brown Harris, Chaplain of the Senate, at the Roosevelt memorial service at Constitution Hall, Washington, D. C., on April 15, 1945, which appears in the Appendix.]

GOALS FOR SAN FRANCISCO

[Mr. HATCH asked and obtained leave to have printed in the RECORD a joint study of Catholic, Jewish, and Protestant pronouncements on world organization, under the title "Goals for San Francisco," which appears in the Appendix.]

REVIEW BY MARGUERITE YOUNG OF LOUIS BROMFIELD'S BOOK, PLEASANT VALLEY

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a review by Miss Marguerite Young of the book, Pleasant Valley, by Louis Bromfield, which appears in the Appendix.]

PRESIDENT TRUMAN AT THE HELM—ARTICLE BY BARNET NOVER

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article by Barnet Nover entitled "President Truman at the Helm," published in the Washington (D. C.) Post of April 17, 1945, which appears in the Appendix.]

ABSENTEE SENATORS—EDITORIAL FROM THE WASHINGTON POST

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an editorial entitled "Absentee Senators," published in the Washington (D. C.) Post of April 17, 1845, which appears in the Appendix.]

FRANKLIN DELANO ROOSEVELT AND PRESIDENT TRUMAN—PHILADELPHIA NEWSPAPER EDITORIALS

[Mr. MYERS asked and obtained leave to have printed in the RECORD two editorials from the Philadelphia Evening Bulletin of April 13, 1945, one entitled "Franklin Delano Roosevelt," the other "President Truman"; an editorial from the Philadelphia Record of the same date, entitled "He Died in Service"; and another editorial from the Philadelphia Inquirer of the same date entitled "Franklin Delano Roosevelt," which appear in the Appendix.]

CONTROL OF MISSISSIPPI RIVER FLOODS. EDITORIAL FROM THE WASHINGTON TIMES-HERALD

[Mr. PEPPER (for Mr. MURRAY) asked and obtained leave to have printed in the RECORD an editorial on the subject of control of Mississippi River floods, published in the Washington Times-Herald of April 11, 1945, which appears in the Appendix.]

COMMENTS ON EDITORIAL REFERENCES TO SENATOR HAWKES

Mr. BYRD. Mr. President, on account of the death of a very near relative of mine, I shall be compelled to be absent from the Senate this afternoon, and I wish to make a very brief statement regarding one of my colleagues.

Mr. President, I am making this statement merely to correct an injustice I feel has been done to the senior Senator from New Jersey [Mr. HAWKES], for whom I have great respect. I am not attempting in any way to discuss the merits of the proposed treaty with Mexico, but I do feel that some reference should be made in the CONGRESSIONAL RECORD to editorials that have appeared in the Washington Post, the implications of which do Senator HAWKES an injustice.

In the first editorial it was stated:

Senator HAWKES has a Californian landowning son-in-law to think about.

Senator HAWKES has since stated in the Senate that his son-in-law does not own any land in California or elsewhere.

In a subsequent editorial it was stated:

The emptiness of the Senate Chamber of late has been due in great part to the unwillingness of Senators to subject themselves to Senator HAWKES' oratory.

This is inaccurate, as Senator HAWKES has not consumed any unreasonable time in the debate on the Mexican water treaty. It is a fact, however, that when he did speak, he had as large an audience among the Senators as any other Senator who has addressed the Senate on this subject.

The inference conveyed in the Washington Post editorials is to the effect that a Senator must have some personal or State interest if he presumes to discuss an important treaty between this country and a foreign nation. It is the duty of every Member of the United States Senate to consider carefully, to speak on the floor of the Senate, should he desire to do so, and to express his views freely regarding any treaty which may be pro-

posed. The mere fact that the provisions of the pending treaty do not affect the State represented by him does not justify the implication that a Senator who takes an interest in a treaty does so because of some personal interest.

While I recognize the fact that such statements will have no effect whatever upon his colleagues, all of whom, I feel certain, have the highest respect and confidence in Senator HAWKES, yet, for the purpose of the RECORD, I think it should be made clear that the speeches of Senator HAWKES have had nothing whatever to do with absenteeism in the Senate while this treaty has been under consideration, nor has he any personal interest that can be affected by the proposed treaty.

I should greatly regret to see the time come when a Senator could not speak his mind freely in the Senate of the United States without being charged with having some ulterior motive. We all have the right to our views and convictions, and we also have the right to express them freely within the Senate Chamber.

Mr. TAFT. Mr. President, I wish to join the Senator from Virginia [Mr. BYRD] in expressing resentment at the two editorials which have appeared in the Washington Post attacking the senior Senator from New Jersey [Mr. HAWKES]. They represent a false, unfair, and outrageous attack on a Member of this body which can only be resented by every other Member. They represent an attempt to smear a Senator by an implication of unworthy motives based on facts which do not exist.

The implication made in both editorials was that Senator HAWKES was influenced to oppose the treaty because he or his son-in-law owned property the value of which would be affected by the ratification of the treaty. The fact is that Senator HAWKES' son-in-law owned no property and that the Senator owned only a residence in Pasadena, used by his son-in-law, the value of which, obviously, could in no way be affected by the treaty.

The Mexican treaty is a highly controversial subject. I had serious doubt about the question myself, and I certainly would not have voted for it unless the reservations, particularly reservations (a) and (b), had been adopted. There is hardly an individual in California who is not violently opposed to the treaty, and many representatives of California have presented their case with force and conviction. It certainly is a question on which a Senator might easily take either side without having financial motives imputed to him.

As for the charge that Senator HAWKES has delayed the voting on the treaty, this, of course, is fantastic. Many other Senators have spoken for a much longer time than he. Senator HAWKES has stated his views with force, as he always does on every subject in which he is interested.

The suggestion has been made that Senator HAWKES' actions were disapproved by his Republican colleagues. This is completely untrue. The Republican Steering Committee considered whether the treaty, or the time of disposing of it, called for any party action. It was decided, with Senator HAWKES' full approval, that the question had no partisan aspects.

In my opinion, every important subject which comes before the Senate should excite the interest of every Senator, because every such subject is a national problem to be decided by reference to its effect on the welfare of the Nation, and not with a view to its effect on this or that particular State, whether it be California, Texas, or New Jersey. The more interest we can excite among Senators of the character shown by Senator HAWKES in the pending matter the better legislators we will be.

Mr. CONNALLY. Mr. President, I should like to have the attention of the Senator from Ohio [Mr. TAFT] and the Senator from Virginia [Mr. BYRD]. I do not feel that it is necessary for me at this time to repudiate, as I did some days ago, the attack on the Senator from New Jersey [Mr. HAWKES]. I have no sympathy with it whatever, and never knew of it or heard of it until someone called my attention to it in the newspapers.

Mr. President, I have the highest regard and respect for the Senator from New Jersey, and attacks on him receive no sympathy whatever from me, or from those associated with me in advocating the pending treaty. I wanted to make a public statement to this effect, as I did briefly after hearing of the attack some days ago. While my statement was brief, it was sincere and earnest. We have no sympathy whatever for these improper and unjustified attacks on the Senator from New Jersey.

Mr. HAWKES. Mr. President, I wish to thank the senior Senator from Texas [Mr. CONNALLY] who has said just what I would have expected him to say. I have a very high regard for the Senator, and have so stated many times during the course of my discussion of the pending treaty. He has been extremely courteous to me, both in the hearings and on the floor of the Senate.

I also wish to thank the Senator from Virginia [Mr. BYRD] for his statement, which I very much appreciate, as he is one of the most distinguished Members of this body.

I desire also to thank my colleague, the senior Senator from Ohio [Mr. TAFT], for what he has stated.

Mr. President, I do not believe I need say much more about these editorials. I am a little surprised at them, because when they are read by anyone who understands what we are trying to do in connection with the Mexican treaty, they fall flat.

I shall merely point to one statement in the editorial which appeared last Saturday morning. In the editorial it was stated that when I came into the Senate "last November," certain things happened. If the editor of this paper has not paid any more attention to the facts than to entertain the idea that I was elected last November, when I became a Member of the Senate on January 6, 1943, it is an indication that he is at least 2 years behind the lighthouse on everything he has said in the editorials.

I shall not spend any more time on this matter. I intend to be as helpful as I can be to the senior Senator from Texas in attempting to arrive at a conclusion in regard to the pending treaty.

I have never believed in filibustering. I have no desire to delay any legislation, but I have a very deep desire that when we legislate we honestly and thoroughly understand the matter on which we are voting. That is all I am seeking to bring about in connection with the treaty. I have certain beliefs in fundamental Americanism, such as the Government and its agencies keeping faith with the people and the States, and I could not stand in the Senate and see a vote taken on this treaty without expressing my views.

At the moment I have nothing further to say, except to repeat my thanks to all the Senators who have spoken with reference to the attack made on me in the two editorials in the Washington Post.

USE OF PHONETIC ALPHABET TO MAKE ENGLISH A WORLD LANGUAGE

Mr. LANGER. Mr. President, I call your attention to the resolution adopted by the Ministers of Education of the nations conquered by Hitler—Belgium, Norway, Czechoslovakia, The Netherlands, Greece, fighting French, Poland, and Yugoslavia—on July 24, 1943, in a meeting held in London, in which they resolved in favor of one world language, English or French.

Many efforts have been made to accomplish this marvelous achievement, but they have never been carried through to a conclusion. I think we are all familiar with the important work Theodore Roosevelt did along this line when he was President of the United States.

The learned Dr. Lepsius, in his Standard Alphabet, gives an account of the work of himself and other world linguists, reporting on 600 languages and dialects and urging a world alphabet, a phonetic alphabet, that should apply to all languages and enable the people to read each other's languages through such a universal, phonetic alphabet.

The great advantage of the phonetic alphabet is that the alphabet can be learned in a day or two and then the words of any language printed in such phonetic alphabet can be pronounced intelligibly at sight, thus removing all difficulty of spelling and pronunciation which is common in the unphonetic spelling of modern languages.

The first great advance in the use of the phonetic alphabet was in Russia, where a Russian alphabet now comprising 33 letters was established by law, and the Russian people were required by law to learn to read and write the Russian language through this simple alphabet of 33 letters. By this Russian phonetic alphabet illiteracy was abolished in Russia, and the productive power of the people was increased more than 400 percent by compulsory education based on this simple phonetic system which any child or illiterate adult could learn in a single day.

With this phonetic alphabet in Russia removing all difficulties of learning to read and write, Russia expanded its volume of knowledge on a colossal scale, publishing in 1939 over 43,000 books by title and over 701,000,000 copies of such

books. This was more than 4 times the number of books published in the United States in the same year.

Mr. President, the distinguished senior Senator from Utah [Mr. THOMAS] sent to every Senator, I believe, a copy of a book published on Soviet power, the author of which is the distinguished Dr. Johnson, of the Church of England—at least I received a copy from the Senator. The figures I have quoted are all taken from that book.

This unproclaimed, simple, phonetic alphabet was the basis which made possible the tremendous expansion of Russian knowledge, of Russian production, of Russia's civil and military power.

This phonetic alphabet is the basis of the Russian educational system, out of which have grown the greatest technological laboratories in the world and made Moscow an Asiatic and European center of the arts and sciences.

The importance of one language for the world has led to many efforts to achieve this international means of understanding and cooperation. Many efforts have been made to bring about the use of international languages, such as Esperanto, the international language which was advocated, as we all know, by Theodore Roosevelt, such as Volapuk, Romano, and Inter-lingua, not forgetting Basic English, without having a world phonetic alphabet, and there has been a failure of the substantial results hoped for because there existed no simple phonetic alphabet in which to make visible the audible spoken word. In 1930 Turkey established by law a short phonetic alphabet of 29 letters and made it compulsory for printed books and papers in Turkey.

And in 1930 one of the most remarkable developments in abolishing ignorance that ever took place in the history of the world began among the Moros of Mindanao Island in the Philippines.

The story of the Moros and their rescue from illiteracy is told in one of the most remarkable books ever printed on the question of removing illiteracy.

The book is called The Silent Billion Speak, written by Rev. Frank C. Laubach, Ph. D., describing how, by loving kindness and teaching the Moros individually to read and write their own language with phonetic letters, he converted them from enemies of the white race to dependable friends, willing to shed their blood in defense of the United States against Japanese or German aggression.

I urge Senators to read this book, and especially the last chapter, which points the way to world peace through abolishing illiteracy and ignorance and establishing good will and cooperation between the people of the world.

Dr. Laubach represents the Committee on World Literacy and Christian Literature, and cooperates actively with and for the Federal Council of Churches of the United States. The Committee on World Literacy and Christian Literature, 156 Fifth Avenue, New York City, was established by the representatives of 123 foreign mission societies.

Dr. Laubach, with the assistance of our foreign missionaries all over the world, has taught more than 84 nationalities how to abolish illiteracy by means of a phonetic alphabet adapted to their individual needs. These activities include the dialects and languages of the Pacific islands, of India, of southwest Asia, Africa, of the Caribbean, and of the Latin-American republics, from Mexico to the Argentine and Uruguay.

I may add, Mr. President, that on reading the book I became so interested that I took half a day off, and in that half day I studied the alphabet and found that I was able to speak the Moro language. I cite that as an example to show how easy it is for any Senator who is interested in the subject and wants to learn the language of any country to master it from a phonetic standpoint—at least I did the Moro language—in half a day. Rev. Frank Laubach's book is extremely interesting.

Mexico is putting on a great campaign to teach every Mexican to write and read phonetic Spanish, and the authorities of Mexico have reason to expect the completion within a year from this time of this plan to abolish illiteracy in Mexico and give the Mexican Government the power to instruct every citizen in Mexico how to create products and services of greater volume and better quality.

Mr. President, in view of the fact that it is expected that all illiterate Mexicans will have learned to speak Spanish within a year, it seems to me that we who are their closest neighbors should be deeply interested in seeing to it that nothing is left undone to teach every Mexican to speak the English language. I was in Mexico for a year and I know the great love the Mexican people have for the Spanish language, and I know that comparatively few Mexicans can speak the English language. I suggest that instead of spending millions of dollars in showing pictures in theaters in Mexico our Government might, with much more profit, prepare books which would enable the Mexican people, through the phonetic alphabet, to learn to speak the English language.

I am advised that the Committee on Foreign Relations of the Senate has now under consideration a matured plan by which the English language could be made a world language by the use of an alphabet of 33 letters, in which all the leading languages could be immediately printed and immediately pronounced intelligibly by those who learn the phonetic alphabet.

I am advised that this alphabet has the endorsement of Frank Laubach and of other distinguished linguists as being suitable for writing any of the modern languages; that books are now ready for the compositor in this alphabet by which the Spanish and Portuguese and other languages can be learned at high speed and at negligible cost.

I wish to inquire of the chairman of the Committee on Foreign Relations if he cannot make immediate report upon the subject matter to the Senate, with a view to having it given consideration by the country, by an enlightened American opinion, and considered as a means of international communication, which would promote international understanding, international cooperation, international good will, international brotherhood, and the good-neighbor policy.

Is there any action more important than to enable the people of the whole world to speak the English language so as to enable them to communicate with each other locally and internationally and instantaneously through the radio as well as through the printing press?

This World War must be followed by a means of instant world-wide communication to give stability to a permanent, durable peace based on mutual understanding, respect, and good will.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks approximately a column from the CONGRESSIONAL RECORD of December 21, 1943, containing the remarks of Hon. A. S. MIKE MONRONEY, a Representative in Congress from the State of Oklahoma, which include the concluding chapter of Dr. Laubach's book, The Silent Billion Speak.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

May I not now call your attention to a brief quotation from Dr. Laubach's concluding chapter of that book as follows:

"The experiences described in the preceding chapters have made me an optimist in the face of our present tragedy. I have seen how easy it is to win the friendship of people—people anywhere—if only we approach them in a spirit of unselfish sharing. The world is divided into an infinity of small groups, each expecting hostility from the other and therefore on the defensive. There is suspicion between white and colored races, between religions, between nationals and foreigners, between rich and poor, capital and labor, between educated and illiterate, between those speaking different languages, between families and often within families. When we seek to serve groups outside our own, we must prove our friendship and patiently wait for this initial suspicion to disappear, and this requires self-control, for one's instinct is to give like for like, snub for snub, dislike for dislike.

"But self-restraint and tact can replace this defense mechanism with mutual good will. It has been thrilling to discover how quickly such ventures as literacy campaigns, disease control, and agricultural missions melt away these dislikes and suspicions. The glad good news I want to shout from the housetops is that America can work a world miracle, if we care enough and serve selflessly enough—that it is far, far easier than we ever could have dreamed.

"It is not only easy but it is enormously important. For we now seem to be emerging into a new age, when, instead of many little antagonistic worlds, we hope to have world brotherhood and a world government. It is a glorious hope, but it will come only as people of different cultures and backgrounds learn kindly toleration and glory in united diversity. While statesmen feel their way to political world union, we must find great enterprises like the common struggle against illiteracy to bring about confidence and the will to cooperate without which political union will be impossible.

"Everything that is happening today is pushing America more irrevocably, whether she will or not, out into every corner of the world. When the smoke of this war clears away, we will not again draw back in our shell like a snail; not this time. Our youth will pour into 10,000 communities all over this planet to teach and to serve, just as our teachers have gone to the Philippines

during these past 20 years and our missionaries have gone to foreign lands. America's influence will be felt to the corners of the earth.

"The Second World War, with its incredible development of air transportation, has shattered American isolationism. Planes that can cross the oceans and return without refueling have thrown every country into our back yard. Turn a radio dial and listen to Chungking, Cairo, Moscow, Sydney. Who is my neighbor? Every man, every race, and every country. No nation is any longer safe until the whole world is safe. We cannot have peace anywhere until there is peace everywhere. Isolation is out. * * *

"We ought right now to be building up a fund for the cause of literacy—a million dollars for Africa, another million for South America, and two millions for Asia—so that we can start helping these countries immediately the war is over.

"Christians across America, as I have told them about literacy, have exclaimed hundreds of times, 'This is the most stupendous challenge in the whole world.' It is indeed one of the finest openings ever given the church through which she may bless the whole human race and pour the love of Christ into human society. It is God's awful call to Christians in this awful hour.

"America, you have the chance of 10,000 years to help the world. Our peace and world peace demand that we shall grow large enough and become Christlike soon enough to lavish our love in humble service for the whole world. If we use this rich opportunity to carry Christ to Asia and Africa, then peace-loving China, with a fourth of the world's population, peace-loving India, with one-fifth of all the people in the world, and the meek, song-loving Africans will join us in building 'a kingdom of heaven on earth.' Then at last 'the meek shall inherit the earth.' "

LEAVE OF ABSENCE

Mr. AIKEN. Mr. President, I ask unanimous consent to absent myself from the Senate for about three-quarters of an hour to keep an engagement which was made before it was determined that we should enforce literally the rule requiring the presence of Senators on the floor of the Senate.

The PRESIDENT pro tempore. Without objection, permission is granted.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2252) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LUDLOW, Mr. O'NEAL, Mr. D'ALESANDRO, Mr. KOPPLEMANN, Mr. TABER, Mr. KEEFE, and Mr. TIBBOTT were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2374) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. CANNON of Missouri, Mr. WOODRUM of Virginia, Mr. LUDLOW, Mr. SNYDER, Mr. O'NEAL, Mr. RABAUT, Mr. JOHNSON of Oklahoma, Mr. TABER, Mr. WIGGLESWORTH, and Mr. POWERS were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendment of the Senate to each of the following bills of the House:

H. R. 1669. An act for the relief of Mrs. Dorothy Stowell;

H. R. 1983. An act for the relief of Benjamin D. Lewis.

The message also announced that the House had severally agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 1325. An act for the relief of Hyman L. Schiffer; and

H. R. 1707. An act for the relief of Murray W. Moran.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 1325. An act for the relief of Mrs. Rose Schiffer;

H. R. 1669. An act for the relief of the estate of Ralph A. Stowell;

H. R. 1707. An act for the relief of Murray W. and Elsie P. Moran; and

H. R. 1983. An act for the relief of Benjamin D. Lewis.

TREATY WITH MEXICO RELATING TO UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and a protocol (Executive H, 78th Cong., 2d sess.) supplementary to the treaty.

Mr. DOWNEY. Mr. President, just before the Senate took a recess last evening I had read at the desk three reservations to the treaty. I do not wish to detain the Senate long on them. I should like to bring them to a vote as soon as an explanation can be made of their nature. I implore our good friend from Texas [Mr. CONNALLY] to open his ears to what I am about to say.

The PRESIDENT pro tempore. There is now pending before the Senate a reservation designated as reservation (e), offered by the Senator from California.

Mr. DOWNEY. Has the first reservation already been stated?

The PRESIDENT pro tempore. It has. It is the question pending before the Senate.

Mr. DOWNEY. The reservation is very brief, and I should like to read it.

Mr. BARKLEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BARKLEY. I thought that reservation (e) was one of the reservations offered on behalf of the Committee on Foreign Relations by the chairman of the committee, and it was my impression that it had already been agreed to.

The PRESIDENT pro tempore. It has been agreed to. The pending reservation is one offered by the Senator from California.

Mr. BARKLEY. There cannot be two "e's."

Mr. DOWNEY. Mr. President, this is my reservation (e) which was, of course, displaced by reservation (e) offered on behalf of the committee. Suppose we call mine "little e."

The PRESIDENT pro tempore. It is the reservation designated as reservation (e), offered by the Senator from California. Reservation (e) offered on behalf of the Committee on Foreign Relations has already been agreed to. The Chair does not believe that there is any patent on the letter "e."

Mr. DOWNEY. I merely mentioned the "e" for the purpose of identification. I should like to read the reservation in full. It is very short. I shall ask unanimous consent to modify the reservation by striking out certain language. The reservation reads as follows:

That the United States, within a period of 5 years from the date of the entry into force of this treaty, shall construct at its expense and thereafter operate and maintain at its expense, a flood-control dam and reservoir on the Gila River in the vicinity of Sentinel, Ariz., with a capacity of not less than 3,000,000 acre-feet—

I shall read the remainder of the reservation, and ask unanimous consent to have the language I now read stricken out—

and that the main diversion structure referred to in subparagraph (a) of article 12 of this treaty shall not be constructed until said flood-control dam has been completed and placed in operation; nor shall said main diversion structure be constructed until approved by the Commission.

The PRESIDENT pro tempore. It is not necessary for the Senator to have unanimous consent to modify his reservation. The Senator from California has the right to modify his reservation as he sees fit.

Mr. DOWNEY. Very well, Mr. President. I modify it in the respect indicated.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. HATCH. If I correctly understand the Senator's modification, he strikes out all after the words "acre-feet" in line 2 on page 2.

Mr. DOWNEY. That is correct.

Mr. HATCH. A period would follow the words "acre-feet," I understand.

Mr. DOWNEY. That is correct.

Mr. HATCH. Then that would amount, in substance, merely to an authorization by the Congress for the construction of that dam.

Mr. DOWNEY. That is correct. Mr. President, I may say that the reason why I have asked to have certain language stricken out is that I agree with the statement made by the chairman of the Committee on Foreign Relations on yesterday that the additional language constituted a contradiction of certain

language in the treaty, whereas this understanding or reservation, as it is now worded, merely goes to the action of the United States.

In order that the Senate may clearly understand the situation, let me say that the Gila River has its source in New Mexico and flows through Arizona, into the Colorado River, close to the city of Yuma, and about 20 or 30 or 40 miles from where this diversion dam presumably will be constructed by Mexico in the limitrophe section of the river, or below that. As I stated yesterday—and Senators who were here then will bear with me now, I hope—the Gila River is a stream of intermittent flow. It is a stream which has titanic floods every 10 or 20 years. They cannot be described in any other way. Once, when I was a young boy, I saw a large lumber wagon drawn by four horses start across that desert, sandy stream which was as dry as this floor; but it never got across. A great flood caught that four-horse wagon and I believe it was never found. That is the kind of great flash floods that sometimes roar down the stream beds in the Southwest. I have also stated that there is a record of a greater volume of water going down the Gila River than ever went down the Colorado River. The maximum flood recorded in the Colorado River—a flood which did tremendous damage—was recorded at 220,000 second-feet, whereas there is a record of a flood in the Gila River which amounted to 240,000 second-feet.

Mr. President, it has been recognized by all engineers that it would be very dangerous and very poor judgment to put this diversion dam in the Colorado River before both the Colorado River and the Gila River are controlled by man. That has been done in the case of the Colorado River. I think every engineer familiar with conditions on the Colorado River would say it would be a most imprudent thing to place a diversion dam on the Colorado River without first controlling the Gila River. I think every engineer will admit that if a great flood comes down the Gila, such as we may expect next year or in 5, 10, or 20 years from now, it would take out any diversion dam which could be built on the Colorado River. We must understand that the dam must be built in the delta soil, without any rock foundation beneath it, or without any abutments. Merely to build it against the ordinary flow of the river would be a great task, though it could be done; but to build it against the flood flow of the Gila is admittedly impossible.

I dislike to be critical of the drafters of the treaty, but I must say that there are many factors in the Southwest or in the delta which either were overlooked or with respect to which the treaty was carelessly drawn. I understand—and I speak, not on the basis of direct information but on the basis of what I believe to be good authority—that it was agreed and expected that as a part of the treaty plan a diversion structure to assist Mexico would be called for, and then a dam would be built on the Gila River to protect the water users in both California and Arizona. This instance is only one of 10 or 15 others of extreme carelessness manifested in the treaty, so far as the Colorado River is concerned.

Mr. President, let me say that the entire record relative to the dam is a part of the proceedings. It appears in two ways. The distinguished senior Senator from Nevada [Mr. McCARRAN] had made as a part of the record the last report of the Bureau of Reclamation relative to the Colorado River, and one of the projects outlined and planned by the Bureau of Reclamation is this flood-control dam on the Gila River. The dam has already been surveyed and approved, so I am informed by the Army engineers, as well as by the Bureau of Reclamation. The record which was before the Commitee on Foreign Relations shows these facts: The dam would be entirely an earthen dam, holding approximately 3,000,000 acre-feet of water. It would be about half way between Phoenix and Yuma, on the Colorado River, and would cost $15,000,000. It would be almost wholly a flood-control dam, and it is expected that the entire obligation for it should fall upon the United States Government.

I am told—and I believe this information was given to the Senate by the distinguished junior Senator from Arizona—that, in addition to having great and vital flood-control value, it would store, on an average, approximately 100,000 acre-feet of water a year.

Mr. McFARLAND. Mr. President, if I may interrupt at this point——

The PRESIDENT pro tempore. Does the Senator from California yield to the Senator from Arizona?

Mr. DOWNEY. I yield.

Mr. McFARLAND. I believe that testimony was given by all the engineers.

Mr. DOWNEY. Mr. President, today I talked to Mr. Bashore, Commissioner of the Bureau of Reclamation. He said it was the plan to have the entire expense of this flood-control dam borne by the United States Government, that it is true that there might be some revenues later accruing from the sale of water, although probably they would be small and that there would not be any hydroelectric possibilities. I do not desire to stir the junior Senator from Arizona into action on this statement, but Mr. Bashore did tell me that, at least, there would be stored there 100,000 acre-feet of water which might go to make up the allocation of the amount of water granted to Mexico under the treaty. Perhaps Arizona has other plans for that water. I do not know, and I, myself, do not wish to offer that suggestion.

Mr. O'MAHONEY. Mr. President, I desire to ask the Senator a question, if he will yield to me at this time.

Mr. DOWNEY. I yield.

Mr. O'MAHONEY. I observe that the Senator has labeled this proposal a reservation. Let me ask the Senator if it is not an amendment to the treaty? I ask the question because it seems to me that a congressional authorization for the construction of any works could be made in only two ways: First, by an act of Congress which passes both Houses; or in the second place, by a statement of authority in the treaty itself. There is no such statement of authority in the pending treaty. There are in the treaty provisions which would require the construction of other works, and an obligation would be placed upon the International Boundary and Water Commission, through its respective sections, to construct those works. It puzzles me to understand how the Senator has arrived at the conclusion that by means of a reservation which deals with a matter which is not mentioned at all in the treaty, he can hope to secure a congressional authorization.

Mr. DOWNEY. Mr. President, first let me say that I do not doubt the right of the Senate to accomplish this purpose by way of reservation. I think one of the important factors to consider is that it clearly would throw no burden upon Mexico. It does not seek to do anything which Mexico could either legally or even morally object to our doing. As a matter of fact, it is clearly an act for the benefit of Mexico. In any event, it is an act clearly within our sovereignty, something which we clearly can now express without in any way obligating Arizona to consent to any new kind of treaty.

Let me say to the distinguished Senator that I think he is not thoroughly familiar with all the language in article 12 or article 13. The treaty would give to Mexico the right to construct the diversion dam. If that dam were constructed in the limitrophe section of the river, it would have to be constructed subject to the approval of both Commissioners or of the Commission. Likewise, it is provided that the Commission shall agree to construct in the United States, at the expense of Mexico, flood control works in the limitrophe section to protect lands in Arizona and California against the danger of flood water backing up as a result of this diversion structure, or as a result of seepage through the banks of the stream.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. HATCH. Has not the duty and obligation of the United States to protect the States of California and Arizona been fully set forth by the reservation of the junior Senator from Arizona? Has not such duty and obligation been recognized and imposed?

Mr. DOWNEY. Mr. President, I thoroughly approve that reservation, and congratulate the junior Senator from Arizona for having secured it. If I may most respectfully state, I must admit that I cannot understand the attitude of some Senators from the Colorado Basin. Here is an item which both sides of the controversy recognize should have been inserted in the treaty. It is for the benefit of both countries. It is true that at some future time we may get around to the construction of the Gila Dam. But, Mr. President, Arizona and California are making large sacrifices in this treaty. Without this diversion structure lower California could not divert any water. It is the United States Government and the representatives from the upper basin who want the structure built. The treaty provides for flood-control works along the Colorado River for the purpose of protection against water which may back up from the diversion dam. But the treaty is very unfairly or inexpertly drawn in the following

respect: None of the flood works, which are to be built at the expense of Mexico, may be built until the Mexican Commissioner agrees. According to our theory, Mexico would be required to spend $20,000,000 or $30,000,000 on the construction of such flood control works. Suppose Mexico should say, "No; we will not consent to that. We will consent only to flood-control works which will cost $5,000,000 or $10,000,000." We should then be left in a most unhappy position.

I recognize the value of the reservation placed in the treaty by the senior Senator from Arizona because the reservation is a recognition on the part of the United States of its obligation to protect the water users.

Mr. President, I invite the attention of the Senate to another very serious point which is not covered by this treaty. Not only must the construction of these flood-control works receive the consent of the Mexican Commissioner but if they are destroyed by floods, seepage, or by something else, there is no provision in the treaty for their replacement. I do not know what the obligation of Mexico would be if the flood-control works were destroyed. I doubt if there would be any further obligation on the part of Mexico.

Mr. President, if I were pleading for something which had not already been approved by the Bureau of Reclamation, by the Army, and by various engineers, as being clearly for the benefit of both countries, as well as being a necessary part of the treaty, I might be out of order. I am merely asking for something which is so plainly necessary that the support of every Senator is justified. I do not believe that the Federal Government, the Senators from the upper-basin States, or the Senators from Texas, have any right under this treaty to create a great danger spot on the Colorado River by leaving the Gila unfettered, and allowing an alien government to construct a diversion structure which might cost us hundreds of millions of dollars and thousands of lives. This delta is a strange and wild place. If the Colorado should ever again break loose and cut through its banks in the Imperial Valley, heaven only knows what might happen.

I know there is a disposition on the part of some Senators to say, "If California asks for anything we are against it." I know that to be the disposition of many persons. Of course, I can do nothing more than accede to the judgment of the Senate. I again repeat that this is a provision which, in my opinion, was left out of the treaty through the gross carelessness of those who drafted it. So far as I know, every engineer who has expressed himself with regard to the matter thinks the provision should be in the treaty.

Mr. President, at some time the dam must be built. Why not give Arizona and California protection at this time? I respectfully urge Senators to support this reservation.

Mr. MILLIKIN. Mr. President, I should like to read briefly from the treaty. I read from subparagraph (a) of article 12, as bearing upon this subject.

(a) Mexico shall construct at its expense, within a period of 5 years from the date of the entry into force of this treaty, a main diversion structure below the point where the northernmost part of the international land boundary line intersects the Colorado River. If such diversion structure is located in the limitrophe section of the river, its location, design, and construction shall be subject to the approval of the Commission. The Commission shall thereafter maintain and operate the structure at the expense of Mexico. Regardless of where such diversion structure is located—

I repeat: "Regardless of where such diversion structure is located"—

there shall be simultaneously constructed—

What?—

such levees, interior drainage facilities and other works, or improvements to existing works, as in the opinion of the Commission shall be necessary to protect lands—

Where?—

within the United States against damage from such floods and seepage as might result from the construction, operation, and maintenance of this diversion structure.

At this point I emphasize that all the things necessary to make a sound diversion dam are coordinated with each other. They are to be done simultaneously, and nothing can be done without the approval of the Commission. The Commission consists of the American Commissioner and the Mexican Commissioner. If the American Commissioner reaches the conclusion that the diversion dam and the incidental appurtenant works to make it a satisfactory enterprise are not sound, he may withhold consent, and nothing may be done so far as the diversion dam is concerned.

Let me make the point also at this time that any works not specified in the reservation, which listed those things which are to be constructed under the treaty must come to Congress for approval and we will have full opportunity to study whether the plans are sound, whether they are sufficiently comprehensive and whether they should include this, that, or the other project.

Mr. CONNALLY. Mr. President will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. CONNALLY. Is not the proposal of the Senator from California not only not a reservation but an amendment to the treaty and tantamount to a rejection, but it is attempted legislation by the Senate alone on a treaty without any concurrence of the House of Representatives, which is supposed to be consulted about authorizations. Is not that true, and could not the United States at any time by due authorization build this dam if it should be desirable to build it?

Mr. MILLIKIN. I agree entirely with the Senator. I should like to continue reading the remainder of the paragraph.

Mr. CONNALLY. I beg the Senator's pardon for interrupting him.

Mr. MILLIKIN. No. The Senator need not do that. I am coming to the very point which the Senator has so pertinently raised. I quote further from the treaty:

These protective works are to be constructed, operated, and maintained at the expense of Mexico by the respective sections of the Commission, or under their supervision, each within the territory of its own country.

Mr. DOWNEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from California?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. What does the distinguished Senator think would be the effect if an agreement were made by the Commission, the protective works were constructed at the expense of Mexico, and a flood from the Gila River took them out? Does the Senator find any provision in the treaty that Mexico would have to reconstruct them?

Mr. MILLIKIN. If the treaty puts a responsibility for the construction works which perform a treaty function upon one of the countries, I think that that function carries on.

Mr. DOWNEY. Then the Senator thinks that he finds in the treaty language which provides that Mexico must not only first construct the works and maintain them but, if they are entirely destroyed by a flood, Mexico must reconstruct them.

Mr. President, let me say that I can understand that the distinguished Senator from Colorado might make that implication and a court might uphold him, but suppose a court would not hold that there was the obligation on the part of Mexico to rebuild them twice?

Mr. MILLIKIN. I assume the performance of the obligations of the countries with reference to these works. If Mexico should fail in that sort of duty, we would not be powerless, we would not be without remedy. We have certain controls which we can use in our own country to see that this treaty is fairly executed.

Now, notice the provision that Mexico at its expense must not only build this diversion dam but must also do the other things which, in the opinion of the Commission, including the opinion of the United States Commissioner, are necessary to make it a sound structure.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I will yield for a question. I did not interrupt the Senator during his presentation, and I will ask him not to interrupt me unduly. I have a short presentation, and I should like to make it without extensive interruption.

Mr. DOWNEY. I desire to ask the Senator would he interpret the language of the treaty to hold there could or should be any obligation upon Mexico to build the storage dam on the Gila?

Mr. MILLIKIN. Let me read the words again:

Regardless of where such diversion structure is located there shall simultaneously be constructed such levees, interior drainage facilities, and other works, or improvements to existing works, as in the opinion of the Commission—

Which, of course, includes the opinion of the American Commissioner—

shall be necessary to protect lands within the United States against damage from such floods and seepage as might result from the construction, operation, and maintenance of this diversion structure.

I do not see how there could be clearer language.

Mr. DOWNEY. Mr. President, will the Senator again yield?

Mr. MILLIKIN. I yield.

Mr. DOWNEY. Perhaps the Senator has meant to answer my question, which is very simple. Does the Senator find in the language he has read any obligation on the part of Mexico, under any conceivable circumstance, to build a storage dam 100 miles up the Gila River? That question admits of a simple answer.

Mr. MILLIKIN. I answer unhesitatingly that if such a dam is a necessary structure to provide the soundness of the diversion dam, Mexico has that obligation under the clear language I have read, and we have a voice in the decision. That is exactly why I have been reading these provisions.

In the face of a clear provision that Mexico is obligated at her own expense, but with our approval, to make that diversion dam a sound structure, we are so eager to spend our own money that we rush in and undertake to do a part of Mexico's duty if this structure has a necessary relationship to the diversion dam. Let us assume that experience shows that this dam is necessary and let us assume that the American Commissioner decides that it is necessary; then, before this diversion dam, which is the thing that gives apprehension to the opponents of the treaty can be built, this other dam must be built, if it is necessary. If it is not necessary, then we are injecting a pure gratuity into the treaty. By its very nature the proposal of the Senator from California is not a reservation to the treaty; it is an amendment to the treaty, which would require a renegotiation of the treaty, and we would be foreclosing by this interpretative reservation the judgment of the Mexican side and the judgment of our own Commission, and we here in the Senate would be laying out an engineering plan to make a diversion structure safe on the Colorado River. The whole thing to me reaches the height of absurdity.

If under the reservation proposed by the distinguished junior Senator from Arizona [Mr. McFARLAND], and accepted by the Senate, it appears to the United States that whatever plan may be adopted is not sound we have a remedy. Let us assume that we have a fool for a commissioner; let us assume the worst we can assume; let us assume that there is presented a plan which is full of foolishness and which does not protect the situation, then, under the very wise interpretative reservation to which I have just referred the obligation of the United States to step in and do whatever is necessary to protect the people of the United States is clear and plain.

Mr. McFARLAND. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Arizona?

Mr. MILLIKIN. I yield.

Mr. McFARLAND. Of course, I want to see this structure built. I want to see it built by whatever means we can have it built. As I understand the interpretation of the Senator from Colorado, if the engineers find that this dam is necessary to protect the rights of the people of Yuma, in my State, and the people of the State of California on the other side of the Colorado River, then it is the duty of Mexico to build it.

Mr. MILLIKIN. Mr. President, I say it is the duty of Mexico to build it, if it is necessary to build it to make a safe diversion dam; and I say that the diversion dam cannot be built until we have the agreement of our American Commissioners. I say further that if the American Commissioners should consent to some plan which we here in Congress did not consent to, then, under the Senator's own reservation, we would be obligated to supplement whatever the plan might be with whatever works might be necessary to protect our citizens.

Mr. McFARLAND. In other words, the Senator's opinion is that if the Commission does not make this decision and it is necessary for flood control, it is the duty of our Government to build this dam at its own expense?

Mr. MILLIKIN. I say that under the very fine reservation which the distinguished junior Senator from Arizona offered, and which was accepted by the Committee on Foreign Relations and by the Senate, that is the precise duty of the United States under those circumstances.

Mr. McFARLAND. Of course, that was the object in offering the reservation. I did not want our people to have to accept the opinion of the Commission in place of the duty of our Government to protect our rights.

Mr. MILLIKIN. Exactly.

Mr. McFARLAND. But I still would like to have the dam constructed, for the reason that I believe it is necessary, and I believe it is contemplated.

Mr. MILLIKIN. One of my points is that we cannot sit here in the Senate as an engineering board and, in advance of knowing the whole plan which may be evolved by the Commission to make that a sound diversion dam, try to solve the problem in pieces. That just does not make sense.

The distinguished senior Senator from Texas has pointed out that since this is not in the treaty, since there is no reference to it in the treaty, it amounts to an independent authorization, and when we come to that the House of Representatives has a function, its Committee on Appropriations has a function, the Committee on Appropriations of the Senate has a function, the whole Congress has a function, and we have no right to usurp that function in a treaty under the guise of a reservation that is in fact an amendment.

Mr. DOWNEY. Mr. President, if this reservation shall be voted down, I intend to test the good faith of the junior Senator from Colorado [Mr. MILLIKIN] by the presentation of another reservation which will provide that the obligation cast upon Mexico is of the nature that he has happily and blithely assured the Senate it is.

I must admit to a sense of shock and startled bewilderment. I have heard this question discussed for months, and this is the first intimation, here on the floor of the Senate, that there could be any possible obligation upon Mexico to build the Gila Dam. Our own Bureau of Reclamation and our Army engineers are going ahead with the plan. Mexico is not considering the slightest obligation to build the Gila Dam. I take it that everyone knows that if and when the Gila Dam is built, it will not be built by Mexico. It is 100 miles, I believe, up the Gila River from the Colorado River. Let us take the language which the Senator from Colorado tortures into a possible obligation on Mexico to go a hundred miles up a tributary stream in the United States and construct a dam.

Mr. JOHNSTON of South Carolina. Mr. President, I call for a quorum. This is a very important matter.

The PRESIDING OFFICER. Does the Senator from California yield for that purpose?

Mr. DOWNEY. I yield.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Austin	Gurney	Murdock
Ball	Hart	Murray
Barkley	Hatch	Myers
Brewster	Hayden	O'Daniel
Bridges	Hickenlooper	O'Mahoney
Brooks	Hill	Radcliffe
Bushfield	Hoey	Reed
Butler	Johnson, Colo.	Revercomb
Capper	Johnston, S. C.	Robertson
Chavez	La Follette	Russell
Connally	Langer	Shipstead
Cordon	Lucas	Taft
Donnell	McClellan	Taylor
Downey	McFarland	Tobey
Ferguson	McKellar	Tunnell
Fulbright	McMahon	Tydings
George	Maybank	Wherry
Gerry	Millikin	White
Guffey	Moore	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Virginia [Mr. BYRD] is absent, attending the funeral of a relative.

The Senator from Mississippi [Mr. EASTLAND] is absent, on public business.

The Senator from West Virginia [Mr. KILGORE] is unavoidably detained.

The Senator from Washington [Mr. MITCHELL] is absent, on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Massachusetts [Mr. WALSH] is absent, as a member of the Board of Visitors to the United States Naval Academy which is holding a 3-day session at Annapolis.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Louisiana [Mr. ELLENDER], the Senator from Washington [Mr. MAGNUSON], the Senator from Nevada [Mr. McCARRAN], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], the Senator from Tennessee [Mr. STEWART], the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are absent, attending committee meetings and on official business pertaining to their respective States.

Mr. WHERRY. The Senator from Ohio [Mr. BURTON] is necessarily absent.

The following Senators have been granted leave of absence by the Senate for stated reasons:

The Senator from Vermont [Mr. AIKEN], the Senator from Oregon [Mr. MORSE], and the Senator from New Jersey [Mr. SMITH].

The Senator from Massachusetts [Mr. SALTONSTALL] has been granted leave of absence as a member of the Board of Visitors to the Naval Academy.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The following Senators are detained in committee meetings and on official business:

The Senator from Delaware [Mr. BUCK], the Senator from Indiana [Mr. CAPEHART], the Senator from New Jersey [Mr. HAWKES], the Senator from California [Mr. JOHNSON], the Senator from Michigan [Mr. VANDENBERG], the Senator from Wisconsin [Mr. WILEY], the Senator from Indiana [Mr. WILLIS], the Senator from Iowa [Mr. WILSON], and the Senator from North Dakota [Mr. YOUNG].

The PRESIDING OFFICER. Fifty-six Senators have answered to their names. A quorum is present.

The Senator from California [Mr. DOWNEY] has the floor.

ABSENCE OF SENATORS

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. TYDINGS. Tomorrow at 11:30 a. m. the Maryland delegation will be before the O. P. A. in a hearing on tobacco ceilings which will last sometime into the afternoon. On the following day the senior Senator from Maryland will be in Chicago speaking to the Executive Club. I am not going to ask to be excused. I simply announce where I will be.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CHANDLER. I have just learned of the new rule which requires the actual presence of a Senator in the Senate Chamber in order that he may be recorded as being present for a quorum. During my temporary absence from the Chamber, while I was just outside the Chamber, I missed the roll call. I wish the RECORD to show my presence in the Senate Chamber now.

The PRESIDING OFFICER. The RECORD will so show.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.) a protocol supplementary to the treaty.

Mr. DOWNEY. Mr. President, I have been urging the adoption by the Senate of an understanding to the treaty which will not cast any additional obligation upon Mexico, but will be for the joint benefit of the United States and Mexico, the understanding being that the United States will undertake, as a part of the treaty, to construct a storage dam on the Gila River. That project has been surveyed, blueprinted, and I think entirely approved by both the Army engineers and the Bureau of Reclamation. It is a part of the plan of the Bureau of Reclamation for the development of the Colorado River Basin. It would cost $15,000,000. It is wholly a flood-control project. So far as I know it would be the only item of expenditure the United States would have to make in the Colorado River Basin, and that expenditure is made necessary because we are giving Mexico the power to build a diversion dam on the Colorado River.

Mr. President, the junior Senator from Colorado [Mr. MILLIKIN] in contending against this reservation took what seemed to me to be an extraordinary position. I feel safe in saying that in opposing this reservation he is placing himself on record in opposition to all the thoughts and plans of everyone else that I know of in conjunction with this project.

We have understood throughout, Mr. President, that everyone knew it would be the obligation of the United States Government to build the Gila Dam. I am informed on credible authority, and it has not been here denied, that it was through extreme and gross carelessness that provision for this item was omitted from the treaty. We are here helping to create a condition of extreme danger to Arizona and California by providing for a diversion dam which by impeding great floods from the Gila might produce injury and damage to widespread properties in both Arizona and California.

Mr. President, as I have said here before, there seems to be a disposition to oppose anything which the representatives of the lower-basin States ask in this matter. We are merely asking in this case that the Federal Government perform an obligation which has already been approved and planned for by our governmental agencies, which should be performed by the Federal Government, and which we are entitled to have fulfilled.

Mr. President, I have already said that the Bureau of Reclamation program is on file as a part of the hearings. Engineers have testified about the project. The distinguished junior Senator from Colorado, who I admit is one of the most persuasive men to whom I have ever listened, takes two or three lines out of the treaty and gives to them an interpretation which, as I have said, I think is contrary to the understanding of everyone concerning the obligation of the Federal Government to build the Gila Dam.

Mr. President, this is the situation: Mexico is to be allowed to build a diversion dam in the limitrophe section of the river below; she is to assume a corresponding obligation to provide levees and protective works along the river. That obligation is expressed in the treaty. The question is, Does that obligation extend 100 miles up the Gila River, and does it obligate Mexico to go up there and build a dam if the Commissioners feel it is necessary and before Mexico can build her diversion dam?

This is the language to which the Senator from Colorado refers:

> Regardless of where such diversion structure is located, there shall simultaneously be constructed such levees, interior drainage facilities, and other works, or improvements to existing works, as in the opinion of the Commission shall be necessary to protect lands within the United States against damage from such floods and seepage as might result from the construction, operation, and maintenance of this diversion structure.

Mr. President, if we extend that obligation up every tributary, and entirely up the Colorado River, the obligation which may be imposed upon Mexico will be enormous, because there is still danger of flood spills from Boulder Dam. Davis Dam must be constructed, and there will be danger of flood spills from Davis Dam.

While I believe that any lawyer reading that language would clearly say that it refers to levees, interior drainage ditches, and similar works, and improvements to such works, there should be clear understandings with respect to these matters. I am very positive that any engineer or lawyer connected with the negotiations on either side would say that it would be the obligation of the United States Government to protect Arizona and California by building the Gila Dam. If we take the interpretation of the Senator from Colorado, and if our Commissioner agrees with Mexico that the diversion dam should be built, but if Mexico is not obligated to build the Gila Dam, we may be in a most unhappy condition.

Mr. President, as a representative of California I have endeavored to be as fair and considerate in this matter as I can. I think the reservations which have been adopted, together with the protocol, vastly improve the treaty. They strip away great powers. They clear up ambiguities. They place a ceiling on Mexico's water. I believe that other ambiguities remain, particularly with regard to the definition of extraordinary flood, extraordinary drought, and other questions.

We in California are not asking for very much. All we are asking is that as a part of the treaty it be made the firm obligation of the Government to build a project already approved by the Army Engineers and the Bureau of Reclamation, a flood-control project which clearly falls within the province of the Federal Government, a project which is vitally needed because of the permission being granted to Mexico to create a danger spot in the delta of the Colorado River.

If the Senate believes that the interpretation of the treaty as stated by the Senator from Colorado is correct, and that under this language probably the burden of building the Gila Dam, if it is found by the Commission to be a necessity, would fall upon Mexico, I intend to press my reservation, because if the distinguished junior Senator from Colorado is correct, and this language is meant to place upon Mexico the obligation to build a dam 100 miles up the Gila, I believe that such intention is expressed with utmost ambiguity, confusion, and uncertainty.

I believe that it should be clarified by another reservation.

Mr. President, I would appreciate a record vote on the pending reservation. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. MILLIKIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Guffey	Millikin
Bankhead	Gurney	Moore
Barkley	Hart	Murdock
Brewster	Hatch	Myers
Briggs	Hawkes	O'Mahoney
Brooks	Hayden	Radcliffe
Buck	Hickenlooper	Revercomb
Bushfield	Hill	Robertson
Butler	Hoey	Russell
Capper	Johnson, Colo.	Shipstead
Chandler	Johnston, S. C.	Stewart
Chavez	La Follette	Taft
Connally	Langer	Taylor
Cordon	Lucas	Thomas, Utah
Donnell	McCarran	Tobey
Downey	McClellan	Tydings
Ferguson	McFarland	Vandenberg
Fulbright	McKellar	Wherry
George	McMahon	White
Gerry	Maybank	Wiley

The PRESIDING OFFICER. Sixty Senators having answered to their names, a quorum is present.

Mr. MILLIKIN. Mr. President, in view of the fact that a number of Senators who now are present were not here at the time when the earlier discussion was had, I should like to review briefly the issue which is presented by the reservation on which we are about to vote.

The distinguished junior Senator from California [Mr. DOWNEY] has placed before us a reservation reading as follows:

That the United States, within a period of 5 years from the date of the entry into force of this treaty, shall construct at its expense and thereafter operate and maintain at its expense, a flood-control dam and reservoir on the Gila River in the vicinity of Sentinel, Ariz., with a capacity of not less than 3,000,000 acre-feet.

My first point against the reservation is that it is not a reservation, but in fact is an amendment. There is nothing whatever in the treaty which mentions Sentinel Dam or this particular project. However, there is something in the treaty with which the amendment might conflict. I shall read the relative portion of the treaty. I now read from article 12, section (a), of the treaty:

(a) Mexico shall construct at its expense, within a period of 5 years from the date of the entry into force of this treaty, a main diversion structure below the point where the northernmost part of the international land boundary line intersects the Colorado River. If such diversion structure is located in the limitrophe section of the river, its location, design, and construction shall be subject to the approval of the Commission. The Commission shall thereafter maintain and operate the structure at the expense of Mexico. Regardless of where such diversion structure is located there shall simultaneously be constructed such levees, interior drainage facilities, and other works, or improvements to existing works, as in the opinion of the Commission shall be necessary to protect lands within the United States against damage from such floods and seepage as might result from the construction, operation, and maintenance of this diversion structure.

In other words, it was the opinion of the treaty makers that this particular diversion dam should be built and should be coordinated with all the other works which would be necessary to make it a sound structure. As will be noted from the reading of the treaty, these things are to be done at the expense of Mexico, and the plans must be approved by the Commission, which means that we would have a voice in the plans. Until we approve—in other words, until the American Commissioner approves—there could be no diversion structure, there could be none of the jeopardies attributed to that diversion structure.

The proposed reservation asks us to solve an engineering question. It may well be that Sentinel Dam is a logical and a necessary part of the plans and works required to make that a safe diversion structure. That may well be. But we are not qualified to decide that. The treaty puts that right and duty in the Commission, in the first instance. When we begin to impose our own plans, whereas under the treaty the Commission would have its own methods of procedure and its own decisions to make, we are definitely conflicting with the terms of the treaty, and we are offering an amendment, not a reservation.

The treaty, as will be observed from reading it, contemplates that this diversion structure would be constructed under sound plans which would be in coordination simultaneously with other necessary structures, to achieve a sound, coordinated, meshed result. I think the treaty provisions are very wise. It may be that when the plans have been evolved this dam will be included. I do not say it should be; I do not say it should not be. I do not consider myself qualified to pass judgment on it. But unless the United States Commissioner is satisfied with the plan, the diversion structure cannot be built, and there will be no dangers.

The pending reservation or amendment is gratuitously injected into this treaty. It provides for an authorization for a structure which is not provided for in the treaty. Under our traditional practice we would be short-circuiting the House of Representatives. We would be assuming, on the Senate side, to make an authorization on a subject matter which is not mentioned in the treaty and is not necessary to the treaty, the treaty providing its own mechanics for achieving a sound result.

The distinguished Senator from California has said that this structure will cost approximately $15,000,000. He has said it has been approved in the flood-control plans of the Bureau of Reclamation. I will not challenge the statement as to the amount involved; I will not challenge the statement that the Bureau of Reclamation has endorsed the project as a flood-control project. But under the treaty this Commission would be obligated to make the plans for the protection of that diversion structure. The Bureau of Reclamation would not construct the diversion structure. The judgment of the Bureau of Reclamation would not operate on the diversion structure.

Therefore, we should not tear into segments the responsibility to achieve a sound result. I respectfully urge that the amendment be rejected.

The PRESIDING OFFICER. Is the Chair to understand that the Senator from Colorado [Mr. MILLIKIN] makes the point of order against the reservation that it is not a reservation, but is an amendment?

Mr. MILLIKIN. I did not make the point of order, but I now make it.

The PRESIDING OFFICER. The Senator from Colorado makes the point of order that the reservation is not a reservation, but an amendment.

Mr. DOWNEY. Mr. President, may I be heard on the point of order made by the Senator from Colorado?

The PRESIDING OFFICER. The Chair recognizes the Senator from California.

Mr. DOWNEY. If there were any doubt that this reservation is a most proper understanding, the entire argument of the Senator from Colorado has indicated that it is. The Senator from Colorado stated that it was his understanding, from the language of the treaty, that the Commission would have the right to declare the burden upon Mexico of constructing the Gila Dam. If there is any such language, it is most confusing, ambiguous, and uncertain. The language would not, however, differ from most of the remainder of the treaty. The language is that Mexico must build such levees, provide for an interior drainage system, and improve other works as may be necessary for the protection of lands adjoining the river. The Senator from Colorado tortures from that language the possibility that the Commission may say that Lower California must go up a tributary 100 miles from the Colorado River and build a flood-control dam. The Senator from Colorado himself has expressed the opinion that this language places upon Mexico the potential obligation of building the Gila Dam. I believe that to be an impossible construction of the treaty. I believe that the obligation of Mexico is clearly restricted to the construction of levees and similar works on the Colorado River. The very argument of the Senator from Colorado himself clearly indicates that an understanding or reservation is necessary upon this point.

Mr. President, I wish the Senate to know that I am not attempting to impress upon it any engineering facts or conclusions. This entire flood-control plan, calling, as it does, for the building of the Gila Dam, was approved by Army engineers, by the Bureau of Reclamation, and by every engineer, so far as I know, who was connected with the subject matter of this treaty. Merely because of gross negligence the item was not inserted in the treaty. Moreover, the report of the Bureau of Reclamation showing the cost of this dam, and its necessity and nature, is a part of the hearings before the Senate committee. From those hearings, and from the statements of representatives of the Bureau of Reclamation, it is clearly indicated that the United States Government must accept the obligation to build the Gila Dam.

Mr. President, I wish to make an additional statement, and will then submit to a vote on the point of order. To allow the diversion dam to be constructed without simultaneously providing for the Gila Dam would be to create a great danger trap in the Southwest. If through the action of the Commission, the proper procedure were not followed, and a disastrous flood should flash down upon us, exceeding in volume and torrent even that of the Colorado, not only taking out the diversion dam but probably cutting great holes in the Colorado River Delta and carrying the delta down into the Imperial Valley or to some other place, it can be readily understood what such damage would mean to the people of the Southwest. But in any event, Mr. President, the Senator from Colorado has argued from the language of the treaty that the Commissioners may place upon Mexico the duty of building the Gila Dam. I deny that that is true. I allege that the language is ambiguous, and, therefore, contend that my reservation is justifiable.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. DOWNEY. I yield.

Mr. CHANDLER. Objection has been made that we would be short-circuiting the House of Representatives by authorizing or initiating an appropriation. I do not believe that objection to be valid. I do not know of any power which the House of Representatives possesses to initiate appropriations. If it were a revenue matter, I might agree. But the Senate has as much right as has the other branch of the Legislature to initiate an authorization for an appropriation.

The PRESIDING OFFICER. The Chair rules that the point of order made by the Senator from Colorado [Mr. MILLIKIN] cannot properly be decided by the Chair but should be submitted to the Senate. The question, therefore, is on the point of order raised by the Senator from Colorado that the reservation is not in fact a reservation but is an amendment to the treaty. Senators in support of that view will vote "yea." Senators opposed to that view will vote "nay."

Mr. MILLIKIN. Mr. President, I would rather have a vote directly on the reservation. I withdraw the point of order.

The PRESIDING OFFICER. The Senator from Colorado withdraws his point of order. The question now recurs on agreeing to the reservation of the Senator from California. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Virginia [Mr. BYRD] is absent attending the funeral of a relative.

The Senator from Mississippi [Mr. EASTLAND] is absent on public business.

The Senator from Washington [Mr. MITCHELL] is absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Florida [Mr. PEPPER] is detained at a committee meeting.

The Senator from Massachusetts [Mr. WALSH] is absent as a member of the Board of Visitors to the United States Naval Academy and has been granted leave of absence from the Senate to perform that duty.

Mr. WHERRY. The Senator from Vermont [Mr. AIKEN] is absent by leave of the Senate.

The Senator from Ohio [Mr. BURTON] is necessarily absent. If present he would vote "nay."

The Senator from Oregon [Mr. MORSE] is absent by leave of the Senate.

The Senator from Massachusetts [Mr. SALTONSTALL] has been granted leave of absence as a member of the Board of Visitors to the Naval Academy. If present he would vote "nay."

The Senator from New Jersey [Mr. SMITH] is absent by leave of the Senate. If present he would vote "nay."

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The result was announced—yeas 15, nays 66, as follows:

YEAS—15

Bridges	Johnson, Calif.	Magnuson
Butler	Kilgore	Moore
Chandler	Langer	Shipstead
Downey	McCarran	Wheeler
Hayden	McFarland	Young

NAYS—66

Austin	Green	O'Mahoney
Bailey	Guffey	Overton
Ball	Gurney	Radcliffe
Bankhead	Hart	Reed
Barkley	Hatch	Revercomb
Bilbo	Hawkes	Robertson
Brewster	Hickenlooper	Russell
Briggs	Hill	Stewart
Brooks	Hoey	Taft
Buck	Johnson, Colo.	Taylor
Bushfield	Johnston, S. C.	Thomas, Okla.
Capehart	La Follette	Thomas, Utah
Capper	Lucas	Tobey
Chavez	McClellan	Tunnell
Connally	McKellar	Tydings
Cordon	McMahon	Vandenberg
Donnell	Maybank	Wagner
Ellender	Millikin	Wherry
Ferguson	Murdock	White
Fulbright	Murray	Wiley
George	Myers	Willis
Gerry	O'Daniel	Wilson

NOT VOTING—15

Aiken	Glass	Saltonstall
Andrews	Mead	Scrugham
Burton	Mitchell	Smith
Byrd	Morse	Thomas, Idaho
Eastland	Pepper	Walsh

So the reservation proposed by Mr. DOWNEY was rejected.

Mr. HART. Mr. President, I offer a reservation and send it to the desk.

The PRESIDENT pro tempore. The reservation will be stated.

The CHIEF CLERK. At the end of the resolution of ratification it is proposed to insert the following:

> The study and investigation to be made by the Commission of the Tijuana River under article 16 shall be concluded and the plans, estimate of the costs, and recommendations shall be submitted to the two government within 3 years from the date of the entry into force of this treaty.

Mr. HART. Mr. President, the preamble of the water treaty with Mexico and the treaty itself names three rivers. One of those rivers has scarcely been mentioned in the Senate debate. That river is the subject of the reservation which I have offered.

It is not strange that the Tijuana River has received little mention so far, because it is a very small river. In the case of the Colorado River we have been discussing millions of acre-feet, whereas for the Tijuana River it is a matter of, say, 20,000 acre-feet.

That looks like a small drop in the bucket; but it is a very important drop to a certain area, namely, the San Diego community, which currently is a very important one, since San Diego is one of the essential feeders to the Pacific war. In post-war years the quality of the people and the fact that San Diego possesses the only natural harbor south of San Francisco will insure that it remains important.

Mr. President, article 16 of the treaty contains all the specific provisions for the Tijuana River. It will be noted that nothing in that article goes beyond plans, estimates, and recommendations concerning what is to be done at some time. No immediate action is even implied. It is all a matter for the future, with no time commitments whatever.

But San Diego, unlike the communities served by the Colorado River, is now faced with a shortage of water for consumptive use, irrespective of any use for irrigation. Some time ago, the Federal Government projected, as a war emergency measure, an extension of the aqueduct which conveys Colorado River water to metropolitan Los Angeles, which, if it is ever accomplished, will be a work of considerable magnitude. It means about 100 miles of aqueduct carrying on south from Los Angeles to San Diego. The extension is projected because of an impending shortage. In the meantime, San Diego is doing the best it can under a risk of an insufficient quantity of water for consumptive uses.

As for the future, it is clear as crystal that if Colorado River water ever is in fact supplied to San Diego, that city will be very definitely at the end of the pipe line. Its priority will be last; and, in view of the long-range predictions which have been made concerning a shortage of Colorado River water, the San Diego community can have no assurance as to what may eventually trickle out of that pipe.

But to repeat, Mr. President, San Diego's need is immediate, whereas the treaty provisions for the Tijuana River will not take effect for some time, and perhaps not for many years.

The Tijuana River water is both Mexican and Californian. The needs of the portion of Mexico which lies across the border from San Diego are already provided for by a dam on one of the tributaries of the Tijuana. That apparently provides an adequate supply of water to the Mexican community now and will for a considerable time in the future. It is, therefore, quite natural that Mexico should not be in any hurry about entering into further new agreements for improving the Tijuana River water system.

San Diego has already done all that can be done to impound local waters;

and, despite 3 rainy years, it reserve of stored waters is depleted. The reason no more can be accomplished by unilateral action is that the only feasible dam site is on the boundary; and the work can be done only in collaboration with Mexico.

I have stated in bare outline the case for the Tijuana River. The need is immediate, but article 16 of the treaty does not afford relief.

Mr. President, I wish to see early consummation of the water treaty with Mexico, and I expect to vote for ratification, despite some imperfections in the instrument. I have pointed out one, and I submit that a time limit, 3 years, say, should have been applied in article 16, as is the case elsewhere in the treaty. As drawn, this reservation may be held to endanger early ratification by the two Governments, but I am unable to draft anything better. I do not know of any better way to remedy the defect.

Mr. MILLIKIN. Mr. President——

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. HART. I yield.

Mr. MILLIKIN. If I may make a suggestion to the distinguished junior Senator from Connecticut: first, I should like to say that I am in hearty accord with his objective. Second, I am afraid that what he is proposing is an amendment to the treaty, and would require a renegotiation of the treaty. I have discussed with the American Commissioner, the question of starting on the Tijuana project, and he tells me that, assuming the treaty shall be ratified, and assuming that the appropriations shall be made available and that manpower may become available, so far as he is concerned, he will be for making a prompt start and for a continuance of that project until it reaches some kind of definite form for the consideration of Congress. In view of the Commissioner's assurance, which I pass on to the Senator, I wonder if he would be willing to withdraw the proposed reservation.

Mr. HART. Mr. President, in view of what the able Senator from Colorado says—and I share the faith of the entire Senate in his ability and knowledge of these matters—I am very glad to withdraw the proposed reservation.

Mr. WHERRY. Mr. President, I send to the desk a reservation, and ask to have it read.

The PRESIDING OFFICER. The reservation will be read.

The Chief Clerk read as follows:

To the end that the effect of droughts may be shared equitably by both countries, in any year in which the run-off of the Colorado River system, as estimated by the United States section, is less than the average, then the quantity of water guaranteed to Mexico by this treaty shall be reduced proportionately for that year.

Mr. WHERRY. Mr. President, I should like to suggest to the Presiding Officer that I feel that the proper place for the reservation is on page 6 of the reservations proposed by the distinguished Senator from Texas, following the word "water", in line 7. I ask that the reservation be offered at that place in the reservations offered by the Senator from Texas.

Mr. President, speaking in behalf of the reservation, I have been waiting patiently for a number of days for someone to offer a reservation to clarify article 10 of the proposed treaty. After the remarks made by the distinguished Senator from Nevada [Mr. MCCARRAN] yesterday, and after the point raised by the distinguished Senator from Utah [Mr. MURDOCK] relative to the diversion of water by a Federal agency from the users of any State, I came to the conclusion that the part in the treaty which is the weakest is the particular section affected by my reservation, and I think it should be clarified if we are to understand what we are negotiating in the treaty.

I am not particularly interested in the treaty so far as Nebraska is concerned, except that irrigation is largely availed of in the State, and we have jealously defended and upheld the rights of prior users of water down through the years. I do not want Congress to establish a policy or a precedent which might result in the invasion by a Federal agency of the rights of users of water in our rivers in Nebraska.

I certainly do not offer the reservation as an amendment. I do not want to hurt the treaty or affect its ratification for any ulterior motive. I want the proponents of the treaty to have a fair vote on it, and I am offering this reservation merely in a constructive way in order to bring the question involved to the attention of the Senate. If any Senator has a reservation which he would like to offer which would clarify the point I have in mind, or if any assurance can be given by the proponents of the treaty that the matter can be handled by some other reservation, I shall accede to any suggestions which may be made. I want that strictly understood in the beginning.

I have a very high regard for the Senator from Colorado and for his legal opinions in all matters, and I certainly have a high regard for the distinguished Senator from Texas. I feel, however, that article 10 includes certain words and definitions and phrases which, unless clarified, can be so interpreted that precedents will be established within the States whereby Federal agencies will override the sovereign rights of the users of water, rights which have been maintained by the States down through the years.

I particularly refer to the last paragraph of article 10, which I shall read so that it may be brought to the attention of the Members of the Senate. In fact, I think I should read all of subparagraph (b), which is not very long:

(b) Any other quantities arriving at the Mexican points of diversion, with the understanding that in any year in which, as determined by the United States section, there exists a surplus of waters of the Colorado River in excess of the amount necessary to supply users in the United States and the guaranteed quantity of 1,500,000 acre-feet (1,850,234,000 cubic meters) annually to Mexico, the United States undertakes to deliver to Mexico, in the manner set out in article 15 of this treaty, additional waters of the Colorado River system to provide a total quantity not to exceed 1,700,000 acre-feet (2,096,931,000 cubic meters) a year. Mexico shall acquire no right beyond that provided by this subparagraph by the use of the waters of the Colorado River system, for any purpose whatsoever, in excess of 1,500,000 acre-feet (1,850,234,000 cubic meters) annually.

Mr. President, the reason why I read the first part of subparagraph (b) of article 10 is that under subparagraph (b) the United States section is permitted to determine when there is a surplus of waters of the Colorado River. I want the Senate to bear that in mind.

We now come to the second part of subparagraph (b) which is supposed to deal with the distribution of waters in a drought period, and that is the period in which I am primarily interested. I read as follows:

In the event of extraordinary drought—

Mark the words, "extraordinary drought"—

or serious accident to the irrigation system in the United States, thereby making it difficult for the United States to deliver the guaranteed quantity of 1,500,000 acre-feet a year, the water allotted to Mexico under subparagraph (a) of this article will be reduced in the same proportion as consumptive uses in the United States are reduced.

The first thing I should like to ask the distinguished Senator from Colorado or the distinguished Senator from Texas, if they care to answer after I shall have concluded my remarks on the reservation, is: What is the definition of "extraordinary drought?

Secondly, I should like to inquire of either of the distinguished Senators, what is meant by "thereby making it difficult?"

Third, I should like to ask who makes the determination as to whether there is a decreased supply because of an extraordinary drought?

In the first part of subparagraph (b) it is left to the United States section to determine when there is a surplus of water. I interpret the language of the second part of subparagraph (b) to mean that it is left to the combined Commission, both the Mexican Commissioner and the United States Commissioner, to determine whether there is a drought, and therefore a decreased water supply.

My reason for presenting the reservation is not only to clarify the language, but I have another purpose. I should like to suggest to the distinguished Senators from Colorado and Texas and to all other Members of the Senate, that there is considerable doubt whether there will be sufficient water stored in the reservoir, in addition to what comes from the Colorado annually, to take care of a guaranty of 1,500,000 acre-feet to Mexico without overriding the rights of the users of water of the Colorado River.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHANDLER. The thing I am deeply concerned about in respect to the pending treaty is that if it shall be ratified it will place an obligation on the part of the United States to furnish 1,500,000 acre-feet of water to Mexico. If there were no possibility of a shortage of water there would be no necessity for a treaty, but as I understand, in 24 of the last 44 years there has been a drought in that section of the country. The Senate

should bear in mind that if we have to make any other arrangement we will have to make it by treaty. If the pending treaty is ratified it will be out of the control of the United States Senate, and the Commissioner will be empowered to make regulations under the treaty. If we come to the point where not sufficient water is available to furnish Mexico the amount guaranteed by the treaty, and the water is taken away from the little towns and cities in the area affected, then the people of the United States will hold the Senate responsible for it, and they ought to do so.

I fear, as Dr. Timm said, that there is an undertaking by the treaty to establish a national policy respecting the water of the people of this country. Some want to take the water away from the little communities. That is something of which I cannot approve and it is something which ought not to be approved by the Senate of the United States. In my opinion it will not be approved by the people of the United States.

Mr. President, I think the Senator from Nebraska has put his finger on two or three sore places in the treaty, and his questions concerning them have not been answered at all to my satisfaction. It might be well if the opposition to the treaty were a little bit stiffer on the part of the Senator from California. I do not think we are able to make a decent treaty on the floor by the adoption of any reservations I have seen submitted so far.

Mr. President, we are urged that action on the treaty should be taken by a certain time. It is said that it should be ratified in a hurry. If when it were done it were well done there might be some excuse for having it done quickly, but I believe, Mr. President, it might be a bad thing for the people of the United States for the Senate to act quickly on the treaty.

Mr. WHERRY. I thank the Senator for his contribution. Of course, he has restated the facts as I have found them to be. Some of the terms of the treaty need clear definition.

Mr. CHANDLER. Mr. President, Dr. Timm is the smart fellow who helped prepare the treaty. He says it is the policy to do away with public and private utilities, and to bring about the operation of water systems all over the United States in the interest of a national policy. That represents a total departure from anything to which so far the Government has permitted itself to be a party.

Mr. President, I want my friend the Senator from Nebraska to examine the treaty with Canada to which I keep referring because it is so satisfactory. I do not know why those who prepared the Mexican treaty did not follow the terms of the Canadian treaty. If we adopt the Mexican treaty I have no doubt Canada will ask that the same thing we do for Mexico be done for Canada.

Mr. WHERRY. Mr. President, so that there may be no misunderstanding relative to my position in this matter, I will say that I am still open-minded respecting the treaty. In view of the remarks which have been made by the distinguished Senator from Nevada [Mr. McCARRAN], and also by the distinguished junior Senator from Utah [Mr. MURDOCK], I feel that the question has been raised whether under this treaty we will authorize a policy whereby the Federal agencies can take water away from users within the individual States. That is why I am offering the reservation.

Mr. CHANDLER. That will have to be done, I will say to the Senator from Nebraska, if there is a shortage of water, and the amount of water guaranteed to Mexico cannot otherwise be delivered. There is no guarantee to deliver water to any State in the Nation or to any community in the United States. Under the treaty we guarantee to deliver water to Mexico. But the treaty contains no guarantee to deliver water to any community in the United States.

Mr. WHERRY. I thank the Senator from Kentucky for his contribution.

Mr. HAWKES. Mr. President, will the Senator from Nebraska yield? If he prefers not to yield I will present what I have in mind later.

Mr. WHERRY. I should like to proceed, Mr. President.

Mr. HAWKES. Very well.

Mr. WHERRY. I spent considerable time last night attempting to prepare a reservation which possibly would define "extraordinary drought," and which would provide who is to determine that such a drought exists. I tried to find a method of guaranteeing to the water users along the Colorado River at least a proportionate share with those across the border in Mexico. I felt that should be done after determination by the United States section only, and it should be based upon the flow of the river annually as determined by the United States Bureau of Reclamation.

Mr. President, there is doubt whether sufficient water is available. If Senators will read the remarks made by the Senator from Nevada they will find that annually during the low water period there is a deficit of 782,000 acre-feet.

I do not have any further comment to make on that point. That statement is based on the table contained in the CONGRESSIONAL RECORD which gives the average for the low years. The United States Senate must determine what proportion we are going to ask those on our side of the line as well as those on the Mexican side of the line to take. We have first to determine what is an extraordinary drought. Secondly, we should have a definition of the words "making it difficult." Finally we should know who is to make the determination and who is to allocate the water.

During Mr. Clayton's testimony before the committee, the Senator from Vermont [Mr. AUSTIN], as appears on page 106 of the hearings, asked this question:

Senator AUSTIN. Is there anything peculiar about these three rivers that makes it inconvenient to establish a datum which shall govern the definition of drought? Is there anything queer about those rivers?

Mr. CLAYTON. No; I don't think so, Senator. As a matter of fact, the determination of what constitutes a drought probably will actually be made by the Bureau of Reclamation, because they keep the data in connection with the Geological Survey and they operate Boulder Dam and Davis Dam and the works below.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHANDLER. I will tell the Senator when there is going to be a drought. There will be a drought when we are unable to deliver 1,500,000 acre-feet to Mexico.

Mr. WHERRY. Yes.

Mr. CHANDLER. I can answer that question. The Commissioner will say, "I have not enough water to deliver to Mexico, and there is a drought. What am I to do about it?"

Mr. WHERRY. I thank the Senator for his contribution.

On page 1085 of the Senate hearings, Mr. Tipton testified that no effort was made at the time the treaty was negotiated to determine what was meant by "extraordinary drought." I read from the record:

Senator WHITE. Was there any effort at the time the treaty was negotiated by the negotiators—any statement or effort by them—to determine what is meant by "extraordinary drought"?

Mr. TIPTON. No, sir.

Senator WHITE. It was left wide open?

Mr. TIPTON. It was left open. It was not discussed at great length, except the point I brought out, that the criterion of reduction in use in the United States should apply not only to the lower basin, as it does in the upper Rio Grande treaty, but that it should apply throughout the basin.

Senator MILLIKIN. Mr. Tipton, I think these questions are very, very important, and I think I detected an inconsistency in your answers. As I understood the earlier part of your testimony, the extraordinary drought would be indicated, summarily stated, by extraordinary depletion of reservoir capacity?

Mr. TIPTON. No; I did not say that.

Senator MILLIKIN. You did not say that?

Mr. TIPTON. No.

Senator MILLIKIN. You stated that there would actually have to be a decrease in consumptive use by the man who puts water on the land?

Mr. TIPTON. The treaty says so.

Senator MILLIKIN. Before there could be the condition of extraordinary drought?

Mr. TIPTON. That is my opinion.

Senator MILLIKIN. Is that independent of reservoir capacity?

Mr. TIPTON. The upper reservoirs would have to begin to be depleted. That is my opinion or my interpretation.

At page 1087 Mr. Tipton testified to the effect that Mexico was given no right under the treaty to determine the question.

Senator MILLIKIN. Now, as I said before, I want to face right up to this, because I regard it as very important to the upper-basin States. Let us assume a situation where we in the upper-basin States are actually decreasing our consumptive use of water on our lands. And let me backtrack at this moment to say that the reason—to remind you that the reason—we did not go into a sliding scale instead of a fixed amount was that we did not want the gestapos operating in each other's country. How, under these circumstances, will we prevent Mexico from coming up and checking on what we are doing with our consumptive uses in the upper basin?

Mr. TIPTON. I think they might ask the question; they might raise the question.

Senator MILLIKIN. But they would not have any right to check on us?

Mr. TIPTON. I do not know, sir.

Senator WILEY. Not unless the treaty gave them the right.

Mr. TIPTON. I do not think the treaty gives them the right. I do not think they would raise the question.

Senator MILLIKIN. I may say that I am not satisfied with that part of the treaty.

Mr. President, the distinguished Senator from Colorado, for whom I have profound respect, and the Senator from Texas are not satisfied with the treaty on that point. I believe that before the treaty is ratified we should have a definite understanding as to what extraordinary drought means, who is to make the determination, and how it shall be made. I believe that the reservation which I offer, and which now lies on the desk, would accomplish that purpose. It provides that—

To the end that the effect of droughts may be shared equitably by both countries—

And I take it that is what the proponents have done. In the event of drought they wish to reduce the water proportionately, so that each user will have what he is equitably entitled to. That is the intention of article 10. I say that it needs to be clarified. The words "extraordinary drought" need to be defined.

To the end that the effect of droughts may be shared equitably by both countries, in any year in which the run-off of the Colorado River system, as estimated by the United States section, is less than the average, then the quantity of water guaranteed to Mexico by this treaty shall be reduced proportionately for that year.

That brings up another question, and I raise it because I wish to clarify the treaty. Is it contended that the Commission may say that the extraordinary drought makes it difficult to furnish water when a reservoir is half full of water, or a third full of water? What makes it difficult? It is my interpretation that so long as there is a drop of water in the reservoir it can be used, and if there is sufficient water in the reservoir, it is not difficult to comply with the terms of a treaty to deliver 1,500,000 acre-feet to Mexico.

The argument is advanced that there is plenty of water, and that there might be sufficient in storage to go through 1 year, 2 years, or 3 years of drought. That would prevent the equitable distribution of water between the two countries. The question of extraordinary drought ought to be determined not on the basis of the amount of water in a reservoir, but it ought to be determined by the United States Commissioner, on this side of the line, when the flow of the Colorado River, or the drainage therefrom, is less than the average. We cannot wait until we have used the water for 1 year. If we do we may be robbing the users in California, who may need it the next year, if we guarantee 1,500,000 acre-feet to Mexico.

The Commission on our side of the line ought to decide whether or not there is a drought. If the American section of the Commission has the right to say when there is a surplus, why should it not have the right to say when there is a drought? We are most concerned with the time of drought. That is the time when we want to know what is to be done with the water.

So, as one who is particularly interested in the negotiation of a treaty in which the policy of the Congress is more or less determined as to the rights of users of water in individual States, I wish to guard those rights. I do not want to have a Federal agency overriding the prior rights of users of water in my State if I can prevent it.

My reservation is suggested because of the arguments made during the past few days. I believe that the reservation which I have offered is constructive. I do not believe that it would hurt the treaty at all. I believe that it is, in fact, a reservation The Mexican Government ought to be very much pleased to get 1,500,000 acre-feet of water, much of which comes from storage facilities which we build. If there is a drought, Mexico should allow us to determine the question, and should be glad to prorate the water on an equal basis with the water users of California. That is not asking too much. If we permit the Commission to determine when there is a surplus, we should permit it to determine when there is a drought in our country, and the question should be determined on the basis of any year in which the Colorado River does not yield the average flow.

I have asked the distinguished Senator from Colorado some questions. I suppose he has the answers. I hope so. I should like to support the treaty because I feel that a treaty is the proper method of handling this question. I have kept my mind open. I shall not go into the brief which I have prepared on the question because I believe that some of the other points are probably unnecessary. However, I should like to see a definition of "extraordinary drought." I believe that the determination of that question should be left in the hands of the United States section. I believe that the question of drought should be determined, not on the basis of the amount of water in a reservoir or on the words "which makes it difficult." It ought to be determined from year to year by the Bureau of Reclamation. A year of drought would be a year in which the Colorado River did not yield as much water as it yields in the average year to users in California.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TAFT. I am not concerned with the question which is bothering the Senator. However, I have one absolutely certain feeling, and that is that the Senator's proposal is an amendment to the treaty. We cannot possibly place in the treaty the Senator's proposal without defeating the treaty, because it is an essential part of the treaty that we agree to deliver 1,500,000 acre-feet of water to Mexico every year, except in case of extraordinary drought, as determined——

Mr. WHERRY. By whom?

Mr. TAFT. By joint action of the two Commissioners. The Senator says that we should make the determination. That would simply eliminate all international agreement. Then we would say to Mexico, "We agree to deliver a million and a half acre-feet of water, except when we find that it is not convenient to do so." That would absolutely destroy the treaty. If the Senator's amendment is added to the treaty, there will be no treaty left.

I rather wish an absolute agreement to deliver a million and a half acre-feet of water had not been made, but that is the provision of the treaty. It seems to me that any attempt to say, "We will deliver 1,500,000 acre-feet of water to you only when our representatives find that it is convenient for us to do so, but not when the supply of water is a little below the average," would be destructive of our own obligation, and would not be carrying out the terms of the treaty.

I do not know of any reservation which would cover the Senator's point, because he is attacking a fundamental feature of the treaty. He should be opposing the treaty if he thinks it should be changed in that manner.

Mr. WHERRY. Mr. President, I appreciate very much the Senator's interpretation regarding whether what I have suggested is an amendment which would destroy the force of the treaty or whether the point can be handled as a reservation. I will say now that if a point of order is made against my reservation, and if it is determined to be an amendment, that will decide the matter. In fact, I would withdraw it, rather than offer something which was determined not to be a reservation.

I should like to ask, Why does not the treaty provide that we guarantee Mexico 1,500,000 acre-feet of water? That is all there is to the treaty.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TAFT. There is in the treaty a provision that when there is an extraordinary drought—and the existence of such a drought is to be determined by the two Commissioners—we shall not have to deliver the guaranteed amount of water. I do not bother about that provision, because there would have to be an agreement between the two Commissioners; and if they did not agree, the matter would be subject first to diplomatic negotiation, and subsequently to arbitration; but in the meantime we would have to deliver the water. If we did not choose to deliver it, no force on earth could make us deliver it. In other words, if we were to say, "There is an extraordinary drought, and we do not have the water," Mexico could not get the water. Of course, Mexico could resort to arbitration; but in arbitration proceedings the burden would be on Mexico. Under the arbitration it might be found that we owed Mexico some damages. If a fair arbitration found that an extraordinary drought did not exist, and if it found that we owed damages to Mexico, we might have to pay them, but in the meantime we would owe Mexico the water. However, it seems to me that we need not worry about that particular provision.

Mr. MOORE, Mr. CHANDLER, and Mr. HAWKES address the Chair.

The PRESIDING OFFICER. Does the Senator from Nebraska yield; and if so, to whom?

Mr. WHERRY. I yield first to the distinguished junior Senator from Oklahoma.

Mr. MOORE. Mr. President, I agree with the Senator from Ohio that if the reservation were adopted it would be an amendment to the treaty and would constitute a rejection of it. The point made by the reservation is of so much importance in connection with other matters in the treaty which I consider to be injustices that I think it would be better for the Senate to reject the treaty and let opportunity be afforded to negotiate a new one.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHANDLER. As the Senator from Ohio has said, the proposed treaty will not be a treaty until the Senate ratifies it. If the treaty provides a guaranty which we should not be making, as I think it does, then certainly we should be doing more negotiating and more talking, and we should be making a treaty we can live up to, because the pending treaty would be an absolute agreement, and under it the full faith and credit of the people of the United States would be pledged to deliver to Mexico 1,500,000 acre-feet of water. I am glad the Senator raised the question, because it shows the black boy in the wood pile. It has finally come out. It is sufficient reason to vote against the treaty, because that provision will not be in effect until we ratify the treaty.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. HAWKES. I believe the Senator from Ohio is correct in his interpretation of what would happen under the treaty, but the result he has indicated would be diametrically opposed to all the purposes we have been hearing about, namely, to make a treaty to create good will, neighborliness, and peaceful relationships with our neighbor country.

Where would we be if we had the water and kept it, and if Mexico's land and cities dried up and went to waste? I ask the Senate whether under such circumstances our relationship with Mexico would be improved, even if subsequently we paid damages to her. There are some things for which we could not pay damages.

I should like to say to the Senator from Nebraska that his reservation, or whatever it should be called, is quite similar and parallel to one I submitted yesterday. If his is acted upon, mine with regard to the occurrence of a drought will be withdrawn, because both of them touch the same substance. I remind the Senator from Nebraska and other Senators that I have been talking on that same point for a number of days. I have made several statements dealing with the question of the occurrence of an extraordinary drought. Certainly the State Department itself answered my questions on that subject in the hearings. I asked, "Who will have the right to declare that there is an extraordinary drought?" The representative of the State Department said that we would have that right. Then I asked, "Why do you say we would have that right?" The answer was, "It is assumed."

Therefore, Mr. President, I must agree with the Senator from Nebraska that we should not leave anything of that kind to assumption, and thus involve ourselves in a difficulty which might lead to a breach of good faith and a breach of the peace, rather than to good neighborliness.

I also wish to leave with the Senator from Nebraska the thought—and, in the main, I agree with the statement made by my colleague the Senator from Oklahoma [Mr. MOORE]—that we have spent hundreds of millions of dollars in building dams by means of which we obtain water, and we have made it possible to have the water in regard to which the question of the occurrence of an extraordinary drought is now before the Senate. Nature, itself, would normally determine when there was a drought, if it had not been for the dams which we have built and for the contruction of which we have spent hundreds of millions of dollars. Having spent that money, and inasmuch as the representatives of the State Department have very definitely said that we have the right to declare when there is an extraordinary drought, it seems to me the Senator's reservation is perfectly in order. If we cannot make a treaty which will protect the citizens of the United States, I am not in favor of making a treaty.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. TAFT. I did not wish to suggest that we would violate the terms of the treaty and would withhold water which we were obligated to deliver to Mexico. I only wished to say that if we took the position, with logic and reason, that an extraordinary drought or serious accident had occurred, no one could make us deliver any water. Therefore, the burden would be on Mexico to take the case to arbitration or to institute a suit for damages, or something of the sort, but in the meantime our water users would get the water. That is the point I wished to make.

I would not wish to suggest that we would violate the treaty. I say that without violating the treaty we would take the position, when it was a fact, or when there was a logical argument that it was a fact, that there was an extraordinary drought, and then we would act upon that position by not delivering the water. I do not think that would be a violation, and I do not wish to suggest that we propose to make the treaty with any idea of violating it after it is in effect.

Mr. WHERRY. Mr. President, certainly there was grave doubt in the minds of the members of the committee who interrogated Mr. Tipton as to what these provisions mean. Now we are getting a number of constructive ideas and interpretations which are entirely different from those we had about the treaty when we previously studied it.

With respect to the point whether what I have offered is an amendment or a reservation, I agree with the Senator from Ohio and with the Senator from Oklahoma that it would change the treaty, at least to the extent of providing that the United States Commission would have the right to make the determination as to the existence of a drought. But let me ask where such issues will be raised if they are not raised on the floor of the Senate of the United States? I think we should be fair with Mexico. If we are going to give her 1,500,000 acre-feet of water, there is no use in writing into the treaty three or four paragraphs by which we attempt to say that when an extraordinary drought occurs, so that it is difficult to deliver the water, some international board—which certainly will not be fighting for the United States in the way that a United States commission would fight for the United States if an extraordinary drought occurred—will apportion the water on the basis of the amounts which should go to water users in Colorado, Arizona, or Mexico.

I do not want the proposal I am offering to be interpreted as an amendment instead of a reservation. I think the proposal made by me is important, and if it can be handled as a reservation or as a modification, I believe it should be handled in that way. I believe that if the treaty is to provide that the International Commission shall determine when we have an extraordinary drought, and it becomes difficult to deliver the guaranteed volume of water, we shall have trouble with Mexico.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHANDLER. Would the Senator from Nebraska feel justified in voting against the treaty if he believed that its terms departed from guaranties which our Government had given to water users of the States?

Mr. WHERRY. Yes.

Mr. CHANDLER. And if the treaty made it necessary to take water which the United States should have, and deliver it to Mexico, would the Senator feel justified in supporting the treaty?

Mr. WHERRY. No. I live in a State which must have water in order to grow its crops. For many years the city of Kearney, Nebr., situated on the Platte River, has had a property right in the use of water from the Platte River. I believe that property right is the oldest property right belonging to the city. I do not want any authorization to be established in this treaty which would permit a Federal agency, not already authorized by statute, to come into my State and take water from our water users there and give it to someone else. I think that such a precedent would be a dangerous one to establish.

Mr. CHANDLER. I think that an effort is now being made to establish such a precedent.

Mr. WHERRY. I want the proponents of the treaty to give me credit for offering my reservation, because I would not oppose the treaty if it were in proper form.

Mr. CHANDLER. The proponents of the treaty are trying to create the impression that it has already been agreed to. Does the Senator from Nebraska understand that the treaty has been agreed

to? If so, who has agreed to it? After the Senate votes to give these extraordinary powers to some particular group of persons, it will be too late to rectify any errors which the Senate may have made. The only thing which may then be done is to agree to a new treaty. A new treaty cannot be made unless Mexico agrees to it. If she is satisfied with the treaty which shall have been made, she will not agree to making a new one. We have gone all around the world and have given more than we have received or ever will receive. I want to see something begin coming to the people of the United States.

Mr. WHERRY. I thank the distinguished Senator from Kentucky.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CORDON. I am very much interested in this discussion. I ask the Senator from Colorado [Mr. MILLIKIN] where in the treaty is the provision which places authority in the American section to determine the fact of extreme drought?

Mr. MILLIKIN. Will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Colorado?

Mr. WHERRY. I yield to the Senator from Colorado.

Mr. MILLIKIN. I know of no such provision as that to which the Senator from Oregon refers. The American section operating on this side of the boundary line naturally would be in possession of the facts. But, answering the Senator's question specifically, I know of no such provision as the one to which he refers.

Mr. CORDON. I am not able to follow the reasoning which has been advanced here, particularly by the distinguished Senator from Ohio, namely, that the proposal of the Senator from Nebraska is in the nature of an amendment to the treaty and is not a reservation. If no direct authority is placed in any officer or agency to make the determination with respect to drought, the treaty should perhaps provide for it. The determination would have to be made, because, otherwise, under the treaty, there could be no change in the million and a half acre-feet of water to be furnished to Mexico. The treaty is silent as to who is to make the determination. If the treaty carries provisions with respect to the authority to be exercised on our side of the border by our officials, and on the Mexican side of the border by her officials, it would seem to me that the proposal which has been offered is nothing more or less than an interpretation of and supplemental to the treaty.

Mr. WHERRY. I thank the Senator from Oregon. I yield to the Senator from Colorado if he wishes to make reply to the Senator from Oregon.

Mr. MILLIKIN. Mr. President, I would prefer to answer after the distinguished junior Senator from Nebraska has completed his remarks.

Mr. WHERRY. Very well. Mr. President, I previously stated that if the members of the committee were not satisfied as to the interpretation of the words "extraordinary drought," and what is meant by "storage waters," they should refer to the committee hearings. I now refer to page 1088 of the hearings. It was there developed that no meeting of the minds had been reached as to what was meant by the treaty. The testimony to which I refer begins at the bottom of page 1087 of the hearings, and is as follows:

Senator LA FOLLETTE. Mr. Tipton, I am confused. I think probably it is my own fault. I understood your answers to Senator MURDOCK'S questions to be somewhat different from your answers to similar questions which were propounded by Senator MILLIKIN.

In other words, I got the impression from your answers to Senator MURDOCK'S questions that there would have to be a curtailment of consumptive use before the drought clause could be invoked by the United States.

Mr. TIPTON. That is correct, sir.

Senator LA FOLLETTE. Then, when Senator MILLIKIN began asking you questions about whether the depletion of reservoir capacity could be taken into consideration regardless of whether there had been any diminution in consumptive use, I was confused as to your answers. Will you straighten that out?

Mr. TIPTON. Yes, sir; I shall. Senator MILLIKIN asked two questions. His first question was, as I understood it—and I hope the Senator will correct me if I am wrong—if there was no curtailment in the consumptive uses, but there was a depletion of reservoir capacity, whether or not we could invoke this provision. I said I did not think so.

Mr. Tipton said that he did not think we could invoke those provisions.

I continue reading:

His second question was this—that if, accompanying the commencement of depletion of water in main-stream storage, there also was a curtailment of use—actual curtailment of consumptive use—by virtue of a lack of water in the upper basin above our main-stream reservoirs, whether or not under that condition this provision could be invoked. I said that it could be so interpreted.

Senator LA FOLLETTE. But you were not certain?

Mr. TIPTON. I was not certain.

Senator LA FOLLETTE. One other thing that I got from this series of questions was the fact that in the negotiation of this treaty, in which you participated, as I understand it, there was not very much discussion of this provision with the Mexican negotiators. I came to the conclusion, therefore—and if I am wrong, I wish to be corrected—that this particular language in the treaty—this drought-clause language—was arrived at without a full meeting of the minds of the negotiators as to what its actual provisions involved.

Mr. TIPTON. I think, Senator, that that resulted from this fact——

Senator LA FOLLETTE. Is that true? Am I correct in that deduction?

Mr. TIPTON. You are substantially correct, sir.

Senator LA FOLLETTE. Then I might just say that it seems rather strange to me—

The Senator from Wisconsin continued with his statement, which was followed by further colloquy.

I submit, Mr. President, that nothing has been done. No reservation has been agreed to since the insertion of the clause to which reference has been made. We are now about to take a vote on the treaty, and we still have as a part of its language the expression "extraordinary drought," which has not been defined.

It is not to be determined by the United States section, which determines the surplus according to the terms of the same article. The authority to make the determination has not been lodged in any board. So what is the answer? It is, as the Senator from Ohio suggests, that if Mexico has been damaged she can bring suit on a claim for damages in some court.

I desire to quote from one other place in the testimony of Mr. Lawson found on page 949.

Senator MURDOCK asked this question:

The treaty also says that Mexico, in her use of water, can only be decreased in the proportion as consumptive uses in the United States are reduced. So that if I understand the language, there must not only be an extraordinary drought, but there must also be a reduction of consumptive uses in the United States before you are entitled to decrease the amount of water that goes to Mexico. Am I right on that? Is that your understanding of the treaty? That is my understanding of it. As I read the treaty, one is a condition precedent to the other.

Mr. LAWSON. Would not the drought condition have to be established in some way? I mean, it is obvious, but——

Senator MURDOCK. I can visualize the most extraordinary drought in the United States, and still, because of vast storage resources on the river, there is no need for the reduction of consumptive uses in the United States. That, to me, is important. I think what Senator DOWNEY has in mind is the point that there are two things in the treaty that must occur before you are justified in reducing Mexico one drop of water. One is the extraordinary drought, and the other is that you have actually reduced consumptive uses in the United States.

Mr. LAWSON. That involves a very technical proposition. It is the question, for instance, of whether, having a full Boulder reservoir, you could establish a drought condition with a full reservoir at Boulder. And many other questions are involved.

Senator MURDOCK. You take the position that the extraordinary drought mentioned in the treaty is dependent on how full Boulder Dam is or some other dams that may be constructed?

Mr. LAWSON. No; I do not take that position.

I call especial attention to this statement:

In other words, you could not establish a drought until there was some effect of the drought; and that effect would not be in the reservoir, but on the lands.

Mr. President, the determination of when there is a drought is in the Bureau of Reclamation. It has that right and no other authority is designated under the treaty. My reservation does not have the force of an amendment. All I am asking is this:

To the end that the effect of droughts may be shared equitably by both countries, in any year in which the run-off of the Colorado River system, as estimated by the United States section, is less than the average, then the quantity of water guaranteed to Mexico by this treaty shall be reduced proportionately for that year.

The Bureau of Reclamation would make that determination. There would be no ifs or ands about it. If there is less water than the average running in the Colorado River, there is a drought year, and the drought occurs before the use of the water in the reservoir, which may have to be used in the event of a drought and be taken away from some user in California.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CHANDLER. I assume that one of the reasons for the treaty is to augment the good-neighbor policy with Mexico. What would happen if, as the Senator from Ohio suggests, there was a shortage of water and we failed to deliver 1,500,000 acre-feet, and then we said to Mexico, Go to arbitration, or some place else?

Mr. WHERRY. Or sue in some court for damages.

Mr. CHANDLER. Yes. The full faith and credit of the people of the United States are behind the absolute guaranty to deliver the water, and the point I want to impress upon the Senate, if I may, is that those who vote for the ratification of this treaty become a party to guarantee to deliver 1,500,000 acre-feet of water a year to Mexico, in season and out. If anybody is going to be hurt it is the small communities and towns in the United States to which nobody seemingly is willing to guarantee any water.

I do not agree with the Senator from Ohio. We are going to deliver water because we have guaranteed it and pledged the full faith and credit of the people of the United States to do so.

It is because I am not willing to pledge that, because I want in some instances to give at least an equal opportunity to the American people of that section, that I shall not vote for the ratification of the treaty.

Mr. WHERRY. I thank the Senator from Kentucky.

Mr. MOORE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from Oklahoma?

Mr. WHERRY. I yield.

Mr. MOORE. I am glad the Senator from Kentucky made this observation, because, as he said, one of the plain purposes of the treaty is to enhance the good-neighbor policy between this country and Mexico, which is a very desirable objective. There are many other things in the treaty which I think will not only not enhance the good relationships between the two countries, but will rather strain those relationships, and I think it would be much better and much more advantageous to both countries if the defects in the treaty could be cured by subsequent negotiations before it was too late to do that.

When we enter into the treaty, it is for all time, it becomes a part of the supreme law of the land, and there will be no chance ever to change it. We can never in the world avoid frictions and strained relations when the people on the American side of the line feel that they have been let down by their Government, and it would be impossible to keep such a feeling from existing among the people on the other side of the imaginary line. In my opinion it would be the very worst thing for us to enter into a treaty which would give rise to strained relations.

Mr. CHANDLER. Mr. President, will the Senator from Nebraska yield?

Mr. WHERRY. I yield.

Mr. CHANDLER. I thank the Senator from Oklahoma, because when we once ratify a treaty, it is beyond any law enacted by Congress. The only way it could be changed would be by another treaty, and to obtain another treaty we would have to get the other country to trade with us again, and if they are satisfied, it would be difficult to get them to enter into another treaty arrangement. From the standpoint of the United States, we have made a bad treaty arrangement.

Mr. MOORE. That is correct.

Mr. CHANDLER. And we should not approve it.

Mr. MOORE. If the Senator will yield again——

Mr. WHERRY. I yield.

Mr. MOORE. The same reason applies to the argument which has been made heretofore, namely, that we control the expenditures by having to make the appropriations through Congress. We have committed ourselves to large expenditures, probably $160,000,000, which we will have to spend to perform the work which has been provided for in the treaty, and there is no chance in the world for Congress ever to have a free opportunity to deny the appropriations without breaching the treaty itself.

Mr. WHERRY. Mr. President, I wish to conclude, if I may, by restating how I feel about the reservation I have offered. I repeat, in my opinion it is a reservation and not an amendment.

There is no provision in the treaty which authorizes any board to make the determination of what is an extraordinary drought, and how it affects our supply of water in the Colorado River, coupled with what is in reservoirs. This is something about which the Senate should be alarmed. The treaty is silent upon who may make the determination. It should be made, and it should be made now, as we negotiate the treaty.

I certainly think that the distinguished Senator from Colorado should agree with me about this. The treaty is absolutely silent as to who shall make the determination. I think it should be by the American section. If that is not satisfactory, somebody should be designated, and now is the time to make the designation. Whether or not the water in the reservoirs and dams which are to be built should be considered when there is a drought should be left to the determination of a designated board, and I think it should be determined by considering the average flow through the Colorado River year after year rather than taking into consideration the water in half a dozen reservoirs we are to build.

Mr. President, I should like to support the treaty. As I have said before, I have the highest respect for the proponents of the treaty, but I feel this matter should be clarified in some way. I say that sincerely. As the Senator from Ohio has said, this goes to the very fundamentals of the treaty. If it is that important, there should be something definite decided about it before we ratify the treaty, if we want to avoid trouble with Mexico and preserve the rights of the users of water in California.

The PRESIDENT pro tempore. The question is on agreeing to the reservation offered by the Senator from Nebraska [Mr. WHERRY].

Mr. MILLIKIN. Mr. President, let me bring before the Senate again the exact language involved in the treaty. I read from the second paragraph of subparagraph (b) of article X:

> In the event of extraordinary drought or serious accident to the irrigation system in the United States, thereby making it difficult for the United States to deliver the guaranteed quantity of 1,500,000 acre-feet (1,850,234,000 cubic meters) a year, the water allotted to Mexico under subparagraph (a) of this article will be reduced in the same proportion as consumptive uses in the United States are reduced.

I respectfully invite attention to three factors which have to be considered under this formula of the treaty. Obviously, if we change those factors we are amending the treaty. First, there must be an extraordinary drought. Second, there must be difficulty in delivering the guaranteed amount. Third, there must be a reduction of consumptive use in the United States

I shall now read the proposed reservation offered by the distinguished junior Senator from Nebraska:

> To the end that the effect of droughts may be shared equitably by both countries, in any year in which the run-off of the Colorado River system, as estimated by the United States section, is less than the average, then the quantity of water guaranteed to Mexico by this treaty shall be reduced proportionately for that year.

Reminding the Senate again of the three factors for determination in the treaty, to wit, extraordinary drought, difficulty of delivery, and reduction of consumptive use in the United States, let us contrast what is proposed by the reservation.

First, there is the thought of an equitable sharing. I pass that.

Then it says, "in any year." There is nothing in the treaty which puts the matter on a yearly basis.

It next says, "in any year in which the run-off of the Colorado River system * * *." There is nothing in the treaty which ties itself to the run-off of the Colorado River system.

It proceeds, "as estimated by the United States section." There is nothing in the treaty which puts the determination of the question in the United States section.

It proceeds then, "is less than the average." Getting the context before us, it means that the run-off of the Colorado River system, as estimated by the American section, is less than the average. There is nothing in the treaty which makes less than the average run-off a test for invoking the second paragraph of subclause (b) of article X.

Then it goes on, "then the quantity of water guaranteed to Mexico by this treaty shall be reduced proportionately for that year."

So, Mr. President, I submit that in each of the contrasted features there is a change in the treaty by the proposed reservation, and, in my opinion, it is indubitably an amendment, and not a reservation.

Coming now to the words "extraordinary drought" in the treaty, the testimony in the hearing was filled with the most fanciful definitions of "extraordinary." I am planting myself on the simple proposition that a drought which is not ordinary is extraordinary.

There is the element of difficulty of delivery. Clearly when referring to difficulty of delivery the treaty would not be referring to the difficulty of turning a valve off or on. That would be a senseless interpretation. Anyone knows it is not difficult to turn a valve and let water out of a reservoir. So I do not believe that that was the kind of difficulty that was meant by this provision. I may say that the distinguished junior Senator from Nebraska read correctly my own expression in the hearings of dissatisfaction with some of this language, and I may say that after the hearings I had repeated sessions with the engineers for the proponents of the treaty to try to clarify my mind respecting the different circumstances under which this provision might be invoked. They more or less satisfied me that so far as difficulty of delivery is concerned it means difficulty in delivering from reservoirs when delivery disturbs the normal regimen of those reservoirs, the normal regimen required to equate the stream, and that it can have no other sensible meaning.

To reduce Mexico to the same proportion as we reduce our consumptive uses—I do not believe there is any difficulty in that. I think that is a matter of fact that can be determined easily enough.

Mr. GERRY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. GERRY. I have listened to the argument of the Senator from Colorado respecting the treaty and the reservations, and I believe he is trying to explain the language in the most reasonable sense, and in what would be the usual sense of construction. Is that correct?

Mr. MILLIKIN. That is correct.

Mr. GERRY. I wonder if the Senator has in his mind whether or not the debates in the Senate will be taken into consideration in connection with difficulties that might arise between the two countries, and in any construction that may be put upon the reservations?

Mr. MILLIKIN. I do believe, I will say to the Senator, that the debates might be referred to, and I will carry the thought one step further, and say that I think that calls for certain restraints in the debate.

Mr. WHERRY. Mr. President, will the Senator yield to me for a question?

Mr. MILLIKIN. I yield.

Mr. WHERRY. Subparagraph (b) of article 10 contains the language "thereby making it difficult for the United States to deliver." Those words are preceded by the language, "In the event of extraordinary drought or serious accident to the irrigation system in the United States." Does the Senator think it would be difficult to comply with the language which provides that we shall deliver to Mexico 1,500,000 acre-feet, the guaranteed quantity, so long as we have waters in the reservoirs which can be used for that purpose?

Mr. MILLIKIN. It would not be difficult to deliver in the sense of turning a valve so long as we have any water in the reservoir.

Mr. WHERRY. If we did not have 1,500,000 acre-feet, does not the Senator think we would open the valves and take all the water needed in order to meet the requirements of the treaty?

Mr. MILLIKIN. I do not believe there would be any difficulty in establishing an extraordinary drought unless we get off into the most abstruse definition of what "extraordinary" means. We have the records, we have the facts. They are in our jurisdiction. We have great engineers at work upon this stream. The States themselves have their own employees who follow every ditch, watch every headgate, and observe every consumptive use. We know what is going on in this river basin. So as to that part of it I do not see any difficulty in finding when there is an extraordinary drought.

I see no difficulty in determining when we have reduced our consumptive use because of extraordinary drought. I believe that the remaining thing which perhaps is in the mind of the Senator is the reservoir angle.

Mr. WHERRY. Yes.

Mr. MILLIKIN. If I may take the liberty of exploring what I think is in the Senator's mind——

Mr. WHERRY. Will the Senator yield before he does that?

Mr. MILLIKIN. Yes.

Mr. WHERRY. Because of the apprehension I have that there will not be sufficient water in the reservoir, I should like to call attention, for the RECORD, that on page 1760 of the hearings it is shown that in the average conditions in the low periods we have stored 762,000,000 acre-feet of water.

Mr. MILLIKIN. I do not want to be chasing stray rabbits out of the bushes here. I wish to hang right onto the Senator's reservation.

Mr. WHERRY. That is not a stray rabbit, Mr. President. 762,000,000 acre-feet stored under average conditions in the low period to me represents——

Mr. MILLIKIN. Mr. President, is it 762 thousand, not million, feet?

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. WHERRY. I yield.

Mr. CONNALLY. I want to correct the Senator. He said 762,000,000 acre-feet. There are not that many million acre-feet.

Mr. WHERRY. I may have used a New Deal figure, Mr. President.

Mr. CONNALLY. Well, whatever kind of deal figure the Senator used—it should have been 762,000.

Mr. WHERRY. I wish to correct my statement. The figures should be 762,000 acre-feet. That is the amount we have stored under average conditions during the low period.

Mr. MILLIKIN. Mr. President, I should like to say that that figure is the net boil-down of a great many preceding calculations, which include, among other things, 962,000 acre-feet of water which the California people claim in excess of their firm allotments, if they have firm allotments, which can only come out of water which may be apportioned out of surplus water after 1963, and after one of the basins has reached its maximum consumptive use.

I may say also that in connection with many figures we have been hearing, the item of return flow, which the Bureau of Reclamation estimates to be in the neighborhood of approximately 1,000,000 acre-feet a year, has been left out completely.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. CONNALLY. Is it not also true that with the building of Davis Dam, which will impound the waters now escaping from Boulder Dam for the manufacture of power, we will increase the supply here at home and contribute still more to the equitable flow of the river?

Mr. MILLIKIN. I think that is correct, Mr. President.

I believe we can get ourselves pretty confused over this whole subject if we forget that at the present time and for a long time to come we really have no problem. We are spilling 10,000,000 acre-feet over the border every year. Out of the seven and one-half million acre-feet to which the upper basin is entitled we are using about 2,200,000 acre-feet. The lower basin, which is entitled to use eight and one-half million acre-feet is using about 5,000,000 acre-feet. We do not have any problem in that respect at the present time.

The problem will come as we expand our uses in the United States and assuming we do not place a ceiling on Mexican uses. As we expand our uses we will be constructing dams in the upper basin to equate the stream to overcome the very difficulties we are talking about. At that time, with a full equated stream, we believe the long-term average of the stream can be realized through the use of these additional dams and works, and that our problem, if we have one, will be only a very occasional and limited one.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. MILLIKIN. I yield.

Mr. MURDOCK. The Senator will remember that during the hearings I interrogated Mr. Tipton quite thoroughly on the paragraph having to do with extraordinary droughts as affecting the Colorado River system. Mr. Tipton finally admitted that when the whole paragraph is boiled down it simply means that we never can diminish the right of Mexico until we have begun diminishing the rights in the United States. Does the Senator remember that?

Mr. MILLIKIN. I do not remember it specifically, but I would not challenge the Senator's statement.

Mr. MURDOCK. Is not that what the paragraph means? The term "extraordinary drought" means little unless we take the next step of diminishing our own rights, and then and only then can we diminish the right of Mexico. Am I correct in that statement?

Mr. MILLIKIN. I suggest to the Senator that there is another feature. First, we have to have extraordinary drought.

Second, we have to have difficulty of delivery. Third, we have to have a reduction in our own consumptive uses. The three go together.

Mr. MURDOCK. The three must all be there.

Mr. MILLIKIN. Yes.

Mr. MURDOCK. I think of all language in the treaty that is objectionable it is this language. Mexico never had a right, and in my opinion should never acquire a right, to anything except the natural flow of the Colorado River. I believe that the paragraph in the treaty on this point should be to the effect that whenever the natural flow of the stream is decreased by natural conditions in the United States, then Mexico, in equity, may ask nothing more than her proportionate share of the decreased natural flow of the river. I believe that the reservation would accomplish this purpose.

But when we say to Mexico, as we do in this paragraph, that every facility on the river which is now in existence, and which has either been paid for or will be paid for by the taxpayers of the United States, is forever dedicated to the delivery of water to Mexico, to me that is a position which this Government should not take. For example, if the Federal Government wished to build, in cooperation with a State, a reservoir in Colorado, a reservoir in Utah, or a reservoir in any other State, exclusively for the people of the United States, and for the purpose of tiding over users in the United States during a period of drought, under the language of this paragraph, as I construe it, that could not be done. Mexico could always rise up and say, "Under this paragraph, regardless of what you build in the United States, a portion of it is dedicated in perpetuity to the delivery of water to Mexico." Am I correct in that statement?

Mr. MILLIKIN. I do not entirely agree with the Senator in his interpretation of that paragraph. I think we can determine when we have an extraordinary drought. I think we can determine when our beneficial consumptive uses are reduced. I think we can determine when it is difficult to make delivery—not in the physical sense of turning a valve.

Mr. MURDOCK. I agree with the Senator.

Mr. MILLIKIN. I believe that those three factors should be considered together in the determination of the question.

While the Senator was unavoidably absent from the Chamber, I made the point that the proposed reservation is, in fact, an amendment. I analyzed all the factors of the proposed reservation in relation to the provisions in the treaty as it now stands. I was just about to suggest to the distinguished junior Senator from Nebraska that I think what really worries him is the relation of extraordinary drought and reduction of consumptive uses, two of the three factors, to what happens in the reservoir. If there is an extraordinary drought, and if there is some reduction of consumptive use, but if there are overflowing reservoirs, is it difficult to deliver the water? And so forth. One can twist the factors around and ask himself many questions. I believe that if the language were left as it is, it would be susceptible of common sense, practical interpretation. I have reached that conclusion after pursuing the question most diligently with our engineers. I have suggested to the distinguished junior Senator from Nebraska that I believe it would be fairly interpretative of the treaty if we should recognize that we in this country, to perform our duties to Mexico, will have to maintain equated streams as we go along, and that that will place upon us the duty of preserving prudent levels in the reservoirs. I believe that once we have properly related the factors of equated flow, extraordinary drought, and reduction of consumptive use, there will be nothing further to worry about. I believe that is what is in the mind of the distinguished junior Senator from Nebraska.

Mr. MURDOCK. There is no question in my mind that the paragraph as it is now written is so simple, concise, and emphatic as to what Mexico can demand, that there is no question about it. I have no doubt whatever about the interpretation of the paragraph. To me it is clear and definite. The thing that worries me is this: It means without question—and I do not think the Senator will deny it—that regardless of the natural flow of the stream, Mexico can say to us, and will say to us, under that paragraph, "You cannot diminish the rights of Mexico until you decrease the rights of the United States." The point that I am making—and I tried to make it before the Foreign Relations Committee—is that the very purpose of building reservoirs is to store water in abundant years to meet the demands of users in years of drought. The very purpose of taxing California and other States to build reservoirs is for the benefit of the people of the United States. But we find that when we build a reservoir, it, together with the reservoirs which we have already built, will be dedicated in perpetuity to the guaranty to Mexico. We cannot get away from it. That is the thing to which I object—not that the paragraph is not susceptible to interpretation. The thing to which I object is having this Government say to the people of the United States that all that we have done on the river, and all that we may ever hope to do on the river, is dedicated to a provision in this treaty under which this Government guarantees the delivery of water to a foreign nation. I simply cannot agree with the philosophy that the people of the United States should put themselves into what I think would be a very sad predicament.

Mr. MILLIKIN. I do not intend to argue the whole treaty in connection with this particular reservation. I merely suggest to the Senator that if we assume that Mexico, as a nation, is entitled to an equitable apportionment of the water of that stream, if we believe that, then when Mexico limits herself to one and a half million acre-feet a year, progressively reducing her use from 20 percent to 8 percent, while we increase our use to 92 percent, there is some consideration for the works which we are placing on the river.

Mr. MURDOCK. Mr. President, will the Senator further yield?

Mr. MILLIKIN. I yield.

Mr. MURDOCK. Does the Senator take the position that, because Mexico is entitled to certain waters in the Colorado River, by reason of that fact, and the further fact that we have equated the flow by expenditures in the United States, we should then be penalized by a paragraph of this kind, which forever dedicates our facilities to Mexican use?

Mr. MILLIKIN. If we are going to make a treaty giving Mexico a definite amount of water, she is entitled to a definite amount of water—passing the argument as to the amount—except under prescribed conditions. That raises the whole question as to how much water Mexico should have, what kind of water she should have, and so forth.

Let me remind the Senator of the provision in article III (a) of the compact which was entered into because of the rapid development in the lower basin, and because California wished to get started with the promotion of Boulder Dam.

I read from article III (a) of the Colorado River compact:

ART. III. (a) There is hereby apportioned from the Colorado River system in perpetuity to the upper basin and to the lower basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist.

(b) In addition to the apportionment in paragraph (a), the lower basin is hereby given the right to increase its beneficial consumptive use of such waters by 1,000,000 acre-feet per annum.

(c) If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River system, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b); and if such surplus shall prove insufficient for this purpose then the burden of such deficiency shall be equally borne by the upper basin and the lower basin.

And so forth. In other words, the Senator's complaint, I respectfully suggest, is not timely. The States themselves, in their compact, laid down the formula for supplying deficiencies.

Mr. MURDOCK. Mr. President, will the Senator yield there?

The PRESIDENT pro tempore. Does the Senator from Colorado yield to the Senator from Utah?

Mr. MILLIKIN. I yield.

Mr. MURDOCK. It is my belief that if the framers of the compact had had the slightest indication that a treaty of this kind would ever be ratified, there never would have been a Colorado River compact. When the Senator tells me that my Government should be penalized for equating the flow of a stream such as the Colorado, for placing it in such condition that Mexico could make use of it, and that we will not only be penalized by giving to Mexico, under schedule, more water than she has ever before used, but we will be further penalized, as I have stated several times, by the dedication of all facilities along the

river—facilities built by taxpayers of the United States—in order to guarantee such rights on the part of Mexico, I say that I cannot understand that kind of philosophy on the part of the Senate of the United States.

Mr. MILLIKIN. Let me say to the distinguished junior Senator from Utah that the compact between the States themselves was made before Boulder Dam, and it looked forward to Boulder Dam. It provided that the Mexican allocation should be made good in a certain way, and it specifically contemplated making good any deficiencies.

Mr. MURDOCK. I do not disagree with the Senator at all on that point; but I take the position, as I have stated, that if the framers of the Colorado River compact had had even the slightest indication that the Senate of the United States would ratify a treaty of this kind, we would not have had the compact.

Mr. CHANDLER. Mr. President, will my friend yield to me?

Mr. MILLIKIN. I gladly yield to the Senator from Kentucky.

Mr. CHANDLER. Of course, Mr. President, I am not concerned about what an extraordinary drought is. If a farmer was experiencing a drought and was told it was an extraordinary drought, probably that would merely mean a more severe drought. I suppose it would merely mean that he lacked even more water and was still in a drought. In other words, first he had some drought, then he had some more drought, and finally he said to himself, "It is an extraordinary drought." But I suppose it would still be a drought.

I wish to ask the Senator a question. If the Senate ratifies the treaty—and I devoutly, sincerely, and earnestly hope the Senate will not do so—and if a drought comes—and when it comes, I suppose there will be no doubt about it—I presume that under those circumstances some day we may say to Mexico, "We have agreed by treaty to deliver to you 1,500,000 acre-feet of water, but we do not have it, and we cannot deliver it." The Senator has said that will not occur because, so he has told us, we have so much water which is now wasted. However, I understand that in 24 of the 44 years there has been a drought. If there were a drought and we were unable to deliver the water as we had promised, and as we had committed the people of this country to deliver, and if we had stored water at Boulder Dam and at other places in years when there was sufficient water, as against the time when the American people would need to use it because of the existence of a serious drought in our country, would we not be compelled in all good faith and in order to keep the word of the people of the United States to open the gates and let the water go down to Mexico, so that Mexico could have the water we had guaranteed her?

Mr. MILLIKIN. Mr. President, I answer the Senator's question unequivocally, in accordance with my understanding of the treaty, by saying that under the treaty we would agree to give Mexico 1,500,000 acre-feet of water a year. If a drought occurring in this country caused us to reduce our consumptive use, and if it met the other conditions described in the treaty, we would have a right to reduce the amount supplied to Mexico.

Mr. CHANDLER. What right would we have to reduce our supply to Mexico if by the treaty we guaranteed to deliver the 1,500,000 acre-feet of water? We would already have agreed to deliver 1,500,000 acre-feet of water to Mexico. So far as I am advised, there is no specific agreement to deliver specific amounts of water to anyone else. If the areas in the Western States continue to develop, and if more people go to California, for instance—and it is one of the most attractive places in the world in which to live; it is healthful, and people live longer there and in Kentucky—and if extraordinary droughts occur, and if the people living there need more water than we will then be in a position to give them, what will be the position of the Senate under those circumstances?

Mr. MILLIKIN. Mr. President, the treaty provides:

> In the event of extraordinary drought or serious accident to the irrigation system in the United States, thereby making it difficult for the United States to deliver the guaranteed quantity of 1,500,000 acre-feet (1,850,234,000 cubic meters) a year, the water allotted to Mexico under subparagraph (a) of this article will be reduced in the same proportion as consumptive uses in the United States are reduced.

Mr. CHANDLER. Let me ask a further question. If the Commission to be established under the treaty finally agreed and decided to reduce the amount of water all around, would not that reduction directly affect little communities in the western area? Under the plan—and I again remind the Senate of what was said by Dr. Timm, whom I quoted, and who is the one who presumably had a great deal to do with drawing up the treaty—the announced purpose is to establish a national policy whereby the Government would be able to obliterate public utilities, and any little town which had been able to develop such utilities would find their activities and operations curtailed, once such a national policy were established. That is one thing I fear.

I objected to such a plan, and I shall continue to do so, because it is not right. Water is a precious right, and it is the solemn duty of the Government of the United States to protect its people. If we give up their right to the water, we will never get it back, except by violating the treaty; and we should not make a treaty if we do not expect to live up to it. A treaty is above the ordinary laws of the land. Such a treaty should not be ratified. I fear any such proposal. It would be a bad thing.

I thank my friend for yielding to me; I did not wish to trespass on his time.

Mr. MILLIKIN. I wish to say to the distinguished Senator that it is our plan in the upper basin to build reservoirs which will equate the stream in the upper basin, just as various reservoirs help to equate it in the lower basin. By those reservoirs we hope to obtain the long-term average of the river. The Senator may be interested to know that the long-term average annual virgin flow at Lees Ferry—that is the beginning of the lower basin—is 16,271,000 acre-feet of water. The average annual flow at Lees Ferry from 1931 to 1940—the dryest period ever known since records have been kept—was 12,210,000 acre-feet of water.

There may be some circumstances under which speculative water in the lower basin may be pinched.

The PRESIDENT pro tempore. The question is on agreeing to the reservation proposed by the Senator from Nebraska [Mr. WHERRY].

Mr. CONNALLY. Mr. President, I wish to say just a word, without taking up an undue amount of the time of the Senate. As I view the so-called reservation, it would provide for a change in the terms of the treaty. A vote for the reservation would amount to a vote to reject the treaty. So those who wish to kill the treaty undoubtedly will vote for the reservation.

As was pointed out by the Senator from Colorado, the treaty specifically provides that if, on account of the existence of an extraordinary drought, the consumptive uses in the United States are reduced, the amount of water delivered to Mexico may be proportionately reduced. I very much hope that the Senate will reject the amendment.

Mr. WHERRY. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. WHITE. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	O'Daniel
Austin	Hart	O'Mahoney
Bailey	Hatch	Pepper
Barkley	Hawkes	Radcliffe
Bridges	Hayden	Revercomb
Briggs	Hill	Robertson
Brooks	Hoey	Russell
Bushfield	Johnson, Calif.	Stewart
Capehart	Johnson, Colo.	Taft
Capper	La Follette	Taylor
Chandler	Langer	Thomas, Okla.
Chavez	Lucas	Thomas, Utah
Connally	McCarran	Tunnell
Cordon	McClellan	Tydings
Donnell	McFarland	Vandenberg
Downey	McKellar	Wherry
Ellender	Magnuson	White
Ferguson	Maybank	Wiley
Fulbright	Millikin	Willis
George	Moore	Wilson
Gerry	Murdock	Young
Green	Murray	
Guffey	Myers	

The PRESIDENT pro tempore. Sixty-seven Senators have answered to their names. A quorum is present.

The question is on agreeing to the reservation offered by the Senator from Nebraska [Mr. WHERRY]. On this question the yeas and nays have been ordered.

Mr. JOHNSON of California. Mr. President, thus far I have refrained from entering into this debate. I do not now enter into it upon its technical aspects; but there are one or two matters which should be called to the attention of the Senate in order that its Members may know just what they are about to do and how far they are about to go.

There is no difference between the taking of land, as we all know it, and the taking of water, as we all know it. There is no difference between the right of a

nation to have its water, its right to have its land. If I can make this body understand to what I am referring, I shall have served my purpose. I shall not take much of the Senate's time.

Mr. President, I see about me men who fought the good fight again and again and again. Those men whom I see here today are losing sight of the fundamental principle which is involved in this contest. I look into the gallery and I see there 10 men, 10 Americans. I look at them and realize that in the days gone by their forefathers pioneered the development of that beautiful country which is now the home of many Americans. I realize that in the days gone by they were able to make that area blossom like a rose and become the site of little homes. I saw people take their belongings into this once inhospitable region and carry out their purpose. In all times there have been men with the love of adventure, there have been men with us, and thank God for them, who have been able to do as the Lord directed them in line with their spirit of adventure. In my time I have seen men—I am old enough to have seen them—take this country, which was a miserable desert, and make it bloom in various ways.

I sat one night and watched a freight train coming through the Imperial Valley, carrying its cargo of fruit and vegetables and all the creature comforts of men. I looked at it away off in the distance. I saw the Imperial Valley grow.

Mr. President, it is for these men that I plead here. I have no interest in this treaty. I have no desire to say that the brethren of Mexico shall not have any water from the Colorado River. I have no desire to deprive them of anything which rightfully should be theirs. But I want the American citizen, the man with red blood in his veins, who has been strong to dare and venture, to have the right to make his own home, to build his own home, and to live with his children in his own home.

From a time 40 years ago these men have worked in the desert. I think I am not wrong in calling it a desert, but those who have not seen it and know nothing of it would vote one way, and afterwards would excuse themselves for voting that way.

It is true there is not very much involved; there is only a small bit of land which if denied water would be rendered useless. There is no use dodging the question.

Mr. President, we are confronted with the situation of a great department of the Government of the United States, called the State Department, using every endeavor that man could think of to carry out its design. They have decreed the extra water. They have decreed that we should give the extra water to Mexico. They may talk of the various methods of measuring the water, they may tell us about how it should be measured and taken thus and so, but, after all, it is the Mexican Government taking from the United States Government water which belongs to the United States, and as long as it belongs to the United States, and as long as it constitutes a part of our lands in this country, just so long will I stand here and try to protest.

I may not be right in making such a boast, it may be I am wrong in endeavoring to deal with the subject in the manner I follow, but, O God, how can those here who are thinking of other things be willing to take from the poor people of the Imperial Valley the one thing that belongs to them, the one thing they discovered, for which they fought, and deny them the right of having ownership over that which is theirs, and which should not be taken from them?

I am not going to argue this question, I am not going to say one city or one county is entitled to have one-sixteenth part, or one-tenth part, or one-half, or any other part of what is ours. This land was in the ownership of young men who are now old, but who 20 years ago went down to that country and built their homes there. This small bloc of citizens are Americans. Remember, they are Americans, Americans who fought their way through and have won that little area of land. It makes me sick, it drives me crazy, to have the greatest organization in this world, perhaps, reaching for excuses by a proposed treaty to give to others what belongs to our people. Oh, it would be to be given to them with such glee and with such great joy! Those who prepared the treaty seem to play no other game but the one of taking water from the little pieces of land which have been acquired by our citizens, on which they have built little houses, and on which they have reared their families, on which they have all that makes life worth living. Our people have toiled in that territory and have developed it, and the only way the fruits of their toil can be taken away from them is by the strong arm of Government.

Mr. President, I listened to the distinguished chairman of the Foreign Relations Committee when he discussed the treaty. He raised his arm and shook his fist at those who were in the Chamber, and he said he never would think of permitting the delivery of any of this great natural resource to the profaning touch of the seeker for gain. That was not exactly the language he used, but it approximates his language. When he raised his hand on high to heaven I thought of these poor men who have worked to establish themselves on the land, who have built their homes there, whose sons are now fighting the battles of their country, and who are now asking this body to preserve for them what they are entitled to have preserved. The individuals who have established their homes on the land irrigated by the waters of the Colorado are entitled to ask that their rights be preserved.

Mr. President, I look at my brethren of the Senate from a time of life and at an age which is greater than the age of any other Senator except possibly the Senator who sits next to me now, the Senator from Kansas [Mr. CAPPER]. When I look at my brother Senators I think to myself: How is it possible for them to favor giving a part of the land of this country to the Mexican Government? I do not see how it is possible for Senators to do such a thing. I acquit them of any unjust motive. I acquit them entirely of any wrong thinking. I think there is something wrong with their methods of thinking, however, or perhaps there is something wrong with mine.

I speak earnestly and honestly on this subject. I would not be party to taking 10 feet of the land of my country from any one, whoever he may be on earth, and handing it to a foreign nation. But that is just what it is proposed to do; and some who favor the treaty seem to enjoy doing it. It is a strange thing that has been brought home to me. It is strange that men who have fought the battles of the Republic, and who now are located on land of the United States, should be treated in the way it is proposed to treat them by the ratification of the treaty.

Mr. President, we should think of the men who have built their little houses in the valley which is irrigated by the water of the Colorado. There they are, Mr. President, asking you and me only to protect their homes. That is all they ask—that we protect their homes. Good God, is it too much for them to ask of us?

Mr. President, I am with one exception the oldest man on the floor of the Senate. I cannot do otherwise than I am doing now, implore the Senate, beg the Senate, not to do anything that would injure these men who have gone into the Imperial Valley and have built their little houses there, and have surrounded themselves with all that makes life worth living, who have reared their families on their land. I implore the Senate, I beg the Senate, to give them a square deal, rather than to reach over into Mexico and give Mexico a square deal.

Mr. President, that is all I have to say. I should like to speak to the Senate at great length on the treaty. I should like to descant upon the very remarkable letter which Herbert Hoover wrote to this body. I should like to take that letter and show the Senate how he evidently determined to reach a fair conclusion, and he reached one, and he says, "Do not do this thing. Do not do this thing."

Mr. President, let me make a prophecy to the Senate. An old man stands here now making a prophecy today. Let every man within the sound of my voice beware, beware, beware, because for the first time in the history of the United States it is proposed that the United States shall send out its civil employees, as they are termed, employees of the people who run and manipulate the State Department, and it is proposed that they shall carry out the terms of the treaty, and do something which would be—I was about to term it an infamy, but it is not intentionally so.

Why should Senators want to turn over to another nation some of the land which their citizens own?

Breathes there the man with soul so dead
Who never to himself hath said,
This is my own, my native land!

* * * * * *

If such there breathe, go, mark him well!
For him no minstrel raptures swell.

I will not quote further from that beautiful poem.

But let the man be marked well who is willing to take some of his native land and throw it up into the air and let some of it rain down upon another land in order to aid that other land.

The PRESIDENT pro tempore. Has the Senator from California concluded?

Mr. JOHNSON of California. I have.

The PRESIDENT pro tempore. The question is on agreeing to the reservation offered by the Senator from Nebraska [Mr. WHERRY]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WAGNER (when his name was called). I have a general pair with the Senator from Kansas [Mr. REED]. I transfer that pair to my colleague [Mr. MEAD] and will vote. I vote "nay".

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Virginia [Mr. BYRD] is absent attending the funeral of a relative. I am advised that if present and voting he would vote "yea".

The Senator from Mississippi [Mr. EASTLAND] is absent on public business.

The Senator from Washington [Mr. MITCHELL] is absent on official business with the Special Committee to Investigate the National Defense Program.

The Senator from Massachusetts [Mr. WALSH] is absent as a member of the Board of Visitors to the United States Naval Academy.

The Senator from Montana [Mr. WHEELER] is detained in a committee meeting.

Mr. WHERRY. The Senator from Vermont [Mr. AIKEN] is absent by leave of the Senate.

The Senator from Ohio [Mr. BURTON] is necessarily absent. If present he would vote "nay."

The Senator from Oregon [Mr. MORSE] and the Senator from Iowa [Mr. HICKENLOOPER] are absent by leave of the Senate.

The Senator from Massachusetts [Mr. SALTONSTALL] has been granted leave of absence as a member of the Board of Visitors to the Naval Academy.

The Senator from New Jersey [Mr. SMITH] is absent by leave of the Senate.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from Kansas [Mr. REED] is detained in a committee meeting.

The Senator from Delaware [Mr. BUCK] is detained on official business.

The result was announced—yeas 24, nays 54, as follows:

YEAS—24

Aiken	Donnell	Murdock
Bridges	Downey	Revercomb
Brooks	Ferguson	Robertson
Bushfield	Hawkes	Shipstead
Butler	Johnson, Calif.	Wherry
Capehart	Langer	Willis
Chandler	McCarran	Wilson
Cordon	Moore	Young

NAYS—54

Austin	Hatch	O'Daniel
Bailey	Hayden	O'Mahoney
Ball	Hill	Overton
Bankhead	Hoey	Pepper
Barkley	Johnson, Colo.	Radcliffe
Bilbo	Johnston, S. C.	Russell
Briggs	Kilgore	Stewart
Capper	La Follette	Taft
Chavez	Lucas	Taylor
Connally	McClellan	Thomas, Okla.
Ellender	McFarland	Thomas, Utah
Fulbright	McKellar	Tobey
George	McMahon	Tunnell
Gerry	Magnuson	Tydings
Green	Maybank	Vandenberg
Guffey	Millikin	Wagner
Gurney	Murray	White
Hart	Myers	Wiley

NOT VOTING—18

Andrews	Glass	Saltonstall
Brewster	Hickenlooper	Scrugham
Buck	Mead	Smith
Burton	Mitchell	Thomas, Idaho
Byrd	Morse	Walsh
Eastland	Reed	Wheeler

So Mr. WHERRY's reservation was rejected.

MRS. FRANKLIN D. ROOSEVELT

During the delivery of Mr. WHERRY's speech,

Mr. HATCH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Nebraska yield to the Senator from New Mexico?

Mr. HATCH. I thought the Senator was about to conclude.

Mr. WHERRY. Would the Senator like to have me yield to him? If so, I shall be glad to do so, if he desires to make a contribution to what I am saying or wishes to put something into the RECORD.

Mr. HATCH. I desire to have something read into the RECORD.

Mr. WHERRY. I yield to the distinguished Senator from New Mexico.

Mr. HATCH. Mr. President, it is rather a personal matter. Out of respect to a brave and gallant woman, I send to the desk a clipping from a newspaper of today and ask that the clipping be read.

The PRESIDENT pro tempore. Without objection, the clerk will read as requested.

The legislative clerk read as follows:

PERSONAL SORROW SEEMS LOST IN THE GENERAL SADNESS OF HUMANITY

(By Eleanor Roosevelt)

MONDAY.—When you have lived for a long time in close contact with the loss and grief which today pervades the world, any personal sorrow seems to be lost in the general sadness of humanity. For a long time, all hearts have been heavy for every serviceman sacrificed in the war.

There is only one way in which those of us who live can repay the dead who have given their utmost for the cause of liberty and justice. They died in the hope that, through their sacrifice, an enduring peace would be built and a more just world would emerge for humanity.

While my husband was in Albany and for some years after coming to Washington, his chief interest was in seeing that the average human being was given a fairer chance for "life, liberty, and the pursuit of happiness." That was what made him always interested in the problems of minority groups and of any group which was at a disadvantage.

As the war clouds gathered and the inevitable involvement of this country became more evident, his objective was always to deal with the problems of the war, political and military, so that eventually an organization might be built to prevent future wars.

Any man in public life is bound, in the course of years, to create certain enemies. But when he is gone, his main objectives stand out clearly and one may hope that a spirit of unity may arouse the people and their leaders to a complete understanding of his objectives and a determination to achieve those objectives themselves.

Abraham Lincoln was taken from us before he had achieved unity within the Nation, and his people failed him. This divided us as a Nation for many years.

Woodrow Wilson was also stricken and, in that instance, the peoples of the world failed to carry out his vision.

Perhaps, in His wisdom, the Almighty is trying to show us that a leader may chart the way, may point out the road to lasting peace, but that many leaders and many peoples must do the building. It cannot be the work of one man, nor can the responsibility be laid upon his shoulders, and so, when the time comes for peoples to assume the burden more fully, he is given rest.

God grant that we may have the wisdom and courage to build a peaceful world with justice and opportunity for all peoples the world over.

And now I want to say one personal word of gratitude to the many people who have sent messages of affection and condolence during these last days. My children and I are deeply grateful. I want to say too that the people who waited in the stations and along the railroad to pay their last respects have my deep appreciation.

"And now there abideth these three—Faith, Hope, Charity, but the greatest of these is Charity."

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and a protocol (Executive H, 78th Cong., 2d sess.) supplementary to the treaty.

Mr. McCARRAN. Mr. President, I offer the reservation which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The reservation will be stated.

The CHIEF CLERK. At the end of the resolution of ratification it is proposed to insert the following:

That all waters of the Colorado River system, from any and all sources, not specifically allotted to Mexico, are hereby allotted to the United States.

Mr. McCARRAN. Mr. President, I shall detain the Senate only a few minutes in discussing this reservation.

The treaty makes provision that all waters south of the national boundary, whether return flow or otherwise, are the property of the Republic of Mexico. The treaty designates all waters within American territory not involved in the allocation of 1,500,000 acre-feet as the property of the United States of America and as allocated to the United States. It seems to me that while we are definitely allocating and guaranteeing 1,500,000 acre-feet to our neighbor republic we can well afford to guarantee and allocate to ourselves everything above the 1,500,000 acre-feet. We can at least say to ourselves that over and beyond the 1,500,000 acre-feet which we guarantee to Mexico

all water shall be for the use of American citizens. We can afford at least that much consolation to our own country and our own people.

In that connection, let me say that there would be no water whatever to allocate to Mexico were it not for the impounding works which the United States has heretofore installed and which it will install.

When the Boulder Dam Act was before the Senate for consideration, my late colleague, the much-beloved Senator from Nevada, Key Pittman, then a member of the Committee on Foreign Relations, discussed this question. I beg leave to repeat his words. They are brief and to the point. I read the following from the CONGRESSIONAL RECORD:

> I think it is the recognized policy of Congress—certainly it is recognized in the very opening paragraph of this bill—that the comity between nations does not call upon the United States to furnish to Mexico any water that has accumulated in the United States through expenditures made by the United States. If this dam is never built, if there is no water impounded on that river, Mexico a thousand years from now will be where Mexico is today with regard to irrigation in Mexico. * * * The committee added those words "within the United States" for the very purpose of declaring the policy of Congress and of this Government if and when this legislation becomes a law. There is no question what Congress will mean by that if they pass the bill. * * * We will assume, however, as a violent conclusion, that the Secretary of State of the United States would enter into a treaty with Mexico, giving them many times the amount of water to which they were entitled, from the natural flow of this river, and, to do so, should attempt to injure some vested rights in this country, to take away from people the use of water they had been legally using for irrigation.
>
> That treaty would have to come to this body for ratification before it would ever be a treaty. It would take two-thirds of this body to ratify it. It is totally inconceivable, if we pass his bill, which states that all the impounded water above the natural flow shall be used exclusively within the United States, that they would ratify any such treaty.
>
> There is not a chance in the world of Mexico ever getting anything except that which she is morally entitled to under the comity of nations, and we know just what that is.

Mr. President, I have repeated the words Senator Pittman uttered at that time, because when we were building Boulder Dam it was distinctly understood that the water conserved by Boulder Dam would be the property of the United States, for its people. Yet, today it is proposed that we give away 1,500,000 acre-feet of that water and that we guarantee the flow of that much water to the Republic to the south of us. While we are guaranteeing all this beneficence to the Republic of Mexico, can we not guarantee to the people of the United States that all water over and above that flow, from the water which we have conserved and will continue to conserve by the expenditure of hundreds of millions of dollars, the invested wealth of the people of the Southwestern part of the United States, shall be guaranteed to the people of the United States? Can we not say to the people of this country, "All remaining flow shall be and is guaranteed to the people of the United States"? That is what the reservation declares, and I hope we may have a vote upon it.

I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HAWKES. May the reservation be read, so that I may understand it? I happened to be out when it was offered.

The PRESIDENT pro tempore. The reservation will be again stated.

The LEGISLATIVE CLERK. At the end of the resolution of ratification, it is proposed to insert the following:

> That all waters of the Colorado River system, from any and all sources, not specifically allotted to Mexico, are hereby allotted to the United States.

Mr. CONNALLY. Mr. President, I very much hope that the reservation will not be accepted. The treaty covers the matter adequately.

Mr. McFARLAND. Mr. President, reservation (j) specifically limits to 1,500,000 acre-feet the amount of water Mexico may receive. This matter has been carefully gone over by the committee, and the reservation which was offered by the Senator from Utah, the Senator from Wyoming, and myself covers this very proposition.

Mr. McCARRAN. Will either the Senator from Texas or the Senator from Arizona please read the language which covers this reservation?

Mr. McFARLAND. Certainly; I will read the reservation:

> (j) First, that the 1,700,000 acre-feet specified in subparagraph (b) of article X includes and is not in addition to the 1,500,000 acre-feet, the delivery of which to Mexico is guaranteed in subparagraph (a) of article 10; second, that the 1,500,000 acre-feet specified in three places in said subparagraph (b) is identical with the 1,500,000 acre-feet specified in said subparagraph (a); third, that any use by Mexico under said subparagraph (b) of quantities of water arriving at the Mexican points of diversion in excess of said 1,500,000 acre-feet shall not give rise to any future claim of right by Mexico in excess of said guaranteed quantity of 1,500,000 acre-feet of water.

In other words, Mr. President, all that Mexico could ever establish a right to under the treaty would be 1,500,000 acre-feet of water.

Mr. McCARRAN. How much water could the United States establish a right to, under the treaty?

Mr. McFARLAND. All the rest of the water. She already has the rest of the water, and she is entitled to use it.

Mr. McCARRAN. Where is the language, either in the treaty or in the reservation, which states that the remainder of the flow of the Colorado River is the property of the United States? Will the Senator please read that to me?

Mr. McFARLAND. All the water——

Mr. McCARRAN. No, Mr. President; I am asking the Senator please to read the language of the treaty or the reservation which guarantees to the United States all the flow, over and above the 1,500,000 acre-feet of water to be guaranteed to Mexico.

Mr. McFARLAND. This reservation does that. When the reservation limits to 1,500,000 acre-feet the amount of water Mexico may obtain, it is plain that the United States will have the rest. Who else is there to get it?

Mr. McCARRAN. If that be true, what is the objection to this reservation?

Mr. McFARLAND. The only objection to the reservation is that it could be misinterpreted and misunderstood.

Mr. McCARRAN. How could that be done?

Mr. McFARLAND. If we did not use the water, and if it arrived in Mexico, naturally it would belong to Mexico. But we would not have to let it go down to Mexico.

Mr. McCARRAN. Suppose we did let it go down to Mexico, would it become the property of Mexico?

Mr. McFARLAND. If it went down to Mexico, there would be nothing to keep her from using it.

Mr. McCARRAN. Very well. Why do we not guarantee the United States all water over and above what we guarantee to Mexico, inasmuch as by the treaty it is proposed that we guarantee a certain amount to Mexico? What is the objection to the use of the language of the reservation?

Mr. McFARLAND. The only objection is that the language is unnecessary and could be misunderstood.

Mr. McCARRAN. Does the Senator from Arizona understand the reservation which has been read at the desk?

Mr. McFARLAND. I do.

Mr. McCARRAN. Then the Senator will give everyone else credit for understanding it, I take it. It seems to me it is so simple that anyone can understand it. In other words, the reservation would guarantee that all water over and above what would be guaranteed to Mexico would be the property of the people of the United States. That is all the reservation says.

Mr. McFARLAND. Yes. It is already the property of the people of the United States.

Mr. McCARRAN. That is not stated in the reservation the Senator read to me, and which I now attempt to read, if I can find it. I think it is the reservation on page 6.

Mr. McFARLAND. It is reservation (j).

Mr. McCARRAN. It reads as follows:

> (j) First, that the 1,700,000 acre-feet specified in subparagraph (b) of article 10 includes and is not in addition to the 1,500,000 acre-feet the delivery of which to Mexico is guaranteed in subparagraph (a) of article 10—

Is there anything in that which guarantees any water to the United States?

Mr. McFARLAND. It is not necessary to allot the water to the United States, I will say, if the Senator is directing his question to the Senator from Arizona. The United States already has the water. The question is how much water will we let down to Mexico?

It would be useless to try to allot to the United States water which had already arrived in Mexico, because we could not use it.

Mr. McCARRAN. The Senator means that we did have the water, and subsequently we would give it to Mexico.

Mr. McFARLAND. No; the Senator from Arizona does not mean anything of the sort. We have the water. The only

thing to which we would give up a right would be to 1,500,000 acre-feet of water. That is all there is to the proposition.

Mr. McCARRAN. That water was ours to guarantee to Mexico; was it not? It must be, or we could not guarantee it to Mexico.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CHANDLER. I do not wish to have the Senator make the mistake of believing that we are considering guaranteeing to ourselves anything or that we are considering letting anyone else guarantee us anything. The purpose of the treaty is to guarantee water to Mexico. If it were suggested that by the treaty we would guarantee ourselves anything or would let anyone else guarantee us anything, it would be pointed out that such a suggestion has no place here.

Mr. McCARRAN. Future generations will have a different idea on that score.

Mr. CHANDLER. I agree with the Senator.

Mr. McCARRAN. Future generations will have a different idea of the action of the Senate of the United States at this time.

SEVERAL SENATORS. Vote! Vote!

Mr. McCARRAN. I hope that the Senate will have patience and listen to this discussion, because it is important, and some of us wish to be heard. I have been patient with Members of the Senate on all occasions when I could be present. I have never called for a vote while a Senator was speaking. I hope the same courtesy will be extended to me.

I continue reading:

Second, that the 1,500,000 acre-feet specified in three places in said subparagraph (b) is identical with the 1,500,000 acre-feet specified in said subparagraph (a)—

There is nothing in that language which guarantees anything to the United States—

third, that any use by Mexico under said subparagraph (b) of quantities of water arriving at the Mexican points of diversion in excess of said 1,500,000 acre-feet shall not give rise to any future claim of right by Mexico in excess of said guaranteed quantity of 1,500,000 acre-feet of water.

Where? In the United States? In Mexico? There is nothing in the language which guarantees anything to the United States. The language of the reservation, Mr. President, is so simple that it seems to me it should have been accepted and written into the treaty long ago. The water within the boundaries of the United States should remain the property of the United States. No one should read into this treaty any inference that, because we allow 1,500,000 acre-feet of water to go down the river to our neighbor, we therefore allow 1,700,000 acre-feet, 2,500,000 acre-feet, or all the water which flows across the Mexican boundary while we are preparing to utilize it.

SEVERAL SENATORS. Vote!

The PRESIDENT pro tempore. The question is on agreeing to the reservation offered by the Senator from Nevada [Mr. McCARRAN]. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. THOMAS of Utah. I have a general pair with the Senator from New Hampshire [Mr. BRIDGES]. I transfer that pair to the junior Senator from New York [Mr. MEAD], and will vote. I vote "nay."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent on public business.

The Senator from Virginia [Mr. BYRD] is absent attending the funeral of a relative.

The Senator from Washington [Mr. MITCHELL] is absent on official business with the special committee to investigate the National Defense Program.

The Senator from Massachusetts [Mr. WALSH] is absent as a member of the Board of Visitors to the United States Naval Academy.

Mr. WHITE. The Senator from Ohio [Mr. BURTON] is necessarily absent. If present he would vote "nay."

The Senator from Iowa [Mr. HICKENLOOPER], the Senator from Oregon [Mr. MORSE], and the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate.

The Senator from Massachusetts [Mr. SALTONSTALL] has been granted leave of absence as a member of the Board of Visitors to the Naval Academy.

The Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], and the Senator from Nebraska [Mr. WHERRY] are detained on official business.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The result was announced—yeas 18, nays 57, as follows:

YEAS—18

Butler	Langer	Robertson
Chandler	McCarran	Shipstead
Cordon	Moore	Tydings
Downey	Murdock	Wheeler
Hawkes	O'Mahoney	Willis
Johnson, Colo.	Revercomb	Young

NAYS—57

Aiken	Guffey	Myers
Austin	Gurney	O'Daniel
Bailey	Hart	Overton
Ball	Hatch	Pepper
Bankhead	Hayden	Radcliffe
Barkley	Hill	Reed
Bilbo	Hoey	Russell
Briggs	Johnston, S. C.	Stewart
Capehart	Kilgore	Taft
Capper	La Follette	Taylor
Chavez	Lucas	Thomas, Okla.
Connally	McClellan	Thomas, Utah
Donnell	McFarland	Tobey
Ellender	McKellar	Tunnell
Ferguson	McMahon	Vandenberg
Fulbright	Magnuson	Wagner
George	Maybank	White
Gerry	Millikin	Wiley
Green	Murray	Wilson

NOT VOTING—21

Andrews	Byrd	Morse
Brewster	Eastland	Saltonstall
Bridges	Glass	Scrugham
Brooks	Hickenlooper	Smith
Buck	Johnson, Calif.	Thomas, Idaho
Burton	Mead	Walsh
Bushfield	Mitchell	Wherry

So Mr. McCARRAN's reservation was rejected.

Mr. DOWNEY. Mr. President, I have at the desk two reservations which I should like to have read to the Senate by the clerk. I shall not make any argument on them. I should like to have the Senate vote upon them, and I will not ask that there be a record vote.

The PRESIDENT pro tempore. The clerk will read the first reservation offered by the Senator from California.

The LEGISLATIVE CLERK. At the end of the resolution of ratification it is proposed to insert the following:

That, on behalf of the United States, any joint agreement which is in substance a treaty, provided for in or contemplated by this treaty (including any joint approval of recommendations of the Commission relating to the Tijuana River system under article 16 of this treaty), or any general or special agreement for the settlement of controversies under subparagraph (d) of article XXIV of this treaty shall be made only by the President and then only by or with the advice and consent of the Senate, provided two-thirds of Senators present concur.

Mr. DONNELL. Mr. President, this is a very minor matter, although I think attention should be called to it in the interest of consistency. The language of the reservation is "by or with the advice and consent of the Senate." The language of the Constitution is "by and with the advice and consent of the Senate." I suggest respectfully to the Senator from California that the word "or" be changed to "and."

Mr. DOWNEY. I very happily modify the reservation.

Mr. DONNELL. There is one further very minor matter. I find that the language of the reservation is "provided two-thirds of Senators present concur." The Constitution reads "provided two-thirds of the Senators present concur."

Mr. DOWNEY. I ask unanimous consent to modify the reservation.

The PRESIDENT pro tempore. The Senator has a right to modify his reservation.

The question is on agreeing to the reservation.

The reservation was rejected.

The PRESIDENT pro tempore. The clerk will state the second reservation offered by the Senator from California.

The LEGISLATIVE CLERK. It is proposed to insert at the end of the resolution of ratification the following:

That nothing contained in this treaty or protocol shall authorize or require the taking of any property or rights within the United States held or used for a public service by a public agency unless—

(a) it is essential that such property or rights be used exclusively for treaty purposes; or

(b) such property or rights are to be used only in part for treaty purposes and the interested public agency will not consent to the use on reasonable terms; and

(c) in either case until a court of competent jurisdiction has determined these facts and full payment has been made of the consideration determined by such court to be adequate to compensate for the loss in use and value of the property or rights to be taken.

The PRESIDENT pro tempore. The question is on agreeing to the reservation.

The reservation was rejected.

Mr. CHANDLER. Mr. President, I have a reservation on the clerk's desk which I should like to have stated.

The PRESIDENT pro tempore. The clerk will state the reservation.

The LEGISLATIVE CLERK. It is proposed to insert the following:

Nothing in this treaty shall be construed to impair or interfere with the operation or effect within the United States of any United States law or requirement established by public authority respecting immigration, passports, or labor requirements.

Mr. CHANDLER obtained the floor.

Mr. MILLIKIN. Will not the Senator read the reservation?

Mr. CHANDLER. It provides:

Nothing in this treaty shall be construed to impair or interfere with the operation or effect within the United States of any United States law or requirement established by public authority respecting immigration, passports, or labor requirements.

I may say that labor organizations of the country are very much interested in the adoption of the reservation. I do not know of any harm it could or would result in. It might prevent some labor coming into the country in violation of the immigration laws or in violation of passport or labor laws or regulations. I do not think it possibly could be said it would do any harm to the treaty; the labor people want it, and I have agreed to present it for them. I should like to have the Senate vote on it. I do not want Senators merely to vote with their hands or their mouths. I want a yea-and-nay vote, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TAFT. There is a provision in the treaty about immigration. Does the Senator know what it is?

Mr. CHANDLER. I do not think there is anything in the treaty about it.

Mr. TAFT. There is something in the treaty about immigration, and I wondered if the Senator could tell us what it is.

Mr. CHANDLER. This reservation would not do any violence to any provision of the treaty. It merely provides that nothing in the treaty shall be construed to impair or interfere with the operation of the law.

Mr. BARKLEY. Will my colleague yield?

Mr. CHANDLER. I yield.

Mr. BARKLEY. What effect would the reservation have on the provision of the treaty, which I recall, although I do not remember the exact language, in regard to the construction of the international works provided for in the treaty? I think there is some provision about that which might involve workers temporarily crossing over the border.

Mr. CHANDLER. I think the labor organizations of the country fear that unless established rules are adhered to, there might be some discrimination against them.

Mr. CONNALLY. Mr. President, in answer to the Senator from Ohio, I suggest that there is a provision in the treaty with reference to workmen on the works provided for in the treaty. The immigration laws are not in anywise interfered with, except in this particular. Under the Mexican law, no American can do any work in Mexico. This provision in the treaty was inserted at the request of the United States authorities, for the reason that in constructing the works, some of which will be in Mexico, it was desired to permit American labor, the employees of American contractors who in all probability will have the responsibility of construction, to cross the border and perform this work in Mexico, where they cannot go now under the laws of Mexico.

The attitude of the labor organizations has been reversed. Some of our labor organizations thought this provision in the treaty might interfere with them, but when it was explained to them, the labor unions withdrew any objection, because they saw it was made, not in derogation of their rights, but in order to give them increased rights to go over into Mexico. They are technical men, trained men, performing the kind of labor needed, and it was desired that we secure from Mexico the right for our employees to go over on the Mexican side and construct these works.

The C. I. O. has come out in a public statement advocating the adoption of the treaty. I have a copy of their statement in my office, but do not have it available here at the moment. The Railroad Trainmen withdrew their objection, and while I have not personally contacted the American Federation of Labor, I understand they have also endorsed the treaty, because they have come to understand that this clause was inserted for their benefit, and not to discriminate against them. That is why the clause was inserted. We do not undertake to deal with immigration as such.

Mr. TAFT. Will the Senator from Kentucky yield?

Mr. CHANDLER. In a moment. This reservation was handed to me during the day by a representative of union labor, and they were anxious to have it adopted because they were not at all certain that their rights were protected. They thought that if this simple and apparently innocuous statement were added to the treaty, it would safeguard them. I do not think it can at all be hurtful, but they want it.

I yield to the Senator from Ohio.

Mr. TAFT. This is the provision of the treaty to which I was adverting:

The whole of the personnel employed either directly or indirectly on the construction, operation, or maintenance of the works may pass freely from one country to the other for the purpose of going to and from the place of location of the works, without any immigration restrictions, passports, or labor requirements.

I should like to ask the Senator from Texas whether or not he regards the reservation as a violation of the treaty.

Mr. CONNALLY. I do. I think we would unduly irritate Mexico if we should adopt it. The provision in question was inserted at our request, and for us now to renege on it and adopt something else contrary to it would only result in irritating Mexico. There is no purpose to interfere with the immigration laws except to permit our workmen to go over into Mexico and do the necessary work. Under the Mexican law as it now stands, that cannot occur. All the work which is done in Mexico would, under existing Mexican law, have to be done by Mexican citizens. It was for the benefit of American labor, and for the sole benefit of American labor, that we inserted this clause in the treaty. It was simply to permit American labor to go across the border to do the work and return to their own country.

I hope the Senator will not press the reservation, because labor has been satisfied with respect to the matter.

Mr. CHANDLER. Labor is not satisfied, and I am not satisfied; but the Senator, as usual, gives the complete answer, which is that if we do this it will irritate Mexico. Mr. President, many of the provisions of the treaty irritate me. The people of the United States in large numbers are going to be irritated by the provisions of the treaty. But that makes no difference. The Senator from California has been irritated. The distinguished senior Senator from California [Mr. JOHNSON] made an eloquent plea here this afternoon simply for fair and decent treatment for his own people. I am certain that if the same situation were facing the people of other States their Senators would not have voted as they have just voted. Yet Senators have voted to take one and a half million acre-feet of water which might be used for the people of this country, and guaranteed it to Mexico.

The whole treaty is offensive to me, and it irritates me, and I am not going to vote for it. Now comes union labor and says it is not satisfied with the provisions of the treaty. That irritates Mexico, and because it irritates Mexico Senators are not going to vote for a provision which would improve the treaty.

Mr. VANDENBERG. Vote!

Mr. CHANDLER. The Senate is not going to have a vote just now. When I finish the Senate may vote.

Mr. President, I want to vote on this treaty so that the Senator from Texas and others who want to attend to other important business may be able to do so.

Mr. HATCH. Mr. President, I do not think that is quite fair.

Mr. CHANDLER. I did not yield to the Senator to say it was not fair, but I will do so. If the Senator wants me to yield so that he may say my statement is not fair I will yield to him to allow him to do so. I did not intend to be unfair either to the Senator from Texas or to any other Senator, but I have been asked not to delay the vote on this matter unduly. I do not intend unduly to delay a vote on it; but I do want an opportunity to express my opposition to the treaty. At various times during the discussion of the treaty I have in the time of other Senators tried to explain my position respecting the treaty.

The treaty was submitted to the Senate with the explanation that those who wrote it wanted it passed as it was presented to the Senate; that they did not want any changes made. Attention was called to the fact that it gave to the Commissioners unprecedented and unchecked power and authority over public works in the United States; that it permitted them to make rules and regulations

which gave away to a foreign country 1,500,000 acre-feet of the water which might otherwise be used by the people of the United States.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. CHANDLER. Yes, I will yield to the Senator from New Mexico.

Mr. HATCH. I want to say to the Senator that we have not given away anything. As a matter of fact, under this treaty we have reserved to the United States much more than the Republic of Mexico claimed. I am extremely sorry to hear that kind of an argument made.

Mr. CHANDLER. The Senator does not have to listen to my argument if he does not want to. I do not want to impose my argument on the Senator from New Mexico, but that is my argument. If the Senator from New Mexico were making the argument I would not say I was sorry to hear it. If I were sorry I would arrange so I would not have to listen to the Senator's argument. I would remove myself from the sound of the Senator's voice if I did not want to hear it. My argument is that while we have not given anything away yet, if we ratify the treaty we give away to Mexico 1,500,000 acre-feet of water. Does the Senator deny that?

Mr. HATCH. I certainly do.

Mr. CHANDLER. Then the Senator and I do not have the same understanding concerning the treaty.

Mr. HATCH We certainly do not.

Mr. CHANDLER. Very well. I do not ask the Senator to accept my view, but that is my view. I am seeking the right to present my view to the Senate. If the Senator does not want to agree with me—and manifestly a large number of Senators are not going to do so—very well. I am still going to vote against giving the water of the people of the United States to a foreign country, when I am not reasonably certain that our people will have an adequate supply of water. That is my understanding of the situation. Of course, we are not going to give the water away until we ratify this treaty. After we ratify the treaty, then the Commissioner, under terms and conditions prescribed in the treaty, is going to make arrangements so that Mexico, in season or out, and even if we have a drought, shall receive a certain amount of water.

Of course, if there would never be a drought there would be no occasion for making a treaty because there would be plenty of water, but, as I have previously stated, in 24 out of 44 years there has been a drought. It is proposed to guarantee to Mexico 1,500,000 acre-feet, but I have not heard one expression here with respect to guaranteeing any amount of water to any American citizen. The guarantee is a specific guarantee, and it is the duty of the Commissioner to deliver the water to Mexico.

There is language in the treaty concerning unprecedented or extraordinary drought. That has not been explained to me. We may be in a drought, and then we may have more drought, and then we may have still more drought, and yet more drought, and it may become a terrible drought. There are words I could use to describe it, but it would still be a drought. Yet Mexico would still want the water, and we would be obligated to deliver the water to Mexico.

Mr. President, I have explained on the floor of the Senate several times that one of the so-called smart fellows who produced this treaty for the Senate—and Senators did not have anything to do with it, and did not know what was in it until it came here—said that the purpose of the treaty was to establish a national policy in the United States which would permit this authority to wipe out public and private utilities, the operations of little cities and towns, all in the interest of carrying out this water compact with Mexico.

The Senator from Texas said that California did not put a gallon of water in the Colorado River. Neither does Mexico. Yet not a single Senator who will vote for the treaty is anxious to guarantee to California any water supply in the future.

Mr. President, California is a magnificent State, in which millions of people live. If California does not have an adequate supply of water in the future it will not continue to develop to be the great State we expect it to be. It has unlimited possibilities. It is a wonderful thing to live in the States which border on the Colorado River. Water is one of the most precious possessions their people have. It is proposed to go all over the world dropping things to other people; but when someone suggests that we give something to the people of the United States he is immediately called down. Such a proposal is not popular. I want to say to the Senator from Nevada [Mr. MCCARRAN] that it is no longer popular to advocate the doing of something for the American people. Some day, when the resources of this country shall have been given away and we will not be able to get them back, our people will be just as poor as are the people of other countries which do not possess the blessed resources which have been given to this country by Almighty God. Senators can give away our resources, but when they are given away they are gone. I want someone someday to suggest that the people of some other country perhaps give us something, at some time, in consideration of the charity this country is willing to extend to other nations. We have spent $35,000,000,000 in lend-lease, and as an expenditure for war purposes I assume much of it was justified. Much of it was material badly needed by other countries to help in a terrific fight. We voted the other day to extend the Lend-Lease Act.

A distinguished doctor came before the Military Affairs Committee this morning and said that this country was worth $30,000,000,000,000. Some of us were timid enough to ask whether we could not get $300,000,000,000 of it to pay our debts.

Mr. President, this is a simple reservation. It provides as follows:

> That nothing in this treaty shall be construed to impair or interfere with the operation or effect, within the United States, of any United States law or requirement established by public authority respecting immigration, passports, or labor.

If there is anything the matter with it, I wish some Senator would tell me what it is. It is said that Senators cannot vote for it because it would irritate Mexico. It irritates me to be told that I cannot vote for it. I am not going to permit such a statement to interfere with my vote. I will vote for it.

Mr. President, I have been handed a statement by the Brotherhood of Railroad Trainmen, on whose behalf I offered this reservation. It is an important labor organization. I shall not take the time to read the statement. The Brotherhood says that the statement is a complete answer to the statement of the Senator from Texas [Mr. CONNALLY] that it is satisfied. It is not satisfied. If it had been satisfied it would not have asked me to offer this reservation, and I would not have offered it. Even if it is added to the treaty, I will still vote against the treaty.

In 1909 we entered into a treaty with Canada which has worked admirably. The members of the Canadian Commission had no arbitrary authority, such as was proposed when this treaty was first presented. It granted the greatest amount of absolute, unchecked authority ever undertaken to be given to a commission established by the Senate of the United States in all its history. We had a pattern for this treaty in the Canadian treaty of 1909, which has worked well. Under the Canadian treaty the Commission had authority to recommend changes in the compact to the respective governments. Changes have been recommended, and they have been made. There has been no trouble since 1909 between the Canadian Government and the Government of the United States. Suggested changes were submitted to the governments of the respective countries, and finally agreed to through legislative channels. There was no such provision in this treaty when it was first submitted.

I should like to read what Dean Pound said about the treaty. He is a fairly smart individual. Dean Pound was asked by the American Bar Association to criticize this proposal, and he made a statement before the committee on administrative law, from which I quote:

> In all the extremes of administrative absolutism with which I have come in contact in the 7 years since I was appointed to look into this matter, on your committee on administrative law, I haven't encountered anything which goes too far in the direction of subjecting the rights of individuals to an absolute, unlimited, unchecked authority. It seems to me to develop administrative absolutism to the *n*th power.
>
> What is it I am speaking about? The Commission which is to carry out this treaty is composed of one Mexican Commissioner and one American Commissioner. If they don't agree in the carrying out of the treaty, there is a provision for an umpire, and there are other provisions that don't concern us. But all the carrying out, all the execution of the provisions of that treaty within the United States are committed to the American Commissioner, subject to no review, subject to no responsibility except there is a certain provision for a responsibility to whom? To the Secretary of State.
>
> This treaty allocates a certain amount of water to Mexico—

One of my friends stated that he did not think it did. I think it does. If I

am mistaken, I have made a serious error; but I think it does—

and if it should turn out that, for some deficiency in some particular year there weren't enough water so that Mexico could receive what it is allocated, what is to happen?

There is complete, final authority, says this treaty, in this Commissioner to determine what is to be done to execute the treaty.

This treaty calls for a certain amount to be awarded to Mexico. How that shall be carried out is absolutely in the power of the Commissioner. What is he going to do? This treaty doesn't suggest any policy, any principle, any rule by which he can determine who of all those who have water rights is to supply this deficiency or how it might be prorated among them.

If the Senate votes to ratify this treaty, if I have a correct understanding of it, it will vote to empower the Commissioner to deliver water to Mexico in certain definite amounts. The amounts are stated. Suppose there should be a drought. The treaty uses the expression "extraordinary drought." That simply means more drought. The worse the drought becomes, the more drought there is. But if Mexico needs water, and we are short, Mexico can compel us to open the gates of Boulder Dam and let enough water run down to satisfy the commitment of the Senate and the American people.

The Senator from Ohio stated today that perhaps we would not have the water, and that if we did not have it, Mexico would have to appeal to arbitration, or sue us.

Presumably we enter into the treaty to support the good neighbor policy. Suppose that some day water becomes scarce, and the people of Nevada, Arizona, and California decide that they will not let the water go down to Mexico. Suppose the farmers, armed with their hoes and rakes, attack anyone who undertakes to open the valves and let the water go down. Then we will say to Mexico, 'We are sorry, but we cannot deliver the water to you. You must either sue us or appeal to arbitration to get the water." What is going to happen then?

I have read this statement previously, but I want it to sink in. The treaty was written by a group of smart men, much smarter than we are. They write while we sleep, and then they sleep while we talk about what we do not understand, and then they write something more for us to consider.

I continue to quote from Dean Pound's statement:

If you look at the Canadian treaty, the treaty with respect to international streams as between us and Canada, there is a careful provision of the policies that shall govern the International Waterways Commissioner. Here there is not a syllable of suggestion of policy. But we do have a suggestion of policy that to me is very alarming in an article or pamphlet written by the principal proponent of this treaty, in which he tells us something that I want to read to you, about what is liable to be the policy in the way of dealing with this situation that I have described. Let me read you what Dr. Timm says: "* * * All existing irrigation, drainage, flood control, and power projects in these river systems should be nationalized and all such future projects should be undertaken by the respective national governments."

If we establish this authority, it will be above the Senate. It will be above any law of Congress. It will be above the representatives of the people, and above the people. Listen to this:

"Privately-owned utilities and irrigation companies should be excluded altogether; and present ownership by local governments, wherever it exists, should be replaced by national ownership."

Local governments, local communities, little cities and towns, and little water districts should be replaced by national ownership.

Notice what that means. That is not in the treaty, but that is the policy that is proclaimed by the gentleman who is chiefly advocating it and who, I believe, had a great deal to do with drawing it up.

Mr. CONNALLY. That is not true.

Mr. CHANDLER. That is what he said about it. I do not know whether the Senator from Texas knows who wrote it, but this man said that person wrote it and had more to do with it than anyone else did.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. CONNALLY. I do not wish to take up the time of the Senate; but I should say that Dr. Timm, to whom the Senator has referred, is an employee of the State Department. The Boundary Commissioners and those who drew up the treaty assured me that he had nothing on earth to do with it.

Mr. CHANDLER. I did not say he did.

Mr. CONNALLY. The article referred to quotes parts of a speech Dr. Timm made some years ago. My information is that it had no relation whatever to the treaty. Of course, Dr. Timm is an employee of the State Department, and I am sure he is in favor of the treaty; but he did not negotiate it and he did not write it.

Mr. CHANDLER. I did not say he did, and neither did Dean Pound. What he said was:

That is the policy—

The policy I have just read—

that is proclaimed by the gentleman who is chiefly advocating it—

And he is in the State Department—

and who I believe has a great deal to do with drawing it up.

That is what Dean Pound said about it.

The proposition seems to me to come to this: that, if there is a shortage—

The Senator from Nevada knows that such things occur frequently. He has said they are continuously happening in that area. Of course, if there were not a shortage, we would not be asked to guarantee a certain amount of water in a treaty, because Mexico would not wish to enter into a treaty unless she wished to be guaranteed water in case of a shortage—

If there is a shortage—and such things happen continually—where water has to be apportioned, the policy by which this treaty is to be executed will be one of turning over not merely all private water projects and water rights but municipal governmental, State governmental, State district projects, every sort of enterprise involving the use of water, so that there shall be only a nationally controlled use of the water.

Let me say that little cities and towns in Utah and some in California have built water works and have made arrangements to make use of water by making contributions to work done by the Federal Government and by cooperative efforts. They have spent their own money. Under the proposed treaty the Federal Government would do the whole thing, and would take over the investments made by the States and communities. The treaty proposes to make a discrimination, without any contribution at all by local communities in the future.

Dean Pound further said that such things should be done through legislation.

I do not think the reservation which has been adopted has made a bit of difference; I do not think it has curbed the treaty to the extent to which it should be curbed.

I read further.

The Canadian treaty of 1909 provides for a commission that simply takes recommendations to governments on each side of the line. The Commission set up in 1909, with their certain apportionment or allocation of the waters—

There were certain apportionments or allocations of water under the Canadian treaty, but that is not the case under the pending treaty—

provides that the execution of the treaty on each side shall be a matter for the respective Governments, according to their own laws, and dealt with by their own legislation. But here isn't a matter of the laws of any of the States or even the laws of the United States. It is a matter of the will of the American Commissioner, exercised subject to no judicial review, exercised subject to no check or control. If he has a responsibility to anybody, it is only to the Secretary of State.

Mr. President, I asked for the adoption of a simple reservation, and I was told that it was irritating to Mexico. I was told it was irritating, perhaps, to my friend the Senator from Texas. I do not mean to have him irritated by it.

Mr. CONNALLY. I am not irritated.

Mr. CHANDLER. I do not mean to irritate the Senator.

Mr. CONNALLY. Oh, no.

Mr. CHANDLER. But I mean to say that after I have made a suggestion in good faith on behalf of the representatives of American labor, if it is said that it is irritating to Mexico, such a statement has no weight with me. I did not intend to prolong the argument, but I intended to state my reasons for advocating the reservation.

Mr. WHEELER. Mr. President, will the Senator yield to me?

Mr. CHANDLER. I yield.

Mr. WHEELER. What the Senator has said about labor is correct, because some of the representatives of labor have come to me during the last several days and have suggested to me that they are very anxious to have the reservation adopted because they are afraid the provisions of the treaty are such that it would permit migration of Mexican labor into the United States, contrary to the ordinary provisions of the law.

Mr. CHANDLER. I thank the Senator from Montana.

Mr. President, the reservation I propose reads as follows:

That nothing in this treaty shall be construed to impair or interfere with the operation or effect, within the United States, of any United States law or requirement established by public authority respecting immigration, passports, or labor.

Certainly nothing in the reservation could be considered as being in any way offensive to the treaty.

I ask for the yeas and nays on my reservation.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. LANGER. The Senator referred to the Canadian treaty. Did the Canadian treaty guarantee any definite amount of water to the United States?

Mr. CHANDLER. No. As I recall the Canadian treaty, certain apportionments or allocations of water were made on both sides, but the Commission did not have any authority to make definite commitments. Always it had to come back and make recommendations and have them approved through the ordinary channels of Government. Recommendations had to be submitted and approved in the normal way, by the respective legislatures.

Mr. LANGER. Does the Senator know of any treaty entered into by the United States which guarantees anything to anybody?

Mr. CHANDLER. I do not know of any. So far as I am advised, when the Senate ratifies the pending treaty it will be the first time in our history when we have undertaken to guarantee to the people of another country anything, especially water—and in this case it is water which may be needed by the people of the United States.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HATCH. I am not arguing the question, but I should state that we have previously entered into treaties guaranteeing water.

Mr. CHANDLER. Have we done so with other countries? I simply said I did not know of any.

Mr. HATCH. Very well; I am not responsible for the Senator's statement.

Mr. CHANDLER. If the Senator knows about any such treaties, would he care to state to what countries we have agreed to guarantee water?

Mr. HATCH. No, Mr. President; I think the thing we should do is to vote.

Mr. CHANDLER. I am not in as great a hurry as is the Senator from New Mexico, so if he will pardon me I shall continue with my argument until I conclude it.

Mr. HATCH. Well, Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from New Mexico?

Mr. CHANDLER. I do not mind yielding to the Senator, but I do not wish to have the Senator try to keep me from continuing my argument until I conclude it.

Mr. CHAVEZ. Mr. President, will the Senator yield to me?

Mr. CHANDLER. I will, unless the senior Senator from New Mexico wishes to ask another question.

Mr. HATCH. No.

Mr. CHANDLER. Then I yield to the junior Senator from New Mexico.

Mr. CHAVEZ. In my State we have a project known as the Rio Grande irrigation project. It is a reclamation project. It furnishes water for some parts of New Mexico and for some parts of Texas. In view of the fact that the Rio Grande is an international river, it was necessary to make a treaty regarding the use of its waters. In 1906 the United States of America entered into negotiations with the Republic of Mexico, and after the treaty was drafted, it was ratified by the Senate of the United States. By that treaty this country guarantees Mexico 60,000 acre-feet of water each year from that project.

Mr. CHANDLER. Did Mexico guarantee any water to us, by that treaty?

Mr. CHAVEZ. No.

Mr. CHANDLER. Evidently we do not like to have anyone guarantee us anything. I hoped I could find out that someone guaranteed us something in some treaty or other.

Mr. CHAVEZ. Mr. President, will the Senator further yield to me?

Mr. CHANDLER. I yield.

Mr. CHAVEZ. I am interested in the pending treaty and its ratification for the simple reason that, notwithstanding that we guaranteed Mexico 60,000 acre-feet of water from the water which flows from my State, it was possible, until the treaty was ratified, that Mexico might have wished to have 120,000 acre-feet of water. Consequently, in the case of the 1906 treaty, I would have wished to have the United States of America agree to a treaty guaranteeing Mexico 60,000 acre-feet of water.

Mr. CHANDLER. Of course, if we agree by way of treaty to do it, we must do it. I am asking the Senate not to give away water which we cannot afford to give away. In my judgment, the treaty would have us give away more water than we can afford to give away, when we consider the needs of our people. Of course, if the treaty is ratified, we shall have to give the water to Mexico. The full faith and credit of the people of the United States will be back of the guarantee contained in the treaty, if the Senate ratifies it.

Mr. CHAVEZ. From observations of the condition of the waters of the Colorado—we in the upper basin States are interested in those waters as well as in the waters of the Rio Grande—it is my judgment that under this treaty we are getting the best of the situation all around.

Mr. CHANDLER. That is an unusual statement. I do not believe the American people will get the best of the situation by entering into this treaty.

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. CHANDLER. I yield.

Mr. HATCH. I am willing to remain with the Senator. I will be with him until 5:30 o'clock, or 6:30 o'clock today, or until tomorrow.

Mr. CHANDLER. I thank the Senator from New Mexico. I hope he will be with me here, or at some other place.

Mr. HATCH. I shall be on the floor of the Senate as long as the Senator is here.

Mr. CHANDLER. I appreciate the Senator's willingness to remain with me.

Mr. HATCH. I may not agree with him, but he is my personal friend.

Mr. CHANDLER. The statement of the Senator from New Mexico pleases me very much. I should like to have the Senator remain with me on the floor of the Senate, or be with me wherever else I go. I do not guarantee to remain in the Senate indefinitely, but I shall remain here until I have finished my argument. If the Senator from New Mexico will remain with me I shall be delighted.

Mr. President, I am about to read from a letter addressed to Hon. Dean Acheson, Assistant Secretary of State, United States Department of State, Washington, D. C. The letter is dated March 24, 1945, and is signed by Martin H. Miller, national legislative representative of the Brotherhood of Railroad Trainmen. The letter reads in part as follows:

DEAR MR. ACHESON: This will acknowledge and thank you for yours of March 14 and two copies of your memorandum commenting upon the resolution of the American Federation of Labor in opposition to the Mexican water treaty, which memorandum was submitted in accordance with understanding at conference with you and your staff in your office, with Mr. Louis G. Hines, of the A. F. of L., Mr. Jacob Potofsky, of the C. I. O., and the undersigned on March 18.

I appreciated very much the opportunity of discussing our opposition to the treaty with you and your staff, also copy of the memorandum, which you have furnished each of us.

It is difficult to accept some of the assertions and interpretations of the memorandum. It is impossible for me to agree with your ideas that there is adequate congressional control of the acts of the American Commissioner for the reason that, according to my interpretation of the clear and understandable language of the treaty, there is insufficient congressional control over the acts of the Commissioner and the Secretary of State with respect to the powers under the provisions of the treaty.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TAFT. What the Senator has been reading expresses exactly my original views. However, the reservations completely take care of the difficulties to my satisfaction, and, if the Senator will construe the letter correctly, I believe to the satisfaction of the writer of the letter.

Mr. CHANDLER. I have no objection to the Senator from Ohio being satisfied. I am personally not satisfied, and I question whether the members of the organization represented by Mr. Miller are satisfied.

I continue to read from the letter:

Nowhere in the treaty or the protocol is there any reference whatsoever to any reservation of the right of Congress to reject, in whole or in part, any action or decision of the Commission. The contention that Congress can refuse an appropriation, which is intended to construct or operate projects agreed upon by the Commissioners and the Secretaries of State for the respective coun-

tries, is not supported by the language of the treaty. Congress can refuse an appropriation for projects made under provisions of the treaty. Such refusal of an appropriation would be a breach of the treaty and make this country, in my opinion, liable and subject to all of the dangers and penalties of treaty violation.

I understood the Senator from Ohio to suggest that in the case of a drought if we were not able to furnish to Mexico the quantity of water which we had committed ourselves to furnish under the treaty, Mexico could sue us, or ask for arbitration.

Mr. TAFT. If the drought were questioned, Mexico could ask for arbitration. I may also add that the question with reference to appropriations is taken care of by reservation (a). The total expenditure could not be more than $20,000,000. Any additional works would have to be authorized by Congress. I believe that all the objections which have been made to date by the labor representatives have been taken care of by reservations (a) and (b).

Mr. CHANDLER. The labor representatives do not think so. Because of what has always taken place, they fear the whole treaty. I believe that they are now in the position of not wishing to give the treaty their support. I believe they regret whatever support they gave to the treaty originally.

The letter further reads:

This treaty would delegate in perpetuity to a Commissioner and the Secretary of State matters belonging to the consideration and discretion of Congress. The delegation of this authority could not be recalled by Congress without Mexico's consent.

I know that an effort was made to cure these defects, but I do not believe all the defects of the treaty could be cured by the few reservations which have been agreed to. If no question were raised as to whether a drought were extraordinary, and we failed to deliver 1,500,000 acre-feet of water to Mexico, she could make demand upon us for delivery, and if we failed to deliver the necessary volume of water, the treaty would be broken.

Mr. TAFT. The treaty would not be broken if there were an extraordinary drought.

Mr. CHANDLER. Mr. President, a drought takes place; it is followed by more drought, and that in turn is followed by still further drought. The treaty guarantees delivery of the water.

Mr. TAFT. In case of extraordinary drought, there is no guaranty of a delivery of water.

Mr. CHANDLER. I am sorry, but I am unable to agree with the Senator from Ohio.

Mr. President, I read the last paragraph of the letter, which is as follows:

On the whole, the treaty is, in our opinion, a mistake. It is contrary to the American principles of government. It is an extreme and unprecedented departure into the realm of perpetual administrative government and a dangerous experiment in that type of legislation, let alone treaty precedent. Therefore, I can see no reason why the B. of R. T., A. F. of L., or the C. I. O. should relax their efforts in opposition to it.

Sincerely yours,

MARCUS H. MILLER,
National Legislative Representative.

I ask that the entire letter from which I have been reading be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

BROTHERHOOD OF RAILROAD TRAINMEN,
Washington, D. C., March 24, 1945.

Hon. DEAN ACHESON,
Assistant Secretary of State,
United States Department of State,
Washington, D. C.

DEAR MR. ACHESON: This will acknowledge and thank you for yours of March 14 and two copies of your memorandum commenting upon the resolution of the American Federation of Labor in opposition to the Mexican Water Treaty, which memorandum was submitted in accordance with understanding at conference with you and your staff in your office, with Mr. Louis G. Hines of the A. F. of L., Mr. Jacob Potofsky, of the C. I. O., and the undersigned on March 8.

I appreciated very much the opportunity of discussing our opposition to the treaty with you and your staff, also copy of the memorandum, which you have furnished each of us.

It is difficult to accept some of the assertions and interpretations of the memorandum. It is impossible for me to agree with your ideas that there is adequate congressional control of the acts of the American Commissioner for the reason that, according to my interpretation of the clear and understandable language of the treaty, there is insufficient congressional control over the acts of the Commissioner and the Secretary of State with respect to their powers under the provisions of the treaty. Nowhere in the treaty or the protocol is there any reference whatsoever to any reservation of the right of Congress to reject, in whole or in part, any action or decision of the Commission. The contention that Congress can refuse an appropriation, which is intended to construct or operate projects agreed upon by the Commissioners and the Secretaries of State for the respective countries, is not supported by the language of the treaty. Congress can refuse an appropriation for projects made under provisions of the treaty. Such refusal of an appropriation would be a breach of the treaty and make this country, in my opinion, liable and subject to all of the dangers and penalties of treaty violation.

Further, the contention that there is adequate congressional control is refuted by the express terms of the treaty, for article 2 specifically makes the Secretary of State the agent of the United States to approve or reject projects, works, and operations. Also, the treaty, specifically gives the Commissioners, with the approval only of the respective Secretaries of State—not Congress—the power to make international agreements that need not be approved by the Senate or Congress or even brought to their attention. Such authority for the Commissioner and Secretary of State is utterly foreign to our principles of Democratic Government.

This treaty would delegate in perpetuity to a Commissioner and the Secretary of State matters belonging to the consideration and discretion of Congress. The delegation of this authority could not be recalled by Congress without Mexico's consent.

Your reference to the protocol and to article 20 of the treaty is not entirely satisfactory. The protocol does not amend article 20 with respect to the waiver of the Immigration and Tariff Laws. The protocol does not deprive the Commission and the Secretaries of State from determining that to carry out the treaty additional reservoirs are needed and determining where they should be built. The fact that they are to be built by a Federal agency by the terms of the protocol is little different from the authority in article 20 for the use of public or private agencies for the construction or operation purposes, yet article 20 exempts the Immigration and Tariff Laws from application.

To say that the treaty requires Mexico to waive her labor laws and does not have equal application in this country is unreasonable. I have before me a clipping from the Pacific Coast Edition of the Wall Street Journal of Monday, March 12, 1945. If I correctly understand the article by Mr. S. H. Scheible, based upon a schedule drawn up by Boundary Commissioners Lawrence Lawson of the United States and Rafael Fernandez MacGregor of Mexico, the Commission has outlined projects which are far removed from the parts of the river where the same form boundaries, which is, as I remember it, directly opposite to that which was stated to us in the conference, above referred to.

Another important item, which may be an oversight, is that the treaty, so far as the United States is concerned, does not provide for the reimbursement to the Treasury for the expenditures in the instances of irrigation and power developments, such as were so carefully provided for in Boulder, Imperial, and other dams.. Surely, the people of the United States would not knowingly permit possible open raids upon the public funds through the development of irrigation and power projects covered up by a treaty with our neighboring nation. Why have those who have sponsored the treaty failed to make provision for such protection?

On the whole, the treaty is, in our opinion, a mistake. It is contrary to the American principles of Government. It is an extreme and unprecedented departure into the realm of perpetual administrative government and a dangerous experiment in that type of legislation, let alone treaty precedent. Therefore, I can see no reason why the B. of R. T., A. F. of L. or the C. I. O. should relax their efforts in opposition to it.

Sincerely yours,

MARTIN H. MILLER,
National Legislative Representative.

Mr. CHANDLER. Mr. President, if the representatives of labor state that they are doubtful about the treaty, or fear its possible results, who is to say that they are not doubtful or do not have any fear?

If the treaty is to be ratified, I ask that the following lines be inserted at the proper place:

That nothing in this treaty shall be construed to impair or interfere with the operation or effect, within the United States, of any United States law or requirement established by a public authority—

Failure of Senators to vote for that language will be equal to saying that they are unwilling to support the enforcement of United States laws—

respecting immigration, passports, or labor.

I regret the possibility of irritating Mexico, or my brother Senators, but I am determined not only to offer the reservation but to ask the Senate to agree to it.

Mr. CONNALLY. Mr. President, I shall not attempt to reply to the Senator from Kentucky, except that I wish to read the language of the treaty in respect to this matter. I quote from page 21 part of article 20 of the treaty. This is all it provides:

The whole of the personnel employed either directly or indirectly on the construction, operation, or maintenance of the works may pass freely from one country to the other for the purpose of going to and from the place of location of the works, without any

immigration restrictions, passports, or labor requirements.

It does not stop there, however. It proceeds:

Each Government shall furnish, through its own section of the Commission, convenient means of identification to the personnel employed by it on the aforesaid works and verification certificates covering all materials, implements, equipment, and repair parts intended for the works.

The purpose of that, and the only purpose, is to provide that in the border work, where both Governments will bear a proportion of the cost, the employees may go back and forth. They must have identification certificates, they must have credentials, and they can in no wise violate the general immigration laws of the United States.

This provision was adopted, not to hurt labor, but for the benefit of American labor. Under the Mexican law no American can cross the border and work in Mexico. If we establish the same rule, that no Mexican can come across the border, how in the name of common sense are we ever to construct the works absolutely on the border? An American would carry a spadefull of dirt up to the boundary line and then he would have to transfer it to some one on the Mexican side of the border. This provision was adopted in behalf of labor.

Mr. President, I hold in my hand a written statement from the C. I. O., Latin - American Affairs Committee, which I shall not read at length, but I shall read the conclusion. This is under the imprint of their organization:

The C. I. O. Latin-American Affairs Committee has carefully studied the problem and has communicated with the State C. I. O. of California on the question. After thorough examination, the Committee has decided to call for full support of the treaty and wholehearted endorsement of its speedy ratification as an act of the good-neighbor policy.

Mr. CHANDLER. What was the date of that?

Mr. CONNALLY. The 14th of March.

Mr. CHANDLER. On the 25th of March they had changed their minds.

Mr. CONNALLY. No; not the C. I. O.

Mr. CHANDLER. Yes; the C. I. O. was included.

Mr. CONNALLY. This is the official statement made to the press by the C. I. O.

Mr. CHANDLER. They changed their minds between that date and March 25.

Mr. CONNALLY. I ask to have this whole statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

The C. I. O. Latin-American Affairs Committee, of which Jacob S. Potofsky, general secretary-treasurer of the Amalgamated Clothing Workers of America, is chairman, today urged Senate passage of the proposed United States-Mexican water treaty.

Approval of the treaty, the C. I. O. committee declares in the latest issue of the C. I. O. Latin-American Bulletin, "would do more to cement good feeling and reenforce United States protestations of good intentions toward its Latin-American neighbors than any fine words that could be spoken at official ceremonies."

The C. I. O. Latin-American Affairs Committee revealed today that Mr. Potofsky, on behalf of the committee, has appeared in person before the State Department and urged passage of the measure which requires a two-third vote of the Senate.

The proposed treaty would allocate to Mexico 1,500,000 acre-feet yearly of the waters of the Colorado River, as well as water from the Rio Grande and the Tijuana, all of which rise in the United States and flow into Mexico or along its borders. Of the eight interested States of the Union, the only active dissident to the proposed treaty is California.

The Foreign Relations Committee of the United States Senate has reported out the treaty for passage by an affirmative vote of 18 to 4. The State Department is pressing for Senate ratification as soon as possible.

In upholding the State Department position, the C. I. O. Latin-American Affairs Committee declared today:

"The C. I. O. Latin-American Affairs Committee has carefully studied the problem and has communicated with the State C. I. O. of California on the question. After thorough examination, the committee has decided to call for full support of the treaty and wholehearted endorsement of its speedy ratification as an act of the good-neighbor policy."

Mr. CONNALLY. Mr. President, furthermore, I have here an editorial from the C. I. O. Latin-American Bulletin along the same line, which I ask to have incorporated in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MEXICAN WATER PACT

A treaty is pending before the United States Senate the approval of which would do more to cement good feelings and reinforce United States protestations of good intentions toward its Latin-American neighbors than any fine words that could be spoken at official ceremonies. This is the United States-Mexican water treaty, which regulates on a permanent basis the allocation of the waters of certain rivers that rise in the United States and flow into Mexico or along its borders—the Rio Grande, the Colorado and the Tijuana.

The treaty was negotiated by the United States State Department after extensive conferences stretching over 2 years, under participation of the Representatives of the eight interested States of the Union—Arizona, California, Colorado, Nevada, New Mexico, Texas, Utah, and Wyoming. The only active dissident to the treaty is California. The others, with the exception of one, assuming a passive position, approved.

The major point of dispute is the allocation to Mexico of 1,500,000 acre-feet yearly of the waters of the Colorado River. California says this is an inequitable portion for Mexico and threatens the State's plans for future use of additional Colorado waters. Though the technicalities of the question are very involved, this much seems agreed: That the 1,500,000 acre-feet that would be allotted Mexico from the Colorado under the treaty is less than she actually used in 1943 and 1944; that under international law and in the absence of a treaty, Mexico is entitled to divert as much as she pleases, which carries the germ of bitter future disputes; that only California believes the treaty unfair to her and inequitable as a whole for the United States.

The Foreign Relations Committee of the United States Senate has reported out the treaty for passage by an affirmative vote of 18 to 4. The United States State Department is anxious that the treaty be ratified on the Senate floor by the constitutionally required two-thirds majority as soon as possible.

The C. I. O. Latin-American affairs committee has carefully studied the problem and has communicated with the State C. I. O. of California on the question. After thorough examination, the committee has decided to call for full support of the treaty and wholehearted endorsement of its speedy ratification as an act of good-neighbor policy.

At this moment, when everything is being done to integrate the decisions of the Mexico Conference with the structure that will emerge from the World Security Conference at San Francisco, affirmative action on the treaty is of utmost importance. Peoples and governments in the Americas and throughout the world are going to watch whether or not such a relatively minor matter can pass a senatorial two-thirds majority, and will decide on that basis whether to take a chance on bigger treaties that will affect their whole national future.

Mr. CONNALLY. I ask for a vote.

The PRESIDENT pro tempore. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HILL. The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES].

I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Virginia [Mr. BYRD] is absent attending the funeral of a relative.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from West Virginia [Mr. KILGORE], the Senator from Montana [Mr. MURRAY], the Senator from Georgia [Mr. RUSSELL], and the Senator from Utah [Mr. THOMAS] are absent attending to public business.

The Senator from Washington [Mr. MITCHELL] is absent as a member of the Special Committee to Investigate the National Defense Program.

The Senator from Massachusetts [Mr. WALSH] is absent as a member of the Board of Visitors to the United States Naval Academy.

Mr. WHITE. The Senator from Ohio [Mr. BURTON] is necessarily absent. If present he would vote "nay."

The Senator from Iowa [Mr. HICKENLOOPER], the Senator from Oregon [Mr. MORSE], the Senator from New Jersey [Mr. SMITH] are absent by leave of the Senate.

The Senator from Massachusetts [Mr. SALTONSTALL] has been granted leave of absence as a member of the Board of Visitors to the Naval Academy.

The Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Nebraska [Mr. WHERRY] are detained on official business.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The result was announced—yeas 18, nays 53, as follows:

YEAS—18

Bankhead	Hawkes	Robertson
Brooks	Johnson, Calif.	Shipstead
Butler	Langer	Tydings
Capehart	McCarran	Wheeler
Chandler	Murdock	Willis
Downey	Revercomb	Young

NAYS—53

Aiken	Guffey	Myers
Austin	Gurney	O'Daniel
Bailey	Hart	O'Mahoney
Ball	Hatch	Overton
Barkley	Hayden	Pepper
Bilbo	Hill	Radcliffe
Briggs	Hoey	Reed
Capper	Johnson, Colo.	Stewart
Chavez	Johnston, S. C.	Taft
Connally	La Follette	Taylor
Cordon	Lucas	Thomas, Okla.
Donnell	McClellan	Tobey
Ellender	McFarland	Tunnell
Ferguson	McKellar	Wagner
Fulbright	McMahon	White
George	Magnuson	Wiley
Gerry	Maybank	Wilson
Green	Millikin	

NOT VOTING—25

Andrews	Hickenlooper	Scrugham
Brewster	Kilgore	Smith
Bridges	Mead	Thomas, Idaho
Buck	Mitchell	Thomas, Utah
Burton	Moore	Vandenberg
Bushfield	Morse	Walsh
Byrd	Murray	Wherry
Eastland	Russell	
Glass	Saltonstall	

So Mr. CHANDLER's reservation was rejected.

Mr. CONNALLY. Mr. President, I wish to present a unanimous-consent request that tomorrow at 3 o'clock, without further debate, we proceed to vote on all pending reservations and on the treaty.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. TYDINGS. Is there any reason why we cannot vote on the treaty tonight?

Mr. CONNALLY. There are pending some reservations on which Senators want to make speeches.

Mr. TYDINGS. I did not know that.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas?

Mr. CHANDLER. I object. I will not have any objection to voting some time tomorrow after the business connected with the treaty is finished, but I do not want to agree now to vote at any specific time. We may be able to vote at 3 o'clock, but I do not want to agree now to vote at that time.

Mr. CONNALLY. Let me say to the Senator from Kentucky that the reason for my proposal to fix a definite hour is that several Senators on both sides of this question are now absent, and if we can fix the time for voting and if the absent Senators desire to return to vote, they might do so. If the hour is objectionable, I will advance it to 4 o'clock tomorrow afternoon.

The PRESIDENT pro tempore. Is there objection?

Mr. CHANDLER. I object.

The PRESIDENT pro tempore. Objection is heard.

Mr. BARKLEY. Mr. President, so far as I am concerned I would be willing to stay here until we conclude action on the treaty. I do not know that that would be fair to all Senators who have expected that a vote not be taken today. So long as the Senator from Texas was unable to obtain an agreement to vote tomorrow at——

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. LUCAS. The argument is constantly made that Senators are going to be back tomorrow. Other Senators have made arrangements to be away from the Senate tomorrow. It is now proposed to accommodate one group of Senators by postponing the time for voting on the treaty until tomorrow, to the detriment perhaps of other Senators who long ago made engagements for tomorrow. It seems to me that we ought to continue and finish action on the treaty tonight.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to my colleague.

Mr. CHANDLER. I am perfectly willing to stay as long as it takes to finish action on the treaty. I am not in a hurry to get away.

Mr. LUCAS. I am not talking about the Senator from Kentucky.

Mr. CHANDLER. Mr. President, will the Senator further yield?

Mr. BARKLEY. I yield to my colleague.

Mr. CHANDLER. As I said, I am perfectly willing to stay here tonight as long as the Senate wants to stay and undertake to finish the treaty.

Mr. BARKLEY. What is the will of the Senate in regard to the matter? I personally have no preference.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. No one is more anxious than I am to see the termination of this business. But it is now almost 6 o'clock, as Senators will find if they look at the clock in the rear of the Chamber rather than the one in front of us. It has been the common understanding that the matter would not be concluded tonight. I very much hope the Senator will not press for a final vote tonight.

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. BARKLEY. I yield.

Mr. LUCAS. I do not know what other reservations are to be offered, but there is no reservation which can be presented which it should take very long to act upon. It seems to me we have debated the reservations and the amendments over and over again. I undertake to say that within an hour's time we probably could finish action on the treaty. If not perhaps we could go over to tomorrow.

The point I make, Mr. President, is that every day some Senator is away. I have a fairly good record of attending the sessions of the Senate upon this treaty. I know of certain Senators who want to be away tomorrow and who made engagements a long time ago. We will never arrive at the point where we can accommodate all Members of the Senate. There are only one or two reservations left, as I understand, and there is not a single reservation which can be presented which has not been debated in the Senate over and over again. The reservation would be similar to a previous reservation, perhaps presented in another way. In my opinion any reservation which may be offered will be rejected. I base my statement on the result of the votes which have heretofore been taken. I think we ought to stay in session and finish the matter. I say that for the benefit of many individuals who would like to make plans to go away in order to be at the Conference at San Francisco.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. HATCH. I have no desire to force a night session. I have no desire to compel Senators to remain, but if Senators are going to object to a perfectly honest and fair request made by the Senator from Texas for a vote at sometime tomorrow, then I, for one, am willing to stay here all night, and I am going to vote on the question of staying. There will be no unanimous-consent agreement to adjourn tonight.

Mr. BARKLEY. Of course, it does not take a unanimous-consent agreement to adjourn.

Mr. HATCH. Wait a moment. Mr. President, I am not so sure about that. Senators might take the floor. They might receive recognition, and the Senate might stay in session.

Mr. BARKLEY. I understand I have the floor, Mr. President.

The PRESIDENT pro tempore. The Senator from Kentucky has the floor.

Mr. BARKLEY. I yielded to the Senator from New Mexico. What I meant to say was that the Senator knows as well as I do that it does not take unanimous consent for the Senate to adjourn.

Mr. President, let me say that every Senator knows how easy it is at this hour of the day to prolong a session, if any Senator wishes to do so. If notice had been served on the Senate earlier in the day that we would try to finish the treaty tonight I, myself, should be willing to stay all night, if necessary. But now it is nearly 6 o'clock, and no intimation has been given on the part of the Senate, and certainly not on my part, that we would stay here tonight in order to finish the treaty. I, myself, now hesitate to seek to impose upon the Senate a night session without a little advance notice of it.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. CHANDLER. I wish to thank my colleague for yielding, and I wish to say that if the Senator from New Mexico stays here, I am going to stay here with him.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TAFT. Eighty-one Senators voted on the first vote today. On the last vote only 71 Senators voted. Ten Senators have left expecting there would be no night session. We have made considerable progress today. I know of one important reservation which might easily take another hour of debate. I see no reason why we should not adjourn until tomorrow.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. BARKLEY. I will yield in a moment. We never know whether we are going to vote at any particular time, and we never are quite sure we are goint to vote on a particular day. We all thought yesterday we would vote on the treaty today, but we have not done so.

Would the Senate be willing to meet at 11 o'clock tomorrow in order that we

might have at least 1 more hour in which to finish the treaty?

Mr. WHITE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. WHITE. The Senator from Kentucky a moment ago said that he would be reluctant to force a night session on the Senate without having given prior notice of his purpose to do so. I think the Senator is entirely correct in that attitude. I may have been guilty of dereliction, but the truth of the matter is that I told a number of Senators, relying on what I thought was the program, that we would conclude consideration of the reservation offered by the Senator from Kentucky [Mr. CHANDLER], and that then the Senate would conclude its day's work. I say I may have committed a gross error in making that statement, but I made the statement to Senators. In the circumstances I again express the hope that no effort will be made to have a night session. I do agree, and I express the hope that all on this side of the Chamber may agree to meeting at 11 o'clock tomorrow, if the Senator from Kentucky makes the request or the motion that we do so, in order that we may have an additional hour of undivided time to give to the task.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. I will yield in a moment. Earlier in the day I felt out the situation as to whether the Senate would be willing to stay here until 6 o'clock if we could finish the treaty. It was generally agreed that if we could do so we would stay here until 6 o'clock. It is now obvious, at 6 o'clock, that we cannot complete consideration of the treaty within an hour. In all likelihood it will finally drag out to 2 or 3 hours longer. So under the circumstances I do not feel justified in attempting to hold the Senate in session any longer. However, at the proper time I shall move that the Senate meet at 11 o'clock tomorrow.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. TYDINGS. As I recall the other day the Senator from Kentucky stated that there would be no more 11 o'clock sessions unless some notice were given. He stated that he was reluctant to have sessions of the Senate beginning at 11 o'clock. I bring that up only because some of us, particularly my colleague [Mr. RADCLIFFE] and I, have made arrangements for a very important hearing tomorrow morning before Mr. Davis, due to a conflict between the O. P. A. and the Office of Economic Stabilization, over the tobacco ceiling for Maryland tobacco. The hearing is very important, and involves several million dollars to the farmers of Maryland.

I do not wish to miss a vote on the treaty. It is probable that we shall be back in the Senate Chamber before a vote is taken. Our engagement with Mr. Davis is for 11:30. We made it at considerable sacrifice to some of those who will necessarily have to be present. I do not think it is quite fair, when we assumed that we were to have the time up to 12 o'clock to attend to Government business, to change the play on us at 6 o'clock. It puts us in a very embarrassing position.

Mr. BARKLEY. I appreciate that. Let me say to my friend from Maryland that I did not say the other day that the Senate would not meet at 11 o'clock without previous notice. What I said was that we should not try to hold a session beginning at 11 o'clock unless some emergency made it necessary. Our regular meeting hour is 12 o'clock.

I do not wish to be arbitrary or unreasonable. I appreciate the situation to which the Senator calls attention. I am not making a motion now. I am merely making the statement that at the proper time I shall move that the Senate take a recess until 12 o'clock tomorrow; but I serve notice on all Senators that we will endeavor to remain in session tomorrow until we have finally concluded consideration of the treaty, even if a night session should be necessary.

Mr. HATCH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Kentucky yield to the Senator from New Mexico?

Mr. BARKLEY. I yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I wish to be recognized in my own right.

Mr. BARKLEY. Mr. President, I do not wish to deprive the Senator from New Mexico of an opportunity to be recognized in his own right; but under all the circumstances I believe that I ought to make a motion now to take a recess.

Mr. HATCH. That motion would be debatable, would it not?

Mr. BARKLEY. It would not.

The PRESIDENT pro tempore. The Chair is advised by the Parliamentarian that a motion to recess is not debatable.

Mr. HATCH. Mr. President, in view of the fact that the motion is not debatable, I withdraw my request to debate the motion. [Laughter.]

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. GERRY, from the Committee on Naval Affairs:

Commodore Edmund W. Burrough, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 11th day of April 1943; and

Capt. Harold B. Miller, United States Navy, to be a rear admiral in the Navy, for temporary service, to continue while serving as Director of Public Relations, Navy Department, Washington, D. C.

By Mr. THOMAS of Utah, from the Committee on Military Affairs:

Sundry officers for promotion in the Regular Army of the United States; and

Several officers for appointment, by transfer, in the Regular Army of the United States.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 4 minutes p. m.) the Senate, in executive session, took a recess until tomorrow, Wednesday, April 18, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 17 (legislative day of April 16), 1945:

FEDERAL LOAN ADMINISTRATOR

John W. Snyder, of Missouri, to be Federal Loan Administrator.

POST OFFICE DEPARTMENT

Harrison Parkman, of Kansas, to be purchasing agent for the Post Office Department. (A reappointment, his term expiring June 15, 1945.)

COLLECTORS OF CUSTOMS

Howell Cone, of Statesboro, Ga., to be collector of customs for customs collection district No. 17, with headquarters at Savannah, Ga. (Reappointment.)

A. Raymond Raff, of Philadelphia, Pa., to be collector of customs for customs collection district No. 11, with headquarters at Philadelphia, Pa. (Reappointment.)

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

TO BE GENERALS

Lt. Gen. George Smith Patton, Jr. (major general, United States Army), Army of the United States.

Lt. Gen. Courtney Hicks Hodges (Chief of Infantry, with rank of major general), Army of the United States.

TO BE LIEUTENANT GENERALS

Maj. Gen. Joseph Lawton Collins (lieutenant colonel, Infantry), Army of the United States.

Maj. Gen. Oscar Wolverton Griswold (colonel, Infantry), Army of the United States.

Maj. Gen. Lucius DuBignon Clay, lieutenant colonel, Corps of Engineers), Army of the United States.

Maj. Gen. Geoffrey Keyes (colonel, Cavalry), Army of the United States.

Maj. Gen. Edmund Bristol Gregory, Acting the Quartermaster General.

Maj. Gen. Walton Harris Walker (colonel, Infantry), Army of the United States.

Maj. Gen. Levin Hicks Campbell, Jr., Chief of Ordnance.

Maj. Gen. Wade Hampton Haislip (colonel, Infantry), Army of the United States.

Maj. Gen. Eugene Reybold, Chief of Engineers.

IN THE NAVY

Medical Director Clyde B. Camerer to be a medical director in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as district medical officer, Fourteenth Naval District.

Capt. William W. Warlick, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving on the staff (logistics) of the Commander in Chief, United States Pacific Fleet and Pacific Ocean Areas, and until reporting for other permanent duty.

Capt Ruthven E. Libby, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as senior naval member of the Joint War Plans Committee, and until reporting for other permanent duty.

IN THE MARINE CORPS

The following-named naval aviators of the Marine Corps Reserve to be second lieu-

tenants in the Regular Marine Corps, in accordance with the provisions of the Naval Aviation Personnel Act of 1940, as amended, to rank from the dates stated:

Walter R. Bartosh, from the 9th day of February 1942.

Robert E. Johnson, from the 23d day of April 1942.

Thomas J. Cushman, Jr., from the 15th day of May 1942.

John R. Fields, a citizen of Illinois, to be a second lieutenant in the Marine Corps from the 2d day of May 1944.

The below-named citizens to be second lieutenants in the Marine Corps from the 8th day of August 1944:

Wilcie A. O'Bannon, a citizen of Texas.

William R. Morrison, a citizen of New York.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 17, 1945

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, offered the following prayer:

Almighty God, the source of all wisdom, power, and peace, we pray that we may enter into the joy of those blessings by yielding ourselves unreservedly to the leading of Thy Spirit.

In the midst of the world's trials and tribulations, may we be men of vision and of valor, endeavoring heroically and hopefully to bring to fulfillment and fruition those spiritual aspirations and ideals which Thou hast implanted within our souls.

Grant that daily and in an ever-increasing measure Thy guiding and sustaining Spirit may be given to our President, our Speaker, and all who share in the responsibilities of Government. Inspire them with fidelity and fortitude as they strive to open for struggling humanity the Master's way of the more abundant life.

May we all carry on in that same confident and indomitable spirit which characterized the life of Thy servant who walked and worked with us for a little while upon this earth and now rests from his labors, having received the reward of his faith, the salvation of his soul.

Hear us in the name of the Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

DEPARTMENT OF STATE

Mr. LUTHER A. JOHNSON. Mr. Speaker, by direction of the Committee on Foreign Affairs, I present herewith a privileged resolution (H. Res. 189) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Secretary of State be, and he is hereby, directed to furnish the House of Representatives the answers to the following questions:

1. Did the State Department, or any representative of the State Department, on or about March 5, 1945, communicate with anyone in the office of Congressman EVAN HOWELL, of Illinois, with reference to a statement purporting to have been made by Walter Winchell over the Blue Network on February 25, 1945, to the effect that Alexander E. Sakellariou, or a person with a similar name, was pro-Nazi?

2. If the State Department, or anyone connected with it, did have a conversation with someone in the office of Congressman EVAN HOWELL, of Illinois, on the subject above referred to, did such statement convey the information that Alexander E. Sakellariou, or a person with a similar name, was pro-Nazi?

3. If the State Department, or anyone connected with it, did have a conversation with someone in the office of Congressman EVAN HOWELL, of Illinois, on the subject above referred to, did such statement convey the information that Alexander E. Sakellariou, or a person with a similar name, was not pro-Nazi?

4. If someone connected with the State Department did communicate with someone in the office of Congressman HOWELL with reference to a statement purported to have been made by Walter Winchell to the effect that Alexander E. Sakellariou, or a person with a similar name, was pro-Nazi, what was the substance of such communication?

5. What information, if any, as to the political policies of Alexander E. Sakellarion, or a person with a similar name, was given to the office of Congressman EVAN HOWELL?

6. According to the official transcript furnished by the Blue Network, Walter Winchell, on the 25th day of February 1945, speaking over that radio network to the public, made the following statement:

"Attention newspapermen and magazine editors:

"There is a Greek admiral lecturing in the United States—Admiral Sakellariou (I think it is)—anyway—S-a-k-e-l-l-a-r-i-o-u. He is the commander of the Greek Fleet. This Greek admiral, ladies and gentlemen, is telling American audiences that Greece needs a very strong man to run it. This admiral was connected with the Metaxas dictatorship in Greece. The admiral was also notoriously friendly to the Nazis. Greek sailors report that officers appointed by him tried to turn the Greek Navy over to the Germans. That charge is in the records of our Government.

"It must be a very interesting file in Washington, D. C. Why not make it public, so that his lectures will be better understood. Yes, ladies and gentlemen, this Admiral Alexander Sakellariou (I think it is) is a man with history. One interesting chapter is why and how and for what purpose is he now in the United States."

Do the records of the United States Government contain the charge that Admiral Sakellariou, or a person with a similar name, (a) "was connected with the Metaxas dictatorship in Greece"; or that (b) he "was also notoriously friendly to the Nazis"; or that (c) "Greek sailors report that officers appointe dby him tried to turn the Greek Navy over to the Germans"?

It is respectfully requested that a separate answer be made to each of the foregoing questions.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I move that the resolution be laid on the table.

The motion was agreed to.

A motion to reconsider was laid on the table.

NAVAL APPROPRIATION BILL, FISCAL YEAR 1946

Mr. SHEPPARD, from the Committee on Appropriations, reported the bill (H. R. 2907) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes (Rept. No. 424), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered printed.

Mr. PLUMLEY reserved all points of order on the bill.

FIRST DEFICIENCY APPROPRIATION BILL, 1945

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2374) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. McCORMACK. Reserving the right to object, Mr. Speaker, and, of course, I shall not object, may I ask the gentleman from Missouri, the chairman of the Committee on Appropriations, if he can give the House any idea as to when this conference report will be ready to be considered?

Mr. CANNON of Missouri. If it is agreeable to the majority leader, the committee will be glad to present this report tomorrow morning.

Mr. McCORMACK. If the conference report is agreed to and filed today, it will be the first order of legislative business tomorrow.

Mr. RICH. Reserving the right to object, Mr. Speaker, may I ask the gentleman if this is the bill that has in it the $30,000,000 for crop insurance?

Mr. CANNON of Missouri. No; there is no provision as to crop insurance in this bill. That is in the Agricultural Appropriation bill. This is the first deficiency appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER appointed as conferees Messrs. CANNON of Missouri, WOODRUM of Virginia, LUDLOW, SNYDER, O'NEAL, RABAUT, JOHNSON of Oklahoma, TABER, WIGGLESWORTH, and POWERS.

TREASURY AND POST OFFICE APPROPRIATIONS, 1946

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2252, an act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes, with amendments of the Senate thereto, disagree to the amendments of the Senate, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. LUDLOW, O'NEAL, D'ALESANDRO, KOPPLEMANN, TABER, KEEFE, and TIBBOTT.

INVESTIGATION BY COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a privileged resolution (H. Res. 219) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective March 27, 1945, the expenses of conducting the study and investigation authorized by House Resolution 192 of the Seventy-ninth Congress incurred by the Committee on World War Veterans' Legislation acting as a whole or by subcommittee not to exceed $20,000, including expenditures for the employment of experts, and clerical, stenographic, and other assistants shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman thereof, and approved by the Committee on Accounts.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia unless otherwise officially engaged.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. MARTIN of Massachusetts. I would like to ask the gentleman if he thinks this is enough to do a real job?

Mr. COCHRAN. This is the full amount asked for by the majority and minority members of the committee. It is a unanimous report from the Committee on Accounts.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE TO INVESTIGATE SHORTAGE OF FOOD

Mr. COCHRAN. Mr. Speaker, by direction of the Committee on Accounts, I submit a second resolution (H. Res. 220) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective March 27, 1945, the expenses of conducting the study and investigation authorized by House Resolution 195 of the Seventy-ninth Congress incurred by the Select Committee appointed to study and investigate supplies and shortages of food, particularly meat, acting as a whole or by subcommittee, not to exceed $10,000, including expenditures for the employment of experts, and clerical, stenographic, and other assistants shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman thereof, and approved by the Committee on Accounts.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia unless otherwise officially engaged.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SELECT COMMITTEE TO STUDY BASIC PROBLEMS AFFECTING POST-WAR IMMIGRATION AND NATURALIZATION

Mr. COCHRAN. Mr. Speaker, I submit a third resolution (H. Res. 221) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That effective April 17, 1945, the expenses of conducting the study and investigation authorized by House Resolution 52 of the Seventy-ninth Congress incurred by the Select Committee to study the basic problems affecting post-war immigration and naturalization, acting as a whole or by subcommittee, not to exceed $10,000, including expenditures for the employment of experts, and clerical, stenographic, and other assistants shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman thereof, and approved by the Committee on Accounts.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia unless otherwise engaged.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ORDER OF BUSINESS

The SPEAKER. In order that Members might understand the situation, the Chair thinks under the unanimous consent request granted on Thursday of last week, the Chair should next recognize the Resident Commissioner of the Philippines as soon as the business lying on the Speaker's desk is over, and the Chair will do so.

CONTINENTAL CASUALTY CO.

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1307) for the relief of the Continental Casualty Co., Inc., and Montgomery City Lines, Inc., with Senate amendment thereto, disagree to the Senate amendment, and request a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. McGEHEE, PITTENGER, and COMES.

KATHERINE SMITH

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1567) for the relief of Katherine Smith, with Senate amendments thereto, disagree to the Senate amendments, and request a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Mr. McGEHEE, Mr. KEOGH, and Mr. JENNINGS.

DAVID B. SMITH

Mr. McGEHEE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 209) for the relief of David B. Smith, with Senate amendments thereto, disagree to the Senate amendments, and request a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none and appoints the following conferees: Mr. McGEHEE, Mr. KEOGH, and Mr. JENNINGS.

ORDERS FROM TOKYO—THE DESTRUCTION OF MANILA—PRICE OF FILIPINO LOYALTY TO AMERICA

The SPEAKER. Under previous order of the House, the Resident Commissioner of the Philippines [Mr. ROMULO] is recognized for 30 minutes.

Mr. ROMULO. Mr. Speaker, before you in the form of officially collected affidavits and photographs is proof of the complete destruction of Manila and the premeditated, systematic massacre of its civilian population under orders of the Japanese supreme command.

The destruction of the greatest Christian city in the Orient and the murder of thousands of noncombatant men, women, and children are shown by this evidence to have been carried out according to plans made and orders given in Tokyo.

Here are confidential orders taken from the bodies of dead Japanese officers, excerpts from the diaries of Japanese soldiers, and the sworn testimony of American military medical officers, of priests, and civilians who escaped the Japanese massacre, and official photographs taken by members of the United States Army Signal Corps, all captioned with names, locales, dates, and explanatory data.

You will notice that the pamphlets distributed are marked "Confidential." It is the desire of the War Department that the pictures, names, and locales not be released for publication. Some of the parties mentioned have relatives in areas still occupied by the enemy. I also wish to inform the House that the War Department is releasing a statement this afternoon substantiating everything that I am stating on the floor today.

Even these cannot portray to you the horror of the destruction of Manila, the Pearl of the Orient, for to know it one must walk through its ravaged streets and broken walls reeking of death, and touch the mutilated bodies of children run through with Japanese bayonets, and the bodies of men and women that fall into ashes at your touch for they were burned alive by the decree of the supreme authorities of imperial Japan.

It is difficult, it is almost impossible for you in America to understand the massed horror that has blotted out a once great and beautiful city. Such savagery is beyond our concept of modern war. It is to help you understand this that these pictures and this evidence have been gathered, that you may judge with your own observations the sort of enemy we face in the Pacific.

The greatest photograph of this war was taken by Joe Rosenthal of the raising of the American flag on Mount Surabachi, Iwo Jima. There is no such triumph and beauty in the pictures before you. No human dignity is left to the piled carcasses that sicken the air over the ruins of a city that was once the pride of the Orient. They are but evidence, rotten and indivisible in death, of loyalty between two worlds. The men and women, and the babies who died with them, were butchered under orders of the Japanese supreme command because as Filipinos they represented loyalty to America.

Their planned betrayal began when the Imperial Japanese Army found itself with its back to the wall in Manila, where the forces of MacArthur had fallen back 3 years ago. Now the invaders were in retreat, and to heighten their ignominy

they found themselves surrounded on every side by evidence of close cooperation and good will between the Filipinos and America. The Filipinos had continued to fight for America in the Philippines, they had shielded Americans trapped there, they had collaborated with American headquarters and laid the groundwork from within that led to the successful invasion. To the Japanese, this was final proof that the Filipinos had always distrusted and feared them, and before you in incontestable evidence lies the terrifying result of the Japanese need for revenge. The death warrant of Manila and its inhabitants was planned as vengeance against the brown democracy in the Orient that was part and share of America—a vengeance designed in Tokyo.

Permit me to quote from the Japanese operations orders:

One hundred and fifty guerrillas were disposed of tonight. Burned 1,000 guerrillas to death tonight. At 1600 all guerrillas were burned to death.

And again I quote:

When Filipinos are to be killed, they must be gathered into one place and disposed of with the consideration that ammunition and manpower must not be used to excess. Because the disposal of dead bodies is a troublesome task, they should be gathered into houses which are scheduled to be burned or demolished. They should also be thrown into the river.

And this, from a group order of February 13, 1945, after American forces were in Manila and the Japanese knew that American victory was sure:

The Americans who have penetrated into Manila have about 1,000 artillery troops, and there are several thousand Filipino guerrillas. Even women and children have become guerrillas * * * all people on the battlefield with the exception of Japanese * * * will be put to death.

Orders such as these, emanating from the high command in Tokyo said in effect to the Filipinos:

We the Japanese will make of you an example to horrify the rest of the Far East because you, as orientals, have dared to rally to the side of the white democracies. We are trapped, but you are trapped with us, and we are not yet through with you. Before liberation comes to you, we will have made of the Filipinos an example that will serve as vengeance and warning to the other inhabitants of Asia.

Is it any wonder that even the Japanese General Yamashita wavered at the terrorism implied in these orders from Tokyo? He had led the Filipinos to believe that their capital would be spared and that Manila would be declared an open city. How typically Japanese, this subterfuge that brought temporary hope to the starving civilians. Yamashita flew to Japan, apparently to determine whether or not the high command had actually given the orders of destruction. It was the official decree of the most high and he returned to Manila, moved his staff and the puppet government to Baguio, and from that vantage point ordered the systematic destruction of a great historic city and the liquidation of its civilian population.

Remember that official ruse:

Even women and children have become guerillas.

What better alibi to the Nipponese soldiery for all-out murder. Those words hold a terrifing implication for they are proof of authorized massacre of the innocent. What other belligerent in this world war, or in any other war in all history has ever given out official orders for the systematic slaughter of civilians on the battlefield?

In war there are always atrocities; there are always pictures such as these, and testimony similar to this, as the aftermath of war. But such atrocities have always before been blamed upon a soldiery gone mad in the passion of blood lust. Never before has the blame been directly placed on higher authority, on the actual command of a nation ignorant of mercy or morality, that has ignored every rule of the humane decencies and as a nation openly taken the brand of the criminal Cain.

Here before you is the evidence of orders from Tokyo carried out in Manila by the armed forces of Emperor Hirohito. You can see for yourselves with what enthusiasm they carried out their imperial orders, beginning the first week of February. In 3 weeks of unprecedented sadism the Japanese Army in retreat blotted out the greatest city in the Orient. Those 3 weeks saw the systematic wiping out of the irreplaceable symbols of Christianity in the Philippines, for only the broken walls of our once beautiful, historic churches remain to show that ours is a Christian land. They began the rapine in Manila with the destruction of the temples of God, just as at the beginning of the war in 1941 they started their aerial attack on the Philippines by bombing our churches, and usually on holy days, for added insult. Now, this February, driven backward in defeat, they tried to wipe out all evidence of the Christian faith in the Philippines, for to them our faith was the mark of our trust in the white race to whom we were tied in religion and in ideology, in matters of peace and of war. This was Japanese revenge against us because for three centuries we of the Philippines had turned our faces toward the white world in hopes of sharing its freedom. For this we the brown democracy of the Orient were stabbed in the back by a defeated Japan.

The Japanese were consistent in their determination to obliterate the cross in their retreat. To them it is a symbol of a way of life they detest. The Manila Cathedral, the most beautiful of our churches, they made into an ammunition dump into which they unloaded their trucks at its altar. In retreat they blew it up. How carefully they wiped out, too, all records of our cultural history, destroying our historical and anthropological collections, our art, our ancient manuscripts. This was part of their last desperate attempt to complete the spiritual devitalization of the Filipinos.

Too long to read to you now are the lists of buildings and churches burned. The old original Santo Tomas in the Walled City was the greatest Catholic university in the Orient and the oldest under the American flag. It was the alma mater of our patriots, Rizal, Osmeña and Quezon, St. Augustine Convent, Santa Isabel College, the Archbishop's Palace, St. Paul's Hospital—the list is seemingly endless. In Looban Asylum the Japanese herded together 2,000 children, refugees, and demented people, chained the doors, surrounded the building with machine guns, and set the place on fire.

Everywhere with the burning went wholesale massacre. Priests, nuns, refugee, mothers carrying babies in their arms and babies yet unborn—all were locked into churches, asylums, hospitals whose ashes now mingle with the ashes of the innocent dead.

Read from the testimony of Father Cosgrave, Superior of the Redemptorist Fathers, who miraculously survived the February 12 massacre at La Salle College—a massacre like none other in history. Those who tried to escape, he says, were pursued by soldiers with bayonets. In his own words:

Some of the children were only 2 and 3 years old, a few were even younger. These were given the same treatment as their elders. When the Japanese had finished bayoneting us they pulled and dragged the bodies out and threw them in a heap at the foot of the stairs, the dead being thrown on the living.

And later:

We heard the soldiers drinking outside. Frequently during the afternoon they came in to watch us and laughed and mocked at the sufferings of their victims. * * * Sometimes the Japanese soldiers came in and tried to violate the young girls who were actually dying.

You will read the statement by Father Belarmino de Celis, who believed himself the only victim left alive in that massacre at Fort Santiago where about 37 priests, mothers with children, and others, were packed into a room with all entrances closed and then grenades were tossed in. Fort Santiago—where for 3 years the Japanese tortured in ways that defy description, the Filipinos who refused to give information against their American friends—never cried out with greater agony than on this day when this roomful of dying humans were buried alive. In the words of this priest:

The Japanese began to throw hand grenades through the air holes. * * * Those who went to the doors to try to get out were met by volleys of machine-gun fire.

And again he said:

The Japanese soldiers laughed as they shot at them.

Read on.

Read the report of Modesto Farolan, former business manager of the Philippine Herald and acting manager of the Philippine Red Cross and survivor of the Red Cross massacre. He was in the hospital when the Japanese murder squad entered the building and shot and bayoneted the staff doctors, nurses, patients alike. Nurses who tried to protect their patients were run through with bayonets. What was the reason the Japanese soldiers gave:

No good. Americans very bad. No like Red Cross.

In cold medical reports, a line to a life, you will read of young girls raped many times before being bayoneted to death; of girls violated while dying; and, in one terse hospital report, of five girls

of teen age whose breasts were sliced away.

Driving by jeep through the vile-smelling ruins of Manila, I stopped by the shambles that had been the garden of my friend Senator Elpidio Quirino. His family lay there in grotesque postures, still unburied. His little daughter was shot as she ran to help her mother who was machine-gunned, and the other members of her family who tried to answer her screams were mowed down by grinning Japs.

Do not take my word or any other man's word for such things. Study the pictures before you that were taken by the official photographers of the United States Army Signal Corps. Here are the pictures of the heaped and mutilated bodies—men, women, children, whose hands had been tied behind their backs before they were stabbed in the back by Japanese bayonets.

Here, their bodies stacked together in decomposition, their hands still tied, are civilian men, women, and children that were rushed from their homes for what reason they did not know, clubbed, bayoneted, left in piles to die.

Here are pictures of babies sabered or cut through with bayonets in the arms of their dead mothers.

There are other pictures. There are the rooms piled high with men, women, and children who had been crushed into them, then grenades tossed in or gasoline poured, but frugally, for gasoline must not be wasted by orders from Tokyo. Locked in, they died as flaming torches.

Their ashen hands still grasp the iron grills of the windows that were red hot when they clung to them—those bodies now being buried must be taken out by layers, not as bodies, for they are no longer distinguishable but composite decaying flesh. These pictures were not brought here to disgust or offend you. They are pictures of torture chambers where men and women died, charged with the crime of loyalty to America. They were taken by responsible men in uniform who have seen much of horror, but never any like this.

Where else in all history has there been such a scene of terror as was uncovered behind the locked double doors of Fort Santiago—by comparison, the Black Hole of Calcutta was a place of light. In one room in that place 50 bodies were found, hands bound, bullet-riddled; 30 in another stone dungeon; between 250 and 300 in still another, putrid bodies piled together, and these men and women had been pushed in there while still alive and left to die. The emaciated, dehydrated bodies give testimony too terrible to put into words, for they tell of hideous devices used on humans trapped between stone walls and iron grills and abandoned. Such things, too gruesome to describe, you will find in this printed indictment against Japan, in the sworn testimony of honorable men.

There is a picture of all that is left of a Catholic Father Superior in the Philippines. Japanese soldiers riddled his body with their bullets while he was trying to escape from a tomb where he had been entrapped with other priests and religious sisters.

These are pictures taken in the hospital wards, for your study, and you can see for yourselves humans still alive after their flesh has been seared off by Japanese flame throwers turned deliberately against them by Japanese soldiers—no soldiers these victims, but civilians. There is a young boy staring out into nothing—his seared face was caught full blast by the Japanese flame thrower turned on him as he ran from his burning home. Others were burned in the houses where the Japanese locked them before setting fire to the walls, and others machine-gunned, and others with gaping bayonet wounds, still alive. There is a girl child with a bayonet wound through her stomach, another girl with a pretty face whose exposed young breasts were stabbed through and through with bayonet thrusts, another whose mouth was blown away when the Japanese soldiers whom she had resisted tossed hand grenades at her as she lay on the ground.

The suffering faces of these civilians, the ruined walls of their ancient city, the thousands of piled dead, cry out of Japanese revenge against a helpless Manila.

Every street has its tragic story—our fine promenades, Taft Avenue and Dewey Boulevard, our proud modern buildings, as well as our ancient architecture, the Escolta, which is our business district, the Manila Hotel, the Army and Navy Club—all is rubble, created in an insane attempt to obliterate a city that represented to Japan the faith of an oriental people in America.

Physically the Japanese had already carried out their determination to weaken the people. Deliberately, by order of the Japanese high command, they had destroyed Filipino manhood with slow starvation, torture, death. There is no poorer army than the Japanese. Their standard of living has never reached that of the Filipino. The Japanese Army is not like other armies, for other armies carry their own supplies, but the Japanese soldier must live off the loot of the land. He robbed the Filipinos of all sustenance, and in certain regions reduced them to living on the roots of trees and on leaves.

Under orders of Tokyo, the Filipinos were stripped of all they owned. I have seen men, once well-to-do citizens, stalking the ruined streets in rags and in misery. In the ruins of Manila you find pushcarts where once there was every known modern form of conveyance; the imported cars have all been carried to Japan. General MacArthur said bitterly:

> It is this the Japanese has left behind him in the Philippines—the pushcart as his symbol.

Here we have the spectacle of a people weakened by order of the Japanese high command. And after that weakening, the torture of planned destruction and planned massacre. It was a starved population that tried to defend itself against armed monsters in Manila in February 1945.

The rape of Nanking has been told, but it was the Japanese soldiery that ran amuck amid unspeakable scenes of rape, torture, and murder, but while unrestrained by their superiors, they were not acting by order of those superiors. The rape of Manila is far more terrifying than that of Nanking because it was authorized, therefore planned and systematic in its cruelty and terrorism.

Stalingrad was terrible for there it was house-to-house fighting, and no other form of fighting is more inhuman in its savagery. But, in Manila, men fought from house-to-house, from floor-to-floor, from room-to-room.

The broken walls of Manila scream with the agony of those whose only crime was loyalty.

These defenseless people tormented to death, these helpless ones who ate the bugs from the walls for sustenance and drank water from the toilet for none was given them for weeks, these dead whose bodies are stacked like wood along the rotting walls—the charge against them was loyalty to their faith, which was that of freedom.

They were not victims of war. They died in a gigantic crime of revenge, committed by a criminal nation without morality.

What indictment can we place against soldiers who laughed as they massacred and butchered helpless men, women, and children? They acted under command. Their orders came from a serene and efficient command that was chary of gasoline to light its human victims, for mass murder must be committed with economy as well as efficiency, according to the orders of the thrifty Japanese leaders.

Before you, Mr. Speaker, is the evidence, the factual indictment of Japan and its leaders and the brute ideology that can decree such crimes. Here is irrefutable proof that we are fighting no ordinary enemy in the Pacific. The United Nations Conference that will meet to plan the peace must know what sort of criminal is hiding there. Manila is dead and Tokyo must die, not in reprisal but as a defense measure necessary to insure future Pacific peace.

This is the plea of the Filipinos, and it is not in vindictiveness. When a people have drunk such sorrow as ours, we are beyond bitterness. But what we have endured are things which the outraged world conscience must know, and if we are to have peace the passion of Manila must be known to all the world.

Who can look at these photographs and still say, "Spare the Japanese their shrines; hold safe the Imperial Palace; preserve the lovely old picturesque buildings of Japan's past."

Spare them?

Study the evidence again, Mr. Speaker—the ruined land, the ravaged bodies, the broken walls heaped together. This is our past in the Philippines; this is our future; this was the building and the planning in which we took such pride. What have the Japanese spared us? What have they left to us of all that we held sacred, all that we built with such sacrifice, all that we loved? It is not revenge, Mr. Speaker, that makes us say, "Obliterate their shrines, blot out their palaces, hew down their streets, that they may know on their own lips and eyes and ears the stench and sound of war." Berlin knows its vileness; Tokyo is tasting it now. Let these the makers of murder savor it to the full and

see how they whimper, for it is one thing to watch the sufferings of the helpless and another thing to know.

On December 7 last I returned from the Philippines to report to this Congress the successful invasion of Leyte and the cooperation of the people of the Philippines in laying the groundwork of that invasion. I pledged to you then the loyalty and expressed the gratitude of the Filipinos people. The cry then was, "On to Manila." Our thoughts were straining forward to the rescue of the city that would mean the final liberation of the Philippines.

Since that triumphant report, I returned to the Philippines and saw Manila die. Here on the floor of Congress, before the world we indict Japan today for the death of that beautiful city.

Manila is the latest of the crimes of treachery in the long list against criminal Japan.

Treaties, to this outlaw nation, mean no more than human life, and that is without value.

In 1885 Prince Ito made the pledge that Japan would always want Korea to be independent. Later Korea was annexed by Japan.

In 1900 Japan was among the nations that pledged itself to preserve territorial and administrative integrity for China. Long is the list of crimes committed by Japan against helpless China, each a criminal violation of the protective pledge given by a nation incapable of the honorable abiding by a given pledge.

Even as late as 1921 Japan promised at the Washington Conference to refrain from taking advantage of her neighbor China.

Two years earlier the Japanese signature had been formally affixed to the Covenant of the League of Nations, a covenant by which she refused to be bound and eventually she withdrew.

"Japan's program is decided," was the statement made at the time of withdrawal, "and whatever the League or the United States may think about it makes no difference."

In 1928 Japan signed the Pact of Paris to outlaw war. That pact was violated by the annexation of Manchuria and the sack of Shanghai.

As far back as 1904 there was the betrayal of Vladivostok—and do not believe the Russian Nation has ever forgiven that Japanese treachery.

Vladivostok, China, Korea, Formosa, Pearl Harbor, all betrayals, all under military orders, all by order of the high command.

Manila was the final treachery and its violation began in almost the same hour of the attack on Pearl Harbor. That was only the beginning of betrayal. Two days after General Douglas MacArthur declared Manila to be an open city, it was bombed by Japanese planes. Think of that violation—the bombing of an undefended open city!

Consistent indeed are the Japanese. They departed from Manila as our forces approached, they allowed the citizens to believe it would be declared an open city, and then, when the fears of the people were partially allayed and the city lay helpless and vulnerable, the Japanese proceeded with the crime of its destruction.

There are no blue stars, no gold-starred flags in the windows of Manila. For that matter, there are no windows left unshattered. Many of our dead were civilians, and others were fighting without uniforms. There were no medals or promises of reward or glory offered to the Filipinos who continued to fight for America, who continued to risk, not only their own lives but those of their wives and children. They knew that. They knew the ruthlessness of their criminal foe. They knew that death could be lingering or swift, as their tormentors chose. But the Filipinos did not stop fighting for democracy, and Manila is but part of the price we have paid for the privilege of believing in freedom.

It is their fight still, those who still live.

It is their pride that the delaying action of Bataan gave to America the time to prepare; that the information gleaned and the groundwork laid from within saved uncounted American lives in the invasion of the Philippines. Check the lists of casualties in comparison with other beachheads, and you can determine how long is the list of American youth that was saved by that stubborn Filipino hold from within. While you in Amcrica prepared to release the Philippines, starving Filipinos, in their turn, were giving their lives to save the life of your son and the life of the boy next door.

In the rescue of American prisoners at Cabanatuan, out of the 27 casualties among the heroic rescuers, 26 were Filipinos. At Los Banos it was the Filipino guerrillas who held on. The Filipino today stands in rags in his ruined country, but there is a glow in his heart because he helped America.

His one thought now is to continue the advance with the American forces. The cry in the Philippines now is, "On to Tokyo! Give us guns and a place on the American ships and let us fight through to Japan!"

And afterward, as do all men, he will want to come home. Other soldiers will be coming home. But the Filipino's home—you can see by these pictures what is left to him.

Of this Congress he is going to ask for aid in rehabilitating his land. It is not easy for a Filipino to ask help. He is not one to ask charity. It is not charity he needs. It has been his pride that the American schools and American teachers that gave him his concept of democracy were paid for by him, from taxes raised by his own efforts. It was his pride that when the opportunity to run his own political policies was given him he was able to take advantage of that opportunity. He studied, he learned to run his own government, and by doing so he won his pledge of independence, which to him means freedom.

"Give me the chance," he said. "I will learn." And he learned.

It was his chance at freedom—the word America had taught him meant more than any other.

Can you not sense what that word meant to the Filipino who worked so long and hopelessly on land he could never own? All he asked was the right to say, "My rice paddy and my home," no matter how shabby the hut or how poor the land.

The Filipino does not like to ask for his rights. It is his nature to give first and proudly, for that is part of his tradition. He wanted to meet your sons on Leyte Beach and Subic Bay with hands running over with gifts, and it shamed him to meet them naked and hungry and to have nothing to offer these fine, strapping soldiers who were America. He was the host in rags and poverty, but his pride was that he had not given in, he had fought with America, against Japan.

That was his offering. It was comprised of countless Filipino lives.

He has paid his way in the past and will continue to pay. To give gift for gift and value for value is imbedded in the Filipino soul.

The SPEAKER. The time of the gentleman has expired.

Mr. McCORMACK. Mr. Speaker, I would like to ask the Resident Commissioner how much longer he would need to present his powerful presentation of the atrocities of the Japanese and their conviction as barbarians?

Mr. ROMULO. Ten minutes.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the time of the gentleman be extended 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ROMULO. Much as he may pity, his pride will deny him voice. You must lean closely to hear, for much that he says is spoken by dead lips, and you must remember the burned and mutilated hands of Manila lifted as if asking for the chance that their city may live again.

There can be a priceless partnership between our countries in the Pacific. Mr. Speaker, in this printed indictment against Japan lies proof of that partnership. Here is shown to you the brown America. Here is the evidence of their sacrifice. What can we give to these men, and women, and children who are dead? What they are now is more terrible than dust, for they are but stench and corruption—you put your hand out to a man's body that clings to a grilled window and it falls into ashes—and this is Manila fallen. Here was a people whose history was very like your own and who for half a century have shared your history. Here was a people that loved one another, bright colors, happiness, laughter, a harmless and happy people in a beautiful and beloved city, who chose death rather than desert your standards.

Here in these pictures is your brown America, that land set in the Orient that shall forever be part of Gettysburg and Valley Forge. The norm of world peace rests on that land, for what happens now in the Philippines will influence the future of the Pacific peace and that of all the world. You have set American standards there and upon it

rests future understanding between all men.

Recognize the power of the pledge that brought such reprisal of hatred. Recognize the power of that protective pledge between white men and brown. Here in the Philippines was the first democracy between nations, between two races of different origin but with shared ideals. Manila has proved that peace can be made between men. Manila has proved the partnership between the Filipino and his American brother, and in proof of that Japan doomed Manila to die. It is gone, but its ashes hold the imprint of an indestructible pattern for the future and the only answer to a lasting peace. It is an example to redden the faces of monarchs who do not dare put their trust in the God-given precept that men are created equal. Manila in ruins still holds the imprint of the pattern that can ensure the safety of the future generations of all the earth.

That pattern rests not upon idealism alone but also upon the sound business advantages of mutual understanding.

The rehabilitated Philippines will be America's trading post in the Far East and its gateway to the Orient. The advantage there holds the answer to any unemployment problem America may face after the war. The Far East market will help absorb that problem, and American business and capital are awaited with open arms in the Philippines. Air and naval bases for American prestige and power are there in the Philippines. They can be defended if desired by Filipinos, that the Stars and Stripes may never again be threatened in the Far East. In the past 3 years the Filipinos have given proof of their ability to fight in defense of America.

There may be those who will say the Filipinos cannot have independence and rehabilitation together. They must choose independence or rehabilitation. Can you look at the evidence gathered here and separate one from the other? Yes; we ask for liberty as well as for life. Without rehabilitation liberty will mean death to us. Without liberty the dead of Manila would be needless sacrifice.

Others may ask, Why, if the Filipino still feels himself part of America, does he ask for freedom? Only a truly patriotic American can feel the answer to that, for it must be felt, not known. The founders of the United States of America knew the answer. To be American is to be independent. It is less national than spiritual; it is less than a geographic division, it is a political faith. We have been reared in this precept that all men are created equal and free; for this Bataan was fought; for this bodies have died as human torches that must light the way to the eventual freedom of their fellow Filipinos or their terrible sacrifice has failed. They died for freedom. They died for the same dream that leads us now to ask for our independence, and this passion for freedom was given the Filipino by America. How shall it withhold the final fruit from him? Freedom to cast his own vote, make his own plans, fashion his own dreams, for, no matter how humble they be, they are his own. For 300 years we have looked toward the New World, and our children have grown to fight again in the long hope that some day the Philippines will be free. For 300 years this fight held; there can be no bloodier end, no nobler end, than Manila.

Independence—is it not our political right? We won it by our stand in Congress before the war. We won it again at Bataan. The American soldiers who died there with ours and those who fell in the death of Manila would say that that right was earned. Those whose dead faces stare at you sightlessly from this printed indictment against Japan would say with them that the Filipino's right to be free has been paid for again and again.

Rehabilitation—it is our moral right. We earned it when we gave our all for America without counting the cost. Rehabilitation and independence belong together, for freedom without rehabilitation now, to our ruined country, would mean the death of the Philippines, and we whose faith in America has been tested in the crucible of fire and suffering cannot conceive that the American people should now tell us: Here is your freedom and with it not our hand to help and guide you but a coffin for your corpse.

Mr. Speaker, America in the eyes of the world is represented by the eagle. It is a fitting symbol of this great Nation, that regal bird that teaches its eaglets to fly by pushing them over the edge of the nest so that while falling they learn to lift their fragile wings. But as they fall, she does not desert her young. She follows them. With unleashed wings she circles around them. Her gallant wings protect them in their desperate flight. Other animals, such as the snake, may desert their young, but not the noble eagle. May I say, Mr. Speaker, that we in the Philippines, we who are the bruised and battered fledgling of the Far East in this war, cannot believe that our mother eagle will abandon us in our stumbling attempt to soar alone.

Victory is upon us, it is intoxicating, and much will be forgotten because it is too terrible to remember. Even now there is a slackening of the effort and the emotions. But Manila should not be forgotten as long as nations endure, for it is the culminating crime in the long series of charges the War Crimes Commission of the United Nations must charge in its indictment against the Japanese Nation. Manila was the price of Filipino loyalty to America. That criminal exactment sums up the case of all the decent peoples of the world against the arch criminal in the Pacific, imperial Japan.

Mr. Speaker, I rest my people's case.

USE OF AMERICAN ARMED FORCES TO PREVENT WORLD WAR NO. 3

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute, to revise and extend my remarks and to include a statement made by Senator CONNALLY in reference to our late beloved President.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. KOPPLEMANN. Mr. Speaker, so that what happened to the people of the Philippines and to the people of other devastated lands will not happen again, I introduced, on March 19, 1945, House Joint Resolution 131, to provide for authorizing the American representative on the International Security Council to pledge the use of American armed forces immediately upon need to prevent World War No. 3.

It provides further that such action shall be regarded as in the nature of international police activity for the prevention of warfare through the exercise of joint international responsibility for the definition and punishment of offenses against the law of nations and not as a warlike act or as constituting a declaration of war or as creating a state of war.

It is not my intention to urge approval of my proposal rather than that of any other Member of this House or of the Congress of the United States. I believe that every Member of the Congress shares this intention, and I hope that all would wish to share in the sponsorship and responsibility for making this legislation effective as a fundamental contribution of the United States to the organization of world peace.

Let me say again that it is not my suggestion or my proposal that I urge on you today. I urge rather our joint consideration of this problem of making our international collaboration effective. We should assure the United States delegation that goes to San Francisco that the Congress of the United States will support them by placing sufficient confidence in our delegates to the security council to make its actions effective.

Mr. Speaker, I am including in the Appendix statements of our late beloved President, Franklin Delano Roosevelt, and Senator TOM CONNALLY on this issue and with which my bill treats.

INSURANCE RIGHTS OF SERVICEMEN AND SERVICEWOMEN

Mr. LYNCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LYNCH. Mr. Speaker, I have introduced today a bill, which has for its purpose the further protection of the insurance rights of servicemen and servicewomen under the old-age and survivors insurance provisions of the Social Security Act.

It is the companion bill to a similar one which is being introduced in the Senate by the distinguished senior Senator from New York, Hon. ROBERT F. WAGNER.

I take it that we are all agreed that those in the services should be protected against any impairment or possible loss of their insurance rights under social security. Legislation to that end is necessary, and I believe that this bill will accomplish the results desired, for under its provisions servicemen and servicewomen are considered as though they were still in the civilian jobs they had before their entry into the military and

naval services, with the Government, however, paying the regular contributions required under the law instead of the usual employer and employee contributions.

The sum of $160 per month is assumed to be the basic pay. I believe that $160 per month is a fair and reasonable approximation of the value of the average serviceman's pay, food, clothing, and other allowances.

The bill would, in general, be retroactive to September 7, 1939, the date President Roosevelt proclaimed the existence of a limited emergency.

EXTENSION OF REMARKS

Mr. MANASCO asked and was given permission to extend his own remarks in the RECORD.

THE LATE OSCAR L. AUF DER HEIDE

Mr. HART. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. HART. Mr. Speaker, it is with deep regret that I announce to the House the passing of my immediate predecessor in this body at his home in West New York, N. J., the Honorable Oscar L. Auf der Heide. He had just recently celebrated his seventieth birthday.

Mr. Auf der Heide first came to the House at the beginning of the Sixty-ninth Congress and served here through five successive terms. The people of his own community prior to his coming here had conferred upon him practically every honor and every political office of which they were capable. He had also represented his county in the State legislature and on the board of freeholders. To these public services he brought a fine ability and a high sense of responsibility. He was progressive, enterprising, loyal to his friends and his convictions alike.

We was a devoted husband, a kind and indulgent father, a large hearted, lovable man. His passing fills numerous hearts with genuine sorrow.

I am proud to have been among those who made up the legion of his friends. They will hold his memory dear.

EXTENSION OF REMARKS

Mr. JARMAN asked and was given permission to extend his remarks in the RECORD and to include an editorial from the Washington Star.

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that the distinguished gentleman from New Jersey [Mr. EATON] may have permission to extend his remarks in the RECORD and to include a speech made by Secretary of State Stettinius.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

FRANKLIN DELANO ROOSEVELT

Mr. JARMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JARMAN. Mr. Speaker, I ask for this time in order to read to the House a radiogram which I consider very appropriate for my colleagues to hear. It is addressed to me, and from aught that the radiogram itself shows, it is simply from a citizen of Uruguay to one of the United States. However, it is from the President of the Chamber of Deputies of Uruguay, an office identical with the Speakership of our House, and is sent to me because of our membership on the permanent Commission which you will recall was recently approved by this House for the continuation and improvement of pan-American unity. I read the keenly appreciated radiogram. In thanking President Batlle Berres for it, I shall take the liberty of doing so for this House as well as personally, to which I know you will not object:

MONTEVIDEO, *April 13.*

PETE JARMAN,
Congress of the United States,
House of Representatives,
Washington, D. C.:

Upon the death of the great builder of world democracy I renew the expression of closest solidarity.

LUIS BATLLE BERRES.

EXTENSION OF REMARKS

Mr. ROGERS of New York asked and was given permission to extend his remarks in the RECORD and include an article by Mr. Frank Gannett.

Mr. MILLER of California asked and was given permission to extend his remarks in the RECORD and include a statement by the Secretary of the Interior.

Mr. MURDOCK asked and was given permission to extend his remarks in the RECORD in two instances; in one to include a letter by the President of the United States read before the Committee on Irrigation and Reclamation on April 12, and in the other to include a statement by Commissioner Bashore.

Mr. GRANT of Alabama asked and was given permission to extend his remarks in the RECORD and include a poem on our late President.

Mr. SIKES asked and was given permission to extend his remarks in the RECORD.

Mr. PRICE of Florida (at the request of Mr. SIKES) was given permission to extend his remarks in the RECORD.

Mr. D'ALESANDRO asked and was given permission to extend his remarks in the RECORD in two instances, and in one to include a statement made before the Committee on Foreign Affairs April 11.

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD and include a short address by Margaret K. Peters.

FRANKLIN DELANO ROOSEVELT

Mr. GALLAGHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, when Franklin Delano Roosevelt passed away, hundreds of thousands of Americans shed tears that were as real and sincere as if one of their own family had passed away. Mr. Roosevelt will always be known as a man of courage and as the champion of the poor, the sick, and of those who needed help.

He is no longer a party leader, but lives in the hearts of all men. He will be remembered as a man that not only tried to unite the people of the United States, but of all the world in an organization to promote and keep peace on earth. I, therefore, have sent to your desk a resolution which I hope will ultimately be adopted. Let the March of Dimes continue. Let the Warm Springs Foundation be a national shrine, and his birthday, January 30, be made a national holiday as a tribute to the faith, devotion, and humanity of Franklin Delano Roosevelt.

EXTENSION OF REMARKS

Mr. DONDERO asked and was given permission to exend his remarks in the RECORD and include an address delivered by Dr. Wilson, of the Department of Agriculture, on Lincoln and Roosevelt.

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD and include a tribute to our late President by Mr. Frank Gannett.

Mr. TALBOT asked and was given permission to extend his remarks in the RECORD and include a statement by Albert P. Morano.

Mr. KEARNEY asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one a resolution from the Polish-American Congress and in the other an editorial on the death of Dr. Dixon Ryan Fox.

Mr. REED of New York asked and was given permission to extend his remarks in the RECORD and include an editorial and a letter.

Mr. McDONOUGH asked and was given permission to extend his remarks in the RECORD and include a resolution of endorsement of H. R. 2071.

Mr. PHILLIPS asked and was given permission to extend his remarks in the RECORD and include an editorial from the Los Angeles Times.

Mr. MERROW asked and was given permission to extend his remarks in the RECORD and include an editorial from Foster's Daily Democrat, Dover, N. H., entitled "The Nation Mourns."

Mr. CUNNINGHAM asked and was given permission to extend his remarks in the RECORD and include a resolution by the Iowa General Assembly on the death of President Roosevelt.

JOE PALOOKA CARTOONS

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. JONKMAN. Mr. Speaker, for many years the Joe Palooka cartoons

ranked easily among the most popular in the country. For the past several weeks, however, they have degenerated into a scurrilous defamation of the Congress of the United States as an institution.

I would be the last to object to the public's time-honored right to sporadically make Congress the butt of its humor, raillery, or even castigation as the Nation's seat of the pants.

But Ham Fisher, apparently, either consciously or unconsciously, has joined the world trend of seeking to undermine and destroy all representative, legislative, and parliamentary bodies.

Newspapers which publish the current series in their comic supplement may work as hard as they like in their news and editorial columns to create and develop free governments and world peace, but they cannot overcome the destructive influence dished out in these comics.

BRETTON WOODS INTERNATIONAL MONETARY AGREEMENT

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I call your attention to a letter that no doubt has come to the office of every Member of Congress from the United Christian Council for Democracy, signed by Rev. Richard Morford, executive secretary. The first paragraph of this letter is as follows:

> We offer for your consideration the enclosed statement on the Bretton Woods International Monetary Agreement. Our position as liberal churchmen is one of full support for the plan—both the fund and the bank. We favor its ratification by the Congress at once without crippling amendments or reservations.

The fact that this Reverend Morford signed the text of a statement in defense of the Communist Party, as shown by the Dies committee report, and also signed a statement to abolish the Dies committee, shows that he is now masquerading under the name of a religious organization. If he were not interested in the overthrow of this country he never would have signed those statements.

At the bottom of his letter he lists as cooperating organizations the Evangelical and Reformed Council for Social Reconstruction, Presbyterian Fellowship for Social Action, Unitarian Fellowship for Social Justice, Church League for Industrial Democracy—Episcopal—Methodists Federation for Social Service, and Rauschenbusch Fellowship of Baptists, and he states, "These are all unofficial church associations."

EXTENSION OF REMARKS

Mr. HAGEN asked and was given permission to extend his own remarks and include therein a letter.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks and include an address on the San Francisco Conference made over State-wide hook-up in the State of North Dakota.

Mr. ANDERSON of California asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. SMITH of Ohio asked and was given permission to extend in the RECORD a radio address delivered by him over the Columbia Broadcasting System.

Mr. BLAND asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a letter from Admiral Vickery and a summary from the Maritime Commission on the subject of ship construction.

Mr. BLAND. Mr. Speaker, I ask unanimous consent to extend in the Appendix of the RECORD an article appearing in the Shipping World of January 31, 1945, entitled "Expansion of Japanese Shipping Built for Purposes of War." I have submitted the article to the Public Printer and it is estimated to take two and one-half pages at a cost of $130.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

Mr. HUBER asked and was given permission to extend his remarks at this point in the RECORD.

Mr. HUBER. Mr. Speaker, my feeling of grief over the passing of our beloved President Franklin Delano Roosevelt is overwhelming, and I knew it has saddened the entire world. Fate sometimes has a way of taking away great leaders when their tasks have been completed. And if this is an omen of approaching and enduring peace, then it may be of some consolation to sorrowing millions.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my own remarks and include an article entitled "United States Board Hails New York Trade Zone Results." The Government Printer informs me the cost thereof will be $86.80.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

RADIO BROADCASTING COMPANIES

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, a word of praise and commendation might well be spoken concerning the broadcasting companies for their exemplary handling of the news of the late President Roosevelt's death and the ceremonies attendant upon his funeral. The dignity and seriousness of the programs were in keeping with the solemnity of the occasion. From the moment the news of his death was flashed at 5:49 p. m. Thursday to the close of Sunday broadcasting, there was not a so-called commercial plug over the airways. Such commercial programs as were retained were carefully examined to see that they would not violate the spirit of mourning which gripped the Nation. Therefore, I acclaim these national networks and local stations.

EXTENSION OF REMARKS

Mr. BROWN of Georgia. Mr. Speaker, all civilization mourns the passing of our late beloved President, the Honorable Franklin Delano Roosevelt, and his memory will be revered and honored for time immemorial. An editorial entitled "President Roosevelt Answers Final Summons," which appeared in the Athens (Ga.) Banner-Herald of April 15, 1945, is one of the finest tributes to this great humanitarian I have read. I ask unanimous consent to have it inserted in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. LARCADE asked and was given permission to extend his own remarks in the RECORD in two instances.

Mr. BIEMILLER asked and was given permission to extend his own remarks in the Appendix of the RECORD and include therein a joint resolution of the Wisconsin State Legislature.

Mr. RYTER asked and was given permission to insert in the Appendix of the RECORD three resolutions passed by various Polish-American organizations of Connecticut.

Mr. BARTLETT asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein a resolution adopted by the Alaska Territorial Chamber of Commerce.

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that our colleague the gentleman from Virginia [Mr. WOODRUM] may have permission to extend his remarks in the RECORD and include a radio broadcast by Mr. Baukhage.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. COURTNEY. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances and include, first, a short article descriptive of Humphreys County, Tenn., and, second, to include an address delivered by former Senator James P. Pope, now Director of the Tennessee Valley Authority, delivered at Waynesboro, Tenn., several days ago. I have an estimate from the Public Printer that it will cover two and one-half pages at a cost of $117.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MANSFIELD of Montana. Mr. Speaker, I ask unanimous consent that on tomorrow after all other special orders heretofore entered, I be permitted to address the House for 25 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Montana?

There was no objection.

EXTENSION OF REMARKS

Mr. McGEHEE asked and was given permission to extend his remarks in the

RECORD and include therein an editorial from the Charleston Sun.

Mr. THOMASON asked and was given permission to extend his remarks and include a telegram from Judge MANSFIELD, of Texas.

Mr. PATMAN asked and was given permission to extend his remarks on two subjects and to include therewith a speech delivered by Major General Donovan, a letter and certain excerpts.

Mr. CARNAHAN asked and was given permission to extend his own remarks in the RECORD.

Mr. STEFAN asked and was given permission to extend his own remarks in the RECORD.

Mr. SPRINGER asked and was given permission to extend his remarks in the Appendix of the RECORD and include a poem written by Mr. Frank M. Crawford, of Connersville, Ind.

PERMISSION TO ADDRESS THE HOUSE

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that on Friday of this week after the business on the Speaker's table and any other special orders, I may address the House for 30 minutes on the subject of the United States and the New World Order.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

FRANCISCO DELGADO

Mr. STEFAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. STEFAN. Mr. Speaker, those of us who have just had the privilege to hear the powerful address of the Resident Commissioner from the Philippine Islands, the Honorable CARLOS ROMULO, are deeply impressed with the immediate need for the rehabilitation of the Philippine Islands. This eloquent address will not be soon forgotten. It is a message which should be impressed deeply in the hearts of all liberty-loving Americans. We are deeply indebted to General ROMULO for bringing to us this word-picture of conditions existing in the Philippine Islands.

I rise at this time, Mr. Speaker, to announce to the membership of the House the arrival in the United States of another great Filipino leader, the Honorable Francisco Delgado, former Philippine Resident Commissioner. Many of those present today served with Mr. Delgado. They will remember him as a talented legislator and jurist. He did much during his service in the Congress of the United States for the people of the Philippine Islands. It was during his term of office that the Philippine Commonwealth Government was born. I am informed that he will represent his people at the San Francisco Conference. My meager information is to the effect that he has undergone great hardship during the invasion of the islands by the treacherous Japanese. I am informed that Mrs. Delgado is also safe after many harrowing experiences. I bring this message to my colleagues who I know share my happiness over the news of the safety of these two fine Filipino citizens.

EXTENSION OF REMARKS

Mr. SPRINGER. Mr. Speaker, on Thursday, April 12, I secured unanimous consent to extend my remarks in the Appendix and to include therewith copies of the old revised forms of application issued by the Veterans' Administration for hospitalization and domiciliary care. I am informed by the Public Printer that such extension exceeds the limit fixed and that the cost will amount to $208. I ask unanimous consent that notwithstanding that fact, the extension may be made.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CONFERENCE REPORT, FIRST DEFICIENCY APPROPRIATION BILL, 1946

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that I may have until 7 o'clock tonight to file a conference report and statement on the first deficiency appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the calendar.

ENACTMENT OF TITLE 1 OF THE UNITED STATES CODE INTO POSITIVE LAW

The Clerk called the first bill on the calendar, H. R. 2195, to codify and enact into positive law title 1 of the United States Code, entitled "General Provisions."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 1 of the United States Code entitled "General Provisions", is codified and enacted into positive law and may be cited as "1 U. S. C., § —", as follows:

TITLE 1.—GENERAL PROVISIONS

Chap.		Sec.
1.	Rules of construction	1
2.	Acts and resolutions; formalities of enactment; repeals; sealing of instruments	101
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CHAPTER 1—RULES OF CONSTRUCTION

§ 1. Words denoting number, gender, etc.
§ 2. "County" as including "parish", etc.
§ 3. "Vessel" as including all means of water transportation.
§ 4. "Vehicle" as including all means of land transportation.
§ 5. "Company" or "association" as including successors and assigns.
§ 6. Limitation of term "products of American fisheries"

Words denoting number, gender, and so forth

§ 1. In determining the meaning of any Act or resolution of Congress words importing the singular number may extend and be applied to several persons or things; words importing the plural number may include the singular; words importing the masculine gender may be applied to females; the words "insane person" and "lunatic" shall include every idiot, non compos, lunatic, and insane person; the word "person" may extend and be applied to partnerships and corporations, and the reference to any officer shall include any person authorized by law to perform the duties of such office, unless the context shows that such words were intended to be used in a more limited sense; and a requirement of an "oath" shall be deemed complied with by making affirmation in judicial form.

"County" as including "parish", and so forth

§ 2. The word "county" includes a parish, or any other equivalent subdivision of a State or Territory of the United States.

"Vessel" as including all means of water transportation

§ 3. The word "vessel" includes every description of watercraft or other artificial contrivance used, or capable of being used, as a means of transportation on water.

"Vehicle" as including all means of land transportation

§ 4. The word "vehicle" includes every description of carriage or other artificial contrivance used, or capable of being used, as a means of transportation on land.

"Company" or "association" as including successors and assigns

§ 5. The word "company" or "association", when used in reference to a corporation, shall be deemed to embrace the words "successors and assigns of such company or association", in like manner as if these last-named words, or words of similar import, were expressed.

Limitation of term "products of American fisheries"

§ 6. Wherever, in the statutes of the United States or in the rulings, regulations, or interpretations of various administrative bureaus and agencies of the United States there appears or may appear the term "products of American fisheries" said term shall not include fresh or frozen fish fillets, fresh or frozen fish steaks, or fresh or frozen slices of fish substantially free of bone (including any of the foregoing divided into sections), produced in a foreign country or its territorial waters, in whole or in part with the use of the labor of persons who are not residents of the United States.

CHAPTER 2—ACTS AND RESOLUTIONS; FORMALITIES OF ENACTMENT; REPEALS; SEALING OF INSTRUMENTS

§ 101. Enacting clause.
§ 102. Resolving clause.
§ 103. Enacting or resolving words after first section.
§ 104. Numbering of sections; single proposition.
§ 105. Title of appropriation Acts.
§ 106. Printing bills and joint resolutions.
§ 107. Parchment or paper for printing enrolled bills or resolutions.
§ 108. Repeal of repealing act.
§ 109. Repeal of statutes as affecting existing liabilities.
§ 110. Saving clause of Revised Statutes.
§ 111. Repeals as evidence of prior effectiveness.
§ 112. Statutes at Large; contents; admissibility in evidence.
§ 113. "Little and Brown's" edition of laws and treaties; admissibility in evidence.
§ 114. Sealing of instruments.

Enacting clause

§ 101. The enacting clause of all Acts of Congress shall be in the following form: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled."

Resolving clause

§ 102. The resolving clause of all joint resolutions shall be in the following form: "Resolved by the Senate and House of Representatives of the United States of America in Congress assembled."

Enacting or resolving words after first section

§ 103. No enacting or resolving words shall be used in any section of an Act or resolution of Congress except in the first.

Numbering of sections; single proposition

§ 104. Each section shall be numbered, and shall contain, as nearly as may be, a single proposition of enactment.

Title of appropriation acts

§ 105. The style and title of all Acts making appropriations for the support of Government shall be as follows: "An Act making appropriations (here insert the object) for the year ending June 30 (here insert the calendar year)."

Printing bills and joint resolutions

§ 106. Every bill or joint resolution in each House of Congress shall, when such bill or resolution passes either House, be printed, and such printed copy shall be called the engrossed bill or resolution as the case may be. Said engrossed bill or resolution shall be signed by the Clerk of the House or the Secretary of the Senate, and shall be sent to the other House, and in that form shall be dealt with by that House and its officers, and, if passed, returned signed by said Clerk or Secretary. When such bill, or joint resolution shall have passed both Houses, it shall be printed and shall then be called the enrolled bill, or joint resolution, as the case may be, and shall be signed by the presiding officers of both Houses and sent to the President of the United States. During the last six days of a session such engrossing and enrolling of bills and joint resolutions may be done otherwise than as above prescribed, upon the order of Congress by concurrent resolution.

Parchment or paper for printing enrolled bills or resolutions

§ 107. Enrolled bills and resolutions of either House of Congress shall be printed on parchment or paper of suitable quality as shall be determined by the Joint Committee on Printing.

Repeal of Repealing Act

§ 108. Whenever an Act is repealed, which repealed a former Act, such former Act shall not thereby be revived, unless it shall be expressly so provided.

Repeal of statutes as affecting existing liabilities

§ 109. The repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the repealing Act shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability. The expiration of a temporary statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the temporary statute shall so expressly provide, and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

Saving clause of revised statutes

§ 110. All acts of limitation, whether applicable to civil causes and proceedings, or to the prosecution of offenses, or for the recovery of penalties or forfeitures, embraced in the Revised Statutes and covered by the repeal contained therein, shall not be affected thereby, but all suits, proceedings, or prosecutions, whether civil or criminal, for causes arising, or acts done or committed prior to said repeal, may be commenced and prosecuted within the same time as if said repeal had not been made.

Repeals as evidence of prior effectiveness

§ 111. No inference shall be raised by the enactment of the Act of March 3, 1933 (ch. 202, 47 Stat. 1431), that the sections of the Revised Statutes repealed by such Act were in force or effect at the time of such enactment: *Provided, however,* That any rights or liabilities existing under such repealed sections shall not be affected by their repeal.

Statutes at large; contents; admissibility in evidence

§ 112. The Secretary of State shall cause to be compiled, edited, indexed, and published, the United States Statutes at Large, which shall contain all the laws and concurrent resolutions enacted during each regular session of Congress; all treaties to which the United States is a party that have been proclaimed since the date of the adjournment of the regular session of Congress next preceding; all international agreements other than treaties to which the United States is a party that have been signed, proclaimed, or with reference to which any other final formality has been executed, since that date; all proclamations by the President in the numbered series issued since that date; and also any amendments to the Constitution of the United States proposed or ratified pursuant to article V thereof since that date, together with the certificate of the Secretary of State issued in compliance with the provision contained in section 160 of title 5. In the event of an extra session of Congress, the Secretary of State shall cause all the laws and concurrent resolutions enacted during said extra session to be consolidated with, and published as part of, the contents of the volume for the next regular session. The United States Statutes at Large shall be legal evidence of laws, concurrent resolutions, treaties, international agreements other than treaties, proclamations by the President, and proposed or ratified amendments to the Constitution of the United States therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

"Little and Brown's" edition of laws and treaties; admissibility in evidence

§ 113. The edition of the laws and treaties of the United States, published by Little and Brown, shall be competent evidence of the several public and private Acts of Congress, and of the several treaties therein contained, in all the courts of law and equity and of maritime jurisdiction, and in all the tribunals and public officers of the United States, and of the several States, without any further proof or authentication thereof.

Sealing of instruments

§ 114. In all cases where a seal is necessary by law to any commission, process, or other instrument provided for by the laws of Congress, it shall be lawful to affix the proper seal by making an impression therewith directly on the paper to which such seal is necessary; which shall be as valid as if made on wax or other adhesive substance.

CHAPTER 3—CODE OF LAWS OF UNITED STATES AND SUPPLEMENTS; DISTRICT OF COLUMBIA CODE AND SUPPLEMENTS

§ 201. Publication and distribution of Code of Laws of United States and Supplements and District of Columbia Code and Supplements.
(a) Publishing in slip or pamphlet form or in Statutes at Large.
(b) Curtailing number of copies published.
(c) Dispensing with publication of more than one Supplement for each Congress.
§ 202. Preparation and publication of Codes and Supplements.
(a) Cumulative Supplements to Code of Laws of United States for each session of Congress.
(b) Cumulative Supplement to District of Columbia Code for each session of Congress.
(c) New editions of Codes and Supplements.
§ 203. District of Columbia Code; preparation and publication; cumulative supplements.
§ 204. Codes and Supplements as evidence of the Laws of United States and District of Columbia; citation of Codes and Supplements.
(a) United States Code.
(b) District of Columbia Code.
(c) District of Columbia Code; citation.
(d) Supplements to Codes; citation.
(e) New edition of Codes; citation.
§ 205. Codes and Supplements; where printed; form and style; ancillaries.
§ 206. Bills and resolutions of Committee on Revision of Laws of House of Representatives; form and style; ancillaries; curtailment of copies.
§ 207. Copies of acts and resolutions in slip form; additional number printed for Committee on Revision of Laws of House of Representatives.
§ 208. Delegation of function of Committee on Revision of the Laws to other agencies; printing, etc., under direction of Joint Committee on Printing.
§ 209. Copies of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; conclusive evidence of original.
§ 210. Distribution of Supplements to Code of Laws of United States and of District of Columbia Code and Supplements; slip and pamphlet copies.
§ 211. Copies to Members of Congress.
§ 212. Additional distribution at each new Congress.
§ 213. Appropriation for preparing and editing supplements.

Publication and distribution of Code of Laws of United States and Supplements and District of Columbia Code and Supplements

§ 201. In order to avoid duplication and waste—

(a) Publishing in slip or pamphlet form or in Statutes at Large.—Publication in slip or pamphlet form or in the Statutes at Large of any of the volumes or publications enumerated in sections 202 and 203 of this title, shall, in event of enactment, be dispensed with whenever the Committee on Revision of the Laws of the House of Representatives so directs the Secretary of State;

(b) Curtailing number of copies published.—Curtailment of the number provided by law to be printed and distributed of the volumes or publications enumerated in sections 202 and 203 of this title may be directed by such committee, except that the Public Printer shall print such numbers as are necessary for depository library distribution and for sale; and

(c) Dispensing with publication of more than one Supplement for each Congress.—Such committee may direct that the printing and distribution of any supplement to the Code of Laws of the United States or to the Code of the District of Columbia be dispensed with entirely, except that there shall be printed and distributed for each Congress at least one supplement to each such code, containing the legislation of such Congress.

Preparation and publication of codes and supplements

§ 202. There shall be prepared and published under the supervision of the Committee on Revision of the Laws of the House of Representatives—

(a) Cumulative Supplements to Code of Laws of United States for each session of Congress.—A supplement for each session of the Congress to the then current edition of the Code of Laws of the United States, cumulatively embracing the legislation of the then current supplement, and correcting errors in such edition and supplement;

(b) Cumulative Supplement to District of Columbia Code for each session of Congress.—A supplement for each session of the Congress to the then current edition of the Code of the District of Columbia, cumulatively embracing the legislation of the then current supplement, and correcting errors in such edition and supplement;

(c) New editions of Codes and Supplements.—New editions of the Code of Laws of the United States and of the Code of the District of Columbia, correcting errors and incorporating the then current supplement. In the case of each code new editions shall not be published oftener than once in each five years. Copies of each such edition shall be distributed in the same manner as provided in the case of supplements to the code of which it is a new edition. Supplements published after any new edition shall not contain the legislation of supplements published before such new edition.

District of Columbia Code; preparation and publication; cumulative supplements

§ 203. The Committee on Revision of the Laws of the House of Representatives is authorized to print bills to codify, revise, and reenact the general and permanent laws relating to the District of Columbia and cumulative supplements thereto, similar in style, respectively, to the Code of Laws of the United States, and supplements thereto, and to so continue until final enactment thereof in both Houses of the Congress of the United States.

Codes and supplements as evidence of the laws of United States and District of Columbia; citation of codes and supplements

§ 204. In all courts, tribunals, and public offices of the United States, at home or abroad, of the District of Columbia, and of each State, Territory, or insular possession of the United States—

(a) United States Code.—The matter set forth in the edition of the Code of Laws of the United States current at any time shall, together with the then current supplement, if any, establish prima facie the laws of the United States, general and permanent in their nature, in force on the day preceding the commencement of the session following the last session the legislation of which is included: *Provided, however,* That whenever titles of such Code shall have been enacted into positive law the text thereof shall be legal evidence of the laws therein contained, in all the courts of the United States, the several States, and the Territories and insular possessions of the United States.

(b) District of Columbia Code.—The matter set forth in the edition of the Code of the District of Columbia current at any time shall, together with the then current supplement, if any, establish prima facie the laws, general and permanent in their nature, relating to or in force in the District of Columbia on the day preceding the commencement of the session following the last session the legislation of which is included, except such laws as are of application in the District of Columbia by reason of being laws of the United States general and permanent in their nature.

(c) District of Columbia Code; citation.—The Code of the District of Columbia may be cited as "D. C. Code".

(d) Supplements to Codes; citation.—Supplements to the Code of Laws of the United States and to the Code of the District of Columbia may be cited, respectively, as "U. S. C., Sup. ", and "D. C. Code, Sup. ", the blank in each case being filled with Roman figures denoting the number of the supplement.

(e) New edition of Codes; citation.—New editions of each of such codes may be cited, respectively, as "U. S. C., ed.", and "D. C. Code, ed.", the blank in each case being filled with figures denoting the last year the legislation of which is included in whole or in part.

Codes and supplement; where printed; form and style; ancillaries

§ 205. The publications provided for in sections 202, 203 of this title shall be printed at the Government Printing Office and shall be in such form and style and with such ancillaries as may be prescribed by the Committee on Revision of the Laws of the House of Representatives. The Librarian of Congress is directed to cooperate with such committee in the preparation of such ancillaries. Such publications shall be furnished with such thumb insets and other devices to distinguish parts, with such facilities for the insertion of additional matter, and with such explanatory and advertising slips, and shall be printed on such paper and bound in such material, as may be prescribed by such committee.

Bills and resolutions of Committee on Revision of Laws of House of Representatives; form and style; ancillaries; curtailment of copies

§ 206. All bills and resolutions referred to or reported by the Committee on Revision of the Laws of the House of Representatives shall be printed in such form and style, and with such ancillaries, as such committee may prescribe as being economical and suitable, to so continue until final enactment thereof in both Houses of Congress; and such committee may also curtail the number of copies of such bills to be printed in the various parliamentary stages in the House of Representatives.

Copies of acts and resolutions in slip form; additional number printed for Committee on Revision of Laws of House of Representatives

§ 207. The Public Printer is directed to print, in addition to the number provided by existing law, and, as soon as printed, to distribute in such manner as the Committee on Revision of the Laws of the House of Representatives shall determine, twenty copies in slip form of each public act and joint resolution.

Delegation of function of Committee on Revision of the Laws to other agencies; printing, and so forth, under direction of Joint Committee on Printing

§ 208. The functions vested by sections 201, 202, 204–207 of this title in the Committee on Revision of the Laws of the House of Representatives may from time to time be vested in such other agency as the Congress may by concurrent resolution provide: *Provided,* That the printing, binding, and distribution of the volumes and publications enumerated in sections 202, 203 of this title shall be done under the direction of the Joint Committee on Printing.

Copies of supplements to Code of Laws of United States and of District of Columbia Code and supplements; conclusive evidence of original

§ 209. Copies of the Code of Laws relating to the District of Columbia and copies of the supplements provided for by sections 202, 203 of this title printed at the Government Printing Office and bearing its imprint, shall be conclusive evidence of the original of such code and supplements in the custody of the Secretary of State.

Distribution of supplements to Code of Laws of United States and of District of Columbia Code and Supplements; slip and pamphlet copies

§ 210. Copies of the Code of Laws relating to the District of Columbia, and of the supplements provided for by sections 202, 203 of this title shall be distributed by the Superintendent of Documents in the same manner as bound volumes of the Statutes at Large: *Provided,* That no slip or pamphlet copies of the Code of Laws relating to the District of Columbia, and of the supplements provided for by sections 202, 203 of this title need be printed or distributed.

Copies to Members of Congress

§ 211. In addition to quotas provided for by section 210 of this title there shall be printed, published, and distributed of the Code of Laws relating to the District of Columbia with tables, index, and other ancillaries, suitably bound and with thumb inserts and other convenient devices to distinguish the parts, and of the supplements to both codes as provided for by sections 202, 203 of this title, ten copies of each for each Member of the Senate and House of Representatives of the Congress in which the original authorized publication is made, for his use and distribution, and in addition for the Committee on Revision of the Laws of the House of Representatives and the Committee on the Judiciary of the Senate a number of bound copies of each equal to ten times the number of members of such committees, and one bound copy of each for the use of each committee of the Senate and House of Representatives.

Additional distribution at each new Congress

§ 212. In addition the Superintendent of Documents shall, at the beginning of the first session of each Congress, supply to each Senator and Representative in such Congress, who may in writing apply for the same, one copy each of the Code of Laws of the United States, the Code of Laws relating to the District of Columbia, and the latest supplement to each code: *Provided,* That such applicant shall certify in his written application for the same that the volume or volumes for which he applies is intended for his personal use exclusively: *And provided further,* That no Senator or Representative during his term of service shall receive under this section more than one copy each of the volumes enumerated herein.

Appropriation for preparing and editing supplements

§ 213. For preparation and editing an annual appropriation of $6,500 is authorized to carry out the purposes of sections 202 and 203 of this title.

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this Act are hereby repealed insofar as such provisions appeared in title 1, United States Code, 1940 edition, as shown by the appended table: *Provided,* That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

Statutes at Large or Revised Statutes	Title 1, U. S. Code, Section
R. S., sec. 1	1
R. S., sec. 2	2
R. S., sec. 3	3
R. S., sec. 4	4
R. S., sec. 5	5
Act June 11, 1940, ch. 325, sec. 1, 54 Stat. 305	6
R. S., sec. 7	21

Statutes at Large or Revised Statutes	Title 1, U. S. Code, Section
R. S., sec. 8	22
R. S., sec. 9	23
R. S., sec. 10	24
R. S., sec. 11	25
Res. Nov. 1, 1893, 28 Stat. Appendix 5; act Mar. 2, 1895, ch. 177, sec. 1, 28 Stat. 729	26
Act Mar. 6, 1920, ch. 94, sec. 1, 41 Stat. 520	27
R. S., sec. 12	28
R. S., sec. 13; Mar. 22, 1944, ch. 123, 58 Stat. 118	29
R. S., sec. 5599	29a
Act Mar. 3, 1933, ch. 202, sec. 3, 47 Stat. 1431	29b
Act Jan. 12, 1895, ch. 23, sec. 73, 28 Stat. 615; June 20, 1936, ch. 630, sec. 9, 49 Stat. 1551; June 16, 1938, ch. 477, sec. 1, 52 Stat. 760	30
R. S., sec. 503	30a
R. S., sec. 6	31
Res. Mar. 2, 1929, ch. 586, sec. 1, 45 Stat. 1510	51a
Act May 29, 1928, ch. 910, sec. 2, 45 Stat. 1007; Res. Mar. 2, 1929, ch. 586, sec. 2, 45 Stat. 1541	52
Act May 29, 1928, ch. 910, sec. 3, 45 Stat. 1007	53
Act May 29, 1928, ch. 910, sec. 4, 45 Stat. 1007; Res. Mar. 2, 1929, ch. 586, sec. 3, 45 Stat. 1541	54
Res. Mar. 2, 1929, ch. 586, sec. 4, 45 Stat. 1512; Act Mar. 4, 1933, ch. 282, sec. 1, 47 Stat. 1603; June 13, 1934, ch. 483, secs. 1, 2, 48 Stat. 948	54a
Res. Mar. 2, 1929, ch. 586, sec. 5, 45 Stat. 1512; Act Mar. 4, 1933, ch. 282, sec. 1, 47 Stat. 1603; June 13, 1934, ch. 483, secs. 1, 2, 48 Stat. 948	54b
Res. Mar. 2, 1929, ch. 586, sec. 6, 45 Stat. 1512	54c
Res. Mar. 2, 1929, ch. 583, sec. 7, 45 Stat. 1542	54d
Act May 29, 1928, ch. 910, sec. 5, 45 Stat. 1007	55
Act May 29, 1928, ch. 910, sec. 6, 45 Stat. 1007	56
Act May 29, 1928, ch. 910, sec. 7, 45 Stat. 1008	57
Act May 29, 1928, ch. 910, sec. 8, 45 Stat. 1008	58
Act May 29, 1928, ch. 910, sec. 10, 45 Stat. 1008	59
Act Mar. 3, 1933, ch. 202, sec. 2, 47 Stat. 1431	60

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENACTMENT OF TITLE IV OF THE UNITED STATES CODE INTO POSITIVE LAW

The Clerk called the next bill, H. R. 2196, to codify and enact into positive law title 4 of the United States Code, entitled "Flag and Seal, Seat of Government, and the States."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 4 of the United States Code, entitled "Flag and Seal, Seat of Government, and the States," is codified and enacted into positive law and may be cited as "4 U. S. C., § —," as follows:

TITLE 4—FLAG AND SEAL, SEAT OF GOVERNMENT, AND THE STATES

Chap.	Section
1. The Flag	1
2. The Seal	41
3. Seat of the Government	71
4. The States	101

CHAPTER 1—THE FLAG

§ 1. Flag; stripes and stars on.
§ 2. Same; additional stars.
§ 3. Use of flag for advertising purposes; mutilation of flag.

Flag; stripes and stars on

§ 1. The flag of the United States shall be thirteen horizontal stripes, alternate red and white; and the union of the flag shall be forty-eight stars, white in a blue field.

Same; additional stars

§ 2. On the admission of a new State into the Union one star shall be added to the union of the flag; and such addition shall take effect on the fourth day of July then next succeeding such admission.

Use of flag for advertising purposes; mutilation of flag

§ 3. Any person who, within the District of Columbia, in any manner, for exhibition or display, shall place or cause to be placed any word, figure, mark, picture, design, drawing, or any advertisement of any nature upon any flag, standard, colors, or ensign of the United States of America; or shall expose or cause to be exposed to public view any such flag, standard, colors, or ensign upon which shall have been printed, painted, or otherwise placed, or to which shall be attached, appended, affixed, or annexed any word, figure, mark, picture, design, or drawing, or any advertisement of any nature; or who, within the District of Columbia, shall manufacture, sell, expose for sale, or to public view, or give away or have in possession for sale, or to be given away or for use for any purpose, any article or substance being an article of merchandise, or a receptacle for merchandise or article or thing for carrying or transporting merchandise, upon which shall have been printed, painted, attached, or otherwise placed a representation of any such flag, standard, colors, or ensign, to advertise, call attention to, decorate, mark, or distinguish the article or substance on which so placed; or who, within the District of Columbia, shall publicly mutilate, deface, defile or defy, trample upon, or cast contempt, either by word or act upon any such flag, standard, colors, or ensign, shall be deemed guilty of a misdemeanor and shall be punished by a fine not exceeding $100 or by imprisonment for not more than thirty days, or both, in the discretion of the court. The words "flag, standard, colors, or ensign", as used herein, shall include any flag, standard, colors, ensign, or any picture or representation of either, or of any part or parts of either, made of any substance or represented on any substance, of any size evidently purporting to be either of said flag, standard, colors, or ensign of the United States of America or a picture or a representation of either, upon which shall be shown the colors, the stars and the stripes, in any number of either thereof, or of any part or parts of either, by which the average person seeing the same without deliberation may believe the same to represent the flag, colors, standard, or ensign of the United States of America.

CHAPTER 2—THE SEAL

§ 41. Seal of the United States.
§ 42. Same; custody and use of.

Seal of the United States

§ 41. The seal heretofore used by the United States in Congress assembled is declared to be the seal of the United States.

Same; custody and use of

§ 42. The Secretary of State shall have the custody and charge of such seal, and shall make out and record, and shall affix the same to, all civil commissions for officers of the United States, to be appointed by the President, by and with the advice and consent of the Senate, or by the President alone. But the seal shall not be affixed to any commission before the same has been signed by the President of the United States, nor to any other instrument, without the special warrant of the President therefor.

CHAPTER 3—SEAT OF THE GOVERNMENT

§ 71. Permanent seat of Government.
§ 72. Public offices; at seat of Government.
§ 73. Same; removal from seat of Government.

Permanent seat of government

§ 71. All that part of the territory of the United States included within the present limits of the District of Columbia shall be the permanent seat of government of the United States.

Public offices; at seat of government

§ 72. All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.

Same; removal from seat of government

§ 73. In case of the prevalence of a contagious or epidemic disease at the seat of government, the President may permit and direct the removal of any or all the public offices to such other place or places as he shall deem most safe and convenient for conducting the public business.

CHAPTER 4—THE STATES

§ 101. Oath by members of legislatures and officers.
§ 102. Same; by whom administered.
§ 103. Assent to purchase of lands for forts.
§ 104. Tax on motor fuel sold on military or other reservation; reports to State taxing authority.
§ 105. State, etc., taxation affecting Federal areas; sales or use tax.
§ 106. Same; income tax.
§ 107. Same; exception of United States, its instrumentalities, and authorized purchasers therefrom.
§ 108. Same; jurisdiction of United States over Federal areas unaffected.
§ 109. Same; exception of Indians.
§ 110. Same; definitions.

Oath by members of legislatures and officers

§ 101. Every member of a State legislature, and every executive and judicial officer of a State, shall, before he proceeds to execute the duties of his office, take an oath in the following form, to wit: "I, A B, do solemnly swear that I will support the Constitution of the United States."

Same; by whom administered

§ 102. Such oath may be administered by any person who, by the law of the State, is authorized to administer the oath of office; and the person so administering such oath shall cause a record or certificate thereof to be made in the same manner, as by the law of the State, he is directed to record or certify the oath of office.

Assent to purchase of lands for forts

§ 103. The President of the United States is authorized to procure the assent of the legislature of any State, within which any purchase of land has been made for the erection of forts, magazines, arsenals, dockyards, and other needful buildings, without such consent having been obtained.

Tax on motor fuel sold on military or other reservation reports to State taxing authority

§ 104. (a) All taxes levied by any State, Territory, or the District of Columbia upon, with respect to, or measured by, sales, purchases, storage, or use of gasoline or other motor vehicle fuels may be levied, in the same manner and to the same extent, with respect to such fuels when sold by or through post exchanges, ship stores, ship service stores, commissaries, filling stations, licensed traders, and other similar agencies, located on United States military or other reservations, when such fuels are not for the exclusive use of the United States. Such taxes, so levied, shall be paid to the proper taxing authorities of the State, Territory, or the District of Columbia, within whose borders the reservation affected may be located.

(b) The officer in charge of such reservation shall, on or before the fifteenth day of each month, submit a written statement to the proper taxing authorities of the State, Territory, or the District of Columbia within whose borders the reservation is located, showing the amount of such motor fuel with respect to which taxes are payable under subsection (a) for the preceding month.

State, and so forth, taxation affecting Federal areas; sales or use tax

§ 105. (a) No person shall be relieved from liability for payment of, collection of, or accounting for any sales or use tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, on the ground that the sale or use, with respect to which such tax is levied, occurred in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect any such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to sales or purchases made, receipts from sales received, or storage or use occurring, after December 31, 1940.

Same; income tax

§ 106. (a) No person shall be relieved from liability for any income tax levied by any State, or by any duly constituted taxing authority therein, having jurisdiction to levy such a tax, by reason of his residing within a Federal area or receiving income from transactions occurring or services performed in such area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax in any Federal area within such State to the same extent and with the same effect as though such area was not a Federal area.

(b) The provisions of subsection (a) shall be applicable only with respect to income or receipts received after December 31, 1940.

Same; exception of United States, its instrumentalities, and authorized purchases therefrom

§ 107. (a) The provisions of sections 105 and 106 of this title shall not be deemed to authorize the levy or collection of any tax on or from the United States or any instrumentality thereof, or the levy or collection of any tax with respect to sale, purchase, storage, or use of tangible personal property sold by the United States or any instrumentality thereof to any authorized purchaser.

(b) A person shall be deemed to be an authorized purchaser under this section only with respect to purchases which he is permitted to make from commissaries, ship's stores, or voluntary unincorporated organizations of Army or Navy personnel, under regulations promulgated by the Secretary of War or the Secretary of the Navy.

Same; jurisdiction of United States over Federal areas unaffected

§ 108. The provisions of sections 105 to 110 of this title shall not for the purposes of any other provision of law be deemed to deprive the United States of exclusive jurisdiction over any Federal area over which it would otherwise have exclusive jurisdiction or to limit the jurisdiction of the United States over any Federal area.

Same; exception of Indians

§ 109. Nothing in sections 105 and 106 of this title shall be deemed to authorize the levy or collection of any tax on or from any Indian not otherwise taxed.

Same; definitions

§ 110. As used in sections 105-109 of this title—

(a) The term "person" shall have the meaning assigned to it in section 3797 of title 26.

(b) The term "sales or use tax" means any tax levied on, with respect to, or measured by, sales, receipts from sales, purchases, storage, or use of tangible personal property, except a tax with respect to which the provisions of section 104 of this title are applicable.

(c) The term "income tax" means any tax levied on, with respect to, or measured by, net income, gross income, or gross receipts.

(d) The term "State" includes any Territory or possession of the United States.

(e) The term "Federal area" means any lands or premises held or acquired by or for the use of the United States or any department, establishment, or agency of the United States; and any Federal area, or any part thereof, which is located within the exterior boundaries of any State, shall be deemed to be a Federal area located within such State.

SEC. 2. The sections or parts thereof of the Statutes at Large or the Revised Statutes covering provisions codified in this Act are hereby repealed insofar as such provisions appear in title 4, United States Code, 1940 edition, and supplements thereto, as shown by the appended table: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE OR REVISED STATUTES

	Title 4, United States Code, Section
R. S., secs. 1791, 1792	1
R. S., sec. 1792	2
Feb. 8, 1917, ch. 34, 39 Stat. 900	3
R. S., sec. 1793	4
R. S., secs. 203 (first clause), 1794	5
R. S., sec. 1795	6
R. S., sec. 1796	7
R. S., sec. 4798	8
R. S., sec. 1836	9
R. S., sec. 1837	10
R. S., sec. 1838	11
June 16, 1936, ch. 582, sec. 10, 49 Stat. 1521; Oct. 9, 1940, ch. 787, sec. 7, 54 Stat. 1060	12
Oct. 9, 1940, ch. 787, sec. 1, 54 Stat. 1059	13
Oct. 9, 1940, ch. 787, sec. 2, 54 Stat. 1060	14
Oct. 9, 1940, ch. 787, sec. 3, 54 Stat. 1060	15
Oct. 9, 1940, ch. 787, sec. 4, 54 Stat. 1060	16
Oct. 9, 1940, ch. 787, sec. 5, 54 Stat. 1060	17
Oct. 9, 1940, ch. 787, sec. 6, 54 Stat. 1060	18

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENACTMENT OF TITLE VI OF THE UNITED STATES CODE INTO POSITIVE LAW

The Clerk called the next bill, H. R. 2197, to codify and enact into positive law title 6 of the United States Code, entitled "Official and Penal Bonds."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 6 of the United States Code, entitled "Official and Penal Bonds", is codified and enacted into positive law and may be cited as "6 U. S. C. § —", as follows:

TITLE 6—OFFICIAL AND PENAL BONDS

§ 1. Custody.
§ 2. Examination as to sufficiency of sureties.
§ 3. Renewal; continuance of liability.
§ 4. Notice of delinquency of principal.
§ 5. Limitation of actions against sureties.
§ 6. Surety companies as sureties.
§ 7. Same; appointment of agents; service of process.
§ 8. Same; deposit of copy of charter.
§ 9. Same; quarterly statements.
§ 10. Same; jurisdiction of suits on bonds.
§ 11. Same; nonpayment of judgment.
§ 12. Same; estoppel to deny corporate powers.
§ 13. Same; failure to comply with the law.
§ 14. Rate of premium on bond; premiums not to be paid by United States.
§ 15. Bonds or notes of United States in lieu of recognizance, stipulation, bond, guaranty, or undertaking; place of deposit; return to depositor; contractors' bonds.

CUSTODY

§ 1. All bonds of the Treasurer of the United States, collectors of internal revenue, collectors, comptrollers of customs, surveyors, and other officers of the customs, either as such officers or as disbursing officers of the Treasury, bonds of the Secretary of the Senate, Clerk of the House of Representatives, and the Sergeant at Arms of the House of Representatives, shall be placed in the custody of the Secretary of the Treasury and filed as he may direct; and the duties required by law on March 2, 1895, of the Comptroller of the Treasury in regard to such bonds, as the successor of the Commissioner of Customs and First Comptroller of the Treasury, shall be performed by the Secretary of the Treasury.

EXAMINATION AS TO SUFFICIENCY OF SURETIES

§ 2. Every officer required by law to take and approve official bonds shall cause the same to be examined at least once every two years for the purpose of ascertaining the sufficiency of the sureties thereon; and every officer having power to fix the amount of an official bond shall examine it to ascertain the sufficiency of the amount thereof and approve or fix said amount at least once in two years and as much oftener as he may deem it necessary.

RENEWAL; CONTINUANCE OF LIABILITY

§ 3. Every officer whose duty it is to take and approve official bonds shall cause all such bonds to be renewed every four years after their dates, but he may require such bonds to be renewed or strengthened oftener if he deem such action necessary. In the discretion of such officer the requirement of a new bond may be waived for the period of service of a bonded officer after the expiration of a four-year term of service pending the appointment and qualification of his successor. The nonperformance of any requirement of the provisions of sections 1 to 3 of this title, or of that part of section 27 of title 19 relating to transmitting copies of oaths to the Secretary of the Treasury, on the part of any official of the Government shall not be held to affect in any respect the liability of principal or sureties on any bond made or to be made to the United States. The liability of the principal and sureties on all official bonds shall continue and cover the period of service ensuing until the appointment and qualification of the successor of the principal. Nothing in said sections shall be construed to repeal or modify section 38 of title 39: *Provided*, That the payment and acceptance of the annual premium on corporate surety bonds furnished by postal officers and employees, officers and employees of other civilian agencies of the United States and bonded officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard shall be a compliance with the requirement for the renewal of such bonds within the meaning of sections 1 to 3 of this title.

NOTICE OF DELINQUENCY OF PRINCIPAL

§ 4. Whenever any deficiency shall be discovered in the accounts of any official of the United States, or of any officer disbursing or chargeable with public money, it shall be the duty of the accounting officers making such discovery to at once notify the head of the department having control over the affairs of said officer of the nature and amount of said deficiency, and it shall be the immediate duty of said head of department to at once notify all obligors upon the bond or bonds of such official of the nature of such deficiency and

the amount thereof. Said notification shall be deemed sufficient if mailed at the post office in the city of Washington, District of Columbia, addressed to said sureties respectively and directed to the respective post offices where said obligors may reside, if known; but a failure to give or mail such notice shall not discharge the surety or sureties upon such bond.

LIMITATION OF ACTIONS AGAINST SURETIES

§ 5. If, upon the statement of the account of any official of the United States, or of any officer disbursing or chargeable with public money, by the accounting officers, it shall thereby appear that he is indebted to the United States, and suit therefor shall not be instituted within five years after such statement of said account, the sureties on his bond shall not be liable for such indebtedness.

SURETY COMPANIES AS SURETIES

§ 6. Whenever any recognizance, stipulation, bond, or undertaking conditioned for the faithful performance of any duty, or for doing or refraining from doing anything in such recognizance, stipulation, bond, or undertaking specified, is by the laws of the United States required or permitted to be given with one surety or with two or more sureties, the execution of the same or the guaranteeing of the performance of the condition thereof shall be sufficient when executed or guaranteed solely by a corporation incorporated under the laws of the United States or of any State having power to guarantee the fidelity of persons holding positions of public or private trust, and to execute and guarantee bonds and undertakings in judicial proceedings. Such recognizance, stipulation, bond, or undertaking shall be approved by the head of department, court, judge, officer, board, or body executive, legislative, or judicial required to approve or accept the same. No officer or person having the approval of any bond shall exact that it shall be furnished by a guaranty company or by any particular guaranty company.

SAME; APPOINTMENT OF AGENTS; SERVICE OF PROCESS

§ 7. No such company shall do business under the provisions of sections 6 to 13 of this title beyond the limits of the State or Territory under whose laws it was incorporated and in which its principal office is located, nor beyond the limits of the District of Columbia, when such company was incorporated under its laws or the laws of the United States and its principal office is located in said District, until it shall by a written power of attorney appoint some person residing within the jurisdiction of the court for the judicial district wherein such suretyship is to be undertaken, who shall be a citizen of the State, Territory, or District of Columbia, wherein such court is held, as its agent, upon whom may be served all lawful process against such company, and who shall be authorized to enter an appearance in its behalf. A copy of such power of attorney, duly certified and authenticated, shall be field with the clerk of the district court of the United States for such district at each place where a term of such court is or may be held, which copy, or a certified copy thereof, shall be legal evidence in all controversies arising under sections 6 to 13 of this title. If any such agent shall be removed, resign, or die, become insane, or otherwise incapable of acting, it shall be the duty of such company to appoint another agent in his place as hereinbefore prescribed, and until such appointment shall have been made, or during the absence of any agent of such company from such district, service of process may be upon the clerk of the court wherein such suit is brought, with like effect as upon an agent appointed by the company. The officer executing such process upon such clerk shall immediately transmit a copy thereof by mail to the company, and state such fact in his return. A judgment, decree, or order of a court entered or made after service of process as aforesaid shall be as valid and binding on such company as if served with process in said district.

SAME; DEPOSIT OF COPY OF CHARTER

§ 8. Every company, before transacting any business under sections 6 to 13 of this title, shall deposit with the Secretary of the Treasury of the United States a copy of its charter or articles of incorporation, and a statement, signed and sworn to by its president and secretary, showing its assets and liabilities. If the said Secretary of the Treasury shall be satisfied that such company has authority under its charter to do the business provided for in sections 6 to 13 of this title, and that it has a paid-up capital of not less than $250,000, in cash or its equivalent, and is able to keep and perform its contracts, he shall grant authority in writing to such company to do business under sections 6 to 13 of this title.

SAME; QUARTERLY STATEMENTS

§ 9. Every such company shall, in the months of January, April, July, and October of each year, file with the said Secretary of the Treasury a statement, signed and sworn to by its president and secretary, showing its assets and liabilities, as is required by section 8 of this title. The said Secretary of the Treasury shall have the power, and it shall be his duty, to revoke the authority of any such company to transact any new business under sections 6 to 13 of this title whenever in his judgment such company is not solvent or is conducting its business in violation of sections 6 to 13 of this title. He may institute inquiry at any time into the solvency of said company and may require that additional security be given at any time by any principal when he deems such company no longer sufficient security.

SAME; JURISDICTION OF SUITS ON BONDS

§ 10. Any surety company doing business under the provisions of sections 6 to 13 of this title may be sued in respect thereof in any court of the United States which has or may have jurisdiction of actions or suits upon such recognizance, stipulation, bond, or undertaking, in the district in which such recognizance, stipulation, bond, or undertaking was made or guaranteed, or in the district in which the principal office of such company is located. For the purposes of sections 6 to 13 of this title such recognizance, stipulation, bond, or undertaking shall be treated as made or guaranteed in the district in which the office is located, to which it is returnable, or in which it is filed, or in the district in which the principal in such recognizance, stipulation, bond, or undertaking resided when it was made or guaranteed.

SAME; NONPAYMENT OF JUDGMENT

§ 11. If any such company shall neglect or refuse to pay any final judgment or decree rendered against it upon any such recognizance, stipulation, bond, or undertaking made or guaranteed by it under the provisions of sections 6 to 13 of this title, from which no appeal or supersedeas has been taken, for thirty days after the rendition of such judgment or decree, it shall forfeit all right to do business under sections 6 to 13 of this title.

SAME; ESTOPPEL TO DENY CORPORATE POWERS

§ 12. Any company which shall execute or guarantee any recognizance, stipulation, bond, or undertaking under the provisions of sections 6 to 13 of this title shall be estopped in any proceeding to enforce the liability which it shall have assumed to incur, to deny its corporate power to execute or guarantee such instrument or assume such liability.

SAME; FAILURE TO COMPLY WITH LAW

§ 13. Any company doing business under the provisions of sections 6 to 13 of this title which shall fail to comply with any of its provisions shall forfeit to the United States for every such failure not less than $500 nor more than $5,000, to be recovered by suit in the name of the United States in the same courts in which suit may be brought against such company under the provisions of sections 6 to 13 of this title, and such failure shall not affect the validity of any contract entered into by such company.

RATE OF PREMIUM ON BOND; PREMIUMS NOT TO BE PAID BY UNITED STATES

§ 14. Until otherwise provided by law no bond shall be accepted from any surety or bonding company for any officer or employee of the United States which shall cost more than 35 per centum in excess of the rate of premium charged for a like bond during the calendar year 1908. The United States shall not pay any part of the premium or other cost of furnishing a bond required by law or otherwise of any officer or employee of the United States.

BONDS OR NOTES OF UNITED STATES IN LIEU OF RECOGNIZANCE, STIPULATION, BOND, GUARANTY, OR UNDERTAKING; PLACE OF DEPOSIT; RETURN TO DEPOSITOR; CONTRACTORS' BONDS

§ 15. Wherever by the laws of the United States or regulations made pursuant thereto, any person is required to furnish any recognizance, stipulation, bond, guaranty, or undertaking, hereinafter called "penal bond," with surety or sureties, such person may, in lieu of such surety or sureties, deposit as security with the official having authority to approve such penal bond, United States Liberty bonds or other bonds or notes of the United States in a sum equal at their par value to the amount of such penal bond required to be furnished, together with an agreement authorizing such official to collect or sell such bonds or notes so deposited in case of any default in the performance of any of the conditions or stipulations of such penal bond. The acceptance of such United States bonds or notes in lieu of surety or sureties required by law shall have the same force and effect as individual or corporate sureties, or certified checks, bank drafts, postoffice money orders, or cash, for the penalty or amount of such penal bond. The bonds or notes deposited hereunder, and such other United States bonds or notes as may be substituted therefor from time to time as such security, may be deposited with the Treasurer of the United States, a Federal Reserve bank, or other depositary duly designated for that purpose by the Secretary, which shall issue receipt therefor, describing such bonds or notes so deposited. As soon as security for the performance of such penal bond is no longer necessary, such bonds or notes so deposited shall be returned to the depositor. In case a person or persons supplying a contractor with labor or material as provided by sections 270a to 270d of title 40 shall file with the obligee, at any time after a default in the performance of any contract subject to said sections 270a to 270d, the application and affidavit therein provided, the obligee shall not deliver to the obligor the deposited bonds or notes nor any surplus proceeds thereof until the expiration of the time limited by said sections 270a to 270d for the institution of suit by such person or persons, and, in case suit shall be instituted within such time, shall hold said bonds or notes or proceeds subject to the order of the court having jurisdiction thereof. Nothing herein contained shall affect or impair the priority of the claim of the United States against the bonds notes deposited or any right or remedy granted by said sections 270a to 270d or by this section to the United States for default upon any obligation of said penal bond. All laws inconsistent with this section are here-

by so modified as to conform to the provisions hereof. Nothing contained herein shall affect the authority of courts over the security, where such bonds are taken as security in judicial proceedings, or the authority of any administrative officer of the United States to receive United States bonds for security in cases authorized by existing laws. The Secretary may prescribe rules and regulations necessary and proper for carrying this section into effect. The term "person" in this section means an individual, a trust or estate, a partnership, or a corporation; the term "Secretary" means the Secretary of the Treasury. In order to avoid the frequent substitution of securities such rules and regulations may limit the effect of this section, in appropriate classes of cases, to bonds and notes of the United States maturing more than a year after the date of deposit of such bonds as security. The phrase "bonds or notes of the United States" shall be deemed, for the purposes of this section, to mean any public-debt obligations of the United States and any bonds, notes, or other obligations which are unconditionally guaranteed as to both interest and principal by the United States.

SEC. 2. The sections or parts thereof of the Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 6, United States Code, 1940 edition, and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repeated sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE	Title 6, U. S. Code, Section
Mar. 2, 1895, ch. 177, sec. 5, second paragraph, 28 Stat. 807; June 17, 1930, ch. 497, sec. 523, first paragraph, 46 Stat. 740	1
Mar. 2, 1895, ch. 177, s c. 5, third paragraph, 28 Stat. 807	2
Mar. 2, 1895, ch. 177, sec. 5, fourth paragraph, 28 Stat. 807; Mar. 8, 1928, ch. 148, 45 Stat. 247	3
Aug. 8, 1888, ch. 787, sec. 1, 25 Stat. 387	4
Aug. 8, 1888, ch. 787, sec. 2, 25 Stat. 387; as modified by June 10, 1921, ch. 18, sec. 301, 42 Stat. 23	5
Aug. 13, 1894, ch. 282, sec. 1, 28 Stat. 279	6
Aug. 13, 1894, ch. 282, sec. 2, 28 Stat. 279	7
Aug. 13, 1894, ch. 282, sec. 3, 28 Stat. 279; Mar. 23, 1910, ch. 109, 36 Stat. 241	8
Aug. 13, 1894, ch. 282, sec. 4, 28 Stat. 279; Mar. 23, 1910, ch. 109, 36 Stat. 241	9
Aug. 13, 1894, ch. 282, sec. 5, 28 Stat. 280	10
Aug. 13, 1894, ch. 282, sec. 6, 28 Stat. 280; as modified Jan. 31, 1928, ch. 14, sec. 1, 45 Stat. 54	11
Aug. 13, 1894, ch. 282, sec. 7, 28 Stat. 280	12
Aug. 13, 1894, ch. 282, sec. 8, 28 Stat. 280	13
Aug. 5, 1909, ch. 7, 36 Stat. 125, first paragraph under "Department of Commerce and Labor"	14
Feb. 24, 1919, ch. 18, sec. 1320, 40 Stat. 1148; Nov. 23, 1921, ch. 136, sec. 1329, 42 Stat. 318; Feb. 26, 1926, ch. 27, secs. 2 (a) (1), (6), 1126, 44 Stat. 9, 122; Feb. 4, 1935, ch. 5, sec. 7, 49 Stat. 22; Mar. 31, 1944, ch. 148, 58 Stat 135, 136	15

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENACTMENT OF TITLE IX OF THE UNITED STATES CODE INTO POSITIVE LAW

The Clerk called the bill (H. R. 2198) to codify and enact into positive law title 9 of the United States Code, entitled "Arbitration."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 9 of the United States Code, entitled "Arbitration", is codified and enacted into positive law, and may be cited as "9 U. S. C., § —", as follows:

TITLE 9—ARBITRATION

§ 1. Maritime transactions and commerce defined; exceptions to operation of title.
§ 2. Validity, irrevocability, and enforcement of agreements to arbitrate.
§ 3. Stay of proceedings where issue therein referable to arbitration.
§ 4. Failure to arbitrate under agreement; petition to United States court having jurisdiction for order to compel arbitration; notice and service thereof; hearing and determination.
§ 5. Appointment of arbitrators or umpire.
§ 6. Application heard as motion.
§ 7. Witnesses before arbitrators; fees; compelling attendance.
§ 8. Proceedings begun by libel in admiralty and seizure of vessel or property.
§ 9. Award of arbitrators; confirmation; jurisdiction; procedure.
§ 10. Same; vacation; grounds; rehearing.
§ 11. Same; modification or correction; grounds; order.
§ 12. Notice of motions to vacate or modify; service; stay of proceedings.
§ 13. Papers filed with order on motions; judgment; docketing; force and effect; enforcement.
§ 14. Contracts not affected.

"MARITIME TRANSACTIONS" AND "COMMERCE" DEFINED; EXCEPTIONS TO OPERATION OF TITLE

§ 1. "Maritime transactions", as herein defined, means charter parties, bills of lading of water carriers, agreements relating to wharfage, supplies furnished vessels or repairs to vessels, collisions, or any other matters in foreign commerce which, if the subject of controversy, would be embraced within admiralty jurisdiction; "commerce", as herein defined, means commerce among the several States or with foreign nations, or in any Territory of the United States or in the District of Columbia, or between any such Territory and another, or between any such Territory and any State or foreign nation, or between the District of Columbia and any State or Territory or foreign nation, but nothing herein contained shall apply to contracts of employment of seamen, railroad employees, or any other class of workers engaged in foreign or interstate commerce.

VALIDITY, IRREVOCABILITY, AND ENFORCEMENT OF AGREEMENTS TO ARBITRATE

§ 2. A written provision in any maritime transaction or a contract evidencing a transaction involving commerce to settle by arbitration a controversy thereafter arising out of such contract or transaction, or the refusal to perform the whole or any part thereof, or an agreement in writing to submit to arbitration an existing controversy arising out of such a contract, transaction, or refusal, shall be valid, irrevocable, and enforceable, save upon such grounds as exist at law or in equity for the revocation of any contract.

STAY OF PROCEEDINGS WHERE ISSUE THEREIN REFERABLE TO ARBITRATION

§ 3. If any suit or proceeding be brought in any of the courts of the United States upon any issue referable to arbitration under an agreement in writing for such arbitration, the court in which such suit is pending, upon being satisfied that the issue involved in such suit or proceeding is referable to arbitration under such an agreement, shall on application of one of the parties stay the trial of the action until such arbitration has been had in accordance with the terms of the agreement, providing the applicant for the stay is not in default in proceeding with such arbitration.

FAILURE TO ARBITRATE UNDER AGREEMENT; PETITION TO UNITED STATES COURT HAVING JURISDICTION FOR ORDER TO COMPEL ARBITRATION; NOTICE AND SERVICE THEREOF; HEARING AND DETERMINATION

§ 4. A party aggrieved by the alleged failure, neglect, or refusal of another to arbitrate under a written agreement for arbitration may petition any court of the United States which, save for such agreement, would have jurisdiction under the judicial code at law, in equity, or in admiralty of the subject matter of a suit arising out of the controversy between the parties, for an order directing that such arbitration proceed in the manner provided for in such agreement. Five days' notice in writing of such application shall be served upon the party in default. Service thereof shall be made in the manner provided by law for the service of summons in the jurisdiction in which the proceeding is brought. The court shall hear the parties, and upon being satisfied that the making of the agreement for arbitration or the failure to comply therewith is not in issue, the court shall make an order directing the parties to proceed to arbitration in accordance with the terms of the agreement. The hearing and proceedings, under such agreement, shall be within the district in which the petition for an order directing such arbitration is filed. If the making of the arbitration agreement or the failure, neglect, or refusal to perform the same be in issue, the court shall proceed summarily to the trial thereof. If no jury trial be demanded by the party alleged to be in default, or if the matter in dispute is within admiralty jurisdiction, the court shall hear and determine such issue. Where such an issue is raised, the party alleged to be in default may, except in cases of admiralty, on or before the return day of the notice of application, demand a jury trial of such issue, and upon such demand the court shall make an order referring the issue or issues to a jury in the manner provided by law for referring to a jury issues in an equity action, or may specially call a jury for that purpose. If the jury find that no agreement in writing for arbitration was made or that there is no default in proceeding thereunder, the proceeding shall be dismissed. If the jury find that an agreement for arbitration was made in writing and that there is a default in proceeding thereunder, the court shall make an order summarily directing the parties to proceed with the arbitration in accordance with the terms thereof.

APPOINTMENT OF ARBITRATORS OR UMPIRE

§ 5. If in the agreement provision be made for a method of naming or appointing an arbitrator or arbitrators or an umpire, such method shall be followed; but if no method be provided therein, or if a method be provided and any party thereto shall fail to avail himself of such method, or if for any other reason there shall be a lapse in the naming of an arbitrator or arbitrators or umpire, or in filling a vacancy, then upon the application of either party to the controversy the court shall designate and appoint an arbitrator or arbitrators or umpire, as the case may require, who shall act under the said agreement with the same force and effect as if he or they had been specifically named therein; and unless otherwise provided in the agreement the arbitration shall be by a single arbitrator.

APPLICATION HEARD AS MOTION

§ 6. Any application to the court hereunder shall be made and heard in the manner

provided by law for the making and hearing of motions, except as otherwise herein expressly provided.

WITNESSES BEFORE ARBITRATORS; FEES; COMPELLING ATTENDANCE

§ 7. The arbitrators selected either as prescribed in this title or otherwise, or a majority of them, may summon in writing any person to attend before them or any of them as a witness and in a proper case to bring with him or them any book, record, document, or paper which may be deemed material as evidence in the case. The fees for such attendance shall be the same as the fees of witnesses before masters of the United States courts. Said summons shall issue in the name of the arbitrator or arbitrators, or a majority of them, and shall be signed by the arbitrators, or a majority of them, and shall be directed to the said person and shall be served in the same manner as subpœnas to appear and testify before the court; if any person or persons so summoned to testify shall refuse or neglect to obey said summons, upon petition the United States court in and for the district in which such arbitrators, or a majority of them, are sitting may compel the attendance of su h person or persons before said arbitrator or arbitrators, or punish said person or persons for contempt in the same manner provided on February 12, 1925, for securing the attendance of witnesses or their punishment for neglect or refusal to attend in the courts of the United States.

PROCEEDINGS BEGUN BY LIBEL IN ADMIRALTY AND SEIZURE OF VESSEL OR PROPERTY

§ 8. If the basis of jurisdiction be a cause of action otherwise justiciable in admiralty, then, notwithstanding anything herein to the contrary, the party claiming to be aggrieved may begin his proceeding hereunder by libel and seizure of the vessel or other property of the other party according to the usual course of admiralty proceedings, and the court shall then have jurisdiction to direct the parties to proceed with the arbitration and shall retain jurisdiction to enter its decree upon the award.

AWARD OF ARBITRATORS; CONFIRMATION; JURISDICTION; PROCEDURE

§ 9. If the parties in their agreement have agreed that a judgment of the court shall be entered upon the award made pursuant to the arbitration, and shall specify the court, then at any time within one year after the award is made any party to the arbitration may apply to the court so specified for an order confirming the award, and thereupon the court must grant such an order unless the award is vacated, modified, or corrected as prescribed in sections 10 and 11 of this title. If no court is specified in the agreement of the parties, then such application may be made to the United States court in and for the district within which such award was made. Notice of the application shall be served upon the adverse party, and thereupon the court shall have jurisdiction of such party as though he had appeared generally in the proceeding. If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident, then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court.

SAME; VACATION; GROUNDS; REHEARING

§ 10. In either of the following cases the United States court in and for the district wherein the award was made may make an order vacating the award upon the application of any party to the arbitration—

(a) Where the award was procured by corruption, fraud, or undue means.

(b) Where there was evident partiality or corruption in the arbitrators, or either of them.

(c) Where the arbitrators were guilty of misconduct in refusing to postpone the hearing, upon sufficient cause shown, or in refusing to hear evidence pertinent and material to the controversy; or of any other misbehavior by which the rights of any party have been prejudiced.

(d) Where the arbitrators exceeded their powers, or so imperfectly executed them that a mutual, final, and definite award upon the subject matter submitted was not made.

(e) Where an award is vacated and the time within which the agreement required the award to be made has not expired the court may, in its discretion, direct a rehearing by the arbitrators.

SAME; MODIFICATION OR CORRECTION; GROUNDS; ORDER

§ 11. In either of the following cases the United States court in and for the district wherein the award was made may make an order modifying or correcting the award upon the application of any party to the arbitration—

(a) Where there was an evident material miscalculation of figures or an evident material mistake in the description of any person, thing, or property referred to in the award.

(b) Where the arbitrators have awarded upon a matter not submitted to them, unless it is a matter not affecting the merits of the decision upon the matter submitted.

(c) Where the award is imperfect in matter of form not affecting the merits of the controversy.

The order may modify and correct the award, so as to effect the intent thereof and promote justice between the parties.

NOTICE OF MOTIONS TO VACATE OR MODIFY; SERVICE; STAY OF PROCEEDINGS

§ 12. Notice of a motion to vacate, modify, or correct an award must be served upon the adverse party or his attorney within three months after the award is filed or delivered. If the adverse party is a resident of the district within which the award was made, such service shall be made upon the adverse party or his attorney as prescribed by law for service of notice of motion in an action in the same court. If the adverse party shall be a nonresident then the notice of the application shall be served by the marshal of any district within which the adverse party may be found in like manner as other process of the court. For the purposes of the motion any judge who might make an order to stay the proceedings in an action brought in the same court may make an order, to be served with the notice of motion, staying the proceedings of the adverse party to enforce the award.

PAPERS FILED WITH ORDER ON MOTIONS; JUDGMENT; DOCKETING; FORCE AND EFFECT; ENFORCEMENT

§ 13. The party moving for an order confirming, modifying, or correcting an award shall, at the time such order is filed with the clerk for the entry of judgment thereon, also file the following papers with the clerk:

(a) The agreement; the selection or appointment, if any, of an additional arbitrator or umpire; and each written extension of the time, if any, within which to make the award.

(b) The award.

(c) Each notice, affidavit, or other paper used upon an application to confirm, modify, or correct the award, and a copy of each order of the court upon such an application.

The judgment shall be docketed as if it was rendered in an action.

The judgment so entered shall have the same force and effect, in all respects, as, and be subject to all the provisions of law relating to, a judgment in an action; and it may be enforced as if it had been rendered in an action in the court in which it is entered.

CONTRACTS NOT AFFECTED

§ 14. This title shall not apply to contracts made prior to January 1, 1926.

SEC. 2. The sections or parts thereof of the Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 9, United States Code and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal.

STATUTES AT LARGE	Title 9, U. S. Code, Section
Feb. 12, 1925, ch. 213, sec. 1, 43 Stat. 883	1
Feb. 12, 1925, ch. 213, sec. 2, 43 Stat. 883	2
Feb. 12, 1925, ch. 213, sec. 3, 43 Stat. 883	3
Feb. 12, 1925, ch. 213, sec. 4, 43 Stat. 883	4
Feb. 12, 1925, ch. 213, sec. 5, 43 Stat. 884	5
Feb. 12, 1925, ch. 213, sec. 6, 43 Stat. 884	6
Feb. 12, 1925, ch. 213, sec. 7, 43 Stat. 884	7
Feb. 12, 1925, ch. 213, sec. 8, 43 Stat. 884	8
Feb. 12, 1925, ch. 213, sec. 9, 43 Stat. 885	9
Feb. 12, 1925, ch. 213, sec. 10, 43 Stat. 885	10
Feb. 12, 1925, ch. 213, sec. 11, 43 Stat. 885	11
Feb. 12, 1925, ch. 213, sec. 12, 43 Stat. 885	12
Feb. 12, 1925, ch. 213, sec. 13, 43 Stat. 886	13
Feb. 12, 1925, ch. 213, sec. 14, 43 Stat. 886	14
Feb. 12, 1925, ch. 213, sec. 15, 43 Stat. 886	15

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENACTMENT OF TITLE XVII OF THE UNITED STATES CODE INTO POSITIVE LAW

The Clerk called the bill (H. R. 2199), to codify and enact into positive law title 17 of the United States Code, entitled "Copyrights."

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title 17 of the United States Code entitled "Copyrights" is codified and enacted into positive law and may be cited as "Title 17, U. S. C., § —", as follows:

TITLE 17—COPYRIGHTS

Chapter	Section
1. Registration of copyright	1
2. Infringement proceedings	101
3. Copyright Office	201

CHAPTER 1—REGISTRATION OF COPYRIGHTS

§ 1. Exclusive rights as to copyrighted works.
§ 2. Rights of author or proprietor of unpublished work.
§ 3. Protection of component parts of work copyrighted; composite works or periodicals.
§ 4. All writings of author included.
§ 5. Classification of works for registration.
§ 6. Registration of prints and labels.
§ 7. Copyright on compilations of works in public domain or of copyrighted works; subsisting copyrights not affected.
§ 8. Copyright not to subsist in works in public domain, or published prior to July 1, 1909, and not already copyrighted, or Government publications; publication by Government of copyrighted material.
§ 9. Authors or proprietors, entitled; aliens.
§ 10. Publication of work with notice.
§ 11. Registration of claim and issuance of certificate.
§ 12. Works not reproduced for sale.
§ 13. Deposit of copies after publication; action or proceeding for infringement.
§ 14. Same; failure to deposit; demand; penalty.

§ 15. Same; postmaster's receipt; transmission by mail without cost.
§ 16. Mechanical work to be done in United States.
§ 17. Affidavit to accompany copies.
§ 18. Making false affidavit.
§ 19. Notice; form.
§ 20. Same; place of application of; one notice in each volume or number of newspaper or periodical.
§ 21. Same; effect of accidental omission from copy or copies.
§ 22. Ad interim protection of book published abroad.
§ 23. Same; extension to full term.
§ 24. Duration; renewal and extension.
§ 25. Renewal of copyrights registered in Patent Office under repealed law.
§ 26. Terms defined.
§ 27. Copyright distinct from property in object copyright; effect of sale of object, and of assignment of copyright.
§ 28. Assignments and bequests.
§ 29. Same; executed in foreign country; acknowledgment and certificate.
§ 30. Same; record.
§ 31. Same; certificate of record.
§ 32. Same; use of name of assignee in notice.

§ 1. Exclusive rights as to copyrighted works: Any person entitled thereto, upon complying with the provisions of this title, shall have the exclusive right:

(a) To print, reprint, publish, copy, and vend the copyrighted work;

(b) To translate the copyrighted work into other languages or dialects, or make any other version thereof, if it be a literary work; to dramatize it if it be a nondramatic work; to convert it into a novel or other nondramatic work if it be a drama; to arrange or adapt it if it be a musical work; to complete, execute, and finish it if it be a model or design for a work of art;

(c) To deliver or authorize the delivery of the copyrighted work in public for profit if it be a lecture, sermon, address, or similar production;

(d) To perform or represent the copyrighted work publicly if it be a drama or, if it be a dramatic work and not reproduced in copies for sale, to vend any manuscript or any record whatsoever thereof; to make or to procure the making of any transcription or record thereof by or from which, in whole or in part, it may in any manner or by any method be exhibited, performed, represented, produced, or reproduced; and to exhibit, perform, represent, produce, or reproduce it in any manner or by any method whatsoever; and

(e) To perform the copyrighted work publicly for profit if it be a musical composition and for the purpose of public performance for profit; and for the purposes set forth in subsection (a) hereof, to make any arrangement or setting of it or of the melody of it in any system of notation or any form of record in which the thought of an author may be recorded and from which it may be read or reproduced: *Provided*, That the provisions of this title, so far as they secure copyright controlling the parts of instruments serving to reproduce mechanically the musical work, shall include only compositions published and copyrighted after July 1, 1909, and shall not include the works of a foreign author or composer unless the foreign state or nation of which such author or composer is a citizen or subjects grants, either by treaty, convention, agreement, or law to citizens of the United States similar rights. And as a condition of extending the copyright control to such mechanical reproductions, that whenever the owner of a musical copyright has used or permitted or knowingly acquiesced in the use of the copyrighted work upon the parts of instruments serving to reproduce mechanically the musical work, any other person may make similar use of the copyrighted work upon the payment to the copyright proprietor of a royalty of 2 cents on each such part manufactured, to be paid by the manufacturer thereof; and the copyright proprietor may require, and if so the manufacturer shall furnish, a report under oath on the 20th day of each month on the number of parts of instruments manufactured during the previous month serving to reproduce mechanically said musical work, and royalties shall be due on the parts manufactured during any month upon the 20th of the next succeeding month. The payment of the royalty provided for by this section shall free the articles or devices for which such royalty has been paid from further contribution to the copyright except in case of public performance for profit. It shall be the duty of the copyright owner, if he uses the musical composition himself for the manufacture of parts of instruments serving to reproduce mechanically the musical work, or licenses others to do so, to file notice thereof, accompanied by a recording fee, in the copyright office, and any failure to file such notice shall be a complete defense to any suit, action, or proceeding for any infringement of such copyright.

In case of the failure of such manufacturer to pay to the copyright proprietor within thirty days after demand in writing the full sum of royalties due at said rate at the date of such demand, the court may award taxable costs to the plaintiff and a reasonable counsel fee, and the court may, in its discretion, enter judgment therein for any sum in addition over the amount found to be due as royalty in accordance with the terms of this title, not exceeding three times such amount.

The reproduction or rendition of a musical composition by or upon coin-operated machines shall not be deemed a public performance for profit unless a fee is charged for admission to the place where such reproduction or rendition occurs.

§ 2. Rights of author or proprietor of unpublished work: Nothing in this title shall be construed to annul or limit the right of the author or proprietor of an unpublished work, at common law or in equity, to prevent the copying, publication, or use of such unpublished work without his consent, and to obtain damages therefor.

§ 3. Protection of component parts of work copyrighted; composite works or periodicals: The copyright provided by this title shall protect all the copyrightable component parts of the work copyrighted, and all matter therein in which copyright is already subsisting, but without extending the duration or scope of such copyright. The copyright upon composite works or periodicals shall give to the proprietor thereof all the rights in respect thereto which he would have if each part were individually copyrighted under this title.

§ 4. All writings of author included: The works for which copyright may be secured under this title shall include all the writings of an author.

§ 5. Classification of works for registration: The application for registration shall specify to which of the following classes the work in which copyright is claimed belongs:

(a) Books, including composite and cyclopedic works, directories, gazetteers, and other compilations.

(b) Periodicals, including newspapers.

(c) Lectures, sermons, addresses (prepared for oral delivery).

(d) Dramatic or dramatico-musical compositions.

(e) Musical compositions.

(f) Maps.

(g) Works of art; models or designs for works of art.

(h) Reproductions of a work of art.

(i) Drawings or plastic works of a scientific or technical character.

(j) Photographs.

(k) Prints and pictorial illustrations including prints or labels used for articles of merchandise.

(l) Motion-picture photoplays.

(m) Motion pictures other than photoplays.

The above specifications shall not be held to limit the subject matter of copyright as defined in section 4 of this title, nor shall any error in classification invalidate or impair the copyright protection secured under this title.

§ 6. Registration of prints and labels: Commencing July 1, 1940, the Register of Copyrights is charged with the registration of claims to copyright properly presented, in all prints and labels published in connection with the sale or advertisement of articles of merchandise, including all claims to copyright in prints and labels pending in the Patent Office and uncleared at the close of business June 30, 1940. There shall be paid for registering a claim of copyright in any such print or label not a trade-mark $6, which sum shall cover the expense of furnishing a certificate of such registration, under the seal of the Copyright Office, to the claimant of copyright.

§ 7. Copyright on compilations of works in public domain or of copyrighted works; subsisting copyrights not affected: Compilations or abridgments, adaptations, arrangements, dramatizations, translations, or other versions of works in the public domain or of copyrighted works when produced with the consent of the proprietor of the copyright in such works, or works republished with new matter, shall be regarded as new works subject to copyright under the provisions of this title; but the publication of any such new works shall not affect the force or validity of any subsisting copyright upon the matter employed or any part thereof, or be construed to imply an exclusive right to such use of the original works, or to secure or extend copyright in such original works.

§ 8. Copyright not to subsist in works in public domain, or published prior to July 1, 1909, and not already copyrighted, or Government publications; publication by Government of copyrighted material: No copyright shall subsist in the original text of any work which is in the public domain, or in any work which was published in this country or any foreign country prior to July 1, 1909, and has not been already copyrighted in the United States, or in any publication of the United States Government, or any reprint, in whole or in part, thereof: *Provided*, That copyright may be secured by the Postmaster General on behalf of the United States in the whole or any part of the publications authorized by section 1 of the Act of June 27, 1938 (39 U. S. C. 371).

The publication or republication by the Government, either separately or in a public document, of any material in which copyright is subsisting shall not be taken to cause any abridgement or annulment of the copyright or to authorize any use or appropriation of such copyright material without the consent of the copyright proprietor.

§ 9. Authors or proprietors, entitled; aliens: The author or proprietor of any work made the subject of copyright by this title, or his executors, administrators, or assigns, shall have copyright for such work under the conditions and for the terms specified in this title: *Provided, however*, That the copyright secured by this title shall extend to the work of an author or proprietor who is a citizen or subject of a foreign state or nation only:

(a) When an alien author or proprietor shall be domiciled within the United States at the time of the first publication of his work; or

(b) When the foreign state or nation of which such author or proprietor is a citizen or subject grants, either by treaty, convention, agreement, or law, to citizens of the United States the benefit of copyright on substantially the same basis as to its own citizens, or copyright protection substantially

equal to the protection secured to such foreign author under this title or by treaty; or when such foreign state or nation is a party to an international agreement which provides for reciprocity in the granting of copyright, by the terms of which agreement the United States may, at its pleasure, become a party thereto.

The existence of the reciprocal conditions aforesaid shall be determined by the President of the United States, by proclamation made from time to time, as the purposes of this title may require: *Provided*, That whenever the President shall find that the authors, copyright owners, or proprietors of works first produced or published abroad and subject to copyright or to renewal of copyright under the laws of the United States, including works subject to ad interim copyright, are or may have been temporarily unable to comply with the conditions and formalities prescribed with respect to such works by the copyright laws of the United States, because of the disruption or suspension of facilities essential for such compliance, he may by proclamation grant such extension of time as he may deem appropriate for the fulfillment of such conditions or formalities by authors, copyright owners, or proprietors who are citizens of the United States or who are nationals of countries which accord substantially equal treatment in this respect to authors, copyright owners, or proprietors who are citizens of the United States: *Provided further*, That no liability shall attach under this title for lawful uses made or acts done prior to the effective date of such proclamation in connection with such works, or in respect to the continuance for one year subsequent to such date of any business undertaking or enterprise lawfully undertaken prior to such date involving expenditure or contractual obligation in connection with the exploitation, production, reproduction, circulation, or performance of any such work.

The President may at any time terminate any proclamation, authorized herein or any part thereof or suspend or extend its operation for such period or periods of time as in his judgment the interests of the United States may require.

§ 10. Publication of work with notice: Any person entitled thereto by this title may secure copyright for his work by publication thereof with the notice of copyright required by this title; and such notice shall be affixed to each copy thereof published or offered for sale in the United States by authority of the copyright proprietor, except in the case of books seeking ad interim protection under section 22 of this title.

§ 11. Registration of claim and issuance of certificate: Such person may obtain registration of his claim to copyright by complying with the provisions of this title, including the deposit of copies, and upon such compliance the Register of Copyrights shall issue to him the certificate provided for in section 209 of this title.

§ 12. Works not reproduced for sale: Copyright may also be had of the works of any author, of which copies are not reproduced for sale, by the deposit, with claim of copyright, of one complete copy of such work if it be a lecture or similar production or a dramatic, musical, or dramatico-musical composition; of a title and description, with one print taken from each scene or act, if the work be a motion-picture photoplay; of a photographic print if the work be a photograph; of a title and description, with not less than two prints taken from different sections of a complete motion picture, if the work be a motion picture other than a photoplay; or of a photograph or other identifying reproduction thereof, if it be a work of art or a plastic work or drawing. But the privilege of registration of copyright secured hereunder shall not exempt the copyright proprietor from the deposit of copies, under sections 13 and 14 of this title, where the work is later reproduced in copies for sale.

§ 13. Deposit of copies after publication; action or proceeding for infringement: After copyright has been secured by publication of the work with the notice of copyright as provided in section 10 of this title, there shall be promptly deposited in the copyright office or in the mail addressed to the Register of Copyrights, Washington, District of Columbia, two complete copies of the best edition thereof then published, or if the work is by an author who is a citizen or subject of a foreign state or nation and has been published in a foreign country, one complete copy of the best edition then published in such foreign country, which copies or copy, if the work be a book or periodical, shall have been produced in accordance with the manufacturing provisions specified in section 16 of this title; or if such work be a contribution to a periodical, for which contribution special registration is requested, one copy of the issue or issues containing such contribution; or if the work is not reproduced in copies for sale there shall be deposited the copy, print, photograph, or other identifying reproduction provided by section 12 of this title, such copies or copy, print, photograph, or other reproduction to be accompanied in each case by a claim of copyright. No action or proceeding shall be maintained for infringement of copyright in any work until the provisions of this title with respect to the deposit of copies and registration of such work shall have been complied with.

§ 14. Same; failure to deposit; demand; penalty: Should the copies called for by section 13 of this title not be promptly deposited as provided in this title, the Register of Copyrights may at any time after the publication of the work, upon actual notice, require the proprietor of the copyright to deposit them, and after the said demand shall have been made, in default of the deposit of copies of the work within three months from any part of the United States, except an outlying territorial possession of the United States, or within six months from any outlying territorial possession of the United States, or from any foreign country, the proprietor of the copyright shall be liable to a fine of $100 and to pay to the Library of Congress twice the amount of the retail price of the best edition of the work, and the copyright shall become void.

§ 15. Same; Postmaster's receipt; Transmission by mail without cost: The postmaster to whom are delivered the articles deposited as provided in sections 12 and 13 of this title shall, if requested, give a receipt therefor and shall mail them to their destination without cost to the copyright claimant.

§ 16. Mechanical work to be done in United States: Of the printed book or periodical specified in section 5, subsections (a) and (b), of this title, except the original text of a book of foreign origin in a language or languages other than English, the text of all copies accorded protection under this title, except as below provided, shall be printed from type set within the limits of the United States, either by hand or by the aid of any kind of typesetting machine, or from plates made within the limits of the United States from type set therein, or, if the text be produced by lithographic process, or photoengraving process, then by a process wholly performed within the limits of the United States, and the printing of the text and binding of the said book shall be performed within the limits of the United States; which requirements shall extend also to the illustrations within a book consisting of printed text and illustrations produced by lithographic process, or photoengraving process, and also to separate lithographs or photoengravings, except where in either case the subjects represented are located in a foreign country and illustrate a scientific work or reproduce a work of art: *Provided, however*, That said requirements shall not apply to works in raised characters for the use of the blind, or to books of foreign origin in a language or languages other than English, or to books published abroad in the English language seeking ad interim protection under this title, or to works printed or produced in the United States by any other process than those above specified in this section.

§ 17. Affidavit to accompany copies: In the case of the book the copies so deposited shall be accompanied by an affidavit under the official seal of any officer authorized to administer oaths within the United States, duly made by the person claiming copyright or by his duly authorized agent or representative residing in the United States, or by the printer who has printed the book, setting forth that the copies deposited have been printed from type set within the limits of the United States or from plates made within the limits of the United States from type set therein; or, if the text be produced by lithographic process, or photoengraving process, that such process was wholly performed within the limits of the United States and that the printing of the text and binding of the said book have also been performed within the limits of the United States. Such affidavit shall state also the place where and the establishment or establishments in which such type was set or plates were made or lithographic process, or photoengraving process or printing and binding were performed and the date of the completion of the printing of the book or the date of publication.

§ 18. Making false affidavit: Any person who, for the purpose of obtaining registration of a claim to copyright, shall knowingly make a false affidavit as to his having complied with the above conditions shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not more than $1,000, and all of his rights and privileges under said copyright shall thereafter be forfeited.

§ 19. Notice; form: The notice of copyright required by section 10 of this title shall consist either of the word "Copyright" or the abbreviation "Copr.", accompanied by the name of the copyright proprietor, and if the work be a printed literary, musical, or dramatic work, the notice shall include also the year in which the copyright was secured by publication. In the case, however, of copies of works specified in subsections (f) to (k), inclusive, of section 5 of this title, the notice may consist of the letter C enclosed within a circle, thus ©, accompanied by the initials, monogram, mark, or symbol of the copyright proprietor: *Provided*, That on some accessible portion of such copies or of the margin, back, permanent base, or pedestal, or of the substance on which such copies shall be mounted, his name shall appear. But in the case of works in which copyright was subsisting on July 1, 1909, the notice of copyright may be either in one of the forms prescribed herein or may consist of the following words: "Entered according to Act of Congress, in the year ——, by A. B., in the office of the Librarian of Congress, at Washington"; or, at his option, the word "Copyright", together with the year the copyright was entered and the name of the party by whom it was taken out; thus, "Copyright, 19—, by A. B."

§ 20. Same; place of application of; one notice in each volume or number of newspaper or periodical: The notice of copyright shall be applied, in the case of a book or other printed publication, upon its title page or the page immediately following, or if a periodical either upon the title page or upon the first page of text of each separate number or under the title heading, or if a musical work either upon its title page or the first page of music. One notice of copyright in each volume or in each number of a newspaper or periodical published shall suffice.

§ 21. Same; effect of accidental omission from copy or copies: Where the copyright

proprietor has sought to comply with the provisions of this title with respect to notice, the omission by accident or mistake of the prescribed notice from a particular copy or copies shall not invalidate the copyright or prevent recovery for infringement against any person who, after actual notice of the copyright, begins an undertaking to infringe it, but shall prevent the recovery of damages against an innocent infringer who has been misled by the omission of the notice; and in a suit for infringement no permanent injunction shall be had unless the copyright proprietor shall reimburse to the innocent infringer his reasonable outlay innocently incurred if the court, in its discretion, shall so direct.

§ 22. Ad interim protection of book published abroad: In the case of a book first published abroad in the English language, the deposit in the copyright office, not later than sixty days after its publication abroad, of one complete copy of the foreign edition, with a request for the reservation of the copyright and a statement of the name and nationality of the author and of the copyright proprietor and of the date of publication of the said book, shall secure to the author or proprietor an ad interim copyright, which shall have all the force and effect given to copyright by this title, and shall endure until the expiration of four months after such deposit in the copyright office.

§ 23. Same; extension to full term: Whenever within the period of such ad interim protection an authorized edition of such book shall be published within the United States, in accordance with the manufacturing provisions specified in section 16 of this title, and whenever the provisions of this title as to deposit of copies, registration, filing of affidavit, and the printing of the copyright notice shall have been duly complied with, the copyright shall be extended to endure in such book for the term provided in this title.

§ 24. Duration; renewal and extension: The copyright secured by this title shall endure for twenty-eight years from the date of first publication, whether the copyrighted work bears the author's true name or is published anonymously or under an assumed name: *Provided*, That in the case of any posthumous work or of any periodical, cyclopedic, or other composite work upon which the copyright was originally secured by the proprietor thereof, or of any work copyrighted by a corporate body (otherwise than as assignee or licensee of the individual author) or by an employer for whom such work is made for hire, the proprietor of such copyright shall be entitled to a renewal and extension of the copyright in such work for the further term of twenty-eight years when application for such renewal and extension shall have been made to the copyright office and duly registered therein within one year prior to the expiration of the original term of copyright: *And provided further*, That in the case of any other copyrighted work, including a contribution by an individual author to a periodical or to a cyclopedic or other composite work, the author of such work, if still living, or the widow, widower, or children of the author, if the author be not living, or if such author, widow, widower, or children be not living, then the author's executors, or in the absence of a will, his next of kin shall be entitled to a renewal and extension of the copyright in such work for a further term of twenty-eight years when application for such renewal and extension shall have been made to the copyright office and duly registered therein within one year prior to the expiration of the original term of copyright: *And provided further*, That in default of the registration of such application for renewal and extension, the copyright in any work shall determine at the expiration of twenty-eight years from first publication.

§ 25. Renewal of copyrights registered in Patent Office under repealed law: Subsisting copyrights originally registered in the Patent Office prior to July 1, 1940, under section 3 of the act of June 3, 1874, shall be subject to renewal in behalf of the proprietor upon application made to the Register of Copyrights within one year prior to the expiration of the original term of twenty-eight years.

§ 26. Terms defined: In the interpretation and construction of this title 'the date of publication' shall in the case of a work of which copies are reproduced for sale or distribution be held to be the earliest date when copies of the first authorized edition were placed on sale, sold, or publicly distributed by the proprietor of the copyright or under his authority, and the word 'author' shall include an employer in the case of works made for hire.

§ 27. Copyright distinct from property in object copyrighted; effect of sale of object, and of assignment of copyright: The copyright is distinct from the property in the material object copyrighted, and the sale or conveyance, by gift or otherwise, of the material object shall not of itself constitute a transfer of the copyright, nor shall the assignment of the copyright constitute a transfer of the title to the material object; but nothing in this title shall be deemed to forbid, prevent, or restrict the transfer of any copy of a copyrighted work the possession of which has been lawfully obtained.

§ 28. Assignments and bequests.—Copyright secured under this title or previous copyright laws of the United States may be assigned, granted, or mortgaged by an instrument in writing signed by the proprietor of the copyright, or may be bequeathed by will.

§ 29. Same; executed in foreign country; acknowledgment and certificate.—Every assignment of copyright executed in a foreign country shall be acknowledged by the assignor before a consular officer or secretary of legation of the United States authorized by law to administer oaths or perform notarial acts. The certificate of such acknowledgment under the hand and official seal of such consular officer or secretary of legation shall be prima facie evidence of the execution of the instrument.

§ 30. Same; record: Every assignment of copyright shall be recorded in the copyright office wthin three calendar months after its execution in the United States or within six calendar months after its execution without the limits of the United States, in default of which it shall be void as against any subsequent purchaser or mortgagee for a valuable consideration, without notice, whose assignment has been duly recorded.

§ 31. Same; certificate of record: The Register of Copyrights shall, upon payment of the prescribed fee, record such assignment, and shall return it to the sender with a certificate of record attached under seal of the copyright office, and upon the payment of the fee prescribed by this title he shall furnish to any person requesting the same a certified copy thereof under the said seal.

§ 32. Same; use of name of assignee in notice: When an assignment of the copyright in a specified book or other work has been recorded the assignee may substitute his name for that of the assignor in the statutory notice of copyright prescribed by this title.

CHAPTER 2—INFRINGEMENT PROCEEDINGS

§ 101. Infringement:
(a) Injunction.
(b) Damages and profits; amounts; other remedies.
(c) Impounding during action.
(d) Destruction of infringing copies and plates.
(e) Royalties for use of mechanical reproduction of musical works.
(f) Rules of procedure.
§ 102 Jurisdiction of courts in enforcing remedies.
§ 103. Joinder of proceedings for different remedies.
§ 104. Willful infringement for profit.
§ 105. Fraudulent notice of copyright, or removal or alteration of notice.
§ 106. Importation of article bearing false notice or piratical copies of copyrighted work.
§ 107. Importation, during existence of copyright, of piratical copies, or of copies not produced in accordance with section 16 of this title.
§ 108. Forfeiture and destruction of articles prohibited importation.
§ 109. Importation of prohibited articles; regulations; proof of deposit of copies by complainants.
§ 110. Jurisdiction of actions under laws.
§ 111. District in which actions may be brought.
§ 112. Injunctions; service and enforcement.
§ 113. Transmission of certified copies of papers for enforcement of injunction by other court.
§ 114. Review of orders, judgments, or decrees.
§ 115. Limitation of criminal proceedings.
§ 116. Costs; attorney's fees.

§ 101. Infringement: If any person shall infringe the copyright in any work protected under the copyright laws of the United States such person shall be liable:

(a) Injunction: To an injunction restraining such infringement;

(b) Damages and profits; amount; other remedies: To pay to the copyright proprietor such damages as the copyright proprietor may have suffered due to the infringement, as well as all the profits which the infringer shall have made from such infringement, and in proving profits the plaintiff shall be required to prove sales only, and the defendant shall be required to prove every element of cost which he claims, or in lieu of actual damages and profits, such damages as to the court shall appear to be just, and in assessing such damages the court may, in its discretion, allow the amounts as hereinafter stated, but in case of a newspaper reproduction of a copyrighted photograph, such damages shall not exceed the sum of $200 nor be less than the sum of $50, and in the case of the infringement of an undramatized or nondramatic work by means of motion pictures, where the infringer shall show that he was not aware that he was infringing, and that such infringement could not have been reasonably foreseen, such damages shall not exceed the sum of $100; and in the case of an infringement of a copyrighted dramatic or dramatico-musical work by a maker of motion pictures and his agencies for distribution thereof to exhibitors, where such infringer shows that he was not aware that he was infringing a copyrighted work, and that such infringements could not reasonably have been foreseen, the entire sum of such damages recoverable by the copyright proprietor from such infringing maker and his agencies for the distribution to exhibitors of such infringing motion picture shall not exceed the sum of $5,000 nor be less than $250, and such damages shall in no other case exceed the sum of $5,000 nor be less than the sum of $250, and shall not be regarded as a penalty. But the foregoing exceptions shall not deprive the copyright proprietor of any other remedy given him under this law, nor shall the limitation as to the amount of recovery apply to infringements occurring after the actual notice to a defendant, either by service of process in a suit or other written notice served upon him.

First. In the case of a painting, statue, or sculpture, $10 for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

Second. In the case of any work enumerated in section 5 of this title, except a painting, statue, or sculpture, $1 for every infringing copy made or sold by or found in the possession of the infringer or his agents or employees;

Third. In the case of a lecture, sermon, or address, $50 for every infringing delivery;

Fourth. In the case of a dramatic or dramatico-musical or a choral or orchestral composition, $100 for the first and $50 for every subsequent infringing performance; in the case of other musical compositions $10 for every infringing performance;

(c) Impounding during action: To deliver up on oath, to be impounded during the pendency of the action, upon such terms and conditions as the court may prescribe, all articles alleged to infringe a copyright;

(d) Destruction of infringing copies and plates: To deliver up on oath for destruction all the infringing copies or devices, as well as all plates, molds, matrices, or other means for making such infringing copies as the court may order.

(e) Royalties for use of mechanical reproduction of musical works: Whenever the owner of a musical copyright has used or permitted the use of the copyrighted work upon the parts of musical instruments serving to reproduce mechanically the musical work, then in case of infringement of such copyright by the unauthorized manufacture, use, or sale of interchangeable parts, such as disks, rolls, bands, or cylinders for use in mechanical music-producing machines adapted to reproduce the copyrighted music, no criminal action shall be brought, but in a civil action an injunction may be granted upon such terms as the court may impose, and the plaintiff shall be entitled to recover in lieu of profits and damages a royalty as provided in section 1, subsection (e), of this title: *Provided also*, That whenever any person, in the absence of a license agreement, intends to use a copyrighted musical composition upon the parts of instruments serving to reproduce mechanically the musical work, relying upon the compulsory license provision of this title, he shall serve notice of such intention, by registered mail, upon the copyright proprietor at his last address disclosed by the records of the copyright office, sending to the copyright office a duplicate of such notice; and in case of his failure so to do the court may, in its discretion, in addition to sums hereinabove mentioned, award the complainant a further sum, not to exceed three times the amount provided by section 1, subsection (e), of this title, by way of damages, and not as a penalty, and also a temporary injunction until the full award is paid.

(f) Rules of procedure: Rules and regulations for practice and procedure under this section shall be prescribed by the Supreme Court of the United States.

§ 102. Jurisdiction of courts in enforcing remedies: Any court given jurisdiction under section 110 of this title may proceed in any action, suit, or proceeding instituted for violation of any provision hereof to enter a judgment or decree enforcing the remedies herein provided.

§ 103. Joinder or proceedings for different remedies: The proceedings for an injunction, damages, and profits, and those for the seizure of infringing copies, plates, molds, matrices, and so forth, aforementioned, may be united in one action.

§ 104. Willful infringement for profit: Any person who willfully and for profit shall infringe any copyright secured by this title, or who shall knowingly and willfully aid or abet such infringement, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment for not exceeding one year or by a fine of not less than $100 nor more than $1,000, or both, in the discretion of the court: *Provided, however*, That nothing in this title shall be so construed as to prevent the performance of religious or secular works such as oratorios, cantatas, masses, or octavo choruses by public schools, church choirs, or vocal societies, rented, borrowed, or obtained from some public library, public school, church choir, school choir, or vocal society, provided the performance is given for charitable or educational purposes and not for profit.

§ 105. Fraudulent notice of copyright, or removal or alteration of notice: Any person who, with fraudulent intent, shall insert or impress any notice of copyright required by this title, or words of the same purport, in or upon any uncopyrighted article, or with fraudulent intent shall remove or alter the copyright notice upon any article duly copyrighted shall be guilty of a misdemeanor, punishable by a fine of not less than $100 and not more than $1,000. Any person who shall knowingly issue or sell any article bearing a notice of United States copyright which has not been copyrighted in this country, or who shall knowingly import any article bearing such notice or words of the same purport, which has not been copyrighted in this country, shall be liable to a fine of $100.

§ 106. Importation of article bearing false notice or piratical copies of copyrighted work: The importation into the United States of any article bearing a false notice of copyright when there is no existing copyright thereon in the United States, or of any piratical copies of any work copyrighted in the United States, is prohibited.

§ 107. Importation, during existence of copyright, of piratical copies, or of copies not produced in accordance with section 16 of this title: During the existence of the American copyright in any book the importation into the United States of any piratical copies thereof or of any copies thereof (although authorized by the author or proprietor) which have not been produced in accordance with the manufacturing provisions specified in section 16 of this title, or any plates of the same not made from type set within the limits of the United States, or any copies thereof produced by lithographic or photoengraving process not performed within the limits of the United States, in accordance with the provisions of section 16 of this title, is prohibited: *Provided, however*, That, except as regards piratical copies, such prohibition shall not apply:

(a) To works in raised characters for the use of the blind.

(b) To a foreign newspaper or magazine, although containing matter copyrighted in the United States printed or reprinted by authority of the copyright proprietor, unless such newspaper or magazine contains also copyright matter printed or reprinted without such authorization.

(c) To the authorized edition of a book in a foreign language or languages of which only a translation into English has been copyrighted in this country.

(d) To any book published abroad with the authorization of the author or copyright proprietor when imported under the circumstances stated in one of the four subdivisions following, that is to say:

First. When imported, not more than one copy at one time, for individual use and not for sale; but such privilege of importation shall not extend to a foreign reprint of a book by an American author copyrighted in the United States.

Second. When imported by the authority or for the use of the United States.

Third. When imported, for use and not for sale, not more than one copy of any such book in any one invoice, in good faith by or for any society or institution incorporated for educational, literary, philosophical, scientific, or religious purposes, or for the encouragement of the fine arts, or for any college, academy, school, or seminary of learning, or for any State, school, college, university, or free public library in the United States.

Fourth. When such books form parts of libraries or collections purchased en bloc for the use of societies, institutions, or libraries designated in the foregoing paragraph, or form parts of the libraries or personal baggage belonging to persons or families arriving from foreign countries and are not intended for sale: *Provided*, That copies imported as above may not lawfully be used in any way to violate the rights of the proprietor of the American copyright or annul or limit the copyright protection secured by this title, and such unlawful use shall be deemed an infringement of copyright.

§ 108. Forfeiture and destruction of articles prohibited importation: Any and all articles prohibited importation by this title which are brought into the United States from any foreign country (except in the mails) shall be seized and forfeited by like proceedings as those provided by law for the seizure and condemnation of property imported into the United States in violation of the customs revenue laws. Such articles when forfeited shall be destroyed in such manner as the Secretary of the Treasury or the court, as the case may be, shall direct: *Provided, however*, That all copies of authorized editions of copyright books imported in the mails or otherwise in violation of the provisions of this title may be exported and returned to the country of export whenever it is shown to the satisfaction of the Secretary of the Treasury, in a written application, that such importation does not involve willful negligence or fraud.

§ 109. Importation of prohibited articles; regulations; proof of deposit of copies by complainants: The Secretary of the Treasury and the Postmaster General are hereby empowered and required to make and enforce individually or jointly such rules and regulations as shall prevent the importation into the United States of articles prohibited importation by this title, and may require, as conditions precedent to exclusion of any work in which copyright is claimed, the copyright proprietor or any person claiming actual or potential injury by reason of actual or contemplated importations of copies of such work to file with the Post Office Department or the Treasury Department a certificate of the Register of Copyrights that the provisions of section 13 of this title have been fully complied with, and to give notice of such compliance to postmasters or to customs officers at the ports of entry in the United States in such form and accompanied by such exhibits as may be deemed necessary for the practical and efficient administration and enforcement of the provisions of sections 106 and 107 of this title.

§ 110. Jurisdiction of actions under laws: All actions, suits, or proceedings arising under the copyright laws of the United States shall be originally cognizable by the district courts of the United States, the district court of any Territory, the District Court of the United States for the District of Columbia, the district courts of Alaska, Hawaii, and Puerto Rico, and the courts of first instance of the Philippine Islands.

§ 111. District in which actions may be brought: Civil actions, suits, or proceedings arising under this title may be instituted in the district of which the defendant or his agent is an inhabitant, or in which he may be found.

§ 112. Injunctions; service and enforcement: Any such court or judge thereof shall have power, upon bill in equity filed by any party aggrieved, to grant injunctions to prevent and restrain the violation of any right secured by this title, according to the course and principles of courts of equity, on such terms as said court or judge may deem reasonable. Any injunction that may be granted restraining and enjoining the doing of anything forbidden by this title may be served on the parties against whom such injunction may be granted anywhere in the United States, and shall be operative throughout the United States and be enforceable by

proceedings in contempt or otherwise by any other court or judge possessing jurisdiction of the defendants.

§ 113. Transmission of certified copies of papers for enforcement of injunction by other court: The clerk of the court, or judge granting the injunction, shall, when required so to do by the court hearing the application to enforce said injunction, transmit without delay to said court a certified copy of all the papers in said cause that are on file in his office.

§ 114. Review of orders, judgments, or decrees: The orders, judgments, or decrees of any court mentioned in section 110 of this title arising under the copyright laws of the United States may be reviewed on appeal in the manner and to the extent now provided by law for the review of cases determined in said courts respectively.

§ 115. Limitations of criminal proceedings: No criminal proceeding shall be maintained under the provisions of this title unless the same is commenced within three years after the cause of action arose.

§ 116. Costs; attorney's fees: In all actions, suits, or proceedings under this title, except when brought by or against the United States or any officer thereof, full costs shall be allowed, and the court may award to the prevailing party a reasonable attorney's fee as part of the costs.

CHAPTER 3—COPYRIGHT OFFICE

§ 201. Copyright office; preservation of records.
§ 202. Register, assistant register, and subordinates.
§ 203. Same; deposit of moneys received; reports.
§ 204. Same; bond.
§ 205. Same; annual report.
§ 206. Seal of copyright office.
§ 207. Rules for registration of claims.
§ 208. Record books in copyright office.
§ 209. Certificates of registration; effect as evidence; receipt for copies deposited.
§ 210. Catalogs of copyright entries; effect as evidence.
§ 211. Same; distribution and sale; disposal of proceeds.
§ 212. Records and works deposited in copyright office open to public inspection; taking copies of entries.
§ 213. Disposition of articles deposited in office.
§ 214. Destruction of articles deposited in office remaining undisposed of; removal of by author or proprietor; manuscripts of unpublished works.
§ 215. Fees.

§ 201. Copyright office; preservation of records: All records and other things relating to copyrights required by law to be preserved shall be kept and preserved in the copyright office, Library of Congress, District of Columbia, and shall be under the control of the register of copyrights, who shall, under the direction and supervision of the Librarian of Congress, perform all the duties relating to the registration of copyrights.

§ 202. Register, Assistant Register, and subordinates: There shall be appointed by the Librarian of Congress a Register of Copyrights, and one Assistant Register of Copyrights, who shall have authority during the absence of the Register of Copyrights to attach the copyright office seal to all papers issued from the said office and to sign such certificates and other papers as may be necessary. There shall also be appointed by the Librarian such subordinate assistants to the register as may from time to time be authorized by law.

§ 203. Same; deposit of moneys received; reports: The Register of Copyrights shall make daily deposits in some bank in the District of Columbia, designated for this purpose by the Secretary of the Treasury as a national depository, of all moneys received to be applied as copyright fees, and shall make weekly deposits with the Secretary of the Treasury, in such manner as the latter shall direct, of all copyright fees actually applied under the provisions of this title, and annual deposits of sums received which it has not been possible to apply as copyright fees or to return to the remitters, and shall also make monthly reports to the Secretary of the Treasury and to the Librarian of Congress of the applied copyright fees for each calendar month, together with a statement of all remittances received, trust funds on hand, moneys refunded, and unapplied balances.

§ 204. Same; bond: The Register of Copyrights shall give bond to the United States in the sum of $20,000, in form to be approved by the General Counsel for the Department of the Treasury and with sureties satisfactory to the Secretary of the Treasury, for the faithful discharge of his duties.

§ 205. Same; annual report: The Register of Copyrights shall make an annual report to the Librarian of Congress, to be printed in the annual report on the Library of Congress, of all copyright business for the previous fiscal year, including the number and kind of works which have been deposited in the copyright office during the fiscal year, under the provisions of this title.

§206. Seal of copyright office: The seal used in the copyright office on July 1, 1909, shall be the seal of the copyright office, and by it all papers issued from the copyright office requiring authentication shall be authenticated.

§ 207. Rules for registration of claims: Subject to the approval of the Librarian of Congress, the Register of Copyrights shall be authorized to make rules and regulations for the registration of claims to copyright as provided by this title.

§ 208. Record books in copyright office: The Register of Copyrights shall provide and keep such record books in the copyright office as are required to carry out the provisions of this title, and whenever deposit has been made in the copyright office of a copy of any work under the provisions of this title he shall make entry thereof.

§ 209. Certificate of registration; effect as evidence; receipt for copies deposited: In the case of each entry the person recorded as the claimant of the copyright shall be entitled to a certificate of registration under seal of the copyright office, to contain the name and address of said claimant, the name of the country of which the author of the work is a citizen or subject, and when an alien author domiciled in the United States at the time of said registration, then a statement of that fact, including his place of domicile, the name of the author (when the records of the copyright office shall show the same), the title of the work which is registered for which copyright is claimed, the date of the deposit of the copies of such work, the date of publication if the work has been reproduced in copies for sale, or publicly distributed, and such marks as to class designation and entry number as shall fully identify the entry. In the case of a book, the certificate shall also state the receipt of the affidavit, as provided by section 17 of this title, and the date of the completion of the printing, or the date of the publication of the book, as stated in the said affidavit. The Register of Copyrights shall prepare a printed form for the said certificate, to be filled out in each case as above provided for in the case of all registrations made after March 2, 1913, and in the case of all previous registrations so far as the copyright office record books shall show such facts, which certificate, sealed with the seal of the copyright office, shall, upon payment of the prescribed fee, be given to any person making application for the same. Said certificate shall be admitted in any court as prima facie evidence of the facts stated therein. In addition to such certificate the register of copyrights shall furnish, upon request, without additional fee, a receipt for the copies of the work deposited to complete the registration.

§ 210. Catalog of copyright entries; effect as evidence: The Register of Copyrights shall fully index all copyright registrations and assignments and shall print at periodic intervals a catalog of the titles of articles deposited and registered for copyright, together with suitable indexes, and at stated intervals shall print complete and indexed catalog for each class of copyright entries, and may thereupon, if expedient, destroy the original manuscript catalog cards containing the titles included in such printed volumes and representing the entries made during such intervals. The current catalog of copyright entries and the index volumes herein provided for shall be admitted in any court as prima facie evidence of the facts stated therein as regards any copyright registration.

§ 211. Same; distribution and sale; disposal of proceeds: The said printed current catalogs as they are issued shall be promptly distributed by the copyright office to the collectors of customs of the United States and to the postmasters of all exchange offices of receipt of foreign mails, in accordance with revised lists of such collectors of customs and postmasters prepared by the Secretary of the Treasury and the Postmaster General, and they shall also be furnished in whole or in part to all parties desiring them, at a price to be determined by the Register of Copyrights for each part of the catalog, not exceeding $10 for the complete yearly catalog of copyright entries and not exceeding $1 per annum for the catalogs issued during the year for any one class of subjects. The consolidated catalogs and indexes shall also be supplied to all persons ordering them at such prices as may be determined to be reasonable, and all subscriptions for the catalogs shall be received by the Superintendent of Public Documents, who shall forward the said publications; and the moneys thus received shall be paid into the Treasury of the United States and accounted for under such laws and Treasury regulations as shall be in force at the time.

§ 212. Records and works deposited in copyright office open to public inspection; taking copies of entries: The record books of the copyright office, together with the indexes to such record books, and all works deposited and retained in the copyright office, shall be open to public inspection; and copies may be taken of the copyright entries actually made in such record books, subject to such safeguards and regulations as shall be prescribed by the Register of Copyrights and approved by the Librarian of Congress.

§ 213. Disposition of articles deposited in office: Of the articles deposited in the copyright office under the provisions of the copyright laws of the United States, the Librarian of Congress shall determine what books and other articles shall be transferred to the permanent collections of the Library of Congress, including the law library, and what other books or articles shall be placed in the reserve collections of the Library of Congress for sale or exchange, or be transferred to other governmental libraries in the District of Columbia for use therein.

§ 214. Destruction of articles deposited in office remaining undisposed of; removal of by author or proprietor; manuscripts of unpublished works: Of any articles undisposed of as above provided, together with all titles and correspondence relating thereto, the Librarian of Congress and the Register of Copyrights jointly shall, at suitable intervals, determine what of these received during any period of years it is desirable or useful to preserve in the permanent files of the copyright office, and, after due notice as hereinafter provided, may within their discretion

cause the remaining articles and other things to be destroyed: *Provided*, That there shall be printed in the Catalog of Copyright Entries from February to November, inclusive, a statement of the years of receipt of such articles and a notice to permit any author, copyright proprietor, or other lawful claimant to claim and remove before the expiration of the month of December of that year anything found which relates to any of his productions deposited or registered for copyright within the period of years stated, not reserved or disposed of as provided for in this title. No manuscript of an unpublished work shall be destroyed during its term of copyright without specific notice to the copyright proprietor of record, permitting him to claim and remove it.

§ 215. Fees: The Register of Copyrights shall receive, and the persons to whom the services designated are rendered shall pay, the following fees: For the registration of any work subject to copyright, deposited under the provisions of this title, $2, which sum is to include a certificate of registration under seal: *Provided*, That in the case of any unpublished work registered under the provisions of section 12 of this title, the fee for registration with certificate shall be $1, and in the case of a published photograph the fee shall be $1 where a certificate is not desired. For every additional certificate of registration made, $1. For recording and certifying any instrument of writing for the assignment of copyright, or any such license specified in section 1, subsection (e), of this title, or for any copy of such assignment or license, duly certified, $2 for each copyright office record-book page or additional fraction thereof over one-half page. For recording the notice of user or acquiescence specified in section 1, subsection (e), of this title, $1 for each notice of not more than five titles. For comparing any copy of an assignment with the record of such document in the copyright office and certifying the same under seal, $2. For recording the renewal of copyright provided for in section 24 of this title, $1. For recording the transfer of the proprietorship of copyrighted articles, 10 cents for each title of a book or other article, in addition to the fee prescribed for recording the instrument of assignment. For any requested search of copyright office records, indexes, or deposits, $1 for each hour of time consumed in making such search: *Provided*, That only one registration at one fee shall be required in the case of several volumes of the same book deposited at the same time.

SEC. 2. The following sections or parts thereof of the Revised Statutes and Statutes at Large covering provisions codified in this Act, insofar as such provisions appear in title 17, United States Code and supplements thereto, as shown by the appended table, are hereby repealed: *Provided*, That any rights or liabilities now existing under such repealed sections or parts thereof shall not be affected by such repeal:

Revised Statutes and Statutes at Large	Title 17, U. S. Code, Section
Act Mar. 4, 1909, ch. 320, secs. 1, 64, 35 Stat. 1075, 1088	1
Act Mar. 4, 1909, ch. 320, sec. 2, 35 Stat 1076	2
Act Mar. 4, 1909, ch. 320, sec. 3, 35 Stat. 1076	3
Act Mar. 4, 1909, ch. 320, sec. 4, 35 Stat. 1076	4
Acts Mar. 4, 1909, ch. 320, sec. 5, 35 Stat. 1076; Aug. 24, 1912, ch. 356, 37 Stat. 488; July 31, 1939, ch. 396, sec. 2, 53 Stat. 1142	5
Act Mar. 4, 1909, ch. 320, sec. 6, 35 Stat. 1077	6
Act Mar. 4, 1909, ch. 320, secs. 7, 64, 35 Stat. 1077, 1088	7
Acts Mar. 4, 1909, ch. 320, sec. 8, 35 Stat. 1077; Dec. 18, 1919, ch. 11, 41 Stat. 369; Sept. 25, 1941, ch. 421, 55 Stat. 782	8
Act Mar. 4, 1909, ch. 320, sec. 9, 35 Stat. 1077	9
Act Mar. 4, 1909, ch. 320, sec. 10, 35 Stat. 1078	10
Acts Mar. 4, 1909, ch. 320, sec. 11, 35 Stat. 1078; Aug. 24, 1912, ch. 356, 37 Stat. 488	11
Acts Mar. 4, 1909, ch. 320, sec. 12, 35 Stat. 1078; Mar. 28, 1914, ch. 47, sec. 1, 38 Stat. 311	12
Act Mar. 4, 1909, ch. 320, sec. 13, 35 Stat. 1078	13
Act Mar. 4, 1909, ch. 320, sec. 14, 35 Stat. 1078	14
Acts Mar. 4, 1909, ch. 320, sec. 15, 35 Stat. 1078; July 3, 1926, ch. 743, 44 Stat. 818	15
Act Mar. 4, 1909, ch. 320, sec. 16, 35 Stat. 1079	16
Act Mar. 4, 1909, ch. 320, sec. 17, 35 Stat. 1079	17
Acts June 18, 1874, ch. 301, sec. 1, 18 Stat. 78; Mar. 4, 1909, ch. 320, secs. 18, 64, 35 Stat. 1079, 1088	18
Act Mar. 4, 1909, ch. 320, sec. 19, 35 Stat. 1079	19
Act Mar. 4, 1909, ch. 320, sec. 20, 35 Stat. 1080	20
Acts Mar. 4, 1909, ch. 320, sec. 21, 35 Stat. 1080; Dec. 18, 1919, ch. 11, 41 Stat. 369	21
Act Mar. 4, 1909, ch. 320, sec. 22, 35 Stat. 1080	22
Acts Mar. 4, 1909, ch. 320, sec. 23, 35 Stat. 1080; Mar. 15, 1940, ch. 57, 54 Stat. 51	23
R. S., sec. 4953; Act Mar. 4, 1909, ch. 320, secs. 24, 64, 35 Stat. 1080, 1088	24
Acts Mar. 4, 1909, ch. 320, sec. 25, 35 Stat. 1081; Aug. 24, 1912, ch. 356, 37 Stat. 489	25
Act Mar. 4, 1909, ch. 320, sec. 26, 35 Stat. 1082	26
Act Mar. 4, 1909, ch. 320, sec. 27, 35 Stat. 1082	27
Act Mar. 4, 1909, ch. 320, sec. 28, 35 Stat. 1082	28
Act Mar. 4, 1909, ch. 320, sec. 29, 35 Stat. 1082	29
Act Mar. 4, 1909, ch. 320, sec. 30, 35 Stat. 1082	30
Act Mar. 4, 1909, ch. 320, sec. 31, 35 Stat. 1082	31
Act Mar. 4, 1909, ch. 320, sec. 32, 35 Stat. 1083	32
Acts Mar. 4, 1909, ch. 320, sec. 33, 35 Stat. 1083; Apr. 11, 1940, ch. 81, 54 Stat. 106	33
Acts Mar. 4, 1909, ch. 320, sec. 34, 35 Stat. 1084; May 17, 1932, ch. 190, 47 Stat. 158; June 25, 1936, ch. 804, 49 Stat. 1921	34
Act Mar. 4, 1909, ch. 320, sec. 35, 35 Stat. 1084	35
Act Mar. 4, 1909, ch. 320, sec. 36, 35 Stat. 1084	36
Act Mar. 4, 1909, ch. 320, sec. 37, 35 Stat. 1084	37
Act Mar. 4, 1909, ch. 320, sec. 38, 35 Stat. 1084	38
Act Mar. 4, 1909, ch. 320, sec. 39, 35 Stat. 1084	39
Act Mar. 4, 1909, ch. 320, sec. 40, 35 Stat. 1084	40
Act Mar. 4, 1909, ch. 320, sec. 41, 35 Stat. 1084	41
Act Mar. 4, 1909, ch. 320, sec. 42, 35 Stat. 1084	42
Act Mar. 4, 1909, ch. 320, sec. 43, 35 Stat. 1084	43
Act Mar. 4, 1909, ch. 320, sec. 44, 35 Stat. 1084	44
Act Mar. 4, 1909, ch. 320, sec. 45, 35 Stat. 1085	45
Act Mar. 4, 1909, ch. 320, sec. 46, 35 Stat. 1085	46
Act. Mar. 4, 1909, ch. 320, sec. 47, 35 Stat. 1085	47
Acts Mar. 4, 1909, ch. 320, sec 48, 35 Stat. 1085; Mar. 4, 1923, ch. 265, sec. 1, 42 Stat. 1488	48
Act Mar. 4, 1909, ch. 320, sec. 49, 35 Stat. 1085	49
Act Mar. 4, 1909, ch. 320, sec. 50, 35 Stat. 1085	50
Act Mar. 4, 1909, ch. 320, sec 51, 35 Stat. 1085	51
Act Mar. 4, 1909, ch. 320, sec. 52, 35 Stat. 1085	52
Act Mar. 4, 1909, ch. 320, sec. 53, 35 Stat. 1085	53
Act Mar. 4, 1909, ch. 320, sec. 54, 35 Stat. 1086	54
Acts Mar. 4, 1909, ch. 320, secs. 55, 64, 35 Stat. 1086, 1088; Mar. 2, 1913, ch. 97, 37 Stat. 724	55
Act Mar. 4, 1909, ch. 320, 56, 35 Stat. 1086	56
Acts Mar. 4, 1909, ch. 320, sec. 57, 35 Stat. 1086; May 23, 1928, ch. 704, sec. 1, 45 Stat. 713	57
Act Mar. 4, 1909, ch. 320, sec. 58, 35 Stat. 1086	58
Act Mar. 4, 1909, ch. 320, sec. 59, 35 Stat. 1087	59
Act Mar. 4, 1909, ch. 320, sec. 60, 35 Stat. 1087	60
Acts Mar. 4, 1909, ch. 320, sec. 61, 35 Stat. 1087; May 23, 1928, ch. 704, sec. 1, 45 Stat. 714	61
Act Mar. 4, 1909, ch. 320, sec. 62, 35 Stat. 1087	62
Act July 31, 1939, ch. 396, sec. 3, 53 Stat. 1142	64
Act July 31, 1939, ch. 396, sec. 4, 53 Stat. 1142	65
Act June 27, 1938, ch. 10, sec. 1 (last proviso), 52 Stat. 6	Title 39 U. S. C., sec. 371 (last proviso)

Mr. KEOGH. Mr. Speaker, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. KEOGH.

Page 3, line 24, after the word "composition", insert a semicolon.

Page 3, line 25, strike out the semicolon and insert a comma.

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO CODIFY TITLE 18 OF THE UNITED STATES CODE, ENTITLED "CRIMES AND CRIMINAL PROCEDURE"

The Clerk called the bill (H. R. 2200) to revise, codify, and enact into positive law, title 18 of the United States Code, entitled "Crimes and Criminal Procedure".

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

TO AMEND THE NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 513) to amend the Nationality Act of 1940 to preserve the residence for naturalization

purposes of certain aliens who serve in the military or naval forces of one of the Allied countries during the Second World War or otherwise assist in the Allied war effort, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

NATURALIZATION OF CERTAIN ALIEN VETERANS

The Clerk called the bill (H. R. 578) providing for the naturalization of certain alien veterans of the Spanish-American War, the First World War, and members of the Regular Army, or National Guard who served on the Mexican border from June 1916 to April 1917.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That a new section is hereby inserted between sections 323 and 324 of the act entitled "An act to revise and codify the nationality laws of the United States into a comprehensive nationality code," approved October 14, 1940 (54 Stat. 1146):

"SEC. 323a. A person who was a member of the military or naval forces of the United States at any time after April 5, 1917, and before November 12, 1918, or at any time after April 20, 1898, and before July 5, 1902, or who served on the Mexican border as a member of the Regular Army or National Guard from June 1916 to April 1917, who is not an alien ineligible to citizenship, who was not at any time during such period or thereafter separated from such forces under other than honorable conditions, who was not a conscientious objector who performed no military duty whatever or refused to wear the uniform, and who was not at any time during such period or thereafter discharged from the military or naval forces on account of his alienage, shall, if he has resided in the United States continuously for at least 2 years pursuant to a legal admission for permanent residence in lieu of the usual 5 years' residence within the United States and 6 months' residence within the State of his residence at the time of filing the petition for naturalization, during all of which 2-year period he has behaved as a person of good moral character, be entitled at any time within 1 year after the effective date of this section to naturalization upon compliance with all of the requirements of the naturalization laws, except that—

"(1) no declaration of intention shall be required;

"(2) no certificate of arrival shall be required unless such person's admission to the United States was subsequent to March 3, 1924; and

"(3) no residence within the jurisdiction of the court shall be required.

"Such petitioner shall verify his petition for naturalization by the affidavits of at least two credible witnesses who are citizens of the United States, or shall furnish the depositions of two such witnesses made in accordance with the requirements of subsection (e) of section 327 of the Nationality Act of 1940, to provide the required residence, good moral character, attachment to the principles of the Constitution of the United States, and favorable disposition toward the good order and happiness of the United States. On applications filed for any benefits under this section, the requirement of fees for naturalization documents is hereby waived."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING THE NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 669) to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That so much of section 331 of the Nationality Act of 1940, as amended (54 Stat. 1153; U. S. C., 1940 edition, title 8, sec. 731), as precedes paragraph (1) thereof (excluding the heading) is amended to read as follows:

"SEC. 331. An applicant for naturalization shall make, under oath before, and unless prevented by sickness or other physical disability only in the office of, the clerk of court or such clerk's authorized deputy, regardless of the place of residence in the United States of the applicant, not less than 2 nor more than 7 years at least prior to the applicant's petition for naturalization, and after the applicant has reached the age of 18 years, a signed declaration of intention to become a citizen of the United States, which declaration shall be set forth in writing, in triplicate, and shall contain substantially the following averments by such applicant:".

SEC. 2. Section 332 of the Nationality Act of 1940, as amended (54 Stat. 1154; U. S. C., 1940 edition, title 8, sec. 732), is amended by adding at the end thereof the following new subsection:

"(e) If the applicant for naturalization is prevented by sickness or other disability from presenting himself in the office of the clerk to make the petition required by subsection (a), such applicant may make such petition at such other place as may be designated by the clerk of court or by such clerk's authorized deputy."

SEC. 3. (a) Section 334 (a) of the Nationality Act of 1940, as amended (54 Stat. 1156; U. S. C., 1940 edition, title 8, sec. 734 (a)), is amended to read as follows:

"SEC. 334. (a) Except as provided in subsection (b) of this section, every final hearing upon a petition for naturalization shall be had in open court before a judge thereof, and every final order which may be made upon such petition shall be under the hand of the court and entered in full upon a record kept for that purpose, and upon such final hearing of such petition the applicant and the witnesses shall be examined under oath before the court and in the presence of the court."

(b) Section 334 (b) of such act, as amended (54 Stat. 1156; U. S. C., 1940 edition, title 8, sec. 734 (b)), is amended by adding at the end thereof the following: "If the petitioner is prevented by sickness or other disability from being in open court for the final hearing upon a petition for naturalization, such final hearing may be had before a judge or judges of the court at such place as may be designated by the court."

SEC. 4. Section 335 of such act, as amended (54 Stat. 1157; U. S. C., title 8, sec. 735), is hereby amended by adding the following new subsection:

"(d) If the petitioner is prevented by sickness or other disability from being in open court the oath prescribed in subsection (a) of this section may be taken before a judge of the court at such place as may be designated by the court."

SEC. 5. Before a declaration of intention or petition for naturalization may be made outside of the office of the clerk of court, or before a final hearing on a petition may be held or the oath of allegiance administered outside of open court, the court must satisfy itself that the illness or other disability is sufficiently serious to prevent appearance in the office of the clerk of court or the court and is of a permanent nature, or of a nature which so incapacitates the person as to prevent him from appearing in the office of the clerk of court or in court for a period of at least 1 year.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MILITARY PERSONNEL CLAIMS ACT OF 1945

The Clerk called the bill (H. R. 2068), to provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damage to or loss, destruction, capture, or abandonment of personal property occurring incident to their service.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, the last time this bill was called I asked that it be passed over for the reason that there was no report in which they included a list of the laws repealed by the bill. Just before noon today the clerk of the committee sent me a list of these laws. I feel, however, that in order to protect the future I should again ask to have this bill passed over without prejudice until this report can be made in the form of a report and not in the form of a memorandum.

I therefore ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

PREVENTING LOSS OF NATIONALITY BY REASON OF VOTING UNDER LEGAL COMPULSION IN FOREIGN STATES

The Clerk called the bill (H. R. 434) to provide that nationals of the United States shall not lose their nationality by reason of voting under legal compulsion in a foreign state.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RANKIN. Mr. Speaker, reserving the right to object, may I ask the author of this bill a question?

As I understand, this bill is to take care of certain individuals who went to Australia and who were compelled to vote under Australian law.

Mr. KEARNEY. That is correct. Under the laws of Australia if a person does not vote he is fined. Because of the fact that the particular individual whose case inspired the drafting of this bill was compelled to vote in Australia she lost her citizenship here. There are numerous cases other than hers, I may say.

Mr. RANKIN. They were all in Australia?

Mr. KEARNEY. Yes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 401 (e) of the Nationality Act of 1940, as amended (U. S. C., 1940 ed., title 8, sec. 801 (e)), is amended to read as follows:

"(e) Voting in a political election in a foreign state or participating in an election or plebiscite to determine the sovereignty over foreign territory, unless such voting in a political election or such participation in an election or plebiscite was or hereafter is done under legal compulsion, or."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE NATURALIZATION OF FILIPINOS

The Clerk called the bill (H. R. 776) to authorize the naturalization of Filipinos.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, it is very evident this bill is based on justice. It is a very happy coincidence that it comes up on this day after the powerful speech made by the Resident Commissioner of the Philippines. It will convey a most happy message to the people of those distant islands to have this bill passed by the House by unanimous consent.

Mr. MARCANTONIO. Mr. Speaker, further reserving the right to object, and of course I shall not object, I rise only for the purpose of stating that for four successive Congresses I have introduced bills to provide for the naturalization of Filipinos. In fact mine was the first bill on this subject and hearings were held on it back in 1939. It was strenuously opposed by Members who lacked vision. Therefore it is peculiarly gratifying to me to see this House today adopt this bill unanimously.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Nationality Act of 1940, as amended, is amended to read as follows:

Section 303 of such act is hereby amended to read as follows:

"SEC. 303. The right to become a naturalized citizen under the provisions of this act shall extend only to white persons, persons of African nativity or descent, descendants of races indigenous to the Western Hemisphere, Chinese persons or persons of Chinese descent, and Filipino persons or persons of Filipino descent: *Provided,* That nothing in this section shall prevent the naturalization of former citizens of the United States who are otherwise eligible to naturalization under the provisions of section 317."

SEC. 2. The Nationality Act of 1940 (54 Stat. 1137, 8 U. S. C. 907) is hereby amended by adding a new section, to be known as section 321A, and to read as follows:

"SEC. 321A. Certificates of arrival or declarations of intention shall not be required of Filipino persons or persons of Filipino descent who are citizens of the Commonwealth of the Philippines on the date of the enactment of this section, and who entered the United States prior to May 1, 1934, and have since continuously resided in the United States. The term Filipino persons or persons of Filipino descent as used in this act shall mean persons of a race indigenous to the Philippine Islands and shall not include persons who are of as much as one-half of a race ineligible to citizenship."

SEC. 3. Section 324 (a) of such act, as amended, is amended by striking out after the word "person" the words "including a native-born Filipino."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 401 (a) OF THE NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 387) to amend section 401 (a) of the Nationality Act of 1940.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RANKIN. Mr. Speaker, reserving the right to object, I should like to know what this bill is. May I ask that the bill be read for information?

The SPEAKER pro tempore. Without objection, the Clerk will read the bill for information.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of the second proviso of section 401 (a) of the Nationality Act of 1940, approved October 14, 1940 (54 Stat. 1168; 8 U. S. C. 801 (a)), is hereby amended to read as follows: "*Provided further,* That a person who has acquired foreign nationality through the naturalization of his parent or parents, and who at the same time is a citizen of the United States, shall, if he is abroad and has not theretofore expatriated himself as a citizen of the United States by his own voluntary act, be permitted at any time prior to January 13, 1947, to return to the United States and take up permanent residence therein, and it shall be thereafter deemed that he has elected to be a citizen of the United States."

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MILLER of Nebraska. Mr. Speaker, reserving the right to object, I note that the next three bills deal with the Nationality Act as amended in 1940, and I wonder if they are all similar? I do not quite get the importance of this particular bill that has just been read. If the other three are similar bills, it seems to me they require more consideration by the House, and unless someone can explain them more adequately than they have been up to the present time, I will be forced to object to their consideration at this time.

Mr. DICKSTEIN. Mr. Speaker, reserving the right to object, the bill referred to by the gentleman from Mississippi and the gentleman who just asked the question simply involves cases where parents have left the country, have taken a child born in the United States to the other side, and have become naturalized citizens of a foreign country. Under the present law, the child, notwithstanding the naturalization of his parents in some foreign country, can regain his United States citizenship if he returns to the United States and takes up residence therein before he reaches the age of 23. A number of these American-born children have been unable to return to this country because of lack of transportation resulting from present war conditions, and have thus been prevented from regaining and retaining their American citizenship. This bill simply extends the time limit to January 13, 1947, so that American citizens stranded abroad will not lose their citizenship because of circumstances beyond their control. This bill passed the House during the last Congress.

Mr. RANKIN. Mr. Speaker, further reserving the right to object, this legislation ought to come in under the general rules of the House, if at all, and not come up by unanimous consent. As I said the other day, I am not willing to have our immigration laws destroyed piecemeal in this way. I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

Mr. DICKSTEIN. Mr. Speaker, I object.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. RANKIN. Mr. Speaker, I object to the present consideration of the bill.

Mr. MILLER of Nebraska. Mr. Speaker, I object.

Mr. FELLOWS. Mr. Speaker, I object.

AMENDMENT TO NATIONALITY ACT OF 1940

The Clerk called the bill (H. R. 511) to amend the Nationality Act of 1940.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Messrs. RANKIN, SPRINGER, and McGREGOR objected.

AMENDING SECTION 201 (g) OF THE NATIONALITY ACT OF 1940.

The Clerk called the bill (H. R. 388) amending section 201 (g) of the Nationality Act of 1940.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Messrs. RANKIN, SPRINGER, and MILLER of Nebraska objected.

DISCONTINUING CERTAIN REPORTS NOW REQUIRED BY LAW

The Clerk called the next bill, H. R. 2504, to discontinue certain reports now required by law.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. COCHRAN. Mr. Speaker, will the gentleman reserve his request for a moment?

Mr. COLE of New York. Yes.

Mr. COCHRAN. Mr. Speaker, will the gentleman please state what his objections are to this bill?

Mr. COLE of New York. Mr. Speaker, the reason for my request is to make sure that the membership of the House

is completely advised as to just what reports this bill makes unnecessary to be filed with the Congress. If the gentleman can assure us that the chairmen and ranking minority members of the committees having jurisdiction over the laws requiring these reports have been consulted and have no objection to the discontinuance of the reports, then I have no objection.

Mr. COCHRAN. May I say to the gentleman that practically this same bill passed the House without objection in the last Congress. It was reintroduced in this Congress with several changes. A letter was sent to every committee calling attention to the bill, including a copy of the bill, and asking if there was any objection to any item in the bill. We received one reply, and that was from the chairman of the gentleman's own committee, the gentleman from Georgia [Mr. VINSON]. There was an item in there with reference to oil properties that the gentleman from Georgia [Mr. VINSON] felt the committee would like to have a report on.

Immediately upon receiving that information, that provision was stricken from the bill. Later on the gentleman from Washington [Mr. JACKSON], chairman of the Committee on Indian Affairs, asked that one of the three items in the bill be stricken. It is my intention to offer an amendment to strike that item out. Aside from those two, there is no complaint.

This involves a large amount of money that is being wasted. There is an awful lot of manpower that is being used that could be used for other purposes. It also conserves a tremendous amount of paper, and there is no information at all that will not be available to an individual Member or any committee of Congress that wants it. I might say to the gentleman that some of these laws are 100 years old and cannot be complied with, because the agency is not now in the Department as it was at the time the law was passed.

Mr. COLE of New York. So that the gentleman will understand, I have no objection to the bill. I think it is highly meritorious. The only thing I want to be sure of is that the committees having jurisdiction over these reports are advised of the step that is being taken by the gentleman's committee.

Mr. COCHRAN. I can assure the gentleman there is absolutely no opposition; at least it has not been disclosed to the committee.

Mr. COLE of New York. There cannot be more than 8 or 10 committees involved. It would be a comparatively simple matter if the clerk of the gentleman's committee would phone to the ranking minority members as well as the chairmen to make sure that there is no objection. If that is done, then I have no objection.

Mr. COCHRAN. If the gentleman wants it to go over, all well and good, but, as I say, the bill was passed before.

Mr. COLE of New York. On that point, does the gentleman tell us that this bill passed by unanimous consent before?

Mr. COCHRAN. It did, and it passed the Senate.

Mr. COLE of New York. Was it on the Consent Calendar?

Mr. COCHRAN. And after it passed the Senate, some Senator said he had not examined it and asked to reconsider the vote.

Mr. COLE of New York. But it was not passed on the Consent Calendar?

Mr. COCHRAN. It was. It was passed on the Unanimous Consent Calendar, and I answered all questions at the time.

Mr. COLE of New York. Perhaps the gentleman is right, but I have no recollection of it.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

TRANSFER OF CERTAIN PROPERTY TO THE CITY OF LOS ANGELES FOR FIRE-STATION PURPOSES

The Clerk called the bill (H. R. 1379) to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, Calif., for fire-station purposes, the title to certain land located at Veterans' Administration facility, Los Angeles, Calif.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 531, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs be, and he is hereby authorized and directed to transfer by quitclaim deed to the city of Los Angeles, State of California, the property hereinafter described and located at the Veterans' Administration facility, Los Angeles, Calif., subject to the conditions that the property shall be used for fire-station purposes and that 24 hours' fire protection be furnished to all accessible parts of the Veterans' Administration facility, Los Angles, Calif., without charge:

That portion of lot 2, block 23, subdivision of Rancho San Jose De Buenos Ayres, as per map recorded in book 26, pages 19 to 25, inclusive, Miscellaneous Records of Los Angeles County, bounded and described as follows:

Beginning at a point in the northeasterly line of Veteran Avenue, formerly Lookout Avenue, as described in deed recorded in book 5162, page 231, of deeds, records of said county, distant thereon eighteen feet northwesterly from the northerly line of that certain twenty-foot strip of land conveyed to the county of Los Angeles for drainage purposes, described in parcel 1 of deed recorded in book 7376, page 225, Official Records of said county, said point of beginning being distant along said northeasterly line of Veteran Avenue northwesterly seven hundred and thirty-three and eighty-five one-hundredths feet from the northwesterly line of Wilshire Boulevard, one hundred feet wide; thence northwesterly along said northeasterly line one hundred feet; thence northeasterly at right angles to said northeasterly line one hundred and fifty feet; thence southeasterly parallel with said northeasterly line of Veteran Avenue one hundred feet; thence southwesterly in a direct line one hundred and fifty feet to the point of beginning; containing three hundred and forty-four one-thousandths acre, more or less.

The deed authorized by this act shall contain the express reservation that should the city of Los Angeles, Calif., either fail to use the property for fire-station purposes or furnish 24 hours' fire protection to all accessible parts of the Veterans' Administration facility, Los Angeles, Calif., then all right, title, and interest in such property shall revert to and revest in and become the property of the United States, except in the event that such failure to so furnish fire protection is temporary and is due to conditions beyond the control of the city of Los Angeles. The deed shall further provide that in the event that all right, title, and interest in such property so revert to and revest in the United States, the city of Los Angeles may remove the buildings and structures then existing on such property upon condition that said city of Los Angeles restore the land as nearly as possible to its former condition without expense to the United States.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 1379, was laid on the table.

VETERANS' ADMINISTRATION

The Clerk called the bill (H. R. 2123) authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Tex., to Dallas County, Tex., for highway purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. RANKIN. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 530, be considered in lieu of the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to grant an easement to the county of Dallas, State of Texas, for highway purposes in certain lands of the Veterans' Administration facility, Dallas, Tex., described as follows:

Beginning at the southeast corner of the Veterans' Administration, Dallas, Tex.; said corner is the intersection of the north line of Ledbetter Drive with the southwest line of the J. K. Sloan survey, abstract No. 1310, which is also the northeast line of the F. Sadler survey, abstract No. 1378; thence by metes and bounds, north thirty degrees west along the easterly boundary line of the Veterans' Administration reservation two thousand and twenty-three and eight-tenths feet; thence north thirty-eight degrees and fifty minutes west continuing along said easterly boundary line three hundred and two and three-tenths feet; thence north fifty-seven degrees and three minutes west five hundred and thirty-five and six-tenths feet to a point in the easterly boundary line of the Veterans'

Administration reservation; thence north eighty-three degrees and three minutes west along said easterly boundary line thirty-one and nine-tenths feet; thence north fifty-eight degrees and thirty-three minutes west continuing along said easterly boundary line four hundred and eighty and nine-tenths feet; thence south thirty-two degrees and fifty-seven minutes west thirty-three and four-tenths feet; thence south fifty-seven degrees and three minutes east eight hundred and thirty-three and seven-tenths feet; thence on a curve to the right, with a radius of one thousand two hundred and forty-three and fifty-seven one-hundredths feet, five hundred and eighty-seven and two-tenths feet along the curve, the chord of which bears south forty-three degrees thirty-one minutes and thirty seconds east five hundred and eighty-one and sixty-seven one-hundredths feet; thence south thirty degrees east one thousand nine hundred and eighteen and two-tenths feet to a point in the north line of Ledbetter Drive; thence north sixty degrees east sixty feet to the point of beginning; containing four and forty-one one-hundredths acres, more or less.

The easement herein authorized to be granted shall be limited to the period of time the aforesaid lands are required and actually used for highway purposes, and when no longer so required and used, all interests herein authorized to be conveyed in said lands shall cease and determine.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 2123, was laid on the table.

FREE HIGHWAY BRIDGE ACROSS MISSISSIPPI RIVER, HASTINGS, MINN.

The Clerk called the bill (H. R. 533) authorizing the State of Minnesota Department of Highways to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Hastings, Minn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State of Minnesota Department of Highways be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Hastings, Minn., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the State of Minnesota Department of Highways all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 2, line 18, insert the following:

"SEC. 3. The authority granted by this act shall terminate if the actual construction of the bridge herein authorized is not commenced within 2 years and completed within 4 years from the date of the enactment of this act."

Line 22, strike out "3" and insert "4."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREE SUSPENSION BRIDGE, WILLIAMSON, W. VA.

The Clerk called the bill (H. R. 1184) to authorize Slater Branch Bridge and Road Club to construct, maintain, and operate a free suspension bridge across the Tug Fork of the Big Sandy River at or near Williamson, W. Va.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Reserving the right to object, Mr. Speaker, there are four bills on the calendar today reported by the Committee on Interstate and Foreign Commerce, granting the consent of Congress to the construction of highway bridges or foot bridges over navigable waters. In two of these authorizations a limitation is contained requiring that construction be commenced within 2 years and completed within 4 years. In the other two measures there is no such limitation. The bill now before the House is one of those bills which do not have the 2-year limitation. Apparently the Committee on Interstate and Foreign Commerce has adopted as a matter of policy the requirement that action be taken under this authorization within a 2-year period. If it is to be applied to one case, it should be made applicable to all. Therefore, at the proper time I shall offer such an amendment to the pending bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Slater Branch Bridge and Road Club (not incorporated), its successors or assigns, is hereby authorized to construct, maintain, and operate a free suspension bridge and approaches thereto across the Tug Fork of the Big Sandy River between Pike County, Ky., and Mingo County, W. Va., at mile 52.5 at or near Williamson, W. Va., at a point suitable to the interests of navigation, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 3, strike out "not incorporated)."

The committee amendment was agreed to.

Mr. COLE of New York. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York: Page 2, after line 6, insert a new section, as follows:

"SEC. 2. The authority granted by this act shall terminate if the actual construction of the bridge herein authorized is not commenced within 2 years and completed within 4 years from the date of the enactment of this act."

Page 2, line 7, strike out "2" and insert "3."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREE HIGHWAY BRIDGE ACROSS THE MISSISSIPPI RIVER AT OR NEAR NEW ORLEANS, LA.

The Clerk called the bill (H. R. 1652) granting the consent of Congress to the State of Louisiana to construct, maintain, and operate a free highway bridge across the Mississippi River at or near New Orleans, La.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Louisiana to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near New Orleans, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in that act.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. COLE of New York. Mr. Speaker, I offer an amendment perfecting the bill.

The Clerk read as follows:

Amendment offered by Mr. COLE of New York:

On page 2, after line 2, insert a new section:

"Section 3. The authority granted by this act shall terminate if the actual construction of the bridge herein authorized is not commenced within 2 years and completed within 4 years from the date of the enactment of this act."

On page 2, line 3, strike out "2" and insert "3."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS PIGEON RIVER, MINN.

The Clerk called the bill (H. R. 1659) authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate international commerce, improve the postal service, and provide for military and other purposes, the Department of Highways of the State of Minnesota is hereby authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Pigeon River, so far as the United States has jurisdiction over the waters of

such river, at a point suitable to the interests of navigation below High Falls on said Pigeon River, on Trunk Highway No. 61, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, subject to the conditions and limitations contained in this act, and subject to the approval of the proper authorities in the Dominion of Canada.

SEC. 2. The rights, privileges, and powers conferred upon the Department of Highways of the State of Minnesota by this act may be exercised by such department in cooperation with the Dominion of Canada or any political subdivision or agency thereof, which may agree with such department in the construction, maintenance, and operation of such bridge.

SEC. 3. The authority granted by this act shall terminate if the actual construction of the bridge herein authorized is not commenced within 2 years and completed within 4 years from the date of the enactment of this act.

SEC. 4. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

THE SAN CARLOS IRRIGATION PROJECT

The Clerk called the bill (H. R. 1656) to authorize the Secretary of the Interior to modify the provisions of a contract for the purchase of a power plant for use in connection with the San Carlos irrigation project.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KEAN. Mr. Speaker, reserving the right to object, I would like to ask the author of the bill some questions about this. It would seem, as I read the report, that the Office of Indian Affairs entered into a legitimate contract with a corporation for certain payments; that this corporation did not get the business which they expected from the Government and now they want to squeal out of the contract. Personally, I do not think it is the proper kind of a bill, but I would like to ask the author of the bill about it.

Mr. MURDOCK. Mr. Speaker, the gentleman does not have a correct picture in mind. This bill covers this situation: The Christmas Copper Co., of Arizona, sold a Diesel electric power plant to the Government for approximately $60,000. Incidentally, that was a little more than half the actual value of the plant. This was sold to the Government at a time when water was very low in San Carlos Lake behind Coolidge Dam and power was needed for pumping on the Indian reservation below Coolidge Dam. The consideration was as follows: A part of that price was to be paid in cash and was paid, but $33,000 of it was to be paid in electric power. The Government was to furnish the company this power. All of that power was to be taken by the Christmas Copper Co., according to the contract, by the end of the year 1944. The Christmas Copper Co. had an understanding with the War Production Board whereby they would extend their mining facilities, the copper mine and mining of fluxing ore. But only a part of that arrangement was carried through, so that the Christmas Copper Co. could not use all of the $33,000 worth of electric power within the time limit. This failure was through no fault of theirs.

They asked to have the contract modified. The Government was willing to modify it but there was so much delay that the end of the year 1944 came before any contract was modified. This bill would authorize the Secretary of the Interior to modify that contract so that the remaining approximately $18,000 could be paid to this company in electric power. It is a just and fair bill. It is a legal claim against the Government and this is, in my judgment, proper authorization.

Mr. KEAN. May I say to the gentleman, the gentleman from Arizona said there was an arrangement with the War Production Board. The report says "at the time the contract was entered into it appeared as though the War Production Board would approve a greatly expanded program." It seems to me that this company has entered into a normal business risk and has made a mistake, like we all do when we are in business, and that there is no reason why they should be bailed out by legislation.

Mr. MURDOCK. No; this is not a matter of "bailing out" the company, but finishing proper payment on this purchase. Let me say further that the War Production Board has relied greatly upon this company, not so much in the production of copper, but in the production of fluxing ore, which ore is necessary at the smelters at Ray and Hayden, Ariz., and without which much needed copper could not be produced.

Mr. KEAN. If the gentleman will get a letter from the War Production Board recommending this bill, I will not object.

Meantime, Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

READJUSTING THE RATES OF POSTAGE ON FOURTH-CLASS MATTER

The Clerk called the bill (H. R. 2502), readjusting the rates of postage on fourth-class mail matter, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CHURCH. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDING SECTIONS 4, 7, AND 17 OF THE RECLAMATION ACT

The Clerk called the bill (H. R. 528), to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187), for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MADDEN. Mr. Speaker, the bill S. 37 is an identical bill. I ask unanimous consent that it be substituted for the House bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 4 (d) of the Reclamation Project Act of 1939 is hereby amended to read as follows:

"(d) For each project contract unit where a repayment contract is entered into pursuant to this section, each year the percentage of the normal returns for said year by which the annual returns of said year exceed or are less than said normal returns shall be determined by the Secretary. For each unit or major fraction of a unit of said percentage of said increase or decrease there shall be an increase or decrease, respectively, of 2 percent in the amount or amounts of the installment or installments for said year under the organization's obligation or obligations as determined under subsections (b) and (e) of this section. Said latter amount or amounts as thus increased or decreased shall be the payment or payments of construction charges due and payable for said year, except that in no event shall the amount of the said payment or payments due and payable for any year be less than 15 percent nor, as determined by the Secretary, more than from 150 to 200 percent, inclusive, of the amount or amounts of the installment or installments for said year under the organization's obligation or obligations as determined under subsections (b) and (e) of this section. The Secretary is hereby authorized to amend any repayment contracts heretofore or hereafter entered into pursuant to the provisions of this section to conform to the provisions of this amendment."

SEC. 2. Section 7 (c) of the Reclamation Project Act of 1939 is hereby amended to read as follows:

"(c) The Secretary from time to time shall report to the Congress on any proposed contracts negotiated pursuant to the authority of subsection (a) or (b) (1) of this section, and he may execute any such contract on behalf of the United States only after approval thereof has been given by act of Congress. Contracts, so approved, however, may be amended from time to time by mutual agreement and without further approval by Congress if such amendments are within the scope of authority heretofore or hereafter granted to the Secretary under any act, except that amendments providing for repayment of construction charges in a period of years longer than authorized by this act, as it may be amended, shall be effective only when approved by Congress."

SEC. 3. Section 17 of the Reclamation Project Act of 1939 is hereby amended to read as follows:

"(a) The authority granted in sections 3 and 4 of this act for modification of existing repayment contracts or other forms of obligations to pay construction charges shall continue through December 31, 1950, or December 31 of the fifth full calendar year after the cessation of hostilities in the present war, as determined by proclamation of the President or concurrent resolution of the Congress, whichever period is the longer.

"(b) The Secretary is hereby authorized, subject to the provisions of this subsection, to defer the time for the payment of such

part of any installments of construction charges under any repayment contract or other form of obligation (exclusive of contracts entered into under this act) that are due and unpaid as of the date of this amendment or which will become due prior to the expiration of the authority under subsection (a) of this section as he deems necessary to adjust such installments to amounts within the probable ability of the water users to pay. Any such deferment shall be effected only after findings by the Secretary that the installments under consideration probably cannot be paid on their due dates without undue burden on the water users, considering the various factors which in the Secretary's judgment bear on the ability of the water users so to pay.

"The Secretary may effect the deferments hereunder subject to such conditions and provisions relating to the operation and maintenance of the project involved as he deems to be in the interest of the United States. If, however, any deferments would affect installments to accrue more than 12 months after the action of deferment, they shall be effected only by a formal supplemental contract. Such a contract shall provide by its terms that, it being only an interim solution of the repayment problems dealt with therein, its terms are not, in themselves, to be construed as a criterion of the terms of any amendatory contract that may be negotiated pursuant to section 3, 4, or 7 of this act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 528) was laid on the table.

AMENDING SECTION 9 OF THE BOULDER CANYON PROJECT ACT

The Clerk called the bill (H. R. 2742), to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That section 9 of the Boulder Canyon Project Act (45 Stat. 1057, 1063, 43 U. S. C., sec. 617h) is amended to read as follows:

"All lands of the United States found by the Secretary of the Interior to be practicable of irrigation and reclamation by the irrigation works authorized herein shall be withdrawn from public entry. Thereafter, at the direction of the Secretary of the Interior, such lands shall be opened for entry, in tracts varying in size but not exceeding 160 acres, as may be determined by the Secretary of the Interior, in accordance with the provisions of the reclamation law, and any such entryman shall pay an equitable share in accordance with the benefits received, as determined by the said Secretary, of the construction cost of said canal and appurtenant structures; said payments to be made in such installments and at such times as may be specified by the Secretary of the Interior, in accordance with the provisions of the said reclamation law, and shall constitute revenue from said project and be covered into the fund herein provided for: *Provided*, That all persons who served in the United States Army, Navy, Marine Corps, or Coast Guard during World War No. II, the War with Germany, the War with Spain, or in the suppression of the insurrection in the Philippines, and who have been honorably separated or discharged therefrom or placed in the Regular Army or Naval Reserve, shall have the exclusive preference right for a period of 3 months to enter said lands, subject, however, to the provisions of subsection (c) of section 4 of the act of December 5, 1924 (43 Stat. 672, 702, 43 U. S. C., sec. 433); and also, so far as practicable, preference shall be given to said persons in all construction work authorized by this chapter: *Provided further*, That in the event such an entry shall be relinquished at any time prior to actual residence upon the land by the entryman for not less than 1 year, lands so relinquished shall not be subject to entry for a period of 60 days after the filing and notation of the relinquishment in the local land office, and after the expiration of said 60-day period such lands shall be open to entry, subject to the preference in this section provided."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INSURING A SUPPLY OF DOMESTIC NATURAL RUBBER

The Clerk called the bill (H. R. 2347) to provide and insure a dependable supply of domestic natural rubber, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COLE of New York. Mr. Speaker, reserving the right to object, in view of the fact that this bill inaugurates a new program for the Government by way of subsidizing the cultivation of rubber in this country and adopts a new policy, I feel it should not be passed by unanimous consent.

I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

TLINGIT AND HAIDA INDIANS OF ALASKA

The Clerk called the bill (H. R. 1804) to amend the act of Congress entitled "An act for the relief of the Tlingit and Haida Indians of Alaska," approved June 5, 1942.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, reserving the right to object, I would like to ask somebody to explain why the report and the letter from the Secretary of the Interior both provide for a 3-year extension of time, and the bill itself provides for an extension of 6 years.

In line 9 the language is: "is hereby extended for a period of 6 years from and after the date of the approval of this act."

Mr. FERNANDEZ. I may say to the gentleman from Missouri that the chairman of the committee is not present. He is out of the city. It is, however, only a difference of the time during which claims may be filed and approved. It has already been extended for a period of 3 years, but they ran into difficulties and have not been able to present the claims properly. They are now asking this additional extension. I am sorry I cannot explain the matter further.

Mr. COCHRAN. But the language very plainly reads: "6 years."

Mr. FERNANDEZ. That is right.

Mr. COCHRAN. From and after the date of the approval of this act. I am perfectly willing to let them have the 3 years that the committee and the Secretary of the Interior recommended.

Mr. COLE of New York. Mr. Speaker, will the gentleman yield?

Mr. COCHRAN. I yield.

Mr. COLE of New York. The gentleman will observe that this bill amends existing law, an act which was passed on June 5, 1942. It amends that act to read "6 years" instead of 3. The effect of this bill is to add 3 more years to the period already granted, making the total 6 instead of 3, the time to run from June 5, 1942.

Mr. COCHRAN. I have no objection to that.

Mr. FERNANDEZ. That is correct; the time is extended for 3 years only.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That an act entitled "An act for the relief of the Tlingit and Haida Indians of Alaska," approved June 5, 1942 (56 Stat. 323), is amended to read as follows:

"That the time within which suit or suits may be filed by the Tlingit and Haida Indians of Alaska under the terms of the act of Congress of June 19, 1935 (ch. 275, 49 Stat. L. 388), is hereby extended for a period of 6 years from and after the date of the approval of this act."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

KLAMATH TRIBE OF INDIANS

The Clerk called the bill (H. R. 2296) amending the act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath business committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe, as amended, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENSEN. Mr. Speaker, reserving the right to object, I ask that this bill be explained by whoever knows anything about it. If not, I shall be obliged to object.

Mr. FERNANDEZ. Mr. Speaker, I shall be glad to give the gentleman the benefit of what I know about the bill. I was in the committee at the time it was considered.

This bill amends present law so as to permit the Indians to pay their employees from their funds a little higher salaries than they are being paid now.

It was held that the old overtime pay act did not apply to these employees, consequently they are underpaid. The Indian Service believes they should be paid a little higher. This bill simply lifts the limitation, but the pay which the Indians may give their employees out of their own funds must be approved by the Secretary.

The next change that is made is that the $10,000 limitation per year is lifted, raised to $15,000. This tribe handles $3,000,000 annually, and the sum of $10,000 is insufficient to take care of the

employees necessary to handle the business of the Indian tribe. For this sum they cannot get the proper kind of men. The men now employed were employed with the understanding that action would be taken to see to it that they got the equivalent of the increase that other civil employees got under the overtime pay act.

These are the purposes of the bill.

Mr. JENSEN. Mr. Speaker, I believe this to be too important a bill and too far-reaching to be passed with so little consideration. I therefore ask unanimous consent, Mr. Speaker, that this bill may be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

CONSERVATION OF FISH AND WILDLIFE ON THE KLAMATH RESERVATION, OREG.

The Clerk called the bill (H. R. 2297) to provide for the conservation of fish and wildlife on the Klamath Reservation, in Oregon, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the general council of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians be, and they hereby are, authorized to adopt a fishing, hunting, and trapping code for regulating fishing and hunting on their reservation in Oregon and for conserving and restoring fish and wildlife thereon.

SEC. 2. Said code shall become effective when approved by the Commissioner of Indian Affairs. Any employee of the Department of the Interior authorized by the Secretary of the Interior to enforce such code is empowered, with or without warrant, to arrest any Indian or non-Indian committing a violation of said regulations or tribal codes in his presence or view and to seize all fish and wildlife, and all guns, ammunition, boats, fishing tackle, traps, and other equipment capable of being used in the taking of fish and wildlife, which are found in the possession of such Indian or non-Indian at the time of his arrest. Persons so arrested shall be taken immediately for examination or trial before (an officer) a United States commissioner or court of competent jurisdiction, and property so seized shall be delivered forthwith into the custody of the (officer) United States commissioner or court before whom such person is taken. Any employee of the Department of the Interior authorized as in this section provided is also empowered to execute any warrant of arrest, search warrant, or other lawful process issued by (an officer) a United States commissioner or court of competent jurisdiction for the enforcement of said code. Warrants shall be issued only upon proper oath or affirmation showing probable cause.

SEC. 3. Any person who shall violate such code shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than $500 or imprisonment for not more than 6 months, or both. Any United States commissioner or court of competent jurisdiction may order the forfeiture to the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians or the United States of all fish and wildlife and all guns, ammunition, fishing tackle, traps, and other equipment found in the possession of the offender which could be used in taking fish and wildlife. Forfeits shall be disposed of as directed by the commissioner or the court. In lieu of forfeiture the commissioner or the court may order the return of such equipment to the owner within 1 year.

With the following committee amendments:

The amendments are as follows:

In line 10, page 2, strike the words "(an officer)."

In line 12, page 2, strike the word "(officer)."

In line 17, page 2, strike the words "(an officer)."

In line 7, page 3, strike the word "or" and substitute therefor the word "of."

On page 3, add the following section:

"SEC. 4. Nothing contained in this act shall be held or construed to impair or diminish any rights, including the exclusive right by treaty of taking fish in the streams and lakes included in the reservation, of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE LEASING OF INDIAN LANDS

The Clerk called the bill (H. R. 2586) to authorize the leasing of Indian lands for business and other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. JENSEN. Mr. Speaker, reserving the right to object, will someone please explain this legislation?

Mr. FERNANDEZ. Mr. Speaker, in this bill it is provided that the Indians be permitted to make leases for 25 years with the consent of the Indian Service. Under the present law they can only make leases for 5 years in some cases and for 10 years in other cases. It is necessary at times to lease property for airport purposes, for example, and they will not take this land for only 10 years. These people will have to have a longer term than that. Likewise, the Department of Agriculture on occasions wants to lease land on which to place experiment stations and they cannot do it because the time limit is too short. The Indians themselves cannot develop their lands because those who are in position to develop the lands will not take them for 5 years.

Mr. JENSEN. Mr. Speaker, I thank the gentleman, but this kind of legislation should be considered by the Committee on Indian Affairs. This is not a proper manner in which to legislate. It is an important matter and certainly should not come to the floor of the House and be passed by unanimous consent.

Mr. FERNANDEZ. Mr. Speaker, the Committee on Indian Affairs has unanimously recommended the bill, the Department has reported on the bill and is for it, the Secretary of the Interior has recommended passage of the bill, and there is no objection from any source that I know of to the legislation. The Bureau of the Budget has no objection to the bill.

Mr. JENSEN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. MADDEN. Mr. Speaker, that completes the call of the bills on the Consent Calendar.

EXTENSION OF REMARKS

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a statement made by a former Member of this House, William F. Bennett, as president of the Empire State Society, at the Plaza Hotel, in New York, at 6:15 p. m., April 12.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

RELIEF OF HANSON, ORTH, AND STEVENSON, INC.

Mr. WADSWORTH. Mr. Speaker, I ask unanimous consent that the Committee on Claims be discharged from further consideration of the bill (H. R. 1801) for the relief of Hanson, Orth, and Stevenson, Inc., and that the bill be referred to the Committee on War Claims.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD and to include an editorial.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is Private Calendar day. The Clerk will call the first bill on the Private Calendar.

CLAIMS OF MESSRS. GEORGE A. CARDEN AND ANDERSON T. HERD

The Clerk called the bill (H. R. 1270) to provide for an appeal from the decision of the Court of Claims in a suit instituted by George A. Carden and Anderson T. Herd.

Messrs. COCHRAN and SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

ELIAS BAUMGARTEN

The Clerk called the bill (H. R. 1353) for the relief of Elias Baumgarten.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws, relating to the issuance of immigration visas for admission to the United States for permanent residence and relating to admissions at ports of entry of aliens as immigrants for permanent residence in the United States, the provisions of section 3 of the Immigration Act of 1917 (39 Stat. 875), as amended (U. S. C., title 8, sec. 136 (e)), which exclude from admission into the United States "persons who have been convicted of or admit having committed a felony, or other crime or misdemeanor involving moral turpitude," shall not hereafter be held to apply to Elias Baumgarten, on account of a conviction in Austria while a youth for having been involved in the stealing of certain merchandise. If he is

found otherwise admissible under the immigration laws an immigration visa may be issued and admission granted to Elias Baumgarten under this act upon application hereafter filed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAM D. MOAK

The Clerk called the bill (H. R. 1486) for the relief of Sam D. Moak.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam D. Moak, of Norfield, Miss., the sum of $8,610, in full settlement of all claims against the United States for damages sustained by him on account of the destruction of a concrete building by the One Hundred and Thirty-fifth Engineers Combat Battalion on the 29th of May 1944; said building being destroyed by this combat battalion without any authority whatever given by the owner, Sam D. Moak: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$8,610" and insert "$2,500."

Mr. DOLLIVER. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLIVER to the committee amendment:
Strike out "$2,500" and insert, "$1,250."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REALTY BOND & MORTGAGE CO. AND ROBERT W. KEITH

The Clerk called the bill (H. R. 1055) for the relief of the Realty Bond & Mortgage Co. and Robert W. Keith.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. MADDEN and Mr. TRIMBLE objected, and, under the rule, the bill was recommitted to the Committee on Claims.

COLD SPRING, MINN.

The Clerk called the bill (H. R. 2008) for the relief of the Village of Cold Spring, Minn.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

MRS. RUTH COX

The Clerk called the bill (H. R. 2427) for the relief of Mrs. Ruth Cox.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Ruth Cox, the sum of $10,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Ruth Cox against the United States on account of the death of her husband, Lonnie Cox, who was killed in a collision between the car which he was driving and a United States Army truck, part of a motor convoy, on United States Highway Route 60 between Evansville, Ind., and Owensboro, Ky., on April 28, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the word "Cox", insert "of 743 Keep Street, Linden, N. J."

Page 1, line 6, strike out "$10,000" and insert "$3,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MORGAN CREAMERY CO.

The Clerk called the bill (H. R. 952) for the relief of the Morgan Creamery Co.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EDWARD J. KELLY

The Clerk called the bill (H. R. 2687) to grant the honorary rank of colonel to Edward J. Kelly, major and Superintendent of the Metropolitan Police force of the District of Columbia.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in appreciation and recognition of Edward J. Kelly's 39 years of devoted service to the District of Columbia and its residents, that he shall have the honorary rank of colonel during the remaining period of his encumbency in such office.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DAVE HOUGARDY

The Clerk called the bill (S. 544) for the relief of Dave Hougardy.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McGREGOR and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

CLINTON L. HOLMES

The Clerk called the bill (H. R. 1487) for the relief of Clinton L. Holmes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifton L. Holmes, of McComb, Miss., the sum of $458.15, in full settlement of all claims against the United States, being the amount that was paid him by the postmaster at McComb, Miss., for overtime work as superintendent of the branch office of the McComb post office at Camp Van Dorn, Miss., for the quarters ending June, September, and December 1943, which sums the Comptroller General says were erroneously paid to him and a demand is now being made that the Post Office Department be reimbursed by said Clifton L. Holmes.

With the following committee amendment:

Strike out all after the enacting clause and insert "That the Comptroller General of the United States be, and he is hereby, authorized to allow credit in the accounts of the postmaster at McComb, Miss., for payments totaling $458.15 representing overtime compensation paid by the postmaster for the quarters ended June, September, and December 1943 to Clifton L. Holmes, of McComb, Miss., which sum the Comptroller General holds was erroneously paid to him, and, in respect of which a demand now is being made that the Post Office Department be reimbursed by said Clifton L. Holmes.

"SEC. 2. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Clifton L. Holmes, such portion of the total amount mentioned in section 1 as he had refunded to the United States: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADOLPH PFANNENSTIEHL

The Clerk called the bill (H. R. 1952) for the relief of Adolph Pfannenstiehl.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McGREGOR and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

J. H. ATKINS

The Clerk called the bill (H. R. 2593) for the relief of J. H. Atkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. H. Atkins, of the city of Tazewell, Tenn., the sum of $2,500, in full settlement of all claims against the United States, for personal injuries sustained by him on May 21, 1934, near Lone Mountain, Tenn., when a Civilian Conservation Corps truck from Tennessee Valley Authority Camp No. 25 caused the horse which he was riding to fall, throwing said J. H. Atkins off and breaking his leg: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HEIRS OF IDA LONDINSKY

The Clerk called the bill (H. R. 2697) for the relief of the heirs of Ida Londinsky.

Mr. McGREGOR and Mr. DOLLIVER objected and, under the rule, the bill was recommitted to the Committee on Claims.

MARGARET J. POW

The Clerk called the bill (H. R. 2701) for the relief of Margaret J. Pow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for the employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, as amended (U. S. C., 1934. ed., title 5, secs. 767 and 770), are hereby waived in favor of Margaret J. Pow, on account of the death of her husband, Alexander Simpson Pow, which is alleged to have resulted August 10, 1936, from exposure while on duty as a certifying engineer of the Smithfield Court housing project at Birmingham, Ala., and her claim for compensation is authorized to be considered and acted upon under the remaining provisions of such act, as amended, if she files such claim with the United States Employees' Compensation Commission not later than 60 days after the date of enactment of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARDY H. BRYANT

The Clerk called the bill (H. R. 2005) for the relief of Hardy H. Bryant.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

LAWRENCE MOTOR CO., INC.

The Clerk called the bill (S. 288) for the relief of the Lawrence Motor Co., Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of the Lawrence Motor Co., Inc., Richmond, Va., for the payment of rental for passenger cars furnished to the Office of Price Administration, Richmond, Va., during the period June 1, 1943, to January 4, 1944, inclusive, for use in transporting officials of said agency throughout the State of Virginia in connection with the performance of their duties, and to allow in full and final settlement of the claim the sum of not to exceed $5,391.30. There is hereby appropriated the sum of $5,391.30, or so much thereof as may be necessary, for the payment of said claim.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BALDWIN BROS. PAVING CO.

The Clerk called the bill (S. 514) for the relief of the Baldwin Bros. Paving Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of the Baldwin Bros. Paving Co., Cleveland, Ohio, on account of increased costs incurred in the performance of the said company's contract No. ER-T23ps-67338, dated March 17, 1942, with the Procurement Division, Treasury Department, by reason of unavoidable delays on the part of the Work Projects Administration in preparing the runways at the Erie Airport, Erie, Pa., for the application of the asphalt covered by the contract and to allow in full and final settlement of the claim the amount of not to exceed $12,000. There is hereby appropriated the sum of $12,000, or so much thereof as may be necessary, for the payment of the said claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADELL BROWN AND ALICE BROWN

The Clerk called the bill (H. R. 244) for the relief of Adell Brown and Alice Brown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sums of $500 to Adell Brown and $300 to Alice Brown, in full payment for all damages for personal injuries sustained by them while passengers in a Chevrolet sedan automobile when struck by an Army vehicle on November 7, 1943, on United States Highway No. 41 immediately south of the city of Dalton, Ga.

With the following committee amendment:

At the end of the bill insert the following:

"*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ED WILLIAMS

The Clerk called the bill (H. R. 879) for the relief of Ed Williams.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,315.82, to Ed Williams, of 1442 Forty-third Street, Des Moines, Iowa, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses, loss of wages, and property damage sustained as the result of the automobile which he, Ed Williams, was driving being struck by a United States Army jeep numbered U. S. A. 2069073, on August 20, 1942, in Des Moines, Iowa: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. SPRINGER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPRINGER: Page 1, line 5, strike out "$1,315.82" and insert "$775."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MYLES PERZ

The Clerk called the bill (H. R. 903) for the relief of Myles Perz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the legal heirs of Myles Perz, the sum of $10,000 in full settlement against the Government for injuries resulting in his death on February 3, 1944, caused through negligence on the part of an employee driving automobile owned by the Government, bearing U. S. A. license No. 16997, Chicago Chemical Warehouse. Accident occurred on January 29, 1944, at Chicago, Ill.

With the following committee amendments:

Page 1, line 5, strike out "legal heirs" and insert "estate."

Line 6, strike out "$10,000" and insert "$5,861.85."

Line 7, after "settlement" insert "of all claims."

Line 7, after "the" strike out the remainder of the bill and insert the following: "United States on account of the injury and death of Myles Perz as the result of an accident which occurred on January 29, 1944, at the intersection of Kedzie Avenue and Fillmore Street in Chicago, Ill., when the said Myles Perz was struck by a United States Army vehicle: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MATHEW MATTAS

The Clerk called the bill (H. R. 1031) for the relief of Mathew Mattas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mathew Mattas, New York City, the sum of $50,000. The payment of such sum shall be in full settlement of all claims of the said Mathew Mattas against the United States on account of severe personal injuries sustained by him on January 28, 1943, when he was struck by a United States Army truck at Amsterdam Avenue and West One Hundred and Fifty-sixth Street, New York City: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, strike out "Mathew" and insert "Matthew."

Line 6, strike out "$50,000" and insert "$12,500."

Line 7, strike out "Mathew" and insert "Matthew."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time and passed.

The title was amended so as to read: "A bill for the relief of Matthew Mattas."

A motion to reconsider was laid on the table.

GEORGE HAMPTON

The Clerk called the bill (H. R. 1033) for the relief of George Hampton.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George Hampton, 1802 Oak Grove Street, Pittsburgh, Pa., the sum of $50,000 in full settlement of all claims against the United States for personal injuries and property damage sustained when he emerged from the entrance of the Union Trust Building, Pittsburgh, Pa., and while crossing Grant Street was struck by a vehicle driven by William E. Wagner, who was employed by the United States Postal Service, on November 24, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

On page 1, line 7, strike out "$50,000" and insert "$12,361.23."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARGARET M. MEERSMAN

The Clerk called the bill (H. R. 1241) for the relief of Margaret M. Meersman.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret M. Meersman, Moline, Ill., the sum of $60. The payment of such sum shall be in full settlement of all claims of the said Margaret M. Meersman against the United States for reimbursement of the cost of travel from Moline, Ill., to Sweetwater, Tex., while under official orders to report for Women's Airforce Service Pilot training, which training was terminated while the claimant was en route to Sweetwater, Tex., as a result of administrative action: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SAM WADFORD

The clerk called the bill (H. R. 1482) for the relief of Sam Wadford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sam Wadford, of Vicksburg, Miss., the sum of $10,000, in full settlement of all claims against the United States for injuries received by him on April 17, 1943, when a freight car of the Yazoo and Mississippi Valley Railroad Co., containing war materials, exploded in the railroad yards at Vicksburg, Miss., said car being under the supervision of officers of the United States Army at the time: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with said claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

On page 1, line 5, strike out "Sam" and insert the words "the legal guardian of Samuel."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title of the bill was amended so as to read: "A bill for the relief of the legal guardian of Samuel Wadford."

DR. ALMA RICHARDS

The Clerk called the bill (H. R. 1710) for the relief of Dr. Alma Richards and Mrs. Mary Block.

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent that the bill H. R. 1710 be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FRANCES X. SERVAITES

The Clerk called the bill (H. R. 1847) for the relief of Francis X. Servaites.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to allow credit in the account of Francis X. Servaites, an employee of the Federal Public Housing Authority employed as housing manager of the Willow Court housing project (project No. MICH-20058), Willow Run Village housing project (project No. MICH-20060), and Willow Park housing project (project No. MICH-20113), Ypsilanti Township, Washtenaw County, Mich., in the sum of $4,762.97, together with interest thereon, public funds for which he is accountable, and which were stolen, without his fault, from a safe in the administration building of the Willow Court housing project sometime between the close of business at 5:15 p. m. on October 4, 1943, and the opening of business at 8:45 a. m. on October 5, 1943: *Provided*, That the said Francis X. Servaites is hereby relieved of pecuniary responsibility for the loss of said public funds.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH BRUNETTE

The Clerk called the bill (H. R. 1952) for the relief of Joseph Brunette.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of sections 15 to 20, inclusive, of the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916 (39 Stat. 742), as amended, the United States Employees' Compensation Commission is authorized and directed to receive and consider, as though filed on time, the claim of Joseph Brunette,

of Beaulieu, Minn., for compensation for disability alleged to have resulted from injuries sustained by him on February 15, 1940, in the course of his employment as an enrollee of the Civilian Conservation Corps at Twin Lakes, Minn. Such claim shall be filed within 60 days after the effective date of this act, and no benefits shall accrue prior to such effective date.

With the following committee amendment:

On page 2, line 3, strike out "in the course of his employment" and insert "while working on project CCC-ID, Naytahwaush, Minn."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALEXANDER SAWYER

The Clerk called the bill (H. R. 2361) for the relief of Alexander Sawyer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alexander Sawyer, of 17 Donald Road, Dorchester, Mass., the sum of $11,550, in full satisfaction of all claims against the United States for personal injuries, medical and hospital expenses, and loss of income sustained by him as the result of an accident when an Army ambulance struck him on Blue Hill Avenue, Dorchester, Mass., on January 16, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000

With the following committee amendment:

On page 1, line 7, strike out "$11,550" and insert "$5,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEBANON WOOLEN MILLS, INC.

The Clerk called the bill (H. R. 2782) for the relief of the Lebanon Woolen Mills, Inc.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McGREGOR and Mr. SPRINGER objected, and, under the rule, the bill was recommitted to the Committee on Claims.

JACK SCARTON

The Clerk called the bill (H. R. 267) for the relief of Jack Scarton or John Skarton, formerly Simon Jan Skarzenski.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws the Attorney General is hereby authorized and directed to cancel the warrant of arrest against Jack Scarton, alias John Skarton, formerly Simon Jan Skarzenski, heretofore issued on the grounds that admission to the United States had been fraudulently gained, and that he has been convicted of or admits having committed a felony or other crime or misdemeanor involving moral turpitude prior to entry into the United States, to wit: Carnal abuse and perjury, and that he shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence as of July 1, 1939. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Polish quota of the first year that the said Polish quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN DAMACUS

The Clerk called the bill (H. R. 270) for the relief of John Damacus.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Attorney General is hereby authorized and directed to cancel the warrant of arrest and the order of deportation against John Damacus heretofore issued on the ground that admission to the United States had been fraudulently gained, and that he shall hereafter be deemed to have been lawfully admitted to the United States for permanent residence on April 15, 1927.

With the following committee amendments:

On page 1, line 10, strike out the word "in" and insert the word "on"; after the word "April" insert "15".

On line 10 of page 1, after the period, insert: "Upon the enactment of this Act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Rumanian quota of the first year that the said Rumanian quota is available."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JANE THAYER

The Clerk called the bill (H. R. 2286) for the relief of Jane Thayer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jane Thayer, of Bellingham, Wash., the sum of $9,478.84, in full settlement of all claims against the United States for personal injuries, medical and hospital expenses incident thereto as the result of an accident involving a United States Civilian Conservation Corps truck, at the intersection of Maple and Jersey Streets, Bellingham, Wash., on March 27, 1938: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REALTY BOND & MORTGAGE CO. AND ROBERT W. KEITH

Mr. SHAFER. Mr. Speaker, I ask unanimous consent to return to Calendar 152, H. R. 1055, for the relief of the Realty Bond & Mortgage Co., and Robert W. Keith.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Realty Bond & Mortgage Co. and Robert W. Keith, both of Battle Creek, Mich., the sum of $3,882.95. The payment of such sum shall be in full settlement of all claims of the said Realty Bond & Mortgage Co. and the said Robert W. Keith against the United States for services rendered under a contract with the United States in connection with procuring options on certain real property in Calhoun and Kalamazoo Counties adjacent to Fort Custer, Mich.

With the following committee amendments:

Page 1, line 7, strike out "$3,882.95" and insert "$3,000."

Page 2, line 4, insert "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANKLIN DELANO ROOSEVELT

Mr. ROGERS of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROGERS of New York. Mr. Speaker, I rise in the confidence that I speak for 12,000,000 young men and women in the service of their country, and that I voice an urge that is at this moment in the hearts of all of them—the yearning to honor their late beloved Commander in Chief and to honor him in their own way.

It is a question for this body of my colleagues to decide, Mr. Speaker, whether the highest recognition of courage within the gift of our Government shall be bestowed on that soldier-statesman who led our fighting men, who led them so gallantly and so far on the road to victory before he fell.

Yes. It is for us to decide. But in a larger sense, Mr. Speaker, who among us can say "aye" or "nay" to such an award? It is already made, 12,000,000 times. If we would, Mr. Speaker, we of the Congress could do no more than add, in humble gratitude, our own approval to an expression of the love and the loyalty of that multitude of Americans toward him who was their chief.

Therefore, I ask of my colleagues not that they confer honor where honor is already paid in such generous, eager abundance from young, brave hearts of Americans fighting for their country, but to vote this question rather as if each of us in this House is availing himself of a rare privilege—the privilege vested in him of adding his own vote to that great silent ballot already cast around the world.

In proposing a resolution, Mr. Speaker, to award the Congressional Medal of Honor to the late Franklin Delano Roosevelt, I can think of no more fitting close to these remarks than the lines that came from a greater pen than mine—lines which I believe express the feeling that is in the heart of these young men and women who are fighting for him:

The ship is anchored safe and sound, its voyage closed and done.
From fearful trip the victor's ship comes in with object won.
Exult, O shores, and ring, O bells,
But I, with mournful tread,
Walk the deck my captain lies,
Fallen cold and dead.

On behalf of the men and women in the armed forces of the United States, I move, Mr. Speaker, the following resolution:

Resolved, etc., That the President of the United States is hereby authorized to award, posthumously, in the name of Congress, a Medal of Honor to Franklin Delano Roosevelt, who died April 12, 1945, after having led the armed forces of this Nation, with gallantry and sacrifice of his own life, to the very threshold of certain victory over the enemies of this country; and be it further

Resolved, That the said Franklin Delano Roosevelt has, by the courage he showed as Commander in Chief, deserved the highest recognition of valor within the gift of his Government and of his fellow man.

EXTENSION OF REMARKS

Mr. CANFIELD (at the request of Mr. MARTIN of Massachusetts) was granted permission to extend his remarks in the RECORD and include an editorial.

Mr. ROBSION of Kentucky asked and was given permission to revise and extend his remarks in two instances and to include certain extraneous matter.

Mr. CASE of South Dakota (at the request of Mr. MICHENER) was granted permission to extend his remarks and include some correspondence with the Foreign Economic Administration.

Mr. HAGEN asked and was given permission to extend his remarks in the RECORD and include an article and two small charts.

Mr. DE LACY asked and was given permission to extend his remarks and include a news story from the Bremerton Sun.

Mr. HOFFMAN asked and was given permission to extend his own remarks in the RECORD.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and include a resolution from the Arkansas General Assembly.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that on tomorrow, following any other special orders, I may address the House for 5 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HORAN. Mr. Speaker, I ask unanimous consent that on tomorrow, following the remarks of the gentleman from Kansas [Mr. REES] I may address the House for 15 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

VE-DAY IS IN SIGHT

Mr. D'ALESANDRO. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. D'ALESANDRO. Mr. Speaker, we should not celebrate VE-day by merrymaking and noise. It is far better that we go to our churches and synagogues and thank God that the end of war in Europe is at hand.

This dreadful conflict seems to be nearing the end of organized resistance in Europe, but for the families who have lost their loved ones it is only a day of commemoration. For the wounded soldier in the hospital it is only another day of physical suffering.

Yes; let us rejoice that we have won the victory, that our cities have not been devastated, or our peoples taken into slavery, but let us resolve that never again in the history of the world will tyrants ever trample free men underfoot.

Only a part of this world-wide struggle is over. In the Pacific the war continues. We cannot pause in our efforts; we must end that war victoriously and soon.

War workers, I plead with you not to leave your defense plants, but continue your work until the day of peace—complete peace.

Let this be a day of thanksgiving and prayer. Let us remember our departed loved ones who sleep forever in foreign soil. Let us remember our late Commander in Chief who sleeps on the banks of the Hudson, and let us pray for complete victory and everlasting peace.

THE LATE FRANKLIN DELANO ROOSEVELT

Mr. EARTHMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. EARTHMAN. Mr. Speaker, the monarch of the forest has fallen and there is mourning in the land. The spirit of Franklin Delano Roosevelt has gone to the world of peace, after which he was attempting to pattern the lands of our world.

He had endured more than his share of war and strife, but now he will rest. It was for a world-wide peace and rest from war that he dedicated his life, and for these he strove to the end.

He did not live to see the full fruition of his labors and his hopes, neither does the blossom which falls away after it has caught within its heart and nourished the germ of a richer life to come.

But as the perfect fruit could never be without the bloom, so peace on earth can never be unless its roots are struck deep in the soil of unselfishness and love which only come from a Christian faith and purpose, enriched and made fallow by the life and death of Franklin Roosevelt.

He was truly a minister of justice, an apostle of freedom, ordained by God to guide mankind out of the dark tempestuous seas of passion to the ports of light and safety.

Great was the task and great the man to perform it. And he did not fail any more than the seed fails when its birth pangs are over.

It matters not to his eternal fame that the harsh notes of discordant forces arose and assailed him.

Calumny did not spare Washington, nor Jefferson, nor Jackson; Christ was crucified by his enemies; and Roosevelt will tower in undiminished stature like a great rock in a weary land, his colossal figure limned against the sky when his detractors are forgotten and their censoring voices become inaudible in the onward sweep of the centuries.

Is the still, cold body that lies motionless—yonder in Hyde Park—all that is left of the man who led us out of economic despair and was leading us successfully through a raging war? Did the giant brain, indomitable and aspiring spirit perish when the last fleeting breath departed?

Surely somewhere there is a reincarnation, and in mansions above the immortal part of Franklin Roosevelt walks with the just, and finds communion in the academic groves with those, like him, who were not born to die.

What Mr. Roosevelt did and tried to do is one of the priceless heritages of the ages, and what he said and what he wrote has embellished the English language and increased the height and breadth of human thought.

He offered his life as a definition and example of exalted service, gave to mankind fresh views and ardor for liberty, and advanced among the nations the honor and renown of his country. In a crisis of human affairs, when a turning of the scale meant weal or woe for millions, Franklin Roosevelt as President of the United States stood—

On fortune's crowning slope,
The pillar of a people's hope,
The center of a world's desire.

In death the world he tried to save will not forget him. Millions will follow him in spirit to his last resting place and scatter flowers of affection and memory on the mound above his sleeping form,

for Mr. Roosevelt, too, strove for others, like his Master, and, like his Master, died in his work.

"I am ready," the soul of Franklin Delano Roosevelt answered to the knocking of the angel at the door of the little white cottage at Warm Springs, and he was ready.

Americans have many names to conjure with, to point the way to duty, and discover the loss of national honor.

Washington, Jefferson, and Lincoln taught men how to live, and now comes Franklin Roosevelt to teach men how to die. Washington carved this Republic out with his sword, Jefferson penned its plan of a free life and liberty for her people, Lincoln preserved her unity of spirit and effort, and Franklin Delano Roosevelt has sounded its name and borne its fame to earth's remotest bounds.

MARCH OF QUARTERS FOR ROOSEVELT MEMORIAL MONUMENT

Mr. DWORSHAK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. DWORSHAK. Mr. Speaker, many proposals for memorials in honor of our late President are being made. One of my constituents, who is a prominent businessman in Twin Falls and was formerly mayor of the city, has submitted a proposal for a memorial which he has recently made. It is likely his suggestion will have widespread appeal, as it would provide a large sum for a monument, and would also give all people, regardless of their financial status, an opportunity to participate in this project. I desire to read from a telegram which I have received from my constituent:

We have suggested people's movement for project march of quarters for Roosevelt memorial monument. This was sent A. P. by Times-News Saturday. Most western papers have taken up the project. Wrote letter to President Truman suggesting he head executive committee. Sent him 10 quarters from Roxy owners and staff. See "Joe-K Says" heading my ad in telegram, Saturday. Story Monday. Story Times-News Sunday. Am sending letter and interesting motion picture war activities committee in this project.

JOE-K KOEHLER.

AMERICAN TANKS

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to proceed for 5 minutes, in order to read a letter from Under Secretary of War Patterson and one from General Patton.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, the letter I am about to read is from Under Secretary of War Patterson. Addressing me, he writes:

WAR DEPARTMENT,
OFFICE OF THE UNDER SECRETARY,
Washington, D. C., April 14, 1945.

Hon. J. BUELL SNYDER,
House of Representatives,
Washington, D. C.

DEAR MR. SNYDER: In answer to your recent personal inquiry as to the fighting qualities of our tanks, I am enclosing a copy of a letter which General Patton sent to the Deputy Chief of Staff in March which presents, I think quite fully, the information you desire.

I know I need not mention to you that there is no official in the American Army, in this country or overseas, who is better qualified to comment on the capabilities of our mechanized equipment than is General Patton. If after reading the enclosure you desire additional information you need only to let me know and I will see that it is sent to you.

With kindest regards,
Sincerely yours,

ROBERT P. PATTERSON,
Under Secretary of War.

General Patton's letter reads as follows:

HEADQUARTERS,
THIRD UNITED STATES ARMY,
OFFICE OF THE COMMANDING GENERAL,
March 19, 1945.

MY DEAR GENERAL HANDY: It has come to my knowledge that certain misguided or perhaps deliberately mendacious individuals, returning from the theater of war, have criticized the equipment of the American soldier. I have been in command of fighting units since the 7th of November 1942, and may therefore claim some knowledge of the various types of equipment.

With reference to the tank, either Mark V (light—General Stuart) or Mark IV (medium—General Sherman), it has been stated at home that these tanks are not comparable with the German Mark VI, the so-called Panther- and Tiger-type tanks. This statement is wholly incorrect for several reasons.

Since August 1, 1944, when the Third Army became operational, our total tank casualties have amounted to 1,136 tanks. During the same period we have accounted for 2,287 German tanks, of which 808 were of the Tiger or Panther variety, and 851 on our side were Mark IV.

These figures of themselves refute any inferiority of our tanks, but let me add that the Third Army has always attacked, and therefore better than 70 percent of our tank casualties have occurred from dug-in antitank guns and not enemy tanks, whereas a majority of the enemy tanks put out have been put out by our tanks.

It is patent that if a Tiger tank with an enormous thickness of armor were put at one end of a village street and engaged in a fire fight with a Mark IV tank at the other end, the Mark IV tank would not last. However, the great mobility of the Mark IV tank usually enables it to circumvent the slow and unwieldy Tigers and not to engage in a slugging match but to attack them from the rear.

With the advent of the heavy, cumbersome Tiger tank the German, in my opinion, lost much of his ability in armored combat. These tanks are so heavy and their road life is so short that the German uses them as guns and not as tanks, that is, he uses them on the defense against our armor, whereas we invariably try and generally succeed in using our armor on the offensive against his infantry, which is the proper use of armor.

Had the armored divisions which accompanied the Third Army across France been equipped with Tiger tanks the road losses would have been 100 percent by the time we reached the Moselle River. As it was, the road losses on our long-lived tanks were negligible.

In the current operation had the Fourth Armored Division been equipped with Tiger and Panther tanks and been required to make the move from Saarguemines to Arlon, then through to Bastogne, from Bastogne to the Rhine, and now to Mainz—it would have been necessary to rearmor it twice; and furthermore, it would have had serious if not insurmountable difficulty in crossing rivers.

Finally, we must remember that all our tanks have to be transported on steamers and the difference between 40 tons and 70 tons is very marked. A 70-ton tank could never have been brought ashore in landing boats as many of our medium tanks were. Nor could they have marched from the Cotentin Peninsula to the Rhine as practically all of our tanks have been required to do.

In mechanical endurance and ease of maintenance, our tanks are infinitely superior to any tank in the theater of war. The outstanding advantage which our tanks possess over the German tank is the mechanical traverse and stabilizer, through the use of which we get most of our kills.

Most sincerely,

G. S. PATTON, JR.,
Lieutenant General, United States Army, Commanding.

EXTENSION OF REMARKS

Mr. HOPE asked and was given permission to extend his remarks in the Appendix of the RECORD in two instances, in one to include an editorial and in the other to include a statement by the Kansas State Agricultural Committee.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. BLOOM (at the request of Mr. MCCORMACK), for an indefinite period, to attend the United Nations Conference at San Francisco, Calif.

To Mrs. SMITH of Maine, for Tuesday and Wednesday, on account of official business.

To Mr. PLOESER (at the request of Mr. MARTIN of Massachusetts), for 2 days, on account of illness in family.

PERMISSION TO ADDRESS THE HOUSE

Mr. FOLGER. Mr. Speaker, I ask unanimous consent that on Thursday next at the conclusion of business on the Speaker's desk and after any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ENROLLED BILLS SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1325. An act for the relief of Mrs. Rose Schiffer;

H. R. 1669. An act for the relief of the estate of Ralph A. Stowell;

H. R. 1707. An act for the relief of Murray W. and Elsie P. Moran; and

H. R. 1983. An act for the relief of Benjamin D. Lewis.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 1325. An act for the relief of Mrs. Rose Schiffer;

H. R. 1669. An act for the relief of the estate of Ralph A. Stowell;

H. R. 1707. An act for the relief of Murray W. and Elsie P. Moran; and

H. R. 1983. An act for the relief of Benjamin D. Lewis.

ADJOURNMENT

Mr. PRICE of Illinois. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 22 minutes p. m.), the House adjourned until tomorrow, Wednesday, April 18, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Wednesday, April 18, 1945.

Business to be considered: To resume public hearings on H. R. 1362—Railroad Retirement.

There will be a meeting of the Brand Names and Newsprint Subcommittee of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Monday, April 23, 1945.

Business to be considered: A public hearing on the subject of compliance.

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship-sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

393. Communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year 1945, in the amount of $180,000,000, for the Navy Department and naval service (H. Doc. No 144); to the Committee on Appropriations and ordered to be printed.

394. Communication from the President of the United States, transmitting supplemental estimate of appropriation for the fiscal year 1946, in the amount of $135,000, for the legislative branch, Library of Congress, in the form of an amendment to the Budget for said fiscal year (H. Doc. No. 145); to the Committee on Appropriations and ordered to be printed.

395. Letter from the Secretary of War, transmitting a draft of a proposed bill to amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps; to the Committee on Military Affairs.

396. Letter from the Secretary of War, transmitting a report showing the name, age, legal residence, rank, branch of the service, with special qualifications therefor, of each person commissioned in the Army of the United States without prior commissioned military service for the period February 1, 1945, to March 31, 1945; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHEPPARD: Committee on Appropriations. H. R. 2907. A bill making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes; without amendment (Rept. No. 424). Referred to the Committee of the Whole House on the state of the Union.

Mr. COCHRAN: Committee on Accounts. House Resolution 219. Resolution providing expenses for conducting the study and investigation authorized by House Resolution 192 of the Seventy-ninth Congress; without amendment (Rept. No. 425). Referred to the House Calendar.

Mr. COCHRAN: Committee on Accounts. House Resolution 220. Resolution providing expenses for conducting the study and investigation authorized by House Resolution 195 of the Seventy-ninth Congress; without amendment (Rept. No. 426). Referred to the House Calendar.

Mr. COCHRAN: Committee on Accounts. House Resolution 221. Resolution providing for the expenses of conducting the study and investigation of the basic problems affecting post-war immigration and naturalization, authorized by House Resolution 52 of the Seventy-ninth Congress; without amendment (Rept. No. 427). Referred to the House Calendar.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 428. Report on the dispostion of certain papers of sundry executive departments. Ordered to be printed.

Mr. CANNON of Missouri: Committee of conference. H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes (Rept. No. 429). Ordered to be printed.

ADVERSE REPORTS

Under clause 2 of rule XIII,

Mr. LUTHER A. JOHNSON: Committee on Foreign Affairs. House Resolution 189. Resolution requesting certain information from the Department of State (Rept. No. 423). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SHEPPARD:

H. R. 2907. A bill making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes; to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. BRUMBAUGH:

H. R. 2908. A bill to amend the Servicemen's Readjustment Act of 1944 to extend to veterans of World War No. 1, the War with Spain, the Philippine Insurrection, and the China Relief Expedition the benefits of title III of such act, relating to loans for the purchase or construction of homes, farms, and business property; to the Committee on World War Veterans' Legislation.

By Mr. COURTNEY:

H. R. 2909. A bill to restore to active duty certain retired officers of the Regular Army, and for other purposes; to the Committee on Military Affairs.

H. R. 2910. A bill to provide for promotion of American prisoners of war; to the Committee on Military Affairs.

By Mr. CUNNINGHAM:

H. R. 2911. A bill to increase the pension payable to war veterans suffering from permanent total non-service-connected disabilities from $50 to $75 per month; to the Committee on World War Veterans' Legislation.

By Mr. LYNCH:

H. R. 2912. A bill to amend title II of the Social Security Act, as amended, by giving insurance credits under the Federal old-age and survivors insurance provisions of that act for military service, and for other purposes; to the Committee on Ways and Means.

By Mr. PLOESER:

H. R. 2913. A bill authorizing rehabilitation on the island of Guam; to the Committee on Naval Affairs.

By Mr. RAMEY:

H. R. 2914. A bill to amend the Internal Revenue Code so as to provide a dependency exemption for certain foster children; to the Committee on Ways and Means.

By Mr. TRAYNOR:

H. R. 2915. A bill making United States Employment Service a Federal agency; to the Committee on Labor.

By Mr. BENNET of New York:

H. R. 2916. A bill to provide for payment by the Administrator of Veterans' Affairs of interest for the first year on certain loans to veterans not guaranteed under the Servicemen's Readjustment Act of 1944; to the Committee on World War Veterans' Legislation.

H. R. 2917. A bill to impose certain limitations on the franking privilege of Members of Congress, Delegates, and Resident Commissioners; to the Committee on the Post Office and Post Roads.

H. R. 2918. A bill to permit withholding of tax at source on certain pensions, annuities, and retirement pay paid by the United States, at the election of the recipient thereof; to the Committee on Ways and Means.

By Mr. KEOGH:

H. R. 2919. A bill to provide for the furnishing of the CONGRESSIONAL RECORD to members of the Federal judiciary; to the Committee on Printing.

By Mrs. ROGERS of Massachusetts:

H. R. 2920. A bill to establish a Department of Veterans' Affairs; to the Committee on Expenditures in the Executive Departments.

By Mr. STIGLER:

H. R. 2921. A bill to facilitate transfer of veterans being discharged from the armed forces, and who are in need of treatment, to the Veterans' Administration facility nearest their home; to the Committee on World War Veterans' Legislation.

By Mr. FLANNAGAN:

H. R. 2922. A bill to provide for the establishment of a national fertilizer policy and program; to authorize the construction of certain fertilizer plants by the Government and farmer's cooperatives as a part of said program; to provide as a necessary incident of said program for the operation of such Government-constructed fertilizer plants by farmers' cooperatives; to provide for the testing and demonstrating of fertilizers produced in such Government and cooperative plants on a Nation-wide scale; to provide for the exploration of fertilizer resources on the public lands; and for other purposes; to the Committee on Agriculture.

By Mr. HORAN:

H. R. 2923. A bill to establish a Columbia Valley Cooperative Authority, and for other purposes; to the Committee on Rivers and Harbors.

By Mr. ROGERS of New York:

H. J. Res. 154. Joint resolution authorizing the President of the United States to award a posthumous Congressional Medal of Honor to Franklin Delano Roosevelt; to the Committee on the Judiciary.

By Mr. RANDOLPH:

H. J. Res. 155. Joint resolution to provide for the construction of a suitable memorial to President Franklin Delano Roosevelt and to those who served in the armed forces in World War No. 1 and World War No. 2, to be known as World Wars Memorial Temple; to the Committee on Public Buildings and Grounds.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By The SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and the Congress of the United States for the payment by the Federal Government of one-half of the expense of old-age assistance; to the Committee on Ways and Means.

Also, memorial of the Legislature of Iran, memorializing the Congress of the United States by expressing their sympathy in regard to our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of Iraq, memorializing the President and the Congress of the United States in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of Turkey, memorializing the Congress of the United States by a message of sympathy in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLOOM:

H. R. 2924. A bill for the relief of Angelo Ferrari; to the Committee on Claims.

H. R. 2925. A bill for the relief of Nelson R. Park; to the Committee on Claims.

By Mr. BRUMBAUGH:

H. R. 2926. A bill for the relief of Mrs. Alice Breon; to the Committee on Claims.

By Mr. COLMER:

H. R. 2927. A bill for the relief of Mrs. Evelyn Merritt; to the Committee on Claims.

By Mr. COURTNEY:

H. R. 2928. A bill for the relief of Clay Long Edwards; to the Committee on Naval Affairs.

By Mr. MARCANTONIO:

H. R. 2929. A bill for the relief of Joseph Boris Tchertkoff; to the Committee on Immigration and Naturalization.

By Mr. MUNDT:

H. R. 2930. A bill for the relief of Dr. J. D. Whiteside and St. Luke's Hospital; to the Committee on Claims.

By Mrs. NORTON:

H. R. 2931. A bill for the relief of Edward Oatneal, John N. Oatneal, Jr., and James R. Oatneal; to the Committee on Claims.

By Mr. REECE of Tennessee:

H. R. 2932. A bill for the relief of Ben H. Owens; to the Committee on War Claims.

H. R. 2933. A bill for the relief of Bonnie R. Howard; to the Committee on War Claims.

H. R. 2934. A bill granting a pension to Ethel Lynn Ruble; to the Committee on Invalid Pensions.

By Mr. SABATH:

H. R. 2935 A bill to provide for an appeal to the Supreme Court of the United States from a decision of the Court of Claims in a suit instituted by Alex Ranieri; to the Committee on Claims.

By Mr. LANDIS:

H. R. 2936. A bill granting a pension to Harry C. B. Frets; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

373. By Mr. FELLOWS: Petition of Margaret A. Martin and 21 others of Guilford, Maine, concerning sale of alcoholic beverages; to the Committee on the Judiciary.

374. Also, petition of Louise G. Ginn and 44 other residents of Caribou, Maine, relative to malt beverages; to the Committee on the Judiciary.

375. Also, petition of Mrs. Laura Warren and 24 others of Kenduskeag, Maine, with reference to malt beverages; to the Committee on the Judiciary.

376. By Mr. FORAND: Petition of the Town Council of North Providence, R. I., in opposition to H. R. 2652, providing for a 3-year extension of the Reciprocal Trade Agreement Act; to the Committee on Ways and Means.

377. Also, petition of the General Assembly of the State of Rhode Island and Providence Plantations urging the passage of H. R. 511; to the Committee on Immigration and Naturalization.

378. Also, petition of the General Assembly of the State of Rhode Island requesting that every effort be made to have the Walsh-Kaiser shipbuilding plant in Providence, R. I., made a permanent repair base for the United States Navy and the American Merchant Marine, and at the same time give consideration to the feasibility of building a drydock in Providence; to the Committee on Naval Affairs.

379. Also, petition of the Town of Burrillville, R. I., protesting against the glaring inefficiency existing in the United States Veterans' Administration in Washington, D. C., relative to returned soldiers and disabled veterans; to the Committee on World War Veterans' Legislation.

380. By Mr. GARY: Petition of United Italian Beneficial and Social Society, Inc., Richmond, Va., petitioning consideration of their resolutions with reference to the extension of an invitation to Italy to participate in the Conference of Allied Nations at San Francisco; to the Committee on Foreign Affairs.

381. Also, petition of Lodge Giuseppe Verdi, No. 315, Order Sons of Italy in America, Richmond, Va., petitioning consideration of their resolution with reference to the extension of an invitation to Italy to participate in the Conference of Allied Nations at San Francisco; to the Committee on Foreign Affairs.

382. Also, petition of 42 citizens of Richmond, Va., urging enactment of H. R. 2082, designed to prohibit the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

383. By Mr. SABATH: Petition of the Legislature of the State of Illinois, rescinding its action in proposing a suggested amendment to the Federal Constitution, the effect of which would be to fix the maximum income tax rate at 25 percent; to the Committee on Ways and Means.

384. Also, petition of the Legislature of the State of Illinois favoring passage of H. R. 2071, providing for a reclassification of salaries for postal employees; to the Committee on the Post Office and Post Roads.

385. By Mr. WELCH: Petition of Assembly Joint Resolution No. 5 of California Legislature relative to memorializing the Congress of the United States to encourage small business and to make the fullest possible provision for jobs in private enterprise to returning veterans; to the Committee on World War Veterans' Legislation.

386. Also, petition of Assembly Joint Resolution No. 6 of California Legislature relative to memorializing the Congress of the United States, to give full consideration to giving preference rights to returning veterans in sales rights to surplus commodities; to the Committee on World War Veterans' Legislation.

387. Also, petition of Assembly Joint Resolution No. 8 of California Legislature relative to memorializing Congress to enact legislation similar to S. 1100 of the Seventy-eighth Congress, second session, regarding promotion of officers on the retired list of the Army after specified years of service on active duty; to the Committee on Military Affairs.

388. Also, petition of Assembly Joint Resolution No. 11 of the California Legislature relative to memorializing the Congress of the United States to give job preference to returning veterans on all public works; to the Committee on World War Veterans' Legislation.

389. Also, petition of Assembly Joint Resolution No. 23 of California Legislature relative to memorializing Congress to provide a wage readjustment for Postal Service employees; to the Committee on the Post Office and Post Roads.

390. Also, petition of California Senate Joint Resolution No. 12, relating to the establishment of the seat of government of the Allied Nations of the World, in the redwood empire of California; to the Committee on Foreign Affairs.

391. Also, petition of Senate Joint Resolution No. 6, California Legislature, relative to making available to the Palo Verde Mesa lands certain waters of the Colorado River; to the Committee on Irrigation and Reclamation.

392. By the SPEAKER: Petition of Candido Vasconcelos and others, petitioning consideration of their resolution with reference to expressing of deepest sympathy relative to the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, APRIL 18, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met in executive session at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, in times when life is somber with bitter loss and the nights are peopled with wistful longings for those who come not back, when sickening sights are held before our shocked eyes of untold thousands of our fellow beings done to death by lustful cruelty without pity or conscience, when the tempo of epochal days is swift and frantic with unpredictable events tumbling upon us without warning in a world already wildly chaotic, O Thou God of the changing years, in a still moment like this, may a holy hush within our spirits whisper courage and fortitude and fidelity.

So purge our penitent hearts that Thy work in the world which is ours to share for lofty ends may be worthily done. In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, April 17, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

ERNIE PYLE

Mr. WILLIS. Mr. President, the hearts of millions of Americans are saddened today by the news of the heroic death of Ernie Pyle on the field of action in a small island near Okinawa in the far Pacific. No other person has with such humanness and such vividness brought to the hearthsides of America the courage and spirit of our brave American soldiers. Indiana is proud to claim Ernie Pyle today as her noblest contribution to the cause of the preservation of freedom. We are not ashamed of the tears we shed today in memory of this courageous soul.

Mr. HATCH. Mr. President, I want to take just a moment to express a slight tribute to Ernie Pyle, a resident of my State.

On the 8th day of September I spoke about Ernie Pyle in this body, and I said:

Mr. President, a man small in stature, frail in physical strength but strong in will, went forth to the battle fronts of World War No. 2. Not in the uniform of a soldier—he was too old for that—but armed with his typewriter, he braved the dangers of battle—a real fighting man.

I referred on that date to these words of Ernie Pyle:

This is the last of these columns from Europe. By the time you read this the old man will be on his way back to America. After that will come a long, long rest. And after the rest—well, you never can tell.

Undoubtedly this seems to you to be a funny time for a fellow to be quitting the war. It is a funny time. But I'm not leaving because of a whim, or even especially because I'm homesick. I'm leaving for one reason only—because I have just got to stop. "I've had it," as they say in the Army. I have had all I can take for a while.

I've been 29 months overseas since this war started; have written around 700,000 words about it; have totaled nearly a year in the front lines.

I do hate terribly to leave right now, but I have given out. I've been immersed in it too long. My spirit is wobbly and my mind is confused. The hurt has finally become too great.

All of a sudden it seemed to me that if I heard one more shot or saw one more dead man I would go off my "nut." And if I had to write one more column I'd collapse. So I'm on my way.

It may be that a few months of peace will restore some vim to my spirit, and I can go war horsing off to the Pacific. We'll see what a little New Mexico sunshine does along that line.

Mr. President, after reading that column, I said on that day:

When the battle of Europe is over and the Pacific war increases in might and fury, I predict "the old man" will again grab his faithful typewriter, and, with scent of battle in his nostrils, will go "war horsing" to some far distant island.

Mr. President, Ernie Pyle did that; he did come back to New Mexico; he did rest; but when the tempo of the war in the Pacific increased he grabbed his typewriter and went again to the battle front, and today we hear from Okinawa that Ernie Pyle is dead, killed by Japanese bullets.

Mr. President, Ernie Pyle is not dead; he was not killed by Japanese bullets; no machine gun could kill Ernie Pyle. He has simply gone to rest. He shall live wherever the story of brave writing men is told anywhere in the world. Ernie Pyle is not dead.

Mr. CHAVEZ. Mr. President, Ernie Pyle of late years has been a resident of my home city and State, Albuquerque, N. Mex. The citizens of that neighborhood loved Ernie Pyle. He had so endeared himself to and was so loved by the American people and so well known by them that little could be said that has not been said before; but we can repeat the words of Shakespeare when speaking of Duncan, the dead King of Scotland:

After life's fitful fever he sleeps well.

Mr. WILEY. Mr. President, I have just been informed that the report has come through that Ernie Pyle is dead. He died by enemy action on Okinawa alongside his G. I. buddies. His loss will be deeply and personally felt by countless American service men and women who knew him by name, by face, by reputation, and by that common fraternity of those who have seen the face of war and the suffering and havoc of war. His brilliant, earthy dispatches will be missed by millions of newspaper readers.

Ernie Pyle was the winner of the 1944 Pulitzer Prize for distinguished journalism. He was the author of a best seller, entitled "Brave Men." Ernie was among the bravest of the brave—brave in humility.

Now he joins the legion of American war correspondents who have died in action, who have died that America might continue to be the best-informed nation on earth. Now his name is inscribed in gold in the proudest annals of the Fourth Estate. I pay this tribute to Ernie and to all the lesser Ernie Pyles of today and tomorrow of the free American press who write with a clarity, an objectivity, and a humanity unknown in the journalism of any other land.

A sad but inspired America says to Ernie Pyle: "Well done, my good and faithful servant, well done."

America further says: "We know, Ernie, that you are not dead. You have merely gone before on the journey we all must take. And over yonder, wherever it is, on whatever plane of existence you may be, we know that you are doing as excellent a job as you did here."

Mr. CAPEHART. Mr. President, I was profoundly shocked a few minutes ago to learn that a distinguished Hoosier, Ernie Pyle, had fallen in the line of duty.

He, more than anyone I know, brought to the people back home the activities, the likes and the dislikes, the sentiments, and the hopes of the boys on the battle fronts.

Winner of a number of prizes awarded on the basis of his contribution to journalism, wearer of various medals presented to him by many governments, he is truly an outstanding hero of World War No. 2.

Indiana is proud of this "Hoosier Vagabond"—proud of his contribution to this war, not only in his genial encouragement to the boys at the front but to all of us here who followed his column so religiously.

I salute the bravery and the sacrifice of one of Indiana's favorite sons, a casualty of Okinawa, Ernie Pyle.

CORRECTION OF THE RECORD

Mr. CHANDLER. Mr. President, I ask unanimous consent that the Record of yesterday be corrected on page 3418, in remarks attributed to me. The RECORD says that on yesterday I made this statement:

If the areas in the Western States continue to develop, and if more people go to California, for instance—and it is one of the most attractive places in the world in which to live; it is healthful, and people live longer there than in Kentucky.

I said, "people live longer there and in Kentucky." I did not say they live longer in California than in Kentucky. I ask to have the RECORD corrected.

Mr. PEPPER. Mr. President, reserving the right to object, by my failure to comment on the statement of the able Senator at the time he made it I do not want it understood that as a matter of fact people do not live longer in Florida than anywhere else. [Laughter.]

Mr. BARKLEY. Still reserving the right to object, Mr. President, I do not want the salubrious climate, the beautiful scenery, and the romantic atmosphere of Kentucky to be squeezed in between the jealousies which exist between California and Florida. [Laughter.]

Mr. TOBEY. Mr. President, in this colloquy about the right place to live for purposes of longevity, I wish to add that if anyone is concerned with a desire to live to a good old age, there is just one place for him to go, and that is to the State of New Hampshire, the State which, because of its natural beauty, was the site, I am sure, of the original Garden of Eden, but without the original sin. [Laughter.]

The PRESIDENT pro tempore. The correction requested by the Senator from Kentucky will be made in the permanent RECORD.

LT. EDGAR HAROLD LLOYD—POSTHUMOUS AWARD OF CONGRESSIONAL MEDAL OF HONOR

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to have printed in the RECORD a brief newspaper account of the death of Lt. Edgar Harold Lloyd, who is the third man from the University of Arkansas to receive the Congressional Medal of Honor within the past 2 years, the other two being Capt. Maurice Britt and Capt. Nathan Gordon. All three were students at the university while I was president.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BLYTHEVILLE, April 4.—The Nation's highest military honor, the Congressional Medal of Honor, will be presented posthumously to Lt. Edgar Harold Lloyd, aged 22, Blytheville infantry officer, who was killed in action only a few days before he was scheduled to return to the United States for the presentation ceremony. His parents, Mr. and Mrs. E. B. Lloyd, of Blytheville, will receive the medal at Memphis Friday from a personal representative of President Roosevelt.

The medal was awarded for outstanding courage and gallantry when he personally wiped out five German machine-gun nests with a submachine gun, hand grenades, and

his bare hands, and led his platoon, which had been pinned down by intense machine-gun fire from a heavily fortified German position, to victory, destroying 12 enemy machine-gun positions and killing more than 100 Germans. The action took place near Pompey, France, last September.

The citation accompanying the medal describes Lieutenant Lloyd's heroism as "one of those sagas that will go down in American military legend."

LEAVE OF ABSENCE

Mr. HILL. Mr. President, I ask unanimous consent to be absent from the Senate tomorrow and Friday.

The PRESIDENT pro tempore. Without objection, permission is granted.

CONDOLENCE ON THE DEATH OF THE LATE PRESIDENT ROOSEVELT

Mr. CAPPER. Mr. President, I ask that a letter sent to President Truman on April 13, 1945, by Peter H. Bergson, chairman of the Hebrew Committee of National Liberation, be printed in the RECORD. This letter is a tribute to our late beloved President and also to our new and inspiring leader. These sentiments, from the heart of a people who have suffered tremendous casualties in this war, are a further proof of the honor and greatness which American leadership has inspired in the hearts of all peoples the world over. The Hebrew people of Europe and Palestine still look to America to give peace and justice to a world that deeply mourns the loss of its greatest statesman.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

HEBREW COMMITTEE OF
NATIONAL LIBERATION,
Washington, D. C., April 13, 1945.

His Excellency Mr. HARRY S. TRUMAN,
President of the United States of America,
The White House,
Washington, D. C.

MY DEAR MR. PRESIDENT: On behalf of the Hebrew Committee of National Liberation, I beg to convey to you and to the Government and people of the United States our heartfelt condolence upon the death of President Roosevelt.

Franklin Delano Roosevelt was a world leader of the greatest stature, whose achievements have brought honor, not only to your Nation but to the entire human race.

Together with afflicted people everywhere, the Hebrew people in Palestine, as well as the tormented Hebrews of Europe, have lost a great friend and a true champion.

At this juncture in history, when President Roosevelt's prophesied rendezvous with destiny is in its decisive phase, we feel heartened that Providence has chosen you, Mr. President, to be at the helm of the world's greatest nation.

The struggle for a world of true justice and peace—a world of human decency for all—is now continuing under your leadership, and we feel gratified and confident in the knowledge that your deep human zeal and great ability will guide the United Nations to a successful conclusion of the tasks begun by your illustrious predecessor.

With assurances of my highest esteem, believe me to be, Mr. President,

Faithfully yours,
PETER H. BERGSON,
Chairman.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 37. An act to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes;

S. 288. An act for the relief of the Lawrence Motor Co., Inc.;

S. 514. An act for the relief of the Baldwin Bros. Paving Co.;

S. 530. An act authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Tex., to Dallas County, Tex., for highway purposes; and

S. 531. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, Calif., for fire-station purposes, the title to certain land located at Veterans' Administration facility, Los Angeles, Calif.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 209) for the relief of David B. Smith; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. KEOGH, and Mr. JENNINGS were appointed managers on the part of the House at the conference.

The message further announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 1567) for the relief of Katherine Smith; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. KEOGH, and Mr. JENNINGS were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 1307) for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc.; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MCGEHEE, Mr. COMBS, and Mr. PITTENGER were appointed managers on the part of the House at the conference.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 244. An act for the relief of Adell Brown and Alice Brown;

H. R. 267. An act for the relief of Jack Scarton or John Skarton, formerly Simon Jan Skarzenski;

H. R. 270. An act for the relief of John Damacus;

H. R. 434. An act to provide that nationals of the United States shall not lose their nationality by reason of voting under legal compulsion in a foreign state;

H. R. 533. An act authorizing the State of Minnesota Department of Highways to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 578. An act providing for the naturalization of certain alien veterans of the Spanish-American War, the First World War, and members of the Regular Army, or National Guard who served on the Mexican border from June 1916 to April 1917;

H. R. 669. An act to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals;

H. R. 776. An act to authorize the naturalization of Filipinos;

H. R. 879. An act for the relief of Ed Williams;

H. R. 903. An act for the relief of Myles Perz;

H. R. 1031. An act for the relief of Matthew Mattas;

H. R. 1055. An act for the relief of the Realty Bond and Mortgage Co. and Robert W. Keith;

H. R. 1083. An act for the relief of George Hampton;

H. R. 1184. An act to authorize Slater Branch Bridge and Road Club to construct, maintain, and operate a free suspension bridge across the Tug Fork of the Big Sandy River at or near Williamson, W. Va.;

H. R. 1241. An act for the relief of Margaret M. Meersman;

H. R. 1356. An act for the relief of Elias Baumgarten;

H. R. 1482. An act for the relief of the legal guardian of Samuel Wadford;

H. R. 1486. An act for the relief of Sam D. Moak;

H. R. 1487. An act for the relief of Clifton L. Holmes;

H. R. 1652. An act granting the consent of Congress to the State of Louisiana to construct, maintain, and operate a free highway bridge across the Mississippi River at or near New Orleans, La.;

H. R. 1659. An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River;

H. R. 1804. An act to amend the act of Congress entitled "An act for the relief of the Tlingit and Haida Indians of Alaska," approved June 5, 1942;

H. R. 1847. An act for the relief of Francis X. Servaites;

H. R. 1952. An act for the relief of Joseph Brunette;

H. R. 2195. An act to codify and enact into positive law title 1 of the United States Code entitled "General Provisions";

H. R. 2196. An act to codify and enact into positive law title 4 of the United States Code entitled "Flag and Seal, Seat of Government, and the States";

H. R. 2197. An act to codify and enact into positive law title 6 of the United States Code entitled "Official and Penal Bonds";

H. R. 2198. An act to codify and enact into positive law title 9 of the United States Code entitled "Arbitration";

H. R. 2199. An act to codify and enact into positive law title 17 of the United States Code entitled "Copyrights";

H. R. 2286. An act for the relief of Jane Thayer;

H. R. 2297. An act to provide for the conservation of fish and wildlife on the Klamath Reservation in Oregon, and for other purposes;

H. R. 2361. An act for the relief of Alexander Sawyer;

H. R. 2427. An act for the relief of Mrs. Ruth Cox;

H. R. 2598. An act for the relief of J. H. Atkins;

H. R. 2687. An act to grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police Force of the District of Columbia;

H. R. 2701. An act for the relief of Margaret J. Pow; and

H. R. 2742. An act to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928.

LEGISLATIVE BUSINESS

By unanimous consent, as in legislative session, the following business was transacted:

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF ATTORNEY GENERAL ON CERTIFICATES FILED WITH HIM REQUISITE TO THE PROSECUTION OF THE WAR

A letter from the Attorney General, transmitting, pursuant to law, his ninth report of certificates filed by the Chairman of the War Production Board, for the period December 15, 1944, through April 9, 1945, as to the doing of any act or thing, or the omission to do any act or thing, requisite to the prosecution of the war by any person or persons for which no prosecution or civil action shall be commended under the antitrust laws or the Federal Trade Commission Act (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF CIVIL AERONAUTICS BOARD

A letter from the Secretary of the Civil Aeronautics Board, transmitting, pursuant to law, the sixth annual report of the Board (with an accompanying report); to the Committee on Commerce.

MEMORIALS

Mr. BREWSTER presented memorials of sundry citizens of the State of Maine, remonstrating against the shipping of malt beverages and other liquors with high alcoholic content to the fighting war areas, which was referred to the Committee on Military Affairs.

REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. RUSSELL, from the Committee on Appropriations, to which was referred the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, reported it with amendments and submitted a report (No. 191) thereon.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

S. 890. A bill to extend through December 31, 1945, the termination date under the Renegotiation Act; to the Committee on Finance.

By Mr. BAILEY:

S. 891. A bill to enable the President to advance Vice Admiral Land to the rank of Admiral; to the Committee on Naval Affairs.

By Mr. BREWSTER:

S. 892. A bill to provide for restoration to office of civilian officers of the United States who left their positions to serve in the armed forces; to the Committee on Military Affairs.

By Mr. BREWSTER (for himself, Mr. RUSSELL, Mr. MORSE, and Mr. CHAVEZ):

S. 893. A bill to provide for establishing and maintaining regional forest products laboratories in the northeastern, northwestern, southwestern, and southeastern regions of the United States, and for other purposes; to the Committee on Agriculture and Forestry.

(Mr. O'MAHONEY (for himself, Mr. MURDOCK, Mr. HATCH, Mr. CHAVEZ, Mr. JOHNSTON of Colorado, Mr. MILLIKIN, Mr. ROBERTSON, and Mr. THOMAS of Utah) introduced Senate bill 894, which was referred to the Committee on Irrigation and Reclamation, and appears under a separate heading.)

By Mr. McMAHON:

S. 895. A bill to amend the Surplus Property Act of 1944; to the Committee on Military Affairs.

By Mr. MORSE:

S. 896. A bill to amend the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended", approved January 24, 1942, and for other purposes; to the Committee on Civil Service.

By Mr. MYERS:

S. 897. A bill to provide for promotion of officers on retired list receiving pay of a higher grade and to give retired officers benefits already granted by law to the Navy, Marine Corps, Coast Guard, and Coast and Geodetic Survey; to the Committee on Military Affairs.

By Mr. MAYBANK:

S. 898. A bill to amend the Surplus Property Act of 1944 with respect to the report to Congress on surplus plants; to the Committee on Military Affairs.

(Mr. DOWNEY introduced S. J. Res. 57, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

DESIGNATION OF BIRTHDAY OF FRANKLIN D. ROOSEVELT A LEGAL HOLIDAY

Mr. DOWNEY. Mr. President, yesterday I received a telegram from Raymond F. Leheney, one of our prominent labor leaders, a member of the American Federation of Labor in California, who, speaking for combined labor groups in California, requested that I introduce a joint resolution providing for the establishment of a national holiday in commemoration of the birth of Franklin D. Roosevelt. Later, on some other day, I intend to address the Senate on the subject. I now ask unanimous consent to introduce the joint resolution for appropriate reference.

The PRESIDENT pro tempore. Without objection, the joint resolution will be received and appropriately referred.

The joint resolution (S. J. Res. 57) designating the birthday of Franklin Delano Roosevelt as a legal holiday, was read twice by its title and referred to the Committee on the Judiciary.

BUTCHERY OF JEWISH WAR PRISONERS IN GERMANY

Mr. PEPPER. Mr. President, on behalf of the junior Senator from Massachusetts [Mr. SALTONSTALL] and myself, I ask unanimous consent to submit a resolution for appropriate reference. I shall merely say that it suggests that it is the sense of the Senate that the President and the State Department make certain unequivocal declarations to the people of Germany indicating the responsibility to which they will be held for the butchery of the Hebrew people and other people whom temporarily they have in their grasp, and whom they propose to destroy.

The PRESIDENT pro tempore. Without objection, the resolution will be received and appropriately referred.

The resolution (S. Res. 120) was referred to the Committee on Foreign Relations, as follows:

Whereas official Nazi broadcasts announce the determination of German leaders to massacre the 300,000 Jewish war prisoners who have fought in the Allied armies, as well as the surviving 700,000 Hebrew people still in Germany's concentration and slave-labor camps; and

Whereas recent reports by American correspondents substantiate this threat by disclosing that the Germans have already embarked upon this crime which constitutes a monstrous climax to their program of mass extermination of the Hebrew people; and

Whereas four concentration camps captured by our Army since the 2d of April offer the gruesome evidence that these atrocities have taken place; and

Whereas in response to the communication of the Emergency Committee to Save the Jewish People of Europe outlining these facts, Gen. Dwight D. Eisenhower, supreme commander of the Allied Expeditionary Forces, declared: "I am aware of the situation set forth in your recent message. All feasible steps are being taken and will be taken to alleviate these conditions which you describe"; and

Whereas on March 9, 1943, the Senate adopted a concurrent resolution (S. Con. Res. 9—House of Representatives concurring on March 18, 1943) condemning the atrocities inflicted upon the civilian population in the Nazi-occupied countries, and especially the mass murder of Jewish men, women, and children, and resolving "That the dictates of humanity and honorable conduct in war demand that this inexcusable slaughter and mistreatment shall cease and that it is the sense of this Congress that those guilty, directly or indirectly, of these criminal acts shall be held accountable and punished in a manner commensurate with the offenses for which they are responsible"; and

Whereas on March 24, 1944, the President declared: "In one of the blackest crimes of all history—begun by the Nazis in the day of peace and multiplied by them a hundred times in times of war—the wholesale systematic murder of the Jews of Europe goes on unabated every hour. * * * It is therefore fitting that we should again proclaim our determination that none who participate in these acts of savagery shall go unpunished": Therefore be it

Resolved, That it is the sense of the Senate of the United States that immediate action be taken by appropriate civil and military authorities to impress upon the German people their responsibility for the crimes committed against Allied prisoners of war and civilian internees, including the Hebrews in concentration and slave labor camps; and be it further again

Resolved, That it is the sense of the Senate of the United States that such action shall incorporate the following proposed or similar measures in order to achieve the maximum results:

1. A forceful and unequivocal statement by President Truman or Secretary of State Stettinius, calling the attention of the German people to the atrocities still being committed in Germany and announcing that the Government of the United States will regard as war crimes, punishable as such, all atrocities committed in prisoner-of-war camps, and slave-labor camps, whether committed on Axis territory or in Allied countries, whether against Allied nationals or against those Hebrews who are classified as "stateless Jews" or "Axis nationals."

2. The above statement to be combined with an appeal to the Germans expressing the abhorrence of the American people to the mass murder of Hebrews and warning the Germans that just punishment will be meted out to every participant in this appalling crime.

3. A statement by a responsible authority announcing that the declaration of the President or the Secretary of State constitutes of-

ficial policy and will be implemented by the United Nations War Crimes Commission and by the Army of Occupation in Germany.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H. R. 244. An act for the relief of Adell Brown and Alice Brown;

H. R. 879. An act for the relief of Ed Williams;

H. R. 903. An act for the relief of Myles Perz;

H. R. 1031. An act for the relief of Matthew Mattas;

H. R. 1055. An act for the relief of the Realty Bond & Mortgage Co. and Robert W. Keith;

H. R. 1083. An act for the relief of George Hampton;

H. R. 1241. An act for the relief of Margaret M. Meersman;

H. R. 1482. An act for the relief of the legal guardian of Samuel Wadford;

H. R. 1486. An act for the relief of Sam D. Moak;

H. R. 1487. An act for the relief of Clifton L. Holmes;

H. R. 1847. An act for the relief of Francis X. Servaites;

H. R. 1952. An act for the relief of Joseph Brunette;

H. R. 2286. An act for the relief of Jane Thayer;

H. R. 2361. An act for the relief of Alexander Sawyer;

H. R. 2427. An act for the relief of Mrs. Ruth Cox;

H. R. 2598. An act for the relief of J. H. Atkins; and

H. R. 2701. An act for the relief of Margaret J. Pow; to the Committee on Claims.

H. R. 267. An act for the relief of Jack Scarton or John Skarton, formerly Simon Jan Skarzenski;

H. R. 270. An act for the relief of John Damacus;

H. R. 434. An act to provide that nationals of the United States shall not lose their nationality by reason of voting under legal compulsion in a foreign state;

H. R. 578. An act providing for the naturalization of certain alien veterans of the Spanish-American War, the First World War, and members of the Regular Army or National Guard who served on the Mexican border from June 1916 to April 1917;

H. R. 669. An act to amend the Nationality Act of 1940 so as to permit naturalization proceedings to be had at places other than in the office of the clerk or in open court in the case of sick or physically disabled individuals;

H. R. 776. An act to authorize the naturalization of Filipinos; and

H. R. 1356. An act for the relief of Elias Baumgarten; to the Committee on Immigration.

H. R. 533. An act authorizing the State of Minnesota Department of Highways to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Hastings, Minn.;

H. R. 1184. An act to authorize Slater Branch Bridge and Road Club to construct, maintain, and operate a free suspension bridge across the Tug Fork of the Big Sandy River at or near Williamson, W. Va.;

H. R. 1652. An act granting the consent of Congress to the State of Louisiana to construct, maintain, and operate a free highway bridge across the Mississippi River at or near New Orleans, La.; and

H. R. 1659. An act authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River; to the Committee on Commerce.

H. R. 1804. An act to amend the act of Congress entitled "An act for the relief of the Tlingit and Haida Indians of Alaska," approved June 5, 1942; and

H. R. 2297. An act to provide for the conservation of fish and wildlife on the Klamath Reservation, in Oregon, and for other purposes; to the Committee on Indian Affairs.

H. R. 2195. An act to codify and enact into positive law title 1 of the United States Code, entitled "General Provisions";

H. R. 2196. An act to codify and enact into positive law title 4 of the United States Code, entitled "Flag and Seal, Seat of Government, and the States";

H. R. 2197. An act to codify and enact into positive law title 6 of the United States Code, entitled "Official and Penal Bonds";

H. R. 2198. An act to codify and enact into positive law title 9 of the United States Code, entitled "Arbitration"; and

H. R. 2199. An act to codify and enact into positive law title 17 of the United States Code, entitled "Copyrights"; to the Committee on the Judiciary.

H. R. 2687. An act to grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police force of the District of Columbia; to the Committee on the District of Columbia.

H. R. 2742. An act to amend section 9 of the Boulder Canyon Project Act, approved December 21, 1928; to the Committee on Irrigation and Reclamation.

TRIBUTE TO THE LATE PRESIDENT ROOSEVELT BY FORMER SENATOR JACKSON OF INDIANA

[Mr. HATCH asked and obtained leave to have printed in the RECORD a radio address in tribute to the late President Roosevelt, delivered by former Senator Samuel D. Jackson of Indiana and published in the Fort Wayne (Ind.) Journal-Gazette, which appears in the Appendix.]

THE PRESIDENT IS DEAD; LONG LIVE THE PRESIDENT—EDITORIAL FROM WOODFORD (KY.) SUN

[Mr. HATCH asked and obtained leave to have printed in the RECORD an editorial entitled "The President is Dead; Long Live the President" published in the Woodford Sun, which appears in the Appendix.]

TRIBUTE TO FRANKLIN D. ROOSEVELT BY WALTER F. HOWARD

[Mr. TUNNELL asked and obtained leave to have printed in the RECORD poems in tribute to President Roosevelt, by Walter F. Howard, which appear in the Appendix.]

INTERNATIONAL ORGANIZATION FOR PEACE

Mr. AIKEN. Mr. President, I shall not detain the Members of the Senate with what I have to say more than 15 minutes. If there has ever been any doubt in the minds of any foreign governments that this country is dedicated to an international organization for peace, that doubt must now be dispelled.

In our typically American way, through controversy, debate and discussion, there has emerged slowly the unity of our national purpose to achieve peace through an international organization.

As a member of the Republican Party, I take pride and satisfaction in the contribution we are making to the achievement of this paramount national aim.

The cooperation of the Republican candidate for President, Governor Dewey, toward the success of the Dumbarton Oaks discussions, the work of my colleague, the senior Senator from Vermont [Mr. AUSTIN] at Mexico City and the Senator from New Hampshire [Mr. TOBEY] at Bretton Woods, and the eloquent and farseeing pronouncements of the senior Senator from Michigan [Mr. VANDENBERG] and Commander Harold Stassen as delegates to the San Francisco Conference, bode well for the future of world peace.

The Senate is fortunate in being represented at San Francisco by two of our profoundest students of foreign affairs, the senior Senator from Texas [Mr. CONNALLY] and the senior Senator from Michigan [Mr. VANDENBERG] and we all wish them success.

The hope for peace springing from the sufferings of mankind is now sweeping the world with the fervor of a devout religious prayer. This hope must not be betrayed; the prayer must not go unanswered.

This day presents the opportunity of the ages to banish forever the senseless savagery of war, and to secure for our children, our grandchildren, and the generations to follow, the blessings of peace and contentment. The cry for peace rises from every desecrated and suffering land. We must respond with all the will and the might of our minds and our hearts.

It is not enough, however, to hope and wish for peace. That hope and wish has stirred the soul of man for centuries, to no avail.

It is not enough for delegates of the nations to meet and divide territories or to draw charters, covenants, and constitutions. All these things have been done before, equally in the name of peace, with ineffective results.

It is not enough to organize a political institution with police powers, or even a substantial army to act instantly, for any powerful country, or a combination of countries, could command larger forces than those placed at the command of an international organization.

I do not say these things in a derogatory sense, but as a contribution to realism, and as an introduction to a plea that we must go beyond the forms, beyond the bare outlines of an organization for peace.

We must advance beyond the concept of insuring peace by power alone to the higher principles of political and economic rights and justice on an international scale.

An institution endowed with power but without a code of justice, without a definition of the rights of world citizens, and without a court of appeals and arbitration, would only become an instrument of tyranny.

An institution with military police power, but without the ability to supply the means of subsistence, would merely become an instrument of oppression.

There is a grave, a most urgent need to define the principles of law to govern the relations of one nation to another, and to define the principles of justice to govern the relations of the individual to his government.

There is unmistakable evidence from history and from experience that the most progressive and peaceful nations of the world are those living under democratic institutions, and the principles of freedom applicable to their citizens have universal validity.

There is need, therefore, to define a bill of rights for all mankind, the right to

freedom of worship, the right to freedom of speech, the right to freedom of the press, and the right to freedom of communications, without regard to race, color, or religion, and equally vital, without regard to geography.

Therefore, in any plan for world organization and world peace, there must be a covenant on civil rights and civil liberties, or, more simply, on the rights of man.

This is no more visionary than the thought of the French and American political scientists of the eighteenth century; it is no more impractical than what was achieved on this continent 160 years ago. It is no more impossible than what Washington, Jefferson, and Lincoln achieved on a continent of greater extent in time and distance than the whole world is today.

The 60,000,000 dead and wounded of two world wars cry out for a tangible realization of the principles for which they thought they were making the supreme sacrifice.

Equally important with the definition of the rights of man is the implementation of the promise of economic well-being and security.

International justice will be a mockery, and the organization of peace will be a tool of oppression, if people are not enabled to secure a decent standard of living by their own labor.

The United States more than any other country can make the greatest contribution to the economic welfare of mankind without which the machinery of peace will eventually break down.

It would be utterly inconsistent for any of us to profess to be for a peace organization, but to refuse to support proposals for economic cooperation upon which the operations of the peace machinery is predicated. This applies to domestic as well as to foreign economic policy.

World peace depends ultimately upon the achievement of a tolerable economic status for the masses of the people. Tyrannies thrive upon promises to the starving and revolutions are born of misery. We must alleviate misery lest the peace organizations become merely a police force to respond to riot calls, to support tyranny and suppress revolution.

Those who are sincerely for world peace must, therefore, support the necessary economic establishments which are the very foundation of peace.

What are some of the measures of world economic improvement?

The wealth of nations depends upon the production and exchange of goods and services—not only production and sale, but production and exchange. It is true of nations as it is of individuals, that the standard of living is determined by the total amount of goods and services they are able to acquire by production and exchange.

This means, internally, that we must do everything within the power of individuals, with the help of Government, to put the largest possible number of people to productive employment in mining, agriculture, and manufacturing. Unless we maintain a satisfactory degree of employment, production, and income in our own land, we will be less likely to succeed in raising the standards of the people of other countries.

It means internationally that we must trade—that is, exchange our products and services with foreign countries for their products and services, on the widest practicable scale.

To do this, we need certain conditions—stable currencies, free access to foreign moneys and markets, and the natural resources of the world, a credit pool, and the lending of technical assistance to foreign countries so that they will become better customers; and perhaps most important of all, a willingness on our part to take from them the things they can best produce and we can best accept without harsh restrictive barriers.

Those who earnestly endorse a political organization for peace should support with equal ardor any proposal for expanding production at home and greater commerce with other countries.

This means specifically supporting an international monetary fund to stabilize and thaw currencies so that individuals can trade without restriction and undue speculative risks.

It means that we must support an international bank of reconstruction to help other countries improve their productive wealth, thereby becoming better customers.

We should continue the trade agreements program as inaugurated by Secretary Hull, not only so that we can buy and sell more abroad, but also to secure repayment on our loans. The trade agreements program was far too young when World War No. 2 broke out to permit an adequate judgment of its effect upon world trade. It should be continued until its worth can be properly evaluated. The old-time political and ineffective tariff logrolling must not be restored.

We must support United States participation in a food and agricultural organization which will help improve both production methods and consumption habits in food and related products all over the world. Never again must food be permitted to rot in one country while the specter of famine stalks in other lands.

We must support a program of freedom and competition in air transportation.

We must insist upon a program of world-wide communications systems without discrimination against American companies operating in foreign lands.

These things, and more, we must do. Those of us in the Republican Party can least afford to oppose any matters vital to the ultimate success of our efforts for peace. We may have reservations; may even have misgivings in certain details, but let us give the benefit of the doubt to those to whom the responsibility of ending the war and concluding the peace quickly has been given. Let us, in fact, help them to the fullest extent in the hope that by our concerted efforts the prayers of a prostrate and bleeding humanity may be answered and peace and contentment prevail throughout the world.

In the meantime, we must not let it be said that we opposed the international fund because certain banks in New York want to keep international short-term credits in their own hands, with all that it implies in the exercise of power over foreign governments and their policies.

Let us remember that the methods of the past did not serve to stabilize the economy of the world, nor to prevent the scourge of war from ravaging the nations. When that which we tried in the past has failed, we must not be afraid to try something new.

We cannot afford to be identified with any program of chosen instruments in aviation or communications which denies the right to do business to other citizens of this country.

We cannot afford to tolerate those self-seeking groups that would oppose expanding foreign trade through restriction of credits, trade barriers, and cartels.

Unless we are willing to consider favorably the results of the food conference held at Hot Springs, the monetary conference of Bretton Woods, and the aviation conference of Chicago, we will look in vain for the fulfillment of our hopes for peace at San Francisco.

President Roosevelt made an early victory, and world peace, and world cooperation his aim. Let us go forward in the fight with all the force which we can command, so that war may be banished and contentment find a place in the hearts of all people. We must earnestly and unitedly support President Truman to this end.

Mr. TOBEY. Mr. President, I wish to commend my colleague and friend, the Senator from Vermont, for the very fine presentation he has just made. I take it that in his judgment it is a formula for the Republican Party, to which he and I belong, in looking ahead at the problems which will follow in the aftermath of the war. I promise to go along with that plan, hoping that it will be in fact the agenda under which my party will approach the great questions involved in the post-war era.

Only last night I listened to a great American, a man for whom I have personal affection, Herbert Hoover, the only living ex-President. Over the mystic radio I heard him advocate what GEORGE AIKEN has just urged, namely, an international bill of rights. He was more specific, in that he recommended the Atlantic Charter to be made a part of the Dumbarton Oaks agreement as a bill of rights. I heartily concur in that statement.

A year or two ago, when President Roosevelt, and Prime Minister Churchill of Great Britain, announced to the world the Atlantic Charter, all over the world the hearts of the people were warmed and thrilled by the hopes and aspirations generated by those great principles, which appeal to the most profound and basic emotion in the human breast, the passion for individual freedom and liberty. I, with many millions of Americans, shuddered and trembled a little when the Atlantic Charter was shelved, so to speak; but it has now been brought back again into current interest by recent announcements.

Mr. President, all through the address of the Senator from Vermont was a principle which I strive to live up to. It is not enough these days, ladies and gentlemen—I speak to the occupants of the gallery, as fellow citizens, as well as to Senators—to follow the thesis of old, "Live and let live." If we do not go beyond that, we are not worthy to be called Americans today. The principle which we must espouse in my party, and in the party on the other side of the aisle, is something better than that. It is the principles of "Live and help live."

When GEORGE AIKEN delivered his address, I was impressed by one thought which he expressed, namely, that new questions are arising, and that we should not be afraid of them. My mind goes back to a tragic period in this country's history when Abraham Lincoln, the most beloved American, sent to Congress a message in which he well said, "The dogmas of the quiet past are inadequate to the stormy present. As our case is new, we must think anew and act anew."

Fellow citizens, we cannot escape history. So I say to my colleagues that we cannot escape our great responsibility as Members of the Senate.

When the Senator from Texas [Mr. CONNALLY] and the Senator from Michigan [Mr. VANDENBERG] go to San Francisco next week, they will go with the hopes and prayers of the Senate and of the American people. Let them have in their hearts a vision and passion for what the Senator from Michigan expressed when he called for justice in peace agreements—the justice which Christ expressed in His talks with men as He walked on the shores of Galilee.

Mr. President, I am not afraid of sentiment. I am not afraid of ideals. My country is founded upon them. In the play Valley Forge, by Maxwell Anderson, there is a wonderful passage. It tells a story. He says:

> There are some men who elevate the level of the age they inhabit, until all men stand on higher ground in that lifetime.

That is the job of America today. So, the agreements of Dumbarton Oaks, Yalta, Mexico, and Bretton Woods are all part of the fabric of the peace of the world. Forgetting partisanship, let us see only a world reviving and going forward to give all humanity new hope. Let us Republicans and Democrats also frankly say that we stand for those things. Put together, they will form a great pattern for world peace, world advancement, and world rehabilitation.

In conclusion, I commend my friend and colleague from Vermont for holding before the Republican Party these ideals and purposes. I hope that we may be farsighted enough, broad-minded enough, and humanity-loving enough to make them a fait accompli in the years ahead.

ROOSEVELT LAKE

Mr. MAGNUSON. Mr. President, a great deal has been said in the past few days in tribute to Franklin Delano Roosevelt. A great deal will be said in countless years to come regarding his courage, his foresight, and his leadership. We have all suffered a great loss.

Today we in the Pacific Northwest remember Franklin D. Roosevelt not only for those great attributes but for one specific thing which he did for us during his administration. For many years in our section of the country we have been conscious of the great potentialities of hydroelectric power. Frankly, we did not have much success in previous administrations in the development of those resources.

Franklin Roosevelt became interested in those potentialities back in 1920, and one of his first acts as President of the United States in 1933 was to start the wheels in motion to complete the great dams which are now a part of the Pacific Northwest and of the Columbia River. We shall always remember them, because those dams are living, permanent monuments to the vision and foresight of the late beloved President. Today they are producing hundreds of thousands of kilowatt-hours of power, all being used for the war effort, and all vital to the development of our section. It is the cheapest power in the world. Grand Coulee Dam was the greatest public undertaking of Franklin D. Roosevelt. As Senators know, that dam backs up into Canada a lake 150 miles long. We never knew what to call the lake, but yesterday I was pleased to see the announcement of the Secretary of the Interior that the lake behind the Grand Coulee Dam is to be known hereafter as Roosevelt Lake. We of the Pacific Northwest are grateful to the Secretary for that sentiment, and we are eternally grateful for the vision of the man who passed from our midst last week.

INTERNATIONAL FLYING ROUTES

Mr. McCARRAN. Mr. President, in the Wall Street Journal of April 9 there appears a very interesting article entitled "Nations Fight for Air Space as They Once Sought Colonial Land." The subtitle reads: "Fifteen seek to land in New York; Hollanders' ambition second only to United States lines."

The article should arouse the attention of the Members of the Senate because it shows what competition is arising throughout the world against the air lines of America. Such competitive lines may seek to carry our commerce abroad, and from abroad to our homes—all of which to my mind emphasizes the fact that the United States Government should stand behind one chosen line to carry the air commerce of this country to the world. I ask unanimous consent that the article may be printed in the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FOREIGN FLYING—NATIONS FIGHT FOR AIR SPACE AS THEY ONCE SOUGHT COLONIAL LAND—15 SEEK TO LAND IN NEW YORK; HOLLANDERS' AMBITION SECOND ONLY TO UNITED STATES LINES—STATE DEPARTMENT FILES FILLED

WASHINGTON.—This moment of aviation history is one of vaulting national ambitions for international flying routes.

Governments are staking out competitive claims for air space as they once scrambled for colonial land, and the same wide continents are involved—North and South America, Asia, and Africa.

Files of the State Department and other official sources show, for instance, that one United States airport, New York City's Idlewild Field, is projected as the terminus for air lines of Czechoslovakia, Peru, Switzerland, Britain, Ireland, France, Poland, Chile, Sweden, Canada, the Netherlands, Denmark, Cuba, Norway, and Portugal.

Most of the nations planning to land aircraft in the United States have not formally applied for Civil Aeronautics Board certificates—though the Dutch are an exception. But C. A. B. certificates will follow almost automatically, if applications are made, when the United States and foreign lands sign either the "two freedoms" or "five freedoms" agreements proposed at the Chicago Civil Aviation Conference, or negotiate bilateral arrangements.

A CROWDED SKY

This rush of business is aimed not just at the great cities of the United States. Look at the candidates for the well-beaten Pan American Airways route between Guatemala and the Canal Zone. They include Colombia, Panama, El Salvador, Peru, Cuba, and Chile.

If it isn't true that every country wants to fly everywhere, enough nations do want to fly to enough distant points so that the possibility of midair collisions seems a likely post-war problem. Panama is as modest as any; it wants only two international routes. Hollanders are perhaps the most ambitious foreigners; they propose 39 routes. Uncle Sam's planners, to be sure, have overwhelmed their foreign colleagues; the Civil Aeronautics Board and applicant United States air lines have blanketed the globe with projected American-flag routes.

It's difficult to discern what's reasonable and what isn't; small nations like Norway have proved themselves capable of sustaining a mighty merchant sea fleet. But plainly some of the air plans overreach.

Liberia proposes to speed its planes to Washington, D. C., by way of Haiti, as well as to meander over Africa.

The exiled Polish Government, without even knowing whether it will be allowed to return to its own country, is rashly proposing to fly to Minsk and Moscow. Other terminals would include Istanbul, Rome, Paris, Berlin, Beirut, Thessaloniki, Stockholm, London, Prague, and New York.

TEN PORTUGUESE ROUTES PROJECTED

The Portuguese, who now don't fly even to their island possessions, the Azores, project flights on 10 routes, across the North Atlantic to the United States, across the South Atlantic to Rio de Janeiro; down through the dark continent to the tip of Africa; and lines connecting the Portuguese territories in India, Macao, and Timor with nearest stops of the great Oriental routes.

Some nations frankly admit they can't realize their dreams at once. Denmark plans, soon after its liberation, flights to New York, to Greenland via Iceland, and to a number of European capitals as far distant as Bucharest. Later on, it expects to throw out additional tentacles: to Rio; to Rome; to Alexandria; and to Calcutta via Ankara, Bagdad, and Karachi. It projects 19 routes in all.

China divides its hopes into three periods. First will be reconstruction of domestic services, to supplement overburdened surface transport, a task requiring expenditures of about $150,000,000 in the immediate post-war years. Then her experts contemplate lines to India, Burma, Malaya, Thailand, Indochina, the Philippines, Japan, and Korea. Eventually the system would expand through the East Indies to Australia, across India to Europe, Africa, and South America, and across the Pacific to the United States, Canada, and the West Indies.

Czechoslovakia projects its air future in similar fashion. The first two periods would expand service through Europe, the final one

would extend it to North and South America, India, China, and the Near East.

SEES TIMING AND PURPOSE IMPORTANT

J. Parker Van Zandt, erudite aviation student and author on the staff of the Brookings Institution, believes all proposals to fly international routes should be considered in the light of timing and purpose. Are the plans practicable for any time in the predictable future? Are they proposed seriously, or are they being used for bargaining purposes, for prestige, or on the off-chance that the proposing country may some day want to fly them?

Even on the North Atlantic route, slated to be the greatest transocean air highway, he calculated that not more than four or five foreign countries will be able to do business. So two or three times that many will be disappointed. Even the succesful ones, he contends, will be lucky if they can run daily round trips compared with 10 or 15 round trips daily for efficient American carriers after the European economy has revived.

THE PRINCIPAL ROUTES

A glance at a map showing all the wishful air planning of the nations would show something of a jumble, but there is consensus of international opinion on what are the principal routes.

Europe will be a network of crisscrossing heavy traffic.

The South Atlantic route, curving down from Europe through the Dakar area of west Africa to the Brazilian bulge of South America, will have almost as many candidates as the North Atlantic highway, though flight frequency will probably be lower.

From the United States to South America there are two popular roads, east and west. The former goes from Florida and other American terminals through the West Indies and down the eastern coast of South America. The latter moves through Mexico and Central America on down the west coast of South America. Many intricate links complicate this picture.

Another great airway which the United States seeks to share with many competitors extends southeast from Europe. It goes through the Balkans or via the Mediterranean to the Near East, on to the focal Indian airport of Karachi, then branches out to various Asiatic points and to Australia.

Thinner traffic is expected on networks of routes linking colonial possessions in Africa and extending down to Capetown.

PACIFIC DISTANCES A CHALLENGE

The vast distances of the Pacific are challenging to the imagination—too challenging for many nations to attempt air service. Thus far the United States can reasonably expect real competition in this part of the world from the Netherlands, and from a cooperative effort of Britain and some of its dominions. From the United States, there are two principal choices of westward flying: Via Hawaii, and via Alaska.

There will be a big gap left on the air map by disappearance of Germany's Luft Hansa and Japan's Dai Nippon. The German line before the war was a spiderweb over Europe and it extended down through the Middle East and as far as Afghanistan and Siam. Another tentacle stretched down to Africa and South America, and four subsidiaries and associates operated all the way across the continent to Chile, Peru, and Ecuador. Japan operated a lesser but similar system in the Pacific area.

Apparently the United and neutral Nations think there'll still be business to do in Berlin and Tokyo after the war. Berlin is the goal of the United States, Sweden, Norway, Denmark, the Netherlands, the British, Czechoslovakia, Poland, and Yugoslavia, among others. Tokyo will be a peacetime target for the United States, the Dutch, the Philippines, and China.

Following is a primer of some of the national plans:

Belgium: It has had the advantage of maintaining through the war an active flying organization, a company called Sabena. This has operated out of the heart of Africa, the Belgian Congo, to Capetown and Cairo, and to the African west coast. Now, with the progress of the war, it has extended its route up through French North Africa, through France, over into Britain and into the Belgian homeland. This can be the nucleus for greater expansion.

Brazil: There's little official information, but this nation likewise has got a wartime head start. Aerovias Brasil and Panair do Brasil are two firms making charter flights into Miami under temporary C. A. B. permit.

Colombia: It wants to fly northward via Habana to Miami and via the Canal Zone to New Orleans. Southward and eastward, its ambitions extend to such key cities as Lima, Santiago, Manaos, and Caracas.

Cuba: Miami, New Orleans, and New York are sought as United States terminals. In addition to regional flights, the Cubans also want to soar to Spain, by way of Bermuda, the Azores, Canaries, and Portugal.

Egypt: An Athens-Rome-Paris-London run is the most ambitious scheme, amplified by 10 regional routes. One of these, for instance, would run from Tor to Wajh to Yembo to Jidda to Medina.

El Salvador: Craft flying the El Salvador banner are now operating into Miami by way of Habana, under temporary permit, and this small country wishes to continue this service as well as operate in Mexico and the Central American republics.

Greece: Eight routes through eastern and southern Europe and the Near East are projected. They would get as far as Warsaw, Rome, Vienna, and Damascus.

Iceland: Three international routes are proposed, to terminate in Copenhagen, New York, and Prestwick, Scotland.

Iran: Regional flights from Teheran to such points as Bombay, Baghdad, Cairo, and Istanbul are contemplated.

Lebanon: The Lebanese want to fly to Afghanistan, to Cairo, to Athens, and to the Red Sea port of Jidda.

Norway: Nine projected routes would include lines west to New York, south as far as Tunisia. Spokes would go out to many European capitals.

Panama: This contender would likewise put a line into Miami, and conduct a circuit in the Caribbean area.

Peru: This nation would spread its wings over South and North America between Buenos Aires and New York City, with eight major routes.

Philippines: Scheduled for independence in 1946, the Commonwealth plans to go either to Hong Kong or Canton, to Singapore via Saigon, and to Tokyo by way of Formosa and Shanghai.

Spain: Plans are afoot for links to South America, with the first stop Brazil. In addition, there would be lines to territories in Africa and to Portugal, England, France, Switzerland, and Italy.

Sweden: Ambitious plans would take Swedes to New York by a northern route, to Rio de Janeiro by way of Paris, Lisbon, and Dakar, and to Cairo and Istanbul. Others of its 21 projected routes would reach most of the European capitals.

Switzerland: Routes are vaguely, though officially planned, to the United States, South America, and the Far East. Fourteen other routes would touch Europeon capitals and Cairo.

Syria: Five regional lines are proposed, extending to Greece and much of the Near East.

Turkey: Six routes would be established as soon as possible to blanket the Near East and Balkans. Another half dozen would be extended later to reach Warsaw, Vienna, Rome, and other more distant points.

Yugoslavia: Eight major routes are planned, all of them intra-European. Terminals would be London, Moscow, Marseilles, Warsaw, Berlin, Istanbul, Rome, and Cairo.

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (executive H, 78th Cong., 2d sess.) a protocol supplementary to the treaty.

Mr. CONNALLY. Mr. President, I wish to propound a unanimous-consent request. I ask unanimous consent that at 4 o'clock today the Senate proceed to vote on any remaining undisposed-of reservations and the treaty without further debate.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. Such an agreement is entirely satisfactory to me, provided there is an equal division of the time.

Mr. CONNALLY. I will agree to divide the time equally, one half to be controlled by myself and the other half by the junior Senator from California, in the absence of the senior Senator from California, who is the ranking minority member of the committee.

Mr. McCARRAN. Mr. President, I apologize to the Senator from Texas, but I did not hear the request.

Mr. CONNALLY. The request was that at 4 o'clock today the Senate vote on any remaining reservations and the treaty without further debate, the time to be divided equally, one-half to be controlled by myself and the other half by the junior Senator from California, in the absence of the senior Senator from California.

The PRESIDING OFFICER (Mr. LUCAS in the chair). Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The Chair desires to call the attention of the senior Senator from Texas and the junior Senator from California to the fact that time is passing. One or the other of the Senators will have to allot the time.

Mr. CONNALLY. Of course, the clerk will keep track of the time which is consumed.

The PRESIDING OFFICER. Yes; but the time is to be equally divided.

Mr. CONNALLY. I understand. We can have the clerk keep check on the time.

Mr. DOWNEY. Mr. President, I wonder if the Senator will be willing to modify the unanimous-consent agreement as follows: That the time between 2:30 and 4 o'clock be equally divided, regardless of what speeches may be made between now and 4 o'clock.

Mr. CONNALLY. I do not think we shall have any difficulty in that request. Let us let the agreement stand as it is. I will not take too much of the time. I will work out the matter with the Senator.

The PRESIDING OFFICER. The Chair desires to call attention to the necessity for allotment of the time to

various Senators who will speak. If no allotment is made, one Senator who obtained the floor might speak for 2 hours.

The resolution of ratification is now open to further reservation.

Mr. LANGER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. LANGER. Does the unanimous consent agreement mean that Senators may speak only on the one question of the treaty?

The PRESIDING OFFICER. A Senator may speak on any subject.

Mr. DOWNEY obtained the floor.

Mr. LANGER. Mr. President——

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from North Dakota?

Mr. DOWNEY. Let me inquire on what subject the Senator wishes to speak.

Mr. LANGER. I wish to speak about airplane accidents.

Mr. DOWNEY. Very well, I yield to the Senator from North Dakota for 30 minutes.

The PRESIDING OFFICER. The Senator from California has yielded to the Senator from North Dakota for 30 minutes.

Mr. LANGER. I may not be able to conclude in 30 minutes.

The PRESIDING OFFICER. The Senator from North Dakota may proceed.

AIRPLANE ACCIDENTS IN CONTINENTAL UNITED STATES

Mr. LANGER. Mr. President, a petition by Mr. Joseph Leib, of Washington, D. C., in which I join, has been presented to me. His petition relates to the startling and tragic number of airplane accidents and fatalities which have occurred in recent months. I have had considerable to do with him in connection with the matter of airplane accidents which have cost the lives of 17,500 pilots in this country, almost three times as many as have been lost in the entire war.

Mr. President, on a number of occasions there have been inserted in the CONGRESSIONAL RECORD amazing facts concerning the heartbreaking number of service air crashes. Since the publication of that material, numerous documents corroborating the sensational charges have come to my attention.

With this information at hand, I respectfully suggest that the Congress create a special congressional committee empowered to scrutinize and check company and service crash reports and accidents. The investigation of service crashes is a big enough job for a full-time committee; and I believe that if such a committee were appointed, with the power to act, we might be able to do something about this tragic situation.

It is reassuring to know that there are persons working in the airplane factories who have the moral stamina and the courage to give Congress a vivid picture of how greedy aircraft corporations are producing defective and dangerous planes, and are utterly disregarding the welfare of our fighting men. In that connection a former Curtiss-Wright inspector has testified that the Buffalo (N. Y.) Curtiss-Wright plant produces defective aircraft and forces them through inspection, into the armed services. Blueprints, shop manual specifications, and quality procedure bulletins are defied. He had factual documents to prove why ships explode in midair, why their engines stop in flight, why their air controls and landing gears fail, and why fuselages break in two. He added that he was continuously encouraged by production and inspection personnel to accept airplanes of defective construction, so that production schedules could be met.

Mr. President, in protest he resigned his position as Curtiss-Wright inspector, and so notified his draft board. He was honest enough to quit, rather than to continue to be an inspector. When he quit he notified his draft board, and said he would prefer to join the armed forces and enter the fighting rather than continue to be an inspector and have his work ignored.

This information conforms with the startling report made by the Senate Committee Investigating the National Defense program, more than 21 months ago—on July 10, 1943, concerning the Curtiss-Wright plant at Lockland, Ohio.

On pages 18, 19, and 20 of the Truman committee report, No. 10, we find the following:

> The committee found that the company was producing and causing the Government to accept defective and substandard material. This was accomplished in the following ways:
>
> 1. By the falsification of tests.
> 2. By destruction of records.
> 3. By improperly recording results of tests.
> 4. By forging inspection reports.
> 5. By failing to segregate substandard and defective material.
> 6. By failing to promptly destroy or mutilate such defective and substandard material.
> 7. By orally changing tolerances allowed on parts.
> 8. By circumventing the salvage committee set up to pass on the usability of parts outside tolerances.
> 9. By allowing production to override the inspection force, thereby destroying morale of both company and Army inspectors.
> 10. By skipping inspection operations.
>
> Most of the representatives of the Army Inspection Section who appeared before the committee displayed an undue regard for the well-being of the Wright Aeronautical Corporation and too often seemed to be motivated by a desire to protect the company and its interest. It was found that the feeling was deliberately fostered among the Air Force inspectors that they must be cooperative with the company if they were to get along well in their jobs. This was evidenced by the following specific instances:
>
> 1. Inspectors were found to have been transferred because "* * * it has been quite difficult for this office to maintain a good feeling between subject inspectors and the contractor's personnel * * *." The committee found that the main reason is was difficult for these inspectors to get along well with the company personnel was that they absolutely refused to accept, for the Government, material which they knew to be faulty and which they were sure would fail in use.
>
> 2. Inspectors were threatened with transfer or other disciplinary action if they did not accept engines which were leaking gasoline; and even during the committee's investigation one inspector was actually transferred for the sole reason that he refused to accept, for the Government, an engine which was leaking gasoline.
>
> 3. A supervising inspector of the Central Procurement District was prohibited from returning to any Wright plant after he had made an investigation of conditions at the Lockland plant at the express direction of the Chief of the Inspection Section of the Army Air Forces Material Command, located at Wright Field, Dayton, Ohio, and had rendered an honest report with respect to it. It is significant that the transcript of a meeting with a group of complaining inspectors, which was taken by this supervising inspector, contained the following statement by him: "I would like to say that this picture is being painted so black, and in accordance with your statements, I feel before this thing is over with, I am going to be forced to come into that plant and see some of the material." The prohibition was invoked within a week after the transcript was delivered to the Chief of the Inspection Section.
>
> 4. Whenever an Army inspector attempted to reject material, he was always met with an argument where the matter involved was important to the company. His decisions were appealed to his supervisor; then, if necessary, to the assistant inspector in charge; then to the inspector in charge; then, if the inspector in charge would not accept the material, it was appealed to the technical adviser to the Air Forces on Wright engines, located at the company's parent plant in Paterson, N. J. Usually it was unnecessary to go further. In case even he would not approve it, however, there have been cases in which the company has gone to Wright Field. The committee found that the company, by following this procedure, was not only able to get almost anything past inspection but also was able to convince the Army inspection force that it was futile to attempt to reject material over the objection of the company.
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> 5. Army inspectors were refused access to precision instruments with which they might check suspected material. Their inspection was restricted to purely visual examination.
>
> 6. Army inspectors were denied rejection stamps of any kind, and had no way later to identify or to follow up any material which they might have rejected.
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> The committee also found that the scale of wages paid Army inspectors was considerably below that of company personnel occupying equivalent positions. The low civil-service rating makes it difficult for the Army to build a large enough force of qualified men.
>
> In addition to the situation existing in connection with Army personnel, the committee found cases in which the company inspectors had been subjected to pressure when they became insistent on rejecting material, and also cases in which inspectors had been reprimanded for calling defective material to the attention of Army Air Force inspectors.
>
> It has been offered as a defense that, although some rules were violated and some material accepted which did not meet specification, they were harmless incidents since they did not result in a defective end product. Evidence presented to the committee, however, indicates the following:
>
> 1. Engines were built and sold to the Government which were leaking gasoline. The Chief of the Army's Engine and Propeller Unit testified before the committee unequivocably that no engine with any kind of a gas leak should be passed.
>
> 2. Unsafe material has been discovered in completed engines ready for shipment.
>
> 3. The company's own reports from its field representatives indicate that these parts had failed in a substantial number of cases.
>
> 4. A substantial number of airplanes using this engine have had crashes in which engine failures were involved. This is also true of other engines, some of which have had higher accident records. But sound conclusions as to causes of air accidents cannot be drawn

from the statistics available, (1) because in major accidents the planes are usually destroyed and the pilots killed; and (2) because it is usually impossible to be certain whether an engine failure resulted from faulty engineering, materials, maintenance, or inspection. Moreover, the Army board of investigation has concluded that most of the derelictions and defective practices occurred during the several months immediately preceding the committee's investigation, so that accident statistics would not have been affected. Also the Army is checking all engines produced during that period to prevent accidents from occurring.

5. More than 25 percent of the engines built at the plant have consistently failed in one or more major parts during a 3-hour test run.

6. Spare parts were shipped without proper inspection. In fact, it was entirely possible to have parts go out as spares with no inspection at all. Since those parts came from the same stores as those which were built into engines, it is reasonable to assume that they would be defective in about the same proportion.

7. Records furnished the committee by the Army Air Forces as being complete show that, while this plant has been producing engines since 1941, it has been impossible, so far, to complete successfully a required 150-hour quality test. Of three such tests run, one engine failed in less than 28 hours, the second in less than 33 hours, while the third completed the full run. The latter, however, was in such condition at that time that it was considered definitely unsatisfactory.

The above evidence that the Air Force personnel in charge of inspection at the plant in effect abetted the company in these practices is corroborated by the conduct of certain Air Force officials during the committee's investigation. These officials, apparently led by the Chief Inspector for the Army Air Forces, Lt. Col. Frank C. Greulich, made specific and material misrepresentations to the committee, attempted to intimidate witnesses, introduced evidence prepared specially for the purpose, designed to discredit witnesses, made misstatements under oath, and otherwise attempted to impede the committee's investigation.

Furthermore, on page 30 of the same report this statement will be found:

AIRCRAFT ACCIDENTS

In addition to the foregoing the committee has been engaged in a study of military plane crashes and at a subsequent date will report on this subject. The committee is concerned about the large number of such casualties, particularly in noncombat operational flights in this country.

Mr. President, I have been reading from a report of the Truman committee, which was headed by the now President of the United States of America. This sensational report was published 21 months ago. Twenty-one months have passed, and nothing has been done to correct the conditions revealed by the report. In the meantime many of our pilots have died and others will die.

Mr. President, the deaths of two of the very best young friends I have had in all this world were reported to me only a few days ago.

Mr. President, I feel I would be derelict in my duty as a United States Senator if I did not stand up here and protest that a committee of the United States Senate would let 21 months go by in the face of the Truman committee report and have nothing done to protect the boys who are flying in behalf of the Government of this country.

In the name of logic and decency, I join with Joseph Leib, the petitioner, in respectfully asking why the Congress of the United States has ignored this bewildering situation and why it has allowed the Senate Committee to Investigate the National Defense Program to pigeonhole the long-awaited pledge to report on the amazing number of service aircraft accidents.

On October 2, 1944, less than 7 months ago, Gen. H. H. Arnold, A. A. F. Chief, issued a report that the Army Air Forces crashed more planes in the continental United States in this war than were lost in combat on all the world battle fronts. This story appeared on the front page of the Washington Star on October 2, 1944:

Note, also, that on February 1, 1944, a House military subcommittee issued report No. 1052, in which it emphasized the following (pp. 10 and 11, Flying Training Accidents): "We are sincerely alarmed to discover a recent rise in the rate of those accidents. We are particularly alarmed to learn that the rate continues to rise."

The rate is going up and up and up, Mr. President, and it has not stopped going up yet.

An accumulation of experience, development of aircraft, and instruction methods should produce a reduction in the rate. * * * There is no braver man than the young American who volunteers to fight for his country individually and in the air. It is regrettable that even one of these should die before he had a chance to face the enemy.

I repeat, Mr. President, that more of our pilots have been killed in training than have been killed on all the war fronts all over the world. Still Congress has steadily refused to take constructive action to clean up the situation.

Here is documentary evidence concerning conditions at the Curtiss-Wright plant at Buffalo, N. Y. This new information has been furnished by an inspector who has additional amazing evidence regarding conditions in that factory.

I call the attention of the Senate to the fact that the Senator from New York [Mr. MEAD], who succeeded President Truman as chairman of the Committee to Investigate the National Defense Program lives in the city of Buffalo where this evidence is available and can be obtained by calling a committee meeting there at any time.

Congress is asked to study the following facts carefully so that these situations can be corrected in order that our brave fighting men may have safe and well constructed airships.

I quote the charges made by an inspector in the factory at Buffalo under date of February 9, 1945, only a few weeks ago:

1. Test Pilot Norman Ranger, during the month of October 1944, when the last of the P-40's were being rushed through to complete the contract, found these airplanes in such bad condition that he refused to fly them.

2. Chief Production Test Pilot Ray F. Moulton wrote this letter to company officials on September 2, 1944, in which he went on record as saying: "C-46—No. 1011 was released by Inspector Bestptich at 5:15, September 1, 1944, for flight. The condition of subject airplane * * * was found to be in no condition for flight in any way, shape or manner. It is regrettable to bring this to your attention but due to existing conditions of ships, posted for flight by inspection, immediate and effective measures must be taken by all personnel concerned to correct such items as have been noted for the safety of flight personnel concerned."

3. Flight Inspector A. W. Williamson claims that it is not unusual to find a ship which is ready for flight whose spark plugs can be removed from the engine by hand.

4. While on the P-40 line I discovered not only small parts but drilling and filings in the canopy and windshield areas of the P-40 airplanes. I received absolutely no cooperation in having these particles removed. I later learned from the superintendent of inspection that the modification center (not plant 2B) test pilots were encountering blindness from particles working in under their goggles and getting into their eyes. I told him to be on the watch out for this as it existed in every ship.

5. Army Inspector Pangborn, who was supposed to witness the operation of the oxygen warning signal on the P-40 would go joyriding in a C-46 and then come back in on the line near quitting time and O. K. company inspection records. He knew absolutely nothing as to whether these warning signals worked properly or not.

6. While on the C-46 assembly line I called for Army inspection on the vertical fin installation which necessitates climbing a ladder to a platform and witnessing the torquing of 90 bolts. Also the rudder torque tube installation and deicing equipment. An Army inspector, whose stamp number can be traced, came to me and asked what installation I wanted inspected. I pointed up toward the vertical fin. The Army inspector replied that he had on his best clothes as he was going home to a party early and did not care to go up and get himself dirty. He said, "How is it?" I said, "Alright, but you're supposed to look at it." He replied, "To hell with it. Where's the book and the item." I showed him the item and he affixed his stamp and walked away.

7. While on the P-40 line I saw approximately 2,000 airplanes which had a grommet with $\frac{1}{8}$-inch groove while the blue print called for a $\frac{3}{16}$-inch groove. This did not permit the grommet to overlap the metal in the No. 3 bulkhead on the left-hand side in the cockpit and therefore it would move out of the hole and permit the main junction wires (I believe carrying 1,200 volts) to ride in contact with the sharp edges of the bulkhead hole. The vibration of the engine and rolling of the ship in combat would wear and cut the insulation on these cables, and as soon as the metal of the ship touched the bare wire there would either be a complete paralysis of the electrical system or else an arc, and with gasoline fumes existing an explosion would result.

8. I know, positively, of one airplane that had metal filings in the oxygen system. I rejected this item, but could not get the system removed from the airplane. Mr. Ivor Harding, production foreman, and Mr. Joseph Orchard, assistant general foreman of production refused to remove the system. I refused to accept it so it was permitted to roll on up the line to a more agreeable inspector.

9. Mr. Gerald Ingrahm, inspector, told me that he has seen a production foreman walk up to a C-46—in a flight hangar scheduled to go out the door—and remove the crab sheets (defective notations) from the ship which were not corrected after inspection and tear the sheets up and throw them in the waste basket. There may have been as many as two or three hundred things wrong with this airplane but to clear her, for flight, and sale, this action was taken.

10. Mr. Dawson Standeven, production supervisor and a flight mechanic who I can identify if necessary, told me and I have witness thereof, about a C-46 which exploded

in its right-hand engine near the Town of Swormsville, N. Y., last year and crashed after eight men aboard had parachuted to safety. They claimed that this plane stood on the ramp the night before and all parties concerned knew this airplane had a fuel leak in the right-hand wing panel and still they permitted this ship to go in the air the next morning only to be destroyed.

11. A P–40 had a weak side wall in a tire and this was known to Curtiss-Wright personnel. William Forbes, assistant general foreman on the second shift, made the remark: "I hope the Army inspector doesn't see it," or words to that effect. Fortunately, the Army inspector saw it. This was the last inspection before flight.

12. I have told (company officials) why I consider their preflight and after-flight inspection to be not much more than a mere act. I informed them of the fact that not only were things terribly neglected on this line, where pressure was exerted on inspectors to permit these things to go through on the pretense that they would all be rechecked by the preflight and after-flight inspectors but, also, to my amazement, I learned, while in a flight hangar one day, the fact that main switch boxes and electrical-junction boxes were not reopened so I had every reason to believe that these ships went in the air in the same terrible condition in which I witnessed them on the final assembly line. Mr. Al Wedberg, Waulity control manager asked: "How much production do you believe we could get out if we took the time to recheck everything as you seem to believe we should do?" Mr. Rexford Harmon, chief of plant protection, agreed with my statements. But in January 1944 Mr. Wedberg denied knowing about inferior quality in these airplanes when questioned at a round-table meeting by Mr. Arthur Mundy, Sr., Army Air Force investigator.

13. Mr. Louis Mayer, president of the I. A. M. and I were visiting with Mr. Milton Briggs, Army Intelligence officer, and Lt. George Weitlauf, United States Army, and the subject was mentioned of my having accused Curtiss-Wright inspectors of stamping books and approving installations they had not even looked at. Mr. Briggs said he could prove what I said was true. He produced a photograph of the air-control pulley and pulley bracket and cable on the rear spar of a C–46 which had no lower mounting bolt installed.

Mr. President, that is similar to the accident I detailed on the floor of the Senate a few weeks ago, an accident which happened in San Diego, in connection with which it was shown that while 116 bolts were supposed to be in the wing of the airplane, on inspection 96 were found to be missing. Men were killed in the accident, but it happened that the wing was saved, and when the wing was taken before the coroner, it was shown that, although 116 bolts should have been in it, 96 had never been put into the wing. Yet nothing is done about the matter by the Congress. This complaint is made by an inspector who resigned his position and went into the combat service. He continued:

Also this pulley bracket was misalined to the extent that the cable had rubbed on the SS guide pin so badly that the pin, which is approximately 3/16 inch thick, was worn half through. This in itself was enough to weaken the strands in the air-control cable. This installation had been accepted by two Curtiss-Wright inspectors and when they were quizzed by Army Intelligence, they both vowed the installation was intact and in good conditions at the time they accepted it. Their statements were proven false by Army Intelligence because there was no hole and nut plate for a bolt in the rear spar so it would have been absolutely impossible for a bolt to ever have been installed.

Mr. Briggs, at this same meeting, told us that an inspector who had worked in the panel department and had continuously informed Army Intelligence of negligent and dangerous conditions such as fuel systems which would cause leaks and possible explosions and other items of great importance. He refused to "play ball" with Curtiss-Wright production officials, so he was removed and sent outside in the yard to work on completed panels to check. Here he could do no harm, because the panels were all fabricated and complete, and it would be impossible for him to see anything. Another item Mr. Briggs mentioned was a condition in the fire-wall junction box in P–40's. He told us that he traced the origin of seven fires to this very same thing.

14. I have a supervisor on my list, and a witness to his statement, who states that the inspector on their station sleeps in the cockpit of a C–46 and when work is completed, workers take the book to the cockpit, awaken the inspector, and show him the items they have supposedly completed, then he stamps the book and goes back to sleep.

15. On one occasion I went to flight hangar to test ship No. 1413. This ship had gone through final assembly inspection, preflight build-up, preflight and after-flight inspection, had been flown and O. K.'d for shipment. After the plane was torn down and the fuselage and engine were standing on the grease rack preparatory to being crated for shipment, I started in at the propeller hub and inspected this ship to the No. 18 bulkhead. I wrote a total of 43 rejections. One of these rejections was 11 loose connections in the main switch box which contained the ignition switches, and gunsight controls, and other connections too numerous to mention. I also found the electrical and radio harnesses being badly out at various positions by the Tinnerman snap claps in which the sponge rubber had never been properly installed. I also found a hydraulic tube rubbing the bottom of station 5 bulkhead and never had had Neuropreme tape installed. This would have caused a hole to be worn in this tube and the ship would have lost its hydraulic pressure and fluid and there would be no flap or landing-gear operation. I also found a throttle control which did not have a cotter key installed through the castellated nut. From engine vibration and operation of this control, the nut could back off, permit the bolt to fall out, and the pilot would have no control over his engine.

16. The blueprints concerning the air-control system in the P–40's permits a 5-degree misalinement in pulley brackets. When I was on the air-control station I was protracting these brackets and finding them as far off as 20 degrees from neutral, and I know from visual comparison that some were even worse than that. I make this additional notation because it is upon this case that I am basing my claim that the Curtiss-Wright Corporation positively forces airplanes through production which do not comply with blueprint specifications, and also the United States Army accepts these ships knowing these facts. The United States Army has proven their concern over this matter to the extent that in December 1943, they ordered the P–40 line stopped as a result of conditions in the air-control system. They also specified that fuselage fuel tanks and radios were not to be installed until the air controls within the fuselages were adjusted to alinement. But the planes started to roll once again the next day at 12:30 p. m. in the same condition they had been, and with fuel tanks and radios installed.

17. An inspection foreman told me that * * * inspection supervisors were called to a meeting and instructed to work toward the production goal on the assumption that inasmuch as approximately 50 percent of these airplanes would be sunk on the way over, it did not seem necessary to go to great lengths in achieving quality in the ships. Of course, Curtiss-Wright thought more of their personal gains. If only one-half of these planes were going to get through, wouldn't it seem logical that they should be in exceptionally good condition to make up for the loss of quantity and be able to do a better job? Also, how were they to determine which 50 percent were going to be sunk?

18. While Mr. Gerald Ingrahm was acting as pre-oil inspector (this is where the C–46's pass out the door of the plant) he was warned by a production foreman that if he did not cease writing so many rejections against these airplanes that he would take steps to have Mr. Ingrahm removed from this area.

19. The hydraulic suction and return lines in the C–46's approach the reservoir of the airships in a vertical position. These planes are arriving at production station No. 27 on the "B" line without celloseals installed. I traced the origin of this serious condition to the beginning of the "A" line. Workers were drilling and walking past these tubes, not only causing metal drillings and small parts to fall into these lines but also the flare on the return line is constantly in danger of being damaged as it is in the line of travel between the pilot's compartment and the troop section of the fuselage. I have in my possession the debris which was caught by myself and witnessed by Mr. George Cox, Curtiss-Wright inspector No. 1501, when we blew the lines in ship No. 778. It consists of a rivet, metal drillings, and metal dust. Some of the contents were lost in the crude procedure employed in the salvaging of this evidence, but there is still more than would be beneficial to a hydro system.

An airplane returned from South America whose hydro system was rendered useless due to this same condition. This particular ship had only 90 hours of flight time and in this period all her controls and landing gears had failed. Metal drillings were found throughout her hydraulic system. I believe her number was 342.

This condition which exists on the final assembly line was reported to Mr. M. Bozz, inspection foreman. Nothing happened, so Mr. Cecil, of the Army inspection, was showed the evidence of not only the conditions of the lines, but also the fact that production men were signing, and inspection men were stamping, that defective tubes had been removed and replaced, but investigation proved that while the tubes which were marked defective remained in the ships. Also Mr. Cecil's attention was called to an airplane whose fuel line in the RH nacelle contained a celloseal and a strip of cellophane. These items were coasting up to the "B" line over to the "C" line. This was the ship containing the deposits in the RH fuel line. Mr. Cecil has a record of this.

I again approached Mr. Montana, general foreman of inspection, about the situation and laughingly he said, and I quote: "You are crazy for trying to get quality in these airplanes because they only last 20 minutes in combat anyway." When he departed I believed it was time for me to consult someone besides Curtiss-Wright personnel, so I summoned Mr. Cecil to the line and showed him not only the ship on my line but all the airplanes on the "A" line, which had the same condition. He made notes and told me he would file a report. I showed him my secret markings on the hydraulic tube and the fuel line and proved to him that they were being O. K.'d by both Curtiss production and inspection departments. A considerable number of days passed and nothing happened, so, mistaking Mr. France, Curtiss-Wright general manager, whom I didn't know, for an Army supervisor, I told him of

the situation when he appeared on the line one night, and that I had reported it to the Army. Mr. France fairly wheeled toward me and said, and I quote him positively: "If you tell Army anything more, you won't be here."

He then told me that I worked for Curtiss-Wright and I should report only to my supervisors.

20. Airplanes pass out of the door with plugged fuel lines, defective air controls, and electrical installations which set a ship afire in but a few hours of operation. The United States Army inspection is inefficient. These men are not allowed to wear working clothes which permit them to actually go in or go through a plane. The majority of them are well dressed and not able for this reason to do a job. An inspector who insists on quality is either discharged or transferred to a remote spot where he or she can do the company no harm. Army intelligence records will prove these statements to be true. Workers are encouraged to do their work the quick way regardless of quality.

FRANK R. HIRSCH.

EAST AURORA, N. Y.

Furthermore, Mr. President, this company has received the coveted Army and Navy E award which they proudly display on their stationery and on their advertising matter.

The mothers, fathers, and loved ones of the boys flying in our planes are not interested in more alibis or further face-saving statistical reports. They want to see these inhuman and deplorable conditions corrected once and for all.

The PRESIDING OFFICER. The time of the Senator from North Dakota has expired.

CONSTRUCTION OF PROJECTS IN THE UPPER BASIN OF THE COLORADO RIVER—ADDITIONAL BILL INTRODUCED

Mr. MURDOCK obtained the floor.

Mr. O'MAHONEY. Mr. President——

Mr. MURDOCK. I yield to the Senator from Wyoming.

The PRESIDING OFFICER. The Chair may announce to the Senator from Wyoming that under the ruling of the Senate the time from now on will be divided between the proponents of the treaty, the Senator from Utah [Mr. MURDOCK] having charge of the proponents' side, and the junior Senator from California [Mr. DOWNEY] the side of the opponents.

Mr. O'MAHONEY. Mr. President, as one of the supporters of the Mexican water treaty I desire to say just a word in explanation of a bill which I am about to introduce on behalf of the junior Senator from Utah [Mr. MURDOCK] and the other Senators of the four upper basin States in the Colorado River system [Mr. HATCH, Mr. CHAVEZ, Mr. JOHNSON of Colorado, Mr. MILLIKIN, Mr. ROBERTSON, and Mr. THOMAS of Utah] to authorize the construction of certain projects for which the Bureau of Reclamation has been preparing plans.

Several years ago I had the opportunity of urging upon the Senate the adoption of an appropriation to enable the Bureau of Reclamation to study and prepare plans for the construction of works in the upper basin to store water, to develop power, and to increase reclamation. The appropriation was made and studies were undertaken. It had been my hope that those studies would be completed and a report filed with Congress before this treaty was acted upon, but of course it is a very difficult task and much time was required for its performance. The studies have not yet been completed, and it probably will be from 3 to 6 weeks before they are all ready.

It is important, however, that before the Mexican treaty shall be ratified the attention of the Senate should be called formally to the fact that there are large opportunities for the storage and use of water in the upper basin States. Such construction will prevent waste of water and will stabilize the river flow to the advantage of objectives of the treaty. Heretofore most of the development which has taken place in the Colorado River system has taken place in the lower basin. I have supported the treaty because I have believed that it will be a powerful factor in bringing about the development of all the basin States if once and for all we stabilize the demands which Mexico may make upon the waters of this system, and I am satisfied that the provisions which are contained in the treaty constitute the best contract we could hope to obtain.

The ratification of the treaty will mean, in my judgment, that the international question will be settled, and that it will then be possible for the United States Congress and the people of the various States to turn their attention to the necessary program of developing the river and particularly of doing something for these various projects in the upper basin.

This treaty is the signal for the beginning of real development in the upper basin States, the people of which have waited ever since the Colorado River compact was signed for the initiation of a program. The bill which I introduced today authorizes the program.

Mr. President, the Colorado River compact, which was entered into several years ago, made an allocation of water between the lower basin and the upper basin States. The bill which I now propose to introduce, and to which I am calling the attention of the Senate, is designed to make effective for the upper basin States the allocations of water contained in the treaty. It is also designed to support and to facilitate the administration of the water utilization treaty.

It should be pointed out that the four upper basin States are Wyoming, Utah, Colorado, and New Mexico, and that each of them has valuable resources which the wise use of water will render capable of profitable utilization.

I should like to point out that the State of Wyoming, my own State, has a vital interest in these plans. By increasing irrigation throughout this part of the West, more farms can be created, the populations of cities and towns expanded, and agriculture and related business stimulated.

Wyoming would benefit directly from work done within the State, and indirectly from the increased prosperity of neighboring States, a prosperity which would be stimulated by the developments already planned. Conservation of the water supplies of Wyoming, as of any other State, represents the key to the maintenance of existing population and to the growth and expansion of that population in the future.

Approximately 280,000 acres in the Green River Valley would be brought under cultivation as the result of the construction of the works which are here planned. I do not intend to take the time of the Senate to describe all these plans, but, Mr. President, I have prepared a statement which contains a list of various projects which are under consideration by the Bureau of Reclamation engineers, and I ask unanimous consent that it may be printed in the RECORD at this point as a part of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

The statement is as follows:

GREEN RIVER DEVELOPMENT PROGRAM

Rising in western Wyoming, the Green River Basin drains the northwestern corner of Colorado and discharges into the Colorado River in southeastern Utah and drains an area of 45,000 square miles, as large as the State of Pennsylvania. Thirty-nine percent of this area is in Wyoming, 37 percent is in Utah, and 24 percent is in Colorado.

Senator O'MAHONEY said, in 1940, when the Interior Department appropriation bill was under consideration:

"In connection with projects under consideration in the forthcoming Colorado River report to Congress, 283,030 acres of new land would be irrigated in the Upper Green River Basin in Wyoming and 85,450 acres now under irrigation would receive supplemental water. These projects could be constructed at a cost of about $43,500,000," the Senator said "In addition, 8,300 acres of new land on the Little Snake would be irrigated and supplemental water furnished to some 9,910 acres at a cost of about $3,000,000."

PRIORITY SAFEGUARDS APPLY

The forthcoming report will recommend 12 potential projects within the Upper Green River Basin and will provide increased water supply for irrigation. One of them would also provide power and three would permit the export of water to other regions if approved by State and local authorities, as provided in the so-called O'Mahoney-Millikin amendments to the Flood Control Act of 1944. Under the provisions of these same amendments provision is made for protection of western water rights for domestic agricultural and industrial purposes as well as for participation by the States in the planning of reservoirs so that opportunity can be afforded to protect natural resources and applies to the Green River as well as the Missouri River Basin watershed.

The Bureau of Reclamation proposals on the Green River Basin development are summarized briefly by Senator O'MAHONEY, as follows:

WEST SIDE PROJECT

The West Side project is in the northern part of the basin adjacent to Beaver Creek, Horse Creek, Cottonwood Creek, and Piney Creek, all tributaries to the Green River. A total of 65,000 acres could be served by a canal heading at a reservoir at the Kendall site and extending south and west 105 miles. In addition to furnishing a supplemental supply to 37,000 acres of land already irrigated, 29,050 acres of new land could be brought into cultivation.

DANIEL PROJECT

The Daniel project would bring into cultivation small patches of river-bottom land amounting to 5,160 acres between the Kendall Reservoir site and the mouth of New Fork River by enlargement and extension of existing ditches. The Kendall Reservoir would provide necessary storage.

ELKHORN PROJECT

The Elkhorn project on the east side of the Green River between Kendall Reservoir and Pacific Creek near Eden, Wyo., would serve 134,000 acres of new land with a 160-mile main canal heading at the Kendall Reservoir and collecting surplus flows from Green River, New Fork River, and Big Sandy Creek. Storage would be provided by Kendall, Burnt Lake, and Boulder Lake reservoirs. Here a power head of 530 feet created by the release of water from the Burnt Lake Reservoir could be utilized at a 1,500-kilowatt plant to produce 9,390,000 kilowatt-hours of power annually. Tailwater would be regulated at Boulder Lake reservoir for irrigation purposes.

PARADISE PROJECT

The Paradise project would bring into cultivation 4,450 acres along the New Fork River by pumping water from the river below the mouth of Boulder Creek. Seasonal power from the Burnt Lake power plant would be sufficient for a 32-foot pumping lift. Natural and return flows would be ample without providing reservoir storage.

On the Eden project a full supply of water would be furnished to 11,470 acres of new land and 8,530 acres of insufficiently irrigated land near Eden, Wyo., when the Bureau of Reclamation finished construction now authorized, including Big Sandy No. 2 Reservoir. An additional 20,250 acres of new land could later be served by constructing 12 miles of new canal and extending laterals planned in the present program. Big Sandy Creek augmented by return flow from upstream irrigation would provide a full water supply.

LOWER BIG SANDY PROJECT

The Lower Big Sandy project would be fed by gravity diversion of natural and return flows from Big Sandy Creek near its confluence with Green River. Irrigable lands totaling 11,850 acres would be brought into cultivation.

On the LaBarge project a reservoir of 10,000 acre-feet capacity together with some new canals and laterals would furnish water for 3,370 acres of new land and 5,540 acres which lack sufficient water near LaBarge, Wyo.

FONTENELLE PROJECT

The Fontenelle development would require a 5,000 acre-foot reservoir at the Minnie Holden site on Fontenelle Creek with enlargements and extensions of the present distributive system to provide water for 2,050 acres of new land and 3,720 acres needing additional water along both sides of Fontenelle Creek.

SEEDSKADEE PROJECT

The Seedskadee project contains rich irrigable lands totaling 40,830 acres on both sides of the Green River below its confluence with Fontenelle Creek. With the exception of 4,500 acres which would have to be reached by a 33-foot pump lift, these lands could be irrigated by gravity from the Green River. No reservoir storage would be required.

OPAL PROJECT

The Opal project would serve 16,020 acres of new land and 5,400 of insufficiently irrigated land in the Hams Fork Creek area. Two new canals would bring the water from the creek to a 60,000 acre-foot reservoir at the Middle Hams Fork site.

LYMAN PROJECT

In the Lyman project storage in an offstream reservoir at the Bridger site would furnish supplemental water to 20,910 acres along Black Forks River. Downstream from these lands are 3,100 acres which could be irrigated from return flow if a new canal were constructed. Also in the vicinity of the Lyman project lands are 7,950 acres under present canals, but not now irrigated. Water for these lands could be obtained through participation in the Henrys Fork project.

HENRYS FORK PROJECT

The Henrys Fork project would serve 21,090 acres of irrigated land and 9,190 acres of new land in the Henrys Fork and Sheep Creek areas and could be enlarged to provide water for 7,950 acres of new land in the Lyman area. Full development would require use of the big basin natural reservoir site in Utah for storing 107,000 acre-feet of water.

COKEVILLE POWER PLANT

The three diversions in the upper Green River basin would make irrigation in neighboring territory possible. The largest would be the Green-Bear Diversion, a 37-mile tunnel beginning near LaBarge, at the Fontenelle Reservoir with a capacity of 400,000 acre-feet which would export some 270,000 acre-feet of water annually from the Green River to Smith Fork, a tributary of the Bear River. From the outlet portal of the tunnel a canal would carry the exported water, together with surplus flows of Smiths Fork, to a power plant utilizing a drop of 200 feet at Cokeville. This plant could generate about 45,000,000 kilowatt-hours of energy annually. Tailwater regulation at Bear Lake would permit power production without loss of water for irrigation. In transit through the Bear River Channel to lands in Box Elder County, Utah, the irrigation water would serve to generate power at the Soda, Grace and Cove plants of the Utah Power & Light Co. This diversion would deplete the Green River flow by an average of 290,000 acre-feet annually, allowing 20,000 acre-feet for reservoir losses.

SOUTH PASS DIVERSION PROJECT

The South Pass Diversion with a 31-mile canal, 8 miles of which would be in rock, would take the flow of East Fork River, tributary to New Fork, together with flows of Big Sandy Creek and Little Sandy Creek to Lander Creek. An annual average of 46,600 acre-feet of water could be exported from the Green River Basin for use in the North Platte River area of Wyoming. This water would supplement flows of the North Platte River and be stored in Pathfinder and Seminoe Reservoirs for irrigation of lands under the Kendrick project and perhaps additional developments in Wyoming.

HAMS FORK DIVERSION

The Hams Fork Diversion would take about 33,000 acre-feet of water annually from LaBarge, Fontenelle, and Hams Fork Creeks to Twin Creek in the Bear River Basin with the construction of 41 miles of canal, including three tunnels with combined lengths of 5 miles. The flows from these creeks would be regulated by the Middle Hams Fork Reservoir, also a feature of the Opal project. To regulate the additional flows for export the reservoir capacity would have to be enlarged from 60,000 to 170,000 acre-feet. The water thus diverted would irrigate lands along Bear River in Wyoming from Sage to Cokeville.

Mr. O'MAHONEY. Mr. President, it is sufficient to add that the storage of water in the upper-basin States will facilitate the administration of this treaty, and will facilitate the development of all the States in the lower basin.

One of the great advantages of bringing about such development, the building of reservoirs for the storage of water, the prevention of floods, the development of power, and the expansion of irrigation is that it will add to the productive capacity of this great area where there are tremendous resources as yet practically untouched.

As I contemplate the tremendous expense which this country has assumed in order to fight the war, I realize that more than anything else we need to increase the productive capacity of all parts of the United States. In my opinion, there is no part of the United States which would lend itself more readily and more successfully to the development of productive enterprises than the States of the Colorado River Basin, and I am very anxious, Mr. President, to make sure that we take whatever steps are possible to take here to facilitate the development of those resources.

When the war is over, when our soldiers are returned, there will be need to afford opportunity to them for productive work. This opportunity will flow from the development of such projects as are here outlined. National income will be increased, and by the national income of course I mean the income of the people, not the income of the Government. When the people's income increases their ability to carry the national debt will thereby be increased.

As I pointed out on the Senate floor a few weeks ago, Congress has recently enacted a measure increasing the national debt limit to $300,000,000,000, a figure which is beyond imagination. The interest upon that debt alone, Mr. President, is greater than the entire cost of the normal branches of Government. That interest can be paid only if the people have the opportunity to work and to produce, and therefore it seems to me to be of primary importance that we concentrate our attention upon the establishment of projects such as the Bureau of Reclamation is now studying, which will produce revenue. The projects in question will repay their cost to the Government, to the Nation, not only in improved homes, improved farms, improved mines, but in improved families working and producing wealth for the Nation.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I am glad to yield to the Senator from California to ask me a question in my time.

The PRESIDING OFFICER. The Senator from Utah has the floor.

Mr. MURDOCK. I yield whatever time the Senator from Wyoming desires me yield to him.

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from California?

Mr. DOWNEY. Mr. President, I am asking the Senator from Wyoming to yield to me in his time.

Mr. O'MAHONEY. The Senator from California is asking me a question in my time.

Mr. DOWNEY. I wanted to make certain comments and place certain data in the RECORD as a part of the remarks of the distinguished Senator from Wyoming.

First, let me say that as always I am very much impressed with the value and the worth of what the distinguished Senator is saying. I might say to him that I recently have been developing certain figures which may be of interest to him and to the Senate as showing the vital necessity for water in the great Southwest. Of course, the Mississippi River, with all its tributaries, is by far the largest river in the United States, having a flow of about 400,000,000 acre-feet. The Columbia River, in the area from

which the present distinguished Presiding Officer comes [Mr. MAGNUSON in the chair] is second, with 200,000,000 acre-feet of flow. The Ohio River has about the same amount of flow, 200,000,000 acre-feet.

It is rather an odd coincidence, but the area of run-off of the Ohio River, the Columbia River, and the Colorado River, is about the same, something more or less than 200,000 square miles, but the Columbia and the Ohio both run off 200,000,000 acre-feet a year, while the Colorado River Basin, which is the largest of the three, has a run-off of only 18,000,000 acre-feet. That is one-eleventh of the run-off of the Columbia or of the Ohio.

I would not want to speak for the distinguished junior Senator from Kentucky [Mr. CHANDLER], but I presume there is really too much water in the Ohio, while, of course, in the great northwestern section of the country very much less water is needed for irrigation than in my part of the country, because of the great precipitation and the cooler weather, although the water of the Columbia is a tremendous item for power. But when we reflect that with a greater basin, a greater area, we in the Colorado River area have only one-eleventh of the run-off of either of the other two great rivers, I think we might well corroborate the statement made by the distinguished Senator from Wyoming that we must save every drop of water.

Mr. O'MAHONEY. Mr. President, I thank the Senator from California. What he has said emphasizes the point I have sought to make, which is that the conservation of water in the Colorado River Basin is a most important consideration to the people of that area, and I think also to the people of the United States—to the people of the area because it will enable them to develop their prosperity; to the people of the Nation because it will open a new frontier for the development of our entire national economy.

Mr. President, I thank the Senator from California for his contribution.

Mr. President, I now ask unanimous consent to introduce the bill for appropriate reference and request that it be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bill will be received, appropriately referred, and printed in the RECORD.

The bill (S. 894) to authorize the construction of certain Federal reclamation works in the upper basin of the Colorado River, introduced by Mr. O'MAHONEY (for himself, Mr. MURDOCK, Mr. HATCH, Mr. CHAVEZ, Mr. JOHNSON of Colorado, Mr. MILLIKIN, Mr. ROBERTSON, and Mr. THOMAS of Utah) was read twice by its title, referred to the Committee on Irrigation and Reclamation, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the Bureau of Reclamation, Department of Interior, is hereby authorized to construct, operate, and maintain reservoirs and related works in the upper basin of the Colorado River on the main stem of the Colorado River and on its tributaries sufficient to equate the flow at Lee Ferry to assure compliance with the Colorado River compact, to effectuate the beneficial consumptive use in the upper basin of the amount of water allocated to the said upper basin by the said compact, and to support and facilitate the administration of the water utilization treaty with Mexico: *Provided*, That the reservoirs and related works shall be selected by the Bureau of Reclamation in accordance with the comprehensive Colorado River Basin plan now being developed by the Bureau of Reclamation, and shall be constructed, operated, and maintained by the Bureau of Reclamation in accordance with the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) except that the cost of construction of such reservoirs shall be borne by the United States as an expense of the administration of the water utilization treaty with Mexico, and except as otherwise specified in said plan, and with due regard to the interests of each of the States in the upper basin so as to provide for the use within the various parts of the upper basin of fair and equitable quantities of the waters allocated to the upper basin.

SEC. 2. There are hereby authorized to be appropriated, out of any funds in the Treasury not otherwise appropriated, such sums as may be necessary for the purposes of this act.

SEC. 3. This act shall be deemed a supplement to the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto).

TREATY WITH MEXICO RELATING TO THE UTILIZATION OF THE WATERS OF CERTAIN RIVERS

The Senate resumed the consideration of the treaty (Executive A, 78th Cong., 2d sess.) between the United States of America and the United Mexican States, relating to the utilization of the waters of certain rivers, and (Executive H, 78th Cong., 2d sess.) a protocol supplementary to the treaty.

Mr. MURDOCK. Mr. President, for several days I have been conferring with the very distinguished senior Senator from Wyoming on the bill which he has just introduced, which provides for the extensive development of the upper Colorado River.

Whenever this Government enters into a contract or a treaty, of course it does so with no other thought than fully to discharge each and every obligation undertaken in the contract or treaty. It is quite obvious that the pending treaty will be ratified this afternoon. It is my opinion that under that treaty we have not only been fair to the Republic of Mexico, but we have been generous—in my opinion more generous than circumstances and conditions warrant. But inasmuch as the treaty will in all probability be ratified today, and inasmuch as I am willing to abide by the decision of the Senate, all I have in mind to say at this time is that the United States, in order to carry out its agreement with Mexico for the delivery of waters of the Colorado River, should leave no stone unturned in preparing itself to do that very thing.

When the Colorado River compact was entered into in 1922 by the seven Colorado River States, it allotted 7,500,000 acre-feet of water for consumptive use to the upper basin. It also allotted eight and a half million acre-feet of the waters of of the Colorado River for consumptive use in the lower basin States.

As has been pointed out several times during the debate on the treaty, the compact also provided that in the event a treaty was ever made with Mexico, the waters allotted under such treaty should be made up, first, of any surplus over and above the allotments in the compacts; and in the event there was not sufficient surplus water to take care of any allotment which might be made to Mexico by treaty, whatever deficit there might be would be made up equally by the two basins, the upper and lower basins of the Colorado.

I believe that the evidence which was submitted to the Committee on Foreign Relations, which considered the treaty, and statements which have been made on the floor of the Senate, especially the statement made yesterday by the honorable and distinguished senior Senator from Nevada [Mr. MCCARRAN], demonstrate that there is already a shortage of water in the Colorado River system to supply the allotments under the compact and the guaranty to Mexico. The only way that deficit can be made up is by further conservation of the water of the Colorado River system.

In my opinion the future conservation of the waters of the river is dependent on projects in the upper basin. The State of Utah is second only to the State of Arizona in area drained by this great river. It is second only to the State of Colorado in its contribution of water to the river. But notwithstanding these facts, very few projects have been constructed in the State of Utah for the utilization of its share of Colorado River waters.

Mr. President, I invite the attention of the Senate today to the record on the part of my State of wholehearted and vigorous cooperation with the State of California and all other States in the Colorado River system, in the negotiation and realization of the seven-State compact entered into at Santa Fe in 1922.

As a result of the cooperation of the Colorado River States and the Federal Government the Boulder Canyon project is a reality; and as a result 30,000,000 acre-feet of storage capacity has been provided on the lower reaches of the river. A number of other projects have been constructed in Arizona, Nevada, and California for the further conservation of the waters of the river. But notwithstanding all these projects in the lower basin, unless projects are constructed in the near future in the upper basin, this country will find that it cannot carry out the guaranty of delivery of 1,500,000 acre-feet of water to Mexico without some rights in the United States being impaired.

Today the distinguished senior Senator from Wyoming introduced a bill which would authorize the construction of projects necessary to the fulfillment of, and which would greatly facilitate, our treaty obligations, if and when the Mexican treaty is ratified. Other Senators from the upper-basin States have joined with the senior Senator from Wyoming in introducing that bill. I hope the Senate, and also the House of Representatives, will not hesitate to pass the bill, and I hope that as soon as the bill is passed steps will immediately be taken to bring into realization all the projects which are necessary and feasible on the

upper river. By that means, and only by that means, can the allotments under the compact and under the treaty be filled.

Mr. President, I do not wish to take my seat today without saying something about California. I deplore some of the things which have been said about the great State of California during this treaty fight and debate on the floor of the Senate. Several times in the debate the statement has been made that California contributes no water to the Colorado River. It is true that California does not naturally contribute any water to the Colorado River; but by the construction of the Boulder Canyon project the State of California contributes more water to the Colorado River than does any other State in the system. When I say that I have fully in mind the fact that under natural conditions my State is second only to Colorado in its contribution of water to this great river system. Until the completion of Boulder Dam the Colorado River was nothing but a wild, torrential flood most of the time, the waters of which wasted into the Gulf of California. Back in the early 20's and even prior to that, we found a great migration of people going into the southern part of California. As the population in southern California expanded, the most important thing to the life of that rapidly-growing community in that great State was water for culinary and other domestic purposes. The great population of southern California could not exist if it were not for for the flow of Colorado River water through the great aqueduct from the Colorado River, over the mountains, through the deserts, and into southern California. When the Boulder Canyon project was first visualized, it was one of the greatest engineering projects ever contemplated by man. Today it is one of the greatest engineering projects which human beings have ever constructed. Its cost was enormous. It was estimated at $165,000,000, if I remember the correct figures, including the cost of the All-American Canal. I call the attention of the Senate to the fact that after the seven States had agreed on the Colorado River compact, after six States had ratified it, after it was presented to the Congress of the United States, and after the Boulder Canyon Project Act was enacted, the people of California were told by that act that the Federal Government would not spend one penny and not a spade would be put into the earth out there in the construction of that project until the people of California submitted to the Secretary of the Interior satisfactory contracts providing for full and complete amortization within a period of 50 years, with interest. Mr. President, how many projects which have been constructed in the United States have been subjected to such conditions before they were commenced? Some say that California has not contributed any water to the Colorado River. I ask the Members of the Senate to go there and look at the gigantic Boulder Dam and at the great and enormous Lake Mead behind it. Then they will see that by taxation and electric power charges the people of California contribute and will contribute down through the years as much water or more water than does any other State in the system, not simply by reason of the snows and rains which fall on the mountains and finally flow into the river, but by reason of the fact that the people of California had the courage, they had the foresight, they had the fortitude to undertake, by taxation, directly and indirectly, the repayment of the enormous cost of the Boulder Canyon project.

When we find the people of California making such a great fight in connection with the pending treaty, I call the attention of the Senate to the fact that they are fighting for their very life blood. Water that makes their desert blossom. Water that makes their vigorous growth possible. Water, without which that great civilization could not exist. When the debate was begun by the able and distinguished senior Senator from Texas [Mr. CONNALLY], he rolled up the sleeve on his great right arm in dramatic fashion, and said to us, "Yes; we are mighty enough to deny everything to Mexico. But are we going to stand on that might and power, and refuse to do equity?" Mr. President, my answer to him is this: Yes; we are a great and mighty Nation, and God grant that we shall always continue to be. But even with all our might and all our strength, we cannot fail to consider the great natural resources of the country which give us that might and strength. No nation, no people, can be so mighty and strong that they can dissipate their great natural resources in a way that is too generous to others, and might be unfair to our own people. Our people and taxpayers have been fed for many years, now, on the diet that it is more blessed to give than it is to receive. I say that the time is coming, and probably it is here now, when our country, by reason of our great generosity, has reached the point where, from this time on, we must think of the people of the United States, as well as of other peoples. I say that in making this treaty with Mexico—and it will be ratified this afternoon—the United States has not only been fair but, again, it has been generous.

What did Mexico have in the Colorado River before its erratic flow was equated by our money? The best description I can give of it is in the language of the West. Mexico, so far as the Colorado River is concerned, had a wild cayuse horse which was hard to catch and was not worth anything after he was caught. Under this treaty the Government of the United States substitutes a fine Kentucky saddle horse for a worthless cayuse which could not be used. We put the saddle, the bridle, and all the necessary equipment on the horse which is being substituted for the wild cayuse, and then we say to our neighbor, Mexico, "Here, it is for you. Whenever you call for it the United States will deliver it right at your door. Use it in any way you wish to use it. When it has served its purpose for the present bring it back to your door, get off it, and then the United States will take it back and have it ready when you call for it again." This certainly is the good-neighbor policy carried to the *n*th degree. I hope our generosity is appreciated. It is something new in the world.

Mr. President, that is exactly what we do under this treaty. We developed a river which was worth nothing to Mexico in its natural state. It had flowed for centuries into the Gulf of Mexico. Mexico had never attempted to cope with its wild floods. They waited and, not in vain, for our enterprise, for our engineering ingenuity, for our courage and willingness to bear the cost. The people of California undertook, first, the construction of a canal for the irrigation of the Imperial Valley. Because a part of the canal had to run through Mexican territory she demanded one-half of the waters which flowed through it. Those who built the canal O. K.'d the demand and delivered the water which had been demanded by Mexico. What a contrast to our attitude under this treaty.

I ask Senators to bear in mind that Mexico has never successfully diverted one drop of the waters of the Colorado River within her own borders. With the exception of pumping, all the waters which she has used have been diverted within the United States, carried in a canal to the Mexican border line, and delivered to Mexico. But, by reason of the fact that the people of California were willing to undertake the construction of the Boulder Canyon project, store the water, equate the stream, and make it possible for Mexico to use the water, the people of California, as well as the people of my State, and all other Colorado River States, are penalized by this treaty for making it possible for Mexico to use the water.

Mr. President, I do not wish to be greedy or stingy with Mexico, but I do want to be fair to the people of my State, the people of California, and the people of the other States in the Colorado River system.

I return to the argument of the distinguished senior Senator from Texas. He rolled up his sleeve and raised his arm, and said, "Shall we take the water away from Mexico merely because we are mighty enough to do so?" Mr. President, that is not the true picture. Through the expenditures of American taxpayers, we have made it possible for Mexico to use the waters of the Colorado River. Mexico is entitled to an equitable part of the natural flow of the river. But she is not entitled to a dedication of all our facilities in perpetuity for the delivery of that water. Why do we not say to Mexico with respect to the Colorado what we say with respect to the Rio Grande, namely, "You are entitled to so much water, but we do not undertake to guarantee the delivery of it?" Why should this country undertake, at the expense of the American taxpayers, to guarantee the delivery of water to the people of any foreign country? I ask that question in all fairness.

Although we are a mighty country, the mightiest in the world, the taxpayer of my country is no stronger, no larger, nor more able to pay taxes than the taxpayer of Mexico. It is just as difficult for him to wrest a living from the desert soil of California or Utah and to pay taxes as it is for the taxpayer of Mexico to wrest a living from his soil and pay taxes. That is why I assert that we have not

only been fair in this treaty but we have perhaps been too generous. The money which is raised through taxation is not raised collectively. When we pay our tax bills we pay as individuals.

Mr. President, I repeat that collectively we are mighty, but our great wealth and power have made it possible for us to be very generous to all the world, and we have not failed. We shall continue to be generous. However, I ask Senators to bear in mind that the individual taxpayer in this country is no more able to pay taxes and his tax burden is just as heavy as in Mexico or any other country.

In carrying on its part in the prosecution of the war the State of Utah has become depleted to such a degree in its great mineral wealth that some other type of wealth must be supplied or it will be greatly impoverished. The soldiers from Utah who are fighting battles today in all the war theaters of the world desire to return to Utah. Why? Because they love that land more than they love any other soil under heaven. Many will desire to return to Utah and take up farming. They desire to return in order to rear their families in their native State. Mr. President, they are entitled to every drop of water from the Colorado River that their State is equitably entitled to. Every acre which is put under cultivation in Mexico means that another acre in some Western State shall forever remain desert. I do not mean by that statement that Mexico is not entitled to water from the Colorado River. However, it is my opinion that had we granted her not in excess of a million acre-feet we would have been fair to her, and even generous.

I did not intend, Mr. President, to make a lengthy statement on the pending treaty this afternoon. I shall vote for it, but I cannot let the opportunity pass without saying that in the treaty we are not only fair but we are generous. I cannot let the opportunity pass without saying that California has contributed, and will continue in perpetuity to contribute, to the waters of the river by the great conservation works she has constructed and obligated her citizens and taxpayers to pay for.

Mr. CHAVEZ. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from New Mexico?

Mr. MURDOCK. I yield.

Mr. CHAVEZ. I never doubt the sincerity or purpose of any of my colleagues and I never inquire as to motives, but I do find myself a little confused after hearing the Senator from Utah make a statement as to the bad features of this treaty and then hear him state that he proposes to vote for it. Is there any particular good thing about this treaty that would compel the Senator from Utah to vote for it?

Mr. MURDOCK. There is something good about it. One good thing about it, and perhaps the best thing, in my opinion, so far as my country is concerned, is that I am hopeful that it will set at rest for all time the question of the division of the waters of the Colorado River; and if it does that, even with its bad features, even with its too generous provisions, I am willing to vote for it.

Mr. CHAVEZ. In the hearings I notice a question asked by the junior Senator from Colorado of one of the witnesses which brings out what the Senator has just stated, namely, that this treaty will forever quiet any claims that Mexico might have to the waters of the Colorado or other rivers, and I think that is a very good feature of the treaty.

Mr. MURDOCK. I agree with the Senator that that is its redeeming feature.

Mr. CHAVEZ. So far as New Mexico is concerned, I agree with the Senator from Utah that the upper basin States up to this particular time have done nothing but deliver water.

Mr MURDOCK And to guarantee rights. That is about all we have done up to this point.

Mr. CHAVEZ. That is correct. Utah has not received any benefits that I know of, except in an indirect way from the great Boulder Canyon project; neither has Wyoming, nor Colorado, nor New Mexico, and I was glad that the Senator from Wyoming [Mr. O'MAHONEY], in conjunction with other Senators from the upper basin States, has introduced the bill which he has presented today, and I hope there will be action on it.

Personally I am not here representing any other State in the United States except New Mexico, and I want to do everything I possibly can to try to do my duty by the people of my State. I think that the treaty is beneficial to the people of my State for many reasons, but, in the making of a treaty, there has to be an agreement between the parties. A treaty between two countries is more or less like a contract between the Senator from Utah and possibly the Senator from New Mexico. It is necessary to agree on something; it is necessary to recognize rights, and I dislike to have the idea spread that we are giving everything away and the other country is not giving something. The Senator agrees, does he not, that so far as Texas is concerned the water which will be obtained under this treaty practically all comes from Mexico?

Mr. MURDOCK. I do not want to take the position, and I have not taken it, that one section of the country is being traded off against another section. I have studiously avoided saying that.

Mr. CHAVEZ. But, as a practical proposition, is not what I have said true?

Mr. MURDOCK. It is my opinion, I may say to the distinguished Senator from New Mexico, that it was a mistake in the first place to approach a treaty with Mexico on the basis of the two rivers instead of dealing individually with them. In my opinion, equity could have been much better served if the two rivers had been treated in separate treaties instead of together.

Mr. CHAVEZ. Possibly I would have preferred that, but that is not the question now before us. The fact still remains that the Government of the United States has entered into a contractual obligation with a friendly republic, and I do not feel that the Government of the United States would enter into such a contractual obligation with a foreign country unless the United States felt that they were getting something under the contract, and I believe that under the contract we are getting something from Mexico.

The point I am trying to make is this: I think we made a pretty good treaty so far as the United States is concerned, although of course there is a difference of opinion; but the question still remains that I do not see how it can be proved to the American people that under this contract this country is giving everything away and getting nothing in return. I think we are getting something.

Mr. MURDOCK. I respect the Senator's opinion and I never quarrel with him as to any opinion he may express. I may be considered a little too vehement in my statement, but the point I am making today is that we are not only being fair to Mexico but we are being generous. It is my opinion that if under the treaty we had limited Mexico to 1,000,000 acre-feet, we would have been not only fair but generous. I may say further to the distinguished Senator from New Mexico that I object to my country undertaking to guarantee delivery of water. This is a very extraordinary undertaking. I do not think there is any obligation on our part to do that. In my opinion all we are obligated to do is to say to Mexico, "You are entitled to so much water from the Colorado River," and, having said that, then it would become our obligation not to enlarge our use to the point where the right of Mexico would have to be curtailed except as the natural flow of the river is diminished by natural causes. But for my country to say that forever and ever we will dedicate, for Mexican use, facilities along the Colorado River which we have built, in my opinion goes too far.

Mr. CHAVEZ. I understand what the Senator from Utah has in mind, and I respect his opinion. The Senator from Utah feels about this particular matter as possibly some of us in the upper basin States feel about the original Colorado River compact. The upper basin States were left in the same situation the Senator now suggests the United States is being left. Of course, the upper basin States were all for the Boulder Dam project, but what have we gotten up to now? California gets the power, California gets the water, but the upper States furnish the water and have not a single project.

Mr. MURDOCK. My answer to the distinguished Senator is that all California gets she will pay for. She not only is amortizing the cost of the project to the Federal Government but she is also paying—and I think rightly so—to Arizona so much every year, to Nevada so much every year, and she is paying into a development fund for the river $500,000 annually for a period of 50 years.

Mr. CHAVEZ. That is paid by the users of the power which is developed by the water that comes from the upper basin States.

Mr. MURDOCK. That is correct.

Mr. CHAVEZ. So they are not paying anything back, but they are getting power cheaper than it can be obtained in any of the upper basin States.

Mr. MURDOCK. The Senator must admit if they were not paying $1,100,000

a year as itemized a moment ago by me their power would come much cheaper.

Mr. CHAVEZ. But, of course, the taxpayer of California is paying for that power only in an indirect way. The user of the power pays for it.

Mr. MURDOCK. If the distinguished Senator can distinguish between the taxpayers of California and the users of power in California, then he is capable of doing something that I cannot do. Whether the Boulder Canyon project is paid for by direct taxation or in power rates it costs the people of southern California the same amount. The distinguished Senator from New Mexico may get some satisfaction out of his distinction between taxpayers and power users, but the people who pay will get little comfort.

Mr. DOWNEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from California?

Mr. MURDOCK. I yield.

Mr. DOWNEY. I know my dear friend, the Senator from New Mexico, will want the RECORD to be correct. As the Senator knows, one of the power contractors under the Colorado River project was the metropolitan water district, which obligated itself to take 36 percent of the power, and to pay for that power, I might say, whether they could use it or not, or whether they could resell it or not. In the few years before the war came on, the metropolitan water district, as I recall the figures—and I know they are approximately correct—was compelled to pay for four and a half million dollars' worth of power which it could not dispose of, and which represented a total loss, and the only unhappy and tragic event which saved the situation was the coming on of the war, with its great demand for power. But I might say to the distinguished Senator that the California power interests, including the largest, the metropolitan water district, have guaranteed the obligation, even though they lose vast sums on it, as they may. They still have to make good on the payments to Uncle Sam on Boulder Dam.

Mr. CHAVEZ. Mr. President, the Senator from California will also recognize that when the original contract was made with the Federal Government for the payment for power by the water district of southern California, or the agency that was using it, it was under a certain rate. Is not that correct?

Mr. DOWNEY. That is correct.

Mr. CHAVEZ. For delivery of power at Boulder Dam?

Mr. DOWNEY. That is correct.

Mr. CHAVEZ. Is it not true that within the last few years the same agency has been before the Congress and has had the rates lowered to the very minimum, so they certainly are getting some benefits out of Boulder Dam?

Mr. DOWNEY. Will the Senator from Utah yield?

Mr. MURDOCK. I should like to say just this to the distinguished Senator from New Mexico. When the Boulder Canyon Adjustment Act was before the Congress, what California did was to liquidate the uncertain claims which were contained in the Boulder Canyon Project Act, to reduce to a cash basis payments to Arizona and Nevada, and she also reduced to a cash basis her contribution to the development fund.

I yield to the junior Senator from California.

Mr. DOWNEY. Mr. President, if the Senator will permit me, I merely wish to reply to the last very logical point pertiently made by the Senator from New Mexico.

It is true that the rates as originally fixed for the amortization and operation of the Boulder Canyon project have been reduced. The obligation of the power contract is to amortize out the debt, to pay the interest, to pay $1,100,000 extra for 50 years, and turn the project over to Uncle Sam at the end of 50 years in good condition.

The power rates must, in the opinion of the Secretary of the Interior, be sufficient to do that, and whenever he thinks existing rates are too high, he can lower them, and when he thinks they are too low, he can increase them. Of course, as the Senator has correctly stated, there has been one decrease from the original rate.

Mr. MURDOCK. Mr. President, I conclude my remarks by saying that while I do intend to, and shall, vote for the treaty, I do it because, as the Senator from New Mexico has said, we do gain something. I hope we have set at rest for all time any controversy over the division of waters between the two countries. That, in my opinion, is a big accomplishment.

I also secured the adoption of a reservation which, in my opinion, emphatically and clearly places a ceiling on the maximum quantity of water which Mexico will get.

Having done that, in my opinion, Mr. President, we have accomplished at least something of permanent value. I am confident that the Congress will cooperate with the Colorado River States in full development of the river. Utmost conservation of Colorado River waters will lessen the burden under the treaty and protect the States' rights under the compact. The present international situation, coupled with the fact that the reservations adopted have greatly improved the treaty cause me to forego my objections and I shall vote for the treaty.

Mr. O'MAHONEY. Mr. President, I wonder if the Senator from California would allot me about 5 minutes' time.

Mr. DOWNEY. Is the implication from that, Mr. President, that the distinguished Senator is about to lend his persuasive ability to the rejection of the treaty?

Mr. O'MAHONEY. Not at all. I merely wish to talk for the treaty.

Mr. DOWNEY. I shall be happy to yield 5 minutes to the Senator.

The PRESIDING OFFICER. The Senator from California has the floor, and he yields to the Senator from Wyoming for 5 minutes.

Mr. O'MAHONEY. I thank the Senator. I desire to add one or two items with respect to the revenues which are being derived under the Boulder Canyon Act from the Boulder Dam and its facilities, indicating what may be expected from the development of the other projects to which I referred when I took the floor earlier today.

The Boulder Canyon Adjustment Act, which was enacted in July 1920, directed the Secretary of the Interior to fix rates and charges for electrical energy generated at Boulder Dam in such a manner as to produce certain revenue for certain purposes. Among those purposes was one to build up a fund known as the Colorado River development fund.

The table which I have in my hand, and which is taken from pages 556 and 557 of the Senate committee hearings on the Interior Department appropriation bill for 1945, shows that the receipts of the Colorado River development fund under this act, from the year 1938 to 1945, inclusive—the revenues for the latter year being estimated—total for the entire river $4,000,000, and for the upper division $2,500,000.

Out of this sum there has been appropriated to date, from the Colorado River development fund, for the lower basin a total of $1,349,750 and for the upper basin $750,000. These appropriations are all for the preparation of the plans for future development.

I cite these figures, Mr. President, as indicating that the construction of these projects will create new opportunities for Federal revenue. They may well be called self-liquidating projects. They are not to be regarded as in the category of wasteful Federal expenditures which produce nothing. They are investments in productive enterprise, and as such, deserve the support and consideration of the entire Congress in the future, as they have in the past.

I thank the Senator from California.

Mr. DOWNEY. Mr. President, I was very happy to yield to the Senator. I now suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hart	Morse
Austin	Hatch	Murdock
Bankhead	Hawkes	O'Daniel
Barkley	Hayden	O'Mahoney
Bilbo	Hickenlooper	Radcliffe
Briggs	Hill	Revercomb
Brooks	Hoey	Robertson
Bushfield	Johnson, Colo.	Russell
Butler	Johnston, S. C.	Smith
Capehart	La Follette	Stewart
Capper	Langer	Taft
Chandler	McCarran	Taylor
Chavez	McClellan	Thomas, Okla.
Connally	McFarland	Tunnell
Cordon	McKellar	Tydings
Donnell	McMahon	Wherry
Downey	Magnuson	White
Ellender	Maybank	Wilson
Ferguson	Millikin	Young
Fulbright	Mitchell	
Gurney	Moore	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent on public business.

The Senator from Massachusetts [Mr. WALSH] is absent as a member of the Board of Visitors to the United States Naval Academy, which is holding a 3-day meeting at Annapolis.

The Senator from North Carolina [Mr. BAILEY], the Senator from Virginia [Mr. BYRD], the Senator from Georgia [Mr. GEORGE], the Senator from Rhode Island [Mr. GERRY], the Senator from Rhode Island [Mr. GREEN], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Montana [Mr. MURRAY], the Senator from Pennsylvania [Mr. MYERS], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are attending committee meetings and on public business pertaining to their respective States.

Mr. WHERRY. The Senator from Minnesota [Mr. BALL], the Senator from Delaware [Mr. BUCK], and the Senator from Ohio [Mr. BURTON] are necessarily absent.

The Senator from Massachusetts [Mr. SALTONSTALL] has been granted leave of absence as a member of the Board of Visitors to the Naval Academy.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The following Senators are detained in committee meetings and on official business:

The Senator from Maine [Mr. BREWSTER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Kansas [Mr. REED], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from New Hampshire [Mr. TOBEY], the Senator from Michigan [Mr. VANDENBERG], the Senator from Wisconsin [Mr. WILEY], and the Senator from Indiana [Mr. WILLIS].

The PRESIDENT pro tempore. Sixty-one Senators having answered to their names, a quorum is present.

What is the further pleasure of the Senate?

SEVERAL SENATORS. Vote! Vote!

The PRESIDENT pro tempore. Under the unanimous-consent agreement, there can be no vote until 4 o'clock.

Mr. DOWNEY. Mr. President, inasmuch as there is a unanimous-consent agreement to vote at 4 o'clock, and there was an agreement as to the allocation of time, may I request the Chair to inform the Senate how much time is left for the respective sides?

The PRESIDENT pro tempore. The Senator from California [Mr. DOWNEY] has 54 minutes, and the Senator from Texas [Mr. CONNALLY] 31 minutes.

Mr. BUTLER. Mr. President, I should like to ask the senior from Texas a question.

The real nut of this whole treaty is the 1,500,000 acre-feet of water to be delivered to Mexico. As I understand, we guarantee to Mexico a minimum of 1,500,000 acre-feet. In some of the statements which I have heard, speakers have taken the position that in case of an extended drought less than 1,500,000 acre-feet could be delivered. Can the Senator from Texas direct my attention to the clause of the treaty which protects the United States in that respect?

Mr. CONNALLY. I will find it in a moment. We discussed it on the floor of the Senate yesterday.

Mr. AUSTIN. It is found in article 10, in the fourth paragraph.

Mr. CONNALLY. Without reading it now, does that explain the situation?

Mr. BUTLER. Yes.

Mr. DOWNEY. Mr. President, I wish to make a very brief statement to the Senate concerning this treaty, as I see it developing. I will appreciate it if the distinguished presiding officer will notify me when I have occupied 20 minutes of time.

The PRESIDENT pro tempore. That will be done.

Mr. DOWNEY. Mr. President, I assume from what has occurred in the Senate that there will be a vote at 4 o'clock today, and that two-thirds of the Senators present will vote to approve the treaty.

First, on behalf of myself and the State which I represent, I wish to thank the Foreign Relations Committee, particularly the distinguished chairman of the committee [Mr. CONNALLY] for his courtesy and patience in permitting me to participate in the committee's hearings by questioning witnesses who offered testimony. On behalf of the many witnesses who came here from California to testify, I want to thank the chairman for his most generous consideration. We have not had as much time or opportunity to express our ideas as we should like to have, but in view of the tremendous flow of issues in and out of Washington, I know that we have had all we are justified in having.

At the beginning of this debate I stated that impartial political writers seem to agree that the Senate has improved almost every treaty it has amended in any way, and has been justified in rejecting the treaties which it has rejected. I reserve my opinion with respect to the great League of Nations Treaty which, of course, is in a class by itself.

In hundreds of cases the Senate has prevented the administrative agencies from making ambiguous and imprudent commitments. I wish to express to the Senate my gratitude that here in this free forum we have greatly improved the pending treaty. Vast and extreme powers which were grasped at by the designers of the treaty have been swept aside or greatly curtailed. Many ambiguities have been clarified. Possibly imprudent commitments have been prevented. We are grateful for that. When the treaty left the State Department it was a tragic and unfortunate document. The protocol first greatly curtailed its powers, and the 10 or 15 reservations, to which we have here agreed, accomplish a great deal.

Mr. President, I hope the Senate will not think I am dealing too much in personalities when I now express my deep appreciation and gratitude for our senior Senator from California [Mr. JOHNSON] for the gallant struggle he has made here. The gallantry and the courage which he has so often shown in well over 30 years of public service have again been demonstrated in this treaty fight. In our State our distinguished senior Senator will always remain one of our great figures. One of his great undertakings and great dreams was consummated by the building of Boulder Dam, by which the water in the Colorado River available for irrigation and other beneficial uses was more than doubled.

I also wish to express my appreciation, if I may do so, of our California witnesses. As this record is examined by engineers, attorneys, and historians, I think they will find that the witnesses from California dealt with the subject matter with intelligence, accuracy, and integrity. Most of the witnesses who were presented by California were men eminent in our State as engineers, lawyers, and industrial leaders; I am proud of the record they have presented. Without their valuable technical services and their clear understanding of the dangers which lurked in the cumbersome provisions in the treaty as it was revealed well over a year ago, I am certain the situation would not have been so much improved by the protocol to the treaty and the several clarifying reservations.

While I am very happy over a greatly improved treaty, I still find at least three serious faults in it. The International Boundary Commissioner and his aides apparently never realized that there is a great body of underground water in the Colorado River delta in Mexico which is not in the United States. At least, they never dealt with that subject at all. The Supreme Court of the United States declared, in the Kansas-Colorado case, that under similar conditions existing in Kansas and Colorado, underground waters must be considered as one of the equities chargeable against the lower State. What is more important in this respect, the future development of underground waters in Lower California might, by affecting the capacity of the geological structure there, allow Mexico to draw down another 200,000 or 300,000 or 400,000 acre-feet of water which would be from our river in the United States.

Mr. President, yesterday I tried unavailingly to convince the Senate that, as a part of the treaty, we should make a commitment to build the Gila Dam. Of the many matters entirely overlooked in the negotiations or at least in the writing of the treaty, one of the outstanding ones was with respect to the building of the Gila Dam. I serve notice on the Senate now that at some time in the immediate future it will be my intention to press in this body for action on the Gila Dam, and I hope similar action will be taken in the House of Representatives.

The great defect in the treaty at this time—and whether it strikes at the heart of Mexico or of the United States, I do not pretend to say—is the failure to clarify the provision with reference to the salinity of water to be delivered to Mexico. In irrigation the salinity of the water is a factor just as important as the actual volume of water. In my opinion, the treaty contains a very serious ambiguity in respect to that matter. I doubt very much whether we shall ever know, until there has been some kind of adjudication by some international body, whether Mexico will be compelled to take water regardless of its quality. If Mexico is obligated to take water from the Colorado River from our return flow, however saline it may be, in my opinion she will have a treaty which will be dangerous and

of very doubtful value to her. The State Department anticipates that there will be over a million acre-feet of return flow from the Colorado, most of which, I believe, will be highly saline. In arriving at that figure it did not count upon the 500,000 or 1,000,000 acre-feet of water which might at some time be returned by California to the Colorado River. It might very well be, according to the interpretation given by our State Department, that under this treaty all the water obtained by Mexico might be from return flow, and all of it might be so saline as to be unusable. If hereafter it should be determined that Mexico does not have to take water of poor quality, then we might be obligated to add 300,000 or 400,000 acre-feet of water to the 1,500,000 acre-feet of water, and to bring that additional water down to the boundary from Lake Mead. In that event, a most dangerous condition would exist. I think the situation is such that the danger to the upper basin States is much greater than the danger to the lower basin States. It might be that the lower basin would provide a return flow of 1,500,000 acre-feet of water and would receive credit for it from the upper basin States. In that event, we might immediately find that the whole burden of furnishing 1,500,000 acre-feet of fresh water might fall upon the upper basin States. All those States are represented in the Senate by distinguished and able men; and, of course, it is not for me to fight the battle for those States, inasmuch as the Senators who represent them are very much better able to do so than I am.

Mr. President, another serious defect in the treaty, so far as I am concerned, has to do with the number of the Commissioners. As we know, the treaty now provides that there shall be a Commission which shall be composed of only two members. It seems to me that in consideration of the tremendous obligations and responsibilities which those Commissioners will have, the Commission should be increased to six members. I shall rely upon the very gracious statements made to me by the distinguished Senator from Kentucky [Mr. BARKLEY] and the distinguished Senator from Texas [Mr. CONNALLY], and hereafter I will pursue some kind of legislative process in an effort to see whether, by an additional treaty, we can increase the personnel of the Commission to six members.

Mr. President, what I am about to say may be considered by some Senators to be a utopian dream. I myself believe that in 20 or 30 years there will be such a scarcity of water in the Colorado River Basin that we shall find ourselves compelled to go out of that basin and into other basins in order to find additional water. During the course of the argument by the Senator from Wyoming [Mr. O'MAHONEY], I stated on the floor of the Senate certain figures, which are only approximations and general, but they convey the general idea. The Colorado River Basin, for example, has a drainage basin of about 243,000 square miles, as compared with 204,000 square miles for the Ohio. But the average annual run-off of the Ohio, which is 181,000,000 acre-feet, is over 10 times that of the Colorado. The Columbia, which has a basin of 259,000 square miles, has a run-off of about 200,000,000 acre-feet or well over 11 times that of the Colorado. Manifestly, because of a cooler climate and a greater precipitation in the Columbia Basin, they do not need water as badly as we do.

Looking into the future 25 or 50 years from now, I have no doubt that it will be a comparatively small and simple engineering problem to bring additional waters from some of the tributaries of the Columbia, or from the Columbia itself, to amplify the very small quantity of water in the Colorado Basin. It is my intention at the proper time to submit some kind of a resolution authorizing an investigation by the Bureau of Reclamation of the best method of amplifying the waters of the Colorado River.

Mr. President, I know that many intelligent and prudent men would hold up their hands in horror at the idea of conveying large quantities of water by aqueducts 500 or 1,000 miles in length. But if we consider for a moment the 5 greatest irrigation projects constructed in the United States—namely, the T. V. A., Boulder Dam, Bonneville Dam, Grand Coulee, and the Central Valley project of California—we will agree that the construction of all of them did not require more than 150,000 men over a period of 5 years.

Mr. President, if those projects had required the employment of 1,500,000 men, or even 2,000,000 or 3,000,000 men, we would, nevertheless, have desired the projects. No citizen in the great area from which the distinguished and beloved Senator who now presides comes would want to see the great T. V. A. project destroyed for $10,000,000,000, or 10 times what it cost.

While those great public projects may at times seem to have been costly, we know that we would not sacrifice them for many times their original cost. Consider, for example, the great Boulder Dam project, the construction of which was largely the result of the energy and vision of the beloved senior Senator from California [Mr. JOHNSON]. We in the Southwest would not willingly see that project destroyed for 10 times or a hundred times its cost.

Mr. President, if I may know the amount of time I have remaining, I will conclude.

The PRESIDENT pro tempore. The Senator has 27 minutes.

Mr. DOWNEY. I shall not speak further at this time.

Mr. CONNALLY. How much time have I remaining?

The PRESIDENT pro tempore. Thirty minutes.

Mr. CONNALLY. How much time has the Senator from California?

The PRESIDENT pro tempore. The Senator from California has 27 minutes.

Mr. DOWNEY. Mr. President, I shall be happy to yield additional time to the senior Senator from Texas. However, I wish to accommodate the Senator from New Jersey [Mr. HAWKES].

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield to the Senator from Florida.

The PRESIDENT pro tempore. How much time does the Senator from Florida desire?

Mr. PEPPER. Only 2 or 3 minutes. I wish to make what I believe will be a brief but fitting statement.

Mr. President, I wish to say a word in commendation of the valiant and able fight which has been made in respect to the improvement and clarification of this treaty by the able junior Senator from California [Mr. DOWNEY]. Being a lawyer myself, I have seen a great many advocates in forums where causes were being tried. Neither in my experience as a lawyer, nor as a Senator, have I ever seen an abler, a more gallant, a more valiant, and at the same time a more courteous and generous fight made in behalf of a cause than has been made in this debate by the able junior Senator from California.

I wish also to pay high tribute to the senior Senator from California [Mr. JOHNSON] for his diligence and his efforts under difficult circumstances.

I wish to assure the junior Senator from California that I have listened attentively to every word which I have been privileged to hear of his argument. I was very much impressed with the need which he indicated of a further study of the problem of amplifying the waters of the Colorado River Basin. I assure the junior Senator as well as his able senior colleague, that when he presents his resolution to the Senate he will find the junior Senator from Florida desirous of cooperating in every possible way. I foresee the day when all the arid lands in the great area of the West will be irrigated by the waters of the Colorado River. In order that we may keep our commitments to Mexico—and at the same time in order that there may be no limit to what we shall be able to do in the United States, I wish to help in every possible way in amplifying the Colorado River Basin waters.

Mr. President, I cannot take my seat without paying a compliment to the senior Senator from Texas, the distinguished chairman of the Foreign Relations Committee [Mr. CONNALLY]. He has carried a burden which has been almost back-breaking and heart-rending. He has carried a weight which would have bent the back of the strongest. He has carried on with patience, consideration, and generosity to all. He enjoys the esteem and respect of the Members of the Senate for the way in which he has conducted his own gallant part in this debate.

Mr. CONNALLY. I thank the Senator from Florida for his sincerity.

Mr. President, in view of the fact that the proponents have rested, will the Senator from California now use some of his remaining time?

Mr. DOWNEY. Mr. President, I had thought that the reservations which were being handled by the senior Senator from New Jersey [Mr. HAWKES] would be acceptable to the other interested Members of the Senate, but apparently I am not correct. I ask him if he is now ready to proceed. If he is ready, and if it be agreeable to the senior Senator from

Texas, I will yield to him the remainder of the time allotted to our side.

Mr. HAWKES. Mr. President, I thank the junior Senator from California. I have been waiting to see if some of us could reach an agreement with respect to certain matters. If that can be accomplished, it will save the time of the Senate. I refer to the reservation which I submitted the other day to the effect that nothing in the treaty should impair the rights and obligations of contracts which the United States Government has made with its citizens. I am not prepared at the moment to present the reservation.

Mr. CONNALLY. I suggest to the Senator that he proceed with his argument because it is not probable that an agreement will be reached. In the interest of the time of the Senate I think it would be well for him to proceed with the presentation of the reservation.

Mr. HAWKES. Mr. President, I have submitted two reservations. One of them deals with the question of the American section having the right to declare the existence of a drought. That question was virtually disposed of yesterday by the presentation of a similar reservation by the junior Senator from Nebraska [Mr. WHERRY]. I therefore withdraw that reservation.

But, Mr. President, I offer another reservation, which reads:

> That nothing in this treaty shall impair or require a violation of any valid compact or contract heretofore made by the United States with its States, public agencies, or citizens.

I realize that we are coming to a vote at 4 o'clock this afternoon, and therefore I shall try to be as brief as I can. I believe it is unnecessary for me to go over the various points I have previously made in the Senate on different days. I feel very definitely that, regardless of what may happen to the pending treaty, it has been substantially improved by the debate, by the better understanding Senators now have of it, and by the reservations which have already been adopted.

We are all familiar with the Colorado River compact involving seven States. I believe every Member of the Senate is familiar with the Boulder Dam Act, and with the fact, upon which I shall briefly touch, that when the Boulder Canyon bill came to the Senate from the House it was amended in the Senate so as to state definitely that the water to be conserved by Boulder Dam was for the exclusive use of the citizens of the United States. To me that meant something, and it should always mean something.

The distinguished Senator from Nevada [Mr. MCCARRAN] yesterday read into the RECORD the words of the late Senator Pittman at the time that amendment was discussed in the Senate. They were very prophetic words, because it seems that the Government of the United States and the Senate are about to do what Senator Pittman predicted could not be done or, at least, would not be done. I shall not take the time of the Senate to reread Senator Pittman's remarks, as I believe Senators are familiar with them.

Mr. President, I am one who believes very sincerely that this is a new pattern of a treaty, and I feel that no Senator should fail to analyze the meaning of this new pattern of treaty which the United States Government is willing to make with a foreign nation, practically knowing at the time it is made that it will interfere with the rights and the property of people who have relied upon the contracts and the compacts which have been made by the Federal Government with the States, its agencies, and its citizens. It is my feeling that we cannot afford to let down our own citizens, and, so far as I am concerned, unless we can protect them in the things they have done and will do under contracts and compacts upon which they had a right to rely, there is not much hope of building that reverence for government which is required in the United States if we are to get back to sound moorings.

I have said before, but, at the expense of repetition, I should like to emphasize that 40 or 50 years is a very short time in the life of a great nation. Many Senators say to me, "Why are you worried about this treaty? The States which are affected cannot use the water now and they will not be able to use it for 40 or 50 years." I say to you, Mr. President, that 40 or 50 years in the life of a great nation such as the United States is a very short time. One of the best-known passages of the Bible is "For a thousand years in Thy sight are but as yesterday when it is past."

Fifty years in the life of this great Nation, I repeat, is an insignificant period and the fact that under this treaty additional water may not be needed by Western States during my lifetime or possibly during the lifetime of my children does not cause me for one moment to forget that we have a duty to future generations.

I know that there is not much chance of this reservation being adopted by the Senate. The votes yesterday on reservations equally important clearly indicate that the treaty is pretty well in the bag; but that does not relieve me of my responsibility to place myself on record as being in favor of protecting the rights of our American citizens and establishing some way by which their rights may be preserved, as they had a right to assume they would be when they undertook development work and spent hundreds of millions of dollars in building dams, aqueducts, and waterways.

Mr. President, regardless of my fervent hope and deep desire for peace on earth, I still believe that the representatives of the people and the Government of the United States as a whole owe first allegiance to our American citizens and the established agencies which have been built up by the authority of the people.

My real concern about this instrument is that it is a brand new pattern of treaty; and I caution my colleagues that, in my opinion, the people of the United States will ultimately expect protection of their valid rights by the Government.

There may be times when it is necessary for the peace of the world and in order to be a fair, just, and considerate neighbor to do things which may injure a few of our citizens, but when that becomes necessary in the interest of the welfare of all, then the Government, which is composed by all, should carefully consider the making of any treaty which, in advance, indicates that it will breach faith with the citizens of this country.

We should then weigh the importance of the two things, and if it is deemed that the treaty is more important than the protection of the rights of all of our citizens, we should make the treaty, knowing that we will be called upon to remedy the injury to the full extent of our ability.

This is the only kind of justice which will keep faith with our citizens. Unless we keep faith with our own citizens, no one in the world has a right to expect us to keep faith with them under a treaty or otherwise.

Peace cannot be purchased with money or gifts of natural resources, because the money and the gifts will not hold out long enough to make an enduring peace. Peace has to be in the hearts of the people of the world, and it can only result from the character of the individuals who seek it and through sacrifices which are sound enough and just enough to cause future generations to be willing to live with the bargains we create for them.

Mr. President, I think it is unnecessary for me to take any more time of the Senate in connection with the reservation I have proposed, but I do want a yea-and-nay vote on it. I am willing to try to answer any questions any Senator may desire to ask me as to why I take this position; but I must keep faith with myself in trying to see to it that the United States protects its citizens.

The PRESIDENT pro tempore. The reservation offered by the Senator from New Jersey will be stated.

The CHIEF CLERK. At the end of the resolution of ratification it is proposed to insert the following:

> With the understanding, as a part of this ratification—
>
> That nothing in this treaty shall impair or require violation of any valid compact or contract heretofore made by the United States, with its States, public agencies, or citizens,
>
> and that this understanding will be mentioned in the ratification of this treaty as conveying the true meaning of the treaty and will in effect form a part of the treaty.

Mr. O'MAHONEY. Mr. President, I rise to express my opposition to the reservation. I oppose it upon two grounds, first, that there is nothing in the treaty itself which makes necessary such a reservation. The treaty sets forth the manner in which any obligation we have to Mexico is to be distributed among the States. I regard it to be an obligation upon the entire Colorado River system.

The second reason is that it deals with a subject matter which should be handled solely by the States which entered into the Colorado River compact. There is no question in my mind that if a reservation of this kind were added to the treaty it would amount to prejudgment of an issue which might arise in the fu-

ture among the States. It has nothing to do with the treaty with Mexico, as I see it.

The obligation we are assuming with respect to Mexico is to the advantage of all the States—California and Wyoming and all the other lower and upper basin States—because it stabilizes this river.

Any effort by a reservation to the treaty to lend extra validity or power or sanction to contingent contracts which may have been entered into by the Government of the United States, and the enforcement of which may be sought in the future, is, as I see it, altogether irrelevant, but the addition of such a reservation would lend color and force to the position of one side. I suggest to the Senator that a reservation of this kind, offered so shortly before the time agreed upon for a vote upon the treaty, deprives us of proper opportunity for consideration. The committee which considered the treaty did not approve the reservation.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. BARKLEY. As I understand it, the compact entered into among the Colorado River States anticipated an ultimate treaty between the United States and Mexico, and provision was made in the compact for such treaty as might be entered into. So that it seems to me it is possible that contracts may have been entered into under the compact which would be inconsistent with the treaty with Mexico, and that this reservation would have the effect of nullifying the treaty with Mexico, and preserving some arrangement among the States which they themselves might want to change, regardless of either the treaty or the compact, so long as it did not violate the treaty.

Have I interpreted the compact properly as it relates to the treaty with Mexico?

Mr. O'MAHONEY. The Senator has.

Mr. BARKLEY. This reservation, then, would in effect be an amendment of the treaty itself which would nullify the anticipation of the States in making the compact, looking forward to a treaty between the United States and Mexico?

Mr. O'MAHONEY. The Senator perceives the situation as it exists.

I wish to add that the Colorado River compact provides for the division of the waters of the river between the upper and lower basin. Article III, paragraph (a), provides:

> There is hereby apportioned from the Colorado River system in perpetuity to the upper basin and to the lower basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum.

In paragraph (b) it is provided:

> In addition to the apportionment in paragraph (a), the lower basin is hereby given the right to increase its beneficial consumptive use of such waters by 1,000,000 acre-feet per annum.

Then in paragraph (d) it is provided:

> The States of the upper division will not cause the flow of the river at Lee Ferry to be depleted below an aggregate of 75,000,000 acre-feet for any period of 10 consecutive years reckoned in continuing and progressive series beginning with the 1st day of October next succeeding the ratification of this compact.

Mr. President, what I desire to point out is that the upper basin States have been more than generous to the lower basin States. The upper basin States have contributed here, on the floor of the Senate, and on the floor of the House, to the building of works in the lower basin States, and I say respectfully to the author of the reservation, who is speaking on behalf of California, that he need have no fear of the desire for justice on the part of the upper basin States, and he can very properly and confidently remit any question which may be in his mind to the judgment of the States in the Colorado River basin. He should not attempt to foreclose any dispute which may arise among the States by adding a reservation of this kind to the treaty. It forecloses the judgment of the States. I regard it as an impairment of the Colorado River compact, and I hope the Senate will not agree to the reservation, or to any modification of it. It has no place in the treaty.

Mr. McFARLAND. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. McFARLAND. As I understand the Senator from Wyoming, if a State or an individual were damaged, and the case were presented at the proper time and place, the Senator would be willing to vote to award damages?

Mr. O'MAHONEY. I should be very willing to consider any case which might be made out, but I do not want to be foreclosed, and I do not want anyone to ask the Senate to foreclose a dispute of that kind which may arise in the future and the character of which we know nothing about at this moment.

Mr. LUCAS. Mr. President, will the Senator from Wyoming yield?

Mr. O'MAHONEY. I yield.

Mr. LUCAS. From the hearings I understood that the Colorado River compact gave to the upper basin States a certain amount of firm water and to the lower basin States a certain amount of firm water. I am correct in that, am I not?

Mr. O'MAHONEY. The Senator is correct.

Mr. LUCAS. In addition to that, certain contracts were made by California with certain agencies of the Government, and under those contracts they got additional water over and above the amount they received under the Colorado River compact, but at the same time always taking into consideration in the contracts what the compact provided.

Mr. O'MAHONEY. The contracts were in effect contingent contracts, and the compact was the superior document.

Mr. LUCAS. The Senator is correct. In the event that this reservation shall be adopted by the Senate, we will give color of validity to such contingent contract?

Mr. O'MAHONEY. Precisely.

Mr. LUCAS. That is exactly what we do not want to do, because, as I noted the testimony from time to time before the committee, it seemed to me that those contracts should never have been made and that some time, some place, the States affected are going to have litigation over their rights as a result of some of the contracts which have been made. I do not want to be a party in the United States Senate to voting for a reservation which will do something to give color of validity to a contract which, in my opinion, was dubious in the beginning.

Mr. O'MAHONEY. I thank the Senator from Illinois.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. O'MAHONEY. If the Senator will pardon me for a moment, I wish to add that this matter was before the Committee on Foreign Relations, the committee had ample opportunity to consider it, and the committee did not agree to the reservation. Had it been before the committee with any likelihood of being adopted, I should have been before the committee talking about it, as I do not want to be in the position, if I can avoid it, of being compelled, 40 minutes before the time we have agreed, under unanimous consent, on a vote on the treaty, to resist a reservation which prejudges a possible controversy, and I think the Senator from New Jersey should not ask the Senate to do that.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Wyoming yield to me?

Mr. O'MAHONEY. I yield.

Mr. JOHNSON of Colorado. I wish to associate myself with the argument and the contention being made by the Senator from Wyoming. The proposed reservation would certainly be an interference with the rights of the compact States, and with the compact to which they have agreed.

The Senator has no right, it seems to me, to bring a contentious matter of that kind into the consideration of the treaty at this late hour.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. CONNALLY. Mr. President, let me ask the Senator from New Jersey if he will not speak in his own time now?

Mr. HAWKES. Mr. President, I shall be glad to speak in my own time now.

I should like to say that I cannot follow the reasoning of the distinguished Senator from Wyoming [Mr. O'MAHONEY] or the distinguished Senator from Illinois [Mr. LUCAS], or my friend the distinguished Senator from Colorado [Mr. JOHNSON]. I do not think the reservation attempts in any way to determine whether a contract is good or valid, or what was done in the compact when the seven States reached their agreement. The reservation does not attempt to set forth what the Boulder Canyon Dam Act provides. It does not attempt to deal with the matters which were before the parties at all. It simply provides that nothing in the treaty shall impair or require violation of any valid compact or contract, and I emphasize the word "valid," heretofore made by the United States with its States, public agencies, or citizens.

Mr. President, I think it is most unfair for the distinguished Senator from Illinois, the distinguished Senator from Wyoming, or any other Member of the Senate to say that they are having to act upon this matter on 40 minutes'

notice. I presented the reservation more than 3 days ago. I spoke on it in the Senate. The reservation was printed and has been lying on the table. I am daily asked to vote in the Senate on unprinted resolutions and bills and amendments. I do not like to do that. I think it is a very unsound method of legislating. But, Mr. President, I say that the Senators who have just spoken have known about this matter by reason of my discussion on the Senate floor and from the fact that the reservation has been printed and distributed for more than 3 days. So I think it is almost an unfair insinuation for the Senator from Wyoming to intimate that I am bringing in a new issue and asking him to vote on it on 40 minutes' notice.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. HAWKES. I yield.

Mr. O'MAHONEY. I did not say that the Senator was bringing in any new issue which would require me or anyone else to talk about it within 40 minutes of time. I said that the issue is precipitated here after having been rejected by the committee. I am well aware that the reservation offered by the Senator was printed and was lying on the table.

Mr. HAWKES. If I may interrupt at that point, let me say that the reservation was never rejected by the Senate committee. Let us have this matter entirely clear. The subcommittee of the Senate Foreign Relations Committee, which was headed by the Senator from Georgia [Mr. GEORGE], said the reservation was not germane to the subjects which had been assigned to them, and therefore the subcommittee could not give it consideration. That is a vastly different thing from being rejected.

Mr. O'MAHONEY. Mr. President, I recognize and respect the good faith of the Senator from New Jersey, and I make no imputation whatsoever respecting what he is doing. I am merely pointing out that, while it may be true that the Foreign Relations Committee did not formally vote to reject this reservation, it did not act favorably on it, and I assumed, and I know that all Senators from the upper-basin States assumed, that it was not to be brought forward by the committee. It certainly does not have the approval of the Committee on Foreign Relations. I may say to the Senator from New Jersey that it does not have the approval of the Senators from the upper-basin States.

Mr. HAWKES. I understand that. If I may interpose at this point, let me inquire if the Senator from Wyoming was in the Senate Chamber when the Senator from Georgia [Mr. GEORGE] reported on this reservation? If the Senator from Wyoming was in the Chamber he will remember, if my recollection is correct, that the Senator from Georgia said that while the reservation was not germane to the issues which had been given to the subcommittee to consider, it was perfectly proper for me to offer the reservation on the floor and have it printed, and lie on the table.

Mr. O'MAHONEY. That is proper, certainly.

Mr. HAWKES. Yes, I know it is proper; but the point I am making is that if the Senator was present he certainly cannot say now that he has not had more than 40 minutes to think about it.

Mr. O'MAHONEY. I did not say that I had not had more than 40 minutes to think about it. I have had a long time to think about it, and my thought is such that I think the reservation should be rejected. What I say is that I have had only 40 minutes in which to explain my point of view to the Senate.

Mr. HAWKES. I may say to the distinguished Senator—and I have great respect for him——

Mr. O'MAHONEY. I thank the Senator.

Mr. HAWKES. I may say that some day I believe the people of the United States will be working together in the interest of the United States of America so that the United States can do its duty to the world. I think this thing has the earmarks of different basins fighting each other, and I believe some day they will regret that they are doing so. I believe some day they will have a very deep regret that they did not recognize the rights and interests of each other and work for the preservation of the golden water which is so important to the Senator's State of Wyoming. I know the Senator's State. I have been there many times. The Senator and I had the pleasure of being on the same platform in his State.

Mr. O'MAHONEY. And it was a very great pleasure, I will say to the Senator from New Jersey.

Mr. HAWKES. It was a great pleasure to me. We had the great pleasure of being there together. I say to the Senator from Wyoming that it is too bad that there is an insinuation all through this discussion that California is a culprit.

Mr. O'MAHONEY. No.

Mr. HAWKES. That California wants something she should not have. That she made the best of a bargain in time past. If we are to take everyone in the United States who ever honestly made the best of a bargain and then overturn it because they were ingenious and able enough to make a good bargain, we will have a very rough time in the United States.

Mr. O'MAHONEY. I will say to the Senator from New Jersey, Mr. President, that I would be the last person in the world to imply that California was a culprit. Certainly I have the deepest respect and admiration for the senior Senator from California [Mr. JOHNSON] whose courageous and effective service upon this floor I have been familiar with since the day he entered the Senate back in 1917. I was here when the Senator from California took the oath of office. I was proud to have the opportunity of seeing him take the oath of office. I cast no reflection upon anyone in California. I cast no reflection upon the California representation here. I would say the same thing about the junior Senator from California that I have said with respect to the senior Senator from California. I cast no reflection on the Senator from New Jersey. I am merely saying that the upper basin States have an obligation which they have observed of supplying at least 75,000,000 acre-feet of water during a 10-year period. They will continue to observe that obligation.

The upper basin States have seen developments proceed in other States in the lower basin. They have watched them. Their representatives in the Senate have now agreed to this treaty which guarantees a certain supply of water to Mexico. We have supported that treaty because we want the situation stabilized. But, Mr. President, we do not want the treaty or any reservation to it to be used as the instrumentality of settling a controversy which ought to be settled among the States. We should not be foreclosed in this manner.

I thank the Senator from New Jersey for permitting me to intrude upon his time.

Mr. HAWKES. The Senator from Wyoming is entirely welcome. I only wish to say I do not think the reservation in any way precludes the States from settling their problems, and I emphasize again the point that the reservation deals only with valid compacts and contracts heretofore made by the United States with its States, public agencies, or citizens.

Mr. President, I have no desire to delay the proceedings. I ask for a yea-and-nay vote on my reservation.

Mr. BARKLEY. Mr. President, inasmuch as the unanimous-consent agreement provides for a vote to be taken at 4 o'clock, and inasmuch as I understand the Senator from Texas [Mr. CONNALLY] and one or two other Senators desire to discuss some features of the treaty before 4 o'clock, I suggest that the Senate begin voting at 4 o'clock, and vote on the reservation offered by the Senator from New Jersey first. In that way we will lose no time between now and 4 o'clock.

The PRESIDENT pro tempore. The Chair will state to the Senator from New Jersey that the first vote will come on his reservation.

Mr. HAWKES. So long as it is understood that my reservation is to be voted on separately, I am satisfied.

Mr. BARKLEY. Oh, yes; and I am willing to agree now that there be a yea-and-nay vote on the Senator's reservation.

Mr. HAWKES. I ask for the yeas and nays on my reservation.

The PRESIDENT pro tempore. Is there a sufficient number seconding the request of the Senator from New Jersey for the yeas and nays on his reservation?

The yeas and nays were ordered.

Mr. CONNALLY. Mr. President, I hope the Senator from California will use the remainder of his time, because the proponents of the treaty are entitled to the last word.

The PRESIDENT pro tempore. The Senator from California has 14 minutes, and the Senator from Texas has 16 minutes.

Mr. DOWNEY. Mr. President, I do not desire to consume any additional time. If any volunteer wishes to speak on behalf of the reservation, or against the treaty, I shall be glad to yield time.

The PRESIDENT pro tempore. Apparently there are no volunteers. Does the Senator from California yield his time to the Senator from Texas?

Mr. DOWNEY. I shall be glad to do so, Mr. President, unless some new point should be injected into the debate. Unless I intervene, I shall be glad to yield the time to the Senator from Texas.

Mr. CONNALLY. Mr. President, after many days of discussion and consideration, we are approaching a vote on the pending reservation and on the treaty. I wish to thank Senators for the interest which they have manifested in the treaty and for the patience with which they have listened to those of us who have spoken on the subject.

Mr. President, I should like to be notified at the end of 8 minutes, because I wish to reserve some time for the Senator from Kentucky.

The pending reservation, offered by the Senator from New Jersey, is wholly unacceptable, not only to all members of the Foreign Relations Committee except two, but especially to Senators from the upper-basin States. They are bitterly opposed to it. It would be very deleterious to the treaty and might interfere with its acceptance by Mexico, because it is a variation of the terms of the treaty.

The purpose of the reservation is this: Originally the States of the upper basin and the States of the lower basin entered into what was called an interstate compact. Under that compact the States of the upper basin were to receive 7,500,000 acre-feet of water a year, and the States in the lower basin were to receive 8,500,000 acre-feet. Then came the Boulder Canyon Dam Act, which, in a way ratified and adopted the interstate compact between the States as the basis for the division of the water. It was also provided that the State of California should enact a statute accepting limitations on the amount of water which she should receive. The State of California, through its legislature, enacted such a statute.

Under the interstate compact between the States, California was allocated 4,400,000 acre-feet of water each year. She accepted the terms of that limitation by act of her own legislature, limiting her claim to that amount. Subsequently the Secretary of the Interior made certain so-called contracts with the users of the water which greatly increased the allotment to California. They provided more than 5,000,000 acre-feet for California. Those contracts were predicated upon the theory that the water would be available under the terms of the compact, under the terms of the Boulder Canyon Act, and under all laws and agreements relating thereto.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. I yield.

Mr. DOWNEY. In the interest of accuracy, I think it should be stated that the Boulder Canyon Dam Act not only provided 4,400,000 acre-feet for California, but also one-half of the surplus in addition.

Mr. CONNALLY. The Senator is correct. Of course, so long as there is a surplus, no one complains.

Every one of the contracts to which I have referred had written into it the provision that it was subject to the interstate compact. They are all subordinate to the interstate compact, and the solemn pledge of California herself, by an act of her own legislature, that she was entitled to only 4,400,000 acre-feet a year.

The effect of the pending reservation, if it could have any legal effect, would be to give color of validation to the so-called contracts in excess of 4,400,000 acre-feet. To that extent it would rob the other States in the lower basin and the States in the upper basin of their rights under the interstate compact, because the water which California gets must come either from the upper basin or from the lower basin.

If those contracts should be indirectly validated, as is sought to be done by the pending reservation, the result would be a rank injustice to all the other States within the Colorado River Basin. So I hope Senators will not be misled. I hope they will not be influenced to support this reservation on the theory that it is a protection of the legal rights of citizens. We have already, by suitable reservations, amply protected such rights. We have made it clear that the rights of citizens of the United States within United States territory shall not be impaired, but shall be under the control of our own constitutional processes, domestic laws, and regulations. That is sufficient. All the constitutional processes which are in force shall continue to be in force within the United States as to its citizens.

I appeal to Senators to vote against the pending reservation. If Senators want this treaty, they should not vote for the reservation, because the reservation would drive a dagger into the heart of the treaty.

Mr. President, how much time have I?

The PRESIDENT pro tempore. The Senator has 2 minutes.

Mr. CONNALLY. Two minutes out of the 8 minutes, at the end of which I asked to be notified by the Chair?

The PRESIDENT pro tempore. That is correct.

Mr. CONNALLY. Mr. President, this question has been engaging the attention of the two Governments for 30 or 40 years. There have been negotiations back and forth, with a claim on the part of Mexico that she was entitled to a much greater amount than is granted her under the pending treaty. In the course of the negotiations, Mexico contended that she was entitled to 3,600,000 acre-feet of water annually, whereas under the treaty she is given only 1,500,000—that, Mr. President, in the face of the fact that according to the testimony before the committee, Mexico is now using for beneficial purposes 1,800,000 acre-feet a year.

Mr. DOWNEY. Mr. President, will the Senator yield?

Mr. CONNALLY. Mr. President, I do not like to give up my time.

Mr. DOWNEY. I shall not ask the Senator to give up his time. I wish to give him some of my time. Unless some other Senator desires to speak in behalf of the reservation offered by the Senator from New Jersey [Mr. HAWKES], or against the treaty, I shall be glad to yield 10 minutes of our time to the Senator from Texas.

Mr. CONNALLY. I thank the Senator.

Mr. DOWNEY. We are being just as generous with our time as we were with our water.

The PRESIDENT pro tempore. The Senator's 8 minutes have expired. The Senator has 8 minutes more of his own time, and 10 minutes of the time of the opposition.

Mr. CONNALLY. I thank the Senator from California. If he had been as generous at the start of the hearings before the committee as he now is, we probably could have completed consideration of the treaty a little earlier. I am very happy to have had this experience, and to have had an opportunity to work with the Senator. I am very glad that he is approaching a vote on the treaty with so much equanimity and good nature.

Mr. DOWNEY. I am sure that if we had been more generous we could have completed consideration of the treaty before this, but we would not have had any water left.

Mr. CONNALLY. The treaty will give California more water. It provides for the building of the Davis Dam, below Boulder Dam. Davis Dam will catch and hold waters which are now being discharged from Boulder Dam, for the manufacture of electricity for the Senator and his constitutents in San Diego, Los Angeles, and many other cities. That water now goes to waste. Ten million acre-feet, with the majesty of a torrent, tears down the Colorado River and wastes itself in the broad expanse of the Gulf of California.

We shall save that water, under this treaty, with Davis Dam; more water will be available than ever heretofore. The water will not be wasted simply because it has been expended in the manufacture of cheap electric power. I do not begrudge the State of California getting the power. All I ask is that California recognize the rights of other commonwealths. There are seven States in that basin. Five of them are enthusiastically supporting the treaty. They are doing so because they believe it is to the interest of that basin that the treaty be ratified.

A moment ago I said that Mexico is now using 1,800,000 acre-feet of water. Under the doctrine of prior beneficial use, a doctrine with which the lawyers from the West are familiar, and with which I am largely unacquainted, a State adjacent to a stream, which uses the water of the stream and appropriates it for beneficial usage, has an equitable claim to continue the use of that water for all time. Let us look at this picture. With the unrestrained flow of the river—10,000,000 acre-feet of water sweeping down the river—there is nothing to prevent Mexico, without a treaty, from vastly increasing the beneficial uses within her own country. If she does so, and if we have no treaty, the gates of international arbitration will stand wide open for her. We have a treaty with all the republics of the Western Hemisphere that we shall arbitrate questions and disputes which arise, whenever they cannot be settled by the Governments or by diplomatic means. If Mexico should increase her beneficial use of the waters of the Colorado River to 2,000,000, 3,000,000, or 4,000,000 acre-feet, and if we should

then go to an arbitration tribunal, who can say that her claims would not be recognized on the basis of equity and on the basis of the precedents in international law involving the allocation of water rights and on the basis of the legal decisions of the courts in this country, as applied between State and State?

So, Mr. President, this treaty will not take away a drop of water from California. In the long run I believe this treaty will prove a blessing to California. If we have the treaty and if we limit the amount of water which Mexico can demand, we then will make it possible for the States in the upper basin and the States in the lower basin alike to know what their situation will be. They will be free to go ahead with the construction of adequate works, based upon accurate data, and to utilize the waters more fully than they now are doing.

Mr. President, if the treaty is ratified I doubt not that in the upper basin, upon various streams, there will be constructed additional reservoirs and additional retaining structures to save the waters and to use them for agriculture and then let them flow back into the rivers, and on, down, into the Colorado. That will take money. Investors do not care to invest money in projects of that kind unless they have assurance of stability and of soundness and that they will get their money back. If the treaty is ratified and if the Bureau of Reclamation and our engineering services are able to advise accurately as to what the prospects may be relative to the sources and supplies of water, investors will not be hesitant to invest their funds in such projects.

Mr. President, the Boulder Canyon Dam has a possible capacity of 32,000,000 acre-feet of water. Its average holding is approximately 23,000,000 or 24,000,000 acre-feet of water. That is the normal condition at Boulder Dam in Lake Mead. In addition, as I pointed out a while ago, we shall construct Davis Dam, which will still further increase the supply of water available for use in the low periods. This treaty will serve to equate the flow of the Colorado River. Instead of pouring its valuable current of life and energy out into the Gulf of California, it will be conserved for the people of these seven States. We shall devote it to the uses about which Senators have been speaking. We shall convert it to the production of food. We shall be able to use it for the employment of labor in the construction of works. We shall perhaps use it for the generation of electricity, to bring comfort and convenience to the people of that whole area.

This treaty, when we look at it from a national standpoint, will be of tremendous value to the people of the United States, regarded as a whole. We are not simply dealing with a small portion of territory in southern California. We are dealing with all the seven States in that great basin. We are dealing with my own State, as it borders upon Mexico. The Rio Grande is an international stream. No dam can be built across it, no structure can be erected upon it, unless we have a treaty or agreement with Mexico. Today 4,000,000 acre-feet of water flow down the Rio Grande each year, out into the Gulf of Mexico, to waste itself amidst the briny waters of that ocean. The treaty will make it possible to harness those waters, to make them usable by Mexico and by Americans on our side of the border.

So, Mr. President, I earnestly appeal to the Senate to vote down this reservation. The Committee on Foreign Relations for 4½ weeks carefully, meticulously, and thoroughly examined every aspect of the treaty. Eighteen members out of 22 members of the committee voted to report the treaty favorably. Since that time 2 of the other Senators are supporting the treaty—making a total of 20 members out of 22. The Committee on Foreign Relations was not acting through pique. It was not acting through any particular affinity for any particular State or any particular section. Its members were acting as Americans; they were acting in an effort to carry out the high functions of the committee to consider all aspects and all angles of the problem.

I respectfully ask the Senate to ratify what was done by the Committee on Foreign Relations, to ratify this treaty in behalf of all the people of the United States.

I yield the balance of my time to the Senator from Kentucky.

Mr. BARKLEY. Mr. President, how much time have I?

The PRESIDENT pro tempore. The Senator has 6 minutes.

Mr. DOWNEY. Mr. President, unless there are other Senators who desire to be heard in favor of the reservation offered by the Senator from New Jersey or against the treaty, we will yield the additional time to the Senator from Kentucky.

The PRESIDENT pro tempore. Then the Senator from Kentucky has 12 minutes.

Mr. BARKLEY. I thank the Senator from California. That will consume the remainder of the time before the vote is taken.

Mr. President, in order that we may understand the connection between the reservation now under consideration, the Colorado River Compact, and the pending treaty, I wish to read three paragraphs of the Colorado River Compact. That compact was made in anticipation of a treaty between the United States and Mexico, and it provided that in the event it should become necessary to the extent described in these paragraphs, the compact among the seven States should be modified. Article III, paragraphs (a) and (b), read as follows:

ARTICLE III. (a) There is hereby apportioned from the Colorado River system in perpetuity to the upper basin and to the lower basin, respectively, the exclusive beneficial consumptive use of 7,500,000 acre-feet of water per annum, which shall include all water necessary for the supply of any rights which may now exist.

(b) In addition to the apportionment in paragraph (a), the lower basin is hereby given the right to increase its beneficial consumptive use of such waters by 1,000,000 acre-feet per annum.

So, under those two paragraphs the lower basin is allotted out of the waters of the Colorado River eight and a half million acre-feet annually, while the upper basin is allotted seven and a half million acre-feet annually.

Paragraph (c) of article III provides as follows:

(c) If, as a matter of international comity, the United States of America shall hereafter recognize in the United States of Mexico any right to the use of any waters of the Colorado River system, such waters shall be supplied first from the waters which are surplus over and above the aggregate of the quantities specified in paragraphs (a) and (b)—

Which I have just read—

and if such surplus shall prove insufficient for this purpose, then, the burden of such deficiency shall be equally borne by the upper basin and the lower basin, and whenever necessary the States of the upper division shall deliver at Lee Ferry water to supply one-half of the deficiency so recognized in addition to that provided in paragraph (d).

Mr. President, it may be that either in the upper or lower basin of the Colorado River contracts have been entered into which are not void per se, but may well be voidable or may become voidable in the event, and subject to the contingency, that a treaty shall be entered into between the United States and Mexico. That being true, the pending reservation seeks to freeze all the contracts made either in the upper basin or in the lower basin, regardless of the provisions of the compact between the States, and regardless of the provisions of the treaty.

The pending reservation seeks to modify not only the terms of the treaty upon which we are presently to vote but in effect it seeks to modify the terms of the compact entered into among the seven Colorado River Basin States. I do not believe there is any escape from that conclusion. Therefore, Mr. President, it seems to me that the Senate ought not to agree to this reservation.

In the few remaining moments which I have at my disposal I wish to say a word concerning the treaty as a whole. I think it is a reason for general congratulation and satisfaction that after nearly half a century of negotiations between the United States and the Republic of Mexico we have arrived at a juncture where a treaty between those two countries is to be voted upon by the United States Senate. I can well understand that the treaty may not satisfy everyone. I can well understand that if a committee of the Senate had written the treaty, it might have written it in different terms. I am not sure that it could have done a better job than has been done. It might have done a worse job. Perhaps we ourselves would have formulated a different structure if we had written the treaty.

In the process of treaty-making between our country and other nations it is obviously impossible for the Senate to write treaties, except insofar as it may be possible to send its representatives to conferences at which treaties may be drawn. As an example, I cite the conference which will take place in a few days at San Francisco. Members of this body are on a delegation to participate in writing a treaty. However, the Senate as a body cannot write a treaty. We must deal with treaties after they are submitted to us.

I think the reservations which have been agreed to have improved the treaty. I think some of them were unnecessary; but in order to endeavor to satisfy the fears, and suspicions—if I may use such a word—expressed by some Members of the Senate, the reservations were agreed to, and they are now a part of the treaty.

Regardless of the war which now ravages the world, regardless of the work of the conference which will soon be held at San Francisco, and regardless of the form of any treaty which may be negotiated, entered into, and finally ratified at the end of the war, I think it is a happy omen that here in the Western Hemisphere we are now able to enter into a treaty with our nearest neighbor, with whom for more than a century we have had difficulties and controversies. I repeat, Mr. President, I think it is a happy omen. It would be so regardless of all the other circumstances which now beset the world.

I congratulate the senior Senator from Texas, the chairman of the Committee on Foreign Relations [Mr. CONNALLY], for the patience, forbearance, and courtesy with which he has piloted this treaty to its present position.

I wish also to congratulate the junior Senator from Colorado [Mr. MILLIKIN], who, although not a member of the Committee on Foreign Relations, has given the Senate the benefit of his wise judgment. He has exhibited a masterly understanding of the terms of the treaty and all the conditions which brought it about.

I join in the tribute which was paid to the senior Senator from California [Mr. JOHNSON], to which he is entitled. We do not vote for the treaty because he objects to it; we vote for it in spite of his objection to it. We vote for it with regret on his account, but with the consciousness, after all, that it is the best treaty, under present conditions, which could be agreed to for our whole country in its relations with our next-door neighbor.

To the junior Senator from California [Mr. DOWNEY], who has shown such diligence and industry, and who has exhibited rare patience with those of us who from the beginning felt that this treaty should be ratified, I pay my tribute of respect and admiration. He is one of the most industrious and able, and frequently one of the most eloquent, Members of the Senate in any controversy in which he takes part.

Mr. President, I hope that the treaty will receive the overwhelming ratification of the Senate. I also hope that the reservation offered by the Senator from New Jersey will be rejected. In its very terms, and I presume by its very intent, it would modify the treaty itself and would affect all the compacts which have been made, regardless of whether, as a matter of law, they were void or voidable.

The PRESIDENT pro tempore. The hour of 4 o'clock having arrived, under the agreement heretofore made, further debate is not in order, and the Senate will proceed to vote. The first vote will be on the reservation of the Senator from New Jersey [Mr. HAWKES]. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD] and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND] is absent on public business.

The Senator from Massachusetts [Mr. WALSH] is absent as a member of the Board of Visitors to the United States Naval Academy, which is holding at Annapolis a 3-day meeting, which the Senator from Massachusetts has obtained leave of the Senate to attend.

Mr. WHERRY. The Senator from Minnesota [Mr. BALL], the Senator from Delaware [Mr. BUCK], and the Senator from Ohio [Mr. BURTON] are necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from Minnesota [Mr. BALL] and the Senator from Ohio [Mr. BURTON] would vote "nay" if present.

The result was announced—yeas 23, nays 63, as follows:

YEAS—23

Bridges	Hawkes	Tobey
Brooks	Hickenlooper	Tydings
Bushfield	Johnson, Calif.	Wheeler
Butler	Langer	Wherry
Byrd	McCarran	Willis
Capehart	Moore	Wilson
Chandler	Revercomb	Young
Downey	Shipstead	

NAYS—63

Aiken	Hart	Myers
Austin	Hatch	O'Daniel
Bailey	Hayden	O'Mahoney
Bankhead	Hill	Overton
Barkley	Hoey	Pepper
Bilbo	Johnson, Colo.	Radcliffe
Brewster	Johnston, S. C.	Reed
Briggs	Kilgore	Robertson
Capper	La Follette	Russell
Chavez	Lucas	Saltonstall
Connally	McClellan	Smith
Cordon	McFarland	Stewart
Donnell	McKellar	Taft
Ellender	McMahon	Taylor
Ferguson	Magnuson	Thomas, Okla.
Fulbright	Maybank	Thomas, Utah
George	Millikin	Tunnell
Gerry	Mitchell	Vandenberg
Green	Morse	Wagner
Guffey	Murdock	White
Gurney	Murray	Wiley

NOT VOTING—10

Andrews	Eastland	Thomas, Idaho
Ball	Glass	Walsh
Buck	Mead	
Burton	Scrugham	

So Mr. HAWKES' reservation was rejected.

Mr. BARKLEY. Mr. President, would it be in order for me to make an announcement about another matter, for the information of the Senate, before the roll call is taken on the treaty?

The PRESIDENT pro tempore. If there is no objection, and the Chair hears none.

Mr. BARKLEY. The senior Senator from Utah [Mr. THOMAS] has indicated his desire to have the draft extension bill taken up immediately on the conclusion of the consideration of the treaty. I wanted Senators to know that, because they are all interested.

I wish to say also, to my colleagues on the Democratic side, lest they do not receive their notices, that I have asked for a conference of the majority at 10:30 o'clock tomorrow morning in room 201 of the Senate Office Building, at which I hope all on this side will be present.

The PRESIDENT pro tempore. The question now is on agreeing to the resolution of ratification, with the reservations heretofore agreed to.

Mr. LUCAS. I ask for the "yeas" and "nays."

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll.

Mr. BARKLEY. I announce that the Senator from Florida [Mr. ANDREWS] and the Senator from Ohio [Mr. BURTON], who would vote "yea" if present, are paired with the Senator from Idaho [Mr. THOMAS], who if present would vote "nay."

The Senator from Minnesota [Mr. BALL] and the Senator from Massachusetts [Mr. WALSH] would if present vote "yea." They are paired with the Senator from Nevada [Mr. SCRUGHAM] who if present would vote "nay."

I announce that the Senator from Virginia [Mr. GLASS] and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Mississippi [Mr. EASTLAND] is absent on public business. If present he would vote "yea."

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Massachusetts [Mr. WALSH] is absent as a member of the Board of Visitors to the United States Naval Academy, having obtained permission of the Senate to attend the 3-day meeting of the Board at Annapolis.

If present the Senator from Virginia [Mr. GLASS] would vote "yea."

Mr. WAGNER. I announce that my colleague [Mr. MEAD] is absent because of illness. If present he would vote "yea."

Mr. WHERRY. The Senator from Ohio [Mr. BURTON] and the Senator from Florida [Mr. ANDREWS], both of whom if present would vote "yea" on this question, have a pair with the Senator from Idaho [Mr. THOMAS], who if present would vote "nay."

The Senator from Minnesota [Mr. BALL] and the Senator from Massachusetts [Mr. WALSH], both of whom if present would vote "yea" on this question, have a pair with the Senator from Nevada [Mr. SCRUGHAM], who if present would vote "nay."

The Senator from Minnesota [Mr. BALL], the Senator from Delaware [Mr. BUCK], and the Senator from Ohio [Mr. BURTON] are necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The result was announced—yeas 76, nays 10, as follows:

YEAS—76

Aiken	Byrd	Green
Austin	Capehart	Guffey
Bailey	Capper	Gurney
Bankhead	Chavez	Hart
Barkley	Connally	Hatch
Bilbo	Cordon	Hawkes
Brewster	Donnell	Hayden
Bridges	Ellender	Hickenlooper
Briggs	Ferguson	Hill
Brooks	Fulbright	Hoey
Bushfield	George	Johnson, Colo.
Butler	Gerry	Johnston, S. C.

Kilgore	Myers	Taylor
La Follette	O'Daniel	Thomas, Okla.
Lucas	O'Mahoney	Thomas, Utah
McClellan	Overton	Tobey
McFarland	Pepper	Tunnell
McKellar	Radcliffe	Tydings
McMahon	Reed	Vandenberg
Magnuson	Revercomb	Wagner
Maybank	Robertson	White
Millikin	Russell	Wiley
Mitchell	Saltonstall	Willis
Morse	Smith	Wilson
Murdock	Stewart	
Murray	Taft	

NAYS—10

Chandler	McCarran	Wherry
Downey	Moore	Young
Johnson, Calif.	Shipstead	
Langer	Wheeler	

NOT VOTING—10

Andrews	Eastland	Thomas, Idaho
Ball	Glass	Walsh
Buck	Mead	
Burton	Scrugham	

The PRESIDENT pro tempore. Two-thirds of the Senators present having voted in the affirmative, the Senate advises and consents to the treaty and to the protocol supplementary thereto, with reservations.

The resolution of ratification, with the reservations, is as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive A, Seventy-eighth Congress, second session, a treaty between the United States of America and the United Mexican States, signed at Washington on February 3, 1944, relating to the utilization of the waters of the Colorado and Tijuana Rivers and of the Rio Grande from Fort Quitman, Tex., to the Gulf of Mexico, and Executive H, Seventy-eighth Congress, second session, a protocol, signed at Washington on November 14, 1944, supplementary to the treaty, subject to the following understandings, and that these understandings will be mentioned in the ratification of this treaty as conveying the true meaning of the treaty, and will in effect form a part of the treaty:

(a) That no commitment for works to be built by the United States in whole or in part at its expense, or for expenditures by the United States, other than those specifically provided for in the treaty, shall be made by the Secretary of State of the United States, the Commissioner of the United States section of the International Boundary and Water Commission, the United States Section of said Commission, or any other officer or employee of the United States, without prior approval of the Congress of the United States. It is understood that the works to be built by the United States, in whole or in part at its expense, and the expenditures by the United States, which are specifically provided for in the treaty, are as follows:

1. The joint construction of the three storage and flood-control dams on the Rio Grande below Fort Quitman, Tex., mentioned in article 5 of the treaty.

2. The dams and other joint works required for the diversion of the flow of the Rio Grande mentioned in subparagraph II of article 5 of the treaty, it being understood that the commitment of the United States to make expenditures under this subparagraph is limited to its share of the cost of one dam and works appurtenant thereto.

3. Stream-gaging stations which may be required under the provisions of section (j) of article 9 of the treaty and of subparagraph (d) of article 12 of the treaty.

4. The Davis Dam and Reservoir mentioned in subparagraph (b) of article 12 of the treaty.

5. The joint flood-control investigations, preparation of plans, and reports on the Rio Grande below Fort Quitman required by the provisions of article 6 of the treaty.

6. The joint flood-control investigations, preparation of plans, and reports on the lower Colorado River between the Imperial Dam and the Gulf of California required by article 13 of the treaty.

7. The joint investigations, preparation of plans, and reports on the establishment of hydroelectric plants at the international dams on the Rio Grande below Fort Quitman provided for by article 7 of the treaty.

8. The studies, investigations, preparation of plans, recommendations, reports, and other matters dealing with the Tijuana River system provided for by the first paragraph (including the numbered subparagraphs) of article 16 of the treaty.

(b) Insofar as they affect persons and property in the territorial limits of the United States, the powers and functions of the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, the United States Section of said Commission, and any other officer or employee of the United States, shall be subject to the statutory and constitutional controls and processes. Nothing contained in the treaty or protocol shall be construed as impairing the power of the Congress of the United States to define the terms of office of members of the United States Section of the International Boundary and Water Commission or to provide for their appointment by the President by and with the advice and consent of the Senate or otherwise.

(c) That nothing contained in the treaty or protocol shall be construed as authorizing the Secretary of State of the United States, the Commissioner of the United States Section of the International Boundary and Water Commission, or the United States Section of said Commission, directly or indirectly to alter or control the distribution of water to users within the territorial limits of any of the individual States.

(d) That "international dam or reservoir" means a dam or reservoir built across the common boundary between the two countries.

(e) That the words "international plants", appearing in article 19, means only hydroelectric generating plants in connection with dams built across the common boundary between the two countries.

(f) That the words "electric current", appearing in article 19, mean hydroelectric power generated at an international plant.

(g) That by the use of the words "The jurisdiction of the Commission shall extend to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary * * *" in the first sentence of the fifth paragraph of article 2, is meant: "The jurisdiction of the Commission shall extend and be limited to the limitrophe parts of the Rio Grande (Rio Bravo) and the Colorado River, to the land boundary between the two countries, and to works located upon their common boundary * * *."

(h) The word "agreements" whenever used in subparagraphs (a), (c), and (d) of article 24 of the treaty shall refer only to agreements entered into pursuant to and subject to the provisions and limitations of treaties in force between the United States of America and the United Mexican States.

(i) The word "disputes" in the second paragraph of article 2 shall have reference only to disputes between the Governments of the United States of America and the United Mexican States.

(j) First, that the 1,700,000 acre-feet specified in subparagraph (b) of article 10 includes and is not in addition to the 1,500,000 acre-feet, the delivery of which to Mexico is guaranteed in subparagraph (a) of article 10; second, that the 1,500,000 acre-feet specified in three places in said subparagraph (b) is identical with the 1,500,000 acre-feet specified in said subparagraph (a); third, that any use by Mexico under said subparagraph (b) of quantities of water arriving at the Mexican points of diversion in excess of said 1,500,000 acre-feet shall not give rise to any future claim of right by Mexico in excess of said guaranteed quantity of 1,500,000 acre-feet of water.

(k) The United States recognizes a duty to require that the protective structures to be constructed under article 12, paragraph (a), of this treaty, are so constructed, operated, and maintained as to adequately prevent damage to property and lands within the United States from the construction and operation of the diversion structure referred to in said paragraph.

EXECUTIVE MESSAGES REFERRED

The President pro tempore laid before the Senate messages from the President of the United States submitting several nominations, which were referred to the Committee on Foreign Relations.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORT OF A COMMITTEE

The following favorable report of a nomination was submitted:

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Harrison Parkman, of Kansas, to be purchasing agent for the Post Office Department (reappointment).

CONSIDERATION OF NOMINATIONS

Mr. BARKLEY. Mr. President, I ask that the nominations on the calendar be taken up and passed upon.

The PRESIDENT pro tempore. The clerk will proceed to state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the postmaster nominations are confirmed en bloc.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

Mr. BARKLEY. I also ask that the nominations in the Army be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Army are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. BARKLEY. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Navy are confirmed en bloc.

Mr. BARKLEY. I ask that the President be notified forthwith of all nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of legislative business.

The motion was agreed to; and the Senate proceeded to the consideration of legislative business.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2374) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 21, 27, 28, 33, 34, 35, 36, 37, 38, 45, 46, and 47 to the bill, and concurred therein; that the House receded from its disagreement to the amendments of the Senate numbered 19, 20, 24, 29, 42, and 43 to the bill, and concurred therein severally with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendment of the Senate numbered 16 to the bill.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. THOMAS of Utah. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 125, House bill 2625, to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDENT pro tempore. The title of the bill will be stated for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Utah [Mr. THOMAS].

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended, which had been reported from the Committee on Military Affairs without amendment.

DEFERMENT OF REGISTRANTS ENGAGED IN AGRICULTURAL OCCUPATIONS

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield to the Senator from Maryland.

Mr. TYDINGS. A number of Members of the Senate, as well as the House, have during the past 6 weeks asked for legislation reaffirming the provisions of the so-called farm deferment or Tydings amendment to the Selective Training and Service Act. A measure doing that has passed the House. When it came to the Senate it was referred to the Committee on Military Affairs. The Committee on Military Affairs has unanimously reported it favorably. The proper place to offer it would, of course, be on the bill which is now before the Senate. However, the Senator from Utah is not anxious to have the bill extending the Selective Training and Service Act go to conference. At the same time, in view of recent practice, I think the farm-deferment amendment ought to be restated and reaffirmed. Inasmuch as I know of no objection to it, with the consent and approval of the Senator from Utah [Mr. THOMAS] I ask unanimous consent that House Joint Resolution 106 be now considered. I do not believe it will provoke any debate. In that way we can avoid the necessity of offering it as an amendment to some other bill.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maryland?

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BARKLEY. Is the joint resolution in the same language as the amendment which the Senate adopted when it had under consideration the manpower bill?

Mr. TYDINGS. It is in the original language, with an interpretative sentence at the end, so as to avoid the conflict of opinion which seems to have resulted. There is nothing new in it.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Maryland?

Mr. WHITE. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WHITE. When was the joint resolution reported from the committee?

Mr. TYDINGS. It was reported on April 11.

Mr. WHITE. And it has been on the calendar since?

Mr. TYDINGS. Yes. There is no objection from any quarter. I believe it passed the House unanimously. I do not wish to offer it as an amendment to the bill to extend the Selective Training and Service Act.

Mr. WHITE. I have no objection.

Mr. GURNEY. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. GURNEY. Let me ask the Senator from Maryland if the joint resolution is in the exact wording indicated in Calendar No. 182?

Mr. TYDINGS. That is correct; as reported from the Committee on Military Affairs.

The PRESIDENT pro tempore. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution (H. J. Res. 106) to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort, which had been reported from the Committee on Military Affairs with an amendment, to strike out all after the resolving clause and insert:

That section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"In carrying out the provisions of this subsection, the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board: *Provided*, That no registrant who is qualified to serve in the armed forces shall be deprived thereby of the right to volunteer for such service."

The amendment was agreed to.

The amendment was ordered to be engrossed and the joint resolution to be read a third time.

The joint resolution was read the third time and passed.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The Senate resumed the consideration of the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

Mr. THOMAS of Utah. Mr. President, I should like to make a brief statement in regard to House bill 2625, to extend the Selective Training and Service Act. There were introduced in the House of Representatives and in the Senate, almost at the same time, two bills, both of them providing for the extension of the Selective Training and Service Act. That is the act under which the war, so far as the Army is concerned, is now being conducted.

The Senate bill provided for a simple 2-year extension. The House bill provided as follows:

That section 16 (b) of the Selective Training and Service Act of 1940, as amended, is amended by deleting "May 15, 1945," and inserting in lieu thereof the following: "May 15, 1946, or the date of the termination of hostilities in the present war, or on such earlier date as may be specified in a concurrent resolution of the two Houses of Congress for that purpose," and by adding at the end of section 16 (b) the following new sentence: "As used in this section the term 'date of the termination of hostilities in the present war' means the date proclaimed by the President as the date of such termination or the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, whichever is the earlier."

In the Senate Committee on Military Affairs we felt that the better of the two bills was our bill, which was a simple extension by changing the date "1945" to "1947." However, the House acted first. The time was limited, and it was the decision of the committee to accept the House bill. Practically speaking, there is no difference between the two bills so far as the effect upon the war effort is concerned. There is no difference in the intent. Therefore we reported the House bill instead of the Senate bill.

An attempt was made to amend the bill in committee. The chairman of the committee took the position that because of the fact that May 15 is not far off, and conferences are rather difficult in the present situation, especially if there is a

controversial amendment to be dealt with, it would be better to extend the Selective Training and Service Act, and deal with the amendments, as they are offered, as separate bills. The committee sustained the position of the chairman, and therefore the bill is reported as it is.

I trust that the Senate will sustain the committee in its endeavor to avoid interfering in any way with the extension of this very important law at this time, and that we may be able to pass this bill, so that there will be no uncertainty about the program of our Government in regard to the selective training and service system.

Mr. President, inasmuch as nothing is involved but an extension of the act, I believe that that is probably all the explanation that is necessary at the present time.

The PRESIDENT pro tempore. The bill is before the Senate and open to amendment.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. WHEELER. I understood that the Senator does not intend to press for passage of the bill tonight.

Mr. THOMAS of Utah. No. I have been asked by several Senators who wish to offer amendments to give them an opportunity to do so. Let me say to the Senator from Montana that I shall have exactly the same speech to make after each amendment as I have already made.

Mr. WHEELER. I have no doubt of that. However, I believe that in the consideration of such an important measure we ought to be given an opportunity to look it over. I do not know whether I shall offer an amendment or not. I submitted some amendments to the committee.

Mr. THOMAS of Utah. There are bills pending which are amendments to the act. Senators know about them.

Mr. WHEELER. So I understand that the Senator does not intend to press for passage of the bill this afternoon.

Mr. THOMAS of Utah. If the chairman of the Committee on Military Affairs were to start trying to press things, he would not be true to form; and he refuses to reform himself at this time.

Mr. WHEELER. I merely wished to ascertain the Senator's intention.

Mr. THOMAS of Utah. I believe that the action in connection with the Tydings amendment shows the disposition of the chairman.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. STEWART. Is it now in order to offer amendments?

The PRESIDENT pro tempore. The bill is before the Senate and open to amendment.

Mr. STEWART. Mr. President, some days ago the Senator from West Virginia [Mr. REVERCOMB], the Senator from Colorado [Mr JOHNSON], the Senator from Iowa [Mr. WILSON], and I submitted an amendment which was ordered to lie on the table and to be printed. I offer the amendment at this time. It pertains to the service of men under 19 years of age.

The PRESIDENT pro tempore. The amendment offered by the Senator from Tennessee will be stated.

The LEGISLATIVE CLERK. At the end of the bill it is proposed to insert the following new section:

SEC. —. Section 3 (a) of such act, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*And provided further*, That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act shall be forced into actual combat service until after he has been given at least 6 months of military training."

Mr. STEWART. Mr. President, I do not desire to discuss the amendment at this particular moment. I desire to make a few remarks on the amendment; but if the bill will be the unfinished business tomorrow, I prefer to make my statement about it tomorrow. In view of the fact that I understand the bill will not be pressed for passage tonight, I shall defer my remarks until tomorrow.

Mr. BARKLEY. Mr. President, in view of the fact that we cannot dispose of the bill tonight, and inasmuch as various Senators have said they prefer to speak on the pending amendment, which I presume will be the only one offered, tomorrow instead of today, I suppose we may as well suspend until tomorrow.

DELEGATES TO THE SAN FRANCISCO CONFERENCE

Mr. HAWKES. Mr. President, will the distinguished Senator from Kentucky permit me to make a brief statement at this time?

Mr. BARKLEY. I yield.

Mr. HAWKES. I did not happen to be in the Chamber the other day when my colleague from New Jersey [Mr. SMITH] spoke in regard to the resolution which was passed by the Assembly of the State of New Jersey dealing with the signal honor which has come to the Honorable CHARLES A. EATON, a Member of the House of Representatives of the United States, representing the Fifth District of New Jersey, in his appointment by the President of the United States to be a member of the American delegation to the San Francisco Conference. I shall not ask that the resolution adopted by the New Jersey Assembly be reprinted, but I wish to say for the benefit of the Members of the Senate now present that there is no man in the State of New Jersey whom we respect and honor more highly than Hon. CHARLES A. EATON. He has a composite of qualities which I believe are valuable and will contribute to finding a way to world peace, if it is possible to find it. He has a fine spiritual side, and he has a very fine, practical American side and an understanding of the necessity of practical things in life. So I wish to pay tribute to him in the Senate today, and I wish him Godspeed, success, and good health with which to carry on in San Francisco.

I also wish Godspeed to the distinguished senior Senator from Michigan [Mr. VANDENBERG], and I hope that God will guide him well in the work which is before him, and also the distinguished chairman of the Committee on Foreign Relations, the Senator from Texas [Mr. CONNALLY].

I thank the majority leader very much for yielding to me.

RECESS

Mr. BARKLEY. Mr. President, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 35 minutes p. m.) the Senate took a recess until tomorrow, Thursday, April 19, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 18 (legislative day of April 16), 1945:

DIPLOMATIC AND FOREIGN SERVICE

Laurence C. Frank, of Rhode Island, to be a Foreign Service officer of class 4, a secretary in the Diplomatic Service, and a consul general of the United States of America.

Edward A. Dow, Jr., of Nebraska, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 18 (legislative day of April 16), 1945:

IN THE ARMY

APPOINTMENT, BY TRANSFER, IN THE REGULAR ARMY

To the Quartermaster Corps

Lt. Col. Paul Vincent Kellogg

To the Air Corps

Capt. Richards Montgomery Bristol

PROMOTIONS IN THE REGULAR ARMY

To be colonel with rank from March 1, 1945

Barrington Lockhart Flanigen, Coast Artillery Corps.

To be colonel with rank from March 12, 1945

Otto Frederick Lange, Infantry.

To be colonels with rank from April 1, 1945

Harlan Leslie Mumma, Quartermaster Corps.

Alexander Mathias Weyand, Infantry.
James Ellis Slack, Cavalry.
Marvin Boyle, Field Artillery.
Harold Preston Kayser, Infantry.

IN THE NAVY

FOR TEMPORARY SERVICE

Edmund W. Burrough to be a rear admiral in the Navy, for temporary service, to rank from April 11, 1943.

Harold B. Miller to be a rear admiral in the Navy, for temporary service, to continue while serving as Director of Public Relations, Navy Department, Washington, D. C.

POSTMASTERS

COLORADO

Richard C. Caddell, Grand Lake.

MICHIGAN

Marie L. Mottes, Alpha.
Ernest E. Hawes, Applegate.
Alice M. Bishop, Bannister.
Henry H. Sibole, Breedsville.
Alice M. Bigelow, Cass City.
Benjamin J. Lawson, Mount Morris.
Martha E. Krzyszke, Waltz.

SOUTH CAROLINA

Norman Glenn Anderson, Andrews.
Thomas P. Scott, Whitmire.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 18, 1945

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, offered the following prayer:

O Thou who hast revealed Thyself as the guiding intelligence and the understanding love, grant that we may continue to go forth in this new day as the intrepid pilgrims of a greater faith and a larger hope.

Humbly we ask that we may see clearly that all our plans and purposes will be futile unless we have that wisdom and strength which cometh from above. We pray that Thou wilt create within us those desires which Thou dost delight to satisfy and may we hold our own wishes in abeyance until Thou dost declare Thy will.

We fervently pray for Thy richest blessings upon our Chief Magistrate, our Speaker, and all who counsel and legislate with them in the affairs of government in our own beloved country and in the larger sphere of international relationships. May the high and sacred vocation of this Congress be that of building a social order in which justice, righteousness, good will, brotherhood, and love for God and man shall be the ruling principles. To Thy name, through the Christ, we give the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

PAN-AMERICAN DAY

Mr. JARMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution No. 222, designating April 24, 1945, for the celebration of Pan-American Day in the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The Clerk read the resolution as follows:

Resolved, That the House of Representatives hereby designates Tuesday, April 24, 1945, for the celebration of Pan-American Day, during which no business or remarks except appropriate to such an occasion may occur.

The resolution was agreed to.

PRINTING ADDITIONAL COPIES OF AN ADDRESS OF THE PRESIDENT OF THE UNITED STATES

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report back favorably without amendment a privileged resolution (H. Con. Res. 43) authorizing the printing of additional copies of House Document No. 143, current session, entitled "Further Prosecution of the War," an address of the President of the United States, and ask for immediate consideration of the resolution.

The Clerk read the resolution as follows:

Resolved by the House of Representatives (the Senate concurring), That there be printed 201,000 additional copies of House Document No. 143, current session, entitled "Further Prosecution of the War," an address of the President of the United States, of which 150,000 copies shall be for the use of the House of Representatives, 50,000 copies for the use of the Senate, and 1,000 copies for the Senate document room.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. HAYS. Mr. Speaker, on last Monday the gentleman from Indiana [Mr. LAFOLLETTE] and I had special orders to discuss the Norton bill on fair employment practices. I ask unanimous consent that those special orders be scheduled for next Monday.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

EXTENSION OF REMARKS

Mr. RYTER asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in this morning's New York Times.

Mr. GORDON asked and was given permission to extend his remarks in the RECORD and include two telegrams sent respectively to Mrs. Roosevelt and President Harry S. Truman by the Polish-American Congress of Chicago, Ill.

THREE CHEERS FOR GENERAL PATTON

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr. Speaker, General Patton continues to write dramatic and realistic history. The General should be highly commended for forcing the German civilians of Weimar to view the horror and brutality of the infamous Buchenwald concentration camp. This action alone merits the additional star for which General Patton has been recommended.

We are told that on the whole German civilians at this time have no sense of guilt and know nothing of the many atrocities committed in their behalf. Most theology and sound psychology teaches that conviction of sin is necessary before there can be either repentance from or remission of sin. Unless our foreign program of education and enlightenment does a better job hereafter than heretofore, future generations of Germans will be thoroughly convinced that American barbarians were entirely responsible for the present world catastrophe. Such Germans as cannot be forced to view with their own eyes the physical results of their atrocities should be compelled to see documented movies displaying German crimes and furnishing convincing evidence of German war guilt. On the propaganda front the Germans have certainly thus far given us a licking. It is high time we fully recovered from our historic weaknesses in both propaganda and diplomacy.

PERMISSION TO ADDRESS THE HOUSE

Mr. CELLER. Mr. Speaker, I ask unanimous consent that on Monday next, after the legislative program, I be permitted to address the House for 45 minutes on the subject of war crimes.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

EXTENSION OF REMARKS

Mr. WHITTINGTON asked and was given permission to extend his remarks in the Appendix of the RECORD and include therein an editorial from the Clarion Ledger, Jackson, Miss., dated April 13, 1945, entitled "Honors Paid Nazis at Como Camp Mocked the Murdered Americans."

Mr. MONRONEY asked and was given permission to extend his own remarks and include therein a memorial passed by the Oklahoma State Legislature and signed by Gov. Robert S. Kerr, of Oklahoma.

THE RADIO INDUSTRY

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. MONRONEY. Mr. Speaker, I cannot let the opportunity go by without paying a well-earned tribute to the radio industry for the appropriate way they handled the most important story of the death of our beloved President over the week end.

The entire industry rose magnificently to the occasion in handling this national tragedy with appropriate feeling and with an appreciation of the deep sense of loss that the Nation had suffered.

Within seconds after the fateful news of President Roosevelt's death had been flashed to the world by radio they dispensed with all commercialization of their programs and dedicated the next few days to complete and appropriate coverage of America's deep mourning.

With great speed announcers, commentators, program directors, and file men assembled, wrote, and edited radio programs that set a new high in that field.

This is a splendid example of responsibility of public service and their highly appropriate and intelligent operation showed an understanding and an appreciation of the power of their medium by both the stations and the national networks.

All this was done at a great financial sacrifice to both, as almost all stations killed all commercialization of their programs to more appropriately observe the occasion. The sacrifice ran into millions of dollars, which was gladly yielded without question because the occasion was of national importance to warrant it.

If any occasion were needed to demonstrate that the radio had come of age, this certainly marked that occasion.

The SPEAKER. The time of the gentleman from Oklahoma has expired.

THE LATE ERNIE PYLE

Mr. PRIEST. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. PRIEST. Mr. Speaker, we have just learned that another great American has fallen a victim of the war. I am sure the entire country will be saddened to learn that that great human writer, Ernie Pyle, was killed in the Pacific sometime within the past few hours. He was a great reporter. He interpreted the tragedy of war with a human touch which endeared him to millions of people. We all regret this great loss.

TAX ABATEMENT FOR INJURED VETERANS

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. FLOOD addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. D'ALESANDRO asked and was given permission to extend his remarks and include therein a letter received from the Director of Public Welfare of the State of Maryland, and a resolution adopted by the Maryland State Legislature.

Mr. TARVER asked and was given permission to extend his remarks by printing in the Appendix of the RECORD a letter he received from Hon. Leo Crowley, Administrator of the Foreign Economic Administration, with reference to the exportation of farm machinery.

Mr. COX asked and was given permission to extend his remarks in the RECORD and include an editorial from a recent issue of the New York Times captioned "President Truman."

Mr. IZAC asked and was given permission to extend his own remarks in the RECORD.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to extend such remarks as I may make during the consideration of the appropriation bill for the Navy in the Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. JONKMAN asked and was given permission to extend his remarks in the Appendix of the RECORD and to include an article and table on How High Are United States' Tariffs? prepared by the American Tariff League, Inc., New York City.

THE LATE MAJ. GEN. MAURICE B. ROSE

Mr. GILLESPIE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. GILLESPIE. Mr. Speaker, I wish to call the attention of this House to the tragic death of a gallant young soldier, Maj. Gen. Maurice B. Rose, of Denver, the First District of Colorado, which I have the honor to represent. I know that the Members of the House join me in extending sympathy to his wife and 4-year-old son, Roderick, and his parents, the venerable Rabbi and Mrs. Samuel Rose, all of Denver.

My first acquaintance with General Rose was during the First World War when I used to see him training the employees of a large Denver concern in the rudiments of military technique.

Plans for the construction of the Maurice B. Rose Hospital in Denver in honor of this fine soldier are well under way. Headed by my friends Morris B. Shwayder, Lou Cohan, Ben M. Blumberg, Joe Alpert, and other prominent Denver citizens, the hospital association received contributions totaling several hundred thousand dollars within a few hours of the announcement. This nonsectarian hospital will be a fitting memorial to General Rose.

General Rose's military record was a credit to the flag he served and to the country which deplores what appears to be his cold-blooded murder. Robert J. Casey, former war correspondent of the Chicago Daily News, who was with General Rose on the western front, said the following of the military hero:

> To men who served with him, the death of General Rose must appear as one of those things that everybody had known was certain to happen while they prayed it might not.
>
> He had come to be known to people who read the communiqués as one of the smartest tank strategists in the world, but he had achieved that rating only with a fatalistic disregard for his own life.

America has lost a great soldier.

The SPEAKER. The time of the gentleman from Colorado has expired.

FEEDING AT THE PUBLIC TROUGH

Mr. CARLSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

[Mr. CARLSON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MICHENER asked and was granted permission to extend his remarks and include a short Roosevelt memorial.

Mr. CORBETT asked and was given permission to extend his remarks and include a letter from the vice president of the American Flag Association.

Mr. VOORHIS of California asked and was given permission to extend his remarks in the Appendix and to include an editorial.

Mr. GOSSETT asked and was given permission to extend his remarks and include a speech delivered by the gentleman from New Hampshire [Mr. MERROW] last evening on the subject of treaty ratification

Mr. COFFEE asked and was given permission to extend his remarks in the RECORD on five different topics and to include therein excerpts, various letters, editorials, and documents.

Mr. SIKES asked and was given permission to extend his own remarks in the Appendix of the RECORD.

Mr. SUMNERS of Texas asked and was given permission to extend his remarks with reference to the Civil Air Patrol and to include therewith a resolution recently passed by the Texas Legislature.

Mr. McCORMACK asked and was given permission to extend his remarks in the Appendix of the RECORD in three instances.

Mr. RANKIN asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by an American Legion post in Washington against commissioning Communists in the United States Army.

PERMISSION TO ADDRESS THE HOUSE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent that after the close of business today I may address the House for 7 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

INFLAMMABLE MATERIAL USED IN THE MANUFACTURE OF BOYS' COWBOY SUITS

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, several days ago I called attention to the fact that young boys were being burned to death throughout the country because of inflammable materials put into the cowboy suits that were being sold to them.

At that time we only had complaints from people here around Washington. I have received a telegram from a man in New York State stating that his little boy had one of those suits which he purchased last July. He had worn it all summer and had been wearing it for the last 2 weeks. When he saw this statement he applied a match to the suit, and it blazed up just as if it had been soaked with coal oil.

I have a card from some parents in New Jersey complaining that their son had been burned almost to death. I have a letter here that was written to one of my colleagues from Texas to the same effect.

I want to appeal again to the Committee on Interstate and Foreign Commerce to introduce and pass a resolution to summon witnesses, put them on oath, and investigate this matter, because we do not know how much of this material is being made into these suits and other articles to be sold throughout the country.

The SPEAKER. The time of the gentleman from Mississippi has expired.

PERMISSION TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that on Friday, April 20, I may address the House for 15 minutes after disposition of the business on the Speaker's table and other special orders previously entered.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

TREASURY-POST OFFICE APPROPRIATION BILL—PERMISSION TO FILE CONFERENCE REPORT

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report and statement on the bill, H. R. 2252, the Treasury-Post Office Appropriation bill, 1945.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ERNIE PYLE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUDLOW. Mr. Speaker, it is my sad duty to announce to the House that a flash has just come through to the Radio Press Gallery that a distinguished Indiana journalist, a friend and former colleague of mine, Ernie Pyle, was killed by Japanese gunfire on the island known as Ie some time during the last 24 hours. Details have not been received.

Ernie Pyle, more than any other writer of this era, reflected the views, the hopes, and aspirations of G. I. Joe. His writings were known and quoted throughout the world. He was an Indianan by birth, and we Hoosiers claimed him as our very own. His death is a tragic loss. He will be widely missed and mourned.

EXTENSION OF REMARKS

Mr. HOFFMAN asked and was given permission to extend his own remarks in the RECORD and to include therein several letters and a newspaper article.

FIRST DEFICIENCY APPROPRIATION BILL, 1945—CONFERENCE REPORT

The SPEAKER. The Chair recognizes the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Speaker, I call up the conference report on the bill (H. R. 2374) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes, and ask unanimous consent that the statement of the managers may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2374) "making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 40 and 44.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 22, 23, 25, 26, 30, 31, 32, 39, 48, 49, 50, 51, 52, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70, and agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$6,700,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$30,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: ", and no greater sum shall be available except in pursuance of a direct appropriation"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"Flood control, general: For an additional amount, fiscal year 1945, for "Flood control, general", including the objects specified under this head in the War Department Civil Appropriation Act, 1945, to be available until expended, $1,000,000: *Provided*, That this sum shall be immediately available for obligation and expenditure for necessary plans, specifications, and preliminary work in connection with projects for post-war construction authorized by the Flood Control Act approved December 22, 1944."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 16, 19, 20, 21, 24, 27, 28, 29, 33, 34, 35, 36, 37, 38, 42, 43, 45, 46, and 47.

CLARENCE CANNON,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
EMMET O'NEAL,
LOUIS C. RABAUT,
Managers on the part of the House.

KENNETH MCKELLAR,
CARL HAYDEN,
MILLARD E. TYDINGS,
RICHARD B. RUSSELL,
HAROLD H. BURTON,
JOSEPH H. BALL,
CHAN GURNEY.
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2374) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendments Nos. 1 to 13, relating to the Senate: Provides an additional amount of $231,215, fiscal year 1945, on account of the Senate, as proposed by the Senate.

Amendment No. 14: Appropriates $10,000 for payment to widow of a deceased Representative, as proposed by the Senate.

Amendment No. 15: Omits an appropriation of $657,000 for clerk hire, Members and delegates, House of Representatives, provided for in H. J. Res. 141, as proposed by the Senate.

Amendment No. 17: Appropriates $6,700,000 for salaries and expenses, Office of Price Administration, instead of $6,235,000, as proposed by the House, and $6,800,000, as proposed by the Senate.

Amendment No. 18: Appropriates an additional amount of $996,000, fiscal year 1945, for grants to States for unemployment compensation administration, as proposed by the Senate.

Amendments Nos. 22 and 23: Appropriates $45,302.86 for damage claims, Public Roads Administration, as proposed by the Senate, instead of $24,149.79, as proposed by the House.

Amendment No. 25: Inserts a title, as proposed by the Senate.

Amendment No. 26, relating to the National Advisory Committee for Aeronautics: Appropriates an additional amount of $667,500 for salaries and expenses, fiscal year 1945, as proposed by the Senate.

Amendment No. 30: Appropriates, as proposed by the Senate, $35,000 additional, fiscal year 1945, for arbitration and emergency boards, National Mediation Board.

Amendments Nos. 31 and 32, relating to the Veterans' Administration: Strikes out additional appropriations, fiscal year 1945, because of their inclusion in H. J. Res. 141.

Amendment No. 39: Strikes out, as proposed by the Senate, an additional appropriation, fiscal year 1945, for control of incipient and emergency outbreaks of insect pests and plant diseases, because of inclusion in H. J. Res. 141.

Amendment No. 40: Strikes out the additional appropriation, proposed by the Senate, of $250,000 for conservation and use of agricultural land resources, Department of Agriculture.

Amendment No. 41, relating to the Department of the Interior: Appropriates $30,000 for salaries and expenses, Grazing Service, 1945, instead of $18,000, as proposed by the House, and $36,000, as proposed by the Senate.

Amendment No. 44, relating to the Department of the Interior: Strikes out the appropriation of $114,000, proposed by the Senate, for settlement of claims to water rights in the Gila River, Ariz.

Amendments Nos. 48 and 49, relating to the Department of Justice: Appropriates $159.50 for damage claims, as proposed by the Senate, instead of $97.50, as proposed by the House.

Amendment No. 50, relating to the Post Office Department: Strikes out, as proposed by the Senate, an additional appropriation of $600,500 for post office stationery, equipment and supplies, fiscal year 1945, because of inclusion in H. J. Res. 141.

Amendments Nos. 51, 52, and 53, relating to the Department of State: Appropriates $155,000 for contingent expenses, as proposed by the Senate, instead of $140,000, as proposed by the House; provides for the purchase of two used passenger automobiles, as proposed by the Senate, and provides, in effect, as proposed by the House, that no greater sum shall be available for "Contingent expenses, Office of the Secretary, Department of State" than the amount directly appropriated under such appropriation head.

Amendment No. 54: Appropriates $256,764,881.04 for restoring the capital impairment of the Commodity Credit Corporation as of March 31, 1944, as proposed by the Senate.

Amendments Nos. 55 and 56: Appropriates $249,590.32 for damage claims, War Department, as proposed by the Senate, instead of $141,537.36, as proposed by the House.

Amendment No. 57: Appropriates an additional $1,000,000 for flood control, general, 1945, instead of $2,000,000, as proposed by the Senate, and provides that such additional amount shall be available for advance planning of authorized projects, instead of, as proposed by the Senate, a mandatory requirement that the appropriation, as proposed by the Senate, be so employed, including certain specific projects.

Amendments Nos. 58 to 70, inclusive, relating to judgments and authorized claims: Appropriates an additional amount of $366,913.83, as proposed by the Senate.

AMENDMENTS IN DISAGREEMENT

Actual

Amendment No. 16, appropriating $5,000, fiscal year 1945, on account of the National Memorial Stadium Commission.

Pursuant to clause 2, rule XX

The managers on the part of the House and Senate have agreed to recommend to their respective Houses concurrence either with or without amendment in the amendments of the Senate, as follows:

Amendment No. 19, providing for temporary aid to enemy aliens and other restricted persons.

It will be proposed to recede and concur with an amendment providing an amount for such purpose of $225,000, instead of $343,340, as proposed by the Senate.

Amendment No. 20, relating to the extension of the period for the liquidation of the Public Works Administration.

It will be proposed to recede and concur with an amendment authorizing additional administrative expenses of $25,000, in lieu of $50,000, as proposed by the Senate.

Amendment No. 21, relating to expenditures for services in connection with community facilities, war public works.

It will be proposed to recede and concur in the amendment of the Senate.

Amendment No. 24, relating to audit of Government corporations by the General Accounting Office.

It will be proposed to recede and concur in the amendment of the Senate with an amendment to exclude private audits which such corporations may require independently of Federal audits.

Amendments Nos. 27 and 28, relating to the National Advisory Committee for Aeronautics.

It will be proposed to recede and concur in such amendments.

Amendment No. 29, relating to War Housing, National Housing Agency.

It will be proposed to recede and concur with an amendment as follows: Insert in lieu of the matter stricken out by the Senate the following:

": *Provided*, That all obligations of this additional appropriation for projects in which (1) the War Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of War and the Director of the Bureau of the Budget, (2) the Navy Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of the Navy and the Director of the Bureau of the Budget: *Provided further*, That $18,373,000 of such sum of $84,373,000 shall not be obligated unless subsequently authorized by other law."

Amendments Nos. 33 to 38, both inclusive, relating to the District of Columbia.

It will be proposed to recede and concur in such amendments.

Amendment No. 42, relating to the United States High Commissioner to the Philippine Islands.

It will be proposed to recede and concur in such amendment, amended to read as follows:

"UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

"Salaries and expenses: For an additional amount, fiscal year 1945, for the maintenance of the office of the United States High Commissioner to the Philippine Islands, including the objects specified under this head in the Interior Department Appropriation Act, 1945, and including the employment without regard to civil-service and classification laws of technical employees who may be engaged for the purpose of making an economic survey of conditions in the Philippine Islands, $60,000."

Amendment No. 43, relating to salaries and expenses, War Relocation Authority.

It will be proposed to recede and concur in such amendment with an amendment reducing the amount named therein to $100,000.

Amendments Nos. 45, 46, and 47, relating to the Department of the Interior, Bureau of Indian Affairs.

It will be proposed to recede and concur in each of such amendments.

CLARENCE CANNON,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
EMMET O'NEAL,
LOUIS C. RABAUT,
Managers on the part of the House.

Mr. CANNON of Missouri. Mr. Speaker, the conference report reflects a very satisfactory agreement with the managers on the part of the Senate.

Ostensibly we return 9 Senate amendments in disagreement but as a matter of fact 8 of them are brought back in technical compliance with the rule requiring a vote on amendments which would have been subject to a point of order if originally offered in the House, and on only 1 of the 70 items in disagreement is there an actual difference between the managers on the part of the two Houses.

The one item on which the conferees could not agree is Senate amendment No. 16 on page 6, appropriating $5,000 for a survey preliminary to the construction of a national memorial stadium in the city of Washington. No authorization for such an appropriation has been enacted and such an appropriation would have created a precedent as unusual as it was illegal.

While the conference report as a whole proposes a material increase over the amount carried in the original bill, the amount agreed upon in conference is, in round numbers, a million and a half dollars less than the amount proposed by the Senate.

The bill when it left the House carried $2,338,877,125.62. Later a number of items were removed from the bill and included in House Joint Resolution 141, calling for $235,537,550, leaving $2,103,339,575.62. The bill as passed by the Senate, omitting the items in House Joint Resolution 141, carried $2,375,332,528.31, or a Senate increase of $271,992,952.69.

Three relatively large items contribute to that increase. These are:

First. Additional facilities, and so forth, for National Advisory Committee for Aeronautics, $10,307,500.

Second. Restoration of capital impairment, Commodity Credit Corporation, $256,764,881.04.

Third. Flood control, general, War Department, $2,000,000.

As we bring the bill from conference, and if the report be adopted and the action we propose with respect to amendments remaining to be disposed of is followed, the Senate increase will have been reduced by $1,495,400, or to $270,497,556.69, making the total of the bill $2,373,037,128.31. All of the proposed increase has Budget support with the exception of $45,000.

As will be observed, a large proportion of the deficiencies are due to war conditions which we hope will be shortly alleviated, in part at least.

I now yield to the gentleman from New York [Mr. TABER] such time as he may require.

Mr. TABER. Mr. Speaker, there are some items in this report that I think should become law. There are many items that I feel are either too large or ought not to be in here at all.

The increase the other body made for the O. P. A. was in my judgment clearly unjustified.

The item of approximately $260,000,000 to restore the capital stock of the Commodity Credit Corporation I could not agree to, because they have more money now than they ought to have with their terrific borrowing power. In my opinion, that was extended at least $1,000,000,000 further than it should have been when the bill extending the life of the Commodity Credit Corporation was up in the House.

There are some other items I could not agree to, but the minority Members felt so strongly about those two items that they could not sign the conference report. I shall, therefore, when the vote comes vote "No" upon the conference report.

Mr. CANNON of Missouri. Mr. Speaker, I yield 10 minutes to the gentleman from Pennsylvania [Mr. RICH].

Mr. RICH. Mr. Speaker, on yesterday I asked the chairman of the committee if this bill that was to be brought in today had in it the increase in capital stock of the Federal Crop Insurance Corporation. At that time the chairman of the committee, the gentleman from Missouri [Mr. CANNON] stated to me that it was not in the bill. I realize the bill is so big and the appropriations come so

fast that even the chairman cannot keep pace with them, and I cannot blame him for that, but I objected to that amount being in the bill at the time the bill was considered on the floor of the House. My objection was this. I realize just where we are going insofar as building the biggest national debt that any nation and the world has ever known. On April 14 it was over $235,000,000,000 and for the rest of this year it is going to grow by leaps and bounds.

Not only was I interested in trying to hold this down in the House committee, and I was not successful in that, but no sooner had it passed the House than I immediately took the matter up with Marvin Jones, the War Food Administrator, who is now the Administrator of the fund. I know him. I knew him when he was in the House. I consider him to be a very valuable man in this country. But even Marvin Jones is very much disappointed, as he wrote me on April 7, with the results which have been obtained by the Federal Crop Insurance Corporation.

Just to refresh your memory, may I say that 5 years ago we gave them $40,000,000. We have given them millions and millions of dollars for administration. They lost everything but $2,500,000, and according to a statement made later they were down to $800,000. Think of it. In 5 years they have lost everything. Now we come along and give them $30,000,000 more. Besides the amount that they lost, they made $7,000,000 on the purchase of wheat, and they lost all of that, yet you give them $30,000,000 more. In the agricultural appropriation bill just recently you gave them $7,500,000 to administer this fund.

Not only did I take this matter up with Marvin Jones, but I wrote the manager of this Corporation, J. Carl Wright. He says he is coming to my office after the 21st. I want to have a talk with him. It is not my desire to be making continuous criticism of these things, but I want to find out why they cannot operate this Corporation so that it does not lose money. We cannot afford to have corporations under the Federal Government being operated as poorly as this administration has operated this Corporation, because it only means chaos, and chaos is coming and coming fast.

I have this letter from Mr. Wright, and he says we are going to talk this over. Marvin Jones assured me he is going to look after this Corporation and keep his eye on it, and if it is not operated to better advantage than it has been he is going to pull off the men who are controlling and managing this Corporation.

To get this in the RECORD, I want to give you the names of the men who are at the present time going to manage it. Mr. E. R. Duke, Chairman, is Director of War Boards. Mr. W. A. Jump is Director of Finance of the Department of Agriculture and the War Food Administration. Mr. W. B. Boyd is Director of Price, War Food Administration. They compose the Board of Directors of this Corporation. They have Mr. J. Carl Wright as manager. If I am in Congress any length of time, I am going to watch this Corporation and we are going to find out whether they are trying to do a good job. If they do not, we are going back to Marvin Jones and we are going to see why Marvin Jones permits them to remain in this job. I hope we are going to find out in the future that we will have a corporation here which will be managed in behalf of the taxpayers of this country. We hope we are going to have a corporation which is going to be managed for the success of the Federal Government.

When we talk so much about these boys coming back home and what they will find in America—I want them to know we are going to have a corporation when they come back, and they do not have to find out they have lost thirty-seven and a half million dollars more that we have just given them in this agricultural appropriation bill. When those fellows come back, they want to start with a clean slate if that is possible. But it is not going to be possible, so it is up to the Congress of the United States to see that we operate these corporations in a successful and scientific business way. Marvin Jones told me he had employed the services of a man from Chicago from the firm of Ekern & Meyers, who was going to be responsible for the direction of this corporation. If these men are unable to make this a successful corporation, then I hope this firm of Ekern & Meyers will so recommend to the Federal Government that it is not feasible to do the things they are trying to do here, and it is not the right thing to do. Then, lastly, when it comes to the farmers of this country, I am here trying to help the farmers, but I do not believe in taking money out of the empty Treasury and trying to pass it on to the farmers, when we could get for the farmers of this country today proper prices for their commodities which they raise and proper pay for the work that they are doing in the fields of agriculture, so that they will get paid for their work and for their commodities in prices that will not empty the Treasury of the United States but will give to the farmer what he deserves for his commodities. If we had an administration of that kind in the Department of Agriculture today, we would be doing the things that are going to reduce our national indebtedness instead of increasing it. We would be doing something for this country of ours which would keep this country on an even financial keel, and we would soon get to the point where we would be able to have our income meet our outgo. But I do not believe in doing things in this manner. I hope when we get through with some of these appropriation bills from now on, we are going to do things in a more businesslike manner, and we are going to do them so they will reflect a business administration such as you and I ought to see that we have in this Government of ours, because this cannot go on. The day of reckoning is coming. I cannot help but think of the statement by the chairman of the Committee on the Judiciary some days ago when we talked about the boys coming back and when we talked about this great national debt which we have. He said we can get rid of that national debt by going into bankruptcy. I think that is a terrible statement for anyone to make. I do not think we ought to consider that for a minute. I say what we need to do is tighten our belts and get down here and try to have a sensible administration in this Government of ours now. That is what we want. That is what we should insist on and that is what I am trying, so far as I know how, to secure for the benefit of our people, for the benefit of the farmers, and for the benefit of the soldiers coming back, and for the benefit of our Nation.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

Mr. CANNON of Missouri. Mr. Speaker, only three items have been discussed in the debate on the pending report, two of them by the gentleman from New York [Mr. TABER], the items providing for O. P. A. and the Commodity Credit Corporation, and one by the gentleman from Pennsylvania, providing for crop insurance.

Mr. Speaker, O. P. A. is a product of experience. We went through the last war without a law providing for the stabilization of prices. The result was an inflation which, had the war continued as long as this war has, would have been catastrophic. As it was, it is estimated that the cost of the First World War was practically twice what it would have been had we had at that time the O. P. A. law which is in force today. The law provides for price-wage-profit stabilization, indispensable in the successful prosecution of any war, and especially this global war. In order for Members of the House to appreciate the effect of an effort to prosecute the war without such a stabilizing agency it is only necessary to call attention to one phase of this stabilization—the one item of rents here in the city of Washington alone. Without the salutary influence exerted by O. P. A. on Washington rents, conditions here in the District would have approached bedlam.

Similar application can be made to practically every other price scale and every other geographical location in the Nation.

Due to the direct operation of O. P. A., the Government has saved up to this time approximately $75,000,000,000 in the prosecution of the war. That is a stupendous sum, but it is only a part of the eventual saving that will be made by the Government before the close of both wars through the operation of O. P. A. The amount that has been saved individuals, and the resulting stability of business throughout the country due to standardization of prices and profits, is beyond estimate.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. RICH. If we are saving so much money all the time, why is it that our Treasury statements show we are going in the red all the time?

Mr. CANNON of Missouri. But the gentleman fails to take into consideration what the Treasury statements would have been without the law. As a matter of fact, the length of the war has been such that it is doubtful whether we could have floated sufficient loans to have met our obligations without serious embarrassment.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from New York.

Mr. TABER. The fact that it is necessary to have some price control does not justify the O. P. A. in having funds that it does not need and is not using efficiently and effectively in that connection. That is the reason for my objection to this additional money. I have been in the field and I have seen them operate and I know they are wasting the money just as fast as they can waste it.

Mr. CANNON of Missouri. Mr. Speaker, the amount carried in this item is the smallest amount that could be provided for effective enforcement.

The O. P. A. has been confronted with a staggering task. It has actually fixed in excess of 8,000,000 prices. Much of its work has been handled by volunteers. It is a little short of a miracle that they have been able to administer so comprehensive a law on the meager funds provided for the purpose. We have now reached a crisis where it is a matter of providing additional money or permitting a disintegration of enforcement which will loose unchained inflation on the entire country.

As to the Commodity Credit Corporation, the Congress has assured the farmers of the country equitable prices—parity prices; and this is the machinery for carrying out that pledge. We have guaranteed stabilization of agricultural income and we must now provide the money to make the guaranty effective.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. RICH. I realize that we must have price regulation now. I think that is a good thing; but I object to the fact that you are trying to regulate prices by taking money out of an empty treasury and paying to keep prices down, when you should get the price from the consumer for the commodity which he purchases. Therefore we will be keeping the Treasury intact and get it from the public at a very slight advance. Why does not the gentleman adopt some policy like that, to aid and assist in keeping us from going into bankruptcy?

Mr. CANNON of Missouri. There is not so much difference between the gentleman from Pennsylvania and myself. I have never approved of consumer subsidies. I have always thought that if an additional price was necessary to compensate the producer, it should be paid by the consumer, especially in view of the vast increase in the national income and consumer buying power. But to be trite, we are confronted by a condition and not a theory. For the time being, this is the most expedient method, if not the only method, of providing for a situation on which both I and the gentleman from Pennsylvania and other good businessmen, are in accord.

I agree with the gentleman that other methods would be more in keeping with sound economic law but unfortunately they are not available at this time.

Mr. RICH. The gentleman is one of the leaders of this House. If he will take that attitude he could get the House to do that.

Mr. CANNON of Missouri. During the last war wheat, cotton, hogs, eggs, and all staple farm commodities reached prices never attained before—or since. In the depression which followed, farm prices fell to the lowest levels in the history of American agriculture.

The laws establishing O. P. A. and C. C. C. were passed to remedy that situation and have remedied it; and under the administration of former Members of this House, the former chairman of the Committee on Agriculture, Marvin Jones, and our former colleague Frank Hancock, of North Carolina they have been so ably and so effectively administered that they have achieved practically every purpose for which originally intended. These appropriations are necessary to insure continuation of that effective administration.

Mr. Speaker, while on the subject of farm prices and agricultural stabilization, may I be permitted to advert to a discussion in this morning's papers to one of the most unfortunate suggestions, in its effect on agriculture, and the rural life of America of all proposals recently made before a committee of Congress. The papers today report a suggestion among the many made before a committee appointed to consider proposals for streamlining Congress, that the membership of the House of Representatives be reduced.

The immediate and drastic effect of a reduction in the membership of the House would be to take from the agricultural sections of the country practically all representation. To decrease, say, by one-half, as was suggested, the number of Representatives in every State would mean the incorporation of most of the rural areas with urban areas in which the cities would govern the selection of Members of Congress. Already the rural membership of the House is greatly in the minority. The larger part of the membership of the House represents urban districts. To reduce the number of Representatives would practically extinguish what is left of rural representation.

A membership in the national legislative body sufficiently large to represent all sections and all industries is necessary to democratic government and is so recognized in the oldest Parliament in the world. The British House of Commons, which represents 45,000,000 people, practically one-third the number of people this Congress represents, has 612 members. With a population of approximately one-third that of the United States, the British House has twice as many members as the United States House. Furthermore, in the British Parliament the representation between the country and the city, between the rural and the urban areas, equally balance. Out of the 612 members of the House of Commons, 300 represent the country, 303 represent the boroughs, and the remaining members represent the English universities. That situation has existed for many years without suggestion that it be changed.

No more disastrous effect upon the Nation—both country and town—could be brought about through modification of congressional representation than to reduce the membership of this House to a point where the election of its Members would be controlled by the great centers of wealth, industry, and population to the exclusion of the rural areas from which come the lifeblood and the strength of any nation or people.

Mr. RICH. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. RICH. I may say that as far as representing agriculture is concerned I want to see agriculture represented but I want to say that treatment agriculture is getting whereby we are paying them subsidies instead of raising the prices of their commodities to a point where they are adequately paid for the labor they exert on their farms is entirely wrong. The farmers are going to get the biggest jolt they ever got in their lives when we return to normal and they realize the true situation. The gentleman should get busy right away to see that the farmers are given an increase in the price of their commodities instead of the subsidies.

Mr. CANNON of Missouri. Let me say to my good friend the gentleman from Pennsylvania, for whose opinion I have the highest regard, that the proof of the pudding is in the eating thereof. Never before have the farmers of this country been in such favorable situation as they are today. Go into any country bank in the United States—and I have checked the actual statistics—and you will find that never before has there been so much money—the farmers' money—on deposit in the rural banks. The present system is working admirably and the American farmer is being taken care of and will continue to be adequately cared for as long as we carry out the present farm policy, in which the appropriations carried in this bill are important factors.

Mr. RICH. Mr. Speaker, will the gentleman yield for one more observation?

Mr. CANNON of Missouri. I yield to the gentleman from Pennsylvania.

Mr. RICH. The Commodity Credit Corporation lost $256,764,881.04 in their operations, and this bill places them back on their feet. But eventually the farmer of the country has got to pay the bill, and when the bill is presented to him it is going to knock him off his feet. You are just putting a millstone around the farmer's neck. I will stand by that state-

ment if I do not stand by any other statement I have ever made on the floor of the House. Some day the farmer is going to be the goat and will not be in the position he ought to be because of this improper price policy.

Mr. CANNON of Missouri. I take it from the gentleman's remarks that if he stands by his statements he is going to stand by this conference report.

Let me say, in response to the suggestion made by the gentleman, that when he asked the other day about the $30,000,000 for crop insurance, I was engaged in conversation and did not fully understand his question. I was under the impression that he asked whether the $30,000,000 for crop insurance was in this report. Of course, it is in the bill, but it is not in disagreement between the two Houses and, therefore, is not in the conference report.

Mr. RICH. I made the statement in my opening remarks, that we are spending money so fast, that even the chairman of the Committee on Appropriations could not keep track of these bills. I do not blame him, because this spending is like wildfire going through this country. Some day we will reap the results of what we have been sowing here.

Mr. CANNON of Missouri. I do not think there is any member of the Committee on Appropriations who does not keep track of the appropriation bills. The criticism which the gentleman was making of the crop-insurance system applies to the system which was in vogue under the old law. Under the new law recently enacted, when it becomes effective, none of the objections to which the gentleman refers will apply. In view of the fact that the original law was our first experiment in crop insurance, that it has never been tried before, it was to be expected that there would be some hitches in the machinery. However, they have been removed and we will now be able to provide insurance in agriculture as in every other industry.

Mr. Speaker, I yield 2 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, Ernie Pyle was killed in action on a little island off Okinawa—shot by a Jap machine gunner. He and I were students together at the University of Indiana.

As Indiana's most beloved son, this terse announcement from the Navy today filled all Hoosier hearts with sorrow. We know that all Americans share our grief.

For Ernie Pyle was a genius who could make global warfare intelligible to the common man. The heroes of his newspaper columns were not the star-spangled generals. They were the private soldiers, the non-coms and their officers who do the fighting in the mud and muck.

He lived with them and loved them. He told about their trials and tribulations in prose that sometimes reached poetic heights. Others treasured his writings as deeply as letters from their fighting sons. People everywhere worried about his health and safety. Army, Navy, and Marine Corps felt honored by his presence. In these war years, Ernie Pyle, a small statured, partially bald, little man of 45 years, had become a figure of almost legendary proportions.

Months at the front in Europe, often barely escaping death, left him with a sacred reverence for the men who fought and died there.

He had been in the Pacific fighting but a few short weeks. He always wrote that he was scared when he joined the invasion forces but he never flinched, and he died a hero.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first Senate amendment in disagreement.

The Clerk read as follows:

Amendment No. 16: Page 6, line 18, insert the following:

"NATIONAL MEMORIAL STADIUM COMMISSION

"For carrying out the provisions of Public Law No. 523 of the Seventy-eighth Congress, entitled 'Joint resolution to consider a site and design for a National Memorial Stadium to be erected in the District of Columbia,' approved December 20, 1944, fiscal year 1945, $5,000, to remain available until June 30, 1946, and to be disbursed by the Secretary of the Senate on vouchers approved by the chairman of the commission."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment.

Pending that motion I would like to call attention to the unusual situation which prevails with reference to this bill and the deficiencies for which it makes provision.

As the House will recall, this bill was passed in February, at that time considerably in advance of the end of the fiscal year. There has been some dalay in the disposition of the bill due to the intervention of the recess which had not been taken into account in the arrangement of the schedule, and it is now past the middle of April, within a little more than 2 months of the end of the fiscal year.

On that account, many of the appropriations in the bill, originally estimated to cover a longer period, are now actually in excess of the amount required for the remainder of the year and in excess of the amount which would be provided if the bill were being formulated as of today. In addition, recent developments on the European front justify further decrease in provisions made in February, when it was impossible to foresee conditions now warranting modifications in war activities.

Obviously, many items in the bill of a supplemental appropriation character were predicated upon programed expenditures beginning at an earlier date than will now be practicable. That means, of course, that the bill makes available for such items more than altered conditions warrant.

Such items generally cannot be touched by the conferees because lack of difference between the two Houses establishes a floor below which the conferees cannot go.

In one instance, for example, we found an excessive amount of $18,373,000, but in this instance, because of the large amount involved and definite nature of the decrease, we shall try by amendment to freeze that amount.

As to other items, however, without further delaying and costly legislative procedure, the only alternative seems to be to let it be known to such executive agencies as may be concerned that we shall expect them to retrench expenditures wherever lesser expenditures would suffice for the shorter appropriation availability period than that contemplated by the amounts in the bill. We shall expect the agencies themselves and the Bureau of the Budget to see that such a course is pursued and adequate retrenchment made in all sums falling within that catagory.

Mr. Speaker, if there is no further request for time for debate, I move the previous question.

The previous question was ordered.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 19: Page 10, line 3, insert the following:

"OFFICE OF THE ADMINISTRATOR

"Temporary aid to enemy aliens and other restricted persons: The limitation of $50,000 under this head in the Federal Security Agency Appropriation Act, 1945, upon the amount which may be transferred to this appropriation from 'Salaries and expenses, War Relocation Authority', is hereby increased to $343,340."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 19 and concur in the same with an amendment as follows: In lieu of the sum of "$343,340" named in said amendment, insert "$225,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 20: Page 10, line 17, insert the following:

"Public Works Administration liquidation: That the Second Deficiency Appropriation Act, 1944, approved June 28, 1944 (Public Law 375, 78th Cong.), is hereby amended through the amendment of the two paragraphs captioned 'Public Works Administration liquidation' appearing under the heading 'Federal Works Agency—Office of the Administrator', by striking out the words 'until June 30, 1945' wherever they appear therein, and substituting in lieu thereof 'until June 30, 1946', and by inserting immediately following the words 'during the fiscal year 1945' in the first paragraph the following words: 'and not exceeding a total of $50,000 may be used during the fiscal year 1946'."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and

concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 20 and concur in the same with an amendment as follows: In lieu of the sum of "$50,000" named in said amendment, insert "$25,000".

Mr. CANNON of Missouri. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. JONES].

Mr. JONES. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain items from the Senate hearings.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JONES. Mr. Speaker, I oppose this amendment and hope that the House will send this Senate amendment No. 20 back in further disagreement.

The States who are particularly interested in the continuation of the head office of the P. W. A. probably are mentioned in the table of projects found on page 52 of the Senate hearings on this bill. The table is as follows:

Non-Federal projects still incomplete, for which the Government is obliged under written contracts to pay grants or loans and grants

Applicant	Estimated cost of project	Cost of work remaining to be done
1. Loup River public power district, Nebraska	$15,396,000	$1,140,000
2. Central Nebraska public power and irrigation district	42,980,000	5,009,000
3. Platte Valley public power and irrigation district	12,945,265	545,000
4. South Carolina Public Service Authority	49,225,000	4,600,000
5. Montana State Water Conservation Board	584,500	180,000
6. City of Kennett, Mo	288,295	34,000
7. City of Amherst, Ohio	270,000	214,800
8. City of Chicago, Ill.	57,400,000	7,000,000
9. City of East Peoria, Ill.	553,019	70,000
10. City of McIntyre, Ga.	10,909	10,909
Total		19,403,709

It might be well to place in the RECORD at this point the state of the finances in these same States from figures furnished to me by the Department of Commerce, Bureau of the Census:

State	Surplus			Net long-term debt	Date reporting
	Highway fund	General fund	Total		
Nebraska	$5,608,000	$4,005,000	$9,613,000	[1] $1,126,000	June 30, 1944
Ohio		90,775,000	90,775,000	11,652,000	Dec. 31, 1944
Illinois		98,421,000	98,421,000	121,486,000	June 30, 1944
Georgia		12,861,000	12,861,000	9,187,000	Do.
Missouri	12,172,000	15,949,000	28,121,000	71,444,000	Dec. 31, 1943
South Carolina	8,379,000	8,551,000	16,930,000	77,254,000	June 30, 1944
Montana	3,335,000	5,205,000	8,540,000	10,371,000	Do.

[1] Nebraska is reported as having no debt. The debt quoted above is college and university indebtedness.

The financial statements of these States, whom the P. W. A. officials indicate they would benefit if given a stay of execution, shows that they are in much better condition to make the expenditures to complete these P. W. A. and W. P. A. projects than Uncle Sam.

The Treasury of the United States has been depleted enormously as the following statement of the public debt will show:

Year:	*Public debt*
1939	$40,440,000,000
1940	42,968,000,000
1941	48,961,000,000
1942	72,422,000,000
1943	136,696,000,000
1944	201,003,000,000

The public debt of the Federal Government is steadily increasing in spite of the enormous increase in rates of taxation on individuals and corporations, and the enormous expenditures of the Federal Government to the civilian population for the production of war goods.

In comparison with this dark financial picture of the Federal financial statement the States have not increased tax rates and have liquidated their net long term indebtedness from a peak in the year 1940 by sizable percentages. Using the following table with the debt of 1940—100 percent, I present the following table to show the percentages paid off by all of the States on a Nation-wide comparison.

Net long-term debt, 1940 peak=100 percent

Year:	*Percent outstanding*
1941	103.1
1942	99.1
1943	89.7
1944	83.2

It would seem if we are to return to sanity in government we should wind up all agencies and programs that were designed to bail out States who could not or would not meet their responsibilities to their people. From the tables above it would appear that the Federal Government rather should be exploring ways of getting contributions from the proposed recipients of P. W. A. aid. This is especially true when one considers the network of other agencies in the Federal Government where entire States and chambers of commerce of cities in the several States organize pressure groups to raid the Treasury for reclamation funds, power dams, transmission lines, flood-control projects, housing aid, and agriculture benefits.

Just to take one State who would benefit by P. W. A. continuance let us look at the aid Nebraska is getting from the United States Treasury from other programs, in the fiscal year 1943:

Emergency grants and expenditures by Treasury Department, 1943

A. A. A. payments	$36,831,944
Farm Security Administration	1,090,097
Public Works Administration	301,120
W. P. A.	2,120,383
Access roads	303,323
Public housing	1,146,661

The Treasury says the total for Nebraska is $42,700,000.

In addition to the above expenditures of the Federal Government in Nebraska in the fiscal years 1941–43, the War Department and the Civil Aeronautics Administration spent $2,201,932. This figure does not include the W. P. A. expenditures for the same purposes in the State.

I do not mean to emphasize Nebraska as an unholy example in the family of States. The picture of Federal expenditures can be duplicated and added upon in most all of the Western and Midwestern States particularly and the rest generally.

The reasons for my urging that the House further disagree are as follows:

The P. W. A. was designed in the first place as a means to get Federal money out into the States for public-works projects and for construction projects particularly. In those days the treasuries of the States, it was alleged, were depleted so that they could not provide work and relief for the citizens of the 48 States. During the war the condition of the Treasury of the Federal Government has changed completely in comparison with the condition of the treasuries of the 48 States. As the result of war expenditures and the carrying on of a global war, the United States is about to have a $300,000,000,000 debt, whereas from restriction of the use of materials needed for the war effort the States cannot even repair highways necessary for ordinary commercial communication. There is no relief load. There are many expenditures that ordinarily would be a drain upon the several State treasuries which today, and ever since Pearl Harbor, have not been a drain upon the several State treasuries. The 48 States are well able now to provide their own works projects. Their treasuries are full and overflowing. In the last campaign throughout the 48 States the candidates for Governor and the candidates for other State offices bragged about the surpluses in their respective State treasuries and there was a political contest of no small proportions for the most constructive proposals to spend the millions of dollars in their treasuries for post-war projects and for make-work projects for the returning veterans and for the civilians.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. JONES. I yield to the gentleman from New York.

Mr. TABER. Does the gentleman realize that if we do not carry this $25,000 in the bill there will not be any money to pay these bureaucrats for lolling around and doing nothing over there in the P. W. A.? There is nothing for them to do. They can sit and loll. Is not that a nice situation?

Mr. JONES. That certainly is a deplorable situation. I thank the gentleman from New York for his contribution.

I would be in favor of the money that is appropriated in the bill in this Senate amendment No. 20 if it were expended in the fiscal year 1945 and the P. W. A. would be finally wound up on June 30, 1945. My mind goes back to the W. P. A., where it took 7 months after Pearl Har-

bor to get this agency liquidated and written off the books of the United States Treasury. My mind goes back to the liquidation of the N. Y. A., where it took us 18 or 19 months after Pearl Harbor to get this agency off the books of the Federal Treasury. It was argued in both cases—the W. P. A. and the N. Y. A.—that the war effort would be seriously hampered if they were liquidated. However, the Congress in its wisdom liquidated both agencies, and today we are on the eve of victory. Our soldiers are about to march through the streets of Berlin, and there never has been one scintilla of evidence that our armed forces have lost a battle on land, sea, or in the air or spilled a drop of American blood through the liquidation of the W. P. A. and the N. Y. A.

The P. W. A. should be liquidated. Certainly the $25,000 for the drones in the head office does not present a threat to the integrity of the Treasury. The money is a small vehicle to keep alive a vain and useless activity of Government for years after the States renounced their plea of pauperism. Continuing skeleton staffs in Washington offices long after they have become useless excrescences of Government strikes at the very heart of the ability of Congress to govern and legislate.

Let us review now why P. W. A. should be discontinued after June 30, 1945:

First. Because the 48 States have increased money in the State treasuries as compared with the depletion of the Federal Treasury for war purposes.

Second. Because this amendment would just make jobs for somebody to sit in an office in Washington and wait for the first ray of hope to build a pressure group on the Federal pay roll for public works in the States whether there is need or not. Let me emphasize this statement. If this amendment is adopted, it gives an opportunity for the personnel here to form a nucleus to bring pressure upon the Federal Government to create work projects for States that are more able to take care of themselves.

In all conscience, in the name of the soldiers and sailors and marines and the nurses, all the men and women in the armed forces, I ask that this peacetime agency be liquidated on June 30, 1945, and that the House insist on its disagreement to the Senate amendment.

Mr. CANNON of Missouri. Mr. Speaker, I am in complete accord with the gentleman from Ohio as to the need for prompt and early liquidation of the Public Works Administration. But we are faced with a practical situation which makes it unwise completely to close the activity at this time. There are a number of projects, involving considerable sums which the United States is obligated to finish. We are under contract with local communities to complete them. The Government has the alternative of continuing the Public Works Administration for that purpose, or of turning them over to some other governmental agency, which everybody must agree, would be less efficient, and more expensive. No additional money is provided. No additional appropriation is included. The only additional expenditure which would result from the adoption of the Senate amendment is about $25,000 from its own funds which will pay the essential administrative expenses of the Public Works Administration to complete these projects. Any other Government agency would require more for the same work—and in the nature of the situation could hardly be expected to handle it as well.

Mr. JONES. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Ohio.

Mr. JONES. I do not oppose the Senate amendment on account of the money. I would be quite willing and would be glad to join with the gentleman from Missouri at the conference if he would make $25,000 available for the balance of this year and wind up the Public Works Administration as of June 30. I recognize there are some things that have to be wound up. If they could do it by the end of the fiscal year, it would give them 3 more months.

Mr. CANNON of Missouri. We do not need additional funds for the current year. Ample provision has been made for this year. The difficulty here is that due to conditions which could not have been foreseen, the necessity for war priorities, the inability to get materials and labor, it has been impossible to complete these projects within the allotted time. Had we been working under normal conditions, we would have completed all these projects before the end of the fiscal year and this extension of time would have been unnecessary. Under the situation we are faced with the necessity of continuing these activities or repudiating contractual obligations.

Mr. Speaker, unless there are further questions, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. RAMSPECK). The question is on the motion of the gentleman from Missouri [Mr. CANNON].

The question was taken; and on a division (demanded by Mr. CANNON of Missouri) there were—ayes 62, noes 35.

Mr. JONES. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order a quorum is not present.

The SPEAKER pro tempore. Evidently there is not a quorum present.

The Doorkeeper will close the doors. The Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 186, nays 135, not voting 111, as follows:

[Roll No. 57]

YEAS—186

Abernethy	Bulwinkle	De Lacy
Allen, La.	Bunker	Delaney,
Andrews, Ala.	Burch	James J.
Bailey	Camp	Dickstein
Barden	Cannon, Mo.	Dingell
Barrett, Wyo.	Carnahan	Doughton, N. C.
Barry	Celler	Doyle
Bates, Ky.	Chelf	Drewry
Beckworth	Clark	Durham
Biemiller	Coffee	Earthman
Bland	Colmer	Eberharter
Bonner	Cooley	Engle, Calif.
Boren	Cooper	Ervin
Bradley, Pa.	Cox	Fallon
Brooks	Crosser	Feighan
Brown, Ga.	Curtis	Fernandez
Bryson	D'Alesandro	Fisher
Buffett	Daughton, Va.	Flannagan
Flood	Lynch	Richards
Fogarty	McCormack	Riley
Folger	McDonough	Rivers
Forand	McGehee	Robertson, Va.
Gallagher	McKenzie	Robinson, Utah
Gary	McMillan, S. C.	Roe, Md.
Gearhart	Madden	Rogers, Fla.
Geelan	Mahon	Rooney
Gordon	Manasco	Rowan
Gore	Mansfield,	Ryter
Gossett	Mont.	Sabath
Granahan	May	Sadowski
Granger	Miller, Calif.	Sasscer
Grant, Ala.	Miller, Nebr.	Savage
Green	Mills	Sheppard
Gregory	Monroney	Sikes
Hare	Morgan	Snyder
Harless, Ariz.	Morrison	Sparkman
Havenner	Mundt	Spence
Healy	Murdock	Starkey
Hedrick	Murphy	Stefan
Heffernan	Murray, Tenn.	Stigler
Hendricks	Neely	Sullivan
Hoch	Norton	Tarver
Holifield	O'Brien, Ill.	Thom
Hook	O'Brien, Mich.	Thomas, Tex.
Huber	O'Neal	Thomason
Izac	O'Toole	Tolan
Jarman	Outland	Torrens
Johnson,	Patman	Traynor
Luther A.	Patrick	Vinson
Johnson,	Peterson, Fla.	Voorhis, Calif.
Lyndon B.	Peterson, Ga.	Wasielewski
Johnson, Okla.	Pickett	Weaver
Kee	Poage	Weiss
Kefauver	Powell	Welch
Keogh	Price, Ill.	West
Kilday	Priest	Whitten
Kirwan	Quinn, N. Y.	Whittington
Kopplemann	Rabaut	Wickersham
Lanham	Rabin	Winstead
Larcade	Ramspeck	Wood
Lesinski	Randolph	Woodhouse
Link	Rankin	Woodrum, Va.
Ludlow	Rayfiel	
Lyle	Resa	

NAYS—135

Adams	Gillette	Martin, Iowa
Allen, Ill.	Gillie	Martin, Mass.
Andersen,	Goodwin	Mason
H. Carl	Graham	Merrow
Anderson, Calif.	Grant, Ind.	Michener
Andrews, N. Y.	Griffiths	Murray, Wis.
Angell	Gwynne, Iowa	O'Hara
Arends	Hagen	Pittenger
Arnold	Hale	Plumley
Auchincloss	Hall	Powers
Bates, Mass.	Edwin Arthur	Ramey
Bender	Hand	Reece, Tenn.
Bishop	Harness, Ind.	Reed, N. Y.
Blackney	Hartley	Rees, Kans.
Brehm	Henry	Robertson,
Brown, Ohio	Heselton	N. Dak.
Brumbaugh	Hess	Robsion, Ky.
Buck	Hill	Rockwell
Butler	Hoeven	Rodgers, Pa.
Byrnes, Wis.	Hoffman	Rogers, Mass.
Campbell	Holmes, Mass.	Schwabe, Mo.
Carlson	Hope	Scrivner
Case, N. J.	Horan	Shafer
Church	Hull	Sharp
Clason	Jenkins	Short
Clevenger	Jensen	Simpson, Ill.
Cole, Kans.	Johnson, Calif.	Simpson, Pa.
Cole, Mo.	Johnson, Ill.	Smith, Ohio
Cole, N. Y.	Johnson, Ind.	Smith, Wis.
Crawford	Jones	Springer
Cunningham	Jonkman	Stevenson
Dolliver	Judd	Stockman
Dondero	Kean	Sumner, Ill.
Dworshak	Kearney	Taber
Ellis	Keefe	Talbot
Ellsworth	Kilburn	Talle
Elsaesser	Kinzer	Thomas, N. J.
Elston	Knutson	Tibbott
Engel, Mich.	Landis	Vorys, Ohio
Fenton	Latham	Vursell
Fuller	LeCompte	Wadsworth
Gamble	LeFevre	Welchel
Gavin	Lemke	Wigglesworth
Gerlach	McCowen	Wolcott
Gifford	McGregor	Wolfenden, Pa.
Gillespie	McMillen, Ill.	Woodruff, Mich.

NOT VOTING—111

Anderson,	Bolton	Clements
N. Mex.	Boykin	Cochran
Andresen,	Bradley, Mich.	Combs
August H.	Buckley	Corbett
Baldwin, Md.	Burgin	Courtney
Baldwin, N. Y.	Byrne, N. Y.	Cravens
Barrett, Pa.	Canfield	Curley
Beall	Cannon, Fla.	Davis
Bell	Case, S. Dak.	Dawson
Bennet, N. Y.	Chapman	Delaney,
Bennett, Mo.	Chenoweth	John J.
Bloom	Chiperfield	Dirksen

Domengeaux	Jennings	Reed, Ill.
Douglas, Calif.	Kelley, Pa.	Rich
Douglas, Ill.	Kelly, Ill.	Rizley
Eaton	Kerr	Roe, N. Y.
Elliott	King	Rogers, N. Y.
Fellows	Kunkel	Russell
Fulton	LaFollette	Schwabe, Okla.
Gardner	Lane	Sheridan
Gathings	Lea	Slaughter
Gibson	Lewis	Smith, Maine
Gorski	Luce	Smith, Va.
Gross	McConnell	Somers, N. Y.
Gwinn, N. Y.	McGlinchey	Stewart
Hall,	Maloney	Sumners, Tex.
Leonard W.	Mansfield, Tex.	Sundstrom
Halleck	Marcantonio	Taylor
Hancock	Mott	Towe
Harris	Norrell	Trimble
Hart	O'Konski	Walter
Hays	Pace	White
Hébert	Patterson	Wilson
Herter	Pfeifer	Winter
Hinshaw	Philbin	Wolverton, N. J.
Hobbs	Phillips	Worley
Holmes, Wash.	Ploeser	Zimmerman
Howell	Price, Fla.	
Jackson	Rains	

So the motion was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Byrne of New York for, with Mr. Schwabe of Oklahoma against.

Mr. Sheridan for, with Mr. Reed of Illinois against.

Mr. Roe of New York for, with Mr. Bennett of Missouri against.

Mr. Barrett of Pennsylvania for, with Mr. Lewis against.

Mr. Lane for, with Mr. Winter against.

Mr. Buckley for, with Mr. Taylor against.

Mr. Norrell for, with Mr. Ploeser against.

Mr. Bloom for, with Mr. Halleck against.

Mr. Marcantonio for, with Mr. Bradley of Michigan against.

Mr. Somers of New York for, with Mr. Wilson against.

Mr. Philbin for, with Mr. Howell against.

Mr. Pfeifer for, with Mr. Fulton against.

Mr. Maloney for, with Mr. Gross against.

Mr. John J. Delaney for, with Mr. Jennings, Jr. against.

General pairs:

Mr. Slaughter with Mr. Dirksen.

Mr. Combs with Mr. Baldwin of New York.

Mr. Hobbs with Mr. Eaton.

Mr. Curley with Mr. Beall.

Mr. King with Mr. Holmes of Washington.

Mr. Hart with Mr. Towe.

Mr. Rogers of New York with Mr. Fellows.

Mr. Worley with Mr. Canfield.

Mr. Smith of Virginia with Mr. Kunkel.

Mr. Kelly of Illinois with Mr. Wolverton of New Jersey.

Mr. Mansfield of Texas with Mr. Corbett.

Mr. Gathings with Mr. Sundstrom.

Mr. Chapman with Mr. Bennet of New York.

Mr. Baldwin of Maryland with Mr. Rizley.

Mr. Hébert with Mr. Phillips.

Mr. Boykin with Mrs. Luce.

Mr. Lea with Mr. Chenoweth.

Mr. Gorski with Mr. Leonard W. Hall.

Mr. Domengeaux with Mr. Case of South Dakota.

Mr. Pace with Mr. McConnell, Jr.

Mr. Kerr with Mrs. Smith of Maine.

Mr. Sumners of Texas with Mr. Herter.

Mr. Zimmerman with Mrs. Bolton.

Mr. Walter with Mr. O'Konski.

Mr. BUFFETT changed his vote from "no" to "aye."

Mr. MILLER of Nebraska changed his vote from "no" to "aye."

Mr. McDONOUGH changed his vote from "no" to "aye."

Mr. ROCKWELL changed his vote from "aye" to "no."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. CANNON of Missouri. Mr. Speaker, I yield to the gentlewoman from New Jersey [Mrs. NORTON] to make a unanimous-consent request.

EXTENSION OF REMARKS

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include two speeches in memoriam on a special program of the Catholic Hour of April 15, 1945, dedicated to the memory of Franklin Delano Roosevelt, one by Msgr. John A. Ryan and the other by the Reverend Timothy J. Mulvey; and I also ask unanimous consent, Mr. Speaker, to extend my own remarks in the RECORD and include an article appearing in the Washington News on Wednesday, April 18, by Mrs. Eleanor Roosevelt, the distinguished and beloved wife of our late President.

The SPEAKER. Is their objection to the request of the gentlewoman from New Jersey?

There was no objection.

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by including an editorial appearing in the Batavia (N. Y.) Daily News of March 27, referring to a speech delivered by Hon. James A. Farley before the Rotary Club of Northampton, Mass., on March 26.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

FIRST DEFICIENCY APPROPRIATION BILL, 1946—CONFERENCE REPORT

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 21: Page 11, line 18, insert "That the limitation of $80,000,000 under this head in the First Supplemental Appropriation Act, 1945, on the total amount that may be allocated for contributions to public and private agencies for the maintenance and operation of public works after July 1, 1943, is hereby increased to $85,000,000: *Provided further.*"

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment No. 21 and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 24: Page 13, line 6, insert ", and to employ by contract, without regard to section 3709 of the Revised Statutes, professional services of firms and organizations for temporary periods or for special purposes: *Provided*, That the expenses of auditing the financial transactions of all Government corporations by the General Accounting Office shall be borne out of appropriations to the General Accounting Office, and appropriations in such sums as may be necessary are hereby authorized: *Provided further*, That each such corporation shall reimburse the General Accounting Office for the full cost of any such audit as billed therefor by the Comptroller General, and the General Accounting Office shall deposit the sums so reimbursed into the Treasury as miscellaneous receipts: *Provided further*, That, unless otherwise expressly provided by law, no funds of any Government corporation shall be used to pay the cost of any private audit of the financial transactions of such corporation except the cost of such audits contracted for and undertaken prior to the date of approval of this act."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur with an amendment which I send to the desk.

The SPEAKER pro tempore. The Clerk will report the motion of the gentleman from Missouri.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement with Senate Amendment No. 24 and agree to the same with an amendment, as follows: In lieu of the last proviso in said amendment, insert ": *Provided further*, That, unless otherwise expressly provided by law, no funds of any Government corporation shall be used to pay the cost of any private audit of the financial records of the offices of such corporation except the cost of such audits contracted for and undertaken prior to the date of approval of this act."

Mr. CANNON of Missouri. Mr. Speaker, the purpose of this provision is to prevent duplication of expense for auditing of Government corporations. The question has arisen, however, whether the language of the provision might not be construed to go further than intended. The phrase "financial transactions" is rather broad, and might be construed so as to prevent arrangements by Government corporations, such as the Reconstruction Finance Corporation, to have "private audits" made of contractors with whom they deal—that is, private business firms which act for the Government corporations as contractors and which must be required in certain types of circumstances to make an accounting to the Federal Government corporation concerned.

The General Accounting Office has indicated that the provision is not intended to prevent arrangement for audits of this type. The conferees on the part of the House accordingly propose to agree to the Senate amendment with an amendment clarifying the proposition in this respect.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Missouri.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 27: Page 14, line 13, insert:

"Langley Field, Va.: For an additional amount for construction and equipment, Langley Field, Va., including not to exceed $2,195,000 for the construction and equipment of auxiliary flight research stations on sites elsewhere, to be selected by the National Advisory Committee for Aeronautics, and the acquisition of land (not to exceed a total of 100 acres) and rights-of-way and the construction of connections to public utilities necessary therefor, $4,100,000, to be available until expended."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement with Senate Amendment No. 27 and concur in the same.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 28: Page 14, line 22, insert: "Aircraft Engine Research Laboratory, Cleveland, Ohio: For an additional amount for construction and equipment, Aircraft Engine Research Laboratory, Cleveland, Ohio, $5,540,000, to be available until expended."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment No. 28 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: Page 5, line 11, insert ": *Provided*, That all obligations of this additional appropriation for projects in which (1) the War Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of War and the Director of the Bureau of the Budget, (2) the Navy Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of the Navy and the Director of the Bureau of the Budget, (3) the War and Navy Departments have a joint interest, direct or indirect, which they shall be presumed to have as to all projects in which the interest of either Department is not paramount, shall first be jointly authorized in writing by the Secretaries of War and Navy and the Director of the Bureau of the Budget."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 29 and concur therein with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 29 and concur therein with an amendment, as follows:

"Amendment No. 29: Restore the matter stricken out by said amendment, amended to read as follows: "': *Provided*, That all obligations of this additional appropriation for projects in which (1) the War Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of War and the Director of the Bureau of the Budget, (2) the Navy Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of the Navy and the Director of the Bureau of the Budget: *Provided further*, That $18,373,000 of such sum of $84,373,000 shall not be obligated unless subsequently authorized by other law.'"

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. CANNON of Missouri. I yield to the gentleman from Texas.

Mr. LANHAM. Mr. Speaker, I should like to ask the chairman just what is the connotation of the word "paramount." This amendment provides that permission and approval shall be given by the Navy Department and the War Department, respectively, with reference to projects, and by the Bureau of the Budget, if they are of paramount interest to either of those Departments.

A number of war industries have to do with materials that are used by the War Department and the Navy Department, or other branches of the service not directly connected with the operation of this war, yet the interest of the War Department or the Navy Department in that particular production may not be paramount. It seems to me that to prevent the hampering of such construction as may be necessary with reference to the production of some of these articles we should have some explanation of just what the word "paramount" means.

Mr. CANNON of Missouri. The distinction, Mr. Chairman, is that these items fall into two clearly defined categories. One of those is directly connected with the war; others, such as railroad centers where a housing shortage prevails owing to large transportation demands of the war, and other situations which while not directly pertaining to the war, are only indirectly connected with the war program. The distinction between the two is that the first are considered paramount as regards direct interest.

Mr. LANHAM. In other words, this has no reference to construction with reference to the production of those things which are incidentally necessary to the war effort, but that in order to come within the provisions of this limitation they must be of paramount importance either to the Army or to the Navy?

Mr. CANNON of Missouri. Precisely and further to sharpen the line of demarcation, the gentleman will observe that on page 15 in part of the language stricken out by the Senate we omitted in the agreement between the House and Senate conferees, a third section which might to some extent have confused the distinction between the two.

Mr. LANHAM. May I ask the gentleman this further question: I note that in the amendment there is this provision: "Provided further, That $18,373,000 of such sum of $84,373,000 shall not be obligated unless subsequently authorized by other law." What is the reason for the deferment of that part of this appropriation? And what other law would pertain to it unless it should be another appropriation bill?

Mr. CANNON of Missouri. That is one of the developments to which I referred in my preliminary statement. When the estimates upon which this bill is based first came up for consideration there were certain contemplated expenditures which day by day as the war continues become more and more unnecessary. This was one of them. Had the war continued at its present tempo, these expenditures would have been necessary in the amounts provided, but in the time which elapsed between the passage of the bill in the House and the meeting of the conferees, the Department, and the Bureau of the Budget, found certain expenditures would not be required. I have a letter here from the Director of the Budget which I shall insert in the RECORD at this point advising that the amount to which the gentleman refers was found to be unnecessary for the continuation of the war program.

The letter is as follows:

BUREAU OF THE BUDGET,
April 16, 1945.

Hon. CLARENCE CANNON,
Chairman, Committee on Appropriations, House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: Since the last action of the Congress on the pending First Deficiency Appropriation Bill for fiscal year 1945 (H. R. 2374), there have been marked changes in the military situation in the European theater of operations. These changes will cause a reduction in the requirements of certain war programs, and as further developments warrant, it is my intention to advise the Congress and the President from time to time of the estimates or appropriations which might be reduced or rescinded in consequence thereof.

With respect to the pending First Deficiency Appropriation Bill, 1945, it is suggested that the item for National Housing Agency, War Housing, be reduced from $84,373,000 to $66,000,000. This reduction is in accordance with the latest revision of the war-housing program as submitted by the Administrator of the National Housing Agency which shows adjustments in many localities where the war production activities will be affected by an early cessation of organized resistance on the European front. The revised program of the National Housing Agency contemplates no change in the proposed program for war housing in the Hawaiian Islands which remains the same as approved by the two houses of Congress.

Very truly yours,

HOWARD D. SMITH,
Director.

Mr. LANHAM. Then that was found by the Bureau of the Budget?

Mr. CANNON of Missouri. Found to be unnecessary by the Bureau of the Budget, and that decision was concurred in by the head of the National Housing Agency.

Mr. LANHAM. This, then, is agreeable to the head of the National Housing Agency?

Mr. CANNON of Missouri. Yes, the Administrator of the agency assures us that whereas $84,373,000 provided in the House bill, was thought to be necessary at that time for certain specific projects, only $66,000,000 is now needed.

Mr. LANHAM. But if need for the further sum should arise, and become urgent, then it could be carried in a subsequent appropriation bill?

Mr. CANNON of Missouri. If the situation so requires. We have, therefore, introduced the pending amendment at this point and I may add that the amendment has the unanimous approval of both the House and the Senate conferees.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 33: Page 16, line 21, insert the following: "District of Columbia."

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that amendments numbered 33 to 38, inclusive, appearing on pages 16 and 17 of the bill, be considered simultaneously.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the next amendments.

The Clerk read as follows:

Senate amendment No. 34: Page 16, line 22, insert the following:

"GENERAL ADMINISTRATION

"Office of the corporation counsel: For an additional amount for 'Office of the corporation counsel,' fiscal year 1945, including the objects specified in the appropriation for this purpose in the District of Columbia Appropriation Act, 1945, $1,500, and the limitation of $3,000 in said appropriation which may be paid for the settlement of claims not in excess of $250 each is hereby increased to $4,500."

Senate amendment No. 35: Page 17, line 5, insert the following:

"HEALTH DEPARTMENT

"Gallinger Municipal Hospital: For an additional amount, fiscal year 1945, for "Gallinger Municipal Hospital," including the objects specified under this head in the District of Columbia Appropriation Act, 1945, and including construction of a new ice plant, $31,500."

Senate amendment No. 36; Page 7, line 11, insert: -

"PUBLIC WELFARE."

Senate amendment No. 37: Page 17, line 12, insert the following:

"FAMILY WELFARE SERVICE

"Operating expenses, child care: The limitation in the appropriation "Operating expenses, child care," in the District of Columbia Appropriation Act, 1945, on the amount which may be paid to institutions under sectarian control for board and care of children committed to the guardianship of the Board of Public Welfare is hereby increased from $2,500 to $6,000 to each such institution."

Senate amendment No. 38: Page 17, line 20, insert the following:

"DIVISION OF EXPENSES

"The sums appropriated in this act for the District of Columbia shall, unless otherwise specifically provided, be paid out of the general fund of the District of Columbia, as defined in the District of Columbia Appropriation Act, 1945."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in all of those amendments.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 42: Page 20, line 22, insert the following:

"UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

"Salaries and expenses: For an additional amount, fiscal year 1945, for the maintenance of the office of the United States High Commissioner to the Philippine Islands, including the objects specified under this head in the Interior Department Appropriation Act, 1945, and including the employment without regard to civil-service and classification laws of technical employees who may be engaged for the purpose of making a survey of conditions in the Philippine Islands which may require the assistance of the United States Government for the rehabilitation of the Philippines, and the purchase of three automobiles, one of which may be purchased at a price of not to exceed $3,000, $80,000, to remain available until June 30, 1946: *Provided*, That the High Commissioner shall make quarterly reports to the Filipino Rehabilitation Commission on the progress and findings of the survey."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate No. 42 and concur iln the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

"Salaries and expenses: For an additional amount, fiscal year 1945, for the maintenance of the office of the United States High Commissioner to the Philippine Islands, including the objects specified under this head in the Interior Department Appropriation Act, 1945, and including the employment without regard to civil-service and classification laws of technical employees who may be engaged for the purpose of making an economic survey of conditions in the Philippine Islands, $60,000."

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 43: Page 21, line 21, insert the following: "; and of said appropriation not to exceed $200,000 is made available for expenses incurred during the fiscal year 1945 incident to the establishment, maintenance, and operation of the emergency refugee shelter at Fort Ontario, N. Y., provided for in the President's message of June 12, 1944, to the Congress (H. Doc. 656)."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede and concur in the Senate amendment with an amendment.

The Clerk read as follows:

Mr. CANNON of Missouri moves that the House recede from its disagreement to the amendment of the Senate numbered 43 and concur in the same with an amendment as follows: In lieu of the sum of "$200,000" named in said amendment, insert "$100,000."

The motion was agreed to.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that Senate amendments Nos. 45 and 46 on page 24 and Senate amendment No. 47 on page 25 be considered simultaneously.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next amendments in disagreement.

The Clerk read as follows:

Senate amendment No. 45: Page 24, line 15, insert the following:

"EDUCATION

"For support and education of Indian pupils in nonreservation boarding schools, fiscal year 1945, $47,625, to be added to the appropriation of $2,627,620 for this purpose in the Interior Department Appropriation Act, 1945, and to be available for the following schools."

Senate amendment No. 46: Page 24, line 21, insert the following:

"Phoenix, Ariz.: $32,375; and the amount available for the support of Indian pupils is hereby increased from $163,475 to $195,850; and the number of pupils from 425 to 550."

Senate amendment No. 47: Page 25, line 1, insert the following:

"Chemawa, Oreg.: $15,250; and the amount available for the support of Indian pupils is hereby increased from $159,475 to $174,725; and the number of pupils from 375 to 425."

Mr. CANNON of Missouri. Mr. Speaker, I move that the House recede from its disagreement to these three Senate amendments and concur therein.

The motion was agreed to.

On motion of Mr. CANNON of Missouri, a motion to reconsider the votes by which action was taken on the several motions was laid on the table.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who have spoken on the conference report and the Senate amendments be permitted to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that Calendar Wednesday business of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

NAVAL APPROPRIATION BILL, FISCAL YEAR 1946

Mr. SHEPPARD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 2907) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes; and pending that, may I ask the gentleman from Vermont if we can reach an agreement as to the time that will be necessary for general debate on the bill.

Mr. PLUMLEY. I think general debate ought to run throughout today, and that the first paragraph of the bill should be read at the conclusion of general debate tonight.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that general debate on the bill continue throughout the day, the time to be equally divided and controlled by the gentleman from Vermont and myself, and that the first paragraph of the bill be read before the Committee rises this evening.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from California.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the con-

sideration of the bill H. R. 2907, with Mr. STIGLER in the chair.

The Clerk read the title of the bill.

On motion of Mr. SHEPPARD, the first reading of the bill was dispensed with.

Mr. SHEPPARD. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, this is the sixth regular annual appropriation bill for Navy since our involvement in war became imminent.

Over that spread of time our sea arm has grown and multiplied until today it constitutes a striking force not matched by the combined naval power of the rest of the world.

Here are some striking comparisons as to the expansion which has occurred:

Back in June 1940 the Navy's man strength was under 130,000. Under this bill we bring to you today it will be 3,335,401.

Comparable figures for the Marine Corps are around 20,000 in mid-1940, and an average of 478,000 for the fiscal year 1946.

In combatant ships in commission we had about 275 units at the beginning of the fiscal year 1941. We will have, making no allowance for Army casualties, something like 1,370 units at the close of the present calendar year.

As regards other types, including district craft, landing craft, and other categories, the number on July 1, 1940, was not greatly above 100. That number will have grown to well above 100,000 by the end of this calendar year.

Turning to airplanes, we started off the period with 1,708 program airplanes on hand. We shall be possessed of 36,100 program airplanes at the end of this calendar year.

Those figures reveal an appalling growth; a really fantastic expansion. However, they tell but part of the story, because there has been an accompaniment of training facilities, maintenance, and repair facilities, production facilities, operating facilities, storage facilities, personnel housing, matériel housing, and so on.

All in all, the expansion and its employment have meant appropriations to the extent of $108,000,000,000, with about $6,000,000,000 more remaining to be appropriated for the liquidation of previously granted contractual authorization.

That is a tremendous amount of money; but I am sure there is no one among you who, in the past year, has not felt that its appropriation was entirely warranted. Saipan, Guam, Tinian, Lingayen Gulf, Iwo Jima, and now one of the home islands of Japan—what a magnificent march that has been. It is the march of victory. It is a march of overwhelming power, tremendously potent, and irresistible. It is a march of American ingenuity, American determination, American courage. The enemy is being persistently worn down and pressed back farther and farther for the final victory. Just when that will be the Almighty alone knows. There are no signs of an unconditional Japanese surrender. If it becomes a matter of a complete clean-up and a complete enforced evacuation from all territory except their native islands, the end may be many, many months ahead.

At the moment and for some time ahead the indications are that we shall need every bit of this great naval striking force which we possess.

Today I am happy to report that the building up has about been accomplished. Henceforward, until the peace has been won, the problem and the cost will be mainly maintenance and operation.

The bill we present to you calls for a total availability of $24,879,510,546, and that sum is close to $7,000,000,000 below the availability provided for the current fiscal year.

Within the $24,000,000,000 plus, $4,199,231,400 is intended for the liquidation of contractual authorization heretofore granted; so that the new obligational availability becomes about 20½ billions of dollars, of which roundly 1,400,000,000 is new contractual authority.

That is the projected cost for Navy, Marine Corps, and Coast Guard during the ensuing fiscal year.

I wish it were less, but I do not see how it can be unless we are willing to disregard the counsel of our naval leadership and gamble on hopes, which, if they do not materialize, may find our forces in the same situation as occurred on the western front in Europe, when supply broke down, and a very costly delay ensued.

We simply must keep the pipe lines full and flowing. They are long and lead to many far-flung distant places, and any disruption might result in the gravest consequences. So, as I said, unless we are disposed to disregard the advice of those whose responsibility it is to fight the war, and assume that responsibility ourselves, there is little that we can do, relatively speaking, in the way of reducing this budget.

Counting in the Marine Corps and Coast Guard personnel, the largest part of the bill is for or on account of personnel, including pay, subsistence, clothing, transportation, training, medical care, and so forth. They all call for about eight and one-half billions of dollars, or about 40 percent of the new obligational availability.

Approximately, another 40 percent falls into the maintenance-operational category, that is, fleet support, which includes Marine Corps operations, and Coast Guard participation.

The third category—new construction, comprises ships, airplanes and public works, exhaust all but a fractional part of the remaining percentage, and the fractional part applies to appropriations of a miscellaneous character not under the province of any particular bureau.

I should say that we have canvassed the requests with a great deal of care, and, as a result, we have brought about a number of reductions, which are listed on pages 3 and 4 of the report. They total $452,655,104, of which $318,650,917 is cash, and $134,004,187 is contractual authorization.

We have not reduced a single item, in my judgment, that would affect, in the least, the battle fronts. Very frankly, the Department may not be able to perform some functions, try as it may, within some of the reduced amounts. If that should develop and the added need can be established as responsive to war demands, we should expect them to come back.

We are proposing the elimination of one training station—the so-called Sampson station, on Seneca Lake, N. Y., which will mean a definite saving. An explanation is submitted on page 6 of the report.

Speaking of training, the Budget estimates for forms of training and instruction at other than training stations are about $200,000,000 below current appropriations. There is to be a very large contraction because the Navy is about up to its personnel objective and the program will become one of caring for attrition and giving some refresher training or instruction. Pilot training, reserve midshipmen training, the V–12 program—all will be affected. At the end of last December there were 59,595 students in the college or V–12 program, distributed among various colleges and universities. The average number during the next fiscal year will be around 34,000, diminishing as the year progresses.

The Naval R. O. T. C. program, authorized to be expanded under existing law, will take over a goodly number of the V–12 students. There are 27 educational institutions now in the R. O. T. C. program and that number will be increased to as many, possibly, as 50. It is my understanding that no transfer of V–12 students to the R. O. T. C. program will occur prior to November 1945.

Getting back to money phases, the biggest reduction we have effected, and it cannot in any way be classed as fictitious, is $134,004,187 in public works contractual authorization. The Congress recently enacted a new naval public works authorization bill. It authorizes projects in the United States to cost $514,539,500, and advance bases to cost $986,000,000, or a total of $1,500,539,500. The Budget proposes the grant of all of the advance base authorization, and $422,012,624 for projects in the United States. The advance base money is for fleet support purposes in the far Pacific and cannot be touched. The United States projects, though, we scrutinized very closely. They came down to us in the Budget itemized and there were something like 800 items, including projects for berthing inactive ships, which the deficiency subcommittee deferred for our consideration.

You cannot sit down at a committee table and intelligently pass upon 800 projects scattered all over the country. To act intelligently and understandingly would require personal visits to a very great many of the sites involved, and we just did not have the time for that sort of thing.

We devoted about 9 days, however, to hearing departmental representatives on the items.

Many of them are unquestionably necessary, and there is ample warrant for their being undertaken at this time. On the other hand, we met with many items of doubtful essentiality or urgency. We concluded, therefore, that all projects in the meritorious category could be accomplished for an expenditure of $288,008,413, and we allow that amount in a

lump sum, eliminating indirectly, as I have said, projects estimated to cost $134,004,211.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SHEPPARD. I yield myself 10 minutes more. While the lump sum allows the Department considerable discretion, we state in the report—page 10—that—

> It is not intended, and the committee wishes to stress that fact, that any part of the reduction should be applied to projects in the estimates pertaining to (1) repair and overhaul facilities for ships, including battle-damage repairs; (2) berthing facilities for inactive ships; (3) projects under the medical department; (4) projects under the Marine Corps; (5) projects essential to the production, maintenance, distribution, and storage of ordnance matériels; and (6) essential general storage projects.

The amount for berthing facilities for inactive ships is $20,000,000, which is a part of a program estimated to cost upward of $126,000,000. Seven million dollars of that amount is already available. There is no estimate at this time for more than the $20,000,000, though undoubtedly more will be needed, because one tentative plan I have seen contemplates something like 3,500 units in an inactive status.

Before I conclude, I wish to say that this is the cleanest bill, as regards legislation, with which I have had any connection. There is not a new line in it which runs counter to the rules. That procedure conforms with the firm policy of your naval subcommittee. We are repeating some temporary wartime provisions, and they all have been included in prior bills after consultation with the chairman of the Naval Affairs Committee and with that committee's approval.

We have no desire and no intent to usurp the prerogatives of the Legislative Committee which is thoroughly capable and competent of doing a very splendid job. We find that if we confine our efforts to the subject matter of handling appropriations, it occupies our ability and our attention, and we accord the courtesies to other committees in the House to which they are entitled and have a right to expect.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from New York.

Mr. TABER. There appears at the bottom of page 3 and the top of page 4 a proviso preventing the maintenance of duplicating service by the Navy, and I think for the purposes of this question I would like to read that proviso:

> *Provided*, That no part of this or any other appropriation contained in this act shall be available for compensation or expenses of persons who engage in the performance of conciliation or kindred services in situations growing out of employment in industries under the national defense program, for dealing with which situations personal services are available, pursuant to law, in or under the Department of Labor.

My question is, Would that prohibit an officer or employee of the Navy Department who was engaged regularly at a plant, either on inspection duties or duties connected with expediting production, from participating in doing what he might be able to do incidentally in preventing labor disputes or labor troubles?

Mr. SHEPPARD. That is not the intent of the committee and was not considered as being the intent of the committee in drafting the language that the gentleman has referred to. The proviso was incorporated for the express purpose of creating a legal barrier to a duplication of conciliation activities where duplication would prevail because of the availability of the Department of Labor functioning under the organic law.

Mr. TABER. I am asking that question because in the construction of such language it is customary to have before the construing officer the intention of the committee that framed the legislation, and I wanted to have this out so that it was clear that an officer who was simply engaged in regular routine required by the Department would not be in trouble for doing what he could to prevent labor disturbances.

Mr. SHEPPARD. That is absolutely the intent of the language and was the intent of the committee when we directed that the provision be placed in the bill.

Mr. TABER. I know that was the intent of the committee, but I wanted to be absolutely sure that it was in the RECORD.

Mr. SHEPPARD. I appreciate the question asked by the gentleman from New York, because his interrogation then becomes spread in the RECORD, and the answer I have given will amply justify the conclusion as to what the intent of the committee was.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Georgia.

Mr. VINSON. In view of the gentleman's answer to the distinguished gentleman from New York, would one be authorized to conclude that there is set aside in the Navy Department a group of officers or civilians engaged in conciliatory work?

Mr. SHEPPARD. That is correct.

Mr. VINSON. And this applies only to that particular group and not to an officer in the capacity referred to by the gentleman from New York?

Mr. SHEPPARD. It applies to that particular group only.

Mr. COLE of New York. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from New York.

Mr. COLE of New York. One of the recommendations made by this committee is the discontinuance of the training station at Sampson, predicated, apparently, upon the ground that one or two temporary stations are sufficient to take care of the emergency training load needed by the Navy. The report of the committee suggests that the reason why the training station in Maryland was selected to be continued rather than the one in New York is that the climate there is milder. I wonder if the gentleman can advise me the cost to the Government of the Port Deposit training station.

Mr. SHEPPARD. Does the gentleman mean the total investment in the Port Deposit project?

Mr. COLE of New York. That is correct.

Mr. SHEPPARD. It is in the record. I will get it for the gentleman in a moment.

Mr. COLE of New York. I undertook to search in the record for that information but was not able to put my finger on it.

Mr. SHEPPARD. We have the answer in the break-down here.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SHEPPARD. Mr. Chairman, I yield myself 5 additional minutes.

The answer to the gentleman's question is $52,311,899.

Mr. COLE of New York. According to the information I was able to find in the record, the total cost to the Government of the Sampson training station has been $70,000,000.

Mr. SHEPPARD. That is approximately correct.

Mr. COLE of New York. Then it is the committee's view that it is the better part of economy to close up an establishment that cost $70,000,000 and to continue and expand and spend more money on an establishment that cost $52,000,000 simply because the latter institution is located in a climate that is a bit more mild?

Mr. SHEPPARD. I call the attention of the gentleman to the fact that under routine procedure it is more expensive to maintain the higher cost establishment in the first place; however, the testimony before the committee was to the effect that that was the station they contemplated closing next along with the contracting program, and this information was volunteered by the Department. We concluded in looking over the figures supplied as to the other stations that they definitely indicated that there was space for added occupancy without the expenditure of additional funds, so we gave them enough money and time to taper off the program at Lake Seneca and consolidate training into the other projects. Of course, under the requirements of our expanded program, I am sure that particular station will be used for another activity; in fact, I think I can assure the gentleman of that.

Mr. COLE of New York. Speaking as a representative of naval activities, the gentleman can assure us that this will be continued in some other phase of naval activities?

Mr. SHEPPARD. I cannot do that as to the Navy because we do not have the disposition of the so-called surplus properties. However, I do know that it will be put into the considered category for other branches of the Government to utilize, with the provision that the Navy itself does not want it. The Navy has first claim to utilize it for other purposes than training if it so desires.

Mr. COLE of New York. Has the gentleman's committee been assured that the Navy does not want this facility at Sampson, N. Y.?

Mr. SHEPPARD. No, we do not have that assurance.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield to the gentleman from Georgia.

Mr. VINSON. Is it not a matter of fact that it was testified that they needed

this to carry on their training program? May I take the time of the distinguished gentleman to read what appears in the hearings on page 167 of volume 2:

Mr. THOMAS of Texas. Admiral Jacobs, what is the justification? Can you get along without these four additional improvements? Do you absolutely need them now?

Admiral JACOBS. We need them now, or we would not have asked for them.

Mr. THOMAS of Texas. That is more or less a conclusion. It is your conclusion, not our conclusion. Since you gave me that smart answer, I am going to tell you that I am going to disagree with you.

Is it not a fact that the evidence shows the Navy Department in its training program feels it needs this station?

Mr. SHEPPARD. Just a moment, the gentleman has asked a question, and I will answer him. The gentleman is partially correct and partially wrong.

Mr. VINSON. Where am I wrong?

Mr. SHEPPARD. I will be pleased to explain to the gentleman where he could be wrong. In the first place, the statement is in effect as read by the gentleman. But if the gentleman would proceed further he will find that Admiral Jacobs also testified that they contemplated closing up that station in the reasonably near future or words to that affect. With that in mind, our committee has proposed to give them enough money to carry on within the time element which would be necessary to effectuate consolidation in other stations.

Mr. VINSON. Then the appropriation is sufficient to carry on as long as the Navy feels that they need it?

Mr. SHEPPARD. No, the gentleman's interpretation is not in accord with my statement. The results are what the committee concluded from the evidence we had before us would be a necessary time and money to effectuate consolidation.

Mr. VINSON. Does not the distinguished gentleman find he is running contrary to the very fine presentation he made a moment ago when he said he had to rely upon the viewpoint of those charged with the administration of the prosecution of the war. Training is a very highly important part of the prosecution of the war. They are advocating after the expenditure of millions and hundreds of millions of dollars that this station be continued.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. SHEPPARD. Mr. Chairman, I yield myself 10 additional minutes in order to respond to the interrogation of the splendid and able gentleman, who is the chairman of the Committee on Naval Affairs.

Mr. VINSON. Does not the gentleman find he is contradicting himself because he was attributing a moment ago the small economy in the bill to following the viewpoint of the military advisers. Now, in this instance, he is putting the advice of his committee over the advice of the military heads. Now, it is all right with me, but I just want to know whose conclusions we are going to follow.

Mr. SHEPPARD. Is the gentleman making a statement or asking a question?

Mr. VINSON. I am doing both. Are we going to follow the conclusions of the committee or are we going to follow the conclusions of those charged with the responsibility?

Mr. SHEPPARD. Of course, in the final analysis, the gentleman from California would be most reluctant even to remotely prophesy what attitude the gentleman from the great State of Georgia might assume in a situation of this character. However, I would like to call his attention to the fact that we found this evidence in the San Diego training station and others. There was space or a vacancy for 6,480 recruits at San Diego. At Bainbridge, there was a vacancy for 8,080 recruits. At Great Lakes, there was a vacancy for 5,040 recruits. We felt upon getting this information and in accordance with the total personnel to be trained and the presentation of the splendid gentleman, Admiral Randall Jacobs who testified, as to the necessity for the station which we have under discussion, we could well consolidate. We were not usurping the prerogatives of the intelligent gentlemen from the Navy when we exercised that privilege, it was our duty.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. BATES of Massachusetts. Would the gentleman say whether or not, after the so-called vacancies which exist at San Diego, Great Lakes, and this other training station, were made known to the committee, his committee went further into the subject matter to find out whether the Navy intended at any future time to close any of these stations? After the vacancies were made known to the committee, did you consult with the Navy to see what they were going to do about these stations?

Mr. SHEPPARD. Pend Orielle has been already closed. As to Seneca, Admiral Jacobs, upon inquiry, made the following statement:

As I have stated previously, if there is any possibility of closing any stations, Seneca will be the next one to be closed, but right now I cannot see my way clear to recommend it.

Mr. BATES of Massachusetts. That is Seneca?

Mr. SHEPPARD. Yes.

Mr. BATES of Massachusetts. What about Sampson? Is that the same station?

Mr. SHEPPARD. The same station.

Mr. BATES. We always understand it as Sampson. Which is it?

Mr. SHEPPARD. It is either Seneca or Sampson.

Mr. BATES of Massachusetts. Up to the present time the Chief of the Bureau of Naval Personnel has not seen fit to give the committee a definite answer as to when he would find it advisable to close that station?

Mr. SHEPPARD. No; he has not.

Mr. BATES of Massachusetts. Yet we know we are right in the middle of the greatest war we have ever been in, when we know there are thousands and hundreds of thousands more tons of ships coming off the ways that must be fully and completely manned. I would like to know upon what basis the committee projected this action.

Mr. VINSON of Georgia. May I ask this question?

Mr. BATES of Massachusetts. No, no. Let the gentleman answer the question. It is a very important question. They are closing this station without advice.

Mr. SHEPPARD. The gentleman has too much concern as regards this one station, because we have provided places to take care of all the personnel in its total, that they have indicated to us they are going to train.

Mr. BATES of Massachusetts. Have they indicated to the committee that they could get along without Sampson, and carry out the needs of the fleet?

Mr. SHEPPARD. They did not make that statement. In the first place, they testified before the committee there were so many thousands of personnel that had to be trained. The training facilities were each indicated and what their total capacity was. When we sat down for the consideration of the bill, we took the figures they gave us which they had testified were the recruits they were going to train in the respective stations, and found that there was enough room to consolidate the total personnel in the stations which we have left in the bill. Then to further justify our position we gave to the Navy enough money to go ahead about 60 or 90 days to effectuate the consolidation. So that we could not remotely hurt them in their own program as they presented the program to us and as that program was involved in personnel requirements.

Mr. BATES of Massachusetts. Did the Chief of the Bureau of Naval Personnel make any further representations as to the inadvisability of the action of the committee being carried out?

Mr. SHEPPARD. No, he did not, because this committee writes its own bills.

Mr. BATES of Massachusetts. Oh, I understand that, but I presumed you would consult with the chief of one of the great bureaus of the Navy Department before you came to a conclusion of that kind.

Mr. SHEPPARD. We consulted with the gentleman a long time when he was justifying the money which the committee had under consideration.

Mr. BATES of Massachusetts. Then you do not know how he feels in regard to that particular recommendation?

Mr. SHEPPARD. I could not state.

Mr. BRADLEY of Pennsylvania. Will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. BRADLEY of Pennsylvania. May I inquire through the gentleman from California whether the chairman of the Naval Affairs Committee has any information from the Navy Department of a later date than that which the Subcommittee on Appropriations had, which would indicate the policy of the Navy Department, which would put a different light on the question?

Mr. SHEPPARD. I yield to the gentleman from Georgia to answer that question.

Mr. VINSON. With all deference to my distinguished colleague from Pennsylvania, I do not care to answer that.

After listening to the gentleman's explanation in justification, I am gratified to note that that conclusion was not reached, as was intimated, that it was due to the sharp answer from Admiral Jacobs to the distinguished gentleman from Texas [Mr. THOMAS].

Mr. SHEPPARD. The members of my committee are thoroughly capable and competent to respond to any comment of that character. I want the record to be clear for the benefit of the gentleman from Georgia, that as far as my personal attitude is concerned, I do my best to function upon the basis of evidence and not upon personalities.

Mr. VINSON. That is the reason I am clearly satisfied with the fine justification which prompted the conclusion of the committee. But the hearings show that that idea was running loose in the minds of the committee at the time.

Mr. ANDERSON of California. I should like to ask the gentleman a question. Will the gentleman from California advise the House how much the Navy has spent and is contemplating spending in developing the island of Guam?

Mr. SHEPPARD. I may say to the gentleman, if the gentleman will pardon me, that I would rather not discuss that now because that is an advance base proposition. I would like very much to ask the gentleman to get his information from the Navy on that—with apologies, please.

Mr. ANDERSON of California. I may say to the distinguished gentleman from California that he will find on page 24 of the hearings that in answer to a question Secretary Forrestal stated we have spent, roughly, $170,000,000 there already. So I did not think the matter was restricted, because here is a statement in the hearings by the Secretary of the Navy himself that at least $170,000,000 has been spent there.

Mr. SHEPPARD. I regret I feel obliged to take the position that I would rather talk to the gentleman confidentially than publicly.

Mr. ANDERSON of California. If it is the gentleman's wish, I would be glad to discuss it with him confidentially.

Mr. SHEPPARD. I thank the gentleman.

Mr. Chairman, I yield back the balance of my time.

Mr. PLUMLEY. Mr. Chairman, I yield myself such time as I may take.

The CHAIRMAN. The gentleman from Vermont is recognized.

Mr. PLUMLEY. Mr. Chairman, the very comprehensive report made by the chairman of the Subcommittee on Appropriations for the Navy, on which I am privileged to serve, relieves me from all responsibility for attempting to add to it or to elaborate upon it.

It goes without saying that the subcommittee has had the very valuable, and I might say invaluable, assistance of John Pugh, its clerk and secretary, than whom, as has been recognized, there is no greater authority with respect to the matters and things appertaining to naval preparedness and necessities for appropriations.

I would like to pay tribute at this time to my colleagues on the subcommittee, comprising as they do a cross-section of the most independent, clear-thinking men in the Congress. The diversified interests of the individuals and the differences of philosophy, political and otherwise, when comprehended in a report such as has been made, unanimously, certainly should be entitled to support and respect.

I would like, also, to pay my respect to the distinguished chairman of the subcommittee, the gentleman from California [Mr. SHEPPARD] who, over these long days, has submitted with equanimity to our many and diversified differences of expressed opinion with reference to what we as individuals thought was right. The fact that the report was presented to you as it is, is evidence of his diplomacy and competence and of our respect for him.

My action and votes with respect to this bill were and will be motivated by a conviction that we should make it possible for the Navy of the United States to represent us, world-wide, as an evidence of the power and might of the American people if and when aroused to defend a righteous cause or if ever attacked.

The success of international agreements to keep the peace will rest on world-wide recognition of the fact that we propose to use the necessary force to keep it.

Sea power, as Admiral King has said, will be an essential means to this end. The mere ownership of outlying bases means little if these bases are not maintained and implemented by an appropriate fleet ready for action. Today it seems almost inconceivable that the American people should simply demobilize and destroy this massive machinery of power which we have been compelled to set up in our own defense; one can scarcely believe that we will ever again relinquish the Pacific—as we did, for the most honorable of reasons, after the Washington Conference of 1922—to any aggressive power which may want to use it for secretly organizing an attack upon us. The question itself ought not to be difficult of settlement. It is for us to have and to hold and to control those bases in the Pacific which are essential to us and to the postwar cause of peace in the world.

It has been said of us that we are a world power; let us show ourselves to be one.

It has been well said that this war has outgrown its slogans. It has become a simple, deadly, implacable struggle to crush Germany and Japan and win freedom from aggression in the future. We know the last war was lost because it failed to accomplish this end. We know we have won a second chance, but at a price as much greater than the sum we paid a generation ago as today's casualty lists exceed those of 1918, as the drain on the power, energy, wealth, and patrimony of the Nation surpasses the investment of yesterday. The people who followed Wilson in 1917 and rejected him in 1919 seem very young, careless, and improvident in the light of 1945. The Navy and the armies of today were undreamed of then. The scale and nature of this conflict were beyond comprehension. The difference is that the next war is not inconceivable. This time we realize that victory is not the end. We have learned in our grim maturity that this horror may come again, magnified beyond anything we have seen, unless we behold in the coming triumph of arms an opportunity to continue the harder fight for peace perpetual.

It is well to remember, as has been so often suggested, that the causes of war are multiform and by removing only some of them one may intensify the virulence of the rest. It may, indeed, be beyond the capacity of the human brain accurately to diagnose all the causes of war or to devise their several antidotes. But one thing at least is certain—namely, that violence can only be restrained by physical strength. And that even the wisest treaty becomes but tissue paper unless those who framed it for their own safety remain united in their resolve to see that it is kept. It is time for us to become realistic.

It is axiomatic that permanent control, absolute or remote, by us of the far-flung islands won by our forces in the Pacific should be retained by us, generally speaking, and to that end we must maintain a Navy of such size and power as to enable us not only to enforce our position but to make it very plain that we propose to maintain law and order in the Pacific hereafter—alone, if necessary.

While the Atlantic Charter pledges its signatories against territorial aggrandizement, the islands we have captured represent no opportunity for economic expansion. Their total mileage is negligible. The sacrifices Americans have made and will have to make to win Tarawa, Iwo Jima, and Okinawa should not be lost sight of by maudlin sentimentalists nor should they be forgotten or rendered futile by lack of vision either as to our duty, responsibility, or opportunity.

It has been pointed out over and over again that what America needs are security bases—bases for the defense of the United States against any possible invasion by any modern weapons or by devices likely to be perfected in the foreseeable future.

To ask for bases for defense is not to seek territorial aggrandizement or to offend any other power except our enemies. The United States, therefore, should have all the strategic islands in the Pacific Ocean north of the Equator. All of these will have been wrested from Japan when this war is won. Here and there are some islands owned by Allied Powers which will be needed by the United States to complete the American system of bases, and in these instances doubtless lease arrangements can be made.

Never again should it be possible for an attack to be made as close to continental United States as Pearl Harbor. The purpose of the Navy in seeking outlying bases is to keep sufficient forces at points far from continental United States so as to minimize any possible damage from future attacks.

The problem of rockets will come in for much consideration in figuring out the need for bases. The best defense against the rocket is "sea power," which, as Admiral King defines it, means "surface

ships, plus submarines, plus aircraft, plus merchant ships, plus naval bases, plus trained personnel, plus the productive capacity to build, equip, operate and fight them."

If any nation can send out aircraft carriers or submarines or other warships capable of shooting rockets at our island possessions or against the United States itself, it means that strategic bases near enough to get at the source of such rockets will be essential to us. Do I have to argue this?

Few Americans will disagree with this fundamental thesis. There can be no doubt, certainly, that the world must place real power behind whatever peace system it creates, just as any city, State or nation, or the people must place a police force behind the law. Nor can there be any doubt that a large measure of this power must come from the United States and that distant bases will be needed, particularly for the swift deployment of our naval and air strength in case of emergency.

If we first save ourselves, we can keep others safe and free.

I hope we have provided a sufficient sum of money to meet present demands made to ensure such a desired consummation of our hope, desire, and intent. If it be not so, we will have fought this war in vain. We should let everybody know we mean business and that we have the necessary wherewithal to prove it. The time for other methods has passed.

Our continental problems we can meet day by day and as they arise now and post-war. Our attitude with respect to the maintenance of overseas bases should be positive and all-out. We should implement such attitude by the possession and maintenance of such a fleet as the greatest power in the world should have at all times for its own defense and in order to ensure the peace of the world.

That is the price we must pay for our place in the sun. Civilization has moved westward to its destiny or its destruction. The burden is on our shoulders and those who follow us to bear and to carry adequately, whatever the cost of such a program may be, or to go down in a cloud of obloquy, buried in the dust of our own lack of vision, sunk in the mud of failure to measure up to the opportunity to fulfill the high destiny which is ours.

The Navy is now more involved in war than at any time since Pearl Harbor. Its task ahead is large and dangerous. The duration of the war with the Japanese nobody knows.

Those well-known considerations circumscribe the action of an appropriating committee in passing upon a war budget. Laymen, by the very nature of things, must be guided by the judgment as to needs of service technicians and leaders upon whom we depend, and must depend, to defeat the enemy and achieve victory.

There are men who are willing to gamble upon an early termination of the war and make cuts in budget requests. I am not one of these. We cannot gamble with the fate of the Nation or with the lives of our gallant sons out on the battle fronts daily carrying the war to the enemy. It would be a tragedy of the worst sort if they should meet with a situation whereby, through shortages of expendables, prosecution of the war would be impeded and campaigns stopped in their midst.

I think the best exposition of our problem is the statement of Fleet Admiral Ernest J. King to the committee, from which I quote a part. Admiral King said:

In the year that has elapsed since I last appeared before this committee much has happened to make us hopeful about the progress of the war toward a successful conclusion. Whether we look toward Europe or to Asia, however, I am sure that we all appreciate the fact that much still remains to be done before the war is won and a semblance of normal world-wide conditions are restored.

In the Pacific, which is now the Navy's principal theater of operations, we are now within the Japanese inner line of defenses. Our experience in Iwo Jima is indicative of the kind of fighting that faces us in the future. The Navy will be forced to expend more ammunition, whether it be shells or rockets, to prepare beaches for landings. This will likewise be true after the troops are ashore and need the support of our ships to help them in their advances. We will continue to need all the naval strength, whether it be surface, air, or submarine, that we can muster in this final push for Tokyo. We dare not let ourselves be lulled into any false impression of Japanese naval and air impotency by their apparent light reaction to our air strikes on the homeland. It will be a different story when we approach their shores to land our Army and marines.

We cannot show our full offensive strength against Japan unless it can be adequately supported. That means a full pipe line from the plants on the continent to ships at sea off the Japanese coast; a pipe line that is kept full until the final defeat of Japan. I believe that we cannot logically plan any other way. Most certainly we dare not plan to fire our last bullet on the day of victory. That means, naturally, that there will be surpluses after the war. But I assure you that we are doing our utmost through careful planning and inventory control to keep these to a minimum.

That is the reason for the amount of this bill and it is the reason why the committee could not do much in reducing the budget requests. I confess we have done a bit of gambling, but not in possibly hurtful directions. Ships, guns, ammunition, airplanes, advance bases, and all the array of implements of modern warfare we have provided for untouched, and we have left untouched the estimates of the Navy's medical department.

As has been stated by the chairman of the subcommittee, we have made a cash reduction of $318,650,917 and a further reduction in contractual authorization of $134,004,187, or a total of $452,655,104.

These reductions have been itemized in the committee's report and will be found explained therein.

I should like to tell you briefly about the salient provisions of the bill.

It comprises five major procurement programs—personnel, shipbuilding, aviation, public works, and ordnance.

PERSONNEL

Although the personnel has been increasing, it stabilizes in 1946 and the number that has to be trained decreases, so that all appropriations of the Bureau of Naval Personnel, other than "Pay, subsistence, and transportation," show a reduction of $149,000,000. The authorized personnel strengths, approved by the President, for the three branches of the naval service are as follows:

Navy	3,389,000
Marine Corps	478,000
Coast Guard	173,165
Total naval service	4,040,165

Active-duty strength as of December 31, 1944, exclusive of personnel not included under the authorized strength, such as prisoners of war, missing, and so forth, was 3,850,794, of which approximately 118,000 were females and 172,500 colored. The proportion of reserves to regulars is about 5 to 1, except in the Marine Corps, where it is 3 to 1.

AVIATION

As to aviation, the estimates show a reduction of $3,000,000,000; but when the shift due to a renewal of $1,575,000,000 contract authority is considered, it shows the two aviation appropriation availabilities will be about the same—$4,620,000,000 for 1945, versus $4,570,000,000 for 1946. This comparison will be altered, however, since about a third of the contract authority to be renewed will have been obligated before the new fiscal year begins.

ORDNANCE

In the case of the Bureau of Ordnance, the Bureau has had to initiate large expenditures for ammunition, particularly for rockets, which accounts for the continued large ordnance budget.

SHIPBUILDING

The shipbuilding program is declining sharply. There is an actual reduction in the appropriation of $5,159,000,000, from $8,029,000,000 to $2,870,000,000. This is apart, however, from 12 escort carriers to be laid down within the unobligated ship tonnage totaling some 736,000 tons.

PUBLIC WORKS

The public-works program is parallel to that requested last year, but $56,918,776 less. The request is—continental United States, $402,012,624; advance bases, $986,000,000; total, $1,388,012,624; whereas for this year we allowed $1,000,000,000 for advance bases and $474,000,000 for continental United States; total, $1,174,934,400; and this excludes $114,300,000 in the first deficiency bill now pending. I shall have more to say about public works later.

OPERATING FORCE PLAN

In the combatant class there is a change in number of operating ships from 3,334 to 3,453. These changes as to major units consist of 10 new heavy cruisers; 13 new light cruisers; 8 large carriers; 3 cruiser-type carriers; 3 light carriers; and 11 converted carriers on merchant hulls. In the destroyer type there is an increase of 53 and submarine type, an increase of 18. This comprises the changes in the combatant class. In the larger amphibious type the change is 83. In the auxiliary type the change is 169, of which some of the major items are 9 destroyer tenders; 2 AE's—ammunition ships; 6 AOG's—gasoline tankers; 2 transports; 4 repair ships; 5 ATA's—ocean-going tugs; 9 ATF's—fleet tugs; 1

seaplane tender; 117 CAZ's—auxiliaries unallocated.

TRAINING PROGRAMS

In the fiscal year 1946 there will be a marked decrease in the training programs of the Bureau of Personnel, particularly in recruit training, class A, B, and C schools, Reserve Midshipmen's schools—V–7—and the college program—V–12.

1. PILOT TRAINING, V–5

I will present a few pertinent figures as to the training programs, taking first the pilot program. The naval aviation cadet program is conducted at 11 schools—4 for preflight, 5 for primary, and 2 for immediate training. The curriculum covers 62 weeks of training—26 weeks for preflight, 16 for primary, and 20 for intermediate. Upon successful completion of the training program, aviation cadets are commissioned as ensigns of the Naval Reserve and then proceed to operational training for 8 to 10 weeks of additional instruction.

As of December 31, 1944, there were 12,887 aviation cadets under instruction. The number contemplated for June 30, 1946, is 12,865. The total pilot output to meet the needs of the naval service will be 16,692 during the present year, whereas in the fiscal year 1946 it will be about 7,750. This number is designed primarily to maintain attrition. As of December 31, 1944, we had 44,193 naval pilots, excluding prisoners of war, missing, and so forth.

2. RESERVE MIDSHIPMEN, V–7

From December 7, 1941, to December 31, 1944, 50,706 officer candidates have successfully completed reserve midshipmen training and received commissions as ensigns in the Naval Reserve. The Reserve midshipmen program has been a major source of competent officer personnel. Approximately 95 percent of the graduates are commissioned in the line, with the remaining 5 percent commissioned in the various staff corps. Sources of personnel for Reserve midshipmen training are the college training program—V–12—and enlisted personnel from the fleet and shore establishments. The training covers a 4 months' period; during the first month the candidates are apprentice seamen and in the succeeding 3 months, midshipmen. As of December 31, 1944, there were 8,859 students under instruction. Currently the program is conducted in 8 training schools. The number of training schools will be reduced materially in 1946, inasmuch as the number of students on June 30, 1946, will be approximately 30 percent of the current student load.

3. WAVES

As of December 31, 1944, there were 81,744 WAVES, of whom 73,000 were enlisted. Currently, there are being enlisted 500 a month. The distribution of enlisted WAVES contemplated during fiscal year 1946 is:

Continental United States	70,370
Overseas	5,000

4. INDUCTEES

Currently, the Navy is taking about 23,000 inductees a month and in the fiscal year 1946 we shall require about 13,100 a month, plus an equal number of 17-year-old enlistments. At present, the training station course is 10 weeks, after which the men may be sent to sea or to special courses of instruction.

5. COLLEGE TRAINING, V–12

On December 31, 1944, there were 59,595 students in the college program. At various colleges and universities there are the following number of units:

Main units	131
Medical units	78
Dental units	37
Theological	28
Total units	274

Under instruction in the main units are 6,325 Naval Reserve Officer Training Corps students. By Public Law 1, approved February 13, 1945, the authorization for the Naval Reserve Officer Training Corps has recently been increased to a maximum of 24,000 under instruction at any one time until the expiration of 1 year after the cessation of hostilities. Certain groups of students currently enrolled in the college program will be transferred to the Naval Reserve Officer Training Corps curriculum. However, the total number in the college program will decrease sharply in the fiscal year 1946; the average on board during the period will be 34,410.

6. NAVAL ACADEMY

The Naval Academy course is 3 years and at the present ime there are 3,025 midshipmen, United States Navy, in training. The number under training during 1946 will be approximately the same as in 1945.

7. SUMMARY

During the period from July 1, 1940, to December 31, 1944, the personnel of the Navy proper, exclusive of the Marine Corps and Coast Guard has increased from 160,997 to 3,210,959—excluding prisoners of war, missing, and so forth. This increase is explained best by the following comparisons:

During the same period, ships increased from 653 in commission and in service to 57,036, including all types of landing craft, and aircraft increased from 1,741 to 36,700. Aircraft carriers have increased 15 fold; pilots have increased from 2,552 to 44,193, and enlisted aviation ratings from 5,924 to 214,641.

On December 31, 1944, there were 234,789 enlisted Seabees, of whom 209,253 were in organized units, 18,480 in miscellaneous units and advance base training, and 7,056 in station unit complements in the United States. On June 30, 1945, and June 30, 1946, the number of enlisted Seabees will be 272,150.

Further with respect to public works: The Navy Department brought to the attention of the committee a program for laying up over 3,000 excess vessels upon the conclusion of hostilities in order to preserve them in the post-war period. The estimated cost of installation of shore facilities for the purpose of laying up these ships was stated as $120,000,000 against the appropriation "Public works," exclusive of certain equipment which would be installed for dehumidification.

These facilities were to be constructed in various places—some at existing navy yards and stations, others at new sites, and others were proposed for existing privately operated shipbuilding yards in which generally there exist Government-owned facilities which had been installed either for industrial purposes or to house the fitting-out naval crews at such yards. The facilities were to be in the nature of docks, slips, shops, barracks, and so forth, depending upon the needs of the locality.

It is only fair to state that the sum of $120,000,000 was authorized in Public Law No. 13, approved March 1, 1945, which bill approved $1,500,539,500 of public works construction under general object headings, of which the first object, ship repair and laying-up facilities, in the amount of $230,222,000, was the object which embraced the laying-up facilities. It is my understanding that detailed items were presented to the House Naval Affairs Committee, that such committee reported authorization bill by object headings, and that the hearings covering the detailed items were not published.

When the estimates for the first deficiency bill of the current session were sent to Congress, they contained a request for $20,000,000 against this $120,000,000 program. Such estimates were contained in House Document No. 25, of January 17, 1945. The Appropriations Committee of the House in their report on the first deficiency bill stated that this item had been deferred so that it could be considered with the whole program when the 1946 naval estimates were considered by the Navy Subcommittee. No submittal of the additional funds, some $99,000,000, has been made by the President, although I understand the item was presented to the Bureau of the Budget by the Navy Department. I assume the administration considered the expenditures contemplated were too great to be considered so early; and there are certain factors which bear upon this which I wish to discuss.

The Vice Chief of Naval Operations appeared before the committee in support of the full program, and what he had to say was carefully weighed by the committee. It is the view of the committee that it is too early to undertake this construction in toto, and it has therefore recommended that the approved submittal of $20,000,000 be all that should be appropriated at this time. There are certain basic factors which influenced the committee:

The postwar commitments of the United States particularly in the Pacific, cannot be known until agreements which are going to be considered at San Francisco are concluded, and until the war is over in the Far East. It may be that large numbers of these vessels will be required to be kept in commission, as, if we have to do a policing job in the Far East, including the Carolines, Marshalls, and Japanese islands, it is obvious that large control forces would be required in the area. In addition to that, there are a number of bases which will have to be constructed in the Far East.

There is another obvious factor which deserves consideration. Considering the large number of bases which have been constructed during the war, running into the thousands, both by the Army and

Navy, even in the continental United States, it would result in an unwise expenditure of public funds if any new installations were created to look out for laying-up facilities, and there should be a consolidation of this laying-up program in as few activities as possible, with a view to economizing in the administration thereof. The types of vessels that will be laid up are minor craft from the carrier-cruiser category down.

There is another point which must be borne in mind. After the last war large numbers of destroyers, particularly, were placed out of commission, in addition to the large merchant fleet; and in the case of naval vessels, they were concentrated in the Philadelphia Navy Yard and the San Diego destroyer base. Maritime vessels were anchored in pools offshore in various places, such as Solomons and the James River, where caretakers were placed on board.

I see no reason why we should rush at creating these facilities, because at the conclusion of hostilities the vessels can be brought back and moored in sheltered waters until such time as the disposition it is desired to make of them can be properly determined by the Congress, and there will be plenty of time to create the facilities.

I have gone into this long explanation in order that the Members may understand the subject. As every Member on the floor knows, I am a pro-Navy man. I also come from an area which is going to insist, upon the conclusion of hostilities, that the affairs of the Government be administered in an economical or even frugal manner until we can recoup some of the sustenance we have lost and pay off some of the debt which we owe.

I know that my views as to this vessel laying-up program are not in accord with the views of some of the high officials in the Navy Department or with those of some of my colleagues in the Congress. We are providing specifically in terms of money for about 16⅔ percent of the program worked out by the Navy Department. I know my good friend, the gentleman from Georgia, CARL VINSON, chairman of the Naval Affairs Committee, would like to proceed with the whole program. We have made a rather substantial cut in the public-works budget, which will mean the elimination of a lot of projects of doubtful value to the war effort. My own feeling is that within the amount remaining there are many more projects of doubtful value to the war effort. Personally, I should not be averse to spending a few more million dollars on the inactive-ship project if it would mean taking more money away from projects not essential to the war and of doubtful post-war value, because I assume, if obligational authority be available, such class of projects will be proceeded with.

I want to say in this connection that I voted for the G. I. bill, and I want to see jobs available for those of our boys in the armed services who want jobs when they come home. I believe it is our duty and the duty of every official connected with the Government, military and civil, to hold in abeyance every kind of project not immediately essential which would later be a worth-while project upon which some former soldier or sailor might be employed.

I mentioned earlier in connection with this matter the action of the Deficiency Subcommittee of the Appropriations Committee in referring the formal estimate for berthing inactive ships to the Naval Subcommittee. I commend the Deficiency Subcommittee and the distinguished chairman of the Appropriations Committee, my friend the gentleman from Missouri, CLARENCE CANNON, for that course. It agrees with a practice I long have advocated, namely, that the Deficiency Subcommittee should refer to the regular subcommittees all supplemental estimates of appropriation. The Deficiency Subcommittee, in my judgment, should stick to deficiencies and not trespass upon the jurisdiction of the regular subcommittees, and that jurisdiction, in my opinion, embraces both regular annual and supplemental appropriations.

We can neither avoid our destiny nor evade our duty.

When Lysander the Spartan some 300 years B. C. turned over to his successor the command of the fleet he said: "I deliver to you a fleet that is mistress of the seas." It should be our proud boast to say the same thing to our posterity.

We must make secure the peace of the world for which we fight.

Mr. SHEPPARD. Mr. Chairman, I yield to the gentleman from Texas [Mr. THOMAS], a member of the committee, 23 minutes.

NAVY APPROPRIATIONS

Mr. THOMAS of Texas. Mr. Chairman, I shall try to give a summary of the pending bill. It calls for $24,879,510,546 in cash and contract authorizations, which is about $6,903,560,155 less than the fiscal year 1945. In some respects, this is amazing, since the Navy is engaged in ever-increasing activities.

BUREAU OF PERSONNEL

For the fiscal year 1946, the committee recommended $198,507,126, which is $202,400,046 less than was appropriated in 1945.

To understand better these appropriation figures, it is well to examine the personnel strength of the Navy for fiscal 1945 and fiscal 1946. Appropriations for fiscal 1945 were based on total strength—officers and enlisted, male and female—of 3,006,000, whereas the appropriation for 1946 includes an over-all strength of 3,356,867. The latter figure will be reached the last of May, calendar 1945. From then on, replacements at about the rate of 28,000 a month will be required to maintain the strength of 3,356,867.

The reduction in appropriations for fiscal 1946 from fiscal 1945, comes from a decrease in training activities of the Bureau. The Bureau's budget is broken down into three big heads: First, training, welfare, and recreation; second, instruction; and third, Naval Reserve. The latter two are the big training units for officers and enlisted personnel. These two units took a reduction of $199,000,000. The Bureau has conducted the greatest number and different types of schools heretofore known. It is commonly said that to make a sailor, he must be sent to sea. That is true. But since this is a technical and scientific war, officers and enlisted men alike must be taught ashore how to handle guns, radio, radar, fire control equipment, and so forth, before going to sea.

The committee has felt all during the war that the Bureau of Personnel was spending entirely too much money in the transportation of its officers and enlisted personnel from station to station. In 1945 there was appropriated for transportation $242,383,000. This year the committee recommend a cut of $42,000,000, under the $285,175,000 requested for 1946.

This year we expect the Bureau to live within its budget on transportation. As an example of unnecessary travel expense, the Navy's travel budget for this year is $315.33 per officer, while that of the Marine Corps is $181 per officer per year. We have tied the Navy to the Marine Corps' figure.

BUREAU OF SHIPS

Increased Navy: The estimate for 1946 is $2,270,000,000, which is a reduction of approximately $4,300,000,000 over 1945. But to understand the shipbuilding program, it must be pointed out that since the emergency started, Congress has authorized the Bureau of Ships to incur liabilities, as of December 31, 1944, totaling approximately $23,000,000,000.

As of December 31, 1944, $17,800,000,000 has been paid toward discharging that debt, leaving an approximate liability of five and one-half billion dollars.

Two million two hundred and seventy thousand dollars is recommended in this bill toward the completion of the authorized program. During the calendar year 1945, 208 combat vessels will be completed. This is about the same number of combat ships we had just before the emergency in 1940. The remaining part of the program will cost about $3,000,000,000. It will call for the completion in the calendar year 1946 of 33 combat vessels and in 1947 of 12 units. The last 12 comprise 1 battleship, 8 heavy cruisers, and 3 light cruisers, which gives us a building program, unfinished today, of approximately 308 combat ships.

Maintenance: The other big part of the activities of the Bureau of Ships comes under the heading of "Maintenance of the Bureau of Ships." Its function is to maintain in operating condition our great wartime fleet and that part of the shore establishments upon which the fleet depends for its repair, upkeep, and improvement. The bill calls for $2,790,000,000 for that purpose for fiscal 1946. This is an increase of approximately $330,000,000 over fiscal 1945. That increase comes about solely because of an increase in the work load for repairs caused by battle damage.

The Navy has, as of today, approximately 1,200 combat ships and in the neighborhood of an additional 80,000 in various other types of vessels. These ships were built either in Government or private yards. The peak of construction was in May 1943, at which time there were 317 yards building ships for the Navy. Today there are 176 yards and on July 1 of this year there will be

only 64; and on January 1, 1946, there will be only 22 yards.

Before the emergency in 1940, there were 22 Government and private yards building ships for the Navy, so we will be back where we started.

We have the greatest number and the finest ships afloat. They would be worthless if they were not manned by the best officers and best-equipped sailors in the world. Too much credit cannot be given to Fleet Admiral Nimitz, Admiral Halsey, and Admiral Spruance, and others, together with their capable and efficient staffs, for the glorious battles they have fought and won. Nor can we praise the American bluejacket too greatly—there is no finer man on land or sea. He came from the farms, the stores, and the shops, knowing nothing about a ship. But he learned his lessons, and learned them quickly and well.

We have placed in the bill $20,000,000 for the tying up of ships. The Navy wanted $119,000,000 for this purpose, but it was doubtful in the minds of the committee whether the Navy could spend more than twenty to forty million dollars during fiscal 1946. This committee is of the opinion that too much importance cannot be laid upon this program of laying up ships. It is contemplated that about 3,500 of all types of ships will be laid up when the war is over, at a total initial cost of $119,000,000. This amount will defray berthing space, electric-power facilities, and other necessary items. The annual upkeep of these 3,500 ships will be from five to fourteen million dollars. The cost will increase progressively with time. The experts think a ship will last in inactive status from 40 to 50 years. In fact, we have ships in the Navy today which are doing splendid service that are about 40 years of age. The initial cost plus the unkeep will amount to one-tenth of 1 percent per year of the total cost of the ships tied up.

Instead of scrapping our ships as we did in World War No. 1, we shall be wise to lay up these ships. The cost of so doing will be the cheapest insurance policy this Nation can purchase. It is my thought that if on the morning we were stabbed in the back at Pearl Harbor, we had had 3,500 ships tied up, Japan nor anyone else would have attacked us. This committee will recommend to the House from time to time whatever sums it thinks necessary to carry out this program to a successful conclusion.

BUREAU OF ORDNANCE

The bill carries an appropriation of $3,000,000,000, which is a reduction of $355,000,000 over fiscal 1945 under the heading of "Ordnance and Ordnance Stores." This heading is primarily used for procurement of ordnance, for maintenance of ordnance, and for maintenance of naval ordnance shore facilities. This is a lump-sum appropriation. In my judgment, it should be divided into its three component parts in order that the Congress may keep a closer check on expenditures of the Bureau. It is my guess that the committee will direct its attention toward that end during the fiscal year 1947.

The decrease in 1946 from 1945 is brought about in the procurement of ordnance matériel. This indicates there is a surplus on hand. It is well to point out here that the bill carries $674,000,000 for rockets, whereas the appropriations for 1945 did not have any funds for that purpose. This all adds up that while there is a reduction in expenditures for 1946 from those of 1945 in the procurement of ordnance matériel, there is an increase in maintenance of ordnance, and maintenance of ordnance shore stations. We are hoping these two items can be materially reduced next year.

SUPPLIES AND ACCOUNTS

The primary responsibility of this Bureau is that of supply. The bill carries an appropriation of $8,281,959,800, which is an increase of $1,234,311,800 over 1945. One billion two hundred and forty-six million eight hundred and ninety-one thousand dollars of the above increase is attributable to pay, subsistence and transportation. The remainder of the increase comes from an increase in Navy fuel from $200,000,000 in 1945 to $250,000,000 in 1946.

For "Account maintenance," the Bureau requested $529,840,000 for 1946. There was appropriated for 1945, $565,000,000. The committee recommends $503,247,800 for 1946. This Bureau has 480 separate activities, some of which are interrelated with activities of other bureaus. Under this account must be paid literally thousands of employees who are handling all types of supplies in Navy warehouses and loading them on ships and other forms of transportation.

In addition to its many duties, it now has a new function, Navy Material Redistribution and Disposal Administration. It is the job of this new activity to dispose of surplus and obsolete material of the Navy. It will require much warehousing, space, checking, and cataloging of this material.

The Bureau wanted to increase its employees during 1946 from 60,575 to 74,634. As of March 1 there are 62,000 filled field positions in group 4–B classification. The committee is of the opinion that that number should not rise any higher. Therefore, the additional 13,000 group 4–B employees are denied.

Under the heading of "Transportation of things," it is estimated that the Bureau will disburse in 1946 $584,000,000 as against $630,000,000 in 1945. This is for transportation of "things"; in other words, military supplies and not personnel. In the hearings on this subject, an examination was made of Rear Admiral W. J. Carter, Chief of the Bureau, as to what, if anything, was being done to reduce this large expenditure of funds. It was pointed out that the freight-rate schedules are set up by the Interstate Commerce Commission. Also, it was pointed out that the railroads are paying huge extra dividends during the emergency.

The Chief of the Bureau was urged to strengthen and increase his present small but capable staff, for handling transportation rates, costs, and other related transportation problems. He was also urged to make every effort to get reductions and adjustments in freight rates charged the Navy. It is hoped that the Interstate Commerce Commission can remedy its apparently inflexible rules and regulations and thereby save money for the taxpayers.

Where industry makes an abnormally large profit on business done for the Navy, a sizable part of that profit is recaptured by renegotiation. The railroads are making abnormally large profits.

BUREAU OF MEDICINE

The appropriation for the Bureau for 1946 is $126,000,000, which is $17,000,000 less than the fiscal year 1945. These funds are made available to provide care for the sick and injured; for maintenance of Navy hospitals, medical supply depots and dispensaries; for the purchase of medicine and supplies, and to discharge its functions under the G. I. bill for rehabilitation of the veterans. The Medical Corps has done a remarkable job.

Your attention is called to the testimony of Vice Admiral Ross T McIntire, Chief of Medicine and Surgery—see index of hearings. His statements are very interesting and informative. I recommend the reading of this testimony to the membership.

The present strength of the Medical Corps of the Navy is only 3.5 percent of medical officers per 1,000 total naval personnel. This is about 54 percent of what was commonly thought necessary to take care of Navy needs. On July 1, 1944, continental hospital beds totaled 60,235. The construction program now under way will increase continental beds to 80,000 at the end of the calendar year 1945. The proposed program for fiscal year 1946 will provide an increase to 90,000.

The decrease of $17,000,000 comes mainly from a light purchase through 1945 of medical stores. In other words, the medical department has planned wisely by procuring its medicines and supplies far in advance. Also, a part of the savings comes from a failure to purchase medical materials for its construction program of 10,000 beds. The necessary materials to equip the new 10,000 beds will come from supplies on hand at medical supply depots.

YARDS AND DOCKS

The Bureau of Yards and Docks is a construction agency. One of its chief functions is to design and construct shore facilities for the use of the Navy. Its budget is rather large and can be broken down into two parts. One is maintenance of the Bureau, and the other, which is by far the larger, is public works.

Maintenance: The appropriation for maintenance of yards and docks for fiscal 1945 was $152,700,000. The Bureau requested for fiscal 1946 $165,350,000. The amount of $150,000,000 is recommended.

The Bureau also requested authority to purchase 1,030 automobiles, including 30 not to cost less than $2,500 each. We denied the 30 to cost $2,500 each and recommended that only 500 small cars be purchased.

Public works: The big money in the Bureau of Yards and Docks comes under the heading "Public works." Last fiscal year we appropriated $1,000,000,000 for public-works construction of overseas

bases. At the present rate of spending there will be a deficiency of $76,100,000 in overseas construction. This year the Bureau has requested $986,000,000 for overseas bases. The committee recommends the full amount. Neither the Bureau of Yards and Docks nor anyone else knows exactly how much money will be required or where it will be necessary to construct the bases. Time and operation only can tell. However, the Bureau must have the money and be ready when called upon.

Last year we appropriated, in cash and contract authorizations, for public works to be constructed at shore establishments in the United States the sum of $1,170,000,000, of which $531,000,000 was cash. For 1946 for public works in the continental United States the sum of $422,000,000 has been requested with which to partially defray expenses of construction and get started 793 projects. The committee was of the opinion that one-third of these projects could be constructed after the war is over. We, therefore, reduced the sum of $422,000,000 by one-third.

The Yards and Docks item before you carries a total cash appropriation of $1,589,231,400, plus $974,008,413 contract authorizations. Only $300,000,000 cash will be used for partial defrayment of 1946 contractual authority. The balance is to defray contract authority granted during fiscal 1945.

The appropriation for public works, Bureau of Yards and Docks, is a lump-sum appropriation, which the Secretary can use, in whole or in part, as he sees fit, within the jurisdiction of the Bureau. Your committee thought it wise to continue this great latitude of authority during the fiscal year 1946 because of the exigencies of the war. However, a day is fast approaching when your committee thinks it wise to cease making lump-sum appropriations to the Bureau.

BUREAU OF AERONAUTICS

The Bureau of Aeronautics is a big bureau, and an important one. Its functions are indispensable to the war effort. The Bureau's program for 1946 calls for, first, the purchase of 19,140 new planes and spare parts at a cost of $2,799,128,500; second, replacement of navigational and radio equipment and to aerological and photographic equipment, the sum of $177,658,200; third, maintenance, repair, and operation of air stations, air fleets and aviation activities to the tune of $1,514,238,800, and fourth for experimental activities the sum of $81,000. Eighty-two million dollars of the $1,514,238,800 request was denied.

These figures total $4,572,025,500, of which only $2,572,298,000 is appropriated herein. The cost of the 19,140 planes is $2,799,128,500, but only $799,128,500 is appropriated in the bill for part payment on their cost.

The bill provides $425,000,000 in contractual authority for 1946 program. In 1945 we appropriated $4,600,640,000, and in addition thereto gave contract authorization of $3,300,000,000, which amount was later reduced to $1,600,000,000. This actually made for 1945, cash and contract authorizations of $6,200,640,000, as compared to 1946 in cash and contract authorizations of $2,906,050,000.

Heretofore, the committee has been making a lump sum appropriation to the Bureau of Aeronautics. However, the committee thought it wise this year, in view of the large expenditures of the Bureau, to make direct appropriations to the four main functions of the Bureau, as above enumerated. This was done with the thought that the committee and Congress could keep a clearer view of what was going on in the Bureau.

To date the Navy Department has on hand approximately 37,200 usable planes. The attrition rate of some types of our planes is 10 percent per month, while the average rate of attrition is about 4 to 5 percent per month. Even as high as these figures are, the rate is not as great as had been expected. In this regard I cite to your attention the testimony of Rear Admiral DeWitt Ramsey, Chief of the Bureau, and of the Assistant Secretary for Air, A. L. Gates—see in dex of hearings.

It should be brought to the attention of the House that the funds appropriated for 1945 as set out above, call for the purchase of 24,240 new planes. Not one of those planes has been delivered to date; and none is scheduled to be delivered for another 6 months. It should also be pointed out that funds appropriated herein for 1946 call for the purchase, as stated before, of 19,140 planes. The first of these will not be delivered for at least 18 months, and the entire number will not be delivered for 2 years.

The Bureau has grown like a mushroom. There were 15 naval air stations in operation in 1941, and we have a total of 163 at the present time. The figure of 163 stations does not include our advance bases nor does it include those stations used exclusively for training of aviation cadets.

These shore facilities have been necessitated by an increase in the number of aircraft. It has cost a world of money to build our aviation shore establishments. Under the appropriation for public works, $69,570,000 was appropriated for aviation shore facilities in 1940; $231,415,500 in 1941; $425,582,486 in 1942; $461,433,945 in 1943; and $151,055,417 for 1944. The projected amount for 1945 is $169,594,000 and $59,416,500 is requested for 1946. Roughly, approximately $1,538,067,348 will have been spent on the erection of our aviation shore facilities in the last 7 years. In addition to that amount, millions of dollars have been spent for the maintenance of the air stations.

For instance, $195,000,000 is requested for this purpose for fiscal 1946; $173,272,000 was spent for this purpose in 1945. Maintenance includes upkeep of runways and adjacent areas, grounds, water-fronts, streets, roads, shops, quarters, and barracks, and not overhaul and upkeep of airplanes and fuel that is required to operate them.

Too much importance cannot be placed on naval aviation. It is our carriers and planes, along with our submarines, which are doing most of the damage to the Japs. However, I must point out the expensive nature of our naval aviation facilities. In the first place, planes are extremely costly. The construction costs of the shore facilities and their yearly maintenance is extremely high, not to mention the maintenance and repair and fueling of the planes themselves.

All of these figures clearly point out that the cost of naval aviation is very, very high. If we are to operate on a substantial basis after the war, some way must be found to greatly reduce that cost.

In this regard, I should like to make a comparison of the naval shipbuilding program to that of its aviation procurement program. The Navy is now closing up most of its shipbuilding facilities, and drastically reducing the number of ships to be built. But, the Bureau of Aeronautics is still keeping in operation its 163 shore facilities, although 1946 procurement of planes is about 5,000 less than in 1945. And, frankly, I cannot see any good reason why the Bureau should give to the manufacturers of airplanes a backlog of work for 18 months to 2 years.

MARINE CORPS

The Marine Corps sought for fiscal year 1946, the sum of $1,351,092,400. We granted all the amount requested. The Corps, for its entire activities, will spend for the fiscal year 1945, $1,178,210,000. The 1946 funds, as well as the 1945, will cover pay allowances for the military personnel, food, clothing, transportation, maintenance, and operation of its continental shore establishments, and operation of the headquarters in Washington.

There is an increase for 1946 over 1945 of approximately $173,000,000, which is accounted for by a general increase in operating costs due to the war. It can be truthfully stated that perhaps there is no unit or branch of our fighting service that is quite as economical as the Marine Corps. About 50 percent of its increase in 1946 over 1945 is due to an increase in longevity pay; that is, for those who have over 3 years in service; mustering-out pay; dependency allowance, which means that a good many of the boys are marrying and children are being born; and travel allowance on discharge. Approximately $65,424,768 of the increase is accounted for in the form of dependency allowances.

The strength of the Corps for 1946 will be maintained at about the same level for 1945; namely, 35,228 commissioned officers, 3,412 commissioned warrant and warrant officers, 3,500 officer candidates, and 435,860 enlisted personnel. These figures include 1,000 women marine officers and 18,000 women enlisted personnel.

COAST GUARD

The Coast Guard sought $484,408,800 for the fiscal year 1946. The sum of $468,007,707 was granted in 1946. The sum of $438,406,231 was appropriated in 1945. The Coast Guard has performed an outstanding service during the war effort. Its functions and duties are many. To them must go a large share of credit for keeping our ships moving safely in and out of ports of continental United States. Its Port Security Force, which is composed of volunteers, has to its credit one of the finest records of

efficient, unselfish service in the war effort. Its Marine Inspection Service is excellent, and its aids to navigation generally have been invaluable.

In addition to those services, the Coast Guard has really gone to sea, and literally thousands of its personnel have been manning ships during invasion operations. For the complete picture of the fighting work and functions of the Coast Guard, I refer you to the testimony of Rear Admiral L. T. Chalker, Assistant Commandant.

Military personnel: The total commissioned officer strength of the Coast Guard, male and female for 1946, will be 1,791, which was the same figure for 1945. The enlisted personnel for 1946 will be 173,165, which will be approximately the same as for 1945.

The funds appropriated for the Coast Guard cover pay of its military personnel and its civilian personnel in the District of Columbia and elsewhere. It also includes expenses incident to its general operation, including such items as repairs to its facilities, replacement of its vessels, and the usual contingent expenses incident to operation.

Civilian personnel: The total civilian personnel of the Coast Guard for 1945 is 3,872. For 1946, the figure is 3,697, which includes all civilian personnel in the headquarters in Washington, as well as in the field.

EXECUTIVE OFFICE OF THE SECRETARY

For a long time the committee has been of the opinion that the Navy Department in the District of Columbia has been overstaffed. That thought is shared by practically the entire membership of the House. There is entirely too much deadwood in the higher-paid brackets of civilian personnel. Some of these employees have received several salary increases during the emergency, in addition to their overtime pay. Surely, these increases were far in excess of anything contemplated by the Little Steel formula for private industry. During the hearings one of the employees who had had several salary increases, plus overtime pay, advised the committee that these increases were thrust upon him. I presume he was drafted.

The vast majority of Navy Department employees, like other Government workers, receive a base pay of $1,440 and $1,620. But, it is not these people who are given the increases. It is the supervisors, and those higher up in the personnel division.

I note with much interest that a few months ago, the librarians in 155 shore stations serving our fighting men, were reclassified and upgraded at a cost of about $74,000. One half of total—178—were reclassified, and given increases in salary ranging from $300 to $600 per year. By what authority did the highly paid employees of the Navy civilian personnel division arrange this blanket increase; and by what authority did the Civil Service Commission permit it? The granting of the blanket upgrading by Civil Service Commission is farcical. Why did not the Commission and the Navy Department grant an increase to the $1,440 clerk and the $1,620 stenographer? They need it, too.

During 1940 and 1941, the Navy Department spent with a Booz & Co., $220,000 for reorganization. Certainly, none of that money has brought any helpful results in the handling of the Navy's personnel problem in the District of Columbia. On November 30, 1940, the Navy Department in the District of Columbia, had about 5,700 employees. As of March 1, 1945, it had about 17,470 and requested about 1,000 more. They also had 33,000 officers and enlisted personnel, men and women, in the Navy, Marine Corps, and the Coast Guard stationed in the District of Columbia. The committee is recommending a ceiling of 17,000 on the Department's civilian personnel. We think that is ample.

We strongly urge Secretary Forrestal and Under Secretary Bard to give a little more of their personal attention to the Navy's civilian personnel problem in the District. The committee realizes both of them have their hands full with a multitude of other important matters, but here is one that greatly needs some of their attention. It might be helpful to them if they were to weed out a number of the top bracket, inefficient personnel who are deeply concerned in building up a heavy personnel load, in order to increase their own ratings and salaries.

PACIFIC NAVAL BASES

After several weeks of hearings, in which we had the pleasure of listening to Secretary of the Navy Forrestal and his able assistants Fleet Admiral Ernest J. King, commander in chief, United States Fleet, and Admiral F. J. Horne, vice chief of naval operations, and most of the bureau chiefs of the Navy, the committee has come to the conclusion that one of the most important problems confronting this country is what disposition is to be made of the Pacific bases which we have captured from the Japs—and those we intend to capture in a few months. As far as I am concerned, there is only one answer. That answer is for the United States to take all of these bases from the Japanese which are needed for our national defense. Our possession of them should be undivided. The price we have paid in American lives to take them from the Japs has been too great ever to risk again their falling into Japanese hands. Without these bases under our firm and complete domination, this Nation will be in jeopardy. Surely our allies will not want a part in the domination and possession of these bases, because they are not close to their home lands. It is the United States, and the United States alone which will be threatened by them.

It is generally thought that our State Department desires to place these island bases under some joint arrangement with someone else. It is said that the State Department is against annexation by the United States of these places. Call it annexation, or whatever term you desire, but by all means this country should have sole jurisdiction over them. Most of the islands have very little commercial use. Life is scarce and difficult. Their use is primarily military. That being true, I hope the State Department will cooperate with, and adopt the Navy's point of view. If it doesn't, I am afraid that in no uncertain terms it will hear from the American people who have bought and paid for the islands in the blood of their sons.

In conclusion, Mr. Chairman, I should like to pay tribute to the administrative officers of the Navy Department. They, too, are doing a grand job, just as are our fine and immortal fighting leaders.

No one has done a finer job than my distinguished friend, Vice Admiral S. M. Robinson, Chief of the Office of Procurement and Material. He is an outstanding engineer, a top-flight business executive, and one of the finest handlers of men I have ever known. He deserves another stripe.

The Bureau chiefs generally have done a remarkable job, and to them and their very capable staffs go much credit for the success that our fleet has made. They have furnished the tools.

Vice Admiral Ross McIntire, Chief of the Bureau of Medicine and Surgery, will undoubtedly go down in history as the greatest Chief of the Bureau.

Vice Admiral Edward Cochrane, Chief of the Bureau of Ships, and his exceptionally capable assistant, Rear Admiral Earl W. Mills, have also done an outstanding job in building a five-ocean navy. The entire Nation is grateful to them.

The Navy has not produced any finer man than Rear Admiral DeWitt C. Ramsey, Chief of the Bureau of Aeronautics. He has already served 18 months in the Pacific, and I understand he is about to have a return engagement with the Japs. He deserves a promotion.

The Navy Department and the Nation are blessed with Fleet Admiral King and Vice Admiral Horne. They are an excellent pair, in whom the American people have placed their trust, with no regret, but with a growing sense of pride.

When Gen. Alexander Vandegrift, Commandant of the Marine Corps, enters the committee room, the committee feels like standing in admiration. To him and his brave marines the Nation owes an everlasting debt of gratitude. His organization is small in numbers, but it is big in spirit, in efficiency, and in accomplishments.

No one will seriously doubt that one of the outstanding construction engineers in the United States today is Vice Admiral Ben Moreell, Chief of the Bureau of Yards and Docks. The country is indebted to him and staff and his Seabees for their work, not only in continental United States but in the far reaches of the Pacific.

The new Chief of the Bureau of Supplies and Accounts, Rear Admiral W. J. Carter, is a fine, aggressive, intelligent man, and we can expect much of him.

The fighting personnel of the Navy has been blessed with having as its Chief of the Bureau of Personnel, during these trying years, Vice Admiral Randall Jacobs. On his strong shoulders fell the task of taking more than 3,000,000 young Americans from the stores, the farms, and shops, and training them to be aviators, sailors, and every conceivable type of technician. He is today the greatest school teacher in the world, and he has done a magnificent job.

Vice Admiral R. R. Waesche and his Coast Guards have rendered a valiant service. Some 60,000 of his men are now at sea. The Coast Guard, like the Marine Corps, is a small organization, but it is an unusually capable and efficient one. The admiral is now ill, and we all wish him a speedy recovery.

Last, but by no means least, much credit is due the Secretary of the Navy, James Forrestal, and his accomplished colleagues, Under Secretary Ralph A. Bard, Assistant Secretaries A. L. Gates and H. S. Hensel, for the building of the greatest Navy ever to sail the high seas. Secretary Forrestal is my candidate for the all-time outstanding Secretary of the Navy. He is capable of filling any job.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. THOMAS of Texas. I yield if I have any time remaining.

Mr. BATES of Massachusetts. We are all happy to hear the compliment paid to Admiral Jacobs for the fine work he has done in building up the personnel of the Navy, but some of us who have followed that work very closely are very deeply concerned about his being forced to close the Sampson training station in Seneca, N. Y.

I have talked to Admiral Jacobs, and he still stands just as firmly opposed to the closing of that station as ever, for the reason he said that he cannot know with any degree of certainty what the needs of the Navy in the coming months may be; and, as he very properly said also, the closing down of that station and the diffusion of its personnel would make the possible reopening of it much more expensive than the saving that would be made by temporarily closing it down.

It seems to me that that question should be worked out with Admiral Jacobs, who, as the gentleman says, is doing such a magnificent job in training the personnel of the Navy. I know that he is very deeply concerned about it.

Mr. THOMAS of Texas. I know that the gentleman from Massachusetts has a high regard not only for the admiral but for the Navy. He has worked long and hard during this war for the Navy, and he has done a fine job, and I congratulate him. But if he will analyze the figures of Admiral Jacobs, he will find that we can close this station without hurting the training program one bit. As a matter of fact, the Navy will reach its full personnel strength in another 4 or 5 or 6 weeks.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. PLUMLEY. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, I am asking this time on the assumption that the Members of the House here present are intensely interested in the national security, not only from the standpoint of the Navy, but of the Army also, and other elements which will contribute to our security. I am not at all certain that the observations that I shall make here are entirely relevant to this bill, although they have to do with the military strength of this country, including the strength of the Navy.

My attention has been called recently to a movement on foot, and how extensive it is I do not know, to the effect that as a part of the new international organization, territories conquered by members of the United Nations, as victors, shall be trusteed, as it were, to the international organization which we are confident will emerge from the San Francisco Conference.

In my humble way I have tried to visualize what that would means, especially as it would affect, if put into practice, our standing in the Pacific. I assume that I am not far wrong in stating, without any disparagement to any other nation that is fighting alongside of us in this war, that the United States is the most trusted nation in the whole Far East area. China, and her neighbors, Burma, Indo-China, the Dutch East Indies, I am sure look upon us as a great power with no selfish motives. They realize perfectly well we are not in the war for territory or economic domination in any part of the world.

They realize, I am sure, that the battles we have fought thus far and the battles we are going to fight from now on are primarily for the purpose of establishing and maintaining peace in that great area of the earth.

Yes, indeed, Mr. Chairman, we are trusted as a nation perhaps beyond any other nation today in this respect. The suggestion that the islands, for example, that we have recovered from Japan—those islands over which, for example, she had a mandate under the old League of Nations—recovered with our blood and treasure, shall be trusted to an international organization I think should give us pause. Obviously, so far as we know, the potential aggressor in the far western Pacific is Japan. She has been the aggressor up to this point. She is now on the road to defeat but she may, as the years go on in the future, when you and I have passed off this stage, attempt to resume that performance. To prevent her doing it, in my humble judgment—and I speak as a layman—the United States must be strong in that part of the world; in fact, I think it will very well devolve upon us to be strong more than upon any other nation. To be strong in that part of the world we must occupy and hold strategic points.

It so happens, I suspect, that the holding of those strategic points would not bring upon us any great economic or political problems. Most of those strategic points are small islands, some times referred to as atolls. But their importance is enormous in the maintenance of a stable state of affairs in the Far East for years and, indeed, generations to come. Whether we like it or not, we will be responsible largely for the maintenance of that state of affairs. I believe it will be incumbent upon us to hold those strong points ourselves, and to make such use of them in the military sense and as hopping stones of communication and supply as to enable us to hold that great position in the Far East which all Asiatics want us to hold.

So I would regret the success of any move which would qualify the behavior and the performance of the United States with respect to those outposts. I would regret not merely as an American but as a person deeply interested in the maintenance of peace the world over that our management or occupation, if you please to call it such, of those outposts which are of such tremendous military value, should be made responsible to any international organization.

I confess I have been disturbed at the suggestion that we may be merely trustees in that particular region. I visualize Iwo Jima, Okinawa, Saipan, and many others probably as outposts which, if held by us, will assure peace to that part of the world and incidentally to ourselves.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Massachusetts.

Mr. BATES of Massachusetts. If held by us, at least in trusteeship, and not under mandate by the League of Nations, we might have been able to save ourselves this great loss of life and expense we are now going through in the East.

Mr. WADSWORTH. I am not captivated by the suggestion of a trusteeship. I think this is our responsibility and that we should carry it. I cannot conceive of any one of our friendly allies objecting to it. I cannot conceive, for example—and here I may make some rash suggestions—of the British having the slightest objection to our continuing to hold these outpost islands, the possession of which is so vitally important in restraining the aggressors of the future in that part of the world.

Mr. THOMAS of Texas. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Texas.

Mr. THOMAS of Texas. I congratulate the gentleman from New York on his statement. I have heard statements by men in the Navy and I think there is in the hearings a statement by Secretary Forrestal along the same line of thought advanced by the gentleman from New York. I understand that these islands are of no great economic worth to anyone. Their value is purely military.

Mr. WADSWORTH. I tried to indicate that.

Mr. THOMAS of Texas. Who would be affected most if they should fall into unfriendly hands again? Certainly it can be no one but the United States. I do hope that our fine and efficient State Department will adopt the Navy's point of view and put those islands under our 100 percent control, possession, and domination.

Mr. WADSWORTH. The gentleman and I seem to be in pretty complete agreement.

We may recollect, Mr. Chairman, that following World War No. 1 a system of mandates was established under the auspices of the League of Nations. Strange to say, and it is hard to recollect this thing without being astonished, Japan was an associate of ours in the last war. The Carolines and the Marshall Islands were German possessions prior to that war. Germany being defeated in that war, she lost those islands. What use they were to Germany I do not know, but the Germans probably at that time had military ambitions with respect to

them. In any event, the islands were turned over to Japan by the League of Nations with our consent under a mandate. One of the terms of the mandate was that they should not be fortified. Japan immediately or very shortly thereafter built a high board fence around each one of them—I use that expression figuratively—allowed no person to visit them, and we woke up at about the beginning of this war to find out that they had been fortified in violation of the pledge of Japan under the mandate.

I do not know how many lives or how much treasure we have expended in conquering the islands which Japan fortified illegally. I hope that nothing like that can be envisaged in the future. All the world knows, I am convinced, if the United States is given unrestricted control over those islands she can be trusted to behave decently and maintain the peace.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield.

Mrs. ROGERS of Massachusetts. Is it not true that both Admiral Leahy and Admiral King have made extremely strong statements regarding our taking control of the islands publicly?

Mr. WADSWORTH. I have not heard of Admiral Leahy's statement but I did read the other day an excellent statement by Admiral King.

Mrs. ROGERS of Massachusetts. I understand that Admiral Leahy made the same sort of statement.

Mr. WADSWORTH. That was brought out on the floor of the House of Representatives when the Navy appropriation bill was under consideration.

Mr. BATES of Massachusetts. May I quote from this newspaper clipping which I happen to have as to what Admiral King just said a week ago at a meeting of the New York Academy of Political Science on mandate government in which he said:

> How long can the United States afford to continue a cycle of fighting, building, and winning, and giving away, only to fight and build and win and give away again?

Those are the words of Admiral King in recent days.

Mr. SHEPPARD. Mr. Chairman, I yield myself 30 seconds to pay my compliments to the gentleman and statesman from New York [Mr. WADSWORTH] for the fine statement he has made before the Congress this afternoon. I accept it as a very splendid contribution.

Mr. PLUMLEY. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. I yield.

Mr. PLUMLEY. All the remarks which have emanated from the other side of the aisle are most justified. I just cannot sit here without saying "Amen" from our side.

Mr. SHEPPARD. Mr. Chairman, I yield 15 minutes to my colleague, the gentleman from Washington [Mr. COFFEE].

Mr. COFFEE. Mr. Chairman, at the outset I wish to add my feeble voice in support of the eloquent statements to which the able gentleman from New York [Mr. WADSWORTH] has just given such effective expression. Too long the United States has been willing to stand aside and permit some nations to repudiate the provisions of the League of Nations Covenant which they entered, particularly Japan's repudiation of the agreement which she solemnly signed whereby the islands of the Pacific which she acquired from Germany would not be fortified. I hope that Members of the House of Representatives and the Senate will agree with the gentleman from New York and follow through with our State Department to the end that we can carry into effective operation and practice the principles to which he has given his support this afternoon.

The Members of the House Subcommittee on Naval Appropriations of the full Committee on Appropriations worked during the recess diligently in connection with hearings on the naval appropriation bill for the fiscal year 1946. I do not think it would be amiss if I should, as one Member of the committee, pay my tribute to the work performed by my colleagues on the committee and also and especially to the very able Clerk of the committee, John Pugh. I realize that words of praise bestowed upon John Pugh would be a work of supererogation, as futile as to attempt to add new colors to the rainbow, because most of us recognize John Pugh as an authority on the Navy and naval operations and is a man of remarkable attainments and great energy and ability.

When we realize that John Pugh is not alone the clerk of the Naval Subcommittee on Appropriations, as well as the clerk of other subcommittees, but is executive secretary or chief clerk of the entire Appropriations Committee, we can realize then only too well the tremendous scope of his work, and the fine caliber of his assistance to the Members of the House of Representatives.

The chairman of the Subcommittee on Naval Appropriations, HARRY R. SHEPPARD, from San Bernardino, Calif., has done, as usual, a splendid job in guiding the hearings of the subcommittee; has worked very hard and very assiduously and very patiently; has exhibited an attitude of cooperative help with the distinguished admirals and bureau heads of the Navy, and at the same time has labored to the end that the interests of the taxpayers of the United States should at all times be safeguarded and protected.

The ranking majority member of the committee, Mr. THOMAS, of Houston, Tex., showed by his interrogation of the witnesses and the very intelligent comments he made during the course of the hearings that he was conversant with every branch of the Navy operations and thoroughly comprehended the recondite problems with which the Navy officials were confronted.

Another member of the committee, Mr. JAMIE L. WHITTEN, of Mississippi, a very brilliant young lawyer, who is a great credit to the South in general and to the State of Mississippi in particular, by the character of his interrogations and comments made during the course of the hearings, has demonstrated to his colleagues and to the country his thorough sympathy with and understanding of the Navy and its problems.

On the minority side we had the distinguished lawyer from Terre Haute, Ind., NOBLE J. JOHNSON, a Member of Congress from that State, who likewise, exhibited limitless knowledge of the Navy operations and a keen, sympathetic understanding of the Navy and its problems.

We also had on the minority side the eminent scholar from the State of Vermont, former president of one of its universities, CHARLEY PLUMLEY, an international and constitutional lawyer of record, associate general counsel for the Firestone Tire and Rubber Co. of Akron, Ohio, associate of the late Wendell Willkie, who by his constant attention to the work of the Navy and his keen and perceptive grasp of it has certainly earned the gratitude of the people of his State who have the intelligence to send him here, and the good feeling and warm friendship of his colleagues in the House of Representatives.

Another distinguished member on the minority side of the committee, Hon. WALTER C. PLOESER, a businessman of success and attainment, coming from the city of St. Louis, Mo., who by his interrogations and exhaustive comments and observations during the course of the committee deliberations, was of great help to his colleagues on the committee and to those who read the hearings will furnish real, constructive information which will be of help to all of us in determining our attitude upon the bill.

Too often the work of the committees in this House and of the individual members of the committees is overlooked by their colleagues and by the country. Hence I think it is only proper that we pause for a moment now and then in the discussion of these bills to offer a deserved brief word of tribute, in expression of our appreciation of the work which they perform for the benefit of their colleagues and for the country at large.

I will not attempt, in the brief time allotted to me, to discuss the details of the Navy appropriation bill. I was tremendously impressed this time, as in previous years, by the high caliber and splendid patriotism of the bureau heads of the Navy, such men as Admiral Ben Moreell of the Bureau of Yards and Docks, Admiral Ramsey, in charge of the Bureau of Aeronautics, and others whose names are found in the index of the hearings, all of whom exhibited real knowledge of their subjects, were intensely concerned as to the future of the division over which they had charge, and revealed a keen and sympathetic understanding of the scope of the Navy, and particularly of their own division, and were, as they should be, jealous of the prerogatives of their own division and eager for its proper protection.

Something has been said by other speakers relative to the berthing facilities which have been proposed by the Navy as a means by which those ships which the Navy will have to decommission after the war is over may be retained and held available for use in the event of further contingencies or international complications.

All of us remember that at the conclusion of the last war, carried away as we were by the enthusiasm of all the people of the country for peace and the hope that disarmament would bring about an era of good feeling throughout the world, the Washington Naval Conference of 1921 and 1922, as a result of which some of our finest capital ships were disposed of. We, on the Naval Appropriations Subcommittee, are hopeful that after this war is over the American people will not be so foolish as to be misled into following a similar course. While all of us hope that the mirage of world disarmament may at some time be attained, in the meanwhile we want to keep our powder dry and our guns well oiled, because we recognize we are living in a finite world where people are subject to emotional outbursts and where nations may readily be induced into entering into other wars, unless a world organization of such caliber is created out of the San Francisco and subsequent conferences as will insure to the people of the world some guaranty against the recurrence of war. In the meantime we can keep our guns oiled and powder dry by providing appropriate mooring places for the ships that will not be used in our peacetime economy but which will be potentially useful in case of international conflagration, for such ships can readily be reconverted into active commissioned use. So our committee made an appropriation of $20,000,000, together with $7,000,000 which is already available as a start on that program, and we are hopeful that the Congress will agree with the Navy and with us to the end that we can take advantage of our now having the largest Navy in all the world, and that the ships which will not be economically useful in peacetime, and which it would probably bankrupt us to continue in full commission, may be still available to us, to be subject to our disposition and active and effective use in the event—which God forbid—that another war should engulf us in the reasonably near future.

Some of the men who are active in the Navy, these bureau heads, are too often overlooked. The men who are in the combat branches of our armed services, the uniformed branches of our armed services, very often receive, and they should receive, the recognition of all of us as a grateful reward for their heroism in combat. But in every war there are men whose functions are of equal and perhaps in some cases greater importance, that is, the men who necessarily have to remain here at home and direct the operations of a vast and ramified establishment such as our Navy. Among these may be listed the several bureau heads of the Navy Department. They too often have their work unheralded and unsung and forgotten; but those who are working in the Navy and those who are constantly, day in and day out, in touch with its far-flung operations will recognize that without the genius, the careful planning and designing of these efficient gentlemen in the Navy Department here and in the various home bases far from the battle fronts, the effective and efficient operation of the Navy would not be possible.

The committee had to consider more than 800 projects that were being projected alone for the coming fiscal year within the continental United States. We tried in the best way we could to examine various witnesses as to the scope of these projected domestic improvements, new undertakings, plant betterments, and extensions. To the best of our ability, we allowed the various amounts set forth in the bill. We did economize to the fullest extent possible. Every member of our committee was fully aware that the enormous expense which is unavoidably concomitant with war would, if allowed to run on year after year indefinitely, bankrupt this, the richest nation on earth. We were intent at all times to be certain that no more money should be allowed in this bill than could reasonably be justified. We tried our utmost to examine the witnesses and look behind the testimony to ascertain if there were any loopholes or any possible waste or extravagance, or if we were giving carte blanche authority to some subordinate official to extend his plan, operation, or the site of his navy yard to an extent that would not be justified by the character of the war at the present time.

We were concerned about the expense of chapels. We recognized that there should be ample opportunity afforded to the enlisted personnel of the Navy and officers to worship according to their individual religious affiliations, but, at the same time, we wanted to be sure that the chapels provided were not extravagant or too ornate in character.

In the course of the hearings we found that under the Navy operations we are providing the men and the officers of the Navy with the finest form of entertainment obtainable; with all of the motion-picture productions, which are made immediately available to the Navy; up-to-the-minute motion-picture talkies, which are provided for men in the Navy and in ships at sea. They are provided in even the smallest vessels and there the men are afforded an opportunity to see the program. Sometimes the pictures are not as fresh as the boys in the service would like to have them, and not as new, because the ships necessarily are not immediately able to get the latest films, due to the nature of their operations; but to the extent that the Navy can do so, they have been able at all times to provide the very best form of entertainment, even to providing fishing tackle, so that the men on patrols a long distance away from their bases would be able during leisure, and when the ship's operations permit it, to find such recreational opportunities as would be possible.

In the library provision of the Navy we have provided ample funds for the purchase of new books, fiction and nonfiction, to supplement those books donated by patriotic citizens all over the United States. We were very favorably impressed by the operation of the library division of the Navy and by the intelligence which was displayed by the chief librarian and her assistants in connection with the handling of the library in the Navy.

The Bureau of Aeronautics, which is headed by a very distinguished and efficient man, able and capable, created a very favorable impression. We were impressed by the testimony of the versatile head of the division, Admiral Ramsey, and his able subordinates in their desire to secure the very latest developments.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. SHEPPARD. Mr. Chairman, I yield 20 minutes to the gentleman from Mississippi [Mr. WHITTEN].

Mr. WHITTEN. Mr. Chairman, in the consideration of this bill which we have before us today, as is usual in these war supply bills, we cannot help but realize that we are dealing with money in figures impossible to comprehend. This bill, however, is a reduction from the amount of money available for the Navy for this year in the amount of $6,000,000,000. This bill provides for the sum of $24,000,000,000, to support the Naval Establishment during the next fiscal year, an amount certainly beyond the comprehension of any of us here, or anywhere else. But if we realize the size of our Naval Establishment, and the tremendous war which it is waging we can appreciate that it takes much money. Perhaps the statement of Admiral Horne should be called to your attention, in respect to the size of the establishment which we must support.

He said:

> On December 31, 1944, there were 3,870,039 officers and men in the United States Navy. That is about the number of people there are living in Switzerland today, and 31 times as many as were in the Navy 6 years ago. On the same day there were on the Navy list, excluding district craft and including landing craft of all types, 37,184 ships. That is about twice as many ships, of 100 gross tons and over, as there were in the combined merchant fleets of every country of the world in 1939, and 95 times as many as were in the Navy 6 years ago. To support this great Naval Establishment the Navy moved an average, on each day of last year, 100,000 tons of freight of all kinds. That is the equivalent, each day, of 16 Liberty ships. It has been estimated that one-quarter of the national industrial productive capacity is now being devoted to the support of the Navy.

Thus will appear the problem which this committee had to face in trying to arrive at how much money was necessary to support our Navy. What sometimes we overlook is the fact that naval supplies must be provided sometimes years before they can be utilized or expended as in the case of munitions. The logistic problems as explained to us by those who understand such terms, of having these various materials manufactured, many of them requiring years to complete, others requiring only a few moments, to plan those operations many months in advance so that these various items will flow and reach the point where they are needed at the proper time so as to be used in battle, naturally require the outlay of many, many millions of dollars.

When this war is over, as I have said before, we are going to wonder how in the world we could have felt it necessary to appropriate the moneys which we have appropriated here, because at that time much of this money will be invested

in materials which are then surplus. However, as we fight this war, as someone has expressed it, we cannot afford to shoot the last bullet to win the war. Because there is no way to tell when the war will come to an end. We must keep a steady stream of vast quantities of materials of all kinds. We must keep these supply lines full so that each day the Navy will be able to carry on their fight as they have done in the last few months. A grateful Nation can do no less in support of the brave men who risked their all to win the great battles of which we read.

We cannot handle this matter without the greatest feeling of appreciation for the men in the service and the men in the Department here who have had the vision and the ability and the courage to plan our victories. We cannot do it without paying great tribute and showing our deepest gratitude to those who are fighting throughout the world. Yet this committee and the Congress have a twofold purpose. War is wasteful. That cannot be denied or helped. We can and we must, however, keep the expenditures as low as possible, consistent with proper support of our men and their safety. After all, these men are fighting to protect the United States of America, and certainly they will return to a nation owing more than $300,000,000,000. We must keep an eye on expenditures and keep them as low as we can. In certain cases it is our duty, and we try to exercise and carry out and discharge that duty, to go into these requests and see if it is necessary to spend funds requested by the Department.

The committee went most thoroughly into the application and the justification for expenditures for expansion of facilities in the continental United States. We felt that in this regard the request could be cut to a considerable extent, believing that in no way would it fail to meet the requirements of the men in the field. The Navy will reach its maximum strength as to personnel within a few weeks. We felt that further expansion here in plant facilities could be kept at a minimum.

Another thing which we looked into in this committee and which I am glad to see is bringing about some results: During the hearings last year it became evident there was not proper liaison or coordination between the Army and Navy in the use of facilities. At that time the Army was vacating many continental facilities at a time when the Navy was asking for funds to build new facilities. We went into the matter rather thoroughly and had representatives of the War Department and the Navy Department to appear before us. It became apparent that the War Department was releasing certain facilities but were leaving them in a stand-by position and were replying to the Navy that they had not abandoned those facilities, meaning by that, of course, that they were holding on to them. As a result of our inquiry, the Army changed its policy of surrender and release procedures on these facilities and advised the Navy of the facilities which they had which the Navy could probably use. A committee was set up between the Army and Navy which has had continuous meetings since that time. I am glad to report to the Congress and to the country apparently now there is this coordination which was so sadly lacking up to March, one year ago. Admiral Moreell testified the Army had surrendered during the last year to the Navy 137 facilities at a net saving in Navy expenditures of $250,000,000. Now, the Navy is submitting to the Army its projected plan for the future so that the Army can look it over and tell whether they have facilities which will probably answer Navy needs. Then the Army is submitting to the Navy its projected plan so that the Navy can pass on whether the Army will have certain facilities which perhaps will meet their needs and eliminate the necessity of further expansion of our facilities.

Insofar as advance bases were concerned, the committee felt that we were in no position to pass upon the justifications made to us by those who must win the war. The needs were amply justified, the requirements clearly shown. The benefits were beyond question. We must have these bases to win the war. We have obtained them throughout the Pacific at untold cost in human life, in property loss, and in expense. If we only had held onto these islands after the last war, not as stepping stones for aggression but as a basis for our own security, we might not have had a war. Certainly there would have been a great saving to this Nation in dollars, in time, and above all else in human life.

In the southwestern Pacific we have built and are building the greatest naval bases imaginable costing this Nation billions of dollars. This is necessary; yet we have spent much of that money at a time when our allies and others who had control of those islands and those territories would have been willing to give us most any kind of an agreement to get us to come in and wage their war along with our own, but as has been testified to us, in most cases we did not ask for any such agreements on the part of our allies or our associates or upon the part of the countries having charge of those islands and those territories.

As we study the history of the United States we find that in most wars we have been in the middle of the war before we tried to get ourselves into position to best wage the war. We have always held ourselves out as a Nation that had no self-interest outside of the Continental United States. It was beneath us to want to jockey ourselves into better positions. We were not an aggressive Nation when it came to taking other territory. We did not want to profit from war. It was said that we could not afford to profit from the lifeblood of our boys. We did not want anyone to say that we gained benefits and advantages. But I say, as has been expressed by many others, the day has come that this Nation should give some attention—not, perhaps, to economic reward and not, perhaps, to territorial reward so far as owning and controlling territory is concerned, for that alone—but we certainly have reached the time when we need to get certain benefits out of the war we are waging today, and that is a position of security. We owe this to the boys who have given their lives for the safety of our Nation, and we owe it to the next generation.

It was testified to us by many members of the Navy Establishment, who in most cases talked off the record, that they recognize the fact that this Nation certainly should hold unto itself this splendid position we have obtained at such a high cost in human life and in expenditures, money which will have to be repaid by the very men in the service to a large extent, and that certainly this time, at least, we should forego our old claim to getting no profit and no benefit out of war, to the extent of holding onto these advanced bases.

This committee has appropriated approximately $1,000,000,000 to further advance our cause and to create additional foreign bases that are needed to win the present conflict and that will be greatly needed in the future. Unfortunately, this committee and the Congress do not have control of our foreign relations in that regard, but those who draw up the terms of the peace and those who do have to do with determining our policy should certainly advise with the Navy and learn the cost at which we have gotten control of these territories, and, before any agreement is reached wherein we will surrender the rights we now have by having actual possession and tremendous investments. In fact, we cannot afford to release many of these bases. They serve us to win the war. They should serve us to maintain the peace.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that this discussion on the floor will be extremely helpful to our delegates in San Francisco? It seems to me it places them in a very strong position if they can say that the Congress desires that we control these islands.

Mr. WHITTEN. I do. I wonder, too, if perhaps our agreements in the past have not been brought about not so much by the insistence on the part of those with whom we have dealt that we surrender these mandated islands as in the last war but by our own desire to be held out as a country that wants no particular reward for having fought a war. I think this discussion will carry much weight and be of benefit not altogether in insisting on acquiescence on the part of our allies but in keeping our own delegates from feeling that the people do not want at least to get security of position out of this war.

Mrs. ROGERS of Massachusetts. I think the gentleman is correct. Sometimes we seem to want to give away everything we have without thinking over the harm that might result not only to ourselves but to other nations.

Mr. WHITTEN. That is our turn of mind, as evidenced by our history. Certainly there is no economic benefit from these islands and most of the territories we have been discussing. In the past we felt that as long as we were secure in the continental United States we were

secure, but from the standpoint of future security I think we all agree today that to be secure in this world we must be secure throughout the world. Certainly strong naval bases in the South Pacific, which we now have and will continue to have until the war is over, will tend more to give us security in the future, and security in peace and not necessarily in war.

Mrs. ROGERS of Massachusetts. Before Pearl Harbor I felt that there were certain bases that we should have in the South Pacific, and stated so.

Mr. WHITTEN. The gentlewoman has always taken that position here.

I might say that her attitude and the attitude of other Members of Congress should be considered when, after all, we represent the interest of the people and in many cases reflect the opinion of the people we represent.

With further reference to our future and the future peace which we know must come and look forward to after this war is over, this committee has put its stamp of approval upon the laying up or berthing of our ships. We have the greatest Navy in the history of the world. We have a Navy that is greater than the entire navies of all the rest of the world. We have built that Navy at great financial cost and at the cost of great dislocations in our economy in other respects. It was testified before our committee that you can lay up one of these ships at one-tenth of 1 percent of the cost of building it. In other words, you can take care of that ship for 1 year for less than one-tenth of 1 percent of the cost of construction of the ship. That being true, certainly it would devolve upon this committee to express for itself, and when this bill is passed, to express for the Congress the belief in the need of keeping this present Navy to preserve the peace in future years. We did not appropriate the full amount of money the Navy said they could use in the future. As we had to do on other matters, we investigated and found for the next year or so $20,000,000, in our opinion, would answer the needs that the Navy will have.

But I want it clearly understood by such limitation on the amount of funds the committee has no intention to restrict or limit the Department of the Navy in saving the ships and the Navy which it now has. We want to say to the country without any equivocation and to our delegates who will go to this convention, that it is the attitude of this committee when that money is needed it will be available because if the laying up and saving of these ships can be done on less than one-tenth of 1 percent of what the cost of building the ship is, certainly it is the part of foolishness to junk our Navy as was done in years past. These ships will not be kept because we want war. But the fact that we have them, in my humble opinion, will at least insure us there is slight danger of us having war.

I do not have the exact figures, but with further reference to the advance bases we now have in the southwest Pacific, there is no comparison between the cost of maintenance of any one of those bases as compared with the tremendous cost of building that base in times such as these when our shipping is overtaxed and materials higher than ever before. The cost of emergency construction is always high, not to mention the great loss in human lives which we have suffered in our effort to take back in many instances that which we could have had, had we had a little more foresight about 25 years ago.

This committee cannot write the ticket for the State Department or the country, but we can show how we feel, as Representatives of the Congress and of our districts, in giving full assurance to the Navy that we expect to back it to the limit and that we believe the Navy's idea of keeping and fighting to hold our advanced bases in the Pacific, which we have won at such great cost in human life and in American money, should be held so as to secure for us the peace that all of us anxiously look forward to in the future.

Mr. BATES of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. WHITTEN. I yield.

Mr. BATES of Massachusetts. With reference to those mandated islands that were given to Japan after World War No. 1, in the establishment of bases, airfields, and fortifications, from which came the attack on the United States, if a little more consideration had been given by members of the League of Nations to the security of this country, we would have held at least some part in the determination of how those islands would have been carried on after World War No. 1; but because we were not even considered, apparently they were used as bases of attack, opening World War No. 2 on us on December 7.

Mr. WHITTEN. The gentleman is absolutely correct. Yet in many respects we have shown little foresight in the early stages of this war. We went into the southwest Pacific and took our fleet and our money and our men at great cost in human life, waging our own war to be sure but we also saved certain of our allies who at that time were willing to make most any concession to us in order for us to build these facilities in their territory. For instance we did that without any agreement on the part of Australia, at a time when she was willing to go along with us and would have made any reasonable agreement for us to remain in certain of her territory for her own protection and for our protection. But from the public press, now that the danger is over, our ally, Australia, is taking a different attitude with regard to certain of our advance bases. You cannot criticize her, perhaps, but many of the things we have done in the southwest Pacific we have done without proper realization of what we will need for future years. Certainly it is a fact that we should bring this lack of foresight to the surface today so that the next time we enter into an agreement, the next island we go on, we will have sufficient foresight to see to it that some agreement is made whereby we can reap benefits in future years, not for the purposes of aggression, but for the purpose of maintaining peace and keeping other nations from attacking us, as occurred in the present war.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. PLUMLEY. Mr. Chairman, I yield 15 minutes to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD of Montana. Mr. Chairman, it was with a great deal of interest that I listened to the distinguished gentleman from New York [Mr. WADSWORTH] talk about America's position as far as the Japanese mandated islands are concerned.

Mr. Chairman, our attention has been riveted to the Japanese mandate of the Caroline, Marshall, and Mariana Islands by recent events in the Pacific. From Tarawa in the Gilberts to Iwo Jima in the Volcanoes and Okinawa in the Ryukyus, the American forces have paved a road to Tokyo across the Japanese mandate. Many American lives have been sacrificed in the conquest of a number of the mandated islands such as Kwajalein, Peleliu, and Saipan. The use of the Carolines, Marshalls, and Marianas by the Japanese in the present conflict will raise the question of the sovereignty of the islands after the war.

The importance of the Japanese mandate is chiefly strategic. The islands extend about 1,300 miles from north to south and about 2,700 miles from east to west. They form a screen of stationary aircraft carriers lying between the Hawaiian Islands and the Philippines. The Japanese mandate was important not only in the defense of the mainland of Nippon but also in the offensive strategy of Tokyo.

The islands gave the homeland of Japan defense in depth in the vast space of the Pacific. The acquisition of the mandate was an important step in the Japanese policy of keeping a hypothetical enemy in the Pacific away from the shores of Nippon. At the high tide of Japanese aggression in the summer of 1942 the homeland was screened by islands extending from the Aleutians in the North Pacific to the Gilberts in the South Pacific and west to the Andaman and Nicobar Islands in the Indian Ocean.

In the present war the Japanese used the Carolines, Marshalls, and Marianas as bases of operations from which to attack the possessions of the United States in the Pacific Ocean. The islands blocked the natural line of communications between Honolulu and Manila. The success of the attack on Pearl Harbor, the Japanese capture of Wake and Guam, and the fall of the Philippines were all facilitated by the Nipponese occupation of the mandated islands.

The total land area of the Carolines, Marshalls, and Marianas is about 840 square miles, less than the smallest of the United Nations, Luxembourg, or less than the smallest State in the Union, Rhode Island. There are 623 islands and small island groups. Americans who have fought in the Carolines, Marshalls, and Marianas know well the terrain of the area. The Marshalls are low-lying coral islands, while the Marianas of volcanic origin have elevations from 1,000 to 3,000 feet. Many of the mandated islands are atolls with small coral islets surrounded by circular reefs. The island group of Truk in the Carolines has 7 high and over 60 low islands all

surrounded by a coral reef forming a lagoon of 30 miles in diameter. Some of the mandated islands afford fleet anchorages, landing fields for airplanes, and suitable harbors for seaplanes, submarines, and light surface naval craft. The hot, humid climate of the islands is familiar to Americans now stationed in the area.

The economic value of the Japanese mandate is not very significant. The chief industries are growing sugarcane and coconuts, manufacturing copra and sugar, and mining phosphate on Angaur. The Japanese have claimed the discovery of bauxite and manganese on some of the islands. For instance, the Tokyo radio announced the discovery of manganese on the American island of Guam while it was under Japanese occupation.

The population of the mandate in 1920, the year of the first Japanese census, was over 52,000, of which only about 3,600 were Japanese. By 1938 the population of the islands had increased to around 150,000, while the Japanese outnumbered the natives by about 2 to 1. The majority of the natives are Kanakas who are Micronesians, while only about 4,000 of the natives are Chamorros, who resemble somewhat the Filipinos in physical appearance.

American missionary work in the islands was formerly very important. As early as 1852 the missionary society of the Congregational Church, with headquarters in Boston, established missions in Kusaie and Ponape in the eastern Carolines, and 5 years later in the Marshalls. By the outbreak of the First World War, American missionaries were busy in 14 islands. After several years of Japanese occupation, the American Board of Commissioners for Foreign Missions in 1932 reluctantly decided to close the Micronesian Mission.

In the last 60 years the flags of four countries—Spain, Germany, Japan, and the United States—have waved either over all or some of the Carolines, Marshalls, and Marianas. The Spanish at an early date acquired title to the Marianas and Carolines, and the Germans took possession of the Marshalls in 1885. The United States protested vigorously when the Germans seized the Marshalls and when the Spanish reasserted their old claim to the Carolines, but the American Government made no real effort to take the islands or to keep their independence.

During the negotiations at Paris in 1898, following the conclusion of the fighting in the Spanish-American War, the American delegates offered Spain an additional million dollars for the Island of Kusaie along with telegraph and cable rights in certain other Spanish areas. However, the Spanish Commission refused the offer. The only island which the American delegates acquired from Spain in the Carolines and Marianas was Guam, which is located somewhat near the geographical center of the later Japanese mandate. In 1899 Spain sold for a little over $4,000,000 the other Marianas and all of the Carolines to Germany.

Shortly after the outbreak of the First World War in 1914, Japan, using the Anglo-Japanese Alliance as an excuse, declared war on Germany and seized the German islands in the Pacific north of the equator. The Kaiser had neither troops nor fortifications on any of the islands. At the time of the Japanese occupation of Jaluit in 1914 the American naval attaché in Tokyo was informed by the Minister of Marine's private secretary that "if there was any occupation it was temporary and for military purposes only." Later in the war, Viscount Ishii, of Japan, told Sir Edward Grey, foreign secretary of Great Britain, that "no government in Japan could stand if they did not retain some of the South Sea islands as souvenirs of the war."

At the Paris Peace Conference in 1919 the Japanese contended for the outright annexation of the Carolines, Marshalls, and Marianas. Not only were the Nipponese in military occupation of the islands, but also they had secured promises from Great Britain, France, and Italy to support the Japanese claim to the German islands north of the equator in the Pacific Ocean. Although President Woodrow Wilson did not attempt to obtain the islands for his country, he opposed their possible use by the Japanese as naval bases. A specific controversy arose concerning the status of the island of Yap in the Carolines.

The Paris Peace Conference finally decided to constitute the German islands in the Pacific north of the Equator as a C mandate to be governed by Japan "as an integral portion of the Emipre of Japan." However, Tokyo was obligated to submit an annual report on the mandate to the Council of the League of Nations, to promote the welfare of the natives of the islands, and not to establish any military or naval bases or to erect any fortifications in the territory. Although the American Senate did not ratify the Treaty of Versailles, ending the war with Germany, the United States signed a convention with Japan on February 11, 1922, in which the American Government consented to the Japanese administration of the islands under the terms of the mandate charter and under the provisions of the American-Japanese convention.

In the same convention the controversy over the status of Yap was settled. Yap was an important cable center in the Pacific with cables running to Guam, to Shanghai, and to Menado in the Dutch East Indies. Both President Wilson and Secretary of State Lansing wanted to place Yap under a special regime in order that American cable interests might utilize the island. Although both men in the discussions on the mandates made reservations to the effect that Yap should not be included in the Japanese mandate, the Council of the Principal Powers on May 7, 1919, allocated the German islands north of the Equator to Japan. In the American-Japanese convention of 1922 the United States recognized Yap as a part of the Japanese mandate but Americans were granted equality with Japanese in cable rights and privileges on the island. The greater use of radio in communications has diminished the interest in cable rights.

The military administration of the mandated islands under the Japanese was replaced in 1922 by civil government. This was under the control of the director of the South Seas Bureau with headquarters at Palau in the western Carolines. The director of the bureau was responsible to the prime minister of Japan. Meteorological stations were established; schools were maintained separately for Japanese and native students; attention was given to the medical care of the people; and agriculture was promoted.

After the Manchurian incident Japan gave notice in 1933 of her intention to withdraw from the League of Nations. The question arose as to whether a state that would no longer be a member of the League of Nations could still be a mandatory. However, the Japanese right as a mandatory was never officially questioned by the League. The last Japanese report to the Council of the League of Nations on the mandate was given for the year 1938. The outbreak of the Pacific war found the key islands of the mandate well fortified despite Japanese obligations to the contrary. In the course of the fighting in the present war, some of the islands were captured by American forces while others were neutralized and bypassed by American armed might.

The future of the Japanese mandate of the Carolines, Marshalls, and Marianas will be determined in the negotiations of the next peace settlement. One possibility might be the giving of independence to the islands. This does not appear likely, since the natives do not possess as yet the factors necessary for independence. A second solution might be some type of trusteeship or mandate in which the interests of the United States would be given prominent recognition. A third solution might be the annexation of the islands by the United States.

At this point I should like to call to the attention of the Members that I urged this third solution in a speech on the floor of the House on August 28, 1944. In that speech I said:

> Mr. Speaker, while the Battle of Europe is raging, the representatives of Russia, Great Britain, and the United States are meeting at Dumbarton Oaks to discuss the foundations for a secure and lasting peace. When this particular Big Three is finished with its work, the Russian delegate, Andrei A. Gromyko, will step out and be replaced by Dr. V. K. Wellington Koo, representing China.
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> The Dumbarton Conference is undertaking a difficult but highly necessary task. It is to be sincerely hoped by all of us that petty differences and trivial disputes will not mar the grave and serious proceedings of those who represent the great powers, because the hopes of this country and of mankind lie in the creation of machinery to establish a just and permanent peace. * * *
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> Another matter of grave import is the future of the Japanese-mandated islands. In January of this year Admiral Nimitz established a military government in the Marshalls and since that time other mandated islands in the Marianas and Carolines have come under our control. One of the paragraphs of Nimitz's proclamation states:
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> "Exercise of the powers of the Emperor of Japan shall be suspended during the period of military occupation."
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> Mr. Speaker, I do not feel that the proclamation goes far enough. The suspension of the Japanese Emperor's powers should not be limited only to the period of military occupation but forever. There must be no repetition of the action by the Allied and asso-

ciated powers after the last war in giving Japan this mandate nor must there be any secret agreements as was the case in March 1917, before our entrance into the First World War, whereby Britain, France, and Russia agreed to support Japan's claims to Micronesia, the later Japanese-mandated area. These islands, while economically unimportant, are strategically necessary to us for our security, and the sooner we make our aims in this respect plainly known, the better it will be for us in the future. Our young men are today purchasing those islands with their lives. This time we must make sure there will not be another war, and one of the ways of seeing to that in the Pacific is to make these islands American possessions and thus prevent any future possibility of another Pearl Harbor disaster.

Collectively the Japanese mandated islands cover only 840 square miles and have a population of 150,000 people. Their economic possibilities are limited primarily to the growing of sugar and the extraction of phosphate. Under the mandate, Japan was denied the right to fortify the islands or to build bases there. We have good reason to know now that Japan did fortify some of this area and we remember also that it was almost impossible to visit any islands since Japan acquired control of them.

In 1929 the United States requested that American destroyers be allowed to visit Kwajalein, Wotje, and four other ports, but the Japanese denied this request on the ground that there were no pilots and that the harbors were dangerous. In 1936 the United States again asked the Japanese Government to permit one of its destroyers to visit the mandated islands and at the same time we reminded Japan that her ships had been permitted to call at Alaskan ports. No reply was received to this request, but this war has given us the answer to our suspicions concerning the fortification of the mandates and the reason for the visits of Japanese ships—of all types—to Alaskan waters. It must also by now have convinced us of the weakness and needlessness of our appeasement policy toward our enemy.

After 1937 no foreign ships visited Micronesia and after 1939 no natives were permitted to leave the islands. In 1940–41 Japan appropriated $1,417,000 for harbor works, air routes, and aircraft facilities. This, of course, needs to be added on to the appropriations made since 1919, and this, coupled with the secrecy attached to the government of the mandates, is real evidence that bases had been set up in the islands.

Japan's claim to the mandates should be completely nullified. She has never owned them, but held them in trust only on the authority of the allied and associated powers and as a result of a secret agreement in 1917. The 100,000 Japanese, out of a total population of 150,000 must be sent back to Japan after the war and the economy of the islands placed in the hands of the native Kanakas and Chamorros. These islands are or will be ours by right of conquest as partial reparation for our losses, and, most important of all, because they are absolutely necessary for our peace and security.

Because of the recent publicity given to the possibility of establishing some type of trusteeship for these mandated islands, I feel that it is now time to speak out—as I did during the Dumbarton Oaks Conference of last year—in favor of outright annexation by the United States of this territory. Secretary of State Edward R. Stettinius revealed, within the past few weeks, that as a result of an understanding reached at Yalta, the Big Five—the United States, Russia, Britain, China, and France—will formulate proposals for the dependent areas, which will be submitted to the San Francisco Conference meeting late this month.

In my opinion the creation of a trusteeship is only another way of saying that the mandate idea will be revived and that everybody's job would be nobody's responsibility. We know now how Japan used her mandated islands, which were given to her as "a sacred trust of civilization," and we do not intend that she, or any other power, be given the opportunity to make of them stepping stones to conquest and aggression. The time has come for us to declare that our policy in regard to the former Japanese mandate will be outright ownership by the United States.

I can do no more than reiterate the remarks made by Fleet Admiral Ernest J. King when he addressed the Academy of Political Science on April 4, 1945, and with which I agree wholeheartedly:

> These atolls, these island harbors, will have been paid for by the sacrifice of American blood. They will have been scooped out of sand and rock, coral and volcanic ash, by a generation of Americans giving their service, ingenuity, and money.
>
> Failure to maintain these bases essential to our defense raises the fundamental question: How long can the United States afford to continue a cycle of fighting and building and winning and giving away, only to fight and build and win and give away again.
>
> Rich as we are, we do not have the human or physical resources to dissipate our patrimony, generation after generation, in this manner.

There can, in my opinion, be no argument strong enough to prevail against such logic. Admiral King is to be commended for his forthright stand in behalf of our country and our people. We have some of the mandate now, we soon will have all in our possession, and we should keep them under our flag so that our future in the Pacific will be secured. We should always keep in mind President Theodore Roosevelt's statement, made in 1905, that: "Our future history will be more determined by our position on the Pacific facing China than our position on the Atlantic facing Europe." We are learning the truth of that prophecy today not from textbooks or speeches but in the blood of our sons. The price we have paid and will pay should make us realize that the questions of the Pacific are just as important and more significant than the questions of the Atlantic. Let us answer one of these questions—the Japanese mandates—by affirming at the earliest opportunity our determination that they shall be permanently ours.

Mr. SHEPPARD. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, Franklin Delano Roosevelt will go down in history as one of the four or five greatest Presidents our country has had in all its history. I believe people in all walks of life and of all political faiths will agree with me in that statement. He will be remembered as having assumed the Presidency of our country at the time of profound economic distress, as having brought new hope to the people of the Nation and a belief in the possibility of overcoming the economic problems and obstacles which they confronted. He will be remembered as having warned the whole world of the impending disaster of the present war and for having guided his own Nation through this period of peril with dynamic leadership.

The people of Latin America will remember him as the author of the good-neighbor policy with regard to them. Rural Americans will remember that it was in his administration that the blessing of electricity first came to any great number of their homes and farms. Wage earners will recall that before his Presidency, no standards for wages and hours in the Nation were in existence, but that under his leadership Congress passed a law which said in effect that there was a minimum wage below which no American worker should be asked to work, and a number of hours beyond which he should not be required to toil without additional compensation. I could go on and catalog other reasons which will occur to different groups of people and cause them to add their benediction to his memory.

Before its occurrence it is probable that millions of Americans would have said that the death of the President would be the one event most tragic to the hope of our Nation at the present time. Some would have described it as a blow which our country simply could not bear. The purpose of my speech today, however, is to show that this need not, must not, and I firmly believe will not be true.

First, may I simply remind those who have been the intensely loyal followers of our late President that if for a moment they would honor his memory, the very poorest method that could be employed would be by indulging a sense of loss or viewing the present situation in any negative sort of way. And to every American citizen, may I say, Mr. Chairman, with all the earnestness at my command that ours is now the great and eternally worth-while task of proving that an entire nation can in a period of deep crisis and under the impulsion of a great loss become actually a greater nation and a more effective force for good in the world than it was before. Indeed nations, like individuals, are actually more likely to achieve greatness of soul when they are challenged to meet profound crises and great difficulties than under any other circumstances. The clear duty which now confronts us is that of making certain that the passing of President Roosevelt becomes not an irreparable loss but rather a circumstance calling forth from every single American citizen a deeper and more earnest devotion to his Nation, its ideals and its objectives, and a greater sense of kinship with all other Americans than he has ever had before.

It is probably true that many Americans have in the past few years been too much inclined to rely upon the leadership of President Roosevelt and too little inclined to search their own minds for the right answer to the Nation's problems. The Nation is called upon in this hour to do nothing less than demonstrate to the world the superiority of democracy over every other form of government. There is one way, and only

one way, in which we can do this. The spirit of the Nation as a whole, the will of the people as a whole, the united effort of the Government and the people together, must and will take the place of the predominant leadership which President Roosevelt has given. If this happens we shall not only turn loss into gain, but we shall erect the finest monument to the memory of President Roosevelt that he could possibly have. It has been true of many of the great men of history that their influence for good was actually greater after death than it had been in life. May God grant that this may be the case with Franklin Roosevelt.

Moreover, the Nation has in President Truman, as he so well demonstrated to this Congress on Monday, a man who is admirably fitted to call forth in all of us the very qualities which I have spoken of. With impressive earnestness and with the strength of an humble consecration to the tremendous task which lies before him, he called upon us and the American Nation, not so much to follow his leadership as to cooperate with him in a common task. A man like that will succeed in a crisis of this sort where a proud man or one overly impressed with his own individual importance would have failed.

Never before in history was the Congress of the United States called upon for constructive action and effective leadership in the solution of the Nation's problems as it is today. Never before was so much at stake. I am thankful that in recent months a movement has begun and gained considerable momentum among the Members of the House and Senate for the strengthening of the hand of Congress in the National Government and the improvement of its functioning as the National Legislature of the United States. Along with the American people, we can be thankful that ours is a democratic government wherein all power and leadership is not concentrated in any one man, not even in the President, but where there will always exist a body of direct representatives of the people which shares responsibility with the Chief Executive. And the extent of our thankfulness for this fact must also be the measure of our determination to make this Congress, along with the new President, the instrument for meeting in full the Nation's needs and, through our Nation, the needs of the world in this solemn hour.

Not only must we carry this war through to final and complete victory, not only must we build the structure of international collaboration for the preservation of peace and the promotion of increased prosperity and solid hope among the peoples of the world, but we must also bring forth from these Halls a democratically conceived and democratically executed program for the assurance of hope, opportunity, and worthwhile employment of the skills and creative abilities of our own American people in the years that lie ahead. The time for us to do these things is now. Not next year but this year.

There are nations in the world where the loss of one man, particularly one who has been in a post of leadership for as long as President Roosevelt has been would have plunged that nation into consternation and confusion. Ours is not such a nation. Franklin D. Roosevelt has gone to join the great figures of history, but in his place there rises the united spirit of the America that he loved and served. That spirit will take his place and, in cooperation with his altogether worthy successor, will carry on not only to victory over our foreign foes but to victory over the problems and perils which beset the dynamic and difficult age in the march of mankind in which God has called us to live and work.

Mr. SHEPPARD. Mr. Chairman, I yield 10 minutes to the gentleman from Georgia [Mr. VINSON].

Mr. VINSON. Mr. Chairman, I desire to make a few observations in regard to the annual appropriation bill. This, as we all recognize, is the appropriation for the Navy for the fiscal year 1946, in the sum of twenty-three or twenty-four billion dollars. I take this opportunity to compliment the members of the Committee on Appropriations charged with writing this bill on the care and pains with which they have approached this subject. For over a month they have devoted their time to hearing officials of the Navy Department presenting their justification for the funds requested and in reaching a conclusion.

I do not find myself in disagreement so much with reference to the dollars and cents which they have allocated to various naval activities as I do with reference to certain policies, which have been changed in this appropriation bill. The Committee on Appropriations has made two changes in policy in appropriations which I feel it is my duty to bring to the attention of the House. The thought evidently behind these changes is a most laudable one, to insure economy in respect to the two cuts that the committee was making in appropriations, but there also is the implication of bad faith on the part of the Navy which I feel it is my duty to bring to the attention of the House.

In the case of the naval appropriation for pay, subsistence, and travel of officers and enlisted men, the committee has split the appropriation into two appropriations. The first appropriation will carry the expenses of the pay and subsistence of officers and enlisted men and the second will carry the expenses for the transportation and recruiting of this personnel. For 19 long years this appropriation for the officers and enlisted men of the Navy has been an appropriation consisting of three subheads, one for pay, one for subsistence, and one for travel and recruiting, and at the end of the appropriations the three heads were lump-summed and made available for expenditure as one fund.

The reason and justification for that was because it permitted some latitude by the Navy Department in making the necessary adjustments which might occur during the year as between these various objects of expenditure. The Committee on Appropriations has always been informed of any deviation. The committee, in its report, states that it has made a cut in the travel appropriation of the Navy to give the same rate as for the Marine Corps, namely, $181 per officer, average travel. The per capita rate estimated for the Navy was $315.33. The wide difference between these two figures results primarily from the fact that the training of the Marine Corps is concentrated in a few stations, whereas that of the Navy is scattered throughout the United States, due to the fact that the personnel was increased to over 3,000,000. There is a wide range of training required in the Navy due to ordnance, engineering, electricity, radar, and radio, which could not apply to the Marine Corps. There are over 300 stations in which officers of the Navy have to be transferred for their training, and there are only 4 in the Marine Corps. So I do not think it is on a firm basis to have the travel pay of the Navy equivalent to that of the travel pay of the Marine officers.

It is not my purpose to discuss the cut, but to discuss rather the change in the policy with respect to the appropriation itself. If the committee did not have confidence in the Navy Department, that it would not move funds from one subhead to the other, it could have so commented in its report in respect to it. There is a lack of confidence displayed which has not been warranted by the record which the Navy has made in this war in operations and with respect to the handling of funds, a reflection on conduct of the Navy, of which I must take account.

There is a parallel case with respect to the appropriation, "Aviation—Navy," which, since its inception in 1922, has had four subheads. I particularly invite the attention of this distinguished committee to this because this matter is of serious importance with reference to a policy of the Navy. Ever since 1922, this appropriation has been under four subheads, one for instruments, one for maintenance, one for experimentation, and one for the purchase of aircraft. The appropriation was then lump-summed and was available as one sum. In the case of this apprporiation also, the committee evidently did not trust the Navy Department. After the committee had made a cut of $70,000,000 in maintenance, on estimates which had been processed in the Department and in the Bureau of the Budget, it withdrew the lump-sum clause from the bill, deleting the language "to be accounted for as one fund."

Mr. SHEPPARD. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield with pleasure to the gentleman.

Mr. SHEPPARD. I would like to call the attention of the gentleman to two expressions that he has uttered in his statement that are not quite compatible with my conception of propriety in interpreting another's intent. He intimates a lack of trust or a lack of confidence upon the part of the committee. I do not think it is quite fair that the gentleman from Georgia use that terminology because it is not representative of the attitude of the committee, as far as those expressions are generally interpreted. I would like to call the gentleman's attention to this—and I am making this statement in behalf of the members of my committee and myself—it is

not lack of confidence; it is not lack of trust; it is simply utilizing our position, as we see it, to clarify certain problems which in future we can handle with a greater degree of understanding. I would like to draw that line of demarcation in the record.

Mr. VINSON. I am glad when you broke this down from the lump-sum appropriation that you did not have in mind any misuse or lack of confidence in the Navy. Now, accepting that explanation, then I ask where lies the justification?

Mr. PLUMLEY. Will the gentleman yield?

Mr. VINSON. I yield.

Mr. PLUMLEY. The justification lies in the fact that as representatives of the people we undertake to use our own judgment with respect to what we think should be spent in the interest of the people and not to let legislation emanate from the Navy Department.

Mr. VINSON. That is not involved. The gentleman from Vermont misses the point. There is no question of dollars and cents involved, and I so stated. The argument is based upon the premise that heretofore it was a lump-sum appropriation. Now it is broken down in different categorics. When you do that, when there was a certain amount of flexibility in the lump-sum appropriation, it looks to me like someone had to draw the conclusion that the lump-sum appropriation was not being properly administered, and therefore itemization and more cautious expenditure should be had by the committee.

Mr. THOMAS of Texas. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. THOMAS of Texas. Let me ask my distinguished friend from Georgia, chairman of the legislative committee, this: He has referred specifically now to the Bureau of Aeronautics?

Mr. VINSON. That is the one I was referring to when I was interrupted; yes.

Mr. THOMAS of Texas. I think, as the gentleman from California [Mr. SHEPPARD] said, the words "lack of trust and confidence" are hardly the accurate words to use.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. SHEPPARD. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. VINSON. My vocabulary is limited. Suppose I did use the wrong word, what was the motive that actuated it?

Mr. THOMAS of Texas. As the gentleman knows, this is one of the most important bureaus in the Navy. There is no question about that. It has spent a tremendously large sum not only in fiscal 1946 but in fiscal 1945 and fiscal 1944. In fiscal 1946 we are appropriating for 19,140 planes at a total cost of $2,750,000,000. In the other three subheads—for instance, they asked for only $20,000,000 for aviation experimentation for 1945 and we give them $81,000,000 in this bill.

Mr. VINSON. I am not worried about the figures.

Mr. THOMAS of Texas. All right; let us stay with the big money; the other two items are big, too, maintenance and procurement of aerological instruments. Does not the gentleman think the time has come when this Government has on hand 37,000 planes today that we should think a little bit of the taxpayer in view of the fact that he is going to have saddled on his back in the next 12 months $200,000,000,000 of debt?

Mr. VINSON. The gentleman——

Mr. THOMAS of Texas. Wait a minute now; let me answer it. Does not the gentleman believe we can take off a little bit without the chairman of one great committee telling the chairman of another great committee that we lack confidence in the Navy?

Mr. VINSON. No, no; that is not it.

Mr. THOMAS of Texas. Now, going back to the separation of those powers; the gentleman understands it, of course he does; and the membership of the House will understand it, too, that in this appropriation of four or five or six billion dollars for aeronautics, every dime of it can be spent on any one project to the exclusion of the others, without a separation; the gentleman understands that, does he not?

Mr. VINSON. Under the language of the bill——

Mr. THOMAS of Texas. Now, is there anything wrong in this committee's nailing them down and giving them just exactly what they want and telling them to spend it for the purpose for which they asked it? Is there anything wrong in that?

Mr. VINSON. The way the bill is written it is now broken down—a departure from the practice followed since 1922; and now, as the gentleman pointed out, there is a large expenditure to be made which may or may not be justified; therefore they break it down into four different categories. Heretofore it was a lump sum, and if the Bureau of Aeronautics felt that a large amount could be used for instruments it could use it, if a large sum was needed for maintenance they could use it for maintenance. There was flexibility in its use. Now it is broken down. The thought occurred to me that there was no justification for breaking it down if they were not apprehensive that the lump-sum appropriations had not been properly used.

Let us go one step further. The Public Works bill carries an item entirely in the form of a lump-sum appropriation for continental United States, not broken down. Why do they break it down in these particular items that have been carried so many years? For the reason that they thought $181 was enough instead of $313. Now they break it down in aviation because they think probably there may be too much expended for maintenance, too much expended for the purchase of aircraft. The thought it created in my mind was that this distinguished committee lacked confidence in the Department. I have failed to find any clear justification for having broken it down. It is a difference in the matter of policy. In writing an appropriation bill I am not concerned about the money at all; the question of money is not involved. I am concerned about the method by which the appropriation is made available.

Another point to which I respectfully invite the attention of the distinguished chairman of the subcommittee is section 120. I believe section 120 will do a gross injustice to the personnel. What is the effect of section 120? If an officer receives $100 rental allowance and he is assigned space in a housing facility under the National Housing Agency from which he rents it at $80 a month, the officer under the new provision will receive as his monthly rent allowance an amount equal to the difference between the $100 to which he is entitled and the $80 rental of the space in the housing facility under the National Housing Agency. He will receive the sum of $20. If the officer is required to go to the National Housing Agency and pay the sum of $80, he has in reality paid it twice because in this case the sum of $80 is already deducted from his rental allowance by the Navy. Let us see how the law operates today.

Mr. SHEPPARD. If the gentleman will yield further, Mr. Chairman, where does he find the language that even remotely gives him that kind of an interpretation?

Mr. VINSON. Read section 120.

Mr. SHEPPARD. I do not have to read it because I have read it. I helped compose it.

Mr. VINSON. If the gentleman thinks I am in error, I respectfully suggest to him that he refer it then to the proper accounting officer of the Navy Department and he will verify the correctness of my statement, because that is exactly what happens.

How it is done today? If an officer today rents quarters, he has a rental allowance of $100. If he rents quarters that cost him $80, the Government gives him the $100 and he pays the $80. He puts the $20 in his savings account or in his pocket. That is law on the books today.

Now you have changed it and put it where it applies exactly like I said. Here is your error. The amount of the rent that he is paying is deducted before he gets his rental allowance. If his rental allowance is $100 and he is paying $80, then they deduct from his rental allowance $80, pay him the $20, and then he has to pay the additional $60 out of his own pocket.

Mr. SHEPPARD. I am sure that the splendid gentleman from Georgia would not have me believe, after his long association and personal and intimate acquaintenance with the legal intelligence down in our Navy Department, that they would be so stupid as to draw that kind of an interpretation from that provision.

Mr. VINSON. I do not know who drew it, but that is the correct interpretation today.

Mr. SHEPPARD. Oh, no. That is an interpretation that somebody may be making; whom, I do not know. But does the gentleman mean to infer that our Navy Department would deduct under that language the man's rental allowance and then take it out of his salary, too?

Mr. VINSON. Let us read it.

SEC. 120. For the fiscal year 1946 occupancy of emergency housing facilities under the jurisdiction of the Navy Department or the National Housing Agency, on a rental basis,

by personnel of the services mentioned in the title of the Pay Readjustment Act of 1942, or by their dependents, shall not deprive such personnel of such amount of money allowances for rental of quarters as may exceed the rental charged for occupancy of such emergency housing facilities.

I respectfully suggest to the gentleman that he consult the accountants in the Navy Department, and they will advise him that the interpretation I placed on that is absolutely correct. That is the reason I am pointing it out.

Mr. SHEPPARD. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, with the apparent rapid approach of the end of the war with Germany imminent concern is exercised by servicemen as to what is in store for them upon their return home in the way of opportunities to make a mark for themselves in the business world. Always alert to the welfare of these men and women who have contributed their utmost in behalf of this country to defeat the aggressors who forced almost every nation in the world into this terrible conflict of destruction, the American Legion is taking a most active and commendable stand in their behalf.

VETERANS DISTURBED OVER FUTURE

Many thousands of veterans of this present war have completed their service and are being honorably discharged because of injuries or other reasons. Millions more will be released after Germany and Japan have unconditionally surrendered and are no loner needed in foreign lands. These men and women are rightfully disturbed over what their future will be when reentering civil life. Many of the Legion posts are setting out to look after their welfare when this occurs.

VETERANS OF WORLD WAR NO. 1 FATHERLY INTEREST IN VETERANS OF WORLD WAR NO. 2

Legionnaires of the First World War naturally have a fatherly interest in servicemen of World War No. 2. Many of them have sons of their own in combat service and are naturally anxious to see that all homecoming veterans are not confronted with the trials they suffered in being forced to sell apples on street corners to eke out a measly existence. They are to be commended for their foresight and solicitude to do whatever they can to make their infiltration in the business world successful.

IS LOCAL COMMUNITY PROBLEM

A comprehensive program has been designed by the national employment committee of the American Legion, of which Lawrence J. Fenlon is chairman. According to the report of this committee, the goal has been set for 55,000,000 jobs in order to absorb all workers who will be in the market for jobs after the war. Quoting from that report, Chairman Fenlon said:

Selling, distribution, and services are the grass-roots problem. They must be carried on where the people live, and, more than any other group, the American Legion is a grass-roots organization. The task must be undertaken at the community level, and an important part of the Legion's program is a plan for cooperating in organizing the community for post-war jobs.

The only logical starting point is in a community post-war employment center. Its job will be to get things going in the community to coordinate the work of every element.

Like the American Legion, Mr. Chairman, I, too, am deeply concerned over the future prospects of these servicemen who have already come back, and the great multitude of others who will eventually return as heroes. Their fate is the concern of all Members of Congress, but, as pointed out by the American Legion in resolutions which have been adopted by Legion posts and district meetings, assistance given these servicemen by the Government to enter business will be short-lived unless they are safeguarded from monoply in whatever business they may enter.

LEGION POST ADOPTS RESOLUTION

Typical of these resolutions is the one adopted March 11, 1945, by the Eighteenth Illinois District meeting of the American Legion at Hoopeston, as follows:

Whereas a large number of World War No. 2 veterans will return home looking for opportunities to start their own business, due to the foresight of the American Legion in passing the bill of rights;

Whereas certain large manufacturers operating retail chain stores have already announced that they intend to spend $500,000,000 in a Nation-wide expansion program after the war to obtain a large share of the retail business. World War No. 2 veterans desiring to operate superservice stations, tire and battery stations, radio shops, and other lines of business in order to provide their loved ones with the necessities and a few luxuries of life will find that they can hardly make a bare living when having to compete with manufacturer-owned chain stores located in every small town of 1,000 population or over;

Whereas this would result in the bill of rights becoming a method of putting World War No. 2 veterans into debt instead of providing the necessary assistance for which it was intended: Be it

Resolved, That the American Legion take immediate steps to have enacted national legislation to hold down the number of new chain-store outlets by means of excise taxation; that no tax be placed on present chain-store outlets but that a heavy excise tax be placed on any additional chain-store outlets; that manufacturers should be satisfied with manufacturers' profits and jobber profits making it possible for World War No. 2 veterans to engage in retail business with a fair chance of success; that freedom of individual enterprise is of importance equal to the "four freedoms" of the Atlantic Charter. These principles we regard as essential to the preservation of the American way of life. To them we hereby dedicate ourselves unreservedly, singly and collectively, and we highly resolve to work and fight to preserve the spirit of the bill of rights.

While expansion of industry in general is necessary to provide employment, big business alone cannot supply the needed employment and opportunities to reach the desired goal of 60,000,000 jobs set by the late President Roosevelt after this war, or the goal of 55,000,000 jobs set by the American Legion. This expansion must not come at the expense of small business, as that can only mean monopoly and defeat through lessening of buying power. While the resolution above refers more particularly to rubber manufacturers operating stores, there are other expansion plans in the making, some of them announced, which inevitably will, if executed, curtail opportunities for servicemen as well as small business as a whole in small manufacturing plants, distribution, or the services.

AFFECT MANY TYPES OF BUSINESS

Three of the larger rubber manufacturing concerns now operate some 1,633 stores over the United States. The combined sales of these 3 companies totaled $1,852,859,000 last year. This represented total sales, including those to the Government for the armed services, through their retail-store units and other general sales, as store sales alone are not separated. My remarks should not be construed as a general condemnation of these rubber companies. They have done a fine job in this war. However, I do view with alarm and concern their expansion into local retail business.

The chief danger, however, lies in the variety of merchandise these manufacturer-owned retail stores sell. One authority in the trade expressed the view that these big rubber-manufacturing stores handle 6,000 items. Some conception as to the conflict servicemen and small merchants will face in individual lines of retailing may be gained from the extent of the operations and the varied class of merchandise handled. A partial list from an abbreviated catalog shows the following commodities sold from these company-owned stores:

Enamel-surface rugs, mixing bowls, refrigerator jugs, cork luncheon-mat sets, dinner candles, casserole sets, knife sharpeners, paring knives, kitchenware (all types), washboards, stepladders, cleaning fluids, house brushes, emergency candle kits, electric light bulbs, fluorescent lighting fixtures, bathroom scales, vented room circulators, hose reels, gardening tools, hose nozzles, lawnette carts for garden, garden chemicals, spray kits, fishing tackle (all varieties), folding camp stools, flags, golf bags, sweat shirts, thermos bottles, luggage, swimming suits, auto tires, batteries, brake linings and shoes, baby hammocks for automobiles, sponges, bicycles and equipment, baby exercisers, Bibles, books, rain coats for men and women, men's sweaters, work clothes, tools, electric light fixtures, bath accessories, wallpaper and accessories, paint brushes, dinnerware, ash-tray sets, hostess serving trays, fire ovenware, general utility pans, pie plates, kitchen woodenware, drip coffee makers, baby high chairs, step stools, floor waxes, vaporizing moth cakes, moth crystals, toilet-lid covers, bath rugs, bathroom supplies, fireplace-type gas heaters, growing aids for gardens, mail boxes, lawn sprinklers, house markers, lawn and garden seeds, archery equipment (all kinds), card tables, camp blankets, camping cooking utensils, baseballs, gloves, etc., workmen's lunch kits, mens, women's bowling shoes, toilet sets, automobile equipment, automobile accessories, automobile seat covers, first-aid kits, automobile polishes, beach sun glasses, toys, games, bookcases, men's jackets, suspenders, belts, men's semidress pants, hardware of many kinds, electric accessories, insulation for homes, paints of all kinds.

WHAT CHANCE WILL G. I. JOE HAVE?

From this list it will be observed that many types of merchants, including wall paper, hardware, clothing, shoes electrical supplies, paints, books, rugs, furniture, tires, luggage, chinaware, plumbing supplies, and sporting goods will be affected. The difficulty lies in the fact that such stores with many types of

merchandise are in a position to ruin any G. I. Joe who enters one of these lines with limited capital, as he must. He has the one type of merchandise to sell, and is at the mercy of these large corporations since they can, if they so will, sell one or more lines at cost or less until eliminated, and their original investment is destroyed.

HOW ELIMINATION PROCESS OPERATES

Two of these companies claim to have 30,000 outlets each, or 60,000 agencies or associated stores created among individual merchants to whom their merchandise is sold, which obviously adds to their control over distribution. These associated stores are becoming more prevalent on the part of large multiple store corporations to expand sales of their own brands outside of their own stores. This move toward further monopoly in distribution, production and control over manufactured products is now being followed by the largest chain corporations in drugs, oil and gasoline, shoes, rubber and automobile accessories. This seems to be a policy which is growing and could readily result in a few corporations eventually dominating production and distribution in all consumer goods.

AN ALARMING SITUATION

To illustrate how this operation works, a seminational chain automobile accessory corporation not only has its own retail units in many parts of the United States but also sells to individual local merchants where it has no branch stores of its own. A merchant in a Middle Western State was franchised to sell this company's merchandise in his community, which he operated for 8 years. The franchise was abruptly canceled and with the scarcity of durable goods in which he dealt has been unable to obtain supplies from other concerns because of protecting their regular customers.

This merchant was required to keep from $300 to $500 on deposit with this corporation and in addition he was compelled to pay for merchandise in advance. He was not permitted to buy from any other manufacturer or wholesaler merchandise for which he had a demand; was pressured to buy catalogs containing many items which he did not carry in stock; arbitrary price lists were sent him which were insisted upon and newspaper advertising to promote sales in its own stores was used to bring about this result. These associate stores are forced to operate on a time payment basis though compelled to pay cash for their own supplies.

HIS BUSINESS IS DESTROYED

Owing to the scarcity of merchandise, this local merchant received about 30 percent of the goods ordered, yet this corporation has been establishing its own stores and supplying them with stocks of merchandise valued at $3,000 to $5,000. It is alleged by this retailer that more favored prices are given to its own units than to associate dealers. There is no competition in buying as the company charges what it pleases and denies the right to buy elsewhere at lower prices.

To quote from this merchant's predicament, he writes:

We have dealt fairly and honestly with ——— and our customers. We have built up a clientele through years of personal effort. Now we find all this destroyed by the ruthless action of a monopolistic corporation. We believe ——— has an established policy to ship less merchandise to any associate than he pays for, and it is my opinion from personal experience that ——— profits to the extent of from $50,000 to $100,000 yearly by this nefarious practice. When a corporation makes 90 percent of the mistakes in its favor it is no accident.

It is also our opinion that ——— has launched a vicious program to cancel out and destroy all established associate stores so that it can reap huge and swollen profits off the inexperienced, and the soldiers and sailors when they are discharged from the services and receive Government loans.

We as an associate have committed no crimes except that of learning this business and refusing to buy inapplicable and unsalable merchandise. Our only crime is that we demand the right and privilege to conduct our business in our own way.

DEATH SENTENCE

This dealer points out that no explanation was given for cancelation of his associate franchise and that "under the present conditions of scarcity of merchandise the cancelation is a death sentence for our business."

COMPETITORS FOLLOW FOR SELF-PROTECTION

When one of the big manufacturing corporations makes a move to enter the retail distribution field, competitors are forced to do likewise. This is illustrated by the fact that when one of the large rubber companies began opening stores to sell its own products, two of the other larger ones followed suit. When one put in sundry merchandise the others acted in accord.

When one of the large oil companies leased filling stations to so-called independents with a string attached, the rest of them took similar action. When one of them began including other than petroleum products, all others branched out in that direction.

Competition forces such decisions. After VE-day it is anticipated these practices of establishing associate stores or agencies will be extended to every type of business and to more concerns in each line as a policy of self-protection against their competitors. It may be assumed that these transactions will have a string attached to them, whether written in the agreements or not, whereby these companies will have full control over operations of these "associate stores," and lacking in mutuality of these agreements.

So-called Army and Navy stores are to be expanded, according to one proposal, for the purchase and sale of surplus war goods through a centralized private corporation. Returning servicemen will supposedly be given management assistance and credit on prescribed terms to the extent of half the inventory investment with aid in securing loans from banks secured by the Government under the G. I. law. The management company points out in its prospectus it intends to buy surplus war goods for redistribution to G. I. Joe's who affiliate with this movement. Apparently there will be no competition, as these associate stores will be expected to buy exclusively from this one concern.

BAITS FOR SERVICEMEN

The obvious result of this plan would be to give the selling company a monopoly of this business and absolute control over the prices to be charged to these stores, which, it is stated, are to be established in trading centers in cities and small towns, to be sold at prices dictated by the sponsoring company. With no limitation on the number of these stores to be owned by servicemen it is plausible that they will be so numerous as to become destructive competitors.

This would tend to create failures in which event the controlling company would take over the stores and stocks of merchandise with the servicemen holding the bag. This grandiose scheme under the guise of aiding returning heroes seeking to enter the retail business would handicap them in buying from other wholesale houses nearer by handling such merchandise which would enable them to purchase in smaller quantities to stock a greater number of items.

Aside from this the American Legion should be commended for its worthy efforts to protect the men coming home from this Second World War who enter business from the encroachment of the big corporations already established and which are planning to expand their activities with the cooperation of large manufacturers. With their limited capital they cannot hope, with security and assurance, for profitable operations. They will have but one store and will be at the mercy of their larger competitors with many units which can pass on any losses to combined operations or to the manufacturing company conducting such multiple branches.

SHOULD NOT HAVE TO FIGHT FOR EXISTENCE

The Congress should safeguard the businesses of these veterans against this cutthroat competition. Irrespective of efficiency, they cannot cope with the larger operators who have subsidies in the form of special considerations granted to them at the expense of the little businessman. In addition, corporations with many units or manufacturing companies operating them are in a position to absorb any losses.

Without some safeguard for servicemen that will enable them to go in business to protect them from monopolistic trade practices their loans under the law will be extremely risky. Many of them will undoubtedly lose whatever investment they have made on their own account, while the Government will be unable to collect the guaranteed loans made to them.

These men who have fought for democracy should not be made to fight again for their existence against these strong odds when they return home in an effort to establish a business of their own.

Mr. SHEPPARD. Mr. Chairman, I yield to the gentleman from Mississippi [Mr. WHITTEN] for a unanimous-consent request.

Mr. WHITTEN. Mr. Chairman, I ask unanimous consent that my colleague from Arkansas [Mr. NORRELL] be given permission to extend his remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. SHEPPARD. Mr. Chairman, I yield to the gentleman from Montana for the purpose of making a unanimous-consent request.

Mr. MANSFIELD of Montana. Mr. Chairman, I ask unanimous consent to revise and extend the remarks I made in Committee and to include in those remarks a statement I previously made on the same subject.

The CHAIRMAN. Is there objection to the request of the gentleman from Montana?

There was no objection.

Mr. SHEPPARD. Mr. Chairman, I yield such time as he may desire to the gentleman from New Mexico [Mr. FERNANDEZ].

Mr. FERNANDEZ. Mr. Chairman, because of my admiration and affection for Ernie Pyle, formerly of Indiana and now of Albuquerque, N. Mex., I want to say a few words in tribute to his memory.

He belonged to and was beloved by not only the people of New Mexico and Indiana where he lived, but he was held in high esteem by all of the people of the country. Ernie Pyle's human stories of the battle fronts in Europe have earned him the love and gratitude of the fathers and mothers, and of the wives and sweethearts, of the boys over there, as well as the love and affection of the servicemen themselves.

I believe when he left for the Pacific he had a premonition that his time had come, and I believe that that premonition was reflected between the lines of his reports from that theater of war.

His name and fame will forever live in the hearts of his countrymen whom he daily inspired to greater fortitude by his writings and his own heroic example.

As a symbol of the courage and aspirations of the men at the front, for whom he so well spoke, he is deserving of the Congressional Medal, and I believe every soldier would want to see that honor bestowed on him.

Mr. SHEPPARD. Mr. Chairman, I yield to the gentleman from Illinois for a unanimous-consent request.

Mr. LINK. Mr. Chairman, I ask unanimous consent that the gentleman from West Virginia [Mr. RANDOLPH] be permitted to extend his remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The CHAIRMAN. The Clerk will read the bill for amendment.

The Clerk read down to and including line 6, page 1.

Mr. SHEPPARD. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STIGLER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 2907) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes, had come to no resolution thereon.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent that tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. MURDOCK asked and was given permission to extend his remarks in the RECORD.

Mr. FENTON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HAVENNER asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the San Francisco Labor Council.

The SPEAKER. Under a previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 5 minutes.

THE BOXCAR SHORTAGE

Mr. REES of Kansas. Mr. Speaker, the situation with respect to supply of boxcars for moving grain in the Middle West area has reached most serious proportions. Country elevators are jammed with grain while mills are operating on an almost hourly basis because of insufficient transportation. Piles of grain on the farms and at railroad sidings are deteriorating on the ground, and yet the Government is calling on farmers to produce more food. Millions of bushels of corn and sorghum that should be fed to livestock to help take care of the meat shortage are rotting.

It is estimated that between seventy and eighty million bushels of grain are exposed to the weather in my State of Kansas. The biggest wheat crop in the history of my State, estimated at more than 231,000,000 bushels, will be ready for harvest in a few weeks, and there will be a meager supply of boxcars to transport it.

We know there is a limited supply of boxcars in the country, but the Office of Defense Transportation ought to see that a fairer allocation is made for the farmers of the Middle West to move the grain that is now spoiling, and see to it that mills are kept going. Too many of the cars have been moved to eastern States and are not being returned promptly for use in the Middle West. One of the big railroad lines in my section has only about 15 percent of its boxcars on its own lines. The remainder are held in other parts of the country.

We know of the demand for cars to move war materials, but even at that, wheat, corn, and other grains are also war materials and entitled to a priority, subject only to the demands of the armed forces. The O. D. T. should get busy.

Mr. Speaker, during the past 2 years the building of a limited number of boxcars has been approved by the War Production Board and other agencies dealing with the question, but even at that there have not been enough to take care of necessary replacements. We have built some cars for the devastated countries of Europe, and we have built cars for South America. Mr. Speaker, I believe as loyal Americans we want to cooperate in every way possible with our Allies and share with them just as far as we can. We want to be good neighbors to the countries adjoining us in the Western Hemisphere, but even at that I hardly understand why priority should be given to the manufacture of three or four thousand new boxcars that were sent to South America during the last 2 years when we are in such dire need of cars right now at home to protect and move our food supply.

I believe, too, the War Production Board ought to think twice before it approves an application now pending to build 1,500 new boxcars for Mexico. As I said before, a lot of cars have gone to devastated countries in Europe, but there is no devastation at present in South America or Mexico.

I have just observed today there has been a cut-back in the building of ships on the west coast. Why not immediately allocate that steel for the building of freight cars? Unless something is done promptly, a tremendous food crop is going to waste.

The SPEAKER. Under a previous order of the House, the gentleman from Washington [Mr. HORAN] is recognized for 15 minutes.

DEVELOPMENT OF THE COLUMBIA RIVER

Mr. HORAN. Mr. Speaker, on yesterday I introduced H. R. 2923.

It outlines a cooperative arrangement between four of our Pacific Northwest States and the Federal Government for the comprehensive development of the Columbia River. This bill differs from the other bills now offered for our study.

It attempts to locate the authority involved as closely to the people of that area as is constitutionally possible.

Having fixed the location of that authority it leaves most of the discretion of program and policy to the people of the area themselves.

I have done this to open up for the purposes of discussion and consideration a new field of possibility regarding river authorities in general and the Columbia in particular.

Forty years ago, before the automobile, before our extensive networks of roads and the extension of interstate communications, such a consideration would not be needed. People could live in their valleys and smug communities and be aware of neighbors in adjoining valleys only in theory. Today, however, the peoples of States are truly neighbors in fact as well as in theory.

They share both the responsibilities and the privileges that go with the development of our Nation's rivers.

Those rivers will be developed. It is in the national interest to do so.

In World War No. 1 we went to the Tennessee to get nitrate. In World War No. 2 we are getting aluminum, 40 percent of our domestic needs, from the Columbia River. Must we always wait for war to awaken us to the regional and national values of our rivers? Is it beyond our concepts—does it baffle our wis-

dom to do for peace and plenty that which we quibble not to do for war and destruction?

Our rivers may and can be developed in accordance with the will of the people living within their drainage area or they will be exploited for some other interest.

Joshua could not make the sun stand still. Neither can we stay the active logic that calls for the full use, control, and conservation of the rivers of this Nation.

Therefore, in the spirit of one who would make a contribution to the fullest possible discussion, I have introduced H. R. 2923.

I hope that it may help all of us to find the best method that experience and the light of our present wisdom can point out for the task that certainly lies before us and which we can neither deny nor avoid.

For 117 years the Federal jurisdiction over the rivers of this Nation has increased.

As the courts now interpret the commerce clause in the Federal Constitution, our central Government now has the final authority of a river system from the ocean to the upper end of the last brook in any watershed.

That clause simply provides: "To regulate commerce with foreign nations, among the several States and with the Indian tribes."

We, today, find ourselves in a tidal sweep of Federal jurisdiction. I believe that we should pause and review what has been done.

We should take stock lest the juggernaut of our own creation crush valuable units of local and State government which we should cherish and protect.

In saying that I do not oppose the full part of the Federal Government in any river development. What I advocate is the full part of the peoples of the States themselves, for ours is still a Union of States.

With particular reference to the progressive development of the Columbia River, I want to point out that, without exception, all of the projects necessary will be self-liquidating. Every existing advantage in the shape of local and State agencies should be safeguarded to assure the repayment of the Federal expenditures, to cut down expense and avoid duplication. I feel that they should be given a voice and a part in any program.

Experience shows that there are two steps in developing a river system: First, the actual construction of the physical properties; and second, their operation after they are built.

These two steps are essential whether the end result sought is for domestic, municipal, stock or irrigation water, flood control, navigation, power, soil conservation, recreational facilities, sanitation, or any of the other increasing number of benefits which accrue. Any medium or method, therefore, which will carry out a river program must adequately provide not only for construction but also for the operation through the years and decades after construction.

Proposals to achieve these ends roughly fall into three categories. The first consists of compacts between the States. Many Governors have advocated this procedure. I, myself, favor this approach because it would tend to decentralize government, to me, a desirable trend particularly in our Nation and the world at this time. Yet without some modification and enlargement, it is not feasible.

Compacts are tedious and the procedure is always difficult. Even though the physical projects and properties can be built by compacts when carried into the field of actual operation the ideal appears well nigh impossible. Such a loose arrangement certainly does not square with the multibillion dollar and multipurpose values that the Columbia presents. Some means must be found to give the States a practical participation, to allow them to cooperate fully with the Congress, the Federal administration, and with each other.

It is that means which H. R. 2923 seeks.

The second proposal grows out of the rivers and harbors bill, passed last winter and signed by the President on the 22d of December 1944. The bill recognizes the fields of operation in river and land development of the Army engineers, the Bureau of Reclamation, and the Department of Agriculture. It can be said that it fixes jurisdictions and locates the Federal authority involved.

Obviously the river and harbor bill, with its amendments, helps to end the interdepartmenal feuding that has haunted river, water, and reclamation development through the years. Much credit is due the Rivers and Harbors Committee.

It has been welcomed by us who know the high character and high purpose of the men in these departments. Nothing can dilute the ultimate virtues of their services to regional and national welfare and progress.

Let us recognize also that the integration of these bureaus and departments will speed up the actual construction of the physical projects and properties. The personnel is there. The talent is there. The vision is there. Any program should take full advantage of the abilities of these public servants.

H. R. 2923 proposes to do just that.

However, the operation of these projects after their construction is something else.

If we leave the second step to an agency headquartered in Washington, D. C., we can expect trouble. If we leave that to the Federal agencies considered here, they will have to enormously expand and the specter of a Federal agency, with its center in the Nation's Capital, will move into every community in the watershed and drainage area. This proposal would in the end be the greatest invasion of States' rights of any of the three. Here, indeed, the States, as such, would progressively cease to exist.

Again we must turn to the possibilities of local and State government. We must find a way for their cooperation with the Congress, the Federal administration, particularly the departments involved.

The third alternative is a Federal agency with corporate powers.

But it must live, move, and have its being in the interstate area drained by the river.

I would add another qualification. It must serve and be subject to the will of the resident population.

T. V. A. is a Federal Agency. Its corporate existence lies within the Tennessee Valley.

It has served the people of that valley well. No one can review its decade of life without admitting its success. Even anti-administrationists do that. Furthermore, it has succeeded despite all of the problems and controversies that attended its inception.

Right there I must call attention to the fact that this controversy has had a restraining influence and has served to make T. V. A. the servant of the people and the States which make up the Tennessee's drainage area. Public opinion was involved and the T. V. A. had to make good.

Yet the T. V. A., according to Mr. Lilienthal, its very able head, is a corporation with 130,000,000 stockholders. That being so, we could say that the Congress is the board of directors and the President is the chairman of the board.

Just a little meditation will serve to point out the ultimate folly of such a corporation. Just a little meditation will serve to bear out the conclusion that in the day-to-day operation, the T. V. A. has neither a board of directors nor a chairman of that board. The Congress and the President are too busy to give that business the attention it deserves. The bulk of discretion and policy is left to three men. That they have served well is a credit to them, as individuals, rather than to the wisdom of the T. V. A. Act itself.

The stockholders should be the people of the area. The board of directors should be people who are directly interested in the people of and the area drained by the river considered.

To effect that, to allow for the maximum of State participation, to facilitate the availability of the talents of every Federal agency capable of serving, I have introduced H. R. 2923. I ask only that it receive full consideration.

It would set up, as I have said, a cooperative authority consisting of a Federal agency with powers that can be guided by the people of the area drained by the Columbia.

There are four Pacific Northwest States; namely, Oregon, Washington, Idaho, and Montana. The Commission would, therefore, have five members—one each appointed by the President of the United States from the four States, from lists of residents submitted by the governors, and one to be appointed at large.

In addition, it is suggested that each State set up a Columbia Basin commission of seven members with the State director of conservation and development, or equivalent officer, as chairman.

These would naturally function at their appropriate duties within the States. The bill also provided for their membership on the Columbia River Cooperative Authority Advisory Committee. Also on that committee would be the

four governors and, in addition, the Director of Conservation and Development—or equivalent officer—of Wyoming. The Columbia system drains a small portion of that State.

This committee will be advisory in fact as well as in name. In important matters their majority will and consent must be obtained before any proposals are submitted to Congress. In matters affecting the tax burden to be assumed by any project they are authorized to suggest a program to the Commission. The Commission is required to review its work and program before the committee at least once a year.

The advisory committee is given full powers to set up an executive committee of nine members and to draw up its own bylaws to govern its procedure.

Now it may be argued that:

First. Both the Commission and the advisory committee are too large. Let it be said in answer to this that the Columbia River's future demands the fullest and most adequate consideration. If I could, I would have provided for a delegate assembly to consider its comprehensive future.

The advisory committee, however, should serve that purpose very well. The Commission's size was dictated by the number of States which have major areas in the watershed.

Second. Again, it may be argued that the proposal is not constitutional. As to that, I have sought opinions. All agree that it is not unconstitutional. In the name of the continuation of a government of workable checks and balances, we should expect the courts to accept this cooperative arrangement.

Again, let me repeat: This Nation of ours is a union of States and the Federal Government will profit from fully recognizing the existence of States as such.

Around the world plans are being considered for the repairing of rivers. The ravages of erosion, ignorance, and time have seen civilizations go as surely as rivers run down the hills and plains and on into the sea, as the rivers declined in their ability to contribute to peace and plenty. Conflicts arose over who should have the diminished portion that was left.

The famous Jordan, where once was cradled the beginnings of our faith, is hoped to be comprehensively reclaimed. The Chinese are working on the Yellow River to avert the pestilence and famine which that wayward waterway has brought to China.

In the past, it has been war that has served to point out the crucial values of our rivers to us.

Can we not now seek to appreciate them as mediums of peace and seek to set up some method of cooperation among neighbors that will glorify the future years?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. RAINS (at the request of Mr. JARMAN), for 2 weeks, on account of official business.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 37. An act to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes;

S. 288. An act for the relief of the Lawrence Motor Co., Inc.;

S. 514. An act for the relief of the Baldwin Bros. Paving Co.;

S. 530. An act authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Tex., to Dallas County, Tex., for highway purposes; and

S. 531. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, Calif., for fire-station purposes, the title to certain land located at Veterans' Administration facility, Los Angeles, Calif.

ADJOURNMENT

Mr. SHEPPARD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 10 minutes p. m.) the House adjourned until tomorrow, Thursday, April 19, 1945, a 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

The Committee on the Merchant Marine and Fisheries will resume its hearings on the ship-sale bill, H. R. 1425, on Thursday, April 19, 1945, at 10 o'clock a. m.

COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Committee on the Public Lands on Friday, April 20, 1945, at 10 o'clock a. m, to consider H. R. 1392.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Brand Names and Newsprint Subcommittee of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m. Monday, April 23, 1945.

Business to be considered: A public hearing on the subject of compliance.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 o'clock a. m. on Tuesday, April 24, 1945.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

397. A letter from the Postmaster General, transmitting a copy of a letter addressed to the Director of the Budget, certifying that the Post Office Department is within the quota set by that Bureau under date of March 8, 1945; to the Committee on the Civil Service.

398. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England on December 26, 1944; to the Committee on Claims.

399. A letter from the Attorney General, transmitting the ninth report of the Attorney General covering the period from December 15, 1944, through April 9, 1945; to the Committee on Banking and Currency.

400. A letter from the Secretary of the Interior, transmitting copy of an order canceling certain charges existing as debts due the United States by individual Indians and tribes of Indians; to the Committee on Indian Affairs.

401. A letter from the Attorney General, transmitting a report stating all of the facts and pertinent provisions of law in the cases of 348 individuals whose deportation has been suspended for more than 6 months under the authority vested in him by the said statute, together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUDLOW: Committee of conference. H. R. 2252. A bill making appropriations for the Treasury and Post Office Departments (Rept. No. 430). Ordered to be printed.

Mr. LUTHER A. JOHNSON: Committee on Foreign Affairs. H. J. Res. 145. Joint resolution providing for membership of the United States in the Food and Agriculture Organization of the United Nations (Rept. No. 431). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. RANDOLPH:

H. R. 2937. A bill to provide for the promotion of the welfare of displaced labor in relation to the economic effects flowing from scientific and technological developments; to the Committee on Interstate and Foreign Commerce.

H. R. 2938. A bill to amend the Code of Laws of the District of Columbia, with respect to abandonment of condemnation proceedings; to the Committee on the District of Columbia.

H. R. 2939. A bill to prevent discrimination against blind persons and persons with impaired visual acuity in the administration of the civil service laws and rules; to the Committee on the Civil Service.

By Mr. BOREN:

H. R. 2940. A bill to fix the price of crude petroleum and its derivatives and fixing a parity formula; to the Committee on Banking and Currency.

By Mr. DOYLE:

H. R. 2941. A bill to authorize the payment of the entire amount found due in the settlement of accounts of deceased members of the armed forces, without the appointment of a legal representative of the estate; to the committee on Military Affairs.

By Mr. FLOOD:

H. R. 2942. A bill granting certain tax benefits to members and former members of the armed forces; to the Committee on Ways and Means.

By Mr. KEFAUVER:

H. R. 2943. A bill to provide a commission to consider proposals and to formulate a plan for an appropriate memorial to the late President of the United States, Franklin Delano Roosevelt; to the Committee on the Library.

By Mr. MAY:

H. R. 2944. A bill to continue in effect section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, relating to the exploration of certain commodities; to the Committee on Military Affairs.

H. R. 2945. A bill to amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training

Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps; to the Committee on Military Affairs.

H. R. 2946. A bill authorizing appropriations for a permanent program of scientific research in the interest of national security; to the Committee on Military Affairs.

By Mr. MUNDT:

H. R. 2947. A bill to authorize the consolidation of lands on the Sisseton Indian Reservation, S. Dak., and for other purposes; to the Committee on Indian Affairs.

By Mr. REES of Kansas:

H. R. 2948. A bill to amend the Civil Service Retirement Act approved May 29, 1930, as amended, so as to exempt annuity payments under such act from taxation; to the Committee on the Civil Service.

By Mrs. ROGERS of Massachusetts:

H. R. 2949. A bill to amend the National Service Life Insurance Act of 1940, to provide for the automatic extension for a second 5-year period of 5-year level premium term policies; to the Committee on World War Veterans' Legislation.

By Mr. STEVENSON:

H. R. 2950. A bill to grant increased pensions to certain veterans, and widows of veterans, of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, whose pensions have not been increased by recent legislation; to the Committee on Pensions

By Mr. SUMNERS of Texas:

H. R. 2951. A bill to exempt certain members of the Economic Stabilization Board from certain provisions of the Criminal Code; to the Committee on the Judiciary.

By Mr. D'ALESANDRO:

H. R. 2952. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to Franklin Delano Roosevelt; to the Committee on the Judiciary

By Mr. COFFEE:

H. J. Res. 156. Joint resolution to create a Commission on Tax Integration, and for other purposes; to the Committee on Rules.

By Mr. GREEN:

H. J. Res. 157. Joint resolution to declare January 30, the birthday of our great President, Franklin Delano Roosevelt, a national holiday; to the Committee on the Judiciary.

By Mr. BRADLEY of Pennsylvania:

H. J. Res. 158. Joint resolution declaring the birthday of Franklin Delano Roosevelt to be a legal holiday; to the Committee on the Judiciary.

By Mr. HARLESS of Arizona:

H. J. Res. 159. Joint resolution authorizing the erection on public grounds in Springerville, Ariz., of a memorial to Gustav Becker; to the Committee on Public Buildings and Grounds.

By Mr. SHAFER:

H. Con. Res. 44. Concurrent resolution recommending that any parties or organizations advocating overthrow of the United States Government be prohibited from entering candidates in any State or National elections; to the Committee on the Judiciary.

By Mr. BLAND:

H. Res. 223. Resolution providing additional compensation for certain employees of the Committee on the Merchant Marine and Fisheries; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of Chile, memorializing the President and the Congress of the United States by expressing deep sympathy with regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to amend the naturalization laws in such manner as to grant citizenship privileges to natives of the Philippines; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to amend the naturalization laws in such manner as to grant the privilege of citizenship to Koreans; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States to include by amendment the Territory of Alaska in the provisions of the Federal Aid Highway Act of 1944, and all other highway legislation; to the Committee on Roads.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States to enact speedy legislation to increase the compensation of mail carriers; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of Ireland, memorializing the President and the Congress of the United States expressing deep sympathy on the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of San Salvador, memorializing the President and the Congress of the United States in regard to the loss of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of Costa Rica, memorializing the President and the Congress of the United States in regard to the loss of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of Mexico, memorializing the President and the Congress of the United States in regard to the loss of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States to enter into negotiations with Canada for acquisition of the land upon which the Alaskan Highway is constructed; to the Committee on the Territories.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States to investigate the policies of the Secretary of the Interior relating to land withdrawals in Alaska; to the Committee on the Public Lands.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States not to pass H. R. 2400 without an amendment that Finnish persons wishing to settle in this country be permitted to enter the United States generally on a nonquota basis, and to settle in Alaska in the same manner and on the same terms as in any State of the Union; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the Territory of Alaska, memorializing the President and the Congress of the United States to enlarge harbor facilities and build a breakwater with a ferry landing approach attached thereto in Tongass Narrows adjacent to Ketchikan, Alaska; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to encourage small business and to make the fullest possible provision for jobs in private enterprise to returning veterans; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to enact legislation similar to S. 1100 of the Seventy-eighth Congress, second session, regarding promotion of officers on the retired list of the Army after specified years of service on active duty; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to provide a wage readjustment for Postal Service employees; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to give full consideration to giving preference rights to returning veterans in sales rights to surplus commodities; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND:

H. R. 2953. A bill for the relief of Lt. Comdr. William H. Booth, United States Navy, retired; to the Committee on Naval Affairs.

By Mr. BUCKLEY:

H. R. 2954. A bill for the relief of John Hamlet; to the Committee on Claims.

By Mr. HAND:

H. R. 2955. A bill for the relief of Mrs. Lena Rottenberg; to the Committee on Claims.

By Mr. HEFFERNAN:

H. R. 2956. A bill for the relief of Therese R. Cohen; to the Committee on Claims.

By Mr. LESINSKI:

H. R. 2957. A bill for the relief of Alvada Hirst; to the Committee on Immigration and Naturalization.

By Mr. MILLER of California:

H. R. 2958. A bill for the relief of Clarence J. Wilson and Margaret J. Wilson; to the Committee on Claims.

By Mr. SHAFER:

H. R. 2959. A bill to extend the contract for carrying the mail on star route No. 37303; to the Committee on the Post Office and Post Roads.

By Mr. SMITH of Virginia (by request):

H. R. 2960. A bill to correct the naval record of William Robert Cove; to the Committee on Naval Affairs.

By Mr. SMITH of Virginia:

H. R. 2961. A bill to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of H. Herfurth, Jr., Inc.; to the Committee on Claims.

H. R. 2962. A bill for the relief of Justin P. Hopkins; to the Committee on Claims.

By Mr. SUMNERS of Texas:

H. R. 2963. A bill for the relief of William Phillips; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

393. By Mr. BELL: Memorial of the Optometric Society of Greater Kansas City, upon resolution of that body, urging that a separate Corps of Optometry be established in the Army of the United States as provided in H. R. 1699. Signers of the adopted resolution are: Dr. Guy G. Harper, Dr. H. D. Ward, Dr. Charles P. Caldwell, Dr. Manuel J. Berri, Dr. F. B. Toussaint, Dr. Joseph S. Shockey, Dr. H. R. Toub, Dr. W. C. Scotten, Dr. S. Herman Shurin, Dr. Wilbur R. English, Dr. Erschell C. Davis, Dr. C. Edgar Ritchie, Dr. Albert J. Hakan, Dr. D. M. Ginsberg, Dr.

Michael B. Kendis, Dr. J. Shurin, Dr. Thomas M. Conboy, Dr. D. R. Davis, Dr. Lou Ankersen, Dr. M. B. Kanitz, Dr. B. D. Whitehead, Dr. Ray O. Stahl, Dr. John D. G'Sell, Dr J. Max Daniel, Dr. C. B. Ingram, Dr. J. W. Parker, Dr H. W. Hagenah, Dr. Buy E. Wend. The resolution was forwarded by Dr. Ray O. Stahl, secretary of the society; to the Committee on Military Affairs.

394. By Mr. COFFEE: Petition adopted by the Sumner-Victory Post, No. 3070, of the Veterans of Foreign Wars of the United States, post officers of which are Commander William Castle, Quartermaster Frank E. Cole, and Adjutant Norman Hawkins, urging that the House of Representatives concur in Senate Joint Resolution No. 34, authorizing the President to confer upon William L. Mitchell the posthumous rank of major general, and signed by Messrs. Dean R. Abbott, G. L. Larsen, and Oscar Z. Johanson; to the Committee on Military Affairs.

395. By Mr. GOODWIN: Petition of Mrs. Elien M. Peterson and 12 others of Reading, Mass., being a declaration of principles in the form of a pledge for peace; to the Committee on Foreign Affairs.

396. Also, petition of Anita Cerchione, of Stoneham, Mass., and nine others of the Eighth Massachusetts District, members of the Women's Columbus Republican Club of Massachusetts, with reference to the extension of an invitation to Italy to participate in the Conference of Allied Nations at San Francisco; to the Committee on Foreign Affairs.

397. By Mr. HART: Petition of the Order of Sons of Italy in America, petitioning the President of the United States, (1) To recognize Italy as a full and equal ally; (2) to use his good offices to the end that the United Nations recognize Italy as a full and equal ally; (3) to use his good offices with the sponsoring powers to see to it that Italy be invited forthwith to attend the San Francisco Conference; and (4) to extend lend-lease aid to Italy so that her present economic distress may be relieved by the resumption of industry and production through said aid; to the Committee on Foreign Affairs.

398. Also, petition of the third ward Democratic committee and associated Democratic clubs of Hoboken, N. J., requesting the United States Government and other Allied Nations to recognize Italy as an ally and invite Italy to the San Francisco Conference; to the Committee on Foreign Affairs.

399. Also, petition of the Christopher Columbus Memorial Committee of Hoboken, N. J., requesting the United States Government and other Allied Nations to recognize Italy as an ally and invite Italy to the San Francisco Conference; to the Committee on Foreign Affairs.

400. Also, petition of New Jersey State Legislature (Senate Joint Resolution 10), memorializing Congress to provide a veterans' general medical and surgical hospital in the State of New Jersey; to the Committee on World War Veterans' Legislation.

401. By Mr. KEOGH: Petition of residents of the Ninth Congressional District of Brooklyn with reference to the recognition of Italy as an ally; to the Committee on Foreign Affairs.

402. By The SPEAKER: Petition of the city of Los Angeles, petitioning consideration of their resolution with reference to have an investigation made of the housing shortage in that city; to the Committee on Public Buildings and Grounds.

403. Also, petition of Polish-American Congress, New Hampshire Division, petitioning consideration of their resolution with reference to condemnation of partition of Poland according to decisions of the Crimean Conference and requesting adherence to the principles of the Atlantic Charter; to the Committee on Foreign Affairs.

404. Also, petition of American Legion post of the Capital City Business and Professional Men's Post, No. 316, Austin, Tex., petitioning consideration of their resolution with reference to the establishment of a world organization possessed of the authority to maintain peace throughout the world, using force against aggressor nations if necessary; to the Committee on Foreign Affairs.

405. Also, petition of the American Legion, Eagle Post No. 211, Eagle Pass, Tex., petitioning consideration of their resolution with reference to the establishment of a world organization possessed of the authority to maintain peace throughout the world, using force against aggressor nations if necessary; to the Committee on Foreign Affairs.

406. Also, petition of the Democratic Party of Guatemala, petitioning consideration of their resolution with reference to expression of deep sympathy on the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

407. Also, petition of the Middletown Civil Club, petitioning consideration of their resolution with reference to the establishment of a national holiday on January 30, in memory of our late President; to the Committee on the judiciary.

408. Also, petition of the council of the city of Los Angeles, petitioning consideration of their resolution with reference to the speedy passage of H. R. 2071, a bill affecting the salaries of postal workers; to the Committee on the Post Office and Post Roads.

409. Also, petition of Lebanese residents of Puerto Rico, petitioning consideration of their resolution with reference to expressing sympathy in regard to the loss of our late President; to the Committee on Foreign Affairs.

410. Also, petition of National University Committee of Burrell D. Hodges, Detachment Marine Corps League, Norfolk, Va., and of the National Defense Committee, Old Dominion Post, No. 67, American Legion, Norfolk, Va., petitioning consideration of their resolution with reference to the establishment of a national university as a permanent utilitarian monument; to the Committee on Education.

411. Mr. HAND: Petition of the Cumberland County License Beverage Association of New Jersey with 5,000 signatures, protesting against the enactment of House bill 2082, and other prohibition legislation; to the Committee on the Judiciary.

SENATE

THURSDAY, APRIL 19, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God our Father, we would make our hearts, cleansed by Thy forgiving grace, a temple of Thy presence, knowing that only to the pure dost Thou grant the vision of Thy face. We come asking, not that Thou wouldst give heed to the faltering petitions our lips frame but that Thou wilt bend Thine ear to the crying of our deep need. We bring to the altar of prayer our inmost selves, cluttered and confused, where good and evil, the petty and the great, are so entwined. May the eternal immensities shame our little thoughts and ways. May the vision of what we might be convict us of what we are. In this great day of Thy visitation, may we miss not the things belonging to our peace and to the peace of the world. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, April 18, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

S. 37. An act to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes;

S. 288. An act for the relief of the Lawrence Motor Co., Inc.;

S. 514. An act for the relief of the Baldwin Bros. Paving Co.;

S. 530. An act authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Tex., to Dallas County, Tex., for highway purposes; and

S. 531. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, Calif., for fire-station purposes, the title to certain land located at Veterans' Administration facility, Los Angeles, Calif.

CURTAILMENT OF FEDERAL BUREAUCRACY

Mr. WILEY. Mr. President, individuals learn in life that the applicability of rules in human activity changes with time, circumstance, and condition. A great Democrat, Grover Cleveland, set forth what he thought was a definite policy ingrained in the Constitution when he said in substance that it was the business of the people to support the Government and not for the Government to support the people.

Yet, after his time, conditions changed, and we modified that rule in our practice to the extent of permitting Government, in times of great national emergency, to do even that which Grover Cleveland said it should not do. When the world depression came upon us, the Government of the United States, acting as the agent of the people—because of the united strength of all of us—engaged in palliative measures. Then the great war came upon us and the people through their Government did the impossible. Latent qualities were rediscovered in our people; inventive genius, untiring energy went into action. But bureaucracy, which had undergone a necessary growth during the period of palliative measures, extended itself out of all proportion to military necessity during the war period.

The people of this country will, in the post-war period, find themselves in the exact opposite condition to that in which they found themselves during the period of the palliative measures. Now our people, as individuals and organizations,

possess some $250,000,000,000 worth of United States bonds. Bank deposits are more than $140,000,000,000. Our people have saved in excess of $100,000,000,000 since Pearl Harbor. Money is looking for investment.

Now we are in a position with our tremendous backlog of demand really "to go to town." We have the economic resources; we have a trained labor corps; we have reborn confidence, renewed courage, and reinvigorated faith to explore and build and create. And finding ourselves in this position, we see no reason why we, the people, should not say to these bureaucrats who would now want to interfere with our economic rebirth, "Get thee behind us."

We observe that these bureaucrats who came into existence during the palliative years and the war emergency are impressed with the notion that they should remain on the job and the boss of the job. As in Russia in the years of the Czar, these bureaucrats are proving a hindrance to progress. Many of them in their time and season did a worthwhile job. But now they are no longer needed. Conditions and circumstances have indeed changed.

It is in the light of this dynamic change of circumstances that I respectfully suggest that now is the opportune time for Congress and President Truman to curb and curtail the Federal bureaucracy. To do so would give a shot in the arm to the American public. Through the saving of a billion dollars in the Federal Budget our people would be impressed with the fact that efficiency and economy had once more become the order of the day and that the extravagant Federal overhead was on its way down. Congress for its own part in the forthcoming Budget should take the ax to the bureaucratic organizations which have outlived their usefulness and which will be detrimental to our national growth during the post-war period. And President Truman, I am hopeful, will give a directive to the Director of the Bureau of the Budget along the lines I have mentioned.

THE LATE PRESIDENT ROOSEVELT'S LEADERSHIP IN SOCIAL-WELFARE LEGISLATION

Mr. WAGNER. Mr. President, tributes to the memory of our late beloved President, Franklin D. Roosevelt, are still pouring in from all over the world. From persons in every walk of life comes the recognition of his leadership in the tasks of winning the war, his great qualities as Commander in Chief, his vision and courage as a statesman in preparing for the peace.

Those of us who worked closely with Franklin D. Roosevelt during his 35 years in public life also remember his leadership against the peacetime perils of a Nation "ill-housed, ill-clad, ill-fed." The people of our land and of nations throughout the world stood united behind him in war because they knew that in peace he had never ceased to fight for the freedom, welfare, and dignity of the common man, for justice and opportunity for all, regardless of race, creed, or color.

Among the many lasting monuments in which the memory of Franklin D. Roosevelt is enshrined is the great humanitarian and social legislation he sponsored. Over 16 years ago he said in his speech accepting the nomination for Governor of New York:

> In social legislation, in education, in health, in better housing, in the care of the aged, we have gone far, but we must go farther.

Nearly 11 years ago, on June 8, 1934, he sent to Congress his famous message dealing with social-security legislation. Then he said:

> Among our objectives, I place the security of the men, women, and children of the Nation first.

To the attainment of that goal he gave his heart and mind throughout his service to the people, first as Governor of New York State, then as our President and Commander in Chief.

This year commemorates the tenth anniversary of the adoption of the Social Security Act, which provides a foundation on which our country has begun to build into reality some of the vision he held for the American people. Just a few months ago Franklin D. Roosevelt had stated that he intended to recommend to the Congress improvements in existing social-security legislation to help ease the transition from war to peace.

During recent years I have carefully kept a record of the speeches and statements of Franklin D. Roosevelt on social security, health, and welfare matters. His words will be a source of inspiration to those who intend to carry on the good things which he helped to start.

Mr. President, I ask unanimous consent to include as a part of my remarks excerpts on social security and health from the speeches and statements of Franklin D. Roosevelt, to record the lasting debt we owe to him for his leadership and for the aspirations he left with us for fulfillment.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

1928: "In social legislation, in education, in health, in better housing, in the care of the aged, we have gone far, but we must go farther." (Acceptance of nomination for Governor of New York, October 16, 1928.)

1928: "We pledge a consideration of the subject of old-age pensions * * * I believe that the time is definitely at hand for the State of New York to give definite study to the great humanitarian question of preventing destitution among the thousands of our citizens who become too old to maintain for themselves the adequate standards of life to which as Americans they are entitled.

"We pledge * * * the further liberalization of the laws relating to the welfare of mothers and children." (Campaign address, Buffalo, N. Y., October 20, 1928.)

1928: "We need an expansion of medical service to every out-of-the-way corner in the cities and on the farms.

"We need a drastic revision of the poor laws. * * * this State can, as I believe it will, pass a proper and adequate old-age pension law. (Campaign address, Rochester, N. Y., October 28, 1928.)

1929: "New social conditions bring new ideas of social responsibility. The problem of how to take care of the aged poor outside of State institutions is now occupying the attention of other States of the Union as well as of foreign countries. We can no longer be satisfied with the old method of putting them away in dismal institutions with the accompanying loss of self-respect, personality, and interest in life.

"This State abandoned some time ago the principle of institutional care for poor children, and adopted the method of helping them in their own homes. Similar provision should be made for old age." (Governor Roosevelt recommends the creation of a commission to study the problem of old-age assistance, February 28, 1929.)

1930: "Then there is another very important matter, and that is our public health. It is becoming increasingly apparent that illness is a thing which can be prevented as well as cured. There is much sound common sense in the traditional Chinese method of paying the doctor for the days you are well, instead of for the days that you are sick." (An address before the State Charities Aid Association, New York City, January 17, 1930.)

1930: "I look forward to the time when every young man and young woman entering industrial or agricultural or business activity will begin to insure himself or herself against the privations of old age. The premiums which that young man or young girl will pay should be supplemented by premiums to be paid by the employers of the State, as well as by the State itself. In that way, when the young man or young girl has grown to old and dependent age, he or she will have built up an insurance fund which will maintain them in comfort in their years of reduced activity. In this way, their assistance will be a result of their own efforts and foresightedness. They will be receiving not charity, but the natural profits of their years of labor and insurance. I hope to have the opportunity of continuing my efforts to obtain this kind of old-age insurance which our most progressive thought demands." (Campaign address, Rochester, N. Y., October 21, 1930.)

1931: "Our American aged do not want charity, but rather old-age comforts to which they are rightfully entitled by their own thrift and foresight in the form of insurance. It is, therefore, my judgment that the next step to be taken should be based on the theory of insurance by a system of contributions commencing at an early age. In this way all men and women will, on arriving at a period when work is no longer practicable, be assured not merely of a roof overhead and enough food to keep body and soul together, but also enough income to maintain life during the balance of their days in accordance with the American standard of living." (The annual message to the legislature, January 7, 1931.)

1931: "The success or failure of any government in the final analysis must be measured by the well-being of its citizens. Nothing can be more important to a State than its public health; the State's paramount concern should be the health of its people." (The Governor transmits to the legislature a report of the special health commission, February 19, 1931.)

1931: "What impresses me most is that insurance as a whole is a constantly changing and a constantly growing force in our individual lives and in our business lives. As the world becomes more and more civilized and stabilized we are able to give protection against more and more forms of potential dangers or losses. That is why I have at all times been so ready to go along with new forms of insurance to meet new needs. In other words, I have been a consistent opponent of the school which takes the position that because a new form of risk has never been written before it should not be undertaken in the future."

"I use this example of unemployment insurance because I am certain in my own mind that what is now an experiment affecting about 100,000 workers in this country

will become the universal practice throughout the country during the coming generation." (Address on unemployment insurance, New York City, March 6, 1931.)

1931: "The dole method of relief for unemployment is not only repugnant to all sound principles of social economics, but is contrary to every principle of American citizenship and of sound government. American labor seeks no charity, but only a chance to work for its living. The relief which the workers of the State should be able to anticipate, when engulfed in a period of industrial depression, should be one of insurance, to which they themselves have in a large part contributed. Each industry itself should likewise bear a part of the premium for this insurance, and the State, in the interest of its own citizens." (A recommendation for a commission to investigate unemployment insurance, March 25, 1931.)

1931: "One of these duties of the State is that of caring for those of its citizens who find themselves the victims of such adverse circumstances as makes them unable to obtain even the necessities for mere existence without the aid of others. That responsibility is recognized by every civilized nation.

"While it is true that we have hitherto principally considered those who through accident or old age were permanently incapacitated, the same responsibility of the State undoubtedly applies when widespread economic conditions render large numbers of men and women incapable of supporting either themselves or their families because of circumstances beyond their control which make it impossible for them to find remunerative labor. To these unfortunate citizens aid must be extended by Government—not as a matter of charity but as a matter of social duty." (Message of Gov. Franklin D. Roosevelt to the New York Legislature on relief policy, August 28, 1931.)

1932: "In January 1929 I suggested an immediate study of the problem of the security of elderly people against want, and in 1930 a special legislative committee made a report and recommendations thereon. I had hoped that their recommendations would include a plan by which a contributory system would be set up in addition to taking care of our present old people. It was my thought that in this way the financial burden on localities and on the State would, while at first heavy, be greatly reduced over a period of years through the coming into operation of an annuity fund built up in large part by contributions made during the working years of the individual citizens." (The annual message to the legislature, January 6, 1932.)

1934: "Fear and worry based on unknown danger contribute to social unrest and economic demoralization. If, as our Constitution tells us, our Federal Government was established among other thing 'to promote the general welfare,' it is our plain duty to provide for that security upon which welfare depends."

"These three great objectives—the security of the home, the security of livelihood, and the security of social insurance—are, it seems to me, a minimum of the promise that we can offer to the American people. They constitute a right which belongs to every individual and every family willing to work. They are the essential fulfillment of measures already taken toward relief, recovery, and reconstruction.

"This seeking for a greater measure of welfare and happiness does not indicate a change in values. It is rather a return to values lost in the course of our economic development and expansion." (Message from President Roosevelt to the Congress, June 8, 1934.)

1934: "We seek the security of the men, women, and children of the Nation."

"To use the agencies of Government to assist in the establishment of means to provide sound and adequate protection against the vicissitudes of modern life—in other words, social insurance." (The first fireside chat of 1934, June 28, 1934.)

1934: "Let it be well remembered that the hundreds of thousands of men and women and children to whom I have referred, scattered throughout our Nation, have no splendid hospitals for their care, have no medical attention, * * * have no opportunities for adequate education, and can but suffer the ills of their lives according to their own individual circumstances.

"We must do first things first. The care of the disabled, the sick, the destitute, and the starving in all ranks of our population—that, my friends, is the first thing." (Dedication of veterans' hospital, October 19, 1934.)

1934: "There is also the problem of economic loss due to sickness—a very serious matter for many families with and without incomes, and therefore, an unfair burden upon the medical profession. Whether we come to this form of insurance soon or later on, I am confident that we can devise a system which will enhance and not hinder the remarkable progress which has been made and is being made in the practice of the professions of medicine and surgery in the United States." (Address to Advisory Council of the Committee on Economic Security on the Problems of Economic and Social Security, November 14, 1934.)

1935: "Closely related to the broad problem of livelihood is that of security against the major hazards of life. Here also a comprehensive survey of what has been attempted or accomplished in many nations and in many States proves to me that the time has come for action by the National Government. I shall send to you in a few days definite recommendations based on these studies. These recommendations will cover the broad subjects of unemployment insurance and old-age insurance, of benefits for children, for mothers, for the handicapped, for maternity care, and for other aspects of dependency and illness where a beginning can now be made." (Message to the Congress of the United States, January 4, 1935.)

1935: "The establishment of sound means toward a greater future economic security of the American people is dictated by a prudent consideration of the hazards involved in our national life. No one can guarantee this country against the dangers of future depressions but we can reduce these dangers. We can eliminate many of the factors that cause economic depressions, and we can provide the means of mitigating their results. This plan for economic security is at once a measure of prevention and a method of alleviation." (Message of President Roosevelt transmitting social-security recommendations, January 17, 1935.)

1935: "This law, too, represents a cornerstone in a structure which is built but is by no means complete—a structure intended to lessen the force of possible future depressions, to act as a protection to future administrations of the Government against the necessity of going deeply into debt to furnish relief to the needy—a law to flatten out the peaks and valleys of deflation and of inflation—in other words, a law that will take care of human needs and at the same time provide for the United States an economic structure of vastly greater soundness." (Statement by President Roosevelt upon signing the social-security bill, August 14, 1935.)

1935: "While the amounts provided in the act do not give the amount of insurance and protection which I should like to see, it is a definite beginning along the proper road. It is a step which should have been taken in America a generation ago as it has been taken in other countries. * * *

"It is the foundation upon which we hope in America to provide a real form of financial security for workers, so that the specter of unemployment and old-age destitution may be banished from the American home and farm." (Statement included as a note in the public papers of Franklin D. Roosevelt commenting on a statement issued upon signing the Social Security Act, August 14, 1935.)

1938: "The enactment of the Social Security Act marked a great advance in affording more equitable and effective protection to the people of this country against widespread and growing economic hazards. The successful operation of the act is the best proof that it was soundly conceived. However, it would be unfortunate if we assumed that it was complete and final. Rather, we should be constantly seeking to perfect and strengthen it in the light of our accumulating experience and growing appreciation of social needs." (Public letter to Chairman of the Social Security Board recommending liberalizing the old-age insurance system, April 28, 1938.)

1938: "I am also confident that each year will bring further development in Federal and State social security legislation—and that is as it should be. * * *

"We have come a long way. But we still have a long way to go. There is still today a frontier that remains unconquered—an America unreclaimed. This is the great, the Nation-wide frontier of insecurity, of human want and fear. This is the frontier—the America—we have set ourselves to reclaim." (Radio address on the third anniversary of the Social Security Act, August 15, 1938.)

1939: "All of us want better provision for our older people under our social-security legislation. For the medically needy we must provide better care." (Annual message to the Congress, January 4, 1939.)

1939: "We have a right to be proud of the progress we have made in the short time the Social Security Act has been in operation. However, we would be derelict in our responsibility if we did not take advantage of the experience we have accumulated to strengthen and extend its provisions. * * *

"I cannot too strongly urge the wisdom of building upon the principles contained in the present Social Security Act in affording greater protection to our people rather than turning to untried and demonstrably unsound panaceas. * * *

"We shall make the most orderly progress if we look upon social security as a development toward a goal rather than a finished product." (Message to Congress from President Roosevelt, January 16, 1939, concerning amendments to the Social Security Act, 1939.)

1939: "I have been concerned by the evidence of inequalities that exist among the States as to personnel and facilities for health services. There are equally serious inequalities of resources, medical facilities and services in different sections and among different economic groups. These inequalities create handicaps for the parts of our country and the groups of our people which most sorely need the benefits of modern medical science.

"The objective of a national health program is to make available in all parts of our country and for all groups of our people the scientific knowledge and skill at our command to prevent and care for sickness and disability; to safeguard mothers, infants, and children; and to offset through social insurance the loss of earnings among workers who are temporarily or permanently disabled." (Message to Congress on the national health program, January 23, 1939.)

1939: "It will be exactly 4 years ago on the fourteenth of this month that I signed the original Social Security Act. As I indicated at that time and on various occasions since that time, we must expect a great program of social legislation such as is represented in the Social Security Act to be improved and strengthened in the light of additional experience and understanding. These amendments to the act represent another tremendous step forward in providing greater se-

curity for the people of this country." (Statement by the President on August 11, 1939, on signing the Social Security Act amendments of 1939.)

1940: "There is still need for the Federal Government to participate in strengthening and increasing the health security of the Nation. * * *

"In order that at least a beginning may be done, I now propose for the consideration of the Congress a program for the construction of small hospitals in needy areas of the country, especially in rural areas, not now provided with them. Hospitals are essential to physicians in giving modern medical service to the people. In many areas present hospital facilities are almost nonexistent. The most elementary health needs are not being met." (Message to the Congress recommending the construction of hospitals in needy areas of the country without such facilities, January 30, 1940.)

1940: "We are still, however, quite distant from the objective which we seek—the security and the high standards of living for every man, woman, and child which the resources and manpower of America makes possible. * * *

"Our progress must continue to be a steady and deliberate one—we cannot stand still, we cannot slip back. We must look forward to certain definite things in the near future. For example, the benefits of social security should be broadened and extended; unemployment insurance should cover a larger number of workers. Our old-age pension system must be improved and extended; the amount of the pension should be increased, and, above all, these pensions must be given in a manner which will respect the dignity of the life of service and labor which our aged citizens have given to the Nation. * * *

"There is nothing in our present emergency to justify a retreat from any of our social objectives—conservation of resources, assistance to agriculture, housing, and help to the underprivileged." (Speech by President Roosevelt to the Teamsters Union, September 11, 1940.)

1940: "The social gains of recent years, including insurance and other benefit rights, must be preserved unimpaired. * * *

"I recommend to the Congress early consideration of the problems thus recognized, and enactment of the necessary legislation incident to preserving insurance protection under the Social Security Act." (President Roosevelt's message to the Congress, September 14, 1940.)

1941: "There is, of course, still room for improvement in our social-security system. I have repeatedly recommended that it be extended to cover many of the occupations now specifically exempted under the act. Also, the health provisions of the Social Security Act are now inadequate to cover the costs of medical care and provide for temporary or permanent disability." (Statement included as a note in the public papers of Franklin D. Roosevelt commenting on a radio address of 1938.)

1941: "I recommend the continuance in full measure of the social-security programs. This includes not only the payment of old-age benefits as required by law but also aid to youth and continued payments toward the State aid of old persons not covered by the insurance benefits; aids to children and to the physically handicapped. * * *

"Furthermore, I deem it vital that the Congress give consideration to the inclusion in the old-age and survivors insurance system and the unemployment compensation system of workers not now covered." (Budget message for the fiscal year 1942, January 3, 1941.)

1941: "Many subjects connected with our social economy call for immediate improvement. As examples:

"We should bring more citizens under the coverage of old-age pensions and unemployment insurance.

"We should widen the opportunities for adequate medical care.

"We should plan a better system by which persons deserving or needing gainful employment may obtain it." (Message to Congress on the state of the Union, January 6, 1941.)

1941: "They (the President and the Prime Minister) desire to bring about the fullest collaboration between all nations in the economic field, with the object of securing for all improved labor standards, economic advancement and social security." (Atlantic Charter, August 1941.)

1942: "I oppose the use of pay-roll taxes as a measure of war finance unless the worker is given his full money's worth in increased social security. From the inception of the social security program in 1935 it has been planned to increase the number of persons covered and to provide protection against hazards not initially included. By expanding the program now, we advance the organic development of our social security system and at the same time contribute to the anti-inflationary program.

"I recommend an increase in the coverage of old-age and survivors' insurance, addition of permanent and temporary disability payments, and hospitalization payments beyond the present benefit programs, and liberalization and expansion of unemployment compensation in a uniform national system. I suggest that collection of additional contributions be started as soon as possible, to be followed 1 year later by the operation of the new benefit plans.

"Additional employer and employee contributions will cover increased disbursements over a long period of time. Increased contributions would result in reserves of several billion dollars for post-war contingencies. The present accumulation of these contributions would absorb excess purchasing power. Investment of the additional reserves in bonds of the United States Government would assist in financing the war.

"The existing administrative machinery for collecting pay-roll taxes can function immediately. For this reason congressional consideration might be given to immediate enactment of this proposal, while other necessary measures are being perfected." (Budget message of the President to the Congress, January 5, 1942.)

1942: "I am convinced that the best solution of the problem would be a uniform national system of unemployment insurance with adequate benefit provisions." (Letter of the President to Speaker RAYBURN, January 19, 1942.)

1942: "This is the time to strengthen, not to weaken, the social-security system. It is time now to prepare for the security of workers in the post-war years. * * * This is one case in which social and fiscal objectives, war and post-war aims are in full accord. Expanded social security, together with other fiscal measures, would set up a bulwark of economic security for the people now and after the war and at the same time would provide anti-inflationary sources for financing the war." (President Roosevelt in letter to Senator George, October 3, 1942.)

1943: "When you talk with our young men and women, you will find that with the opportunity for employment they want assurance against the evils of all major economic hazards—assurance that will extend from the cradle to the grave. This great Government can and must provide this assurance.

"I have been told that this is no time to speak of a better America after the war. I am told it is a grave error on my part.

"I dissent.

"If the security of the individual citizen, or the family, should become a subject of national debate, the country knows where I stand." (President Roosevelt's message to Congress, January 7, 1943.)

1943: "We fight today for security for our Nation and at the same time we can endeavor to give our citizens and their families security against attacks from without, and against fear of economic distress in old age, in poverty, sickness, involuntary unemployment, and accidental injuries. We need to look forward to the accomplishment of these objectives—world peace, democratic society, and a dynamic economy.

* * * * *

"Because of their basic importance to our national welfare during the war and after the war, it is my earnest hope that the Congress will give these matters full consideration during this session. We must not return to the inequities, insecurity, and fears of the past, but ought to move forward toward the promise of the future." (Transmitting to Congress two reports of the National Resources Planning Board, March 10, 1943.)

1943: "Among many other things, we are today laying plans for the return to civilian life of our gallant men and women in the armed services. They must not be demobilized into an environment of inflation and unemployment, to a place on a bread line or on a corner selling apples. We must this time have plans ready, instead of waiting to do a hasty, inefficient, and ill-considered job at the last moment.

* * * * *

"But the members of the armed forces have been compelled to make greater economic sacrifice and every other kind of sacrifice than the rest of us, and are entitled to definite action to help take care of their special problems.

"The least to which they are entitled, it seems to me, is something like this:

"1. Mustering-out pay to every member of the armed forces and merchant marine when he or she is honorably discharged, large enough in each case to cover a reasonable period of time between his discharge and the finding of a new job.

"2. In case no job is found after diligent search, then unemployment insurance if the individual registers with the United States Employment Service.

"3. An opportunity for members of the armed services to get further education or trade training at the cost of their Government.

"4. Allowance of credit to all members of the armed forces, under unemployment compensation and Federal old-age and survivors' insurance, for their period of service. For these purposes they should be treated as if they had continued their employment in private industry." (Radio address, July 28, 1943.)

1943: "It happens that today is also the anniversary of the day in 1935 when our own American Social Security Act became law.

"That humanitarian law made a real beginning toward the abolition of want in this country. More than 60,000,000 workers with their own contributions are building security for their old age and for their families in case of death. Several million are already enjoying benefits. However, in all fairness, and in all equity, we should extend these benefits to farmers, farm laborers, small businessmen, and others working for themselves or in occupations specifically excluded by law. We should extend social security to provide protection against the serious economic hazard of ill health." (Statement on the second anniversary of the signing of the Atlantic Charter, August 14, 1943.)

1943: "As the war grows tougher and as new problems constantly arise in our domestic economy, changes in methods and changes in legislation may become necessary.

"We should move for the greater economic protection of our returning men and women in the armed forces and for greater educational opportunities for them. And for all our citizens we should provide a further measure of social security in order to protect them against certain continuing hazards of life.

"All these things, as well as eventual demobilization, should be studied now, and much of the necessary legislation should be enacted. I do not mean that this statement should be regarded in any way as an intimation that we are approaching the end of the war. Such an intimation could not be based either on fact or on reason. But when the war ends, we do not want to be caught again without planning or legislation, such as occurred at the end of the last war.

"On all these, and on other subjects, I expect to communicate with this Congress from time to time." (President Roosevelt's message to Congress, September 17, 1943.)

1944: "Last July I recommended to the Congress a minimum program to assist service men and service women in meeting some of the problems they will face when discharged. This included mustering-out pay for every member of the armed forces sufficient to provide for a reasonable period after discharge. I also urged an educational and training program to enable those demobilized from the armed forces to further their education and training and to prepare for peacetime employment. I am confident that the Congress will take early action along these lines.

"The permanent program of social security initially adopted in 1935 provides a framework within which many of the problems of demobilization can be met. This framework of unemployment insurance and retirement benefits must be reinforced and extended so that we shall be better equipped for readjustment of the labor force and for the demobilization of the armed forces and civilian war workers.

"Pressing economic need has forced many workers to continue in employment or seek work even when disability, old age, or care of young children would have made retirement from the labor force preferable. Extension at the present time of the coverage of the Federal old-age and survivors' insurance system to many groups now denied protection and expansion of the scope of the system to include disability benefits would permit these workers to retire after the war. The old-age and survivors' insurance system should also be amended to give those in the armed forces credit for the period of their military service.

"The proposed changes in the social-security law would provide the necessary minimum protection for nearly all individuals and their families, including veterans of the present war. They would provide benefits additional to veterans' pensions, veterans' compensation, and national service life insurance in case of death or disability attributable to military service.

"I repeat my recommendation that the present unemployment insurance system be strengthened so that we shall be able to provide the necessary protection to the millions of workers who may be affected by reconversion of industry. I prefer an extension of coverage and liberalization of unemployment benefits to any special legislation, such as that providing for dismissal payments through war contractors. I also recommend the adoption of a program of Federal unemployment allowance for members of the armed forces. Furthermore, I suggest Congress consider the establishment of unemployment insurance for maritime employees and a temporary system of unemployment allowances for those in Federal service who, because of their wartime employment, have been unable to build up rights under the existing system."

* * * * *

"I earnestly urge the Congress to retain at this time the scheduled increase in rates. High employment and low rates of retirement during the war have added to social-insurance reserves. However, liabilities for future benefits based on the increased wartime employment and wages have risen concurrently. The increase in contributions provided by existing law should now become effective so that the contributions will be more nearly in accord with the value of the insurance provided and so that reserves may be built up to aid in financing future benefit payments." (Budget message for the fiscal year 1945, January 10, 1944.)

1944: "We have come to a clear realization of the fact that true individual freedom cannot exist without economic security and independence. 'Necessitous men are not free men.' People who are hungry and out of a job are the stuff of which dictatorships are made.

"In our day these economic truths have become accepted as self-evident. We have accepted, so to speak, a second Bill of Rights under which a new basis of security and prosperity can be established for all—regardless of station, race, or creed.

"Among these are:

* * * * *

"The right to adequate medical care and the opportunity to achieve and enjoy good health.

"The right to adequate protection from the economic fears of old age, sickness, accident, and unemployment." (Annual message to Congress, January 11, 1944.)

1944: "The public will understand that as a nation we are committed to social security and will undoubtedly increase and not decrease its benefits. Already some other nations have a larger degree of social security than we." (President's statement on signing H. R. 5564, "An act to fix the tax under the Federal Insurance Contributions Act on employer and employees for calendar year 1945," December 16, 1944.)

1945: "I hope that the Congress will give early consideration to extension and improvement of our social-security system and will reexamine the financial basis of the program.

* * * * *

"I have already emphasized the need to strengthen our social-security program. With respect to the reconversion period, I am particularly concerned over the fact that broad categories of workers are not covered by present legislation and that present standards for unemployment compensation are not adequate in many States. To promote employment opportunities and to assure the proper occupational adjustment of returning veterans and war workers, a strong, integrated system of public employment offices is a basic necessity. We can best accomplish this objective by the establishment, through permanent legislation, of an effective national employment service with adequate coverage throughout the Nation. For the reconversion period we should provide assistance for travel and retraining of war workers.

* * * * *

"Our program should include provision for extended social security, including medical care, for better education, public health, and nutrition; for the improvement of our homes, cities, and farms; and for the development of transportation facilities and river valleys." (Budget message of the President to the Congress, January 3, 1945.)

1945: "In turn, others of the economic rights of American citizenship, such as the right to a decent home, to a good education, to good medical care, to social security, to reasonable farm income, will, if fulfilled, make major contributions to achieving adequate levels of employment.

* * * * *

"An expanded social-security program and adequate health and education programs must play essential roles in a program designed to support individual productivity and mass purchasing power. I shall communicate further with the Congress on these subjects at a later date." (President's message on the state of the Union, January 6, 1945.)

DISPOSITION OF EXECUTIVE PAPERS

The PRESIDENT pro tempore laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with the accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of New Jersey; to the Committee on Finance:

"Joint resolution memorializing the Congress of the United States to enact legislation to include under the provisions of the Social Security Act individual employers of employees covered by said act

"Whereas the provisions of the Social Security Act pertain only to certain employees; and

"Whereas individual employers while contributing to the social-security fund for the benefit of such employees, receive no benefits for themselves; and

"Whereas it is only just and equitable that such employers should be entitled to the benefits of the Social Security Act: Therefore be it

"*Resolved by the Senate and General Assembly of the State of New Jersey:*

"1. That the Congress of the United States be memorialized and urged to take immediate action to include under the provisions of the Social Security Act the individual employers of those employees already covered by said act.

"2. The Secretary of State is directed to transmit copies of this joint resolution, properly authenticated, to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives and to each Member of the Senate and House of Representatives from the State of New Jersey.

"3. This joint resolution shall take effect immediately."

A joint resolution of the Legislature of the State of New Jersey; to the Committee on Interstate Commerce:

"Joint resolution memorializing the Congress of the United States to enact legislation to prevent counties, cities, or other subdivisions of any State from imposing income, wage, or other similar taxes upon nonresidents of such State

"Whereas the city of Philadelphia now levies a tax upon wages; and

"Whereas many residents of New Jersey are employed in the city of Philadelphia and are required to pay this tax to the city of Philadelphia, resulting in inequities to many residents of the State of New Jersey, especially those residing in the southern counties of our State: Now, therefore, be it

"*Resolved by the Senate and General Assembly of the State of New Jersey:*

"1. That the Congress of the United States is memorialized to enact legislation to prevent counties, cities, or other subdivisions of any State from imposing income, wage, and other similar taxes upon nonresidents of such State.

"2. The secretary of state is directed to transmit copies of this joint resolution, properly authenticated, to the Secretary of the Senate of the United States, to the Clerk of the House of Representatives and to each Member of the Senate and House of Representatives from the State of New Jersey.

"3. This joint resolution shall take effect immediately."

A resolution adopted by the city council of the city of Cambridge, Mass., favoring the enactment of the so-called merchant seamen's bill of rights legislation; to the Committee on Commerce.

The petition of the Woman's Auxiliary, New Providence Presbyterian Church, Moffats Creek, Va., favoring the establishment of a Christian world order and government; to the Committee on Foreign Relations.

RETIREMENT OF SERVICEMEN AFTER 25 YEARS' SERVICE

Mr. CAPEHART. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by Edward C. Call Post, No. 285, the American Legion, Department of Indiana, favoring amendment to the Civil Service Retirement Act of May 29, 1930, in such manner that all former servicemen who are suffering from service-connected disabilities amounting to 10 percent or more may be retired after 25 years of service, regardless of age, and so forth.

The PRESIDENT pro tempore. Without objection, the resolution will be received, appropriately referred, and printed in the RECORD.

To the Committee on Civil Service:

Wherefore it is a matter of common knowledge that former servicemen who have sustained service-connected disabilities amounting to 10 percent or more do not generally live the average length of life allotted to other citizens who have not experienced the hardships of military and naval service; and

Whereas the Civil Service Act of May 29, 1930, as amended to March 7, 1942, provided that civil-service employees may retire after they have attained the age of 60 years and have been civil-service employees for a period of 30 years: Now be it

Resolved by Edward C. Call Post, No. 285, the American Legion, Department of Indiana, That the said Civil Service Act heretofore referred to be amended in such manner that all former servicemen who are suffering with service-connected disabilities amounting to 10 percent or more may be retired after 25 years of service, regardless of age, on the same compensation and retirement pay as other civil-service employees who may retire after having served 30 years as civil-service employees; and be it further

Resolved, That a copy of this resolution be forwarded to each of the United States Senators and each of the Members of the House of Representatives from the State of Indiana who are now serving in the Congress of the United States.

FRANK M. MARTIN,
CHARLES W. CHAMBERS,
AUSTIN ROYER,
Committee on Resolution.

The above resolution was adopted by Edward C. Call Post, No. 285, the American Legion, in regular meeting held on the 13th day of February 1945.

Attest:

BERNARD B. BURKS,
Commander.
ROLAND W. MINICH,
Adjutant.

The above resolution, adopted by Edward C. Call Post, No. 285, the American Legion, was adopted by the Seventh Indiana District of the American Legion, Department of Indiana in a meeting held at Franklin, Ind., on the 25th day of March 1945.

Attest:

BYRON V. HOOVER,
Commander, Seventh Indiana District.
FLOYD H. GRIGSBY,
Acting Adjutant.

PROHIBITION OF LIQUOR ADVERTISEMENTS OVER THE RADIO AND IN THE PRESS

Mr. CAPPER. Mr. President, I have received a petition from Lee Ralph Phipps, pastor of the Methodist Church, Townville, Pa., informing me that he and the members of his church, 250 in number, are heartily in favor of Senate bill 599, introduced by me, to stop all liquor advertising. I ask unanimous consent to present the petition and that it be printed in the RECORD and appropriately referred.

The PRESIDENT pro tempore. Without objection, the petition will be received, appropriately referred, and printed in the RECORD.

To the Committee on Interstate Commerce:

TOWNVILLE, PA., *March 27, 1945.*

MY DEAR MR. CAPPER: My church, including 230 members on last Sunday unanimously instructed me to write you assuring you of our hearty support in your bill for the stopping of liquor advertisements over the radio and in the press. There are no justifying reasons for permitting this but a great many valid reasons why it should be prevented. We are asking you to communicate our request to our representatives in Congress, either personally or upon the floor.

Yours fraternally,

LEE RALPH PHIPPS,
Pastor, Methodist Church.

REPORT OF A COMMITTEE

The following report of a committee was submitted:

By Mr. THOMAS of Utah, from the Committee on Foreign Relations:

H. R. 689. A bill to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting the fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State; without amendment (Rept. No. 192).

HOSPITAL CENTER IN THE DISTRICT OF COLUMBIA—REPORT OF THE COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. TYDINGS. Mr. President, from the Committee on the District of Columbia, I ask unanimous consent to report favorably with an amendment the bill (S. 223) to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, and I submit a report (No. 193) thereon. This represents hearings intermittently taken during the last 18 months, and I am hopeful that Senators may find time to read the report when it is printed and familiarize themselves as much as the report and the testimony will permit with the hospital conditions in the District, which need serious correction.

The PRESIDENT pro tempore. Without objection, the report will be received and the bill placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. BILBO:

S. 899. A bill to amend an act entitled "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," approved June 19, 1878, as amended; to the Committee on the District of Columbia.

By Mr. GURNEY:

S. 900. A bill to provide that service as a cadet, midshipman, or aviation cadet shall be credited for pay purposes, and that service as a cadet or midshipman shall be credited for retirement purposes, in the case of military and naval personnel; to the Committee on Military Affairs.

By Mr. SHIPSTEAD:

S. 901. A bill for the relief of Mary Wachter; to the Committee on Claims.

By Mr. WALSH:

S. 902. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England, on December 26, 1944; to the Committee on Naval Affairs.

By Mr. WHEELER:

S. 903. A bill to authorize the Secretary of the Interior to sell certain lands in the State of Montana to John J. Akers; to the Committee on Indian Affairs.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940—AMENDMENT

Mr. WALSH submitted an amendment intended to be proposed by him to the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended, which was ordered to lie on the table and to be printed.

PUNISHMENT OF NAZI AND JAPANESE OFFICERS FOR CRIMES COMMITTED AGAINST AMERICAN ARMED FORCES

Mr. MYERS submitted the following resolution (S. Res. 121), which was referred to the Committee on Foreign Relations:

Whereas ample proof exists that a large number of civilians and members of the armed forces of the United States, who are captives of Germany and Japan, are subject to deliberately barbarous and inhuman treatment at the hands of their captors, in open violation of the rules of warfare subscribed to and observed by civilized nations and peoples; and

Whereas in numerous cases disarmed and defenseless American prisoners have been murdered after their surrender; and

Whereas these atrocities have caused untold suffering on the part of the whole civilian population and particularly on the families of the victims; and

Whereas these crimes of officers and men of the German Army are in accordance with the teachings officially laid down in the basic German army manual for the instruction of officers in the army of Nazi Germany, the Kriegsbrauch in Landkriege, which is in contravention of the rules of the Hague Convention relating to the treatment of prisoners of war; and

Whereas the instructions laid down in the above-mentioned military manual are followed throughout the present war by both German and Japanese authorities; and

Whereas by their recorded acts of cruelty the members of the German Nazi and Japanese Governments and many known officers and men of the armies of both countries have placed themselves outside the pale of all laws, military or otherwise, and have forfeited all right to claim protection or immunity from punishment commensurate in severity with the magnitude of their crimes; and

Whereas repeated official declarations have emanated from the Governments of the United Nations that machinery will be set up and methods devised to mete out appropriate punishment to both German and Japanese war criminals, through whose acts soldiers and citizens of the United States and the members of their families have suffered; and

Whereas the Senate of the United States speaking for the citizens at large and especially for the victims of atrocities some of whom are killed and some of whom have been made to suffer needlessly, approves unreservedly of the preceding paragraph: Therefore, be it

Resolved, That it is the sense of the Senate that all ranking officers of the Nazi and Japanese Governments as well as all officers and men who have been responsible for crimes against our soldiers, and for the suffering thereby inflicted upon the members of their families, be prosecuted as soon as they are apprehended; and that, if present military and international law does not adequately provide for punishment of persons responsible for such crimes, further efforts should be undertaken to modify such law to the extent necessary to provide for such punishment.

THE HOME GUARD—ADDRESS PREPARED BY THE VICE PRESIDENT

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD an address entitled "The Home Guard," prepared by Vice President Truman for delivery at the graduation exercises of the twenty-eighth session of the National Police Academy, Federal Bureau of Investigation, on April 14, 1945, which appears in the Appendix.]

TRIBUTE TO THE LATE PRESIDENT ROOSEVELT BY DEAN ALFANGE

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a tribute to the late President Franklin D. Roosevelt delivered by Dean Alfange on April 17 at the memorial services of the Liberal Party at Manhattan Center, New York City, which appears in the Appendix.]

UNIVERSAL MILITARY TRAINING—ADDRESS BY EDWARD N. SCHEIBERLING, NATIONAL COMMANDER, AMERICAN LEGION

[Mr. GURNEY asked and obtained leave to have printed in the RECORD an address on the subject of universal military training, delivered by Edward N. Scheiberling, national commander of the American Legion, at Washington, D. C., on April 18, 1945, which appears in the Appendix.]

TRIBUTE TO ERNIE PYLE

[Mr. HATCH asked and obtained leave to have printed in the RECORD an editorial entitled "Ernie," from the Washington Daily News of April 19, 1945, which appears in the Appendix.]

ADDRESS BY FATHER FLANAGAN AT BANQUET IN TRIBUTE TO MR. HENRY MONSKY

[Mr. WHERRY asked and obtained leave to have printed in the RECORD an address in tribute to Mr. Henry Monsky, international president of B'nai B'rith, delivered by Father Flanagan, of Boys Town, Nebr., at a banquet at the Hotel Commodore, New York City, on February 26, 1945, which appears in the Appendix.]

REHABILITATION OF INDIA—ARTICLE BY WILLIAM D. PAWLEY

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an article by Hon. William D. Pawley regarding India and its future from the Miami Daily News of February 11, 1945, which appears in the Appendix.]

PUBLICITY OF PROCEEDINGS AT THE SAN FRANCISCO CONFERENCE—EDITORIAL FROM THE FORT WAYNE SENTINEL

[Mr. CAPEHART asked and obtained leave to have printed in the RECORD an editorial entitled "Commendable Action," from the News-Sentinel of Fort Wayne, Ind., of April 4, 1945, which appears in the Appendix.]

BRETTON WOODS—ARTICLE BY EDWIN A. LAHEY

[Mr. MYERS asked and obtained leave to have printed in the RECORD an article entitled "Bretton Woods," by Edwin A. Lahey, published in the Chicago Daily News of March 8, 1945, which appears in the Appendix.]

IMPORTANCE OF AIR POWER—EDITORIALS FROM THE NEW YORK TIMES

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD editorials entitled "Preserving Our Air Power," "The Role of Air Power," and "Surplus Planes," published in the New York Times, which appear in the Appendix.]

TRIBUTE TO THE AMPHIBIOUS TRAINING COMMAND

Mr. TOBEY. Mr. President, I rise today to pay tribute to the officers and men of the Amphibious Training Command, United States Atlantic Fleet, an organization which recently commemorated its third anniversary.

Amphibious. A word with a new meaning, so deeply imbedded within the hearts and minds of the world that it will live forever as one of the great phases of operation of World War No. 2.

In recent weeks we have all read with glowing pride the stories of Amphibious Training Command activities. For some months we have heard about the men, trained by this force, who have struck telling blows at the enemy on western as well as eastern beach heads.

I do not know how much my colleagues feel about the war successes brought about by amphibious operations. I do know of their interest in the war, but I have not any idea how much they have gone individually into the over-all picture.

But being interested in history, as well as the progress of the current conflict, I have inquired into the whys and wherefores of amphibious operations and have learned of some of the amazing things done by these men who storm enemy shores in their seemingly inexhaustible list of ships, vehicles, and equipment, known best by some alphabetical designation.

More important, or as equally so, I have learned that never before, anywhere in the world, has more farsightedness been displayed, or more remarkable advancements made in the development of new ideas and new plans, than those carried out in the special business of invasion.

It seems to me appropriate that we should pause, briefly though it may be, to recognize the full importance of such an organization, unknown, untried until 3 years ago.

The amphibious force, conceived prior to the outbreak of hostilities in the Pacific, was not actually created until March 16, 1942, at which time eight officers reported aboard a transport at NOB—naval operating base—in Norfolk, Va.

Rapid as was its growth, expansive and extensive as its problems, this amphibious organization flourished and eventually blossomed into what we all know has been a most remarkable and successful command.

Its recent observance of its third anniversary was occasion enough, was time, in fact, for America and the world to say, "Well done, Amphibious, well done."

It must therefore seem as amazing to my colleagues as it does to me, and to the millions who have watched the explosive power of these amphibians that such a huge job could possibly be done in such a short time.

In 3 years a force was formed, trained, and developed into a great fighting unit which overcame even insurmountable and impossible tasks, adopting as it were the slogan, "We can do the difficult immediately; the impossible takes a little longer."

But the Amphibious Training Command, located at Norfolk, Va., has not sought publicity or been marked by its social events and display. There was not time for all this, not with the job they had to do.

It is therefor a pleasure for me to pay tribute this day to the force commander, Rear Admiral Francis W. Rockwell; his chief of staff, Capt. William H. Hartt, Jr.; and to all of the 400,000 or more officers and men trained for the many duties of sailing a vast fleet of some 60,000 amphibious craft through some 40 invasions.

We here, long cognizant of the glorious work being done by our men and women in uniform in all branches of the service, can be proud that so many have done so much to make the Amphibious Training Command a vital part in this terrifying business of war.

For we know full well that without the amphibious force there could not and would not have been the proper training of men for invasions, and without invasions the progress, even the outcome, of the present conflict would have been questionable.

SUGGESTION THAT HERBERT HOOVER BE A DELEGATE TO SAN FRANCISCO CONFERENCE

Mr. CAPEHART. Mr. President as a freshman Senator, I have been content for the most part to sit and learn from my colleagues, many of whom have been in the service of the Nation for a long time.

By listening and observing, I have acquired much insight into legislative problems and increased my great respect for the Members of this body.

Although my legislative apprenticeship is by no means over, I hope my colleagues will permit me to make a suggestion which I believe is particularly timely.

From my observations of Congress in action it seems to me that its greatest service to the Nation lies in the fact that it is composed of men from all sections of the country and represents all aspects of American life.

I have confidence in our new leader. I have a deep faith in the sincerity of his purpose to build firmly upon the mutual desires and hopes of a united people. In order to give him the support he so richly deserves, we must avail ourselves of the best talents in our country.

Senate Republicans in conference sent to President Truman assurance of their cooperation for winning both the war and the peace. From every quarter of the country comes the same pledge.

I venture to say that it will be to the everlasting credit of our new President that he has graciously recognized the sincerity of those offers and intends to avail himself of them.

Mr. President, the need for experienced counsel appears on every hand. This was recognized by our late President when he chose from this body two prominent men who have contributed so much to American leadership in the field of foreign policy—the senior Senator from Michigan [Mr. VANDENBERG] and the senior Senator from Texas [Mr. CONNALLY].

It is obvious from every sign in our national affairs that the United States has embarked on new courses in foreign policy. We are getting ready to assume new obligations in the world economy.

We are changing our historic attitudes toward and our relations with many foreign nations. We are proposing to assume new duties with regard to organizing, and perhaps enforcing, peace in the post-war world.

These are not ordinary times in the Nation's history. These things we are proposing to do are not routine functions that we may take lightly. On the contrary, they go to the heart of American interests. They do not affect our foreign affairs alone. We have so interlaced our foreign and domestic interests that the line between them is no longer distinct.

Not since the days of the founding of our country have we faced such momentous decisions as now confront us. If the decisions made in foreign affairs are to stand the test of time, they must have the wholehearted support of our people.

In such circumstances, Mr. President, it is a dictate of the highest wisdom that we should seek counsel from the best-informed men and women in our public life. Wherever there is a man or woman whose talents learning, experience, and achievements can shed a ray of light on the uncharted road ahead of us, that person should be called to the service of our country in this hour of great decisions.

My conviction on this point is so strong, and appears to me to be so right, that it overcomes the feeling of hesitation I would otherwise have in addressing the Senate as I am today. It encourages me to suggest the name of a man who I am certain can make a valuable contribution toward the solution of the problems that will arise in San Francisco.

He is a man whose knowledge, experience, and past achievements are outstanding—whose statesmanship has risen above all partisanship to the peak of unselfish devotion to his own country, and in the service of other countries of the world.

I refer, Mr. President, to a man we all know and respect, the Honorable Herbert Hoover.

Before the world knew Mr. Hoover as Chief Executive of the United States, it knew him as a man whose broad experience in international affairs was unparalled in history.

The world early recognized him as an eminent mining engineer, who from 1895 to 1913 worked among the people on every continent. Mexico, Canada, Australia, Italy, Great Britain, South Africa, India, China, and Russia are only a few of the nations which must be grateful to him for his services as a technician.

Latin America will long remember his accomplishments in 1914, as head of the Panama Pacific Exposition.

President Wilson first honored Mr. Hoover in 1914 when he appointed him chairman of the American Relief Commission in London. A year later he was named chairman of the commission for relief in Belgium, and to this day the Belgians honor him for what he did in their behalf.

In 1917 he was appointed United States Food Administrator. For his success in this role he earned and received the commendation of the entire world.

But these were not all the responsibilties Herbert Hoover willingly assumed during World War No. 1.

He served with distinction as a member of the World Trade Commission. He was chairman of the following war agencies: The United States Grain Corporation, the United States Sugar Equalization Board, the Inter-Allied Food Council, the European Coal Council, and the Supreme Economic Council.

In 1919 he became chairman of the American Relief Administration and the following year he headed the European Relief Council.

In the trying years of post-war readjustment after 1921, Mr. Hoover served this country with distinction as Secretary of Commerce until, on March 4, 1929, he was inaugurated President of the United States.

His great services during World War No. 1, the expansion of foreign trade under his guidance as Secretary of Commerce, and his work for world peace, mark him a man of insight and distinction.

He believes in international cooperation, based upon true friendship among nations, and upon sound economic relations between this country and all others.

To him, the right of sovereignty of any nation has never been dependent upon world power. Above all, he has never lost sight of the fact that to lead the world and to be of help to the world, the United States must be strong and must guard well its own legitimate interests.

What a disappointment it must be to a large portion of our people to know that this man who has contributed so much to world peace, who lives less than 30 miles from San Francisco, has not been invited to take some small part in this Conference.

Because of our strength, our sense of justice and fair play, and our unlimited reservoir of good will, the entire world is looking to the United States for leadership at this Conference.

Let us not fail mankind. Let us give the best we have. Let us mobilize the best talent our Nation has to offer.

I contend there is no substitute for experience—experienced minds, and experienced hearts.

I believe, Mr. President, we shall act wisely in this time of crisis if we add to the list of distinguished delegates already appointed the name of a great statesman, Herbert Hoover—the only living ex-President of the United States, whose intellectual honesty, unrivaled experience, world reputation and Christian heart surely entitle him to a place in the deliberations at San Francisco.

Mr. SMITH. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. SMITH. As a former associate of President Hoover throughout World War No. 1 and in the subsequent world-wide relief operations which he directed, and as a friend of his for many years, I rise to express my appreciation of the fine tribute just paid him by the distinguished Senator from Indiana, and heartily to endorse the sentiments which the Senator has so eloquently expressed.

Mr. President, in this connection, I ask unanimous consent to incorporate as a part of my remarks the address on the San Francisco Conference and Peace, delivered by the Honorable Herbert Hoover before the Foreign Policy Association at Philadelphia last Tuesday night, April 17.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

I know I express the sorrow of the American people that Mr. Roosevelt was not spared to guide the San Francisco Conference. The problems remain, and we must carry on. In this spirit, President Truman has announced that the Conference will proceed as planned. And it becomes our duty to give every support to President Truman in his gigantic task.

I was glad to accept your invitation to speak to your association. Philadelphia has always been devoted to peace. It was founded by a faith of which I am a member; this city is, indeed, the place where my ancestors landed on American soil.

Tonight I propose to explore Dumbarton Oaks proposals in the light of experience, particularly of the League of Nations. Indeed, the time has come to appraise frankly the forces we must meet; to explore them with the lamp of experience. The time has gone by for emotional generalizations, and this is no time to engage in destructive debate.

Three years ago Hugh Gibson and I published a study of world experience in making peace. We made some suggestions of principles from this experience that should be incorporated in any organization to preserve peace. Some of this experience was adopted, some important lessons were either wholly omitted or only weakly accepted in the Dumbarton Oaks proposals. President Roosevelt and Secretary Stettinius have stated that plan is open to amendment.

Three weeks ago I published some suggestions directed to strengthening the Dumbarton Oaks proposals.

It was a great satisfaction that 10 days later most of these suggestions were also put forward by the representatives of the peace committees of the three great religious groups, the Protestants, the Catholics, and the Jews.

On the same day, Moscow took me to task for these proposals. They obviously did not have my full statement. Anyway, Moscow's argument reminds me of an old Quaker friend who said, "If thee do not repent in a measure and change thy ways considerably, thee will be damned to a certain extent."

THE PRESENT SITUATION

But before I discuss these suggestions I should like to make an observation on the present setting of peace.

With the discovery of new methods of killing; with the shift from wars between men to war against women and children; and with the gigantic destruction of centuries of men's toil, a third world war will mean the extinction of civilization.

When we in America took up the sword, it was inevitable from the hates, revenge, and violence which would follow this war that we must hold the sword either alone or jointly with others if we would maintain peace.

If the charter at San Francisco emerges with a reasonable hope of success, the United States must take its full part in carrying it out.

As a consequence of this war, Russia has again—and I hope forever—demonstrated by her gallant armies and by her alliance with General Winter and General Space, that she is impregnable. America by her gallant sons and our alliance with General Ocean and General Invention occupies a similar position. Britain's indomitable people allied with General Endurance and General Diplomacy have shown that they can preserve their Empire. But the survival of western civilization in the United States and in the world depends upon unity in certain principles common to Britain, France, and the other democracies.

It is my hope that no cleavage shall develop between western civilization and the rest of the world which will involve another world war. Truly the world should be too exhausted to suffer a third world war for another 20 years. In the meantime, it is my belief that with collaboration between the great centers of power in Washington, London, Paris, Moscow, and Chungking that peace can be preserved, and the processes of peace can be developed in an atmosphere of good will and understanding.

But we must build and build the methods to preserve peace.

TO PRESERVE PEACE

There are three general methods by which peace can be preserved:

First. Through pacific methods, to settle controversies between nations by negotiation, arbitration, and judicial decisions. This is the rule of law and justice.

Second. If these measures fail, then the use of force to stop aggression. This is the police power to enforce justice.

Third. Beyond these methods there can be no lasting peace unless we summon the moral, spiritual forces which will diminish or stop the underlying dynamic cause of wars.

DUMBARTON OAKS

The League of Nations, as you know, was set up with an assembly of all nations and a Council partly of permanent members comprising certain great powers and partly of members elected by the assembly. The League provided for pacific means of settling controversies and for a World Court. It proposed to use economic and military force against an aggressor. The Dumbarton Oaks plan is patterned closely upon the League with somewhat less authority in the assembly and more in the Council. In the original Dumbarton proposals the machinery of force to stop an aggressor was made much more powerful than in the League. Force was made its major instrument to preserve peace. At the instant summons of the Security Council, economic boycott, the armies, navies, and air forces of the world were to stop an aggressor in his tracks. But a compromise as to voting rights of the permanent members of the Dumbarton Oaks Security Council was agreed upon as the result of Russian protest. By that compromise the great nations who were members of the Security Council have a veto power to prevent any designation of their own actions as aggression. Practically, that puts all the great military powers out of reach. And world wars are not started by small nations.

The power of the Security Council was thus devitalized to practically the same level of effectiveness as the Council of the old League of Nations. We saw the practical destruction of the League when it failed to stop aggression of two of its own permanent Council members. That was, Italy's invasion of Ethiopia and Japan's invasion of China. (Please do not confuse these voting powers with those in the assembly which I am not discussing.)

This retreat in the potency of force seemed to me to make it imperative to develop at San Francisco the pacific methods of maintaining peace, together with a mobilization of the forces which would allay or control the underlying causes of war.

AMENDMENTS AND ADDITIONS TO THE DUMBARTON OAKS PROPOSALS

The proposals which I made 3 weeks ago to this end were seven in number to which I will add two more. They are:

First. There are certain fundamental political rights of men and of nations that should be specified in the charter. There are certain moral and spiritual standards of conduct among nations that should be proclaimed. I proposed we should make them effective by the establishment of a world committee to promote these political rights. This committee should rank with the economic and social committees already contained in the Dumbarton Oaks plan.

Second. We should provide for peaceful revision of onerous treaties between nations at, say, 10-year intervals, in order that political progress in the world should not be frozen with its dangers of violent outbreaks.

Third. We should create regional subdivision of the organization for preservation of peace into three areas—Asia, Europe, and the Western Hemisphere; the regional organizations must, of course, be in harmony with the Security Council.

Fourth. We should insist upon total disarmament of the enemy powers.

Fifth. We should provide prompt proportional post-war reduction in the armies of the United Nations and the establishment of a maximum limit of armies, navies, and air power among them.

Sixth. Although it is not a part of the charter itself, I suggested a method by which the war powers of the Congress could be preserved without delay to action in a crisis.

Seventh. Take enough time in formulating the charter of peace to do it right.

And tonight I add two more suggestions. There should be a control of military alliances. There should be a definition of aggression. And Senator VANDENBERG's proposal that the assembly be given freedom of initiative should be adopted.

The purpose of these additions is: First, to surround the mechanistic bones of the charter with moral and spiritual forces. Second, to create those standards of conduct which should be the base of decision by the Security Council. Third, to reach into the causes of war much more deeply than just the settling of quarrels and the curbing of gangsters. And fourth, to simplify the work of the organization.

Mankind has made gigantic progress in methods to destroy civilization by improving upon his previous inventions. Likewise, in our efforts to save civilization from war we must not neglect our previous inventions and organizations of peace both for their successes and the causes of their failure.

The Holy Alliance of 125 years ago and its enforcement agency, the Quadruple Alliance, were set up on the theory that the peace of Vienna should be frozen fast by military power. The League of Nations was set up on a more enlightened basis—that if controversies arose between nations they should be settled by pacific means before force was used.

The League of Nations was the greatest experiment in history. It succeeded in settling many secondary quarrels, but it suffered from several grave weaknesses and many handicaps. My suggestions are directed to remedy these weaknesses and handicaps. That experience furnishes impressive reasons for the proposals I have made.

ALLAYING THE CAUSES OF WAR

The primary weakness of the Holy Alliance, the League of Nations, and Dumbarton Oaks proposals is the failure to face the facts as to the real causes of war.

These gigantic explosions of modern civilization into world wars arise from more powerful forces than incidental quarrels. Quarrels are always the symptoms and not the disease. These forces which cause war are too easily obscured by over simplification. They are not wholly the work of evil men or perverted nations to be reformed even by a periodic spanking of aggressors. For purposes of discussion we can group these underlying dynamic forces as:

First. Attempts at domination of other races and the counterstrivings of nations for freedom. That is, modern imperialism.

Second. Its handmaiden, militarism, with its train of armies and military alliances.

Third. Economic pressures.

Fourth. Crusades for faiths, including economic faiths. That is, militant ideologies.

Fifth. The impulses to change which are inherent in the progress of civilization.

Sixth. The complexes of fear, hate, and revenge.

As I have said, we cannot make a lasting peace unless these forces be so channeled that they cease to drive the world into wars. That was the major cause of failure at Versailles.

The Versailles Treaty consisted of 623 paragraphs, of which 26 were devoted to the creation of the League of Nations. The origins of the present war lay largely in the 597 paragraphs defining the set-up of nations, their boundaries, the reparations, the military and economic questions. Imperialism, militarism, economic pressures, hate, and vengeance sat at that peace table. Many of the underlying causes of war were perpetuated and some of them were stimulated to more violence.

Because of the weaknesses and handicaps of the League it was not strong enough in after years to cope with the situation created by the war settlements. Some superficial thinkers assert the League failed because the American people refused to join. That would not have saved the Treaty of Versailles.

Men at Versailles realized the weakness of the League, but they said we should avoid difficult questions in the Covenant. They said what we needed to do was to get some sort of League going and it would solve these questions. It never did. The same kind of voices are being raised today decrying any attempt to improve the San Francisco agreement.

Now we are fighting the Second World War because of these sins of omission and commission in the Treaty of Versailles and the League's inability to preserve peace.

ESTABLISHING THE RIGHTS OF NATIONS AND MEN AGAINST DOMINATION

Twenty-eight years ago President Wilson among his points sought to infuse a moral and spiritual element in the peace. He sought to establish the political rights of nations and of men. He sought to formulate standards of conduct and law among nations. He sought to curb and allay the causes of war. These ideas received scant support at Versailles.

When this Second World War came 20 years later, we were told repeatedly and eloquently that after the defeat of the enemy the great purpose of the war was to establish the political rights of nations and men. Those rights as proclaimed by Mr. Wilson's points were again reaffirmed in the Atlantic Charter. Twenty-six countries signed it including Russia. These principles and others were affirmed in the Moscow and in the Yalta declarations and in a hundred speeches of our leaders in war.

These statements specifically include the right of peoples to equal sovereignty, freedom from aggression and domination by others, and the right of nations to determine their own government without interference. They particularize that there shall be no aggrandizement, no annexations, and no territorial changes without the freely expressed wishes of the peoples; that nations have the right to determine their wishes by unfettered elections, by free secret ballot and under international control if necessary. They assert the right of freedom of the seas in peacetimes and equality of trade. They also proclaimed disarmament; that nations should never use war as an instrument of national policy; and that peace must be based upon justice.

Beyond these rights and standards of conduct of nations there are the rights and protections of human beings. These have been eloquently and repeatedly stated by our leaders in this war. Their establishment is proclaimed to be also one of the purposes of the war. Their all-inclusive term is freedom of men. They at least include protection of persons from execution or imprisonment without fair trial; prohibitions against compulsory labor or slavery in any disguise; protections to minorities and backward peoples; the freedom of speech, of the press and of religion.

Nor are these rights of men strange ideas. The essence of them appears in American, British, and also the Soviet Russian Constitutions.

When we come again after 25 years to San Francisco to write the charter of peace, why do we not remedy the failure of a quarter of a century ago? There is nowhere else in this treaty making that we record the moral, spiritual and lawful standards of conduct among nations and men.

Nor should this be done by timid references to the Atlantic Charter with all its qualifying words of "hopes" and "desires." If these principles are right, they should be boldly stated.

Vital experience in all this matter is to be derived from our American experiment in government. There was genius in the mechanism of the American Constitution. But its transcendent genius was its great moral and spiritual base in the Bill of Rights. This Government would never have endured had it been a mechanism alone.

And if these rights are to be effective, they cannot be left alone to perform themselves. There should be a world committee in the new organization whose job is to look after them.

By the magnificent valor of the armies and navies we have won the battle of the Atlantic, the battle of the Pacific, the battle of the Philippines. We are near to victory in the battle of Germany and the battle of Japan. But are we winning the battle of freedom?

Americans must face brutal facts. As the result of this war the area of human freedom will shrink by whole nations. It is shrinking in many nations. Are we going to dodge these issues at San Francisco?

EASING STRAINS BY PEACEFUL CHANGE

Three years ago I stated that one great weakness of the League was that it made no adequate provision to ease strains by orderly change in agreements between nations when they became onerous or inapplicable. Inasmuch as violation of peace treaties became aggression, the League became the defender and the guarantor of the status quo. In fact the intention of some of its founders was just that. Its failure to ease pressures contributed to World War No. 2.

Once we settle down to peace again there will be treaties defining boundaries and other relations or imposed relations of nations. The aggressor will again be anyone who violates the then existing situation. Thus the world organization and thus the American people automatically become the guarantor of a new status quo. And as the war settlements have not yet been made we are in the dark as to what we are about to guarantee.

Abundant experience after the last war demonstrated that dangerous pressures are sure to arise. There will be provisions imposed during the heat of war emotions. There will be the shift in economic pressures and populations. There will be the growth of ideas and inventions. There will be the development of backward nations which become conscious and capable of self government.

And let no man think that there will not be unpredictable forces and pressures in the world after this war. If we can scan former convulsions of the modern western world we see that, following these long periods of general war and disorder, new shapes of civilization and new forms of nations have emerged. Civilization has taken new impulses and new directions. We must expect new forms and new directions from this gigantic explosion. No one can pretend to see these shapes clearly. But we must not attempt to freeze the world again, or it will explode again.

If peaceful means are denied, war becomes the only available solvent.

REGIONAL ORGANIZATION TO RELIEVE STRAINS

Another weakness of the League was that its Council was overburdened with all the minor troubles and confused voices of the world at every session.

To relieve these strains there should be a definite regional set-up into the three great separate areas of the world—Europe, Asia, and the Americas. The Asian Council could by virtue of its interests include not only the Asiatic nations but also Britain, Russia, France, and the United States.

The regions could each settle most of their problems far better than it can be done by more distant nations. This confusion of voices led Secretaries of State to bypass the League. And Secretaries of State should be the representatives in person on these regional councils within their own areas. It would lend dignity to the organization. It would thus cure another of the League's weaknesses of sending a boy to do a responsible man's job.

Each region should have the first responsibility to keep the peace and devise policies for peace. Any use of force should be reserved to the Security Council. It would thus be free to deal only with questions that contain dangers of world war. This method would also give the smaller nations the larger voice they need. It would relieve America and other nations from the strains of many a minor foreign dispute. This would seem to be practical for Mr. Churchill has endorsed it. The Department of State has already taken a long step in this direction at the Mexico City Conference.

STOPPING MILITARISM

Another lesson we learned from the weakness of the League was the lame provision for reduction of arms and the lack of control of military alliances. Herein are the sleepless bacilli of militarism.

I proposed that at San Francisco we should stiffen the whole attack upon these causes of war; that we agree to total disarmament of Germany and Japan with no manufacture of weapons for a whole generation or until they have forgotten the know-how of war. And equally important, that the United Nations should set up a program to reduce progressively and proportionately their own arms and do it quickly after the war.

There should also be some control of military alliances by the Security Council. The multitude of these alliances after the last war inspired fear, counter alliances, increase of armament. They made for balances of power, and they created voting blocs in the League. They not only weakened the League but they contributed to World War No. 2.

DEFINING AGGRESSION

Aggression in this world is not confined to the old-fashioned threats or to military action or even to economic pressures. Our experience with the Nazis who infiltrated their poisonous propaganda and fifth columns into the lands of peaceful neighbors should indicate that there is a new form of aggression in the world.

Therefore, the San Francisco Charter should agree upon a definition of aggression to include direct or indirect subsidized governmental propaganda in other nations. The enforcement of such a provision would help cure that cause of wars which grows out of crusading faith, political or otherwise.

WE SHOULD NOT BE STAMPEDED INTO BLUNDERS

We cannot hope for perfection. In any event the Dumbarton Oaks press release does not purport to be the form of a treaty. It is a statement of principles. It must be drafted into precise terms. It is the height of wisdom that the people of the world should have a chance to see its final wording and to have a period in which to consider and even

improve the agreement before it is signed. It will be more certain to last.

We do not have to hurry. If we take 6 years to make war it might be a good idea to take a few more months to build a sound organization to keep the peace. It was 7 years from Yorktown to the Constitution.

THE WAR SETTLEMENTS

Beyond the San Francisco charter one-half of the making of peace will lay in the political, economic, and territorial settlements of the war. If we do them well, peace will largely preserve itself. If we do them badly, no organization to maintain peace can succeed. I shall discuss these questions on some other occasion, but here I may say that we must not again sow dragons' teeth. And appeasement is a dragon's tooth.

IN CONCLUSION

Truly peace is a matter of spirit; it rests upon moral forces, upon the building of good will among mankind.

The Sermon on the Mount launched that transcendent concept of good will among men as the basis of peace. And despite all his violations man has received from that divine message an undying inspiration to strive for peace. Those spiritual concepts of peace have at least brought it to pass that every war must be professed by its leaders as a war of defense and for the purpose of securing peace. They have brought into the world the concept that aggression is an infamy. And that domination over unwilling people is immoral.

The great purpose of America in this war is lasting peace. That is all that we can possibly get from this dreadful sacrifice of life and the awful burdens upon our children. If the world will cooperate to give our children this boon, their tears will not be less but their labor over years to come will be brightened with confidence and the future lighted with hope.

We must not fail now.

THE PACT OF PARIS

Mr. BUSHFIELD. Mr. President, in view of the fact that we are almost at dawn of a great Conference in San Francisco at which the United Nations will try to arrive at some formula by which to outlaw war, it strikes me as particularly appropriate at this moment to call the attention of the Senate to the Pact of Paris. The Pact of Paris was adopted by many of the nations on August 27, 1928. I find the following signatories to that treaty, a solemn treaty of the nations to try to outlaw war: Germany, the United States of America, Great Britain, France, Belgium, Australia, Canada, New Zealand, South Africa, the Irish Free State, India, Italy, Poland and Czechoslovakia.

For the benefit of the Senate I want to refer to two or three paragraphs of that treaty. The opening paragraphs of the treaty are as follows:

Deeply sensible of their solemn duty to promote the welfare of mankind;

Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by peaceful means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this treaty.

The first two paragraphs of the treaty itself are as follows:

ARTICLE I. The high contracting parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

ART. II. The high contracting parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

Mr. President, the Pact of Paris was also signed, within a few months after its original signing, by a great many other countries. Among the other countries were the Republics of Latvia, Estonia, and Lithuania. I have inquired of the Library of Congress as to the present status of this treaty, solemnly entered into by the various nations which signed it. I am told that the treaty is in full force and effect, and has never been renounced by any nation. I call attention again to the fact that the Republic of Poland was one of the original signatories of that solemn treaty. The little republics of Latvia, Estonia, and Lithuania, which I have mentioned, were also signatories within a few months of the original signing.

Delegates have been appointed by our President to attend the San Francisco Conference. I feel that they should call the attention of that conference to the existing treaty, which is in force today, and has been since 1928. I should like to know what steps, if any, the State Department of the United States has taken to bring the matters set forth in the Pact of Paris to the attention of the conference at San Francisco, or what the Department intends to do about it.

We all recognize the fact that it is proposed to dismember the Republic of Poland. Newspaper reports are the only source of information which I have. They are to the effect that the United States Government and the Government of Great Britain have acceded to the proposal for the dismemberment of the Republic of Poland. Russia has completely swallowed the little Republics of Latvia, Lithuania, and Estonia. It has destroyed their existence in the world of nations.

I should like to know from the State Department, for the benefit of our delegates to San Francisco, what steps, if any, we are taking to call this treaty to the attention of that conference. Why have not the little republics which I have just mentioned, as well as the great Republic of Poland, been invited by the United Nations to be represented at the conference at San Francisco? If justice is to be one of the cardinal points of the Dumbarton Oaks proposal—and I fully agree that it should be—surely these little nations should be given an opportunity to be represented and take part in that conference. With the provisions of the Pact of Paris still in full force and effect, we should consider that pact in connection with our proposals, desires, and hopes to outlaw war again, in view of what has happened since 1928, when this pact was signed.

Mr. President, I ask unanimous consent to have the Pact of Paris printed in the RECORD at this point as a part of my remarks. It is found in volume 1, Foreign Relations of the United States for 1928, beginning on page 153.

There being no objection, the Pact of Paris was ordered to be printed in the RECORD, as follows:

TREATY BETWEEN THE UNITED STATES AND OTHER POWERS, SIGNED AT PARIS, AUGUST 27, 1928

The President of the German Reich, the President of the United States of America, His Majesty the King of Belgians, the President of the French Republic, His Majesty the King of Great Britain, Ireland and the British Dominions Beyond the Seas, Emperor of India, His Majesty the King of Italy, His Majesty the Emperor of Japan, the President of the Republic of Poland, the President of the Czechoslovak Republic.

Deeply sensible of their solemn duty to promote the welfare of mankind;

Persuaded that the time has come when a frank renunciation of war as an instrument of national policy should be made to the end that the peaceful and friendly relations now existing between their peoples may be perpetuated;

Convinced that all changes in their relations with one another should be sought only by pacific means and be the result of a peaceful and orderly process, and that any signatory Power which shall hereafter seek to promote its national interests by resort to war should be denied the benefits furnished by this Treaty;

Hopeful that, encouraged by their example, all the other nations of the world will join in this humane endeavor and by adhering to the present Treaty as soon as it comes into force bring their peoples within the scope of its beneficent provisions, thus uniting the civilized nations of the world in a common renunciation of war as an instrument of their national policy;

Have decided to conclude a Treaty and for that purpose have appointed as their respective Plenipotentiaries:

The President of the German Reich: Dr. Gustav Stresemann, Minister for Foreign Affairs;

The President of the United States of America: The Honorable Frank B. Kellogg, Secretary of State;

His Majesty the King of the Belgians: Mr. Paul Hymans, Minister for Foreign Affairs, Minister of State;

The President of the French Republic: Mr. Aristide Briand, Minister for Foreign Affairs;

His Majesty the King of Great Britain, Ireland, and the British Dominions Beyond the Seas, Emperor of India: For Great Britain and Northern Ireland and all parts of the British Empire which are not separate Members of the League of Nations: The Right Honourable Lord Cushendun, Chancellor of the Duchy of Lancaster, Acting Secretary of State for Foreign Affairs; For the Dominion of Canada: The Right Honourable William Lyon Mackenzie King, Prime Minister and Minister for External Affairs; For the Commonwealth of Australia: The Honourable Alexander John McLachlan, Member of the Executive Federal Council; For the Dominion of New Zealand: The Honourable Sir Christopher James Parr, High Commissioner for New Zealand in Great Britain; For the Union of South Africa: The Honourable Jacobus Stephanus Smit, High Commissioner for the Union of South Africa in Great Britain; For the Irish Free State: Mr. William Thomas Cosgrave, President of the Executive Council; For India: The Right Honourable Lord Cushendun, Chancellor of

the Duchy of Lancaster, Acting Secretary of State for Foreign Affairs;

His Majesty the King of Italy: Count Gaetano Manzoni, his Ambassador Extraordinary and Plenipotentiary at Paris;

His Majesty the Emperor of Japan: Count Uchida, Privy Councillor;

The President of the Republic of Poland: Mr. A. Zaleski, Minister for Foreign Affairs;

The President of the Czechoslovak Republic: Dr. Eduard Benes, Minister for Foreign Affairs;

who, having communicated to one another their full powers found in good and due form have agreed upon the following articles:

ARTICLE I

The High Contracting Parties solemnly declare in the names of their respective peoples that they condemn recourse to war for the solution of international controversies, and renounce it as an instrument of national policy in their relations with one another.

ARTICLE II

The High Contracting Parties agree that the settlement or solution of all disputes or conflicts of whatever nature or of whatever origin they may be, which may arise among them, shall never be sought except by pacific means.

ARTICLE III

The present Treaty shall be ratified by the High Contracting Parties named in the Preamble in accordance with their respective constitutional requirements, and shall take effect as between them as soon as all their several instruments of ratification shall have been deposited at Washington.

This Treaty shall, when it has come into effect as prescribed in the preceding paragraph, remain open as long as may be necessary for adherence by all the other Powers of the world. Every instrument evidencing the adherence of a Power shall be deposited at Washington and the Treaty shall immediately upon such deposit become effective as between the Power thus adhering and the other Powers parties hereto.

It shall be the duty of the Government of the United States to furnish each Government named in the Preamble and every Government subsequently adhering to this Treaty with a certified copy of the Treaty and of every instrument of ratification or adherence. It shall also be the duty of the Government of the United States telegraphically to notify such Governments immediately upon the deposit with it of each instrument of ratification or adherence.

In faith whereof the respective Plenipotentiaries have signed this Treaty in the French and English languages both texts having equal force, and hereunto affix their seals.

Done at Paris, the twenty-seventh day of August in the year one thousand nine hundred and twenty-eight.

[SEAL] GUSTAV STRESEMANN
[SEAL] FRANK B. KELLOGG
[SEAL] PAUL HYMANS
[SEAL] ARI. BRIAND
[SEAL] CUSHENDUN
[SEAL] W. L. MACKENZIE KING
[SEAL] A. J. MCLACHLAN
[SEAL] C. J. PARR
[SEAL] J. S. SMIT
[SEAL] LIAM T. MACCOSGAIR
[SEAL] CUSHENDUN
[SEAL] G. MANZONI
[SEAL] UCHIDA
[SEAL] AUGUST ZALESKI
[SEAL] Dr. EDUARD BENES

The treaty also went into effect on July 24, 1929, for the following states whose duly ratified instruments of adherence had already been deposited at the Department of State:

Afghanistan (November 30, 1928).
Albania (February 12, 1929).
Austria (December 31, 1928).
Bulgaria (July 22, 1929).
China (May 8, 1929).
Cuba (March 1?, 1929).
Denmark (March 23, 1929).
Dominican Republic (December 12, 1928).
Egypt (May 9, 1929).
Estonia (April 26, 1929).
Ethiopia (November 28, 1928).
Finland (July 24, 1929).
Guatemala (July 16, 1929).
Hungary (July 22, 1929).
Iceland (June 10, 1929).
Latvia (July 23, 1929).
Liberia (February 23, 1929).
Lithuania (April 5, 1929).
Netherlands (July 12, 1929).
Nicaragua (May 13, 1929).
Norway (March 26, 1929).
Panama (February 25, 1929).
Peru (July 23, 1929).
Portugal (March 1, 1929).
Rumania (March 21, 1929).
Serbs, Croats, and Slovenes, Kingdom of the (February 20, 1929).
Siam (January 16, 1929).
Spain (March 7, 1929).
Sweden (April 12, 1929).
Turkey (July 8, 1929).
Union of Soviet Socialist Republics (September 27, 1928).

The treaty went into effect for the following states upon date of deposit at the Department of State of duly ratified instruments of adherence:

Brazil (May 10, 1934).
Chile (August 12, 1929).
Colombia (May 28, 1931).
Costa Rica (October 1, 1929).
Danzig, Free City of (September 11, 1929) (transmitted by the Polish Government on behalf of Danzig).
Ecuador (February 24, 1932).
Greece (August 3, 1929).
Haiti (March 10, 1930).
Hedjaz and Nejd, Kingdom of the (February 24, 1932) (invitation to adhere issued after recognition of the Hejazi Government in 1931).
Honduras (August 5, 1929).
Iraq (March 23, 1932) (invitation to adhere issued after recognition of the Iraqi Government in 1931).
Luxemburg (August 24, 1929).
Mexico (November 26, 1929).
Paraguay (December 4, 1929).
Persia (July 25, 1929).
Switzerland (December 2, 1929).
Venezuela (October 24, 1929).

Instruments of adherence were not deposited by the following States: Argentina, Bolivia, El Salvador, and Uruguay.

LAWRENCE M. LAWSON

Mr. CONNALLY. Mr. President, during the time of the discussion of the water treaty with Mexico several severe attacks were made against Mr. L. M. Lawson as to his residence, and so forth, and so on. I did not do it during the debate on the treaty, but now I ask to have printed in the RECORD a brief memorandum respecting Mr. Lawson, his origin, his service, and his qualifications, and so on, so as to absolve him from any unjust charges.

The PRESIDENT pro tempore. Without objection, the memorandum will be printed in the RECORD.

The memorandum is as follows:

Lawrence M. Lawson is the son of a United States cavalry officer, Col. Gaines Lawson, who distinguished himself in the Southwest, and a descendant of Amos Lawrence, founder of the Kansas settlement of that name.

Mr. Lawson has ably continued the pioneer tradition of his family through a lifetime spent in the development of the frontier region of the Southwest, notably in the lower Colorado River Basin and in the upper Rio Grand Basin.

He was born in 1879 at Washington, D. C., and received his preparatory and academic education in California institutions, having attended the Throop Polytechnic Institute at Pasadena, Calif.; the Mount Tamalpais Military Academy at San Rafael, Calif.; and Leland Stanford University at Palo Alto, Calif.

He was assistant engineer on the San Francisco water supply studies in 1901, and was a hydrographic aide, United States Geological Survey, in 1902. In 1902 he made the topographic survey of the Davis Dam site (Bullshead Reservoir) on the Colorado River. He was appointed under the civil service as an employee of the Department of the Interior in 1903. During 1903 and 1904 he was topographer in charge of surveys on the Colorado in Nevada, California, and Arizona for the then Reclamation Service.

From 1905 to 1911, inclusive, he served the Reclamation Service in various capacities on the Yuma project on the lower Colorado River adjacent to the international boundary. This was one of the first projects constructed under the supervision of the Reclamation Service. During that time he was assistant engineer on the project in 1905; resident engineer on levee construction in 1906; assistant engineer on the Yuma project, 1907 to 1911; and assistant to the supervising engineer, southern district, of the Reclamation Service in 1912, supervising engineering of the southern district with headquarters at Los Angeles, Calif., and was in charge of operation and maintenance of the Yuma and Salt River Valley projects in Arizona, the Orland project in California, and the Rio Grande and Carlsbad projects in New Mexico.

The first assignment on the Rio Grande was made in 1912 when he was appointed project engineer in charge of the Elephant Butte project, New Mexico and Texas. However, his personal knowledge of the Colorado River was again needed, and in 1915 he was recalled to the Yuma project where as project engineer he was placed in charge of works which involved an average annual expenditure of $600,000. He was transferred to the Elephant Butte project where he served as project engineer from 1917 to 1926. During this time he was in charge of an extensive program of irrigation and drainage works embracing an annual expenditure of approximately $1,000,000. During his 10-year service as project engineer he was also an assistant in the solution of many flood-control problems encountered along the 200 miles of the Rio Grande from Elephant Butte Reservoir to Fort Quitman, Tex.

In 1927 Mr. Lawson was transferred to the Department of State as Commissioner of the United States on the International Boundary Commission, United States and Mexico. He was the first engineer to fill this position since the resignation of Commissioner Anson Mills in 1914.

He was appointed as Commissioner by President Coolidge. In 1930 he was appointed International Water Commissioner by President Hoover.

Jurisdiction of the Commission, of which he is the United States representative, embraces all questions pertaining to the location of the land and water boundary between the United States as established and modified by the various treaties.

Mr. Lawson's record as United States Commissioner is outstanding. He has had charge of and directed the design and construction of water-control and flood-control projects along the border under agreements negotiated with Mexico. He has also negotiated a settlement of the national sovereignty of large numbers of tracts of land known as bancos, which had been cut from each country.

NOTE BY C. V. S.—A summary of all bancos eliminated is on file at the Department as it was sent Dr. Timm the latter part of 1944. Includes total acreage as well as location by rivers.)

Mr. Lawson and the Mexican Commissioner drafted the preliminary plans for the straightening of the Rio Grande in the El Paso-Juarez Valley to provide boundary stabilization and flood-control projects. A convention between the United States and Mexico resulted in the adoption of the plans for the rectification of the Rio Grande above Fort Quitman. The reach below El Paso was shortened from 155 miles to 88 miles and tracts of land comprising 5,000 acres contained in the river bends were exchanged for an equal acreage similarly cut from Mexican territory.

Mr. Lawson's early professional life was devoted to the solution of problems in the Colorado River Basin, largely in its lower reaches. He is one of the Nation's best informed engineers on the Colorado River problems. This was recognized during meetings of the Committee of Sixteen of the Seven Colorado River Basin States when at one time, during an executive session of the committee, an impassioned plea was made that the committee request the State Department to place the negotiation of the proposed Mexican water treaty in the hands of Mr. Lawson, since, as was said, Mr. Lawson was well informed concerning problems of the Southwest and problems of the Colorado River, and was a resident of the Southwest. This plea was made at a time when it appeared to the Committee of Sixteen that the allotment of water to be negotiated by the State Department, as such, in Washington, and that Mr. Lawson would be called in only on the working out of the details of the treaty after the allotment had been agreed to by the State Department of the United States and the Department of Foreign Relations of Mexico.

Mr. Lawson is an honorary member of the American Society of Civil Engineers and of the American Association of Engineers. Only engineers of the highest standing in the profession are eligible for nomination as honorary members of civil engineers. The number of such members is limited to 40 out of a total membership in the American society of 20,000. The requirements for consideration as to eligibility for honorary membership in the society are as follows:

"8. Honorary members shall be chosen only from persons of acknowledged eminence in some branch of engineering or the sciences related thereto. There shall not be at any one time more than 1 honorary member for every 300 corporate members. Not more than 5 honorary members shall be elected in any one year."

At the present time of the membership of about 20,000 of the American Society of Civil Engineers, less than 40 are honorary members. Among the honorary members other than Mr. Lawson, may be mentioned Gen. Brehon Somervell, Rear Admiral Ben Moreell, John Lucian Savage, and Herbert Hoover.

NEED FOR HEBREW DELEGATES AT SAN FRANCISCO CONFERENCE

Mr. MAGNUSON. Mr. President, today I issued a statement on the need for delegates to the San Francisco Conference to represent the Hebrew Nation. I ask unanimous consent to have that statement printed in the RECORD at this point as a part of my remarks, together with a letter on the same subject to the Secretary of State, from Peter H. Bergson, chairman of the Hebrew Committee of National Liberation.

There being no objection, the statement and letter were ordered to be printed in the RECORD, as follows:

I rise to speak today on a question that has the sympathy of all Members of this body. But I say that the time is long past for mere sympathy. It is in our power to see justice done; and I stand here today, Mr. President, and ask that we of America lead the way and do so. I am referring to the fact, Mr. President, that no Hebrew delegates have been invited to sit at the United Nations conference in San Francisco.

When I speak of Hebrews, I wish to stress that I do not refer to the thousands of citizens of our Allied Nations who adhere to the Jewish religion, for they are represented by the members of their own governments. The people I refer to are the some 2,000,000 so-called stateless Jews and ex-enemy nationals today in Europe, and the 700,000 Hebrew nationals who reside in Palestine.

My heart is very heavy, Mr. President, when I view the past record of extermination and persecution that the Hebrew people of Europe have undergone and when I see, on the other hand, the pitiful statements of sympathy we have given in turn and the lack of acknowledgment on our part of their existence in this war as one of our allies. Surely their underground fighters deserve the same recognition as Egypt's neutrality during our darkest period of the war. Surely their 4,000,000 casualties deserve the same recognition as Ibn Saud's royal, passive onlookers in this war.

But aside from all logic, I say, Mr. President, that a democratic peace cannot endure with omissions and reservations. I say, Mr. President, that it is not a good augury for world peace that among all the peoples of the world the Hebrews of Palestine and their brethren in Europe alone will be excluded from representing their cause before the council of the United Nations.

I say, Mr. President, that no people, from the last-minute bandwagon belligerents right down to England itself, has suffered such casualties and dislocations as the Hebrews. None needs more desperately to have its representatives sit at the deliberations. No nation has so old or so sore a problem to resolve as has the Hebrew people.

Mr. President, the Hebrew Committee of National Liberation is a body of Hebrews in this country who are working valiantly to see that their people are given justice and a chance to survive. This committee will be in San Francisco unofficially trying to represent the interests of their martyred people at this momentous conference of the United Nations. I wish to make a special plea to our American representatives that they heed the voice of this people at the conference and that they make certain that the hand of justice is not outweighed by too much consideration for oil and headdresses.

HEBREW COMMITTEE OF
NATIONAL LIBERATION,
Washington, D. C., April 2, 1945.

The Honorable EDWARD R. STETTINIUS, Jr.,
Secretary of State,
Washington, D. C.

MY DEAR MR. SECRETARY: On behalf of the Hebrew Committee of National Liberation, I hereby present for the consideration of the Government of the United States the request of the Hebrew Committee of National Liberation that it be invited to constitute a delegation representing the viewpoint and interests of the Hebrew nation at the forthcoming United Nations Security Conference in San Francisco.

May I at the same time point out that this request differs fundamentally from the many appeals that have been made for representation of the Jewish people at the San Francisco Conference. We respectfully submit that it is necessary to recognize the distinction between the Hebrews of Europe and Palestine, on the one hand, and the vague term "the Jewish people" on the other. The latter term cannot refer to any political or national entity. The Jews of the world are adherents of a religious faith, fully comparable to Catholics or Protestants. They are nationals of many countries and as such are fully represented at the World Security Conference by the delegates of their respective countries—except when they happen to be at the same time Hebrews, which is to say, except when they owe political allegiance to no other sovereignty but the Hebrews.

The Hebrew Committee of National Liberation, whose members have no national affiliation other than to the Hebrew people, shares the disappointment of the American Jewish organizations that although all the United Nations, large and small, will foregather on that historic occasion when the peace and well-being of all the world for centuries to come is to be shaped, the one people constrainedly absent will be the people which has suffered more casualties in this war than most of the other nations combined; the one whose surviving population has been most afflicted and made destitute, and the one most in need of reconstruction and rehabilitation; the one people which has been repeatedly made the scapegoat for the world's ills and thus provided the aggressor nations a tragic vehicle for the disturbance of world peace.

The retention of the status quo with regard to the Hebrew people is in itself a threat to world peace, for Fascist forces in all European countries will again utilize anti-Semitism as a weapon for destroying democratic governments and menacing international security.

In 1933 the Germans began their butchery of Jews who were Axis citizens. The world shut its ears to warnings that the butchery was not going to stop with Jews. Today millions of the best youth of many nations are dead because this warning was not heeded and the activity of the German murderers was not curbed before it spread. We feel duty bound to sound another warning today. The German nation-murderers have created a precedent which carries in it all the threats of neobarbarism in which nations will try not merely to subjugate other nations and conquer their territory, but in which nations will endeavor to bring about the extermination of entire segments of populations. If humanity and civilization are to survive, this system must be fundamentally altered. Maintaining the status quo of the so-called Jewish problem, after the mass murder of over 50 percent of the total Hebrew population in Europe, would mean to leave in existence a free zone for crime and extermination. Within this free zone the philosophy of barbarism would continue to feed itself on its own cruelties and make the coming peace only an armistice which is sure to be followed by another war, just as surely as the present war followed the last.

This is one of the issues that must be faced squarely at the conference in San Francisco. And the Hebrew people must be given the opportunity to present their views as to what constitutes a permanent and effective determination of the problem that has plagued them for centuries and now threatens the future of world peace. They must be granted the same degree of self-determination within the general program of international adjustment as will be freely accorded other small nations. There must be an end to the lack of status that for 2,000 years has kept this people an anomaly among the nations of the world.

The Hebrew Committee of National Liberation believes that considerations of world peace in our time, as well as the dictates of humanity and justice, make it imperative to place this problem on the agenda of the United Nations Conference and to grant the Hebrew delegation full and equal rights

of participation in the deliberations that will determine the life of the Hebrews today and the fate of their children tomorrow.

Jewish organizations in the United States or in Great Britain—however sympathetic their attitude to the woes of their coreligionists in the Hebrew nation—cannot represent that nation without violating the principle of national representation on which the World Security Conference is based, and without jeopardizing the position of their members as British or American citizens.

We are certain that Americans of Jewish faith do not desire any other representation at the San Francisco Conference than the delegation appointed by President Roosevelt. Similarly, Englishmen of Jewish faith are satisfied with the British representation at that conference. In fact, we have no doubt that there will be a number of delegates of Jewish faith in the various delegations at this conference. To cite but one example, the United States delegation includes the Honorable SOL BLOOM, chairman of the House Foreign Affairs Committee, a most distinguished Jewish layman.

Unofficial bodies like the World Jewish Congress, the American Jewish Congress, the American Jewish Conference, the American Jewish Committee, the Board of Deputies of British Jews, the Jewish Agency for Palestine, and a half-dozen similar organizations cannot serve as a substitute for the direct and official representation of the Hebrew nation in the deliberations of this conference. On the contrary, they will tend to increase the misunderstanding and confusion that characterize the general attitude toward the Hebrew problem and its solution.

The tragic results of such confusion at the Peace Conference in Versailles at the end of the First World War can be counted in the millions of Hebrew corpses throughout all of Europe and the additional millions of starving and destitute survivors in whose name we appeal to you for justice and equality.

These people will not be otherwise represented at the security conference. They are Hebrews and belong to no other nation. (They are in two categories now commonly referred to as "stateless Jews" and "ex-enemy Jews".) They have a moral right and a desperate need to be represented, for the lack of a world security system in the past has brought upon them the greatest disaster. They have a definite contribution to make to the attainment of a world based on true justice, without which there can be no true peace.

I ask to be forgiven, Mr. Secretary, for the unconventional character of this communication. Having had the honor and privilege of discussing on several occasions various aspects of this problem with you and other members of the American Cabinet, I feel confident—and all my colleagues share this confidence—that you will understand our sense of desperation at the present plight of our nation and our great hope, based on the high admiration we have for the people and Government of the United States, that this frank appeal will result in understanding and assistance.

I view of the complexity of this situation, we take the liberty of suggesting, Mr. Secretary, that pending your consideration and answer to our request, you appoint a small ad hoc committee to make a complete survey of this situation and to which members and experts of the Hebrew committee will be able to submit in full detail proposals for an adequate solution of this vexing problem, the urgency of which can no longer be denied.

To such a committee we could submit the details of our proposed composition of the Hebrew delegation to San Francisco, to include representatives of Hebrew Palestine and Hebrews of occupied Europe who are veterans of 4 years of struggle against the Axis as part of the Hebrew underground.

I beg to remain, Mr. Secretary,

Faithfully yours,

PETER H. BERGSON,
Chairman.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 105) to extend the life of the Smaller War Plants Corporation, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2252) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 43) authorizing the printing of additional copies of House Document No. 143, current session, entitled "Further Prosecution of the War," an address of the President of the United States, in which it requested the concurrence of the Senate.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The Senate resumed the consideration of the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered yesterday by the junior Senator from Tennessee [Mr. STEWART] on behalf of himself, the Senator from West Virgina [Mr. REVERCOMB], the Senator from Colorado [Mr. JOHNSON], and the Senator from Iowa [Mr. WILSON].

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hoey	Radcliffe
Austin	Johnson, Colo.	Revercomb
Barkley	Johnston, S. C.	Robertson
Bridges	La Follette	Russell
Briggs	Langer	Saltonstall
Brooks	Lucas	Shipstead
Bushfield	McCarran	Smith
Capehart	McClellan	Stewart
Capper	McFarland	Taft
Chandler	McKellar	Taylor
Connally	McMahon	Thomas, Utah
Cordon	Magnuson	Tobey
Donnell	Maybank	Tunnell
Ellender	Millikin	Vandenberg
Ferguson	Moore	Walsh
Fulbright	Morse	Wheeler
George	Murdock	Wherry
Hart	Myers	White
Hatch	O'Daniel	Wiley
Hawkes	O'Mahoney	Willis
Hayden	Overton	Wilson
Hickenlooper	Pepper	Young

Mr. BARKLEY. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Alabama [Mr. HILL], the Senator from Montana [Mr. MURRAY] are absent on public business.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from California [Mr. DOWNEY], the Senator from Rhode Island [Mr. GERRY], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from West Virginia [Mr. KILGORE], the Senator from Washington [Mr. MITCHELL], the Senator from Oklahoma [Mr. THOMAS], and the Senator from Maryland [Mr. TYDINGS] are attending committee meetings and public business pertaining to their respective States.

Mr. WHERRY. The Senator from Minnesota [Mr. BALL], the Senator from Delaware [Mr. BUCK], and the Senator from Ohio [Mr. BURTON] are necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from Connecticut [Mr. HART] is detained on official business.

The PRESIDING OFFICER (Mr. HATCH in the chair). Sixty-six Senators having answered to their names, a quorum is present.

Mr. STEWART. Mr. President, I understand that the pending business is the amendment proposed by the Senator from West Virginia [Mr. REVERCOMB], the Senator from Iowa [Mr. WILSON], the Senator from Colorado [Mr. JOHNSON], and myself.

The PRESIDING OFFICER. The Chair will state that the pending business before the Senate is the amendment offered by the Senator from Tennessee, in behalf of himself, the Senator from West Virginia, the Senator from Iowa, and the Senator from Colorado.

Mr. STEWART. I understand that the Senator from Georgia [Mr. RUSSELL] wishes to be heard on a motion to have the Senate temporarily lay aside the unfinished business. I yield to him for that purpose. Before the motion is put, I should like to discuss it.

AGRICULTURAL APPROPRIATIONS, 1946

Mr. RUSSELL. Mr. President, if it is possible to make arrangements to do so, I am anxious to have the Senate consent to proceed to the consideration of the agricultural appropriation bill, House bill 2689. I do not think consideration of the bill will consume any great amount of time. There are no highly controversial questions in the bill, so far as I know. There are a number of amendments. It is important that the bill be passed and go to conference at the earliest possible date; otherwise we shall have in conference a number of bills, with the same conferees on the part of the Senate, and thus there will be likelihood of delay in the enactment of all the appropriation bills.

I have discussed the matter with the Senator from Utah, who is in charge of the unfinished business. He has very kindly stated that he has no objection to laying aside temporarily the pending bill,

in order that the Senate may proceed to the consideration of the agricultural appropriation bill.

Therefore, Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, and that the Senate proceed to the consideration of House bill 2689, the agricultural appropriation bill for the fiscal year ending June 30, 1946.

Mr. STEWART. Mr. President, reserving the right to object—although, of course, I shall not do so—I should like to ask the Senator from Georgia approximately how long he thinks it will take to dispose of the agricultural appropriation bill?

Mr. RUSSELL. Mr. President, I would be the greatest prophet of all history, both modern and of antiquity, if I could make any prediction with respect to the bill. I have seen reported to the Senate agricultural appropriation bills the consideration of which I did not think would take over an hour, but they were debated for several days. I remember one occasion when the committee brought such a bill to the floor, fully anticipating that its consideration would take at least a week, but the bill passed the Senate within an hour. I cannot venture any prediction, or at least I cannot give the Senator from Tennessee any assurance as to how long the consideration of the bill would take. My opinion is that its consideration would not take more than 35 or 40 minutes. I know of no real controversy about any item in the bill. But I have seen very violent controversies arise out of a very clear and sunlit sky in the Senate, and I cannot give my friend any assurance about the amount of time consideration of the bill would take.

Mr. STEWART. Mr. President, I asked for such a statement from the Senator from Georgia because there are several Senators who wish to discuss the amendment to the bill extending the Selective Service Act, which is the pending business. I would suggest that consideration of the bill which has been reported from the Committee on Military Affairs by the Senator from Utah go over until tomorrow, if there is a possibility that the debate in connection with consideration of the agricultural appropriation bill will be quite lengthy. However, I appreciate that the Senator from Georgia can have no definite idea regarding how long consideration of the agricultural appropriation bill may take.

Mr. RUSSELL. My best judgment is that consideration of the agricultural appropriation bill will not require more than 40 minutes, unless some controversy which I cannot now foresee arises.

Mr. BARKLEY. Mr. President, will the Senator yield to me at this point?

Mr. STEWART. I yield.

Mr. BARKLEY. In connection with what the Senator from Tennessee has just said, I hope the agricultural appropriation bill can be speedily disposed of, and that we may soon resume consideration of the pending legislation. As all Members of the Senate know, the selective service or draft law expires on the 15th day of May, and time is running against it. So it is important that we pass the bill providing for extension of the Selective Training and Service Act as soon as possible.

I hope Senators will understand that immediately upon conclusion of consideration of the agricultural appropriation bill we shall resume consideration of the draft-extension bill. I should not like to see its consideration go over until tomorrow, because I hope we shall not have to have a session on Saturday, and that we may be able to dispose of the draft-extension bill tomorrow, if not today. I had hoped that we might dispose of it today. Of course, in view of the interposition of the agricultural appropriation bill, we may not be able to do so.

Mr. RUSSELL. I do not think passage of the draft bill will be delayed on account of agreeing to my unanimous-consent request.

Mr. LA FOLLETTE. Mr. President, I did not hear the unanimous-consent request propounded; but if it was in the usual form, I simply wish to say to the Senator from Tennessee that he or any other Senator would have some control of the situation, because by demanding the regular order he could bring the other bill back for consideration.

Mr. RUSSELL. Mr. President, I always consult with the majority leader before undertaking to bring any proposed legislation before the Senate. I spoke to him yesterday about this matter. I have no disposition to delay consideration of the bill providing for extension of the draft. I think every Member of the Senate fully appreciates the fact that it is absolutely vital to the prosecution of the war. However, as a matter of fact, under the rules appropriation bills do have priority. I did not claim that priority. I am not insisting on it now. If we run into any great difficulty during consideration of the agricultural appropriation bill, I shall not complain if it is laid aside and if the Senate returns to consideration of the draft-extension bill.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from Georgia?

There being no objection, the Senate proceeded to consider the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. RUSSELL. I ask unanimous consent that the formal reading of the bill be dispensed with, that the bill be read for amendment, and that the amendments of the committee be first considered.

The PRESIDING OFFICER. Without objection, it is so ordered; and the clerk will proceed to state the amendments reported by the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Department of Agriculture—Penalty mail," on page 4, line 7, after "(Public Law 364)", to strike out "$3,238,740" and insert "$3,418,670"; in line 8, after the word "exceed", to strike out "$27,000" and insert "$30,000"; and in line 11, after the word "Corporation", to insert a comma and "and the amount authorized for penalty mail for said Corporation in the First Supplemental Appropriation Act, 1945, for the fiscal year 1945 is hereby increased by $12,000."

The amendment was agreed to.

The next amendment was, under the heading "Office of the Solicitor," on page 4, line 20, after the word "service", to strike out "$1,680,000" and insert "$1,808,500"; and on page 5, line 3, after the word "exceed", to strike out "$883,240" and insert $944,240."

The amendment was agreed to.

The next amendment was, under the heading "Office of Information—Salaries and expenses," on page 5, line 23, before the word "together", to strike out "$450,000" and insert "$453,000."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Agricultural Economics," on page 10, line 18, after the word "exceed", to strike out "$1,838,569" and insert "$1,920,079."

The amendment was agreed to.

The next amendment was, on page 11, line 11, before the word "together", to strike out "$2,010,000" and insert "$2,110,000."

The amendment was agreed to.

The next amendment was, on page 12, line 18, before the word "together", to strike out "$1,520,000" and insert "$1,670,000."

The amendment was agreed to.

The next amendment was, under the heading "Agricultural Research Administration—Office of Administrator," on page 17, line 8, after the figures "$5,000", to strike out "the total amount for construction of buildings costing more than $2,500 each shall be within the limits of the estimates submitted and approved therefor."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Experiment Stations—Payments to States, Hawaii, Alaska, and Puerto Rico," on page 18, line 24, after "(7 U. S. C. 427–427g)", to strike out "$2,463,708" and insert "$3,000,000"; on page 19, line 8, after the name "Alaska" where it occurs the first time, to strike out "$22,500" and insert "$32,500"; in line 9, before the name "Puerto Rico", to strike out "$37,500" and insert "$47,500"; and in line 13, after the name "Puerto Rico", to strike out "$7,001,208" and insert "$7,547,500."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Animal Industry—Salaries and expenses," on page 21, line 7, after the word "hatcheries", to strike out "$840,000" and insert "$855,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Dairy Industry,' on page 25, line 8, after the word "butter", to strike out "$722,300" and insert "$742,300."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Plant Industry, Soils, and Agricultural Engineering—Salaries and expenses," on page 26, line 9, after the word "crops", to strike out "$1,971,400" and insert "$1,983,900."

The amendment was agreed to.

The next amendment was, on page 26, line 16, after the word "control", to strike out "$252,700" and insert "$262,700."

The amendment was agreed to.

The next amendment was, on page 27, line 13, after the word "products" to strike out "$333,000" and insert "$528,000."

The amendment was agreed to.

The next amendment was under the subhead "Bureau of Entomology and Plant Quarantine—Salaries and expenses," on page 29, line 15, after the word "application", to strike out "$2,082,000" and insert "$2,114,900."

The amendment was agreed to.

The next amendment was, on page 30, line 8, after "(7 U. S. C. 166)", to strike out $2,225,800" and insert "$2,390,800."

The amendment was agreed to.

The next amendment was, under the heading "Forest Service—Salaries and expenses," on page 35, line 25, before the word "for", to strike out "$820,861" and insert "$854,181."

The amendment was agreed to.

The next amendment was, on page 39, line 7, after the word "forests", to strike out "$16,349,100" and insert "$16,999,-100."

The amendment was agreed to.

The next amendment was, on page 40, line 6, after the word "elsewhere", to strike out "$520,900" and insert "$970,-900."

The amendment was agreed to.

The next amendment was, on page 40, line 10, after the word "elsewhere", to strike out "$325,000" and insert "$337,-500."

The amendment was agreed to.

The next amendment was, on page 40, line 13, after the word "elsewhere", to strike out "$1,001,380" and insert "$1,228,900."

The amendment was agreed to.

The next amendment was, under the heading "Forest roads and trails," on page 42, line 13, after "administration, (1)", to strike out "$4,418,778" and insert "$7,413,778"; in line 20, after the word "exceed", to strike out "$68,846" and insert "$98,846"; in line 22, after the word "maintenance", to insert "and reconstruction"; on page 43, line 1, after the words "in all", to strike out "$5,918,778" and insert "$8,918,778"; in line 9, after the word "exceed", to strike out "$7,500" and insert "$10,000"; and in line 11, after the word "was", to strike out "$7,500" and insert "$10,000."

Mr. WHERRY. Mr. President, I ask unanimous consent to return for a moment to the amendment on page 43 in line 1 and ask that an explanation be made of it.

Mr. RUSSELL. The item to which the Senator from Nebraska refers, appearing on the top of page 43, is the total of certain items appearing on page 42.

Mr. WHERRY. What is the purpose of the appropriation?

Mr. RUSSELL. The appropriation is for the purpose of increasing the amount available for the construction of forest trails. The amount allowed by the Senate is considerably under the Budget Bureau estimate, but more than was agreed to by the House. The Senate committee allowed the increase because of the necessity for increasing the production of lumber in connection with the war effort. With the exception of some private holdings in the Pacific Northwest, the principal reserves of available lumber are in the Government forests. It is impossible to get the timber out of those forest areas without building roads and trails so that the lumber can be brought down from the hills. The use of lumber from the national forests during the past 2 years has been considerable, and those areas represent the principal sources of our lumber for use in connection with the war effort.

Mr. WHERRY. I thank the Senator.

Mr. GERRY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Myers
Austin	Hatch	O'Daniel
Barkley	Hawkes	O'Mahoney
Bilbo	Hayden	Overton
Briggs	Hickenlooper	Reed
Brooks	Hoey	Revercomb
Bushfield	Johnson, Colo.	Russell
Butler	Johnston, S. C.	Saltonstall
Byrd	La Follette	Stewart
Capehart	Lucas	Taft
Capper	McCarran	Taylor
Chandler	McClellan	Tunnell
Chavez	McFarland	Tydings
Connally	McKellar	Vandenberg
Donnell	McMahon	Walsh
Ellender	Magnuson	Wherry
Ferguson	Maybank	White
Fulbright	Mitchell	Wiley
George	Morse	Wilson
Gerry	Murdock	Young
Guffey	Murray	

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. A quorum is present.

Mr. PEPPER subsequently said: Mr. President, I wish to have the RECORD show that I answered the first quorum call after the Senate convened this morning, and at the time of the second quorum call I was conferring with some of my constituents in the Senate reception room. I wanted the RECORD to show that I had not been delinquent.

The PRESIDING OFFICER. The clerk will state the next amendment reported by the Committee on Appropriations.

The next amendment was, under the heading "War Food Administration," on page 45, line 10, after the name "District of Columbia", to strike out "$13,636,472" and insert "$14,936,472"; and in line 22, after the word "commodity", to insert "or, where the producers of a number of commodities compete for labor, a majority of such competing producers considered as a group."

The amendment was agreed to.

The next amendment was, under the heading "Commodity Credit Corporation," on page 46, at the beginning of line 5, to strike out "$6,562,000" and insert "$6,565,000"; and in line 24, after the word "hereof", to strike out the comma and "but not more than $1,600,-000 may be expended under this head."

The amendment was agreed to.

The next amendment was, under the heading "Conservation and use of agricultural land resources," on page 49, line 3, after the word "periodicals", to strike out "$290,000,000" and insert "$300,000,-000"; in line 4, after the word "with", to strike out "$10,000,000" and insert "$13,-000,000"; at the beginning of line 7, to strike out "$300,000,000" and insert "$313,000,000"; in line 20, after the word "exceed", to strike out "$21,911,200" and insert "$22,911,200"; in line 23, after the word "than", to strike out "$5,382,103" and insert "$6,382,103."

The amendment was agreed to.

The next amendment was on page 50, line 14, after the word "amended", to insert "the total expenditures of which, including administration, shall be $300,000,000."

Mr. GURNEY. Mr. President, I wish to call the attention of the Senate to the fact that the amendment just stated under the heading "Conservation and use of agricultural land resources" did not appear in the bill as passed by the House of Representatives, and, therefore, the House passed the agricultural appropriation bill without specifying to the Department of Agriculture how large their soil-conservation program could be during the fiscal year 1936.

The Bureau of the Budget recommended a figure two-thirds of the size of the figure agreed on by the Senate Appropriations Committee. In other words, the recommendation of the Senate Appropriations Committee as to next year's program is that it shall total the same as the 1945 program, while the Bureau of the Budget recommended that next year's program should be $200,-000,000, and not the larger sum of $300,-000,000, which is the figure of the Senate Appropriations Committee.

I should like to have the Senator from Georgia [Mr. RUSSELL], who is in charge of the bill, explain the figure. Of course, I attended closely the Senate committee hearings and know in my own mind the reason for the action taken by the Senate Appropriations Committee, but I still would like to have in the RECORD some justification for the $300,000,000 figure.

Mr. RUSSELL. Mr. President, the sum of $300,000,000 represents the best opinion of the majority of the members of the committee as to the proper size for the soil-conservation program for next year.

Under the basic act providing for a soil-conservation program the sum suggested is $500,000,000. That amount was appropriated for years. Year before last, in view of the increasing farm income of the country and the fact that the requirements of war were compelling the farmers to plant more land to soil-depleting crops, such as wheat, oats, and other grains, and crops which were necessary for the production of vegetable oil, such as peanuts, the program was reduced from $500,000,000 to $400,000,000. Last year the sum was reduced another $100,000,000 and only $300,000,000 was appropriated.

I might say, Mr. President, that no opposition to these reductions in the sum

of $200,000,000 below the statutory authorization developed in the Appropriations Committee of either House of the Congress.

This year the Budget Bureau, following the lead of Congress in reducing this appropriation by $100,000,000 each year, proposed a program of $200,000,000 for soil-conservation purposes next year. The House committee conducted exhaustive hearings on that subject. They went into it very fully and stated in the committee report that they regarded the limitation of $200,000,000 as too small to enable the Department to carry on a comprehensive soil-conservation program all over the United States, and they therefore eliminated from the bill the suggested limitation of $200,000,000.

It can readily be seen where that left the Department of Agriculture in preparing a soil-conservation program for 1946. The amount authorized by law as proper for the soil-conservation program was $500,000,000.

Congress had reduced that amount to $300,000,000, and without some figure in the bill the Department would be on either horn of the dilemma, would have to conduct a program for half a billion dollars, as the act authorizes, or go to the $200,000,000 which the Budget has estimated, but which the House committee said was too small.

Mr. President, this item was discussed very thoroughly in the subcommittee and in the full Committee on Appropriations. The majority of the members of the committee did not believe that the program should be reduced below the current figuse of $300,000,000 a year. Senators should bear in mind that the appropriation has been reduced by $200,000,000 already.

The soil-conservation program is one of the most important activities of the Department of Agriculture. I think that most anyone who is familiar with conditions on the farms in this Nation will realize that this program has served a wonderful purpose in developing the fertility of our soil, and in restoring the fertility of soil that was depleted by the haphazard farming practices which have obtained heretofore.

In the enactment of the soil-conservation program the Congress of the United States stated as a national policy that the entire Nation had a stake in maintaining the fertility of our soils, which were being so rapidly depleted, lest generations which come after us would have to live on land where it was impossible to grow sufficient crops and fibers with which to sustain life and clothe themselves.

In my opinion, Mr. President, $300,000,000 is about as small an amount as we can grant and keep the soil-conservation program alive. If the desire is to kill the program alotgether, and make the payments for soil conservation practices so small that the farmers cannot afford to participate in the program, we can either eliminate it or reduce it.

Mr. President, I wish to point out—and I shall now conclude—that the Farm Bureau Federation appeared before the committee and urged that this program be made $350,000,000. Mr. Marvin Jones, who is the War Food Administrator, testified that he did not believe a $200,000,000 program could be effective, and that $300,000,000 was as low as we could make the appropriation and maintain the program, and keep up the interest in the enthusiasm of the farmers of the United States in its success. I feel that it would be a very grave error to reduce the amount below the $300,000,000.

It might be said that the farm income is much higher than it has ever been, and that is quite true, but let us bear in mind that over the years which have come and gone, when the farmer was depleting his soil and his capital investment to the tune of $18,000,000,000, because his prices were so far below parity, the soils were exhausted, and it is only through a comprehensive, Nation-wide program such as we now have in effect that we may hope to maintain the farms of this country so as to enable us to support the life of the Republic.

Mr. GURNEY. Mr. President——

The PRESIDING OFFICER (Mr. MURDOCK in the chair). Does the Senator from Georgia yield to the Senator from South Dakota?

Mr. RUSSELL. I yield.

Mr. GURNEY. I do not feel like making a motion to reduce the appropriation at this time, but I ask the Senator from Georgia if he would be willing to accept an amendment along the line I am about to suggest? He will notice the language in line 15 provides that the total expenditures "shall be $300,000,000." Would the Senator be willing to accept an amendment changing the wording so that it would read "the total expenditures of which, including administration, shall not be more than $300,000,000"?

Mr. RUSSELL. I shall be happy to accept an amendment to the effect that it shall not exceed $300,000,000. I think that is the language we usually employ in these appropriations. I should have no objection to that.

Mr. GURNEY. Mr. President, I offer the amendment to change the wording on line 15, page 50, so that the language would read "the total expenditures for which, including administration, shall not exceed $300,000,000."

Mr. RUSSELL. I have no objection to the amendment.

Mr. GURNEY. I thank the Senator.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The CHIEF CLERK. In the committee amendment, on page 50, line 15, it is proposed, after the word "administration" and the comma, to strike out the word "be" and to insert the words "not exceed."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The clerk will state the next amendment of the Committee on Appropriations.

The next amendment was, under the heading "Marketing service", on page 59, line 5, after the word "products", to strike out "$1,114,900" and insert "$1,125,300."

The amendment was agreed to.

The next amendment was, under the heading "Loans, grants, and rural rehabilitation", on page 63, line 19, after the word "amended", to strike out "$22,357,264" and insert "$22,720,549."

The amendment was agreed to.

The next amendment was, on page 65, line 5, after the word "exceed", to strike out "$67,500,000" and insert "$100,000,000", and in line 6, after the amendment just above stated, to insert a colon and "*Provided*, That in the selection of new borrowers for rural rehabilitation loans authorized under the caption 'Loans, grants, and rural rehabilitation' veterans shall be given preference."

The amendment was agreed to.

The next amendment was, on page 66, line 20, after the word "services", to insert a colon and the following proviso: "*Provided*, That, in assisting farmers in the organization and administration of associations and groups for medical care, the Farm Security Administration shall permit the associations or groups to have free choice in the selection of practitioners from those available practitioners who are licensed under State laws."

Mr. BUSHFIELD. Mr. President, during the last session of Congress we discussed this matter quite extensively. When a bill was before the Senate last year—and the Senator from Georgia will correct me if I am in error—I offered an amendment giving free choice to the clients under this set-up to select their own medical advisers. The amendment was agreed to unanimously by the Senate, it went to the House and was changed completely. When we resumed our session on September 8, as I recall the date, the Senator from Georgia asked me if I would not defer pressing the amendment in the Senate again because of the lateness of the season. I acceded, and the distinguished Senator from Georgia made this comment on the floor of the Senate at that time. He said, in a colloquy with me:

> I certainly would be the last one to wish to see any borrower from the Farm Security Administration coerced or intimidated or even channelized in the selection of his doctor in connection with any loans which may be made to medical cooperatives. This provision will, of course, not affect the present year's operation, but I shall hope to be able to cooperate with the Senator and with the officials of the Farm Security Administration and all others interested to see that there is no coercion or intimidation of the borrowers, and that they shall have freedom of choice to select the doctor they wish to serve them.

Mr. President, that was the amendment which was unanimously adopted by the Senate last year, which permitted the members of cooperative organizations to have a free choice of their own doctors.

I grant that the distinguished Senator from Georgia [Mr. RUSSELL] has been fair in this matter. He has been helpful; he has been cooperative; he did obtain some concessions from the committee; but it seems to me, Mr. President, from the wording of the amendment which has just been read that it does not leave a free choice to the individual members of the cooperative associations. It leaves the matter up to the associations themselves. It is well known to those who are familiar with this set-up in the Farm Security Administration that a cooperative association as a whole can be dominated and is dominated by the men who run it. Specifically, the members can make a

choice by way of a cooperative association acting together, but what possibility is there for one farmer in a certain township who has received a loan from the Federal Security Administration to get together with the other farmers in his county and in other townships to decide jointly upon this matter? It seems to me that not only in accordance with the American principle of free choice for the individual, but in fairness to the men themselves when they are obliged to call a doctor they should be able to call the doctor they want. They do not want Tom, Dick, or Harry, with whom they have no association. They want the doctor with whom they are familiar, who has brought their children into the world; who has cared for members of their families in their last illnesses. They want to have a free choice of the doctor.

Mr. President, I move to amend the committee amendment on page 66, in line 23, following the article "the", the third word in the line, by inserting the words "members of the", so the language will be "shall permit the members of the associations or groups to have free choice."

I move that amendment so that the members themselves may have a free choice without the association as a whole having to meet and vote on the question.

The PRESIDING OFFICER. The clerk will state the amendment to the committee amendment.

The CHIEF CLERK. On page 66, in line 23, in the committee amendment, after the word "the", it is proposed to insert the words "members of the."

Mr. RUSSELL. Mr. President, the Senator from South Dakota has stated substantially the history of this amendment. Of course, the Senator offered the original amendment to a legislative bill, and the amendment was not printed, as I understand. It was offered from the floor. I happened to be in charge of that legislative bill, and I accepted the amendment, so it was in fact approved unanimously. I am still in favor of the theory the Senator expounds here, but the method by which he approaches it can have no other effect than to destroy absolutely these cooperative health associations which have been sponsored by the Farm Security Administration, and which have meant so much to the health of the poorer and more underprivileged people who live on the farms in this country.

On its face the Senator's proposal is fair, and when we went into conference on the legislative bill last year I urged the Senator's amendment on the House conferees. I had not analyzed it as carefully as I should have done. Under the Senator's amendment it would be impossible in effect to organize any of these health associations.

The method of their organization is as follows: The people who have borrowed money from the Farm Security Administration organize a medical cooperative to secure medical care for themselves and their families. There is nothing compulsory in the first place about a person joining one of these associations. It is entirely optional with the borrower from the Farm Security Administration as to whether he shall go into a health association or not.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes; I yield.

Mr. BUSHFIELD. I agree with the distinguished Senator that there is no way to force the individual to join such an association, but if the farmer is poor enough so he feels obliged to borrow money from the Farm Security Administration, that in itself provides sufficient coercion.

Mr. RUSSELL. I might go further and say that there is nothing in the articles of association which would deprive a borrower from the Farm Security Administration of the right to use the money he has borrowed to pay any doctor he sees fit to employ. The question of free choice, which the Senator so eloquently expounds, therefore, is not involved in this proposition. The whole purpose of these associations is to secure cheaper medical care for these poor people. An association is organized and the borrowers who wish to come into the association may do so. Then the association contracts with one or two or three doctors in the community, at a lower rate of pay than that which usually applies, or a lower schedule of fees. The whole thing has been approved by the American Medical Association. The whole theory of the association is approved by the medical group because of the dire need of the people who are members of the association. If a member of an association has need for a doctor he calls upon the doctor who is the other contracting party whom he desires to use in case of illness in his family. There we have a contract between members of the association, who are one party to the contract, and certain doctors who are the other contracting parties.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes.

Mr. BUSHFIELD. I am sure the Senator will agree with me that the employment of a doctor for the treatment of himself and his family is a peculiarly personal matter.

Mr. RUSSELL. Oh, yes; there is no question about that.

Mr. BUSHFIELD. An individual does not take kindly to the idea that simply because he is poor and must borrow money from the Government, the Government, or representatives of the Government, shall decide for him what doctor he shall have. I insist that he have a free choice in the matter.

Mr. RUSSELL. He has a free choice, and the Senator's argument is very misleading. There is absolutely nothing on earth which prevents freedom of choice on the part of any borrower, a member of an association, from going to any doctor of any school of practice, whether he be an allopath, an osteopath, or a chiropractor, with whom he is familiar and secure his services. He can proceed to pay that doctor just as any other American citizen would, and he can pay him out of his loan.

What I am trying to do is to assure fair treatment between the allopath, the osteopath, and the chiropractor wherever they are recognized and allowed to practice under the laws of a State. The amendment which I have prepared and which the committee brought in here will do just that.

The Senator from South Dakota refers to freedom of choice. Under the committee amendment individuals have absolute democratic action within the association. I have heard from men whom I have no reason to disbelieve, who have said that in some sections of the country the Farm Security Administration has refused to contract with certain doctors unless they happen to be of particular schools and are members of certain State associations. Under the pending committee amendment they would not be permitted to do that. If a majority of the members of an association wish to contract with a chiropractor or with an osteopath or with any other kind of doctor who is recognized to practice by the State laws, they can do so.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. Yes; I yield.

Mr. BUSHFIELD. I cannot subscribe to the distinguished Senator's assertion that the farmers have absolutely free choice. The Senator himself stated that a choice was made by a majority of the members of a cooperative.

Mr. RUSSELL. No; I had not stated that.

Mr. BUSHFIELD. That was the statement in substance. The Senator agrees that a majority of the members of a cooperative decide what doctor they will hire; does he not?

Mr. RUSSELL. Oh, yes; of course I do.

Mr. BUSHFIELD. Very well. That is not free choice.

Mr. RUSSELL. The Senator presents an argument about free choice, when there is nothing on earth that compels any person to remain in one of these cooperative associations. If an individual wants a doctor other than the doctor of the cooperative, let us say he wants a chiropractor, he can resign from the association and hire a chiropractor, or any other doctor on earth he wants to hire. The benefit that comes from being a member of the association comes from the fact that the individual can get medical service at a cheaper rate than otherwise. There is nothing that compels an individual to take a certain doctor. The benefit comes to the member from receiving medical service at a lower cost.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. TAFT. Will the Farm Security Administration also lend him money to pay doctors' bills directly?

Mr. RUSSELL. It certainly will.

Mr. TAFT. I think the harm in it is not so much in lending to the cooperative as in deliberately organizing farm cooperatives, as the Farm Security Administration has done in the past, for health insurance.

Mr. RUSSELL. That may have been done.

Mr. TAFT. That sort of organization has been deliberately stimulated, as against the physician in private practice. If there is no discrimination, and if the Farm Security Administration is just as

willing to lend money to pay the doctors' bills of a borrower who is not a member of an association, I do not see any great harm in it.

Mr. RUSSELL. I do not mean that the Farm Security Administration will lend a man any amount of money to pay doctors' bills; but a borrower may use his loan, within the limits of the loan, to pay a doctor, just as he might pay any other expense. The fact is that when he is in the association he receives the benefit of a reduced rate and an assurance of service. There is no compulsion on an individual to join the association, so it cannot be said that he is denied freedom of choice.

Mr. TAFT. The only question is whether he is or not. Of course, he should not be denied freedom of choice. The question is whether the Farm Security Administration has, as a practical matter, forced people into this kind of cooperative association. I ask the Senator whether or not that is true.

Mr. RUSSELL. I do not know of any case in which that is true; but I would not say it has not happened in some isolated case. I presume that those in the Farm Security Administration at the county level are very much like human beings everywhere. They may recommend their own doctors to the association. But I do not believe that we can afford to write into the law a provision which I believe would have the effect of nullifying the benefits of the association merely because of some abuse of administrative discretion on the part of a minor employee somewhere in the United States. I do not believe that that is sufficient ground to justify the proposed amendment.

The committee amendment absolutely protects the interest of any doctor of any faith or cult if the majority of the members of the association wish him to be one of the contracting parties. It must be understood that the contract is not usually made with one doctor. It is usually made with several doctors.

The effect of the Senator's amendment, if it were adopted, would be to say that an individual could join one of these medical associations, and if he were not pleased with the selection of doctors by the majority, he could destroy the association by insisting upon a doctor of his choice. He could absolutely nullify and destroy the benefits to a majority of the members of the association. I do not believe that we wish to go that far.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. AIKEN. It is my understanding that this medical insurance or medical assistance program is a sort of mutual cooperative agreement between the doctors of a community—or, as in the case of my State, the whole State—and the members of the Farm Security Association, who would naturally deal through the Farm Security Administration.

We all know that country doctors have a great deal of money due them from poor farm families. In fact, most country doctors die with a good share of that money still due them. So when the Farm Security Administration came forward and said, "We will lend our members $20 a year for the purpose of joining this cooperative health program," the doctors got together and said, "We will take care of the families." So far as I know, each family in my State calls on its family doctor, as usual. The doctors said, "We will take care of those families. They will pay what they can; and what they cannot pay we will prorate among ourselves. We will divide the loss among ourselves." I believe that is the way in which the program has worked. As I say, the program in my State is on a State-wide scale. I believe that Vermont is the only State which has the health program on a State-wide scale. It has worked very well.

I can fully sympathize with the aims of the Senator from South Dakota. I believe that justice is on his side. However, there is also a practical side of the question. We hear that if this provision is so worded as to permit the individual Farm Security member to call upon his chiropractor or his osteopath, members of the medical fraternity will refuse to cooperate, and will not enter into these programs. Of course, that is not a very broad-minded attitude to take; but it seems to me that we must look at the practical side of it.

I should like to see some method devised whereby the suggestion of the Senator from South Dakota would work; but I do not know how it could be done. The Medical Association is one of the closest unions in the United States. Its members must abide pretty strictly by its rules, or they get into difficulties. So I would not wish to take the chance, even in order to extend justice to all these people, of depriving many of the other members of the Farm Security Association of the benefits which they are now receiving. The situation is unfortunate. I wish there were some way out of it, but I do not know of any. For that reason, I shall support the Senator from Georgia, although I have full sympathy, as I had a year ago, with the Senator from South Dakota.

Mr. RUSSELL. Mr. President, let me say to the Senator from Vermont that I have endeavored to the very best of my ability to go along with the Senator from South Dakota and be as fair as I could with him and with all the members of the other medical groups, without destroying the health associations. Under the express terms of the amendment reported by the committee, any of the associations which wishes to do so can contract with any kind of doctor. An association can be formed to contract with doctors belonging to any of the various cults.

Mr. AIKEN. That is true in the legal sense; but I still agree with the Senator from South Dakota that the Farm Security Administration leaders would have the final say as to what the vote should be.

Mr. RUSSELL. That might be.

Mr. AIKEN. The members of the association would ask the advice of the Farm Security Administration. They would not consider that they were being coerced, because in a great many cases they would not know what to do.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. BUSHFIELD. First of all, I wish to make it perfectly clear, after what the Senator from Vermont and the Senator from Georgia have said, that I am not interested in any practitioner or group of practitioners. My interest is in the borrowers themselves, those who are poor and have to apply to the Government for money with which to support themselves. But if I ever saw an example of socialized medicine in my life, it is the proposal which the Senator from Georgia now makes. I am opposed to socialized medicine. I want the American citizen, whoever he is or wherever he may be, to have the absolute right to say, "I want John Smith for my doctor, and not some doctor designated by the Farm Security Administration."

Mr. RUSSELL. The individual has that absolute right today. There is not a thing in the world to prevent him from having John Smith as his doctor if he wants him. But if he has entered into a contract with Bill Brown for medical services——

Mr. BUSHFIELD. He does not make the contract.

Mr. RUSSELL. He does make the contract.

Mr. BUSHFIELD. If the distinguished Senator from Georgia will listen for a moment, the contract is made by a majority of the cooperative association itself, and not by the individual. The association as a whole is operated by officials of the Farm Security Administration.

Mr. RUSSELL. Of course, there is nothing which would require a person to remain in the association. The committee amendment is offered as the result of an earnest and honest effort on my part to go as far as I could to meet the views of the Senator from South Dakota without destroying these very important group-health units which have been organized within the Farm Security Administration. But if the Senator believes that the committee amendment offends more than does the present system, I will be very happy to see that the amendment never becomes law. It can be very easily receded from. I myself will vote against it, and it will not be accepted in the conference.

Mr. BUSHFIELD. Mr. President, I am very appreciative of the cooperation of the distinguished Senator in going as far as he has gone; but I do not think he has gone far enough.

Mr. RUSSELL. I think we went a long way.

Mr. BUSHFIELD. The decision has been left with the association itself, and not with the individual. I want to give it back to the individual.

Mr. RUSSELL. It is not possible to do that, because if an individual is a member of a cooperative association under the Farm Security Administration to buy farm machinery, for example, the association contracts with John Deere, Allis-Chalmers, or some other concern, to buy tractors. The individual may want an Allis-Chalmers tractor, and not a John Deere tractor; but if he is a member

of the association he must take the tractor from the concern with which the association has entered into a contract. He has no freedom of choice. If he joins the association, he knows in advance that he must use Allis-Chalmers machinery, or the machinery of the concern with which the association has a contract. If a man joins one of these medical socities, he knows in advance the names of the doctors whose services will be available to him. As a matter of fact, there is nothing on earth which interferes with freedom of choice, any more than a man voluntarily limits his choice by entering into a contract.

Mr. REED rose.

Mr. RUSSELL. I yield to the Senator from Kansas.

Mr. REED. Mr. President, I rose to say exactly what the Senator from Georgia has said. Groups for medical treatment are being organized in my State of Kansas. They are widely organized in the neighboring State of Oklahoma. No man has to join one of them if he does not wish to do so, regardless of whether he is a borrower from the Federal Security Agency. However, if he goes into such a group and thus secures medical attention at reduced rates, he limits his individual choice to the choice of the majority of the group. There is no other way by which group action can be conducted. No man is forced to join a group; but once he joins, of course, the majority, as in any democratic institution, determines the policy. If the man does not like it, he can drop out.

I fear that the Senator from South Dakota is not wholly reasonable in his attitude on this matter, although I beg his pardon for having to say so.

Mr. BUSHFIELD. Mr. President, will the Senator yield to me?

Mr. RUSSELL. I yield.

Mr. BUSHFIELD. I should like to ask whether the Senator from Kansas believes in socialized medicine.

Mr. REED. No, sir.

Mr. BUSHFIELD. That is what the Senator will be getting under this bill.

Mr. REED. Oh, no. Oklahoma is as good an illustration of the operation of group medicine as there is in this country. It is growing in my State.

Mr. RUSSELL. Mr. President, I may say to the Senator from Kansas that the American Medical Association appointed a committee to examine into this system, and it has been approved by the group which is leading the fight against socialized medicine in this country.

Mr. REED. I received a letter from a doctor who is a friend of mine asking me to vote thus and so. I said in reply, "Yes; I will vote to let you 'guys' have a closed shop—which is more than I would do for the C. I. O." It was a great joke when that letter was shown around.

Regardless of whether anyone likes it or not, we are going to have more and more group medical attention. Its coming is as certain as anything can be. The American Medical Association has been very restrictive in its rules. I am very happy to see that it is easing its policies. I am happy to see it because it is surely coming. I do not need to join a health group in order to secure medical attention and hospital services; but when I do join such a group I surrender my individual choice to the extent of having to abide by the policy which the majority of the group desires to adopt.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota to the committee amendment on page 66.

Mr. BUSHFIELD. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Murdock
Austin	Hatch	Murray
Bankhead	Hawkes	Myers
Barkley	Hayden	Pepper
Bridges	Hickenlooper	Reed
Briggs	Hoey	Revercomb
Bushfield	Johnson, Colo.	Russell
Butler	Johnston, S. C.	Smith
Byrd	Langer	Stewart
Capper	Lucas	Taylor
Chandler	McClellan	Tunnell
Chavez	McFarland	Vandenberg
Connally	McKellar	Wagner
Cordon	McMahon	Walsh
Donnell	Magnuson	Wherry
Ferguson	Maybank	White
Fulbright	Millikin	Wiley
George	Mitchell	Wilson
Gerry	Moore	Young

The PRESIDENT pro tempore. Fifty-seven Senators having answered to their names, a quorum is present.

Mr. MORSE subsequently said: Mr. President, during the last roll call I was called out of the Senate Chamber for a conference with a constituent who has just completed 66 missions in the South Pacific. From him I received a great deal of advice and information in regard to the legislation pending before the Senate. I ask unanimous consent that my name be listed among those reported as present.

The PRESIDENT pro tempore. The Chair is in doubt whether the RECORD can be so changed. The Senator's statement will appear in the RECORD in connection with the call of the roll. The question is on agreeing to the amendment offered by the Senator from South Dakota to the committee amendment on page 66.

Mr. BUSHFIELD. Mr. President, on page 66, beginning in line 20, the committee proposes to insert the following amendment:

Provided, That, in assisting farmers in the organization and administration of associations and groups for medical care, the Farm Security Administration shall permit the associations or groups to have free choice in the selection of practitioners from those available practitioners who are licensed under State laws.

I invite the attention of the Senate to the words "shall permit the associations or groups." I move to amend in line 23, after the words "shall permit the", by inserting "members of the." That would permit not only associations themselves as cooperative organizations, but the members of cooperatives to exercise their individual choice of a doctor if one should be needed.

Mr. HAYDEN. Is it the Senator's idea that each individual member of the group may make his own contract with a doctor, and that the group will pay the bill?

Mr. BUSHFIELD. No.

Mr. HAYDEN. This is group medical insurance.

Mr. BUSHFIELD. That is correct. The person who becomes a member of the group will naturally pay his share of the group insurance. But suppose he is not satisfied with the doctor who is hired for him and wants to employ a physician of his own selection; under the committee amendment he would be required to pay double for the doctor's services.

Mr. HAYDEN. That is what I say. The individual may make a contract with a doctor without consulting the group, and the doctor whom he employs will be paid by the person who employs him.

Mr. BUSHFIELD. Under the committee amendment, if an individual becomes a member of an association he must accept the doctor whom the group employs.

Mr. HAYDEN. In order to secure medical services at cheaper rates, the group would contract with one or more doctors in the county, and they would serve the members of the group.

Mr. BUSHFIELD. Whether the services would be cheaper or not is a question open to debate.

Mr. HAYDEN. In any event, in order to secure medical services the group contracts with one or more doctors. If a member of the group who is in need of medical services does not like the doctors with whom the group has contracted, under the Senator's amendment he may contract for the services of a physician of his own selection and the group must pay the bill.

Mr. BUSHFIELD. No; the group is not required to pay the bill. The individual who secures the services of a doctor must himself pay the bill.

Mr. HAYDEN. I am unable to agree with the Senator's interpretation of his amendment.

Mr. BUSHFIELD. This amendment gives every member of a farm security organization the right to certain medical attention.

Mr. HAYDEN. Yes; but someone must pay for it. Under the Senator's amendment who would pay for it if the group did not pay for it?

Mr. BUSHFIELD. Mr. President, I ask the Senator from Georgia [Mr. RUSSELL] to clarify the amendment for the Senator from Arizona.

Mr. RUSSELL. Mr. President, I believe there is considerable confusion in regard to this matter. These groups are not all administered alike. In some groups, under the contract with the doctors, a certain sum of money is paid per member, and the members are furnished medical services during the year. In other groups, because of the lack of financial resources, a reduction in fees is allowed.

Mr. BUSHFIELD. Will the Senator permit me to propound a question?

Mr. RUSSELL. Yes.

Mr. BUSHFIELD. I am trying to set the Senator from Arizona straight. I think he is in error. If the individual

employs a doctor of his own he must pay for the doctor's services out of his own pocket.

Mr. RUSSELL. Yes. If he hires a doctor on his own account he must pay for him.

Mr. HAYDEN. If that statement be true, and the doctor is not connected with the group, the group is not responsible for what the doctor does. The Senator from South Dakota has said that a person may join the group and expect to receive the benefits of group medical service; yet he is free to hire any doctor whom he wishes, and the group must pay the bill.

Mr. BUSHFIELD. No; I do not mean that at all.

Mr. HICKENLOOPER. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. HICKENLOOPER. According to my interpretation of the Senator's proposed amendment, only individuals of the group would have the right to employ available physicians. The individual would have a right, in his own interest, to employ physicians from among those who were available. Is that the correct interpretation of the amendment?

Mr. BUSHFIELD. No. The word "available" means any available doctor in the community. It does not mean only a doctor who has a contract, for example.

Mr. HICKENLOOPER. Then, I have misunderstood the purpose of the amendment.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. BUSHFIELD. I yield.

Mr. CORDON. I am somewhat confused as to just what the Senator from South Dakota intends to accomplish by his amendment. Is it his contention that the members of the association shall have the free right to employ any medical practitioner whom they choose, and, having used such medical services, and having incurred liability for their payment, be reimbursed from group funds?

Mr. BUSHFIELD. No; not at all.

Mr. CORDON. If that is not the purpose, does not every member of every association of this character have a right, as an individual, to hire any doctor whom he wishes to hire?

Mr. BUSHFIELD. Yes; if he pays for the services of the doctor.

Mr. CORDON. How would the payment provision operate under the proposed amendment of the Senator from South Dakota?

Mr. BUSHFIELD. The individual would pay for the medical services himself. The amendment of the committee grants the right of the association to contract with doctors for their professional services.

Mr. CORDON. Yes.

Mr. BUSHFIELD. In my State the association is usually managed by officers of farm security organizations, not the farmers themselves. The situation became so objectionable at one time in my State, while I was Governor, that our legislature passed a law outlawing the organization then existing there. It had been made a target of unscrupulous persons, and its activities proved not to be to the welfare of borrowers. What I propose to do by my amendment is to provide that each borrower may, if he so desires, hire his own doctor.

Mr. CORDON. How would the doctor be paid?

Mr. BUSHFIELD. He would be paid by the person who employed him.

Mr. CORDON. Would that person have any right of reimbursement from any funds of the group, or a right of deduction in the amount of the fee he would normally pay?

Mr. BUSHFIELD. Not at all. If he becomes a member of the group association he is stuck for his share of the medical expenses. If he wishes to employ a doctor not employed by the group, and goes outside the association to seek medical services, he must pay for them himself. But I maintain that the borrower must have the individual right and liberty to hire his own doctor, whoever he may be.

Mr. CORDON. Then is it the Senator's view that if his amendment be not adopted a member of one of these groups would, if he employed outside medical service, forfeit some other right he had in the group?

Mr. BUSHFIELD. Oh, no. He would simply pay for two doctors.

Mr. CORDON. Under the Senator's amendment would he pay for two doctors?

Mr. BUSHFIELD. No; if he did not go into the association. It is not compulsory to go into the association at all; but if he does go in then he has got to pay the proportionate share of the association's fee for medical service. If he proceeds on his own and hires a doctor he pays that out of his own pocket.

Mr. CORDON. Then the purpose sought by the Senator is by giving the right to an individual to select his own medical service to permit him also to have such other benefits as the association might provide, but without being compelled to pay his pro rata share for medical service.

Mr. BUSHFIELD. No; if he goes into the association at all, as I understand the proposal, he must pay his pro rata share of the medical association bill.

The only point that bothers me is that he does not have a free choice of doctors, but must accept the doctor chosen by the association, which in effect, as I said a moment ago, in my State is dominated by certain individuals or groups, and that, in my opinion, is not for the welfare of the farmer himself.

Mr. CORDON. Mr. President, I do not quite follow the Senator's argument.

Mr. VANDENBERG. Mr. President, may I ask the Senator from South Dakota a question?

Mr. BUSHFIELD. I yield.

Mr. VANDENBERG. I am perplexed, as is the Senator from Oregon, by the situation which we confront under the Senator's amendment. I have great sympathy with his objectives, but let me ask the Senator a question. If a farmer were to proceed with the liberty of choice which the Senator would undertake to give him, why would he not be better off not to join the association at all?

Mr. BUSHFIELD. I think he would, but there is a certain amount of persuasion used in connection with the borrower by the Medical Association. It is not coercion; I do not mean to imply that; but here is a man borrowing money who is subject frequently to persuasion to do things which he would not like otherwise to do.

Mr. VANDENBERG. It seems to me that under the Senator's amendment the farmer who joins the association and then exercises his independent right of selection is simply penalized to the extent of his dues to the cooperative association.

Mr. BUSHFIELD. The Senator is quite right.

Mr. VANDENBERG. And that he would be infinitely better off to keep out of the association.

Mr. BUSHFIELD. I agree with the Senator, and thank him for the contribution.

The point I am trying to make Mr. President, and I want to restate it for the sake of emphasis, is that the same amendment, not in the exact words but in purport, was adopted by the Senate last year in the former Congress, but was defeated by the action of the House. I am offering it again in substance because I believe that every farmer whether he is poor or rich is entitled to a free choice of a doctor for himself and his family. Under the committee amendment—and I am glad it has been placed in the bill so far as it goes—the choice is made by the associations or groups and not by the individual. Therefore, I ask to have inserted the words "members of the", meaning, of course, members of the associations. I am trying to give to each member the free choice of the doctor he wants.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from South Dakota to the committee amendment.

Mr. RUSSELL. Mr. President, I regret very much to be compelled to reiterate the statement I made a few moments ago, but the junior Senator from South Dakota has iterated and reiterated his statement, and since a number of Senators have come into the Chamber since I spoke I am compelled to repeat.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. RUSSELL. I yield.

Mr. TAFT. I do not understand why there should be a provision that the Farm Security Administration may assist farmers in the organization and administration of association in groups for medical care. Is there any law permitting that? There is an express prohibition under clause 4, on page 66, against the Farm Security Administration making loans to any cooperative association.

Mr. RUSSELL. If the Senator will read clause 5 he will find that there is a specific exemption in the case of medical, dental, or hospital services.

Mr. TAFT. But that, as I understand, applies to the making of loans to individual members. Now, we come to this amendment which seems to imply that, besides making loans to individual farmers to enable them to pay their dues, the Farm Security Administration is author-

ized to make loans to organizations, associations, and groups for medical care. I have no objection to medical care to a health insurance plan if it is voluntarily formed, but I do not see why the Government should be promoting organizations for medical care. I do not know, but it seems to me that perhaps it would be well to strike out the whole committee amendment.

Mr. RUSSELL. I am perfectly willing to strike out the entire committee amendment. The committee amendment was advanced, as I said, a moment ago, in an earnest, honest effort to meet the complaints of groups that claimed the medical doctors were the only ones who could get a contract with these associations. That is the only reason it was brought up.

I desire to correct one statement the Senator from South Dakota made. He said this amendment was adopted unanimously on a legislative bill. It was in a sense adopted unanimously. We had up a bill which was an amendment to a basic agricultural act. I had the bill in charge, and late in the afternoon, just before the recess, the Senator from South Dakota offered the amendment. I did not know anything about the merits of the case. The Senator said something about a free choice in hiring doctors. I believe in that.

So I accepted the amendment and it went into the bill but it was not discussed. When it went to conference with the House it was referred to the department. If the Senate wants to adopt the amendment which gives a member of an association who has the right to quit at any time he pleases and who cannot be compelled to join, the right to contract with any kind of doctor on behalf of the association, through association machinery, it will kill the association so far as other medical doctors are concerned, because they will not sign a contract along with others who practice other phases of the healing art.

The committee has gone rather far in the amendment. I do not think we ought to be asked to go further. We may have made a mistake in going as far as we did, and I am inclined to think we did. The amendment allows the people who want a contract with a chiropractor or an osteopath the right to make it. If we go any further than that, then we are going to deny medical aid to people who have been on this program which has been approved by the American Medical Association because regular doctors will not come in and sign contracts if they are compelled to sign along with a chiropractor. The Senator's amendment would give one person in the association who wants a chiropractor the power to deny to a hundred borrowers who want regular doctors the right to get the services of a regular doctor at the reduced charge which has been approved by the American Medical Association. That is what the Senate would do if it adopted the amendment of the Senator from South Dakota.

Mr. WHITE. I find myself very much confused by the language. As I read it, beginning in line 23, permission is given the association or group to have free choice, and so forth. I take it that refers to an association or group as a unit.

Mr. RUSSELL. A wholly voluntary unit. I do not think the Senator from South Dakota can sustain his charge that people are coerced or impressed or conscripted into these associations. They are wholly voluntary.

Mr. WHITE. I was about to say that, as the language comes from the committee, a member of the association would be limited, or the association or the group would be limited, to those upon an approved list which had been prepared by the association or by the group. It seems to me that when we insert the words "members of the association or group," we are negativing the right of the association or group to make up a list of accredited practitioners, and giving to every member of the group, every individual member of the association, a right to make his own selection.

Mr. RUSSELL. The Senator is absolutely correct.

Mr. WHITE. It seems to me the amendment adds confusion to the situation.

Mr. RUSSELL. As I pointed out a moment ago, it would give one individual the right to destroy an association that was satisfactory to perhaps 800 or 1,000 other borrowers, because he happened to want a particular practitioner of a certain cult. An individual who may desire a faith healer should not insist upon destroying the rights of other members of an association to have a regular medical doctor if they wish to do so. He should retire from the association and get the faith healer as an individual or organize an association of his own.

Mr. FERGUSON. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. FERGUSON. I am of the opinion that we should leave the wording as it was reported by the committee. As I understand, at the present time the Farm Security Administration does help organize these associations, and they are organized with an idea of having a particular group of doctors do the work. It was to get away from that particular thing that the amendment was inserted, so that at least the members of the association would have a free choice as to the doctors to be employed for the association, rather than the Farm Security Administration choosing the doctors for the associations.

I have heard the arguments made today, and I am of the opinion that the amendment offered by the able Senator from South Dakota will not work, that if we are to have associations, then we should allow the members as a group to choose their own doctors, and, as it is stated here, to have a free choice, and the Farm Security Administration not have the right to dictate to them that they must have John Doe or Richard Roe as the doctor for the group.

So I hope that we will at least allow this committee amendment to remain, for, if we do not, the Farm Security Administration will not be stopped from acting, and this cannot be an invitation for them to suggest a doctor, because they are already doing it.

Mr. TAFT. Mr. President, what possible right has the Farm Security Administration to tell a cooperative association, to which it lends no money, that it can employ one doctor or another? Why should we not prohibit that? What possible legal right has it to put any such compulsion on an association?

Mr. FERGUSON. Will the Senator from Georgia yield in order that I may answer?

Mr. RUSSELL. I yield.

Mr. FERGUSON. I think it has absolutely no such right. The Farm Security Administration has been doing it illegally. It has been, in a way, coercion and intimidation of these people, but the Administration has been doing it, and at least this is an attempt to prevent that being done and to say to the members themselves, "You members have the free choice to pick your own doctor."

Mr. TAFT. But the words are "the Farm Security Administration shall permit the associations or groups to have free choice." Why have they any right to permit associations? They are free associations. They can do anything they want to do.

Mr. RUSSELL. The Senator from Ohio has been in the Senate long enough to know that amendments are usually drawn in the light of the representations made in the committee. Statements have been made that the Farm Security Administration would not allow these people to do what they wanted, so this amendment was drawn in an attempt to adjust the differences, and apply the bill to any group or association wanted by any group of borrowers from the Farm Security Administration. The wording is perhaps a little awkward.

Mr. TAFT. My suggestion is that it seems to me it does no harm, that it advises the Farm Security Administration, which attempts to assume some power over health associations which it has not, to organize people as against the ordinary method of employing their own doctors. I have no objection to health insurance associations, but I do not see why the Government should sponsor them.

Mr. RUSSELL. It is not health insurance associations. The reference is to medical aid associations.

Mr. TAFT. I take it to refer in substance to health insurance associations, such as an association one might join and pay a regular flat fee every year and get medical service from such doctors as the association chooses to furnish. I do not see why the Government should promote them as against private doctors. It seems to me that by inserting this language at all we sanction the whole procedure, and impose one little limitation, namely, that they have to employ a particular doctor.

Mr. REED. Mr. President, we are wasting a lot of time on nonessentials. We have made the best possible disposition of this question, after the fullest consideration. The Senator from Georgia has properly stated the case.

I wish to say to the Senator from Ohio that the whole theory of the Farm Security Administration is to provide a sort

of guardianship over and assistance to a low-income class of farmers. In the course of its work it can make grants without any consideration, or it can make loans, and in carrying on its work the Farm Security Administration does give a certain degree of supervision to this class of farmers, and advises them as to crops, how they shall plant, and what they shall do. As a part of that program there have been organized a considerable number of health groups. Most of this work is maintained by money which comes from the Farm Security Administration.

It was alleged that the Farm Security Administration employees, particularly in the counties, were taking advantage of the situation, and dictating too much to these health groups. So the committee amendment does exactly what the Senator from Ohio wants done, it takes any pressure from the Farm Security Administration off these health groups.

So far as the amendment of the Senator from South Dakota is concerned, it does not mean a thing. It merely would write in two words, and if we apply the interpretation given by the Senator from South Dakota to his own amendment, it makes it perfectly useless.

No man has to join a group or association. No one has to stay in one if he does not desire to. If he does belong to a group, he has to be governed by the group policy and principle. If he wants to hire his own doctor, he can do so whether he is a member of the group or is not, but he has to pay for him himself.

Mr. President, I do not believe that in a long time I have heard so many empty words and seen so much time wasted upon nothing as during the past 30 minutes.

Mr. AIKEN. Mr. President, I should like to add a few more words to the discussion.

There seems to be an idea that the Farm Security Administration is doing something wrong when it assists in organizing these medical associations, and that perhaps it should be prohibited from having any part in organizing them. As a matter of fact, these medical associations could not be organized at all if the Farm Security Administration did not assist in the work.

In the first place, when a man borrows from the Farm Security Administration, he does not put a sign on his barn saying "I have not any credit anywhere else, and I am borrowing from Farm Security." He does not send his name to the paper as a Farm Security borrower. There may not be another one in 5 or 10 miles from him. He has no way of knowing who the other borrowers from Farm Security are, and it is well their names are not published or made public in any way, because most of the borrowers are honest, and pay back their loans just as quickly as they can.

Mr. TAFT. Will the Senator yield?

Mr. AIKEN. When I finish the sentence I shall be glad to yield.

It seems to me we should not in any way object to the Farm Security Administration assisting in organizing these health associations, because otherwise there would be no organization or association, the doctors would not get the money they receive from these patients, and the poor farmer borrowers would not be getting as good medical care, when they themselves or their families are sick as they now receive.

I now yield to the Senator from Ohio.

Mr. TAFT. Mr. President, the Senator stated that there might be one man located at one place and there might not be another within 10 miles of him, who would be in need of the service provided by the association. How are a sufficient number of individuals gotten together, and closely enough together, under such circumstances, to form a health association? Is an individual doctor employed for each person? Does the association, for instance, employ an individual doctor for A, another doctor for B, who lives in the next county, and another doctor for C, who lives in still another county? Or must a considerable number of individuals be organized in one county to form an association and employ a doctor?

Mr. AIKEN. All I know is how this plan has operated in my State, where it is operated on a State-wide basis. So far as I know, each member of the association calls his own family doctor whenever he is sick. That is evidently done under an arrangement between the doctors of the State and the medical association which has been organized by the Farm Security Administration. I do not know what the dues are now. A few years ago members were loaned $20 a year which they would invest in medical insurance. If that amount were not sufficient to pay the doctors for their services, then as I understand they prorated the loss according to the number of calls which were made and the charges which were made for the calls.

A few years ago the amount loaned was $20. The amount may be more now. That amount, whatever it was, very likely was just so much more than the doctor would have received from many of the families if the association had not existed. I know the doctors seem to approve the plan, and cooperate with the Farm Security Administration in working it out. It seems to be operating very happily. I should hate to see anything done to disturb it. I agree with the Senator from Ohio, however, that probably the whole amendment is completely unnecessary and probably inadvisable.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from South Dakota [Mr. BUSHFIELD] to the committee amendment on page 66, line 23.

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 66, beginning in line 20.

Mr. TAFT. Mr. President, I suggest that the committee amendment be rejected. I really do not think it adds anything useful. Surely the Farm Security Administration cannot dictate to the medical associations, and I really think it would be far better, and would obviate controversy if we were simply to eliminate the amendment.

Mr. RUSSELL. Mr. President, I have stated my position on this matter heretofore. I do not think the Senator from Ohio was on the floor when I did so. The amendment was offered merely as an effort to compose these differences. I am not wedded to the amendment, and I will not care one whit if it is voted down.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 66 beginning in line 20. [Putting the question.] The Chair is in doubt and will call for a rising vote.

On a division the committee amendment was rejected.

The PRESIDENT pro tempore. The clerk will state the next committee amendment.

The next amendment was, under the heading "Farm tenancy," on page 68, line 8, after the word "act", to strike out "$2,000,000" and insert "$2,500,000."

The amendment was agreed to.

The next amendment was, on page 68, line 13, before the word "including", to strike out "$40,000,000" and insert "$50,000,000"; and in line 20, after the words "per annum", to insert "and which sum shall not be used for making loans under the terms of said act for the purchase of farms of greater value than the average efficient farm management unit, as determined by the Secretary, in the county, parish, or locality in which such purchase may be made."

The amendment was agreed to.

The next amendment was, under the heading "Water conservation and utilization projects," on page 70, line 19, after the word "periodicals", to insert a semicolon and "construction and alteration of farm and other buildings and roads for the use of project occupants on any lands within the boundaries of water conservation and utilization projects in said area."

The amendment was agreed to.

The next amendment was, under the heading "Rural Electrification Administration", on page 71, line 12, after the word "reports", to strike out "$3,150,000" and insert "$3,330,000."

The amendment was agreed to.

The next amendment was, on page 71, line 15, after the word "thereof", to strike out "$60,000,000" and insert "$125,000,000, and, of which sum, $35,000,000 shall be immediately available as an additional amount for the fiscal year 1945 for these purposes."

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments. The bill is open to amendment.

Mr. TAFT. Mr. President, I do not wish to offer an amendment, but I desire to comment on the provision found on page 55 which appropriates $50,000,000 Federal aid to provide school lunches. That appropriation is made in an appropriation bill without any legislation having been enacted to authorize it. Such legislation is pending, but there is no authorization for this appropriation. That is not a reason for making an objection under the rules, because the item was placed in the bill in the House. But I want to call attention to the fact again that the advocates of the school-lunch program have repeatedly promised that they would bring forward a bill to outline the exact conditions of the Federal

aid. The $50,000,000 is for school aid. As it stands, I believe it violates nearly every principle of Federal aid for State and local communities. The States have no control whatever over it. The appropriation is made directly to individual school districts of all kinds throughout the United States. It seems to me that the Federal interest in school lunches is remote. The aid goes to children whether they need it or not. It goes to children of millionaires as well as to children of the poor. It has no direct relation to need.

Of course, the program as originally started was, as I think, a clear usurpation of authority by the Commodity Credit Corporation. It was begun by the distribution of surplus food to the schools for school lunches, and then, when there was no longer any surplus food, they commuted the aid in dollars I think there is not the slightest authority for it, although the Congress has for several years confirmed the distribution. I do not want to stop it at the moment. But I think that, certainly, before it comes up again next year, we should enact a law; we should determine whether we want to make the principle permanent. If so, we should base it on sound principles of grants through the States, and require some kind of matching by the States in order that they should provide proper school lunches. I hope very much that there will be such legislation before the next year's appropriation is made.

Mr. RUSSELL. Mr. President, there has been legislation for the last 2 years requiring matching.

The Senator will find at the bottom of page 57, in line 18, the provision:

> The amount of funds available hereunder for a school-lunch program used in any State, Territory, possession, or the District of Columbia during any fiscal year shall not exceed the total amount otherwise furnished for the same purpose by or on behalf of the school authorities and other sponsoring agencies in such State, Territory, possession, or District of Columbia.

I do not want to get into a discussion of the matter, Mr. President, unless there is opposition to the continuance of the program.

Mr. TAFT. I think the Senator agrees, however, that there should be permanent authorization.

Mr. RUSSELL. I simply wish to say that I do not want to debate with the Senator the necessity of having clear legislation on this subject if we are to follow this program further. I am one of those who think the program should be continued, but it should be continued under a basic statutory act. We are now working in the Committee on Agriculture and Forestry on what we hope will be a satisfactory bill which will enable us to have the necessary standards and yardsticks. However, I may say that this matter of school lunches has not been handled in quite as haphazard fashion as the Senator from Ohio has indicated, because on two or three occasions the committee has offered amendments to the bill which required matching and established other limitations. We limit the amount of funds which can be spent by the Federal Government to not a greater sum than the cost of the agricultural commodities which go into the food. There are a number of other safeguards and limitations which have been placed around this program by the Committee on Appropriations. That of course does not obviate the necessity and desirability for having basic legislation.

Mr. President, I share the hope of the Senator from Ohio that there may be enacted into a law a bill which will clarify and make permanent this program.

Mr. ELLENDER. Mr. President, during the Seventy-eighth Congress the Committee on Agriculture and Forestry held extensive hearings on a bill introduced by myself and the late Senator Smith, of South Carolina, and also a bill introduced by the distinguished Senator from Georgia, providing for a permanent school-lunch program. This year similar bills were introduced. I am glad to state that last week, in a conference held in my office between those interested on behalf of the Department of Agriculture and those interested on behalf of the Office of Education, we practically concluded what should be in the bill. Within the next 2 weeks, at the latest, we propose to have before the Senate a bill providing for a permanent school-lunch program.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. BANKHEAD. I merely wish to refresh the Senator's memory as to the diligent effort made to obtain basic legislation during the last session. When the Pace bill came over from the House, containing authorization for numerous activities which had been carried on without authorization, the Senate committee on Agriculture and Forestry, of which the Senator from Georgia, the Senator from Louisiana, and I are members, incorporated in that bill a section providing basic authority for the school-lunch program. The bill was reported to the Senate and passed by the Senate. It went to conference, and the conferees of the House refused to accept it.

Mr. RUSSELL. Mr. President, the Senator is correct, as he usually is. However, he should have added that by an amendment offered by the Senator from Ohio the program was limited to a 2-year period.

Mr. BANKHEAD. That is true.

Mr. RUSSELL. However, even on that basis the House refused to accept it.

The PRESIDENT pro tempore. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill H. R. 2689 was read the third time and passed.

Mr. RUSSELL. I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. RUSSELL, Mr. HAYDEN, Mr. TYDINGS, Mr. BANKHEAD, Mr. THOMAS of Oklahoma, Mr. GURNEY, Mr. REED, and Mr. CAPPER conferees on the part of the Senate.

FURTHER PROSECUTION OF THE WAR—PRINTING OF ADDITIONAL COPIES OF ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The President pro tempore laid before the Senate a concurrent resolution (H. Con. Res. 43) which was read, as follows:

> *Resolved by the House of Representatives (the Senate concurring)*, That there be printed 201,000 additional copies of House Document No. 143, current session, entitled "Further Prosecution of the War," an address of the President of the United States, of which 150,000 copies shall be for the use of the House of Representatives, 50,000 copies for the use of the Senate, and 1,000 copies for the Senate document room.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the House concurrent resolution. It provides for the printing of additional copies of House Document No. 143, entitled "Further Prosecution of the War," an address by the President of the United States. This was the address delivered last Monday by President Truman.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. HAYDEN. I yield.

Mr. WHITE. Does it contain the usual provision that a certain number of copies be printed for the benefit of the House and a certain number for the Senate?

Mr. HAYDEN. Yes.

Mr. WHITE. What is the basis of apportionment?

Mr. HAYDEN. It is usually based upon the membership of the respective Houses. A larger number is required by the House because of its larger membership.

Mr. WHITE. Does the resolution provide for the apportionment?

Mr. HAYDEN. The resolution provides that 150,000 copies shall be available for the use of the House of Representatives, and 50,000 copies for the use of the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the concurrent resolution.

The concurrent resolution (H. Con. Res. 43) was agreed to.

THE THIRTY-FOURTH DIVISION—ARTICLE FROM MINNEAPOLIS MORNING TRIBUNE

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent that the clerk read the four paragraphs of a news item published in the Minneapolis Morning Tribune for April 6, 1945.

The PRESIDENT pro tempore. Without objection, the article will be read.

The Chief Clerk read as follows:

VETERAN THIRTY-FOURTH DIVISION ARMY'S MOST DECORATED

(By Nat Finney)

WASHINGTON.—The Thirty-fourth Division, mustered into service at Minnesota, Iowa, and North and South Dakota National Guard armories in January 1941, now is recognized as the Army's most decorated and veteran outfit. Its record was made public in Italy Thursday.

It has more combat days, nearly 500, to its credit than any other division in the United States Army. Even if it doesn't see another

battle in this war it will go home with a record equaled by no other division.

Men of the Thirty-fourth, who wear the divisional "red bull" emblem, have won 15,000 Purple Hearts, 9 Congressional Medals of Honor, 93 Distinguished Service Crosses, 116 Legion of Merit Medals, 1,052 Silver Stars, 51 Soldier's Medals, 1,713 Bronze Stars, 3 Presidential citations, 7 British awards, 7 French awards, 6 Italian awards, 1 Distinguished Service Medal, 1 Distinguished Flying Cross, 34 Air Medals with 52 Oak Leaf Clusters, 525 divisional citations, 6 War Department meritorious service unit plaques, and 15 Army commendations of the unit.

The division has had 38 months overseas duty. The 21,731 awards received by the Thirty-fourth were accumulated at Algiers, Tunisia, Salerno, Cassino, Anzio, and in northern Italy, where it continues to fight the Germans.

EXTENSION OF SMALLER WAR PLANTS CORPORATION

The PRESIDING OFFICER (Mr. MAYBANK in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 105) to extend the life of the Smaller War Plants Corporation, which was, after line 10, to insert:

SEC. 2. (a) Section 4 (c) of such Public Law 603 is amended to read as follows:

"(c) The management of the Corporation shall be vested in a board of five directors, who shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals who are familiar with the problems of small business. The President shall designate one of the members as Chairman."

(b) Notwithstanding the amendment made by subsection (a) of this section, the members of the Board of Directors of the Smaller War Plants Corporation holding office at the time of the enactment of this act shall continue in office until five members have been appointed pursuant to section 4 (c) of such Public Law 603 as amended by this section.

Mr. WAGNER. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

FIRST DEFICIENCY APPROPRIATIONS—CONFERENCE REPORT

Mr. McKELLAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2374) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 40 and 44.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 18, 22, 23, 25, 26, 30, 31, 32, 39, 48, 49, 50, 51, 52, 54, 55, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, and 70, and agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$6,700,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$30,000"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: ", and no greater sum shall be available except in pursuance of a direct appropriation"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Flood control, general: For an additional amount, fiscal year 1945, for 'Flood control, general', including the objects specified under this head in the War Department Civil Appropriation Act, 1945, to be available until expended, $1,000,000: *Provided*, That this sum shall be immediately available for obligation and expenditure for necessary plans, specifications, and preliminary work in connection with projects for post-war construction authorized by the Flood Control Act approved December 22, 1944"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 16, 19, 20, 21, 24, 27, 28, 29, 33, 34, 35, 36, 37, 38, 42, 43, 45, 46, and 47.

KENNETH MCKELLAR,
CARL HAYDEN,
MILLARD E. TYDINGS,
RICHARD B. RUSSELL,
CHAN GURNEY,
HAROLD H. BURTON,
JOSEPH H. BALL,
Managers on the part of the Senate.

CLARENCE CANNON,
C. A. WOODRUM,
LOUIS LUDLOW,
J. BUELL SNYDER,
EMMET O'NEAL,
LOUIS C. RABAUT,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. GURNEY. Mr. President, I wish to ask the distinguished senior Senator from Tennessee to clarify for the RECORD, if he will, the conclusions of the conferees and their action in reducing from $2,000,000 to $1,000,000 the amount appropriated for the Army engineers in the deficiency appropriation bill. I should like to ask the Senator if the $1,000,000 agreed to by the conferees is available for the Missouri Basin project and the Central Valley project, as well as the projects which were the basis of the $1,000,000 Budget estimate to the Congress in Senate Document No. 10.

Mr. McKELLAR. The answer is "Yes." The conferees intended to include the Central Valley, as well as the Missouri Valley.

Mr. GURNEY. With that answer, Mr. President, I am thoroughly in accord with the conference report, and hope it will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. GURNEY. Mr. President, in order that the RECORD may afford a clear understanding of the action of the conferees, I ask unanimous consent to have printed in the RECORD a letter from General Robins, Acting Chief of Engineers, dated April 19, 1945, which has to do with the conference report on House bill 2374.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF ENGINEERS,
Washington, April 19, 1945.

Hon. CHAN GURNEY,
United States Senate.

DEAR SENATOR GURNEY: In accordance with your verbal request, the following information is furnished regarding the status of the supplemental estimate for the fiscal year 1945 for funds for the preparation of plans for projects in the Missouri River Basin authorized by the Flood Control Act of December 22, 1944.

The Department submitted to the Bureau of the Budget on January 5, 1945, a supplemental estimate in the amount of $2,000,000 for the fiscal year 1945 for the preparation of plans for projects authorized in the Flood Control Act of December 22, 1944. The tentative allocations of funds inclosed with that estimate are as follows:

	Proposed allocations
Tyrone, Pa., local protection	$75,000
Harrisburg, Pa., local protection	60,000
Buggs Island Reservoir, Roanoke River Basin, Va. and N. C.	100,000
Clark Hill Reservoir, Savannah River, Ga. and S. C.	100,000
Shreveport, Red River, La., local protection	75,000
Arkansas River local protection projects	275,000
Trinidad, Purgatoire River, Colo.	50,000
Garrison Reservoir, Missouri River Basin, N. Dak.	200,000
Oahe Reservoir, Missouri River Basin, S. Dak. and N. Dak.	200,000
Missouri River, local protection projects	150,000
Mount Morris Reservoir, Genesee River, N. Y.	100,000
Alamo Reservoir, Bill Williams River, Ariz.	75,000
Holbrook, Little Colorado River, Ariz., local protection	15,000
Table Mountain Reservoir, Sacramento River Basin, Calif.	100,000
Isabella Reservoir, San Joaquin River Basin, Calif.	75,000
Kings River project, Pine Flat Reservoir and channel improvement, San Joaquin River Basin, Calif.	100,000
Terminus Reservoir, Kaweah River, Calif.	75,000
Farmington Reservoir, Littlejohn Creek, Calif.	75,000
Merced County project, San Joaquin	50,000
Redmond, Sevier River, Utah, local protection	25,000
Pajaro River, Calif., local protection	25,000
Total	2,000,000

The Bureau of the Budget on February 26, 1945, forwarded a supplemental estimate of appropriation for the fiscal year 1945 in the amount of $1,000,000 for the preparation of plans for projects authorized in the Flood Control Act of December 22, 1944, which was transmitted to the Congress by the President on February 28, 1945, and printed in Senate Document No. 10, Seventy-ninth Congress, first session. In a letter dated February 26, 1945, the Bureau of the Budget also notified this Department of its action in submitting the supplemental estimate printed in Senate Document No. 10 and advised the Department that Executive office approval was granted for the preparation of plans for projects shown in a tabulation accompanying

that letter. That list includes the projects contained in the supplemental estimate as submitted to the Bureau of the Budget by the Department on January 5, 1945, with the exception of the following projects:

	Proposed allocations
Missouri Valley:	
Garrison Reservoir, Missouri River Basin, N. Dak	$200,000
Oahe Reservoir, Missouri River Basin, S. Dak and N. Dak	200,000
Missouri River, local protection projects	150,000
Subtotal	550,000
Central Valley, Calif.:	
Table Mountain Reservoir, Sacramento River Basin, Calif.	100,000
Isabella Reservoir, San Joaquin River Basin, Calif.	75,000
Kings River project, California	100,000
Terminus Reservoir, Kaweah River, Calif.	75,000
Farmington Reservoir, Littlejohn Creek, Calif.	75,000
Subtotal	425,000
Total	975,000

In view of the foregoing, it appears that the Bureau of the Budget can disapprove the allotment of funds from the appropriation of $1,000,000 contained in the First Deficiency Appropriation Act for the fiscal year 1945 as reported by the conference committees on April 17, 1945, for the preparation of plans in that fiscal year for projects in the Missouri River Basin and the Central Valley of California as authorized in the Flood Control Act of December 22, 1944.

Sincerely yours,

THOMAS M. ROBINS,
Major General,
Acting Chief of Engineers.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 2374, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES, U. S.,
April 18, 1945.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 21, 27, 28, 33, 34, 35, 36, 37, 38, 45, 46, and 47 to the bill (H. R. 2374) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate numbered 19 to said bill and concur therein with an amendment as follows: In lieu of the sum of $343,340 named in said amendment insert "$225,000";

That the House recede from its disagreement to the amendment of the Senate numbered 20 to said bill and concur therein with an amendment as follows: In lieu of the sum of $50,000 named in said amendment insert "$25,000";

That the House recede from its disagreement to the amendment of the Senate numbered 24 to said bill and concur therein with an amendment as follows: In lieu of the last proviso in said amendment insert: "*Provided further*, That, unless otherwise expressly provided by law, no funds of any Government corporation shall be used to pay the cost of any private audit of the financial records of the offices of such corporation except the cost of such audits contracted for and undertaken prior to the date of approval of this act";

That the House recede from its disagreement to the amendment of the Senate numbered 29 to said bill and concur therein with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: ": *Provided*, That all obligations of this additional appropriation for projects in which (1) the War Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of War and the Director of the Bureau of the Budget, (2) the Navy Department has a paramount interest, shall first be jointly authorized in writing by the Secretary of the Navy and the Directors of the Bureau of the Budget: *Provided further*, That $18,373,000 of such sum of $84,373,000 shall not be obligated unless subsequently authorized by other law";

That the House recede from its disagreement to the amendment of the Senate numbered 42 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

"Salaries and expenses: For an additional amount, fiscal year 1945, for the maintenance of the office of the United States High Commissioner to the Philippine Islands, including the objects specified under this head in the Interior Department Appropriation Act, 1945, and including the employment without regard to civil-service and classification laws of technical employees who may be engaged for the purpose of making an economic survey of conditions in the Philippine Islands, $60,000";

That the House recede from its disagreement to the amendment of the Senate numbered 43 to said bill and concur therein with an amendment as follows: In lieu of the sum of $200,000 named in said amendment insert "$100,000": and

That the House insist upon its disagreement to the amendment of the Senate numbered 16 to said bill.

Mr. McKELLAR. I move that the Senate concur in the amendments of the House to the amendments of the Senate numbered 19, 20, 24, 29, 42, and 43.

The motion was agreed to.

Mr. McKELLAR. I now move that the Senate recede from its amendment numbered 16.

The motion was agreed to.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATIONS — CONFERENCE REPORT

Mr. McKELLAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2252) making appropriations for the Treasury and Post Office Departments, for the fiscal year ending June 30, 1946, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7 and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 11, 20, 21, and 25 and agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$36,650"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$710,800"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$553,250"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$879,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$454,740"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$120,600"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$291,800"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$405,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22 and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,073,375"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$956,250"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$960,000"; and the Senate agree to the same.

KENNETH MCKELLAR,
PAT MCCARRAN,
J. W. BAILEY,
WALLACE H. WHITE, JR.,
CHAN GURNEY,
CLYDE M. REED,
Managers on the part of the Senate.

LOUIS LUDLOW,
EMMET O'NEAL,
THOMAS D'ALESANDRO, JR.,
HERMAN P. KOPPLEMANN,
JOHN TABER,
FRANK B. KEEFE,
HARVE TIBBOTT,
Managers on the part of the House.

The report was agreed to.

LEAVES OF ABSENCE

Mr. WHERRY. Mr. President, I have been assigned as chairman of a subcommittee which would like to take testimony this afternoon. There are some witnesses here from long distances. So I ask unanimous consent that, if I am taken away from Capitol Hill in order

to obtain some of the evidence, I be excused with the permission of every Member of the Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska? The Chair hears none, and permission is granted.

Mr. LANGER. Mr. President, I ask unanimous consent to be excused for the remainder of the day.

The PRESIDENT pro tempore. Without objection, consent of the Senate is granted.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The Senate resumed the consideration of the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the junior Senator from Tennessee [Mr. STEWART] on behalf of himself, the Senator from Colorado [Mr. JOHNSON], the Senator from West Virginia [Mr. REVERCOMB], and the Senator from Iowa [Mr. WILSON].

Mr. O'DANIEL. Mr. President, on October 23, 1942, when the extension of the Selective Training and Service Act of 1940 was being considered, I introduced a substitute amendment, which provided for 12 months' training of inductees under 20 years of age before they were placed in actual combat duty beyond the territorial boundaries of continental United States. The amendment was adopted by a yea-and-nay vote in the Senate, but was later stricken from the bill by the joint Senate and House conference committee.

I now offer for later consideration the same amendment as a substitute for the pending amendment offered by the Senator from Tennessee [Mr. STEWART] and other Senators to House bill 2625.

The PRESIDENT pro tempore. Without objection, the amendment in the form of a substitute will be received and will be read.

Mr. STEWART. Mr. President, the Senator from Texas has not requested immediate consideration of his substitute amendment, has he?

The PRESIDENT pro tempore. No; the Senator from Texas has asked that it be pending.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

No person under 20 years of age, inducted under this act, shall be placed in actual combat duty beyond the territorial boundaries of continental United States, until after he has had at least 1 year's military training, following his induction.

Mr. STEWART. Mr. President, will the Chair please state the present parliamentary situation?

The PRESIDENT pro tempore. The pending business before the Senate is the bill to extend the Selective Training and Service Act. The question is on agreeing to the amendment proposed by the Senator from Texas as a substitute for the amendment proposed by the Senator from Tennessee and other Senators.

Mr. STEWART. Mr. President, I wish to discuss the amendment proposed by the Senator from West Virginia [Mr. REVERCOMB], the Senator from Iowa [Mr. WILSON], the Senator from Colorado [Mr. JOHNSON], and myself. The amendment was printed and laid on the table on the 16th day of March, the last legislative day, and actually on the calendar day of April 5. It was called up yesterday near the conclusion of the session of the Senate. It has been read by the clerk. It is offered as an amendment to House bill 2625, a bill which would extend the Selective Training and Service Act of 1940, as amended. As I understand, that act expires on May 15.

The cosponsors of the amendment thought it might better be offered as an amendment to the bill which would extend the Selective Training and Service Act, rather than to undertake to secure the passage of the amendment as a separate bill. The amendment provides the following:

SEC. —. Section 3 (a) of such act, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*And provided further*, That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act shall be ordered into actual combat service until after he has been given at least 6 months of military training."

The amendment in the nature of a substitute which has been sent to the desk by the Senator from Texas [Mr. O'DANIEL] is substantially the same as the amendment I have just read, except I believe the substitute provides that each inductee must have a year's training before he can be placed in combat service outside continental United States.

The amendment we have offered provides for a period of 6 months' training, which may take place in this country or in Europe or in any other part of the world where the armed forces might see proper to give training to the inductee. In other words, the amendment would not prevent the removal from this country of young men inducted under the Selective Training and Service Act, but it would prevent any young man who is drafted after having reached 18 years of age, of course, from being actually placed in combat service until he has received as much as 6 months' training. The amendment is presented for the reason that it is felt by my colleagues and me that particularly on account of the tender years of a boy of 18, he should be given, insofar as possible, a period of seasoning before he enters actual combat.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. WHEELER. I am in complete accord with the Senator's amendment. I submitted an amendment to the committee providing that boys should not be put into active combat service before being given a year's training. When General Marshall testified before the Military Affairs Committee at the time the fathers' draft bill was before that committee, my recollection of the testimony is that the Army officials wanted to give the boys a year's training before putting them into combat service.

I, as well as perhaps every other Senator, have received letters from mothers and fathers stating that their boys had been shipped overseas and put into combat service after having had only 6 weeks of training. Some had not had any training whatever. The other day I received a letter from a lady who said that her boy had never had a gun in his hands and had received no training at all when he was put into combat service. He was wounded on the first day of his active service. That seems to be a very cruel procedure. I can see no reason why every boy should not now be given at least 6 months of training before he is put into active combat service.

Mr. STEWART. I thank the Senator from Montana. Does he not base his judgment upon the fact that ordinarily a boy only 18 years of age is too young to be pressed into active service without first being given a period of seasoning, which would not only equip him and prepare him physically, but would give him a much-needed mental status? Many of the boys who are inducted into the service at 18 years of age have never been any great distance away from their homes. Some of them may have been away at boarding school for a year or two, but many of them have been only a few miles away from their homes. In other words, they are being taken—to us the well-known expression—away from their mothers' apron strings. They have not become experienced even in the ordinary affairs of life, much less in the ways of engaging in this horrible war which is daily taking its toll of lives. It has been said that many of these boys have been placed side by side with veteran troops, and that they do not need much training. However, I think there is a human side to the situation as well as a practical one. Does not the Senator from Montana think I am correct in my views?

Mr. WHEELER. I certainly do think the Senator from Tennessee is correct. Some boys at 18 years of age are well matured; but I venture to say that the vast majority of them are in exactly the status which the Senator from Tennessee has described. When boys have been shipped overseas and put into active combat service, after having received training for only 2 weeks, as has been the case with many inductees, and are injured or killed within the first day or two, the result is much bitterness on the part of the parents. They feel that the boys had not been given the proper training before being sent overseas.

Mr. STEWART. I do not wish to put myself in the attitude of undertaking to prophesy when the war will end, because a great deal of bad guessing has already been done with regard to that question; but it seems to me that we have reached a stage in the war when we can do without the military service of many of the boys of this country who are only 18 years of age.

Mr. HAWKES. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. HAWKES. I ask the Senator from Tennessee whether he believes that the words in the amendment, "given at least 6 months of military training" are sufficient to define what he means. The

Senator from Montana stated that some boys had been sent into military service without ever having had a gun in their hands before they were drafted. I recently received a letter from a prominent citizen of New Jersey who evidenced, though in a patriotic way, resentment at the fact that his boy, who was 18 years of age, had been drafted into service, held in this country for 6 months, given no training with guns at all, and sent across into the field of battle. He lost his life on the firing line within 5 weeks after leaving America.

The Senator from Tennessee is trying to do a very worthy thing, but I wish to ask him whether the words "6 months of military training" mean what he intends them to mean? Let us see if we cannot provide that the boy will actually be given the kind of military training that will equip him to become a soldier by the time he reaches the battlefield. I make that statement merely as a suggestion, because the amendment is not mine; it is the Senator's. However, I personally do not feel that the mere words "6 months of military training" cover the situation which the Senator has in mind.

Mr. STEWART. Of course, it is intended that the boy shall be trained in the branch of the service in which the Army intends to use him.

Mr. HAWKES. Will the Senator further yield to me?

Mr. STEWART. I yield.

Mr. HAWKES. That is exactly what the Senator and I have in mind. I believe it is also what other Senators have in mind. The point which the Senator from Montana [Mr. WHEELER] has made—and I have heard it made many times—is that the boys are inducted under the Selective Service Act. Six months pass and they have not received the necessary training. Yet they are sent abroad and put on the firing line. Many of them lose their lives very soon after entering active combat. The result is bitterness and dissatisfaction on the part of the parents at home.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. CHANDLER. On the basis of the information which was given us by officials of the War Department, as well as official records of casualties, I believe we will agree that casualties are always higher among soldiers who have not received sufficient training. The War Department undertakes to justify its present conduct on the basis of its announced policy, namely, to keep the pressure on the enemy. The War Department officials have asserted that they had to use thousands of young men. I assert that the casualties among the youngsters who had not been given a sufficient period of training have been higher than among soldiers who had been given a long period of training, and were well trained.

I think we would do well to look at the history of the situation insofar as the American people are concerned. I have before me a copy of former Secretary of War Baker's report on the war in 1917 and 1918. The report was prepared by Col. Leonard P. Ayres. A letter of transmittal was sent to the War Department in 1918 by Newton D. Baker. In the last war it was the policy to give the average American soldier who went to France 6 months' training in this country before he sailed. Then they undertook to give him 2 months in a quiet sector after that, and then 1 month before sending him into an active sector and taking part in hard fighting. I do not say that many men did not go in before that time had elapsed, but of the 1,400,000 men who actually fought in France in the last war the average American soldier in France had 6 months' training here, 2 months overseas before, and 1 month in a quiet sector before he went into the battle line.

I think the records will show that in this war a division like the One Hundred and Sixth Division, that got into the Belgian bulge in a so-called quiet sector, was almost completely wiped out after it had been in that sector only a few days.

Of course, that was one of the great tragedies of war. That was something that could not have been foreseen by the Army. It might have been their intention to keep that division in a quiet sector; they thought it would be a quiet sector, but it was suddenly changed into a violent and active sector.

It seems to me our situation now is such that we are in a position to say definitely that there should not be any needless sacrifice of our young men, and they should not be sent into the battle line before they have had at least 6 months' training. That may not be enough, and, of course, I am sure the War Department would like to give them more training than that; but, on the theory that we have to keep pressure on the enemy—that is the way they justify it; and they have kept pressure on the enemy—by keeping it on the enemy we may win the war sooner; and while the losses may be greater than they otherwise would be, yet on the whole they may be less than they would be if this policy had not been adopted.

I do not want to be critical of what the Army has done. They justify it on the theory that they had to keep pressure on the enemy when they thought they saw signs of his weakness in order to gain time and perhaps save thousands of lives. It looks as if now the situation is not so urgent to keep pressure on the enemy; that we could not at least suggest that the Army take a little more time to train the men.

Mr. BROOKS. Mr. President, I have been very anxious constantly not to do anything or say anything that would conflict with the handling of the war by the men we have so wisely placed in charge of our war effort. I believe we have been greatly benefited by the leadership of the admirals and the generals of the Navy and Army. But I think there is no subject that has hurt so much or dug deeper into the hearts of the American people than the thought that their sons 18 years old, the youngest men who are called into the service, may be hurled into the tragic experience of front-line service without being prepared adequately so that they may be given a chance at least to defend their own lives as they fight for their country.

I believe we have reached that stage in the war when we, as the Congress, might very well say we believe that it is best for the war effort to assure the mothers and fathers of America that henceforward none of their boys 18 years of age will be hurled into the jaws of this tragic war, facing death in the front line, unless he has had at least 6 months' preparation so that he may adequately defend himself by being trained to shoot and to handle whatever intricate weapons may be placed in his hands. I intend to support the amendment of the Senator from Tennessee.

Mr. STEWART. I thank the Senator from Illinois.

Mr. VANDENBERG. Mr. President, may I ask the Senator a question?

Mr. STEWART. I yield.

Mr. VANDENBERG. The able Senator from Kentucky [Mr. CHANDLER] just gave an interesting example of an episode of the sort which troubles me in connection with the amendment submitted by the Senator from Tennessee. He told about the One Hundred and Sixth Division which was supposed to be and planned to be in a training area, but it was suddenly reached by the German bulge and had become a combat division.

What would happen if there were imposed a hard-and-fast restriction of this sort under such circumstances? Does not the Senator feel that there should be some recognition that there may be an extraordinary emergency in which it would be impossible to apply his rule? Would we not achieve our purposes if we adopted his amendment and made it read "except in extraordinary emergencies, no man under 19," and so forth? In that event if the war should develop a crisis which we do not foresee, in which circumstances the Senator would not wish to have our ability to defend ourselves crippled, we would not create a situation which might leave the Army impotent, as might happen if we provide an utterly hard-and-fast rule which admits of no emergencies whatever. I submit that to the Senator. I should like to support his amendment with some such escape clause in the case of extraordinary emergencies.

Mr. STEWART. I thank the Senator. I appreciate his contribution, which is an excellent one.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, the One Hundred and Sixth Division has been mentioned in this debate as it has been mentioned before. It so happens that the One Hundred and Sixth Division was activated in Columbia, S. C., and it so happens that the One Hundred and Sixth Division was composed principally of troops from South Carolina, Indiana, and Illinois, and it moved out to Indiana for further training. On many occasions I have heard the statement about the One Hundred and Sixth Division being composed of green troops. I know many men in the One Hundred and Sixth Division; I know the commanding officer and many of those who lost their lives and many of those who

are now in hospitals in France. I receive letters from them occasionally.

I want to reiterate what I said on the Senate floor that the One Hundred and Sixth Division was trained for more than a year, indeed, as I recall, for 19 months. They were trained troops and the men themselves resent the statements published in the newspapers that they were untrained. The One Hundred and Sixth put up a great battle, and did a most heroic job for the United States; none did better.

I mention that in connection with the amendment, because I know, as I have said, many members of the One Hundred and Sixth Division. I know the commanding general and a good many officers on his staff. They represent the best America has.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. CHANDLER. I did not hear all the statement of the Senator from South Carolina.

Mr. MAYBANK. The distinguished Senator from Michigan followed the statement made by the Senator from Kentucky, and again referred to the One Hundred and Sixth Division, and I wanted on the Senate floor to pay them a great compliment. I went on to say that I believe they were trained for more than a year, indeed for 19 months, and they did a most heroic job on the battle line. That was the statement made by me.

Mr. CHANDLER. I am certain that is true; but it was not intended at the time they got into battle that they should be in it. What I said was that they were in a quiet sector. I do not know how long they were trained or whether they were trained as a division for a sufficient time, but I do know that they were placed in what was considered to be a quiet sector, which suddenly turned into a violent sector, which the battle reached very quickly. The information I received was that when they put them in that quiet sector they had not considered that they were put in the battle line, but suddenly the Germans made it a battle line and battleground, and, of course, they fought valiantly, as every American does when someone tackles him. There is no showing in this war that any American man or any American boy turned his back on the enemy; they fought very bravely, but they were literally cut all to pieces.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield, if I am permitted to.

Mr. MAYBANK. I merely wish to say to the Senator from Kentucky that that in substance is what I said as to their bravery, and as to the wonderful work they did, but I did say they had been trained, if my memory serves me correctly, for some 19 months; I know it was longer than a year.

Mr. CHANDLER. Of course, what I said had no application to one who had been trained adequately and with his division, and for a full training period, but I have the feeling, indeed, it is something more than a feeling, it is knowledge, that thousands of American boys have died in this war, young boys, who had not had sufficient training, who might not have died if they had had sufficient training. I do not wish to blame anyone for that, but I think it is true. They might not have been able to save their lives if they had had all the combat training that could have been given, but the record shows a soldier has a better chance to live if he has sufficient training.

The War Department undertook to justify their use of 18-year-olds when not sufficient training had been given, though I do not want to say insufficient training, because it has come to the point where they think they can speed up training so that a little is sufficient. I have some doubt about that. But they had not time to give the training which should be given to a soldier so that we could say he was fully trained and equipped, able to take his part in the combat of modern war. The Secretary of War and the Chief of Staff justify their policy by saying that the reason for it was to keep the pressure on the enemy.

If that is the reason, and if it was justified, and if it brought about just as good results or better results, I do not know anyone who can really object, but it is my belief that everything that is humanly possible to be done from the standpoint of training an American soldier should be done, because if he is trained he has a better chance to live than if he is not sufficiently and adequately trained. I do not think anyone will doubt that statement.

Mr. VANDENBERG. Mr. President, will the Senator from Tennessee yield?

Mr. STEWART. I yield.

Mr. VANDENBERG. Agreeing with everything the Senator from Kentucky says, let me ask him whether in the final analysis, if Congress is going to assert this doctrine again—and I think it should—should there not be a provision permitting the Army in extraordinary emergency to meet the extraordinary emergency with whatever the extraordinary emergency requires?

Mr. CHANDLER. I should have to say yes, and even if we passed a law, and I was the commander, and I had soldiers, in an extraordinary emergency I would have to use them even if they had hoes and rakes and pitchforks, and had not intended to fight at all. We have to leave the commanders some leeway. If we do not, they will take it. I think there is no question that we have to do the best we can to justify in the hearts and minds of the American people the feeling that the Senate of the United States is conscious of the problem, and that we are just as anxious as we can be not to create a situation that will send an 18-year-old son of an American mother and father into combat without sufficient training. Their hearts are going to be broken anyway, and if we do nothing else than give them some reassurance that we are trying to do the best we can in urging our military men to give the utmost consideration to this matter, we will have done a good job.

Mr. TAFT and Mr. MAYBANK addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Tennessee yield; and if so, to whom?

Mr. STEWART. I yield first to the Senator from Ohio.

Mr. TAFT. With regard to the emergency question, the law says that no boy shall be inducted until he is 18 years old. I see no reason at all why we should not say that no boy shall go overseas until he is 18 years and 6 months old. As I understand, that was said in England for many years. I do not know whether they have since modified it. Of course, if there is a regiment just behind the lines composed of replacements, and the whole division is called into action, probably there would be some necessity to send everybody in the division forward, but my feeling has been that a captain in the front line would far rather have 80 men who are trained than a hundred men f whom 20 are green recruits, who come to his company the very day they go into battle.

Mr. CHANDLER. The Senator from Ohio probably understands that military commanders try to fight a division for a reasonable time, and then take it out of line and rest it, and send in a new division. They stopped doing that, because they said they had to keep the pressure on the enemy, so that when a division had losses, they infiltrated some new soldiers in, probably young fellows who had not had a sufficient amount of training. I am just trying not to be too critical, because I know the Department justifies its practice, but in an emergency, as the Senator from Michigan has said, if a division commander in a sector has losses, and has men available of the category described by the Senator from Ohio, it is inconceivable to me that he would not have to use every one available. We could not pass any law which would keep him from doing it. I am going to be realistic about this and say that if he had to be realistic, he would throw them into battle to try to save the situation.

Mr. TAFT. That might be true of a whole unit, but I still maintain the great bulk of the men sent from this country during January, February, and March, were sent after 17 weeks' training, or 15 weeks, and as soon as they reached the French ports they were sent immediately to the front lines. The Senator is familiar with the fact that a few months ago I made a speech in the Senate on this subject, and I received probably 3,000 letters about it. There was no doubt then that that was not an extraordinary practice, it was the regular practice. Every man 18 years of age who was duly inducted was given 17 weeks training. They sailed from this country 4 or 5 months after they had been inducted, and as soon as they reached France, they were sent to the front line, without any training in France. That is a thing which I think is wholly unnecessary. I do not think that those men arriving at the front in the middle of a battle did their particular company any good.

The trained veterans were far better able to fight, and that is the opinion of many Army officers. There is, however, a school in the War Department that has felt that every unit must be filled up re-

gardless of how it is filled. It seems to me that Congress is perfectly competent to say that that shall not hereafter be done. After all, we have 9,000,000 men in the Army of the United States, and we have not over a million men today on the front in France. Certainly the Department can find, somewhere, among the other 8,000,000, soldiers to take the places of the men who are no longer fit for combat, instead of taking those not adequately trained.

Mr. CHANDLER. That may be one of the fruits of not being ready, and that may be one of the penalties the American people must pay and one of the burdens they must carry. But we must remember that our British allies and French allies and others on the western front were wholly incapable of putting sufficient manpower or a considerable percentage of manpower into the fight, and we had to carry the tremendous and overwhelming burden of the fight. On the theory that we were the only ones who had available sufficient manpower to keep the pressure on the enemy to prevent losing the battle, I am not going to say that under the circumstances it perhaps was not the only thing the military authorities could have done, because we could not call on the British to furnish the soldiers. They either did not have them, or they were not there. We could not call on the French to do it. They either did not have them, or they were not there. I am not at liberty to say how many divisions we had on that front, but some day, when Senators learn the story, they may be amazed at the magnificent part in men and material and equipment the people of the United States contributed to that fight. Certainly it is a long way from "Give us the tools and we will finish the fight."

Mr. REVERCOMB. Mr. President, will the Senator from Tennessee yield to me?

Mr. STEWART. I yield.

Mr. REVERCOMB. I have followed with interest the statement of the able Senator from Kentucky that one reason for sending in the American troops quickly was that the manpower could not be found, soldiers could not be found, from the countries of our allies.

Let me point out to the Senator that at that very time, under the laws of Britain no boy was permitted to leave the British Isles until he was 18 years and 6 months old. Let me further point out that in Canada, during that very time, no boy was permitted to go abroad until he was 19 years old, and until December last, no Canadian boy went abroad to fight on the fields of battle unless he volunteered.

Mr. CHANDLER. I did not say it could not be done. I merely said they were not fighting. Of course, if we had done what the Senator recounts other countries did, we would not have won the battle. If we had done just as they did, the Americans and British and French would not have won the battle at all.

Mr. REVERCOMB. I do not know that I can entirely agree with that statement, Mr. President. I am not now debating the question with the Senator; I am furnishing certain information. New Zealand will not permit her boys to go out of the country until they are 21 years old. Australia will not permit her boys to go out of Australia until they are 19 years old. The United States is the only one of the Allied countries, so far as I know, which has not legislated upon this subject.

Mr. CHANDLER. The Senator from West Virginia may be correct. The statement I made was that we furnished men of 18 years of age while the other countries did not. There are reasons therefor, of course. But I want to call the Senate's attention to the fact that in this terrific war, in which we are about to be successful, the overwhelming majority of the soldiers and the munitions and the implements of war have been furnished by the American people. It is a magnificent contribution to the final victory which we will soon achieve. If what the military men say is true we would not be in the advantageous position we are today had we not been able to keep the pressure on the enemy. They said they used 18-year-olds with a limited amount of training, although they assert these men had what they call a sufficient amount of training. If we had not used those men I do not know what would have happened in the struggle. Certainly we would not have been successful had we failed to use them when our allies did not use such men at all.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. WHEELER. During January, February, and March 18-year-olds were sent abroad who had not had sufficient training. Let me ask the Senator from Kentucky if it is not a fact that there were older men in the United States at that time who had had training and who could have been shipped overseas, rather than sending 18-year-olds insufficiently trained, who could have been kept in this country and given 6 months' training in the United States.

Mr. CHANDLER. I assume the Army had older men. I do not know why they picked the younger men and did not pick the others. I think there were not very many in reserve here who had not already been committed to one sector of the world or another.

Mr. WHEELER. Mr. President, I may be wrong, but information was given to me by military officials who said they had older men in this country who had received sufficient training, but they preferred the younger men. If there were older men in this country at that time who had received sufficient training, and if some of them are still in this country, what excuse can there be for sending 18-year-olds overseas and putting them into combat service without any training whatsoever? As I said a moment ago, a mother wrote to me and said that her boy, who had been in the service more than 6 months, yet had been in a branch of the service in which he had not had a gun in his hand, and he had not had a gun in his hand until he got onto the battlefield. He was wounded there. She complained because of the fact that the boy who was 18 years old was sent overseas although he had never had a gun in his hand and had not had training for the kind of service he was sent into.

Mr. CHANDLER. I agree with the Senator. If there were available experienced soldiers who could have carried on the battle it would be unwise to substitute others. I cannot give an answer in defense of a contrary decision.

Mr. LUCAS. Mr. President, the amendment offered by the Senator from Tennessee worries me, and I will state why. Let us consider the case of a man 30 years old who has been sent overseas. I happen to know of such a case. I am not speaking of what someone has told me, or repeating a rumor. I happen to know what I am about to state is a fact. A man 30 years old was sent overseas. He had one child 3½ years of age and another child 1½ years of age. He was not inducted into the Army until last July, but the latter part of December he was with Patton's army. I am wondering where we are to draw the line. The man 30 years old, of course, is older than a boy of 18, and he has had more experiences in life, and he may catch on to things a little faster by way of training and drilling. But I found in the last war that boys of 18 and 19 caught on so far as drilling is concerned, about as quickly as those of 26 or 30.

Mr. President, an amendment of the kind proposed by the Senator from Tennessee would certainly result in discriminating against such a man as the one to whom I have referred. When a man 30 years of age, who has lived long enough to bring into this world two fine children, is taken in the draft overnight and sent overseas and almost immediately finds himself with Patton's army fighting from street to street there is certainly something to be said about him as well as about the boy 18 years of age.

Mr. President, I appreciate what the Senator from Tennessee is trying to do by his amendment. I certainly have all the tenderness and consideration in the world for the boy who is 18 years of age, but I wish to say to the Senator that I would have to draw a pretty fine line of distinction between the one who has lived 30 years and has two children and a wife back home, and the boy who is 18 years old. The older one is placed in the same category as all others. By this amendment we would say to the older man, "You can go overseas. You have 3 children or 4 children. If you are 21 or 22 we will take you and within 6 weeks' time we will throw you into a replacement outfit in Germany or France or any other place, and you will become part of the group which is fighting over there." I will say to the Senator from Tennessee that the distinction is a difficult one for me to make, and it is one of the things that is worrying me about the amendment. It is difficult for me conscientiously to discriminate against such a man as the one man about whom I am talking now and about whom I personally know.

Mr. STEWART. Mr. President, I make no difference between a man 18 years old and one 30 years old. Insofar as training is concerned, I do not think any man, regardless of age, should be sent into combat service unless he has

received adequate training. The distinction I make—and the line must be drawn somewhere—is on the basis of tenderness of years. Some boys at 18 years of age, as has been observed, I believe, by the Senator from Montana [Mr. WHEELER], are much more mature, both mentally and physically perhaps than other boys of the same age. Such a difference may occur even in the same family. One brother at a certain age may be much more advanced mentally and physically than another brother at the same age. As I have already stated, knowing that a great many boys at the tender age of 18 have been called into service, at an age when they are not even allowed to vote in any of the States of the Union except one, and that State passed such a law only since the war began, I am constrained to offer the amendment. At the age of 18 boys have not had experience in the affairs of this world, in business affairs, and have had very little experience of any other kind away from home. I think it is well nigh criminal to drag them suddenly from the fireside of a quiet home and, as happens in a good many cases, place them in combat service within a relatively few weeks.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. LUCAS. Of course, the amendment applies only to the boys who are inducted into the service.

Mr. STEWART. It applies only to the inductees.

Mr. LUCAS. And does not affect the boys who volunteered in the Army or Navy at 18 years of age?

Mr. STEWART. No.

Mr. LUCAS. Of course, the one who volunteers is in the same category so far as tenderness of years is concerned.

Mr. STEWART. No.

Mr. LUCAS. The Senator does not think so?

Mr. STEWART. So far as training is concerned, of course, I agree that he should be trained. But a boy under 18 years cannot volunteer in the armed services without the consent of his parents.

Mr. LUCAS. I understand.

Mr. STEWART. No one is a better judge of a boy's mental maturity and physical maturity probably than his parents, and I assume they would not give such consent as is necessary to permit the boy to volunteer unless they felt that he was reasonably mature. I make a distinction between a volunteer and an inductee in that respect. An inductee has no choice. The law takes him, because the line is drawn at 18 years of age.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. WALSH. I am interested to hear the Senator assert that this amendment would not apply to volunteers, because the Navy is now receiving practically all of its enlisted personnel from boys under 18 years of age who volunteer with the consent of their parents. Am I to understand from the Senator that his amendment would not be applicable to any person under the age of 18 who volunteers, either in the Army or Navy?

Mr. STEWART. That is correct. It was not the intention to have the amendment apply to such persons.

Mr. WALSH. As I understand, it applies only to those who are inducted or drafted.

Mr. STEWART. The language of the amendment precludes its application to the class referred to by the Senator from Massachusetts. The language of the amendment is "no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act." I think that makes it perfectly plain that he must be inducted under the Selective Service Act.

Mr. WALSH. I am in sympathy with the objective of the Senator, and I agree with what the Senator says, that no person should be ordered into combat duty in the Army unless he has had 6 months' training. Of course, any person in the military service might accidentally find himself in a situation in which he would have to fight.

Mr. STEWART. That is correct.

Mr. WALSH. Before the Senator concludes, I shall offer an amendment, which I feel sure he will accept, clarifying the language of his amendment so that the Navy Department may train its inductees on naval vessels. I will submit the amendment to the Senator for his attention.

Mr. STEWART. I think I can safely say that there will be no objection to the amendment, because it was the purpose of the sponsors of the pending amendment to permit such training as is necessary, even though it be outside this country.

Mr. WALSH. Personally, I believe that the language of the amendment would not prevent the Navy from training its inductees on naval vessels, but the Navy Department is disturbed about it. At the proper time I shall ask the Senator to modify his amendment to take care of the situation that disturbs the Navy.

Mr. STEWART. I assume that the clarifying amendment will be agreed to.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. CHANDLER. I believe that the Senator from Illinois is correct. I do not know of any way in which we can justify making a discrimination between men 18 years of age and those 30 years of age, with two or three children. The only possible justification for it might be the situation in which we find ourselves today. I do not believe that anything we do about it will have a tremendous effect on the future conduct of the war.

I think I know why the Navy gets more volunteers than does the Army. The desire of a human being to live is fierce among all citizens of the country. The most rigorous service which a soldier is called upon to perform is the duty of a ground combat soldier. He is the man who must wade in the mud, endure heat and cold, and sleep on the ground. That is the toughest kind of service. We cannot blame many young men, if they are given a choice, for volunteering for service in the Navy. A man in the Navy, unless he is under gunfire, or under bombing attacks for a few minutes, lives in comparative comfort.

The Senator from Illinois is exactly correct. A tremendous hardship is imposed on older soldiers. The record will show that they are not as good soldiers as the youngsters. We cannot blame the Army, which wants to get the war over, for wanting young men who do not know fear, and who can endure a great deal more punishment than can older men, who wish to live for the sake of their families. They are inclined to be a little more careful. The young man has nothing but the will to whip the other fellow. He has courage, and he can stand almost anything, until a bullet takes him out.

I do not believe that what we do will have a tremendous effect, because if our plans work out as we hope, we can finish the war against Japan without even using some of the trained divisions which we have. In the normal course, we will be able to defeat the Japanese after the war in Europe is over.

The Army, the Chief of Staff, the Secretary of War, and Senators have been under pressure from the mothers of young men, who are described as babies taken out of their arms. The mothers have the feeling that those young men have not had sufficient training to protect themselves. They know that the casualties are higher among those who have not had sufficient training. In my opinion we can hardly do too much in the way of training to give a man a chance to live.

I agree with the Senator from Illinois. I do not believe there is any way in which we can discriminate. If we relieve one man, we place a hardship on some other man. Taking into consideration the whole scheme of things, there is no word of comfort which we can offer to a mother whose baby is taken and placed in the line of fire, if she has justification for feeling that if he had had a little more time for training he could have saved himself. We must give consideration to that factor. My earnest plea is that the Senate give such consideration. Even if we do so now, it may not be harmful to the final victory. It may not be harmful to the final job which we are so anxious to complete satisfactorily, and it may give some relief to those who are already greatly overtaxed in these tragic times.

Mr. STEWART. I thank the Senator.

Mr. WALSH. Mr. President, I have received a letter from the Secretary of the Navy with regard to certain amendments. I ask unanimous consent that the letter be printed in the RECORD at this point as a part of my remarks.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. THOMAS of Utah. Would the Senator from Massachusetts object to having the letter read at the desk? It deals with the pending amendment.

Mr. WALSH. I do not wish to interrupt the Senator who has the floor.

Mr. STEWART. That is quite all right. I am glad to yield for that purpose.

The PRESIDING OFFICER. Without objection, the letter will be read.

The legislative clerk read the letter, as follows:

THE SECRETARY OF THE NAVY,
Washington, April 19, 1945.

Hon. DAVID I. WALSH,
Chairman of the Committee on Naval Affairs, United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: Certain intended amendments to the bill H. R. 2625, proposing to amend the Selective Training and Service Act so as to restrict the utilization of men under 19 years of age in combat service until they have been given specified periods of training, have been called to my attention.

One of these proposed amendments relates to inductees and would prohibit ordering those under 19 years of age into combat service until given at least 6 months of training, and the other would prohibit ordering into combat service men under 19 years of age until given at least 1 year of training.

The effect of the adoption of either of these proposals would be disastrous to the administration of both the training and combat program and practices for the utilization of naval personnel and the conduct of naval operations.

Only the preliminary training of naval recruits and inductees can be conducted at naval shore training stations. Actual training in sea duties must perforce be carried out aboard ships. Consequently, men newly received in the naval service are retained at training stations only sufficiently long to indoctrinate them into naval routine and such preliminary naval instruction as can be given them during the period of adaptation from civilian to naval life and habits. The completion of their training is accomplished by assigning these recruits to ships where they are fitted into crews in the various stages of training and experience so that they can complete their training under actual seagoing conditions and under the supervision of more experienced personnel.

Further, it should be pointed out that large numbers of naval personnel have been and are being received in the Navy by enlistment under the induction age. These men enlist in the Navy, with their parents' consent, because they wish to fight.

In many cases it is true that new men do not see actual combat service for periods greater than either of those established in the proposed amendments. However, it would be utterly impossible to fit a program of restricted assignment into the necessary program of commissioning and manning new construction or of making replacements in operating ships of the Navy with the mandatory limitations in the two proposed amendments. To place statutory restrictions upon the utilization of naval personnel would impose such burdens upon the planning and operating forces of the Navy as to materially interfere with the present efficient prosecution of the war.

At the present time, in view of the manpower situation, every effort is being made to maintain the personnel of the Navy within the limits of its authorized strength. Recruits are principally for the purpose of taking care of attrition, and in cooperation with the Army, virtually all of the approximately 25,000 men per month being taken into the Navy are from the 17-year-age group. The Navy has reached that stage of the war where it has adequate ships to enable it to train men at sea. To be obliged to retain these men for the proposed specified periods at training stations ashore would require an expansion of facilities which are now being curtailed, an increase in the authorized strength, and in the retention of men in an ineffectual training status ashore.

It should also be pointed out that men encounter the same risks at sea whatever their age and that the risks are based largely on the efficiency and training of those in a supervisory capacity which on every ship is composed of officers and petty officers with advanced training and mature experience. The performance of all of the numerous types and units of the Navy justifies approval of the continuance of the practices now in effect, without hampering arbitrary time limitations on utilization of men.

As to the Marine Corps, it is the present practice, even under the extreme combat pressure and high casualties encountered, to afford recruits 5 months' training in the United States and further training in a combat unit on the advanced fronts which is in preparation for future operations. It is the experience of the Marine Corps, based on its combat record, that this training is adequate.

In order to maintain unceasing pressure on the enemy at sea, which has advanced the end of the war beyond the anticipation of the enemy or of our people at home, it is absolutely essential to maintain the orderly progress of training and flow of replacements for those who have long sustained their efforts on the far-off battlefronts which cannot be accomplished, if restricted as proposed in the intended amendments.

Sincerely yours,

JAMES FORRESTAL.

Mr. STEWART. Mr. President, does the Senator from Massachusetts wish to send the amendment to the desk and have it read?

Mr. WALSH. Yes; I shall be glad to do so.

Mr. STEWART. I yield for that purpose.

Mr. WALSH. In this connection, Mr. President, I would submit for the record and for the consideration of the distinguished junior Senator from Tennessee, the following amendment:

In line 8, after the word "training", change the period to a semicolon and insert the following:

this proviso—

In other words, the proviso in lines 4 to 8—

shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the Reserve components thereof to duty for training on vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

I am sure there will be no objection to the amendment.

The PRESIDING OFFICER. The Chair inquires of the Senator from Texas [Mr. O'DANIEL] whether his amendment to the amendment proposed by the Senator from Tennessee and other Senators is to be taken up at a later time or is to be taken up at this time.

Mr. WALSH. Mr. President, let me say first that I have offered my amendment at this time in order to give the Senator from Tennessee an opportunity to consider whether he will accept it as a part of his amendment.

Mr. STEWART. I understood that each amendment was sent to the desk, to be read and to lie on the table and be printed.

Mr. CHANDLER. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state it.

Mr. CHANDLER. I understood that the Senator from Texas offered his amendment to the amendment of the Senator from Tennessee and other Senators.

The PRESIDING OFFICER. That is correct.

Mr. CHANDLER. If that is correct, it must be disposed of before any other amendment to the amendment can be considered, it seems to me.

The PRESIDING OFFICER. That is correct.

Mr. O'DANIEL. Mr. President, I offered my amendment as a substitute for the amendment proposed by the Senator from Tennessee and other Senators.

Mr. WALSH. Mr. President, I presented my amendment, not as an amendment to the amendment of the Senator from Tennessee, but to have him consider whether he would accept it. I did not ask for its consideration at this time.

Mr. STEWART. I am sure that any clarifying amendment of that sort would be acceptable, but I must consider it a little before I actually agree to accept it.

Mr. REVERCOMB. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. REVERCOMB. As I understand the situation, the amendment offered by the Senator from Texas was offered as a substitute, and it is the pending question.

The PRESIDING OFFICER. That is correct.

Mr. REVERCOMB. Therefore, the amendment offered by the Senator from Tennessee and other Senators is not open to further amendment at this time. Is not that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. JOHNSON of Colorado. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. JOHNSON of Colorado. A sponsor of the so-called Stewart amendment has the right to perfect his amendment at any time; does he not?

The PRESIDING OFFICER. It can be modified or amended at any time before the yeas and nays are ordered.

Mr. JOHNSON of Colorado. A sponsor of the amendment has the right to perfect his own amendment; does he not?

The PRESIDING OFFICER. He does, by modifying it, before the yeas and nays are ordered.

Mr. JOHNSON of Colorado. The point I make is that the Senator from Tennessee can perfect his amendment by accepting the amendment offered by the Senator from Massachusetts; can he not?

The PRESIDING OFFICER. If he wishes to perfect his amendment, he may do so.

Mr. JOHNSON of Colorado. That is my point.

Mr. STEWART. Mr. President, the Senator from Massachusetts simply requested that the amendment be read for the information of the Senate. I assume that we shall discuss at a later time the matter of whether it will be acceptable. I assume we shall not be able to

complete action on the bill this afternoon; that has been my feeling.

Mr. WALSH. Mr. President, will the Senator yield to me for an observation?

Mr. STEWART. I yield.

Mr. WALSH. The letter from the Secretary of the Navy was read. I received the impression that he thinks the amendment applies to volunteers. Certainly the amendment of the Senator from Tennessee does not do that. That is why I asked specific questions of the Senator from Tennessee. I did so in order to make definite and certain that the amendment does not apply to volunteers, but applies only to inductees.

Mr. STEWART. I think I can say to the Senator from Massachusetts that, so far as I am concerned—and I think the coauthors of the amendment will take the same position—we can agree to accept the amendment to our amendment or to clarify the amendment in some way or other in relation to the matter referred to by the Secretary of the Navy with respect to the training of volunteers on vessels at sea.

Mr. President, amendments of this character were considered by the Senate in October 1942. At that time the Senator from Texas [Mr. O'DANIEL], the same Senator who has presented an amendment today, presented an amendment which had for its purpose the prevention of the drafting of men under 20 years of age. If my memory serves me correctly, that amendment was adopted by the Senate, despite the fact that it was opposed at least by the War Department. I do not recall what the attitude of the Navy Department was at that time. At that time a letter was written by General Marshall. He undertook to point out what he called or referred to as a misapprehension on the part of both laymen and legislators on the Hill with respect to the length of training a young man would receive. In his letter he said, among other things, that there was a difference between the training of a full division and the training of individual soldiers—in other words, that there was a difference in the length of time required. I now read excerpts from his letter. It is dated October 23, 1942, and is signed by Gen. George C. Marshall, Chief of Staff. He said:

I believe that this originates—

Namely, the desire to prevent the induction of boys under 20 years of age—

from a desire to avoid the unfortunate instances of the First World War, in which many men were sent to front-line combat before they had had any reasonable amount of training; and second, on the assumption that, since the War Department has frequently stated that it takes 12 months to train a division, there should be no objection to guaranteeing 12 months' training for each enlisted man.

Later in his letter he opposed, as the Army does today, the passage of such legislation. He pointed out that an individual—for instance, a rifleman—can be given basic training within a period of a few weeks, and that he can be sent as a replacement to take his place beside older fighting men, or veterans, and that he can do so with safety after a comparatively few weeks of training, but that in order to give full and complete training to an entire division of men, so as to prepare them for combat, they should have 12 months of training, or even more, inasmuch as they are trained as a unit, because we assume that they are all untrained men to begin with. Yet 18-, 19-, and 20-year-old boys are taken for replacement troops, and placed beside veteran troops with the expectation that they are as safe as the veteran soldiers themselves who have had previous training and experience in combat service.

I believe that every Senator understands that it is not the theory of the proponents of this amendment that young boys should merely be given training as a unit. We had in mind the thing which General Marshall pointed out in his letter of 1942, namely, that there was a difference between the training of men who formed a part of a 12,000 or 14,000 unit, and the training of soldiers who were to be used for replacements. The amendment is based on the theory that men 18 years of age in many instances are too young to be placed in the front ranks as combat troops. As I said a few moments ago, I think there is a human side to the situation which should be taken into consideration. I do not believe I was present when the amendments to which I have referred were agreed to in 1942, but I was in favor of them. I believed that it was unfortunate that we had to draft boys as young as 18 years of age. Of course, a line must be drawn at some point; an age line must be established in some manner. Therefore, after the insistence on the part of the Army on drafting boys 18 years of age, we agreed on a dividing line between those who should be drafted and those who should not be drafted.

We also recognized that oftentimes boys 18 years of age are sufficiently matured to become sailors, soldiers, or marines. With the consent of the parents, the law permits a boy 17 years of age to volunteer his services. I believe the Navy is now accepting boys of that age. I believe the Army does not accept volunteers of any age at the present time. We have had very little, if any, legislation bearing upon that point since October 1942. I am speaking now from memory only.

Mr. President, I repeat what I have already said. I feel that the war has now reached the stage where the Members of the Congress may feel at liberty to assert themselves and express their feelings with regard to the drafting of and pressing into service of 18-year-old boys.

Mr. PEPPER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. PEPPER. Mr. President, I heard a discussion on the floor of the Senate between the able Senator from Illinois [Mr LUCAS] and the able Senator from Tennessee [Mr. STEWART] on the subject in the course of which I believe the Senator from Illinois called attention to the fact that a great many married men with children were being required to go into military service. As I was walking through the corridor after hearing the conversation I was hailed by some boys who identified themselves as having come from Florida. There were five of them. I took them into the gallery and somewhat about the Capitol. I asked them how old they were. They all told me that their ages varied from 28 to 30. I said, "You boys look somewhat older than the ordinary men in the service." They then told me their ages. I asked them if they were married and they told me they were married. I asked them if they had any children. They said, "Yes; we all have children. Each one of us has at least two children." As the Senator from Illinois pointed out, that is a serious situation. Here were five men who had respective businesses, their wives, and their little children. They were all under the age of 30. When we consider boys 18 years of age we also must keep in mind the men within the age group to which I have referred.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. WHEELER. We are now discussing the question of whether boys 18 years of age should be given 6 months of training before being put into active combat. I agree that men who are married should receive 6 months of training before being sent overseas. As a matter of fact, every soldier in the Army, whether under 18 years of age or older than 18 years of age, should receive 6 months of training before being put into active combat service. The fact has been developed that many boys are looked upon by their mothers as not being more than babies. They are taken into the Army and put into combat service. It may be that previously they never had a gun in their hands and did not know how to shoot a gun. That is a different situation from that of the man of the world who knows how to handle himself.

I have much sympathy with the men who are married and have children, because I certainly made a fight to try to keep the Army from taking the fathers and breaking up the homes of America. But I was voted down on that in the committee and on the floor of the Senate.

When we look around and see what is happening in Australia and happening in England and realize that in some countries boys are not being taken unless they are 21 years, and in others until they are 19, when in England itself they are not being taken until they are 18 years and 6 months old, what do the people of the United States think? It is all right to be generous; but it seems to me that this country and the people of the country have been more than generous, and have done far more than their part in this war, with reference to food, with reference to materials, with reference to ammunition, and with reference to American boys. Certainly we should have as much interest in the 18-year-old "babies," as some of the mothers refer to them, as England has in her 18-year-old boys. Certainly she has a greater stake in the war than almost any other country in the world. Certainly Canada has a great stake in the war. But it was only a short time ago that no boy from Canada was sent overseas unless he actually volunteered.

Go across the line today in Canada and see what is happening. I received

a letter from a doctor friend of mine who has just returned from Canada indicating that it is possible to get all the meat in Canada one wants without any points, to get all the butter one wants without any points, to get all the cheese one wants without any points. We can go to Canada and buy anything we want to buy, without any ration points. We can go into a hotel, and on the bill of fare we will find listed roast beef, steaks, pork chops, almost anything one could have had before the war.

Mr. President, I am in favor of helping the Allies and doing everything we can to win the war, but certainly it seems to me that we should not be called upon to do the whole thing, when other countries, which are directly affected, are not going as far as we are asked to go; and we should always remember that Mr. Churchill said, "Give us the tools, and we will do the rest." We should not be called upon to do everything, to furnish the money, to furnish the boys, to furnish the "babies," to furnish the food, and to furnish the ammunition for all the world.

If laws can be passed in the other countries providing that their "babies" are not to be taken, how can anyone stand on the floor of the Senate and say that we in the United States should send our boys into battle without having at least 6 months' training?

Mr. PEPPER. Mr. President, will the Senator from Tennessee yield?

Mr. STEWART. I yield.

Mr. PEPPER. I am not informed about the age limit at which England takes her men, but the Senator recalls that Britain has had a draft of women practically ever since the beginning of the war, does he not?

Mr. WHEELER. Does the Senator want to draft the women in this country?

Mr. PEPPER. No; but I thought the Senator meant to imply that we were using our 18-year-old boys and going all out for the war, and she was not using her 18-year-old boys and is not going all out for the war, and I thought it pertinent to remind the Senator that England had been drafting her women ever since the beginning of the war, and that we were not. That is some indication, I believe, that they are going all out for the war.

Mr. WHEELER. I have no doubt that they go all out for the war, because they have to; and I give them credit for doing that. I think some of the mothers in this country would themselves rather be drafted than to see their "babies," 18 years old, who have had no experience, and no training, taken and sent into the service, when they have never had a gun in their hands. To me that is an inhuman and a wrong and cruel thing to do, and it cannot be justified, under the conditions.

I do not personally know, but the statement was made on the floor of the Senate by the Senator from West Virginia this afternoon as a fact that England was not taking her boys and shipping them across the channel, unless they were 18 years and 6 months old, and had had combat training. I say it is wrong to take men even of 30 years of age, with wives and babies, and put them into combat service, until they have had at least 6 months' training.

If the Members of the Senate will recall, testimony was adduced before the Committee on Military Affairs, and statements have been made on the floor of the Senate time and time again, indicating that the reason why we needed the draft law and required a tremendously large army in this country at the outset, was that we wanted to give the men a year's training before they were sent overseas. That was the testimony of the military leaders, and that has been the statement on the floor of the Senate by men who advocated some of the measures which were passed. There cannot be any excuse, it seems to me, when we have men in this country who have had a year's training or more than a year's training, for taking these boys without any training and sending them into combat service.

After all, we should think something about the United States of America and the morale of the people of this country. Mark my words, when the war is over and the facts are known it will be found that the American people will not be so anxious to give their country away and to give everything else away, as some people have been led to believe they are at the present time.

Mr. PEPPER. Mr. President, will the Senator from Tennessee yield?

Mr. STEWART. I yield.

Mr. PEPPER. I am not a member of the Committee on Military Affairs, and I do not know whether the able Senator from Montana has read the evidence, but I do not suppose he literally means that men were sent overseas without any training.

Mr. WHEELER. Oh, yes; I mean that some of these boys have been sent overseas literally without any training.

Mr. PEPPER. The Senator would do a great public service if he could get the cases and disclose them to the Senate, and demand an investigation and an inquiry, and make known the results to the country, because we all know that that never should have happened, and according to the advices I have repeatedly had from the War Department, it was never intended to happen. They say that an infantryman who is going to use a rifle, and is actually to be in ordinary infantry rifle combat, can be trained in a shorter period of time than are men who are to do more complicated work, and that the period of training the man receives is graduated by the kind of service he is to render. But, of course, if anyone has been sent overseas without the minimum training the military people find to be proper, it is a national scandal, and the Senator would render a great public service by disclosing the cases so that the officers guilty could be brought to trial.

Mr. WHEELER. A lady sent me a copy of a letter her son had written her. I have it in my office, and I think I can locate it. He said he had never had a gun in his hand. I think he had been in the service, but he had been in office employment, or doing something of that kind, and had never had a gun in his hand until he got into the combat service. Perhaps the boy was lying to his mother, but that was what was stated in the letter she sent me, and I assumed it to be true.

The Army itself has admitted that it has not given them 6 months' training, but certainly the statement previously made was that it was necessary to give a year's training not only to the 18-year-olds, but to all the others. Perhaps the authorities have discovered since that time that it is not necessary to give them a year's training; perhaps 6 months' training is all that is needed. But surely, when these boys go into combat service, I want to know they have had the proper kind of training in order to protect their lives.

We know that the Germans have taken boys 14 years of age and sent them into combat service, and that the Russians have done likewise. The American people have been shocked to learn that Germany would send "babies" into service and have them slaughtered upon the battlefields, and we have been shocked to hear that women in Russia are going into the combat service, as we have been told is the case. But, after all, we have prided ourselves that we are more civilized, more Christianlike, than some nations that have done such things.

Mr. President, the United States will not lower its standard of civilization as the Germans, with their barbarity, have lowered their standard in this war. We will not lower our standard to the point where the Japs have lowered theirs. In this war the United States has rendered a greater service than any country on the face of the globe.

Mr. STEWART. Mr. President, I am in complete and full accord and sympathy with the leaders of the armed forces of our country and with what they are doing in the prosecution of the war. For that matter, I believe every Member of this body is perfectly willing, and has in most cases where he has had an opportunity to demonstrate it shown his willingness, to do everything he can to aid the progress of this war. The Senate of the United States has not been niggardly in any respect in dealing with anything that has been before it in connection with the prosecution of the war. I am just as anxious for full and complete and speedy victory as any other man in America or elsewhere. I am sure my colleagues feel the same way.

Mr. President, we have given of the substance of our land until it hurts. We have drained the resources of this country until we know that a serious problem will be faced in the post-war period. We have emptied the Treasury.

Recently we passed a measure authorizing an increase of the national debt to $300,000,000,000, an amount of money which 4 or 5 years ago would have staggered the imagination of practically every Member of this body. I remember the time when we appropriated the first $5,000,000,000 to prepare for national defense. One of the finest men who ever graced this Chamber, who since that day has gone on to his reward, the late Alva Adams, of Colorado, had charge of the bill on the floor. He was chairman of the subcommittee before which the hearings were held on the bill which appropriated $5,000,000,000, if I correctly

remember the figure, for the purpose of building training camps throughout this land, for the purpose of constructing airports, for the purpose of equipping men, for the purpose of manufacturing munitions with which to fight a war which we thought might come to us. I remember that as he stood at his desk—and I seem to see him now—he said, "This staggering amount of money, this $5,000,000,000, shocks me. It is a tremendous amount of money. Do we actually need it?" Many other Senators felt the same way.

Since that day, Mr. President, we have passed legislation authorizing the increase of the national debt to $300,000,000,000. The two Houses of the Congress have been liberal in every respect. We have given of our substance. We have given of the youth of our land. We have yielded to the request of the leaders of the armed forces that boys 18 years of age might be drafted, and we have left it to the discretion of the leaders to send the boys into battle wherever they please, and we have given permission, in addition thereto, for them to draft boys, with their parents' consent, when they are only 17 years of age. We have not been niggardly. We have not held back. America has struck with all her force and all her might, until the day has drawn nigh, we hope, when final victory will be quickly realized upon European soil.

Mr. President, as a consequence of what we have done we are told that many boys 17 and 18 years old have been killed in battle. We have received agonizing letters from their mothers and their fathers asking why it is necessary that we rob the cradle to fight this war.

Mr. President, we have allies in this war, nations many of which have large resources and much manpower. I do not say that some of them have not given as freely as we have. I do not make that charge. We are in this war to the finish and we will carry it through. But I know that the time approaches now when we can afford to discontinue the practice of drafting and sending to the front, to give their life's blood, to die in behalf of this democracy we love, children, many of whom have never had any experience in the affairs of life. Many of them have gone through experiences of which it is difficult for the human mind to conceive. They have seen their comrades bleeding and dying all around them, and we are told that many of the youth of this land, many of these children who have been drafted and sent into service, are probably permanent mental cases. We have a right to demand that before they are sent into battle they be seasoned so far as it is possible to season them.

Mr. President, I feel I am justified in offering my amendment, which simply provides that a paltry 6 months' training be provided so as to season a lad and prepare him physically and mentally to go out yonder to that front where men by the thousands are dying every day.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. CHANDLER. I think it is no longer necessary to withhold from the American people just how magnificent a contribution in manpower the people of America have made to the success of this war. There may have been some reason before for withholding such information, but in February the Secretary of War sent a letter to Representative MAHON, Democrat, of Texas, who is a member of the House Appropriations Committee, and according to the figures the Secretary of War gave to the Representative from Texas there were approximately 8,050,000 American soldiers in the Army in February.

Mr. STEWART. That is in the Army alone. The Senator is not speaking of the Navy and the Marines?

Mr. CHANDLER. In the Army alone; not including the Navy and the Marines; 8,050,000 soldiers were in the Army in February. Of that number, 5,150,000 were overseas. Think of it, Mr. President, 5,150,000 American boys were overseas.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. I am glad that the distinguished Senator from Kentucky has brought out the point which he has mentioned. The question has been asked on this floor many times this afternoon as to how many men have been left in this country. My friends the distinguished Senator from Kentucky and the distinguished Senator from Tennessee and I are members of the Committee on Military Affairs. The evidence before our committee showed that there were left in this country, or this hemisphere, very few who were not in certain categories, such as those returned from battle service, and those on limited service. Am I correct?

Mr. CHANDLER. In February there were only 2,900,000 soldiers in the United States. Approximately half of them, or 1,400,000, had been earmarked and were being trained for overseas service.

Mr. MAYBANK. Since the time has come to disclose the figures, I am happy that the Senator from Kentucky agrees with me, because I know that he knows the facts, as does the Senator from Tennessee. The only thought I have to offer to the Senate is that there are in the United States very few trained and able soldiers who have not been in battle, or who are not suffering from minor or serious ailments. Am I correct?

Mr. CHANDLER. The Senator is correct. They are either overseas or they have been committed to go overseas. About 1,400,000 of them either have gone or are in the process of going, or will go whenever soldiers can be returned from overseas to replace them in the United States.

I am anxious, now that it is not so important to the security of the country or to our eventual victory, that the American people be told the facts, because the blood and treasure and possessions of the American people are wholly committed to this war. There is no way to turn back. We have committed ourselves far beyond what anyone ever imagined would be necessary when the original commitments were made to help our allies. The American people have never made any such commitments in strength and in treasure in all the history of this country.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MAYBANK. It was not my purpose to bring out the American commitments, of which the Senator has spoken so ably, because war is death and destruction. It was my purpose to bring out—and I appreciate the opportunity to do so—as a member of the Military Affairs Committee, the fact that the statements which have been made, to the effect that there are a great many soldiers left in this country who can go overseas to fight the war, are incorrect.

Mr. CHANDLER. The War Department states in this memorandum that of the residue of 2,900,000, 180,000 are in Army hospitals, and 1,300,000 are in essential administrative and service jobs, concerned with overseas supplies, plane maintenance, cargo loading, communications, and transportation. It is the policy and plan of the War Department, if I correctly understand the Secretary's statement, to send overseas and use in overseas service all those except the ones who are physically disqualified. Of course, there would be no point in sending overseas those who are physically disqualified, or who can perform only limited service.

Every time we say anything about the American contribution to this total war, and to the victory, we are told about what someone else has done, and an effort is made to minimize American endeavor by magnifying what someone else has done. I am delighted that others have been able to contribute as much as they have contributed. I wish they could have contributed more. But let it be said to the eternal credit of the courage and determination of the American people that when we undertake a job we do not do it by half-way measures. We have committed ourselves wholly, in money, lives, and treasure, beyond anything ever contemplated by the American people before the war, or after we became involved in it.

I do not know what credit eventually will be given. There will be enough credit for all if we share it. But when the war is over, let no citizen of the world, especially in America, attempt to minimize, or permit to be minimized, the magnificent contribution of the American people to this victory. The Chief of Staff and others who have been living with the war day and night are weary. They are not able to stand criticism as they were when it started. They are not as fresh as they were. As my dear friend from South Carolina will remember, not long ago we were able to say to some of them, "Be of good courage, every one is weary". The casualty lists continue to come in. The hearts of men and women in America continue to be broken every day by the loss of the most prized possession on earth—a son or daughter.

It is time for the American people, not in a spirit of boastfulness, or bragging, to take a dead-level rest and call the attention of our own people and of the people of all the world to the fact that we have made this magnificent contribution in good faith—a contribution which in my opinion exceeds the

contribution of all the others. We did it because of the voluntary spirit of determniation of the American people. By voluntary methods we have exceeded the production of all our friends and all our enemies combined. That was the reason why some of us fought tooth and nail against changing the rules in America, and against a bill which sought to impose compulsion on the American people. We have not needed it. We do not need it now.

I believe that all of us can take pride in the generation to which we belong. As each generation of young Americans comes along, the older generation is likely to say, "This is a bad set. They do not know how to do things."

Our youngsters today are smarter than all the American boys we have ever produced in all the time we have been a country. They can do more things, and do them better and more quickly. They have mastered the machines.

The Senator from Illinois knows that in our time the boys were willing, but awkward. However, the present generation of young Americans represents the genius of the world. The contribution of the stalwart sons of America has made victory possible. Without their contribution, in my opinion, victory could not have been gained. Let every American in the country stand up and feel proud of the fact that his generation kept its rendezvous with destiny and made this magnificent contribution to the freedom of mankind.

The present generation of Americans has won the fight again. The last time someone lost the peace. Our soldiers did not lose the fight. They won the fight. They are going to win the fight again; and it is up to those of us who occupy these seats to see that what they have won is not lost. We are going to do that this time. We must do it. We cannot stand another war. The world cannot stand another war. We cannot finance another war.

Yesterday or the day before a very distinguished and learned doctor came before the Committee on Military Affairs and stated that this country was worth $30,000,000,000,000. Does any Senator know how much money that is? I have no idea. Some of us suggested rather meekly that we would like to know if he could tell us how to find $300,000,000,000 to pay our debts. I assume that $30,000,000,000,000 is somewhat more than $300,000,000,000.

Mr. President, I do not wish to take any more of the time of my friend from Tennessee. As the Senator from Tennessee says, the Senate of the United States has never failed, in a single instance, either before the war or since, to give to the military authorities of this country everything they asked for in order properly and vigorously to prosecute this war. I know that I have never failed. I know that the Senator from Illinois has never failed.

Now we have a right to scrutinize the picture. That is not only our right, but our duty. At the close of the last war, on the 12th of November 1918, $6,000,000,000 worth of surplus property had accumulated. That was considered a staggering amount of surplus property. In that war we sent overseas approximately 2,020,000 soldiers. In this war we have already sent overseas 5,150,000 soldiers. That will give some idea of the difference. At this moment there is scattered about the world more than $100,000,000,000 worth of surplus property belonging to the men, women, and children of the United States. We justify that by saying that war is a costly and wasteful thing, that we must have sufficient men and supplies; that in war those who fail to have sufficient men and supplies lose, and those who lose, lose everything; that we must win, and that we cannot win unless we have the power to carry the fight to the enemy. If the enemy ever forces you on the defensive the only chance you have is to lose, although, of course, no one will know exactly when you will lose.

With the help of our allies we were able to hold the line until we were ready. In this war the American people have demonstrated again that they can develop the greatest offensive power on earth; but the development of such power takes time. We were not ready when we entered this war, but our allies enabled us to take the time we needed in order to become ready. I hope that hereafter we shall always be ready; I hope that never again shall we find ourselves unprepared, for we may not have enough time again. In the past we have always had time to prepare ourselves for war. It is not certain that next time we shall have time to do so. So far we have always needed it. The next time we must be ready, because the next war may come up suddenly. The learned doctor to whom I have referred said it might come in a short time, perhaps in 20 years. He said that when it does come airplanes carrying 50,000 tons of bombs will come over a city like Washington and he predicted that they would be able to wipe out a city the size of Washington in 10 minutes. I do not know whether that will happen, but that is one of the predictions of what will come to pass in the future. We must be ready for it. We must save the victory that our boys have won for us abroad. We must make our country secure.

Mr. President, I have not observed that the leaders of the other governments have been hesitant to proclaim what they have been able to do. They have never failed to say what they have been able to do. I do not wish to speak in derogation of what they have been able to contribute, but I say it is high time that American Senators stood up and said to them, "Look at what we have done." It is high time that they recognized the contributions made by the American people. God knows we were willing to make them in the interest of restoring peace to the wrold, but we should not fail to inform the American people of the extent of their contributions. Thus far we have failed to tell them. It is high time that we were giving our own people some idea of their magnificent contributions.

I wish to repeat what I said when my good friend the Senator from Colorado was temporarily out of the Chamber, namely, that the Army justified the use of these young men on the theory that they have to keep the pressure on the enemy, and that it is necessary to change the procedure which has previously been followed. Previously the Army would have a division fighting for a certain season, and then would take it out and would put in a new division. When casualties occurred in a division young men would be sent in as replacements; the young men would be mixed or infiltrated among the men who were veterans in the division, and in that way the division would be kept in the fight and would be kept going.

A Senator who votes for war—and we are the ones who voted for war—a Senator who votes taxes on the people to support the war, and we did that—has a definite obligation to the American people. There are some Americans who think Senators are "nosey" if they go beyond that; some Americans think that Senators have no other obligation. I claim that Senators have an obligation to walk, as closely as the circumstances permit, with the soldier who offers his life to his country in its effort to win the war. There are some things which must be explained in order to be appreciated. I have seen American soldiers who have been too long in a military area. I have seen a thousand-foot stare on a soldier in a 10-foot room. I have seen American soldiers who went out in the morning with the bloom of youth on their faces, in the determination to strike a blow for their country, and I have seen them come back at night mangled and bruised. I have seen them lifted from military airplanes and taken to the hospital; I have seen them dead. I refuse to fail to discharge my obligation and my responsibility to walk as closely with them as the circumstances permit, and to be interested enough to try to see whether we can give them a little better chance to live.

Mr. President, I am grateful to the Senator from Tennessee for giving me this opportunity to speak. I hope I have not trespassed too greatly on his time.

Mr. STEWART. Not at all. I think the Senator has made a substantial contribution. I wish to say, with him, that I, too, have the highest regard for the American soldier. I repeat that I also have the highest regard and respect for our leaders in this war, of whom we are proud. I refer to all our leaders in the armed forces. America does not need to hold her head down in shame or even in the slightest embarrassment when the leaders of her armed forces are compared to the leaders of the armed forces of any of our allies or of any of our enemies. I pay to our leaders the highest tribute. I am proud of them. They are great, and they are wonderful in their greatness. They are fighting a great war. But I cannot see the necessity for rushing the youth of our land into this war.

Mr. AUSTIN and Mr. MAYBANK addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. STEWART. I yield first to the Senator from Vermont, and then I will yield to the Senator from South Carolina.

Mr. AUSTIN. Mr. President, in order that my colleagues in the Senate may have available some of the evidence on

the basis of which the Committee on Military Affairs acted, I request permission to have printed in the RECORD following my brief statement certain documents which I shall describe in a moment. One of them is a letter from General Marshall, dated last month, addressed to Representative WILLIAM E. HESS, of Ohio. In the letter appears a statement which bears upon the claim made several times today that there is available for military use a pool of manpower which can be resorted to—a pool composed of men other than those 18 years of age. I read the following statement by General Marshall, and I point out that the letter was written last month:

For the past 6 months we have been combing the coastal defense commands and our bases in Alaska and the Caribbean for men who are suitable for infantry replacements, they themselves to be replaced by personnel of such physical limitations that they could not be employed in combat service. The same procedure is being followed through all the rear areas in the overseas theaters. Yet we are still short in replacements and under the heaviest pressure from our field commanders to obtain them.

The choice in the matter is very clear; either we must accept delays in operations in Europe and in the Pacific or we must follow the present procedure. There is no other course. To delay the operations now under way would, in my opinion, be a tragic error, resulting in an inevitably increased loss in life by the prolongation of the war. I am quite certain that the people of the United States would not make this choice.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD the following papers:

(A) Synopsis of military manpower situation; (B) tabulation by years of age of reserve of manpower for combat replacements; (C) letter from General Marshall to Senator REYNOLDS, October 23, 1942, to which the distinguished junior Senator from Tennessee has referred, explaining why it is inadvisable to incorporate in law a requirement for 12 months' training for men under 20 years of age before they may be sent into combat; (D) letter from Brigadier General Irvine to Hon. JAMES W. WADSWORTH explaining training program for units and for replacements and War Department directives on order in which men are sent into combat, dated January 17, 1945; (E) letter from General Marshall to Hon. WILLIAM E. HESS, dated March 5, 1945, explaining the War Department's consistent opposition to statutory requirements as to length of training required before men of certain age groups can be sent into combat and explaining the effective training men receive and the effects such restrictions would have. He states that the Army has been combed for men suitable for replacements, with the result that 500,000 men were withdrawn from assignments other than divisional, 90,000 were transferred from air service forces, 40,000 withdrawn from antiaircraft artillery, all to be retrained as infantry replacements. He stated that coastal defense commands were being similarly combed, but that they were still short of replacements.

I ask unanimous consent that these papers be printed in the RECORD at this point as a part of my remarks.

There being no objection, the documents were ordered to be printed in the RECORD, as follows:

The Army developed a training program under which effective combat divisions were created from civilians. This required a minimum of 1 year's intensive training.

The effectiveness of this training has been demonstrated in all the theaters of operation in high-speed sustained offensives carried out by green troops against a veteran enemy.

Its efficiency has been shown in casualties substantially below estimates based on the previous experience of our allies and the fact that our troops have inflicted considerably greater losses on the enemy than they themselves have suffered.

The Army likewise developed a training plan for replacements to be fed individually into trained combat teams. This training takes from 13 to 17 weeks and no man is sent to a combat unit until after individual tests have proved that he has absorbed the necessary training to qualify him as a replacement in his particular assignment.

The efficacy of this training has been demonstrated through the number of units that have absorbed such replacements during combat over a period of months without suffering any loss of combat efficiency. This program of continuous replacements has permitted a sustained velocity of attack over a period of months never before possible which has been a material factor in preventing the enemy from reorganizing in new strong defensive positions. This both shortens the war and decreases our total battle losses.

The policy of the War Department has been not to use any men under 19 years of age in combat as long as any other men suitable for combat replacements were available. Pursuant to this policy the entire Army, including the Air Force, was combed for men physically suitable for infantry and armor combat replacements.

Not until the middle of November 1944 was the ban on sending 18-year-olds as infantry and armor replacements lifted at which time it had become impossible to meet the requirements of the various theaters for replacements from other manpower sources.

Had a ban existed on the use of 18-year-olds, it would have been impossible to have maintained the continuous offensive in Europe at its rapid pace and the enemy would have gained additional time to reorganize his forces for fresh defensive lines or even another counteroffensive like the one he launched in December. The result of restricting the use of 18-year-olds when military necessity required their use would have been increased loss of life, not a saving, and a prolongation of the war.

The War Department has consistently followed a policy of using 18-year-olds in combat only when military necessity compels, and that is still its policy. Any arbitrary prohibition by law of the use of 18-year-olds can only operate as a brake that may slow down military operations at a most critical phase. In certain theaters where climatic conditions almost stop military operations for a prolonged period the loss of speed in an offensive might result in the loss of the entire objectives of a campaign.

As of February 1, 1945, our estimated reserve of civilian manpower fit for military duty and within the effective combat ages of 18 to 25, inclusive, was down to 279,000 men, of whom 133,000 were aged 18. Besides this, there will be available only those who become 18 years of age each month.

A British officer inspecting our replacement training system expressed amazement at its thoroughness and stated that they would not dream of attempting any such intensive training for basic replacements.

Manpower reservoir, Feb. 1, 1945

Age	Deferred, except agricultural	Nondeferred	Total	Probable yield to armed forces
18 years	13,600	253,600	266,600	133,300
19 years	14,100	35,200	49,300	24,650
20 years	9,300	28,200	37,500	18,750
21 years	9,500	24,100	33,600	16,800
22 years	11,200	27,200	38,500	19,250
23 years	13,200	25,000	38,200	19,100
24 years	17,500	26,600	44,100	22,050
25 years	21,600	28,200	49,800	24,900
Total	110,100	447,500	557,600	278,800

All other males within the above age groups have already been found physically unfit for full military service or are deferred by law.

The above list of deferred includes men of the merchant marine, who are as necessary to the war as troops or Navy personnel, and those engaged in war production.

Of the possible reserve of military manpower between ages 18 and 25, inclusive, almost one-half are age 18.

Other than the above there is no further source of military manpower to maintain the combat efficiency of the armed forces except those men becoming 18 years of age each month.

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, October 23, 1942.

Hon. ROBERT R. REYNOLDS,
United States Senate,
Washington, D. C.

DEAR SENATOR REYNOLDS: In the discussion of the proposed legislation to lower the selective-service age, the proposal has frequently been made that a provision be written into the law that would make 12 months' training mandatory before any individual under 20 years of age could be sent to a theater of operations.

I believe that this originates partly from a desire to avoid the unfortunate instances of the First World War, in which many men were sent to front-line combat before they had any reasonable amount of training; and, second, on the assumption that, since the War Department has frequently stated that it takes 12 months to train a division, there should be no objection to guaranteeing 12 months' training for each enlisted man.

Such a limitation would impose an almost impossible administrative problem for the War Department. There is a marked difference between the training of an individual soldier and the training of a complicated machine like a division. Every soldier receives approximately 3 months' basic training. In this period he is hardened physically and trained technically, as well as given an understanding of discipline. He is taught how to care for himself in the field; how to employ both his primary and secondary weapons; and how he and his weapons fit into the squad and platoon. Upon completion of this course, he is a qualified rifleman, machine gunner, mortarman, etc., depending upon which course he pursued in the replacement center.

Upon completion of his basic training the soldier is assigned to a tactical unit. If the unit is new—that is, recently organized—there then begins the team training that every unit must have before it can be considered an efficient combat organization. The length of time required for this team training

varies, of course, with the type and size of the unit. A squad of 12 men who have had proper basic training can be trained as a team in a relatively short period of time. A battalion takes considerably longer. A division which is a complicated organization involving the combined use of many arms, must have a long training period before it becomes a real combat organization. For this 12 months is the minimum, and during this 12 months' period units that make up the divisions go through periods of small unit training, advanced unit training, training with the combined arms, and then extensive field maneuvers with the division acting alone and in combination with other divisions and corps and Army troops.

To get back to the training of an individual soldier, the length of his training before he can be fitted into an experienced tactical unit varies according to the type of unit and the duties for which he is trained. A few examples will illustrate what I mean by this:

In the Air Corps, a soldier selected for ground crew (mechanics) training first receives a period of basic military training. He then goes to an Air Corps technical school, and the length of his training there depends upon the specific specialty in which he is being trained. The period may vary from 18 to 36 weeks, and when he graduates he is, for example, a finished airplane engine mechanic and can be immediately assigned to and used in a bombardment group as a mechanic, whether it is still itself in training or is in a combat theater.

A radio operator receives his basic training and his training as an operator simultaneously. In from 3 to 5 months he is an effective operator, trained in Army radio procedure and, as in the case of the airplane mechanic, can take his place in a signal company of a combat division, whether that division is still in training or is being committed to combat.

A rifleman, when he finishes his 13 weeks' basic training, is prepared to take his place in an experienced squad at any time. If 8 or 10 men in the squad have had team training, the trained basic rifleman can be inserted in the squad without detriment either to himself or his unit.

I could give you many other examples where it would be unnecessary and undesirable to hold a man out of a combat theater for 12 months. It would be almost impossible for the Army to operate under any such mandate. We would, in effect, have to put thousands upon thousands of men "on the shelf" after their essential training had been completed before we could use them. In the Air Corps alone possibly 500,000 such men would be involved. Incidentally, the Navy and the Marine Corps enlist men of 17, and I am told that the average age of the entire corps is below 20.

The proposal would create so many obstacles of this nature that I cannot too strongly emphasize the importance of giving us this legislation without crippling limitations. Trust our judgment and our own insistence that we fight only with properly trained units, to see that each soldier has adequate training before he enters combat. I am certain Members of Congress do not wish to hamper the War Department in the execution of the tremendous task we have before us. These proposals, I am sure, arise through a lack of understanding of the problem presented. Our enemies are desperate and implacable. Our task is extremely difficult.

Faithfully yours,

G. C. MARSHALL,
Chief of Staff.

JANUARY 17, 1945.

Hon. JAMES W. WADSWORTH,
House of Representatives,
Washington, D. C.

DEAR MR. WADSWORTH: In the absence of Maj. Gen. Ray E. Porter, to whom your letter of January 11 is addressed, I shall present the views and policies of the War Department concerning the training and overseas assignment of replacements, with particular reference to the points emphasized by Mr. Marvin in his letter to you.

Your constituent makes four major points. In summary, these involve: (1) the short period of time elapsing between the induction of young men and their becoming casualties; (2) the commitment of the 18-year-old group to battle prior to similar commitment of older men who have been in the service for several years; (3) the inadequacy of a 17 weeks' training period for replacements, when compared with the full year of training advocated by the Army for peacetime; and (4) the inference that young men with 17 weeks' training in the United States plus a very short period of overseas training are being organized into units and then, as units, sent into battle.

In the early stages of mobilization, we were able to afford inductees additional training in units after they had completed their basic and specialist training. As mobilization and deployment have progressed, however, our requirements for men to fill new units has steadily decreased until, as the matter now stands, our great need is for replacements to fill ranks depleted by combat. The bulk of these replacements must be trained as infantry, since infantry suffers the heaviest losses in battle. As stated by Mr. Marvin, replacements are normally given basic and specialist training for 17 weeks. This period, followed by a short furlough, processing, and travel to his overseas destination, may result in the arrival of a soldier in a theater of operations within 6 months after the date of his induction. How soon thereafter he enters combat as a replacement in a trained unit depends upon the demands for his services. Obviously, considering the numbers engaged there will be casualties among replacements who have had only 6 months' service.

With regard to Mr. Marvin's statement that "some even not yet graduated from high school" are among those becoming casualties within 6 months after induction, I know you are aware that the War Department has made every effort consistent with the successful prosecution of the war to hold to a minimum the number of 18-year-olds entering combat. Following are extracts of War Department policy in this respect:

"Men less than 19 years of age who have had less than 6 month's training, and pre-Pear' Harbor fathers who have had less than 6 months' training will be used as overseas replacements only after all other replacement resources have been exhausted." (Revision of February 28, 1944.)

"In selecting replacements for shipment overseas, the following order of priority will be observed:

"(1) Those who have attained the age of 19 and are not pre-Pearl Harbor fathers.

"(2) Those pre-Pearl Harbor fathers who have attained the age of 19.

"(3) Those who have not attained age 19.

"No infantry or armored replacements will be shipped overseas until they have attained age 19." (Revision of June 24, 1944.)

The foregoing policies were rigorously observed and were continued until their further observance became impossible for military reasons. These reasons were our urgent needs for infantry and armored replacements, needs which developed in early fall of last year and could not be deferred without serious effects on our operations overseas. The Under Secretary of War in a statement to the press on December 7, 1944, clarified the War Department position in this respect. A copy of the press release is enclosed.

Mr. Marvin's second point is that at present young men are getting into the front line sooner than older men who have been in service several years. The bulk of the men now being received from Selective Service are in the 18- and 19-year-old group. Initially only individuals between the ages of 21 and 38 were inducted, and this age group furnished sufficient personnel to provide the military forces required by our early plans. As the military situation developed, it became apparent that there were not enough men in the older group with the necessary physical stamina to meet requirements fully. It therefore became necessary to draw inductees from a lower age bracket. As a result, the age limit was lowered to include the 18-year-old group. Since this group had not been previously inducted, a high proportion of these individuals was obtained in the months that followed.

Thereafter every effort was made to give young men all possible training before committing them to combat. Divisions not scheduled for early movement overseas were stripped of older men and younger men assigned in their places. With the shift of the bulk of our Army overseas, this process had to be curtailed in mid-1944.

In February 1944 the policy was adopted of not sending men under 19 years of age as replacements for infantry and armored units as long as others were obtainable. This further stiffened in June to bar the sending of any such men. This policy was adhered to as long as military operations permitted. In December 1944, the Army announced a change in policy which permitted the 18-year-old soldier to be sent overseas. This was only one of the actions taken to meet the situation. Another was the withdrawing of some 95,000 physically fit and older men from the Army Air Forces and Army Service Forces for retraining as infantry. The process is in effect overseas as well as in the United States. Overseas commanders are kept fully informed of the amount of training each individual has had before leaving the United States.

The third point under consideration is the adequacy of our replacement training period. Originally, as you know, the replacement training period was 13 weeks. After some time, however, we found it was possible to meet our needs and at the same time increase to 17 weeks this training period. This was continued until very recently, when our replacement demand became so urgent as to require the reduction of the training period to 15 weeks. Carefully worked-out training tests and battle experience have demonstrated that the average soldier in 13 to 17 weeks can be brought to a training level that permits him to fill a vacancy in a trained team. In contrasting the training of units and of replacements, however, it should be understood that a replacement joins a trained organization. He performs acceptably well and learns quickly in combat. He is flanked by men who are experienced. He follows their lead and is guided by their advice.

Mr. Marvin makes a comparison between the training of replacements and the 1-year training period which the Army advocates for peacetime. It is considered that the two are not comparable. It is important to realize that the year's training covers the period necessary for both individual training and the team training and development of leadership required to build such organizations as regiments or divisions. On the other hand, the replacement joins a unit made up of experienced soldiers and benefits from their knowledge and skill for his final training on the job. You will recall that General Marshall explained in the attached letter to you in 1942 the marked disparity between unit training and the training required for replacements.

Lastly, Mr. Marvin infers that replacements with little overseas training are being

sent into battle as units. This is not correct. As explained above, replacements are not formed into new units, but are infiltrated into trained, and for the most part, battle-seasoned organizations.

The War Department appreciates your interest, and if further details are desired, I will be happy to discuss the matter at your convenience.

Faithfully yours,

W. W. IRVINE,
Brigadier General, G. S. C.,
Acting Assistant Chief of Staff, G–3.

MARCH 5, 1945.

Hon. WILLIAM HESS,
House of Representatives,
Washington, D. C.

DEAR MR. HESS: I have carefully reviewed your response of February 28 to my letter of the preceding day. As I understand your letter, it raises three major points—first, that the War Department is on record as having assured the Congress that 18-year-olds would receive at least a year's training before going overseas; second, that our present replacement training system does not provide 18-year-olds with adequate military preparation for combat duties; and third, that older and fully trained soldiers here should be used as replacements instead of 18-year-olds.

As for the War Department's previous comments on this subject, the War Department testimony at the hearings you cited unquestionably establishes our position in opposition to a statutory training limitation. I also recall statements by General White, then Chief of the General Staff Personnel Division, that no assurance was possible that soldiers of any age group would receive a minimum of a year's training before proceeding overseas. If you wish, I shall have an officer visit you in your officer with a marked copy of the hearings which will reveal the War Department's position to have been that any such restriction on Army training would be impossible of administration. In this connection I do not think it could be maintained that the remarks of Generals Reckord and Devers in 1941, 5 months before our entry into the war, should be accepted as the governing criteria for conducting replacement training at the present time. Both these men are able officers but at that time they were expressing general views of their own and neither one of them was a member of the War Department General Staff. Furthermore, to accept as determining views of this nature expressed at that time would be to ignore all the combat experience we have gained and techniques we have developed during the past 3 years. Also, their remarks were predicated upon the peacetime concept of unit training, not the wartime replacement training to which your correspondence refers. What may be successfully demanded of soldiers in time of peace in the way of training is quite different from what may be required as a matter of course today when they work without regard to hours and accept the hardships without question.

As for the adequacy of our training, the system is based, as I have just indicated above, upon an extensive military experience specifically related to the present war. Furthermore, most of the training is now in the hands of men who have had recent combat experience. In my opinion, the present system is adequate, and I have personally inspected replacement training camp after camp to make certain that the work was being conducted in the most efficient manner practicable. Of course, one must keep in mind that we are training men to be placed in seasoned veteran units where the leadership from the noncommissioned grades upward is in the hands of veterans.

The impression has been developed that there are many other soldiers in continental United States who are available for combat assignments overseas in lieu of these younger men. The facts will not bear this out. So long as we had divisions in training in this country I required that the younger men graduated from the replacement training camps should be sent to the divisions and the ranks of these units stripped of the privates who had been in training within the divisions for a long period in this country. This procedure was very hard on the divisional team, but it was one way of meeting the public and congressional desire in this matter. Some 140,000 were so assigned and reassigned. However, with the movement of the divisions out of the United States this procedure was no longer possible.

Furthermore, in the effort to provide infantry replacements for assignment overseas at the rates demanded by the heavy fighting, approximately 500,000 men were withdrawn from assignments other than divisional, in the United States, were retrained for infantry duty and sent abroad. In addition we summarily transferred from the air forces and the service forces a total of 90,000 men who were retrained as infantry. We also converted the personnel of units for which there was no longer an urgent requirement into infantry replacement—as, for example, more than 50 battalions of antiaircraft artillery, totaling 40,000 men. For the past 6 months we have been combing the coastal defense commands and our bases in Alaska and the Caribbean for men who are suitable for infantry replacements, they themselves to be replaced by personnel of such physical limitations that they could not be employed in combat service. The same procedure is being followed through all the rear areas in the overseas theaters, yet we are still short in replacements and under the heaviest pressure from our field commanders to obtain them.

The choice in the matter is very clear; either we must accept delays in operations in Europe and in the Pacific or we must follow the present procedure. There is no other course. To delay the operations now under way would, in my opinion, be a tragic error resulting in an inevitably increased loss in life by the prolongation of the war. I am quite certain that the people of the United States would not make this choice. The attached comments of Mr. Stimson to the press on March 1 explain the situation and our efforts to meet it.

I wish to make one further observation. The Secretary of War, Mr. Stimson, and I, and others in responsible places in the War Department, are keenly sensitive to the daily casualties we are suffering. Our constant effort has been so to conduct this war that it can be brought to a successful conclusion with a minimum of American casualties. The greatest economy will be obtained by the early termination of the fighting. We must never give the enemy a moment to recuperate his strength, to regain his balance, and the urgent requirement for replacements, strong and vigorous must be met if we are to be successful.

I shall add this final comment, that I believe that never before in our history have the soldiers in our Army been so carefully prepared for battle as is the case at the present time.

Faithfully yours,

G. C. MARSHALL.

Mr. AUSTIN. Mr. President, I refer to certain pages of hearings in order to aid my colleagues if they desire to examine testimony bearing upon this amendment. I will give the pages to which they may turn.

In the hearings before the House Committee on Military Affairs I refer to the testimony of Maj. Gen. S. G. Henry, G–1; and Maj. Gen. I. H. Edwards, G–3. General Henry's testimony with regard to figures on calls for men and how they were being handled may be found at pages 3, 4, 7, and 8. General Edwards' testimony explaining the replacement training program may be found on pages 9 and 10; on page 11, explaining the combing of the Army for suitable infantry replacements; on page 13, stating a shortage of replacements, and explaining that the War Department had never had a policy of training replacements for 12 months.

Mr. President, I ask unanimous consent to have printed in the RECORD a memorandum entitled "Why 18-Year-Olds?"

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

WHY 18-YEAR-OLDS?

The supply of manpower under 26 years of age fit for full military duty is practically exhausted, including men in the armed forces not in combat units. The men becoming 18 years of age each month constitute practically the entire source of additional manpower.

While the need of young men for the Air Force, if it is to be an efficient fighting unit, is universally recognized, few outside trained military men understand that the same requirement applies to the Infantry and that if older men are used for Infantry replacements it will slow down the speed of attack, prolong the war, and increase total casualties.

After VE-day a steady flow of the younger men will be required to permit release of men whose service in Europe has earned it for them and at the same time permit the rapid and vigorous prosecution of the war against Japan.

A restriction on the use of 18-year-olds in battle will slow down operations, increase casualties, and prevent release of battle-worn veterans after VE-day.

Had the War Department been restricted in the use of 18-year-olds in combat during the last 9 months, the offensive in Europe could not have been sustained at its rapid pace, which prevented the enemy from reorganizing and establishing new defensive lines which would have materially prolonged the campaign in Germany with a resultant heavy increase in casualties. Use of 18-year-old trained soldiers was essential in maintaining the combat divisions at effective combat strength since there were not sufficient physically fit men of other ages suitable for infantry work available.

The efficiency with which these replacements have functioned and the fact that the offensive power of the combat units absorbing them has not been lowered is convincing proof of the adequacy of their training.

Mr. AUSTIN. Mr. President, I wish to give the correct title of those hearings. They were held on March 22, 1945, before the Committee on Military Affairs of the House of Representatives on H. R. 2625, an act extending the Selective Training and Service Act of 1940, as amended.

Mr. MAYBANK. Mr. President, it has been my belief that under the able leadership of General Marshall every opportunity has been granted, wherever possible, to afford sufficient training to men inducted into the armed services. I believe this country has been most fortunate in the great military leadership of Gen. George C. Marshall. Earlier today I spoke on the subject of the training of the One Hundred and Sixth Division. For the RECORD I read a statement of the War Department submitted to me by the clerk of the Committee on Military Af-

fairs at my request only a few moments ago:

The One Hundred and Sixth Infantry Division was activated March 15, 1943, and left Army ground forces jurisdiction (in order to go overseas) October 9, 1944.

The One Hundred and Sixteenth Infantry Regiment which is part of the Twenty-ninth Infantry Division, a National Guard organization with Maryland, etc., troops, was inducted in February 1941 and trained in this country until September 1942.

G. I. REPRESENTATION AT SAN FRANCISCO CONFERENCE

Mr. MAGNUSON. Mr. President, a great deal has been said today regarding our G. I.'s. I have long advocated that at the coming Conference to be held at San Francisco some adequate representation be given the G. I. Several days before the departure of our late lamented President for Warm Springs I had the good fortune to talk with him. Among other things, we talked about the G. I. representation at the peace conference. He told me that he was giving the matter serious consideration. He said, however, that what bothered him—and it is what bothers many of us—was how to select the typical G. I. We now have a new President in the White House. I think that perhaps he is also perplexed by the question of how to select the typical G. I.

Mr. President, many persons will attend the San Francisco Conference. At least, many will go to San Francisco. I understand the American Legion will be represented there. The Veterans of Foreign Wars, and other types of permanent organizations of this country, will endeavor to be represented at San Francisco. They will at least be there on the fringes.

A Senator said to me today, "We have a G. I. representative in the person of the ex-Governor of the State of Minnesota." But, Mr. President, he is not the type of G. I. of whom I am thinking. He is just like the Senator who is now speaking; he was a brass hat in the Navy, as I was a brass hat. I am thinking about the typical G. I.

I believe that I have a solution of the difficulty. I suggest to the President of the United States the following method: Let the staff of the Stars and Stripes, or its editor, draw up a standard of qualifications for the man who shall sit at the peace table as the representative of the G. I.'s. Representatives of the Army and Navy may then draw 50 names from the complete list of those who are in the armed services, using the same machinery that was used when the men were drafted. Let those names then be published in the Stars and Stripes, and from it let the staff pick the enlisted man best qualified for the assignment. The staff of the Stars and Stripes is composed wholly of noncommissioned officers. This method, Mr. President, will assure that every man in the armed forces will have an opportunity to be chosen to represent the G. I's, provided he fulfills certain minimum qualifications. It will also allow the men to understand that the selection was not an arbitrary one, and that each man in the armed forces had as good a chance to be selected as any other man. I believe the effect of this procedure would contribute much to the success of the coming San Francisco Conference. It is still not too late to follow this procedure, even though the Conference will begin some time next week.

DAVID B. SMITH

The PRESIDING OFFICER (Mr. MURDOCK in the chair) laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 209) for the relief of David B. Smith, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. O'DANIEL, and Mr. MORSE conferees on the part of the Senate.

KATHERINE SMITH

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H. R. 1567) for the relief of Katherine Smith, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. JOHNSTON of South Carolina, Mr. TUNNELL, and Mr. WILSON conferees on the part of the Senate.

CONTINENTAL CASUALTY CO., A CORPORATION, AND MONTGOMERY CITY LINES, INC.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its agreement to the amendments of the Senate to the bill (H. R. 1307) for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc., and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. ELLENDER. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. ELLENDER, Mr. TAYLOR, and Mr. WILEY conferees on the part of the Senate.

PROGRAM TOMORROW

Mr. BARKLEY. Mr. President, it is obvious we cannot conclude the consideration of the pending measure today. I express the hope that we may do so tomorrow. I have the assurance of Senators on both sides of the aisle, and on both sides of the pending question, that they will cooperate in an attempt to conclude the bill tomorrow. I desire to avoid a session Saturday, if possible.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of the Senate proceedings.)

CONFIRMATION OF POST OFFICE DEPARTMENT NOMINATION

Mr. BARKLEY. Mr. President, I ask unanimous consent, as in executive session, that the one nomination on the Executive Calendar be considered and disposed of.

The PRESIDING OFFICER. The clerk will state the nomination.

POST OFFICE DEPARTMENT

The legislative clerk read the nomination of Harrison Parkman to be purchasing agent for the Post Office Department.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed, and, without objection, the President will be immediately notified.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 51 minutes p. m.) the Senate took a recess until tomorrow, Friday, April 20, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 19 (legislative day of April 16), 1945:

DIPLOMATIC AND FOREIGN SERVICE

Spruille Braden, of New York, now Ambassador Extraordinary and Plenipotentiary to Cuba, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Argentina.

SUPERINTENDENT OF THE MINT

Neal H. Callaghan, of San Francisco, Calif., to be Superintendent of the Mint of the United States at San Francisco, Calif., to fill an existing vacancy.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

W. Cliff Crump, Collinsville, Ala., in place of J. P. Cox, deceased.

Oscar P. Braswell, Delta, Ala. Office became Presidential July 1, 1943.

Arthur G. Finch, Red Bay, Ala., in place of S. W. Wren, transferred.

Samuel Henry Dailey, Tunnel Springs, Ala. Office became Presidential October 1, 1944.

ARIZONA

Herman J. Kielhorn, Williams, Ariz., in place of J. L. Boyce, resigned.

ARKANSAS

Dudley B. Hutchinson, Ashdown, Ark., in place of M. H. Morgan, resigned.

Gordon O. Thomasson, Magazine, Ark., in place of R. L. Cummings, resigned.

CALIFORNIA

Floyd V. Wike, Bryte, Calif. Office became Presidential July 1, 1944.

Logan P. White, Lancaster, Calif., in place of L. C. Rowe, deceased.

Thomas S. Powell, Orosi, Calif., in place of W. A. Oxford, deceased.

Robert A. Bates, Roseville, Calif., in place of M. H. Wiswell, resigned.
Elsie R Wiseman, Standard, Calif., in place of Henry Mendes, deceased.
Bonnie F. Rodenbaugh, Winterhaven, Calif. Office became Presidential July 1, 1944.
Maxwell F Buffum, Yreka, Calif., in place of R. H. DeWitt, Jr., resigned.

CONNECTICUT

William J. Foran, Plainville, Conn., in place of J. T. McCarthy, resigned.

GEORGIA

Mattie K. Pollard, Appling, Ga., in place of F. L. Crawford, deceased.
Jeremiah B. Monk, Moultrie, Ga., in place of Grady Adams, resigned.
Agnese R. Mundy, Rockmart, Ga., in place of D. G. Burnette, resigned.
Isaac Y. Conger, Tifton, Ga., in place of Roy Thrasher, transferred.
Urvie W. Busby, Villa Rica, Ga., in place of F. S. Pope, resigned.

IDAHO

Mave Burns, Osburn, Idaho. Office became Presidential July 1, 1942.

ILLINOIS

Harold Klinke, Alton, Ill., in place of J. L. Lampert. Incumbent's commission expired June 23, 1942.
Victoria J. Ksycki, Dubois, Ill. Office became Presidential July 1, 1944.
Woodrow W. Hynous, Fox River Grove, Ill., in place of J. J. Zeman, retired.
Blanche Nelder, Godfrey, Ill., in place of R. R. Pattison, deceased.
Verna M. Boal, Hillside, Ill., in place of J. R. Maher, resigned.
Foy I. Smith, Joy, Ill., in place of L. O. Kistler, transferred.
Horace E. Hipkins, Liberty, Ill. Office became Presidential July 1, 1943.
Edwin H. Barmore, Winfield, Ill., in place of W. B. Daleiden, resigned.

INDIANA

Eva A. Thompson, Chesterfield, Ind. Office became Presidential July 1, 1943.
Ferd B. Koenig, Etna Green, Ind., in place of J. N. Hight, transferred.
James W. Shafor, Frankfort, Ind., in place of W. G. Thomas. Incumbent's commission expired June 23, 1942.
Leslie C. Weigle, Fremont, Ind., in place of E. V. Myers, transferred.
Nellie K. Kownover, Granger, Ind. Office became Presidential July 1, 1944.
Bernard H. McCann, Lawrenceburg, Ind., in place of Albert Spanagel, retired.
Fred M. Hoppas, Sidney, Ind. Office became Presidential July 1, 1944.

IOWA

George E. Bowers, Alton, Iowa, in place of E. J. Kooreman, resigned.
George W. Oelke, Audubon, Iowa, in place of H. A. Northup, resigned.
Glen W. Irwin, Bedford, Iowa, in place of Eunice Hamilton, removed.
Gerald L. Fickel, Glenwood, Iowa, in place of A. J. Belt, resigned.
Glenn W. Brammer, Grand River, Iowa, in place of E. H. Gilreath, resigned.
J. Burnham Silsly, Lamoni, Iowa, in place of W. H. Blair, resigned.
Homer L. Casey, Lineville, Iowa, in place of P. M. Molleston, resigned.

KANSAS

Mildred M. Beach, Elwood, Kans. Office became Presidential July 1, 1944.
Mary D. Haring, Latham, Kans. Office became Presidential July 1, 1944.
William H. Guthrie, Jr., Leon, Kans., in place of C. C. Doughty, transferred.
Paul Wayne Kirkpatrick, Marysville, Kans., in place of H. M. Brodrick, retired.
Charles W. Horak, Munden, Kans. Office became Presidential July 1, 1944.
Vera M. Lapsley, Prescott, Kans. Office became Presidential July 1, 1944.
Ethel M. Gough, Sharon Springs, Kans., in place of A. L. Hicks, resigned.

KENTUCKY

Anna H. Render, McHenry, Ky., in place of E. E. Warren, deceased.
B. Bates, North Middletown, Ky. Office became Presidential July 1, 1944.
Harry C. Thomas, Owenton, Ky., in place of D. L. Johnson, resigned.
Jessie Mitchell, Salem, Ky., in place of J. H. Mitchell, deceased.

LOUISIANA

Charles A. Batton, Dubberly, La. Office became Presidential July 1, 1944.
Robert W. Human, Sulphur, La., in place of J. F. Ellis, resigned.
Louis A. Dubreuil, Marrero, La., in place of Olivier Dufour, resigned.
Roy M. Taylor, Winnsboro, La., in place of N. D. Womble, deceased.

MAINE

Ida M. Packard, Bethel, Maine, in place of A. E. Herrick, resigned.
Evariste A. Chenard, Chisholm, Maine, in place of A. J. Dupont, removed.
Margaret I. Colby, Coopers Mills, Maine. Office became Presidential July 1, 1944.

MASSACHUSETTS

Stephen A. Boland, Andover, Mass., in place of J. H. McDonald, retired.

MICHIGAN

John B. Springhetti, Bessemer, Mich., in place of S. C. Camilli, removed.
Helen M. Verplanck, Edmore, Mich., in place of B. L. Verplanck, resigned.
Blanche C. Papineau, Ensign, Mich. Office became Presidential July 1, 1942.
Lyman J. Telfer, Henderson, Mich. Office became Presidential July 1, 1944.
Bessie M. Cubalo, Lincoln, Mich., in place of E. V. Adair, resigned.

MINNESOTA

Shirley M. Anderson, Evan, Minn., in place of Frede Westergaard, retired.
Mildred A. Olson, Harris, Minn., in place of I. G. Martinson, resigned.
Jay P. Mortenson, Lyle, Minn., in place of N. E. Fedson, deceased.

MISSISSIPPI

Elvas V. Shove, Biloxi, Miss., in place of J. R. Meunier, retired.
Bessie D. Corban, Fayette, Miss., in place of Ulabelle Lehmann, resigned.
Wyatt W. Curtis, French Camp, Miss. Office became Presidential July 1, 1943.
Agnes E. Olivier, Mississippi City, Miss. Office became Presidential July 1, 1943.
Albert E. McGee, Wesson, Miss., in place of G. A. Decell, transferred.

MISSOURI

Geraldine T. Johnson, Ash Grove, Mo., in place of Fred Hulston, transferred.
Roy F. Irvin, Festus, Mo., in place of M. H. Dreyer, removed.
Cordie Opal Price, Green Castle, Mo., in place of I. N. Knowles, transferred.
Jesse J. Ayer, Lancaster, Mo., in place of L. E. Barnett, deceased.
David M. Weems, Neosho, Mo., in place of R. S. Kenney, removed.
Hazel A. Pollock, Powersville, Mo., in place of C. R. Ethington, transferred.

NEBRASKA

Samuel Broekema, Hickman, Nebr. Office became Presidential July 1, 1944.
Genevieve W. Pilkington, Wallace, Nebr., in place of Lula Newman, resigned.

NEVADA

Ruth L. Adair, Panaca, Nev., in place of M. E. Bauer, resigned.

NEW HAMPSHIRE

Raymond L. Jenkins, Reeds Ferry, N. H. Office became Presidential July 1, 1944.
Benning W. Noyes, Salem Depot, N. H., in place of D. E. Stevens, resigned.

NEW JERSEY

Joseph Bearlepp, Bernardsville, N. J., in place of Jane Jolliffe, resigned.
John J. McMinn, Butler, N. J., in place of R. B. Kinney, removed.
Louis E. Burkhardt, East Millstone, N. J. Office became Presidential July 1, 1944.
Lealutard L. Bignell, Elmer, N. J., in place of E. H. Wheatley, resigned.
Laura L. Ware, Glassboro, N. J., in place of C. L. Ware, resigned.
Walter C. Battle, Monroeville, N. J., in place of J. C. Wiltsee, deceased.
Helen M. Phelan, Wayne, N. J., in place of A. C. Kelleher, resigned.

NEW MEXICO

Margaret G. Mellichampe, Monista, N. Mex. Office became Presidential January 1, 1945.

NEW YORK

Fred R. Chandler, East Williamson, N. Y., in place of I. B. Ameele, resigned.
Edward T. Sheehan, Grand Island, N. Y. Office became Presidential July 1, 1943.
Maybella A. Wilber, Hillsdale, N. Y., in place of G. J. Petith, resigned.
Orrin B. Brockway, Hobart, N. Y., in place of N. G. Squires. Incumbent's commission expired January 21, 1939.
Mildred E. Hermanns, Holbrook, N. Y. Office became Presidential July 1, 1944.
John J. Bennett, Westbury, N. Y., in place of Charles O'Connor, resigned.

NORTH CAROLINA

Marlin Grady Bishop, Browns Summit, N. C., in place of L. L. Troxler, retired.
Willie E. McGoogan, Lumber Bridge, N. C., in place of S. E. Cobb, retired.
Lucy A. Williamson, Turkey, N. C. Office became Presidential July 1, 1943.

NORTH DAKOTA

Ischem G. Williams, Dunseith, N. Dak., in place of Francis Higgins, resigned.
Alvin N. Anderson, Marion, N. Dak., in place of Cleo Flugga. Incumbent's commission expired August 19, 1941.

OHIO

Mahla E. Stafford, Caledonia, Ohio, in place of H. J. Kightlinger, transferred.
David F. Mayer, Harrod, Ohio. Office became Presidential July 1, 1943.
Elizabeth E. Lennex, Millbury, Ohio. Office became Presidential July 1, 1944.
William Corrigan, Morrow, Ohio, in place of Everett Bennett, transferred.
Mae H. Jones, South Point, Ohio. Office became Presidential July 1, 1943.
Lillian M. Droescher, Terrace Park, Ohio. Office became Presidential July 1, 1942.
Helen Santulla, Washingtonville, Ohio. Office became Presidential July 1, 1944.

OKLAHOMA

Green B. Combs, Owasso, Okla. Office became Presidential July 1, 1943.

OREGON

Josephine M. Hogue, Grass Valley, Oreg., in place of I. D. Pike, retired.
Bessie K. Gardner, Huntington, Oreg., in place of J. W. Bubb, resigned.

PENNSYLVANIA

Grace Malley Ward, Bairdford, Pa. Office became Presidential July 1, 1944.
Carl W. Heckert, Bakerstown, Pa. Office became Presidential July 1, 1944.
Florence J. Bierer, Bobtown, Pa. Office became Presidential July 1, 1942.
Virgie Yasosky, Hannastown, Pa. Office became Presidential July 1, 1944.
Irene McKay, Larimer, Pa. Office became Presidential July 1, 1943.

Rose O. Corteal, Leisenring, Pa. Office became Presidential July 1, 1944.
Anne G. Byron, McGrann, Pa. Office became Presidential July 1, 1944.
Helen K. Griffin, Waverly, Pa., in place of C. W. Carpenter, resigned.
Howard L. Parsons, Westfield, Pa., in place of H. B. Davis. Incumbent's commission expired June 23, 1942.
Walter D. Butz, Breinigsville, Pa. Office became Presidential July 1, 1944.
Isabel M. Hull, Fort Loudon, Pa. Office became Presidential July 1, 1944.
Agnes Campbell DeArmond, Green Ridge, Pa. Office became Presidential January 1, 1945.
B. Dale Dickson, Ingomar, Pa. Office became Presidential July 1, 1944.
Frank J. Langan, Jessup, Pa., in place of T. R. Lawler, resigned.
Eula A. Kauffman, New Stanton, Pa. Office became Presidential July 1, 1943.
Kenneth W. McIntyre, Sharpsville, Pa., in place of Karl Smith, retired.

PUERTO RICO

Carmen Villalobos, Canovanas, P. R. Office became Presidential July 1, 1943.
Rafael Castaneda, Humacao, P. R., in place of M. P. de Velazquez, not commissioned.
Luisa Rodriguez, Naguabo, P. R. Office became Presidential July 1, 1943.

SOUTH CAROLINA

William A. Richbourg, Liberty, S. C., in place of W. A. Richbourg. Incumbent's commission expired June 23, 1942.

TENNESSEE

Roy A. Gilbert, Jackson, Tenn., in place of T. G. Hughes, deceased.
George E. Bowling, Oak Ridge, Tenn. Office became Presidential April 1, 1944.
Clyde J. Mahan, Russellville, Tenn. Office became Presidential July 1, 1944.

TEXAS

Collier M. Yeury, Howe, Tex., in place of D. P. Slaughter, deceased.
Andrew J. LeRibeus, Angleton, Tex., in place of E. D. Harris, retired.
Louella Elam, Milano, Tex., in place of L. M. Peeples, transferred.
Willie E. Warren, Paint Rock, Tex., in place of J. W. Waide, transferred.
Ward O. Barker, Sulphur Bluff, Tex., in place of G. S. Barker, transferred.
Donald E. Williams, Seagraves, Tex., in place of M. T. Cain, deceased.

VERMONT

Edward J. Duzinski, Essex Junction, Vt., in place of A. P. Lonergan, removed.
Alice C. FitzSimonds, Underhill, Vt. Office became Presidential July 1, 1943.

VIRGINIA

Cecile B. Thompson, Blairs, Va., in place of B. O. Johnson, retired.
Sarah Ella Kirkland, Bonny Blue, Va., in place of A. B. Lay, resigned.
Edgar C. Michael, Brodnax, Va. Office made Presidential July 1, 1944.
Henry C. Humphrey, Trevilians, Va., in place of O. E. Hancock, retired.

WASHINGTON

Clare F. Lee, Colville, Wash., in place of Elliot Curry, resigned.
George A. Bremner, Jr., Lynden, Wash., in place of W. A. Bauman, removed.

WEST VIRGINIA

Hugh A. Christie, Everettville, W. Va. Office became Presidential July 1, 1943.
Lindsey C. Foster, Pennsboro, W. Va., in place of V. L. Connell, resigned.
Ethel N. Tuggle, Peterstown, W. Va., in place of D. G. Miller, resigned.
Fred A. Williams, Princeton, W. Va., in place of J. B. Shrewsbury, resigned.
Jack R. Michael, Prichard, W. Va. Office became Presidential July 1, 1944.

WISCONSIN

Alice A. McHugh, Holmen, Wis., in place of H. S. Smith, deceased.
John H. Irish, Laona, Wis., in place of W. H. Brown, resigned.

CONFIRMATION

Executive nomination confirmed by the Senate April 19 (legislative day of April 16), 1945:

POST OFFICE DEPARTMENT

Harrison Parkman to be purchasing agent for the Post Office Department.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 19, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Harry E. Brooks, pastor, First Methodist Church of Bainbridge, N. Y., offered the following prayer:

Almighty God, Creator, Sustainer, Redeemer, for whose life, providence, and fellowship we cannot adequately appreciate or praise Thee, we give Thee thanks for Thy favor to this country since the inception of its history. We thank Thee that out of the ashes of adversity, phoenixlike, we have been brought to new hope, influence, and power. We pray that in the prospect or in the midst of victory we may be humbly reliant on Thee. In the midst of adversity and loss, we pray that we may be exalted through Thy comfort and sustaining grace. Bless Thy servant upon whom has so suddenly been thrust the responsibility of leading this great people. May he be replenished by divine wisdom and courage. Endow, we pray Thee, the officers and Members of this House with wisdom, discretion, and sound judgment which is from above. Bless all the deliberations of this day, and to Thy glorious name shall be praise, Father, Son, and Holy Ghost, both in time and eternity. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On April 16, 1945:

H. R. 201. An act for the relief of the Dempsey Industrial Furnace Corporation;
H. R. 206. An act for the relief of St. Vincent's Infirmary and Dr. Alvin W. Strauss;
H. R. 266. An act for the relief of the Southern Bitumen Co., of Ensley, Ala.;
H. R. 990. An act to provide for the reimbursement of certain civilian personnel for personal property lost as a result of the Japanese occupation of Hong Kong and Manila;
H. R. 1094. An act for the relief of the Jay Taylor Cattle Co., Amarillo, Tex.;
H. R. 1344. An act for the relief of George Webb; and
H. R. 2013. An act to extend for 1 year the provisions of an act to promote the defense of the United States, approved March 11, 1941, as amended.

On April 17, 1945:

H. R. 202. An act for the relief of Angelina Bourbeau;
H. R. 510. An act granting to Galveston County, a municipal corporation of the State of Texas, certain easements and rights-of-way over, under, and upon the San Jacinto Military Reservation in Galveston County, Tex.;
H. R. 787. An act for the relief of Murray B. Latimer;
H. R. 791. An act for the relief of H. J. Blexrud estate;
H. R. 807. An act for the relief of Mrs. Wilma Louise Townsend;
H. R. 933. An act for the relief of Margaret G. Potts;
H. R. 945. An act for the relief of Fred Clouse and Mrs. Emily G. Clouse;
H. R. 1012. An act for the relief of A. P. Scarborough and J. D. Ethridge;
H. R. 1079. An act for the relief of Ray L. Smith;
H. R. 1135 An act for the relief of Gus A. Vance;
H. R. 1324. An act for the relief of Leo Edward Day and Phillip Tamborello;
H. R. 1396. An act for the relief of Anne Loacker;
H. R. 1483. An act for the relief of Mrs. W. V. Justice;
H. R. 1492. An act for the relief of Florence J. Sypert, administratrix of the estate of Leona Connor Childers;
H. R. 1539. An act for the relief of Dr. David R. Barglow; and
H. R. 1716. An act for the relief of Mrs. Sue B. Bowen, as administratrix of the estate of Clyde Bowen, deceased.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a joint resolution of the House of the following title:

H. J. Res. 106. Joint resolution to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort.

The message also announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of Commerce.
3. Department of the Interior.
4. National Archives.
5. Tennessee Valley Authority.
6. United States Maritime Commission.

SMALLER WAR PLANTS CORPORATION

Mr. SPENCE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 105) to extend the life of the Smaller War Plants Corporation.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the gentleman explain the bill? I also understand there is a proposed committee amendment. Will the gentleman explain that also?

Mr. SPENCE. Mr. Speaker, the bill merely extends the life of the Smaller War Plants Corporation to December 31, 1946. It grants it no additional powers. It does not authorize expenditure of any additional money. It merely extends the life of this Corporation. At this time I think we all recognize the necessity of its continuance. We also have a committee amendment. The committee amendment provides that the Chairman and Board of Directors of the Smaller War Plants Corporation shall be appointed by the President with the advice and consent of the Senate. Heretofore, the Board of Directors of the Smaller War Plants Corporation has been appointed by the Chairman of the War Production Board. We thought the proper procedure in regard to these important appointments should be in the ordinary manner, by the President, with the advice and consent of the Senate. The amendment has the unanimous approval of the Committee on Banking and Currency.

Mr. WOLCOTT. I think it should be stated also that last year we increased the capital of the Smaller War Plants Corporation by $200,000,000. For that reason there was no additional money in this bill. As I understand it, heretofore the life of the Smaller War Plants Corporation was coterminous with that of the War Production Board. This puts a very definite limitation upon the life of the Corporation and the proposed amendment has set it up as an independent agency of the Government, the Directors to be appointed by the President, by and with the advice and consent of the Senate instead of by the War Production Board.

Mr. RICH. Will the gentleman yield?

Mr. WOLCOTT. I yield.

Mr. RICH. Will this Corporation be audited by Mr. Lindsay Warren?

Mr. SPENCE. I think the Comptroller General will audit it; yes, sir.

Mr. MICHENER. Mr. Speaker, further reserving the right to object, this is the same bill that was discussed informally among the members yesterday?

Mr. SPENCE. Yes.

Mr. MICHENER. It was not called up yesterday by unanimous consent in order that those who had any question about it might make investigation. As I understand, there is no objection this morning, and therefore I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the first sentence of section 4 (d) of the act entitled "An act to mobilize the productive facilities of small business in the interests of successful prosecution of the war, and for other purposes," approved June 11, 1942, as amended, is amended to read as follows: "The Corporation shall not have succession beyond December 31, 1946, except for purposes of liquidation, unless its life is extended beyond such date pursuant to an act of Congress."

Mr. SPENCE. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. SPENCE: Page 1, after line 8, insert the following section:

"SEC. 2. (a) Section 4 (c) of such Public Law 603 is amended to read as follows:

"'(c) The management of the Corporation shall be vested in a board of five directors who shall be appointed by the President, by and with the advice and consent of the Senate, from among individuals who are familiar with the problems of small business. The President shall designate one of the members as chairman.

"'(b) Notwithstanding the amendment made by subsection (a) of this section, the members of the Board of Directors of the Smaller War Plants Corporation holding office at the time of the enactment of this act shall continue in office until five members have been appointed pursuant to section 4 (c) of such Public Law 603 as amended by this section.'"

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

THE LATE FRANKLIN DELANO ROOSEVELT

Mr. LEFEVRE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LEFEVRE. Mr. Speaker, as the representative for the Thirtieth Congressional District of the State of New York which includes Dutchess County, the home county of the late Franklin Delano Roosevelt, I rise in personal tribute to the most honored resident of my district.

His sudden passing just a week ago today is an unquestionable tragedy. Like the late Calvin Coolidge, "In a moment, in the twinkling of an eye," Franklin D. Roosevelt passed into the great beyond, and no warning foreshadowed his going.

Because of this serious loss, we, as true Americans, must rise above partisanship, above party disagreements, and unite with a determination to assure our new President and our representatives to be sent to the United Nations Conference that we are solidly back of them in the tremendous task of preserving and strengthening the unity among the Allied Nations and in bringing about a total victory over our enemies and a permanent world peace.

PERMISSION TO ADDRESS THE HOUSE

Mr. BAILEY. Mr. Speaker, on yesterday I asked and secured unanimous consent on the legislative day of Friday to address the House for a period of 30 minutes. I now ask unanimous consent to withdraw that permission and that I may be permitted at the close of the regular and special business today to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

EXTENSION OF REMARKS

Mr. MAY asked and was given permission to extend his remarks in the RECORD and include therewith a press release by a former Member of the House, Mr. Samuel B. Pettengill, on Moving Day.

Mr. SABATH asked and was given permission to extend his remarks in the RECORD and include therein two editorials and two articles.

Mr. MAHON asked and was given permission to extend his remarks in the Appendix and include a resolution.

KEY BASES IN THE PACIFIC

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. MAHON addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ALLEN of Louisiana asked and was given permission to extend his own remarks in the RECORD and include therein a résumé of certain resolutions of the American Legion.

Mr. TOLAN asked and was given permission to extend his own remarks in the RECORD and include an editorial.

Mr. WASIELEWSKI asked and was given permission to extend his own remarks in the RECORD and include a talk he gave last Sunday in his district.

Mr. PRICE of Illinois asked and was given permission to extend his own remarks in the RECORD in two instances and in each to include certain articles.

Mr. OUTLAND asked and was given permission to extend his own remarks in the Appendix and include two statements on Bretton Woods.

WILL ROGERS

Mr. OUTLAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OUTLAND. Mr. Speaker, the afternoon papers of yesterday carried the story of the wounding in action in Europe of a former distinguished Member of this House, Will Rogers, of California.

I am certain I express the sentiments of all the membership of this body when I say that we wish Bill full, complete, and speedy recovery.

PERMISSION TO ADDRESS THE HOUSE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes today after the completion of the legislative business and all prior special orders.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

EXTENSION OF REMARKS

Mr. GREEN asked and was given permission to extend his own remarks in the RECORD and include a resolution.

Mr. RYTER asked and was given permission to extend his own remarks in the RECORD and include therein a resolution adopted by representatives of the Protestant, Catholic, and Jewish faiths in Bridgeport, Conn., recently.

Mr. LESINSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an article entitled "Wanted—a Polish Poland not a Soviet-Lublinized Poland."

I am advised by the Public Printer that it exceeds the limit established by the Joint Committee on Printing and that it will cost $156. Notwithstanding the cost I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding the cost, without objection, the extension may be made.

There was no objection.

ERNIE PYLE

Mr. HARNESS of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

[Mr. HARNESS of Indiana addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. MERROW asked and was given permission to extend his own remarks in the Appendix of the RECORD and include therein the text of H. R. 2800 and notes explanatory thereof.

Mr. McGREGOR asked was given permission to extend his own remarks in the RECORD and include therein a short tribute to Mr. and Mrs. Albert Endres, of Coshocton, Ohio, who haxe six sons in the military service.

Mr. ENGEL of Michigan asked and was given permission to extend his own remarks in the RECORD and include therein a resolution passed by the Muskegon (Mich.) Chamber of Commerce, pertaining to the disposition of war plants.

FOOD SCARCITY

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, the food situation is growing worse each day. I received letters and newspaper articles today from restaurants in the district I represent, reporting the closing of restaurants at which many of the employees in plants producing war materials and supplies take their meals. The refusal of the requests to grant additional red points, in many cases, is responsible for these closings. I am convinced that a great majority of the restaurant and hotel operators throughout the country are facing a very critical situation respecting the food necessary to continue their businesses. One letter came from a man who operates a restaurant which has been feeding many war workers, and he has been forced to close his business for the period of 1 month, because of the scarcity of food and the lack of red points.

Mr. Speaker, all of these people engaged in that business are being urged to support the war effort—but they are forced to discontinue their business by these agencies of Government—and the result is, the operator loses his business and profits, the Government loses the income tax, the Government loses the withholding tax of the employees, the producer of the food loses a market for his commodities, and the operator of this business, with all employees and suppliers, are unable to aid in the war effort.

The food situation is becoming more serious daily. Many people have been injured recently in an effort to secure food commodities from the counters, because of the rush. Police have been called to hold back crowds in many places where food was available, and that fact became known. The end is not yet in sight. The agencies of Government must do something about this situation, or greater difficulties will result in this country.

EXTENSION OF REMARKS

Mr. COLE of Kansas asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. ANDREWS of New York asked and was given permission to extend his remarks in the RECORD in two instances; in one to include a statement by the Citizens' Committee on Military Training and in the other a copy of a letter from the Secretary of State in regard to our relations with the present government of Italy.

Mr. THOMAS of Texas asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. RABAUT asked and was given permission to extend his remarks in the RECORD on the subject of the astounding production of the Chrysler Corporation to the war effort.

Mr. WEISS asked and was given permission to extend his remarks in the RECORD and include an editorial.

VETERANS' PENSIONS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. STEVENSON. Mr. Speaker, according to the provisions of Public Law 242, enacted by the Seventy-eighth Congress, the monthly rate of pensions payable to veterans and widows of veterans of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, upon reaching the age of 65 years, was increased—under the provisions of the act of May 24, 1938—principally for the purpose of taking care of the increased cost of living since the date of the passage of this act.

However, the comparatively few veterans and their widows who have not reached the age of 65 years have not received any increase in their monthly pension. The cost of living has increased the same for those veterans and their widows. To remedy this situation and to provide the veterans and widows of veterans of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, with an increase in monthly pension to partially take care of the increased cost of living for these veterans and their widows, I have introduced a bill to grant increased pension to the veterans and widows of veterans of the War with Spain, the Philippine Insurrection, or the China Relief Expedition, whose pension has not been increased by recent legislation. This will increase their existing monthly pension by 15 percent, and will partially take care of their increased cost of living.

I am happy to say that this proposed bill has the endorsement of the Veterans of Foreign Wars of the United States, as well as the support of the United Spanish War Veterans.

This bill has been referred to the Committee on Pensions, of which I am a member, and I trust the committee will vote the bill out for favorable consideration by the House, without delay.

IOWA CORN SITUATION

Mr. HOEVEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. HOEVEN. Mr. Speaker, thousands of bushels of corn are rotting on the farms of northwest Iowa, due mainly to the lack of boxcars to get the corn to market. I have here a sample of corn taken from one of the cribs in that territory which came to my office on yesterday. This corn is in a bad state of deterioration. It was worth 80 cents a bushel 6 weeks ago, and is now worth about 15 cents a bushel on the market.

I contacted the Office of Defense Transportation when the emergency was first called to my attention early in March. Immediate relief was promised. I was advised that boxcars were being rushed from the eastern seaboard to the Midwest. However, 30 days have elapsed, and apparently the situation is getting worse instead of better.

I called O. D. T. again on yesterday urging that boxcars be rushed into Iowa as fast as possible so that the damaged corn could be moved before there was a total loss. I was advised that 1,960 cars a day were now being moved through Chicago and St. Louis into the critical territory, and that everything humanly possible was being done to meet the emergency.

Something very definitely must be done at once if thousands of bushels of corn now rotting on the farms of Iowa are to be saved. The Senate is conducting an investigation of this problem at the present time. In view of the emergency, I call upon the Interstate and Foreign Commerce Committee of the House of Representatives to lend its influence and its cooperation in meeting a situation which demands immediate attention.

ERNIE PYLE

Mr. LYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LYLE. Mr. Speaker, there are millions of tired, dirty, and bewildered brave men, American soldiers throughout the world, who would like to say that they are grateful that so good and kind and understanding a man as Ernie Pyle has lived. We, with whom he shared the bloodiness and dirtiness of battle, are sorry, sir, that we cannot have his counsel and his wisdom and understanding in our quest for peace. Mr. Speaker, in justice to Ernie Pyle and the millions of brave men, I feel that it behooves us to pay this kind of tribute: A sincere and earnest quest for peace, supported as enthusiastically and unselfishly as has been our struggle for victory. And to Ernie Pyle, sir, we say: "Well done, brave man."

Mr. WEISS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. WEISS addressed the House. His remarks appear in the Appendix.]

ESTATES OF DECEASED VETERANS

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DOYLE. Mr. Speaker, I call your attention to the bill I introduced yesterday, H. R. 2941. If this bill is enacted into law it will make unnecessary the administration of any estate left by any veteran to his widow or his children. The only people who benefit by the administration of estates of deceased veterans, leaving out insurance, which is not covered in this bill, are the courts and the lawyers. I am a member of the bar, and I know very well that the lawyers of America are not interested in earning money which will be taken out of the pockets of the widows and the children of the men who die in the armed forces.

PAPER SALVAGE

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, 20,000,000 pounds of paper is a lot of paper. To illustrate this statement in more tangible terms, I would like to cite three examples given to me by the director of the paper-salvage drive now being conducted by the War Production Board. These three examples deal with food, medical supplies, and combat fighting materials.

Twenty million pounds of scrap paper will make 11,790,000 cartons for ration K; this is the food ration carried into combat by our fighting men while actually under fire; 20,000,000 pounds of scrap paper will make 3,600,000 blood-plasma containers, or 20,000,000 pounds of scrap paper can be turned into 306,000 protective bands for 500-pound bombs. In addition, there are countless weekly community newspapers whose problem needs relief very much, indeed.

That amount of paper can be saved right now if proper action is taken. I refer to the disposition of used election ballots now being held, according to law, by the registrar of voters of each county in each State. The laws of the several States specify that these election ballots must be held for a certain length of time after the election. After the time stipulated has expired, all of these millions of ballots must be destroyed. The date for destroying these ballots is now at hand in nearly every State and speedy action must be taken if the paper is to be saved for future use. Though no particular method of destruction is specified in most State laws, the fact is that most States do this by burning the ballots, thus rendering the ashen remains useless for salvage purposes. This same destruction can be accomplished by shredding the ballots to bits rather than burning them. I have written to Mr. J. A. Krug, Chairman of the War Production Board, urging him to contact the Governors of the several States, requesting them to take action to save this paper, so that the paper shortage faced by our Nation today may be further alleviated by the reprocessing of the paper represented in these millions of ballots.

Mr. Speaker, I think that you will agree that this is a matter of substantial importance and one requiring immediate action. It is for this reason that I respectfully urge every Member of the House to lend his support to this endeavor in his own individual State.

Mr. BEALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

[Mr. BEALL addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one an editorial from the Chattanooga Times and in the other a letter from Eric Underwood.

Mr. DURHAM asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. LEMKE asked and was given permission to extend his remarks in the RECORD.

ERNIE PYLE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, one of the finest ways, I think, in which we can pay tribute to the late Ernie Pyle, since he will not be here himself to fight for the rights of veterans, is for us to do everything in our power to see that the veterans he loved so dearly and whom he saw wounded have their rights defended; to make sure that they are given the best possible care, medically and in every other way, that any servicemen in the world every received; and that their widows and dependents be given every possible care and attention. I believe that will be a living memorial to Ernie Pyle.

SHORTAGES

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the morning papers tell us that at last war has come to Washington. I am not referring to the fact that the press carries the information that there are 69 casualties from the Washington area or to the fact that 5 of those men are dead, that 11 are missing. I am referring to the press notices that there is a shortage of meat in the city—not only a shortage, but that many markets have none. I am referring also to the fact that yesterday the House restaurant did not have any butter. That is just too bad—think of it, no butter or meat. Those two shortages are among the most beneficial that have happened in Washington since the beginning of the war. If we can have here in Washington a shortage not only of meat and of butter but of cigarettes and of liquor and of clothing and a few more of the essential things that the people throughout the country have had to go without, it may be a good thing, and perhaps will result in some beneficial legislation coming out of the Congress. Official Washington should be made to realize that war means something besides increase in opportunity to make political progress—increase in compensation—additional titles—gold braid—increased spending—drinking, eating, and entertainment—that it means suffering and death—if more people who seem to be indifferent to war's results were empty and hungry—were cold and without shelter, some of the false glory of war would fade and we would put our minds to the task of making its end our sole objective.

REPRESENTATIVE PLOESER

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I think in all fairness, in view of the numerous inquiries which have been made of me with respect to the whereabouts today and yesterday of the gentleman from Missouri [Mr. PLOESER], a valuable mem-

ber of the Subcommittee on Appropriations for the Navy as he is, I ought to say that although he had prepared himself, as some of those interested know, to be present and to help defend the committee in the presentation of certain features of the bill, he was summarily called home day before yesterday by the serious and acute illness of a member of his family. He had to go. That is all there is to it. He has our sympathy; we regret his absence.

VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES—H. R. 2055 FOR THE RELIEF OF BEN GRUNSTEIN

The SPEAKER laid before the House the following veto message from the President of the United States, which was read, and with the accompanying papers referred to the Committee on Claims and ordered to be printed:

To the House of Representatives:

I return herewith without my approval the bill (H. R. 2055) for the relief of Ben Grunstein. This bill proposes to provide for a refund to Ben Grunstein, of Hudson County, N. J., in the sum of $1,000 paid by him in partial satisfaction of a judgment against him for the sum of $2,500 on a forfeited bail bond of one Reuben Finn, on which he was surety; and to relieve him of the obligation to pay any further sums owing as a result of the judgment.

It appears that Finn was arrested on June 26, 1939, in Glen Ridge, N. J., on a charge of violating the White Slave Traffic Act, which had been filed in the southern district of Indiana. He was released on bond in the sum of $2,500, on which Ben Grunstein was surety. Finn was subsequently indicted in the southern district of Indiana, but failed to appear. A judgment on the bail bond was thereafter entered against Ben Grunstein in the United States District Court for the District of New Jersey in the sum of $2,500 and costs.

In January 1942, Finn was located and arrested in Houston, Tex., by agents of the Federal Bureau of Investigation. He was removed to the southern district of Indiana, where he pleaded guilty and was sentenced to a term of imprisonment for 3 years. Grunstein has made a partial payment in the sum of $1,000 on account of the judgment. It is now proposed to refund this amount to him, as well as to relieve him of the obligation to pay the balance of the judgment .

It appears that the Government has incurred considerable expense in searching for and apprehending Finn, as well as removing him from the place of arrest to the place where the case was disposed of. The Department of Justice has estimated these expenses as approximating the sum of $1,000. While from time to time private bills have been enacted to relieve sureties on forfeited bail bonds in cases in which the defaulting defendant was later apprehended and convicted, and the Government sustained no prejudice beyond incurring additional expenses, these bills generally have not extended relief to the surety in the full amount of his obligation, but have provided for a deduction in the amount of expenses incurred by the Government. The bill under consideration fails to make this adjustment.

Because of this circumstance, I am constrained to withhold my approval of this legislation.

HARRY S. TRUMAN.

THE WHITE HOUSE, *April 19, 1945.*

EXTENSION OF REMARKS

Mr. NORRELL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. KIRWAN] may extend his remarks in the Appendix of the RECORD and include therein a short editorial from the Youngstown Vindicator under date of April 15.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

TREASURY AND POST OFFICE DEPARTMENTS APPROPRIATIONS, 1946

Mr. LUDLOW. Mr. Speaker, I call up the conference report on the bill (H. R. 2252) making appropriations for the Treasury and Post Office Departments and for other purposes, and I ask unanimous consent that the statement of the managers on the part of the House may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2252) "making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 8, 9, 11, 20, 21, and 25; and agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$36,650"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$710,800"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$553,250"; and the Senate agree to the same.

Amendment numbered 15: That the House recede from its disagreement to the amendment of the Senate numbered 15, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$879,000"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$454,740"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$120,600"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$291,800"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$405,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,073,375"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$956,250"; and the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$960,000"; and the Senate agree to the same.

LOUIS LUDLOW,
EMMET O'NEAL,
THOMAS D'ALESANDRO, Jr.,
HERMAN P. KOPPLEMANN,
JOHN TABER,
FRANK B. KEEFE,
HARVE TIBBOTT,
Managers on the part of the House.

KENNETH MCKELLAR,
PAT MCCARRAN,
J. W. BAILEY,
WALLACE H. WHITE, Jr.,
CHAN GURNEY,
CLYDE M. REED,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2252) making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendments Nos. 1 and 2: Appropriate $10,000 for the salary of the Fiscal Assistant Secretary of the Treasury as proposed by the Senate.

Amendment No. 3: Eliminates authority for the Bureau of Accounts, Treasury Department, to pay the expenses of attendance at meetings as proposed by the Senate.

Amendments Nos. 4 and 5: Eliminate authority for the Bureau of Narcotics, Treasury

Department, to pay the expenses of attendance at meetings and reduce the appropriation for such Bureau from $1,168,900 to $1,167,400, as proposed by the Senate.

Amendment No. 6: Authorizes the appointment of one inspector of the White House Police as proposed by the Senate.

Amendment No. 7: Appropriates $230,000 for salaries, White House Police, as proposed by the House.

Amendments Nos. 8 and 9: Eliminate authority for the Treasury Department to pay the expenses of attendance at meetings concerned with the work of the Procurement Division and reduce the appropriation for disposal of surplus property by such Division from $15,000,000 to $14,999,000, as proposed by the Senate.

Amendment No. 10: Eliminates language, proposed by the Senate, to prevent expenditure by the Procurement Division of appropriation for disposal of surplus property until such Division is authorized by the Surplus Property Board to dispose of particular lots or categories of surplus property.

Amendment No. 11: Appropriates $247,450 for salaries, office of the Postmaster General, as proposed by the Senate.

Amendment No. 12: Appropriates $36,650 for salaries, Office of Budget and Administrative Planning, in lieu of the sums proposed by the House and Senate.

Amendment No. 13: Appropriates $710,800 for salaries, office of the First Assistant Postmaster General, in lieu of the sums proposed by the House and Senate.

Amendment No. 14: Appropriates $553,250 for salaries, office of the Second Assistant Postmaster General, in lieu of the sums proposed by the House and Senate.

Amendment No. 15: Appropriates $879,000 for salaries, office of the Third Assistant Postmaster General, in lieu of the sums proposed by the House and Senate.

Amendment No. 16: Appropriates $454,740 for salaries, office of the Fourth Assistant Postmaster General, in lieu of the sums proposed by the House and Senate.

Amendment No. 17: Appropriates $120,600 for salaries, office of the Solicitor, in lieu of the sums proposed by the House and Senate.

Amendment No. 18: Appropriates $291,800 for salaries, office of the chief inspector, in lieu of the sums proposed by the House and Senate.

Amendment No. 19: Appropriates $405,000 for salaries, Bureau of Accounts, in lieu of the sums proposed by the House and Senate.

Amendments Nos. 20 and 21: Eliminate authority for the Post Office Department to pay the expenses of attendance at meetings and reduce the appropriation for contingent expenses of the Post Office Department from $135,000 to $133,000 as proposed by the Senate.

Amendment No. 22: Appropriates $3,073,375 for salaries, post-office inspectors, in lieu of the sums proposed by the House and Senate.

Amendment No. 23: Appropriates $956,250 for travel and miscellaneous expenses, post-office inspectors, in lieu of the sums proposed by the House and Senate.

Amendment No. 24: Appropriates $960,000 for salaries, clerks in post-office inspectors' offices, in lieu of the sums proposed by the House and Senate.

Amendment No. 25: Reappropriates the unexpended balance of the appropriation "balances due foreign countries, 1943" and makes such balance available for the fiscal year 1946 and prior years, as proposed by the Senate.

LOUIS LUDLOW,
EMMET O'NEAL,
THOMAS D'ALESANDRO, Jr.,
HERMAN P. KOPPLEMANN,
JOHN TABER,
FRANK B. KEEFE,
HARVE TIBBOTT,
Managers on the part of the House.

Mr. LUDLOW. Mr. Speaker, this is a unanimous report, agreed to by all of the managers.

I move the adoption of the report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

NAVY DEPARTMENT APPROPRIATION BILL, FISCAL YEAR 1946

Mr. SHEPPARD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 2907), making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 2907, with Mr. STIGLER in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

BUREAU OF SUPPLIES AND ACCOUNTS

PAY AND SUBSISTENCE OF NAVAL PERSONNEL

For pay and allowances, subsistence, and transportation prescribed by law for naval personnel, including reserves on active duty—

Pay and allowances: Officers, active duty, no part of which shall be available for increased pay for making aerial flights, by more than 91 officers above the rank of captain nor by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; midshipmen; officers, retired, inactive; enlisted personnel, active, including cash prizes for men for excellence in gunnery, target practice, communication, engineering competition and additional pay for duty as messmen; enlisted men, retired, inactive; men of the Fleet Reserve, inactive; nurses, female, active; nurses, female, retired, inactive; 6 months' death gratuity, officers, nurses, and enlisted personnel; cash allowances for uniforms for officers; clothing furnished annually to enlisted personnel and issued in kind to members of the Navy Nurse Corps, or cash in lieu thereof; civilian clothing, including an overcoat when necessary, the cost of all not to exceed $30 per person to enlisted personnel given discharges for bad conduct, undesirability, unsuitability, or inaptitude; reimbursement in kind or in cash as authorized by law to persons in the naval service, for personal property lost, destroyed, or damaged; including reimbursement, under rules prescribed by the Secretary, of naval personnel who furnish from their personal stock subsistence and clothing to shipwrecked and destitute persons; purchase of medals, crosses, bars, emblems, and other insignia; miscellaneous items, including hire of quarters for officers serving with troops where sufficient quarters are not possessed by the United States to accommodate them; rent of quarters for members of the Nurse Corps; and hire of quarters for naval personnel, comparable to quarters assignable on a capital ship, as authorized by the Secretary to meet emergency conditions, including officers and men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable: *Provided*, That under this authorization no funds may be expended for the hire of quarters for occupancy by the dependents of officers or enlisted personnel; interest on deposits by enlisted personnel; losses in the accounts of Navy, Marine Corps, and Coast Guard officers certified under the act of July 11, 1919 (31 U. S. C. 105), and the act of June 10, 1921 (31 U. S. C. 104), and payments in settlement of claims under the act of January 2, 1942 (31 U. S. C. 224d); total pay and allowances, $6,061,770,000: *Provided*, That, except for the public quarters occupied by the Chief of Naval Operations, the Superintendent of the Naval Academy, and the Commandant of the Marine Corps, and messes temporarily set up on shore for officers attached to seagoing vessels, aviation units based on seagoing vessels (including officers' messes at naval air stations), submarine bases, overseas bases (including Alaska), mobile hospitals, landing forces and expeditions, and such bachelor officers' quarters and messes as may be specifically designated by the Secretary and, in addition, not to exceed 300 in number at such other places as shall be designated by the Secretary, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;

Mr. SHEPPARD. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SHEPPARD: On page 14, line 13, strike out the words "subsistence and transportation" and insert in lieu thereof the words "and subsistence."

Mr. SHEPPARD. Mr. Chairman, this is merely a correction to conform with the title in line 12. A separate provision has been made in the bill for the transportation of naval personnel, beginning on page 8 of the bill.

The amendment was agreed to.

Mr. VINSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, under this heading, "Bureau of Supplies and Accounts," I desire to respectfully invite the attention of the committee to that portion of the able report dealing with this department of the Navy, wherein it says:

Included in the amount is $100,446,795 for mileage and transportation of officers, which is at a per capita rate of $315.33.

This is the important part: The Marine Corps uses a per capita rate for its officer personnel of $181.

There may be some justification for some differences, but not for such a margin as the one the figures indicate. The committee is proposing the application of the Marine Corps rate to the Navy, which accounts for the reduction of $42,790,000.

I particularly invite the committee's attention to the fact that the distinguished Subcommittee on Naval Appropriations recognizes that there should be some difference in the per capita cost of transportation between the Marine Corps and the Navy. They recognize it, yet when they come to apply it they apply the same figures. I think it highly important that the House know that there is a difference in the cost of transportation of officer personnel in the Navy as

compared with the Marine Corps, and if you will bear with me briefly I believe I can demonstrate to a mathematical certainty that there is justification for a difference and that the difference should be recognized. I am not going to quarrel with the committee as to whether recognition of the difference should be the difference between $181 and $315, but we cannot escape the conclusion that there is a difference that should be recognized in the appropriation. What is the reason for it?

Let us take aviation. How does a civilian become an officer in the aviation group? He is not taken up from the street and immediately made an aviation officer. The art of aviation and the requirements of its personnel are so technical and important that he must go through various training groups. What are they? First, he goes to a preflight school. There are four preflight schools in universities throughout the country. After he stays there for a length of time, he goes to what is known as the primary flight training, which is not at the university where he first started, but at some other site where the Navy gives the student his first flight training in planes. After 3 or 4 months of primary flight training, he is transferred to another station, where he is given what is known as intermediate flight training. One is established in Corpus Christi, one at Pensacola, and one at Jacksonville. After he finishes at one of these schools, he is given his wings and a commission, and then he goes to what is known as operational training. There are four different steps that the candidate who goes into the Navy to become an aviation officer must take before he is ready for combat duty or any other assignment as a naval aviator, and each of these is at a different place in the country.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. VINSON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. That is the reason for the higher travel cost in the case of naval aviation officers than in the case of the training of the marine officer. What happens with the marine?

The civilian in the Marine Corps goes where? He goes to Quantico, Va., and then to New River, N. C., or to Camp Pendleton on the west coast. He has only two steps, and that is the end of his training. In the Navy, to be qualified as a Navy aviator, he has got to take this progressive training, and in doing so he goes from one section of the country to another. It cannot all be done at the same place. Where he takes his primary training is at one place, and where he has his intermediate training is at another place. Where he takes his operational training is still another place. The same thing is true in reference to the V–12 students, from which group you get your officer personnel to become deck officers. He has to go, first, to a midshipman's school and from that school he then goes to one of the specialist schools, such as ordnance, gunnery, or engineering training, and then to the fleet, or where his services are needed by the Navy, and in all that travel it is much more extensive than the travel required for a marine officer.

I did not want this opportunity to go by without an explanation. It is in the report that the training to qualify these men to become officers should be upon the same basis that qualifies one to become a marine officer. While the committee recognizes in the report that the per capita rate is not the same and that there may be some justification for some difference, yet no differentiation is made when the appropriation is made nor is there any justification given for keeping it at the same rate. I yield back the remainder of my time.

The Clerk read as follows:

No part of the appropriations or contract authorization in this act under the Navy Department shall be used for a permanent type of construction at any shore establishment of any character acquired subsequent to the calendar year 1938, unless such establishment shall be designated by the Secretary as a permanent establishment, and, in that event, a permanent type of construction shall be used only to meet such permanent requirements as the Secretary may approve: *Provided*, That nothing herein shall prevent construction of a type sufficiently substantial for the use intended nor apply to construction projects now under contract or in progres: *Provided further*, That no part of such appropriations or contract authorization may be used for the construction of quarters, including heating and plumbing apparatus, wiring and fixtures, for greater amounts per unit than follow:

Permanent construction:

For commissioned officer, $10,000.

For commissioned warrant or warrant officer, $7,500.

For enlisted man, $6,000.

Temporary construction:

For commissioned officer, $7,500.

For commissioned warrant or warrant officer, $5,000.

For enlisted man, $3,500.

The fixed fee to be paid the contractor as a result of any contract hereafter entered into under this appropriation or contract authorization shall not exceed 4 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary.

Mr. ROBSION of Kentucky. Mr. Chairman, I move to strike out the last word. I see this provides for the payment of $986,000,000 for the cost of land. Is that in the United States or its possessions, or in other countries?

Mr. SHEPPARD. That applies to advance-bases construction.

Mr. ROBSION of Kentucky. Where is that? Is it a military and naval secret where these are to be built?

Mr. SHEPPARD. I am sorry, but I cannot enter into a discussion of that.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

I rise to state my feeling in respect to recognition for the Naval Reserves, and I know it must be the feeling of everybody in the United States. We know that the Naval Reserves have performed marvelous service. I understand that 90 percent of the men who are doing the fighting and the dying, are Naval Reserves. Also 80 percent of the instructors at Annapolis are Naval Reserve officers.

Mr. Chairman, I hope that the Navy Department is recognizing those Naval Reserves and giving them the consideration and the promotions that they so richly deserve. The Navy and the country knows when the war is over that the strength and interest of the Navy will be found among the Naval Reserves. It is only common sense and good judgment that the Navy Department recognize that fact and treat them with justice.

I would like to pay a tribute to Admiral King who has been charged with the conduct of the fighting and of the operations of the Navy. Not only in the fighting has he excelled but also in the transportation of our troops in the air and by sea. He has transported millions of men and women and matériel safely. Certainly, the undying gratitude of the United States and the people of the world should go to him.

For a long time, and before Pearl Harbor, Mr. Chairman, I have favored and spoke to the Congress about our securing in any way possible bases in the Atlantic and in the Pacific necessary for our defense. I am delighted at the agitation and work that is being done regarding the retention of the bases in the Pacific that are so essential to our security. In a statement by Admiral King he said:

Failure to maintain these bases essential for our defense raises the fundamental question—how long can the United States afford to continue a cycle of fighting and building and winning and giving away, only to fight and build and win and give away again? Rich as we are, we do not have the human or physical resources to dissipate our patrimony, generation after generation, in this manner.

It is high time, Mr. Chairman, that the United States as a Government realizes that we cannot throw away our resources, the land and the bases and the islands that are so necessary for our protection. If we keep on doing that it will mean suicide for the United States. No other country in the world would have done or is doing what we are doing today. It is high time we woke up.

Mr. MILLER of Nebraska. Mr. Chairman, I move to strike out the last three words. I do this, Mr. Chairman, for the purpose of getting some information from the chairman of the committee, the gentleman from California [Mr. SHEPPARD]. I notice in the item on Medical Department, page 23 of the bill, $120,000,000 is to be expended. I also notice in the CONGRESSIONAL RECORD of yesterday this would provide for some 90,000 hospital beds in 1946. Are those hospital beds within the United States or outside the United States?

Mr. SHEPPARD. The paragraph to which the gentleman is referring applies to all hospitals of the Navy, outside and inside the continental United States.

Mr. MILLER of Nebraska. Are those hospitals of a permanent type of structure?

Mr. SHEPPARD. Some of them are and some of them are not. Some of them are in the temporary category.

Mr. MILLER of Nebraska. Is it the plan of the Navy to make those available to the Veterans' Administration, for instance, after the fighting is over, or will they be in addition to what the Veterans' Administration will have and will be carried on by a separate organization in the Navy?

Mr. SHEPPARD. Those which are temporary will be retained by the Navy until such time as they are turned over to the jurisdiction of the Veterans' Administration.

Mr. MILLER of Nebraska. They will eventually pass over to the jurisdiction of the Veterans' Administration?

Mr. SHEPPARD. The purely naval hospitals will remain in the Navy unless they should be declared surplus, which nobody at this time anticipates.

Mr. MILLER of Nebraska. We would hardly anticipate that after the war is over the Navy would need 90,000 beds, unless they are going to go into the care of veterans who were in the Navy. I am concerned as to what will happen to these extra hospitals and beds. In view of the fact that the Veterans' Administration is going to need additional beds as the years go by to take care of the men who are discharged from the military services, I thought that perhaps there were some beds here that might be available for that purpose.

Mr. SHEPPARD. All those hospitals that are not of a permanent character would be made available to the other departments of the Government.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MILLER of Nebraska. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Is it not true that Admiral McIntire and the Navy Department have planned to have enough beds to care for all of the Navy, because the Veterans' Administration has not built the number of beds it should have built?

Mr. SHEPPARD. Enough are provided to take care of the Navy's needs. The Navy's requirements are all that are under consideration in this bill.

Mrs. ROGERS of Massachusetts. Does not the gentleman feel that Admiral McIntire and his medical corps have given the Navy very fine care. I went over the hospitals in England and Italy and the Navy men there have excellent care. I have also found fine care in Navy hospitals in this country.

Mr. SHEPPARD. I think they have done a magnificent job.

Mr. MILLER of Nebraska. I am not criticizing, I am just looking for information as to these additional beds. The Congress made available some $500,000,000 for some veterans' facilities. So far, the Veterans' Administration has made little or no move toward the construction of additional hospitals for the care of the veterans who have been discharged from these services. I believe the peak load will come in 1967. But assuming there will be a need for some additional beds, if these beds that will be surplus in the Navy can be used for the care of the veterans of this war, I think it would be a proper move.

The Clerk read as follows:

BUREAU OF AERONAUTICS—AVIATION, NAVY

For aviation, as follows: For new construction and procurement of aircraft and equipment, spare parts and accessories, including expansions of and facilities in public or private plants, $799,128,500; for replacement of navigational and radio equipment for aircraft in service, aerological, photographic, and miscellaneous equipment, including repairs thereto, $168,808,200; for maintenance, repair, and operation of aircraft factory, air stations, fleet, and all other aviation activities, accident prevention, testing laboratories, overhauling of planes, technical books and periodicals for use in the Bureau of Aeronautics and field, outfits for aviation messes, the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, and for care and operation of a school at one air station for the children of commissioned, enlisted, and civilian personnel of the Navy, $1,431,840,800; for continuing experiments and development work on all types of aircraft, including the payment on a strictly part-time or intermittent employment basis in the District of Columbia or elsewhere, solely under the Bureau of Aeronautics, of such scientists and technicists as may be contracted for by the Secretary, in his discretion, at a rate of pay not exceeding $25 per diem for any person so employed, $81,272,500; in all, $2,481,050,000: *Provided*, That the unobligated portion of the contract authorization under "Aviation, Navy, 1945" shall remain available until June 30, 1946, and in addition to the amounts herein provided, the Secretary may, prior to July 1, 1946, enter into contracts for new construction and procurement of aircraft and equipment, spare parts and accessories, to an amount not in excess of $425,000,000: *Provided further*, That the appropriation "Aviation, Navy, 1943," shall remain available until June 30, 1946, for the payment of obligations incurred under contracts executed on or before June 30, 1943: *Provided further*, That the Secretary is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of $1,000.

Mr. HEDRICK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HEDRICK: On page 27, line 24, after "private plants", strike out "$799,128,500" and insert "including airport facilities at Charleston, W. Va., Naval Ordnance Plant, $802,128,500."

Mr. SHEPPARD. Mr. Chairman, I make a point of order against the amendment.

Mr. BAILEY. Mr. Chairman, will the gentleman reserve the point of order?

Mr SHEPPARD. I reserve the point of order, Mr. Chairman.

Mr. BAILEY. Mr. Chairman, whether or not this amendment is held germane to the main provisions of the bill is beside the point. There is a story which I think this Congress should know in connection with the intent of this amendment.

Back in 1917 at the outbreak of the First World War the Navy Department decided to build in the city of South Charleston, W. Va., a huge naval ordnance plant costing some $30,000,000 or $35,000,000. At the end of the First World War they used good judgment and did not sell it for a song, like some of the other properties that were sold, but they kept it in a good state of repair and a detachment of marines was kept there throughout the years.

At the outbreak of the Second World War in 1941, they authorized and expended an additional $75,000,000 to expand this naval ordnance plant. I presume that that ordnance plant will be continued throughout the years as a matter of good judgment.

About the time this ordnance plant was being enlarged, the Defense Plant Corporation decided to build a synthetic rubber plant nearby, and in doing so decided to take over the municipal airport and did take over the municipal airport, which involved some $1,400,000. They were told that they would be supplied with an airport, and it was suggested to them that they make it a county proposition in order that the county and city could vote bonds, and they were told that proper assistance would be given them in the construction of a new airport. The citizens voted $3,000,000. I know this to be true. The State of West Virginia was a party to the agreement and the State was obligated to spend $100,000 to build a highway to the new airport.

There was some legal technicality involved in the first bond issue and the courts declared it as improperly held. It was necessary to hold a second bond issue vote, which they did, but by the time that was cleared and the bonds legalized, they were advised there was no Federal money. As to that Federal money, they were advised to come to Washington, which they did, and they met with the Airport Approval Board. That Board is made up of the Secretary of War, the Secretary of Navy, and the Secretary of Commerce, who happened at that time to be the Reconstruction Finance Corporation Director, Mr. Jones. There was a commitment made by Mr. Jones. I am not saying that he committed the entire Board, but there was such a commitment made. We are now told there is no Federal money to match the bonds that have been voted. The contract was let for the airport. There will be about enough local money from that bond issue to build the runways and do all the grading. In the meantime, Charleston is without an airport. We have no air mail even. Our nearest airport facility is across the river from Huntington, the Huntington Municipal Airport at Chesapeake, Ohio. Now, whether or not this is germane to the question involved, I think the Congress should know that there have been Government commitments and that the city of Charleston has no airport and it has not been paid for the one which was taken over. I submit, Mr. Chairman, that it is germane.

The CHAIRMAN. Does the gentleman from California [Mr. SHEPPARD] desire to be heard on the point of order?

Mr. SHEPPARD. Mr. Chairman, I had quite a lengthy discussion with the gentleman from West Virginia [Mr. HEDRICK], and one of his colleagues, on this topic. The property which is involved is owned by the municipality and not by the Navy. There has been no authorization for this item and it is

definitely subject to a point of order. Mr. Chairman, I press my point of order.

The CHAIRMAN. Does the gentleman from West Virginia desire to be heard further on the point of order?

Mr. BAILEY. I do not, Mr. Chairman.

The CHAIRMAN. If the gentleman from West Virginia does not desire to be heard further on the point of order, the Chair is ready to rule. Unless the proponents of the amendment can show that heretofore there has been an authorization for this item the Chair is bound to hold that the amendment is not in order and sustains the point of order.

Mr. VINSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I ask unanimous consent to be permitted to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. VINSON. Mr. Chairman, yesterday it was my privilege to listen to the very thorough and able presentation of this bill by the distinguished chairman of this committee. Not only did I have an opportunity of listening to him, but I read most carefully what he had to say and I find myself in thorough accord with the main statements made. However, I particularly desire to invite the attention of the House to this correct conclusion, merely for the purpose of the RECORD:

> Very frankly the Department may not be able to perform some functions, try as it may, with some of the reduced amounts. If that should develop and the added need can be established as responsive to war demands, we shall expect them to come back.

Mr. Chairman, in the 1945 appropriation bill for the Navy, when the distinguished chairman presented it, it carried total cash, contractual, and reappropriations in the amount of $29,563,729,701.

However, during the fiscal year 1945 it was necessary for the Navy Department to ask supplemental and deficiency appropriations in the amount of $2,219,341,000. So I am frank to say I am apprehensive that the reductions which appear in this bill at this time will of necessity force the Navy Department, in the progress of the war, to come before the deficiency committee and the Congress to ask for additional money.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield.

Mr. ROBSION of Kentucky. On page 7 of the report, as I understand it, we have 4,036,566 men in the Navy, Marine Corps, and Coast Guard. Is that the present strength or the contemplated strength that we will have under this bill?

Mr. VINSON. I imagine that is the present strength, because it is so stated in the bill.

Mr. ROBSION of Kentucky. There is one other question along that line. This bill carries $28,000,000,000, I believe?

Mr. VINSON. That is right.

Mr. ROBSION of Kentucky. If it is not too much trouble, will the gentleman or some member of the committee say—and I am not criticizing at all—what amount the Congress has appropriated from 1940 up to this time for the Navy?

Mr. VINSON. About $108,000,000,000.

Mr. Chairman, the main purpose of my rising at this time is to call attention, as I did yesterday, to what I consider a very important matter. In the appropriation for the aviation-navy, as reported by the committee, there is a departure from the fixed policy of the Congress that has been in existence since 1922, the inception and creation of the Bureau of Aeronautics. For some 23 years the Congress has adopted the policy, and wisely so, in making its appropriation to the Bureau of Aeronautics, to carry flexibility, or a lump-sum appropriation. Why was it necessary to do that? Let me reminisce a moment. Aviation 25 years ago was not as popular in thought and was not as effective in war as it is today. It had to grow up by degrees. So the Congress wisely had to have some protection for aviation, some nursing of the development of aviation. So it did two wise things: One, we established and put into the Navy Department a champion for aviation and designated him as Assistant Secretary of the Navy for Air.

Twenty-three years ago when the Bureau of Aeronautics was created, the line admirals and the country had not the vision to see that aviation would develop and become a great part in war as it is today. Nevertheless, at that time there were a few champions who believed in aviation. So Congress thought those champions should have a spokesman in the Navy Department to fight aviation's battles. Then, for a complete development of aviation without any restraint whatsoever, the Congress said: "We will give you a lump sum of money. You can take what Congress gives you and use it in your training, in your experiments, in purchasing airplanes, and you can use it for repair facilities," and so forth. That has gone along for twenty-some-odd years, yet today in the very midst of war when if there was prior justification for fluid appropriations it certainly exists in wartimes, yet we find this distinguished committee coming in now and changing the specific appropriations for specific activities of the Bureau of Aeronautics. Understand I am not talking about the amount of money involved at all. It is broken down into four categories—construction of aircraft, instruments, maintenance and operation, and experiments. For the first time this committee has earmarked and said how much money could go into construction of aircraft; and it gave them exactly what they asked for.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. VINSON. I yield with pleasure; yes.

Mr. TABER. Perhaps the way the Navy Department has acted and met its responsibilities during the war period has brought this situation about. I am going to give an illustration which, in my opinion, stinks. Out of funds allocated to the Bureau of Yards and Docks for war purposes there has been allocated funds for the construction of a vast building over on the other side of the river in amounts and at a time when it never should have been done. That situation applies throughout the Department, and it means that we should go ahead and make specific appropriations and retain the control of this situation in Congress.

Mr. VINSON. Let me say to the distinguished gentleman from New York, ranking minority member of the Committee on Appropriations, that in the very next paragraph in the item for yards and docks they are given a lump-sum appropriation with no restriction whatever.

Mr. TABER. And that is wrong.

Mr. VINSON. Nevertheless, the gentleman is doing it right today.

Mr. TABER. That would not be the way I would do it myself.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. VINSON. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Georgia?

Mr. VINSON. Let us analyze it and see if it stands on good firm ground. Permit me to say that in peacetimes I am 100 percent for the complete itemization and break-down of every Government expenditure; and heretofore, except in aviation it has always been broken down. We did it on every item in bills up until the time we got into this war. For instance, when we used to appropriate money for ships it was distinctly understood and named what ships were going to be built; and that is the correct way to make an appropriation. We are in war today, however, and the war is not over by any means, much to our regret.

In the matter of the construction of aircraft it might happen under this appropriation that they did not need the entire $799,000,000. It stands unused, impounded; it could not be used for the purchase of instruments when, as a matter of fact, it might be most necessary to buy instruments to operate the planes to meet the constant changes in aviation development.

I say in wartime this department should have flexibility to use the total amount of the money that the Congress has given it, and buy either aircraft, instruments, or pay for maintenance or experiments.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. VINSON. Yes.

Mr. KEEFE. It is a fact, is it not, that the total of the appropriations that have been allowed by the committee, set up for specific purposes, represents the amount which the Navy requires, in a lump-sum appropriation to carry out those functions?

Mr. VINSON. Exactly.

Mr. KEEFE. And that in justifying those specific items the Navy has stated the amount they need for airplanes, for instruments, for facilities, and so on?

Mr. VINSON. Yes; but suppose the war changes, and instead of buying these airplanes it must have a certain amount for maintenance. Then they have to come to Congress and say that they cannot maintain these airplanes, that they

cannot repair them, yet they have $50,000,000 of idle money for the purchase of aircraft. I say that in wartime the Navy Department should have the flexibility within the total amount of the money to use it either for the purpose of maintenance, the purchase of instruments, or for the purchase of aircraft. As it is, if it so happens they have to buy more aircraft than $799,000,000 worth, they have to come back to the Congress. Yet they have in hand $168,000,000 for the purchase of instruments and they need only $100,000,000 for that purpose, which leaves $68,000,000, we will say, unaccounted for and they have to have authority to get a transfer, or a direct appropriation from the committee for the purchase of aircraft. They should have discretion as to how it can be used in case emergencies arise.

Mr. TABER. Not once since this war began has there been any shortage of funds on the part of the Navy Department, provided by the Congress.

Mr. VINSON. That is correct.

Mr. TABER. Also this is true, that the only way that we can be sure of preventing waste, as much as possible, all the way along the line, is by the Congress keeping control, and itemized appropriations are the way that the Congress keeps control. If the Congress wants to abdicate its functions, and have an easy job and turn things over to the Navy, that is one thing, but if the Congress wants to do its duty and make specific appropriations, that is another.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. VINSON. Mr. Chairman, I ask unanimous consent to proceed for 1 minute more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. VINSON. Mr. Chairman, I agree thoroughly with the conclusions of the gentleman from New York with reference to peacetime. I agree that it should be itemized and justified, but in wartime, you have to have flexibility. To show the inconsistency, here is the most important arm of the Navy, here is the life blood of the Navy, and yet you are restricting it. Yet in the next paragraph, in the building of cantonments and shore establishments, you say, "We will give you a lump sum of money." They were right in doing that, because you cannot tell whether it is justified to build this, that, or the other and flexibility is needed there. It ought also to be applied in this instance.

Mr. PLUMLEY. Yes; but the distinguished chairman must admit, with all his enthusiasm with respect to what the Navy wants, in the last analysis this reduces itself to a matter of fact, a question of legislation and a matter of judgment on the part of the committee as to what it should do now.

Mr. VINSON. The total amount of money is identically the same. There is not a question of dollars and cents in it. The gentleman from Vermont brings that in. I am not asking to increase the total amount but I am asking that the Bureau of Aeronautics, in developing aviation and in fighting the war, have the flexibility that the war may require them to have in the expenditure of the money. After aviation has been nursed along, after the Congress has developed it as it has been developed over the protests of great men in this country, until today the whole Navy is built around aviation, I would hate to see us come in here now and try to strangle aviation by saying to them, "We will break down your total amount of money, and you can spend only so much for this and so much for that, and if you have any surplus you will have to let it stand there and you may not use it."

I have no amendment to offer. If the committee and the Congress want to follow that sort of a policy in war times, it is up to them to do so. I do not think now is the time to take such a step.

Mr. KEEFE. Mr. Chairman, I move to strike out the last word.

I take this time, Mr. Chairman, merely to see if I cannot understand the argument of the distinguished chairman of the Committee on Naval Affairs. This bill carries for the Bureau of Aeronautics, in the item which I understand the gentleman complains of, the exact amount that the Navy has requested in total for the various activities of the Bureau of Aeronautics; that is true, is it not?

Mr. VINSON. No; I am not involved in that feature, but I will admit that for the sake of the argument.

Mr. KEEFE. All right. The complaint, then, that the gentleman makes arises out of this situation: The rules and regulations of the Congress in its appropriating machinery require the Navy Department to come before the subcommittee and justify the items of the requests which they make. The Navy does justify them item by item. They do come before the committee and say, "We will need so much money for the construction of certain airplanes; we will need so much money to purchase so many instruments; we will need so much money to do this or that in connection with the operation of the Bureau of Aeronautics." The committee then says to the Navy, "All right, gentlemen, we will give you the sums that you say are necessary for these specific purposes." And the committee recommends that the Congress give it to them. But the committee says, "We are going to give it to you by giving you the amount that you say is necessary for airplane construction. We are going to give you the amount that you say is necessary for instruments. We are going to give you the amount that you say is necessary for these other things, but we are going to earmark these funds for the purposes for which the funds were justified by the Navy."

What is wrong with that? The Navy Department now comes in, through the argument made by the distinguished gentlemen, and says, "Yes; you are giving us every dollar that we have asked for. However, although we have justified the items just as the committee has given them to us, we are asking you not to require us to spend the money for the purposes for which we asked for the funds, but ask that you appropriate a lump sum, and let us spend the money in a manner different, if we see fit to spend it, than we justified to the Congress of the United States."

With all of the faith I have in the great Navy Department of this Government, from some things I know about I think it is high time that the Congress of the United States begins to watch some of these expenditures that are being made under lump-sum appropriations.

The gentleman has said in his argument that if the Navy Department justifies the need for a certain number of airplanes it must have flexibility of operation so that if in the course of operations it decides that it does not need that number of airplanes, it can take the money and use it for some other purpose——

Mr. VINSON. Specified in the bill.

Mr. KEEFE. That they never justify before the Congress.

Mr. VINSON. No; the gentleman misunderstands me. Of course they should not do that.

Mr. KEEFE. Then what would they use it for?

Mr. VINSON. They should use it for something that the war conditions have developed is more important right then, that is, within the total amount of money.

Mr. KEEFE. You are leaving the discretion as to the expenditure of the money to somebody else than the people's representatives when you do that.

Mr. VINSON. Not at all, because you have given them the total amount of money they say they need. The emergencies may justify the abandonment of one program that they had when they presented the bill and the inauguration of a program which they did not have when they came before the committee.

Mr. KEEFE. Then all I can say to the gentleman is this. I have seen deficiency appropriation items come before this Congress and be passed in a matter of hours.

Mr. VINSON. That is true.

Mr. KEEFE. The gentleman knows that.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. KEEFE. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. KEEFE. If a situation ever arises such as the distinguished gentleman has referred to, there is nothing in the world to prevent the Navy Department from coming to the Congress and saying, "Gentlemen, a situation has arisen which has changed the picture which we presented when we asked you for these funds. We now find that we do not need this amount of money for airplanes. We now find that we do not need this money for instruments. However, we find that we need some money for something else, and we are asking the permission of the Congress to use the funds that you have appropriated for airplanes and instruments for this new project." They could get approval of that and they have received approval in similar conditions in a matter of hours

from the Congress that is in constant session.

It seems to me, therefore, that there is no substance in the argument the gentleman has made against the action of the committee in attempting on the part of the Congress to exercise some supervision and control. We must not become so emotionally inclined that we can take the position that the Navy can do no wrong.

I know of many places where they have squandered money and thrown it away in a manner that has caused apprehension on the part of the people in and out of the service. I think it is high time that the Congress of the United States, that under the Constitution is charged with this responsibility, should exercise its responsibility. All the Navy Department has to do is to come up here and say what they want. The distinguished gentleman has already stated that the Congress has always given them every dollar they have needed for the prosecution of this war and given it to them on time so that they could carry on.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I do not recall any instance in which the Navy has made a request that the Congress has not complied with it and then added some additional to it.

Mr. KEEFE. I do not know of a single one.

I merely take this time because while I am not a member of that subcommittee, I want to compliment the distinguished chairman of the subcommittee and the other members of that subcommittee, who have had the courage to change a practice that appears to have been traditional in the matter of handling the funds of the Navy and bring the Navy Department into line with the other departments of the Government under control of the Congress in the matter of the expenditure of public funds.

The Clerk read as follows:

In all, $598,767,000, to be accounted for as one fund.

Mr. SHEPPARD. Mr. Chairman, I offer a committee amendment.

The Clerk read as follows:

Amendment offered by Mr. SHEPPARD: On page 34, line 7, before the period, insert ", and of such sum, $50,000,000 shall be immediately available."

The amendment was agreed to.

Mr. ANDERSON of California. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I was tremendously and favorably impressed by the carefully considered remarks of the gentleman from New York [Mr. WADSWORTH] yesterday when he discussed the vitally important subject of the Japanese-mandated islands in the Pacific. I am sure that he expressed the attitude of a majority of my colleagues when he stated his concern over the possibility that these important stepping stones to the Far East might be assigned to an international trusteeship rather than to the United States in perpetuity.

It becomes increasingly apparent that our State Department is also concerned over the subject which will surely rise to plague the delegates to the world conference in San Francisco. It is my hope that this vexing question will be amicably settled and that the interests of the United States in these important island bases will be adequately protected.

However, Mr. Chairman, I did not ask for this time to discuss the mandated islands, but to examine a somewhat parallel matter that is of equal importance to the men who have fought and are fighting the war in the Pacific today. We all know that, in addition to the Japanese-mandated islands, there are other important islands in the Pacific that belonged to one or another of our allies before they were captured by Japan early in the war. Some of these have been won back by American forces at a frightful cost in American lives. What is going to be done about them?

Take the comparatively small and right now relatively unimportant island of Tarawa. After the war it may be even less essential as a base than it is now. There was a time, however, not very long ago when Tarawa was of extreme importance—when it marked another turning point and another milestone in the beginning of our real offensive against the Japanese Empire. It was a British possession prior to its capture by the Japs and it is under the British flag again today.

Now, Mr. Chairman, no matter what flag flies over Tarawa, it will always belong to the hundreds of brave young United States Marines who fought and died there and whose bodies lie buried there today. Part of the cream of America's youth paid the supreme sacrifice on the beaches of Tarawa in order to insure the fact that freedom and justice will again prevail in the world. Tarawa is their memorial. What can we as Americans do to preserve it?

Cannot we negotiate with our allies to obtain such islands as Tarawa for all time? It is not my intention to provoke any international arguments or to attempt to create any international incidents on the eve of such an epochal event as the San Francisco Conference. I am sure that our British brothers in arms understand our undying and fixed determination to glorify and revere all that the word "Tarawa" now means to the United States. I wonder if they cannot see our side of the question. Let us talk to them about it.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I rise to ask a question of the chairman of the committee. What is the procedure so far as the Medical Corps man and stretcher bearers are concerned? For instance, when they go out and pick up the wounded and are under fire themselves all the time? You know, in the Army those men do not receive the additional $10 a month combat pay and it is a grave injustice that they do not. There have been bills in Congress ever since the opening of this session of the Congress and one was introduced in the last Congress, to give the Medical Corps the same combat pay that the other soldiers receive for combat duty.

Mr. SHEPPARD. There is no difference, no discrimination between the respective services that function in the same capacity.

Mrs. ROGERS of Massachusetts. They are all getting the additional pay?

Mr. SHEPPARD. That is my understanding.

The pro forma amendment was withdrawn.

The Clerk read as follows:

SEC. 109. The Secretary is authorized where necessary to exceed the statutory limit on repairs and alterations to vessels during the fiscal year 1946.

Mr. DWORSHAK. Mr. Chairman, I move to strike out the last word.

I take this time, Mr. Chairman, to make an inquiry of the chairman of the subcommittee as to the necessity of including this provision in the bill. I believe he can give us a little information concerning this section 109. It would appear on the face of it to be legislation, but I believe the chairman may be able to justify its inclusion at this point.

Mr. TABER. If the gentleman will yield to me, I believe it is a requirement that is necessary so that battle casualties among ships may be repaired.

Mr. SHEPPARD. That is partially correct; in other words, the basic law places a limitation of $450,000 as the amount that may be expended on one ship in any 18 consecutive months. Since the present emergency Congress has each year reenacted this section and suspended the basic law in order to facilitate operations in that category.

Mr. DWORSHAK. It is virtually a legislative provision, but the authority is essential under wartime conditions.

Mr. SHEPPARD. The gentleman is correct.

By unanimous consent, the pro forma amendment was withdrawn.

The Clerk concluded the reading of the bill.

Mr. SHEPPARD. Mr. Chairman, I ask unanimous consent that following section 120 I may be permitted to insert a clarifying statement as to the intention of the committee as it pertains to the subject matter in that section.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VINSON. Mr. Chairman, will the gentleman from California let the Committee have the benefit of his clarifying statement on the effect of the law? I believe the Committee ought to have knowledge of it.

Mr. SHEPPARD. It will appear in the RECORD but I have no objection, if the Clerk has the statement, to his reading it. I shall be happy to comply with the gentleman's request.

Mr. Chairman, I ask unanimous consent that the Clerk may read the statement referred to.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read as follows:

IN RE SECTION 120

Officers of the military services, when not occupying public quarters, are entitled, by law, to a money allowance.

Owing to great congestion in many areas, it has been necessary to erect a great number of modest, temporary houses for the accommodation of commissioned, enlisted, and civilian personnel, for which a nominal rental is charged.

Such temporary housing falls in the category of public quarters and the naval personnel occupants lose their right to commutation of quarters. They forfeit their allowances for quarters and at the same time are charged a nominal rental for quarters, such as they may be.

To remedy that situation, a provision was written into the First Supplemental Appropriation Act, 1945, providing that for the current fiscal year rental allowances should be paid irrespective of occupancy of temporary quarters, such as I have mentioned.

It was proposed in the Budget estimates to continue such authority during the fiscal year 1946. In extending the provision, the committee has modified its phraseology to emphasize the intent that the amount of rental allowance, in effect, shall not be over and above the amount of rental paid by an individual for the temporary quarters provided and occupied.

That is the sole intent and purpose of the provision, and, of itself, it necessitates no change in existing procedure and practice in effecting payments.

Mr. VINSON. Mr. Chairman, will the gentleman yield?

Mr. SHEPPARD. Yes.

Mr. VINSON. I would appreciate it very much, and I think the committee would, if the gentleman from California would give a concrete illustration of the application of this qualification. As I interpret it, if an officer has an allowance of $100, and his rental quarters amount to $80, then he receives only the regular allowance of the amount of his rental quarters. Is that correct?

Mr. SHEPPARD. The gentleman has had considerable discussion of this topic and has shown a considerable interest in it. That is why I am offering this explanation so that there would be, at least, so far as my ability to express it is concerned, no question in the minds of those who might administer the provisions in question as to what the intention of this committee is.

Mr. Chairman, I move that the committee do now rise and report the bill as amended to the House, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. RAMSPECK, having assumed the chair, Mr. STIGLER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 2907) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the bill as amended do pass.

Mr. SHEPPARD. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER pro tempore. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

ADJOURNMENT OVER AND PROGRAM FOR NEXT WEEK

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

Mr. TABER. Mr. Speaker, reserving the right to object, may I ask the majority leader what he anticipates the program for next week will be?

Mr. McCORMACK. I am glad to give that information to the gentleman and the Members of the House.

Monday will be District day.

Tuesday, of course, has been set aside, by resolution previously adopted, for the celebration of Pan-American Day.

On Wednesday we will take up the Department of the Interior appropriation bill. I assume that that will consume all of Wednesday and a part of Thursday, if not all of Thursday. If the conference report on the independent offices appropriation bill is completed, of course that will be brought up. I know of no other matters in conference, but if any are agreed upon they will be brought up.

That is the program up to Thursday of next week. I reserve the right of announcing later on, with notice to the Members, if anything is to be assigned for Friday of next week, assuming the Department of the Interior appropriation bill is disposed of on Thursday.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. WELCH asked and was given permission to extend his remarks in the RECORD and include an article published in the Army and Navy Journal with reference to the American merchant marine.

Mr. GAMBLE asked and was given permission to extend his remarks in the RECORD in two instances and to include editorials in each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. FOLGER] is recognized for 30 minutes.

THE INTERNATIONAL MONETARY FUND AND INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Mr. FOLGER. Mr. Speaker, I am impressed with the thought that one of the most important considerations that can engage the Congress immediately is the consideration of the Bretton Woods agreement designed to establish what we know as a monetary fund and also an International Bank for Reconstruction and Development. It approaches in time near to that time when the conference held at Dumbarton Oaks shall be undertaken to be given force and power in the meeting to be held at San Francisco on the 25th of this month. I believe that the adoption of the bill designed and now pending to put into operation the agreements had at Bretton Woods is one of the strongest cornerstones that will be placed in the structure of peace and security that we are hoping for and praying for throughout the well-disposed world.

The articles of agreement were adopted at the United Nations Monetary and Financial Conference held at Bretton Woods, N. H., July 1–22, 1944. Forty-three nations subscribed to the National Monetary Fund, and one other—Denmark—provisionally. The schedule of quotas in the fund apparently embodies a reasonable and fair allocation and subscription. The subscription to the bank conforms in amounts to substantially the subscriptions to the fund. The total of the subscriptions to the fund is $8,800,000,000. The total of the subscription to the bank is $9,100,000,000, a little larger than the subscription to the fund.

The purposes of the International Monetary Fund are set forth in article I of the agreement. These purposes are definite and in simple fashion—not hard to understand nor to appreciate. They are:

First. To promote international monetary cooperation through a permanent institution which provides the machinery for consultation and collaboration on international monetary problems.

Second. To facilitate the expansion and balanced growth of international trade, and to contribute thereby to the promotion and maintenance of high levels of employment and real income, and to the development of the productive resources of all members, as primary objectives of economic policy.

Third. To promote exchange stability, to maintain orderly exchange arrangements among members, and to avoid competitive exchange depreciation.

Fourth. To assist in the establishment of a multilateral system of payments in respect of current transactions between members, and in the elimination of foreign exchange restrictions which hamper the growth of world trade.

Fifth. To give confidence to members by making the fund's resources available to them, under adequate safeguards, thus providing them with opportunity to correct maladjustments in their balance of payments without resorting to measures destructive of national or international prosperity.

Sixth. In accordance with the above, to shorten the duration and lessen the degree of disequilibrium in the international balances of payments of members.

Immediately following these designated purposes, this statement is made:

The fund shall be guided in all its decisions by the purposes set forth in this article.

As to purpose No. 1, there is no involvement, uncertainty or unreasonable undertaking embodied in this purpose. Purpose No. 1 is easily understandable. History and experience certainly make wise the declaration of such a purpose, the agreement to make it effective and the wisdom of entering into such an agreement. To promote international monetary cooperation, by consultation and collaboration on international monetary problems, is certainly to be desired. It may seem a little strange that such an undertaking has not heretofore been made. Surely we have, by this time, reached the point of understanding that such a purpose as is here undertaken and agreed upon, while simple and easily understandable, is indispensable to the welfare as well as to the peace of the world. We are a part of the world. We cannot live to ourselves. Isolationism is a word resented by some but, after all, very descriptive of the disposition of far too many to be selfish. I am convinced that this isolationism is, and will ever be, a continuing factor in bringing about world wars. It is strange that the world has not been able or willing to accept as a truth the statement that "No man liveth unto himself, and no man dieth unto himself." It may be a little unkind to say so, but my regard for my responsibility imposes upon me the necessity to give it as my opinion that economic, political, and spiritual isolationism is the backbone of the opposition to the approval and acceptance of the articles of agreement for an international monetary fund and an international bank for reconstruction and development.

Purpose No. 2 is to facilitate the expansion and balanced growth of international trade. As a part of that purpose, reference is made to the fact that this is expected to contribute to the promotion and maintenance of high levels of employment and real income, and to the development of the productive resources of all members, as primary objectives of economic policy. This is very easily understandable, both as a worthy purpose and a laudable undertaking. Why the world has waited so long to arrive at the appreciation of the value of such a purpose is hardly understandable.

I know that one may be so meticulous and exacting as to question the power of the International Monetary Fund to accomplish either purpose No. 1 or No. 2. I suppose nothing has ever been written or undertaken that would not be subject to the questioning or doubting of one without faith. I remember that Thomas had a faith so small and, at the same time, so exacting as to require that he feel the prints of the nails in His hands and thrust his hand into His side. I should be afraid of a faith even in the good intentions as well as the abilities of my fellow men to accomplish good results as to devote myself almost exclusively to trying to find something wrong.

The third stated purpose is to promote exchange stability, to maintain orderly exchange arrangements among members, and to avoid competitive exchange depreciation. Certainly this objective is to be greatly desired. Without this, we would be confronted with disrupted currency conditions, and with trade and exchange policies and practices which each country might conceive itself to be obliged to adopt, but which would have a most harmful effect on world trade as well as on the peace and security of the world.

The fourth objective or purpose of the international monetary fund is to assist in the establishment of a multilateral system of payments in respect to transactions among members, and the elimination of foreign exchange restrictions, which hamper the growth of world trade. Who can say that this is not a purpose worthy of the undertaking and efforts of the nations of the world? Surely it is most desirable, in the interest of world trade and international cooperation, that exchange restrictions, interfering with the growth of world trade, shall be eliminated and that there shall be established a multilateral system among members providing orderly, economic, and financial cooperation and collaboration among all the countries subscribing to the agreement. In this connection it may be suggested or predicted that countries other than those presently subscribing will find it to their well-being that they themselves become actually and in spirit members of the international monetary fund.

The fifth objective—a most worthy and necessary one—is to give confidence to members by making the fund's resources available to them, under adequate safeguards, thus providing them with opportunity to correct maladjustments in their balance of payments, without resorting to measures destructive of national or international prosperity. By this we shall know, and the members shall know, collectively and severally that through their own cooperation they may have that confidence afforded through the making of the funds resources available under reasonable but adequate safeguards.

The sixth purpose or objective is stated to be that, in accordance with the other objectives or purposes, it may be hoped and expected that these will shorten the depression and lessen the degree of disequilibrium in the international balances of payments of members.

It is hard to conceive of a grander or more efficacious set of purposes and principles set down and outlined than those found in article I, hereinabove specifically referred to, in the articles of agreement to establish this international monetary fund.

It is said that no objection has been made from any quarter in reference to the establishment of the International Bank for Reconstruction and Development. So far as I know, none has been offered. It is urged, however, that there should be only the bank and not with it the fund; strangely, eminent authorities taking the position that the fund is dangerous, but that the bank is safe and desirable.

With great respect, I must say that I am convinced that the two arrangements as contemplated by the articles of agreement are sounder and more to be desired than a single institution with or without the principles and purposes of the one embodied in the other. The International Bank for Reconstruction and Development contemplates and would establish an institution having functions, now particularly required, for reconstruction and development, and the international monetary fund gives assurance to the wisdom of establishing the Bank for Reconstruction and Development. Let us examine the purposes of the bank:

First. To assist in the reconstruction and development of territories of members, by facilitating the investment of capital for productive purposes, including the restoration of economies destroyed or disrupted by war; the reconversion of productive facilities to peacetime needs; and the encouragement of the development of productive facilities and resources in less-developed countries. This is No. 1 of the purposes outlined in the articles of agreement for the establishment of the International Bank. It is quite definite. Reconstruction in the world is needed, and development of territories of member countries by facilitating the investment of capital for productive purposes is surely recognized as indispensable, including, also, the restoration of economies destroyed or disrupted by war; along with these the reconversion of productive facilities to peacetime needs and, in order to make this truly an international undertaking, there is provided the encouragement of the development of productive facilities and resources in less-developed countries. If we should dispose ourselves to keep in mind as a preeminent objective of our own that our country, the United States of America, should always be jealous, or at least zealous, of our welfare, we should but contribute to this by acceptance of the purposes outlined in article I, section 1, of the agreement for the establishment of an International Bank for Reconstruction and Development. Surely we can understand that our own prosperity, peace, and security will certainly be well served by providing a method by which the objectives just recited may be attained and promoted.

Second. Objective or purpose No. 2 is to promote private foreign investments by means of guaranties or participations in loans and other investments made by private investors; and when private capital is not available on reasonable terms, to supplement private investment by providing, on suitable conditions, finance for productive purposes, out of the bank's own capital, funds raised by it and its other resources. This is the recognition of our devotion to private enterprise. It is neither fascism nor communism. I would step aside at this point to say that I do not like the phrase "free enterprise." In this preachment there is too much danger of the acceptance of the idea that private enterprise may be free to work its own will and to follow its own course without regard to the higher motive of contribution to the public weal. There is, however, in this very article and subparagraph the recognition of the important place private enterprise should hold in the national and international economy. There is but one limitation: that capital furnished by private investors shall be available on reasonable terms. It is not believed that any other terms would be desirable or sought.

Analyzing briefly the intentions of the framers and signers of the articles of agreement as set forth in paragraph 2 of article I, we find expressed the objective and purpose to promote private foreign investment, and in order to do so to employ the offices of the International Bank in guaranties or participations in loans and other investments made by private investors.

Third. The third objective or purpose is declared to be to promote the long-range balanced growth of international trade, and the maintenance of equilibrium in balances of payments, by encouraging international investment for the development of the productive resources of members, thereby assisting in raising productivity, the standard of living, and conditions of labor in their territories. This is international cooperation with international collaboration, something that one would hope every person will subscribe to.

How desirable it is to promote the long-range balanced growth of international trade. This is no doubt the result of the foresight of patriotic men and men of good will; men working for the general welfare and for the building of a peace and a security that will have great influence in preventing disruptions, hardships, and disorganizations which have the power and often the effect of leading to ill will, economic warfare, and other dislocations capable of producing again another world war. In this same statement of purpose we find also the expressed hope and belief that through this instrumentality we shall be able to assist in raising productivity, the standard of living and conditions of labor in the various countries of the world. Are we to be content for the span of a very few years to enjoy high standards of living and favorable conditions of labor in our own territory, while others must endure a low standard of living, intolerable labor conditions and, in fact, want and poverty? This may obtain for a while, but it cannot last. Even from the standpoint of a zealous care for our own high standards of living and favorable labor conditions, we surely must realize that higher standards of living that prevail in other countries of the world shall contribute to the continuation and, indeed, to the further elevation of our own living standards, connected with which must follow more favorable conditions of labor, in our own country as well as in other parts of the world. We cannot long enjoy what to so many are the luxuries of life while other nations sleep on beds of straw, go half fed and illy clothed, with little hope for the future. It certainly must be understood and appreciated that the higher the standards of living of the other countries of the world, their peoples, the more they shall require of our own goods, and the greater degree of prosperity we ourselves shall enjoy, and the fewer there shall be within our own territory of those who do not have a job and are compelled to live in want. Selfishness has no long-range promise. It is inevitable that there will be disaster in some fashion.

Fourth. The fourth purpose or objective is one of practical consideration to arrange the loans made or guaranteed by the bank in relation to international loans through other channels so that the more useful and urgent projects, large and small alike, will be dealt with first. This is but the wise recognition of a status in the world and the stated purpose to meet it in a practical way.

Fifth. The fifth stated purpose or objective is that the bank shall conduct its operations with due regard to the effect of international investment on business conditions in the territories of members and, in the immediate post-war years, to assist in bringing about a smooth transition from a wartime to a peacetime economy. Herein again is found an objective and a purpose of due regard to the effect of international investment on business conditions, and a recognition of the need that must be expected in the immediate post-war years; with the purpose to assist in bringing about a smooth transition from a wartime to a peacetime economy. There is here stated, as is found in the fund agreement, the declaration that this institution shall be guided in all its decisions by the purposes above set forth.

THE INTERNATIONAL MONETARY FUND

Following the statement of purposes under article I of the International Monetary Fund agreement there is the provision for membership in the fund. This is set forth in article II. The original members of the fund shall be those of the countries represented at the United Nations Monetary and Financial Conference, whose governments accept membership before the date specified in article XX, section 2 (e). Article XX, section 2 (e), simply says that the agreement shall remain open for signature at Washington on behalf of the governments of the countries whose names are set forth in schedule A, until December 31, 1945. Section 2 of article II, on the subject of membership, states that membership shall be open to the governments of other countries at such times and in accordance with such terms as may be prescribed by the fund. Quotas have been assigned to and accepted by 43 nations, and the forty-fourth nation—Denmark—whose quota shall be determined by the fund after the Danish Government has declared its readiness to sign this agreement, but before signature takes place.

ARTICLE III, QUOTAS AND SUBSCRIPTIONS

The quotas and subscriptions of the 43 countries are set forth in schedule A, and section 1 of article III stipulates that each member shall be assigned a quota, and that the quotas of the members represented at the United Nations Monetary and Financial Conference are those set forth in schedule A. An examination of schedule A does not reveal anything particularly remarkable, but represents, in all probability, the honest and worthy attempt of each of the countries listed to take its part in the establishment of an International Monetary Fund whose purposes and objectives are well conceived, and to which there has not been objection raised.

Certain members of the American Bankers Association, whose names I am not at liberty to mention here, testified before the Committee on Banking and Currency, and of at least one of the higher officials of the American Bankers Association the question was specifically asked:

Do you approve of the purposes and objectives set forth in the agreement with respect to the International Monetary Fund?

The answer was:

I do.

The further question was put to the witness:

Does the American Bankers Association approve of the purposes or objectives set forth in the agreement with respect to the International Monetary Fund?

And the answer was unhesitatingly given:

It does. I am authorized to make that statement.

This was neither astonishing nor surprising. Not only is it to be expected that a member of the American Bankers Association, of high official rank, should approve the purposes and objectives of the fund, but since a committee had been appointed composed, perhaps, of 60 members of the association to present the position of the American Bankers Association on the important subject, it was to be expected that that committee would be authorized to approve the objectives and purposes of the International Monetary Fund. Of course, one would realize that the committee would have the power to disapprove these purposes, but knowing that the American Bankers Association is composed of patriotic men and men of ability one would expect approval and not disapproval.

The framework, with the provisions and stipulations made in the articles of agreement as to the fund, speaking now of the fund, are marvelous, when one considers with what care the purposes and objectives of the fund are set forth and protected.

In article III, section 2, it is required that the fund shall, at intervals of 5 years, review, and if it deems it appropriate, propose an adjustment of the quotas of the members. It may also, if it thinks fit, consider at any other time the adjustment of any particular quota at the request of the member concerned. The need of adjustments may well appear as time goes on. It is well that the fund should have the authority and be chargeable with the duty to review the quotas of the members. And there is given the authority to consider at any other time the adjustment of any particular quota at the request of the member concerned. Circumstances could arise that would make this consideration justified. The section, however, concludes with the statement that a four-fifths majority of the total voting power shall be required for any change in quotas, and no quota shall be changed without the consent of the member concerned.

Some people are very fearful. I have heard the suggestion made that the United States may be required to become a Santa Claus and increase its quota in the fund, and perhaps this related to the bank. I believe it would be well for a great many people to read the book written by Senator ELBERT THOMAS of Utah,

entitled "The Four Fears." If we must give place to conjured fears and imaginative suspicions, we shall hardly get anywhere in providing peace and security in the world. There is quite a difference between justified caution and trumped-up fear. The framers of our Constitution had a hard time. There were some in the Constitutional Convention who were moved by fear and not by faith. There were objections here and objections there, and success was finally despaired of so completely that Benjamin Franklin said:

Let us stop right here. We seem incapable of the task. Let us ask Divine guidance. Let us pray.

This is not an exact quotation, but it embodies the substance of what this great American suggested to the Constitutional Convention when doubts and fears had seemingly overwhelmed so many of its members. It is certain that the suggestion was followed, and then we had a Constitution, one of which I think every American is proud. True, there were some amendments later on, particularly the embodying of the Bill of Rights in the Constitution itself, but in te Constitutional Convention the framework of the Constitution of the United States of America was laid.

Under article III, machinery is provided for conditions that may have developed in the trying days most recently passed, but these are reasonable, carefully conceived, and easily understood. Section 3 deals with subscriptions. It is provided that the subscription of each member shall be equal to its quota and shall be paid in full to the fund, at the appropriate depository, on or before the date when the member becomes eligible under article XX, section 4 (c) or (d), to buy currencies from the fund. Section 4 (c) reads:

When the par value of a member's currency has been established, as is provided for in section 4 (b), either by the expiration of 90 days without notification, or by agreement after notification, the member shall be eligible to buy from the fund the currencies of other members, to the extent permitted in the agreement, provided that the fund has begun exchange transactions.

In section 4 (d) there is outlined the method of ascertaining the par value and establishing it, of a member's currency, for the purposes of the agreement. The provisions are not involved nor strange. A careful examination of the fund agreement must surely lead one to the greatest confidence. For instance, article IV, section 5, deals with the subject of change in par value. Subsection (a) of section 5, reads:

A member shall not propose a change in the par value of its currency except to correct a fundamental disequilibrium.

Subsection (c) reads:

When a change is proposed, the fund shall first take into account the changes, if any, which have already taken place in the initial par value of the member's currency as determined under article XX, section 4. If the proposed change, together with all previous changes, whether increases or decreases, does not exceed 10 percent of the initial par value, the fund shall raise no objection; but if the change exceeds a further 10 percent of the initial par value, the fund may either concur or object.

Withal, the member cannot propose a change in the par value of its currency except to correct a fundamental disequilibrium.

The par value of the currency of each member shall be expressed in terms of gold as a common denominator, or in terms of the United States dollar of the weight and fineness in effect on July 1, 1944. And all computations relating to currencies of members for the purpose of applying the provisions of this agreement shall be on the basis of their par value.

If a member changes the par value of its currency despite the objections of the fund, in cases where the fund is entitled to object, the member shall be ineligible to use the resources of the fund, unless the fund otherwise determines.

Under article V, Transactions With the Fund, definite and reasonable stipulations are made as to how each member shall deal with the fund, the limitation on the fund's operations, conditions governing use of the fund's resources, ineligibility to use the fund's resources, purchases of currencies from the fund for gold, repurchase by a member of its currency held by the fund. In each instance full and ample provision is made for the protection of the fund, unless one is disposed to lay aside his faith in human beings and operate on the basis of fear and suspicion in all things.

There are 20 articles, each with a few sections and a few subsections, making up the agreement for the establishment of the monetary fund. These all relate themselves faithfully to article I, which declares the purposes of the fund.

May I call attention to article XII, which deals with organization and management. Section 1: The fund shall have a board of governors, executive directors, a managing director, and a staff. The board of governors will consist of one governor and one alternate, appointed by each member, in such manner as it may determine. The board of governors may delegate to the executive directors authority to exercise any powers of the board except:

(a) Admit new members;

(b) Approve a revision of quotas;

(c) Approve a uniform change in the par value of the currencies of all members;

(d) Make arrangements to cooperate with other international organizations;

(e) Determine the distribution of the net income of the fund;

(f) Require a member to withdraw;

(g) Decide to liquidate the fund;

(h) Decide appeals from interpretations of the agreement given by the executive directors.

The above enumerated activities may not be delegated. This is mentioned to indicate with what care and caution the organization is established by the agreement. There seems to be a hesitancy on the part of some to agree to the fund, in the fear that some member of the board of governors or of the executive directors, or a number of these, may impose upon the monetary fund; become selfish and deplete the resources. There seems to be less ground for this fear than there would be the fear to establish a bank, because the bank had a board of directors, acting for the stockholders, and the board of directors had a loan committee, and that finally there was one who was a president with some considerable authority. Such a fear as this is born only of a possibility, and is fantastic, no more justified here than in any other business relationship in life.

There are 11 articles in the agreement to establish the International Bank for Reconstruction and Development. It is to be observed that article V, in section 8, dealing with the relationship of the bank to other international organizations, the following appears:

The bank, within the terms of this agreement, shall cooperate with any general international organization, and with public international organizations having specified responsibilities in related fields.

There is to be found in article X, creating the monetary fund, the exact language as appears in the bank agreement. This fact is mentioned in view of the suggestion that the two institutions would be inclined to run in oposition to each other; each to see which could secure the most business, with a rivalry that would be dangerous. There could be little ground for such a fear. While the purposes and objectives of the two institutions, the monetary fund and the bank, are complementary to each other, one has a distinct field and the other another. The combination of the two cannot well be recommended. It is not to be feared, however, that they will engage in disastrous competition with each other, for both the fund and the bank are established to perform separate functions, but the functions of each are essentially helpful to the welfare of both, and both needed.

The depreciating effects of competitive exchange depreciation upon our exports and the disruptive effects upon our imports, which exporters and importers who lived through the thirties' may well testify to, can be avoided by the United States only through participation in an international stabilization agreement. This is the main function and objective of the monetary fund. The provision in the monetary fund for temporary accommodation to countries experiencing short-run pressures on their exchanges will promote exchange stability by giving them time and the fund time to apply suitable corrective measures. The countries becoming members of the fund do not have to grope in the dark and wonder if some well-disposed person or institution will help them in the event of a developing pressure. The assigned quotas, by adding to the monetary reserves potentially at the disposal of countries facing certain temporary difficulties in making payments to other countries on ordinary business transactions, will make it less necessary for them to restrict such payments through exchange controls. As haphazard methods cannot be relied on, foreign countries will not agree to dismantle their own controls, even though bilateral agreements may obtain, and forego restrictive controls in the future, without fairly definite assurance that financial assistance will be available should difficulty be encountered in balancing their international income and outgo.

The fund agreement does not involve a member country in an absolute guarantee of financial resources. The quota allotted a member country is not a checking account. It determines the amount of foreign currencies which the fund authorities, so long as they are convinced that the country is abiding by the purposes of the fund agreement, may normally sell to the applying member. There is nothing alarming about the size of the fund or the quotas. Reliance by members upon their own resources is impressed in the fund proposal, and the larger their reserves the better the chances of successful operation of the fund. And every country a member of the fund will appreciate this fact and be governed by it.

The Board of Governors of the Federal Reserve System has issued a very informative and appropriately brief statement commending both the fund and the bank and giving unqualified approval to each as is proposed. In their statement, direct and intelligent reference is made to the creation of two new international financial institutions, the International Monetary Fund and the International Bank for Reconstruction and Development. It is stated that the International Monetary Fund would exert an influence toward exchange stability, and thus reduce the exchange risks for exporters and importers. It would require member countries to maintain established exchange rates, and would provide machinery for making, in an orderly manner, by mutual agreement, such changes in exchange rates as may be necessary. The statement of the Federal Reserve System contains this:

> The fund would not be in essence a lending institution, but a mechanism for converting local currencies contributed by members into a pool of international reserves, on which each country could draw in proportion to its contribution.

This is a real statement as to the real function of the fund, and discriminates between the functions of the fund and the functions of the Bank for Reconstruction and Development. This is a compelling reason why the International Monetary Fund should be one institution and the bank another institution. But desirably each with the stipulation that the fund shall cooperate with the bank and the bank with the fund, and not be at competitive outs with each other.

I like the statement of the Federal Reserve System found in these words:

> As a companion institution to the fund, the Bank for Reconstruction and Development would be a lending institution to promote the international flow of long-term capital. It would make loans for productive and development purposes, out of its own capital or out of funds borrowed in the market, and would guarantee such loans offered to private investors.

Attention is again called to the fact that the private investor is remembered and cared for, and these agreements are by no means paternalistic or akin to fascism or communism, but wise, necessary provisions, in recognition of democratic practices, and designed and intended to contribute to the peace of the world and the prosperity of the nations of the world. May I add to the last sentence this observation—that these are not only intended and designed for purposes of peace, but calculated and competent to lend much to the accomplishment and maintenance of peace and security.

There is assurance of the recognized rights of private enterprise, in this case most appropriately, perhaps, private investors, also referred to in the statement by the Board of Governors of the Federal Reserve System, expressed in this language:

> It would handle only loans that could not be obtained on reasonable terms without its support, and would, therefore, in no way interfere with the flow of private funds into international investments.

May I seem presumptuous enough to add to this that rather than interfere with the flow of private funds into international investments, it seems a justifiable statement that the fund and the bank must make for a safer and a more satisfactory flow of private funds into international investments, for these have investigated the purposes for which the loans are requested, the ability to meet the payments, the requiring of the guarantee of the territory itself and, withal, a general provision for the increase of productivity in the several countries of the world, the raising of their standards of living, the giving of new hope to each country, all of which contribute to the security even of the lender, whether he be a private bank or an international institution.

The two proposals are of vital importance. They lay the foundation for confidence, for world trade, for orderly procedure, for stability in financial transactions, for reconversion and development, and for world trade carried on in a fair and orderly way. And the establishment of these, the monetary fund and the bank, testify to the determination of the United States of America and her allies to work and live with other peoples of the world, in peace, with security for all. It will do this country no good if America turns its back on political isolationism only to continue in the fear of economic isolationism. It is true, however, that isolationism is isolationism. No apologetic name can take away the sting. A political isolationist is an economic isolationist. And an economic and political isolationist is a spiritual isolationist. Can it really be that there is today anyone who is afraid for his neighbor or his neighboring country to do well and to progress, for fear that he might take something away from us? Political collaboration, political friendship cannot endure in an atmosphere of economic isolationism.

There is no way to amend the Bretton Woods agreement, and no necessity for it. This is the first step, so far as the Congress is concerned, in an attempt actually to provide against a recurrence of another world war, the effects of which probably the world cannot rise from. If the Committee on Banking and Currency or the Congress refuse to ratify this agreement, reasonably and sensibly arrived at, the action will have probably made of no effect any understandings arrived at at Dumbarton Oaks, or Yalta, or San Francisco. This is not to say that financial considerations are above moral questions or other designated problems, but it is to realize that if we have not the faith and the willingness to take the steps designed, intended, and well calculated to be one of the cornerstones in the establishment of a just and lasting peace, we cannot hope for anything except to fight it out on the fields of battle, to which service, deplorably, we who are at fault do not have to devote ourselves, but call upon the young men of America to suffer in the name of freedom and love of country for our lack of faith, despising the good neighbor doctrine and lost in suspicion and fear. We must act. It is our responsibility.

The articles of agreement, both as to the international monetary fund and the international bank for reconstruction and development, contain every reasonable protection against abuses, as well as provisions for orderly operations that could in anywise be expected. If the document agreed upon is not acceptable to anyone, then I would despair of the ability of any body of men to draft one that would be acceptable to those who condemn, or look with fear on, those that have been prepared and approved. A careful study of the agreement, with respect to the fund and to the bank, reveals an understanding and a care that ought to be reassuring to those most doubtful and exacting. For instance, in addition to the provisions hereinbefore referred to, we find, on the subject of par values of currencies, in the fund agreement, this:

> The par value of the currency of each member shall be expressed in terms of gold as a common denominator, or in terms of the United States dollar of the weight and fineness in effect on July 1, 1944.

And that:

> All computations relating to currencies of members, for the purpose of applying the provisions of this agreement, shall be on the basis of their par values.

With reference to changes in par values, it is declared that a member shall not propose a change in the par value of its currency except to correct a fundamental disequilibrium; and that a change in the par value of a member's currency may be made only on the proposal of the member and only after consultation with the fund. Upon such proposal, the fund shall first take into account the changes, if any, which have already taken place in the initial par value of the member's currency as determined under another article of the agreement. Limitations are imposed as to any change, such as that the same shall not exceed 10 percent of the initial par value, does not exceed a further 10 percent of the initial par value, in which event the fund may either concur or object. The fund shall concur in a proposed change which is within the limitations prescribed if it is satisfied that the change is necessary to correct a fundamental disequilibrium. These are but cited instances of the care with which the agreement is prepared.

With respect to transactions of the fund, it is set forth that:

> Except as otherwise provided in this agreement, operations on the account of the fund

shall be limited to transactions for the purpose of supplying a member, on the initiative of such member, with the currency of another member in exchange for gold, or for the currency of the member desiring to make the purchase.

This is the fundamental objective of the fund's operations and transactions, or transactions with the fund. Purchases for capital transfer shall not be permitted if they have the effect of raising the fund's holdings of the currency of the member desiring to purchase above 75 percent of its quota, or of reducing the fund's holdings of the currency desired below 75 percent of the quota of the member whose currency is desired. Reference is made to these provisions and requirements to the end that we may appreciate with what caution and intelligence the framers of the agreement have proceeded.

I am minded to make reference, in this connection, to the subject of relations with nonmember countries, where we find that each member undertakes not to engage in, nor to permit any of its fiscal agencies, referred to in article V, section 1, of the fund agreement, to engage in any transactions with a nonmember, or other persons in a nonmember's territories, which would be contrary to the provisions of this agreement or the purposes of the fund, and not to cooperate with a nonmember or with persons in a nonmember's territories in practices which would be contrary to the provisions of the agreement or the purposes of the fund; and to cooperate with the fund with a view to the application in its territories of appropriate measures to prevent transactions with nonmembers, or with persons in their territories, which would be contrary to the provisions of this agreement or the purposes of the fund. This means the stabilization of currencies and the stabilization of international trade and economy, binding each member to the faithful observance of the purposes and objectives of the fund agreement.

ORGANIZATION AND MANAGEMENT

It is difficult to understand or to appreciate fears or suspicions as to the management of the fund, as provided for in the articles of agreement, if one is to profess just a little faith in the good intentions of the signers of the agreement. I do not think there would be a disposition on the part of anyone, if he could, to pull his own house down on his head.

In article XII, section 1, we find that the fund shall have a board of governors, executive directors, a managing director, and a staff; and that all powers of the fund shall be vested in the board of governors, consisting of one governor and one alternate, appointed by each member in such manner as it may determine. Each governor shall be entitled to cast the number of votes allotted under section 5 of article XII, reading as follows:

Each member shall have 250 votes, plus 1 additional vote for each part of its quota equivalent to 100,000 United States dollars. The executive directors shall be responsible for the conduct of the general operations of the fund, and, for this purpose, shall exercise all powers delegated to them by the board of governors; and there shall be not less than 12 directors, of whom 5 shall be appointed by the 5 members having the largest quotas. The powers that the executive directors may not exercise through delegation by the board of governors have been hereinbefore enumerated.

The executive directors shall be responsible for the conduct of the general operations of the fund. And then there is set forth, with definiteness and all reasonable protection prescribed, methods for the management of the affairs of the fund by the executive directors, under the general control of the board of governors.

The principal office of the fund shall be located in the territory of the member having the largest quota, with a provision for the establishment of agencies or branch offices in territories of other members, and each member country shall designate its central bank as a depository for all of the fund's holdings of its currency, or, if it have no central bank, it shall designate such other institution as may be acceptable to the fund, and each member guarantees all assets of the fund against loss resulting from failure or default on the part of the depository designated by it. These are referred to as but samples of the care employed in setting forth the provisions of the fund agreement.

As soon as the agreement enters into force, each member shall appoint a governor, and the member having the largest quota shall call the first meeting of the board of governors. So, then, this grand machinery to attain the purposes and objectives set forth in the first article of agreement is ready to proceed; to promote international monetary cooperation, to facilitate the expansion and balanced growth of international trade, to promote exchange stability, and avoid competitive exchange depreciation; to assist in the establishment of a multilateral system of payments, and in the elimination of foreign-exchange restrictions which hamper the growth of world trade, and to give confidence to members by making the fund's resources available to them under adequate safeguards.

As a companion agency, the International Bank for Reconstruction and Development will be established. This will perform a different function, but one, under the present world circumstances, not only desirable but necessary, and making possible the successful operation of the International Monetary Fund. And when this is done we shall have gone a long way toward establishing a just and lasting peace, and a world security, beneficial to all members and indispensable to the economic and political peace and security of all the nations of the world, including our own, most happily, for we do not propose to go through another war.

May the Lord have mercy on the soul of that man who, through fear and suspicion, fails to take his part in providing an institution of such promise for peace and good will among men.

EXTENSION OF REMARKS

Mr. MORRISON asked and was given permission to extend his remarks in the RECORD in two instances; in one to include an article appearing in yesterday's Daily News, and in the other to extend his remarks in connection with the O. P. A.

Mr. BELL asked and was given permission to extend his remarks in the RECORD in five instances; in one to include an article by Mr. Roy Roberts which appeared in the New York Times April 15, 1945; in one to include two addresses delivered by the Honorable Sergio Osmeña, president of the Philippines; in one to include two addresses delivered by Gen. Carlos P. Romulo; in one to include an address by Mr. Matthew Woll; and in one to include data for the benefit of and giving information to servicemen.

Mr. D'ALESANDRO asked and was given permission to extend his remarks in the RECORD and include an article from the Baltimore Sun.

Mr. LUTHER A. JOHNSON asked and was given permission to extend his remarks in the RECORD and include a statement by President Truman on the signing of the extension of the Lend-Lease Act.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include a short newspaper editorial.

Mr. BEALL asked and was given permission to revise and extend his remarks and include a newspaper article.

Mr. KEARNEY (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD and include a resolution.

PAY SCALE OF SHIP REPAIR YARD WORKERS

Mr. HEALY Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HEALY. Mr. Speaker, over a period of several years there has existed in the ship repair yards of southern California an outstanding case of discrimination in regard to the pay scale of workers in this industry. I would not ask for the privilege of imposing upon your time if I did not firmly believe that a critical situation is developing. With the stepping up of the tempo of the war in the Pacific, we cannot afford to have any strikes in this vital area. Our battle-torn and war-worn ships must immediately be repaired and put back into service. To accomplish this, discrimination in pay scales must be corrected, and there must be cooperation of the procurement agencies, labor, and management to this end.

Now to get down to the specific problem. Prior to the issuance of the wage stabilization order, labor and management approved what is known as the Pacific coast master agreement. However, the agreement was only adopted in the San Francisco Bay area and the Pacific Northwest. The agreement provided in part for the payment of wages of 11.6 percent over new ship construction rates. This pay differential is justified by virtue of additional skills and experience required of the workers in the repair yards. In the construction of new

ships on a mass production basis, each worker is assigned to a specific task which he repeats over and over as each new ship is built. In the repair yards each ship presents a different problem. It seems that the shells, bombs, and torpedoes do not always hit the same spot. Many types of ships come into one repair yard, and even ordinary wear and tear seldom calls for attention to the same part. Yes, the worker must be able to handle a great variety of repair jobs. That this ability is worthy of a higher rate of pay was attested to by the shipbuilding companies of the San Francisco Bay area and the Pacific Northwest when they signed the Pacific coast master agreement.

Information is available to all of us on the extent to which the shipbuilding program is being curtailed on the west coast. While this has been going on there has been a great increase in the amount of ship-repair work. We can assume that these trends will continue as the war in the Pacific progresses. To properly promote the war program it will be necessary to attract more and more of the best and most highly skilled workers from new-ship construction to ship-repair work. Is it fair and right for us to ask these patriotic American workingmen to do this highly essential job and be discriminated against in their pay envelopes? It would be a catastrophe if the special skills of these workers were not utilized where they would be of greatest benefit to the war effort. Is there any reason why the ship-repair workers of San Diego and Los Angeles should not receive the same wages that are being paid workers in all the rest of the ship-repair yards of the west coast?

I believe these workers have been most patient during the last 3 years while their request for equal treatment has been "under consideration." The United States Navy Department, the United States War Department, the United States Maritime Commission, and the Shipbuilding Commission are all well acquainted with this case. Information made available to me indicates that these agencies have worked with the ship-repair companies in a so far successful plan to keep wages in the ship-repair yards of the San Diego and Los Angeles areas below the west-coast standards. Is this the opening wedge in a program to again make Los Angeles an open-shop town? Too many of its citizens have, in the past, existed on a bare subsistence wage. They will strongly oppose any attempts to return to such a condition.

There is now concrete evidence that the failure of the War Labor Board to grant their request for an end to this wage discrimination is beginning to exhaust the patience of the loyal workers in these ship repair yards. Already, the Los Angeles Metal Trades Council, the Southern California District Council of Laborers and the Shipwrights Local, No. 1335, have unanimously voted to apply for a strike vote as of April 1, 1945. Undoubtedly the other unions involved will take similar action in the near future. Gentlemen, this is a very serious situation in an area vital to the full prosecution of the war in the Pacific. These workers have a real grievance. The discrimination should be stopped.

The day before yesterday the Shipbuilding Commission of the War Labor Board started sitting in executive session to consider this case. I had hoped to be able to attend their meetings so that I might present the point of view of the ship repair-yard workers, or at least be present so that I might gain an understanding of the Commission's approach to the problem. However, I was informed that no one other than members and the staff might attend. Since the regulations of the Commission will not permit a Member of Congress to attend its executive sessions, and in view of the extreme urgency of this situation, which so directly affects the war effort, I wish to urge all to write or telephone the members of the Shipbuilding Commission and demand that they end this discrimination by approving the 11.6 percent pay differential for the workers of the ship repair industry in southern California.

SHORTAGE OF BUILDING MATERIALS

Mr. JENSEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include an editorial from the Clarksdale (Miss.) Daily Press.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. Mr. Speaker, the lumber situation is becoming very critical. A lot of building materials of all kinds, especially lumber, are being shipped all over the world. There is no one in America, I am sure, that would keep the suffering people of our allies from having shelter, but the time has come when our American people, especially our farmers, are needing lumber to house livestock, and our returning soldiers are going to need homes. Unless our new President steps into this picture and does something to correct this situation, I fear that our returning veterans will find it almost impossible to build homes, even though we have passed the G. I. bill, which we hoped would permit many of them to do so. F. E. A. and Lend-Lease and other organizations of the Government have failed to take cognizance of this fact. I certainly hope that our new President will immediately look into it and do something to correct this situation.

In this connection, I quote the following editorial from the Clarksdale (Miss.) Daily Press:

AMERICA, A PAUPER NATION?—SOUNDS LIKE A RACKET TO US

(By J. B. Snider)

A soldier comes home to Clarksdale. He has no place to live. He can't rent an apartment or a house. He and his wife are anxious to set up housekeeping and get started again in life. He feels he has already lost 3 years.

He finds there are no houses for sale at anywhere near the price at which the Government will guarantee a loan, so he can't exercise his rights to this under the G. I. bill.

So he proposes to build. After a long time he is granted an AA-3 priority. Fine. But he finds the lumber dealer cannot secure any lumber under such a priority.

Why?

Now, having fought the war for us, that soldier might still feel it perfectly all right, as we do, to do without a home a while longer, if that were necessary to the winning of the war.

But I want to make sure it is really necessary. If it is not necessary, then I want to see somebody burn about this business—and burn now.

Here is what is going on:

Practically all of the dense pine lumber being cut in this State is being shipped to Cape Town, South Africa, under the theory that it is needed for building docks. What I want to know is what building docks in South Africa has to do with winning this war.

But the story does not end there.

For the past 2 weeks representatives of large banking syndicates of Cleveland and Toledo, Ohio, have been in Mississippi trying to buy lumber. One of these concerns, we understand, has a contract to build 100,000 prefabricated houses for England. The other is trying to locate the lumber so it can accept a contract to build 300,000 of these prefabricated houses.

The latter firm, we are told, has offered to buy lumber at any price at which the mill people will sell. When told it can't be sold to them, they promptly reply, "We will buy your mill, then, and your standing timber." When they are asked how they propose to manufacture timber within the ceiling price under such an arrangement, they say: "With the profit we have in these houses we don't have to stay within the ceiling."

All this is fine. We have no criticism of the Cleveland or Toledo bankers or manufacturers. We have no criticism of the men who manufacture and sell this lumber. They are all looking to make money, just as you or I if we were in their shoes.

But as an American citizen, I am interested in certain other things, am entitled to know these things—and I propose to find them out.

I want to know if this business just referred to is lend-lease? Are we furnishing houses out of the taxpayers' money to rebuild England, while our soldiers and sailors must do without?

Why does not England buy her lumber in Canada?

Why does she not buy lumber for South Africa in British West Africa, and in British East Africa? These countries have more lumber than we have.

The day is coming, and it is not far off, when because of our own depleted forests, we are going to have to buy our lumber from Canada and Central and South America. And we are going to pay twice as much as the present allowed (ceiling) price. Does that make sense, that we give our timber to England, and then later buy the same items from English possessions at double the price they were worth at that time?

If we are stating facts, and we have every reason to believe we are, then every Member of Congress, House and the Senate, owes it to his constituency to find out why this is being done.

England is not accustomed to buying from us as long as she can get what she needs from her colonies. Her colonies have more lumber than we have. Then it follows logically that we must be giving her our lumber.

We have no fight with England. If she can get by with this, she is just that much smarter than we are.

From my viewpoint the matter stinks.

It is self-evident that somebody high up in the ranks of authority in this country has gotten to the right people, and has put this deal across.

We say again, Congress owes it to the people of our Nation to go to the bottom of it—and do it now. If it doesn't do it, then the people should do something about it, and next year's elections will give them their opportunity.

We hope we are wrong. We hope we shall have to apologize to someone. But we are

very much afraid that we are right. We still say it stinks.

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. JONKMAN] is recognized for 20 minutes.

SUGAR SHORTAGE

Mr. JONKMAN. Mr. Speaker, it is to be hoped that in the readjustments to be made throughout the Federal service, those Government officials and agencies that have been so largely responsible for the confusion and chaos existing in the whole food problem will be eliminated.

It is almost 2 years since the Republican congressional food study committee sponsored legislation that would centralize the whole food program in a single agency of Government, the administrator of which would have full authority commensurate with the responsibility. Notwithstanding the fact that the House Committee on Agriculture promptly reported such a bill to the House, it was impossible to obtain a rule from the Rules Committee under which it could be considered, undoubtedly because of the opposition of some administration leaders.

A large number of State agriculture representatives, testifying before a Senate committee on April 17, 1945, urged such centralization of food administration in a single agency. Thus this is a nonpartisan matter.

The whole food and feed problem parallels in importance the matter of guns and munitions with which to successfully carry on the war. During recent weeks it has been forcibly brought to the attention of the American housewife that her inability to purchase meat was largely due to the interference of the Federal Government with normal channels of distribution. The climax has been reached. It was pointed out by the Republican congressional food study committee when it investigated meat and poultry conditions during the last session of Congress. Black markets were then prevalent throughout the Nation. They are still with us and they will continue to disrupt our whole food economy until action is taken to reorganize the whole Federal administration of food and feed.

A year ago, when the War Food Administration gave out a newspaper release that civilian supplies of sugar would be lower in 1944 than they were in 1943, the Republican Congressional Food Study Committee made an investigation of the matter, and its findings will be found in my statement in the CONGRESSIONAL RECORD of March 28, 1944. Unless immediate steps are taken to meet the serious situation now facing the whole sugar industry, there will develop a black market in sugar so huge that it will be impossible for the American housewife to use her sugar stamps in the weeks immediately ahead. It is too late to prevent a serious sugar shortage for the balance of this year and well into 1946, a shortage that has been magnified by the procrastination of the Commodity Credit Corporation and other Government agencies in meeting the situation squarely and reaching conclusions without procrastinating and delaying action for many weeks and months. It is high time that Members of Congress and the public know the truth about the 1945 sugar situation. The truth is that during the remainder of this year, the civilian population of the United States faces the worst sugar shortage of the entire emergency period and a large part of that shortage is due to present Federal Government policies.

Part of the sugar shortage appears to have been deliberately planned by the Government officials involved and part of it can be charged to poor judgment. The distressing fact is that not one Federal agency having responsibility in connection with sugar has thus far taken a single action to offset the shortage or to avert a more serious shortage in 1946.

The War Food Administration announced some weeks ago that the supply of sugar available for our civilian population during 1945 would be 5,400,000 tons. If it were true, that announcement was bad enough news for the American housewife, because it is 700,000 tons less than was available in 1944. But the condition is worse.

Tabulation of the best available statistics now shows that if military and lend-lease commitments are met as at present allocated, our civilian population will receive a maximum of only 4,611,000 tons, as I shall show in a moment. Already the Office of Price Administration has curtailed home canning allowances to 400,000 tons less than last year. Industrial users of sugar, the manufacturers who make our bakery products, candy, soft drinks, ice cream, jams, and jellies, and other food products, are already receiving the lowest sugar ration of the entire war period. As I pointed out on the floor of the House last year, these industrial users of sugar are equally important with home consumption. The housewives of the Nation have aided tremendously in preventing food shortages by home canning of fruits and vegetables, but this further cut will seriously jeopardize their efforts during 1945. There will be much less sugar to put on the table for coffee and cereals and to be used in home baking. At the same time, our home makers will find still fewer processed foods containing sugar in the neighborhood stores.

While it is a little early to make an estimate of beet sugar production for the 1945–46 period, the 1945 sugar supply shapes up as follows:

The best available information from the industry itself indicates that there were 2,161,000 tons of sugar on hand on January 1, if we include all sugar stored in continental United States and in Cuba, Puerto Rico, and Hawaii. The amount of sugar to be available for all purposes during 1945, according to the best available trade sources, by areas, is currently estimated as follows:

	Tons
Cuba	3,850,000
Continental beet States	1,200,000
Continental cane States	450,000
Hawaii	800,000
Puerto Rico	750,000
Other areas	100,000
Total	7,150,000

This 7,150,000 tons added to the 2,161,000 tons carry-over totals 9,311,000 tons to be available during 1945. However, not all of this sugar can be consumed in 1945, because we must have a carry-over of approximately 2,000,000 tons for consumption during the early months of 1946 until the new crops are harvested and refined. This leaves 7,311,000 tons available for consumption in 1945, but it also includes all sugar needed for military and lend-lease requirements as well as civilian allotment.

According to the Department of Commerce, 1,600,000 tons will be needed for our armed forces and for lend-lease. The Combined Food Board has allocated 1,100,000 tons of the Cuban sugar for the United Kingdom and Canada. Thus, another 2,700,000 tons must be deducted from the 7,311,000 tons available leaving us only 4,611,000 tons for American civilian use as compared with 6,100,000 tons they received in 1944. I leave out of this calculation any quantities of sugar that are being exported from Cuba to France, because I have not yet been able to verify statements which have been made to me that large quantities of Cuban sugar are now going to France. If this is true, it will further reduce the amount available for our civilian population.

It will be seen from these estimates, and I make it clear that they are estimates from the best available sources in the United States, the total civilian allotment of sugar for 1945 will be almost 25 percent less than in 1944 and a full 15 percent less than the optimistic estimate publicized by the War Food Administration just a few short weeks ago.

The Republican Congressional Food Study Committee has inquired carefully into the reasons for this deficit. Basically, the answer is this: The O. P. A., W. F. A., and C. C. C., the three principal agencies charged with the responsibility for administering the United States food supply, have made it impossible for sugarcane growers to maintain adequate production.

Since January 1942 the O. P. A. has permitted a negligible increase of only 1 cent per 100 pounds in the price of raw sugar. During the same period the Commodity Credit Corporation, charged with making incentive payments to offset hardships arising as a result of price control, has consistently refused to offer incentives sufficient to stimulate production, while at the same time, the O. P. A. has rigidly held the retail price of sugar. A small increase of only one-half cent a pound added to the present incentive payments would eliminate the discouraging conditions existing as a result of governmental interference and, undoubtedly, would have increased production by at least a million tons.

The outstanding example of governmental mismanagement of the sugar supply situation is found in the case of Puerto Rico, a United States territory, which normally supplies about one-eighth of the sugar consumed in this country. In 1942, Puerto Rico produced 1,150,000 tons of sugar. In 1944, production fell to 725,000 tons. This year, the most optimistic estimate of what can be produced in Puerto Rico is only 850,000 tons, of which 100,000 tons will be consumed locally.

This decline in Puerto Rican sugar production is not only regrettable, but it is inexcusable when we recall that Puerto Rico not only has no shortage of labor but actually has a critical unemployment problem requiring a huge local W. P. A. program, while, at the same time, 50,000 or more acres of good sugar land is going unplanted. This means, 350,000 tons of sugar are being lost in Puerto Rico alone this year solely because of bureaucratic mismanagement.

Despite the fact that the island's sugar production could be increased without in any way impeding the war effort or interfering with war production, there appears to be a deliberate attempt to reduce, rather than increase, sugar production in that territory.

The House Committee on Insular Affairs recently investigated this matter very carefully. Puerto Rican growers testified that they were unable to bear the expense of replanting their sugar fields on schedule because of substantial increases in the cost of production ordered or permitted by the War Food Administration and the O. P. A. Neither the O. P. A. nor the C. C. C. has been willing to provide incentive payments to overcome the increased cost brought about by bureaucratic action. Both agencies have constantly disregarded sworn statements of Puerto Rican growers to the effect that the present income from sugar is inadequate to meet production expenses.

Testifying before this same committee, an O. P. A. official indicated that the cost of sugar production in Puerto Rico is as high as or higher than the cost in any mainland area as a result of wartime conditions. Yet, the Commodity Credit Corporation, while paying 50 cents per 100 pounds to sugarcane growers in Louisiana, and $1 per 100 pounds to continental sugar beet growers, during 1944, refused to grant an incentive of more than 20 cents per 100 pounds to Puerto Rican growers. For the year 1945, only after the Governor of Puerto Rico came to the mainland with representatives of the labor unions and sugar mills, and after the workers themselves had gone on strike, did the Commodity Credit Corporation increase the incentive payment for 1945 to 55 cents per hundred pounds. One can hardly blame the Puerto Rican sugarcane workers for going on strike when it is remembered that their average annual wage is less than $400.

For more than 7 months the Puerto Rican growers had implored the C. C. C. to make a cost study as a means of determining the amount of incentive payment needed to stimulate or maintain production. The C. C. C. refused to make such a study, apparently because its officials did not want to develop proof that Puerto Rico needed and was entitled to a higher incentive. To justify their refusal to take action, one C. C. C. official stated to the Committee on Insular Affairs that if they raised the payment to Puerto Rico, they would have to pay more for Cuban sugar, and someone somewhere in the Government had decided that Cuba was not to be paid more than $3.10 per hundred pounds.

Information now coming to hand from Puerto Rico indicates that because of the failure to receive adequate incentive payments for 1945, and lacking any reason to believe that the 1946 payment will be more satisfactory, Puerto Rican growers have discontinued replanting their fields, with the result that preliminary estimates indicate the 1946 crop may very well decline by another 150,000 tons.

Mr. Speaker, I am opposed to incentive payments, but if incentive payments are to be paid in almost every other phase of the food industry with similar food production, then adequate sums should be paid for the production of sugar. It is estimated that such adequate incentive payments would increase the Puerto Rican supply alone by 300,000 tons.

This same kind of delay and indecision exists in the case of the Cuban sugar supply. In 1944, Cuba had enough cane to produce 5,600,000 tons of sugar, but the 1945 crop, it now appears, will yield little more than 4,000,000 tons, which includes Cuba's own local requirements. Part of this decrease is due to drought conditions existing there, but the major part of it is due to the Commodity Credit Corporation. I am informed that Cuban sugar producers have served notice on the Commodity Credit Corporation, which buys the Cuban crop, that production in 1946 will be much lower unless a more adequate price is offered. The period of planting for the 1946 sugarcane harvest is rapidly running out. Unless proper action is taken within the next 6 weeks, all possibility of expanding or maintaining production will be lost so far as the 1946 crop is concerned.

Beet sugar production last year fell to 1,100,000 tons, as compared with the prewar average of around 1,600,000 tons. While, as I have already pointed out, it is a little early for estimates on beet sugar production because it is not yet all planted, the most reliable estimates indicate that there will be about 1,200,000 tons this year, with a $1-per-hundredweight incentive payment. The reason for this low production is obvious. The price of sugar has been held down to the point where beet growers cannot afford to utilize their lands for sugar and must turn to other crops which command more favorable prices.

While there has been a decline in cane sugar production in Louisiana and Florida, it has not yet been as serious as in these other localities, but if current policies are followed, further decline must be anticipated.

The Federal Government's sugar policy reeks with bad judgment. As recent as March 21, Dr. Joshua Bernhardt, who is director of the Sugar Branch of W. F. A., and who has held a comparable position for at least 10 years, told a Congressional committee that Cuba would produce 4,600,000 tons of sugar this year while, at the same time, everyone in the trade knew that his figure was 400,000 tons too high.

The sugar situation today is worse than critical. The housewives' rations have been materially reduced by increasing the length of time for each sugar ration stamp. If rations are continued at the present rate, there is every prospect that there will be no sugar whatsoever on the market by October 1. The only alternative is to curtail the use of sugar, and the blame rests squarely on the shoulders of Federal officeholders.

It is the duty of Congress to demand that these officials who are responsible for the sugar shortage change their policies immediately. Otherwise, we must change the officials. There can be no excause for another severe sugar shortage next year.

It is such shortages that create black markets, and it is the action of these Government officials in squeezing the prices the same as has been done in the meat industry and many others that creates the shortages.

SPECIAL ORDER

The SPEAKER pro tempore (Mr. SAVAGE). Under previous order of the House, the Chair recognizes the gentleman from West Virginia [Mr. BAILEY] for 30 minutes.

Mr. BAILEY. Mr. Speaker, I desire to call to the attention of the Congress the fact that my native State of West Virginia is this week observing, by proclamation of its Governor, the Honorable Clarence W. Meadows, Dumbarton Oaks Week in which his excellency calls for a State-wide observance and for prayers for the success of the World Security Conference which is scheduled to convene in San Francisco on Wednesday next.

The Governor's proclamation reads as follows:

STATE OF WEST VIRGINIA,
EXECUTIVE DEPARTMENT,
Charleston.

A PROCLAMATION BY THE GOVERNOR

Whereas 36 national organizations representing the peace aspirations of American industrial, professional, educational, and religious life have requested the observance of the week of April 16 through April 22 as Dumbarton Oaks Week; and

Whereas before the conclusion of the present World War, the United Nations obviously must set up an organization to prevent or suppress wars and make peace constantly stronger through economic and social cooperation which will mutually benefit all the peace-loving countries; and

Whereas the declaration of the recent Crimea Conference, together with the announcement of another world conference to be held at San Francisco, make it supremely urgent that we give immediate but calm and prayerful consideration to the Dumbarton Oaks proposals, which were drafted by representatives of the United States, Great Britain, the Soviet Union, and China, after patient research and broad consultation; and

Whereas whatever may be the final form of the Dumbarton Oaks plan when approved and ratified, the plan should represent the wisdom not only of the governments but of the peoples themselves, who in the last analysis will determine whether the peace to come will be just and durable: Now, therefore,

I, Clarence W. Meadows, Governor of the State of West Virginia, do hereby proclaim the week of April 16–22 as Dumbarton Oaks Week, and urge the people of West Virginia to join in the greatest number of public discussions on the Dumbarton Oaks proposals and to conclude the week on Sunday, April 22, with devotional services in all the churches with prayers for the success of the

San Francisco Conference opening a few days later—all to the end that our sons, and the sons of the veterans of this war, may not be forced to give their lives in another war, and that the ideals of a peace-loving world may be realized in a properly implemented, workable system which will insure peace and security.

In witness whereof, I have hereunto set my hand and caused the great seal of the State to be affixed.

Done at the capitol in the city of Charleston, State of West Virginia, this, the tenth day of April in the year of our Lord 1945 and in the eighty-second year of the State.

[SEAL] CLARENCE W. MEADOWS,
Governor.

By the Governor:

WM. S. O'BRIEN,
Secretary of State.

Mr. Speaker, it is both fitting and proper that the West Virginia delegation in Congress show its appreciation of Governor Meadows' efforts in behalf of world peace; to assure our President and the Congress of West Virginia's united stand for world security.

It has been my pleasure within the past few days to address a State-wide gathering of West Virginia's outstanding ministers, educators, social workers, and labor leaders, assembled to discuss the Dumbarton Oaks proposals for world security. My remarks today reflect in a large measure the concensus of opinion there expressed.

In the preparation of my remarks which I shall presently address to the subject The United States and the New World Order I am particularly indebted to Prof. Harry Brawley, one of my State's leading educators, for much of the historical background.

Our late beloved Commander in Chief once said, "This generation has a rendezvous with destiny." Once before a resolute group of real Americans faced such a rendezvous. They kept this rendezvous in order that the America we all love might live to become, in our day, the bulwark of freedom.

In my approach to the subject of world unity, so near and dear to the heart of our late lamented President, I do so in a spirit of humility and of self-effacement. Should anyone condescend to write an epitaph to mark my last resting place, I would much prefer to have him say not that I was a Member of our great wartime Congress but rather that I contributed to the establishment of a just and lasting peace.

We stand on the threshold of a great opportunity. San Francisco, 1945, can become to the new world order what Philadelphia, 1787, had been to the United States of America. Whether or not this shall be the case will depend in a large part on the people of this Nation of ours—on the Members of this the Seventy-ninth Congress.

The story of the formation of our own union is a fitting precedent for the establishing of a world government. All of us are familiar with the usual reactions one gets when the possibility of the formation of a world union is mentioned. The many religions of the world, the diverse economic and political structures, the varying social strata, the differences of race, custom, language, and culture are all mentioned as potential stumbling blocks for those who plan a world federation.

All of these things were said of the 13 little nations which were struggling so manfully for independence yet so timidly for union in the years 1776–83. These little nations were vastly different, one from the other, and extremely jealous of all their neighbors. Their first attempt at union under the Articles of Confederation reflected all of these differences and jealousies.

The American people still were prouder of their State citizenship than they were of their national citizenship. They grudgingly gave up a few privileges to their Central Government but none of their State rights. The Central Government was little more than a debating society and the results of their debates became recommendations for action by the State governments. These recommendations could be ignored, and frequently were. Interstate relations were handled by compacts or treaties between or among the States.

It was not long before the American people realized that these halfway measures were not enough. Interstate commerce was practically at a standstill. Our reputation abroad was at a very low level. Our financial stability was shaken to its very foundations. Reluctantly we decided to do something about it, and, largely through the efforts of George Washington, called a convention to meet in Philadelphia to revise the Articles of Confederation. It is interesting to note that they were thinking only of revising. They still were not thinking of forming a real union.

However, the convention, faced with national catastrophe, realized that halfway measures would no longer suffice and finally drafted a real national government. The new constitution was not perfect. In fact, it satisfied no one completely. It represented a series of compromises. It is important for us to note that everyone had to give up something in order to make a start in orderly interstate government.

Many prejudices and fears had to be swallowed by every State and every section of the country. If this had not been done, we would not have become a nation. Northern States joined with their slaveholding neighbors to the south even though they differed bitterly with them. The Southern States came into a union with other States which were determined that slavery should go. Little States joined with their larger neighbors even though they were afraid to do so. Large States granted the little ones equality in the Senate even though it rankled them to do it. Yes, everyone had to give up something in order to make a start in real government.

We have lived under this Constitution now for 157 years. Gradually it has been changed to meet our needs. It still is not perfect. It still does not satisfy everyone. But will anyone here say that it should not have been established just because everyone was not pleased?

Today we are faced with the necessity of doing for the world what our ancestors did for this Nation. We must establish some sort of an international government to bring order out of chaos for the whole world, just as the Philadelphia convention did it for our country. To those who quake at the magnitude of the task before us, let me say that the world today is not as big, comparatively speaking, as the United States was in 1787. Now no part of the world is more than 60 hours from any other part. Do you realize that this is only 5 days' travel when used in the sense the founding fathers used it? And 5 days' travel when expressed in distance meant only 200 to 250 miles in 1787. That certainly did not enable anyone to go from one end of the country to the other even then when it was small. Today the transmission of message is instantaneous for the entire globe. In 1787 it was a matter of days even between sections of the same State. The time is riper for world union today than it was for national union then.

There has already been one attempt at a world organization—the League of Nations. It failed for the very same reason that the Articles of Confederation failed. In fact, I like to think of the Covenant of the League as having been the Articles-of-Confederation steps in the formation of a real world government. In 1919 the nations of the world met in bitterness and suspicion to consider the problem of a lasting peace. Just as the Virginians and the New Yorkers of 1776 were unwilling to grant any more power than the absolute minimums to their embryo National Government so were the Englishmen and the Americans of 1919. Like the Congress of the Articles, the Assembly of the League was a debating society making recommendations to sovereign states which could do as they pleased. Like our early national ancestors, we in 1919 thought only of our restricted citizenships, not of our general citizenship.

Not long ago I saw a pamphlet published in 1920 explaining the new League of Nations Covenant. I was struck by one outstanding feature. The main emphasis was not on what the League would do, but on what it would not do. It carefully pointed out that the United States under the League Covenants would assume no obligation it could not escape if it so desired. If that were the attitude of all the peoples of the world in 1920, no wonder the League failed.

With the world faced with international chaos we have the same choice that our forefathers had in 1787. We can either establish a strong central government to keep the peace or we can perish as a civilized community. At San Francisco the opportunity will be made available to us, but, just as in 1787, every nation large or small will have to give up something. Every serious difference must be compromised. More than likely no one will be completely satisfied, but all of us must take the result as the starting point for our new world order. During the next two centuries we as citizens of the world can readjust the world constitution until it becomes more nearly perfect.

A lot of Americans are still isolationists, and the isolationist cause in this country has always harked back to Washington's farewell address to find a basis for its belief. If those people would

read that address in its entirety, I feel sure that they would suddenly awaken to the fact that Washington was no one of their number. Let me quote certain passages with their complete and exact language.

Speaking in favor of the Union of the States he said:

They—

The States—

must derive from union an exemption from those broils of wars between themselves which so frequently affect neighboring countries not tied together by the same government; which their own rivalships alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues would stimulate and embitter.

Could any better argument for a union of the nations today be stated? Further on he said:

To the efficacy and permanency of your Union a government of the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute.

Is this not as true of the nations today as it was of the States when it was written?

Speaking of Europe he said:

It must be unwise in us to implicate ourselves by artificial tie in the ordinary vicissitudes of her politics.

Would a world federation require us to do that? I can best answer that by asking another question. In our Federal Union here, does West Virginia implicate herself by artificial ties in the ordinary vicissitudes of the politics of Vermont? No; she does not.

There is nothing in Washington's Farewell Address which would forbid our joining a world federation to keep the peace and promote prosperity. True, he warned against allying ourselves permanently with one group of powers against another group. However, in a world federation there will be no groups opposing other groups. There will be only the United States of the world.

Recently, I heard related a story which aptly shows the isolationist illusion for what it is worth. An old lady had seven sons. During the great depression no one in the family worked but they seemed never to want anything, not even luxuries. Finally, one of her neighbors asked her how they could live so well without someone in the family being employed. She replied, "That's easy. I have seven sons. Every evening after dinner they go out into the garage and make $4 or $5 a day apiece just trading among themselves."

As the American delegation to the San Francisco Conference departs to take up its arduous duties, it might be well for Congress to have in mind the major problems they will be forced to meet and overcome in building a structure for lasting peace. They are:

First. No race, nation, or social group is inevitably warlike. The frustrations and conflicting interests which lie at the root of aggressive wars can be reduced and redirected by social engineering. Men can realize their ambitions within the framework of human cooperation and can direct their aggressions against those natural obstacles that thwart them in the attainmen tof their goals.

Second. Children are plastic; they will readily accept symbols of unity and an international way of thinking in which the evils of imperialism, prejudice, insecurity, and ignorance are minimized. In appealing to older people, chief stress should be laid upon economic, political, and educational plans that are appropriate to a new generation, for older people, as a rule, desire, above all else, better conditions and opportunities for their children.

Third. Through education and experience people can learn that their prejudiced ideas about the English, the Russians, the Japanese, Catholics, Jews, Negroes, are misleading or altogether false. They can learn that members of one racial, national, or cultural group are basically similar to those of other groups, and have similar problems, hopes, aspirations, and needs. Prejudice is a matter of attitudes, and attitudes are to a considerable extent a matter of training and information.

Fourth. The white man must be freed of his concept of the "white man's burden." The English-speaking peoples are only a tenth of the world's population; those of white skin only a third. The great dark-skinned populations of Asia and Africa, which are already moving toward a greater independence in their own affairs, hold the ultimate key to a stable peace. The time has come for a more equal participation of all branches of the human family in a plant for collective security.

Fifth. Complete outside authority imposed on liberated and enemy peoples without any participation by them will not be accepted and will lead only to further disruptions of the peace. The common people of all countries must not only feel that their political and economic future holds genuine hope for themselves and for their children, but must also feel that they themselves have the responsibility for its achievement.

Sixth. Reconstruction will not be possible so long as the German and Japanese people are confused as to their status. A clear-cut and easily understood definition of war guilt is essential. Consistent severity toward those who are judged guilty, and consistent official friendliness toward democratic elements, is a necessary policy.

Seventh. Unless liberated people, and enemy people, are given an opportunity to work in a self-respecting manner for the food and relief they receive, they are likely to harbor bitterness and resentment, since our bounty will be regarded by them as unearned charity, dollar imperialism, or bribery. No people can long tolerate such injuries to self respect.

Eighth. Disrespect for the common man is characteristic of fascism and of all forms of tyranny. The man in the street does not claim to understand the complexities of economics and politics, but he is clear as to the general directions in which he wishes to progress. His will can be studied by adaptations of the public opinion poll. His expressed aspirations should even now be a major guide to policy.

Ninth. From the caveman to the twentieth century, human beings have formed larger and larger working and living groups. Families merged into clans, clans into states, and states into nations. The United States are not 48 threats to each other's safety; they work together. At the present moment the majority of our people regard the time as ripe for regional and world organization, and believe that the initiative should be taken by the United States of America.

Tenth. Unless binding commitments are made and initial steps taken now people may have a tendency after the war to turn away from international problems and to become preoccupied once again with narrower interests. This regression to a new post-war provincialism would breed the conditions for a new world war. Now is the time to prevent this backward step, and to assert through binding action that increased unity among the people of the world is the goal we intend to attain.

As America enters dynamically upon the world scene, we need to seek and bring forth a unique vision of America as a world power—a vision which is authentically American. It is for America to determine whether a system of free enterprise—an economic order compatible with freedom and progress—shall prevail in this century. The vision of America as the principal guarantor of the freedom of the seas, as the leader of world trade, has within it the possibilities of enormous human progress.

There is the picture of an America which will send out through the world its technical and artistic skills. The leadership of our engineers, scientists, doctors, developers of air lines, builders of roads, educators, is needed and will be welcomed if only we have the imagination to see it.

But none of this will happen unless our vision of America as a world power includes a passionate devotion to American ideals. We have some things which are infinitely precious and especially American—a love of freedom, a feeling for the equality of opportunity, a tradition of self-reliance, yet also of cooperation. In addition we are the inheritors of all the great principles of Western civilization—about all, justice, the love of truth, the ideals of charity. Recently, Herbert Hoover said that America was becoming the sanctuary of the ideals of civilization. It is not enough to be the sanctuary of these ideals. We must now become the powerhouse from which these ideals spread throughout the world.

America as the dynamic center of ever-widening spheres of enterprise, America as the training center of the skillful servants of mankind, America as the Good Samaritan, really believing again that it is more blessed to give than to receive, and America as the powerhouse of the ideals of freedom and justice—out of these four elements can be fashioned a vision of the Twentieth century to which we can devote ourselves in gladness and enthusiasm.

Yes, truly, this generation does have a rendezvous with destiny. Today we stand on the summit of greatness. In our hands rests the fate of civilization and of humanity. If anyone doubts the high spirit of resolve that today grips the hearts and minds of Americans everywhere, let me call attention to last Saturday's outpouring of respect for our fallen Chief when a united people mourned his passing. If there are still any Doubting Thomases, may we go back only to Monday of this week, when the man on whom has fallen the mantle of the great Roosevelt, electrified the country and this Congress with his forthright statement of his resolve to carry on the works so nobly begun.

There must be no backward steps. Ours is the duty to see that constitutional government is maintained; that the torch of liberty is held high. We must here and now resolve that no act of ours shall mar our record as citizens or dim the escutcheon of our Republic.

It is said the American people are prone to forget and eager to forgive. Can we forget the atrocities in the Philippines and in German concentration camps?

May I in conclusion leave with you this thought from Kipling:

The tumult and the shouting dies,
The captains and the kings depart;
Still stands thine ancient sacrifice,
An humble and a contrite heart;
Lord, God of Hosts, be with us yet,
Lest we forget, lest we forget.

EXTENSION OF REMARKS

Mr. RAMEY asked and was given permission to extend his remarks in two instances, in one to include a resolution of the Toledo Division of the Polish American Congress; and in the other to include a communication from the Disabled American Veterans of Eldorado Springs, Mo.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. COCHRAN (at the request of Mr. SULLIVAN), for 2 weeks, on account of illness.

To Mr. EATON (at the request of Mr. KEAN), indefinitely, on account of attendance at the San Francisco Conference.

ADJOURNMENT

Mr. BAILEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 14 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, April 23, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON THE PUBLIC LANDS

There will be a meeting of the Committee on the Public Lands on Friday, April 20, 1945, at 10 o'clock a. m., to consider H. R. 1392.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 o'clock a. m., Friday, April 20, 1945.

Business to be considered: To resume public hearings on H. R. 1362—Railroad Retirement.

There will be a meeting of the Brand Names and Newsprint Subcommittee of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Monday, April 23, 1945.

Business to be considered: A public hearing on the subject of compliance.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 o'clock a. m. on Tuesday, April 24, 1945.

COMMITTEE ON RIVERS AND HARBORS

The Beach Erosion Subcommittee of the Committee on Rivers and Harbors will hold a public hearing on H. R. 2032 and H. R. 2033, Tuesday, April 24, 1945, at 10:30 a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

402. A letter from the Chairman of the War Production Board, transmitting the seventeenth report on the operations of the Smaller War Plants Corporation, covering the period from February 1, 1945, through March 31, 1945; to the Committee on Banking and Currency.

403. A letter from the President of the Board of Commissioners of the District of Columbia, transmitting a draft of a proposed bill to amend the act entitled "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," approved June 19, 1878; to the Committee on the District of Columbia.

404. A letter from the Archivist of the United States, transmitting lists or schedules covering records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

405. A letter from the Chairman of the Civil Aeronautics Board, transmitting a copy of the sixth annual report of the Board; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MAY: Committee on Military Affairs. S. 701. An act to provide a method for the wartime reduction of temporary grades held by general officers of the Army of the United States; without amendment (Rept. No. 432). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Maryland: Committee on the Post Office and Post Roads. H. R. 656. A bill to provide further for the appointment of postmasters for fourth-class post offices in the Territory of Alaska; with amendment (Rept. No. 433). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of California:

H. R. 2964. A bill to provide for disregarding small amounts of compensation for labor performed by persons eligible for old-age assistance in determining the need for such assistance under title I of the Social Security Act; to the Committee on Ways and Means.

H. R. 2965. A bill to permit the inclusion of land occupied by Dibble General Hospital within the corporate limits of the city of Menlo Park, Calif.; to the Committee on Military Affairs.

By Mr. McCORMACK:

H. R. 2966. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to Franklin Delano Roosevelt; to the Committee on the Judiciary.

By Mr. COFFEE:

H. R. 2967. A bill to create a United States Academy of Foreign Service; to the Committee on Foreign Affairs.

H. R. 2968. A bill to authorize the Secretary of War to grant and convey to the State of Washington and to Chicago, Wilwaukee, St. Paul & Pacific Railroad Co. and Henry A. Scandrett, Walter J. Cummings, and George I. Haight, trustees of the property of the Chicago, Milwaukee, St. Paul & Pacific Railroad Co. as their respective interests may appear, fee title to certain lands of the United States in Pierce County, Wash., for highway and railroad purposes; to the Committee on Military Affairs.

By Mr. EBERHARTER:

H. R. 2969. A bill relating to physicians and dentists who have served in the land or naval forces during the war period; to the Committee on Military Affairs.

By Mr. JENKINS:

H. R. 2970. A bill to provide for central responsibility for the production and distribution of the Nation's food by establishing a War Food Administration in the Department of Agriculture, and for other purposes; to the Committee on Agriculture.

By Mr. PETERSON of Georgia:

H. R. 2971. A bill to amend the Alaska game law; to the Committee on the Territories.

By Mr. BROOKS:

H. R. 2972. A bill amending Public Law 783 (76th Cong., sec. 5 (g)); to the Committee on Military Affairs.

By Mr. HARLESS of Arizona:

H. J. Res. 160. Joint resolution designating January 30, the birthday of the late President Franklin Delano Roosevelt, as a national holiday and designating his cottage at Warm Springs, Ga., as a national shrine for the American people; to the Committee on the Judiciary.

By Mr. ROBERTSON of North Dakota:

H. Con. Res. 45. Concurrent resolution expressing the sense of the Congress that enemy officers responsible for the ill treatment of members of the armed forces of the United States while prisoners of war should be prosecuted as other war criminals; to the Committee on Foreign Affairs.

By Mr. KEFAUVER:

H. Res. 224. Resolution requesting that immediate action be taken to impress the German people with their responsibility for war crimes; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States, requesting that veterans be exempted from the payment of an income tax on all incomes of less than $3,600 a year for the period of the next 4 years to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to investigate the manner in which the Office of Defense Transportation handled the transportation of potatoes from the Red River Valley area of Minnesota in 1944 and 1945 to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. EARTHMAN:

H. R. 2973. A bill for the relief of Ben Thomas Haynes, a minor; to the Committee on Claims.

H. R. 2974. A bill for the relief of the estate of Bobby Messick; to the Committee on Claims.

By Mr. ELLIS:

H. R. 2975. A bill for the relief of the estate of Hiram W. Bloss, deceased; to the Committee on Claims.

H. R. 2976. A bill for the relief of John A. Hatcher; to the Committee on Claims.

By Mr. McCORMACK:

H. R. 2977. A bill granting a franking privilege to Anna Eleanor Roosevelt; to the Committee on the Post Office and Post Roads.

By Mr. SUMNERS of Texas:

H. R. 2978. A bill for the relief of Raymond W. Ford; to the Committee on Claims.

By Mr. VORYS of Ohio:

H. R. 2979. A bill for the relief of Mrs. Sarah Shamansky and Minnie Greenberg; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

412. By Mr. FORAND: Petition from the officers and employees of the Riverside Worsted Co., Inc., of Woonsocket, R. I., protesting the grant of power to the State Department, to further reduce the tariffs which have already been drastically cut, not on wool textiles but on other products, and which additional reduction would admit foreign goods which would displace the goods which should be made in the United States; to the Committee on Ways and Means.

413. By Mr. GOODWIN: Petition of the San Paolino Society, of East Boston, Mass., with reference to the extension of an invitation to Italy to participate in the Conference of Allied Nations at San Francisco; to the Committee on Foreign Affairs.

414. Also, petition of the Italian-American Charitable Society, Inc., of Boston, Mass., with reference to the extension of an invitation to Italy to participate in the Conference of Allied Nations at San Francisco; to the Committee on Foreign Affairs.

415. By Mr. WELCH: Resolution adopted by the San Francisco Labor Council endorsing the Dumbarton Oaks proposals; to the Committee on Foreign Affairs.

SENATE

FRIDAY, APRIL 20, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. Hunter M. Lewis, B. D., associate minister, Church of the Epiphany, Washington, D. C., offered the following prayer:

O God, by whom the meek are guided in judgment and light riseth up in darkness for the godly, grant unto us, Thy servants, we beseech Thee, the spirit of meekness and true godliness, that in all our deliberations we may have the grace to ask what Thou wouldst have us to do, that the Spirit of Wisdom may save us from all false choices, and that in Thy light we may see light, and in Thy straight path may not stumble.

Make us worthy to ask for Thy victory of righteousness, justice, and truth, we beseech Thee, as our armed forces press on to victory. Strengthen our character to bear the solemn responsibility of rebuilding the human family as success crowns our military efforts. Give us self-discipline, perspective, and a sound public mind, and grant that in all things we may seek first Thy kingdom and its righteousness. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, April 19, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a bill (H. R. 2907) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes, in which it requested the concurrence of the Senate.

THE LATE PRESIDENT ROOSEVELT AND PRESIDENT TRUMAN — RESOLUTIONS ADOPTED BY THE CONFERENCE OF THE SENATE MAJORITY

Mr. BARKLEY. Mr. President, I ask unanimous consent to have printed in the RECORD a resolution adopted by the conference of the majority yesterday in regard to the death of the late President Roosevelt and the assumption of the authority of the Presidency by President Harry S. Truman.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Resolved, That the conference of the majority of the United States Senate shares with the people of the Nation and the world the profound sorrow caused by the death of President Franklin D. Roosevelt, who had for 12 years been the acknowledged leader of this Nation, and who through that leadership had become a symbol of democracy and freedom throughout the world;

Resolved further, That this conference tenders to the family of the late President its deep and abiding sympathy in this hour of their great bereavement;

Resolved further, That this conference expresses its confidence in the new President, Harry S. Truman, who has assumed the great responsibilities of the office to which he has been called, and pledges to him its genuine and sympathetic cooperation in bringing the present war to a prompt and victorious conclusion, in establishing a just, honorable, and permanent peace, and in so readjusting the economic processes incident to the post-war period as to bring to our Nation and to the world the greatest possible happiness and prosperity;

Resolved further, That a copy of these resolutions be transmitted to the family of the late President Roosevelt and to President Harry S. Truman.

ALBEN W. BARKLEY,
Chairman.

RESOLUTION OF MISSOURI STATE LEGISLATURE EXPRESSING FAITH IN AND SUPPORT TO PRESIDENT TRUMAN

Mr. DONNELL. Mr. President, the State of Missouri is profoundly conscious of the fact that one of her native sons has become President of the United States. The Legislature of Missouri has this week made official expression appropriate to that fact. Acting for my colleague [Mr. BRIGGS] and for myself, I present to the Senate of the United States that official expression which reads as follows:

Senate Concurrent Resolution 10

Whereas by that inexorable decree of fate from which there lies no appeal, a native-born Missourian, the Honorable Harry S. Truman, has been exalted to the high office of President of the United States of America, in, we hope, the last days of the most devastating and extensive war of all history; and

Whereas we take considerable pride in the fact that a native-born Missourian, for the first time in the history of the United States, occupies the office of Chief Executive of the Nation; and

Whereas it is vital to our national interest that we, of whatever political faith and regardless of whatever views we may entertain as to domestic policies, stand solidly together in all things affecting the interest, the power, the prestige, and the perpetuity of our beloved Nation: Therefore be it

Resolved by the Senate of the Sixty-third General Assembly of Missouri (the House of Representatives concurring therein), That we express our implicit faith in His Excellency, the Honorable Harry S. Truman, as Commander in Chief of our armed forces, and as our new leader in world affairs; that we pledge to him our undivided loyalty and support in the discharge of the onerous duties that confront him; that we are confident he will, with our allies, continue the prosecution of World War No. 2 to final victory, and may Divine Providence so guide us in the adjustments that must be made by and between the peace-loving nations of the world, that in winning the war we shall also win the peace—peace that shall bless the world for generations to follow, and through the ages to come; and be it further

Resolved, That this resolution be printed in the journal and an engrossed copy thereof sent to His Excellency the Honorable Harry S. Truman, President of the United States of America, to the Honorable Forrest C. Donnell and the Honorable Frank P. Briggs, Senators in Congress from Missouri, and to each of the Members of the Missouri delegation in the House of Representatives.

Mr. President, on this occasion of the presentation to the Senate of these resolutions of the legislative body of Missouri, I take this opportunity to express, as I now do, my own individual confidence in my fellow Missourian who has succeeded to the Presidency of the United States, and my cordial best wishes for his administration of the duties of the exalted office which he now occupies.

With permission of the Chair I yield to my colleague the junior Senator from Missouri [Mr. BRIGGS] who desires to make brief expression at this time.

Mr. BRIGGS. Mr. President, the attestation of Missourians to the high character and the sterling integrity of the new President is universal, and this resolution, coming from the duly elected representatives of the people of the State of Missouri, is very fitting and proper. I might say, for the information of the Senate, that the General Assembly of the State of Missouri is not of the same political affiliation as is our new President, but having served with the members of this general assembly in times past, I know of their sincerity of purpose, and I join with them, and with all other Missourians, in announcing to the Nation that our State is humble, proudly humble, if you please, in these trying times, when this most favored and most illustrious son of ours steps into the void left by the death of our great President.

We know that President Truman has the ability, the courage, and the foresight to succeed, and we know that he will prove worthy of the world-wide expressions of confidence that come to him so generously in these trying days.

PRESIDENT TRUMAN—RESOLUTION OF THE TEXAS HOUSE OF REPRESENTATIVES

Mr. O'DANIEL. Mr. President, I ask unanimous consent to present for appropriate reference Resolution No. 198, adopted unanimously by the House of Representatives of the State of Texas, which I should like to read at this time. It is as follows:

Whereas in this hour of great crisis it is imperative that the United States of America continue its leadership in the affairs of this world so that an enduring peace may be established as a basis of dealing between men and nations; and

Whereas God in His divine wisdom has anointed a new leader and the Honorable Harry S. Truman has now taken the oath of office as the President of the United States of America. We are now looking to him to continue those sound policies and philosophies of our forefathers which made our country great and which insured to each person the full right to the enjoyment of life, liberty, and the pursuit of happiness as guaranteed by the Constitution of our great Nation; and

Whereas God has given to us as free Americans an opportunity to grasp the torch of liberty by uniting our every effort behind our President, Harry S. Truman, defender of the integrity and dignity of freemen, who has proven himself possessed of the unwavering zeal, character, courage, and the indomitable wisdom to translate all of our dreams into reality: Now, therefore, be it

Resolved by the House of Representatives of the State of Texas, That we do hereby pledge to President Harry S. Truman our full devotion and support of his effort to bring the present war to an early and victorious termination, and we urge our great President, as soon as possible, to reestablish a sound domestic policy, and to make it possible for each individual to assume his task unfettered by any bond imposed by those who place greed above patriotism so that those who have made the supreme sacrifice will not have died in vain.

Mr. President, the resolution, which was passed unanimously, is signed by the members of the house of representatives, and I ask that the names of all the signers of the resolution be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the resolution the House of Representatives of Texas presented by the Senator from Texas will be received, lie on the table, and the names of the members of the house of representatives will be printed in the RECORD.

The names of the members of the House of Representatives of Texas are as follows:

Adams, Allison, Atkinson, Baker, Barber, Barnes, Bell of Bexar, Bell of DeWitt, Blankenship, Bond, Bridgers, Brown, Bundy, Calhoun, Callaway, Cato, Celaya, Chambers, Chapman, Coker, Colson, Conner, Counts, Cousins, Covey, Crawford, Crosthwait, Cummings, Davis, Deen, Donnell, Duckett, Dunn, Elliott, Ellis, Evans, Fant, Favors, Fenley, Fertsch, Files, Foster, Gandy, Gardner, Gathings, Gerron, Gilmer, Gray, Green, Greer, Grisham, Hanna, Harrell, Harris, Hartzog, Heflin, Helpinstill, Henderson, Holstein, Hoyo, Huddleston, Hull, Humphrey, Hydrick, Isaacks, Johnson, Jones of Bosque, Jones of Hunt, Jordan, Kirby, Lanier, Lansberry, Lee, Lehman, Leonard, Leslie, Leyendecker, Lightfoot, Little, Lock of Angelina, Lock of Rusk, Love, Lucas, Luedemann, Mabe, Manford, Mangum of Dallas, Mangum of Hunt, Markle, Messer, Mills, Montgomery, Moore of Comanche, Moore of Harris, Moore of Red River, Morgan, McAlister, McFarland, McLellan, McMurry, Nicholson, Parkhouse, Parton, Pearson, Peterman, Pickens, Pigg, Price, Proffer, Pruett of Travis, Pruett of Wise, Rampy, Ramsey, Read, Reader, Reed, Roark, Sadler, Sallas, Sellers, Senterfitt, Sharpe, Simpson, Smith of Bastrop, Smith of Hays, Smith of Jack, Smith of Jefferson, Smith of Lubbock, Smith of Tarrant, Spacek, Sparks, Storey, Stubbs, Suiter, Svadlenak, Swanson, Thomas, Vale, Voigt, Walker, Ward, Westbrook, White, Williams, Williamson, Winfree, Wiseman, Wood, Woods, Yezak.

G. H. GILMER,
Speaker of the House.

I hereby certify that H. S. R. No. 198 was unanimously adopted by a rising vote of the House on April 17, 1945.

[SEAL] CLARENCE JONES,
Chief Clerk of the House.

FRANKLIN DELANO ROOSEVELT—RESOLUTION OF THE LEGISLATURE OF NEW HAMPSHIRE

Mr. BRIDGES. Mr. President, I ask unanimous consent to have inserted in the RECORD copy of a resolution passed by the Legislature of New Hampshire in joint convention, in a memorial service in honor of the late Franklin Delano Roosevelt, President of the United States.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

Whereas Franklin Delano Roosevelt, President of the United States, has given his life in the service of his country and for the cause of freedom for all nations and peace among men: Be it

Resolved by the senate and house of representatives in convention assembled, That we hereby record our profound grief at the passing of our President and Commander in Chief; and be it further

Resolved, That we express our confidence in President Harry S. Truman, and that we for ourselves and the people of the State of New Hampshire, whom we here represent, pledge to him loyal support as he assumes the solemn responsibilities of leadership in the present crisis.

QUOTATIONS FROM STATEMENTS ON FULL EMPLOYMENT BY INTERNATIONAL CONFERENCES, ETC.

Mr. THOMAS of Utah. Mr. President, as one of the sponsors of the full-employment resolution adopted by the International Labor Conference last May and as one of the authors of the bill on the subject now pending before the Senate, I deemed it my duty to have prepared a list of selected quotations on full employment from the international conferences, congresses, and agreements, dating from the Atlantic Charter to the agreements at Yalta. While the language employed is, of necessity, very general, the recognition of the participating governments of their responsibility to individually promote a high level of employment, or full employment, and a higher standard of living, is extremely important, and represents a great forward step in the history of the world. The concerted declarations of the acceptance of this responsibility augur well for the success of the efforts toward a lasting peace.

Because of its value as a study of public interest, I ask unanimous consent to have this selection of quotations printed in the RECORD.

There being no objection, the quotations were ordered to be printed in the RECORD, as follows:

SELECTED QUOTATIONS ON "FULL EMPLOYMENT" FROM INTERNATIONAL CONFERENCES, CONGRESS, AGREEMENTS, ETC., SINCE THE ATLANTIC CHARTER

1. ATLANTIC CHARTER, AUGUST 14, 1941

Fifth. They desire to bring about the fullest collaboration between all nations in the economic field, with the object of securing for all improved labor standards, economic advancement, and social security.

Sixth. After the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all the lands may live out their lives in freedom from fear and want. (Source: Department of State, War Documents, Publication 2162, p. 1.)

2. DECLARATION BY UNITED NATIONS, WASHINGTON, JANUARY 1, 1942

Affirms the Atlantic Charter. (Source: Same, p. 2.)

3. THIRD MEETING OF THE MINISTERS OF FOREIGN AFFAIRS OF THE AMERICAN REPUBLICS, RIO DE JANEIRO, JANUARY 15–22, 1942

Final act

XIII. 1. That to raise the standard of living of the people, the economic policy of the American nations must be founded upon a broad and complete utilization of their natural resources and directed toward a greater industrialization of those raw materials which present favorable and permanent economic possibilities both as to production and markets, and, at the same time, it shall be the policy to seek to improve continental coordination through international agreements.

* * * * *

XXV. Whereas: 1. World peace must be based on the principles of respect for law, of justice, and of cooperation which inspire the nations of America and which have been expressed at inter-American meetings held from 1889 to date;

2. A new order of peace must be supported by economic principles which will insure

equitable and lasting international trade with opportunities for all nations;

3. Collective security must be founded, not only on political institutions but also on just, effective, and liberal economic systems;

4. It is indispensable to undertake the immediate study of the bases for this new economic and political order; and

5. It is an imperative necessity for the countries of America to increase their productive capacity; to secure, from their international trade, returns which will permit them adequately to remunerate labor and improve the standard of living of workers; to protect and preserve the health of their peoples and develop the civilization and culture.

* * * * *

Resolves:

1. To request the Governing Board of the Pan American Union to convoke an Inter-American Technical Economic Conference charged with the study of present and post-war economic problems.

2. To entrust the Inter-American Juridical Committee with the formulation of specific recommendations relative to the international organization in the juridical and political fields, and in the field of international security.

3. To entrust the Inter-American Financial and Economic Advisory Committee with a similar function in the economic field, to make the necessary preparations for the Inter-American Technical Conference, referred to in the first paragraph of this resolution. (Source: International Conciliation, No. 373, pp. 119–120, 132–133.)

4. INTER-AMERICAN JURIDICAL COMMITTEE OF THE THIRD MEETING OF MINISTERS OF FOREIGN AFFAIRS OF THE AMERICAN REPUBLICS, SEPTEMBER 5, 1942

Preliminary recommendation on post-war problems

Conclusions

XIV. Elimination of the social factors of war: Nations must recognize that social justice and the improvement of the conditions of life for the individual citizen have a relation to the maintenance of peace and for that reason must play an essential part in any plans of international reconstruction.

Nations must endeavor to raise the standard of life of their citizens and must guarantee to each individual a degree of economic security which will permit him to live in the sufficiency and freedom from fear necessary to enable him to develop his personality and to enjoy the benefits of spiritual and material freedom to which all men have a right.

The realization of these objectives is primarily the task of each separate state; but only by parallel international action can they be adequately secured.

Nations must organize their national industry so as to meet the needs of all the people and not merely the interests of privileged groups; and while having in mind the interests of their own peoples, they must also give consideration to the interests and necessities of the international community.

The social services of the new international organization must be expanded so as to include tasks which are beyond the reach of the individual State. The work of the International Labor Office must be continued to the fullest extent. (Source: American Journal of International Law, vol. 38; supplement, January 1944, p. 32.)

5. FIRST INTER-AMERICAN CONFERENCE ON SOCIAL SECURITY, SANTIAGO DE CHILE, SEPTEMBER 10–16, 1942

Declaration of Santiago de Chile

Considering:

That freedom and dignity are essential and inalienable attributes of human personality;

That, to be able to enjoy fully the basic freedoms of thought, expression, and activity, every man and woman must be afforded physical and economic protection against social and economic risks through properly organized social action;

That it is the common desire of the American nations to increase constantly the moral and material welfare of individuals and families,

Adopts the following declaration:

I. SOCIAL AND ECONOMIC SECURITY

(1) Society must find a new inspiration in a movement of solidarity of all men and nations to abolish poverty and secure the means of living in health and decency.

(2) The potentialities of economic and technical resources must be turned to account in order to satisfy the necessities of life of the greatest number of persons and peoples everywhere.

(3) The economic objective will not suffice to evoke a hearty and generous cooperation unless identified with the moral objective of a just social order, which equitably distributes the fruits of production.

(4) Each country must create, conserve, and build up the intellectual, moral, and physical vigor of its active generation, prepare the way for its future generations, and support the generation that has been discharged from productive life. This is social security: a genuine and rational economy of human resources and values.

(5) The provision of such basic security will promote personal effort and initiative and improve the structure of society by the elimination of the causes of social insecurity.

II. SOCIAL INSURANCE

(6) Social insurance, as an expression of social security, is called upon:

(a) To organize the prevention of risks the occurrence of which deprives the worker of his earning capacity and means of subsistence;

(b) To restore, as quickly and fully as possible, the earning capacity lost or reduced by reason of sickness or accident;

(c) To supply the means of subsistence in case of cessation or interruption of gainful activity as a result of sickness or accident, temporary or permanent disability, unemployment, old age, and premature death of the breadwinner.

III. A CONTINENTAL PROGRAM

(7) A policy of social security for the Americas should compromise measures for promoting employment and maintaining it at a high level, for increasing the national income and sharing it more equitably, and for improving health, nutrition, clothing, housing, and general and vocational education for workers and their families

(8) The health, capacity, and welfare of the workers of any one American nation is a concern of all American nations, and therefore concerted action by social security institutions is imperative for the preservation of their human assets as a guaranty of continental defense and integrity. (Source: Inter-American Conference on Social Security, Provisional Bulletin No. 4.)

6. UNITED NATIONS CONFERENCE ON FOOD AND AGRICULTURE, MAY 18–JUNE 3, 1943, HOT SPRINGS, VA.

(Declaration June 3, 1943)

(4) The first cause of hunger and malnutrition is poverty. It is useless to produce more food unless men and nations provide the markets to absorb it. There must be an expansion of the whole world economy to provide the purchasing power sufficient to maintain an adequate diet for all. With full employment in all countries, enlarged industrial production, the absence of exploitation, an increasing flow of trade within and between countries, and orderly management of domestic and international investment and currencies, and sustained internal and international equilibrium, the food which is produced can be made available to all people. (Source: Department of State, War Documents, Public 2162, p. 4.)

TEXT OF FINAL ACT

XXIV. Achievement of an economy of abundance:

Whereas:

1. The first cause of hunger and malnutrition is poverty;

2. The promotion of the full employment of human and material resources, based on sound social and economic policies, is the first condition of a general and progressive increase in production and purchasing power;

3. The sound expansion of industry in undeveloped and other areas, with equality of access to materials and markets, serves also to expand production and purchasing power and is therefore indispensable to any comprehensive program for the advancement of agriculture;

4. Tariffs and other barriers to international trade, and abnormal fluctuations in exchange rates, restrict the production, distribution, and consumption of foodstuffs and other commodities;

5. Progress by individual nations toward higher standard of living contributes to the solution of broader economic problems, but freedom from want cannot be achieved without effective collaboration among nations;

The United Nations Conference on Food and Agriculture recommends:

1. That the governments and authorities here represented, by virtue of their determination to achieve freedom from want for all people in all lands, affirm the principle of mutual responsibility and coordinated action:

(a) To promote the full and most advantageous employment of their own and all other people and a general advance in standards of living, thereby providing for an increase in both production and purchasing power;

(b) To promote the uninterrupted development and most advantageous use of agricultural and other material resources for the establishment of an equitable balance between agriculture and industry in the interest of all;

(c) To secure for agriculture the stimulus of additional purchasing power through the sound development of industry;

(d) To assist in the achievement of these ends by all appropriate means, including the supply of capital, equipment, and technical skill;

(e) To maintain an equilibrium in balances of payments, and to achieve the orderly management of currencies and exchange;

(f) To improve the methods and reduce the cost of distribution in international trade;

(g) As an integral part of this problem, to reduce barriers of every kind to international trade and to eliminate all forms of discriminatory restrictions thereon, including inequitable policies in international transportation, as effectively and as rapidly as possible;

2. That these governments and authorities take, individually and in concert, whether by conference or otherwise, all necessary measures, both domestic and international, to secure the application of this principle and the achievement of these objectives. (Source: American Journal of International Law, vol. 37, supplement, pp. 182–183.)

7. TEHRAN CONFERENCE, NOVEMBER 24 TO DECEMBER 1, 1943

Declaration of the Three Powers, December 1, 1943

Closest to any statement on full employment:

We shall seek the cooperation and active participation of all nations, large and small, whose peoples in heart and in mind are dedicated, as are our own peoples, to the elimination of tyranny and slavery, oppression and intolerance. (Source: Department of State, War Documents, Public 2162, p. 27.)

8. TWENTY-SIXTH INTERNATIONAL LABOR CONFERENCE, APRIL 20 TO MAY 12, 1944, PHILADELPHIA

(Philadelphia charter May 10, 1944)

III. FULL EMPLOYMENT PUT FIRST

The conference recognizes the solemn obligation of the International Labor Organization to further among the nations of the world programs which will achieve:

(a) Full employment and the raising of standards of living;

(b) The employment of workers in the occupations in which they can have the satisfaction of giving the fullest measure of their skill and attainments and make their greatest contribution to the common well-being;

(c) The provision, as a means to the attainment of this end and under adequate guaranties for all concerned, of facilities for training and the transfer of labor, including migration for employment and settlement;

(d) Policies in regard to wages and earnings, hours, and other conditions of work calculated to insure just share of the fruits of progress to all, and a minimum living wage to all employed and in need of such protection;

(e) The effective recognition of the right of collective bargaining, the cooperation of management and labor in the continuous improvement of productive efficiency, and the collaboration of workers and employers in the preparation and application of social and economic measures;

(f) The extension of social security measures to provide a basic income to all in need of such protection and comprehensive medical care;

(g) Adequate protection for the life and health of workers in all occupations;

(h) Provision for child welfare and maternity protection;

(i) The provision of adequate nutrition, housing, and facilities for recreation and culture;

(j) The assurance of equality of educational and vocational opportunity. (Source: The United Nations Review, vol. IV, July 15, 1944, p. 175.)

NOTE.—For fuller listing of individual recommendations and resolutions by the conference see International Labor Organization, Official Bulletin, vol. XXVI, No. 1, June 1944, pp. 61–63, 74–77, 92–99.

9. DUMBARTON OAKS, AUGUST 21 TO OCTOBER 7, 1944, WASHINGTON, D. C.

CHAPTER IX. Arrangements for international economic and social cooperation:

SECTION A. Purpose and relationships:

1. With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations, the organization should facilitate solutions of international economic, social, and other humanitarian problems and promote respect for human rights and fundamental freedoms. Responsibility for the discharge of this function should be vested in the general assembly and, under the authority of the general assembly, in an economic and social council.

2. The various specialized economic, social, and other organizations and agencies would have responsibilities in their respective fields as defined in their statutes. Each such organization or agency should be brought into relationship with the organization on terms to be determined by agreement between the economic and social council and the appropriate authorities of the specialized organization or agency, subject to approval by the general assembly."

NOTE.—Sections B, C, and D provide for composition and voting, functions and powers of the economic and social council, organization and procedure.

(Source: International Conciliation, No. 405, November 1944, pp. 740–741.)

10. CRIMEA CONFERENCE, YALTA, FEBRUARY 4 TO 11, 1945

(Report, February 11, 1945)

Contains no specific declaration on full employment, reaffirms the Atlantic Charter. "Only with the continuing and growing cooperation and understanding among our three countries and among all the peace-loving nations can the highest aspiration of humanity be realized—a secure and lasting peace which will, in the words of the Atlantic Charter, 'afford assurance that all men in all lands may live out their lives in freedom from fear and want.'" (Source: Department of State, Toward the Peace, Documents, Publication No. 2298, 1945, p. 36.)

THE FOLLOWING CONFERENCES, CONGRESSES, ETC., WERE CONSIDERED, BUT NO STATEMENTS ON FULL EMPLOYMENT WERE FOUND

Inter-American Conference of Police and Judicial Authorities, Buenos Aires, May 27–June 9, 1942, final act.

Twelfth session of the Joint Maritime Commission of the International Labor Organization, London June 26–30, 1942.

Inter-American Conference on Systems of Economic and Financial Control, Washington, June 30–July 10, 1942.

International Wheat Council, Washington, August 3–5, 1942

Eleventh Pan-American Sanitary Conference, Rio de Janeiro, Brazil, September 7–18, 1942.

Moscow Conference. Joint communiques. November 1, 1943.

Agreement for United Nations Relief and Rehabilitation Administration. Atlantic City, N. J. November 9, 1943. First session of the Council, November 10–December 1, 1943.

The Cairo Conference. November 21–24, 1943, Cairo (United States, United Kingdom, and China) Statement released December 1, 1943.

The Cairo Conference. Churchill, Inonu, and Roosevelt. December 4–7, 1943. Joint statement.

Emergency Advisory Committee, Montevideo, Uruguay, December 24–31, 1943.

West Indies Conference, Barbados, British West Indies. Joint communique. January 4, 1944.

Inter-American Institute of Agricultural Sciences, January 15, 1944, Washington, D. C. Convention

Conference of Ministers of Education of Allied Governments, London, April 1944. Memorandum issued April 20, 1944.

Second session of U. N. R. R A. Council, September 15–26 1944, Montreal.

International Civil Aviation Conference, November–December 1944, Chicago.

Inter-American Conference on Problems of War and Peace, February 22–March 8, 1945, Mexico City. Act of Chapultepec, March 3, 1945.

EXTENSION OF RECIPROCAL TRADE AGREEMENTS ACT—LETTER BY HON. CORDELL HULL

Mr. BARKLEY. Mr. President, we are all interested, of course, in the legislation which will soon come to the Senate, which must first pass the House of Representatives, proposing to extend the Trade Agreements Act which has been in effect for a number of years. Former Secretary of State Hull, who might be said to be the father of the trade-agreement program, has written a very interesting, instructive, and illuminating letter to the Honorable ROBERT L. DOUGHTON, chairman of the Committee on Ways and Means of the House of Representatives, in which he advocates extension of the Trade Agreements Act. I ask unanimous consent that Mr. Hull's letter may be printed at this point in the RECORD in connection with my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 16, 1945.

The Honorable ROBERT L. DOUGHTON,
Chairman, Ways and Means Committee,
House of Representatives.

MY DEAR MR. DOUGHTON: I very much regret that this year I cannot personally attend your committee hearings on the Trade Agreements Act. I want you to know, however, that the program today is just as central to my thinking on international affairs as it has always been. Indeed, with the coming total destruction of the forces of aggression, the opportunity to realize the full benefits of reciprocal trade agreements and through them to further the cause of world peace is greater than ever before.

Back in 1917 and again in 1920 I pointed out in the House that the countries of the world were in danger of sinking into a chaos of unfair competition and economic warfare unless measures were taken to stop it, and I proposed that the Congress advise the President to call an international conference to work out ways of reducing old trade barriers and preventing new ones, and to agree on rules of fair competition in commerce among nations. Instead, we raised our tariffs in 1921 and 1922, and again in 1930; other countries began to try to fence out imports and the world started down the road of commercial conflict that helped bring on this war.

In 1934 the United States decided to go the other way, and to use its influence to persuade other countries to take the same new course. Under the Trade Agreements Act we have succeeded in reaching agreements with 28 countries to our advantage and theirs. But international relations had already deteriorated to such an extent that, against the setting of trade wars and depression, Hitler had come into power in Germany and the Japs were in Manchuria.

We shall soon have another chance to make a peace. This time we propose to make one that will last. We know that it cannot be lasting unless it embraces not only political and military affairs but also arrangements to provide the essential prerequisites to economic prosperity and to maintaining and improving standards of living in our own and in all countries. The trade-agreements program is one of these essentials. Its purpose has always been—and must continue to be—to bring about a reduction or elimination, on a reciprocal basis of mutual benefit, of excessive barriers to trade which impair the well-being of all countries and thus undermine peaceful and friendly relations among nations. The action of the Congress on your bill is therefore one of the decisive tests of whether the United States is prepared to assume its share of the responsibility for creating the basic conditions upon which enduring peace depends.

As President Roosevelt pointed out in his message to Congress on March 26, 1945, we cannot, in the difficult period immediately ahead, have an effective trade-agreements program unless the act is strengthened and brought up to date, as your bill proposes. In the agreements which the United States has already made, we have used up a major part of the authority under the original law and have obtained in exchange valuable relaxations of barriers to our exports which will give us renewed benefits in the post-war years. But we must now go further. In the conditions which confront us now and will confront us after the war, we must have the additional authority which your amendment provides in order to make the act an adequate instrument for expanding our foreign commerce and world trade in general.

Neither the original act nor your bill contemplates any indiscriminate slashing of tariffs. When your bill has been adopted the act will still contain all the provisions that it always has contained for full consultation, before action, among the departments of the Government that know the most about commercial questions, and for public hearings at which any citizen may submit facts and arguments. The administrators of the act will still be required, under your bill, to give due consideration to all interests. I have complete confidence that the act will continue to be carried out wholly in the best national interest and in the same careful and scientific manner in which it has been carried out for the last 11 years.

Although I shall not be with you this time during the congressional consideration of the trade-agreements program, I shall follow the discussions in the Congress with absorbing interest and with high hope that, in this crucial decision, we shall again let the world know that we will not fail to play our full part in bringing about the conditions necessary for prosperity and a lasting peace.

Sincerely yours,

CORDELL HULL.

POST-WAR INTERNATIONAL ORGANIZATION—LETTER BY RALPH E. FLANDERS

Mr. AUSTIN. Mr. President, I ask unanimous consent to have printed following this request a letter addressed to me and an accompanying statement of fact and declaration of purpose which relate to certain fundamentals, to be considered in connection with the forthcoming conference at San Francisco, for a general international organization for security and peace. This letter is written by Hon. Ralph E. Flanders, of Springfield, Vt., who is well known here in Washington and throughout the United States. He is among other things the president of the Federal Reserve bank located at Boston, Mass. I ask for this publication in the RECORD because of the importance of the subject and the searching characteristics of the material which Mr. Flanders sends.

There being no objection, the letter and accompanying statement were ordered to be printed in the RECORD, as follows:

BOSTON, MASS., *April 18, 1945.*

Hon. WARREN R. AUSTIN,
United States Senate, Washington, D. C.

DEAR WARREN: I am enclosing herewith a brief manuscript which explores the fundamentals of the problem of post-war international organization. It refers to certain facts which I feel have not been often enough emphasized, of which the principal one is that ultimate responsibility must, in the nature of the case, lie with the great powers. Public opinion does not yet seem to recognize this fact.

However, American public opinion is, I believe, quite clear on our national purposes. Are other nations equally clear? To be specific, do Churchill and Stalin know what is in the American mind?

The death of the President moves this subject out of the realm of personal initiative, knowledge, and responsibility, into the field of responsible public discussion.

I am submitting the document in the hope that it or some similar statement may become the basis of congressional debate, of spoken and written discussion, and of the position we take at San Francisco and elsewhere.

I doubt if there is anything new in this, either to your thinking or that of Senator VANDENBERG. Much of it is new to public discussion. Much, I suspect, will be new to Stalin and Churchill or, if not new, at least inadequately presented. Cannot something be done to get adequate formulation and presentation?

In the end, we will have to accept the best form of world organization which can be agreed upon, will have to work under it as well as we can, and will have to press for its improvement as experience demonstrates the need for improvement. However, at this stage, should we not press more strongly for the fundamentals?

Sincerely yours,

RALPH.

STATEMENT OF FACT AND DECLARATION OF PURPOSE

The destruction of the military strength and resources of the predatory powers is approaching completion.

When that task has been completed there will occur the greatest opportunity in history to establish the conditions of lasting peace.

It is obvious that the great powers, acting in harmony, can impose peace between nations.

It is likewise obvious that, with the predatory powers destroyed and if unity of purpose is maintained, there will be no need for sytsems of alliances or buffer states, which could only be erected by the great powers against each other. Should this situation arise it would be an evidence that the United Nations had failed to gather the full harvest of their military victory.

It is nevertheless understood that the great powers, in their capacity as trustees of lasting peace, will find it advisable to occupy certain strong points to assure that any attempt by the predatory powers to rebuild their military strength is promptly thwarted.

However, the requirements of tranquillity and peaceful development in the world go beyond the imposition of peace by potential or active military force.

There is great danger that ancient enmities, remaining injustices, and removable economic distress may throw specific areas of the world into temporary or chronic turmoil. In these local disturbances the causes of future world disturbances may arise. They cannot be neglected.

On the colonial powers rests the difficult task of teaching, leading, and encouraging their dependent populations toward the highest degree of social advancement and self-government of which they are capable.

On the United Nations as a whole rests the responsibility of setting up standards of justice which shall assure freedom of government to all peoples who have developed national unity within appropriate racial and geographical boundaries.

It is recognized that in certain troubled areas that cannot be immediately accomplished but will require continuing unity in patience and good will on the part of the United Nations.

Finally there rests on the United Nations the responsibility of laying the foundations for economic and social progress in the world as a whole, which progress shall be at once the enjoyable fruit and the best assurance of a durable peace.

RALPH E. FLANDERS.

SPRINGFIELD, VT., *April 16, 1945.*

LEAVE OF ABSENCE

Mr. McCARRAN. Mr. President, I am called upon to be absent from the Senate on official business this afternoon and tomorrow, returning Monday morning. I ask unanimous consent that I may be excused.

The PRESIDENT pro tempore. Is there objection? The Chair hears none and the permission of the Senate is granted.

ENROLLED BILLS PRESENTED TO THE PRESIDENT

The Secretary of the Senate reported that on April 19, 1945, he presented to the President of the United States the following enrolled bills:

S. 37. An act to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes;

S. 288. An act for the relief of the Lawrence Motor Co., Inc.;

S. 514. An act for the relief of the Baldwin Bros. Paving Co.;

S. 530. An act authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Tex., to Dallas County, Tex., for highway purposes; and

S. 531. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, Calif., for fire-station purposes, the title to certain land located at Veterans' Administration facility, Los Angeles, Calif.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORT OF PERSONS COMMISSIONED IN THE ARMY WITHOUT PRIOR MILITARY SERVICE

A letter from the Secretary of War, transmitting, pursuant to law, a report showing the name, age, legal residence, rank, branch of the service, with special qualifications therefor, of each person commissioned in the Army of the United States without prior commissioned military service for the period from February 1 to March 31, 1945 (with an accompanying report); to the Committee on Military Affairs.

REPORT OF SMALLER WAR PLANTS CORPORATION

A letter from the Chairman of the War Production Board, transmitting, pursuant to law, a report of the Smaller War Plants Corporation for the period from February 1 through March 31, 1945 (with an accompanying report); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

By Mr. AUSTIN:

A resolution of the Legislature of the State of Vermont; to the Committee on Finance:

"Whereas this Nation's armed forces in cooperation with their gallant allies are slowly but inexorably throttling the last savage German opposition on the continent of Europe, and as soon as organized resistance in this conflict has ceased large groups of our armed forces will be transferred to the Pacific to finish the war against Japan so that the forces of aggression will be completely crushed, final peace established, and respect for the rights of nations and individuals ordered once more by organized cooperative effort of the nations; and,

"Whereas although we glory in the achievements of our valiant men and women in the armed forces, now numbering over 30,000 from Vermont, which is almost 10 percent of our population in service, and are proud of the fact that Vermont was next to the top in early enlistments, yet we painfully realize that war brings its travail in the wounded and disabled; and

"Whereas it is estimated that each month during the past year about one-tenth of 1 percent of the men in service have received permanent injury requiring long hospitalization and there is available for them in Vermont only one hospital, namely, the veterans'

hospital at White River Junction, which today is only 25 percent available for veterans of World War No. 2; and

"Whereas Vermonters who have contributed so substantially to the cause of victory want their wounded and disabled soldier boys taken care of, so far as practicable, in veterans' hospitals within the State where they can be visited by their friends and relatives without necessity of such friends and relatives having to travel 100, 200, or several hundred miles to see them in veterans' hospitals of other States; and

"Whereas the Federal Government is contemplating a large hospital-building program in other States to provide facilities for the care of the wounded and disabled; and

"Whereas Vermont and North Dakota are the only 2 States in the Union which have only 1 veterans' hospital each, and all other States have at least 3 or 4, and California has over 60; and

"Whereas Vermont has good sites readily available and easily accessible for the location of veterans' hospitals thereat and a healthy climate for returning wounded and disabled veterans to recuperate in: Now, therefore, be it

"*Resolved by the senate and house of representatives*, That the Federal Government should provide additional adequate hospital facilities within the State for returning hospitalized veterans or others needing the use of such facilities, and that to accomplish that end additional veterans' hospitals should be erected in Vermont; and be it further

"*Resolved*, That a copy of this resolution be sent to the Veterans' Administration and to the Vermont delegation in Congress at Washington by the secretary of state, and that such delegation be requested to take such steps as may be necessary to procure, if possible, for the State of Vermont such additional hospital facilities by the erection of an additional veterans' hospital, or hospitals, in the State.

"Approved April 18, 1945.

"MORTIMER R. PROCTOR,
"Governor."

By Mr. CORDON (for himself and Mr. MORSE):

A joint memorial of the Legislature of the State of Oregon; to the Committee on the Judiciary:

"Senate Joint Memorial 7

"*To the Honorable Senate and House of Representatives of the United States of America, in Congress Assembled:*

"Whereas George Washington, the first President of the United States, established a precedent by refusing to serve more than two terms as Chief Executive; and

"Whereas it was the obvious intent of the founding fathers of this country that there be no prolonged tenure in the office of President; and

"Whereas in the economic structure of the Nation it is the office which is important, rather than the individual, and such office should be held by one man only during the period of his greatest efficiency; and

"Whereas it is in the interest of good government and the preservation of the democratic system that a limitation be placed upon the tenure in office of the President of the United States: Now, therefore, be it

"*Resolved by the Senate of the State of Oregon (the House of Representatives jointly concurring therein)*, That we, your memorialists, the forty-third legislative assembly of the State of Oregon, hereby do request and petition the Congress of the United States to give favorable consideration to the matter of amending the Constitution of the United States of America so as to provide therein a limit upon the tenure in office of the President of the United States to not more than two consecutive terms of 4 years each, and to that end that House Joint Resolution 65, introduced on January 10, 1945, be approved; be it further

"*Resolved*, That the secretary of state of the State of Oregon be and he hereby is directed to send a copy of this memorial to each of the Senators and Representatives in Congress from the State of Oregon."

TRANSPORTATION OF POTATOES FROM THE RED RIVER VALLEY

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the Senate of the State of Minnesota, requesting Congress to investigate the manner in which the Office of Defense Transportation handled the transportation of potatoes from the Red River Valley area of Minnesota during the years 1944 and 1945.

The PRESIDENT pro tempore. Without objection, the resolution will be received, appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Interstate Commerce:

Senate Resolution 8

Resolution requesting the Congress of the United States to investigate the manner in which the Office of Defense Transportation handled the transportation of potatoes from the Red River Valley area of Minnesota in 1944 and 1945

Whereas in that portion of Minnesota known as the Red River Valley large quantities of potatoes are grown; and

Whereas potatoes are an essential food and are badly needed by both the armed forces and civilians during this critical period of a world food shortage; and

Whereas potatoes are a perishable food and must be moved within a given time of production or they will spoil; and

Whereas each year during the months of January and February large numbers of refrigerated cars are required in the Red River Valley for the purpose of moving these potatoes to market; and

Whereas in the year 1944 very few of such cars were furnished and instead the Office of Defense Transportation sent into the Red River Valley open gondola cars for the purpose of moving potatoes; and

Whereas after loading potatoes into such cars they became covered with snow and many of them froze and were spoiled; and

Whereas the year 1944 was a repetition of the old story of "too little and too late" in that the Office of Defense Transportation furnished an insufficient number of cars in which to transport potatoes, and many of the cars that were furnished came during the month of March, when they should have been supplied during January and February to avoid loss and spoilage; and

Whereas the failure of the Office of Defense Transportation to give adequate consideration to the problem of moving these potatoes out of the Red River Valley area for 2 years in succession indicates inefficiency and mismanagement on the part of this governmental agency; and

Whereas the potato-growing farmers of this area are greatly worried for fear that a similar situation may develop when the time comes to move the crop produced in 1945, and this worry on their part may adversely affect the amount of potatoes to be produced this year: Now, therefore, be it

Resolved by the Senate of the State of Minnesota, That the Congress of the United States be requested to conduct an investigation of the handling of this matter by the Office of Defense Transportation, to the end that any errors that were made in 1944 and 1945 will not be repeated, and the potato growers of the Red River Valley may be assured that adequate refrigerated cars for the movement of their 1945 crop will be furnished at the proper time; be it further

Resolved, That copies of this resolution be sent to the Presiding Officers of the Senate and the House of Representatives and to the Members of the Congress of the United States.

Adopted by the Senate, State of Minnesota, April 17, 1945.

JOHN W. SNYDER, FEDERAL LOAN ADMINISTRATOR

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a letter I have received from John P. Gaty, vice president and general manager of the Beech Aircraft Corporation, of Wichita, Kans., commending the appointment by President Truman of John W. Snyder to be Federal Loan Administrator.

The PRESIDENT pro tempore. Without objection, the letter will be received, appropriately referred, and printed in the RECORD.

The letter was referred to the Committee on Banking and Currency and ordered to be printed in the RECORD as follows:

BEECH AIRCRAFT CORPORATION,
Wichita, Kans., April 19, 1945.

The Honorable ARTHUR CAPPER,
The United States Senate,
Washington, D. C.

DEAR SENATOR CAPPER: We note with pleasure that President Truman has appointed John W. Snyder as Federal Loan Administrator. This appointment pleases us very much because of our personal acquaintanceship with Mr. Snyder.

We know from personal experience that he is a courageous, efficient, and businesslike individual who has ample experience to handle his new duties with distinction to himself and credit to the country.

At the beginning of our war program we received contracts from the Army and Navy to build airplanes which were badly needed in the defense program, prior to our entry into the war. We made application to various banks and to the Governor of the local Federal Reserve District. No one of these banks would loan us any money, and the Federal Reserve people stated that they felt that a Government contract was not a good security for a loan.

Because we were firmly convinced that war was impossible to avoid and that time was of the utmost importance in connection with the defense program, we had taken grave risks and had committed ourselves to the expansion of buildings and facilities necessary for the purpose of fulfilling the Government contracts into which we had entered. We were faced with the situation in which we were facing bankruptcy unless we could obtain prompt financial assistance. Having been turned down by the banks, both regional and metropolitan, we had no other recourse but to turn to the R. F. C.

The writer went to Washington for that purpose and without invoking any political assistance whatever, made application for assistance to the R. F. C. Mr. John W. Snyder carefully considered our application personally and within 24 hours of the time of application made us a loan which insured our ability to carry on our operations until more formal arrangements could be made. At a later date, after we had had an opportunity to submit balance sheets and other documentary evidence, a larger loan was granted

to us and we continued to operate with R. F. C. financing for a considerable period of time.

It should be remembered that our company, prior to the war, was a very small and unimportant organization. At the time that we applied to the R. F. C. we were attempting to finance contracts which aggregated approximately fifteen times our average yearly business for the previous 2 years, and it was this factor which influenced most banks against us. Reasonably enough, they questioned our ability to satisfactorily meet our contractual obligations, because of the fact that we had no record of previous experience with handling that much business. The R. F. C. also raised this question, and we were forced to admit that it was impossible for us to prove that we could handle our contractual obligations successfully and that they merely had to accept our opinion that we were capable of doing so.

What I am trying to bring out in the foregoing discussion is the fact that John W. Snyder acted courageously and promptly in supporting our particular part of the defense program at a time when other facilities were not available and when ordinary commercial banks were not interested. The fact that we later discharged all our obligations to the ultimate satisfaction of all of the Government agencies concerned could not be known in advance to Mr. Snyder. He simply had to accept us at our face value and to risk very considerable sums of money backing us up for the sake of the defense program which was initiated by the Army and Navy. No question of politics was involved, as we invoked no political assistance, and Mr. Snyder did not inquire as to our personal politics, which, of course, happened to be Republican.

We realize that our experience was only a small incident in connection with Mr. Snyder's duties. However, it does indicate the character and ability of the man in connection with his fitness to assume the duties for which he has been selected by President Truman.

We feel that President Truman has made an excellent choice and we respectfully recommend Mr. John W. Snyder for your favorable consideration.

Best personal regards.

Sincerely yours,

JOHN P. GATY,
Vice President, General Manager.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HATCH, from the Committee on Public Lands and Surveys:

S. 118. A bill authorizing the Secretary of the Interior to convey certain lands on the Gila reclamation project, Arizona, to the University of Arizona; without amendment (Rept. No. 194);

S. 497. A bill to amend an act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609); without amendment (Rept. No. 195); and

H. R. 1719. A bill to confirm the claim of Charles Gaudet; without amendment (Rept. No. 196).

By Mr. BILBO, from the Committee on the District of Columbia:

H. R. 2687. A bill to grant the honorary rank of colonel to Edward J. Kelly, major and Superintendent of the Metropolitan Police Force of the District of Columbia; without amendment (Rept. No. 197).

By Mr. BARKLEY, from the Committee on the Library:

H. J. Res. 13. Joint resolution providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.; without amendment.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCARRAN:

S. 904. A bill to provide 30 days' leave to enlisted men before honorable discharge; to the Committee on Military Affairs.

S. 905. A bill for the relief of Harold E. Bullock; to the Committee on Claims.

(Mr. BARKLEY introduced Senate bill 906, which was passed, and appears under a separate heading.)

By Mr. CORDON:

S. 907. A bill to provide for the payment of interest on amounts payable under section 501 of the World War Adjusted Compensation Act; to the Committee on Finance.

By Mr. HAYDEN (for Mr. MEAD):

S. 908. A bill to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes; to the Committee on Post Offices and Post Roads.

By Mr. WALSH:

S. 909. A bill for the relief of Hugh Egan; to the Committee on Claims.

By Mr. RUSSELL:

S. 910. A bill to amend section 1 of an act entitled "An act to effect needed changes in the Navy ration," approved March 2, 1933 (Public, No. 411, 72d Cong.); to the Committee on Naval Affairs.

By Mr. O'MAHONEY:

S. 911. A bill authorizing the conveyance of certain lands to the city of Cheyenne, Wyo.; to the Committee on Public Lands and Surveys.

By Mr. KILGORE:

S. J. Res. 58. Joint resolution to establish the first week in October of each year as National Employ the Physically Handicapped Week; to the Committee on the Judiciary.

(Mr. WILLIS (for himself, Mr. CAPEHART, Mr. HATCH, Mr. CHAVEZ, and Mr. SHIPSTEAD) introduced Senate Joint Resolution 59, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

FRANKING PRIVILEGE TO MRS. ANNA ELEANOR ROOSEVELT

Mr. BARKLEY. Mr. President, I ask unanimous consent to introduce a bill at this time, and I ask for its present consideration. It is a bill granting the franking privilege to Mrs. Anna Eleanor Roosevelt, widow of the late President Franklin D. Roosevelt. It is in the same terms which have been adopted on previous occasions, as in the cases of the widow of Woodrow Wilson, Mrs. Warren G. Harding, Mrs. William Howard Taft, Mrs. Calvin Coolidge, and other widows of Presidents who have been granted the privilege of franking their mail when sent through the Postal Service.

Some of these measures have been enacted without reference to a committee. In one or two cases they have been referred to a committee, but in view of the universal custom I assume there will be no objection to the present consideration of the bill I am now introducing.

Mr. WHITE. Mr. President, I understand the situation to be precisely as stated by the distinguished majority leader. The bill conforms with a long and unbroken precedent. I hope it may be speedily passed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Kentucky?

There being no objection, the bill (S. 906) granting a franking privilege to Anna Eleanor Roosevelt, was read the first time by its title, second time at length, considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That all mail matter sent by the post by Anna Eleanor Roosevelt, widow of the late Franklin Delano Roosevelt, under her written autograph signature, be conveyed free of postage during her natural life.

HOUSE BILL REFERRED

The bill (H. R. 2907) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1946, and for other purposes, was referred to the Committee on Appropriations.

THE BOXCAR SHORTAGE

[Mr. HICKENLOOPER asked and obtained leave to have printed in the RECORD notes on the boxcar situation in Iowa, prepared by the Farmers Grain Dealers Association of Iowa, of Fort Dodge, Iowa, which appear in the Appendix.]

THE MEAT SHORTAGE

Mr. HICKENLOOPER. Mr. President, in view of the meat shortage and the apparent increase in the shortage, I should like to read a telegram I received this morning from Mr. B. C. Northington, vice president and general manager of the Blackhawk Hotels Co., addressed to me. It is as follows:

DAVENPORT, IOWA, *April 18, 1945.*

Senator ELBURKE HICKENLOOPER,
Senate Office Building
Washington, D. C.

DEAR SIR. Through a subsidiary company, we operate the cafeterias and all line feeding of civilian personnel under contract to the Navy at the naval ammunition depot, Hastings, Nebr., and for the Iowa ordnance plant under contract with Day & Zimmerman at Burlington Iowa serving a total of approximately 20,000 meals a day to the civilian personnel of these establishments. Under date of April 16, Associated Press release, the O. P. A. authorized increased allotments of various types of food for isolated workers on Government jobs This gesture is very misleading, in our case, at any rate. We have had no point problem, but have reached the point where it is practically impossible to secure meats and cooking fats of any kind, including fowl and fish. If there isn't something done to supply foodstuff to such organizations, it will definitely hurt the war effort. If you would like, I can have the commanding officers or managers of these establishments confirm this wire. The matter has been taken up with the district War Food Administration office and the Office of Price Administration in Chicago, but with no relief. Isn't there something that can be done? The situation is just as serious for hotels, but of course, we are not expecting any special consideration for them. A similar wire is going to Senator WHERRY, of Nebraska, whom I know personally. Won't you try and get us some relief?

B. C. NORTHINGTON,
Vice President and General Manager,
Blackhawk Hotels Co.

INFORMATION CONCERNING THE DEATH OF MAJ. GEN. MAURICE ROSE

Mr. MILLIKIN. Mr. President, the distinguished senior Senator from Colo-

rado [Mr. JOHNSON] and I have requested from the Secretary of War a report on the circumstances surrounding the death of Maj. Gen. Maurice Rose, who was killed in action on March 30, 1945. The Secretary has written us a letter on the subject. I ask unanimous consent that an excerpt from the letter of April 17, 1945, from Hon. Henry L. Stimson, Secretary of War, be printed in the RECORD at this point as a part of my remarks.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This will acknowledge the receipt of your letter of April 5, 1945, wherein you request that you be furnished information concerning the death of Maj. Gen. Maurice Rose, who was killed in action on March 30, 1945.

The commanding general of the European theater of operations has been requested to submit to the War Department a full report of all the facts in connection with the death of General Rose. Information which has been received discloses that during the late afternoon of March 30, 1945, General Rose was proceeding along a route in an armored column in the vicinity of Paderhorn, Germany, when the column was fired upon by German tanks to the front. General Rose directed the air forces in the vicinity to bomb the enemy tanks which seemed to be on the road along which the column was traveling. The fighter bombers attacked the tanks and it was thought at that time that two or three of the German vehicles were left burning. However, the tanks continued to fire on the column, hitting a vehicle up forward and setting it afire, blocking the road. The enemy tanks then continued to fire the length of the column and several vehicles were hit. Shortly, thereafter, gunfire was noticed coming from the rear of General Rose's position and he then realized that the column had been cut. The report reveals that he attempted to contact the column commander by radio in order to have artillery adjusted on the hostile forward tanks; however, he was unable to make radio contact with the commander. It was dark by this time and General Rose moved forward to contact the commander. Several of the vehicles in the armored column were on fire and the Germans continued firing, lighting up the area with flares.

In moving forward, General Rose avoided several hostile tanks by moving cross country but later returned to the road where other German tanks were encountered. General Rose was riding in a peep, accompanied by his aide and his driver, and two of the enemy tanks were successfully eluded without the peep being fired upon but, because of the narrow road, the peep collided with the right front fender of a third tank. When the German tank commander shouted excitedly, General Rose and his party dismounted with their hands above their heads and, being unable to understand what the tank commander was saying, believed that they were being called upon to surrender their weapons. The aide, who was wearing a shoulder holster, dropped it to the ground. It appears that when the aide disposed of his pistol, the turret gunner opened fire with a light automatic weapon and General Rose fell forward. Realizing that the enemy did not intend to take the party prisoners, the aide jumped into a ditch on the side of the road and escaped, although he was fired upon frequently. The driver took another route and also escaped.

General Rose served his country valiantly and the death of this outstanding officer is a great loss to our armed forces.

Sincerely yours,

HENRY L. STIMSON,
Secretary of War.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940.

The Senate resumed the consideration of the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDING OFFICER (Mr. HOEY in the chair). The question before the Senate is on agreeing to the amendment proposed by the Senator from Texas [Mr. O'DANIEL] as a substitute for the amendment proposed by the Senator from Tennessee [Mr. STEWART] and other Senators to House bill 2625.

Mr. BARKLEY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Austin	Gurney	Murdock
Bankhead	Hart	O'Daniel
Barkley	Hatch	O'Mahoney
Bridges	Hawkes	Radcliffe
Briggs	Hickenlooper	Revercomb
Buck	Hoey	Robertson
Burton	Johnson, Colo.	Russell
Bushfield	Johnston, S. C.	Smith
Capehart	Kilgore	Stewart
Capper	La Follette	Taft
Chandler	McCarran	Taylor
Chavez	McClellan	Thomas, Utah
Connally	McFarland	Tunnell
Cordon	McKellar	Walsh
Donnell	McMahon	Wherry
Ferguson	Magnuson	White
Fulbright	Maybank	Wiley
George	Millikin	Wilson
Gerry	Mitchell	
Guffey	Moore	

Mr. BARKLEY. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Alabama [Mr. HILL], and the Senator from Montana [Mr. MURRAY] are absent on public business.

The Senator from Maryland [Mr. TYDINGS] is absent on official business.

The Senator from North Carolina [Mr. BAILEY], the Senator from Mississippi [Mr. BILBO], the Senator from California [Mr. DOWNEY], the Senator from Louisiana [Mr. ELLENDER], the Senator from Arizona [Mr. HAYDEN], the Senator from Illinois [Mr. LUCAS], the Senator from Louisiana [Mr. OVERTON], the Senator from Oklahoma [Mr. THOMAS], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are absent attending committee meetings and public business pertaining to their respective States.

The Senator from Pennsylvania [Mr. MYERS] is absent attending a funeral.

The Senator from Virginia [Mr. BYRD] and the Senator from Florida [Mr. PEPPER] are detained in a conference at the White House.

Mr. WHERRY. The Senator from Minnesota [Mr. BALL], the Senator from Maine [Mr. BREWSTER], the Senator from Oregon [Mr. MORSE], and the Senator from Massachusetts [Mr. SALTONSTALL] are necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The following Senators are detained in committee meetings and on official business:

The Senator from Vermont [Mr. AIKEN], the Senator from Kansas [Mr. REED], the Senator from Michigan [Mr. VANDENBERG], the Senator from Indiana [Mr. WILLIS], and the Senator from North Dakota [Mr. YOUNG].

The PRESIDING OFFICER. Fifty-eight Senators having answered to their names, a quorum is present.

Mr. BUTLER subsequently said: Mr. President, I arrived just a few seconds too late to answer the quorum call.

The PRESIDING OFFICER. The RECORD will so show.

The question is on agreeing to the amendment proposed by the Senator from Texas [Mr. O'DANIEL] as a substitute for the amendment proposed by the Senator from Tennessee [Mr. STEWART] and other Senators to the pending bill.

Mr. O'DANIEL. Mr. President, inasmuch as the bill to extend the Selective Training and Service Act of 1940 is now before the Senate, and inasmuch as an amendment has been offered by the Senator from Tennessee [Mr. STEWART], for himself and other Senators, to guarantee a certain amount of training to the 18-year-old inductees before they are placed in actual combat duty, I thought it timely and appropriate that I call the attention of the Senate to the amendment which I have offered as a substitute for the amendment proposed by the Senator from Tennessee and other Senators. When amendment of the Selective Training and Service Act was under consideration on October 23, 1942, I offered an amendment to the then pending bill, as follows:

No person under 20 years of age, inducted under this act, shall be placed in actual combat duty beyond the territorial boundaries of continental United States until after he has had at least 1 year's military training following his induction.

Mr. President, that amendment was adopted by the Senate on a yea-and-nay vote, and was later stricken out by the conference committee. Since that time we have had more than 2 years of experience. Possibly some who then favored the amendment have changed their minds with reference to it. Some who were not in favor of it at that time may have had some experiences which cause them to favor it at this time.

I have received a great many letters bearing on this subject from citizens of my State. I am advised that many other Senators have likewise received quite a few letters pertaining to the 18-year-old boys who were placed in foreign combat duty with less than 12 months' training. As a sample of some of the letters which I have received, I should like to read at this time a letter which I received from Austin, Tex., dated March 31. This letter is from Mrs. Bertha E. Kinser, and reads as follows:

AUSTIN, TEX., *March 31, 1945.*

DEAR FRIEND: Received your letter of March 21. It was indeed nice of you to express to

us your sympathy in the loss of our only child, our little 18-year-old son, John D. Kinser. Bless his heart; he lived a beautiful life. He only had 3 months and 10 days' training before being sent overseas for combat. He left P. O. E. around January 18 or 20, and was killed February 20. We had planned great things for our son, but God had a greater plan. John had given his life for special work at the age of 16; he had been called as a medical missionary. He had started to the University of Texas and was making good grades when he was called to serve his country. He also served his Lord. While he was training at Camp Wolters he was song leader in chapel choir. I am very proud of all the beautiful things he did for his Lord and Country. He was seriously burned on his right hand the second day he was at Camp Wolters; he went along with his training as though he hadn't been hurt.

John was a good friend of yours. He would always get up early on Sunday morning to hear you over the radio when you were living in Austin. He was a great Boy Scout.

Since John was such a good Christian, loved his church, the West Austin Baptist Church, we are giving a library, to be called the John Dolph Kinser Memorial Library. We had saved money for John to go to school; now since he is gone we want to build a memorial for him. If you would care to give a book or anything in his memory we would be very grateful to you.

We are having his memorial service on April 19, John's birthday. If you are in Texas would like to have you come. His Army chaplain from Mineral Wells will be here.

Thanks again for your nice letter. May God bless you in your work. We pray for your dear boys.

Sincerely,

BERTHA E. KINSER.

Mr. President, that letter is from a mother who lost her son, and who feels that he had insufficient training before being sent into combat.

I have before me a letter from Mrs. A. Underwood, of Itasca, Tex. The letter is as follows:

ITASCA, TEX., *April 16, 1945.*

Senator W. LEE O'DANIEL,
Washington, D. C.

DEAR SENATOR: I am writing you in regard to my 18-year-old son who has on April 15, 1945, finished his 17-weeks basic training at Fort Sill, Okla.

On the 21st of April he has his orders to ship to a California camp and with a few weeks of additional training will probably be sent overseas for foreign duty.

Now Senator, my son did not finish high school and entered service with the War Department promising any man that he was entitled to 1 year's training before combat and our small town has experienced any number of men from Itasca that has not had over 6 months' training and some less—that have already given their lives, and in some way the mothers and fathers must stand up for the rights that are due every one in these United States. And in some way we have got to impress on you—our Senators—to protect us as it should be done.

This bill in Congress that has been pending—probably until the war is over—as to sending our boys that are 18 across. But so far nothing is being done about it. But I earnestly plead with you to use your influence in getting this bill passed. And if there is any way you can help me in any way as to this child having to go across so soon, please let me hear from you at once.

I am sincerely,

Mrs. A. UNDERWOOD.

I wish to read another letter on this subject. This letter is from Miss Alice Carman, of Austin, Tex., and reads as follows:

AUSTIN, TEX., *March 30, 1945.*

Senator W. LEE O'DANIEL,
Washington, D. C.

DEAR SENATOR O'DANIEL: For many years I have taught English in the Austin Senior High School. During that time I have, of course, taught hundreds of 18-year-old boys, and it is in their behalf and at the request of many parents that I am writing you. To us it seems criminal to send these immature and inexperienced boys over as replacements without at least 12 months' training, as was solemnly promised about 2 years ago when Congress amended the Draft Act so as to authorize the drafting of 18-year-old boys.

We, your friends and supporters, are, therefore, asking that when the Draft Act is reenacted before May 15 you vote against sending over 18-year-olds as replacements without a year's training.

Very truly yours,

(Miss) ALICE CARMAN.

Mr. President, I have a large file of letters of similar nature. Some of the letters are in the form of petitions signed by many persons. I believe that most of those letters and petitions are sent as a result of what the people of this Nation consider to be a breach of promise on the part of the War Department. Without any criticism whatever of the War Department, I believe it is well known that when the Senate adopted the substitute amendment, to which I have just referred, and when that amendment was sent to the committee on conference, the War Department, I think, made some promise that it would give 12 months' training to the 18-year-old and 19-year-old boys, but that it preferred that it not be made mandatory in the form of an amendment or in the form of a statute. Therefore, the amendment was stricken from the bill at that time.

As I said before, I know that many Senators have heard from their constituents. They have received some very sad letters. I presume that almost every Senator has received mail on this subject. Of course, every Senator has a very sympathetic heart and understanding; we all grieve with the parents who lose their sons, whether they be 18 years old, 19 years old, or older. But we are in a war, and we are facing realities. While we take into consideration the sacrifices and the heart throbs of our constituents, we must also legislate on sound principles. I desire to recall to the Senate that the substitute amendment which I proposed and which was adopted by the Senate more than 2 years ago was based on sound principles. At that time I argued that the amendment should be adopted principally for two sound reasons. The first was that practically every general and every member of the Army and Navy staffs had told us and had made public statements to the effect that the youth of this Nation, the young boys, made the best soldiers. That was the argument used in favor of lowering the draft age to 18 years. They gave all kinds of reasons and cited cases to show that the young men of this Nation—the boys, I may say—made the best soldiers, and therefore they wished to have the draft age limit reduced to 18 years. Taking them at their word, we reduced the draft age limit to 18 years, because I think the Senate desires to work in perfect harmony with the generals and the General Staffs who are conducting this war.

Then those generals told us and brought evidence and testimony to show that all our soldiers—18-year-old, 19-year-old, and older ones—made better soldiers if they received 12 months' training before being placed in combat service. Therefore, the Senate, being desirous of having the best army in the world, and taking the word of our generals at its true worth, lowered the age limit so that we would have plenty of young men, young blood, in our Army. We also took them at their word when they said our soldiers would be much better soldiers if they had 12 months' training. So at the time that amendment was submitted its adoption was urged on the basis of those two sound, fundamental reasons, about which there was no dispute. The amendment was adopted, I believe, because the Senate wished that the United States have a good army. Therefore, we gave the generals and admirals, the Army and the Navy, the youth of our land, and we insisted that our youth have the training as specified by the responsible heads of our War Department, which was 12 months of training.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. O'DANIEL. I gladly yield to the Senator from Vermont.

Mr. AUSTIN. In the interest of not having the RECORD give an erroneous impression regarding the attitude of the Chief of Staff, who furnished us the information regarding the policy of the War Department, I desire to read from page 3569 of the RECORD, where there appears printed a letter written by General Marshall to the then chairman of the Senate Committee on Foreign Relations. The letter is dated October 23, 1942. That date was just 2 days before the vote was taken on the amendment to which the distinguished junior Senator from Texas has referred, and the Senate had before it the following statement of policy, which is directly contrary to the claim that any promise had been made by the War Department to give young men 12 months' training in every case:

I could give you many other examples where it would be unnecessary and undesirable to hold a man out of a combat theater for 12 months. It would be almost impossible for the Army to operate under any such mandate. We would, in effect, have to put thousands upon thousands of men "on the shelf" after their essential training had been completed before we could use them. In the Air Corps alone possibly 500,000 such men would be involved. Incidentally, the Navy and the Marine Corps enlist men of 17, and I am told that the average age of the entire corps is below 20.

That was the attitude of the Department. The Department was eager to give those men 12 months' training whenever and wherever it was necessary, but it saw clearly that it would be impossible to carry on efficiently if by statute we should fix an arbitrary time limit on the training which each man of the age of 18 should receive.

I appreciate the opportunity to put this statement and quotation in the RECORD in order that a misapprehension about the then position of the War Department may not arise from the RECORD.

Mr. O'DANIEL. I thank the Senator from Vermont. I think my statement was that we had been assured by certain members of the Army and Navy that 12 months of training would be given. I mentioned no names. I realize that there is a possible difference of thought among Army and Navy men along that line. However, it was quite generally understood throughout the Nation, as proved by some of the letters I have received, that assurance had been given that our boys 18 and 19 years old would receive 12 months of training before being placed in foreign combat duty. I think that assurance is possibly borne out by statements made on the floor of the Senate at that time. I wish to quote from a statement made by the beloved but now departed Senator Norris, of Nebraska, who was quite active in the debate at that time. On October 23, 1942, he said:

> Immediately after the bill was introduced to take boys of 18 and 19 there came the cry from the country—perhaps mostly from the mothers of the boys—"My boy is too young." History is full of testimony from experts that a soldier ought to be trained for at least 1 year. We ought not to take an 18-year-old boy and put him into combat without adequate training. So the suggestion was made to amend the bill so as to make sure that he would not be put into combat service until after he had been trained for a year.
>
> There immediately arose a cry, which has gone all over the country, from the same men who have been telling us all along that a year's training is necessary, "We do not want that amendment in the bill. We do not want any restriction."
>
> As I said yesterday, what conclusion must follow? The people of the country, and especially the mothers of the boys, immediately say, "Such a provision would only do what you have always said was necessary with soldiers of all ages." I wonder why there is any objection to following that plan and putting it in the law.
>
> Probably our leaders intend to give the boys a year or more of training before they are put into combat service. The conclusion that is drawn all over the country, that it is proposed to put men into combat service without a year's training, may be unjustified; but I submit that it is a universal feeling. Rightly or wrongly, the mothers of the boys have the idea that their boys are to be put into combat service before they have had a year's training.
>
> So far as the 18-year-old boys are concerned, we can relieve that anguish by adopting this amendment. It is exactly in line with what the military authorities have always said ought to be done with every army. Why not do it? Why not relieve the anxiety of mothers and other relatives of these boys by assuring them that the boys will not be rushed into combat service until they are adequately trained? That would not fully compensate many of them. It would not alleviate all the agony and heartbreak, but it would probably go as far as we can go.

Mr. President, I have read a statement made by our former colleague, Senator Norris, in order to show what the general impression was at the time. I have not attempted to identify the generals or admirals who made the statement, but nevertheless the statement was made.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. MOORE. Has the Senator read from a debate which took place in the Senate with reference to an amendment which was offered at the time the original act was under consideration?

Mr. O'DANIEL. Yes; I have quoted from the CONGRESSIONAL RECORD of October 23, 1942. At that time the Senate was discussing an amendment which I had submitted, providing for 12 months of training for men under 20 years of age before being put into actual combat.

Mr. MOORE. Was the amendment agreed to?

Mr. O'DANIEL. Yes; but later it was rejected in the conference.

Mr. MOORE. I thank the Senator.

Mr. O'DANIEL. I have read the statement to show that at that time we were basing our contention for the amendment on two fundamental principles. Since then we have received many letters and have had the benefit of much experience. We know what has taken place since then. We know that many of our boys 18 and 19 years of age received insufficient training before being placed into combat. The mother to whom I just referred—Mrs. Bertha E. Kinser, of Austin, Tex.—stated that with only 3 months and 10 days' training her boy was sent overseas to combat duty where he was killed within another month. At the time we were legislating in October 1942 we were not doing so based on emotional considerations. We were legislating on sound principles intended to secure for this Nation the best army on earth. Of course, we extend our sympathies to all mothers and fathers of boys who have been killed. It is a great sacrifice for parents to lose their boys through any cause. But, at that time we were legislating on the basis of two sound fundamental truths. One of them was that we had been told by many Army officials—and it was generally understood—that we would have a much stronger army if we inducted younger boys because they made better soldiers than the older ones. The second fundamental truth was that abundant testimony had been given to the effect that the boys would develop into better soldiers if they received at least 12 months of training before being sent into active combat. So the amendment, based on the two fundamental truths which I have described, was agreed to. The Senate was endeavoring to make possible the development of the best army this Nation could produce.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. REVERCOMB. My understanding of the difference between the substitute and the amendment is that the substitute would require that a soldier receive a year's training before being sent into combat, whereas the amendment would require that 6 months' training be given any inductee 19 years of age or less, before sending him into combat. Is that the real difference?

Mr. O'DANIEL. The Senator has stated correctly the difference between the amendment and the substitute which I have offered.

Mr. REVERCOMB. Was not the substitute to which the Senator has referred agreed to by the Senate in 1942?

Mr. O'DANIEL. Yes; it was agreed to in the form of an amendment.

Mr. REVERCOMB. It seems to me that a much better reason exists for the adoption of the Senator's substitute today than existed in 1942. At that time the Nation was confronted with the necessity of creating quickly a great army, and today such an army has already been created. I think the substitute of the Senator from Texas is well worth while.

Mr. O'DANIEL. I thank the Senator from West Virginia.

Mr. MOORE. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. MOORE. In 1942, when the amendment was adopted by the Senate, it was opposed by the military authorities, was it not?

Mr. O'DANIEL. Yes; it was opposed by the military authorities. But, at the same time they assured us, or at least the general impression so prevailed throughout the Nation, that we had been assured by the Army officials that the boys would receive 12 months of training. However, the Army officials, did not want the assurance written into the statutes.

Mr. MOORE. My understanding is that their position is the same now, except that they do place men into combat service without first giving them 6 months of training.

Mr. O'DANIEL. Yes. We have received all kinds of evidence to the effect that since then many boys under 20 years of age were placed in active combat service abroad without having received 12 months of training, or even 6 months' training.

Mr. MOORE. I assume that the Committee on Military Affairs rejected this proposal. Am I correct in my understanding in that regard?

Mr. O'DANIEL. My proposal was not submitted to the Committee on Military Affairs. I do not know whether or not the Stewart amendment was submitted.

Mr. THOMAS of Utah. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. THOMAS of Utah. I think that I can answer the question.

The substance of the Stewart amendment was offered in committee by the Senator from West Virginia [Mr. REVERCOMB]. Because of the parliamentary situation involved, and because of the impending termination date, it was pointed out, as it has been stated here in the Senate, that it would be better to pass the Selective Service Extension Act as an act by itself. We were told that it would be disastrous to the war effort if the Selective Service Act should cease to be law on the 15th of May, approximately 3 weeks from now. It was pointed out that, because of the parliamentary situation, it would be better to offer these amendments in the form of separate bills. The question of the rightness or wrongness in connection with 18-year-old inductees was not, I am very sure, in the minds of most of the Senators who were interested in the matter.

As chairman of the committee I am, of course, opposed to the amendments. If they come before the Senate in the form of bills I will use every argument of which I am capable in opposing them.

In the committee it was stated that we should keep this bill clean so that it could be passed and relieve our minds of a great worry.

The Senator knows the difficulties we have experienced in the Military Affairs Committee. The parliamentary situation is not a simple one in times like the present, and those of us who are responsible for the welfare of these acts wish to keep them from being controversial in nature. I am sure the Senate could conceive of nothing which would be more disastrous to the war effort than to allow the basic law on which we are waging our part of the war, and on which the Army is being raised and trained, to be interfered with or curtailed in its effect. That is the argument which I made to the Senator from Montana. I said that no matter what amendment might be agreed to, my answer would be the same. If we must discuss the merits of the proposals I should like to discuss them from the standpoint not of the parliamentary situation involved, but the rightness and the wrongness of inducting 18-year-old boys into the Army.

Mr. O'DANIEL. The Senator from Utah will admit, will he not, that this amendment is germane and relevant?

Mr. THOMAS of Utah. Mr. President, it is germane, but the 15th of May is upon us. No one has questioned the right of the Senator or the right of the Senate to amend the bill up and down. The only thing the Senator from Utah is trying to say is that there is another consideration and we are trying to do the wise thing in the light of the present circumstances. We all have certain rights, we all have certain privileges and no one wants to take rights and privileges away from anybody, but there is an underlying factor, which has to do with the wisdom of the action proposed. That is all the Senator from Utah is trying to say.

Mr. O'DANIEL. I wholeheartedly agree with the Senator from Utah that all Senators have certain rights, but this is the place to exercise those rights and settle these matters; I shall gladly abide by the decision of the United States Senate.

Mr. THOMAS of Utah. Mr. President, I may point out that when the Senator from Texas says that he will gladly abide by the decision of the United States Senate he is only stating one-half of the story. The present law comes to an end on the 15th of May, and any amendment which the Senate might adopt would have to receive the approval of the House of Representatives. We know the inclination to stand on rights and we know about conferences, and so it can readily be seen that it is not merely a matter of the will and decision of the Senate of the United States, but it is a matter of the will and decision of the Congress of the United States. When it comes to an amendment of this kind there is a great deal of difference between the Congress of the United States and the Senate of the United States, particularly when a time limit is already provided in the law. If amendments were adopted the most vital law on the statute books, so far as the war is concerned, might come to an end in the midst of the war.

Mr. O'DANIEL. I will extend my statement to include also the House of Representatives.

Mr. REVERCOMB. Mr. President, will the Senator from Texas yield?

Mr. O'DANIEL. I am glad to yield to the Senator from West Virginia.

Mr. REVERCOMB. The Senator from Utah refers to the parliamentary situation in the light of the fact that the present law must be extended by May 15. That is almost a month away. I have a great respect for the opinion of the able Senator from Utah, who is chairman of the Military Affairs Committee, upon which I serve, but I would point out that this bill has been out of the committee now for quite some time and has been upon the calendar, and I cannot be persuaded that there is any danger in the parliamentary situation. Certainly we can proceed with amendments or substitutes and act upon them, send them to conference, and certainly dispose of this whole question and extend the selective-service law before May 15. I cannot be persuaded that there is the least danger in the parliamentary situation.

Mr. THOMAS of Utah. Mr. President, if the Senator from West Virginia can speak for the House of Representatives, if he can speak for the Senate of the United States and the House of Representatives on the acceptance of a conference report, then all that he says is very valid and very true, but I would not take that chance. We must consider the parliamentary situation in the light of the war situation. I should like to see the bill to extend the Selective Service Act kept clean, practically as it came to us from the House of Representatives, go to the President, be signed and become a law. There would then be no question in anybody's mind. Amendments could be offered as separate bills. Everyone knows why the amendments are offered; everyone understands that; but a dead line is not a new thing in the history of the Congress of the United States, and I say it is vital that the bill be promptly passed, and I, for one, would not want in any sense to be responsible for interfering with or delaying its passage at a time such as this.

Mr. REVERCOMB. Mr. President, will the Senator from Texas yield?

Mr. O'DANIEL. I promised to yield to the Senator from Oklahoma.

Mr. REVERCOMB. I merely wish to say a word in reply.

Mr. O'DANIEL. If the Senator from West Virginia desires to reply I will yield to him, if it is agreeable to the Senator from Oklahoma.

Mr. REVERCOMB. Of course, the Senator from West Virginia cannot speak for what the House of Representatives will do, and I am sure the Senator from Utah would not attempt to say what the House of Representatives will do, or that he would say that they would delay this matter and action on it when they will have almost a month from this day to act upon it, and certainly will have 3 weeks within which they may act. When the able Senator from Utah speaks of sending it as a clean measure to the House of Representatives, by which I take it he means without amendment, I think the bill would be much cleaner if it had attached to it this protection, this needed safeguard upon the subject of training of these men, because it is just as imperative and just as much needed new as any part of the selective-service law.

Mr. O'DANIEL. I thank the Senator from West Virginia for his remarks, and I now yield to the Senator from Oklahoma.

Mr. THOMAS of Utah. Mr. President, will the Senator yield to me for one more statement?

Mr. O'DANIEL. I yield if it is agreeable to the Senator from Oklahoma.

Mr. THOMAS of Utah. As to my statement in regard to keeping the bill clean, of course everyone realizes what I meant, namely, that we should accept the House bill so that there would be no necessity for a conference and the parliamentary situation would not be tangled. It will be remembered by every Senator present that the Senate had its own bill, of which I was the sponsor, for the extension of the Selective Service Act. In committee I myself argued against my own bill because the bill from the House of Representatives came over, and I was anxious not to have the parliamentary situation complicated in any way and not to have anything interfere with the extension of this act at this time.

I will say that the bill which was introduced by the Senator from Utah was a much finer bill than the one now pending, from the standpoint of the war and from the standpoint of my understanding of the selective service, but all such considerations went out the window when I realized the parliamentary situation. Every Senator who has had experience with such matters must realize how desperate the situation will be if we allow this amendment to go to conference.

Mr. O'DANIEL. I now yield to the Senator from Oklahoma.

Mr. MOORE. Mr. President, I think the chairman of the Military Affairs Committee will agree that the merits of this amendment were not really considered by the committee, but the amendment submitted by the Senator from West Virginia and others was rejected because of the parliamentary situation. Am I correct about that?

Mr. THOMAS of Utah. I think that that is a correct statement. The Senator from West Virginia, of course, was for the amendment, but when it came to a vote and the question was put, the view of the committee was sustained, not on the theory that the argument of the Senator from West Virginia in regard to his amendment was not valid, but because of the need of keeping the bill without amendment.

Mr. MOORE. Of course, everyone no doubt agrees as to the necessity for the extension of the Selective Service Act; there can be no doubt about that. But as to the parliamentary situation, it seems to me that if it was thought this amendment, if adopted, would delay the

bill beyond the time of the expiration of this law the objection would be valid, but I cannot understand, the need being so great, why the House of Representatives and the Senate could not agree on this amendment if they are in favor of it.

Mr. THOMAS of Utah. Mr. President, we, of course, have not spoken against the amendment, that is those who are opposed to the amendment have not so far said a word against it on the floor of the Senate.

The Senator from Massachusetts put into the RECORD a letter from the Navy Department opposing these amendments, and I have in my pocket a letter from the Chief of Staff, who opposes the amendments. The War Department is against them. Under those circumstances I have not argued the question.

Mr. MOORE. I think it is true that the War and Navy Departments both opposed the amendments upon the merits.

Mr. THOMAS of Utah. That is true.

Mr. MOORE. I thank the Senator.

Mr. REVERCOMB. Mr. President, will the Senator from Texas yield?

Mr. O'DANIEL. I yield.

Mr. REVERCOMB. Before we leave this particular question as to the wisdom of placing an amendment on the bill providing for the extension of the selective-service law, I should like to point out to Senators that if this is a wise provision—and we who sponsor it and others think it is—then it should be acted upon at once. If it is not placed in the bill as an amendment, then we are going to delay action on legislation which should be passed. That is one very good reason why it should be attached to the bill as an amendment.

I state again, I see no danger, from the legislative standpoint, because we certainly have time to act, and certainly the House of Representatives has time to accept or reject any amendment we may make.

Mr. THOMAS of Utah. Let me ask the Senator a question. If the House of Representatives rejects an amendment of the Senate, will the Senator from West Virginia sustain a conference report wherein his own amendment is rejected?

Mr. REVERCOMB. I will take no action which will prevent the extension of the selective-service law.

Mr. ELLENDER. Mr. President, will the Senator from Texas yield?

Mr. O'DANIEL. I yield.

Mr. ELLENDER. I had occasion to discuss this matter with one of the conferees on the House side, and he told me specifically that in his opinion under no condition would the House agree to the amendment now proposed.

Mr. O'DANIEL. Mr. President, I have presented the amendment, and given the reasons for its adoption, which were the same reasons I gave when I presented a substitute amendment 2 years ago. I do not intend to delay action at all. I am in favor of the amendment, of course. I also favor the amendment which has been offered by the Senator from Tennessee [Mr. STEWART] and those who are the coauthors of his amendment. If my amendment shall fail, I shall support the original amendment offered by the Senator from Tennessee [Mr. STEWART].

Mr. McCLELLAN. Mr. President, of course, I shall support the pending bill. It is a vital war measure, and the selective-service law must be continued until the war is won. I should not want to do anything that would jeopardize its passage, or which would impair its effectiveness in administration, but I shall support the pending amendment, offered by the able Senator from Tennessee [Mr. STEWART] and others. I shall support it because I think, under the circumstances, in view of the history of this legislation, Congress owes a duty to the country, particularly to those who will be affected by the legislation, who are or who will soon become 18 years of age, to afford them the protection which the amendment would give.

At the time Congress was considering the lowering of the draft age to include 18-year-old youths, certainly the impression was given to the people, a definite impression, if not a positive assurance, that draftees of 18 years would be given 12 months' military training before they would be pressed into combat service.

I know that high military authorities have now interpreted the language they used at that time with respect to this matter as indicating that it would be their purpose and their hope that such extended training might be given to these youths. But I know that the people of this Nation understood at the time that they were to receive a year's training before being placed in combat service.

Mr. President, that obligation on the part of the Government to the people affected—and I construe it and regard it as an obligation—has not been carried out. I do not wish to be critical of the military authorities. In war, conditions change, and they change rapidly, and what we plan today may have to be altered, and what we believe and conceive to be the wise course today may, because of events which happen tomorrow, turn out to be not so desirable, and we may be presented with an entirely different picture. But the war has now progressed sufficiently far on the road to victory that I think the Congress not only has the right, as has been said, but it now becomes the duty of Congress, while we are considering the extension of the selective-service law, to put into the bill this provision, which would safeguard and protect youths of tender years whom it is proposed that we continue to induct into the military service.

No one would attempt to justify the pressing of an 18-year-old boy into service without having given to him adequate military training, of such a character and to such an extent not only as to enable him to take care of himself in battle but also to make him more efficient and effective as a fighting soldier.

Six months is not too little. If I were following my own judgment and opinion as to the amount of training required and necessary, I should much prefer to support the amendment offered by the able Senator from Texas [Mr. O'DANIEL] to make the time 1 year. But we must take into consideration the exigencies which arise in war, and if we adopted that amendment we might impose a condition or restriction which would operate in some instances to handicap those of our military leaders who actually have the responsibility for leadership in the conduct of military operations.

Mr. O'DANIEL. Mr. President, will the Senator from Arkansas yield?

Mr. McCLELLAN. I gladly yield.

Mr. O'DANIEL. With reference to the 12 months' period of training which is specified in the substitute amendment which I have offered, I may say that the 12 months' time limit is not my own selection, nor did I pick the 12 months' training period out of thin air. That 12-month period of training has been advocated and specified and claimed to be necessary by many of the foremost military men of our Nation. That is why I chose 12 months. It was because that seemed to be the minimum length of time required to give proper training to a young man, or an older man for that matter, according to the military authorities.

Mr. McCLELLAN. Mr. President, I do not disagree with the conclusions stated by the able Senator from Texas. As I have just stated, I should much prefer to support his amendment, but in deference to and out of consideration for what may now be and what may become—for no one can definitely foresee what may happen—the compelling necessity of making use of some of the 18-year-olds in combat service before they have been in training for the period of a year, I think the amendment providing for 6 months' training represents the best judgment the Senate could exercise at this time. Certainly 6 months' training ought to be the minimum. I think the responsibility rests on Congress, as we extend the selective training and service law, to declare what shall be a minimum time of training.

Mr. President, I do not believe we can safely leave determination of the matter entirely to the discretion of the military authorities. We have done that in the past. We recall their assurances. I am persuaded that the military authorities definitely intended that what they stated when the measure was under consideration to lower the draft age to 18 years should be considered and accepted by the country as an assurance that the 18-year-old boys would not be pressed into combat service. I think they definitely intended to convey that impression at the time.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. O'DANIEL. I, of course, realize that the Senator from Arkansas is in thorough accord with the principles involved in both amendments. The point I was trying to make was that the length of time of training was determined by the military authorities themselves, inasmuch as many of them have frequently stated that 12 months training was necessary for any soldier. It would appear to me that the Chief of Staff, or the military authorities of our Army and Navy

who are now opposed to both amendments, are opposed to them on the ground that they do not want any statutory limitation whatever made with respect to the length of training they give, and they are just as much oppsed to the amendment providing for a 6 months' period of training as they are to the amendment providing for a 12 months' period of training. Consequently it appears to me that when we contend for adequate training for our youth we should contend for what is generally accepted as the proper length of time to train them, which is generally understood to be 12 months, and stand or fall on that principle.

Mr. McCLELLAN. Mr. President, I am supporting the amendment providing for 6 months' training because I do not believe that an amendment which provides that a floor of 6 months shall be placed as a minimum for the training which an 18-year-old should receive before he goes into battle will at all hamper or, at any rate, seriously hamper the military authorities in meeting the responsibilities they have for marshaling and making the best use of our forces to fight this war.

Mr. President, yesterday afternoon some of the able Senators in discussing the amendment providing for 6 months' training pointed out that the amendment does not define what the military training should be. The amendment provides:

> That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act shall be ordered into actual combat service until after he has been given at least 6 months of military training.

That provision might be subject to the interpretation that so long as an 18-year old has been in the service for 6 months he would be eligible for combat duty. I know that no military authorities could possibly place such an interpretation on the language if it were adopted, if they had a desire to carry out the will of Congress. If such an interpretation were placed on the language it would be a violation of the spirit of the law and I think a violation of the letter of the law. It would be a violation of the spirit and the letter of the law if the amendment were interpreted to mean that a soldier could merely be placed in uniform or in a clerical job or something like that for a period of 6 months, and then immediately thereafter sent into active combat service. I know that no military commander could possibly read the debates which have taken place in connection with this measure without knowing that it is the will and intent of Congress in adopting the amendment that the inductees shall receive 6 months' military training of the character and to the extent calculated actually to equip the inductees for combat duty.

Yesterday during the discussion of this phase of the matter I thought I would propose an amendment to the pending amendment, after the words "at least 6 months of military training," to add "of such character and to the extent necessary to prepare such inductee for combat duty."

I do not know that such language would add anything to the amendment, but if there is any doubt Mr. President, as to what the Congress intends, I think an amendment of that sort would clarify the language so there could not possibly be any misunderstanding respecting the will of the Congress.

Mr. BURTON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. BURTON. May I ask if the Senator from Arkansas has moved an amendment to the amendment offered by the Senator from Tennessee?

Mr. McCLELLAN. I have not yet offered it as an amendment. I think that possibly such an amendment would clarify the language of the pending amendment, so as to express more forcibly the will and intent of the Congress. Frankly I do not think anyone could possibly misunderstand the pending amendment, but as a matter of further precaution and so there can be no mistake about it, we might add the words I have just read, or some similar words, so as to make the military authorities know that we expect these boys to receive the character of training which will equip them for battle duty.

Mr. BURTON. Mr. President, my parliamentary inquiry is: What is pending before the Senate? I was under the impression that the Senator from Texas had offered an amendment to the amendment of the Senator from Tennessee.

The PRESIDENT pro tempore. The question is on the amendment offered by the Senator from Texas as a substitute for the amendment offered by the Senator from Tennessee. An amendment to the amendment is not in order.

Mr. BURTON. So the question now pending is the amendment offered by the Senator from Texas?

The PRESIDENT pro tempore. It is.

Mr. BURTON. And therefore the Senator from Arkansas is not offering his amendment now.

Mr. McCLELLAN. I have not offered it. I have merely discussed my idea of how the language of the original amendment we are considering might be clarified.

Mr. President, suggestion has been made—and the chairman of the Military Affairs Committee is apprehensive on that score—that if the amendment offered by the Senator from Tennessee is adopted it might interfere with the final passage of the bill or delay passage of the bill, and that the Selective Training and Service Act might not be extended before the deadline of May 15. I do not see why the amendment should cause such delay. Certainly the conferees could immediately make a report on it, either accepting it or rejecting it, and then the two Houses could act promptly. Perhaps I do not know just what the situation is, but I do not foresee that any harmful delay would result. At any rate, Mr. President, certainly the Congress will see to it that the bill is finally disposed of in time so the Selective Training and Service Act will be preserved. We are here in session daily. There is no reason why we cannot act promptly. If the Senate adopts the amendment and the House rejects it, then, of course, the House would have to take the responsibility for its rejection, and we could extend the Selective Training and Service Act with a realization, according to our concept, that we had done our duty in undertaking to enact the amendment into law.

Mr. President, it has been suggested that possibly we owe just as much protection to a man 20 years of age or a man 30 years of age who has a wife and children. Perhaps we do; but since we must draw the line somewhere, and since this amendment is primarily identified with the history of the legislation which lowered the draft age to 18 years, I am persuaded that the Congress can well afford to adopt an amendment which will give protection to boys of tender years by assuring them at least 6 months' or perhaps a year's training before going into combat duty, to season and prepare them and develop their skill so that they will be more effective fighters and less likely to become casualties.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. O'DANIEL. I think it is the duty of this body to take into consideration the desires, suggestions, and wishes of the citizens of this Nation in connection with all important legislation. In the present situation, mothers and fathers who give up their boys to military service at that tender age of 18 or 19 have no assurance from any governmental agency that their boys will receive any training at all. If the Congress were to adopt this amendment, there would be written into the law the assurance that their boys would not be sent into foreign combat duty without a certain amount of military training.

When the amendment was stricken out before, the people of the Nation were led to believe that they had the assurance of the military authorities that 12 months' training would be given, even though the amendment did not become law. Now on the floor of the Senate we hear that that assurance was never given. It is denied that the military authorities ever gave such assurance. It is a positive fact that they have not given 12 months' training before actual combat. So unless the Congress takes a definite stand we leave the people of this Nation in a state of utter confusion and anxiety, with no assurance whatever from either the Congress or the military authorities that their boys will receive any specified period of military training.

I believe that Congress, as the representatives of the people, should give such assurance, especially in view of the fact that the people have now been told that the military authorities never gave such assurance. I believe that we should try to satisfy the aching hearts of parents who willingly give up their boys. They are proud that their boys are going into the service; but they feel that those boys, many of whom never had a gun in their hands before, should have sufficient mili-

tary training before they are placed in actual combat beyond the borders of continental United States. I thank the Senator.

Mr. McCLELLAN. Mr. President, I believe that the responsibility is on the Congress to take some action on this issue. As the able Senator from Texas has said, at the time the draft age was lowered to 18, the impression was created, if positive assurance was not given, that the boys would receive adequate military training before being sent into combat. That has not been done. The fathers and mothers of 17-year-old boys, and those about to become 18, have anxious hearts today, in view of what has happened since the age limit was lowered. They know instances of boys having been pressed into service without adequate training. They are anxious and troubled about it.

I have received letters from a great many of my constituents, and I am sure other Senators have received such letters. The people have no one to look to except the Congress. They cannot appeal to the military authorities. They appeal to us to give them protection, and to carry out what they regarded as an assurance to them when the original act lowering the age limit was passed. They look to us today, since that assurance has not been fulfilled by the military authorities, to act before the law is extended; and I believe we ought to act by adopting the Stewart amendment.

Mr. President, I did not want this bill to be passed, with or without the amendment, without expressing my views on the question. I believe that I am in a position to understand and sympathize with anxious fathers and mothers. I have a son in the service who is now 19 years old. Fortunately he has had—I believe—adequate military training, and is now ready for combat service, and will likely be in battle soon.

I have another son, 17 years old. He will soon be 18 and I certainly do not want to see him inducted and sent into battle with less than 6 months' training. I want him to have a little more experience. I want him to gain a little more knowledge, skill, and ability to protect himself. Only in the most compelling emergency would I want to see my 17-year-old boy sent into battle fresh from civilian life. He is like thousands of other boys who are being inducted. Heretofore he has had no responsibility, other than that of trying to develop his mind by way of education. He has had no practical experience with problems of life. I am pleading today on behalf of all the fathers and mothers of this country who have boys of that age, to give them assurance that their boys will have the protection which only adequate training can afford. I want to let the fathers and mothers of boys of tender years know, when this bill passes, that Congress has seen to it that those boys are to be protected at least to the extent of giving them a minimum of training, so that they will not be thrown into battle green and inexperienced.

I doubt the military wisdom and value of sending such men into combat. If they are not adequately trained to protect themselves, they are likely to immediately become casualties. What, then, have we gained? We have not thrown great force and power against the enemy. We have only set up another target for the enemy to shoot at, whereas a few more weeks or months of adequate training would enable the soldier to become an offensive force against the enemy rather than just a target for the enemy to shoot at.

Mr. President, I believe that this is a wise amendment; and I believe that the Congress of the United States will fail to meet its obligation to the citizenship of America if we continue the selective service law without this measure of protection for the youth who are to be called upon to supply the replacements from now on.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. O'DANIEL. Further to illustrate the anxiety and uncertainty in the minds of our citizens, about which I spoke a few months ago, I should like to read a letter which I have received, dated April 5, 1945, from Mr. and Mrs. Abe J. Bergeron, of Port Arthur, Tex.:

PORT ARTHUR, TEX., *April 5, 1945.*

Senator W. LEE O'DANIEL,
Washington, D. C.

DEAR SENATOR O'DANIEL: There is now a bill in Congress, introduced by Senator STEWART, from Tennessee, etc., providing for the assurance of at least 6 months' training to 18-year-olds before they are placed in combat.

Please—as voters and as a personally involved mother and father—will you give this bill your undivided support?

The 15 weeks' training assured these boys in a recent closed-door hearing is a blasphemous and inhuman act. What can a mere high-school youth learn in that length of time about becoming a combatant?

If when we were ill-prepared for war our infantrymen were given months of training, why, when we are winning it, should these 18-year-olds be suddenly placed upon the casualty block with such poor training? Isn't it enough that the 18-year-old is now automatically put in the Infantry, without letting him know from the beginning what training he can and will get?

Our only boy has left under all these conditions for the Army. As yet, we do not even know where he is training. We also know he was a mentally torn-up child when he left, because his Government had already warned him or notified him what little training he will receive.

Sincerely,

Mr. and Mrs. ABE J. BERGERON.

That is a sample of letters which come to us to show how the people feel. They are completely in the dark. They have no assurance. If we could give them the assurance of the Congress that their boys would have sufficient military training it would ease their minds and their aching hearts. But when we do not give them such assurance, and when at the same time whatever assurance they thought they had from the military authorities has been rescinded or repudiated and when they are told that such assurance was never really given, we leave these mothers and fathers in a state of hopeless despair. Those boys must go out into the darkness, into whereabouts unknown to their parents, there to fight for their country, and their mothers and fathers have no assurance that they will not be sent into combat duty within a few weeks without sufficient training to know how to protect themselves and how to fight the enemy.

Mr. McCLELLAN. Mr. President, I wish to say in conclusion, as I believe I said at the beginning of my remarks, that of course I desire to support House bill 2625, which has for its purpose an extension of the Selective Training and Service Act. It is imperative that that act be extended. I shall support it even if this amendment is rejected. But, Mr. President, I cannot fully discharge my duty or meet my responsibility without insisting upon the adoption of an amendment to give our 18-year-old youths the protection to which they are entitled, and without giving to their parents and to the country generally the assurance that these boys will not be pressed into battle, into actual combat service, and into the zone of danger, without having had at least the minimum of training to equip them for such perilous duties.

The PRESIDENT pro tempore. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Texas to the amendment of the Senator from Tennessee.

Mr. THOMAS of Utah. Mr. President, I understand that the amendment offered by the Senator from Texas to the amendment of the Senator from Tennessee is the pending question.

The PRESIDENT pro tempore. It is.

Mr. THOMAS of Utah. That amendment would in a sense be a substitute for the amendment offered by the Senator from Tennessee, according to my understanding of it.

The PRESIDENT pro tempore. That is correct.

Mr. THOMAS of Utah. Mr. President, let me say that if we do not begin to act upon the amendments and if we do not soon get the bill on its way, even those who disagreed with me when I said that time is of the essence and that the parliamentary situation is such that we should keep the bill without amendment, in order to avoid a conference, will have to admit the soundness of my logic, if we keep on talking for several weeks, because the 15th of May draws nearer every day. I do not wish to delay action on the bill and I trust that we may soon obtain a vote upon the amendment of the Senator from Texas to the amendment of the Senator from Tennessee.

Mr. President, I wish again to express the thought, in the hope that every Senator will consider it, that it is desirable to have no amendments adopted to the House bill, so that the President may sign the bill and the Selective Training and Service Act may be continued in the very near future.

However, inasmuch as that argument has been deemed invalid by the sponsors of the various amendments and by those who support them, it is essential that a few words be said against the amendments as such. I shall confine my discussion to the amendment offered by the Senator from Texas to the amendment

of the Senator from Tennessee. It reads as follows:

No person under 20 years of age, inducted under this act, shall be placed in actual combat duty beyond the territorial boundaries of continental United States until after he has had at least 1 year's military training following his induction.

Mr. President, that amendment would not only result in confusion not only in the administration of the act, but it would actually cause confusion in the minds of the commanders of our armies in the field.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

The PRESIDING OFFICER (Mr. McCLELLAN in the chair). Does the Senator from Utah yield to the Senator from Tennessee?

Mr. THOMAS of Utah. I yield.

Mr. McKELLAR. I am called away on official business for probably half an hour or a little longer. In order that the RECORD may be kept straight, I ask unanimous consent that I may be excused.

The PRESIDING OFFICER. Without objection, the consent of the Senate is granted.

Mr. McKELLAR. I thank the Senator from Utah for yielding to me.

Mr. THOMAS of Utah. Mr. President, not in any sense of attempting to make it appear that I am being pedantic about the English language, let me call the attention of the Senators present to the difficult situation in which commanders of troops would find themselves if the amendment were adopted. I ask Senators to try to put themselves in the position in which a commander of troops would find himself if the pending amendment of the Senator from Texas to the amendment of the Senator from Tennessee were adopted. If the amendment were adopted, a commander of troops who had the responsibility of sending certain men into battle would have to keep in mind, in the stress of battle, some of the following points: First, do I have anyone here who is under 20 years of age? Second, what are we going to do? Are we going to have actual combat? Will someone please define what actual combat is?

See what confusion would be created in the minds of our commanders. Not only would they have to be able to define what actual combat is, but they would have to be able to define what actual combat duty is. Under such circumstances, one could almost be justified in paying no attention to the law of the United States, if the law were written in the way proposed by the pending amendment. The amendment concludes with the following words:

Actual combat duty beyond the territorial boundaries of continental United States, until after he has had at least 1 year's military training, following his induction.

What constitutes 1 year's military training? Is it 1 year under arms? Is it 1 year since the date of induction? Or is it, as was stated by the Senator from Arkansas, 1 year of actual training with all the hazards of combat duty? And all that must come after the man's induction.

Mr. President, we are in the midst of the greatest war in all history. We are all hoping and praying that the war is drawing to a conclusion. We are fighting wars on both sides of America—in the East and in the West. It is a commonplace for people to say that as soon as the war with Germany is over we can concentrate upon the Asiatic War; as soon as the land war is over we can concentrate upon the naval war. Mr. President, we are trying to fight both wars at the same time. I think our enemies believe we are fighting them most successfully. When the Congress of the United States hears of this instance or that instance, of this young boy or that young boy who has lost his life, if the Congress then, without knowing all the circumstances, begins to criticize the conduct of the war, at a time when the drive to end the war quickly is being made, I wonder whether that will not amount to a criticism of the war effort.

I know that every Senator who has spoken in favor of the amendments has said that he wants to support the Commander in Chief, the Chief of Staff, the Chief of Naval Operations and desires to rely upon the judgment of our generals and our admirals. But, Mr. President, the judgment of our Commander in Chief, of our Chief of Staff, and Chief of Naval Operations, and of our generals and our admirals, is to the effect that these amendments should not be agreed to. Our generals and admirals are all great leaders and they will successfully prosecute the war to a conclusion in spite of any restrictions which may be placed upon them. Those men have been entrusted for a long while with the lives of our sons and our daughters. There is not a man who wears the insignia of an officer of the armed services who has not learned the first rule of warfare, namely, that he must take care of his men. Every officer is conscious of that obligation morning, noon, and night. But, Mr. President, what officer can order a man to his death, if necessary, if he is required to say, consider, and remind himself, "I must not order this man or that man; I cannot order this man or that man." We are being asked to introduce into the psychology of warfare the most disturbing influence which could be placed upon the commanding generals. Shall we in effect say to a corporal, for example, "Go with your men and accomplish your objective, but remember that six men are remaining behind?" If that were to be done, where would be the unity which now prevails? Warfare cannot be conducted in that manner. No soldier would care to have himself singled out as a person in whom his officers must take a personal concern.

Mr. President, I plead against the adoption of these amendments on the mere ground that any man who has been given the honor of wearing the uniform of the United States military forces should not be asked to assume a privilege in regard to life or death which has not been afforded some other man.

The Selective Service Act was first passed on the basis of inducting men 21 years of age for training. The voluntary system had existed in the Navy for a long time. Boys 17 years of age were allowed to volunteer. The average enlistment age in the marines is very much under 19 years of age. It will always remain so because adventurous youths of our country will be attracted to that form of military service.

Mr. President, I would not in any sense belittle any man, nor would I make it appear that any man's parents would ask for any special privilege in his behalf. Senators know that it is just as hard to go to the parents of a 19-year-old boy and tell them that their son has lost his life in the service of his country as it is to go to the parents of an 18-year-old boy and tell them that their son has been killed. It is just as hard to go to the wife of a soldier who has left behind him children and say to her, "Your husband has lost his life" as it is to go to the mother and father of an 18-year-old boy and make the same statement to them.

Mr. President, these amendments do not in any sense recognize the actual necessity of carrying on the war as it is now being carried on. From a national and a military standpoint, and especially from the standpoint of continuing in effect the present means and method of providing armed forces for the prosecution of the war, it would be unwise to agree to any of these amendments.

I trust that the substitute of the Senator from Texas [Mr. O'DANIEL] will be rejected. When the Senate agreed to the amendment originally there was some justification for it. The whole theory behind the Selective Service Act was that of preparation. No general or admiral wishes, nor do the officers under them desire, to lead into battle a boy who has not acquired combat experience; but occasions arise when it must be done.

Mr. President, on this serious occasion I dislike to argue except in the most serious manner; but I ask you to picture the situation of a boy 18 years of age in the Belgian attack, for example, when the Germans rushed in, and it became necessary for our commanders to throw in everything they had because the tide had to be stemmed. They could not have allowed their lines to become thin in any sector, or the situation would have been hopeless. The officers threw in everything they had, and by so doing they probably saved the lives of thousands and thousands of boys of only 18 years of age.

Mr. President, I conclude with one thought: Shall we deprive a boy in offensive combat of the right to fight back because he is only 18 years of age?

Mr. WHITE. Mr. President, will the Senator yield?

Mr. THOMAS of Utah. I yield.

Mr. WHITE. An important statement was made in the RECORD yesterday by the senior Senator from Vermont [Mr. AUSTIN] which I think sets forth with clarity the general plans and purposes of the War Department with respect to the use of men.

I am wondering if there is any record, either in the evidence before the committee or elsewhere, of any statement as to the number of men under 18 years of age who were put into actual

combat after having been given less than 6 months of training.

Mr. THOMAS of Utah. Mr. President, I have tried to obtain such information. It is the most difficult kind of information to get. So far as the ideas of the generals are concerned, none of them wishes to take an untrained soldier into battle anywhere. To do so may be disastrous to other men. It has been said in this country that in some instances men who were called early during the period of preparation were overtrained. Three or four years ago we conducted divisional training of men in the southern part of the United States before sending them overseas.

Mr. President, I trust we may have a vote upon this amendment and proceed with the bill, and I trust also the amendment will be voted down.

Mr. REED. Mr. President, this is the first time I have been able to be in the Senate Chamber for the day. When the first quorum call of the day was started I was busy in a hearing of the Interstate Commerce Committee. Witnesses there on a very important matter had come from 1,500 miles away. If I left, the hearing would stop. I thought it was more important to proceed with an important investigation and allow the witnesses to finish their testimony and return home. Under the present practice I find that I am recorded as not present. Mr. President, I now call attention to the absence of a quorum.

GREETING TO MEN WHO PARTICIPATED IN FLAG RAISING ON IWO JIMA—RECESS

Mr. CHANDLER. Mr. President, will the Senator withhold his point of no quorum for a moment?

Mr. REED. I make it only for the reason I have stated. I think it is a pretty harsh way the Senate is operating. But I withhold the point.

Mr. CHANDLER. Mr. President, just outside the Senate Chamber there are three young men, two marines and one Navy man, who were among the six American marines and sailors who raised the American flag on Mount Suribachi on Iwo Jima. One of the boys who helped raise the flag, Pvt. (1st cl.) Franklin R. Sousley, of Ewing, Ky., and two others were subsequently killed. The three young men are, as I have said, just outside, and I ask unanimous consent that they be escorted into the Senate Chamber. We all remember the photograph taken by Joe Rosenthal, the Associated Press photographer, of the flag raising on Mount Suribachi, and it occurs to me that that picture perhaps will take rank along with the Spirit of '76 as one of the great pictures of American history. I ask unanimous consent that the three young men be escorted into the Senate Chamber so that they may be honored to that extent.

The PRESIDING OFFICER. The Chair suggests that a recess be taken for that purpose.

Mr. WHITE. Mr. President, I shall not want to object to the request, but will not the Senator couple with it the request that the Senate stand in recess?

Mr. CHANDLER. I shall be glad to do so, and I ask that the Senate stand in recess briefly.

Mr. REED. That is with the understanding that the quorum call will be had immediately afterward.

Mr. CHANDLER. The quorum call, of course, will proceed.

The PRESIDING OFFICER. Without objection, the Senate will stand in recess for 5 minutes.

Thereupon (at 2 o'clock and 5 minutes p. m.) the Senate stood in recess for 5 minutes.

During the recess Pvt. (1st cl.) Ira H. Hayes, of Arizona, United States Marine Corps; Pharmacist Mate (2d cl.) John H. Bradley, of Wisconsin, United States Navy; and Pvt. (1st cl.) René A. Gagnon, of New Hampshire, United States Marine Corps, members of Company E of the Twenty-eighth Regiment of the Fifth Marine Division that assaulted Iwo Jima on February 19, 1945, and participants in the flag raising on Mount Suribachi on February 23, 1945, were escorted into the Chamber by Mr. CHANDLER, Senators rising and applauding. After being greeted personally by the Senators present they retired from the Chamber.

CALL OF THE ROLL

At the expiration of the recess the Senate reassembled, and Mr. ELLENDER resumed the chair.

The PRESIDING OFFICER. The Senator from Kansas [Mr. REED] having suggested the absence of a quorum, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Radcliffe
Austin	Gurney	Reed
Bailey	Hart	Revercomb
Bilbo	Hawkes	Robertson
Burton	Hayden	Russell
Bushfield	Hickenlooper	Smith
Butler	Hoey	Stewart
Capehart	Kilgore	Taylor
Capper	McClellan	Thomas, Okla.
Chandler	McFarland	Thomas, Utah
Connally	McMahon	Tunnell
Cordon	Maybank	Vandenberg
Donnell	Millikin	Walsh
Ellender	Mitchell	White
Ferguson	Moore	Willis
Fulbright	Murdock	Wilson
George	O'Daniel	Young
Gerry	Pepper	

Mr. THOMAS of Utah. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent from the Senate because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Mississippi [Mr. EASTLAND], the Senator from Rhode Island [Mr. GREEN], the Senator from Alabama [Mr. HILL], and the Senator from Montana [Mr. MURRAY] are absent on public business.

The Senator from Maryland [Mr. TYDINGS] is absent on official business.

The Senator from Alabama [Mr. BANKHEAD], the Senator from Kentucky [Mr. BARKLEY], the Senator from Missouri [Mr. BRIGGS], the Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], the Senator from California [Mr. DOWNEY], the Senator from New Mexico [Mr. HATCH], the Senator from Colorado [Mr. JOHNSON], the Senator from South Carolina [Mr. JOHNSTON], the Senator from Illinois [Mr. LUCAS], the Senator from Washington [Mr. MAGNUSON], the Senator from Nevada [Mr. MCCARRAN], the Senator from Tennessee [Mr. MCKELLAR], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], the Senator from New York [Mr. WAGNER], and the Senator from Montana [Mr. WHEELER] are attending committee meetings and public business pertaining to their respective States.

The Senator from Pennsylvania [Mr. MYERS] is absent attending a funeral.

Mr. WHITE. The Senator from Minnesota [Mr. BALL], the Senator from Massachusetts [Mr. SALTONSTALL], the Senator from Maine [Mr. BREWSTER], and the Senator from Oregon [Mr. MORSE] are necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from Nebraska [Mr. WHERRY], the Senator from Wisconsin [Mr. WILEY], and the Senator from Ohio [Mr. TAFT] are detained in committees and on official business.

The Senator from Wisconsin [Mr. LA FOLLETTE] is unavoidably absent.

The PRESIDING OFFICER. Fifty-three Senators having answered to their names, a quorum is present.

THE UNITED NATIONS CONFERENCE AT SAN FRANCISCO

Mr. CONNALLY. Mr. President, the senior Senator from Michigan [Mr. VANDENBERG] and I shall leave shortly, as members of the United States delegation to the United Nations Conference at San Francisco. I therefore am prompted to ask the Senate that I be excused from the sessions indefinitely, for the present, at least.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. CONNALLY. Mr. President, the conference which is soon to convene at San Francisco will be a conference of the United Nations. The United Nations are those nations which have been standing together in the prosecution of the present war against our savage and brutal enemies, both in Europe and in the Orient. The work we expect to accomplish, so far as the delegation of the United States is concerned, will be upon the basis of what was set forth and accomplished at Dumbarton Oaks. I shall not weary the Senate or the country by any detailed discussion of the provisions of that document, because they are fairly familiar and fairly well known to the people of the United States and to the Senate. This does not mean, however,

that there will be any slavish devotion to every line and every clause in that instrument, but the delegation will have authority to make such changes, within the delegation, as we may see fit to make, but, of course, that will be subject to the will of all the nations represented.

Mr. President, the delegation will act as a unit. We shall vote within the delegation, and then we shall vote as representing the United States of America. No doubt there will be within the delegation some slight variance here and there, but I am gratified to be able to tell the Senate that in the main, as has already been announced by the Secretary of State, on most of the main issues there are harmony and unity of view among the members of the American delegation.

Mr. President, I wish to take just a moment to review somewhat the agency of the Senate and the Committee on Foreign Relations with regard to the development of Dumbarton Oaks, and with regard to the development of the whole question of foreign relations, and the establishment of an international organization to preserve the peace and security of the world.

Some 2 or 3 years ago—I think it must be as long ago as 3 years ago—the Committee on Foreign Relations, responding to an invitation from the then Secretary of State, Mr. Hull, appointed a subcommittee which held conferences with Mr. Hull almost weekly, and sometimes more often than weekly, in reviewing and exploring the whole field of international organization, including the history of the League of Nations, its failures, its weaknesses, and all the matters relating thereto. On that committee were a number of very distinguished and able members of the Committee on Foreign Relations—the Senator from Georgia [Mr. GEORGE], the Senator from Utah [Mr. THOMAS], the Senator from Kentucky [Mr. BARKLEY], the former Senator from Iowa who has now left the Senate, our distinguished friend and colleague, Mr. Gillette, and the chairman of the committee, the Senator from Texas [Mr. CONNALLY]. We had the collaboration and membership on that committee of the Senator from Wisconsin [Mr. LA FOLLETTE], the Senator from Michigan [Mr. VANDENBERG], the Senator from Maine [Mr. WHITE] and the Senator from Vermont [Mr. AUSTIN].

Mr. President, in the consideration of this question I cannot refrain from expressing the great benefit which all the members of that committee themselves derived from our studies and our explorations as well as the great impetus and stimulus which we gave to the movement, the great encouragement which we imparted to Secretary Hull as he, together with his staff and associates, labored with us in prosecuting and advancing this cause.

Senators will note that the subcommittee was bipartisan. It was composed of an equal number of Republicans and Democrats. The subcommittee was composed of members of the Foreign Relations Committee.

The late beloved President of the United States, Franklin Delano Roosevelt, in selecting a delegation to represent the United States at San Francisco observed that nonpartisan approach, and in appointing the congressional members of the delegation he appointed two from the Democratic Party and two from the Republican Party.

I suggest those things, Mr. President, in order to impress the country with the view that this is not a partisan question, it is not a Democratic or a Republican or a Progressive issue. This is an issue which touches the lives and the welfare of every citizen of the Republic. We have tried to maintain it upon a high and lofty plane above the fogs and prejudices and rivalries of partisan politics. It is higher than the personal ambitions of any man. It is more important than the fortunes of any political party.

Mr. President, I came just a little while ago from a conference with the President of the United States, President Harry S. Truman. In that conference we discussed briefly the general outlines of the foreign situation with regard to the conference at San Francisco. I am divulging no confidential matter when I say that the President expressed himself as having the utmost confidence in the members of the delegation representing the United States. He gave every assurance that it would have his backing, his good will, and his support in all its endeavors to accomplish the high objectives we have in mind.

Mr. President, I want to congratulate the President of the United States by reason of the fact that within such a brief period of service in the office of the Chief Executive he has been able to acquaint himself with many problems, this problem perhaps being the most pressing of all the problems receiving his attention. I have every confidence that the President of the United States will support the delegation and that he will contribute in all proper ways to the proper representation of the interests of the people of the United States.

That leads me to suggest, Mr. President, that those of us who go to San Francisco as members of the United States delegation go as representing the people of the United States. We hope that we shall go representing the Senate of the United States and the House of Representatives of the United States. By that I do not mean as representing the United States in any narrow, selfish fashion, but representing the interests of our own country and at the same time representing the interests of the people of the world.

Mr. President, peace to the United States perhaps means more than it would mean to any other country on the face of the globe. When we review the transactions of this war and recall the tremendous sacrifices in treasure and in blood which the United States has contributed to this struggle, we can contemplate, at least in a general outline, what peace in the future will mean to us when we can save the unmeasured contribution of treasure, and of lives and blood of perhaps millions of our gallant sons. So in working for the peace of the world we are working for the interests and the welfare of this great republic to which we owe our attachment and our devotion.

Bound up in that is the fact also, Mr. President, that the United States has been singularly blessed by a generous providence. We have been endowed with almost limitless resources of a material character. We have been blessed with the great historic tradition of advancing the cause of liberty and self-government and constitutional processes which has attracted the admiration and the acclaim of all the nations of the earth.

Mr. President, I feel that in this supreme hour of tragedy, this supreme hour in which we are groping toward the light of a better and a finer day, the United States has a particular responsibility, it has a lofty duty to perform in leading the peoples of the earth away from the concepts of rule by the sword and leading them toward submitting their disputes to the processes of law and of reason and of logic, wherever it is possible to submit those disputes to judicial processes. If they are not of a nature to be submitted for judicial determination, that then they be submitted to the council and the assembly which will be set up under the international organization.

America has a supreme function, it has a mighty opportunity, and I trust that we may be able, as humble representatives of the people of the United States, to embrace that opportunity and to make a concrete contribution to the juridical and to the peace agencies of the world that may reach down through all the centuries that are to come.

Mr. President, we shall not be able, perhaps, to secure all we desire in the San Francisco Conference. Other nations will be represented there. The representatives of something like 50 nations of the world will be gathered there. But I have every hope and every confidence that in the main outlines we shall be successful in laying the foundation of an edifice which through the years, by amendment or modification, in the light of experience, and in the changing of time and circumstance, may meet the high ambitions which we entertain.

Mr. President, we shall not be able to bring back an instrument embodying perfection. There is no instrument extant that does not have somewhere in it things to which this citizen, that citizen, or the other citizen, or this country or the other country, may object. We cannot, of course, write every line, every phrase, and every section of the document which will there be subscribed, but there will be amending clauses in the instrument, probably more liberal than those in the Dumbarton Oaks agreements, through which we can, over the years, build up an instrumentality of great usefulness to the people of the United States.

Those things are so obvious and apparent that I do not care to consume the time of the Senate in discussing them. But, Mr. President, it seems to me fundamental that nations composed of intelligent people ought to and must work out some plan for the prevention of war, and

for giving security to the peoples of the earth. We have been able, in time of war, to associate ourselves with other nations in making war. If we are able to associate ourselves, through the compulsion of necessity and circumstances, in the making of war, why should not the same nations associate themselves together not alone in the making of the peace, but in the means of securing the peace in years to come?

Mr. President, generally speaking, governments are erected to protect individuals from aggression by other individuals, their own fellow citizens. But there is no effective international law against aggression as between nations. We must create such a law by the will of the powers which are able to make that law effective, vibrant, and vigorous. International law now has no adequate sanctions for its enforcement. We must establish such sanctions, so that the violator of the law against aggression will know that he is to suffer the consequences of such violation.

Mr. President, the United States and its allies in the present war have associated their armed might into one cohesive force for war. If we may unite to make war, we may unite our moral might for peace. If unified action is justified in overwhelming military and material aggression, why should we not unite in peace our moral, military, and material resources to preserve that peace and to guarantee the security of the world? If we are able to fight as comrades, to kill and destroy the enemy, and to bend the will of our enemies to our will, why should we not band together to save human life and wealth, and prevent the death of millions of gallant soldiers and sailors and the waste of billions of dollars in the accumulated wealth of ages? Why not bend every will by moral power instead of by the sword?

Mr. President, a war-weary and bleeding world calls upon the nations which are grappling with two savage and brutal enemies, not alone to overwhelm and conquer them in war, but to establish an agency to prevent them from again turning loose upon peaceful peoples their instruments of death and engines of destruction, together with all the terrible weapons of savage warfare. We have responded to the duty that we owe to civilization to crush and chain these monsters at the point of the bayonet. That same duty now calls upon us and the other United Nations to continue in peace the united moral and material might of the United Nations to guarantee that never again shall the iron-throated alarms of war be loosed upon a peaceful world.

Mr. President, as one of the members of the delegation to San Francisco, I go in the deepest humility. I realize that a gigantic task confronts the American delegation. I shall approach the performance of my duty with the utmost humility. I esteem it a great honor to be one of those from this body, selected by the President, to compose this delegation. In the performance of my duties I shall never forget this Chamber, and the knowledge that here, in the final analysis, will rest the fate of whatever we hope to accomplish and whatever we do accomplish at San Francisco. So I trust that as we go we may have the good will and support of Members of this body. I hope that as we go it will be realized that we go not as partisans, not as messengers of any group or faction, but that we go bearing the symbols of the authority of the United States, and speaking and acting for our common country.

Mr. President, I come from a section of the country which not infrequently has received criticism and aspersions, as not quite measuring up to some of the other sections of this Republic. I love the section of the country from which I come. I am devoted to its hallowed traditions. I am devoted to the memory of a father who sleeps beneath the soil of my Commonwealth. He gave all that he could give to a cause which was forever lost. But, Mr. President, however much I love the section from which I come and the Commonwealth in which I live, as God knows, I love every section of this Republic. If it were within my lot, if need be I would shed my blood or lay down my life for the unity, prosperity, security, and happiness of the people in every foot of territory under the flag of our Republic.

I pray that I may go to San Francisco as a delegate, not of Texas, not of the South, but of the people of the United States; and I pray God that the able Senator from Michigan [Mr. VANDENBERG] and I, as representatives of the Senate, may bring back to this Chamber documents which may receive the approbation and ratification of the Members of this body as representatives of the people of the United States.

Mr. President, going in humility, with whatever poor abilities I may possess, I feel very much as the Spartan soldier must have felt when his mother, sending him forth to battle, charged him, as she handed him his shield. "Son, come back either with your shield or upon it." I pledge myself to endeavor to perform the high obligations which have been committed to me with a high concept of purpose as representing all the people of the United States, and to do that which I feel will redound to the honor, the safety, and the security of unborn generations in this great land of ours. [Applause, Senators rising.]

Mr. VANDENBERG. Mr. President, I am glad to join in the sturdy statement made by my distinguished colleague from Texas.

In taking temporary leave of my dear friends in the Senate this afternoon, I do so with a sense of deepest dedication to a supreme cause. No cause could be greater than the hopes and aspirations of human souls everywhere for permanent peace with justice in a free world of free men.

I have no illusions that the San Francisco Conference can chart the millennium. Please do not expect it of us. I have no illusions that we can bring back to you a treaty which will be free of all the frictions that our widely differing personal convictions inevitably invite.

But, Mr. President, I have faith that we may perfect this charter of peace and justice so that reasonable men of good will shall find in it so much good, so much emancipation for human hopes, that all lesser doubts and disagreements may be resolved in its favor.

As did the distinguished and able Senator from Texas, I pledge you my total efforts in this unreserved and indispensable direction; and once more I am asking that your prayers for this great enterprise shall fail neither it nor us.

Mr. President, we go to San Francisco and the Golden Gate. I hope there is significance and prophecy in the latter phrase. I hope we may justify the bitter sacrifices of our soldier sons, and justify the deepest aspirations of America and the United Nations by opening the golden gate upon a better, a happier, and a safer world.

[Applause, Senators rising.]

Mr. BARKLEY. Mr. President, I could not let this moment pass without joining in the spirit which obviously actuates all our hearts upon the prospective departure of our colleagues, the Senator from Michigan and the Senator from Texas, upon the important and historic assignment which has been accorded to them. I would not attempt to quote him precisely, but I cannot but recall the oration of Col. Robert G. Ingersoll at the grave of his brother, when he said:

> Hope sees a star and listening love can hear the rustle of a wing.

Hope sees a star. Faith and hope are not far apart.

I have always wondered why it was that in the centuries which have gone by, mankind could not organize for peace as well as organize for war—or, if I may change the expression, why mankind could not organize for peace, instead of organizing for war. A quarter of a century ago, at the end of the last World War—which was not, in fact, a world war, as compared to this one—treaties of various kinds were entered into among all the nations of the world: the Locarno, the Nine-Power, the Pacific, finally culminating in the Briand-Kellogg Pact, which was approved and ratified by all the nations of the world, including ourselves and our enemies also. It was not strange that all over this world humble men and humble women, most of whom are never responsible for wars and never responsible for bloodshed, stood erect and looked their fellow men and their God in the face, and felt that a period of security had come. It was not strange, also, that, actuated by such a feeling, they were not prepared for war and did not want war, and, because they did not want it, they were unwilling to prepare to avert it.

We have gone over much territory since then. We have shared in the sacrifice of untold wealth and blood. Millions of our young men and of our older men, millions of men and women of all ages and all conditions and all races and all colors and all religions and all tongues, have laid all that they had and hoped to be upon the altar of civilization and Christianity and peace.

Now we see these sacrifices about to bring to us a great victory—a victory

that 3 or 4 years ago we hardly could imagine would come to the arms of civilization. We not only see our enemies in the flesh, the enemies of civilization and of peace, the enemies of the higher aspirations of mankind retreating, but we see the hopes of all ages—the things which actuate our hearts that support us even in the midst of disaster—again rekindled in the hearts of all nations and all peoples—of all conditions, all races, all religions, all colors, and all tongues. We have almost reached the stage where we can say, in the language of the solemn hymn which we sing at our church altars:

This is the hour I long have sought,
And mourned because I found it not.

I am sure I voice the sentiments, not only of this body but of all our people, without regard to religion or politics or geographical distinctions or locations, when I say we not only have faith in the delegation which has been appointed to represent us at San Francisco but we have more than faith in them—we have pride in them. We take pride in their intellectual caliber; we take pride in their spiritual approach; we take pride in the solemnity of the obligation which rests upon them and which they know rests upon them. To them I say, we shall follow your deliberations and your activities in San Francisco, with never a relaxation in that interest and in that pride and in the belief that out of it shall come, ultimately, a world situation and a world organization and a world approach and a world atmosphere which again will justify all mankind in rising, throwing from their shoulders and their hearts the burden of warfare and controversy and disaster and sacrifice, and again standing erect before mankind and before God in the hope and the belief and the assurance that, as we look into the cradles of little children who now sleep we may pledge to them that in another quarter of a century, another generation, or another half century or another century, they will not be required to unsheathe the sword and lay their lives on the alter of sacrifice, but rather that we in this generation are placing our own upon the altar of civilization and Christianity in order that these things which the human heart cherishes and pants for day by day may be guaranteed to the generations yet to come.

I may say to the Senator from Texas and to the Senator from Michigan that we all feel with the devotion of our hearts that out of your wide experience and out of the world-wide approach which you give to the great problems which beset mankind—of which we are an important but not the only part—there will come back to us a new charter of human freedom, representing the aspirations in which we may take pride and which we can confirm and sanction by our solemn duty performed here in this body when we shall be called upon to pass judgment upon your work.

I have an abiding faith that out of San Francisco will come a new charter of civilization which will be worth trying, and which, in the providence of Almighty God, will lead mankind to a firmer foundation of peace, happiness, and accord, and will carry into effect all the tenets of applied Christianity to all the problems of all mankind and to all the peoples of the world.

As one Member of this body, I am sure that all of us want you to carry with you to San Francisco that faith, determination, and pride, if I may say so, which all of us feel in you personally and in the work which you will do and in the charter which you will bring back to us.

Mr. WHITE. Mr. President, I wish to say a brief word on this occasion even though I speak with halting phrase.

I have a profound faith in the cause for which our Senate representatives go to San Francisco, and I have a great faith in them. The senior Senator from Texas [Mr. CONNALLY] has had my admiration through long years of time. We served together in the House of Representatives, and we have served in this body for a substantial lapse of time. I know of his ability, and I know of his powers of eloquent speech. I know of his consecration to this country of ours and in behalf of all the ideals for which our country and other nations now plead. I give to him my assurance of confidence.

As I speak of him I also speak of the distinguished Senator from Michigan [Mr. VANDENBERG], one of the brilliant minds of this body, and of this country. He is powerful in speech, and is consecrated to the highest aspiration in behalf of country and of mankind. He is devoted to the cause of a better world, and to the cause of this beloved country of ours.

May I say for the minority that both of our colleagues go from us with regret on our part, but they take with them our prayers, and our supreme confidence. They leave with us an abiding faith in their purposes, and in their power for great accomplishment.

Mr. President, the Dumbarton Oaks proposals are in no small part the contribution of the minds of these two colleagues of ours. I think that those proposals which they take to San Francisco, through their wisdom and experience, will be perfected.

Mr. President, as the result of this conference I envisage the United Nations joined together with other nations in a world organization which shall be devoted to the codification, the expansion, and the vitalization of international law. I believe that it will be an organization of which one of the great overshadowing purposes will be to bring about the cause of justice between nations and people everywhere. I believe that from that conference will come comforting assurance of a peaceful world, one in which mankind may live and enjoy to greater and greater degree those things which make for human betterment and human happiness. Mr. President, I wish our colleagues godspeed in the tasks to which they are committed.

REPRESENTATION OF POLAND AT THE SAN FRANCISCO CONFERENCE

Mr. WHERRY. Mr. President, on March 31 I addressed a letter to the Secretary of State, Edward R. Stettinius, Jr., with reference to Poland being represented at the San Francisco Conference. For the benefit of the Members of the Senate, I ask that that letter be printed in the RECORD at this point as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 31, 1945.

The Honorable EDWARD R. STETTINIUS,
The Secretary of State,
State Department, Washington, D. C.

DEAR MR. SECRETARY: I am deeply disturbed lest the forthcoming United Nations Conference on International Organization at San Francisco becomes a medium for the projection of the present wartime mentality of the victor nations into the peace. Personally, I find little reassurance in the invitations to this conference that were issued on March 5 to 39 nations, invitations which were based on a condition that no nations are to be permitted participation in these momentous decisions until they have proved themselves peace loving by issuing a declaration of war against the Axis. To me it is an ill omen that such truly peace-loving nations as Eire, Iceland, Sweden, and Switzerland are deliberately excluded from this conference.

But, Mr. Secretary, even were I to grant the necessity for such arbitrary action on the part of the great victor powers toward small neutral nations, I would still find it impossible to be reconciled to Poland's exclusion. What of Poland, Mr. Secretary? Why is Poland not invited? May I hasten to assure you that in my humble opinion the only answer to this question which will serve to quiet the rising fears in the minds of my constituents must be an answer entirely free of evasion. A continued refusal on the part of our Government to be frank with the American people on this matter will be one of the surest ways of sabotaging America's participation in any future international organization.

It is becoming perfectly obvious to every reasonable person that the question of Poland is no longer a matter of boundaries. The Curzon line was nothing but a temporary makeshift to facilitate armistice discussions following the last war and it has been completely ignored ever since the Treaty of Riga in 1920 between Poland and Russia, to which Russia gave her full and unqualified assent. The Polish question is not alone territorial. For hundreds of years the Polish Nation has undergone territorial expansion and contraction imposed on her by her more powerful neighbors.

The Polish question is not only a matter of satisfying minorities, for no greater absurdity could exist than that Russia should be the only multinational state permitted to exist, and such matters could only be honorable and justly adjusted through free plebiscites held under the auspices of an international commission.

The question of Poland is not a question of security for Russia. The Big Three have already agreed upon the permanent demobilization and disarmament of Germany, and the other nations of Europe are to have their security guaranteed through the new international organization which is to be formed at San Francisco. The question of Poland is not a question of compensation, for two wrongs never yet made a right. Is not talk about compensating Poland in the west for her losses in the east nothing but a blind to cover the doubly outrageous fact that such a compensation would force Poland to bite off a territory and population which she could not possibly digest and leave her even more vulnerable to the violent intervention of self-appointed protectors?

Certainly, the Polish question is not a question of constitutional versus émigré governments, for as of today the Polish Government in exile is the only legal Polish Government in existence. This is the government which Russia herself recognized on July 30,

1941, when she declared the German-Soviet treaty of 1939 null and void. It is significant that Russia did not withdraw this recognition until the tide of battle had turned in her favor, and that today Russia is the only nation that does not recognize the Polish Government in exile as the legitimate Polish Government.

It seems melancholy, indeed, that after more than 5 years of fighting this tragic war which originated in fulfillment of pledges given to Poland on March 31, April 6, and August 25, 1939, by England, we should find ourselves debating the issue of whether Poland is to be an independent state at all. It becomes increasingly clear to me and to a rapidly growing number of the American people that this has become a crucial issue in this war.

As such, Mr. Secretary, Poland herself has become a symbol—a symbol of the fate that seems to be in store for many of the small nations of the earth—a symbol of the kind of peace that is to issue from this war. If Poland is excluded from the San Francisco Conference, upon what moral principle can the Big Three possibly lay the foundations of any future international organization? What of Finland, Latvia, Estonia, Lithuania, Rumania, Yugoslavia, Czechoslovakia, Hungary, Bulgaria, Greece, Albania, Austria, Turkey, Iraq?

The recent news of the obstructionist tactics of the Lublin committee which has vetoed about every name on the list of 50 or 60 persons of eminence in Poland, which the Yalta Commission now sitting in Moscow has suggested as possible candidates for a new Polish Provisional Government, has only intensified my concern for the future of the Polish state. Is it not true, Mr. Secretary, that this Moscow-spawned Lublin committee includes 9 Communists? Is it not also true that the continued conflict between the terroristic Lublin regime and the underground which takes its orders from London is breeding a violent civil war in Poland at this very moment?

Whatever may be the answers to these questions, Mr. Secretary, is it not time to be told the truth and the whole truth about the Polish situation? Have not the American people this right? Is this not your plain duty? Is it not time the American people were warned of the deadly nature of the compromises which are now being urged upon them by pointing out that in the case of Poland, what the mightiest armies of all time have been unable to effect, namely, the destruction of the Polish state, now threatens to be accomplished through compromise?

Mr. Secretary, the American people, their representatives in Congress, and I, as an individual, anxiously await answers to the following questions because we want to assure you we are all united in a desire to support America's participation in the genuinely democratic international organization founded upon the principles of justice:

1. Why must we refuse an invitation to Poland to the San Francisco Conference?

2. Is Russia truly intent on rebuilding a peaceful world? If so, why does she stand in the path of Poland's participation in the San Francisco Conference?

3. Will not such an act pave the way for the dissolution of a Polish state?

4. Taking Poland as a symbol, what will happen to eastern Europe and the Baltic countries?

5. Asking for myself, do you expect me as a Senator or as an individual to support any international organization that excludes Poland as an independent state?

If we are to perfect and participate in an international organization which we hope will be based upon the principles of Christianity and justice, it is of great importance and it is imperative that we have your answers to these questions now. Millions of Americans are asking these same questions that are herein set forth, and because of that fact I am making this letter public. The same Americans who are interested in these questions will be interested in your replies, and for that reason I beg of you to likewise publicize your answers.

Sincerely,

KENNETH S. WHERRY.

Mr. WHERRY. Mr. President, although the letter of the Secretary of State, Mr. Stettinius, in answer to my letter, is dated April 12, I have just received his reply, which is self-explanatory. I ask that his reply be printed at this point in the RECORD as a part of my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 12, 1945.

The Honorable KENNETH S. WHERRY,
United States Senate.

MY DEAR SENATOR WHERRY: Your letter of April 3, 1945, in which you discuss the Polish question arrived during my absence from Washington, and it is only now that I am able to reply to the several very pertinent points raised therein.

Please be assured that your comments on the relationship of the Polish question to matters of international organization and security have received my careful consideration and have also been brought to the attention of officials of the Department charged in the first instance with these subjects. In view of the complexity of the Polish problem, it would appear best to begin this reply with a brief statement of our policy on Poland. Basically, the United States stands now as heretofore, for a democratic, strong, free, and independent Polish state in which the Polish people shall have the right to organize their internal existence as they see fit. We are seeking currently to implement this policy by measures finding their basis in the decisions of the Crimea Conference which dealt with the new situation created in Poland as a result of her complete liberation by the Red Army and the assumption of political control therein by the provisional authorit more commonly known as the Lublin Government.

We do not regard this Government as fully representative of the Polish people and, in our view, it should be reorganized on a broader democratic basis, with the inclusion of democratic leaders from Poland itself and from Poles abroad, into a new government to be known as the Polish Provisional Government of National Unity. This new government shall be pledged to the holding of free and unfettered elections on the basis of universal suffrage and the secret ballot, and with the participation of candidates from all democratic and anti-Nazi parties. A government so organized and so elected should be representative of the great majority of the Polish people and thus responsive to their national aims and aspirations. The United States would be prepared to enter into normal diplomatic relations with such a government.

While Poland is a member of the United Nations, an invitation to the San Francisco Conference was not extended to either the London Polish Government or the Provisional Polish Government now functioning in Warsaw in the light of the above policy, thus reserving Polish participation for the more representative Polish Provisional Government of National Unity. The United States Government earnestly hopes that it will be possible to establish this new government before the Conference is convened and is doing everything within its power to bring this about. Poland is one of the United Nations and should be at San Francisco. While the delay encountered at Moscow in carrying out the Crimea decisions on Poland is disappointing, the 8 weeks which have passed since the Crimea Conference cannot be regarded as long in comparison with the preceding 2 years of divergent views on Poland between the principal allies.

I hope that the above comments will in principle answer the questions contained in your letter. In pursuing its present policy toward Poland this Government is, I am sure, but reflecting the cherished belief of you and other Americans that the Polish people should have as their homeland a truly national Polish state, able to assume the place in world affairs to which it is entitled both by history and by the heroic and uncompromising resistance it made to our common enemy, of whose aggression it was the first victim.

Sincerely yours,

EDWARD R. STETTINIUS, Jr.

Mr. WHERRY. Mr. President, as the delegates representing the United States, among whom, happily, are two distinguished Members of the Senate, go to San Francisco, I express the fervent hope that they will do their best to advance the policies set forth in the letter of the Secretary of State relative to Poland's representation at this most important and historic conference, from which we have an abiding faith there will emerge a formula assuring the peace of the world and provision for machinery to implement it.

ERNIE PYLE—POSTHUMOUS AWARD OF CONGRESSIONAL MEDAL OF HONOR

Mr. WILLIS. Mr. President, on last Wednesday when the sad news first arrived of the death of Ernie Pyle we expressed spontaneous and earnest tribute here in the Senate, and our colleagues in the House of Representatives spoke about his untimely passing.

Today, with the kind permission of my colleagues, I wish to pay a more extended and specific tribute to the little man who was so great of soul, the Ernie Pyle who meant so much to all America.

To be doubly sure that everyone in all the world shall know that we will not soon forget Ernie Pyle and his noble works I am sending to the desk a joint resolution providing that the Congressional Medal of Honor be awarded to him posthumously, and presented to his widow in appropriate ceremonies. I ask that the joint resolution be read.

The PRESIDING OFFICER. The clerk will read the joint resolution.

The legislative clerk read as follows:

Resolved, etc., That the President is authorized to award posthumously, in the name of Congress, a medal of honor to the late Ernie Pyle, in recognition of his heroic conduct and outstanding services as a war correspondent in reporting to the Nation from the field of battle the story of its fighting men.

Mr. WILLIS. Mr. President, I ask unanimous consent to introduce the joint resolution on behalf of myself, my colleague the junior Senator from Indiana [Mr. CAPEHART], who comes from the State of Ernie Pyle's birth, the senior and junior Senators from New Mexico [Mr. HATCH and Mr. CHAVEZ], who come from the State of Ernie Pyle's late residence, and the senior Senator from Minnesota [Mr. SHIPSTEAD], in whose State Mrs. Pyle was born.

The PRESIDING OFFICER. Without objection, the joint resolution introduced by the Senator from Indiana will be received and appropriately referred.

The joint resolution (S. J. Res. 59) authorizing the President of the United

States to award posthumously in the name of Congress a medal of honor to Ernie Pyle, introduced by Mr. WILLIS (for himself, Mr. CAPEHART, Mr. HATCH, Mr. CHAVEZ, and Mr. SHIPSTEAD) was read twice by its title and referred to the Committee on Military Affairs.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Minnesota?

Mr. WILLIS. I yield.

Mr. SHIPSTEAD. I have here a short biography of Ernie Pyle, printed in the Daily News of April 18, 1945, which includes also some items of interest about Mrs. Pyle, who was born in Stillwater, Minn. I ask unanimous consent that it be printed in the RECORD at the conclusion of the remarks of the Senator from Indiana.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The matter referred to appears at the conclusion of the remarks of Mr. WILLIS.)

Mr. WILLIS. Mr. President, the whole Nation mourns the death of Ernie Pyle, whose engaging smile, wiry body, and simple but burning prose had made an indentation upon the heart of every man and woman among us.

As my distinguished colleague from New Mexico [Mr. HATCH] said on last Wednesday when we heard of Ernie Pyle's death at the hands of a Japanese sniper, Ernie is not dead. Nothing could kill that spirit that quickened the souls of men and women in every part of this and other nations. As the poet has written:

Peace, peace! he is not dead, he doth not sleep—
He hath awakened from the dream of life—
'Tis we who, lost in stormy visions, keep
With phantoms an unprofitable strife,
And in mad trance strike with our spirit's knife
Invulnerable nothings.

He has outsoared the shadow of our night;
Envy and calumny and hate and pain,
And that unrest which men miscall delight,
Can touch him not and torture not again;
From the contagion of the world's slow strain
He is secure, and now can never mourn
A heart grown cold, a head grown gray in vain;
He lives, he wakes—'tis Death is dead, not he.

The world's great, Mr. President, have paid tribute to Ernie Pyle since he was killed on a lonely island, far from his native land. There his body now rests in peace, and I hardly think that I could, in my humble words, add to the glory that has been his.

President Harry S. Truman, who disclosed Ernie's death, paid his tribute in these words:

The Nation is quickly saddened again by the death of Ernie Pyle.

No man in this war has so well told the story of the American fighting man as American fighting men wanted it told.

More than any other man, he became the spokesman of the ordinary American in arms doing so many extraordinary things. It was his genius that the mass and power of our military and naval forces never obscured the men who made them.

He wrote about a people in arms as people still, but a people moving in a determination which did not need pretensions as a part of power.

Nobody knows how many individuals in our forces and at home he helped with his writings. But all Americans understand now how wisely, how warm-heartedly, how honestly he served his country and his profession. He deserves the gratitude of all his countrymen.

Secretary of the Navy James E. Forrestal, in announcing the manner of Mr. Pyle's death, issued this statement:

With deep regret the Navy announces the death on Ie Shima of Ernie Pyle, whose reporting of this war endeared him to the men of the armed forces throughout the world and to their families at home.

He was killed instantly by Japanese machine-gun fire while standing beside the regimental commanding officer of headquarters troops, Seventy-seventh Division, United States Army. At the time of his death he was with the foot soldiers, the men for whom he had the greatest admiration.

Mr. Pyle will live in the hearts of all servicemen who revered him as a comrade and spokesman. More than anyone else, he helped America to understand the heroism and sacrifices of her fighting men. For that achievement, the Nation owes him its unending gratitude.

Secretary of War Henry L. Stimson also issued a statement expressing his great regret.

As we all know from reading newspapers, tributes to Ernie Pyle are flowing to his wife in New Mexico from every part of the world.

From the privates to the generals, grief is being expressed at the death of one of the noblest sons of Indiana who ever drew a pen to write of his fellow men.

Here is the tribute paid by Gen. Omar Bradley at the Twelfth Army Group headquarters on the western front:

The death of Ernie Pyle has saddened the thousands of good friends he left behind him in Tunisia, Sicily, Italy, and France.

I have known no finer man, no better soldier, than he.

His loss again reminds us of the enormous risks correspondents have taken to bring our people the truth of this war.

Gen. Jacob Devers, commander of the Sixth Army Group, declared:

The immeasurable tragedy of war is emphasized by the death of this beloved journalist.

Lt. Gen. Alexander M. Patch, commander of the Seventh Army now fighting for Nuremberg, deep inside Germany, said:

His great courage and deep patriotism were unsurpassed by our Nation's purest heroes.

Gen. Joseph W. Stilwell, commander of the Army Ground Forces, telegraphed Mrs. Pyle:

I have just learned of the death of your husband on an American battlefield. All American soldiers will keenly feel the loss of a man who has done so much to tell their story. Be assured that he lies in dignity with the men for whom he wrote and with whom he lived and died.

The Army, and more specifically the infantry, has lost a great friend and a fellow soldier.

Sgt. Thomas Kirby, of Baltimore, a Medical Corps man, who talked with Ernie only a few minutes before the sniper's bullets struck, said:

We thought Ernie Pyle was one of the swellest guys we ever met. Every corpsman thought him his best friend. It's a funny thing. We told him the news about the new combat medic's badge being approved in Washington. He told us he had worked on Washington a long while to get approval for the medics to wear a special insignia, but that this was the first time he had heard it had been approved.

He grinned and looked happy as hell when we told him. Then he got into a jeep and drove off.

Edward Kennedy, Associated Press correspondent, cabled from Paris:

I can hear Ernie Pyle laughing now if anyone were to call him a genius, and I know he would have a good come-back. For, with all his mildness, he could get in a sharp crack now and then.

I remember his arrival in Anzio, the beleaguered beachhead where we were constantly under artillery fire. He didn't like to come to the beachhead, he said, but he had heard that some soldiers had inquired if Ernie Pyle was around. That was enough for Ernie, who never let a soldier down. He came there to report their war, and when the word spread through that tight, shell-pocketed beachhead that he had arrived, everyone felt better.

Ernie Pyle's full name was Ernest Taylor Pyle, but few persons would know him by that name. The simple "Ernie" which followed him from childhood, suited best his wiry little body, his engaging smile, and his utter openness in his contacts with others. There was no make-believe, no sham, about Ernie Pyle. He was just himself—and everybody knew it—and everybody liked Ernie.

I speak for the people of all walks of life in Indiana, indeed, Mr. President, for the people of the whole Nation, when I say that we shall miss the beauty and the simplicity of the daily writings of Ernie Pyle. He had become, through the years, and particularly in these latter years, as much a part of America as Mark Twain, or the corner drugstore, or the church in every town.

Ernie Pyle became an integral part of our great America, Mr. President, and we will miss him as we would miss no other man in the journalistic field at this particular moment.

Ernie Pyle was born August 3, 1900, on a farm near Dana, Ind. His father, William C. Pyle, still lives there. His widow, as we know, now resides in Albuquerque, N. Mex., where Ernie built a modern home in 1940, to which he hoped to return after the last shot of this war had been fired.

Ernie grew up on the farm, as has many another noble American, and from the soil he must have assimilated his earthy philosophy which made him the truly representative American writer that he became. He attended the University of Indiana at Bloomington, and it is said that he chose journalism because he was looking for a "snap" course.

"They tell me," Ernie quoted Paige Cavanaugh as having said, "that journalism is a breeze."

A few months before he graduated, despite very good grades, Ernie Pyle left college and went to work as a reporter on the La Porte Herald-Argus. He worked there 4 months, coming to Washington in 1923 to take a job as telegraph editor on the Washington Daily News.

Ernie left his native Indiana steeped in the literary tradition of Hoosier heroes that have made our State a great one in the literary annals of the Nation. He knew the works of General Lew Wallace, James Whitcomb Riley, Meredith Nicholson, George Ade, and Booth Tarkington.

Little did he realize that some day he, too, would take his place alongside those immortals in the field of American literature and that his words would shine with the same brightness that characterized theirs. But it is so. Ernie Pyle's pen is stilled, but the words he has written are not blurred. We, our children, and our children's children will be able to read again his graphic accounts, his moving descriptions, his magnetic prose hammered out of his typewriter in the heat of battle.

Long before the war began, Mr. President, Ernie Pyle was one of America's best-known newspapermen. He traveled with his wife to every corner of America, interviewing the unusual people whom he would meet, writing of the unusual happenings which had escaped the eyes of other reporters, and, all in all, filling in the commentary of American history that is ours to see each day in the newspapers of our land.

But Ernie did not come into his own until the war came upon us. His glory had to wait until it could be tested in fire. But when it shone forth it was there for all to see—true as Excalibur and shining with the same gleam.

"A small voice came in the night and said, 'Go,'" Ernie told his readers in 1940. So, with a heavy heart, Ernie set out to cover the great holocaust.

He went first to England, writing of London's wretchedness after the blitz. Then, when the American offensive began, he was with the troops going into North Africa in November 1942.

The other correspondents broke their necks to get the headline, day-to-day "big news." Ernie told them gently: "You guys go after the big stories. I'll just cover the backwash of the war."

So he spent his time with the common man abroad—America's foot soldiers. These were the men of whom there were the most, and they were the men who were doing the most. They inevitably had to occupy every acre of ground. The glory might go to the fliers with their dauntless smiles. The headlines might be taken by the generals, with their unerring strategy. But the grimmest war of all was for the foot soldiers, pushing through sands, slogging through mud, or wading up rocky beaches.

From Africa, he went on to Sicily, to Anzio beachhead, to bloody Cassino and to Rome.

When he came back, before going to England to cover the invasion of Europe, it was to the hero's welcome he deserved. His book was a best-seller. His name was on every lip. He sold movie rights both for his book and for the filming of his experiences.

Then, when he went back to France, it was for the same grim coverage, the same trueness in words. Every day he added to the glory he so richly deserved.

When he was home on his last "furlough," Ernie was awarded the Degree of Doctor of Humane Letters at the University of Indiana. We of Indiana were proud of him, and wanted to give him the best possible token of our appreciation of his high qualities.

Ernie did not want to go to the Pacific, but he felt that he had to go. He was impelled, it seemed, by the invisible hand of fate to follow the war to its end—and, as it turned out, to his inevitable physical end.

There's nothing nice about the prospect of going back to war again—

He wrote—

Anybody who has been in war and wants to go back is a plain damn fool in my book.

I'm certainly not going because I've got itchy feet again, or because I can't stand America, or because there's any mystic fascination about war that is drawing me back.

I'm going simply because there's a war on and I'm part of it, and I've known all the time I was going back. I'm going simply because I've got to—and I hate it.

The very enormity of the war frightened this little man of only 112 pounds, this little man with the winning grin. Yet, it can be recorded of him that perhaps no other correspondent in this or any war has covered more of the actual fighting than has Ernie Pyle. He saw more war than many soldiers, and twice in Europe he narrowly escaped the death that finally overtook him.

At Anzio beachhead, he came within a hair of being killed. Again in France, in the same bombing that killed Gen. Leslie McNair, Ernie missed death by inches.

Ernie once wrote a friend:

I try not to take any foolish chances, but there's just no way to play it completely safe and still do your job. The front does get into your blood, and you miss it and want to be back. Life up there is very simple, very uncomplicated, devoid of all the jealousy and meanness that float around a headquarters city, and time passes so fast it's unbelievable.

I didn't have my clothes off for nearly a month, never slept in a bed for more than a month.

Ernie Pyle was mighty in his work, mighty in his words, mighty in his influence. But how are the mighty fallen, Mr. President, and how are the great cut down.

Ernie Pyle will be buried among the soldiers he immortalized. His body is laid to rest, according to the dispatches, in an Army cemetery in the Ryukyus, where he covered his last campaign. The soldiers he loved brought him back from the battlefield; they lifted his body from the ditch where he fell, victim of a Japanese ambush.

Ernie died instantly, hit by three machine-gun bullets, according to the latest dispatches.

It is recorded that when they picked up Ernie's body, his face was not twisted in pain or agony, but that he looked pleasant and peaceful. You might have thought he was sleeping, the soldiers said. Brave men do not fear death.

Mr. President, when Theodore O'Hara looked on the battlefield at Shiloh in Tennessee, he wrote a poem whose words still burn today. I want to read that poem to the Senate, because I know, and other Senators know, that this war, too, will end, and when it is over, we shall never forget the brave men who will have made secure our liberties again; who will have proved that when freedom was an issue, the American people never falter.

I read it in honor of Ernie Pyle, the Hoosier boy who became a great reporter, an American who became a great chronicler, a patriot who became a great writing soldier, a man whose spirit and whose words became immortal.

THE BIVOUAC OF THE DEAD

(By Theodore O'Hara)

The muffled drum's sad roll has beat
The soldier's last tattoo:
No more on Life's parade shall meet
That brave and fallen few.

On Fame's eternal camping ground
Their silent tents are spread,
And Glory guards, with solemn round,
The bivouac of the dead.

Rest on, embalmed and sainted dead!
Dear as the blood ye gave;
No impious footsteps here shall tread
The herbage of your grave.

Nor shall your glory be forgot
While Fame her record keeps,
Or honor points the hallowed spot
Where Valor proudly sleeps.

Yon marble minstrel's voiceless stone
In deathless song shall tell,
When many a vanished age hath flown,
The story how ye fell.

Nor wreck, nor change, nor winter's blight
Nor Time's remorseless doom,
Shall dim one ray of Glory's light
That gilds your deathless tomb.

(On request of Mr. SHIPSTEAD, and by unanimous consent, the following from the Washington Daily News of April 18, 1945, was ordered to be printed in the RECORD at the conclusion of the remarks of Mr. WILLIS:)

AFTER 22 YEARS, HE WAS STILL JUST PLAIN ERNIE

(By the News staff)

First it was Ray Clapper, the Scripps-Howard columnist with whom we worked. Now it is Ernie.

Some of us who worked with Ernie in the Daily News city room were here today when word came he had been killed. It was in action, naturally.

It's hard to believe he'll never again stroll in to say "Hello" to everybody, go out to the composing room to kid the printers, act just like the guy he used to be before we became kind of jealous that the world loved him, too.

DIDN'T WANT TO BE MANAGING EDITOR

Ernie's last job here was at the managing editor's desk. He didn't like to be managing editor; he wanted to be a reporter. He didn't like to hire and fire people and give orders.

So he quit, took on a tougher job—driving around the country, selling himself to strangers.

He was good, simple, forthright, and kind.

CAME HERE IN '23

He came here in 1923 on his second newspaper job, after working on the La Porte (Ind.) Herald. A promising youngster, he was brought here by the late Earle Martin, then editor of the News when it was 2 years old.

Ernie would have liked the tribute President Truman gave him, though it would have made him a little apologetic. He was so conscious of the danger and bigness of

the job he was doing it kept him humble, even if he hadn't been inherently so.

He was born August 3, 1903, on a farm near Dana, Ind., where his father, William C. Pyle, still lives. His mother, about whom he wrote from time to time in his column, died while he was in England in March 1941.

"T" FOR TAYLOR

His full name was Ernest Taylor Pyle—Taylor was his mother's maiden name. But to everybody he was "Ernie."

He was married July 7, 1925, to Geraldine Siebolds, a pretty blond Government worker from Stillwater, Minn. Gerry is in Albuquerque, N. Mex., where they built a home a few years ago—a place Ernie loved. In Washington they lived in a tiny apartment on N Street SW.

Ernie attended Indiana University for 3½ years, quit without graduating.

WANTED TO TRAVEL

After 3 years on the News, he was overcome by a yen for travel in 1926. He and Gerry drew out their savings, bought a model T roadster, drove around the rim of the United States, taking their time, as though they had a million. They wound up in New York. For a time Ernie and Gerry lived in Greenwich Village, while Ernie worked on the World and Post for a year or two. Then he came back to the News as telegraph editor. From there he went to covering aviation. In 1932 he was made managing editor.

HE MADE GOOD

Early in 1935 the Pyles vacationed in Arizona. When they came back the late Heywood Broun was on vacation. Ernie wrote a dozen columns about his vacation experiences to fill the Broun spot. Being Ernie, they made good reading. So good, G. B. Parker, editor-in-chief of Scripps-Howard newspapers, took Ernie off the managing editor's desk to try him out at a roving-reporter job for Scripps-Howard papers.

WORE OUT ONE CAR

Being Ernie, he wrote about simple things. Being Ernie, he made good, as we knew he would.

He combed the United States, Canada, Mexico, Alaska, the Hawaiian Islands, Central and South America, traveling by train, plane, boat, on horseback, muleback, truck, but most of the time in his own convertible coupe. He wore out one car.

Eventually he worked so much of his personality into his columns that readers began to regard him as an old friend. His column was syndicated in more than 300 papers.

COVERED THE BLITZ

In 1940 he went to England and the blitz, cabled home such a picture of the most hateful, most beautiful scene he ever had witnessed, that parts of the dispatch were cabled back to London and reprinted in London.

Ultimately his columns were printed in his first book—Ernie Pyle in England.

He came back for a rest and was at Edmonton, Canada, preparing to shove off for Alaska when word came that Gerry was dangerously ill. He flew to Albuquerque and stayed with her for months until she mended.

Ready to go to Australia, his Clipper booking was canceled to make room for propellers needed by the Chinese. The plane arrived over Hawaii during Jap bombing of Pearl Harbor.

He toured this country for a while, in 1942 went back to the British Isles; spent months with our troops, went to Africa on an invasion convoy.

BEING ERNIE

On his first brief furlough from the European war he was lionized and recognized wherever he went. Being Ernie, he shut himself in a hotel room and worked on whipping columns into shape for his first famous book, Here Is Your War.

He went back to the war—was in the Normandy invasion. He stayed as long as he could stand it, then came home, saying he couldn't take it any longer. He was sick of the sight of death.

More lionized than before, he still was the same old Ernie. He took a long rest, spending most of the time in his beloved Albuquerque home, but went out again to the southwest Pacific.

His honors multiplied. He won the Pulitzer price for distinguished correspondence in 1943, was voted the outstanding Hoosier of the year by Sons of Indiana, was made an honorary doctor of letters by New Mexico University and doctor of humane letters by Indiana University. He also was awarded Sigma Delta Chi's Raymond Clapper memorial award for war correspondence in 1944, and in both 1943 and 1944 received a Headliners' Club award.

JUST A SKINNY GUY

Some of us old timers recalled the morning he walked into the editorial room, then at 1322 New York Avenue NW. He had come with several others * * * and was the least impressive of the bunch.

Skinney, his red hair beginning to recede, he cut no fancy figure in his baggy clothes.

But his shy, friendly smile, his wholesome attitude, his all-round newspaper know-how, won him friends, immediately. He laughed at himself, even in those days.

The last time we saw him he was the same Ernie Pyle. His shy friendliness was unaffected by the idolatry of millions. The red hair was graying, naturally.

But he was still Ernie. Being Ernie he would be.

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Medical Director Clyde B. Camerer to be a medical director in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as district medical officer, Fourteenth Naval District;

Capt. William W. Warlick, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving on the staff (logistics) of the Commander in Chief, United States Pacific Fleet and Pacific Ocean areas, and until reporting for other permanent duty;

Capt. Ruthven E. Libby, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as senior naval member of the Joint War Plans Committee, and until reporting for other permanent duty;

Several naval aviators of the Marine Corps Reserve to be second lieutenants in the regular Marine Corps; and

Several citizens to be second lieutenants in the Marine Corps.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

RECESS TO MONDAY

Mr. BARKLEY. Mr. President, in view of the lofty sentiments which have been expressed in the Senate today it seems to me that the routine of legislation for the remainder of the day would be in the nature of an anticlimax. Therefore, in honor of not only of the members of the delegation from this body, but our entire delegation to the San Francisco Conference, and in recognition of the lofty and noble sentiments which have been expressed here today, I feel that it would be appropriate for the Senate of the United States to take a recess until Monday.

I therefore move that the Senate take a recess until next Monday at 12 o'clock noon.

The motion was agreed to; and (at 3 o'clock and 21 minutes p. m.) the Senate took a recess until Monday, April 23, 1945, at 12 o'clock meridian.

SENATE

MONDAY, APRIL 23, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

God of the nations, Thou art from everlasting, and we, Thy creatures, have but a little span in this mortal sphere. Yet Thou hast set our lives upon an earth changed and different from what our fathers knew; vast, stretching seas and plains and towering mountains are but stepping stones to a neighbor's door, though it be half a world away.

In a world of blazing cities and slaughtered victims and starving multitudes, we see clearly now that we must love our neighbor as ourselves, as Thy law decrees, or the very stars in their courses fight against us and the works of our hands are turned to ruins. Falling upon our eager ears there are sounds upon the earth and signs in the heavens that quicken all hearts with expectation. In these fateful days as the nations plan for peaceful tomorrows we listen with radiant hope for the sound of Thy chariot wheels; we lift our mournful heads to see if it is Thy dawn that streaks the sky.

"Break, day of God, O break;
The earth with strife is worn;
The hills with thunder shake;
Hearts of the people mourn.
Break, day of God, sweet day of peace,
And bid the shouts of warriors cease."

In the name of the Prince of Peace we ask it. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, April 20, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE—ENROLLED BILL SIGNED

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled bill (S. 105) to extend the life of the Smaller War Plants Corporation,

and it was signed by the President pro tempore.

THE SEED AND THE SOIL OF PEACE

Mr. WILEY. Mr. President, last Friday we bade Godspeed to our two emissaries to the San Francisco Conference, the distinguished Senators from Michigan [Mr. VANDENBERG] and Texas [Mr. CONNALLY].

As I listened to their inspired words of farewell and to the final messages to them by the able Senators from Maine [Mr. WHITE] and Kentucky [Mr. BARKLEY] I could not help but search my mind for the most significant description of their mission.

At last it came to me: Our two colleagues and their fellow delegates were setting forth to prepare the seed of peace. That seed will be a compact or a charter for peace.

Whatever goes into that seed, the formula or the plan for the mechanism of the world organization will not be new. The elements of the seed of peace have been known since time immemorial. They have been compounded and recompounded, worked and reworked at countless international conferences following other wars. They have been sown, but they have never grown into full fruition.

In the words of the Master:

> Some seeds fell by the wayside, and the fowls came and devoured them up. Some fell upon stony places, where they had not much earth, and forthwith they sprung up, because they had no deepness of earth. And when the sun was up, they were scorched; and because they had no root, they withered away. And some fell among thorns, and the thorns sprung up and choked them.

But never in the history of man for any long period have the following words of the Great Teacher been fulfilled:

> But others fell into good ground, and brought forth fruit, some a hundredfold, some sixtyfold, some thirtyfold.

Now, Mr. President, another seedtime has come. Now some 1,100 delegates of 46 United Nations are gathering at San Francisco to prepare the seed of peace once again.

The hopes of humanity are high. But our joy is restrained, for we remember the lessons of the past. Again and again we have sown the seeds of peace, but we have not reaped lasting peace. Again and again we have established an organization, a mechanism, a procedure, a covenant for maintaining the peace, but war has come.

Why? Because, however perfect may have been our seed, the soil into which it was planted was not fertile, and therefore the seed did not flourish. The soil was barren, or it was rocky, or it was worn out, or the seed was not planted deep enough, or it was not nourished, or weeds were allowed to encroach upon it.

Now just what is the soil to which I refer? It is the spiritual and moral level of the peoples of the earth. What are the weeds? They are hate, distrust, suspicion, fear, and envy between nations. What seed can grow in such soil? None.

I know farming. I know that good seed cannot flourish except in good soil. It is my prayer that the San Francisco Conference will prepare good seed. But it is my further prayer that when the seed is sown among the United Nations, the soil will be receptive to it. That soil will be the hearts of the great mass of people of the democratic nations and the hearts of the masters of those lands among the United Nations which are not democratic.

Will that soil be fertile? Will it be enriched and furrowed with the spirit of understanding, with the spirit of friendship, with the true spirit of collaboration? Are the nations in fact now ready for peace?

I know that America's soil is fertile. In our soil has grown the proudest tree of liberty. From our soil have sprung abundant fruits of happiness and joy for the great mass of our people. In our soil, racial and religious intolerance have found no shelter. Here class warfare has never risen above the ground. Upon our soil the warm sun of providence has shone almost continuously and has been hidden only intermittently by the clouds of wars which we did not seek. I know that America's soil is fertile. According to the last Gallup poll more than 83 percent of our people favor world cooperation. This percentage is almost uniform throughout all sections of our Nation. It is approximately the same percentage as that by which our people prior to Pearl Harbor voted not to intervene in this war.

America's soil is receptive. But now I ask in all humility, without criticism, without scorn, is the soil of the other United Nations as fertile as is ours? Have our allies prepared their hearts to receive the seed of peace? The answer to that question cannot be given merely in words. It must be given in actions following the San Francisco Conference.

When our representatives return with the seed, we shall want to hear the answer to this question: We shall want to know what their reactions were as to whether or not the "national soil" of the other members of the United Nations is now rich and fertile and receptive and sustaining.

We repeat, recent history; yes, history throughout all the ages, clearly demonstrates that there will be no lasting peace unless the nations of earth have the high will and the purpose and the desire to carry through on their obligations for peace. That is the productive soil which we are seeking, in which the seed of peace can thrive.

It is the combination of the seed and the soil under the sunshine and the rain of international give-and-take which will make for a lasting peace.

As the Prophet Ezekiel said:

> Moreover, I will make a covenant of peace with them (if they are ready and receptive); it shall be an everlasting covenant with them (if they keep the faith).

Mr. President, what can we do to see that the soil of the other nations is made receptive for the seed? We know that we cannot vicariously be saved from this curse of war. Leadership is all-important, leadership which will sell a bill of goods to the peoples of earth. It requires straight thinking, straight acting, getting rid of mere emotional approaches, doing away with prejudices. There must be a spiritual renaissance, an awakening to the fact that war is not the way out, that it solves no problems. This calls for an elevation of our thinking, a more uplifted attitude toward all mankind.

LEAVE OF ABSENCE

Mr. DONNELL. Mr. President, at about the time of the taking of the recess Friday last my colleague the junior Senator from Missouri [Mr. BRIGGS] was on his way to the Senate for the purpose of asking to be excused from attendance for a few days. It happens that the junior Senator from Missouri has certain engagements in the State of Missouri which require his presence. He has taken the liberty of proceeding to Missouri, and asked me to present this statement to the Senate this morning, and therefore I respectfully request that he be excused.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the junior Senator from Missouri is excused.

CONDOLENCE ON DEATH OF FRANKLIN D. ROOSEVELT

The PRESIDENT pro tempore. The Chair lays before the Senate a resolution—a very beautiful resolution—adopted by the Shelby County court, sitting at Memphis, Tenn., concerning our late beloved President Roosevelt. It is a fine tribute. The resolution also refers to our present President, Mr. Truman. Without objection, the Chair will order the resolution printed in the body of the RECORD.

The resolution was ordered to lie on the table and to be printed in the RECORD, as follows:

SHELBY COUNTY QUARTERLY COURT—APRIL TERM, 1945

MEMPHIS, TENN., *April 16, 1945.*

Court met, pursuant to adjournment, Hon. J. F. Dudney, chairman, present and presiding, when the following proceedings, among others, were had, to wit: President Franklin Delano Roosevelt.

The following resolution was read to the court by Hon. Lee Winchester, county attorney:

"Divine providence has seen fit to call the immortal soul of our matchless leader, President Franklin Delano Roosevelt, from his earthly labors to enter into an even greater and more useful sphere of influence in heavenly abode.

"When the news of the death of this great man was flashed to the world, there was not a voice that was not hushed nor a heart that did not quail at Heaven's manifestation in our world affairs. We could not at first believe that our great leader was mortally stricken. We could not comprehend why an omniscient being would permit the earthly life of such a vitally useful and good man to end and at the same time permit such contemptible wretches as Adolf Hitler and the rest of the Nazis and Japanese war lords to clutter up the earth.

"The last words of our great Democratic President, Thomas Jefferson, were said to be, 'Now, Lord, let thy servant depart in peace,' and may we not with reverence say that Franklin Delano Roosevelt also departed in peace and that the Master of men greeted his spirit with expression. 'This is my beloved servant, with whom I am well pleased and he is now called to his reward.'

"On March 21, 1945, only a few days before the President's official work in the city of Washington terminated, our own great leader, the Honorable E. H. Crump, at the President's request, conferred with him about

matters of state and the members of this court and other friends of Mr. Crump's have repeatedly heard him give utterance to the same thought, relative to the marvelous personality of the President, as was so forcibly expressed by our own Senator MCKELLAR, who said upon being advised of the President's death, 'President Roosevelt had the most remarkable and gracious personality of any man I have ever seen. He was firm, but in our long association, I never saw him permit himself to show anger.'

"During the most troublesome years of our Nation's history, this peerless leader presided over the destinies of this Nation and it is our fervent wish and thought that his spirit may still continue to hover over His contemporaries in the affairs of Government, not only in this country, but in all Allied Nations; inspire their consuls and continue to guide them in virtuous, wise, and noble paths as he has always done in the past. And may that God, in whose hands are the issues of life and death, in His infinite wisdom, confirm and strengthen us all to follow along the pathway blazed by our great President.

"The Nation is thankful that in this, its dark hour, it may turn with confidence to that great Democrat in whose hands the torch of liberty is now placed, and it is our sincere belief that President Harry S. Truman will wisely, successfully, and courageously lead the Nation through the troublesome days that lie ahead: Therefore we, the members of the Quarterly County Court of Shelby County do hereby

"*Resolve*, That we join with every sovereign body of this great land and stand with bowed heads and with deep sorrow lament the passing of that great American whose earthly career has just terminated; and be it further

"*Resolved*, That the course he set out for this great Nation, and which he so fearlessly and unswervingly followed, be adhered to; and that the people of the United States continue to uphold the hands of our new President, Harry S. Truman, so that under his leadership, this great Nation will continue to be the bright exemplar for all people who love liberty, freedom, and democracy around the globe."

Upon motion by Justice Paul Barret, duly seconded by Justice Hughes, the said resolution was adopted by the following vote: Barret, Hughes, Barrett, and Law. Ayes 4; noes 0.

SHELBY COUNTY COURT,
By J. F. DUDNEY, *Chairman*.

STATE OF TENNESSEE,
Shelby County, ss.:

I, Marvin Pope, clerk of the county and probate courts of this county, hereby certify that the foregoing 3 pages contain a full, true, and exact copy of the resolution adopted by the Quarterly County Court of Shelby County, Tenn., on the death of President Franklin Delano Roosevelt; as the same appears of record in minute book 32, page 110 of this office.

In testimony whereof, I have hereunto set my hand, and affixed the seal of said court, at office, in the city of Memphis, this 18th day of April 1945.

MARVIN POPE,
Clerk.

LT. COL. JOSEPH CHABOT

Mr. TOBEY. Mr. President, in 1934, as a Member of the House of Representatives, it was my privilege to appoint as a cadet to the Military Academy at West Point Joseph Chabot, a young man, 1 of 11 children, from the town of Whitefield, N. H. He completed his course of 4 years at West Point with credit, and then went to Texas in the military service.

In 1939 he was sent to the Philippines, and there, under General Wainright and General MacArthur and General Jones, he carried on until he was captured by the Japanese. After being captured, he participated in the infamous March of Death, with all the suffering and travail connected with that experience, but God spared his life. Later, he was confined as a prisoner, and was finally incarcerated in the Bilibid prison. He came down with pneumonia the day before our troops recaptured Manila, and was transferred to Bilibid Hospital, thus being saved from being shipped to a prison in Japan, to which our enemies had consigned him.

He has been made a lieutenant colonel by the War Department, and is now back with his attractive wife and two children, and will shortly leave for his home town of Whitefield in the State of New Hampshire, for recuperation, then later to return to service.

Mr. President, I cite this case, not as an exception, but as one showing how a young officer of the Army has made the great traditions of the Army even more imperishable than before.

Mr. President, it is with pleasure that I recall that I appointed Colonel Chabot to West Point, and it is gratifying that he and his wife are in the gallery this morning to observe the Senate in action.

DISPOSITION OF EXECUTIVE PAPERS

The PRESIDENT pro tempore laid before the Senate a letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition, which, with accompanying papers, was referred to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The PRESIDENT pro tempore appointed Mr. BARKLEY and Mr. BREWSTER members of the committee on the part of the Senate.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of New Jersey; to the Committee on Foreign Relations:

"Joint resolution commending the Congress of the United States for its affirmance of the principles of the freedom of speech and press and advocating the adoption of the same principles upon a world-wide basis, and urging upon the delegates of this country to the peace conference the adoption of an international compact

"Whereas the New Jersey Legislature is advised that the Congress of the United States has adopted Senate Resolution 53, which reads as follows:

" 'That the Congress of the United States expresses its belief in the world-wide right of interchange of news by news gathering and distributing agencies, individual or associate, by any means, without discrimination as to source, distribution, rates or charges; and that ths right should be perfected by international compact'; and

"Whereas the New Jersey Legislature fully subscribes to the principles enunciated by said resolution: Therefore be it

"*Resolved by the Senate and General Assembly of the State of New Jersey:*

"1. The New Jersey Legislature hereby extends its commendation to the Congress of the United States for its affirmance of the principles of speech and press and advocates the adoption of the same principles upon a world-wide basis in freedom and equality of access to the truth and the facts, and urges upon the delegates of this country to the peace conference the adoption of an international compact to guarantee the maintenance of such principles.

"2. The secretary of state is directed to transmit, immediately following the passage of this joint resolution, a copy thereof, properly authenticated, to the Secretary of State of the United States, to the Secretary of the Senate of the United States and to the Clerk of the House of Representatives.

"3. This joint resolution shall take effect immediately."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Finance:

"Senate Concurrent Resolution 11

"Concurrent resolution requesting the Congress of the United States of America to exempt all patient employees and paroled-patient employees at Kalaupapa Settlement from any Federal income tax

"*Be it resolved by the Senate of the twenty-third session of the Legislature of the Territory of Hawaii (the House of Representatives concurring)*, That the Congress of the United States of America be, and it is hereby requested, to exempt patient employees and paroled-patient employees of every hospital, settlement, and station maintained for the treatment and care of persons affected with leprosy from the Federal income-tax law; and be it further

"*Resolved*, That copies of this concurrent resolution be sent to the President of the Senate and to the Speaker of the House of Representatives of the Congress of the United States of America, to the Secretary of the Interior, and to the Delegate to Congress from the Territory of Hawaii."

SHIPMENT OF LIQUORS TO MEMBERS OF ARMED SERVICES ON THE FIGHTING FRONT—PETITIONS

Mr. WHITE. Mr. President, I ask unanimous consent to present for appropriate reference two petitions of sundry citizens of Springvale, Maine, praying for the enactment of legislation to prohibit the shipment of intoxicating liquors to members of the armed services on the fighting fronts.

The PRESIDENT pro tempore. Without objection, the petitions will be received and referred to the Committee on Military Affairs.

PETITIONS FROM CITIZENS OF WISCONSIN

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent to present two petitions on different subjects signed by sundry citizens of Wisconsin, and that the body of each of the petitions be printed in the RECORD, without the signatures attached, and that they be appropriately referred.

The PRESIDENT pro tempore. Without objection, the petitions presented by the Senator from Wisconsin will be received, appropriately referred, and the body thereof will be printed in the RECORD without the signatures attached.

To the Committee on Banking and Currency:

MILWAUKEE, WIS.

To Senator ROBERT M. LA FOLLETTE, JR.,
Washington, D. C.

HONORABLE SIR: The undersigned citizens appeal to you to take appropriate action to help bring about a modification of our present drastic and unreasonable rationing of food with particular reference to meat and butter.

We read that there is no food rationing in Canada or Mexico; and that in Russia there is not only no food rationing, but that there even the price of food has gone down during the past year. Just what are they doing on lend-lease?

Our national farm subsidy was intended to increase food production, but that is bungled somewhere down the line for food production is decreasing. In addition, the O. P. A. is so incompetent in the matter of investigating black market operations and discovering red point frauds, that the entire rationing program is way out of balance. Also to exact no red points from those who can get their meat by eating at restaurants is a direct slap in the face for the average American family which just must feed itself at home by whatever red points it can scrape up.

We are told all nations are in this thing together, but are they equally so? Will our lend-lease and needless reserves of food turn out to be another national scandal?

We are told that we still have plenty to eat, but may we answer that we are fed up with what we get—it is coming out of our ears—and if it is good enough for us, may we not ask that why not send some of it to those we send lend-lease food to and keep the meat and butter for ourselves?

We also resent the fact that every time these things are pointed out, certain elements in America are always ready to start shouting pro-Hitler at the protestors instead of helping to correct this rotten mess. We are all loyal Americans and we would be fools indeed not to protest any rank injustice.

In view of the foregoing we ask that Congress take immediate action to remedy this disgraceful state of affairs or face the evil consequences that such conditions must eventually bring about.

To the Committee on Military Affairs:

To Senator ROBERT M. LA FOLLETTE and Senator ALEXANDER WILEY, Washington, D. C.:

We the mothers and wives of American soldiers fighting in Europe want our sons sent home after the end of the European war instead of sending them to the Pacific zone. We feel that our boys have done a wonderful job, and need rest and recuperation. There are thousands of boys here in camps all through the United States, some of whom have been there for 2 and 3 years. These would be fresh and vigorous to release the poor boys that have gone through so much. They are also well trained and are receiving the benefit of the experience of those who have done the fighting. Our boys write continually that all they want is to get home after Germany falls and we feel that every effort should be made to promptly bring them home. After winning one war they should be released by those in camps to help win the other.

We are all loyal to America and do our part in the buying of War bonds, giving to relief funds, assisting the Red Cross and working in defense plants. We have all helped to make America and worked to save her, and we do not think it is the part of justice to leave so many fresh troops here in camps and not get our own boys home after the fall of Germany.

We ask that you give this matter your most careful consideration and take such steps as may be helpful in bringing the speedy return of our sons after the end of the war in Germany.

POLISH DECISION AT THE YALTA CONFERENCE

Mr. McMAHON. Mr. President, about 2 weeks ago I placed in the RECORD a copy of a letter to the New York Times commenting on the Polish settlement at Yalta. I now ask unanimous consent to have printed in the Appendix, resolutions adopted by delegates representing organizations of Americans of Polish descent in Connecticut, at a convention held at New Haven, February 25, 1945. These resolutions take quite a contrary view of the Polish settlement at Yalta from that of the writer of the letter which I had inserted in the RECORD. I think both sides should be presented, and therefore I ask unanimous consent that these resolutions be printed and appropriately referred.

There being no objection, the resolutions were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

We, the delegates of organizations representing some 300,000 Americans of Polish descent, who reside in Connecticut, in convention assembled at New Haven, Conn., feel conscience bound to express our most profound grief and bitter disappointment in the conclusions reached at the recent Yalta Conference participated in by the President of the United States, the Prime Minister of England, and the Marshal Premier of the Union of Soviet Socialist Republics. These sentiments, we find, are not confined to the 300,000 Americans we represent but are shared by many thousands of other Americans of this State who are outspoken in their belief that the gravest injustice that yet has been recorded in history will take place if the proposed plans, as published, will be put into effect.

If all human emotions have been abandoned; if all the sacrifices, loyalty to a cause, the suffering and insults to a people are to be swept aside to satisfy the demand of one power; if the privation, starvation, deportations, and cruelties inflicted upon an ally are to be forgotten, and if the punishment imposed by the deliberate refusal to admit relief unless selfish political demands of one of the powers are met are to be tolerated; if all the promises of the Atlantic Charter and the "four freedoms" are to be ignored, then let us at least apply the light of truth to the situation.

President Roosevelt in his report to Congress of the doings at Yalta stated that the decisions concerning Poland were not satisfactory. This in itself indicates compromise. A compromise reached at the expense of an Allied country whose record is one of untiring effort, sacrifice, and zeal in its strife for justice in a cause from which it has not wavered. This is a compromise at the expense of a nation which paid; and paid more than its share, and now when very little is left is called upon to suffer further agony by being called upon to pay more.

Poland has made sacrifices, and any nation should be willing to make sacrifices, if such sacrifices insured future peace in the world. But is it not here that the seed is planted for World War No. 3? Is this not appeasement of a great power at the expense of a small country? We have seen what this kind of appeasement does to the peace of the world by events as recent as 6 and 7 years ago. An agreement reached on the theory of appeasement is treacherous. The unilateral declarations of one power with respect to the small nations adopted by the three powers at Yalta establishes a precedent for similar future conduct by any power.

There is no escaping the fact that the conclusions reached lead into another scheme of balance of power, the underlying cause of World War No. 1 and a powerful factor in World War No. 2. The so-called sphere of influence, merely a convenient substitute in terminology for balance of power, violates all of the precepts of the Atlantic Charter.

No matter how solemn, no matter how strong, no matter how sound the peace agreements may be, what guaranty and what respect can there be for the terms of any peace arrangements when precedent shows that these have been ignored conveniently and all principles abandoned? Promises have been broken, pacts have been discarded, and smaller countries have been subjected to the whims of greater powers which not only are superior in arms but who stoop to the use of deceptive propaganda unjustly to accuse a smaller country and place the blame upon it to conceal their injustices.

Can lasting peace be obtained with this kind of an approach?

Can any peace be reached unless it be based on justice?

We surely would be remiss in our responsibility if we did not take this opportunity to demand from our leaders the taking of immediate steps to prevent future wars which will involve our country, the United States.

We ask that the problem be met now. This is the time to solve it courageously. As citizens of this State and Nation, we disagree with our Government's participation in the partitioning of any country, large or small, with its enforced expulsion of millions from their native countries and homes.

We commend the honesty and courage of the Polish Government in exile in London for confronting this issue directly in the face of threatened catastrophe. We hope that the pitfalls and dangers to be found at diplomatic tables will be avoided. We stand firm in insisting that the war which will be won on the battlefields by our courageous soldiers be not lost at the peace conference.

We have further resolved to send these resolutions to Franklin Delano Roosevelt, President of the United States, Senators and all Members of the House of Representatives in Congress from Connecticut, and to the Honorable Harold S. Stessen, Senators Arthur H. Vandenberg and Tom Connally, Representatives Sol Bloom, Charles A. Eaton, Virginia C. Gildersleeve, and Edward R. Stettinius, Secretary of State.

For the delegates:

Dr. B. L. SMYKOWSKI,
President.
Rev. JOHN J. SOBOLEWSKI,
Secretary.

MISSOURI VALLEY AUTHORITY

Mr. CAPPER. Mr. President, I ask unanimous consent to present for printing in the RECORD and appropriate reference two resolutions adopted at a meeting of the Missouri River States Committee, at Omaha, Nebr., April 5, 1945.

While I have the floor, I call attention to the fact that this committee consists of the Governors of 10 Missouri Valley States and two appointed committeemen from each State.

I desire also to call attention to paragraph 6 of the resolution concerning the development of the Missouri River Basin and concerning authority measures now before the Congress. Paragraph 6 reads as follows:

We do not approve the authority measures which have heretofore been introduced in Congress, as we object to granting any agency unchecked authority to engage in

private business, operate farms, remove hundreds of thousands of acres of land from the tax rolls, take over the administration of education and of local and State laws, and in general do the economic planning for the entire area.

I believe the Governors correctly interpret the general sentiment of the people of the Missouri Valley Basin.

I also call attention to the very legitimate complaint of the Governors that by sending the M. V. A. bill S. 555 to three committees for consideration the Senate has placed an unjustifiable burden on the Governors and others who want to present their views to Congress on this important legislation.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

RESOLUTION CONCERNING HEARINGS BEFORE SENATE COMMITTEES ON THE MISSOURI VALLEY AUTHORITY BILL S. 555

The Missouri River States Committee, representing the 10 States of this valley watershed, with a membership of 10 Governors and 2 appointed committeemen from each State, in session at the city of Omaha on April 5, 1945, takes note of the fact that the Missouri Valley Authority bill, S. 555, has been referred, first to the Senate Commerce Committee, second to the Senate Reclamation and Irrigation Committee, and third to the Senate Agriculture Committee, each for a 30-day period. It points out the inconvenience and cost to the States of the Missouri River Basin where the Governors and other officials of these States required to make three separate trips to appear before each committee. It is hereby respectfully urged that these committees at some definite time arrange for a joint hearing before which such Governors and officials may appear.

RESOLUTION CONCERNING THE DEVELOPMENT OF THE MISSOURI RIVER BASIN AND CONCERNING "AUTHORITY" MEASURES NOW BEFORE THE CONGRESS

The Missouri River States Committee, representing the 10 States of this valley watershed, with a membership of 10 Governors, and 2 appointed committeemen from each State, in session at the city of Omaha on April 5, 1945, wishes to review accomplishments, legislative and otherwise, since its last meeting on August 5 and 6, 1944—also, to present findings with recommendations looking to early and complete development of the land and water resources of the entire river basin.

First and foremost, the committee wishes to express generous appreciation and thanks to the President, the Congress, and to the administrative agencies for what has been accomplished relative to the development of the Missouri River Basin since its August 1944 session.

The recommendations of the former session were that there must be a unified plan of development. The President and the Congress were urged to direct the Army engineers and the Bureau of Reclamation to bring before the Congress a plan of coordinated engineering. It was further urged that any unified plan which might be adopted should not adversely affect the use of water for the irrigation of land in the upstream States.

There is now abundant cause for satisfaction because each of these recommendations has been made effective. The Federal agencies concerned have coordinated their engineering, as authorized by law, and the Congress, through the amended Flood Control Act, the amended rivers and harbors bill, and otherwise by congressional enactment, has established policies and law so that existing agencies may carry on a complete development of the land and water resources of the Missouri River Basin, including irrigation, flood control, navigation, hydroelectric power, soil conservation, and other beneficial uses. Initial congressional authorizations have been made to so provide.

Therefore, the Missouri River States Committee, sincerely appreciating this enabling legislation and administrative action, wishes now to further comment and recommend to the President and to the Congress:

1. The early appropriation of funds sufficient to complete plans and specifications—following the $400,000,000 authorized by the Seventy-eighth Congress, and the President's request for additional funds for this purpose—because that will enable development of this great area, as well as to provide for post-war construction and employment.

2. The speeding up of these pre-building plans in order to afford time and opportunity to observe and make effective the new statutory provision that there shall be consultation with the States in cases of misunderstandings or differences of opinion.

3. A further study by Congress as to the necessity of additional provisions governing what each agency shall continue to do, as the Nation and the States enter upon a solution of the problems pertaining to the development of the Missouri River Basin and other interstate watersheds.

4. That the time has come to consider the establishment of Federal statutory water policies, and then by using existing agencies develop not only the 2,500-mile Missouri River Basin, but also other watersheds of the Nation.

5. We strongly urge that any consideration of the administration of the facilities resulting from the proposed development of the Missouri River Basin recognize the rights of and grant adequate representation to the people and the States affected.

6. We do not approve the "authority" measures which have heretofore been introduced in Congress, as we object to granting any agency unchecked authority to engage in private business, operate farms, remove hundreds of thousands of acres of land from the tax rolls, take over the administration of education and of local and State laws, and in general do the economic planning for the entire area.

MINNESOTA LEGISLATURE RESOLUTIONS

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD several resolutions adopted by the Legislature of the State of Minnesota dealing with certain subjects of public interest to that State, memorializing Congress for legislation thereon.

The PRESIDENT pro tempore. Without objection, the resolutions will be received, appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Post Offices and Post Roads:

Concurrent resolution memorializing the Congress of the United States to enact legislation providing for wage readjustment for postal employees

Whereas employees of the United States Postal Service are today required to perform greater duties than heretofore; and

Whereas employees of such service have not received a permanent wage readjustment in more than a decade, and

Whereas the tremendous amount of work being done by the employees of the Postal Service is being performed in an efficient manner and is deserving of wage readjustment: Now, therefore, be it

Resolved, That the House of Representatives of the State of Minnesota, the senate concurring, endorses wage readjustment for postal employees in order that such employees may receive increased compensation commensurate with their work and responsibilities, and to that end urges the Members in Congress from the State of Minnesota to vote for and support H. R. 2071; be it further

Resolved, That a copy of this resolution be transmitted to the presiding officers of the Senate and House of Representatives of the United States and to each Member of Congress from the State of Minnesota.

To the Committee on Interstate Commerce:

Concurrent resolution memorializing the President and Congress of the United States and the Federal agencies concerned to amend S. F. A. W. Regulation 26, effective April 1, 1945, to eliminate certain restrictions contained therein with a view of preventing undue hardship to the consuming public and dealers in solid fuel in the State of Minnesota

Whereas on the 14th day of March 1945, Solid Fuels Administrator for War, Harold L. Ickes, issued a directive effective April 1, 1945, providing among other things that consumers be allotted only 80 percent of their normal annual yearly requirements of scarcer solid fuel from April 1, 1945, to March 31, 1946; that the retail dealer cannot deliver to a consumer more than 50 percent of his annual yearly normal requirements of solid fuel before August 31, 1945; that solid-fuel dealers shall be required by the regulation to verify consumers' normal annual requirements of solid fuel; and that retail solid-fuel dealers are frozen to old contracts which they previously served and are not permitted to accept any new business with schools, municipal buildings, and Government agencies; and

Whereas 80 percent of the consumers' normal annual requirements is not sufficient solid fuel to properly insure sufficient heat and to assure healthful conditions during the long winter months encountered in Minnesota, particularly in view of the fact that firewood is not available in sufficient quantities which can be used for heating purposes due to the fact that pulpwood is selling at such a high price; that labor is not sufficiently interested under the present conditions in cutting firewood; and

Whereas because of the severity of the weather conditions in the State of Minnesota causing bad road conditions due to snow, storms, and blockades, which prohibit wintertime deliveries and because of the necessity of providing fuel to the farms, rural schools, industry, and homes, a sufficient stock must be on hand at the docks to provide enough fuel to supply this area and therefore the restriction that the retail dealer cannot deliver to a consumer more than 50 percent of his annual yearly normal requirements of solid fuel before August 31, 1945, is not only impractical but is bound to cause severe hardship; and

Whereas the provision to verify consumers' normal annual requirements of solid fuel by the dealer will entail such tremendous amount of detail and office work that it will be practically impossible under the present wartime conditions to secure sufficient help to properly check and provide this information and will add to the already high cost and burden of handling distribution of solid fuel in Minnesota; and

Whereas the provision contained in S. F. A. W. Regulation 26 prohibits dealers from contracting to supply new patrons during the heating season from April 1, 1945 to March 31, 1946, is unconstitutional and by the provisions of the regulation creates an abnormal distribution of solid fuels in the State of Minnesota and places certain consumers in a position where they may not be able to obtain solid fuel without great inconvenience and unnecessary delay; and

Whereas the provisions contained in the regulation have been given serious study and consideration it appears obvious to those who are acquainted with the weather condi-

tions in Minnesota, the manpower shortage, the lack of equipment, and other burdensome wartime delivery restrictions will make the regulation impossible of performance without creating great hardship and suffering on the part of the people. Compliance with S. P. A. W. Regulation 26 will create a shortage which will result in severe hardships on the consuming public and retail coal dealers creating a back-log of solid-fuel orders during the winter months; and

Whereas Minnesota receives nearly all of its coal requirements via the Great Lakes; whereas it is necessary to obtain an adequate supply at the docks before navigation closes; whereas any deficiency in movement via the Great Lakes cannot be supplemented except via all-rail movement; whereas facilities for all-rail movement are already overburdened and cannot be relied upon to bring coal into Minnesota: Now, therefore, be it

Resolved, That copy of this resolution be transmitted to the President of the United States, to the presiding officers of the Senate and House of Representatives of the Congress of the United States, to Harold L. Ickes, Solid Fuels Administrator for War, and to each member of the Minnesota delegation in Congress, with the request that S. F. A. W. Regulation 26 be amended to permit sufficient coal to move via the Great Lakes docks during the navigation season and to eliminate the provision pertaining to 80 percent of the solid-fuel allocated to the coal-consuming public and by striking out dealers' verification of consumers' requirements and to eliminate the restriction providing that only 50 percent of the consumers' normal annual requirements can be delivered before August 31, 1945, with a view of eliminating the plight of the solid-fuel industry and the consequent impairment of the solid-fuel supply for Minnesota.

To the Committee on Commerce:

Joint resolution memorializing Congress to authorize a survey of the upper Mississippi River navigation reservoirs

Whereas the Winnibigishish, Leech Lake, Pokegama, Sandy Lake, Pine River, and Gull Lake Reservoirs, known as the upper Mississippi River navigation reservoirs, designed to increase the navigable stages of the Mississippi River below the Twin Cities for the promotion of commercial navigation, were authorized by Congress some 50 to 60 years before the development of the areas adjacent to and surrounding the reservoirs, had begun; and

Whereas progress in the development of the agricultural, scenic, and recreational resources of the reservoir areas during subsequent years has emphasized that the lakes and bodies of water used for and affected by the reservoirs and their operations, in common with other lakes and scenic attractions, are proving a dominant source of revenue and livelihood to local communities, the value of which was not, and could not have been, given full weight at the time the reservoirs were authorized; and

Whereas the construction of the locks and dams in the Mississippi River below Minneapolis apparently has lessened the need of the reservoirs for maintaining navigable stages in the Mississippi River below the Twin Cities; and

Whereas those interested in the fullest development and use of the resources of the reservoir areas feel that this cannot be accomplished until a study and appraisal has been made of the present and potential future uses and operations of these reservoirs for the fullest development of the scenic, wildlife, and recreational assets and control of floods in the communities adjacent to and affected by them, as well as for the improvement of navigation, increased water supply for water power, domestic, and industrial needs, and pollution statement for down-river interests: Now, therefore, be it

Resolved by the Minnesota Legislature in regular session assembled, That we request the Congress of the United States to authorize and direct the War Department to make a survey of the upper Mississippi River navigation reservoir system for the purpose of determining and adopting the best plan of operating these reservoirs for the greatest benefit to all of the interests affected, said survey to embrace such changes, if any, in existing structures which might be found desirable, what additional structures might be needed to facilitate operations, and what channel improvements should be made to improve conditions in the areas; be it further

Resolved, That the secretary of state be instructed to send copies of this resolution to the Minnesota Representatives and Senators in Congress; the Secretary of War, Washington, D. C.; Col. Malcolm Elliott, division engineer, upper Mississippi Valley division, Syndicate Building, St. Louis, Mo.; Col. L. C. Barnes, district engineer, Post Office Building, St. Paul, Minn.

Concurrent resolution memorializing Congress to enact into law H. R. 5295, relating to the domestic raising of certain fur-bearing animals

Whereas fur farming is an important and valuable industry within Minnesota; and

Whereas the raising of pen-bred fox, mink, persian lamb, karakul, and chinchilla is, in reality, an agricultural pursuit and the products of such fur farms are livestock, notwithstanding the fact that the Minnesota Legislature, for purposes of expedient administration and regulation, defines such animals as wild animals and polices the industry through the personnel of the division of game and fish; and

Whereas it is the belief of this legislature that great benefits can accrue to this valuable pursuit if the Federal agency concerned with the promotion of fur farming be designated as the Department of Agriculture: Now, therefore, be it

Resolved by the Legislature of the State of Minnesota, That Congress be urged to take such steps as are necessary to enact into law H. R. 5295, which provides that the breeding, raising, producing, or marketing of the animals herein referred to shall be deemed an agricultural pursuit under the jurisdiction of the Federal Department of Agriculture: Be it further

Resolved, That copies of this resolution be sent to each member of Congress from the State of Minnesota.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

Mr. BANKHEAD, from the Committee on on Agriculture and Forestry:

S. 383. A bill to provide for the further development of cooperative agricultural extension work; without amendment (Rept. No. 198).

By Mr. McCARRAN, from the Committee on the Judiciary:

S. 565. A bill to extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone; with an amendment (Rept. No. 200).

PROGRESS REPORT ON WAR PLANTS DISPOSAL (REPT. NO. 199)

Mr. O'MAHONEY. Mr. President, on behalf of the Military Affairs Committee I ask unanimous consent to submit a progress report of the work which is being carried on jointly by a subcommittee of the Special Senate Committee on Post-War Economic Policy and Planning and the subcommittee of the Military Affairs Committee on War Contracts with respect to disposal of war plants. This report is merely an account of the steps which have been taken to date to gather information for the Congress on the problem of war plants disposal, which I may say is a problem of the utmost magnitude.

Mr. President, I ask unanimous consent that the body of the report, that is to say, that part of the report not including the appendixes, may be printed at length in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, the report submitted by the Senator from Wyoming will be received and printed in the RECORD without the appendixes.

The report is as follows:

Negotiations for the disposal of the Government-owned steel plant which was built at Geneva, Utah, at a cost of $196,000,000 have been begun by the Defense Plant Corporation. Formal notice that Arthur G. McKee & Co., of Cleveland, Ohio, a firm of industrial engineers, has been named by Defense Plant Corporation to make an economic and physical study of the plant was given to the chairman of these subcommittees by Mr. Sam H. Husbands, President of Defense Plant Corporation, in a letter dated April 9, 1945, which appears in appendix I of this report. United States Steel Corporation, Colorado Fuel & Iron Corporation, and Kaiser Co., Inc., have each notified Defense Plant of a desire to negotiate for the acquisition of this plant by lease or purchase. Each of these corporations likewise is preparing economic surveys for the purpose of determining the productive uses to which the plant may be devoted.

The fact that these negotiations have been initiated should not, however, be regarded as in any degree furnishing a basis for the conclusion that war work in the Geneva plant is drawing to an immediate end. That is not the case. Victory day in Europe will not, according to the thinking of the War Department, result in any reduction within a foreseeable period of the demand for steel for the prosecution of the war against Japan.

WAR PRODUCTION STILL AT HIGH LEVEL

Months will be required before the war materials, including iron and steel products, which have been shipped to Europe, can be inventoried, repacked, and transported to the Japanese theater of war. While this is being done, a continuous stream of products will have to be produced in the United States and transported across the Pacific. Moreover, it will be necessary to rehabilitate ports in the Philippine Islands and elsewhere in the Pacific as well as to construct new port facilities in order to continue to equip our forces there and to prevent any let-up in the continuous pressure upon the Japanese. I desire to make this point as clear and emphatic as possible lest any inference be drawn from the negotiations and from the studies of the Military Affairs Committee and the Special Senate Committee on Post-War Economic Policy and Planning that the period of war production at the Geneva plant is coming to an early termination.

The War Department has been taking about 30 percent of the Geneva output for steel shells. This demand will continue indefinitely. The remainder of the output is absorbed by the Maritime Commission and the Navy. The Maritime Commission's western requirements for steel plates have been filled primarily by the Fontana plant. Beginning with a demand of about 5,000 tons per month a year ago, an increasingly larger proportion, however, of Geneva plate has gone to Maritime Commission uses, and although the requirements of the Commission

are being steadily reduced, it will continue to take a portion of Geneva output at least until the fall of the current year.

The Navy Department does not anticipate for the present any reduction of its demand for steel plates, and will continue to take steel plates from Geneva. Assuming that the Japanese war continues throughout the present year, production of steel plate at Geneva for the Navy is not expected to be reduced during the year 1945.

Negotiations for the disposal of the Geneva plant must, however, be undertaken now because of the tremendous magnitude of the task of framing a policy for its utilization. Not only is it necessary to determine how the plant will be operated and managed and by whom, but it is also essential for any operator to know what markets can be developed for the products of the plant, and indeed, what type of product should be made.

The need for market studies is imperative since the over-all productive capacity of the steel industry has increased from about 81.6 million net tons before the war (January 1, 1940) to 95.5 million net tons at the present time (January 1, 1945). On the other hand, in 1939 less than two-thirds (64.5 percent) of the then existing capacity was utilized to meet all requirements—civilian as well as military—while at present practically our entire existing steel capacity is being utilized for war and essential civilian purposes. It is, therefore, necessary to study thoroughly the possible markets for the present capacity, the types of steel products which will be required by our post-war economy (including both domestic consumption and exports), and the adaptation of the existing finishing facilities to such post-war uses.

STEEL POLICY MAY BE PATTERN

What is done at Geneva may well be the pattern for what will be done with the other vast war plants built at Government expense and owned by the people of the United States through their Government. The Defense Plant Corporation is acting with wisdom and foresight in opening the subject now, and it has established a laudable policy of complete disclosure of plans to the committees.

Nevertheless, the initiation of the negotiations raises an important question with respect to the entire policy of surplus-property disposal. The act of October 3, 1944, does not give the Surplus Property Board any authority over surplus property until it has been determined to be surplus by the agency which has control of it. Section 11 of the Surplus Property Act makes it the duty of every owning agency to make a continuous survey of property in its control and to determine what property "is surplus to its needs and responsibilities." This same section empowers the Board to secure from the owning agencies such information as to all kinds of property in their hands (before it is declared surplus) as it believes necessary for the proper planning of the Board's job. The agencies are required to report promptly to the Board and the Board is instructed to report to the Senate and to the House of Representatives if it has any reason to believe that any owning agency has surplus property which has not been reported as such to the Board.

The Geneva plant disposal has not been determined to be surplus. The jurisdiction of the Surplus Property Board, therefore, does not attach. Yet, it is highly important that consideration of disposal problems with respect to this and all similar plants should not be postponed until after the plants have ceased to operate and have actually become surplus property.

It is the purpose of Defense Plant Corporation to be prepared for immediate action when war production ceases so that there will be the least possible interruption of employment. The committees' studies have been initiated with the same purpose in view. There will be much greater likelihood of substantial salvage to the Government as well as much greater likelihood of economic benefit to the country if the plans for reconversion are ready to be applied when war production ceases.

This aspect of the problem appears in all of the categories of war plants listed in section 19 of the surplus property law by which the Surplus Property Board was directed to prepare and submit to Congress a report on plants and facilities which cost the Government $5,000,000 or more each in the following categories: Aluminum, magnesium, synthetic rubber, chemicals, aviation gasoline, oil and steel, pipe lines, patents, aircraft, shipyards, transportation, and radio and electrical equipment. With respect to the first eight categories, Congress provided that no disposal should be "made or authorized until 30 days after such report (or additional report) has been made while Congress is in session except that the Board may authorize any disposal agency to lease such property for a term of not more than 5 years."

PUBLIC SCRUTINY ESSENTIAL

It would probably be impossible to describe all of the various situations which may arise in the handling of the properties. The complexity of the problem, its possibilities for good or ill upon our whole national economy are beyond imagination. It is for this reason that the formulation of plans and the carrying on of negotiations should all be in the public view. It was because public scrutiny was desired that Congress, in the surplus property law, provided as it did for reports. The fact that that law does not give the Surplus Property Board authority over any property until it has been determined to be surplus by the owning agency serves only to increase the responsibility of Congress to throw the spotlight of public attention on whatever steps may be taken. The chairman is happy to report that both the Defense Plant Corporation and the Surplus Property Board show every intention to cooperate unreservedly in the work of the two committees.

Notice should be taken of the fact that section 20 of the surplus-property law provides for notice to the Attorney General "whenever any disposal agency shall begin negotiations for the disposition to private interests of a plant or plants or other property, which cost the Government $1,000,000 or more, or of patents, processes, techniques, or inventions, irrespective of cost."

This provision was inserted in the law for the purpose of determining what, if any, applicability of the antitrust laws there might be with respect to any program of disposal.

PREPARATION OF COMMITTEE HEARINGS

The committee is approaching its study in a completely objective manner, and it has invited the cooperation of those who may be in a position to make constructive suggestions. The program of hearings now being formulated does not contemplate merely the appearance of witnesses one after another to recite opinions, but the development rather, in the first instance, of an agreed statement of facts after which it is hoped that a round-table discussion to be participated in by Government, industry, labor, and consumers may be held for the purpose of securing not only a wide public understanding of the facts, but of developing, if possible, an agreed policy in the public interest.

Accordingly letters [1] were addressed by the chairman to more than 100 steel companies, including forge shops and foundries, soliciting their cooperation in the preparation of the hearings. This letter transmitted a preliminary outline of subjects which the subcommittee felt should be considered in the course of the hearings. This outline follows:

I. What economic factors will affect the utilization of the additional productive capacity for steel created by war plants and facilities?

(1) What level of post-war steel demand do you anticipate? Special attention should be paid to—

(a) The anticipated volume of exports.

(b) The anticipated demand in various regions of the United States.

(c) New or expanded uses for steel products.

(d) Possible inroads made by light metals, plastics, etc. on steel consumption.

(2) What special problems exist in connection with the utilization of plants in areas where previously no steel plants had been located?

(a) Will adequate supplies of raw materials, labor, and power be available, and at what relative costs as compared with old established plants?

(b) What are the relative transportation costs in connection with assembly and distribution as compared with old established plants, and what should be the Government's policy with respect to present railroad and shipping rates?

(c) What effect would new basing points or nonbasing point pricing have?

(3) Should the Federal Government, States, and local governments adopt special tax policies in order to facilitate utilization of new capacity?

(a) Should operators dependent on undeveloped markets be granted special tax privileges?

(b) Should operators of surplus facilities generally be granted special tax privileges?

II. What methods of disposal will assure effective utilization?

(1) In order to assure uninterrupted operations, should plants, wherever possible, be disposed of before their present use is discontinued and they are declared surplus?

(2) Should plants be sold, leased, or exchanged, or how else should they be disposed of?

(3) Should the Government extend credit to purchasers and lessees, and should it finance conversion of, or additions to, plants in order to make them more suitable for peacetime uses?

(4) On what basis should prices and rentals be determined, and should they be fixed or flexible until business possibilities are revealed?

(5) Should special conditions attach to the disposal with respect to the level of operations and employment, steel-price policies, maintenance of plants in the interest of national security, transfer to other operators, or as to any other factors?

(6) Should any companies be preferred with respect to, or excluded from, buying or leasing plants, and what should be the criteria for such preference or exclusion?

The companies were requested to comment on the adequacy of the outline, and to submit to the subcommittee a short statement with respect to the issues.

Similar letters were sent to labor organizations [2] as well as to all departments and agencies of the Federal Government which have any function with respect to any of the iron and steel plants.[2] States and local governments of the areas in which the plants are located were also consulted.[2]

IMPORTANCE OF FREIGHT RATES

Recognizing the importance of freight rates in connection with the future utilization of Government-owned plants and facilities, letters [3] were also addressed to the executives of approximately 50 railroads [2] inviting them to advise the committees of their views as to what relationship exists between railroad rates and the post-war utilization of Government-owned steel plants. It was felt that the decision of the United States Supreme Court in the *Georgia railroad rate case*, allowing the State of Georgia to present to that tribunal a petition to enjoin an alleged rate-fixing combination, might

[1] See appendix II.

[2] See appendix IV.

[3] See appendix III.

make it desirable for the committee to consider the relationship between transportation and the best utilization for the civilian economy of Government-owned plants. It is recognized tat these plants, not the steel plants alone, but all of the plants, may have to be closed to the great detriment of the national economy unless markets are found for their products. It was felt that no group of executives would be more interested in studying the possibilities of expanding civilian markets and civilian products than the railroads, and that no industry would be likely to benefit more than the railroads if a wise and successful program of plant disposal is developed.

The chairman is happy to report that the responses to the letters have indicated widespread interest throughout the country. Not all replies have been received as yet, but the cooperation indicated, both by letter and orally, has been excellent.

CLASSIFICATION OF STEEL PLANTS

Several companies prefaced their answers by making the general observation that the Government-owned iron and steel facilities are so varied in character that it would be difficult to lay down general rules as to their disposition. Therefore, they suggest that all Government-owned steel plants and facilities be divided into three or four different classes which will have to be treated differently as far as utilization and disposition are concerned. While there are some differences in the classifications suggested, they may roughly be summarized as follows:

Class 1: Strictly war-purpose facilities installed in private plants or built nearby, which are not readily adaptable to peacetime uses. The following are examples: Equipment for shell forging and machining, for the manufacture of cartridge clips, bombs, special tank parts, guns, etc.

Class 2: Facilities installed in or nearby private plants designed to supplement existing standard facilities. They are generally described as "scrambled" facilities and, unless it is economical to move them to some other location, the present operator will be the only and logical party to acquire or operate these facilities after their present uses have expired.

Class 3: All newly built integrated plants (as for example, Geneva) and those nonintegrated plants which are capable of independent operations.

With respect to the plants falling into the third class, replies emphasize strongly that no general rules as to disposition and utilization can be made but that it will be necessary to make a study, plant by plant, to identify and separate those which have possibilities for post-war operation.

SUMMARY OF REPLIES TO INDIVIDUAL QUESTIONS CONTAINED IN THE OUTLINE

As far as the specific questions contained in the outline are concerned, the answers received as of April 15, 1945, may fairly be summarized as follows:

ANTICIPATED LEVEL OF POST-WAR DEMAND

With respect to the first question, as to the anticipated level of post-war steel demand, there seems to be a basically different approach as between some of the companies which have attempted to answer this question, concerning the feasibility of answering this question and the value and the importance of economic forecasts for the development of specific disposal policies of steel plants. Bethlehem Steel Co., for example, doubts whether real progress can be made at this time through an examination of economic factors suggested by part I of the outline. Bethlehem feels that no reliable statistics are obtainable with respect to most of the questions and that any attempt to answer them would be purely guesswork.

Inland Steel Co., on the other hand, feels that sound policies with respect to the disposition of surplus facilities should be formulated on the basis of sustained demand for steel as distinguished from short-term accelerated needs immediately after the war. Therefore, Inland, on the basis of past experience and anticipated population increases, attempts to make a forecast as to what this sustained post-war demand is likely to be. Inland arrives at an average demand for ingot steel of approximately 54,000,000 net tons for the 30-year period between 1945 and 1975, and a maximum demand by 1975 of 63,000,000 net tons.

As far as the initial post-war demand is concerned, Inland believes that the estimate of 65,000,000 to 70,000,000 net tons, made by Walter S. Tower, director of the American Iron & Steel Institute, is a reasonable estimate.

The United States Steel Corporation estimates that the post-war demand will be about 65,000,000 to 70,000,000 tons of ingot steel in good years in the post-war period. United States Steel, however, calls attention to the fact that in comparison the country had an ingot capacity on January 1, 1940, of in excess of 81,000,000 tons and on January 1, 1945, in excess of 95,000,000 tons.

Summarizing all the forecasts made by the various companies who have attempted to reply to question I as to post-war demand, it may be said that all of them anticipate a post-war demand substantially in excess of pre-war demand. The demand for steel immediately following the war is anticipated to be considerably higher than the average demand over a long-time period after the war. Some of the companies qualify their estimates by pointing to the impact which general Government policies with respect to taxes, and so forth, will have on steel demand.

Specifically, most of the companies anticipate a greatly increased volume of exports, particularly during the reconstruction period, while steel plants located in devastated countries are incapable of filling the needs abroad.

As far as the regional distribution of steel demand in the United States is concerned, a greatly increased steel demand is anticipated in the far West and in the South. In addition there is anticipated a high demand for steel in regions where the automotive industry and manufacturers of household utilities are located.

The development of new uses for steel, and the expansion of old uses, is anticipated particularly for stainless and alloy steels. Some companies anticipate increased requirements, not so much because of new uses but because of the need for replacement of existing machinery and equipment.

With respect to possible inroads on steel demand by light metals, plastics, and other materials, the answers are extremely optimistic. The reasons given vary. Some point to the high price levels of light metals in comparison with steel. Others believe that light metals, plastics, etc., will be used merely to supplement and complement steel consumption. Others again believe that new uses which may be found for steel will more than offset any inroads made by light metals and plastics.

NEW PLANTS IN NEW AREAS

With respect to the second question as to special problems which exist in connection with the utilization of plants in areas where previously no steel plants had been located, it has been pointed out that the replies received emphasize strongly the need for a plant-by-plant study of these problems. Some of the replies point out that in some instances the location of plant sites were chosen in order that certain other plants engaged in the production of war materials could have their source of raw materials readily available rather than that the steel plants involved should be favorably situated to compete in after-the-war markets. However, only a careful market analysis and an analysis of the available facilities will produce the necessary answer as to whether and how the plant in question can be utilized.

The United States Steel Corporation points out that a market analysis should be made for each plant for the life of the investment in question, the normal economic life of a steel plant being from 20 to 25 years. This analysis, detailed by products, should, according to the United States Steel, be broken down into three periods: A short period following cessation of hostilities of from 2 to 3 years; a 5-year period following thereafter; and, finally, a 15-year period after the latter period.

The market analysis will have to show what demands will arise for these different periods for durable goods, such as railroad equipment, building construction, public works utilities, and ship building, and for consumer goods, such as automobiles, refrigerators, agricultural equipment, and containers, and for all classes of export trade.

Finally, such market analysis must include a study of whether the estimated post-war markets can be reached competitively by other steel plants.

The analysis of the existing facilities requires a study of the rate of capacity, the availability of raw materials, and the source and cost of assembly, the suitability of existing facilities, the need for additional capital expenditures necessary to reconvert or to add additional facilities, the probable operating costs of the reconverted plant when running at 50, 75, and 100 percent, and present and anticipated freight rates from the plant to markets for each product to reach destination.

The American Steel Foundries suggested that an important consideration on the part of prospective purchasers will be the economics of disposition by such purchasers of their existing privately owned facilities which may in whole or in part become excess capacity on account of the acquisition of the Government-owned facilities.

As to the question of relative transportation costs in connection with assembly and distribution as compared with old established plants, the Pacific Tube Co. points to the difficulties faced by western fabricators in meeting competition of eastern steel manufacturers. The Pacific Tube Co. points out that the eastern steel manufacturers will quote approximately the same prices for steel products whether they be delivered to Seattle, Portland, San Francisco, or Los Angeles, inasmuch as the freight from the eastern plant to destination will be about the same in every case. On the other hand, a west-coast manufacturer, who is not fully integrated, is required to buy his basic products from the East and pay thereon the same amount of freight as would be paid for the finished product if sold on the west coast by the eastern manufacturer. Therefore, the west-coast manufacturer who endeavors to sell to a west-coast destination located a considerable distance from his plant finds that to be competitive he is required to absorb the cost of the freight from his plant to his customer.

In view of this situation, the Pacific Tube Co. pleads for special relief until the west coast can become a fully integrated manufacturing area.

On the other hand, the replies received emphasize that freight rates unprofitable to railroads are not justified to keep plants in operation, and no railroad rates should be made which would discriminate in favor of any such plants.

As far as new basing points or non-basing-point pricing is concerned, the answer supplied by Inland Steel suggests that there is ample justification for the continuation of the base-point method of pricing. Inland Steel points out there are no restrictions on the number or locations of basing points and

that new basing points may be designated by any steel producer with the announcement of the base prices applicable. Inland Steel further points out that the basing point system meets the unusual requirements of steel producers to keep up high-volume, low-cost production of steel, and that any change over to a non-basing-point method of pricing would create serious dislocation within the industry and in the national economy.

This view is strongly supported by the National Supply Co.

TAX PRIVILEGES

The majority of the companies replying to the committees' question is strongly opposed to the granting of any special tax privileges. The American Rolling Mills maintain that the granting of such privileges or any direct subsidy would in the end destroy private competitive enterprise. The American Steel Foundries suggest that, instead of any special tax privileges, the selling price or rental for the facilities should be adjusted downward to meet the existing conditions as to cost, markets, etc. The Isaacson Iron Works, at Seattle, however, suggests that some provision might be made which would allow special amortization, such as wartime certificates of necessity to encourage private purchase of equipment that would enable private industry to employ a maximum number of employees.

Atlantic Steel Castings Co. feels that any venture capital which is provided for the utilization of new capacity should be afforded some measure of protection incident to the development of new markets particularly as present revenue laws preclude the establishment of any reserve funds necessary to permit many companies to sustain themselves through periods of adverse business conditions.

The Pacific Tube Co. asks the question whether operators who have used their own capital in operating Government-owned facilities should not receive treatment preferential to those operators who have worked on the basis of a fixed fee from the Government. It suggests that the former operators have taken great risks in using their own capital and therefore might be accorded advantages not given to operators who risked virtually nothing.

The United States Steel Corporation points out that subsidizing uneconomic operations to increase employment artificially in one locality at the expense of employment in other localities would produce the over-all effect of less efficient production which would cause a net loss rather than a net gain to the Nation. In this view United States Steel is joined by Bethlehem Steel Co. and Inland Steel Co.

METHODS OF DISPOSAL

The Inland Steel Co. points to the principles of the Baruch-Hancock report with respect to disposition of surplus property. First and foremost, that all negotiations for the disposition of such property should be conducted in a "goldfish bowl," and, secondly, that the facilities should not be operated by the Government in competition with private enterprise.

As far as the specific questions asked by the committee are concerned, the replies are practically unanimous that disposition of plants before their present use is discontinued and before they are declared surplus is desirable. Here are some of the reasons given: Early disposition will avoid the high cumulative cost of custodial, watch, legal, and accounting services. Blast furnaces, rolling mills, coke ovens, and other equipment of this character, no matter how new or modern they are, will deteriorate rapidly if shut down.

One of the answers, on the other hand, cautions against any disposition which will affect present operations, and some of them doubt whether the major companies now operating Government-owned plants can decide whether they want to continue operations or not after the war.

The National Supply Co. warns against any fixed policies to dispose of plants before their present use is discontinued, since the haste may lead to some bad deals. The Government should entertain negotiations, the National Supply Co. points out, whenever buyers are in prospect and should not follow any fixed policy as to time of disposal.

SALE OR LEASE

Basic disagreement exists between the companies who replied to the question of whether plants should be sold or leased, or how else they should be disposed of. The Inland Steel Co. takes the extreme view that plants should be disposed of by sale only, in order to get the Government completely out of the business. American Rolling Mill Co. likewise feels that plants should be sold to private enterprise at the best possible price obtainable.

On the other extreme, Copperweld Steel Co. believes that, in order to protect the Government's interests, new facilities should not be sold because the Government would have to dispose of such facilities at a sacrifice. Copperweld Steel Co., in stead of sale, advocates a 20-year lease on a tonnage basis. This would enable the Government, so Copperweld believes, to liquidate its entire capital investment and would not necessarily add any burden to management. On the other hand it would permit management to increase its markets and thereby materially increase the employment of labor.

Other companies replying do not feel that any set rules can and should be established with respect to sale or lease. National Supply Co., for instance, believes that sale would be preferable but that the conditions surrounding each transaction should determine the method of disposition. Atlantic Steel Castings Co. suggests that many companies who wish to acquire surplus capacity are not sufficiently well entrenched to risk an undue portion of their resources in the acquisition of these facilities, and it appears equitable to Atlantic Steel Castings that such companies should be granted leases on favorable terms with options to purchase the properties at a fair valuation.

Bethlehem Steel Co. is pessimistic as to the purchase of Government-owned integrated plants and other facilities which can be operated as independent units. Bethlehem Steel feels that the purchase of these Government-owned facilities at any price would involve an unusual degree of risk on the part of the purchaser and this risk, Bethlehem Steel feels, is bound to influence the views of any prospective purchaser as to the price it is willing to pay.

With respect to the facilities installed primarily for the production of wartime products, Bethlehem Steel Co. suggests that the Government's interests might best be served by preserving the ownership of the Government for future emergencies rather than to sell these facilities for the very nominal price which they might bring, since most of them are not readily adaptable to the production of commercial products. To whatever extent they can be advantageously used, Bethlehem suggests that they be leased, thus leaving the Government in full ownership and control if they should be needed in some future emergency.

As for facilities installed at or near existing plants designed to supplement existing facilities in the production of standard steel products, the owners of the existing plants should be given an opportunity of acquiring such plants. Should it be impossible to agree on a satisfactory purchase price, Bethlehem Steel Co. suggests that a lease with an appropriate rental base might be worked out.

The Continental Foundry & Machine Co. suggests that, in establishing the purchase price for Government-owned buildings and machinery within a given plant, consideration should be given to the fact that the company made rental payments for the use of such buildings and machinery for the war effort.

GOVERNMENT CREDIT TO PURCHASERS AND LESSEES

The same divergence of views which existed with respect to the question of sale or lease exists with respect to the question of Government extension of credit to purchasers or lessees. American Steel Foundries, Inland Steel Co., and Copperweld Steel Co. oppose the extension of credit for the purchase of surplus facilities. The first two companies feel that, if the venture was really sound, private financing should be available for it. American Steel Foundries is apprehensive that Government financing of either the purchase money or the conversion expense might lead to the risk remaining that of the Government and to possible recall of the facilities back to the Government.

Copperweld Steel Co., while opposing credit for the purchase of surplus facilities, believes that an extension of credit for operating purposes would be highly desirable in order to maintain a high standard of employment.

National Supply Co., on the other hand, feels that, while the Government might extend credit to purchasers, it is doubtful whether credit should be extended to lessees. In any case, however, National Supply Co. insists that the credit should be negotiated with the intention that it will be refinanced through private channels in a few years.

BASIS FOR PRICES AND RENTALS—FIXED OR FLEXIBLE PRICES OR RENTALS

As far as the basis of the price or rental is concerned, several companies suggest that it will be impossible at the present time or immediately following the war to establish a sound price or rental bases. The suggestion, therefore, is made not to determine such bases until the industry has had an opportunity to survey its post-war prospects.

Copperweld Steel Co. suggests that rentals should be based on the production and shipment over a 20-year period. Atlantic Steel Castings Co. likewise believes that rentals should be fixed on a relatively low per ton of production basis for a period sufficiently long to permit the lessees to operate pending clarification of market conditions.

American steel foundries, on the other hand, feels that flexible prices might encourage the launching of unsound ventures at Government risk.

Those who believe that it might be possible to establish bases now insist that, in fixing a selling price, the conditions facing the particular plant or facilities should be evaluated and that the price should not be based exclusively on original cost and depreciation. Inland Steel Co., for example, points out that in many instances plants have been constructed at an abnormally high cost or have been placed in locations in which competitive disadvantages exist. Inland believes that the value of the capital equipment is no greater than its earning capacity, and that in fixing a fair value, due recognition must be given to this important factor.

As far as moneys received by the Government for sale or lease of surplus property are concerned, American Rolling Mill Co. has suggested the use of these moneys for the purpose of carrying on intensive research within the armed forces and in cooperation with private enterprise in the interest of national defense.

Inland Steel Co. suggests that the proceeds from surplus sales should be used to reduce the national debt.

SPECIAL DISPOSAL CONDITIONS

All of the companies replying to the question with respect to special conditions are opposed to any conditions with respect to the level of operations and employment and steel price policies. They argue that no industry could long exist if it is required to pay for

services not rendered. Inasmuch as little steel can be produced against future orders, the level of operations must necessarily fall if orders fail to come in.

Some of these companies deem it advisable to attach a condition to the sale of properties requiring persons acquiring such properties to maintain them in good working order for a limited number of years in the interest of national security.

PREFERENCE FOR OR DISQUALIFICATION OF COMPANIES

The question of whether any company should be preferred with respect to, or excluded from, buying or leasing plants has resulted in a variety of suggestions. Some companies, as for example Inland Steel Corporation, suggests that, in the absence of any conflict with the antitrust laws, no company should be excluded as a prospective purchaser.

Several companies have expressed the opinion, as, for example, Atlantic Steel Castings Co. and American Steel Foundries, that those companies now leasing or operating plants should be afforded the first opportunity to acquire or lease the facilities.

Copperweld Steel Co. suggests that facilities should be leased to present operators or that preference should be given to such institutions that could maintain the highest level of employment.

United Engineering & Foundry Co., is opposed to the sale of steel plants to companies not now engaged in the steel business, as for example, automobile or refrigerator manufacturers, or railroad companies. This view is supported by Continental Foundry & Machine Co., which believes that no company which has not been operating in peacetimes in a given basic industry should be permitted to buy or lease any Government-owned plants in any basic industry which has too much productive capacity for normal peacetime years.

American Steel Foundries, on the other hand, believes that the opportunity to purchase steel plants should be open to any industry.

American Radiator Co. takes the middle position and feels that steel plants should first be offered to people engaged in the steel business, and, secondly, to people who might want to engage in the steel business.

SUMMARY OF REPLIES TO RAILROAD LETTER

The majority of the replies received to the letter sent to approximatly 50 major railroads, point out that the freight-rate structure of the railroads is "highly complex, that it reflects circumstances and conditions, economic and otherwise, surrounding the movement of each kind of traffic from each origin to each destination individually, and a general relationship to other orgins and destinations, as well as a reasonable relationship to competitive commodities" (Atlantic Coast Line Railroad). Therefore, most of the replies suggest that the over-all problem with which the subcommittees are confronted insofar as railroad rates are concerned, is such that the situation can best be dealt with as and when definite, specific information is available as to the purposes to which individual plants and facilities are to be used, together with information in regard to the general areas in which raw materials will originate, and destination territories of the manufactured products.

This latter point is made very strongly by William Jeffers, president, Union Pacific Railroad, and I quote from his telegram:

"If a plant should pass to private operation then the freight rates can be negotiated but not as a condition precedent to sale or disposal of such plant. If the rates in effect are not deemed to be proper and negotiations fail then the subject should properly be referred to Interstate Commerce Commission for adjudication. Otherwise other private interests engaged in competitive efforts would be at a decided disadvantage, which I am sure would create widespread public resentment."

Otherwise, the railroads generally emphasize that the continued existence of the prosperity of their roads is based upon their ability to establish new industries and to assist the old ones in maintaining a profitable business. The roads point out that if a buyer or lessee of a Government plant proposes to manufacture a product never before shipped from that point, rates will have to be worked out with the industry and with connecting lines to territories to which the industry desires to ship. Emphasis is placed on the fact that its rates must be properly related to those enjoyed by established competitors, both on raw materials and the finished products.

The Central Railroad Co. of New Jersey states that "it is a truism that transportation costs practically determine the life or death of any major industry, particularly one such as the steel industry." The Central Railroad Co. of New Jersey points out that the privately owned steel plants which were in existence in this country prior to the war, were built up primarily with relation to the then-existing levels of transportation costs, so that the life and death of these privately owned plants is dependent upon a delicately adjusted pattern of these costs, relative changes in which should be undertaken with the utmost caution.

The Denver & Rio Grande Western Railroad Co. stresses the fact that the building of new war plants was spread throughout the country apparently for strategic rather than economic or commercial reasons, and has thereby brought about a different distribution of traffic than existed before the war. The railroad believes that it is a matter of speculation whether the reconversion of industrial plants to normal peacetime pursuits, and the conversion of war plants to commercial business, will or will not continue this dislocation of normal traffic flow. Until conditions have become settled, the road believes, it will not only be difficult, but impracticable to indicate rates that would be equally satisfactory to the shipper and the carrier.

The Louisville & Nashville Railroad Co. points out that it would be hurtful to industry and the economy of the country "to expect or require the railroads to adjust their transportation charges for the purpose of maintaining artificially Government plants or facilities which are not soundly located with respect to the raw materials and the markets for the finished products."

The Missouri Pacific Lines believe that there is no issue as to the relationship between railroad rates and the utilization of Government-owned plants and facilities which cannot be satisfactorily resolved by conference and negotiation between the railroads and the owners of the erstwhile Government plant. As far as the rates for steel are concerned, the railroad points to the fact that steel is sold on certain base-point prices and that, in the road's opinion, the freight rate that enters into the picture may or may not be the rate from the point from which the steel is shipped, and that therefore, in some cases it is likely that the measure of the rate itself, whether it be high or low, may not be of any great importance.

Finally, the Pennsylvania Railroad Co. expresses grave concern over the decision of the Supreme Court in the *State of Georgia case*. It anticipates serious confusion in view of the uncertainty which it feels has resulted from the decision and fears that out of the "welter of that confusion" there may come "some Government-ordained rate structure, which * * * would freeze freight rates on a mileage basis."

REPLIES FROM STATE GOVERNORS TO STEEL LETTERS

The only reply received as of April 15, 1945, from any of the State Governors which deals with the substance of the problems involved is one from Gov. Edward Martin, of Pennsylvania. Governor Martin suggests that the following questions should be dealt with in the course of the hearings:

1. What are the replacement needs of old established steel plants as a result of war production and to what extent do added wartime facilities supply these replacement needs?

2. To what extent has improved technology affected the capacity of existing plants to supply anticipated normal demands?

3. What would be the effect on employment in eastern industrial cities of diversion of peacetime steel demand to newly constructed steel plants in West and Northwest?

4. What effect would Government subsidies in form of reduced taxes, preferential rail rates or the like, to maintain steel production in new areas have on reconversion problems and demands of other industries?

5. To what extent would such a policy delay post-war readjustment to a stable and self-maintaining economy?

BILLS AND A JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY:

S. 912. A bill conferring jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claims of Arthur Dewitt Janes; to the Committee on Claims.

By Mr. HAYDEN:

S. 913 A bill to protect scenic values along and tributary to the Catalina Highway within the Coronado National Forest, Ariz.; to the Committee on Public Lands and Surveys.

By Mr JOHNSON of Colorado (for Mr. WHEELER):

S. 914. A bill to amend the tariff act, as amended; to the Committee on Interstate Commerce.

(Mr. CHANDLER introduced Senate Joint Resolution 60, which was ordered to lie on the table, and appears under a separate heading.)

MISSOURI VALLEY AUTHORITY—AMENDMENTS

Mr. JOHNSON of Colorado submitted amendments intended to be proposed by him to the bill (S. 555) to establish a Missouri Valley Authority to provide for unified water control and resource development on the Missouri River and surrounding region in the interest of the control and prevention of floods, the promotion of navigation and reclamation of the public lands, the promotion of family-type farming, the development of the recreational possibilities and the promotion of the general welfare of the area, the strengthening of the national defense, and for other purposes, which were referred to the Committee on Commerce and ordered to be printed.

PEACE AND PROSPERITY: OUR SHARE IN ESTABLISHING IT—STATEMENT BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD excerpts from a statement entitled "Peace and Prosperity—Our Share in Establishing It," delivered by him before the Cleveland Chamber of Commerce, Cleveland, Ohio, April 17, 1945, which appears in the Appendix.]

CITIZENS' DEDICATION TO A LASTING PEACE PLAN—STATEMENT BY SENATOR BURTON

[Mr. BURTON asked and obtained leave to have printed in the RECORD a statement by him entitled "Citizens' Dedication to a Lasting Peace Plan," made in Washington, D. C., April 22, 1945, which appears in the Appendix.]

COMPULSORY MILITARY SERVICE IN PEACETIME—ADDRESS BY SENATOR WALSH

[Mr. WALSH asked and obtained leave to have printed in the RECORD an address in opposition to compulsory military service, delivered by him for the Massachusetts Women's Political Club, in Boston, on April 22, 1945, which appears in the Appendix.]

JUSTICE FOR LITHUANIA—ADDRESS BY ARCHBISHOP RICHARD J. CUSHING

[Mr. WALSH asked and obtained leave to have printed in the RECORD a sermon asking justice and freedom for Lithuania, delivered by Most Rev. Richard J. Cushing, D. D., archbishop of the diocese of Boston, on April 22, 1945, at the cathedral in Boston, which appears in the Appendix.]

ANNIVERSARY OF BIRTH OF THOMAS A. EDISON—ADDRESS BY SENATOR PEPPER

[Mr. BILBO asked and obtained leave to have printed in the RECORD a radio address on the birthday anniversary of Thomas A. Edison, delivered by Senator PEPPER in Washington, February 10, 1945, which appears in the Appendix.]

THE SAN FRANCISCO CONFERENCE—ADDRESS BY ALF M. LANDON

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an address on the subject The San Francisco Conference, delivered by Hon Alf M. Landon, in Topeka, Kans., April 22, 1945, which appears in the Appendix.]

EULOGY OF THE LATE PRESIDENT ROOSEVELT BY D. D. MONROE

[Mr. HATCH asked and obtained leave to have printed in the RECORD a eulogy on the late President Roosevelt delivered by D. D. Monroe, grand sire of the Independent Order of Odd Fellows, at Clayton, N. Mex., on April 13, 1945, which appears in the Appendix.]

THE JEWISH PROBLEM AND ITS SOLUTION—ADDRESS BY WILLIAM B. ZIFF

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address on the subject The Jewish Problem and Its Solution delivered by William B. Ziff, at the Hotel Astor, New York City, at a meeting in commemoration of the thirtieth anniversary of the creation of the Jewish Legion in World War No. 1, which appears in the Appendix.]

ACCIDENTS IN THE AIR

Mr. LANGER. Mr. President, in this morning's Washington Post I find the following article:

CURTISS PLANT DENIES PLANES WERE DEFECTIVE

BUFFALO, N. Y., April 21.—Curtiss-Wright Corporation's Buffalo plant tonight issued a denial of charges that it produced defective planes and permitted improper inspection.

Senator WILLIAM LANGER (Republican), North Dakota, last Wednesday accused the plant of producing defective aircraft and forcing them into the armed services through improper inspection. The Senator offered as proof a document he said was signed by a former Curtiss inspector, Frank R. Hirsch, of East Aurora. The firm said Army intelligence had reported "the statements made by Mr. Hirsch were wholly inaccurate."

Mr. President, as will be noted, the article mentions the fact that I made certain charges, and I wish to say that I have testimony in addition to the statement of Frank R. Hirsch, a former inspector. The Mead committee, or the Truman committee, has failed to report for a period of 21 months. Unless we get some report by a week from today, I intend to offer a resolution asking for the appointment of a special committee, because the records show that our pilots are still dying at a greater rate in this country than they are in the theater of war.

Mr. TOBEY. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. TOBEY. If my memory serves me correctly, the planes in question, which it was brought out by the Truman committee were defective, were used as training planes for the instruction of the youth of America in flying, and Government inspectors were barred from the planes while these phony operations went on, if I remember the evidence correctly.

Mr. LANGER. The Senator's recollection is correct.

ATROCITIES IN GERMAN PRISON CAMPS

Mr. CHANDLER. Mr. President, the people of our country have been deeply stirred at the messages just received from General Eisenhower and others referring to the treatment accorded by Germans to prisoners of war. They are now convinced that American prisoners, and the prisoners of our allies, have received atrocious treatment at the hands of the Germans. It has taken the American people a long time to become convinced that the Germans would descend to the level to which apparently they have fallen in the abuse of prisoners.

Last Friday, when reports came through, after advising with officials of the O. W. I. and Representative BROOKS, of Louisiana, we jointly prepared a joint resolution to be introduced into both Houses of Congress this morning. The joint resolution will be presented in the other House by Representative BROOKS today. In the meantime, some of our colleagues are either on the way to visit the prison camps, or perhaps by this time may have arrived.

I daresay the Senate will desire to take some action, and the joint resolution I have in my hand is intended to give the President of the United States the authority to appoint a permanent war atrocities commission, or a semipermanent commission, as he may desire, to examine and keep a record, so that for all time the American people may have a record of the treatment of Americans and Allied prisoners by the Germans in the war.

This is a very short joint resolution, and is not intended to conflict, of course, with what has already been done. It may be that if a permanent commission is organized, the President will want to appoint the Members of the House and Senate who are already serving, and there is no idea on the part of either Representative BROOKS or myself to do anything today except to be certain that the brutal treatment being accorded prisoners is called to the attention of the American people, and that the Senate and House of Representatives have an opportunity to make their wishes known to the President and to the country.

Mr. BILBO. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BILBO. The Senator referred to atrocities committed by the Germans. Does the Senator include the Japs also?

Mr. CHANDLER. If the War Atrocities Commission is appointed by the President it will of course inquire into atrocities wherever committed, in any part of the world. By reason of information gained by members of the Senate Committee on Military Affairs and of the Mead Committee and of the Appropriations Committee, when we visited war areas in 1943, it has been generally known that the Japs have been guilty of bestial treatment to American prisoners. In diaries captured by the forces of General MacArthur and others, Japanese soldiers have themselves told stories of atrocities committed by them in order that they may be considered to be great men when they return to their own country. Fortunately not many of them are going to return. General MacArthur has in his possession statements by Japanese in their own handwriting, which clearly set forth the atrocities committed by them upon American prisoners.

The joint resolution I am about to introduce reads as follows:

Whereas American prisoners of war released from Nazi prison camps are a living testimonial to the complete disregard by the Germans of the concepts of mercy and decency included in the Geneva Convention; and

Whereas American news services have recently released reports confirming the existence of prison camps wherein the members of the armed forces of our gallant Allies have been subject to similar bestial treatment; and

Whereas the nationals of our Allies from France, Belgium, The Netherlands, Poland, Greece, Yugoslavia, Czechoslovakia, Norway and the Soviet Union have been enslaved, tortured, and slaughtered with the full knowledge of Axis authorities; and

Whereas such brutal and inhumane conduct is the natural product of those debased political ideas and degrading social concepts held in common by Nazi and Japanese militarists; and

Whereas the United Nations have signified their intention of holding personally responsible for these vile assaults against the dignity of mankind those Gemans who have authorized as well as those who have committed such acts: Therefore be it

Resolved, etc., That it is the sense of the Senate and the House of Representatives of the United States, that the President of the United States appoint a commission to be known as the War Atrocities Commission to examine, investigate, and report upon the descent of the Axis annihilations far below the level of animal cruelty, outreaching the lust to kill of the most primitive savages; and be it further

Resolved, That this Commission should consist of equal membership from both Houses of Congress, from private citizens of the United States, and provided that at least two wearers of the Purple Heart from the lower echelons of the armed forces of the United States be included; and be it

Further resolved, That the Commission should be immediately appointed and immediately sent to the scene of these atrocities, so that:

1. The people of the United States shall have the benefit of the information collected and the decisions made by this representative commission; and so that

2. The United States delegation at the San Francisco Conference shall likewise have this information and these decisions at their disposal.

It is desirable that this information be in the hands of the delegations to the San Francisco Conference so they may consider it in connection with decisions to be made by them with respect to the people involved.

Mr. President, certainly there can be no peace reestablished in the world until we insist that conventions dealing with treatment of prisoners are lived up to. Senators have but to visit a German prison camp in this country or a Japanese prison camp in this country and see the kind of treatment accorded German and Japanese prisoners. The other day at Como, Miss., a German major general was buried with full military honors. The American authorities permitted the Hitler Fascist salute to be given at the burial of the general. They permitted the firing of a salute of guns and the display of the Nazi emblem. The treatment we accord German and Japanese prisoners is far and away different from the treatment accorded American prisoners in the hands of the Germans and Japanese. We must see to it, Mr. President, that in the future mistreatment of our soldiers shall not again occur.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. AIKEN. I wish to ask the Senator from Kentucky if his joint resolution refers to the committee which, according to the press, has already been formed and is on its way to Europe, or does the resolution refer to a committee in addition to that one?

Mr. CHANDLER. When we prepared the resolution it was not known either by Representative BROOKS, or by me, or by the O. W. I., so far as I am informed, that any group Members of Congress had been appointed, or would be appointed. This is the first opportunity which the House or the Senate have had since the report and request came from General Eisenhower when either House could take official action. Action has heretofore been taken by someone. The action proposed by the resolution is not intended to be competitive with previous action. I have no desire to interfere with anything that has been done previously. If the permanent Commission is appointed it is possible that Members of Congress who are now on the tour of concentration camps will be appointed to the Commission.

Mr. AIKEN. Mr. President, how is it possible for so many Members of the Congress to take these trips to the battlefields of the world and to foreign countries? It was day before yesterday, I believe, that we heard that 3 Members of the House of Representatives had visited a certain place in Europe, and this morning the press states that 8 Members of the House are visiting battlefields and concentration camps in Europe. Then we hear over the air that 17 editors, and no one knows how many Members of both Houses, are taking another trip. How do they get there? Do they go on their own account, or how?

Mr. CHANDLER. I have been informed that some of them have been invited to go by the British Government, and perhaps by other governments.

Mr. AIKEN. Who pays the expenses?

Mr. CHANDLER. I am not advised as to that. If you are invited, I assume the one who invites you pays the expenses. I have been told that some Members of the House and others have been invited by the British Government to visit the concentration camps, and have already gone. If a Senator or a Representative is named by a Senate or House committee to go over there, the War Department has arrangements whereby the expenses are paid. I understand that 12 of our colleagues are on the way overseas, or perhaps by this time have arrived. I do not know who is going to pay their expenses. I have not been consulted in that matter and I cannot answer.

Mr. AIKEN. It does not seem to me to be a very good or safe rule for Members of either House—probably I should not refer to the other House, but I may say it is not a good or a safe rule for Members of the Congress to go anywhere merely because someone offers to pay their expenses. I should think the United State Government should pay the expenses, if it is not already doing so, of any Members of the Congress who are visiting various parts of the world.

Mr. CHANDLER. Let me say to the Senator that a committee of Senators went all the way around the world, and, so far as I know, our expenses were paid by the United States Government. I have never accepted any invitation by any other government, and I would not do so.

Mr. AIKEN. I think that is the way all these trips should be made.

Mr. CHANDLER. We were authorized to make the trip by our respective committees and by the Senate, and we made the trip under that authority.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HILL. It is my understanding that nearly any Member of Congress who desires to do so may go overseas at the invitation of the British Government. It is also my understanding that most of the Members of the House of Representatives who have been overseas, and have been in the European theater during the last few weeks, or who may be there now, made the trip at the invitation of European governments.

As the Senate knows, on Friday last, General Eisenhower cabled to the War Department urging that the War Department send a committee of 12 Members of the Congress, 6 from the Senate and 6 from the House of Representatives, and a number of members of the press, to visit and to see at first hand the prison and concentration camps of the Nazis, in order that the Members of such committee might see with their own eyes the horrors of those camps and the evidences of the brutality and of the atrocities which had been committed in those camps. As a result of this request by General Eisenhower the War Department designated the Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], the Senator from Utah [Mr. THOMAS], the Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] as the 6 Senate Members of the committee to go over and to represent the Senate.

Mr. AIKEN. How long has it been since the War Department was naming Members of congressional delegations? What right has the War Department to say who shall represent the Senate, and what authority is there for letting foreign governments pay the expenses?

Mr. HILL. I would say in reply to the distinguished junior Senator from Vermont that the War Department would have no power to name Members from the Senate unless the naming of such Senators was perhaps agreeable both to the distinguished majority leader and the distinguished minority leader. I can well imagine that the minority leader was consulted in this matter. General Eisenhower was anxious to have six Members of the Senate visit Europe for the purpose indicated. As the Senator knows, so far as the majority is concerned—and I believe also so far as the minority is concerned—most distinguished Senators, occupying the most important positions in the Senate, were selected. For example, the distinguished Senator from Kentucky [Mr. BARKLEY] is the majority leader. The distinguished Senator from Georgia, chairman of the Committee on Finance, is now also acting chairman of the Foreign Relations Committee of the Senate, in the absence of the distinguished Senator from Texas [Mr. CONNALLY] at the San Francisco Conference. The distinguished Senator from Utah [Mr. THOMAS] is chairman of the Senate Committee on Military Affairs. So it will be seen that so far as the majority is concerned, the majority leader, the acting chairman of the Committee on Foreign Relations, and the chairman of the Committe on Military Affairs were designated. I believe that an examination of the list of names from the minority will show that the minority Members are equally distinguished.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. AIKEN. I have not the slightest objection to the make-up of the committee which has gone to Europe; and it is probably a good thing that it has gone. The question I raise is whether we should permit the War Department to name such committees, or whether it should be done by the Senate itself. I do not recall that the question has been brought before the Senate. Possibly it has. I do not recall that leave of absence has been given. Furthermore, I believe that expenses of trips such as this should be paid out of congressional appropriations, and not by any foreign government or by any other department of the Government.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HILL. So far as expenses are concerned, I presume that the Members of both Houses will travel in War Department or Navy Department planes. In this case, General Eisenhower having made the request, I suppose they will travel in War Department planes, and that while the members of the committee are over there they will be billeted with our troops. No doubt they will be fed at Army messes, and will live in an Army camp while they are there.

If the Senator from Kentucky will further yield to me in that connection, at this time I ask unanimous consent that the six Members of the Senate to whom I have referred may be excused from calls of the Senate during their visit to inspect and see at first hand the German prison camps.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama?

Mr. MORSE. Mr. President, I shall not object, but I wish to register an objection to the procedure by which the designations were made. In my judgment, when a committee of the Senate of the United States proceeds on such an inspection trip as this, the members of the committee should be designated by the Senate, and not by the War Department, or any other executive agency of the Government.

Mr. CHANDLER. I had not assumed that the War Department selected the Senators. Of course, I have no way of knowing. The reason for this resolution was to give authority for what was done. I wish the Senate to understand that this resolution is not intended to be competitive. I think perhaps it was exceedingly important that General Eisenhower's request be complied with at the earliest possible moment. I believe he wanted Members of Congress to be on hand as soon as possible. It seems to me important that the bodies of those who were mangled, bruised, and beaten be viewed immediately, so that they may be buried. I think perhaps that was the reason for haste. As my friend from Oregon has suggested, personally I would not approve of the War Department's selecting Senators or Members of the House to make inspection trips on behalf of the Congress.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. MORSE. My comment is based upon my understanding of the statement made by the distinguished Senator from Alabama. I understood him to say that the designation of the particular individuals selected was made by the War Department. To that principle I object. As to the request for leave of absence to the Senators involved, I do not object.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. WHITE. Perhaps I can say a word in clarification of the situation. At any rate, I can assume some of the responsibility for what has happened.

The first I heard of this matter was on Friday afternoon, when the majority leader of the Senate told me of the invitation which had come from General Eisenhower, through military channels, embodying a most earnest appeal that a group of Senators and Representatives be sent to Europe at the earliest possible moment so that on their return they might report to the American people and to the Congress the precise situation with respect to the German concentration and prison camps, and as to the atrocities which had been practiced not alone upon our own people, but upon citizens of Germany and others.

I heard of the invitation Friday afternoon. There was a cablegram from General Eisenhower. I believe it came through General Marshall. The appeal of General Eisenhower that such a visit be made was concurred in by General Marshall.

I knew nothing about the make-up of the senatorial group until the following morning. Then I obtained further details as to the trip. Members of the group were to leave Sunday morning, because it was imperative that if they were going at all, they should be there at the earliest possible moment.

As minority leader, I took the responsibility, after consultation with such Members of the minority as I could reach on Saturday morning, of submitting the names of three Members of the minority to go on this trip. I submitted the list to the majority leader, and I assume that he passed it on to the War Department, and that final arrangements were consummated by the War Department.

I do not know whether I have violated the proprieties, or offended the sensibilities of any Senator; but there was what seemed to me to be an imperative request from the highest military authority overseas that this group of Senators be sent over there. If it were to be done, it had to be done at the moment. There was no opportunity for reference of the matter to a committee of the Senate. There was no opportunity for committee consideration, or consideration by the Senate. After consultation with such Members of the minority as I could reach, the names of three Members of the minority were submitted by me. I did not assume that I was appointing a committee of the Senate or members of such a committee. I acted on the assumption that I was recommending Members of the Senate as desirable and proper persons to go on this trip.

I think it would be tragic if in the circumstances leave of absence should now be denied to those Senators. From my conversations with the Members recommmended I know that they were reluctant to take the trip. The senior Senator from Kentucky was most reluctant to go. The Senator from Georgia expressed himself as being reluctant in the extreme. I know that the Senator from Utah did not wish to go; and I know that Members chosen from this side did not wish to go. However, they went in response to what they felt was a call to service.

I shared that view. I participated in the selection of the Members who went; and I approved, so far as I had any authority to do so, sending them to make this survey of conditions.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. McMAHON. I for one am perfectly delighted to learn that this delegation has gone abroad. As the able minority leader has stated, the necessity was great; the need was urgent; and I am very much pleased that the able majority leader [Mr. BARKLEY], the Chairman of the Committee on Finance [Mr. GEORGE], and the Chairman of the Committee on Military Affairs [Mr. THOMAS of Utah] are representing this side of the aisle. This is an official delegation, on important and urgent public business. There have been cases in which it seemed to me that certain representatives of the Congress went on frolics of their own, conferring with generals on various fronts about military strategy, of which they knew nothing, and taking up the time of men who have something more important to do, than to entertain persons who knew nothing about the problem. So in my opinion this delegation, as I have said, Mr. President, is important. These gentlemen should have gone in answer to the call of General Eisenhower; but I think that we and all other Members of the Congress should give some care and consideration to the question of going across the water in these times, lest we unnecessarily burden the war effort.

Mr. BRIDGES. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. BRIDGES. Wholly aside from the question of this particular trip, addressing myself to a point raised by the Senator from Kentucky [Mr CHANDLER] and developed by the Senator from Vermont [Mr. AIKEN], namely, the matter of Members of Congress going across the ocean or leaving this country and being guests of a foreign country, I think that is wholly uncalled for and improper. I think that Members of Congress who might happen to leave this country and not pay their own expenses certainly should go at the expense of our own Government, not at the expense of a foreign government.

Mr. CHANDLER. Mr. President, I do not know any way to keep a Member of Congress from accepting an invitation from a foreign government if he chooses to do so. I understand that some have received invitations. I never had one; but if I had, I would not have accepted it. The only trip I ever made on an inspection tour was made at the direction of the Senate Committee on Military Affairs, and was approved by the Senate. I think that is the best way, perhaps.

The joint resolution was prepared before it was known that such an emergency would arise or that a committee would be appointed. I desire to repeat that it is not competitive; but I think the Senate and the House of Representatives should take notice of this matter officially. If the joint resolution is not objectionable, I think it should be adopted. I think it should give the President the authority to appoint a bipartisan commission of Members of the House of Representatives and the Senate, Republicans and Democrats, as the civilian part of the commission, and—as the resolution suggests—two wearers of the Purple Heart, two G. I. soldiers who have served in the Army. They should see these things

and should be advised, because they would be able to make some practical suggestions about what the Government of the United States should do under the circumstances.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TYDINGS. I take no issue with the suggestion made by the Senator from Kentucky; but I would assume that General Eisenhower and other responsible military leaders, with the military departments they have available with which to deal with matters such as that to which the Senator from Kentucky has referred, would gather the evidence, document it, take photographs, and in other ways perpetuate it, so that their records would be the best evidence.

While I think that in the circumstances it might have been wise to send one committee over there, fundamentally the obligation of Members of the Senate and the House of Representatives is to remain in Washington and attend to the business of Congress here, and do it as well as we can, and let the military and naval experts conduct the war. It is my opinion that, while this case is an exceptional one, and it might be well to act upon it, and certainly so if General Eisenhower requests it or if the President has requested it, as a general rule a congressional committee cannot do anything over there that the Army or Navy cannot do better. When the evidence is assembled, it could be presented to the Senate and the House of Representatives, and we could, in line with what the Senator has suggested, set up a committee which could review the evidence here.

I am doubtful whether it would be wise for some of us to take 6 months off or 3 months off from our own work here—and that length of time would be necessary in order for a committee to do a complete, good, and thorough job—I doubt whether it would be wise for Senators or Representatives to take off that much time from their work here, on which the Army and the Navy must rely as the source for all the money and support and legislation necessary in order to win the war.

I am not taking any issue with the resolution, except to say that if a commission is appointed, it should sit in Washington, and should let the evidence flow in to Washington from reliable sources, rather than go around and see for itself.

Mr. CHANDLER. Mr. President, I think the commission should be appointed. Where it sits is a matter to be determined later. But in this war the American people are wholly committed together with their lives and property and money. I do not agree that a Senator who votes for war and votes taxes on the American people to support the war and votes billions of dollars in money and property of the people—and their money and property are scattered all over the earth—has no duty aside from voting. I think he owes an obligation to follow that investment as closely as the circumstances allow. Our allies are very smart. They do not make much fuss about sending people to all parts of the world to see about their affairs.

We are not going to be a provincial country any more. We are not going to be able to live within the borders of the United States, when our sons and our substance are literally scattered all over the globe.

I think the committee trip in 1943 did a great deal of good. I think it has meant a great deal not only to those who took the trip but to those who talked with them later.

This time the War Department has made the request. That is rather unusual, because generally the only time the War Department talks to the Senate is when it wants something.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. AIKEN. I wish to say that I think the trip made by the committee in 1943 accomplished a tremendous amount of good; but I wish to state for the RECORD that that was a duly authorized committee of the Senate, and the expenses were paid by the United States Government, whether through the War Department or some other agency of our Government.

Mr. CHANDLER. The Senator is quite correct.

Mr. AIKEN. That is the way such committees should operate and that is the way they should be designated. They should be authorized by the Congress. If we correctly understand the current newspaper reports, there are approximately 30 or 40 Members of both Houses of Congress abroad, today, investigating the war. How many of them have been authorized to make such trips, I do not know; but certainly such trips should be authorized and the Members of Congress who make the trips should be named in the same manner that the committee which made the very excellent trip in 1943 was named.

Mr. CHANDLER. Yes. I desire to repeat what I said a while ago. If a foreign government wishes to invite a United States Senator or a Member of the United States House of Representatives to visit a country across the ocean, and if the foreign government wishes to pay his expenses, and if the Member of the Senate or the House of Representatives wishes to go, there is nothing we can do to keep him from going, except to expel him. If he wishes to accept the invitation, I do not know of any way to stop him.

Mr. AIKEN. Except that under the rules of the Senate he must obtain the consent of the Senate to make the trip.

Mr. CHANDLER. Yes; but if he did not obtain it, the only thing we could do would be to expel him, I suppose, because otherwise he probably would go if he wanted to go.

Mr. TYDINGS. Mr. President, will the Senator yield to me again?

Mr. CHANDLER. I yield.

Mr. TYDINGS. I think the trip made by the five Senators, who subsequently have been able to view the situation as a result of their memorable trip some time ago, was a good venture. I think the trip made to the Aleutians by the subcommittee of the Committee on Military Affairs was a good venture. We might keep in mind that one of the sections of the world over which the American flag flies is the Philippine Islands. The Philippine Islands have been devastated to an extent of from $700,000,000, so I am advised, to more than $1,000,000,000. Bills are pending in Congress to pay the damages in the Philippines resulting from the war, to revive trade, to establish air bases and military bases, and so forth; so we have a considerable amount of work of that character to do, without going to places where the American flag is represented only on a battlefield.

Inasmuch as large sums of money are involved in these proposals, it seems to me that if there is a desire to investigate some matter with which the Congress has to do, it would be "right down the alley" to examine into the situations I have described. I do not wish anything I say to be regarded as criticism of what has already happened in respect to the committee which is to visit the camps at which atrocities have been committed, because the request to make the trip came from General Eisenhower, nor do I wish to have anything I say regarded as a criticism of the five Senators who went around the world or of the Senators who visited the Aleutians. But from now on we shall have plenty of investigating to do, if we are going to act wisely, in regard to some of the bills relating to territory over which the American flag flies. Until we have handled such matters fairly well, I think extraneous problems might well be left to the military and naval authorities of the United States.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. AIKEN. I should like to propound a question to the Senator from Maryland. If it seems advisable to send a committee to investigate conditions in the Philippines before expending vast sums of money to repair the damage there, should not the work which will be involved fall upon the committee of Congress which must deal with the Philippine Islands?

Mr. TYDINGS. Mr. President, I should say that the answer is in the affirmative. A number of bills are now on the Senate Calendar which are very far-reaching, and which will undoubtedly provoke some debate on this floor before the Senate acts upon them.

In reference to the Philippine Islands, I do not believe that the elimination of the enemy in those islands has progressed sufficiently far to enable a congressional committee to do more than to get in the way if it should go there. However, I think that as soon as the situation clears up, and these bills are pressed for action, some of us will have to look the situation over. I am not hunting for a trip to the Philippine Islands, and would not want to go there unless the President, the Senate, or the naval or military authorities asked me to go. I believe that is a rule which we should follow in connection with all congressional

investigations. I cannot see why Members of the Senate or the House of Representatives should travel all over the world and get in the way of military movements when they have plenty of work to do right here at home.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. HATCH. I wish to address myself for a moment to what I believe to be the question pending before the Senate, namely, the request of the Senator from Alabama [Mr. HILL] that the Senators who have now departed on a trip abroad be granted official excuse for being absent from the Senate.

Mr. CHANDLER. Mr. President, will the Senator withhold his remarks until I have finished?

Mr. HATCH. May I make an observation upon the subject?

Mr. CHANDLER. I am glad to yield.

Mr. HATCH. I certainly have no objection to the Members who were selected from the other side of the Chamber; but in my opinion no better men could have been selected than the majority leader [Mr. BARKLEY], the Senator from Georgia [Mr GEORGE], and the Senator from Utah [Mr. THOMAS]. I strongly approve their selection.

If there is any question as to the authority of this committee to make the trip, I am ready to vote now. I am willing to move that the request of the Senator from Alabama [Mr. HILL] be amended so as to provide that the Members of the Senate who compose the committee which is now on its way to perform its duties, shall be designated the official representatives of the Senate in that connection.

Mr. CHANDLER. Mr. President, I agree in part with the statement made by the Senator from Maryland [Mr. TYDINGS], but as to another part of it, I do not agree. I think we should consider our British allies. They are permitted to send representatives all over the world, and they are careful to insure that British interests are protected at all times. In connection with the present war, Congress was asked to appropriate large sums of money. Sometimes it has not been known where all the money was being used. When committees made trips to other countries they were able to ascertain where some of the money had been spent. I dare say that not many Senators would put a considerable sum of money in a bank in Louisiana or in North Dakota without first either going themselves or sending someone on their behalf to investigate the standing of the bank. Persons have been known to buy farms in various sections of the country who later found that no farms had actually been purchased. The land turned out to be a swamp, or something of that nature. We have more than $100,000,000,000 worth of surplus property located in various parts of the world. I hope that when the war is over that property, in large part, will be salvaged and used for the benefit of the American people. I hope that the part which cannot be salvaged will be sold at a price which will be of some advantage to the American people. It should not be destroyed or given away.

Mr. President, I do not ask for an immediate consideration of my joint resolution. A similar one was introduced today in the other House. The committee which would be appointed under the resolution would not be a competitor of the committee which has recently left Washington. I have no objection to that committee. However, I believe that the committee for which I ask should have the authority of Congress. My joint resolution was prepared before the committee to which reference has been made was appointed by the majority leader, the minority leader, or the War Department. If my joint resolution is passed I shall be very happy. It is not an offensive resolution, and it will at least indicate that it has back of it some authority on the part of the Senate and the House of Representatives.

Mr. HILL. Mr. President, the joint resolution is in no way offensive. I find myself very much in sympathy with its purposes. However, I think it might be well to have the joint resolution go over for the day, so that opportunity may be afforded to examine it. I have found in my long experience in Congress that oftentimes when a proposal is allowed to go over, and an opportunity given to make an examination of it, it is sometimes possible to find ways of improving it. I think the joint resolution should go over.

Mr. CHANDLER. I have no objection to the joint resolution going over.

The joint resolution (S. J. Res. 60) to provide for the appointment of a War Atrocities Committee by the President of the United States, was read twice by its title and ordered to lie on the table.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama [Mr. HILL] that the Senate authorize the appointment of the members of the committee, and that they be granted leaves of absence from the Senate?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CHANDLER. I yield.

Mr. TAFT. I do not believe the Senator from Alabama said anything about authorizing the appointment of the committee. I think the Senator's request was that the six members composing the committee be granted leaves of absence from the Senate.

Mr. HILL. Mr. President, my original request was that the six Members who were designated as a committee to go abroad in response to General Eisenhower's request, be granted leaves of absence from the Senate in order that they might perform their duties.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama?

Mr. CHANDLER. Mr. President, reserving the right to object—and I shall not object—I wish to ask the Senator from Alabama if he wants to stick to the statement that was made that the members of the committee were designated by the War Department. That point may confront us later.

Mr. HILL. I will state to the distinguished Senator from Kentucky that I was not in the city at the time the committee was designated. As the Senator knows, on Wednesday I obtained consent of the Senate to be absent on Thursday and on Friday. I felt sure there would be no session of the Senate on Saturday, so I returned to the Senate only this morning. However, it was my understanding that, after consultation, the War Department designated those Senators as a committee to go abroad in response to General Eisenhower's request.

Mr. WHITE. Mr. President, I wish to say a further word in explanation. I believe I am warranted in saying that neither I nor the distinguished majority leader had ever heard of this matter until sometime last Friday afternoon. I have already stated that I submitted a list of minority Members of the Senate to make the trip. I understand that that list was transmitted, or in some way made known to the War Department, and that the War Department made all the necessary arrangements for the trip. I have felt, and I now believe, that the Members who went were, in fact, invited by the War Department through the majority leader and me, although I must admit that there was more or less informality in connection with the matter.

Mr. CHANDLER. Would the Senator say that the members of the committee were not selected by the War Department?

Mr. WHITE. The names were suggested to the War Department by the majority leader and by me. I believe it may be said that final acceptance was a War Department action.

Mr. CHANDLER. Would not the War Department have accepted any selection which the majority leader and the minority leader had made?

Mr. WHITE. I believe that is probably true.

Mr. AIKEN. I notice that on the majority side of the aisle the party leaders were selected to go. Did the War Department invite the leaders of the minority party to go?

Mr. WHITE. Mr. President——

Mr. HILL. I yield to the Senator from Maine.

Mr. WHITE. Mr. President, I will say that I was very strongly urged to go.

Mr. AIKEN. By whom?

Mr. WHITE. And I know that the Senator from Ohio [Mr. TAFT], as chairman of the Republican steering committee, was urged strongly to go. Neither of us was able to accept the assignment.

Mr. AIKEN. Then, so far as this side of the aisle is concerned, the ones who are going are really going as substitutes for the ones urged by the War Department.

Mr. WHITE. I do not think that the War Department urged me to go, but did urge the Senator from Ohio to go. I was urged to go by the majority leader and I in turn urged the Senator from Ohio to go, but both of us declined. The suggestion to me came from the majority leader. I believe if it is desired to trace the matter back, it will be found that the majority leader was importuned by the War Department to go.

Mr. MORSE. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Oregon?

Mr. HILL. I yield.

Mr. MORSE. I want to say that this further discussion of the minority leader and the Senator from Alabama clears up at least some statements by others. I am very much of the opinion that the particular individuals selected should have gone. I am very happy to know that for this side they were selected or named by the minority leader. Anyone he names is perfectly satisfactory to me. But again, for the RECORD, I want to make perfectly clear that point on which I shall stand in future instances, namely, that I think when Members of the Senate of the United States go forth on any such mission as this it should be clearly understood that each should be named by the Senate of the United States, as I now understand was the case in this instance, and that no question as to whether they are acceptable to the War Department should be a point at issue. Whenever the Senate sends them then they become a committee of the Senate of the United States, and any suggestion in the discussion which has just taken place that they were submitted to the War Department for its acceptance, it seems to me, is entirely out of order procedurally. It does not make any difference whether they are acceptable to the War Department; when we decide what Members of the Senate should go on such mission they should be the men who should go.

The PRESIDENT pro tempore. Is there objection to request of the Senator from Alabama?

Mr. CHANDLER. Will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. CHANDLER. I want to associate myself with the views just expressed by the Senator from Oregon. I do not want the War Department to name Senators; I do not want them to have to approve the names, and I want it understood, so far as I am able to have it understood, that the Senate can select its own Members to take the trip.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The chair hears none, and leave of absence is granted by the Senate to the six Senators mentioned by him.

Mr. BILBO. Mr. President, we are in the midst of a war; things are happening every hour. The committee that has been sent to view these atrocities, as the Senator from Oregon says, of course is not a committee of this body, because it was not appointed by this body. My information, from a statement made by the Senator from Maine, is that this request came from General Eisenhower for immediate action; the Senate was not in session, and could not be gotten in session, and that the leader on the Democratic side, the Senator from Kentucky [Mr. BARKLEY], and the leader on the minority side, the Senator from Maine [Mr. WHITE], assumed the responsibility upon the request of the Secretary of War, the invitation coming through the regular channels from General Eisenhower. The suggestion was made, and the list of Senators was selected by our leader and the leader on the other side of the Chamber. I think the decent and proper thing for the Senate to do is to consent and approve the action of our two respective leaders and make this committee a committee of the Senate. I think we can do that because I believe we all respect what the two leaders did in this emergency. They could not wait for the Senate to act today, because these atrocities were being found and uncovered and the bodies of the dead were being buried. General Eisenhower wanted the committee to get there in time to enable them to see these tragedies before burial had taken place.

I think the respective leaders acted wisely, and I think the proper thing for the Senate to do is to approve their action in naming certain Senators. No Member of the Senate has objected to the personnel, I am sure, because they are all distinguished Members of this body, and men we can believe and rely upon when they come back and make a report. But since they in a sense, at least, represent us, I think the Senate ought to make them a committee of the Senate, and we can do that by approving the action of our respective leaders. I am not going to make a motion, I am merely making the suggestion. I think in that way we can approve of the action which has been taken and make the Senators who have already gone, and who are already there, if you please, a committee of the Senate. We ought to do it, but I am not going to assume the authority to make such motion.

Mr. MORSE. Mr. President, I believe that the distinguished Senator from New Mexico made such a suggestion to the Senate, a few minutes ago, and later, perhaps, made a motion. I certainly find myself in accord with such a motion. I am desirous, however, of getting the facts straight in the RECORD. The Senator from Mississippi just said that the Senate was not in session when the request was first made. Unless I have misunderstood some remarks made by preceding speakers, I think the request was made on Friday at a time when the Senate was in session.

Mr. HATCH. Mr. President, I did make the suggestion referred to by the Senator from Oregon, but it was merely a suggestion and expression of my own personal feelings. I did not make a motion or a request, but I want the Senate to know that I agree heartily with what the Senator from Mississippi has said, and I am perfectly willing, if the leaders so desire and think it is proper, to vote for a resolution or a statement authorizing this committee as a committee of the Senate to go to Europe to view these terrible and horrible atrocities, to come back and report to us, and to go to San Francisco and report to the conference there, if necessary. That, however, is only the expression of my own views.

Mr. HILL. Mr. President, I should like to propound a parliamentary inquiry.

Mr. BREWSTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from Maine?

Mr. HILL. I yield.

Mr. BREWSTER. I simply wish to associate myself with the suggestions which have been made regarding the very great value of a formal resolution validating and recognizing this committee and the great service they can render. I believe it will be very important in years to come that there be no question as to the casual character of their selection and the Senate clears, beyond any doubt, the reason for their mission.

I was a member of a committee which had a somewhat casual origin and the fruits of the efforts of the committee were, I think, not all that could have been desired, inasmuch as we simply reported as individuals. I think that when this committee return they should report as a committee of the Senate duly authorized. Their report may become a very important and a very historic document, and I do not think there should be any question that this committee, in whom we have confidence, has the full support of the Senate of the United States in the tremendously important task they are undertaking.

Mr. HILL. Mr. President, would it be in order at this time to move that the distinguished Senators who have gone on this trip be constituted a committee authorized by the Senate to inspect the German prison camps and act in any and all other matters which might be pertinent, and that they make a report of observations to the Senate on their return?

The PRESIDENT pro tempore. Such a motion or resolution would be in order.

Mr. BREWSTER. Mr. President, I would feel that such a resolution should be quite carefully formulated, and that it should be initiated by the War Department, who, I understand, requested the trip, citing that whereas the War Department has asked, or that General Eisenhower has requested, that the Senate of the United States make this inspection, we are responding. Then there would be no question as to the circumstances under which the trip took place. It should also specify rather particularly the scope of the authority of the Senators.

Mr. President, I agree with what the preceding Senators have said about the desirability of proceeding through regular channels. I have not heard all the discussion, but I was somewhat regretful that the President pro tempore was not taken more into account. I think that was unfortunate.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Cordon	Hoey
Austin	Donnell	Johnson, Colo.
Bailey	Eastland	Johnston, S. C.
Bilbo	Ellender	Kilgore
Brewster	Ferguson	La Follette
Bridges	Gerry	Langer
Buck	Green	McClellan
Burton	Guffey	McFarland
Bushfield	Gurney	McKellar
Butler	Hart	McMahon
Byrd	Hatch	Magnuson
Capehart	Hawkes	Maybank
Capper	Hayden	Millikin
Chandler	Hickenlooper	Mitchell
Chavez	Hill	Moore

Morse	Revercomb	Tunnell
Murdock	Robertson	Tydings
Murray	Russell	Walsh
O'Daniel	Shipstead	White
O'Mahoney	Smith	Wiley
Pepper	Stewart	Willis
Radcliffe	Taft	Wilson
Reed	Taylor	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Missouri [Mr. BRIGGS] and the Senator from New York [Mr. WAGNER] are absent on public business.

The Senator from Montana [Mr. WHEELER] is absent on official business.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference at San Francisco.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent visiting various concentration and prison camps in Europe.

The Senator from Alabama [Mr. BANKHEAD], the Senator from California [Mr. DOWNEY], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Illinois [Mr. LUCAS], the Senator from Nevada [Mr. MCCARRAN], the Senator from Louisiana [Mr. OVERTON], and the Senator from Oklahoma [Mr. THOMAS] are absent attending committee meetings and public business pertaining to their States.

The Senator from Pennsylvania [Mr. MYERS] is absent because of a death in his family.

Mr. WHITE. The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco.

The Senator from Minnesota [Mr. BALL] is necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The PRESIDENT pro tempore. Sixty-nine Senators having answered to their names, a quorum is present.

Mr. HILL. Mr. President, as soon as a formal resolution can be prepared with reference to the trip of the Senators to visit the German prison camps, I shall offer the resolution, and ask for its consideration, and for action on it.

Mr. MAYBANK. Mr. President, as a member of the Committee on Military Affairs, I wish to say that I am in thorough accord with what the Senator from Alabama has said, and deeply appreciate his statement. I believe such a resolution as that to which he has referred should be adopted and I think we are very fortunate in having such a committee from the Senate.

DEFERMENT OF FARM LABOR

Mr. SHIPSTEAD. Mr. President, I ask unanimous consent to have printed in the RECORD a concurrent resolution which was adopted by the House of Representatives by a vote of practically 4-to-1, dealing with the question of drafting farm help, and its effect upon the production of agricultural products, and asking for the appointment of a joint committee of the House and the Senate to investigate.

There being no objection, the concurrent resolution (H. Con. Res. 29) was ordered to be printed in the RECORD, as follows:

Resolved by the House of Representatives (the Senate concurring), That in order that there may be no further misinterpretation of the will and the desire of the Congress in enacting subsection K, section 305, title 50, United States Code, commonly known as the Tydings amendment to the Selective Service Act, Congress reaffirms the necessity to our war effort of said subsection K and again expresses its will and desire that the local selective-service board, in classifying the registrant, observe subsection K and concern itself solely with the registrant's essentiality to an agricultural occupation or endeavor, and to the question of whether or not a satisfactory replacement can be obtained.

That there is hereby created a joint congressional committee to be composed of three members of the Senate Committee on Agriculture to be appointed by the President of the Senate, and three members of the House Committee on Agriculture to be appointed by the Speaker of the House of Representatives, to determine who is responsible for the wholesale induction of essential farmers and farm workers where no replacements are available, in violation of the Tydings amendment, and to determine the effect of such induction upon agricultural production and upon the war effort, are to return its findings to the Congress at the earliest possible date.

ECONOMIC REGULATION OF AIR TRANSPORTATION

Mr. MAGNUSON. Mr. President, one of the very serious problems confronting our post-war civil aviation arises out of the present movement for State legislation to establish economic regulation of air transportation by the States. Simply stated, the issue is whether our common carriers of the air are to be subject to the economic regulation of one government, as at present, or whether they are to be subject to the regulation of 49 governments, as is now proposed.

I have just read a comprehensive article on this important question by Mr. Oswald Ryan, a member of the Civil Aeronautics Board, which has just appeared in the Virginia Law Review of the University of Virginia, and which I think will be of great interest to the Members of Congress and all others who are interested in the progress of American aviation. Mr. Ryan is known to many Members of Congress by reason of his former service as general counsel of the Federal Power Commission, during which time he frequently represented this Government before the Supreme Court and other Federal courts in important regulatory cases, and by reason also of his having been a member of the Civil Aeronautics Board since its establishment in 1938.

I ask that the parts of the article which I have marked be printed in the RECORD at this point.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

ECONOMIC REGULATION OF AIR COMMERCE BY THE STATES [1]

INTRODUCTION

Its amazing capacity for speed and its indifference to the barriers of land and water have enabled air transportation to make the greatest contribution thus far made toward the conquest of time and space. Despite a notable past achievement, this three-dimensional transportation now appears to stand at the threshold of its greatest opportunity. Whether that opportunity can be realized depends upon the favorable resolution of several factors, among which will be the public policies that will guide its further development. For air transportation, like all other public-service industries, must operate within the framework of public policies and whether it attains or fails to attain its full capacity for public service will hinge in large part upon the soundness of unsoundness of those policies. And its ability to overcome the physical barriers of land and ocean gives no assurance of an ability to surmount political and economic barriers that may be unwisely and unwittingly reared against its advance.

Vitally important among the factors that will affect the future of air commerce in the United States will be the economic regulatory pattern. Thus far the economic control over our common carriers of the air has been the function of the Federal Government; there has been no significant exercise of State power. Recently advanced proposals, however, contemplate the entrance of the States into the economic regulation of intrastate air commerce. It is the purpose of the present article to inquire into the need for such proposals and their validity in the light of their probable effect upon air commerce and upon the national regulatory policy which Congress in the Civil Aeronautics Act of 1938 has provided for its development.

The evolution of economic regulatory policy with respect to air transportation has followed a different course from that taken by public-utility regulation in the United States. The economic regulation of railroads and highway carriers, of water, gas, electric power, rapid transit, and telephone companies began in each instance with the States and Federal economic regulation was instituted only when the interstate operations of the respective industries reached such volume as required the assertion of the Federal power.[2]

In each instance, the States were concerned with the regulation of an industry which, at least in the beginning, was essentially local in character. The transportation and communications industries soon became interstate, but even today the bulk of their transactions are intrastate. The one exception prior to the advent of air transportation was radio broadcasting and communication. From the beginning, radio broadcasting and communications have been essentially interstate in character and have developed under the exclusive jurisdiction of the Federal Government with little or no regulation by the States.

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[1] "Economic regulation" in the present article refers to regulatory control over the development of scheduled air services, the establishment of rates, control of consolidations, mergers, and acquisitions, interlocking relationships, abandonment of services, supervision of accounts and records, etc. The other type of regulation to which air transportation is subject is commonly referred to as "safety regulation" and involves the prescription and enforcement of safety standards, the issuance, revocation or suspension of licenses or certificates for aircraft and airmen, regulation of air traffic, etc.

[2] The power industry is typical example. See Irston R. Barnes: The Economics of Public Utility Regulation, p. 770.

Air transportation has developed almost entirely under the stimulus of the Federal Government. The Post Office Department inaugurated, fostered, and promoted the air mail service through the experimental stages. Congress in the various air mail acts of 1925, 1928 and 1934 gave support and financial aid to the development of this new form of transportation not only as a means of securing its advantages for the Postal Service but also with a view to extending its benefits to the commerce, domestic and foreign, and the traveling public of the Nation.[2] Thus Congress provided assistance in the form of air navigation aids, civil airways, funds for the construction of airports, and the establishment and enforcement of safety standards.[4] In general, therefore, it may be said that the States had no significant part in the development of this national and international system of air transportation beyond their limited promotional activities in providing airports and emergency landing fields, often with the substantial financial assistance of the Federal Government and such activities as they undertook in the field of air safety.

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It was recognized from the beginning that aviation presented a unique problem requiring uniformity of treatment and those who were most interested in its progress seriously considered the question whether there should be a single and exclusive Federal regulation or whether the control and promotion of aviation should be intrusted to the dual jurisdiction of the State and Nation. In all this, however, there was no suggestion for economic control of air transportation by the States.

After the passage of the Air Commerce Act of 1926, which extended Federal licensing requirements only to aircraft and airmen in interstate and foreign commerce, the States took action to provide licensing requirements for aircraft and airmen subject to State jurisdiction. In nearly all instances the State legislation enacted either required airmen and aircraft to have Federal licenses, or adopted the Federal regulations as the State standards. An endeavor was thus made to secure among the States the uniformity with the Federal standards which all recognized as necessary.

The foregoing describes the general legislative situation with respect to air safety regulation which obtained at the time of the enactment of the Civil Aeronautics Act of 1938. The new Federal act provided regulation for air transportation both in the economic and in the safety fields. But while it limited the economic control to interstate, overseas and foreign air transportation (and all transportation of air mail), its safety provisions covered not only interstate, overseas and foreign air commerce but also "the navigation of aircraft within the limits of any civil airway or any operation or navigation of aircraft which directly affects or which may endanger safety in interstate, overseas or foreign air commerce." The jurisdiction imposed with respect to air safety was broader, therefore, than that imposed upon the economics of air transportation since it embraced all air transportation that traverses the vast system of Federal airways; all air navigation which directly affects or may endanger safety upon those airways; all air transportation that carries air mail; the great volume of nonscheduled air commerce of an interstate character which operates outside the Federal airways, and also all air navigation that directly affects or may endanger the safety of this "off the airways" interstate navigation. The power thus conferred upon the Civil Aeronautics Board to regulate all flying to the extent necessary to protect interstate commerce was exerted by the Board when it issued its regulation requiring Federal certification of all pilots and aircraft in the United States, thus embracing all flying anywhere in the air space of the Nation.[5]

The Civil Aeronautics Act of 1938, as previously noted, limited its economic control to air transportation defined as interstate, overseas or foreign air transportation or the transportation of mail by aircraft. Thus, nonmail air carriers whose routes lie wholly within the limits of a single State and which do not transport traffic moving in interstate commerce are not included within the terms of the act.

When the various legislative proposals which led to the enactment of the Civil Aeronautics Act were before the Congress, 10 States had provided some degree of economic regulatory control of air carriers.[6] This control had its source generally in the State constitutions or in statutes regulating or governing public utilities and common carriers. The degree of control exercised by the States has been relatively unimportant although they have claimed the right to exercise the same control as has been applied to the other forms of transportation—the railroads and motor busses.[7] Those States which have exerted economic control over air carriers have not limited this control to carriers operating physically within the boundaries of the State but have extended it also, to a greater or lesser degree, to the interstate operations of interstate air carriers. Thus Pennsylvania has required interstate carriers to file tariffs with the State commissions. Arizona, Pennsylvania, Illinois, New Mexico, and Colorado have required certificates of convenience and necessity for intrastate operations of interstate carriers.

Active interest in State control of aviation was stimulated by the introduction in the Seventy-eighth Congress of bills which proposed to extend Federal economic control over all air transportation.[8] This interest manifested itself in bills which were introduced in many State legislatures in session in 1943. Economic regulatory statutes were passed during 1944 in Kentucky, Rhode Island, and Virginia. In addition to the requirements of a certificate of convenience and necessity, the acts generally provided for the regulation of rates, the filing of tariffs and reports, and the other usual economic regulatory provisions.[9]

As previously stated, the need for uniformity in State aviation legislation has been recognized from the beginning and there has been a very real and earnest effort by such organizations as the American Bar Association, the National Conference of Commissioners on Uniform State Laws, and the National Association of State Aviation Officials to propose legislation which would meet that need. A number of bills covering such subjects as the establishment and enforcement of safety standards, construction, operation, and financing of airports and airport zoning have been proposed and sponsored by one or more of the named organizations, but, because of the rapidly changing situation, including changes in Federal legislation, little if any progress toward uniformity has been attained. However, 44 State legislatures now in session are being asked to consider four uniform legislative proposals—a State aeronautics department act, a State airports act, a model State airport zoning act, and a State air carrier bill. The Aeronautics Department Act has a twofold function—promotion and the enforcement of air safety regulations, the promotional features of which are predominate. The regulatory features are designed chiefly to secure the application of the safety standards and requirements of the Federal Government to flying within the State. No provision is made for the economic regulation of air transportation through the issuance of certificates of public convenience and necessity, the control of rates, fares or services, or the other customary economic controls and interstate air carriers are exempted from the act's safety requirements.

As the titles imply, the State aiports act and the model airport zoning act are concerned with the development of an adequate system of airports and with insuring safe conditions on the approaches to the airports.

The uniform State air carrier bill would establish economic regulatory jurisdiction over intrastate air commerce and also over the air carriers which engage in such air commerce whether they be interstate or intrastate carriers. It is this poposal for the establishment of State economic regulation which has caused grave concern among members of the air carrier industry and the Federal officials charged with the administration of the national regulatory policy established by Congress for civil aviation.

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THE APPROPRIATE SCOPE FOR STATE ECONOMIC REGULATION

1. GENERAL CONSIDERATIONS

Any appraisal of the appropriate scope for State economic regulation of air commerce must consider both the economics of air transportation and the objectives which public policy should seek to achieve in this industry. There appear to be criteria for judging whether a particular regulatory program is in the public interest. Inasmuch as air transportation is still in its developmental stage, the primary test should be whether the fullest possible economic development of this new form of transportation is facilitated. Air transportation is intimately related to the national defense, the efficient performance of the postal functions, and the advancement and promotion of the domestic and foreign commerce of the Nation; and any development which impairs the efficiency of air transportation in serving these three objectives of national policy must be regarded as contrary to the public interest. The users of air transportation, the travelers and the shippers, are interested in more, better, safer, and cheaper transportation and regulatory policy should be directed to the promotion of these goals. So long as public policy looks to private enterprise to provide public transportation services, a commercially self-sufficient and technically efficient air operation must remain an objective of public policy. The opportunity for air transportation to achieve commercial self-sufficiency and a sound economic condition should not be lightly sacrificed by the adoption of a regulatory program which would hamper or defeat that achievement.

Other considerations are pertinent in weighing the wisdom of a regulatory program. It is obvious that there should be no conflict of jurisdiction between the Federal and the State Governments; conflicting

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[2] Air Mail Act of February 2, 1925, 43 Stat. 805, amended by act of June 3, 1926, 14 Stat. 692; act of May 17, 1928, 45 Stat. 594; act of March 8, 1928, 44 Stat. 248, amended March 2, 1929, 45 Stat. 1449; act of April 29, 1930, 46 Stat. 259; Air Mail Act of 1934, 48 Stat. 933.

[4] Air Commerce Act of 1926, 44 Stat. 568, as amended by act of February 28, 1929, 45 Stat. 1404.

[5] Civil Air Regulations, secs. 60.30 and 60.31, amendment No. 135, effective December 1, 1941.

[6] Arizona Colorado, Illinois, Maryland, Nevada, New Mexico, North Dakota, Pennsylvania, Wyoming West Virginia.

[7] The Committee on Interstate and Foreign Commerce of the House of Representatives recently reported that: "Thus far there has been practically no economic regulation by the several States. With an occasional rare exception, State agencies, even where they have had the power to regulate, have refrained from exercising the power" (H. Rept. No. 784, 78th Cong., 1st sess).

[8] H. R. 1012 and S. 246.

[9] Virginia, 1944, C. 267; Kentucky, 1944, C. 147; Rhode Island, 1944, C. 1500.

and inconsistent regulations must be avoided. But consideration must be given to the possibilities of such conflicts, for the lawbooks are full of cases where the courts have found it necessary to decide whether the regulations of one government can be reconciled with those of another, and if not, which of the conflicting controls should prevail. The history of Government regulation of the railroads and other interstate utilities has witnessed the progressive extension of Federal responsibility in the wake of the changing character of public-utility operations from local enterprises to large interstate undertakings. Also serious for the new industry would be a lack of uniformity among the several States exercising supervision over the same air carrier. The interstate barriers that have been erected by the inconsistent and divergent State regulations of the highway carriers constitute the classic example of the harm that can be done to the industry and the public when there is no single authority responsible for the sound regulation of an industry. Although there is little likelihood that divergent safety regulations will in the future hamper the development of air commerce, there is the danger that the history of inconsistent and burdensome economic regulation which has been the bane of railway and highway carriers may be repeated in air transportation.

2. THE ECONOMICS OF AIR TRANSPORTATION

No regulatory policy can ignore the fundamental characteristics of the industry to be regulated. Certain salient characteristics of air transportation, therefore, are significant in drawing the distinction between air and surface carriage on the basis of which differences in public policy have developed.

Air transportation is predominantly interstate rather than intrastate in character. This distinction is inherent in the nature of the industry. Air transportation is economically advantageous in proportion to the length of the journey or haul, a situation that will continue in the foreseeable future with the prospective equipment.[10] In the past, intrastate transportation by air has been relatively insignificant in volume, largely because there were very few intrastate route segments where the time advantage of air over surface transportation was important. Although the future is expected to witness a large increase in local air traffic, the increases in the volume of long-distance air travel should be proportionately greater so that the present relation between the two may be expected to continue.

The contrast between air and surface transportation with respect to distances traveled is significant. During the 5 years, 1938–42, the average length of the passenger journey by air was approximately 400 miles. The average passenger journey by rail is approximately 50 miles or, if we disregard the short-haul commutation travel, it is about 85 miles.[11]

The preponderance of interstate travel over intrastate is much more marked in air than in surface transportation. In 1933 approximately 45 percent of the 132,000,000 passengers handled by the railroads moved in intrastate commerce and 55 percent of the 49,000,000 passengers who traveled by bus were intrastate passengers.[12] In September 1940 only 16 percent of the 213,000 air passengers moved in intrastate traffic, and they accounted for only 8 percent of the passenger-miles reported by the air lines for that year.[13]

A second significant characteristic of air transportation relates to the small volume of business which the air carriers have thus far handled and the relatively narrow profit margins which have been characteristic of air transportation. Air transportation has not yet attained the magnitude of big business. The following tabulation presents the gross operating revenues of all of the air carriers and of certain railroads with comparable earnings:

Operating revenues

[In millions of dollars]

	1938	1939	1940	1941	1942	1943
All air carriers	42.8	55.9	76.8	97.3	108.1	123.3
New Haven Railroad	73.0	83.4	85.6	107.5	156.1	179.5
Atlantic Coastline System	44.1	47.0	50.0	67.4	115.1	153.6
Northern Pacific Railway	57.0	63.8	68.7	85.3	119.3	151.5

This tabulation indicates that the entire domestic air-carrier industry is about equal in gross earnings to a medium-sized railroad. Air transportation presumably faces a period of rapid and extensive growth, but thus far it has barely penetrated the existing travel market and has only started to develop that new and larger future market which air transportation's unique advantages in the conquest of time and space will create.

The narrow profit margins which have been typical of air-transport operations reflect certain significant characteristics of the industry. Unlike the railroads and other public utilities, the air lines have not been under the necessity of making any considerable investment in fixed capital; their principal investment has been in flying equipment, but this item, because of the high rate of depreciation, has had more of the characteristic of an operating expense than of a fixed capital account. In their freedom from the necessity for making heavy investments in fixed capital lies a source of economic strength for the air carriers.[14] Narrow profit margins may be a source of weakness as well as of strength, as net profits fluctuate sharply with relatively narrow changes in the level of gross earnings. Thus, air transportation is singularly sensitive to any developments which increase costs or curtail earnings.[15]

The ratio of revenues to expenses for all domestic air carriers was 108.87 in 1939, 108.42 in 1940, and 108.22 in 1941.[16] The narrow profit margins call for a higher degree of managerial and regulatory care than is necessary in dealing with other public utilities. Management is under the necessity of anticipating and offsetting possible reductions in operating revenues; relatively small increases in expenses may convert a profit into a deficit; investors are much more aware of changes in the condition of the company and are inclined to be more actively critical in their appraisal of management.

During the war period, all of the air carriers have experienced a great increase in the volume of travel which they have been compelled to handle with reduced fleets. The result has been that operations have been conducted with capacity, or near-capacity loads. In consequence, the ratios of revenues to expenses have increased sharply as shown in the following tabulation:

	1942	1943	1944 (12 months to November 1944)
All carriers	128.32	129.39	128.21
American	126.27	136.82	131.17
Eastern	145.22	147.07	138.98
Transcontinental & Western Air, Inc.	126.88	120.83	123.10
United	130.48	135.65	146.11

The figures for 1939, 1940, and 1941 are more representative of the conditions which will prevail when operations return to normal than are the ratios for the wartime years.

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A third significant characteristic of air transportation that deserves particular notice is that the industry is still in its developmental stage, both technically and commercially. Neither the size nor the peculiarities of the market which air transportation will ultimately serve can be accurately outlined at the present time. It is, therefore, essential that both management and government avoid freezing the industry into patterns which would make it less flexible in adapting itself to new economic and technical developments or less venturesome in exploring and fulfilling all of its potential opportunities for service.

Regulation came late in the history of other public utilities; only after they had attained a degree of maturity did the State or Nation step in to impose the restrictions of regulation. The norms of these older industries, the extent and character of the public service required, and the nature of the abuses to be curbed were all apparent before regulation reached that stage of evolution which the control of air transportation has already reached. In other fields of public transportation a substantial measure of competition was relied upon to insure that managements would be progressive, alert, and imaginative in fully exploiting their opportunities. Because air transportation has recently been moving in the direction of increasing competition, both by alternative routes and by parallel operations over the same route, it has been, and still is, essential that the public and the industry be able to hold the regulatory authority responsible for maintaining and fostering that economic environment which will insure the vigorous, progressive, and efficient growth of air services. That responsibility cannot be effective if it is to be administratively divided among different governments by a system of multiple regulation.

[10] Frequency of stops en route invariably increases the costs of operation since the take-off and landing and the maintenance of ground personnel and facilities are expensive.

[11] No figures are available for the average haul of express or cargo matter by air.

[12] Federal Coordinator of Transportation, Passenger Traffic Report, appendix I (1933). Commutation traffic is excluded from both the railway and bus data.

[13] Civil Aeronautics Board, Airline Traffic Survey: Origination and Destination, September 1940.

[14] Even if the Government had not undertaken the cost of providing airways, navigation facilities and airports, air transportation would not have been under the necessity of making an investment in rights-of-way at all comparable to those of the railroads. It must be recognized that all of the Government investments in airways, navigation aids, and airport facilities were not made for the benefit of air carriers. Private flyers and military aviation both make a greater use of such facilities than do the air carriers.

[15] This situation is aggravated by the fact that air transportation has thus far served the highest-priced segment of the transportation market. In times of curtailed national income, it is inevitable that air transportation will lose a significant volume of its traffic to lower-priced forms of transportation.

[16] The corresponding figures for the four largest domestic carriers were, for the same years, as follows: American, 115.73, 113.89, 117.02; Eastern, 117.59, 124.44, 122.32; T. W. A., 103.30, 98.81, 96.24; United, 104.98, 104.85, 105.76.

The developmental stage of air transportation has a further significance. In this stage it is of first importance to keep overhead costs, including the costs of compliance with public regulations, at the lowest figure consonant with safe and adequate service. The size of the market which air transportation can serve is limited by the level of charges imposed by contemporary conditions of cost. The large volume operations, which are essential both to give stability and security to the industry and capacity to fulfill its obligations to the public, can be achieved only if progressive rate reductions are possible.[17] Thus the industry's rate of growth will be dependent upon the ability to keep costs as low as possible. One test of the proper governmental policy toward air transportation is the contribution which such a policy can make to the achievement of lower costs and lower rates.

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3. FEDERAL REGULATION OF AIR TRANSPORTATION

The character of Federal regulation of air transportation deserves passing notice. Prior to the establishment of the Civil Aeronautics Authority in 1938,[18] the Government was principally concerned with promoting and fostering the development of air transportation. Regulation to protect travelers and shipper from overcharges was lacking. Primary attention was devoted to promoting both the technological and the commercial progress of the industry. The establishment of the Civil Aeronautics Board marked an elaboration in governmental policy toward commercial aviation. The Board was charged with responsibility for the promotion and maintenance of an air transportation system adequate to the needs of commerce, the Postal Service and the national defense, but in addition to these promotional and developmental responsibilities, the Board was charged with regulating the entry of new carriers into the business, the extension or abandonment of existing routes, the reasonableness of rates charged to travelers and shippers, and the establishment of that mail rate which would be necessary to the fulfillment of the national policy.

4. CERTIFICATES OF CONVENIENCE AND NECESSITY

If the States should require certificates of convenience and necessity as a prerequisite to engage in intrastate air commerce, how can such regulation be integrated with existing Federal controls? What effect will such State regulation have upon the present program of Federal regulation? These are pertinent questions in reaching any judgment on the wisdom of State economic regulation as currently proposed.

Four factual situations must be considered in any discussion of the above questions: The intrastate operations of an interstate airline; a geographically intrastate operation connecting with an interstate operation and serving as a feeder line; a geographically intrastate operation paralleling and competing with a segment of an interstate operation; and an intrastate operation which is wholly unrelated to and does not affect any interstate services. Under the proposed State legislation, the States would grant a certificate of convenience and necessity to any intrastate service already in operation. This grandfather clause would result in the automatic certification of existing air carriers to continue to engage in intrastate air commerce where they are already doing so.

For new operations, however, an interstate carrier desiring to engage in air transportation between two cities within the same State would find it necessary to procure a State certificate. In such a proceeding, the State commission would either merely "rubber stamp" the existing Federal authorization or would issue an independent decision which, unless it were in accord with the Federal decision, would create a conflict that could only be detrimental to the development of air commerce. If the State authority should automatically grant a State certificate to any carrier having a Federal certificate, it is difficult to see where the State regulation would in any way add to the effectiveness of existing controls or would otherwise serve the public interest. On the other hand, if the State regulatory body should refuse to permit a federally certificated interstate carrier to engage in intrastate commerce, the interstate carrier would be deprived of the opportunity to render an economical and efficient service; it might be prevented from achieving a better load factor and might thereby be compelled to operate less economically and at higher unit costs. Such a result might represent the attempt of the State body to afford protection to an existing intrastate operator or it might be the result of a desire of the State agency to develop a different pattern of air service which called for the performance of that segment of air transportation by a different carrier from that certificated by the Federal Government. In either event, the Federal program for the development of a national system of air transportation would be disrupted; the requirements of the national system would necessarily be subjected to considerations pertinent to a limited State system of air transportation which clearly would be unable to make as important a contribution to the public interest of the State as the national system. Such a system of State certification of intrastate operations by interstate carriers would compel the interstate carriers, some of whom operate through 20 or more States, to petition each State where they propose to make more than one stop and obtain appropriate authorization to carry passengers and property between points within the State.

What would be the situation if a State commission should undertake to certificate carriers to engage in feeder operations, connecting with one or more interstate carriers? If such carriers are in fact feeder operations, they are subject to Federal control under the Civil Aeronautics Act since they are carrying interstate commerce. The fact that they would also be engaged in the carriage of a substantial volume of intrastate commerce would not alter their status as a component of the national air network. Feeder operators would presumably be engaged in the carriage of mail, another factor which would bring them under Federal control, especially if they required mail payments to aid in the development of their service. Such feeder-line operations, whether confined wholly within a State or operating between two or more States, would constitute a significant part of the national system of air transportation and it would seem that they would be properly subject to Federal control. If they are also subject to State regulation, the possibility exists that the State plans for air transportation may not conform to those of the national agency; the result may be jurisdictional conflicts and compromises which would seriously detract from the ability of the carrier to perform an essential public service.

An intrastate operation paralleling and competing with an interstate operation is the third type of service which the State might certificate. Here again action by the State might interfere with the Federal program of balanced and controlled competition. In view of the judicial precedents heretofore noted, there would seem to be little doubt that a paralleling and competing air carrier operating wholly within the State could be brought under Federal jurisdiction if its operations were found by Congress to affect interstate commerce.[19] If, for example, a State operator should fly between San Francisco and Los Angeles or between El Paso and Texarkana, or between New York and Buffalo, the resulting diversion of traffic from the interstate operator would undoubtedly supply the constitutional basis for the exercise of Federal control. It is clear, however, that Congress thus far has not exerted its power to impose any such economic control over intrastate air operations.

It is only in the case of the air line whose operations neither parallel and compete with the interstate carrier nor connect with the interstate carrier in such a way as to carry a substantial volume of interstate commerce that the State authority could regulate through the issuance or denial of certificates without the danger of seriously disrupting the program of regulation adopted by the Congress. It may be questioned whether many such operations will exist. Many will doubtless be started, but few will survive in such a restricted area. The economics of the market for air-transport services will normally require the local operator to adjust his operations to a market which extends across State lines.

* * * * *

Thus it appears that State regulation of air commerce through the granting or withholding of certificates of convenience and necessity involving as it would a multiple control by 49 governments instead of a unified control by 1, carries the prospect of an adverse effect upon the development of a national system of air transportation. The public benefits to be anticipated through such a division of regulatory responsibility would hardly seem to justify the burdens thereby imposed.

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CONCLUSIONS AS TO THE APPROPRIATE SCOPE FOR STATE REGULATION OF AIR COMMERCE

1. AN APPRAISAL OF THE ARGUMENTS FOR STATE REGULATION

In weighing the conclusions as to the appropriate scope for State economic regulation, the arguments advanced for State regulation must be examined, and the probable consequences, for good and for evil, of State regulation must be assayed. A number of minor considerations call for passing comment.

The case for State regulation is more impressive on the political than on the economic plane. Considerations of the dignity of the State and the possibilities of Federal encroachment, while they are potent political arguments, are largely irrelevant to the basic issues of public interest, National or State. Air transportation is essentially interstate and international in scope. The local services will be of importance chiefly as they are integrated with the interstate services. Even the local operations will be largely interstate, both in carrying passengers and goods in interstate commerce and in operating across State lines. Federal regulation will of necessity have to assume major responsibility for the development and control of such services. However anxious the Federal Government might be to avoid regulatory responsibility and however eager the States may be to preserve their jurisdiction, the economic determinants of the industry press irresistibly in the opposite direction. The regulation of air commerce not isolated from the national network, if it is to promote the national interest, must be Federal. No State body can be given jurisdiction coextensive with the operations which it must govern;

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[17] See address by L. W. Pogue, Chairman, Civil Aeronautics Board, on air transportation's post-war passenger potential. Proceedings of National Aviation Clinic, Oklahoma City, Okla., November 17, 1944.

[18] By Reorganization Order No. IV the name of the Civil Aeronautics Authority was changed to Civil Aeronautics Board.

[19] *United States* v. *Wrightwood Dairy Co.*, supra, note 51; *Wickard* v. *Filburn*, supra, note 53.

State regulation in all likelihood would become a crazy quilt of clashing colors and inconsistent patterns.

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2. A BURDEN UPON AIR COMMERCE

State regulation threatens to lay a serious burden upon the development of air transportation. This is so for two reasons: State regulation is likely to result in numerous conflicting and inconsistent orders by the several State commissions and by the Federal and State authorities; the very multiplicity of regulation to which air transportation will be subjected in itself will constitute a serious economic burden which may jeopardize the development of the industry.

The burdens resulting from multiple regulation by the States and the Federal Government would be of two types. One of the serious burdens that could result from independent State action to authorize new services would arise from the competitive duplication of interstate services by intrastate operations. * * *

Significant financial burdens could be expected to result merely from compliance with multiple regulation. Many of the air lines operate across a dozen States or more; five are transcontinental in their operations; four traverse the length of the country north and south. The compliance burdens resulting from State regulation become serious then because the carriers are subject to so many separate jurisdictions and because the earnings of the industry will not support such a burden. The small volume of air operation and the narrow margins of profit make air carriers peculiarly sensitive to increases in costs. In the years immediately ahead, it will be essential for air transportation to drive steadily and successfully toward lower levels of costs if the industry is to serve a mass transportation market which will give it economic stability and security. Any development, such as the necessity of conforming to the regulations prescribed by each of the States through which the carriers operate, might seriously impair the ability of the industry to reduce costs and perform the larger public service of which it is otherwise capable. In this respect air transportation differs significantly from surface transportation, both rail and highway; differences in the volume of operations, differences in the operating margins, differences in the proportion of local to interstate business, and differences in the number of separate jurisdictions to which air carriers would be subject, all combine to strike down any assumed analogy between air and surface transportation as a support for a multiple regulation of air commerce.

3. OTHER CONSIDERATIONS

There exists among members of the air industry a not unnatural fear that the regulation of air commerce by the State public service commissions and the railroad commissions may lead to the adoption of State programs which will be contrary to the policy being pursued by the Federal Government. The future relations between air and surface transportation inevitably color much of the thought and discussion with respect to proposals for State regulation. In the Federal Government, the regulation of surface and air carriers are entrusted to two independent regulatory bodies, and it is significant that the Civil Aeronautics Act of 1938 does not mention the possible effects of air competition upon surface carriers as one of the matters to be weighed in deciding what development of air transportation is in the public interest.

The present movement for State regulation of air commerce recalls the campaign for State regulation of highway carriers in the early 1930's. Some of the consequences of that regulation deserve mention. The lack of uniformity of State regulations, especially as applied to the weight and size of vehicles, brought disastrous consequences in the erection of trade barriers, which were wiped out temporarily only under the pressure of war necessities. Multiple State economic regulation might be equally disastrous for air transportation. The regulation of highway carriers, both by Federal and State bodies, was accompanied by the application of the norms and patterns of railroad regulation to the competing highway carriers. One result has been a tendency for the rates of one carrier to be set with regard to their influence upon other types of carriers. Compromise in adjusting the requirements of one form of transportation have not only deprived the public of many of the advantages which might have been expected from a more vigorous competitive development of each form of transportation, but have even deprived the public of some of the advantages in the form of low costs and low rates which were expected to follow from public investments in the improvement of highways and waterways. As applied to air transportation, there is a fear that rate differentials would be maintained between the several forms of transportation, and that new air services would be refused certificates where State authorities believed existing surface transportation adequate. The latter fear has been accentuated by a provision in a recent Kentucky statute requiring the commission to consider existing surface transport services in passing upon applications for new air services. Such a policy would, of course, be diametrically opposed to the basic principle of the Civil Aeronautics Act of 1938 which is to encourage the maximum development of air transportation consistent with the national interest. The fear that air transportation might be subordinated to surface transportation is very real and is not without adequate foundation in past and contemporary history, both in this country and abroad.

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4. THE RELATION OF STATE TO FEDERAL REGULATION OF AIR COMMERCE

Where do the States fit into the regulation of air commerce? The States may have a role to perform in the regulation of air transportation in the future. If and when the States begin to regulate, the proper exercise of their functions will require a careful articulation with the functions of the Federal Government if the result is not to handicap the development of air commerce. Any system of State control of aviation must avoid duplicate and multiple regulation of the same air carriers by both the Federal and State Governments. This principle is essential not only to avoid conflicting and inconsistent regulations but also to spare the industry the burdens which compliance with multiple regulations would impose. This conclusion is not dictated by a desire to deal more favorably with air carriers than with surface transportation companies; rather it rests upon a realistic recognition of the fact that air transportation, because of its relatively small business volume and narrow profit margins, cannot develop and effectively serve the public unless every effort is made to insure lower unit costs and reduced rates.[20] Such multiple regulation cannot be successfully defended on the ground that it is necessary to serve any essential public interest. Indeed, the prospect for purely intrastate air transportation, that is, the operation of air carriers confined wholly to the State and not engaged in the carriage of interstate commerce or the mail, could presently be cited as a basis for the establishment of State control in but a few States, and even in those States, the local air carriers will seek to place themselves within Federal jurisdiction in order to qualify for the mail payments which they require to finance their development.

If, however, the State should conclude that a public need exists for State regulation of air commerce at the present time and should undertake a program of active economic regulation, what should be the scope of the State commission's jurisdiction? Certainly every effort should be made to prevent conflict between State and Federal regulations and duplicate regulation of the same airline by both Federal and State authorities should be avoided. To insure this result each air line should be responsible to only one rather than to many regulatory bodies. Therefore, any State regulatory legislation should limit economic control to those air carriers which are not subject to Federal regulation. Air transportation in the United States cannot properly develop and fulfill the national objectives which Congress has declared in the Civil Aeronautics Act of 1938 as essential to the national interest if it is to be subjected to varying and conflicting patterns promulgated by the Federal Government and the 48 States.

OSWALD RYAN.

WASHINGTON, D. C.

[20] The sensitivity of air transportation to increases in cost and the importance in the public interest of avoiding unjustified and unnecessary costs were recognized by the Congress when, following the decision of the Supreme Court in the *Northwest Airlines* case (*Northwest Airlines* v. *Minnesota*, 322 U. S. 292 (1944)), it directed the Civil Aeronautics Board in Public Law No. 416 to study the problems of multiple and burdensome taxation of air commerce and to prepare recommendations as to the means of avoiding such taxation.

FULL EMPLOYMENT AFTER THE WAR

Mr. MURRAY. Mr. President, the most important question in the minds of the American people today is whether we will have depression or prosperity after the war. This question underlies all our debates and discussions on current issues—from price control and international-currency stabilization on the one hand, to war-manpower legislation and wartime-wage policy on the other.

To an increasing extent discussion of this question seems to center around the full-employment bill, introduced in the Senate by the Senator from New York [Mr. WAGNER], the Senator from Utah [Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY], and myself; and in the House of Representatives by Representative PATMAN. One of the most interesting of the recent discussions of our post-war future appeared in the Washington Post and other newspapers throughout the country on Tuesday, March 27, in an advertisement by the McGraw-Hill Publishing Co., an outstanding publisher of business and industrial magazines. In this advertisement James H. McGraw, Jr., president of the McGraw-Hill Publishing Co., indicates that to achieve full employment in 1950 we shall need "civilian jobs of between 55 and 57 million persons, with a gross national product of between $185,000,000,000 and $200,000,000,000 measured at 1943 price levels."

However, McGraw points out:

Only the most sanguine optimism could lead one to expect that they will be achieved without concerted will, planning, and cooperative effort. * * * If we were to follow past patterns our war-built boom would, after a period of uncertain length, collapse into disastrous depression. * * * A repe-

tition of these things cannot be tolerated—if foresight and cooperative effort can prevent them.

Mr. McGraw then points out that the full-employment bill "may well present a test of whether or not American business can deal with problems in this area in a statesmanlike fashion." He then states that businessmen must come forward with constructive suggestions to remedy whatever deficiencies there may be in the present text of the bill.

Although it is not my intention at this time to discuss Mr. McGraw's views on the present deficiencies of the bill, I am confident that I am voicing the convictions of all the sponsors of the bill when I say that we welcome suggestions for amendment. We do not regard the bill in its present form as perfect. We are earnestly soliciting the criticisms and suggestions of businessmen, small and large, throughout this country, for without the cooperation of business, no practical and effective program for post-war prosperity can possibly be achieved.

Mr. President, I ask unanimous consent that the statement by Mr. McGraw, to which I have referred, may be printed at this point in the RECORD in connection with my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

AMERICA WANTS PROSPERITY

A book to be published early in April by the McGraw-Hill Book Co. carries the provocative title "Prosperity: We Can Have It If We Want It." Its authors, Messrs. Shields and Woodward, state in vigorously challenging terms their conviction that the United States will emerge from war with human, material, and technological resources adequate to provide a Nation-wide standard of living unprecedented in world history. They present, too, their formulation of the several policies and procedures which must be followed by Government, business, and labor if we are to realize our potential for a high and sustained prosperity unmarred by prolonged periods of severe unemployment and business stagnation such as have haunted our economic past.

The specific proposals set forth will elicit both enthusiastic acclaim and acrid dissent, for the book deals in far from gentle fashion with many of the currently fashionable panaceas for assuring prosperity by magic formula. It examines, and discards as effective guarantors of prosperity, whatever their individual merits upon other grounds, programs for public works, slum clearance, subsidizing of small business, foreign loans, social insurance, deficit Government spending, redistribution of income, the numerous formulas for monetary management, repeal of the antitrust laws, or any of the loosely phrased admonitions that Government should do nothing and allow everything to take its course untrammeled by controls of any kind.

On the positive side, the book urges clear recognition of the fact that prosperity, under a system of business enterprise, depends primarily upon the existence of competitive incentives that spur capital investment to provide better tools and equipment, that improve organization and technology to insure continuously increasing productivity per man-hour of work, and that enlarge markets by producing what the consumer wants at lower prices to the end that real incomes may be increased.

In short, prosperity depends upon profitable and expanding business and employment opportunity, so it becomes the part of enlightened Government, business, agriculture, and labor policy to promote those measures which will forward rather than retard the major aim of expanding production.

However great the room for dissent upon the adequacy, or the phrasing, of the specific recommendations it makes, the approach of this book has one virtue of solid merit. It attacks positively the problem of what steps should be taken to achieve and hold prosperity rather than merely devising a poultice to be applied when and if we run into a decline.

Virtually all responsible spokesmen for Government, and for business, labor, and agricultural groups, are agreed upon the goal of prosperity. Moreover, they agree that, insofar as possible, it should be achieved through the effort of private enterprise, with government intervention utilized only as a last resort. But despite this unanimity, almost all public discussion of the problem has concentrated upon the nature, the extent, and the timing of such government expenditures as may be found necessary to combat deflation. Since upon this question there is far from general agreement, our procedure has created an exaggerated sense of divergence in a field in which, so far as fundamentals go, we all are in accord to quite an unusual degree.

No confusion should be caused by the fact that the generally current phrase for prosperity is "full employment." The latter phrase merely states the goal in terms of human values, which are good terms in which to state any goal. What matters is that we generally are agreed as to what we mean when we say that we want prosperity or full employment. Not only do we know what we mean, but within very rough limits we can give dimension to our concepts. There are a few whose appraisals are somewhat lower, but most competent estimators set the goals for about 1950 at an average annual employment in civilian jobs of between fifty-five and fifty-seven million persons, with a gross national product of between $185,000,000,000 and $200,000,000,000 measured at 1943 price levels. This contrasts with the 1944 level of non-military employed of fifty-one and one-half million, and a gross output for the end of 1944 of over $200,000,000,000. It assumes a reduction of the average workweek to 40 hours.

It will take some such levels as these to provide employment for those who seek work, with only sufficient frictional unemployment (those temporarily listed as unemployed because of the normal turnover between jobs) to afford reasonable labor-market flexibility to both workers and employers. The non-military employment figures are generally consistent with the officially stated post-war goal of jobs for 60,000,000 workers, since the latter figure is generally understood to be an estimate of the labor force, which includes members of the armed services and an allowance for frictional unemployment.

There are a number of reasons why the estimates cannot be figured more closely, and why no one can be very confident even of the validity of the stated limits. The chief points of doubt in the employment estimates relate to how many withdrawals there are likely to be on the part of women, oldsters, and youngsters, who now are in the labor force to a number more than 6 millions beyond normal expectancy; how many men will be retained in the armed forces; and whether the post-war frictional unemployment should be calculated as approximating the current one million or the three million so listed in the properous year of 1929. Additional uncertainties cloud the estimates of gross national product. Notable among them is the fact that no one is sure of the war's effect upon man-hour productivity trends, in view of the fact that half of our current output has consisted of products that had no substantial counterpart in our peacetime price or production series.

Nevertheless, despite such qualifications, it is fair to say that we do have a general conception of the magnitude of our post-war goals. Although they are well within our production potentials as demonstrated in this war, they are formidably beyond any previous record of peacetime achievement. Only the most sanguine optimism could lead one to expect that they will be achieved without concerted will, planning, and cooperative effort. Only blind recklessness could engender confidence that once attained they will automatically be held, let alone expanded, in normally healthy growth.

If we were to follow past patterns, our war-built boom would, after a period of uncertain length, collapse into disastrous depression. The very magnitude of our recent growth would contribute to the depth and duration of the subsequent trough. Yet a fall even to the level of our previous peacetime-peak year 1939, has been estimated by the Federal Reserve Board to imply unemployment for between fifteen and twenty million persons. If human values have importance, that is something that must not be allowed to occur. If business values have importance, we must not tolerate again such losses as occurred from 1930 to 1933, when sales over the 4-year period were $123,000,000,000 less than would have been provided if the 1929 level had held, and corporate profits declined from more than $7,000,000,000 in 1929 to an average annual loss of $1,000,000,000 over the next 4 years. A repetition of these things cannot be tolerated—if foresight and cooperative effort can prevent them.

In January of this year Senator MURRAY introduced in the Senate a bill entitled "The Full Employment Act of 1945." It instructs the President to submit to Congress plans for eliminating both unemployment and inflation, including recommendations for correcting structural defects in the economic system. It provides for a joint congressional committee to consider the proposals of the President, to take testimony from experts and the general public on these proposals or any others it may wish to consider, and after weighing all the facts to submit its findings to Congress. It provides for an advance budgeting of the constituent parts of a full-employment economy, and commits the Federal Government to provide, in advance, for sufficient expenditures (through private contractor channels) to make up for the gap between estimated private expenditures and the amount necessary to assure full employment.

By no stretch of the imagination can the full-employment bill, in its present form, be regarded as acceptable to business. Yet, it may well present a test of whether or not American business can deal with problems in this area in a statesmanlike fashion. Such statesmanship will consist in demonstrating first, that the bill is not acceptable because of deficiencies which preclude the possibility of its accomplishing the avowed purposes; and second, that business is able and anxious to offer constructive suggestions for remedying these deficiencies.

It is easy to point to weaknesses in the bill. To mention only a few of major importance, the proposal to make advance Federal expenditures to compensate for estimated deficiencies in prospective private expenditures is completely impractical. No one in the country can predict future trends with sufficient accuracy for this purpose; no one can tell what the constituent parts of a really high, stable peacetime budget should be, for in our boom-or-bust economy we have no stable pattern to project; no one can tell, within reasonable limits, how much the Government should spend in advance to assure full employment. The bill pronounces

labor's right to work without defining commensurate responsibilities which it should exercise. It does not define the areas of proposed Government expenditure in such a way as to allay business fears of Government competition or the general public suspicion of leaf raking. Above all, the Murray bill is defective in that, despite a somewhat vague pronouncement in favor of forwarding private business activity, it recommends a single specific designed to supplement such activity rather than stimulate it.

The very definition of certain of these faults suggests their remedies. But the positive task of stating how the bill should be amended in order that it may have effective usefulness is far from simple. Yet it is enormously to the advantage of American business to undertake it. Fortunately, there is a representative group sponsored by industry, the Committee for Economic Development, which has for some time been working intensively upon the problem, and which is excellently equipped to offer sound and progressive advice. It should be used for this purpose.

American business cannot afford to take a negative attitude toward legislation in this field. Some legislation undoubtedly will pass, for the problem is one in which there is a grave Government responsibility. But equally there is a comparably important responsibility upon all citizen groups. None of them has more to gain or lose from the rise or fall of prosperity than American business.

JAMES H. MCGRAW, JR.,
President, McGraw-Hill Publishing Co., Inc.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 122. An act to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended;

S. 123. An act to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended;

S. 124. An act to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924; and

S. 638. An act to amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 2122) to extend to 6 months after the termination of hostilities the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits.

The message further announced that the House had agreed to the amendment of the Senate to the joint resolution (H. J. Res. 106) to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TARVER, Mr. CANNON of Missouri, Mr. SHEPPARD, Mr. WHITTEN, Mr. PLUMLEY, Mr. H. CARL ANDERSEN, and Mr. HORAN were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; and

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The Senate resumed the consideration of the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The question before the Senate is on agreeing to the amendment proposed by the Senator from Texas [Mr. O'DANIEL] as a substitute for the amendment proposed by the Senator from Tennessee [Mr. STEWART] and other Senators to House bill 2625.

Mr. O'DANIEL. Mr. President, on that question I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. O'DANIEL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	Murdock
Austin	Hart	Murray
Brewster	Hatch	O'Daniel
Bridges	Hayden	O'Mahoney
Buck	Hickenlooper	Radcliffe
Burton	Hill	Revercomb
Butler	Hoey	Robertson
Byrd	Johnson, Colo.	Russell
Capper	Johnston, S. C.	Shipstead
Chandler	Kilgore	Smith
Chavez	La Follette	Stewart
Cordon	McClellan	Taylor
Donnell	McFarland	Tunnell
Downey	McKellar	Walsh
Eastland	McMahon	White
Ellender	Magnuson	Wiley
Ferguson	Maybank	Wilson
Gerry	Mitchell	Young
Green	Morse	

The PRESIDING OFFICER. Fifty-six Senator having answered to their names, a quorum is present.

The question is on agreeing to the amendment offered by the Senator from Texas [Mr. O'DANIEL] in the nature of a substitute for the amendment offered by the Senator from Tennessee [Mr. STEWART] on behalf of himself, the Senator from West Virginia [Mr. REVERCOMB], the Senator from Iowa [Mr. WILSON], and the Senator from Colorado [Mr. JOHNSON] to insert a new section at the end of the bill.

Mr. O'DANIEL. Mr. President, I have little further to say with reference to the amendment which I have offered as a substitute for the Stewart amendment, except that in the discussion which has taken place on the floor of the Senate it has been brought out that 2 years ago when we amended this act the Senate adopted the same amendment. Then we were raising our Army and time was an important element. Now we have a large Army and we have more time to use in training the new inductees. There is much more reason now to adopt this amendment than there was on October 25, 1942. We adopted it then, and we should adopt it now. After we adopted this amendment in 1942, it was stricken out in conference. When it was stricken out, the impression was gained by the citizens throughout the Nation that the military authorities would give sufficient training without being bound by law to do so. Now it is brought out that the War Department gave no such assurance or made no promise at that time of any definite length of time of training which would be given to boys 18 or 19 years of age. I would not wish to make the statement that such assurance was given; but it is quite generally believed throughout the country, as indicated by letters which I have received, that the War Department gave some assurance that adequate training would be given the boys before they were placed in actual combat. Now the people have no assurance from either the military authorities or the Congress. They are completely in the dark and I think we should ease their worried minds and hearts by giving them definite assurance that their 18- and 19-year-old boys will be properly trained. I would not want to set myself up as a military authority on the length of time the boys should be trained before being placed in actual combat and I am not the one who selected 12 months as the proper time. Many military experts months ago testified that 12 months should be the minimum. I simply used the period of time the military experts insisted upon when the original 1-year selective-service training period was adopted to made the law of the land. Inasmuch as the people of the Nation are in complete confusion, and some of them believe that the boys are given practically no training before being placed in combat, I think it is imperative that this legislative body take notice of this situation and provide in this bill some limitation, whether it be 12 months, 6 months, 3 months, or 10 days. It is the responsibility of Congress to make the determination. I think it should be 12 months and should apply to both 18- and 19-year-old inductees.

I think the Congress should definitely state that there should be a 12-month period of training for the 18- and 19-year-old boys before they are sent overseas and placed in actual combat.

Two years ago I offered the same amendment, and it was adopted. If there is now any difference of opinion as to the length of the period of training which should be given to these boys, I should like to hear from Senators present if any of them feel that 12 months is too long. I believe that some time should be specified. I should be glad to hear suggestions from Senators. I believe that it is the duty of the Congress, representing the people, to give some sort of assurance to the mothers and fathers of this Nation, who are gladly giving their boys, and who are proud to have their boys go into the service. I believe it is our duty to assure those mothers and fathers that their boys will have some training.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. O'DANIEL. I yield.

Mr. TAFT. From my study of the matter, I believe that 12 months is too long a time to specify. I do not believe I can vote for the Senator's amendment, because I believe that the basic 17 weeks' training in this country, plus 2 or 3 months' training with a division behind the lines, will today give adequate training. I believe that the period of training ought to be at least 6 months. I really think it ought to be 8 months, but at the present time I feel that it is unnecessary to specify a period of 12 months. Although I have an intense interest in the subject, I cannot vote for the Senator's amendment.

Let me call the Senator's attention to the fact that as late as December 7 Under Secretary Patterson said that in general a minimum of approximately 8 months elapses between an individual's induction and his assignment under the replacement system to an active sector on the front. That statement was made in December. If the Department had stood by that practice, I would have no great objection; but when the period became as short as 5 months between the time of a man's induction and his actual assignment to an active sector on the front; it seemed to me perfectly clear that he had no training except basic training in this country. The men were being assigned to units in actual combat directly from the ships on which they arrived in Europe. I believe that after reaching Europe a man should spend 2 or 3 months in further training with the unit to which he may be assigned before he is sent into combat service, so that he will know his job. That would give him adequate training.

I cannot vote for the Senator's amendment as it is now drafted. I would be willing to vote for a period of 8 months, as the War Department suggested in December; but I believe that 12 months is longer than is really necessary.

Mr. O'DANIEL. The length of time necessary for adequate training is, of course, a matter of opinion. I think we should depend largely upon what the War Department says the length of the training period should be. When the Selective Service Act was passed there was abundant testimony of military experts that 12 months was the minimum length of training inductees should receive. My amendment is based on what the military experts testified was necessary at that time. I understand that in a letter which the Department recently sent to the chairman of the Committee on Military Affairs, it admitted that between 15 and 17 weeks' actual training is now given to each and every inductee. I believe the Congress should decide, based upon the statements of the War Department, what the length of the training period should be. It should be made the law of the land by being placed in this bill at this time. That would relieve the anxiety and heartaches of mothers and fathers. They would have some assurance from their Congress that there was a time limit, instead of being entirely in the dark, without any assurance either from the military or from the Congress.

I believe that the Congress is the department of Government which should make this decision. If any Senator wishes to suggest a modification of the amendment which would change the length of time, I shall be glad to give it consideration. However, I believe that the training period should be 12 months as specified by military experts when we set up the Selectice Service Act, and inasmuch as we changed the fundamental law and reduced the age limit from 20 to 18, we should make this amendment apply to both the 18- and 19-year-old boys.

Mr. HILL. Mr. President, I rise at this time to bring to the attention of the Senate a letter from General Marshall, Chief of Staff, addressed to the Senator from Utah [Mr. THOMAS], chairman of the Committee on Military Affairs. The letter is dated April 17, and it reads as follows:

MY DEAR SENATOR THOMAS: My attention has been called to certain amendments which I understand are to be proposed to H. R. 2625—

Of course, Mr. President, that is the pending bill—

One would prohibit the employment of men inducted under 19 years of age in actual combat service until they have been given at least 6 months of military training, and the other would preclude such service of men under 19 years of age until they have been given at least 1 year of training.

I am gravely concerned over the effect of either of these proposals upon military operations. Such statutory restrictions are evidently inspired by the belief that our soldiers are not properly trained before being assigned to combat units. The responsible military authorities, however, are of the opinion that the training is adequate to the requirements.

The training program is very intensive and equally thorough. Furthermore, most of the instructors now concerned with this work are veterans of actual combat experience. Under the present procedure the newly inducted soldier who is being prepared as a replacement for the ground forces undergoes a training course of from 15 to 17 weeks. He is taught how to care for himself in the field; how to employ both his primary and secondary weapons; and how he and his weapons fit into the squad and platoon. Satisfactory completion of the course means that he is qualified for service to which he is to be assigned.

I have personally inspected many replacement training camps to make certain that the work is being conducted in the most efficient manner practicable. General Lear, and now General Stilwell, give their entire time to the direction and supervision of this work, Lear in Europe and Stilwell here at home.

After the training period is finished the men are placed in experienced units where the leadership from the noncommissioned grades upward in the hands of veterans. En route to assignment overseas the men are given further training in the staging areas here and abroad, and actual assignment in divisions, so far as possible, is made to reserve units where further training is given. Carefully developed training tests, supplemented by combat reports from overseas, have clearly indicated that the proficiency of the soldier is brought to such a level during this period of training that he is fully capable of properly filling a vacancy in a seasoned organization.

The majority of the men now being received from selective service are in the 18- and 19-year-old group, and we are in urgent need of their services. Once an individual under 19 years of age has been fully trained as a replacement, it would be most undesirable under present conditions to hold him unassigned for an additional period of 6 or 7 months. We would, in effect, have to hold thousands upon thousands of men on a waiting list after their essential training had been completed before we could utilize their services.

The War Department has made every possible effort consonant with the military situation to hold to a minimum the number of 18-year-olds entering combat. In February 1944 instructions were issued requiring the use of 18-year-olds with less than 6 months' service only after all other replacement resources were exhausted. During June of that year it was ordered that no Infantry or Armored Force replacements would be sent overseas before they had attained 19 years of age.

Mr. President, I hope Senators will listen carefully to the letter, because there has been a change in our Army and in the situation since last June.

This procedure was only made possible by the assignment of these men to divisions in this country, balanced by heavy drafts—up to 5,000 men—drawn from those divisions to supply the replacements required overseas.

In other words, Mr. President, if I may interpolate at this point, let me say that up until a few months ago we still had in the United States divisions of our Army. After the 18-year-old and 19-year-old men had been trained, we could draw from the divisions men who had been in them for some time and send them overseas as replacements, and then could put the younger men who had just finished their training into the divisions as replacements. But today the situation is that we no longer have any divisions in the United States. They have all gone overseas. They have gone overseas for the reason that we cannot fight the enemy here in the United States. If these divisions were to serve the purpose for which they were organized, to wit, to meet the enemy in combat and to fight the enemy, they had to go overseas where they could get at the enemy.

Mr. AIKEN. Mr. President, will the gentleman yield?

Mr. HILL. I yield.

Mr. AIKEN. I wish to inquire whether all boys are now receiving 17 weeks of basic training in this country before they are sent overseas?

Mr. HILL. My understanding is that all boys inducted are given between 15 and 17 weeks of basic training in this country before they go overseas.

Mr. AIKEN. Then they are given 2 weeks' furlough at home, are they not?

Mr. HILL. They generally receive some furlough at home. The extent of furlough varies, I think. I would not say that all of them receive 2 weeks' furlough.

Mr. AIKEN. And it takes 2 weeks to get them overseas, does it not?

Mr. HILL. I do not know whether that is the case. If they go on a ship such as the *Queen Mary*, the time required to reach abroad is less than that. I understand the *Queen Mary* crosses the ocean in approximately 4½ days.

Mr. President, I ask the Senate to visualize the situation of such young men. They have had their basic training, which lasts from 15 to 17 weeks. They have learned what we call the school of the soldier. They have learned to use their weapons, and they have learned to take care of themselves as individuals. Then they are assigned as members of a team. When they are assigned as members of a team, they go into divisions overseas. There are now no divisions in the United States. They are put in with seasoned and trained veterans, in divisions overseas, and they take their places as members of the team.

Mr. LANGER. Mr. President, does the distinguished Senator from Alabama on his own responsibility say that the boys receive from 15 to 17 weeks of training?

Mr. HILL. That is correct.

Mr. LANGER. I have received letters from parents who advised me that their boys were inducted and were sent overseas in a matter of 2 weeks.

Mr. HILL. Let me say to the Senator that that situation is another one which tends to confuse our thinking. I do not think that any infantryman has been sent overseas in 2 weeks' time. I can visualize a situation in which a man who is a radio expert might be sent overseas almost immediately in case the Army had great need for a radio expert in a certain theater of war. But, so far as any infantryman is concerned, I assert that he receives from 15 to 17 weeks of basic training before being assigned to a division. As the Senator knows, a division is a fighting unit. When men go into battle they go in as a part of a division. Some men who may have been fine engineers may have been needed at some particular place and were assigned without having received much training. But I say that men who are to go into combat as infantrymen receive from 15 to 17 weeks of basic training before being placed in a combat team which, as I have said, is a division.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LUCAS. The Senator is talking about men who are experts in some particular line, and have already been trained before being sent overseas. A radio engineer, or an expert in that line, may not need any extra training. He perhaps already has sufficient knowledge to enable him to impart some of it to members of the armed forces he joins.

On the subject of training, I should like to know if any man has been assigned to infantry service overseas without having received any basic training. I have heard the statement made over and over again on the floor of the Senate that such has been the case. I have heard that letters have been received by Senators with respect to the matter. I think they should go before the Military Affairs Committee and have General Marshall and other high ranking officers called before them to ascertain the truth of those charges. It is not fair or just to send 18- or 19-year-old boys, or even 30-year-old men, into any combat group without giving them adequate training. It is not fair to men high in the military command if the statements are without authentic foundation. The charge has been made that that has been done, and I wish to see some proof of it. I should like to see the letters about which I have heard so much in the Senate. I should like to see the writers of the letters brought before some committee. If only one boy of any age has been sent into combat without having previously been given the required period of training, the War Department should be severely reprimanded for it by the Congress, and I would join in the reprimand.

Mr. President, I wish to reiterate what I said on the floor of the Senate the other day concerning 18-year-old boys. With respect to the 6 months' period of training, I cannot see how the Senate of the United States can discriminate between a boy who is 18 years old and a man with a family, whether he be 20 years old, 30 years old, or of any other age. If we provide training for one, we must provide training for all. If we provide that 6 months of training shall be given, we cannot take the 18-year-old boy and give him preference over a man who may have five children, for example, ranging from a year to eight, or even more years of age.

Mr. HILL. I agree with the Senator. The man with five children, being much the older, may need more intensive training than the agile and vigorous youngster.

Mr. LUCAS. Will the Senator further yield to me on that point?

Mr. HILL. I yield.

Mr. LUCAS. Today I was in the Supreme Court for the purpose of moving the admission of a colonel in the Army to practice before that high tribunal. He has been training troops at various intervals for the past 3 years. I spoke to him about this subject. He said, "Senator, the boy who is 18 or 19 years old makes a better soldier in 17 weeks or 6 months of training than the man who is 28 or 30 years of age."

Mr. HILL. The Senator knows who makes the best football player or the best baseball player. The older man always needs more training than does the younger man.

Mr. President, I am glad the Senator from Illinois has raised the question. I do not believe that any evidence can be brought forward to show that any man has been placed in an infantry division without having received adequate and proper preparation. No man is placed in combat without—to use the words of General Marshall—"going through a program which is very intensive and equally thorough. They all go through this program."

I may say to the Senator from Illinois that I can conceive of a situation such as that which existed when Von Runstedt made his drive into the Ardennes and created what is known as the Belgian bulge. I can understand why it was necessary for the commanding officer to throw everything he had into that fight in order to stop the Nazi drive. I can understand that he might have taken a cook, or a man who had not been in an infantry division, such as a man in an aircraft division, for example, put a rifle into his hands, and said to him "You must fight." Perhaps that was the only way the commanding officer had of stopping the Nazis. I think that if he were present on the floor of the Senate, Admiral Hart, who is a former high-ranking officer of the Navy, would say that when he took a ship into battle he had every man on the ship manning a gun.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. McCLELLAN. It has been argued that possibly men who were pressed into combat service without first receiving 6 months of training were experts such as engineers, or radio technicians. I doubt whether, among the 18-year-olds, there are any engineers or expert technicians who could be pressed into service. My guess is that practically all of the soldiers 18 years of age were high-school students when they were inducted. I do not think the argument which has been made on that point is very persuasive. If untrained soldiers are not being pressed into active service, there should be no real objection to the provision for 6 months of training. I believe we all know that no boy 18 years of age will become a seasoned and well-trained soldier in such a period of time. He may receive the rudiments of military training in that length of time; he may learn the rudiments in the school of the soldier; but there is more to being trained for combat duty than that. I can appreciate that after a soldier has received his basic training in the school of the soldier it is well to give him training in a division, but that does not mean that the possibility should not be avoided of his obtaining his first training in the battle line.

Mr. HILL. Mr. President, in testifying before the House Committee on Military Affairs General Edwards was asked this question by Representative ELSTON:

> Are there any who have been in combat less than 5 months after induction?

He was speaking of the 18-year-old boys.

General Edwards replied:

> I do not know. I do not think it is possible for anyone to get in combat in less than 5 months. I do not know of a single case that has come to our attention.

Mr. President, before reading further from General Marshall's letter, allow me to state the practical situation with which we are confronted. After these men have received from 15 to 17 weeks of basic training and are sent overseas, we all know that, so far as they are con-

cerned, their training should be continued as a member of a team. They should be placed in a unit with which they will later go into combat. They should be placed in a division. Yet if we adopt this amendment no man could be put into a division overseas that might be called at any time to go into combat unless it had been made sure that he had been in the service for at least 6 months. Divisions held in reserve which it may not be the intention to use immediately may contain some men with less than 6 months' training who may have been sent in as replacements; but who knows before the sun goes down there may come a call from General Patton or General Hodges or General Simpson or some other commander saying, "I am in distress at such and such a point in the line; I have a counterattack of the enemy to meet; send me more men; I want another division." In such a case it is not possible to stop and comb a division to see whether there is any man in the whole division who has not been in the service for at least 6 months. If it is necessary to stop and comb the division and take such men out, then just as the division goes into battle its efficiency is impaired, the efficiency of the team is impaired.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Illinois.

Mr. LUCAS. This amendment if it were enacted into a law would not give a boy 18 years old who feels that he is fit and wants to fight and do the best he can even an opportunity to volunteer. Many boys 18 years of age are able and eager to do their part. I remember Bill Dudley, who was an all-American quarterback when he was only 18 years old.

The Bill Dudley's of America could not go into combat until they had 6 months training, they could not fire a gun until they had had 6 months' training. That is the situation we are in with respect to this amendment. It would be a serious detriment to the success of an army that was in a dire emergency.

I undertake to say General Marshall and Admiral King have been running the Army and the Navy from the beginning in such a way that they have the entire approval and confidence of the American people. I do not think Members of the Senate of the United States ought to become the military strategists with respect to how these boys should be trained. The most magnificent victories in all the history of the world have been achieved under the leadership of these great men. I undertake to say that no army in the world is better trained. As Anthony Eden said the other day when he was here we have the most powerful military machine on the face of the earth, the most powerful that has ever been formed in all the history of time. Why? Because they are properly trained. Because men here in the United States Congress, before Pearl Harbor and since, have stood up and backed men like George Marshall and Admiral King, who sometimes had to come and plead practically on their knees to get what they wanted. Had we failed to follow the course they laid down the casualty list would have been much heavier today.

Mr. HILL. Mr. President, one of the most remarkable things about this whole war has been the way our military commanders have won incomparable victories and at the same time held down the death rate or the casualties among our own troops.

As the Senator from Illinois has stated, the reason we have been able to do this is that Congress has been sufficiently wise to recognize that our military men are experts, that they are the ones who know the business of making war, and we have left the making of war in their hands and have stood behind them and backed them up. Napoleon Bonaparte said on one occasion that the crucial moment of a battle was the moment of victory. We stand today on the very threshhold of victory; we are at the moment of victory in our battles in Europe, and what we need more than anything else is to keep the momentum going, and keep driving, driving, driving.

Now are we going to pass a law under the terms of which a military commander in Europe will have to stop his drive and undertake to comb and screen all his troops in order to make sure that he is not violating a law the Congress has passed?

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. The British have a law, the Australians have a law, and practically all the other nations have laws on the subject except the United States. So I do not think the Senator can claim that the adoption of such an amendment would seriously interfere with the war effort.

Mr. HILL. The British have had such a law from the very beginning; but what are we proposing to do now at the very moment of victory? Just when our forces are driving forward with their greatest possible power of force and speed, what it is proposed now to do is to change the rules of the game, and when that is done there can be but one inevitable result, and that is to slow down the momentum and driving power of our forces. If we had started with such a provision in the law in the beginning, as the British did, the situation might have been different, but it should not be done now; not at this very moment of victory, at this very moment when the quintessence of all our military action is to drive and to continue to drive. This is not the time to stop the commanders and require them to go through their divisions and comb and screen and check them in order to make sure that a law passed by Congress is being complied with.

I shall read further, Mr. President, from the letter of General Marshall. I had read his statement to the effect that previously these replacements had been placed in divisions here in the United States. He goes on to say:

> Once all our divisions had left the United States—

And, as we know, they have all gone today—

> or were within 3 months of their scheduled departure date this procedure was no longer practicable. The crisis of last December and January caused by the losses sustained in the Ardennes fighting necessitated the shipment of replacements after 15 weeks' training, otherwise our divisions would have been impotent at the moment their full power was needed to crush the enemy's final offensive effort, in preparation for the crossing of the Rhine and the great victories now being gained to the eastward.

This is what General Marshall says. Note this:

> Just as soon as the military situation will permit, it is the purpose of the War Department to stop shipping men overseas who have not yet become 19 years of age, and I am hopeful that this condition will develop in the near future.

Mr. President, since the Senate knows General Marshall as a man and as a soldier and a leader, and knows of the victories the Army has won under his leadership, and that in every possible way he has endeavored to save every American life and conserve every American body that he could, it seems to me that we could trust him to do what he states is intended. As soon as the military situation will permit, there will be no more men under 19 years of age sent overseas. General Marshall proceeds:

> A steady flow of trained replacements has enabled our armies to continue a course of relentless pressure on all fronts far beyond the anticipation of the enemy. This was made possible only through the unhampered use of men 18 and 19 years of age. If we had been prohibited from employing these men in the required numbers at the necessary time, I am certain that our casualties would have been much heavier, and our armies would have been denied the historic successes they have recently gained.

Mr. President, that is the statement of General Marshall, the Chief of Staff, the commander, the man who perhaps more than any other has been responsible for our magnificent victories, and for the relatively low casualty list. He proceeds:

> In my opinion no restrictions should be placed by law on the time when soldiers may enter combat. It is impossible to foresee all of the exigencies which may arise in the waging of war. Carefully laid plans are frequently upset. The administration of the affairs of 8,000,000 men is a tremendous task which prohibitions of this nature, particularly in view of the constant uncertainties involved in waging war, would make almost impossible of efficient management. Should an emergency develop, such as last December, the War Department would in effect be powerless to avert the failure of an operation or a possible disaster.

Does any Senator think that, when we came near having a disaster in the Ardennes, when Von Runstedt made his drive, there was any time to stop then to make certain that no one was in a single division who had not been in the Army at least 6 months? Men who had not been in the Army quite 6 months had been put into those divisions, as they should have been, because it was only in those divisions, as a part of the divisional team that they could carry on and continue the training they had to have for their own good, as well as for

the effectiveness and the striking force of the Army.

General Marshall closes with this final comment:

Finally, I wish to submit this comment. Never before in our history have our men been so thoroughly prepared for their duties and hazards as soldiers. I, personally, and every commander in the field are even more intent on adequate training than any other group, I believe.

General Marshall says that he thinks that he and the other commanders are even more intent on adequate training than any other group, he believes. I think we can understand that statement.

Mr. President, Congress passed the Selective Service Act, to induct these men into the Army, but we ourselves do not give the orders which send them into combat; we do not give the orders knowing that as a result some men will be killed, some will lose their legs and their eyes and their arms, and some will be shattered in body and mind. Certainly no man could have a greater regard or a greater sense of responsibility for the men who go into combat than the commanders of those men, who issued the orders, who direct and lead them into battle.

If there is any one thing about General Marshall which has impressed me in the years I have known his as Chief of Staff it has been his concern, always and at all times, for the individual soldier, his concern to give the American soldier the best possible training, his concern to give to the American soldier the best possible weapons with which to make war, his concern to give to the American soldier the best possible chance for his life and his body, and not to send him into combat except when absolutely necessary and under circumstances which afford him the best possible chance for his life and his body.

General Marshall says:

We are too well aware of the costs of unpreparedness.

He and the other commanders are too well aware of what it means to send men into combat unprepared, not to give them adequate and proper and thorough and intensive training before they go into combat.

Mr. President, there is the commander of the Army, there is the man whom we hold responsible for the doing of this job. I remember after the first battle of the Marne a newspaper man said to Marshal Joffre, "Who won the battle?" His answer was, "I don't know who won the battle, but I know that if the battle had been lost who would have lost it." If, instead of the great victories our armies have won, we had had failures and defeats, George Marshall would have been the man at whom the finger would have been pointed. He is the man with the supreme responsibility, and he has done his job with supreme success.

No man could have thought, no man could have dreamed, that our armed forces would have met the obstacles and the withering fire of the enemy as they have, and won the incomparable victories they have achieved.

General Marshall has spoken for the Army. What about the Navy? We have a letter from the Secretary of the Navy, Mr. Forrestal, addressed to the senior Senator from Massachusetts [Mr. WALSH], the chairman of the Committee on Naval Affairs, under date of April 19, and this is what he says:

MY DEAR MR. CHAIRMAN: Certain intended amendments to the bill H. R. 2625, proposing to amend the Selective Training and Service Act so as to restrict the utilization of men under 19 years of age in combat service until they have been given specified periods of training, have been called to my attention.

One of these proposed amendments relates to inductees and would prohibit ordering those under 19 years of age into combat service until given at least 6 months of training, and the other would prohibit ordering into combat service men under 19 years of age until given at least 1 year of training.

The effect of the adoption of either of these proposals would be disastrous to the administration of both the training and combat program and practices for the utilization of naval personnel and the conduct of naval operations.

Senators will notice the use of the word "disastrous." Could there be a stronger word, or one which would imply greater ill to come from such amendments than the word "disastrous," used by the Secretary of the Navy? He proceeds:

Only the preliminary training on naval recruits and inductees can be conducted at naval shore training stations. Actual training in these duties must perforce be carried out aboard ships.

These men are going to man and operate and fight on ships, so the Secretary says the real training must be on ships.

Consequently men newly received in the naval service are retained at training stations only sufficiently long to indoctrinate them into naval routine and such preliminary naval instruction as can be given them during the period of adaptation from civilian to naval life and habits. The completion of their training is accomplished by assigning these recruits to ships where they are fitted into crews in the various stages of training and experience so that they can complete their training under actual seagoing conditions and under the supervision of more experienced personnel.

Further, it should be pointed out that large numbers of naval personnel have been and are being received in the Navy by enlistment under the induction age.

As we know, many men under 17 years of age are, with their parents' consent, volunteering to go into the Navy. The Secretary continues:

These men enlist in the Navy, with their parents' consent, because they wish to fight.

In many cases it is true that new men do not see actual combat service for periods greater than either of those established in the proposed amendments. However, it would be utterly impossible to fit a program of restricted assignment into the necessary program of commissioning and manning new construction or of making replacements in operating ships of the Navy with the mandatory limitations in the two proposed amendments. To place statutory restrictions upon the utilization of naval personnel would impose such burdens upon the planning and operating forces of the Navy as to materially interfere with the present efficient prosecution of the war.

At the present time, in view of the manpower situation, every effort is being made to maintain the personnel of the Navy within the limits of its authorized strength. Recruits are principally for the purpose of taking care of attrition, and in cooperation with the Army, virtually all of the approximately 25,000 men per month being taken into the Navy are from the 17-year-age group. The Navy has reached that stage of the war where it has adequate ships to enable it to train men at sea. To be obliged to retain these men for the proposed specified periods at training stations ashore would require an expansion of facilities which are now being curtailed, an increase in the authorized strength—

That means more men to be drafted—

and in the retention of men in an ineffectual training status ashore.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. From a reading of mail which comes to our offices the impression sometimes seems to prevail that large numbers of men who are freshly inducted are thrown into battle before they have 6 months' training. I am wondering whether in the testimony taken before the Committee on Military Affairs there were any figures available as to the number of freshly inducted men with less than 6 months' training who had gone into action.

Mr. HILL. I will state to my distinguished friend that it has been difficult, as he can well imagine, to obtain such figures, but the chairman of the Committee on Military Affairs, the Senator from Utah [Mr. THOMAS], asked that question of the War Department. The War Department advises the Senator from Utah that on the basis of the best estimates it can obtain, in 1944 and in 1945 at the very maximum, not more than 10,000 men in the 18-year-age group were sent into combat without having completed at least 6 months' military service in the United States.

Mr. TYDINGS. I think it is also true that as to the 10,000 men who had received perhaps less than 6 months' training before they were put into battle zones, it is the policy of the Army and Navy to put them with seasoned troops in relatively small numbers, because a green man who has had 5 months' training, when associated with men, 99 percent of whom have had battle experience, is really in better hands than if he were a member of a wholly green regiment which has had a year of training but which has never had any battle experience whatsoever.

Mr. HILL. The Senator is exactly right. The practice is to put these men in with trained and seasoned combat veterans, and the Senator from Maryland, as a distinguished soldier of the last war, I think will agree with me when I say that I would rather see a son of mine, who perhaps had not received quite the 6 months' training, go into combat as one individual with a great number of trained and seasoned veterans than have him receive more than 6 months' training and go into combat with a lot of other men who were not seasoned and were not trained and had not had combat experience.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CORDON. The question which occurs to me Mr. President, is whether there is any reason why men who have had more than 6 months' training would have to be sent in as groups rather than in turn be, as it were, sandwiched in with other men who have had battle experience? Could not the Army, after giving 6 months' training, still spread the group among trained divisions?

Mr. HILL. The Army might do that; but the Senator must bear in mind that when an army is in combat and fighting a stubborn and fierce foe, such as we are fighting in both wars, and there is a division composed largely of trained veterans, the commanding general can never know just when he may have to use that division. The division must be ready and available, if need be, to move into a combat zone at any time.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. I think the argument that strictly 18-year-olds should not be placed in combat without 6 months' thorough training appeals to every man, and we would all like that to be done. I certainly would. But I think sometimes there occurs a situation such as this: Let us suppose that a recruit has had what may be called his preliminary training and is assigned in the nature of a replacement to a division in the rear area where the majority of men, almost the overwhelming majority, are seasoned troops; let us suppose that a break such as the Ardennes break, or a drive over the Rhine, or what not, suddenly requires the employment of a division with some men in it of the kind I have described, and that the employment of that division was not anticipated at the time the action commenced. It certainly would not be feasible in the situation I have described, which I am sure happens quite often, to send with the battle orders the instruction, "Before you move make sure to comb out all the 18-year-old boys who have not had 6 months' training."

I think the important thing for us to know is that the Army and the Navy are giving the men 6 months' training with the expectation that they probably will not be employed until they have had the 6 months' training, rather than to draw a hard and fast line.

I was particularly impressed with the argument made by the Senator from Alabama about the Navy, which was an angle that had not occurred to me, that after a man has completed his boot training, which normally we will say takes 90 days, he is assigned to a ship. Probably less than 1 percent of the men on the ship to which he is assigned have had less than 6 months' training. As the campaign opens, that ship may be in San Francisco, but because of the loss of other ships, or a change in plans, it may not be feasible to let the ship remain there.

I like the idea of 6 months' preliminary training as a policy. I would be reluctant to do anything which would appear to be opposed to that policy. However, as this debate unfolds I can see a great deal of difficulty about approaching it from the standpoint of lawmaking. I am wondering whether or not, in the absence of a requirement of law, it might be possible to have the Chief of Staff of the Army and the Chief of Naval Operations of the Navy issue a general order carrying out the policy which the authors of the amendment have in mind, rather than for us possibly to embarrass the future success of some operation by trying to encompass it by lawmaking.

Mr. HILL. Let me say to the distinguished Senator that General Marshall, in the letter which I have just read, has endeavored, in the strongest possible language, to assure us that all these men have adequate and proper training. As he says, the training program is very intensive and thorough, and the policy is not to use the men until they have had 6 months' training, and when they are used, to see that they have had proper training. He makes this further statement:

> Just as soon as the military situation will permit, it is the purpose of the War Department to stop shipping men overseas who have not yet become 19 years of age; and I am hopeful that this condition will develop in the near future.

Mr. TYDINGS. What is the date of the letter?

Mr. HILL. April 17.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CORDON. Was not assurance given Congress, at least informally, by the head of the Army at the time the draft age was reduced, that those young men would not be sent into action until after they had had at least a year's training?

Mr. HILL. No, Mr. President. That idea has gone abroad, and I am glad that the Senator has called attention to it.

Mr. CORDON. I wish to know what are the facts.

Mr. HILL. In a letter under date of October 23, 1942, addressed to the then chairman of the Senate Committee on Military Affairs, Hon. Robert R. Reynolds, when this question was before the Senate for consideration, General Marshall made this statement:

> I could give you many other examples where it would be unnecessary and undesirable to hold a man out of a combat theater for 12 months. It would be almost impossible for the Army to operate under such mandate. We would in effect have to put thousands upon thousands of men on the shelf after their essential training had been completed before we could use them. In the Air Corps alone possibly 500,000 such men would be involved. Incidentally, the Navy and the Marine Corps enlist men of 17, and I am told that the average age of the entire corps is below 20.

There was no such assurance. On the contrary, General Marshall made a categorical statement to the very opposite effect.

Mr. CORDON. Did he not also, however, give some assurance along that line?

Mr. HILL. I will tell the Senator where the idea of the 1 year's training came from. It arose in this way. The evidence shows that at least a year is required to train a division. It must be remembered that when we first mobilized our Army we started organizing and mobilizing divisions. That meant that the men who were called into divisions would be at least a year in divisional training. The truth is that most of our divisions have had far more than a year's training in the United States before going overseas. The One Hundred and Sixth Division, which caught so much of the force of Von Runstedt's drive, had had 17 months' training in the United States before it went overseas. That is the way in which the idea of 1 year's training arose. A minimum of a year was required to train a division, but not to train an individual.

Mr. CORDON. What assurance or reassurance was given to Congress at that time with reference to what would be the policy with respect to boys 18 years of age?

Mr. HILL. The assurance then given to the Congress was that such boys would be thoroughly and adequately trained before being sent into combat.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. I think perhaps I can answer the Senator's question. The Senate adopted an amendment providing that no boy should be sent into combat before he was 19. It went to conference, and when the conference report was submitted to the Senate the statement was made on the floor by the conferees that the amendment was eliminated in conference because the complicated administration necessarily involved in the handling of large numbers of men by the Army made it important not to impose any express limitations. I believe that is stated in a letter from the President, which was published in the RECORD of October 23, 1942.

The Senator from South Dakota [Mr. GURNEY] was in charge of the bill at the time. I asked him whether any assurance had been received from the Army that proper training would be given. The Senator from South Dakota stated that assurances had been received that the inductees would receive every bit of training that it was necessary for them to have before being sent into combat service, and that "the very great majority of those who go into front line combat will have 12 months' training, as they have had in the past."

Furthermore, on June 7, 1944, less than a year ago, Lieutenant General McNarney stated to the Senate Committee on Military Affairs that there was an order that no young man under 19 years of age assigned to the Infantry should be sent overseas. That order was subsequently extended to include other men.

So while perhaps there has been no promise, nevertheless, it was the declared policy of the administration, and the conference report was adopted largely with the knowledge that that was the declared policy of the administration.

Mr. HILL. Mr. President, when the distinguished Senator from South Dakota stated, back in 1942, that the average man would have a year's training, he was exactly correct, because, as I say, at that time we were still forming our

divisions, and men who were being inducted were assigned to form new divisions. The minimum training period for a division here at home was a year. General Marshall himself called attention to the fact that the Army until military necessity required otherwise, did not send any men overseas until they had attained the age of 19 years. But he said that when military necessity required a change, the Army had been forced to change the policy, and had done so. In the letter from which I have read, he states that as soon as the military situation will permit, he will go back to the policy of not sending overseas any men who are under the age of 19.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. I wish to suggest that that is the reason why statements by the War Department mean nothing on this question, because the department reserves the right to change its policy at any time it wishes to change it, and the Department is the only agency which can possibly be the judge of military conditions.

Mr. HILL. Not only does it reserve the right to change the policy, but I maintain that it ought to have the right to change it. I maintain that the responsibility for the conduct of our troops in the field in combat against the enemy is the responsibility of the War Department and its field commanders. They must be able to meet situations as they arise.

Mr. TAFT. Then it seems to me that the Senator's argument would justify the department in drafting boys 17 years of age if they were needed.

Mr. HILL. No.

Mr. TAFT. We have said when a man may be inducted. Surely we may say when he may go into active service, without interfering with any military discretion in the conduct of the American Army.

Mr. HILL. The War Department has no authority to issue regulations with respect to the ages at which men shall be drafted. Only Congress can enact a law to draft a man; but after he is drafted, inducted into the service, and turned over to the Army, then it is the business of the Army to train him and make the best possible use of him in order to bring this war to the speediest possible conclusion.

The Members of the Senate or of the House of Representatives cannot attempt to run the Army or say how the Army shall be organized or what shall be done about the administration or organization or the fighting of the Army. That must be done by the War Department and its field commanders.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. I do not agree at all. I see no reason why we should not say that no man should go abroad until he is 18 years and 6 months old. It seems to me that is entirely a matter for the Congress, and that it would be no interference with the actual operation of the Army. I wish to point out that as late as December 7, 1944, Under Secretary of War Patterson made a statement in which he finally admitted that the practice had been changed, but that no notice had been given to the public. On December 7, 1944, he finally said:

> This change in the replacement system has brought no relaxation in the thoroughness of preparatory combat training. In general a minimum of approximately 8 months elapses between an individual's induction and his assignment under the replacement system to an active sector of the front.

I say that the present evidence shows that in December, January, and February it was not an exceptional case, but it was the regular rule, that men were inducted and sent abroad in less than 5 months, and in many cases were wounded and killed in approximately 5 months from the time when they were inducted. That is not in accord with the War Department's own policy. If the War Department cannot be trusted to conform to its own policy it seems to me we can properly enact a requirement which will make the War Department conform to its own policy.

Mr. HILL. Mr. President, I take sharp issue with the statement of the Senator from Ohio that it was a rule to send the men into combat with only 5 months of training or with less than 5 months of training. According to the evidence which we have from the War Department, of all the millions of men who were sent overseas last year and up to now in the present year, only an estimated 10,000 men had to go into combat at a time when they had not received 6 months of training in the Army. Most of those men went into combat because of the unusual situation which confronted our military authorities. For instance, there was the need to stop von Runstedt, the need to keep him from reaching Antwerp and thus perhaps prolonging the war 2 or 3 or no telling how many years longer, during which thousands of our men would be killed. In the second place, some of those men may have gone into combat because of the magnificient successes which our armies have achieved and which have enabled them to move forward so rapidly. They have moved forward with astounding speed, through the Siegfried Line, across the Rhine River, and into Germany, and today they stand at the very gates of Berlin itself. We have not been able to hold back those divisions long enough to enable their commanders to stop and see whether every man in a division of perhaps 15,000 or 20,000 men has had at least 6 months of training. Those men received their basic training. According to General Marshall, they had been thoroughly and adequately trained when they were put in, side by side, with the veterans, those who knew combat, those who knew how to handle themselves in combat. The younger men were put into the team with them.

Mr. LANGER and Mr. KILGORE addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Alabama yield, and if so, to whom?

Mr. HILL. I yield first to the distinguished senior Senator from North Dakota.

Mr. LANGER. Mr. President, I am sorry that the distinguished senior Senator from Illinois [Mr. LUCAS] is not now on the floor of the Senate. An hour or so ago I stated that I had received from North Dakota a letter stating that a boy had been sent overseas in a comparatively short time, namely, less than 4 months. The Senator from Illinois challenged me to produce the letter. He said he had heard a great deal about such letters but none had been produced. I wish to read the letter. It is from Mrs. M. N. Kringlie, of Portland, N. Dak. I took up her letter with the War Department. I hold in my hand a letter which I have received from Brig. Gen. Robert H. Dunlop, acting for The Adjutant General. His letter was written in Washington on March 23, 1945. It absolutely substantiates everything said a few minutes ago by the distinguished senior Senator from Ohio [Mr. TAFT], when he said that last fall the Army was using men who had received only 4 or 5 months of training.

I now read the letter I have received from Brigadier General Dunlop:

MARCH 23, 1945.

DEAR SENATOR LANGER: I again refer to your letter of March 9, 1945, with which you enclosed a letter from Mrs. M. N. Kringlie, Portland, N. Dak., concerning the training of her son, Pvt. Lyle S. Kringlie, before being sent overseas.

The length of the replacement-training period was originally 13 weeks.

The training period was not 5 months, as was stated in a letter written to the distinguished Senator from Ohio, but it was 13 weeks.

I read further:

As the war progressed, however, we found it possible to meet our needs for replacements and at the same time increase this training period to 17 weeks. This schedule was followed until very recently, when the increased tempo of our operations overseas resulted in the demand for replacements from overseas commanders becoming so urgent as to require the reduction of the training period to 15 weeks.

So we have a letter of the kind the distinguished senior Senator from Illinois was so anxious to see an hour or so ago.

Mr. President, I ask unanimous consent that the entire letter may be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, March 23, 1945.

Hon. WILLIAM LANGER,
United States Senate.

DEAR SENATOR LANGER: I again refer to your letter of March 9, 1945, with which you inclosed a letter from Mrs. M. N. Kringlie, Portland, N. Dak., concerning the training of her son, Pvt. Lyle S. Kringlie, before being sent overseas.

The length of the replacement training period was originally 13 weeks. As the war progressed, however, we found it possible to meet our needs for replacements and at the same time increase this training period to 17 weeks. This schedule was followed until very recently, when the increased tempo of our operations overseas resulted in the demand for replacements from overseas commanders becoming so urgent as to require

the reduction of the training period to 15 weeks.

This reduction in the training period represents no departure from our well-defined policy that soldiers will not be committed to combat until they are adequately trained for their anticipated duties. Battle experience, as well as the results of the most adequate tests that we have been able to devise, demonstrates conclusively that the average soldier in 13 to 17 weeks can be brought to a training level that permits him to fill a vacancy in a trained team. An individual replacement joins a trained organization and thus works side by side with experienced men. Under such conditions the replacement performs acceptably well from the outset and, following the lead and being guided by the advice of the more experienced men in his unit, quickly fits himself into the operations of the unit as a team.

There are many factors that affect the length of time that a soldier may stay in the United States before he is sent overseas. Some types of training requires more time than others; experienced men have to be used as a nucleus for new organizations and many other men are not physically qualified for overseas service but are able to perform necessary tasks in this country. Also, some individuals are sent overseas as replacements for organizations already there. Since a soldier is fully qualified for overseas assignment of this kind immediately upon completion of his basic training, some may be sent overseas for this purpose after a comparatively short period of service in this country.

In other instances, soldiers, after their basic training, are assigned to a unit in the United States which is receiving its team training. In the case of a large unit, involving the combined use of all arms, a year or more is usually required to weld it into an effective combat organization. Obviously, therefore, those soldiers who are assigned to units in team training in this country will normally remain in the United States considerably longer than those who were selected to be sent overseas as replacements. Both, however, are fully trained for their anticipated duties.

All men sent outside he continental limits of the United States are given a physical examination prior to their departure, and each man must be physically qualified for the duties he is to perform.

Mrs. Kringlie may be assured that every care will be taken to safeguard the health of her son while he is in the military service and that he will not be assigned to any duties which he is not qualified to perform.

With kindest regards,

Sincerely yours,

ROBERT H. DUNLOP,
Brigadier General,
Acting The Adjutant General.

Mr. HILL. Mr. President, am I to understand that the writer of the letter said that the training period was 13 weeks?

Mr. LANGER. That statement appears in the letter.

Mr. HILL. I understand that General Marshall said the training period is from 15 to 17 weeks.

Mr. LANGER. How does that compare with what was said a few moments ago?

Mr. HILL. It may be that that particular man had 15 weeks of training. There is no conflict between that letter and what General Marshall himself has said.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. Here is the case of a boy who was fatally wounded 5 months and 5 days after he was inducted into the Army. He is a boy I knew. I know his parents in Cincinnati. He was not the boy to whom I referred several months ago, who was a close neighbor of mine, and who was killed approximately 5 months and 10 days after he was inducted. But the one to whom I now refer was a boy from Cincinnati, Frederick Toe Water, a little boy who was a friend of my son's, a boy who was rather immature. He was inducted into the Army. He received 15 weeks of training. He was inducted on September 4. He landed in France on January 30. He was immediately sent to the front, in Luxemburg. He arrived there on February 4. He arrived alone. He knew no one in his company. Two days after he arrived, they attacked across the river in Luxemburg. He happened to have been given one of the newest guns. The older men in the company liked his gun better than theirs, so they took his gun away from him and gave him one of the older ones. He was out in front, in a fox hole. His company had to retreat from the river, and he was finally left behind. He was the last man out and he was wounded as he came out. He was taken to a hospital and he died 3 weeks from that time.

I say that boy had no chance. He had no job in the company; he was of no value to the company in connection with the attack in that particular sector or in connection with any defense which might have been put up. My point is that he was of no real value to the Army. The Senate was very doubtful whether we should draft boys 18 years of age. The medical testimony was to the effect that many boys 18 years of age are fully matured and are the best fighters in the world, but that many others are not mature. We finally decided to draft the boys 18 years of age; but certainly if we do draft them, they are entitled to have a chance, and once they go abroad they are entitled to find out what their jobs are and to make friends with the other soldiers in their companies, so that when they finally fight they will fight among friends, and will not be neglected.

I hold in my hand correspondence relating to the case of Paul V. Bidwell, of Bethlehem, Pa. He enlisted on August 24, and was killed 5 months and 9 days after he enlisted. It was the regular practice in those months, after the boys had 15 weeks of training, to send them to Fort Meade, where they stayed for 2 days, and then send them abroad. They landed in France, and they were at the front within 3 or 4 days thereafter.

I say that policy was a mistaken one, and that the commanders of those companies would have been better off if they had not had such men. Certainly it is utterly unjust and unfair to such young men to put them into combat service under those conditions.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LANGER. Mr. President, if the Senator will yield, I invite attention to the fact that the distinguished Senator from Ohio is mistaken when he says the period of training is 15 weeks; it is 13 weeks.

Mr. TAFT. It was reduced from 17 weeks to 15 weeks. I have heard that it has now been reduced in some cases to 13 weeks.

Mr. O'DANIEL. Mr. President, in line with the subject which is being discussed, I wish to quote from a letter which I had placed in the RECORD on April 20. The letter was written by Bertha E. Kinser and reads, in part, as follows:

AUSTIN, TEX., *March 31, 1945.*

DEAR FRIEND: Received your letter of March 21. It was indeed nice of you to express to us your sympathy in the loss of our only child, our little 18-year-old son, John D. Kinser. Bless his heart; he lived a beautiful life. He only had 3 months and 10 days' training before being sent overseas for combat. He left P. O. E. around January 18 or 20, and was killed February 20.

The letter bears out the statements which have been made to the effect that men are being placed in actual combat, and killed, within a short time after their induction.

Mr. CHANDLER. Mr. President, every Senator and every person in this country has been deeply concerned over the policy of the Army with respect to 18-year-olds. During the debate which took place in the Senate a few days ago the Senator from West Virginia [Mr. REVERCOMB] made an observation which I think was entirely correct. Some of our allies refused to send out of their respective countries men of only 18 and 19 years of age. It seems to me that it is now becoming apparent, not only to Senators, but to all the people of the country, just how great has been the contribution of the United States to the success of the prosecution of the war in Europe.

Mr. President, the Army justifies its conduct in putting young men into active military combat by saying that it is sometimes necessary to use such men in order to maintain pressure upon the enemy. God knows that if that had not been done at times the military situation might now be different. Not one of our allies could have kept any considerable amount of pressure upon the enemy. Our allies either did not have the men, or they were located at places other than at the front. Furthermore, they were too weak in strength and too few in numbers to conduct alone the successful fight which is about to be cumulated in the taking of Berlin and the virtual breaking of organized resistance in Europe. I think when we undertook the job of furnishing men and supplies to help wage war, we committed ourselves to a tremendous task. When the American people ascertain just what contribution they have made to the war effort they will be amazed. Two or three months ago Mr. Churchill stated the proportion of British soldiers to the American soldiers who were being used in the war in Europe. It is no wonder that the casualties on the Western front have been from 60 to 70 Americans to 1 British or Canadian. When the complete story is told the proportion will probably be 100 to 1.

All of us know that soldiers who do not receive an adequate period of training suffer greater casualties than those who

have been well trained. We have suffered a great number of casualties. I have said that we suffer them in part because of not having been prepared for the war. We were not ready for it. Many of us refused to recognize that the war was coming. When it finally arrived we had to start from scratch and develop our armies. I have the greatest sympathy for the men whose responsibility it was to develop the Army, train it, and make it ready and fit for waging war.

Mr. TAFT. Mr. President, will the Senator yield in order that I may be permitted to comment upon his statement?

Mr. CHANDLER. I yield.

Mr. TAFT. I do not think it was necessary, even under the circumstances then existing, to take boys into the service who were as young as some of those who were taken. I wish to read from a letter of Secretary Stimson under date of March 30, 1945, written to Hon. GEORGE MAHON of the House of Representatives:

> According to February figures, there were approximately 8,050,000 men in the Army, 5,150,000 of whom were overseas. Of the 2,900,000 on duty in the United States, almost half (roughly 1,400,000) have already been marked for overseas duty and are being trained accordingly either in tactical units or as individual replacements and students in replacement training centers, training regiments and schools; 180,000 others were in Army hospitals.

Yet, we take boys who have had almost no training who, in 5 months would have numbered approximately 300,000 or 400,000 men, and 400,000 of the 1,400,000 referred to in the letter are not being sent abroad.

Mr. HILL. Mr. President, we know that the War Department did everything it could in order to build an Army without taking the younger men. In testifying before the House committee on this bill General Edwards said:

> We have a program of retraining. When we became so short of replacements last fall, the entire Army in the United States—

"The entire Army in the United States," I repeat to the Senator from Ohio, which means the 1,400,000 men—

> and overseas—

That means the Army overseas—

> for that matter, was combed to get general servicemen who were in some other branch who were physically able to be used as combat replacements. We combed the Air Forces. We took 65,000 out of the Air Forces. We took 40,000 men out of the antiaircraft. We took a total of 200,000 men out of the other branches to retrain as infantrymen, because that was what we needed at that time.

In other words, in order to provide replacements the War Department started to squeeze as many as possible out of the other branches and put them into the infantry and into combat teams. That process was followed both in the United States and overseas in order to get out of other branches as many men as possible who were qualified to go into combat, and particularly into infantry units overseas.

Mr. TAFT. Mr. President, there is nothing in the Senator's statement which is inconsistent with the statement which I made. My point is that altogether there are 2,900,000 men on duty in the United States. Of those the Secretary of War has said 1,365,000 are in essential service of supplies jobs. They are being used as rapidly as it is possible to replace them by other men. But in addition to the men in the service of supplies there are 1,400,000 who have been accepted and trained for foreign service. In addition to them, every available man has been combed from the service of supplies.

Mr. HILL. The 1,400,000 men to which the Senator referred evidently include many of the very younger men.

Mr. TAFT. Yes; but they could not include more than 400,000.

Mr. HILL. The testimony which was given before the House committee shows that the War Department did everything it could do in order to get every available man needed for service in the infantry divisions and the combat units on the front line before bringing in the younger replacements.

Mr. TAFT. Mr. President, I wish to point out that at the very most there are approximately only 80,000 of these young men. So if we had a 6 months' supply of them there would be only approximately 480,000. The others have been drafted, have enlisted in the Navy, or have been inducted into other branches of the military service. So that of the 1,400,000 there should not be, I should judge, more than 400,000 of the younger men who have been trained less than 6 months.

Mr. CHANDLER. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. CHANDLER. If the Senator from Ohio will look at the RECORD of last Thursday, during the debate on the pending bill he will find that I put the figures into the RECORD, because I wanted to show that our commitments to overseas service had been 5,150,000 soldiers, who, according to the report of the Secretary of War, were overseas in February, out of a total of 8,050,000, and as I understood, of the 2,900,000 left in this country in February about 1,500,000 were earmarked for overseas duty and were going to be sent as soon as replacements could be obtained for them here.

Mr. TAFT. No; not replacements for them here, but they could be sent as soon as they were trained.

Mr. CHANDLER. Some of the 1,365,000 left in essential service here might be sent if the military authorities keep their declared intention; indeed sooner or later all are going to see overseas service in the Army at some time or other when other soldiers can be brought back from overseas. I wanted the Senate to know the tremendous force we had committed to this battle.

The Senator from Alabama will remember that the Secretary of War and the Chief of Staff undertook to justify it on the theory that it was necessary to keep pressure on the enemy, whereas it used to be the rule to fight a division for a while and then take it out of the combat line and substitute another division. I cannot tell whether that is right or wrong, but it has contributed to the achievement of victory. Instead of taking a division out of the line, they have infiltrated young men, some of whom have not had the maximum amount of training, and kept the division going. As it suffered losses new men were placed in the line and the division continued to keep the pressure on. In doing that we have lost some men, but in the long run lives may have been saved.

What burns me up is the great commitment in men we have made over there, so far beyond the number ever conceived or imagined by the American people. It might have been necessary, it might have been impossible to achieve victory without it; but certainly no American Senator and no citizen of the country has to apologize for the magnificent contribution that young American manhood has made to the great victory which is about to be achieved.

Mr. HILL. The Senator, as he speaks of the great victory which is about to be achieved, knows well that the reason we are on the eve of this great victory is that we have kept the pressure on the enemy; we have continued to drive and drive and drive. If we had ever stopped that driving and given the enemy a chance to catch his breath and dig in, the chance to construct new fortifications on new and perhaps more advantageous terrain, we might have been much further from victory than we are today, and that would have meant the cost perhaps of thousands of American lives.

Mr. CHANDLER. Certainly we were the only ones who could keep pressure on the enemy. Does anyone know of an army belonging to any other country that could have kept pressure on the enemy as we have kept it? I say that when the whole thing is looked at from the standpoint of history, it may be that we may have contributed more than we were expected to contribute by the American people, but certainly whatever we have contributed has been decisive.

Now we have reached the stage where organized resistance is about to be finished in Germany, and, according to the information I get from the military authorities, we are not going to be able, unless something happens I do not know about, to use against the Japanese more than half of our divisional strength. The war against the Japanese is going to be principally a naval battle. We have some 3,200,000 men in the Navy of the United States. It is a magnificent Navy. It is probably the greatest accumulation of fighting ships and fighting men that any other country or combination of countries ever got together in all the history of time.

I know that no Senator and no citizen of the country wants to continue sending young men into combat who are not sufficiently trained. That is a tragic thing. It may be because of our original unpreparedness, and I think it is. Somebody said the other day, "Suppose the Senate adopted the amendment, I think probably it would not be hurtful now, because whatever may be done if a commander has the soldiers and is faced with an emergency he will use them." In the Navy men are trained on the ships; they are placed on ships, and, if the ship is fired on, the captain of the ship will fire

back, and he will use the men on the ship whether they have had 2 days' training or 6 days' training or 6 months' training or more.

But it would not be hard for the Senate to advise the Chief of Staff of the attitude of the people of the country. I know Senators have received letters from fathers and mothers, as no doubt the Chief of Staff has received letters from them. They feel that if this is a necessary contribution, well and good, but it ought not to be continued unless the military situation is, as the Senator from Michigan said the other day, an extraordinary one. I do not know about the words "extraordinary" and "unusual." They may mean just more of the same; I do not know whether they mean anything; but certainly if I were the commander of a division on the western front and I had in my outfit men 18 years old, not fully trained or adequately trained, in an emergency I would have to use them, as in the case of the One Hundred and Sixth Division that went into a so-called quiet sector and was suddenly overwhelmed. We cannot pass a law to keep naval and military commanders from using soldiers and sailors if they have them and have to use them.

Mr. BURTON. Mr. President——

Mr. HILL. I yield to the Senator from Ohio.

Mr. BURTON. I wish to express my appreciation of the presentation that the Senator from Alabama has been making of the fundamental arguments involved in connection with the pending bill. It was considered in the Committee on Military Affairs, and, as I recall, the fundamental argument which impressed me there—and I wish to press further the question to the Senator—was this: Realizing the full necessity of giving these young men the best possible training, and adequate training for the respective jobs they will have to do, the question is, Would an act of Congress contribute to the clarifying of that policy, or would an act of Congress really handicap the policy? I wish to ask, suppose this amendment were adopted that a man should be given 6 months' military training; would it be possible for Congress in any way to assure that the kind of military training received would be of benefit to him under the circumstances he would finally face?

Mr. HILL. The Senator is absolutely correct about that. When General Marshall says that all these men have been adequately and properly prepared, I am sure he is speaking the truth. As the Senator from Ohio knows, and every other Senator knows, in the Army there are all types of men, just as there are in civilian life. One man with 5 months' training might make a far better soldier than another man who had had 12 months' training All the Army can do is to put them through what they consider to be and what they find to be an adequate and thorough course of training. I do not know but that some men who have been in the Army less than 6 months have been killed, but that does not mean that they were not properly trained and it does not necessarily mean that if they had 12 months' training they would not have been killed or that if they had had 12 months' training they would have been efficient, capable soldiers. There are some men, perhaps, who never make real top A–1 soldiers, some men who, because of their physical and mental make-up, never reach that degree of proficiency which it is desirable that every soldier should reach. But I wish to insist on this floor, and I want the country to know, that General Marshall and the War Department have not sent men into battle who had not had a thorough and intensive and an adequate course of training.

Mr. BURTON. Is it not also true, I ask the Senator from Alabama, that, even though the training be extended for many months, that is no guarantee that a man will not be hit by a bullet?

Mr. HILL. The Senator knows that officers have gone to Europe as observers who were there hardly 48 hours before they were moved up to the front line and were hit and perhaps killed.

The Senator knows furthermore that in this day of modern warfare, when bomber and fighting planes with machine guns, and heavy artillery, and rocket bombs are used, there is no longer any little area which can be denominated as a combat area. Many square miles of territory, wherever soldiers are today on the other side of the Atlantic, may well be combat areas.

Mr. BURTON. As I understand it, the Senator's argument is that even though we adopt an amendment—it has to be a short amendment, a general amendment—when we have enacted it, requiring 6 months' military training or a year's military training, we have not required what is really needed, because we cannot go into detail to make sure that a man gets the kind of training he needs to fit him to go into combat service.

Similarly, we use the general term "combat" to describe what the man be kept out of. A man gets a bronze star if he is in a combat zone, so that he is likely to be in "combat," in a broad sense even though far from the front line. The only way the Army could be sure to comply with our amendment would be to keep all new men out of zones where it is not at all important that they have combat training or front-line training. It would mean a waste of manpower.

"Combat zone" is much broader than "front line." So that even though we do the best we can in the Halls of Congress to provide for the war we cannot manage the front line and we are likely to interfere with it rather than help it.

It seems to me the proposed legislation would be futile because it could not guarantee the right kind of training. Furthermore, it would keep men out of many zones where they should be.

Mr. HILL. I thank the Senator from Ohio for his contribution. He is exactly correct. There is no way for the Senate by an amendment to do that which we all desire, to wit, to make sure that every man who goes into combat has had training sufficient to make him a proficient soldier, so to speak. On the other hand, by adopting such an amendment we can greatly harass, impede, and impair the operation of our armies and of our armed forces. We can put a terrible burden upon them. We can even take a chance here of slowing up the momentum with which our forces are driving today, and if we do that we may well postpone the day of victory, and cost thousands of American lives.

Mr. BURTON. We might sacrifice more lives than we could possibly save by any amendment we might adopt.

Mr. HILL. I will say to the Senator that, so far as my opinion is concerned, we would not save many lives by adding such an amendment, but we might invite the sacrifice of thousands of lives.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MAYBANK. In connection with a letter read by the Senator from Ohio, does the figure 1,400,000 as the number of troops in this country, include the troops on unlimited service, on leaves of absence, or those returned from war zones because of having completed their tours, or because of having been sent back to rest?

Mr. HILL. I have not recently seen a break-down of those figures, but I am quite certain that they do include many men to whom the Senator from South Carolina has referred.

Mr. MAYBANK. The Senator will correct me if my information is wrong. As I remember from the testimony of both General Hamble and others before the Committee on Military Affairs, they said that by May there would be practically no trained divisions or trained men in this country who were not on limited service, or who had not seen action, or who perhaps were not in the service units used to supply ships at the water-front ports, and various other places. Am I correct?

Mr. HILL. The Senator is absolutely correct.

Mr. MAYBANK. I thank the Senator.

Mr. HILL. Mr. President, I had been reading the letter from the Secretary of the Navy, Mr. Forrestal. I continue reading from his letter:

> It should also be pointed out that men encounter the same risks at sea whatever their age and that the risks are based largely on the efficiency and training of those in a supervisory capacity which on every ship is composed of officers and petty officers with advanced training and mature experience. The performance of all of the numerous types and units of the Navy justifies approval of the continuance of the practices now in effect, without hampering arbitrary time limitations on utilization of men.
>
> As to the Marine Corps, it is the present practice, even under the extreme combat pressure and high casualties encountered, to afford recruits 5 months' training in the United States and further training in a combat unit on the advanced fronts which is in preparation for future operations. It is the experience of the Marine Corps, based on its combat record, that this training is adequate.
>
> In order to maintain unceasing pressure on the enemy at sea, which has advanced the end of the war beyond the anticipation of the enemy or of our people at home, it is absolutely essential to maintain the orderly progress of training and flow of replacements for those who have long sustained their efforts on the far-flung battle fronts which cannot be accomplished, if restricted as proposed in the intended amendments.
>
> Sincerely yours.

In other words, Mr. President, what the Secretary of the Navy is saying that if we add these restrictive amendments we cannot keep the flow of replacements going to relieve the men who have been out on the seas and on the battle fronts, and who now are greatly in need of relief.

I call attention to the fact, as I read it in the beginning, that the Secretary of the Navy said that these amendments "would be disastrous to the administration of both the training and combat program and practices for the utilization of naval personnel and the conduct of naval operations."

Mr. President, I have detained the Senate longer than I had intended. We have here the strongest kind of a letter from General Marshall urging that these amendments be not adopted, and setting forth the strongest kind of reasons why they should be rejected. We have also from the Secretary of the Navy a letter stating that the adoption of the amendments would be disastrous to the administration of the Navy and the utilization of its personnel, and in carrying on its operations. To General Marshall and to our Army commanders, and to Admiral King and to our naval commanders, we have looked for the protection of our country, for the defeat of our enemies, for bringing us the victories which they have brought us in such magnificent and incomparable fashion.

As was said earlier today, General Marshall and Admiral King and our Army and Navy commanders have been able to bring us these victories because we of the Congress have been willing to let them conduct the war. We have been willing to let them administer and operate the Army and the Navy as they deemed best, and we have not sought to tell them how that operation or that administration should be carried out. When they have come to us and asked for money with which to build ships and airplanes and guns, with which to provide all the munitions of war, we have given them what they have asked. We have sustained and supported them, and they in turn have given us the most incomparable victories in all the world's history. Why should we now at this late moment, just as we stand on the eve of final victory in Germany, refuse to let them carry on the operations against Germany without our interference? If we put the pending amendment on the bill, and the amendment becomes law, no one can tell how much it may impede and hamper the operations of our armed forces in Germany. No one can tell to what extent such an amendment may result in slowing down our forces, and impeding their momentum and driving power.

We all know that the great secret of military success lies in this, that when once the enemy is on the run, once an advantage is obtained over him, the drive against him must be continued and intensified. That is exactly what we are doing in Germany today and what we have done during the past week. We have been driving and driving and driving the enemy, and winning victory after victory. Are we now going to stop that drive? Are we going to say "Stop" to our armed forces under Patton and Hodges and Simpson and Bradley and Eisenhower? Are we going to say, "You have got to stop driving the enemy and you must examine every division and every combat unit and see whether you are carrying out a law which the Congress has just passed"?

Senators, that is the proposition which confronts us. We are nearly at the end of the road, and we have approached the end of the road much sooner than might have been expected, because of the fact that we have let Marshall and Eisenhower and Bradley and Patton and Hodges and Simpson and the other great commanders conduct the operations of our armed forces on the other side. Are we now to inject ourselves into those operations? Are we now to take the full authority out of the hands of the commanders and do the thing which they are now begging us not to do and which they say will be disastrous if we do it? That is our responsibility.

We must answer the question whether we will say to General Marshall, "You have done a wonderful job up to date, but now, on the very moment of victory, we are going to take some of your authority away from you. We are going to make a decision ourselves. We are going to impose our own will on you and on our armed forces."

Mr. President, since this war began I for myself have followed but one course, and it is that of allowing our military and naval commanders a free hand and sustaining and supporting them. I shall continue to follow that course. I am not going to say to General Marshall, or to General Eisenhower, or to General Patton, or to General Hodges, or to any of the other commanders that I put my judgment ahead of theirs, and I am not going to assume the terrific responsibility of perhaps prolonging this war at the cost of the lives of thousands of American boys.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. O'DANIEL] as a substitute for the amendment offered by the Senator from Tennessee [Mr. STEWART] and other Senators to House bill 2625.

Mr. O'DANIEL. I demand the yeas and nays.

The yeas and nays were ordered.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Fulbright	McMahon
Austin	Gerry	Magnuson
Bailey	Green	Maybank
Bankhead	Guffey	Millikin
Bilbo	Hart	Mitchell
Brewster	Hatch	Moore
Buck	Hawkes	Morse
Burton	Hickenlooper	Murdock
Bushfield	Hill	Murray
Butler	Hoey	O'Daniel
Byrd	Johnson, Colo.	O'Mahoney
Capehart	Johnston, S. C.	Overton
Chandler	Kilgore	Pepper
Chavez	La Follette	Radcliffe
Cordon	Langer	Revercomb
Donnell	Lucas	Robertson
Downey	McCarran	Shipstead
Eastland	McClellan	Smith
Ellender	McFarland	Stewart
Ferguson	McKellar	Taft
Taylor	Walsh	Wilson
Thomas, Okla.	White	Young
Tobey	Wiley	
Tunnell	Willis	

Mr. BANKHEAD. Mr. President, a parliamentary inquiry. Several members of the conference committee——

The PRESIDENT pro tempore. The result of the quorum call has not been announced.

Mr. BANKHEAD. I wish to inquire if several Senators who are in session in a conference committee with Members of the House, in the committee room of the Senate Committee on Appropriations, practically in the presence of the Senate, can be recorded as present.

The PRESIDENT pro tempore. Seventy Senators have answered to their names. A quorum is present.

Will the Senator from Alabama please restate his parliamentary inquiry?

Mr. BANKHEAD. I wish to know if several Members of the Senate, who are in conference with Members of the House on a very important appropriation bill, in the committee room of the Senate Committee on Appropriations, which as we all know is practically within the hearing of the Senate, can be recorded as present, at their request, without leaving the conference?

The PRESIDENT pro tempore. Under the rule they may not be so recorded, but they may be excused.

Mr. BANKHEAD. Mr. President, I ask unanimous consent that the Senator from Georgia [Mr. RUSSELL], the Senator from Arizona [Mr. HAYDEN], the Senator from Kansas [Mr. REED], the Senator from South Dakota [Mr. GURNEY], and the Senator from Kansas [Mr. CAPPER] be excused.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Texas [Mr. O'DANIEL] to the amendment offered by the Senator from Tennessee [Mr. STEWART] on behalf of himself the Senator from West Virginia [Mr. REVERCOMB], the Senator from Iowa [Mr. WILSON], and the Senator from Colorado [Mr. JOHNSON].

Mr. HATCH Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. HATCH. Is the amendment offered by the Senator from Texas in the nature of a substitute?

The PRESIDENT pro tempore. That is correct.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. I understand that if he were present and voting, he would vote as I am about to vote. So I am free to vote, and I vote "nay."

The roll call was concluded.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the

Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Missouri [Mr. BRIGGS] and the Senator from New York [Mr. WAGNER] are absent on public business.

The Senator from Pennsylvania [Mr. MYERS] is absent because of a death in his family.

The Senator from Montana [Mr. WHEELER] is absent on official business.

The Senator from Maryland [Mr. TYDINGS] is detained in a committee meeting.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent visiting various concentration and prison camps in Europe.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference at San Francisco. He has a general pair with the Senator from Michigan [Mr. VANDENBERG].

I further announce that the Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS], if present and voting, would vote "nay."

Mr. WHITE. The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES] who is detained on official business, has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco. He has a general pair with the Senator from Texas [Mr. CONNALLY].

The Senator from Minnesota [Mr. BALL] is necessarily absent.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The result was announced—yeas 9, nays 66, as follows:

YEAS—9

Bilbo	McCarran	Revercomb
Bushfield	Moore	Stewart
Langer	O'Daniel	Young

NAYS—66

Aiken	Guffey	Morse
Austin	Gurney	Murdock
Bailey	Hart	Murray
Bankhead	Hatch	O'Mahoney
Brewster	Hawkes	Overton
Buck	Hayden	Pepper
Burton	Hickenlooper	Radcliffe
Butler	Hill	Reed
Byrd	Hoey	Robertson
Capehart	Johnson, Colo.	Russell
Capper	Johnston, S. C.	Shipstead
Chandler	Kilgore	Smith
Chavez	La Follette	Taft
Gordon	Lucas	Taylor
Donnell	McClellan	Thomas, Okla.
Downey	McFarland	Tobey
Eastland	McKellar	Tunnell
Ellender	McMahon	Walsh
Ferguson	Magnuson	White
Fulbright	Maybank	Wiley
Gerry	Millikin	Willis
Green	Mitchell	Wilson

NOT VOTING—21

Andrews	George	Thomas, Idaho
Ball	Glass	Thomas, Utah
Barkley	Johnson, Calif.	Tydings
Bridges	Mead	Vandenberg
Briggs	Myers	Wagner
Brooks	Saltonstall	Wheeler
Connally	Scrugham	Wherry

So Mr. O'DANIEL's amendment in the nature of a substitute for the amendment of Mr. STEWART was rejected.

HONORARY RANK OF COLONEL TO MAJ. EDWARD J. KELLY, SUPERINTENDENT, DISTRICT OF COLUMBIA POLICE FORCE

Mr. BILBO. Mr. President, with the kind consent of the leaders on both the Democratic and Republican sides of the Chamber, I wish to request unanimous consent for the consideration of House bill 2687, Calendar No. 193.

The PRESIDENT pro tempore. The bill will be read by title, for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 2687) to grant the honorary rank of colonel to Edward J. Kelly, Major and Superintendent of the Metropolitan police force of the District of Columbia.

Mr. BILBO. Mr. President, without taking much of the time of the Senate, I wish to state that Major Kelly, who is now the head of the Metropolitan Police force of the District of Columbia, has been a member of the police force for 39 years, rising from a private to its commanding officer. The bill provides an expression of appreciation and recognition of his services which have been devoted to the police force of the District of Columbia all these years. The bill was passed by unanimous vote of the House of Representatives, was sent to the Senate, and has been referred to the Committee on the District of Columbia, from which is has been reported without amendment. The bill involves no increase in salary.

Mr. WHITE. Mr. President, will the Senator yield to me?

Mr. BILBO. I yield.

Mr. WHITE. If the bill involves no increase in salary, and if it will make any contribution to the efficiency of the police force of the District of Columbia, I shall have no objection to it.

Mr. BILBO. The bill would do us no harm; it would do Major Kelly a great deal of good, and it would help the morale of the police force of the District of Columbia.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 2687) to grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police force of the District of Columbia, was considered, ordered to a third reading, read the third time, and passed.

WAR BOND DANCES FOR CONGRESSIONAL PAGES' AIR ARMADA

Mr. STEWART. Mr. President, last year I had the privilege to bring on the floor of the Senate the message of our pages regarding the War bond dances at the Shoreham Hotel to raise the cost of a congressional pages' air armada. Those War bond affairs were a great success in respect to the amount of War bonds purchased, as well as in attendance. The Army Air Force helped and encouraged them last year, and will do so again this year. They are making two planes available to be christened outside of the Capitol on April 30, one for the Senate pages and one for the House pages.

President Truman, our former colleague, Mr. RAYBURN, the Speaker of the House, and Mr. Lynn, the Architect of the Capitol, have given their approval to this affair. The pages are doing this in order to induce the youth of the Nation to become "brothers in bonds" with them, and to give their own War bond affairs in order to have armadas representing their States or communities, as well as to start a rocket plane armada in order to speed the Pacific warfare to restore the world to peace and order. The pages feel that the more War bonds the people have after the war, the greater will be the prosperity of the Nation in the post-war period. They feel, furthermore, that the more planes the Nation and people own, the larger will be the air traffic between the United States and our Latin American neighbors when peace is restored. Thus, closer relationships will be fostered by the interchange of each other's products and industries.

Therefore, to that end, they have invited the young people of the Latin American diplomatic and military corps, as well as others of their nations, who will be in national dress of their countries.

Although I have not consulted him, I understand that the Senator from Kentucky [Mr. CHANDLER] will be the master of ceremonies on that occasion. Music will be furnished by the official band of the Army Air Force. A program has already been worked out. After the christening ceremony, on April 30, the band will play for the dance at the Shoreham Hotel from 8 o'clock p. m. until midnight. This dance will be by congressional invitation only, with each Member receiving an equal number of invitations.

There will be no expense attached to the ceremony in front of the Capitol or to the affair at the Shoreham Hotel. However, those who attend will be able to buy War bonds, War stamps, or stamp corsages at both affairs.

The pages are having made up a sponsorship plaque on which will be inscribed the names of those who buy bonds. The plaque will be hung in the pages school, or wherever Congress would like to have it placed.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The Senate resumed the consideration of the bill (H. R. 2325) to extend the Selective Training and Service Act of 1940, as amended.

The PRESIDENT pro tempore. The question now recurs on the amendment offered by the Senator from Tennessee [Mr. STEWART], for himself and other Senators.

Mr. McCLELLAN obtained the floor.

Mr. TAFT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. TAFT. What is the status of the amendment proposed by the Senator from Massachusetts? Has it been accepted?

The PRESIDENT pro tempore. It has not yet been offered.

The pending question is the amendment offered by the Senator from Tennessee [Mr. STEWART] on behalf of himself and other Senators.

Mr. WALSH. Mr. President, will the Senator yield to me?

Mr. McCLELLAN. I yield.

Mr. WALSH. I assume that at the proper time my amendment, which has been printed, to the amendment of the Senator from Tennessee [Mr. STEWART] and other Senators will be accepted by him.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. STEWART. Let me say that the Senator from Arkansas has an amendment which he is about to call up or offer. The purpose of the group of Senators sponsoring the amendment which I have offered is to accept the amendment of the Senator from Arkansas and also to accept the amendment which was sent to the desk the other day by the Senator from Massachusetts, the chairman of the Committee on Naval Affairs.

Mr. McCLELLAN. Mr. President, I send to the desk an amendment which I offer.

The PRESIDENT pro tempore. The amendment will be read.

The LEGISLATIVE CLERK. At the end of line 8, it is proposed to strike out the period and add the following:

of such character and to the extent necessary to prepare such inductees for combat duty.

Mr. McCLELLAN. Mr. President, in view of the fact that the sponsors of the original amendment have agreed to accept my amendment as a modification of it, I merely wish to say that in the course of debate last Friday the suggestion was made that possibly the original amendment might be construed as permitting an inductee to be used in combat simply after remaining in the military service for 6 months, regardless of whether he had received proper training, and that such service, without adequate training, might be regarded as compliance with the amendment. In order that there may be no misunderstanding as to the intent of Congress, I propose in my amendment that the Congress provide that the military training shall be "of such character and to the extent necessary to prepare such inductees for combat duty." I think that with the adoption of that amendment to the pending amendment there could be no misinterpretation of the intent of Congress.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. STEWART. I think the amendment offered by the Senator from Arkansas, which has just been read, as well as the amendment sent to the desk the other day by the Senator from Massachusetts, both of which we have accepted as modifications of our own amendment, strengthen and clarify the amendment we offered. Certainly they emphasize the purpose of our amendment. On behalf of the sponsors of our amendment, I say that we are very glad to accept them.

I think the amendment of the Senator from Arkansas makes perfectly plain and clear the intent of the group of Senators who introduced the original amendment, namely, that young men 18 years of age shall be trained for combat service for a period of 6 months before they are placed in combat. The amendment of the chairman of the Naval Affairs Committee likewise clarifies my amendment. The authors of the amendment have no purpose or intention of undertaking to interfere with volunteers. I understand that on a rather large scale the Navy is taking volunteers under 18 years of age. We have no intention of interfering with that program or interfering with the training of men who have been inducted at places other than within the borders of the United States, particularly as referred to in the amendment of the Senator from Massachusetts which provides that they may be trained on board ships on the high seas.

The PRESIDENT pro tempore. The amendment of the Senator from Arkansas [Mr. McCLELLAN] has been proposed, but the amendment of the Senator from Massachusetts [Mr. WALSH] has not as yet been offered. The Senator from Tennessee has a right to modify his amendment.

Mr. STEWART. Mr. President, the amendment of the Senator from Massachusetts was read at the desk a few days ago, and I ask that it now be reread by the clerk.

Mr. WALSH. I will offer my amendment so that the Senate may act on it or that it may be accepted by the Senator from Tennessee as a modification of his amendment.

Mr. McCLELLAN. Mr. President, I will not object to the request of the Senator from Tennessee that the amendment be read, but I think that the situation would be expedited by acting first on my amendment and then on the amendment of the Senator from Massachusetts.

The PRESIDENT pro tempore. The Senator from Tennessee [Mr. STEWART] may modify his amendment at any time before it is acted upon by the Senate.

Mr. STEWART. Mr. President, I suggest that the situation would be simplified by the Senator from Massachusetts offering his amendment now and letting the Senate act upon it.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. STEWART. I yield.

Mr. MURDOCK. As I understand the present parliamentary situation, the Senator from Tennessee has modified his amendment by including the amendment offered by the Senator from Massachusetts and the amendment offered by the Senator from Arkansas. When we vote on the amendment of the Senator from Tennessee are we to understand that his amendment includes both the amendment of the Senator from Massachusetts and the amendment of the Senator from Arkansas?

Mr. STEWART. That is correct. If I have not already done so, I now ask leave to modify my amendment so as to include the amendment of the Senator from Massachusetts and the amendment of the Senator from Arkansas.

The PRESIDENT pro tempore. The clerk will read the amendment of the Senator from Tennessee as modified.

The CHIEF CLERK. At the end of the bill it is proposed to insert the following:

And provided further, That no man under 19 years of age who is inducted into the land forces under the provisions of this act shall be ordered into actual combat service until after he has been given at least 6 months of military training of such character and to the extent necessary to prepare such inductee for combat duty; this proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Tennessee as modified.

Mr. TYDINGS. Mr. President, I wish to propound a question to the Senator from Massachusetts. Let us assume that a man who is less than 19 years of age has had 5 months of training and is on a ship at sea. The ship is ordered to proceed to some theater of action where fighting is taking place. How would that man be taken off the ship?

Mr. WALSH. I do not believed that would be necessary. He is not supposed to be ordered upon a ship which is bound for actual combat until he has been trained for the period named.

Mr. TYDINGS. That may be true, but I have in mind that the man was assigned to a ship which was not expected to go into combat. Because of some change in the military situation it becomes necessary for the ship to be directed to proceed to the place of combat because its presence is considered essential to insure victory.

Mr. WALSH. As I understand the basic part of the amendment of the Senator from Tennessee, it contains the word "ordered." No one shall be ordered into combat. The amendment proposed by me would give the Navy an opportunity to place enlisted men or officers on naval vessels which had not been ordered into action and where necessary training could be given. It would not in my opinion prevent one from participating in an unexpected conflict with the enemy.

My amendment is based upon the assumption that if the amendment of the Senator from Tennessee [Mr. STEWART] is adopted it might handicap the Navy in giving early training on vessels to its enlisted personnel. If my amendment is adopted it will make it clear that the Navy can continue as in the past to train its youthful personnel.

Mr. TYDINGS. I sympathize with the Senator's purpose.

Mr. WALSH. There are many vessels on which a man could be placed that would not be ordered into conflict. The point I wish to develop is that there is not in my proposal any prohibition against the man going on to a naval vessel at any time or at any place for combat training.

Mr. TYDINGS. I realize there may be the best intention in the world to carry out the understandable motive of

the Senator from Massachusetts, but the Navy is often in the position of finding it necessary to order a ship to some theater of action. On that ship there may be 10 or 20 men who had not received 6 months of training. That is the situation which I have in mind.

Mr. WALSH. The situation to which the Senator refers is not a serious one because the law does not apply to volunteers. It applies only to draftees. Few men now are taken into the Navy except as they volunteer.

Mr. TYDINGS. I do not believe the situation is fair to volunteers.

Mr. WALSH. The amendment of the Senator from Tennessee excludes entirely volunteers. I understand this amendment is to protect only men who are drafted into the service by requiring that they be given a certain degree of training.

Mr. TYDINGS. I can see the philosophy back of the amendment. It seems to me to be a practical proposition that a man may be placed on a ship which may be sailing up and down the Pacific or the Atlantic coast, and come in contact with an enemy submarine. Under the strict letter of the law the commander would have to turn around and sail away from the submarine because if he engaged in combat he would be taking a new man into active service.

Mr. WALSH. In my opinion the amendment would protect an officer under such circumstances who found it necessary to fight the enemy. The basic amendment before the Senate provides that men shall not be placed on vessels known to be combat vessels until having been given 6 months of training. But, in my opinion, if it should become necessary to make an attack the officer in command should, of course, have the right to proceed into action.

Mr. HILL. Mr. President, I should like to ask a question. If the vessel were attacked and it sought to defend itself, as I imagine it would, would it not be in combat?

Mr. WALSH. In my opinion, if this amendment should be adopted, it would not be applicable in such a case, and the officer in command of the vessel could use those on the vessel who had not had the full training period provided for by the amendment.

Mr. TYDINGS. Mr. President, if the Senator will allow me to interrupt, should the vessel wait until it is attacked? It should take the offensive and put the enemy out of business before the enemy could sink it. Who wants to sit around with an enemy submarine in the neighborhood and wait until his vessel is shot at?

Mr. STEWART. Mr. President, I think the Senator from Massachusetts explained that when he said that no inductees at all under 19 years of age were being taken into the Navy. That completely answers the question.

Mr. TYDINGS. But the policy might be changed in a month, and it looks to me as if with the ending of the war in Europe we will be facing a naval war in the Pacific, for the time being, rather than a land war.

Mr. STEWART. It would be judged on the basis of existing law.

Mr. WALSH. In answer to the question of the Senator from Alabama, the vessel upon which a boy under 18 years of age was serving, under the circumstances spoken of, would be drawn to attack by the enemy, not ordered by our own Navy.

Mr. HILL. Will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. HILL. I submit that it does not make any difference how the attack comes; if they exchange fire, as they no doubt will do—and certainly our ship, as the Senator from Maryland has said, will be trying to get in the first lick—then the boy will be in combat. The ships will be in combat, and he will be in combat.

Mr. WALSH. The strong word in this amendment is "ordered." It is to prevent ordering a man into combat, either in the Army or the Navy, until he has had a prescribed amount of training. I emphasize again the word "ordered." I think it is a false interpretation, and an extension of the real purpose and intent, to claim that if a boy who is only 4 months in service meets an enemy who shoots at him, he would not be justified in combating the attack under the circumstances.

Mr. HILL. Will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. HILL. The boy of whom I speak would be acting under orders. Every man on the ship would be under orders. Can anyone conceive of a worse or more confusing situation than to have them not under orders?

Mr. WALSH. According to the Senator's interpretation, Congress would never have a right to suggest that a boy get even 1 month's training. The purpose of the amendment is to inform the Army and Navy that they are not to take raw recruits, without a certain degree of training, and order them into combat service.

Mr. TYDINGS. Mr. President, if the Senator from Massachusetts will allow me to interrupt him, it seems to me that in order to carry out the philosophy of his amendment—and I see what he is driving at—it would have to carry some connotation such as this, "wherever it can be anticipated," or "directly."

Mr. WALSH. My amendment is an attempt to modify the force of the amendment of the Senator from Tennessee, and to give the Navy's interpretation of the amendment so that it should not be denied the opportunity of training its enlisted personnel who enter through the draft from receiving their early training on naval vessels.

Mr. CHANDLER. Mr. President, will the Senator from Maryland yield to me?

Mr. TYDINGS. I yield.

Mr. CHANDLER. I think all of us recognize that the rough service is the Infantry, the walking soldier. The Navy is getting volunteers, because the fellow who waits to be drafted now and expresses a preference for the Navy has literally no chance; he is put in the Infantry right away. The Navy is getting the benefit of that situation, and young men are volunteering, because except for the time a Navy man is actually involved in combat, he lives with some degree of comfort on a ship, while he is training, or while he is in a fight, and the one who is training on a ship would not necessarily be on a combat ship, on a battleship or cruiser or destroyer. He would not have been ordered to combat.

Of course, as I said a few days ago, it makes no difference what kind of a law we pass, if someone shoots at one of our boys and he has something with which to shoot back, he is not going to say, "I am sorry, Congress says that until I get 6 months' training I cannot shoot at you." Whatever he has he is going to throw at the enemy, that is certain.

Mr. TYDINGS. The Senator from Kentucky has put his finger on what I think we could logically accomplish, rather than try to accept something which, in my judgment, is not humanly workable. I think we are almost down to the situation where the Congress of the United States calls on the War Department and the Navy Department not to use men under 19 years of age until they have had 6 months' training, wherever it can be conceivably possible. It is theoretically possible for a submarine to come up and shell a camp along the Atlantic Coast, and we would not have time then to get word out to tell all the 18-year-olds to go 10 miles to the rear, that the remainder were going to see what they could do about it. In my opinion, we have an idea here, but we have not the language to carry it into effect logically.

Mr. MAGNUSON. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. MAGNUSON. What the Senator says shows how impracticable it is to try to legislate for this purpose. It is true that most men in the Navy today are not inductees. That is because, I say to the Senator from Kentucky, the Navy is a much better service, in the opinion of most boys. Nevertheless, not all the young men who want to go into the Navy, can be taken care of. But suppose the Pacific war became primarily a naval war, and the Navy were not getting the number of men required; they would have to draft men; and there was a time when they had to. We put them through 90 days' boot training, then they are assigned to a cruiser, an aircraft carrier, or a destroyer, all combat ships.

I ask the proponents of this amendment, what are they going to do with the men at the end of the 90-day period, when they finish their boot training? The cruiser might be used in combat right away.

The sentiment behind the amendment is fine, but I do not know how it can be worked out for the Navy training. The Army presents a different story. The Infantry presents a different story. But I do not know how it could be worked out in the Navy.

Mr. TYDINGS. The Senator has suggested in substance what we can do, that is, request the Army and Navy not to take into combat boys under 19 years of age, wherever it is conceivably practicable. But without putting the words

"conceivably practicable" in the amendment, I do not think the officials can function under such an amendment.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. WALSH. In my opinion, if the word "practicable" were inserted in the amendment of the Senator from Tennessee, we might as well have nothing at all. The reason for my amendment is that the Navy wanted it clearly understood that the provisions of the amendment of the Senator from Tennessee should not be construed as being broad enough to prevent training on naval vessels.

Mr. MAGNUSON. Of course, we have some training, but we have not enough. The men have to be put on board ship at some place.

Mr. WALSH. Some kind of ship; yes.

Mr. HAWKES. Mr. President, will the Senator from Maryland yield?

Mr. TYDINGS. I yield.

Mr. HAWKES I should like to see if an addition I may suggest to the amendment of the distinguished Senator from Massachusetts would cover his point. His amendments provides:

> This proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and its reserve components thereof to duty for training on vessels of the Navy or Coast Guard.

I suggest adding the words "not being directed into combat."

Mr. TYDINGS. At the time of assignment?

Mr. HAWKES. Yes.

Mr. TYDINGS. Or a day after assignment?

Mr. HAWKES. Any time.

Mr. TYDINGS. If they should be directed into combat, as the Senator knows, the day after they were assigned, the whole purpose of the amendment would be defeated.

Mr. HAWKES. I am saying it would not prevent enlisted men from being put on these vessels provided the vessels were not being directed into combat.

Mr. TYDINGS. The point I make is that after 3 months' training, if a man is attached to a ship within a week thereafter, but the ship is not being directed into combat, but is at sea for training purposes, and thereafter a situation evolves which makes it necessary to send that ship into combat, there would be no way of getting men who had not had the 6 months' training off the ship.

Mr. HAWKES. I thought the Senator had the point in mind that the man would have to fight if there were a submarine present and the boat on which he was placed were attacked. Perhaps I have not made my point clear. The point I am trying to make is that the purpose is not to send the sailor into combat on that vessel.

Mr. TYDINGS. Let us assume that the amendment the Senator offers is agreed to. The man in question has performed his 90 days' training. Ten days thereafter he is assigned to Cruiser X. Cruiser X is not intended to go into combat for another 5 months. So the men are out on a training cruise 500 miles offshore when a great naval battle looms and it is necessary to send every available ship into that fight. The man in question is on that vessel. He is at sea. According to law, if the amendment were agreed to, it would be illegal for that ship to take part in the battle. That was the point I was making. I am not taking issue with what the Senator is attempting to do, but I do not think anyone has done it yet by any of the amendments suggested.

Mr. MAGNUSON. Mr. President, may I say that we have very few training ships in the Navy. I would wager that 90 percent of the men in boot training are on board the ships on which they are going to serve, and all the ships we have are being used as potential combat ships. May I place in the RECORD the fact that we are still relying on inductions in the Navy. Last month 13,700 men were required to be inducted into the Navy. We did not have a sufficient number of volunteers.

Mr. TYDINGS. Mr. President, I should like to say a brief word in my own behalf.

Mr. HILL. Mr. President, before the Senator does that, will he yield to me?

Mr. TYDINGS. I should like to yield to the Senator from Arkansas [Mr. McCLELLAN] before I begin. He has been standing for a considerable time waiting for me to yield.

Mr. McCLELLAN. Mr. President, it seems to me we are rather straining our interpretation of the original amendment. The amendment provides that "no man * * * shall be ordered into actual combat service," and so forth. In the illustration the Senator from Maryland gave of men who were in training on the ship when a submarine attacked it, that would not be ordering the men on the ship into combat service. That would be combat action overtaking them.

Mr. TYDINGS. But the other point I make is that after they are on the vessel in training, and a naval action takes place somewhere, and the naval authorities think it is necessary to make every ship available to go to that area, and they flash word for the ship to proceed to Leyte, or wherever it might be, would not that be ordering the ship into action before the 6 months' period of training was completed?

Mr. McCLELLAN. Under those circumstances, that is true.

Mr. TYDINGS. That is the objection I make to the amendment.

Mr. McCLELLAN. If I correctly understand the amendment of the Senator from Massachusetts, it would protect the Navy under such circumstances.

Mr. WALSH. The amendment was prepared so as to prevent the amendment offered by the Senator from Tennessee [Mr. STEWART] from forbidding the Navy ordering on any vessel at any time any enlisted man in the Navy, for fear he might sometimes get into combat.

Mr. McCLELLAN. In other words, if the amendment proposed by the Senator from Massachusetts is adopted, the Navy would feel free to place such men on ships which might be called into combat, and therefore the amendment of the Senator from Tennessee would not prohibit it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HILL. I wonder if the Senator from Maryland has examined the amendment of the Senator from Massachusetts. His amendment would put men in the land forces, which means the Army, under this inhibition, but not men in the naval forces. Is that the purpose of the amendment?

Mr. WALSH. No, Mr. President; there was an error in the printing. The only part of my amendment that is a modification of the Senator's amendment commences in line 8.

Mr. HILL. Beginning with the words "this proviso shall not be construed?"

Mr. WALSH. Yes.

Mr. HILL. In other words, as I understand, when the Senator offers his amendment he will modify it by striking out lines 4, 5, 6, 7, and 8 down to the semicolon, so it will begin with the words "this proviso shall not be construed"?

Mr. WALSH. Yes; the Senator from Tennessee will accept that part of my amendment.

Mr. STEWART. Yes. Will the Senator from Maryland yield to me?

Mr. TYDINGS. I yield to the Senator from Tennessee.

Mr. STEWART. I was about to call attention to that very thing. The Senator from North Carolina [Mr. BAILEY] called my attention to it. In the print of the amendment intended to be proposed, identified as "amendment intended to be proposed by Mr. WALSH" the words "or naval" are left out. That is an error made by the printer in printing the amendment intended to be proposed by the Senator from Massachusetts, which was asked to be printed merely for the information of the Senate.

Mr. President, I accepted the amendment of the Senator from Massachusetts, but not the entire print that is on the table. I accepted the amendment as I understood it, beginning at line 8, which reads:

> This proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard, and the Reserve components thereof, to duty for training on vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

The PRESIDENT pro tempore. The amendment has been so modified.

Mr. STEWART. Then do I make it clear that I intended to accept that portion of the amendment intended to be proposed by the Senator from Massachusetts, from line 8 on down, as I have read?

The PRESIDENT pro tempore. The clerk has the amendment at the desk.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAFT. In order to meet the objection of the Senator from Maryland, I suggest a further amendment to the Walsh amendment, which now is as follows:

> This proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on

vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

It seems to me that naval training is a very different thing from Army training. There is no objection to assigning a man to a ship shortly after his boot training, and it seems to me that the Senator might suppose that when the amendment provides "training on vessels of the Navy," it means training vessels. I do not think the amendment meant that when the Senator offered it, and I would suggest that it might read "duty for training on combat vessels of the Navy or Coast Guard."

That is what I think the amendment should mean.

Mr. TYDINGS. Under the case I visualize, of course, if the vessel were needed quickly it would be sent to the area where it was needed.

Mr. TAFT. It would be sent to the area where it was needed. That is obviously correct. I wonder if the Senator from Tennessee would be willing to add the word I suggest to the Walsh proviso.

Mr. TYDINGS. Just a moment. Mr. President, may I ask the Senator from Ohio if his proposal applies to all enlisted men, both inductees and volunteers, or simply the one group only.

Mr. TAFT. I had not considered that point. I merely wanted to suggest that men could be placed on combat vessels for training, and clearly if they are combat vessels then the men go on combat vessels, that is all.

Mr. TYDINGS. And does it apply to marines who are stationed on battleships, and who are land fighters, and who will be sent ashore if it is necessary under the case we visualize before the 6 months have expired? I am not saying that in any captious sort of way, but it seems to me that if we are attempting to establish a policy it would be unfair to take an 18-year-old boy in the Marines and let him charge up to the top of Suribachi on Iwo Jima and then allow the Army counterpart the opposite privilege or restriction.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. TAFT. I do not think it should include Marines. The Marines are not trained on the ships and, so far as I know, the Marines who have been sent abroad have been trained for far more than 6 months. I doubt if any Marine replacements have been sent abroad without having received 12 months' training. I do not believe that the exception should apply to Marines. I myself think they should have 6 months of land training just like a soldier. A sailor on a ship has his friends around him, he is not subjected to individual attack, so to speak, and it seems to me he ought to be properly excepted from the entire provision.

Mr. TYDINGS. And that would prevail whether he was a volunteer or an inductee?

Mr. TAFT. Yes. I am only making a suggestion, not proposing an amendment.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield to the Senator from Washington.

Mr. MAGNUSON. Let me say to the Senator from Ohio that, although the Navy has some training ships, there are not nearly enough training ships to afford 3 months' training on training ships for all the men who come out of boot camp.

Let us assume that a man leaves the Great Lakes boot camp. He is assigned and receives his orders to proceed to San Francisco to board the cruiser *Cincinnati*. He goes aboard the cruiser *Cincinnati*. The cruiser *Cincinnati* is a combat ship. The minute it "hoists the hook" in San Francisco Harbor it becomes a combat ship. He finishes training aboard ship. If the Navy could not do that, it would have piled up in all the ports of embarkation men wh had finished boot training at Great Lakes or Farragut and who were waiting for 6 months to elapse before they could board the ship to which they were assigned.

Mr. TAFT. Mr. President, the Senator must have misunderstood me. He is not telling me anything that I do not know. My suggestion was to insert the word "combat" before "vessels" so that it would be clear, beyond any question, that the men could be sent to combat vessels. That was my suggestion.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. CHANDLER. I ask Navy and Marine Corps supporters to be reasonable. Only about 2 or 3 percent of the 500,000 men in the Marine Corps have been inducted. The rest are volunteers. They have had superb training. They have had maximum training. The Navy may use some of those men, of course. It gets the pick of the volunteers. There is no more rugged service than that of the GI soldier who wades through the mud with his gun. He has the roughest time of all. This is an amendment for the benefit of the infantryman. Let us give the hard-pressed Infantry soldiers a little relief.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. STEWART. Of course, we are assuming a purely imaginary condition. As I understand, through an agreement with the Army, the Navy does not now get any men under 20 years of age. I venture the assertion that, as a matter of policy, all the younger men are going to the Army. It is my opinion that today there is not a seaman in the United States Navy under 19 years of age who has not had 6 months' training. So we are assuming a perfectly imaginary condition. If, when the war turns in full force to the Pacific, such a thing as has been debated occurs, we can consider the matter again and repeal any laws which may hamper the operations of our armed forces, either on sea or on land. I am trying to view the problem in a realistic light. I venture the assertion that today there is not a man in the United States Navy under 19 years of age who has not had 6 months' training. So we are dealing with an imaginary situation.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. HILL. On the question of the number of inductees entering the naval service, last month the Navy got 29,541 of the men who came in under selective service.

Mr. STEWART. What were their ages?

Mr. HILL. I cannot give the breakdown by ages. Some of them were 18 years of age.

Mr. STEWART. I understand that since the first of the year the Navy has not received a man under 20 years of age.

Mr. HILL. The Senator's understanding is incorrect.

Mr. STEWART. No; I have the information.

Mr. HILL. Starting in October 1944, there were 24,247——

Mr. STEWART. What were their ages? We are dealing here only with men under the age of 19.

Mr. HILL. I understand; but in that number there were bound to be some under the age of 19.

Mr. STEWART. I understand not.

Mr. HILL. The Selective Service has not culled out the men under 19. The Navy gets its proportionate part.

Mr. STEWART. I have been informed to the contrary.

Mr. HILL. I believe the Senator's information is incorrect.

Mr. TYDINGS. Mr. President——

Mr. HILL. Mr. President, will the Senator further yield to me?

Mr. TYDINGS. I will permit the Senator to complete his statement, after which I will decline to yield further.

Mr. HILL. I wish to call attention to the fact that in the month of April the Navy received 27,500 inductees.

In connection with the Marine Corps, and what it was to receive, I have before me a letter from the Secretary of the Navy dated April 19, or Thursday of last week, addressed to Hon. DAVID I. WALSH, chairman of the Naval Affairs Committee of the Senate. Secretary Forrestal had this to say:

> As to the Marine Corps, it is the present practice, even under the extreme combat pressure and high casualties encountered, to afford recruits 5 months' training in the United States and further training in a combat unit on the advanced fronts which is in preparation for future operations. It is the experience of the Marine Corps, based on its combat record, that this training is adequate.

One further word, and then I shall let the Senator from Maryland make his speech. Just as there must be training on ships for Navy men, so there must be training in divisions for Army men.

Mr. TYDINGS. What the Senator just read referred to the Marine Corps.

Mr. HILL. The Marine Corps is very similar to the Army. When a man finishes his boot training in the Navy, as the Senator from Washington has stated, he must be placed on a real, honest-to-God ship, to proceed with his training so that he can take his place as a part of the team on the ship. In the same way, when a man finishes his basic training in the Army, he must be placed in a division,

so that he may receive training which will enable him to take his place on the team, the team being the division.

Mr. TYDINGS. Mr. President, all I have to say about my own position is that I look with a great deal of favor on the effort by the military and the Congress to give every man—even those over the age of 18 or 19—6 months' training before they are thrown into an active theater of war as being in the best interests of ultimate victory.

A moment ago the Senator from Alabama read certain figures, to the effect that in recent months, out of 8,000,000 men in the Army, only 10,000 under the age of 19, who had not had quite 6 months' training, were in combat areas, and sometimes in combat. It seems to me that the Army is trying to accomplish in practice what we are trying by law to compel it to do. I have reached the conclusion that perhaps, all things considered, the Army is dong what we wish to have done as well as it can be done.

To begin with, there can be very little logic in requiring an inductee to have 6 months' training, and not requiring a volunteer to have 6 months' training, if there is anything at all in training.

Secondly, in my judgment it is just as important for a man over 19 years of age to have 6 months' training as it is for a man under 19 years of ago to have such training. In my judgment, the man over 20 years of age would need the 6 months' training a great deal more than would the man who is 19 years of age.

Sharing, as I do, the opinion of those who have sponsored these amendments, it is rather difficult for me to find the means of achieving the desired result much better than it is now being realized.

The Marine Corps is quite similar to the Army. Its primary operation is to land somewhere and fight on land. Its greatest fame has been based upon such operations throughout its history, and throughout all the days of this war.

I am not speaking in oppostion to this amendment, but I do not believe it practicable in its present form. Nor do I believe that it would ever be carried out on the field, because of situations which will arise which cannot be visualized at the time a man is assigned to a ship, regiment, or other unit. I believe that before writing such a rigid requirement into law, it should be further considered. Considering the scope of the operations abroad, and the number of men over there who have not had 6 months training, and who might have been utilized, I believe that the very fact that only 10,000 men have had less than 6 months' training is a high tribute to those who are directing our armies.

As we know, the situation in the Navy is vastly different. The only way for a man to receive training in the Navy is to go on a ship. There is no way in God's world to learn how to fire the guns of a ship, or to be a part of the ship's life, without serving on the ship. As the Senator from Washington has pointed out, if all of them were required to have 6 months' training first, there would be a 3 months' hiatus when the training would virtually stop, and a man would not be progressing military-wise at all. Therefore I make the recommendation that before we adopt the amendment, the committee should give it further study. We had better not adopt it in its present sketchy and indefinite form.

Mr. TAFT. Mr. President, will the Sentor yield?

Mr. TYDINGS. I yield.

Mr. TAFT. I have been concerned with this question for some months. In February I spoke in the Senate concerning the case of a boy who was killed a little more than 5 months after he was inducted. Since that time I have received more than 3,000 letters from all over the United States, citing many similar cases. I have referred to some of them today—those who were killed at some time between 5 and 6 months after they were inducted into the Army. For a long time the Army said they needed 17 weeks of training. Then they skimped it down to 15 weeks of training. Finally they got down in some cases to 13 weeks of training. The regular rule was that just as soon as those boys received that training they were sent home on 10-day furloughs, and then they went to Camp Meade, and then immediately were shipped abroad. I do not know about the 10,000 who have been referred to, but I say that practically every 19-year-old boy who was inducted during the period from June to September followed the same course, and that thousands of them were sent abroad within four months from the time when they were inducted, and that many of them reached the front within 5 months from the time when they were inducted, and that many of them were wounded or killed after that time.

Mr. President, I should like to have printed in the RECORD a letter I wrote to the Secretary of War on March 12, which I now read in part:

DEAR MR. SECRETARY: Since February 27, when I called attention in the Senate to the fact that many 18-year-old boys had been killed or wounded within 7 months—

At that time I said 7 months, but these cases show it has been less than that—

of the time when they were inducted into the Army, I have received literally thousands of letters protesting without exception against the apparent War Department policy of sending 18-year-old boys to the front immediately upon the completion of their basic 15 weeks' training. Many instances have been cited with clippings which show that a large number of boys have been killed or wounded less than 6 months after their induction, and long before they were 19 years of age.

When the first draft bill was passed, the statement was made that men could not be trained short of 15 months. Congress finally enacted legislation based on the theory that 12 months was the proper period.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HILL. The Senator has stated that the bill was passed on the basis of the understanding that men could not be trained in less than 15 months. I do not think the Senator should say that the theory was that men could not be trained in less than that period of time. The theory was that divisions could not be trained in less than 12 months' time. As the Senator must know, there is a vast difference between the training of an individual soldier and his preparation to become a member of a team and the training of the great team or division, which constitutes 15,000 or 20,000 men. There is the greatest difference in the world between training a team of 15,000 or 20,000 men and training an individual.

Mr. TAFT. That is quite true. It is quite true that General Marshall demanded 18 months of training when we started. Subsequently he testified that he accepted 12 months' training as a compromise, but that in his opinion 15 months of training had always been necessary. Of course, that included the training of divisions. However, at that time he had the National Guard divisions all formed, and they were going to put the new trainees into the National Guard divisions. So we had at least started on the formation of new divisions. The actual situation is not at all clear from the testimony submitted at the time. The distinction was not one which was clearly made.

When we argued whether an 18-year-old boy should be put into the Army, and when the argument was made that they were too young, the Army and everyone else said, "Well, they will not go into combat service until they are 19 years old." Perhaps they did not intend that, but that is what they said at that time. There was not a flat statement that such men could not be properly trained in less than 12 months, if divisions had already been formed; but the implication was perfectly clear to the people of the country that the men would be in the Army a year before they would go into active service.

Mr. TYDINGS. Mr. President, will the Senator yield to me?

Mr. TAFT. I yield.

Mr. TYDINGS. I think all the statements to which the Senator from Ohio has referred were made, but I think they are subject to some misinterpretation. In appearing before the Appropriations Committee to obtain money for camps and training, General Marshall said that he had to start out with a very small trained force, that he had to dilute that force in order to extend it and train green men. He said that when he got those men adequately trained or approximately trained, he had to dilute the force again, until he could bring about a reasonable degree of efficiency throughout the whole Army.

After General Marshall has gotten what is basically a splendidly trained army, with division, brigade, army, and corps training thrown in, and with equipment in addition, he said it would not thereafter take the length of time to develop a good soldier that it would take in the beginning, when he had only a small trained army and millions of new men to train quickly, with the result that the dilution was so terrific that he could not get the desired efficiency in less than a year or 15 months.

Mr. TAFT. At any rate, in the Senate we adopted an amendment providing that no boy should be sent into combat service sooner than 1 year after he was inducted.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HILL. I know the Senator from Ohio desires to be fair to General Marshall. I take strong exception to having the Senator create the impression that General Marshall ever said to the Senate or to the country that the individual soldier would receive or would require 12 months of training. The truth is that when the question of lowering the age limit under the Selective Training and Service Act was before the Congress, with the proposal that the age limit be reduced to 18 years, General Marshall wrote a letter to the then chairman of the Senate Committee on Military Affairs, Senator Reynolds, of North Carolina, under date of October 23, 1942, in which he said, among other things:

A rifleman—

Mr. President, who is a rifleman? He is the infantryman, the one we have been talking about all afternoon—

A rifleman, when he finishes his 13 weeks of basic training, is prepared to take his place in an experienced squad at any time. If 8 or 10 men in the squad have had team training, the trained rifleman can be inserted in the squad without detriment either to himself or to his unit.

I could give you many other examples where it would be unnecessary and undesirable to hold a man out of a combat theater for 12 months. It would be almost impossible for the Army to operate under any such mandate. We would, in effect, have to put thousands upon thousands of men "on the shelf" after their essential training had been completed, before we could use them. In the Air Corps alone possibly 500,000 such men would be involved.

Incidentally the Navy and the Marine Corps enlist men of 17, and I am told that the average age of the entire corps is below 20.

He specifically said that he could give many instances when it would be undesirable and unnecessary to hold men out of combat until they had received 12 months of training.

Mr. TAFT. However, Mr. President, we passed a bill providing that they should be held out of combat for 12 months, and that bill went to conference. Subsequently we received the letter of October 23, 1942, from General Marshall, and also a letter from the President of the United States, addressed to the Senator from South Dakota [Mr. GURNEY], reading as follows:

MY DEAR SENATOR: Concerning the proposed legislation to lower the selective-service age now before the Senate, I have been told that several limitations will be proposed in the form of amendments. It appears to me that the complicated administration necessarily involved in the handling of large numbers of men in the Army as well as the urgent necessity for correcting the present deficiencies as to age, make it important that limitations other than those now included in the bill be avoided.

The emphasis was all on the difficulty of administration. While General Marshall says that an individual can be trained in less than 12 months, he has indicated that after the basic training has been received he must be given some additional training; that he cannot step from the basic training directly into active combat. That is the policy which the Army has adopted within the past 6 months.

Mr. HILL. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. HILL. There is another thing which the Senator must realize. He speaks about the emphasis being placed upon the difficulty of administration. When that letter was written in October 1942, we had been at war for less than a year. We were then in the process of forming and activating new divisions. Nearly all those divisions had to be given anywhere from a year to 18 months of training. So our problem then was different than it is now. That is the reason General Marshall at that time did not lay emphasis on the efficiency of divisions as he does today. The situation was entirely different. The Senator realizes that 2½ years have passed since that letter was written. In the meantime all our divisions have been sent overseas.

Mr. TAFT. For the reasons which the Senator has stated I voted against the proposal to require 12 months' training. But at that time, and at no time since then, has anyone claimed that a man can be properly trained for active combat service in the Army in less than 6 months. I do not believe the Senator can point to any statement made by any responsible official of the Government to the contrary. They have said that at times it was necessary to use men who had not been properly trained; but, so far as I know, neither General Marshall, Secretary of War Stimson, nor any other prominent official of the Government has said up to this time that any man can be trained for the Infantry service in less than 6 months.

Mr. HILL. General Marshall has never said that he had to use men who were not properly trained. He said that there were cases in which he had to use men who had not received a full 6 months of training. But the Senator cannot refer to any statement made by General Marshall in which he said that men had been used in combat service who had not been properly trained.

Mr. TAFT. I read from a letter which I sent to Secretary of War Stimson under date of March 12, 1944:

I quite realize the mergency situation which arose in December, but the letters which I have received appear to show an almost uniform practice of sending 18-year-old replacements directly from the point of debarkation to the front. I wish to ask whether that practice cannot be changed so that young boys sent abroad may have some time and some training with units which are in reserve or behind the line, before they are actually sent into combat. The present practice appears on the surface to be not only unfair to the boys themselves but not very helpful to the units which receive green recruits in the midst of a battle.

I should be obliged for such statement of War Department policy in this regard as you care to give me.

In order to be completely fair, Mr. President, I desire to read the reply which I received from Secretary Stimson under date of March 31, 1944, which states the War Department's case:

DEAR SENATOR TAFT: I have your letter of March 12 regarding the replacement training received by 18-year-olds and suggesting that these men be given additional training overseas before they arrive in combat areas.

In my statement on the subject to the press on March 1, I mentioned, in passing, that oftentimes the Infantry replacements receive additional training overseas. A copy of the statement is attached for your information. I also am enclosing two additional statements which may provide a further understanding of the steps we have taken to insure proper training for Infantry replacements. You may find of particular interest the attached description of the division reinforcement training center established at the instance of Maj. Gen. Terry Allen. I believe General Allen's comments bear directly upon your suggestion that the 18-year-olds receive additional training overseas.

It seems to me that the Secretary admits in his letter that the military authorities are trying to provide the additional training, that it should be provided, but that in order to be properly trained a man should have some training with his unit overseas after he arrives if his training in this country has been of only 17 weeks' duration.

Secretary Stimson proceeds:

I believe you are aware that our most pressing need from now on will be Infantry replacements. Our monthly calls on Selective Service are 100,000 a month, which is barely enough to provide the necessary number of men physically qualified for Infantry training. Actually, the full monthly quotas for which we have asked have not been provided by the Selective Service System. The reasons for this are numerous. In order to meet our needs Selective Service had to screen and rescreen the remaining manpower in the Nation. Agricultural and industrial deferments have made large manpower blocks unavailable, with the result—and I believe this is not generally understood—that it is unavoidable that the younger age groups must be called and constitute a considerable percentage of those who are called.

Since our most pressing need is for infantrymen, it likewise is absolutely necessary that the majority of the newly inducted men, including those in the younger age group, now enter Infantry training.

In the final analysis, Infantry is the arm which wins battles. Likewise, it is the arm which suffers the heaviest casualties. Infantry bore the brunt of the German offensive in the Ardennes. In order to withstand that offensive it was necessary that infantry be used unstintingly. All available replacements were used to maintain the strength of the infantry units so that the fight could be successfully continued. As a result, the Ardennes offensive failed.

I may say that I do not believe it can be shown that by putting these younger men in without having given them any training there was any material effect on the Ardennes offensive.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. McMAHON. How does the Senator know that the Ardennes offensive did not fail because 18-year-old boys were there to help stop the Germans?

Mr. TAFT. From all the testimony and statements I have heard on the part of the men who took part in the other war, an officer in combat would rather have 20 men with previous training than 80 men without it. I believe that they will say that replacements arriving in the middle of a battle are not of much help to them.

Mr. McMAHON. I cannot understand how the Senator can put his judgment

against that of generals who were on the field of battle, and who have spoken with reference to the necessity of using the troops which were used. The fact remains that with the use of those troops the German offensive was stopped. Our officers did not put anybody into combat who was not needed, and they put everybody in on whom they could lay their hands.

Mr. TAFT. If a unit which had been in reserve had been moved into the active sector, it might have had some effect on the outcome. However, I cannot believe that any military officer will say that the addition of a few raw recruits in the middle of a battle has any actual effect on the result of the conflict. After talking with military men, I am quite willing to place my judgment on that point against that of Secretary Stimson even after he has talked with military men.

Mr. McMAHON. I may say that I would much prefer to accept the judgment of men whom we have charged with the responsibility of leading our forces, than to accept the judgment of the Senator from Ohio upon the necessity of using men who are available.

Mr. TAFT. I have never had any doubt that the Senator would prefer accepting the judgment which he has indicated.

Mr. McMAHON. I am glad the Senator from Ohio has not been disappointed.

Mr. TAFT. Mr. President, it seems fairly obvious that the reason these men were all used, whether it did any good or not, was that the Army had made a gross miscalculation as to the number of infantrymen who were required. They have not trained enough infantrymen from the beginning, and they got themselves into a hole, it is true. I do not think there would have been any difference if we had placed the year's training requirement or the 6 months' training requirement in the law.

Mr. CHANDLER. Mr. President, I think the Senator from Ohio is absolutely correct in that statement. When the Army makes a mistake, there is no Senator or citizen of the country who does not regret it, and we do not want to magnify it and call attention to it, because really that will not do any good. But they did make a mistake as to the number of infantrymen required, and they had to take men out of the Air Corps and put them into the Infantry in order to get a sufficient number. That might not have been true except for the fact that our brave allies, who fought long and hard, did not have the men to put into the offensive, and we had to supply a great number of men in the actual fighting.

I do not wish to go along with those who insist that the Army and the generals never make mistakes, because they do make mistakes, just as the rest of us do. The American people are deeply concerned, because when the generals make mistakes, the American people have to pay for them with the lives of their sons.

Mr. TAFT. I thank the Senator, and agree with him.

Mr. AIKEN. Mr. President, I did not hear the first part of the letter of the Secretary of War. Does the Secretary of War in his letter say anything about the almost complete break-down of our intelligence service, which permitted the enemy to bring up a large army unobserved, and effect the Ardennes breakthrough?

Mr. TAFT. No; that is not discussed. I now proceed with the letter, Mr. President:

> Our field commanders realize far better than anyone else that a replacement who has received additional training in a quiet sector or in a reserve unit is better than a replacement who has not.

That seems to me a perfectly clear statement, that we would be better off if these men did have 6 months' training, or even longer, so far as that is concerned.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CHANDLER. The Senator from Ohio has referred to what happened in the last war. According to the Baker report, every American soldier who went overseas—and there were more than 2,000,000, about 2,050,000, in fact—had 6 months' training before he went overseas. Then those soldiers had 2 months' additional training, and went into a quiet sector before they went into the line. The service seemed to have been better organized than it is at this time, even though we have sent 5,150,000 men overseas, according to the report made in February.

Mr. TAFT. I think it is clear that everyone agrees that the training is necessary. The Secretary's real answer is this:

> Unfortunately, during the past several months we have had few reserve units and fewer quiet sectors. Our field commanders have had no choice but to employ every means at their disposal, including replacements newly arrived. To forbid them to use all the means available in grave emergencies or when swift exploitation may mean great success would contravene every precept of successful military operations. Actually, our field commanders have generally followed the practice of giving replacements additional training in the theaters before they are committed to battle. This was true in Tunisia and Italy, and is true when circumstances permit, in the active theaters today. Various reports from the European theater indicate that such training, when it can be given, is thorough and good. You will note the intensiveness of the program in the attached comments of General Allen. Another example is a recent report from the Mediterranean theater which states that divisions in the Fifth Army have an assigned overstrength of 5,000 men which was deliberately ordered so that future replacements for those divisions might be provided the additional training to which you refer.
>
> It must always be borne in mind in time of war, however, that emergencies, which are the rule and not the exception, will at times prevent such training overseas, and in such cases our commanders must not be hampered by arbitrary restrictions. They must be allowed to use all means under their control in the manner in which their best judgment dictates.
>
> Our opposition to the statutory training restriction to which you refer was not based solely upon our desire to avoid administrative difficulties involved in the retention of young soldiers for specified periods in the United States. This played a part, of course, since the administrative difficulties would have been enormous. Our greatest concern was derived from our knowledge that recurrent, urgent needs would develop for additional manpower during emergencies unavoidable in war. These emergencies have occurred. This is now the peak of our national effort, and we are straining our entire replacement system in an effort to meet the manpower demands overseas. There doubtless would have been catastrophic results had our hands been tied by a statutory restriction during these past critical months.

Mr. President, I think Secretary Stimson makes the strongest statement that can be made, but it does not convince me. In the first place, he admits the soldiers should have this training if we want them to be good fighters. It does not convince me, because I believe very strongly that if the Army were properly organized, if they had had in the statute in the beginning this provision, the 6 months' restriction, no boys would have been sent abroad before they had been in the Army 6 months, we would not have cut down the 17 months, and we would have found the necessary replacements among the 1,400,000 men who, the Secretary said on March 30, were in this country marked for shipment overseas, ready, almost, to go overseas, men of all ages, so that, so far as I can see, it was completely unnecessary to send the 18-year-old boys overseas in order to provide the replacements. It is perfectly clear to me that they did not need to go, that the Army did not have to have them under the circumstances, and that there was no tremendous emergency which required that, except that they happened to be the men at that particular point at that time.

So far as I know, I have never received a letter indicating that any boy had gone into combat in the Pacific area with less than 6 months training. There have been boys in the Atlantic area shipped abroad after 4 or 5 months, but so far as I know, I have received no letter stating that any boy was injured in 6 months, or even 8 months, from the time he was inducted and sent to the Pacific area. I see no reason why that policy cannot be established in the European theater. If there was a crisis, the crisis is over; and the amendment provides no serious restriction.

The marines get combat training at home. They are taken to California and spend 2 or 3 or 4 months practicing landing on various islands which have been set aside for that purpose. There is no reason I can see why soldiers cannot be treated in the same way in some combat training in the United States, even if there are not any activated divisions.

Certainly we are not asking anything unusual when we ask that a man shall have at least 6 months' training before he is actually sent into combat service. I do not believe any Army officer will say that a man sent in without 6 months' training is adequately trained for the combat service to which we are sending him. It is not fair to him, it is not fair to the unit. If properly organized in advance, any intelligent policy should require that the men who actually go into battle be adequately trained for the task they are sent to perform.

COMMITTEE TO INVESTIGATE ATROCITIES IN EUROPE

Mr. HILL. Mr. President, I submit a resolution and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The clerk will read the resolution.

The legislative clerk read as follows:

Whereas General of the Army Dwight D. Eisenhower, Supreme Commander of the Allied Expeditionary Forces in Europe, requested by radio on April 19, 1945, that Members of Congress go to Europe for personal inspection of the conditions of unspeakable horror at Nazi concentration camps for political prisoners;

Whereas, in response to the invitation of the War Department that six Members of the Senate go to Europe in accordance with the request of General Eisenhower, the following Members of the Senate have gone to Europe: The Senator from Kentucky, Mr. BARKLEY; the Senator from Georgia, Mr. GEORGE; the Senator from Utah, Mr. THOMAS; the Senator from Illinois, Mr. BROOKS; the Senator from Nebraska, Mr. WHERRY; and the Senator from Massachusetts, Mr. SALTONSTALL; and

Whereas it is important that the Senate have an official and permanent record concerning the conditions in such camps and concerning the treatment otherwise accorded by the Germans, and their allies in Europe, during the present war to political prisoners and to other civilians in the areas occupied by them: Therefore be it

Resolved, That the Members of Senate above-named are hereby constituted a committee of the Senate; and such committee is hereby authorized and directed to make a study and investigation with respect to the treatment accorded by the Germans, and their allies in Europe, during the present war to political prisoners and to other civilians in the areas occupied by them. The committee shall report to the Senate from time to time the results of its study and investigation, together with such recommendations as it deems advisable.

Mr. WHITE. Mr. President, at this time I am compelled to object to the request for present consideration of the resolution.

Mr. HILL. Mr. President, will the Senator withhold his objection for a moment?

Mr. WHITE. Yes.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. I shall vote for the resolution if it comes to a vote. However, I think it is a bad precedent for Members individually to appoint what afterwards turns out to be a Senate committee, and then after the committee is appointed, initiate the formal proceedings and make the committee an entity of the Senate. Some time ago four or five Senators were selected and became an entity of the Senate, and went around the world, without really any Senate action. I think members of the Foreign Relations Committee without regard to seniority, who were deserving of support when momentous events were taking place, have been overlooked in some cases. Hereafter, I think the Senate would be wise if it were to discontinue the practice of having these committees which are self-appointed in the name of the Senate.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HATCH. I certainly feel at liberty to reply to the Senator from Maryland on this question, because it was upon my suggestion earlier today, perhaps inadvertently made, that the resolution was drafted.

Mr. TYDINGS. I think the resolution is a good one.

Mr. HATCH. I think so too. I wish to say in behalf of the Senate of the United States and the Members who have gone overseas, that I know personally that the majority leader, the Senator from Kentucky [Mr. BARKLEY] went overseas against his wishes, against every personal claim a man might have. I do not want to go into the personal matters. If it is insisted upon, I will do so. I wish to say with respect to the Senator from Georgia [Mr. GEORGE] that there never has been a braver man in the Senate of the United States than he. If Senators want me to go into details about him I will do so.

Mr. TYDINGS. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. TYDINGS. I have no disposition to asperse the Senator from Georgia or the Senator from Kentucky or any other member of the committee. I am calling attention not to the character of its personnel, but to the manner of its appointment. I do not like to have a committee appointed after it has left the country on official business as the committee of the Senate. That ought to precede its departure if it is to represent the Senate. Otherwise they go as individuals and not as representatives of this body.

I am not criticizing in the slightest way any member of the committee. I grant that a better committee could not have been selected. The point I make is that it ought to have been appointed by the Chair or selected by some committee in pursuance of a resolution adopted, and not by one-man procedure.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. HATCH. I wish to add one further thought. I was very earnest about this matter earlier today because I knew something about the conditions under which these Senators went overseas. I do not agree and never have agreed to any department of Government appointing any Member of the Senate of the United States upon a committee. But I know the emergency which arose, and the conditions under which these Senators went to Europe. As servants of the Senate they went at their own personal sacrifice.

Mr. President, I say that in now adopting the resolution, thus ordering the Senators to go and giving them authority, the Senate honors itself, whereas if it rejects the resolution or if objection is made to its consideration, the Senate dishonors itself and dishonors it own representatives.

Mr. WHITE. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. WHITE. The Senator from New Mexico has used harsh language.

Mr. HATCH. No, Mr. President.

Mr. WHITE. The Senator has used harsh language both with respect to whatever the Senator from Kentucky did and with respect to my participation in the action.

Mr. HATCH. Did I use harsh language?

Mr. WHITE. Mr. President, we have been using language rather loosely here. We have talked about a committee, but I want to assure the Senate that the Senator from Kentucky [Mr. BARKLEY] knows what his authority is, and he knows the limitations of his authority. He knows that without Senate authority he could not appoint a committee of the Senate or a subcommittee of the Senate. Difficult as some may find it to believe, I have been a Member of the Congress long enough to know that I could not name a committee of the Senate or members of a committee.

What we have done in fact is to recommend Members of this body to go as a group to Germany. They have not been named officially as a committee of this body. Neither the Senator from Kentucky nor the Senator from Maine would presume to claim to have such authority or, if they had such authority, would presume to act upon it.

Mr. President, let me say a further word. I objected to the consideration of the resolution largely because of the interest taken in the matter by the Senator from Wisconsin [Mr. LA FOLLETTE]. So far as I personally am concerned, I have no substantial objection to the resolution itself. I simply feel that after the act has been done, after the men have been recommended to the War Department by the majority leader and by me, after they have gone, and are now on foreign soil, I think adoption of the resolution is rather an unnecessary act. I know of nothing that it accomplishes. I think the Senators who are now abroad at the solicitation of the War Department, and who went, as the Senator from New Mexico has said, with great reluctance on their part—and I affirm that statement without reservation, for I do not know of a single one of the six Senators who did not agree to go with this group with the very greatest reluctance—I think they are going to feel keenly that they have been subjected to a vote of censure if we adopt the resolution. They are overseas. They are on the ground. By this time they probably have undertaken and have made the kind of survey for which they were invited to go overseas. If I had my way I would leave the matter right there.

I have objected to consideration of the resolution for the time being, because, as I said, the Senator from Wisconsin has expressed great interest in it. Whether he would pursue the matter beyond the present objection I do not know. I do not want to, but I am not going to consent to the disposition of this matter in the absence of the Senator from Wisconsin.

Mr. HILL. Mr. President, I wish to say in connection with the resolution that a good many Senators have spoken to me today expressing very strongly the feeling that since this committee, or this group of Senators, perhaps I should say, has gone overseas because of

an urgent request from General Eisenhower, the commanding general of our armed forces in Europe, to make this very important and historic investigation, it ought to be a committee of the Senate, it ought to have the added strength, shall I say, which it would have as a committee of the Senate, so that the report which it might make will be the report of a committee of the Senate, and be made to the Senate, rather than for the Senators to go simply as individuals, so to speak, who accepted an invitation from the War Department and report as individuals.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CHANDLER I intended to support the Senator's regulation. Why does the Senator think the Senator from Kentucky introduced his resolution today? I was not a party to the appointments, and I regret that some consideration was not given to the attempt which I made to place the action on a basis which could be justified.

With respect to the only trips of this nature which I have taken, one was authorized by the Senate, and the other was authorized by my committee. I believe that if a committee authorizes a Senator to make a trip, and he can make the necessary arrangements, it is none of the business of the Senate, if he is traveling on committee business. I believe that the committee has sufficient authority.

I am sorry that the acting majority leader and other Senators who cooperated with him did not accept the resolution which I offered in good faith. I said it was not competitive. The resolution provided for representatives of the Senate and of the House. If the Senator intends to press his resolution, I will support it. However, I believe that the Senate might have given more consideration to the honest and faithful attempt on my part to deal with the situation satisfactorily.

Mr. HILL. As I stated to the distinguished Senator from Kentucky, I find myself very much in sympathy with his resolution. As I understood his resolution, it would establish what we might call a permanent commission on war crimes.

Mr. CHANDLER. Those who are over there now could have been members.

Mr. HILL. The members were to have been appointed by the President of the United States. The resolution provided for certain personnel, and covered a field perhaps not at all covered by the group which has now gone to Europe.

Mr. CHANDLER. I believe that the problem could have been worked out.

Mr. HILL. I think it can be worked out.

Mr. CHANDLER. I wish the Senator would undertake to do it.

Mr. HILL. I felt that if we were to establish a permanent commission, more consideration should be given to the question.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WHITE. The whole situation is most embarrassing to me, because I cannot miss the plain implication of some of the things which have been said. I wish to add the suggestion that we let this question go over until tomorrow. So far as I am concerned, when tomorrow comes I shall not interpose objection to consideration of the resolution, although I believe it to be unwise.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. STEWART. I should like to make an observation about the situation. As I understand, last Saturday morning—or perhaps Friday night—an urgent message was received from General Eisenhower, requesting that 12 men be sent from the Membership of both Houses of the Congress to view what he described as conditions of inhumanity, and so forth, in Germany which were beyond any description which had been sent here by the newspapers. He asked that those men come at once, in order that they might view the situation firsthand. He stated that certain things were being held in status quo until they could arrive. There were some things that could not be delayed very long. So time was of the essence. Time was an element which had to be taken into consideration.

If those men had waited until today, when the Senate and House convened, so that Members of the committee could be selected by the two Houses, a full day, a day and a half, or perhaps even two full days of valuable time would have been lost. The request came from General Eisenhower, the commander in chief of the forces in the European area. I think it was well responded to. Whom should the War Department contact to have this request complied with, other than the leaders in the House and Senate?

The question is whether we shall approve what Senate and House leaders did in our absence, so to speak. So far as I am concerned, I would not want the Senate to vote as to whether or not I should go over there. I would not want to make the trip. I believe that the right men went. Other men just as well qualified could have been selected. But it was a matter of acting in an emergency, and using the best discretion. I believe that we should ratify and confirm, without criticism, what has been done.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. Is it not possible that this resolution can be printed and passed over until tomorrow? It is apparent from the wording of the resolution that the request came from General Eisenhower on last Thursday. It could have been brought to the attention of both Houses on Friday. Just why that was not done, I do not know. I do not know that anyone else knows. But it seems to me that there is a great deal in what the Senator from Maine has said. Passing a resolution of this nature after the committee has already departed might be regarded more as a reprimand than as a grant of authority.

I have no desire to censure Members of the Senate who have gone on the trip. I believe that the War Department is subject to censure. In the first place, I believe that the appointment of a congressional committee should be announced by someone in authority in Congress, and not by the War Department, as I understand was done. Neither do I understand the reason why the War Department hand-picked 15 or 20 publishers and editors to take over there, when, as I understand, several hundred representatives of American newspapers are already on the ground. The whole thing has an air of mystery about it, from the time the message from General Eisenhower was received on Thursday up to the present moment. It seems to me that passing this resolution might be considered complimentary, or it might not be considered complimentary to the committee. I should like to think it over before voting on it.

Mr. HILL. Mr. President, after the distinguished Senator from Maine made the statement which he did, namely, that he did not wish to agree to the resolution at this time in the absence of the distinguished Senator from Wisconsin, it was my intention to withdraw my request. A number of Senators were on their feet asking me to yield. I did not wish to be discourteous to them and deprive them of the opportunity to ask questions. That is the reason why I did not immediately withdraw the resolution. But, Mr. President, in view of what the Senator from Maine has said, I withdraw the resolution temporarily.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TYDINGS. I wish to make it perfectly plain, lest there be any misunderstanding, that I am not making my point because of any personal desire I might have in connection with this trip, because frankly it would have been impossible for me to go. I would not have wanted to be invited to go, because I might have felt that it was my duty to go, even though it would have involved very great inconvenience.

Furthermore, I should like to point out at the risk of reiteration, that I am not reflecting on the membership of the Senate or on the majority leader or minority leader in dealing with what they might have considered to be an emergency. However, I am most emphatically and unrelentingly protesting the appointment of a committee ex post facto. I do not think it is a wise policy for the Senate to adopt. If we are to have standing committees or special committees, they should be created in the regular manner. I can well appreciate that the leaders on both sides acted in an emergency on what they considered to be a very difficult problem, and I do not intend any personal criticism. However, the establishment of the committee in the way in which it has been done might be considered a precedent. I wish to register my personal protest against it being considered a precedent. So far as I am concerned, it will not be a precedent.

Mr. DONNELL. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. DONNELL. Like other Senators, I desire it to be distinctly understood that nothing I shall say in the few minutes

I shall occupy is intended to be, or is in the slightest degree a reflection upon the men who were delegated to go upon this highly important mission. In the first place, my judgment is that, even though this resolution has been withdrawn, in view of the observations which have been made, it is well to point out that there is no need for it, and that there would have been ample justification for its rejection, had it been considered by the Senate. The delegation which has gone forth needs no authority from this body to make the examination which is proposed to be made. It will derive its authority, obviously, from the War Department—from the Army—and it is not necessary that it be clothed with any indicium of authority from the Senate in order to carry out that highly important mission. It seems to me that before undertaking either to adopt or reject or otherwise determine what should be done with a resolution such as that proposed by the Senator from Alabama, the Members of the Senate should make a thorough determination of the facts surrounding the selection of the members of the delegation. I also desire that nothing which I have said or which I shall say shall be regarded as the slightest reflection on the majority leader or the minority leader, as the minority leader will well realize in just a moment. It seems to me that there might be a situation under which we might take action along the lines of that proposed by the Senator from Alabama. For instance, if there were an immediate emergency which arose after a Friday recess of the Senate, and if the majority leader and minority leader then acted in good faith, as they undoubtedly did in the present case, and if the selection thus were made, I can see very strong reason for the adoption of some such resolution, if there was any affirmative need to clothe the members of the delegation with authority.

I return to the statement that I think there is no need whatsoever for the resolution; but I realize that there might be such an emergency situation so that it might be necessary or desirable to clothe the commitee with some such authority. I am not certain about the timing of the situation, and I doubt very much whether the other Members of the Senate are. I understood the Senator from Vermont to say that the message from General Eisenhower or some word from him had come, not on Friday, but on Thursday. I understood our minority leader—and I have no doubt of the correctness of what he said—to say that the word came from General Eisenhower on Friday afternoon. The Senate was in session Friday afternoon. I have not heard any statement as to whether the news came to the majority leader and the minority leader before the recess was taken or after it was taken. On the one hand, I say that if there was a condition of emergency which arose after the recess was taken, I can well understand how it would be entirely proper for our body this afternoon to act upon a resolution designed to clothe the committee with authority, although even then I fail to see any necessity for such authority. On the other hand, if the War Department could have given the Senate the right to select the committee before the taking of the recess on Friday afternoon, but if it failed to do so, in my judgment we should not under any circumstances adopt this delegation as an official delegation of the Senate of the United States.

As I view the situation, more than this immediate incident is involved. To my mind a very important principle is involved, one to which the distinguished Senator from Oregon [Mr. MORSE] referred earlier today, namely, establishing the precedent that the War Department itself, a branch of the executive department of the Government, may undertake to select the representatives of the legislative department who shall represent it or shall make the investigation to which reference has been made. To my mind, the situation involves a danger in respect to having the executive departments or agencies of the Government ignore the Senate. If the fact is that the War Department had no opportunity to make the situation known to us before the recess was taken on Friday, but failed to do so, the situation involves the danger of establishing a precedent for the War Department to select two Members of our body, regardless of however outstanding they are or whatever position they occupy, to make an investigation for the Senate of the United States.

Therefore, I think it is very important in connection with this matter to ascertain when the War Department received the news of the desire of General Eisenhower to have such a delegation sent abroad, whether the news was communicated to any Member of the Senate before or after the recess was taken on Friday, whether the War Department suggested that the selection be made by the majority and minority leaders of our body, and whether the War Department suggested, perchance, who should be on the delegation, or any portion of the membership of the delegation.

So, Mr. President, I rise at this time to state that, in my opinion, it was appropriate that the resolution be withdrawn. To my mind there is no need for it; in the second place, I believe we are in the possession of vastly insufficient facts to enable us to form a judgment in regard to the matter; and in the third place, a situation such as the one I described a moment ago may exist, in which case it would be a dangerous and improper precedent to have a branch of the executive department of the Government select the Members or Representatives of the legislative department of Government who would undertake to speak for the Members of this body, or who at least would be considered as having the right to do so.

So, Mr. President, I am very happy that the resolution has been withdrawn.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. AIKEN. I simply wish to say that the resolution offered by the Senator from Alabama states that on April 19 an urgent message was received from General Eisenhower. That was Thursday. So it would appear that the War Department could have consulted with the leaders of the Senate before the Senate took a recess on Friday afternoon, had the War Department been so minded.

For that reason, it appears to me that if anyone is subject to censure, it is not the Members of the Senate, who have gone in performance of their duties as they see them, but it is the War Department, for its failure to consult with the Senate before selecting the Members of the delegation.

Mr. LA FOLLETTE. Mr. President, I was unavoidably absent from the Capitol Building for a few minutes. I understood that my name came into the discussion. It was reported to me that the able senior Senator from Maine said he could not agree to submission or consideration of the resolution in my absence. Inasmuch as my name has been mentioned, I think perhaps I should state very briefly my position on this matter. Perhaps I am now reaping the appropriate penalties for having offered some unsolicited advice to both the minority leader and the acting majority leader. I emphasize that it was unsolicited; but it seemed to me that under the circumstances under which the committee was selected, the committee was properly selected and it could perform all the functions desired by General Eisenhower and the War Department; and so far as I was personally concerned, I felt that a very able personnel and a properly-selected personnel from both sides of the aisle had been chosen; but it seemed to me that it was not possible by retroactive action to change the character of the committee.

The only unsolicited advice I offered was that no resolution should be adopted, in view of the fact that other Senators had earlier in the day indicated that they did not think such action would be taken. I took that position because obviously the objection of a single Senator would prevent even the submission of the resolution until there had been an adjournment of the Senate. So it seemed to me, in view of the obvious importance of the mission of the committee, that it would be a mistake to have the Senate spend 2 or 3 days in debate on the status of the Members of the committee, because their status has nothing to do, so far as I can see, with the mission upon which they are now embarked.

I hope the debate which has occurred here today will not in any wise result in a misunderstanding by the people of the country or by the Senators in question regarding the attitude of their colleagues in this body.

Therefore, Mr. President, I feel that we should let this matter rest. The committee, as an unofficial committee of representative Senators, was properly selected in the usual manner; and able men, in whom the Senate has full confidence, I feel, have gone upon this mission. It seems to me that we should not continue to debate a technical situation which in no wise can either add to or detract from the important mission upon which they are embarked.

It was only for the reason that my name had been mentioned that I wished, for my own satisfaction, to state my own position, perhaps at the risk of paying

the penalty visited upon those who rush in where angels fear to tread.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from New Mexico.

Mr. HATCH. Mr. President, I wish to add a few words to what I have already said.

I think the Senator from Maine [Mr. WHITE] said that the Senator from New Mexico had spoken rather harshly concerning the action of the acting majority leader and the acting minority leader. I did not do so.

Mr. WHITE. Mr. President, I did not refer to the acting majority leader or the acting minority leader, but the majority leader and the minority leader. I thought there was a tone of castigation in the Senator's voice.

Mr. HATCH. I assure the Senator from Maine that nothing of the kind was intended. Mr. President, I approve the action of the minority leader and the action of the majority leader. Earlier in the day I stated that I approved the choice of the committee which had been made. I did not wish to speak for the Republican side of the Chamber, and perhaps I did not pay as high a compliment to the Members on that side as I did to the Members on this side. I thought the Members on the other side could speak for themselves.

Mr. WHITE. If the Senator from Alabama will yield, I will speak of the attainments of the minority members of the committee.

Mr. HATCH. I did say that in my opinion they were well chosen. However, I pointed out that on this side of the Chamber a better group could not have been selected to go from the Democratic side of the Senate than was selected. I reaffirm that statement of belief.

Mr. President, I had no criticism to make of anyone. I knew these Members were embarking on what was perhaps a perilous, unpleasant, and disagreeable task. They were taking the journey in response to what they thought were the demands of the commander in chief in the European theater of the war, General Eisenhower. I approved it. I was utterly surprised and dumbfounded—in fact, I was dismayed when I came onto the floor of the Senate today and heard the quibbling which was taking place in regard to this matter. I thought that this great body should have arisen as one man, endorsed the selection of the committee, and said that it is our committee, that we would back our majority leader and our minority leader in the selection of the men who were on their way abroad at the risk, perhaps, of their lives in the performance of a most disagreeable duty.

Mr. President, apparently that was a very naive thought for me to entertain. I have been a Member of the Senate for 12 years, and I thought I understood the Senate. But I do not understand it. At least, I do not understand why any Member should object to this resolution—with all due respect to my friend the Senator from Wisconsin [Mr. LA FOLLETTE]—when already the authority and the right of this committee to make the trip has been detracted from by the remarks made here on the floor of the Senate. We are now meekly sitting down and saying, "Let the detractors detract." Very well. If that be the will of the Senate, I have nothing else to say except that, as one Member of the Senate, I approve this resolution—it is my resolution, I may say—wholeheartedly. The request was made by General Eisenhower for a committee of Congress to visit the European theater and observe for themselves the terrible and awful things which have been taking place with reference to the treatment of American soldiers. I approve his request. That is my resolution.

I approve the action of the majority leader and the minority leader in selecting the committee which was selected to represent this body. I am not saying anything about the other House. That side of the Capitol does its own work. But, so far as I am concerned, I give full authority to this committee to do the work which has been laid out for it to do. Other Senators may do as they wish.

Mr. President, the Senate may stand on its prerogatives. Once a distinguished President of the United States said—well, I shall not now quote what he said, but shall do so on another occasion. However, Mr. President, I am not interested in technicalities. Never would I consent for 1 moment to the War Department, the Interior Department, or any other Department of the Government, selecting as a committee any Members of this body. It just happened that an emergency situation arose, and the Senate leaders met it in the best possible way, a way which is not open to objection or to exception.

I assume full responsibility, I may say to the Senator from Alabama, and I urged him to submit his resolution. It is a resolution of confidence with respect to our own colleagues. I told the Senator that if he did not submit it I would, and I would have done so. I am willing to do it now. The Senator has withdrawn it for the day. That is his privilege.

Mr. HILL. The Senator recognizes, of course, that we cannot obtain action on a resolution of this nature at the present time without unanimous consent.

Mr. HATCH. I so understand.

Mr. HILL. I wish to say to the Senator from New Mexico that he has voiced absolutely my sentiments in this matter. Here was the commander in chief of our armies in Europe, who had found a situation there of such consequence and of such importance that he felt that a committee of representative Senators should come there and observe the situation with their own eyes. He cabled to the War Department asking that such a committee come immediately. We know why he said "immediately". It was because the conditions in those concentration camps are so horrible that death will wipe out much of that evidence of horror within the next few hours of time. If the committee were to see the situation in its true light and be in position to bring back to the Congress and to the people of America a true report and an accurate picture of what the situation is in those prison camps, it was necessary for the committee not to hesitate, not to delay, but to go immediately.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. HILL. I shall yield in a moment.

Mr. HATCH. I had not finished my remarks.

Mr. HILL. Because of the urgent request and insistence on the part of the War Department that the committee be appointed, and that it go abroad immediately the selections were made and the committee departed. As the Senator from New Mexico has well said, the members of the committee went contrary to their own personal wishes, contrary to their personal welfare, we may say, and contrary to what they wished to do. They felt that a situation of this kind, of such importance and consequence to the country and to the future of the Nation, should be attended to immediately, and they accepted the appointments. They put aside their personal feelings their personal desires, their own comfort and wishes in the matter, and departed for Europe. They had no time to stop to debate, to call meetings of Senators and to consult them. Perhaps, although I am sure, from what the Senator from Maine said this morning, he consulted with as many Senators on his side of the aisle as he could, and I am sure the distinguished majority leader, although I was not in the city at the time, consulted with those who were available on this side of the aisle.

Now these Senators have gone to perform a duty for our country. They have gone to answer an urgent call from the commander of our forces in Germany, and certainly nothing should go out from this body which would carry to the American people, to our allies, or to others across the seas, the intimation that anyone on this floor is in any way critical of the fact that these Senators have gone, or does not realize the importance of the mission on which they are engaged, or the necessity for their going, and it should not go out that we do not send with them the best wishes of every Member of this body for the success of their mission.

Mr. HATCH. Mr. President I had not quite concluded.

Mr. MAGNUSON. Mr. President——

The PRESIDENT pro tempore. The Senator from Alabama has the floor. To whom does he yield?

Mr. HATCH. I do not yield for any purpose right now.

The PRESIDENT pro tempore. The Senator from Alabama has the floor.

Mr. HATCH. He yielded to me.

The PRESIDING OFFICER. The Senator has not yielded to anyone. To whom does the Senator yield?

Mr. HILL. I yield to the Senator from New Mexico, and I am sure he will make his remarks brief.

Mr. HATCH. Mr. President, I thought the Senator from Alabama had yielded to me. I am sorry if I misunderstood him.

The only thing I desired to add was that when I expressed my own personal opinion—and I said it was merely one Senator speaking—I wanted the word to go out to the nations of the world that I know whereof I speak, in expressing my confidence in this committee of the Sen-

ate of the United States, when I say I speak not one voice, and I do not speak for a majority of the Senate, but I venture to say I speak for at least three-fourths of the Senate of the United States, and if these Senators had a chance, they would speak by their votes a similar voice.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting several nominations, which was referred to the Committee on Naval Affairs.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. McCARRAN, from the Committee on the Judiciary:

Bernard J. Flynn, of Maryland, to be United States attorney for the district of Maryland; and

W. Bruce Matthews, of Maryland, for appointment as United States marshal for the District of Columbia, vice John B. Colpoys, deceased.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Leon O. Boling, to be postmaster at McCleary, Wash.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HILL. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. HILL. I ask unanimous consent that the Navy nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the Navy nominations are confirmed en bloc.

THE MARINE CORPS

The legislative clerk proceeded to read sundry nominations in the Marine Corps.

Mr. HILL. I ask unanimous consent that the Marine Corps nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations are confirmed en bloc.

Mr. HILL. I ask unanimous consent that the President be immediately notified of all confirmations of today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RECESS

Mr. HILL. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 44 minutes p. m.) the Senate took a recess until tomorrow, Tuesday, April 24, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 23 (legislative day of April 16), 1945:

Capt. Carl F. Holden, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 10th day of August 1943.

Capt. Edwin T. Short, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty.

Capt. Samuel P. Jenkins, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty.

Capt. Alexander S. Wotherspoon, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty.

Capt. Harvey E. Overesch, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Hawaiian Sea Frontier, and until reporting for other permanent duty.

Capt. Richard W. Bates, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, motor torpedo boat squadrons, United States Pacific Fleet, and until reporting for other permanent duty.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 23 (legislative day of April 16), 1945:

IN THE NAVY

APPOINTMENTS IN THE NAVY

Clyde B. Camerer to be a medical director in the Navy, with the rank of rear admiral, for temporary service, to continue while serving as district medical officer, Fourteenth Naval District.

William W. Warlick to be a commodore in the Navy, for temporary service, to continue while serving on the staff (logistics) of the commander in chief, United States Pacific Fleet and Pacific Ocean areas, and until reporting for other permanent duty.

Ruthven E. Libby to be a commodore in the Navy, for temporary service, to continue while serving as senior naval member of the Joint War Plans Committee, and until reporting for other permanent duty.

IN THE MARINE CORPS

APPOINTMENTS IN THE REGULAR CORPS

To be second lieutenants

Walter R. Bartosh	John R. Fields
Robert E. Johnson	Wilcie A. O'Bannon
Thomas J. Cushman, Jr.	William R. Morrison

POSTMASTERS

MISSISSIPPI

Ola B. Jones, Crowder.
Leonard B. Robinson, Moss Point.
Sam Ben Hudnall, Porterville.

NEW YORK

George E. Hlavac, Bohemia.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 23, 1945

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, offered the following prayer:

Most merciful and gracious God, Thou knowest the deepest yearning of our hearts. We are earnestly and penitently waiting for the glad tidings that the armed forces of evil have been conquered and that the war lords who defiantly walked the iron highway of destruction and death have been forever driven from their bloody thrones.

Grant that we may prove worthy of military conquest by accepting the challenge to achieve that glorious spiritual victory when men everywhere shall clasp hands in friendship and find their security, not in weapons of warfare but in implements of welfare.

We are praying especially for those representatives of our beloved country who are soon to share in planning for a just and durable peace. Gird them with clear minds and courageous hearts; as the ambassadors of a Christian nation, may they not be afraid to match the demands of the most tangled and difficult problem with the claims of the spirit of the Prince of Peace, who came to rule the world with the scepter of justice, righteousness, and love.

Hear us in His name. Amen.

The Journal of the proceedings of Thursday, April 19, 1945, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment concurrent resolution of the House of the following title:

H. Con. Res. 43. Concurrent resolution authorizing the printing of additional copies of House Document No. 143, current session, entitled "Further Prosecution of the War," an address of the President of the United States.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 906. An act granting a franking privilege to Anna Eleanor Roosevelt.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 105. An act to extend the life of the Smaller War Plants Corporation.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2689. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes.

The message also announced that the Senate insists upon its amendments to

the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. RUSSELL, Mr. HAYDEN, Mr. TYDINGS, Mr. BANKHEAD, Mr. THOMAS of Oklahoma, Mr. GURNEY, Mr. REED, and Mr. CAPPER to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 1567) entitled "An act for the relief of Katherine Smith," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSTON of South Carolina, Mr. TUNNELL, and Mr. WILSON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 1307) entitled "An act for the relief of Continental Casualty Co., a corporation, and Montgomery City Lines, Inc.," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. TAYLOR, and Mr. WILEY to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 209) entitled "An act for the relief of David B. Smith"; disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. ELLENDER, Mr. O'DANIEL, and Mr. MORSE to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; and

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

The message also announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in Act 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Goverment," for the disposition of executive papers in the following departments and agency:

1. Department of Agriculture.
2. Department of the Navy.
3. Department of War.
4. Selective Service System.

GERMAN ATROCITIES

The SPEAKER. The Chair desires to announce that on Friday last representatives of the War Department came to the office of the Speaker bearing a message from General Eisenhower that the atrocities in Europe were of such a nature that no one could comprehend them unless they were seen, and suggesting that six Members of the Senate and six Members of the House be appointed as a committee, joined by a number of editors of the country, to visit the prison camps in Germany.

Pursuant to that suggestion, the Chair did on Saturday last appoint the following Members of the House to that committee: Messrs. THOMASON, RICHARDS, IZAC, SHORT, MOTT, and VORYS of Ohio.

Without objection, the above-named Members will be granted a leave of absence for 2 weeks.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that today, at the conclusion of the legislative program of the day and following any special orders heretofore entered, the gentleman from South Dakota [Mr. MUNDT] may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. ZIMMERMAN asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Legislature of the State of Missouri pledging its support and the support of the people of Missouri to our new President.

Mr. KOPPLEMANN asked and was given permission to extend his remarks in the RECORD in two instances and to include in one an address he delivered over the radio yesterday and in the other an editorial from the Hartford Times.

INDEPENDENT OFFICES APPROPRIATION BILL, 1946

Mr. WOODRUM of Virginia submitted a conference report and statement on the bill (H. R. 1984) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes.

Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WOODRUM of Virginia. Mr. Speaker, many Members of the House have expressed an interest in when the conference report on the independent offices appropriation bill will be called up. May I ask the gentleman from Massachusetts if he can indicate when it will be agreeable to permit us to call it up?

Mr. McCORMACK. It will be the first order of legislative business on Wednesday. A resolution has been agreed to setting aside tomorrow for the observance of Pan-American Day, and no other business will be transacted tomorrow.

Mr. WOODRUM of Virginia. I thank the gentleman. I may say that this conference report is not controversial, so far as I know.

LEAVE OF ABSENCE

Mr. KOPPLEMANN. Mr. Speaker, I have news of the birth of a daughter to our distinguished colleague the gentleman from Connecticut [Mr. RYTER]. I understand that the mother is doing well, but from the information I have the father may take 10 days to recover. I ask unanimous consent that he be granted leave of absence for 10 days.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

TEXAS A. & M.'S PART IN THE WAR

Mr. LUTHER A. JOHNSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

[Mr. LUTHER A. JOHNSON addressed the House. His remarks appear in the Appendix.]

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1946

Mr. TARVER. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER appointed as conferees Messrs. TARVER, CANNON of Missouri, SHEPPARD, WHITTEN, PLUMLEY, H. CARL ANDERSEN, and HORAN.

EXTENSION OF REMARKS

Mr. MAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an editorial in the Floyd County Times on the life of our late President, Franklin Delano Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1752) to amend the Selective Training and Service Act of 1940 and for other purposes, with Senate amendments thereto, and ask that the same be referred to the Committee on Military Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

EXTENSION OF REMARKS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to include in the

Appendix of the RECORD a radio address which President Roosevelt intended to make at the Jefferson Day dinner.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I also ask unanimous consent to extend my remarks in the Appendix of the RECORD by including therein remarks made by Governor Tobin, of Massachusetts, as well as a proclamation issued by him.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include a memorial adopted by the Department of Agriculture Club in Dallas on the death of our late President.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. MAY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the joint resolution (H. J. Res. 106) to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the joint resolution.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert: "That section 5 (k) of the Selective Training and Service Act of 1940, as amended, is amended by adding at the end thereof the following new paragraph:

"'In carrying out the provisions of this subsection, the selective-service local board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained, without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor; and the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service local board. Such deferment shall be made by said board without consideration of any other circumstance or condition whatsoever; and during the period of such deferment for such purpose, no other classification, of said registrant, shall be made by said board: *Provided*, That no registrant who is qualified to serve in the armed forces shall be deprived thereby of the right t volunteer for such service.'"

Mr. MICHENER. Mr. Speaker, reserving the right to object, that is the Flannagan resolution as it passed the House, slightly modified?

Mr. MAY. That is right.

Mr. MICHENER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Senate amendment was agreed to.

A motion to reconsider was laid on the table.

CALENDAR WEDNESDAY

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of this week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

WAR CRIMES COMMITTEE

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr, Speaker, I have today introduced a House concurrent resolution for the appointment of a special Congressional War Crimes Committee. There is a vital need for such a committee. General Eisenhower's request for Congressmen and newsmen to view the horrors of German concentration camps were an exceedingly wise and proper one insofar as it goes. However, these inspections touch only a part of the problem. The committee proposed by me should do two things in general: First, see that necessary legislation is reported and passed to compel the full and swift punishment of war criminals; second, collect and publish an authentic official report of war crimes and atrocities.

We know that most German nationals now have no feeling of guilt, and disbelieve the reports of Nazi barbarism. In time many people in this country who now view the pictures and daily accounts of torture will forget them entirely or discount them as propaganda. We must see that history does not repeat itself in the nonpunishment of war criminals or in failure to preserve and publicize authentic records of war crimes.

An Associated Press report of yesterday quotes Lord Wright, chairman of the British War Crimes Commission, as saying his group has no actual investigative authority, but acts only on reports filed with them by national governments. Such is largely true of the War Crimes Commission in this country. Everybody's business is nobody's business.

The barbarous March of Death perpetrated by the Japanese on the men of Bataan, the savage massacre of American troops by German soldiers, the unspeakable horrors of Thekla, Gardelegen, Weimar, and Belesen and other concentration camps, as well as thousands of other atrocities, must never be forgiven and must never be forgotten either by Americans or by the nations which committed them. Full publicity and adequate punishment is essential to future peace and civilization.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks in the RECORD and include an article from the Daily Missoulan, of Missoula, Mont., under date of April 10, 1945.

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the RECORD and include an editorial and a newspaper article.

Mr. McGREGOR asked and was given permission to extend his remarks in the RECORD and include a letter to the chairman of the Ways and Means Committee relative to the passage of H. R. 2707.

Mr. MASON asked and was given permission to extend his remarks in the RECORD on the subject of Dumbarton Oaks and the San Francisco Conference and to include therein an editorial from the Saturday Evening Post on the same subject.

Mr. ANDREWS of New York asked and was given permission to extend his remarks in the RECORD and include therein a resolution.

Mr. ALLEN of Illinois asked and was given permission to extend his remarks in the RECORD and include an editorial from the Washington Post.

WAR ATROCITIES COMMISSION

Mr. BROOKS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS. Mr. Speaker, I have this morning introduced a joint resolution providing for the establishment of a permanent War Atrocities Commission. This resolution is not to be construed to any extent as competitive with the action of our colleagues who at the present time are on their way to Germany to view the horror camps and bear testimonial of the savage and inhuman treatment which German internees and prisoners have received at the hands of the Nazis recently. It is to make the compilation of these facts permanent material that this resolution is offered. It is likewise our purpose to make it possible for all material, whether in Europe or otherwise to be collected and preserved as a permanent evidence of the utterly debased station into which Axis Governments throughout the world have fallen.

TRANSPORTATION AND FURLOUGH FOR HONORABLY DISCHARGED SOLDIERS AND SAILORS

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

[Mr. McGREGOR addressed the House. His remarks appear in the Appendix.]

PERMISSION TO ADDRESS THE HOUSE

Mr. STEFAN. Mr. Speaker, I ask unanimous consent that, at the conclusion of all legislative business today, and

any other special orders, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

EXTENSION OF REMARKS

Mr. SPRINGER asked and was given permission to extend his own remarks in the RECORD and include certain excerpts.

THE LATE ERNIE PYLE

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I rise to inform the House that I have introduced a joint resolution by which the President of the United States will be authorized to award, posthumously, a medal of honor to the late Ernie Pyle, in recognition of his heroic conduct and outstanding services as a war correspondent during this war.

Mr. Speaker, every soldier and sailor, and our Nation as a whole, mourn the great loss sustained in the unfortunate death of Ernie Pyle. His constant smile, his unfaltering courage, his words of cheer, his great activity throughout this frightful war, and his simple sentences portraying the truth of this conflict and the suffering of our fighting forces, by which all of the people came to know and love him, have vanished. He has left an indellible impression upon the hearts of the people by his sincerity of purpose. This Hoosier-born writer was a most lovable character. Those who knew him, loved him. Those who read his story, revered him. While Ernie Pyle is no more, yet the story which came from his pen will be long remembered. Those who read his story, and those who knew him personally, will not forget. Throughout the coming years the name of Ernie Pyle will remain as a sweet memory, treasured in the hearts of the men and women of this Nation.

Let us extend this final tribute of love and memory to him—our friend.

DEVASTATING TORNADOES STRIKE OKLAHOMA

Mr. RIZLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

[Mr. RIZLEY addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BELL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein two speeches from President Osmeña of the Philippine Republic. I am informed that it exceeds the limit set by the Joint Committee on Printing and that it will cost $156. Notwithstanding the cost I ask unanimous consent that the extension may be made.

The SPEAKER. Notwithstanding the cost, without objection it is so ordered.

There was no objection.

Mr. BLAND asked and was given permission to extend his own remarks in the RECORD and include a statement from the Maritime Commission.

GERMAN HORROR CAMPS

Mr. MAHON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Speaker, the entire world has been shocked by the revelations of horror which have recently come out of Germany. I commend General Eisenhower and our Speaker for the action taken on last Friday. It is in the interest of good government that Members of the Congress should take every possible opportunity to see things at first hand.

Mr. Speaker, one of the duties of the Signal Corps of the Army is to make and keep a photographic history of this war. I talked personally this morning with Maj. Gen. Harry C. Ingles, Chief of the Signal Corps of the Army, inquiring as to whether or not photographic records were being kept by the Army of these horror scenes which are being discovered by our advancing forces.

I believe the House would like to know that General Ingles assures me that an accurate and complete photographic record in still and motion pictures is being made. These films and the eyewitness reports which are being made will furnish to the public the best possible information as to the facts of the situation. Therefore, we can be sure that the people of today and tomorrow will have accessible to them the indisputable facts for future reference and consideration.

The Army in general, and the Signal Corps in particular, is deserving of high commendation for the wonderful photographic history which is being made of this war, and at the first opportunity, I hope to elaborate on that subject.

The SPEAKER. The time of the gentleman from Texas has expired.

LEAVE TO ADDRESS THE HOUSE

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that at the end of the legislative day, today, and any other special orders, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection?

There was no objection.

GERMAN ATROCITIES

Mr. FLOOD. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. FLOOD. Mr. Speaker, on this question that concerns the House so much now as to the atrocities of enemy nations, I point out that there are resolutions before the Foreign Affairs Committee dealing with this subject. In addition, I present a resolution today, because of the fact that the United Nations War Crimes Commission has no investigating power, and until allegations and charges or indictments are actually presented by a member nation, to the United Nations War Crimes Commission there is nothing before that Commission. My resolution asks for the appointment of a commission having investigating powers and also including the essential fact that that commission's report be made to the United Nations War Crimes Commission.

EXTENSION OF REMARKS

Mr. CARNAHAN asked, and was given permission to extend his remarks in the RECORD by including a letter from W. C. Samples, of Van Buren, Mo., regarding the veterans' hospital at Jefferson Barracks, Mo.

Mr. BRYSON was given permission to extend his remarks in the RECORD and include a poem by one of his constituents.

Mr. VOORHIS of California asked and was given permission to extend his remarks, and to include an article by Charles G. Bolté, appearing in Harper's magazine.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD and include a letter from Frank Maloy, editor of the Lorraine Journal.

Mr. PRICE of Florida asked and was given permission to extend his remarks in the RECORD, and include an address delivered by Cecil Wright Pemberton, of the Florida Tax Association, notwithstanding the fact that the Public Printer had said it would cost $140.

Mr. DURHAM asked and was given permission to extend his remarks in the RECORD, and include two editorials; also, to extend his remarks in the RECORD and include an editorial on Ernie Pyle.

Mr. PITTENGER asked and was given permission to extend his remarks in the RECORD on the subject of the reduction of Federal bureaus; also, to include a statement by Comptroller General Lindsay C. Warren on the same subject; also, to extend his remarks in the RECORD on the subject of the St. Lawrence seaway project, including testimony before the Rivers and Harbors Committee.

GOVERNMENT LIFE INSURANCE POLICIES

Mr. SIKES. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and extend my remarks in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

[Mr. SIKES addressed the House. His remarks appear in the Appendix.]

LEAVE TO ADDRESS THE HOUSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent that this afternoon at the conclusion of the legislative business and any other special orders I be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection?

There was no objection.

HOME ATROCITIES

Mr. CLEVENGER. Mr. Speaker, I ask unanimous consent to revise and extend

my remarks and address the House for 1 minute.

The SPEAKER. Is there objection?

There was no objection.

Mr. CLEVENGER. Mr. Speaker, I have two letters from my district, both from persons well known to me, relating to one Bud Friend, a soldier back from Germany after 8 months imprisonment and 20 months overseas. When his father applied for ration cards at the ration board to build this man up—he had lost 42 pounds—that he might go over to the Pacific to join his two brothers, he was denied both red and blue points by the O. P. A. ration board.

Also, I have information which comes from State secretary of agriculture report, that there will be 40 percent less canning crops in Ohio this year and 5 percent less corn, 700,000 acres untilled, 25,000 less acres of sugar beets. Not all of the atrocities are committed against soldiers in Europe.

THE SAN FRANCISCO CONFERENCE

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

[Mr. GAVIN addressed the House. His remarks appear in the Appendix.]

THE ISLANDS OF THE PACIFIC

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include therein a radio address delivered by the Honorable THOMAS C. HART, Senator from Connecticut.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

[Mrs. ROGERS of Massachusetts addressed the House. Her remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. KILBURN asked and was given permission to extend his remarks in the RECORD and include a statement by Mr. Newton, president of the Federated Chambers of Commerce of Northern New York on the St. Lawrence seaway.

Mr. BARRETT of Wyoming asked and was given permission to extend his remarks in the RECORD and include figures in connection with the irrigation projects in Wyoming.

Mr MILLER of Nebraska asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. O'HARA asked and was given permission to extend his remarks in the RECORD in three instances, and in each to include a concurrent resolution adopted by the Legislature of the State of Minnesota.

THE MEAT SUPPLY

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, I have just been informed the Office of Price Administration has issued a 10-point program with a view of bringing about a more adequate supply of meat. I submit the problem can be pretty well solved if the O. P. A. and other agencies will permit an increased price to the farmers and producers as incentive for finished cattle so they can afford to add the extra two or three hundred pounds per head, and let the retailers sell it at a price so they can stay in business. Instead of employing an additional flock of 500 O. P. A. investigators to travel around over the country, let a few F. B. I. agents now employed under the direction of J. Edgar Hoover investigate especially some of the big wholesale meat concerns in our larger centers. It is in places like Washington, New York, Philadelphia, and other large cities where black markets flourish on a large scale and where huge profits are made on account of it. I am informed we have some pretty flagrant violations in our own Capital City of Washington.

If F. B. I. men will go to wholesalers and the big meat dealers and inquire where they get their meat supplies and to whom they sell them and proceed to bring action against larger concerns who violate the law, the black market in meat will largely disappear. The very fact that the F. B. I. is making investigation will have a wholesome effect. A bigger meat supply and less black markets will do more to solve the problem than anything else. We do not need more O. P. A. regulations. We have too many now.

ERNIE PYLE

Mr. GRANT of Indiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GRANT of Indiana. Mr. Speaker, I, too, have today introduced a resolution providing for a posthumous award to Ernie Pyle. Ernie Pyle began his career as a newspaperman on the Herald-Argus of the city of La Porte in the district which I have the honor to represent. I think the justification for this measure could not be better stated than in the words of the War Department on yesterday's Army Hour radio program:

> On Ie Jima, a little active guy with a big cap gave his life that we at home may know how war tastes, and smells, and sounds and feels: Ernie Pyle, shot by a Jap sniper, was the twenty-third war correspondent in this war to die on active duty.
>
> Ernie Pyle was the G. I.'s Boswell. They loved him and he loved them, and tenderly they laid him to rest among their fallen buddies in a little cemetery on Ie Jima; he of the little body and the big heart. May God bless him.

EXTENSION OF REMARKS

Mr. TOWE asked and was given permission to extend his remarks in the RECORD and include a short address.

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD and include a resolution in memorium to our late President adopted by the Cleveland Federation of Labor.

Mr. RANDOLPH asked and was given permission to extend his remarks in the RECORD and include editorial comment.

Mr. CRAWFORD asked and was given permission to extend his remarks in the RECORD in two instances and include editorials and comment.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include a proclamation issued by Gov. M. Q. Sharpe, of South Dakota.

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an editorial taken from the St. Paul Dispatch entitled "An Overdue Wage Adjustment," which pertains to the legislation now pending before the Committee on the Post Office and Post Roads.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

FILING OF PETITION

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to file a petition submitted by John L. May, of Milwaukee, Wis., signed by 618 residents of the First, Third, Fourth, Fifth, and Sixth Congressional Districts of Wisconsin.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PVT. (1ST CL.) GERALD H. POLAND

Mr. HALE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Maine?

There was no objection.

[Mr. HALE addressed the House. His remarks appear in the Appendix.]

WEEKLY NEWSPAPERS SHOULD BE REPRESENTED ON GROUP VISITING GERMANY

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. RANDOLPH. Mr. Speaker, I think it is excellent that General Eisenhower has requested, through official sources, that Members of this body and the Senate view the horrors in prison camps in Germany. I believe it is also a splendid idea that distinguished editors and executives of our metropolitan press and magazines make a similar journey.

I do not rise in carping criticism, but I agree with the Army spokesman who said that the list of editors was arranged hastily. Why do I say that? There are 10,430 weekly newspapers in America, and there is not one representative of the small town or rural press of this Nation included in the group making the

journey. I am sorry for that. Two days ago, when first I heard of the plan, I attempted to have the War Department request a weekly editor to join the party. It appeared the appeal came too late.

The small town and rural newspaper field, serving faithfully so many millions of our citizens, could have embraced a viewpoint that would have been valuable. The lesson of Nazi inhumanity should and will be fully considered by Americans. We are a country of idealism—but in this instance we must be realists as we deal with the worst war criminals of recorded history.

THE FOOD SITUATION

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, 3 years ago when I stood on this floor and urged the people to save food and cried out against the War Food Administration, the O. P. A., and the Department of Agriculture for asking for less production, a few people said I was a demagogue. Today, in the markets of Washington, a lot of food is being offered that we back in the country have never even taken into the house—such things as chicken heads, fish heads, chicken feet, bacon rind, ham rind, and chitterlings, which are the large intestines of the hog.

These are the kind of things I saw the poor undernourished people of Puerto Rico buying and eating some years ago. It makes me sometimes wonder—is this America? Let the O. P. A., the War Food Administration, and the Department of Agriculture answer that question.

And now I see that the packers are being offered an additional 25 cents per hundredweight subsidy, and this is supposed to bring on more beef. I wonder whom they think they are kidding? Let us look at it from a practical standpoint. Twenty-five cents per hundredweight on a 600-pound carcass, which represents a good 1,000-pound beef, will be $1.50. Is there anyone crazy enough to believe that is the answer?

This is simply adding insult to injury, to the slaughterer, the farmer, and the consumer. With more live cattle on our hands than we have ever had in our history, there is just one answer, and that is to give the slaughterers the green light. The shortage of meat cannot be blamed on the black market because the packer is operating under Government inspection regulations, while the country butcher is not under inspection, his slaughtering is regulated by the fact that the consumers' purchases are limited by the rationing system.

It is true, however, that much of the scarcity in certain markets can be blamed on the manner in which the packer product is being distributed. So far as the pork and poultry shortages are concerned we just do not have the hogs and poultry, and the reason we do not have them is because the patriotic farmers of this country have complied with the recommendations of the O. P. A., the W. F. A., and the Department of Agriculture and have produced less. Therefore, they simply are not available.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

RATIONING BOARDS

Mr. HILL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. HILL. Mr. Speaker, I rise on the same point as the Congressman from Ohio [Mr. CLEVENGER]. I have in my hand a letter from the father of a young man who was captured in the Philippines. He returned home after he had been gone for more than 4 years. He appeared before the ration board to get a few food coupons and they turned him down. I think the O. P. A. has reached an all-time low in its administration and it is high time that this Congress understands where they are taking us.

I want to read what the Arvada Enterprise, of Arvada, Colo., said:

THE BUSTED "G" STRING

Feeling was running rather high on the streets of Arvada last week when a young fellow who had spent 3 years in a Jap prison camp came back from the rationing board and reported he was refused food points and gas stamps because he did not have the proper papers. No doubt there are certain laws to be followed in rationing and evidently these laws were being carried out in this case, but when a fellow has been through hell and carries the service stripes on his sleeve that this boy has, it would appear law or no law would permit him the privilege of securing a few points and a gas stamp or two until his papers arrived. No doubt the boy could survive a long time in the good old U. S. A. after living those years on the food the Japs gave him. The report wasn't out long before the returned Jap prisoner was well stocked with everything he needed by well wishers from far and wide. Maybe the black market is caused by the rationing boards themselves. If they would use a little common sense, people would not be forced to use the black market.

EXTENSION OF REMARKS

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a joint resolution passed by the Legislature of California endorsing the passage of H. R. 2032 and H. R. 2033.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEARHART. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that I may address the House for 15 minutes after other special orders today.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. MICHENER. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. RAMEY] may have permission to address the House for 5 minutes today after other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Thursday and also Friday I may be permitted to address the House for 20 minutes on each day upon the conclusion of special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an editorial.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DISTRICT DAY

The SPEAKER. This is District day. The Chair recognizes the gentleman from West Virginia [Mr. RANDOLPH].

RECORDING VETERANS' DISCHARGE CERTIFICATES

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S 638) to amend the Code of Laws of the District of Columbia by adding a new section 548A, and providing for the recording of veterans' discharge certificates, and I ask that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. RANDOLPH]?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc. That the Code of Laws of the District of Columbia, approved March 3, 1901, be amended by adding thereto the following new section:

"SEC. 548a The recorder shall also receive for record and record all certificates of service and certificates of discharge of persons released from active duty in or discharged from the armed forces of the United States, for which no fee shall be charged or collected, but the record of any certificate authorized by this section to be recorded shall not constitute constructive notice of the existence or contents of such certificate. For making certified copies of any of the foregoing certificates from the records in the office of the recorder the usual fees shall be charged."

Mr. RANDOLPH. Mr. Speaker, I desire to say this legislation passed the Senate unanimously and was then considered by the House Committee on the District of Columbia and reported unanimously to the floor. It just has to do with veterans' discharge certificates. It provides for the recordation of a veteran's discharge certificate, without charge to him, and making provision that he may obtain a certified copy of the same upon payment of the usual fee by the Recorder of Deeds Office. It is strictly a service which will be helpful to the

veteran, and many States provide similar recording facilities.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEACHERS AND SCHOOL OFFICERS OF BOARD OF EDUCATION, DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S. 124) to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924, and I ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924 (Public, No. 188, 68th Cong.), be amended to read as follows:

"SEC. 16. That when necessary, the Board of Education, on written recommendation of the Superintendent of Schools, is authorized and empowered to appoint temporary teachers: *Provided*, That such appointments shall be made for a limited period not to extend beyond June 30 of the fiscal year in which the appointments are made, and the Board of Education is authorized to terminate the services of any temporary teachers at any time, on the written recommendation of the Superintendent of Schools: *Provided further*, That all temporary teachers shall be assigned to the basic salary of the class in which the service is to be performed, and shall not be entitled to longevity allowance in said class.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. STEFAN. Reserving the right to object, Mr. Speaker, I think the chairman of the Committee on the District of Columbia should explain this bill. I understand this has to do with an increase in the salaries of teachers?

Mr. RANDOLPH. No. It does not go to the increase of salaries.

Mr. STEFAN. Will the gentleman explain the bill?

Mr. RANDOLPH. Yes. I am going to explain each and every measure that I call up.

This legislation is not the proposal which the gentleman knows will perhaps came to us later, to raise the basic salaries of teachers in the District of Columbia. This measure would simply authorize the Board of Education, on the recommendation of the Superintendent of Schools, to appoint temporary teachers on basic salaries for the fiscal year, rather than just month-by-month appointments as they are now doing. There is a shortage of teachers in the District and it is needed so that our school children may have their educational processes taken care of without undue interruption.

The Commissioners of the District of Columbia request the legislation and also the Board of Education of the District of Columbia and the Superintendent of Schools.

Mr. STEFAN. Will the gentleman yield further?

Mr. RANDOLPH. I yield.

Mr. STEFAN. How much additional appropriation would this require?

Mr. RANDOLPH. I do not believe it will require any additional appropriation because the same amount of money would be paid to the teachers as is now being paid. The Board of Education is simply to have the privilege of entering into a longer contract with the teachers, instead of spacing it every 3 months.

Mr. STEFAN. The gentleman states there will be no additional appropriation needed?

Mr. RANDOLPH. There will be no additional appropriation needed.

Mr. STEFAN. It will not cost the District any more money?

Mr. RANDOLPH. We are so advised.

Mr. STEFAN. It is merely a matter of regulating the program because of the shortage of teachers?

Mr. RANDOLPH. Yes. It is simply to simplify the hiring of teachers in the District, those teachers only being temporary teachers, fulfilling the tasks until others return who are now in the armed services or who are absent because of illness or on sabbatical leave.

Mr. STEFAN. I withdraw my reservation of objection, Mr. Speaker.

Mr. RANDOLPH. Mr. Speaker, I move the previous question.

The previous question was ordered.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MAINTENANCE IN DISTRICT TRAINING SCHOOL

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S. 123) to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. RANDOLPH. Yes; I will be delighted to do so.

The gentleman from Michigan and other Members will be interested to know that it would amend the present act providing for commitments to the District of Columbia Training School. Under our present law charges made in whole or in part for maintenance of public patients in this institution are made from any estate that those individuals may have had on date of commitment. This bill undertakes to include, after acquired funds or estate, and places responsibility for payment on the legally liable relatives. It would require the legally responsible relatives to pay for such maintenance, from the date of the original hospitalization. Under existing law a court may make an order requiring the relatives to pay, but the payments begin at the time of the order, and are not retroactive. I think it is fair that the cost of such care should be paid by the legally liable relatives.

The SPEAKER pro tempore [Mr. LANHAM]. Is there objection?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, and section 15 thereof, as amended, be amended to read as follows:

"SEC. 14. If the order for admission is as a public patient, and it shall appear then or at any time thereafter that the patient has an estate out of which the Government may be reimbursed for his maintenance, in whole or in part, the court shall order the payment out of such estate of the whole or such part of the cost of maintenance of said patient at said institution as it shall deem just, regard being had for the needs of those having a legal right to support out of said estate, which said order shall remhain in full force and effect unless modified by the court. Upon the death of such feeble-minded person while an inmate at such institution or within 5 years after discharge therefrom, his estate shall be liable to the District of Columbia for the cost of his maintenance at said institution and the claim of the District of Columbia shall be a preferred claim.

"SEC. 15. If the order for admission is as a public patient and the court at any time finds that the patient has not an estate out of which the District of Columbia may be fully reimbursed for his maintenance, the father, mother, husband, wife, and adult children of such feeble-minded person, if of sufficient ability, shall pay the cost to the District of Columbia of his maintenance at the District Training School, at Laurel, Maryland. The Commissioners of the District of Columbia may petition the District Court of the United States for the District of Columbia, at any time during the commitment of such feeble-minded person to said institution, to direct any such relative or relatives to pay the District of Columbia, in whole or in part, for his maintenance at said institution: *Provided*, That in no case shall any such relative or relatives be required to pay more than the actual cost to the District of Columbia of the maintenance of such feeble-minded person.

"If the District Court of the United States for the District of Columbia finds that any such relative or relatives is or are able to pay for the maintenance of such feeble-minded person, in whole or in part, it may make an order requiring payment by any such relative or relatives of such sum or sums as it may find he or they are reasonably able to pay and as may be necessary to provide for the maintenance of such feeble-minded person. Said order shall require the payment of such sum or sums to the Collector of Taxes of the District of Columbia annually, semiannually, quarterly, or monthly, as the court may direct. It shall be the duty of the said Collector of Taxes to collect the said sum or sums due under this section and section 14, and turn the same into the Treasury of the United States to the credit of the District of Columbia. If any such relative or relatives made liable for the maintenance of such feeble-minded person shall fail to

provide or pay for such maintenance; in accordance with the order of court, the court shall issue to such relative or relatives a citation to show cause why he or they should not be adjudged in contempt. The citation shall be served at least 10 days before the hearing thereon.

"Any such order may be enforced against any property of any such relative or relatives made liable for the maintenance of such feeble-minded person, in the same way as if it were an order for temporary alimony in a divorce case.

"Upon the death of any such relative ordered by the court to pay for the maintenance of such feeble-minded person in whole or in part, the estate of such relative shall be liable to the District of Columbia for the unpaid amount due the District of Columbia under said order of court at the time of the death of said relative, and the claim of the District of Columbia shall be a preferred claim against such estate."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STANDARD WEIGHTS AND MEASURES IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (S. 122) to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended, is hereby further amended as follows:

Strike out section 3 of said act and insert in lieu thereof the following:

"SEC. 3. That the Superintendent and, under his direction, his assistants and inspectors, shall have exclusive power to perform all the duties provided in this act. They shall, at least every 6 months, and oftener when the Superintendent thinks proper, inspect, test, try, and ascertain whether or not they are correct, all weights, scales, beams, measures of every kind, instruments or mechanical devices for weighing or measuring, and all tools, appliances, or accessories connected with any or all such instruments or mechanical devices for weighing or measuring used or employed in the District of Columbia by any owner, agent, lessee, or employee in determining the weight, size, quantity, extent, area, or measurement of quantities, things, produce, or articles of any kind offered for transportation, sale, barter, exchange, hire, or award, or the weight of persons for a charge or compensation, and shall approve and seal, stamp, or mark, in the manner prescribed by the Commissioners, such devices or appliances as conform to the standards kept in the office of the Superintendent, and shall seize and destroy or mark, stamp, or tag with the word 'condemned' such as do not conform to the standards, and shall also mark the date of such condemnation upon the same. Any weight, scale, beam, measure, weighing or measuring device of any kind which shall be found to be unsuitable for the purpose for which it is intended to be used or of defective construction or material shall be condemned. No person shall use or, having the same under his control, shall permit to be used for any of the purposes enumerated in this act any weight, scale, beam, measure, weighing or measuring device whatsoever unless the same has been approved in accordance with the provisions of this act within 6 months prior to such use, or that does not conform to the standards kept in the office of the Superintendent of Weights, Measures, and Markets, or that does not bear the approval seal, stamp, or mark prescribed by the Commissioners, or which, having been condemned, has not thereafter been approved as provided in this act.

"Any person who shall acquire or have in his possession after the passage of this act any scale, weighing instrument, or nonportable measure or measuring device, subject to inspection or test under the provisions of this act, which has not been approved in accordance with the provisions of this act within 6 months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners, shall notify the Superintendent in writing at his office, giving a general description thereof, and the street and number or other location where same may be found, and it shall be the duty of the Superintendent to cause the same to be inspected and tested within a reasonable time after receipt of such notice. Any person who shall acquire or have in his possession after the passage of this act any portable measure or measuring device, subject to inspection or test under the provisions of this act, which has not been approved in accordance with the provisions of this act within 6 months prior to acquisition or possession and which does not bear the approval seal, stamp, or mark prescribed by the Commissioners shall cause the same to be taken to the office of the Superintendent for inspection and test.

"Every peddler, hawker, huckster, transient merchant, or other person with no fixed or established place of business shall, before using any weight, scale, measure, weighing or measuring device for any of the purposes enumerated in this act, cause the same to be taken to the office of the Superintendent for inspection and test semiannually, and shall not use for the purposes herein mentioned any weight, scale, measure, weighing or measuring device which has not been approved within 6 months prior to the time of such use, and does not bear the approval seal, stamp, or mark prescribed by the Commissioners."

SEC. 2. Insert at the end of section 7 the following:

"No person shall charge or collect for any commodity or commodities a sum greater than the price or prices indicated or quoted at the time of sale. No person shall charge, collect, or accept any money for any commodity which he shall not have delivered or which he shall not have agreed to deliver. When a whole number or fraction, or both, are used in representing the price or quantity of any commodity, thing, or service offered or exposed for sale, such number or combination of numbers shall be of such size as to indicate clearly the price or quantity of such commodity, thing, or service."

SEC. 3. Strike out section 11 of said act and insert in lieu thereof the following:

"SEC. 11. That it shall be unlawful to sell or offer for sale in the District of Columbia any coal, charcoal, or coke in any manner other than by weight. No person shall sell or deliver or attempt to deliver to any purchaser within the District of Columbia any coal, charcoal, or coke unless the quantity so sold or delivered or attempted to be delivered to each purchaser shall have been weighed separately. No person shall deliver to any purchaser within the District of Columbia any coal, charcoal, or coke unless the same shall have been kept separated from any other coal, charcoal, coke, or other commodity after same has been weighed as aforesaid until final delivery thereof.

"No person shall deliver or attempt to deliver any coal, charcoal, or coke in a quantity of one-fourth of a ton or more without accompanying the same by a delivery ticket and a duplicate thereof, the original of which shall be in ink or indelible substance, on each of which shall be clearly and distinctly expressed the following information:

"(a) The gross weight of the load, the tare weight of the delivery vehicle, and the net weight of the coal, charcoal, or coke expressed in pounds avoirdupois;

"(b) The name of the owner and location of the scale on which the coal, charcoal, or coke shall have been weighed;

"(c) Name and address of the seller and of the purchaser; and

"(d) The name of the person who weighed said coal, charcoal, or coke.

"Upon demand of the Superintendent or any of his assistants or inspectors upon the person in charge of the vehicle of delivery, the original of these tickets shall be surrendered to the official making such demand. The duplicate ticket shall be delivered to the purchaser of said coal, charcoal, or coke, or to his agent or representative, at the time of delivery of such coal, charcoal, or coke. Upon demand of the Superintendent or any of his assistants or inspectors, or of the purchaser or intended purchaser, his agent, or representative, the person delivering such coal, charcoal, or coke shall convey the same forthwith to a public scale, owned and operated as hereinafter provided, or to any legally approved private scale in the District of Columbia, the owner of which may consent to its use, and shall permit the verifying of the weight, and after the delivery of such coal, charcoal, or coke shall return forthwith with the wagon, truck, or other vehicle used to the same scale and permit to be verified the weight of the wagon, truck, or other vehicle.

"When coal, charcoal, or coke is sold in quantities of one-fourth ton or more, it shall be sold in quantities of one-fourth ton, one-half ton, 1 ton, or in multiples of a ton. When coal, charcoal, or coke is sold in quantities of less than one-fourth ton, it shall be weighed at the time of delivery or sold in packages containing 100 pounds, 50 pounds, 25 pounds, 15 pounds, or 10 pounds. No package of coal, charcoal, or coke shall be made for sale, kept for sale, offered for sale, exposed for sale, or sold unless it shall have distinctly and conspicuously printed on the outside thereof in plain bold-face type, not smaller than 36 point, the name of the commodity, the quantity of contents in pounds, and the name and address of the maker of said package. When coal, charcoal, or coke is sold and delivered in packages, no delivery ticket shall be required.

"No coal, charcoal, or coke shall be sold which contains at the time the weight is taken more water or other liquid substance than is due to the natural condition of the coal, charcoal, or coke.

"Every vendor of coal, charcoal, or coke shall cause his name and address to be distinctly and conspicuously displayed in letters and figures at least 4 inches high on both sides of every vehicle used by or for him for the sale or delivery of coal, charcoal, or coke. In case of an estate, the trustee, administrator, or executor, or other person in charge of the affairs of such estate shall be deemed to be the vendor."

SEC. 4. Strike out section 14 of said act and insert in lieu thereof the following:

"SEC. 14. That bottles or jars used for the sale of milk or cream shall be of the capacity of 1 gallon, half gallon, 3 pints, 1 quart, 1 pint, half pint, or 1 gill. Such bottles or

jars shall have clearly blown or otherwise permanently marked in the side of each such bottle or jar or printed on the cap or stopple the name and address of the person, firm, or corporation who or which shall have bottled such milk or cream. Any person who uses, for the purpose of selling milk or cream, bottles or jars which do not comply with the requirements of this section shall be deemd guilty of using false measure."

SEC. 5. Insert after section 22 of said act the following new section:

"SEC. 22½. The Superintendent of Weights, Measures, and Markets is further authorized to make purchases of food in connection with the investigation and detection of sales of food by misrepresentation or false advertising in violation of the act entitled 'An act to prevent fraudulent advertising in the District of Columbia,' approved May 29, 1916; and there are hereby authorized to be appropriated annually such sums as may be necessary for carrying out the purposes of this section."

SEC. 6. Strike out the last sentence of section 19 of said act and insert in lieu thereof the following: "All fish, meat, poultry, meat products, lard, lard substitutes, butter, butter substitutes, and cheese shall be sold by avoirdupois weight."

SEC. 7. Strike out section 28 of said act and insert in lieu thereof the following:

"SEC. 28. That the Commissioners are hereby authorized and empowered to make such regulations as may be necessary for the control, regulation, and supervision of all markets owned by the District of Columbia and that the Superintendent, under the direction of the Commissioners, shall have supervision of all produce and other markets owned by the District of Columbia, shall enforce such regulations regarding the operation of the same as the Commissioners may make, shall make such investigations regarding the sale, distribution, or prices of commodities in the District of Columbia as the Commissioners may direct, and shall make reports and recommendations in connection therewith."

Mr. RANDOLPH. Mr. Speaker, the purpose of this legislation is to provide certain specific language to enable the Commissioners to better administer this law. It has to do with a new section which prohibits false advertising or misrepresentation in connection with the sale of goods in the District of Columbia. It is to plug certain loopholes that exist, where we believe the customer or the purchaser is not getting the exact weight to which he or she is entitled. That is the reason for asking the legislation at this time.

I move the previous question.

The previous question was ordered.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HOURS OF EMPLOYMENT OF FEMALES IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2122) an act to extend to 6 months after the termination of hostilities the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits, with Senate amendments and concur in the Senate amendments.

The Clerk read the title of the bill.

The SPEAKER pro tempore [Mr. LANHAM]. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The SPEAKER pro tempore. The Clerk will read the Senate amendments.

The Clerk read as follows:

Amendments: Line 8, strike out all after "thereof" down to and including "earlier" and insert "June 30, 1946."

Amend the title so as to read: "An act to extend to June 30, 1946, the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits."

Mr. RANDOLPH. Mr. Speaker, the House passed this bill unanimously. The House bill would have extended for 6 months after the end of hostilities the operation of Public Law 63 of the Seventy-eighth Congress relative to the number of hours a female may be employed in the District of Columbia in war industries. The Senate, however, amended the bill to place a definite limitation as of June 30, 1946. We desire to concur in the Senate amendments.

The SPEAKER pro tempore. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

APRIL 26 PHILIPPINE DAY IN THE UNITED NATIONAL CLOTHING COLLECTION PROGRAM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts [Mr. MCCORMACK] to make an announcement.

Mr. McCORMACK. Mr. Speaker, I have been informed that the Philippines will participate in the result of the United National Clothing Collection, which is being undertaken in this month of April 1945. To emphasize this participation, arrangements have been made between the United National Clothing Collection and the Philippine War Relief of the United States, Inc., to designate April 26 as Philippine Day. I would like to take this opportunity to endorse the need of clothing for the people in the Philippines.

Cut off as the Philippines have been from their sources of supply for their normal clothing needs for over 3 years, their need would be most acute even if their country had not been overrun and despoiled by an invading and ruthless army. During those 3 years the Japanese Army have lived upon the people of the Philippines, eating their food, confiscating their homes, seizing their supplies of clothing. These conditions have been seriously aggravated since the beginning of the liberation of the Philippines by our forces as the enemy deliberately adopted wanton destruction in their retreat, killing civilians, burning homes and public buildings, destroying food and clothing.

In a recent statement President Osmeña said:

I saw that path of destruction left by the Japanese. I saw the pitiful survivors who came straggling back to the ashes of their homes. Barefoot, ragged, almost naked, they came back, looking in vain for wives, mothers, husbands, fathers, children who had died.

Among these ragged survivors of the wrath of the Japanese it is impossible to distinguish rich and poor, the people who once lived in lovely homes and those who lived in humble houses. All are barefoot, all are ragged, all are homeless. All of them need shoes for their feet, clothing to cover their nakedness, bedding to sleep on. I am appealing to America to help in behalf of my suffering people.

I hope that every cooperation will be given throughout the country to make Philippine Day, the clothing drive on that day, a great success. The press of the country can perform no finer or more deserving act than by giving wide publicity of the setting aside of April 26 as Philippine Day.

There is no more meritorious cause that the people of America can wholeheartedly join in making a success than Philippine Day, April 26. We should make it a tremendous success. I hope the people of the country will recognize the necessity of responding to the maximum extent possible and I hope that as wide publicity as possible will be given this day not only by Members of the House but particularly by the press of the country.

The people of the Philippines have suffered greatly. They love Uncle Sam. They have shown their loyalty to Uncle Sam and their appreciation of the humane policies adopted by our country toward them during the years the Philippine Islands and the Filipino people have been under our jurisdiction. We are going to reap the greatest dividends any nation has ever received in the annals of time. Future history, after the Philippines have received their independence, will record us as the first great nation that having once taken under its jurisdiction a large territory and millions of people, promising that at some future time they would be given independence, kept its word. The people of the Philippines have faith in the United States and our people because we are one great nation which has kept its word. It is my frank opinion that for countless generations to come, after the Americans of today are dead and gone, the generations of Americans to come as they look back over the past 45 and more years of our dealing with the Filipinos, will thank us for the humane treatment we gave and for the fact that we kept our word with those people. As I say, it is the greatest investment any great country has ever made, and the dividends coming back to us will be manyfold in the cementing of a friendship that will last for countless generations.

I hope, therefore, that the people of America will cooperate to the maximum extent possible on April 26 in making this day set aside for the donation of clothing for the people of the Philippines a great success.

Mr. STEFAN. Mr. Speaker, will the gentleman yield to me?

Mr. RANDOLPH. Mr. Speaker, I yield to the gentleman from Nebraska.

Mr. STEFAN. Mr. Speaker, I rise to commend the majority leader, the distinguished gentleman from Massachusetts [Mr. MCCORMACK], for calling the attention of the House and the country

to what really has happened in the Philippine Islands, by way of ravaging that country by the treacherous Japanese. I have had occasion only recently to talk at some length with Major Lopez, one of the great guerrillas in the Philippine Islands. He confirms what the gentleman from Massachusetts has said regarding the Philippines and what the gentleman says is needed in those islands. Also I commend the statement of the distinguished gentleman from Massachusetts on the coming of complete independence of the Philippines. That statement will bring much happiness to the people there. I hope that constitutional processes will come to the Philippines soon, and that complete independence will come to the Philippines on the 4th day of July 1946, as promised by the United States.

Mr. McCORMACK. Or even sooner. Mr. Speaker, I appreciate very much the remarks of my distinguished friend the gentleman from Nebraska [Mr. STEFAN], and I feel that the Congress of the United States, in respect to the 26th day of April, might well consider a rehabilitation program for the people of the Philippines. In confining my remarks to April 26 I do not want anyone to draw the inference that that is my limitation. My mind goes far beyond that. I consider it to be our duty to the brave people of the Philippine Islands to assist them in a period of rehabilitation and reconstruction, and whatever we may do, we should do to the maximum possible, as a duty, and not as a gratuity or a charity.

As I said before, I hope that the great medium of publicity in our country—the public press—will give as wide publicity as possible to the fact that April 26 has been set aside as Philippine Day, and call upon the people of the various communities of our country to contribute clothing and other things of that kind to make that day's drive a success.

SALARY OF EXECUTIVE SECRETARY, NURSES' EXAMINING BOARD, DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I call up the bill (H. R. 2839) to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the second sentence of section 9 of the act entitled "An act to amend the act of February 9, 1907, entitled 'An act to define the term "registered nurse" and to provide for the registration of nurses in the District of Columbia' ", approved March 2, 1929, be, and the same is hereby, amended to read as follows: "The executive secretary of said Board may receive a salary to be fixed by said Board at its annual organization meeting in accordance with the Classification Act of 1923, as amended."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

Mr. MICHENER. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. RANDOLPH. Mr. Speaker, may I say to the gentleman from Michigan and other Members on the floor, that we have a Classification Act in the Federal Government which also operates within the District of Columbia. This executive secretary of the Nurses' Examining Board of the District of Columbia is not under the Classification Act. The Commissioners and others feel, because of the type of work which that individual is carrying on, that that job should be given a better salary. It will amount to some $600 a year, and will simply bring that person under the provisions of the Classification Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. RANDOLPH. Mr. Speaker, that concludes the bills on the District Calendar.

EXTENSION OF REMARKS

Mr. KNUTSON (at the request of Mr. MICHENER) was given permission to extend his remarks in the RECORD.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article written by Dave Eagan, appearing in the Boston Record, the same being a eulogy on our beloved President.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. ERVIN asked and was given permission to extend his remarks in the RECORD and include a copy of a bill he had introduced.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana [Mr. LAFOLLETTE] is recognized for 40 minutes.

FAIR EMPLOYMENT PRACTICE COMMISSION

Mr. LAFOLLETTE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include certain citations and other material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LAFOLLETTE. Mr. Speaker, I think it is proper to say to the Members who are present and for the RECORD that the gentleman from Arkansas [Mr. HAYS], my very good friend and a Member for whom I have the highest regard, and I felt that this matter of a Federal act for fair employment practices and a permanent Fair Employment Practice Commission should be debated as much as possible a calm and orderly manner, and for that reason we asked and arranged for these two special orders. We also felt, I think properly, that neither of us should attempt to bind any proponent or opponent of this measure by our particular debate or our particular point of view. However, under the rather general understanding which we have we also are agreed that we hope the Members will not ask us to yield generally, because it is a debate in the nature of a discussion of this measure between the two of us.

The proposed Federal legislation in the House (H. R. 2232) and in the other body (S. 101) to establish a permanent Fair Employment Practice Commission is designed, in my opinion, to extend the ethic upon which this country is established and in which we profess to believe, into the field of economic life and to thereby extend once more the idea that there must be full and equal opportunity in a democracy not only to vote, not only to participate in political life, and political activities, but to participate fully and without being subject to discrimination, which our Supreme Court has defined as "irrelevant and invidious" in reaching the fullest economic attainments which we offer to any citizen.

I do not think that it is open to debate that we have not obtained this goal up to now in America.

May I point out primarily that we are not attempting with this legislation to eliminate prejudice. Prejudice is something which sits in the inside of people. We are attempting to eliminate the outward effect of prejudice, which is discrimination.

I should like to draw a parallel, if I may. The eighteenth amendment, which was defined, as "an experiment noble in purpose," in my opinion dealt with basic human feelings and desires. That failed because it did attempt to eradicate that basic thing. But we have always had legislation dealing with the effects of excess indulgence in alcohol. We have always had legislation dealing with unsocial activities such as assault and battery, murder, larceny and theft, all of which arise from inward thinking of people. So that this legislation is not calculated to nor does it attempt to change by legislation basic thinking. That is a process of education. Education and legislation of this type, with enforcement powers, go along hand in hand.

As a matter of fact, I am of the opinion, as many others are, that there is educational value inherent in the enforcement provisions of this legislation, that people will come closer together when they know there is behind a Federal agency a power eventually to enforce action, to prohibit discrimination.

The mere fact that we know that we must get together has pragmatically, I think, educational value. The best evidence I could give you of that is the recent legislation with reference to the right of people to organize and join unions of their choice. I think today there are many people in management sitting down and working with representatives of labor unions who 10 or 15 years ago would have said it was impossible. They have learned by the necessity of coming together that the people who they considered to be their opponents are human beings, and they have found that they can work things out when they are faced with a situation which shows that they can no longer engaged in what we now consider very definitely in this country to be anti-

union activities which have a social and economic effect upon the Nation as a whole.

So much for that element of this legislation.

I think it is rather clearly established that there are many other people and many groups of people in this country who hold the same ideal. At this point in my remarks I shall include a list of the organizations, national and local, which are supporting this legislation.

EXHIBIT 1

PARTIAL LIST OF ORGANIZATIONS ON RECORD IN CONGRESS AS URGING EARLY AND FAVORABLE ACTION ON THE PERMANENT F. E. P. C. BILL

(Senate: S. 101; House: H. R. 2232)

NATIONAL ORGANIZATIONS

American Association of University Women.
Alpha Kappa Alpha Sorority.
American Civil Liberties Union.
American Friends Service Committee.
American Jewish Committee.
American Jewish Congress.
American Order of University Women.
American Unitarian Association.
American Unitarian Youth.
B'nai B'rith.
Catholic Interracial Council.
Common Council for American Unity.
Congregational Christian Churches (Council for Social Action).
Congress of Industrial Organizations.
Consumers League of America.
Delta Sigma Theta Sorority.
Evangelical and Reformed Church, General Synod.
Federal Council of the Churches of Christ in America.
Fraternal Council of Negro Churches in America.
Improved Benevolent & Protective Order of Elks of the World.
International Brotherhood of Sleeping Car Porters (A. F. L.).
International Ladies Garment Workers Union of America (A. F. L.).
Jewish Labor Committee.
Jewish War Veterans of the United States.
League of United Latin American Citizens.
March on Washington.
Methodist Church, General Conference.
Methodist Ministers' Union.
Millinery Workers, Joint Board (A. F. L.).
National Alliance of Postal Employees.
National Association for the Advancement of Colored People.
National Association of Colored Graduate Nurses.
National Bar Association.
National C. I. O. Committee to Abolish Racial Discrimination.
National Community Relations Advisory Council.
National Conference of Christians and Jews.
National Council of Catholic Women.
National Council of Jewish Women.
National Council of Negro Women.
National Council of Student Christian Associations.
National Council for a Permanent F. E. P. C.
National Farmers Union.
National Federation for Constitutional Liberties.
National League of Women Shoppers.
National Negro Insurance Association.
National Urban League.
National Women's Trade Union League of America.
Negro Newspaper Publishers Association.
Postwar World Council.
Presbyterian General Assembly.
Sigma Gamma Rho Sorority.
Southern Tenant Farmers Union.
Study Conference on Just and Durable Peace.
Union of American Hebrew Congregations.
Union for Democratic Action.
United Council of Church Women.
Upholsterers International Union of North America (A. F. L.).
Women's Division of Christian Service, Methodist Church.
Women's Division of the American Jewish Congress.
Women's International League for Peace and Freedom.
Workers' Defense League.
Young Men's Christian Association, National Board.
Young Women's Christian Association, National Board.

COMMUNITY ORGANIZATIONS

Albany Council for a Permanent F. E. P. C.
Bay Area Council Against Discrimination, San Francisco.
Belen (N. Mex.) Council for a Permanent F. E. P. C.
Buffalo (N. Y.) Council for a Permanent F. E. P. C.
Chicago Council Against Racial & Religious Discrimination.
Chicago Mayor's Committee on Race Relation.
Citizens' Committee for Interracial Action, Salt Lake City.
City-Wide Citizens' Committee on Harlem.
Cleveland (Ohio) Council for a Permanent F. E. P. C.
Columbus Metropolitan Fair Employment Practice Committee.
Committee of One Hundred, San Antonio.
Coordinating Council for Latin American Youth, Los Angeles.
Denver Council for a Permanent F. E. P. C.
Detroit Council for a Permanent F. E. P. C.
Detroit Metropolitan Council on Fair Employment Practice.
East Bay Council for a Permanent F. E. P. C. (Berkley, Calif.).
Flint (Mich.) Council for a Permanent F. E. P. C.
Indianapolis Council for a Permanent F. E. P. C.
Interracial Commission of St. Louis.
Kansas-Missouri Council for a Permanent F. E. P. C.
King Hiram Grand Lodge, Vauxhall, N. J.
Los Angeles Council for a Permanent F. E. P. C.
Louisville (Ky.) Council for a Permanent F. E. P. C.
Massachusetts Citizens' Committee for Racial Unity.
Mexican Civic Committee, Chicago.
New Orleans Council for a Permanent F. E. P. C.
New York Metropolitan Council on Fair Employment Practice.
Omaha Council for a Permanent F. E. P. C.
Paterson (N. J.) Council for a Permanent F. E. P. C.
Philadelphia Metropolitan Council for Equal Job Opportunity.
Pittsburgh Citizens' Coordinating Committee.
Portland (Oreg.) Council for a Permanent F. E. P. C.
St. Louis Council for a Permanent F. E. P. C.
San Diego Council for a Permanent F. E. P. C.
Seattle Council for a Permanent F. E. P. C.
Southwestern Connecticut Committee to Promote Fair Employment Practices.
Spanish American Citizens' Association, Denver.
The Frontiers Club of Dayton.
Utah Council for a Permanent F. E. P. C.
Utica Council for a Permanent F. E. P. C.
Vallejo (Calif.) Committee on Interracial Affairs.
Washington (D. C.) Committee on Race Relations.
Worcester (Mass.) Council for a Permanent F. E. P. C.
Yonkers (N. Y.) Council for a Permanent F. E. P. C.

It is not sufficient that legislation should be based upon sound moral or ethical grounds. In a democracy we cannot enforce ethical principles unless we find that they are legal or constitutional under our form of government. It is my opinion that this legislation very definitely is constitutional, because discrimination because of race, certainly, has heretofore been held by our Supreme Court to be an irrelevant and an invidious discrimination which the Court will not uphold.

In *New Negro Alliance* v. *Sanitary Grocery Co.* (303 U. S. 552, 561), Mr. Justice Roberts said:

> The act does not concern itself with the background or the motives of the dispute. The desire for fair and equitable conditions of employment on the part of persons of any race, color, or persuasion, and the removal of discrimination against them by reason of their race or religious beliefs is quite as important to those concerned as fairness and equity in terms and conditions of employment can be to trade or craft unions or any form of labor organization or association. Race discrimination by an employer may reasonably be deemed more unfair and less excusable than discrimination against workers on the ground of union affiliation. There is no justification in the apparent purposes or express terms of the act of limiting its definition of labor disputes and cases arising therefrom by excluding those which arise with respect to discrimination in terms and conditions of employment based upon differences of race or color.

In the Steel case the Court, through Mr. Chief Justice Stone, said:

> Without attempting to mark the allowable limits of differences in the terms of contract * * * it is enough to say that the statutory power to * * * make contract * * * does not include the authority to make, among members of the craft, discrimination not based on * * * relevant differences. Here the discriminations based on race alone are obviously irrelevant and invidious. Congress plainly did not undertake to authorize the bargaining representative to make such discriminations.

I think it is clearly established by those two cases that discriminations based upon race are discriminations which the court will not up hold. They are discriminations which the court does not permit to be recognized. One was the case of an employer, which was the first case I cited, and again, in the case of a labor union, in the second case cited, from which it follows, if the court holds that Congress cannot pass a law which will permit discriminations based upon color to be considered as valid discriminations, Congress also has the affirmative power to treat affirmatively with those discriminations and to prohibit them. On the question of whether the power of Congress is limited only to prohibit the discharging of employees, the Phelps-Dodge case which was decided by the Supreme Court under the National Labor Relations Act, I think has permanently disposed of that question by holding that it is unlawful to discriminate in hiring as well as in discharging. In that case, they held it was unlawful to refuse to employ a man because of his previous union activities just as much as it was unlawful to discharge him for union activities after he was employed. From which it seems to me it follows very clearly as a

matter of constitutional authority that Congress has the power to declare a thing to be discrimination, which the Supreme Court has held to be irrelevant and invidious, and that it also has the power to prevent discrimination barring any man, against whom such discrimination is practiced, from having a full economic opportunity in the way of a job which he is qualified to handle.

I think also it would be well to state in the RECORD for the Members of the Congress and for the public just what we are presently discussing and the legislation which is now waiting for a rule before the Committee on Rules. For that reason, I am inserting in the RECORD the bill and the majority report of the Committee on Labor upon that legislation.

EXHIBIT 2

H. B. 2232

A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry

Be it enacted, etc., That this act may be cited as the "Fair Employment Practice Act."

FINDINGS AND DECLARATION OF POLICY

SEC. 2. (a) The Congress hereby finds—

(1) that the practice of discriminating in the matter of employment, and in matters relating thereto, against properly qualified persons because of their race, creed, color, national origin, or ancestry leads to domestic and industrial strife and unrest and forces large segments of the population permanently into substandard conditions of living, thereby creating a drain upon the resources of the Nation and a constant threat to the maintenance of industrial peace and of the standard of living necessary to the health, efficiency, and well-being of workers; and

(2) that the existence of such practices in industries engaged in commerce or in the production of goods for commerce causes the means and instrumentalities of commerce to be used to spread and perpetuate such conditions throughout the several States and causes diminution of employment and wages in such volume as substantially to impair and disrupt the market for goods in commerce, and burdens, hinders, and obstructs commerce.

(b) Individuals shall have the right to work without discrimination against them because of their race, creed, color, national origin, or ancestry.

(c) It is hereby declared to be the policy of the Congress to protect such right and to eliminate all such discriminations to the fullest extent permitted by the Constitution. This act shall be construed to effectuate such policy.

DEFINITIONS

SEC. 3. As used in this act—

(a) The term "person" means an individual, partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, receiver, or any organized group of persons, and includes any agency or instrumentality of the United States or of any Territory or possession thereof.

(b) The term "employer" means a person having in his employ six or more individuals, or any other person acting in the interest of such an employer, directly or indirectly.

(c) The term "labor union" means any organization, having six or more members, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, or terms or conditions of employment.

(d) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States; or between any State or Territory, or the District of Columbia, and any place outside thereof; or within the District of Columbia or any Territory; or between points in the same State but through any point outside thereof.

(e) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(f) The term "Commission" means the Fair Employment Practice Commission created by section 6.

RIGHT TO FREEDOM FROM DISCRIMINATION IN EMPLOYMENT

SEC. 4. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of the United States or of any State.

UNFAIR EMPLOYMENT PRACTICES DEFINED

SEC. 5. (a) It shall be an unfair employment practice for the purposes of this act for any employer—

(1) to refuse to hire any individual because of such individual's race, creed, color, national origin, or ancestry;

(2) to discharge any individual from employment because of such individual's race, creed, color, national origin, or ancestry;

(3) to discriminate against any individual in the matter of compensation with respect to, or in other terms or conditions of, employment because of such individual's race, creed, color, national origin, or ancestry; or

(4) to confine or limit recruitment or hiring of individuals for employment to any employment agency, placement service, training school or center, labor union or organization, or any other source that discriminates against individuals because of their race, color, creed, national original, or ancestry.

(b) It shall be an unfair employment practice for the purposes of this act for any labor union—

(1) to deny full membership rights and privileges to any individual because of such individual's race, creed, color, national origin, or ancestry;

(2) to expel from membership any individual because of such individual's race, creed, color, national origin, or ancestry; or

(3) to discriminate against any member, employer, employee, or individual seeking employment, because of his race, creed, color, national origin, or ancestry.

(c) It shall be unfair employment practice for the purposes of this act for any employer or labor union to discharge, expel, or otherwise discriminate against any person because such person has opposed any practice which constitutes an unfair employment practice under this act or has filed a charge, testified, or assisted in any proceeding under this act.

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 6. (a) For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices, there is hereby created a commission to be known as the Fair Employment Practice Commission, which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission, and three members of the Commission shall at all times constitute a quorum.

(c) The Commission shall have an official seal which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in its employ or under its supervision, and an account of all moneys it has disbursed, and shall make such further reports on the cause of, and means of alleviating discrimination, and such recommendations for further legislation as may appear desirable.

(e) Each member of the Commission shall receive a salary at the rate of $10,000 a year, and shall not engage in any other business, vocation, or employment.

(f) When three members of the Commission have qualified and taken office, the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said Committee shall then be transferred to and become employees of the Commission, and all records, papers, and property of the Committee shall then pass into the possession of the Commission.

(g) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States.

(h) The Commission shall have power—

(1) to appoint such officers and employees as it deems necessary to assist it in the performance of its functions;

(2) to cooperate with or utilize regional, State, local, and other agencies and to utilize voluntary and uncompensated services;

(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents or agencies the same witness and mileage fees as are paid to witnesses in the courts of the United States;

(4) to furnish to persons subject to this act such technical assistance as they may request to further their compliance with this act or any order issued thereunder; and

(5) to make such technical studies as are appropriate to effectuate the purposes and policies of this act and to make the results of such studies available to interested Government and nongovernmental agencies.

PREVENTION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 7. (a) The Commission is empowered, as provided in this section—

(1) to prevent unfair employment practices by employers affecting commerce;

(2) to prevent unfair employment practices by employers who are parties to contracts with the United States or any Territory or possession thereof, or with any agency or instrumentality of any of the foregoing, and by employers performing, pursuant to subcontract or otherwise, any work required for the performance of any such contract;

(3) to prevent unfair employment practices by agencies and instrumentalities of the United States, and of the Territories and possessions thereof; and

(4) to prevent unfair employment practices by labor unions affecting commerce.

(b) Whenever it is alleged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have

power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint.

(c) The person so complained of shall have the right to file an answer to such complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(d) If upon the record, including all the testimony taken, the Commission shall find that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including reinstatement or hiring of employees with or without back pay, as will effectuate the policies of this act. If upon the record, including all the testimony taken, the Commission shall find that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

JUDICIAL REVIEW

SEC. 8. Except as provided in section 12 (relating to the enforcement of orders directed to Government agencies), orders of the Commission shall be subject to judicial enforcement and judicial review in the same manner, to the same extent, and subject to the same provisions of law, as in the case of orders of the National Labor Relations Board.

INVESTIGATORY POWERS

SEC. 9. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this act, the Commission, or its authorized agents or agencies, shall at all reasonable times have the right to examine or copy any evidence of any person being investigated or proceeded against relating to any such investigation, proceeding, or hearing.

(b) Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, agent, or agency conducting such investigation, proceeding, or hearing.

(c) Any member of the Commission, or any agent or agency designated by the commission for such purposes, may administer oaths, examine witnesses, and receive evidence.

(d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(e) In case of contumacy or refusal to obey a subpena issued to any person under this act, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing; any failure to obey such order of the court may be punished by it as a contempt thereof.

(f) No person shall be excused from attending and testifying or from producing documentary or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

RULES AND REGULATIONS

SEC. 10. The Commission shall have authority from time to time to issue such regulations as it deems necessary to carry out the provisions of this act, and to amend or rescind, from time to time, any such regulation whenever it deems such amendment or rescission necessary to carry out the provisions of this act. If, within 60 days after the issuance of any such regulation or of an amendment to any such regulation, there is passed a concurrent resolution of the two Houses of the Congress stating in substance that Congress disapproves such regulation or amendment, as the case may be, such regulation or amendment, as the case may be, shall not be effective after the date of the passage of such concurrent resolution; and after the date of the passage of such concurrent resolution, no regulation or amendment having the same effect as that concerning which the concurrent resolution was passed shall be issued by the Commission.

Regulations issued under this section shall include the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this act.

INCLUSION OF ANTIDISCRIMINATION CLAUSE IN GOVERNMENT CONTRACTS

SEC. 11. (a) Every contract to which the United States, or any Territory or possession thereof, or any agency or instrumentality of any of the foregoing, is a party (except such classes of contracts as the Commission may by regulation issued under section 10 exempt from the scope of this section) shall contain a provision under which—

(1) the contractor agrees that during the period required for the performance of the contract he will not engage in any unfair employment practices; and

(2) the contractor agrees that he will include a provision in each subcontract made by him for the performance of any work required for the performance of his contract a provision under which the subcontractor agrees—

(A) that during the period required for the performance of the subcontract, the subcontractor will not engage in any unfair employment practices; and

(B) that the subcontractor will include in each subcontract made by him provisions corresponding to those required in subparagraph (A) and this subparagraph.

(b) Unless the Commission shall otherwise direct, no contract shall be made by the United States, or any Territory or possession thereof, or any agency or instrumentality of any of the foregoing, with any person found pursuant to this act to have engaged in any unfair employment practice, or with any corporation, partnership, association, or other organization, in which such person owns a controlling interest, for a period (to be fixed by the Commission) not to exceed 1 year from the date on which such practice was so found to have been engaged in. The Commission may, by subsequent order, for good cause shown reduce any period so fixed. The Comptroller General of the United States shall distribute to all agencies and instrumentalities of the United States, and to the appropriate officials in the Territories and possessions of the United States, lists containing the names of such persons, corporations, partnerships, associations, and organizations.

ENFORCEMENT OF ORDERS DIRECTED TO GOVERNMENT AGENCIES

SEC. 12. The provisions of section 8 (providing for judicial enforcement and judicial review of orders of the Commission) shall not apply with respect to an order of the Commission under section 7 directed to any agency or instrumentality of the United States, or of any Territory or possession thereof. In the case of any such order, the Commission may request the President to take such action as he deems appropriate to secure compliance with such order, which may include the summary discharge of any officer or employee of any such agency or instrumentality who, in the opinion of the President or such person as the President may designate, has willfully failed to comply with such order.

WILLFUL INTERFERENCE WITH COMMISSION AGENTS

SEC. 13. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

SEPARABILITY CLAUSE

SEC. 14. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

EXHIBIT 3

THE FAIR EMPLOYMENT PRACTICE ACT

Mrs. NORTON, from the Committee on Labor, submitted the following report:

The Committee on Labor, to whom was referred the bill (H. R. 2232) to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

One of the principal objectives of the tragic war in which we are now engaged is to establish the principle that all men, no matter what their religion, color, or national origin, are born with the right to freedom to worship and work to safeguard their spiritual and economic welfare. The men and women of America hold this belief so dear that they are fighting and dying on the battlefields of the world to uphold it. When the war comes to a victorious end, and our men and women return to peacetime occupations from the battlefields and from the production of war materials, there must be equal opportunity for all. The men who have fought for economic freedom for peoples throughout the world will not, and should not, be satisfied with anything less in our own country.

Let it be clearly understood this bill has for its purpose economic opportunity only. The opponents of the bill are attempting to confuse the issue by bringing up the question of social equality. We repeat, there is nothing in the bill concerned with anything other than economic equality.

The Presidential candidates of both parties specifically pledged themselves to support of

a permanent Fair Employment Practice Commission. At the beginning of this session of the Seventy-ninth Congress, 13 bills having the same purpose, were introduced and referred to the committee. The provisions of 10 of these bills are identical. The bills are as follows: H. R. 481, introduced by Mr. LAFOLLETTE, of Indiana; H. R. 679, by Mr. BALDWIN of New York; H. R. 700, by Mr. DAWSON, of Illinois; H. R. 1370, by Mr. HOOK, of Michigan; H. R. 1575, by Mr. DIRKSEN, of Illinois; H. R. 1743, by Mr. POWELL, of New York; H. R. 1762, by Mr. BENDER, of Ohio; H. R. 1806, by Mrs. DOUGLAS, of California; H. R. 1815, by Mr. CLASON, of Massachusetts; and H. R. 1694, by Mr. DOYLE, of California. The bill H. R. 523, introduced by the chairman, was based very largely on the provisions of the above identical bills.

These proposals were considered by a subcommittee composed of Mr. RANDOLPH, of West Virginia; Mr. PATTERSON, of California; Mr GEELAN, of Connecticut; Mr. POWELL, of New York; Mr. BALDWIN, of New York; Mr. MCCONNELL, of Pennsylvania; and Mr. ADAMS, of New Hampshire. After full consideration, the subcommittee recommended to the full committee a bill embodying the best features of all of the above proposals. Upon completion of comprehensive discussion by the full committee of the recommended bill, the committee requested the chairman to introduce, as a committee bill, a bill carrying out these recommendations. It is that bill, H. R. 2232, which is herewith reported.

ANALYSIS OF THE BILL

The following is an analysis, section by section, of the recommendations of the Committee.

Section 1. Short title

This section gives the act its title—the Fair Employment Practice Act.

Section 2. Findings and declaration of policy

This section sets forth the underlying factual basis and policy for the regulation provided by the bill. The Congress finds that discrimination in employment because of race, creed, color, national origin, or ancestry (1) leads to interracial tension and conflict, (2) forces large segments of our population permanently into substandard conditions of living, (3) creates a drain upon the resources of the Nation, (4) causes a diminution of employment and wages which disrupts the market for goods in commerce, all of which (5) burden, hinder, and obstruct commerce.

Section 3. Definitions

This section defines in ordinary terms the words "person," "labor," "union," "commerce," "affecting commerce," and "Commission." The term "employer" is defined, however, to include all employers of five or less employees.

Section 4. Right to freedom from discrimination in employment

This section declares that the right to work free from discrimination is an "immunity" of the citizens of the United States, which shall not be abridged by any Federal or State agency.

Section 5. Unfair employment practices defined

This section seeks to outlaw discriminatory practices by three major groups—private employers, labor unions, and agencies of the Federal Government. It forbids discrimination in every incident of the employment relationship. Thus, it would make unlawful a discriminatory refusal to hire, refer, upgrade, promote, or classify properly. It is designed to forbid wage differentials based upon race, discriminatory transfers, or assignments, discriminatory discharges and discrimination in the application of seniority rules. It likewise seeks to ban the various devices by which discrimination is effected. The bill also forbids an employer to confine his hiring to any source that discriminates.

The section also seeks to forbid discriminatory practices by trade unions. It forbids them to deny membership because of race, creed, color, national origin, or ancestry or to discriminate among members because of such facts.

In addition, the section seeks to protect those persons who suffer discrimination, not because of race or creed but because they seek to assist their fellow employees who belong to a minority group. Thus, it forbids discrimination against employees who oppose discrimination or who assist in any proceeding under the bill.

Having stated the objective of extirpating every form of discrimination in employment, no matter how occasioned, devised, or motivated, it should likewise clearly be stated what the bill does not seek to do. The bill is not concerned with matters other than employment, such as housing, education, recreation, transportation, political rights, or social relationships.

Section 6. Fair Employment Practice Commission

This section creates a quasi-judicial agency to be known as the Fair Employment Practice Commission, to consist of five members appointed by the President for 5-year terms with the advice and consent of the Senate. The original members will serve, however, for terms ranging from 1 to 5 years. Commissioners will receive $10,000 a year. When a quorum of the new Commission has taken office, the present Committee on Fair Employment Practice created by Executive Order 9346 will go out of existence, but its records, employees, and unexpended appropriations will be transferred to the new Commission.

Section 7. Prevention of unfair employment practices

The Commission is empowered to prevent the proscribed unfair employment practices by the issuance of cease-and-desist orders. The procedure devised by this section for the issuance of such orders follows closely that of other administrative agencies. Thus the section provides for the filing of charges with the Commission, the holding of hearings before it, the making of findings of fact, the issuance of cease-and-desist orders.

The Commission is empowered to prevent those unfair employment practices which are committed by Federal agencies or by Federal contractors or which affect commerce.

Section 8. Judicial review

This section incorporates, by reference, the procedure for judicial review and enforcement of the Commission's orders, which is now applicable to the orders of the National Labor Relations Board. The technical, common-law rules of evidence will not be binding upon the Commission, but in conformity with existing judicial doctrine it will receive or consider only the type of evidence which "usually affects fair-minded men in the conduct of their daily and important affairs" (*Bene* v. *F. T. C.*, 229 Fed. 468).

Any party aggrieved by a final order of the Commission may, on his own initiative, obtain a review of such order in the circuit courts.

No penalty is provided for a violation of an order of the Commission. If, however, a court commands obedience to such an order, violation of the court's decree will be punishable as a contempt of court.

Section 9. Investigatory powers

This section confers upon the Commission the customary powers of subpena and administration of oaths. The subpenas are enforceable in the Federal district courts.

Section 10. Rules and regulations

This section empowers the Commission to issue regulations necessary to carry out the provisions of the act, but provides that the two Houses of Congress may disapprove any regulation by the adoption of a concurrent resolution within 60 days after the issuance of such regulation. After adoption of such a resolution the Commission would be barred from issuing another regulation having the same effect as the one disapproved. Thus continual congressional supervision of the Commission's regulations is provided for.

Section 11. Government contracts

This section continues the existing requirement of Executive Order 9346 issued by the President, that every contract to which the Federal Government is a party shall contain a covenant obligating the contractor and his subcontractors not to discriminate in employment because of race, creed, color, national origin, or ancestry. This obligation is in effect only during the period of time required for the performance of the contract.

This section also provides that in the discretion of the Commission it may require that a person found to have violated any of the provisions of the act shall be barred from receiving another Government contract for a period of not to exceed 1 year. This section is based upon a similar provision in the Walsh-Healey Act of 1936 (41 U. S. C. 35.)

Section 12. Enforcement of orders directed to Government agencies

This section provides for a means of enforcing the Commission's orders against Federal agencies or their officers who have been found to be guilty of discriminatory employment practices. The Commission is empowered to request the President to take any action he deems appropriate to obtain compliance with the order of the Commission. Thus the President may discharge summarily any Federal employee or officer who, in the President's opinion, has willfully failed to obey an order of the Commission.

A Federal agency named as a respondent in a Commission order will have no right of appeal to the courts.

Section 13. Willful interference with Commission agents

This section, customary in comparable regulatory statutes, protects agents of the Commission from physical harm as willful interference. This section is not applicable to the committing of unfair employment practices or the violation of the orders of the Commission.

Section 14. Separability clause

This section expresses the intent of Congress that the act shall be deemed separable in the event of a decision of unconstitutionality affecting only a portion of the act.

MARY T. NORTON.
JENNINGS RANDOLPH.
AUGUSTINE B. KELLEY.
FRANK E. HOOK.
ELLIS E. PATTERSON.
JAMES P. GEELAN.
WILLIAM J. GREEN, JR.
ADAM C. POWELL, JR.
RICHARD J. WELCH.
JOSEPH CLARK BALDWIN.
SAMUEL K. MCCONNELL, JR.
SHERMAN ADAMS.

Since this legislation has been reported by the Labor Committee we find also that objections to it take several general forms. I am attempting to anticipate objections, but not necessarily anticipating the argument of the gentleman from Arkansas [Mr. HAYS]. However, I shall meet certain objections which I have seen discussed in the public press and which I have heard from time to time raised on this floor.

It is said, first, that the legislation grants too much power to the Commission, its agents generally, and particularly with reference to the power of sub-

pena and the power to investigate alleged causes of discrimination which come within its purview. On that score, it is interesting to note that powers very similar to these were originally granted under the Interstate Commerce Act of 1887; that very similar powers were found in the Federal Trade Commission Act of 1914; and that similar powers are found in the Federal Power Act of 1920. Of course, we all know that these powers given to administrative bodies exercising quasi-judicial functions has been a development since 1933, such as powers given to the National Labor Relations Board. But I have not stressed those, because people say, "That is New Deal legislation and, ipso facto, it is bad." I want to eliminate that argument.

This concept that an administrative body has to have the power to subpena witnesses from all over the country, from any place, and to require their attendance at any place, to require the production of papers, is not a new concept. The power granted under this act to this Fair Employment Practice Commission is not a new concept. It is a power which any administrative body must of necessity have if it is going to function in an orderly manner.

Also it is said that this legislation permits the Commission to hire an unlimited number of employees and to establish an unlimited number of district offices. That sort of power is generally granted in general legislation of this sort, but in the final analysis, to fear it comes down to this, that we deny the power and ability and integrity of the Appropriations Committee of this body, for obviously the appropriation under which this Commission must act must come out of this body. It means, in the first place, that it must pass the scrutiny of the Appropriations Committee; and if you are to say that they would have unlimited employees and would establish unlimited offices, the same objection could be raised against any commission or any function of Government. Why raise this objection only against this legislation designed to eliminate discrimination against members of minorities? But to fear it, in its final analysis, means that we are afraid of the power which we have, as Members of this body, to limit unwarranted and undue expenditures and the unrestrained employment of people, through our ability to appropriate money and to limit appropriations. I, for one, do not care to subscribe to the theory that I as an individual or all the Members of this body have become impotent to control the expenditures of any branch of the Federal Government.

The argument that there is too much power to employ people and to establish offices is a negative sort of argument which denies our own strength.

Again, we hear the question raised that there is no trial by a court. Section 8 of this act provides that the findings of the Commission shall be subject to the same judicial review as established in the National Labor Relations Act.

Section 10 of that act among other things defines the power of certain courts of appeal and contains this language:

> The findings of the board as to facts if supported by evidence shall be conclusive.

It is stated that under this language the court is bound to accept the findings of fact of the Commission. Let us examine that. That is not a new concept, Mr. Speaker. This concept is found in the workmen's compensation legislation in my State; it is found in the public utility legislation in my State; it is found, if you please, in the common law in my State, and I think of practically every State in the Union—namely, that a court of review cannot upset findings of fact where there is material evidence upon any fact sufficient to support the findings of ultimate fact. If this were not true, we would have courts of review investigating findings of fact upon a bare written record without seeing or hearing the witnesses, without having the opportunity to gage the truthfulness or untruthfulness of the witnesses, which we have always said in this country was the peculiar province either of nisi prius judges, in cases of equity jurisdiction or of juries, in cases of common law jurisdiction.

On the subject of what the real meaning of this language is let me read from a statement appearing in the Harvard Law Review of November 1944 by Robert L. Stern. First on the subject of what this language means:

> The first of these laws, the Federal Trade Commission Act, upon which the others have been modeled, was enacted in 1914, shortly after the pronouncement in the Louisville Railroad case. That act declared that "the findings of the Commission as to facts, if supported by testimony, shall be conclusive." In subsequent statutes the language employed in the Federal Trade Commission Act has been modified in minor respects. The National Labor Relations Act and the Securities Act of 1933, for example, substitute the word "evidence" for "testimony." The Fair Labor Standards Act, the Federal Power Act, and the Securities and Exchange Act of 1914 refer to "substantial evidence." The Longshoremen's and Harbor Workers' Compensation Act, apparently harking back to the original rule, provides that a compensation order may be set aside if not in accordance with law. But all of these clauses, irrespective of the words used, would have been construed by the Supreme Court as embodying the substantial-evidence rule which would presumably have been applied by the courts even if specific provisions therefor had been lacking. Evidence is substantial if "a reasonable mind might accept [it] as adequate to support a conclusion."

I do not believe the concept is new and I do not believe it is startling; assuming that, I think it would be startling if we sought to set it aside in this particular legislation. Again, why this legal congressional discrimination against minorities?

Let us now consider for a minute the fact that the members of this Commission must be appointed by the President with the consent of the Senate. A Federal Judge is appointed in the same way. In my community, at least, we do not always have the same safeguards around the selection of jurors and we elect our nisi prius judges. There is this fact also that should be considered: This Commission has been in existence for a little over 2 years.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. LAFOLLETTE. I would rather not yield at this time; I am sorry.

Since 1944 the temporary commission has closed out 3,712 cases. Of these 26 percent were settled with the consent of the party charged. Forty-eight percent were dismissed, and the remaining 26 percent were withdrawn. It is also a matter of record that down to date 28 percent of the cases were dismissed because there was not evidence of ability to hold the job on the part of the person who asked that he be employed.

With that background and with the experience that the President and the Congress and particularly the Senate had with the early attempts to enforce the National Labor Relations Act, which I agree were not perfect, I do not believe we need fear that either this President or this Senate will make the same kind of mistake. I believe they will appoint men of proven integrity, who understand that new legislative concepts are best served by firm, unswerving devotion to the propositions that intellectual honesty is essential to effective action by quasi-judicial administrative bodies.

It seemed to the public that the earlier members of the N. L. R. B. were lacking in this understanding. Friends of those members, particularly of Judge Madden, insist vigorously that certainly as to him, the public was misinformed. Assuming that they are correct, the fact remains that the public opinion so formed at that time is having a wholly unjustifiable repercussion now, which is being unfairly utilized against this legislation. There is no reason today to assume that this President and this Senate will not exercise great care in nominating and approving the members of the Commission proposed by this legislation.

It is also argued that there is no provision for a jury trial and that therefore this legislation is bad. There is no occasion for a trial by jury. The scope and purposes of the proposed legislation is not to create a personal right which an individual discriminated against can enforce in a court or obtain a personal judgment. On the contrary, the legislation lays down a standard of employment practices throughout the Nation and declares that there should be no discrimination by employers engaged in interstate commerce or in activities affecting interstate commerce as a matter of public policy. It is therefore foolish to say that the Federal Government's standards should be subject to a trial by jury. The penalties provided for a violation of the act arise from a failure to practice a policy in employment in interstate commerce defined by the Congress; and while it is true that the provision for payment of back wages or the provision for employment or reinstatement in employment are provisions which affect an individual who is eventually found in contempt of court, nevertheless, these provisions are not essentially personal in their nature and consequently there is no individual right inherent in the law which should be submitted to a jury. Because there are no criminal provisions

provided for in the act and the enforcement is simply by the court in the nature of a fixing of penalties for contempt of court in which the Congress, by legislative enactment has fixed the limits within which the court may act in penalizing for contempt.

Furthermore, it must be obvious that a trial by jury would clutter up Federal courts and result in different standards in different Federal districts and would impose a burden upon the individuals who were subjected to the practices of discrimination which the act outlaws of personally financing their trials and appeals which would, for all practical purposes, nullify the legislation. These are but some of the arguments against trial by jury which must be apparent to anyone who understands the nature of the legislation.

It is further said that this whole legislation constitutes an undue intrusion into the rights of employers or the owners of property to employ that property in a free society. However, the right to use the property, even the ability to acquire the property arises out of the fact that the existence of a stable democratic government is the foundation upon which any right of an individual to own, acquire or use property in the production and creation of wealth is based, and that therefore the individual actually operates as a trustee of the property with the consent of the Government, and the Government, acting by the democratic method of exercising its legislative processes, has the power to fix the terms under which the trusteeship may be exercised. The following statements from a varying list of individuals and groups indicates that this concept of mine is not a new one:

EXHIBIT 4

A SUMMARY BY SIR WILLIAM BEVERIDGE OF FULL EMPLOYMENT IN A FREE SOCIETY

And its practical proposals are inadequate, not only through deficient diagnosis, but even more because action is inhibited by a sense of values that is wrong in two respects: of treating private enterprise as sacrosanct—a sovereign power independent of the state.

EXHIBIT 5

[From America of April 14, 1945]

F. E. P. C.—A CHALLENGE TO DEMOCRACY

(By Richard J. Roche)

But, to put the matter beyond argument, look at what happened to the proven cases of flagrant discrimination involving certain railroads and railway-labor unions. The F. E. P. C., after trying in vain for months to negotiate an adjustment, finally passed the matter on to the President—and the President created the special Stacey committee, whose original purpose was to effect a just settlement of the cases. More than a year has passed now since the Stacey committee took over, and some people are beginning to wonder if it is not the intent of the Stacey committee to put the matter on ice forever. That is not good government. Rather than having a powerful and ruthless F. E. P. C., it seems that we have some business enterprises and some labor unions more powerful than the Federal Government.

EXHIBIT 6

[From the Interracial Review of May 1945]

CATHOLIC INTERRACIAL COUNCIL EDUCATION AND THE F. E. P. C.

Whenever the question of any sort of fair employment practices legislation is discussed, a stock objection raised is that education is so much better than any kind of legal or punitive apparatus.

* * * * *

"You cannot force people to employ persons whom they do not like. Unless you have popular opinion behind such enactments, they will be either resisted or evaded. If you try to bring force to bear, you only make the situation worse. The time is not ripe for this kind of legislation. What is needed now is education, since it is misunderstanding and prejudice which encourages malfeasance. Such a committee or commission should be merely of an advisory, or research, or educational character. Therefore the penal sections in the proposal should be removed, if the measure is at all to be encouraged."

If this type of reasoning were allowed fully to have its way, it would logically follow that there could be no enactments in any field which would bring the force of the Government or of the State to bear upon any question of social justice or civic rights, for in any of these you must deal with the same human factors of prejudice, misunderstanding, apathy, or vested interests. If a matter of elementary justice cannot be dealt with through the ordinary course of legal and judicial procedure, then we are not warranted in enacting any legislation on wages and hours, on the protection of women and minors, or safeguarding the right of workingmen to engage in collective bargaining. For in all these instances the law, when it takes shape in bodily action, comes up squarely against a vast mass of human ignorance, human selfishness, and opposition.

* * * * *

But the answer then given applies to the present day. The purpose of such law is to act as a deterrent, and such deterrents, as human experience shows, are absolutely necessary. Without some such deterrent provisions, a merely persuasive or advisory agency is a mockery. In other words, the test as to whether or not the State or the Government really means what it says, whether the citizens really mean what they say who see that such a measure is placed on the statute books, is the fact that it is provided with teeth, hands, and feet, quite as much as with merely eyes and a mouth.

In his discussion of some sort of world organization to ensure international security after the present war, Pope Pius XII laid the utmost stress, as he has always done, upon the educational and persuasive agencies. Nevertheless, he clearly states that such a security organization must be provided with means of enforcing its decisions, even to the use of armed force.

It is not necessary to resort to armed force to implement the findings of the F. E. P. C. The law gives effective penal deterrents of a less violent character, but the deterrents are needed nonetheless.

Recording this clear principle, however, does not in any way imply that one would underestimate the supreme need of popular education, in order to supplement the agencies for deterrent action. Certainly, in like fashion, provisions need to be made for setting in motion a process of conciliation and persuasion, as far as this is effective. The use of education and the resort to force when the law is infringed are not two opposing or contradictory ideas, but they are two parts of one whole, mutually complementing one another.

Furthermore a logically and effectively planned agency with sufficient sanctions has itself an educational character.

EXHIBIT 7

[From New York World-Telegram of February 20, 1945]

CALL ANTI-DISCRIMINATION BILL PRACTICAL, JUST

(By George E. Haynes, executive secretary, the Federal Council of Churches of Christ in America)

The two articles which you published giving the pro and con of the antibias bills were excellent. Your editorial of February 16, however, does not seem to weigh all the facts and phases. You say that until education has accomplished a great deal more you fear that this bill will "retard rather than advance the progress hoped for. The objection is not to the purpose but to the method."

In the first place, laws are means of popular education. Furthermore, the main features of the bill provide for process of education carried on by an adequately organized State commission.

Again about 20 years of a program of interracial education has been carried on by many national bodies, especially the Federal Council of Churches, the Central Conference of Jewish Rabbis, the Interracial Commission of the Catholic Church, the National Conference of Christians and Jews, and many educational institutions. The Ives-Quinn bill and the commission that made the investigations that lead to its proposal are partly the result of that education. Public opinion now demands action.

You say you object to the method. Let us compare other methods. During and since World War No. 1 there have been repeated investigations and the publishing of their results. Library shelves are loaded with publications gathered by such investigations. These have helped. Changes in interracial attitudes and behavior patterns come mainly through action.

* * * * *

To get employment as bus drivers a Negro group in Harlem had to stage a boycott which almost precipitated a riot. This method should be no longer left as the only recourse these groups have.

One objection made to this bill is that it would cost considerable to administer. Careful study has shown that discrimination in employment is one of the roots of race conflicts. Chicago, Detroit, Beaumont, New York, and many other cities furnish ample proof that a few hours of rioting cost many times more than years of administration of such constructive measures as this bill proposes.

Another objection is that you cannot legislate against prejudices and attitudes. This is true. The Ives-Quinn bill, however, does not attempt that. It aims to stop or prevent certain practices, as a part of our civil rights law. We have set minimum standards of wages, hours, and other working conditions. We have defined other unfair labor practices. Why should we not by law set fair employment practice standards against discrimination in employment because of race, creed, or national origin?

EXHIBIT 8

Rt. Rev. Msgr. John A. Ryan, D. C., nationally known Catholic leader: "Discrimination, whether practiced by employees or employers, is definitely immoral * * * as if they committed theft or murder."

Rabbi Stephen S. Wise, American Jewish Congress: "I rest my case for the permanence of the Fair Employment Practice Committee on one basic truth: Racial, religious discrimination in the field of employment is a denial of democracy and is of the essence of fascism."

Bishop G. Bromley Oxnam, Federal Council of Churches of Christ: "The religious forces, and I believe the democratic forces, of the United States face a fundamental problem here, and that is finding concrete means to translate our ethical ideals into the realities of economic justice and racial brotherhood."

Mr. Speaker, I ask unanimous consent to yield the remainder of my time under this special order to my friend from Arkansas [Mr. HAYS].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HAYS. Mr. Speaker, I appreciate very much the spirit in which my friend from Indiana [Mr. LAFOLLETTE] has approached this problem. I want him to know that I am grateful for his words with reference to me, and my position on this important question and I fully reciprocate that sentiment.

The points on which we agree are as important as those on which we differ. We both believe in the democratic process and we have taken this means of presenting our views with the feeling that perhaps it might tend to clarify the issues. We both believe that we must do everything that men in positions of political responsibility can do to preserve the democratic means of settling differences between groups, not only between races, but between groups of different religious views. This bill is sweeping in its character, and applies not only to a discrimination between members of a minority race but also goes into religious differences.

I hope that when action on the bill is concluded the victors will not say, "Now that settles it—we have downed them." This is the sort of problem that requires continuous and intelligent study. If the bill should be defeated I will be relieved, for from my point of view a threat to important governmental principles will be removed, but a victory should be followed by cooperation in those things that will assure minority workers of just and equitable treatment.

The bill to be considered is known as the fair employment bill. Justice Brandeis once commented on the effect of conjure words. With mere words unclothed by ideas one can conjure either favor or prejudice. The words "fair employment" belong in that category. They might serve to give us who oppose the Norton bill the appearance of favoring discrimination. I certainly do not favor it and I agree that wherever it is rooted in racial and religious prejudice, men and women of good will should exert themselves to put it down. Those of us who oppose the Norton bill do not approach the subject in a negative spirit. We do, however, exert our energies in a different direction. The situation which our opponents approach in terms of fair employment and with a legalistic instrument we approach in terms of full employment and with the consent of the community as its vehicle.

In the process of securing fair employment, legislation will be of negligible importance. It is unity of purpose we seek, not enforced relationships. It was a former Member of this House, T. V. Smith, of Illinois, who said that "government is only the political shadow of democracy." Government cannot supply the motive for unity; it can only supply the mechanics, and if the motive is lacking no governmental process will succeed. To insist on invoking the powers of state where attitudes rather than actions constitute the offense is to fly in the face of a basic and fundamental rule of democratic life. This is a lesson from human experience whose relation to law is notably formulated in the words of Henry Maine, "Social opinion should always be in advance of law, and happiness of the people depends upon the narrowness of the gulf between them."

It is my contention that even if the assumption of my friend from Indiana that passage of the Norton bill would be a proper exercise of the powers of state were correct, it is nevertheless true that until a greater degree of public support can be marshaled for its enforcement it will crash as some other Federal measures have, upon the rock of popular resistance. Two good examples occur to me. I happen to be among those who oppose the sale of liquor as a social evil, but we learned that that evil could not be destroyed by passing Federal legislation. So with antievolution bills. I believe in the spiritual interpretation of creative forces, and it was the denial of that which disturbed some of the States, but the people learned that just passing a law against the point of view of which they disapproved was futile.

I cannot forget something that happened in Tulsa, Okla., soon after I was elected to Congress in 1942. I spoke under the auspices of the Conference of Christians and Jews. I referred rather casually to the fact that I hoped no word or act of mine as a Member of Congress would ever make anyone a member of a minority feel less secure in America. I was speaking to a Protestant group. The statement was later quoted by a young man of the Catholic faith under circumstances indicating that the words had a vital meaning for him, and the experience impressed me with the fact that this is a Nation of minorities with varying interrelated problems.

My opposition to the bill is by no means a departure from one of the major activities of my life. Some of my best years have been devoted to disadvantaged people. For several years I was associated with the Farm Security Administration and many of our activities were devoted to improving the lot of Negro farmers and farm laborers. I have considerable pride in that affiliation. For several years I was a member of the Commission on Interracial Cooperation of the South and of local interracial groups devoted to improving race relations, and I do not propose to be faithless to the instincts which produced those associations. I am convinced that in opposing the bill I am serving the interests of all minorities, including our colored people.

What the Negro really needs in the realm of civic and economic life as distinguished from social pursuits is a lessening of his race connection. How, then, in the name of simple logic can anyone expect to help him with this bill? It would accentuate the race tie and would set in motion counter movements to retard him. Look at the proposed procedure. If a worker is discharged he files a complaint alleging that it was not for incompetence but because of his color. Now, there is no way at all by which the employer can prove by evidence not related to his own mental processes and human reactions that the charge is not true. A very distasteful business incidentally for us to thrust upon American employers and an implied blanket indictment of their tolerance and fairness that the facts do not justify. As a result of any employer's failure to convince the Commission—not constituted as a court, remember—that the charge is not true, the employee goes back to work or the employer goes to jail. Now, why does the employee go back to work? For only one reason; he is identified with a minority. Perhaps he should go back to work; perhaps he should not have been discharged, but let us be honest. He goes back because of his race or religion. We cannot stimulate individual efficiency and self-reliance with that procedure. We will only intensify any existing prejudice against the affected groups.

This is a procedure, however, not extended by the bill to all forms of discrimination. The other day I had a letter from a person in New York State who had read something of this controversy. He said, "I am opposed to this legislation, but if you seriously propose to adopt it, then write into the bill a provision that will give those of us who are over 40 years of age the same protection that you are giving to members of a racial or religious minority, because the discrimination against men over 40, even over 30 in many instances, is entitled to recognition if you are going to approach the problem legislatively."

You do not propose to prohibit discrimination against those with physical handicaps. I would like to point out that it has taken years of patient educational endeavor on the part of the friends of the physically handicapped to secure recognition for them, to induce many employers to accept them, and to break down the old idea that a physical handicap disqualifies one for employment. Opportunities for this group were not forced by law.

I reiterate that my opposition is to the specific measure before us, the Norton bill, H. R. 2232, not to improving the lot of minority workers. In discussing it I shall attempt to show, first, that the bill is based upon false conceptions of rights and immunities and violates fundamental principles; second, that the use of legal force and coercion has failed under the present plan and that this measure will not work where there is a large percentage of Negroes; third, that the procedure suggested will drive a wedge between racial and religious groups

and will tend to destroy their faith in each other.

The bill gives authority to the Commission to order employers to continue complainants in employment and gives authority to the courts to punish for contempt failure to obey Commission orders. It denies Federal agencies any appeal from Commission decisions and authorizes the President to dismiss summarily any officer found by the Commission to be guilty of a discriminatory practice. Moreover, the bill does not provide for jury trials on appeals to the court from Commission orders.

The bill confuses two functions of government, the regulatory or coercive function, and the promotional function of government. An example of the promotional service is the Bureau of Indian Affairs. In one generation they have admitted to many of our economic processes members of that important and historic minority.

In its regulatory aspects the bill follows somewhat the pattern of the National Labor Relations Board though the powers conferred are considerably broader than those of the Labor Board. In the past when economic controls were applied by such agencies as the Interstate Commerce Commission and the Federal Trade Commission, mentioned by the gentleman from Indiana, the approach has been essentially a judicial one. The mandates of those agencies definitely describe the practices to be prevented so that the plan has worked out acceptably with no violence to individual rights.

This bill is different. What is prescribed is so bound up with delicate human relations that it may be said if the bill passes we are for the first time in history legislating against a mental attitude.

The basic purpose of the bill is not to make a crime of something, if so the proscribed practice would be identified as a criminal offense and the penalties would be set out. A bill of that type would be assigned to the Judiciary Committee and if passed would become a part of the criminal code. But that is not this bill. It is seeking not to define and punish a crime but to do a positive thing—to create or preserve jobs for minorities through certain pressures applied to private employers. Now I submit that use of this device will do the Negroes and all minorities great harm—for we cannot expose to coercion and arbitrary controls any minority—in this instance, private employers, without endangering the freedom of all groups.

This country was founded upon faith that most of the people would do the right thing, and now it is proposed to surrender that valuable element in our social and political life and move on the assumption that in industrial relationships people must be forced, not by public sentiment or by employee groups through collective bargaining, but by law to do the right thing, and what is right is so vaguely defined as to subject employers to terrible confusion and harassment. It is claimed that this is to prevent injustice. But the Federal Government cannot take on the business of forcibly preventing all injustices. Not even the States operating in the vast realm of their reserved sovereignty undertake it. A father disinherits a son or daughter—arbitrarily and unjustly cuts them off, through prejudice, we will say. That outrages our sense of justice but does anyone contend that a Federal statute to prevent it is in order? Equity courts will compel a husband to provide for a wife but courts do not compel them to live together. This bill, however, makes possible the imposing of serious penalties including imprisonment of an employer for refusal to continue a person in his employment with no trial of the issues by a jury and deprived of the protection of the rule that evidence against him must preponderate. The Congress has surely not come to that low regard for the judicial process.

It is not possible to discuss this measure without specifically dealing with the southern situation, for any substantial improvement in the economic condition of the race must be achieved within its borders, but that is not to say that the impact of this bill if passed would not be just as great in certain areas of the North and West.

I do not condone prejudice and discrimination against Negro workers either by employers or labor unions; for the same reason I ask tolerance for the white people of the South who are also a national minority and that tolerance seems to be lacking among some vocal proponents of other minority rights. These critics of the South are not content to point out the national imperfections in dealing with racial minorities—for which the South accepts its share of the blame. But such critics have continually abused the South and have made every incident there the basis for an indictment against the region even to the embarrassment of many of the South's Negro leaders. One wonders at times if these exponents of hate want justice for the southern Negro, or injustice so they may make political capital of his condition. How else explain their obstruction of the efforts by members of both groups to establish effective and nonviolent means of adjusting differences?

But repetition of the story of the wrongs we have suffered from these extremists might add to the tensions generated by this legislation. Moreover, I recognize that charges and countercharges of prejudice do not advance us toward a solution. Arguments over who bears the greater blame will not help. Ultimately the South must be right in her policies on race as on other vital issues. Believe me the South wants to be right. We are struggling with these complicated problems with perhaps a greater anxiety and charity than we are generally credited with. Surely those outside the South can see that further complications will result from attempts like this to impose a short and unrealistic political formula upon our race relations.

We are not bitter over the evidences of outside interest in our problem, for it is the source of social, economic, and political difficulties for the North and West. The problem is not exclusively ours. It has a national, indeed in some respects an international, character. Colored people of other countries have been told that America will not treat her colored minorities fairly. That is disturbing, but I trust that when the whole story is told—when our minority citizens appraise the genuine forces for justice at work in this country—they will interpret our actions correctly. We owe it to them to take this action without rancor and with a proper regard for new world conditions. We could not repress these human concerns if we would. Our own sympathies are expansive. We are interested in disadvantaged peoples too—even those of other continents—and we know that this quality in human life defies geography.

It is not necessary to look farther than the employment policy of this House to find that there are practical reasons for appointing officials having considerable freedom in the selection of personnel. To inject the element of race and religion is to impose injustices upon the employer. The House should study its own criterion. Is it fair for us to retain a freedom of employment policy for ourselves and deny it to private employers? Is the House prepared to prescribe that percentages of white and colored employees on the House staff—in all grades—should be the same as that of the general population? We know that it is not feasible, and that it is not a question of justice or injustice. Similarly, private employers may have reasons for hiring all white or all colored, reasons that do not involve personal judgments as to fitness at all. The habits and attitudes of customers must be considered. Sometimes this works to the Negro's advantage. I know plantation owners who prefer Negro tenants as better operators than the available white tenants and they will not rent to white farmers. I do not anticipate that many white farmers would seek to change the practice if this should become the law, but it is conceivable that it might be used as a countermeasure if attempts were made to enforce its provision in the South.

The problem must be resolved in other terms. The goal is to work toward full employment, is to find, to create new opportunities, and to add to the efficiency of Negro workers. That is partly the white man's responsibility and while he is not discharging it adequately he has made a splendid beginning. We must encourage the efforts to improve educational opportunities. Some must alter their thinking as to the Negro's capacity, and efforts should be made to open up trades that have been closed to him. It is a fact that the Negro had been losing certain types of employment before the war and while he has made gains in some, as in aircraft manufacturing, he is just now recovering from severe losses in others. But these forces are governed by popular attitudes and opinions, not primarily by employer policies, and it would be rank injustice to place upon private employers the burden of displacing public opinions and practices with the patterns of conduct envisioned by this bill. People do not persist in injustice. I know that those who are zealous for exact and perfect justice will not agree to that; but people do respond

to appeals for fairness, and that is the hope of every minority group. Booker T. Washington's statement, "The only way the white man can hold a Negro in a ditch is to stay in it with him," is often quoted in the South. The religious and educational forces to which I have alluded have become vigorous. Now that we are reaching the culmination of some of the hopes that we had for the Negro, it would be a great tragedy to interrupt those programs and to startle the South and the Nation with this kind of Federal legislation.

When I graduated from high school in 1915 there were only 64 Negro high schools in all the South. Today there are 2,500. There is a growing number of white people in the South who oppose efforts to place ceilings over the Negro's progress. Perhaps you saw the statement that was recently issued by Governor Darden, of Virginia; Ralph Magill, editor of the Atlanta Constitution; Donald Comer, Alabama industrialist; and a hundred other southerners which said, "We believe in equal pay for equal work," and conceded a number of other things that the Negroes of the South have been suggesting.

We realize that the Negro's advancement would be reflected in the region's progress. Considerations of economic stability and security call for an enlightened and progressive view of this matter, and the South is embracing it.

The Negro may suffer individual injustices—indeed on occasions he does—but ultimately his race and he as an individual will get the opportunities for which they are equipped. He is being favored by these two forces just mentioned: first, the white man's self-interest, and, second, a growing response to the moral principles that are involved in these efforts.

While the Negro is acquiring and demonstrating fitness for more attractive types of employment he should recognize that it is not necessarily discrimination to regard him as unequal to the white workers in certain pursuits. He should also recall that he is regarded as excelling in certain trades, even though most of them are humble ones. These are relative considerations, anyway. If the Negro cannot yet measure up in some respects to his white competitor, he should take heart in contrasting his position with that of his race 80 years ago. Students of his progress declare that no race has ever made comparable strides in an equal period of time. And I have faith enough in his recognition of that progress to believe that he would prefer an orderly development in an uncoerced community rather than to take a chance on new and brighter ways of economic life bought at the expense of bitterness and violence.

The farmers of Denmark were regarded as Europe's finest before the war. It was the result of a generation of intensive social and educational endeavors. It is no reflection on the farmers of other European countries to say that they are not equal to the Danish farmers. In those neighborhoods in which the Negro bears the reputation of being a better tenant it is the compliment to him rather than a reflection on white tenants that is significant. All the declarations of law regarding their relative capabilities that might be passed could not alter the condition.

If the judgment imposed upon the Negro race is defective, passing a law will not do the job for him. He needs the white man's friendship and assistance—the kind that involves imagination and goodwill through every stratum of economic organization and the Negro would suffer if that friendship, so potentially powerful at this moment, is jeopardized by the passage of a law that his white neighbors reject en masse.

My second objection to the Norton bill is that it is unworkable. Since so many Negroes live in the South their welfare as a national group will be determined largely by the things that take place in our region. While not forgetting the situations that may exist in areas of war plants and war migrations in the North and West, I must therefore emphasize the southern relation to this proposal.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield for a question?

Mr. HAYS. I prefer not to. I think I can save time by not yielding. I prefer to make the presentation without interruption, if the gentleman please.

The plan is wholly unworkable. We have the benefit of some experience on this point, and we have found that there are certain repercussions that always follow, repercussions that are not always of an economic character. Both whites and Negroes often take the worse job from an income standpoint to have work that appeals to them and one that carries certain satisfactions not expressed in money terms. I was interested in the testimony that was presented in one of the committees the other day by a Negro teacher. She was asked how much she made as a teacher, and she replied that she received $60 a month while she was teaching school. She worked 6 months of the year in a war plant. The testimony disclosed that she was making three times as much money in her war work as she made in her teaching. She was asked why she did not work in the war plants all the time. She seemed surprised at that, and said, "What! And leave my profession?" as if that were unthinkable.

The economic man is not the whole man. There are certain values in life not measured in money terms that the Negro recognizes; and while that is no defense of unjust and discriminatory treatment, I am pointing out that if you enact this kind of measure you are going to expose the group to bitterness and resentment. The experience of F. E. P. C. demonstrates that fact.

Both its successes and failures are enlightening. Its failures are where it tried to force on a community a situation that the community was not willing to accept—the F. E. P. C. experience in the Western Electric case in Maryland, and in the Philadelphia and Washington city transit cases, to mention only three instances, provides proof that even in wartime the plan will not work where there is a large Negro population. Its successes, the cases where it secured additional manpower utilization in the war effort, were produced not by legal action but chiefly through counseling in plants and with the support of labor unions. Where labor does not willingly cooperate in the objectives, results have been meager even in the North. I know of one case in which new jobs for a minority were opened up in a Texas war plant, the Deer Park Plant of the Shell Oil Co. at Houston, but it required the active cooperation of their fellow workers to bring it about.

There are southern cities, Memphis, Little Rock, for instance, in which marked improvement is being made in the Negro's economic condition, but not through F. E. P. C. It would be enlightening perhaps to have a survey of the total results—not alone of particular discriminations and what happened to them, but of the collateral results in terms of community attitudes and race relations. Statistics do not tell the story. The record will indicate for example that the seven employees out of 11,000 working for the transit company in the Philadelphia controversy are in the better jobs into which they were forced by F. E. P. C. orders but recently I asked a Philadelphian who knows the city well and whose concern for justice for minorities is unquestioned "What did the incident accomplish for Negroes in Philadelphia? Is the outlook better or worse for them?" The answer was, "Definitely worse!"

I also wrote to a number of friends in Southern cities about the F. E. P. C. I did not want to do the agency an injustice. I wrote to those who would have a bias for rather than against the agency if emotions should be involved. I asked simple questions, mainly related to plant operations. Has it worked, has it done any good? Although all but 2 of about 15 have already replied, not a single plant situation has been cited and not a single improvement for Negroes under F. E. P. C. auspices in 9 Southern States has been reported.

One newspaperman told me of some splendid work being done to assure fair treatment for Negro workers in his section, but not by the F. E. P. C. He said, "There is still a long way to go before Negroes reach job parity with white production workers but progress has been made. I would much prefer to see a continuance of a progress along these lines than to risk the injection of F. E. P. C."

The disastrous results of F. E. P. C.'s attempted coercion in situations in which there is a large Negro population do not cancel the arguments for counsel and service in the employment field by Federal authorities They do, however, prove that something of great value to the Negro, namely, the esteem and good will of the majority group, is lost when attempts are made to force action. This is my third objection to the Norton bill; if serious efforts are made to enforce it the bill will be a fatally divisive influence and will retard the development of harmonious relations for years to come.

It is apparent that employers—even the most progressive—fear the continuation of an agency upon which such sweeping powers are conferred. These fears are understandable. If a judicial point of view were guaranteed and if the techniques of adjustment were in the hands

of those acquainted with local circumstances that fear would not exist to such a degree.

That fear would not exist if controls authorized by the bill were dependent upon action by the States or localities to be affected. Men do not fear their neighbors, but they do fear an effort to force conformity to patterns which they have had no share in making and which may be imposed upon them without reference to their special situations.

The practical side of this is that employers fearing compulsion with regard to upgrading and promotion of groups of workers will reduce to a minimum the number of minority group members in their plants. One observer writes me:

I doubt very seriously whether equality of treatment can be legislated. The more likely result will be if the attempt is made that the minority groups will receive treatment as a class and as individuals will be given less opportunity because of the fact if individuals were recognized for their worth that force will be used to confer these advantages equally upon the class.

The natural result will be that when the slowed-down tempo of peace employment comes the employer will say, "I won't try to expand my operations—I won't hire because I can't choose whom I take on. I won't promote individuals on merit because it will create demands by the group."

Mr. HOFFMAN. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN. I think the gentleman is speaking to a favorable audience, and some of those who ought to hear are not here, and I make the point of order that a quorum is not present. I make it on the understanding that there will not be a motion to adjourn.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. RUSSELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 58]

Anderson, N. Mex.	Daughton, Va.	Heffernan
Andresen, August H.	Dawson	Hendricks
	Delaney, James J.	Herter
Baldwin, Md.	Dickstein	Hobbs
Baldwin, N. Y.	Dirksen	Holifield
Barden	Domengeaux	Holmes, Wash.
Barrett, Pa.	Eaton	Howell
Barry	Elliott	Izac
Bates, Ky.	Elsaesser	Jackson
Beall	Fallon	Jennings
Bell	Fellows	Jensen
Bender	Flannagan	Johnson, Okla.
Bennett, Mo.	Fogarty	Kearney
Bland	Fuller	Kefauver
Bloom	Fulton	Kelley, Pa.
Bradley, Mich.	Gardner	Keogh
Bradley, Pa.	Gary	Kerr
Brumbaugh	Gerlach	Kunkel
Buck	Gifford	Lane
Buckley	Gillespie	Lea
Bunker	Gore	Link
Burgin	Gorski	Luce
Canfield	Granahan	Lynch
Case, S. Dak.	Green	McGlinchey
Chenoweth	Gwinn, N. Y.	Maloney
Clark	Hall, Edwin Arthur	Manasco
Clements		Marcantonio
Cochran	Hall, Leonard W.	Mason
Cole, Mo.		May
Cooley	Hancock	Morgan
Corbett	Hart	Mott
Curley	Hartley	Norton
D'Alesandro	Havenner	O'Brien, Mich.
Pace	Robinson, Utah	O'Toole
Patterson	Rockwell	Thomas, N. J.
Peterson, Fla.	Roe, N. Y.	Thomason
Pfeifer	Rogers, N. Y.	Torrens
Philbin	Ryter	Trimble
Ploeser	Sabath	Vorys, Ohio
Powell	Sharp	Vursell
Powers	Sheppard	Wadsworth
Price, Fla.	Sheridan	Walter
Quinn, N. Y.	Short	Weaver
Rabin	Simpson, Pa.	Welchel
Rains	Slaughter	Weiss
Rankin	Smith, Va.	Welch
Rayfiel	Somers, N. Y.	West
Reed, N. Y.	Stewart	White
Rich	Talbot	Wilson
Richards	Talle	Winter
Rivers	Taylor	Woodruff, Mich.
		Worley

The SPEAKER. On this roll call 281 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. HAYS. Mr. Speaker——

Mr. LAFOLLETTE. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield.

Mr. LAFOLLETTE. Mr. Speaker, I ask unanimous consent that the gentleman from Arkansas may proceed for 15 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HAYS. Mr. Speaker, I think it may be said with reference to the quorum call that it was not at my request; but I am grateful for the opportunity to continue a while longer in explanation of my position regarding a measure that has engaged the attention of the Congress for many weeks.

It has been the feeling of the distinguished gentleman from Indiana [Mr. LAFOLLETTE] and myself that in the midst of war it would not be becoming to add anything to the divisive influences that grow out of this problem. We will require in the solution of the problems of race relations all of the good will, all of the wisdom, that we can summon. I have faith in the people of my region, both its white leadership, and the Negro leadership. The case against F. E. P. C. does not rest upon distrust of the Negro race or any other minority. I wish there were time to tell you some of the exploits of the race. I refer for example to Charles Johnson, an instructor at Fisk University, and President F. D. Patterson, of Tuskegee Institute, as persons to be looked to for sound advice, and while I do not expect and do not imply by this compliment that they will agree with all of my conclusions, it is this kind of leadership that will best help the Negro race.

On the other hand there are certain self-appointed spokesmen for the race who have shown by their words and actions that they are willing to jeopardize the country's war effort to achieve certain domestic objectives. They have denounced the best friends the Negro has among the white people. They have tried to destroy the influence of such men as Mark Ethridge, Virginius Dabney, and John Temple Graves, and they have succeeded temporarily in marring the spirit of good will and confidence that has existed between such liberal white leadership and the Negroes of our region. They will denounce me for this speech and they will undertake to poison the minds of their constituency against everyone who pleads for moderation and faith. Their reliance is in political pressure and legal coercion. They are willing to subject their race to the bitterness and distrust that must inevitably follow that course, although extremely few of them live in the South where estrangement may affect the daily lives of Negroes.

I am therefore determined to do everything I can to change that trend and to help establish or rather to restore those contacts between the races that make for the constructive improvement of both.

We are simply insisting upon a regard for the facts. When Mark Ethridge said that segregation must be accepted in the South he was not theorizing but was stating a fact. When Virginius Dabney reminded the Negroes that their advancement to a more desirable economic position could not come overnight, he was being factual. When John Temple Graves asserted that whatever the reasons for their condition the Negro as a group does not now have the industrial qualifications possessed by the white workers, he was not moved by prejudice against them; he was facing reality. When such factual approaches to a tough problem result in bitter condemnation by the extremists, both Negro and white, it is time for counsel from a wiser leadership and I know it is available. Such narrow-visioned and violent leadership should be repudiated so that faith in the processes of conference and mutual trust can be restored.

We cannot help the Negro help himself unless that is done. The process is vital; it is more vital than objectives. To think otherwise is to lean toward the totalitarian idea. Some of Hitler's objectives, full employment, good pay, stability, efficiency, were not objectionable. Enthusiasm over objectives, particularly the economic ones, should not cause us to forget that democracy is a process.

An inferior status is never accepted complacently by a group. It is a fine quality in human life that men continually seek even against overwhelming odds to advance and certainly I do not condemn any individual or race for that. No policy of government could stifle that force, but the less favored group might keep in mind that this is not due to perverseness of the other race, it is a part of the phenomena of human society. The Negro knows that white people as a race are not oppressive and unjust. His southern leaders are telling him through the din of agitation to have faith in his white friends, that as a class they are not predatory. Individuals of both races may be predatory. A little known fact of pre-Civil War history is that a certain number of free Negroes prosperous enough to do so acquired slaves of their own color. Ponder the fact that some of the worst forms of exploitation of low-income Negroes today are by members of their own race. But it is an individual not a racial characteristic.

There is not time to do any more than this. If I trangress on the time of the gentleman from Indiana, I wish he would please call me, because he has been so

fine and understanding that I certainly would not offend. I have talked out of my heart to you today because this disturbs our people down South. It is not said with rancor, it is not said to deepen the cleavages between the races. I have made that very clear. For the three reasons I have given, first, the plan is unsound from the standpoint of fundamental principles; second, it is unworkable; and third, it will create distrust and antagonism between groups, I am opposed to this bill.

But I talk to you as men who want to bring an understanding attitude to the most difficult, the gravest, the most delicate problem that faces us. We are in a political position. We must prove the soundness of this idea of government by the consent of the governed. I know that sentiment will not support this measure. I know there is evidence of a practically unanimous opinion on that point in a region where three out of four Negroes are living.

On that basis I ask in all seriousness and with the deep conviction that years of interest in the problem of building good race relations have built up, do not permit this coercive measure to become law.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I would like to yield for any questions. I have reserved the rest of the time for questions if there is any time. Otherwise, I shall have to yield the floor to the gentleman from Indiana. Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER. The gentleman has 17 minutes remaining.

Mr. HAYS. May I ask the gentleman from Indiana how much of that time is his?

Mr. LAFOLLETTE. Fifteen minutes.

Mr. HAYS. I have just 2 minutes remaining.

Do not overlook the fact that this bill gives great and sweeping statutory powers to a commission for the control of mental attitudes.

Mr. GOSSETT. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I am sorry.

Mr. RANDOLPH. Mr. Speaker, I understood the gentleman was not yielding.

Mr. HAYS. Does the gentleman want to ask a question?

Mr. RANDOLPH. Yes. Mr. Speaker, I have a very personal affection for the able gentleman from Arkansas, and I respect, of course, as all of us do, his mental honesty. I disagree with him on this matter, as there will be disagreements among many Members on the subject. I do desire, however, to have an expression from the gentleman. We have heard the proponent of the legislation, the gentleman from Indiana [Mr. LAFOLLETTE], speak, and now the opponent, both of whom have been fair and have made splendid provocative presentations. I am wondering if the gentleman from Arkansas would say it was political when both the Republican Party directly in its platform, and the Democratic Party, by indirection, or by purpose, endorsed the principle of such legislation.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I am sorry I cannot yield.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. GOSSETT. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Mr. Speaker, I am now speaking on the time of the gentleman from Indiana [Mr. LA FOLLETTE], and unless he feels the time should be yielded, I must yield the floor to him. I am terribly sorry. I yield to the gentleman from Indiana.

Mr. LAFOLLETTE. The gentleman from Arkansas [Mr. HAYS] may answer that question if he desires.

Mr. RUSSELL. Mr. Speaker, I will say that is unfair. If he answers that question, we want him to answer some of the other questions.

Mr. HAYS. I shall not take the time to answer the question of the gentleman from West Virginia [Mr. RANDOLPH]. May I impose to this extent upon the good nature of the gentleman from Indiana to say that I am grateful, profoundly grateful, to him. In his spirit of calm discussion, and only in that spirit, should the final issue be determined. To conclude I have tried to say just this, that the preservation of the rights of all workers, Negroes, and others, lie in their identification not with some minority, but with the majority, the majority of Americans, the overwhelming body of Americans who believe in the rights of the individual citizen around whom all the concepts of democratic government are built.

Mr. LAFOLLETTE. Mr. Speaker, will the gentleman from Arkansas yield to me the balance of his time?

Mr. HAYS. Mr. Speaker, I yield the balance of my time to the gentleman from Indiana.

Mr. LAFOLLETTE. Mr. Speaker, some of our colleagues have come in since we started. It was agreed by the gentleman from Arkansas and myself that we would debate this legislation, and, insofar as we could, confine it to a debate between ourselves.

I opened some time ago and used 29 minutes of my time. The gentleman from Arkansas [Mr. HAYS] has used other time, with the understanding that he would yield back to me approximately 15 minutes, which he has done. Under those circumstances, we are rather bound not to yield. I hope the Members will understand what that arrangement was.

Mr. RANDOLPH. I would like to withdraw the question, then. I did not understand that an agreement had been made whereby formal speeches, but not questioning were in order.

Mr. LAFOLLETTE. Those were circumstances, and it is very fair of the gentleman from West Virginia to graciously accept them.

This started out and will end, I hope, on the same unemotional plane upon which we are attempting to debate this legislation. I have been granted the right to revise and extend my remarks. There are certain technical arguments which I will include in my written remarks that I do not have time to make now. There are certain things I want to say now in answer to the argument made by the gentleman from Arkansas [Mr. HAYS], which you have heard.

In the first place, I have not raised, nor do I intend now to raise, any inference that all the prejudice and all the discrimination lies in any geographical area of the United States. I am well aware of the limitations of many of us who live in the so-called North. I think I am aware of the fact that there have been debates in the past as to what are the basic causes of this situation, or rather who was to blame most, the trader in slaves from the North who brought the black man here, or the people in the South who utilized them. I do not think any of those things make any difference now. We are living in a country which professes to believe in the full rights of the individual. We are living in a country which professes to believe in Christianity and Christian ethics as expressed in democratic principles. This is not a question of granting rights to people as minorities. It is a question of casting the scale from our own eyes, our own minds, and our own consciences, which prohibits us from seeing that all men are equal under God, that all men in this country must have a full opportunity to live as full men. Since most of us live by bread as well as by spiritual things, it is not enough to say in this democracy that a man has the right to vote, the right to select people to represent him, and then because of an ethically unsustainable prejudice to continue to maintain this discrimination, which says that the black-skinned citizen has not the right to economic full opportunity.

Very recently our thoughts with reference to government and the purposes of government have changed. Any person who owns private property and uses it for the purpose of trading and developing wealth and the employment of people holds that in trust for the benefit of all the people of the land. All of the people of the land, acting through their representative body, this Congress, have a right to impose terms upon that trusteeship. Now if you do not believe that, if you do not understand that, just as certain as the day follows the night, the masses of people in this country, without regard to color, who work, whether with their hands or with their brains, but who do not own, will turn to some form of economy which they think will give them that opportunity. In that event they will turn to an economy in which the Government operates business and controls the rights to jobs. I do not want to see that happen.

There is talk here about agitation. Why, Mr. Speaker, if we fail to practice the requirements of the Christian ethic, in which we believe, which states that all men are of one blood and that there must not be discrimination against a man because of his color, the people of America will cast aside their belief in this Christianity and then will be created a field in which the Communists, whom so many fear, can work.

That is all there is basically to this problem. We are not talking about the percentage of employment of any group. Let me give you this thought: Do not say, "What a bad disposition that handsome girl has," but think for a minute and say: "What a beautiful body that

disagreeable soul has." These things of skin, and color, and race, and origin are not essential things. The errors and the prejudices that we have been subjected to have arisen out of failure to understand the true nature of man.

Where a condition has existed for over a hundred years and has failed to be remedied despite all the attention and education we have attempted to give it, then a representative government of the people is acting within its democratic processes and according to its democratic obligations when it says that the Federal Congress can pass a law which can have an enforcement power to eliminate by administrative processes discrimination, which is the product of an anti-Christian and undemocratic prejudice.

EXTENSION OF REMARKS

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution from the Assembly of the State of California; also to extend in the RECORD the context of a bill, H. R. 2941.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUTLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter from a constituent and my comments thereon.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. CRAVENS asked and was given permission to extend his own remarks in the RECORD and include an editorial.

The SPEAKER. Under the previous order of the House, the gentleman from New York [Mr. CELLER] is recognized for 45 minutes.

WAR CRIMES, WAR CRIMINALS, AND PUNISHMENT

Mr. CELLER. Mr. Speaker, I desire this afternoon to talk about war crimes, war criminals, and punishment.

The curve of excitement in the war crimes graph rises again. Throughout the length and breadth of the United States, throughout the length and breadth of England, once more people stand aghast at the revelation of bestiality, at the design of horror. Newspaper pictures feature piles of corpses, the hollow faces of starved prisoners of war stare at us from Sunday supplement pages. Waves of revulsion seize us and off to view the scenes are Members of the British Parliament and Members of the United States Congress.

Detailed reports will come back to us and, doubtlessly, we shall listen with shocked attentiveness. Then what?

Will we then realize the moral and political significance of these revelations? Will our resolve to do something sustain itself in the days that follow? Or shall we simply reach a high point of horror and subside into apathy as we have done before?

The reports of the War Refugee Board, the reports of the death camps at Maidenek, Treblinka, Oświęcin produced, if not the same, then a comparable degree of revulsion.

Mr. Speaker, I read the following from an editorial from the New York Herald Tribune of recent date:

IT IS NOT PROPAGANDA

A day or two ago an American sergeant, a young man brought up on the peaceful, sunlit levels of Long Island, stood in a foul brick building in what had been a German concentration camp at Gardelegen, near Magdeburg, looking at a heap of hundreds of charred, still smoking corpses. "I never was so sure of exactly what I was fighting for," he said, according to the Associated Press report. "Before this you would have said those stories were propaganda, but now you know they weren't. There are the bodies, and all those guys are dead."

Gardelegen, Belsen, Buchenwald, Ohrdruf, Limburg, the execution factories uncovered earlier in Holland and Belgium and France—here is the unanswerable ocular evidence confirming the unbelievable things we had heard before about the Polish ghettos, about Oświęcin, about the crematoria in Russia and before that about Dachau. At first one did not believe it. Even now the mind refuses to dwell upon it. But the facts are there. Heaps of charred bodies are not "propaganda."

One cannot hide under the comfortable defense that it is all just propoganda or exaggeration, because it is not. The depths of sadism and brutality which were released when nazi-ism deliberately turned its back upon the dignity of the individual and built a philosophy of government upon the denial of the moral code of civilized man constitute one of the fundamental facts of our age.

We knew these indecencies, these outrages, were taking place. We knew that the perpetrators of these crimes were acting in accordance with the decrees of their government. We knew these were not sporadic outbursts of criminality. We knew it was the deliberate plan of the enemy, its preconceived weapon in the waging of a war. These we, the Members of the United States Congress, knew, and yet, sunk beneath the weight of apathy, we sat back and permitted the snail pace of a United Nations War Crimes Commission to take charge; to take charge, what's more, in secrecy, behind the cloak of anonymity. Now we are aroused. The terrible truth has been pressed upon our consciousness. Our soldiers are the victims of Nazi sadism. Our civilians are the victims of Nazi cannibalism. Almost 2 years the United Nations War Crimes Commission has been functioning and how much nearer, may I ask, are we to learning what it is all about? What policy, if any, has been pursued? What are its findings, its recommendations, if any? What is there about the whole subject of war crimes that must be cloaked in secrecy? How much longer do we have to wait before the wheels of justice are really put into motion?

I introduced House Joint Resolution 93, a bill to set up a commission to be composed in part of Members of Congress to act as a watchdog, to prod into action whatever agency is in charge of war crimes, to see to it that what happened after the last war would not happen again. As you know, after the last war, of all the war criminals, actually 12 were brought to trial, 6 sentenced to ridiculously light sentences and of those 6, 2 escaped. It is little wonder then that the Germans supposed the world would countenance once more the commission of outrages. But the State Department reported back to the House Foreign Affairs Committee before which hearings on the bill had been held that such a committee as embodied in my bill would be superfluous. Superfluous? And yet, before many days had passed, General Eisenhower had invited Members of Congress, as vitally interested people, as people whose concern it must be, to view the extent of the crimes. Prior thereto the British Government invited Members of the House already in Europe to view the results of Nazi atrocities. Nor can we afford to forget that the State Department, which more than any one body knew, or should have known the seriousness of the war offenses committed, supinely accepted the dropping from its appropriations the sum of $25,000 to permit the United States to keep its representative at the U. N. W. C. C. It never took the pains to make known the necessity for having our representative at the Crimes Commission—did not care; or was not the problem important enough for the State Department to be bothered with? And yet, it calls the creation of a congressional committee to watch the operations of the U. N. W. C. C. superfluous; calls my resolution to rip aside the veil of secrecy superfluous; calls my resolution to keep us constantly informed unnecessary.

We, the Members of Congress, are concerned with the nature of the problem of the trial and punishment of war criminals in a very definite way, just as we are necessarily concerned with any one problem, the solution of which is inextricably woven into the establishment of a just and durable peace.

For Congress to look once upon the scenes of the crimes and to report once is insufficient. Congress must take more than a momentary hand in one of the major problems of this war.

Let us go into these latest revelations a bit deeper. In accordance with the Geneva Convention the Red Cross has the right—the right, I emphasize—to visit prisoners of war camps. These killings, the starvations, the abuses, did not happen all in one day. They were prolonged operations. Did not the Red Cross know about them? If not, it failed in its duties. If it did, to whom were these atrocities revealed. Assuredly, we were not told. Who was told? The State Department? What, if anything, has the State Department done to accelerate action on the trial and punishment of war criminals? Has the State Department as yet accepted officially any of the recommendations of the Crimes Commission? Have we not a right to know? Who is responsible for this silence? What in thunder is so sacrosanct about the subject that matters of policy are kept in the dark, that we, as members of Congress are met with stony-faced silence in requests for action.

The mothers of these prisoners of war, murdered or tortured by Nazis, had been led to believe that their sons as prisoners of war were being treated by the Axis in accordance with the Geneva Convention. What shall we, who represent these mothers, say to them? Shall we say politely, "See the Red Cross or go to the nearest official of the State Department"?

Herbert C. Pell: Here is your erstwhile member of the United States War Crimes Commission, who testified before the House Committee on Foreign Affairs, that he, as a representative of the United Nations War Crimes Commission, made recommendations to the State Department as to the definition of war crimes, the types of courts to be set up, military as well as civil, procedures to be operative as to apprehension and custody of those criminals, the type of laws to be applied, the punishment, the terms, and the places of incarceration.

The entire program I am informed, has been outlined with great detail to the State Department, but no instruction has been received as yet, though months have elapsed, with reference to these recommendations made to the State Department by the United Nations War Crimes Commission, through Mr. Pell. Therefore the action of the Commission is stymied. They cannot do anything unless they get an answer as to the policy of the State Department. Similarly, I presume the British Foreign Office has refused instructions. I presume the U. N. W. C. C. is thus become a mere facade or front for the State Department and the British Foreign Office. It protects these two departments.

Will Congress stand any further for such inaction? Will the public stand for it? Do we not need some sort of a watchdog such as is embodied in my bill, to stand in the background, a committee or commission composed in part of Members of Congress, to checkmate apathy and diplomatic niceties that befog and becloud action, prevent legal pettifogging and prevent political chicanery? Meanwhile, all action is stalemated. Both our State Department and the British Foreign Office must be smoked out. It would be tragic to wait for VE-day. Confusion then would overwhelm judgment.

I have before me something that has not yet been published anywhere. The statement I hold in my hand is a statement of the work of the War Crimes Office of the Judge Advocate General's Office of the War Department, presided over by Maj. Gen. Myron C. Cramer and his assistant, Brig. Gen. John M. Weir. It is a complete program as to the trial and punishment of war criminals. What has happened? The War Department, the Army, is raring to go. It is chafing at the bit to get its hands around the necks, as it were, of these foul Nazi offenders, but the State Department holds the War Department back. That is a horrible statement for me to make but it is the gospel truth. I received this report, which I now put in the RECORD, from the Judge Advocate General's office this afternoon. I was furthermore told that the State Department prevents action by the War Department.

Think of the implications and the repercussions from that. The big three at the Crimes Conference stated that the various governments in control of Germany would be enabled to get after these war criminals, these Axis sadists, these Axis jackals and cannibals, and despite that high authority, the State Department nonetheless holds back the very agency appointed in pursuance of the Yalta Agreement so that these criminals could be brought to book.

APRIL 21, 1945.

STATEMENT OF THE WORK OF THE WAR CRIMES OFFICE OF THE JUDGE ADVOCATE GENERAL

(By Maj. Gen. Myron C. Cramer and his assistant, Brig. Gen. John M. Weir)

A war crimes office has been established in the office of The Judge Advocate General of the Army. The mission assigned includes the collection from every available source of evidence of cruelties, atrocities, and acts of oppression against members of our armed forces or other Americans, including the people of any dependencies of the United States, such as the Philippines; the examination, evaluation, and organization of such evidence; arranging for the apprehension and trial of persons against whom a prima facie case is made out, and for the execution of sentences which may be imposed. The Secretary of the Navy has provided for participation through a Navy Division and Navy personnel. The agency thus established is authorized to act as a national war crimes office, like the similar offices established by some others of the United Nations.

1. Organization of the office: The war crimes office is a part of the Office of the Judge Advocate General of the Army in the War Department at Washington, D. C. It is directed by an Assistant Judge Advocate General with the grade of brigadier general, and includes Army and Navy personnel and civilians. All officer personnel are lawyers and the great majority are especially qualified by experience in the prosecution or investigation of criminal cases. At this time the office is organized into divisions for the European-Atlantic and Asiatic-Pacific areas, a Navy division, a common information division, handling the collecting of information from every source, and an executive division for the purpose of administration.

2. Methods of contact and general procedure: Within the United States contact is maintained with, and information derived primarily from, other Government agencies, such as the Office of the Provost Marshal General, the Military Intelligence Division, the Office of Naval Intelligence, the Army Air Forces, the Office of War Information, the Federal Communications Commission and from the Department of State. Constant personal liaison with these agencies is maintained by a representative of the war crimes office and all information brought to the war crimes office and analyzed.

For the purpose of this report, the cases can be considered in three categories: (1) Cases requiring investigation only in the United States, (2) cases requiring investigation only within a theater of operations, (3) cases requiring investigation in both the United States and in a theater. In all of these cases, the information is sent to the theater immediately upon receipt regardless of whether the investigation has been completed.

Branch offices either organized or in the process of establishment include the European theater, Mediterranean theater, Central Pacific areas, and Southwest Pacific area. These are a part of the Judge Advocate's section of each headquarters with their primary function the investigation of alleged war crimes and the collection of evidence relating thereto, including, for transmission to the governments concerned, evidence relating to war crimes committed against nationals of other United Nations and other atrocities. Offices subordinate to those of the theater commanders are being organized in each Army group and the channel for information is the same as for courts-martial. The Navy channel is through the legal officers of all fleets and stations. Information from the field has heretofore been in the form of written reports to which the sworn statements of witnesses are attached and in some instances by reports from boards of inquiry which have conducted investigations.

Present plans call for an aggressive investigation program to be undertaken in which traveling-investigating detachments will go from place to place, each to consist of four officers and five enlisted men. Effort is made to identify the personal perpetrator of the offense, but where this is impossible, attention is given to developing a pattern from which responsibility may be fixed.

The recording and filing system is based on that of the Federal Bureau of Investigation, which is the investigatory branch of the United States Department of Justice. Complete files are maintained by categories of crimes, which are also divided into major geographical divisions. Each master file contains four major headings: (1) Summary of crime, (2) witnesses or other sources of information, (3) comment and notes, (4) recommendations. As the bulk of the cases are eventually to be tried by courts which will sit outside the United States, the original files will be sent to the field with duplicates thereof kept in the Washington office. Offices in the field investigate offenses against both members of the armed forces and civil-fices in the field investigate offenses against American civilians have been committed in the Philippines during occupation by the Japanese and great importance is attached to these offenses.

I am quite sure the Members of Congress realize the need for prompt action, particularly in the examination of records and for the preservation of testimony and evidence. Witnesses disappear or become reluctant to testify, accused defendants deliberately lose their identity, they assume other names and stations and become lost in the shift of population. Thousands of depositions must be taken while memory is still fresh. That is why it is so important to establish policy, for without policy nobody can know in what direction to proceed. This policy must be established with promptitude. That is exactly what the War Department wants to do. It has arranged for the taking of these depositions while the memory of events is fresh, yet the State Department says no.

I am glad that the gentlewoman from Massachusetts [Mrs. ROGERS] has come in the room because I am going to appear before her committee tomorrow, and I wish she would wait a moment and listen to what I am saying because of the importance of the resolution which is pending before the gentlewoman's committee.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I shall be very glad to listen. If the gentleman will recall, I was the first Member of Congress to criticize and condemn Hitler for his treatment of the persecuted minorities, and for a good many months I was the only one to do so. I saw the handwriting on the wall in those days, and I never ceased to have that belief.

Mr. CELLER. I will say to the gentlewoman that is not sufficient, although I do congratulate the gentlewoman upon her foresight because I, too, saw eye to eye with her on the subject. But that is not enough.

Mrs. ROGERS of Massachusetts. I agree with the gentleman.

Mr. CELLER. I am sure the lady, always gracious and wise, would always say and do what is right and fair. We have had a cascade of words. We are through with words. We want words implemented by action.

Mrs. ROGERS of Massachusetts. I agree with the gentleman thoroughly.

Mr. CELLER. I thank the able Representative from Massachusetts. We want action from the top to the bottom. The time is past for words. We want something done. Nothing has been done. That is why I offered my resolution, to which, as I said a moment ago, the State Department said, "Superfluous—unnecessary," as you know. But you appreciate as well as I do that unless some watchdog, as it were, on the part of Congress, stands in the offing to prevent ineptitude and fumbling and the diplomatic befogging of issues, nothing will be done, and all we will have is what we had the last time—words, words, and more words—and then the new Kaiser or Fuehrer will become again a woodchopper of Doorn, and von Tirpitz, and von Bismarck, and von Hindenburg, and von Mackensen—who has just been captured again—in the guise of Goering, Goebbels, and Himmler will rise like the phoenix from the ashes for a second time to continue their depredations and outrages. We do not want this to happen thrice, but it is going to happen thrice unless that cascade of words which I have indicated is implemented by action, and unless action is taken with promptitude. I called attention, before the gentlewoman entered, to a very comprehensive report issued by the Judge Advocate General, outlining a complete procedure with reference to the punishment and trial of war criminals. And the State Department holds back the Judge Advocate General's Office from taking action. They have the men in the field in all theaters of operation. Not only in the Japan theater and in the Reich, and the Italian theater, but in all European theaters of operation and all through Asia. They are anxious to go, and they cannot budge an inch because of the failure of an announcement of policy on the part of the State Department and your Committee on Foreign Affairs has not seen fit to take action on my bill which would, in a way, prevent recurrence of the outrages that shame the world.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. CELLER. I yield to the gentlewoman.

Mrs. ROGERS of Massachusetts. Of course I am not responsible for the entire Committee on Foreign Affairs, as the gentleman well knows. Many times I have agreed with it. But it seems to be very significant that General Eisenhower has invited so many Members of Congress as can to see the atrocities at first hand.

Mr. CELLER. General Eisenhower realizes the urgency and necessity of Congress becoming interested.

Mrs. ROGERS of Massachusetts. I agree with the gentleman.

Mr. CELLER. Thanks heartily again. Congress has not been sufficiently interested. Congress has been too apathetic. Congress has taken no action and your committee has taken no action. What good is it for Congress to be only interested once and to go over and survey the results of these atrocities and come back and report. What good is that going to do us—another report? We have enough reports. The War Refugee Board made reports. We have scores of departmental reports; we have hundreds and hundreds of reports of eyewitnesses to these atrocities. It is nothing new. It is plain as the nose on anybody's face, so that he who wishes may read and understand.

Furthermore, Franz von Papen has been captured. Into whose proper custody has he been placed? What policy will be followed with regard to his status as a war criminal? None of these answers is known to us. The capture of Franz von Papen, Alfred Krupp, Manfred Zapp, Prince August Wilhelm of Prussia, Field Marshal von Mackensen, point up the urgent need for positive action, not merely words, by the United Nations, as to the punishment of the Axis generals and Axis culprits. Unless some definite action is taken, rascals like von Papen will escape the noose and the firing squad. It was disturbing to hear that Assistant Secretary of State James C. Dunn said he would only punish for specific crimes.

We might let out Krupp and von Papen. Dunn does not define what he means by "crime." The State Department has not accepted, by official act, the recommendations as to the definition of crimes by the United Nations War Crimes Commission. Such a delay is fatal and unpardonable. Let me read briefly from an editorial from the New York Post:

> It was Franz von Papen who "sold" Hitler to the bankers in the famous conference in von Schroeder's house in Cologne so that 3 weeks later Hitler was in office. It was von Papen who talked Hindenburg into letting Hitler into the cabinet; it was von Papen who swung the Centrist support to Hitler, allowing him to dissolve the Reichstag; it was von Papen who helped betray Austria to Hitler.
>
> Well, what has happened to this Typhoid Mary of fascism? At the moment, Franz von Papen is living in a private home in Rheims. The only sign he is a prisoner are his guards.
>
> To a member of Parliament who asked what about von Papen, Minister of State Richard Law could only answer that he didn't know; his fate was under consideration.

If you asked Mr. James Dunn, I suppose he would say he did not know. In view of the fact that he said you could not punish except for a specific crime, like mayhem, arson, or murder, or theft, you could not punish von Papen, because you could not put your finger on a specific crime for which he could be held. But we know that he is the arch-conspirator with Hitler and Goering and Goebbels and Himmler, in the terrible things that have happened.

To go on with the editorial:

> We don't know what to do with von Papen, Hess, Zapp. That is why American prisoners are being murdered today. The Nazi leaders felt they had nothing to fear. They murdered 6,000,000 Jews, but nothing was done. In the words of the Czech delegate to the London War Crimes Commission, the Commission is honeycombed with "experts of international law who do nothing but invent hindrances to the effective punishment of war criminals."
>
> Because we let Jews die and did nothing, because we squabbled over legal points, the Nazis felt they had acquired immunity. And so, from murdering Jews it was easy to proceed to killing Poles, then Russians, then Frenchmen, Britishers, and finally American prisoners.
>
> The Post remarked long ago, "If we overlook planned murder when it happens to Jews, then some day we will find planned murder on our own doorstep."
>
> We did overlook it. And the road led straight from dead Jews at Maidanek to dead Americans at Bad Heppneheim and Buchenwald.
>
> For heaven's sake, for the sake of the murdered and dying at Buchenwald, let us put an end to the farce.
>
> We recommend that Congress act on Congressman CELLER'S suggestion.
>
> He says that von Papen and all like him should be tried at once.

What we want to know is, will there be trials, and, if so, what categories of criminals have been formulated and what pleas of defense will be admitted into evidence? Superior orders? The heads of states? Will they face trials or will they be subject to political disposition? We do not know. Why is the State Department behaving as if it were guarding a skeleton in its closet?

The excuse has been made that any official declaration might spur on the Germans to greater atrocities. This specious argument has blown up in our very faces. Nothing apparently deters these gangsters. That we knew or should have known these many years. We can just as easily talk the other way. The detailed announcement of actual plans for the trial and punishment of war criminals might have acted as a deterrent. Russia is trying its war criminals. We have not even got an official statement of policy so far as our Government is concerned. Most certainly, in spite of all pronouncements, the Germans have been led to believe that the United States will be lenient, and indecisive, and even apathetic. No wonder they have dared to carry on their nefarious deeds. Who kills and gets away will live to kill another day. Go back and see the records, read the newspaper files and magazine articles of 1917 and 1918 and you will swear you are reading publications issued yesterday, last week, today. Read what Teddy Roosevelt said, read what Asquith said, read what Lloyd George and Wilson said; you will swear you are reading what the late lamented President Roosevelt said, what Acting Secretary Grew has said, what Secretary Stettinius has stated. As I indicated before, all we had then and what we are getting now are words, words, and more words, an avalanche of words. Today as then we had indecision with dire results and consequences. We see the pattern being woven the same way; and again, unless my resolution is passed which is before the House Foreign Affairs Committee, we shall have that pattern woven exactly as it was woven in 1917, 1918,

and 1919. At that time we had, as you remember, 900 names of indicted Huns. Of the 900 there was a gradual whittling away until after 2½ years of pettifogging and diplomatic niceties of inaction only 12 were tried. Where were they tried? They were not tried before an international tribunal because we in league with the Japanese—think of it—said: "There is no such thing as an international crime; and, therefore, there can be no such trial before an international court;" and we objected to an international court.

When the suggestion was made that the trials be had in the various national courts of the Associated Powers, the Germans, the Huns, had the hardihood to say and argue that there would be riots if they took Huns out of Germany and tried them in England or tried them in Belgium or tried them in France; and the State Department then listened attentively to that plea and said the Germans were right, and they did not dare extradite these foul offenders. What happened? We then let the Germans try the Huns, which is just like saying that Himmler, and Goering, and Goebbels could try Hitler; and vice versa. The trials were held at the German high court at Leipzig, the so-called Reichsanvalt. Only 12, as I said before, were tried of the 900 indicted. Six of the 12 were acquitted, and as the 6 Junkers acquitted left the courthouse they walked on banks of flowers. They were heroes. What happened to the other 6 who were tried and convicted? Two lieutenants guilty of the foulest offenses, like firing upon hospital ships well defined and marked with the international Red Cross, were sentenced to 4 years each. They contrived very comfortably and easily to escape. Four others received sentences of 6 months each, most of which time they spent in their own homes.

That is what happened the last time, because we had only words, and we hearkened to those words, we were satisfied—we, the Members of Congress were then satisfied with words. Are we going again to be satisfied with mere words? Why the apathy of the State Department; why its inaction? Why have we not had action implementing those words? That is something to ponder over, something for you gentlemen and ladies to think about. I want action and I know you want action, and that is why I offer my bill. I am amazed that no action has been taken by the Foreign Affairs Committee of this House at this late day, when time is running, and time is of the essence. You cannot hesitate. On the plains of hesitation lie the countless bones of millions. The congressional Members who have gone abroad to witness these horrors will come back with facts of the crimes. Necessary as that is, it is not enough. Congress has not empowered them to see that action is taken in the apprehension of war criminals; they have no authority to study policy or investigate execution of whatever plans are put forward to punish war criminals. Let us not stop there; let us not listen to the reports with a satisfied feeling that we have done our duty and rest there. How many of us know what plans are being made for the trial and punishment of Japanese principals? How shall we treat the Mikado? As a holy institution or as a mortal criminal? How treat the war lords? There are those who today find in the Mikado the focal point of stability for a defeated Japan. They plead for the safety of his person. Shall it be so? It is a vital question for you ladies and gentlemen to answer. Shall we have no hand in a discussion of this problem? We are beset with questions, and, apparently, nobody cares to answer these questions. I like the answer of Admiral Halsey. He said in a recent article in Collier's magazine that the Jap war lords, those responsible for the war from top to bottom, shall be punished, and went on to say in another statement outside of the Collier's article with reference to the charge that was made that our aviators were told to spare Hirohito's palace in the bombing raids on Tokio, that if in an overcast we happen to bomb the palace he hoped that they will at least spare the Emperor's white horse, because he wanted to ride it. I take off my hat to Admiral Halsey. The old sea devil has the right idea. I would that he would go up to the State Department and read the riot act. I would like to have him whip it into some sort of action. There are those in the State Department who believe that the Emperor Hirohito must be spared. One, Mr. Eugene Dooman, special assistant, believes that. And there are those in the British Foreign Office who believe it. Sir Hugh Butler, British representative at the Institute of Pacific Relations, recently in Hot Springs, made the outrageous statement that we should spare the Emperor and the lords and the baron clique because they would be the only ones who would be able to control the Japs after the war.

As far as I am concerned, and I am sure as far as the rest of you are concerned, the Mikado, either god or devil, must go. In conclusion, the way the problem of war crimes is being attacked reminds me of a nearsighted man trying to cross the street, and I have the State Department in mind when I state that. He peers forward, hesitates, goes forward one step and back two, looks to right and then to left, and never once has noticed that the traffic lights are with him.

What are we afraid of?

In the name of generations yet to come, let us stop fumbling; let us stop talking; let us act.

EXTENSION OF REMARKS

Mr. LYNDON B. JOHNSON asked and was given permission to extend his remarks in the RECORD and include an address delivered by Justice William O. Douglas on yesterday.

Mr. MADDEN asked and was given permission to extend his remarks in the RECORD relating to an historical document, including three small newspaper items.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and include an address delivered by the gentleman from Alabama [Mr. RAINS], and was also given permission to revise and extend the remarks he made in the House today.

Mr. RABAUT asked and was given permission to extend his remarks in the RECORD and include an article from the Washington Post on sterilization.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and to include a house concurrent resolution passed by the Ways and Means Committee of the Legislature of the State of North Dakota.

Mr. LEMKE (at the request of Mr. MUNDT) asked and was given permission to extend his remarks in the RECORD and include certain extraneous matter.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the remarks made by Prime Minister Eamon De Valera on the occasion of the adjournment of the Dail Eireann out of respect and sympathy to the American people on the death of President Roosevelt, a copy of the resolution passed by the Dail, and also a copy of a telegraphic message sent by Prime Minister De Valera to President Truman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The SPEAKER. Under a previous order of the House the gentleman from South Dakota [Mr. MUNDT] is recognized for 30 minutes.

CONTROL OF WATER POLLUTION SHOULD BE A POST-WAR "MUST"

Mr. MUNDT. Mr. Speaker, the measure of a nation's greatness is determined in large part by the manner in which it utilizes and preserves its natural resources. War is a great destroyer of the natural resources which form the basic foundation of the ultimate greatness of any nation. Here in America during the past two wars we have demonstrated that our Republic, through the use of its free-enterprise system, and because of its splendid natural resources, has been able to create the war machines which, being manned by gallant young Americans in uniform, have won the greatest military victories of all times.

However, Mr. Speaker, these tragic wars have also demonstrated the importance and the significance of conserving and preserving the natural resources of this country and of utilizing them wisely. Of all the natural resources which we have in this Republic, water today suffers from the greatest amount of public neglect. In fact, water pollution is practically the last important uncontrolled, unregulated, and unchecked pagan practice continuing in the United States insofar as our natural resources are concerned.

We now have protection for our forests, whether they be national forests or State forests. We protect our communities and our citizens against disease epidemics. We have protection for our soil resources against depletion and unwise uses. We protect our game and our fish. We protect rare birds and rare flowers. We even provide smoke control in many of our congested cities. We have laws in municipalities guarding people against the practice of dumpage of garbage in places where it is not properly disposed

of. In everything but the matter of water pollution, itself, the public of this country has alerted itself to the significance of conserving our natural resources. Still water is the most basic of our natural resources.

It has up to now been left to polluters themselves to use it as they see fit or profitable, regardless of how completely that usage destroys the value of lakes and streams to the general public. This selfish, short-sighted practice must be stopped.

I submit, Mr. Speaker, that the time has now come when an enlightened American public insists that something be done to correct, curtail, and eventually stop the practice of polluting the public waters of America.

WHAT ARE THE TYPES OF WATER POLLUTION?

What are the types of water pollution? In the main, Mr. Speaker, there are three general types of such pollution.

The first is called individual or incidental pollution. This is a comparatively unimportant type but in the aggregate it does much to contaminate American waters. It comes from campers and picknickers throwing refuse into lakes and streams. It comes from the dumping of tin cans and broken bottles into public waters. It is occasioned at times by householders constructing private toilets too close to lakes or streams. It grows out of the general public indifference and apathy to the importance of keeping all polluting and destructive matter out of the public waters. Soil erosion, also, falls into this class of pollution.

The second general class of pollution is that which we might refer to as sewage from municipalities. This includes raw sewage from municipalities; it includes inadequately treated sewage; it includes many industrial wastes which are directed into streams and rivers without being put through modern and effective treatment plants. These pollutants endanger human and animal life, they destroy fish life, they kill aquatic plants, they create foul odors, and they ruin streams for recreational purposes. Many times these pollutants are bacteria producers and contribute a serious menace to the public health.

The third type of pollution is industrial pollution. These polluting discharges include acids, toxics, and poisonous or injurious fluids of diverse types. In addition to having all of the effects of the pollutants listed in type 2, they do injury to plumbing, they do injury to water pipes and metal containers, and otherwise add to the community tax burdens and to private expense.

Even some abandoned industrial enterprises like closed coal mines sometimes continue the ghastly process of emitting pollution from a closed mine, thus perpetuating far into the future the injurious effects of the industrial enterprise long after it has completed its exploitation of nature and moved away to begin the process anew in some other virgin area.

WHY IS WATER POLLUTION CONTROL IMPORTANT?

Mr. Speaker, the control and curtailment of water pollution is important for a number of specific reasons. I should like to list some of them at this point.

The first is to save the Nation money. We are paying today the cost of correcting pollution without getting the correction, because of the extra charges needed in public health service, the extra cost of maintenance of boilers and water pipes and plumbing, and because of a great many other costs we are forced to meet due to the destructive influences of pollution.

Second. It is necessary to correct pollution to protect the public health, because such diseases as typhoid are caused by the use of polluted waters. There is much evidence to substantiate the belief that polio itself is in large part the result of stream pollution.

Third. It is necessary to protect private and public property values because a polluted lakeside or a polluted stream quickly destroys the real estate values in the pollution environment.

Fourth. Pollution control is necessary to protect many bathing beaches and public swimming pools.

Fifth. It is necessary in order to protect fishing and recreational opportunities.

Sixth. It is necessary to protect and provide commercial fish food, oyster beds, and fishing areas.

Seventh. It is necessary to correct pollution to assure the axiom of "the greatest good for the greatest number," being applied to the great natural resources of public water in the United States.

Eighth. It is necessary to correct pollution as a national defense measure itself because clean water and pure water is essential for military units and military establishments, for the maintenance and development of Army camps which have available the pure, clean water necessary to maintain good fighting tone and health.

HOW CAN WATER POLLUTION BE CORRECTED AND CONTROLLED?

Mr. Speaker, if we can conclude that the control of pollution is important, and I submit that it is, the question arises, How can water pollution be controlled?

Its only effective control must be at the national level because it is definitely an interstate problem of national consequence. In the first place, it deals with interstate streams and interstate watersheds over which State jurisdictions have no control.

In the second place, it involves industries doing interstate business and the only fair regulation of pollution is one which treats all competitive industries and businesses and communities alike. Consequently, it requires national attention and uniform regulation.

In the third place, bad pollution practices drive good pollution practices out of existence. Gresham's law of money operates with distinctive accuracy from the standpoint of pollution. Just as bad money drives good money out of circulation, bad pollution legislation or no legislation at all makes it extremely difficult for enlightened States to enforce good legislation which actually does something about the problem of pollution.

Each State, each industry, each polluter, wants the other fellow to act first, and the result is that nobody acts as long as we leave it up to local control.

The fact that we have this pollution problem with us to such a serious degree, after over 150 years of organized constitutional Government in this country, indicates that it is not a problem which can be solved by local control. It is not one which can be cured by interstate compacts. Today the pollution problem is at an all-time high. Mr. Speaker, it is at an all-time high despite the fact that for more than a century and a half we have discussed, surveyed, analyzed, studied, debated, and diagnosed the pollution problem and made feeble and futile gestures against it through State legislation, through local reforms, through interstate conventions, and through municipal action.

A remedy for pollution is needed and that remedy must be one which provides for uniform Federal action. The last great unused study authorized by Congress was House Document No. 266 which, incidentally, cost the taxpayers of America over $600,000, and which studied the problem of Ohio River water pollution, a problem which has been studied ad nauseam but which still continues to become more greatly aggravated year after year.

POLLUTION HAS LONG BEEN A POLITICAL ORPHAN

Practically all other uses and abuses of the public waters are now under Federal control except the sole matter of pollution. Hydroelectricity has received Federal attention. Irrigation is developed on a Federal level. Navigation has Federal regulations safeguarding it and developing it. Flood control is a national water problem and is receiving national attention. I say, Mr. Speaker, that with the singular exception of pollution, practically all other problems involving the rivers and the interstate lakes of this country are met at the Federal level. Only in the case of pollution have selfish industrial polluters and short-sighted communities been successful in preventing appropriate corrective legislation.

When State legislation is attempted to meet the pollution problem, the offenders cry out, "Unfair, unfair; this is a national problem." When national legislation, such as my bill—H. R. 519—is introduced, the same offenders evidencing greater versatility than logic, protest, "No, no; leave this to the States and to interstate compacts. You must protect States' rights and this is a local problem." Thus the problem grows steadily worse and the correctives are repeatedly delayed.

H. R. 519 IS BASICALLY SOUND AND ACCEPTABLY EFFECTIVE

The approach to pollution control which I recommend is outlined in what is known as the Mundt bill, H. R. 519, which I introduced on the opening day of this Congress. The following month Senator MYERS, of Pennsylvania, introduced an identical companion bill, known as S. 535. I believe my bill is basically sound, and I believe it is acceptably effective.

It grows out of earlier legislation which I first introduced in the House during the Seventy-sixth Congress. It supplements action taken by this House

in the Seventy-sixth Congress, when, by a roll-call vote for the first time in American history this body outlawed the instigation of any new forms of water pollution by its adoption of an amendment which I introduced to the so-called Barkley-Spence bill. Unfortunately that amendment failed of approval in the other body, and consequently that forward-looking, progressive action taken by the House in the Seventy-sixth Congress was never actually implemented into completed law.

Mr. Speaker, the legislation which I have introduced, H. R. 519, and which is now before the House Rivers and Harbors Committee awaiting hearing, is not drastic legislation. I hope the hearings will shortly be started on this legislation as well as on all other pollution measures introduced in the present session of Congress. I have requested that those hearings be forthcoming. The chairman of the Rivers and Harbors Committee has requested reports from the departments downtown and I believe the public of America has the assurance that sometime during this current summer hearings will be held on this problem of pollution.

In brief, my bill meets the test which it seems to me any pollution legislation must meet if it is to be judged as adequate and as acceptable and as a workable piece of legislation. In the first place, it includes the philosophy, as I have stated, which the House has already approved, namely, that new sources of pollution be stopped now, so that we can define the problem as we now have it, and go about the task of correcting it without constantly aggravating the question with new sources of pollution.

In the second place, it provides a 2-year make-ready adjustment period, during which it permits polluters to continue their practices, because it gives them those 2 years of grace in which to adjust their manufacturing or mining techniques to meet with the new sets of controls. It puts the responsibility for showing why pollution should not be stopped at the end of 2 years upon the polluters, by stating that after the 2-year period all forms of pollution not specifically authorized by the Water Pollution Control Board shall cease.

In the third place, H. R. 519 encourages interstate compacts and local acts. It establishes authority for Federal action in the background, where States, communities, and industries do not and will not act at the local level, but it specifically provides that only in the cases where the individual State or the individual municipality or the individual interstate group or the individual industry fails or refuses to act, shall the Federal Water Pollution Control Act come into operation.

In the fourth place, it specifically exempts all pollution regulation which would interfere in any way with the war effort. Its control board is representative of both political parties. It represents both the legislative and executive branches of Government and all interested Government departments. It encourages and makes available additional resources for States and interstate groups, to meet the pollution problem, but it holds in the background the strong, effective hand of the Federal Government in those recalcitrant cases where selfish or unenlightened communities or polluters continue the pagan practice of dumping poisonous, deleterious materials in the public waters.

In the fifth place, my bill, while being far from drastic, has teeth enough in it so that confirmed polluters are opposed to it and are seeking to defeat it by encouraging support for another "study-diagnose and delay" bill which is so palpably a polluters' pet that it does not even provide for stopping new sources of pollution. As a matter of fact, Mr. Speaker, it calls itself a water-pollution bill. Truthfully, it is precisely that.

Mr. Speaker, it seems to me that the Mundt bill is a rational approach to the pollution problem. This legislation has the endorsement and the support of a great many forward-looking organizations and a great many important individuals in America. Among those supporting it is the national division of the Izaak Walton League, which has its headquarters in the LaSalle Hotel at Chicago, Ill. The Izaak Walton League has long carried forward a great and effective educational program against pollution. Many other groups have also joined in insisting that this session of Congress do something now to make certain that in the post-war construction period pollution will be given appropriate attention.

If we are to have another public-works building program following this war or if we are to prepare for one which is to come along, should another depression set itself upon this country, certainly high on the list of priorities should be the matter of the building of pollution treatment plants, so that once and for all we can do something worth while about this basic natural resource, the public waters of America.

Mr. STEFAN. Mr. Speaker, will the gentleman yield?

Mr. MUNDT. I am happy to yield to the distinguished gentleman from Nebraska.

Mr. STEFAN. The gentleman from South Dakota has been working long and effectively against stream pollution. What difference is there in this bill as compared with his original bill? What are the changes which meet the opposition to the original bill?

Mr. MUNDT. I am glad the gentleman asked me this question and I know he asks it as a real friend of clean stream legislation, because he has been very helpful in this rather long crusade to do something about the pollution problem.

In brief, the new bill is a less drastic bill than the old bill which we had before the Seventy-sixth Congress. It provides, as I have already stated, for this 2-year make-ready period. It also provides for the initial action to be taken by State groups or by interstate compacts wherever they will act.

It also is less drastic than my original bill because it provides that the Water Pollution Control Board shall have authority to grant extensions of time, 5 years at an extension, during which industries and municipalities which for any reason can show the Board that it is impracticable for them to act to correct their pollution may continue their present practices. Consequently, it provides that only in those cases where there is a practicable solution to the pollution problem can the enforcement features of the act be applied. There are other modifications and refinements as well.

Mr. STEFAN. Mr. Speaker, will the gentleman yield further?

Mr. MUNDT. I yield.

Mr. STEFAN. We are now about to do considerable flood-control work throughout the United States. Does the gentleman not feel that his proposed legislation should be acted on simultaneously with these other bills dealing with water control?

Mr. MUNDT. Precisely; and that is a splendid point, because it is much cheaper to prevent pollution before it begins than it is to correct it after it has started, and that is one reason why I have been so diligently urging Chairman MANSFIELD, of the House Rivers and Harbors Committee, to hold hearings on this bill.

Mr. STEFAN. What is the status of the gentleman's bill in the committee?

Mr. MUNDT. I believe the chairman of the Committee on Rivers and Harbors will call hearings within a few short weeks; I certainly hope he does. He is still waiting for a report from the departments downtown. But that report should not be much longer delayed. If it is I shall urge Mr. MANSFIELD to begin hearings without waiting further for the report.

Mr. Speaker, there is an economic aspect to this pollution matter that is sometimes overlooked by harried legislators and taxpayers who are confronted with the problem of pollution. As far back as 1915 the report of the Army engineer's office for the Pittsburgh area, for example, reported an annual loss from acid pollution alone—and remember that is just one type of pollution—reported a loss from acid pollution alone of $11,202,956, covering actual repairs and replacements to plumbing, boilers, engines, boats, locks and dams, and for other water-treatment costs. Today the condition of that river and all rivers is infinitely worse than it was at the time those costs were calculated.

At Cincinnati and other Ohio River cities the river has become so bad as to tax the limit of the treatment plants themselves, and the people of those unfortunate cities are today compelled to rely for their drinking water upon a source which is in itself polluted from the sewage running out of the sewer pipes of those same communities.

Mr. Speaker, the fishing grounds and the oyster beds of this country have been jeopardized and in some degree have been destroyed by the process of pollution. Some of the former tremendous annual runs of shad and herring and other anadromous fish have now become history on many a river—have become history instead of recurring annual events because of pollution. The hundreds of thousands of acres of oyster and other shellfish beds which have been ruined, and destroyed, and aban-

doned, the thousands of miles of inland streams devoid of valuable fishing resources, and the serious reduction in waterfowl through the agencies of pollution create an economic loss totaling up to a sum estimated by an article appearing in the American Nature Association Quarterly Bulletin for January 1939, to exceed $250,000,000 annually.

We must add to that the fact that it has increased the cost of protecting the public health, and also has increased the danger to the life of large machinery. So that probably if we were to add all of the costs, direct and indirect, of the destructive effects of pollution, we would find that it greatly exceeded an annual loss of $250,000,000. Some estimates in fact have gone as high as $1,000,000,000 annually. I take only one-fourth of that, $250,000,000, as the figure for this discussion.

This $250,000,000 annual charge does not represent the capital cost, but is an annual recurring loss. It is a loss sufficient to pay 4 percent annual interest on a total amount of $6,250,000,000, and that is a considerable figure, even in present-day arithmetic. Consequently I appeal to the Members of the Congress, and to the citizens of America, to wait no longer for a solution of this problem of pollution.

Let us be ready at the conclusion of this war to start a Nation-wide program of pollution regulation and control, with the establishment of modern disposal plants for the sewage of cities and industry. That will require planning and preparation. It will require the support of a Federal bill outlawing the introduction of new sources of pollution, and it will require reasonable, rational pollution-control legislation at the hands of the Congress. I submit that H. R. 519 presents that sort of program and I solicit the support of Congress for this legislation.

In conclusion, Mr. Speaker, I would like to call attention to the following excerpts from a recent editorial appearing in Outdoor America, official publication of the Izaak Walton League:

In August 1922, in the very first League publication, the late Dr. James A. Henshall said: "Pollution is the most important problem the League will have to solve," and in the following issue, "Federal control is the only answer." Today polluted waterways give mute testimony to the prophetic accuracy of these two statements.

In the intervening years, volumes have been written on pollution; millions spent in studying it; most States have enacted legislation to control it; many cities have built sewage treatment plants—but many more have evaded this responsibility—and proper treatment of industrial waste remains the rare exception. The net result is more water pollution than 23 years ago.

Under the previous public works program, the whole job of municipal pollution correction could have been done. But more cities, left to their choice, built luxuries while neglecting their pollution. With realistic regard for both the record and human nature, the Izaak Walton League advocates that in any new works program, sewage treatment for municipalities and public institutions lacking such facilities, be a condition of eligibility for Federal or State financial assistance for other public works.

We contend treatment works for such sewage constitute a "perfect natural for post-war work."

1. The need is obvious; the application widespread.

2. It is eminently fair, eliminating existing inequalities.

3. It will provide employment where most needed, because the degree of pollution is in almost direct ratio to the density of population.

Since the new Congress, rightly or wrongly, is devoting major attention to post-war plans, KARL MUNDT introduced, and the league heartily endorses H. R. 519, to prevent pollution of the waters of the United States, and to correct existing water pollution as a vital necessity to public health, economic welfare, healthful recreation, navigation, the support of invaluable aquatic life, and as a logical and desirable post-war public-works program.

Some contend control of pollution is properly a State function. In reply, we cite the record. States have had control these many years while pollution has steadily become worse. Others advocate interstate compacts. Again, where is the interstate compact that has done a job or has clear authority to do so? Others recommend more study and investigation. A new Government report 6 inches thick covering another detailed pollution study of the Ohio River cost the taxpayers $600,000. If there is any subject which has been investigated and reinvestigated to death, it is water pollution. The time for action on unused studies is long overdue.

In H. R. 519, all objections leveled at previous bills in the current Federal-control movement have been answered. Let us review these objections and see the answers:

1. "The bill is drastic and precipitate; industries must have time."

Answer: Section 8 reads, "The provisions of this act requiring abatement of pollution will take effect 2 years after passage."

Section 4 (c) provides, "Where compliance with standards of cleanliness * * * be impossible or impracticable before 2 years from date of enactment * * * the Board shall grant an extension of time not exceeding 5 years. * * *"

Then to be exceedingly considerate, the section adds: "If at the conclusion of such extension means for effective treatment have not yet been completed and the industry * * * can show to the satisfaction of the Board at a public hearing, as above provided, that it has diligently tried to comply, the Board may grant such further extension of time as may reasonably be necessary."

Could anything be more considerate?

2. "The bill invites unwarranted encroachment of Federal authority."

Answer: Section 5 says, "It is hereby declared to be the policy of Congress in the administration of this act to encourage State and interstate compact agencies to exercise their statutory authority in prevention and abatement of pollution and that action by the Federal Board will be taken only after such existing authorities have been given an opportunity to act, and 6 months after receipt of written notice from the Board have failed to do so."

Then section 7, after defining and outlawing pollution and providing for action in equity for its abatement, repeats this clear assurance.

3. "To pass such a bill would interfere with the war effort."

Answer: "Section 9 reads, "None of the provisions of this act shall be applicable when the Secretary of War or the Secretary of the Navy shall have certified that the enforcement of such provision or provisions would be incompatible with expeditious progress of the war program."

States honestly seeking to do the job should enthusiastically welcome such Federal legislation. Only those who do not intend to act need fear the Federal authority in the bill.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the Chair recognizes the gentleman from Nebraska [Mr. STEFAN] for 15 minutes.

Mr. STEFAN. Mr. Speaker, to focus the spotlight of publicity on the barbarous practices of Nazi and Japanese militarists against prisoners of war and slave labor would, at this time, be superfluous. The reports of General MacArthur and Brig. Gen. Carlos Romulo on Japanese atrocities in the Philippines graphically demonstrate the nature of our enemy in that theater of operations. General Eisenhower's request for Members of the House and Senate to visit Nazi prison camps, together with Members of the British Parliament, to see for themselves the unspeakable conditions which have existed confirms the stories of American war correspondents about the vile treatment accorded American and Allied prisoners of war and civilians of Czechoslovakia, Poland, the Soviet Union, Greece, Norway, Yugoslavia, France, Belgium, and the Netherlands. The action of General Patton in forcing enemy civilians to view the results of Nazi bestiality has met with universal approval here. Field Marshal Bernard Montgomery's men are prodding Nazi storm troopers with bayonets to make them bury the corpses of their victims.

These inhuman deeds of the enemy—the product of the degrading political philosophy and the debased social concepts of the Nazi annihilationists and the Japanese militarists—are not of recent origin. Nazi-occupied Europe has known these indignities for almost 6 years. Japanese-occupied territory has suffered under similar savagery for 14 years.

What these men and women—yes, and even children—endured has been more than enough to crush the expectation of liberation, to quench all hope, and to forever break their spirit. Yet, we know that when our own soldiers and those of our allies swept back the enemy, the expectation of liberation still lived among these people. They still held fast to hope. Their spirit remained unbroken. Today, from Luxemburg to Luzon, whole peoples—once slaves, but now free—are preparing to make their valuable contributions to a future world of peace.

Since I have lived in the Philippines, and since I am proud to be the friend of many Filipinos, what has taken place in that region is of particular interest to me.

One of these friends, Francisco A. Delgado, former Resident Commissioner of the Philippine Commonwealth to the United States, and now in this country as a delegate to the San Francisco Conference, recently told a reporter: "We heard many times from the Japanese: 'If the Americans come back, you will not be here to welcome them.'"

Why did Francisco Delgado, brave as I know him to be, steadfastly maintain his courage in the face of arrogant Japanese oppression?

Tomas Confessor, Secretary of the Interior of the Philippine Commonwealth,

went into the hills on the fall of Corregidor. Dr. Caram, Japanese puppet governor of Panay, sent word to Mr. Confessor, extending amnesty to him and offering him opportunities to profit under Japanese rule. Mr. Confessor replied to Dr. Caram in a classic letter of rejection which takes place beside the immortal words of Patrick Henry and Lincoln's Gettysburg Address.

Why did Tomas Confessor, in his darkest hour, hold to his convictions, rejecting security and choosing to live intimately with death?

You, my colleagues, helped to build this indestructible morale which has survived every concentration camp between Cebu and Czechoslovakia. Hope-hungry peoples heard and read your words of encouragement contained in your statements and your speeches. They risked slow death by torture to grasp your messages of deliverance. You sustained their souls.

Let that great man, that fighting guerrilla, Maj. Pedro Lopez—who fought for his homeland as many of our sons are now fighting for theirs—tell you as he told me only last week how this battle cry of freedom reached the Philippines.

Major Lopez, now a delegate to the San Francisco Conference, said to me: "Without the daily broadcasts of your Office of War Information from Station KGEI in San Francisco, my people would have lost their last vestige of hope. The O. W. I. brought news of the outside world. The O. W. I. kept us informed of the certain approach of liberation. With the knowledge furnished us by the O. W. I. in our possession we could confidently confront our Japanese oppressors. There are millions of Filipinos today who bless the names of William Winter and his fellow announcers and commentators from O. W. I. stations."

I know this to be true. It has now been almost 2 years since an inscription appeared on the statue of the Filipino national hero, Jose Rizal, on the Luneta in Manila. That inscription read: "This is the only good Filipino who does not listen to William Winter."

William Winter was born in New Jersey. He practiced law in North Carolina. He was a news editor in a southern radio network. He served his country in the O. W. I. He was the forerunner of freedom for the Filipinos.

What William Winter did was not the work of one man. It represented the teamwork of many men and many women in New York, in San Francisco, in Washington, in Hawaii and on Saipan. It represents the work of men who landed with the American forces on Leyte and elsewhere in the Philippines. It is built on the efforts of those who maintained a constant liaison with the State, War, Navy, and Interior Departments so that there might be no misconception of the stand of the United States Government. It is built on the efforts of writers, editors, and commentators. It is built on the efforts of press and radio technicians. Without all of O. W. I. there could never have been a William Winters to keep alive the spirit of the Filipino people.

General MacArthur has told us that he is ahead of schedule in the liberation of the Philippines. This is due to the splendid teamwork between our land, sea, and air forces and the Filipino guerrillas. The role of O. W. I. in this coordinated action is obvious. Without O. W. I., the Filipino guerrillas would have been few in number and of doubtful allegiance. With O. W. I., they are numbered in the millions and are, as one man, convinced of the justness of our common cause and the certainty of our common victory. Without O. W. I. the Filipino guerrillas would be disorganized bands. With O. W. I., they are geared into our combat strategy immediately on our landing anywhere as they have conducted their parallel operations before our coming; losing no time for organizational purposes.

It is due to just such coordination between American battle power and the Filipino guerrillas that General MacArthur could say: "American losses during the Visayan campaign were extraordinarily light" because of the enemy's "continued inability to diagnose our point of attack and to understand our local tactics of combat."

These local tactics that are having such a tremendous impact on the Japanese are based upon the determination of men whose expectation of freedom and whose faith in the return of decency was kept alive through the work of the Office of War Information.

The O. W. I. has fed the fire of freedom in the Philippines, in Thailand, and in occupied China. It will continue to preserve the dignity of mankind in areas now under Japanese control, to stiffen resistence against Japanese domination and to aid our fighting forces in the field until its duties are completely discharged.

It will continue to perform its functions, as it has in the past; never interfering with or assuming any of the tasks of the press services. It will fill in the gaps of information in liberated areas, gaps caused by years of enemy occupation. By projecting American thought, it will give these newly freed peoples an over-all picture of the United States today. It seeks no beats, no scoops. It earnestly strives to fulfill its designated duties set forth in the legislation which brought it into existence. This is shown by the action it has already taken in Italy. There, as soon as communications were sufficiently restored to permit the private news agencies to once again deliver their spot news reports, the O. W. I. turned back to them this responsibility.

It is only natural that many of you should be asking yourselves: "Why haven't we been told the whole truth about O. W. I?"

My answer is this: The officials of O. W. I. have directed the energies of their personnel toward the major tasks of winning the war and establishing the peace. O. W. I. has a small, recently-created Division of Public Relations. This Division was brought into being chiefly to answer questions concerning O. W. I. activities asked by Members of Congress, the press, and by radio, and other groups seeking information. The real story of O. W. I. is being told in action. It is known by its deeds. It is expressed in the words of Major Lopez: "Because of O. W. I., the spirit of my people still lives."

EXTENSION OF REMARKS

Mr. CHIPERFIELD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein a speech delivered by the gentleman from Alabama [Mr. JARMAN] on April 14, 1944, at Santiago, Chile, at a celebration of Pan-American Day. I also ask unanimous consent that these remarks will appear in the RECORD of tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. FLOOD] is recognized for 30 minutes.

WAR ATROCITIES—PUNISHMENT OF WAR CRIMINALS

Mr. FLOOD. Mr. Speaker, when I asked for permission to address the House today I did not know at that time that the gentleman from New York [Mr. CELLER] was going to speak on the subject of war atrocities and punishment of war criminals. I was very glad to hear the speech of the gentleman from New York, with nearly all of which I agreed, of course. But so far as I am concerned, he did not go far enough. With certain things, I must disagree. I disagree with his statement that the House Committee on Foreign Affairs, of which I have the honor of being a member, did not seriously consider and is not properly considering the treatment and punishment of all war criminals. The gentleman from Illinois [Mr. CHIPERFIELD], to whom I just yielded for the purpose of making a unanimous-consent request, is a member of that committee. There are present also the distinguished gentlewoman from Massachusetts [Mrs. ROGERS] who, in the absence of the gentleman from New Jersey [Mr. EATON], because of his attendance as a United States delegate at the San Francisco Conference, is, for the time being, the ranking Republican member of the committee, and the gentleman from Alabama [Mr. JARMAN] who is also a member of the Committee on Foreign Affairs, all of whom have vigorously and earnestly worked with all other members of the committee on this problem. This committee has held extensive hearings on the Celler resolution and the King resolution on the punishment of war criminals.

The gentleman from New York [Mr. CELLER] was present and received an extensive hearing before the committee. A long line of witnesses appeared before the committee and were courteously received. Tomorrow the committee will hold an executive session for the specific purpose of considering the punishment for war criminals and to reconsider the resolution offered by the gentleman from New York [Mr. CELLER] as well as the resolution of the gentleman from California [Mr. KING], whose resolution was being considered simultaneously with the resolution of the gentleman from

New York on the punishment of war criminals.

As a member of the Committee on Foreign Affairs, I would like to say to the House there is no committee of this Congress which is working harder or giving more attention to any one particular problem than is the Committee on Foreign Affairs on the matter of the punishment and seeking out and destruction of all war criminals and all friends of all enemy nations and their satellites guilty of war crimes. That will be the purpose and the intent. I speak for myself as a member of the committee. I have talked to every member on the committee on both sides of the aisle, and I think I can say that is their opinion and their judgment.

In further support of that statement, I had prepared to speak under a special order today. Not knowing that the gentleman from New York was going to speak on the same subject, I had prepared a statement having to do with the punishment of war criminals. This punishment must be full and complete. It must be immediate and it must fit the crime.

Further, on last Friday, I expressed my intention when I read of these atrocities that seemed to me to be going beyond the ken of the human mind. They seemed to be dealing with the occult, approaching something in the outer darkness. Those acts seemed to be the acts of a people taught the philosophy of anti-Christ. I cannot imagine, as a member of the Committee on Foreign Affairs, that I or that we should be charged with any dereliction of duty by that kind of a statement.

I hold no brief for the State Department but I can say the State Department has been cooperating with the Foreign Affairs Committee in full. They have met every demand or request we have submitted to them. Mr. Stettinius and his associates have been full and complete in every possible way to join the House Committee on Foreign Affairs, to meet what we think is in the heart and mind of the American people, in seeking to the uttermost lengths of the world, all war criminals of all enemy nations and their satellites and give them full and just and complete punishment.

I can say that on last Friday I signified my intention of presenting a resolution to this House asking that immediately there be sent to Germany a committee of this Congress to investigate and get first-hand information to bring back and report to the Congress on the punishment of war criminals. It was that very night I was informed by the Associated Press—and at the time I made the statement I was not aware of it—it was within 3 hours that I was advised by the press that General Marshall had received a cablegram from General Eisenhower requesting that a congressional committee be sent at once to Germany to see for themselves these atrocities and these outrages. Immediately the Speaker of the House, the distinguished gentleman from Texas [Mr. RAYBURN] with the President pro tempore of the Senate, appointed such a committee, and if I am not mistaken they are on their way to Germany this minute as I address the House.

Today a series of resolutions, independent each of the other, were presented to this House by a half dozen Members of this House, and I presented my resolution; showing indeed that this honorable body is deeply disturbed and intent in its determination to see full and fitting punishment of war criminals. There is no apathy here. There is deep, intense, serious determination of purpose. I think I speak for every lady and gentleman in this honorable body.

I can say that this problem must be approached carefully and with all the serious study that its magnitude and its importance to this and future generations means; and as a deterrent to similar actions of other peoples, or the same people, for the balance of time. Emotionalism must not determine how this punishment must take place. It must be proper, juridical, and of record so it has the weight of that prestige of all nations of the United Nations of the world behind it for history, and for any peoples from now on. That is why in my resolution today—and this is not included in any of the other resolutions presented—the gentleman from New York [Mr. CELLER] has not included it in his resolution.

The United Nations War Crimes Commission has no power to investigate; it cannot act as detective. This is not generally known, but it is true; it cannot seek out evidence. The United Nations War Crimes Commission can act only when proper presentment of charges and facts is made to it by one of the member nations. So in my resolution I am asking that a War Crimes Commission be created and appointed, 6 Members of the House, 6 Members of the Senate, 12 individuals, 2 of whom shall be lawyers, 2 of whom shall be doctors, 2 of whom shall be clergymen, 2 of whom shall be newspaper editors, 2 of whom shall be recognized business leaders, and 2 of whom shall be recognized labor leaders. This body will have full investigating powers and be ordered to report its findings as the official representative of the United States of America as a member nation of the United Nations and of the United Nations War Crimes Commission to the United Nations War Crimes Commission and to report its findings to a joint session of this Congress and as a full committee with national hook-ups to make its report to the people of America, and by a series of prepared articles signed by every member of the committee to the United States press, and, if it is still in session, to the San Francisco Conference and to every subsequent conference that results and emanates, as we are sure there will, from the San Francisco Conference.

This resolution I have presented is a resolution which meets all of the legal requirements, creates the necessary steps and procedures so these criminals can be sought out and, when sought out, can be punished. Equally important as the punishment of the criminals is the necessity of impressing in a proper way upon the minds of the American people—especially the American people—that these atrocities have actually happened, that this is not propaganda, this is not the writing or the fictional ideas or the mental aberrations of any special correspondents; that this is not rumor and not fiction, not military propaganda.

That is why I believe these investigations should be conducted and reports made by civilians, not by the military authorities because the American people are primarily a civilian people. Our armed forces are primarily a civilian army and a civilian navy. We are not professional militarists. When this job is over the men and women in the armed forces want to get back home as soon as they can. They at heart are civilians and they too want these investigations and these reports conducted to the satisfaction of the minds and hearts of the American people and that it be thorough and efficient, because if it is not done that way and at once and continued until it is exhausted, then in a very short time you will hear the story that all of these ghastly doings are propaganda somebody wants to put over for some purpose of their own, and that it never really happened.

But I think, Mr. Speaker, when a congressional committee finishes its investigation and reports to the two bodies of Congress, and to its own people, then the American people will know and believe once and for all that these atrocities are a result of a diseased racial mind, that this crime of the German people under this philosophy that the Nazis have injected into their body, is the most perverted, racial mental attitude in the history of the world, that it has never been approached before, and with the help of Almighty God never will be again. It must be treated in that way, and only in that way, and those to be punished must not only merely be those who committed rape, and murder, and pillage and arson, but they must seek out and punish the men behind the men behind those guns, the leaders, who were responsible; so that, as I say, once and for all, these crimes of an all-out war must be crimes not only against persons as we know from the atrocities; but there are other crimes, crimes against property and they must recognize those crimes as a part of the method and the methods of political, economic, industrial, moral, religious, social and biological atrocities upon the peace of the world and the customs, mores of civilized men and women, and that those are all war criminals. Further, we must see that all those who participated in that type of crime, of war guilt, must be punished. And do not forget that the Japanese and all the satelites of the axis powers are to be incided in this plan to investigate and punish war criminals.

The victorious armed forces of America, rushing to achieve the goal of victory now in sight in Germany, made a prize catch one day last week.

In a setting and in a manner almost as theatrical as his career, one of our archenemies was made prisoner, Franz von Papen. This evil old man has been a mischief maker of the first water, and it is good to have him under lock and key at last.

With a fantastic background of duplicity and intrigue, this unregenerate scoundrel has stalked the world capitals like a character from an E. Phillips Oppenheim novel. This Graustarkian villain has been slinking on and off the stage of international relations for over 30 years.

And so there he was again, dressed for the role of a backstage busybody, in plus fours and a Tyrolean hat—daintily nibbling at lunch in a quiet hunting lodge on the fabulous estate of a wealthy son-in-law, waiting nonchalantly to be captured. Once again the patronizing condescension to give an interview, to make a world-shattering statement; quoth he, in his best second-act manner: "I cannot imagine what you Americans want with an old man of 67 years. I wish the war was over." Well, the war is over for millions and millions of men, women, and children all over the world because this war criminal, Von Papen, was not punished for his guilty deeds of the last world war, a quarter of a century ago; because this war criminal, von Papen, was permitted to go scot free, pampered, honored, and fawned upon, to perpetrate his foul deeds upon another generation of American boys, upon all people everywhere. As to this evil old man, to paraphrase from the immortal MacBeth, all the perfume of Arabia will not sweeten his unclean hands.

The United Nations War Crimes Commission has not revealed how it classifies him; but on the minds and hearts of all mankind that is decent, indelibly engraved is the name "Von Papen" with the ignoble title "War Criminal." Like his erstwhile Fuehrer, whose foul genius spawned his ilk, the name of "Von Papen" must be written high upon the list of war criminals. Forever the name "Von Papen" will connote to honest men the personification of hypocrisy. "Von Papen" is a synonym for jackal—sneak—liar—deceiver. The world shrinks from the words "Von Papen" as it has since Biblical times from the words "leper—unclean." From Cairo, Egypt, last week came the incredible story of this charlatan's most recent assignment from the devil. The New York Times reports that:

With Franz von Papen's capture last week in Germany authentic details came to light here of his plans, dating back more than 2 years, to communicate with the Allies to negotiate a compromise peace so he might head postwar Germany.

Parts of the story were known in Istanbul last year, but other parts were supplied by German agents who came over to the Allies' camp last spring. They had not been published.

Briefly Von Papen, a former German chancellor, hoped to arrange a peace that would leave Germany's "new order" in France, Poland, and the Balkans. He was empowered to try to negotiate this on behalf of the Nazis, but those in close touch with him knew that he pictured himself as the only prominent German acceptable to the Allies as head of postwar Germany. The Gestapo also knew that and fought his scheme, but with the skill that had saved him repeatedly in a long and unsavory career, Von Papen seemingly cleared himself of suspicion with Adolf Hitler.

Von Papen's plans seemingly were based on a profound misunderstanding of America's wartime mentality and his misinformation on American internal affairs. He counted on the Republicans gaining control and said that it would be easy to negotiate a separate peace with America because of what he considered Republican isolationist tendencies. With America out of the war, he figured that Britain would have to make peace.

Von Papen's right-hand man in his scheme was Paul Levehkuhn, former chief of German espionage in Turkey, who was recalled in disgrace. With him, Von Papen wanted to run his own political intelligence service, but the Gestapo insisted on reports going through them, so Von Papen, then Ambassador to Turkey, could not color intelligence to suit his ends.

In June 1943, Von Papen succeeded in establishing contact with an officer named Varlimont, whose official title was counter-espionage liaison officer at Hitler's headquarters. He obtained permission to send his reports directly to Hitler's headquarters and proceeded to send material tending to show that his plan was feasible.

While working directly with Hitler's personal staff, Von Papen also set out to whitewash himself with the German Catholics. There were several Austrian Catholics among the German operatives in Turkey and he took pains to persuade them and other German Catholics that he had really worked for an Austro-German union in the hope that it would increase the Catholic element within the Reich and so help toward Hitler's downfall.

From the autumn of 1942 Von Papen never believed in a German victory and even said publicly at numerous parties: "A German victory is now impossible but so is a German defeat." He held that the worst that could happen was a compromise peace because, he professed, Germany could hold out until the Allies were sick of war. This line was effective with Turkish leaders.

As part of his campaign, Von Papen privately urged other leading Germans to adopt a policy of mildness and even appeasement in occupied territory. He claimed credit for the appointment of Hermann Neubacher, Nazi former Major of Vienna, as Hitler's special Ambassador to the Balkans. The benefit to the peoples of the Balkans, however, was imperceptible.

Von Papen then began cautiously to approach Americans through various intermediaries.

When he returned to Turkey from Germany last summer, Von Papen brought permission to sound out Americans, though he was not empowered to negotiate. This was learned from more than one reliable source.

His plan failed because nobody was willing to play his game. Tentative efforts to establish indirect and well-concealed contact with Americans met only the reply that if the Germans wanted to end the war they had to surender unconditionally. He was still trying when Turkey broke relations with Germany.

If he had wanted to, Franz von Papen probably could have eluded us for a while longer, but apparently he decided that he might just as well let himself be taken now.

But Papen, though he may thus try to belittle his own importance and give the impression that he is a peace-loving man, must realize that in American and Allied eyes his name is identified with some of Germany's darkest intrigues over a long span of years. In the First World War, while we were still neutral and before President Wilson had him recalled, his job here was to organize sabotage against America. Then, after the armistice, he began playing a shrewd political game inside the Reich, becoming chancellor in 1932 just before Hitler took over. Though he once criticized some of their more extreme policies, he accommodated himself swiftly to the Nazis, serving them as vice-chancellor until the Fuehrer named him special minister to Austria, in which role he paved the way for the end of Austrian independence.

In fact in all of Germany's political aggressions, Papen has been one of the chief agents of the Nazi hierarchy, his most recent assignment—which happily ended in failure—being to woo the Turks into Hitler's orbit. He may wish for peace now, but in no small measure, with his celebrated talent for conspiracy, he helped the forces that were intent upon leading the Reich into a war of ruthless conquest.

That the ideology and the practices of this evil old man amount to a disease is further indicated when the Washington Star refers to Von Papen as a "typhus carrier," and in last night's edition further stated:

If Franz von Papen's record is any guide, it was not mere chance that found him in the Ruhr coincident with the arrival of American troops. He had had more than sufficient time to escape and join forces with Hitler and Himmler and Goebbels and the rest. It can reasonably be deduced from the relief Papen manifested when he was captured that he did not choose to escape, no doubt reckoning that, being taken prisoner by Americans, a soft-hearted people who quickly forget, he would be able to save his precious skin.

Yet by any sane standards, Papen belongs very high on the list of war criminals. To be sure, there is no evidence that, with his own aristocratic hands, he never murdered anyone. It is possible that he would have shrunk from so messy a job. But he never hesitated to help in the murder of nations. He played a vital role in the events leading up to the elevation of Hitler to the German chancellorship. He was the agent of Austria's destruction. For this achievement he was made a Nazi by Hitler, whom, whatever his personal feelings, he loyally and faithfully served. A man completely bereft of conscience, decency, and moral courage, he was one of the carriers of the plague of nazism through Europe.

Papen is one of the first important Nazi rodents to leave Hitler's sinking ship. He is not the only one. The growing band of the prisoners we have been taking east of the Rhine includes others who, less important than Papen, conveniently managed to be on hand when the American troops arrived, preferring capture by us to capture by the Russians. They will do everything in their power to make us believe that they were really anti-Nazi at heart, out of sympathy with Hitler's course, and wishing, with Papen, that the war were over.

Neither has the skeptical mind overlooked the rapidly increasing bag of German elder statesmen and generals reported by our armies advancing on Berlin. If he tried very hard, Von Papen might have managed to catch a plane for Berlin or Munich before the Americans got him; and so with the aged Mackensen and lesser Nazi dignitaries. The suspicion is not too farfetched that Von Papen preferred to take his chances as an Allied prisoner than as a Nazi last-ditcher. But beyond that it is not inconceivable that Von Papen and the other men were left behind by the Nazi tacticians for the purpose of being captured. The idea would be to have them operate behind the Allied lines in their own particular field.

It has been announced that Von Papen is now in custody in a little French village, "enjoying walks in the garden of a country house." I would like to see him brought back to America at once for punishment on the scene of his earlier crimes were it not for the fact that there are in this country already deluded individuals and groups urging compromise, soft peace, and a just treatment of these war criminals. I, too, am for just treatment of Von Papen and the other war criminals. But first I demand justice for the peoples and the nations of the earth irreparably injured by this criminal conduct. Let these poor people first have justice, and if there is any left—then let Von Papen and Germany have the crumbs. The herrenvolk, the werewolves, and the leaders of the master race must go to the end of the line when justice is being dispensed. Let us remove from the eyes of the goddess of justice the bandage that has made her blind in the treatment thus far given to Von Papen and his kind.

The ghastly farce has ended; the curtain is about to be rung down on as shabby a character as this century has produced.

Horrible and unspeakable are the crimes committed by the armed forces of the Nazi enemy. Atrocities so inhuman have recently come to the view of our troops in Germany that the savage heart of the animal world would be affrighted. The perpetrators will be searched out to the ends of the earth and punished—so said President Truman in his first message to Congress, and so say we all.

But in the hue and cry for these low criminals, let us not forget the high criminals—the man behind the man who did the murder, the rape, the arson, the pillage, and the looting. The arch criminal, the leaders, the so-called great minds who schemed, and plotted, and planned an all-out war, a total war, a new kind of war that corroded and ate out and destroyed the will, the mind, and the soul—the creators of the economic, political, industrial, commercial, religious, cultural, racial, biological war. The fiends from hell whose sanctimonious cant would make God of the Omnipotent State—these followers of the anti-Christ, who embrace a Gotterdamerung with a warped and perverted mind that has made all virtue a vice and all vice a virtue.

Mr. Speaker, I take for granted that the United Nations War Crimes Commission has long since placed high on the list of war criminals the loathsome name of Franz von Papen. But out of an abundance of caution, I now charge him with high crimes against God, humanity, and society. I indict him as a war criminal in the classic meaning of the term, and demand as a Member of this House, that he be classified as a war criminal and treated as such. If the United Nations War Crimes Commission requires a formal presentation of charges in order to accomplish this purpose, here, Mr. Speaker, I submit are the charges.

I say as a voice for the countless dead by his hand, as an advocate of the legion of suffering through his misdeeds as spokesman for the hosts unborn who must be free of his infamy—Franz von Papen—this evil old man—must answer to history as a war criminal.

EXTENSION OF REMARKS

Mr. McGREGOR asked and was given leave to extend his remarks and include therein an essay written by one of his constituents.

The SPEAKER. Under a previous order of the House, the gentleman from Indiana [Mr. LUDLOW] is recognized for 15 minutes.

SECRETARY STETTINIUS IS ASKED TO APPOINT ADVISORY COUNCIL OF AMERICAN RELIGIOUS LEADERS TO AID IN PEACE SETTLEMENT—HIS ENCOURAGING RESPONSE

Mr. LUDLOW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include a letter I have written to the Secretary of State, and his reply, and to include extracts from a number of letters from religious leaders.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. LUDLOW. Mr. Speaker, with the end of the war in Europe near, our country is approaching the biggest job in the history of mankind—the reconstruction of the world out of the ruins of the present conflict.

America has taken a leading and deciding role in fighting to a successful conclusion the war against the forces of tyranny and repression. America must now take a leading role in rebuilding the world on permanent foundations of universal justice.

America's responsibility will not be lessened but will be augmented by the cessation of hostilities. How can we ever account to our people who have poured out the treasures of their sweat and toil and suffered the agonies of a million casualties unless those who speak and act for us follow through by taking the lead in building a better world?

We are now face to face with a tragic interim in history. The fate of human beings for all time to come will have to be decided. The first episode—the episode of war—is coming to an end and we are up against the second and final episode—the espisode of peace. What kind of a peace will it be? We are assured a future of limitless promise for the human race if we have a peace of justice, fashioned as nearly as is humanly possible on the divine pattern of the fatherhood of God and the brotherhood of man. If, on the other hand, we have a peace contaminated by power politics and dictated by a yearn to grab territory and wreak vengeance born of age-old animosities all of the fond hopes of mankind for a warless future will turn out to be dead ashes. The word "peace" applied to such a settlement would be a shocking misnomer. It would not be a peace setlement but merely a pause in the turmoil of conflict and the clanking of arms for the sowing of the seeds of future wars and the intensifying of woes and miseries from which poor suffering humanity is pathetically seeking to escape.

After all of the suffering and travail the world has gone through no peace will be acceptable except a peace of the ages, and, in my opinion, there can be no peace of the ages that is not founded on principles of religious faith.

Because America has done so much to win the war, there is a responsibility resting on the religious people of America to exert their influence toward winning the peace, and as a step in that direction I have suggested to Secretary of State Stettinius that he appoint a religious advisory council to advise him in respect to the momentous problems of peace—one member to represent the Protestants, one member the Catholics, and the third member to represent the Jewish people of America—this council to be composed of eminent religious leaders who could speak in one voice—Protestant, Catholic, and Jew—for moral ethics and Christian Judaic spiritual principles in the making of peace. Mr. Stettinius has replied that he thinks my suggestion for a religious advisory council is one which deserves study and that he is asking that appropriate consideration be given to it in his Department.

I hope that Secretary Stettinius will adopt the suggestion and will appoint this religious advisory council. I believe it would strengthen his arm in dealing at the peace table with the very practical master politicians and diplomats whose first consideration will be the fleshpots of national interests as against the broader world interests. I believe also that it would be effective in keeping the Secretary of State acquainted with the aims and aspirations of the religious people of America and the entire world as the train of events brings up for consideration varying problems of epochal significance. All of the great religious groups of America have issued statements on peace which are fine and commendable, but, unfortunately, such statements are not self-executing. The religious advisory council which I propose would assist in executing them and would make them living, vital instruments in helping to shape the peace policy on the foundations of a new and better permanent world order.

George Washington set us an example when he stepped aside from his ragged and bleeding men at Valley Forge to kneel in the snow and pray to Almighty God for divine aid in the righteous cause of the revolutionists.

The crisis that faced the revolutionists at Valley Forge has its counterpart now on a cosmic scale in the crisis that is to decide the future of the human race and the act of Washington in kneeling to pray in the snow is a precedent, I think, justifying our Secretary of State, as he approaches the tremendous problems of peace, in asking the advice and counsel of religious leaders who humbly seek to live with God and interpret the plans and purposes of the Father of us all in respect to human relations.

I present for printing in the RECORD a letter I wrote to Secretary Stettinius and his reply and extracts of letters I have received from many eminent persons in regard to the proposal for the

creation of a religious advisory council to aid in the peace settlement, as follows:

APRIL 9, 1945.

Hon. EDWARD R. STETTINIUS, Jr.,
Secretary of State, Washington, D. C.

DEAR MR. SECRETARY: With your permission I would like to present a plain statement of views of mine which I hope will have some helpful pertinency in connection with the gigantic tasks you are facing in connection with the peace settlement.

We may as well talk plainly and realistically. You will be dealing with men who will be controlled largely by the nationalistic spirit of getting all they can for their countries. You will be dealing with men who know what they want and who are proficient in getting it. These men will be content to concede to America a monopoly of altruism while they go after the fleshpots.

Another fact is that if the peace settlement is based on grab, it will be no settlement at all, but will merely be sowing the seeds of another world war. If there is such a settlement, we may as well prepare right away for another orgy of blood.

The American people are not going to tolerate any such settlement. America entered the war for no other purpose than to help to make a better world. Our people are not going to see that purpose defeated. They are going to demand a firm and lasting peace settlement based on justice and square-dealing among nations. They are making known in no uncertain tones that they have not poured out their agony and tears and suffered the poignant pain of a million casualties of their flesh and blood in order that some powers may grab some territory or wreck revenge born of ancient hates. Bled white by debt which their children's grandchildren can never pay, seeing day by day the names of their precious sons on the long lists of dead and wounded, the people of America have carried a heavy cross during the last 4 years and they want that cross to stand for the resurrection of the hopes of mankind for a better world and not for the everlasting doom of mankind in a third world war that would destroy everything. They are determined—unalterably determined—that their sons and grandsons shall not have to go out and fight another war. They want no territory, no reparations. The only thing they want is a fair deal for all nations, big and small, and the permanent peace that goes with it.

So a crooked peace settlement is out, as far as the sentiment of America is concerned. I think I speak what is in the universal mind when I say that we have the utmost faith in you, and we are depending on you to keep the settlement straight. But you, sir, as capable and well intentioned as you are, will need all of the moral and spiritual support you can get.

In my opinion, and in the opinion of many of the outstanding religious leaders of America, there is a potential source of this kind of support in the creation of a religious advisory council to speak in one voice for Protestant, Catholic, and Jew for moral ethics and spiritual principles in the making of peace. As one who professes to be a Christian, I have no hesitancy in saying that the more we get the principles of Christianity injected into the peace settlement the better the settlement will be, and by that I mean respect for God and His commandments, respect for the rights of others, respect for the sacredness of human relations.

I am writing to suggest that you appoint, prior to the San Francisco Conference, three advisers, one representing the Protestants, another representing the Catholics, and the third representing the Jewish people of America to assist you by bringing the principles of religion into actual bearing in determining the character of the peace settlement.

I believe the establishment of this system would stabilize your purpose and strengthen your hand in securing the kind of a permanent peace settlement America is yearning for. It would assist you to utilize the mighty power and force of religious influence in effectuating such a settlement. This would be done without embarrassment, either to you or to the organized religious groups, because the function of the council of three would be purely advisory. You need not always take their advice and they need not always approve your actions. There would be no mandatory commitments, but a system of working contact would be established that would keep you apprised of the best religious thought of America as the epochal developments unfold, and that, I think, would be important and effective.

Humbly seeking to be helpful, I have made it my business to sound religious leaders on this proposal, and I have found a tremendously favorable reaction to a speech I made in the House explaining it. So general and favorable is the acceptance of the idea that I have no doubt of its success if adopted.

I feel certain that on a nod from you each of the three great religious groups would suggest an eminent leader to serve on the advisory council or, on the other hand, if you should choose to designate your choice for these advisory positions your selections would be entirely acceptable.

I enclose extracts from some of the large number of letters I have received giving the views of eminent religious and civic leaders in respect to this matter; also a copy of the speech I delivered in the House. I will esteem it a favor if you will give your usual thoughtful consideration to these matters and advise me your conclusions.

With great respect and very best wishes, I remain,

Sincerely yours,

LOUIS LUDLOW.

THE SECRETARY OF STATE,
Washington, April 14, 1945.

The Honorable LOUIS LUDLOW,
House of Representatives.

DEAR REPRESENTATIVE LUDLOW: Thank you for your fine letter of April 9 enclosing extracts from letters regarding the creation of a religious advisory council to aid in the peace settlement and your speech of March 15 on that subject.

I agree with you fully that it is of the greatest importance to keep before us the tenets of Christianity when the peace settlements to follow the war are under consideration. It is equally true with respect to the deliberations which will shortly take place in San Francisco at the United Nations conference for the establishment of an international organization for the maintenance of peace and security.

Your suggestion for the creation of a religious advisory council is one which deserves study, and I am asking that appropriate consideration be given to it in the Department.

We have invited two Jewish, two Protestant and two Catholic organizations to send consultants to the American delegation in San Francisco. This I feel is a constructive step in the direction you have in mind, and I feel certain that their presence at San Francisco will be of great usefulness and benefit to our delegation.

With best wishes,

Sincerely yours,

E. R. STETTINIUS, Jr.

EXTRACTS FROM LETTERS IN REGARD TO THE PROPOSALS TO CREATE A RELIGIOUS ADVISORY COUNCIL TO AID IN THE PEACE SETTLEMENT

From Bishop G. Bromley Oxnam, president of the Federal Council of Churches of Christ in America:

I find myself deeply moved by the proposal contained in your address. It seems to me that it has in it unlimited possibilities for good. While I am not in a position to speak officially until official action is taken, I am of the opinion that the Protestant bodies of the Nation would welcome the proposal. Since the committee would be advisory in nature, it would not, therefore, be required to take responsibility for the actions that were later taken by the State. I mention this because in the realm of practical politics compromise is often essential and represents the greatest possible step in advance at the moment. The step, however, may be much less than the Christian ideal. Christians everywhere realize that we move to the absolute by way of the relative, recognizing, I think, that presently practical steps must be taken but, of necessity, they cannot accept compromises in perpetuity. I mean by that that the Christian ideal must be held aloft to judge present practice and to summon it to higher levels. We seek, therefore, to support all presently practical measures, but all the while seek to move on toward better and more comprehensive measures that will mean a fuller expression of the ideal. I can think of no better way, however, than for such a committee to be at work, speaking out of the Christian and Jewish conscience, which I might better put as the religious conscience, and thus enabling the statesmen who are charged with such heavy responsibilities to know the minds of the religious bodies and the willingness of those great bodies to support those measures that look toward an enduring and just peace. If there is any way I can cooperate as an individual or by which I can influence the great organizations to cooperate, I shall count it an honor to be commanded.

From ELBERT D. THOMAS, United States Senator from Utah:

Your plan might not only contribute to a more sensible peace but it also might contribute to a more common-sense unity among religionists themselves. If peoples, cultures, and nations are to live together properly in this now psychologically united world, they must learn how to appreciate each other. Surely rival religions should take the lead in planning about unity not only through forbearance and toleration but also through appreciation. Religionists should set this example.

Rabbi Israel Chodos, of Indianapolis:

I am in hearty accord with the plan that you suggest. Such a plan, if carefully executed, would help bring to bear upon the knotted problems of our day the light of thousands of years of religious thinking.

From Daniel F. Desmond, bishop of Alexandria:

I have read your speech in Congress of March 15, and I was deeply edified. What you had to say about the interest from all quarters on the influence of religion on our post-war problems was highly important. As you say, however, expressions are not self-executing. Your suggestion as to the implementing of all of these opinions was very practical, and I trust that your voice will be heard and acted upon by the men who guide us during these all-important days.

From Harry F. Kelly, Governor of Michigan:

I believe, with you, that religion can and should be a powerful force for the promotion of international understanding. The ethical principles upon which Christianity and Judaism are founded must provide the basis for a lasting peace among nations.

From Aloisius J. Muench, Bishop of Fargo:

It is a magnificent statement, and certainly also very practical.

From Dwight H. Green, Governor of Illinois:

I appreciate your interesting views on the importance of having the religious forces of America make themselves felt in shaping the peace settlement following the conclusion of the present world war. I believe that we can all agree that the prospects for a permanent peace will be better if those at the peace table carefully consider the views of the religious leaders of all groups.

Rt. Rev. Henry F. Dugan, chancellor of the diocese of Indianapolis:

Please know that I am heartily in accord with your thought and plan. It is heartening to know that men of your type are leaving no stone unturned to hold fast to the traditional religious spirit which was so much in evidence in the first days of our great Nation. It is nonetheless evident now, but perhaps it is well that we speak out boldly, demanding that our present leaders hark back to traditions as a great nation.

From G. Ashton Oldham, Bishop of Albany:

I think the resolution admirable and wish it every success. If there is anything I can do in any way to help, do not hesitate to call on me.

From Sidney P. Osborn, Governor of Arizona:

I agree with you that religious influence should be felt in the shaping of our postwar world organization and commend you for your forthright efforts in this regard.

From ARTHUR CAPPER, United States Senator from Kansas:

I am thoroughly in sympathy with the suggestion you make that a religious advisory council be set up to work in close cooperation with the Conference which will convene in California next month. I have received a great many letters from Kansas urging the designation of Dr. E. Stanley Jones as a member of any such group. Whenever I have passed this suggestion on to the State Department I have consistently received reply to the effect that the Department of State is glad to have my recommendation available for its consideration in the event that a group of this kind is organized. I have not observed any developments in this direction, but want you to know I stand ready and willing to assist you if you feel there is some further definite move we could make with a view to actually establishing an advisory council such as you have described.

From W. W. Peele, resident bishop of Richmond:

This plan commends itself in a very definite way to me. It would furnish the voice for the total religious forces of America and also would provide the machinery for getting action down through the religious bodies, reaching the individual local church. After all, public opinion is still supreme. I trust that your proposed plan may become a reality.

From Rt. Rev. Joseph M. Nelligan, chancellor of the archdiocese of Baltimore:

Archbishop Curley has asked me to let you know that he has seen your letter of the 17th with the speech which you enclosed. On the advice of his physician, the archbishop is not permitted at this time to do a great deal of reading. In general, however, he asks me to say that any effort to bring real religion into the settlement of present world problems would, of course, have his full support. The importance of this cannot be overestimated.

Merle Sidener, president of Christian Men Builders, Indianapolis:

It is a good thing that we have a few idealists like you in Congress. Your outspoken advocacy of religious faith as the solution of many of our social problems is most refreshing. The feature of your speech that impresses me most is your declaration that statements of belief and intent "are not self-executing." Religious forces should exert a positive influence at the peace table and your plan would make that possible. The selfish purposes of power politics can be successfully opposed by the unselfish motives of those who love God and their fellowmen. I hope your suggestion of a religious advisory council will receive favorable consideration by the religious leaders of the country. More power to you.

From Colgate W. Darden, Jr., Governor of Virginia:

I agree with you as to the possibilities of such an organization, if it could provide a unified program. I believe great difficulty will be encountered in having the respective faiths come together on some plan which could be supported by all. One of the stumbling blocks, I fear, will be the extent to which the military establishments of the Nation should be maintained.

Dr. William C. Dennis, president of Earlham College:

An advisory committee representing all the churches with the membership you suggest with Mr. John Foster Dulles added as counsel would be ideal. The papers indicated that he, at least, is to have some function in connection with the San Francisco meeting. Dulles would have the balance and the technical knowledge and practical experience in international matters which the church representatives mentioned, so far as I know them, would not have in so full a degree. A church commission of the type you suggest could also serve usefully in bringing back to the church people the results of the conference which are bound, in my judgment, to be disappointing in many ways, even if we get all we have the right to hope for since many people are, of course, looking for the presently unattainable. If somebody does not look for the unattainable, we shall not get even that which is within our grasp.

Edwin Holt Hughes, bishop of the Methodist Church:

Your speech looks in the good direction. The matter of church or even religious counsel at the peace table is difficult. If there is any way in which another outside group not officially related to the proceedings can be made to function, we ought to be able to help toward a more nearly ideal solution. I am now retired, not from the episcopacy but from official duties. Yet if I can help even in the most modest way, I shall be a happier man.

Cameron J. Davis, bishop of the diocese of western New York:

I am deeply sympathetic with the principle which you express, but I forsee great difficulties in some aspects of the organization which you propose to express the principle. * * * On the other hand, I see no reason why a temporary conference should not be arranged, if requested by the governments to meet at the time of the San Francisco Conference, or as soon thereafter as possible, and to give its opinion in regard to the moral issues involved. * * * I believe such a suggestion, if it emanated from governments, would have the greatest possible weight, but if any one church attempted to organize it, it would meet with opposition. May I say in conclusion how much I admire and respect you for giving your thought to this matter and for making your public statement.

Bishop Edwin F. Lee, Director of the General Commission on Army and Navy Chaplains:

This address has been noted with very real interest. In my judgment it is worthy of very careful consideration. I think it would be possible for us to have an expression of judgment of representatives of the church so expressed that it would not represent an interference of the church in matters of state. This is a position which I think we can wisely adhere to in American life.

Katharine F. Lenroot, Chief of the Children's Bureau, Department of Labor:

If the advisory council is to be entirely a voluntary and privately supported organization I should think it could perform a splendid service and I am delighted that you have made the suggestion.

Edward D. Howard, archbishop of Portland in Oregon:

Your proposal is, it seems to me, an impressive step toward translating into action what the different religious bodies in this country have expressed individually or jointly as moral and spiritual contribution toward the establishment of a just and lasting peace.

Rabbi Morris M. Feuerlicht, of Indianapolis:

The objective of your proposal is unquestionably excellent and most commendable, if only for its moral reaction and effect upon the religious forces of America and those throughout the world, based upon the common Judeo-Christian tradition. It would, I believe, forcibly tend to remind and bind the infinitely varied forms which that tradition has assumed into a firmer basic unity in the direction of realizing their common goal of the fatherhood of God and the brotherhood of man.

Ransome J. Williams, Governor of South Carolina:

I agree with you that the settlement of the world's difficulties should be made on the idea of Christian brotherhood, and unless this is done we shall fail in the task.

Bishop Ralph S. Cushman, of St. Paul:

I think such a thing is much needed. The congressional leaders need to be in closer touch with the official leaders of religion in America and it is just as true that official religion needs to be nearer to congressional opinion. Your problem is how to set up such an organization and maintain its unofficial character. The principle of the separation of church and State is fortunately deeply rooted in America and you will have to allay any suspicions that there is an attempt to break down these traditions.

Dr. Carleton W. Atwater, pastor of the First Baptist Church, of Indianapolis:

I am quite in sympathy with such a movement. Inasmuch as our church and Northern Baptist Convention is cooperating with the Federal Council of Churches of Christ in America, I am sure that we would be willing to share in the responsibility of such a movement. I was talking to Dr. E. Stanley Jones today about your proposal. He is very much interested in it.

J. H. Davis, Governor of Louisiana:

I have read your speech with much interest and am in full accord with the views expressed by you concerning this most important matter.

H. B. Holloway, executive secretary of the United Christian Missionary Society:

It seems to me this proposal not only has great merit but is timely. Certainly no peace can be long enduring which is not permeated with religious principles.

Archbishop Joseph E. Ritter, of Indianapolis:

You are to be commended on your efforts to obtain a good and just peace.

Will H. Hays, president of the Motion Picture Producers and Distributors of America:

It is indeed an eternal truth that consciousness of the fatherhood of God must permeate any ideal for the brotherhood of man.

Dr. Alexander E. Sharp, executive secretary of the Presbyterian Church, synod of Indiana:

I suppose it would be expected that my reaction to your proposal for the establishment of an advisory religious council in Washington would be one of high appreciation, and it is. This would be a natural response to any recognition that might be given to the forces of religion in America by one as much interested in the church as I. But I want to emphasize that my appreciation of your stand is based upon a far deeper consideration than an immediate impulse to cheer some possible recognition of religious forces in America. I know, as all thinking men must know, and as you so ably state, that any hope for a permanent peace rests upon the religious principles constantly espoused by the great religions of mankind in the fatherhood of God and the brotherhood of man. No amount of political machinery or maneuvering without this spiritual undergirding can possibly produce the lasting success which we all covet for peace planning which is being undertaken.

Rev. Edward L. Day, executive secretary of the Christian Church Union of Indianapolis:

I assure you that those whom I represent, as well as myself, are with you in your efforts to bring the motivating power of Christianity t bear on the making of a just and righteous peace.

Dr. M. O. Ross, president of Butler University:

May I take this opportunity to congratulate you upon your proposal to establish a joint religious advisory council to speak in one voice for the major religious groups in the country. I agree with you that unless such a peace is established upon the principles of human cooperation laid down by Christ and other great religious leaders it will fail. I hope that adequate publicity is being given to your proposed program.

Mrs. Evelyn Riley Nicholson, Mount Vernon, Iowa:

I regret to tell you that my husband, Bishop Thomas Nicholson, has passed to his reward. I am much interested in your plan to make the religious forces of America vocal and influential in helping to shape the peace settlement. Of course I believe, as you do, that this is a vital and critical time and that the religious influence must be felt in ordering the future of the world.

James A. Griffin, bishop of Springfiield in Illinois:

I heartily concur in your plan for the creation of a religious advisory council to sit in on the peace program and represent the religious forces of America. There is much hatred rampant today and we are forgetting that whatever the peace terms are, they should be built on justice and tempered with mercy, and should also concern themselves with safeguarding the future. The Christian Gospel should be our guide and if we follow the spirit as well as the letter of the Christian Gospel and code we will not bring forth a misfit such as happened at Versailles in 1919. Congratulations on your great interest, and I pray that your plan will be accorded the serious consideration which it deserves. Count me in as a supporter.

Joseph Schrembs, archbishop of Cleveland:

I have read with interest your statement made in the House of Congress presenting a plan for the creation of a religious advisory council, and I congratulate you on your recognition that the permanency of world peace is dependent upon the recognition of the sovereignty of God and the brotherhood of man. * * * I believe that we should pray earnestly that God may guide our leaders in making a just peace.

Horace Hildreth, Governor of Maine:

I am of the opinion that any program which will coordinate the thinking and action of the religious bodies of this country for purposes of maintaining peace throughout the world is commendable. It should, of course, receive the support of our serious-thinking people.

These are examples of a great number of expressions I have received from persons prominent in religious and official circles. Along with them has come a deluge of expressions of commendation and approval from persons in the common walks of life who are hoping and praying for a lasting peace based on justice.

Mr. REES of Kansas. Mr. Speaker, will the gentleman yield?

Mr. LUDLOW. I yield with pleasure.

Mr. REES of Kansas. Mr. Speaker, may I say I am very much impressed by the splendid statement of the gentleman from Indiana. I am certainly in accord with his views that the organization he has described, the religious advisory council, ought to be established and be made effective because I do really believe that this organization could do a great deal in bringing about a just peace in this world.

Mr. LUDLOW. I thank the gentleman very sincerely for his remarks and appreciate it very much as part of my speech.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 15 minutes.

PUNISHMENT OF WAR CRIMINALS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rise to remind the House that we so soon forget. In the early thirties, in the days when Hitler was persecuting minorities, I rose in the House and made protests against the persecution of those minorities. I was somewhat criticized at the time, Mr. Speaker, and someone said to me the reports of persecutions may be propaganda. I knew it was not propaganda, and I felt, Mr. Speaker, that the acts of Hitler at that time were the acts of a barbarian and the acts of a diseased mind. I felt, Mr. Speaker, that apart from the inhumanity of his acts that they would have very far-reaching repercussions. I begged the House and the country, Mr. Speaker, for us to take measures for a stronger Army and a stronger Navy. I made a protest against the acts of Japan at that date and at a later date.

I want to remind the House and the country, Mr. Speaker, that in the future we must not forget. For years there were many vicious threats against my life from persons in the United States, and I felt at that time the Hitler propaganda was very far-reaching not only in our own country but all over the world. At the present time this country is becoming more and more outraged by the atrocities of the Nazis against the prisoners in Germany. And General Eisenhower has asked Members of Congress to see with their own eyes those atrocities, and the Speaker already has sent such a committee. Even in the Dark Ages, Mr. Speaker, there was not such wholesale barbarism, such wholesale and unmitigated cruelty. From the families of soldiers all over the United States protests are pouring in against the treatment of prisoners, both military and civilian.

It was said that the people in Germany itself, in the interior, did not want these atrocities to happen, were not willing to have the prisoners treated barbarously, but I find upon looking into the matter that the farther into Germany you go, the nearer the center of Germany you get, the more barbarous, the more inhumane is the treatment of both civilian and military prisoners. On the border of Germany the treatment was not quite so severe. It proves to my mind, Mr. Speaker, that the German people, the civilians, are just as active in these barbarous practices as are the military and the overlords of Hitler.

In our country if a man kills someone, that man is hanged. The people of the United States are asking vengeance today. We cannot work out at this moment the solution or the proper punishment, but I am sure that will come, and I hope quickly. I remind the House that German prisoners in this country have been treated extraordinarily kindly. They are well fed, whereas our men who are prisoners, and the military prisoners of other countries, have been starved and tortured. The problem of whether those German prisoners who are well fed in this country are to go back to Germany or whether they should be taken in charge by the countries the Germans have occupied and have treated so badly; whether they should be made to work to reconstruct those countries, under strict discipline, I do not know the answer. Certainly Germany must never again be allowed to perpetrate the same crimes against civilization. Germany must never again be allowed to follow the same dreadful philosophy and teaching of the Nazi form of government. We look with unspeakable horror upon all that Hitler has taught. I told the House upon my return from the European theater of war of the fanaticism of the German prisoners of war both of the well and the sick German prisoner patients.

I think constantly of countries who receive back undernourished, starved men from prisoner-of-war camps in Germany. Mr. Speaker, certainly our men who are brought back from the prison camps of Germany must receive at once the kindest, the most generous, the most helpful treatment at the hands of our own Government. I introduced, Mr. Speaker, on April 17 H. R. 2920, a bill

which would establish a Department of Veterans' Affairs, for I feel it is the only way that our returned veterans can possibly receive any real measure of justice from our Government. Mr. Speaker, when our soldiers are discharged from hospitals it seems sometimes as if the excitement has died down for them and also for the public. It seems sometimes as if they are forgotten by the fact that their Government does not give them prompt care and prompt attention. There are not so many Red Cross nurses, there are not so many visitors as in the Army and Navy hospitals. I believe that by establishing a Department of Veterans' Affairs, with a Secretary of the Department who shall sit at the Cabinet table, with an Under Secretary for Veterans' Affairs, and five Assistant Secretaries, one of whom shall be known as the Surgeon General, another as the Assistant for Legal Counsel, I believe that with such an organization the veterans will receive more prompt attention than they receive today.

I have recently been making an inspection of hospitals, an inspection of the administration of the veterans' regional offices, district offices, and I find that many of the errors of care and the lack of proper hospital attention, medical nursing, and otherwise, prompt adjudication of compensation and insurance claims, and lack of prompt attention to the benefits under the GI bill of rights are the results of having an organization in Washington with no power. The Veterans' Administration today is only a bureau. We hear a great deal of talk about decentralization and giving more authority to the regional offices of the Veterans' Administration. This will be helpful, but there must be, Mr. Speaker, a strong and powerful office at Washington, with a Secretary to sit at the Cabinet meetings.

Mr. RAMEY. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes; I shall be glad to yield to the gentleman from Ohio, who is so active in the veterans' behalf.

Mr. RAMEY. As a member of the World War Veterans' Committee I visited the same as did the gentlewoman from Massachusetts eight hospitals in the country. I concur in the genelewoman's judgment that where there has been a lack of care it has not been the fault of the managers of the hospitals, for they have been doing the best they can with what they have been able to secure as far as assistance is concerned, but there seems to be some lack of power.

Mrs. ROGERS of Massachusetts. I believe the gentleman also feels that we should have within the Department a permanent medical corps of doctors, nurses, dietitians, physiotherapists attendants and associates that will go on year after year with a chance for promotion on merit, an incentive for the best outside doctors to give medical aid, giving the benefit of their skill. I found in the hospitals some aggravated conditions caused by a shortage of doctors and nurses.

Mr. RAMEY. And of attendants.

Mrs. ROGERS of Massachusetts. I believe the gentleman will also agree with me that there was a shortage of nurses.

Mr. RAMEY. That is correct, a shortage of doctors and nurses, but mostly of attendants.

Mr. RAMEY. I concur with the judgment of the gentlewoman from Massachusetts, that there should be a Cabinet position to take care of the needs of the veterans.

Mrs. ROGERS of Massachusetts. A member of the Cabinet to sit with other members of the Cabinet with the President. General Hines has complained that he could not get the priorities in order to build hospitals and hospital facilities. He could not get this, that, or the other equipment with which to run his Bureau.

Mr. RAMEY. And you cannot ask for a priority when a veteran's life is at stake.

Mrs. ROGERS of Massachusetts. No. There should be some Cabinet member to present the problems to the other Cabinet members and to fight for the veterans' rights. It is appalling that the Department of Agriculture, in the care and the feeding of animals and in the loans and subsidies, should have more persons employed than are employed in the care of disabled veterans.

Mr. RAMEY. And the Veterans' Bureau, of course, will be the outstanding Bureau in this country.

Mrs. ROGERS of Massachusetts. Yes. There is no excuse for not making it strong enough in order to take care properly of the needs of the veterans. Shortly there will be 12,000,000 men and women who may avail themselves of its services, and later there will be 15,000,000, counting dependents. It is the least the Government can do for its service men and women.

Mr. RAMEY. And only real vigilance can be secured by direct authority from the Capitol.

Mrs. ROGERS of Massachusetts. Also, there is no excuse for unnecessary personnel in some of these offices in Washington and throughout the country, unnecessary jobs, when the Veterans' Administration is 14,000 short of complete personnel. Another reason why there should be a Department of Veterans' Affairs is because it will bring up the standard of pay for the personnel in the Veterans' Administration or in the Veterans' Department. I am told that at the present time it has the lowest paid personnel in any of the bureaus or departments.

Mr. RAMEY. The attendants get only $110 a month.

Mrs. ROGERS of Massachusetts. And nurses are under Civil Service and are poorly paid. We must have adequate personnel particularly in spinal-cord cases. There should be one nurse for four cases.

The SPEAKER. The time of the gentlewoman from Massachusetts has expired.

Under previous order of the House, the Chair recognizes the gentleman from Ohio [Mr. RAMEY] for 5 minutes.

Mr. RAMEY. Mr. Speaker, at the beginning of this session of Congress I introduced House Joint Resolution 72, containing a proposed amendment to the Constitution of the United States empowering a majority of both Houses of Congress to validate treaties by a majority vote. The Judiciary Committee has acted favorably on House Joint Resolution 60, a resolution similar to mine. The Rules Committee has granted a rule for the consideration of this measure and I hope the House will have the opportunity to vote on this most important question in the near future.

This is a most fundamental question. It deals with revision of our constitutional machinery for making peace. I am thoroughly convinced that a vast majority of the American people wish this constitutional reform. Since introducing House Joint Resolution 72 I have received many letters expressing approval of the proposed amendment. Organization after organization from one end of this country to the other has adopted resolutions expressing the desire that such an amendment be acted upon at once. It is the obligation of this Congress to present this amendment to the State legislatures so that the people may express themselves on this much-needed change.

The Toledo Bar Association is one of the leading bar associations in the United States. It has furnished some of the outstanding members of the bench and the bar in this country. I mention only the following: The late Charles W. Racine, who was slated to be the president of the American Bar Association; Milo Warner, recently the national commander of the American Legion; and the Honorable Paul W. Alexander, president of the Juvenile Judges Association of America. The Toledo Bar Association, in accordance with its outstanding characteristic of forward-looking action, adopted on March 17 a resolution memorializing Congress on the amendment to give a majority of the national legislature a voice in treaty making. The resolution is as follows:

Whereas the Constitution of the United States now provides that the President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur, although it is possible under the Constitution for a majority of both Houses of Congress to declare war; and

Whereas the magnitude of our responsibility in making the peace is in our opinion as important as that of entering war; and

Whereas it is the consensus of opinion of the Toledo Bar Association that it would be conducive to the promotion of good will and the establishment of permanent peace if article 2, section 2, of the United States Constitution were amended so that it would provide that a majority of both Houses of Congress would have the power to make treaties; and

Whereas House Joint Resolution 72, introduced by the Honorable HOMER A. RAMEY, of the Ninth Congressional District of Ohio, embodies the provisions which would initiate proceedings to amend the United States Constitution as hereinabove indicated: Be it

Resolved, That the Toledo Bar Association, at a regular meeting held in Toledo, Ohio, on March 17, 1945, hereby endorses the provisions of House Joint Resolution 72, introduced by Hon. HOMER A. RAMEY, and urges prompt and favorable action thereon; and be it further

Resolved, That a copy of this resolution be forwarded promptly to the Honorable HOMER

A. RAMEY, House of Representatives, Washington, D. C.; Hon. ROBERT A. TAFT, Senate, Washington, D. C.; Hon. HAROLD H. BURTON, Senate, Washington, D. C.; and Hon. Edward L. Stettinius, Secretary of State, Washington, D. C.

THE TOLEDO BAR ASSOCIATION,
By LOUIS R. YOUNG, *Secretary*.
Dated at Toledo, Ohio, March 17, 1945.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. RYTER (at the request of Mr. KOPPLEMANN), for 10 days, on account of illness in his family.

To Mr. THOMASON, for 2 weeks, on account of having gone overseas on important official business.

To Mr. POWELL, Jr., for an indefinite period, on account of the death of his mother.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 906. An act granting a franking privilege to Anna Eleanor Roosevelt; to the Committee on the Post Office and Post Roads.

ENROLLED BILLS SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; and

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 105. An act to extend the life of the Smaller War Plants Corporation.

ADJOURNMENT

Mr. FLOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 59 minutes p. m.), the House adjourned until tomorrow, Tuesday, April 24, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

There will be a meeting of the Committee on Immigration and Naturalization at 10:30 o'clock a. m. on Tuesday, April 24, 1945.

COMMITTEE ON RIVERS AND HARBORS

The Beach Erosion Subcommittee of the Committee on Rivers and Harbors will hold a public hearing on H. R. 2032 and H. R. 2033, Tuesday, April 24, 1945, at 10: 30 a. m.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will meet in executive session at 10:30 a. m., on Thursday, April 26, 1945, in the committee room, 356 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

406. A letter from the Secretary of Agriculture, transmitting quarterly estimates of personnel requirements for each of the Department's reporting units for the quarter ending March 31, 1945; to the Committee on the Civil Service.

407. A communication from the President of the United States, transmitting for the consideration of the Congress proposed provisions pertaining to estimates for the fiscal year 1946 for the Federal Security Agency in the form of amendments to the Budget for said fiscal year (H. Doc. No. 152), to the Committee on Appropriations and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 2585. A bill to amend the District of Columbia Code; without amendment (Rept. No. 434). Referred to the House Calendar.

Mr. RANDOLPH: Committee on the District of Columbia. H. R. 2839. A bill to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia; without amendment (Rept. No. 435). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. IRVIN:

H. R. 2980. A bill to create and establish a Foreign Service Institution; to the Committee on Foreign Affairs.

By Mr. BARRETT, of Wyoming:

H. R. 2981. A bill to authorize the construction of certain Federal reclamation works in the upper basin of the Colorado River; to the Committee on Irrigation and Reclamation.

By Mr. CANNON of Florida:

H. R. 2982. A bill to provide fair and just compensation for the use of certain hotels and apartment buildings by the United States; to the Committee on Military Affairs.

By Mr. CELLER:

H. R. 2983. A bill to amend section 3540 of the Revenue Act of 1941, entitled "Use of Motor Vehicle Tax"; to the Committee on Ways and Means.

H. R. 2984. A bill to permit officers of the Army and Navy, commissioned since December 7, 1941, to continue to hold their public offices while on active duty during the war; to the Committee on Military Affairs.

H. R. 2985. A bill to repeal section 1505 of the Servicemen's Readjustment Act of 1944; to the Committee on World War Veterans' Legislation.

By Mr. FLOOD:

H. R. 2986. A bill to change the name of the National Naval Medical Center at Bethesda, Md.; to the Committee on Naval Affairs.

By Mr. GEARHART:

H. R. 2987. A bill to provide for a service credit for veterans for the purposes of title II of the Social Security Act; to the Committee on Ways and Means.

By Mr. HOOK:

H. R. 2988. A bill to amend section 24 of the Immigration Act of February 5, 1917; to the Committee on Immigration and Naturalization.

By Mr. HUBER:

H. R. 2989. A bill to facilitate transfer of veterans being discharged from the armed forces, and who are in need of treatment, to the Veterans' Administration facility nearest their home; to the Committee on World War Veterans' Legislation.

By Mr. GATHINGS:

H. R. 2990. A bill to provide certain individuals desiring to visit relatives remaining in the land and naval forces after the present war with transportation at cost; to the Committee on Military Affairs.

By Mr. McGREGOR:

H. R. 2991. A bill to furnish enlisted personnel with transportation to their homes and with 30-day leave immediately prior to their honorable discharge from the armed forces; to the Committee on Military Affairs.

By Mr. MAY:

H. R. 2992. A bill to extend the provisions of the act of July 11, 1941 (Public Law 163, 77th Cong.); to the Committee on Military Affairs.

By Mr. PHILLIPS:

H. R. 2993. A bill granting to the Imperial irrigation district certain lands of the United States in the counties of Imperial, Riverside, and San Diego, in the State of California; to the Committee on Irrigation and Reclamation.

By Mr. RANDOLPH:

H. R. 2994. A bill to provide for the reconversion of small industries to civilian production, to expedite the reentry into business of small businessmen whose businesses have been curtailed or closed because of war emergencies, to aid men and women of our armed forces and others who desire to enter into business on their own after the war, and to encourage the free flow of American capital into small- and intermediate-sized enterprises, by the establishment of a permanent Small Business Finance Corporation within the Federal Reserve System to assist financing institutions in making short- and long-term credit available to small- and intermediate-sized enterprises; to the Committee on Banking and Currency.

By Mr. RANDOLPH (by request):

H. R. 2995. A bill to amend an act entitled "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," approved June 19, 1878, as amended; to the Committee on the District of Columbia.

By Mr. SIKES:

H. R. 2996. A bill to include in national service life insurance policies certain benefits contained in United States Government life insurance policies; to the Committee on World War Veterans' Legislation.

By Mr. SHORT:

H. R. 2997. A bill to provide that the memorial stadium to be erected in the District of Columbia shall be known as the Ernest Taylor Pyle Stadium; to the Committee on the District of Columbia.

By Mr. HAGEN:

H. R. 2998. A bill to amend the Servicemen's Dependents Allowance Act of 1942 to provide that enlisted men make increased contributions to the support of certain of their children; to the Committee on Military Affairs.

By Mr. HARLESS of Arizona:

H. R. 2999. A bill to provide retirement pay for certain members of the armed forces; to the Committee on Military Affairs.

By Mr. SPENCE:

H. R. 3000. A bill to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes; to the Committee on Banking and Currency.

By Mr. HAGEN:

H. R. 3001. A bill to provide that the tax upon the use of motor vehicles shall not be applicable after July 1, 1945; to the Committee on Ways and Means.

By Mr. LESINSKI:

H. R. 3002. A bill to authorize the appropriation of funds to assist the States in more adequately financing education and in removing substandard conditions in education, to aid in establishing and maintaining education services, to eradicate illiteracy, to preserve and promote the national security in peace and in war, to raise the educational level of the Nation, and to promote the general welfare; to the Committee on Education.

By Mr. BROOKS:

H. J. Res. 161. Joint resolution to create a War Atrocities Commission to obtain, publish, and preserve a record of atrocities of the Axis Powers; to the Committee on Foreign Affairs.

By Mr. COLE of New York:

H. J. Res. 162. Joint resolution providing for the acquisition of exclusive ownership of the photograph depicting raising the American flag on Mount Suribachi, Iwo Jima; to the Committee on Naval Affairs.

By Mr. FLOOD:

H. J. Res. 163. Joint resolution creating a commission to investigate all facts relating to atrocities and abuses of civilians and military personnel in enemy camps, concentration camps, slave-labor centers, and places of a like nature, and of all war criminals and war crimes, and to report to the United Nations War Crimes Commission and to the San Francisco Conference; to the Committee on Foreign Affairs.

By Mr. GRANT of Indiana:

H. J. Res. 164. Joint resolution authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to Ernie Pyle; to the Committee on Military Affairs.

By Mr. JOHNSON of Indiana:

H. J. Res. 165. Joint resolution authorizing the President to award posthumously in the name of Congress a medal of honor to the late Ernie Pyle; to the Committee on Military Affairs.

By Mr. LUDLOW:

H. J. Res. 166. Joint resolution authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to Ernie Pyle; to the Committee on Military Affairs.

By Mr. SPRINGER:

H. J. Res. 167. Joint resolution authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to Ernie Pyle; to the Committee on Military Affairs.

By Mr. VOORHIS of California:

H. J. Res. 168. Joint resolution designating the birthday of Franklin Delano Roosevelt as a legal holiday; to the Committee on the Judiciary.

H. J. Res. 169. Joint resolution to designate payments to disabled veterans as partial repayment of debt owed and not as gratuities; to the Committee on World War Veterans' Legislation.

By Mr. GILLIE:

H. J. Res. 170. Joint resolution authorizing the President of the United States to award posthumously in the name of Congress a medal of honor to Ernie Pyle; to the Committee on Military Affairs.

By Mr. LEMKE:

H. J. Res. 171. Joint resolution relating to acquiring and disposing of public and governmental lands, and providing that the Government, and the various departments and agencies of the Government, be bound by the promises and representations of its local agents in the acquiring and disposition of public and government lands; to the Committee on the Public Lands.

By Mr. GOSSETT:

H. Con. Res. 46. Concurrent resolution creating a joint committee to make an investigation with respect to war criminals and war crimes and atrocities; to the Committee on Rules.

By Mr. McDONOUGH:

H. Con. Res. 47. Concurrent resolution expressing the sense of Congress that members of the United States delegation at all future peace conferences advocate and urge the adoption of freedom of religion, freedom of speech and of the press by the delegates from all nations assembled; to the Committee on Foreign Affairs.

By Mr. BENNET of New York:

H. Res. 225. Resolution requesting that immediate action be taken to impress the German people with their responsibility for war crimes; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to establish a regional office under the United States Veterans' Administration in the Territory of Hawaii; to the Committee on World War Veterans' Legislation.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to enact legislation to include under the provisions of the Social Security Act individual employers of employees covered by said act; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States to enact legislation to prevent counties, cities, or other subdivisions of any State from imposing income, wage, or other similar taxes upon nonresidents of such State; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Michigan memorializing the President and the Congress of the United States to take such action as may be necessary to direct and require the Office of Price Administration to take butter off the ration list, in recognition of the true situation with respect to the dairy industry; to the Committee on Banking and Currency.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of New Mexico:

H. R. 3003. A bill for the relief of Mary G. Paul; to the Committee on Claims.

By Mr. BARRY:

H. R. 3004. A bill for the relief of Lawrence Amodio; to the Committee on Claims.

By Mr. BATES of Massachusetts:

H. R. 3005. A bill for the relief of Harold Paikin; to the Committee on Immigration and Naturalization.

By Mr. BOYKIN:

H. R. 3006. A bill for the relief of the Elmira Area Soaring Corporation; to the Committee on Claims.

By Mr. BROWN of Georgia:

H. R. 3007. A bill for the relief of Russell F. Taylor; to the Committee on Claims.

By Mr. CARNAHAN:

H. R. 3008. A bill for the relief of Don Hicks; to the Committee on Claims.

By Mr. FLOOD:

H. R. 3009. A bill for the relief of Paul V. Eisner; to the Committee on Immigration and Naturalization.

By Mr. HINSHAW:

H. R. 3010. A bill for the relief of Mrs. Marie Edens Nast, Mrs. Bessie Amann, and George R. Townsend; to the Committee on Claims.

By Mr. LANDIS:

H. R. 3011. A bill for the relief of John Hames; to the Committee on Claims.

By Mr. LARCADE:

H. R. 3012. A bill for the relief of George W. Murrell and Kirby Murrell, a minor; to the Committee on Claims.

By Mr. LEMKE:

H. R. 3013. A bill for the relief of Harry J. Monroe; to the Committee on Military Affairs.

By Mr. McDONOUGH:

H. R. 3014. A bill for the relief of Stanley S. Kutkowsky; to the Committee on Pensions.

By Mr. McGEHEE:

H. R. 3015. A bill to reimburse certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire in a Quonset hut at Harrowbeer Airport, Yelverton, South Devon, England, on December 28, 1944; to the Committee on Claims.

H. R. 3016. A bill for the relief of Howard W. Nixon; to the Committee on Claims.

H. R. 3017. A bill for the relief of the Mayor and Board of Aldermen of the Town of Centreville, Wilkinson County, Miss.; to the Committee on Claims.

By Mr. McMILLAN:

H. R. 3018. A bill for the relief of R. Fred Baker and Crystal R. Stribling; to the Committee on Claims.

H. R. 3019. A bill for the relief of Jordan Truck Lines; to the Committee on Claims.

H. R. 3020. A bill for the relief of Mrs. Carrie M. Lee; to the Committee on Claims.

By Mr. PRICE of Illinois:

H. R. 3021. A bill for the relief of Mr. and Mrs. J. F. Brokaw, Mr. and Mrs. Earl Gunther, and James G. Cooney; to the Committee on Claims.

By Mr. RANDOLPH:

H. R. 3022. A bill granting a pension to Clara V. Crossland; to the Committee on Pensions.

By Mr. SHORT:

H. R. 3023. A bill for the relief of Walter Weston Pierce; to the Committee on Naval Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

416. By Mr. ANDERSON of New Mexico: Petition of the Seventeenth Legislature of New Mexico, memorializing and requesting the Congress of the United States of America to enact a law granting 10,000,000 acres of land from the public lands of the United States of America, situated in the State of New Mexico, in trust to the said State of New Mexico, under the same restrictions and limitations as previous grants under provisions of the act of June 20, 1910 (36 Stat. 557) and for the benefit of the home and training school for mental defectives, etc.; to the Committee on the Public Lands.

417. By Mr. GEELAN: Petition adopted by the Polish Central Council of New Haven, Conn., protesting against the partitioning of Poland by ceding to Russia all territory east of the so-called Curzon line, and the recognition of any government save that of the only legal and constitutional Polish Government-in-Exile in London, and condemning the abandonment of the noble principles of the Atlantic Charter in favor of political spheres of influence which will sow the seeds for future discords and wars in Europe and in the world; said resolution being signed by Richard T. Mokrzynski, president, and Stanislaw Dluzniewski, secretary to the Committee on Foreign Affairs.

418. Also, petition forwarded by Matthew J. Voketeitis, president of the United Lithuanian Organization of New Haven, Conn., and adopted by that organization regarding

the partitioning of Lithuania and that the United States continue to recognize the sovereignty of the Republic of Lithuania; to the Committee on Foreign Affairs.

419. By Mr. HOEVEN: Petition of Rev. Francis Martin Ruland and other citizens of Sioux City, Iowa, in opposition to any representation of organized religion at the peace conference unless representation is open to every denomination and sect, and then only in an advisory capacity, where the interests of constituencies are concerned; to the Committee on Foreign Affairs.

420. Also, petition of Rev. Francis Martin Ruland and other citizens of Sioux City, Iowa, in opposition to the passage of any postwar conscription measure until after the final cessation of present hostilities, and until a thorough formation of a plan has been presented to the American people in a plebiscite; to the Committee on Military Affairs.

421. Also, petition of Rev. Francis Martin Ruland and other citizens of Sioux City, Iowa, in opposition to personal representation of the President of the United States at the Vatican and to formal ambassadorship from the United States to the Vatican; to the Committee on Foreign Affairs.

422. By Mr. McGREGOR: Petition of sundry citizens of Richland County, Ohio, protesting transfer of troops from the European theater of war to the Pacific battle fronts; to the Committee on Military Affairs.

423. By Mr. MERROW: Petition adopted by the board of directors of the New England Farm Equipment Dealers' Association, favoring the erasure of Federal tax exemptions to any and all groups in competition with taxpaying business that the original constitutional concept of tax equality may again be realized; to the Committee on Ways and Means.

424. By the SPEAKER: Petition of the Filipino Community Council of Honolulu, petitioning consideration of their resolution with reference to expression of thankfulness for the prompt passage of the Filipino naturalization bill in the House of Representatives; to the Committee on Immigration and Naturalization.

425. Also, petition of the crew of the S. S. *Santa Marta*, United Fruit Co., with 48 signatures, petitioning consideration of their resolution with reference to enactment of a merchant seamen's bill of rights along the lines of the one passed by a grateful Nation in behalf of our armed forces; to the Committee on the Merchant Marine and Fisheries.

426. Also, petition of the City Council of the City of Cambridge, Mass., petitioning consideration of their resolution with reference to favorable passage of the merchant seamen's bill of rights, to the Committee on the Merchant Marine and Fisheries.

SENATE

TUESDAY, APRIL 21, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Father of all mankind, whose heart is wide to harbor all our race yet knoweth each as a shepherd knows his sheep, in all our aimless wanderings we turn unfilled to Thee, the Good Shepherd, for it is Thy rod and Thy staff that comfort us. May Thy goodness and mercy follow those who from this Chamber have sped to the east to witness the ghastly exhibit of human perversity at its worst and those who have journeyed to the west to vow with freemen, whose faith and arms have brought arrogant tyranny to the dust, that under God there shall be a new birth of freedom and enduring peace in all the earth. May this convening congress of freemen by the side of the vast sea herald the fulfillment at last of every prophet's dream of a golden day for all the sundered sons of the one Father—

"When the war drums throb no longer
And the battle flags are furled
In the parliament of man—
The federation of the world."

In the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, April 23, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on April 23, 1945, the President had approved and signed the following acts:

S 288 An act for the relief of the Lawrence Motor Co., Inc.;

S. 530. An act authorizing the Administrator of Veterans' Affairs to grant an easement in certain lands of the Veterans' Administration, Dallas, Tex., to Dallas County, Tex., for highway purposes; and

S. 531. An act to authorize the Administrator of Veterans' Affairs to transfer by quitclaim deed to the city of Los Angeles, Calif., for fire-station purposes, the title to certain land located at Veterans' Administration facility Los Angeles, Calif.

THE SHORTAGE OF FARM LABOR

Mr. WILEY. Mr. President, a week ago the Senate by unanimous vote adopted an amendment to the national draft law which would forestall the effects of the arbitrary selective-service ruling which was stripping the farms of needed and irreplaceable help. Last week, also, I addressed a letter to the Secretary of Agriculture, the War Manpower Director, and the Director of Selective Service, respectively, requesting that they immediately confer with one another and with the military in order to institute remedial measures which would get more hands on the farms. I ask unanimous consent that this letter be printed in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

(The letter is as follows:)

APRIL 21, 1945.

Hon. CLAUDE R. WICKARD,
Secretary of Agriculture,
Washington, D. C.

DEAR SECRETARY WICKARD: I am certain that in view of the tremendous drain which is going to be put upon America to provide for the starving and undernourished millions in Europe, you cannot be unaware of the imperative need of immediately getting more help back on the farms, into food production plants, the milk and cheese factories, canneries, etc. You cannot be unaware of the fact that only by providing more hands for agricultural production can we be adequate to the challenge which has been placed upon us.

You know what has happened, for example, in Holland, with the land inundated, the livestock gone, the people hungry. All across the European Continent the fields that could be producing are black with the wastage of war. The hands that could be at work on them are dispersed, and when they are available are often sick and undernourished.

We cannot allow those whom we have liberated to starve.

I am, therefore, respectfully asking of you that you get together with the military and explore every possible means by which more agricultural help may be made available for food production, for example, through the release of needed workers now in the armed forces.

Time is crucial. Indecision, buck passing, or excuses of today will have terrible repercussions tomorrow. I implore you on behalf of America's nutritional welfare, on behalf of that of our fighting sons and daughters and that of our millions of allies, those under arms and civilians, to confer and take constructive action at the earliest possible moment.

I shall be awaiting definite word from you.

With kind regards, I remain,
Sincerely yours,

ALEXANDER WILEY.

(Same letter sent to Maj. Gen. Lewis B. Hershey, Director, National Selective Service, and War Manpower Director Paul V. McNutt.)

Mr. WILEY. Mr. President, evidences are mounting at every hand pointing to the gravity of the farm help situation. The draft and migration to the cities have wrought a tremendous reduction in the farm force. Right now farm labor employment is at its lowest seasonal level since the Government started keeping records of it 21 years ago. The farm labor force is estimated to be 8,500,000 persons, including a little less than 7,000,000 family workers and 1,500,000 hired workers. This force is 150,000 persons below that of a year ago. This morning's newspapers carry the report of 750,000 seasonal women workers being needed to harvest 1945 crops.

Not only has the farm labor supply declined in quantity, it has also deteriorated as regards quality. Because there is so much inexperienced help on the farms, there is unprecedented breakage in the handling of farm machinery, and, furthermore, the War Production Board has recently drastically slashed the production of new farm equipment.

On the other side of the picture, the farmer is confronted with spectacular demands and is valiantly striving to meet them; 363,000,000 acres are being planted this year. The largest wheat crop ever produced in this country is forecast by the United States Department of Agriculture.

The dairy picture presents the same challenging story. Last year lend-lease deliveries of food and other agricultural products to our allies totaled seven and one-fourth billion pounds. Of this figure, dairy deliveries totaled one and three-eighths billion pounds and were second only to shipments of meat and meat products at two and one-fourth billion pounds. In 1944, out of every dollar

spent for food supplies for the armed forces and lend-lease, 15.6 cents went for dairy products. In World War No. 1 the expenditure was 2 cents. For the first time since the outbreak of the war, the staggering milk production goal of 120,000,000,000 pounds is expected to be met. Moreover, for the first time in history, butter is officially a part of the overseas ration of our soldiers. One of the officials of the Quartermaster Corps has said:

I see nothing in this year's prospects that the world will not require all the milk and milk products, especially butter, which can be produced.

The sentiment is echoed by Marvin Jones, War Food Administrator. In a recent letter to the chairman of the Dairy Month Committee, Judge Jones stated:

The need for dairy products both for military and civilian use will be urgent for some time to come. May I ask that the official Dairy Month Committee and the entire dairy industry again make Dairy Month the occasion for a special effort to impress upon everyone the importance of dairy products in our war effort.

The War Food Administration more than doubled the amount of creamery butter which must be set aside for Government purchase in April and May compared to that required to be set aside in February and March. The quotas will take 40 percent of all butter produced in April and 55 percent of the May output.

From all these indications and others, it is obvious that the Government, including every agency and official involved, must explore every possible phase to make available to the farmers absolutely needed help. At a recent dairy meeting held in my State, it was estimated that 2,500 more men working a 60-hour week will be required to manufacture and handle milk products during the flush period of production in Wisconsin this spring. The situation throughout the Nation reflects the same crisis in farm manpower. What is the Government going to do about it?

LEAVE OF ABSENCE

Mr. TOBEY. Mr. President, it is necessary for me to be out of the Senate Chamber on naval matters until half-past 2 or 3 o'clock, and I ask to be excused.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator is excused.

DEVELOPMENT OF INTERNATIONAL MUSIC RELATIONSHIP AS MINISTER OF GOOD WILL

Mr. WILEY. Mr. President, these are historic days, full of rapid-moving events.

After the death of the leader of this Nation, President Roosevelt, we had 3 days when the radio and the music lovers of America cooperated. We heard from the great organs and choirs of our churches, from the great orchestras, from the great opera singers of America, from the great musicians, instrumental and vocal. This music lifted the spirit of America. In this great outflow of harmony there was nothing that cramped the soul or stunted the intellect. Rather, there was spiritual uplift; there was power and beauty in the experience.

We know that what the world needs is a spiritual renaissance. Hearts are hungry for more light. In the days which lie ahead every force that is constructive should be utilized to antidote the unrest, to make sure that men work for the highest type of service and not for mere expediency. We have seen—and our brethren, who are now overseas, when they come back will report to us—how, when nations sell their birthright for a mess of pottage, they descend to the level of the brute. It is for us to maintain our birthright by radiating power, the spirit of tolerance, and brotherly love, and service—the current coin of the soul.

One avenue through which this can be accomplished in music.

Music is an international language, a common bond, and is universal in expression. It will be extremely important in the preservation of lasting peace and harmony and will be of incalculable value in promoting appreciation, understanding, and good will among all nations and peoples.

The psychology and philosophy of getting music with its wealth of beauty into the minds and hearts of all peoples will have a profound effect upon the future of all mankind. To aid in the difficult periods of unrest and unsettlement, music—the right kind of music—will serve as an inspiration and also encouragement.

There is a definite relationship between mental and physical nourishment. To be most effective, both should go hand in hand.

Music, with its wealth of beauty, has always been of major importance as a common bond, language, and interest among all nations and peoples, and is universal in expression.

Mr. President, there was forwarded to me the other day a proposed plan by Mr. Allen F. H. Swanson, of Milwaukee, Wis., a program which includes international short-wave radio programs in which premiere and outstanding performances would be transmitted and others received in return.

I ask that this 10-point plan be printed in the RECORD at this place in my remarks.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The plan is as follows:

PROPOSED INTERNATIONAL POST-WAR MUSIC PROGRAM

TEN POINT PLAN (TENTATIVE)

(Includes radio short wave, concerts, and music productions)

1. To develop and project international music relationship as a minister of good will, appreciation, and understanding, and as a force in the preservation of peace and harmony.

2. To coordinate and concentrate all interests and efforts and assist in arrangements and program details for music productions, performances, and concerts, and to make available to all nations and peoples the music accomplishments and high standards of artistry as derived from the inherent initiative and ingenuity of the masters.

3. To arouse interest and stimulate the study of the art and science of national and international music.

4. To encourage compositions for premier performances in radio short wave and music productions, performances, and concerts.

5. To promote close unity and cooperation among all artists, music organizations, companies and educational institutions through an exchange of views and experiences on problems and issues of mutual interest.

6. To encourage the opening of new frontiers of opportunity for musicians and the expansion of music activities to countries all over the world, and to foster free enterprise.

7. To consolidate the knowledge and experiences of authorities in a central organization and to administer sound advice and recommendations.

8. To supply press, radio, magazines, posters, trade publications, and other media with news concerning progress and activities of international music developments, productions, and performances.

9. To encourage the prompt enactment of legislation which will provide sound policies and effective machinery for a permanent international music program.

10. To cooperate enthusiastically in the formulation of a basically sound and constructive music program and cooperate wholeheartedly on the broad policies essentional to such sound development.

ORGANIZATION PLAN (TENTATIVE)

1. Incorporate as a nonprofit, nonstock International Music Association (organization) with at least one representative in each State and affiliations in all countries.

2. Secure finances for administrative staff through membership dues, contributions, appropriations, grants, and trust funds.

3. Set up and maintain directly and indirectly staffs of authorities in a central organization.

4. Set up and maintain a main office and representatives wherever it is deemed advisable.

Mr. WILEY. Mr. President, this plan has received considerable notice and attention by musicians. Expressions of interest have been received from prominent musicians. I ask that this list also be printed in the RECORD at this point.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The list is as follows:

Expressions of interest have been received from the following prominent musicians. This represents only a small number of the many wonderful communications:

Bruno Walter.

Vladimir Golschmann, St. Louis Symphony Orchestra.

Alfred Wallenstein, Philharmonic Orchestra of Los Angeles.

Karl Krueger, Detroit Symphony Orchestra.

Karl Wecker, Hollywood Bowl.

Leopold Stokowski.

Desire Defauw, Chicago Symphony Orchestra.

Edwin Franko Goldman, the Goldman Band.

Fabien Sevitzky, Indianapolis Symphony Orchestra.

Carl Bricken, Seattle Symphony Orchestra.

Sigmund Spaeth.

Paul Whiteman, the Blue Network.

Frank Black, N. B. C.

Mark Warnow, C. B. S.

Harold N. Wagner, Mutual Broadcasting System.

Viotet Kmety, Zenith.

C. A. Dykstra, former president, University of Wisconsin.

C. M. Tremaine, director, National Bureau for the Advancement of Music.

Edmund Gram, past president, National Association of Music Merchants.

Bertha Foster, Musicians' Club of America.

Maj. Alf. Heiberg, chief, Bands, music branch, Special Services Division.

Herman F. Smith, past president, Music Educators' National Conference.
John C. Kendel, president, Music Educators' National Conference.
Kathleen Davison, national president, Sigma Alpha Iota.
Harold Spivacke, Chief, Music Division, Library of Congress.
Tom Connally, chairman, United States Senate Committee on Foreign Relations.
Arthur H. Vandenberg, chairman, United States Senate Subcommittee on Foreign Relations.
Louis G. Cowan, chief, New York office, O. W. I.
Allan F. H. Swanson.
Universities.
Music schools.
Music organizations.
National service organizations.

QUOTATIONS

"The idea of an international organization for the exchange of music and musicians is certainly one to be most ardently welcomed." (Bruno Walter.)

"Anything you can do toward the establishment of international musical activity will be decidedly worth while." (Sigmund Spaeth.)

"I can see many virtues in such a plan as you suggest and I hope may be able to realize your hopes fully." (Karl Krueger, musical director, Detroit Symphony.)

"May I wish you the very best of luck, and thank you for the privilege of hearing about your fine plans and the honor of being asked to help in this excellent work." (Carl Bricken, musical director, Seattle Symphony; past director, music department, University of Wisconsin.)

"May I congratulate you on the breadth and scope of your proposed international and post-war music program." (Lewis G. Cowan, chief, New York office, O. W. I.)

"Anyone who believes in the inherent power of music should believe in your plans." (Karl Wecker, managing director, Hollywood Bowl.)

"I find your ideas most interesting and wish all the success it deserves." (Vladimir Golschmann, conductor, St. Louis Symphony.).

"Indeed, this is a project worthy of promotion and my sincerest congratulations are extended to you." (Herman Smith, past president, Music Educators' National Conference.)

"Your ideas for an international music program seem very worth while, and I hope they will materialize." (Paul M. Ober, chairman, department of music, University of Minnesota.)

"I received your proposed plan for post-war music and believe you have an excellent thought, as music is one of the most important factors and should be included in all post-war plans." (Paul Whiteman, director of music, the Blue Network.)

"Need I say that I believe your idea for an international music program as soon as possible after the cessation of hostilities is extremely worth while and will do more than its share to help in the reconstruction of friendly, harmonious relations at that time." (Mark Warnow, Columbia Broadcasting System.)

"The thoughts and proposals expressed by you are most commendable. May we take this opportunity to wish you the success you so richly deserve." (Harold Wagner, Mutual Broadcasting System.)

Mr. WILEY. Among the many letters Mr. Swanson received there is one from Leopold Stokowski. I quote one brief paragraph from it:

> I feel just as you do that we should make a definite post-war program so that the moment the fighting ceases we can begin to bring beauty where there has been brutality.

I ask that the entire letter be printed in the RECORD at this place.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The letter is as follows:

JULY 1, 1944.

DEAR MR. SWANSON: Thank you for your most interesting letter of April 8. I feel just as you do that post-war international music can be one of the quickest, simplest ways of reaching a friendly understanding between the people who are, for no fault of their own, now fighting each other.

I feel just as you do that we should make a definite post-war program so that the moment the fighting ceases we can begin to bring beauty where there has been brutality.

Your idea of an international short-wave radio program is one of the best ways of communicating with all countries, bringing beauty and inspiration to those who are depressed and in despair.

The United States has, in my opinion, the greatest orchestras in the world. We should form an orchestra of the finest elements, including all the best players and instruments, and send this orchestra to Europe, Asia, Africa, Australia, South and Central America. This orchestra, through music, can express to the world the high ideals of the United States.

You write of the "rebirth of a sound and harmonious international relationship." I believe music, because it is a universal language, is an ideal medium for this rebirth.

In my opinion, our way of doing all this should be—

1. To think out everything clearly.
2. To form an organization having a center in New York or Washington and representatives in every State of the Union.
3. To act swiftly and without meaningless formalities so that our ideas do not remain merely ideas but become facts and dynamic realities.

If I have any contribution to these great ideas, it is in the field of symphonic music. I shall be happy to work with enthusiasm in this field.

Sincerely,

LEOPOLD STOKOWSKI.

Mr. WILEY. Mr. President, God has planted in man the beauty of holiness. Let us resurrect it in the days up ahead. As man grasps this fact and lives it, then will brutality and war disappear. Music will aid him to arrive.

THE PETROLEUM INDUSTRY

Mr. MOORE. Mr. President, it will be remembered by the Congress and the public generally that during the latter part of 1943 and throughout 1944 certain Government officials, led by the ever-aggressive and power-hungry Secretary of the Interior, had a great deal to say about the United States running out of oil. Magazine articles, addresses, radio speeches, press releases, posters, slogans, and propaganda of all kinds were employed to keep this theme of fear and intimidation constantly before the people to the end that the road of our expanding bureaucracy to statism might be made less difficult.

In March of last year I pointed out to the Congress that since 1941 the petroleum industry has faced a severe shortage of material, equipment, and manpower, but notwithstanding these handicaps, the industry, through new discoveries and extension of old pools, closed the year 1943 with estimated known reserves of 20,064,000,000 barrels, as compared with 20,082,600,000 barrels at the close of 1942; only 18,600,000 barrels difference, or slightly more than 4½ days' production at the 1944 rate.

I desire to call the attention of Congress again to the splendid and incomparable record of the petroleum industry for the year 1944. The petroleum industry was called upon to produce a greater quantity of oil in 1944 than ever before in its history. Total production during the last calendar year reached the all-time high of 1,678,421,000 barrels. This magnificent performance was accomplished under the severe handicaps of inadequate prices imposed by an arbitrary and dictatorial O. P. A. and severe shortages of material, equipment, and manpower.

The point I desire to make, however, and one which continues fully and completely to answer the scare talk that we are running out of oil, is that despite the peak production of the last calendar year, the American oil industry closed 1944 with total known reserves of 20,453,231,000 barrels, or a 389,079,000-barrel increase in reserves since December 31, 1943. These figures are from the American Petroleum Institute's committee on petroleum reserves, and represent the considered judgment of the best scientific minds engaged in the petroleum business.

The record of the petroleum industry during the strain of the war years is an accomplishment in which every American can take pride.

MIGRATORY BIRD CONSERVATION COMMISSION

The PRESIDENT pro tempore. A vacancy exists on the Migratory Bird Conservation Commission. It is a so-called Republican vacancy, and the minority leader, the Senator from Maine [Mr. WHITE] has recommended that the Senator from Illinois [Mr. BROOKS] be appointed to fill the vacancy on the Commission. The Chair, therefore, appoints the Senator from Illinois as a member of the Commission.

CONDOLENCE ON DEATH OF FRANKLIN D. ROOSEVELT

The PRESIDENT pro tempore laid before the Senate a letter from the Counselor of the Irish Legation at Washington, D. C., embodying a resolution adopted by Seanad Eireann, in session in Dublin on April 18, 1945, which was ordered to lie on the table and to be printed in the RECORD, as follows:

IRISH LEGATION,
Washington, D. C., April 23, 1945.

The Honorable KENNETH MCKELLAR,
President of the Senate.

SIR: In the absence of the Minister, I have the honor to transmit herewith the text of a resolution passed by Seanad Eireann in session in Dublin on April 18, 1945:

"*Resolved*, That Seanad Eireann extends its deep sympathy to the Government and people of the United States of America in the great loss they have sustained in the death of President Roosevelt."

Very truly yours,

SEAN NUNAN,
Counselor of Legation.

TAXATION OF THE COMPENSATION OF CERTAIN FEDERAL EMPLOYEES

The PRESIDENT pro tempore laid before the Senate a letter from the Governor of the Territory of Hawaii, transmitting copy of a memorandum relative

to proposed legislation to prohibit the taxation of the compensation of Federal employees by any State other than the State of domicile, prepared by the assistant attorney general of Hawaii, which, with the accompanying memorandum, was ordered to lie on the table and to be printed in the RECORD, as follows:

TERRITORY OF HAWAII,
EXECUTIVE CHAMBERS,
Honolulu, April 17, 1945.

Senator KENNETH MCKELLAR,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: Supplementing my letter of April 11, 1945, with reference to the pendency in the Senate of H. R. 534, I enclose herewith for your information copy of a memorandum relative to the subject matter of this bill which has been prepared by the assistant attorney general.

Sincerely,

INGRAM M. STAINBACK,
Governor of Hawaii.

MEMORANDUM RE H. R. 534, SEVENTY-NINTH CONGRESS, FIRST SESSION

This bill proposes to prohibit the taxation of the compensation of Federal employees by any State other than the State of domicile. The bill would apply not only to employees of the United States itself but also to those of the Territories and the District of Columbia.

1. THE BILL ADOPTS THE WRONG METHOD OF ELIMINATING DUPLICATE TAXATION

The Supreme Court of the United States has held that earnings may be taxed where the services are rendered or by the domiciliary State. Thus duplicate taxation is legally possible, but as a matter of policy it should be avoided. However, the method of avoiding duplicate taxation proposed by this bill is the wrong method.

According to a study made by the Legislative Reference Service of the Library of Congress, the 32 States (including Hawaii) which impose an income tax, may be divided into three groups, as follows: (a) Twenty States provide for the elimination of duplicate taxation by allowing the residents of the taxing State a credit or deduction on account of tax liability to the State in which the income is earned. This may be a credit against the domiciliary State's tax, a provision for deduction from that State's tax base of income taxed elsewhere, a provision that business carried on outside the State is not taxable, or, as in the case of Hawaii, a provision that compensation earned elsewhere is not taxable if subjected to tax by any other jurisdiction, irrespective of the amount of the tax. Such States and Territories are: Arkansas, California, Colorado, Georgia, Hawaii, Idaho, Indiana, Iowa, Kansas, Kentucky, Maryland, Mississippi, Missouri, Montana, North Carolina, North Dakota, Oregon, the city of Philadelphia in the State of Pennsylvania, Vermont, and Virginia. One additional State, New Mexico, allows a partial credit. (b) Six States provide for the taxation of the earnings of nonresidents within the State and also the earnings of residents wherever made, without allowing any credit for taxes of other jurisdictions; these six States do not make any provision to eliminate duplicate taxation. Such States are Alabama, Arizona, Louisiana, Minnesota, Oklahoma, and Wisconsin. (c) Only five States follow the theory that the State of domicile has the prior right of taxation. These States either base their tax solely on the income of residents, nonresidents not being taxed at all, or else they allow a credit to nonresidents for taxes paid to the State of domicile, on a reciprocal basis. Such States are Delaware, Massachusetts, New York, Utah, and South Carolina.

It thus appears that H. R. 534, in following the theory that the State of domicile has the prior right of taxation, is in line with only 5 out of 32 States having income taxes. The great majority of the States have adopted the view that the State where compensation is earned has the prior right of taxation, and to avoid duplicate taxation these States exempt residents with respect to income taxed elsewhere, or credit them for taxes paid elsewhere. This is the method which should be followed in H. R. 534. The bill should be amended so as to provide that:

1. The State or Territory in which compensation is earned by a Federal employee shall have the prior right to tax such compensation; and

2. The domiciliary jurisdiction may tax such compensation if the laws thereof provide for deduction from the tax base of income upon which a tax has been actually paid to the State or Territory wherein it was earned, or for a credit against the domiciliary tax on account of taxes actually paid to the State or Territory in which such compensation was earned.

Such a provision would afford relief to residents of States which now have no provision exempting their residents with respect to income taxes elsewhere, or crediting them for taxes paid elsewhere. It is these States which are out of line, and not the Territory of Hawaii.

The method of eliminating duplicate taxation above proposed not only represents the majority view of the several States but also is the sound view. The State or Territory in which compensation is earned should be recognized to have the prior right of taxation inasmuch as (1) taxes are more readily collectible in the place in which the taxpayer actually is to be found, and in many instances the domiciliary jurisdiction would not be able to collect taxes from its citizens after their absence from the State for many years; and (2) the presence of workers within a State or Territory increases the cost of government therein whether or not they become citizens of such jurisdiction, and it is not fair to require the citizens of such jurisdiction to bear the cost of government for the noncitizens. These points are further developed below.

2. H. R. 534 IN ITS PRESENT FORM WOULD LEAD TO WHOLESALE TAX EVASION

This bill provides that each Federal employee shall make a declaration of his domicile within 60 days after a written demand for payment of the tax shall have been received by him. This would mean that the tax officials of each State would have to ascertain who among the Federal employees had not made tax returns and then make written demand upon each of them for payment of the tax. In Hawaii alone there are 100,000 civil employees of the Federal Government. The number of such written demands which would be necessary would make it necessary to add personnel for this purpose and the cost would not be justified since the demand would produce nothing better than a disclaimer of local domicile. To dispute this declaration by the Federal employee concerned the tax official would have to litigate the matter in the Federal court. The facts as to domicile are peculiarly within the knowledge of the individual concerned, and it is largely a matter of intention. Some Federal employees who have resided in the Territory year after year still disclaim local domicile. The number of cases involved would be enormous. Hence if this bill were passed there would be no practical possibility of collecting Territorial taxes from any Federal employee who was not ready and willing to pay such taxes. Tax payment by Federal employees would be placed on a purely voluntary basis.

The taxes which Hawaii could not collect would not be collectible elsewhere. It would not be practical for the State in which the employee actually was domiciled to follow the employee outside the State, or to ascertain the date of his return after an absence possibly extending into several years and at that late date determine his tax liability and collect the tax. Moreover, many persons go from State to State wherever work can be found and their domicile would be difficult to determine. If this bill is to pass, at the very least the burden of securing the declaration of domicile and verifying the same should rest with the Federal Government, which has access to the personnel records of each employee; and the Federal Government should inform the State in which the employee is performing the service and the State declared by him to be his domicile, of the declaration made.

3. THE STATE IN WHICH A NONRESIDENT WORKER IS PERFORMING SERVICES HAS A BETTER RIGHT OF TAXATION THAN THE DOMICILIARY JURISDICTION

As above noted the great majority of States follow the theory that the State in which services are actually performed has a better right of taxation than the domiciliary jurisdiction. This is true not only from the practical standpoint of the collectibility of the tax but also as a matter of fairness to the State in which the nonresident worker is sojourning. An increase in population necessarily increases the cost of government, whether or not the inmigrant worker becomes a citizen of the State to which he comes. The increase in the civilian population of Oahu is estimated at 41,500 during the period from June 30, 1941 to June 30, 1944. As this increased population is directly traceable to the presence of inmigrant war workers it will be seen that they represent a very substantial part of the present population which was estimated at 342,106 as of June 30, 1944. These population figures do not include some 20,000 workers residing in Federal housing areas who nevertheless come to town regularly and play a large part in the overcrowding of local facilities other than housing.

The appropriations for the health department exemplify the increased burden on local government imposed by the above described situation. During the 1939–41 biennium the general appropriation for the Health Department was $745,159; for the 1941–43 biennium, $1,189,056; for the 1943–45 biennium, $1,703,155; and for the 1945–47 biennium the budget sent to the senate by the house of representatives calls for $2,096,033 for this department. The above figures indicate the expanded needs of the health department to meet the increased health problems in this community. Some of these problems are due to the overcrowding of housing facilities and eating and drinking places; this overcrowing is particularly serious in respect to the control of communicable diseases such as tuberculosis, colds, typhus fever and dengue fever.

In many instances the effect of the presence of the war workers in the community can be directly traced. Thus, Dr. M. F. Haralson on September 11, 1941, in his report to Mr. S. L. Platt, special secretary of the Chamber of Commerce of Honolulu, stated that of the last 100 admissions to the mental hygiene clinic up to the time of that report, 30 were connected with defense activities and had been in Hawaii less than 1 year. Fifteen of the 30 were defense workers or members of their families, 8 were Navy officers, 2 were Navy enlisted men, 1 was from the Army and 4 were mainland "floaters" attracted to the Territory by defense jobs. Since the date of that report there has been a tremendous increase in the migrant population of the Territory.

In tuberculosis control, the chest clinic of the health department has repeatedly examined and recommended treatment and follow-up of many war workers referred by physicians and others. The mobile X-ray

unit of the health department has been used to X-ray the chests of all food handlers in the naval housing area, 4,500 people in the Hawaii Air Depot area; and all U. S. E. D. employees have been X-rayed twice in the 2-year period. Plans are being made to X-ray all the war workers and their families in the naval and Hawaiian Air Depot housing areas.

With respect to housing it repeatedly has occurred that workers brought in for Federal projects and furnished with accommodations in barracks have moved into town taking up housing accommodations in the city. Although this is a problem for which the Federal Government is responsible it is only since the recent visit of the Subcommittee on Congested Areas of the House Naval Affairs Committee that there has been a good prospect of relief of this situation by the Federal Government. Meanwhile the Territory has expended, or encumbered for contracts now being performed, the sum of $725,000 for the local housing committee and for temporary housing. This expenditure cannot be amortized over the period of the life of the buildings and does not represent a capital investment.

With respect to crime control the effect of immigrant war workers is obvious. Not only do they constitute a substantial part of the population, but moreover they are not a stable element. This is necessarily true of any migrant group. Insofar as there is any relation between the domicile of the persons present within the Territory and the problems of crime control, the cost of government in this regard is increased, not decreased, by the impermanent character of this portion of the population.

Other costs of government which are increased by the presence of nonresident workers are for fire protection, public parks, libraries, roads, and in fact every cost of government. The bill would apply to Federal employees even if they had their families with them, so long as they declared that they eventually intended to return to the States from which they originally came.

The foregoing arguments apply equally to Federal employees residing on Federal reservations. Congress previously provided for taxation of their earnings by the Buck Act, (54 Stat. 1059, ch. 787, sec. 2 (a)), and the position then taken was sound. So far as the employee is concerned it makes no difference to him whether certain services are furnished him by the local government or by the Federal Government; that is a question which concerns only Congress and the several States. Since all Federal property is nontaxable it is only fair that Congress should say, as it did say in the Buck Act, that it does not claim tax exemptions for Federal employees residing on the reservations by reason of the fact that some of the Government services involved are furnished by the Federal Government in such cases.

4. ESTIMATE OF TERRITORIAL TAX REVENUE INVOLVED

Based on the present tax laws, the number of Federal employees in the Territory in 1944, and their rates of pay in that year, the Tax Commissioner estimates the territorial tax revenue involved as $3,500,000 per year. This figure includes all Federal employees, as it is not possible to determine the number who consider their legal domicile elsewhere than in the Territory of Hawaii. Federal employees represent approximately 30 percent of the total number of persons employed in the Territory.

5. APPLICATION OF THE BILL TO TERRITORIAL EMPLOYEES

The bill should not apply to employees of the territories. So far as Hawaii is concerned, this Territory itself has taken proper steps to protect its residents from duplicate taxation, and as above noted the method used by Hawaii is the method used by the majority of the States. Hawaii needs no special legislation by Congress in this regard.

Respectfully submitted.

RHODA V. LEWIS,
Assistant Attorney General, Territory of Hawaii.

Approved:

C. NILS TAVARES,
Attorney General of Hawaii.
WM. BORTHWICK,
Tax Commissioner, Territory of Hawaii.

Dated April 13, 1945.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on April 23, 1945, he presented to the President of the United States the enrolled bill (S. 105) to extend the life of the Smaller War Plants Corporation.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as follows:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of the State of California; to the Committee on Military Affairs:

"Senate Joint Resolution 14

"Joint resolution relative to memorializing Congress to enact H. R. 2347, Seventy-ninth Congress, first session, relating to guayule rubber

"Whereas guayule rubber is being successfully grown in California, Arizona, New Mexico, and Texas, and the United States Bureau of Plant Industry is carrying on extensive research in crossing this plant with hardier plants so that guayule may be grown under less limited climatic conditions; and

"Whereas the need for a native rubber supply has been well demonstrated during this war; and

"Whereas the growing of guayule presents tremendous possibilities as a post-war industry; and

"Whereas there is now pending before Congress H. R. 2347, introduced by Congressman POAGE, to provide and insure a dependable supply of domestic and natural rubber, to provide for the continuation of research work in this field, and to authorize a guaranteed floor price for rubber produced by farmers: Now, therefore, be it

"Resolved by the Senate and Assembly of the State of California (jointly), That the Legislature of the State of California respectfully memorializes the President and Congress of the United States to enact H. R. 2347 of the Seventy-ninth Congress, first session, relating to guayule rubber; and be it further

"Resolved, That the Secretary of the Senate is directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A resolution of the Legislature of the Territory of Hawaii; ordered to lie on the table:

"Whereas the people of Hawaii feel anew their identity with the people of the 48 States in the grief and shock caused by the sudden death of President Franklin Delano Roosevelt; and

"Whereas the momentous consequences to the whole world of the death of the great advocate of international cooperation are beyond the possibility of appraisal; and

"Whereas in the passing of the President, whose fame and record of leadership and achievement in national and international affairs will live eternally in the pages of American history, this Nation, in common with all peace-loving nations of the world, has suffered a great and irreparable loss; and

"Whereas it is most fitting that the people of Hawaii, stricken and stunned by this tragic blow, should, together with the rest of the Nation, pause to bow in tribute to the memory of an illustrious leader, in whose heart burned fiercely an all-consuming desire to accomplish the utter destruction of the evil forces which have brought untold misery, suffering, and sorrow into this world and the establishment of international unity for the maintenance of a just and enduring peace, and mourn the untimely passing on of that leader into history at a time when his guidance was most sorely needed and, in consolation, to glory in the magnitude of his accomplishments gained under the most trying conditions and in the most critical period of the Nation's history: Now, therefore, be it

"Resolved by the Senate and the House of Representatives of the twenty-third session of the Legislature of the Territory of Hawaii (sitting in joint session), That the profound grief of the people of Hawaii upon the death of the President be hereby recorded; and be it further

"Resolved, That the recognition by the people of Hawaii of the fact that the President, while serving his country in the highest office within the gift of the Nation, was a heroic casualty of war no less than if he had died in combat on the field of battle, be hereby expressed; and be it further

"Resolved, That the people of Hawaii, in common with the rest of the Nation, in recognition of this great loss and of the increased necessity of unity, do hereby dedicate themselves to meet the continuing dangers and difficulties in the conduct of the war and in the peace to follow with renewed determination and singleness of purpose; and be it further

"Resolved, That the people of Hawaii do hereby express their aloha nui loa and deepest sympathy to the members of the family of the late President in their hour of sorrow and bereavement."

A resolution adopted by the executive committee of the Croatian Catholic Union of the United States of America, a national American fraternal benefit society, Gary, Ind., expressing deep sorrow on the death of the late President Franklin D. Roosevelt, and also expressing confidence and loyalty to the new Chief Executive, Hon. Harry S. Truman; ordered to lie on the table.

TARIFF DUTIES ON PLATE GLASS AND ZINC

Mr. CAPPER. Mr. President, I ask unanimous consent to present for print in the RECORD and appropriate reference a letter I have received from Verner R. Waters, of the Pittsburgh Plate Glass Co., Topeka, Kans., expressing his emphatic opposition to the enactment of legislation proposing to extend the Reciprocity Act which would give the President the right to reduce further tariff duties on plate glass, and other articles which are made in this country; and also a letter from James L. Smith, of the Baxter Chat Co., Baxter Springs, Kans., opposing further Executive authority to reduce tariff rates.

There being no objection, the letters were received, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

PITTSBURGH PLATE GLASS CO.,
Topeka, Kans., April 17, 1945.

SENATOR ARTHUR CAPPER,
The United States Senate,
Washington, D. C.

DEAR SIR: I am writing you relative to H. R. 2652, which has to do with extending the Reciprocal Trade Agreements Act. As I understand it, the bill would extend this act for 3 more years and give the President the right to further reduce tariff duties on the

articles which we make. We are against this extension and I do hope you will do everything you can to prevent its becoming law.

You well know that the window glass business, in which I am engaged, could be seriously injured by too much foreign competition. Labor costs about 20 to 25 cents per hour in Belgium, while we pay American workers from $1.25 to $1.56 per hour. That alone, it seems, should justify continuing our tariff.

Because everything in our business is changing we don't quite understand how anyone can tell what costs are going to be after the war. If they are not known how can a tariff rate be changed sensibly?

You will remember too, that Czechoslovakia and Belgium together have greater window glass capacity than we have, not to mention the capacities of Japan and Russia.

I hope you will actively oppose any extension of this Reciprocity Act especially if it is for more than 1 year and if it contains the power to further reduce tariff rates.

Yours very truly,

VERNER R. WATERS.

THE BAXTER CHAT CO.,
Baxter Springs, Kans., April 20, 1945.

Hon. ARTHUR CAPPER,
Senator from Kansas,
Washington, D. C.

MY DEAR SENATOR: I am enclosing herewith an article taken from our local paper which more or less will give you a slant on what might happen if the tariff on zinc is further reduced by giving the President authority in the reciprocal trade agreements to arbitrarily reduce tariff on zinc.

While the zinc industry in Kansas covers a very small portion of your district some of the richest zinc mines in the entire district are within the State of Kansas. Our labor here is all native. There are no foreign laborers; neither are there any colored miners. The wages are relatively high, the men are intelligent and have a high standard of living. We do not want to see this condition change.

I know that you are in sympathy with our side of this problem and hope that you will make an effort to convince some of your colleagues that there should be no change.

With kindest regards, I am,

Sincerely,

JAMES L. SMITH.

ADMINISTRATOR OF RURAL ELECTRIFICATION ADMINISTRATION

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the Minnkota Power Cooperative, Inc., Grand Forks, N. Dak., endorsing John M. Carmody as Administrator of the Rural Electrification Administration.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

MINNKOTA POWER COOPERATIVE, INC., GRAND FORKS, N. DAK.—RESOLUTION FOR AN R. E. A. ADMINISTRATOR

Whereas the Rural Electrification Administration is now functioning without an administrator head; and

Whereas, conditions existing at this time require the appointment of a powerful, capable, and experienced head at the earliest possible date: Now, therefore, be it

Resolved, That this cooperative endorse the name of John M. Carmody; and be it further

Resolved, That such action as may be deemed appropriate be authorized for the furthering of such recommendation.

REESTABLISHMENT OF RURAL ELECTRIFICATION ADMINISTRATION AS AN INDEPENDENT AGENCY

Mr. LANGER. Mr. President, I also ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the Minnkota Power Cooperative, Inc., of Grand Forks, N. Dak., favoring the enactment of Senate bill 309, to reestablish the Rural Electrification Administration as an independent agency of the Government.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

MINNKOTA POWER COOPERATIVE, INC., GRAND FORKS, N. DAK.—RESOLUTION FOR R. E. A. INDEPENDENCE

Whereas it has long been stated that the Rural Electrification Administration no longer operates in accordance with the law which provides for its administration; and

Whereas such charges have been substantiated beyond reasonable question by the findings of the subcommittee of the Senate Agricultural Committee charged with the duty of investigating the administration of the Rural Electrification Administration; and

Whereas the Minnkota Power Cooperative, Inc., as a cooperative which has been financed by means of funds made available through the Rural Electrification Administration has evidence from its own experience to support the findings and charges of the subcommittee; and

Whereas the Minnkota Power Cooperative, Inc., believes that unless corrective measures are taken immediately the future welfare of the entire rural electrification program stands to be jeopardized: Now, therefore, be it

Resolved, That this cooperative endorse Senate bill 309 and H. R. 1505; and be it further

Resolved, That it take such action as is deemed necessary and expedient toward the gain of that end.

REPORTS OF A COMMITTEE

The following reports of a committee were submitted:

By Mr. BURTON, from the Committee on Military Affairs:

S. 612. A bill to amend the National Defense Act, as amended, so as to limit the application of provisions for retirement of wing commanders of the Air Corps; with amendments (Rept. No. 201).

By Mr. BRIDGES, from the Committee on Military Affairs:

S. 881. A bill authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell; without amendment (Rept. No. 202).

By Mr. MAYBANK, from the Committee on Military Affairs:

S. 889. A bill to amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps; without amendment (Rept. No. 203).

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BREWSTER, from the Joint Select Committee on the Disposition of Executive Papers, to which was referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

PERSONS EMPLOYED BY A COMMITTEE WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate a report for the month of March 1945 from the chairman of the Subcommittee on War Mobilization of the Military Affairs Committee in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which was ordered to lie on the table and to be printed in the RECORD, as follows:

SENATE MILITARY AFFAIRS COMMITTEE, SUBCOMMITTEE ON WAR MOBILIZATION

MARCH 31, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of March 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Virginia W. Boyce	3810 W St. SE., Washington, D. C.	Department of Interior, Washington, D. C.	$1,800
Ann S. Gertler	3721 39th St. NW., Washington, D. C.	do	2,000
Hope C. Hesler	2 East Maple St., Alexandria, Va.	War Manpower Commission, Washington, D. C.	2,000
Joan P. Karasik	1919 19th St. NW., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	3,800
Charles Kramer	4621 South 34th St., Arlington, Va.	Office of Price Administration Washington, D. C.	6,500
C. Theodore Larson	3917 North 5th St., Arlington, Va.	National Housing Agency, Washington, D. C.	5,600
Fritzie P. Mantel	1621 T St. NW., Washington, D. C.	War Manpower Commission, Washington, D. C.	3,800
Darel McConkey	Lanham, Md.	War Production Board, Washington, D. C.	4,600
Cora L. Moon	5327 16th St. NW., Washington, D. C.	Office of Price Administration, Washington, D. C.	2,000
Elizabeth H. Oleksy	1620 Fuller St. NW., Washington, D. C.	War Production Board, Washington, D. C.	2,600
Francis C. Rosenberger	5814 64th Ave., East Riverdale, Md.	Office of Price Administration, Washington, D. C.	4,600
Herbert Schimmel	3604 Minnesota Ave. SE., Washington, D. C.	War Production Board, Washington, D. C.	8,000
Marjorie J. Tillis	211 Delaware Ave. SW., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	3,200

H. M. KILGORE, *Chairman.*

INSPECTION OF NAVAL ESTABLISHMENT BY NAVAL AFFAIRS COMMITTEE

Mr. LUCAS. Mr. President, I ask unanimous consent for the consideration of two resolutions which were ordered favorably reported today from the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. WHITE. Mr. President, may I inquire, what are the resolutions?

Mr. LUCAS. One is Senate Resolution 48, the other Senate Resolution 87. Senate Resolution 48 was submitted by the chairman of the Naval Affairs Committee, the senior Senator from Massachusetts [Mr. WALSH], on January 25. The resolution provides for an appropriation of $4,000 to inspect certain naval bases within the Western Hemisphere. I wish to say for the Naval Affairs Committee that during last year the committee spent little or nothing in making investigations. The Senator from Massachusetts has not pressed very strongly for action on the resolution. He said to me about 3 weeks ago that he thought it ought to be agreed to. It was reported favorably by the Naval Affairs Committee, and was referred to the Committee to Audit and Control the Contingent Expenses of the Senate, which ordered it favorably reported today.

I now ask unanimous consent to report favorably without amendment from the Committee to Audit and Control the Contingent Expenses of the Senate, Senate Resolution 48, and I ask for its present consideration.

There being no objection, the Senate proceeded to consider the resolution (S. Res. 48) submitted by Mr. WALSH on January 25, 1945, and previously reported by the Committee on Naval Affairs.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Committee on Naval Affairs, or any subcommittee thereof duly appointed by the chairman of the committee, is hereby authorized to visit, for the purposes of inspection, during the present Congress, any part of the Naval Establishment in the Western Hemisphere, the expenses incurred in pursuance thereof, not to exceed $4,000, to be paid from the contingent fund of the Senate. The members of such committee or subcommittee shall be paid the actual expenses of transportation incurred by them for travel performed under the provisions of this resolution and a per diem allowance as provided by law while performing travel authorized by this resolution.

Mr. WALSH. Mr. President, in addition to what the Senator from Illinois has stated, I wish to say that this is largely a formal matter. For several years past a fund has been allowed the committee, but practically no money whatever has been expended. Many members of the committee, including myself, have made inspections at our personal expense amounting at times to several hundred dollars; but I think circumstances may arise under which members of the committee ought to make official inspections, and the money ought to be available for the purpose.

Mr. WHITE. Mr. President, I have no objection to the resolution.

The PRESIDENT pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

DISPOSAL OF THE GOVERNMENT'S INTEREST IN THE NASHVILLE TENNESSEAN

Mr. LUCAS. Mr. President, the second resolution I desire to present to the Senate for consideration is Senate resolution 87, which was submitted by the Senator from Tennessee [Mr. MCKELLAR] on February 26 and referred to the Committee on the Judiciary, was favorably reported with an amendment by that committee, and then referred to the Committee to Audit and Control the Contingent Expenses of the Senate, and was ordered reported by that committee favorably today. We have made one change in the amount of money requested. $5,000 was requested. The committee thought perhaps $3,000 was sufficient to carry on the investigation. An amendment to that effect has been recommended.

Therefore, Mr. President, I ask unanimous consent to report favorably with an additional amendment from the Committee to Audit and Control the Contingent Expenses of the Senate, Senate Resolution 87, and I ask for its present consideration.

The committee was also unanimous in its belief—and I wish to report this to the Senate—that the resolution which was referred originally to the Committee on the Judiciary should have been referred to the Committee on Banking and Currency, because it involved an R. F. C. matter, and the Committee on Banking and Currency has handled all such matters.

Mr. WHITE. I think there is a presumption in favor of any resolution submitted by the senior Senator from Tennessee.

Mr. LUCAS. I thank the Senator from Maine for the presumption.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Illinois?

There being no objection, the Senate proceeded to consider the resolution, which had been submitted by Mr. MCKELLAR on February 26, 1945, and previously reported by the Committee on the Judiciary with an amendment.

The amendment of the Committee on the Judiciary was, on page 1, line 4, after the word "surrounding", to strike out "the transaction in January 1937, involving."

The amendment was agreed to.

The amendment of the Committee to Audit and Control the Contingent Expenses of the Senate was, on page 2, line 20, after the word "exceed", to strike out "$5,000" and insert "$3,000."

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the Committee on the Judiciary or any duly authorized subcommittee thereof is authorized and directed to make a full and complete investigation of the circumstances surrounding the disposal of the Government's interest in the Nashville Tennessean, a newspaper published in Nashville, Tenn., with particular regard to the part played in such transaction by employees or former employees of the Government, and to report thereon to the Senate at the earliest practicable date, together with its recommendations, including recommendations for necessary legislation in connection with such transactions. If in the course of the investigation facts are disclosed which indicate that the interests of the United States were not properly protected or that any violation of law may have occurred, and the committee is of the opinion that the sale should be set aside or other legal proceedings instituted, it shall transmit its findings to the Attorney General with such recommendations for action as it deems advisable.

For the purpose of this investigation, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress, to employ such clerical and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee under this resolution, which shall not exceed $3,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILEY:

S. 915. A bill for the relief of Mr. and Mrs. Ray S. Berrum; to the Committee on Claims.

By Mr. JOHNSON of Colorado:

S. 916. A bill to remove the limitation on the right to command of officers of the Dental Corps of the Army which limits such officers to command in that corps; and

S. 917. A bill to provide for payment and settlement of mileage and other travel allowance accounts of military personnel; to the Committee on Military Affairs.

By Mr. KILGORE:

S. 918. A bill granting a pension to Clara V. Crossland; to the Committee on Pensions.

By Mr. BAILEY:

S. 919. A bill for the relief of Nellie Bell Vernon; to the Committee on Claims.

By Mr. WAGNER:

S. 920. A bill to fix the salaries of certain judges of the United States; to the Committee on the Judiciary.

S. 921. A bill to authorize the transfer of Fort Schuyler Military Reservation, N. Y., to the State of New York for nautical education purposes; to the Committee on Military Affairs.

By Mr. LUCAS:

S. 922. A bill for the relief of Margaret G. Clancy; to the Committee on Claims.

By Mr. McCARRAN:

S. 923. A bill to create a Natural Resources Board, and for other purposes; to the Committee on Public Lands and Surveys.

By Mr. CORDON:

S. 924. A bill to amend the act of March 10, 1934, entitled "An act to promote the conservation of wildlife, fish and game, and for other purposes"; to the Special Committee on Conservation of Wildlife Resources.

WITHDRAWAL OF PAPERS

On motion by Mr. SHIPSTEAD, and by unanimous consent, it was—

Ordered, That the following papers filed with the bill (S. 2051, 77th Cong.), entitled "A bill for the relief of John F. Patterson,"

be withdrawn from the files of the Senate, no adverse report having been made thereon:

Affidavit of Walter H. Barnacle, January 7, 1933;

Certification of State of Minnesota adjutant general's office, dated November 26, 1932, including Fatterson's service record, etc.;

Affidavit of Earndt A. Anderson, January 6, 1933;

Affidavit of Col. Erle D. Luce, January 5, 1933; and

Affidavit of John F. Patterson, January 17, 1933.

PRINTING OF FOURTH INAUGURAL ADDRESS OF PRESIDENT FRANKLIN D. ROOSEVELT (S. DOC. NO. 40)

Mr. BILBO. Mr. President, we find that a very unusual thing has happened in connection with the Senate proceedings. Franklin Delano Roosevelt was inaugurated as President of the United States on the 20th day of January this year. His inaugural address, together with the invocation and benediction delivered on that occasion, have never been put in document form, which is the result of an oversight on the part of both the House and the Senate. I ask unanimous consent that the inaugural address, together with the invocation and benediction delivered on that occasion, be printed as a Senate document.

The PRESIDENT pro tempore. Without objection, it is so ordered.

POSTAL PAY—EDITORIAL FROM FARGO (N. DAK.) FORUM

Mr. LANGER. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "Postal Pay," published in the Fargo (N. Dak.) Forum of April 15, 1945. It is one of the best and clearest and most concise editorials on the subject of postal pay I have ever read.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

POSTAL PAY

Your postman and the other employees in the United States Postal Service are asking for your assistance. They are asking the folks they serve to help them get a raise in wages.

Should they have a raise in wages?

They make out a strong case. Twenty years ago, under President Calvin Coolidge, the mailman's salary was raised from a maximum of $1,800 to a maximum of $2,100 annually. There has been no fixed increase in pay since.

They are now getting a temporary bonus of $25 a month, but this $300 a year will expire June 30 unless Congress extends it.

Bills are pending before Congress that would grant the postman and all other postal employees a permanent $400 a year increase.

In view of the steep increase in living costs since 1925, a raise of $33 a month would seem to be a fair and moderate request.

Postmen and other postal employees have homes to keep up, families to raise, children to educate.

Is there a more faithful public servant in America than your postman who trudges to your door every week day, rain or shine, sleet storm or blizzard, in the sizzling heat of summer and through the blasts of winter?

Recently the New York Daily Mirror made a plea for justice for the postman. Said the Mirror:

"Who is this postal worker whose income barely provides him with a worrisome subsistence? Is he one of the army of bureaucrats who infest Washington and the Nation to the number of 3,000,000?"

Everyone in America knows the answer to that one. These postal employees are true civil servants. They are not the pets of the New Deal. Compared to the compensation paid to employees in many of these new bureaucratic organizations these old-time servants of the Government have been and are being shamefully treated.

Bills have been before Congress providing fair compensation for the postal employees for a long time. They were before the last Congress. It was generally agreed if the measures had come to a vote they would have been passed. But at the last minute they were callously kicked out on a technicality.

The postmen can do little about it. Their hands are tied. Under the Hatch Act they cannot mix in politics. They point out that they cannot strike, and wouldn't want to if they could. They have no recourse to arbitration, mediation, or negotiation.

All they can do is to appeal to the public to use its influence with Congress. If you think your postman and his fellow employees have a just cause, you could help by writing to some member of the North Dakota delegation in Washington and telling him how you feel about it.

FULL EMPLOYMENT AND SOCIAL SECURITY UNDER A FREE ENTERPRISE SYSTEM—ADDRESS BY SENATOR MURRAY

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address entitled "Full Employment and Social Security Under a Free Enterprise System," delivered by him April 20, 1945, before the St. Louis chapter of the Missouri Association for Social Welfare and the St. Louis Chamber of Commerce, which appears in the Appendix.]

A TIME FOR REDEDICATION TO DEMOCRACY—ADDRESS BY SENATOR PEPPER

[Mr. PEPPER asked and obtained leave to have printed in the RECORD an address entitled "A Time for Rededication to Democracy," delivered by him at a forum meeting of the National Democratic Club, on January 27, 1945, in New York, together with the introductory remarks, which appear in the Appendix.]

TRIBUTE TO THE LATE PRESIDENT ROOSEVELT—BY JOHN BELL WILLIAMS

[Mr. BILBO asked and obtained leave to have printed in the RECORD a tribute to the late President Roosevelt delivered by John Bell Williams at memorial services for President Roosevelt held at the Raymond Baptist Church, Raymond, Miss., Sunday, April 15, 1945, which appears in the Appendix.]

NAZI ATROCITIES—EDITORIAL FROM THE PHILADELPHIA INQUIRER

[Mr. CHANDLER asked and obtained leave to have printed in the RECORD an editorial entitled "America Must Not Forget—Again," dealing with Nazi atrocities, published in the Philadelphia Inquirer of April 24, 1945, which appears in the Appendix.]

TO A GREAT LADY—EDITORIAL FROM THE WASHINGTON NEWS

[Mr. CHANDLER asked and obtained leave to have printed in the RECORD an editorial entitled "To a Great Lady," in tribute to Mrs. Roosevelt, published in the Washington News of April 21, 1945, which appears in the Appendix.]

ERNIE PYLE

[Mr. CHAVEZ asked and obtained leave to have printed in the RECORD a poem entitled "Ernie Pyle," by Delores Espinosa, which appears in the Appendix.]

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had passed a bill (H. R. 2839) to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

S. 122. An act to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended;

S. 123. An act to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended;

S. 124. An act to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924;

S. 638. An act to amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates;

H. R. 2122. An act to extend to June 30, 1946, the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits;

H. R. 2687. An act to grant the honorary rank of colonel to Edward J. Kelly, major and Superintendent of the Metropolitan Police Force of the District of Columbia; and

H. J. Res. 106. Joint resolution to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort.

HOUSE BILL REFERRED

The bill (H. R. 2839) to increase the salary of the executive secretary of the Nurses' Examining Board of the District of Columbia, was read twice by its title and referred to the Committee on the District of Columbia.

LEAVE OF ABSENCE

Mr. PEPPER. Mr. President, the legislature of my State, which is now in session, will tomorrow evening have a joint session at which memorial services will be held for the late President Roosevelt. I have accepted an invitation from the legislature to address the body on that occasion. With that explanation, I ask unanimous consent of the Senate that I may be excused from attendance for the purpose I have named.

The PRESIDENT pro tempore. Without objection, the Senator from Florida will be excused from attendance for the reason he has assigned.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The Senate resumed the consideration of the bill (H. R. 2625) to extend the

Selective Training and Service Act of 1940, as amended.

Mr. REVERCOMB obtained the floor.

Mr. WILSON. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. WILSON. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Mitchell
Austin	Gurney	Moore
Bankhead	Hart	Morse
Bilbo	Hatch	Murdock
Brewster	Hawkes	Murray
Bridges	Hayden	O'Mahoney
Burton	Hickenlooper	Radcliffe
Bushfield	Hill	Reed
Butler	Hoey	Revercomb
Byrd	Johnson, Colo.	Robertson
Capehart	Johnston, S. C.	Russell
Capper	La Follette	Smith
Chandler	Langer	Stewart
Chavez	McCarran	Tobey
Cordon	McClellan	Tunnell
Donnell	McFarland	Tydings
Downey	McKellar	Wagner
Eastland	McMahon	Walsh
Ellender	Magnuson	White
Ferguson	Maybank	Wiley
Gerry	Millikin	Wilson

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Missouri [Mr. BRIGGS] is absent on public business.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr GEORGE], and the Senator from Utah [Mr. THOMAS] are absent visiting various concentration and prison camps in Europe.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference in San Francisco.

The Senator from Pennsylvania [Mr. MYERS] is absent attending the funeral of a relative.

The Senator from Montana [Mr. WHEELER] is absent on official business.

The Senator from North Carolina [Mr. BAILEY], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Illinois [Mr. LUCAS], the Senator from Texas [Mr. O'DANIEL], the Senator from Louisiana [Mr. OVERTON], the Senator from Florida [Mr. PEPPER], and the Senator from Oklahoma [Mr. THOMAS] are absent attending committee meetings and public business pertaining to their respective States.

Mr. WHITE. The Senator from Minnesota [Mr. BALL] is absent because of a death in his family.

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from North Dakota [Mr. YOUNG], and the Senator from Indiana [Mr. WILLIS] are absent on official business.

The Senator from Ohio [Mr. TAFT], the Senator from Delaware [Mr. BUCK], the Senator from Minnesota [Mr. SHIPSTEAD], and the Senator from Iowa [Mr. HICKENLOOPER] are detained on official business.

The PRESIDENT pro tempore. Sixty-three Senators having answered to their names, a quorum is present.

The question is on agreeing to the modified amendment proposed by the Senator from Tennessee [Mr. STEWART] for himself and other Senators to the bill H. R. 2625.

The Senator from West Virginia [Mr. REVERCOMB] has the floor.

Mr. WALSH. Mr. President, will the Senator from West Virginia yield to me?

Mr. REVERCOMB. I yield.

Mr. WALSH. Yesterday, during the debate, the Senator from Ohio [Mr. TAFT] suggested that the word "combat" be inserted before the word "vessels" in line 4, on page 2, of the redrafted amendment offered by the Senator from Tennessee on behalf of himself and other Senators. The Senator from Tennessee is willing to accept that modification, and I suggest that it be made now so as to make the record clear.

Mr. STEWART. I am willing to make the modification suggested. The Senator from Ohio [Mr. TAFT] made the suggestion yesterday.

Mr. WALSH. The modification will be made in line 4, on page 2, to insert the word "combat" before the word "vessels."

The PRESIDENT pro tempore. The Senator from Tennessee has the right to modify his amendment accordingly.

Mr. STEWART. That modification is acceptable.

Mr. HILL. Mr. President, will the Senator from West Virginia yield to me?

Mr. REVERCOMB. I yield.

Mr. HILL. I wonder if the Senator from West Virginia will yield to the Senator from Tennessee, so the Senator from Tennessee may at this time read to the Senate his amendment, as modified, in line with the statements which have just been made. Several changes have been made in the amendment since it was first offered, and it would be well if the Senate were advised of the language the Senator from Tennessee now proposes.

The PRESIDENT pro tempore. Does the Senator from West Virginia yield for that purpose?

Mr. REVERCOMB. I yield for that purpose, Mr. President. I intended to read the amendment as it now is, but I am glad to have the Senator from Tennessee do so.

Mr. STEWART. Mr. President, I will say for the benefit of the acting majority leader that there was placed on the desk of each Senator this morning a reprint of the amendment with all the modifications that were accepted yesterday. I shall be glad to read the amendment in its present form, or ask that it be read at the desk, if that is considered to be necessary. There will be no change in the amendment which now is printed and lies on the desks of Senators except for the insertion of the word "combat" before the word "vessels" in line 4, on page 2. That is the modification to which the Senator from Massachusetts [Mr. WALSH] referred, as being in line with the suggestion made by the Senator from Ohio [Mr. TAFT] yesterday. I am willing to accept that modification, and I understand that my colleagues who joined with me in offering the amendment are agreeable to the modification.

Mr. REVERCOMB. Mr. President, if the Senator from Alabama is anxious to have the amendment as it now stands read, let me say that I intend to read it at the beginning of my statement.

Mr. HILL. If the Senator intends to read the amendment, I shall not ask to have it read.

Mr. REVERCOMB. Mr. President, for several days we have discussed the extension of the Selective Training and Service Act, and particularly an amendment to it which deals with the training of 18-year-old inductees. The amendment which we are now considering, in its present form, reads as follows:

> SEC. —. Section 3 (a) of such act, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*And provided further*, That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act shall be ordered into actual combat service until after he has been given at least 6 months of military training of such character and to the extent necessary to prepare such inductee for combat duty; this proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on combat vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States."

To me the language of the amendment is quite clear. Its meaning is simple. A fixed limitation would be placed upon the military and naval authorities with respect to inductees under 19, requiring at least 6 months' training before they are ordered into combat service. The reason for legislation upon this particular subject is that the military itself has changed its policy. Later I intend to go back and briefly summarize the history of the Selective Training and Service Act, but suffice it to say that as recently as June 7, 1944, General McNarney, Assistant Chief of Staff of the Army, and then, I believe, the Acting Chief of Staff, announced publicly that—

> The Army today is not sending men under 19 years of age assigned to the infantry for overseas service.

Later that policy was revised to include men assigned to the armored forces. So in June 1944 it was the policy of the War Department that no boy under 19 years of age was sent into the infantry as a replacement, and no boy under 19 years of age was placed in an armored division.

Then, on December 7, 1944, Mr. Patterson, the Under Secretary of War, made a public statement revoking that policy. In War Times, which is a weekly official

publication of the War Department, published at the direction of the Secretary of War, we find this item on page 2 of the issue of December 8, 1944:

> The necessity for Infantry and armored-force replacements has forced the Army to change its policy of withholding men under 19 years of age from active battle fronts, Under Secretary of War Robert P. Patterson disclosed in his press conference yesterday. The Under Secretary stated, however, that 8 months, including his period of training, intervened between a man's induction into the Army and his going into combat. Under no circumstances is a soldier sent into an active sector until he has received adequate training, and examinations have proved his physical condition equal to the hardships of combat service.

Thus, we see that in June the Acting Chief of Staff of the Army made the public announcement that no boy under 19 years of age was being sent into combat as an Infantry replacement, and later that none were being sent into the armored forces. Then, in December, we see the War Department changing that policy. The policy stated in the item which I have just read, namely, that 8 months elapsed between the time of induction and going into battle, has not been followed, and has not be complied with in all cases, as stated in this press release. I intend to bring out that fact by individual cases.

Mr. President, legislation upon the subject of training is nothing new. There is nothing novel in it. As a matter of fact, our Government is the only one of the Allied governments, with the possible exception of China, which has not legislated upon this very subject.

Great Britain has a definite provision in its draft law that no boy shall be sent out of the British Isles in any department of the service until he is 18 years and 6 months old—not that he shall have 6 months' training but that he shall not be sent out of the British Isles, even for training elsewhere, until he is 18 years and 6 months of age.

In Canada the boys are not sent out until they are 19 years of age. Moreover, up until last December, they did not go abroad to fight the enemy in Europe unless they volunteered to do so. It is interesting to note that when that policy was changed, even as late as December 1944, the number of the contingent sent abroad was fixed by statute at 16,000.

No boy may leave Australia for service abroad until he is 19 years of age.

In New Zealand, which is one of our allies, no boy may leave the shores of his country to fight a foreign enemy until he is 21 years of age.

Russia's conscription act fixes the ages between 19 and 50. It is possible that Russia has called up boys under 19; but Russia was invaded. Her land was being marched over. She grabbed anyone she could to fight in defense of her territory. Russia armed her defenders in any way they could be armed; but she had a fixed policy of law as to the age of those who might be sent into combat.

The United States alone, of all the Allied countries, has not taken such a step. So the legislation proposed is not novel, Mr. President. It is rather novel that we have not acted before. I believe that this Government owes a duty to those whom it has called into service to take as much action for their protection as the government of any of Allied countries has taken.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. BUSHFIELD. I wish to say to the Senator that I am in hearty accord with the proposed amendment, and I expect to vote for it; but I wonder why the words "under 19 years of age" were included. Should there not be a requirement that 6 months' training be given every inductee, regardless of his age?

Mr. REVERCOMB. The question is very definitely a fair one. So far as I am concerned, I believe that any inductee of any age should be given 6 months' training. But I wish to point out that, as a practical matter, most of the soldiers, sailors, and marines who will be brought into service in the armed forces by way of induction from now on probably will be of the 18-year-old class. Also, I am thoroughly impressed with the fact that often there is a considerable difference between the development of an 18-year-old boy and that of a 19-year-old boy. Of course, that is not always so; but boys in their late teens develop rapidly. I believe the average boy 19 years old is much more mature, both physically and mentally, than the average 18-year-old boy. The training which is given such a boy after he is inducted is for the purpose of equipping him to be a good fighter and at the same time to take care of himself, because a wounded or dead soldier is not effective in fighting for the cause of his country.

There has been a great deal of discussion to the effect that the thing to do is to give these inductees some basic training for a few weeks, by which they may get acquainted with their guns, and then finish their training in actual battle, beside seasoned troops. First, let me point out that today soldiers very seldom go into battle in mass formation. Usually they are scattered or are fighting in small groups, sometimes groups composed of only two men. I am not very much impressed with the idea of giving a boy a small amount of training to begin with and then sending him into combat beside a seasoned soldier, because under such circumstances not only would he be a menace to himself, but he would be a menace to the seasoned, trained trooper who would have to look out for him.

This subject first came up at the time when the Senate was considering the extension or amendment of the Selective Training and Service Act to include 18-year-old and 19-year-old boys. That was in October 1942. At that time the same subject we are discussing today was debated. I wish to point out that in the Senate it was agreed that no boy under 20 years of age should be sent abroad until he had received a year's training. That policy was adopted by the Senate in 1942. Provision for it was taken out of the bill in conference. Then, as now, the military leaders begged that no restrictions be placed upon them, but at that time the Senate felt that a restriction should be placed upon them, and the Senate so acted.

Today we are only requesting that these young men be given at least 6 months' training before they are placed in actual combat, and that the 6 months' training be given anywhere, so long as it is effective and will train them to be good fighters and enable them to take care of themselves.

Mr. HAWKES. Mr. President, will the Senator yield to me for a moment?

Mr. REVERCOMB. I yield.

Mr. HAWKES. I believe I have a thought which will appeal to the Senator. The pending amendment reads in part as follows:

> *And provided further*, That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act shall be ordered into actual combat service.

A few minutes ago the Senator made a very fine point in regard to Russia. I think his position is extremely well taken.

Mr. REVERCOMB. I thank the Senator.

Mr. HAWKES. I believe the amendment will receive much more endorsement if its sponsors adopt the suggestion I am about to make. Of course, Russia called upon her boys and her women, and we would call upon our boys or our women or anyone else in this country to defend this Nation if it were attacked and if the combat were brought to our shores.

So I suggest that the amendment be modified at that point so as to read:

> Shall be ordered into actual combat service outside the territorial limits of the United States.

Such a modification would provide for any eventualities in case our Nation were attacked. Of course, today we do not expect it to be attacked. However, under the modification I have suggested, if it were attacked any 18-year-old boy or anyone else who had received any kind of training could be ordered by the military leaders into actual service.

Mr. REVERCOMB. I thank the Sentor for presenting the suggestion; but, with all due deference to him, I do not think it is necessary to include in the amendment the words he has suggested, because regardless of any law which might be enacted, if this country were invaded the result would be the same as that which occurred in Russia, namely, we would call into the service everyone who could bear arms, regardless of age.

Mr. HAWKES. I wonder whether there would be any real objection to including in the amendment the words I have suggested, and thus showing clearly what we have in mind. The addition, in my opinion, would be most worth while.

Mr. REVERCOMB. I myself have no objection to it, but I would wish to confer with other Senators before agreeing to include it.

Mr. HAWKES. I earnestly suggest that the Senator seriously consider its inclusion, because I believe it would improve the amendment.

Mr. REVERCOMB. I thank the Senator for the suggestion.

Mr. President, returning to the point that the Selective Training and Service Act was amended in October 1942, so as to make it apply to 18-year-old and 19-year-old boys, I wish to point out the position which was taken by the military leaders at that time. Of course, the military leaders will oppose the pending amendment. They wish to have complete power and domination in every respect over every person in the country in time of war. I shall not attempt and I would not attempt to dim the words of praise which have been spoken of the leaders of our military and naval forces. No one could do that. But I wish to say that is no reason why any Member of the Congress should evade his duty to look after the welfare of the people of this country in time of war as well as in time of peace. If such boys are to be called into service under laws made by this body, certainly this body should see to it that they receive proper training.

I say again that we are the only country of which I know that has not legislated upon this subject. I think the time has come, under the facts of the case relative to the sending of American troops into battle, for us to legislate.

In 1942, when the Selective Training and Service Act was amended to cover the 18-year-old and 19-year-old boys, I am sure the people of our country believed that such boys would receive a year's training. If Senators will study the RECORD of those days they will find that, judging from the remarks made by Senators at that time, many Senators believed that such inductees would receive a year's training.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. KILGORE. Has the Senator read the debate which took place on the subject?

Mr. REVERCOMB. Yes.

Mr. KILGORE. I wonder if the Senator gained the impression from the debate that the program of inducting 18-year-olds was not for the purpose of affording them the opportunity of 1 year's training.

Mr. REVERCOMB. I feel that that definitely was the thought of many Senators who voted on the matter in 1942.

Mr. KILGORE. How does the Senator interpret the record which was interpreted by some as meaning that that was the purpose of the bill?

Mr. REVERCOMB. I should be glad to have the views of my colleague who was then in the Senate on that subject. I should like to know his views as to what was intended?

Mr. KILGORE. I should like to have the view of my colleague, and his impression gained from reading the debate.

Mr. REVERCOMB. From reading the debate I am impressed with the belief that it was the intention of those who voted for the bill that by calling up 18 and 19-year-old boys a year's training would result. The Senators who voted for the bill had reason to believe in that way. In fairness to General Marshall, who testified, I wish to say that at no time did he say that individuals must be given a year's training. However, he did say it required a year of training to prepare a division. He stated that the Germans trained their divisions for 2 years before putting them into combat.

I also read the following language from the statement of General Marshall. It is from the RECORD of October 22, 1942:

> But it should be perfectly clear in your mind that what we turn out in January 1943 is not available until January 1944, and the men whom it is proposed to induct under this estimate in December 1943 will not be available in newly trained units until January 1945.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. KILGORE. I ask the Senator if he would not naturally draw the conclusion from the statement which he has read that 1 year's training would be provided.

Mr. REVERCOMB. Certainly, I would draw that conclusion; and the people of this country had the right to believe from that language that there would be a year of training.

Mr. President, I wish to point out that I believe there has been a definite violation of that understanding. I believe there has been a gross departure from the Army's own policy as announced by the Acting Chief of Staff when he said, that no boy under 19 years of age was being sent into combat as an Infantry replacement. I also believe there has been a departure from the policy as announced in the statement contained in the release of the War Department on December 8, 1944, in which it was stated that 8 months of training were required from the time a boy was inducted until he was placed in combat.

I have received numerous letters on this subject. I shall not attempt to read all of them. For the benefit of the Senate I wish to invite attention to some of the cases, tragic as they are, which absolutely impress me with the necessity of action by this Government. Can we not see the position in which the American 18-year-old boy is placed unless we act? Here are our allies, exercising definite limitations as to when their young men may leave their country. We are not doing that. We say, "Give them the training before putting them into combat, wherever they may be." However, our allied countries have said that their boys may not leave England, for example, until they are 18½ years old; that they shall not leave Canada until they are 19 years old; that they shall not leave Australia until they are 19 years old; and that they shall not leave New Zealand until they are 21 years old. In what position does that leave the American boy? When troops are needed and our allies are asked to supply men, the answer is that the men are not available. Why are they not available? Because of the legislation enacted in those countries for the protection of their boys. The result is that we are calling out American boys to fill in the gap. Do Senators wonder that Mr. Churchill rose on the floor of the House of Commons in the early part of January and said that the losses on the western front were from 60 to 70 Americans to 1 Britain?

Mr. President, we owe the great duty to our military leaders of backing them up, and we have backed them up. We have been confronted with the duty of doing our part in the prosecution of this war, and we have done so. But we also owe the duty to every American boy who is called into service of insuring that he shall not be made the victim of a legislative situation which we create by failing to enact a proper law.

I invite attention to a letter which was addressed to the Baltimore Sun. It reads in part as follows:

> I have a son who, after only 12 weeks of training at a southern camp and a 5-day furlough at the end, was shipped overseas. My son will reach his 19th birthday June 6, 1945. We have already received that much-dreaded telegram from the Secretary of War expressing his deep regret that our son was wounded in France, March 21, 1945.

There was a case involving 12 weeks of training.

The other day during the course of the debate I heard it said that a man who had received a year's training could be wounded as well as a man who received less training. Of course that is true. But I assert that the man who has been trained can better fight, and better take care, not only of himself but his comrades around him, than can the man who has not received adequate training. Of course, I realize that no assurance can be given against his being wounded or killed, regardless of how much training he has received. But when we take green, untrained boys, some of whom are undeveloped, and place them in the armed forces they certainly, and in all reason, are less fitted to protect themselves and those around them than they would be after receiving adequate training. I submit that 6 months of training is a minimum of adequate training in such a war as this, involving the use of unusual weapons.

Mr. President, I have before me a letter from Brooklyn, N. Y. It was not written by the mother of a boy in the service. It was written by a lady who apparently was finely interested in American boys. She speaks of two boys in her church who were killed before they were 18½ years old. That was not 8 months from the time of induction until they had been placed in combat. I read from that letter:

> Two of these immature boys who attended my church were killed before they were 18½ years old. Just think of it—18½ years old.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. REVERCOMB. I yield.

Mr. LUCAS. Did the letter from which the Senator has just read state that those boys had been inducted?

Mr. REVERCOMB. The letter does not state that they had been inducted.

Mr. LUCAS. In other words, those boys may have been volunteers.

Mr. REVERCOMB. That is hardly possible; it is not mentioned in the letter. I do not believe that there were any volunteers in the Army in 1944. I do not believe—in fact, I know that a boy cannot enter the service until he is 18 years of age, whether he enters as the result of being drafted by his board, or volunteers through the board. So they must have been 13 when they went into the Army.

Mr. LUCAS. Mr. President, that is an assumption upon the part of the Senator. There have been many 18-year-old boys, and even younger ones, who volunteered in this war and were killed. Boys are still volunteering in the Navy service, as I understand.

Mr. REVERCOMB. Does the Senator know of any boys 18 years old who volunteered in the Army?

Mr. LUCAS. They are inducted after they are 18, but I raise the point in connection with the letter the Senator has read whether or not the boys might not have been volunteers, and then the question arises as to how much training they had. The letter does not say anything about the training the boys had.

Mr. REVERCOMB. No; the letter does not say anything about the training, but if a boy cannot enter the Army until he is 18 and he is killed before he is 18½, we can pretty well know that he did not have 6 months' training.

I have here a letter from Iowa which states that a boy who received 12 weeks' training was killed when he was 18 years of age. I desire to read the letter:

I'm glad for the stand you take in defense of the 18-year-old boys. It is too late to save my son. He was 18 last August. After only 12 weeks' training in the Infantry he was sent across the last of January, landing February 2, and was killed in the front lines in Germany on March 5.

I have before me the case of an 18-year-old California boy who received 14 weeks' training and was then sent into combat and killed.

Here is a case from the State of Illinois of another 18-year-old boy who had 14 weeks' training in the Infantry and then was sent into combat.

Mr. CAPEHART. Mr. President——

The PRESIDING OFFICER (Mr. ELLENDER in the chair). Does the Senator from West Virginia yield to the Senator from Indiana?

Mr. REVERCOMB. I yield to the Senator from Indiana.

Mr. CAPEHART. Why is it that England and Canada and New Zealand and Australia prohibit their boys from going into combat duty until, in some instances, they are as old as 21?

Mr. REVERCOMB. That is the case in New Zealand.

Mr. CAPEHART. What is the reason for it?

Mr. REVERCOMB. The reason for it is that the legislative bodies of those countries and their governments feel that boys of such tender years are rather immature and ought to be trained. I assign that as the reason, and certainly that is the best reason that could be advanced. They feel that they owe to their own people some consideration; they feel that they owe to the boys whom they have called up for battle duty the consideration of keeping them at home until they are properly trained and sufficiently mature to go out and fight and be able to protect themselves and others around them.

Mr. CAPEHART. Mr. President, may I ask the Senator another question?

The PRESIDING OFFICER. Does the Senator from West Virginia yield further to the Senator from Indiana?

Mr. REVERCOMB. I yield.

Mr. CAPEHART. Why should our boys be asked to do something that the English, the Canadian, the Australian, and the New Zealand boys are not asked to do? What do we have that they do not have?

Mr. REVERCOMB. I feel that we should not ask anything of our boys that the Governments of our Allied countries are not asking of theirs. I think it is a great wrong, and I believe it goes beyond the question of letting the military fight the war, for we owe and we must, even at this late day, give to the boys of this country and to all our people the protection which this Government that represents them should give them.

Returning to some of the cases that have been called to my attention, I have from Indiana the cases of 3 boys 18 years old, members of the same school class, who have been killed. I read from the letter.

In the last month we have lost three 18-year-old boys of our community. Two of those boys stood on our commencement day platform last year. These boys were too young for combat duty.

The writers of that letter were not talking about their own sons; they were talking about other boys of their community.

I do not make an appeal, Mr. President, upon the ground of sentiment—though, if it is sentiment, it is a good one—but I appeal to you upon the ground of fairness to our American boys. I do not want them placed in a position where they are going to be made the victims, or the goats, so to speak, of a legislative situation in the allied countries. Furthermore I make the appeal not only for the green trooper, but I make it for the trained man with whom the 18-year-old youth is sent into combat, and who assumes another risk when he attempts to look out for and protect the new boy.

The statement has been made that 8 months elapse between the time of his induction and the time he enters battle. I have here the case from Ashtabula, Ohio, of an 18-year-old boy who was killed 5 months after his induction. There was no 8 months' period there.

With all respect to the great military leaders of our country, I say to you, Mr. President, that the time has come when the people, and particularly the boys who are inducted, have a right to look to their Government to protect them equally with those alongside whom they fight. Of course, in time of war the military leaders will conduct the war; we look to them and we lean upon them to do it; but the time has not come when we should turn over the civil policies of the Government to the military of this country, however much we may respect them. The young men of the country are taken under an edict, a law, of the Congress; and if we have the duty to call them into service, we also have the duty to say that they shall receive adequate training when they are called.

There was circulated around the country some weeks ago a picture which appeared apparently in many newspapers throughout the United States, because the same picture was cut out and sent to me from various cities and towns. I have it here. It is a picture of two German boys. The title is "Teen-Age Nazis," and then it is stated:

These two boys, 17 (left) and 18, were part of the troops thrown up against Field Marshal Montgomery's men after they spanned the Rhine. Both boys went into combat with less than 12 weeks of preliminary training.

Mr. President, that was given to the American public and given to us to shock us, to hold up before us the situation of the enemy, to shock us into knowing how little training the enemy were giving to their teen-age boys.

We have been guilty of the same offense. Those German boys were fighting on their native soil; they were called up to fight with only 12 weeks' training, it is said; and here we have cases of American boys being shipped abroad to fight with 12 weeks' training, some being killed before they are 18½ years of age.

I submit, and I submit in all earnestness, that the time has come when our own people have a right to look to their Government for action in this matter. Six months is certainly a short enough time. Our own General Staff, announcing through the Deputy Chief of Staff only last June, said that the policy of the Army was not to send in an infantry replacement under 19 years of age, and the policy of the Army was not to send into combat in the armored divisions anyone less than 19 years of age. That was the policy of the Army. If it was sound then, it is sound now. If they had that consideration for the young 18-year-old, if they felt that he was not a good trooper until he was 19, the same course of reasoning applies today, and he is not a seasoned enough soldier to be used now.

Without further argument in this cause, for further argument is not necessary, I say that the time is now at hand for America to act in this serious matter and to put upon our military, into whose hands we place these boys, the duty of training them for a fixed period. Never yet has there been any reason, I care not what the situation may have been, for sending green, untrained troops of America into battle.

I know the zeal with which military men lead. They are there to fight. I have heard generals speak of soldiers as "bodies," saying, "We want so many bodies." I do not like that reference. Perhaps they have to be hardened, but you and I, Mr. President, owe the definite obligation to these boys to see that they do receive adequate training. And even the military themselves said they were not putting them into the infantry and the armored divisions until they were 19 years of age, but they are, we find, now violating that policy. I say that if they once adopted that policy as a good one, it is just as good now. Certainly we are not going too far when we ask for a minimum training of 6 months.

We still have a representative government in America; we still have our great Republic; our people still speak through their selected representatives, in war as well as in time of peace, and when the time comes for us to act upon a subject of this kind, the representatives of the people will do it with courage, without hysteria, with soundness. Again I say,

Mr. President, that the time is here, on this day, when Congress must act if we are to perform our duty toward the American boys we have called up for the highest and most dangerous service that can be placed on any citizen.

Mr. HILL. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hart	Murdock
Austin	Hatch	Murray
Bailey	Hawkes	O'Daniel
Brewster	Hayden	O'Mahoney
Bridges	Hickenlooper	Pepper
Buck	Hill	Radcliffe
Burton	Hoey	Reed
Bushfield	Johnson, Colo.	Revercomb
Byrd	Johnston, S. C.	Robertson
Capehart	Kilgore	Russell
Capper	La Follette	Shipstead
Chandler	Lucas	Smith
Chavez	McCarran	Stewart
Connell	McClellan	Taft
Downey	McFarland	Taylor
Eastland	McKellar	Thomas, Okla.
Ellender	McMahon	Tunnell
Ferguson	Magnuson	Tydings
Fulbright	Maybank	Walsh
Gerry	Millikin	White
Green	Mitchell	Wiley
Gurney	Morse	Wilson

The PRESIDING OFFICER. Sixty-six Senators having answered to their names, a quorum is present.

The question is on agreeing to the amendment, as modified, offered by the Senator from Tennessee [Mr. STEWART] for himself and other Senators.

Mr. HILL. Mr. President, as I examine the amendment now pending, which has been modified by the Walsh amendment, it seems that men 18 years of age who are drafted into the Army would have to have the 6 months' training, but that men who volunteer to go into the Marine Corps or those who are in the Navy or in the Coast Guard or the reserve components thereof, would not have to have 6 months' training.

The amendment makes discrimination as between the marines on the one hand and the Army on the other. The discrimination is between men who are 18 years of age and those who are 17 years of age, because the amendment would apply only to 18-year-olds in the Army, whereas we know there are many men who enlist in the Navy and in the Marine Corps who are 17 years of age, and the amendment would not apply to them.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WALSH. As I interpret the amendment, as to those who are drafted into the Marine Corps or into the Coast Guard—if there are any drafted into the Coast Guard—the Navy will be obliged to prevent them from being sent into ordinary combat for 6 months. In other words, the Marine Corps draftees and the Coast Guard draftees will be treated the same as the Army men who are under 18 years of age. The amendment proposed by me would permit the Navy to put enlisted men in the Navy personnel or in the Coast Guard on vessels, to be trained on vessels, though they have not been in the service 6 months. If the amendment is agreed to, I do not think there would be any distinction between the draftees in the Marine Corps and in the Coast Guard and the draftees in the Army.

Mr. HILL. Mr. President, as the Senator knows, and it is certainly my information, practically all the men who go into the Marines are volunteers. Today the Navy is obtaining half its new increment of personnel by volunteering. As we know, many if not most of the men who are volunteering are 17 years of age.

Mr. President, to show the inconsistency of this kind of legislation, that is, of Congress trying to do a thing of this kind, by the amendment we would say that a man who is 18 years of age must have at least 6 months' training, whereas for the man who is 17 years of age we prescribe no training whatever.

Mr. WALSH. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. WALSH. Of course, the Senator's argument is made against the original amendment which would apply to both the Army and the Navy. Those who volunteer into the Army are not subject to the amendment.

Mr. HILL. Of course the Senator knows that the Army is not now taking men who volunteer. All the men who now come into the Army come in through the Selective Service. I think the Marines are getting practically all their men by voluntary enlistment. I think the Coast Guard has gotten most of its men, if not all of them, by enlistment. The Navy, according to the figures which I have, which I am sure are correct, is getting about half its men by enlistment. Remember that most of these men who are coming in by enlistment are under 18. They are 17-year-old boys.

If we adopt the amendment we shall be in the position of saying that we want to throw this protection around the 18-year-old to be sure that he receives 6 months' training, but so far as the 17-year-old is concerned we do nothing about him at all.

Mr. WALSH. I think the argument of the Senator is correct. The purpose of the modification suggested by me is to prevent the amendment being so interpreted that the Navy would be precluded from training its men on vessels. The amendment is applicable to the Navy. Of course, the Navy would be even better protected from this amendment if the words "or Navy" in the first clause of the amendment as originally presented were stricken out.

Mr. HILL. In other words, what the Senator is seeking to do is to take the Navy out from under this amendment.

Mr. WALSH. No.

Mr. HILL. To a very large extent that is the purpose.

Mr. WALSH. That is true.

Mr. HILL. That is the purpose of the modification suggested by the Senator.

Mr. WALSH. It is to prevent the Navy from being denied the right to place upon a vessel for training a boy who has enlisted or volunteered. The amendment would not exempt the marines or Seabees, because they do the same kind of work the Army does. They would not come under this amendment. Only those who are training on ships would be excepted.

Mr. HILL. The Senator realizes, of course, that under the terms of the amendment, all marines and all Seabees who have entered the service as volunteers would not come under the amendment.

Mr. WALSH. In my opinion they would.

Mr. HILL. I invite the Senator's attention to the language of the amendment, which very clearly shows that they would not come under the terms of the amendment. It must be remembered that this whole bill is an amendment to the Selective Training and Service Act. That is the act which Congress enacted to draft men into the armed forces. I invite the Senator's attention to the language of the amendment:

And provided further, That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act—

That means the Selective Training and Service Act.

Mr. WALSH. That is true.

Mr. HILL. The act continues:

shall be ordered into actual combat service until after he has been given at least 6 months of military training—

Of course, under that language, any man who volunteers to go into the Marines, the Navy, the Seabees, or the Coast Guard would not come under the inhibition which the amendment prescribes.

Mr. WALSH. That is true.

Mr. HILL. Because he would not come under the provisions of the Selective Training and Service Act.

Mr. WALSH. That is correct.

Mr. HILL. So we have the very discrimination to which I am calling attention. The only men who would be affected by the amendment would be men 18 years of age who were drafted into the Army. Men who volunteered for the Navy, the Seabees, the Marines, or the Coast Guard, many thousands of them being 17 years of age, would not come under the terms of the amendment.

Mr. WALSH. That is my understanding.

Mr. HILL. So we find a discrimination between boys 17 years old and those 18 years old.

Mr. WALSH. All that would be accomplished by the modification which I have suggested would be that the Navy would be permitted to train, on vessels, those under the age limit specified in the amendment who entered the service of the Navy. If they should happen to be on a vessel which became engaged in combat, the Navy could not be charged with ordering them into combat.

Mr. HILL. What the Senator says is the heart of the whole thing. I understand that the Senator construes the language to mean drafted men as well as those who voluntarily enlist. Am I correct in that interpretation?

Mr. WALSH. The Senator is correct.

Mr. HILL. The modification suggested by the Senator would take the Navy and the Coast Guard out from under the amendment. I believe that would be its practical effect. So far as the marines are concerned, inasmuch as the personnel of the marines has been built

up by voluntary enlistment, the marines would not be affected either. So what do we find? When we carefully examine the amendment, we find that it applies only to boys in the Army who are 18 years old. Because of the language of the amendment, and because of the modification suggested by the distinguished Senator from Massachusetts, the Navy, the Coast Guard, the Seabees, and the Marines, to all intents and purposes, would be taken out from under the amendment; and we find discrimination between the Army on the one hand, and the Navy, the Seabees, the Marine Corps, and the Coast Guard on the other hand.

We find a further discrimination, in that the amendment would apply only to those who are 18 years old, whereas there would be no application to those who are younger than 18.

Mr. WALSH. In my opinion, the amendment would apply to draftees who are inducted into the Marine Corps and Coast Guard, within these age limits, and who are not trained on vessels. Such men are not trained on vessels. Personally, I feel that a marine, who is trained for land combat, as a soldier is trained, and a Seabee, who is trained as a soldier is trained, should be treated in the same way as Army draftees are treated. To repeat, the purpose of my amendment is to assure the Navy the right to place upon vessels enlisted men who are to be trained for sea duty.

Mr. HILL. I suppose the Senator is correct. A Coast Guard man who is not to be used on a vessel would not be trained on a vessel. He would not, therefore, go into combat as a Coast Guard man. I do not know how a Coast Guard man would go into combat, except on a vessel of some kind. He might be stationed at some land base, and there might be an attack by enemy airplanes, and he might be called upon to man an antiaircraft gun. However, the practical effect of the amendment is to take the Navy, the Marines, the Coast Guard, and the Seabees out from under the inhibitions of the amendment, because they are made up of men who voluntarily enlist.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. REVERCOMB. The Senator has made the argument that this provision should apply to enlistees, and particularly to those who enlist in the Navy at 17 years of age.

Mr. HILL. The Senator must not put words in my mouth, because that thought is not in my mind. I am not making that appeal, because I am against the whole theory of the amendment. I am calling attention to the discrimination which would exist under the terms of the amendment.

Mr. REVERCOMB. If the amendment were changed so as to apply to all persons, whether inducted at the command of the Government, or whether they enlist with the consent of their parents, would the Senator support the amendment?

Mr. HILL. I certainly would not support the amendment, because I am opposed to the whole proposition embodied in the amendment. I am opposed to the Congress at this time trying to write into the law any kind of inhibition such as that embodied in the amendment. I believe that we should continue to allow General Marshall and the officials of the War Department to operate the Army, as they have been operating it in the past.

Mr. REVERCOMB. With respect to the 17-year-old enlistees, the Senator realizes that they cannot enlist unless they have the consent of their parents, who, better than anyone else, know as to their maturity and know the kind of boys they are permitting to enter the service. They know better than anyone else whether or not they can fit into the training which is being offered.

Furthermore, with respect to the Marines, I quote from a letter which the able Senator from Alabama placed in the RECORD on April 23, 1945. The letter was written by Secretary of the Navy Forrestal.

> As to the Marine Corps, it is the present practice, even under the extreme combat pressure and high casualties encountered, to afford recruits 5 months' training in the United States and further training in a combat unit on the advanced fronts which is in preparation for future operations.

Mr. HILL. That is exactly right.

Mr. REVERCOMB. As a practical matter, no wrong is done the marines.

Mr. HILL. So far as the marines are concerned, the Secretary says that they are given 5 months' training in the United States. The Senator's amendment would make it mandatory that they shall not go into combat until they have had at least 6 months of training. However, I do not think the amendment would apply to the marines. The marines are largely made up of personnel who volunteered, rather than of those who were drafted under the Selective Training and Service Act. Under the language of the amendment as it now stands, with the Walsh proviso, I think the Navy, the Marines, the Coast Guard, and the Seabees, according to my way of thinking, are fairly well taken care of. For all practical purposes, I think they are outside the scope of the amendment. I wish to congratulate my distinguished friend the Senator from Massachusetts, who always is so able and so diligent in behalf of the Navy. Today we have the mightiest Navy the mind of man ever dreamed of, and there has been no greater friend and no greater builder of our Navy than the distinguished chairman of the Committee on Naval Affairs. I congratulate him. On this very bill I think he has rendered the Navy a great service.

Mr. WALSH. The Senator's gracious compliment is sincerely appreciated.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. HILL. I yield to my friend the Senator from West Virginia.

Mr. REVERCOMB. I join in the statement made about the distinguished Senator from Massachusetts.

With respect to the statement of the Senator from Alabama that the amendment would prevent such inductees from being placed in units abroad, I wish to say there is nothing in the amendment which states where they shall be trained. The only prohibition is that they shall not be sent into combat until they have had 6 months' training.

Further, let me say that I do not agree with the interpretation placed upon the amendment by my able friend, namely, that it does not apply to the Marine Corps or to the Navy or to the Coast Guard. It simply says, in substance, under the modification offered by the Senator from Massachusetts, as I understand it, that boys in the Navy may continue to be trained aboard ship. That is all it says.

Mr. HILL. But the Senator will admit, will he not, that it would not apply to a marine who voluntarily entered the service?

Mr. REVERCOMB. Yes; as to a volunteer, that is correct at the present time.

Mr. HILL. And does not the Senator know that today practically all those in the Marine Corps have entered that service by way of voluntary enlistment?

Mr. REVERCOMB. Not all the personnel.

Mr. HILL. Practically all of them have.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MURDOCK. I should like to ask a question of the Presiding Officer or the distinguished junior Senator from Alabama. Has the word "combat" been accepted as a part of the Walsh amendment or modification on page 2, in line 4?

Mr. HILL. It is my understanding that the authors of the amendment accepted that word and modified their amendment to include it, as they had a right to do. As the Senator knows, when an amendment is offered on the floor, until the yeas and nays have been ordered on it the authors of the amendment have a right to modify it in any way they may see fit. It is my understanding that the amendment has been modified by its authors to include the word "combat." In fact, the distinguished junior Senator from Tennessee [Mr. STEWART], one of the authors of the amendment, so stated on the floor of the Senate earlier in the day.

Mr. MURDOCK. So we now have a prohibition against placing any Navy enlisted man on a combat vessel until after he has had 6 months' training.

Mr. HILL. No, no. The very purpose of the proviso was to do the opposite. The very purpose of the proviso was to do the exact contrary, namely, to permit the Navy men, whether they were inducted or whether they voluntarily enlisted, to go on a combat vessel before they had had 6 months' training. That was the purpose of the proviso.

Mr. MURDOCK. But now we have just the reverse of that, if the amendment is adopted, namely, that they cannot go on a combat vessel.

Mr. HILL. No. If the amendment is adopted, they can go on a combat vessel. That is what I was calling attention to. In other words today the amendment is so very discriminatory. What it has done, for all practical purposes, is to take the Navy, practically all the Coast Guard, and the Marines and the Seabees out from under its provisions, leav-

ing within its scope only those in the Army, the land forces.

Mr. MURDOCK. Mr. President, will the Senator yield further?

Mr. HILL. I yield.

Mr MURDOCK. The amendment has been changed so often and so rapidly that I have not been able to keep up with it. The Senator now takes the position that regardless of the fact that an enlisted man in the Navy has not received 6 months' training, he can nevertheless be assigned to duty on a combat vessel.

Mr. HILL. That is correct. The Senator will observe the following language on page 2:

This proviso shall not be construed—

And the proviso referred to is that appearing on page 1 of the amendment——

Mr. MURDOCK. I understand.

Mr. HILL. At that point we find the following language:

This proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on combat vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

The whole purpose of the amendment and the very reason why I congratulated the distinguished Senator from Massachusetts, the chairman of the Committee on Naval Affairs, so warmly and so heartily was that I feel he has taken the Navy out from under the operation of the amendment.

Mr. MAYBANK. Mr. President, will the Senator yield to me?

Mr. HILL. I should like to say a further word, and then I shall be delighted to yield to my friend the Senator from South Carolina.

Mr. President, this is exactly what the authors of the amendment have done when they modified their amendment to include the Walsh amendment: The modified amendment now provides that when a man in the Navy completes his boot training—training of 15 weeks or 17 weeks, or whatever it may be—he then can be placed on a combat vessel, where his training can be continued. That is what we have done with respect to the Navy. But the amendment, if it is adopted as it now reads, would have us say, "When the Navy men have finished their boot training, we will let them get their team training on a combat vessel, where they will have to fight and play their part. But the men in the Army, who get their basic training in 15 to 17 weeks, cannot join a combat division, they cannot go into a corresponding combat unit of the Army, but they must wait. They will be held back. If they finish their basic training in 15 or 17 weeks, they must wait until 6 months have expired, before we will permit them to go on a team and get team training and be where they can learn to play their part."

That is all the pending amendment means, and that shows the fallacy of the amendment.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. MAYBANK. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield; and if so, to whom?

Mr. HILL. I previously promised to yield to the Senator from South Carolina, so I shall yield to him at this time, if the Senator from Utah will please wait.

Mr. MURDOCK. Certainly.

Mr. HILL. I now yield to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, the able junior Senator from Alabama has well spoken of the punitive feature of the amendment, if I may so term it, in other words, the part of the amendment which would penalize the Army. The other branches of our armed forces would be exempted. It has been my belief for some time that the Army has been penalized in other ways. I should like to ask the distinguished junior Senator from Alabama if it is not a fact that young men of 17 are permitted, if they so desire, to enlist in the Navy, the Marines, or the Coast Guard, but they are prohibited from enlisting in the Army.

Mr. HILL. That is correct; today they cannot enlist in the Army. The Army is taking no voluntary enlistments.

Mr. MAYBANK. The amendment would also fail to prevent service on combat vessels by young men of 17 who voluntarily enlisted in the Navy, the Marines, or the Coast Guard. They could be assigned to combat vessels for further training after they had completed their boot training; if they volunteered for service in such units when they were 17 years of age, they likewise could go on such combat ships.

Mr. HILL. Of course. They go right on the combat vessels.

Mr. MAYBANK. That situation serves to bring to the attention of the Committee on Military Affairs the fact that one of the most serious troubles the Army has had in providing sufficient training for the 18-year-old boys and one of the serious situations with which the Army has been faced is that so many boys 17 years of age, who would have joined the Army when they became 18 years of age, have volunteered to join the Navy or the Marine Corps, or the Coast Guard, and thus they were not available to the Army. The average man in the Army is definitely older than the average man in the Navy, the Marines, or the Coast Guard. The great difficulty for those administering the Army during the war has been to obtain young men, because of the advantage the Navy, the Marines, and the Coast Guard have had by way of voluntary enlistments.

The pending amendment, if adopted, would further penalize the Army. Is not that correct?

Mr. HILL. The Senator is absolutely correct. The Army is not accepting voluntary enlistments and is not inducting any men under 18 years of age. The Navy has obtained all the men it needs. As we all know, thousands of men have entered the Navy. We have now reached the situation where we are asked to allow the Navy to carry out its program of training but to deny the Army a similar right.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. In order to keep the record straight, let us note here that men under 18 years of age may enlist in the Army. That fact is contrary to the statements which have been made here.

Mr. HILL. It has been my understanding that the Army has not been accepting any voluntary enlistments.

Mr. JOHNSON of Colorado. There is no law denying the Army the privilege of taking volunteers. If they are not taking them, the choice is theirs. Volunteers are actually accepted in the Air Corps.

Mr. HILL. If voluntary enlistments are being allowed in the Air Corps——

Mr. JOHNSON of Colorado. I know the lobby in the galleries is nodding to the contrary, but they are mistaken.

Mr. HILL. It is my understanding that the Air Corps are not accepting any men for voluntary service.

Mr. MAYBANK. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MAYBANK. Some volunteers at the age of 17 have been accepted by the Air Corps for the purpose of enabling them to go to college. I was told by the Military Affairs Committee this morning that volunteers were not being taken. But I know that some men of 17 years of age are enlisting in the Air Corps so that they may go to school. However, in this debate we are discussing combat fighting.

Mr. HILL. The Senator from South Carolina is correct. No volunteers are being taken for combat service. Some volunteers are being accepted for the purpose of enabling them to go to college for a year, or whatever the time may be.

Mr. MAYBANK. I was told some time ago that the training was of a preflight nature.

Mr. HILL. So far as any voluntary enlistments are concerned, we know that we now have a backlog of air cadets approximately 6,500 in number. However, at the present time voluntary enlistments are not being accepted even for that branch of the service.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. MURDOCK. I wish to join the distinguished Senator from Alabama [Mr. HILL] in complimenting the distinguished Senator from Massachusetts [Mr. WALSH] in the very efficient manner in which he has taken care of the Navy of the United States. He has done an excellent job.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BURTON. I merely wish to read into the RECORD the statement which was made by the senior Senator from Ohio [Mr. TAFT] yesterday. He said:

It seems to me that naval training is a very different thing from Army training.

He suggested inserting the word "combat" before the word "vessel", and stated:

I merely wanted to suggest that men could be placed on combat vessels for training, and clearly if they are combat vessels then the men go on combat vessels, that is all.

Mr. HILL. Mr. President, I can see no difference between assigning a man in the Navy for training on a combat vessel and assigning a man in the Army for training with a division. The division is to the Army exactly what the combat vessel is to the Navy.

Mr. JOHNSON of Colorado. Mr. President, I am surprised to hear the Senator make a comparison of that kind, because there is no ground for it. There is no basis for the comparison which he has made in saying that the division is to the Army what the naval vessel is to the Navy. I am glad the Senator from Massachusetts [Mr. WALSH] succeeded in having his amendment agreed to. I think it was a good amendment. The Navy does not have sufficient training vessels to train its men, and many of them must be trained on combat vessels. For that reason I am glad that the amendment as clarified was accepted. But when the implication is made that someone is obtaining a great advantage, that someone has sneaked something in here as against someone else, and that a discrimination has taken place, I wish to voice my opposition to any such implication, any such argument, or any such lack of logic.

Mr. HILL. Mr. President, I do not know why the Senator should resort to the use of the word "sneaked," and state that something has been sneaked in here. Nobody has sneaked anything in here. Certainly there was no intention to imply that anybody had sneaked anything in. I congratulated the distinguished Senator from Massachusetts for what I thought was very fine work which he had done. Everything that was done was done in the open. It was done before the Senate and with the full knowledge of the Senate. However, I assert that a division of the Army is the combat unit of the Army in the same way that a combat ship is the combat unit of the Navy. The Navy fights with combat ships. The Army fights with combat divisions. That is the situation.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. The amendment offered by the Senator from Massachusetts was not only agreed to openly and with the approval of the Senate but it was also acceptable to the sponsors of the amendment. It was accepted by them.

Mr. HILL. It was accepted.

Mr. JOHNSON of Colorado. There was nothing secret about it; it was done openly. I do not see why we should be called upon to congratulate any Member of the Senate for pulling off a smart stunt of that kind because there was no stunt about it. It was simply a necessary protection that should have been afforded. It was afforded, and all of us are very happy about it.

Mr. HILL. Mr. President, I did not in any way mean to imply, either directly or indirectly, that any stunt had been pulled off here. Certainly the furthest thing from my mind was that anything had been sneaked in here. I do not like to hear the Senator speak in that way, because it detracts from the credit which I think the Senator from Massachusetts deserves. He came here in open and honorable combat, and he won the day. He came here to do a job, and he did it with the approbation of the Senate. He was so persuasive that he received the approbation of the authors of this amendment. He did his work well, and everything he did was done in the finest and most commendatory manner. Why the Senator from Colorado should try to inject the idea that the Senator from Massachusetts did anything other than that which was done in the very finest and best kind of a way I cannot understand. I repeat, I cannot understand it. I realize it may be rather painful to the Senator from Colorado when he considers the discrimination which will exist between the Army and the Navy under this amendment if it is adopted.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Colorado?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. It is not a matter of discrimination; it is a matter of recognizing entirely different conditions and adapting legislation to fit the different conditions; it is a proper legislative adjustment. Simply because the Navy must be permitted to do certain things is no reason that the Army should be permitted to do them. The two are not on such a comparable basis that what is right for one must essentially be right for the other.

Mr. HILL. Of course, the Senator from Colorado and I do not agree. If we agreed, then I might hope to attain at least some modicum of the success which my distinguished friend the Senator from Massachusetts has attained. It is my firm conviction, Mr. President, that it is just as necessary for a man in the Army after he completes his 15 or 17 weeks of boot training to get his further training with a division as it is for a man in the Navy after he has completed his 15 or 17 weeks' boot training to finish his training on a combat vessel. When the Navy man is permitted to finish his training on a combat vessel, while the Army man is not permitted to finish his training with a division, then I say there is gross discrimination in the manner of handling the Army and the Navy; the Army is discriminated against and you seek to interfere and impose your will and your edict on the Army, while you refuse to do that so far as the Navy is concerned.

Mr. President, yesterday I occupied the floor for some 2 or 3 hours. I have no disposition to go back over a twice-told tale or to delay a vote, but I feel that I ought to call the attention of the Senate again to one or two statements which General Marshall made in his letter of April 17 to the Senator from Utah [Mr. THOMAS], Chairman of the Committee on Military Affairs. I read this letter in full yesterday. I shall not read it in full at this time, but I do want to call attention to one or two statements made by General Marshall. All of us know General Marshall; every Member of the Senate, I think, without exception, has had some direct personal contact with General Marshall. We have heard him talk; we have seen him at different times when committees of the Senate met with him, when he discussed the war and its different phases. I think we must all agree that General Marshall is a man who is careful of speech, who weighs his words, who is always cautious, who does not exaggerate, who seeks to be sure to give the exact picture, and to speak the absolute truth. General Marshall says:

I am gravely concerned over the effect of either of these proposals upon military operations.

I say, Senators, that that is about as strong language as General Marshall could have used; I do not think he could have used stronger language than to have said he was "gravely concerned" as to the effect of the pending amendments.

Such statutory restrictions—

He says—

are evidently inspired by the belief that our soldiers are not properly trained before being assigned to combat units. The responsible military authorities, however, are of the opinion that the training is adequate to the requirements.

The training program is very intensive and equally thorough.

Then he goes on to say:

I have personally inspected many replacement training camps to make certain that the work is being conducted in the most efficient manner practicable. General Lear, and now General Stilwell, give their entire time to the direction and supervision of this work, Lear in Europe and Stilwell here at home.

Then General Marshall says:

The War Department has made every possible effort consonant with the military situation to hold to a minimum the number of 18-year-olds entering combat.

And General Marshall gives us this promise as to the future:

Just as soon as the military situation will permit, it is the purpose of the War Department to stop shipping men overseas who have not yet become 19 years of age, and I am hopeful that this condition will develop in the near future.

Mr. President, having read those extracts from the letter of General Marshall to the Senator from Utah [Mr. THOMAS], I should like at this point to read two extracts from a letter which General Marshall wrote to Representatives HESS, of Ohio, less than a month ago, in which General Marshall said:

For the past 6 months we have been combing the coastal defense commands and our bases in Alaska and the Caribbean for men who are suitable for infantry replacements, they themselves to be replaced by personnel of such physical limitations that they could not be employed in combat service. The same procedure is being followed through all the rear areas in the overseas theaters,

yet we are still short in replacements and under the heaviest pressure from our field commanders to obtain them.

Then General Marshall wrote these significant words:

The choice in the matter—

The decision he had to make in the matter—

The choice in the matter is very clear; either we must accept delays in operations in Europe and in the Pacific, or we must follow the present procedure. There is no other course. To delay the operations now under way would, in my opinion, be a tragic error.

Mr. LUCAS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Alabama yield to the Senator from Illinois?

Mr. HILL. I yield.

Mr. LUCAS. Is there a Senator on the floor who would vote for an amendment if he thought it would delay the successful ending of the war? That is exactly what General Marshall is concerned about in his statement which the Senator has read.

Mr. HILL. Mr. President, I am delighted the Senator asked the question. I had in mind asking it myself, after I had concluded reading the statement from General Marshall. I am glad the Senator has anticipated me. The letter continues:

To delay the operations now under way would, in my opinion, be a tragic error resulting in an inevitably increased loss in life by the prolongation of the war. I am quite certain that the people of the United States would not make this choice.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. I should like to ask another question, a question to parallel the one propounded by the Senator from Illinois. Is there any Senator who believes that the adoption of the pending amendment would in any way delay or embarrass anyone in connection with the conduct of the war?

Mr. GUFFEY. Mr. President——

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. HILL. Let me answer the question first. I will say to the Senator, in reply to his question, what I said to the Senator from Illinois a few minutes before I took the floor to speak, that I have grave apprehensions that this amendment would slow down and retard the momentum of our forces in Germany, would prolong the war, and cost additional American lives.

Mr. JOHNSON of Colorado. I find it difficult to take the arguments of the Senator seriously.

Mr. HILL. I am sorry that in a matter such as this, which, in my opinion, involves the lives of our fighting boys at the front and the question whether we will win the war in the shortest possible time and save every life we can, the Senator from Colorado is unable to be serious about what I say.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield to the Senator from Illinois.

Mr. LUCAS. It is merely a question whether we are going to believe General Marshall in a statement that is crystal clear upon this question, or are going to follow the advice and counsel of men here on the Senate floor. If there was ever a plainer statement as to what the amendment would do, then I do not understand the English language. I am relying upon Gen. George Marshall rather than upon arguments made on the floor of the Senate with respect to what the effect of the amendment would be on the prolongation of the war.

Certainly, with the record George Marshall has made in the war in behalf of America and in behalf of the saving of American lives, with the record of the strategy that has been used in the Pacific and elsewhere in the saving of American lives, and with the record of the victories we have had under Marshall, and King, and other leaders in the war, the most magnificent in all history, are we here in the Senate to set ourselves up as military strategists on a very important question at a very crucial hour? That is what I am saying, and that is all. I cannot understand why the Senate does not give to Marshall the confidence he deserves in this crisis, at this particular time. If his is not a clear-cut statement that American lives will be lost and the war will be prolonged if the amendment shall be adopted, then, I repeat, I do not understand the English language.

Mr. HILL. Mr. President, the Senator has stated the matter so clearly and so forcefully that there is nothing I can add. Who but George Marshall has had the supreme responsibility for mobilizing our Army, for training our Army, for sending our Army overseas, for the deployment of our Army overseas, and for fighting the war? Who more than any other man has contributed to the incomparable, the almost unbelievable, victories of our Army, but George Marshall? Who is there we can set above George Marshall to tell us what to do as to the operation and the fighting of our Army?

Mr. LUCAS. Mr. President, will the Senator yield further?

Mr. HILL. I yield.

Mr. LUCAS. I wish to make the further observation that if our Army and Navy had been unsuccessful, if we had had one military and one naval reverse after another, then I would not have the confidence which I have in our top leaders, and I could, of course, seriously consider any amendment of this kind; but, Mr. President, I cannot understand, when the great victories throughout the world are before our minds, how the Senate of the United States at a crucial time, so far as the war in Europe is concerned, can take the position it is asked to take. It does not seem right to me. Of course, I am only one Senator, and have only my own opinion about the matter, but I cannot understand it.

Mr. MAYBANK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Alabama yield to the Senator from South Carolina?

Mr. HILL. I yield.

Mr. MAYBANK. The only thought I had in addition to the most excellent statements made by the Senator from Illinois was that apparently the pending amendment in its present shape is aimed at the War Department and General Marshall, that it is a discriminatory amendment, since it excepts the Marine Corps and the Navy.

Returning to the question the Senator from Alabama and I discussed with the Senator from Colorado, I stepped from the Chamber for a moment and telephoned the Department, and what the Senator from Alabama and I said has been confirmed, that no one is allowed to volunteer in the Army until he is 18, that the few cadets of the Air Corps who volunteer at 17 years of age are not even allowed to go into the Army until they become 18 years old.

Mr. President, I have nothing further to say, except that this is the most discriminatory amendment aimed at the Army I have ever seen, since the Navy, the Coast Guard, and the Marine Corps are exempted from its operations.

Mr. JOHNSON of California. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. JOHNSON of Colorado. I wish to make a short statement, if the Senator will be kind enough to permit me to do so.

So far as the pending amendment is concerned, and so far as it affects the military operations of this country at the present time, it is entirely academic. There is nothing crucial about it. I am certain that whatever discussions were had with General Marshall, and whatever quotations have been made from his statements, they have not been concerned with the pending amendment. I am certain, too, the amendment is not aimed at the War Department. I have just as much confidence in General Marshall as has any other Senator on this floor, and I think he has the confidence of the Senate and of the country to a degree never exceeded by any general in any of our wars at any time in our history. Certainly he has my confidence.

All men have weaknesses, and I dare say General Marshall has his weaknesses. I do not know what they are, unless he has the weakness of being too sensitive, too much afraid that people are not supporting him if they differ with him in minor matters.

Mr. President, this amendment was not offered by its sponsors in order to cast aspersions at the Army or to criticize General Marshall or to find any fault with the conduct of the war. It was to reassure the mothers of America that their boys 18 years of age were going to have 6 months of training.

I am surprised that there is a Senator on this floor who disagrees that a boy 18 years old should have 6 months of military and combat training. That is the issue. Are Senators opposed to 18-year-old boys having 6 months of training? I cannot believe they are, and I cannot believe that General Marshall is. I am sure that he is in favor of much more training than that. I am sure he wants to give them more than 6 months' training; I am sure he is going to give them more than 6 months' training; and I am sure that if this amendment shall be agreed to it will have

no effect whatsoever on the military operations of the United States in this war. The amendment casts absolutely no reflection upon General Marshall or upon any other military leader of this country.

Mr. HILL. Mr. President, I am sorry I cannot agree with the Senator from Colorado when he says this matter is academic. Certainly General Marshall does not think it is academic, for on the day the bill came up in the Senate, and when this amendment was proposed to the Senate, General Marshall wrote a letter to the chairman of the military Affairs Committee, who at that time had charge of the bill on the floor of the Senate, in which the General said that he was gravely concerned over the effect the amendment would have.

Mr. JOHNSON of Colorado. Was he talking about this amendment?

Mr. HILL. Yes; he was talking about the pending amendment.

Mr. JOHNSON of Colorado. He was talking about the substitute that was offered yesterday which was defeated.

Mr. HILL. No; he was talking about both amendments.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CHANDLER. I wish to say in all good humor to my friend, the Senator from Alabama, that if the General did say that I do not agree with him, and do not intend to agree with him about it. I wish to recall to the minds of Senators the fact that when we were discussing in the Senate the so-called work-or-fight bill, the Secretary of War, the Secretary of the Navy, the Chief of Staff and others tried to make us think that it was absolutely necessary to the success of the present offensive that we pass a law similar to the one passed in Britain about the time of Dunkerque in 1940. I know that what they said about it at that time was not true, because we did not enact the law requested and the results foretold did not occur. The Secretary of War at that time said that if we passed the law, except for its morale effect, it would not be felt otherwise on the front for 6 months.

Mr. President, I do not want the Army to continue to control the men between 18 and 45 in this country when it is no longer necessary that the Army control them. The Senator from Illinois [Mr. LUCAS] the other day said the Army is taking men over 30 years of age, men 30, 31, 32, 33, and 34 and over who may have two or three or four children. In my opinion, there is now no excuse for taking such men. Not a single life will be saved by taking them. It may result in starving some children and may affect the lives of some widows and orphans who are left in this country without support, but in my opinion it will not contribute in any way to the success of the Army.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LUCAS. I agree with what the Senator from Kentucky has said. The question posed by the illustration I gave the other day has not been answered, and it cannot be successfully answered, insofar as the effect of the amendment is concerned.

Let us consider this situation: Here is a boy 18 years old ready to be taken, and here is a man 30 years old, who has four children, and who is also ready to be taken. All Senators would say, "Let the boy 18 years old be taken before the man 30 years old, who has four children, is taken." I cited an example the other day of a man 30 years old who had four children, being taken into the Army. I spoke of what I personally know; I was not repeating a rumor; it was not something that someone had written me; I happened to know personally about the case. Yet there is nothing in what is now proposed which says that a man 30 years old should receive the same sort of training it is proposed to give the boy 18 years old.

Military authorities—and I spoke to one military man yesterday who had trained men for the last 3 years—tell me that a boy 18 years old will pick up military training quicker and make a better soldier than such a man as I spoke of, 30 years old, who has left behind him three or four children.

Mr. President, that is the situation which will result from the adoption of the amendment. If it is not a discriminatory amendment from that angle, I know nothing whatever about the situation, and I am now saying nothing concerning the discrimination which is proposed to be made with respect to the Navy. We cannot get away from the argument made by the Senator from Washington [Mr. MAGNUSON] yesterday with respect to the amendment. If we adopt the amendment, where are the boys of the Navy who have had their 3 months' boot training going to go for the next 3 months until the full 6-month period provided for in the amendment shall have expired? That is a clear-cut situation which arises from the adoption of the amendment. There will be a period of 3 months when the Navy men do nothing because, under the terms of the amendment, they cannot go on a combat ship until 6 months' time has expired. When they have finished their boot training at Great Lakes Naval Training Station or other training stations in this country a period of 3 months remains, if the amendment should become law and that period of 3 months must expire before the Navy men can be placed on a combat ship. That, Mr. President, is another discrimination. In other words, the Navy men are placed in the same category, because we cannot say that a period of 6 months shall apply to one man and 3 months to another. We cannot say that a training period of 6 months shall apply to the 18-year-old boy, and 5 months, or whatever it might be, for the man 30 years old, who has a family. Provision should be made to make the training period over-all if we are to do anything.

Mr. HILL. Mr. President, the Senator from Illinois knows that we have all been disturbed about the matter of drafting more farmers from the farm. We are disturbed about taking essential men from key war industries. The more inhibitions we place on the 18-year olds the more it forces us to take men from the farms or take men from key industries. Think of the discrimination that would result, as the Senator has said. The chances are that men 26, 27, 28, or 29 years old need more training than younger men need to enable them to become good soldiers.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. STEWART. I wish to make a statement with respect to the observation made by the Senator from Illinois, and I think it should be made at this point. The Senator from Illinois, as I understood him, said that men for the Navy would take boot training for a period of 3 months, and then be obliged to loaf around for another 3 months. They would not do that. They would have to take training for a period of 6 months. That is what the law would require them to do if the amendment is adopted. There would be no loafing period at all. The training period would be simply increased from 3 to 6 months.

Mr. HILL. The Senator from Tennessee has modified his amendment so as to take care of that situation. Does not the Senator agree with that statement?

Mr. STEWART. I think the amendment, without modification, took care of the situation, but the modification made it clearer.

Mr. HILL. No, Mr. President; the Senator from Tennessee modified his amendment when he accepted the amendment suggested by the Senator from Massachusetts [Mr. WALSH], so the men may go on combat ships from their boot training.

Mr. STEWART. For training purposes.

Mr. HILL. Of course. But their training continues. A man who entered the Army in 1940 is still training. He may have been in combat with the enemy a dozen times, but he is still training. The Army continues to train him. A football team does not stop training after it has played and won a game, or even after it has played a dozen games.

Mr. STEWART. The Senator forgets that the amendment applies only to boys under 18 years of age. The Senator speaks of men who entered the Army in 1940. In order to have the amendment apply to them they would have to have been 14 years old when they entered the Army in 1940.

Mr. HILL. They all continue to train. So long as a man is in the Army or in the Navy, he continues to train. He begins training when he enters the service and continues to train until the day he leaves the service.

Mr. STEWART. The period of training provided is 6 months.

Mr. HILL. Does the Senator from Tennessee mean to tell the Senate that after a man has been in the Army or the Navy for 6 months he stops training and does not train any more? Of course, he continues to train until the day he leaves the Army or the Navy.

Mr. STEWART. I understood that the impression the Senator from Illinois and the Senator from Alabama were endeavoring to leave with the Senate was that there would not be the full period of 6

months' training. I tried to correct the impression. Perhaps I have muddled the situation.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. LUCAS. I should like to say that when I made the statement a moment ago I was laboring under a slight misapprehension, in view of the fact that the Senator from Tennessee has modified his amendment in line with what the Senator from Massachusetts desired. As I now understand the amendment, the Navy men would be exempt from the 6 months' training. Am I correct in that understanding?

Mr. STEWART. No; the Senator is not correct in his understanding of the situation. Certainly not. I will read the proviso.

Mr. LUCAS. I wish the Senator would read it.

Mr. STEWART. The proviso is:

This proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the Reserve components thereof to duty for training—

That word is spelled in the usual way—"t-r-a-i-n-i-n-g."

Mr. LUCAS. I can understand that.

Mr. STEWART. I continue—

on combat vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.

Mr. LUCAS. Very well. After they receive the 3 months' boot training, then they are eligible to go immediately on a combat vessel. Am I correct?

Mr. STEWART For training purposes.

Mr. LUCAS. For training purposes; but when they get on a combat ship and start from San Francisco or New York any place in the Atlantic or Pacific is a combat area. They are likely to encounter a submarine at any time, and I take it that if they should they would not be able to leave the ship merely because their training period had 3 more months to run.

Mr. STEWART. They would have to do something right away. The law could not be repealed on such short notice.

Mr. LUCAS. That is exactly why we are discriminating in favor of the Army against the Navy. Everyone knows that 50 percent of the ships on which the boys go after they have finished their preliminary training at Great Lakes or some other naval training station are combat ships, whether they be destroyers, PT boats, or what not. The boys are ready for combat when they board the ships.

Mr. STEWART. Yes; because that is the kind of training that is given the boys in the Navy. They cannot be trained as land forces are trained in the Army. That is the reason why we have made this exception. I did not think it was necessary to make the exception, but the chairman of the Naval Affairs Committee insisted on it. I do not see that it would interfere with the operation of the amendment in the least. If it is desired to give naval personnel 3 months' training in boot camp and then 3 months' training aboard a combat vessel, that is perfectly all right. That is what they ought to have.

Mr. CHANDLER. Mr. President, yesterday I suggested to the Senate that this amendment was designed to give some hope and prospect of training, and a chance to live, principally for infantry combat soldiers.

Young men 17 years old volunteer for the Navy. The reason they volunteer for the Navy is that when they become 18 years old and subject to the draft, as soon as they are called, if they express a preference for the Navy, the chances are that they will be put immediately into the Infantry. So, in order to beat that, they join the Navy. The Navy is getting the volunteers.

Except for the time a ship is under fire or undergoing a bombing attack, life aboard a Navy ship is not too unpleasant, as my friend the commander will testify. But the most rugged service in the armed forces of the United States, or of any other nation, is that of the infantryman. He is the man who is down in the mud. Foot soldiers must undergo great hardships.

I believe we have now reached the point where the war in Germany, so far as organized resistance is concerned, is almost over. We accomplished that result without the work-or-fight law. We were told that it could not be done, but we did it. I do not want the Army to continue from now on to control the lives of young men, or men between 18 and 45. After the war is over in Germany, which will be within a very short time, 25 or 30 divisions of American soldiers may be permitted to come home. They will probably be men who have been in combat for a long time, men who are wounded, and men who are battle-weary. They are entitled to come home. They have earned a rest, and, furthermore, they have earned the eternal gratitude of the American people.

So far as I know, there are no plans to use more than two-thirds of our soldiers. I should like to have some Senator tell me why the Selective Service, during the next year, should be permitted to control the lives of men between 30 and 45. Why should the Selective Service be now permitted to take men between 30 and 45, who have wives and children, and put them into the Army for a long period of training? The records show that they do not make very good soldiers anyway. If I had my choice between men 18 years old and those over 30, I would take those 18 years old every time, because they make better fighting soldiers. They do not know anything about fear. They can stand great hardships. A man over 30 must think of his wife and children. Service in the Army is tough on him. We really do not need him in the Army, and he ought not to be controlled by the military. The sooner the military authorities get it into their heads that the people of the country do not want to be ruled and controlled by the military, the better off we shall all be.

General Marshall did not make all the decisions with which he is credited. No one can convince me that he agreed to put 60 divisions into the fight against Germany, permitting our allies to contribute a maximum of 15 or 17 divisions. If anyone tells me that he agreed that we should carry such a tremendous burden, I do not believe it. Some day the American people will find out what a tremendous contribution we have made in men and materials to the success of that fight. Without the contribution which we made, it would not have been successful. So we are justified in saying, "We put the boys in. We are suffering the casualties. Now it is time to give them some relief. They are entitled to it. They have earned it." An amendment will be offered to relieve men over 30 years of age from the draft regulations; and I shall vote for it.

I do not believe that what we do now will make much difference in the immediate future. I do not believe that what we do will be reflected on the war fronts very soon. We are already committed to the fight with what we have; and it will take quite a while. We have 5,150,000 American soldiers overseas. We have in this country only about 2,900,000 who can be sent overseas; and of that number 1,400,000 have been earmarked for overseas service. I am able to make that information public because the Secretary of War made it public. Up until a very short time ago I was unable to make that statement.

If we have experienced men available, why should we put 18-year-old boys into the line? Men who have not had sufficient training are more likely to be killed or become casualties. Every Army commander knows that men with insufficient training are more likely to be killed than men who have had a long period of good training. Inexperienced or insufficiently trained men do not know how to take care of themselves.

The Army justifies keeping these divisions in battle and infiltrating the divisions with younger men, on the ground that it is desired to keep pressure on the enemy. The enemy has been kept under pressure, which has brought about this victory. I am not certain that the Russians and Americans have not already joined forces somewhere in Europe. After they have joined forces, it will not be long before the fight will be over.

Mr. President, why should we permit the Selective Service to take men over 31 years of age, particularly men 38, 39, or 40 years old, away from their civilian occupations and train them to be sent into the fight? Actually such men cannot stand the hardships of combat service. They do the best they can, but they cannot do very much.

It seems to me that our situation should be canvassed again, and that we should do so without becoming angry with each other. Men can differ about these things. In the American Army we have perhaps between 90 and 100 divisions. We must have enough to win the fight against Japan. However, the war against Japan will be largely a naval war. There are 3,200,000 young Americans in the Navy. In the air forces we have an adequate supply of young men. Men have been taken out of the air forces and put into the Infantry. That was done because we underestimated the need for infantrymen and overestimated the need for men in the air forces. That was a mistake. I do not wish to quarrel

with anyone about it. In a gigantic operation of this sort, mistakes are bound to happen.

I think it is time for the Senate to reexamine the whole question and decide it again. The Army ought to be considerate of the obligations which we owe to the American people. Army officials do not like to entertain suggestions made by Senators. They avoid it by accusing us of trying to meddle with the strategy of the war.

Mr. President, the United States Senate has not failed in a single instance to give the Army every appropriation which has been requested since the beginning of the war, and even before that time. The distinguished Senator from Tennessee knows that the Appropriations Committee has not denied the Army or the Navy a single request for appropriations with which to prosecute the war vigorously. When a Senator feels that he should now reexamine the whole question and decide whether or not in the future we should permit the Army to continue its jurisdiction over the lives of our people, I have no objection, if the Senator believes that that is necessary. I do not think it is necessary now, Mr. President. I do not believe that it would do a bit of harm to the war effort to insist that young boys be given 6 months' training. During the last war they received 6 months training before being shipped overseas. In addition, they received 2 months training overseas, and then spent a month in a quiet sector. So in the last war the average American soldier received the equivalent of 9 months' training before going into combat.

In the last war we sent approximately 2,050,000 men overseas. This time, in February, the number was 5,150,000. I believe that we have reached the point where we can reexamine the whole problem. If I did not so believe, I would not vote for it. I am not going to follow along because General Marshall says this and some other man says that. We were told that it was absolutely essential to victory to pass the work-or-fight bill. I never believed it. I do not believe it now, because we will attain the victory without it.

So I must be granted the right to exercise my own independent judgment on public questions. I will not blindly follow. If I make a mistake, that will be my responsibility. The American people pay with the lives of their sons for the mistakes the military leaders make and for the mistakes the rest of us make. I do not wish to make a mistake, but I do not wish to follow blindly the judgment of someone else, when I have some judgment of my own.

I have the people's interest at heart. I must do what in good conscience seems to me best under all the circumstances.

I know my friend the Senator from Alabama does not wish to have the amendment adopted. I do wish to have it adopted. I do not think it will do any harm at all. I do not desire to have our armed forces begin to take boys under 17 years of age—children—into the service. When an amendment prohibiting that is offered, I will support it.

I am grateful to my friend, the Senator from Alabama, for giving me an opportunity to state how I feel about this matter.

Mr. HILL. Mr. President, of course the pending amendment does not require a reexamination of our military policy in respect to what we have done about training men or building up our Army or using our Army. At this time I shall not delay the Senate by discussing the views which have been expressed by the Senator from Kentucky on the question of a reexamination of the whole subject. Of course, there is no Senator who does not wish every American boy, whether he be in the Army or the Navy, to have adequate and thorough training before he enters combat. That is what General Marshall insists has been the practice and the program of the Army, to wit, to give to every boy in the Army, as he expresses it, very intensive, thorough, and adequate training.

The question is whether we in the Senate at this late date, at this moment on the eve of victory, will now seek to attempt to impose our will and to lay down a prohibition on our military commanders and a prescription of what the training shall be. We have won our victories—great, magnificent, and incomparable victories—without the interference of the Congress, without the interference of the Senate, but by leaving the responsibility and the command of our armies in the hands of General Marshall and our other military leaders.

At the time when I was interrupted, I was reading from a statement by General Marshall which goes right to the heart of this very question. The statement was contained in a letter written approximately 30 days ago by General Marshall, but it could not have been more timely or have gone more directly to the heart of this question if it had been written this morning. I shall not reread that statement, but I wish to bring to the attention of the Senate, along with that statement, another one. This statement comes from the War Department.

> The supply of manpower under 26 years of age fit for full military duty is practically exhausted, including men in the armed forces not in combat units. The men becoming 18 years of age each month constitute practically the entire source of additional manpower.
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> * * * *
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> Had the War Department been restricted in the use of 18-year-olds in combat during the last 9 months, the offensive in Europe could not have been sustained at its rapid pace, which prevented the enemy from reorganizing and establishing new defensive lines which would have materially prolonged the campaign in Germany with a resultant heavy increase in casualties. Use of 18-year-old trained soldiers was essential in maintaining the combat divisions at effective combat strength since there were not sufficient physically fit men of other ages suitable for infantry work available.
>
> The efficiency with which these replacements have functioned and the fact that the offensive power of the combat units absorbing them has not been lowered is convincing proof of the adequacy of their training.

I wish to say here that the records of the War Department show that there is no difference between casualties among 18-year-olds, casualties among 19-year-olds, and casualties among 20-year-olds. The casualties for those age limits run on parallel lines. There is no difference as between casualties for those age limits.

Mr. President, what General Marshall has told us, what the War Department has told us, is that our armies were able to drive through the Siegfried line, to cross the Rhine, and to drive at the tremendous pace at which they have been going in Germany because there was placed on the War Department no such restriction as the pending amendment proposes to place. General Marshall and the War Department have said to us that if there had been such a restriction as that which the pending amendment proposes, our forces could not have gone forward and driven the enemy as they have; that they could not have won the victories they have won, and we could not be so near final victory as we are at this hour. They tell us that if the restriction proposed by the pending amendment had been placed on our armed forces, the war would have been prolonged, there would have been more fighting before the final victory, and that would have meant greater casualties and greater loss of the lives of our American boys.

In view of that testimony, are we now, at this crucial moment, when our armies are driving forward for the final knockout, to do what General Marshall tells us would mean to impair, to impede, to delay, to slow down the momentum, to paralyze the drive, to prolong the war, and to sacrifice the lives of American boys, whose lives can be saved if we in the Senate will not interfere? General Marshall in his letter to the Senator from Utah [Mr. THOMAS], pleading that the amendment not be adopted, closed with the following words:

> It is impossible to foresee all of the exigencies which may arise in the waging of war. Carefully laid plans are frequently upset. The administration of the affairs of 8,000,000 men is a tremendous task which prohibitions of this nature, particularly in view of the constant uncertainties involved in waging war, would make almost impossible of efficient management. Should an emergency develop, such as last December, the War Department would in effect be powerless to avert the failure of an operation or a possible disaster.

Mr. President, when final victory comes in Germany and when the war against Germany has been won, I, for one, will be willing to sit down with the other Members of the Senate Committee on Military Affairs and with the other Members of the Senate to make any kind of examination looking toward the use of our forces, perhaps the size of our forces, and the disposition and the constitution of our forces; but I say to you today, Mr. President, that at this crucial moment the Senate cannot afford to assume the terrific responsibility of going absolutely contrary to what Gen. George Marshall has said to us.

The Senate cannot assume the very grave responsibility of doing the very thing which he begs it not to do. More than any other man, General Marshall has been responsible for mobilizing, building, training, transporting, deploying, and placing into battle our armed

forces. More than any other man, he is responsible for the magnificent and incomparable victories which our armed forces have won. He now stands at this moment of impending victory, with our forces assaulting the enemy, and says to us, "At this crucial moment when I am getting ready to give the final knock-out blow to the enemy, please do not impede my efforts, or grab my hand and hold it back."

Mr. President, when the time comes to vote on this amendment we must decide whether we shall continue to allow Gen. George Marshall and other military commanders, who have conducted the activities of our armed forces with such incomparable success, to carry forward their activities to final victory, or at this crucial moment, do the thing which General Marshall begs us not to do, namely, set our will and our judgment against his and those of his military leaders who have commanded our armies with such brilliant success on the field of battle.

Mr. President, I hope that the Members of the Senate will carefully weigh the import of the vote which they are about to cast. Whether or not they wish to assume the responsibility of doing what General Marshall asks them to do, or invite disaster and catastrophe for our armed forces and thereby prolong the war at the cost of additional thousands of American lives, is a matter which Senators must decide for themselves. I plead, Mr. President, that we stand by our military commanders. We have stood by them from the beginning to the present hour. By repeated military successes they have won for us victory after victory. Let us continue to sustain and support them. If we follow such a course they will bring us the final victory for which we have prayed. They will bring it to us within the shortest possible time, and with the least possible loss of American lives.

Mr. BREWSTER. Mr. President, I share completely the desire of the acting majority leader to support General Marshall. Throughout all the difficulties of the past few years I believe that no Member of this body has been more loyal in that support than myself. I believe that it has gradually become apparent to us that George Marshall is an institution in the same way that the President is an institution, and that he is very dependent upon many of his advisers. I believe we have been afforded ample evidence in recent days of the fact that, as regards the Congress of the United States, the advice given to George Marshall has not always been as adequate as it should have been. I have had profound sympathy for him amidst the enormous burdens which he has had to carry. I sat here sometime ago, following the course of the debate on the manpower bill, and saw only 18 Members on the opposite side of the Chamber who were ready to support our Chief of Staff, George Marshall. More and more it has seemed to me that an inadequacy has existed in connection with the advice which George Marshall has been receiving from his trusted aids regarding the legislative situation, as well as the situation generally throughout the country. There do not pour over the desk of George Marshall the situations which confront us.

Mr. President, I propose to offer—but do not ask for a vote upon it until we shall have disposed of the pending amendment—an amendment dealing with a situation which, in my judgment, is fully as serious as the one which we are now discussing. I will read the amendment and then send it forward to the desk. It reads as follows:

Provided, That after May 1, 1945, there shall be no further draft of men over 31 years of age.

That amendment would place our position exactly in accord with the position announced by the British Government, of which we read within the past 3 days. Their position is that after May 1, 1945, there shall be no further drafting for military service of men who are more than 31 years of age. The British are near the scene of this great conflict; they are carrying grave responsibilities, and are insisting that they will continue to bear them until the conflict shall have come to a finality. I cannot resist the belief that, in the midst of the pressing shortages which prevail there, and their situation of limited manpower, if they are able to eliminate the drafting of men of more than 31 years of age there can be no reason why we in this country should not grant similar considerations to our young men.

Mr. STEWART. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. STEWART. I understood the Senator from Maine to say that a British law now upon the statute books would prohibit the drafting of men over 31 years of age.

Mr. BREWSTER. Yes; after May 1, 1945.

Mr. STEWART. Did the Senator state that such a law is already on the statute books of Great Britain?

Mr. BREWSTER. Yes. It has been announced that the law will take effect on May 1, 1945.

Mr. STEWART. Does the Senator now move the adoption of his amendment?

Mr. BREWSTER. No; I ask that it be considered later.

Mr. President, I have talked with General Hershey with regard to the manpower figure involved, and I have brought the information to the Senate so that we may understand what is in view. General Hershey has advised me that from May 1, 1944, through the ensuing 9 months approximately 5 percent of the draftees were more than 31 years of age. That is a very small number, of course. More recently that percentage has been increased as a result of our scraping the bottom of the manpower barrel. General Hershey estimates that in the past month or two it will run as high as from 10 to 15 percent.

On the other hand, it is also true that 9 out of 10 of those men are pre-Pearl Harbor fathers. In other words, most of the bachelors of more than 31 years of age have already been taken. We are now dipping into the age group of those who are married, who have dependent children, in many instances three or four children, and who are of the age which General Marshall himself has testified is less desirable for military service. He has said that such men are not able to adapt themselves to the exigencies of modern warfare. We must also keep in mind—and this has been suggested to me in my discussion with various departments—that there is a constantly mounting pressure throughout the country in connection with various situations which have arisen.

I have today the case of a man 35 years old, with a wife and four children and a highly responsible position, who is being drafted. His sacrifice perhaps is no greater than that of many others; but let us look ahead a little. This aspect of the matter is arousing more and more concern, and if conditions continue as they are now, with the improved outlook on the German front, the pressure will become irresistible to release from the Army men over 31 years of age, or 35, who are least useful in military service. That will mean that having taken these men 1 month and perhaps trained them for 2 or 3 months, we will next proceed to discharge them. Meanwhile we have disrupted their home life and their economic associations. We are facing a situation that arouses difficulty in the country all out of proportion to any possible contribution which such men can possibly be expected to make.

So following the disposition of the pending amendment I shall ask that the Senate give consideration to this amendment in order that we may ameliorate in some measure the tragic situation which is being presented by the disruption of families to so unprecedented a degree at this very late hour so far as the war in Europe is concerned.

SEVERAL SENATORS. Vote!

Mr. MAGNUSON. Mr. President, I had not intended to say anything on this bill, but, in view of all the proposals for a relaxation of the Selective Service Act and proposals to release from the Army certain age classifications or exempt them from the draft, I think this might be a good time to call attention to the fact that, even though tonight word may come of the unconditional surrender of Germany—and we hope it will come tonight, or in the next hour—yet to the westward lies our most formidable enemy, Japan, with an army of probably 6,000,000 trained men, an army that we have yet to meet in force, and an enemy that may take us many, many months to defeat.

It has been said here on the floor today that the war with Japan may be wholly a naval war. It will be a tough naval war and it will become tougher when we land on the coast of China and land on the Japanese islands proper.

I have much respect for the opinions of those who think that there should be some relaxation of the law, but it seems to me that all of us ought to remember that this war is far from over. We are about in the fourth inning of the game and have five more tough innings to go before the game is won. Because the war in Europe may be over, I hope that we will not let our emotions run away with

our best judgment. Although the military may be a little harsh, although they may make some mistakes in the estimates of what they need, it is better to have—and no one knows it any better than the military—too much than too little in this Japanese war.

It is pretty hard, as the Senator from Illinois has said time and time again, to eliminate the age categories. Every American is in this war to some degree, and if we start picking out certain categories we are bound to do injustice to others.

The Senator from Maine [Mr. BREWSTER] seeks to exempt those over 31 years of age. I know men from 31 up to 50 years of age, men with families, who volunteered at the beginning of this war. When the war in Europe is over maybe they would like to leave the service and come home. They have done their turn. I hope that we will turn our eyes from the east and look to the west, where the toughest battle is still to be fought.

The PRESIDING OFFICER (Mr. TAYLOR in the chair). The question is on agreeing to the modified amendment proposed by the Senator from Tennessee [Mr. STEWART] for himself and other Senators.

Mr. LANGER. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Green	Mitchell
Austin	Guffey	Moore
Bailey	Gurney	Morse
Ball	Hart	Murdock
Bankhead	Hatch	Murray
Bilbo	Hawkes	O'Daniel
Brewster	Hayden	O'Mahoney
Bridges	Hickenlooper	Overton
Buck	Hill	Pepper
Burton	Hoey	Radcliffe
Bushfield	Johnson, Calif.	Revercomb
Butler	Johnson, Colo.	Robertson
Byrd	Johnston, S. C.	Russell
Capehart	Kilgore	Shipstead
Capper	La Follette	Smith
Chandler	Langer	Stewart
Chavez	Lucas	Taft
Cordon	McCarran	Taylor
Donnell	McClellan	Thomas, Okla.
Downey	McFarland	Tobey
Eastland	McKellar	Tunnell
Ellender	McMahon	Walsh
Ferguson	Magnuson	White
Fulbright	Maybank	Wiley
Gerry	Millikin	Wilson

The PRESIDENT pro tempore. Seventy-five Senators having answered to their names, a quorum is present.

The question is on agreeing to the modified amendment offered by the junior Senator from Tennessee [Mr. STEWART] for himself and other Senators. The amendment will be stated.

The CHIEF CLERK. It is proposed to add a new section at the end of the bill, to read as follows:

SEC. —. Section 3 (a) of such act, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof a colon and the following: "*And provided further*, That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act shall be ordered into actual combat service until after he has been given at least 6 months of military training of such character and to the extent necessary to prepare such inductee for combat duty; this proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on combat vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States."

The PRESIDENT pro tempore. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. BRIDGES. I have a general pair with the senior Senator from Utah [Mr. THOMAS], which I transfer to the junior Senator from Illinois [Mr. BROOKS] and will vote. I vote "yea."

Mr. LANGER. My colleague, the junior Senator from North Dakota [Mr. YOUNG], is unavoidably absent on business for the Government, in Pittsburgh. If he were present and voting, he would vote "yea."

Mr. HILL. The Senator from New York [Mr. WAGNER] is detained in a committee meeting. He has a general pair with the junior Senator from Kansas [Mr. REED].

The Senator from Virginia [Mr. GLASS], the Senator from Nevada [Mr. SCRUGHAM], and the Senator from New York [Mr. MEAD] are absent because of illness.

The Senator from Pennsylvania [Mr. MYERS] is absent attending the funeral of his father.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference at San Francisco. He has a general pair with the Senator from Michigan [Mr. VANDENBERG].

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent visiting various concentration and prison camps in Europe.

The Senator from Montana [Mr. WHEELER] is absent conducting hearings in Pittsburgh in behalf of the Senate. I am advised that if present and voting he would vote "yea."

The Senator from Missouri [Mr. BRIGGS] is absent on important public business.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Maryland [Mr. TYDINGS] is detained in a committee meeting.

Mr. WHITE. The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco. He has a general pair with the Senator from Texas [Mr. CONNALLY].

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from North Dakota [Mr. YOUNG] and the Senator from Indiana [Mr. WILLIS] are absent on official business. I am advised that both of these Senators would vote "yea" if present.

I am advised that the Senator from Illinois [Mr. BROOKS] would vote "yea" if present.

The Senator from Kansas [Mr. REED] is detained on official business. He has a general pair with the Senator from New York [Mr. WAGNER].

The result was announced—yeas 50, nays 25, as follows:

YEAS—50

Aiken	Gerry	O'Mahoney
Bankhead	Hawkes	Radcliffe
Bilbo	Hickenlooper	Revercomb
Brewster	Hoey	Robertson
Bridges	Johnson, Calif.	Russell
Buck	Johnson, Colo.	Shipstead
Bushfield	Johnston, S. C.	Smith
Butler	Kilgore	Stewart
Byrd	La Follette	Taft
Capehart	Langer	Thomas, Okla.
Capper	McCarran	Tobey
Chandler	McClellan	Tunnell
Chavez	McFarland	Walsh
Cordon	Millikin	White
Eastland	Moore	Wiley
Ferguson	Morse	Wilson
Fulbright	O'Daniel	

NAYS—25

Austin	Gurney	Maybank
Bailey	Hart	Mitchell
Ball	Hatch	Murdock
Burton	Hayden	Murray
Donnell	Hill	Overton
Downey	Lucas	Pepper
Ellender	McKellar	Taylor
Green	McMahon	
Guffey	Magnuson	

NOT VOTING—21

Andrews	Mead	Tydings
Barkley	Myers	Vandenberg
Briggs	Reed	Wagner
Brooks	Saltonstall	Wheeler
Connally	Scrugham	Wherry
George	Thomas, Idaho	Willis
Glass	Thomas, Utah	Young

So Mr. STEWART'S amendment, as modified, was agreed to.

Mr. ELLENDER. Mr. President, I send to the desk an amendment to the pending bill and ask that it be stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

That, to the extent that the President deems to be (1) feasible, (2) compatible with military operations, and (3) necessary or desirable in order to make possible the education and training as physicians and dentists of as many persons as are necessary to provide the minimum number of medical doctors and dentists required to meet the essential needs of the civilian population (especially in rural areas) and the armed forces for medical and dental services in the future, the President is authorized to provide for the release from active duty in the armed forces of men who have completed more than 1 year of honorable service in such forces during the present war and who have satisfactorily completed a substantial portion of the medical, dental, premedical, or predental education and training necessary to qualify them as physicians or dentists, in order to enable such persons to pursue further such education and training. The release of any person from active duty for the purposes of this section may be conditioned upon his acceptance by an accredited school and the pursuit of such education and training in a satisfactory manner.

SEC. 2. Section 5 of the Selective Training and Service Act of 1940, as amended, is hereby amended by adding at the end thereof the following new subsection:

"(n) In order to make possible the education and trainirg as physicians or dentists of as many persons as are necessary to provide the minimum number of medical doctors and dentists required to meet the essen-

tial needs of the civilian population (especially in rural areas) and the armed forces for medical or dental services in the future, the President shall, under such rules and regulations as he may prescribe, provide for the deferment from training and service under this act in the land and naval forces of the United States of those men who are found in accordance with section 10 (a) (2) to be enrolled in the national medical and dental education program. The President shall provide for the enrollment, under such rules and regulations as he may prescribe, in a national medical and dental education program (hereinafter referred to as the "program") of such persons as he deems necessary to be enrolled in such program, in order that they may be deferred under this subsection from training and service under this act, subject to the following limitations:

"(1) (A) The number of men enrolled in the program for the purpose of permitting them to pursue first-year premedical education and training shall not exceed 8,000 at any one time.

"(B) The number of men enrolled in the program for the purpose of permitting them to pursue first-year predental education and training shall not exceed 3,500 at any one time.

"(2) (A) The number of men enrolled in the program for the purpose of permitting them to pursue second-year premedical education and training shall not exceed 8,000 at any one time prior to the end of the third month of the academic year and shall not exceed 4,500 at any one time after the end of the third month of the academic year, and after the end of such third month shall not include anyone who has not been accepted for admission to the earliest subsequent entering class of an accredited medical school following the satisfactory completion of such second-year premedical education and training.

"(B) The number of men enrolled in the program for the purpose of permitting them to pursue second-year predental education and training shall not exceed 3,500 at any one time prior to the end of the third month of the academic year and shall not exceed 1,750 at any one time after the end of the third month of the academic year, and after the end of such third month shall not include anyone who has not been accepted for admission to the earliest subsequent entering class of an accredited dental school following the satisfactory completion of such second-year predental education and training.

"(3) No man shall be enrolled in the program for the purpose of permitting him to pursue premedical or predental education and training for more than 2 years.

"(4) (A) The number of men enrolled in the program for the purpose of permitting them to pursue first-year, second-year, third-year, or fourth-year medical education and training shall not exceed 4,500 in each of such classes at any one time.

"(B) The number of men enrolled in the program for the purpose of permitting them to pursue first-year, second-year, third-year, or fourth-year dental education and training shall not exceed 1,750 in each of such classes at any one time."

In determining the number of men who may be enrolled in the program, the President shall take into consideration and make due allowances for the number of physicians or dentists who may be obtained through the education and training of other persons not enrolled in the program, including veterans of the armed forces, women, and persons not qualified for military service. The limitation on the number of men who may be enrolled in the program shall not be deemed to be a limitation on the total number of students who may be enrolled in medical, dental, premedical, or predental schools; but shall be deemed to be a limitation only on the number of men who may be deferred under this subsection, who shall be in addition to students who may be obtained from other sources. Persons shall not be enrolled in the program for the purpose of permitting them to pursue medical or dental education and training at any schools except medical and dental schools whose graduates are acceptable to the armed forces for commissioning as medical doctors or dentists. The number of men who may be enrolled in the program for the purpose of permitting them to pursue each of the two respective years of premedical or predental education and training shall be allocated by the President among the several States on the basis of population, as determined by the 1940 census. The men to be enrolled in the program from each State for the purpose of permitting them to pursue such education and training shall be selected from among applicants within such State, in such manner as the President may prescribe. In making such selections, representatives of accredited schools which offer full-time medical, dental, premedical, or predental courses of instruction shall be consulted and their services may be utilized. No man who fails to make satisfactory progress in pursuing his education and training shall be permitted to continue to be enrolled in the program.

Mr. ELLENDER. Mr. President, on February 26, 1945, I introduced Senate bill 637. The amendment which has just been read is that bill. When I introduced the bill last February I made a lengthy statement in respect to it. I stated at that time that the V–12 program and the A. S. T. P. program, which provided for medical students, were curtailed this year by the Navy and the Army, respectively, and would be dispensed with in 1946, and because of that fact there would be no way by which we could have attending our colleges the necessary number of students to study medicine and dentistry.

As I stated in February, prior to the war we had about 140,000 doctors to attend our civilian population. The Army has taken 60,000 of those doctors, and with some graduated since, we have now approximately 100,000 doctors to take care of our civilian population. Of that number of doctors, almost 40 percent are more than 55 years of age.

Mr. President, I consider the amendment a must measure. I think it is absolutely necessary that provision be made now so that our medical colleges throughout the country may obtain students and train them properly in medicine and dentistry. Unless this amendment is adopted and provision is made so that our colleges can receive by September of this year the necessary number of students to take courses in medicine, by 1948 the number of graduates from our medical schools will be reduced from an average of 6,200 to 4,200, and in 1949 the number of graduates will be reduced to 2,200. We cannot afford to let that happen. The only purpose of this amendment is to permit the President to defer not more than 8,000 students who are 18 years old or younger, in order to enable them to study medicine, and to defer 3,500 in order that they may study dentistry. That is the whole purpose of the amendment.

There may be a question in the minds of Senators as to whether it will be possible to obtain a sufficient number of students from men classified IV–F, from women, or from returning soldiers. The records show that the maximum number that may be obtained from those sources is about 2,000. So, in order to be able to maintain a level of 6,000 graduates each year, it is necessary that deferments be asked for and obtained for medical and dental students.

Mr. WHITE. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Louisiana yield to the Senator from Maine?

Mr. ELLENDER. I yield.

Mr. WHITE. As I understand the Senator, this amendment is in the terms of a bill previously introduced by him.

Mr. ELLENDER. That is correct.

Mr. WHITE. As I understand, the bill was referred to the Committee on Military Affairs.

Mr. ELLENDER. That is correct.

Mr. WHITE. That was in February.

Mr. ELLENDER. Yes.

Mr. WHITE. What committee action has there been in the intervening weeks?

Mr. ELLENDER. No committee action has been taken, the reason being, as was stated to me by the distinguished chairman of the committee [Mr. THOMAS of Utah] that there were no reports from the departments affected. However, I have in my hand a report made by the War Manpower Commission under date of April 18, 1945, in response to a request for a report on the bill.

Mr. WHITE. When was the report submitted?

Mr. ELLENDER. The report was submitted about 3 or 4 days ago. The committee has not met since that time.

I desire to state further to the Senator that I discussed he matter with the Senator from Utah, chairman of the Committee on Military Affairs, before he went to Europe. He told me that he would raise no objection to this amendment; that, on thre contrary, he was for it; and that he desired to have it considered by the conference, provided, of course, that the amendment of the Senator from Tennessee [Mr. STEWART] were adopted. That was the only condition.

Mr. WHITE. The bill has been in committee for approximately 3 months, and we are now being asked to act, when the committee has not acted. Is not that a true statement of the situation?

Mr. ELLENDER. The Senator has correctly stated the situation; but, as I have just indicated, the reason for the delay was that there was no report from the War Manpower Commission, from the War Department, or from other departments affected. However, as I have stated, it is imperative that we act at once on this measure if we are to maintain our present standard in the medical schools and obtain, after 1947, the number of graduates necessary in order to assure the minimum number of doctors required to provide medical care for our civilian population after the war.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCARRAN. I am exceedingly sympathetic with the program which the

Senator from Louisiana is outlining. I wonder if he would care to state, if he has not already stated, how his proposal would affect those who are now in training in science.

Mr. ELLENDER. It would not affect them at all, for this reason, as I indicated when I began my remarks: The V–12 program and the A. S. T. P. program provided for medical students. Those programs have been in effect for a little more than 2 years. Those students who now are in school and are studying medicine would not be affected. The amendment would apply only to new students. In other words, in order to be able to obtain a sufficient number of students to begin their premedical studies and predental studies by September, it is necessary that legislation be enacted now.

Mr. McCARRAN. Mr. President, let me say to the Senator that my observation leads me to believe that as regards the dental students—and I consider the dental students to be equal in importance to the medical students—the program has been discontinued, and dental students in at least one instance in the District of Columbia—namely, at Georgetown University—are in civilian status, but are carrying on at their own expense the dental course which they started under military status.

Let me say one other thing—and then I shall not interrupt the Senator again—because I am sympathetic with his objective, and I wish to help him if I can. My observation is—and my information comes from very good sources—that there has been a strong tendency on the part of those in charge to discourage this program, and that some of the boys who now are in it are discouraged because it has been thrown in their teeth—and I use that expression advisedly—that they are getting an education at the expense of the Government, when they should be out in the front-line trenches or at some other place in military activity. That has been a discouraging feature to the boys who are carrying on their studies in such science courses and who, after they complete their studies—and they will do so if they have an opportunity—will serve their country as well as will anyone in the military service, because probably they will serve it longer than this war lasts; they will have to serve long enough to take care of those who, because of the war, are made incapable of taking care of themselves.

I am very glad the Senator is interested in the subject. I wish to have something done so that the boys will be treated decently when they enter such courses, and so that they will be regarded as in military service.

Mr. ELLENDER. Of course, Mr. President, the Senator realizes that if Congress acts in this connection, the instruction will be made official.

Mr. McCARRAN. It is official now, under the A. S. T. P. program.

Mr. ELLENDER. But that has been discontinued, and so has the V–12 program.

Mr. McCARRAN. That is correct.

Mr. ELLENDER. I am seeking to have the program continued at the students' expense. If we do not do that, the situation will be, as I have indicated, that in 1948, instead of having in our schools 6,000 college graduates studying medicine, we shall have approximately 4,200. We cannot afford to let that happen.

Mr. McCARRAN. The Senator is entirely correct.

Mr. BANKHEAD. Mr. President, will the Senator yield to me?

Mr. ELLENDER. I yield.

Mr. BANKHEAD. What would be the status of a young man who had been in medical school for 1 or 2 years, possibly under exemption by his local board, but not in the medical school at his own expense?

Mr. ELLENDER. He would remain there, and under my bill he would receive an exemption. The bill does not seek to reinstate the V–12 program or the A. S. T. P. program which was in operation last year and the beginning of this year.

Mr. BANKHEAD. But there are any number who are not under any program, except they have been exempted by their local draft boards because of their prospect of becoming good doctors.

Mr. ELLENDER. Since July 1944 Selective Service, under a ruling of the National Director, has refused to defer any more men simply for the purpose of studying medicine. That is, there will be no more young men with a II–A classification enrolled in the future incoming classes. This ruling does not affect those already enrolled in medical schools and classified II–A. I would like to emphasize to the Senator that my amendment is designed to provide for those promising young men in whose welfare he has just indicated his concern.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MAGNUSON. The Senator's amendment provides that these men shall be exempted so as to permit them to continue their studies. I wonder why we could not obtain such men from the group between the ages of 18 and 20 who are now in the military service.

Mr. ELLENDER. The bill provides that a portion of them shall be selected from that group. I have taken care of that matter in section 1.

Mr. MAGNUSON. That is good. I wanted to clear up that point.

Mr. ELLENDER. I will refer to page 2, which states:

> The President is authorized to provide for the release from active duty in the armed forces of men who have completed more than 1 year of honorable service in such forces during the present war and who have satisfactorily completed a substantial portion of the medical, dental, premedical, or predental education and training necessary to qualify them as physicians or dentists, in order to enable such persons to pursue furthem such education and training. The release of any person from active duty for the purposes of this section may be conditioned upon his acceptance by an accredited school and the pursuit of such education and training in a satisfactory manner.

We have taken care of that matter. If that provision does not suffice, we can release as many as 8,000.

Mr. MAGNUSON. So they would first be obtained from the service; would they?

Mr. ELLENDER. That is correct.

Mr. MAGNUSON. And if not enough were obtained in that way, they could be exempted; is that correct?

Mr. ELLENDER. That is exactly correct.

Mr. President, now let me read for the RECORD a statement in respect to the bill made by Paul C. Barton, M. D., who is chairman of the Directing Board, Procurement and Assignment Service, War Manpower Commission. The statement reads as follows:

> The War Manpower Commission, and particularly its Procurement and Assignment Service for Physicians, Dentists, Veterinarians, Sanitary Engineers, and Nurses, is on record as being deeply concerned about the future supply of medical and dental students.
>
> The current regulations of Selective Service have the effect of limiting persons entering upon premedical and predental education to women, physically disqualified males, and aliens. These categories are inadequate to supply a sufficient number of suitable premedical and predental students to fill more than 25 or 30 percent of the available places in the medical and dental schools. Hence, when the classes enrolled under present conditions graduate from these professional schools, these graduates will be but a small fraction of the number of physicians and dentists normally added to these professions annually, and quite insufficient to meet even the normal pre-war needs of the country. These needs will exceed former normal needs in all probability.
>
> In the first place, a greatly expanded military establishment will demand a far greater military medical and dental service than formerly. Compulsory military training would increase the demands further. Secondly, the number of veterans needing medical service will be very large. Third, the demands on the American medical and dental professions to assist in the rehabilitation of the countries ravaged by war will be imperative. Some of this work will undoubtedly be done in connection with military occupation, but for a number of years after the close of hostilities many of our highly trained specialists will be serving abroad in one capacity or another. Lastly, and most important, the expanded demands in the field of public health and general medical service on the part of the country as a whole will result in a far greater need for professional personnel than pre-war requirements. Available civilian physicians and dentists will suffer from increased death and disability rates both as a result of military service and as a result of the extraordinary home-front load being carried by some during the war.
>
> While conscious of the needs of the Army and Navy for young men, the Procurement and Assignment Service has been apprehensive concerning the limitation of the number of premedical and predental students, and has called the attention of Selective Service and the armed forces to the dangers involved in any policy which will limit the production of doctors and dentists necessary for adequate care of the country when the war is over. In this connection, attention is called to the attached correspondence.

I shall not take the time to read the correspondence, but it is very illuminating, and I hope Senators will read it. Accordingly, Mr. President, I ask unanimous consent to have it printed in the RECORD, at this point.

There being no objection, the correspondence was ordered to be printed in the RECORD, as follows:

> The War Manpower Commission, and particularly its Procurement and Assignment Service for Physicians, Dentists, Veterinarians, Sanitary Engineers, and Nurses, is on

record as being deeply concerned about the future supply of medical and dental students.

The current regulations of Selective Service have the effect of limiting persons entering upon premedical and predental education to women, physically disqualified males, and aliens. These categories are inadequate to supply a sufficient number of suitable premedical and predental students to fill more than 25 or 30 percent of the available places in the medical and dental schools. Hence, when the classes enrolled under present conditions graduate from these professional schools, these graduates will be but a small fraction of the number of physicians and dentists normally added to these professions annually, and quite insufficient to meet even the normal pre-war needs of the country. These needs will exceed former normal needs in all probability.

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While conscious of the needs of the Army and Navy for young men, the Procurement and Assignment Service has been apprehensive concerning the limitation of the number of premedical and predental students, and has called the attention of Selective Service and the armed forces to the dangers involved in any policy which will limit the production of doctors and dentists necessary for adequate care of the country when the war is over. In this connection, attention is called to the attached correspondence. The critical situation which now exists cannot fail to seriously arouse very serious concern on the part of all those who are interested in and responsible for the health needs of the Nation. The Procurement and Assignment Service, War Manpower Commission, is convinced that some such legislation as S. 637 is essential to meet the existing problem.

For FRANK H. LAHEY, M. D.,
Chairman, Directing Board,
Procurement and Assignment Service.
By PAUL C. BARTON, M. D.,
Executive Officer.

WAR MANPOWER COMMISSION,
PROCUREMENT AND ASSIGNMENT SERVICE,
Washington, D. C., April 10, 1944.

GOV. PAUL V. MCNUTT,
War Manpower Commission, Federal Security Agency, Washington, D. C.

DEAR GOVERNOR: At a joint meeting of the Procurement and Assignment Service on Saturday, April 8, 1944, with Surg. Gen. Norman T. Kirk, Surg. Gen. Ross T. McIntire, and Surg. Gen. Thomas Parran, the question of selective service ceasing to defer all physically acceptable premedical students and students in medical schools except those who will complete their senior year in 24 months was considered. It was the unanimous opinion of all three surgeons general and of the entire Procurement and Assignment Board that such a position on the part of selective service would result in a situation which would be disadvantageous and even dangerous to the armed forces and to the civilian population. It was also unanimously agreed that I should write this letter to you and ask you to forward it to the President if such a course met with your approval.

We all feel that the continuing maintenance of medical schools and the production of doctors is of such importance that if anything such as their failure to defer men in medical schools and in premedical training but accepted by medical schools is to be done which may well interrupt this production of doctors and cause some medical schools to close that the Procurement and Assignment Board and the three surgeons general must be in a position of having warned against it. We all wish to go on record to the effect that should later developments such as an epidemic of great magnitude, war casualties of unanticipated numbers or any other unexpected demand upon medical manpower by the military or civilian population arise that they not be in a position of not having done everything in their power to have prevented this medical manpower production interruption.

This problem has been discussed with the Army and the Navy with the possibility that it can be met by the Army and Navy enlisting these premedical and medical students and placing them on an inactive status. Such a plan, if possible, would satisfactorily accomplish the protection of these men, save the Government the expense of their educations, make them available for the services on graduation and at the same time continue the production of doctors and preserve medical schools.

We do not believe that the places vacated in medical schools by the change in Army plans can be filled with women, IV-F's, I-AF's, and men discharged from the armed forces. Many medical schools are in a considerable part supported by student fees without which we are doubtful that they could continue.

We all feel that this is perhaps the most serious problem on which we have had to take a position and for that reason we feel it our duty to take an unequivocal position and request you to consider forwarding this to the President with your support.

Sincerely yours,
FRANK H. LAHEY, M. D.,
Chairman of the Directing Board.

WAR MANPOWER COMMISSION,
April 12, 1944.

Maj. Gen. LEWIS B. HERSHEY,
Director, Selective Service System,
Washington, D. C.

DEAR GENERAL HERSHEY: Following the meeting of the War Manpower Commission Inter-Agency Committee on Occupational Deferment yesterday, I reviewed the situation concerning premedical students again. Your telegram of April 11, 1944, appears to take care of all of the students now in school and all of those who will be entering classes up to July 1, 1944. The group of premedical students who will be entering classes starting through October concerns me most at the present time.

Our information indicates that there are between 1,200 and 1,300 premedical students who have been accepted by medical schools for classes starting between now and September 30, 1944. The vast majority of these students will not be entering school until September. Another group of about 1,000 have been accepted for classes between October 1 and December 31, 1944.

The urgency of preserving the flow of medical students is so great that I am writing to ask whether you would consider advancing the date from July 1, 1944, to October 30, 1944. If it is not possible to keep the medical schools filled to capacity with students deferred by Selective Service, it is my intention to present to the Secretaries of War and Navy a request that they consider placing in the Enlisted Reserve a sufficient number of students to meet this urgent need.

We feel strongly that the public interest demands that places in the medical schools be kept filled to capacity. I know that you are thoroughly aware of the reasons which prompt my recommendation and of the seriousness with which the three Surgeons General, as well as the Board of the Procurement and Assignment Service regard the matter. I cannot emphasize this concern too strongly and I will appreciate it deeply if you will review the facts of the situation again, and give consideration to my instant recommendation. I would be very pleased to discuss this with you personally in case you desire to do so.

Sincerely yours,
PAUL V. MCNUTT,
Chairman.

NATIONAL HEADQUARTERS,
SELECTIVE SERVICE SYSTEM,
April 15, 1944.

HON. PAUL V. MCNUTT,
Chairman, War Manpower Commission,
Washington, D. C.

DEAR GOVERNOR MCNUTT: This will acknowledge receipt of your letter of April 12 with reference to my telegram of April 11, 1944. The telegram, as you indicate, provides that students in premedicine, predentistry, preveterinary medicine, preosteopathy, and pretheology may continue in a deferred status provided such preprofessional students will matriculate and enter into actual classroom work in a recognized school of medicine, dentistry, veterinary medicine, osteopathy, or theology, on or before July 1, 1944.

It is noted that between 1,200 and 1,300 premedical students have been accepted by the medical schools for classes beginning April 12 and September 30, 1944, and that the vast majority of these students are scheduled for admission to medical school in September.

No exceptions will be made as respects the date of July 1. We shall, as in the past, give full faith and credit to the certificates of professional colleges as to the status of students matriculated therein and engaged in actual classroom work within the school or under its immediate supervision.

Sincerely yours,
LEWIS B. HERSHEY,
Director.

WAR MANPOWER COMMISSION,
April 26, 1944.

The honorable the SECRETARY OF WAR,
Washington, D. C.

DEAR MR. SECRETARY: I have your letter of April 15, 1944, outlining the future Army specialized-training program. In reply I wish to set forth the existing situation concerning medical and dental students and the needs which must be met in the public interest.

The medical needs of the armed forces and of the civilians, for the duration of the war and the not-to-be-overlooked thereafter, are such that it is imperative that an uninterrupted flow of physicians and dentists be maintained. Already the ratio of physicians to population has reached the minimum considered safe by the Procurement and Assignment Service and the United States Public Health Service. Still more serious is the fact that this ratio is steadily increasing as a result of the death of approximately 3,500 civilian physicians annually, with less than 1,200 replacements available from the medical graduates ineligible for military service. A comparable situation exists regarding the dentists.

The reduction in the Army specialized-training program will have the effect of increasing the number of places which must be

filled by civilian medical students by 28 percent. The Navy will continue its contracts for 25 percent of the places and it is assumed that approximately 15 percent can be filled with women and men disqualified for military service. This will leave approximately 2,000 vacant places in the medical classes unless some provision is made in 1945 to provide deferment for the requisite number of premedical students. The following table summarises the situation concerning medical students for this class:

Total number of places in entering classes 1945	6,500
Army will fill	1,825
Navy will fill	1,625
Women	400
Physically disqualified men	650
	4,500
Balance for whom other arrangements will be necessary	2,000

Similar arrangement will be necessary for about 1,000 dental students.

Efforts have been made by the Procurement and Assignment Service and by me personally to convince the Director of Selective Service that his policy of recommending deferments of men under 26, as set forth in his telegram of April 11, 1944 should be modified to include students in premedical and predental courses in such numbers as to insure an uninterrupted flow so that the available places in the schools will be filled to capacity. Under date of April 15, 1944, the Director of Selective Service advised me as follows:

"No exception will be made as respects the date of July 1. We shall, as in the past, give full faith and credit to the certificates of professional colleges as to the status of students matriculated therein and engaged in actual classroom work within the school or under its immediate supervision."

This decision means that a large number of students now under deferment in premedical and predental courses will be lost to medicine and dentistry since the majority of them were registered for matriculation next fall. No provision whatever appears to be contemplated by Selective Service for students entering classes in late 1944 and in 1945. Copies of the correspondence between this office and Selective Service are enclosed for your information.

I need not stress to you the urgency and importance of maintaining the flow of medical students at a rate which will insure the necessary number of doctors for the country as a whole. If it were possible to shorten the course of medical education further or if we saw any way to make up for the loss which would ensue if nearly 30 percent of the medical students were lost for medicine for even 1 year, I would not suggest for your consideration the recommendation which I now wish to place before you.

The Directing Board of the Procurement and Assignment Service held a joint meeting with the three Surgeons General on Saturday, April 8, 1944, and unanimously recommended (copy of recommendation enclosed) that if the Director of Selective Service would not recommend deferment for a sufficient number of premedical and predental students that I request you and the Secretary of the Navy to give consideration to placing a sufficient number of these students on an inactive status in the Enlisted Reserve. It would be understood that the numbers would be held as small as possible and the machinery for allocating the students to the medical and dental schools would be handled through the Procurement and Assignment Service. The situation has become so serious that I now feel the time has come to make this request.

Since students will come under the jurisdiction of selective service when they reach their eighteenth birthday, the students we wish to hold for this program will be chosen from the group under this age and can be taken into the Enlisted Reserve Corps and placed on an inactive status when they reach their eighteenth birthday. The total number involved in any one year, both under and over 18 years of age, would be about 4,000 premedical and 2,000 predental students.

The Procurement and Assignment Service suggests the following procedure for the administration and control of these students.

1. The Procurement and Assignment Service will establish a quota of authorized vacancies for each medical school—this quota to be the average number of students admitted by this school over the past 5 years, less the number of places to be filled by the Army, Navy, women, and men ineligible for military service.

2. Each medical and dental school will select and give acceptances to the number of students authorized by this quota; such selections being made from students under 18 years of age insofar as possible.

3. Enlistment of premedical and predental students in the Enlisted Reserve should be predicated on the issuance of a certificate of acceptance by a recognized medical or dental school. Continuation in the Enlisted Reserve would be dependent on maintaining a satisfactory standing in school.

4. The Procurement and Assignment Service will check acceptances of medical and dental schools against quotas to insure compliance with the schedule of students allowed.

I am sending a similar letter to the Secretary of the Navy and will deeply appreciate your early consideration of this request.

Sincerely yours,

PAUL V. MCNUTT,
Chairman.

Mr. ELLENDER. Mr. President, the critical situation which now exists cannot fail to arouse very serious concern on the part of all those who are interested and responsible for the health needs of the Nation. The Procurement and Assignment Service of the War Manpower Commission is convinced that the enactment of legislation similar to Senate bill 637 is essential if we are to meet the existing problem.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCARRAN. Under the measure, would those now in the service have the first call?

Mr. ELLENDER. Yes; I would think so.

Mr. McCARRAN. In other words, a man now in the service who has served for a certain period of time and is in uniform and has the proper scholastic background might participate in this program, might he?

Mr. ELLENDER. That is correct.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TYDINGS. As I understood the reading of the paragraph providing that the President shall have the right to promulgate such regulations as to permit men in the service to be drawn from the service and to continue their medical education, I doubt whether the Senator is completely accurate, although I know he intends to be, when he says that the men in the service would have the first call, because unless the President acted under such permissive authority, the men in the service who had had 1 year of medical education would stay in the service, and the men about to enter the service would be the ones who would be selected to receive such education. Is not that correct?

Mr. ELLENDER. As the Senator states, the language makes it permissive. My reason for making it permissive is that I should not wish to disturb or interfere with the Army in any way. The language of the amendment states, in part:

> That, to the extent that the President deems to be (1) feasible, (2) compatible with military operations, and (3) necessary or desirable in order to make possible the education and training as physicians and dentists—
>
> He shall do certain things.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. TYDINGS. Of course, the President, has such power without any act of Congress. The significant thing is that the War Department and the Navy Department have not asked the President to promulgate regulations which would take those men from the service. I believe it would be rather dangerous for us to make it mandatory because the obvious answer would come back that in many cases these premedical men are hospital assistants, stretcher bearers, and first-aid men, and that, therefore, to draw them from the service would, perhaps, result in an increased loss of life. So on second thought, I do not believe the Senator can handle the situation in any better manner than he is handling it.

Mr. ELLENDER. I thank the Senator.

Mr. TYDINGS. But I do not believe that the men in the service will have the first call in the way that the Senator has indicated.

Mr. ELLENDER. I believe they would, because if they came within the purview of the section I have read, it would be an advantage to get men who have had previous training. I know of some who have had 2 years' study as premedical students, and a man who has had that much education, or at least that kind of education, could enter the medical school at once.

Mr. TYDINGS. Not if he is in the Army.

Mr. ELLENDER. I mean after he has been released from the Army. If his release were not incompatible with the best interests of the Army and would not disturb the Army, I have no doubt that preference would be given to him.

Mr. TYDINGS. Mr. President, if the Senator will further yield to me, of course the over-all picture boils down to this: A man of this type should be used where he can save the most lives. It is perfectly obvious that he can now save the most lives in the Army because in this war men die from disease, and others are constantly being wounded and killed. Quite frequently the wounds of soldiers result in death unless ample medical aid has been afforded. Although the purpose of the Senator is a worthy one, I doubt whether it would be feasible to draw any considerable number of men from the armed services which are already crying for nurses. I do not see how, in justice to the fighting men, we

could weaken the medical staff which the Army now has. It is not likely that a substantial number of the men who are now in the service would receive the privileges suggested in the Senator's amendment.

Mr. McCARRAN. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. McCARRAN. How does the Senator's amendment provide for inductees in the Navy? In other words, a part of the program suggested by his amendment would apply to the Army. Would it also apply to the Navy?

Mr. ELLENDER. No distinction would be made.

Mr. McCARRAN. If a young man called for the Navy should desire to take the science course, could he do so?

Mr. ELLENDER. Deferment would be given to 18-year-old boys.

Mr. McCARRAN. The language of the amendment would not put them into the military service?

Mr. ELLENDER. No.

Mr. McCARRAN. Then the A. S. T. P. would continue as is.

Mr. ELLENDER. The A. S. T. P. for medical education will admit no further students after September 1945. It will continue for those now enrolled until they have graduated.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield.

Mr. MAGNUSON. I was not speaking with reference to premedical students in the Army or in the Navy. Such students are being used as hospital corpsmen, and in the performance of other duties. I had reference to the young man 18, 19, or 20 years of age who could qualify to enter medical school. Such a man is now in the service and perhaps has fought in several battles. I would place him against the man who is also 18 years of age but has the necessary qualifications to begin premedical studies. I think we should take care of the men who are in the service and wish to become doctors. I think they should be chosen as well as the men who are about to enter the service and have had a desire to receive medical training.

Mr. TYDINGS. I am interested in knowing the attitude of the Army and Navy in this matter. I assume that up to the present time the Army has been opposed to the plan of the Senator from Louisiana.

Mr. ELLENDER. I do not know.

Mr. HILL. As the Senator has said, no hearings have been held in connection with this matter. That is not because the Senator from Louisiana has not be diligent in pursuing the matter. I happen to know that he has been very diligent. But only this morning a letter came from the Navy Department in regard to this subject.

Mr. ELLENDER. I have not had an opportunity to see it.

Mr. HILL. No; the Senator has not had an opportunity to read the letter.

Mr. ELLENDER. I did not know that it had come.

Mr. HILL. I happen to know that the Navy Department is opposed to the amendment. It was only yesterday that a letter came from the War Department. The War Department is also opposed to the amendment.

Let me say to my friend, the Senator from Louisiana, that I am always sympathetic with anything which he suggests. I should like to be helpful to him in his effort to work out the program which he seeks to have inaugurated; but I think the Senator will agree that even if the Senate, under the present conditions, should adopt his amendment and it went to conference there would be no opportunity for it to be agreed to in conference. The House has not considered the amendment, which originally was in the form of a bill. I understand that no hearing or consideration has been given to the matter. I am sure the conferees will not call in witnesses in order to determine what action they should take on the amendment. In view of the fact that several reports have come to us from various departments, I wonder if the Senator would not save time by having a hearing held and ascertaining whether he could not receive the favorable action of the committee. I believe the Senator stated on the floor yesterday that the distinguished chairman of the committee, the Senator from Utah [Mr. THOMAS] would take the amendment to conference.

As the Senator knows, just by chance and fate I happen to be standing in the shoes of the Senator from Utah [Mr. THOMAS] at this particular moment. The Senator's statement presents a somewhat embarrassing situation to me. I do not like to find myself not in accord with something the Senator from Utah, the chairman of the committee, wishes, but merely to take this amendment to conference I do not think would get the Senator from Louisiana anywhere, because with all the opposition expressed to the bill by the different departments, I do not believe the conferees would accept the amendment. I do not see how the Senator can hope to get anywhere with it.

It seems to me we owe it to the Senate, we owe it to ourselves, to let the Senate Committee on Military Affairs have hearings on the bill, consider the bill, and then take action on it. I wonder whether the Senator does not feel that way about it.

Mr. ELLENDER. As the Senator just stated, I have been making every attempt to have the Committee on Military Affairs consider the bill, and that is my reason for trying to press the matter. As I indicated in the early part of my remarks, unless we act soon, the class of 1948 and the class of 1949 will be short from 2,000 to 4,000 doctors and half as many dentists. The amendment was drafted by me in conjunction with the American Medical Association and the American Dental Association, and I wrote to every medical college in the country. With only one exception, they have replied favorably, stating that there should be a law of this kind; that it is imperative.

Mr. HILL. Will the Senator yield?

Mr. ELLENDER. I yield.

Mr. HILL. I take it the committee has not been in a position to act because it has been waiting on the reports from the departments. The reports have come in. The War Department report came in yesterday, and the report from the Navy Department came in today.

I am not chairman of the Committee on Military Affairs, but as one member of that committee I say to the Senator that if he will withdraw his amendment, I shall do everything I can to have the committee give him an expeditious hearings, expeditious consideration, and expeditious action on the bill. I do not know what the action will be, but certainly it would seem to me that, with a bill of this nature, with the interested departments all reporting against it, if the Senator really wants to have his bill passed, he will have to get the weight of the committee behind it.

Mr. ELLENDER. I thought I had that, because I have spoken to most of the members of the Committee on Military Affairs, and, as a matter of fact, I consulted many other Members of the Senate. I have heard no opposition from any of them, because they realize the necessity of keeping in the medical schools and dental schools a sufficient body of students so that a normal number of doctors and dentists can be graduated.

Mr. DOWNEY. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. DOWNEY. I am one of the members of the Committee on Military Affairs with whom the distinguished Senator consulted, and I am indeed very much impressed by the necessity for the enactment of the bill, as pointed out by the Senator from Louisiana. But if the words of wisdom from our present acting majority leader are correct—and it would seem they probably are—then, even though the Senate adopted the amendment, and it were rejected in conference, of course, no time would be gained by making it a part of the pending bill. I am wondering if a definite agreement could not be made at this time that the Committee on Military Affairs would take up the bill, let us say within less than a week, and give it immediate consideration and pass upon it. So far as I am presently advised, I shall be very anxious to support the Senator from Louisiana in the attempt to pass the bill.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield.

Mr. JOHNSON of Colorado. As acting chairman of the Senate Committee on Military Affairs until the return from Europe of the Senator from Utah [Mr. THOMAS], I may say that if I am still acting chairman next Tuesday, and the Senator from Louisiana is ready to have his bill considered by the Senate Committee on Military Affairs next Tuesday, it will be called up. Of course, there are plenty of "if's" in my proposal, because I do not know how soon the Senator from Utah will return, but as a member of the committee, not speeking now as its acting chairman, I am very much in accord with the objectives of the bill. I have an important amendment which I desire to have inserted in the bill before I can wholeheartedly support it, but I do not

think there will be any difficulty about working that out. As one member of the Committee on Military Affairs, I assure the Senator I am very much in sympathy with his bill.

I think the acting floor leader has stated the situation precisely as it is, that no time would be gained by taking the amendment to conference. With the adverse reports from the War Department and the Navy Department, without action by a standing committee of the Senate, we would be in a very bad situation when we faced the conferees from the House, because I know from experience that they are very tough conferees.

Mr. HILL. Mr. President, the Senator from Colorado and I have sat quite a few times with conferees on the part of the House, we know the difficulties encountered in conferences, and we know how well armed we must be with the facts if we are to induce the House conferees to agree. If we should take to conference an amendment such as this, when we would have to admit that it had had no hearings and no consideration by our committee, I think the House conferees would merely laugh and say, "Gentlemen, there is absolutely nothing doing, there is no use even talking about the matter."

Mr. ELLENDER. Mr. President, in view of the assurances which have just been made to me, and the support which seems to be in the air, I withdraw the amendment.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The Senator from Louisiana withdraws his amendment. The bill is still before the Senate and open to further amendment.

Mr. BREWSTER. Mr. President, I have an amendment on the desk which I ask to have stated.

The PRESIDING OFFICER. Has the Senator another copy of the amendment?

Mr. BREWSTER. No; there is only one in existence.

Mr. TYDINGS. Someone has taken the amendment from the desk for research purposes.

Mr. BREWSTER. I can restate it. It provides, "*Provided*, That after May 1, 1945, there shall be no further draft of men over 31 years of age." That is the amendment.

Mr. President, I have already explained, I think, to most of those who were present, the occasion for the amendment. I regret that it was not earlier presented to the Committee on Military Affairs, but the situation was not brought home to me, and I based it primarily upon the fact that the British have found this feasible and have put it into effect as of May 1, 1945.

I took the matter up with General Hershey. As I have previously stated, the number of men now being secured in the 31- to 38-year category is not given. Hitherto it has been about 5 percent, now it is running 10 to 15 percent. It is true that all these men are married men, most of them with pre-Pearl Harbor children, so that the situation is increasingly upset both from a domestic stand and from an economic standpoint, because they are men in the older-age brackets, and they are also the men least valuable for military service.

I hope the acting majority leader may feel that he can take the amendment to conference. If there are serious objections, which can be presented by General Hershey or other military authorities, it will be in order to consider them, but I do think we are fully warranted in at least asking that this matter be seriously considered.

Mr. HILL. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. HILL. Since a copy of the amendment is not available, will the Senator state it?

Mr. BREWSTER. It is in this form, "*Provided further*, That after May 1, 1945, there shall be no further draft of men over 31 years of age." That is the amendment, and I understand that is precisely the practice which the British are establishing as of May 1, 1945, and this is confirmed by General Hershey. It seems to me that, in the interest of comity with our ally, it would do very much to allay the feeling which is so apt to prevail if we in this country, with our vast resources compared to theirs, and aware of their great responsibilities, should at least show that we can adopt a measure of this kind.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. BREWSTER. I yield.

Mr. BURTON. Did I correctly understand the Senator from Maine to indicate that the figures from General Hershey showed that at the present time, the current month, these men who would now be excluded from the draft, or would be excluded after May 1, constitute from 10 to 15 percent of the draft; that, therefore, the amendment would result in cutting the draft from 10 to 15 percent?

Mr. BREWSTER. No; I do not understand that, because these men will be taken from other sources.

Mr. BURTON. Does the Senator mean more 18-year-olds? There are no more 18-year-olds.

Mr. BREWSTER. I assume that in the orderly progress of the draft all the men who are available are not taken each month, and that it is a question of what categories they are taken from. It was pointed out to me by eminent authority, which I shall not name, that the pressure in this matter is increasing very rapidly as the result of the disruption of families; that men with three or four children are being taken, and that it is anticipated that within a very short time, if conditions continue as they are now, legislation will be pressed, and it is believed favorably considered, which will discharge such men. We will, meanwhile, have spent 1 or 2 or 3 months in training them. General Marshall has always insisted that they are the least desirable because being older they are not able to adapt themselves. Consequently we will have taken them in for an entirely futile purpose. It seems to me that it would be very wise at this time to adopt the same policy as that of our very distinguished ally.

Mr. President, I ask for the yeas and nays.

Mr. HILL. Mr. President, one feature of the action of the British Government to which the Senator from Maine has referred is administrative action and not legislative action.

Mr. BREWSTER. Does that affect the wisdom of the judgment?

Mr. HILL. No. That may not affect the wisdom.

Mr. BREWSTER. I wish we had an equally wise administration.

Mr. HILL. In the House of Commons on April 12 last Mr. Bevin, who is Minister of Labor, made a statement. Senators may remember that England has a system which is somewhat different from ours. England has not only the selective service for her military and naval forces, but she has what is called the universal service. In England men are drafted into industry and into work of all kinds. They have a universal service act. Some of the men go into the armed forces. Some may go into war plants. Some may operate the railroads and some may operate the busses. These is a different system in Britain from that which prevails in the United States.

Mr. Bevin said:

> In general, as from May 1, 1945, I do not propose to call up any more men born in 1914 or earlier, except insofar as they may be required to meet the demands of the forces for tradesmen or specialists or for other special reasons.

Under the Selective Service Act [illegible] the President of the United States has the power not to call up any men in the 31-year age group or the older groups. The Senate will recall that as the Selective Service Act was passed in its original form it provided for the drafting of all men from 21 to 45, but a provision was placed in the act giving to the President of the United States the power, if he wished to use it, to defer any age groups he thought should be deferred. As will be recalled when the age limit was first reduced from 45 to 38 years, the reduction was made by an Executive order of the President of the United States. The President of the United States, by authority given in the Selective Service Act, reduced the age limit for inductees from 45 to 38 years. The President has the power today, if he sees fit, to reduce the age limit from 38 to 31 years.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BURTON. A moment ago, when I inquired of the Senator from Maine if the fact that the amendment would stop the drafting of about 10 or 15 percent of the draft men over 31 would mean a reduction of the draft, his reply was no, it would not reduce the number drafted, but would place the pressure on other groups. I would assume therefore that instead of testing men in accordance with whether they were engaged in essential industries, the test would be shifted by this amendment to the question of age, and that therefore it would exclude men of 31, regardless of what they were doing, but would make up the 10 or 15 percent reduction by taking men from whatever industries they were in, and thus aggravate the manpower situation with respect to war production.

Mr. HILL. The Senator is exactly correct.

Mr. President, the very point which the Senator from Ohio has made is, I think, sufficient in itself to show that we ought not to adopt the amendment without having it considered by the Committee on Military Affairs. Hearings should be had on it. We should not act upon it without knowing exactly what the full effect of the amendment will be.

As the Senator from Ohio has stated, if we now by law defer men 31 years of age and older, that will mean that we will have to obtain more men in the age groups under 31 years of age. It might mean that we may have to take men from essential industries, from which we do not want to take them. It might aggravate the manpower situation which now exists. It might place more burdens on the youngsters we have talked about so much today and about whom we have been so concerned that they shall be given proper protection.

Mr. President, an amendment of this kind ought to be considered by a committee. Hearings ought to be had on it.

Let me say further that there are men who have been overseas for 2 years, some for more than 3 years, many of whom have gone through all the hardships and the travails and the dangers of what we know as warfare. We must consider now whether we are going to let those men come home, perhaps discharge many of them, after saying to them, "Well done, good and faithful servant. You have done your part. Now we will let serve overseas some other men who perhaps have not been in the armed forces at all, or certainly who have not been subject to such travail and hardship and danger as you have been who have served across the seas for these many months."

We ought to examine the whole situation I hope the Senator from Maine will not insist on his amendment this afternoon, because the amendment goes to the whole question of what armed forces we will have after the war in Germany is over, how we will employ our armed forces, what use we will make of our manpower, and what we are going to do to the men who have served so long and so faithfully, and who have suffered so much.

Mr. President, as Senators know, we have in the Pacific today men who have suffered much from malaria fever. They have had the fever not once, not 3 times, or 6 times, but some of them have had malaria 15 or 20 times. They have undergone all kinds of suffering, all manner of hardships. Until we have first given consideration to those men and have sought to do everything we can to get them back home we should not peremptorily, simply by a stroke of the pen, without knowing all the facts, defer all men over 31 years of age.

That is what is involved in this amendment. I cannot bring myself to take this action. It may be that after I sit as a member of the Senate Committee on Military Affairs and hear all the testimony, going into the entire situation, I will favor the Senator's amendment, but I cannot do so this afternoon. I do not think it would be fair to the Senate. I do not think it would be fair to the men in the armed forces to say now, without more consideration for those men, that we are to defer all men 31 years of age and over. Many of those men are not married. Many of them have no families.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BREWSTER. I believe the Senator is in error. Practically all the bachelors have already been taken. This was the statement which General Hershey made to me—I think perhaps the acting majority leader did not hear it; but General Hershey stated that 9 out of 10 of the men over 31 years of age now being taken not only are married men, but are married men with pre-Pearl Harbor children. So they have every claim to our consideration. That is one of the reasons why I urge that the Senate consider the question carefully.

Mr. HILL. That is what I am asking the Senator to do. I am asking the Senator to let us consider it carefully. I am asking the Senator not to press this amendment now, when it is absolutely impossible to consider it carefully. The only way we can consider the amendment carefuly is to have a committee sit around a table and listen to General Hershey, the head of the Selective Service, and representatives of the War and Navy Departments and the Manpower Commission, so that we can understand exactly what the situation is.

I am concerned about civilians at home; but I am more concerned about the men who for so many months have been in fox holes in the Pacific area and across the other seas. I want to consider them. I want to know what effect this amendment would have on them, and what, if anything, it would do so far as postponing their discharge or their return home is concerned. Many of them are married. Many of them have pre-Pearl Harbor children. Let us consider this proposal as it ought to be considered, in an intelligent, understanding, and careful way. With all the facts before us we can then act. We should not act on the spur of the moment by inserting such an amendment as this in the pending bill.

Mr. BREWSTER. Mr. President, I am sure that I recognize the persuasive character of the appeal. I am sure also that no one is more anxious than I about the young men who have been overseas for 3 years, and who have wives and families at home.

Mr. HILL. I am sure of that.

Mr. BREWSTER. I know that many other Senators share my feelings.

Mr. HILL. I am sure of it.

Mr. BREWSTER. I am afraid that the acting majority leader, for whom I have great respect, in his zeal to keep the bill intact, is somewhat exaggerating the complexity of the situation.

The amendment is very simple. The facts are very clear. General Hershey can give the Senator all the relevant facts over the telephone in 5 minutes. He has them at his fingertips, as I discovered when I consulted him.

There are also certain other considerations which are quite persuasive. I hope that the acting majority leader, who is very eloquent, and who possesses a profound understanding of military matters, will yield to my persuasiveness and take the amendment to conference. I am sure that the committee of conference, in its deliberations, will be able to determine very quickly and very clearly whether or not we should take this step. If our great ally, with limited resources, is able to eliminate from the draft men over 30 years of age, why cannot the United States, with its vast manpower resources, take parallel action? We should endeavor, so far as possible, to eliminate the irritations and frictions which are constantly arising. Canada, our neighbor to the north, has not had the draft at all. All along the border we are constantly being reminded of that fact, which is most unfortunate. After deliberating carefully, England, with the wisdom which she possesses by reason of being close to the scene of action, has taken action similar to that which is now proposed.

I am sure that if the acting majority leader will ponder this question overnight he will feel that it is wise to take this amendment to conference, to see whether or not it would be advisable to include it in the bill.

Mr. HILL. My friend from Maine is so eloquent and persuasive that I wish I could find myself in accord with him. However, I do not feel that it would be the part of wisdom for the Senate to adopt this amendment, or to agree to send the amendment to conference. Unless we are in a position to know that we can defer these men, we ought not to give them the hope, because of action by the Senate, that they will be deferred. I do not believe that an amendment to the Selective Training and Service Act of such far-reaching nature, fundamental as it is, ought to be adopted without the committee at least considering the amendment. That is my feeling in the matter.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CHANDLER. I hope the Senator will take the amendment to conference. If he does not take it to conference, I hope the Senate will send it to conference. I do not believe it would necessarily mean that we would have to place burdens on other classes if we were to reduce the age limit under the draft to 31 years. It seems to me that we now have available in the Army all the men we will need to finish this fight.

It has been stated—and I believe it to be true—that other countries are not taking men above the age of 31, because time is required to train them, and their service in the armed forces involves a burden on them and on their families. There was a time when the age limit was reduced to 28. As I recall, that was about 2 months before Pearl Harbor. No objection was made at that time to reducing the age limit to 28. Many men

older than 28 were released. Of course, when the war came, they were taken back into the service very quickly. These men who are being taken away from their wives and children are not trained. They cannot be of any great use for 6 or 8 months, or perhaps a year.

It has been suggested—and I believe it to be true—that a third of our divisions will be partially demobilized when the war is over in Germany. We are permitting a continuation of control over the lives of men between the ages of 31 and 45 which I do not believe is justified by the military situation; and I will not vote to continue it.

I do not wish to insist on my friend doing something which, in his capacity as acting majority leader, he does not wish to do. In my opinion, consideration of the amendment by the conferees would not consume enough time to make much difference. This is a bill to extend the Selective Training and Service Act for a year. The amendment can be considered in conference. If I am a member of the conference, I shall vote to retain the amendment in the bill. If the acting majority leader does not feel that he can take the amendment to conference, I hope the Senate will send it to conference.

Mr. AUSTIN. Mr. President, I have not heard any factual basis to support the assertions which have been made by Senators. One very important question is, how many men between the ages of 31 and 45 are physically competent for full military service?

Another question is, how many such men are now being inducted for full military service?

Another question is, are such men inducted for partial military duty and assignment to necessary military duties of a noncombatant nature, which they are fully competent to perform, although they are not physically able to engage in military combat?

I have before me a statement which indicates that the policy of the War Department is not to call such men for full military service. It is found on page 3563 of the RECORD for April 19, 1945:

> As of February 1, 1945, our estimated reserve of civilian manpower fit for military duty and within the effective combat ages of 18 to 25, inclusive, was down to 279,000 men, of whom 133,000 were aged 18. Besides this, there will be available only those who become 18 years of age each month.

Mr. President, the war is not over. VE-day will make only the first half. As in a football game, we shall have to take a new breath and take a new, firm hold on the situation, and become refreshed, if possible, to begin the second half.

Today we are treating this matter as if the war were easy. Let our colleagues who will come back from abroad and will describe the scene they have witnessed tell us whether the war is easy. I will guarantee that they will tell us of men who are worn out, who are entitled to a respite and a chance to catch their breath.

How are we to fill their places except by using the group of men 18, 19, 20, 21, 22, 23, 24, and 25 years of age, which the Army is now using? We will not meet the need by using those from 31 to 35 years of age.

But, Mr. President, here is the mischief of the thing: If such men are removed from the scope of the Selective Training and Service Act, they cannot be deferred for necessary employment. It is just another way of crippling the United States in its very great effort. Do not compare the United States with Canada, do not compare the United States with Great Britain, in the effort and the magnitude of the battle which is being waged here on the home front. We have no other recourse at the present time except the deferment for employment which is provided for in the existing law.

The group of men from 31 to 35 years of age who have registered and have come up for selection should not be exempted from the possibility of having the Government say to them, "We select you to do something other than to fight. You are over 31 years of age. You are needed in a factory which is manufacturing necessary munitions. You are deferred from military service for that cause." That is equivalent to selecting a man to perform that work. As long as he stays on that job he will not be reclassified for some other work or sent into military service.

But if the amendment is adopted, we will have made just another attack upon the ability of the Government to carry on this war to a successful conclusion.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. CHANDLER. The statement of the Senator from Vermont is very illuminating. It indicates to me, at least, that the question at the moment is an economic one, not a military one. It is the desire to continue the control over the people of the United States. The people of the United States do not need to be controlled in that way. The people of the United States, using voluntary methods, have outproduced not only all our friends but all our friends and all our enemies combined, and the people of the United States will continue to do so until the end of the war.

I object to having the Selective Service System used as a means of controlling the lives of the people of the United States and forcing them to do what someone wants them to do, when it is not necessary to proceed in that way at all. All we have to do is to tell the people of our country what is necessary, and they will do it, and will do it voluntarily. They have proved that over and over again.

So I repeat that the matter is an economic one, not a military one.

The Senator has indicated the reason for it, rather than the urgent need. Certainly there is no urgent need at this moment for soldiers on the European front. If there is, they are not going to get there from the United States.

We are told that we should not speak of what the other countries are doing. If they were doing more, perhaps we would not have to do so much. I must speak of that, because in some places we alone have almost completely kept the pressure on the enemy.

I object to having the Army use the Selective Service System as a club over the heads of men between the ages of 18 and 45. It is not just, and I will not support it.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. BAILEY. I wish to record myself as wholeheartedly in support of the excellent statement made by the distinguished senior Senator from Vermont [Mr. AUSTIN]. I wish to add just a few words.

The question is not an economic one and it is not a political one, either. It is not a personal one. It is a military one.

On the first day of the present week, when the President of the United States made his first address to Congress, I thought that the high moment of that address was the tremendous and, as I thought, the unanimous applause which greeted the following statement which he made:

> We are now carrying out our part of that strategy under the able direction of Admiral Leahy, General Marshall, Admiral King, General Arnold, General Eisenhower, Admiral Nimitz, and General MacArthur.

Then the President said:

> I want the entire world to know that this direction must and will remain—unchanged and unhampered.

If I understand what has been going on here this week, and especially the last 2 days, the Senate has been doing a pretty big job of hampering the noble men, the trusted men, upon whom our country has imposed, in this great hour, its defense, its honor, and all its future. I may not only say we have undertaken to hamper them, but I hope I shall be forgiven for saying that this afternoon when we adopted an amendment by a vote of 50 to 25, we took a step which might well be interpreted here at home and in this Chamber and abroad and around the world as actually proposing to hobble them in the supreme hour of the national and the world crisis.

Mr. President, what will be the consequences if we continue to proceed along these lines? What will be the consequences if we adopt an amendment of such a sort? I am happy that one amendment has been withdrawn, and I appreciate the action of the Senator who proposed it in withdrawing it. What will be the consequences if at this time, of all the times in the long and trying progress since December 7, 1941, we signalize to our allies, we signalize to our enemies, we signalize to our fighting men, and we signalize to our own people that the Senate of the United States is complacent, is relaxing, is letting up, is retreating? We would retreat; we would get into the hideout at home, but we would bid the brave boys to go onto the battlefields and die. It is unspeakable. It is inconceivable. It is unthinkable. It is abhorrent. It stirs my heart more deeply than I should like to admit. Shall we tell the Japanese, with an army of 8,000,000 men who are ready to meet us and who are making every preparation to resist our impending invasion of their

islands or the coast of Asia, that we are letting down here in America? Shall we tell the boys whom we have sent to these far-away shores that we intended to modify our course, that we are going to look after the medical schools, that we are going to see that the medical schools shall be filled with students next year? I suppose that subsequently we shall be asked to take pains to see that the theological schools shall be filled with candidates for the ministry while our boys die on foreign battlefields. There might be some popularity to such a course, Mr. President, but I shall not suggest that anyone entertains such a thought. However, in my judgment, when those men return we will have to give answer to them. I hope they will measure us by the standard by which they are measured. They will have a right to do that. If the soldier flinches he is dishonorably discharged. If we flinch we should expect no less. We should ask for a dishonorable discharge.

Mr. President, we cannot afford to take any steps which would tend to convince our people at home that the war is over. The war in Europe is not over. We cannot afford to take any step which would convince the people of America that the standards of England in this matter are our standards. I do not say that by way of reproach. I think the British have done very well. We cannot afford to do anything which would convince our people that our standards are unlike those of Russia. I am not ashamed to say that.

Why does this war have the fair prospect which it has at this hour? Russia poured out lives and retreated for 3 years. Now she is in the streets of Berlin. We are thinking that the war is somewhere nearly over. We pray, and we hope that is so. But the Japanese do not think the war is nearly over. I suspect there are people in Germany today who still entertain hopes of winning the war. They think that we will divide politically. Last Monday we undertook to signalize to the world in the presence of the new President that Republicans and Democrats, northerners and southerners, isolationists and internationalists, were united behind the chieftain upon whom the country had reposed responsibility. Through the words of our President, and the applause of our hands, we gave assurance to the world that the war will go forward unhampered. Yet, a week has been spent here on a legislative proposal which should have been disposed of very quickly.

Mr. President, there is nothing wrong with the selective service. It is and should be all-embracive. We began this war by pledging everything in this country to the winning of it. We have no right to presume to change that pledge until the eagles of victory are perched upon our banners in the hands of our returning sons. We have no right to take any step here in an assumption that we shall win the war by retreating on the home front. We know that we shall have won the war when the German power to resist and conspire has been utterly extinguished. We know that we shall have won the war when the Japanese have not only lost their faces, but have lost their hearts and their power to fight for a hundred or 500 years to come. Because the news is good and our hearts are hopeful, some of us think that we can relax and that we can retreat. Mr. President, that is the way in which wars are lost. That is the only way in which we can lose this war. No one in America is now asking us to play politics, or to think of ourselves. I do not believe the medical schools are really asking us to think about them at this time. It is a matter of small concern whether they graduate 50 percent or 60 percent next year, or the year following. It is a matter of great concern that there shall be equality in America, that we shall marshal our manpower, man by man according to his capacity.

Mr. President, think of us here this evening. We are asked to consider a proposition without a word with reference to it having been received from the War Department or from the Navy Department. So far as I know, the word which we have received has come from the one man in America who is least qualified to advise us; namely, the War Manpower Commissioner. We are asked to take his word as a basis for beating a retreat in this hour of hope. That is not like the United States Senate, Mr. President. It is not like the people of the United States. It is not like the mothers and fathers. I know how they feel. The dearest wish of their lives is that they may see their sons again. Some of them will be content to close their eyes for ever more on the horizon of life if they may be allowed to see their sons again. But they do not ask us to relax. Relaxing is not what has made this country the glorious country she has proved to be during the past 4 years—these long and terrible years. It does not reflect the spirit of the boys on the land, on the seas, or in the air.

God forbid that you or I should say or do anything, or cast a vote or contemplate casting a vote, tending to indicate to our enemies, our allies, or our fighting men that we are capable of having such a spirit—one so different from that of our fighting men, so different from the spirit of the people of this country.

We misunderstand our country, Mr. President; we misapprehend America, if we do not realize that when America got into this war she set about—man, woman, and child—in every hamlet, in every home, to carry it through, with honor, to success and to glory. We are not going to stop now. We are not going to pursue a policy of modification based upon a foolish optimism and a casual hope.

Mr. President, I think we have gone far enough. We have heard these amendments. Some have voted one way and some another. I have no quarrel with any Senator about how he votes, but I think the hour has come when we must say within our hearts whether the Senators of the United States shall prepare to go forward with the captains in the field, the mothers and fathers in the homes, and the people everywhere who make this country the greatest of all the countries on the face of the earth.

Mr. BREWSTER. Mr. President, I am profoundly sorry to find myself in disagreement with the three distinguished colleagues of mine who have spoken, whom hitherto I have followed with devotion through all the stormy seas of the past few years, particularly as we marched down into the valley of death with the manpower bill, which I introduced with my distinguished colleague from North Carolina here a year ago, and supported a bill presented by the Senator from Vermont in a somewhat more modified form, and for which I fought until there was no longer any opportunity to fight.

I am somewhat puzzled, however, by the general staff here that is conducting the opposition. First the acting majority leader pleaded very eloquently, and with all the earnestness and sincerity which he possesses, that this amendment, which would eliminate from the draft those over 31, was very wrong because it might make it impossible to discharge some of our boys overseas, in other words, that men over 31 would take some of their places. That is something to consider and to think about, although I think a little contemplation will indicate that that is not likely to be the case.

When we came to the second champion, he eliminated that entirely. The Senator from Vermont said that had nothing to do with the matter, there was not any question of men over 31 taking the places of any of our sons who were at the front and wanted to come home, but it was only to keep these men in some other form of economic service or limited military service. So that the Senator from Alabama tossed out his argument, and we have the economic and limited military argument of the Senator from Vermont. To what extent there may be supporting data is a matter of speculation, but it is certainly quite different from the earelier consideration suggested.

Then we come to my colleague from North Carolina, and his entire plea, as I understand, was based on the fact that this would be raising the flag, if not of surrender, at least of retreat, and that it would be betraying our allies. I think he used the words that it would be going back on our allies, and they would not understand it, though the Senator from Vermont said to forget about Canada and Britain. That, it seems to me, is the argument which has been presented.

Mr. President, the information which we have is that Britain has already discontinued the drafting of men over 31 after May 1, and that Canada has never inaugurated the draft, or has only a very limited draft. I am not saying this in criticism of either of those countries. The consideration which I wish to urge very earnestly, particularly upon my good neighbor from Vermont, is that we are going forward into the question of whether or not we shall arrive at an accommodation among the nations as a result of the deliberations now proceeding near the Golden Gate. Soon we shall have back here, we trust, a treaty in which we shall seek to achieve the great goal of ordered progress of the nations.

It is my sober opinion that the more nearly we can eliminate the causes of irritation and misunderstanding among our friends and among ourselves, the greater contribution we shall make to the adoption by the Senate, by any overwhelming majority of the treaty.

I, as one, merely wish to suggest to the Members of this deliberative body that they ponder what is to be the reaction of the people of this country if we here in America are being asked, by the rejection of this amendment, to take a position regarding the offering of our sons as a sacrifice in the fighting lines which neither Britain nor Canada at this time is carrying out. There may well be a difference in our circumstances, but I do not think anyone can explain to the American people why we are compelled to go forward with this draft at a time when both our great allies have determined it is no longer necessary to the successful prosecution of the war. The suggestion that we are retreating it seems to me is refuted by the logic of events.

In view of these facts, Mr. President, I hope the amendment may prevail, may go to conference, and there be considered by the committee of conference, which I am sure will be able to pass properly upon it.

Mr. TUNNELL. Mr. President, I wish to place myself in harmony with the statement of the Senator from Vermont and that of the Senator from North Carolina. I am not one of those who believe we can win the war by comparison with what some other nation is doing. I do not believe we can rely on the failure of Great Britain or the failure of any other nation to do something as a justification for our not doing it.

I wish to say, in reply to something that was said by the Senator from North Carolina, that I am 1 of the 50 who voted for a guarantee of training to the boys who are still young. For that vote I have neither regrets nor apologies, but I believe that the adoption of the pending amendment would go far toward having a wrong effect both on our enemies and on our friends and our allies. I believe the policy which we have followed in winning the war thus far should not be suddenly changed, just at a time when the San Francisco Conference is meeting, and just at the beginning of a new administration, particularly after we have pledged ourselves to go forward in the winning of the war.

So I am very hopeful that the amendment may be defeated, and that there may be no excuse, as has been suggested, for the belief, either by friends or foes, that America is weakening.

Mr. CHAVEZ. Mr. President, I agree with everything the Senator from Delaware has just stated. We are in the war and have pledged ourselves to win the war. It is immaterial whether England or Canada or any other of our allies withdraw—we are still in the war and are pledged to win the war.

Mr. President, it is my opinion that this is not a time to do anything which might in any way interfere with the momentum of the action which is now being taken against the common enemy. The fact that Canada has done a certain thing or that England at this moment were to say that she is not going to send any more soldiers over 31 into combat, is immaterial, for the fact is that the United States is winning the war, and will continue to fight until the war is won.

I hope the amendment will be defeated.

Mr. TYDINGS. Mr. President, I should like to say that the amendment offered by the Senator from Maine is a very natural amendment, and I am sure we all feel great sympathy for the thought which inspired the amendment, which is to lighten the load of those who are past youth wherever it is humanly possible to do so. I should like to call the attention of the distinguished Senator from Maine, however, to a matter which has not so far, I believe, been discussed. If the Senator's amendment were to be adopted we would have this situation: There are already in the Army many hundreds of thousands of men who are more than 31 years of age. They would naturally feel that an injustice had been done to them, namely that they had been taken into the service and, so far as the amendment is concerned, would remain in the service not only until after Germany was defeated, but until Japan was defeated.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BREWSTER. I appreciate the force of what the Senator says, but I do not know whether the Senator heard the figures which were given. There have been a very limited number taken in this group. Only about 5 percent in this group were taken prior to the last 2 or 4 months, and they were practically all bachelors. Most of those now being taken are married men with three or four children. That is the distinction between the 31-year-olds who are now being taken and the others. It is expected that, following the adoption of the amendment, there will be strong movement to discharge many of those married men who are in the Army.

Mr. TYDINGS. I am sure the argument of the Senator from Maine, and much of his logic, is very reasonable. But I was attempting to point out that the man over 31 years of age who is already in the service, perhaps standing in a fox hole, or in a trench, or stationed in a ruined town, would say to himself something like this, "What kind of a country is this that takes me away from my wife and children and keeps me over here in a war? I have already been in for a year, or a year and a half, and to all intents and purposes my country proposes to keep me in the service until the Japanese, too, are defeated, and perhaps use me in the battles incident to the attainment of that goal, and at the same time declares the policy that hereafter no one who is in my general classification shall be drafted for service in the Army."

Whether that reasoning would be altogether well-founded I am not at this moment arguing. But the fact remains that the amendment would be accepted by many men in the service and by their loved ones at home as having put the class of men who are already in the service in a category apart, and as calling on them for greater sacrifices than will henceforth be demanded of men in that group. Therefore, if the Senator's amendment were to prevail, the natural corollary would have to be coupled with it, to wit, that all men already in the service who are 31 years of age would have to be discharged if even-handed justice were to be meted out.

I think the proper way to handle this matter, if I may suggest it, is as follows: The Army already knows, insofar as it values the opinion of Congress in military matters, that there is an overwhelming desire in the House and in the Senate not to draft fathers who have children, and I think the whole tendency of the draft recently has been to cater to that philosophy wherever military necessity permits.

But I say that if there were no greater reason against the amendment than the one I have suggested, we ought not to adopt it, because hundreds of thousands of men over 31 already in the service, having borne the brunt of the battle and suffered wounds, and knowing that no more of their class were to be drafted, would feel that they had been unjustly dealt with, and it would create a sickening of heart among them as well as among their wives and their children who were old enough to understand.

Mr. President, I believe it would be very ill advised for the Senate to adopt the amendment, and I say that not from any lack of sympathy for the motives which I am sure inspired the Senator from Maine to offer the amendment, but in the interest of justice.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TYDINGS. I yield.

Mr. BREWSTER. The Senator suggests a somewhat sadistic attitude on the part of the boys who are in the service—that misery loves company. I think the Senator does a certain measure of injustice to these young men who, I think, in the progress of the war would be profoundly grateful that perhaps other married men were not going to be compelled, as the result of developments, to make a similar sacrifice. They might find in the amendment the hope the Senator suggests that perhaps in due course they might be released. I think that might be a persuasive argument, but I believe it is by no means necessary.

Mr. TYDINGS. The Senator has quite well, I believe, stated my own point of view, namely, that if the amendment were adopted the men in the service would immediately ask that they be given the same treatment, having already done their share, as has been given to the same class at home which has not already done its share.

Mr. BREWSTER. Of course, it is the policy of the War Department, as we understand, that married men shall be given consideration, and all married men over 31 would receive consideration anyway. Senators must bear in mind that at the present time most men over 31 in the service are bachelors, not married men.

Mr. TYDINGS. I believe the Senator, who had a fine record himself in World War No. 1, I will recall that when we

picked up the newspapers and found that a strike was in progress somewhere, whether it was just or was not just, or founded on reasonable grounds or not, we would say, "What kind of a country are we fighting for over here, facing the enemy, and losing our comrades, while men at home refuse to work for the highest wages paid in history?" That is what we used to say. That being true, I am sure the Senator can transport himself back to those days, and if he were drafted then, and had a wife and children, and he learned that those now in the same class in which he was were no longer to be drafted, he would begin to wonder if someone had not caught him when he was not looking, and inflicted a serious injustice upon him.

Mr. President, as one who sympathizes with the motive which inspired the amendment, I appeal to the Senator not to press it. I really believe he would be very wise if he were to withdraw the amendment. I believe that would be in the interest of unity in the country and of morale in the Army.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Maine [Mr. BREWSTER].

Mr. CHANDLER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Morse
Austin	Hart	Murdock
Bailey	Hatch	Murray
Bankhead	Hawkes	O'Daniel
Bilbo	Hickenlooper	O'Mahoney
Brewster	Hill	Overton
Burton	Hoey	Radcliffe
Butler	Johnson, Colo.	Revercomb
Byrd	Johnston, S. C.	Robertson
Capehart	Kilgore	Russell
Capper	La Follette	Shipstead
Chandler	Langer	Smith
Chavez	Lucas	Stewart
Cordon	McCarran	Taft
Donnell	McClellan	Taylor
Downey	McFarland	Thomas, Okla.
Eastland	McKellar	Tobey
Ellender	McMahon	Tunnell
Ferguson	Magnuson	Tydings
Fulbright	Maybank	Walsh
Gerry	Millikin	White
Green	Mitchell	Wiley
Guffey	Moore	

The PRESIDENT pro tempore. Sixty-eight Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. McFARLAND. My colleague [Mr. HAYDEN] is absent on official business. If he were present he would vote "nay."

Mr. LANGER. I announce that my colleague the distinguished junior Senator from North Dakota [Mr. YOUNG] is unavoidably absent on Government business, being at Pittsburgh attending a committee hearing. If he were present and voting he would vote "yea."

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS], are absent visiting various concentration and prison camps in Europe.

The Senator from Missouri [Mr. BRIGGS] is absent on public business.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference in San Francisco.

The Senator from Pennsylvania [Mr. MYERS] is absent attending the funeral of his father.

The Senator from Florida [Mr. PEPPER] is absent on public business. If present and voting he would vote "nay."

The Senator from Montana [Mr. WHEELER] is absent conducting hearings in Pittsburgh, in behalf of the Senate.

I further announce that the Senator from Texas [Mr. CONNALLY] has a general pair with the Senator from Michigan [Mr. VANDENBERG].

The Senator from Utah [Mr. THOMAS] has a general pair with the Senator from New Hampshire [Mr. BRIDGES].

The Senator from New York [Mr. WAGNER] has a general pair with the Senator from Kansas [Mr. REED].

Mr. WHITE. The Senator from New Hampshire [Mr. BRIDGES] has a general pair with the Senator from Utah [Mr. THOMAS].

The Senator from Kansas [Mr. REED] has a general pair with the Senator from New York [Mr. WAGNER].

The Senator from Michigan [Mr. VANDENBERG] has a general pair with the Senator from Texas [Mr. CONNALLY].

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from Minnesota [Mr. BALL] is absent because of a death in his family. If present he would vote "nay."

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from Iowa [Mr. WILSON] is absent on public business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Kansas [Mr. REED], and the Senator from Indiana [Mr. WILLIS] are detained on official business.

I am advised that if present the Senator from Illinois [Mr. BROOKS] would vote "yea."

The result was announced—yeas 11, nays 57, as follows:

YEAS—11

Aiken	Langer	Taft
Brewster	Moore	Walsh
Chandler	Revercomb	White
Johnson, Colo.	Shipstead	

NAYS—57

Austin	Donnell	Hatch
Bailey	Downey	Hawkes
Bankhead	Eastland	Hickenlooper
Bilbo	Ellender	Hill
Burton	Ferguson	Hoey
Butler	Fulbright	Johnston, S. C.
Byrd	Gerry	Kilgore
Capehart	Green	La Follette
Capper	Guffey	Lucas
Chavez	Gurney	McCarran
Cordon	Hart	McClellan
McFarland	Murdock	Smith
McKellar	Murray	Stewart
McMahon	O'Daniel	Taylor
Magnuson	O'Mahoney	Thomas, Okla.
Maybank	Overton	Tobey
Millikin	Radcliffe	Tunnell
Mitchell	Robertson	Tydings
Morse	Russell	Wiley

NOT VOTING—28

Andrews	Glass	Thomas, Utah
Ball	Hayden	Vandenberg
Barkley	Johnson, Calif.	Wagner
Bridges	Mead	Wheeler
Briggs	Myers	Wherry
Brooks	Pepper	Willis
Buck	Reed	Wilson
Bushfield	Saltonstall	Young
Connally	Scrugham	
George	Thomas, Idaho	

So Mr. BREWSTER's amendment was rejected.

The PRESIDENT pro tempore. The bill is still before the Senate and is open to amendment.

If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2625) was read the third time and passed.

Mr. HILL. I ask that the Senate insist upon its amendment, request a conference with the House thereon, and that the President pro tempore appoint the conferees on the part of the Senate.

Mr. TAFT. I object to the proposal of the Senator from Alabama. I do not see why we should request a conference Possibly the House will accept the amendment made by the Senate.

Mr. HILL. Mr. President, if the Senator wishes to object, that is his privilege; but it has been the practice of the Senate to proceed in the way I have suggested.

The PRESIDENT pro tempore. The Parliamentary Clerk advises the Chair that in this case a Senator cannot object. The Senator may make such a motion.

Mr. TAFT. I still object to the request. Certainly the request must be put. It seems to me it is not customary to act in such a way. Very frequently we pass bills with amendments without requesting a conference. In fact, the procedure is usually the other way. An amendment is adopted and sent to the other House; and if the other House does not concur, it requests a conference thereon.

It seems to me that in the present case we should give the House of Representatives an opportunity to concur in our amendment, without requesting a conference. I do not know what sort of motion the Senator desires to make, but it seems to me the burden is on him to make any motion.

Mr. HILL. Mr. President, my request was that the Senate insist on its amendment, ask for a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

Mr. TAFT. On that question I request a division.

The PRESIDENT pro tempore. Does the Senator make a motion to that effect?

Mr. HILL. I so move.

Mr. LANGER. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Mitchell
Austin	Hart	Morse
Bilbo	Hatch	O'Daniel
Brewster	Hawkes	O'Mahoney
Bridges	Hickenlooper	Overton
Burton	Hill	Radcliffe
Butler	Hoey	Revercomb
Capehart	Johnson, Colo.	Russell
Capper	Johnston, S. C.	Smith
Chandler	Kilgore	Stewart
Chavez	La Follette	Taft
Connell	Langer	Taylor
Eastland	Lucas	Tobey
Ellender	McCarran	Tunnell
Ferguson	McKellar	Tydings
Fulbright	McMahon	Walsh
Gerry	Magnuson	White
Green	Maybank	Wiley

The PRESIDENT pro tempore. Fifty-four Senators have answered to their names. A quorum is present.

The question is on the motion of the Senator from Alabama that the Senate insist on its amendment, ask for a conference with the House thereon, and that the Chair appoint the conferees.

Mr. TAFT. Mr. President, I do not intend to keep the Senate long, but we have adopted only one amendment to the bill, and I do not know why we should assume the House will not accept it. The Members of the House have not had it before them, and I see no reason why we should request a conference, or assume that there is a difference between the two Houses. It seems very clear to me that we should let the bill go to the House, and let the House determine whether they wish to accept our amendment and ask for a conference, if a conference is necessary because they do not accept our amendment.

It is quite true that the practice in connection with appropriation bills, when there is a long list of differences and when there must be a conference, is to make such a motion, to save a little time, but that is not the rule or the custom in regard to other bills, and I do not see any reason at all why we should adopt this motion, why we should not simply vote down the motion, let the bill go to the House, and let the House decide whether they wish to accept the amendment. I therefore believe the motion of the Senator from Alabama should be voted down, and on it I ask for a division.

Mr. HILL. Mr. President, it is entirely within the discretion of the House as to whether or not they want to go to conference or want to agree to the Senate amendment. We do not determine that question at all, and following the procedure which we are asked to pursue, we in no way affect the decision in the House. If the House wants to agree to the amendment, it can do so. If it wishes to have the bill go to conference, it can do so. The matter is entirely within the discretion and power of the House, and we do not affect them by our action.

Mr. CHANDLER. Mr. President, is the Senator's motion that the Senate insist on its amendment and request a conference with the House?

The PRESIDENT pro tempore. The motion is that the Senate insist on its amendment, request a conference thereon with the House, and that the Chair appoint the conferees.

Mr. CHANDLER. If the House agrees to the amendment, it will not be necessary to have a conference.

Mr. HILL. The Senator is correct.

Mr. CHANDLER. But the conferees on the part of the Senate would be instructed to insist upon the Senate amendment.

Mr. HILL. That is correct.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Alabama, on which a division has been requested.

On a division, the motion was agreed to; and the President pro tempore appointed Mr. JOHNSON of Colorado, Mr. HILL, Mr. DOWNEY, Mr. CHANDLER, Mr. AUSTIN, Mr. BRIDGES, and Mr. GURNEY conferees on the part of the Senate.

STATE, JUSTICE, COMMERCE, ETC., APPROPRIATIONS

Mr. McCARRAN. Mr. President, I move that the Senate proceed to the consideration of House bill 2603.

The PRESIDENT pro tempore. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 2603) making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting two conventions, which were referred to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

Sundry officers for temporary appointment in the Army of the United States, under the provisions of law.

By Mr. WAGNER, from the Committee on Banking and Currency:

John W. Snyder, of Missouri, to be Federal Loan Administrator;

James J. Caffrey, of New York, to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1945, vice Robert H. O'Brien; and

James J. Caffrey, of New York, to be a member of the Securities and Exchange Commission for a term expiring June 5, 1950.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Several postmasters.

The PRESIDENT pro tempore. If there be no further reports of committees the clerk will proceed to state the nominations on the Executive Calendar.

THE JUDICIARY

The legislative clerk read the nomination of Bernard J. Flynn to be United States attorney for the district of Maryland.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of W. Bruce Matthews to be United States marshal for the District of Columbia.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

Mr. TYDINGS. Mr. President, I ask unanimous consent that the President be notified forthwith of this confirmation.

The PRESIDENT pro tempore. Without objection, the President will be immediately notified of this and all other confirmations of today.

POSTMASTER

The legislative clerk read the nomination of Leon O. Boling to be postmaster at McCleary, Wash.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

THE LEGISLATIVE PROGRAM

Mr. WHITE. Mr. President, as in legislative session, I ask the acting majority leader what the program is for the next day or two, if he is in a position to state.

Mr. HILL. Mr. President, we propose on tomorrow to proceed to the consideration of the appropriation bill which is now the unfinished business. If we finish the appropriation bill in time, I shall ask consent for the consideration of measures on the calendar to which there is no objection, starting at the point where we left off at the last call.

Mr. WHITE. Does the leader have knowledge of any other legislative matters which are to be ready within the next 2 or 3 days?

Mr. HILL. I cannot advise the Senator as to that tonight. I shall endeavor to advise him further tomorrow.

Mr. WHITE. Very well.

RECESS

Mr. HILL. As in legislative session, I move that the Senate take a recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 5 o'clock and 40 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, April 25, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 24 (legislative day of April 16), 1945:

THE JUDICIARY

UNITED STATES ATTORNEY

Bernard J. Flynn to be United States attorney for district of Maryland.

UNITED STATES MARSHAL

W. Bruce Matthews to be United States marshal for District of Columbia.

POSTMASTER

WASHINGTON

Leon O. Boling, McCleary.

HOUSE OF REPRESENTATIVES

TUESDAY, APRIL 24, 1945

The House met at 12 o'clock noon.

The Reverend Dr. Joseph F. Thorning, honorary professor of the Catholic University of Chile, and a fellow of the Historical and Geographic Institute of Brazil, cofounder and organizer of the Inter-American Seminars at the University of San Marcos, Lima, Peru, the University of Habana, and the National University of Mexico, offered the following prayer:

In the name of the Father and of the Son and of the Holy Spirit. Amen.

Lord God, light of mankind, whose grace will be needed in abundance in the hour of victorious peace, look down with eyes of favor upon the Speaker of this House and all the Members of the Congress of the United States.

Mindful of past service and inspired with hopes for the future, we beg Thy blessings for the President of the United States that he, like his illustrious predecessor, may continue to cherish the rich values of inter-American friendship.

Deeply conscious of our debt of gratitude to the other Americas in a war which imperiled all freedoms, we invoke Thy benediction upon these representatives of the people who are gathered in this celebration of Pan-American Day in order to show their spirit of democratic brotherhood under God with their fellow Americans of the other American republics and Canada. Illuminate their minds, dear Saviour, with the torch of Thy revelation and strengthen their wills to encourage the youth of the land to weld the precious metal of the good-neighbor policy into the gold of world friendship.

This we ask through Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 2687. An act to grant the honorary rank of colonel to Edward J. Kelly, major and Superintendent of the Metropolitan Police force of the District of Columbia.

The message also announced that the President pro tempore has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments and agencies:

1. Department of Agriculture.
2. Department of the Navy.
3. Department of War.
4. Federal Security Agency.
5. National Archives.
6. Office of Defense Transportation.
7. United States Railroad Retirement Board.
8. War Manpower Commission.

AGRICULTURAL APPROPRIATION BILL, 1946—CONFERENCE REPORT

Mr. TARVER. Mr. Speaker, I desire to submit a conference report and statement on the bill H. R. 2689, an act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes. It is not presently available, although it has been agreed upon. I ask unanimous consent that I may submit it at any time prior to the adjournment of the House today.

Mr. McCORMACK. Mr. Speaker, reserving the right to object, and, of course, I shall not, is the gentleman going to file the report today?

Mr. TARVER. Yes.

Mr. McCORMACK. Mr. Speaker, in order that the House might be advised, there has been a conference report filed by the gentleman from Virginia [Mr. WOODRUM] which will come up as the first order of business tomorrow. I also desire to advise the gentleman as well as the Members of the House that the conference report submitted by the gentleman from Georgia will be taken up tomorrow following the action on the conference report filed by the gentleman from Virginia [Mr. WOODRUM].

Mr. TARVER. That will be satisfactory.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

CALL OF THE HOUSE

Mr. COURTNEY. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. COURTNEY. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 59]

Anderson, N. Mex.	Baldwin, N. Y.	Bender
Andresen, August H.	Barrett, Pa.	Bennett, Mo.
	Barry	Bland
	Beall	Bloom
Bradley, Mich.	Hancock	Rayfiel
Bradley, Pa.	Hartley	Reece, Tenn.
Buckley	Havenner	Reed, N. Y.
Bulwinkle	Heffernan	Rich
Byrne, N. Y.	Hendricks	Richards
Campbell	Herter	Robinson, Utah
Canfield	Hobbs	Rockwell
Cannon, Fla.	Holmes, Mass.	Rodgers, Pa.
Chapman	Holmes, Wash.	Rogers, N. Y.
Chenoweth	Howell	Ryter
Chiperfield	Izac	Sabath
Clark	Jackson	Savage
Clements	Kefauver	Shafer
Cochran	Kelley, Pa.	Sharp
Cole, Mo.	Kerr	Short
Cooley	Kopplemann	Slaughter
Curley	Kunkel	Somers, N. Y.
D'Alesandro	Latham	Stewart
Daughton, Va.	Luce	Talle
Dawson	Lynch	Taylor
Dirksen	McGlinchey	Thomas, N. J.
Domengeaux	Maloney	Thomason
Doyle	Manasco	Vorys, Ohio
Eaton	Marcantonio	Wadsworth
Fellows	May	Walter
Fuller	Morgan	Weaver
Fulton	Morrison	Weichel
Gardner	Mott	Weiss
Gillette	Pace	West
Gore	Peterson, Fla.	White
Gorski	Pfeifer	Wilson
Granahan	Philbin	Winter
Green	Ploeser	Wolfenden, Pa.
Griffiths	Powell	Wolverton, N. J.
Gross	Price, Fla.	Worley
Gwinn, N. Y.	Quinn	
Hall, Leonard W.	Rabin	
	Rains	

The SPEAKER. On this roll call 311 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1946

Mr. JOHNSON of Oklahoma, from the Committee on Appropriations, reported the bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes (Rept. No. 437) which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. JONES reserved all points of order on the bill.

COMMITTEE ON EDUCATION

Mr. BARDEN. Mr. Speaker, I ask unanimous consent that the Committee on Education be permitted to sit during the sessions of the House today and tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PAN-AMERICAN DAY

The SPEAKER. The Chair recognizes the gentleman from Alabama [Mr. JARMAN.]

Mr. JARMAN. Mr. Speaker, as we gather today for the sole purpose of commemorating Pan-American Day, we do so with a spirit of sadness in realization of the great shock and bereavement to this country, and to the world, and certainly to the Americas, which caused its postponement from Saturday a week ago, 2 days after our great President Roosevelt was called to his well-earned reward and rest.

Pan-American Day commemorates the political, economic, and spiritual unity of the Americas based on the doctrine of absolute juridical equality and respect for the sovereignty of each.

April 14 was selected as Pan-American Day for two particular reasons. That was the day on which the first American Conference convened in 1890 and the day on which the Pan American Union was formed. There was another reason, however, indicated in the excellent prayer we heard this morning, when reference was made to children. It was anticipated, and rightly so, that Pan-American Day would be very generally commemorated in the schools. Not only are the schools of the Americas in session on April 14 but the climate in most of these countries is such that outdoor exercises may be indulged in if desired. Those were the two reasons for the selection of that particular day.

Commencing with the celebration of the next year, 1931, it has been more generally celebrated in the United States and in all of the Americas with the passage of the years, and possibly even more generally during this great holocaust which has been inflicted upon the world during the past 5 or 6 years. Last year there occurred in the Chamber of Deputies of Chile a very gala celebration. President Castelblanco of that Chamber who originated the idea and who is now Chilean Ambassador to Mexico, invited the Speaker and one other Member of all of the American Houses of Representatives or Chambers of Deputies, to participate in that occasion. It was the good fortune of the gentleman from Illinois [Mr. CHIPERFIELD] and myself to have been selected to represent this House and this country. As I say, it was a gala occasion. We thoroughly enjoyed our participation in it. We feel that much good was accomplished by it, and I indulge the hope that the day is not too far distant when this House may enjoy a similar commemoration.

The theme for this, the fifteenth celebration of Pan-American Day, is "The Peoples of America—Independent—Interdependent—Neighbors in a World of Neighbors."

In 1936, the lamented President Roosevelt said at a Pan-American conference at Rio de Janeiro:

> The independence of nations is the major premise upon which the whole system of inter-American relations is based. No nation can live entirely alone. No people is sufficient unto itself.

In proclaiming Pan-American Day this year, Mayor Burke, of Cleveland, very appropriately said:

> Nature has made us neighbors. Let good will and cooperation make us good neighbors.

There are so many reasons for the solidarity of the Americas that it is rather difficult to select from among them. However, it occurs to me to mention the reciprocal character of their economies and the close parallel of their political evolution. As you well know, they were all at one time colonies of European states. The basis of the revolutions which caused their independence was practically the same. Those revolutions were based on the dissatisfaction of the peoples of the colonies with the economic, political, and intellectual restrictions of the mother countries.

The Constitution of the United States, this Nation having been the first independent one established in this hemisphere, very naturally, I suppose, has served as a model for the charters of the other Americas. When they became independent, every one of those 21 republics established a republican form of government, very similar to our own. Even today, despite the natural differences of opinion which might cause the people of one country to define democratic processes somewhat differently from those of another, just as our dispositions and habits are different, it is a fact that all the Americas are at this moment living under practically the same form of republican government. They all have excellent and common reasons to make sure that this form of government be maintained in their respective countries.

With that background it is not at all unnatural that the statesmen of the Americas have been internationally minded. It was quite natural for President Monroe, when promulgating the Monroe Doctrine in 1823, despite the fact that he naturally had in mind first the welfare of his own country, to be also thinking of that of the other American countries. It was equally so for the activities of the Liberator, Simón Bolívar, to have spread throughout South America and not be confined to his native Venezuela. To illustrate, I have never visited the present Venezuela, but I saw Simón Bolívar's home in Bogotá, the capital of Colombia, which has been made a national shrine. I stopped twice in the Hotel Bolivar, the main hotel in Lima, the capital of Peru. I saw in the square of that beautiful city a monument to Bolívar, as I did in Chile and in every single other South American country I visited. In other words, if anyone ever did, that great warrior and statesman certainly earned the title which became his, "the Liberator."

It is most interesting to me, as it will be to you, I am sure, to reflect on the fact, as a further illustration of Simón Bolívar's influence, and how it came on down through the years that at this moment those wonderful troops of ours on Okinawa are commanded, as they have been since the invasion on Easter morning, by Lt. Gen. Simon Bolivar Buckner, Jr. In South America he would be called Lt. Gen. Simón Bolivar Buckner, Jr., because his father, also a great American general, even though he did experience an unsuccessful fling in politics thereafter on the Palmer-Buckner ticket, was named for the Liberator, Simón Bolívar. This great general of ours, being a junior, also bears his name.

I know General Buckner personally. In view of that fact and my natural interest, I wish to heartily congratulate him and express my great appreciation of the magnificent work the Tenth Army has done on Okinawa under his able leadership; and then I would indulge the hope, and reverent prayer, in which I know I will be joined by every person in this Chamber, for his similar future success. The nearest American troops to Japan, I wish not only General Buckner, but every officer, noncommissioned officer, and private under him, Godspeed, rapid progress, and early entrance into Tokyo.

I spoke of the reciprocal character of their economies. There is no one of the American countries that produces everything it needs, but the Americas produce practically everything they all need. Stated in another way, there is no one of the American countries that is self-sufficient, whereas the Americas are practically so. As an illustration, where would we have been in this war—I mean the United States—but for the magnificent cooperation of our sister American republics? Where without the tin of Bolivia? Where without the copper of Chile and Peru? Where without the quinine of Colombia, Peru, and Bolivia? And incidentally where without those bases and that lifeline down through Brazil when we went over into Africa, to say nothing of the magnificant Brazilian Expeditionary Force which has fought as a part of General Clark's Army in Italy for so long. These are merely illustrations of the great contributions all of the Americas have made to this war effort.

The degree of economic development in each of the Americas is, of course, different; some have developed to a much greater extent than others. That will continue. What it behooves us all to do is to see that the development of all of the Americas continues apace until at least something like full advantage of the great possibilities of every one of those great countries is taken. While all countries must and will do their part, I am impressed that it is the duty of the United States to take the lead in fostering this development not only within our borders but throughout this hemisphere.

Back in 1906, also at Rio de Janeiro, at the Third American Congress, Elihu Root said:

> There is not one of all our countries that cannot benefit the others; there is not one that cannot receive benefit from the others; there is not one that will not gain by the prosperity, the peace, and the happiness of all.

The American system of international relations had its foundation more than 100 years ago. It took more tangible form more than 50 years ago, and today, particularly after Mexico City, it has reached a degree of development which is outstanding in the history of the world. Let us hope and pray and believe that it will continue so. Despite the comparatively slow progress of pan-Americanism for more than a hundred years, it remained for the leadership of two of our great Americans, about both of whom we feel sad today, to really accelerate the movement. I refer to our lamented late President, Franklin Delano Roosevelt, and to former Secretary of State Cordell Hull, whom I regret to state is still too ill to attend the San Francisco Conference. They formulated the good-neighbor policy back in 1933, the greatest step toward continued good relations between the Americas that ever has occurred or can ever occur. And may I in passing indulge in another statement, with which I feel sure you

will all agree. I know you all regret that Mr. Hull has not been able to go to San Francisco and am equally confident that you join me now in the hope and the reverent prayer that his improvement will progress at such a rapid rate that the time is not far distant when he may join his colleagues at San Francisco and indulge in the great contribution he is so capable of making toward the success of that conference, in which we are all so greatly interested.

One of the first and most productive implementations of the good-neighbor policy, which policy, you understand, though promulgated by the United States was readily agreed to by all the other Americas, was the withdrawal of the marines from Haiti under the provision of this policy that henceforth no American republic would interfere with the internal affairs of another.

This reminds me of an interesting experience. When the boat on which I was preceeding to Panama docked for several hours at Port-au-Prince, the capital of Haiti in 1939—I believe it was in August—we immediately learned that they were celebrating a national holiday—an outstanding fete day—and were at first somewhat disappointed that the stores would be closed. This disappointment was soon allayed, however, by the realization that though we would not become acquainted with the shops, we were seeing practically the entire population in the streets. Among other things, we saw the President of Haiti in silk hat and frock coat personally raising his country's flag to the top of the flag pole near his palace. Were they celebrating their original liberation from the French? Were they celebrating their second liberation from that country? Was it a celebration of the conclusion of one of their numerous conflicts with their neighbor on the same island? No; they were celebrating the day on which the United States marines were withdrawn.

When I ran for Congress the first time against an able former Member of this body, a distinguished gentleman and a great Congressmen, he had not had opposition, unfortunately for him, for 20 years. In fact he had not had opposition since he defeated one of the greatest and most lovable Speakers who ever presided over this House, Speaker Bankhead, of Alabama, who came to the House 2 years later from a new district. As I say, my predecessor had had no opposition from that time until when I opposed him. Naturally he had somewhat grown away from his district, as we all will during 20 years without opposition, or, as there is great danger of our doing, at least. I see the gentleman from Alabama over there who believes he will be here for 20 years without opposition and probably does not agree with my statement. I hope he is correct as far as his case is concerned. But there is danger of it anyway. My predecessor naturally had grown somewhat away from his people during those years. So I sounded forth from every stump in the district with this inquiry: "How can you represent people when you do not know them?" Of course, at that time I did not realize that the magnitude of the depression and the war which was unfortunately then approaching would necessitate the Congress being in practically constant session. In fact, if I had not at that time been well acquainted with my people, I probably never could have become so until after this war. To illustrate, this is my one hundredth month as a Member of this body, during 91 of which it has been in session, whereas it was in session during only 60 of the 100 months immediately preceding my entrance. But you cannot represent or get along with people with maximum efficiency unless you know them or are well acquainted with their customs and characteristics.

There was a time when it was well nigh impossible for the people of the Americas, even the richest, the statesmen and the diplomats to know each other very well because of the great distances, the sparseness of the population of many, in fact most, of the countries and the difficulties of transportation. It was well nigh impossible for the people of one of the Americas to be very familiar with those of the others. Fortunately that defect has been very largely remedied by the radio and the airplane. I learned of Secretary Knox's death by a radio announcement I heard in Arequipa, Peru. We know much more about each other now, even if we never visit one of our neighbor American Republics, than we could possibly have before. The airplane has brought about a situation in which, if necessary, one of our statesmen can go from the farthest point to the other extreme of the hemisphere in a matter of just a few days. Those developments of science can but contribute much toward the continued progress of, and even improvement in, pan-Americanism.

I referred a moment ago to the Monroe Doctrine. It is most interesting to trace its development until a recent date. It, as you know, was an announcement or proclamation of a President of the United States which said to the rest of the world in behalf of his country alone, "Hands off of this hemisphere. Posted. There will be no more colonization. If you have any idea, any of you countries who have had colonies over here and have lost them, of regaining them, you had just as well forget it, because you will not do so." The Monroe Doctrine so remained for years. In the Conference at Habana, however, in 1940, just after France fell, and when the people of all of the Americas, I suppose, first really realized the great danger they were in, the other 20 American republics joined with the United States in saying to the world, "Hands off of this hemisphere. Any aggression by you on one of the American countries will be considered by the rest as an aggression upon us all. You shall not pass."

Then came the American conference on problems of war and peace, in Mexico City, at which this House was so very ably represented by the gentleman from Texas [Mr. LUTHER A. JOHNSON] and the gentlewoman from Massachusetts [Mrs. ROGERS]. They will tell you more about it. Suffice it for me to say that the Act of Chapultepec impresses me as the crowning glory of the Monroe Doctrine.

I recall having made a 1-minute speech on the floor the morning after I had read about it in the press. I hailed the Act of Chapultepec as a new Monroe Doctrine, as a new good-neighbor policy, and, mark this, after referring to the satisfaction and security that would undoubtedly be experienced by the new guarantee of the American republics against aggression from within as well as from without this hemisphere, I referred to the Act of Chapultepec as probably a forerunner of things to come.

Director General Rowe of the Pan American Union made this statement in referring to the celebration of Pan-American Day this year:

> Mutual helpfulness, the outstanding characteristic of the pan-American system, must be the cornerstone of any world system if peace and prosperity are to be assured.

Undoubtedly that is true.

In conclusion, as you know, this San Francisco Conference convenes tomorrow. You also recall that it was stipulated in the Act of Chapultepec that whatever was decided to be done there would be done within the requirements of this conference. Bearing that in mind, I wish to indulge another hope and reverent prayer, that the prediction I made that morning that the Act of Chapultepec would prove a forerunner of things to come will materialize, and that, therefore, tomorrow, the day of the convening of the San Francisco Conference, will go down in the history, not only of the immediate future but throughout the eons of all time, as the one great day, the one great holiday of the world, when a conference met which was responsible for the permanent, the lasting, the secure peace which the world deserves and for which every decent person in the world is so keenly anxious.

Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. CHIPERFIELD] be permitted to extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. CHIPERFIELD. Mr. Speaker, Pan-American Day, April 14, 1945, has truly an especial historical significance. Not only does it mark the fifteenth annual celebration of Pan-American Day, first proclaimed by President Hoover in 1931; not only does it celebrate the fifty-fifth anniversary of the founding of the Pan American Union; but of particular interest to us is that it also marks the first time in our history that the House of Representatives has officially recognized this day and confined its proceedings to the worthy purpose of celebrating it solely as the day of the Americas.

It is difficult to select from among the many reasons the most important and impressive one for honoring and commemorating this day. But it seems paramount that we of the New World are independent democracies and at the same time interdependent neighbors, with similar economic, political, and cultural problems. This reason alone is sufficient for us of this hemisphere to make every effort to increase the effectiveness of the inter-American system.

GEOGRAPHICAL UNITY

The Americas, of all areas of the world, are the most favorably situated for geographical unity. The two great American Continents dominate the Western Hemisphere without the complexities which confront the Eastern Hemisphere, containing Europe, the Near East, Africa, and Asia; and their conflicting ideologies, cultures, and racial differences.

The Americas, with a combined area of 12,000,000 square miles, consisting of almost 25 percent of the world's total area, and with a population of more than 200,000,000, constitute the greatest, richest, and most diversified area of any unified section of the world.

Our climates supplement each other as does much of our varied natural produce; and with our common ideals, both political and social, the Americas are truly a New World, unhampered by traditions of the past, with a great future before them.

While I have spoken of the Americas as a geographical unit, they are truly an interdependent part of the whole world, linked by our comprehensive system of communications and transportation; and with the common purpose of securing a peace for all the world. We of the Americas fully recognize our responsibility of peace to the world or we would not be sacrificing so much now to achieve that end.

HISTORICAL SIMILARITIES

Following parallel paths down through the years, from the time the American nations first sought independence, patriots of many other countries, just as patriots of my country, have fought and died to establish the independence and freedom of our respective republics in the New World. We have developed cultures, customs, and traditions characteristic of our peoples, our climates, and ideals. All of them have brilliant heritages.

All that is necessary to make the most of these heritages for the benefit of generations to come is the firmer realization that all Americans to the South and North should be forever dedicated to the same ideals of independence for nations, and freedom of opportunity for individuals.

INTERDEPENDENCE UPON EACH OTHER

Just as the pan-American world has historically followed similar paths, we have learned through the years that we are interdependent. The statesmen of the Americas realized from the very early days their related dependence, and necessity of working together internationally as well as economically. They realized that each nation could contribute to the welfare of the others, and at the same time receive benefits in return. The result is obviously the betterment and greater happiness of us all.

The peoples of the Americas soon learned it paid big dividends to be neighborly in a world of neighbors. Through the development of commerce, industry, and international trade the countries of the Americas collectively have been able to produce most of the things they require. The tropical countries supply coffee, sugar, tropical fruits, and hard woods to the temperate zone countries to the North and South. These are exchanged for manufactured articles, minerals, and different important agricultural products. The continued development of these relations draw the people more closely together, and create bonds of great solidarity.

There is also an interdependence of the nations of the Americas in the political and juridical fields. From the time of Simon Bolivar closer political relations have developed until the most outstanding example is the Pan American Union, established April 14, 1890. This is now recognized as a bulwark in supporting hemispheric solidarity, and by its means conferences such as the one in Lima in 1938 and the recent meeting in Mexico City have resulted in measures mutually beneficial, such as the act of Chapultepec. All of these inter-American relations tend to bring about hemispheric security and consolidate the ties of understanding and confraternity among the American republics.

I do not need to dwell upon the interdependence of the nations of the Americas in the cultural fields which has grown by leaps and bounds in the fields of literature, music, and science. Contacts on the plane of the arts and sciences ignore national borders and local interests.

There could be no better example of the friendly feeling the United States has for its American neighbors than the fact that for this area, alone of all the world, there are no quota restrictions on immigration to this country. They are truly our neighbors, and welcome as such.

As you know, the House recently passed a resolution authorizing approval of the idea of an Inter-Parliamentary Congress of the Americas. From such an organization at a later date undoubtedly will come ever-increasing cooperation and mutual assistance in this broad field for the years to come.

INTER-AMERICAN SYSTEM

The functions of these various organizations of international character have resulted in what has often been termed the inter-American system. It is not the result of any one single agency or organization but is the result of many pan-American activities. I believe the fine results of the inter-American system have been accomplished through its flexibility and the use of strong cooperative systems. As has been so well said, interdependence is the foundation of the inter-American system; cooperation is its keystone.

I most emphatically wish to state that nothing I have said here should be taken to intimate that I feel the Americas are self-sufficient unto themselves or that they should not recognize their responsibility and relations with other parts of the world; and to cooperate to the fullest with such organizations as we all hope come from the San Francisco Conference. But let me point out the Dumbarton Oaks Agreement itself recognizes the desirability of using existing agencies for carrying out its purposes. Section C-1 reads as follows:

> Nothing in the Charter should preclude the existence of regional arrangements or agencies for dealing with such matters relating to the maintenance of international peace and security as are appropriate for regional action, provided such arrangements or agencies and their activities are consistent with the purposes and principles of the organization.

In conclusion, I know it is the earnest desire of us that the friendly relations between the nations of the Americas not only shall continue but grow stronger through the years for the betterment not only of ourselves but all mankind.

Mr. JARMAN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, I have listened with rapture to the eloquent and thoroughly sound expressions of the distinguished gentleman from Alabama [Mr. JARMAN]. Mr. Speaker, at this time I desire to pay tribute to Msgr. William Barry, a great leader of inter-American work in the universities of South and Central America. He merits mention today for the inspiration he has given to the young people of the United States to undertake advanced studies in the educational institutions of the good-neighbor republics.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. LUTHER A. JOHNSON].

Mr. LUTHER A. JOHNSON. Mr. Speaker, my intense interest in the Pan American Union and all matters relating to the American republics is so great that I cannot remain silent on this occasion.

As heretofore stated, the death of President Roosevelt prevented the observance of Pan-American Day on April 14, but I am glad that the House leadership has not abandoned the plan for the celebration but has designated this day for that purpose.

The founders of the Pan American Union, who met in Washington at their first international conference in 1890 for the establishment of this organization, did not realize the growth and scope that it would attain; and now, since more than half a century has passed, the population of these American republics has increased and all of them have grown and developed commercially, financially, and otherwise. But more than that, the spirit of unity and solidarity of these countries has also been strengthened, and today the 21 American republics are united as they have never been in all history.

It was my privilege recently to attend the Inter-American Conference held in the city of Mexico as one of the delegation from the United States, and I there witnessed and gained first-hand knowledge of the unity of the peoples of this hemisphere.

The great war in which we are engaged has been in part responsible for drawing us closer together, and be it said to the credit of the American republics that they stood together against

the aggressors and would-be dictators of foreign lands, and by reason of the solidarity in this hemisphere, victory is now being achieved against the aggressors in all theaters of war.

Having demonstrated that we can stand united in time of war, we must and will stand united in time of peace, for the prosperity and happiness of the 21 American republics depend upon our continued cooperation, which I am sure we shall have.

The Act of Chapultepec, adopted at the Inter-American Conference at Mexico City, is a historic document. It seals for all time the unity of the American republics and joins them together as one against aggressors both at home and abroad. It marks a milestone of achievement in the relations of one country with the other, and I am proud to have been a member of the conference which adopted it.

The recent adoption of the Water Treaty with Mexico by the other body of the United States Congress, by a vote of 76 to 10, is the highest evidence of the good will which now prevails in this country and the elimination of all prejudice between our country and our good neighbor to the south. In fact, our relations with Mexico were never better than at this time, because the people of these two great Republics, separated only by the Rio Grande, now fully realize that the prosperity and happiness of each is dependent upon the other.

While we were in Mexico City, we were received by President Avila Camacho and also by Secretary Ezequiel Padillo. They are both statesmen of the first magnitude and only recently I placed in the CONGRESSIONAL RECORD the brilliant speech made by Dr. Padillo who was the President of the Inter-American Conference held in Mexico City.

One reason, I think, for the continued success of our relations with the other American republics has been the high class of our Ambassadors and diplomatic representatives who have represented the United States in those other countries.

The United States is fortunate in having as our Ambassador to Mexico Hon. George S. Messersmith, who is one of the ablest men in the diplomatic service of our country, and I was pleased to find, upon my recent visit to Mexico, that the Government and people of Mexico regard him as one of the ablest and most popular of the Ambassadors now in that country.

I am glad to have spoken these few words in observance of Pan-American Day, and it is my fervent hope and earnest belief that the American republics in this hemisphere will continue to grow and expand, and that our relations will remain close and cordial, and that the American republics will constitute one large family. That is the ideal which all of us should strive to attain.

Mr. JARMAN. Mr. Speaker, I yield such time as she may desire to the other delegate from the House to the Mexican Conference, the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Speaker, the observance of Pan-American Day will bring to the peoples of all the Americas a deep thought of love and tribute for Franklin D. Roosevelt. For 12 years his philosophy of the good neighbor has influenced the lives and often guided the policies of 21 American republics, and his life work is an imperishable chapter in the history of inter-American relations.

In his inaugural address on March 4, 1933, President Roosevelt proclaimed the world policy of the good neighbor, and it could be fairly said that the republics of this hemisphere were the first to accept this ideal and give it effect in their external policies.

He said in part:

> In the field of world policy I would dedicate this Nation to the policy of the good neighbor—the neighbor who resolutedly respects himself and, because he does so, respects the rights of others—the neighbor who respects his obligations and respects the sanctity of his agreements in and with a world of neighbors.

A few weeks later, in an address to the governing board of the Pan American Union in celebration of Pan-American Day, President Roosevelt declared that Pan-American Day exemplifies a unity of thought and purpose among the peoples of this hemisphere. He said:

> It is a manifestation of the common ideal of mutual helpfulness, sympathetic understanding, and spiritual solidarity.

Happily, President Roosevelt witnessed within his lifetime the realization of his good-neighbor policy in the Western Hemisphere. The Inter-American Conference on Problems of War and Peace at Mexico City approved a program of solidarity, cooperation, and helpfulness such as he had heralded 12 years before. That Conference, too, brought the political objectives of the American republics into harmony with the proposed charter for world security which soon is to be formulated in San Francisco. The truth in the life of Franklin D. Roosevelt was the truth of humanity and mutual helpfulness, and that truth will go marching on.

President Roosevelt was never far from the hearts and minds of the delegates at the Inter-American Conference. As Secretary of State Stettinius said on the last day of its meeting:

> The labors of this conference have been followed with constant interest and good wishes by the President of the United States, whose long and earnest effort to foster friendship and cooperation among the American Republics is so well known to us all. In our agreements here, I believe, we have given concrete expression to that spirit of the good neighbor which has long since found acceptance among all the peoples of the Americas.

While a global war approaches its terrific climax in Europe and gathers force in the Pacific, the peace-loving nations of the world prepare anew to give a beneficent consequence to the incalculable feats of bravery and sacrifice wrought by millions of fighting men.

The United Nations long since have completely mobilized their manpower, their industry, their wealth—and even their blood donations—but the mobilization of political wisdom and moral support for world security is even now in an early stage.

In the next few weeks the fighting men of twoscore nations will be awaiting word from San Francisco as to how far their prodigious effort is to be translated into the security and future welfare of humanity.

Soon they will know whether the world has arrived at political maturity—organized for freedom and progress—or is to remain potentially impotent against the aggression and tyranny of some future Hitler, or Mussolini, or Hirohito. They will learn, let us hope, of that greatest of all mobilizations—the successful mobilization of the world's spirit, ideals, and genius for the constructive accomplishments of peace.

Fortunately, the Conference at Mexico City has rekindled the faith of nations in their ability to effect the organization that is essential to the stability of international relations and social welfare. It has illuminated the road to San Francisco by its sound agreements, its spirit of cooperation, and its assurance of the moral support of the American republics to the projected charter of world security. Through the patient method of consultation and negotiation, constantly motivated by good will, the American republics unanimously approved 61 resolutions which in their progressive application give a new assurance of permanent peace, economic cooperation, and a higher level of social welfare throughout the American Continent. Most of their underlying principles might as reasonably be applied to the entire world as to a single hemisphere and could well be a model for San Francisco.

You are already familiar with the Act of Chapultepec, which affords mutual and binding guaranties against aggression, whether from without or within the Western Hemisphere.

It was my good fortune to sit as an adviser with Commission III, which formulated and reported to the full conference the Act of Chapultepec. This act is already recognized and widely acclaimed as one of the historic milestones in the relations of the American republics, and its effect will be to accomplish by multilateral action that implied or actual resistance to aggression which heretofore has been very largely the responsibility of the United States alone under the Monroe Doctrine.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. Yes; I yield to the gentleman from Texas [Mr. JOHNSON], who was a fellow delegate at the Mexico City Conference. He made very fine contributions at the conference.

Mr. LUTHER A. JOHNSON. Is it true that the gentlewoman was a member of the subcommittee that worked on the Act of Chapultepec? Is it not true that the other countries, rather than the United States, took the lead in presenting and urging the adoption of this act, so that it did not come because of any coercion on our part but rather came from the other countries?

Mrs. ROGERS of Massachusetts. There were numerous resolutions introduced by Latin-American countries—Colombia, Costa Rica, Brazil, Paraguay, Uruguay, Mexico, Cuba, Panama—and others were greatly interested, and a number of resolutions would have gone farther than we finally went in militant cooperation.

Mr. LUTHER A. JOHNSON. A great many people think it was at our will.

Mrs. ROGERS of Massachusetts. Oh, no; it came from the Latin-American republics rather than from us. This act showed the interdependence of the republics in the Western Hemisphere. It was thought before that the Latin-American republics were somewhat dependent upon the United States. This act proved interdependence and was a distinctly helpful thing in every way. The able, distinguished gentleman from Vermont, Senator AUSTIN, and I were the congressional delegates on Commission III. Senator AUSTIN, with his knowledge of international law and exact use of words and phrases, was invaluable.

The passage of this act shows positively the interdependence of the republics of the Western Hemisphere. Aggression will be thwarted by diplomatic or economic measures where possible under this agreement, but as a last resort force may be applied. This far-reaching instrument for hemisphere security provides expressly for its harmonization with the charter for world security which will emanate from the San Francisco Conference.

You have read reports also of the strengthening of the Pan American Union, the approval of an economic charter for the Americas, and the adoption of a resolution on world organization which supports the participation of the American republics in the world security program and accepts the Dumbarton Oaks proposals as a basis for the organization. Of course, the American republics, like all other countries, have retained their right to offer their own recommendations as to particular provisions of the world charter, but their general purpose is the universal welfare.

The Mexico City Conference was significant, not only for its agreements, but for its democratic procedure. It was preceded by weeks of consultation, its sessions were open to the public, and its records were open to the reporters for press, radio, and news pictures, as rapidly as the deliberations arrived at any crystalized form. The scope of its interests was indicated by the introduction of 285 resolutions, embracing almost every kind of international activity.

I wish to express my warm appreciation of the work of Secretary Stettinius at the Mexico City Conference. He arrived there after a 26,000-mile air journey on four continents, and his address at the opening plenary session gave a timely exposition of the relationships between world-security problems and the inter-American system. His brilliant and firm leadership was exemplified as president of commission II which approved a resolution favorable to the participation of the American republics in the world security organization, and accepted the Dumbarton Oaks proposals as a basis. His friendliness, his desire to cooperate, and his driving force were responsible in very large measure for the successful and very happy outcome of the conference.

Mr. LUTHER A. JOHNSON. Mr. Speaker, if the gentlewoman will yield further, I want to join in the tribute which has just been paid by the gentlewoman from Massachusetts to our able Secretary of State, Mr. Stettinius, who, I think, made a very fine record and was largely responsible for the unity which prevailed among our delegation at Mexico City.

Mrs. ROGERS of Massachusetts. I think it was undoubtedly the most unified and successful conference ever held by the republics of the Western Hemisphere and the most united and solidified outcome of any conference that was ever held in which the United States participated. I predict also great success at San Francisco.

I was deeply impressed, too, by the effective work of Assistant Secretary of State Nelson A. Rockefeller in developing an inter-American program suited to the welfare of all republics, and by the success of Assistant Secretary of State Will Clayton in reconciling the views of the delegates on the difficult problems of post-war economic development. In fact, the entire United States delegation merited compliments for its intense industry and constructive attitude. The splendid delegates from all other republics treated me and all other members of our delegation with great consideration and graciousness. I have never had the pleasure of working with a more cooperative group. Solving problems with them was a privilege.

As I sat with commission III I was especially pleased when it adopted a resolution on freedom of access to information. This in the eyes of the press, radio, and picture professions represents the most advanced and liberal international expression yet made on this theme. The resolution embraces the principle that the progress of mankind depends on the supremacy of truth among men, and that free information is a bulwark against tyranny and aggression.

The preamble states:

> It is one of the fundamental lessons of the present World War that there can be no freedom, peace, or security where men are not assured of free access to the truth through the various media of public information.

The resolution recommends that the American republics recognize their essential obligation to guarantee to their people free and impartial access to sources of information. The republics have pledged that when the war is concluded they will undertake the earliest possible abandonment of measures of censorship and control of information which have been necessary in wartime to combat the subversive political facts and espionage of the Axis states.

This enlightened international extension of the principle of the freedom of information—traditionally cherished by the United States—was adopted unanimously at Mexico City. It has already helped in principle to guide the preparations for the Conference of the United Nations at San Francisco. The latter certainly bids fair to be the most broadly representative and truly open conference yet held.

Communications experts have estimated that the news traffic from San Francisco may reach three-quarters of a million words on the big news days, and there will also be a tremendous volume of coverage for radio programs and graphic services. Not less than 1,200 press, radio, or camera reporters have asked credentials at the conference.

The tremendous flow of information—much of it for international circulation—will, of course, go far to determine the cast of national and world opinion concerning the organization of the post-war security structure.

Let us hope that the deliberations and conclusions of the conference are the source of a great tide of world intelligence, confidence, and faith in the orderly, cooperative, and humane development of the better world that we seek. Let us hope, too, that the thousand men and women who write, speak, or picture the daily record of the conference will contribute their own care and conscience and good judgment to the making of the historic record. They did a remarkably fine job at Mexico City. Mr. Stettinius was largely responsible for taking the press, radio, and communication representatives into the confidence of the United States delegation.

I was tremendously impressed with the way the representatives of the press asked their questions and used their judgment in what to give to the public. If there was anything that was of real danger to the cause or to the Western Hemisphere, it was not given out. Otherwise, they were completely frank in the information they gave to the public of the Western Hemisphere republics. That to a great degree was responsible for the public approval of the resolutions passed at Mexico City. The public was told from day to day what was happening.

Mr. LUTHER A. JOHNSON. Mr. Speaker, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. I was especially pleased, as I am sure the gentlewoman was also, with the press conferences held by Assistant Secretary of State Nelson A. Rockefeller, which I had the privilege of attending several times. He showed a knowledge of what was being done and expressed it in such a way and with such candor that he won the affection, I think, and the sympathy of the press. I am pleased also that my colleague paid tribute to Assistant Secretaries Will Clayton and Nelson Rockefeller because they both contributed much to the success of the conference.

Mrs. ROGERS of Massachusetts. Mr. Rockefeller has done a very great work with the Latin-American republics. I think he is actually beloved by them. They certainly gave every indication of it. It was a great pleasure to see him there. The Secretary of Foreign Affairs of Mexico, Mr. Padilla, added greatly to the conference and the cordiality of everyone from President Comacho to the little children made us welcome in Mexico, our United States Ambassador was very active in our behalf.

For myself, I feel that the Mexico City Conference pioneered a new phase in the conduct of international conferences: open sessions, democratic procedures, and the free access to information of the proceedings and conclusions. I think that through such a method there is a greater possibility of eventual agreement and harmony, even though immediate difficulties may be made more apparent. Certainly, intelligent comprehension and a moral opinion among the vast populations of the peace-loving nations are indispensable to the attainment and permanence of our true objectives.

The meeting of the United Nations will follow this broad and flexible and democratic course. Thus, I believe, the conference of Mexico City has given new light to a distraught world, and will prove again that the idea of the good neighbor is a working tool for all the world and not our hemisphere alone.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from West Virginia [Mr. BAILEY].

Mr. BAILEY. Mr. Speaker, I ask unanimous consent that my colleague, the gentleman from West Virginia [Mr. RANDOLPH] be permitted to extend his remarks at this point in the RECORD.

The SPEAKER pro tempore (Mr. KELLY of Illinois). Is there objection to the request of the gentleman from West Virginia?

There was no objection.

PAN-AMERICANISM AND ITS PROBLEMS

Mr. RANDOLPH. Mr. Speaker, it is most appropriate and timely for the House of Representatives to give recognition to Pan-American Day.

I desire to supplement the speeches of my colleagues with the inclusion in the RECORD of the following material, prepared by Edgar Francis Peterson, Jr., T/c U. S. N. R.:

When I speak of the Americas I mean North, Central, and South America, making up 21 countries. Simon Bolivar had this in mind when he called a meeting of the countries in 1826. This was the beginning of pan-Americanism. Approximately 60 years later a meeting was called in Washington to discuss trade relations between the Americas. Thus we had the beginning of various meetings which have led to one of the closest ties known in history between countries which have such diversity of problems to contend with. President Roosevelt, recognizing the need of closer collaboration, established in 1933 the "good neighbor policy" and for the past 10 years we have seen the fruits of this plan ripen.

When we speak of Central and South America relative to development, we should think of the struggles the United States has had in her development. The big difference is that Central and South America have a friend who is willing to do all in her power to help.

Upon the outbreak of war in Europe a meeting of the foreign ministers was called, resulting in the establishment of a line some 300 miles off shore declaring that within this zone belligerent ships could not operate. In 1942 when Pearl Harbor was attacked, a meeting was called in which most of the countries broke off relations with the Axis and those who did not placed strong restrictions on foreigners and their activities.

Besides the problem of waging war against the Axis the Americas had three immediate problems to contend with:

1. To insure that no country became a base for invasion of this hemisphere either from Europe, Africa or Asia.

2. To insure that no nation became a potential base for manipulation or other similar methods employed by the Nazis in Europe.

3. See that supplies arrived at their destination to quicken the success of the Allied war effort.

To combat these problems, the United States was allowed to build naval and air bases. Lend-lease was put into operation. Through the Export-Import Bank money was loaned to develop natural resources. Patrols by plane and ship were established. Within 2 years Central and South America were an asset to the Allies.

Upon the entering of these countries into the war they faced one of the biggest problems in their histories. Central and South America are chiefly exporting countries, specializing in agricultural and mineral products. They carried on over $500,000,000 worth of trade with Germany, Italy, and Japan. Upon the breaking off of relations with these countries, it fell to the United States to fill this gap. To help defeat this problem we sent technicians in manufacturing, farming, shipbuilding, air transportation, and finance. Today modern coal, steel, and copper mines are in full force. Products previously grown in the Far East are being raised. The plot system, or raising of more than one crop, has found its place. In South America farmers were prone to raise one crop a year and when market fluctuations occurred resulting in a lower price for their produce they would financially be hit hard. You can see then that this new system of raising more than one crop became a lifesaver.

What are the post-war plans of the Americas? The possibilities are great and demanding but no definite concrete decisions have as yet been made. Since the end of the First World War it has been demonstrated that depressions have world-wide repercussions and that a country was not safe within her borders. Therefore one of the first problems that will have to be solved is to see that the habits and cooperation now established to help promote the war are kept in effect. Thus the machinery now set up to combat the enemy will be firmly entrenched to be used for protection of the hemisphere and for domestic purposes in the future.

Central and South America are anxious to develop their local industry. Experience has shown them that when price of their mineral and agricultural exports fall, the ability to buy manufactured products abroad is reduced and severe hardships occur. If the volume of necessary imports could be reduced by stimulating local textile, food processing, and other industries, the republics would have a better balanced economy and would be able to withstand market fluctuations. This can be accomplished if the industries are carefully chosen. We know that when a factory is opened, there is a demand for labor. This labor would come from the farms, resulting in the establishment of higher wages in the factories and by having less help on the farms the wages there would also increase. Through these increases in wages, purchasing power will rise and the standards of living will be better. Exporting and importing will grow whereby a greater demand for ships will be created and shipbuilding industry will find its place. There are large forests, mountains, and swamps throughout Central and South America, and even today the old methods of transportation have to be resorted to; that is, by mule and human being. This can be overcome by the development of aviation and highways. It has been recognized by the United States and through the export-import bank money has been loaned for the construction of aviation facilities, highways and bridges. This field is large and the prospects for future development are bright.

Most important of all is that the Americas must find their proper place in the world of nations. Again it has been proved that no country can isolate itself from the world and expect to survive. We have learned within the past 10 years how short-sighted it is to believe we can fall back on our shores and expect to be safe. The coming years will see a more close, positive, collaboration on the part of the Americas in world affairs than they have been willing to partake in thus far.

Just how can we, as civilians that have our own work and domestic problems, help to promote pan-Americanism. There are many opportunities knocking at our door every day. Here are four:

1. Encourage our schools to participate actively in the inter-American program.

2. More complete news coverage of inter-American affairs in the local press.

3. Acquainting and entertaining visitors from other American republics in our communities when such an opportunity arises.

4. Further use of radio as a means for mutual understanding and cooperation.

Helping to arouse these interes , each of us cannot only broaden our own horizons but can make a significant contribution to winning the war and more important, the peace to come.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from North Carolina [Mr. FOLGER].

Mr. FOLGER. Mr. Speaker, I assure you that such time as I may desire will have to be circumscribed by a limitation of 5 minutes for that I would not be willing to take the time of the House for what I am able to contribute in this, a great day, a celebration of good will and accord among the nations of the Americas. That which impels me to ask for this time is an overwhelming realization that to any Member of this Congress, of the House of Representatives or of the Senate, the most exacting requirement attending his membership in the Congress is to aid in bringing about that which we resolved not so many months ago to dedicate ourselves to, the establishment and maintenance of a just and lasting peace, with freedom of religion, freedom of expression, freedom from want, and freedom from fear all over the world.

It is perhaps worthy of our remembrance that in the beginning, the beginning so far as you and I are concerned, God created man in his own image, breathed into his nostrils the breath of life; and man became a living soul, with the power to love, with the power to help, with the power to hate, with the power to hinder. A long time after that He who came to bring peace into the world, and I assert that He did, said, "You are either for the right or you are against the right." In the exact language of that pronouncement, "You are for me or you are against me." "He that gathereth not scattereth abroad," is today in this hour, in this country, and in the world, an unchangeable truth, from the consequences of which no man can free himself. So that I am going to contribute to the establishment of a just and lasting peace; or I am going to prevent it, so far as I myself may have the power to do one way or the other. Not in the spirit of undertaking to elevate our membership here above

that which is justified, but, I trust, in the greatest humility, I remind each one of us that it does bring a responsibility that we shall take our stand: "You are for me or you are against me." You will scatter abroad or you will gather into the fold.

I made bold to ask for this time because I believe that life is largely made up of here a little and there a little; line upon line; and precept upon precept.

If I, as the self-recognized most humble Member of the Congress of the United States, have an appraisal of what my highest responsibility is today, it is to help to bring about a just and lasting peace in the world. I would not have time to talk to you about the Monroe Doctrine. It has been a long time ago. During those years it may well have never occurred to any of our great forebears that the day would come when we, each one, the world over, would physically be the next-door neighbor of every other nation in the world. But it was a grand conception under the circumstances of the hour. Then we come along down to the time when we begin to recognize what we commonly refer to as the good-neighbor doctrine. You are a friend, you are a neighbor, or you are not. What a glorious contemplation it is that these, our own friends in the House and others, were able to go to Mexico and find universal accord among the nations of the Americas that resulted in the great action that was taken there, which goes beyond the idea of a mental deduction but reveals spiritual development which we can call "peace on earth and good will among men"; and for that we are striving, and the load falls heavy on everyone.

As we sit here today—and I trust no one will be particularly interested in the observations which I make but in the subject which calls us together—we recognize in this one of the efforts to bring peace and good will among men. Our young boys and men and women, if you please, are at this moment dying upon the fields of battle in the world, that there may be peace on earth and good will among men. In faithfulness to everyone who contributes to this, Sumner Welles, Secretary Hull, Secretary Stettinius, President Roosevelt, and all the others who have made contribution in the recognition that in the fellowship of suffering there is more power, and in the fellowship of coordinated effort there is promise of great success toward realizing, nationally and internationally and personally, that it is possible for us to claim the assurance that was given us by the most eminent authority, "Blessed are the peacemakers, for they shall be called the children of God."

Mr. JARMAN. Mr. Speaker, I yield such time as she may desire to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Speaker, throughout the Western Hemisphere we feel today a greater solidarity of aim and effort than we have ever felt before. In the tragic crisis of war the peoples of the Americas stand together against aggression. They stand together in their resolution to defend the will to freedom which in all the regions of America gave birth to our republics and which our constitutions were written to uphold.

It is a good augury for the future not only of this hemisphere but of the world that the increasing understanding and friendship among the American nations is becoming a noticeable factor even in our daily lives. These contacts nowadays are various and frequent, and often they are personal. As we become better acquainted, we cease to think of one another as foreigners, as strangers, and are coming to feel ourselves to be friends. This is continually being evidenced in many different ways. Last week, for instance, in the Foreign Affairs Committee, we were privileged to have as our guests officers of the armed forces of other American republics, and to see in those straightforward men the same splendid qualities that mark the men of our own forces—the free, frank, American spirit of the citizen in arms, a patriotism that is not militaristic but is invincible.

Not so long ago, in Cleveland—to take another instance—I had the pleasure of entertaining seven women journalists from Central and South America who were touring this country as guests of the Women's National Press Club and of the Coordinator of Inter-American Affairs. It was easy to see in these alert, open-minded, intelligent, and charming women the same zest and zeal for the significant occurrence, the same interest in public affairs, and the same determination to get at the facts, that characterize men and women of the press in the United States. And I found in them too a spirit of great friendliness toward us in the United States, a desire to cooperate in every effort to bring our countries closer together and to take home to their own peoples a closer understanding of what we as a Nation are really like in our ways of life and thought.

Through our arts and our sciences and all our cultural expressions, we are drawing nearer together in this kind of basic understanding. I have seen, for example, many clippings from newspapers in the other American republics praising the concerts broadcast by our Cleveland Symphony Orchestra. I have here an article from El Mercurio of Santiago, Chile, about one of these broadcasts. The writer says that—

> When the Cleveland Symphony Orchestra executes Schubert's Seventh Symphony, the Chilean radio audience has all that great work's qualities of grandeur, purity, vigor, and delight brought very near.

These concerts, adds the Chilean daily enthusiastically, are "magnificent."

It is astonishing in how many ways all of our communities are contributing, often with little public notice taken, to these multiple and diverse contacts that are strengthening inter-American solidarity.

In this connection it gives me especial pleasure to cite the words of one of the seven Latin American newspaperwomen to whose visit I have already referred. She is Señorita Piedad Levi Castillo, a young girl from Ecuador. Last November, in a short-wave radio broadcast about her experiences on the tour of the United States, she said:

> In Cleveland we reached the emotional climax and we could not keep back our tears, when we heard our national anthems so well played by the orchestra of children from 12 to 16 years old at the Lincoln High School, in a marvelous and effective Pan-American program held in our honor.

A splendid traveling exhibition of contemporary Chilean art, lent by the Government and the artists of Chile, inaugurated its tour of United States museums several years ago with a showing at the art museum in Toledo, which often exhibits the work of distinguished artists from our sister republics to the South. I am informed that a few days ago a young woman from Cleveland, Miss Elinor Halle, of the Division of Cultural Cooperation of the Department of State, left for Costa Rica to take up her duties in the cultural relations section of the embassy at San Jose. In our State university and in other educational centers in Ohio—and in all our States—young men and women from the other American republics, while carrying on their studies, are forming personal friendships with our own young people. All such contacts are strengthening the ever-increasing solidarity of the Americas.

The foregoing are only a few representative inter-American relationships on the part of my own State. They could be many times multiplied, and could be duplicated not only in all the other States but reciprocally, from them to us, in all the other countries of the Americas. Taken all together, they are overwhelming proof of how sincerely we mean it when we speak today of the increased understanding among the peoples of this hemisphere.

It is good for us to feel that in the New World our countries have dedicated themselves to mutual cooperation and so to living together in hope and peace.

In concluding may I remind you that from the earliest colonial times and in all the regions of the Americas women have made vital contributions to the furtherance of international friendship and understanding. It is a long and inspiring record. At the very threshold of new world history, as we know it, there was an Indian princess who aided Columbus and his companions in Santo Domingo, giving herself to bringing about friendly relations between them and her own people. In a way she symbolizes all the known and unknown heroines who from the epoch of the discovery to the present day have acted on the belief that the way of friendship is the way of progress. So today as we meet here, we men and women of this Congress, let us look forward together with joyous anticipation to the new friendliness that is being developed here in this Western Hemisphere. Let us hope that out of our increasing mutual understanding may come a solidarity of helpful cooperation between our two continents that will bring hope to the whole world.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the Resident Commissioner from Puerto Rico [Mr. PIÑERO].

Mr. PIÑERO. Mr. Speaker, on April 14, the day originally set for the celebration of Pan-American Day, America and

the world were mourning the untimely death of a great leader, champion of the good-neighbor policy in America, and of the right of self-determination for small nations in the world, our late President Franklin D. Roosevelt. It was no time for celebration and this House properly postponed it.

Today, on the eve of the San Francisco Conference, we meet again, not to celebrate, Mr. Speaker, but rather to dedicate Pan-American Day to the memory and ideals of our fallen leader.

Tomorrow, the United Nations meet to carry on, as scheduled by him, the plans for setting up a world organization for the preservation of peace and for the settling of disputes among the peoples of the world. America, our Hemisphere, will there stand united, united by bonds of friendship and understanding, welded by promises fulfilled, by pledges honored, and by thousands upon thousands of miles of unguarded and unfortified frontiers.

There is no other continent that can boast of such an accomplishment. This is the achievement of pan-Americanism, ism, a relationship which is predicated true, sincere, Roosevelt's pan-American-upon the principle of the equality of territorially large and territorially small nations and which does not measure the respect due to peoples on the basis of the span that separates the frontiers of their homeland, but rather on the principles and ideals for which they live and struggle.

The way the nations of this continent rallied around the United States after the black December 7 of 1941 was an inspiring and unforgettable experience. It should also be an inspiration for the future. Let us see that it is. Let us pledge ourselves today to the preservation of our American unity and solidarity. I can think of no greater or more fitting and proper memorial to Franklin Delano Roosevelt, on this Pan-American Day, than our dedication to the task of maintaining and ever increasing the bonds of solidarity among the peoples of America and under the common inspiration of love of freedom, love of peace, and love of justice.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Speaker, on this Pan-American Day, in the year of our Lord 1945, the pan-American idea is more firmly rooted in actuality than ever before. In the past decade, and especially since the outbreak of the war in Europe in 1939, inter-American cooperation in the political, economic, and military fields have been greatly strengthened. The climax was reached at Mexico City at the great conference of the Americas recently concluded. This trend to infinitely closer relationships is to be observed in many and diverse fields of endeavor.

This rapprochement does not argue for a complete establishment of a closed-hemisphere system. On the contrary, there are few if any responsible leaders of any of the American republics who fail to recognize the fact—from any point of view—political and military as well as economic and cultural—that the Americas are linked to other parts of the world by ties that it would be sheer folly to sever—excepting, of course, the Axis Powers. It is obvious that without prejudice to their relations with the rest of the world, the American republics could desire important advantages from the development of closer relations with one another.

It would seem that the logical result of all these factors would bring about the admission of Canada to this great inter-American system of which it alone of all the 22 American nations is not yet a member.

It will follow inevitably that the establishment of the projected global system of international collective security from the San Francisco Conference ought to be integrated with rather than supersede this established continental system. They are entirely compatible in that word and deed. The Americas are a great political system, the parts draw life from the whole; and the whole draws life from its parts. So envisioned, more than half a century ago, one of the first prophets of inter-American solidarity—that great Argentine patriot and philosopher of the democratic ideal, Juan Bautista Alberdi. Today the hopes of this early prophet have become powerful and productive realities—powerful in that they have provided the basis for common action when war came—productive in that they not only assured the fullest mobilization of the resources of all the Americas for the successful prosecution of the war; but also in that they made for the lasting mutuality and interdependence of the Americas when the crisis of war is past and permanent peace and security is the blessing we hope and pray for so reverently.

It was not war alone that cemented this spirit of friendship. Something else was present in this attitude of the Americas to themselves—a resurgence of the tradition of pan-Americanism that had laid dormant for too many years.

But it is the supreme hardships of wartime that teach lessons. They demonstrate for one thing—the value of inter-American cooperation. The supreme crisis of war is the supreme test of the good neighbor. When this test arrived the good-neighbor republics of the Western Hemisphere were ready to meet it.

This success augurs well for world action on the same principle. These American Nations have discovered, through their own experience, that a basic understanding between the peoples and the races of the world is necessary if the causes of conflict which produce violence are to be identified and prevented. Such a world-wide means is being devised and created with the help and the shining example of pan-America.

What was begun at Bretton Woods and at Dumbarton Oaks is a practical attempt based on the present degree of understanding between peoples of the world with which we are not at war. What has been achieved must be ratified—nailed down as a foundation for further achievement and the experience and the development of a more complete understanding makes this possible and we all hope soon a certainty.

To develop the pan-American idea is a goal for the world—it must have the support as an ideal of relations between nations of a wider and equally realistic and tolerant understanding between the peoples of those nations. The common object of those peoples must be to erect a framework of world order, which after the long war is over, even the enemy peoples can discover to be not only strong but just.

The relations of the American nations show trust and confidence and belief in the future of each for the other and itself as well. There is the belief that by mutual consultation, candid discussion, hard work, and cooperation the problems of the present can be solved in the best interests of all, and that plans to meet the problems of the future can be worked out and gradually made effective in meeting the serious political, social, and economic trials that are asked.

All of these pan-American problems and the degree of success in their solution affect the future of every country in the American hemisphere and in the world. No nation today, large or small, can solve all its problems alone. It is the spirit of unity expressed by the idea of pan-Americanism which points the way to the goal of an era of great productivity, prosperity, welfare, and peace. That is the purpose of civilization. That is pan-American's contribution to the security and peace and the better living of all the peoples of the world.

Mr. Speaker, I conclude my tribute To our good neighbors on this glorious celebration of Pan-America Day in the Halls of the great House of Representatives—the people's forum of the Congress of the United States—and fervently hope that unto the end of time the ideals of pan-Americanism and their relations to world peace and security will prosper and multiply.

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that all Members who wish to do so may be permitted to extend their remarks on the subject of Pan-American Day at the conclusion of the proceedings today.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, quite frequently these days when I turn on my radio I hear a lovely voice singing:

My dreams are getting better all the time.
To think that we were strangers a couple of nights ago;
Though it's a dream, I never dreamed
She'd ever say "Hello."

On this great occasion it gives me, and I know it gives you, pleasure to recount that in our relationships in this hemisphere our dreams, our plans, and our good neighborliness are getting better all the time.

To think that a few generations ago our country was at war within our hemisphere, and to recount just what has

happened in recent months in the interest of a better understanding, should give every world-minded citizen of North and South America a great deal of pleasure and inspiration, and should furnish the foundation upon which to build a plan for greater things. There is much that must be done.

It may be that upon an occasion of this kind when we are discussing ponderous affairs of State one should not speak in terms of romantic songs of the popular variety; but romance is not unknown to the Latin-American republics and to this hemisphere, and harmony is a thing we are all seeking.

I think the State Department is deserving of great credit for the work which has been done in recent months and years to make the State Department the people's State Department, to breathe into it the breath of life and interest and color, in order that its work might capture the attention, the imagination, and the support of the American people. I take off my hat to the man who as Secretary of State permits us to call him Ed Stettinius. I commend him for the wonderful work he is doing in putting a heart into the good-neighbor policy. Those who are working with him in making the State Department more human, colorful, and realistic are performing a great service. The good-neighbor policy must not rest on dollars and diplomacy but upon genuine understanding and mutual respect.

We are certainly recognizing that the thing called world peace cannot be secured nor maintained by a few diplomats dressed in immaculate attire, clothed in aloofness—sticklers for style.

Some of these things may be necessary, but the only way we can have peace, the only way we can have an effective State Department, is to make it the people's State Department and get everybody, insofar as possible, interested in it. Is there anyone who does not know that the reason we are winning this war in the most gigantic effort in all time is that the people of America are interested in winning the war? It has not been found that a few men can win the war. It is taking thousands, it is taking millions and millions, and even the unity of nations composed of millions, in order to win the war. Is anyone so lacking in understanding that he thinks a few diplomats, a few representatives of the State Department, a few delegates, can assure peace? I hope not. Peace is a matter and a problem of the people.

So I think it is a fine thing that this Committee on Foreign Affairs of the House is sponsoring this program. I am happy to have some time yielded to me by the gentleman from Alabama. I think our House Committee on Foreign Affairs is meaning a lot, and it is going to mean more as it continues to assert itself.

I hesitated to take the floor. But I was prompted to do so out of my pride in a couple of Texans who have high rank in matters of foreign affairs in Congress. We in Texas are tremendously proud of the ranking majority member on the House Foreign Affairs Committee, the gentleman from Texas [Mr. LUTHER A. JOHNSON]. We who live down near the Rio Grande are proud of the work he is doing for his country and the world. We are proud that over in the other body we have a gallant leader from our State in the person of the gentleman from Texas, TOM CONNALLY, the chairman of the Senate Committee on Foreign Relations.

I hope as an humble member of the Texas delegation I may speak for our group I know I express your sentiments when I pay tribute to the genuine contribution which these men are making along with you in this quest for world understanding and peace. The Committee on Foreign Affairs alone cannot steer this country on the right course any more than a few diplomats or delegates can. The Committee on Foreign Affairs, in its program, must have the support of the whole Congress, and the whole Congress must have the support of the American people—I do not mean a few thousand people; I mean many millions of people. That is the only hope for the future.

We realize we have to work with you on the programs which you undertake in world organization for peace. We have appropriated more than $300,000,000,000 for war since the days of Pearl Harbor; much of it is expended and most of it is obligated We have certainly learned just how expensive war has become in money and in lives. We know today, perhaps even more definitely than we have ever known before, that war is unspeakably terrible, and that peace is about the most priceless possession that the world can have.

So we have a big assignment. I, as a citizen of my country and as an official, have been tremendously proud to observe the great awakening, so to speak, which has been going on in America in recent weeks.

I said in the House on the 13th of February, on the day following the announcement of the Yalta Conference, that out of 133,100,000 American citizens, only about 100,000, perhaps, had ever read the peace proposals which are soon to become the active consideration of the United Nations at San Francisco, leaving 133,000,000 people who probably would not know Dumbarton Oaks from the "spreading chestnut tree"—not by reason of any fault on their part, but by reason of the fact that they had not been afforded the opportunity to know of the program which America and the United Nations were proposing.

Today I want, in my small way, to pay tribute to the very remarkable and wonderful job which has been done by the State Department in starting the ball rolling. This man Archibald MacLeish, Assistant Secretary of State in charge of public and cultural relations, has made a very definite contribution. The country has been tremendously impressed with his great program of organization and dissemination of information. While only a few thousand people knew something of our program for peace a few weeks ago, now there are millions and millions of Americans who know something of what is being proposed. There will never be in this country, in this hemisphere, or anywhere else, a program for peace which will succeed unless the people have knowledge and information about it. There can be no unity based on ignorance. There can be no solidarity in this hemisphere and no successful Pan American Union, which is based upon ignorance. Education, information, and understanding are those essential things which build real solidarity in this hemisphere and in the world. I know that it has been heartening to you to see this awakening of America. We dare not try to assume in the future the position of disinterested bystander. That policy means war. I know that as I have—so have you—received letters from, say, the home-demonstration clubs, saying, "We are having a program on world peace plans. Can you send us any information?"

Parent-Teacher Associations have written, "We are interested in Dumbarton Oaks and inter-American relations. How can we get information?" The churches and the schools have done likewise. The churches have been especially active, and their programs have touched millions of people.

What do our people seek? They seek more light as to what is proposed. The lives of their sons are at stake. Farm organizations, organizations of labor, and women's clubs of many kinds, and Rotary Clubs, Lions Clubs, Kiwanis Clubs, A. B. C. groups, and people here, there, and everywhere, individually and through organizations, have been making of America one great town hall during recent weeks and months. And it is a wonderful sign. It is a thing that will bring America to a realization of her great power and capacity for leadership in channels of peace in these tragic days that are now upon us.

Great credit must go to the press, radio, and motion-picture industry for the outstanding job they are doing in providing public information and stimulating interest and discussion.

It is hard to create widespread public interest in so difficult a problem. Much remains to be done, but substantial progress is being made.

I realize there are some danger signals. Every day you and I hear someone say, "Oh, what's the use?" There are some who are preaching the doctrine of futility. They say, "Well, the League of Nations failed; what is the use?" Those millions of Americans who are unwilling to accept defeat in this enterprise must combat the tendency toward futility and despair. We can do something about it if we will do something about it. We are unworthy of the heritage of our country if we permit ourselves to be betrayed by the spirit of futility.

These programs for public information and support must continue.

We are just in the beginning of what must be made a greater era. This man Thoreau in his book said that the day is dawning of which the sun is but the morning star. An awakened and determined America can make it true, that a day is now dawning of which the sun is but the morning star of tomorrow.

I recognize as you do that these abstract passages in the Dumbarton Oaks proposal, that those statements in the pact of Chapultepec cannot exactly be

called exciting reading. But we must have not only the will for a peaceful world, we must also have an effective organization of peace-loving nations based upon definite understandings.

No, we do not have time to discuss the Monroe Doctrine, as the gentleman from North Carolina [Mr. FOLGER] said. In the Monroe Doctrine we say to the aggressor, "Hands off!" Our proposal for peace extends that spirit to the entire world and says to every aggressor "Hands off" and says it with sufficient power and capacity to stop him in his tracks. That, as I understand it, is something of the idea in mind for the formation of this peace organization at San Francisco.

A part of that pattern was the pact of Chapultepec, and further efforts must forever be made in this hemisphere if there is to be that world of tomorrow which we visualize. And let us not delude ourselves into believing that we in this hemisphere can isolate ourselves from the rest of the world. Men and nations and even hemispheres cannot live alone.

So I thank the gentleman from Alabama for the time he has yielded me. Most of us do not have the honor to serve on the Committee on Foreign Affairs but we hope that you may plan well for future peace, and we pledge our best efforts in support of such a program. May we hope that our dreams and our plans for the future will be getting better all the time.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Speaker, mine is the Interstate and Foreign Commerce Committee. I am sure the Foreign Affairs Committee through its membership is glad to find that it can come on the floor now and present a matter of this kind and not have to do so alone.

America is waking. The gentleman from Texas [Mr. MAHON] is having better dreams than he used to have. So are many Americans. For that we are glad. My worthy Texas colleague overlooked in his discussion of fellow Texans to bring out the very friendly, expanding and sympathetic view of the Speaker of the House which is and has been so well known throughout his years in this House.

Yes, it is fine that Members of Congress can appreciate Assistant Secretary Archibald MacLeish when he speaks in prose of the good-neighbor policy. It is my honest opinion that those who recently spoke slightingly of MacLeish's poetry were those who had not read enough of MacLeish to appreciate him. He is a really gifted poet and a study of his works reveals in him that which makes of him a truly good neighbor. Many of MacLeish's lines reveal the same loftiness and strength in quality that made Walt Whitman great.

I must compliment my colleague from Alabama [Mr. JARMAN] upon the time he has devoted to this cause. We know how near it is to his heart. I remember when he was on other committees but decided if he could obtain a berth on the Foreign Affairs Committee he would take it. I remember his statement that he believed it was one of the best places in America to serve. He has proven that and his dreams are getting better.

I went to a school in my district—you know they let Congressmen come into the public schools—and the teacher, or I—I have forgotten which—asked that the children come up and write on the blackboard the names of a number of the best known Americans. I think perhaps 10 was the number of names chosen—10 great Americans. The children started with writing the name of Columbus, and Washington, Jefferson, Jackson, Lincoln, Roosevelt and so on. Only 1 wrote the name of Simon Bolivar, only 1. I went back to the rear of the room and found it was a little girl, a black-eyed girl, with long lashes, and black hair, a little girl of Portuguese ancestry. Shame on us, shame on all of us, that in America, we have not extended knowledge of American history so that an average group of children in any public school in America will write out 10 names of great Americans and never move south of the border between us and Mexico. We are waking up now. I think America is beginning to know that she has neighbors. Even the Monroe Doctrine grew out of a sort of isolationism. This movement does not. We realize now that in this world when Mussolini marched on Abyssinia, he was marching on 21 American republics. We realize now that when Hitler assaulted Poland, he was assaulting every democracy on earth. Surely that is true.

With the Western Hemisphere we used to have a little bit of commerce. The United States and Chile had a system of commerce between them, and there was also a system of commerce between the United States and Brazil, and so on. Let us cross the ocean. The same was true as between us and Germany, the United States and Egypt, the United States and other nations, and so on all over the earth between nation and nation; but today there is but one world rotating ball of commerce, and that is this world over, and we all dip into it. Out of it we get the things of life. We get sugar from one place, tin from another, tobacco from another, rubber from another, and the silicon in your radio has to come from Mexico or farther south. Your medicine cabinet reaches to every country on earth, particularly to the countries of South America. So we are learning things. Let us take Argentina. Let us not too severely blame Argentina because she was so cold and distrustful toward us, but rather let us blame ourselves. Geographically she is a little farther removed from us. Maybe that has some relation to that situation, but we must realize that it is just as far from Argentina to us as it is from us to Argentina, and we must remember as neighbors that an Argentinian is as much interested in his affairs and in his national welfare, and health, as a citizen of the United States is in his. If we will have an understanding, then we can be neighbors from the heart. They to the south were a little distrustful when Mr. Hull launched his good-neighbor campaign with such acclaim. They said, "Oh, yes; when your affairs are in trouble, and your pot is boiling, and you have serious leaks in it, you become interested in us; you have always manifested a great interest when your special interests are involved; if you have in Argentina or Brazil, or anywhere, investments in oil, or in your manufacturing industries, then in that little area you manifest tremendously acute interest, so that we wonder now what it is that causes your interest; it must be buried somewhere in your selfishness."

But now, Mr. Speaker, the people are beginning to realize the true need of an abiding and enduring neighborliness and friendliness and understanding. They realize, too, we of the United States are in dead earnest and less selfish than they feared. Thus we are beginning to knit up the ravelled sleeve of neglect in our hemispherical system. We are getting somewhere at last. The duty is upon us that has been ours since the declaration of the Monroe Doctrine. The doors are opened a little wider and our hearts, I fully believe, have opened a little more. Our understanding is not adult in stature but is maturing. At least we are asking that our neighbors come into our homes.

Our duty will not be fulfilled until the very textbooks in our schools reflect the historic truths of the entire hemisphere, until our neighbors recognize our historic monuments, which they already do as to ours much better than we as to theirs. So there is a lot to think of. We must live and think as good neighbors throughout all seasons. If we are to do unto others as we would have others do unto us, we must start by the gentle things and be thoughtful during days of peace. Just about the time there was a threatened war, in the past, we began to get very nice and send our emissaries out to our southern neighbors to get better acquainted. Then when trouble passed by we would settle down to peace; when our neighborliness should have manifested itself better than ever, we would forget it until the pot began to boil with trouble again. So this time it must be better. It must be on an all-time basis.

There came upon the earth one time a philosopher. He said that the meek should inherit the earth. The meek in the animal kingdom have already inherited the earth. By reason of their very fierceness the lions and the tigers and the leopards do not roam through our forests any more. We have to go to a zoo or a menagerie to see them. The warring state of man has brought him right to the brink of that day. We have got to be good neighbors.

I sincerely hope, as we all sincerely pray, that the San Francisco Conference is a station on the road to security from man's selfishness and fierce nature. If we are going to pursue that very necessary course, we must do it with the gentle things, the homey things, the things that bring nations to know one another. It is a matter of mutual history. It is a matter of study. It is a matter of commerce. It is a matter of association one with the other. It is a matter of unselfish cooperation, and if we do not get it, somebody else will get us. We had a very close call this time. Only by

the grace of God were we able to catch hold before the bus got away.

Surely our eyes are opened and surely the devotion of an entire day by the Congress of the United States to pan-Americanism, to Western Hemisphere Day, will be hands across the hemisphere.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Speaker, I have listened with a great deal of interest to the speeches that have been made here today in the House on the subject of Pan-American Day. One of the thoughts that has been uppermost in my own mind has been that our observance of this occasion ought to have a twofold emphasis. First of all we might well feel that every word that we speak here today is spoken in memoriam to the great work that our late President, Franklin D. Roosevelt, has done toward founding the relationship between the different republics of this hemisphere upon what he termed the "good-neighbor policy." I think it no more than a frank facing of the facts to say that we had a long way to go; that certain actions on the part of our Government in the past had caused feelings of suspicion and distrust to be awakened in our fellow Americans to the south of us.

I hope and I believe that to a very great extent those feelings have been allayed in recent years. But it is not enough, is it, for us to simply observe the great work of our late President in this regard? It is only enough for us to carry on the good-neighbor policy in his name and in the name of humanity. That, I take it, is the second purpose of our observance here today.

It is obviously a matter of most paramount importance that our neighbors to the south should realize that the good-neighbor policy was not only a policy of Franklin D. Roosevelt but rather a policy which under, his leadership as well as under our present President and the Presidents yet to come, has been espoused by this entire Nation and its Congress and which finds its roots in the understanding of the American people as a whole.

Mr. MAHON. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield to the gentleman from Texas.

Mr. MAHON. Does not the gentleman want to amplify that statement further and say that the good-neighbor policy is not simply the policy of our late beloved President Roosevelt, it is not simply the policy of the people of the United States, it is likewise the policy and program of the Latin-American republics. It is their organization, it is their program, it is their slogan as well as our own. We have just a part in it.

Mr. VOORHIS of California. I appreciate very much the gentleman's contribution. I am glad indeed that he brought that out. It is quite impossible, of course, for there to be good neighbors unless there are more than one of them.

I take it that what we really mean when we talk about the good-neighbor policy is a relationship of mutual respect and regard between coequal nations in this portion of the world.

On the one hand, I do not find that those citizens of Latin-America or those citizens of our own country who are of Latin-American descent desire any patronizing or weak relationship on our part toward them. What on the contrary they want is a feeling of mutual respect and trust to exist, where each will do his part in promoting the interests of all the people of this hemisphere.

That leads me to one of the main points that I wanted to make, because after all we are talking not about today, not simply about the period before this terrible war is finally won, we are not even talking about the deliberations at San Francisco alone or the founding of a world organization for the maintenance of peace, important as those things are. What we are talking about is a relationship of peace and cooperation that can extend throughout the years. There we get down to certain admittedly difficult but basically important questions. For I believe that the one thing which we in the United States have most earnestly to bear in mind is that the thing that we desire for every single one of the American republics is the fullest and most complete development of the national life of that republic for its own sake.

I should like to contrast that with the relationship which might exist between a great, powerful, and wealthly nation like our own and some of those nations which up to date have been less favored by circumstances. There can be a relationship where American investment is made only for the purpose of acquiring ownership and control in the nation where that investment is made. That is not what we seek. We ought to remember that the best customers of our Nation are the nations that are the most highly industrialized and developed in the whole world. We must realize also that to the extent that there can be a development of the industries, of the public utilities, of the educational systems, of the highway systems, and of the scientific advancements in all of the nations of the Western Hemisphere, to the extent that those things can happen, to the extent that the national life in every part of this hemisphere can grow and develop and flower into the best of which it is capable, to that same extent the relationship between that nation and the United States will be enriched and deepened and improved.

So the sort of thing which I look forward to is the development of the resources and national life of all the nations in the Western Hemisphere with such aid and encouragement as the United States can give, but not with the relationship where we remain the one great and powerful Nation necessarily, and the other nations are simpler and less developed than our own. I look forward to the time when in this hemisphere there may be a development throughout the length and breadth of it, from the North Pole to Cape Horn, of nations, so that in each country their peoples will develop to the fullest extent of which they are capable.

I believe it is true that here in this Western Hemisphere we can give an example to the remainder of the world. I know of no other example in all history where there has been developed a condition, as well as we have done to date, where there has been developed the kind of relationship which exists between the United States, on one hand, and other republics of the Americas, on the other. Ordinarily, where a group of nations which would compare with this group has been in existence, there has been a tendency on the part of the most powerful nations to dominate the affairs of the other nations. That we must sedulously avoid.

In my judgment, the other nations of the Western Hemisphere will judge our sincerity largely by the treatment accorded to that eminently worthwhile group of citizens in our own country, namely, those citizens who are of Latin-American descent. As I read the casualty lists from my own State—and I go over them every single night—as I read those names, I find anywhere from one-fourth to one-third of those names are names such as Gonzales or Sanchez, names indicating that the very lifeblood of our citizens of Latin-American descent in the uniform of the armed forces of the United States is being poured out to win victory in this war. We ought not to forget that. We ought to resolve that in the future every single one of these citizens shall have the fullest and freest opportunity which this country is capable of giving him to advance to such positions of influence and eminence as their own personal qualities make possible. So we have here in our own Nation, in miniature perhaps, the same problem, the same ideals, and the same hopes which we have for international relationships in the Western Hemisphere.

We are living in the most significant period of history that the world has seen in at least 500 years. I feel much encouraged by what has happened in the House this afternoon. I hope it may be a good omen for what will come out of San Francisco. I close with the warning that we cannot expect the deliberations at San Francisco, the formation of a world organization, or even the adherence of all the nations to such an organization to be the answer to peace. The answer to peace will come out of the hearts of the peoples; out of the quality of the life within the nations, and out of the relationship of mutual respect and understanding which is builded between these peoples as they march forward into the future.

Mr. JARMAN. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, many distinguished representative members of this great Republic have spoken here this afternoon concerning our relations with our friends to the south.

In October of 1941, as a member of a select committee of this House, it was my privilege to visit 10 of those great countries of Latin America. The trip was made by air. The chairman of our committee was the Honorable Jack Nichols, of Oklahoma, and on the committee were likewise Hon. Richard M. Kleberg, of Texas, and Hon. Everett M. Dirksen, of Illinois. In going to and through those countries we were uniformly met with cordiality and the high-

est degree of courtesy by all. We enjoyed meeting those fine people and visiting with them. We found them to be of the very highest type of citizens, handsomely endowed with grace and culture, certainly educated even beyond what had been the good fortune of many of us here.

One thing that impressed me more than all others was the fact of the great difference that we of this country have with our friends to the south, a difference which can be overcome. It is the difference in language. We found it very difficult to express ourselves to them and they to us, with the exception of one member of our committee, Hon. Richard M. Kleberg, of Texas, who spoke the Spanish language without accent, and perfectly in his choice of words. In an address of response to our cordial welcome which he was privileged to deliver on the floor of the congress of one of the great republics which we visited, he called attention to the fact that this difference between our country and those south of the border, the difference in language, should be overcome so that we might meet each other on a common plane of personal understanding.

Therefore, Mr. Speaker, it has been my hope ever since that the educators of this country and the people who are the parents of those being educated would do their utmost to see to it that the Spanish language, and on occasion the Portuguese language, which is spoken in Brazil, should be taught in our public schools in the United States. When we as individuals are able to understand our Latin-American neighbors when they speak in their own tongue and when they are able to understand us in ours, there need be no differences between us, because our minds can meet them on a common level of understanding. I hope that that happy circumstance transpires soon for all of us.

We salute here today the United States of Colombia, the United States of Brazil, the United States of Mexico, and all of the other great estados unidos del sud, our brother republics.

Mr. JARMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of a resolution which is at the Clerk's desk.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 226

Whereas April 14 has been proclaimed as Pan American Day on which proper attention is to be devoted to the solidarity and friendly relations of the American republics; and

Whereas by resolution adopted this House would have observed Pan-American Day in a session devoted exclusively to matters appropriate to that occasion on April 14 but for the untimely passing of President Roosevelt; and

Whereas this House has today, in a session postponed because of the country's bereavement, observed Pan-American Day in a session devoted exclusively to matters appropriate to such an occasion; and

Whereas Pan-American Day was widely celebrated throughout the American republics on April 14 and would have been much more widely celebrated in the United States but for the circumstances; and

Whereas the recent Inter-American Conference on problems of war and peace at Mexico City has given renewed emphasis and vitality to the principles of peaceful cooperation among the sovereign republics of this hemisphere: Now, therefore, be it

Resolved by the House of Representatives, That—

1. There is at this time expressed its faith in the principle of pan-American solidarity and its conviction that the development of closer relations, based on friendship and mutual understanding among the republics of this hemisphere, are of the highest importance to the welfare of the peoples of the Americas and to the world as a whole; and

2. The House of Representatives does hereby extend its cordial greetings to the clubs and meetings of persons throughout the 21 American republics who participated in the continental celebration of Pan American Day on April 14, or thereafter; and

3. That sufficient copies of this resolution shall be transmitted to President Sebastian Santandreu Herrera, of the permanent committee of the American Inter-Parliamentary Congress at Santiago, Chile, that he may transmit one to the other legislative bodies affiliated with that organization for their special attention.

The resolution was agreed to.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. RICHARDS (at the request of Mr. HARE), for 10 days, on account of official business.

To Mr. HANCOCK (at the request of Mr. GAMBLE), indefinitely, on account of illness.

To Mr. MASON, for 2 weeks, to attend Mayo Clinic for physical check-up.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2122. An act to extend to June 30, 1946, the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits;

H. R. 2687. An act to grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police force of the District of Columbia; and

H. J. Res. 103. Joint resolution to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort.

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 122. An act to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights and Measures, and Markets, of the District of Columbia; and for other purposes", approved March 3, 1921, as amended;

S. 123. An act to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes", approved March 3, 1925, and to amend section 15 thereof, as amended;

S. 124. An act to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924; and

S. 638. An act to amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes; and

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

ADJOURNMENT

Mr. JARMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Wednesday, April 25, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 10 o'clock a. m., Wednesday, April 25, 1945, to resume rebuttal testimony on H. R. 1362, Railroad Retirement.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will meet in executive session at 10:30 a. m., on Thursday, April 26, 1945, in the committee room, 256 House Office Building.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JOHNSON of Oklahoma: Committee on Appropriations. H. R. 3024. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes; without amendment (Rept. No. 437). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 439. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. SPENCE: Committee on Banking and Currency. H. R. 3060. A bill to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes; without amendment (Rept. No. 441). Referred to the Committee of the Whole House on the state of the Union.

Mr. LUTHER A. JOHNSON: Committee on Foreign Affairs. House Concurrent Resolution 39. Concurrent resolution to declare a governmental policy in relation to the apprehension and punishment of war criminals; with amendment (Rept. No. 442). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURCH: Committee on the Post Office and Post Roads. S. 906. An act granting a franking privilege to Anna Eleanor Roosevelt; with amendment (Rept. No. 440). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JOHNSON of Oklahoma:

H. R. 3024. A bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes; to the Committee of the Whole House on the state of the Union and ordered to be printed.

By Mr. BARRETT of Wyoming:

H. R. 3025. A bill authorizing the conveyance of certain lands to the city of Cheyenne, Wyo.; to the Committee on the Public Lands.

By Mr. SHAFER:

H. R. 3026. A bill to provide for crediting active service in the armed forces of the Dominion of Canada as military service for purposes of the Railroad Retirement Act of 1937, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. STOCKMAN:

H. R. 3027. A bill conferring jurisdiction upon the United States Court of Claims with respect to suit No. E346 entitled "*Klamath and Modoc Tribes and Yahooskin Band of Snake Indians* v. *United States*," and for other purposes; to the Committee on Indian Affairs.

By Mr. BONNER:

H. R. 3028. A bill to amend the act of August 17, 1937, as amended, relating to the establishment of the Cape Hatteras National Seashore Recreational Area in the State of North Carolina; to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. McGEHEE:

H. R. 3029. A bill for the relief of Ruby Doris Calvert, as administratrix of the estate of Frederick Calvert, deceased; to the Committee on Claims.

By Mr. SHAFER:

H. R. 3030. A bill granting a pension to Harry M. Snow; to the Committee on Pensions.

By Mr. SHEPPARD:

H. R. 3031. A bill for the relief of Walter A. Moffatt; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

427. By Mr. STEVENSON: Petition of John L. May and sundry other residents of Wisconsin relative to conducting an investigation at the Veterans' Administration facility at Wood, Wis.; to the Committee on World War Veterans' Legislation.

428. By Mr. GWINN of New York: Petition submitted by 957 residents of New York, protesting the enactment of House bill 2082 or any other prohibition legislation; to the Committee on the Judiciary.

SENATE

WEDNESDAY, APRIL 25, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

Our Father God, with earth's strident voices stilled, may the hush of Thy presence bow our spirits in reverence and contrition. Open our eyes to see Thee, not only in mystic moments of calm but in Thy brooding purposes in the history of these days on ages telling.

We are solemnly conscious this day of a cloud of invisible witnesses, the vast army of the valiant who, pouring out the sweet wine of youth through days of conflict and battle flame, have passed in splendor to their eternal glory that this very day might dawn. Our prayers at this noontide of hope and expectation join the intercessions of uncounted myriads who yearn for lasting peace that the gathering of the nations at the Golden Gate may find a gateway into a new world of mutual understanding, trust, cooperation, and power dedicated to progress and freedom for all peoples.

Especially we beseech Thy enabling grace upon those who in this momentous hour stand and speak for our dear land. In union with those of other lands who love freedom more than life, may there be laid the foundation of a new home for all humanity, a refuge from hate and strife for all nations whose walls are brotherhood and whose radiant promise is peace on earth to men of good will. We ask it in the Redeemer's name. Amen.

THE JOURNAL

On request of Mr. HATCH, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, April 24, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF THE BILL

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that on April 24, 1945, the President had approved and signed the act (S. 514) for the relief of the Baldwin Bros. Paving Co.

TRIBUTE TO THE MEMORY OF FRANKLIN D. ROOSEVELT BY THE CHILEAN SENATE

The PRESIDENT pro tempore. The Chair has received a cablegram from the Honorable Hernán Videla Lira, Vice President of the Chilean Senate, announcing the adoption of a resolution by the Chilean Senate on April 13 in memory of our late President, Franklin Delano Roosevelt. The Chair feels sure that all Senators, and, indeed, all other Americans, will be proud of the action of the Chilean Senate, and, therefore, without objection, the cablegram will be printed in the RECORD, both in Spanish and in English.

The cablegram, which was ordered to lie on the table, is as follows:

SANTIAGO DE CHILE, *April 13, 1945.*

PRESIDENTE SENADO DE ESTADOS UNDISO,
Washington, D. C.:

Cumpleme manifestar 4. E. que el Senado de Chile se Constitituyo Especialmente en sesion en el dia de hoy para renbir el homenaje de su admiracion y respeta a la memoria del ilustre Republico y Egregio Americano que fuera el ex Presidente Franklin Delano Roosevelt y aprobar ademas un proyecto de ley que junto con dalre caracter national al duelo que aflije a esa nacion mermana autoriza para erajar en honor de tan preciiaro cuidadano y por suscripcion popular un monumento que represente la parte de Chile en el reconcocimiento que America y el mundo le deben por su accion infatigable para asentar de manera definitiva las ideas de dignidad humana justica y libertad que informan la democracia punto reciba 4. E. y la honorable corporacion de su digna presidencia las expresiones de pesar del Senado de Chile punto.

HERNÁN VIDELA LIRA,
Vice Presidente, Senado Chile.

[Translation]

SANTIAGO DE CHILE, *April 13, 1945.*

PRESIDENT OF THE SENATE OF THE UNITED STATES,
Washington, D. C.:

I have the honor to inform Your Excellency that the Senate of Chile met in special session today in order to pay the tribute of its admiration and respect to the memory of that illustrious champion of democracy and outstanding American, the late President Franklin Delano Roosevelt, and, furthermore, in order to approve a bill which not only gives national character to the mourning which afflicts your sister nation but also authorizes the erection, in honor of so outstanding a citizen by popular subscription, of a monument representing Chile's part in the gratitude which America and the world owe him for his indefatigable efforts to establish in a definite manner the ideas of human dignity, justice, and liberty, which give shape to democracy. Accept, Excellency, for yourself and for the honorable body over which you preside, the expressions of sympathy of the Senate of Chile.

HERNÁN VIDELA LIRA,
Vice President of the Senate of Chile.

THE BUILDING OF A LASTING PEACE—OPEN LETTER FROM LT. EDWARD PEARY STAFFORD, U. S. N. R.

Mr. WHITE. Mr. President, contrary to my usual custom, I ask unanimous consent to include in the RECORD as a part of my remarks an open letter which just came to me this morning from Lt. Edward Peary Stafford, U. S. N. R., a grandson of Admiral Peary, who raised the American flag at the North Pole. It is such an extraordinary letter from a young man in the service of his country that I think it appropriate that it should be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the letter will be printed in the RECORD.

The letter is as follows:

It is safe to say now that the end is in sight. Whatever lies between this hour and

that tense moment in some formal room when the scratching of the official pen silences the guns around the world, at that moment the burden of responsibility will shift. Until then, it is ours; after then, it goes to you. While there is still time, and while the nations still depend for their lives and their freedom on the strength of our arms, we would like to repeat the facts and ideals that may have become obscured beneath the triumphant headlines and the bustling routine of the home front.

Twenty-six years ago this fall, you were finishing up a war yourselves. You came home successful and happy, glad to be rid of the stench and the mud and the lice of the trenches, proud that you had justified the faith of the war-tired people of the world. And then, in some way you were able to figure out, as the post-war months and years went by, it began to appear that the faith had not been justified at all, that your friends had not died for a "war to end wars," but for a couple of decades of truce. Very soon it was eviden that the dirty job was all to do over again, only harder—and we have had to do it.

Gentlemen, you are the Covernment of the United States. It is unthinkable that this horror can happen yet again. It is unthinkable that our friends, too, should have died in the pestholes of the earth for a few fretful years between wars. We demand that you bend every resource of your trained, mature minds and every ounce of the courage and integrity for which you were elected, toward the building of a lasting peace.

We are young and tired and there is dust and salt spray and blood in our eyes; our hearts are sore from the endless ache of separation—it is your job. You must do it for good and forever.

We give you, at the long green tables of the conference, with the mightiest of the nations behind you, our trust and our confidence. We promise you, if you succeed, the heart-deep thanks of all the little people to whom we have talked in all the corners of the earth; the little people who always take the beatings when the nations go berserk. We promise you that your names will be spoken with reverence and gratitude for a thousand years, in every language that man speaks.

If you try with all your hearts and all your minds and all your might—and fail—you shall have the warm handgrasp of sympathy and sorrow and understanding.

Gentlemen, if you fail for any reason humanly surmountable in that hour of mankind's greatest need, we, and the world, will never forgive or forget.

EDWARD PEARY STAFFORD,
Lieutenant, U. S. N. R.

THE OPENING OF THE SAN FRANCISCO CONFERENCE

Mr. WILEY. Mr. President, all the world knows that today in the city of San Francisco, the representatives of the peoples of the earth are gathered in a high and solemn undertaking. They are assembled to effectuate an instrument which will make for a just and enduring peace if humanly possible.

The eyes of all mankind glow today with a light of hope. The hearts of mankind, heavy with the woes of war, are uplifted. The lips of mankind part in prayer that vision and guidance may come to the delegates of the United Nations. May they receive this benediction of the Master: "Blessed are the peacemakers, for theirs is the Kingdom of Heaven."

The city of San Francisco is well named after St. Francis of Assisi. In the year 1226, St. Francis uttered a prayer which has rung down through the centuries and which is most fitting for this day. My brother Senator from New Jersey [Mr. HAWKES] presented me a little card on which this prayer was printed, and I should like to read from it now:

Lord, make me an instrument of Your peace; where there is hatred, let me sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

O Divine Master, grant that I may not so much seek to be consoled as to console; to be understood, as to understand; to be loved, as to love, for it is in giving that we receive; it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life.

It is the deep and earnest yearning of mankind that this prayer of St. Francis be fulfilled for the delegates at the Golden Gate. For through such fulfilment, power and inspiration may come to them to build well the edifice of peace.

LEAVE OF ABSENCE

Mr. MORSE. Mr. President, I have an engagement with the Navy Department today for 12:30, on official business, and I ask leave of absence from the Senate until such time as I am able to return.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Oregon? The Chair hears none, and leave is granted.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on April 24, 1945, he presented to the President of the United States the following enrolled bills:

S. 122. An act to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to define the duties of the Superintendent of Weights, Measures, and Markets, of the District of Columbia; and for other purposes," approved March 3, 1921, as amended;

S. 123. An act to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended;

S. 124. An act to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924; and

S. 638. An act to amend the Code of Laws of the District of Columbia by adding a new section 543a, and providing for the recording of veterans' discharge certificates.

MEMORIALS

The PRESIDENT pro tempore laid befor the Senate memorials, numerously signed, of sundry citizens of Margate City and vicinity, in the State of New Jersey, remonstrating against the enactment of House bill 2082, to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war, which were referred to the Committee on the Judiciary.

LIQUOR TRAFFIC ON THE FIGHTING FRONTS—PETITION

Mr. WHITE. Mr. President, I ask unanimous consent to present for appropriate reference a petition signed by various citizens of Norway, Maine, with respect to the liquor traffic on the fighting fronts.

The PRESIDENT pro tempore. Without objection, the petition will be received and referred to the Committee on Military Affairs.

PROHIBITION OF LIQUOR SALES AROUND MILITARY CAMPS—PETITION

Mr. TUNNELL. Mr. President, I have received a petition with 167 signatures of citizens of mine in the State of Delaware who are praying for the enactment of Senate bill 860, relating to the sale of alcoholic liquors to the members of the land and naval forces of the United States. I ask unanimous consent to present the petition and that it be appropriately referred.

The PRESIDENT pro tempore. Without objection, the petition will be received and referred to the Committee on Military Affairs.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

S. 925. A bill authorizing the Postmaster General to continue to use post office clerks and city letter carriers interchangeably; to the Committee on Post Offices and Post Roads.

By Mr. WHEELER:

S. 926. A bill to amend section 409 of the Interstate Commerce Act, as amended; to the Committee on Interstate Commerce.

S. 927. A bill to revive and reenact the act entitled "An act granting the consent of Congress to the State of Montana, or the counties of Roosevelt, Richland, and McCone, singly or jointly, to construct, maintain, and operate a free highway bridge across the Missouri River, at or near Poplar, Mont.," approved July 28, 1937; to the Committee on Commerce.

By Mr. HILL (for Mr. CONNALLY):

S. 928. A bill to provide for the promotion of American prisoners of war; to the Committee on Military Affairs.

By Mr. HILL (for Mr. ANDREWS):

S. 929. A bill for the relief of Mrs. Marie J. Huffman; to the Committee on Claims.

By Mr. TAFT:

S. 930. A bill to amend section 451 of the Tariff Act of 1930, as amended; to the Committee on Finance.

FEDERAL AID FOR PUBLIC AIRPORTS—AMENDMENT

Mr. JOHNSON of Colorado submitted an amendment intended to be proposed by him to the bill (S. 2) to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes, which was referred to the Committee on Commerce and ordered to be printed.

PROBLEMS CONFRONTING THE CLOTHING INDUSTRY—ADDRESS BY SENATOR MURRAY

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address on the subject of the problems confronting the clothing industry, delivered by him before the Woolen Wholesalers National Association, Inc., at New York City on April 11, 1945, which appears in the Appendix.]

BATTLE OF THE WARSAW GHETTO—ADDRESS BY SENATOR LANGER

[Mr. LANGER asked and obtained leave to have printed in the RECORD an address delivered by him at the Never Back to the

Ghetto rally, in Carnegie Hall, New York, April 19, 1945, which appears in the Appendix.]

TRAGEDY—AND A CHALLENGE—FACE AMERICA—ARTICLE BY SENATOR LA FOLLETTE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an article entitled "Tragedy—And a Challenge—Face America," written by Senator LA FOLLETTE and published in the Progressive of April 23, 1945, which appears in the Appendix.]

ADDRESS BY FORMER SENATOR F. RYAN DUFFY AT MEMORIAL SERVICES FOR THE LATE PRESIDENT ROOSEVELT

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD an address delivered by Hon. F. Ryan Duffy, former United States Senator, at memorial services for the late President Franklin D. Roosevelt, at Milwaukee, Wis., on April 15, 1945, which appears in the Appendix.]

TRIBUTE TO THE LATE PRESIDENT ROOSEVELT

[Mr. JOHNSON of Colorado asked and obtained leave to have printed in the RECORD an address delivered by W. W. Grant at a memorial service for the late President Franklin Delano Roosevelt, held by the Denver (Colo.) Chamber of Commerce on April 13, 1945, which appears in the Appendix.]

MOONBEAMS THAT UNITE—EDITORIAL FROM CHARLESTON (S. C.) NEWS-COURIER

[Mr. MAYBANK asked and obtained leave to have printed in the RECORD an editorial entitled "Moonbeams That Unite," published in the Charleston (S. C.) News-Courier of January 12, 1945, which appears in the Appendix.]

CALL OF THE ROLL

Mr. HILL. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Hayden	O'Daniel
Austin	Hill	Radcliffe
Brewster	Hoey	Revercomb
Burton	Johnson, Colo.	Robertson
Butler	Johnston, S. C.	Smith
Capper	La Follette	Stewart
Chavez	McCarran	Taft
Donnell	McClellan	Taylor
Eastland	McFarland	Tunnell
Ferguson	McKellar	Tydings
Fulbright	Maybank	Walsh
Gerry	Millikin	White
Green	Mitchell	Wiley
Guffey	Moore	Wilson
Gurney	Morse	Young
Hatch	Murdock	
Hawkes	Murray	

Mr. STEWART. Mr. President, I should like to make an announcement concerning three Senators. This morning we were holding hearings in the Small Business Committee on surplus property problems, and at the hearing there were present the Senator from Louisiana [Mr. ELLENDER], the Senator from Delaware [Mr. BUCK], and the Senator from Connecticut [Mr. HART]. In the event they do not reach the Senate Chamber before the completion of the quorum call, I wish to have in the RECORD the announcement that they are detained on account of this committee work. They are at this moment actually in the committee room conducting this hearing.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent visiting various concentration and prison camps in Europe.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference in San Francisco.

The Senator from Missouri [Mr. BRIGGS] and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from Pennsylvania [Mr. MYERS] is absent attending the funeral of his father.

The Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Mississippi [Mr. BILBO], the Senator from Virginia [Mr. BYRD], the Senator from Kentucky [Mr. CHANDLER], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Illinois [Mr. LUCAS], the Senator from Washington [Mr. MAGNUSON], the Senator from Connecticut [Mr. MCMAHON], the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Louisiana [Mr. OVERTON], the Senator from Georgia [Mr. RUSSELL], the Senator from Oklahoma [Mr. THOMAS], and the Senator from New York [Mr. WAGNER] are absent attending committee meetings and public business pertaining to their respective States.

Mr. WHITE. The Senator from Minnesota [Mr. BALL] is absent because of a death in his family.

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from Iowa [Mr. HICKENLOOPER] is detained on official departmental business.

The following Senators are detained in committee meetings and on official business:

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Indiana [Mr. CAPEHART], the Senator from Oregon [Mr. CORDON], the Senator from Connecticut [Mr. HART], the Senator from North Dakota [Mr. LANGER], the Senator from Kansas [Mr. REED], the Senator from Minnesota [Mr. SHIPSTEAD], the Senator from New Hampshire [Mr. TOBEY], and the Senator from Indiana [Mr. WILLIS].

The PRESIDENT pro tempore. Forty-nine Senators having answered to their names, a quorum is present.

Mr. MCMAHON subsequently said: Mr. President, I ask that the RECORD show that when the quorum call was had I was attending a committee meeting in the Committee on Small Business.

The PRESIDENT pro tempore. The RECORD will so show.

APPROPRIATIONS FOR DEPARTMENTS OF STATE, JUSTICE, ETC.

The Senate resumed the consideration of the bill (H. R. 2603) making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes.

Mr. MCCARRAN. Mr. President, this is the bill making annual appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and the Federal Loan Agency. I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that committee amendments be first considered.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will proceed to state the amendments of the Committee on Appropriations.

The first amendment of the Committee on Appropriations was, under the heading "Title I—Department of State—Office of the Secretary of State," on page 2, line 8, after the word "State", to strike out "$9,600,000" and insert "$10,000,000."

The amendment was agreed to.

The next amendment was, on page 3, line 9, after the word "including", to insert "not to exceed $10,000 for"; and in line 25, after the word "foregoing", to strike out "$750,000" and insert "$810,000."

The amendment was agreed to.

The next amendment was, on page 5, line 12, after the words "per day" and the semicolon, to insert "not to exceed $500 for."

The amendment was agreed to.

The next amendment was, under the subhead "Foreign service," on page 8, line 2, after "(22 U. S. C. 20)", to strike out "$4,850,000" and insert "$4,500,000."

The amendment was agreed to.

The next amendment was, on page 9, line 10, after the word "duties" and the semicolon, to strike out "$2,000,000" and insert "$2,100,000."

The amendment was agreed to.

The next amendment was, on page 9, line 21, after the word "light", to strike out "$3,280,000" and insert "$3,563,000."

The amendment was agreed to.

The next amendment was, on page 10, line 16, after the word "efficiently", to strike out "$2,100,000" and insert "$2,200,000."

The amendment was agreed to.

The next amendment was, on page 11, line 8, after the word "services", to strike out "$4,150,000" and insert "$4,287,000."

The amendment was agreed to.

The next amendment was, on page 12, line 3, after the word "necessary", to strike out "$1,650,000" and insert "$1,725,000."

The amendment was agreed to.

The next amendment was, on page 13, line 1, after the numerals "1945",

to strike out "$6,000,000" and insert "$6,289,000."

The amendment was agreed to.

The next amendment was, on page 15, line 19, after the word "necessary", to strike out "$8,000,000" and insert "$8,460,000."

The amendment was agreed to.

The next amendment was, on page 16, after line 3, to insert:

Foreign Service buildings fund: For the purpose of carrying into effect the provisions of the act of May 25, 1938, entitled "An act to provide additional funds for buildings for the use of the diplomatic and consular establishments of the United States" (22 U. S. C. 295a), including the initial alterations, repair, and furnishing of buildings acquired under said act, $1,000,000.

The amendment was agreed to.

The next amendment was, on page 16, line 15, after "(31 U. S. C. 107)", to strike out "$16,000,000" and insert "$18,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "International Obligations" on page 24, after line 14, to insert:

Rio Grande emergency flood protection: For emergency flood-control work, including protection, reconstruction, and repair of all structures under the jurisdiction of the International Boundary Commission, United States and Mexico, threatened or damaged by flood waters of the Rio Grande, which have heretofore been authorized and erected under the provisions of treaties between the United States and Mexico, or in pursuance of Federal laws authorizing improvements on the Rio Grande, including the objects specified in this act under the head "Construction, operation, and maintenance, public-works project," to be immediately available and to remain available until expended, $20,000.

The amendment was agreed to.

The next amendment was, on page 30, line 6, before the word "expenses", to insert "not to exceed $5,000 for"; and on page 31, line 4, after the word "enlargements", to strike out "$4,330,000" and insert "$4,000,000."

The amendment was agreed to.

The next amendment was, under the heading "Title II—Department of Justice—Legal activities and general administration," on page 34, after line 20, to insert:

Salaries and expenses, War Division: For all salaries and expenses in the District of Columbia and elsewhere necessary for the enforcement of acts relating to the national security and war effort and in connection with the registration and control of alien enemies, including the employment of experts; supplies and equipment; printing and binding; travel expenses; stenographic reporting services by contract; books of reference, periodicals, and newspapers (not exceeding $4,000), $390,000.

The amendment was agreed to.

The next amendment was, under the subhead "Immigration and Naturalization Service," on page 42, line 9, after the word "expenses", to insert a comma and "including not to exceed $5,000 for attendance at meetings concerned with the purposes of this appropriation"; and in line 25, after the word "thereto" and the semicolon, to strike out "$21,000,000" and insert "$24,900,000."

The amendment was agreed to.

The next amendment was, under the subhead "Federal prison system," on page 45, line 3, after the word "automobiles" and the semicolon, to insert "not to exceed $10,000 for."

The amendment was agreed to.

The next amendment was, under the heading "Title III—Department of Commerce—Bureau of the Census," on page 50, line 7, after "(not exceeding $200)", to strike out "$4,757,000" and insert "$5,318,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Administrator of Civil Aeronautics," on page 50, line 21, after the word "automobiles", to strike out "$2,680,000" and insert "$3,046,138."

The amendment was agreed to.

The next amendment was, on page 51, line 7, after the word "automobiles", to strike out "$9,400,000" and insert "$14,729,000"; and in line 11, after the word "fund", to insert a colon and "*Provided further*, That not to exceed $2,750,000 of this amount shall be available for the establishment of landing areas."

The amendment was agreed to.

The next amendment was, on page 51, line 19, after the word "automobiles", to strike out "$24,000,000" and insert "$24,300,000."

The amendment was agreed to.

The next amendment was, on page 52, line 12, after the word "specifications", to strike out "$675,000" and insert "$850,000."

The amendment was agreed to.

The next amendment was, on page 52, line 19, after the word "automobiles", to strike out "$3,050,000" and insert "$3,112,000."

The amendment was agreed to.

The next amendment was, on page 53, line 2, after the word "automobiles", to strike out "$300,000" and insert "$425,000."

The amendment was agreed to.

The next amendment was, on page 53, line 9, after the word "therefor", to strike out the comma and "not to exceed fifty-five"; and in line 11, after the word "Department", to strike out "in accordance with the schedule in the Budget under this head."

The amendment was agreed to.

The next amendment was, under the subhead "Coast and Geodetic Survey," on page 57, line 24, after the figures "$3,180,000", to insert a comma and "of which $10,000 shall be immediately available."

The amendment was agreed to.

The next amendment was, under the subhead "National Bureau of Standards," on page 64, line 8, after the word "standards", to strike out "$1,250,000" and insert "$1,325,000."

The amendment was agreed to.

The next amendment was, under the heading "Title IV—the Judiciary—Court of Claims," on page 71, line 18, after the word "regular", to insert "and five additional"; and on page 72, line 3, after the numerals "1930", to insert a comma and "and as also amended by an act approved July 1, 1944."

The amendment was agreed to.

The PRESIDENT pro tempore. That completes the committee amendments.

Mr. McCARRAN. On behalf of the committee I offer an amendment, which I send to the desk for which I ask immediate consideration.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 20, in line 23, after the sum it is proposed to insert "of which $400,000 shall be immediately available."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee I offer another amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 16, in line 3, after the word "countries", it is proposed to insert "*Provided further*, That reimbursements incident to the maintenance of commissary service authorized under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received: *Provided further*, That a detailed report shall be made to Congress annually of the receipts and expenditures of said commissary service."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee I offer another amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 16, in line 18, after the word "Columbia", it is proposed to insert: "*Provided*, That all refunds, repayments, or other credits on account of funds disbursed under this head shall be credited to the appropriation for this purpose current at the time obligations are incurred or such amounts are received."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee I offer an amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 20, in line 23, after the word "organization", it is proposed to insert "printing and binding without regard to section 11 of the act of March 1, 1919 (44 U. S. C. 111); entertainment; and representation allowances as authorized by the act of February 23, 1931, as amended (22 U. S. C. 12, 23c)."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee I offer another amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 28, after line 21, it is proposed to insert:

Conference of Allied Ministers of Education in London: For all necessary expenses of the participation by the United States in the Conference of Allied Ministers of Education in London, or its successor, and in addition for surveys and studies related to the work thereof, including personal services in the District

of Columbia and elsewhere without regard to civil-service and classification laws; travel expenses without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; entertainment, stenographic reporting and other services by contract, books of reference and periodicals, and rent of office space, without regard ot section 3709 of the Revised Statutes; printing and binding; and the share of the United States in the expenses of the secretariat of the conference; $172,000, payable from the appropriation "Emergency fund for the President," contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee I offer another amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 28, after line 21, it is proposed to insert:

Cultural relations with China and the neighboring countries and countries of the Near East and Africa: For all expenses, without regard to section 3709 of the Revised Statutes, necessary to enable the Secretary of State independently or in cooperation with other agencies of the Government to carry out a program of cultural relations with China and the neighboring countries and with countries of the Near East and Africa, $1,390,000 (payable from the appropriation "Emergency fund for the President," contained in the First Supplemental National Defense Appropriation Act, 1943, as supplemented and amended), including the purchase of books, publications, scientific and other equipment, and educational and cultural materials; contributions of money and materials to, and contracts with, educational, cultural, and nonprofit institutions and organizations in the United States and the above countries, directly or through independent agencies; compensation, allowances, and grants to citizens of the United States and the above countries who are students, professors, or technical specialists, at such rates and under such regulations as may be determined by the Secretary of State, including expenses incurred by such persons in traveling between places of residence, Washington, D. C., and posts of duty abroad, and including travel expenses of citizens of the above countries without regard to the Standardized Government Travel Regulations and the Subsistence Expense Act of 1926, as amended; advance of moneys without regard to section 3648 of the Revised Statutes; printing and binding; and not to exceed $20,000 shall be available for temporary employment of persons or organizations, by contract or otherwise, without regard to the civil-service and classification laws; and, subject to the approval of the President, the Secretary of State is authorized to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the above countries any part of this amount for direct expenditure by such department, agency, or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee I offer another amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 30, in line 21, after the word "adopt", it is proposed to insert "to pay the actual transportation expenses and not to exceed $10 per diem in lieu of subsistence and other expenses, of citizens of the other American republics while traveling in the Western Hemisphere, without regard to the Standardized Government Travel Regulations, and to make advances of funds notwithstanding section 3648 of the Revised Statutes."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee, and under notice heretofore given of a motion to suspend the rule, I offer an amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 31, in line 6, after the word "discretion", it is proposed to insert "and, subject to the approval of the President, to transfer from this appropriation to other departments, agencies, and independent establishments of the Government for expenditure in the United States and in the other American republics any part of this amount for direct expenditure by such department or independent establishment for the purposes of this appropriation and any such expenditures may be made under the specific authority herein contained or under the authority governing the activities of the department, agency, or independent establishment to which amounts are transferred: *Provided further*, That not to exceed $100,000 of this appropriation shall be available until June 30, 1947."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee and under the notice heretofore given by me of a motion to suspend the rule I offer another amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 32, after line 14, it is proposed to insert:

Not to exceed $250,000 of the foregoing appropriations for personal services shall be available for the employment, on duties properly chargeable to each of said appropriations, of special assistants to the Attorney General without regard to the Classification Act of 1923, as amended.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee and under the notice heretofore given by me of a motion to suspend the rule I offer another amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 33, in line 14, after the word "reference", it is proposed to insert "and employment of special attorneys and expert witnesses at such rates of compensation as may be authorized or approved by the Attorney General or his Administrative Assistant."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee and under the notice heretofore given by me of a motion to suspend the rule I offer another amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 37, in line 8, after the sum it is proposed to insert "*Provided*, That United States marshals and their deputies may be allowed, in lieu of actual expenses of transportation, not to exceed 4 cents per mile for the use of privately owned automobiles when traveling on official business within the limits of their official station."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee and under the notice heretofore given by me of a motion to suspend the rule I offer another amendment which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 43, in line 6, it is proposed to strike out the semicolon and insert "*Provided further*, That this appropriation shall be available without regard to section 3709 of the Revised Statutes or section 322 of the act of June 30, 1932 (40 U. S. C. 278a), when authorized or approved by the Attorney General, for the acquisition of or alterations, improvements, and repairs to premises."

Mr. LA FOLLETTE. Mr. President, before that amendment is agreed to will the Senator from Nevada explain what section of the statute it is proposed to suspend?

Mr. McCARRAN. It is the one in which the statute provides for calling for bids, and the amendment would suspend the statute because of conditions which prevail.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. On behalf of the committee and under the notice heretofore given by me of a motion to suspend the rule, I offer another amendment, which I ask to have stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 45, in line 13, after the sum, it is proposed to insert "*Provided*, That section 3709 of the Revised Statutes shall not be construed to apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed $500."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 48, line 7, after the numerals, it is proposed to insert "*Provided*, That hereafter the Secretary may designate an officer of the Department to sign minor routine official papers and documents during the temporary absence of the Secretary, the Under Secretary, and the Assistant Secretary of the Department."

The amendment was agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 49, line 15, after the word "imports", is is proposed to insert "temporary employees at rates to be fixed by the Director of the Census without regard to the Classification Act."

The amendment was agreed to.

Mr. LA FOLLETTE. Mr. President, I should like to make a general request of the Senator. When he comes to an amendment which has not been carried in previous bills, I wish he would call attention to it.

Mr. McCARRAN. I will do so. These amendments have all been carried in previous bills.

Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 49, line 24, after the word "tolls", it is proposed to insert "and not to exceed 3 cents per mile for travel performed in privately owned automobiles within the limits of their official posts of duty, of employees engaged in census enumeration or surveys."

The amendment was agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 50, line 18, after the semicolon, it is proposed to ininsert "not to exceed $5,000 in fiscal year 1946 for entertainment of officials in the field of aviation of other countries when specifically authorized and approved by the Administrator."

The amendment was agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 51, line 9, after the word "available", it is proposed to insert "without warrant action."

The amendment was agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 51, line 19, after the semicolon, it is proposed to insert "and not to exceed 3 cents per mile for travel, in privately owned automobiles within the limits of their official posts of duty, of employees engaged in the maintenance and operation of remotely controlled air-navigation facilities."

The amendment was agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 54, line 2, after the numerals "1946", it is proposed to insert "without warrant action."

The amendment was agreed to.

Mr. McCARRAN. Mr. President on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 55, lines 3 and 4, it is proposed to strike out "experts, and guards on a contract or fee basis" and insert "and experts, and in the case of airplane accidents the employment of temporary guards on a contract or fee basis without regard to section 3709 of the Revised Statutes."

The amendment was agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 67, line 21, before the semicolon, it is proposed to insert "the proceeds from such resales to be credited to the appropriation from which the expenditure for such supplies was made and a report shall be made to Congress annually showing the expenditures made for such supplies and the proceeds from such resales."

The amendment was agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 68, after line 2, it is proposed to insert:

During the fiscal year 1946 the Secretary of Commerce may delegate his authority to subordinate officials of the Coast and Geodetic Survey, the Weather Bureau, and the Civil Aeronautics Administration, to authorize payment of expenses of travel and transportation of household goods of officers and employees on change of official station: *Provided*, That in no case shall such authority be delegated to any official below the level of the heads of regional or field offices.

The amendment was agreed to.

Mr. McCARRAN. Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 63, after line 2, it is proposed to insert:

Not to exceed $1,000 of the appropriations in the Department of Commerce Appropriation Act, 1945, available for travel shall be available under regulations to be prescribed by the Secretary of Commerce for obligations incurred by officers and employees of the Department of Commerce for traveling expenses of returning members of their immediate families from outlying Territories and possessions of the United States to their former homes in the United States or points of not further distance, since the outbreak of hostilities in December 1941, regardless of the fiscal year during which such obligations were incurred.

Mr. McCARRAN. Mr. President, in compliance with the suggestion of the Senator from Wisconsin, the last amendment stated, and not yet adopted, is a new amendment, in that it has not been in previous bills. If the Senator desires an explanation, I shall try to give it.

Mr. LA FOLLETTE. Mr. President, it seems to me that the purpose of the amendment appears on its face. I will not ask the Senator to go into it.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nevada.

The amendment was agreed to.

Mr. BURTON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BURTON. I should like to have it appear of record in the proceedings today that although there are 20 or 25 of these amendments being presented on behalf of the committee, each of the amendments was given the most careful consideration in the committee and in the subcommittee headed by the Senator from Nevada.

The reason why there are so many of them is that in connection with this bill the House followed a somewhat different procedure from that which it had theretofore followed. It had no general rule for the consideration of the bill. Therefore a point of order was raised against every provision of a legislative nature in the bill. The net effect was to cause a review by the Senate committee of many provisions which ordinarily have been adopted without comment. I think the effect was healthy, in that a number of the amendments were corrected, and hereafter a number of them will be placed in subsequent legislation, so that

they will not come up in the same manner again. I believe that the Committee on Appropriations has given adequate consideration to each of the amendments presented here today. Although there may be a great number of them, that is no evidence of lack of full consideration of the merits of each, and the appropriateness of each for adoption at this time.

Mr. McCARRAN. Mr. President, I am very grateful to the Senator for his explanation.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. FERGUSON. I think the RECORD should also show that it is the policy of the Committee on Appropriations that these legislative matters will not again appear in an appropriation bill. The bureaus and departments are to be notified as to the future policy of the committee.

Mr. McCARRAN. Let me say that both the chairman of the Appropriations Committee of the House and the acting chairman of the Appropriations Committee of the Senate have carried out the suggestion just made by the Senator from Michigan. The departments are being notified that as the emergency passes, it will be necessary for them either to comply with existing law or, if they find it necessary to have a change in the law, to have the change sent forward and properly enacted in a legislative bill.

Mr. President, on behalf of the committee, and under the notice heretofore given by me of a motion to suspend the rule, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Nevada will be stated.

The CHIEF CLERK. On page 75, after line 16, it is proposed to insert:

Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, $1,400,000: *Provided*, That the compensation of secretaries and law clerks of circuit and district judges (exclusive of any temporary additional compensation) shall be fixed by the Director of the Administrative Office without regard to the Classification Act of 1923, as amended, except that the salary of a secretary shall conform with that of the main (CAF-4), senior (CAF-5), or principal (CAF-6) clerical grade, or assistant (CAF-7), or associate (CAF-8) administrative grade, as the appointing judge shall determine, and the salary of a law clerk shall conform with that of the junior (P-1), assistant (P-2), associate (P-3), full (P-4), or senior (P-5) professional grade, as the appointing judge shall determine, subject to review by the judicial council of the circuit if requested by the Director, such determination by the judge otherwise to be final: *Provided further*, That (exclusive of any temporary additional compensation) the aggregate salaries paid to secretaries and law clerks appointed by one judge shall not exceed $6,500 per annum, except in the case of the senior circuit judge of each circuit and senior district judge of each district having five or more district judges, in which case the aggregate salaries shall not exceed $7,500.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 2603) was read the third time and passed.

Mr. McCARRAN. I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. McCARRAN, Mr. McKELLAR, Mr. RUSSELL, Mr. BANKHEAD, Mr. CONNALLY, Mr. WHITE, Mr. BURTON and Mr. BALL conferees on the part of the Senate.

CALL OF THE ROLL

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Gurney	Murdock
Austin	Hart	Murray
Bailey	Hatch	O'Daniel
Bankhead	Hawkes	Radcliffe
Brewster	Hayden	Reed
Bridges	Hill	Revercomb
Burton	Hoey	Robertson
Bushfield	Johnson, Colo.	Russell
Butler	Johnston, S. C.	Smith
Byrd	La Follette	Stewart
Capehart	Langer	Taft
Capper	Lucas	Taylor
Chavez	McCarran	Tobey
Donnell	McClellan	Tunnell
Downey	McFarland	Tydings
Eastland	McKellar	Wagner
Ferguson	McMahon	Walsh
Fulbright	Maybank	White
Gerry	Millikin	Wiley
Green	Mitchell	Wilson
Guffey	Moore	Young

The PRESIDENT pro tempore. Sixty-three Senators having answered to their names, a quorum is present.

THE CALENDAR

Mr. HILL. I ask unanimous consent that the Senate proceed to consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 177, where consideration of the calendar was suspended at the last call.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerk will proceed to state the measures on the calendar to which there is no objection, beginning with Calendar No. 177.

ESCAPES OF PRISONERS OF WAR AND INTERNED ENEMY ALIENS

The bill (H. R. 1525) relating to escapes of prisoners of war and interned enemy aliens was considered, ordered to a third reading, read the third time, and passed.

ESCAPED CONVICTS TRAVELING FROM ONE STATE TO ANOTHER

The bill (S. 496) to make it a criminal offense for certain escaped convicts to travel from one State to another was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act making it unlawful for any person to flee from one State to another for the purpose of avoiding prosecution or the giving of testimony in certain cases," approved May 18, 1934 (48 Stat. 782; 18 U. S. C. 408e), be, and it hereby is, amended to read as follows:

"That it shall be unlawful for any person to move or travel in interstate or foreign commerce from any State, Territory, or possession of the United States, or the District of Columbia, with intent either (1) to avoid prosecution, or custody or confinement after conviction for murder, kidnaping, burglary, robbery, mayhem, rape, assault with a dangerous weapon, or extortion accompanied by threats of violence, or attempt to commit any of the foregoing, under the laws of the place from which he flees; or (2) to avoid giving testimony in any criminal proceedings in such place in which the commission of a felony is charged. Any person who violates the provision of this act shall, upon conviction thereof, be punished by a fine of not more than $5,000 or by imprisonment for not longer than 5 years, or by both such fine and imprisonment. Violations of this act may be prosecuted only in the Federal judicial district in which the original crime was alleged to have been committed or in which the person was held in custody or confinement."

PROMOTION OF CERTAIN AMERICAN PRISONERS OF WAR

The bill (S. 421) to provide for the promotion of certain American prisoners of war was considered; ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That effective December 8, 1942, each officer of the Army, Navy (including the Coast Guard), or Marine Corps below the grade of colonel or corresponding grade in the other services, and each warrant officer and enlisted man below the grade of master sergeant or corresponding grade in the other services, who was serving in the Philippine Islands, Wake, Guam, Java, or other Pacific or Asiatic ocean areas, on December 8, 1941, and who is now a prisoner of war, shall be advanced one grade from the grade he held on that date; and similar promotions shall be made December 8, 1943, and December 8 in each year thereafter in the case of each person below the grades above specified on such dates, respectively: *Provided*, That nothing in this act shall be construed to reduce the grade or pay of any person promoted between December 8, 1941, and the date of his capture.

SEC. 2. Each of the persons specified in section 1 who, by reason of the character of his service, such as aviation personnel, persons serving on submarine duty, and the like, received special pay, shall continue to receive such pay during the time he is a prisoner of war notwithstanding the fact that by reason of his status he is unable to engage in the service qualifying him for such additional pay.

RETIREMENT OF ENLISTED MEN FOR DISABILITY

The bill (H. R. 1701) to amend section 2, Public Law, 140, Seventy-seventh Congress, was announced as next in order.

Mr. WHITE. Mr. President, may we have an explanation of the bill from some member of the Committee on Military Affairs?

The PRESIDENT pro tempore. The Senator from Utah is not present.

Mr. WHITE. Then I ask that the bill be passed over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. WHITE subsequently said: Mr. President, I ask unanimous consent to recur to Calendar No. 180, House bill 1701, which was passed over.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. WHITE. The bill was passed over at my request. I have since had an opportunity to discuss the matter with the senior Senator from Vermont [Mr. AUSTIN]. I withdraw any objection which I had, and express the hope that the bill will be passed.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 1701) was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (H. R. 2388) to provide for enlistments in the Regular Army during the period of the war, and for other purposes, was announced as next in order.

Mr. LANGER. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (H. R. 2348) to provide for the coverage of certain drugs under the Federal narcotic laws was announced as next in order.

Mr. LA FOLLETTE. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

CARRYING OF CIVIL WAR BATTLE STREAMERS WITH THE REGIMENTAL COLORS

The Senate proceeded to consider the bill (S. 225) to authorize the carrying of Civil War battle streamers with regimental colors, which had been reported from the Committee on Military Affairs with an amendment, on page 1, in line 6, after the word "colors", to change the period to a comma, and insert "upon verification in the War Department that such streamers were carried by the regiment in the Civil War", so as to make the bill read:

Be it enacted, etc., That, in accordance with such regulations as the Secretary of War may prescribe, each regiment of the Army of the United States is hereby authorized to carry its Civil War battle streamers with its regimental colors, upon verification in the War Department that such streamers were carried by the regiment in the Civil War.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

POSTHUMOUS COMMISSION OF MAJOR GENERAL FOR THE LATE COL. WILLIAM MITCHELL

The resolution (S. J. Res. 34) authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, United States Army, and for other purposes, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President is authorized to issue posthumously to the late William Mitchell, late a colonel, United States Army, a commission as a major general, United States Army, as of the date of his death in 1936.

SEC. 2. The Secretary of War is authorized and requested to amend the records of the War Department so as to carry the said William Mitchell as a major general, United States Army, at the time of his death in 1936.

Mr. WILEY subsequently said: Mr. President, in connection with Calendar No. 186, Senate Joint Resolution 34, which was passed a few moments ago by the Senate, I ask unanimous consent to have printed in the RECORD, following the passage of the joint resolution, the remarks of Representative McSWAIN, together with the insertions asked by him to be printed in the CONGRESSIONAL RECORD of February 20, 1936, volume 80, part III, Seventy-fourth Congress, second session.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

Mr. MCSWAIN. Mr. Speaker, on yesterday, February 19, 1936, at 4:45 in the afternoon, death kissed into eternal rest the heretofore restless spirit of William Mitchell, brigadier general of the United States Army, from which he resigned on February 1, 1926. The brilliant and glorious career of General Mitchell as an officer of the United States Army is the proud possession of all our people. Commissioned at the age of 18, at the outbreak of the Spanish-American War, he progressed by rapid strides by reason of his conspicuously efficient discharge of every responsibility placed upon him. I shall not at this time review in detail his remarkably brilliant career. On August 7, 1935, I did give many details concerning the life and military services of General Mitchell, and they may be found in the CONGRESSIONAL RECORD of that date, on page 13160. By permission of the House, I am extending my remarks and printing herewith a portion of what was then said. I call especial attention to the fact that his citation, on which is based the award of a Distinguished Service Cross, is not for a single act of extraordinary heroism in the face of the enemy, but it is for "repeated acts of extraordinary heroism in action at Noyon, France, March 26, 1918; near the Marne River, France, during July 1918; and in the St. Mihiel salient, France, September 12 to 16, 1918. For displaying bravery far beyond that required by his position as Chief of Air Service, First Army, American Expeditionary Forces, setting a personal example to United States aviation by piloting his plane over the battle lines since the entry of the United States into the war."

Mr. Speaker, any soldier may well be proud, exceedingly proud, of being awarded the Distinguished Service Cross, even for a single act of extraordinary heroism in the face of the enemy. But for "repeated acts of heroism," extending through months of daring and dangerous activity, in airplanes by no means too safe and stable, over enemy lines with superior air force, locating strategic and vulnerable enemy positions, and taking back information of incalculable value to the ground forces, it is a combination of daring and heroic conduct unrivaled in military history. The friends of General Mitchell take great pride in his splendid career, all his relatives may properly prize the record of his services as a precious heritage, and his disconsolate widow and orphaned children may find some solace and supreme satisfaction that their names and their lives are forever linked with a man who always put his country's cause first, who risked his life in war and risked his reputation in peace and risked the prospect of great advancement in the Army because of his courage to declare his conscientious convictions on vital problems affecting the national defense.

Mr. Speaker, on this date, when the Committee on Military Affairs met, it was announced that General Mitchell passed yesterday from this earthly life into the great future of immortality, and immediately the committee adopted resolutions of regret for his passing and of sympathy for his family, and I am offering for publication, as part of my remarks, a copy of said resolutions:

"Whereas the Committee on Military Affairs of the House of Representatives has learned of the death of Brig. Gen. William Mitchell, United States Army, resigned, in New York City, on February 19, 1936, at 4:45 p. m., and, whereas the said General Mitchell has appeared before this committee on numerous occasions since the World W and has always manifested an unselfish zeal for the cause of national defense, and whereas the said General Mitchell has courageously and patriotically championed the building up of an adequate air force as a most effective and most economical means for promoting the national defense: Now, therefore, be it

"*Resolved by the Committee on Military Affairs of the House of Representatives*, That we record our admiration for the valorous and heroic services of the said General Mitchell rendered to the Army and to the country, in peace and in war, and that we acknowledge our obligation of gratitude to him for unselfishly and vigorously provoking the thought and action of the American people to build up an adequate air force for the defense of the country; be it

"*Further resolved*, That in the death of General Mitchell the Nation has lost a far-seeing and constructive leader of civic opinion with reference to a safe and sane program of national defense; be it

"*Resolved further*, That these resolutions be spread upon the minutes of this committee as a memorial of our respect and esteem for the distinguished public service of General Mitchell, and that the chairman of this committee ask permission of the House of Representatives to extend his remarks upon the life and character of General Mitchell, and to include these resolutions therein, and that a copy of these resolutions, duly certified, be transmitted to the widow of General Mitchell as a testimonial of our sympat' with her in her sorrow.

"JOHN J. MCSWAIN, *Chairman*.
"ANDREW J. MAY,
"CHARLES A. PLUMLEY,
"Committee.

"Attest:

"KENNETH ANDERSON, *Clerk*.

"FEBRUARY 20, 1936."

Herewith, Mr. Speaker, is the extract from my remarks of August 7, 1935, that I ask to be printed as a part of these remarks:

"As it became increasingly apparent that the United States would have to enter the war, and as very little was being done here to prepare for it, Mitchell applied for duty as an observer in Europe and was sent there in March 1917. He went first to Spain to look over their military establishment and see what they could do in case they went in on the side of the Germans, which seemed possible at that time. While there, war was declared by the United States against Germany. Mitchell immediately proceeded to Paris and reported to Ambassador Sharp for duty. He was assigned with the military observers, Majors Logan and Churchill, who had drawn up an excellent, comprehensive, and thoroughly sound plan for the participation of American troops in France. This plan was followed later.

"Nothing had been done about aviation. Mitchell could get no replies to his telegrams to the United States, so he organized an office staff with his own money and contributions from patriotic Americans in France, formulated a plan for training and equipping Americans in Europe, which, if followed, would have enabled us to have excellent air squadrons on the front by August or September 1917. Mitchell's recommendations, which are a matter of record, were sent in April to the United States, as to what equipment

should be used by our Air Forces in Europe. These recommendations were not followed. Incompetent individuals were put in charge of aircraft production, who adopted the entirely unsuitable DH-4 British airplane as the standard American ship, and the Liberty engine, which had never been proved in war and was worthless for that purpose.

"The scandalous method of handling this proposition has been thoroughly gone into by competent committees. The $1,500,000,000 appropriated by Congress was practically wasted, because his recommendations were not followed. The airplanes that Mitchell recommended to be built by the United States had to be obtained in Europe anyway, and when he saw what was going on in the United States he personally made arrangements with Daniel Vincent, in charge of aviation procurement in France, to go ahead and build a surplus anyhow, without authority, otherwise we would have had no airplanes for our men on the front.

"In the middle of April Mitchell joined General Petain at Châlons sur Marne and participated in the terrific attacks with huge losses which the French Army suffered at that time. He had numerous conferences with General Petain about the participation of the Americans in Europe. The French, seeing how seriously Mitchell was working on the problem, began assigning officers to him and assisting him with his work in every way possible. Mitchell also participated in an Infantry attack with the Sixteenth Reserve French Division, for which he was decorated with the Croix de Guerre, being the first American soldier so decorated. He was also the first Regular American soldier to enter into battle against the Germans in this war.

"Mitchell flew over the enemy lines on every part of the western front. He became thoroughly familiar with the English organization and system as well as the French, and laid out a complete system and organization for the creation of our Air Forces Just as this was coming along well, a complete new group of men was sent out from the United States, without any instruction in the air, with limited knowledge of conditions in Europe, and with no knowledge of war, especially in the air. One learns quickly when on the front against an enemy, and in a few months of actual war service one can pick up more than in a lifetime of theoretical study. This new group placed in command made a terrible mess of all our aeronautical matters in Europe and put us back at least 6 months. Mitchell, however, was kept constantly in command of troops actually serving against the enemy on the front. At Château-Thierry, American Air Forces distinguished themselves.

"Mitchell was the first man to discover the German bridges at Dormans, on the morning of July 15, 1918, where the Germans crossed the Marne River in their attack. This he reported to General Liggett at First Army Corps headquarters, then flew to Bombom and reported it to General Foch. Mitchell made a reconnaissance alone in a single-seated pursuit ship across the Marne salient from Château-Thierry to Soissons, and came to the conclusion that there were few German troops opposite Soissons, and so reported to General Foch. As a result, General Foch ordered the First and Second Divisions, United States Army, and the Moroccan Division, French Army, to Soissons, where they attacked the Germans at the shoulder of the salient, causing the withdrawal of their whole army.

"Mitchell was then given command of the Air Forces of the First Army and commanded the greatest concentration of air forces in the history at St. Mihiel, 1,496 ships. The operation of this force was perfectly carried out; the plan of operations, plan of employment, and tactics served as models for subsequent attacks. In addition to the American air units, Mitchell had under him the whole French Air Division, three Italian squadrons, and the independent British Air Force under General Trenchard. At the conclusion of the Battle of St. Mihiel, General Pershing wrote General Mitchell the following letter, which was published to his command:

" 'Please accept my sincere congratulations on the successful and very important part taken by the Air Forces under your command in the first offensive of the First American Army. The organization and control of the tremendous concentration of air forces, including American, French, British, and Italian units, which has enabled the Air Service of the First Army to carry out so successfully its dangerous and important mission, is as fine a tribute to you personally as is the courage and nerve shown by your officers, a signal proof of the high morale which permeates the service under your command.

" 'Please convey to your command my heartfelt appreciation of their work. I am proud of you all.

" 'Sincerely yours,

" 'JOHN J. PERSHING.'

"Later operations followed in the Argonne battles. When the Second Army was organized Mitchell was given command of the Air Service group of armies.

"The American Air Service was then beginning to form a great force of long-distance bombers designed to attack the center of Germany—Essen and Berlin—in the spring of 1919. Mitchell also proposed and was given permission by General Pershing to draw up plans for carrying a complete division of troops equipped with parachutes, rifles, and machine guns and dropping them behind the enemy lines from airplanes, while attack aviation covered roads in their vicinity until they could form and get together. This would have been carried into effect a short time after November if the armistice had not been affected.

"Mitchell participated in the following battles:

"American: Cambrai, Somme defensive, Champagne-Marne, Aisne-Marne, Oise-Aisne, St. Mihiel, Meuse-Argonne, defensive sector.

"French: Mont Sans Nomme, Mont Cornouillet, Mort Homme, Champagne offensive, Bois de la Grille, Verdun, Maimaison, Noyon.

"British: Ypres, Bullecourt.

"He took part in the French and British engagements without being ordered or required to do so, in order to become acquainted with the details connected with military operations, both aerial and ground. Mitchell participated in more battles than any officer in the American service during the World War. He now holds the following decorations:

"Distinguished Service Cross: Awarded for repeated acts of extraordinary heroism in action at Noyon, France, March 26, 1918, near the Marne River, France, during July 1918, and in the St. Mihiel salient, France, September 12 to 16, 1918. For displaying bravery far beyond that required by his position as Chief of Air Service, First Army, American Expeditionary Forces, setting a personal example to the United States aviation by piloting his airplane over the battle lines since the entry of the United States into the war. Some instances being a flight in a monoplane over the Battle of Noyon on March 26, 1918, and the back areas, seeing and reporting upon the action of both air and ground troops, which led to a change in our aviation tactics; a flight in a monoplane over the bridges which the Germans had laid across the Marne during July 1918, which led to the first definite reports of the location of these bridges and the subsequent attack upon the German troops by our air forces. Daily reconnaissance over the lines during the battle of St. Mihiel salient, September 12 to 16, securing valuable information of the enemy troops in the air and on the ground which led to the excellent combined action by the Allied Air Services and ground troops, particularly in this battle.

"Distinguished Service Medal: Awarded for exceptionally meritorious and distinguished services. As Air Service commander, first of the Zone of Advance and later of the First Corps, by his tireless energy and keen perception he performed duties of great importance with marked ability. Subsequently, as commander, Air Service, of the First Army, and, in addition, after formation of Second Army, as commander of Air Service of both armies, by his able direction of these vitally important services he proved to be a potent factor in the successes achieved during the operation of the American Armies.

"The following are his foreign decorations:

"French: Croix de Guerre, with five palms, for exceptional bravery; Commander of the Legion of Honor.

"British: Companion of the Order of St. Michael and St. George.

"Italian: Commander of S. S. Maurizio e Lazzaro; Italian Cross for Merit in War; Grand Officer, Order of the Crown of Italy.

"Very little was known by the ground troops about aerial operations. These were entrusted by General Pershing to General Mitchell's judgment and discretion. The question of command for the spring of 1919 was discussed and it was practically agreed that Admiral Beatty should command all the sea forces, General Foch all land forces, and General Mitchell all the air forces. This probably would have been done had the war lasted. It is believed that General Mitchell was recommended for promotion to a major general slightly before the armistice was signed After the armistice, Mitchell took the air forces of the Army of Occupation into Germany and established headquarters at Coblenz. There he was visited by the Prince of Wales and others.

"General Mitchell was ordered back to the United States to become Director of Military Aviation, in Jauary 1919. He returned by way of Chaumont, where he was one of the seven officers decorated by General Petain with the commander grade of the Legion of Honor and an additional Croix de Guerre.

"Before returning to the United States Mitchell, with his staff, went over the whole front of the American, French, and British Armies, studying it carefully, then into Belgium where they studied the defensive organization of the Germans, both along the coast and inland, their aeronautical organization, the effect of the British air bombardment against the German submarine base at Zeebrugge and how that was organized for defense. Then he proceeded to England, where his old friend, Marshal Trenchard, was in command of the British Independent Air Force. General Mitchell and his staff probably gained more knowledge of all the different parts of aeronautical duty than could the French, German, or English, because they were confined largely to their own organizations and did not visit the others so frequently.

"Upon returning to the United States General Mitchell was placed on the initial General Staff list. He found aeronautical affairs very much disorganized. The officers who had remained here knew very little about the application of air power beyond that used in primary training schools for pilots. There was great jealousy against anyone who had come back from Europe, and there was intense jealousy on the part of the line of the Army against the rising prestige and power of the air force. This had occurred also in the English, French, and German forces, but hard necessity had taught them what to do. Mitchell immediately reorganized the service, both tactically and technically.

"A great program was laid out looking forward for many years. Technically the immediate construction of airplanes, engines,

instruments, and accessories was begun, and a nucleus of technical officers was started. If this program had been carried out, it would have given us airplanes at the present time with a range of 8,000 miles, carrying 4 tons of bombs, with a ceiling of 35,000 feet, and speeds up to 500 miles an hour, with instruments and equipment that would have taken ships through any kind of weather and allowed them to land safely in fogs and storms.

"In 1919 Mitchell organized the transcontinental airplane race which showed that aircraft could fly from New York to San Francisco in 24 hours flying time. The air mail, under Otto Praeger, immediately took advantage of what had been learned and an efficient Air Mail Service was laid out, including aids to navigation and accessories. The first airway was organized by Mitchell from Washington, D. C., to Dayton, Ohio.

"While all these activities were going on, General Mitchell found time to attend Columbian College of George Washington University, from which he had gone as a junior to take part in the Spanish War in 1899, and had never obtained his degree. By regular attendance at the classes, Mitchell obtained his B. A. degree and was graduated in 1920 as of the class of 1899. General Wood presented the diplomas.

"In 1920 Mitchell sent a flight of airplanes under Captain Streett from New York to Nome, Alaska, and back, one of the greatest flights ever made. It was hoped at that time that it would lead to the establishment of air bases in Alaska and that air lines would be extended to that territory. This has not been done up to the present time.

"Upon General Mitchell's return from Europe in 1919, preparations were immediately made, on account of what he had observed there, for the attack of battleships from the air. In this he was ably assisted by General Williams, then Chief of Ordnance, who set to with a will to develop the bombs, fuzes, and methods of producing them. Colonel Guidoni, the Italian air attaché at that time, and one of the world's most able mathematicians, also rendered great assistance in estimating the trajectories, time of flight, and penetration in the water when a bomb passed from a rarer to a denser medium. Guidoni later became head of the Italian Air Force and was killed in an accident. It is after him that Guidonia, the new air city of Italy, has been named.

"The air units practiced actively in bombing. Targets representing ships were set up on land. Objects were bombed in the water, both stationary and towed at high speed by motor boats. A camera obscura was fixed up in a motor truck which was run at high speed along the roads, and the bombing was done against that, both going straight and turning. Nothing was overlooked that could be done with the equipment available. Mitchell attempted in every way to get target vessels from the Army and Navy without success.

"Giving his testimony before Congress, Mitchell stated positively that he could sink any ship afloat with aircraft. The Army and Navy ridiculed this, but Congress passed an act authorizing the President to set aside certain vessels that had been surrendered from the German fleet to be used for the purpose of bombing. The Navy then attempted to take charge of things. A written agreement was drawn up as to the procedure. The Navy made it just as difficult as possible, putting the vessels so far off the coast that they were almost outside the limits of the cruising ability of the aircraft. However, every class of ship was sunk—submarines, destroyers, cruisers, and two battleships. One of the battleships was the *Ostfriesland*, the strongest ship built up to that time, and probably as strong as any built since. The bomb that sunk the *Ostfriesland* was heard around the world and marked a new epoch in national defense.

"The Board observing the bombing tests, under the chairmanship of General Pershing, reached the following conclusion:

"'Aircraft carrying high-capacity high-explosive bombs of sufficient size have adequate offensive power to sink or seriously damage any naval vessel at present constructed, provided such projectiles can be placed in the water close alongside the vessel. Furthermore, it will be difficult, if not impossible, to build any type of vessel of sufficient strength to withstand the destructive force that can be obtained with the largest bombs that airplanes may be able to carry from shore bases or sheltered harbors.'

"At the conclusion of these exercises, there was tremendous agitation on the part of the Navy particularly, to keep the Air Force down."

FOREIGN SERVICE OF THE UNITED STATES

The bill (H. R. 689) to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State, was announced as next in order.

Mr. LANGER. Let the bill be passed over.

Mr. LA FOLLETTE. Mr. President, I hope the Senator will withhold his objection long enough to give me an opportunity to explain the measure.

The PRESIDENT pro tempore. Does the Senator from North Dakota withhold his objection?

Mr. LANGER. I do.

Mr. LA FOLLETTE. I am doing so in the absence of the Senator from Utah [Mr. THOMAS], who was chairman of the subcommittee which considered the measure. I happened to be a member of the subcommittee.

The enactment of this measure is very important to the State Department and to the Foreign Service, especially because of the necessity of resuming activities of the Department which were curtailed as a result of enemy action, and which now are being resumed as countries are being liberated by our own forces.

I can give the Senator a very brief explanation of the measure. It will permit the creation of an administrative and fiscal corps within the Foreign Service, enabling the recruitment both from within and outside the Foreign Service of personnel with administrative capacities particularly necessary with the reopening of the Foreign Service establishments in liberated areas.

(2) It will permit with the approval of the interested department or agency the detail for special duty of qualified personnel of any department or agency to perform special work and meet special needs which is but an extension of the existing authority to use personnel of the Departments of Commerce and Agriculture.

Because of the situation to which I shall refer more at length in a moment, but to which I now refer briefly, and because of the demands of the selective service upon the younger age groups, I am sure Senators will realize that recruitment at the bottom of personnel for the State Department has been frozen for a long period of time. In the other agencies and departments of Government there are men with special training and with special qualifications. This measure would merely permit the State Department to draw upon various pools of men who are qualified for this service for a limited period of time, namely, 4 years as a maximum.

The report continues:

(3) It will permit as well the utilization in other departments and agencies of the Government of Foreign Service personnel for limited periods upon their return from post of duty abroad.

I am sure Senators will appreciate that that may be very helpful to other agencies and departments of the Government in obtaining the benefit of the service of men who have had this experience in the Foreign Service.

(4) It provides for the elimination of the percentage limitations in section 10 of the act of February 23, 1931, restricting the number of officers of classes I to VI, inclusive, of the Foreign Service thus making it possible to make long overdue adjustments which at present are impossible.

The frozen situation which has existed in the personnel of the State Department for some time convinced the subcommittee, and also the Committee on Foreign Relations, that as this increased load falls upon the department it is vitally important that we should remedy the situation, and improve the morale of those in the service who over a long period of time, have been denied appropriate and well-earned adjustments in their classifications.

I continue reading:

(5) It provides under proper control various administrative adjustments as follows: (a) for the bonding of certain Foreign Service personnel; (b) for the elimination of the penalty attaching to assumption of duties as Chief of the Division of Foreign Service Personnel and permits; (c) the Division of Foreign Service Personnel to be effectively organized; (d) provides that the director of the recently created Office of Foreign Service shall be a Foreign Service officer of class I; (e) amends the present law authorizing a grant at all posts of living quarters and post allowances by increasing the authority solely to permit of consideration of expenses incurred for gas and electricity used for power, and lastly (f) formalizes the Board of Foreign Service Personnel for the Foreign Service.

If I have satisfied the objection of the Senator from North Dakota [Mr. LANGER], as well as the objections of other Senators, I do not wish further to detain the Senate. I may say in conclusion that, as one member of the subcommittee, I am convinced that the passage of this bill is absolutely imperative. Although it would not completely do the job which must eventually be done, namely, bring about a complete reclassification of Foreign Service personnel, it would represent an important step toward correcting a situation which the committee was convinced was very deleterious to our Foreign Service at a time when it should be at its peak of efficiency.

Mr. President, I hope the Senator from North Dakota will not further insist upon his objection.

Mr. LANGER. I thank the Senator from Wisconsin for his explanation. I withdraw my objection.

Mr. LA FOLLETTE. Mr. President, I ask that the remainder of the report be printed in the RECORD at this point as a part of my remarks.

There being no objection, the remainder of the report was ordered to be printed in the RECORD, as follows:

The increasing responsibilities devolving on the Department of State and its Foreign Service will eventually require more comprehensive and fundamental legislation. H. R. 689, however, provides as an interim and emergency measure the administrative facilities immediately necessary to enable the Department to meet the staffing and personnel problems with which it is now confronted, solution of which is impeded by reason of the inadequacies of the existing law, which the present bill is designed to overcome.

The current problem of the Department is occasioned because since before Pearl Harbor the Selective Service Act, affecting men aged 21 to 35, has essentially stopped Foreign Service recruitment at the bottom. Retention of officers scheduled for retirement because of the emergency has congested the top classes. A log jam has resulted, precluding the granting of deserved promotions which affect 35 percent of the Service, chiefly men in the middle classes. Removal of the percentage limitations is obviously necessary to prevent the Service from becoming completely frozen and to remove the serious threat to efficiency and morale which now exists.

The change proposed will make it possible to carry out the intention of the Congress as expressed in the existing statutory authority relating to the compensation of Foreign Service officers and advancement on the basis of merit and seniority in accordance with the heavier responsibilities with which they are charged. Adjustments to be effected will be made within the limits of funds presently available. Other than the removal of the percentage limitation there is no other change in this section which pertains to the salary prescribed for this group of personnel and which remains exactly as contained in the act of February 23, 1931.

There is now no organization in the Service between officer personnel and clerical personnel to handle the intensified administrative problems with which it is increasingly confronted. Either clerks are imposed upon to fill these jobs or officers are used for assignments which do not utilize their full capacities. Provision for an administrative corps with salaries up to $5,600 will permit recruitment both from within and from outside the Service of personnel with administrative capacities sorely needed, particularly with the reopening of consular and diplomatic establishments in areas liberated by the military. This provision of the bill is not automatic but simply provides a salary scale appropriate to the duties envisaged for which personnel must be appointed. Eventual classification of job responsibilities may result in increased salaries to certain personnel who may continue to perform duties presently assigned when, with enactment of the legislation proposed, it is possible to evaluate those jobs according to civil-service classification standards. Such recognition to qualified and experienced members of the administrative and clerical branch of the Foreign Service is in keeping with the Classification Act of 1923 and, while affording a broader field for advancement, will enable the Department to adjust titles and salaries commensurate with the importance of the duties performed, the age, qualification, and experience of the personnel, and to attract the best talents available when replacement or additional personnel is required.

The salary scale proposed under the bill is identical with the salary scale provided under the Classification Act of 1923 for the same type of work except that $5,600 is the maximum salary proposed to be paid. The classification survey necessary to proper evaluation of the job responsibilities entailed is now being undertaken by the Department and it is too early for the Department with exactness to estimate the costs of the classifications which will eventually be recommended for adoption. However, it is not contemplated that all personnel will be found to be entitled to salary adjustment, but even were the entire present Service to be stepped up, as is most unlikely, the cost would not exceed $400,000 per annum for the personnel presently employed, an average of $390 per employee.

The Department has need for men of maturity and specialized experience, for longer or shorter periods of time, to meet present and future needs in specialized and technical foreign work. It is proposed that such specialists be detailed, with the consent of the agency in which employed, from throughout the Government (with no prejudice to the established domestic Government careers which such personnel enjoys) to discharge certain complex Government business abroad; for example, technical questions involving agriculture, labor, telecommunication, the press, aviation, finance, etc. Similarly Foreign Service personnel for limited periods will be made available to other agencies of the Government to meet the special requirements of this Department; as, for example, to serve in collaboration with the Bureau of Foreign and Domestic Commerce in bringing to the attention of the interested business, industrial, and commercial interests of the United States the latest pertinent information available from the area served by such officers.

The committee recommends the passage of this proposed legislation to remove existing inequities in the classification of Foreign Service personnel and to assure the Department of State the administrative facility it sorely needs in the period immediately ahead, when it will be essential with minimum of delay adequately to staff offices reopened in areas liberated from the enemy, and aggressively to undertake and discharge its added responsibilities in world affairs.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (H. R. 689) was considered, ordered to a third reading, read the third time, and passed.

HOSPITAL CENTER FOR DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 223) to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and insert:

That (a) the board of trustees selected in accordance with subsection (b) of this section, and their successors, are hereby incorporated and made a body politic and corporate, by the name of "The Wahington Hospital Corporation" (hereinafter referred to as the "Corporation"), and by that name may contract and be contracted with, sue and be sued, plead and be impleaded in any court of law or equity of competent jurisdiction, and may have and use a common seal.

(b) The business and affairs of the Corporation shall be conducted by a board of trustees, which shall be composed of nine members, unless otherwise increased as hereinafter provided, one of whom shall be appointed by the Surgeon General of the United States Public Health Service, one by the Board of Commissioners of the District of Columbia, one by the Community Chest of Washington, District of Columbia, two by the board of directors of Garfield Memorial Hospital, two by the board of directors of Central Dispensary and Emergency Hospital, two by the board of directors of Episcopal Eye, Ear, Nose, and Throat Hospital, and two by the board of directors of any other participating hospital as described in section 2, all of such hospitals being in the District of Columbia. Each of such trustees shall be appointed for a term of 5 years and the original appointments shall be made within 60 days after the date of enactment of this act; and such Corporation shall have power to make bylaws not inconsistent with this act for the conduct of its affairs. Any vacancy on the board of trustees shall be filled by appointment made in the same manner as in the case of the original appointment. If any of those entitled to make appointments shall fail at any time to appoint any trustee, then such appointment shall be made by the Surgeon General of the Public Health Service for service temporarily until such trustee shall be appointed in the regular manner.

(c) The board of trustees first appointed shall meet within 90 days after the date of enactment of this act and elect a president, vice president, secretary and treasurer, and such additional officers as the bylaws may provide, and also transact such other business as may properly come before them, including the adoption of bylaws for the proper conduct of the Corporation. Thereafter the meetings of the trustees shall be held at such times and places as may be provided in the bylaws. The Corporation shall not be conducted for profit, and it is hereby declared to be a charitable and benevolent institution and all of its funds and property shall be exempt from taxation.

(d) The Corporation shall have perpetual succession and shall have power to acquire, hold, and dispose of real and personal property, and generally to do all lawful acts necessary to carry out the functions vested in it by this act and to provide for the operation of the hospital center established in accordance with the provisions of this act.

SEC. 2. The Corporation is authorized to enter into agreements with Garfield Memorial Hospital, the Central Dispensary and Emergency Hospital, Episcopal Eye, Ear, Nose, and Throat Hospital, and any other hospital in the District of Columbia desiring to come under the provisions of this act on a fully participating basis (hereinafter referred to as "participating hospitals") providing for the establishment, maintenance, and operation of a modern, edequate, and efficient hospital center in the District of Columbia, with a capacity of not more than 1,500 beds and with all necessary parking space, appurtenances, equipment, and other facilities, such as operating rooms, laundries, laboratories, X-ray machines, heating plant, nurses' school and home, and the like. Such agreements may be conditioned upon a suitable site, buildings, and equipment for such hospital center being provided in accordance with section 3 of this act; and shall provide that when a suitable site, buildings, and equipment are so provided, the participating hospitals will undertake to maintain and operate the hospital center, under the supervision and control of the board of trustees of the Corporation and in accordance with the provisions of this act, and that the participating hospitals will devote their full resources to this purpose: *Provided*, That no part of the funds of one hospital shall be required to be employed for the maintenance or operation of any part of the center used exclusively by another hospital. Such agreements shall provide for the payment by the participating hospitals of one-third of the initial cost of establishing and equipping

the hospital center, such amount to be allocated among the participating hospitals as may be agreed upon by the participating hospitals and the Corporation, as nearly as may be upon the basis of the space in the hospital center operated and maintained by the respective participating hospitals and paid in accordance with the provisions of section 6.

SEC. 3. (a) After the Corporation has entered into agreements with the participating hospitals in accordance with section 2, the board of trustees of the Corporation shall select, with the approval of the National Capital Park and Planning Commission, a suitable site within the District of Columbia for such hospital center.

(b) Within the limits of appropriations made therefor pursuant to section 6 of this act and subject to the approval of the board of trustees of the Corporation, the Federal Works Administrator is authorized and directed, as promptly as may be upon the termination of the war—

(1) to acquire, by purchase, condemnation, or otherwise, the site selected by the board of trustees for the hospital center, together with such real property as may be situated thereon;

(2) to provide buildings (either by new construction, or alteration and renovation of existing structures), additional improvements and appurtenances, and such equipment and machinery as may be necessary for the proper operation and maintenance of such hospital center; and

(3) upon completion of such hospital center, to convey, on behalf of the United States, all right, title, and interest therein to the Corporation

(c) All plans, designs, and specifications for buildings and equipment for such hospital center, and for improvements upon its site, shall be subject to the approval of the board of trustees of the Corporation.

SEC 4. When the hospital center has been conveyed to the Corporation, it shall be maintained and operated by the participating hospitals under the supervision and control of the Corporation. Each of the participating hospitals shall be entitled to the exclusive use of such part or parts of the hospital center as may be determined by agreement between such hospital and the Corporation, for the purpose of conducting its operations as a hospital within such part or parts of the hospital center. The participating hospitals jointly, under the supervision and control of the Corporation, shall maintain and operate within the hospital center such central heating, laundry, and other facilities and services necessary to the proper and efficient operation and maintenance of such center as the participating hospitals and the Corporation agree may best be operated or performed by such hospitals jointly. The cost of maintaining such joint facilities and services shall be paid by the participating hospitals in such manner and proportion as the Corporation determines to be appropriate and equitable.

SEC. 5. (a) The Corporation may, in its discretion, enter into agreements with any voluntary hospital in the District of Columbia rendering service for indigent or semi-indigent patients and may allocate to such hospital, from appropriations made pursuant to section 6, such sums as may be available upon completion of the hospital center, for the replacement, enlargement, renovation, or modernization of any part of such hospital's buildings as said Corporation may determine to be in the public interest, having in view the most economical and effective use of available funds for hospitalization and to the end that the facilities of such hospital may be utilized to the best advantage. Such sums so allocated for affiliating hospitals shall be paid to such hospitals by the Secretary of the Treasury upon certification by the Corporation, and shall be paid at such time or times as may be specified in such certificate: *Provided*, That before entering into any such agreement, the Corporation shall be satisfied that such hospital is prepared to undertake such responsibilities of management and maintenance as may be necessary to conduct its operations as an affiliate of the hospital center. Such affiliation shall obligate such hospital to coordinate its facilities with the hospital center in such manner and subject to such conditions as may be determined by the Corporation in the public interest.

(b) The board of trustees of the Corporation shall have power, in its discretion, to increase its membership for the purpose of giving appropriate representation to participating and/or affiliating hospitals.

SEC. 6. (a) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

(b) Out of amounts appropriated pursuant to the authorization in subsection (a), the Federal Works Administrator is authorized and directed to advance the shares of the cost allocated to the respective participating hospitals upon agreement by such hospitals to repay the amounts so advanced over a period of 50 years from the date of completion of the hospital center with interest at the rate of 2 percent per annum upon any unpaid balance. The first payment of interest and principal shall be made 5 years after the date of completion of the hospital center, and shall cover amounts accrued up to that time.

SEC. 7. The right to alter, amend, or repeal this act is hereby expressly reserved.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CONVEYANCE OF LANDS ON GILA RECLAMATION PROJECT

The bill (S. 118) authorizing the Secretary of the Interior to convey certain lands on the Gila reclamation project, Arizona, to the University of Arizona, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to cause a patent to issue conveying the west half southwest quarter, section 28, township 9 south, range 23 west, Gila and Salt River meridian, Arizona, to the board of regents of the University of Arizona, for use by the university as an agricultural experimental farm; but in said patent there shall be reserved to the United States all oil, coal, and other mineral deposits within said lands and the right to prospect for, mine, and remove the same and a perpetual right-of-way for ditches, canals, laterals, transmission lines, telephone lines, and roadway constructed by or under authority of the United States.

SEC. 2. The conveyance herein authorized shall be made upon the express condition that if the terms of the grant have not been complied with, the grant shall be held to be forfeited and the title shall revert to the United States, and the Secretary of the Interior is hereby authorized and empowered to determine the facts and declare such forfeiture and such reversion and restore said land to the public domain, and such order of the Secrtary shall be final and conclusive.

PURCHASE OF LAND IN ALASKA

The bill (S. 497) to amend an act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609) was announced as next in order.

Mr. REVERCOMB. Mr. President, may we have an explanation of the bill?

Mr. HATCH. The bill has two purposes. Under the act of 1938 it was made possible within the United States to purchase small tracts of land, not exceeding five acres in size, for home, recreational, and convalescent purposes. The act, however, did not extend to the Territory of Alaska. This bill extends the act of 1938 to include the Territory of Alaska in order to permit the purchase of lands in small tracts in that Territory.

The bill also has another purpose. At the present time employees of the Department of the Interior are prohibited from making such purchases. This bill would remove that prohibition.

Mr. REVERCOMB. To whom is the right of purchase given under the act of 1938?

Mr. HATCH. It was given to everyone.

Mr. REVERCOMB. It was given to the public at large?

Mr. HATCH. Yes; but the effect of the act did not extend to the Territory of Alaska.

Mr. REVERCOMB. I thank the Senator. His explanation is satisfactory to me.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 497) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609), is hereby amended by striking out the words "prescribed: *Provided further*, That this act shall not apply to any lands in the Territory of Alaska," and by inserting in lieu thereof the words "prescribe: *Provided further*, That any employee of the Department of the Interior stationed in Alaska, notwithstanding such employment, may, in the discretion of the Secretary, purchase or lease one such tract in the Territory of Alaska, except business sites, under this act."

CHARLES GAUDET

The bill (H. R. 1719) to confirm the claim of Charles Gaudet was considered, ordered to a third reading, read the third time, and passed.

ONE-HUNDREDTH ANNIVERSARY OF THE FOUNDING OF THE UNITED STATES NAVAL ACADEMY

The joint resolution (H. J. Res. 18) providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md., was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 383) to provide for the further development of cooperative agricultural extension work was announced as next in order.

Mr. FERGUSON. I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

EXTENSION OF RETIREMENT PRIVILEGE TO CERTAIN JUDGES

The Senate proceeded to consider the bill (S. 565) to extend the privilege of

retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone, which had been reported from the Committee on the Judiciary with an amendment, at the end of the bill to add section 3, so as to make the bill read:

Be it enacted, etc., That the act entitled "An act relating to the retirement of the justices of the Supreme Court of the Territory of Hawaii and judges of the United States District Court for the Territory of Hawaii," approved May 31, 1938 (Public, No. 566, 75th Cong.), be, and the same is hereby, amended to read as follows:

"That every justice of the Supreme Court of the Territory of Hawaii, and every judge of the United States District Court for the Territory of Hawaii, the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone, may hereafter retire after attaining the age 70 years. If such justice or judge retires after having served as a justice or judge of any of the aforementioned courts for a period or periods aggregating 10 years or more, whether continuously or not, he shall receive annually in equal monthly installments, during the remainder of his life, a sum equal to such proportion of the salary received by such justice or judge at the date of such retirement as the total of his aggregate years of service bears to the period of 16 years, the same to be paid by the United States in the same manner as the salaries of the aforesaid justices and judges: *Provided, however,* That in no event shall the sum received by any such justice or judge hereunder be in excess of the salary of such justice or judge at the date of such retirement.

"SEC. 2. In computing the years of service under this act, service in any of the aforesaid courts shall be included whether such service be continuous or not and whether rendered before or after the enactment hereof. The terms 'retire' and 'retirement' as used in this act shall mean and include retirement, resignation, failure of reappointment upon the expiration of the term of office of an incumbent, or removal by the President of the United States upon the sole ground of mental or physical disability."

SEC. 3. That the title of the act entitled "An act relating to the retirement of the justices of the Supreme Court of the Territory of Hawaii and judges of the United States District Court for the Territory of Hawaii," approved May 31, 1938 (52 Stat. 591; 48 U. S. C. 634b and 634c), be amended to read as follows: "An act relating to the retirement of certain justices and judges in the various Territories and possessions."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ELIMINATION OF RETIREMENT PROVISIONS FOR WING COMMANDERS OF THE AIR CORPS

The Senate proceeded to consider the bill (S. 612) to amend the National Defense Act, as amended, so as to limit the application of provisions for retirement of wing commanders of the Air Corps, which had been reported from the Committee on Military Affairs with amendments on page 2, line 3, after the word "Force", to strike out "or who shall have served 2 years, except as hereinafter provided, as wing commander of the Air Corps"; on line 8, after the word "chief", to insert "or"; on the same line, after the word "general", to strike out the comma and the words "or wing commander"; on line 11, after the word "retire" to strike out the colon and the following proviso: *"Provided further,* That service as wing commander of the Air Corps from December 8, 1941, to the termination of the unlimited emergency proclaimed by the President on May 27, 1941, or the termination of the last of the wars in which the United States is now engaged, whichever event shall first occur, shall not be considered for the purpose of benefits under this provision", so as to make the bill read:

Be it enacted, etc., That the fourth sentence of section 4c of the Act entitled "An act for making further and more effectual provision for the national defense, and for other purposes," approved June 3, 1916, as amended by the act of June 4, 1920 (41 Stat. 762), and as amended by the act of May 12, 1939 (53 Stat. 740), and as amended by the act of October 14, 1940 (54 Stat. 1116), is further amended to read as follows: "Any officer who shall have served 4 years as chief or assistant chief of a branch or as commanding general of the General Headquarters Air Force and who may subsequently be retired, shall be retired with the rank, pay, and allowances authorized by law for the highest grade held by him as such chief, assistant chief, or commanding general: *Provided,* That this provision shall not reduce the rank, pay, or allowances with which such officer would otherwise be entitled to retire.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend the National Defense Act, as amended, so as to eliminate provisions for retirement of wing commanders of the Air Corps."

MEDAL OF HONOR FOR THE LATE COL. WILLIAM L. MITCHELL

The bill (S. 881) authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William L. Mitchell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the President is authorized to award posthumously, in the name of Congress, a Medal of Honor to the late William Lendrum Mitchell, formerly a colonel, United States Army, in recognition of his outstanding pioneer service and foresight in the field of American military aviation. The President may present such Medal of Honor to Mrs. Martin Fladoes, of Milwaukee, Wis., sister of the said William Lendrum Mitchell.

RESERVE OFFICERS' TRAINING CORPS CREDIT FOR MILITARY TRAINING ON ACTIVE DUTY

The bill (S. 889) to amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Officers' Training Corps was announced as next in order.

Mr. REVERCOMB. I ask that the bill go over.

The PRESIDING OFFICER. Objection being heard, the bill will be passed over.

Mr. MAYBANK. Mr. President, may I ask who objected to the bill?

Mr. REVERCOMB. I objected, but I shall be very glad to hear an explanation of the bill.

Mr. MAYBANK. I thank the Senator. I may say to the distinguished Senator from West Virginia this is similar to a bill which was passed by the Senate last year and sent to the House of Representatives, but it was too late to be considered there. The Military Affairs Committee of the Senate reported it on Tuesday. The substance of the bill, I might say, is set forth in the report, which states as follows:

Under the present law, a student in the senior division of the Reserve Officers' Training Corps is required to complete 2 academic years' work before he can take the advanced course and before he can receive commutation of subsistence while pursuing such course. When he has satisfactorily completed the advanced course, and if he is otherwise qualified, he is commissioned as a second lieutenant in the Officers' Reserve Corps.

Many members of the armed forces doubtless will enroll in colleges and universities after the war who will wish to take the advanced Reserve Officers' Training Corps training and qualify themselves for Reserve commissions, but they will be deterred from taking such advanced work if they are not given credit for the military training that they have already received.

Such a situation is manifestly undesirable, and the purpose of this bill is to remedy it by granting proper credit for prior military service.

I might say that the War Department informs us that they have now applications from returning war veterans who have been in the service for 1, 2, or 3 years, and it is the desire of the Department to have their combat service credited in connection with the R. O. T. C. program and the R. O. T. C. schools in the United States.

Mr. REVERCOMB. Mr. President, in view of the explanation, which clarifies the matter very much, the bill not being on the calendar at my desk, I withdraw my objection.

Mr. MAYBANK. I thank the Senator.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 47c of the National Defense Act of June 3, 1916, as amended, be, and the same is hereby, amended by adding thereto the following additional proviso: *"Provided further,* That under such regulations as the Secretary of War may prescribe any student now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps may receive credit toward completion of the two academic years of service in that division required for admission to the advanced course and for entitlement to commutation of subsistence, as provided above, for military training which

he has received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps, when such military training is substantially equivalent to that prescribed by regulations for admission to the advanced course."

The PRESIDENT pro tempore. That concludes the calendar.

ORIGINAL JURISDICTION OF DISTRICT COURTS IN CERTAIN CASES

Mr. McFARLAND. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 156, House bill 534.

The PRESIDENT pro tempore. Is there objection?

Mr. WHITE. Mr. President, I inquire if the bill was objected to when it was reached on the call of the calendar.

The PRESIDENT pro tempore. It appears on the calendar at a point previous to where the call began today.

Mr. McFARLAND. As the Chair has stated, this is an earlier bill on the calendar and it was objected to by the Senator from West Virginia [Mr. REVERCOMB] on the last call of the calendar. I now understand that he withdraws his objection.

Mr. REVERCOMB. Mr. President, at the time I objected on the last call of the calendar I noted that there was some controversy about certain amendments which were to be included in the bill. I have since learned that those amendments are agreeable to all persons who have taken an active part in the writing of the bill, and for that reason I have advised the Senator handling the bill, the Senator from Arizona [Mr. McFARLAND], that I will withdraw my objection.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McFARLAND. I yield.

Mr. HILL. As I understand, there is no objection from any other Senator other than the Senator from West Virginia.

Mr. McFARLAND. That is correct.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 534) to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain areas, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 21, after the word "claimed", to insert "and shall have paid tax on his compensation for such annual period, under the laws of such State;" on line 25, after the word "taxes" to strike out "and the time for filing such declaration shall not expire until 60 days after a written demand for payment of such tax shall have been received by such officer or employee," and insert "and shall be accompanied by a receipt or other evidence that he has paid tax on such compensation in the State which he declares to be the State of his domicile," and at the end of the bill to add a new section, as follows:

SEC. 6. This act shall be effective only with respect to compensation received after December 31, 1944.

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1984) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 26, 29, 34, and 66 to the bill and concurred therein, and that the House receded from its disagreement to the amendments of the Senate numbered 60, 64, and 65 to the bill and concurred therein, severally with an amendment, in which it requested the concurrence of the Senate.

REDUCTION IN RESERVE REQUIREMENTS OF FEDERAL RESERVE BANKS, ETC.

Mr. WAGNER. Mr. President, I ask unanimous consent for the present consideration of Order of Business 123, Senate bill 510.

The PRESIDENT pro tempore. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 510) to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Colorado. I object, and ask that the bill go over.

Mr. WAGNER. Mr. President, I move that the Senate proceed to the consideration of the bill.

The PRESIDENT pro tempore. The question is on the motion of the Senator from New York.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Banking and Currency with amendments.

Mr. WAGNER. Mr. President, I think it would be well if I made an explanation of the bill.

Mr. LANGER. I suggest the absence of a quorum.

Mr. WAGNER. I was about to explain the provisions of the bill.

The PRESIDENT pro tempore. The Senator from New York has the floor.

Mr. LANGER. Mr. President, will the Senator from New York yield?

Mr. WAGNER. I wanted to explain the measure.

Mr. LANGER. Does the Senator object to a quorum call?

Mr. WAGNER. I was not seeking one; I am ready to proceed.

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from North Dakota for the purpose of suggesting the absence of a quorum?

Mr. WAGNER. Mr. President, I think I had better explain the bill, if I may.

Mr. TAFT. Mr. President, I suggest to the Senator from North Dakota that he let the Senator from New York explain the bill.

Mr. LANGER. Very well.

Mr. HILL. Mr. President, if the Senator from New York will yield to me, I wish to advise the Senate that it is the intention to meet tomorrow and consider Order No. 195 on the calendar, Senate bill 383, a bill to provide for the further development of cooperative agricultural extension work. It is the intention to proceed with the consideration of that bill tomorrow.

Mr. WHITE. Mr. President, I inquire if that is the so-called Bankhead bill.

Mr. HILL. Yes; it is the bill introduced by the distinguished senior Senator from Alabama [Mr. BANKHEAD] and reported by him from the Committee on Agriculture and Forestry.

Mr. JOHNSON of Colorado. Mr. President, I should like to ask if the action just agreed to at the request of the Senator from Alabama will displace the pending bill.

The PRESIDENT pro tempore. The Senator from Alabama did not move to take up Senate bill 383. He merely made an announcement as to what would be done tomorrow.

Mr. HILL. Mr. President, I merely made an announcement. I did not ask for any action. I merely announced that it was the intention at this time for the Senate to meet tomorrow and to proceed with the consideration of the so-called Bankhead bill.

Mr. WAGNER. Mr. President, the pending bill is rather technical, and I should like to explain it.

This bill is for the purpose of assuring the Federal Reserve System of adequate powers to provide the currency and bank reserves that may be needed to finance the war effort. It would also repeal certain unnecessary provisions of law relating to the issuance of currency and thus help to simplify our currency system.

The bill would accomplish the following purposes:

First. Reduce the requirements of reserves to be held by Federal Reserve banks from their present level of 40 percent in gold certificates against Federal Reserve notes in circulation and 35 percent in gold certificates or lawful money against deposits, to a uniform minimum of 25 percent in gold certificates against both note and deposit liabilities.

Second. Extend indefinitely the authority of the Federal Reserve banks to pledge United States Government securities against Federal Reserve notes issued by the Federal Reserve agents; existing authority expires June 30, 1945.

Third. Repeal the authority to issue Federal Reserve bank notes.

Fourth. Repeal the authority to issue United States notes under the amendment of May 12, 1933.

The need for reducing the high reserve requirements of the Federal Reserve banks was mentioned by our late President in his Budget message, transmitted to the Congress on January 3, 1945.

Wartime demands for currency and bank deposits have resulted in a great increase in the liabilities of the Federal Reserve banks. At the same time, largely because of special wartime factors, available gold reserves have diminished, with the consequence that the ratio of the Reserve banks' reserves to their total deposit and note liabilities has decreased from 91 percent at the end of 1941 to 49 percent at the end of 1944. If present trends continue, these reserves will fall to the legal minimum by the end of 1945 and if they should become accentuated the minimum would be reached sooner.

We cannot afford to permit reserve limitations imposed by law to restrict the Federal Reserve banks in providing essential support to the Government in financing the war. For this reason it is strongly urged that the minimum reserve requirement be reduced to 25 percent. I am assured that such a reduction would be sufficient to enable the Federal Reserve banks to discharge their responsibilities.

The present minimum reserve requirements were established in the original Federal Reserve Act, which was passed in 1913. At that time there was practically no marketable public debt and the amount of currency and bank deposits was only a fraction of what it is today. The reason that it has not been necessary to reduce requirements before this is that there has been an extraordinary growth in the country's stock of gold. But recently this stock has been declining owing to the fact that since 1941 our imports have been paid for in cash, while the great bulk of our exports has been on lend-lease. The countries from which we bought goods were not able to spend the proceeds on American goods because of wartime restrictions or production and transportation, and so they have kept the proceeds in bank balances or have taken gold. This is likely to continue for some time and our gold reserves will probably diminish further.

At the same time, the financing of the war has involved the necessity of selling a great many securities to banks with a consequent great increase in bank deposits and in currency. The growth in bank deposits has increased member-bank reserve requirements. Member-bank reserves must be kept as balances with the Federal Reserve banks, and consequently there was an increase in the Reserve banks' own requirements for reserves against deposits. There has also been a large increase in the demand for currency, partly because of the great increase in the country's activity, and partly because of the fact that many people being away from home have had to have more cash. Most of the currency demand has been met by the issuance of Federal Reserve notes against which the Reserve banks must hold gold-certificate reserves amounting to 40 percent of the notes in circulation.

The net result has been that the gold reserves of the Federal Reserve banks have decreased from twenty and eight-tenths billions at the end of 1941 to eighteen and seven-tenths billions at the end of 1944 and their liabilities requiring reserves have increased from twenty-two and nine-tenths billions to thirty-eight and one-tenth billions.

The reserve ratio has been almost cut in two and continues to diminish. It would seem that there is no choice for Congress but to authorize a reduction in the required minimum. We cannot have a shortage of reserves prevent the Federal Reserve banks from doing their duty in the war.

If after the war is over currency and gold should begin to come back to the Federal Reserve banks, the ratio may rise again, but there is no way of telling when this will happen and to what extent. Therefore, it is far wiser not to limit the time during which the proposed reduction will be in effect. If the actual ratio should rise after the war, this would not result in undue expansion by the Federal Reserve System since its policies are not determined by the availability of reserves but by consideration of the public interest. If, however, gold and currency should continue to go out, the Federal Reserve banks would be hampered in the performance of their duties by inadequate reserves. During the entire history of the system there was only one time prior to the present when the ratio came near to the legal minimum and was a factor in determining Federal Reserve policy, and that was soon after the last war in 1920.

It should be noted that the law refers to minimum requirements.

It would seem that the establishment by law of a fixed requirement of 25 percent in gold certificates against notes and deposits alike would give the people adequate confidence in our currency and at the same time would not hamper the work of the Federal Reserve banks.

It may be noted that the proposed bill does away with the distinction in reserve requirements as between Federal Reserve note and deposit liabilities. Since these two liabilities can be converted at will one into the other there is no reason for requiring a different type or level of reserves against one of the liabilities as compared with the other.

Another provision of the bill would permit the Federal Reserve banks to continue pledging United States Government obligations as collateral against Federal Reserve notes. This power would otherwise expire at the end of June of this year. It was originally authorized during the depression in 1932 in order to enable the Federal Reserve banks to buy Government securities and relieve the pressure on member banks at a time when a deflation was under way. It has been renewed from time to time and is now about to expire once more. With the present composition of the Federal Reserve portfolio, which consists practically entirely of Government securities, and the large amount of Federal Reserve notes in circulation the Reserve banks would not be able to continue their support of the Government security market if they were not permitted to pledge these securities as collateral against Federal Reserve notes. In fact, they would be under the necessity of dumping between ten and eighteen billion dollars of these securities on the market. It is evident that this cannot be permitted to happen and that the power to pledge Government securities must be continued. In view of the shortage of commercial paper, which is eligible as collateral, it is necessary to continue the power to pledge United States Government securities for Federal Reserve notes indefinitely. Federal Reserve notes are obligations of the United States Government and have a prior lien on all the assets of the Federal Reserve banks. This, together with the 25-percent gold-reserve requirement, would be adequate to protect the soundness of our currency.

In view of the fact that the Federal Reserve System under the provisions of this bill would have adequate power to meet the currency needs of the country, it has been thought desirable to discontinue two other sources of currency issues. One is Federal Reserve bank notes, which require no reserves, and which were introduced in 1933 when reserve and credit conditions were such that a provision for special emergency currency was necessary.

They are no longer necessary, and it will be advantageous to have just one kind of Federal Reserve currency—Federal Reserve notes.

The power of the Secretary of the Treasury to issue $3,000,000,000 of United States notes was also an emergency measure adopted in 1933. At the time the country was in a desperate condition and it was impossible to foretell what might develop.

It seemed desirable, therefore, to provide against all possible emergencies and to strengthen the power of the Treasury to meet any possible need for currency that might arise. However, the President's action in reopening the banks with assurance that they would be kept sound resulted in a reversal of public psychology and a rapid return flow of money to the banks, and there has never been occasion to use the authority granted by the Thomas amendment. I have conferred with the Senator from Oklahoma and he agrees to the proposed repeal.

At this time, with the banks in sound condition and with the increased power to issue notes given the Federal Reserve banks by this bill, there is no possibility of the need arising to resort to the power of the Treasury to issue greenbacks. Consequently, it is proposed to repeal this authority.

By adopting this bill the country's currency system will be simplified and clarified and the Federal Reserve System will be given powers adequate for the discharge of its responsibilities.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. LANGER. The passage of the bill would be an inflationary step, would it not?

Mr. WAGNER. I do not think so.

Mr. LANGER. The Senator does not think so? Would it not be inflationary to reduce the reserve level from 40 to 25 percent?

Mr. WAGNER. No. As a matter of fact the president of the American National Bankers Association appeared before the committee and made no objection to the bill. He saw no danger of inflation in it, because it provides for a pledge of 25-percent gold reserve.

Mr. LANGER. I may say to the Senator that this is the first time I have been able to obtain a copy of the hearings. The hearings cover a hundred pages. I have not had an opportunity to read the hearings. Does the Senator have any great objection to the Senate voting on the measure tomorrow?

Mr. WAGNER. I should not like to delay consideration of the measure. The Treasury as well as the Federal Reserve Board are interested in it. I never want to object to such a request as the Senator makes, however.

Mr. LANGER. I should like to have an opportunity to read the testimony given at the hearings, if the Senator has no objection to letting the bill go over until tomorrow. I am perfectly willing to vote on it tomorrow. I am interested in knowing how it will affect the farmer for one thing. The Federal Reserve Board in 1920 issued regulations which wrecked the farmers. I wish to study the testimony.

Mr. TAFT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. TAFT. On this side of the aisle Senators cannot hear the conversation which is going on on the other side of the aisle. Senators are grouped together over there and are speaking in a low tone of voice, and we cannot hear them. I wonder if they would not stand a little farther apart.

Mr. WAGNER. Mr. President, I will state to the Senator from Ohio that the Senator from North Dakota is concerned over whether the farmer is going to be affected by the modification of the pledge so far as gold reserve is concerned. I said I did not think the farmer would be affected.

Mr. RUSSELL. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. RUSSELL. I undertook to follow the statement made by the Senator from New York. I understood him to say that one of the purposes of the proposed legislation was to increase the volume of available currency in the country.

Mr. WAGNER. Not to increase it; but the situation may require an increase of currency.

Mr. RUSSELL. I may not have thoroughly understood the Senator's argument. I frankly confess that I am not thoroughly schooled in all these intricate matters involving the Federal Reserve System, but it seems to me the inevitable consequence of the proposed action would be to increase the volume of currency. I understood the bill had two purposes. One, to continue the power of the Federal Reserve bank to pledge Government securities as a base for Federal Reserve notes.

Mr. WAGNER. As a partial base—Government securities and gold.

Mr. RUSSELL. And the other purpose was to decrease the amount of the gold reserve required for the issuance of notes by the Federal Reserve bank?

Mr. WAGNER. Yes.

Mr. RUSSELL. If it is not the purpose to increase the volume of currency in the country I do not see why it is necessary to pass the bill.

Mr. WAGNER. I think there is a need for it.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. TAFT. I should like to make a statement in my own time later, but at this time I should like to say that to a certain extent the bill is inflationary exactly as the measure increasing the public debt from $260,000,000,000 to $300,000,000,000 was inflationary. It really in itself is not inflationary. It does not stimulate the issue of currency; but it makes it possible to issue an increased amount of currency resulting from the inflation which is brought about by the deficit financing of the war, which is exactly the same thing.

Mr. President, as a practical matter, we have no choice, any more than we had a choice respecting the matter of increasing the public debt. It is an inflationary measure, but I should say that the passage of the bill is not in itself going to increase the amount of currency. It makes it possible, if forced by other things, for the currency to be increased. It makes it possible to issue a larger amount of currency. On the other hand, if we come to the point where we cannot issue any more currency we would be in pretty bad shape. I do not know how we could then conduct or finance the war. Consequently we are practically up against the gun. We have to permit the increase of currency. The real fault is the deficit financing of the war, which has resulted in increasing the debt $50,000,000,000 a year. That has forced a steady increase in the expansion of currency until we have reached the point where we can no longer issue enough currency in view of the 40 percent gold reserve requirement.

Mr. RUSSELL. Mr. President, I understood the Senator from New York to make that statement, and that is the reason I thought the passage of the bill would create a power to force an increase in the currency. As everyone knows, even those who are not intimately connected with the committees which deal with these vast fiscal problems, there has been a tremendous increase in the circulating medium in this country in the past 3 years. It is my recollection—I do not have the figures before me at the moment—that the amount of currency has increased from somewhere between $6,000,000,000 and $7,000,000,000 to approximately $20,000,000,000, and that amount is in circulation in the country today. Is that not approximately correct?

Mr. TAFT. About $27,000,000,000.

Mr. RUSSELL. I thought it was a little over $20,000,000,000. But the point I was making is this: We hear on all sides that there are outstanding a larger number of large-denomination bills than ever before in the history of this Government, and grave charges have been made in that connection. I do not know whether the charges can be substantiated, but charges are made that an enormous number of $10,000 bills and $1,000 bills have been used in financing black-market operations, and that the large-denomination bills are now being hoarded in lockboxes in banking institutions to avoid the payment of income taxes. I wonder if the distinguished Senator from New York went into that phase of the question. It seems to me that if we could bring these enormous sums represented by large-denomination notes out of hoarding it would not only increase the income-tax returns but it would increase the circulating medium. The mere issuance of these large-denomination bills does not make them a part of the circulating medium. The mere fact that a note is outstanding does not make it a part of the circulating medium, if it is going to be hoarded and kept somewhere in a lockbox.

It seems to me, with my very limited knowledge of such matters, that the Committee on Banking and Currency might well give consideration to some method of ascertaining the extent to which hoarding is being carried on, and undertake to bring these bills of large denomination, in huge sums, out of hiding in the lockboxes so that they might in fact become a part of the circulating medium. That would enable us better to attack the problem of black markets and the evasion of income taxes. I ask the Senator if the committee gave any consideration to that subject?

Mr. MURDOCK. Mr. President, all those factors were gone into quite thoroughly; but as we all know, this country today is confronted with the most gigantic financing problem in the history of the world. All that the Senator from Georgia says is true. If the Senator will look at the report of the committee, he will see exactly the position in which the country is today. It is not an alarming condition. It is simply a condition of which we must take note. We must solve it in the most conservative way possible.

If Senators will look at page 2 of the report, they will see, in the first column, that as of December 11, 1941, the reserves of our Federal Reserve banks were $20,800,000,000. Deposits, which require reserves of 35 percent gold, amounted to $14,700,000,000. Federal Reserve notes outstanding, which require 40-percent gold reserve, amounted to $8,200,000,000. We had a total of deposits, and notes of $22,900,000,000 as of December 31, 1941.

If Senators will follow the chart across to the right, they will see that the reserves have diminished. Gold reserves will have diminished from $20,800,000,000 to $17,700,000,000, projected to December 31, 1945.

In contrast with the decrease of reserves, we find liabilities requiring reserves increased, in the case of deposits, from $14,700,000,000 to $18,400,000,000. We find Federal Reserve notes outstanding, notes in circulation, increasing from $8,200,000,000 to $26,700,000,000. We find a total of deposits, and Federal Reserve notes of $45,100,000,000, contrasted with

$22,900,000,000. Of course, the last figure in the right-hand column, $45,100,000,000, is projected to December 31, 1945.

If we drop down to the figure representing the reserve ratio, we find that as of December 31, 1941, although the requirement for gold reserves was 40 percent, the reserve ratio was up to 90.8 percent, which shows that the legal reserve requirement does not necessarily mean that that is the gold reserve behind Federal Reserve notes and Federal Reserve Bank deposits. It simply means under the present law, that gold reserves behind Federal Reserve notes cannot decrease below 40 percent; and as against Federal Reserve bank deposits, they cannot decrease below 35 percent.

If Senators will look at the projection to December 31, 1945, they will find that the reserve ratio at that time, assuming that the decline in gold and the increase in deposits and notes continues at its present tempo or momentum, will have decreased to 39.2 percent, which is below the legal requirement. Mr. President, I ask to insert in the RECORD at this point the chart I am reading from.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[In billions of dollars]

Federal Reserve banks	Dec. 31, 1941	Dec. 31, 1944	Projections	
			June 30, 1945	Dec. 31, 1945
Reserves	20.8	18.7	18.2	17.7
Deposits	14.7	16.4	17.4	18.4
Federal Reserve notes outstanding	8.2	21.7	23.7	26.7
Liabilities requiring reserves	22.9	38.1	41.1	45.1
	Percent			
Reserve ratio	90.8	49.0	44.3	39.2

Mr. MURDOCK. What the country is confronted with today is this: We have the power, under what is known as the Thomas amendment, to issue $3,000,000,000 in what are commonly called greenbacks. We also have, under present law, the power to issue Federal Reserve bank notes, which do not require any reserve at all. This Government wants to be conservative. This Government wishes to remain on a gold basis. We cannot discontinue the vast war expenditures until the war is over. No Senator wants to stint or deprive this Government by impairing our ability to finance and carry on the war. We are confronted with one of two alternatives. If we desire to remain on gold, we must either reduce the legal gold reserve requirement below 40 percent, or take the other step of increasing the price of gold. Which do we wish to do?

Mr. RUSSELL. I appreciate the very able discussion of the Senator from Utah; I learned much from it; but the Senator did not undertake to answer the very simple question which I propounded to the Senator from New York.

Mr. MURDOCK. I am sorry.

Mr. RUSSELL. What consideration, if any, did the committee give to the hoarding of huge sums of large-denomination currency for the purpose of evading income taxes and encouraging black-market operations?

Mr. MURDOCK. That subject was called to the attention of the committee by the able Governor of the Federal Reserve Board, Mr. Eccles. He pointed out that it was a serious situation, and that in all probability hoarding of reserve notes would continue. But it seems to me that that is a question which must be handled by itself. It is certainly not a matter pertinent to the present law, which we are considering.

Mr. RUSSELL. It seems to me that it is pertinent, because the Senator from New York stated that it was necessary to have more circulating medium. One hundred $10,000 bills in a lock-box somewhere, which have been deposited there by some war profiteer for the purpose of evading income taxes, are not in the true sense circulating medium.

Mr. MURDOCK. I thoroughly agree with the Senator, except that, in my opinion, the problem he refers to should be treated separately.

Mr. RUSSELL. They are hoarded, and out of circulation. If those vast sums are being hoarded, to the detriment of the Treasury and the collection of income taxes, and to the disadvantage of the people who are dealing honestly with the Government, it seems to me that we should take steps to get this money out into the daylight, so that those who have evaded the payment of income taxes may be brought to book, and also in order that the money may be placed in the normal channels of business, commerce, and trade in this country, and not in lock-boxes in banks.

Mr. MURDOCK. I thoroughly agree with the Senator. I will be glad to join him in any proposal to remedy the situation. I know that the Committee on Banking and Currency of the Senate would be glad to consider any proposal he has to offer. The question is now before the committee. In the consideration of this bill we are confronted with the fact that our gold reserves are diminishing.

Mr. RUSSELL. Will the Senator explain why the gold reserves are diminishing so rapidly?

Mr. MURDOCK. Because of the financing of the war, is bringing into circulation a great volume of Federal Reserve notes, and also is increasing deposits in the Federal Reserve banks, as shown by the chart I referred to. We cannot finance a war without bringing more money into circulation. The Senator knows that as well as I do.

Mr. RUSSELL. Why would the mere issuance of currency reduce the total gold reserve in the United States? How would that reduce the total gold reserve? I understand the Senator from New York to say that the gold reserves of the United States had decreased approximately $2,000,000,000 in very recent months. I do not remember the exact figures.

Mr. MURDOCK. It is true that, because of a number of contributing factors, we are losing some gold which otherwise would be available for reserves.

Mr. RUSSELL. Is that gold still in the United States? If not, where has it gone?

Mr. MURDOCK. This is what happens: The Senator knows that most of our exports have been leaving this country under our lease-lend system. We receive no payments for them, in gold or anything else. But all our imports are on a cash basis. So our gold is going out under that procedure; and no gold, or very little gold, is coming in. Due to the fact that other nations cannot buy goods and commodities here in the United States in exchange for what they sell us, they are receiving gold in payment. They do not necessarily take it out of the country, but it is left here, earmarked for them. They own it. Of course, to the extent that such earmarking has occurred or to the extent that gold has actually been moved out of the country, our gold supply has decreased, and it will continue to decrease as long as that process continues.

Mr. RUSSELL. In other words, that is one of the costs of the war. We give away our materials and resources through lend-lease to our allies, and then we pay out our gold reserves to others for imports which come into this country. In other words, during the period of the war we are catching it from both sides.

Mr. MURDOCK. That is entirely correct. Of course, the Governor of the Federal Reserve System pointed out that as soon as lend-lease operations are terminated and the normal or natural flow of commerce is substituted for it, the gold situation in the United States probably will improve. When that occurs, the situation with the gold reserve may be that, although the legal requirement may be fixed at 25 percent reserve behind deposits and Federal Reserve notes, the ratio will increase up to a point much above the required ratio.

Mr. RUSSELL. Mr. President, if the Senator will indulge me for a moment before I subside——

Mr. MURDOCK. I will.

Mr. RUSSELL. The Senator made a suggestion about having the Senator from Georgia undertake to prepare legislation to deal with the supporting of the currency. Of course, I am not a member of the Committee on Banking and Currency.

Mr. MURDOCK. I understand that.

Mr. RUSSELL. It would require a great deal of study on my part, perhaps to such an extent that I would not be able to work on any other legislation here, if I were to undertake to draft such a measure. I am happy to hear that the Committee on Banking and Currency is undertaking to draft such a bill. That committee is composed of Members of the Senate who are experts on banking matters. So I hope the committee will pursue its studies and will draft a bill which will enable us to do away with the disgraceful spectacle of having war profiteers and black-market operators undertake to hoard large sums of money much of which they should pay to the Government under the income-tax laws.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. WAGNER. I yield.

Mr. O'MAHONEY. Why is it necessary for the Government to print huge quantities of $1,000 notes? Why would it not be possible to write into the bill an amendment directing that the number of notes of huge denominations be strictly curtailed?

Mr. MURDOCK. Of course, the Senate is in a position to amend the bill in any way it sees fit, but on that particular point I would doubt the wisdom of adopting such an amendment at this time. It seems to me that the prudent course for the Senate and the House of Representatives to take at this time is to pass this bill as it is, in view of the emergency. The right to pledge Government securities as collateral for Federal Reserve notes expires on June 30. We do not have too long a time to put the measure through. Every Senator who has examined a bank report in the last number of years knows that the assets of banks consist almost entirely of Government securities, and that what was known a few years ago and what is still known as eligible paper under the Federal Reserve law has decreased to a minimum—in fact, to such an extent that it would be absolutely impossible to finance this war by requiring the use of eligible paper as a substitute for Government securities. Such a requirement would simply be impossible and a terrific handicap to war financing.

I agree thoroughly with both the distinguished Senator from Wyoming and the distinguished Senator from Georgia that in the very near future the Congress certainly should consider bills directed at the very thing the Senators have pointed out, namely, the necessity for a curtailment of the number of notes of high denominations which go into circulation. However, Mr. President, I do not believe the amendment is a proper one to this bill.

Mr. O'MAHONEY. My question is, Why are a large number of such bills necessary?

Mr. MURDOCK. I would say that there is a demand for them and that the Federal Reserve Board, in order to meet the demand on the part of the public, the demand of member banks, and the demand of the Federal Reserve banks themselves, has printed a sufficient number of such notes to meet the demand.

Mr. O'MAHONEY. I am wondering whether the committee can give us any information to counteract the impression which certainly is created here that such notes of large denomination are printed for the use of income-tax evaders and black-market operators. If that is the case, certainly the Government in self-defense should curtail the issuance of such notes.

Mr. RUSSELL. Mr. President, I hope the Senator will permit me to say at this point—and I think I am the only Senator who discussed that subject—that I did not say these notes were issued for such purposes. I said they were being seized upon by war profiteers and black-market operators as a means of carrying on their operations. I hope the Senate will provide an opportunity for a vote on appropriate legislation which will prevent conscienceless war profiteers from benefiting from their ill-gotten gains on which income taxes have not been paid.

I wish to say further that I appreciate the assurance which has been given that the bill is not inflationary, but if I can understand anything whatever about the fiscal system of the United States, it seems to me the bill will have an inflationary tendency. I shall support it, as I have supported every bill which has been brought here with the backing of a Government department as being essential to the conduct of the war. Certainly the financing of the war is just as important as any other of our operations, and I shall not interpose any objection to the bill; but I cannot believe it is not inflationary.

Mr. WHITE. Mr. President, I desire to suggest to the Senators on the other side of the aisle that those of us on this side of the aisle are still Members of the Senate and we would like the privilege of hearing some of the statements which are being made. I shall appreciate it if Senators will stop forming a huddle, but will address the chair, so that all of us may be able to hear.

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). The Chair suggests that Senators sit as closely to the Chair as possible and speak in a loud tone of voice, so that all Members of the Senate will be able to hear what is said.

Mr. MURDOCK. Mr. President, I think the answer to the statement of the Senator from Georgia relative to inflation is simply that whenever financing is conducted on the gigantic scale on which we are conducting it today, of course it is a very potent factor conducive to inflation which must be controlled. Probably the only reason why it does not get out of bounds is that we now have on our statute books laws which are controlling these inflationary factors. But as money is brought into circulation in connection with the payment of huge war contracts and the payment of all other war expenditures, of course an inflationary situation is created, and it must be controlled.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. SHIPSTEAD. It has been said that this bill is not inflationary. That is true. We merely recognize that inflation exists. To the extent that the national debt has been increasing, there has been an attack upon the reserves of our currency and our banking deposits. That is a fact which we must take into consideration. This bill will not stop inflation.

So long as this process continues, inflation will also continue. This bill represents the first step in yielding to an attack upon our currency. If the process continues, the next step will be to reduce the gold reserve. If that be continued long enough, there will be nothing back of our currency. That is something which all of us should have anticipated. It cannot be stopped except by putting into effect a higher price level in order to produce more dollars with which to pay off the public debt.

The bills which must eventually be paid cannot be paid by issuing bonds. We are merely postponing the date of settlement. The longer it is postponed, the stronger the attack will become upon the safety of our currency and the more we shall have to recede on the field of the financial battle where we are already being defeated.

Mr. MURDOCK. The Senator's statement is correct, but in a bill of this nature we must distinguish between factors which contribute to inflation and inflation itself. The vast expenditures which are absolutely necessary in connection with the war program are factors conducive to inflation. In my opinion, we are now controlling in a very efficient manner factors which, if not controlled, would result in run-away inflation. We are doing so notwithstanding the fact that factors of inflation continue to enter the picture in increasing numbers. However, in considering this bill we must not lose sight of the fact that under the Thomas amendment the Treasury may issue $3,000,000,000 in currency. This bill would repeal the power to do so. Under the present powers of the Treasury, Federal Reserve bank notes, which require no reserve at all, may be issued. If this bill is enacted into law, it will repeal such power. If the bill is enacted into law, the Federal Reserve banks will be limited, in the expansion of the currency of the country, to one type of currency, and one only—namely, the Federal Reserve note.

Mr. SHIPSTEAD. That may be true, but whether we issue one kind of currency or another, it is merely taking something from the left hand and putting it into the right hand.

Mr. MURDOCK. The Senator must keep in mind, if he believes in a metallic backing for our currency—and I assume he does——

Mr. SHIPSTEAD. Yes.

Mr. MURDOCK. That under the Thomas amendment there is no requirement of any metallic backing. Under the issuance of Federal Reserve bank notes there is no metallic backing. A pledge of Government securities is all that is required. However, under this bill, and confronted with the fact that the bankers, as well as a vast majority of the people of this country, want a metallic backing for their currency, we must do one of two things; we must either reduce the gold reserve ratio or increase the price of gold.

I made as vigorous a fight as I could in the committee for an increase in the price of gold. I took the position that it would be more conservative and more in line with standard banking practice and procedure of this country to raise the price of gold instead of decreasing the gold-reserve ratio. But I was voted down in the committee on the proposal. We are now confronted with facts and not theorics, and if we wish to remain on a gold basis we must reduce the gold reserve requirement. If we do not do that, and, instead, continue to issue Federal Reserve notes, and deposits in

Federal Reserve banks continue to increase, the law will be violated, because there are not sufficient gold reserves to maintain the 40-percent ratio. I do not believe any Senator wants to see the law violated. We know that we must continue to finance the war effort. The best and most conservative method of continuing the prosecution of the war without impairment of our fiscal policies is to do what is being proposed by this bill, namely, reduce to 25 percent the gold reserve requirements behind deposits and Federal Reserve notes.

Mr. SHIPSTEAD. I think the Senator misunderstood me. I do not advocate withdrawing the requirement of metallic reserve against currency. I invite attention to the fact that we are confronted with a situation which has resulted from financing the war. We cannot help that. But it does not make any difference whether we increase the price of gold or reduce the reserve behind the currency, because, in my opinion, it is 50 of one and 50 of the other.

Mr. MURDOCK. That is correct.

Mr. SHIPSTEAD. I simply rose to call attention to the fact that we are not meeting inflation; the inflation is overcoming us and attacking the validity of our currency, and if it continues we will have to reduce the gold content again, until there may not be any gold left.

As to bills of large denomination, I do not see any difference between printing a ten thousand dollar and a hundred dollar bill so far as inflation is concerned. It is somewhat more inconvenient for those who want to hide it away to have 10 hundred-dollar bills than a thousand-dollar bill, but I cannot understand how that will have any effect on inflation.

Mr. O'MAHONEY. Mr. President, it has this effect, if the Senator will permit the interruption——

Mr. MURDOCK. Mr. President, I have the floor.

Mr. O'MAHONEY. Does the Senator object to my replying to the Senator from Minnesota?

Mr. MURDOCK. I am always happy to yield to the distinguished Senator from Wyoming, but I think in conformity to Senate rules and orderly procedure the Senator should at least request me to yield. I yield to the Senator.

Mr. McCARRAN. Mr. President, I have asked the Senator from Utah to yield a number of times. I wonder if he would care to yield at any time?

Mr. MURDOCK. I yield first to the Senator from Wyoming.

Mr. McCARRAN. I do not care. The Senator from Wyoming may have the floor so far as I am concerned.

Mr. O'MAHONEY. Mr. President, I was pointing out to the Senator from Minnesota in response to his remarks that control of the number of large denomination bills would have the effect of preventing the evasion of income taxes, and because it would prevent the evasion of the payment of income taxes it would bring about an increase in some degree—I do not know what—in the tax receipts of the Government of the United States, and to that extent would enable the Government to meet the expenditures of the war without borrowing. Therefore, pro tanto, it would be anti-inflationary.

Mr. SHIPSTEAD. That would undoubtedly be true.

Mr. O'MAHONEY. But I grant that it probably would not have a great deal of effect.

The question I addressed to the Senator from Utah at the beginning of the discussion was intended to develop information as to the actual commercial use of these large denomination bills. If a black marketeer were compelled to carry around a roll of twenty $100 bills instead of two $1,000 bills, it might be a little more difficult for him to carry on his operations, and to evade his income-tax payments.

Mr. MURDOCK. My answer to the distinguished Senator from Wyoming is simply that my experience with five- and ten-thousand-dollar notes is so limited that I do not feel I can contribute much to the present discussion.

Mr. O'MAHONEY. That is why I had to ask the question; I have no experience with such bills.

Mr. MURDOCK. I think probably the Senator from Wyoming and the Senator from Minnesota both have had much more experience with large-denomination notes than I have. I think that the question raised by the Senator should be given immediate attention by the Treasury Department and by the Banking and Currency Committee of the Senate, and I am sure that it will be.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Colorado?

Mr. MURDOCK. I yield.

Mr. JOHNSON of Colorado. I have been trying to get the floor, in fact I was trying to get the floor before the Senator from New York sat down and yielded it over to the Senator from Utah. I should like to address a query to the chairman of the Banking and Currency Committee, the Senator who is in charge of the bill, if he will permit me to ask him the question.

Mr. MURDOCK. I should be glad to have the chairman answer any question the Senator desires to propound.

Mr. WAGNER. And I shall be glad to answer if I can.

Mr. JOHNSON of Colorado. A few moments ago the Senator from North Dakota [Mr. LANGER] asked that the bill go over so that he could give further study to it. I desire to join him in that request, and I will say to the Senator from New York that this is my reason: I have been preparing through the legislative counsel three amendments to this bill, in fact, I submitted them to the legislative counsel about 2 weeks ago, but, due to their extraordinarily heavy work and my own, I have not gotten the amendments back as yet. I should like to ask the Senator, if I may, for the privilege of submitting those amendments to the Senate and having them considered tomorrow.

Mr. WAGNER. Mr. President, I always desire to be courteous to every Senator, but this bill has been on the calendar for some time, and I think ample time has been afforded. I have not had an opportunity to confer with other members of the committee. There is some anxiety about this bill; the Treasury Department and the Federal Reserve Board think the proposed legislation is very important and necessary in view of our war effort. If the Senator will defer his request, I will discuss the matter with him.

Mr. JOHNSON of Colorado. I did not know that the bill was coming up today.

Mr. WAGNER. It has been on the calendar for some time.

Mr. JOHNSON of Colorado. I know it has been on the calendar since March 27, and it has been passed over on the calendar on some occasions. So far as I know, the Senator from New York has never announced that this bill was to be taken up today; I had no notice that it would be taken up until just a moment ago, when the Senator from New York moved that it be taken up. I am making a very reasonable request, it seems to me, in the case of a bill so important as this, a bill in which my State is deeply interested, and to which I propose to offer some amendments. I do not know whether the amendments will be adopted, but I want them considered. As I have already told the Senator, I am starting from scratch. I have asked the legislation counsel to prepare the amendments. I asked that it be done 2 weeks ago, but I have not gotten the amendments back as yet and I should like to have the privilege of having the amendments considered tomorrow.

Mr. WAGNER. The chances are they probably will be.

Mr. JOHNSON of Colorado. I am not going on chances. I want to know.

Mr. WAGNER. I will let the Senator know within the next hour or so. I desire to confer with some members of the committee. I do not desire to take the responsibility all by myself. In any event, however, the Senator from Utah has not finished his statement.

Mr. MURDOCK. Mr. President, I should like to conclude my statement.

Mr. JOHNSON of Colorado. I should like to prepare my amendments. I have to get in touch with the legislative counsel and obtain the amendments and have them printed so that they can be before the Senate.

Mr. WAGNER. I will have to confer with the acting leader and ascertain what is his attitude.

Mr. JOHNSON of Colorado. The acting leader is present.

Mr. HILL. Mr. President, if the Senator will yield, I will say that this is a very important bill. As I understand, and as the chairman has stated, it is the desire to pass this bill at the earliest practicable moment. I realize the situation in which the Senator from Colorado finds himself, but it seems to me that certainly we ought to make all the progress we can today. I believe the distinguished Senator from Utah wants to make some remarks on the bill.

Mr. MURDOCK. It will not take me long.

Mr. HILL. And the Senator from Ohio [Mr. TAFT] wishes to make some

remarks on the bill. Then, after all the Senators have spoken who wish to speak on the bill, if it is agreeable to the chairman of the committee, the Senator from New York, to have it go over until tomorrow in order that the Senator from Colorado may have time to prepare his amendments, that will be agreeable.

Mr. JOHNSON of Colorado. I should like to have assurance now that I may submit the amendments and have them considered tomorrow.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MURDOCK. I do not think I will yield further at this time.

The PRESIDING OFFICER. The Senator from Utah declines to yield further.

Mr. MURDOCK. I appreciate the position of the Senator from Colorado, but I think the matter to which he has referred can be worked out without taking further time of the Senate now.

Another factor we should bear in mind in the consideration of this bill is that we have 12 Federal Reserve banks and the position of each bank so far as gold reserves are concerned is different. To illustrate my point I ask unanimous consent to insert at this place in my remarks a chart from the committee report.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Percent]

Federal Reserve bank	July 1944	October 1944	January 1945	February 1945
Boston	53.8	43.6	45.4	45.8
New York	50.6	46.4	52.8	50.7
Philadelphia	48.8	48.6	43.8	44.4
Cleveland	52.9	43.3	45.3	43.6
Richmond	57.5	47.6	45.6	46.6
Atlanta	57.0	51.7	52.0	52.1
Chicago	64.7	63.6	49.7	51.7
St. Louis	54.2	58.0	43.3	46.5
Minneapolis	49.6	51.5	44.9	44.8
Kansas City	53.2	45.7	45.0	45.9
Dallas	51.1	46.6	45.5	44.1
San Francisco	66.5	63.8	54.2	51.3
Total	56.0	52.0	49.3	48.8

Mr. MURDOCK. While the average of the 12 Federal Reserve banks on December 31, 1944, was 49 percent in gold reserve, we find that some of the individual banks are as low as 45.8, others 44.4, 43.6, 46.6, and another at 44.8.

In order to keep all the banks above the 40-percent reserve requirement necessitates a good deal of juggling and shifting around by the Board of Governors of the Federal Reserve System of Government securities held by the Federal Reserve banks. Some banks probably could go on for a year or more without being down to the minimum requirement of 40 percent. Others probably would reach it in 6 or 7 months, but the over-all picture now stands at 49 and a fraction percent, and the Governor of the Federal Reserve Board thought it was only prudent and wise that the reserve requirement be reduced to 25 percent at the earliest possible date, so that their planning on financing of the war for the future will be on a stable and, I would say, conservative basis.

As I pointed out before, I made a vigorous fight in the committee to increase the price of gold rather than to decrease the reserve ratio. I still feel that that probably would be the most conservative and the best thing to do, but in that position, as I recall, I was supported by only one other vote in the Committee on Banking and Currency. The president of the American Bankers' Association took a very definite stand on a gold backing for our currency, and after rather vigorous cross-examination by me as to his position, he still maintained that in his opinion it was better to reduce the gold-reserve requirement than to increase the price of gold.

Another very important factor, Mr. President, relates to the use of Government securities as collateral for the issuance of Federal Reserve notes. This practice was adopted in 1932 to meet an emergency at that time. From year to year the practice has been continued by extending the life of the law which permitted it. The law will expire on June 30 of this year unless it shall be renewed prior to that time. The pending bill provides, not for a temporary renewal of that law, but to make it permanent.

I do not know how many Senators have ever gone into the question of just how our currency is issued, what the procedure is, but this is the situation as it exists today. We are now engaged in floating another great war loan. Under the war loan, individuals and the nonbanking corporations of the country will be requested to contribute, in the purchase of bonds, to the fullest extent possible. They having done that, there will still be a very large deficit in the proposed war loan. That deficit can only be made up by the purchase of bonds through banking institutions.

Congress not long ago adopted a statute which permits the establishment of demand deposits, by sale of bonds by the Treasury to the banks, without the requirement of any reserve whatsoever. Some may object to that as being highly inflationary and very unsound, but, again, this country was confronted with a fact, a situation, and not a theory. The war had to go on. The war had to be financed. Contracts had to be met. Soldiers in the Army and members of the Navy and the Marine Corps all had to be paid. Money had to be made available with which to do that and Congress enacted a statute permitting banks to purchase bonds and establish demand deposits for the Government without reserves, and evidently it is functioning well in the financing of the war.

In the issuance of Federal Reserve notes under present law Government securities can be used to 100 percent of the amount of Federal Reserve notes issued. Some may say that is unsound and that it is highly inflationary, but, again, we must have the Federal Reserve notes with which to carry on the war program and to supply the currency needs of the country, and we just cannot stop at this time.

Having indulged in that practice over a number of years, and the Congress having extended the life of the law each time it has been presented to it, it seems to me there is little use at this time in extending it only temporarily. When the emergency is over we may conclude to repeal this authority, but we can cross that bridge later.

If banks today had to secure eligible paper, instead of using Government securities, in the issuance of Federal Reserve notes, it just could not be done, because, as I stated a few minutes ago, every bank statement we examine today shows that a great preponderance of assets of banks consist of Government securities. What is known as eligible paper under the law just does not exist in sufficient quantities.

If this law is not continued, the Federal Reserve banks will simply be confronted with the necessity of disposing of Government securities in large amounts. Without question that in turn would result in a tremendous borrowing, a borrowing of between ten and eighteen billion dollars, on the part of the member banks, and in my opinion would create a very unsatisfactory condition in our banking system and war financing.

Mr. President, I think our Federal Reserve System has been efficiently administered and managed by its present Governor, Hon. Marriner S. Eccles. Mr. Eccles would probably be referred to by many bankers as unorthodox and liberal, but in my opinion he has administered the Federal Reserve System very efficiently. Under his guidance the war has been financed I think in a very efficient and sound manner, and he is asking us today to do what, in my opinion, is an absolute necessity, unless we want to increase the price of gold. If we stay on gold as a backing for our currency, we just cannot continue the present requirement of 40 percent gold reserve behind our Federal Reserve notes, and 35 percent behind Federal Reserve banking deposits, and still carry on the proper financing of the war.

The distinguished Senator from Ohio [Mr. TAFT] has referred to deficit borrowing and spending by the Government. There is no question that that is one of the big factors at this time contributing to an inflationary condition, or threat, but under other laws which, in my opinion, are being fairly well administered, we have stayed away from inflation, and, in my opinion, as long as those laws are kept in force, and we continue an efficient administration of them, we can avoid runaway inflation.

It is my opinion, Mr. President, that, due to lack of time, especially in the use of Government securities as collateral for Federal Reserve notes, it is incumbent on us today to make as fast progress as we possibly can on the pending bill, and I am hopeful that it may be passed at latest by tomorrow.

Mr. JOHNSON of Colorado. Mr. President——

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The present occupant of the chair is advised that before he took the chair the Senator from Colorado [Mr. JOHNSON] sought to gain recognition. The Chair therefore recognizes the Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, I desire to discuss the bill for two and a half or perhaps 3 hours, in order that I may have an opportunity to have prepared the amendments I propose to offer.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Yes. I shall be glad to yield to every Senator.

Mr. LANGER. I wish to say to the distinguished Senator that I wish to make a speech on the bill which will take 3 or 4 hours. I will deliver that speech now while the Senator is preparing his amendments.

Mr. JOHNSON of Colorado. I thank the Senator from North Dakota very much. That is the assurance I wanted. That is an assurance for which I have asked. That is the courtesy I have been refused by the Senator from New York in charge of the bill.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. Yes; I yield.

Mr. WAGNER. I do not think I refused, did I? I said, "Just wait a little while."

Mr. JOHNSON of Colorado. The Senator from New York said he was obliged to consult with other Senators.

Mr. WAGNER. I said the Senator from Ohio [Mr. TAFT] wanted to make an address on this question, and if I have to decide now I will decide that the bill go over until tomorrow so the Senator may consider the amendments he wishes to offer.

Mr. JOHNSON of Colorado. That is all I wanted, Mr. President. I yield the floor.

Mr. LANGER. Mr. President, I may say that I have asked the distinguished Senator from New York for an opportunity to read the hearings. The hearings contain a hundred pages of testimony.

KLAMATH TRIBE OF INDIANS

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Colorado yield?

Mr. JOHNSON of Colorado. I have yielded the floor, Mr. President.

The PRESIDING OFFICER. The Senator from Oregon has requested recognition for some time. He has a matter he would like to present for consideration.

Mr. MORSE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate now consider Senate bill 655 which provides for the payment of traveling expenses for the members of the Klamath business committee and other committees appointed by the Klamath General Council of the Klamath Indian Reservation in Oregon. I have discussed the matter with the senior Senator from Wyoming [Mr. O'MAHONEY]. The bill has been unanimously approved by the Committee on Indian Affairs. I ask the Senate to give unanimous consent at this time for consideration of the bill.

The PRESIDING OFFICER. Is there objection?

Mr. HILL. Mr. President, I did not hear the explanation made by the Senator from Oregon. Was the bill objected to when it was reached on the calendar?

Mr. MORSE. I am speaking of order No. 127, Senate bill 655, which was unanimously approved by the Committee on Indian Affairs.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. WHITE. I wish to say to the Senator from Alabama that the bill was not reached on the call of the calendar today. It is one of the bills which are on the calendar before those called today.

Mr. HILL. Does the Senator from Oregon recall which Senator objected to consideration of the bill on a previous call of the calendar?

Mr. MORSE. I do not recall.

Mr. HILL. Was it discussed on a previous call of the calendar, to the Senator's knowledge?

Mr. MORSE. Not to my knowledge.

Mr. HILL. I am anxious to cooperate with the Senator in any way I can. I am anxious to help him have his bill passed. We are not going to recess at just this moment. There will be one or two speeches made. The distinguished Senator from Ohio [Mr. TAFT] desires to address the Senate. I wonder if the Senator from Oregon will withhold his request for a moment, until I can confer with him?

Mr. MORSE. I shall be happy to do so.

The PRESIDING OFFICER. The Chair is advised that the Senator from West Virginia [Mr. REVERCOMB] objected to the bill when it was previously reached on the calendar.

Mr. REVERCOMB subsequently said: Mr. President, on the call of the calendar a few days ago I objected to the consideration of Senate bill 655, and asked for an explanation of it. No explanation was forthcoming at the time, and the bill was passed over. I wish to state that I have discussed the bill with its author, the Senator from Oregon [Mr. MORSE], and I am convinced that it is a bill which should be enacted into law, and at this time I expressly withdraw my objection and ask for immediate consideration of the bill.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 655) amending the act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and the interpreter of the Klamath General Council, members of the Klamath business committee, and other committees of the Klamath Tribe, as amended, and for other purposes.

The PRESIDING OFFICER. Is there objection to the laying aside temporarily the unfinished business and considering Senate bill 655?

Mr. HILL. Mr. President, I shall not object. I think the bill is a good one and I hope it may be passed at this time.

Mr. MORSE. Mr. President, I wish to thank the Senator from West Virginia and the Senator from Alabama, and to explain that when the bill was reached on the call of the calendar I was attending a meeting of a committee and was not present to explain the import of the bill. It has since been explained, and I hope the Senate will agree that it is a deserving bill and will pass it.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Indian Affairs with an amendment on page 3, line 6, after the word "exceed", to strike out "$10,000" and insert "$15,000", so as to make the bill read:

Be it enacted, etc., That the act approved June 25, 1938 (52 Stat. 1207), as amended, be, and the same hereby is, further amended so as to read in full as follows:

"The Secretary of the Interior, or such official as may be designated by him, is hereby authorized beginning as of July 1, 1937, and until otherwise directed by Congress, to pay out of any unobligated tribal funds of the Klamath Indians in the Treasury of the United States salaries and expenses to the chairman, secretary, and interpreter of the Klamath General Council and members of the Klamath business committee or other committees appointed by the Klamath General Council (except the Klamath Reimbursable Loan Fund Board), when engaged on business of the tribe, and to such official delegates of the Klamath Tribe who may carry on the business of the tribe at the seat of government: *Provided*, That the rate of salary and per diem paid shall be fixed in advance by resolution of the Klamath General Council, subject to the approval of the Commissioner of Indian Affairs, except that additional salaries and expenses, fixed and approved in the same way, may be made retroactive to July 1, 1943: *Provided further*, That the official delegates of the tribe carrying on said business at the seat of government shall receive, if travel is by rail, the usual railroad and sleeping-car transportation to and from the seat of government, or, if travel is by automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the aforesaid official delegates shall also receive reimbursement for telegraphic expenses incurred on tribal business: *Provided further*, That the aforesaid salaries and expenses shall not exceed $15,000 per annum: *Provided further*, That the length of stay of the official delegates at the seat of government shall be determined by the Commissioner of Indian Affairs."

Mr. WAGNER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. WAGNER. Consideration of the bill will not displace the unfinished business?

The PRESIDING OFFICER. The Chair is advised that it will not result in displacing the unfinished business, which has been laid aside temporarily.

The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PROCEDURE IN CONNECTION WITH QUORUM CALLS

Mr. ELLENDER. Mr. President, since the Senate convened at 12 o'clock today there have been two roll calls, at neither of which I was able to reach the Senate Chamber to answer "Present." I wish to say that during the morning I had the following schedule of committee meetings: At 10 o'clock I presided over a meeting of the Claims Committee, of which committee I am chairman. As chairman of that committee I personally reported nine Senate and House bills. As soon as I completed that work I hastened to a second committee, of which I am a member, which had a meeting scheduled for this morning, the Committee on Agriculture and Forestry. That committee is now conducting hearings on the food shortage. After being in attendance at that committee meeting for about 30 minutes I attended the meeting of another committee which had a committee meeting scheduled for this morning, the Committee on Small Business. Soon after I came to that meeting the Senator from Tennessee [Mr. STEWART] stated that he had other important duties to perform, and he asked me to preside over the committee meeting. I presided over that committee, beginning at about 11:30, and was actually busy in that committee until 1:15 today. At the meeting of the Committee on Small Business the Senator from Connecticut [Mr. HART] and the Senator from Delaware [Mr. BUCK] were in attendance. We continued the hearing till 1:30 so as to accomodate quite a number of generals and admirals who appeared before the committee.

Mr. President, I cannot help but observe that we have fallen into the silly practice of permitting Senators to poke their heads through the door and answer "Present" and be recorded as being present, when other Senators who are busily engaged in important committee hearings are shown to be absent. Whether the fact is generally known to the Senate I do not know, but those of us who are so engaged cannot be recorded as being present when the roll is called in the Senate. I think that is a silly method of handling the Senate's business. I assume that the purpose of the practice is to force Senators to be in attendance. If we are to maintain that practice I believe we should resort to a former practice which prevailed in the Senate, which was that whenever any Senator could count as being present on the floor of the Senate less than 49 Senators he was permitted to suggest the absence of a quorum, and the roll would be called so as to force Senators to attend. I am not advocating resort to that practice, but I say that I believe the practice now engaged in by the Senate is a silly one.

Aside from the three scheduled committee meetings which I attended, and of which I have spoken, the meeting of the Claims Committee at 10 o'clock, the meeting of the Committee on Agriculture and Forestry at 10 o'clock, and the meeting of the Small Business Committee at 10 o'clock, there were also scheduled meetings of the Naval Affairs Committee at 10 o'clock and the Committee on Education and Labor at 10:30, which I as a member should attend. I could not attend the two latter committee meetings.

Mr. President, I do not know whether I am in order in doing so or not, but I ask unanimous consent that the clerk be permitted to record the Senator from Connecticut [Mr. HART], the Senator from Delaware [Mr. BUCK], and myself present on the two roll calls at which we are recorded as not being present.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

Mr. HILL. Mr. President, I hesitate to object, and I do not know that I shall object. Of course, the roll call is supposed to show whether or not a Senator was actually present. We know from the statement made by the distinguished Senator from Louisiana that he had good reason—perhaps the best possible reason—for being absent when the roll was called. He was engaged in most important public business. He was engaged in essential business and work of the Senate. But I do not know whether we should now go back and have the roll calls show that he was present when, according to his own statement he was not present. I wonder where such a practice would lead us. That is the only thing I am thinking about—where would that practice lead us?

Mr. ELLENDER. To my way of thinking, it simply shows the silliness of the method to which we have resorted in the Senate. In other words, here is a Member of the Senate busily engaged in a committee hearing. In order to accommodate some witnesses who have been summoned before the committee, he is not permitted to telephone whoever is in charge and say, "I am busy; put me on the roll," as was formerly done. But a Senator who is doing something else may poke his head through the door and say, "Present," and get on the roll. It seems to me that the practice ought to be changed. As I have just said, if we are to have roll calls, the purpose of which is to have Members of the Senate present at all times, we ought to go back to the old practice, and permit a Senator to call for a quorum at any time if upon counting he finds present fewer Senators than the number necessary to constitute a quorum. I believe that if we are to continue this rule we ought to extend it further along the lines which I have suggested.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). The present occupant of the chair rules that unless he is directed to the contrary by the Senate, the rule against absenteeism will not be enforced when Senators are absent on public business.

Mr. TAFT. Mr. President, it seems to me that the rule suggested is absolutely contrary to fact and impossible. We cannot possibly record a Senator as present if he is not present. It would be in violation of the Constitution and every other common-sense provision. It is possible that we might set up, after every roll call, a list of Senators who are not present, but who are then in committees. We might adopt such a rule; but we certainly cannnot, under any circumstances, adopt any rule that a Senator shall be recorded as present when he is not present. It is impossible that there should be such a rule, and there never was such a rule. Names of Senators placed on the roll under such circumstances are always placed on the roll in violation of the rule.

Mr. ELLENDER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. ELLENDER. Would the Senator consider a Senator present if, as often occurs, his name is not reached but he pokes his head through the door, the clerk sees him, and he is able to leave immediately? Would the Senator consider him present?

Mr. TAFT. He was present.

Mr. ELLENDER. Not when his name was called?

Mr. TAFT. No; not when his name was called. He should not be recorded. That is contrary to the rule.

Mr. ELLENDER. And yet that practice is resorted to.

Mr. TAFT. But on a point of order it could be immediately ruled out.

Mr. WILEY and Mr. O'MAHONEY addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Ohio yield, and if so, to whom?

Mr. TAFT. I yield first to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I am very grateful to my colleague.

Mr. TAFT. Does the Senator desire to have me yield for a question on this subject?

Mr. WILEY. For a few comments. Other Senators have had the privilege of commenting, and I thought perhaps I might say a few words.

Mr. TAFT. If the Senator is passing to some other subject, I prefer to yield the floor entirely.

The PRESIDING OFFICER. The Senator from Wyoming [Mr. O'MAHONEY] is recognized.

Mr. WILEY. Mr. President, do I not have the floor?

The PRESIDING OFFICER. One Senator cannot yield the floor to another Senator. The Chair will be very glad to recognize the Senator from Wisconsin; but the Senator from Wyoming has been on his feet several times, and the Chair has not had an opportunity heretofore to recognize him.

The Chair will also say to the Senator from North Dakota that some time ago the Senator from Oregon requested that he be recognized at the first opportunity. The Chair therefore recognized the Senator from Oregon. The Chair did not wish to cut off the Senator from North Dakota.

The Senator from Wyoming is recognized.

Mr. O'MAHONEY. Mr. President, I desire to make one or two comments on the subject of roll calls. For as long as I can remember—and I have been acquainted with the Senate since early in 1917—it has been the uniform practice of this body to recognize as present, on the printed quorum call, all Senators who have been present upon the floor, who have been present in committees, or who have been present in their offices, and

thus within the call of the Senate whenever their physical presence was actually necessary in the Senate Chamber, provided that at least 49 Senators, or the number necessary to constitute a quorum, had personally answered to the roll call when their names were called.

That practice, which as I say has existed as long as I can remember, seems to me to be perfectly logical and proper, and correctly represents the actualities of the situation. The Senator from Louisiana has just described the position in which he and two or three other Senators found themselves today.

Like the Senator from Louisiana, I was not on the floor to respond to my name when it was called; but I was engaged in the business of the Senate. From an early hour this morning I had been concerning myself with some of the most important subjects that the Senate and my constituents have to consider. I was in conference over the telephone with the Assistant Secretary of the Interior at the time the roll was being called. It did not seem to me to be of sufficient importance that I should hang up the receiver on that conversation and dash in from the cloakroom to answer to my name, or give a signal from the door of the cloakroom to the clerk of the Senate to indicate my presence, because I knew that when the conversation was over I should be back here on the floor listening to the debate. I have listened to the debate on the appropriation bill, and in connection with the call of the calendar. When the Senator from Utah [Mr. MURDOCK] was discussing an important bill reported by the Committee on Banking and Currency, I asked him one or two questions. So there will be no question in the mind of any person who reads the RECORD tomorrow that, I have, in fact, been present in the Senate today, although anyone reading the printed roll call only would believe that I was not present.

The Senator from Louisiana, sitting in a committee of the Senate and doing the work of the Senate was actually present within the call of the Senate. He was not an absentee, as someone reading the quorum list tomorrow might imagine. It seems to me that it is perfectly absurd not to permit Senators who are present in committees, and who come upon the floor and participate in the debate, to be recorded as present.

As we all know, the fact of the matter is, that there is an impression abroad in the country that all the work in the Senate is done on the floor of the Senate. It is not done on the floor of the Senate although there are many important debates here. Only a small proportion of the work of the Senate is done in the Senate Chamber. Bills have to be whipped into shape in the committees. We must consider a great number of bills of minor importance, bills of great importance, bills upon which there is no dispute, and bills upon which there is controversy. When a committee of the Senate, acting in accordance with the rules, conducts a hearing upon any measure and reaches a unanimous decision upon that measure and reports it to the Senate and it appears upon the calendar without a minority report, members of other committees know, when they look at the calendar and at the report, that a standing committee of the Senate has unanimously agreed that a certain bill is desirable. Naturally, unless there is a particular local, State, or regional interest in the bill, or a particular economic or sectional interest in it, a Senator is inclined to take the unanimous judgment of the committee appointed for the purpose of considering the bill. That is the reason why committees are appointed.

We all know—and it is a perfectly proper procedure—that Senators frequently take the floor in order to explain their points of view to the Senate and to their constituents. Frequently—indeed, I might say almost always—other Members of the Senate know the arguments which are being advanced by the Senators who take the floor, particularly if they are members of the committee which has reported the bill upon which a Senator is speaking.

So, Mr. President, it seems to me to be perfectly reasonable to assume that a Senator in these circumstances should not be compelled to be present throughout every minute of the debate if he hopes to have his name listed in the RECORD on a quorum call, when he actually was present and within the call of the Senate.

Take, for example, the appropriation bill which was passed today. It was first acted upon by a subcommitee and then by the whole Apppropriations Committee. The bill was then placed in charge of the able chairman of the subcommittee [Mr. MCCARRAN]. It was not necessary for all the members of the full committee to be present here on the floor to explain the bill to the Senate.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. O'MAHONEY. Certainly I yield to the Senator from Minnesota.

Mr. SHIPSTEAD. I thank the Senator.

Mr. President, I am reminded of the time when I was a boy on the farm and I had to go to school. We had a lot of work which we had to do in the mornings. We had to milk the cows and chop wood and carry water and do various other chores, and sometimes we could not get to school by the time the bell stopped ringing. If that happened more than once, sometimes a boy had to remain after school, to make up for the times when he was late.

Possibly it might solve the difficulty which the Senate now confronts if a Senator who happens to be in a committee and comes into the Chamber 5 minutes after the roll is called were compelled to remain in his seat for 5 minutes after the Senate adjourns, to make up for the time he has lost, when he should have made his appearance here in this august body 5 minutes before he actually arrived. [Laughter.]

Mr. O'MAHONEY. Mr. President, I may say to the Senator that the Senator from Louisiana and myself are in the position at this moment of rising with our hands raised and saying to the teacher, "Teacher, please, we were present." [Laughter.]

Let me add a further word. We all know that many Senators will sit in their seats in this Chamber when the roll is being called, following the suggestion of the absence of a quorum, and will remain in their seats until their names are called. Then, after having answered, they will immediately go to the telephone or absent themselves in some other business. The only difference between the situation in which I find myself today and the situation in which other Senators whom I could name find themselves——

Mr. HATCH. Mr. President, will the Senator yield to me?

Mr. O'MAHONEY. I yield.

Mr. HATCH. The Senator has referred to Senators whom he could name. I suggest my name to the Senator, because I did that very thing this morning. When the roll was called, I sat in my seat in the Senate Chamber and answered to my name. As soon as I said "Here" I walked off to attend to some other business.

Mr. O'MAHONEY. The Senator from New Mexico answered to his name and then went to the telephone. I was on the telephone, and I did not answer to my name. When I arrived on the floor of the Senate the roll had been called, the announcement had been made, and therefore the notice published tomorrow will be that I was not present.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. TAFT. Of course, the Senator does not maintain that he was present, does he?

Mr. O'MAHONEY. Not when the roll was called.

Mr. TAFT. Certainly not. Then, why should the RECORD show something which is not true?

Mr. O'MAHONEY. But I was present in the cloakroom, within as close a distance to my seat as I am to the Senator from Ohio at this moment. I was within the call of the Senate. I returned immediately after the roll was called. I contend that in all reason and sound judgment I should be recorded as present.

Mr. TAFT. Mr. President, if the Senator will further yield to me, let me say that he has suuggested that the members of a committee duly sitting should be recorded as present, although they are not actually present in the Senate Chamber. Would the Senator extend that to a committee sitting under the approval of the Senate in, let us say, San Francisco or Pittsburgh?

Mr. O'MAHONEY. No; I would not.

Mr. TAFT. The Senator would confine it, then, to a committee sitting in the Senate Office Building, would he?

Mr. O'MAHONEY. The words I used define my position. I said "within the call of the Senate." A Senator who is in his office, a Senator who is in a committee room, or a Senator who is at a telephone booth in one of the cloakrooms can be called to the floor of the Senate as quick as a wink, and, in my judgment, all such Senators should be recorded as present if they are within the call of the Senate.

Mr. President, I have taken up this much time, not because I wished to have my name recorded but because I wished

to draw attention to what I regard as the absurdity of the situation.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. O'MAHONEY. I yield.

Mr. TAFT. I merely wish to comment on the fact that it is impossible to adopt a rule by which Senators who are not present will be recorded as present. There never has been such a rule of the Senate. Whatever has been done in the way of recording certain absent Senators as present has been done in violation of the rule. It has only been done when no Senator has objected. But finally objections have been raised.

Whenever we have had a serious parliamentary situation in the Senate and whenever a Senator has gone to the clerk and has said to him, "I want a real quorum call," the clerk has given him a real quorum call, and has not recorded as present any Senator who was not present. Why? Because that is the rule of the Senate. No other rule is possible.

If the Senator is only arguing for the purpose of having us resume, by more or less voluntary consent, the former practice, let me say that I have no objection to that. But with respect to the possibility of having the Senate adopt a rule which would permit the recording of Senators as present when they have not answered to their names in this Chamber, I say that would be absolutely impossible, it would be contrary to all parliamentary practice, it would disrupt orderly procedure and the orderly consideration of business in the Senate, and it would result in having the Senate proceed in an unparliamentary way.

Mr. O'MAHONEY. Mr. President, my point is that whenever it is essential in connection with action by the Senate to have a quorum physically present, there is never the slightly difficulty. The Senator from Ohio has just indicated how easy that is.

The point I am emphasizing is that much of the time the presence of a quorum upon the floor of the Senate is not actually necessary. When a Senator is delivering a speech for the RECORD, when no vote is to be taken, but when he is simply making a speech for the information of the country and of his constituents, why should it be necessary to empty all the committee rooms in order that a quorum might be physically present in the Senate Chamber? It has been my observation over many years that important debates on matters of moment never lacks the attentive presence and consideration of a substantial majority of the Senate membership.

Mr. President, I have talked a great deal longer than I intended to. My only point is that there is a rule of reason in this matter which it seems to me should be followed.

PROCEDURE IN CONNECTION WITH QUORUM CALLS

Mr. LA FOLLETTE. Mr. President, I wish to say that I do not think this matter is one which is at all facetious. The provision for the ascertainment of a quorum is an important part of the procedure of any legislative body, particularly of the Senate. Therefore, the practice which had grown up here—and it is of recent origin, let me say, in relation to the life of the Senate—of putting the names of Senators on the roll simply because there was information on the part of some of the employees of the Senate that they were in the city of Washington, is a bad practice. In one occasion it went so far that a Senator was recorded on a roll call as being present, when actually he was at home in his own State. When he subsequently returned to the city of Washington, he rose on the floor of the Senate and called attention to the fact that when the roll was called he was out of the city, and was not present.

If we have an actual response of Senators to their names when the roll is called to ascertain the presence of a quorum, it does not deprive other Senators of an opportunity to list in the RECORD their whereabouts and the business upon which they were engaged.

Ever since I raised the point, the record of each and every quorum call has shown where all or nearly all the Senators who did not respond were, and the business upon which they were engaged.

Mr. President, I believe that if the Senate wishes to establish the practice of recording as present Senators who do not wish to make a physical appearance in the Chamber, it is incumbent upon the majority of the Senate to change the rule. I believe that any Senator is entitled to have the rules of the Senate enforced until they are changed. I personally believe that the difficulty in trying to apply the rule of reason, as it has been suggested by the able Senator from Wyoming, is that the rule of reason is often stretched to an absurdity. According to my observation, when the so-called rule of reason is invoked, the names of Senators appear again and again on the roll calls, who did not appear in the Chamber during the entire day. If this rule of reason must be applied by employees of the Senate, it seems to me that they cannot do otherwise than stretch it to an absurdity in accommodating Senators who do not choose to respond to quorum calls, but who ask to be placed on the roll call even though they do not appear in person.

So, Mr. President, while I know this matter has been irritating to some of my colleagues, which I very much regret I believe that it has resulted in better attendance of Senators on the business of the Senate. I repeat what I said when I first raised the question, namely, that we shall never be able to remedy the situation now confronting Senators until we do something about organizing the work of the Senate in such a manner that it can be carried on by individual Senators. I believe that the rule should be enforced, and so far as I am capable of doing so, I shall insist upon its enforcement. If at any time it is not enforced, I shall feel constrained to call the attention of the Senate to that fact.

Mr. ELLENDER and Mr. LUCAS addressed the Chair.

The PRESIDENT pro tempore. The Senator from Louisiana is recognized.

Mr. ELLENDER. I wish to inquire what has become of the unanimous-consent request which I made. Has it been acted upon?

The PRESIDENT pro tempore. It is still pending.

Mr. ELLENDER. Mr. President, I withdraw my request.

The PRESIDENT pro tempore. The Senator from Louisiana withdraws his unanimous-consent request.

Mr. LUCAS. Mr. President, I wish to say a word in respect to the subject which is being debated before the Senate.

I am for the rule as it now exists, notwithstanding the fact that I was not present when the quorum call was had shortly after the Senate convened today. I was in my office attending to a telephone call to one of the departments on an important matter. I simply could not leave the telephone to get to the Senate in time to answer the quorum call.

I am constrained to say that I think this whole discussion is much ado about nothing. I have listened to it, and to similar discussions from day to day.

Mr. McMAHON. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. McMAHON. I should like to point out to the Senator from Illinois that if he thinks the discussion is much ado about nothing he should wait for 6 years until the time arrives when he will again be a candidate for the Senate, and be required to listen to questions from his constituents with reference to where he was, and where he was not, during quorum calls of the Senate. I do not believe he will then think the discussion is much ado about nothing. [Laughter.]

Mr. LUCAS. Mr. President, I am very glad that the Senator from Connecticut has struck that note in this debate. I have now for the first time discovered what this discussion is all about. [Laughter.]

Mr. McMAHON. Mr. President, will the Senator further yield to me?

Mr. LUCAS. I will yield in a moment. I wish to finish my statement.

The Senator's statement recalls to my mind a very illuminating illustration of the fact that a good record in connection with responding to roll calls does not always return a Senator or Representative to the United States Senate or to the United States House of Representatives. A very distinguished gentleman from my State who had served in the House of Representatives had never missed a single roll call. On one occasion he was even carried into the House Chamber on a stretcher. He had suffered an accident, and he was so insistent upon appearing in the House Chamber in order to answer roll calls that, as I have said, on one occasion he was brought in on a stretcher in order thet his presence might be recorded. While that was taking place he was missing a great deal of important work in committees, where, perhaps, he should have been. Nevertheless, he was endeavoring to make a good record of attendance to be used in connection with his campaign the following year for the National Legislature. He waged his campaign in Illinois on the record that he had never missed a roll call while in the House of Representatives, and he was beaten 3 to 1 in spite of that record.

I merely inject that illustration into the debate to demonstrate that, after all, if the RECORD shows that a Senator is in a committee meeting, which the RECORD shows from time to time under the new practice which we are now following, the Senator's constituents at home will not reelect him to the United States Senate on the basis of his having missed only a few roll calls, or even on the basis of a perfect record of attendance. That is not the test of whether or not he will come back to the Senate.

Mr. President, it seems to me that we have debated this subject long enough. I assert that I am for the rule as it exists at the present time. I think the rule should be enforced. The Senator from Wisconsin has debated it in the Senate from time to time. In my humble opinion, there is no way by which to change it. When a compilation of attendance in the Senate is prepared at the end of the year it will probably show that I have missed as many roll calls as any other Member of the Senate. But if the whip on either side of the Chamber, or the chairmen of committees, or a Senator himself, may make a statement as to what he has been doing and where he has been, the chances are that his constituents will take care of him under those circumstances much better than if he attempts to follow the practice which was pursued by the gentleman to whom I have referred in the House of Representatives, of responding to every roll call, and being carried into the Chamber on a stretcher if it should become necessary.

I repeat, Mr. President, it is much ado about nothing.

Mr. McMAHON. Mr. President, I wish to make only one observation with respect to the example which was cited by the distinguished and able Senator from Illinois. It is possible that the record of never having missed a roll call was the only qualification which the man possessed.

Mr. LUCAS. Mr. President, if I may interrupt the Senator, from some of the discussion which I have heard here it could be thought that never missing a roll call represents the only qualification which a Senator who expects to return to the United States Senate need possess.

Mr. McMAHON. I do not entertain such a belief, Mr. President. When the record comes up at some future time for discussion we may rest assured that those who are politically unfriendly to the Senator from Illinois or to any other Member of this body, will not take pains to point out that the Senator was engaged in important business in some committee.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McMAHON. I have no quarrel with the Senator from Illinois.

Mr. LUCAS. And I have no quarrel with the Senator from Connecticut.

Mr. McMAHON. We perhaps disagree only as to the manner in which the rule may be enforced in the future.

Mr. LUCAS. Let me say to the Senator from Connecticut that I have had something to do with elections for a long, long time——

Mr. McMAHON. I defer to the Senator's greater knowledge of the situation. [Laughter.]

Mr. LUCAS. And I would rather have people talking about my missing a roll call than talking about me on some other issue. They are going to talk, in any event, regardless of what may be said in the campaign, and if they make the roll call the real issue, I am content to stand on that rather than on some other issue.

Mr. McMAHON. The Senator and I differ in this, that I aspire to the millennium when they will not criticize the Senator about anything.

Mr. LUCAS. If the Senator achieves that result he will be good. [Laughter.]

Mr. MAGNUSON. Regular order.

Mr. CHANDLER obtained the floor.

Mr. WILEY. Mr. President, will the Senator yield.

Mr. CHANDLER. I yield.

Mr. WILEY. I am indeed grateful, Mr. President; I have counted the number of times I have gotten up and down, and it makes 240, and I am certainly grateful for the recognition.

The PRESIDENT pro tempore. One moment. The Chair will inform the Senate that the Senator from Wisconsin was the first Senator recognized this morning, yesterday morning, and on Monday morning. [Laughter.]

Mr. WILEY. Mr. President, I am grateful for that recognition from the Chair, which was before the quorum call.

Mr. President, in relation to the discussion concerning the point raised by my colleague [Mr. LA FOLLETTE], I wish to say that I think that if the newspapers have carried the salient points of the debate it has been of great value to the country. As my colleague has said, a change has taken place in recent years. What do I mean? I mean that the average person sitting in the gallery thinks the only thing a Senator has to do is to come to the Senate Chamber and make a talk or listen to some other Senator talk. The visitor in the gallery does not realize, perhaps, that of late years a Senator has of necessity become a special pleader for the interests in his State. In my State, for instance, the agricultural interests, the manufacturing interests, the dairy interests, all have problems because of the new philosophy of government that centers in Washington. My mail averages now about 300 pieces a day, and it involves many personal problems.

Mr. President, there is now at work an intercongressional committee, of which my colleague is chairman. Its purpose is to seek the answer to the question, How can Congress more efficiently function? We are now considering reorganization in an effort to make our body more effective and more efficient. It is not merely a matter of reorganization; it is a matter of finding a practical solution to problems such as the one I am about to mention which is going to present itself in magnified form very soon.

We all know that as the veterans come back each Senator will have put in his lap a tremendous number of veterans' problems; indeed, already we are having experience along that line.

I want to suggest to the committee and to the Senate that we take whatever steps may be necessary to ask the Veterans' Administration to lend to each Senator a veteran who is informed on veterans' problems so we can have such a man in our offices, an expert in his line, to take over the additional work that is bound to fall upon us with increasing force as the days pass by. If legislation is necessary, let us enact the legislation; but it appears to me that the Veterans' Administration should reach out now and select some of the returning veterans, men who will not reenter the armed services, men who are looking for an opportunity to serve, capable men, experienced men, give them the schooling that is necessary, and then furnish each Senator such a veteran to aid and assist us in caring for the interests of these sons and brothers of ours who have given so much for the Nation and the peace of the world.

Mr. President, it seems to me that that is a practical suggestion. Every day some problem affecting the veterans arises. That adds to the other duties and responsibilities which make it difficult for Senators to be here at 12 o'clock when the bell rings. Of course, the committees play a part. And then there are the folks living a thousand miles away—my State is that far away—who have their problems and every day one or two or three delegations of them have to be looked after. If we could get a veteran whom the Veterans' Administration has schooled to come into our individual offices and take over that part of the burden which is going to become increasingly great, I am sure it would mean partial relief for the extremely heavy load which has been placed on each Senator.

Mr. President, I say again if the press has provided the country a true picture of the tremendous amount of work each Senator has to do in order to perform his Senatorial duties this debate on this subject will not have been in vain.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate numbered 5, 24, 26, and 42 to the bill and concurred therein; that the House receded from its disagreement to the amendment of the Senate numbered 22 and concurred therein with an amendment, in which it requested the concurrence of the Senate, and that the House insisted upon its disagreement to the amendment of the Senate numbered 50 to the bill.

EXECUTIVE AND INDEPENDENT OFFICES APPROPRIATIONS—CONFERENCE REPORT

Mr. McKELLAR submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1934) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 8, 9, 42, 46, 53, 55, and 62.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 10, 11, 12, 13, 14, 15, 17, 19, 20, 22, 23, 24, 25, 27, 28, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 43, 44, 45, 52, 54, 56, 57, 58, 59, and 63 and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,162,257"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert:

"No part of the appropriations herein made to the Bureau of the Budget shall be used for the maintenance or establishment of more than four regional, field, or any other offices outside the District of Columbia."

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment and, in line 4 after the word "for" where it occurs the second time, insert the following: "completing the work of"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$271,651"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$17,500,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$20,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$10,250,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,500,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,200,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ", and expenditures by the Authority for such purpose shall be considered nonadministrative expenses, and funds received from such payments or reimbursements may be used only for the payment of all necessary expenses of providing representatives of the Authority at the sites of non-Federal projects or for administrative expenses of the Authority not in excess of the amount authorized by the Congress"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$4,100,000"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"(c) Appropriations contained in this act, available for expenses of travel shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made: *Provided*, That there shall be available for such purpose during the fiscal year 1946 to each such agency or establishment not to exceed 50 per centum of the amount authorized for the same purpose for each such agency or establishment for the fiscal year 1945, except that in the case of the Veterans' Administration the amount available for such purpose shall not exceed 75 per centum of the amount authorized for the fiscal year 1945."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 26, 29, 34, 60, 64, 65, and 66.

KENNETH McKELLAR,
RICHARD B. RUSSELL,
J. H. BANKHEAD,
STYLES BRIDGES,
WALLACE WHITE,
C. WAYLAND BROOKS,
Managers on the part of the Senate.

C. A. WOODRUM,
JOE HENDRICKS,
GEORGE MAHON,
GEORGE ANDREWS,
R. B. WIGGLESWORTH,
HENRY C. DWORSHAK,
Managers on the part of the House.

Mr. McKELLAR. Mr. President, I move the adoption of the conference report.

Mr. LA FOLLETTE. Mr. President, will the Senator from Tennessee yield?

Mr. McKELLAR. I yield.

Mr. LA FOLLETTE. I wish the Senator would explain the principal matters that were in disagreement and what has been the result of the conference.

Mr. McKELLAR. The House has receded on most of the amendments which were in dispute. The Senate receded on only amendment No. 8, the House on very many more than that. This is the usual appropriation bill for sundry independent executive bureaus, boards, commissions, and offices. It was gone over very carefully by the Senate, and if there is any particular item the Senator would like to know about, I shall be glad to explain it.

Mr. LA FOLLETTE. What I want to know about is what happened to the item for the Federal Power Commission.

Mr. McKELLAR. The House accepted the Senate amendment.

Mr. LA FOLLETTE. And the Securities and Exchange Commission?

Mr. McKELLAR. The House accepted the Senate amendment. I think the Senator will find the report entirely satisfactory. The committee has gone over it very carefully, and the conferees went over it very thoroughly, and I think justice was fully done.

The PRESIDING OFFICER (Mr. MAGNUSON in the chair). The question is on agreeing to the conference report.

The report was agreed to.

Mr. McKELLAR. Mr. President, I ask the Chair to lay before the Senate the action of the House of Representatives on certain amendments.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives anouncing its action on certain amendments of the Senate to House bill 1984, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,
April 25, 1945.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 26, 29, 34, and 66 to the bill (H. R. 1984) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate No. 60 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert:

"SEC. 107. No part of any appropriation contained in this act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the armed forces of the United States and has satisfactorily completed his period of active military or naval service and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto."

That the House recede from its disagreement to the amendment of the Senate No. 64 to said bill and concur therein with an amendment as follows: In lieu of the matter inserted by said amendment insert "*Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing"; and

That the House recede from its disagreement to the amendment of the Senate No.

65 to said bill and concur therein with an amendment as follows: In lines 3 and 4 of the matter inserted by said Senate engrossed amendment strike out "been honorably discharged from such service" and insert "satisfactorily completed their period of active military or naval service."

Mr. McKELLAR. I move that the Senate concur in the amendments of the House to the amendments of the Senate Nos. 60, 64, and 65.

The motion was agreed to.

REDUCTION IN RESERVE REQUIREMENTS OF FEDERAL RESERVE BANKS, ETC.

The Senate resumed the consideration of the bill (S. 510) to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes.

Mr. LANGER. Mr. President, about 2 hours ago I asked the distinguished senior Senator from New York [Mr. WAGNER] that I be given time to familiarize myself with the hearings before the Committee on Banking and Currency before I was called upon to vote upon the bill now pending before the Senate. The request, I thought, was a fair one. It was not granted, but during the short time I have had opportunity to look at the hearings, I have turned to page 97, and on that page there is the following testimony by Mr. Eccles:

> If you will recall, in the twenties, when brokers' loans ran up to such terrific points, brokers' loans got up to around $10,000,000,000 and in the 1929 crash, over $5,000,000,000 crashed at that time, and this was credit by others. In other words, corporations, foreigners, people from all over the world, and wealthy individuals. True, other money outside of the banks was loaned to these brokers, some of the brokers, but the law now prohibits that.

Mr. President, at the very time mentioned by Mr. Eccles in his testimony, the Federal Reserve Board took action which resulted in the failure of thousands and thousands and thousands of farmers all over the United States of America. I want to have time to read all the testimony given at these hearings, and the testimony covers over 100 pages.

Mr. HILL. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. HILL. If the Senator will yield the floor——

Mr. LANGER. I will not yield the floor; I will yield for a question.

Mr. HILL. Let me say to the Senator that if he will yield to me, after getting unanimous consent to have something printed in the RECORD I shall then move that the Senate go into executive session, and after the completion of action on the nominations on the calendar, I shall move a recess until tomorrow, and the Senator will have the opportunity he desires to read the hearings on the bill. My action in this matter is taken with the full concurrence and cooperation of the distinguished chairman of the Committee on Banking and Currency, the Senator from New York [Mr. WAGNER]. It is the wish of the Senator from New York, I am sure, as well as my wish, that the Senator may have the opportunity he desires.

Mr. LANGER. Ordinarily, Mr. President, I should be very glad to accede to the request, but it happens that when the distinguished Senator from Colorado [Mr. JOHNSON] asked for time to prepare his amendments, and was not allowed that courtesy, I stated that I was going to take the remainder of the afternoon. In the West when we make an agreement with another we keep our word, and consequently I must talk until 5 o'clock this afternoon. I might say that I wish to speak anyway on the matter of the airplane accidents, and I desire to quote the President of the United States, in view of the fact that the Curtiss-Wright Co. has issued a denial of the testimony that was offered by a former inspector, Mr. Hirsch. It will not take me very long, and then I shall be glad to yield as outlined by the distinguished Senator from Alabama.

Mr. HILL. Can the Senator give us any idea how long it will take him?

Mr. LANGER. It will take me perhaps 20 minutes.

Mr. HILL. Then the Senator will be willing to yield that the Senate may take a recess?

Mr. LANGER. Yes.

Mr. HILL. Very well.

AIRPLANE ACCIDENTS

Mr. LANGER. Mr. President, I rise to bring to the attention of the Senate the present status of the investigation of airplane accidents, and more particularly the situation of the Curtiss-Wright Airplane Co., concerning which I have previously spoken.

Newspaper dispatches yesterday and today contained broad denials issued by the officials of the company. The Mead investigating committee has announced that they have sent investigators to Buffalo. In the meantime, another Army airplane has crashed at Sweetwater, Tex., with a loss of over 20 lives, as stated in Associated Press dispatches yesterday. In the meantime, too, one of the outstanding air pilots lost his life while on a routine training trip.

In order that the Senate may know that the case against the Curtiss-Wright Co. of Buffalo does not rest alone on the report of one inspector, who was fired, as he stated, because he would not pass defective material, I wish to read into the RECORD a letter I have received from Mr. James C. Larsen, 45 Cambridge Avenue, Buffalo, N. Y., as follows:

APRIL 20, 1945.

Senator WILLIAM LANGER,
Washington, D. C.

DEAR SIR: I am willing to verify the things in regard to the parts put in Curtiss-Wright planes as being of defective workmanship.

I am a first-class inspector and was relegated to an obscure job at Curtiss for what I think was the rejection of so much material not up to B/p specification.

If you need any support, I'll give it to you, for I have first-class credentials you need not question.

I am not now at Curtiss for obvious reasons.

Let me hear from you.

Yours truly,

JAMES C. LARSEN.

Mr. President, what amazed me when I went into this matter originally, and what continues to amaze me, is that no more has been done with the Curtiss-Wright Co. as an example to other airplane companies, and to protect the lives of our pilots. Months and months ago, when these accidents commenced to pile up and multiply, and pile up and multiply, and multiply and multiply and multiply, until finally 17,500 pilots in training were killed, which was nearly three times as many as were killed in the entire war zones in combat, I endeavored to find out from the War Department the types of ships which were causing the most accidents. I wanted to ascertain whether they were Curtiss-Wright planes or some other planes. I received a letter from the War Department saying that that was a matter they could not divulge and was a military secret.

Now, just why it should be a military secret, to be kept from American fathers and mothers the makes of the planes that were crashing, is somewhat of a mystery to me. But I suppose the War Department must have had some good reason for it. In any event, they would not divulge the name of the company.

Mr. President, in view of the more recent denial of the Curtiss-Wright Co. of Buffalo and the apparent attempt to discredit former Inspector Frank Hirsch, I desire to call the attention of the Senate to the report made by the Truman committee, through Harry S. Truman himself, now President of the United States, then chairman of the committee, in a radio address to the American people on the 5th day of October 1943.

This, Mr. President, tells the story to the American people. This speech of Mr. Truman tells what the Curtiss-Wright people were doing; and yet, Mr. President, while hundreds of our boys have been killed, not a single official of the Curtiss-Wright Co. has been put in jail; and, as far as the record shows, the action brought by the United States Government has not been tried. Remember, Mr. President, that this speech was delivered in 1943, not in 1944. Senator Truman, now President Truman, spoke as follows:

> Victory or defeat depends upon our armed forces, but they, in turn, are dependent upon what we give them with which to fight. They are risking their lives. They are entitled to the best that we can give them.
>
> Their needs are determined by the procurement officers of the Army and Navy. The Army and Navy specify what war materials they want, and ask business to produce them in accordance with the Army and Navy specifications.
>
> Business contracts to supply materials that conform to these specifications. Common honesty requires that business should not foist off upon the Government materials that do not conform to contract. But more than honesty is involved here. Our soldiers and sailors are dependent upon those materials for their lives, and our Nation is dependent upon them for its liberty, and even for its continued existence.
>
> FELT CHECK NECESSARY
>
> For these reasons, the committee of the Senate, of which I have the honor to be the chairman, has considered itself obligated to check charges that come to it from Government inspectors that certain corporations are delivering war material that does not meet specifications. These Government inspectors are patriotic men. They are honest and conscientious. They make no profit from the sale of the war materials. They gain nothing by making unfounded charges, and by complaining at all, they risk their jobs.

The committee has investigated a number of such charges. Unfortunately, it has found several outstanding examples in which they were true. In all such cases, the committee has insisted that the corporation involved should correct the situation. The committee will continue this policy. It will not accept excuses from management, except where it is convinced that management is acting promptly, and in good faith, to remedy the situation and to discharge those responsible for the fraud upon the Government.

Such a policy seemed to the committee to be so clearly right and necessary that it expected that the press and radio would join it in requiring management to conform to Government specifications, and in telling defense workers that they would receive support in their efforts to make good war material.

This is not asking too much. Practically all of industry is producing good, high-grade material. The great mass of companies are giving our Government what it pays for. Only a very few of our large corporations have strayed from the path. And honest business and industry have been unanimous in condemning such practices.

REDUCTION IN RESERVE REQUIREMENTS OF FEDERAL RESERVE BANKS, ETC.

The Senate resumed the consideration of the bill (S. 510) to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. LANGER. I yield.

Mr. JOHNSON of Colorado. Mr. President, I submit three amendments to Senate bill 510, to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes, which I ask to have printed and to lie on the table to be called up tomorrow.

The PRESIDING OFFICER. Without objection, the amendments will be received, printed, and lie on the table.

AIRPLANE ACCIDENTS

Mr. LANGER. Mr. President, a few moments ago the distinguished Senator from Colorado [Mr. JOHNSON] released me from my promise to speak until 5 o'clock, and I shall therefore desist at this time, and proceed with the remainder of my address on airplane accidents tomorrow.

Mr. WHITE. Mr. President, will the Senator from North Dakota be recognized when the Senate convenes tomorrow?

Mr. HILL. Did I understand that the Senator from North Dakota wished to be recognized then?

Mr. LANGER. Yes, Mr. President.

Mr. HILL. Of course, that would be a matter in the jurisdiction of the occupant of the chair when the Senate convenes. If the Senator wishes to complete his remarks I am quite certain that sometime during the day he will have that opportunity.

Mr. LANGER. I thank the Senator.

TRIBUTES TO SENATOR CHANDLER

(On request of Mr. HILL and by unanimous consent, the following remarks, in tribute to Senator CHANDLER, delivered by various Senators during the course of the day, were ordered to be printed at this point in the RECORD:)

Mr. LANGER. Mr. President, I notice that the distinguished junior Senator from the State of Kentucky has just entered the Chamber. I wish to be among the first to congratulate him upon the very fine appointment he has received as Baseball Commissioner of the United States. I believe I speak for the overwhelming number of Senators upon this floor, if not for all of them, when I say that we will miss him very, very much from the floor of this Chamber. I think I also speak for them when I say that we have grown to respect the distinguished junior Senator from Kentucky; and I believe all of us like him very, very much.

Let me say to the Senate today that I speak with peculiar knowledge of the personality of this very distinguished Senator. Nearly 25 years ago—perhaps it was only 20 years ago—the distinguished Senator came to the town of Grafton in my State of North Dakota. There he joined the baseball team. He played for the town of Grafton all over the State of North Dakota, and made a very fine record as a player. Time and time again, when I have been visiting towns in North Dakota, friends of the Senator have asked me how HAPPY CHANDLER was getting along. Mr. President, I believe I speak for his friends in the State of North Dakota, as well as for Senators on this floor, when I extend to the distinguished Senator from Kentucky our best wishes for him in his new position and say to him that we regret his decision to leave the Senate.

Mr. WILEY. Mr. President, I shall address myself to my dear friend from Kentucky [Mr. CHANDLER], who, as everyone knows, will be leaving this honorable body within the next few weeks. We are going to miss his happy—that is the proper word—his happy smile; we are not only going to miss his smile, but we are going to miss his cheerful good nature and his genial qualities of heart and mind. HAPPY CHANDLER was not only an institution in Kentucky but he has become an institution here in the Senate. I am sure we all wish him Godspeed and success in the work he is about to undertake. We are aware that in his new position new challenges will confront him, but he will meet them foursquare, as he has met the issues which he has faced in the Senate. He will become an inspiration to the youth of the country, and will render inestimable service along that line. The youth of this country need inspiration; they need the kind of thing that Happy can give them. He will be getting the boys out on the sand lots; all over America he will be developing fine baseball players for the big leagues; he will be doing a real job.

Mr. HILL. Mr. President, I have in my hand a clipping from the Philadelphia Inquirer of this morning, which tells the story of the impending departure of our colleague the distinguished junior Senator from Kentucky [Mr. CHANDLER], to be high Commissioner for American baseball to succeed the late Judge Kenesaw Mountain Landis.

We all know that the Senator from Kentucky has made his mark in this body. He has played his part. He has taken his stand on great and vital issues before the Senate. He has at all times spoken out courageously and fearlessly. We shall miss him. We shall miss him in our personal relations. We shall miss him in the work of the Senate, in carrying the burdens and performing the functions of this body.

Mr. President, I ask unanimous consent to have the clipping containing the story printed in the RECORD at this point as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Philadelphia Inquirer of April 25, 1945]

CHANDLER NAMED TO HEAD BASEBALL

(By Orlo Robertson)

CLEVELAND, April 24.—Baseball's 5-month quest for a Commissioner ended today with the selection of Senator ALBERT B. (HAPPY) CHANDLER, Democrat, Kentucky, to fill the position vacated by the death of Kenesaw Mountain Landis.

By a unanimous vote of the 16 major-league club owners or representatives, and on the first ballot, the 46-year-old junior Senator was named for a 7-year term at an annual salary of $50,000.

PICKED FROM 100

(The United Press said that Mr. CHANDLER was chosen from a list which one magnate described as "containing 100 names." The list was read, he said, and serious discussion began when Mr. CHANDLER's name was reached.)

Leslie M. O'Connor, secretary to the Commissioner and a member of the three-man body that has ruled the sport since the death of Mr. Landis, November 25, said Mr. CHANDLER would take office within a reasonable time. But in Washington the new Commissioner said he would be "immediately available."

(Mr. CHANDLER told the Inquirer Washington bureau tonight that he would resign his Senate seat in from 30 to 60 days.)

DISCUSSION LASTS 4 HOURS

The former Governor of Kentucky was selected after a 4-hour discussion, in which expected fireworks failed to materialize. The group that favored the naming of a Commissioner at once—Larry MacPhail headed this faction—found enough support without extended debate after the committee of four—Alva Bradley, Cleveland; Don Barnes, St. Louis Browns; Sam Breadon, St. Louis Cardinals; and Phil Wrigley, Chicago Cubs—had made its report.

Other men were discussed, but club owners declined to say who they were, pointing out that Mr. CHANDLER was their man from the time they knew that he was available. From another source, however, it was learned that Gov. Frank J. Lausche, of Ohio; Bob Hannegan, chairman of the Democratic National Committee; James A. Farley; and Ford Frick, president of the National League, were mentioned prominently.

SECOND LAWYER COMMISSIONER

Mr. CHANDLER, a graduate of the University of Kentucky and Harvard law schools, gives baseball its second lawyer Commissioner. Mr. Landis was picked off the Federal bench to take over the job following the Chicago White Sox scandal of 1919.

A group of the club representatives went into the meeting with the idea of retaining the three-man Commission composed of Mr. O'Connor, Mr. Frick and Will Harridge, president of the American League, or the selection of a duration Commissioner.

They found themselves outnumbered, however, MacPhail, president of the Yankees, started campaigning for the Kentucky Senator some 3 months ago. At first, Mr.

CHANDLER said he couldn't leave his present job but today, after accepting, added:

"Now I can conscientiously leave my duties," citing the war developments as his reason.

SELECT BENEFIT DATES

Before the club representatives got down to the task of voting, they arranged for eight games to be played for the benefit of the Red Cross and the National War Fund on July 9, 10, or 11.

To save all traveling possible and subject to the approval of the O. D. T., there will be five games in cities having more than one club and the other teams will play in towns en route to regularly scheduled games.

In New York it will be the Giants and Yankees; Boston, Braves and Red Sox; Chicago, Cubs and White Sox; Philadelphia, Athletics and Phils, and St. Louis, Cards and Browns. Detroit will play at Pittsburgh, Brooklyn at Washington and Cincinnati at Cleveland.

Mr. WHITE. Mr. President, I cannot permit to pass unnoticed the fact mentioned by the acting majority leader, the anticipated withdrawal from the Senate of the distinguished Senator from Kentucky.

There are two exits from the Senate. One is by the involuntary method, and the other by the voluntary method. The former is travelled often, the latter rarely. This is one of the few instances within my knowledge of a Senator voluntarily giving up his place in this body for work elsewhere while his term still had a long time to run.

Senator CHANDLER has been an ornament to the Senate. He has been kindly, generous, and diligent. He has been a Senator of whom his State may well be proud.

I join in the general expressions of regret that he has felt compelled to leave us. I wish him every success in his new field of endeavor.

Mr. McKELLAR. Mr. President, I wish to add a word about Senator CHANDLER.

As we all know, ever since he has been a Member of the Senate he has been a very active, vigorous, intelligent, eloquent, and very able Senator. He has taken an active part in the affairs of this body, both in its committees and on the floor of the Senate. He has been honest and straightforward. He has been fearless in the discharge of his duty as he saw it. I believe he has as many friends as has any Member of this body. To my mind he has always been one of the most likeable men I have known. The nickname which has been given him, HAPPY CHANDLER, shows his disposition and the general esteem in which he is held. He is always in good humor. He is kindly, and one of the most perfect gentlemen I have ever known. No one could be of a happier turn of mind. No one could be more generous. No one has made a finer impression upon this body.

I very greatly regret that he has seen fit to leave us for a position outside this body, however honorable it may be. The position to which he has been appointed is most honorable and important. I am sorry that he has accepted it, because we do not like to lose him. I think I speak the sentiments of all Senators. I believe that any Senator who knows Senator CHANDLER feels the same about him as I feel. We all regret that we are to lose him.

Mr. President, when I was a boy I played baseball like every other American boy. It is a great sport. It has become one of the greatest and most honorable sports in America. It is one of the most popular sports in America and one of the largest sports in America. It has grown to be one of the great industries in our country. It has given millions pleasure and recreation. The czar of baseball is one of the most important positions in our entire land. I do not know of a man anywhere who can better fulfill the duties of that high station than can HAPPY CHANDLER. I predict for him a great success. I know he will keep up the high standards of the sport. I know he will be honest in his every action concerning it. I know it will grow and prosper under his direction.

His wonderful personality makes him an ideal leader in the baseball world.

Mr. President, we will certainly miss him in the Senate. His happy smile, his vigorous handshake, his beautiful stories, his wonderful reminiscences, and all of his most highly attractive qualities will be missed by us all.

He and I live at the same hotel. I shall miss his greetings there as well as in the Senate.

I wish for him every success in his new field of endeavor and I believe he will have it.

No man in the Senate had a brighter future. No man in the Senate has been more greatly respected, honored, and admired. Like the Senator from Maine, I could not let this occasion go by without saying something to express my great regret at his departure and my most earnest and affectionate desire for his success in the field of baseball.

I congratulate the baseball world on securing his services. I mourn with the Senate on his loss from our ranks.

Mr. BYRD. Mr. President, I am very delighted at the great honor which has come to my friend HAPPY CHANDLER. My only source of regret is that he is lost to the Senate.

I have known HAPPY CHANDLER for many years. His wife comes from Virginia. It was my great privilege to be present at his inauguration as Governor of Kentucky. I do not think I have ever known of a man who received a more spontaneous reception or greater evidence of admiration and affection from his fellow citizens than came to HAPPY CHANDLER that day. He made a great record as Governor. He has made a great record as a Senator. I wish him the very best success in the new work which he is undertaking.

Mr. BREWSTER. Mr. President, I wish to express my regret at the departure from this body of one whose devotion to the highest interests of the country has been repeatedly manifested. I had the pleasure of forming a rather intimate and close acquaintance with him during our expedition around the world. I came to entertain the highest regard for his devotion to the welfare of our boys who are under arms, and for the indefatigable industry with which he carried out his responsibilities.

I believe that the honor which has come to him is a tribute to his reputation, in which we of this body may assimilate to ourselves some share. He has been selected for a position which primarily depends upon the confidence of very large groups in the integrity and intelligence of the man. Recognition of those characteristics in a substantial way is certainly an indication of confidence. I am sure that he carries with him from this body the highest hopes that he will continue to be what he has already been—the "Happy Warrior."

Mr. McCARRAN. Mr. President, press reports indicate that the country is presently to lose from the Senate one of its outstanding men in public life, who is to enter an activity in civil life. The Senate has learned that it is to lose one of its outstanding Members. As chairman of the Committee on the Judiciary, I desire to express the sentiment of that committee that we regret that we must lose the presence and the ability of an outstanding member of the committee.

Mr. President, at this time when the Nation is in exceeding trouble it is unfortunate that men are called upon to leave their stations. But trouble is frequently relieved by those things which take the mind of the individual from his trouble. So I am inclined to believe that in this trying hour for the Nation those who belong to the great realm of sports serve the Nation in an important way. In other words, if from this body there are called those who will guide the people of this country into realms where they will forget their sorrows and their anguish, and will also help them know that sport is being conducted along fine, clean lines, then indeed this body may give up some of its Members; and in that case our Nation will be grateful for such of our Members who enter and adorn that realm.

Today the Committee on the Judiciary reluctantly—and I say reluctantly advisedly, because of his fine service on that committee since I have been on the committee with him—acknowledges that fact that it must give up a member of the committee, who will continue in the service of his country by helping to maintain the fine, clean sportsmanship that will take from the hearts of the people of America the sorrow which might burden them. Mr. President, I refer to the junior Senator from Kentucky, who has been called into a powerful place where he will serve the Nation in the future. I refer to Senator HAPPY CHANDLER—and I use the term affectionately—who has been called into a fine place in the Nation's work.

Mr. JOHNSON of Colorado. Mr. President, I desire to join in the sentiments expressed by the Senator from Nevada with respect to the junior Senator from Kentucky. As acting chairman of the Senate Committee on Military Affairs, I know that I am expressing the feelings of the chairman of the committee, the Senator from Utah [Mr. THOMAS], by saying that Senator CHANDLER will be sorely missed by the Committee on Military Affairs. He has taken a great in-

terest in the work of that committee and he has taken a foremost part in it. His experience in the last war, his observations since the last war, and his observations gained by his tours all around the globe have made him considerable of an expert on war strategy and on the conduct of the war. So his colleagues will miss him tremendously in the work of that committee.

On the other hand, Mr. President, sports have made a great contrbution to the war effort in this country. In many instances I think the difference between the success of our arms and the failure of the enemy can very well be attributed to the sportsmanship which the American soldier learns in America, in the games which are played here—baseball, football, and the other athletic contests. I feel that our good friend and colleague, Senator CHANDLER, will make a great contribution to America in his new position and his new tasks.

We will miss him here; there is no question about that; we will sorely miss him; but he will continue to contribute to America and to America's greatness in the very high position which he is about to assume.

Mr. CHAVEZ. Mr. President, knowing that everything which has been said with reference to Senator CHANDLER is true, I wish to "Amen."

Mr. CHANDLER. Mr. President, I want the RECORD to show that during my temporary absence my name was reached on the roll call and I did not respond. As a country boy would say, "I have been in sight of the Senate Chamber all day."

At some later time I hope to have the opportunity of expressing to my dear friends in the Senate my appreciation of their generous comments concerning me. After having continuously served the people of Kentucky since 1929, I expect to experience many miserable days when I shall not be able to devote myself to the concerns of the people whom I have represented. If I were a poet I should like to write the kind of a poem which Oliver Wendell Holmes wrote, and express the hope that after I leave I shall have an opportunity from time to time to visit with the boys, my beloved friends of the Senate.

Mr. JOHNSON of California. Mr. President, I wish to add my little meed of praise of the character of our loved colleague upon whom an honor has been recently conferred.

All my life I have been a devotee of the sport of baseball. I have looked many times upon exhibitions of that great sport, and I have been very proud of the men who were in charge of it. I am much gratified that my friend, the Senator from Kentucky, will be in charge of organized baseball from now on. He is a man of undisputed "guts." He will stand upon his own feet. He will permit himself to exercise no favoritism, and to do nothing of any kind or character which might bring into question his great patriotism and his fitness for the position for which he has been recently chosen.

Mr. President, I am glad to know that we may look forward to the future of the sport of baseball, which is an American sport, in the same way that we have looked at it in the past, and know that it will be conducted with strict impartiality, and that it will represent the highest principles in sport in this country. We shall always look our friend in the eye, as we have during his period of service in this body, and know that the great sport which he will now undertake to lead will be properly conducted.

I can only say to the Senator, God bless you; continue in the way you have heretofore pursued, and the sport will be aided materially in every activity which it may follow. We look to you, Old Man—though you are not an old man—to insure that the sport retains its present high standing among the sports of America. It is peculiarly our sport, and we would want to see it preserved by someone such as you.

I was delighted when I saw that you had been appointed the chief mogul in the realm of baseball. There is no lecture which I could give to you that would be of value. I can think of none whatever. I would merely admonish you to follow your bent while you are managing baseball. See that it represents you in the idealism which you have entertained for the best interests of the sport. Pursue that line, Old Man, and you cannot fail.

Here is to you, HAPPY CHANDLER; here is to you. An old fellow congratulates you upon your new position. No greater position could be awarded to a man of your character than that of leading the baseball sport of the United States. Go on and lead it just as you have been leading in all your life, and in this body particularly, as I have observed you from time to time since you came to the Senate. I have watched you, and I cannot sufficiently praise you, nor say what a boon you will be to the baseball sport. I ask you to follow your bent to the last day. Whenever any question arises between you and the so-called magnates of baseball, you should represent, and you will represent, the best in American sport. If you do that you will be following the correct course in this sport which all of us love. Good-by and good luck to you.

Mr. CHANDLER. Mr. President, I shall have to undertake to reply to my beloved friend, the senior Senator from California. I know that all my colleagues who have spoken will appreciate that I am grateful to them for every word they have uttered. I have sought earnestly to merit the respect of the respectable and good people of my country. I shall never forget, as long as I live, the generous and warm words of approval which have just been uttered by my dear friend, the distinguished senior Senator from California. He is one of the greatest Americans our country has ever produced. The senior Senator from Tennessee [Mr. MCKELLAR] knows that I have the same feeling for him.

As long as I live, the words of the Senator from California will ring in my ears. My children will be able to read them when both the Senator and I are gone, and I promise him that, with God's help, we will keep baseball clean so that the youth of the country can enjoy this sport, because it has been the lessons gained in competitive sport in America which to a large degree have enabled our boys to take the American spirit into action and to overcome all our enemies. That spirit must be kept and must be sustained, and as we try to do it may the spirit of God be with us all.

I sincerely thank the Senator from California, and I cannot tell him how deeply I appreciate his generous comments concerning me.

Mr. FERGUSON. Mr. President, as a minority Member I have had the good fortune to serve with Senator CHANDLER on the Committee on the Judiciary. It has been a real pleasure to serve with him, because on all occasions he has been vitally interested in matters pertaining to the judicial branch of the Government. If one did not agree with Senator CHANDLER one always knew exactly where the Senator stood. He stood for the things which he believed to be right. All his efforts were valuable contributions to the work of the committee. He attended its meetings, and was a very active member. He has always been interested in the youth of the Nation. The private soldier at the front received his very careful consideration and attention. I know that every Member of the Senate wishes him Godspeed when he leaves. We hope that he may go forth to civilian life and serve the youth of this Nation as he has at all times attempted to serve the Nation through his work in the Senate.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. MAGNUSON in the chair) laid before the Senate a message from the President of the United States submitting nominations of sundry postmasters, which was referred to the Committee on Post Offices and Post Roads.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

Mr. MCKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the executive calendar.

FEDERAL LOAN ADMINISTRATION

The legislative clerk read the nomination of John W. Snyder to be Federal Loan Administrator.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. CHAVEZ. Mr. President, I ask that the President be immediately notified of the confirmation of John W. Snyder, of Missouri, to be Federal Loan Administrator.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

SECURITIES AND EXCHANGE COMMISSION

The legislative clerk read the nomination of James J. Caffrey to be a member of the Securities and Exchange Commission for the remainder of the term expiring June 5, 1945.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of James J. Caffrey to be a member of the Securities and Exchange Commission for a term expiring June 5, 1950.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. McKELLAR. I ask that the nominations of postmasters be confirmed en bloc, and that the President be immediately notified.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc; and, without objection, the President will be notified forthwith.

THE ARMY

The legislative clerk proceeded to read sundry nominations in the Army.

The PRESIDING OFFICER. Without objection, the nominations in the Army are confirmed en bloc.

LT. GEN. EDMUND B. GREGORY, QUARTERMASTER GENERAL

Mr. FERGUSON. Mr. President, we have on the Executive Calendar the nomination of Edmund B. Gregory, the Quartermaster General of the United States Army, for promotion from major general to lieutenant general. It is a well-merited recognition of the amazing part that General Gregory has played in World War No. 2.

No other quartermaster general in the more than 100 years that have passed since Congress created the Quartermaster Corps has ever encountered the problems of supply which have faced General Gregory. His wartime predecessors encountered only the problems induced by one-front war; clothing, food, and equipment suitable for one man was suitable for all. Our modern Army must be clothed and equipped to meet conditions induced by virtually every type of terrain and climate known to geographers. In addition, he has been confronted by manifold problems of distribution. In World War No. 1, scarcely 2,000,000 Americans were overseas, requiring but one ocean's sea lanes for transportation of supply; today, we have more than 5,000,000 fighting men scattered over the 5 continents of the world and on many little-known islands, requiring the planning and filling of supply lines sometimes as much as 12,000 miles long.

It requires a vast amount of research, analysis, and study to provide the right supplies in the right amounts at the right time for so many men deployed in such a manner. Foreseeing the immensity of the task, General Gregory selected a few of the foremost people in science, business, and the professional field to aid him in both military and civilian capacities. Thus, he created and trained an organization that has performed an almost unbelievable feat of supply.

Since Pearl Harbor, the Quartermaster Corps has procured, stored, and distributed approximately $15,000,000,000 worth of food, clothing, and general supplies, involving about 70,000 individual items. I have ascertained that approximately one-half of this business was placed with small businesses and war plants.

As an example of the extent of some of this business, I might mention that during the past 18 months alone, the Quartermaster Corps has provided approximately 3,000,000,000 gallons of gasoline, 500,000,000 gallons of Diesel oil, and 200,000,000 gallons of lubricating oils for the tanks, trucks, and other ground mobile equipment of the Army.

I should mention, too, that the Quartermaster Corps is just as interested in maintenance and reclamation of material. Since Pearl Harbor, its hundreds of shops and depots have repaired and returned to use or to stocks for re-issue some $2,000,000,000 or more of property, thus eliminating new procurements in a like amount.

Under General Gregory's direction, the Quartermaster Corps has simplified and coordinated its policies and procedures, permitting tighter schedules to prohibit high stock levels or excesses of perishable products.

These are examples of operations as well as the organization and administration of procedures and policies. General Gregory directs an organization of a half-million military personnel, together with 75,000 civilians in the depots, repair shops, and other installations under his jurisdiction. General Gregory is not a man to demand utilization of facilities from others that he does not himself practice. In 1942, during the organization for the war effort, his own office consisted of some 4,500 employees. Through training programs and other means for the development of efficiency and good administration, his own office, which is responsible for the administration and direction of all quartermaster operations, now functions with about 2,900 employees, although the work load has more than doubled.

For similar work and responsibilities in civilian endeavor, General Gregory could write his own ticket. But he has no such aspirations. This quiet, capable man wishes only to perform the best possible job in his chosen career and in the role into which he was cast at the beginning of the war. Some idea of what high military officials think of him is obtained from the fact that when his regular tour of duty of 4 years as Quartermaster General was concluded last year, he was asked to continue in the job. The Nation owes him a debt of thanks for the capable way in which he has administered his part of the great Army supply program. In confirming his promotion to the higher rank, for which he is eminently qualified, we will in small measure pay part of that debt.

Mr. HILL. I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of all nominations confirmed today.

RECESS

Mr. HILL. Mr. President, as in legislative session, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 2 minutes p. m.) the Senate took a recess until tomorrow, Thursday, April 26, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 25 (legislative day of April 16), 1945:

POSTMASTERS

The following-named persons to be postmasters:

ARIZONA

Iva W. Hedworth, Winkelman, Ariz., in place of M. W. Hand, retired.

ARKANSAS

Martin A. Gassner, Alexander, Ark. Office became Presidential July 1, 1942.

ILLINOIS

Oscar Hayword Holman, Geff, Ill., in place of P. P. Simmons, transferred.

Rollin M. Meisenbach, Pearl, Ill., in place of B. D. Sutter, resigned.

KENTUCKY

Glenn F. Hozendorf, Coral Ridge, Ky. Office became Presidential July 1, 1943.

MICHIGAN

Eldon S. G. Huber, Montrose, Mich., in place of A. B. Beebe, resigned.

MINNESOTA

Alice Lucille Wood, Cass Lake, Minn., in place of A. G. Swindlehurst, retired.

MISSOURI

Raymond Nickles, Fair Play, Mo. in place of Forrest Beason, transferred.

Ruth J. Tate, Grain Valley, Mo., in place of C. H. Johnson, transferred.

Hubert B. Brown, Slater, Mo., in place of J. C. Hains. Incumbent's commission expired June 23, 1942.

NEVADA

Nettie W. Wills, Goldfield, Nev., in place of J. J. Noone, resigned.

NEW MEXICO

Pearl Komfala, Gamerco, N. Mex., in place of E. N. Pitts, resigned.

Meliton Struck, Ranches of Taos, N. Mex., in place of Meliton Struck, resigned.

OKLAHOMA

William Trigg Music, Elk City, Okla., in place of T. R. Johnson, resigned.

OREGON

Donald R. Muth, Empire, Oreg., in place of James Hinds, resigned.

Harold M. Laws, Rogue River, Oreg., in place of G. M. Heath, resigned.

PENNSYLVANIA

LeRoy S. Seymour, Dingmans Ferry, Pa., in place of E. D. Hunt, resigned.

D. Clyde Clapper, New Enterprise, Pa., in place of Ellis Walter, transferred.

Manly C. Beebe, Pleasantville, Pa., in place of V. G. Kingsley, resigned.

William R. Cumpston, Waynesburg, Pa., in place of A. L. Moredock, removed.

TENNESSEE

Rosamond V. Earnest, Afton, Tenn. Office became Presidental July 1, 1944.

Mary A. Martin, Crab Orchard, Tenn. Office became Presidential July 1, 1944.

VIRGINIA

Jesse N. Cahoon, Clifton Forge, Va., in place of W. D. Bowles, removed.

WEST VIRGINIA

Grace Watkins, Seth, W. Va. Office became Presidential July 1, 1943.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 25 (legislative day of April 16), 1945:

FEDERAL LOAN ADMINISTRATION

John W. Snyder to be Federal Loan Administrator.

SECURITIES AND EXCHANGE COMMISSION

James J. Caffrey to be a member for the remainder of the term expiring June 5, 1945.

James J. Caffrey to be a member for a term expiring June 5, 1950.

IN THE ARMY

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be generals

George Smith Patton, Jr.
Courtney Hicks Hodges

To be lieutenant generals

Joseph Lawton Collins
Oscar Wolverton Griswold
Lucius DuBignon Clay
Geoffrey Keyes
Edmund Bristol Gregory
Walton Harris Walker
Levin Hicks Campbell, Jr.
Wade Hampton Haislip
Eugene Reybold

POSTMASTERS

KENTUCKY

William H. Vitatoe, Albany.

MASSACHUSETTS

Stephen A. Boland, Andover.

MISSOURI

Horace Walker Ames, De Soto.

OKLAHOMA

Clifford C. McKown, Maud.

VIRGINIA

Cecile B. Thompson, Blairs.
Sarah Ella Kirkland, Bonny Blue.
Edgar C. Michael, Brodnax.
Henry C. Humphrey, Trevilians.

HOUSE OF REPRESENTATIVES

WEDNESDAY, APRIL 25, 1945

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O God of infinite resources, we have many needs which Thou alone canst supply. Always and everywhere we need Thee; in our weakness to sustain and support us; in our strength to discipline and restrain us; in our sorrows to comfort and encourage us. We need Thee to keep us from pride when we are prosperous; from despair when we are in want; from bitterness when we are in distress.

Today we are joining struggling and war-torn humanity in its prayers for Thy special blessing upon those chosen representatives who are now seeking to organize the good will of the nations of the earth for a lasting peace. May their vision of such a peace be so clear and commanding that all the noblest desires within their souls shall rise up with a passion to make it a blessed reality. Answer their loftiest aspirations with Thy divine inspiration.

Grant us all a nobler skill in the art of mutual understanding and brotherly love and in finding for mankind the way to the more abundant life. Hear us in the name of the Christ to whose sovereignty we would yield curselves in glad and willing obedience. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2625. An act to extend the Selective Training and Service Act of 1940, as amended.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON of Colorado, Mr. HILL, Mr. DOWNEY, Mr. CHANDLER, Mr. AUSTIN, Mr. BRIDGES, and Mr. GURNEY to be the conferees on the part of the Senate.

EXTENSION OF REMARKS

Mr. LANE asked and was given permission to extend his remarks in the RECORD in three instances and to include two editorials and one newspaper item.

Mr. KEOGH asked and was given permission to extend his remarks in the RECORD and include a statement submitted by the New York State Federation of Post Office Clerks to the Committee on the Post Office and Post Roads of the House.

Mr. FLOOD asked and was given permission to extend his remarks in the RECORD and include an editorial from the Philadelphia Inquirer of April 24.

Mr. CARNAHAN asked and was given permission to extend his remarks in the RECORD and include a tribute to the late President Roosevelt by a Negro pastor from his district.

Mr. ROE of Maryland asked and was given permission to extend his remarks in the RECORD and include two questionnaires.

COMMITTEE ON THE REVISION OF THE LAWS

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point and to include a brief announcement by the Committee on the Revision of the Laws.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

SUPPLEMENT IV OF THE UNITED STATES CODE AND H. R. 2200, TO REVISE, CODIFY, AND ENACT INTO POSITIVE LAW TITLE 18 OF THE UNITED STATES CODE, ENTITLED "CRIMES AND CRIMINAL PROCEDURE"

Mr. KEOGH. Mr. Speaker, on behalf of the Committee on Revision of the Laws, I should like to announce that cumulative Supplement IV to the 1940 edition of the United States Code is presently available. This supplement contains all the laws enacted up to the close of the Seventy-eighth Congress. We are grateful for the cooperation which we have received from the editorial staffs of the West Publishing Co. and the Edward Thompson Co. and also from the Government Printing Office. The supplement is available approximately the same date as Supplement III was made available last year, although it contains approximately 500 more pages of text. The Members' quotas of these supplements are placed to their credit in the folding room.

I should also like to remind the membership of the presence on the Unanimous-Consent Calendar of the bill (H. R. 2200) to revise, codify, and enact into positive law title 18 of the United States Code, entitled "Crimes and Criminal Procedure," and to renew my suggestion that any Member who has any question with respect to the suggested bill communicate with the committee chairman as soon as possible, as we hope to ask for action on the bill shortly.

EXTENSION OF REMARKS

Mr. GARY, Mr. JAMES J. DELANEY, and Mr. MURDOCK asked and were given permission to extend their remarks in the RECORD.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD on two subjects and include in each an editorial.

Mr. SULLIVAN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD and include an editorial from the Akron Beacon Journal.

Mr. GORDON asked and was given permission to extend his remarks in the RECORD and include two timely articles pertaining to the Polish question.

Mr. BURGIN asked and was given permission to extend his remarks in the RECORD and include an address by Hon. Fred M. Vinson.

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD and include a clipping from the Cleveland Press.

Mr. DOLLIVER asked and was given permission to extend his remarks in the RECORD and include a letter addressed to Hon. Robert Patterson.

Mr. TALBOT asked and was given permission to extend his remarks in the RECORD in two instances and to include in the first an editorial and in the second a letter.

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. GOODWIN asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. SHARP asked and was given permission to extend his remarks in the RECORD and include a speech by Hon. W. Kingsland Macy at the National Republican Club in New York.

Mr. GAVIN asked and was given permission to extend his remarks in the RECORD in three instances, and to include in one an editorial from the Times-Herald, and in another an editorial from the Oil City Derrick.

Mr. ROBERTSON of North Dakota asked and was given permission to extend his remarks in the RECORD and include an editorial on the San Francisco Conference.

Mr. JENKINS asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Republican conference yesterday.

Mr. HOEVEN asked and was given permission to extend his remarks in the RECORD and include a resolution relating to the Missouri Valley Authority.

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD and include some short excerpts.

Mr. LE COMPTE asked and was given permisson to extend his remarks in the RECORD and include a short original poem.

Mr. KOPPLEMANN asked and was given permission to extend his remarks in the RECORD in two instances and include in one an editorial from the Washington Post and in the other a statement by Maj. George Fielding Eliot appearing in the New York Herald Tribune.

Mr. BYRNE of New York asked and was given permission to extend his remarks in the RECORD and include a clipping from one of the New York papers.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include the proceedings of the Forum for Democracy on March 2, 1945. I have an estimate from the Public Printer that this will exceed two pages of the RECORD and will cost $442, but I ask that it be printed notwithstanding that fact.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

GRANTING A FRANKING PRIVILEGE TO ANNA ELEANOR ROOSEVELT

Mr. BURCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 906) granting a franking privilege to Anna Eleanor Roosevelt.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, and I am not going to object, may I ask simply for the information of the House if this is a privilege similar to that we have granted to the widows of all Presidents?

Mr. BURCH. A similar privilege has been granted to the widows of all our Presidents.

Mr. RANKIN. If the gentleman will yield, as I understand it, this franking privilege applies only to her personal mail?

Mr. BURCH. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all mail matter sent by the post by Anna Eleanor Roosevelt, widow of the late Franklin Delano Roosevelt, under her written autograph signature, be conveyed free of postage during her natural life.

With the following committee amendment:

Page 1, line 5, after "signature", insert "or facsimile thereof."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONSIDERATION OF HOUSE JOINT RESOLUTION 145 AND HOUSE CONCURRENT RESOLUTION 39

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that at any time next week it shall be in order to consider the joint resolution (H. J. Res. 145) providing for membership of the United States in the Food and Agriculture Organization of the United Nations, and the concurrent resolution (H. Con. Res. 39) to declare a governmental policy in relation to the apprehension and punishment of war criminals; and that there shall be not to exceed 1 hour's debate on each, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs.

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, as I understand it, this is simply a procedure bringing the two pieces of legislation to the House and the Members are assured of their chance for both debate and amendment?

Mr. McCORMACK. Exactly.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

INDEPENDENT OFFICES APPROPRIATION BILL, 1946—CONFERENCE REPORT

Mr. WOODRUM of Virginia. Mr. Speaker, I call up the conference report on the bill (H. R. 1984) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1984) "making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 8, 9, 42, 46, 53, 55, and 62.

That the House recede from its disagreement to the amendments of the Senate numbered 5, 6, 7, 10, 11, 12, 13, 14, 15, 17, 19, 20, 22, 23, 24, 25, 27, 28, 30, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 43, 44, 45, 52, 54, 56, 57, 58, 59, and 63, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,162,257"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment insert:

"No part of the appropriations herein made to the Bureau of the Budget shall be used for the maintenance or establishment of more than four regional, field, or any other offices outside the District of Columbia."

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, and in line 4, after the word "for" where it occurs the second time, insert the following: "completing the work of"; and the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$271,651"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$17,500,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$20,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$10,250,000"; and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,500,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$2,200,000"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment amended to read as follows: ", and expenditures by the Authority for such purpose shall be considered nonadministrative expenses and funds received from such payments or reimbursements may be used only for the payment of all necessary expenses of providing representatives of the Authority at the sites of non-Federal projects or for administrative expenses of the Authority not in excess of the amount authorized

by the Congress"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$4,100,000"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows:

"(c) Appropriations contained in this Act, available for expenses of travel shall be available, when specifically authorized by the head of the activity or establishment concerned, for expenses of attendance at meetings of organizations concerned with the function or activity for which the appropriation concerned is made: *Provided*, That there shall be available for such purpose during the fiscal year 1946 to each such agency or establishment not to exceed 50 per centum of the amount authorized for the same purpose for each such agency or establishment for the fiscal year 1945, except that in the case of the Veterans' Administration the amount available for such purpose shall not exceed 75 per centum of the amount authorized for the fiscal year 1945."

And the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 26, 29, 34, 60, 64, 65, and 66.

C. A. WOODRUM,
JOE HENDRICKS,
GEORGE MAHON,
GEORGE ANDREWS,
R. B. WIGGLESWORTH,
HENRY C. DWORSHAK,
Managers on the part of the House.

KENNETH MCKELLAR,
RICHARD B. RUSSELL,
J. H. BANKHEAD,
STYLES BRIDGES,
WALLACE WHITE,
C. WAYLAND BROOKS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on amendments of the Senate to the bill (H. R. 1984) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Nos. 1, 2 and 3, relating to the Bureau of the Budget: Appropriates $2,162,257 for salaries and expenses, instead of $2,227,257, as proposed by the House and $2,004,532, as proposed by the Senate; provides $445,300, as proposed by the House, for national defense activities; and limits to four the number of regional, field, or other office outside the District of Columbia which may be maintained by the Bureau, instead of prohibiting the maintenance of any such office, as proposed by the Senate.

No. 4: Restores the appropriation of $40,000 for the American Commission for the Protection and Salvage of Artistic and Historic Monuments in war areas, as proposed by the House, amended to provide that such appropriation shall be for all expenses necessary for completing the work of the commission.

Nos. 5, 6, and 7, relating to the Civil Service Commission: Appropriates $8,673,882, as proposed by the Senate, instead of $9,512,520, as proposed by the House, for salaries and expenses; and provides that not to exceed $217,000 shall be available for printing and binding, as proposed by the Senate, instead of $236,270, as proposed by the House; and appropriates $6,032,000, as proposed by the Senate, instead of $7,032,000, as proposed by the House, for salaries and expenses, national defense.

Nos. 8 and 9: Restores the authorization and appropriation for the purchase of not to exceed five passenger-carrying motor vehicles by the Federal Communications Commission, as proposed by the House, instead of the elimination of such authorization and appropriation, as proposed by the Senate.

Nos. 10, 11, 12, 13, and 14, relating to the Federal Power Commission: Strikes out the proposal of the House authorizing the purchase of three automobiles; appropriates $2,072,000 for salaries and expenses, of which not to exceed $1,315,991 shall be available for personal services in the District of Columbia and not to exceed $20,000 for consultants and special counsel, as proposed by the Senate, instead of an appropriation of $2,150,000, for salaries and expenses, of which $1,300,000 would have been available for personal services in the District of Columbia and not to exceed $10,000 for consultants and special counsel, as proposed by the House; and appropriates $48,000 for printing and binding, as proposed by the Senate, instead of $40,000, as proposed by the House.

No. 15: Provides that not less than $171,673 of the appropriation to the Federal Trade Commission for salaries and expenses shall be available for the enforcement of the Wool Products Labeling Act, as proposed by the Senate.

No. 16: Appropriates $271,651 for salaries and expenses, Office of the Administrator, Federal Works Agency, instead of $250,000, as proposed by the House, and $293,302, as proposed by the Senate.

Nos. 17, 18, 19, 20 and 21, relating to public works advance planning, Federal Works Agency: Inserts the language changes proposed by the Senate "for carrying out" the provisions of title V of the War Mobilization and Reconversion Act, and "to be immediately available"; appropriates $17,500,000 for such purpose, instead of $5,000,000, as proposed by the House, and $35,000,000, as proposed by the Senate; provides that not to exceed 3 percentum shall be available for administrative expenses, as proposed by the Senate, instead of 4 percentum, as proposed by the House; and authorizes the use of not to exceed $20,000 for travel expenses, instead of $10,000, as proposed by the House, and $30,000, as proposed by the Senate.

Nos. 22, 23, 24, 25, 27, 28, 30 and 31, relating to the Public Buildings Administration: Appropriates $1,335,710, as proposed by the Senate, instead of $1,347,890, as proposed by the House, of which $638,540 shall be available for personal services in the District of Columbia, as proposed by the Senate, instead of $639,650, as proposed by the House, and not to exceed $513,500 for personal services in the field, as proposed by the Senate, instead of $522,700, as proposed by the House, in connection with general administrative expenses; appropriates $3,000,000 for repair, preservation and equipment, outside the District of Columbia, as proposed by the Senate, instead of $6,500,000, as proposed by the House; strikes out the proposal of the House for the purchase of four automobiles, as proposed by the Senate, in connection with salaries and expenses, public buildings and grounds in the District of Columbia, and appropriates $25,495,000 for such salaries and expenses, as proposed by the Senate, instead of $26,495,000, as proposed by the House; and strikes out the proposal of the House for the purchase of three automobiles in connection with the appropriation for salaries and expenses, public buildings and grounds outside the District of Columbia, and appropriates $11,500,000 for such salaries and expenses, as proposed by the Senate, instead of $12,160,000, as proposed by the House.

Nos. 32 and 33, relating to the Public Roads Administration: Authorizes the purchase of fifty automobiles, as proposed by the Senate, instead of seventy-three, as proposed by the House; and appropriates $25,000,000 for the Federal-aid highway system, as proposed by the Senate, instead of $30,000,000, as proposed by the House.

Nos. 35 and 36: Strikes out the proposal of the House to authorize the purchase of an automobile for the General Accounting Office, as proposed by the Senate.

Nos. 37, 38, 39, 40 and 41, relating to the Interstate Commerce Commission: Appropriates $2,769,400, as proposed by the Senate, instead of $2,910,445, as proposed by the House, for general administrative expenses, of which not to exceed $2,488,000 may be used for personal services in the District of Columbia, as proposed by the Senate, instead of $2,620,000, as proposed by the House; appropriates $388,319 for valuation of property of carriers, as proposed by the Senate, instead of $431,465, as proposed by the House; and strikes out the proposal of the House authorizing the purchase of thirty automobiles, as proposed by the Senate.

Nos. 42, 43 and 44, relating to the Office of the Administrator, National Housing Agency: Restores the House language authorizing the so-called "one fund" provision; authorizes the use of $100,000 for salaries and expenses, as proposed by the Senate, instead of $449,825, as proposed by the House; and strikes out, as proposed by the Senate, the House provision authorizing the purchase of one automobile.

No. 45: Authorizes the use of $7,490,127 for salaries and expenses, Federal Home Loan Bank Administration, as proposed by the Senate, instead of $7,502,523, as proposed by the House.

Nos. 46, 47, and 48, relating to the Federal Housing Administration: Restores the language of the House authorizing the so-called "one fund" provision; authorizes the use of $10,250,000 for salaries and expenses, instead of $10,537,747, as proposed by the House, and $10,000,000, as proposed by the Senate; and authorizes the use of $2,500,000 for payment of losses, instead of $3,000,000, as proposed by the House, and $2,000,000, as proposed by the Senate.

Nos. 49 and 50, relating to the Federal Public Housing Authority: Authorizes the use of $2,200,000 of available funds for salaries and expenses, instead of $2,327,400, as proposed by the House, and $2,072,241, as proposed by the Senate; and restores the proposal of the House relating to expenditures for representatives at sites of non-Federal projects, amended to specifically restrict the use of funds so received for such purpose or for administrative expenses not in excess of the amount authorized by the Congress.

No. 51: Appropriates $4,100,000 for salaries and expenses, Securities and Exchange Commission, instead of $4,134,500, as proposed by the House, and $4,017,250, as proposed by the Senate.

No. 52: Appropriates $1,054,061, as proposed by the Senate, instead of $1,065,160, as proposed by the House, for salaries and expenses, Smithsonian Institution.

No. 53: Appropriates $583,207, as proposed by the House, instead of $549,727, as proposed by the Senate, for salaries and expenses, National Gallery of Art.

No. 54: Appropriates $823,410, as proposed by the Senate, instead of $914,900, as proposed by the House, for salaries and expenses, Tariff Commission.

No. 55: Strikes out the proposal of the Senate to appropriate $4,000,000 for continuation of construction of South Holston and Watauga Dams and $3,000,000 toward construction of a fertilizer manufacturing plant at or near Mobile, Alabama, in connection with the Tennessee Valley Authority.

Nos. 56 and 57: Strikes out the proposal of the House authorizing the purchase of not to exceed three automobiles, as proposed by the Senate, in connection with the United States Maritime Commission.

Nos. 58 and 59: Appropriates $900,000,000 to the Veterans' Administration for national service life insurance, instead of $1,000,000,000, as proposed by the House; and corrects the total of appropriations for the Veterans' Administration.

No. 61: Restores the House provision relating to attendance at meetings amended to restrict the use of such funds to 50 per centum of the amount authorized for 1945, except that 75 per centum of such amount may be used for such purpose by the Veterans' Administration.

No. 62: Corrects subsection designation.

No. 63: Provides that any officer or employee who uses or authorizes use of Government automobile for other than official purposes shall be removed from office by the head of the department or establishment concerned, as proposed by the Senate.

Amendments in disagreement

Amendments reported in disagreement are as follows:

No. 26: Relating to acceptance of a mural for installation in the United States Post Office Building at Kennebunkport, Maine. The House managers will recommend concurrence in the Senate amendment.

No. 29: Relating to use of furniture now owned by United States in public buildings. The House managers will recommend concurrence in the Senate amendment.

No. 34: Placing certain restrictions on the use of funds for construction of the Inter-American Highway. The House managers will recommend concurrence in the Senate amendment.

No. 60: Relating to the restoration of veterans to their former positions after discharge from service. The House managers will recommend concurrence in the Senate amendment with an amendment.

No. 64: Relating to the filing of a report with the General Accounting Office in connection with exchange or sale of equipment. The House managers will recommend concurrence in the Senate amendment with an amendment.

No. 65: Granting of priorities to veterans in the matter of obtaining materials for building and repairs to dwelling houses to be occupied by them. The House managers will recommend concurrence in the Senate amendment with an amendment.

No. 66: Correcting a section number. The House managers will recommend concurrence in the Senate amendment.

C. A. WOODRUM
JOE HENDRICKS
GEORGE MAHON
GEORGE ANDREWS
R. B. WIGGLESWORTH
HENRY C. DWORSHAK
Managers on the part of the House.

Mr. WOODRUM of Virginia. Mr. Speaker, this is a unanimous conference report. I know of nothing contained in the report which is of a controversial nature. May I inquire if the gentleman form Massachusetts wishes any time on the conference report?

Mr. WIGGLESWORTH. I would like just a minute or two.

Mr. WOODRUM of Virginia. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. WIGGLESWORTH].

Mr. WIGGLESWORTH. Mr. Speaker, I am glad to state to the House that this bill in its final form is $173,000,000 under the budget estimates. There are one or two items that I would like to have seen further reduced had it been possible. As the gentleman from Virginia says, however, the report is a unanimous one and supported by the minority as well as the majority conferees.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. Mr. Speaker, I call the attention of the House to the action which was taken in regard to the fund for the planning of post-war work, by which $17,500,000 is made available to the Federal Works Agency for loans to States and their subdivisions for advance planning.

In this connection, I would like to express the hope that the Federal Works Agency, in working out plans with the States on postwar work, will give special consideration to the planning of community hospitals in the hope that the postwar work program will be of the utmost benefit to returning veterans and to the various communities and the Nation. Without question, the United States is going to do more to promote national good health in the future than it has in the past. I do not refer to what is called socialized medicine; I refer to what is known as preventive medicine. There is a growing demand for clinical examinations and for hospital facilities. Our national postwar public-works planning should be geared into this demand.

Mr. WOODRUM of Virginia. Mr. Speaker, I yield such time as he may desire to the gentleman from Alabama [Mr. JARMAN].

Mr. JARMAN. Mr. Speaker, I ask unanimous consent that I may extend my remarks at this point in the RECORD relative to a very unusual procedure of a Federal agency with reference to the funds appropriated in this appropriation bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JARMAN. Mr. Speaker, the people of an excellent town in my congressional district are greatly disturbed, in fact outraged, over the general opinion that a very unusual procedure has been indulged in by the Federal Housing Administration, for which appropriation is made in this bill. They object to such handling of any matter, but particularly one connected with the war effort. While not thoroughly familiar with all of the circumstances, the information I have gained from these very reputable citizens and from the Commissioner of the Federal Housing Administration very much inclines me to believe they are correct. If this is true, it is one of the most damnable occurrences which has come to my attention since I entered Congress. So much so that I regard it as the duty of all honorable people, whether in representative capacities or not, to prevent its repetition.

Toward that end I have passed on the request for a full and complete top-to-bottom investigation of this transaction with the chips being permitted to fall where they may. If the report indicates that such a real investigation has occurred, the matter will conclude insofar as I am concerned, regardless of its nature. However, I have numerous indications that such may not occur. My 11 years' experience as an Examiner of Accounts for the State of Alabama, during the latter half of which much work of an investigatory nature was done, qualifies me, I think, not only to observe suspicious occurrences and know how to investigate them, all of which information and suggestions I have passed on to the Agency, but to evaluate a report on such an investigation. Therefore, if after studying whatever report I receive, I conclude that a whitewash has happened, which I naturally very much hope will not occur, my belief in the correctness of this conclusion will prompt me to wish to pursue the matter further. In this event, I shall request permission of the distinguished gentleman from Virginia [Mr. WOODRUM], to appear before his subcommittee when next an appropriation for the Federal Housing Administration is under consideration and shall probably also request him to yield me sufficient time to lay all of the facts before the House when the next bill which appropriates funds for this Agency reaches the floor.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 26: On page 22, line 11, after the word "buildings", insert "*Provided further*, That the Commissioner of Public Buildings may, in his discretion, upon such terms and conditions as he may deem to be in the public interest, with the approval of the Federal Works Administrator, accept on behalf of the United States for installation in the United States Post Office Building at Kennebunkport, Maine, a mural, contributed by public-spirited citizens of the town of Kennebunkport, Maine, depicting, historically, the shipbuilding and seafaring activities of that community."

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 26 and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 29: On page 23, line 13, insert the following: "*Provided*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether or not it corresponds with the present regulation plan for furniture."

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 29, and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 34: On page 30, line 17, after the word "expended," insert the following: "*Provided*, That no part of

the appropriation made in this paragraph for use in any cooperating country shall be available for obligation or expenditure unless said cooperating country executes a written agreement that it will impose no restrictions on the use of the highway, nor levy directly or indirectly any tax or charge for such use, by traffic or vehicles from any other country that do not apply with equal force to the like use of the highway by traffic or vehicles of the cooperating country."

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 34, and concur in the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 60: On page 66, line 15, insert the following:

"SEC. 107. No part of any appropriation contained in this act shall be available to pay the salary of any person filling a permanent position formerly held by an employee who has left to enter the armed forces of the United States and has been honorably discharged therefrom and has within 90 days after his discharge or within not more than 1 year after relief from hospitalization continuing after said discharge made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto."

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment No. 60 and agree to the same with an amendment.

The Clerk read as follows:

Mr. WOODRUM of Virginia moves that the House recede from its disagreement to the amendment of the Senate No. 60 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"SEC. 107. No part of any appropriation contained in this act shall be available to pay the salary of any person filling a position, other than a temporary position, formerly held by an employee who has left to enter the armed forces of the United States and has satisfactorily completed his period of active military or naval service and has within 90 days after his release from such service or from hospitalization continuing after discharge for a period of not more than 1 year made application for restoration to his former position and has been certified by the Civil Service Commission as still qualified to perform the duties of his former position and has not been restored thereto."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 64: Page 71, line 5, after the word "therefor", insert "*Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing and a copy filed with the General Accounting Office."

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House recede from its disagreement to the Senate amendment No. 64 and agree to the same with an amendment.

The Clerk read as follows:

Mr. WOODRUM of Virginia moves that the House recede from its disagreement to the amendment of the Senate No. 64 and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: ": *Provided*, That any transaction carried out under the authority of this section shall be evidenced in writing."

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 65: Page 76, line 11, insert a new section, as follows:

"SEC. 215. In order to enable persons who have served 90 days or more in the land or naval forces during the present war, and who have been honorably discharged from such service, to obtain materials required for the construction, alteration, or repair of dwelling houses to be occupied by them, any department or agency of the Government, in allocating or granting priorities with respect to any materials, shall give to such persons a preference over all other users of such materials (except to the extent such materials are needed by such other users to meet actual military needs), without requiring any showing of hardship or other necessity for the construction, alteration, or repair of such dwelling houses."

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 65 and agree to the same with an amendment.

The Clerk read as follows:

Mr. WOODRUM of Virginia moves that the House recede from its disagreement to the amendment of the Senate No. 65 and agree to the same with an amendment as follows: In lines 3 and 4 of said amendment, strike out the words "been honorably discharged from such service" and insert in lieu thereof "satisfactorily completed their period of active military or naval service."

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mrs. ROGERS of Massachusetts. It seems to me that that is an extremely wise provision. I am very glad it is in the bill. I would like to ask the gentleman if he does not think it would be very helpful if the Veterans' Administration was a department of veterans' affairs, with a Cabinet head, in order that matters so necessary for the veterans may be taken up at Cabinet meetings. The head of the Veterans' Administration should sit in with the President and Cabinet at all meetings. Every department in the Government has and will have something to do with veterans. Now you have an out-moded building, out-moded procedure, red tape, antiquated processes all around. I think the only solution will be a department of veterans' affair with a Cabinet head.

Mr. WOODRUM of Virginia. I will say to the gentlewoman I am one of the Members of the House who feels that the Veterans' Administration, while it has a very stupendous task to deal with, especially in the coming months when a great number of veterans will be returning, is one of the best operated and best managed departments of the Federal Government, and I would be very slow to make any change in it.

Mrs. ROGERS of Massachusetts. I would like to say to the gentleman that the abuses that undoubtedly have crept into the Veterans' Administration and the care of veterans could be obviated if you had a department that was strong enough in Washington.

Mr. WOODRUM of Virginia. I doubt if those abuses that we have heard about, perhaps many of which are unavoidable, would be obviated if you turned the Veterans' Administration into a political Cabinet job. My fear would be that instead of having a fine, splendid able administrator like we have in General Hines, we would have some political Cabinet officer, which I think would be a step in the wrong direction. Of course, that is just my opinion.

Mrs. ROGERS of Massachusetts. It seems to me it would be just as sensible to say that the Army is not properly run because that has a Cabinet officer, or the Navy Department.

Mr. WOODRUM of Virginia. No; we have generals and admirals in the Army and the Navy, and the Secretary of War and the Secretary of the Navy very wisely let them run the show. That probably would not be true in the case of the Veterans' Administration.

Mrs. ROGERS of Massachusetts. I think the same would be done in the Veterans' Administration. It is going to be the most important department in the United States Government. We certainly owe these men who are coming back everything we have.

Mr. WOODRUM of Virginia. I think we are being very liberal with them.

Mrs. ROGERS of Massachusetts. I do not agree with that. They are getting very slow attention. They are not getting proper care due to shortage of personnel.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. RANKIN. We are now going through an investigation of the Veterans' Administration. I dare say there is not a department of this Government, taken as a whole, that is better operated than the Veterans' Administration.

When our committee meets tomorrow we are going to start in hearing those Members of Congress who have been to these various hospitals and gone through them, then we are going to take other witnesses. We are going to the very bottom, and whatever injustice or whatever irregularities we find we are going to try to correct. But I want to say I thoroughly disagree with the statement that our veterans are not treated at least as well as the veterans of any other country in the world, if not better.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mrs. ROGERS of Massachusetts. Canada has a Department of Veteran's Affairs or a similar department. General Hines has stated that the Veterans' Administration is 14,000 short in personnel. If it was headed by a Cabinet officer and he had a strong organization here in Washington that would not happen. To my mind it is inexcusable that the veterans do not have proper attention. Ask any veteran or group of veterans who are trying to get their rights under the GI bill, veterans who are trying to get hospitalization and other things, such as compensation and vocational training, widows and orphnas trying to get their compensation, widows trying to get their

insurance. The Veterans' Administration does not have the personnel, and General Hines and his staff agree 100 percent in the statement that it does not have the personnel to take care of these veterans promptly. The abuses in the hospitals were brought about to my mind largely through a shortage of nurses and a shortage of doctors.

Mr. WOODRUM of Virginia. I cannot understand how putting somebody in the Cabinet would get more nurses for the veterans.

Mrs. ROGERS of Massachusetts. Then you would have a man there who would fight for the veterans' interests and secure the unnecessary personnel in less important bureaus here in Washington, and put those in the Veterans' Administration.

Mr. WOODRUM of Virginia. A Cabinet officer would not get nurses to go to work for the Veterans' Administration. This House passed a bill recently which, if enacted, would remedy the nurse situation.

Mrs. ROGERS of Massachusetts. How?

Mr. WOODRUM of Virginia. It passed the House, but it has not passed the other body.

Mrs. ROGERS of Massachusetts. How would it remedy the situation?

Mr. WOODRUM of Virginia. By drafting nurses.

Mrs. ROGERS of Massachusetts. Oh, not for the Veterans' Administration.

Mr. WOODRUM of Virginia. They could be drafted for the use of the Veterans' Administration.

Mrs. ROGERS of Massachusetts. No. That was not agreed to in either the House or the Senate.

Mr. WOODRUM of Virginia. If that bill becomes a law, the Veterans' Administration will get its share of the nurses; we can count on that.

Mrs. ROGERS of Massachusetts. I beg the gentleman's pardon, but the amendment suggested by General Hines was not accepted in either the House or the Senate. All the House bill did was to defer the Army's drafting nurses from the Veterans' Administration if General Hines objected. The draft would take additional civilian nurses, who might go into the Veterans' Administration if there were more inducements.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mr. RANKIN. I wish to say that I thoroughly agree with the gentleman from Virginia that whatever is wrong in the Veterans' Administration could not be cured by putting the head of the Veterans' Administration in the Cabinet.

Mr. WOODRUM of Virginia. You would be building up a top-heavy bureaucracy; just what you do not want.

Mr. RANKIN. In my opinion, it would just result in a top-heavy bureaucracy.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. WOODRUM of Virginia. I yield.

Mrs. ROGERS of Massachusetts. There is something very wrong with the present set-up.

Mr. WOODRUM of Virginia. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate Amendment No. 66. Page 77, line 1, strike out "215" and insert "216"

Mr. WOODRUM of Virginia. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 66 and concur in the same.

The motion was agreed to.

A motion to reconsider the vote by which the motions on the conference report were agreed to was laid on the table.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1946

The SPEAKER. The Chair recognizes the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. Mr. Speaker, I call up the conference report on the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, and ask unanimous consent that the statement of the Managers may be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the statement of the managers on the part of the House.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 9 10, 15, 18, 27, 28, 30, 34, 44, 45 46, and 53.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 8, 16, 17, 20, 25, 29, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 43, 47, and 48 and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,730,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$906,990"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,888,589"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,663,708"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$27,500"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$42,500"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$7,206,208"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$445,500"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,298,300"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$16,649,100"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "and no loan, excepting those to eligible veterans, shall be made in an amount greater than 15 per centum above the census value of the average farm unit of thirty acres and more in the county, parish, or locality where the purchase is made, as determined by the 1940 farm census"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,200,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$80,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 22, 24, 26, 42, and 50.

M. C. TARVER,
CLARENCE CANNON,
HARRY R. SHEPPARD,
JAMIE L. WHITTEN,
CHARLES A. PLUMLEY,
H. CARL ANDERSEN (except as to amendment 33),
WALT HORAN,
Managers on the part of the House.

RICHARD B. RUSSELL,
CARL HAYDEN,
M. E. TYDINGS,
J. H. BANKHEAD,
ELMER THOMAS,
CHAN GURNEY,
CLYDE M. REED,
ARTHUR CAPPER,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying report, as to each of such amendments, namely:

TOTALS, ALLOCATIONS, ETC.

The following amendments relate to totals, allocations, etc., as they have been adjusted to the action of the conferees on other amendments: Nos. 5, 7, 13, 14, 28, and 30.

OFFICE OF THE SECRETARY

Amendments Nos. 1 and 2, penalty mail: Appropriate $3,238,740 as proposed by the House, instead of $3,418,670 as proposed by the Senate, for penalty mail fund for the Department as a whole; and earmark $30,000 of the corporate funds of the Commodity Credit Corporation for penalty mail, as proposed by the Senate, instead of $27,000 as proposed by the House.

OFFICE OF THE SOLICITOR

Amendment No. 4, salaries and expenses: Appropriates $1,730,000, instead of $1,680,000 as proposed by the House, and $1,808,500 as proposed by the Senate.

OFFICE OF INFORMATION

Amendment No. 6, salaries and expenses: Appropriates $453,000 as proposed by the Senate, instead of $450,000 as proposed by the House.

BUREAU OF AGRICULTURAL ECONOMICS

Amendment No. 8, economic investigations: Retains the increase of $100,000 proposed by the Senate.

Amendment No. 9, crop and livestock estimates: Eliminates the Senate increase of $150,000 for farm wage statistics.

OFFICE OF ADMINISTRATOR, AGRICULTURAL RESEARCH ADMINISTRATION

Amendment No. 10, construction of buildings: Retains the House provision, stricken out by the Senate, providing that the total cost of buildings costing more than $2,500 each shall be within the limits of the estimates submitted and approved therefor.

OFFICE OF EXPERIMENT STATIONS

Amendment No. 11, Bankhead-Jones Act funds: Appropriates $2,663,708, instead of $2,463,708 as proposed by the House and $3,000,000 as proposed by the Senate.

Amendment No. 12, Alaska station: Appropriates $27,500, instead of $22,500 as proposed by the House and $32,500 as proposed by the Senate.

BUREAU OF ANIMAL INDUSTRY

Amendment No. 15, animal husbandry: Eliminates the Senate increase of $15,000.

BUREAU OF DAIRY INDUSTRY

Amendment No. 16, cattle-breeding investigations: Retains the Senate increase of $20,000.

BUREAU OF PLANT INDUSTRY, SOILS, AND AGRICULTURAL ENGINEERING

Amendment No. 17, field crops: Retains the Senate increase of $12,500 for development of grasses for growth in the piney woods section of the South.

Amendment No. 18, forest diseases: Eliminates the Senate increase of $10,000 for investigations of little leaf disease of southern pines.

Amendment No. 19, agricultural engineering: The Senate provided an increase of $170,000 for studies of farm structures and of $25,000 for development of farm uses for electricity. The conference agreement provides an increase of $112,500, in lieu of the Senate increases, to be allocated between the two projects within the discretion of the Department.

BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Amendment No. 20, insect investigations: Retains the Senate increases of $12,900 for spruce budworm control work and of $20,000 for investigations on the phloem necrosis of elms. These increases will provide a total of $75,000 for work on the spruce budworm and of $31,000 for work on the phloem necrosis of elms, with particular reference to insect vectors of the disease. A companion item, totaling $46,570, was provided in the bill as it passed the House for investigations of the diseases of the elm tree under "Forest diseases" in the Bureau of Plant Industry, Soils, and Agricultural Engineering.

Amendment No. 21, insect and plant disease control: Provides an increase of $17,500, instead of $35,000 as proposed by the Senate, for phony peach and peach mosaic disease eradication; an increase of $10,000, instead of $20,000 as proposed by the Senate, for Japanese beetle control work; and an increase of $35,000, instead of $100,000 as proposed by the Senate, for prevention of the spread of the gypsy moth.

FOREST SERVICE

Amendment No. 23, national forest protection and management: Provides increases of $200,000 for aerial photography and mapping of national forests, instead of $400,000 as proposed by the Senate; and of $100,000 for reseeding in the national forests, instead of $250,000 as proposed by the Senate.

Amendment No. 25, range investigations: Retains the Senate increase of $12,500 for development of grasses for growth in the piney woods section of the South.

FOREST ROADS AND TRAILS

Amendment No. 27, forest development roads and trails: Appropriates $4,418,778 as proposed by the House, instead of $7,418,778 as proposed by the Senate.

Amendment No. 29, forest highways: Retains the Senate provision making the appropriation of $1,500,000, provided by the House for maintenance of forest highways, available also for reconstruction of such highways.

Amendments Nos. 31 and 32, construction of buildings: Retain the Senate provision fixing a maximum of $10,000 for the cost of any buildings erected, purchased, or acquired, instead of $7,500 as proposed by the House.

WAR FOOD ADMINISTRATION

Amendment No. 33, administration and enforcement of War Food Order 79 relating to fluid milk and cream sales: Appropriates $1,350,000, as proposed by the Senate.

Amendment No. 34, agricultural wage stabilization: Eliminates the Senate provision that no part of the appropriation under this head shall be used for agricultural wage stabilization with respect to any commodity, unless, "where the producers of a number of commodities compete for labor, a majority of such competing producers considered as a group" within the area affected participating in a referendum or meeting held for that purpose request the intervention of the Administrator of the War Food Administration.

COMMODITY CREDIT CORPORATION

Amendment No. 35, salaries and administrative expenses: Authorizes $6,565,000 of the funds of the Commodity Credit Corporation for administrative expenses as proposed by the Senate, instead of $6,562,000 as proposed by the House.

Amendment No. 36, nonadministrative expenses: Eliminates the House provision, stricken out by the Senate, limiting expenditures for nonadministrative expenses to $1,600,000.

CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES (AGRICULTURAL ADJUSTMENT AGENCY PROGRAM)

Amendments Nos. 37, 38, 39, 40, and 41: Provide a total of $313,000,000 for the program, as proposed by the Senate, instead of $300,000,000 as proposed by the House; and authorizes a total for administrative expenses of $22,911,200 as proposed by the Senate, instead of $21,911,200 as proposed by the House, out of which $6,382,103 may be expended at the State and national levels, as proposed by the Senate, instead of $5,382,103 as proposed by the House. The appropriations provided by the House of $12,500,000 for seeds of grasses and legumes and of $29,750,000 for the flax program remain unchanged.

MARKETING SERVICE

Amendment No. 43, market news service: Retains the Senate increases of $3,700 for establishment of livestock news service at Billings, Mont., and of $1,700 for one-half the cost of special Florida citrus reports.

LOANS, GRANTS, AND RURAL REHABILITATION

Amendment No. 44, administrative expenses: Appropriates $22,357,264 as proposed by the House, instead of $22,720,549 as proposed by the Senate.

Amendment No. 45, rural rehabilitation loans: Provides $67,500,000 as proposed by the House, instead of $100,000,000 as proposed by the Senate.

Amendment No. 46, loans to veterans: Eliminates the Senate provision that "in the selection of new borrowers for rural rehabilitation loans" "veterans shall be given preference."

FARM TENANCY

Amendment No. 47, administrative expenses: Appropriates $2,500,000 as proposed by the Senate, instead of $2,000,000 as proposed by the House.

Amendment No. 48, loans: Provides $50,000,000 as proposed by the Senate, instead of $40,000,000 as proposed by the House.

Amendment No. 49, limitation on farm tenancy loans: Strikes out the following provision inserted by the Senate: "and which sum shall not be used for making loans under the terms of said act for the purchase of farms of greater value than the average efficient farm management unit, as determined by the Secretary, in the county, parish, or locality in which such purchase may be made", and inserts in lieu thereof the following: "and no loan, excepting those to eligible veterans, shall be made in an amount greater than 15 percentum above the census value of the average farm unit of 30 acres and more in the county, parish, or locality where the purchase is made as determined by the 1940 farm census."

RURAL ELECTRIFICATION ADMINISTRATION

Amendment No. 51, salaries and expenses: Appropriates $3,200,000, instead of $3,150,000 as proposed by the House, and $3,330,000 as proposed by the Senate.

Amendment No. 52, loans: Provides $80,000,000, instead of $60,000,000 as proposed by the House and $125,000,000 as proposed by the Senate.

Amendment No. 53: Eliminates the Senate provision that $35,000,000 of the fund provided for Rural Electrification Administration loans shall be immediately available.

AMENDMENTS IN DISAGREEMENT

The managers on the part of the House report the following amendments in disagreement:

Amendment No. 3, penalty mail, Commodity Credit Corporation: Increases by $12,000 the amount authorized for penalty mail for said Corporation in the First Supplemental Appropriation Act, 1945, for the fiscal year 1945. The managers on the part of the House will move to recede and concur.

Amendment No. 22, limitation on salaries in the District of Columbia, Forest Service: The motion of the managers on the part of the House will be appropriate to the action of the House on other Senate amendments under the Forest Service.

Amendment No. 24, forest management: The Senate has provided the following increases:

Reforesting strip-mining areas	$50,000
Experimentation, anthracite region	25,000
Watershed protection and development, western areas	75,000
Experimental forests, Southeast	300,000

The managers on the part of the House will move to insist.

Amendment No. 26, forest products: The Senate amendment appropriates $1,228,900, instead of $1,001,380 as proposed by the House. The managers on the part of the House will move to insist.

Amendment No. 42, Triple-A farm program for 1946: The Senate amendment provides that the total expenditures under such program shall not exceed $300,000,000. The managers on the part of the House will move to recede and concur.

Amendment No. 50, relating to the appropriation for "Water conservation and utilization projects" under the Case-Wheeler Act: The Senate amendment makes the appropriation available for the construction and alteration of farm and other buildings and roads for the use of project occupants on any lands within the boundaries of water conservation and utilization projects. The managers on the part of the House will move to insist.

M. C. TARVER,
CLARENCE CANNON,
HARRY R. SHEPPARD,
JAMIE L. WHITTEN,
CHARLES A. PLUMLEY,
H. CARL ANDERSEN
(except as to Amendment 33),
WALT HORAN,
Managers on the part of the House.

Mr. TARVER. Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman from Georgia is recognized for 5 minutes.

Mr. TARVER. Mr. Speaker, the conference report will bring about, if it is approved by the two legislative bodies concerned, a reduction of $82,293,007 below the amounts carried in the bill for appropriations, reappropriations, authorizations from corporation funds for administrative expenses, and loan authorizations as the bill passed the Senate, and $83,335,530 below the amount which was recommended by the Budget, provided motions to be offered by the House conferees on amendments still in disagreement are approved.

The Senate, in the consideration of this bill added $128,794,827 to the total sum involved of appropriations, reappropriations, and loan authorizations. I am not undertaking at this time to distinguish between appropriations and loan authorizations, because I feel that there is no substantial difference, the result being the same whether the money is directly appropriated or whether loans are authorized from the Reconstruction Finance Corporation for expenditures.

The total amount which will be carried in the bill, if the conference report is agreed to and if the motions which will be offered on the part of the House conferees are approved, is $892,648,232, as against the Budget estimate of $976,651,232 and as against the appropriations carried in the Senate bill, which are, as I have said, approximately $129,000,000 in excess of the House figures. The House totals were $846,813,932.

I believe that if the consideration of the bill is concluded in the way which is being recommended by your House conferees, we will have brought about the enactment of one of the best agricultural appropriation bills which has ever been enacted by the Congress during my period of service on this committee. I believe that the action taken by the House in the initial consideration of this bill, in adopting a rule, under which appropriations of the type which have ordinarily been made by the Congress but which are not authorized by law might be considered in the House without awaiting Senate action, has resulted in our being able to get this bill through during the latter days of April, when it has been the custom heretofore to wait until the last of June before it was finally enacted, and has also resulted in bringing about a very substantial reduction in the total amount of money made available by the bill. I think the House will probably not be interested in my undertaking to enter into a detailed discussion of the contents of the conference report, which has been printed in the RECORD and with which you are all familiar. So unless there are some questions that you desire to ask me at this time, I shall yield some time to some gentlemen who, I understand, desire to discuss some features of the conference report, and conclude my own remarks.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. May I state to the House at this time my complete approval of the method by which the gentleman from Georgia has conducted not only the hearings, but also the conference in connection with this bill. I have found him very fair throughout, and even though we disagreed preliminary in regard to the waiving of points of order, I hope never to have the occasion of serving under a better chairman.

Mr. TARVER. I thank the gentleman.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman from Mississippi.

Mr. RANKIN. I understand that under the heading of "Rural electrification" the amount of $30,000,000 is provided instead of $60,000,000 as carried in the House bill, and $125,000,000 in the Senate bill, for loans for Rural Electrification during the coming fiscal year.

Mr. TARVER. That is correct.

Mr. RANKIN. The Senate raised this item from $60,000,000 to $125,000,000. Presuming that the war in Europe is rapidly drawing to an end, as we all hope, there will be available material that would absorb a great deal more money than the amount provided here. Since this money is not to be expended, or even loaned, unless the materials are made available, I am just wondering why the committee did not give us at least the amount the Senate provided, namely, $125,000,000.

Mr. TARVER. The gentleman will remember that he advanced a similar argument in the consideration of the bill in the House, offering one amendment to increase the amount to $150,000,000 and then another to increase it to $100,000,000, and that the House disagreed with the gentleman and decided that $60,000,000 would be sufficient for the next fiscal year under conditions insofar as we could anticipate them.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. TARVER. Mr. Speaker, I yield myself 4 additional minutes.

The House conferees have agreed to $20,000,000 more than was approved by the House. Certainly it is not within our province to insist that the entire amount of the Senate addition should be agreed to, notwithstanding the attitude taken by the House on the consideration of the bill which was that $60,000,000 would be sufficient.

May I say to the gentleman, as I said when the bill passed the House, he is not more interested in rural electrification than I am, nor in the provision of sufficient funds for its reasonable activities than I am, but the provision of funds largely in excess of any reasonably anticipated needs is not a service to rural electrification nor to the American farmer. If conditions should arise under which more money can be wisely expended than is authorized by this bill, I would be among the first to urge that the additional funds so made necessary be provided.

Mr. RANKIN. Is it not a fact that the Rural Electrification Administration asked for $150,000,000 and the Budget recommended it?

Mr. TARVER. Yes, that is true, but at the same time our committee had evidence on the subject, evidence which indicated that the Rural Electrification Administration has already allocated $111,000,000 which it has been unable to expend; that of the $22,000,000 allocated during the present fiscal year it has spent only slightly in excess of $2,000,000; so we could not go along under that evidence with the insistence of the gentleman and others that the sky should be the limit and that all of the money asked for should be provided whether its authorization is justified or not.

The question was discussed by the gentleman and myself when the bill was pending in the House, and it seems to me that no good purpose would be served by further discussion at this time. However, if the gentleman desires, I will yield to him further.

Mr. RANKIN. I just want to say that if the war closes in Europe, materials will be made available immediately, and in my opinion even the $150,000,000 recommended by the Bureau of the Budget will not be sufficient to meet the demands for the next fiscal year.

Mr. TARVER. The gentleman advanced that opinion upon the consideration of the bill in the House, and the House disagreed with him.

Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY].

Mr. MURRAY of Wisconsin. Mr. Speaker, the only reason I am asking for this time is that I want to point out in connection with section 33 that $1,300,000 is provided to the War Food Administration to ration milk and cream. There are two points involved when we make this appropriation. The first one is that it might be interpreted

that we are losing faith in the O. P. A.; in other words, that the O. P. A. is not capable of rationing cream and milk. The second is that the rationing of milk and cream is to have a different rationing set-up than is provided for butter, cheese, and evaporated milk. Wisconsin produces about one-eighth of the milk of this Nation, and 90 percent of the Wisconsin milk goes into the manufacture of dairy products. Although we have complained and had quite a few arguments with the O. P. A., we have not stopped milking the cows. Wisconsin has produced nearly a third of the condensed milk, over half the cheese, and over a third of the powdered whole milk of the Nation. These are all war foods. They should have had more consideration than they have ever had. Cream and milk should have been rationed when the manufactured dairy products were subjected to rationing. Why should we appropriate funds to the War Food Administration to ration milk and cream and provide other funds for the O. P. A. to ration butter, cheese, and evaporated milk?

We are evidently showing a lack of appreciation of what the O. P. A. has tried to do. With all its criticism, I claim it has done a pretty good job. It has received plenty of criticism for things the War Food Administration has done. The War Food Administration has done just as many unwise things as far as milk production is concerned in this country as has the O. P. A. I just do not believe it is a good policy to take an industry and divide the responsibility between two governmental agencies at this late hour. If the milk and cream are to be rationed by the milk dealer, the milk dealer will be telling the people who are and who are not to have milk and cream. Do you want the milk dealer or do you want a governmental agency rationing foods? If dairy products are to be rationed, all the dairy products should be rationed by one agency. If this administration wishes to assume the responsibility for passing this legislation, let them do so.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. Mr. Speaker, in my opinion, the gentleman from Wisconsin [Mr. MURRAY] is the outstanding authority in the House of Representatives on anything having to do with milk and dairy products. The point that he brings out demonstrates the very reason why I refuse to sign in full this particular conference report. In connection with Senate amendment No. 33, I felt it was not discussed by the House as to whether or not it is good business for us to create another small Office of Price Administration in the War Food Administration at this time.

Mr. MURRAY of Wisconsin. Mr. Speaker, I thank the gentleman from Minnesota. I think the reason we get into most of these situations is because we have so much of our legislation with reference to agriculture scattered around among so many committees of the House instead of emanating from the Committee on Agriculture, which committee is supposed to be looking after these agricultural matters.

Mr. Speaker, I yield back the remainder of my time.

Mr. TARVER. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana [Mr. HARNESS].

Mr. HARNESS of Indiana. Mr. Speaker, may I call to the attention of the House a relatively trivial example of administrative waste, bungling, and inefficiency; but an example which, nonetheless, gives us a key to the peculiar puzzle as to why this, the richest and most productive Nation in the world, is confronted with a critical shortage of essential foods.

With the greatest potential and actual dairy production that the world has ever known right here in this country, American housewives for the past 3 years have found it increasingly difficult to provide butter, cheese, evaporated milk, and other processed milk products for their family tables. The explanations for the increasing shortages of dairy products have been many. Our armed forces have required tremendous quantities of these products. Lend-lease shipments to our allies have taken another tremendous slice of our domestic production. The story has it that even though our dairy industry is delivering these products in an all-time high volume, there is still only a little left for our home civilian markets.

Remembering these official explanations, I ask my colleagues to examine the tin containers I have here before me, and to read carefully the official and authentic analyses of the contents, as provided at my request by the Food and Drug Administration, Federal Security Administration, and by Dr. Michael X. Sullivan, Georgetown University. This evidence I offer in support of the following amazing story about a single small instance of bureaucratic waste and bungling.

Ten days ago in my home city of Kokomo, Ind., officials of the Commodity Credit Corporation, now operating under the War Food Administration, undertook to remove from dead storage and destroy some 128 cases containing 6,144 14-ounce cans of evaporated milk. The responsible officials merely hauled this canned milk from the warehouse, dumped it on vacant ground within the city limits, and attempted to burn it, cases, cans, and all.

The story has it that this quantity of milk was an accumulation of spoilage from the several large lots of such milk which have been handled through the warehouses in that city since 1942. But public-spirited citizens of my home community, seeing the attempt to dispose of this accumulation of so-called spoiled milk, started making personal investigations. Walter H. Unversaw, colonel, United States Army, retired, and director of civilian defense in my community, wrote me about the matter. James H. Maguire, my good friend who represents me and my community in the senate of the State of Indiana, salvaged whole cans of milk at random from the dump after it had been fired.

The Kokomo Tribune, daily paper, and WKMO, local radio station, fully publicized the matter.

When I received the samples from this milk dump, I took one specimen to the Food and Drug Administration, and another to the laboratories of Georgetown University for analysis. The story of the responsible local officials is that this milk had been tested and found unfit for human consumption. But I ask the Members of this body, particularly those who are members of the special committee of the House War Food Investigating Committee to examine these unquestionably authentic analyses; and to note well that both have found the specimen submitted pure, wholesome, and safe for human consumption. I do not know where or how the Commodity Credit Corporation had this milk examined; but I am certainly willing to accept the findings of the two unimpeachable authorities which I consulted in this instance over the findings of any testing laboratory in this country.

Basing my opinion upon the results of my own investigations, I assert that the responsible officials of the Commodity Credit Corporation are grossly in error in declaring this entire lot of milk spoiled. Certainly some of this milk, possibly all of it, was absolutely pure and wholesome—even after it had been dumped and fired.

Now, I do not impugn the motives of the responsible C. C. C. officials in this instance, even though the circumstances indicate that they were merely seeking an easy way to write off earlier mistakes.

Let us assume for the minute that every can of milk in this discarded lot was spoiled and useless as human food. The report from B. S. Soleau, Assistant Chief, Shipping and Storage Branch, C. C. C., which I also submit here for your examination, states that the 235 cases of milk in this lot were accumulated in these warehouses from 1942. This same official has also advised me that during the year from April 23, 1944, to April 24, just yesterday, Commodity Credit Corporation destroyed a total of 25,235 cases of canned milk. That is a total loss of more than a million cans of the size I have here before me. I hope each of you will check in your own households, and with housewives generally about the civilian supply of condensed milk, for I know you will find that canned milk of the very sort I speak of here has become increasingly hard to get over the past 3 years and that it is practically impossible to find a can of it on any grocer's shelves today.

Remembering that canned milk is a staple item which will keep almost indefinitely, please ask yourselves why supplies of this staple should be held in Government warehouses to the point of spoilage while American housewives cannot buy a can of it, even if they have the red points to spare for it.

Mr. Soleau also assures me that this lot of milk was destroyed only after efforts had been made to dispose of it as stock or poultry feed; but, knowing thrifty American farmers as I do, and

knowing there have been critical shortages of feed in many areas, I find it impossible to believe that no way could be found to salvage this very considerable lot of milk that certainly would have proved highly valuable in the feed lot or poultry yard.

C. C. C. finally explains that the warehousemen in my home city desired to get rid of this milk before it created serious unsanitary conditions in the warehouses. But still the disposition was to dump the whole mess on vacant ground right within the city limits. How that solves any sanitary problem I would very much like to know. It merely took the problem off the hands of individual warehousemen and dumped it in potentially more serious form in the lap of the city.

Obviously, our C. C. C. bureaucrats did not even do a good job of dumping, for the sort of fire they built from corrugated cases and probably some gasoline, both critically short and rationed items, failed to melt the milk tins and spill the vermin and bacteria-breeding swill within the city limits. If the fire had been sufficiently hot I could not today exhibit tins from it, or show you analyses of the dumpage to prove that the whole activity flagrantly violates common sense and ignores the serious food problem which confronts us today.

I am handing this information in detail today to the special committee of the House now investigating our national food problem, and shall insist that immediate relief be provided the American people.

Maybe we are rich and strong enough as a nation to afford bureaucratic tomfoolery in normal times; but right now we are plainly at the point where common sense and superior administrative ability are absolutely necessary if we are to feed our own people adequately, to say nothing of feeding much of the rest of the world.

APRIL 19, 1945.

Col. W. H. UNVERSAW,
Director Civilian Defense Council,
Kokomo, Ind.

DEAR WALTER: This will acknowledge your letter of April 17, 1945, advising that a quantity of canned milk owned by the Government and stored in the Main Street Government Warehouse, has been destroyed.

I have discussed this matter with officials of the War Food Administration in the Department of Agriculture and they confirm your statement except that they insist that the canned milk destroyed was not fit for human consumption and efforts to dispose of the same for livestock feed had failed. There were 128 cases ordered destroyed. I am getting a complete report on the matter, together with the names of the inspectors who ordered this destruction.

After I receive the sample cans which you say Jim Maguire is sending me, I shall have it examined here and if it is not spoiled you may be sure I shall seek some explanation for this wanton and inexcusable waste of food.

When I get all of the facts, I shall write you again.

With best wishes and kindest regards, I am

Sincerely yours.

HOWARD COUNTY CIVILIAN DEFENSE COUNCIL,
Kokomo, Ind., April 17, 1945.

Hon. FOREST A. HARNESS,
Member of Congress,
Washington, D. C.

DEAR FOREST: Yesterday I was called by John Carl Jeffrey, Lawrence Deardorff, and Clyde Long, to investigate a bunch of canned milk that was thrown out from the Government warehouse on North Main Street.

This warehouse is located in the old Midwest Box Co. building, now used by the Government. They piled about 50 cases of this milk back of the warehouse and set fire to the cases. A man working for Clyde Long was passing and gathered quite a few cans and took them home and found them O. K. These gentlemen asked me to go with them and I saw this endeavor to destroy the milk which, so far as we could see, was O. K.

Jim Maguire is mailing you two cans of this milk which we salvaged from the pile which you can see is in no way damaged except by the fire which they used to destroy it. Mr. Long tells me he cannot buy any condensed milk at all, and here these fellows are throwing it out in vacant lots and destroying it. We thought you would be interested in knowing about this and having the evidence to show. I shall endeavor to get you a picture which I understand Mr. Jeffrey had taken, and send it to you. I understand that this was ordered by a Government inspector. I do not know how true this is but that is what was in the Kokomo Tribune last evening. You, no doubt, get the paper and if you will look in the April 16 issue you will find the article.

I haven't heard you say as how you like the new President. It looks to me as if he's starting off on right foot and trying to get in center. Of course, with the setup which was left him, he has quite a problem on his hands and I think if he can accomplish such a result he is worthy of commendation.

Sincerely yours,

W. H. UNVERSAW.

COMMODITY CREDIT CORPORATION,
OFFICE OF SUPPLY,
April 19, 1945.

Hon. FOREST A. HARNESS,
House of Representatives,
Washington, D. C.

DEAR MR. HARNESS: Pursuant to your telephone request of this morning, I am furnishing the following information in connection with your inquiry of our holdings in the Charles & Greenwich Stores Inc., facilities at Kokomo, Ind., as well as facts concerning the destruction of 128 cases of evaporated milk at that facility.

As of February 7, 1945, the chief of the Warehouse Examining Division of this branch reported to me the following relative to out-of-condition evaporated milk at the Charles & Greenwich Stores, Inc., Kokomo warehouses at 1300 North Main Street and 1100 South Union Street, Kokomo, Ind.

"There are 235 cases (48/14-oz.) evaporated milk at these warehouses; 160 cases at 1300 North Main Street, and 75 cases at 1100 South Union Street, this is all out-of-condition milk consisting of swells and leakers and rusty cans and have a very bad odor. They are an accumulation of bad cans removed from cases as milk was being turned, and have been accumulating since 1942 to date, were removed from various lots of different processors. The examiner understands that this milk has been tested and that the Department has made several attempts to sell it for animal feed but have not been able to find a buyer. Warehouseman would like to have this milk disposed of before it causes an unsanitary condition in the warehouse. Previous reports showed this to be 101 cases but that was 1942 milk—this report includes all out-of-condition milk they have on hand to date at both warehouses."

As a result of this report, an inspection of the 235 cases of evaporated milk was made on February 23, 1945, but the Inspection and Grading Division, Dairy and Poultry Branch, Office of Marketing Services, and attached to the certificates of inspection which were forwarded to us by Mr. Henry G. F. Hamann, chief of the above-cited Inspection and Grading Division, was a memorandum setting forth a recommendation that the 128 cases be destroyed and the remaining 107 cases be disposed of in channels other than for human consumption. For your information, as you requested, the name of the official grader signing the certificates of inspection was "B. J. Hrabik, per Small."

Pursuant to the above, our warehouse examiner at Chicago was instructed to destroy the 128 cases of evaporated milk and the balance of 107 cases was referred to the sales branch, Office of Supply, for disposition.

The destruction of the 128 cases of evaporated milk was accomplished at Kokomo, Ind., on Saturday, April 14, and Monday, April 16, and was supervised by Mr. Charles O. Parsons, warehouse examiner operating out of our Chicago office.

This accumulation of 235 cases arose from the handling of approximately 153,000 cases, or 100 carloads, which were stored from time to time at the above-mentioned facilities since May 11, 1942.

We have as of April 1, 1945, 110 carloads of dried peas, canned fish, dry skim milk, and dried beans at the Main Street warehouse; and 31 carloads of dried peas and dry skim milk at the Union Street warehouse.

In connection with the information conveyed to you by persons in Kokomo, setting forth that some of this evaporated milk which was destroyed was suitable for human consumption, we should be glad to hear of your findings at such time as you receive the samples which you indicated they are forwarding to you.

If there is any other information you may desire in this connection, we shall be glad to furnish it to you.

Sincerely yours,

B. S. SOLEAU,
Assistant Chief, Shipping and Storage Branch.

FEDERAL SECURITY AGENCY,
FOOD AND DRUG ADMINISTRATION,
Washington, D. C., April 23, 1945.

Hon. FOREST A. HARNESS,
House of Representatives,
Washington, D. C.

Dear Mr. HARNESS: Examination of the can of Pet irradiated evaporated milk, which you handed to Dr. Hunter on April 20 with a request that it be tested to determine whether it was fit for food, has now been completed and has shown no defect in the product.

By bacteriological test the milk was found to be free from living micro-organisms. Its flavor, appearance, and consistency were normal except for a very slight separation of the fat. Careful microscopic examination failed to disclose any development of crystals which sometimes form on storage and no foreign or extraneous matter. Our examination classifies the milk in this can as a normal product fit for food. Obviously, as Dr. Hunter discussed with you, that conclusion can be offered by us as applying only to the single specimen which we have had opportunity to examine.

In accordance with your telephone conversation, we are returning the empty container with the label affixed.

Very truly yours,

P. B. DUNDAS,
Commissioner of Food and Drugs.

GEORGETOWN UNIVERSITY,
CHEMO-MEDICAL RESEARCH INSTITUTE,
Washington, D. C., April 23, 1945.

Analysis of a sample of evaporated milk submitted by FOREST ARTHUR HARNESS. This sample was tested only for indole as a mark of decomposition of protein and for lactic acid as a mark of decomposition of carbohydrate.

Ten cubic centimeters was tested for indole by the Herter beta-naphthoquinone method employed directly on 10 cubic centimeters of the milk.

Ten cubic centimeters was also distilled and similarly tested with negative results.

Ten cubic centimeters were extracted with 20 cubic centimeters of ether. The ether layer was tested for lactic acid. No lactic acid could be found.

These tests showed no putrefactive or micro-organic decomposition of protein or of carbohydrates.

These tests tell nothing as to the utilization of the milk as feeding stuff for animals or man.

However, the can was intact, no perforation, and the paper around it was still intact. The milk was of the proper shade. The can in places was rusted and had some dirt on top and bottom.

M. X. SULLIVAN,
Research Professor of Chemistry,
Graduate School, Georgetown University.

Mr. Speaker, I ask unanimous consent to include at the end of my statement the letter received from W. H. Unversaw relative to this matter, my reply thereto; a letter I received from the War Food Administration or the agency of the Commodity Credit Corporation which handles this; a report concerning the destruction of this milk; and the two certificates, one from the Commissioner of the Pure Food and Drug Administration, and one from the Chief Chemist of Georgetown University.

The SPEAKER pro tempore (Mr. COOPER). Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. TARVER. Mr. Speaker, I move the previous question on the adoption of the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Amendment No. 3: Page 4, line 11, after the word "Corporation", insert ", and the amount authorized for penalty mail for said Corporation in the First Supplemental Appropriation Act, 1945, for the fiscal year 1945 is hereby increased by $12,000."

Mr. TARVER. Mr. Speaker, I move that the House recede and concur in the Senate amendment numbered 3.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

Mr. TARVER. Mr. Speaker, I ask unanimous consent that action upon amendment No. 22 may be deferred until other amendments are disposed of, because action on amendments 24 and 26 will determine what action should be taken on amendment No. 22.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 24: Page 40, line 6, strike out "$520,900" and insert "$970,900."

Mr. TARVER. Mr. Speaker, I move that the House insist on its disagreement to the Senate amendment numbered 24.

Mr. COLMER. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. COLMER moves that the House recede and concur in Senate amendment No. 24.

Mr. TARVER. Mr. Speaker, I yield 5 minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, this amendment was placed in the appropriation bill by the Senate and is the result of quite a great deal of study on the part of the people who are interested in forestry. The amendment would make available $300,000,000 for forestry research, mostly in the southeastern section of the country.

A substantial number of Members of the House appeared before the Committee on Appropriations when it was conducting its hearings in the House, and asked that such provision be made for further experimentation in the matter of forestry. Unfortunately, the House committee did not see fit to go along with that suggestion, and I understand wanted some further time to study the question. But the Senate inserted this item, and it is a matter of much concern to many of us.

The question of forestry is a most important matter. During the war period our forests have been called upon to bear the greatest burden of furnishing material, lumber, pulpwood, and various forrest products, all out of line with the normal demands. The result has been considerable depletion of our national forest resources.

This is not a sectional or local matter. It is a matter that affects the entire country. It is a matter that affects the post-war period of this country which we hope to shortly enter—the question of replenishing this great national resource, our national forests. So a number of forestry associations and a number of people who have studied the forestry question have interested themselves and have come forward with this idea of stimulating the growth of our forests, experimentation in the expansion of our national forests, and it was found that additional funds were necessary for that purpose. I am very hopeful that this House will see fit to concur in the Senate amendment.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. WHITTINGTON. With reference to the Senate proposal, it is to supplement the work that is being done in the established agencies by providing for further experimental work in other areas in the South, as well as the West and in other parts of the country where timber is grown, so that experiments themselves can be brought home to the people and thus replenish the forests of our Nation that have been depleted largely as a result of the war.

Mr. COLMER. That is quite true, except that I do not think the South should be emphasized to the exclusion of the rest of the country.

Mr. FLOOD. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. FLOOD. I am very glad to hear the gentleman speak that way, because this affects not alone the South, but it affects as well many of the Northern States and many of the Middle Western States where there is bituminous and hard coal mining, where reforestation is a vitally necessary problem to the coal production of this Nation and a guaranty to the future of a supply of coal.

Mr. COLMER. I thank the gentleman.

Mr. SPARKMAN. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. SPARKMAN. Is it not true that one purpose of this study is to focus attention on the possibility of farm forestry, down to the family farm unit, rather than sticking solely to the big forests as has been more or less our custom in the past?

Mr. COLMER. That is my understanding.

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield.

Mr. BROOKS. Mr. Speaker, I am tremendously interested in this proposition also.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. TARVER. Mr. Speaker, I yield to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ALLEN of Louisiana. Mr. Speaker, I am in favor of the Senate amendment to increase the appropriation for forestry so as to provide for the establishment of additional forestry experiment stations. The people of America have in about 150 years largely denuded this country of virgin timber. We once had the finest forests in the world. Now, our forests are largely gone and we have millions of acres that have no commercial timber to speak of and that is resulting in erosion to a degree that is alarming. The restoration of our forests is a national problem. It is as much a national problem as the restoration of our lands, and we have long ago regarded that as a national problem.

We have already learned that in our warm southern climate, southern pine will grow very fast. The growth of southern pine on land that is protected from fires affords land owners a pretty good financial return. But the growing of timber is a matter of paramount interest to the Nation. The preceding generations have used up our forests. The coming generations are not going to have timber unless we take the proper steps to grow timber. It is an obligation of this generation to take those steps so that our children and our children's children may have the benefit of forests and timber products. This amendment, therefore, to provide these experiment stations to further study and promote reforestation is of tremendous importance, not only to the sections directly involved, but to the

whole Nation. Mr. Speaker, I urge the adoption of this amendment. I urge that we take this great forward step. I advocate this, not as a sectional matter, but in the interest of this whole Nation.

Mr. TARVER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. THOM] such time as he may desire.

Mr. THOM. Mr. Speaker, I desire to endorse the proposal for the $50,000 appropriation for a study of reforesting of strip-mining areas included in this amendment.

In three counties of my district, some 12,000 acres of land have been left in deplorable shape by the practice of what is known as strip mining. In this operation, coal and clay are removed by delving into the surface of the earth with a steam shovel to such depths as is necessary to reach the mineral deposits. The overburden so removed is left in spoil banks, sometimes 10 or 15 feet high. Opposite to these are the deep valleys left by the excavation.

It is proposed with the money allowed in this amendment to have the United States Forest Service, probably through the Experiment Station, at Columbus, Ohio, find out what kind of trees can be successfully grown on these abandoned lands, as a guide in returning them to useful production.

There are some experts who say that if the banks are leveled it might create soil conditions making successful reforestation hazardous. This is one of the things we want the experts to investigate, and this probably can be done only by staking off planting plots for experimental use.

It is conceivable that such forestation might provide wood pulp, fence posts, and other useful products. In some sections, fruit orchards have been planted.

In Ohio the legislature is now concerned with trying to regulate strip mining, with the idea of having the lands leveled off in the future, when new operations are undertaken.

The approval of this appropriation will be, in my opinion, a distinct step forward in our conservation program.

Mr. TARVER. Mr. Speaker, I yield such time as he may desire to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I am very much interested in retaining this Senate amendment. This money is needed to start us on an orderly program that eventually will be Nation-wide in the rehabilitating our forests and in developing forest farming.

For the years past in normal times our forests have been sufficient to supply us with our timber needs. However, the method of cutting those forests has been pretty much a hit-or-miss matter. Only in large public forests and in the larger privately owned forests have practices been observed that would conserve this great national resource. The result of this indifferent manner of cutting our timber, coupled with the terrific strain placed on us by the demands of two World Wars within one generation, has brought us to the danger point. It is time we were taking a forward step such as this looking toward the rehabilitation of these timber lands.

It is my understanding, also, that one part of the program proposed here has to do with forest farming. So much of our farm lands have wasted away and now are definitely submarginal. There is no good reason why this land should not be used for forest farming. In this way soil wastage will be stopped and at the same time we shall be building up an asset on the individual farm thereby bettering our national economy.

Our farmers individually do not understand either the advantages or the methods of successful forest farming—the planting and cultivation of young trees, selective cutting, and all of the other things involved. Where experiment stations have functioned and the people have been able to see for themselves that forest farming is not the impossible or too difficult matter they have conceived it to be forest farming has taken hold. Where those who already own timber tracts can be shown the actual process of selective cutting, its practice has meant conservation of forests and more money to the owners. It has been shown to be well worth while and I think it is high time that we extend this program to a workable extent.

For these reasons I am supporting this motion.

Mr. TARVER. Mr. Speaker, I yield 5 minutes to the gentleman from Arkansas [Mr. HARRIS].

Mr. HARRIS. Mr. Speaker, I am very much interested in this amendment. Other Members of the House have indicated their interest.

Mr. Speaker, I think probably one of the greatest tragedies in this country has been the exploitation of our vast timber resources. To recede and concur in this amendment, Mr. Speaker, would provide the Forestry Service with funds very badly needed for the protection and development utilization of this great resource.

I have asked for this time in order that I may give the House the benefit of my knowledge of, and actual experience with, perhaps the outstanding experiment station in the United States. I refer to the Crossett Experiment Station at Crossett, Ark. This is in the heart of the southern pine Timber Belt. I have been through the project and personally observed the great work that is being done there. It is not necessarily a Government project. It is a cooperative project. The Crossett Lumber Co. donated to the Government 7 years ago 1,680 acres for this program.

The tremendous amount of good in the preservation and conservation of our southern forest timber has proven most helpful and beneficial; in fact it was so beneficial to the forestry program of this country that only recently the Crossett Lumber Co. donated an additional 1,200 acres of land for this great program.

Mr. Speaker, this great work has been carried on at Crossett with a very limited amount of funds; in fact, $14,000 annually. This would increase the funds available by $20,000, making a total of $34,000 available annually. If you could see as I have seen what they are doing down there in order to continue this great program of timber development you would be convinced as I was of the thorough justification of providing this additional fund.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield? I wish some information.

Mr. HARRIS. I am glad to yield to the distinguished gentleman from Kentucky.

Mr. ROBSION of Kentucky. I am very much interested in this particular subject. Upon what basis was the land donated and this expenditure made?

Mr. HARRIS. The land was donated by the Crossett Lumber Co. to the Government to be used in the development of the pine timber of this country. This is quick growth timber that we are dealing with down there.

Mr. ROBSION of Kentucky. Does the company receive any benefit from it?

Mr. HARRIS. The company receives no benefit except the knowledge that may be gained from the experiments being conducted at this station. It is in the heart of the company's large timber holdings, something like 500,000 acres.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. HARRIS. I yield to the gentleman from Mississippi.

Mr. WHITTINGTON. I wish to say for the gentleman's information that I have visited this experiment station at Crossett, Ark., and it is my view that if experiments similar to those being conducted there could be conducted in other parts of the country it would be a splendid thing. I do not know where we could get such large returns for such a small appropriation. For years I have been interested in adequate forest research and management. The best way to promote reforestation is to provide experimental stations in each State. Such stations that can be visited by farmers will be of great aid to farmers in growing trees and in reforestation.

Mr. HARRIS. I appreciate the gentleman's contribution to my statement. The farmers in the whole area receive a tremendous amount of good from this experiment station. They conduct a farmers' visiting day at this station every year, during which time the farmers throughout the whole area are invited to come and personally observe the work that is being done there; and I have observed the increased timber production of the small farmer throughout south Arkansas and north Louisiana, areas which have greatly benefited from the work of this experiment station. If, as the gentleman from Mississippi said, the other sections of this Nation could have the same type of program the farmers of the other sections would receive like benefits.

Mr. Speaker, I sincerely hope this motion will prevail, and I wish to include with my remarks the proposed distribution of these funds if provided for forest management research, by experimental forest units in order that you can be advised just where this money would be used. The State, name of forest unit proposed, and the amounts are as follows:

Proposed distribution of $300,000 for forest-management research, by experimental forest units

State	Name	Present appropriation	Increase	Total
Arkansas	Crossett	$14,000	$20,000	$34,000
Texas	Nacogdoches	0	30,000	30,000
Mississippi Delta	Delta	5,000	25,000	30,000
South Mississippi	Harrison	0	30,000	30,000
Alabama	North-central Alabama	0	30,000	30,000
Florida	Olustee	10,000	20,000	30,000
Georgia	Hitchiti	5,000	25,000	30,000
South Carolina	Santee	0	30,000	30,000
North Carolina	Bent Creek	6,000	30,000	36,000
Virginia	Virginia coastal plain	0	30,000	30,000
Arkansas	Sylamore (north Arkansas Ozarks)	0	30,000	30,000
Total		40,000	300,000	340,000

Mr. TARVER. Mr. Speaker, I yield such time as he may desire to the gentleman from North Carolina [Mr. DURHAM].

Mr. DURHAM. Mr. Speaker, this amendment that we are considering at the present time does not solve all the difficulties that we face in our forestry situation. There is no question, and no one denies, that our national forests are being depleted at a very dangerous rate. For many years in the past, almost everyone would talk to you about reforestation, but there has been very little done about it.

The full-scale operations of our Army could never have been carried out with the speed achieved had it not been for the enormous amount of lumber that the United States was able to produce. We are now arriving at a full realization as to what this inroad on our forests means to our future national economy and security.

There are only 32 forest States in the United States. In the last 6 years we have taken something like 184,000,000,000 board-feet. This is lumber entirely, not counting other products such as pulpwood and cordwood that are taken from the forests of this Nation. The estimate on pulpwood and cordwood is said to run around 45,000,000,000 board-feet. This, of course, has brought us face to face with the fact that we are near the end of our virgin stand of timber, and for the last few years we have been cutting in on the national forests' supply seriously. In 1944 we cut over 3,000,000,000 feet from our national forests.

It has been estimated by the best authorities that we should have something like eight to ten billion feet of standing timber at all times. At the present time this country has something like four to five billion cubic feet of standing timber.

So we can readily see what we have to try to do to develop a program which will restore this country's timber supply to a point that is safe for security and economic purposes.

This amendment before us will not solve all the problems that I have outlined but will at least lend a helping hand. Timber can be replaced if properly managed, and we have given far too little thought to this national resource. It is my opinion that the States, too, have given far too little thought to this problem, and you and I and everyone else must be responsible.

Mr. TARVER. Mr. Speaker, I yield such time as he may desire to the gentleman from Georgia [Mr. GIBSON].

Mr. GIBSON. Mr. Speaker, I desire to discuss briefly the merits of the Senate amendment providing these experimental forests. Frankly, there are very few Members of this House with whom I have not from time to time discussed at length the many advantages to be had by the consummation of the program we have been sponsoring for some time.

Very few of us realize the extent to which the forests of this Nation have been dissipated through the years, and especially through the period of this war. If something is not done to educate the people in the care, protection, and harvesting of our forests, and a war should again creep upon us within the next 30 years, we would find ourselves in desperation for the lack of forest products. It is impossible for anyone to realize the extent to which the forests have contributed to our war effort. Billions of feet of lumber have been drawn from the forests which had to be had to carry on. In addition to this, turpentine products have played a great part in the manufacture of our explosives.

We must have these experimental forests set up in various parts of the country to teach the citizenry the care of forests in various types of soil and various types of timber. This program provides for such forests for every different type of soil and timber throughout the Southland. Not only will experiments in research develop many uses heretofore unknown for these wood products, but timber growers and farmers will be invited to visit these forests and profit by the observation of transplanting and growing methods and general care of the forests; and greater than all this, proper methods of harvest to where annually a year's growth only will be taken from the forests and thereby make them perpetual sources of income. This is done through a systematic and educational program of thinning the forests. Interest will be so stimulated until the small farmer with only a limited acreage in timber will receive a large annual income from his forests without dissipating same. The operations of these forests throughout these sections will stimulate interest in the growing of timber beyond the hopes of the most optimistic.

I say to you gentlemen that if this program is approved the sums herein sought to be appropriated, and all other sums of public moneys spent in the next 20 years, will be more than repaid to the Public Treasury by income tax on the increased incomes of the forest owners throughout the area.

There is no investment that pays the dividends as an investment in research and educational work. Timber is the only natural resource that can be reproduced year after year.

As stated before, it is useless for me to consume time to go into the minute details of this program for the simple reason that I have so discussed the same with a great majority of this House. I was reared in a timber-growing area, and I know of first-hand knowledge what can be accomplished in this work. I know the progress that has been made in the production of naval stores products. I wish I had time to recount what the little nation of Finland has done with such program, figures on which are startling. If we as the representatives of our people deny this appropriation and take from our Nation the tapping of this great source of potential wealth then we will be unworthy of the trust imposed in us. Our people have a right to expect more of us. Think of the millions of dollars that this Congress has appropriated to be literally thrown away, and then see an intelligent body of men attempting to defeat the appropriation of $300,000 for a program that will create employment for millions of people from the forest on through the mills. I wish you would bear in mind that only recently there was spent $300,000 in public money to conduct a strike vote for the notorious John L. Lewis. Who wants to strike, and who is willing to pay such a price for one, and yet unwilling to furnish an equal amount of money to create jobs where honorable men can make an honorable living by honorable toil? I cannot conceive of my colleague from my native State of Georgia—being one of the States that would so greatly benefit by this appropriation—in his strategic position of chairman of the subcommittee on such appropriation, standing up here and fighting this project. I refer to my good friend MALCOM TARVER, and again I say I cannot understand his position.

I conclude, gentlemen, by asking my friends in this House to rally to the support of this very worthy project and let us remember that we never gain by giving funds away, but we will gain when we make a wise investment in the resources and people of our own Nation.

Mr. TARVER. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, there is no question but what this is a very commendable project but shall we not consider this problem from a national viewpoint rather than that of a portion of the United States? The Senate put in this bill what you might plainly term a pork-barrel program for a certain portion of the country. We, on the subcommittee, have requested of the Forestry Department that they come before our subcommittee and give us a good, well-thought-out national program for this particular undertaking. We hope to have this report for next year so that a program of the utmost possible benefit to our entire Nation will result, rather than piecemeal legislation designed to

help only certain favored sections of the United States. I hope the House will reject the motion to recede and concur and back up the subcommittee in its efforts to keep our agricultural appropriation bill free from the stigma of sectional pressure.

So I repeat, if you care to vote for a pork-barrel proposition, vote for the amendment which has just been offered to recede and concur. Personally I am opposed to it.

Mr. RIVERS. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from South Carolina.

Mr. RIVERS. We, who are affected by this, have gone on record unequivocably as fostering a national program, so why should we be penalized because somebody else did not do it?

Mr. H. CARL ANDERSEN. Certainly the gentleman will admit that a program of this nature should be national in scope, and we should not just go down into one region of these United States of America and commence such a project. We are all for it. We know that it is good.

Mr. RIVERS. Every one of us is on record for that very same program. We should not be penalized for it.

Mr. H. CARL ANDERSEN. After all, the other five big segments of the United States of America have a right to be considered also.

Mr. BECKWORTH. Mr. Speaker, will the gentleman yield?

Mr. H. CARL ANDERSEN. I yield to the gentleman from Texas.

Mr. BECKWORTH. With the gentleman's permission, I would simply like to call attention to the fact that last fall this Congress passed an act which conveyed land from the Farm Security Administration to the Forest Service down at Nacogdoches, Tex.; this tract, which contains 2,500 acres could be utilized, if some of the money in the item we are discussing is made available for the purposes we Members have been pointing out.

Mr. H. CARL ANDERSEN. I want to make myself clear that I am very friendly to this particular project, but it certainly is not giving it a good name by making a pork-barrel project out of it.

Mr. TARVER. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, in my judgment our colleagues are to be commended for calling attention to the very great importance of the problem for which they are here seeking a solution. I have the utmost sympathy with the objective which they have in mind. I feel that experimentation in forestry should be decentralized, and that too much of it has been carried on at the Madison Laboratory in Wisconsin when it should be carried on in different areas of the country so that problems that are peculiar to the forest production of each section of the country may receive specialized study. But this is not the way to solve this problem. We had these gentlemen before our subcommittee and we heard them for several hours and with a great deal of interest before we brought this bill to the floor of the House. The matter had not been presented to the Budget. There had not been any national plan for the expansion of forest experimentation worked out by the Forest Service in cooperation with the forest authorities of the several States which we thought ought to be done.

So that in bringing in the bill we said we had considered the proposal very sympathetically and felt that the Forest Service in cooperation with the State forestry officials should work out before the next session of Congress a plan under which this type of experimentation, to be had not merely in one section of the country but generally throughout the forest areas of the United States, might be worked out and submitted to the Budget and the Congress for approval. That is the way in which we feel it ought to be done, not that we should merely put in here more money for 11 stations in the South, as is proposed here—I have a list of them—6 of which are already authorized and 5 of which are not, and a station in Pennsylvania and one in Ohio, and a station somewhere in the West, which locations have been severally advocated by interested Members of Congress; in other words, that because Congressman So-and-So came in and said, "Give me a station in my district," we should put that in, and because another Congressman from another State came in and said, "Give me a station in my district," we should put that in, until we should put in 11 stations in the South, 1 in the West, 1 in Ohio, and 1 in Pennsylvania, whereas there are other areas in the country whose Congressmen may not have testified before our committee that are entitled to equal consideration in the working out of this Nation-wide plan which we think would be appropriate to the solution of this problem, rather than a sectional plan in which only certain particular areas of the country would be benefited.

What is it proposed to do by this motion to recede and concur in the Senate amendment? You have in this bill for forest management $520,000. You are proposing to add here by this motion $450,000 above the Budget for proposals which have not been considered by the Budget, almost double the amount of the appropriation carried in the bill for forest management, upon the solicitation of these worthy colleagues of ours who desire to secure these new projects for their congressional districts. I admit they make a strong showing. When you get 11 stations in the South, 1 station in Ohio, 1 station in Pennsylvania, and 1 station in the West, you get a lot of people who are necessarily interested. As I said, I think they are bringing to your attention problems that ought to be dealt with, but they ought to be dealt with in a proper way upon a Nation-wide basis and after careful study by the forestry officials of the Federal Government and of the States.

I certainly feel that this proposal to recede and concur ought to be rejected. These gentlemen, after they appeared before our subcommittee and urged this proposal, when we left it out of the bill did not get up on the floor of the House and offer an amendment to put it into the bill when the House was considering this legislation. They did not even offer an amendment for your consideration in the House. It is only after the Senate with its usual spirit of liberality has incorporated all of these projects in the bill in a sum of money almost equal to what we carried in the bill for all other purposes of like character, and the bill has come back to the House with that proposal in it, that these gentlemen have joined forces here from Georgia to Pennsylvania and Ohio, all around, everywhere where there is a project located, and are endeavoring to get your approval of putting all this money in the bill. I cetainly hope you will not do it.

Mr. PLUMLEY. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield.

Mr. PLUMLEY. Mr. Speaker, I am somewhat embarrassed to have to take a position in opposition to some very able men on the Appropriations Committee who do not represent my ideas with respect to the situation which obtains when the Senate undertakes to increase appropriations above the figures the committee itself established. I am in accord with the position taken by the chairman of the subcommittee, and that is where I stand. It is embarrassing for us to to have cut, and to have to deny some things which a lot of folks would like, but unfortunately it is a position which we have to take in order to save the taxpayers' money, and we should be upheld, especially when we bring in a report sustaining the recorded position of the House. I am fully and 100 percent in support of the gentleman from Georgia [Mr. TARVER].

Mr. TARVER. I thank the gentleman.

The SPEAKER pro tempore. The time of the gentleman from Georgia has again expired.

Mr. TARVER. Mr. Speaker, I yield myself 1 minute in order to yield to the gentleman who is on his feet.

Mr. ELLSWORTH. I thank the gentleman. May I say that the inference has been made here that this is a southern sectional matter. I come from the far West and am very much in favor of including this item in the bill and am therefore in favor of the motion to recede and concur.

Mr. TARVER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the preferential motion of the gentleman from Mississippi [Mr. COLMER].

The question was taken; and on a division (demanded by Mr. THOM and Mr. H. CARL ANDERSEN) there were—ayes 72, noes 26.

Mr. TARVER. Mr. Speaker, I object to the vote on the ground there is not a quorum present and make a point of order there is not a quorum present.

The SPEAKER pro tempore. Evidently there is not a quorum present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 233, nays 94, not voting 105, as follows:

[Roll No. 60]

YEAS—233

Abernethy	Gary	Murray, Tenn.
Adams	Gathings	Murray, Wis.
Allen, La.	Gavin	Neely
Anderson, Calif.	Gearhart	Norrell
Andrews, Ala.	Gerlach	Norton
Angell	Gibson	O'Brien, Ill.
Arnold	Gillespie	O'Brien, Mich.
Auchincloss	Gossett	O'Hara
Bailey	Granahan	O'Konski
Baldwin, Md.	Granger	O'Toole
Barrett, Pa.	Grant, Ala.	Outland
Barrett, Wyo.	Green	Pace
Bates, Ky.	Gregory	Patman
Beall	Hagen	Patterson
Beckworth	Hale	Peterson, Fla.
Biemiller	Hand	Phillips
Bolton	Hare	Pickett
Bonner	Harless, Ariz.	Poage
Bovkin	Harris	Price, Fla.
Brehm	Hart	Price, Ill.
Brooks	Havenner	Priest
Brown, Ga.	Hays	Quinn, N. Y.
Brown, Ohio	Healy	Rabaut
Brumbaugh	Hébert	Rabin
Bryson	Hendricks	Randolph
Buckley	Henry	Rankin
Bunker	Heselton	Rayfiel
Burch	Hill	Reece, Tenn.
Burgin	Hinshaw	Resa
Byrne, N. Y.	Hoch	Riley
Byrnes, Wis.	Holifield	Rivers
Camp	Hook	Rizley
Campbell	Hope	Robertson, Va.
Carlson	Huber	Robsion, Ky.
Carnahan	Hull	Rockwell
Case, S. Dak.	Jarman	Roe, Md.
Celler	Jenkins	Rogers, Fla.
Chelf	Johnson, Calif.	Rogers, Mass.
Chiperfield	Johnson, Ind.	Rogers, N. Y.
Colmer	Johnson,	Rowan
Combs	Luther A.	Russell
Cooper	Johnson,	Sadowski
Corbett	Lyndon B.	Sasscer
Courtney	Johnson, Okla.	Savage
Cox	Jonkman	Schwabe, Mo.
Crosser	Keefe	Sikes
Cunningham	Kelley, Pa.	Simpson, Ill.
D'Alesandro	Kerr	Smith, Wis.
Davis	Kilday	Somers, N. Y.
Delaney,	King	Sparkman
James, J.	Knutson	Spence
Delaney,	Kopplemann	Starkey
John J.	Landis	Stevenson
Dickstein	Lane	Stigler
Dingell	Lea	Stockman
Dolliver	Lemke	Sullivan
Douglas, Calif.	Lesinski	Sumners, Tex.
Douglas, Ill.	Lewis	Talbot
Doyle	Link	Thom
Drewry	Lyle	Thomas, Tex.
Durham	Lynch	Tibbott
Dworshak	McCowen	Tolan
Earthman	McDonough	Torrens
Eberharter	McGehee	Traynor
Elliott	McGlinchey	Trimble
Ellsworth	McGregor	Vinson
Engel, Mich.	McKenzie	Voorhis, Calif.
Engle, Calif.	McMillan, S. C.	Vursell
Ervin	Mahon	Wasielewski
Fallon	Mansfield, Tex.	Weaver
Fenton	Marcantonio	Welch
Fernandez	Merrow	West
Fisher	Michener	Whitten
Flannagan	Miller, Calif.	Whittington
Flood	Mills	Wickersham
Fogarty	Monroney	Winstead
Folger	Morgan	Wood
Forand	Mundt	Woodhouse
Gallagher	Murdock	Zimmerman

NAYS—94

Allen, Ill.	Chenoweth	Gillette
Andersen,	Church	Gillie
H. Carl.	Clason	Goodwin
Andrews, N. Y.	Clevenger	Gordon
Arends	Cole, Kans.	Graham
Barden	Cole, N. Y.	Grant, Ind.
Bates, Mass.	Crawford	Griffiths
Bishop	Dondero	Gross
Blackney	Ellis	Gwynne, Iowa
Boren	Elston	Halleck
Buck	Feighan	Harness, Ind.
Buffett	Fellows	Hess
Bulwinkle	Fuller	Hoeven
Butler	Gamble	Hoffman
Cannon, Mo.	Gifford	Holmes, Mass.
Horan	Madden	Schwabe, Okla.
Jensen	Martin, Iowa	Scrivner
Johnson, Ill.	Martin, Mass.	Shafer
Jones	Miller, Nebr.	Sharp
Judd	Pittenger	Sheppard
Kean	Plumley	Smith, Maine
Kearney	Powers	Smith, Ohio
Kilburn	Ramey	Springer
Kinzer	Ramspeck	Stefan
Kirwan	Reed, Ill.	Sumner, Ill.
Lanham	Reed, N. Y.	Taber
Latham	Rees, Kans.	Tarver
LeCompte	Robertson,	Thomas, N. J.
LeFevre	N. Dak.	Wigglesworth
Ludlow	Rodgers, Pa.	Wolcott
McConnell	Rooney	Wolfenden, Pa.
McMillen, Ill.	Sabath	Woodruff, Mich.

NOT VOTING—105

Anderson,	Geelan	O'Neal
N. Mex.	Gore	Patrick
Andresen,	Gorski	Peterson, Ga.
August H.	Gwinn, N. Y.	Pfeifer
Baldwin, N. Y.	Hall,	Philbin
Barry	Edwin Arthur	Ploeser
Bell	Hall,	Powell
Bender	Leonard W.	Rains
Bennet, N. Y.	Hancock	Rich
Bennett, Mo.	Hartley	Richards
Bland	Hedrick	Robinson, Utah
Bloom	Heffernan	Roe, N. Y.
Bradley, Mich.	Herter	Ryter
Bradley, Pa.	Hobbs	Sheridan
Canfield	Holmes, Wash.	Short
Cannon, Fla.	Howell	Simpson, Pa.
Case, N. J.	Izac	Slaughter
Chapman	Jackson	Smith, Va.
Clark	Jennings	Snyder
Clements	Kee	Stewart
Cochran	Kefauver	Sundstrom
Coffee	Kelly, Ill.	Talle
Cole, Mo.	Keogh	Taylor
Cooley	Kunkel	Thomason
Cravens	LaFollette	Towe
Curley	Larcade	Vorys, Ohio
Curtis	Luce	Wadsworth
Daughton, Va.	McCormack	Walter
Dawson	Maloney	Weichel
De Lacy	Manasco	Weiss
Dirksen	Mansfield,	White
Domengeaux	Mont.	Wilson
Doughton, N. C.	Mason	Winter
Eaton	May	Wolverton, N. J.
Elsaesser	Morrison	Woodrum, Va
Fulton	Mott	Worley
Gardner	Murphy	

So the motion was agreed to.

The Clerk announced the following pairs:

General pairs:

Mr. Richards with Mr. Short.
Mr. Bland with Mr. Jennings.
Mr. Hobbs with Mr. Wilson.
Mr. Kelly of Illinois with Mr. Ploeser.
Mr. McCormack with Mr. Weichel.
Mr. Slaughter with Mr. Mason.
Mr. Keogh with Mr. Fulton.
Mr. Woodrum of Virginia with Mr. Eaton.
Mr. Barry with Mr. Bennett of Missouri.
Mr. Manasco with Mr. Edwin Arthur Hall.
Mr. Heffernan with Mr. Towe.
Mr. Gorski with Mr. Howell.
Mr. Pfeifer with Mr. Canfield.
Mr. Curley with Mr. Bradley of Michigan.
Mr. Weiss with Mr. Hartley.
Mr. Coffee with Mr. Cole of Missouri.
Mr. Doughton of North Carolina with Mr. Taylor.
Mr. Bloom with Mr. Wolverton of New Jersey.
Mr. Smith of Virginia with Mr. Curtis.
Mr. Cochran with Mr. August Andresen.
Mr. Walter with Mr. Baldwin of New York.
Mr. Morrison with Mr. Wadsworth.

Mr. McGLINCHEY changed his vote from "nay" to "yea."

Mr. BALDWIN of Maryland changed his vote from "nay" to "yea."

Mr. GARY changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. TARVER. Mr. Speaker, the adoption of the previous amendment makes necessary some change in Senate amendment No. 22 which had been temporarily passed over.

I ask that we return to Senate amendment No. 22.

The SPEAKER. The Clerk will report Senate amendment No. 22.

The Clerk read as follows:

Senate amendment No. 22: Page 35, line 25, strike out "$820,861" and insert "$854,181."

Mr. TARVER. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 22 and agree to the same with an amendment, which I send to the desk.

The Clerk read as follows:

Mr. TARVER moves that the House recede from its disagreement to the amendment of the Senate No. 22 and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert $842,661."

The motion was agreed to.

TO AMEND NATIONALITY ACT OF 1940

Mr. SABATH, by direction of the Committee on Rules, submitted the following privileged resolution (H. Res. 227) which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 511) to amend the Nationality Act of 1940. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

AMENDING SECTION 401a OF NATIONALITY ACT OF 1940

Mr. SABATH, by direction of the Committee on Rules, submitted the following privileged resolution (H. Res. 228) which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 387) to amend section 401 (a) of the Nationality Act of 1940. That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as

ordered on the bill and amendments thereon to final passage without intervening motion except one motion to recommit.

AMENDING SECTION 201 OF THE NATIONALITY ACT OF 1940

Mr. SABATH, from the Committee on Rules, submitted the following privileged resolution (H. Res. 229, Rept. No. 445), which was referred to the House Calendar and ordered printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 868) to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1138-1139; 8 U. S. C. 601). That after general debate, which shall be confined to the bill and shall continue not to exceed 1 hour to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DEPARTMENT OF AGRICULTURE APPROPRIATION BILL, 1946—CONFERENCE REPORT

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 26. Page 40, line 13, strike out "$1,001,380" and insert "$1,228,900."

Mr. TARVER. Mr. Speaker, I move that the House insist upon its disagreement to the Senate amendment numbered 26.

Mr. KEEFE. Mr. Speaker, I offer a preferential motion.

The SPEAKER. The Clerk will report the preferential motion.

The Clerk read as follows:

Mr. KEEFE moves to recede and concur in Senate amendment No. 26.

Mr. TARVER. Mr. Speaker, I yield the gentleman from Wisconsin 5 minutes.

Mr. KEEFE. Mr. Speaker, with reference to amendment No. 26, the gentleman from Georgia has moved that the House insist on its disagreement to the Senate amendment. I have made a motion to recede and concur in the Senate amendment. If the motion which has just been reported is adopted, it will mean that the amount of the Budget estimate in the sum of $227,520 as inserted by the Senate will be added to this particular item.

This is the item that provides funds for the maintenance and operation of the United States Forest Products Laboratory. It should not be confused with the program upon which the House has very emphatically placed its approval a few moments ago. The Forest Products Laboratory is an institution maintained by the Federal Government for the purpose of scientific research in methods of utilization of wood products and wood-waste products. Those who are familiar with the operation of that great institution know it has done one of the most remarkable pieces of research over the period of its existence of any institution of Government. Time will not permit me to recount the benefits to industry, to the workers, and to the population of this country that have occurred as a result of the magnificent contribution made by the Forest Products Laboratory in the field of research in the utilization of forest products, and especially waste products. Its scientists are presently engaged in research which is vitally necessary if we are to provide the employment that is sought in the post-war period. The results of this research have opened new opportunities to develop new industries in many fields.

When the Forest Products Laboratory came before the Bureau of the Budget they asked for an increase in their appropriation over the current appropriation of $1,500,000. The Bureau of the Budget allowed only $227,520 of the increase requested by the Forest Products Laboratory. The committee in charge of this bill reduced the amount of the appropriation by that amount, below the Budget estimate. I understand they did so on the theory that the Army and the Navy had made allocations for research to the Forest Products Laboratory and that they felt the Forest Products Laboratory could get along with this reduction in their appropriation below the Budget estimate because of the allocations to it from the Army and the Navy.

A careful reading of the testimony in the hearings will convince anyone, I believe, that the Army and Navy have clearly indicated that the allocations they have made for research to the Forest Products Laboratory were for specific purposes connected with Army and Navy projects. As soon as the war in Europe is over these projects will be cut off and curtailed, and the laboratory will be without the funds to carry on its expanded functions in the field of research in the utilization of wood products.

It seems to me, Mr. Speaker, regardless of where a Member may come from he should support the additional appropriation. This is not a sectional matter. This institution is servicing the entire United States in the matter of research. I wish I had time to point out the benefits that have come to the industries of this country as a result of the direct accomplishments in research by the Forest Products Laboratory. When the picture is properly presented and its activities realistically appraised, I am sure you will not want to curtail its activities by a single dollar. In the post-war period with our forests denuded and with lumber in a critical situation we must make use of every piece of tailings, shavings, sawdust, and every piece of bark that comes from the forest. When you see what they have done in the matter of the utilization of those products which were formerly considered to be waste, in the development of plastics and resinous woods, in the development of laminated plywood, in the development of the so-called plus wood, in the development of a hundred and one other things that will directly contribute to employment in this country and to the utilization of our natural resources which formerly were considered waste, I think you will agree with me it would be shortsightedness to reduce the appropriation for research of that character. My opinion in that regard will be reflected in every appropriation bill that comes before this Congress. We cannot afford, in the condition that is facing this country today, in my opinion, to curtail the expenditure of money for research that is vitally necessary if we are to be able properly to use and utilize the remaining resources we have. This is an institution that has rendered outstanding service. I can say to you that the institution has discovered processes whereby you are able to utilize in the Southeast the southern pine wood in the manufacture of bond paper, and paper mills have sprung up in the South as a result of the utilization of the information and research carried on by this Forest Products Laboratory. We have developed a large institution in my own city in the manufacture and utilization of the so-called plus wood, laminated veneer, that is being used to replace steel in many cases and offers an opportunity as the result of the investigation and research conducted there that is going to open the door to a tremendous new industry in the future. We cannot afford to curtail and cut down the necessary expenditures of such an institution.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Mr. TARVER. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Speaker, I take this time to give a specific explanation about the item in question and the national need for agreeing to the motion made by the gentleman from Wisconsin. In the first place, I believe I scarcely need point out that this country can no longer be wasteful of the products of its soil. We recall the buffalo era when great herds of buffalo on the plains were slaughtered and the valuable hides and carcasses left to rot, only the hams being removed. Mr. Speaker, right now and for the last two, three, or four generations in this country we have been doing about the same thing with reference to the utilization of the wood from our forest lands.

The only way that we can find out how a greater utilization of these trees can be made is by research. Research has been going on for some little time, and a great deal has been accomplished, as pointed out by the distinguished gentleman from Wisconsin [Mr. KEEFE]. However, additional funds during the coming fiscal year are needed, and let me explain specifically why this $227,000 is requested. In the first place, the Forest Service people have discovered that it is necessary to broaden out the research operations so that the money in the fund we are now talking about may be impartially used for the purpose of supporting the wood utilization units in different regions of the country.

Such research units are to be located in the following regions: the Allegheny,

the Appalachian, the North Central States, the Lake States, the Northern Rocky Mountain States, the Northwest, and the Southern States. This program is well placed over the entire Nation, and without the funds in this item, that program cannot go forward. It is a grand program of research. The second need for this item is that of the laboratory at Madison, Wis. That laboratory will use a large portion of the amount under discussion specifically for the purpose of applying the results of war research to peacetime uses. That is important. The war appropriations which have been mentioned before are, of course, for specific studies for war. One of the results of research was to make a high-strength laminated material which is used in planes and in other war implements. Further research will be used to place this product in commercial operation.

Mr. JENKINS. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. Yes.

Mr. JENKINS. Mr. Speaker, I was surprised a few days ago upon investigation to find that the State of Ohio, which is considered a great manufacturing State, produces a great quantity of lumber. It does it from small mills, and from the help it gets from just this sort of a program. Otherwise, we would not be able to do it.

Mr. ELLSWORTH. I thank the gentleman for his observation. Research is vital to the forest products industry, and it is also vital to prevent further waste of forest products and I sincerely hope the House will adopt the motion of the gentleman from Wisconsin.

Mr. ANGELL. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. Yes.

Mr. ANGELL. Is it not a fact that this is not a sectional matter but that general benefit will result to the whole country?

Mr. ELLSWORTH. That is correct.

Mr. ANGELL. And we are particularly interested, in our section of the country, the Pacific Northwest, because we have the largest stand of timber in the United States.

Mr. ELLSWORTH. That is so.

Mr. ANGELL. Is it not a fact that wood products have contributed very materially to our war effort and we have been wasteful in our expenditure of this valuable asset? This appropriation is vitally needed to furnish research and experimentation to conserve wood products. It will enable full utilization of our timber resources and the development of new uses for waste products. I hope this appropriation will be approved.

Mr. ELLSWORTH. That is true, and it is necessary that we should be able to curtail our wasteful use of wood. The research program will show us how to get the best out of our forest lands, in the production of alcohol, protein feed, and other products from wood that is now being wasted.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. ELLSWORTH. Yes.

Mr. KEEFE. The gentleman is familiar with the magnificent work that the laboratory has done in the matter of developing new types of boxes and crates, for shipment. I was especially interested in the development of the cheese box industry, where they developed a package that could be used in foreign shipments without destruction.

The SPEAKER. The time of the gentleman from Oregon has expired.

Mr. TARVER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Speaker, I just want to make plain the position of the subcommittee in this matter. Your subcommittee should not be placed in the position of being against research to make the wisest use of our forest products. The debate might indicate that our course was against this research laboratory. That is not true. When we got into this matter we were brought face to face with the tremendous job of rebuilding the forests of this Nation, not only in research, but in reforestation and in other ways. We asked the Forest Service to bring us a pattern, a program, for which we could intelligently appropriate money. We wanted that program to include a complete study of the work to be done and also to point out where effective help in that program could be contributed by States and private industry. We feel that the Federal contribution may actually have to be increased, but, because of our great national debt, we wanted the program to have every source of aid.

Mr. ELLSWORTH. Mr. Speaker, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Oregon, whom I consider one of the outstanding authorities in this House on forestry problems.

Mr. ELLSWORTH. I believe that the gentleman refers to the plan proposed under the item just passed.

Mr. HORAN. No. I am not only referring to forest products, but to reforestation, experimental forests, and the whole program involving 32 forest States of this Nation. I do not believe we are making a start at all in the matter of rebuilding our forests or of making the wisest use of our forest products. I believe that next year this House is going to be brought face to face with the job of really considering a program of the fullest proportions. Our forests have to be increased in size and every waste must be eliminated if this Nation is to continue to have forests and forest products in this Nation. If we have to increase these appropriations it seems to me that wisdom demands that we approach the problem in a factual manner. There is always danger to the program itself if we indulge in piece-meal, hit-or-miss, pork-barrel practices.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. HORAN. I yield to the gentleman from Wisconsin, in whose State this laboratory is located.

Mr. KEEFE. This particular item has no relationship whatsoever to the problem of reforestation that the gentleman speaks of. This item only refers to the utilization of the forest products after they are grown.

Mr. HORAN. This item is a most important part of the whole program, and I am talking about the whole program. They are all related. We wanted an intelligent program so that we could treat all of these phases adequately and justly on a national basis. That program will have to come from the Forest Service, and your subcommittee is insisting that a full and related program be submitted for next year's consideration. Only in that way can we intelligently appropriate.

Mr. TARVER. Mr. Speaker, I yield 3 minutes to the gentleman from Wisconsin [Mr. BIEMILLER].

Mr. BIEMILLER. Mr. Speaker, various Members who have spoken on the pending motion and on the preceding motion have stressed the fact that we are confronted with a grave national problem of reforestation and the proper use of the products of the forest confronting us. I want to add that we will also be faced in the post-war period with the grave problem of full employment. For those of us who are concerned about achieving full employment, the work of the Forest Products Laboratory at Madison has been of the utmost importance and will be even more so in the years to come. Testimony has been given on this floor, and much more could be given if time permitted, as to the many uses which the Forest Products Laboratory has found for the byproducts of timber and for the more effective utilization of the timber stands which we now have. Those of us who want 60,000,000 jobs in this country are going to have to find new lines of employment. That is exactly what the Forest Products Laboratory has been doing. I very much hope this House will see fit to follow through in logical fashion and pass the pending motion as it passed the previous one. There is a close relationship between them. They are both concerned with making a better and more scientific approach to the problem of reforestation and a proper use of the products of the forest.

I am sure that every section of the United States benefits from the work of the Madison laboratory. This is by no means a sectional matter. It is a matter that concerns the South, the West, the North, and the East. It certainly concerns the State of Washington, as you just heard. The people in the South who have been following the forestry development down there know full well that as a result of research by the Madison laboratory they have succeeded in developing a paper industry that was greater than ever existed down there before. I think all of us recognize that if we do apply scientific knowledge to our standing resources in the timber field, we are doing a real job for conservation in this country and at the same time will create more jobs. That is the proposition that is before us and it is one that I hope this House will support.

Mr. TABER. Mr. Speaker, I yield 1 minute to the gentleman from Vermont [Mr. PLUMLEY].

Mr. PLUMLEY. Mr. Speaker, I take no exception to anyone in this room, as manifested by those who are for the

Madison laboratory, because the record will show that I am the laboratory's original best friend, have been all the time, and am now. But we have given them a million dollars with which to operate. That is exactly what they had the year before and they ought to get along with it during this period of the war. Plus that, they are having plenty of help and plenty of contributions financially from the War Department and from the Navy Department, which does not appear.

Of the advantage of this work to the whole country there can be no question.

Mr. TARVER. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin [Mr. WASIELEWSKI].

Mr. WASIELEWSKI. Mr. Speaker, the Forest Products Laboratory has contributed greatly to our war effort and has contributed products which I am confident will play an important role in the post-war program. As was indicated by one of the previous speakers, it has created a new industry. It is not unreasonable to expect it may be responsible for many new industries. I am confident that if it is permitted to continue its work uninterrupted it will contribute materially and play an important role in helping us to meet the full employment problem that will follow the war. This appropriation provided for the Forest Products Laboratory is definitely an investment in the future and will materially add to our national wealth and well being.

Mr. TARVER. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, one would feel that from some of these speeches here today, that the committee had not dealt fairly with this institution, but the fact is we have given them exactly what they had last year and upon which they operated successfully this past year—$1,001,000. If we have any regard at all for economy, might I suggest that the House take the opinion of the subcommittee, which has looked very carefully into the needs for the coming year of this particular project. The Madison laboratory has had in addition large sums from the Army and Navy to make certain studies; but to hear certain gentlemen speak today, one might think we had not given them anything for the ordinary operations of the laboratory. This $1,001,000 should carry on their line of operations very satisfactorily and continue the good work they are doing. I think it is high time to think a little about economy in government and show some consideration for the taxpayers of this Nation. It is my hope that this House will vote down this request for additional large sums of money. It is a worth-while project, but there must be a ceiling to each and every one of these demands for appropriations. We have tried to be generous in this bill for research of all kinds, but we cannot, in justice to the people of America, appropriate more money than testimony before our subcommittee seems to justify.

Mr. TARVER. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON of Missouri. Mr. Speaker, may I earnestly invite the attention of the Members of the House to a situation which is too often overlooked, and that is that the United States Government is in the red. If any private individual or firm owed as much in proportion to its assets as the United States Government, it would be declared bankrupt. We cannot go ahead and spend money as we did before the war. That day has gone by, even for deserving expenditures.

This Madison laboratory has been on our doorstep ever since I have been a member of the committee. I state to you consideredly, after 10 or 15 years' study of it, that there are two outstanding features in connection with its fiscal history. First, it is one of the most persistent lobbyists that has ever wheedled funds from the American Congress. Second, it has spent more money in proportion to the results it has secured than any other governmental agency.

As a matter of course all who come in these critical times asking excess funds are adroit in tying themselves up with the war program and now especially with the post-war program. But they do not identify themselves with the great post-war problem and it is that problem that should concern us from now on. The instant it is announced that Germany is through, and the European war is over, there will descend upon the American Congress an army of businessmen demanding a reduction in taxes. And they are entitled to a reduction in taxes. But how can we reduce taxes when we vote for every proposal to spend money offered on the floor?

The Committee on Appropriations is hard pressed by the spenders on all sides. When, after long study, it reluctantly decides an expenditure is not advisable, it should have the support of the economy-minded Members of the House. There is no other way to reduce expenditures. There is no other way to hold down expenditures. And the United States must hold down expenditures or repudiate its obligations. It cannot continue borrowing money for expenditures of this character indefinitely and remain solvent.

Business organizations and chambers of commerce all over the country are marshaling their forces for a hegira to Washington to intercede with the Committee on Ways and Means to reduce taxes. While they are planning their antitaxing campaign, they had better include an antispending campaign. A dollar saved in appropriations is as good as a dollar saved in taxation. The two go together. The American people should impress on the American Congress the fundamental fact that every amendment to increase appropriations is an amendment to increase taxes. You cannot spend unless you tax. And the more you spend the more you must tax. If you agree to this amendment, you must later on agree to that much more taxes. The Government has no other way of getting this money. A vote against this amendment is a vote against wasting money and a vote to start paying our national debt that much sooner.

Mr. TARVER. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, of course, your subcommittee believes in the work of the Madison laboratory. If we did not, we certainly would not have brought in a bill appropriating over a million dollars for the purpose of carrying that work on. The record of the last several years shows that from year to year we have increased within reasonable bounds the appropriations for that activity. But that is far from saying that because we think the Madison laboratory is doing a good work, therefore, any sum which may be suggested for appropriation for uses in that institution should be approved. We have studied this proposition carefully. We had extensive hearings concerning it. We do not claim to be possessed of any more wisdom than other Members of the House, but we do know we heard the evidence on the subject which other Members of the House did not have the opportunity to hear; that we studied it sympathetically; that we had the earnest desire to provide for the reasonable needs of this institution and at the same time not provide more money than is reasonably necessary; and that after having heard the evidence and accorded the subject that type of consideration we arrived at the conclusion that the appropriation for the present fiscal year is adequate for the purposes of the laboratory for the next fiscal year. Therefore, we have provided in the bill exactly the same amount of money for the next fiscal year which it has had for the present fiscal year. There are wartime allocations of funds made by the Army and Navy which this year aggregated $1,500,000 to take care of war connected problems in wood uses. This worthy work which the gentleman from Wisconsin, Mr. KEEFE, is talking about, in regard, I believe, to containers for cheese, was done with money furnished by allocations to the institution from the war services. It was not done in the regular appropriation which we are here considering. I am fully justified in asking you to accord with the viewpoint of the committee and vote down the motion to recede and concur in the Senate amendment. We have merely made here a reasonable economy in adhering to the amount which was utilized by this laboratory during the present fiscal year.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. TARVER. I yield to the gentleman, my colleague from Wisconsin, in whose judgment I have ordinarily the utmost confidence, but I think his interest in Wisconsin has somewhat influenced him here.

Mr. KEEFE. I may say to the gentleman that my interest in Wisconsin has not influenced me in the slightest degree. This laboratory is not in my congressional district and it does not contribute politically or in any other way to me personally. I am interested in it as a national institution. I would like to ask the gentleman, Is it not a fact that the amount which is embodied in the proposal which I have suggested is the exact

amount which was recommended to the Congress by the Bureau of the Budget? We are not asking you to exceed the estimate of the Bureau of the Budget.

Mr. TARVER. That is true, but we have restored the appropriation to the amount carried in the present fiscal year. I think it ought to be said in this connection that it is said by the laboratory that one of its purposes in asking for these additional moneys is to decentralize to some extent its work. The gentleman from Oregon [Mr. ELLSWORTH] called attention today to the fact that some of the money was to be spent in seven different regions of the United States. In an amendment relating to substantially the same subject matter, the House just receded and concurred in the Senate amendment No. 24, disagreeing with your subcommittee, and appropriated $450,000 which is to be distributed so generally throughout the country that enough Representatives were interested to succeed in providing the appropriation in the bill. So if the decentralization idea is all that is insisted upon here, it has been more than accomplished by the adoption of the motion offered by the gentleman from Mississippi [Mr. COLMER] to recede and agree to Senate Amendment No. 24.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Wisconsin [Mr. KEEFE].

The question was taken; and on a division (demanded by Mr. TARVER) there were ayes 64 and noes 57.

Mr. TARVER. Mr. Speaker, I object to the vote on the ground that there is not a quorum present and I make the point of order that there is no quorum present.

The SPEAKER. Apparently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 168, nays 143, not voting 121, as follows:

[Roll No. 61]

YEAS—168

Adams	D'Alesandro	Hale
Allen, La.	Davis	Hare
Anderson, Calif.	Delaney,	Harless, Ariz.
Andrews, Ala.	James J.	Harris
Angell	Dingell	Havenner
Arnold	Dolliver	Hays
Bailey	Douglas, Calif.	Healy
Baldwin, Md.	Douglas, Ill.	Hedrick
Beall	Doyle	Hendricks
Beckworth	Durham	Henry
Bell	Dworshak	Hill
Bennet, N. Y.	Ellsworth	Hinshaw
Biemiller	Engel, Mich.	Hoch
Blackney	Engle, Calif.	Holifield
Bonner	Fenton	Hook
Boykin	Fernandez	Hope
Brehm	Fisher	Huber
Brooks	Flood	Hull
Bryson	Fogarty	Jenkins
Byrnes, Wis.	Forand	Jennings
Carlson	Gallagher	Johnson, Calif.
Carnahan	Gary	Johnson, Ind.
Case, N. J.	Gavin	Johnson,
Chelf	Gearhart	Lyndon B.
Colmer	Gerlach	Judd
Combs	Gibson	Keefe
Cooper	Gillespie	Kerr
Courtney	Gordon	King
Cravens	Grant, Ala.	Kopplemann
Cunningham	Gregory	Landis
Curtis	Hagen	Larcade
Lea	O'Konski	Smith, Va.
Lemke	Outland	Smith, Wis.
Lesinski	Patman	Somers, N. Y.
Lewis	Patrick	Sparkman
Link	Patterson	Starkey
Lynch	Peterson, Fla.	Stefan
McCowen	Phillips	Stevenson
McDonough	Pickett	Stigler
McGehee	Pittenger	Stockman
McGregor	Price, Fla.	Sullivan
McKenzie	Price, Ill.	Talbot
McMillan, S. C.	Priest	Thom
Madden	Randolph	Thomas, Tex.
Mansfield, Tex.	Rankin	Tolan
Marcantonio	Rayfiel	Traynor
Merrow	Resa	Trimble
Michener	Riley	Voorhis, Calif.
Miller, Calif.	Rivers	Wasielewski
Monroney	Robertson, Va.	Weaver
Murdock	Rockwell	Welch
Murray, Tenn.	Roe, Md.	West
Murray, Wis.	Rogers, N. Y.	Winstead
Neely	Sadowski	Wolcott
Norton	Savage	Wood
O'Brien, Mich.	Sikes	Woodhouse
O'Hara	Smith, Maine	

NAYS—143

Abernethy	Gifford	Mundt
Andersen,	Gillette	Norrell
H. Carl	Gillie	O'Brien, Ill.
Arends	Goodwin	O'Toole
Auchincloss	Gossett	Peterson, Ga.
Barrett, Pa.	Graham	Plumley
Barrett, Wyo.	Granahan	Powers
Bates, Ky.	Grant, Ind.	Quinn, N. Y.
Bates, Mass.	Green	Rabaut
Bishop	Griffiths	Rabin
Bolton	Gross	Ramey
Boren	Gwynne, Iowa	Reece, Tenn.
Brown, Ga.	Halleck	Reed, Ill.
Brown, Ohio	Hand	Rees, Kans.
Brumbaugh	Harness, Ind.	Robertson,
Buck	Heselton	N. Dak.
Buffett	Hess	Robsion, Ky.
Bulwinkle	Hoeven	Rodgers, Pa.
Bunker	Hoffman	Rogers, Mass.
Burgin	Holmes, Mass.	Rooney
Butler	Horan	Rowan
Byrne, N. Y.	Jarman	Russell
Camp	Jensen	Sabath
Campbell	Johnson,	Sasscer
Cannon, Mo.	Luther A.	Schwabe, Mo.
Case, S. Dak.	Johnson, Okla.	Schwabe, Okla.
Chenoweth	Jones	Scrivner
Chiperfield	Jonkman	Shafer
Church	Kean	Sharp
Clason	Kearney	Sheppard
Clevenger	Kelley, Pa.	Simpson, Ill.
Cole, Kans.	Kilburn	Simpson, Pa.
Cole, N. Y.	Kilday	Smith, Ohio
Corbett	Kinzer	Snyder
Crawford	Kirwan	Spence
Delaney,	Lane	Springer
John J.	Latham	Sumner, Ill.
Drewry	LeCompte	Taber
Eberharter	LeFevre	Tarver
Elliott	Lyle	Thomas, N. J.
Ellis	McConnell	Tibbott
Elsaesser	McGlinchey	Torrens
Elston	McMillen, Ill.	Vinson
Ervin	Mahon	Vursell
Fallon	Martin, Iowa	Whitten
Feighan	Martin, Mass.	Whittington
Folger	Miller, Nebr.	Wigglesworth
Fuller	Mills	Woodrum, Va.
Gamble	Morgan	Zimmerman

NOT VOTING—121

Allen, Ill.	Cooley	Hall,
Anderson,	Cox	Leonard W.
N. Mex.	Crosser	Hancock
Andresen,	Curley	Hart
August H.	Daughton, Va.	Hartley
Andrews, N. Y.	Dawson	Hébert
Baldwin, N. Y.	De Lacy	Heffernan
Barden	Dickstein	Heiter
Barry	Dirksen	Hobbs
Bender	Domengeaux	Holmes, Wash.
Bennett, Mo.	Dondero	Howell
Bland	Doughton, N. C.	Izac
Bloom	Earthman	Jackson
Bradley, Mich.	Eaton	Johnson, Ill.
Bradley, Pa.	Fellows	Kee
Buckley	Flannagan	Kefauver
Burch	Fulton	Kelly, Ill.
Canfield	Gardner	Keogh
Cannon, Fla.	Gathings	Knutson
Caller	Gecian	Kunkel
Chapman	Gore	LaFollette
Clark	Gorski	Lanham
Clements	Granger	Luce
Cochran	Gwinn, N. Y.	Ludlow
Coffee	Hall,	McCormack
Cole, Mo.	Edwin Arthur	Maloney
Manasco	Ramspeck	Taylor
Mansfield,	Reed, N. Y.	Thomason
Mont.	Rich	Towe
Mason	Richards	Vorys, Ohio
May	Rizley	Wadsworth
Morrison	Robinson, Utah	Walter
Mott	Roe, N. Y.	Weichel
Murphy	Rogers, Fla.	Weiss
O'Neal	Ryter	White
Pace	Sheridan	Wickersham
Pfeifer	Short	Wilson
Philbin	Slaughter	Winter
Ploeser	Stewart	Wolfenden, Pa.
Poage	Sumners, Tex.	Wolverton, N. J.
Powell	Sundstrom	Woodruff, Mich.
Rains	Talle	Worley

So the motion was agreed to.

The Clerk announced the following pairs:

Additional general pairs:

Mr. Doughton of North Carolina with Mr. Knutson.

Mr. Ramspeck with Mr. Reed of New York.

Mr. Hart with Mrs. Luce.

Mr. Cox with Mr. Rizley.

Mr. Buckley with Mr. Talle.

Mr. Hébert with Mr. Woodruff of Michigan.

Mr. Burch with Mr. Johnson of Illinois.

Mr. Rogers of Florida with Mr. Holmes of Washington.

Mr. Granger with Mr. Gwinn of New York.

Mr. Crosser with Mr. Herter.

Mr. Domengeaux with Mr. Fulton.

Mr. Lanham with Mr. Hancock.

Mr. Poage with Mr. Dondero.

Mr. Celler with Mr. Fellows.

Mr. Ludlow with Mr. Cole of Missouri.

Mr. Worley with Mr. Allen of Illinois.

Mr. Thomas of Texas with Mr. Leonard W. Hall.

Mr. Barden with Mr. Kunkel.

Mr. Keogh with Mr. LaFollette.

Mr. O'Neal with Mr. Ploeser.

Mr. Powell with Mr. Winter.

Mr. Bland with Mr. Short.

Mr. Richards with Mr. Eaton.

Mr. Cannon of Florida with Mr. Bradley of Michigan.

Mr. Izac with Mr. Bennett of Missouri.

Mr. GROSS changed his vote from "aye" to "no."

Mr. SHAFER changed his vote from "aye" to "no."

Mr. MCCOWEN changed his vote from "no" to "aye."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The doors were opened.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 42: Page 50, line 14, after the word "amended", insert "the total expenditures of which, including administration, shall be $300,000,000."

Mr. TARVER. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 42 and agree to the same.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 50: Page 70, line 14, after the semicolon, insert "construction and alteration of farm and other buildings and roads for the use of project occupants on any lands within the boundaries of water conservation and utilization projects in said area."

Mr. TARVER. Mr. Speaker, I move that the House insist upon its disagreement to the amendment of the Senate No. 50.

Mr. CASE of South Dakota. Mr. Speaker, I offer a preferential motion.

The Clerk read as follows:

Mr. CASE of South Dakota moves to recede and concur in the Senate amendment No. 50 with an amendment to strike out the words "farm and other buildings and."

Mr. TARVER. Mr. Speaker, I yield the gentleman from South Dakota 5 minutes.

Mr. CASE of South Dakota. Mr. Speaker, this amendment deals with water conservation and utilization projects under what has been popularly referred to as the Wheeler-Case Act. Under that program there have been some small irrigation or supplemental water projects authorized in various parts of the country. Under the original language of the act and under the original program I think many of us never contemplated that any part of the money would be used for the construction of farm buildings or homes. However, in the administration of the act some of the money was used for the building of homes on tracts that were cut up into smaller farms. At the same time, in the administration of the act some of the equipment which the Farm Security Administration or the Department of Agriculture was using for the leveling of land was used for the relocating of some roads where they were dislocated, or the building of such additional roads within the project as might be necessary to serve the additional homes created by reducing the size of the farms. The Comptroller General a few months ago determined that under the language of the original act the money appropriated under this head might not be used for farm buildings or for roads. On the score of building houses and barns I am in sympathy with the interpretation given by the Comptroller General. I believe that the use of money for the building of homes and other farm buildings was not originally intended, and certainly that practice used up the small amount of money that was appropriated under this head very rapidly.

The Senate amendment proposes to permit money to be used—at least the money in this bill—to be used for the building of farm buildings and homes, and also for the locating or relocating of roads. The effect of my amendment to recede and concur with an amendment striking out that portion of the Senate amendment which would permit the use of the money for the building of homes and other farm buildings is to restrict the authority to roads. It does not change the dollar sign one bit—merely permits the use of the money for the building of roads for the use of the project occupants on lands within the boundaries of these authorized projects. It will not permit the use of the money or the equipment owned by the Government outside the boundaries of the projects. It will permit them to use the equipment which they already have and will be using in the building of canals or in the leveling of the land; it will permit them to use that equipment on the relocation or alteration of the roads within the project; and it seems to me that is a very sensible solution of the problem. I had nothing to do with proposing this amendment in the Senate; I am merely taking the situation as it comes before us and suggesting a procedure which I hope might be acceptable to the committee.

Mr. MURDOCK. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. MURDOCK. I have the feeling that the gentleman's amendment, if carried, will effectuate the original intent of the law. I favor it.

Mr. CASE of South Dakota. I appreciate the contribution of the gentleman. He is chairman of the Committee on Irrigation and Reclamation and was a member of the committee when the original act was passed and knows its intent and its history.

May I add that the language does not call for the maintenance of these roads; it merely says construction and alteration, meaning, as I take it, the relocation or alteration of the roads that have been disturbed or whose creation has been made necessary by the reduction in these projects from large farms down to small farms. It is supplemental to and properly a part of the basic program.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. HORAN. Cannot those roads be built from funds in the access roads program?

Mr. CASE of South Dakota. Roads might be built to the projects from those funds, but I question whether that is the intent of the law if the gentleman is referring to military or mineral access roads.

Mr. HORAN. Is it the gentleman's understanding that access road money could not be used for this purpose?

Mr. CASE of South Dakota. Access to projects is not involved here. This concerns only roads within the boundaries of these small irrigation projects.

I may point out in closing that this is the only amendment left in controversy. All other amendments to this conference report have been ironed out. With this modification of the Senate amendment the entire conference report can be disposed of.

Mr. Speaker, I yield back the balance of my time.

Mr. TARVER. Mr. Speaker, I yield myself 5 minutes.

The SPEAKER. The gentleman from Georgia is recognized for 5 minutes.

Mr. TARVER. Mr. Speaker, since I do not come from the western part of the country, I am necessarily not very familiar with the problems which are involved in these water-conservation and irrigation projects, but I wish to point out that the gentleman from South Dakota [Mr. CASE], who offers this preferential motion to recede and concur, is one of the joint authors of the legislation under which this work is carried on.

It is admitted here that this language was not carried in the Case-Wheeler Act. It is, therefore, legislation. The Comptroller General has so decided, and I do not understand that my colleague takes issue with that decision.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield just briefly there?

Mr. TARVER. I will yield in just a few minutes.

Mr. Speaker, we are being asked here to amend the Case-Wheeler Act in an appropriation bill. Very frankly, our Subcommittee on Agriculture Appropriations has not had hearings on the question of whether the Case-Wheeler Act should be amended or not, and no other committee has had hearings on the subject of whether that act should be amended so as to authorize the construction of roads on these projects. I do not think we ought to amend the substantive legislation under which this appropriation is made, by action on an appropriation bill. If the legislation should be amended, I think that the gentleman who has offered the motion should introduce a bill to have it amended, and then let the legislative committee having jurisdiction hold hearings as to the effect of the bill, and the necessity for the proposed legislation, and submit a recommendation to the House, to be considered in a regular and an orderly way. I do not know whether these roads ought to be constructed at the expense of the Government or not. I am impressed with the idea that they ought not to be, that if this takes care of the expense of reclaiming of these arid lands, then the matter of road construction ought to be an obligation on the locality where the project is located, and it should be taken care of out of public funds provided for the construction and maintenance of roads. The matter of whether I am right or wrong in that is of no importance. I think the important matter here is that we should not amend the law by a provision on an agricultural appropriation bill.

Mr. CASE of South Dakota. Mr. Speaker, will the gentleman yield?

Mr. TARVER. Yes.

Mr. CASE of South Dakota. I do not think it would amend the act for two reasons. In the first place, this would apply only to the funds in this bill, and for the second reason, under my amendment as suggested by the gentleman from Arizona [Mr. MURDOCK] it conforms to what we have understood to be the intent and purpose of the original law, and as the gentleman from Arizona further pointed out, this does not authorize anything not contemplated in the original law, it does not authorize a building program, except within the boundaries of the project, and the construction of such roads essential to the project. Further, these projects are reimbursable, and the Federal Government would be reimbursed out of any funds expended for this purpose.

Mr. TARVER. The provision sought to be inserted here is purely legislative in character. As already stated, I do not think we should in an offhand way, without the subject matter having been given consideration by any committee of the House, not even by the Subcommittee on Agricultural Appropriations, undertake to amend the substantive law under which this money is provided. I sincerely hope the House will vote down the motion of the gentleman from South Dakota and reject the proposed amendment, and accept the motion offered by

the committee. As far as the conclusion of the agricultural appropriation bill is concerned, I think I can assure Members of the House that if this is done they will not be required to give more consideration to this bill in the present session of Congress.

I move the previous question on the motion.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the motion offered by the gentleman from South Dakota.

The question was taken; and on a division (demanded by Mr. CASE of South Dakota) there were—ayes 7, noes 62.

So the motion was rejected.

The SPEAKER. The question is on the motion offered by the gentleman from Georgia [Mr. TARVER].

The motion was agreed to.

On motion of Mr. TARVER, a motion to reconsider the votes by which action was taken on the several motions was laid on the table.

EXTENSION OF REMARKS

Mr. TARVER. Mr. Speaker, I ask unanimous consent to insert in the RECORD at this point a statement showing the amounts carried in the bill, as it passed the House originally for appropriations, reappropriations, and loan authorizations, the amounts carried in the bill as it passed the Senate, and the amounts carried in the bill after it passed the House today.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The statement is as follows:

Department of Agriculture appropriation bill, 1945

	House bill	Senate bill	As finally passed	Conference report compared with House bill, (+) or (−)	Conference report compared with Senate bill, (+) or (−)
Total of items carried in bill (exclusive of Reconstruction Finance Corporation funds and corporate funds for administrative expenses)	$666,301,932	[1] $687,393,779	$682,800,752	+$16,498,820	−$4,793,007
Direct appropriations	576,432,700	[1] 594,724,527	589,931,520	+13,498,820	−4,793,007
Transfer from permanent appropriations	50,000,000	50,000,000	50,000,000		
Reappropriations	39,869,232	42,869,252	42,869,232	+3,000,000	
From Reconstruction Finance Corporation funds (for loans)	167,700,000	275,000,000	197,500,000	+30,000,000	−77,700,000
Authorizations from corporate funds for administrative expenses	13,012,000	13,015,000	13,015,000	+3,000	
Grand total of items carried in bill, including Reconstruction Finance Corporation funds and corporate funds for administrative expenses	846,813,932	975,008,779	[1] 893,315,752	+46,501,820	−82,293,007

[1] Includes Budget amendment of $1,250,000 contained in S. Doc. No. 37, submitted after passage of bill by the House.

[2] This figure compares with total 1945 appropriations for comparable items of $792,272,271 and total 1946 Budget estimates for this bill of $976,651,282.

SAN FRANCISCO CONFERENCE

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, it is probable that never before in the history of our country have we as a people—all of us as citizens, each of us as individuals—felt so great a weight of personal responsibility for the solution of international problems as we feel today. And I mean "today" quite literally—this calendar date of April 25, 1945, which is witnessing the opening of the World Security Conference at San Francisco. Men and women have gathered together there from all over the world to talk of peace. These horrible years of war have shown us that man still needs restrictions and restraints to curb his inclinations to greed and avarice, to cruelty and to selfish purposes. Possible formulas for restraints will be discussed in the coming weeks as the whole world waits.

In these last years we have learned, as we had never expected to learn, what insecurity means to the world. We have seen, as we had never expected to see, the stone and steel of great cities crash to rubble, the laws of powerful nations become as meaningless as the words of a forgotten language, entire peoples become wandering tribes over the face of an unfriendly earth. We have seen that happen in the twentieth century of our civilization. We know that it is still happening, now, today, on this 25th day of April 1945. We are resolved that such destruction and such horror shall never again be unloosed by any members of the human race.

Because we are so resolved we are deeply aware of our responsibility. We know that we must transform determination into realized fact. The San Francisco Security Conference must lay the foundation stones of the structure that will guarantee the security of the world. Many difficulties will present themselves, many seemingly insoluble problems will be encountered but its purpose must not be thwarted nor set aside.

I know how deeply every one in this House is feeling the sense of personal responsibility to our own country and to the world. I know that our awareness of responsibility extends out from the Capitol, from Washington, and is shared by men and women in every remotest section of the United States, and throughout the Western Hemisphere, that it reaches across the eastern and western oceans and over all the world. It is mankind that feels responsible at this hour. The heart of humanity, that has been laboring so long in anguish and torment, is throbbing today with hope, and also with dread lest expectant hope be betrayed.

Not only the delegates of the people of 46 nations pledged to work for the security of their people at the Conference; not only the representatives of the people in the councils of their many governments, but the people themselves—the men and women in homes and fields and factories and on the far-flung battle lines share that dread and that hope. It is the great brooding thought today in the mind of the whole world, this sense of responsibility for making sure that men shall not again devastate the earth, but that they shall protect each other from the passions and the forces of evil within them which if unchecked rise up and destroy the beauty that is the Lord's.

The desolation, the burning fires of agony that have been spread across the world must not be left smoldering—rather must they be transformed into the funeral pyres of cruelty and selfishness and greed from whose ashes may arise a new conception of man's relationship to man and his responsibility to the Eternal God.

We can build fear or we can build security out there in San Francisco, and each one of us has a responsibility in the matter. We can sow the seeds of more wars or we can open that Golden Gate to the new world of peace that stands upon the threshold of time waiting to be born, a world which in the words of the great Chinese sage Lao-tse, will insure to its children "Action without aggression, development without domination, and progress without possession."

Such a goal beckons. Let us as free Americans determine that we shall indeed fulfill our destined part in the great family of nations with quiet courage, sincere humility, and unfaltering faith in man's ultimate victory over the dark passions within his own soul. Let us on this momentous day rededicate ourselves to the vision of freedom that made us a nation, reconsecrating ourselves to the service of God and the welfare of men.

EXTENSION OF REMARKS

Mr. HARRIS. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made earlier in the day and to include a proposed distribution of funds by experimental forest units.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. LAFOLLETTE (at the request of Mr. HORAN) was given permission to extend his remarks in the RECORD and include an address.

Mr. HORAN asked and was given permission to extend his remarks in the RECORD.

Mr. CLASON asked and was given permission to extend his remarks in the RECORD and include a statement.

Mr. HAND asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. MARCANTONIO asked and was given permission to extend his remarks in the RECORD and include a statement he made before the Committee on Foreign Affairs.

Mr. SPARKMAN asked and was given permission to extend his remarks in the RECORD in two instances and to include certain newspaper articles.

Mr. OUTLAND asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. STARKEY asked and was given permission to extend his remarks in the RECORD.

Mr. HARRIS asked and was given permission to extend his remarks in the RECORD on the subject of the San Francisco Conference.

AMENDING TRANSPORTATION ACT OF 1940

Mr. SMITH of Virginia, from the Committee on Rules, reported the following privileged resolution (H. Res. 231, Rept. No. 446), which was referred to the House Calendar and ordered to be printed.

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 694) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours to be equally divided and controlled by the chairman and the ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1946

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year 1946, and for other purposes; and pending that motion, I ask unanimous consent that general debate continue throughout the day, the time to be equally divided and controlled by the gentleman from Ohio [Mr. JONES] and myself.

Mr. JONES. Mr. Speaker, reserving the right to object, and I shall not object, the length of general debate will be decided at the end of the day?

Mr. JOHNSON of Oklahoma. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 3024, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The first reading of the bill was dispensed with.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 30 minutes.

Mr. Chairman, it is with no small degree of pride and satisfaction that the committee in charge of the annual supply bill for the Interior Department has made unanimously its recommendations and report on the appropriation bill for the fiscal year 1946.

Having been a member of the Appropriations Committee for more than 10 years, the most of which time I have served as acting chairman or chairman of this same subcommittee, I have naturally become familiar with the activities of every phase of the Interior Department. It has been my privilege and pleasure to compliment certain activities of the Interior Department in the past and to rejoice in its accomplishments. Repeatedly have I pointed out in the past the contribution it has made to the war effort. On the other hand, it has been my duty also to observe many of its deficiencies and shortcomings. I hope that in the time allocated to me that I shall be able to discuss the pending bill as reported in a fair, frank and dispassionate way, giving to Members facts concerning the Department and its activities in an unbiased manner.

In past years, it has been a genuine pleasure to state to the House that this subcommittee, of which I have the honor of being chairman, has worked harmoniously and without friction. In fact, the splendid teamwork a year ago, together with the fine and generous spirit of cooperation on the part of the membership of this House, enabled us to pass the Interior bill within a few hours without material changes, whereas, a few years ago, it was a several days task. It is a pleasure to announce at the outset that our committee is again in accord on the bill as reported after several weeks of tedious hearings. Again I am glad to report to you that Members left their partisanship outside the committee room and that there were no bickerings, misunderstandings or serious differences of opinion. As a result of the fine spirit of cooperation we have presented a bill that, in my judgment, will mark a milestone in legislative history. No chairman ever had better support on any bill than that given me in the preparation of the pending measure. For all this I am deeply grateful. They are the salt of the earth and I am sure their fine services will meet with the approbation of the Congress and the country. They are, as you know, the gentleman from Ohio [Mr. KIRWAN], the gentleman from Arkansas [Mr. NORRELL], the gentleman from New York [Mr. ROONEY], the gentleman from Ohio [Mr. JONES], the gentleman from Iowa [Mr. JENSEN], and the gentleman from Idaho [Mr. DWORSHAK].

First and foremost, Members want to know if the bill as presented is above or below the Budget estimates. I am glad to report to the House that the bill as reported is nearly $39,000,000 below the Budget estimates as presented to our committee. To give you the exact figures.

The committee considered Budget estimates totaling $141,346,047.

The committee recommends appropriations totaling $102,602,628.

The committee recommends a reduction under the Budget estimates totaling $38,743,419.

The reductions proposed in this bill are by far the most drastic ever made in connection with an Interior Department supply bill in all its history. The savings which we have made in connection with this bill, if we receive cooperation at the other end of the Capitol, and substantially all these savings could and should be retained, would pay the salaries of all the members of the subcommittee on Interior Appropriations for a period of more than 5 centuries.

Inasmuch as the Department of the Interior complained that it was ruined by this committee last year when it reduced appropriations less than $10,000,000 below Budget estimates it does not take any great amount of imagination to foresee that this committee will again be criticized for what might seem, at first blush, to be entirely too drastic reductions below Budget estimates. In nearly every instance the estimates proposed herein to be eliminated or reduced drastically are new proposals, including construction items, plans and surveys for post-war construction and the further expansion of existing agencies and activities. In very few instances has the committee reduced any agency or activity below what it actually had in funds with which to operate during the current year.

If Members will take the time to examine the rather extended hearings and the report of our committee it will be found that practically every one of the twenty-odd agencies within the Interior Department, including those which have no connection whatever with the war effort, ran true to form this year by once again demanding bigger and better appropriations. They all wanted new jobs, new functions, and new fields to conquer.

As the hearings continued from day to day and witness after witness appeared from the various agencies it became increasingly evident that the heads and spokesmen of the various agencies of Government have one thought in mind, and many have one thought only—that of expanding their own particular sphere of governmental activity.

The thought or idea of reducing any part of their activities apparently has never been given the slightest consideration. Despite the fact that thousands of temporary and permanent employees have been separated from the service because of the war, the committee was

amazed to find that the Department has placed on the rolls a considerable number of new employees not authorized by the Congress. This situation has been made possible because of the huge amount of lapsed salaries. Those many lapsed salaries are caused, of course, by the many employees who have been called into the armed services and whose positions have not been filled. Nevertheless the Department asked for and secured Budget approval of a total of approximately 4,015 new positions for the next fiscal year. Practically all these proposed new positions were eliminated by the committee. A few were allowed where the committee felt they made a good case. In slashing these estimates nearly $39,000,000, however, the committee is not attempting to punish any agency or any individual, but, in effect, it is saying very definitely to the Department of the Interior that it must henceforth operate on the sum appropriated by the Congress and not continue a determined drive on Congress and the Treasury for additional funds to expand and grow until, like the Grazing and the Indian Services, which I will discuss a little later, it becomes unwieldly and top-heavy.

A moment ago I mentioned the fact that the Interior Department, like many other departments of Government, has many lapse salaries of employees that have been called to the armed services. This, of course, has created a surplus. But this surplus cash, like that in a small boy's pocket, seemed to have burned the fingers of high officials in the Department of Interior. Instead of that money of lapse salaries going back to the Treasury where it belonged, the Interior Department has proceeded to spend their surplus cash in devious ways never dreamed of by Congress, much less authorized. Again, the Department used considerable surplus cash in its contingent expense fund in giving awards to employees ranging from $10 to $1,000 who made the best suggestion on ways and means allegedly for the purpose of improving the service. One of these awards of $20 was for a bright suggestion about playing canned music during lunch hour. The Department decided to make this practice permanent and asked for $21,000 for that purpose, which the committee very promptly denied. Strange as it may seem, about the most serious complaint or criticism that has been made against the committee on its pending bill is because of committee action in refusing to dole out $21,000 of the taxpayers' money for this purpose.

Of course, we realize that there are some agencies within the Department, like the Bureau of Reclamation, which will no doubt continue to expand in the post-war years, but there are several other agencies, such as the Geological Survey and the Bureau of Mines, the Solid Fuels Administration, the Fishery Coordinator, that must necessarily retrench their huge present day expenditures. And I am assuming, of course, that the agencies engaged solely in war activities will in due time be completely eliminated.

Another practice that has become popular with the Interior Department, a custom that has also become too popular with many other departments and agencies of Government, is the sorry practice, after this committee following weeks of hearings refuses their appropriations for all sorts of new planning with its multiplicity of new proposed jobs, of rushing over to the other end of the Capitol where, I regret to say, they are usually successful in having every dollar this committee has refused, inserted in their bill. Then, when this committee "stands hitched" if I may be pardoned for using that vernacular, as it did a year ago, and which I hope that it will do again this year, and the Department fails to get favorable action upon their multiplicity of inflated requests, they resort to another reprehensible practice of coming in at the "back door," the deficiency subcommittee, and demanding the same appropriations that both Houses of Congress have definitely refused them. It is disheartening to any committee, after working long hours and wading through days and weeks of tedious hearings and trying honestly without fear or favor and irrespective of personalities involved to do a sincere and courageous job, having in mind the people at home who must pay the bill, and our children and our children's children, who are paying and will still be paying heavily for this war for generations to come; it is discouraging to the utmost to have heads of departments constantly slipping in as I say, at the back door, asking for funds turned down once by the regular committee with what they call supplemental estimates under the guise that it is an "emergency." This growing practice has reached the point where it has become so tragic and costly that Congress cannot further ignore it.

If Members will turn to page 3 of the committee report, you will find a bird's-eye picture of the recommendations made by this committee. It is interesting to note the three columns of figures to the right of each activity. The first column shows the Budget estimates, the second column the amount allowed by the committee for the same activity and the third column shows the amount of increase or decrease as the case may be with a minus or plus sign. It will be noted that there are no plus signs in this right hand column and that in every instance save one small item there is a minus sign, meaning, of course, that the committee has made a reduction below the estimates of the Bureau of the Budget. And again I want to emphasize that the recommendations in practically every instance are no more or less than a refusal on the part of the committee to permit the agencies within the Department to insist on its determination to further expand and grow.

LIMITATION ON USE OF FUNDS FOR TELEPHONE TOLLS AND TELEGRAMS

Members will recall that last year when the committee placed a limitation of $40,000 each on telephone tolls and telegrams, a wail went up from certain high officials in the Interior Department denouncing the committee for what it called arbitrary and unreasonable action. The country was told that the Department would be seriously embarrassed, that the restriction would interfere with the proper functioning of the Department and that people might even suffer from cold because of our action. But despite such absurd statements, criticism, and pressure, the committee stood pat with a statement that if any real emergency arose the Congress could and no doubt would take care of the situation adequately.

I am glad to report to the Congress that except in two instances, the Fish and Wildlife Service, and the Solid Fuels Administration for War, the Interior Department has not to this day used all the funds made available for rapid communication services. In those two agencies, and in those agencies only, small supplemental requests were made, both of which were allowed either in whole or in part. It is a genuine satisfaction to report to you that several responsible officials in the Interior Department admitted to the committee that the limitation placed on communication funds has produced very wholesome results. In fact, at no time during the hearings was the repeated statement that the limitation has produced a wholesome effect ever contradicted. Yet, as an example to show that many requests were padded, or inflated, the Department actually asked for $216,000 for long-distance calls alone for the next fiscal year. Some representatives of the Department stated that in their judgment the limitation was too drastic. Possibly so. Therefore, your committee, in allowing a total of $80,000 for long-distance telephone tolls, instead of $216,905 requested, and $70,000 for telegrams and cablegrams, as is provided in the bill, instead of the $123,230 as requested, has been extremely fair and liberal in the matter of providing funds for rapid communication services during the next fiscal year.

OFFICE OF THE SECRETARY

Let me for a moment discuss the office of the Secretary of the Interior. That office has been treated no better and no worse in this bill than other agencies within the Department. To the wail made in the past and that may be made in connection with this bill, that personal antagonism to the Secretary is responsible for any cuts made, the answer is that if you will examine the record you will find that not a single job has been eliminated from the office of the Secretary.

The committee's action and attitude toward the Secretary's office was in keeping with its attitude toward the entire Department. It felt that there was no justification for granting 4,015 new jobs for the entire department, 25 of which were for the Secretary's already crowded Washington office. Moreover, it was fully convinced that of the other

3,990 new jobs requested, substantially all of which the committee had denied, all were equally or better justified than those envisioned and actually demanded for the Office of the Secretary. Before Members shed too many tears about the shabby manner in which the office of the Secretary of Interior has been treated let me suggest they examine the record. The fact that the records disclose that the appropriations for the Secretary's office have increased from a mere $358,695 to $1,064,140 within the past 10 years is sufficient answer to the charge that the office has been mistreated or discriminated against during the past decade. But so much for the time being for overgrown office of the Secretary of Interior.

DEVELOPMENT OF ALASKA

The committee is extremely interested in the welfare of Alaska. In years past, because of our great confidence, admiration and respect for Hon. Tony Dimond who for so many years effectively represented Alaska and now a distinguished Federal judge, the committee has resolved any doubts with reference to proposed appropriations in favor of Alaska.

The present delegate from Alaska, Mr. BARTLETT, appeared this year and made a very splendid presentation in favor of Alaska. I might add that a number of the very few new positions granted by the committee were allowed for that Territory.

But it will be recalled that only a few months ago the Deficiency Subcommittee was presented with a request backed by a Budget estimate which contemplated an Alaska Development Advisory Commission. Believe it or not, the Department actually asked Congress for $3,860,000 which is approximately one-half the amount we paid for Alaska, to send a commission there the purpose of which was somewhat hazy. That subcommittee listened patiently to all the alleged evidence that the Interior Department could muster in support of that fantastic proposal, and then unanimously disallowed every dollar requested. In denying the initial request for $3,860,000 the committee in its report on the bill stated in part as follows:

> The proposal contemplates duplicating investigations and reports upon every conceivable topic which would be of interest to potential settlers or enterprising commercial interests.
>
> The Library of Congress has shelves filled with documents and reports and writings upon the subjects of geography, meterology, geology, industries and resources, wildlife resources. * * *. The Library of Congress only recently published a bibliography containing 163 pages of titles of publications on Alaska on the subjects indicated.

Imagine the surprise of our committee to find the same bundle in reduced form on our committee doorstep when we started hearings on this bill. This time the name of the proposed commission was not referred to and the item was designated merely as the item for the Development of Alaska. In fact it was not proposed to develop Alaska but to make another so-called survey. In unanimously refusing to approve the request the committee points out in our report that the General Land Office has three land offices in Alaska, one at Fairbanks, another at Nome, and a third at Anchorage. It also calls attention to the fact that an informative pamphlet has been issued by the Land Office to prospective home owners and that the Library of Congress has published a book as a comprehensive research work and survey of Alaska. So we feel amply justified in following the lead of the Deficiency Subcommittee in disallowing all funds for this purpose.

BONNEVILLE POWER ADMINISTRATION

In connection with the Bonneville Power Administration, which, as Members understand, has charge of the distribution and sale of power generated both at Bonneville and Grand Coulee Dams the committee was pleased to learn of the increasingly important part that this and other power and reclamation projects in the West are playing in the war effort. Had it not been for the far-sighted and courageous leadership of our late lamented leader, Franklin D. Roosevelt, in taking the initiative and expediting many of these power projects so vitally essential to a successful prosecution of the war, one shudders to contemplate what might have happened in America upon being forced to enter a global war almost without notice.

Except for the aluminum and other metals produced with power generated at Grand Coulee and Bonneville there is no question but that the war would have been prolonged considerably. It will be interesting to note that since 1940 the total amount of revenues received from the operation of the Bonneville Power Administration, which, as you understand, includes power generated at Grand Coulee as well as Bonneville, is in excess of $86,000,000. During the calendar year of 1944 the Bonneville Power Administration produced nearly 9,000,000,000 kilowatt-hours of energy and the revenues derived therefrom exceeded $22,000,000.

The committee has provided for continuation of operation and maintenance of the Bonneville Power Administration on exactly the same basis and in the same amount as was provided in the current law; that is, we have authorized the use of construction funds heretofore appropriated for operation and maintenance of the power system. The Budget estimates proposed an appropriation of new funds in the sum of $3,500,000 and also $706,690 from unobligated funds. However, on inquiry, we found that on January 31, 1945, there was an unobligated balance on hand of $24,147,244 and that on July 1, next, it was estimated the balance would be not less than $17,232,969. The committee could see no reason why some $3,487,000 should not be made available for operation and maintenance as has been the practice for the past several years. While it was contended that some $15,811,000 of the unobligated balance might be used for construction purposes, permit me to point out that clearance from the War Production Board has not been secured for 1 cent of this program and it was admitted by the Bonneville Power Administrator that it was a gamble whether the construction program recommended was essential during the war. So, in providing for this activity on the same basis as in the present year, we believe that we have provided adequately and fairly for its operation during the next fiscal year.

GRAZING SERVICE

I desire to speak briefly about the Grazing Service. Many of you recall that a former chairman of the Appropriations Committee, the Honorable Ed Taylor, was author of the Taylor Grazing Act. Because of overgrazing in the far West he saw the dire necessity for some kind of stringent regulation to prevent further erosion of the lands due largely to such overgrazing. Some of you were active in assisting Chairman Taylor in the passage of that act. But certainly, he did not envision the kind of set-up that now exists, and I am convinced that he would be disappointed and chagrined and outraged to know that some $37,000,000 had been spent over a period of 10 years by or for the so-called Grazing Service with such extremely meager beneficial results. It occurs to me that it would be worth while to read into the RECORD at this point the report of our committee with reference to the present activities of the Grazing Service. Members will find it on page 10 of the committee report. Here it is:

> The committee has unanimously recommended a reduction in the estimates for the Grazing Service as submitted in the Budget estimates, and has recommended substantially the amount provided for the current year. The estimates for this Service total $1,693,700 in comparison with an appropriation of $999,030 (with overtime deducted) for the fiscal year 1945. The committee has recommended a total reduction of $626,730 in the Budget estimates. The committee is of the opinion that, with the exception of increases for within-grade promotions and reallocations, additional funds cannot be justified from any standpoint.
>
> It will be recalled by members who knew and cherish the memory of the late Edward T. Taylor, author of the Taylor Grazing Act, and former chairman of the Appropriations Committee, that it was his contention that the Grazing Service should at all times be self-supporting. This has not been the case since its first year of operation. In appearing before the Senate Committee on Public Lands on April 20, 1934, Mr. Taylor made the following statement:
>
> "Secretary Ickes says he has the necessary force and he fully believes that he can administer the 173,000,000 acres for $150,000 a year in conjunction with the Forest Service."
>
> During additional hearings before the Senate Committee on Public Lands on the same day the following testimony with reference to the proposed Grazing Act was given by the Secretary of the Interior who appeared in support of the legislation:
>
> "Senator MCCARRAN. Have you any definite policy in your mind, or any policy at all, Mr. Secretary, as to the cost of the administration of these matters?
>
> "Secretary ICKES. Our estimate is that it will cost $150,000 a year."
>
> The first estimate that came to the Congress, however, for 1935, requesting an appropriation for the Taylor Grazing Act, was for $250,000 instead of $150,000. Since that time this organization has grown year by year from this rather modest beginning to a Budget request of $1,485,200 for salaries

and expenses only for the fiscal year 1946. The committee has also learned that this service has received substantial sums from other appropriations for the fiscal year 1945, for instance, funds from all sources totaled $1,825,000, and that all funds available to this service during the last 10 years approximate $37,000,000. The committee is convinced that the Grazing Service has become so top-heavy that it is virtually impossible for it to function appropriately as was originally planned.

The committee further believes that the mushroom growth of the Grazing Service is largely responsible for its failure to function properly and for its lack of success in producing sufficient revenues to maintain itself. It finds that the Service is headed by a director's office, with 10 regional offices and 60 grazing districts with 57 administrative units. This overgrown organization is highly impractical, and unbusinesslike. It recommends the elimination of many of the suboffices and other duplicating activities. The fees collected of 1 cent per month for sheep and 5 cents per month for cattle, in most areas, seem to be entirely out of line. The committee also recommends an adjustment of grazing fees to the end that the Grazing Service shall be self-supporting, as was originally intended.

GENERAL LAND OFFICE

The General Land Office has received an increase over current year appropriations. That does not mean that the committee allowed all of the requested additional positions by any means. The Land Office, like every other agency in the Department, was pleading for more money than the committee felt justified in allowing. It is only fair to say, however, that the General Land Office, under the able leadership of Commissioner Johnson and his efficient staff, turned in an excellent report this year, as in the past several years, and by that I mean that the Land Office is one of the two or three agencies in the Interior Department that is actually self-sustaining. It has constantly collected more revenues and actually turned them into the Treasury than the cost of its operation, and in recent years these revenues have amounted to about $14,000,000 annually, or six times the cost of operation of the Office. The committee is glad to commend the Land Office upon its enviable record.

INDIAN SERVICE

The committee has been rather severe in its report on the activities of the Indian Service. I am convinced, however, that the committee, over the past several years, has been extremely patient with that agency of Government that has expanded from year to year when in the judgment of most people, including the Indians of the country, it should be retrenching its expenditures. During the current year its appropriations are $28,930,000, including overtime, and the committee was amazed to find a request in excess of $30,000,000 for the next fiscal year, exclusive of overtime pay, which will require an additional sum in excess of $3,000,000.

I am glad to report that the amount allowed by the committee has been reduced from $30,000,000 to $26,214,000, a reduction of $3,786,000. I am convinced that if properly reorganized and operated on a business basis, that the amount allowed could be reduced considerably more, and by that I mean by several million dollars, without in any way impairing the efficiency of the Indian Service. The committee's report speaks for itself. At this point I would like to incorporate a part of the report in my remarks:

In its report last year the committee pointed out in some detail a few of the many weaknesses, shortcomings, and gross inefficiences of the Indian Service and quoted at some length the report of a special investigator representing the Committee on Appropriations concerning the Office of Indian Affairs. At that time the committee was so impressed with the investigator's report that it recommended that "the Office of Indian Affairs needs a thorough overhauling and reorganization with a view to securing greater administrative efficiency and control and the resultant economies which will necessarily follow such change."

The committee regrets to report that despite the above suggestion the recommendations of the committee have been completely ignored. Within the past year there has been no overhauling or reorganization in that Office and, apparently, no effort whatever has been made to secure either a higher degree of administrative efficiency or to effect economies either in the Chicago office or in the field. On the other hand, the committee was faced with a request from the Indian Office for increased appropriations involving many new positions in each phase of its activities, instead of elimination of red tape, the combining of several activities into one, and the curtailing of overhead expense.

The committee was called upon to provide a total of 306 new positions in the Indian Service alone and to make funds available totaling in excess of $30,000,000 for the next fiscal year, which is four and one-quarter million dollars in excess of the appropriation made a year ago for the Indian Service. This request is more appalling considering the fact that each Indian Service activity has actually been curtailed because of the war program. There has been a drastic falling off of Indian children attending most of the Indian schools throughout the country. The relief load has also lessened considerably because of the manpower shortage. Several Indian hospitals have had an appreciable falling off of patients. And yet, it is significant that when the committee questioned officials as to the need for items in the estimates that were clearly inflated, the stock answer was that they needed more money for more jobs in order to improve and facilitate Indian Office business.

To recite one example of inefficiency and lack of knowledge of actual conditions on the part of the Indian Service, the committee had reason to believe that an estimate for funds for the operation of 18 nonreservation Indian boarding schools was based on too large an enrollment. Replies from a direct inquiry by telegraph on the part of the committee to each school superintendent were received from 17 of the 18 schools and showed a discrepancy of 317 pupils less than the estimate submitted by the Department and the Budget Bureau. In 5 of these schools the discrepancy ranged from 34 to 120 pupils. The committee has been able to effect a saving of approximately $80,000 in this item alone.

For some time this committee has been convinced that the regional offices in the Indian Service, like regional offices in many other departments, are duplicating and complicating and actually slowing down the efficiency of the service, aside from the enormous expense involved. The committee believes that the elimination of all regional offices in the Indian Service would result in increased economy and actually accelerate the work of the office.

Although the committee has, upon occasion, criticized the Indian Service and feels that such criticism is justified, it has not hesitated to commend this same service when such commendation is warranted.

In this connection the committee calls attention to the fact that one activity in the Indian Bureau has been performing an important and efficient service. The Director of Extension has performed a splendid job by increasing agricultural production of value to the war effort. Probably his outstanding achievement in this connection has been in the production of livestock. The beef cattle inventory at the close of the calendar year 1943 showed 344,895 head valued at $21,731,355 owned by the Indians. This represented an increase of 22,745 head over the number owned in 1942 and an increase of more than 100 percent over the number owned in 1932. The number of dairy cattle owned in 1943 was 50,558 in contrast with only 16,406 in 1933. The total income from the sale of livestock and livestock products for 1943 was $13,960,000 as compared with $1,299,858 in 1932.

Last year the committee expressed the belief that the then Commissioner of Indian Affairs was conscientious and had a fervent desire to better conditions among Indians throughout the country, but also stated that he was a weak administrator who held many impractical theories and was unfortunate in some instances in the selection of supervisory personnel. This is one instance where the Department has very reluctantly followed the suggestion of the committee in that a new Commissioner has been appointed.

The present Commissioner of Indian Affairs, Mr. Brophy, received his appointment and confirmation during the current hearings. He appeared before the committee and exhibited extreme interest in the welfare of the Indians throughout the country, including Alaska. The committee is hopeful that Commissioner Brophy will display the ability to bring order out of chaos in the Office of Indian Affairs, effect much needed economies, and secure a general improvement in the administration of Indian affairs.

The committee again reiterates the urgent need for overhauling, reorganizing, and streamlining the Office of Indian Affairs, which is costing the taxpayers of the Nation more than one and a half times as much as the cost of the entire legislative branch of the Government. With Commissioner Brophy at the helm the committee is hopeful that a year hence he will be able to report real and definite progress along the lines indicated above.

BUREAU OF RECLAMATION

The Reclamation Service has done and and is doing today an excellent job under the efficient leadership of Commissioner Bashore. The fact that the committee allowed substantial sums for the continuation of construction and completion of several important projects is evidence that it feels these projects are worth while and have justified their continuation and enlargement. If Members will examine our report it will be found that the various reclamation projects have already become important cogs in our war food production program. The record discloses that last year the crops produced on the reclamation acreage were valued at approximately $400,000,000. More than 9,000,000 tons of food were produced on Bureau projects in 1944. Power revenues from installations under the jurisdiction of the Bureau amounted to $13,530,000 during the fiscal year 1944.

It will be seen that the committee has made a reduction of more than $14,000,000 in the Budget estimates for the Bureau of Reclamation. This reduction may at first seem to be too drastic, but again it must be pointed out that no reclamation projects are being closed down and that few if any substantial reductions have been made in projects on which the early completion of work will result in increased food production in the near future.

The committee considered at some length an estimate of $4,490,000 for the proposed Missouri River Basin project, contained in a supplemental estimate authorizing funds to expedite certain work preliminary to actual construction. Because of the great interest in this project it will be noted that the committee has printed rather extended hearings in a separate volume and made as many available as possible. As Members know, the project was authorized by section 9 of the recent Flood Control Act approved December 22, 1944, authorizing the appropriation of $200,000,000 for the partial accomplishment of works to be undertaken by the Interior Department. As Members will recall, the Flood Control Act also provided authorization for the same amount, for the Corps of Engineers to initiate certian flood-control work in the Missouri Valley Basin. Recently, the Congress passed the War Department Civil Functions Act containing an appropriation of $1,440,000 for what is called advance planning in connection with this same project, for flood-control work by the Corps of Engineers. The committee, in allowing the same amount, $1,440,000 for the Reclamation Service, feels that it has been fair and most reasonable in its recommendation.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes. I am pleased to yield to the chairman of the important Committee on Reclamation and Irrigation of the House.

Mr. MURDOCK. This may not be the proper place for me to ask the gentleman to yield, but it seems because of the comment the gentleman has just made on reclamation concerning which our late beloved President had such a deep interest I should say that I have in my hand a very valuable letter signed by the President of the United States on April 10, probably the last signature that Franklin D. Roosevelt attached to a document to any Member of Congress. I wanted the gentleman to know of this because of his great love for our former chief, and I wanted him to know that the last word of an official nature to any Member of Congress or any congressional group was written from Warm Springs, and that it was in regard to the great cause of reclamation for which the President had done so much, as the gentleman from Oklahoma has indicated. The last time President Roosevelt talked with my Committee on Reclamation he expressed a great concern and deep interest in the Missouri Valley development.

Mr. JOHNSON of Oklahoma. I thank the distinguished gentleman from Arizona for his valuable contribution. I am sure that he is justly proud of the letter in question. May I express the hope that the gentleman will place the letter in the CONGRESSIONAL RECORD. Because of the enthusiastic support and untiring energy the gentleman from Arizona has given the great reclamation program in the West, it is appropriate and highly significant that our late beloved President should have sent him such an important document. I might say that I also have what to me is an important document, forwarded to me by the Department of Justice and signed by our late President. It is dated the 9th of April. I see that the gentleman's letter is dated the 10th, so that this letter is one day later. I repeat that I sincerely hope the able gentleman from Arizona will place his communication from the President in the CONGRESSIONAL RECORD.

GEOLOGICAL SURVEY

The Geological Survey, as was stated a year ago, has been devoting a very substantial part of its time to activities directly connected with the war. Its investigations for deposits of minerals and ores vitally essential to the war, the mapping of areas of military importance, and the study of water resources of value to military and post-war activities are all important contributions to success in the present and in the future. It is admitted by all in a position to know that the Geological Survey has rendered outstanding service in these matters. However, the committee believes that with organized resistance approaching an end on the European front that the committee would not be justified in allowing appropriations for the Geological Survey on the basis the estimates were prepared—a two-front war—although it realized that there is still an important task for the Survey to perform in connection with the successful conclusion of the war.

BUREAU OF MINES

Last year this committee called the attention of the House to the fact that the Bureau of Mines had been more actively engaged in the war effort, especially since Pearl Harbor, than any other agency in the entire Department. The importance of new ore reserves so essential to the war located and developed by the Bureau of Mines cannot be overemphasized. The Bureau has also carried on diligent research and experimental work in the processing of ores that has made a substantial and important contribution to the successful promotion of the war. As pointed out in the committee report, during the past year the Bureau of Mines has forged ahead to new and greater achievements in the field of exploratory research work which will be of inestimable value in the future security of the country as well as the present struggle in which America is engaged.

The Budget estimate for the Bureau of Mines, like that of every other agency in the Department, was prepared on the basis of a two-front war and it was admitted that with organized Nazi resistance approaching an end that considerable tapering off of the activities of the Bureau could be expected for the next fiscal year. Therefore, the committee has recommended a rather substantial reduction of more than $9,000,000 in the Budget estimates for the Bureau of Mines. However, this bill makes available to the Bureau of Mines more than $15,000,000 for the next fiscal year, as compared with less than $3,000,000 appropriated for its use during the fiscal year 1940, the last pre-war appropriation made.

NATIONAL PARK SERVICE

America's entry into the war affected the National Park Service far more than any other agency within the entire Department. Whereas 21,000,000 civilians visted areas under the Park Service in the last year previous to the war, only 4,000,000 visited these areas during the 1943 travel year. It is also interesting to note that prior to the war the appropriations for the Park Service reached a maximum of more than $26,000,000 in the fiscal year 1939, whereas during the past year the appropriations amounted to only $4,740,000. It will be noted that the estimates in the pending bill have been reduced $724,000 and that the sum of $4,237,000 made available in this bill is the smallest amount appropriated for the Park Service since the fiscal year 1927. This further reduction recommended by the committee should not be construed as being a criticism of the Park Service. On the other hand, this Service is to be commended for the spirit with which it has carried on, under extremely adverse circumstances. At the suggestion of this committee several parks are being used for convalescents, for wounded and disabled men and women, and for other purposes of value to the war program. Experience has shown that the parks are highly desirable for these purposes and the committee has urged the park officials to continue to operate to the limit in increasing such activities.

FISH AND WILDLIFE SERVICE

The Fish and Wildlife Service, as pointed out in the committee report, has played a most important role in aiding the war program. Its work and that of the Coordinator of Fisheries has resulted in the production of a considerably increased yield of fishery products. In 1943 the total yield was approximately 4,000,000,000 pounds, an increase of 300,000,000 over the previous year. Final figures on the yield for 1944 show that the total for that year will reach the record figure of 4,366,000,000 pounds. This is one of the few activities for which the committee allowed some new positions. We have eliminated none of its present activities and allowed a total of $5,689,425 for the next fiscal year, which is approximately twice the amount appropriated to this Service in the pre-war year of 1939.

In conclusion, permit me to say that I am deeply grateful to Members of this House for their patience in listening to this rather lengthy and detailed statement with reference to this annual supply bill for the Department of the Interior. I also desire to again thank the committee for its cooperation and support and the Members of this House for the sympathetic consideration given me person-

ally in the past and for aiding and expediting the passage of this legislation through the House. This, of course, is not a perfect bill, but, in my judgment, it is by all odds the best job ever done on an annual appropriation bill for the Department of the Interior. The time has come when this Congress must say to the respective departments of government, "you cannot further expand."

Several years ago I stood in the old city of Rome and heard D'Annunzio, Mussolini's aged right-hand man and spokesman, who was known as the poet war lord of Italy, say that "Italy must expand or die," and added that "Italy will not die." That well-known slogan by D'Annunzio, expand or die, seems to have permeated the very atmosphere in most of the departments of the Nation's capital.

I am sure all of you were deeply impressed, as I was, with President Truman's first address to the Congress last week in which he pleaded with the Congress and the country to help him in the tremendous task that he has been called upon to assume. I am sure each of you felt as I did, that you wanted to take him by the hand and assure him of your wholehearted support and assistance in the hard struggle ahead. In my judgment there is no better way of upholding his hands than to accept our full responsibility as Members of this House, cut appropriations to the bone, reduce and eliminate useless expenditures and make heads of departments understand that they must live within the appropriations made by the Congress of the United States. To that end your committee submits for your careful consideration the annual supply bill for the Department of the Interior for the fiscal year 1946.

Mr. JONES. Mr. Chairman, I yield myself 30 minutes.

Mr. JONES. Mr. Chairman, first I want to pay tribute to our able colleague the gentleman from Oklahoma, Mr. JED JOHNSON, who was recently nominated by our late President, Franklin Delano Roosevelt, to be judge of the Customs Court of New York, a Federal court. He has since been confirmed by the Senate. This is probably the last Interior Department appropriation bill that he will present. I know I express the sentiments of the entire subcommittee when I say we certainly hate to see him leave our midst. We are very glad for him, however, that he has been named to this position which is a recognition of his training and temperament. The committee hearings of the last several years during his membership in Congress will ably recommend him to the presiding judge and to his associate justices on the bench better than anything that can be said here by his colleagues who love him and have high regard for him.

The committee will be missing a good examiner of witnesses. The committee will be missing a man who knows the art and skill of searching for the truth from the witnesses before him. This is a splendid background, together with the temperament that for a judge on the bench the gentleman from Oklahoma, JED JOHNSON, has, I know he will succeed and be a good judge. Would to God all judges who are appointed to a Federal court had as much character and background of legal training, temperament, and trial experience as the gentleman from Oklahoma, JED JOHNSON.

Mr. Chairman, the Interior bill has been a pleasure to consider because of the exceptional amiability of my colleagues on the committee, both Democrats and Republicans. The attitude of the committee was one searching for information. I must say that it was a pleasure to work without interruptions from one or more colleagues during the examination of the other. This discipline of the Members upon themselves, with the help of the able chairman, the gentleman from Oklahoma has paid dividends to the Congress. The committee has reported a bill that is nearly my objective in relation to appropriations made in the fiscal year 1945. The following table from the report of the subcommittee will illustrate graphically what I mean:

Comparative statement of the amounts appropriated for the fiscal year 1945, the Budget estimates for the fiscal year 1946, and the amounts recommended in the accompanying bill for 1946

Object	Appropriations, 1945	Budget estimates, 1946	Amount recommended in bill for 1946	Increase (+) or decrease (−), bill compared with 1945 appropriation	Increase (+) or decrease (−), bill compared with 1946 Budget estimates
Grand total, Department of the Interior	[1] $107,886,461.13	[2] $141,346,047	$102,602,628	−$5,283,833.13	−$38,743,419
Comparison between 1945 and 1946, excluding 1945 overtime ($9,744,463)	98,141,998.13	141,346,047	102,602,628	+4,460,629.87	−38,743,419

[1] Includes $24,384,450 contained in Public Works section of 1945 Budget and excludes $1,000,000 carried by Budget for Migratory Bird Conservation Act.

[2] Includes $44,827,750 contained in Public Works section of 1946 Budget and excludes $1,000,000 carried by Budget for Migratory Bird Conservation Act.

Now, I think this is an improvement over appropriations bills generally this year. The Budget Bureau does not seem to be fully aware there is a two-front war on and has allowed extraordinary requests for all departments of Government for the fiscal year 1946. The Budget Bureau seems to have secluded itself last fall when the Interior Department was before them. They apparently never heard of the alleged labor shortages to produce materials for war; because they allowed funds to hire increased personnel in the Interior Department to do work that had and has little or nothing to do with the war effort.

The subcommittee has been more realistic than I have ever observed in the consideration of these requests for funds as the table I have just presented shows to the Congress; but we have failed to take cognizance adequately of one evil which gives the Interior Department in particular the bureaucracy in general the financial rein of the Government to spend millions of dollars, hire thousands more than shown in the Budget estimates for the fiscal year 1946. I refer to the evil of unexpended balances from previous years appropriations. The war has curtailed the abnormal pre-Pearl Harbor squandering of funds by authority of labor shortages and materials shortages. The Budget Bureau has allowed requests for funds to be expended in labor shortage areas and has approved requests for construction of projects for which the W. P. B. has not allocated materials to be used in projects that do not have W. P. B. approval. Congress of course, has been equally at fault by appropriating the funds which are now available to the Department of Interior. As of January 31, 1945, these unobligated balances, available for expenditure in the fiscal year 1946 without the funds proposed to be appropriated in this bill give to Secretary Ickes and his Interior Department nearly 166 percent more to spend. Let me emphasize this point again. If there was no appropriation bill for the Department of Interior in the fiscal year 1946, which we are now considering, the Interior Department had on January 31, 1945, 166 percent of the amount in the bill to spend in 1946. So that there will be no argument about my statement I insert a portion of the hearings on this specific subject at page 68, part 1, as follows:

UNOBLIGATED BALANCES, ALL FUNDS, ON JANUARY 31, 1945

Mr. JONES. That is, a statement of the unobligated balances and contract authorizations and unobligated balances of appropriations from revolving, trust, and other funds which the Department of the Interior has at this time, or for as late a date as you can give it to us?

Mr. FORTAS. Yes, sir; we will give you that.

(The statement requested is as follows:)

Unobligated balances as of Jan. 31, 1945 [1]

	Unobligated balance
General accounts:	
Annual appropriations	$35,956,372
Continuing appropriations	[2] 95,468,245
Contract authorizations not covered by appropriations	11,650,000
Permanent appropriations	9,999,272
Transfer funds	10,636,687
Working funds	1,332,064
Trust fund appropriations	4,793,036
Total	169,835,676

[1] Excludes War Relocation Authority.

[2] Includes unobligated balances for construction which have been deferred because of the war.

Mr. JONES. That includes the trust funds that are in each appropriation bill. Does that reflect the employees that would not otherwise be covered?

Mr. FORTAS. Yes.

When these requests for funds which are now available to the Interior Department were made to the Budget Bureau and to the Congress, the number of man years proposed to be hired accompanied the requests. The money was not spent and the employees allowed to be hired thereby were not hired then; but they will be hired when W. P. B. stop orders

and manpower controls are lifted. If all of the funds are expended in the fiscal years 1945 and 1946 they will be added to the employees allowed in the funds appropriated in this bill.

NUMBER OF EMPLOYEES IN THE INTERIOR DEPARTMENT

I have always had the impression, I confess, until this year that Congress knew within a reasonable proximation the number of employees of the Department of the Interior when requests for appropriation bills were reported to the House for action. I find that I have been under a misapprehension. Additional employees above the ceilings provided in the appropriation bill may be hired in the following way:

First. Transfer of funds from other Government agencies. In the table above you will note that there are $10,636,687 unobligated balances in this class of funds as of January 31, 1945.

A detail of the transfer of funds from the President's emergency funds and other departments and agencies of the Government to the Interior Department may be found on pages 63 and 64 of part 1 of the hearings. The manpower involved in such transfers for the fiscal year 1945 and estimated for the fiscal year 1946 is in the hearings at page 65 and is as follows:

Appropriations for fiscal year 1945 and estimates of appropriations for fiscal year 1946, compared with funds received by transfer from other departments and establishments, fiscal years 1945 and 1946

Item	Estimates, 1946		
	Amount	Man-years	
		Departmental	Field
Total, annual appropriations	[1]$132,331,047	3,331.9	31,226.6
Total, amount received by transfer	3,288,120	364.5	1,392.2
Grand total	135,619,167	3,696.4	32,618.8
	Appropriation, 1945		
Total, annual appropriations	[1]$103,217,261	2,790.8	26,916.6
Total, amount received by transfer	6,915,514	485.5	1,614.1
Grand total	110,132,775	3,276.3	28,530.7

[1] Excludes Solid Fuels Administration for War and War Relocation Authority.

Second. The trust funds provide another source of authority for manpower for the Department of Interior above the amounts contemplated in the Appropriation bill. The break-down of manpower in this category of funds appears on page 68 of the hearings, as follows:

MAN-YEARS OF EMPLOYMENT UNDER TRUST FUNDS, FISCAL YEAR 1945

Mr. JONES. In addition to the table I have asked for will you also include the trust funds?

Mr. FORTAS. Yes, sir.

(The information requested is as follows:)

Man-years of employment estimated under trust funds for the fiscal year 1945

Southwestern Power Administration Grand River Dam project, "Southwestern Power Administration"	146.5
Grazing Service: "Funds contributed for administration, protection, and improvement of grazing districts"	44.9
Bureau of Indian Affairs:	
"Miscellaneous trust funds of Indian tribes"	379.0
"Indian moneys, proceeds of labor"	132.0
Bureau of Reclamation: "Reclamation trust funds"	55.3
National Park Service:	
"National Park Service, donations"	.1
"Preservation, birthplace of Abraham Lincoln"	2.7
Fish and Wildlife Service:	
"Miscellaneous contributed funds"	8.9
"Fox and fur-seal industries, Pribilof Islands"	25.0
Government in the Territories: "Funds contributed for improvement of roads, bridges, and trails, Alaska"	5.0
Grand total	799.4

Third. The third class of funds coming under the control of the Department of Interior supplementing the manpower allowances in annual appropriation bills are called "working funds." I am sorry to say that the hearings do not disclose the personnel that may be hired from this class of funds.

Some indication may be had by looking at the hearings on pages 43 and 44, wherein the following record was made with reference to the division of information:

Mr. JOHNSON. Will you furnish the committee a list of the name of each person, the position and salary, or all employees in the office of the Secretary paid from the appropriation "Salaries, office of the Secretary"?

Mr. FORTAS. The number I gave you as of December 31, 1944, was the people actually employed, not man-years.

Yes, sir; we will supply that, Mr. Chairman.

(The information requested is as follows:)

Employees in pay status during the second half of January 1945, on the pay roll for "Salaries, office of the Secretary"

Name	Title	Grade	Annual salary
Division of Information:			
Ryckman, John E	Director of Information	CAF-15	$8,[illegible]
Hollowell, Frederick T	Assistant Director of Information	CAF-14	[illegible]
Allen, David S	Director, Radio Section	CAF-13	[illegible]
Alldredge, Charles H	Information specialist	CAF-13	[illegible]
Hazam, Louis J	Senior information specialist	CAF-12	[illegible]
Gabbert, Verb Amber	Editor-Chief, Publications Section	CAF-11	[illegible]
Wilkinson, John M	Special assistant to the Director	CAF-11	[illegible]
Grant, George A	Chief photographer	CAF-7	[illegible]
Logan, Helene	Assistant Chief, Publications Section	CAF-7	[illegible]
Maguire, Mary F	Editorial clerk	CAF-6	[illegible]
Condon, Alice V	Information clerk	CAF-6	[illegible]
Long, Joseph A	Senior photographer	CAF-6	[illegible]
Steinman, Mary L	Secretary to the Director	CAF-5	[illegible]
Baer, Ethel M	Clerk-stenographer	CAF-4	[illegible]
Herbert, Jesse E	Clerk-bookkeeper	CAF-4	[illegible]
Baughman, Mary H	Clerk in charge of mail and files	CAF-4	[illegible]
Newberry, Evelyn L	Clerk	CAF-4	[illegible]
Komove, Gertrude A	Secretarial clerk	CAF-4	[illegible]
L'Heureux, Eva E	do	CAF-4	[illegible]
Kidwell, Ethel V	Assistant clerk	CAF-3	[illegible]
Collins, Ruthmae B	Secretary-stenographer	CAF-3	[illegible]
Gunn, Mary V	do	CAF-3	[illegible]
Richardson, Mary M	Clerk-typist	CAF-2	[illegible]
Dengler, Herbert F	Chief engineering aide	SP-8	[illegible]
Barton, Harry J	Engineering aide (radio)	SP-7	[illegible]
Smay, Willis G	Engineering aide	SP-7	[illegible]
Pace, Alfred L	Head messenger	CPC-4	[illegible]
Total			[illegible]

I now direct your attention to the hearings at page 85 where the question was asked a little differently. You will note that I asked Mr. Abe Fortas, Under Secretary, how much of an information service he had in the Interior Department Secretary's office out of the funds in this bill and this bill alone. My question and the data furnished are as follows:

Mr. JONES. I wish you would put a statement in the record as to how much you are spending during the present fiscal year for the Information Service and the number of employees, their scale and grade, and how much you propose to request out of these appropriations for this purpose for the fiscal year 1946. Put that in the record.

Mr. FORTAS. Incidentally, Mr. Chairman, and gentlemen of the committee, I would like to present Mr. John Ryckman, the Director of the Division of Information, to the committee.

(The statement referred to is as follows:)

Statement of personnel now being paid from appropriation for the Division of Information, fiscal year 1945

Grade	Incumbent	Salary
Director's office:		
CAF-15	Ryckman, John E	$8,[illegible]
CAF-14	Hollowell, Frederick	[illegible]
CAF-13	Alldredge, Charles	[illegible]
CAF-11	Wilkinson, John	[illegible]
CAF-6	Condon, Alice	[illegible]
CAF-5	Steinman, Mary L	[illegible]
CAF-4	Komove, Gertrude	[illegible]
CAF-4	Newberry, Evelyn	[illegible]
CAF-3	Collins, Ruthmae	[illegible]
CAF-3	Richardson, Mary	[illegible]
CPC-4	Pace, Alfred	[illegible]
Total		[illegible]

Statement of personnel now being paid from appropriation for the Division of Information, fiscal year 1945—Continued

Grade	Incumbent	Salary
Reimbursable salary paid by Coordinator of Fisheries		—$2,800
Balance		34,170
Publications Section:		
CAF-11	Gabbert, Verb	3,800
CAF-7	Logan, Helen	3,100
CAF-6	Maguire, Mary	2,300
CAF-4	Baer, Ethel	1,980
CAF-4	Baughman, Mary	1,800
CAF-4	Herbert, Jesse	1,860
CAF-3	Kidwell, Ethel	1,920
Total		16,760
Radio Section:		
CAF-11	Allen, David	5,800
CAF-12	Hazam, Louis	4,800
Total		10,600

Recapitulation:	
Director's office	$34,170
Publications Section	16,760
Radio Section	10,600
Present rate of expenditures, fiscal year 1945, for permanent employees	61,530

The difference in the size and cost of the Secretary's information service on pages 44 and 85 may be explained in the business statement appearing on page 87 of the hearings. The difference in salaries on the two pages is $18,700 and the income of the information office is $21,612. Nearly all of this income was spent to hire more boondoglers and there is not one scratch of legal authority for having publicity experts in the first place.

Look at the language in the appropriation for the Secretary's office and you will not find one word about authority for publicity experts. As a matter of fact, the expenditure of money in the past and in the fiscal year 1946 as a result of appropriations in this bill for this Information Division will be a violation of title 5, section 54, of the United States Code.

The record on pages 65 to 67 of the hearings show that the Secretary's office has increased out of proportion to the abnormal growth of the Interior Department since June 30, 1941—just 6 months before Pearl Harbor. From the information on these pages the ballooning of the Secretary's office may be better seen in the table I have compiled from the testimony of the Under Secretary, Mr. Fortas, as follows:

Number of employees, Secretary's office and Department as a whole

Fiscal year	Secretary's office	Percent increase	Department as a whole	Percent increase
1940	276	100	48,947	100
1941	414	150	48,569	99
1942	447	161	47,823	97
1943	479	173	44,809	91
1944	490	179	43,879	89
1945	473	171	43,022	87
1946 (estimated)	518	187	45,422	92

This is a graphic picture of bureaucracy in action unrestrained to any appreciable degree by a two-front war and trying to grow bigger by the year. By $4,460,629.87 we miss the goal of checking bureaucracy's march to the mastery of all of us. We are thus four and one-half million dollars above the 1945 bill because the boys in the head office at the Interior Department have developed a technique that engulfs us. They are our masters, are they not? They, not we, the Congress, will decide the number on the pay roll in the fiscal year 1946 without ever asking you, the Congress—the constitutional holder of the purse strings—how many, when, or why. How will they do it? They have complete mastery over transfers, permanent trust funds, working funds, and other income we do not know about. More than that, they have the unexpended balances that were made available until expended, and they will spend them when they want to. That is why the Secretary's office requested funds for personnel 187 percent above the 1940 number of 276 employees.

The Interior Department is an empire within an empire. Just consider for a moment the activities of two powerful bureaus in the Department. The Bonneville Power Administration sells electric energy which is produced and transmitted in the Northwest with facilities in which the Government invested the sum of $376,317,109 as of June 30, 1944. The Reclamation Service has spent the sum of $921,000,000 for reclamation projects from the funds of the Government. The two figures above include $180,000,000 which the Reclamation Bureau operates and maintains and the Bonneville Power Administration sells the power therefrom, so the total Government investment involved in the two agencies is the sum of $1,297,317,109, less $180,000,000. Total Government investment, $1,117,317,109. This represents the total investment that the two agencies operate or market the production from or both.

The Bureau of Reclamation was organized to reclaim farm lands in the arid and semiarid 17 Western States. It now casts its ambitious eyes about for more fertile terrain to cover. It looks with envious eyes upon the opportunity to drain the swamplands of North Carolina and Louisiana. They want to get money appropriated to operate power plants built under the Flood Control Act authority outside of the 17 Western States.

I have always gathered in listening to them in the hearings heretofore and at the start of the hearings this year, that they wanted to give the impression to the Congress that they are good, sound business managers, and worthy to expand all over the United States. In fact, Mr. Bashore gave the keynote idea in the following record of the hearings appearing at page 960 in the hearings, part 1:

Mr. JOHNSON of Oklahoma. I want to say you are surrounded by an army of experts who ought to be able to protect you.

Mr. BASHORE. I hope so. Mr. Chairman, it is not protection that I need, but I want to come before this committee and give you the information that you should have. I realize that you have a considerable job on your hands when you go into the complexities of Bureau of Reclamation appropriation requests, and we want you to have all the information you desire. Anything we are not able to answer now we will get for you and be glad to do it, because we feel the more people know about irrigation, the more they will be for it.

I took Mr. Bashore at his word and asked for the interest charge on reclamation projects which the Government had constructed in the total sum of $921,000,000. In the hearings at page 62, part 3, I wanted to know how much the interest component was on the $921,000,000 worth of reclamation projects. Although the record of the question is twisted differently, they knew what I wanted. Instead they gave me the collections in the Colorado River Dam fund which I could get myself from the annual reports required by law. When I first saw the printed record I phoned them immediately and was promised interest computations would be furnished me. On the 21st of April I received the following letter from the Reclamation Bureau:

UNITED STATES DEPARTMENT OF THE INTERIOR,
BUREAU OF RECLAMATION,
Washington, D. C., April 20, 1945.

Hon. ROBERT F. JONES,
House of Representatives.

DEAR MR. JONES: On Wednesday you telephoned Assistant Commissioner Warne asking for information with regard to the amount of interest that the Government had paid on the money that has been invested in capital improvements of reclamation projects. You asked for this by project and by years.

As you know, it is the policy of the Bureau of Reclamation to make every effort to provide the information that is requested of us by Members of the Congress, especially by members of the Appropriations Committee, which has a responsibility to the Congress as a whole with regard to our work. It is, however, impossible to provide the information you requested at this time. It will take several months of work to compile the figures. Our law does not require such computations to be made year by year and we must go back through 43 years of records and make computations. We are getting in touch with the Treasury Department for their aid in interpretation of your question and are studying the import of the existence of the reclamation fund with regard to it.

We shall continue to endeavor to get the information for you and I shall write further at a later date.

Sincerely yours,
H. W. BASHORE, *Commissioner.*

Now, it would seem that approximately 125 employees in the Reclamation Bureau hired as accountants ought to be able to give honest estimates to a Congressman. I suppose it would be too much to hope for or to expect, being a mere Congressman, for the Bureau to get the information from the project offices because the two sets of figures would not be the same. Few figures in the Washington office that have been furnished to the committee have been the same.

As a matter of fact the Bureau of Reclamation furnished data to the Bonneville Power Administration and I was examining the Bonneville witnesses on

apparent discrepancies in Reclamation Justifications and theirs and Mr. Marlett, controller of B. P. A., said at page 319, part 1, as follows:

Mr. MARLETT. Well, we show expense of $1,813,968, which includes a special item of $1,000,000 to cover the in-and-out costs of the Shasta generators.

Now, against the Bureau's figures, if you credit their revenues, you get the same expense figure that I have here. In fact, the Bureau supplied these figures for us. The only thing is we added $1,000,000 additional because of the in-and-out costs of the Shasta generators.

It is interesting to note that on page 1252 of the hearings, the Reclamation Service witnesses testified that the Government investment in Grand Coulee Dam was as follows:

Summary of investment as of June 30, 1944

	Direct facilities	Allocation of cost of joint facilities	Total investment
Irrigation (including pumping power)	$7,794,305	$53,301,136	$61,095,441
Commercial power	45,072,283	33,756,625	78,828,908
River regulation		34,081,184	34,081,184
Flood control and navigation		1,000,000	1,000,000
Total	52,866,588	122,138,945	175,005,533

Mr. JONES. What is the actual cost of construction?

Mr. KUBACH. That is $120,342,700 for the dam and the reservoir, including roads, and railroads, and bridges, the construction of the Government town, but excluding $1,796,300 of cost of repairs to spillway. The cost of the power facilities, and for the power plant structures is $45,072,200.

Mr. JONES. Is that in addition to the other facilities, the last figure you read is that figure in addition to the $120,000,000?

Mr. KUBACH. Yes.

Mr. JONES. So the original $120,000,000 is the original cost of Government construction, exclusive of the second item?

Mr. KUBACH. We have other items of expenditures for irrigation facilities of $7,794,300, repairs to spillway bucket, cost of shoto units, and other items making a total of $180,813,189.

Now, I realize that the apparent discrepancies in Grand Coulee investment are explained partially at page 303 of the Bonneville Hearings with information supplied for the record some weeks after the hearing was conducted; but my examination of Dr. Raver and Mr. Marlett were based on exhibit E of B. P. A. which were based upon information furnished by the Reclamation Bureau furnished to B. P. A. which shows Government investment in Grand Coulee at $185,986,426 after a deduction of $9,289,340 for interest. To emphasize that either or both of these agencies are experts at juggling figures I submit evidence on the fact appearing at pages 1238 and 1239 of part One of the Hearings, as follows:

ESTIMATED COST OF PROJECT

Mr. JONES. On page 78, part 2 of your justifications you submit that the ultimate estimated cost of this project was $513,620,000, is that correct?

Mr. KUBACH. We have submitted revised sheets for page 78.

Mr. JONES. What does that revised sheet show?

Mr. WARNE. The revised sheet shows the estimated ultimate cost is $487,030,000.

Mr. JONES. On your self-liquidating investment, power revenues, you show on page 78, $426,620,000, is that correct?

Mr. KUBACH. The revised sheet shows repayment from power revenues, $398,565,000.

Mr. JONES. Why have you revised your sheets and these figures?

Mr. WARNE. This sheet was revised, Mr. JONES, for the reason that it was made out last December. The original sheet was made out last December, and since that time certain adjustments have been made in it in conformity with further studies that have gone toward an allocation report.

Mr. JONES. Did you consult with the Bonneville Power Administration before you changed these figures?

Mr. WARNE. These figures do conform with the same figures that the Bonneville Power Administration is using today.

Mr. JONES. Well, answering my question, did you consult with them after their testimony here?

Mr. WARNE. We have consulted with Bonneville after their testimony here and before that.

Mr. JONES. You consulted with them after they testified here, though?

Mr. WARNE. Yes, sir.

Mr. JONES. Did you look at their testimony?

Mr. WARNE. Yes, sir.

Mr. JONES. Where did you look at it, down in the Department?

Mr. WARNE. At the Department.

Mr. JONES. Why did you concern yourselves with what Bonneville testified to with reference to Grand Coulee?

Mr. WARNE. We concerned ourselves sir, with what the estimated ultimate cost is as determined since the sheet was made up, after a series of studies that went into the making of the allocations report. Now, if you would like an explanation of the differences in the two figures, I should be glad to give it to you.

Mr. JONES. I will get to that later. The Bonneville Power Administration testified that they got their figures on Grand Coulee Dam from the Reclamation Service, and I wonder why you have to consult with them to give us figures here in the Appropriations Committee. Are you not in charge of operations and construction of Grand Coulee?

Mr. WARNE. Yes, sir.

Mr. JONES. Why do you have to make your figures jibe with theirs?

Mr. WARNE. We did not make our figures jibe with theirs, Mr. JONES. We made our figures conform to the report that was in preparation at the time this sheet was originally submitted.

Mr. JONES. Well, the substantial changes in the corrected sheets that you have made are on Grand Coulee.

Mr. WARNE. Yes, sir.

I became more intrigued with the Bonneville Power Administration and the Reclamation Service when it grew apparent that the enlightenment of the committee on specific details of operation, management, and basic facts and figures to audit the financial condition of the various projects from a cost accounting standpoint, seemed to black-out or fade out in inverse proportion to the number of witnesses that appeared. While Mr. Bashore stated his willingness to give us all the facts we wanted, although he faltered to the point that the subcommittee had to hold a subsequent meeting and vote to order him to deliver a memorandum of understanding between his Bureau and B. P. A. for the marketing of power from Coulee, he at least did have the good grace to make the statement.

Dr. Raver, on the other hand, made no such gesture to the committee, and the record bears out the fact that he was a very unwilling witness, as far as I am concerned. This is borne out by the fact that I have tried to get from him a schedule of amortization pay-out from the last of March until last Saturday, April 21, when he furnished me an alleged schedule which I think I can properly characterize as a stock promoter's statement with an Alice in Wonderland take-off.

The schedule of Rate Pay-out Test Study is not capable of being checked. Column 2 gives an assumed total operating revenue. Nowhere, however, are there any figures of kilowatt-hours sold or the amount of energy delivered from Bonneville or Coulee. Neither are the operating revenue column nor the deductions from operating revenue for Coulee generation or Bonneville generation in columns 4 and 7 capable of confirmation. Nowhere has the unit rate for electrical energy, firm or secondary, from either of these plants been given. I find that in reporting to the Federal Power Commission that the Bonneville Power Administration has in its report from No. 1 used a different unit cost for every report it has made. In this rate test study it is impossible to tell what they have pulled out of the hat this time.

Fortunately the Bonneville Power Administration is caught up in trying to mislead a member of the committee because they have gone on record for 3 full years on reports of expenses for power furnished to them from Bonneville and Grand Coulee Dams. The following information is taken from pages 522 and 523 of the Federal Power Commission Report, Form No. 1. It shows the amount of energy and the price allowed for this energy in their financial statements:

Bonneville Dam, 1940 and all prior: 242,261,874 kilowatt-hours for $528,676.64, average of 2.18 mills per kilowatt-hour.

Coulee Dam, 1941: 7,455,000 kilowatt-hours for $3,490.74, average of .47 mills per kilowatt-hour.

Bonneville Dam, 1941: 894,184,700 kilowatt-hours for $418,695.38, average of .47 mills per kilowatt-hour.

Coulee Dam, 1942: 741,821,000 kilowatt-hours for $263,326.28, average of .35 mills per kilowatt-hour.

Bonneville Dam, 1942: 1,807,399,000 kilowatt-hours for $641,483.14, average of .35 mills per kilowatt-hour.

Coulee Dam, 1943: 2,816,955,729 kilowatt-hours for $2,112,716.80, average of .75 mills per kilowatt-hour.

Bonneville Dam, 1943: 2,801,473,100 kilowatt-hours for $2,101,104.83—above estimate—average of .75 mills per kilowatt-hour.

Not satisfied with this amount of variety, B. P. A., in submitting the test rate payout study to me, used two other figures for the same year's expenses for power furnished them by the two dams for resale. The following table shows the deception of Bonneville Power Administration in table, if not indicting, form:

Table of power consumed and paid for by Bonneville Power Administration to Grand Coulee and Bonneville Dams

Coulee Dam generation in kilowatt-hours		Bonneville Dam generation in kilowatt-hours	
1941	[1] 7,457,000	1940	[1] 272,261,874
1942	[1] 741,821,000	1941	[1] 894,184,709
1943	[2] 2,816,955,729	1942	[1] 1,807,309,080
1944	[2] 5,750,949,460	1943	[2] 2,801,473,100
1945		1944	[2] 5,488,873,392
Total	9,317,181,189	Total	9,234,102,666

FORMULA AND COMPUTATION FOR PROVING POWER RATES PAID BY BONNEVILLE POWER ADMINISTRATION TO COULEE AND BONNEVILLE DAMS

$$\text{Average cost per KWH} = \frac{\text{Payments for Bonneville}}{\text{Total deliveries}} = \frac{\$3,212,820-\$1,603,540\ [4]}{9,317,181,189} = 0.94 \text{ mill per KWH}$$

$$\text{Average cost per KWH} = \frac{\text{Payments for Coulee power}}{\text{Total deliveries}} = \frac{\$9,022,097\ [5]}{9,234,102,666} = 0.975 \text{ mill per KWH}$$

[1] From Federal Power Commission Report.
[2] From Bureau of Reclamation.
[3] From Bonneville Power Administration.
[4] From Bonneville Power Administration Rate Pay Study, Apr. 17, 1945, column No. 4.
[5] From Bonneville Rate Pay Study, Apr. 17, 1945, column No. 7.

Mr. Chairman, these tables are a devastating indictment of the accounts kept by the Bonneville Power Administration and Bureau of Reclamation Service financial accounts. Remember the rate pay-out test study of the Bonneville Power Administration carefully tried to guard against giving power consumed and the rates of purchase from the dam authorities so that their figures could be proved within the confines of the schedule. I have had to prove the, or disprove the rates reported to Congress by the Reclamation Bureau by figures on rates and energy consumed which were filed by Bonneville Power Administration with the Federal Power Commission. Now, I will submit page 78 of the justifications originally submitted by the Bureau of Reclamation and a corrected page 78 which was submitted on March 17, 1945, to the subcommittee—just 2 days before the reclamation hearings started. The original and the corrected pages respectively follow:

[Original page]

Columbia Basin project 4

Pertinent data:	
Project authorized	August, 1935
Construction began	[1] Dec 13, 1933
Power first made available	July 1, 1941
Financial data:	
Estimated ultimate cost	$513,620,000
Construction costs, June 30, 1944	188,844,000
Power revenues to June 30, 1944	9,781,758
Power revenues accrued during fiscal year 1944	5,938,450
Estimated cash collections, fiscal year 1945	5,836,000
Estimated cash collections, fiscal year 1946	5,974,000
Repayment plan:	
Contemplated reimbursement by water users	$87,000,000
Self-liquidating investment, power revenues	426,620,000
Total estimated ultimate cost	513,620,000

[1] N. I. R. A. funds allotted for construction prior to specific authorization of the project.

NOTE.—Pursuant to Executive Order No. 8526, August 26, 1940, all revenues are deposited in the Treasury of the United States for credit to a special account. The Secretary of the Interior is to determine the amount allocable respectively to the Bonneville Power Administration and the Bureau of Reclamation.

OPERATION AND MAINTENANCE PROPOSED FISCAL YEAR 1946

Estimated operations will reflect a net reduction in the 1946 estimate over that for the fiscal year 1945. This is due to an estimated reduction in the cost of guards, materials, and supplies consumed in the protection of life and property; also, to the elimination of an appropriation to the National Park Service for the administration and development, for recreational use, of Columbia River Reservoir.

Due to war conditions and the stepped-up program for installation of three additional power units in the west power plant, together with their associated transforming and switching facilities and the completion of additional plant services and structural details of the west power plant, ordinary plant operating costs were increased approximately 30 percent when these units were placed in operation.

Production expense, $490,800: Operation and maintenance of the Grand Coulee power plant composed of 10 generating units on June 30, 1944, totaling 818,000 kilowatts in capacity, is estimated to cost $0.60 per kilowatt, or a total of $490,800.

[Page corrected Mar. 17, 1945]

Columbia Basin project 4

Pertinent data:	
Project authorized	August 1935
Construction began	Dec. 13, 1933
Power first made available	July 1, 1941
Financial data:	
Estimated ultimate cost	[1] $487,030,000
Construction costs, June 30, 1944	180,813,189
Power revenues to June 30, 1944 (estimated)	[2] 9,781,758
Power revenues accrued during fiscal year 1944 (estimated)	[2] 5,938,450
Estimated cash collections, fiscal year 1945	[2] 5,836,000
Estimated cash collections, fiscal year 1946	[2] 5,974,000
Repayment plan:	
Contemplated reimbursement by water users	67,465,000
Repayment from power revenues	308,565,000
Total estimated ultimate cost	486,030,000

[1] $1,000,000 allocated to navigation and flood control.
[2] Estimated at 1 mill per kilowatt-hour pending final determination.

NOTE.—Pursuant to Executive Order No. 8526, Aug. 26, 1940, all power revenues collected by the Bonneville Power Administration are deposited in the Treasury of the United States for credit to a special account. The Secretary of the Interior is to determine the amount allocable respectively to the Bonneville Power Administration and to the Bureau of Reclamation for payment for power delivered by the Bureau to the Bonneville Administration.

OPERATION AND MAINTENANCE PROPOSED, FISCAL YEAR 1946

Estimated operations will reflect a net reduction in the 1946 estimate over that for the fiscal year 1945. This is due to an estimated reduction in the cost of guards, materials, and supplies consumed in the protection of life and property; also to the elimination of an appropriation to the National Park Service for the administration and development, for recreational use, of Columbia River Reservoir.

Due to war conditions and the stepped-up program for installation of three additional power units in the west power plant, together with their associated transforming and switching facilities and the completion of additional plant services and structural details of the west power plant, ordinary plant operating costs were increased approximately 30 percent when these units were placed in operation.

Production expense, $490,800: Operation and maintenance of the Grand Coulee power plant composed of 10 generating units on June 30, 1944, totaling 818,000 kilowatts in capacity, is estimated to cost $0.60 per kilowatt, or a total of $490,800.

These pages of the justification are significant because they do not present the kilowatt-hours generated in the fiscal year 1944 so that the committee members can prove their figures of income or estimated income. I have a supplemental memorandum from the Reclamation Bureau which shows the energy generated during this fiscal year 1944 to be 5,750,949,460 kilowatt-hours. The income for this amount of power is stated in the original justification and estimated in the corrected page, you will note, as $5,938,450. The Reclamation Service says this is at the rate of 1.1 mills a kilowatt-hour.

My conclusion is proven that the Bonneville Power Administration has charged itself a lower rate, as the tables from the Federal Power Commission, which I have previously quoted to you, show in order to make their financial picture look good to Congress. The Bureau charges in its statement of the project at Coulee a higher rate to make Reclamation's financial picture look good.

Mr. Chairman, this is a malicious accomplishment of the Bureau of Reclamation and the Bonneville Power Administration, that the Congress and the people of the United States cannot ignore. The Congress had better make a thorough investigation of these agencies if other summary means cannot reach them. This is over a billion-dollar enterprise, business enterprise, paid for by the Government, and there is no one but this Congress to correct the vicious evils which are disclosed here.

Mr. STOCKMAN. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from Oregon.

Mr. STOCKMAN. The gentleman made the statement a minute ago that he challenged the information to show

that the figures of the Bonneville Administration, in particular, were wrong. Why does the gentleman think that the Bonneville Administration would try to show figures that misrepresented the facts when, as I understand the situation, the dams are built by the people's money and the electricity generated is used by and for the people? The dams are there and paid for. Why would they try to misrepresent the cost of this electricity? What is the basis or the reasoning for the gentleman's statement?

Mr. JONES. I do not have to provide the answer why the Bonneville Power Administration would misrepresent or withhold information from Congress. I think you will have to look and search the minds and hearts and the souls of Dr. Raver or Mr. Marlett and his large crew of accountants, and search the heart and soul and mind and body and spirit of the Reclamation Service to find the answer to that question. I cannot justify any reason that they give. All I can say is that I condemn it. I have heard for years that the Securities and Exchange Commission and the Federal Power Commission were setting standards in America to stop the cheating of the public in the matter of rates based upon the amount of investment charges, with the amortization charges, charge-offs for income tax purposes, and otherwise.

I have heard that they were the watchdog of the Treasury, but apparently nobody has any control over the Bureau of Reclamation and Bonneville Power Administration power development, operation, and maintenance expenses, and nobody in Congress to this date that I know of has been given an operating statement. When I tried to get it, they have reluctantly given information piecemeal and have tried to wait until such a time as they thought it could not be analyzed. I can play along with Dr. Raver just as long as he wants to play. I can get the information piecemeal. I was not half so much interested in the Bonneville Power Administration and in the Reclamation Service power investment and their operation and maintenance costs, their profit and loss statement, the amount they charge to investment for power, irrigation, navigation, and so forth, until I saw there was reluctance. When a man who is a public servant shows a reluctance to tell the story and delays in giving information from public records, I begin to get suspicious. I think the analysis I have made from the records which are beyond their control, which they have made in the past, from the records of the justifications upon which computations can be checked back, justifies my suspicions.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from Arizona.

Mr. MURDOCK. I have not yet become familiar with all the power production of the Reclamation Service, but in regard to the cost accounting of the older project, especially at Boulder Dam, I would refer the gentleman to the last three reports the Bureau has submitted. They are given in detail with regard to the power sold at Boulder Dam.

Mr. JONES. Yes. Under a special statute they have to get out an annual report. The kind of a report that is gotten out for Boulder Dam is similar to the report, a semireport, that was given in the back of the justification for the Bonneville Power Administration. As you will find in the Reclamation Bureau hearings, I asked for reports of exhibits A, B, D, and E for reclamation projects. I showed the Reclamation Service the reports the Bonneville Power Administration had made and said, "Get those for me and put them in the hearings." I have analyzed some of them, and what do you think? In attempting to get the information in the way that Boulder has put up the records and in the way that T. V. A. has put them up, I had in the mail today a letter under date of April 24, over Mr. Bashore's signature, which reads as follows:

> In response to your request, there is attached a consolidated statement of power system operating expenses, classifying in more detail the expenditures for operation and maintenance reported in summary statement inserted in the record of the hearings of the Interior Department appropriation bill for the fiscal year 1946.

Why this delay? It is impossible to get a letter with the figures and be able to argue on the floor in the afternoon, for a layman, for an ordinary Member of Congress—impossible.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from California.

Mr. JOHNSON of California. Who has the ultimate determination of the power rates to be charged by the Bonneville project?

Mr. JONES. As I understand, the basic law, the Bonneville Act requires that power rates be made which will pay the interest on the investment and the amortization of the entire cost of the project over a reasonable period of years. The point I wanted to find out and check for myself and satisfy myself about was, Are they doing it according to law? That is what the argument is all about. If they had given it to me, if I thought they had made the amortization rates correctly, if I thought they had based their figures upon the actual operations so far, I might be satisfied. As it stands, there is no method of checking them except to use collateral figures.

Mr. JOHNSON of California. Is there not a basic formula that they have to apply to determine what rates they shall make to recoup the investment?

Mr. JONES. That is what we are arguing about, the formula that they use. Apparently they are in the guess stage. The gentleman from Idaho [Mr. DWORSHAK] obtained an admission from them in the record—he will no doubt discuss it and you can find it in his examination of the Bonneville Power Administration at page 327, part I—that they had guessed their rates. Apparently that is the way the rates have been set, and that is the same rate they are using now. They claim now it was a good guess.

Mr. JOHNSON of California. What part does the Federal Power Commission play in this matter, if any?

Mr. JONES. I cannot answer the gentleman fully as to that, except probably to establish uniform accounting procedure.

Mr. JOHNSON of California. In determining the rates, do they write off from the investment those parts of it that pertain to flood control, to recreation, to all those things which have a general cost and which should be written off, in my opinion?

Mr. JONES. I am sure I do not know, from the inadequate statements they have furnished us. The statements do not even show any charge for amortization.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JONES. Mr. Chairman, I yield myself 10 additional minutes.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from Washington.

Mr. HORAN. I understand in the course of history of attempting to control the Mississippi River we have spent a lot for flood control, and those are public moneys spent in the interest of controlling the floods, and even making reparations after the floods have come and gone.

I understand that in the allocation of costs which necessarily has to affect the revenue from any dam that might affect flood control, certain deductions and allowances are made from the base upon which power rates are determined. Is that true, to the gentleman's knowledge?

Mr. JONES. I can only speak regarding the testimony in this bill. I tried my best to analyze this bill, and the Reclamation Service is doing what the Bonneville Administration did.

Mr. HORAN. The charge has been made here.

Mr. JONES. Did I make a charge regarding the War Department?

Mr. HORAN. No.

Mr. JONES. No; all right. Let us stick to these facts and talk about Bonneville. I know that the gentleman is very much interested in Bonneville, and I understand that he has been given a complete set of rates from Dr. Raver last Saturday. I have never seen a complete set of rates yet. I would be very glad to give the gentleman time later on to discuss this question.

Mr. HORAN. I would like to know if the rates are wrong, and the gentleman made a direct assertion that they are, and I would like to know in what detail. If they are wrong I want them corrected, too.

Mr. JONES. I should be glad to attract the gentleman's attention to the hearings, and I know he has read them, where they say they have guessed at the rate. It is in the hearings. I have not said it. I have made no charges but I am willing to charge and agree with

them if they have guessed at that. All I want is proof that they have guessed right. I have not got it yet. That is what I am kicking about, for information to prove it.

Mr. HORAN. That is what I am after also.

Mr. JONES. They do not have a comptroller such as a private business concern. The Controller of the Bonneville Power Administration reports directly to Dr. Raver. The General Accounting Office does not have any control over the amortization costs or charges made or the rates made. No, all the Comptroller General asks, "Have you applied the money on accountable warrants for the purposes of the appropriation?" There is no one standing between fraud and honesty except the Congress of the United States. All I am saying is that they made a mistake. Their figures do not jibe. Each agency has given costs and expenditures and power generation charges which build up the financial statement in the eyes of the Congress that make each of them both look good. I am calling their hand on it and I will be glad to receive any information they have to disprove the charges.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield?

Mr. JONES. Now I want to pass on. I have tarried enough on this. I will be glad to yield time to the gentleman to talk about it.

On the basis of revenues stated in this amortization rate pay-out schedule of $20,908,468, the estimated income in 1944 the payments to the Grand Coulee for power furnished, they claim—taking their figures again—is $4,960,000 plus.

The payments to the Bonneville Dam for power generated is $2,787,000 plus, retained by the Bonneville Power Administration, $13,158,122.

I realize that in commercial practice, a generator of power does not get a large share of the funds. But this is a public-expenditure program. The public is interested in this, and I point out that Dr. Raver's Bonneville Power Administration, in this kind of profit-showing in his statement for the Bonneville Power Administration, has what Sam Insull never dreamed of having. Why, with that kind of showing and allocation for costs for power purchase, he can build up his operating expenses to enormous sums to make it look good. This is a public-service proposition.

Now, let us turn to the Government investment and the figures that the Bonneville Power Administration and the Reclamation Service furnish us.

There are $74,842,000 invested in the Bonneville Power Administration, according to their figures, which is 34 percent of the combined investment. Bonneville Dam, with a $57,000,000 investment allocated to power 26 percent. Grand Coulee, $89,701,000, is 40 percent of the total investment. If you apply Government investment in Grand Coulee Dam, Bonneville Dam and Bonneville Power Administration on a percentage basis in relation to revenues as a public enterprise, you get a Bonneville Power Administration revenue share of $7,108,880; Bonneville Dam share of $5,436,201, and Grand Coulee reclamation project $8,363,386. That is quite a little different picture on the basis of Government investment and operation of the application of the income those three ways.

Of course they do not have to do that, according to law, but I say you are starting a Frankenstein in the operation and combination of these three dams that you will live to regret if the Congress does not take some cognizance of the present horse and buggy laws with reference to the generation of power, and the time to do it is now. I know they are within the law on their approach to allocations, if they have made them correctly, or charging only a portion to power, but Congress had better be careful or an evil will grow that will change the entire internal economy of the whole country.

Let us look at the effect of the rate on the war production. The statement was made in the justification that the Bonneville Power Administration had saved some $45,000,000 on the basis of their rates in the aluminum production, and the general inference was left that other power companies were robbing the people. There was also the statement that if power contracts were canceled there would be a damage charge to the Defense Plant Corporation which it would have to pay of $9,000,000. That intrigued me, because here is a situation of one Government agency, a permanent agency as Bonneville Power Administration is, making a contract with the Defense Plant Corporation, another Government agency, which is a war expenditure agency, saying, "We will drive you to the corner, just like Sam Insull in the private-utility game would be expected to do, you have got to use so much power or we will charge you damages of $9,363,000." So I asked the Defense Plant Corporation, "What is your authority for bailing out another Government agency?" I submitted some questions, and I will put those questions and answers in the RECORD. I find to my amazement that instead of $9,000,000 liability as reported to the committee, there is a potential liability reported in Mr. Stanfield's testimony, the general counsel, of $32,700,000 that may have to be paid to the Bonneville Power Administration. The break-down is contained in this letter which I will insert in the RECORD.

The effect of that is this: You have a Government agency bailing out a permanent agency, making the B. P. A. financial statement look good again, and charging it up to the war effort. What kind of patriotism is this, to charge a rate of $17.50 per kilowatt year and then put damage charges on top of it—one Government agency getting its life and breath from the United States Government, charging the same Government of the United States an excessive price to generate power to build war material, and bail them out possibly to the tune of $33,000,000? Where is the authority for it? The record will show that they even required that in order for the aluminum production of the Defense Plant Corporation to avoid paying excessive prices for generating power, all aluminum plants in the United States must be shut down.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. JONES. Mr. Chairman, I yield myself 5 additional minutes.

The contracts provide that all aluminum plants must be shut down before the Defense Plant Corporation can avoid penalties under their contracts. I thought we were all putting our shoulders to the wheel to help win the war. As a citizen of the United States, I am interested in America rather than the Northwest. I have respect for Dr. Raver trying to build up the Northwest, but I despise a public official—a public official of the United States Government—who demands a gangster contract from another Government agency supported by the taxpayers of the United States for the purpose of watering his financial statement. That sort of conduct of Dr. Raver and his organization "out-Insulls" Sam Insull. It certainly is not the way for a public official to conduct the public business in peacetime; in war it is reprehensible. As long as I have breath of life to fight such conduct I am going to fight this narrow-minded, short-sighted, selfish desire of Dr. Raver for a false Bonneville Power Administration aggrandizement.

So that I may be just, I want to submit the record of this "Rob Peter to pay Paul" enterprise of the Bonneville Power Administration. At page 15 of the Bonneville Power Administration justifications the following statement appeared:

> The Administration's industrial contracts normally require a payment of a cancelation or termination charge. Such charges would total approximately $9,000,000 as of July 1, 1945, assuming cancelation of all such contracts on that date. The cancelation charge is intended to contribute toward the cost of remarketing the power made available for sale by such contract cancelations. In this connection it should be noted that the Administration has applied in all its short-term contracts its standard wholesale rates, which were fixed prior to the war and which are designed primarily for 20-year contracts rather than the short-term war contracts.

I asked the Controller of Bonneville Power Administration for more information on the subject. The record of the questions and answers appear on pages 324 and 325 of the hearings, part 1, and are as follows:

CANCELATION CHARGES ON CONTRACTS

Mr. JONES. Well, now, you state in your justifications here on page 15 that you expect to have cancelation charges on contracts to the extent of $9,000,000. You had them as of February 1 is that correct?

Mr. MARLETT. Where does that appear, Congressman?

Mr. JONES. In the second paragraph on page 15.

Mr. MARLETT. Yes.

Mr. JONES. You say you will collect as of July 1, $9,000,000 in cancelation charges. Is that in accordance with amounts collected?

Mr. MARLETT. No; we would not collect that. We say that if our power contracts were canceled, under the terms of those contracts, that cancelation charges would be payable in the amount of $9,000,000 by our customers who buy power from us.

Mr. JONES. Do you have those provisions in your contract?

Mr. MARLETT. Yes; they are in the power contracts.

Mr. JONES. I would like to see a copy of a contract with those provisions in it.

Mr. MARLETT. All right.

Mr. JONES. Have you collected any amount to date from cancelations?

Mr. MARLETT. No, sir. The cancelations so far have been by the Defense Plant Corporation. These provisions are contained in the Defense Plant Corporation contracts, as well as in private industrial company contracts. We expect, while here in Washington this trip, to have discussions with the Defense Plant Corporation in regard to settlements under those contracts for cancelations that have occurred or that will occur.

Mr. JONES. Now, do you anticipate what the total amount will be if you collect under present contracts outstanding?

Mr. MARLETT. The amount will be reduced as time goes on. If all the plants operated for 20 years, there would be no cancelation charge at all. For each year that the plants operate, the charge is reduced 5 percent. Therefore, the amount we will actually collect will depend upon when the cancelation is made.

We did have shut-downs by the Defense Plant Corporation of two aluminum-pot lines out at their Troutdale plant and two lines out at their Spokane plant. However, they are now reopening those pot lines, and we do not know when the final termination will be made. In the meantime, the power contracts were not canceled.

I next sought information from the Defense Plant Corporation to get the final details from their point of view. The questions submitted by me and the answers of Mr. Sam Husbands, Director of Defense Plant Corporation, on the subject, are as follows:

22. Question. There was testimony given by the Bonneville Power Administration that the Defense Plant Corporation had agreed with the Bonneville Power Administration to pay damages for cancelations of power contracts between the Defense Plant Corporation and the Bonneville Power Administration in connection with production of aluminum in the Northwest, and the testimony indicated that some $9,000,000 is sought to be collected from the Defense Plant Corporation if and when cancelations are made. By what legal authority do you propose to pay damages to the Bonneville Power Administration? Will you please cite the section or sections of law upon which you rely to make this kind of a contract and payment of damages?

Answer. Pursuant to the authority contained in section 5d of the Reconstruction Finance Corporation Act, as amended, D. P. C. was created, at the request of the Federal Loan Administrator and with the approval of the President, with authority (a) to build war plants, and (b) to lease or arrange with others for their use and operation for war purposes. The powers of D. P. C., which include the power to contract, are set forth in its charter dated August 22, 1940, as amended, certified copy of which has been filed with the Secretary of the Senate and the Clerk of the House of Representatives, and first published in the Federal Register on June 19, 1941.

Acting pursuant to this authority, D. P. C. has entered into power contracts with Bonneville Power Administration (hereinafter called Bonneville) for the supply of power for the operation of the Spokane, Wash., Troutdale, Oreg., and Tacoma, Wash., aluminum reduction plants. The contract for power for the operation of the Tacoma, Wash., aluminum plant, dated August 20, 1942, specifies a contract demand of 42,000 kilowatts and is for a term of 5 years. According to the terms of this contract, it can be canceled by D. P. C. before its expiration only upon the happening of certain specified events and upon payment to Bonneville as a cancelation penalty of an amount equal to $17.50 times 42,000 (the contract demand) less 5 percent for each year the plant has operated. If this plant were ordered closed as of May 1, 1945, without an opportunity on the part of D. P. C. to give the required 120 days' notice, approximately the following sum would be due Bonneville under such contract:

Power bills for notice period	$250,000
Cancelation penalty	645,000
Total	895,000

Also according to the terms of this contract, upon its expiration D. P. C. is obligated to pay to Bonneville as a termination penalty the sum of $530,000 unless the contract is renewed for substantially the same block of power and the new purchaser assumes a similar termination penalty. Payment of the termination penalty may be avoided only if the plant operates for a 20-year period.

A contract dated February 18, 1942, as amended, specifying a contract demand of 130,000 kilowatts, has been entered into with Bonneville for the operation of the Troutdale, Oreg., aluminum plant. This contract is also for a 5-year term and can be canceled by D. P. C. before its expiration only upon the happening of certain specified events and the giving of certain notices and upon the payment by D. P. C. of a cancellation charge of $1,000,000 reduced at the rate of 5 percent of such sum for each year the plant operates. According to the terms of this contract and as part of the cancellation penalty, Bonneville has the option to aquire the electrical facilities which D. P. C. constructed to serve this plant which cost D. P. C. approximately $2,500,000, at 50 percent of the actual cost. Again in this instance, upon the expiration of the 5-year term D. P. C. is not relieved of the penalty but must pay a termination penalty of $700,000 and sell to Bonneville, if it so elects, the $2,500,000 of electrical facilities at $1,250,000. If this plant were ordered closed as of May 1, 1945, without an opportunity on the part of D. P. C. to give the required notice, approximately the following sum would be due to Bonneville under such contract:

Power bills for notice period	$700,000
Cancellation penalty	865,000
Total	1,565,000

D. P. C. has also entered into contracts dated May 1, 1942, and February 19, 1943, respectively, specifying an aggregate contract demand of 195,000 kilowatts for the operation of the aluminum plant at Spokane, Wash. These contracts are for a 5-year term and can be canceled by D. P. C. prior to their expiration only upon the happening of certain specified events and the giving of certain notices and upon payment to Bonneville of $17.50 times 195,000 (the contract demand) less 5 percent per year for each year the plant has operated.

If the Spokane, Wash., plant were ordered closed by W. P. B. as of May 1, 1945, without an opportunity on the part of D. P. C. to give the notice required, approximately the following sum would be due Bonneville:

Power bills for notice period	$1,225,000
Cancelation penalty	3,000,000
Total	4,225,000

Again, in this instance, after the contract has expired D. P. C. must pay a termination penalty of $2,400,000 unless the contract is renewed and a new purchaser, satisfactory to Bonneville, assumes the obligation.

D. P. C., in addition to the three power contracts with Bonneville for the aluminum plants, has also entered into contracts with Bonneville for power for the operation of the aluminum-sheet mill at Spokane, Wash., and the ferrosilicon plants at Spokane and Wenatchee, Wash. The cancelation and termination penalties payable to Bonneville by D. P. C. under the latter contracts follow the same pattern as outlined above.

The aggregate termination penalties under all D. P. C.-Bonneville contracts which will be payable by D. P. C. at the end of the contract terms, unless the respective plants continue to use the amount of power which was originally contracted for, will be approximately $5,000,000, according to our computation, rather than $9,000,000 as indicated in question 22 above. None of the Bonneville contracts contain provisions which permit D. P. C. to obtain relief from power charges in the event a plant is partially curtailed or in the event a plant is placed in stand-by condition.

One of the specified events which would permit D. P. C. to cancel the Bonneville aluminum plant power contracts upon proper notice and be relieved of liability for further power charges is that operations at all D. P. C. aluminum plants must cease. Assuming that one D. P. C aluminum plant located other than in the Bonneville area continues in operation, and that the aluminum plants in the Bonneville area were ordered closed by W. P. B. on May 1, 1945, D. P. C. in such circumstances would be obligated to continue to pay to Bonneville the power charges provided for in the contracts for their full terms aggregating approximately $19,600,000. Similarly, the Bonneville power contracts for the two ferrosilicon plants and the aluminum rolling mill also enumerate as grounds for concelation certain specific events which, because of existing conditions that were not foreseen at the time the contracts were negotiated, are now unlikely to occur. Again in connection with these latter contracts, if the specific grounds for cancelation do not occur D. P. C. under the terms of the respective contracts as now written would be obligated to continue to pay the power charges for their full terms which it is estimated will aggregate approximately $13,000,000. Thus under the contracts as now written D. P. C. has a contingent obligation to pay to Bonneville approximately $33,000,000 for power which it may be unable to use if the plants are closed for reasons other than the specific grounds specified in the respective contracts.

At this point in Mr. Husbands' reply to my question, I wish to insert a letter I requested from Mr. Husbands, Director of Defense Plants Corporation, showing the detail of the $33,000,000 potential liability. Mr. Stansfield, Assistant General Counsel, writes as follows:

DEFENSE PLANT CORPORATION,
Washington, D. C., April 21, 1945.

Hon. ROBERT F. JONES,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN JONES: Mr. Husbands has requested that you be furnished with a break-down of the $33,000,000 estimated figure appearing on page 16 of his letter dated April 18, 1945.

The break-down of the approximate $33,000,000 figure is as follows:

Location of plant:	*Power bills from May 1, 1945, to end of contract year (estimated)*
Tacoma, Wash.	$2,200,000
Spokane aluminum	10,000,000
Spokane rolling mill	3,400,000
Spokane ferrosilicon	7,700,000
Troutdale, Oreg.	7,700,000
Wenatchee ferrosilicon	1,700,000
Total	32,700,000

Very truly yours,

E. A. STANSFIELD,
Assistant General Counsel.

Now to continue with Mr. Husbands' answer to potential liability to Bonneville Power Administration:

The cancelation and termination provisions in the Bonneville power contracts were strenuously objected to by D. P. C. at the time these contracts were being negotiated. Bonneville insisted, however, upon the inclusion of provisions of this character to protect in part the fixed charges on its investment to serve these war loads during the period which might elapse between the closing of the war plants and the date such power would be used in the post-war period. The Troutdale, Oreg., power contract was executed on February 19, 1942, which was prior to the effective date of the President's directives, hereinafter mentioned. All other contracts entered into with Bonneville prior to their execution by D. P. C. were referred to the Federal Power Commission which, pursuant to the President's directives of September 26 and October 22, 1942, had the responsibility of determining whether the proposed rates and conditions were fair and reasonable. F. P. C., acting in accordance with such directives, advised D. P. C. that the contracts referred to it were consistent with the President's directives, whereupon D. P. C., having no other alternative, signed the contracts. The Troutdale, Oreg., contract, although executed prior to the President's directives, was submitted to the F. P. C. in December 1942 for its review and renegotiation under the terms of such directives, but to date we have received no comments from the Commission on the Troutdale contract. Bonneville has recently indicated its willingness to consider revisions of the existing contracts, and this matter is now receiving consideration. Photostatic copies of the President's directives, the letter of the Federal Power Commission dated November 11, 1942, implementing such directives, the letter from F. P. C. dated December 4, 1943, approving the Bonneville contracts as consistent with such directives, and related correspondence are enclosed.

Now to complete the record I submit a letter and data attached from Bonneville Power Administration detailing the $9,000,000 item discussed before the subcommittee, as follows:

UNITED STATES DEPARTMENT
OF THE INTERIOR,
BONNEVILLE POWER ADMINISTRATION,
Washington, D. C., April 21, 1945.

Hon. ROBERT F. JONES,
House of Representatives,
Washington, D. C.

MY DEAR MR. JONES: Attached herewith is a statement you requested over the telephone on the $9,000,000 item mentioned on top of page 15 of the justification. I feel that this gives you the information you requested.

Sincerely yours,

J. P. ALVEY,
Consulting Engineer.

Statement of cancelation charges

Customer	Contract No.	Cancelation charge, July 1, 1945
Alcoa-Vancouver	1552	$1,338,349
Kaiser-Vancouver	3304	61,693
Olympic Mines	3709	(1)
Oregon Shipbuilding	2216	61,879
Pacific Carbide, Portland	1529	28,093
Defense Plant Corporation:		
Tacoma Aluminum	3553	629,987
Spokane Rolling	3593	762,808
Spokane Reduction	3521	957,370
Do.	3542	2,011,646
Spokane Magnesium	3595	867,770
Troutdale	3191	843,562
Wenatchee	3594	336,321
Other industrials	.....	1,460,351
Total	.....	9,360,736

[1] Company may not cancel until 3 years from date service first started, which was on July 10, 1943.

The foregoing assume that the various required notices, etc., would be given so as to make cancelation effective in each case as of July 1, 1945. For the same contracts the corresponding total as of July 1, 1946, is $8,808,739.

You will note that not all the above is against D. P. C. Page 15 of the written justification does not state this is all D. P. C. We have made no representations to F. P. C. in regard to the collection of these items as none of the D. P. C. contracts has been canceled.

Now let us consider the cost of the War Department-operated flood-control dams.

Mr. HORAN. Mr. Chairman, will the gentleman yield? I would like to ask a question there.

Mr. JONES. Just a minute, if the gentleman please, just a minute.

In Ohio some years ago we organized the Miami Conservancy District which is a political subdivision of the State of Ohio, the benefits of which are estimated to be $100,000,000 by Dr. Morgan, of T. V. A. fame.

To save time I will quote from a report of the Miami Conservancy District as follows:

THE STORY OF THE MIAMI CONSERVANCY DISTRICT

The district: The Miami Conservancy District is a political subdivision of the State of Ohio, established June 28, 1915, under the provisions of the conservancy act of Ohio. The district exists for the purpose of building and maintaining flood-control works in the Miami Valley. It includes portions of nine counties, namely, Montgomery, Shelby, Miami, Clark, Greene, Warren, Preble, Butler, and Hamilton. The power to organize a district is vested in a court made up of one common pleas judge from each county. The executive direction is in the hands of three directors, appointed by this court and reporting to it. The directors in turn employed a secretary, an engineer, and construction organization, sold bonds to provide the necessary funds, and proceeded to build the works.

I call your particular attention to the subject following in the report:

Where the money comes from: Legally, the conservancy district, under the provisions of the Conservancy Act, is a public corporation, armed with all necessary powers to levy taxes, borrow money, condemn land, or to do whatever may be necessary to the accomplishment of the flood-prevention work. In August 1915, the three appraisers appointed by the conservancy court, began to determine for all real property and for the communities as a whole, the benefits which result from the construction of the flood-prevention works. About one-half of the total benefits was assessed to the cities and counties as a whole. These are in proportion to the degree a flood equal to that of 1913, would affect them as communities. The other half of the benefits was assessed to the individual pieces of property subject to actual flooding. The value of the property, degree of protection needed and provided, depth of flooding in the 1913 flood, were all considered in arriving at the result. In order that the assessment would be equitable, property affected similarly by flooding was assessed like proportions of their values. For instance, all the properties having 10-foot depths of water over the first flood in 1913 were considered as benefited by the same percentage of their appraised value, and similarly for the other depths of flooding. About 60,000 pieces of property belonging to nearly 40,000 different owners were appraised. When the benefits were added up they totaled $77,000,000 in round numbers.

The construction is being paid for from the proceeds of the sale of $33,890,909.33 worth of bonds, secured by the benefits appraised and representing approximately 50 percent of the total benefits. The bonds will be retired by 1949, a portion being taken up each year. The money to take up the bonds, to pay the interest on the bonds, and to pay for the maintenance of the works, is provided by a tax against the benefited property. Since about one-half of the total benefits was assessed against the cities and counties of the district, about one-half of the yearly tax is levied against all of the property in the cities and counties. The other half is levied against the properties protected against actual flooding in proportion to their benefits.

In addition to the establishment of the benefits, the damages caused by the proposed works were set by the appraisal board. Rights-of-way were obtained, and the rights to flood the lands in the retarding basins were secured. As these lands are still available for agriculture, a portion of the landowners elected to sell a flood easement to the district. Others, uncertain as to the effect of the basins on their property, sold their holdings outright to the district. About 30,000 acres were so purchased. These lands are being resold with a flood easement attached.

The cost of construction, or I should say the total principal obligation, of the conservancy district was approximately $33,000,000. The people in my district and surrounding territory helped to pay for it. They obligated themselves on bonds for 5½ percent interest. This means the paying of another $33,000,000 before it is paid out. Annually the farmers whose lands might be benefited pay, the people in the cities pay, the counties pay, the villages pay, everybody who had a possible benefit bears a portion of that cost on their tax bill. I know the law states that on flood-control projects the Federal Government pays the whole freight. I know that; but it does not follow that it is right. I know that only the farmer pays reclamation repayments for Government improvements there. I know the cities, and the villages, and the towns which get the benefits of the increased wealth and trade do not pay one single dime. But when you add the

power features to those dams, those reclamation projects and in those flood control projects and give cheap, subsidized power to the cities that never paid 1 sou for the development it is not right to let them go untaxed. We need to examine, now, with America staggering under a $200,000,000,000 debt, we need to recognize the cost of these projects and the pay-back; and if the several cities, and towns and States that benefit from the increased wealth produced by our expenditures to control floods and save life and property should bear a share of the cost. We need to have them all pay like the Miami Conservancy District pays in Ohio; and I shall be glad to submit to any committee or any Member who wants to consider it, the financial statement of that outfit. My people never gained a single penny, and yet in the last 8 years we have spent the vast sum of $326,000,000 from the general fund for reclamation projects in Interior bills alone. To that we are adding $20,000,000 today. No interest is ever paid back; nothing is ever paid by the cities to bring millions of acres of adjacent land into production.

Mr. CLEVENGER. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to the gentleman from Ohio.

Mr. CLEVENGER. The gentleman now addressing us represents the Fourth Congressional District of Ohio adjoining mine, does he not?

Mr. JONES. That is right.

Mr. CLEVENGER. And the three adjacent districts, those of Mr. MCGREGOR, Mr. WEICHEL, and Mr. SMITH, contain hundreds of thousands of acres of about the best farm lands in the United States.

Mr. JONES. That is right.

Mr. CLEVENGER. Does the gentleman know of any section of the United States that practices better soil conservation, land use, stock breeding, or diversified farming than this particular section of the country?

Mr. JONES. No; I do not.

Mr. CLEVENGER. I wish to call the gentleman's attention to a statement of the director of agriculture of the State of Ohio. This gentleman is a Democrat, reporting to a Democratic Governor. He is a fellow citizen of mine, a resident of my own county, and is an honorable gentleman. He states that this year 700,000 of those acres will be untilled for lack of manpower and machinery. In a break-down of the figures, he says we will have twenty to thirty thousand less of sugar beets.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JONES. Mr. Chairman, I yield myself 3 additional minutes.

Mr. CLEVENGER. He said that we will have 5,000 acres less in tomatoes, and 50-percent reduction in fruit; 19.30 percent reduction in pork, and 17 percent reduction in the production of meat. Can the gentleman tell me why we should pay for the development of these lands which are unproductive, when 700,000 acres of the best land in the world stand idle?

Mr. JONES. I made the statement to the Reclamation Bureau that paying out millions of dollars in capital and interest for the production of new land is to me nonsense, when you spend millions of dollars to stop the production of things before the war and keep land out of production.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. JONES. I am sorry, I cannot yield.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. JONES. I must refuse to yield. To show what the picture would be if the Grand Coulee, the Bonneville Dam, and Bonneville power investment were brought under the present law, such as we have in Ohio, and how the pay out comes back, if any, I shall submit the actual financial statements furnished to us in the justification. Following that, I have prepared a financial statement based upon total Government investment by the Bonneville Power Administration, figures furnished for all the features of the project, and I find if the law were like the law we have in Onio for the conservancy district referred to, that for the fiscal year 1944 the Bonneville Dam and the Grand Coulee and the Bonneville power investment would show a loss for the years accumulated up to June 30, 1944, which is staggering. I want to make this last observation, and that is a statement made by Thomas Edison, which I shall insert in the RECORD at the conclusion of my remarks, in the hope that it will provoke thought among the Members of the House.

EXHIBIT A.—*U. S. Government Columbia River power system—Pro forma combined statement of income*

	Fiscal year 1940 and prior	Fiscal year 1941	Fiscal year 1942	Fiscal year 1943	Fiscal year 1944	Total to June 30, 1944	Estimate, July 1 to Dec. 31, 1944	Total to Dec. 31, 1944
Operating revenues and other income:								
Sales of electric energy	$426,544	$1,895,503	$5,320,319	$11,979,472	$20,835,262	$40,457,100	$11,649,000	[illegible]
Other electric revenue		120	33,839	43,252	60,666	137,877	14,000	[illegible]
Other income			11,675	16,901	12,540	41,116		[illegible]
Total operating revenues and other income	426,544	1,895,623	5,365,833	12,039,625	20,908,468	40,636,093	11,663,000	[illegible]
Operating expenses:								
Bonneville Power Administration	526,793	601,057	1,806,155	2,877,599	3,617,432	9,429,036	1,947,000	[illegible]
Bonneville Dam project	321,787	163,271	242,669	298,212	414,798	1,440,737	212,500	[illegible]
Grand Coulee Dam project			106,245	674,146	1,813,968	2,594,359	970,000	[illegible]
Total operating expenses	848,580	764,328	2,155,069	3,849,957	5,846,198	13,464,132	3,129,500	[illegible]
Depreciation expense:								
Bonneville Power Administration	$50,430	$230,539	$747,955	$923,379	$1,119,429	$2,871,732	$672,000	[illegible]
Bonneville Dam project	365,585	198,296	263,686	349,610	473,126	1,650,303	237,500	[illegible]
Grand Coulee Dam project			179,482	594,792	683,374	1,457,648	500,000	[illegible]
Total depreciation expense	416,015	428,835	991,123	1,867,781	2,275,929	5,979,683	1,409,500	[illegible]
Total operating expenses and depreciation	1,264,595	1,193,163	3,146,192	5,717,738	8,122,127	19,443,815	4,539,000	[illegible]
Net	[2]838,051	702,460	2,219,641	6,321,887	12,786,341	21,192,278	7,124,000	[illegible]
Interest expense:								
Bonneville Power Administration	229,279	425,271	931,969	1,547,630	1,846,058	4,980,207	963,000	[illegible]
Bonneville Dam project	800,381	462,084	485,839	692,441	1,123,697	3,564,442	600,000	[illegible]
Grand Coulee Dam project			673,925	1,688,071	1,811,635	4,173,631	1,235,000	[illegible]
Total interest expense	1,029,660	887,355	2,091,733	3,928,142	4,781,390	12,718,280	2,798,000	[illegible]
Net income (or loss)	[2]1,867,711	[2]184,895	127,908	2,393,745	8,004,951	8,473,998	4,326,000	[illegible]

[1] Based on estimated data for the last 6 months of calendar year 1944.
[2] Indicates red figure.

EXHIBIT C.—*U. S. Government Columbia River power system—Pro forma combined balance sheet, Bonneville Power Administration, Bonneville project dam and Grand Coulee project dam, as of June 30, 1944*

PRELIMINARY

ASSETS AND OTHER DEBITS			LIABILITIES AND OTHER CREDITS		
PLANT			INVESTMENT		
Investment in plant facilities (see exhibit D)		$337,811,494	Federal investment (see exhibit E)		$339,839,941
INVESTMENT AND FUND ACCOUNTS			CURRENT AND ACCRUED LIABILITIES		
Other investments	$28,000		Accounts payable	$2,314,318	
Miscellaneous special funds	500,000		Other current and accrued liabilities	77,660	
		528,000			2,391,978
CURRENT AND ACCRUED ASSETS			DEFERRED CREDITS		
Cash	9,111,619		Miscellaneous deferred credits		58,839
Accounts receivable	1,927,405		RESERVES		
Accrued utility revenues	2,001,307		Reserve for depreciation	6,178,151	
Materials and supplies	3,375,776		Reserve for Shasta units installation and rentals	1,000,000	
Other current and accrued assets	2,165,021				7,178,151
		18,581,128	Contributions in aid of construction		175
DEFERRED DEBITS			SURPLUS		
Preliminary survey and investigation charges	236,896		Earned surplus		8,473,998
Clearing accounts	298,387				
Retirement work in progress	180,457				
Other work in progress	569,632				
Other deferred debits	118,602				
		1,042,469			
Total		357,963,082	Total		357,963,082

Red figures.

EXHIBIT D.—*U. S. Government Columbia River power system—Schedule of plant investment as of June 30, 1944*

	Total as of June 30, 1944			Present commercial power	Irrigation	Navigation and flood control	Future river regulation
	Investment	Interest during construction	Total				
Columbia Basin project:							
Direct power facilities	$47,888,220	$1,862,186	[1] $47,752,406	$47,752,406			
Joint facilities, including interest on power portion	$127,306,173						
Less earnings during construction to Jan. 1, 1942	$177,170						
Work Projects Administration costs assigned to work relief	1,947,318						
Donations by State of Washington	49,528						
	2,174,016						
Net joint facilities to be distributed	121,970,634	3,251,523	125,222,157	[2] 41,949,430	$53,227,079	$1,000,000	$29,045,648
Direct irrigation facilities	7,785,445		7,785,445		7,785,445		
Total Columbia Basin project	175,644,299	5,115,709	180,760,008	89,701,836	61,012,524	1,000,000	29,045,648
Bonneville Dam project:							
Direct power facilities	36,330,585	1,253,833	37,584,418	37,584,418			
Joint facilities navigation	43,639,012	985,467	44,624,479	20,093,230		24,531,249	
Total Bonneville Dam project	79,969,597	2,239,300	82,208,897	57,677,648		24,531,249	
Bonneville Power Administration: Transmission facilities	74,151,011	[3] 691,578	74,842,589	74,842,589			
Grand total	329,764,907	8,046,587	337,811,494	222,222,073	61,012,524	25,531,249	29,045,648

[1] A portion of the ultimate power facilities cost will be allocated to irrigation when the power facilities used for irrigation pumping are installed.

[2] Allowance has not been given to elimination of interest during construction on a relatively small amount of plant retired.

[3] Includes $5,296,373 for River Regulation for Fernneville Dam, of which amount $70,201 is interest during construction.

NOTE.—The allocations of joint facility investment to power, irrigation, etc., are preliminary inasmuch as they have not been officially approved.

Reserve for depreciation:

Bonneville Power Administration	$3,239,329
Columbia Basin project	1,457,648
Bonneville Dam project	1,481,174
Total	6,178,151

EXHIBIT E.—*U. S. Government Columbia River power system—Schedule of Federal investment as of June 30, 1944*

	Bonneville Power Administration	Bonneville Dam project	Grand Coulee Dam project	Combined
Appropriations or allotments [1]	$113,920,758	$83,691,876	$179,477,675	$377,090,309
Bonneville Power Administration emergency fund appropriated from revenues	500,000			500,000
Donations and other Federal aids [2]	5,005,108		5,560,751	10,565,859
Interest on Federal investment [3]	5,671,786	5,803,742	9,289,340	20,764,868
Advance from special deposit account			909,000	909,000
Gross appropriations and advances	125,097,652	89,495,618	195,237,766	409,829,036
Less:				
Unrequisitioned funds	32,667,060			32,667,060
Operation and maintenance expense charged to navigation		864,871		[4] 864,871
Net appropriations and advances	92,428,592	88,630,747	195,237,766	376,297,105
Gross revenue deposits by Bonneville Power Administration				[5] 35,457,163
Net Federal investment as of June 30, 1944				339,839,941

[1] Amounts for both construction and operation are included. See note 5.

[2] Public Works Administration loans and grants, etc.

[3] Estimated cost to Treasury for interest on funds advanced to the projects. Of the $26,704,808 total, $12,718,280 represents interest expense and is so shown on exhibit A and $8,046,587 is reported on exhibit D as interest during construction which forms part of plant investment. See note 5.

[4] This item deducted to eliminate nonpower items from totals.

[5] Inasmuch as the gross investment of $576,317,109 includes expense items (operations and interest) as well as plant investment, the revenue deposits are deducted to get the Federal investment. These deposits have been sufficient to return all operating and interest costs and to repay a share of the capital investment. All of the power investment and part of the irrigation investment will ultimately be repaid through power revenues.

Columbia River power system—Pro forma combined statement of income, showing how the taxpayer comes out if all features of the investment were repaid as Miami conservancy district

	Fiscal year 1940 and prior	Fiscal year 1941	Fiscal year 1942	Fiscal year 1943	Fiscal year 1944	Total to June 30, 1944	Estimate, July 1 to Dec. 31, 1944	Total to Dec. 31, 1944
Operating revenues and other income:								
Sales of electric energy	$426,544	$1,895,503	$5,320,319	$11,979,472	$20,835,262	$40,457,100	$11,649,000	$52,106,100
Other electric revenue		120	33,839	43,252	60,666	137,877	14,000	151,877
Other income			11,675	16,901	12,540	41,116		41,116
Total operating revenues and other income	426,544	1,895,623	5,365,833	12,039,625	20,908,468	40,636,093	11,663,000	52,299,093
Operating expenses:								
Bonneville Power Administration	526,793	601,057	1,806,155	2,877,599	3,617,432	9,429,036	1,947,000	11,376,036
Bonneville Dam project	321,787	163,271	242,669	298,212	414,798	1,440,737	212,500	1,653,237
Grand Coulee Dam project			106,245	674,146	1,813,968	2,594,359	970,000	3,564,359
Total operating expenses	848,580	764,328	2,155,069	3,849,957	5,846,198	13,464,132	3,129,500	16,593,632
Depreciation expense:								
Bonneville Power Administration	50,430	230,539	547,955	923,379	1,119,429	2,871,732	672,000	3,543,732
Bonneville Dam project	365,585	198,296	263,686	349,610	473,126	1,650,303	237,500	1,887,803
Grand Coulee Dam project			179,482	594,792	683,374	1,457,648	500,000	1,957,648
Total depreciation expense	416,015	428,835	991,123	1,867,781	2,275,929	5,979,683	1,409,500	7,389,183
Total operating expense and depreciation	1,264,595	1,193,163	3,146,192	5,717,738	8,122,127	19,443,815	4,539,000	23,982,815
Net	[1] 838,051	702,460	2,219,641	6,321,887	12,786,341	21,192,278	7,124,000	28,316,278
Interest expense:								
Bonneville Power Administration	229,279	425,271	931,969	1,547,630	1,846,058	4,980,207	963,000	5,943,207
Bonneville Dam project	800,381	462,084	485,839	692,441	1,123,097	3,564,442	600,000	4,164,442
Grand Coulee Dam project			673,925	1,688,071	1,811,635	4,173,631	1,235,000	5,408,631
Total interest expense	1,029,660	887,355	2,091,733	3,928,142	4,781,390	12,718,280	2,798,000	15,516,280
Net income	[1] 1,867,711	[1] 184,895	127,908	2,393,745	8,004,951	8,473,998	4,326,000	12,799,998
Additional operating expenses Bonneville Dam project	270,593	132,975	149,182	158,631	187,879	899,260		
Additional depreciation	171,331	311,805	956,914	760,727	682,012	2,882,789		
Additional interest:								
Bonneville Dam project	688,935	1,130,826	1,276,540	1,257,255	925,153	5,278,718		
Grand Coulee Dam project			3,127,375	2,895,917	2,557,265	8,080,557		
Interest on working capital	125,000	150,000	300,000	350,000	400,000	1,325,000		
Amortization of investment (2½ percent yearly compound interest, 50 years, $1,025,806)	800,159	1,051,424	2,967,645	3,288,705	3,465,291	11,573,224		
Adjusted net income	[1] 3,923,729	[1] 2,961,925	[1] 8,649,757	[1] 5,817,490	[1] 212,649	[1] 21,565,550		
Uncollected revenue	117,642	1,050,135	516,647	1,968,183	526,318	4,178,925		
	[1] 4,041,371	[1] 4,012,060	[1] 9,166,404	[1] 7,785,673	[1] 738,967	[1] 25,744,475		
Amortization of investment (straight line 2 percent)	1,560,059	2,049,947	5,785,978	6,411,944	6,756,232	22,564,160		
Adjusted net income	[1] 4,683,629	[1] 3,960,448	[1] 11,468,090	[1] 8,940,729	[1] 3,503,590	[1] 32,556,486		
Uncollected revenue	117,642	1,050,135	516,647	1,968,183	526,318	4,178,925		
	[1] 4,801,271	[1] 5,010,583	[1] 11,984,737	[1] 10,908,912	[1] 4,029,908	[1] 36,735,411		

[1] Red figures.

There is far more danger in public monopoly than there is in private monopoly, for when the Government goes into business it can always shift its losses to the taxpayers. If it goes into the power business it can pretend to sell cheap power and then cover up its losses. The Government never really goes into business, for it never makes ends meet, and that is the first requisite of business. It just mixes a little business with a lot of politics and no one ever gets a chance to find out what is actually going on. (Thomas A. Edison.)

Mr. MURDOCK. Mr. Chairman, will the gentleman yield for one question?

Mr. JONES. I have taken from my colleagues considerable time, and I will be very glad to yield time to gentlemen on my side under the seniority rule as a member of the committee, and I shall yield just as much as I can under the allowance to speak on any subject he desires, and he may take my speech tomorrow and tear it to pieces.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. NORRELL. Mr. Chairman, I yield 15 minutes to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, I tried to get the gentleman just preceding me to yield for a question. The question I wanted to ask the gentleman from Ohio [Mr. JONES] is this: I understood him to say, and I yield to him now to answer me whether I am correct or not, after enumerating many millions of dollars spent on reclamation projects, did he say that not one cent of interest has been paid on that amount? Did I misunderstand the gentleman?

Mr. JONES. With the exception of the Boulder Canyon project, which is a special act.

Mr. MURDOCK. I believe the gentleman is entirely mistaken. The gentleman has evidently not read the reclamation law. The first reclamation law was passed in 1902. It has been amended at various times, but I call the attention of the gentlemen from Ohio to this fact, that money spent for reclamation is reimbursable. The general contract now is that all costs borne by the Government on reclamation projects must be repaid to the Government in 40 years, amortized at 3-percent interest. That is a basic principle of our reclamation policy.

I am not familiar with the entire program of the Reclamation Service as I have only recently been made chairman of the Committee on Reclamation, and that is the reason why I could not specify a moment ago about the power rates at Bonneville or Grand Coulee. I do say to the gentleman that I know much with regard to the power cost and rates at Boulder Dam, the statements are prepared and are published to the world.

Mr. JONES. On page 62 of the hearings, part 1, the gentleman will find the basis on which I made my statement. I humbly apologize because I am using the best information I can, and rely entirely on the Bureau of Reclamation officers.

Mr. MURDOCK. I thank the gentleman for the citation to the hearings and will turn to it later. Now to convey a general idea about the working of reclamation, I will give the gentleman and the membership a picture of one reclamation project that I know much about. I refer to the Salt River project surrounding Phoenix in Arizona. The first basic construction there, is Roosevelt Dam, named after Theodore Roosevelt, work begun in 1906 and finished in 1911. It was dedicated by Theodore Roosevelt at that time. There are now about 240,000 acres of irrigated land around Phoenix watered from that and four other dams on the river.

I am giving round numbers because I have not the exact figures before me, but the United States Government has invested, not donated but invested, about $20,000,000 in that project. Far more than half of that $20,000,000 has already been repaid by the farmers in that valley. They are repaying it with interest over an amortization period of, I think, 40 years. When all the money has been repaid by the farmers, Uncle Sam will

own the dams debt free and worth millions of dollars.

While I am on that project, let me say this, that that area of land—and that is the one I know most intimately, and I could name other cases if I were better acquainted with all the West—produced $30,000,000 worth of food and fiber year before last, and in the last 12 months that same area produced $40,000,000 worth of food and fiber, and there are less than a quarter of a million acres of land involved. Further, I want to say this, that those farmers right now, the Salt River Valley Water Association of Arizona, have paid their repayment installments 5 years in advance on what they owe the Government, and they are going to pay back every cent of it.

I went to Phoenix when it was a cow town. I saw land, which today is richly productive, occupied by jack rabbits and rattlesnakes. That same land is today producing $165 worth of cash produce per acre annually. While Uncle Sam has put only $20,000,000 all told into that project as an investment, that same project has yielded produce to the extent of $40,000,000 in the past 12 months. Furthermore, may I say this, that the assessed value of the property based on that irrigated acreage for its existence is now more than $200,000,000.

That, I want to say, Mr. Chairman, is what reclamation can do and will do when given a chance, and I am citing just one instance out of the dozens and dozens of cases where wealth-producing centers have been created by reclamation in the West. It is almost exclusively the cause of the wealth and prosperity of Phoenix, Ariz.

Mr. ANGELL. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I yield to the gentleman from Oregon.

Mr. ANGELL. What the gentleman says with reference to the project in his district is true also at Bonneville. Every single dollar that has gone into Bonneville, advanced by the Government for the development of power, is being paid back with interest, and every single dollar of it will be paid back. Furthermore, we have produced one-third of the aluminum which has gone into the fighting equipment in this war. If it had not been for the aluminum produced in the Columbia River area, Bonneville and Grand Coulee, hundreds of thousands of our boys would have been killed overseas.

Mr. MURDOCK. The gentleman is exactly correct.

Mr. ANGELL. That has been done without a single dollar of expense to this Government. It will all be paid back.

Mr. MURDOCK. I traveled along the Columbia River a few months ago at night. I passed by the Kaiser shipyards and was amazed at the amount of electricity that was used there. I understand that the power plants at Bonneville and at Grand Coulee provide the hydroelectric power that is used. God only knows what would have happened to us in this war if we had not had that power at that time. That power was just as essential as the food that was produced on these irrigated lands. I understand that the power produced by the plants of the reclamation projects during the past year has been worth nearly $14,000,000. I understand that the hydroelectric plants of the Reclamation Service have produced more than 13,000,000,000 kilowatt-hours, and most of that power has gone to the war effort, as I happen to know.

I may appear to speak with some feeling in regard to this, because I have strong feeling. I interrupted the chairman an hour ago to exhibit this letter, a letter which I prize greatly, although it is not mine personally.

This letter was sent to me as chairman of the Committee on Reclamation. I received it on the morning of April 12 and had it read by my secretary before that committee at a hearing that day. It is a letter signed with a familiar signature, but that signature is not written in quite the same bold hand as we have known. The letter is signed by President Franklin D. Roosevelt. This was read to my committee because it pertains to reclamation and has proved to be his last plea for reclamation. The man who was more responsible than any other for the development of the great Columbia Basin and the other great projects during the last decade throughout the West had his heart in this matter and reaffirmed his faith in it.

This letter pertains to further developments of reclamation and urges that development with the hope that we may provide land for returning soldiers. It refers to a bill now before my committee, H. R. 520, a bill designed to give preference to ex-servicemen on lands irrigated by the Reclamation Bureau. It is significant that in the closing hours of his life, as that handwriting indicates, and in the midst of this most terrible war, he took time to think of domestic problems, and hoped to build homes for the future of the defenders of the Nation. That is the content and spirit of this letter.

We think the hour of victory is soon to come. We believe that we must have an expanding industry in this country in order to service the $300,000,000,000 indebtedness that hangs over us, and in order to give us the necessary millions of jobs, whether it be 50,000,000 or 60,000,000 or whatever the number may be. We believe we are negligent in our duty, I would say criminally negligent, if we do not plan to see to it that jobs, not of leaf raking or grave scratching, but jobs in productive, creative, wealth-producing projects, are made available. These returning veterans want jobs and there must be jobs for them.

I know we all want private industry to furnish these jobs. If private industry could do it, I would have it furnish practically all the jobs, but I do not believe private industry is going to be able to furnish nearly enough jobs. There must be sane, constructive plans for public works. I want that public work to be of a productive, essential nature. I think nothing can compare with reclamation in that respect.

At the close of the First World War thousands and hundreds of thousands of men wanted homes in the West. We liberalized the homestead laws, but it was little more than a gesture 25 years ago. It is true that after the Revolutionary days veterans sought homes in the Ohio Valley, and they created communities there. After the War between the States, the veterans went out into a humid area in the Mississippi Valley and got homes where they could establish themselves. But by the beginning of this century all good lands excepting those in the semiarid and arid sections, which cannot be cultivated without great and expensive irrigations projects, had been taken. After the close of the First World War thousands of veterans went out and tried to live on the desert.

We liberalized the homestead laws but it was an empty gesture. I know of many, many pathetic cases of failure. We have solemnly pledged ourselves that such shall not happen again. President Woodrow Wilson and Secretary Franklin K. Lane and other forward-looking men a generation ago said, "We must irrigate the land for the veterans." But practically nothing was done. If we permit victory to come upon us quickly, as we hope it will, without suitable preparation we will have nothing to offer the veterans returning this time from the armed services. There will be many of them and they are going to be land hungry as before. We are not going to send them out to live with jack rabbits but we are going to give them the right kind of irrigated lands. That is the program our late beloved President contemplated and urged upon us, but that program has been in my judgment jeopardized by reductions in this bill.

I think highly of the chairman of this subcommittee personally. I have publicly and privately thanked him many times for the good work he has done for reclamation, and I deeply appreciate the earnest consideration given it by the other Members. I do want to compliment the subcommittee for having paid a high tribute to the Bureau of Reclamation in its war-food production and in electric-power production. I think that is a splendid thing; but when this bill was written up, I fear it was reduced in such a way as to foreclose the effective planning which the President in this letter pleaded for on the very day of his death.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. NORRELL. Mr. Chairman, I yield 1 additional minute to the gentleman.

Mr. MURDOCK. There are other portions of the bill which I want to allude to where reductions, I think, have been too drastic; one with reference to soil and moisture conservation. I would like to speak on that later. The other item to which I would like to address myself is in regard to mines and mining. I feel that the program of exploration which we have been carrying on during the war to such good effect and which ought to be carried on continually has been cramped by the limited amount for that purpose appropriated in this bill.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. JONES. I yield 6 minutes to the gentleman from Colorado [Mr. ROCKWELL].

Mr. ROCKWELL. Mr. Chairman, for a few minutes I wish to discuss with you that part of the report of the Interior Appropriation Committee having to do

with the Grazing Service. This appropriation is authorized under the Taylor Grazing Act, named for my predecessor in office, Hon. Edward T. Taylor, who served in this House for 33 consecutive years and who at the time of his death was chairman of the Appropriations Committee.

This Grazing Act was introduced by Congressman Taylor at the request of the thousands of sheepmen and cattlemen who were using those remaining, unpatented public lands of the West commonly called the public domain. As a user of those ranges myself and as president of a Western Colorado Cattle Association, I took an active part in supporting this program for bringing about a fair, equitable distribution of grazing on these public lands. These arid lands have no value for agriculture unless irrigation can be provided, but have value during a few weeks in the year for the purpose of limited grazing.

The fact that these 142,000,000 acres of land located in 10 States had no supervision caused stockmen to use them to excess. There was no incentive for conservation or for the preservation of forage for future years. Promiscuous use of these ranges was bad for the stock, for soil conservation, and for the relationships between neighbors, particularly between sheepmen and cattlemen. Range wars broke out at intervals and often there was bloodshed. Overgrazing caused erosion and poor watersheds for the ranches lower down.

These are the general reasons we asked Congress to pass the Taylor Grazing Act, the appropriation for which is before us today. We in the West did not wish another great intricate bureau such as the National Forest Service built up, but rather our desire was merely to have as small an agency as possible whose duties would be to supervise a fair and equitable distribution of these ranges and to maintain proper safeguards for the conservation and protection of our watersheds.

To accomplish this a real democratic program of advisory boards was set up that started with the grass roots. Local elections are provided for in the act whereby the 22,000 users of these ranges may go and select their own representatives on the regional advisory boards. Equal representation between cattlemen and sheepmen is provided on each board with the sheep permittees voting to select their representatives and the cattle permittees theirs. These regional boards, of whom there are 600 district advisers at this time, pass upon what sheepmen and cattlemen shall use the ranges and how much stock each may run, based upon the availability of range forage. The general plan is to give the local ranch property owner and taxpayer preference over the migratory stockman who is not a resident of that area and may not even reside in the State. These boards, composed of local stockmen, hold hearings for those who have complaints about the permits allowed or other matters in dispute. Also, representatives are elected to serve on their State and national advisory councils. It is one of the greatest attempts of modern times to decentralize a Government agency and bring back local self-government such as once existed in the New England town meeting.

Twelve percent of the cattle and 42 percent of the sheep raised in the United States are grazed, usually for short periods, on land administered by the Taylor Grazing Act. This land is divided into 60 grazing districts with 57 administrative units. Its governing bureau is under the Department of the Interior and is headed by the Director of Grazing, whose official residence is in Salt Lake City, and an Assistant Director, who lives in Washington. The grazing districts each have a regional grazier in charge and under him graziers who ride and generally supervise use of the ranges.

In the original hearings in 1934, when the act was under discussion, Secretary Ickes stated that his Department would handle the act with 22 employees and at a cost not to exceed $150,000. The following year the request was for $250,000, and these expenses have increased each year until there are now 250 full-time grazing employees—103 caring for soil and moisture conservation and 19 for range improvement—and the amount spent for salaries and expenses last year was $1,017,740. We find today there are not only graziers, but range examiners, attorneys, hearings officers, chief of range surveys, a chief of information, scientists, field-office inspectors, and so forth. One wonders if we are giving birth to another huge Government bureau.

The Grazing Service requested for 1946 and received Budget approval for $1,485,200 for salaries and expenses and $200,000 for range improvement. The Appropriations Committee cut this to $979,470 for salaries and expenses and $80,000 for range improvement. In so doing, the committee recommends that the Grazing Service be self-supporting, and they quote the original hearings to show that that was the original intent.

It would seem that we have come to the time when the Congress, the stockmen of the West, the Secretary of the Interior, and the Taylor Grazing Service itself should stop and consider what we are doing. The total revenues received by this agency for grazing privileges in 1944 was $813,351.96. Of this amount as prescribed by law, 50 percent was turned over to the 10 States wherein these areas lie in lieu of taxes. So far, however, the States have returned this money to the Grazing Service for specific uses such as range improvement, reseeding, and so forth. The law further provides that 25 percent shall be used for range improvement subject to congressional action. If all the revenues collected from uses of the range could be used for salaries and expenses the present expenses and income would nearly balance, especially when we consider that all these charges should not properly be made against grazing. Director Forsling has stated that he will recommend an increase in grazing fees of 300 percent. They are now 5 cents a month per head for cattle and 1 cent for sheep. The stockmen unanimously oppose this increase.

The matter is being held in abeyance until the McCarran Public Lands Committee of the Senate can hold public hearings in those Western States and give the local stockmen a chance to be heard on the question. It is hoped the House Public Lands Committee will send representatives to attend these meetings also. The stockmen will be asked whether they desire all these services at present given and proposed and whether they consider the present fee sufficiently high to cover the services they need, and also what proportion of these costs should justly be charged to grazing.

By the time the Interior Appropriations Committee holds hearings on the bill next year, these hearings will have been held in the West and I hope they will invite representative members of the Taylor grazing advisory boards to find out from the stockmen themselves just what these men from the range country consider just and give their views the same consideration they do the Bureau's recommendations.

Mr. NORRELL. Mr. Chairman, I yield 2 minutes to the gentleman from Washington [Mr. SAVAGE].

Mr. SAVAGE. Mr. Chairman, the Bonneville Act, passed by this House in 1937, directs that the Bonneville Administrator do everything in his power to make low-cost electricity available to all farms and homes in the Pacific Northwest within economic reach of feasible transmission lines. I say that this is a mandate from Congress to the Secretary of the Interior and to the Bonneville Administrator.

This is no time for crippling amendments or crippling strategy, or crippling reports. Some of the most important war industries in this Nation will be hamstrung by such actions, and the responsibility will rest upon those who initiated such moves. The aluminum industry, shipbuilding, navy yards, military establishments, as well as a huge mystery load will be crippled by any adverse House action. If some of the Members of this House feel that they want to attack the Bonneville Administration there is an orderly procedure available. The procedure of random amendments or destructive committee reports is not an effective way to proceed. Such an effort will react on the returning veterans and the demobilized war workers. I will not quarrel with any proponent in an effort to gain facts but I must differ when the approach is along the line of unrelated, restrictive strategy, reactionary committee reports, or amendments. What approach is now being used? The report fully tells the story to experienced observers.

MONOPOLY

Congress, when it wrote the Bonneville Act in 1937, instructed the Administrator in no uncertain terms to protect deliveries of Columbia River power from monopolistic control. We have just witnessed the operation of such monopolistic control in the Shipshaw investigation by the Senate Small Business Committee. At some later date I will condense and submit to this House the facts brought out in the Shipshaw investigation. We see another example of monopolistic con-

trol in the committee report on the bill now before this House.

The exigencies of war and the need for large industrial installations have diverted large quantities of Columbia power away from the home and farm into huge industrial plants which, unless wisely handled by Congress, will become a monopolistic brake against the little man.

THE END OF THE WAR

The end of the European War is now in sight. When the end comes, thousands of kilowatts of Columbia River power—perhaps a half million—now going into war industries, must be resold by the Bonneville Power Administration as quickly as possible. Every month that that half million kilowatts remain unsold will cost the Government $750,000 in lost returns. The Department of the Interior and the Bonneville Administration must sell this power. What do we now find? We find that the report kills the hopes of a large number of people. It attempts to stop an enterprise set up by Congress.

POWER SALES

If such a mandate to the Bonneville Administration is to be fully met the power should be sold at the lowest possible cost to householders, farmers, and to small industries as well as to the larger power-consuming industries. The Department and the Administrator would be derelict in their duty if they did not make every attempt possible to sell power on these terms to such consumers. Yet this committee report kills power sales. The report is definitely a step backward. It kills our hopes and opportunities for post-war employment.

In order to sell this power on these terms—in order to preserve revenues of the Federal Treasury, in order to assist the development of small, new industrial enterprises, the Bonneville Administration must pursue a line of investigation covering new industrial uses for low-cost power and into new agricultural power-consuming uses. In addition it must provide assistance to motivate new uses by farmers and business. Such a program is sensible. Every progressive, large enterprise engages in this activity. The private power companies spend a large part of their gross revenues in this endeavor. The amount sought in the pending appropriation relatively is very much less than the expenditures of the utility industry. Yet, we find this committee report blind to obvious facts.

The Bonneville Administration is the third largest power-producing enterprise on the North American continent. Therefore, the sum of $364,590 covered in the Budget presentation for special marketing surveys seems a sensible, modest request. It is modest because it represents one-sixth of a single month's revenue now being sent to the Federal Treasury by the Power Administration and less than one-half month's net income after operating expenses. Yet this committee reduced the Budget item to an unworkable small amount. The responsibility for "killing tactics" is shown by the report.

On page 296 of the hearings it is shown that the Department requested $364,590 for research and sales, but the committee allowed only $127,000 for this most important work. Progressive private companies use about 3 percent or more on research and sales. Bonneville has asked for only 1½ percent and the committee cut it down to ½ of 1 percent. The Administration got by for 1945 on $127,000, but they knew that war industries were going to continue using the large block of power, but the larger amount will be absolutely necessary for 1946, because of the closing down of the war industries. If this kind of committee procedure is condoned by Congress, it will lead to the eventual destruction of the Bonneville program.

The amount sought is sensible because it will be spent for an activity which will strengthen free enterprise and provide opportunities for small business and progressive farmers. It is sensible because it encourages what is known as dinner-pail energy sales. It is such sales that provide employment for veterans and returning workers. Any crippling report or amendments will prevent the Bonneville Power Administration from carrying out the clear mandate of the 1937 law which has been passed by Congress. If there is any lack of return to the Treasury this report indicates where the fault lies.

TESTIMONY

The testimony before the House Appropriation Subcommittee covering operation and construction plans of the Administration and in particular its war accomplishments, is a demonstration of sound business management in line with the best American tradition. Since the beginning of the national emergency and through every month of the war, the Administrator of the Bonneville agency has displayed sound judgment and foresight in anticipating the requirements so essential to achieve the level of production that this war demands. In support of such plans the Administrator boldly took leadership in urging the installation of power plants at both Grand Coulee and Bonneville and construction of facilities to serve the anticipated war load in the Northwest. Because of this foresight, Bonneville was prepared to serve the needs of war industry, and consequently war-production schedules were substantially accelerated.

RECORD OF RESPONSIBILITY

The record of responsibility of the management of this agency is reflected in the financial records submitted to the committee. These records show that the handling of appropriated funds has been in full accord with the requirements of the acts of Congress.

By the record it is shown that the Bonneville administration prepares periodic financial reports showing in detail the status of Federal investment in the Columbia River development. These reports are made annually as required by law. The obstacles to making a unified report are difficult to overcome since four different Federal agencies share in financial management and in law there is no existing formula to coordinate work and reports. The Army engineers constructed and operate the Bonneville Dam power plant; the Bureau of Reclamation constructed and operate Grand Coulee; the Federal Power Commission is given jurisdiction over the decision of allocation. The Bonneville power administration has to weld into a single system of financial records the data kept and furnished by these agencies. It would seem that the remedy for this condition is not to attack the Bonneville administration but to solve the problem by laws and coordination on a regional basis. The criticism that has been raised against this appropriation is one that really belongs to Congress. The committee report points out where the responsibility lies.

The financial reports presented to the committee show that this agency has returned to the Government over $50,000,000 in revenues and over $12,000,000 in excess of the over-all cost of operation since its inception. Currently, the Bonneville administration is returning to the Treasury over $22,000,000 per year in revenues and over $3,000,000 per year surplus over total operating cost. The entire power investment according to this record will be repaid within 50 years, together with a substantial irrigation subsidy. This record is a demonstration that the Columbia program has been soundly conceived as well as soundly operated. It has been an indispensable source of power for war production. This achievement has been more than praiseworthy because it has been based on power rate schedules which are the lowest in the entire Nation. This House can demonstrate its approval of Bonneville's record, and its war contributions; and can also demonstrate its confidence and trust in the operation, under the policies established by Congress, by voting down any nullifying amendments. The recommendations of the committee should be accepted only under protest, as it demonstrates the surrender by the committee of the peoples interest to the worst kind of monopoly.

Mr. JONES. Mr. Chairman, I yield 2 minutes to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I know that in the hearts and minds of Members of Congress today, as in the hearts and minds of millions of persons the world over, there is the wish for the successful outcome of the Peace Conference at San Francisco, which starts today. I do not believe there is a human being in the United States, a man or woman in our armed forces fighting across the seas and on the different oceans, to bring security and peace to a war-torn world, a mother or father throughout the world today, whatever he or she is doing, who does not hope and pray for the success of the San Francisco Conference.

I have seen our Secretary of State in action before our Foreign Affairs Committee and prior to his assuming the Secretaryship, I saw him as the head of our delegation at Mexico City, where I was a delegate at the Conference for War and Peace; I saw the confidence he inspired in the delegations of the Latin-American republics. I witnessed the

success of his endeavors and his work there. I have seen, since he came into the Department of State as Secretary, his ability in securing capable assistants and giving them authority. I have seen his great success in bringing new life and hope and new energy and new spirit of helpfulness and encouragement throughout the domestic and foreign service of our State Department. I am sure the enthusiasm he brings to everything he undertakes, and the confidence he instills in others will bring new successes at San Francisco.

Mr. NORRELL. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. JARMAN, having assumed the chair as Speaker pro tempore, Mr. CRAVENS, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee had had under consideration the bill, H. R. 3024, the Interior Department appropriation bill, 1946, and had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. JONES. Mr. Speaker, I ask unanimous consent that as a part of my remarks made today in the Committee of the Whole, I may insert certain tables and justifications, as well as portions of the hearings on the bill.

The SPEAKER pro tempore (Mr. CRAVENS). Is there objection?

There was no objection.

The SPEAKER pro tempore. Under special order heretofore made, the Chair recognizes the gentleman from Alabama [Mr. JARMAN] for 20 minutes.

THE SAN FRANCISCO CONFERENCE

Mr. JARMAN. Mr. Speaker, I express thorough agreement with every word in which the distinguished gentlewoman from Massachusetts [Mrs. ROGERS] just indulged relative to the San Francisco Conference, and Secretary Stettinius. My purpose in obtaining this time, all of which I shall not use, several weeks ago was to call attention to the fact that this is a momentous day, a day which may very well be considered throughout the ages of the future as the outstanding day of history, and as the most generally observed holiday throughout the world. That is true, because the largest world conference, certainly the most numerously attended world conference, that has ever happened on any subject, will meet in San Francisco within just a few hours—not a peace conference, not called for the purpose at all of writing the peace treaty to conclude this war, but entirely for the purpose and in the hope of preserving the peace in the future. The mistake of 1919 of confusing those issues, intermingling them, has not been repeated and this Conference is with respect to a future proposition rather than one which will deal particularly with this war. It must succeed, if civilization is to survive. It will succeed. As the distinguished gentlewoman from Massachusetts has just said, there has been no occasion in history when there has been such a unanimity of desire on the part of the peoples of all the world as exists at this time for success of that Conference.

I maintain that when there is such unanimity of opinion of the peoples of the world their desires will not be denied. I know that everyone present thoroughly shares my sincere hope that this is correct, and I hope you share my belief.

During the last war the most terrible, the most heinous, the most deadly new weapon that was produced, I suppose, was gas. When that first gas attack came at Ypres on those British soldiers who did not know what it was and were not at all prepared to defend themselves against it, it was simply not only murder but annihilation. So far as I know, chemical warfare has not been indulged in during this war. Why? Is it because the Germans and the Japs have become more humane than the Germans were 26 years ago? Certainly the horrors of Manila and of these concentration camps which have been liberated during the past few weeks in Germany answer that question most emphatically and resoundingly. No; that was not the reason. The reason was, my colleagues, that those Japs and Germans, knowing that the Allies were thoroughly prepared to send the gas back to them if they started it, having been well warned by Churchill and others, were unwilling, at least until a few weeks ago, to subject their own people, particularly their civilians, to such horrors. Of course, with what the Germans are doing in the last few weeks to their own people, it is difficult to understand why they have not also subjected them to gas. The only reason I can think of is that their gas factories and ammunition have perhaps been overrun and they probably do not have the material to do it with now. With the progress of science and the efficiency of war making, the increased efficiency of aviation, the invention of jet bombs, and the custom of mass murder of peoples, I tell you that if the world is ever subjected to a future war the horrors of those gas attacks at Ypres and elsewhere will fade literally into insignificance when compared to those of the next war which simply, therefore, and for many other reasons, must not occur.

I believe, Mrs. ROGERS, I speak the sentiment of certainly 95 percent of the people of the United States and of the world. That being true, I object rather seriously to anyone discouraging that hope unless there is reason therefor.

I am, of course, a firm believer in the freedom of the press, but I have always been just as firm in the belief that that freedom of the press imposes an obligation upon reporters and newspaper people not only to be sure that they speak the truth, not only to publish the news, but to be very careful, particularly at such a history-making moment as this, that they not in any way mislead the people or cause any confusion.

Consequently, I was very much disappointed to read in the Washington Times-Herald this morning an article which I do not think should have been written or published despite freedom of the press. It is in the column called Capitol Stuff, and from my viewpoint that is exactly what it is—stuff. It is by Mr. John O'Donnell, whom I do not know. I have no knowledge of his ability or reputation but I do not agree with him on this regardless of either. It is written from San Francisco, and I am going to quote excerpts from it:

> This ill-starred, poorly timed meeting of diplomatic leaders of the United Nations, gathered here to plan a brave new world in which the animal known as man will fight no more, starts off their sessions in an atmosphere of cynicism, suspicion and the old double-cross.
>
> And unless some miracle of international politics and diplomacy takes place—which doesn't seem likely at this writing—or tough old Joe Stalin decides to slip over from the driver's seat and hand the wheel of this world peace chariot over to the American-British alliance (which is even less likely) this San Francisco Conference of global peace makers is going to wind up with more mutual ill-will and distrust than exists now at the start.

Then skipping a few paragraphs:

> Best they are hoping for is some kind of a face-saving formula at the finale which will be most inspiring reading but in fact won't mean a thing when it comes down to a head-on conflict of great nations playing the old game of power politics—which is being done right now.

Skipping again:

> In the first place, this meeting is getting off to a worse start than either the Versailles Conference which gave birth to the League of Nations and a far worse start by every measurement than did the conquerors of Napoleon over a century and a quarter ago when they set up the Holy Alliance.

I am not at San Francisco, of course. I was not at Versailles. I do not know whether Mr. O'Donnell was there or not. But certainly neither of us attended that conference 125 years ago of the Holy Alliance. Despite my natural ignorance of those matters resulting from not having been there, I do not believe he is correct in this opinion. But let us assume for the moment that he is correct that the start is not as auspicious as those were, I think I have already given you reasons for hope that even though that be true there is still greater possibility for the success of this Conference than existed at the beginning of those others.

Quoting again:

> And these talks about a formula designed to keep the world peace from now on is very much from the teeth out, and about as authentic as the nonexistent Atlantic Charter.

Then skipping practically to the conclusion:

> As the curtain rises on this drama of global suspicion, cynicism and hypocrisy, there is one thing for which we can all be thankful: That President Truman had the good common sense to stay in the White House—about as far away as he could conveniently get from these sessions without moving into the Atlantic Ocean.
>
> There is every indication here Truman is more determined than ever to stay away from these sessions and remain, as he promised at his first Presidential press conference, at this (White House) "desk where I belong."

That is a direct quotation, which I do not believe was authorized in the first place. In the second place, whether authorized or correct or not, I believe Mr. O'Donnell grossly misrepresents President Truman's intention when he made that statement.

I do not believe he is serving any good purpose either to his paper, to his Nation, or to his world in doing so.

Despite the lack of knowledge which I frankly confess, and even though Mr. O'Donnell is on the scene, I now go on record as disagreeing with every word I have quoted and as expressing the opinion that it will develop that he is entirely wrong. It will be for the future to divulge which of us is correct.

There have been discouraging misunderstandings, of course. There always will be when many nations are trying to agree, with different languages and customs, and so forth. I was disappointed in the Yalta agreement, frankly, on Poland. I am disappointed that Russia apparently has so far not carried out the Yalta agreement relative to the new government of Poland. And I was somewhat disappointed at her unilateral actions after the agreement to consult among each other, which occurred at Yalta. I am not too happy about the recent 20-year treaty with the Lublin government. Yet, I do not understand, am not in a position to know as Mr. O'Donnell is not, all of the ins and outs of these occurrences.

I am not ready to condemn a great ally of ours in this war, the ally which has contributed most in human life and much in every other respect, to the victory which will be ours within a short while in Europe. I am not ready to condemn and insult that ally because I do not understand everything she says and does. I repeat, I do not believe at this stage of the game any person in the United States or in the world renders his country or the world a service by doing so.

I do not anticipate that Russia will have her complete way at the San Francisco Conference—far from it. Nor do I anticipate that when that happens Russia will walk out on the Conference. Russia remembers Stalingrad. She knows that but for her allies there would be no Russia today as such. She knows that in the future, despite her great power, which we all admire, and her great fighting ability and manpower, it is quite possible for a combination of nations to rise against her, against which she could not stand. Therefore, Russia has as much reason, certainly as much as any other great power, and perhaps as much as any other power, to desire the success of the San Francisco Conference. She is not going to take the chance, in baseball parlance, of muffing the one great opportunity which is given, not only to this generation but to all the generations of the past and those of the future, to banish once and for all this terror of war and create a situation wherein, even though we will continue to disagree with certain things which other countries do, we may at least hope for the continued existence of these countries of the world in friendship, in peace, and certainly not in mass murder such as war is, even at its best.

In conclusion, I know you join me in repeating the sincere hope and reverent prayer that we are not misguided in the hopeful attitude that practically all the people of the world entertain toward the meeting which will commence at San Francisco 2 hours and 15 minutes hence.

COL. ROBERT S. ALLEN

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER pro tempore (Mr. CRAVENS). Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, in reading the war news this morning which described the wounding of Col. Robert S. Allen, I knew again that the war had been brought close to the Congress of the United States. Colonel Allen was a very able and active reporter and thoroughly well known to the members of the press and the Congress in his days of service here.

I had the pleasure of a little talk with him when I visited Gen. George Patton at the Third Army in France last September. He was executive officer of G–2 section at Third Army headquarters. He was combat intelligence officer in a position fraught with danger. I brought back from him a message to his wife. His anxiety seemed to be that she should be sure he was safe and well. I learned today that Colonel Allen was wounded and as a result he has given his arm for us. He was shot through the elbow while a German prisoner and in order to save his life, an Austrian doctor amputated his arm. Knowing him, I am sure he was interested in the fine reporting of the tremendous and sweeping success of the Third Army in its dash through the European theater of war. That active, able, exact reporting brought courage and hope not only to the men who are fighting the war but to the entire United States and to the world. We are very grateful to Col. Robert S. Allen.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted, as follows:

To Mr. HINSHAW (at the request of Mr. JENSEN), for Thursday, April 26, on account of official business.

To Mr. LAFOLLETTE (at the request of Mr. HORAN), for April 25 and 26, on account of official business.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 2122. An act to extend to June 30, 1946, the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits;

H. R. 2687. An act to grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police force of the District of Columbia; and

H. J. Res. 106. Joint resolution to amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort.

ADJOURNMENT

Mr. NORRELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p. m.), the House adjourned until tomorrow, Thursday, April 26, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce at 11 a. m., Thursday, April 26, 1945; to hear Mr. HARRIS on H. R. 1362, Railroad Retirement bill.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will meet in executive session at 10:30 a. m., on Thursday, April 26, 1945, in the committee room, 356 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

408. A letter from the Acting Secretary of the Interior, transmitting a draft of a proposed bill to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma; to the Committee on Indian Affairs.

409. A letter from the Postmaster General, transmitting a copy of a proposed bill, authorizing the Postmaster General to continue to use post-office clerks and city letter carriers interchangeably; to the Committee on the Post Office and Post Roads.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SABATH: Committee on Rules. House Resolution 227. Resolution for the consideration of H. R. 511, a bill to amend the Nationality Act of 1940; without amendment (Rept. No. 443). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 228. Resolution for the consideration of H. R. 387, a bill to amend section 401 (a) of the Nationality Act of 1940; without amendment (Rept. No. 444). Referred to the House Calendar.

Mr. SABATH: Committee on Rules. House Resolution 229. Resolution for the consideration of H. R. 388, a bill to amend section 201 (g) of the Nationality Act of 1940 (54 Stat. 1136–1139; 8 U. S. C. 601); without amendment (Rept. No. 445). Referred to the House Calendar.

Mr. SMITH of Virginia: Committee on Rules. House Resolution 231. Resolution for the consideration of the bill (H. R. 694) to amend section 34, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic; without amendment (Rept. No. 446). Referred to the House Calendar.

Mr. JACKSON: Committee on Indian Affairs. H. R. 341. A bill relating to the status of Keetoowah Indians of the Cherokee Nation in Oklahoma, and for other purposes; without amendment (Rept. No. 447). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII public bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN of Louisiana:

H. R. 3032. A bill to increase the subsistence allowances to veterans receiving education or training pursuant to the Servicemen's Readjustment Act of 1944; to the Committee on World War Veterans' Legislation.

By Mr. BENNET of New York:

H. R. 3033. A bill to extend for 2 years the time for filing applications for the payment of World War adjusted service certificates under the provisions of the Adjusted Compensation Payment Act of 1936; to the Committee on Ways and Means.

By Mr. BRADLEY of Michigan:

H. R. 3034. A bill to authorize a preliminary examination and survey with a view to the construction of piers on the Millecoquin River, Mich.; to the Committee on Rivers and Harbors.

By Mr. BURCH:

H. R. 3035. A bill to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation, and for other purposes; to the committee on the Post Office and Post Roads.

By Mr. HAND:

H. R. 3036. A bill to provide for the construction and operation by the Federal Government of a new system of superhighways and airports for the national defense in time of war or other emergencies and for Government and commercial use by automobiles and airplanes in time of peace; to provide for the financing of same, to assist in assuring full postwar employment, to promote public safety, to stimulate general business throughout the Nation, to earn revenue for the Federal Government, and for the general welfare of all the people; to the Committee on Ways and Means.

By Mr. LANE:

H. R. 3037. A bill to grant to enlisted personnel 30 days' leave immediately preceding their honorable discharge from the armed forces; to the Committee on Military Affairs.

By Mr. LEA:

H. R. 3038. A bill to amend section 409 of the Interstate Commerce Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. WICKERSHAM:

H. R. 3039. A bill relating to interest on income-tax deficiencies resulting from the decision of the Supreme Court with respect to the Oklahoma community property law; to the Committee on Ways and Means.

By Mr. HARLESS of Arizona:

H. R. 3040. A bill to protect scenic values along and tributary to the Catalina Highway within the Coronado National Forest, Ariz.; to the Committee on Agriculture.

By Mr. SABATH:

H. R. 3041. A bill granting to the State of Illinois all right, title, and interest of the United States of America in and to the land comprising the right-of-way of the Illinois and Michigan Canal, as the same was routed and constructed through the public lands of the United States in the State of Illinois, and in and to the 90 feet of land on each side of said canal for the entire length thereof; to the Committee on the Public Lands.

By Mr. JOHNSON of California:

H. J. Res. 172. Joint resolution to quiet the titles of the respective States and others to lands beneath tidewaters and lands beneath navigable waters within the boundaries of such States and to prevent further clouding of such titles; to the Committee on the Judiciary.

By Mr. DELANEY:

H. Con. Res. 48. Concurrent resolution favoring the establishment of an American Commonwealth of Nations; to the Committee on Foreign Affairs.

By Mr. LEA:

H. Con. Res. 49. Concurrent resolution authorizing the printing of additional copies of part 2 of the hearings held before the Committee on Interstate and Foreign Commerce of the House of Representatives, current session, on the bill (H. R. 1362) to amend the Railroad Retirement Acts, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes; to the Committee on Printing.

By Mr. JARMAN:

H. Res. 230. Resolution authorizing that the report from the Chief of Engineers, United States Army, dated October 16, 1942, on a cooperative beach-erosion study of the Lake Erie shore line in the vicinity of Huron, Ohio, and subsequent correspondence in relation thereto, be printed, with illustrations, as a House document; to the Committee on Printing.

By Mr. LEA:

H. Res. 232. Resolution authorizing the printing of additional copies of part 1 of the hearings held before the Committee on Interstate and Foreign Commerce of the House of Representatives, current session, on the bill (H. R. 1362) to amend the Railroad Retirement Acts, the Railroad Unemployment Insurance Act, and subchapter B of chapter 9 of the Internal Revenue Code, and for other purposes; to the Committee on Printing.

By Mr. GATHINGS:

H. Res. 233. Resolution providing for an investigation by the Committee on Agriculture of the existing shortage of farm machinery; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New Jersey, memorializing the President and the Congress of the United States for its affirmance of the principles of the freedom of speech and press and advocating the adoption of the same principles upon a world-wide basis, and urging upon the delegates of this country to the Peace Conference the adoption of an international compact; to the Committee on the Judiciary.

Also, memorial of the Legislature of Venezuela, memorializing the President and the Congress of the United States by expressing deep sympathy in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDREWS of New York:

H. R. 3042. A bill for the relief of Mrs. Edith Ryan; to the Committee on Claims.

By Mr. ANGELL:

H. R. 3043. A bill for the relief of Wilma E. Baker; to the Committee on Claims.

By Mr. AUCHINCLOSS:

H. R. 3044. A bill for the relief of Mrs. Jane M. Eaton; to the Committee on Claims.

By Mr. CUNNINGHAM:

H. R. 3045. A bill for the relief of Frank F. Miles; to the Committee on Claims.

By Mr. GARY:

H. R. 3046. A bill for the relief of Thomas A. Butler; to the Committee on Claims.

By Mr. LESINSKI:

H. R. 3047. A bill for the relief of Antonio Del Serrone; to the Committee on Immigration and Naturalization.

By Mr. MARTIN of Iowa:

H. R. 3048. A bill for the relief of Charlotte James; to the Committee on Claims.

By Mr. PITTENGER:

H. R. 3049. A bill for the relief of A. L. Malmo; to the Committee on Claims.

By Mr. RAEIN:

H. R. 3050. A bill for the relief of David Siskind; to the Committee on Claims.

By Mr. SHARP:

H. R. 3051. A bill for the relief of Miss Hildegarde Born; to the Committee on Claims.

By Mrs. WOODHOUSE:

H. R. 3052. A bill for the relief of Mary Elizabeth Montague; to the Committee on Claims.

H. R. 3053. A bill for the relief of the East Coast Ship and Yacht Corporation of Noank, Conn.; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred, as follows:

429. By Mr. ANDREWS of New York: Petition of the delegates of Council 92 of the Polish National Alliance of New York State having to do with the Polish situation; to the Committee on Foreign Affairs.

430. Also, petition adopted by the Board of Supervisors of Erie County, N. Y., renewing its opposition to the St. Lawrence seaway project; to the Committee on Rivers and Harbors.

431. By Mr. BYRNES of Wisconsin: Petition of the Common Council of the City of Manitowoc, Wis., urging the passage of House bill 2032, a bill authorizing general shore-line investigations at Federal expense, and to repeal an act for the improvement and protection of the beaches along the shores of the United States, approved June 26, 1936; and House bill 2033, a bill authorizing Federal participation in the cost of protecting the shores of publicly owned property; to the Committee on the Public Lands.

432. By Mr. FORAND: Petition of Branch 6, Amalgamated Lace Operatives of America, Pawtucket, R. I., signed by 436 members, in opposition to House bill 2652, providing for the extension of the Reciprocal Trade Agreements Act; to the Committee on Ways and Means.

433. Also, petitions of the Woman's Christian Temperance Union of Rhode Island urging the passage of the Pace bill, the Bryson bill, and also urging that the alcoholic beverage industry be prevented from directing high-pressure campaigns to increase its profits at the expense of the home and youth, by prohibiting it the use of the air, periodicals, newspapers, motion pictures, or any other form of advertising; to the Committee on Interstate and Foreign Commerce.

434. By Mr. FULLER: Petition of the Rome, N. Y., Woman's Christian Temperance Union chapter, urging consideration and passage of House bill 2082, the Bryson bill, to promote national efficiency and to hasten the winning of the war through the elimination of the liquor traffic; to the Committee on the Judiciary.

435. By Mr. GOODWIN: Petition of Adelaide D'Pietro, of Melrose, Mass., and numerous others, members of the Women's Columbus Republican Club of Massachusetts, with reference to the extension of an invitation to Italy to participate in the Conference of Allied Nations at San Francisco; to the Committee on Foreign Affairs.

436. By Mr. HART: Petition of Sam Zuccaro Association, Inc., of Union City, N. J., urging that the birthday of the late President Franklin D. Roosevelt be made a national holiday; to the Committee on the Judiciary.

437. By Mrs. SMITH of Maine: Petition signed by Clara B. Emery and 54 other citizens of Rockland and surrounding towns of Maine, deploring the shipping of malt beverages and other liquors with higher alcoholic content into our fighting areas; to the Committee on the Judiciary.

438. By Mr. WELCH: Senate Joint Resolution 14 of the California Legislature, relative to memorializing Congress to enact House Bill 2347, Seventy-ninth Congress, first session, relating to guayule rubber; to the Committee on Agriculture.

439. By the SPEAKER: Petition of John L. May, of Milwaukee, Wis., and 120 signers, petitioning consideration of their resolution with reference to the necessity of an investigation of the Veterans' Administration facility at Wood, Wis.; to the Committee on World War Veterans' Legislation.

440. By Mr. LESINSKI: Petition of the Ecorse Junior Chamber of Commerce signed by its officers and directors with reference to giving priority to veterans in handling, reconditioning, and the disposal of all war surplus goods; to the Committee on World War Veterans' Legislation.

SENATE

THURSDAY, APRIL 26, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

Rev. W. H. T. Squiers, D. D., pastor, Ingleside Presbyterian Church, Norfolk, Va., offered the following prayer.

"We praise Thee, O God;
We acknowledge Thee to be the Lord;
All the earth doth worship Thee,
The Father Everlasting."

As Thy servants assemble this day to lead and protect the people of our country, we pray that divine wisdom may be vouchsafed them.

Guide Thy people, O Lord, and protect Thine heritage.

Bless all those on land and sea and in the air who are fighting the battles for righteousness, equity, and peace. Use them as good soldiers of Jesus Christ to bring speedy and conclusive victory, that, after the agony of 6 long years of bloodshead, an era of peace and of justice, of truth and of civic righteousness, may be the portion of all nations on this earth, including those who make war against us.

May the Holy Spirit guide those who have gathered from many nations to the great city of the West that they may explore and find a way to universal peace, harmony, and international good will for all future years.

We pray Thy blessing upon Thy servant, the President of the United States. Bring to his heart and hand wisdom and strength to guide the people of America according to the dictates of justice and of mercy.

And bless the Senate of these United States, preside over them with Thy Holy Spirit, guide and direct them in their deliberations and labors this day and every day.

All this we ask, with the forgiveness of our sins, through Jesus Christ our Lord and King, to whom be glory both now and forever, world without end. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Wednesday, April 25, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 906) granting a franking privilege to Anna Eleanor Roosevelt, with an amendment in which it requested the concurrence of the Senate.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

PERSONNEL OF THE LAND FORCES

A letter from the Secretary of War, transmitting, pursuant to law, a confidential report of the number of men in active training and service in the land forces on February 28, 1945, under section 3 (b) of the Selective Training and Service Act of 1940; to the Committee on Military Affairs.

REPORT ON DISPOSAL OF GOVERNMENT-OWNED SURPLUS MACHINE TOOLS, ETC.

A letter from the Attorney General, transmitting, pursuant to section 205 of Public Law 458, Seventy-eighth Congress, known as the War Mobilization and Reconversion Act of 1944, his third report dealing particularly with the problems involved in the disposal of Government-owned surplus machine tools and with the over-all problem of the general program to be followed in the disposal of surplus plants (with an accompanying report); to the Committee on Finance.

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report stating all of the facts and pertinent provisions of law in the cases of 348 individuals whose deportation has been suspended for more than 6 months under the authority vested in the Attorney General together with a statement of the reason for such suspension (with accompanying papers); to the Committee on Immigration.

SAFEGUARD OF ESTATES OF VETERANS

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to amend section 3 of the act approved August 12, 1935, entitled "An act to safeguard the estates of veterans derived from payments of pension, compensation, emergency officers' retirement pay and insurance, and for other purposes," as amended, and for other purposes (with an accompanying paper); to the Committee on Finance.

LAND FOR ADDITIONAL STORAGE SPACE IN THE PENSACOLA RESERVOIR, GRAND RIVER DAM PROJECT, OKLAHOMA

A letter from the Acting Secretary of the Interior, transmitting a draft of proposed legislation to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes (with an accompanying paper); to the Committee on Indian Affairs.

PERSONNEL REQUIREMENTS

A letter from the chairman of the War Production Board, transmitting, pursuant to law, a revised estimate of personnel requirements for that Board for the quarter ending June 30, 1945 (with an accompanying paper); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were presented, and referred as indicated:

By Mr. LA FOLLETTE:

A joint resolution of the Legislature of the State of Wisconsin; ordered to lie on the table:

"Senate Joint Resolution 42

"Joint resolution memorializing the Congress of the United States, the War Mobilization Director, and Maj. Gen. Lewis B. Hershey, Director of Selective Service, to reconsider the proposed plans to draft all skilled farm help and skilled workers processing dairy products for the military service.

"Whereas the President, the War Mobilization Director, and Maj. Gen. Lewis B. Hershey have recently requested that approximately one-half of the 364,000 deferred farm workers of the country between the ages of 18 and 28 be inducted into the military service by July 1 in spite of the provisions of the Tydings amendment of October 1942; and

"Whereas it is realized that in the present critical war situation people in agriculture and skilled workers processing dairy products are not exempt from military service; and

"Whereas it must be urged that there must be a selection and reexamination of those who may be escaping their wartime duty and a deferment of those who are truly essential to agricultural production and to the processing of dairy products; and

"Whereas it is further deemed essential and desirable that operation, function, and selection under the Tydings amendment be continued so that the local boards will be given the power to determine the standards for essentiality on a farm or in a dairy processing plant rather than apply an arbitrary standard of deferment with inelastic and consequent hardships under the proposed program of conscription; and

"Whereas with an intelligent understanding of the agricultural problem, the necessity of supplying an adequate labor pool, the avoidance of a food famine, the farmers of this State and of the country safe for democracy in the American and cooperative way of life; and

"Whereas the farmers and skilled workers processing dairy products in Wisconsin have performed magnificent miracles of production with less help and farm machinery and only with the inspired aid of grandfather and the womenfolk and children; and

"Whereas Wisconsin is the leading dairy State and holds top rank in many foods desired by the Quartermaster Corps, and a substantial number of the deferred farm cases are located within the State, the present critical labor shortage is intensified to one of existence or departure from the farm, with an aggravation of present food shortages; and

"Whereas the dairyman must have experienced, skilled, year-round labor, and other labor available at the right time for harvesting or processing and cannot depend alone on the aged and physically unfit, but must have an adequate reserve of farm help in order to insure an adequate production of food that will win the war and write the peace: Now, therefore, be it

"*Resolved by the senate (the assembly concurring)*, That the Legislature of the State of Wisconsin memorialize the President, the War Mobilization Director, Maj. Gen. Lewis B. Hershey, and the Congress of the United States, to reconsider the calling and inducting of about half of the agricultural workers and skilled workers processing dairy products in the country by July 1, and to urge the continued application of the Tydings amendment that places the power in the local board to grant individual farm and dairy processing plant deferments; in order to save the agricultural and dairy industry of this State; and be it further

"*Resolved*, That properly attested copies of this resolution be sent to the President,

the War Mobilization Director, Maj. Gen. Lewis B. Hershey, Director of Selective Service, the War Food Administration, to both House of Congress, and to each Wisconsin Member thereof."

By Mr. AUSTIN:

A resolution of the Legislature of the State of Vermont; to the Committee on Finance:

"Whereas approximately 10 percent of the population of Vermont has been called to the armed service of our country in World War No. 2 and so long as hostilities continue this number will materially increase; and

"Whereas we must recognize that a large number of this large group will be returned in critical physical and mental conditions requiring long periods of hospitalization; and

"Whereas the veterans' hospital facilities in Vermont were scarcely adequate for Vermont veterans of World War No. 1; and

"Whereas the Veterans' Administration is recommending the erection of a great number of hospitals for returning veterans, some of which are now completed or in process of construction; and

"Whereas Fort Ethan Allen is idle and with comparatively small expense could be converted to a veterans' hospital where returning disabled Vermont veterans could be cared for; and

"Whereas unless the above-mentioned property is so used or another veterans hospital established within our State our disabled veterans cannot be near their families and homes during their post-war hospitalization: Now, therefore, be it

"*Resolved by the senate and house of representatives*, That the Governor is hereby authorized to cooperate with the Veterans' Administration for the purpose of creating additional hospital facilities in Vermont for returning disabled Vermont veterans; and be it further

"*Resolved*, That the secretary of state forward certified copies of these resolutions to Harry S. Truman, President of these United States, to the Veterans' Administration in Washington, and to each of the Members of Congress from Vermont.

"Approved April 18, 1945.

"MORTIMER R. PROCTOR,
"Governor."

ADEQUATE ARMY AND NAVY—PETITION

Mr. TAFT. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a letter in the nature of a petition from Ceylon F. Tremaine, president of the Last Man's Club, Bunker Hill Post, No. 1, World War No. 1, of Sandusky, Ohio, relative to legislation to maintain an adequate Army and Navy to protect our interests and help to prevent future world conflicts.

There being no objection, the letter was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

The Honorable ROBERT TAFT,
United States Senator:

Whereas the official Last Man's Club, Bunker Hill Post, No. 1, World War No. 1, a sincere and patriotic organization, composed of veterans of World War No. 1, Sandusky, Ohio, believing in a strong national defense after the present hostilities have ceased, do hereby petition the Congress of the United States that it shall draft necessary legislation to maintain an adequate Army and Navy to protect our interests and help to prevent future world conflicts.

CEYLON F. TREMAINE,
President, Last Man's Club,
World War No. 1.

SANDUSKY, OHIO.

REPORTS OF THE CLAIMS COMMITTEE

The following reports of a committee were submitted:

By Mr. JOHNSTON of South Carolina, from the Committee on Claims:

S. 75. A bill for the relief of Thomas C. Locke; without amendment (Rept. No. 204);

H. R. 1016. A bill for the relief of Capt. Millard L. Treadwell; without amendment (Rept. No. 205);

H. R. 1602. A bill for the relief of Robert Lee Slade; without amendment (Rept. No. 206); and

H. R. 1877. A bill for the relief of Maj. William Peyton Tidwell; without amendment (Rept. No. 207).

By Mr. ELLENDER, from the Committee on Claims:

S. 592. A bill for the relief of Mrs. James Arthur Wilson; with amendments (Rept. No. 208);

S. 748. A bill for the relief of Nita Rodlun; without amendment (Rept. No. 209);

S. 867. A bill for the relief of Ruby Doris Calvert, as administratrix of the estate of Frederick Calvert, deceased; without amendment (Rept. No. 210);

H. R. 1241. A bill for the relief of Margaret M. Meersman; without amendment (Rept. No. 211);

H. R. 1711. A bill for the relief of Blanche H. Karsch, administratrix of the estate of Kate E. Hamilton; with an amendment (Rept. No. 214);

H. R. 1952. A bill for the relief of Joseph Brunette; without amendment (Rept. No. 212);

H. R. 2007. A bill for the relief of Hattie Bowers; with an amendment (Rept. No. 215); and

H. R. 2701. A bill for the relief of Margaret J. Pow; without amendment (Rept. No. 213).

By Mr. TUNNELL, from the Committee on Claims:

S. 57. A bill to confer jurisdiction upon the United States District Court for the Eastern District of Virginia; with an amendment (Rept. No. 216);

H. R. 1260. A bill for the relief of Dr. Walter L. Jackson and City-County Hospital; without amendment (Rept. No. 217);

H. R. 1347. A bill for the relief of Lee Graham; without amendment (Rept. No. 218);

H. R. 1558. A bill for the relief of Mrs. Alma Mallette and Ansel Adkins; without amendment (Rept. No. 219); and

H. R. 2006. A bill for the relief of Boyd B. Black; without amendment (Rept. No. 220).

By Mr. EASTLAND, from the Committee on Claims:

H. R. 904. A bill for the relief of Fred A. Lower; without amendment (Rept. No. 222);

H. R. 980. A bill for the relief of Mrs. Gladys Stout; without amendment (Rept. No. 223); and

H. R. 981. A bill to authorize payment of certain claims for damage to or loss or destruction of property arising prior to May 27, 1941, out of activities of the War Department or of the Army; with an amendment (Rept. No. 221).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. AIKEN:

S. 931. A bill to correct the military record of Earl Eugene Robinson; to the Committee on Naval Affairs.

By Mr. CORDON:

S. 932. A bill to exclude certain lands in Deschutes County, Oreg., from the provisions of Revised Statutes 2319 to 2337, inclusive, relating to the promotion of the development of the mining resources of the United States; to the Committee on Public Lands and Surveys.

By Mr. WHEELER:

S. 933. A bill for the relief of the estate of Sybel Spence; to the Committee on Claims.

S. 934. A bill authorizing the Secretary of the Interior to convey certain lands in the State of Montana to A. C. Ladd; to the Committee on Indian Affairs.

By Mr. JOHNSON of Colorado:

S. 935. A bill to continue in effect section 6 of the act of July 2, 1940 (54 Stat. 714), as amended, relating to the exportation of certain commodities; and

S. 936. A bill to amend the act approved January 2, 1942, as amended by the act approved April 22, 1943, entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign Countries"; to the Committee on Military Affairs.

HOSPITAL CENTER FOR DISTRICT OF COLUMBIA—MOTION TO RECONSIDER S. 223

Mr. ELLENDER. Mr. President, yesterday, while I was engaged before the Small Business Committee, the calendar was called. I was very much interested in a bill which was passed at that time. I should like to obtain information about it. For that reason I now enter a motion to reconsider the vote by which the bill (S. 223) to provide for the establishment of a modern, adequate, and efficient hospital center in the District of Columbia, was passed.

The PRESIDENT pro tempore. The motion will be entered.

WHAT SHALL BE DONE WITH GERMANY?—ARTICLE BY GEORGE M. HALLIBURTON

[Mr. WALSH asked and obtained leave to have printed in the RECORD an article by George M. Halliburton in answer to the question "What shall be done with Germany?" which appears in the Appendix.]

REDUCTION IN RESERVE REQUIREMENTS OF FEDERAL RESERVE BANKS, ETC.

The Senate resumed the consideration of the bill (S. 510) to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes.

Mr. TAFT obtained the floor.

Mr. HILL. Mr. President, will the Senator yield to me to suggest the absence of a quorum?

The PRESIDENT pro tempore. Does the Senator from Ohio yield for that purpose?

Mr. TAFT. I yield for that purpose.

The PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Guffey	O'Mahoney
Austin	Hawkes	Overcomb
Bailey	Hickenlooper	Robertson
Bankhead	Hill	Russell
Bilbo	Hoey	Shipstead
Brewster	Johnston, S. C.	Smith
Bridges	La Follette	Stewart
Burton	Langer	Taft
Bushfield	McCarran	Taylor
Butler	McClellan	Tunnell
Byrd	McFarland	Wagner
Capper	McKellar	Walsh
Chavez	Maybank	White
Cordon	Millikin	Wiley
Donnell	Mitchell	Willis
Eastland	Moore	Wilson
Ellender	Morse	Young
Fulbright	Murdock	
Gerry	O'Daniel	

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS], the Senator from New York [Mr. MEAD], and the Senator from Nevada [Mr. SCRUGHAM] are absent because of illness.

The Senator from Florida [Mr. ANDREWS] is necessarily absent.

The Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], and the Senator from Utah [Mr. THOMAS] are absent visiting various concentration and prison camps in Europe.

The Senator from Missouri [Mr. BRIDGES], the Senator from Rhode Island [Mr. GREEN], the Senator from West Virginia [Mr. KILGORE], and the Senator from Florida [Mr. PEPPER] are absent on public business.

The Senator from Texas [Mr. CONNALLY] is absent as a delegate to the International Conference in San Francisco.

The Senator from Kentucky [Mr. CHANDLER], the Senator from California [Mr. DOWNEY], the Senator from New Mexico [Mr. HATCH], the Senator from Arizona [Mr. HAYDEN], the Senator from Colorado [Mr. JOHNSON], the Senator from Illinois [Mr. LUCAS], the Senator from Washington [Mr. MAGNUSON], the Senator from Montana [Mr. MURRAY], the Senator from Louisiana [Mr. OVERTON], the Senator from Maryland [Mr. RADCLIFFE], the Senator from Oklahoma [Mr. THOMAS], the Senator from Maryland [Mr. TYDINGS], and the Senator from Montana [Mr. WHEELER] are absent attending committee meetings and public business pertaining to their respective States.

Mr. WHITE. The Senator from Minnesota [Mr. BALL] is absent because of a death in his family.

The Senator from Illinois [Mr. BROOKS], the Senator from Nebraska [Mr. WHERRY], and the Senator from Massachusetts [Mr. SALTONSTALL] are absent on official business visiting various concentration and prison camps in Europe.

The Senator from Michigan [Mr. VANDENBERG] is absent on official business as a delegate to the International Conference at San Francisco.

The Senator from Idaho [Mr. THOMAS] is absent because of illness.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from Delaware [Mr. BUCK], the Senator from Indiana [Mr. CAPEHART], the Senator from Michigan [Mr. FERGUSON], the Senator from South Dakota [Mr. GURNEY], the Senator from Connecticut [Mr. HART], and the Senator from Kansas [Mr. REED] are detained in committee meetings and on official business.

The PRESIDENT pro tempore. Fifty-five Senators have answered to their names. A quorum is present.

Mr. MCMAHON subsequently said: Mr. President, I ask unanimous consent that at the end of the quorum call which took place about an hour ago there may be appended a statement of the fact that I was present personally as chairman of a subcommittee of the Small Business Committee at a hearing which was concluded just a few moments ago.

The PRESIDENT pro tempore. The Senator's statement will appear in the RECORD.

The Senator from Ohio has the floor. Before he begins his remarks, the clerk will state the first committee amendment.

The CHIEF CLERK. On page 4, after line 9, it is proposed to insert a new section, as follows:

SEC. 3. All power and authority with respect to the issuance of circulating notes, known as Federal Reserve bank notes, pursuant to the sixth paragraph of section 18 of the Federal Reserve Act, as amended by section 401 of the act approved March 9, 1933 (48 Stat. 1, 6), shall cease and terminate on the date of enactment of this act.

Mr. TAFT. Mr. President, the bill before the Senate, S. 510, provides for the most important change in the banking and currency system of the United States since 1933. The central feature of it is a provision to reduce the amount of gold which must be held behind Federal Reserve notes and behind the deposits of member banks in the Federal Reserve System to 25 percent, whereas today the reserve required is 40 percent in the case of Federal Reserve notes, and 35 percent in the case of deposits.

At the present time the actual outstanding Federal Reserve notes amount to $21,700,000,000 as of approximately the first of the year 1945. In addition to that, there are outstanding some $6,000,000,000 in silver certificates. The total outstanding currency of the country is about $27,500,000,000. At the same time the member banks have as deposits in the Federal Reserve bank about $16,000,000,000, which are reserves against the deposits which customers have made in those banks, amounting to approximately $100,000,000,000. The reserve deposits in the Federal Reserve bank against that hundred billion are $16,000,000,000, and the amount required today in gold, to be held by the Federal Reserve bank against those deposits, is about $5,600,000,000.

The difficulty is that under the present system of financing the war, by which we have a deficit of $50,000,000,000 a year, there has been a constant increase in notes and deposits, and that, I think, is an inevitable result of the method of financing the war by deficit financing in the manner we have been pursuing.

The reason for the increase has nothing to do with the gold reserve, or with increasing the gold reserve. The increase in the currency is due to the deficit financing of the war. If we shall continue financing the war in that manner, we will have to allow proper leeway for the issue of bank currency, unless we are to double taxes.

It is estimated by the Federal Reserve bank that if the currency continues to increase at the rate at which it has been increasing, by the end of 1945 there will be outstanding about $27,000,000,000 in Federal Reserve notes, in addition to the silver certificates, and the deposits in the Federal Reserve bank will be $18,000,000,000. That would require reserves in gold of about $17,000,000,000.

Today there are about eighteen and a half billion dollars in gold to be used for reserve purposes. In addition to that, there are some $2,000,000,000 in the stabilization fund, which is not counted. In addition to currency going up and deposits going up, the gold has been going down. The gold has decreased from about twenty-one billion to eighteen and a half billion, and if that process continues it will be down to seventeen and a half billion by the end of the year. So that we will be right up against the gold limit. We require $17,100,000,000, we will have seventeen and a half billion at the end of 1945, and we will be up against the situation in which no more currency can be issued and deposits cannot be increased.

Mr. BREWSTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Ohio yield to the Senator from Maine?

Mr. TAFT. I yield.

Mr. BREWSTER. I have discussed this matter with the Senator, but I should like to have it appear in the RECORD that there are obligations in foreign countries which might call for payment in gold, which might make further demand on our gold reserve. As I understand, the Senator from Ohio feels that that is not at all likely to happen, but is it not possible that if we were called upon to pay all the short-term obligations of authorities other than the Government, very large inroads, perhaps to the extent of $5,000,000,000, might be made on our gold reserves?

Mr. TAFT. Yes; foreign governments and foreigners have in this country today about five or six billion dollars in bank deposits besides holding about $4,000,000,000 in earmarked gold, which is not counted in the reserves. It would be possible for them to insist that we give them gold for the $6,000,000,000 of deposits, and transport that gold out of the country, or earmark it. It is not likely that they will try to do that with all of it, but it would be desirable that we have sufficient free gold in these reserves to meet such a demand. That is one reason for reducing the reserve to 25 percent instead of 30 percent. On paper 30 percent would be enough, even if this process continued to the end of 1945, but as a matter of fact we want these countries to be perfectly certain, we would like to have them know, that over and above our reserves there is gold which can be used to pay off their deposits if they insist upon their being paid. If they know it is there, they are less likely to use it, because, as a matter of fact, what they want to do is to keep balances here, they want to buy things here, they want to use it after the war, and unless they become frightened about the policy, it is not likely that they will cash in their obligations.

Mr. BREWSTER. Mr. President, will the Senator further yield?

Mr. TAFT. I yield.

Mr. BREWSTER. Would it not also appear that these obligations which exist are apparently incident to the fact that while we have given away most of our exports under lend-lease—I think "given

away" is as accurate a phrase as any; at any rate, not securing obligations for them—we have meanwhile been paying for a very large percentage of our imports, so foreigners have been able to accumulate these balances here, which is a factor which must be taken into account?

Mr. TAFT. Yes. The reason for the reduction of the gold in this country from about twenty-one to eighteen and one-half billion dollars, that is for reserve purposes, is that South American countries in particular have been selling us goods for dollars, for cash, and we have not had anything to ship them in return. What we have shipped we have shipped to the war areas. We have obtained no exchange for that, because what we have shipped is practically given away in lend-lease, and we have had an adverse balance of trade. In spite of the fact that our exports are $12,000,000,000 and our imports $3,000,000,000 we have had an adverse balance of trade for the last 2 years of one and a half billion dollars a year.

When there is added to that the considerable amount paid out to our soldiers and our army of occupation, which amount is gradually being accumulated abroad and sent to New York in order to give the foreign countries exchange in this country, Senators will find the reason why the balances of foreign countries have steadily been increasing and why, to a considerable extent, they have used these balances to draw down gold. So we face a situation in which our gold is decreasing and our bank deposits are increasing. I see no alternative except to reduce the amount of gold reserve required against notes.

Mr. President, I think it might be worth while to picture just what happens when an increase in Federal Reserve notes occurs. The Government goes to the bank first in one of the bond drives, we will say, and in effect the Government borrows the money from the bank. The Government sells the bank a million dollars' worth of bonds, and the bank sets up a million dollars on its books as a Government deposit. Then the Government takes the million dollars and pays it out to some war contractor. It goes into his account, perhaps in the same bank or in some other bank. Then the war contractor decides that he needs money for his pay rolls. He has to pay cash to his employees. So he goes to his bank and says, "I want currency." The bank has only the currency it needs for day-to-day transactions, so the bank goes to the Federal Reserve bank and deposits a million dollars and says to the Federal Reserve bank, "We want currency for this million dollars." Then the Federal Reserve bank goes to the Government, if you please, to the Federal Reserve agent, and they bring $250,000 in gold certificates—in 1933 we took the actual gold away from them, but they still have the gold certificates—they bring $250,000 in gold certificates, and they bring $750,000 in Government bonds; and in return for that the Federal Reserve agent, which is the Government, gives them a million dollars in currency—Federal Reserve notes. They pay that to the bank, and the bank pays it to the contractor, and the contractor pays it out to his employees. That is what has happened over and over again, and it has resulted in a steady increase in the currency of the country.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BREWSTER. To what extent is the currency outstanding abnormal even under the present greatly inflated income of the country? I think that is a matter which has been giving many people great concern, because currency has risen, as I understand, to $21,000,000,000 now, and $27,000,000,000 in currency is in prospect That would not ordinarily happen if business were conducted with checking accounts, which would be a far more normal way of doing business.

Mr. TAFT. I think the currency has increased in a greater proportion than deposits. But the principal reason for the increase in currency lies in the fact of tremendously increased volume of business which requires more currency. It is also brought about by the Government deficit spending. I think the general opinion is that there is also a considerable amount of hoarding of currency today. There has been a good deal of hoarding of currency ever since 1933. Many people never have recovered their confidence in the banks, and simply hold on to currency.

It was suggested yesterday that the black market has brought about the use of currency. Perhaps it has. I do not know what can be done about it. It is suggested there are too many $1,000 bills out. Suppose we should call in all the $1,000 bills. All an expert black-market operator would have to do would be to use ten $100 bills, and perhaps he would be obliged to rent two safety-deposit boxes in which to place his bills instead of one. I do not know how in any way that would affect the actual black market or the amount of currency which is outstanding.

Mr. BREWSTER. Did it not appear before the committee that there were approximately 40,000,000 $100 bills in circulation, or approximately $4,000,000,000 in $100 bills, which is very abnormal?

Mr. TAFT. I am not certain.

Mr. BREWSTER. I think those were the figures given.

Mr. TAFT. I think perhaps Mr. Eccles testified as to the number of bills outstanding, but I do not remember that. I do remember it was stated there is a rather unusual number of high-denomination bills outstanding, but I do not think there is anything we can do about it.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. MURDOCK. So far as the question of expansion is concerned with which we are confronted by this bill, it makes no difference whether the expansion is by way of increased deposits or increased currency or an increase in both items.

Mr. TAFT. It does make some difference, if the Senator please.

Mr. MURDOCK. It does under the present law, which requires 40 percent in gold certificates against Federal Reserve notes and 35 percent in gold certificates against deposits. But if the bill under consideration is passed the reserve behind deposits will be fixed at 25 percent.

Mr. TAFT. The 25 percent as against deposits is against the deposits of the member banks, so that on that 25 percent is built a deposit four times as large in the Federal Reserve bank, and on that is built a deposit in some member bank approximateiy six times as large belonging to the ordinary citizen. So that there are actually against deposits in the bank not 25 percent of gold but only approximately 5 percent of gold. So that if we have more deposits and less cash in circulation we would require less gold as a matter of reserve. If we could induce people to keep the money in the banks, we would not have to have so much gold, even under this bill.

Mr. MURDOCK. I cannot follow the Senator. It makes no difference which way the expansion comes about. We are not talking about member banks. We are talking about the Federal Reserve banks. The currency is interchangeable with the deposits, and if we fix the gold reserve behind deposits at 25 percent, and behind notes at 25 percent, there will be no difference in the reserve situation whether the expansion is in notes or deposits.

Mr. TAFT. I do not think the Senator quite understood me. If I had a thousand dollar bill, the Federal Reserve bank would have to put up 25 percent of gold against that $1,000 bill, or $250 of gold.

Mr. MURDOCK. That is true.

Mr. TAFT. If I take that bill to the bank and put it in the bank, then the bank will credit me with $1,000 and will have to deposit in the Federal Reserve bank approximately $200 only of my thousand dollars as a reserve, and then the gold will be calculated on the $200, and the only gold against this thousand dollars of mine in the bank is going to be 25 percent of $200, or $50. So that if people would keep their money in the bank we would not need as much gold as we would if they insist on taking it out in currency. I do not think that makes very much difference, but that is the actual fact.

Mr. MURDOCK. Is the Senator talking about a deposit which is made in a member bank?

Mr. TAFT. Yes.

Mr. MURDOCK. Of course, the reserve situation in the member bank is quite different from what it is in the Reserve bank.

Mr. TAFT. Yes; but I am only suggesting one thing, and that is that under this bill it will be necessary to have five and one-fourth billion dollars of gold against our $21,000,000,000 of notes, but if the people would deposit the notes in the bank and let that money stay in the bank we would not need as much gold as we need now, because we need only about $1,000,000,000 of gold to support $21,000,000,000 of deposits in member banks.

Mr. MURDOCK. We should not, in the discussion of this bill, confuse reserves in member banks with reserves in the Federal Reserve bank itself. If the Sen-

ator will examine the testimony of Mr. Eccles, he will find that inasmuch as the reserve notes and the demand deposits in Federal Reserve banks are interchangeable, the reserve situation is exactly the same, and it makes no difference, so far as the reserve is concerned, whether the expansion is exclusively in deposits or exclusively in notes, or a combination of the two.

Mr. TAFT. I do not think the Senator understands. We have $21,000,000,000 in notes outstanding, and against that, under this bill we must have 25 percent in gold or five and one-fourth billion dollars. Suppose the people should deposit the whole twenty-one billion in banks, and put it in the form of deposits in member banks. The question is whether we cannot somehow reduce the currency. People ought not to be carrying around so much money. Let them put it in the banks. If they put the twenty-one billion in the banks, what will the banks have to do? They will have to go to the Federal Reserve banks and deposit approximately 16, 18, or 20 percent. They will have to put about $4,000,000,000 in the Federal Reserve banks. Then the 25 percent reserve in gold is figured on the basis of that $4,000,000,000, and amounts to $1,000,000,000. So if the whole $21,000,000,000 in currency were deposited in banks, and were not outstanding, we would require a reserve of $1,000,000,000 instead of $5,000,000,000. That is the fact. It is not a very important fact. It tends to show only one very minor proposition, that if we did not have so much currency in circulation, and people would put their money in banks, we would not have to have quite so much in gold reserves.

Mr. CHANDLER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. CHANDLER. I wish the RECORD to indicate my presence on the floor of the Senate.

Mr. TYDINGS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. TYDINGS. Mr. President, since 10 o'clock this morning, and up until 20 minutes past 12, the Committee on Territories and Insular Affairs has been conducting a hearing on Puerto Rican independence. The senior Senator from Maryland has been in attendance at those hearings almost every morning for some time. The hearings will be resumed at 2 o'clock this afternoon. The Senator from Maryland will not adjourn the hearings and come all the way from the Senate Office Building simply to answer a quorum call, but he will be present if a vote is taken. I make this explanation so that it may be understood that the Senator from Maryland is diligently attending to the business of the Senate.

Mr. FERGUSON. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. TAYLOR in the chair). Does the Senator from Ohio yield to the Senator from Michigan?

Mr. TAFT. I yield.

Mr. FERGUSON. First, Mr. President, I wish the RECORD to show that I am present on the floor of the Senate.

I should like to ask the Senator from Ohio a question. Without the proposed legislation, is the amount of currency now limited to $21,000,000,000, or is it $27,000,000,000?

Mr. TAFT. As I stated earlier, we can get along with the present 40-percent reserve through the year 1945. But by the end of this year, if the Federal Reserve notes continue to increase at the same rate, and if we lose gold at the same rate we have been losing gold, we shall reach a point about the end of the year when we shall have outstanding about $27,000,000,000 in Federal Reserve notes, and we shall no longer have any gold left available to act as a reserve for any further increase.

Mr. FERGUSON. Mr. President, will the Senator yield for a further question?

Mr. TAFT. I yield.

Mr. FERGUSON. With the amount of gold we have today, and which could be used for this purpose, how much currency could be issued?

Mr. TAFT. With a 25-percent reserve?

Mr. FERGUSON. No; with a 40-percent reserve.

Mr. TAFT. That depends somewhat on whether deposits increase in the same proportion. We could increase up to approximately $33,000,000,000 if we lost no gold. Our present gold reserves are estimated to be about eighteen and one-half billion dollars. If deposits were to increase in approximately the same proportion as Federal Reserve notes, we would be able to issue up to approximately $33,000,000,000. That would carry us through 1946.

The difficulty is that in the meantime foreign nations may draw down that gold. They have a right to do so. They have dollar balances, and they are selling us goods and desire to be paid in cash. They have been drawing down the gold. Naturally, we do not wish to impair our credit by refusing to pay those bills. We cannot pay them in goods in South America, for instance, because we are not exporting anything to South America.

Mr. FERGUSON. Yesterday on the floor of the Senate I heard mentioned the amount of $27,000,000,000.

Mr. TAFT. The figures were somewhat confused yesterday. The condition today, speaking as of the first of the year, is that there are $21,700,000,000 in Federal Reserve notes and approximately $6,000,000,000 in silver certificates. So the total outstanding paper currency today is in the neighborhood of $27,000,000,000. But that is a different $27,000,000,000 from the $27,000,000,000 in notes, which we will reach at the end of 1945 if the present process continues.

Mr. FERGUSON. I thank the Senator for the explanation.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BAILEY. In view of the colloquy between the Senator from Ohio and the Senator from Utah on the subject of the official percentages of reserves, I invite attention to the official statement which I have before me, and which I should like to read into the RECORD as a part of the information.

Mr. TAFT. I shall be very glad to have it.

Mr. BAILEY. This is from the Federal Reserve Bulletin for March 1945, in an article on the reserve position of the Federal Reserve banks by Roland I. Robinson, Division of Research and Statistics:

> The reserves required to be held by member banks at the Federal Reserve banks amount to about 16 percent of their total deposits. Against these member-bank reserves, the Reserve banks must hold a reserve of 35 percent. The product of these two ratios measures the demand made by member-bank deposits on gold reserves. The ratio is less than 6 percent.

The following is a footnote:

> The basic statutory requirement for member banks on net demand deposits is 13 percent for central reserve city banks, 10 percent for reserve city banks, and 7 percent for country banks, with 3 percent on time deposits at all classes of banks. United States Government war-loan balances are not subject to these requirements. The Board of Governors has administrative authority to raise these requirements for any class of bank, or either class of deposit to not more than twice the statutory minima. The prevailing requirements are: For net demand deposits at central reserve city banks, 20 percent; reserve city banks, 20 percent; country banks, 14 percent; for all time deposits, 6 percent. Because of varying distribution of deposits among classes of banks and between types of deposit, the aggregate member bank ratio of requirements varies from time to time but at the end of 1944 it averaged about 16 percent.

Mr. TAFT. I thank the Senator. I think that bears out, in a rough way, the figures which I have stated.

The pending bill would reduce the required reserve on notes and deposits in Federal Reserve banks to 25 percent. In addition, it would do two other things. The amendments of the committee, one of which is now under consideration, would repeal two emergency provisions which authorized the creation of different kinds of paper currency.

Section 3 of the bill provides that there shall be no more so-called Federal Reserve bank notes. Federal Reserve bank notes were authorized in the banking crisis of 1933. They are notes which were issued without any reserve at all. Under certain circumstances they are issued 100 percent against Government bonds or some other assets of the Federal Reserve banks, without any gold. I think a number of them were printed in 1933, but they were not all used. About 2 years ago someone in the Treasury Department found $600,000,000 or so of them in a back drawer somewhere. He decided that, inasmuch as they had been printed, they might as well be issued. So they proceeded to issue approximately $600,000,000 worth of those Federal Reserve bank notes printed in 1933. The Attorney General held that the emergency of 1933 had never been declared ended, so the notes could still be issued in 1943. At that time the Senate passed a bill, which I offered, to repeal the authority to do so or to declare the emergency ended, but the House did not pass it. Now, at the request of the Federal Reserve Board, we are proposing to repeal that authority. Also, in section 4, we would repeal the authority to issue

$3,000,000,000 worth of greenbacks, so-called, which have no gold backing whatever. We would also repeal the emergency authority granted under the so-called Thomas amendment in 1933. Those notes have never been issued.

What we now propose to do is to abolish the authority to issue those two types of notes which require no reserve. We propose to simplify, therefore, the entire currency structure. Hereafter all money would have to be in the form of Federal Reserve notes, and all of it would have to have as a reserve behind it 25 percent of gold and 75 percent of Government bonds or bank paper of one sort or another. Nowadays it is all Government bonds. So the bill would simplify the entire currency structure and would set up what I think would be a sound currency.

As to the reserve of 25 percent, the Senator from Colorado has offered an amendment to provide that the reserve be reduced to 30 percent, instead of 25 percent. The committee considered the proposal to reduce the reserve to 30 percent. The American Bankers Association suggested a 30-percent reserve rather tentatively, although I think it was entirely satisfied with the proposed reduction to 25 percent. Of course, no country in the world has a gold reserve against its currency amounting to as much as 25 percent. I think 25 percent as a gold reserve is adequate. I cannot conceive that people would rush around with their currency to any bank or to the Government or to any Federal Reserve bank, at one time—and demand gold for their currency in anything like the amount of 25 percent. People must have currency for use. People do not act in that way. I very strongly believe that if there were any such tremendous rush, it would swamp a 40-percent reserve just as much as it would a 25-percent reserve. I believe that for all ordinary purposes a reserve of 25 percent would be sufficient, in the sense that it would be available if people demanded gold. That was the old theory of the reserve, namely, that gold would be available to be given to people who demanded it for their currency.

Of course, today we do not give them the gold anyway. I do not at all agree with Mr. Eccles. He testified before the committee that no gold reserve is necessary. He said he was wholly in favor of a managed currency; that he was willing to have a 25-percent reserve, but that it would be just a concession to an outworn prejudice.

I do not agree with Mr. Eccles. It seems to me we should have gold as a reserve against our currency. I myself think we should go further than we go today in paying out gold; but we do pay out the gold when it is needed for export from the United States. As long as we do that, we maintain our credit and our position and we can go on buying goods and materials from South America, if we have to in this crisis, without paying gold for it, merely because we have the gold with which to pay for it. We can thus get along without sacrificing or making concessions, because we actually do have the gold. In the present crisis we have actually shipped quite a lot of gold to South America.

I think the maintenance of a gold reserve is also important from the psychological standpoint. In the past, inflation of the currency occurred only when people became frightened about the currency and began to believe they had better put their money into land or houses or washing machines or some other things of which they could actually have physical possession. As long as we maintain an actual gold reserve against our currency, I think there is nothing like the danger of having such a psychological condition arise among the people in times of inflation. So I think the maintenance of such a reserve is essential.

However, I cannot understand why a 25-percent gold reserve is not a sufficient one for the currency of our country. There are some other reasons why the reserve should be 25 percent, instead of 30 percent. Strictly on the basis of the books, with a 30-percent reserve, our gold probably would last—even if we were to continue on the basis of our present financing—for approximately 2 years before we would run up against the absolute necessity of changing the reserve again to 25 percent.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. JOHNSON of Colorado. The Senator said a 30-percent reserve would last for approximately 2 years. Does he mean January 1, 1946? It would be 2 years from when?

Mr. TAFT. I mean 2 years from now, I think. However, there are some qualifications in that respect. In the first place, if we required a reserve of 30 percent, some of the individual Federal Reserve banks—because the situation works out on an individual basis—really would have to maintain approximately a 33-percent reserve, or, to put it more clearly, we would have to maintain an over-all reserve of approximately 33 percent in all the banks in order that every bank have a 30-percent reserve. So, as a practical matter, under those circumstances some of the banks would run up against the 30-percent limit before 2 years from this time. They probably would do so in a year and a half, instead of 2 years.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield to me again?

Mr. TAFT. I yield.

Mr. JOHNSON of Colorado. I suppose the Senator means 2 years at the present rate of spending. If the present rate of spending is diminished, if the war is over within the 2-year period——

Mr. TAFT. Then the 30-percent reserve would continue for a somewhat longer period of time. But I make that statement on the basis of one other condition, which is that the reserve is not only affected by increases in deposits and notes, but it is also affected by decreases in gold. In the last 2 years we have lost over $2,000,000,000 of gold, and we are likely to lose more as long as the war goes on, largely because of our lend-lease policy. Under it we have to give away most of what we export, but what we import we pay for in cash. Thus we have an adverse balance of trade of approximately $1,500,000,000 a year.

So, Mr. President, we cannot be sure how much gold there will be. It seems to me there should be a sufficient amount to provide ample leeway. It also seems to me that if the foreign nations which have balances here, which have purchased dollars here, so to speak, or which have earned dollars, wish to transport those dollars somewhere else or translate them into gold or earmark gold, we should permit them to do so in order to maintain our credit. On the other hand, if we were to use all the gold deposits as a reserve behind our own notes, it would not be possible for the foreign nations to proceed in that way. In addition, if they became frightened that they would not be able to continue that policy on their part, they would be more likely to start a rush to change their dollars into gold. So I think it is most desirable to have some leeway.

The Senator has also filed an amendment providing that the reduction in the reserve shall be only temporary, and that after 2 years it shall revert to its former condition. I agree that 3 years from now we probably shall have sufficient gold for a 40-percent reserve. On the other hand, I do not see the necessity for a 40-percent reserve. But I do see a great danger involved in constantly agitating as to what the reserve should be. We only bring up the matter now because the Federal Reserve Board believes it is necessary to bring it up. Hereafter, if we wish to change it we can always do so; but I think it would be unfortunate to have the reserve established at 25 percent and have everyone know that 2 years from now it would increase to 40 percent, and have people become alarmed whether the gold would be available at that time, and make them uncertain whether Congress would extend the period during which the reserve would be 25 percent. Furthermore, the foreign nations to which I have referred would be very likely, when the reserve was decreased to 25 percent, to rush in and get the gold to which they are presently entitled, if they were afraid that later the reserve would be 40 percent and that then they would not be able to get the gold.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. MURDOCK. I am in full agreement with what the distinguished Senator from Ohio is saying. Even though the legal ratio is fixed at 25 percent, if our gold position improves we will have the advantage of whatever it indicates in gold, regardless of the legal ratio which may be fixed. Is that not correct?

Mr. TAFT. I think it is. I think it was pointed out by the Senator yesterday that since 1933 we have had a reserve of 100 percent of gold against our notes. The notes did not increase. The amount of gold reserve does not have any direct effect on the increase in notes until we actually run up against the reserve limit. What would take place if we did not pass the bill? We would

reach our limit. The Government would then try to sell bonds and the banks would say, "We are sorry, but we cannot sell any more bonds because we do not have the necessary cash to put into the Federal Reserve bank which we are required by law to do." So the financing of the war would stop. If a man wished to pay his employees he would go to a banker and tell him that he needed money. The banker would say, "We are sorry; there is no more currency." The first thing we would have would be a fear that there was no money. We would have runs on our banks, and such a condition generally that Congress overnight would probably do something more radical than we are proposing now to do.

Mr. President, what we are doing here is similar to the recent increase in the debt limit. We had to increase the debt limit. We have no choice about this reserve under present conditions. The real cause of inflation is not the increase in the debt limit or the reduction of the reserve—those are the results.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BAILEY. Would not the alternative be taxation?

Mr. TAFT. Yes. The difficulty arises solely from our taxation policy. We are spending $100,000,000,000 a year. We are raising in taxes approximately $45,000,000,000 a year. I think we should have raised more than that. I do not think we can raise $100,000,000,000 in taxes without tremendous injustice being inflicted upon the taxpayers, but we could have raised more money than we have raised so far. Unfortunately, last year there was a fundamental difference of opinion between Congress and the administration as to how additional money could be raised. The result was that additional money was not raised.

Mr. BAILEY. Mr. President, will the Senator further yield?

Mr. TAFT. I yield.

Mr. BAILEY. In view of the low figure of excess reserves at the present time, if we have a new bond issue and we cannot get the banks to increase lending power, the Government will have to carry on the war by increasing the volume of taxes to 60 or 70 percent a year. Am I not correct?

Mr. TAFT. I think the Senator is correct.

I overstated the case when I said there was no alternative. There is no alternative unless we are prepared to change our whole method of financing the war. I do not think we could change it at this time. But I do think that at the moment the war is over we shall have to return to a balanced budget. The only way to stop inflation is to stop the Government deficit. We shall have to think in millions again instead of in billions. We shall have to change our whole viewpoint with regard to spending money. Many persons have said, "We spent $50,000,000,000 a year for war, why not spend $50,000,000,000 a year for peace?" We may have to spend that now, but if we continue doing it, or if the war lasts another 4 years, I think we shall inevitably have inflation, or a tremendous increase in taxes.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. JOHNSON of Colorado. The Senator admits, then, that this proposal is just another arm of the deficit spending program, that it is merely one other phase of it.

Mr. TAFT. It is a result and not a cause. It is the result of the policy which we are following, and the result will continue so long as we follow the policy.

Mr. JOHNSON of Colorado. It is a permission for deficit spending.

Mr. TAFT. That is correct.

Mr. JOHNSON of Colorado. Congress is asked to give its permission for deficit spending by enacting the pending bill.

Mr. TAFT. As a representative of the American Bankers' Association has said, the reserve limit is a red light of danger. He also said that during recent months we got into the habit of going through the red lights. We cannot do that indefinitely without disaster resulting.

Mr. President, it has been suggested that we have effectively handled inflation by fixing prices. Of course, the cost of living has increased 30 percent in spite of the program of fixing prices, and in spite of a very effective control of the situation, and yet today we are bursting at the seams. Real estate values are rising, farm values are rising, and stock values are rising. Apparently, all capital values are going through a course of inflation. The present black market in meat is the result of an attempt to hold the price of meat at a level where it cannot be maintained with relation to the purchasing power which has been created by the policy of deficit spending to which I have referred. Our policy of price control cannot overcome tremendous inflation. The point which I want to make is that we must get away from deficit spending at the very moment we find it is no longer necessary to carry on the war. There is no justification for continuing such a policy except for the necessity of carrying on the war. So far as I am concerned that could be the only justification for doing something which I believe to be utterly and completely unsound.

There is one other amendment which I wish to discuss. The Senator from Colorado [Mr. JOHNSON] has filed an amendment to increase the price of gold. I do not know whether he will press his amendment, so perhaps I will not deal with it fully. I admit that an increase in the price of gold would have the same effect, as to the reserve question, as the passage of this bill, because we would have more dollars in the same gold. It is true that we could maintain our 40 percent ratio and remain in the same condition as before. But the increase in the price of gold has so many other effects that we should consider it seriously. It has the effect of increasing prices. Senators will recall that the Warren Pierson experiment did not increase prices dollar for dollar, according to the percentage of increase in the price of gold, but it did increase prices to some extent. An increase in the price of gold also upsets international trade because it makes it easier to export and much more difficult to import, a situation which is contrary to the policy we are endeavoring to pursue in building up imports into this country.

Mr. BAILEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. BAILEY. The Senator from Ohio referred to the Warren Pierson experiment. The experiment greatly increased the excess bank reserves; did it not?

Mr. TAFT. Yes; and it increased prices to some extent, but not to the full extent which Mr. Pierson expected it would.

Mr. BAILEY. I believe it made money available, as we are now trying to do. But the result of the experiment was to make money available to the banks to be loaned to the people. Here we are attempting to increase reserves in order that the Government may borrow.

Mr. TAFT. The two things accomplish the same purpose with relation to reserve. I am merely trying to point out that an increase in the price of gold affects our imports and exports by a reduction in the gold reserves.

Mr. President, I think I have said everything on the subject that I wish to say. I may add that I believe that a 25-percent gold reserve against currency and deposits is perfectly safe. For various reasons I think it should be provided permanently. I also think that if we are prepared, as the Senator from North Carolina [Mr. BAILEY] has suggested, to double our taxes and raise $90,000,000,000 instead of $45,000,000,000, perhaps we can get away with 30 percent; but I do not think that the Senate is prepared to tax in that way, and I do not think it could be done without very great hardship on many taxpayers.

Mr. BAILEY. Mr. President, I do not intend to make a speech on this bill but before the Senator takes his seat I should like to say that I question whether this country can undertake to increase the volume of its revenue.

Mr. TAFT. I think the country could. I suppose we could double the present individual income tax up to a point where it could not be doubled any more because it would be over 100 percent.

Mr. BAILEY. But what we would have to deal with in that event would be wreck and ruin.

Mr. TAFT. It would be a tremendous hardship. I felt 2 years ago that we might add $10,000,000,000 to the tax bill, or possibly $15,000,000,000, without serious harm, but that would be about the limit at any time and would still leave a large deficit.

Mr. BAILEY. I think the Senator will agree with me, because he is on the Finance Committee and a very fine student of the subject, that we have put the tax rates so high in what are called the higher brackets, that is on people with incomes of $10,000 or more, that there is a very serious question whether we can go any further to raise more revenue in the higher brackets. Then let us look at the lower brackets. People with very modest incomes are having to pay from $75 to $150 a year, and it is very hard on them. I had an instance here the other day of a man who came to me to borrow some money to eke out his tax

bill. He had all that was needed except $15. He asked me to let him have the $15. I knew he was perfectly good, and I said, "How much are taxes anyway?" He said, "My taxes are $73." I knew his situation sufficiently well to say that it would be an extreme hardship to put another dollar by way of taxation on him. My inclination would be to reduce it instead of increasing it.

Mr. TAFT. I agree with the Senator. Some time ago, if I remember correctly, I said that we could increase the normal tax on corporations perhaps by 10 percent and could increase to some extent the taxes in the brackets from $2,500 up to $50,000 and raise, as I thought, perhaps $10,000,000,000 more.

Mr. BAILEY. We might pick up something in that way; but we have one bond issue right ahead of us, and there will certainly be another one by October, and perhaps sooner.

We still have deficit financing. I am reconciled to that because we are in a great war. I am not for deficit financing when we have normal conditions and I will stand with any Senator here to resist it; but during the war we must finance by way of deficits. Under present tax rates we are receiving about $45,000,000,000 a year in revenue and spending from $80,000,000,000 to $90,000,000,000 a year. Anyone can make for himself the deduction to be drawn from those figures.

Mr. TAFT. I think we are spending about $100,000,000,000 at the present time.

Mr. BAILEY. I was trying to be conservative. I think the final figures have not come out for the year.

Mr. TAFT. I think expenditures for the last month were eight and one-half billion dollars.

Mr. BAILEY. That makes it just that much worse. We will add to the deficit this year on that basis $55,000,000,000, and if we increase revenues by $10,000,000,000 there will still be a deficit of $45,000,000,000, and we cannot get the $45,000,000,000 except by way of increasing the excess reserves of the banks by the method proposed by the pending bill. Am I not correct about that?

Mr. TAFT. The Senator is correct. We cannot get additional borrowing money without this method.

Mr. BAILEY. As Uncle Remus said to the little boy, it is a groundhog case. "He was obleeged to climb."

Mr. TAFT. I agree with the Senator.

Mr. President, I think the bill should be passed, and I hope it will be passed without amendment other than the amendments reported by the committee.

LEAVES OF ABSENCE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to be excused tomorrow in order that I may attend a meeting of the Association of American State Universities.

The PRESIDING OFFICER. Without objection, the Senator will be excused.

Mr. AIKEN. Mr. President, I wish to obtain leave of the Senate to be absent from tonight until the end of next week, unless some matters of critical importance arise, in which event I shall be available to return on short notice.

The PRESIDING OFFICER. Without objection, leave of absence is granted to the Senator from Vermont.

Mr. CHANDLER. Mr. President, I ask unanimous consent that I may be excused from the Senate for the remainder of the afternoon.

The PRESIDING OFFICER. Without objection, the Senator from Kentucky is excused.

AMERICAN COMMUNISTS—HARRY BRIDGES

Mr. WILLIS. Mr. President, I desire to address the Senate for about 20 minutes on another subject than that which we have just heard discussed.

Mr. President, more than 11 years ago a fellow Hoosier, the late Dr. William Wirt, superintendent of the Gary, Ind., public schools, stirred the Nation with a series of disclosures which, he made clear, pointed to a plot by Washington planners to make over the Government of the United States.

Dr. Wirt, at the time he made his charges before a congressional committee, was ridiculed and held up to public scorn. He was smeared by the clever leftists and his name became, in Communist circles, almost a byword. But history has vindicated him and the passing years have borne out to a remarkable degree the truthfulness of the words of Dr. Wirt. We have seen, first through a glass darkly and then clearly, that certain men wanted to supplant American constitutional government with a government founded on communistic principles.

I am not here and now saying, Mr. President, that these men have succeeded or will succeed. The innate love of freedom, the tenacity with which a free people have exercised their freedom of speech, the very bigness of our big country, have made it impossible for us to be taken too far along the road to totalitarianism, although our every move seems to have been in that direction.

There is little doubt in my mind that we have, as my distinguished colleague from Colorado [Mr. JOHNSON] pointed out more than a year ago, gone too far down the wrong road. I have ample proof of this simply by reading the recent statements of American Communists, in which they revealed clearly that they were eminently satisfied with the way things were going.

Now, of course, we have a new President, one of our former colleagues. I do not for a minute believe that he is going to condone or cooperate with American Communists. I have great confidence in the Americanism of President Harry S. Truman and, like every other American, I am going to give him my cooperation and offer for him my prayers that he will rise to the great opportunity for service to America that lies before him.

He revealed, when he was in the Senate, that he was truly American, nourished in the soil of our great Middle West, and I have no reason to believe that he will change at this late date.

But, Mr. President, I do not think that either the new President or the American people can be warned too often regarding the creeping collectivism that has been growing like a mold in this Nation—no doubt with the aid and comfort of the American Communists and the fellow-travelers, and in spite of all that real Americans could do.

Therefore, not gratuitously, but as a friend and a former colleague, I warn my new President against the insidious wiles of the American Communists and the fellow-travelers who have become imbedded, through the years, in high places in our Government.

Let me recall to the Senate and to the new President that less than 3 months ago, most loyal Americans were disturbed and amazed to learn that the United States Army—which for all the years had refused to let a man serve as an officer who had advocated the overthrow of this Government—had changed its regulations to allow Communists to be commissioned. No one yet has explained who ordered this drastic change of policy, or why.

When news items concerning this new policy of the Army were carried recently, most Americans were chagrined. They said to themselves: "Perhaps this is not true. Let me wait to see what the Army has to say for itself." Then, when the Army spoke, the people were even more chagrined. For the Army—on the basis of the testimony I saw in the various newspapers, reported by the Associated Press, the United Press, and the International News Service—is not only commissioning Communists as officers, it is going so far as to try to excuse and explain away their Communism. It is trying to whitewash the character of men who have, at one time or another, been committed to overthrowing the very Government which the Army was established to defend.

Here is what Earl Browder, president of the Communist Political Action Association, said concerning the new policy:

We are—

He said recently—

gradually breaking down and dissolving the barriers built up against us over a generation of the dominant forces in American society, as is witnessed by the action of the United States Army in abolishing the old discriminations directed against Communists.

We can confidently look forward to even more fundamental and dramatic confirmations of the correctness of the political path which we mapped and entered upon last May in our convention.

There we see, Mr. President, that the Communists can boast of playing a vital part in our affairs. Things were going their way—and they had a right to be proud. But no American has a right to be proud. The Communists know that the present fiscal policies of this Nation can bring only chaos. They can gloat over that fact. But no American should view the approaching storm of inflation with anything except soberness and a resolve to stop it if possible.

The Communists, as we know, thrive on mischief making. They are hoping that all the wild schemes concocted in one or the other of the bureaus are bludgeoned through the House and the Senate, for they love to fish in troubled waters.

Further, Mr. President, it is a matter of public knowledge that pressure was being put on our late President Roosevelt to get him to revoke the deportation order against that notorious Communist, or former Communist—call him what you will—Harry Bridges.

No doubt similar pressures will be put on our new President, Harry S. Truman. Let us believe—let us hope—that he will not yield to these pressures. I trust that he will not, but if he does give what amounts to a go-ahead signal to Bridges and all other American Communists, the new President will do it over the strenuous objection of Members of Congress of both parties, as well as the objections of such organizations as the American Legion and the Veterans of Foreign Wars, and over the protests of our brave soldiers in every part of the world, as well as many patriotic citizens throughout this broad land.

The latest effort to cancel deportation in the Bridges case is based, it appears, on the supposedly grand job he is doing in moving war materials from west-coast ports. The facts do not support the so-called excellent war job Bridges and his underlings are supposed to be doing on the west coast.

Quite the contrary, Mr. President, the facts indicate that the famous Harry Bridges slow-up campaign, begun long ago to spread the work and to increase the number of union men under him, is being continued right down until today, and has continued all during the time we were supposed to have been suffering a terrible manpower shortage.

Let me read to the Senate the following schedule of weight tonnage of cargo lifted per gang in the various ports in the period between July and December 1944, as shown by official War Department reports:

	Tons
Los Angeles, Calif	12.2
San Francisco, Calif	12.3
Seattle, Wash	14.1
New York, N. Y	16.6
Boston, Mass	15.0
Charleston, S. C	15.7
New Orleans, La	20.5

As is readily apparent to anyone studying these figures of tonnage lifted per gang, the Harry Bridges slow-up stands out like a sore thumb at Los Angeles and San Francisco ports. These figures indicate approximately one-third less cargo moved per gang by west coast longshoremen under Harry Bridges than in the other larger ports, which are unionized, but are not under Harry Bridges.

This is hardly a record to which the friends of Harry Bridges can point with pride. If the President thinks the people of this country will swallow any beautiful words about Bridges' war work in the face of these figures, which come from official sources, he certainly misjudges the intelligence of Americans. And if the Democratic Party believes that the people of this country will not hold a revocation of the Bridges deportation against the Democratic Party, then in my judgment its leadership is sadly mistaken.

Many Democrats, however, see the danger inherent in Harry Bridges and men of his type in the labor movement, or any other movement, I hasten to say, and to say gladly, just as many Republicans see the danger.

With the approaching end of the European conflict in sight in the not-too-distant future, all the accent will then be on west coast ports as we continue the war against Japan. Instead of the 700,000 tons a month sent from the west coast, the tonnage total undoubtedly will be increased to a million or more tons a month. That increased load will not be handled better under Harry Bridges—it will be handled worse.

The hundreds of thousands of American boys serving in the Philippines, in Iwo Jima, in Okinawa, have a right to expect to get the materials of war in an ever-increasing stream once the European conflict is ended. We will see to it that they get this equipment and the needed reinforcements. But it would be a slap in the face of every American fighting in the Pacific to grant a reprieve to Harry Bridges, who was working to overthrow our American Constitutional Government before this war, and whose efforts toward this end have not diminished, his words and the words of his voluble friends to the contrary notwithstanding.

Mr. President, I think there are few who will disagree with me when I say that Harry Bridges is a Communist. No informed American would say that I was calling him a Communist just to pin a label on him. Harry Bridges certainly would not disagree with the statement that he, at least, once was a Communist. He has admitted as much. Everybody knows that I am not simply labeling someone maliciously and for the fun of it when I refer to Bridges as a Communist, for, if any man ever has been proved to be one, then he is that man.

This question naturally arises in the minds of most Americans who hear the facts in the Bridges case: Why has this man been allowed to stay in this country as long as he has? Why was he not deported back to his native land long, long ago?

The fact is—and everyone knows it—that an American who believed in representative government in similar circumstances in Russia would have been bounced back to America so fast he would not have had time to say Vladivostok, if he escaped with his life. Every Senator knows that it is no reflection on America that some of our newspapermen are persona non grata in Great Britain, or in France, or in various other countries, at one time or another. There are many namby-pamby people who say that sending Harry Bridges back to his native land would be interpreted as a slam against Russia. This would be humorous, Mr. President, if so many people did not fall for such an obvious fallacy. The fact is: Every nation has a right to say who it will, or will not, accept as citizens from other nations, just as every nation has a right to close its borders to this or that newspaperman, this or that business house, or this or that representative of a foreign party.

The answer to why Bridges has been allowed to stay in America so long after he has worn out his welcome cannot be given in one sentence, for a variety of reasons have contributed to his lengthy overstay.

One reason, I think we all agree, is that the Communists have worked in and out of season to keep him here. There are many Americans who underestimate the power of the American Communists, in my judgment. They are always thinking of present-day Communists in the terms of yesterday's conditions. Back 20 years ago, the Communists were a raggedy-man group in America. They worked in slums and in hobo jungles. That was the period in which cartoonists began depicting Communists as ill-kept, hungry-appearing men with long hair. But today's Communists do not fit that description, Mr. President. They operate in our best drawing rooms, they have elaborate offices with pretty secretaries, and they even go so far as to take advantage of the best capitalistic advertising techniques.

The average American, who is busy tending his farm, or working at his bench, or running his business, has little time to delve into the intricacies of communistic influence, where it is operating, what the current party line is, or how powerfully entrenched the Communists are getting to be. He thinks—mistakenly, I must say sadly—that the Communists of today are in a little group up in New York City, safely cataloged by the F. B. I. and safely isolated so that they can be watched by all who desire to see them.

Yet, we know, Mr. President, that the Communists have scattered and that they have infiltrated into the most respectable organizations in the Nation, including our very Government itself.

No wonder that Harry Bridges is still with us, Mr. President. No wonder.

Another reason why Harry Bridges is still with us, Mr. President, may be the long-suffering of the American people, or perhaps, their lack of knowledge concerning the communistic menace within our Nation.

I would not have anyone think that I get up in the morning worrying about Communists, suffer nervous indigestion at lunch thinking of Communists, and toss abed at night dreaming about Communists. That is definitely not true. But I do not fail, when freedom is at issue in this body, or when important decisions are being made in our land, to try to isolate the Communist germ and to see to what extent it is causing the fatal illnesses that are creeping up on our representative government. I think it would be silly to worry all day about Communists, but it would be just as silly to think that they are no menace and to forget about them. We must watch them constantly, we must fight them constantly, we must expose them constantly.

The Communists do not ever rest in their attempts to overthrow American constitutional representative government. We must never rest in our battle to keep this constitutional representative government functioning.

It is unfortunate that I should have to do so, but there are so many clever propagandists who will claim otherwise that I must now make it clear that I am referring to American Communists. I want to make it clear that I am proud that

our Nation is fighting with Russia in this war and not against Russia. I want to make it clear that I hope that our Nation and Russia can remain at peace—can collaborate—through years and decades to come, for the people of Russia have suffered much, and for them I have nothing but unlimited praise and a great and unswerving respect.

I have the same respect for Great Britain, but I do not want a king in this country. I have the same respect for China, but I do not want America to have a generalissimo who holds power by force and gives up power only when he desires.

If anything I have said is construed as an attack on the people of Russia, or the Russian Government, it will be so construed deliberately and with malice aforethought. My remarks have been directed against American Communists, not Russian Communists. We are proud of our military alliance with Russia, but we want nothing of the Russian system of government, nor do we intend to impose our system on Russia.

And, although it may be superfluous, I renew my pledge to this body and to the people of this country to fight American Communists wherever and whenever they seek to enlarge their power. They have more power than they have a right to have now, and I, for one, will not give one inch of ground to them, or to their willing followers, ignorant or intentional, in either major political party.

Mr. President, I now ask unanimous consent of the Senate that I may be excused from attendance until next Monday, by reason of official business I am obliged to attend to in Indiana.

The PRESIDING OFFICER. Without objection, the Senator from Indiana will be excused, as he has requested.

REDUCTION IN RESERVE REQUIREMENTS OF FEDERAL RESERVE BANKS, ETC.

The Senate resumed the consideration of the bill (S. 510) to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment beginning in line 10 on page 4, to insert a new section 3.

Mr. THOMAS of Oklahoma. Mr. President, I should like to have the pending amendment stated for the benefit of the Senate.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 4, line 9, it is proposed to insert the following:

> SEC. 3. All power and authority with respect to the issuance of circulating notes, known as Federal Reserve bank notes, pursuant to the sixth paragraph of section 18 of the Federal Reserve Act, as amended by section 401 of the act approved March 9, 1933 (48 Stat. 1, 6), shall cease and terminate on the date of enactment of this act.

Mr. THOMAS of Oklahoma. Mr. President, I desire to make some suggestions with respect to the terms of the bill and the effect of the bill. The bill, if enacted, will repeal two provisions of a law passed in the early days of the present Democratic administration. The bill referred to was passed in May of 1933. It was signed on the 12th day of May of that year. It is known as an amendment to the Agricultural Adjustment Act. It is an amendment which gave the President his vast powers over money. Those powers can be classified in four divisions.

The first power gave the President the right to negotiate with the Federal Reserve System to issue $3,000,000,000 in Federal Reserve notes to meet maturing obligations of the Government.

The second special power gave the President the authority to issue $3,000,000,000 of Treasury notes, and to place those notes in circulation.

The third power granted in that law authorized the President to make a wider use of silver. It gave him the power to reopen the mint to the coinage of silver at any ratio the President might have seen fit to prescribe.

In the ancient days a ratio was established between gold and silver of fifteen and a fraction to one. The ratio was popularly called "16 to 1." It was practically that ratio. That ratio was maintained until silver was demonetized. That ratio obtained until 1934 when the President officially devalued the gold dollar and reduced its content from 25 grains-plus nine-tenths fine to 15 grains-plus nine-tenths fine.

The ratio which now exists between gold and silver is something like 30 to 1. But under the law which is on the statute books the President today could fix the ratio between gold and silver and then he could open the mints to the free coinage of such silver dollars.

The fourth power the law gave the President was to revalue gold, which meant to reduce the size of the gold dollar, and by proclamation issued by the President, the weight of the gold dollar was reduced from 25 grains-plus to 15 grains-plus, or, rather, about a 40-percent reduction in the weight and size of the gold dollar.

The official act of the President had the effect of increasing the price of gold from $20.67 an ounce to $35 an ounce.

Mr. President, I think the RECORD should show that the Congress knows what it is doing in passing this bill.

When the amendment was considered by the Senate in the early spring of 1933 a very peculiar situation confronted the country. From twelve to fifteen million people in the United States were unemployed. Business was at a standstill. Prices were so low that producers could not get back the cost of production. The farmers were compelled to sell their wheat at less than 20 cents a bushel in my State of Oklahoma. They had to sell their cotton for less than 5 cents a pound. They had to sell their hogs and cattle at less than 3 cents a pound. Work was nonexistent for laboring people. As a result the price level was very low. The national income was very low, which meant that taxes were not being paid. In those years we could collect only about two and one-half billion dollars a year in taxes. People did not have the money. Individual taxpayers, as well as corporations, pay taxes only on their net incomes. So the citizen having no net income to speak of, and many corporations having no net income, they were not required under the law to pay income taxes. As a result, the Budget was not met and balanced.

In those days we had to resort to deficit financing in order to obtain money to pay the expenses of the Government. It was under those conditions that this original amendment was offered, and it was under those conditions that the Congress enacted that law. The purpose of the law was to put more money in circulation and to raise the price level. To do so we had to reduce the buying power of the dollar. In 1932 and 1933 the dollar had a buying power of approximately $1.67. That meant that in order to obtain a dollar to meet his tax bill, or whatever his bill might have been, the citizen had to produce and give up goods or services to the value of $1.67. People did not do so except when they had to—for example, to keep their property from being sold under foreclosure.

As a result, it was necessary to do something. This was the means which Congress adopted to raise the price level by making the dollar cheaper, so that it would not buy as much. To the extent that the administration used the power granted under the amendment of which I speak, we had an improvement in conditions. The moment the bill was passed it became operative in the public mind. Prices began to rise, and business began to improve. It was better in 1933 than in 1932, better in 1934 than in 1933, and so forth, until 1937.

By 1937 conditions had so improved that the managers of money became alarmed because it was feared that we were reaching a point of dangerous inflation. At that time we had reduced the value of the dollar to about $1.30. We had raised the price level to about 80. Those who had bonds and credits, and who dealt in exchange—the big banks, and many smaller ones—became alarmed because it was feared that the exercise of those powers might lead to inflation.

At that time I was accused of being an inflationist. While I denied that I was an inflationist, I admitted that I wanted to see higher prices; and to the extent that I wanted to see higher prices, of course, the claim that I was an inflationist might have been justified. But at that time I held as a goal, and have since held as a goal, a 100-percent price level. I wanted to go back to the basis established in 1926. In 1926 the party in power fixed a basis for the value of money and a basis for the price level at 100, with the dollar containing 100 cents in buying power, which meant a price level of 100. That was the price level which was established in 1926, and during what was known as the Coolidge era of prosperity. That was my goal when I offered the amendment in 1933. It was my goal then, and has been my goal ever since, until we attained the 100 percent price level.

As I remember, we did not attain that price level until the fall of 1943. It required a war to get the dollar down to 100 cents, and the price level up to 100. When the price level reached 100, and when the dollar value fell to 100 cents, my goal had been attained. I did not ask for more at that time. I have not

asked for more from that time until this. I am not asking for more now.

We hear it said on every hand that we are now in a spiral of inflation, and that we have vast inflation. Mr. President, I categorically deny that statement. We do not now have serious inflation. Taking 1926 as a basis, in a period of peace 8 years after World War No. 1 had ended, a price level was established at 100. Today the price level is 5 percent above what it was in 1926. It is only 5 percent higher, on the average, today, than it was back yonder in the Coolidge administration, during the year 1926.

Now we are at war. Had it not been for the law which Congress enacted, and which the executive branch has administered, I do not know where the price level would be. It would be much higher than 105. So this bill comes at a time when the conditions are exactly the reverse of what they were when the original law was enacted in 1933. At that time we had a high-valued dollar and a low price level. Now we have a low-valued dollar, worth only 95 cents, and a price level 5 percent above 100. So the occasion for the retention of the two provisions in the amendment of 1933 does not exist. The reason for their enactment has disappeared. We have attained the objective which those two provisions sought to assist in attaining.

Now that we have a price level above 100, there is no particular reason, so far as I know, to keep those two provisions on the statute books; and so far as I am concerned, it is entirely agreeable to me to repeal the power given the President to issue $3,000,000,000 in Federal Reserve notes and an additional $3,000,000,000 of Treasury notes.

In 1933 we had only about four and a half billion dollars of money in circulation. At that time we had gold in circulation; we had silver dollars in circulation; we had gold certificates in circulation, and silver certificates in circulation. We had Treasury notes of 1890. We had national bank currency. We had the old-fashioned Treasury notes called Lincoln greenbacks. We had Federal Reserve notes, and Federal Reserve bank notes. In 1933 we had in existence more than 5,000 kinds of national bank notes. So at that time we had actually in circulation in America more than 5,000 different kinds of money.

This administration has sought to correct that situation somewhat by taking out of circulation more than 5,000 kinds of money. The administration has called in all the national bank notes. In those days every national bank had the right to have its own notes issued. It could procure some 2-percent Panama bonds, deposit those bonds with the Treasury Department, and receive in national bank currency 95 percent of the face value of the bonds. The bank could have the picture of its home institution and the name of the town printed on the face of the notes. The bank president or cashier signed the notes. At that time there were more than 5,000 banks in existence, and each bank could have its own money. Most of them did. So there were more than 5,000 forms of national bank notes. Those have been recalled.

As I stated, we had only four and a half billion dollars of all kinds of money in circulation in 1926. Now we have more than $26,000,000,000 in circulation. There is now in circulation $26,0000,000,000 of real money.

In 1933, when the original law was enacted, part of which it is now proposed to repeal, we had only about $43,000,000,000 of deposits in the banks of America. At that time all the banks together had only about $43,000,000,000 on deposit. Now the banks have more than $143,000,000,000 of deposits. If we add the $143,000,000,000 of deposits and the $26,000,000,000 of real money, we have a total of approximately $170,000,000,000 of money in the banks, in the pockets of the people, and in safe-deposit boxes. Of course, that is very inflationary.

This bill is still more inflationary. Coming at a time when we have $26,000,000,000 of real money in circulation, and $143,000,000,000 of deposits—and I am not criticizing it for that reason, because we are at war, and I believe that what we are doing is necessary—I make the flat statement that this is the most inflationary bill that has come before the Congress in 100 years. If any Senator wishes to challenge that statement, I pause for the challenge.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. THOMAS of Oklahoma. I yield.

Mr. TAFT. I would be glad to hear the Senator's reasons. As I stated, I think it is the result of inflation, and not the cause.

Mr. THOMAS of Oklahoma. We are caught at a time when we cannot help ourselves. The Senator from North Carolina made a statement a while ago which explains the matter somewhat. We cannot levy sufficient taxes and sell enough bonds in any one year to pay all our bills. So we have to put bonds in the bank and then authorize the Treasury to write checks against the credit thus created. That is why the sale of bonds is inflationary. That is why we have in the Treasury of the United States deposits in the vast amount of $143,000,000,000.

Mr. President, there is only one point in the whole philosophy of money about which there is serious controversy. That is whether the issuance of credit money has the same effect upon prices as the printing of currency or the coining of gold. There are in this country a few people who believe that the creation of deposit money has the same effect upon prices as does the printing of currency by the Bureau of Engraving and Printing and placing such money in circulation. They say the issuance of credit money has the same effect on prices as the coinage of gold would have. If any Member of the Senate believes in that philosophy, I should like to have him make it known, because I am prepared to show, I think, that those who maintain such a viewpoint are in error.

Credit money is the least inflationary of all the kinds of money we have. Currency money is the next least inflationary. Gold is the most inflationary. I will state my analysis of this matter, and then we can see whether anyone will be able to dispute it.

Under the present law, 1 gold dollar is sufficient to authorize the issuance of $2.50 of currency. One gold dollar will support $2.50 in currency. In other words, each dollar in currency has 40 cents' worth of gold behind it. The balance must be in the form of collateral notes or United States bonds.

Very well. The gold dollar is 100 cents. Forty cents of that dollar will back 1 dollar in currency. The next 40 cents will back a second dollar, and the remaining 20 cents will back 50 cents in currency. So today 1 gold dollar will back or support, under the law, $2.50 in currency.

Under banking practices the banks can draw on their reserves in the Federal Reserve banks and can expand their deposits to the extent of $10 in credit for every dollar of currency they have on deposit with the Federal Reserve banks. That means that under the present law one gold dollar will sustain $2.50 in currency, and each dollar in currency will sustain $10 in credit, which will be $25 in credit for each $2.50 in currency. By addition we find that $1 in gold will back a total of $27.50.

What can a currency dollar back or support? It is good for $10 in credit. What can a credit dollar back or support? Actually such a dollar does not exist except in ink on some banker's books. It stands behind nothing. Hence the credit dollar is the least inflationary of all the kinds of money we have. That is the reason why bankers do not especially object to the expansion of the amount of credit money in circulation. But when we start to print notes and place them in circulation, then comes the complaint, because each currency dollar can sustain $10 worth of credit.

Under the pending bill, $1 in gold would have to support $4 in currency. The gold dollar has 100 cents. Twenty-five cents in gold would support a dollar in currency, which means that under the bill, if enacted, $1 in gold would support $4 in currency, and each currency dollar would support $10 in credit. So if the bill is enacted into law, instead of having one gold dollar stand behind $27.50 of currency, one gold dollar would stand behind $44 of currency and credit money. That is certainly inflationary. Some years ago I was called an inflationist because I proposed a 40-percent increase in money. The pending bill proposes a 62½-percent increase. I am not complaining, because I think it is necessary. We must either do that or force the Treasury to discontinue the issuance of currency and credit on the basis of the maintenance of a gold reserve.

The authorities who deal with the financial system are of the opinion that if we reduce the gold backing to 25 cents for each dollar, we shall have enough gold to sustain enough currency, and enough currency to sustain enough credit, to pay our bills in this war.

So I am not complaining because the bill proposes to repeal two provisions of my amendment which was adopted in 1933. I am not opposed to the bill which is before the Senate, except I want the Senate to know exactly what it is doing. The bill is the most inflationary one

which has been seriously considered by the Congress in 100 years.

Mr. President, there is only a small amount of gold in the world. We have lost $2,500,000,000 worth of our gold in the last 3 or 4 years. At one time we had approximately $23,000,000,000 worth of gold. We now have only a little more than $20,000,000,000 worth of gold. No one knows how much gold there is in the world. In 1940 the most accurate estimate which could be arrived at by those who had the best facilities for making an estimate was that there was $28,000,000,000 worth of gold in the world. That was all the gold the experts could locate. In that same year we in the United States had approximately $20,000,000,000 worth of gold.

The production of gold throughout the world has amounted to approximately $1,225,000,000 a year. It was not that much in 1944. Probably it will not be that much this year because of a shortage of manpower and a shortage of machinery. Making allowance for the increased production since 1940, the estimate of the amount of gold in the world today which could be used for money is approximately $33,000,000,000 or $34,000,000,000. That is all the gold there is in the world. If we have $26,000,000,000 worth of currency in circulation, we have $143,000,000,000 worth of credit money in circulation, and there is only $33,000,000,000 of gold in all the known world.

Mr. President, I suggest that that is not sufficient gold properly to support the currency not only of this country but of all the rest of the world. I know that nations can get along with almost any kind of money within their own territorial limits, and some of them do use practically anything for money. I can show some types of money which are now in circulation in various parts of the world. I hold in my hand what is money in Italy, a lira. That money was printed in the United States. When we went to Europe and entered Italy, we had plenty of that money to give to the boys in our Army and to use in paying our bills there. At that time it was good money. It is good money now, over there, so I understand. It is the kind of money which would be in circulation in this country if Italy had taken over this country or if Germany had taken over this country or if Japan had taken over this country. It is the kind of money we would have in our pockets today if any of those nations had done to us what we have already done to them.

Here is a German 100-mark note. At one time it was good money. It is the kind of money which is in circulation in Germany. In this country it is worthless, and it is worthless anywhere else in the world except in the lands dominated by Germany.

I also hold in my hand some money issued by one of the great cities of the United States. I will not mention the name of the city. It looks like money. Fifteen years ago it served as money; it operated as money in a great city. So I say that, locally, almost anything can be made to serve as money.

Here is a piece of Nicaraguan money. It is a 25-centavo piece. In Nicaragua the unit is worth 20 cents in our money, so this 25-centavo piece would be worth a fourth of a unit, or 5 cents, in American money. In Nicaragua it is worth a nickel. Here it is practically worthless.

Here is some prosperity currency issued in one of our neighboring countries. Here is some Mexican money—10 pesos. All this money loses value outside of the country which issues it. Money that is recognized outside of the country or territory issuing it must have something back of it.

Mr. President, at the present time we recognize only gold as backing for our money. There is only $33,000,000,000 in gold in all the world with which to back all the money of the world. I can see no reason why the countries of the world cannot agree on a policy of using both gold and silver as money. The first dollar ever coined in this country was a silver dollar. The first unit of money ever established in the United States was the silver dollar. We retained the silver dollar from its inception back in approximately 1790, until 1873, as I recall, when silver was demonetized.

Many persons think that the country is literally running over with silver, but that belief is a fallacy. As a metal, silver is scarcer, relatively, than is gold.

Mr. President, since time began, so far as we have any knowledge, we have mined only approximately 10,000,000,000 ounces of silver. Of that quantity a few years ago we had some 3,300,000,000 ounces. The Secretary of the Treasury has testified that he scraped the world and he collected about all the silver that he could find. If he made an honest effort to get the silver, and I believe he did, there is not much more silver left than 3,300,000,000 ounces which we once held.

Mr. President, if that is true, and I believe it is, silver is not a dangerous surplus commodity. It is scarcer than is gold. At one time, silver production was 16 times in weight that of gold, but now it has dropped down to 7 or 8 times the weight of gold. If we have a free economy again, as we shortly will have, and silver is turned loose upon the world market, it is my belief that it will increase in value in terms of gold, so that silver will be worth as much as gold, relatively speaking.

Silver, being so scarce, there is not much in circulation. Neither silver nor gold is in circulation to any extent. Silver is bulky and heavy, and people do not care to carry around with them heavy silver coins. Inasmuch as both gold and silver have been used for money throughout the ages, and inasmuch as the demand for money has vastly increased, there should be a greater production of both gold and silver. If the people are unable to get gold, they want silver. If they are unable to get silver, they want paper, and paper, as a rule, is good only in the country where it is issued.

So, Mr. President, when the Bretton Woods proposals come before the Senate for consideration I shall propose an amendment providing for a wider use of silver in our monetary system. I think that it is necessary that we do something along that line, or reduce the size of our gold dollar. The present gold dollar is too small in its gold content to be coined. If the present content of the gold dollar were to be measured it would approximate the size of the little fingernail and be not greater in thickness. A coin of such size cannot be handled efficiently.

Mr. President, inasmuch as silver is a precious metal, and inasmuch as it has been used and is being used for money, and inasmuch as silver and gold may both be placed in central banks as bullion, and not as coin, I can see no reason why we should not continue to use our silver along with our gold, as a backing for our currency.

We have found that silver is valuable not only for money, but for other purposes, as well. The war has demonstrated to the world that silver is a valuable war metal. Fortunately, we had a large stock pile of silver at the beginning of the war. It had been accumulated strictly as a result of legislation enacted since 1933. When the silver pile had been accumulated it was not needed for money and the silver was loaned to other nations to be used in their coinage systems and in the war effort.

So, Mr. President, at a later date an amendment will be submitted to the Senate proposing to use our silver on a reasonable and sound basis as a backing for the currency which we must have, and will have, with which to transact our business, pay off our war debts, and sustain this great Republic.

As I have already stated, I have no objection to the repeal of the two provisions of the law which were enacted in 1933. I have no objection to the pending bill because, in my judgment, we must either enact such legislation or force our Government to issue money in spite of the law which now requires 40 percent of gold as a reserve behind each dollar.

Mr. JOHNSON of Colorado. Mr. President, in the spirit in which the Senator from Oklahoma has addressed the Senate, I desire to speak on the subject of the pending measure, my objective being that the country may be more fully informed about the bill which the Senate is asked to enact.

Mr. President, we are approaching the vortex of an economic whirlpool which threatens the future peace and prosperity of our land. The speed with which we are whirling has been so greatly accelerated that we no longer have time to take more than a glimpse at the problems which are pushing us toward deterioration and possible destruction.

The economic factors which influence our lives are being distorted and mutilated day by day to such an extent that confusion holds us in its firm grasp. I realize, as does every other Senator, that the emergency of war compels us to commit extreme acts, but today too many crimes are being committed against the American people in the name of the war effort.

The pattern set forth by the founding fathers in the Constitution of the United States has been tinkered with so much that at times it has become almost unrecognizable. Among the purposes of the Constitution is one which constantly affects all our people. The one to which I address myself at this time has never been amended, but has often been falsely

interpreted and grossly miscalculated. In these times of artificial prosperity we rejoice with reverence for the valor of our fighting men on all the earth's battle fronts. As we await anxiously the finale of the greatest tragedy in all history, Congress is urged to take summary action on a proposal which will prove disastrous in the future unless it be modified.

Mr. President, we Members of the Congress are busy people. Committees are meeting frequently, and for long periods, in the consideration of proposals of great divergency, affecting the future well-being of our people. There is not ample time to give adequate consideration to proposals. It is difficult to weigh their future effect. There is little time for research.

Today we deal in astronomical figures—in billions of dollars—in providing armies and navies, and feeding the peoples of the countries which are overridden by degenerate maniacs who have been imbued with false philosophies through which they have sought to control the destiny of the world.

We are living in an age of easy money—excessive paper currency—low interest rates, swelling bank deposits, enormous debt structures, and abnormally high national income. It is no wonder that questionable monetary proposals are receiving so little attention.

Article I, section 8, paragraph 5, of the Constitution provides that Congress shall have power "to coin money, regulate the value thereof, and of foreign coin," and so forth. On November 1, 1893, under this power, a monetary policy was established by the Congress from which I quote the following:

> And it is hereby declared to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value, such equality to be secured through international agreement, or by such safeguards of legislation as will insure the maintenance of the parity in value of the coins of the two metals, and the equal power of every dollar at all times in the markets and in the payment of debts. And it is hereby further declared that the efforts of the Government should be steadily directed to the establishment of such a safe system of bimetallism as will maintain at all times the equal power of every dollar coined or issued by the United States in the markets and in the payment of debts (28 Stat. 4, ch. 8).

I wish to invite the attention of the Senate to the fact that the Constitution was adopted by the original 13 States in convention on September 17, 1787. That was 63 years before the first far Western State, California, was admitted to the Union; it was 71 years before Oregon, the second far Western State, was admitted to the Union; it was 77 years before Nevada, the third, was admitted to the Union; and 89 years before my State of Colorado, the fourth far Western State, was admitted to the Union. I mention these important historical facts in order to show clearly that no far Western State had a voice in framing any of the provisions of our great Constitution, including that important one which vested in Congress the sole power to coin money and regulate the value thereof.

When the law of November 1, 1893, was enacted, there were only four additional Western States added to the Union which produce the precious metals in any abundance. The great preponderance of votes at that time were cast by Senators and Representatives from the East, the South, and the Middle West.

The latest recommendation of the Federal Reserve Board tends to scrap, in part, the monetary policy of our Government, the policy established by our sagacious forefathers after prolonged deliberation. The Federal Reserve System, established only 32 years ago, has as its Chairman of the Board Mr. Marriner S. Eccles, who a few days ago before the Senate Banking and Currency Committee, in reply to a question by the Senator from Utah [Mr. MURDOCK] as to whether, in his opinion, we could very well suspend the gold reserve requirement altogether, answered:

> Very, very well. I feel that we certainly do not need to impose on ourselves these reserves; and if we did not choose to impose reserves, we could suspend the reserve requirement altogether, such as the British and Canadians and every other country in the world has done, and they have done it very successfully.

The Senator from Utah said:

> I doubt it very much.

Then Mr. Eccles stated:

> Very well. I would like to see it done. However, since we have the gold, I am perfectly willing not to argue the logic of it, but to pay that much respect to orthodoxy; but if we can get 25 percent gold reserve, it will take care of the needs for some time to come, and it is acceptable generally to bankers and people who have an idea that there is some mystical form of security in gold. We are the only country left that still has the archaic idea of maintaining a gold reserve back of our currency.
>
> They [other countries] have no need for the gold, and they do have a need for the dollars that it will buy and the goods that those dollars will buy, which is a thing they want in the end.

Mr. President, I cannot understand how a man who occupies a position of such high rank and responsibility can with such profound audacity make such a statement unless he is in possession of conclusive proof. He referred to "bankers and people who have an idea that there is some mystical form of security in gold." I assume we are at liberty to conclude that he implies that the "bankers and people" who agree with him comprise a majority, or at least a substantial proportion, of bankers and people of the United States. We might assume that he could speak for some bankers, but I am very doubtful if he can speak for more than a few personal acquaintances among the people of the United States. The people, in my opinion, once they understood his devotion to printing-press money, would never support his philosophy.

Suppose we examine for a moment a statement made by Mr. W. Randolph Burgess, president of the American Bankers' Association, before the Senate Banking and Currency Committee a few days after Mr. Eccles made his startling declaration. Replying to a question by the Senator from Utah, "Is it a fair inference from your statement, Mr. Burgess, that you do favor a metallic base behind our currency?" Mr. Burgess said, "I do." He then added:

> You see, I have had large banking experience, but the thing I come back to in the long run, and the thing I think was omitted from Mr. Eccles' testimony, if I might say so, is the human reaction involved.
>
> If the chairman will permit me, I would like to say that when the Social Security Act was passed, providing for pensions and for unemployment insurance, millions of people throughout the United States were relieved from worry, were relieved from concern about their future, which is to explain that it had great human value.
>
> Now, I want to suggest a very radical thing—

Continued Mr. Burgess—

> and that is that gold has a social-security value, because it relieves people of worry, is a guaranty of the integrity of their money. It means that the bondholder knows his money at least has something back of it that is going to hold the price so it won't become worthless. I am a hard-money person.

I would call the statement of Mr. Burgess conservative in comparison with the declaration of Mr. Eccles. Mr. President, a few years ago the same chairman of the Federal Reserve Board complained because of the excess reserves that were at that time being built up as a result of large acquisitions of gold and silver. Now we find that we are short of gold; that is, we do not have enough gold to serve as adequate backing for the paper money issued by the Federal Reserve System. One of the reasons for this shortage of gold is the closing of our gold mines in 1942 by the War Production Board.

At the time when there was never a greater need for expansion of currency and credit in the United States in order to finance the production and transportation of our colossal war munitions and materials program needed by our armies and navies and by our allies, the War Production Board very stupidly determined that gold production must take a holiday. This short-sighted policy is the result of impulsive consideration and action and lack of coordination with the fiscal and monetary authorities who must have foreseen the necessity for a great expansion of currency and credit in order to finance the war. There being a shortage of men for the production of copper, it was decided to stop gold production so that gold miners could be made available for copper production. That was a grand theory, but it did not work. Not more than 10 percent of these gold miners thus thrown out of work actually went to work in copper mines. Most of them found employment in shipyards and munitions plants, where higher wages and better working conditions prevailed.

This war cannot be won without men, materials, and money. If we are going to weaken our paper money by diluting it—that is by reducing the amount of gold behind every dollar from 40 to 25 cents—we will be following a course that

will lead, as I stated before, to deterioration and destruction.

Mr. BAILEY. Mr. President, the point the Senator has just made is that those stocks are reduced because we suspended operations in the mining of gold. I have the figures here. Our domestic production of gold has never been more than $170,000,000 in a year, and as late as 1942 it was $125,000,000, in 1941 it was $170,000,000, and in 1934 it was only $92,000,000. I do not see that the resumption of the mining of gold would add a great deal to the gold stock.

Mr. JOHNSON of Colorado. It would add something.

Mr. BAILEY. It would add a little, but not a drop in the bucket compared with what we need.

Mr. JOHNSON of Colorado. That, of course, may be; but every bit deleted from the gold supply makes the situation that much worse. It is one of the contributing factors.

Mr. BAILEY. It is one of the smallest contributing factors. It amounts to about $100,000,000, and the gold stock at the present time is $20,000,000,000. If the Senator will figure that in terms of percentage, he will see that it is not 1 percent.

Mr. JOHNSON of Colorado. But it is an annual deletion. Over a 4- or 5-year period it would amount to a good deal. As I understand, the world produces about a billion and a quarter dollars in gold a year. About one-fourth of that is produced on the North American Continent.

Mr. BAILEY. I may say to the Senator that the net gold imports run from $1,133,000,000 to as high as $4,000,000,000, in 1940.

Mr. JOHNSON of Colorado. That, of course, was not from current production; that was from accumulated supplies of gold.

Mr. BAILEY. I was speaking just now of the domestic gold production, and my point is that if the mines had been operating at full tilt from the very best estimate we would not have gained over $400,000,000 in gold in the last 4 years. Four hundred million dollars in gold is what percentage of $20,000,000,000? I shall not figure it, but it is a very small percentage.

Mr. JOHNSON of Colorado. I think it is probably a great deal more than the Senator estimates.

Mr. BAILEY. The figures are not estimates; this is an analysis of changes in the gold stock of the United States, found on page 242 of the Federal Reserve Bulletin. It is official; it is not an estimate.

Mr. JOHNSON of Colorado. If the Senator will multiply a billion dollars of gold by two and a half, he will see that it runs into a considerable amount of currency.

Mr. BAILEY. If we multiply it by 10 it is still more.

Mr. JOHNSON of Colorado. Yes; but the law provides for multiplying it by two and a half, the reserve being 40 percent.

Resuming the thread of my discourse, this war will result in the deterioration of the moneys of many countries and the total destruction of others. We must not allow that to happen to the best money in the world, the United States dollar.

Let us examine another phase of this proposal. There is no interest charge on the gold that backs Federal Reserve notes and deposits. If the amount of gold backing is reduced, it will be necessary to fill up the gap with interest-bearing collateral, the interest on which would result in another burden upon the already overtaxed public. Who gets the interest? The Federal Reserve banks. Their subsidy would thereby be increased.

It may be that Mr. Eccles realizes that the Federal Reserve System would be criticized, and justly so, for recommending such an increase in the already large Government subsidy in behalf of banks, for he stated before the Banking and Currency Committee, when that question was raised:

> If you wanted to, you might very well issue them without anything back of this currency, anything back of the Federal Reserve, as I have advocated for a long time, and as I did advocate when the Banking Act of 1935 came along, that we eliminate the collateral. It passed the House at that time.

Mr. Eccles, therefore, recommends that our currency be issued on a fiat basis, without gold or collateral, the kind of paper money which Germany issued after World War No. 1 and which led to complete destruction of its money and to repudiation of its reparations and all other obligations.

Mr. Eccles continued:

> We are practically the only country in the world that really requires collateral back of Federal Reserve notes at all. So, if you want to, why not cut off the collateral, the Government bonds back of the money, and go ahead like almost every other country in the world does. It is a serious waste of money and an entirely unnecessary one.
>
> Why have gold or collateral back of your currency? This is the currency of the United States Government, and they are the backers of that money. Why have any collateral back of that?

I agree with my colleague the Senator from Colorado [Mr. MILLIKIN], who said:

> I must take issue with you, I think, Mr. Eccles, when you argue that the monetary unit, whatever it may be, can be pushed around in the stratosphere independent of its own value, that you are arguing—I say most respectfully—economic nonsense.

Upon further examination I find that Mr. Eccles stepped so far out of bounds as to state that gold and collateral are a handicap to our paper currency, when he said:

> As a matter of fact, the fact that we have back of our currency gold or securities in no way aids this country.

Then he made this statement, which he afterward deleted:

> But I think it has been detrimental in that it has hampered the proper handling of that currency. Whether or not you have backing to your currency in no way restricts the issuance of the currency—it in no way restricts its issue. I want to emphasize that.

I want to emphasize that. The Chairman of the Federal Reserve Board has even deplored the fact that we have gold and Government bonds back of Federal Reserve notes.

Mr. President, can we sit idly by and countenance this absurd concept of futuristic monetary degeneracy? Most of us remember full well the cataclysmic result of Germany's financial collapse following World War No. 1. Of course, there is a difference of purpose. Germany's economic downfall was premeditated.

I will not accuse Mr. Eccles of having any such ulterior motive. I simply do not believe his judgment is sound. I certainly do not want to have remain in his hands the management and control of the money issue of the Federal Reserve System without gold and collateral security to support it.

By contrast Mr. Burgess, when asked the question, stated that the fact that the dollar is the most desirable and best money in the world today is largely due to the gold backing behind it and to our marvelous productive capacity and our democracy.

When asked if he agreed that if we should ever reach the point when we no longer have a metallic reserve at all the Government might still issue its own money, he said:

> Yes. I think that a part of the whole question is a drift toward totalitarian government throughout the world. One of the questions in connection with that is money management and exchange control; and if you can control that you can control the lives of the people.

Mr. Eccles states that:

> Confidence in Federal Reserve notes is well established, and whether the amount of gold back of the notes is 40 percent or 25 percent makes no practical difference. As a matter of fact, the public accepts and has accepted Federal Reserve bank notes without any differences.

He seems to lose sight of the fact that the public has not had an opportunity to pass judgment on his proposal to change the requirement for 40 percent gold and 60 percent collateral behind Federal Reserve notes. How is he in a position to judge as to what the public thinks of his proposal to reduce the gold reserve to 25 percent and to increase the collateral backing?

He is not in touch with the public. He deals only with banks, and I have already shown that Mr. Burgess, a practical banker and president of the American Bankers Association, is not at all in accord with him on this and other more vital points.

Mr. Burgess stated, "I think gold is of very great value" as backing for our currency, notwithstanding the fact that the guarantee of the Government is also behind it. He said:

> History down through many generations is to the effect that people do not trust their governments 100 percent, and they like to have safeguards.

I should like to know if Mr. Eccles has ever circularized the banks of this country on the question of metallic reserves, and with what result. It would be interesting if Dr. Gallup were to take a poll of the people on these two questions:

First. Do you consider it necessary or advisable to have gold and collateral be-

hind Federal Reserve paper notes for reasons of security?

Second. Would you have the same confidence in Federal Reserve paper money if neither gold nor Government securities support it?

Mr. President, unless the Congress places some restraint on the Federal Reserve Board Chairman in his effort to dethrone gold from its traditional pinnacle of confidence and usefulness, I very much fear that its failure to do so will be construed as a capitulation and an indication of their willingness to experiment in managed currency, which is, in my opinion, foredoomed to failure. Until a little over 10 years ago our currency was redeemable in gold. Are we willing to conclude that our experience during the last decade has proven that we no longer need gold reserves to support our paper money? During that entire period our budget remained unbalanced. Our expenditures greatly exceeded our receipts, resulting in an acceleration of our program of deficit spending. Our indebtedness has expanded almost to the breaking point.

Mr. Eccles referred on two or three occasions during his recent testimony before the Banking and Currency Committee to the fact that Great Britain no longer requires gold reserves behind its paper currency. He failed to state that Great Britain is today insolvent and is facing the greatest trial of its existence in an effort to recover its economic equilibrium. Indeed, its position is nothing short of precarious. Are we to pattern our currency system after that of the British Empire? The internal economy of Britain can only lead to further repudiation of her obligations. Germany has no gold reserves either. Should we follow Germany's lead? If Great Britain had sufficient gold today she would no doubt be very proud of the fact, and would not fail to remind the world of the possession of such an asset. If Great Britain had the gold today, she could cancel much of her blocked sterling which hangs so heavily over her head in India, Egypt, and elsewhere.

We sympathize greatly with our friend and ally, but I do not accept the fact that because Britain is short of gold she would overlook any opportunity to acquire every ounce obtainable and to employ it as a reserve to support the pound sterling. Nor is her predicament to be confused and regarded as any criterion after which we should pattern our currency system. In the first place, let us see whether Great Britain has lost her interest in gold. I will read two brief paragraphs from the Economist of January 20, 1945, which indicate that Great Britain is exerting very strenuous efforts to get her hands on as much gold as possible. We are aware of the fact that the Economist enjoys a close tie-up with the British Government and may be relied upon to express the official views of Downing Street on banking and financial matters. Its comments are as follows:

> Many of the recent commercial and financial discussions between the British and French Governments have hinged on the extent of France's willingness to pay in gold for part, at least, of its past and accumulating obligations to the sterling area. The hinge has proved extremely stiff, and little progress is as yet to be reported. The French Government wishes to place considerable orders for raw materials, foodstuffs, and manufactured goods in the sterling area. Assuming that the goods and the required shipping are available, the next problem is that of payment. The French wish to make their payments in sterling, of which they have accumulated certain reserves as a result of the measures for mobilizing French private assets abroad. The British have hitherto insisted that part of the payment for current purchases should be made in gold, and have furthermore suggested that certain earlier debts, notably that arising from the operations of the Reynaud-Simon agreement, should be met in gold.
>
> According to the latest Bank of France return the unencumbered French gold reserve is equal to £427,000,000. The British case is that some of this reserve should be put into the common pool, and suffer some of the fate that would have overwhelmed it had there been no armistice in 1940, and had the French gold and foreign assets not been frozen by the Allied authorities. Britain, which ran its gold and dollar balances to within a few million of complete extinction when lend-lease came to the rescue, argues that some of its gold was spent in French as well as British interests and that a small part of the loss might now be made good from the substantially intact French reserve. The argument is reinforced by the fact that to give France facilities to pay for substantial imports from the sterling area by drawing on sterling balances might be construed as discrimination in favor of France, and against far more substantial holders of abnormal sterling. The French counterargument is that France has suffered both physically and morally far above Britain's measure, and that the whole of the available gold will be needed to finance urgently needed imports from hard currency countries after the war.

It would be interesting to ask Mr. Eccles whether it would make any difference whatever in the stability of a currency of a foreign nation if that country had and maintained a gold reserve of, let us say, 40 percent. Or, I should like to ask him if in his opinion a foreign country's currency which had no gold backing would be just as acceptable as one which does have gold backing. I should also like to ask him whether he would place the same confidence in the future currency of Germany if there were ample gold backing on the one hand and no gold backing on the other. Most certainly he would have greater confidence in the future currency of Germany if it were backed by gold. I cannot understand why any sound person, whether he be educated in monetary economics or not, would hesitate to give preference to a currency that is backed by gold in contrast with one that has no metallic backing. In my opinion, a currency, in order that it may enjoy the respect and confidence of other nations, must have more than its government's stamp. It must be more than the product of the printing press. It is true that the government's stamp gives it a status of legality and genuineness, but the additional backing by gold gives to it an intrinsic value which it otherwise does not possess.

Mr. President, there is much speculation about returning to the gold standard on a world basis. This question was discussed briefly by Mr. Burgess a few days ago at which time he stated in reply to a question propounded by the Senator from Arkansas [Mr. FULBRIGHT], "If I had to guess, I would say that it would come back to something that looked a great deal like it." He admitted that the British and other governments are stating very positively that they are not going back to the gold standard, and he added:

> But the British have built up their position in world trade and in banking with the pound based solidly on gold, and that had a fixed value. If the United States of America pins its dollar to gold solidly, as I believe it should, the British are going to find that their position in world markets is slipping. So they will find themselves pinning their own pound to gold. I can see now why they cannot commit themselves. If I were an Englishman, I would not make commitments on exchange because they have a very hard problem to work out. We are leaders. We have money and can lead the way, and if we lead the way we will find a lot of other people following us.

Unfortunately, there is much disagreement among monetary economists. Even among the economists who advocate a return of the gold standard, there will be found differences of opinion as to the kind or character of gold standard they prefer. We are operating today on a quasi-gold standard due to the elimination of the redemption feature. I personally favor the gold standard with full redemption of paper money in gold coin. I think gold coin should be circulated, and that our people should again receive the full benefits of the gold-redemption standard with its attendant stabilization of currencies and confidence it inspires among the people.

Some economists have doubts as to the workability of the gold standard and have been apprehensive of its practicability. They have been influenced to a great extent by the deterioration of world economic stability due primarily to the great depression and World War No. 2. Again, they seem to feel that because various governments have suspended gold redemption of their paper currencies, such occurrence has been concluded as adequate reason for doubting the wisdom of reinstituting gold redemption. Because they no longer see gold coin in circulation, they are inclined to believe that currencies can be managed successfully on a paper basis. Time will prove their error.

Another argument against the return of gold redemption has been predicated on the abnormally large concentration of gold in the United States, which has been regarded by some as a plot on the part of foreign countries to dump their gold in this country. They probably thought that our large gold holdings would eventually lend discouragement to those of us who advocate a return to a gold-redemption standard. As a matter of fact, it is the one thing that promotes the greatest confidence in our currency. It must be borne in mind that during the past 2½ years more than $2,000,000,000 of our gold has found its way into the possession of other countries in the settlement of our trade balances. Why should these other countries prefer gold

to our dollars? That is a question which seems to me primary and fundamental.

Mr. President, I now desire to offer three amendments limiting or modifying the effect of the bill as reported by the committee. I send forward the first amendment and ask that it be stated.

The PRESIDING OFFICER. The Chair is advised by the Acting Parliamentarian that there is a committee amendment pending. Consideration of the Senator's amendment at this time would not be in order.

Mr. JOHNSON of Colorado. What amendment is pending?

The PRESIDING OFFICER. The committee amendment inserting section 3, on page 4.

Mr. JOHNSON of Colorado. I was advised by the Senator in charge of the bill [Mr. WAGNER] that my amendments would be in order. If he has no objection, I ask unanimous consent that my amendments be considered at this time. They will not conflict with the amendments of the committee.

Mr. WAGNER. I have no objection.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Colorado for the immediate consideration of his amendments? The Chair hears none, and the first amendment offered by the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. On page 2, line 11, it is proposed to strike out "25" and insert in lieu thereof "30."

On page 2, line 23, it is proposed to strike out "25" and insert in lieu thereof "30."

On page 3, line 2, it is proposed to strike out "20" and insert in lieu thereof "25."

On page 3, line 3, it is proposed to strike out "20" and insert in lieu thereof "25."

On page 3, line 5, it is proposed to strike out "20" and insert in lieu thereof "25."

The PRESIDING OFFICER. Without objection the amendments will be considered en bloc.

Mr. JOHNSON of Colorado. They are all part of one amendment and could not be separated, so the suggestion that they be considered en bloc is quite proper.

The effect of this amendment is to reduce the gold reserves from 40 percent to 30 percent instead of from 40 percent to 25 percent, as is provided in the pending measure.

Mr. Eccles admitted in his testimony before the Senate Banking and Currency Committee that the gold reserves would probably be sufficient to provide 40 percent backing for Federal Reserve notes and 35 percent for deposits until the end of 1945. That is, we could continue to operate as we are now operating, on the present ratio, and at our present rate of spending, until January 1, 1946.

It was also ably argued by Mr. W. Randolph Burgess, president of the American Bankers Association, that a reduction in the ratio of reserves to 30 percent against Federal Reserve notes and deposits would probably take care of the situation until the end of 1946. Undoubtedly, therefore, there is no need for a reduction to 25 percent at this time, nor will there be for more than a year and a half. It will not be necessary to so reduce the gold reserves at that time unless the war is in full progress on all fronts—that is, unless the spending continues at the present rate of approximately $8,000,000,000 a month. For the current month it is slightly more than $8,000,000,000.

I doubt if there is a Member of Congress who does not believe that the war will end in all theaters by December 1946. Certainly no one doubts that the end will come in Europe before the expiration of 1945. As soon as the European phase of this war is ended, which I hope will not be many weeks away, the demand for currency will drop rather sharply. Pay rolls will begin to shrink, unemployment will increase, and there will begin a general contraction of our wartime economy which will continue for 6 months until it reaches a point somewhere between 30- and 50-percent reduction in our war-production program. When the war in the Pacific terminates, the demand for currency in circulation will be less than 50 percent of present requirements.

Granting that the arguments of Senators who are sponsoring this proposal are sound, and that it is necessary to reduce the ratio, I contend that it is not necessary to reduce it all the way down to 25 percent. If it is not necessary to reduce it to 25 percent, then we ought not to do so. If the war effort is not going to require us to go that far down the scale, we ought not to go that far down the scale. We ought to leave all the barriers that we can against inflation, and against deficit spending in the postwar period. As the Senator from North Carolina [Mr. BAILEY] stated in his colloquy with the Senator from Ohio [Mr. TAFT] a few moments ago, the required ratio acts as a barrier against deficit spending. At least, that is the way I understood his argument.

It seems to me that we should leave this red light up. It is more than a red light. The Federal Reserve System cannot pass through that light. It is an actual stop. The Federal Reserve System does not have the choice of running through the red light. It is stopped by the red light, and I think it should be stopped by it.

During the war, when we have no choice in the matter, we are willing to do certain things that we cannot help doing. But after the war there will be a continued great demand for deficit spending; and when we authorize the reduction down to 25 percent, we are authorizing a campaign of deficit spending in the postwar period. I think we ought not to do so.

Let us see what Mr. Burgess had to say about this. He stated:

> A 25-percent reduction would leave you with $9,000,000,000 of excess reserves in the Federal Reserve System. That means that much gold that was not needed beyond what was needed on 25 percent reserve against deposits and notes.
>
> The amount of expansion that might be based on that is $36,000,000,000, expansion of currency and deposits of the Federal Reserve System. The present amount of notes and deposits is $38,000,000,000, and a drop to 25 percent would leave you in position to double your whole structure, assuming you did not lose any gold.

Mr. President, is it necessary to go that far? I claim it is not necessary. There are no figures to show that it is necessary. No figures have been presented by the committee to convince me, at least, that we need to go so far as a reduction to 25 percent.

I read further:

> If you lost a billion dollars of gold, you could increase it $33,000,000,000, compared to the present $38,000,000,000. If you lose $2,000,000,000 of gold, you could increase it to $30,000,000,000. That is the position if you go to 25 percent. If you go to 30 percent, you would have excess reserves of $7,000,000,000. On that an expansion could be based of $23,700,000,000, as compared with the present $38,000,000,000.

Is not $23,700,000,000 sufficient? I think it is a rather large step, and it is a step beyond which we should not go at this time.

I quote further from Mr. Burgess:

> If you lose a billion dollars of gold, it would leave you with $21,000,000,000 expansion. If you lose $2,000,000,000 of gold, it would be $19,000,000,000 of expansion. It all depends on when the war ends. At the present rate of expansion that would carry you for perhaps 2 years. To my mind it is just a question of whether, with this terrific expansion of credit going on, you do not think you would like the Reserve System to come back to you for added authority before they reach that point. That is the whole question.

That is what Mr. Burgess said. I have heard the Senator from Ohio and other Senators rise on this floor and deplore the fact that Congress was delegating its powers to the governmental bureaus. That is exactly what the Congress would be doing under the pending bill.

We know we have had to delegate powers to governmental bureaus during the present war. They have had to exercise them. But under the provisions of the pending bill we would be going far beyond the period of the war; we would be entering the postwar period, and we would be delegating the authority of Congress to the Federal Reserve Board—a power which, in my opinion, it should not have.

Mr. LANGER. Mr. President, will the Senator yield for a moment?

Mr. JOHNSON of Colorado. I yield.

Mr. LANGER. Is the Senator discussing all three of his amendments, or merely one?

Mr. JOHNSON of Colorado. I am discussing the amendment which now is pending, namely, the one to reduce the ratio from 40 percent to 30 percent, instead of from 40 percent to 25 percent.

Mr. LANGER. The Senator is now discussing only that one amendment; is he?

Mr. JOHNSON of Colorado. Yes; I am now discussing merely that one amendment. I shall take one at a time.

Mr. President, Mr. Burgess further said:

> I think the arguments are two: one is the question of whether it is desirable to have the Federal Reserve System come to you from time to time to review what they are doing in the face of the huge credit expansion, so that you may take a look at the picture.

Do we want the Federal Reserve System to come back to Congress, or do we want to give it a blank check? The

latter is what the pending bill would have the Congress do.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. TAFT. I think the Senator misunderstands the situation in which the Federal Reserve Board would be. It would have no power. Under certain circumstances there would be an automatic expansion. If we created purchasing power, the Federal Reserve Board could go to the banks and get money for what was given them, of course. The Federal Reserve Board would have no discretion about it, one way or the other.

The only question is whether we are going to stop the issuance of notes on the basis of a 30-percent reserve. If we should do that the reserve would not last quite so long as it would if the reserve were 25 percent. We cannot tell how long our gold supply would last if the reserve were 30 percent, but no doubt it would suffice for the present. Probably it would carry us through 1946, unless there were an increased draft on our gold supply. We could not control that. But there would be no discretion as to the issuance of the notes.

Mr. JOHNSON of Colorado. Yes; there would be.

Mr. TAFT. If the Board reached the limit, it would have to come back to Congress. But that would serve the purpose of calling attention to the fact that expansion had gone on and that we were getting closer to the danger point every moment. I agree that is true. That is why I was doubtful whether the reserve should be 25 percent or 30 percent. But it seems to me a 25-percent reserve is a sound one, that the system will be sound with it, and that we may well make the reserve 25 percent, and be through with it for all time, I hope, so that we shall never have to make a further change.

Mr. JOHNSON of Colorado. The Senator has said that no restriction would be placed on the Federal Reserve Board if the reserve were set at 25 percent. That is not so.

Mr. TAFT. No; I said the Federal Reserve Board would have no discretion in the matter. The Federal Reserve Board would not have authority to decide, "Well, we will issue some more currency," or "We will not issue some more." The Federal Reserve Board would not have authority to make such a decision.

Mr. JOHNSON of Colorado. But the Federal Reserve Board would have authority to do it.

Mr. TAFT. The Federal Reserve Board not only would have the authority to do it, but would have to do it, up to the point beyond which it would violate the restriction placed by the Congress.

It is not like a delegation of authority. The provision would go into effect automatically, not because of what the Federal Reserve Board might do, but because of what the Congress would have decided in respect to having the country continue to operate on a basis of deficit financing.

Mr. JOHNSON of Colorado. Of course, if we are going to indulge in a continued deficit-spending spree, and if we grant the Federal Reserve Board this power, we can go right ahead; but if we try to indulge in a spending spree and if we do not grant the Federal Reserve Board this power, the administration will either have to say "You must come across with more taxes" or "You must lower the Federal Reserve requirement." That is a question which we should leave alone at this time; it should be decided in the future. Decision will have to be made in the future whether the tax basis shall be boosted or whether we shall continue to go down the road of deficit financing faster and faster, at an accelerated rate, toward printing-press money.

Mr. TAFT. I suggest that the best time to determine that is when in the future we consider the debt limit. It seems to me that the debt limit is much more the key to the situation than the amount of currency is. Currency results from business conditions and from the fiscal policy of the Government. But when we reach a debt of $300,000,000,000, authority for which we granted the other day, that will be the time to consider the question.

As a warning I do not think the pending proposal is necessary. I think the size of the debt is a much better warning rather than a restriction which might cause serious difficulty in stopping the supply of money required for the actual conduct of the war and for business.

Mr. JOHNSON of Colorado. Of course, there is no question that the debt limit is one step. The pending measure is also a definite step. In spite of what the Senator from Ohio has said, I say the pending measure is a definite step, and the Federal Reserve Board would not be able to continue without coming back to Congress and requesting further authority. When that happened, we could consider the situation again, and could decide whether we would continue to go down the road of deficit spending without halt, or whether we would increase taxes, whether we would balance the Budget, or what we would do.

Mr. Burgess further said:

> And the other question is the old psychological one of human reaction, as to whether this drop to 30 percent is a little less of a shock to people than a drop to 25 percent.
>
> I think you ought to have at least 30 percent. I think you ought to give the Federal Reserve System a good leeway to operate in. My personal choice would be 30 percent, because I think that gives you an adequate margin.

Mr. Burgess said that that was a sufficient leeway to carry us through the war. When we get through the war we shall be confronted with a different situation. The Congress will be sitting then, and it can meet the problem confronting it.

I, therefore, see no reason why there should be any need to reduce the gold-reserve requirements below 30 percent for both Federal Reserve notes and bank deposits.

I now accordingly offer my amendment and ask for its immediate consideration. I shall have other amendments to offer later.

Mr. TAFT. Mr. President, a point of order.

The PRESIDING OFFICER. The Senator will state it.

Mr. TAFT. Have the committee amendments been disposed of?

The PRESIDING OFFICER. By unanimous consent the amendment of the Senator from Colorado [Mr. JOHNSON] is now the pending question before the Senate. Consideration of the committee amendments has been deferred.

Mr. JOHNSON of Colorado. Mr. President, I asked that my amendment be now considered, and consent was granted.

Mr. TAFT. I wonder if we could not get the committee amendments out of the way first?

Mr. JOHNSON of Colorado. Yes; but I would rather get my amendments out of the way first. In any event, the Senate has decided to handle the situation in the manner stated by the Chair, and it seems to me that that manner is as good as any.

Mr. MURDOCK. Mr. President, in answer to the distinguished Senator from Colorado, in arguing for his amendment it seems to me that he has attempted to turn the situation as it exists entirely around. The Congress of the United States supplied for deficit spending—if the Senator wants to call it that—tremendous appropriations which were absolutely necessary in order to finance the war. We have imposed a burden on the Federal Reserve Board of supplying to the Federal Treasury the money to cover our appropriations. The question is not one of Governor Eccles, or other members of the Federal Reserve Board, coming to the Congress and saying to us, "We want this power so that we can do certain things."

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. MURDOCK. I will yield in a moment.

Mr. President, the situation is one of Congress having imposed a duty and a responsibility upon the Federal Reserve Board in order to make it possible to finance the gigantic expenditures which have been authorized by the Congress. We have, it is true, large supplies of gold in this country, but under the 40-percent reserve requirement there is not sufficient gold with which to continue to finance our share of the cost of carrying on the war.

Governor Eccles is anxious as are the other members of the Federal Reserve Board to keep the reserve ratio as high as it can possibly be kept, having in mind the present supply of gold. But when the members of the Federal Reserve Board are confronted with the fact that the supply of gold is not sufficiently large to continue the present rate of financing or to continue our financing at its present tempo, there is only one thing to do, namely, to come to the Congress and say, "If we carry out the responsibility which has been placed upon us, you must, by law, reduce the gold reserve ratio."

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. MURDOCK. I yield.

Mr. JOHNSON of Colorado. I have no argument to make against the statement of the Senator that he wants to give the

Federal Reserve System power to carry on the financing of our part in the war; but I object to granting the Federal Reserve System the right to issue Federal Reserve notes during the period following the war. We did not boost at one time the debt limit to $300,000,000,000. We boosted it by steps, in the way that it was necessary to boost it. We passed several bills increasing the debt limit a little at a time. That is what I propose to do in this bill. A 10-percent step is sufficient to continue the financing of the war at its present rate of spending until January 1, 1947.

Mr. MURDOCK. There is nothing, in my opinion, more unwholesome and more alarming to the people of the United States than to keep fussing around with things such as the gold reserve. The argument which the Senator made was also made by the Senator from Ohio [Mr. TAFT] when Mr. Burgess was before the committee. It was made by the Senator from Ohio, by me, and other members of the committee when Mr. Eccles was before the committee. We discussed the question, Will 30 percent do the job now? Governor Eccles said:

> It will probably take care of the situation for another year.

But he also said:

> Whenever you begin to make changes in the monetary system of the country, whenever you call attention of the people of the country—and, for that matter, the people of the world—to the fact that our supply of gold is getting a little short, and that we must cut down our gold reserve, a psychological effect is created adverse to our enormous financing burden and it is not the right thing to do.

He also said:

> I am no more anxious to reduce the gold reserve requirement than you gentlemen are. I should like to keep it as high as it can be kept; but, in my opinion, we should reduce it to what we know will be sufficient to carry us on for 2 or 3 years at the present rate of spending.

The question which the Senator has argued was not overlooked by the committee. The Senator from Ohio went into the matter very extensively, and so did I. We gave the matter attention in executive session, after hearing the witnesses, and we concluded that the best thing to do was to follow the advice of Governor Eccles and reduce the ratio sufficiently so as to make it unnecessary for him to come back to Congress within the next 2 or 3 years—we are all in hope that by the end of that time the war will be over—and ask that the gold reserve requirement again be reduced.

In my opinion, Governor Eccles was right when he pointed out that we should not bring the subject up too frequently for public discussion and publicity.

Mr. President, there are many things which we must do in financing the war. We have had to do many things which were not orthodox. Many things which we have done could be condemned as unsound. But when we fight an extraordinary war, such as the one we are fighting today, we must take extraordinary steps in Congress in order to meet conditions.

Let us look at the situation from this standpoint: Let us suppose we reduce the reserve to 25 percent. The mere fact that we lower the requirement does not change our actual gold position. This can only be affected by the movement of gold. If the gold remained in this country then all the gold remaining here would constitute the reserve behind both Federal Reserve notes and Federal deposits. To prove that statement I invite attention of the Senator from Colorado to the chart appearing in the committee report. It indicates that in December 1941, when the requirement was 40 percent the reserve ratio was actually up to 90.8 percent. So the mere fact that we reduce the legal reserve requirement to 25 percent does not mean that it will go down to that level. But, the authority—and it is not power but authority——

Mr. JOHNSON of Colorado. I do not understand the difference between authority and power.

Mr. MURDOCK. I shall not attempt to make the distinction for the distinguished Senator; but in my opinion there is a vast difference between power and authority. When we impose the responsibility and the obligation on the Federal Reserve Board to support the Government securities market—and they have done it in a magnificent way—then we must at least confer upon the Board the authority to do the job; and that is all they are asking in this bill.

We could argue here for hours as to whether the ratio should be 30 percent or 25 percent but, in my opinion, we would be arguing about something that is not too important. The only advantage, if it is an advantage, which the Congress has if we reduce the ratio to only 30 percent is that if we subsequently reach a point where the situation again becomes critical the Federal Reserve Board must once more come to the Congress, and call the attention of the people of the country to the fact that we have again arrived at a point in our monetary affairs when Congress must again reduce the ratio. We went into these matters very thoroughly in the committee and the committee unanimously agreed that to reduce it to 25 percent was the best thing we could do at this time.

We must remember in the consideration of the bill that it is not the responsibility of the banks of the country to finance war expenditures; it is not the responsibility of the banks of the country to support the price for Government securities. That responsibility is placed on the Federal Reserve Board. They have had a tremendous responsibility in supporting every war loan which has been floated in this country. That is their responsibility. Now when they come forward and tell us they need this latitude in order to do the job efficiently, I do not believe we can doubt their word, and say that 30 percent is better than 25 percent. In my opinion such a contention is not supported by the evidence.

Mr. RADCLIFFE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Maryland?

Mr. MURDOCK. I yield.

Mr. RADCLIFFE. The Senator from Utah stated a moment ago, as I recall, that he was distinctly of the opinion that 25 percent would be sufficient, and that if the ratio were placed at 30 percent the possibility might be, and perhaps the probability is, that in a short time a further reduction would become necessary and therefore the matter would have to come up again. I agree entirely with the views the Senator has just stated.

Let me ask him if there is not what might be called a psychological factor involved to which probably some weight should be attached? Everyone is of the opinion today that 25 percent is adequate. There is grave doubt in minds of many people as to whether 30 percent would be sufficient. If it is fixed at 30 percent, it will be placed at a figure that is not looked upon as a settling point in the view of those who have given careful consideration to the subject. In other words, we would be doing something which, in the opinion of many people at least, would be regarded as a temporizing expedient. That is not good psychology.

Mr. MURDOCK. That is exactly what Governor Eccles pointed out in his testimony.

Mr. RADCLIFFE. If we fix the ratio at a point which, so far as human foresight can forecast, is adequate to see us through, then we have done what is regarded as necessary to finish the job; we have not taken any half-way steps; we have not adopted a temporary expedient and have avoided the psychological disadvantage of resorting to a half-way measure.

Mr. MURDOCK. The Senator has stated the case very much better than I had attempted to state it. As the Senator has stated, the psychology of the situation is the important thing. Governor Eccles pointed out to us that it is not good psychology to keep bringing up this question; but the thing to do is to reduce the ratio to the point where we know we will be safe and then if the gold does not flow out of the country it will still be here and will continue as a reserve behind the Federal Reserve notes and the Federal Reserve bank deposits, regardless of what the legal ratio may be.

We are prone in this body to pass blame for things from the Congress to the agencies that have to carry on the obligations Congress imposed upon them. The Federal Reserve Board have absolutely no control over the money Congress appropriates and the expenditures we authorize and direct. The Federal Reserve Board have absolutely no control of the demand for Federal Reserve notes. All in the world they have to do is to supply the demand that comes to them for Federal Reserve notes and they tell us they cannot supply this demand if it continues at the present rate under the present gold reserve requirement, and if they are to carry on the reserve ratio must be reduced to 25 percent.

I call the attention of the Senate to the fact that this matter was thoroughly discussed in the committee; the 30-percent proposal was unanimously disagreed to; the 25-percent ratio was unanimously agreed to, and, in my opinion, the Senate can very well afford today to support the committee in the position it took, and I hope the Senate will do so.

Mr. BAILEY. Mr. President, I intend to vote for the bill and the committee amendments, but against the amendment offered by the distinguished Senator from Colorado. I do not intend to undertake to contribute to the argument on the points which have been discussed. What I have in mind is to mention the matter of deficit spending. Undoubtedly deficit spending will ultimately wreck this country. That has been the view I have taken for many years. We cannot keep on with unbalanced budgets, which is no more than to say that we cannot keep on spending more than we take in. The country cannot do that any more than I can. The man has never lived who can continue to do that sort of thing without going into bankruptcy, in which case he extinguishes his debt. A republic may do that; it may extinguish its debt by an act of bankruptcy. That act of bankruptcy takes the form of inflation. Inflation is only a mechanical way of repudiating the debt, and getting rid of it. God forbid that we should contemplate anything of that sort.

But here we are in the midst of war. We must indulge in deficit spending now, as we have since 1941, or, indeed, since 1940, which was the date of the first appropriation authorized in response to the message of the late President of the United States after France had fallen. We have gone ahead until we look fully in the face the prospect of a national debt of $350,000,000,000. That means a net increase in the debt of about $300,000,000,000 since the war began, the debt having been about $49,000,000,000 prior to the Pearl Harbor attack. Congress created that debt and Congress will be responsible for future deficit spending.

The Federal Reserve banks did not raise the debt. They had to act, they had to respond to our appropriations. Our ratio is not sufficient now wholly because we have appropriated money to be sent abroad. If we had appropriated our money to be expended here, we would have our gold, and we would need no change in the ratio. But we have authorized the continual sending of goods abroad on credit. In addition to that, we have sent money abroad in great sums and we have to pay abroad always in gold. We may not have a gold standard in this country, and we may never return to payments in specie, in gold, as Mr. Burgess wishes, and as I should like to be able to wish. I realize it is an impossibility at any time within the reasonable future. But so long as we are in the position of being under the necessity of creating this condition, we must meet the responsibility ourselves. The Federal Reserve banks, the Board of Governors, the Honorable Marriner Eccles, have neither authority nor power. I do not wonder that my distinguished friend, the Senator from Utah, did not rise to his opportunity to draw the fine distinction between authority and power; but I think it can be drawn.

Mr. MURDOCK. Mr. President——

Mr. BAILEY. If the Senator will let me finish—I am not going to indict him for any delinquency.

Mr. MURDOCK. I was about to ask the Senator to give the distinction.

Mr. BAILEY. We speak of 90-proof whisky as having authority. No one ever speaks of it as having power. We speak of dynamite as having power, but no one would drink dynamite. If we are going to drink at all, we really like to drink something that has authority in it. [Laughter.]

Mr. RADCLIFFE. Mr. President, will the Senator yield?

Mr. BAILEY. The Senator is going to spoil my disquisition; but I yield.

Mr. RADCLIFFE. I shall be very brief. Does not the word "authority" carry with it some implication of justice? Hitler had the power temporarily to carry out his murderous will upon certain countries he overran. However, his actions had not the warrant of authority.

Mr. BAILEY. I am talking now with a Ph. D. from Johns Hopkins, and I am going to teach him a lesson in Latin. The word "authority" comes from the Latin word "auctor," to execute. The word "power" connotes the same original meaning as the Greek "dunamis," something inherent in one, explosive power.

Congress has power, and the Constitution declares it has power, and those who have power can give authority. No one gives us authority. Congress has power, derived from the sovereign people, who have the ultimate power. They vested it in us. No one else in this country has power except Congress. The President has no power. He has the authority to execute the laws we pass, and to administer the Government. That is authority. Sometimes it is very potent. But when we come to the question of power, all the power in this Government is lodged in the Congress, and under any circumstances the power to bring about inflation, the power to wreck this country, the power to save this country and its people, is here if it is anywhere under Almighty God, who is the repository and the judge of the exercise of all power.

I would not say that we go that far in our sense of responsibility, because we go to the people, but we do not say the people have authority. All power is derived from the people. That is where the power is, and they give us the power they had in order that we may preserve them and look to their welfare. In undertaking to do that, we create boards and bureaus and independent agencies, and when they get in bad from the exercise of authority which we gave them, and we are criticized, we all jump on them. That is our excuse.

Mr. President, I think we should take the responsibility. They are answerable, not to the people, but to us. They do not stand in elections; we do. We should hold them to answer. But when they come to Congress and say, "We are doing what you authorized us to do because you made it necessary," then we at least should face our own responsibility, confess our responsibility, and exercise it.

What we have here is this: We do have necessary deficit spending at this time. We cannot avoid it. We have to carry on the war. It is a necessity of our very existence, and it is also a necessity of our honor. We must carry it on, and we must carry it on with all we have and all we are. We cannot stop short, we cannot fail the men who are fighting abroad in our name, and under our orders, and for our sakes. We can answer for that anywhere. It is a national necessity, recognized by every human being in this country who is in a fairly reasonable state of mind.

The other matter is one of deficit spending after the war. It will be pretty well for us to attend to that when we get to it. Sufficient unto the day is the evil thereof.

When we get to the postwar period, as I hope all the other Senators will, we shall address ourselves to our responsibility. I hope to stop the gold from flowing abroad. I am not in favor of the United States of America, with her $21,000,000,000 of gold, saying that we are so rich we can just sow it abroad all over the world and make ourselves popular. We will also make ourselves very poor, we will also make ourselves very dependent, and we will not be able to maintain even a 25-percent ratio.

We cannot afford always to be lending. We lend now to Great Britain, not because we love Great Britain. We may love her, but that is not the reason why we are lending to her. We lend to Great Britain because she stood between us and the enemy, and still stands, to a great extent, either with us or between us and the enemy, now with us, and we often in front, I must say.

We are lending to Russia, not because we love Russia. I think the American people have come very greatly to honor Russia. We feel a deep sense of friendship for Russia, and I have a very great admiration for the whole Russian situation, and the way the Russians have carried on. Their soldiers are heroic, their people are heroic, and they have great generals. But we are not lending them money because of our admiration; we are lending them money because they are part and parcel of our defense, they are our allies, they need our help. We could not go into the war at once, so we sent our funds, we sent guns, we sent everything we could, and we did exactly right when we did it. I think the best vote I have cast since I have been in Congress was the vote for lend-lease. It was the most important, and will bear the best fruits. I do not expect ever to be ashamed of it or ever to regret it. But the time will come when we must look to our own household, and who are the men who must look to it? We men right here, and no one else, not the Federal Reserve Board, not the Federal bureaus, not the President, not the Cabinet, but the Congress.

When we come to that, all of us must stop calling on the Government for all manner of expenditures. I think we have fallen into a terrible habit. Someone wants an activity, and says, "Let us have a billion dollars," and all we have to do is vote for it, and it is a pretty good thing. Another wants $300,000,000. We have actually convinced the American people that the United States Government can manufacture money. I rather think that a majority of the people think Congress can create money. We cannot create it. We are talking today about a ratio with respect to gold. We did not create the gold. Money must be based

upon substantial wealth and nothing else, and substantial wealth is derived from the earth, and from the sweat of man's brow, and the labor of his hands. All we have spent must be paid back with labor. The $300,000,000,000 which altogether we are to spend, or the $350,000,000,000 in sum total which we contemplate spending, every dollar of it will have to be paid, not as Lincoln said, by "blood drawn with the sword," but as the Almighty said, "In the sweat of thy face." Money cannot be gotten in any other way. Money is not found. If money were found it would not be worth having. If the money were manufactured it would simply be like burning down the house. The money which is manufactured falls in value as fast as it is manufactured. A Senator's salary of $10,000 today at least keeps him alive, notwithstanding the complaints we hear in many directions. But if we should go into the business of manufacturing money, a Senator's salary of $10,000 would not buy him a pack of cigarettes. That is what we must consider in this matter of money spending.

Some think we can devise a means whereby we can replenish the currency in the United States. There are those who actually read into the Federal Reserve Bulletin that $26,000,000,000 is in circulation, and they think that will make us rich, and account for the increase in prices. There is nothing to it. If one hundred billion dollars, or one billion billion dollars were put in circulation it would not be worth any more than the $5,000,000,000 that was in circulation 10 years ago.

Mr. President, I believe I shall say something about that. I read the Federal Reserve Bulletin, and I usually become irritated when I read it. I turn over to a page on which I find "Money in Circulation." It really means money which is out of circulation. One must do a great deal of figuring to find in the Federal Reserve Bulletin a record of the money that is in circulation. The money reported in the Bulletin as money in circulation is the money that is not in bank. The money that is in bank is the money that counts. The money that is written down in the Bulletin as being in circulation is a little currency in people's pockets here and there, probably a billion or two billion dollars of currency which has been forgotten long ago, much of which may have been burned up. Probably a billion and one-half dollars of currency is in old socks or safe-deposit vaults. Then there is currency in the cash drawers and the cash registers in the stores. There is currency on shipboard and going abroad. All that is put down as currency in circulation. It is not in circulation. It has nothing on earth to do with our situation.

I find the heading "United States money outstanding and in circulation." The explanation of that is money outside the Treasury and outside the Federal Reserve banks. Money is circulating today in America at a terrific rate; it is circulating a little bit faster than it did during the great peak of the twenties, just before the great collapse of October 1929. Here is the money in circulation: As of January 1945, debit to total deposit accounts, except interbank accounts, from all reporting centers, $82,743,000,000 a month. That is at the rate of $1,000,000,000,000 a year. That is the highest rate in the history of this country. That is really money in circulation—the checks you and I write, going back and forth, and the transfer on account. That is the significant thing.

To sum the matter up in my own mind, the debate to which we have listened has to do with the difference between a 25-percent ratio and a 30-percent ratio. So the principle is established and the necessity is recognized. Why should I greatly worry about the difference? Mr. Eccles says that if we will cut it all the way to 25 percent at one time we will not have to recur to the matter again and irritate ourselves and disturb the people. That sounds rather reasonable to me. My friend the Senator from Colorado [Mr. JOHNSON] says that if we do not stop at 30 percent we will run into deficit financing at some future time. That is a matter which is in our hands. That is not in the hands of the Federal Reserve bank. If we want to do that, no one but the people can prevent us from doing it. I sometimes think there are too many people who do not want to prevent us from doing it; that they are under a delusion about money.

Now why not settle the question? I hope when we try to settle it it will be settled. If we keep on spending or if we keep on lending and not getting cash back, if we have to send the gold away and get nothing back in return, the difficulty will be to stop at a 25-percent ratio. But we can be happy at any rate over the fact that the head of the Federal Reserve System says that he thinks he can hold it there for a year and a half or 2 years. I should like to see something that is certain for a year and a half or 2 years. I will compromise on the 25-percent ratio for a certainty under the circumstances, and we will take it up again at the end of 18 months. We can then lift it if we wish to or we can decrease it if we have to. It all depends on what we do in the meantime. We can keep on spending the money—we benevolent Senators, who are not so famous for our contributions to charity, but extremely famous for our appropriations of public money. All of us are benefactors and philanthropists when it comes to the Treasury, and we enjoy the privileges of the multimillionaires in the way of handing out money. If we keep on doing that, I say that we will not stop at the 25-percent ratio, and we will not stop at the 30-percent ratio. We will go all the way down into greenbacks. And, thank God, if we can stop just short of greenbacks. If we go to greenbacks, it will be perdition. That is something which is in our hands. But that is not what we are doing now.

Mr. President, I should like to say something more about the matter of the gold standard. We have left the gold standard, and the gold standard is not a subsisting thing except in international relations. The money of the United States is not on a gold basis.

Mr. Burgess, from whose paper the Senator from Colorado read, talked as if it were possible for this country to get back to specie payments in gold. I should like to see Mr. Burgess try to run the country on that basis for about a year or two. How would he do it? We have outstanding in America today in old socks, in the safe-deposit boxes, in cash drawers, about $26,000,000,000. We have but $21,000,000,000 of gold. Who would not take that gold in place of what he has? There is not a man in America who would not.

That is not all of it by any means. We, the depositors of America, have credits in the banks of over $100,000,000,000. I will not undertake to get down to the specific figures. If we were to resume specie payments in gold the United States Government would not be able to pay 15 cents on the dollar. The Federal Reserve ratio would go to zero in 20 minutes, because there would be no gold on which to base the ratio. It would all disappear. It would all go into hiding. A great deal of it would be shipped abroad. When Mr. Burgess, through my distinguished friend, told us that we could go back to specie payments in gold, he was talking plain moonshine; and if he is a banker or an economist he knows much better. If he does not know it, every Senator knows it, regardless of where he came from or how long he has been here.

That is the situation. It is a situation which I helped to create. I voted for every one of the war appropriations. I am in favor of meeting the situation which the Congress itself created, and meeting it fully, or as fully as we are able to meet it. It is our responsibility. We may regret it. We may see the downward progress. We may be afraid that a 25-percent ratio would yield to 20 percent, and 20 to 15. If so, it is our responsibility. I like to think that there is no power on earth in us by way of undertaking to create scapegoats, which is a favorite business of guilty people from the days of Moses to the present time. There is no way for us to escape our responsibility by undertaking to "pass the buck," denounce a bureau, or quarrel with the President. It is our responsibility.

So I seize this occasion to express my thoughts by way of warning myself and my fellow Senators. The very fact that we have reached the stage where we must reduce the reserve in gold ought to warn us that we are responsible, and that we alone have the power—not the authority, but the power—to arrest the progress down the road to ruin.

The PRESIDING OFFICER (Mr. HOEY in the chair). The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. JOHNSON].

Mr. WAGNER. Mr. President, the amendment offered by the Senator from Colorado was considered by the Committee on Banking and Currency before a meeting of the full committee in executive session, and we finally decided against the amendment. The addresses made by the senior Senator from Ohio [Mr. TAFT] and the junior Senator from Utah [Mr. MURDOCK] represent the views of the committee. I hope the amendment will be rejected.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Colorado [Mr. JOHNSON].

The amendment was rejected.

Mr. JOHNSON of Colorado. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Colorado will be stated.

The LEGISLATIVE CLERK. On page 3, after line 9, it is proposed to insert the following new subsection:

(d) The amendments made by this section providing for reduction in reserve requirements shall remain in force until the expiration of 2 years after the date of enactment of this act, and after such amendments cease to be in force any provision of law amended thereby shall be in full force and effect as though this act had not been enacted.

Mr. JOHNSON of Colorado. Mr. President, the effect of this amendment would be to go back to the status quo 2 years after the enactment of the pending measure.

There is one point, at least, on which Mr. Eccles and Mr. Burgess are in accord. That is that the present shortage of gold is only temporary. Mr. Eccles said:

In my opinion, we are likely to get a big influx of gold just the minute we are willing to ship goods. Our gold is likely to be expanded while we will ship the goods over, and we will take the world's gold, which is $14,000,000,000 at the present time, plus about a billion and a half of production, and we will take that gold and ship goods just as soon as the goods can be shipped and the ships are available to ship them.

On this point Mr. Burgess said:

If one were going to make a prediction, I think I would predict an increase in gold holdings after the war, because there is a lot of gold stacked up in South Africa and in Russia that will come here, so they may get dollars to buy things with. And gold producers will begin to produce. The total gold production before the war was running close to a billion and a half dollars a year.

When he was asked whether or not it would answer the purpose if this bill should terminate in 3 years with the idea that if it works out successfully Congress will permit its continuance, Mr. Eccles very cleverely evaded the question by responding, "What difference does it make whether you have a gold reserve or not, just for the sake of argument?" He continued, "A good many bankers do not believe in it, but most of them do not understand." I call the attention of the Senate to the words of Mr. Eccles. He admits that "most of them do not understand." That is an admission that most of them do not agree with him. He meant that they do not see eye to eye with him. In other words, the bankers do not wish to stray from the "orthodox" way, the conventional way of requiring gold reserves behind Federal Reserve paper money. In my opinion, Mr. Eccles would have asked Congress to enact legislation at this time to do away entirely with gold reserves if he had felt that the bankers of the country would support him. He knew they would not follow him in this wildcat idea of his.

Mr. President, the necessity for considering a measure of this kind—if it may be called a necessity—is most certainly predicated on the abnormal demand for currency as a result of our war program. It is therefore as much an emergency measure as most of the war measures that have been enacted since Pearl Harbor. Therefore there should be some limitation placed in this bill in order that it may terminate shortly after the exigencies of war no longer require it. There is no legitimate reason why the Congress should at this time enact permanent legislation in order to meet an emergency of this nature.

My amendment would terminate the authority granted in the pending bill with respect to gold reserve requirements, 2 years after the enactment of this measure.

Mr. TAFT. Mr. President, I dealt briefly with this question in my previous remarks. The result of this amendment would be that for 2 years we would have a requirement of 25 percent, and then automatically it would go up to 40 percent. It is almost impossible to tell what the condition will be at that time. It seems to me that we might at that time wish to raise the ratio to 30, 35, or 40 percent, or we might not wish to raise it at all. I cannot see why the question cannot be left to our discretion at that time.

As a matter of fact, it does not matter if the reserve is too much. For years we had a 100-percent gold reserve against our currency. For years we could have trebled or quadrupled the currency outstanding, with the gold which we actually had, and we did not do it. The 100-percent gold reserve had no result whatever in producing additional currency. The mere existence of an excessive gold reserve is not, apparently, an inflationary factor. People used to think so; and for years an effort was made, by producing paper money, to create increased business activity at a time when business was depressed; but it had no effect whatever.

I do not quite see why, when the gold comes in, we cannot just as well have a 100-percent gold reserve, whether the required reserve is 25, 30, or 40 percent. I believe that a 25-percent gold reserve is a permanently sound basis for a gold reserve. I think it is adequate for any purpose of a gold reserve. I think it will give us sufficient gold to meet any possible demands which can ever be made for the payment of the notes against which the gold is held.

Therefore it seems to me unnecessary to have any temporary provision. I believe very strongly that the existence of a temporary provision would create fear and uncertainty. Just before the expiration of the 2 years, there would be a tendency among foreign nations and others to rush in and try to get the gold while it was still available; and because of the increased requirements of our own system, there might be great difficulty in meeting the demands of foreign nations for the export of gold.

So, Mr. President, it seems to me we should do what we are doing, and we should leave for 2 or 3 years from now the final settlement regarding what the reserve should be in time of peace—if then we think it should be changed from the 25 percent.

Mr. MURDOCK. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. MURDOCK. I do not like to repeat, but I must say that it is a fact that, regardless of the rate fixed by law, whatever gold is in the Federal Reserve banks automatically is a reserve behind the outstanding notes. The mere fact that the reserve is fixed at 25 percent has no effect, if the gold is actually there.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado [Mr. JOHNSON], on page 3, after line 9, to insert a new subsection.

The amendment was rejected.

Mr. JOHNSON of Colorado. Mr. President, I have one other amendment which I now propose and ask to have read.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, beginning with line 3, it is proposed to strike out through line 9 on page 3, and insert in lieu thereof the following:

That the dollar consisting of 9$^{11}/_{21}$ grains of gold nine-tenths fine shall be the standard unit of value, and all forms of money issued or coined by the United States shall be maintained at a parity of value with this standard, and it shall be the duty of the Secretary of the Treasury to maintain such parity.

Mr. JOHNSON of Colorado. Mr. President, reducing the amendment from the technical language to the language of dollars and cents, it would provide for an increase in the price of gold from $35 an ounce to $56 an ounce. A number of Senators believe, as I do, that the proper way to meet the emergency is to increase the price of gold sufficiently to insure the maintenance of a 40-percent gold reserve behind Federal Reserve notes and a 30 percent gold reserve behind bank deposits, in order to permit an expansion of paper money and bank deposits to the same extent as would occur by reducing the gold reserve requirement to 25 percent.

When Mr. Eccles was questioned about this matter he said:

To change the price of gold would mean that we have obligated ourselves for practically an indefinite period to buy the world's gold at whatever increase in price we fix, or to buy gold from the American miner at whatever the increased price was, and that would be paying dollars for a product we do not need, that serves no useful purpose except as it may be used to settle international balances. That is the only purpose that gold serves, and not a very useful purpose, indeed.

He further said:

What would we do with the increased amount of gold? It would represent merely a subsidy to foreigners.

The higher price paid for foreign-gold production and foreign-gold reserves sent to this country would constitute a subsidy to foreigners. We would be paying premiums for gold that we do not want. We already have more gold than we ned for purposes of international settlement. A creditor country such as the United States with a strong balance of international payments

could easily settle any deficit that may develop in its international transactions with half the gold that we now have. Gold is not needed for domestic circulation; and it is needed as reserves against notes and deposits only to the extent that we choose to impose requirements on ourselves.

Subsequently he said:

To lower the value of the dollar in terms of gold—which means increase the price of gold—might tend to depreciate it in the exchange market. That is, in relation to other currencies. It certainly would—and create unsettled conditions in that market at the very time when we are trying to get the nations of the world to agree together on policies of exchange stabilization. The depreciation of the dollar would tend to jeopardize the Bretton Woods program or any other program of stabilization. If we wish to add to our money supply it is far better to do so through an expansion of Federal Reserve credit which can later be withdrawn should inflation threaten, than to do so by creating added billions of dollars in ways that add nothing to the offsetting powers of the Federal Reserve System.

Mr. WAGNER. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. WAGNER. The fact is that the foreign countries now hold $17,000,000,000 worth of gold. The proposed increase in the price of gold to $56 an ounce would mean a gift to them of $8,500,000,000, would it not?

Mr. JOHNSON of Colorado. I understand that a great many persons advocate that we build up the buying power of foreign countries so that we can have full employment in this country, and a great many measures to that end are being worked out. So the amendment is very much in line with the present philosophy of money of our foremost thinkers.

Mr. Eccles further said:

Particularly when those added dollars are created through subsidizing foreign gold production or paying more for existing foreign gold reserves. They represent a drain on this country's productive resources, which they would be exchanged for; nor would foreigners be as well pleased if our action unsettles the exchange markets and makes it necessary for foreign countries to depreciate their own currency to meet our action.

Now, the countries that produce gold, and they are a small number—Canada and South Africa are the principal ones—but of a total gold production of a billion and a quarter, more than a billion of it is produced outside of the United States and Alaska, and the great bulk of it is produced in South Africa and Canada and Russia. But aside from that, very little is produced. Those countries, it would be helpful to them, of course, to increase the price of gold, because they are sellers of gold as a commodity.

Mr. Eccles then argued that the reason why gold-producing countries are prominent countries today is because they produce men and goods and leadership, not because they produce gold. I should like to point out that Germany's production of men, goods, and leadership is not sufficient to make her a prominent country.

Where was Mr. Eccles when the price of gold was raised in 1934 from $20.67 to $35 an ounce? I suppose that act was thoroughly unorthodox. It was done for two reasons: first, in recognition of the fact that gold was greatly undervalued; and, second, in order to increase the quantity of gold so that its use might be greatly extended.

If the price of gold were raised again to meet the new demand for currency backing, we could impound the earned increment. We did just that when the price of gold was increased in 1934, by transferring the profit to the stabilization fund, which has been operated entirely on that profit. Another profit at this time would enable us to meet our proposed subscription to the Bretton Woods fund and bank, if Congress approves these proposals. Furthermore, it would make the task easier for foreign countries, whose gold stocks are smaller than ours, when they are called upon to subscribe to the Bretton Woods agencies. It would help to insure the success of the enterprise.

Let us see what has happened elsewhere recently. Since the beginning of the war, gold coins have brought heavy premiums in all markets throughout the world where such transactions have been permitted. For instance, in India, gold bars sold at a rate of $40 an ounce in December 1941, and since then they have reached the price of approximately $68 to $70 an ounce. These sales are still in progress daily. The Indian Government in collaboration with the British Government has resorted to every known device in order to keep the market price of gold in Bombay in line with its monetary price in the United States. They have failed, notwithstanding the large daily offerings made, all of which have been bought with enthusiasm at prices which double the monetary value of $35 an ounce.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. JOHNSON of Colorado. I yield.

Mr. TAFT. I suggest that is not an increase in the price of gold. It is a depreciation in the price of Egyptian and Indian currency. Gold does not sell for $68 an ounce in Egypt. It sells for a certain amount of Egyptian currency. We, by force, are maintaining it at a value which it has no right to possess. No one is foolish enough to pay $68 an ounce for gold, and I do not think the Senator can prove that there is any such sale.

Mr. JOHNSON of Colorado. Nevertheless, they are doing it, and we are stabilizing their money in terms of our dollars, too.

Mr. TAFT. Those purchases are in their currency, not in dollars.

Mr. JOHNSON of Colorado. The reason why we have the flight of gold from the United States is largely because of the advance in the price of gold throughout the world.

Mr. TAFT. I cannot permit that statement to go unchallenged. I do not think the price of gold has increased throughout the world in any degree whatever, and I do not believe any evidence can be produced to prove that the price of gold has increased or that there is any pressure to increase it at the present time.

Mr. JOHNSON of Colorado. I disagree with the Senator.

Gold coins have been selling in Lisbon at premiums ranging from 150 to 200 percent, and the premiums on gold coins in Turkey recently have reached 400 percent of their monetary value. Gold coins and gold bars have been selling at more than $50 an ounce in Argentina, and slightly less in Habana. Even in Panama gold coins have reached a premium of 100 percent.

We have reached a situation where the Chairman of the Federal Reserve Board is asking Congress to reduce the gold reserve requirements behind the Federal Reserve notes instead of recommending an increase in the price of the metal in line with gold values existing in other markets of the world. An adjustment in the price would, above all, necessitate reducing the gold requirement behind the enormous and unwieldly issues of Federal Reserve paper money in the United States. If we are to be consistent we must follow the precedent established in January 1934, when the price of gold was increased by Presidential proclamation under the authority of the act of May 12, 1933.

Mr. President, I ask the Senate to vote upon my amendment.

Mr. TAFT. Mr. President, I do not know whether it is necessary to deal with this question, because I do not think the country for one moment would sanction any increase in the price of gold. The question has not been discussed, of course, throughout the country at large. It might result in a serious upset of our foreign relations in many respects.

Mr. President, I may say a few words in opposition to the amendment. We increased the price of gold from $20 to $35. For some time the President had power to increase the price further, I believe to approximately $40. Approximately 2 years ago that power was taken away from him by Congress, and it no longer exists.

The proposal now is that we ourselves increase the price of gold to $56 an ounce. Of course, so far as providing additional gold for reserves is concerned, the increase in price would serve exactly the same purpose as the bill which we are now considering, but its effect on international relations would be different. It would mean depreciation of the value of the dollar, and, without question, that would result in a general increase in prices in the United States, and would make the efforts of the Office of Price Administration even more difficult than they are today.

Mr. Pierson did not approve the thesis that the prices of all other commodities did not increase permanently with the price of gold, but it was shown that we get some increase in the prices of commodities by increasing the price of gold. There is no doubt that that would be the tendency at a time when we were exercising every effort possible to hold down domestic prices.

With regard to the question of exports and imports, there are two tendencies. If we devalue our currency, the other countries may or may not do likewise. The South American countries would be under no obligation to follow us in that respect. Let us suppose that they do not devalue their currency, but maintain their present gold value. If they do not devalue, it is my opinion that we will

have to pay more for our coffee, for example, because the Brazilians will insist upon receiving the same amount in gold they are now receiving. Coffee, for example, will have to be paid for according to the price level which prevails in Brazil at the present time.

At the same time, for whatever we sell to Brazil of manufactured goods we receive less in real money than we now receive. The effect of devaluing our currency, when other countries do not devalue, is that we sell our exports for less coffee, for example, or less gold, if we are expecting to receive gold. The result of a devaluation of our currency when other countries do not value theirs is an increase in exports and a decrease in imports. It has somewhat the effect of an infinitely high tariff at a time when the general tendency is to lower tariffs and encourage imports into this country instead of discouraging them.

Of course, Mr. President, if we carried deflation to an extreme it is easy to see what would happen. We would constantly be selling our goods to other nations for less and paying more for the goods we received until the situation became a reductio ad absurdum. We would be giving away everything and paying for everything which we imported.

The other tendency would be for every nation to follow us, and that would result in a general increase in the price of gold throughout the world. If that took place, I do not think it would have any tremendous effect on price levels. On the other hand, as the Senator from New York pointed out, the $15,000,000,000 or $17,000,000,000 owed us by other nations would be increased in value by about ten or eleven billion dollars. Those countries could then come to this country and use the money in buying our goods. In effect, there would be a gift of approximately $11,000,000,000 to such foreign countries. We are the only country in the world which buys gold. With the exception of the South American countries, we are the only country in the world which is really on a permanent gold standard. It seems to me that if we pursued the course suggested we would obviously be acting against every possible interest of the people of the United States. I do not think there should be any question, Mr. President, about increasing the price of gold.

SEVERAL SENATORS. Vote.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Colorado [Mr. JOHNSON], on page 1, beginning in line 3.

The amendment was rejected.

The PRESIDING OFFICER. The question now recurs on the committee amendment on page 4, after line 9, to insert a new section 3.

The amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment on page 4, after line 15, which will be stated.

The LEGISLATIVE CLERK. On page 4, after line 15, it is proposed to insert a new section, as follows:

SEC. 4. All power and authority of the President and the Secretary of the Treasury under section 43 (b) (1) of the act approved May 12, 1933 (48 Stat. 31, 52), with respect to the issuance of United States notes, shall cease and terminate on the date of enactment of this act.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is before the Senate and open to further amendment. If there be no further amendment to be proposed, the question is on the third reading and engrossment of the bill.

The bill (S. 510) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That (a) the third paragraph of section 16 of the Federal Reserve Act, as amended, is amended by changing the first sentence of such paragraph to read as follows:

"Every Federal Reserve bank shall maintain reserves in gold certificates of not less than 25 percent against its deposits and reserves in gold certificates of not less than 25 percent against its Federal Reserve notes in actual circulation: *Provided, however*, That when the Federal Reserve agent holds gold certificates as collateral for Federal Reserve notes issued to the bank such gold certificates shall be counted as part of the reserve which such bank is required to maintain against its Federal Reserve notes in actual circulation."

(b) The first sentence of the fourth paragraph of section 16 of the Federal Reserve Act, as amended, is amended by striking therefrom the words "40 percent reserve hereinbefore required" and by inserting in lieu thereof the words "25 percent reserve hereinbefore required to be maintained against Federal Reserve notes in actual circulation."

(c) Subsection (c) of section 11 of the Federal Reserve Act, as amended, is amended to read as follows:

"(c) To suspend for a period not exceeding 30 days, and from time to time to renew such suspension for periods not exceeding 15 days, any reserve requirements specified in this act: *Provided*, That it shall establish a graduated tax upon the amounts by which the reserve requirements of this act may be permitted to fall below the level hereinafter specified: *And provided further*, That when the reserve held against Federal Reserve notes falls below 25 percent, the Board of Governors of the Federal Reserve System shall establish a graduated tax of not more than 1 percent per annum upon such deficiency until the reserves fall to 20 percent, and when said reserve falls below 20 percent, a tax at the rate increasingly of not less than 1½ percent per annum upon each 2½ percent or fraction thereof that such reserve falls below 20 percent. The tax shall be paid by the Reserve bank, but the Reserve bank shall add an amount equal to said tax to the rates of interest and discount fixed by the Board of Governors of the Federal Reserve System."

SEC. 2. The second paragraph of section 16 of the Federal Reserve Act, as amended, is amended to read as follows:

"Any Federal Reserve bank may make application to the local Federal Reserve agent for such amount of the Federal Reserve notes hereinbefore provided for as it may require. Such application shall be accompanied with a tender to the local Federal Reserve agent of collateral in amount equal to the sum of the Federal Reserve notes thus applied for and issued pursuant to such application. The collateral security thus offered shall be notes, drafts, bills of exchange, or acceptances acquired under the provisions of section 13 of this act, or bills of exchange endorsed by a member bank of any Federal Reserve district and purchased under the provisions of section 14 of this act, or bankers' acceptances purchased under the provisions of said section 14, or gold certificates, or direct obligations of the United States. In no event shall such collateral security be less than the amount of Federal Reserve notes applied for. The Federal Reserve agent shall each day notify the Board of Governors of the Federal Reserve System of all issues and withdrawals of Federal Reserve notes to and by the Federal Reserve bank to which he is accredited. The said Board of Governors of the Federal Reserve System may at any time call upon a Federal Reserve bank for additional security to protect the Federal Reserve notes issued to it."

SEC. 3. All power and authority with respect to the issuance of circulating notes, known as Federal Reserve bank notes, pursuant to the sixth paragraph of section 18 of the Federal Reserve Act, as amended by section 401 of the act approved March 9, 1933 (48 Stat. 1, 6), shall cease and terminate on the date of enactment of this act.

SEC. 4. All power and authority of the President and the Secretary of the Treasury under section 43 (b) (1) of the act approved May 12, 1933 (48 Stat. 31, 52), with respect to the issuance of United States notes, shall cease and terminate on the date of enactment of this act.

DEVELOPMENT OF COOPERATIVE AGRICULTURAL EXTENSION WORK

Mr. HILL. Mr. President, on behalf of my colleague the senior Senator from Alabama [Mr. BANKHEAD] I move that the Senate proceed to the consideration of Senate bill 383.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 383) to provide for the further development of cooperative agricultural extension work.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Colorado. Mr. President, are we about to proceed to the consideration of the bill?

Mr. HILL. If my motion that the Senate now proceed to the consideration of the bill is agreed to, I shall make the point of no quorum. The bill will then be open to amendment and discussion. My request now is merely that the Senate proceed to the consideration of the bill.

Mr. JOHNSON of Colorado. I am in favor of that.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Alabama.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. HILL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Austin	Hayden	O'Daniel
Bankhead	Hickenlooper	O'Mahoney
Burton	Hill	Radcliffe
Bushfield	Hoey	Revercomb
Butler	Johnson, Colo.	Robertson
Byrd	Johnston, S. C.	Russell
Capehart	Langer	Shipstead
Capper	Lucas	Smith
Cordon	McFarland	Taft
Donnell	McKellar	Thomas, Okla.
Downey	McMahon	Tunnell
Ferguson	Magnuson	Wagner
Fulbright	Maybank	Walsh
Gerry	Millikin	Wheeler
Guffey	Mitchell	White
Hart	Moore	Wiley
Hatch	Morse	Wilson
Hawkes	Murdock	

The PRESIDENT pro tempore. Fifty-three Senators having answered to their names, a quorum is present.

DISPOSAL OF SURPLUS WAR MATERIAL

Mr. CAPEHART. Mr. President, I wish to discuss briefly a matter which is I think of some interest.

I know of no problem that is quite so troublesome as that of the disposal of surplus war material. I certainly am in sympathy with whoever is asked to administer the Surplus Property Act. It is a tough job; it is a hard job.

There has been called to my attention the fact that the Surplus Property Board has divided the United States into 12 regions, which I think is a fine idea. I congratulate the Board for so organizing the country. I think the idea of having 12 regions, one central point in each region where the surplus war material is gathered together, and one organization in each of the 12 regions to handle the property, is an excellent idea.

In connection with this step, however, the Board has adopted a rule which to my mind is in conflict with the law and is not in harmony with our American system of government, namely, that one must live within the region where the merchandise is being sold at the time it is advertised or he will not be allowed to purchase any of the property. For example, my State of Indiana has been placed in a region with Ohio, West Virginia, and Kentucky, and citizens of Indiana are prohibited from going to Chicago to bid on and purchase surplus war material there. That will work a hardship on the people of Indiana, as it will on the people of other States. I see no reason why, merely because one happens to live in Kansas, Kentucky, or Indiana, he should not be permitted to buy surplus war materials which may be offered for sale in Boston, or Washington, or Dallas, Tex., but that is the rule set up by the Surplus Property Board.

I have in my hand a letter from the Chairman of the Board, Hon. Guy M. Gillette, dealing with the question. I call this matter to the attention of the Senate because to my mind the rule should be changed. I think it is unfair. I do not believe it is in keeping with what the Congress intended when it wrote the act. I have read the act very carefully. I do not know that anything can be done about it, but I want to go on record as calling the attention of the Senate to the situation, which I think is very bad.

I should like to ask if other Senators have received complaints from people in their States who have traveled great distances to purchase surplus war materials only to find after their arrival that they were unable to bid because they happened to live in a State which was not in the particular region in which the merchandise was being advertised.

Mr. LANGER. Mr. President, I will say that I have received many complaints along the same line.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HILL. I wonder if the distinguished Senator from Indiana has brought this matter to the attention of former Senator Gillette who is the Chairman of the Surplus Property Board.

Mr. CAPEHART. I have, and I hold in my hand a letter from the Chairman of the Board in which he writes me that what I have just described to the Senate is the rule; that the Board have adopted that policy.

Mr. President, I ask unanimous consent that Mr. Gillette's letter may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

APRIL 21, 1945.

HON. HOMER E. CAPEHART,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: This acknowledges receipt of your letter of April 14, 1945, with which you enclosed two telegrams received from the Jack Maurer Motors, Inc., of Indianapolis. I am forwarding these wires to the Procurement Division of the Treasury Department, which is the disposal agency for this class of property and which will probably be transferred within the next few days to the Commerce Department but will continue to function as an organization.

Preliminary to receiving their full reply, may I say that in order to effectuate as wide distribution as possible of this type of equipment as well as other types, including farm machinery, this agency has been pursuing the policy of setting up regions throughout the United States where property of this class can be concentrated and be the more readily available for inspection and purchase. It was in their minds that where property was declared surplus in one locality, it was discriminatory to the rest of the country if they had to travel long distances to inspect the property. For instance, if machinery was declared surplus at Atlanta, Ga., it was obviously impossible for prospective buyers to come from Oregon or Maine and bid in competition with those in the near area. To obviate this difficulty, the policy of setting up around a dozen regional offices was established where the concentration could be made more accessible. Of course, it follows that there is still something of unfairness, and a number of protests have come to me whereby prospective purchasers at the edge of one region would find it more convenient to go to an adjoining region concentration point which was nearer to them. There seems to be little doubt that the regional system is a big improvement over the concentration at one point. I am giving you this preliminary survey of the problem pending the full answer to the wires of your constituent.

With personal greetings, I am,
Sincerely yours,

GUY M. GILLETTE,
Chairman.

Mr. HILL. Does Chairman Gillette in his letter state the reasons which impelled the Board to adopt the rule?

Mr. CAPEHART. The only reason he states, and the only reason I have been given by others in the organization, is that the rule has been established in order to save manpower and transportation, the idea being that if the merchandise can be sold to persons living within a given region the merchandise will not have to be moved, or at least moved any great distance. That, however, does not seem to me to be practical. It seems to me that anyone living in a given region who purchases material from the Surplus Property Board can, if he cares to do so—and I am told that the practice is encouraged—turn around and sell the material to some other person, who in turn can ship it to Indiana or some other State. The only reason I have been able to find for the rule is that it would result in the saving of manpower and transportation.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HATCH. I was surprised when the Senator said the rule had been made by the Surplus Property Board, because I had encountered it long before the Surplus Property Board was created. The rule was made by the Procurement Division of the Treasury Department. Former Senator Gillette in his letter refers to previous rules, not to rules the Surplus Property Board has made.

Mr. CAPEHART. But the Senator does admit that the ruling is as I have stated?

Mr. HATCH. Yes; it operated very disastrously in my State. I have been complaining and fussing about it for months.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. MAGNUSON. Would the rule have the effect of restricting the sale of property which was declared to be surplus, to individuals who live in the district in which the property is located?

Mr. HATCH. To residents of that district.

Mr. CAPEHART. It can be sold only to residents of a given region. For example, a citizen of Washington could not travel from that State to the State of California and purchase any surplus war material in California.

Mr. MAGNUSON. A constituent of mine traveled to Chicago to purchase some sleeping bags for use in Alaska, but he could not purchase them because their sale was restricted to individuals in the Chicago area.

Mr. CAPEHART. The Senator means that his constituent so discovered when he arrived in Chicago?

Mr. MAGNUSON. Yes; he discovered that when he arrived in Chicago. I agree with the Senator from Indiana that the rule is unfair. If individuals who reside outside a given region strongly desire to buy surplus property, they should have the same right to do so as any other citizens of the country. They should be allowed to proceed to any part of the country they wish to in order to try to purchase surplus property.

Mr. CAPEHART. I think the idea of the regional set-up represents good management and splendid organizations, but it seems to me that every person in the United States should be permitted to bid for the purchase of surplus war materials wherever they may be offered for sale.

Mr. HILL. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HILL. I wonder if the Senator has taken the matter up with the Procurement Division of the Treasury Department? The reason I ask the question is that it is evident from former Senator Gillette's letter, as was called attention to by the Senator from New Mexico [Mr. HATCH], that the matter is under the authority of the Procurement Division of

the Treasury Department. In fact former Senate Gillette closes his letter with this statement:

I am giving you this preliminary survey of the problem pending the full answer to the wires of your constituent.

And these wires, he says earlier, he has transmitted to the Procurement Division because it seems this particular disposal is under the authority of the Procurement Division rather than under the authority of the Surplus Property Board.

Mr. CAPEHART. The Surplus Property Board provides rules and regulations, does it not?

Mr. HILL. The truth of the matter is, as the Senator will find if he examines the law which Congress passed providing for the disposal of surplus property, that the Surplus Property Board has the function somewhat of an over-all policy agency, but the disposition is not made directly by that Board. The disposition is made by the owning agencies, such as the Procurement Division of the Treasury Department. Under the act there are definite limitations on what the Surplus Property Board may do. It was not the philosophy of the act that the Surplus Property Board should have—as many people no doubt have the idea that it has—the agency administration of the actual job of disposing of the many items of surplus property.

Mr. HATCH. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. HATCH. The situation which the Senator from Alabama has described as to the Board not having that authority is a most unfortunate one. People throughout the county generally believe it does have that authority.

Mr. HILL. The Board does not have that authority, and a reading of the act will show that it was not the intention or the purpose of the Congress that the Board should have that authority, or that the Board should serve as the disposal agency of the Government. The purpose and the intent of the act was that the owning agencies should be the disposal agencies.

Mr. CAPEHART. Is the Senator trying to make the point that I have directed my criticism to the wrong agency?

Mr. HILL. No. I want to say to my distinguished friend that I am not criticizing him. The chances are that if I had not been on the committee which wrote the act I would have done exactly as the Senator did. I would have taken the matter up with the Chairman of the Surplus Property Board.

Mr. CAPEHART. Some 2 weeks ago I took the matter up with the Procurement Division. A constituent of mine who wished to purchase some motorcycles in the Washington region came here from Indiana. I took the matter up with Mr. Moran at that time. He finally gave my constituent permission to purchase the motorcycles, and I understood he did purchase them. However, a special rule was made in that instance. My contention is that any person who will pay more money than anyone else for surplus property should be allowed to go any place in the United States and buy any surplus property he has the money to buy. I think the situation is quite serious. I took the matter up with the Procurement Division some 2 weeks ago.

Mr. HILL. Mr. President, as I said, I have no intention of criticizing the Senator.

Mr. CAPEHART. No; I am certain of that.

Mr. HILL. On the other hand, I will say to the Senator frankly that it seems to me he has been most diligent in the matter, in view of the fact that he has taken it up with both the Surplus Property Board and the Procurement Division.

Mr. LA FOLLETTE. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. LA FOLLETTE. I merely wish to ask the Senator from Alabama, who is a member of the Military Affairs Committee, which handled the Surplus Property Disposal Act, whether he has any doubt in his own mind that the Surplus Property Board has ample power to issue rules and regulations which will govern the general policies of the various agencies which may be designated to make the actual sales of the property in their possession?

Mr. HILL. Let me say to the Senator from Wisconsin that I believe that under the act the Surplus Property Board has very broad power so far as policies are concerned; and I believe that its power is such that it can lay down the policy with respect to the question raised by the Senator from Indiana.

Mr. LA FOLLETTE. That certainly is my view.

Mr. HILL. It can lay down a policy with respect to the question raised by the Senator from Indiana. It may be that it has not done so.

Mr. LA FOLLETTE. Mr. President, this question was under debate several days ago. I do not recall just when it was, but there was discussion of testimony which had been adduced before the Small Business Committee. There seemed to be some divergence of opinion among Senators who were discussing the subject. I certainly gained the impression that there was some question as to the powers, duties, and functions of the Surplus Property Board. I did not have the advantage of being a member of the Military Affairs Committee, which considered the bill, but I was very much interested in it while it was under consideration in the Senate, and while it was in conference.

It seems to me that there can be no doubt about the intent of Congress to vest in the Surplus Property Board power to establish general policies. If the Board does not now have such power, or is not now exercising it, it seems to me that it is not the fault of Congress, but that the fault lies somewhere in the executive branch of the Government.

Mr. HILL. As I stated to the Senator from Wisconsin, it is my understanding that the Board has broad over-all power as to policies for the disposition of surplus property, although it was the purpose that the actual disposition should be by the owning agencies.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. REVERCOMB. With respect to the statements of the Senator from Wisconsin and the Senator from Alabama, I rise to say that there is not the least doubt that there is vested in the Surplus Property Board the power to make rules, within the limits of the law itself, to govern and correlate the activities of the disposal agencies. The Board does not dispose of property. It is a centralized power, which was created to lay down rules and make general regulations, and to correlate the action of all the disposal agencies.

The Board can certainly deal with the question which has been raised by the Senator from Indiana. I shall not enter into a discussion at this time as to the wisdom of dividing the country into districts; but that power would seem to lie within the general regulatory powers of the Surplus Property Board to fix methods of disposal by the several agencies.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. AUSTIN. I was a member of the conference which finally agreed, after 4 weeks of very difficult discussion on the surplus-property disposal bill. One of the grave points of difference was the form and authority of the Surplus Property Board. My understanding of what we were trying to do was that Congress should lay down general rules and policies for the disposition of surplus property, and that what we gave to the Board was congressional authority to fill in the details necessary to execute the policies expressed in the law.

Mr. CORDON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. CORDON. Carrying forward the comment just made by the Senator from Vermont, the authority of the Surplus Property Board is set out in section 9 of the Surplus Property Act. It seems to me perfectly clear and explicit. I read it:

Sec. 9 (a). The Board—

Meaning the Surplus Property Board—

shall prescribe regulations to effectuate the provisions of this act. In formulating such regulations the Board shall be guided by the objectives of this act.

(b) Regulations issued pursuant to subsection (a)—

I call attention to the fact that the Surplus Property Board is directed to make such regulations—

may, except as otherwise provided in this act, contain provisions prescribing the extent to which, the times at which, the areas in which, the agencies by which, the prices at which, and the terms and conditions under which, surplus property may be disposed of, and the extent to which and the conditions under which surplus property shall be subject to care and handling.

Subsection (c) provides as follows:

(c) Each Government agency shall carry out regulations of the Board expeditiously and shall issue such further regulations, not inconsistent with the regulations of the Board, as it deems necessary or desirable to carry out the provisions of this act.

It seems to me that there can be no room for question as to where the authority lies, and the place to which any

person objecting has a right to go in questioning any provisions of regulations for the disposal of surplus property under the terms of this act.

Mr. ROBERTSON. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. ROBERTSON. I am very much interested in what the distinguished Senator from Indiana has said, because I am well acquainted with the conditions which exist in Park County, Wyo., where a W. R. A. Japanese camp is situated. As Senators know, that camp and others are scheduled to be closed by the end of this year.

In view of the contemplated closing, it was decided that farming operations in that camp should not be conducted this year. Consequently a great deal of farm machinery and equipment, trucks, tractors, bulldozers, and a general line of farm equipment, became idle. Many farmers and others in that area wrote me asking me to find out what the possibility was of purchasing some of that equipment. I took up the question with Mr. Gillette, Chairman of the Surplus Property Board. He advised me that there would be no sale in Park County, but that the equipment would be moved to Nebraska and sold there, for the reason that it was felt that it would be available to a larger population there than it would be in northern Wyoming.

I wrote to Mr. Gillette and suggested to him that one-third of this equipment should be left at the camp and disposed of by sale there. I did not receive a reply to that letter. In the meantime notices had been sent to the local newspapers that there would be an auction of some of the equipment in that area on the 28th of April—that is next Saturday—and that today purchasers would be permitted to view the various pieces of equipment, making their sealed bids on each item tomorrow.

I wished to let the Senate know of the condition which exists. So far as I recall, that action was taken by the Surplus Property Board, and by no one else.

Mr. CAPEHART. Mr. President, I am grateful to the Senators for reading into the RECORD what I had intended to read into it. I ask unanimous consent to have printed in the RECORD following my remarks the first eight and one-half pages of Public Law 457, Seventy-eighth Congress, second session, chapter 479.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

[Public Law 457—78th Cong.—Ch. 479—2d sess.]

H. R. 5125

An act to aid the reconversion from a war to a peace economy through the distribution of Government surplus property and to establish a Surplus Property Board to effectuate the same, and for other purposes.

Be it enacted, etc., That this act may be cited as the "Surplus Property Act of 1944."

OBJECTIVES

SEC. 2. The Congress hereby declares that the objectives of this act are to facilitate and regulate the orderly disposal of surplus property so as—

(a) to assure the most effective use of such property for war purposes and the common defense;

(b) to give maximum aid in the reestablishment of a peacetime economy of free independent private enterprise, the development of the maximum of independent opertors in trade, industry, and agriculture, and to stimulate full employment;

(c) to facilitate the transition of enterprises from wartime to peacetime production and of individuals from wartime to peacetime employment;

(d) to discourage monopolistic practices and to strengthen and preserve the competitive position of small business concerns in an economy of free enterprise;

(e) to foster and to render more secure family-type farming as the traditional and desirable pattern of American agriculture;

(f) to afford returning veterans an opportunity to establish themselves as proprietors of agricultural, business, and professional enterprises;

(g) to encourage and foster postwar employment opportunities;

(h) to assure the sale of surplus property in such quantities and on such terms as will discourage disposal to speculators or for speculative purposes;

(i) to establish and develop foreign markets and promote mutually advantageous economic relations between the United States and other countries by the orderly disposition of surplus property in other countries;

(j) to avoid dislocations of the domestic economy and of international economic relations;

(k) to foster the wide distribution of surplus commodities to consumers at fair prices;

(l) to effect broad and equitable distribution of surplus property;

(m) to achieve the prompt and full utilization of surplus property at fair prices to the consumer through disposal at home and abroad with due regard for the protection of free markets and competitive prices from dislocation resulting from uncontrolled dumping;

(n) to utilize normal channels of trade and commerce to the extent consistent with efficient and economic distribution and the promotion of the general objectives of this act (without discriminating against the establishment of new enterprises);

(o) to promote production, employment of labor, and utilization of the productive capacity and the natural and agricultural resources of the country;

(p) to foster the development of new independent enterprise;

(q) to prevent insofar as possible unusual and exeecssive profits being made out of surplus property;

(r) to dispose of surplus property as promptly as feasible without fostering monopoly or restraint of trade, or unduly disturbing the economy, or encouraging hoarding of such property, and to facilitate prompt redistribution of such property to consumers;

(s) to dispose of surplus Government-owned transportation facilities and equipment in such manner as to promote an adequate and economical national transportation system; and

(t) except as otherwise provided, to obtain for the Government, as nearly as possible, the fair value of surplus property upon its disposition.

DEFINITIONS

SEC. 3. As used in this act—

(a) The term "Government agency" means any executive department, board, bureau, commission, or other agency in the executive branch of the Federal Government, or any corporation wholly owned (either directly or through one or more corporations) by the United States.

(b) The term "owning agency," in the case of any property, means the executive department, the independent agency in the executive branch of the Federal Government, or the corporation (if a Government agency), having control of such property otherwise than solely as a disposal agency.

(c) The term "disposal agency" means any Government agency designated under section 10 to dispose of one or more classes of surplus property.

(d) The term "property" means any interest, owned by the United States or any Government agency, in real or personal property, of any kind, wherever located, but does not include (1) the public domain or such lands withdrawn or reserved from the public domain as the Surplus Property Board (created by section 5) determines are suitable for return to the public domain for disposition under the general land laws, or (2) naval vessels of the following categories: Battleships, cruisers, aircraft carriers, destroyers, and submarines.

(e) The term "surplus property" means any property which has been determined to be surplus to the needs and responsibilities of the owning agency in accordance with section 11.

(f) The term "contractor inventory" means (1) any property related to a terminated contract of any type with a Government agency or to a subcontract thereunder; and (2) any property acquired under a contract pursuant to the terms of which title is vested in the Government, and in excess of the amounts needed to complete performance thereunder; and (3) any property which the Government is obligated to take over under any type of contract as a result of any change in the specifications or plans thereunder.

(g) The term "care and handling" includes completing, repairing, converting, rehabilitating, operating, maintaining, preserving, protecting, insuring, storing, packing, handling, and transporting, and, in the case of property which is dangerous to public health or safety, destroying, or rendering innocuous, such property.

(h) The term "person" means any individual, corporation, partnership, firm, association, trust, estate, or other entity.

(i) The term "State" includes the several States, Territories, and possessions of the United States, and the District of Columbia.

(j) The term "tax-supported institution" means any scientific, literary, educational, public-health, or public-welfare institution which is supported in whole or in part through the use of funds derived from taxation by the United States, or by any State or political subdivision thereof.

(k) The term "veteran" means any person in the active military or naval service of the United States during the present war, or any person who served in the active military or naval service of the United States on or after September 16, 1940, and prior to the termination of the present war, and who has been discharged or released therefrom under honorable conditions.

DISPOSITION OF SURPLUS PROPERTY—GENERAL RULE

SEC. 4. Surplus property shall be disposed of to such extent, at such times, in such areas, by such agencies, at such prices, upon such terms and conditions, and in such manner, as may be prescribed in or pursuant to this act.

SURPLUS PROPERTY BOARD

SEC. 5. (a) There is hereby established in the Office of War Mobilization, and in its successor, a Surplus Property Board (hereinafter called the "Board"), which shall be composed of three members, each of whom shall be appointed by the President, by and with

the advice and consent of the Senate, and shall receive compensation at the rate of $12,000 per annum. The term of office of the members shall be 2 years, except that the term of office of the members first appointed shall expire 2 years from the date of the enactment of this act, and the next succeeding terms shall then begin, and any person appointed to fill a vacancy caused by the death, resignation, or removal of a member prior to the expiration of the term of such member shall be appointed only for such unexpired term. The President shall designate one of the members of the Board as Chairman.

(b) The Board may, within the limits of funds which may be made available, appoint and fix the compensation of such officers and employees, and may make such expenditures for supplies, facilities, and services, as may be necessary to carry out its functions. Without regard to the provisions of the civil-service laws and the Classification Act of 1923, as amended, the Board may appoint such special assistants, and may employ such certified public accountants, qualified cost accountants, industrial engineers, appraisers, and other experts, and fix their compensation, and may contract with such certified public accounting firms and qualified firms of engineers, as may be necessary to carry out its functions.

DUTIES AND AUTHORITY OF BOARD

SEC. 6. The activities of the Board shall be coordinated with the programs of the armed forces of the United States in the interests of the war effort. Until peace is concluded the needs of the armed forces are hereby declared and shall remain paramount. The Board shall have general supervision and direction, as provided in this act, over (1) the care and handling and disposition of surplus property, and (2) the transfer of surplus property between Government agencies.

COOPERATION WITH INTERESTED GOVERNMENT AGENCIES

SEC. 7. The Board shall advise and consult with other interested Government agencies with a view to obtaining all aid and assistance possible in coordinating the functions of the several agencies affected by the disposition of surplus property.

DELEGATION OF AUTHORITY

SEC. 8. The head of any Government agency, except the Board, may delegate, and authorize successive redelegations of, any authority conferred upon him or his agency by or pursuant to this act to any officer, agent, or employee of such agency or, with the approval of the Board, to any other Government agency.

REGULATIONS

SEC. 9. (a) The Board shall prescribe regulations to effectuate the provisions of this act. In formulating such regulations, the Board shall be guided by the objectives of this act.

(b) Regulations issued pursuant to subsection (a) may, except as otherwise provided in this act, contain provisions prescribing the extent to which, the times at which, the areas in which, the agencies by which, the prices at which, and the terms and conditions under which, surplus property may be disposed of, and the extent to which and the conditions under which surplus property shall be subject to care and handling.

(c) Each Government agency shall carry out regulations of the Board expeditiously and shall issue such further regulations, not inconsistent with the regulations of the Board, as it deems necessary or desirable to carry out the provisions of this act.

(d) Regulations prescribed under this act shall be published in the Federal Register.

DESIGNATION OF DISPOSAL AGENCIES

SEC. 10. (a) Except as provided in subsection (b) of this section, the Board shall designate one or more Government agencies to act as disposal agencies under this act. In exercising its authority to designate disposal agencies, the Board shall assign surplus property for disposal by the fewest number of Government agencies practicable and, so far as it deems feasible, shall centralize in one disposal agency responsibility for the disposal of all property of the same type or class.

(b) The United States Maritime Commission shall be the sole disposal agency for surplus vessels which the Commission determines to be merchant vessels or capable of conversion to merchant use, and such vessels shall be disposed of only in accordance with the provisions of the Merchant Marine Act, 1936, as amended, and other laws authorizing the sale of such vessels.

DECLARATION AND DISPOSITION OF SURPLUS PROPERTY

SEC. 11. (a) Each owning agency shall have the duty and responsibility continuously to survey the property in its control and to determine which of such property is surplus to its needs and responsibilities.

(b) Each owning agency shall promptly report to the Board and the appropriate disposal agency all surplus property in its control which the owning agency does not dispose of under section 14.

(c) Whenever in the course of the performance of its duties under this act, the Board has reason to believe that any owning agency has property in its control which is surplus to its needs and responsibilities and which it has not reported as such, the Board shall promptly report that fact to the Senate and House of Representatives. Each owning agency and each disposal agency shall submit to the Board (1) such information and reports with respect to surplus property in the control of the agency, in such form, and at such reasonable times, as the Board may direct; (2) such information and reports with respect to other property in the control of the agency, to such extent, and in such form as the Board may direct and as the agency deems consistent with national security.

(d) When any surplus property is reported to any disposal agency under subsection (b) of this section, the disposal agency shall have responsibility and authority for the disposition of such property, and for the care and handling of such property pending its disposition, in accordance with regulations prescribed by the Board. Where the disposal agency is not prepared at the time of its designation under this act to undertake the care and handling of such surplus property the Board may postpone the responsibility of the agency to assume its duty for care and handling for such period as the Board deems necessary to permit the preparation of the agency therefor.

(e) The Board shall prescribe regulations necessary to provide, so far as practicable, for uniform and wide public notice concerning surplus property available for sale, and for uniform and adequate time intervals between notice and sale so that all interested purchasers may have a fair opportunity to buy.

(f) No surplus property which was processed, produced, or donated by the American Red Cross for any Government agency shall be disposed of except after notice to and consultation with the American Red Cross. All or any portion of such property may be donated to the American Red Cross, upon its request, solely for charitable purposes.

(g) Each disposal agency shall maintain in each of its disposal offices such records of its inventories of surplus property and of each disposal transaction negotiated by that office as the Board may prescribe. The information in such records shall be available at all reasonable times for public inspection.

UTILIZATION OF SURPLUS PROPERTY BY FEDERAL AGENCIES

SEC. 12. (a) It shall be the duty of the Board to facilitate the transfer of surplus property from one Government agency to other Government agencies for their use; and the transfer of surplus property under this section shall be given priority over all other disposals provided for in this act.

(b) It shall be the responsibility of all Government agencies, in order to avoid making purchases through commercial channels, continuously to consult the records of surplus property established by the Board and to determine whether their requirements can be satisfied out of such surplus property. It shall also be the responsibility of the head of each Government agency to submit to the Board such estimates of the needs of the agency and such reports in relation thereto as the Board may deem necessary to promote the fullest utilization of surplus property. It shall be the responsibility of the Board to determine whether Government agencies are acquiring surplus property to the fullest possible extent, and to notify agencies whenever, in its judgment, they are not so doing.

(c) The disposal agency responsible for any such property shall transfer it to the Government agency acquiring it at the fair value of the property as fixed by the disposal agency, under regulations prescribed by the Board, unless transfer without reimbursement or transfer of funds is otherwise authorized by law.

DISPOSAL TO LOCAL GOVERNMENTS AND NONPROFIT INSTITUTIONS

SEC. 13. (a) The Board shall prescribe regulations for the disposition of surplus property to States and their political subdivisions and instrumentalities, and to tax-supported and nonprofit institutions, and shall determine on the basis of need what transfers shall be made. In formulating such regulations the Board shall be guided by the objectives of this act and shall give effect to the following policies to the extent feasible and in the public interest:

(1) (A) Surplus property that is appropriate for school, classroom, or other educational use may be sold or leased to the States and their political subdivisions and instrumentalities, and tax-supported educational institutions, and to other nonprofit educational institutions which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code.

(B) Surplus medical supplies, equipment, and property suitable for use in the protection of public health, including research, may be sold or leased to the States and their political subdivisions and instrumentalities, and to tax-supported medical institutions, and to hospitals or other similar institutions not operated for profit which have been held exempt from taxation under section 101 (6) of the Internal Revenue Code.

(C) In fixing the sale or lease value of property to be disposed of under subparagraph (A) and subparagraph (B) of this paragraph, the Board shall take into consideration any benefit which has accrued or may accrue to the United States from the use of such property by any such State, political subdivision, instrumentality, or institution.

(2) Surplus property shall be disposed of so as to afford public and governmental institutions, nonprofit or tax-supported educational institutions, charitable and eleemosynary institutions, nonprofit or tax-supported hospitals and similar institutions, States, their political subdivisions and instrumentalities, and volunteer fire companies, an opportunity to fulfill, in the public interest, their legitimate needs.

(b) Under regulations prescribed by the Board, whenever the Government agency authorized to dispose of any property finds that it has no commercial value or that the

cost of its care and handling and disposition would exceed the estimated proceeds, the agency may donate such property to any agency or institution supported by the Federal Government or any State or local government, or to any nonprofit educational or charitable organization, or, if that is not feasible, shall destroy or otherwise dispose of such property, but, except in the case of property the immediate destruction of which is necessary or desirable either because of the nature of the property or because of the expense or difficulty of its care and handling, no property shall be destroyed until 30 days after public notice of the proposed destruction thereof has been given (and a copy of such notice given to the Board at the beginning of such 30-day period) and an attempt has been made within such 30 days to dispose of such property otherwise than by destruction.

(c) No airport and no harbor or port terminal, including necessary operating equipment, shall be otherwise disposed of until it has first been offered, under regulations to be prescribed by the Board, for sale or lease to the State, political subdivisions thereof, and any municipality, in which it is situated, and to all municipalities in the vicinity thereof.

(d) Whenever any State or political subdivision thereof, or any State or Government agency or instrumentality certifies to the Board that any power transmission line determined to be surplus property under the provisions of this act is needful for or adaptable to the requirements of any public or cooperative power project, such line and the right-of-way acquired for its construction shall not be sold, leased for more than 1 year, or otherwise disposed of, except as provided in section 12 or this section, unless specifically authorized by act of Congress.

(e) In disposing of any surplus real property, as defined in section 23, on or across which highways or streets had been established and constructed and were being maintained by the States or their political subdivisions or instrumentalities at the time such surplus real property was acquired by the Government, and where such highways or streets were vacated, destroyed, or shut off from general public use in order to meet the requirements and serve the purposes of the Government, the States or their political subdivisions or instrumentalities first shall be given a reasonable time, to be fixed by the Board, in which to repurchase the original rights-of-way on which such highways or streets were established and in which to purchase such new or additional rights-of-way as may be required for reestablishing, in whole or in part, such highways or streets of greater width or on new and more adequate locations, at a price not exceeding that paid therefor by the Government.

(f) The disposal of surplus property under this section to States and political subdivisions and instrumentalities thereof shall be given priority over all other disposals of property provided for in this act except transfers under section 12.

Mr. CAPEHART. Mr. President, I wish to say in conclusion that I realize the importance of properly disposing of surplus war materials. I do not believe anyone realizes more keenly than I do the tremendous and complex job which is involved. It is a hard job. To my mind the disposal of surplus property is one of the most difficult problems which face us. My only hope, and my reason for calling the matter to the attention of the Senate, was that we might do something about it, either through amending the present surplus property law or by talking to those who are responsible for the administration of the law.

Mr. HILL. Mr. President, I do not wish to detain the Senate. The Senator from Indiana very kindly placed in the RECORD the letter he had received from former Senator Gillette, Chairman of the Surplus Property Board. However, I feel that at this point I should bring to the attention of the Senate an excerpt from the letter, because to my mind it shows very clearly that what the Surplus Property Board is seeking to do and has sought to do is to make the property as widely available to everyone as possible. Instead of having any thought of limiting the availability of the property to any particular group or section, the idea of the Board seems to be to try to make the property as widespread as possible in its availability.

Former Senator Gillette said this in his letter:

> It was in their minds—
>
> Referring to the Board—
>
> that where property was declared surplus in one locality, it was discriminatory to the rest of the country if they had to travel long distances to inspect the property. For instance, if machinery was declared surplus at Atlanta, Ga., it was obviously impossible for prospective buyers to come from Oregon or Maine and bid in competition with those in the near area. To obviate this difficulty, the policy of setting up around a dozen regional offices was established where the concentration could be made more accessible. Of course, it follows that there is still something of unfairness, and a number of protests have come to me whereby prospective purchasers at the edge of one region would find it more convenient to go to an adjoining region concentration point which was nearer to them. There seems to be little doubt that the regional system is a big improvement over the concentration at one point.

I share with the Senator from Indiana the feeling that surplus property should be given the widest possible availability to all the people. I wish to call attention to the fact that it certainly seems to be the thought and purpose of the Board, as evidenced by its action in establishing the regions and by the statements contained in the letter of former Senator Gillette, to try to do that very thing. It may be that the Board has not done it; it may be that it has failed; but certainly its purpose and its motive, as evidenced by the statements contained in the letter, are good, and it seeks to do what the Senator from Indiana and the rest of us would have it do.

Mr. CAPEHART. Mr. President, will the Senator yield to me?

Mr. HILL. I yield.

Mr. CAPEHART. At the beginning of my remarks, I believe I congratulated the Board for setting up the regional offices which would concentrate the selling of surplus war merchandise in given locations. I think that is excellent. I concede that by doing so the demands on transportation and manpower have been decreased. But I cannot agree that the wide distribution in the sale of surplus property, which the Surplus Property Act calls for, can be had by denying a resident of a given State the right to buy such materials in some other State. I simply cannot conceive that that is so.

Mr. HILL. On that point former Senator Gillette said in his letter:

> Of course, it follows that there is still something of unfairness.

Evidently he agrees with the Senator.

I wish to bring out the point that I think it is very clear from a reading of the letter of Chairman Gillette that what the Board had in mind and what it seemed to be seeking to do in establishing the regional offices was the very thing which I think the Senator from Indiana and, indeed, most of the Senators would have it do.

Mr. CAPEHART. Mr. President, will the Senator yield to me again?

Mr. HILL. I yield.

Mr. CAPEHART. Chairman Gillette said in his letter that the Board did not set up the regional offices, but that they were set up by the Procurement Division of the Treasury Department. Therefore, according to his letter, which the Senator read a moment ago, Chairman Gillette did not set up the regional offices and is not responsible for them; but they were there, as the Senator from New Mexico said, when he arrived.

Some 2 weeks ago I talked to Mr. Moran, of the Procurement Division of the Treasury Department. Thus far I have not been able to obtain a satisfactory answer. One of the answers he gave to a dealer in Indiana was that the act specifies that, wherever possible, the merchandise is to be routed through regular distribution channels, but that if the dealers did not stop complaining they would sell the merchandise directly to the consumers, in competition with the dealers.

Personally, as a businessman, I cannot conceive of any rule or regulation which would deny to any American the right to purchase surplus war materials. I do not know how other Senators feel about the matter.

Mr. WHEELER. Mr. President, of course, I cannot conceive how any department of our Government has a right to say to John Smith or John Q. Citizen, "You cannot buy the property of the Government at any place in the United States where you wish to buy it." In the first place, no department of the Government has the right under any law about which I know to establish a rule that any citizen of the United States cannot bid on any Government property at any place in the United States. I think it unfortunate that a rule of that kind has been made.

Mr. HILL. Mr. President, will the Senator yield in that connection?

Mr. WHEELER. I yield.

Mr. HILL. The Senator from Vermont and I lived with this problem in the conference committee for several weeks. There are many difficulties about it which do not appear on its face. For instance, consider the question of farm machinery. It might be that the Government could let one big dealer buy all the surplus farm machinery and distribute it. The Government might obtain a better price by doing so. But in the act we wrote the policy that there should be an attempt to have the farm

machinery placed in the hands of individual farmers.

The only reason I call attention to that situation is that those of us who lived with this problem in committee for 4 solid weeks in the committee on conference trying to have the bill written, realize that many difficulties are involved. We recall the selling of surplus property after the last war. There was quite a story about the sale of raincoats at that time. A dealer came to Washington and bought all the surplus raincoats. He paid the Government what seemed to be a fairly good price for them. Certainly there was no other dealer who was willing to bid on the entire supply of raincoats. That dealer then sold the raincoats in small lots or sold them separately to individuals, and he made an enormous profit. So that question enters into the situation.

If we want the surplus property to be distributed to the farmers and to other groups which we are trying to take care of, we cannot always say that any citizen may buy the surplus property. There are many different limitations of such a nature.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. WHEELER. Mr. President, I have the floor, and I wish to make a brief statement.

I understand that some of this machinery is advertised piece by piece. So what the Senator has said with reference to that subject would not have any effect on the situation.

I have received a complaint from a constituent of mine. I did not intend to bring the matter up now because I had expected to take it up with the Board. A constituent of mine wanted to buy some surplus materials. He said that he had put in a bid which was larger than the bid submitted by another person, but he was denied the right to have his bid considered because the particular property in which he was interested was being sold for a large lump sum. It seems to me the present rule is perfectly unfair and that considerable complaint will result if it is continued in effect. I can understand that in some particular lines it may be to the advantage of the Government to sell in larger lots than in smaller lots. But clearly the Board is wrong when it says to John Smith, for example, "You can bid on something in Chicago because that city is in your district, but you cannot bid on similar merchandise in Seattle."

It seems to me that it is not right to say that an American citizen cannot bid on Government property wherever it may be. A man in my State might wish to bid on some bolts, or articles of that kind. The bolts might not be for sale in his district and yet, he could not bid on them in any other district.

Mr. CAPEHART. Mr. President, I think the plan of having 12 regions in which to concentrate surplus material is, as I have said, an excellent one. In my opinion it should possibly be increased to 24 or 36. At the present time all this merchandise is concentrated at one place. However, it should be sold to any person in the United States who is willing to pay the highest price, regardless of where the property may be located.

I ask the distinguished Senator from Alabama [Mr. HILL] if, in his opinion, the Surplus Property Board has the right to change the regulations of the Procurement Division, in which the rule was established that a person must live in a particular region in order to be allowed to bid on surplus property.

Mr. HILL. I have not read the act since it was passed last September, but my opinion is that today the Surplus War Property Board has such authority.

Mr. HATCH. Mr. President, I rose only to say that the committee, though not a legislative committee, has devoted some thought and study to the question of the disposal of surplus property. The question which has been raised today is not exactly a new one. As a matter of fact, Congress gave the Surplus War Property Board full power and authority to issue regulations. That is just about the extent of the power which it has been given. The Board may make regulations and establish policies, but it has no power to enforce or carry out those policies.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. HATCH. I yield to the Senator from Michigan.

Mr. FERGUSON. As an enforcement agency the Board would have power, however, to change an agency if it should refuse to carry out the language and the spirit of a rule or regulation which had been issued.

Mr. HATCH. The Board would have no way of knowing whether the agency was carrying out the rule or regulation. Is that not true?

Mr. FERGUSON. The Senator said that the Board would have no way of knowing.

Mr. HATCH. No; they have no method of ascertaining.

Mr. FERGUSON. Mr. President, I think they would have the method of ascertaining through complaints.

Mr. HATCH. Yes; they could read the public press.

Mr. FERGUSON. I think perhaps they would receive a sufficient number of letters from Representatives and Senators to indicate that in many cases rules and regulations were not being observed. As I recall, the Chairman of the Board indicated that the difficulty was this: When they wanted to make a rule or regulation under the authority given to them by the act of Congress they had to submit the rule or regulation to approximately 23 agencies. They then had to wait, often for weeks, before hearing from the agencies, and then were informed that some particular agency was opposed to a certain rule or regulation for one reason or another. They then had to start over again and resubmit a new rule or regulation. I am informed by high authority in the Army that sales are not being made, and therefore there is trouble with the officials of the Army in declaring additional articles to be surplus property.

Mr. HATCH. Mr. President, I was about to raise that question. Before the Board or Treasury Department has any jurisdiction over the property, it must be declared to be surplus property.

Mr. FERGUSON. The Army has been making the complaint that when they declare surplus property to be surplus property in many cases it is not sold.

Mr. HATCH. Perhaps I am mistaken, but I am asking for information. Do they not go ahead and dispose of it themselves?

Mr. FERGUSON. I believe they do.

Mr. HATCH. They do not declare it surplus.

Mr. FERGUSON. On many occasions they have disposed of property because they had been authorized to declare it surplus property under certain circumstances. I think that what we need is action on the part of the Board, and a determination on their part to carry out the will of Congress, and see that that surplus property is distributed at a time when it is needed in the civilian life of the Nation.

Mr. BANKHEAD. Mr. President, will the Senator yield?

Mr. HATCH. Mr. President, I do not choose to yield further because I wish to have some understanding about the matter. However, I yield to the Senator from Alabama.

Mr. BANKHEAD. Mr. President, Senate bill 383 was made the unfinished business of the Senate. It has been pending for some time, and I have patiently waited for the time to be reached when the bill could be disposed of. I do not think it will take more than 10 minutes to dispose of it. If any Senator wants it to go over, I shall make no objection.

The PRESIDENT pro tempore. Senate bill 383 is still before the Senate and open to amendment.

Mr. HATCH. Mr. President, I wish to say that I believe there is no more important subject before the country than that concerning the disposal of Government surplus property.

Mr. BANKHEAD. The subject is not a matter now pending before the Senate.

Mr. HATCH. I am trying to be gracious, Mr. President.

Mr. BANKHEAD. I shall not at this time insist on consideration of the bill if the Senator from New Mexico wishes to proceed.

Mr. HATCH. Mr. President, at some later date I hope that we can take up the whole subject relating to the disposal of Government surplus property, discuss it, and arrive at some reasonable, logical, and fair conclusion. I now take my seat and yield to the Senator from Alabama.

Mr. AUSTIN. Mr. President, will the Senator from Alabama yield?

Mr. BANKHEAD. I yield.

Mr. AUSTIN. I shall not take more than 5 seconds.

Mr. BANKHEAD. I shall certainly yield to the Senator, even for an indefinite time.

Mr. AUSTIN. I call attention to section 6 of the Surplus Property Act, giving the duties and authority of the Board, where it will be found that the Board has complete authority over articles of surplus property. On the same page is section 9 (c), where it is provided that if a disposal agency makes

subsequent rules, they must not be inconsistent with the rules of the Board. That is all.

DEVELOPMENT OF COOPERATIVE AGRICULTURAL EXTENSION WORK

The Senate resumed the consideration of the bill (S. 383) to provide for the further development of cooperative agricultural extension work.

The PRESIDENT pro tempore. The bill is open to amendment.

Mr. BANKHEAD. Mr. President, I hope we can conclude the consideration of the bill in a very few minutes.

The PRESIDENT pro tempore. If there is no amendment to be offered, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc. That title II of the act entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935 (the Bankhead-Jones Act), is amended by adding at the end thereof the following new section:

"SEC. 23. (a) In order to further develop the cooperative extension system as inaugurated under the act entitled 'An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of the act of Congress, approved July 2, 1862, and and all acts supplementary thereto, and the United States Department of Agriculture,' approved May 8, 1914 (U. S. C., title 7, secs. 341-343, 344-348), particularly for the further development of county extension work, there are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the expenses of cooperative extension work in agriculture and home economics, including assistance to farm people in improving their standards of living, assistance in developing individual farm and home plans, better marketing and distribution of farm products, work with rural youth in 4-H Clubs and older out-of-school youth, guidance of farm people in improving farm and home buildings, development of effective programs in nutrition, and for the necessary printing and distribution of information in connection with the foregoing, the following sums:

"(1) $4,500,000 for the fiscal year ending June 30, 1946, and each subsequent fiscal year;

"(2) An additional $4,000,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year; and

"(3) An additional $4,000,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.

"(b) The sums appropriated pursuant to this section shall be paid to the several States and the Territory of Hawaii in the same manner and subject to the same conditions and limitations as the additional sums appropriated under such act of May 8, 1914 (the Smith-Lever Act), except that—

"(1) not more than 2 percent of the sum appropriated pursuant to this section for each fiscal year shall be available for paying expenses of the Extension Service in the United States Department of Agriculture;

"(2) $200,000 of the sum so appropriated for each fiscal year shall be allotted among the States and the Territory of Hawaii by the Secretary of Agriculture on the basis of special needs due to population characteristics, area in relation to farm population, or other special problems, as determined by such Secretary;

"(3) the remainder of the sum so appropriated for each fiscal year shall be paid to the several States and the Territory of Hawaii in the proportion that the farm population of each bears to the total farm population of the several States and Territory of Hawaii, as determined by the census of 1940; and

"(4) the several States and the Territory of Hawaii shall not be required to offset or match the funds allotted from sums appropriated pursuant to subparagraph (1) of subsection (a) of this section.

"(c) The sums appropriated pursuant to this section shall be in addition to and not in substitution for sums appropriated under such act of May 8, 1914, as amended and supplemented, or sums otherwise appropriated for agricultural extension work. Allotments to any State or the Territory of Hawaii for any fiscal year from the appropriations herein authorized shall be available for payment to such State or the Territory of Hawaii only if such State or the Territory of Hawaii complies, for such fiscal year, with the provisions with reference to offset of appropriations (other than appropriations under this section and section 21 of this title) for agricultural extension work."

SEC. 2. Section 21 of such act of June 29, 1935, is amended by striking out "(other than appropriations under this section)" and inserting in lieu thereof "(other than appropriations under this section and section 23 of this title)."

CEILING PRICE FOR TOBACCO

Mr. MAYBANK. Mr. President, for the past few weeks I have followed with interest the fight of the American tobacco growers of Maryland for an increase in the ceiling price of tobacco. I come from one of the largest tobacco-growing States in the country, and our people have had this subject before the O. P. A. and before the Economic Stabilization Director on many occasions. I have hesitated to say anything while Senators were debating the pending business today, but I take this opportunity to commend those who represented the State of Maryland and to commend the farmers of Maryland for having secured an increase of 2 cents a pound in the price of their tobacco.

Mr. President, the reason given by the Economic Stabilization Director for the increase was that the costs of labor and farm machinery and other items make it necessary.

At this very moment the farmers of the Carolinas are setting out their tobacco, plowing their fields, and attending their crops, from sun up to sun down, with but little labor, and with machinery that is quite expensive. Laborers working in the war factories nearby along the Atlantic Seaboard are paid 2, 3, 4, and sometimes 5 times as much as the farmers could afford to pay them.

Mr. President, I desire to bring this matter to the attention of the Senate because in July and August our farmers will be called upon to sell their tobacco, and I hope that the same treatment will be accorded the tobacco of our farmers in their tobacco market as is given in what are known as the border markets, within 50 miles of the North Carolina-South Carolina line, where most of the tobacco of the world is produced. I hope the same treatment will be accorded them when they bring their tobacco to the market for sale in July and August.

For the RECORD, I ask unanimous consent that following my brief remarks there be printed the story in the Evening Star of yesterday of the increase in the ceiling price secured by the Maryland tobacco producers.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MARYLAND TOBACCO CEILING RAISED 2 CENTS; SOME SALES BEGIN

Some southern Maryland tobacco warehouses began selling the bumper 1944 crop today following announcement of a 2-cent ceiling price increase by the Office of Price Administration yesterday.

Markets at La Plata, Hughesville, and Waldorf began orperations today, and the Baltimore and Upper Marlboro markets were ready to start tomorrow.

The O. P. A. said the increase—from 55 cents to 57 cents—is based on a directive issued by the Office of Economic Stabilization, and will apply to all Maryland tobacco, whether the grower sells in hogsheads or on the loose-leaf market.

The O. E. S. issued the directive after further examination of evidence submitted by growers and warehousemen disclosed that "the 2-cent increase is necessary for growers to obtain a weighted average price of about 48 cents a pound."

Representative SASSCER, who with Senators TYDINGS and RADCLIFFE, Democrats, of Maryland, led a group of growers and warehousemen in a ceiling price appeal to Stabilization Director William H. Davis, expressed gratification that "Mr. Davis has given us some relief."

"In view of our increasing costs and past averages," Mr. SASSCER said, "I do not think 57 cents is enough, but 57 cents is better than the 55 cents proposed last week."

On the basis of a 30,000,000-pound crop, officials estimated the increase would add about $600,000 to tobacco growers' income.

George Sachse, general manager of the Maryland Tobacco Growers' Association in Baltimore, said Maryland tobaccomen "are still dissatisfied with the 48-cent average originally set by the O. P. A. and retained in the revised order and will survey the situation and see if any further steps can be taken to raise the average set as this year's goal by the O. P. A."

Warehouses throughout the State originally scheduled to begin sales April 17, remained closed pending the ceiling price appeal. This is the second year sales have been delayed pending a price adjustment.

ATTENDANCE IN THE SENATE

Mr. ELLENDER. Mr. President, I wish to announce that the distinguished junior Senator from Mississippi [Mr. EASTLAND] and I missed the last roll call by about 40 seconds. We were very busily engaged in a hearing before the Committee on Territories and Insular Affairs, which is presided over by the senior Senator from Maryland [Mr. TYDINGS], who is still in the committee hearing. We were asked to be in attendance this afternoon so as to accommodate quite a number of Puerto Ricans who flew to Washington some time ago in order to appear before our committee in connection with the independence bill.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to consider executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. WALSH, from the Committee on Naval Affairs:

Capt. Carl F. Holden, United States Navy, to be a rear admiral in the Navy, for temporary service, to rank from the 10th day of August 1943;

Capt. Edwin T. Short, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty;

Capt. Samuel P. Jenkins, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty;

Capt. Alexander S. Wotherspoon, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander of a transport squadron, and until reporting for other permanent duty;

Capt. Harvey E. Overesch, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as chief of staff to commander, Hawaiian Sea Frontier, and until reporting for other permanent duty; and

Capt. Richard W. Bates, United States Navy, to be a commodore in the Navy, for temporary service, to continue while serving as commander, motor torpedo boat squadrons, United States Pacific Fleet, and until reporting for other permanent duty.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

ON INCOMES AND ESTATES—REMOVAL OF INJUNCTION OF SECRECY FROM CONVENTIONS

Mr. HILL. Mr. President, on behalf of the chairman of the Committee on Foreign Relations [Mr. CONNALLY], I ask unanimous consent that the injunction of secrecy be removed from Executive D, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on incomes, signed at Washington on April 16, 1945, and also that the injunction of secrecy be removed from Executive E, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons, signed at Washington on April 16, 1945.

The PRESIDENT pro tempore. Without objection, the injunction of secrecy will be removed from the conventions and they will be published in the RECORD.

The President's message of transmittal, and the conventions, with accompanying papers, are as follows:

EXECUTIVE D, SEVENTY-NINTH CONGRESS, FIRST SESSION—CONVENTION WITH GREAT BRITAIN AND NORTHERN IRELAND WITH RESPECT TO TAXES ON INCOMES

THE WHITE HOUSE, *April 24, 1945.*

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith two conventions between the United States of America and the United Kingdom of Great Britain and Northern Ireland, which were signed in Washington on April 16, 1945, as follows: (1) A convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, and (2) a convention for the avoidance of double taxation and the vention of fiscal evasion with respect to taxes on the estates of deceased persons.

The conventions have the approval of the Department of State and the Treasury Department.

I also transmit herewith, for the information of the Senate, the report of the Secretary of State with respect to the conventions.

HARRY S. TRUMAN.

[Enclosures: (1) Report of the Secretary of State; (2) convention between the United States and the United Kingdom, signed April 16, 1945, relating to taxes on income; (3) convention between the United States and the United Kingdom, signed April 16, 1945, relating to taxes on the estates of deceased persons.]

DEPARTMENT OF STATE,
Washington, April 16, 1945.

The PRESIDENT,
The White House:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to their transmission to the Senate to receive the advice and consent of that body to ratification, if his judgment approve thereof, two conventions between the United States of America and the United Kingdom of Great Britain and Northern Ireland, which were signed in Washington on April 16, 1945, as follows: (1) A convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, and (2) a convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons.

The Department of State and the Treasury Department collaborated in the negotiation of the conventions. The conventions have the approval of both Departments.

Realizing that the imposition and collection of taxes upon the same income or upon the same estate by both the United States of America and the United Kingdom may, and often do, result in double taxation of a severe character, representatives of this Government have engaged in technical discussions with representatives of the British Government with a view to determining the bases upon which conventions between the two Governments might be concluded for the purpose of avoiding double taxation, insofar as practicable, modifying certain conflicting principles of taxation for this purpose, and establishing certain procedures for the exchange of information between the two countries in relation to taxation. The two conventions submitted herewith were formulated as a result of those discussions.

In matters of principle and substance, most of the provisions of the convention relating to taxes on income are consistent, if not identical, with provisions in one or another of the existing income-tax conventions between the United States of America and certain foreign countries, namely (1) the convention and protocol of March 23, 1939, with Sweden, which became effective on January 1, 1940; (2) the convention and protocol of March 4, 1942, with Canada, which was made effective as of January 1, 1941; and (3) the convention and protocol of July 25, 1939, with France, which became effective on January 1, 1945.

The convention relating to taxes on the estates of deceased persons is similar, in substantial respects, to the existing convention of June 8, 1944, between the United States of America and Canada, relating to double taxation in the case of estate taxes and succession duties, which, upon the exchange of instruments of ratification, became effective as of June 14, 1941.

It is believed that the application of the provisions of an income-tax convention of the kind submitted herewith will constitute a definite step toward the removal of an undesirable impediment to international trade which results from the double taxation of incomes, and that the application of the provisions of an estate-tax convention of the kind submitted herewith will go far toward eliminating double taxation in connection with the settlement in either country of estates in which nationals of the other country have interests. The two conventions establish a satisfactory basis for the ultimate accomplishment of objectives in the mutual interest of the two countries.

Considering each of the two conventions separately, statements in further explanation are made in the paragraphs below.

CONVENTION RELATING TO TAXES ON INCOME

The major features of the income-tax convention may be summarized as follows:

(1) Specific reference to the taxes to which the convention relates and extensive definition of terms found in the convention (arts. I and II).

(2) Adoption of principles affecting the determination of amount and affecting the taxation, of business income derived by business enterprises of one country from sources within the other country (arts. III, IV, and V).

(3) Reduction in the United States rate of tax at the source from 30 to 15 percent in the case of dividends moving from the United States to the United Kingdom and, correspondingly, continuance of the existing British system of exemption from income tax, and adoption of exemption from United Kingdom surtax, in the case of dividends moving from the United Kingdom to the United States (art. VI).

(4) Exemption from taxation of (a) interest, (b) royalties, (c) Government salaries, (d) annuities and pensions, and (e) earned income derived from sources in one country by residents or corporations of the other country not engaged in trade or business in the former country (arts. VII, VIII, IX, X, XI, and XII).

(5) Continuation and expansion by the United States of the credit for foreign income taxes, and adoption by the United Kingdom of the principle of credit for United States income tax (art. XIII).

(6) Alleviation, with respect to residents of the United Kingdom, of taxation by the United States of nonresident aliens and foreign corporations in the case of certain taxes alleged to have an extraterritorial character (arts. XIV, XV, and XVI.)

(7) Settlement of pending cases affecting residents of the United Kingdom or United Kingdom corporations, and involving the taxation of capital gains and the application of principles to which (6), above, relates (art. XVII).

(8) Exemption, upon certain conditions, of professors or teachers and students or business apprentices from taxes on their remuneration or on payments made to them (arts. XVIII and XIX).

(9) Cooperation between the contracting countries with a view to the prevention of evasion of taxation imposed by the respective countries (art. XX).

(10) Extension of the principle, expressed in many treaties of the United States, respecting national treatment of resident aliens in tax matters with a view to equality of taxation (art. XXI).

(11) Laying the ground work for application of the provisions of the convention to colonies or other territories which impose taxes substantially similar to the taxes to which the convention relates (art. XXII).

Some of the significant provisions of the convention may be explained further as follows, particularly with a view to indicating the extent to which the convention may

modify the existing revenue laws of the United States:

By article I the convention is made applicable, in respect of the United States, only to Federal income taxes, including surtaxes and excess-profits taxes. Consequently, the convention does not apply to taxes imposed by the several States of the United States, with one exception, namely, article XXI, to which further reference is made hereinafter.

By article VI the 30-percent rate of United States tax generally applied with respect to nonresident aliens and nonresident foreign corporations, and the higher rates of normal tax and surtax when applicable to such aliens, are reduced to 15 percent in the case of dividends in general, or to 5 percent in the case of dividends paid by a United States domestic subsidiary corporation to its British parent corporation. A like reduction to 15 percent is applied, under article IX, to gross mineral royalties and to gross real-property rentals derived from United States sources by residents of the United Kingdom, such reduced rate being considered substantially equivalent to the rate of 50 percent upon net rentals flowing from the United Kingdom to the United States. The United Kingdom, in effect, imposes no tax on dividends as such, but does impose surtax with respect to dividends; under the proposed convention dividends moving to the United States from the United Kingdom will thus be exempt from United Kingdom standard tax and surtax.

By articles VII and VIII interest and royalties are wholly exempt upon a reciprocal basis. Accordingly, interest and royalties will move to the United States from the United Kingdom free from United Kingdom tax (otherwise generally imposed at the rate of 50 percent) and from the United States to the United Kingdom free from United States tax (otherwise generally imposed at the rate of 30 percent).

By article XI the United States agrees to continue, during the lifetime of the convention, its existing system of credit for foreign tax insofar as credit for United Kingdom income tax is concerned, and to liberalize such system so as to allow credit for United Kingdom tax on earnings out of which dividends are paid to United States shareholders of United Kingdom corporations. The United Kingdom, on the other hand, agrees to adopt the system of credit for United States tax imposed upon income derived from United States sources by residents of the United Kingdom or by United Kingdom corporations.

It has long been a provision of United States revenue laws that, upon certain conditions, dividends paid by a foreign corporation to nonresident aliens or foreign corporations are to be regarded as income from sources within the United States and, as such, taxable by the United States even though the recipient of such dividends and the foreign corporation paying them are not resident in the United States. The United Kingdom law does not contain any corresponding provision. That provision of the United States revenue laws has been the object of frequent objections, it being charged that such a provision has an extraterritorial character. The existing income-tax convention with Canada makes that provision inapplicable to residents of Canada. Article XV of the convention with the United Kingdom makes the provision inapplicable to residents of the United Kingdom.

Similarly, article XVI makes the personal-holding-company provisions of the United States revenue laws inapplicable to United Kingdom corporations which are controlled by residents of the United Kingdom. In this respect article XVI is identical in principle with article XIII of the income-tax convention between the United States and Canada (S. Executive B, 77th Cong., 2d sess., contains a detailed statement concerning art. XIII of the convention with Canada), which makes the personal-holding-company provisions inapplicable to Canadian corporations. Article XVI of the convention with the United Kingdom contains safeguards against the exemption being used as a means of tax avoidance.

Article XVII is identical in principle with article XIV of the income-tax convention with Canada. Under article XIV of that convention the settlement of cases involving Canadians and Canadian corporations with respect to taxable years beginning prior to 1936, and generally involving the taxation of capital gains from sources within the United States, has been facilitated. While the number of similar cases involving United Kingdom residents and United Kingdom corporations is believed to be small, it is considered desirable to extend to the United Kingdom the same provisions in this respect as are found in the existing convention with Canada.

Article XX marks an important step in the direction of fiscal cooperation between the United States and the United Kingdom in the field of income taxation. Under this article there will be obtained by the United States, upon a reciprocal basis, information with respect to income derived by residents of the United States from sources in the United Kingdom, as well as information in cases of specific taxpayers with respect to whom information is available to the revenue authorities of the United Kingdom. The principle here adopted materially complements the United States domestic system of information at the source and, it is anticipated, will be of considerable utility in the administration of United States revenue laws, even though the British system of information at source is less comprehensive than that employed by the United States.

Article XXI gives expression to principles, long recognized in practice in the United States and found in many commercial or general-relations treaties of the United States, relating to equality of taxation in the United States as between United States citizens residing in the United States and aliens resident in the United States. Article XXI effects no change in existing United States revenue laws.

Article XXII is an innovation so far as tax conventions of the United States are concerned. It lays the basis for application of the convention to colonies, overseas territories, and certain other areas over which authority is exercised by the respective governments. It is anticipated that many of the British colonies or other territories, which have tax systems closely analogous to that existing in the United Kingdom, will elect, in the course of time, to come within the scope of the convention. This, it is expected, will have the effect of providing a solution to problems in the field of income taxation which may exist between the United States and such colonies or other territories, and of stimulating the economic ties between the United States and such areas. Inasmuch as the United States revenue laws do not extend to overseas possessions, such as Puerto Rico, those possessions will be free to elect to come within the scope of the convention, as they see fit.

Article XXIII provides for ratification and for the exchange of instruments of ratification and prescribes the effective dates of the conventon. Under article XXIII the convention will become effective with respect to taxable years beginning on or after January 1, 1945, as to the United States, and, as to the United Kingdom, with respect to years of assessment beginning in accordance with the corresponding British tax system. It is provided in article XXIV that the convention shall continue in effect indefinitely, but may be terminated by the giving of a notice for that purpose by either government to the other government on or before June 30 in any year after 1946, so that as to the United States the convention may be terminated with respect to taxable years beginning on or after January 1, 1947, and as to the United Kingdom the convention may be terminated with respect to years of assessment beginning on or after April 6, 1947. The provisions of article VI, relating to dividends, are made subject to termination, without affecting the remaining provisions of the convention, at the end of a 2-year period or thereafter by the giving of a notice along the lines of that prescribed in article XXIV.

CONVENTION RELATING TO TAXES ON ESTATES

The estate-tax convention with the United Kingdom, like the estate tax and succession duty convention of June 8, 1944, with Canada (S. Executive G, 78th Cong., 2d sess.), has for its principal purpose the elimination, insofar as practicable, of double taxation which otherwise would result from the application to the same estate of both Federal estate taxes and British estate duties. The convention also contains provisions relating to mutual administrative assistance through the exchange of information, with a view to discouraging tax evasion.

As in the case of the convention with Canada, the convention with the United Kingdom extends in its application, insofar as the United States is concerned, only to estate taxes imposed by the Federal Government. The imposition and collection of inheritance or estate taxes by States or Territories of the United States or by the District of Columbia are not restricted by the convention. As to the United Kingdom, the convention is applicable to the estate duty but does not apply to United Kingdom legacy or succession duties.

In the technical discussions which resulted in the formulation of the convention, consideration was given to the basic differences between the American and British systems of taxation affecting the settlement of estates. The two systems were found to be sufficiently comparable to make it possible for the taxing authorities of the two Governments to reach a satisfactory understanding with respect to a number of important matters of principle.

The provisions of the convention are contained in 11 articles. The following explanations of the provisions may be useful (the word "convention," unless otherwise indicated, is here used in reference to the convention with the United Kingdom):

Article I specifies the taxes to which the convention applies. This is analogous to article I of the convention of 1944 with Canada. The taxes are the Federal estate tax imposed by the United States and the United Kingdom estate duty imposed in Great Britain.

Article II contains definitions of terms found in the convention. It corresponds, in general, to article XIII of the convention of 1944 with Canada.

Article III contains rules, for the purposes of the operation of the convention, relating to the situs of rights and interests forming part of an estate to which the convention may be applicable. This article corresponds in general to articles II, III, and IV of the convention of 1944 with Canada. The treatment is considerably different in a number of respects, but the object is essentially the same in that the provisions are designed mainly to establish a greater degree of uniformity in administering the applicable revenue laws and to facilitate, upon a reasonable basis, the settlement of estates.

Articles IV, V, and VI contain fundamental provisions relating to the bases upon which estate taxes shall be computed and upon which relief from double taxation shall be accorded. The plan which would be made effective by these provisions is consistent with the principles expressed in existing tax conventions of the United States. The provisions in articles IV, V, and VI are analogous to, but in some respects simpler than, provisions in article V and VI of the convention of 1944 with Canada.

Article VII contains provisions relating to the exchange of information, leading to administrative cooperation in preventing fiscal evasion. It corresponds to article VII of the convention of 1944 with Canada, except that paragraph (2) of article VII (containing certain definitions) of the convention with the United Kingdom is analogous to paragraph 1 of article XIII of the convention with Canada.

The provisions of article VIII do not correspond to any provisions of existing tax conventions of the United States. Like article XXII of the income-tax convention with the United Kingdom, it lays the basis for application of the convention to colonies, overseas territories, and certain other areas over which authority is exercised by the respective Govenments. The statements which have been made heeinbefore concerning article XXII of the income-tax convention are applicable, in a general way, to article VIII of the estate-tax convention.

Article IX, which is to be considered in conjunction with article VIII, represents a formula proposed by the British authorities, in accordance with British constitutional procedure, with a view to making the convention applicable in respect of Northern Ireland.

Article X provides for ratification and prescribes that the convention shall come into force on the date of the exchange of instruments of ratification, to be effective only (1) as to estates of persons dying on or after that date, and (2) at the option of the personal representative, upon appropriate conditions, as to the estate of any person dying before that date and after December 31, 1944.

It is provided in article XI that the convention shall remain in force not less than 3 years, but may be terminated at the end of that 3-year period or at any time thereafter by the giving of a notice for that purpose by either Government to the other Government, the termination to be effective as to the estates of persons dying on or after the date specified in the notice, such date being not less than 60 days after the date of the notice, or, if no date of termination be specified, the termination is to be effective as to the estates of persons dying on or after the sixtieth day after the date of the notice.

The fundamental provisions of the convention may be summarized as follows:

(1) The uniform rules relating to the situs of property, as set forth in article III. The determination of situs with respect to certain types of property is necessary for the purposes of the convention, first, in order to ascertain the property that may be included for tax computation if jurisdiction be based on situs of property within the country, and, second, in order to ascertain the credit for estate taxes attributable to property situated as prescribed in the credit article. For example, a simple rule for the determination of the situs of shares of corporate stock is provided, namely, that the situs shall be where the issuing corporation was created or organized. This uniform rule is adopted by the United Kingdom in place of a complexity of rules now applicable in such cases. This uniform rule is one of long standing in the United States, but under the convention the United States relinquishes another and inconsistent rule, namely, that the situs of corporate stock is where the stock certificate is located.

(2) The credit provisions, as set forth in article V, whereby the country of the decedent's domicile, or the country of the decedent's citizenship in the case of the United States, allows a credit against its tax for the tax paid the other country with respect to property which otherwise would be subjected to taxation by both countries. The credit authorized by the convention is subordinated to and has no effect upon the credit against the Federal estate tax authorized by section 813 (b) of the Internal Revenue Code for inheritance and estate taxes paid to the States, Territories, or possessions of the United States or to the District of Columbia.

Respectfully submitted.

E. R. STETTINIUS, Jr.

[Enclosures: (1) Convention between the United States and the United Kingdom, signed April 16, 1945, relating to taxes on income; (2) convention between the United States and the United Kingdom, signed April 16, 1945, relating to taxes on the estates of deceased persons.]

CONVENTION WITH GREAT BRITAIN AND NORTHERN IRELAND WITH RESPECT TO TAXES ON INCOME

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland,

Desiring to conclude a Convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income.

Have appointed for that purpose as their Plenipotentiaries:

The Government of the United States of America:

Mr. Edward R. Stettinius, Jr., Secretary of State, and

The Government of the United Kingdom of Great Britain and Northern Ireland:

The Right Honorable the Earl of Halifax, K. G., Ambassador Extraordinary and Plenipotentiary in Washington,

Who, having exhibited their respective full powers, found in good, and due form, have agreed as follows:

ARTICLE I

(1) The taxes which are the subject of the present Convention are:

(a) In the United States of America: The Federal income taxes, including surtaxes and excess profits taxes (hereinafter referred to as United States tax).

(b) In the United Kingdom of Great Britain and Northern Ireland: The income tax (including sur tax), the excess profits tax and the national defense contribution (hereinafter referred to as United Kingdom tax).

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed by either Contracting Party subsequently to the date of signature of the present Convention or by the government of any territory to which the present Convention is extended under Article XXII.

ARTICLE II

(1) In the present Connvention, unless the context otherwise requires:

(a) The term "United States" means the United States of America, and when used in a geographical sense means the States, the Territories of Alaska and of Hawaii, and the District of Columbia.

(b) The term "United Kingdom" means Great Britain and Northern Ireland, excluding the Channel Islands and the Isle of Man.

(c) The terms "territory of one of the Contracting Parties" and "territory of the other Contracting Party" mean the United States or the United Kingdom as the context requires.

(d) The term "United States corporation" means a corporation, association or other like entity created or organized in or under the laws of the United States.

(e) The term "United Kingdom corporation" means any kind of juridical person created under the laws of the United Kingdom.

(f) The terms "corporation of one Contracting Party" and "corporation of the other Contracting Party" means a United States corporation or a United Kingdom corporation as the context requires.

(g) The term "resident of the United Kingdom" means any person (other than a citizen of the United States or a United States corporation) who is resident in the United Kingdom for the purposes of United Kingdom tax and not resident in the United States for the purposes of United States tax. A corporation is to be regarded as resident in the United Kingdom if its business is managed and controlled in the United Kingdom.

(h) The term "resident of the United States" means any individual who is resident in the United States for the purposes of United States tax and not resident in the United Kingdom for the purposes of United Kingdom tax, and any United States corporation and any partnership created or organized in or under the laws of the United States, being a corporation or partnership which is not resident in the United Kingdom for the purposes of United Kingdom tax.

(i) The term "United Kingdom enterprise" means an industrial or commercial enterprise or undertaking carried on by a resident of the United Kingdom.

(j) The term "United States enterprise" means an industrial or commercial enterprise or undertaking carried on by a resident of the United States.

(k) The terms "enterprise of one of the Contracting Parties" and "enterprise of the other Contracting Party" mean a United States enterprise or a United Kingdom enterprise, as the context requires.

(l) The term "permanent establishment" when used with respect to an enterprise of one of the Contracting Parties means a branch, management, factory or other fixed place of business, but does not include an agency unless the agent has, and habitually exercises, a general authority to negotiate and conclude contracts on behalf of such enterprise or has a stock of merchandise from which he regularly fills orders on its behalf. An enterprise of one of the Contracting Parties shall not be deemed to have a permanent establishment in the territory of the other Contracting Party merely because it carries on business dealings in the territory of such other Contracting Party through a *bona fide* commission agent, broker or custodian acting in the ordinary course of his business as such. The fact that an enterprise of one of the Contracting Parties maintains in the territory of the other Contracting Party a fixed place of business exclusively for the purchase of goods or merchandise shall not of itself constitute such fixed place of business a permanent establishment of such enterprise. The fact that a corporation of one Contracting Party has a subsidiary corporation which is a corporation of the other Contracting Party or which is engaged in trade or business in the territory of such other Contracting Party (whether through a permanent establishment or otherwise) shall not of itself constitute that subsidiary corporation a permanent establishment of its parent corporation.

(2) For the purposes of Articles VI, VII, VIII, IX and XIV a resident of the United Kingdom shall not be deemed to be engaged in trade or business in the United States in any taxable year unless such resident has a permanent establishment situated therein in such taxable year. The same principle shall be applied *mutatis mutandis*, by the United Kingdom in the case of a resident of the United States.

(3) In the application of the provisions of the present Convention by one of the Contracting Parties any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting Party relating to the taxes which are the subject of the present Convention.

ARTICLE III

(1) A United Kingdom enterprise shall not be subject to United States tax in respect of its industrial or commercial profits unless it is engaged in trade or business in the

United States through a permanent establishment situated therein. If it is so engaged, United States tax may be imposed upon the entire income of such enterprise from sources within the United States.

(2) A United States enterprise shall not be subject to United Kingdom tax in respect of its industrial or commercial profits unless it is engaged in trade or business in the United Kingdom through a permanent establishment situated therein. If it is so engaged, United Kingdom tax may be imposed upon the entire income of such enterprise from sources within the United Kingdom: Provided that nothing in this paragraph shall affect any provisions of the law of the United Kingdom regarding the imposition of United Kingdom excess profits tax and national defence contribution in the case of interconnected companies.

(3) Where an enterprise of one of the Contracting Parties is engaged in trade or business in the territory of the other Contracting Party through a permanent establishment situated therein, there shall be attributed to such permanent establishment the industrial or commercial profits which it might be expected to derive if it were an independent enterprise engaged in the same or similar activities under the same or similar conditions and dealing at arm's length with the enterprise of which it is a permanent establishment, and the profits so attributed shall, subject to the law of such other Contracting Party, be deemed to be income from sources within the territory of such other Contracting Party.

(4) In determining the industrial or commercial profits from sources within the territory of one of the Contracting Parties of an enterprise of the other Contracting Party, no profits shall be deemed to arise from the mere purchase of goods or merchandise within the territory of the former Contracting Party by such enterprise.

ARTICLE IV

Where an enterprise of one of the Contracting Parties, by reason of its participation in the management, control or capital of an enterprise of the other Contracting Party, makes with or imposes on the latter, in their commercial or financial relations, conditions different from those which would be made with an independent enterprise, any profits which would but for those conditions have accrued to one of the enterprises but by reason of those conditions have not so accrued, may be included in the profits of that enterprise and taxed accordingly.

ARTICLE V

(1) Notwithstanding the provisions of Articles III and IV of the present Convention, profits which an individual (other than a citizen of the United States) resident in the United Kingdom or a United Kingdom corporation derives from operating ships documented or aircraft registered under the laws of the United Kingdom, shall be exempt from United States tax.

(2) Notwithstanding the provisions of Articles III and IV of the present Convention, profits which a citizen of the United States not resident in the United Kingdom or a United States corporation derives from operating ships documented or aircraft registered under the laws of the United States, shall be exempt from United Kingdom tax.

(3) This Article shall be deemed to have superseded, on and after the first day of January, 1945, as to United States tax, and on and after the 6th day of April, 1945, as to United Kingdom tax, the arrangements relating to reciprocal exemption of shipping profits from income tax effected between the Government of the United States and the Government of the United Kingdom by exchange of Notes dated August 11, 1924, November 18, 1924, November 26, 1924, January 15, 1925, February 13, 1925, and March 16, 1925, which shall accordingly cease to have effect.

ARTICLE VI

(1) The rate of United States tax on dividends derived from a United States corporation by a resident of the United Kingdom who is subject to United Kingdom tax on such dividends and not engaged in trade or business in the United States shall not exceed 15 percent: Provided that such rate of tax shall not exceed five percent if such resident is a corporation controlling, directly or indirectly, at least 95 percent of the entire voting power in the corporation paying the dividend, and not more than 25 percent of the gross income of such paying corporation is derived from interest and dividends, other than interest and dividends received from its own subsidiary corporations. Such reduction of the rate to five percent shall not apply if the relationship of the two corporations has been arranged or is maintained primarily with the intention of securing such reduced rate.

(2) Dividends derived from sources within the United Kingdom by an individual who is (a) a resident of the United States, (b) subject to United States tax with respect to such dividends, and (c) not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom surtax.

(3) Either of the Contracting Parties may terminate this Article by giving written notice of termination to the other Contracting Party, through diplomatic channels, on or before the thirtieth day of June in any year after the year 1945, and in such event paragraph (1) hereof shall cease to be effective as to United States tax on and after the first day of January, and paragraph (2) hereof shall cease to be effective as to United Kingdom tax on and after the 6th day of April, in the year next following that in which such notice is given.

ARTICLE VII

(1) Interest (on bonds, securities, notes, debentures, or on any other form of indebtedness) derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax on such interest and not engaged in trade or business in the United States, shall be exempt from United States tax; but such exemption shall not apply to such interest paid by a United States corporation to a corporation resident in the United Kingdom controlling, directly or indirectly, more than 50 percent of the entire voting power in the paying corporation.

(2) Interest (on bonds, securities, notes, debentures, or on any other form of indebtedness) derived from sources within the United Kingdom by a resident of the United States who is subject to United States tax on such interest and not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom tax; but such exemption shall not apply to such interest paid by a corporation resident in the United Kingdom to a United States corporation controlling, directly or indirectly, more than 50 percent of the entire voting power in the paying corporation.

ARTICLE VIII

(1) Royalties and other amounts paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulae, trade-marks, and other like property, and derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax on such royalties or other amounts and not engaged in trade or business in the United States, shall be exempt from United States tax.

(2) Royalties and other amounts paid as consideration for the use of, or for the privilege of using, copyrights, patents, designs, secret processes and formulae, trade-marks, and other like property, and derived from sources within the United Kingdom by a resident of the United States who is subject to United States tax on such royalties or other amounts and not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom tax.

(3) For the purposes of this Article the term "royalties" shall be deemed to include rentals in respect of motion picture films.

ARTICLE IX

(1) The rate of United States tax on royalties in respect of the operation of mines or quarries or of other extraction of natural resources, and on rentals from real property or from an interest in such property, derived from sources within the United States by a resident of the United Kingdom who is subject to United Kingdom tax with respect to such royalties or rentals and not engaged in trade or business in the United States, shall not exceed 15 percent: Provided that any such resident may elect for any taxable year to be subject to United States tax as if such resident were engaged in trade or business in the United States.

(2) Royalties in respect of the operation of mines or quarries or of other extraction of natural resources, and rentals from real property or from an interest in such property, derived from sources within the United Kingdom by an individual who is (a) a resident of the United States, (b) subject to United States tax with respect to such royalties and rentals, and (c) not engaged in trade or business in the United Kingdom, shall be exempt from United Kingdom surtax.

ARTICLE X

(1) Any salary, wage, similar remuneration, or pension, paid by the Government of the United States to an individual (other than a British subject who is not also a citizen of the United States) in respect of services rendered to the United States in the discharge of governmental functions, shall be exempt from United Kingdom tax.

(2) Any salary, wage, similar remuneration, or pension, paid by the Government of the United Kingdom to an individual (other than a citizen of the United States who is not also a British subject) in respect of services rendered to the United Kingdom in the discharge of governmental functions, shall be exempt from United States tax.

(3) The provisions of this Article shall not apply to payments in respect of services rendered in connection with any trade or business carried on by either of the Contracting Parties for purposes of profit.

ARTICLE XI

(1) An individual who is a resident of the United Kingdom shall be exempt from United States tax upon compensation for personal (including professional) services performed during the taxable year within the United States if (a) he is present within the United States for a period or periods not exceeding in the aggregate 183 days during such taxable year, and (b) such services are performed for or on behalf of a person resident in the United Kingdom.

(2) An individual who is a resident of the United States shall be exempt from United Kingdom tax upon profits, emoluments or other remuneration in respect of personal (including professional) services performed within the United Kingdom in any year of assessment if (a) he is present within the United Kingdom for a period or periods not exceeding in the aggregate 183 days during that year, and (b) such services are performed for or on behalf of a person resident in the United States.

(3) The provisions of this Article shall not apply to the compensation, profits, emoluments or other remuneration of public entertainers such as stage, motion picture or radio artists, musicians and athletes.

ARTICLE XII

(1) Any pension (other than a pension to which Article X applies), and any life annuity, derived from sources within the United States by an individual who is a resident of the United Kingdom shall be exempt from United States tax.

(2) Any pension (other than a pension to which Article X applies), and any life annuity, derived from sources within the United Kingdom by an individual who is a resident of the United States shall be exempt from United Kingdom tax.

(3) The term "life annuity" means a stated sum payable periodically at stated times, during life or during a specified or ascertainable period of time, under an obligation to make the payments in consideration of money paid.

ARTICLE XIII

(1) Subject to section 131 of the United States Internal Revenue Code as in effect on the first day of January, 1945, United Kingdom tax shall be allowed as a credit against United States tax. For this purpose, the recipient of a dividend paid by a corporation which is a resident of the United Kingdom shall be deemed to have paid the United Kingdom income tax appropriate to such dividend if such recipient elects to include in his gross income for the purposes of United States tax the amount of such United Kingdom income tax.

(2) Subject to such provisions (which shall not affect the general principle hereof) as may be enacted in the United Kingdom, United States tax payable in respect of income from sources within the United States shall be allowed as a credit against any United Kingdom tax payable in respect of that income. Where such income is an ordinary dividend paid by a United States corporation, such credit shall take into account (in addition to any United States income tax deducted from or imposed on such dividend) the United States income tax imposed on such corporation in respect of its profits, and where it is a dividend paid on participating preference shares and representing both a dividend at the fixed rate to which the shares are entitled and an additional participation in profits, such tax on profits shall likewise be taken into account in so far as the dividend exceeds such fixed rate.

(3) For the purposes of this Article, compensation, profits, emoluments and other remuneration for personal (including professional) services shall be deemed to be income from sources within the territory of the Contracting Party where such services are performed.

ARTICLE XIV

A resident of the United Kingdom not engaged in trade or business in the United States shall be exempt from United States tax on gains from the sale or exchange of capital assets.

ARTICLE XV

Dividends and interest paid on or after the first day of January 1945 by a United Kingdom corporation shall be exempt from United States tax except where the recipient is a citizen of or a resident of the United States or a United States corporation.

ARTICLE XVI

A United Kingdom corporation shall be exempt from United States tax on its accumulated or undistributed earnings, profits, income or surplus, if individuals who are residents of the United Kingdom control, directly or indirectly, throughout the last half of the taxable year, more than 50 percent of the entire voting power in such corporation.

ARTICLE XVII

(1) The United States income tax liability for any taxable year beginning prior to January 1, 1936 of any individual (other than a citizen of the United States) resident in the United Kingdom, or of any United Kingdom corporation, remaining unpaid on the date of signature of the present Convention, may be adjusted on a basis satisfactory to the United States Commissioner of Internal Revenue: Provided that the amount to be paid in settlement of such liability shall not exceed the amount of the liability which would have been determined if

(a) the United States Revenue Act of 1936 (except in the case of a United Kingdom corporation in which more than 50 percent of the entire voting power was controlled, directly or indirectly, throughout the latter half of the taxable year, by citizens or residents of the United States), and

(b) Articles XV and XVI of the present Convention,

had been in effect for such year. If the taxpayer was not, within the meaning of such Revenue Act, engaged in trade or business in the United States and had no office or place of business therein during the taxable year, the amount of interest and penalties shall not exceed 50 percent of the amount of the tax with respect to which such interest and penalties have been computed.

(2) The United States income tax unpaid on the date of signature of the present Convention for any taxable year beginning after the thirty-first day of December 1935 and prior to the first day of January 1945 in the case of an individual (other than a citizen of the United States) resident of the United Kingdom, or in the case of any United Kingdom corporation shall be determined as if the provisions of Articles XV and XVI of the present Convention had been in effect for such taxable year.

(3) The provisions of paragraph (1) of this Article shall not apply—

(a) unless the taxpayer files with the Commissioner of Internal Revenue on or before the thirty-first day of December 1947 a request that such tax liability be so adjusted and furnishes such information as the Commissioner may require; or

(b) in any case in which the Commissioner is satisfied that any deficiency in tax is due to fraud with intent to evade the tax.

ARTICLE XVIII

A professor or teacher from the territory of one of the Contracting Parties who visits the territory of the other Contracting Party for the purpose of teaching, for a period not exceeding two years, at a university, college, school or other educational institution in the territory of such other Contracting Party shall be exempted by such other Contracting Party from tax on his remuneration for such teaching for such period.

ARTICLE XIX

A student or business apprentice from the territory of one of the Contracting Parties who is receiving full-time education or training in the territory of the other Contracting Party shall be exempted by such other Contracting Party from tax on payments made to him by persons within the territory of the former Contracting Party for the purposes of his maintenance, education, or training.

ARTICLE XX

(1) The taxation authorities of the Contracting Parties shall exchange such information (being information available under the respective taxation laws of the Contracting Parties) as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or the administration of statutory provisions against legal avoidance in relation to the taxes which are the subject of the present Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those concerned with the assessment and collection of the taxes which are the subject of the present Convention. No information shall be exchanged which would disclose any trade secret or trade process.

(2) As used in this Article, the term "taxation authorities" means, in the case of the United States, the Commissioner of Internal Revenue or his authorized representative; in the case of the United Kingdom, the Commissioners of Inland Revenue or their authorized representative; and, in the case of any territory to which the present Convention is extended under Article XXII, the competent authority for the administration in such territory of the taxes to which the present Convention applies.

ARTICLE XXI

(1) The nationals of one of the Contracting Parties shall not, while resident in the territory of the other Contracting Party, be subjected therein to other or more burdensome taxes than are the nationals of such other Contracting Party resident in its territory.

(2) The term "nationals" as used in this Article means

(a) in relation to the United Kingdom, all British subjects and British protected persons, from the United Kingdom or any territory with respect to which the present Convention is applicable by reason of extension made by the United Kingdom under Article XXII; and

(b) in relation to the United States, United States citizens, and all persons under the protection of the United States, from the United States or any territory to which the present Convention is applicable by reason of extension made by the United States under Article XXII;

and includes all legal persons, partnerships and associations deriving their status as such from, or created or organized under, the laws in force in any territory of the Contracting Parties to which the present Convention applies.

(3) In this Article the word "taxes" means taxes of every kind or description, whether national, Federal, state, provincial or municipal.

ARTICLE XXII

(1) Either of the Contracting Parties may, at the time of exchange of instruments of ratification or thereafter while the present Convention continues in force, by a written notification of extension given to the other Contracting Party through diplomatic channels, declare its desire that the operation of the present Convention shall extend to all or any of its colonies, overseas territories, protectorates, or territories in respect of which it exercises a mandate, which impose taxes substantially similar in character to those which are the subject of the present Convention. The present Convention shall apply to the territory or territories named in such notification on the date or dates specified in the notification (not being less than sixty days from the date of the notification) or, if no date is specified in respect of any such territory, on the sixtieth day after the date of such notification, unless, prior to the date on which the Convention would otherwise become applicable to a particular territory, the Contracting Party to whom notification is given shall have informed the other Contracting Party in writing through diplomatic channels that it does not accept such notification as to that territory. In the absence of such extension, the present Convention shall not apply to any such territory.

(2) At any time after the expiration of one year from the entry into force of an extension under paragraph (1) of this Article, either of the Contracting Parties may, by written notice of termination given to the other Contracting Party through diplomatic channels, terminate the application of the present Convention to any territory to which it has been extended under paragraph (1), and in such event the present Convention shall cease to apply, six months after the date of such notice, to the territory or territories named

therein, but without affecting its continued application to the United States, the United Kingdom or to any other territory to which it has been extended under paragraph (1) hereof.

(3) In the application of the present Convention in relation to any territory to which it is extended by notification by the United States or the United Kingdom references to the "United States" or, as the case may be, the "United Kingdom" shall be construed as references to that territory.

(4) The termination in respect of the United States or the United Kingdom of the present Convention under Article XXIV or of Article VI shall, unless otherwise expressly agreed by both Contracting Parties, terminate the application of the present Convention or, as the case may be, that Article to any territory to which the Convention has been extended by the United States or the United Kingdom.

(5) The provisions of the preceding paragraphs of this Article shall apply to the Channel Islands and the Isle of Man as if they were colonies of the United Kingdom.

ARTICLE XXIII

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

(2) Upon exchange of ratifications, the present Convention shall have effect

(a) as respects United States tax, for the taxable years beginning on or after the first day of January 1945;

(b) (i) as respects United Kingdom income tax, for the year of assessment beginning on the 6th day of April 1945 and subsequent years; (ii) as respects United Kingdom surtax, for the year of assessment beginning on the 6th day of April 1944 and subsequent years; and (iii) as respects United Kingdom excess profits tax and national defence contribution, for any chargeable accounting period beginning on or after the first day of April 1945 and for the unexpired portion of any chargeable accounting period current at that date.

ARTICLE XXIV

(1) The present Convention shall continue in effect indefinitely but either of the Contracting Parties may, on or before the 30th day of June in any year after the year 1946, give to the other Contracting Party, through diplomatic channels, notice of termination and, in such event, the present Convention shall cease to be effective

(a) as respects United States tax, for the taxable years beginning on or after the first day of January in the year next following that in which such notice is given;

(b) (i) as respects United Kingdom income tax, for any year of assessment beginning on or after the 6th day of April in the year next following that in which such notice is given; (ii) as respects United Kingdom surtax, for any year of assessment beginning on or after the 6th day of April in the year in which such notice is given; and (iii) as respects United Kingdom excess profits tax and national defense contribution, for any chargeable accounting period beginning or or after the first day of April in the year next following that in which such notice is given and for the unexpired portion of any chargeable accounting period current at that date.

(2) The termination of the present Convention or of any Article thereof shall not have the effect of reviving any treaty or arrangement abrogated by the present Convention or by treaties previously concluded between the Contracting Parties.

In witness whereof the above-mentioned Plenipotentiaries have signed the present Convention and have affixed thereto their seals.

Done at Washington, in duplicate, on the 16th day of April, 1945.

For the Government of the United States of America:

E. R. STETTINIUS, Jr.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

HALIFAX.

EXECUTIVE E, SEVENTY-NINTH CONGRESS, FIRST SESSION—CONVENTION WITH GREAT BRITAIN AND NORTHERN IRELAND WITH RESPECT TO TAXES ON ESTATES OF DECEASED PERSONS

The Government of the United States of America and the Government of the United Kingdom of Great Britain and Northern Ireland,

Desiring to conclude a convention for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estate of deceased persons,

Have appointed for that purpose as their respective Plenipotentiaries:

The Government of the United States of America:

Mr. Edward R. Stettinius, Jr., Secretary of State, and

The Government of the United Kingdom of Great Britain and Northern Ireland:

The Right Honorable the Earl of Halifax, K. G., Ambassador Extraordinary and Plenipotentiary in Washington,

Who, having exhibited their respective full powers, found in good and due form, have agreed as follows:

ARTICLE I

(1) The taxes which are the subject of the present Convention are:

(a) In the United States of America, the Federal estate tax, and

(b) In the United Kingdom of Great Britain and Northern Ireland, the estate duty imposed in Great Britain.

(2) The present Convention shall also apply to any other taxes of a substantially similar character imposed by either Contracting Party subsequently to the date of signature of the present Convention or by the government of any territory to which the present Convention applies under Article VIII or Article IX.

ARTICLE II

(1) In the present Convention, unless the context otherwise requires:

(a) The term "United States" means the United States of America, and when used in a geographical sense means the States, the Territories of Alaska and of Hawaii, and the District of Columbia.

(b) The term "Great Britain" means England, Wales and Scotland, and does not include the Channel Islands or the Isle of Man.

(c) The term "territory" when used in relation to one or the other Contracting Party means the Untied States or Great Britain, as the context requires.

(d) The term "tax" means the estate duty imposed in Great Britain or the United States Federal estate tax, as the context requires.

(2) In the application of the provisions of the present Convention by one of the Contracting Parties, any term not otherwise defined shall, unless the context otherwise requires, have the meaning which it has under the laws of that Contracting Party relating to the taxes which are the subject of the present Convention.

ARTICLE III

(1) For the purposes of the present Convention, the question whether a decedent was domiciled in any part of the territory of one of the Contracting Parties at the time of his death shall be determined in accordance with the law in force in that territory.

(2) Where a person dies domiciled in any part of the territory of one Contracting Party, the situs of any of the following rights or interest, legal or equitable, which for the purposes of tax form part of the estate of such person or pass on his death, shall, for the purposes of the imposition of tax and for the purposes of the credit to be allowed under Article V, be determined exclusively in accordance with the following rules, but in cases not within such rules the situs of such rights and interests shall be determined for those purposes in accordance with the law relating to tax in force in the territory of the other Contracting Party.

(a) Rights or interest (otherwise than by way of security) in or over immovable property shall be deemed to be situated at the place where such property is located;

(b) Rights or interest (otherwise than by way of security) in or over tangible movable property, other than such property for which specific provision is hereinafter made, and in or over bank or currency notes, other forms of currency recognized as legal tender in the place of issue, negotiable bills of exchange and negotiable promissory notes, shall be deemed to be situated at the place where such property, notes, currency or documents are located at the time of death, or, if in transitu at the place of destination;

(c) Debts, secured or unsecured, other than the forms of indebtedness for which specific provision is made herein, shall be deemed to be situated at the place where the decedent was domiciled at the time of death;

(d) Shares or stock in a corporation other than a municipal or governmental corporation (including shares or stock held by a nominee where the beneficial ownership is evidenced by scrip certificates or otherwise) shall be deemed to be situated at the place in or under the laws of which such corporation was created or organized;

(e) Monies payable under a policy of assurance or insurance on the life of the decedent shall be deemed to be situated at the place where the decedent was domiciled at the time of death;

(f) Ships and aircraft and shares thereof shall be deemed to be situated at the place of registration or documentation of the ship or aircraft;

(g) Goodwill as a trade, business or professional asset shall be deemed to be situated at the place where the trade, business or profession to which it pertains is carried on;

(h) Patents, trademarks and designs shall be deemed to be situated at the place where they are registered;

(i) Copyright, franchises, and rights or licenses to use any copyrighted material, patent, trademark or design shall be deemed to be situated at the place where the rights arising therefrom are exercisable;

(j) Rights or causes of action ex delicto surviving for the benefit of an estate of a decedent shall be deemed to be situated at the place where such rights or causes of action arose;

(k) Judgment debts shall be deemed to be situated at the place where the judgment is recorded;

Provided that if, apart from this paragraph, tax would be imposed by one Contracting Party on any property which is situated in its territory and passes under a disposition not governed by its law, this paragraph shall not apply to such property unless, by reason of its application or otherwise, tax is imposed or would but for some specific exemption be imposed thereon by the other Contracting Party.

ARTICLE IV

(1) In determining the amount on which tax is to be computed, permitted deductions shall be allowed in accordance with the law in force in the territory in which the tax is imposed.

(2) Where tax is imposed by one Contracting Party on the death of a person who at the time of his death was not domiciled in

any part of the territory of that Contracting Party but was domiciled in some part of the territory of the other Contracting Party, no account shall be taken in determining the amount or rate of such tax of property situated outside the former territory: Provided that this paragraph shall not apply as respects tax imposed—

(a) in the United States in the case of a United States citizen dying domiciled in any part of Great Britain; or

(b) in Great Britain in the case of property passing under a disposition governed by the law of Great Britain.

ARTICLE V

(1) Where one Contracting Party imposes tax by reason of a decedent's being domiciled in some part of its territory or being its national, that Party shall allow against so much of its tax (as otherwise computed) as is attributable to property situated in the territory of the other Contracting Party, a credit (not exceeding the amount of the tax so attributable) equal to so much of the tax imposed in the territory of such other Party as is attributable to such property; but this paragraph shall not apply as respects any such property as is mentioned in paragraph (2) of this Article.

(2) Where each Contracting Party imposes tax by reason of a decedent's being domiciled in some part of its territory, each Party shall allow against so much of its tax (as otherwise computed) as is attributable to property which is situated, or is deemed under paragraph (2) of Article III to be situated,

(a) in the territory of both Parties, or

(b) outside both territories,

a credit which bears the same proportion to the amount of its tax so attributable or to the amount of the other Party's tax attributable to the same property, whichever is the less, as the former amount bears to the sum of both amounts.

(3) For the purposes of this Article, the amount of the tax of a Contracting Party attributable to any property shall be ascertained after taking into account any credit, allowance or relief, or any remission or reduction of tax, othewise than in respect of tax payable in the territory of the other Contacting Party or in any other country; and if, in respect of property situated outside the territories of both Parties, a Contracting Party allows against its tax a credit for tax payable in the country where the property is situated, that credits shall be taken into account in ascertaining, for the purposes of paragraph (2) of this Article, the amount of the tax of that Party attributable to the property.

ARTICLE VI.

(1) Any claim for a credit or for a refund of tax founded on the provisions of the present Convention shall be made within six years from the date of the death of the decedent in respect of whose estate the claim is made, or, in the case of a reversionary interest where payment of tax is deferred until on or after the date on which the interest falls into possession, within six years from that date.

(2) Any such refund shall be made without payment of interest on the amount so refunded.

ARTICLE VII

(1) The taxation authorities of the Contracting Parties shall exchange such information (being information available under the respective taxation laws of the Contracting Parties) as is necessary for carrying out the provisions of the present Convention or for the prevention of fraud or the administration of statutory provisions against legal avoidance in relation to the taxes which are the subject of the present Convention. Any information so exchanged shall be treated as secret and shall not be disclosed to any person other than those concerned with the assessment and collection of the taxes which are the subject of the present Convention. No information shall be exchanged which would disclose any trade secret or trade process.

(2) As used in this Article, the term "taxation authorities" means, in the case of the United States, the Commissioner of Internal Revenue or his authorized representative; in the case of Great Britain, the Commissioners of Inland Revenue or their authorized representative; and, in the case of any territory to which the present Convention is extended under Article VIII, the competent authority for the administration in such territory of the taxes to which the present Convention applies.

ARTICLE VIII

(1) Either of the Contracting Parties may, on the coming into force of the present Convention or at any time thereafter while it continues in force, by a written notification of extension given to the other Contracting Party through diplomatic channels, declare its desire that the operation of the present Convention shall extend to all or any of its colonies, overseas territories, protectorates, or territories in respect of which it exercises a mandate, which impose taxes substantially similar in character to those which are the subject of the present Convention. The present Convention shall apply to the territory or territories named in such notification as to the estates of persons dying on or after the date or dates specified in the notification (not being less than sixty days from the date of the notification) or, if no date is specified in respect of any such territory, on or after the sixtieth day after the date of such notification, unless, prior to the date on which the Convention would otherwise become applicable to a particular territory, the Contracting Party to whom notification is given shall have informed the other Contracting Party in writing through diplomatic channels that it does not accept such notification as to that territory. In the absence of such extension, the present Convention shall not apply to any such territory.

(2) At any time after the expiration of one year from the entry into force of an extension under paragraph (1) of this Article, either of the Contracting Parties may, by written notice of termination given to the other Contracting Party through diplomatic channels, terminate the application of the present Convention to any territory to which it has been extended under paragraph (1), and in such event the present Convention shall cease to apply, as to the estates of persons dying on or after the date or dates (not being earlier than the sixtieth day after the date of such notice) specified in such notice, or, if no date is specified, on or after the sixtieth day after the date of such notice, to the territory or territories named therein, but without affecting its continued application to the United States, Great Britain or to any other territory to which it has been extended under paragraph (1) hereof.

(3) In the application of the present Convention in relation to any territory to which it is extended by the United States or the United Kingdom, references to "United States" or, as the case may be, "Great Britain", or to the territory of one (or of the other) Contracting Party, shall be construed as references to that territory.

(4) The provisions of the preceding paragraphs of this Article shall apply to the Channel Islands and the Isle of Man as if they were colonies of the United Kingdom.

ARTICLE IX

The present Convention shall apply in relation to estate duty imposed in Northern Ireland as it applies in relation to estate duty imposed in Great Britain, but shall be separately terminable in respect of Northern Ireland by the same procedure as is laid down in paragraph (2) of Article VIII.

ARTICLE X

(1) The present Convention shall be ratified and the instruments of ratification shall be exchanged at Washington as soon as possible.

(2) The present Convention shall come into force on the date of exchange of ratifications and shall be effective only as to

(a) the estates of persons dying on or after such date; and

(b) the estate of any person dying before such date and after the 31st day of December, 1944, whose personal representative elects, in such manner as may be prescribed, that the provisions of the present Convention shall be applied to such estate.

ARTICLE XI

(1) The present Convention shall remain in force for not less than three years after the date of its coming into force.

(2) If not less than six months before the expiration of such period of three years, neither of the Contracting Parties shall have given to the other Contracting Party, through diplomatic channels, written notice of its intention to terminate the presen Convention, the Convention shall remain in force after such period of three years until either of the Contracting Parties shall have given written notice of such intention, in which event the present Convention shall not be effective as to the estates of persons dying on or after the date (not being earlier than the sixtieth day after the date of such notice) specified in such notice, or, if no date is specified, on or after the sixtieth day after the date of such notice.

IN WITNESS WHEREOF the above-mentioned Plenipotentaries have signed the present Convention and have affixed thereto their seals.

Done at Washington, in duplicate, on the 16th day of April, 1945.

For the Government of the United States of America:

E. R. STETTINIUS, Jr.

For the Government of the United Kingdom of Great Britain and Northern Ireland:

HALIFAX.

The PRESIDENT pro tempore. If there be no further reports of committees, the clerk will proceed to state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HILL. I ask unanimous consent that the postmaster nominations be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the postmaster nominations are confirmed en bloc.

Mr. HILL. I ask unanimous consent that the President be immediately notified of the confirmations.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

THE LEGISLATIVE PROGRAM

Mr. WHITE. Mr. President, I understood a motion was to be made to adjourn or recess until Monday.

Mr. HILL. That is correct.

Mr. WHITE. Is the Senator in position to tell us what will be before the Senate on Monday?

Mr. HILL. I cannot tell the Senator. As he knows, the Senate Committee on Military Affairs has reported a bill to provide for the drafting of nurses for our armed forces. That bill is now on the calendar, and consideration is being given

to bringing it up at an early date. I cannot say at this time whether or not the bill will come up Monday.

Mr. WHITE. I thank the Senator.

RECESS TO MONDAY

Mr. HILL. As in legislative session, I move that the Senate take a recess till 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 56 minutes p. m.) the Senate took a recess until Monday, April 30, 1945, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 26 (legislative day of April 16), 1945:

POSTMASTERS

ALABAMA

W. Cliff Crump, Collinsville.
Oscar P. Braswell, Delta.
Arthur G. Finch, Red Bay.
Samuel Henry Dailey, Tunnel Springs.

GEORGIA

Mattie K. Pollard, Appling.
Jeremiah B. Monk, Moultrie.
Agnese R. Mundy, Rockmart.
Isaac Y. Conger, Tifton.
Urvie W. Busby, Villa Rica.

KANSAS

Mildred M. Beach, Elwood.
Mary D. Haring, Latham.
William H. Guthrie, Jr., Leon.
Paul Wayne Kirkpatrick, Marysville.
Charles W. Horak, Munden.
Vera M. Lapsley, Prescott.
Ethel M. Gough, Sharon Springs.

MISSISSIPPI

Bessie D. Corban, Fayette.
Wyatt W. Curtis, French Camp.
Agnes E. Olivier, Mississippi City.
Albert E. McGee, Wesson.

NEW MEXICO

Margaret G. Mellichampe, Monista.

NORTH CAROLINA

Marlin Grady Bishop, Browns Summit.
Willie E. McGoogan, Lumber Bridge.
Lucy A. Williamson, Turkey.

OKLAHOMA

Green B. Combs, Owasso.

WISCONSIN

Erwin E. Wiffler, Arcadia.
Edgar H. Setzkorn, Arpin.
Alice A McHugh, Holmen.
John H. Irish, Laona.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 26, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou gracious Benefactor, bestowing upon us blessings which cannot be numbered, we humbly and penitently confess that we are continually receiving them with too little gratitude and treasuring them with too little care.

May we now in all sincerity and simplicity render unto Thee the tribute of a more heartfelt praise, for Thou art the light of all that is true, the strength of all that is good, and the glory of all that is beautiful.

Reverently and gratefully we would remember those who are daily laboring for the provision of our needs and laying down their very lives for the preservation of our freedoms. O merciful God, help us to see that we are guilty of the most debasing kind of sacrilege if we are careless and indifferent to their suffering and sacrifice.

Grant that the spirit of the Christ may break down all the barriers and purge away everything that separates and keeps apart the members of the family of nations. May that day be hastened when men everywhere shall live by that moral and spiritual law which fulfills itself in the fellowship of peace and good will.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills and a joint resolution of the House of the following titles:

H. R. 689. An act to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State;

H. R. 1525. An act relating to escapes of prisoners of war and interned enemy aliens;

H. R. 1701. An act to amend section 2, Public Law 140, Seventy-seventh Congress;

H. R. 1719. An act to confirm the claim of Charles Gaudet; and

H. J. Res. 18. Joint resolution providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 534. An act to amend the Judicial Code in respect to the original jurisdiction of the district courts of the United States in certain cases, and for other purposes.

The message also announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 118. An act authorizing the Secretary of the Interior to convey certain lands on the Gila reclamation project, Arizona, to the University of Arizona;

S. 225. An act to authorize the carrying of Civil War battle streamers with regimental colors;

S. 421. An act to provide for the promotion of certain American prisoners of war;

S. 496. An act to make it a criminal offense for certain escaped convicts to travel from one State to another;

S. 497. An act to amend an act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609);

S. 565. An act to extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone;

S. 612. An act to amend the National Defense Act, as amended, so as to eliminate provisions for retirement of wing commanders of the Air Corps;

S. 655. An act amending the act of June 25, 1938 (52 Stat. 1207), authorizing the Secretary of the Interior to pay salary and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath business committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe, as amended, and for other purposes;

S. 881. An act authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell;

S. 889. An act to amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps; and

S. J. Res. 34. Joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, United States Army, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 2603. An act making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCCARRAN, Mr. MCKELLAR, Mr. RUSSELL, Mr. BANKHEAD, Mr. CONNALLY, Mr. WHITE, Mr. BURTON, and Mr. BALL to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 1984) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1946, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House to the amendments of the Senate numbered 60, 64, and 65 to the foregoing bill.

RADIO ADDRESS OF PRESIDENT TRUMAN OPENING SAN FRANCISCO SECURITY CONFERENCE

Mr. MCCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to include in my remarks the text of the radio address made last night by President Truman.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

[Mr. McCORMACK addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in two instances, in one to include a letter from the Social Security Board and in the other a letter from Mr. Marvin Jones.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include a newspaper article quoting a statement of the Attorney General of the United States.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

POST-WAR POLICY ON SYNTHETIC AMMONIA PLANTS

Mr. LARCADE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to have the same printed in the Appendix of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

[Mr. LARCADE addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. ENGLE of California asked and was given permission to extend his remarks in the RECORD on the lifting of the order closing the gold mines on VE-day.

Mr. LANE asked and was given permission to extend his remarks in the RECORD in two instances; to include in one a poem dedicated to the late Franklin Delano Roosevelt, and in the other a very interesting article appearing in the Boston Post of April 22.

Mr. SULLIVAN asked and was given permission to extend his remarks in the RECORD and include a resolution passed by a St. Louis labor organization.

INTERNATIONAL OFFICE OF EDUCATION

Mrs. DOUGLAS of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

[Mrs. DOUGLAS of Illinois addressed the House. Her remarks appear in the Appendix.]

GERMAN HORROR CAMP

Mr. PRICE of Florida. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

[Mr. PRICE of Florida addressed the House. His remarks appear in the Appendix.]

MRS. JOHN W. McCORMACK TO SPONSOR U. S. S. "SAIPAN"

Mr. THOM. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. THOM. Mr. Speaker, the Members of the House, both Democrats and Republicans, are always glad to hear from the majority leader the Honorable JOHN McCORMACK. The people of Boston and Washington read daily interviews with him. The CONGRESSIONAL RECORD carries his words to all parts of the country. But we never hear about Mrs. McCormack. Because there seems to be a publicity monopoly in that family, with your permission, I am going to break that monopoly by reading the following news release from the Navy Department:

Secretary of the Navy James Forrestal has designated Mrs. John W. McCormack, wife of the Honorable JOHN W. McCORMACK, of Massachusetts, majority floor leader in the United States House of Representatives, to christen the U. S. S. *Saipan*, a light aircraft carrier.

The U. S. S. *Saipan* is tentatively scheduled to be launched this summer at the New York Shipbuilding Corporation, Camden, N. J. This is the first vessel so named.

Mrs. McCormack, whose permanent home is in Dorchester, Mass., resides in Washington at the Hotel Washington, Fifteenth and Pennsylvania Avenue NW.

EXTENSION OF REMARKS

Mr. KELLY of Illinois asked and was given permission to extend his remarks in the RECORD and include an address delivered by Most Rev. Samuel A. Stritch, on the occasion of the installation of Most Rev. Eugene J. McGuinness, coadjutor bishop of Oklahoma, in Our Lady's Cathedral, on January 10.

Mr. HOOK asked and was given permission to extend his remarks in the RECORD and include an article from Look magazine.

Mr. RANDOLPH asked and was given permission to extend his remarks in the RECORD and include portions of an address by Mr. Bedell Munro, president of Pennsylvania-Central Airlines.

Mr. FLOOD asked and was given permission to extend his remarks in the RECORD and include an address delivered in Carnegie Hall, on April 19, by Mr. William B. Ziff.

Mr. OUTLAND asked and was given permission to extend his remarks in the RECORD and include a radio address delivered by Hon. Chester Bowles.

Mr. CORBETT asked and was given permission to extend his remarks in the RECORD.

Mr. STEVENSON asked and was given permission to extend his remarks in the RECORD and include a joint resolution of the Legislature of the State of Wisconsin memorializing the Congress of the United States to reconsider the proposed plans to draft all skilled farm help and skilled workers processing dairy products for the military service.

Mr. COLE of New York asked and was given permission to extend his remarks in the RECORD and include certain correspondence.

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by Mr. K. E. Steinmetz, of the Knoxville, Tenn., bar, and I ask that this be printed even though it may exceed the limit.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MUNDT. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

INTERNATIONAL OFFICE OF EDUCATION

Mr. MUNDT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. Mr. Speaker, last night in his very commendable and worthwhile radio address to the San Francisco Conference President Truman stated that in the world of tomorrow we wanted to so organize things that right would have might. In order for right to have the necessary might, it is essential that the peoples of the world know what is right.

To that end, on April 9, I introduced House Resolution 215, which would put Congress on record in favor of an International Office of Education to bring into one central place a clearing house so that the ideals of the world could be analyzed, discussed, and crystallized, so that it can be easier and more possible for people throughout the world to know what is right. I hope the House Committee on Foreign Affairs will hold early hearings on this legislation so that before the San Francisco Conference adjourns we can send word out there from this House that we are in favor of that kind of educational stimulus.

Tomorrow, Mr. Speaker, I expect to address the House for 30 minutes in explanation and support of my proposal—House Resolution 215—to create an International Office of Education.

ADEQUATE TRAINING FOR BOYS UNDER 19

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. REES of Kansas. Mr. Speaker, yesterday an amendment was adopted in the legislative body at the other end of the Capitol to provide that boys inducted into the armed forces under 19 years of age shall have not less than 6 months' training before being taken into combat service.

I trust our conferees, as well as the membership of the House, will approve the amendment. This provision should have been adopted when many of us tried to secure it as an amendment to the draft law when it was considered several months ago. A minimum of 6 months' training is plenty short, but it will give our boys a little better chance and add some protection against putting these young men in combat service with only 10 or 12 weeks training as has been done in a good many cases. It is not right nor fair to throw these youngsters into intensive combat with only a few weeks training.

Congress has seen fit to call these boys into service and Congress should see they are given a little more time and have adequate training before they are submitted to the hazards of machine-gun fire.

RECRUITING OF WAC'S AS TECHNICIANS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a statement regarding the prompt recruiting of WAC's as technicians in hospitals all over the country and regarding their recruiting program for the future.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the WAC's were supposed to recruit 20,000 women as technicians in the Army hospitals. I want the Members of the House to know, if they do not know it already, that they secured their quota of 20,000 1 month ahead of time, showing the very fine spirt of the women in going into that very much needed hospital work and the effectiveness of the WAC's recruiting.

The following is a release gotten out by the Bureau of Public Relations of the War Department:

The Army has completed its February-to-May recruiting program for Women's Army Corps hospital technicians almost a full month ahead of schedule, the War Department announced today.

The entire initial quota, plus an additional 15 percent authorized in March for expanding Army Medical Department needs, has been met. Virtually all women enlisted in the WAC since February 1 have chosen and have met the requirements for hospital service.

In announcing the successful completion of the WAC hospital program, the War Department emphasized the fact that it would be necessary to continue the recruitment and training of administrative and technical WAC personnel. In order that they may be utilized efficiently under changing conditions, however, all recruiting after May 1 will be for general assignment.

General assignment recruiting means that the woman who enlists in the Army will be assigned to her job on the basis of the classification given her at the training center and the needs of the service as they arise. She will be classified according to her skills and aptitudes, but for whatever branch of the Army and at whatever post she may be needed.

Demand for WAC's is expected to continue heaviest in the fields of administrative and hospital work, but additional numbers will be required from time to time in virtually all branches of the Army.

Growing requirements for administrative and technical personnel necessitate the merger of all Women's Army Corps recruiting stations with Regular United States Army recruiting offices, so that a large portion of the Army's recruiting personnel may be made available for assignment elsewhere in the service. The mergers will take place on or soon after May 1.

Hence, the Army will be faced with the job of obtaining large numbers of WAC recruits, but with a reduced recruiting staff and with recruiting offices located only in major cities. To facilitate the enlistment of women, however, at least one WAC officer and two enlisted women will be assigned to each of the United States Army recruiting offices.

The recruiting program for hospital technicians has been the most successful so far conducted for the Women's Army Corps.

General of the Army George C. Marshall, Chief of Staff, United States Army, called upon the Governors in January to lend their support to the all-States recruiting effort, when mounting casualty lists underscored the urgency of the Army's need for trained hospital personnel. Their response to his appeal was immediate and unanimous.

In addition to the Governors, the program had the united support of the American Red Cross, Office of War Information, War Advertising Council, national and local advertisers, and all advertising media.

In point of time, numbers and qualifications required, the resultant campaign has been one of the most successful recruiting efforts conducted so far in this war for a single specific type of Army personnel. Completion of the program in slightly over 2 months is an even more significant achievement, in that qualifications for enlistment are necessarily high for personnel which must be given technical training in a short period of time.

GERMAN ATROCITIES

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BENNET of New York. Mr. Speaker, recent reports from Europe indicate that the leaders of Nazi Germany has already commenced to carry out threats previously made against the million or so Hebrews still in Axis territory and, as has always happened in the past, once this vengeful spirit is aroused it does not stop with the original victims.

We may discount the announced intention of Hitler and Himmler to murder every Jew still in their hands as so much bluster, but we cannot ignore the fact that this policy is actually being carried out in many of the areas into which our armies are now penetrating, and the murderous guards who have been turned loose on the Jews have felt free, as usual, to give the same treatment to people of other races who are in their power.

The gentleman from Tennessee [Mr. KEFAUVER] and I have introduced what are essentially similar resolutions which, if adopted, would place this House on record as not only condemning these sadistic acts, but as also promising retribution upon those responsible for the issuance of the orders under which the executioners have been acting.

Our resolutions suggest specific measures which may serve to avert further tragedies.

I urge the immediate adoption of my resolution not because I think it will deter the handful of criminals who have led the German Nation into disaster, but because I believe that fear of the consequences which result from their acts will lead the rank and file of the German Army to refuse to carry out further orders for mass murders of the helpless human beings of all races still in territories that are controlled by the Nazis.

EXTENSION OF REMARKS

Mr. GWYNNE of Iowa asked and was given permission to extend his remarks and to include an editorial.

Mr. ANGELL asked and was given permission to extend his remarks and include an editorial.

Mr. MILLER of Nebraska asked and was given permission to extend his remarks in the Appendix of the RECORD and include an article by Hon. Robert G. Simmons, chief justice of the Supreme Court of Nebraska.

PERMISSION TO ADDRESS THE HOUSE

Mr. WEICHEL. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's desk and the conclusion of other special orders today I may address the House for 5 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

EXTENSION OF REMARKS

Mr. MANSFIELD of Montana asked and was given permission to extend his remarks and include therein a newspaper article.

Mr. D'ALESANDRO asked and was given permission to extend his remarks and include a letter from the Baltimore Association of Commerce, together with a resolution by the board of directors of the Baltimore Association of Commerce, and also a letter from the Maryland Citizens Committte for Democracy, of Baltimore, and an editorial from the Baltimore newspaper, the Guide.

F. E. P. C.

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, on several days the Committee on Rules has considered the bill brought out by the Committee on Labor, to establish an F. E. P. C. Now, there will be a fuss and a fight over that bill when it gets to the floor, and while I always abhor trouble and controversy and will do everything I can to avoid it, when it is inevitable I like to have it come quickly and get it over. Some of us want to go home this summer or fall and hear what the people think we should do as their representatives. Instead of delaying all this legislation which is controversial until the latter part of June, July, August, or September, and then holding night sessions, hurrying it through without adequate consideration, I wish the Committee on Rules, if I may be permitted to venture so far as to offer a suggestion, and it is only by way of a suggestion, that the members of that committee either bury that F. E.

P. C. or bring it out and let us decide what we want to do about it.

The SPEAKER. The time of the gentleman from Michigan has expired.

EXTENSION OF REMARKS

Mr. HILL asked and was given permission to extend his remarks in the Appendix of the RECORD and include a resolution passed by the Colorado State Assembly.

Mr. GILLIE asked and was given permission to revise and extend his remarks and include therein a resolution.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1946

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 3024), making appropriations for the Department of the Interior for the fiscal year 1946, and for other purposes; and pending that motion, I ask unanimous consent that general debate continue for not to exceed 3 hours, the time to be equally divided between the gentleman from Ohio [Mr. JONES] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Oklahoma.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3024, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield 15 minutes to the gentleman from West Virginia [Mr. RANDOLPH].

Mr. RANDOLPH. Mr. Chairman, the bill before us today, calling for the appropriation of $6,000,000 for synthetic fuels development is inadequate to carry on the full program authorized by the Synthetic Liquid Fuels Act. The act, Public Law 290, passed by the House and Senate a year and a half ago, authorized expenditures for the synthetic fuels program of $30,000,000, an amount which all experts agree was the very minimum with which this vital work could be accomplished. Five million of this sum has already been appropriated.

I can readily understand and sympathize with the desires of the subcommittee to economize, and in general I am in favor of disallowing broad increases in appropriations over previous years. However, in my opinion, the synthetic liquid fuels program presents a special case. I am convinced that any temporary curtailment of funds would be false economy which ultimately will cost the taxpayers more money and might delay results for years. I believe that the best interests of the people and the Government will be served by appropriating for the fiscal year 1946 the full amount remaining to be appropriated, with any unexpended balances remaining available over a 3-year period.

The Synthetic Liquid Fuels Act requires that the program be completed within 5 years of its enactment. The Congress, under the leadership of Senator O'MAHONEY, wisely limited the period of experimentation, construction, and operation of the authorized plants to a definite period to prevent long-drawn out work, with small continuing appropriations, that might seriously delay and postpone the answers the Nation wants. Having limited the time and having limited the total expenditures, there is no reason why the money should be doled out in driblets and thus make it impossible for the Bureau of Mines to plan its program effectively.

During the current fiscal year, with the initial $5,000,000 appropriated the Bureau of Mines has set up its synthetic fuels organization, hired personnel, initiated construction of experimental and testing laboratories, tested coals and other materials, selected a site for the oil shale demonstration plant, and laid plans for the construction of the other demonstration plants.

The construction of these larger scale demonstration plants for the production of liquid fuels from coal, lignites, oil shales, and other materials by the gas synthesis process and the hydrogenation process requires the purchase of sites and the letting of contracts for the fabrication and erection of such plants. Only this phase of the work, together with the opening and initial operation of the oil shale mine, and related research and development work during 1946, is estimated by the Bureau of Mines to cost about $13,000,000. The operation of these plants, including the mining and the purchase of the necessary raw materials, will require additional funds over the remaining period of time. Simultaneously, the Bureau must conduct related research, and refine and test the products of the demonstration plants, in order to provide the correct answers to this question of synthetic fuels.

ESTIMATED DISCOVERIES FALL SHORT

The Synthetic Liquid Fuels Act was adopted when the Nation's natural petroleum supply was suffering from the terriffic drains caused by the war. Since then the basic situation has not altered. Possessing only about a third of the world's known petroleum reserves, this country is still supplying almost two-thirds of the needs. Our reserves continue to be drained. We are drilling more wells than we ever have drilled, but the net additions of new discoveries is not equal to the withdrawals of oil. In 1944 petroleum production rose to 1,700,000,000 barrels while the estimated discoveries in new fields were only 500,000,000 barrels. We are, in effect, still drawing on our limited supply. To meet current demands we are producing oil from some fields at rates which are excessive and in the long run uneconomical. There is hope that the situation will change soon, and that the Nation will not have to indulge in these necessarily wasteful practices to keep our ships, planes, and tanks in motion. Nevertheless, there is little likelihood that the demands will decrease to the extent that we shall not have to provide vast quantities of petroleum. The present proved petroleum reserves of 20,500,000,000 barrels would last about 12 years at the present high rate of consumption. Shortages, however, would appear long before the total reserves are exhausted because it will require about 40 to 50 years to withdraw all this oil. I would not desire to see our natural reserves dwindle to the point where we may have to hoard each barrel and come to regard ourselves as a have-not nation with respect to this resource. It is to prevent such a situation which would be a grave danger to national security, that I am anxious to learn as quickly as possible what efficient fuels we may expect to obtain from our other plentiful resources, including an estimated supply of coal to last for 2,500 years.

The synthetic fuels program has obtained a real boost as a result of our Army's victories in Europe. Following behind our troops in Germany are representatives of the Government who are visiting as many of the famous synthetic fuel plants of Germany as possible. These scientists and engineers are studying what is left of the German plants; they are collecting records; interviewing operating personnel, and trying to ship back samples of the chemicals and formulas used by the Nazis. They have learned so far that our scientists over here are working on some improvements to the processes that may be superior to anything used by the Germans but on the other hand they expect to find some technical schemes used by the Germans that are more advanced than those known here. This is a fortunate opportunity, for if the German methods are applicable to the raw materials of this country we shall be enabled to speed up our own program. The problems are tremendous because of the vast differences in German brown coals and our own raw materials, and the Germans have adapted the engines in their military vehicles to the products of their own plants whereas our engines are designed to operate on fuels derived from our natural petroleum.

SUPERIOR DIESEL OILS CAN BE MADE

We have learned that the Diesel oils produced synthetically in Germany are superior to the Diesel oils our Navy is using. The Bureau of Mines will produce these superior Diesel oils in the gas-synthesis demonstration plants that it plans to erect. It will supply the Navy Department with the synthetic fuels needed in the research and development work of the Bureau of Ships. It will also provide information to private industry so that industry can proceed and produce these fuels commercially.

When this program was initiated by the Congress it was clearly understood that the Government was not to enter into competition with business; that it was to do the experimentation and the demonstration work and as quickly as possible bring the information to the private industry of this country which we all know can and will do the mass production and manufacturing job.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. I yield to my colleague from Ohio.

Mr. BREHM. I simply wish to congratulate the gentleman on the logic of

his statement and to say that I agree 100 percent with everything he has said. I know it is true from experience.

Mr. RANDOLPH. I thank the gentleman. I know he has given much study to this subject.

The legislation authorizing the fuels program passed in the Senate without a dissenting vote. There was no roll call in the House of Representatives, and approximately no more than 15 individuals registered their opposition. So this was an of Congress which was meant to be carried out, the authorization of the $30,000,000 with $5,000,000 already appropriated and now the additional $25,000,000 needed to be used.

This program is vital to the future security and well-being of America. It has been started none too soon, I remind you, because it is important that it be carried out not in a hop-skip fashion but carried on continuously and energetically. If we are not prepared, Mr. Chairman, when the need arises to produce our gasoline and our oils from materials other than petroleum, the situation will be much worse than we found ourselves in after the December 1941 attack at Pearl Harbor, when this country had its supplies of crude rubber cut off from the British and the Dutch. The Japanese cut the supply lines and I remind the membership that there is no criticism of the British and Dutch who supplied that crude rubber. We found ourselves, however, in a position where we had to pay exactly the price which the Dutch and the British monopolies asked us to pay for crude rubber. I am not saying it was too high or too low, but we had no synthetic program here at home which would do the job. Then came the synthetic rubber program with $750,000,000 spent quickly. Of course, we wasted millions and millions of those dollars, but the job had to be done promptly. We must not allow ourselves in this country to be caught with liquid fuel shortages as we were with rubber shortages. We can insure ourselves against this tragedy if the $30,000,000 is in hand. Private industry will come in and carry it forward. Certainly we do not want to repeat the emergency need for the Federal Government erecting 49 synthetic rubber plants. If we are not ready to produce gasoline and oils by synthetic processes, the situation can be much worse than in the case of rubber because the tonnage of gasoline is vastly greater and the normal stocks, in terms of days or miles, are trifling compared to our stocks of rubber when the present war came.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. RANDOLPH. Yes.

Mr. MURDOCK. I am very glad the gentleman, who is co-author of the original measure, has stressed the point that this measure provides pilot plants, so that these experimental plants will be for the benefit of industry, and also that private industry will carry out the program after development in this way.

Mr. RANDOLPH. The able gentleman is correct. The gentleman knows that we do not want the Government to go into this business. He also knows that we have received great benefit from research. It was so in the aeronautical science. We know that when we spend a dollar for research and development, it is a dollar that pays a dividend, and in this instance it will pay a dividend over and over again.

Although the Synthetic Liquid Fuels Act authorizes a 5-year program, I, for one, should like to see results obtained in a shorter period if possible. By permitting the remaining authorized funds to be appropriated, we introduce that necessary flexibility into the program. If it is possible for the Bureau of Mines to do its work in 4½ or 4 years, or 3½ years—or in any time less than the full 5 years, we should permit the Bureau to do so. Instead of having to come back each year for a yearly appropriation at a time, the Bureau should be permitted to carry out a well-planned program, assured of continuing operations within the limitations imposed by the Synthetic Liquid Fuels Act.

MINES BUREAU HAS OUR CONFIDENCE

I have great faith in the Bureau, and I am sure all of the Members on the floor who are familiar with its work share that confidence. The Bureau has a reputation for the wise and careful expenditures of the funds appropriated to it by the Congress over the past 35 years. I am certain that the full appropriation of $25,000,000 voted now would be handled just as carefully, and would be expended even more judiciously than if arbitrarily divided now over a period of 4 years.

1945—Synthetic liquid fuels

	Allotted
Research and development, Pittsburgh, Pa.	$2,815,000
Department of Agriculture, Peoria, Ill.	410,000
Oil-shale research and development, Laramie, Wyo.	650,000
Oil-shale demonstration plant, Rifle, Colo.	800,000
Oil-shale mining, Rifle, Colo.	250,000
Synthetic gas production	75,000
	5,000,000

During the first year the Office of Synthetic Liquid Fuels has been organized and 150 employees have been engaged. At Pittsburgh research and development work has been carried on and construction has been started on the buildings for the development and pilot plant being erected at Bruceton, Pa., a few miles south of Pittsburgh.

At Laramie, Wyo., the contract has been let for the research and development laboratory building and considerable equipment has been set up in temporary quarters so that laboratory work is going on in a limited way.

The necessary topographic and geologic surveys were made, and the site for the oil-shale demonstration plant selected was Rifle, Colo. Orders have been placed for considerable equipment for the mine and distillation plant.

FUTURE PLANS—HYDROGENATION—RESEARCH AND DEVELOPMENT, BRUCETON, PA.

Hydrogenation studies will be carried on in a battery of 16 small converters. Five of these will be 3 inches in diameter inside and 8 feet long and will each produce about 7 gallons of oil per day. The sixth converter will have an internal diameter of 8 inches and yield 50 gallons per day. These converters will be equipped with all necessary auxiliary equipment to develop improved processes that will reduce the cost of the product. Both fundamental and engineering design improvements will be studied. The products will be tested in the laboratory and in engines.

DEMONSTRATION PLANT

The hydrogenation demonstration plant will consist of 2 series of converters. The first 9 converters will be 32 inches inside diameter and 35 feet long. These cylinders will be lined with heat insulation and contain a metal basket in which the reaction takes place. The inside diameter of the basket will be 24 inches. Baskets and converters will be made of high-chrome steel. This equipment and all its auxiliaries will be designed to operate at pressures up to about 10,000 pounds per square inch.

This plant will use about 65 tons of bituminous coal and produce almost 8,400 gallons—200 barrels—of gasoline a day. A refinery is included in the estimate, but it is essentially only a simple distillation step—distillation will reduce sulfur below .01—for the gasoline leaves the vapor phase converters at almost 84 octane and by treatment with tetraethyl lead and cumene or iscotane can be brought directly to 100 octane.

The second series of converters will consist of three units of the same size used at Billingham, England, that is, 59 inches inside diameter and 35 feet long. The insulation and basket reduce the diameter of the space available for reaction to 48 inches. Results from these three converters can be compared with the 30-inch converters to eliminate errors that may arise from extrapolation to the larger size and to assure accurate data on capacity and costs.

All auxiliaries for the plant will have enough capacity to handle the full-sized converters and will be designed for 10,000 p. s. i. That is, they can be used to operate either string of converters.

The construction and operation of the hydrogenation demonstration plant will furnish the engineering and cost data necessary for developing a commercial industry based on this process.

FUTURE PLANS—OIL SHALE—RESEARCH AND DEVELOPMENT

The oil-shale research and development laboratory will be erected on Bureau of Mines property at Laramie, Wyo. Special equipment for the work on oil shale will be installed. At this laboratory investigations will be made of process developments and of the fundamental chemical, physical, thermodynamic, and engineering data for designing and operating large pilot and demonstration plants for mining and retorting oil shale and refining shale oil.

DEMONSTRATION PLANT

The oil-shale demonstration plant will consist of a mine and a distillation and refining plant. The mining operations are planned for the production of 200-500 tons of shale per day to supply the distillation plant. In addition, new mining methods will be investigated and the costs of mining oil shale commercially on a large scale will be demonstrated.

Retort testing must be carried out with units of approximately full commercial size to obtain reliable information. Work during the first year will include the erection of at least one retort of the N. T. U. type, which will be used experimentally to develop information concerning optimum temperatures and other conditions, and will provide a yard stick for measuring the performance of other retorts. Retorts of other designs, including modifications of the N. T. U. design, will be installed and operated as experimental data and other conditions warrant.

The selected retorts will be operated under different conditions with a variety of shale—rich to lean, and strongly coking to noncoking—to determine their adaptability to American shales and their relative advantages and disadvantages. When the most favorable types of retorts and the best operating conditions have bene determined, demonstration "runs" will be conducted to prove the processes in continuous operation and to provide data on operating costs.

The recovered oil will be refined by processes similar to those used in refining petroleum, but substantial differences between these two materials must be considered. Shale oil is unsaturated, and simple distillation and cracking processes do not always produce a stable product. The plant for refining the oil shale will provide, not only for distillation and cracking but also for special treatment to remove or convert undesirable constituents.

FUTURE PLANS—GAS SYNTHESIS—RESEARCH AND DEVELOPMENT, BRUCETON, PA.

Pilot plants of several designs for producing gasoline and Diesel oil by the gas-synthesis process will be erected in one of the buildings at Bruceton. These units will have capacities ranging from 1 to 10 barrels of product per day. The equipment includes synthesis gas generators, gas purifiers, catalyst preparation equipment, and apparatus for refining and testing the products. These pilot plants will be used to develop improved designs of equipment and improved methods, with the ultimate aims of product control and reduced costs. This development work is of especial interest to the Navy on account of the superior Diesel oil produced by this process.

DEMONSTRATION PLANT

The gas-synthesis demonstration plant will have 14 converters and will produce about 200 barrels of primary products—gasoline, oils, and waxes—per day. The plant consists of 3 units. The first, for the production of synthesis gas, will contain the raw material handling equipment, gas generators, purification equipment, and compressors. The second unit, for the production of the primary products, will contain the gas-storage equipment, converters, primary-product recovery system, cooling equipment, and all equipment needed for the preparation and reduction of the catalyst. The third unit will contain the equipment for the separation of the primary product into gasoline, oil, and wax. This will consist of cracking, distillation, and auxiliary refining equipment.

The CHAIRMAN. The time of the gentleman from West Virginia has again expired.

Mr. JONES. Mr. Chairman, I yield 25 minutes to the gentleman from Iowa [Mr. JENSEN], a member of the subcommittee.

Mr. JENSEN. Mr. Chairman, at the outset of my remarks I desire to add my words of praise for the gentleman from Oklahoma [Mr. JOHNSON]. Words fail me when I attempt to say the things about the gentleman that I would like to say and that he deserves. On several occasions, as the record will show, I have eulogized the gentleman from Oklahoma [Mr. JOHNSON], so it is not only because he is about to leave us that I sing his praises, but I find myself often thinking out loud my great respect for him. And I do want to say that this Congress is going to miss a great American. I regret deeply for our country's sake that he is leaving this great legislative body, but like all his colleagues, and all who know him best, I wish him Godspeed in the high position to which he has been appointed. God be with you.

The Subcommittee on Interior Appropriations has labored diligently in bringing out this bill. The members of the committee who have preceded me have brought out many points regarding the bill which were necessary to have explained. There are, however, a number of things to which I would like to address myself at this time and to elaborate upon.

As you have already been told the Budget estimate for 1945, including supplemental estimates, total $141,346,047. The committee in its wisdom saw fit to reduce this figure to $102,602,628, a cut of $38,743,419. At first glance this might appear to be an unreasonable reduction, but I dare say that we have made the cuts in such places that will not in any way affect the efficiency of the Interior Department, or in any way affect the winning of the war. I believe any fair-minded person would agree that the request made by the Interior Department for 4,015 additional employees cannot be justified under present war conditions; most of this additional personnel was asked for as additional administrative and office help.

Also, the Department requested new automobiles for most every branch of the Department, totaling 947. We felt this was most unreasonable. However, the committee have permitted the Department a very few new employees and a few used automobiles in such branches as the committee felt were justified. You will note we eliminated the request for $3,500,000 for construction operations and maintenance for the Bonneville Power Administration, due to the fact that at this time the Administration has an unexpended balance of over $17,000,000. These funds can be used for all necessary purposes without crippling in any manner the proper functions of the Bonneville Power Administration. We reduced the Grazing Service requests from $1,693,700 to $1,066,970, a reduction of $626,730. This appears to be a drastic cut and it is, and it should be, because the Grazing Service has certainly become top-heavy. When the Taylor Grazing Act was established in 1935 it was agreed by all that it should be self-supporting. Now we find that the revenues which come to the Federal Treasury annually are something over $200,000. The committee is determined that these two figures must sooner or later be brought closer together, if not made equal. So, the Department of Interior can take its choice, either raise the grazing fees sufficiently to accomplish the original purpose and agreements, or else our committee is going to ask Congress to reduce the appropriations to the Grazing Service to accomplish the desired end. Certainly there is neither rhyme nor reason in continuing on the present basis. And I am sure the Congress will uphold the committee in the action we have taken.

You will notice by the report that we have reduced most every item, some of the reductions are rather small, and for some of them you might ask why we have cut a measly thousand dollars here and a thousand dollars there, while we are spending billions upon billions for other things. But the items which we have reduced are nonwar items that have no particular bearing on the winning of the war. You will, however, note that we have permitted some quite large amounts for irrigation and reclamation projects, which will assist in our food-production program for war. Possibly we have been a little too liberal in some respects relative to those projects, but the committee felt that we did not want to take any chances of cutting out an item that might injure in the production of food for our soldiers, ourselves, and our allies.

Now I want to talk a little about the Bureau of Indian Affairs. We have allowed the Bureau in this bill $26,214,175, which is $3,785,752 less than the Budget estimate. The Bureau of Indian Affairs was established in 1830, 115 years ago. And from that very date we have appropriated more money each year for the Indian Service than we did the year before. Now it just appears to me, as I remarked in committee, that the time has come, in fact is far past due, when we should start liberating our first Americans. It is not uncommon to hear people criticize the British Government for the method they use in governing the peoples of India, but certainly before an informed person becomes too concerned about the British Indian Empire, we should put our own house in order regarding our American Indians. Of course, most of us think we have treated them exceptionally well, and I admit we have in most respects, but I also contend that there are many tribes who are now well able and well qualified to look after themselves and want to look after themselves. You may ask how will we bring this about. To that, I would answer that the Indian Affairs Committee has made certain definite recommendations to accomplish that purpose. And the committee has introduced bills, or are about to introduce such bills, as they feel will be not only beneficial to the Indians, but to the taxpayers of the Nation. I hope every Member of Congress will give due consideration to the proposed legislation, which has or will soon be introduced by

the Committee on Indian Affairs. These recommendations by the Commitee on Indian Affairs are being made after thorough investigations.

I also want to speak just for a minute about our national parks. As you know we have some very wonderful parks which are visited each year by millions of people. And it is hoped that these parks will be made available to our disabled returning veterans to the greatest degree possible. Those of you who have visited our national parks can well realize how wonderful it would be, if you were a disabled veteran who had spent possibly years at the battle fronts, to have the opportunity to convalesce at one of these health-giving, restful, beauty spots. Hence, the committee has made recommendations that the Park Service make such arrangements as will permit the greatest possible number of our men and women now in the fighting forces to be made comfortable in our national parks upon their return, and when we are again blessed with peace in our beloved country.

You will note an item of $1,440,000 for investigation and reconstruction work for the Missouri Valley Basin development program. The Budget request was for an amount far in excess of that amount, or $4,480,000. That seems to be, and is, a large reduction, but since the Bureau of Reclamation has over $5,000,000 in unexpended balances, which can be used for development plans for any project they see fit, the committee felt that the amount allowed in this bill would be adequate for the present, at least. Certainly I would be the last Member of Congress to hinder the Missouri Valley Basin development in any way, shape, or form, as it affects very materially the District which I have the honor to represent. Five of the counties in my district border on the Missouri River; and if there are any people in the Nation that deserve protection against floods, it certainly is the people living along the Missouri River who have seen their crops and many homes destroyed year after year. Those people see a ray of hope now since we passed a bill last fall authorizing an expenditure of $400,000,000 for Missouri Valley improvements, which we are told is less than one-third of the final and ultimate cost of the finished program. We hear much talk these days about a Missouri Valley Authority, and I want at this time to make my position perfectly clear on that issue. A river valley coordinating agency or authority may have merit if all of the following fundamental principles are observed in its legislative authorization:

First. Complete control by the Congress over appropriations for all purposes and also appropriation and control by the Congress of all revenues if used for any purpose whatsoever;

Second. Expenditure of such appropriations under applicable provisions of existing laws;

Third. Review of all expenditures by the Comptroller General with power to suspend and disallow disbursements until cleared by legislation;

Fourth. The mandatory use of old-line agencies which have been created and authorized to function under legislative procedure prescribed by acts of Congress;

Fifth. The authority is to be financed entirely from Federal funds and is not to be permitted to issue bonds for any purpose.

I know every good American is interested in having the business of the Missouri Valley development set up under good American business principles. We do not relish the thought that one man be made a virtual czar over one-sixth of the area of the United States. I do believe, however, that in an emergency, such as a flood condition, there must be one man who can make decisions and make them quickly. Each State should have a representative on an administrative body known as the Missouri Valley Board; one member to be appointed by the Governors of the representative States in the Missouri Valley Basin on a full-time basis. The Army engineers would, of course, have a representative of their own on such a Board, the Bureau of Reclamation likewise would have a representative on that Board. The Board should then have the privilege of electing their own director, he to serve as chairman of the board and to make decisions in emergencies such as unusual river floods, and so forth. I am merely suggesting this sort of an administrative body in the hope that my recommendation will receive due consideration by Members of Congress and all interested people in the Missouri River Basin development. My main opposition to an authority like T. V. A. is the simple fact that the revenues derived from such are not deposited in the Treasury of the United States, but are expended at the sole discretion of the Authority, which is only required to make a report to Congress annually. Such report is submitted after revenues have been collected and the money expended at their own discretion. I see no reason for such an un-American way of carrying on the business of our Government, which is all the peoples' business. I say, and I am sure an overwhelming majority of this Congress and the American people are going to insist, that the revenues from the Missouri Valley Basin project shall be deposited in the Treasury of the United States, and that the money expended therefrom shall be appropriated by the representatives of the people in Congress, so that the American people may know and have the checks and balances on this great governmental undertaking.

At this point I will insert in the record a colloquy between Mr. Harry Bashore, Chief of Reclamation and myself during the hearings of our Subcommittee on Interior Appropriations:

QUESTION OF MISSOURI RIVER BASIN DEVELOPMENT ELIMINATING FLOODS ON THE MISSOURI RIVER

Mr. CANNON. Any further questions?

Mr. JENSEN. Mr. Bashore, in your opinion, will this over-all Missouri River Basin development, upon completion, eliminate the flood hazard of the Missouri River in Iowa, Nebraska, Kansas, and Missouri?

Mr. BASHORE. Mr. Chairman, looking forward to the completion of the Missouri River development as set forth in the plans of the Army and the Bureau of Reclamation, I want to call attention to one fact that I have not mentioned, and that is the consumptive use of the water that you have when you put the water on the land. There is the actual use of the water, and that part of the water never comes back to the stream, and in the Missouri Basin, you might say, roughly, that 1½ acre-feet per acre will never return to the stream, and is used in the production on the land, through transpiration, and by evaporation into the air when the water flows onto the land.

Now this land that we have been talking about contemplates the irrigation of 4,700,000 acres, approximately, and if you multiply that by one and one-half you get about 7,000,000 acre-feet of water that is withdrawn permanently from the river, that will never reach the lower portions of the river. That, of course, will have a very important influence on floods.

Secondly, on the reservoirs that are constructed upstream: They will temporarily restrain, at least, the floodwaters that ordinarily would go down. So it is our opinion and it is the opinion of the Corps of Engineers that with completion of the works provided that the flood situation in Missouri and Nebraska and Kansas and Iowa, which annually destroys a lot of property and land also, will be practically solved.

Mr. JENSEN. I have been contending that very thing and have so stated to the people I have the honor to represent. And for that reason I have supported the hugh appropriation for this great development on the Missouri.

As you know, I represent five counties along the Missouri River in Iowa; as far back as history records the floodwaters of the Missouri River have inundated thousands upon thousands of acres of that rich land most every year to the end that it was not productive. During the past several years, floods have been worse, if the crops could be put in, along comes a June flood and destroys the growing crops. Since the attempt has been made to make the river navigable many farm buildings, homes, and all have been destroyed and washed away all along the river in Iowa, Nebraska, and Missouri.

Now, in my opinion, so far as navigation is concerned, it would make little difference whether that channel is knee deep or 9 feet deep, because of the kind of soil the Missouri River traverses. It is a loose, light soil that picks up easily under flood conditions; the moment the rapid flow subsides, the silt falls and piles up in the river in such a degree that navigation will be almost an impossibility to any marked degree; but be that as it may, the thing I am interested in, as are the affected people of Iowa, Nebraska, and Missouri, and a part of Kansas, is the terrible flood conditions that we hope this program will solve, and I hope you are right when you say that you believe it will and as I believe it will.

I notice in the President's letter in the Budget request for $4,480,000 for preconstruction survey, and so forth, he says:

CREATION OF MISSOURI VALLEY AUTHORITY

"When I approved the flood control bill on December 22, 1944, I stated that it was with the understanding that such approval did not in any way jeopardize the creation of a Missouri Valley Authority."

I am going to tell you right now, gentlemen, and I want this in the record, that if I thought this Missouri River Valley program would finally end up in a Missouri River Valley Authority comparable to the Tennessee Valley Authority, which is nothing but an empire within an empire, and entirely unnecessary, I certainly would not be so enthusiastic for this enormous undertaking.

The idea of a group of people like in the T. V. A. banding together and having the President give full authority to one man to spend a lot of money to develop a valley and they take all the revenues therefrom and spend it as he jolly well pleases is surely undemocratic; it is too dangerous, Mr. CAN-

NON to let spread all over America, because I think it is the most dangerous thing to our way of life that we have confronting America today. I am glad the chairman of the full Appropriations Committee, Mr. CANNON, is present today to hear this discussion.

There is no reason why, and I believe you will agree with me, Mr. Bashore, that the Army engineers and the Reclamation Bureau under the bill that we passed through Congress last fall, which was signed by the President, wherein we authorized $400,000,000 to start this great development, that you cannot carry on this program in our traditional American way to better advantage in the long pull than to hand over to one or two men or a dozen men to control and do as they please with billions of dollars of the taxpayers' money which this project will finally cost.

I would like to hear your reaction to that, and I hope you will speak openly and frankly.

Mr. BASHORE. Mr. Chairman, I shall do so.

So far as the question of an authority is concerned that is something for the Congress to resolve I will say this, however: The people become impatient with inactivity on the part of Government agencies. It was unfortunate last summer that we had to oppose on principle the plans of the Army because it was construed by some people that we were opposing them on the ground of engineering sufficiency, but that was not the case. We were not opposing the Army plans on that ground at all. We were opposing them because Congress had not laid down the principle of priority in the use of water.

When that question was resolved, then it was very easy to bring the two plans into coordination, but regardless of what kind of an organization you have in the future, and Congress may decide to set up an authority, I do not know, but I will say this, that if you do not get your plans ready an authority is not going to be able to do anything very promptly, or to satisfy the people that somebody is taking care of their needs. Your people in Missouri, Mr. Chairman, and in Iowa, and in Nebraska, constantly are menaced by these floods, and they want something done about it. Somebody will have to do it eventually, whether it be an authority or whether it be the Bureau of Reclamation or the Army, and I claim that somebody is going to have to take care of the situation, and so we have developed plans, and we will perfect those plans, and if we are finally kicked out, and if the Army is kicked out, those plans have a value and we will turn them over lock, stock, and barrel, topographic detail, explanations, and everything else.

Mr. JENSEN. You have not answered my question, to my satisfaction, at least.

Mr. BASHORE. I will try to.

Mr. JENSEN. Congress has acted; now I ask you, if the Bureau of Reclamation and the Army engineers, under the laws that now exist under which you operate, can you not carry on the business of this great development in the proper manner and to the benefit of the American people in the regularly established American way of handling the people's business.

Mr. BASHORE. There is just one thing that I want to mention, and I want to answer your question, Mr. JENSEN.

Mr. JENSEN. Can you not answer that "Yes" or "No"?

Mr. BASHORE. No; I cannot answer it "yes" or "no," for this reason: The Bureau of Reclamation is not authorized under the law to perform all of the functions that may be necessary to be performed in the development of this Missouri Valley region.

For instance, you have the other agencies in the Department of the Interior. We are not their boss. We can only consult with them and persuade them, but we have no directive power in getting them to do the things that we think need to be done in connection with this development. Now, then, we think that that can be handled within the Department of the Interior without too much difficulty. Does that answer your question?

Mr. JENSEN. I am not so sure that it does.

Mr. BASHORE. I will try again, sir.

Mr. JENSEN. Under the basic law, the manner in which the Boulder Dam program is carried on, in my opinion, is an ideal set-up, as I am sure you will agree. I would like to know why the Missouri River Basin program which, of course, is a larger proposition, but I would like to have you give me any reason why this Missouri River program cannot be carried on in a manner similar to the Boulder Dam program which, certainly, is set up under good business principles and is doing a wonderful job as everybody knows. They are responsible to Congress, and the Congress is responsible to the people, and the people are the boss. Why in Heaven's name we have to go into an authority is beyond me. Now, why not set this program up under a similar basic act as Boulder Dam? To be frank with you, I hope the time will come when we will get smart and take the bull by the horns and set up every reclamation power project under the same identical set-up as the Boulder Dam Basic Act. Now, certainly Boulder Dam is the best example in the world to prove to you and to everybody else that we do not need a T. V. A. or an M. V. A.? Where am I wrong? I wish somebody would show me if they can.

Mr. BASHORE. I mentioned in my testimony that I testified before Senator MCKELLAR'S committee on the independent offices bill in favor of the plan which has been followed by the Bureau of Reclamation throughout its entire life—not exactly that, but for about 30 years—of coming to Congress for its annual appropriation, not only for construction but for operation and maintenance of its irrigation projects and for operation and maintenance of its power features for those projects, asking for its appropriations out of power revenues, and asking for its appropriations for operation and maintenance on the basis that they must be returned within a year. That is certainly a point that I do not think we should depart from regardless of what kind of an agency is set up in the final analysis to handle the Missouri Valley or any other valley.

Mr. JENSEN. Well, now, you are coming down to the answer I wanted, Mr. Bashore, and I can read between the lines from what you just said that you are not very greatly in favor of an M. V. A. so I accept your answer.

Now of course I realize the President did not write this letter, but that one of his handy men down there wrote it, because the President is too busy with other things at this time. So, when somebody sends a letter up here of this nature, it means exactly nothing to me, so far as the President's weight in the matter is concerned, because I am sure he never even saw this letter.

The reason I ask you these questions, Mr. Bashore, is because not only myself but this committee has so much confidence in you and Mr. Warne and others in your organization that we like to go along with you when you make a good case.

Mr. BASHORE. Well, of course, a whole lot depends, Mr. JENSEN, upon the type of legislation that we would have, in case Congress finally decides to set up an authority.

There have been many bills introduced in Congress, and I do not suppose that if an authority is established the language under which it would be set up would look much like the language, in large part, in these bills. But, I do not want to condemn the authority idea in the absence of the absence of the final legislation under which it would be set up, because there are some advantages that you gain under an authority, if it is properly set up.

Mr. JENSEN. Was that just thrown in for good measure to keep peace in the family?

Mr. BASHORE. No, sir; that is exactly what I think. It all depends on the form of the legislation that you finally enact, if you do enact it.

Mr. JENSEN. Of course. I am in perfect agreement with you, Mr. Bashore, when you say that we are looking forward to the spending of this enormous amount of money to set up this big project because I believe it is worth the money and will give employment to people who need it, more especially returning veterans. We do not want World War No. 2 veterans raking leaves to make a livelihood after this war and we don't want floods. So, I am in favor of this program as it is set up at the present time. Whether I support the full amount for this request of $4,480,000 for research and preconstruction I cannot say until our committee goes into executive session. We have some pretty hot discussions in executive session, too, where our committee threshes out all these knotty questions after we have all the facts obtainable.

Thank you, Mr. Bashore.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield to the gentleman from Arizona.

Mr. MURDOCK. May I compliment the gentleman for his fine attitude toward the War Food Production Program of the Bureau and assisting the Bureau of Reclamation in that respect. There is one item that I should like to inquire about, the reduction of $100,000 in the Colorado River development fund. I believe the bill contains $400,000, whereas by law $500,000 annually accumulates in that fund for reappropriation. Can the gentleman explain the reduction of $100,000 in that item?

Mr. JENSEN. Does not the Mexican Water Treaty that was just confirmed by the Senate have a bearing on the matter which the gentleman mentions?

Mr. MURDOCK. There may be a connection. I am not clear in my own mind just what that connection is.

Mr. JENSEN. I am going to talk about that Mexican Water Treaty in a few minutes, and I think possibly when I get through the gentleman's question will be answered.

Mr. MURDOCK. If the fund out of which that appropriation is made is collected annually by law—and that is the case—from the consumers of power from Boulder Dam, that fund cannot be used for any other purpose except studies on the Colorado River Basin. I am sorry to see it reduced unless there is a pertinent reason as the gentleman suggests, which will come up later.

Mr. JENSEN. I think the gentleman's question will be answered completely during the debate on this bill.

There is another matter I want to discuss for just a moment. That is the matter of making land available for returning veterans. On pages 1254, 1255, 1256, 1257, and 1258 of the hearings you will find a colloquy between Mr. Warne, Mr. Bashore, and myself relative to the original investment and the obligation which the veteran who buys and attempts to set up a home on Government irrigated land will have.

I pointed out that the first thing he would have to pay, as Mr. Warne testified was $10 an acre for the land. This land is in tracts of 160 acres. The next item would be rental for the use of water which he said would average $2.30 per acre per year. The next item was the clearing of the land, the levelling of the land, making it ready for irrigation, which it was agreed would cost at least $50 an acre. The next item was $85 charge against every acre of irrigated land from the governmental irrigation reservoirs. Over a period of 40 years the landowner must pay $85 per acre. Then it was agreed that $4,500 was a fair amount for buildings and improvements and fences, which would make another $30 per acre approximately. So altogether the investment the veteran would have in the 160 acres of land would be $177.30 per acre, a total obligation of $28,398. We have not said a word yet about machinery and furniture. I pointed out that you could go into my own State of Iowa, or any good agricultural State in the country and buy one of the best farms for $177.30 an acre or less all ready to go.

The thing I wanted to develop, the thing I wanted to point out, was simply that we were not being so wonderfully good to our returning veterans, after all. I want them to go into this thing with their eyes open. I want them to know what their responsibilities and their indebtedness are going to be before they sign the contract, and that is why I am bringing these facts and figures out today.

I contend that the $85 an acre charged for irrigation rights is too high. I likewise contend that in almost every instance the Federal power rates are too low, that we should definitely make these projects self-supporting and that we should charge enough for the power which is very low from governmental power plants for instance the 2 mills per kilowatt-hour for industrial use. We should at least charge enough for this power so that those projects will amortize themselves and also that we might reduce the $85 per acre irrigation charge for the benefit of our returning veterans, as well as to treat all farmers more fairly.

Mr. MURDOCK rose.

Mr. JENSEN. Does it not surprise the gentleman from Arizona whom I see getting to his feet, does it not surprise the gentleman to learn what these returning veterans I speak of are going to be up against?

Mr. MURDOCK. Mr. Chairman, if the gentleman will yield, I want to congratulate him on the frankness of his statement and his laying of the whole matter open before us, which ought to be done. I agree with the gentleman that we ought to open the eyes of the veterans and returning soldiers as to what they are entering.

I want to point out to the gentleman in connection with his contrasting the rich farm lands of Iowa—and I know about them for I lived for a while out there where the tall corn grows——

Mr. JENSEN. I always thought I could see something wonderful about the gentleman. Now I know the reason for it.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. DWORSHAK. Mr. Chairman, I yield 10 additional minutes to the gentleman from Iowa.

Mr. MURDOCK. Will the gentleman yield further?

Mr. JENSEN. Certainly.

Mr. MURDOCK. A returning veteran could go into the State of Iowa and buy good farm land for $177 an acre; and I would advise him to do it; but in that case he must have the entire amount of the investment to pay down.

Mr. JENSEN. Oh, no.

Mr. MURDOCK. Whereas, under the plan we have on the irrigation projects he can get his start on land that has not enhanced in value by war inflation and will have 40 years over which to pay for it, although the total investment may be the same.

Mr. JENSEN. I must disagree with my good friend and just say that we have many private farm-loan associations as well as the Federal land bank and other agencies of Government that are today making farm loans at very reasonable rates extending over a period of from 10 to 40 years and many veterans are going to have three, four, and five thousand dollars or more with which to make a down payment. They do not have to lay all the money on the barrel head to buy a farm in the State of Iowa or any other State.

Mr. MURDOCK. I acknowledge the force of that argument; and, mind you, I know there are not going to be parcels of land enough in the West for one-tenth of the land-hungry veterans who would like to have a piece of land.

So I am advocating that we let our lands, both in the East and the West be made available to veterans, and I want to cooperate with the gentleman in that respect. I know of no State better than the State of Iowa in which to begin.

I desire to make a correction of a statement that I made yesterday. That is this: Under the reclamation law the water users repay to the Government every cent of the Government expenses, but without any interest; as I said yesterday.

Mr. JENSEN. Yes; I knew the gentleman was in error when he made that statement, and am pleased to hear him correct it, as I was certain he would.

Mr. MURDOCK. It was an unwitting mistake. I thought that interest was charged. In these reclamation projects I would like to see opened up for the veteran so that he may get his land, and water supply, but without interest payments. I still contend that the Bureau of Reclamation can make some land available a little after the close of the war, but not at inflated war-land prices.

Mr. JENSEN. I thank the gentleman. I know the gentleman is concerned about the veterans and will do everything in his power to see that they are treated fairly and squarely.

AVAILABLE LANDS FOR RETURNED VETERANS

Mr. JENSEN. There was considerable talk about public lands and also private lands that can be purchased in reclamation areas where water will be available for homes for returning soldiers.

Mr. WARNE. Yes, sir.

Mr. JENSEN. I would like to know just how large an investment and what will be the indebtedness of a returning soldier who buys 160 acres of land in the Columbia River Basin or in the San Joaquin Valley or the Sacramento Basin or any other basin, taking first the cost of the land into consideration, which will be approximately how much?

Mr. WARNE. On this project it will average in the neighborhood of $10 an acre, Mr. Jensen.

Mr. JENSEN. What would you estimate to be the cost of preparing the land so that it can be irrigated?

Mr. WARNE. Well, that varies very materially according to the topography and other conditions of the land surface, Mr. Jensen. In the Columbia River Basin area it would be anticipated that the settler who goes on the land would do most of the preparation of the land himself, so that his cost would be the upkeep of himself and family during the period between the time he went on the land and the time he got his first crop. There will be, in addition to that, the requirement for some leveling, and he probably will not be able to do all of that himself; the requirements for expenditures for farm buildings, which he will not be able to do himself in whole. In other words, he has got to buy lumber and that kind of thing; and farm machinery and equipment. We have estimated it on the other projects at $2,000 per unit.

Mr. JENSEN. A unit of 160 acres?

Mr. WARNE. A farm unit.

Mr. JENSEN. You mean, $2,000 to level the ground?

Mr. WARNE. Let me state it this way. We set up regulations that govern the selection of entrants on farm units in these reclamation projects, and one of the regulations is that he must be financed to the extent of $2,000, because experience has shown that he may have extraordinary difficulties in making his way the first 2 years if he does not have that amount of capital. It is interesting to note that the $2,000 amount figures prominently in the G. I. bill of rights.

Mr. JENSEN. What I am getting at is this: You say that the land will cost approximately $10 an acre?

Mr. WARNE. On the average.

Mr. JENSEN. Whether he hires his ground leveled or buys his own machinery and levels it himself, it is going to cost quite a little. I have been told that whether you buy your own machinery or whether you hire the leveling done, preparing it for irrigation, it will run from $100 to $200 an acre.

Mr. WARNE. That will not be true on the Columbia Basin project. The land is not that rough.

Mr. JENSEN. Let us say $50 an acre, then. Surely it will cost that much.

Mr. WARNE. It will cost something in that neighborhood. That includes farm ditches and preparing the land for the first irrigation, and the whole works, seeding, and so forth.

Mr. KIRWAN. It would not cost $50 an acre just to level the land. We saw with our own eyes that the soil is not rough. A man went in with a scraper and leveled off an acre in no time. It will probably take $50 for the irrigation system and everything like that, but just to level the land it would not cost $50 an acre.

FINANCIAL SITUATION OF VETERAN

Mr. JENSEN. What I am trying to develop here is the idea of just what position a veteran is going to be in after he buys the land and pays for the leveling and buys his machinery and improvements, and then in addition he pays how much a year for water right?

Mr. WARNE. He has a 10-year development period on the project, during which he will

be sold water at only the cost of delivering it to him.

COST OF WATER

Mr. JENSEN. What will that amount to per acre?

Mr. WARNE. Between $2 and $2.60 an acre.

Mr. JENSEN. We will say $2.30 an acre, then. That would be the average. Do you think he would get water that cheaply?

Mr. WARNE. At the outset.

IRRIGATION CHARGE

Mr. JENSEN. Then you have an irrigation charge against each acre of land, that runs over a period of a certain number of years?

Mr. WARNE. Yes, sir.

Mr. JENSEN. Forty years?

Mr. WARNE. Yes; sir; after a 10-year development period.

Mr. JENSEN. That is $85 an acre?

Mr. WARNE. Yes. Roughly $2 per acre per year.

Mr. JENSEN. $10, $50, $2.60, and $85 add up to $147, approximately, per acre.

IMPROVEMENTS

We have not said a word yet about improvements; we have not said a word about the buildings, fences, and utilities.

Mr. WARNE. He will have lived on that project 50 years by the time that total amount becomes due.

RESPONSIBILITIES

Mr. JENSEN. I am thinking, however, about what his financial responsibilities are going to be to build a house and a few outbuildings—he cannot do it at less than $4,000; and that will not give him much of a house and other improvements. He will have to build a few fences, which will cost him another $800.

Mr. WARNE. Mr. JENSEN, the Federal Housing Administration, with which we have been dealing in connection with efforts to provide housing facilities, thinks that it would be done for about $1,500.

Mr. JENSEN. That is, the house?

Mr. WARNE. Yes, sir.

Mr. JENSEN. It will not be much of a house. You have your outbuildings and you have your waterworks. I was in the lumber business for 24 years so I have a very good idea as to such costs.

Mr. WARNE. I know you were. You told me one time that you made some prefabricated houses and outbuildings and you thought we might use something like them on this project.

Mr. JENSEN. Yes. I am out of that business now, so that I am not advertising. But in spite of all you can do, it will cost at least $30 an acre for buildings. I would not ask a veteran to live in a house and have improvements and utilities that would cost less than that. So you have $177.30 per acre first cost.

Now, gentlemen, that is what that land is going to cost. I do not care whether you figure it over a term of 1 year or 40 years; that is what that land is eventually going to cost. You can go into the great State of Iowa or any other good agricultural State and buy a 160-acre farm, and a good one, fully improved, all ready to go. All you have to do is to buy your stock—and I have not added stock here at all. You can buy it for that figure or less. After we see the facts and the figures all put together, just how good are we going to be to the veterans? I am afraid there will be few veterans interested in such a proposition when they learn the facts.

RECLAMATION PROJECTS PROVIDE OPPORTUNITY

Mr. BASHORE. Mr. Chairman, I would like to say something with reference to Mr. JENSEN'S observations—and these observations are very pertinent to this matter. These reclamation projects are not places where a man can expect to go and get rich immediately. We claim that these reclamation projects provide an opportunity for a man to achieve success. I have seen a number of different reclamation projects developed in my 38 years' experience, and I have observed how the people proceed to attain competence. As a general proposition, many of the people who settle on these reclamation projects work during the construction period. They file on a homestead or buy a piece of unimproved private land. They take their earnings, and probably the first thing they will do is to build a good basement for their future house. They will also do some leveling as their means permit, and get in a crop as quickly as they can on part of their land.

In the western country when the land is level it must be promptly put into crop under irrigation that will hold the soil from blowing. As time goes on, through his earnings from working on the project, with further savings that he may have before he arrives there, he improves his farm. He does not have all the money at once. If he did, he probably could do just as well in the State of Iowa, or possibly better, if he had all of the capital that is required in the first place. We do not claim that these reclamation projects are going to be a place for a man to move in on and immediately have an income. He must build it up through his life's work; and on many projects it has been my observation that people who have proceeded in that way, in the way that I have outlined, after a period of 20, 25, 30, or 35 years, have fine farms with most modern improvements. It provides the opportunity for a person with the desire to accomplish something in life. You do not have to have all this capital at once, Mr. JENSEN. That is the advantage of a reclamation project.

Mr. JENSEN. I realize that; but it figures up to quite a debt for anyone with limited means to undertake, I am sure you will agree.

Mr. BASHORE. There is that indebtedness, and of course in the great State of Iowa there is an indebtedness also that is almost impossible to capitalize in the way of taxes. That goes on and on.

Mr. JENSEN. Your explanation is very good, and of course it follows through with the old pioneer spirit. You have to have a will to do, or you will not succeed, naturally. But what I am getting at is simply this. We have $2.30 per year per acre for the use of water, and on top of that, right off the bat, you say that in addition you are going to charge a man $85 over a period of 40 years for the over-all water right.

Mr. WARNE. Collectible in 40 years, without interest.

Mr. JENSEN. That is for the water right. That is a large amount. That is why I feel so keenly that on these Government-owned projects we should raise power rates to such a degree that we can materially reduce the $85 assessment per acre. By so doing, I am sure that the desire to purchase land in these irrigated areas by returning veterans will be greater. I am afraid, when they see the true picture as it is today, they are going to say, "Well, after all, my country is not being so wonderfully good to us."

Mr. BASHORE. I certainly agree with you, Mr. JENSEN, that the payments that the farmer makes are extremely important, and we do take into consideration the necessity for making those rates as favorable as possible, with due regard for the requirements of the law.

Mr. Chairman, now I shall talk about the Mexican Water Treaty just confirmed by the Senate.

MEXICAN WATER TREATY

On March 14, 1945, I called the attention of the House to the treaty with Mexico allocating the waters of the Rio Grande and the Colorado River, then pending in the Senate, and to the pending report of the Bureau of Reclamation on its comprehensive program for the Colorado River. I stated that the effect of the treaty would be to aggravate the water shortage already demonstrated in the Reclamation Bureau report, and gave notice that if this treaty were ratified, the Appropriations Committees could not be expected to approve the expenditure of some $2,500,000,000 on Colorado River projects proposed in the Reclamation Bureau's report.

Events since my statement of March 14 make it desirable to reiterate that warning.

In the hearings on the Interior Department supply bill for the fiscal year ending June 30, 1945, now before the House, I asked Commissioner Bashore of the Bureau of Reclamation certain questions about the water supply of the Colorado River and the effect of the treaty upon it. His answers appear at page 994. He showed that the commitments already made by the United States, plus the Mexican treaty, would entail a very large deficit to be made good in part by a draw-down on Lake Mead storage amounting to 1,500,000 acre-feet per year. The Commissioner said their plans contemplated sufficient storage on the river to accomplish this.

Senator MCCARRAN, of the Senate Appropriations Committee, thereupon called on Commissioner Bashore to furnish the names and construction costs of these reservoirs, and to give some further data on the water supply. This was done, and appears in Senate Document No. 39. In brief, it now appears that if the United States makes good on its outstanding commitments, and on the treaty obligation to Mexico, the water deficit in a dry decade like 1931–40 will amount to 2,993,000 acre-feet per year, or nearly 30,000,000 acre-feet in all. Of this, the Government proposes to find 1,500,000 acre-feet per year by drawing down Lake Mead storage. During a 10-year drought such as that from 1931 to 1940, the total amount drawn down, to make good on the Treaty to Mexico, would be 15,000,000 acre-feet, or more than three-quarters of the whole active storage capacity of the reservoir. The remaining shortage of 1,493,000 acre-feet per year, or nearly 15,000,000 acre-feet in the 10-year drought, would be borne in its entirety by the American users, according to the Reclamation Bureau's computation, and the so-called extraordinary drought or escape clause of the treaty would give us no relief, even during a decade when we are substantially exhausting Boulder Dam storage in order to meet the Mexican obligation in full. Of the 1,493,000 acre-foot annual shortage, 731,000 acre-feet would be charged as reservoir losses, and the balance would simply represent a default or failure to deliver.

I asked Commissioner Bashore how he would justify the exhaustion of 15,000,000 acre-feet, or more than three-quarters of Boulder Dam storage capacity during a drought period like 1931–40. His answer was that plans contemplated sufficient storage on the river to enable this draw-down to be made. His answer to Senator MCCARRAN lists the storage reservoirs which would have to be built to enable Boulder Dam to be exhausted in this way for Mexico's benefit. He lists 14 reservoirs, to cost $735,700,000, and upon

which the annual evaporation losses—to be borne entirely by the United States, and not at all by Mexico—would be 884,000 acre-feet. That is to say, when this reservoir loss is added to that on Lake Mead, and when the cost of this storage is added to the cost of Boulder Dam, the story becomes simply this: The United States will have invested $900,000,000 in storage works, and Mexico nothing; the United States will be bearing annual reservoir and evaporation losses, amounting to 1,615,000 acre-feet, and Mexico none at all; and in a dry decade like 1931–1940, the delivery to Mexico would be sustained at the full guaranteed amount of 1,500,000 acre-feet per year, although the annual deliveries to our own users would be 1,493,000 acre-feet less than the face amounts of their contracts. During the same decade, the reservoirs in the upper basin would have been drawn down 21,740,000 acre-feet, and Lake Mead would have been drawn down 15,000,000 acre-feet.

Who is to bear the cost of the $735,000,000 of reservoirs said to be required? On April 18, a few hours before the Senate approved the treaty, there was introduced on behalf of the 8 Senators of the upper basin S. 894, a bill to authorize the construction of the dams and reservoirs contained in the Reclamation Bureau's comprehensive report. There are 11 of these, accounting for about half of the $735,000,000. The bill contains the interesting provision:

> That the cost of construction of such reservoirs shall be borne by the United States as an expense of the administration of the water utilization treaty with Mexico.

If the cost of these reservoirs is written off, of course, the lower basin reservoirs, primarily Boulder Dam and the reservoirs on the Gila River system in Arizona, must receive like treatment.

That is to say, the Appropriations Committees will be invited to approve new expenditures or write off existing costs, amounting to nearly a billion dollars, covering dams and reservoirs on which Mexican water users have the first lien. Bear in mind that the treaty obligation is to be met by water from any and all sources, and whatever its origin. It is a continuing burden on every reservoir heretofore built, or which may be built hereafter.

Congress may very well spend money generously for the development of our own West, but to spend that money to build reservoirs on which a foreign nation has first claim is a different matter. The States of the upper basin have had the opportunity to choose between the comprehensive program proposed by the Reclamation Bureau for their own benefit, and the assumption of an obligation to Mexico which would require that the same reservoirs be built for Mexico's primary benefit rather than their own. The treaty, which they have supported, answers that question in Mexico's favor.

This comprehensive program of the Reclamation Bureau has been financed by the power proceeds from Boulder Dam. The Boulder Canyon Project Adjustment Act, approved July 19, 1940, authorized $500,000 per year to be paid into the Colorado River development fund, out of which this study, and the construction of projects, is to be financed. That act says, however:

> Such projects shall be only such as are found by the Secretary to be physically feasible, economically justified, and consistent with such formulation of a comprehensive plan.

S. 894 foreshadows the break-down of the whole Reclamation reimbursement policy, and seizes upon the Mexican treaty as the excuse for writing off three-quarters of a billion dollars of Federal investment, and the construction of projects which do not conform to the standard set for the Boulder Canyon Project Adjustment Act.

I desire also to call the attention of the House to an article in the Wall Street Journal for March 12, 1945, captioned "U. S. and Mexico plan a big public-works program on the border; our costs, $167,000,000." This story, citing Boundary Commissioner Lawrence Lawson as its source, disclosed for the first time the cost of the border works to which this House was committee by a treaty in which it had no voice. When to this is added the cost of Boulder Dam, and the cost of the reservoirs proposed in the upper basin "to support and facilitate the administration of the water utilization treaty with Mexico," the cost of which "shall be borne by the United States as an expense of the administration of the water utilization treaty with Mexico," it is clear that this treaty will be used as a lever to pry out of the House approximately $1,000,000,000. I, for one, desire to give plain notice that the House of Representatives has not been consulted in making the commitments from which these huge financial consequences are said to flow, and that the House of Representatives is not obligated to appropriate money for works other than those specifically called for in the treaty. According to the testimony given by the attorney for the Boundary Commission, Mr. Clayton, before the Senate Appropriations Committee considering the State Department supply bill for the fiscal year 1946 (p. 185), these works comprise three dams on the Rio Grande, and Davis Dam on the Colorado River, and that is all. If I have anything to say about it, no one is going to play fast and loose with this House, telling up in one breath that 10,000,000 acre-feet of water are wasting to the sea from the Colorado River, which we are helpless to prevent Mexico from using, and that the treaty works will cost only $15,000,000, and telling us in the next breath that we must spend three-quarters of a billion dollars on dams to support and facilitate the administration of the water utilization treaty with Mexico. Nor tell us in one breath that the House is obligated to appropriate money only for four specified structures on the two rivers, and in the next breath to tell us that the consequences of the treaty extend to the whole basin, and that to facilitate performance of this treaty will require the construction of 14 more giant reservoirs.

The reclamation States, and particularly the Colorado River Basin States, have had just and generous treatment from the Congress; but they will bring the whole reclamation structure crashing down about their ears if they try to use this treaty as a free ride to break down and break through the provisions of the Reclamation Law requiring the recovery of the Government's investment.

In the Boulder Canyon Project Adjustment Act of 1940, we thought we were laying down a policy for the Colorado River Basin which would sustain only projects which were physically feasible, and economically justified. I think we should also serve notice that the gigantic reclamation projects in Texas, said to involve some 500,000 acres which will benefit from the works to be built under this treaty, are not going to be excused from repayment of their cost simply because the United States has incurred, in a treaty, the obligation to build these works. Those Texas projects ought to be subject to the Reclamation Law in every particular, including the requirement for reimbursement, the stipulations of the Reclamation Law against the excess lands, and anti-speculation provisions of the Reclamation Law.

The ratification of a treaty does not strip this House of all of its prerogatives, nor should it impose upon us a reclamation policy, either as to the Colorado River Basin or Texas, contrary to the experience and legislation of 40 years.

Mr. NORRELL. Mr. Chairman, I ask unanimous consent that the gentleman from Oklahoma [Mr. BOREN] be permitted to extend his remarks in the Appendix of the RECORD.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NORRELL. Mr. Chairman, I yield 30 minutes to the gentleman from Oklahoma [Mr. STIGLER].

Mr. STIGLER. Mr. Chairman, I want to thank the distinguished gentleman from Oklahoma, chairman of the subcommittee, for allowing me time to discuss this bill in order that I may make some observations with reference to the Indian Bureau. And at the same time I desire to congratulate him and each member of his committee for performing an outstanding service to this body and to the Indians throughout the United States in reporting this measure in the manner they have. They deserve the congratulations of the membership of the House for their indefatigable efforts in bringing forth a bill that will not only be fair to the Indians under present circumstances, who, as we all know, are wards of the Government and have been from time almost immemorial, but at the same time allow sufficient money to the various departments under the Secretary of the Interior to function effectively.

Before going further, Mr. Chairman, I should like to take advantage of this occasion of expressing my deep regret over the fact that at some date in the future we shall be deprived of the sympathetic and brilliant service of the chairman of the subcommittee who is handling this bill and whom it has been my privilege to know more than 25 years. To him his work has been one of labor of love and I know I express the sentiment of this body in expressing the hope that he will remain with us as long as his duties permit.

It was my pleasure and privilege to serve with him in our own State senate where, as here, he was always a tireless

and successful worker in whatever task he undertook. As here, he always so distinguished himself, his friends were always proud of him, and it was nice to know that you were numbered among his many friends.

This afternoon I should like to salute and honor him again for his friendliness, fairness, integrity, and his insistence at all times, even under adverse circumstances, that the Indians throughout the United States and its possessions be given a square deal. It is generally recognized in my State, and I feel certain that the same situation obtains wherever there are Indians, that the Indians, no matter whether they come from Oklahoma or elsewhere, they always have a true friend in JED JOHNSON. So in passing, I should like to say that when our genial friend leaves us to accept a place in the judiciary on the United States Court of Customs in the State of New York he may be absent physically, but his spirit of fair play and a square deal for the Indian, to say nothing about his other outstanding attributes, will always hover over us who may remain to carry on, and his service shall ever be an inspiration for us to carry on as he would have us do. In his going I wish for my colleague, the beloved dean of our Oklahoma delegation, the greatest of success in his every endeavor in his new field of undertaking, and when he assumes his new duties that everyone of his efforts will be crowned with the greatest of success.

Too much time cannot be devoted to eulogizing the services of our distinguished friend, but I must pass on to the matter which I wish to discuss during the time allotted to me.

First, Mr. Chairman, may I say I religiously read the voluminous hearings before the subcommittee, and my observations this afternoon are based upon this and my own personal knowledge of Indian affairs.

In this connection, may I say that in eastern Oklahoma, where I live, we have principally five tribes of Indians, known as the Five Civilized Tribes, composed of the Choctaw, Chickasaw, Cherokee, Creek, and Seminole Tribes. They are the largest group of Indians in Oklahoma. Incidentally, Oklahoma has more than one-third of the Indian population of the United States.

APPROPRIATION FOR BUREAU OF INDIAN AFFAIRS

In discussing this annual appropriation bill I wish to particularly deal with the Indian Service, but I want to make it clear that whatever observations I make are not based upon prejudices against the Bureau. I have no animus in my heart, but make these observations because I want to help the Indian the way he should be and wants to be helped. I have many friends in the Indian Service who talk to me and who would like to really do something for the Indian, but their authority is limited. I am hopeful what I shall say this afternoon will make some contribution toward a better Indian Service. My chief complaint is, and has been for many years, that the Indians are not getting value received for the amount of money the Government has been asked to spend each year for their common welfare.

This year the Budget approved a request from the Office of Indian Affairs for the fiscal year ending June 1946 for the sum of $30,000,927. The subcommittee which handled this bill reduced the amount to $26,214,175, thereby reducing the amount approved by the Budget $3,786,752.

The hearings show that the amount of allotments from the Indian Service from national defense funds as of February 28, 1945, including working funds, is $15,673,796.70. Some of this has been reimbursed and supposed to have been spent as a direct result of the war. For instance, $13,000,000 of this was allocated for activity for war reallocation authority. Now, in addition to the regular appropriation last year, which was $35,991,597, the Indian Service received and spent $1,676,135 from the various tribal funds. The record further shows that the miscellaneous revenues, other than trust funds deposited in the Treasury during the fiscal year of 1944 by the Indian Bureau, totals $2,165,556.90.

It may be very interesting to many to know what the Bureau of Indian Affairs has spent over a period of years. Accordingly, I have obtained the amount of the appropriations for this Bureau for the fiscal years beginning with 1932 and ending with 1945, and at this point insert the same in the RECORD:

Fiscal year and amount

1932	$36,655,855.11
1933	30,707,166.65
1934	25,186,168.99
1935	25,017,447.71
1936	32,672,187.87
1937	33,280,504.15
1938	47,358,375.37
1939	39,719,232.27
1940	43,630,229.64
1941	39,203,897.49
1942	39,373,797.16
1943	35,305,829.20
1944	37,392,093.49
1945	35,991,597.00

POSITIONS

As of March 1, 1945, the Indian Service had 7,619 regular authorized positions, with 340 vacancies.

In the current appropriation bill the Indian Service has asked for 112 new positions for 1946, exclusive of Survey and Planning. In the Survey and Plans estimate they asked for 53 departmental and 141 field employees. This question suggests itself to me: Why is it necessary to ask for new employees at a time when this Bureau has 340 vacancies? In the hearings before the committee a representative from this Department stated that the new positions were supposed to do a "special type of work" for which they do not have existing personnel. How familiar are these words. Isn't this the usual stereotype statement made by all departments when they come to the Congress and ask for increased appropriations for new personnel?

AGE OF BUREAU OF INDIAN AFFAIRS

I am informed the Office of Indian Service was instituted during the year 1832, officially. That has been 113 years ago. Think of it. This Bureau has been working continuously during these many years to emancipate the Indian and get him ready to take his place alongside his white brethren. I am wondering this afternoon if we are any closer to the goal than we were when the Indian Bureau was created.

The record shows that the appropriation for this Bureau has risen gradually practically every year when its appropriations reached its peak in 1938, when the sum of $47,358,375.27 was appropriated. I am advised that the only excuse that the Indian Office has is that they were providing service they were not providing 50 years ago and are providing service today they were not providing 20 years ago. I am sure that is true, but on the other hand I am wondering if these services were necessary. Many years back one Dr. Carlos Montezuma, a full-blood Apache, who was captured by the Pimas and who was ransomed by a traveling photographer, who paid the Pima $30 for him, and then took him to Chicago where he obtained an education, attended a medical college, and when a comparatively young man was a teacher and lecturer in two medical schools, delivered an address in behalf of the American Indian before a conference of the Society of American Indians at Lawrence, Kans., entitled "Let My People Go."

Some of the things that Dr. Montezuma said then, in my opinion, are just as true today as they were then. For instance, he said:

> Today the Indian Bureau is founded on a wrong basis. It is pursuing unnatural methods to reap natural results. Being unnatural, it has come to be a heavy burden instead of a help to the Indian. It is dominated by the Indian Service regulations, thus dominating the Indians and perpetuating itself. It has swerved from its noble course. It has derailed the Indians from the main road that other races travel. It has gone into commercial business; it is methods and methods, procedures and promotions. The original grand, noble and ideal object of the Indian Bureau was to aid and protect the Indian and prepare him to emerge from his wigwam into civilization, and it has been a total failure.

Prior to 1904, one Lt. R. H. Pratt, who later became a brigadier general, and who headed the Indian Service when it was under the War Department, said these words.

> Better, far better for the Indians had there never been a Bureau. The self-preservation would have led the individual Indian to find his true place, and his real emancipation would have been speedily consummated.

When General Pratt uttered these words, he thought that the country was with him in heart and soul for the betterment of the Indians, as in the past. Not so, humiliatingly he was made to realize that there was someone higher than he, someone to be considered, someone to be reckoned with. He found himself relieved from the great institution he founded and cherished, and where he had hoped to see his last days. He had said too much. He was in the Indian Service under the Bureau and his official head was cut off in 1904.

I am not advocating this afternoon the abolition of the Indian Bureau, because I think it is very essential for the time being. But the thing I want to see most now, and the American Indian in my

judgment will never be completely emancipated and his problems solved until this is done, is a complete reorganization of the Indian Service, elimination of all the overlapping agencies, simplifying the rules and regulations, investing more authority in the superintendents and field clerks, and getting away from the idea that all final decisions must be made in the Chicago or Washington office. If this were done, I am sure that it would not be very long before a considerable improvement would be noted.

CHANGE IN FEDERAL POLICY

It was interesting to me to note in the hearings that the Assistant Commissioner of Indian Affairs, whom I have a very high regard for, testified that a change in Federal policy began in 1930, or thereabouts. He said further:

I thought the Federal Government had an obligation to do two things. First, to restore the economic base of these people—

Meaning Indians—

to a point where they can be self-supporting; and, secondly, to educate them to the point at which they can use those resources so that they will not need the special service from the Federal Government they are now getting.

I want to take this occasion to commend the Assistant Commissioner on his philosophy and tell him I thoroughly agree with it. But in doing so I desire to ask this question, are we any closer today toward realizing that obligation than we were when the change in Federal policy began 15 years ago. Yes, 40 years ago.

I recall the Congress on April 26, 1906, passed an act entitled "An act to wind up the affairs of the Five Civilized Tribes."

That was 39 years ago. Today, the Choctaw and Chickasaw Tribes of Indians have approximately 370,000 acres of coal, and something like 3,000 acres of asphalt lands undisposed of and still belongs to the two tribes. This is notwithstanding the fact that on July 1, 1902, through an act of Congress, it was provided that the Secretary of the Interior would sell the lands within 3 years from September 25, 1902. Let us see what happened? Long before that time passed, by a provision attached to an appropriation bill approved on April 21, 1904, Congress took these coal lands off the market until their further direction, contrary to the provisions of the supplemental treaty of July 1, 1902. That, however, was not the first evidence of Congress breaking faith with its Indian wards. There was nothing done with reference to the sale of these lands, in keeping with the treaty of July 1, 1902, until February 19, 1912, when Congress passed an act authorizing the sale at public auction of the surface lands overlying the coal and asphalt deposits leased and unleased.

Then on February 4, 1918, Congress passed an act authorizing the Secretary of the Interior to sell at public auction the tribal coal and asphalt deposits, under rules and regulations prescribed by him.

We have not sold the coal yet and last June this Congress, in the Interior appropriation bill, for the fiscal year ending in 1945, included a provision which authorized the Secretary of the Interior to negotiate with the principal Chief of the Choctaw Nation and the Governor of the Chickasaw Nation for the sale of these lands to the Government.

When the negotiations are completed, a contract is entered into, the same will then be submitted to the two tribes for approval or rejection. If the contract is approved it will then come to the Congress for an appropriation. I am hoping now, as then, that the Congress will not break faith with these two tribes of Indians as heretofore has been done, but will see that justice is done and favorable action is taken on the appropriation asked for.

A few moments ago we were talking about the progress that has been made in the Government's dealings with the Indian. I will gladly and proudly admit that some progress has been made, but not enough for the amount of money that has been spent. May I repeat, that until the Indian Service begins eliminating the many overlapping agencies, the duplicating service, and the conglomerate mass of governmental functions, the objective stated by the Assistant Commissioner will never be attained. As one Member of Congress, and as one of Indian descent, I should like to see this adopted as a battle cry and the ever constant goal of the Indian Service instead of the trite phrase, and I quote:

We can move more rapidly if more money is made available to take care of certain of these basic needs.

I say, Mr. Chairman, there should only be one basic need for the Indian Service and that should be the early and complete rehabilitation of the Indian so he may go forth in the world, holding his head high with pride as he takes his place alongside his white brother, with the knowledge that he also is on his own and the only thing he asks is an opportunity to prove his worth.

THE CHILDREN TO WHOM NO SCHOOL FACILITIES EXIST

If this above goal is to be obtained, we cannot have such situations as described in the hearings, wherein the committee told that there are somewhere in the neighborhood of 10,000 children of school age in the Navajo reservation for whom no school facilities exist. To me this is appalling. It is especially so when one considers that the vital statistics for that reservation show that the population is increasing at the rate of almost 1,000 a year. The hearings further disclose that Federal, mission, and public-school facilities for Navajo children today are sufficient to care for only 5,200 out of a total of 16,000 children of school age who are known to exist.

I know one way the Indian Bureau could set a very good example in this respect. In its budget a request was made for the purchase of 250 automobiles. Think of that. During these wartimes with the shortage of cars, rubber, and gasoline, that a request of this nature should be made. Figuring the average automobile to cost $1,000 that would make a total cost of $250,000. Wouldn't it be better to ask for this $250,000 toward educating the underprivileged and forgotten Navajos, than to ask for the same amount for 250 cars? No; evidently it is more important for someone to ride instead of walking than to see the 10,000 children on the Navajo reservation educated.

I know some may say that the Navajo people as a group are resistant to education, but if that condition exists whose fault is it? Since they are under the direct supervision of this Government of ours, and are its wards, isn't it an indictment against not only the Indian Bureau but of the Congress of the United States?

INDIAN SCHOOLS

Reading further in the hearings I find that the average tuition rate per Indian is 26 cents per pupil per day. Notwithstanding the fact that Oklahoma has more than one-third of the Indian population in the United States, which so far as I know no one is able to accurately ascertain, the average tuition is 28 cents. That is what the Indian Service spends per pupil per day. A comparison of this rate with other States which have an Indian population is very interesting. The rate of the State of Montana is 37 cents; Nevada, 35 cents; North Dakota, 34.7 cents; South Dakota, 33 cents; Wisconsin, 35.6 cents; Oregon, 38 cents; Idaho, 30.4 cents; New Mexico, 42 cents; Kansas, 25 cents; Utah, 35.8 cents; Wyoming, 28 cents; and Nebraska, 31 cents.

TAXATION OF INDIAN LANDS

There is another item that excites my interest very much, and that is the item to appropriate an unexpended balance of approximately $25,000 for the payment of taxes. What was more startling to me was the fact that, at the hearings, the Department had, it developed, an unobligated balance at this time of $5,000 under this item. This is at a time when I personally know that hundreds of my people of Indian blood have lost their land through inability to pay taxes on their non-tax-exempt land.

In the Five Civilized Tribes area where I live, through an act of Congress each restricted member of the Five Civilized Tribes was allowed to choose 160 acres of his allotment as tax-exempt land. Over and above that is taxable, but the Indian, by this act of Congress, could not alienate his land without the approval of the Secretary of the Interior. In other words, Congress allowed the State to tax the restricted land but would not allow the Indian to sell it without having his restriction removed by the Secretary of the Interior.

No one more than I appreciates the fact that the Indian Service is not responsible in many instances for a lot of the laws passed by the Congress of the United States with reference to Indians. But I happen to know personally that the Indian Office has been importuned and importuned with requests to obtain some relief for these Indians who are losing their land through no fault of theirs, and still no satisfactory results have been obtained. Whose fault is this? Is it the Indians, or the Indian Service, or the Congress of the United States? Knowing conditions as I do in my section of the State, I certainly would not place the blame at the door of the Indian.

THE ADMINISTRATION OF INDIAN PROPERTY

Again, I want to compliment the aggressiveness of the distinguished chairman of the subcommittee who is handling this bill, on his forthright statement and insistence that the Indian Service be reorganized on a businesslike basis. In the hearings he called attention to the fact that today the Indian Service is spending twice as much as the whole legislative body combined. Not only both Houses of Congress, but all of their employees. Think of that. Instead of attempting to reorganize the Service, we find evidence of new requests being made each year to the Appropriation Committee for money to spend in the operation of the Indian Service. It would seem that their chief stock and trade is to obtain more money. I want to thoroughly agree with the chairman that the country is sold on the idea that no agency in the Government needs a good streamlining and remodeling more than does the Indian Service.

The Indian Office says that they need more help administratively to take care of the increased demands. I know the Indian Service is not asking me for advice and will not appreciate what I am saying but I can tell the Indian Service this afternoon how they can be relieved of a lot of their administrative routine. Again, I repeat, if they will only eliminate many of the overlapping agencies and simplify their rules and regulations, and decentralize a lot of the power vested here in Washington and Chicago, and put it in the field where it belongs, they will have more time to reorganize the Indian Service and devote to the common welfare of the Indian.

INFORMATION REQUESTED BY THE COMMITTEE

I desire to call the attention of the distinguished chairman of the subcommittee to page 17 of the hearings, wherein he stated in discussion of the failure of the Indian Office to furnish information to his committee investigator and he stated:

> I read in the record from the investigator's report that although they had more than once asked for the information, the Indian Office did not know how many Indians were under the jurisdiction of the Office of Indian Affairs, and they were never able to report to us how many employees you actually had.

The hearings will also disclose that the only answer given by the spokesman from the Indian Office was that "there was certain information that was not readily available" and the chairman stated more than a year had elapsed since his committee had requested such information and even now it had not been furnished. I am wondering, Mr. Chairman, if that is a stock excuse and how long we will have to wait before the information you requested is available, and when any definite program is going to be formulated by the Indian Office to streamline its functions.

In this connection I desire to congratulate the gentleman from Idaho [Mr. DWORSHAK], who is a new member of the subcommittee, on his statement during the hearings, which appears on page 43 of the record, when he says, and I quote:

> I am wondering if we are not making an inadvertent mistake in having too much supervision and too much paternalism, or too much control for the Indians. Do you think that will eventually solve some of these problems? Of course, we naturally feel sympathetic toward the Indians, but does the over-all program provided for in this estimate for 1946 indicate that we are traveling in the right direction, or possibly we may go some place else?

The gentleman may be new on this committee, but certainly he hit the proverbial nail squarely on the head when he made that significant statement. I congratulate him and say it is my fervent hope that he may pursue his quest for knowledge along this line further.

I say this notwithstanding the fact that in response to the gentleman's questions the Assistant Commissioner replied as follows, and I quote:

> I will have to answer that question in the negative. I would say that we are traveling in this direction: We are seeking to provide the resources first, and through organization among the Indians to help them use those resources. We are not traveling as I see it in the direction of paternalism. We are traveling away from that.

I thoroughly agree with the objective stated in the first part of his statement, but even though I know not what is happening on the Indian reservations throughout the United States, but if I stay in Congress long enough I shall definitely find out, I certainly know whereof I speak when I say that situation does not altogether obtain among the Indians of the Five Civilized Tribes.

In the words of the gentleman from Idaho [Mr. DWORSHAK]:

> How can the Indian Office make the Indian more selfreliant when they are doing so much planning and thinking for him? Wouldn't the job be better done if more responsibility were given to the Indian leaders themselves?

No, down where I live, if an Indian desires to utilize his initiative and do something for himself out of any restricted funds which are held in trust by the Department, he must first obtain permission from the field clerk. If the field clerk does not think his idea worthy, he turns the request down and in the majority of instances that is final.

If the request made is over a certain amount, then the field clerk has to submit the request to the superintendent, who in turn sends it to the Chicago office and in the final analysis it is sent on to the Secretary of the Interior here in Washington. When a decision is finally reached, the answer must retrace its steps as it came up.

I ask this question again. When is the Indian Office going to vest more authority in the hands of its superintendents and allow the superintendents to vest more authority in the field clerk so decisions can be made in the field then and there without being reviewed and obtaining the official sanction from Chicago or Washington? I say to you this afternoon that when that day arrives it will not be necessary to have the large personnel in the Chicago or Washington office. But no, it has been my observation during the short time I have been in Congress, that no governmental department here likes to yield any of its power, but on the contrary is forever reaching out for more supervision.

PROBATE COURTS

Let me give you this example in my State, which I happen to know about personally. County courts of Oklahoma, which are also probate courts, since the act of Congress of May 27, 1908 (35 Stat. 312), have been authorized to approve deeds of full-blood Indian heirs to inherited lands. In so doing they act as a Federal agency in an administrative capacity. Thus far, no one has assumed that such a proceeding may be removed to the Federal court under section 3 of the act of Congress of 1926.

Recently, there was a case decided in the District Court of the United States for the Eastern District of Oklahoma in the estate of Peter Micco, deceased Seminole Indian, roll No. 1600. This proceeding originated in the county court of Okfuskee County, Okla., by the filing of a petition for the appointment of an administrator of the estate of Peter Micco, deceased. The petition discloses that the deceased left an estate of the approximate value of $500,000 and that his heirs are full-blood Indians. The United States Government, acting in its official capacity, filed a petition for the removal from the county court of Okfuskee to the District Court of the United States for the Eastern District of Oklahoma.

For the first time the Government in this case definitely took the position that a United States district court has probate jurisdiction in such Indian cases. Federal Judge Eugene Rice, of Muskogee, Okla., in the Peter Micco case, stated that the courts of that jurisdiction are committed to the conclusion that the Federal court does not have general probate jurisdiction nor are probate proceedings removable under the general removal statutes and remanded the case back to the county court of Okfuskee County, Okla.

During the 25 years that I have actively engaged in the practice of law, I have never known a lawyer in Oklahoma yet who thought that Congress intentionally enacted legislation requiring United States district court or any other Federal court to act in an administrative capacity. By converting the United States district court from a court into an administrative agency it would thereby convert the United States district courts into probate courts.

I understand the Government is appealing the Micco case. In thus declaring their intentions, it would seem that the Department of the Interior and the Department of Justice seem to be quite determined that probate matters in the probate courts of Oklahoma so far as Indians are concerned, shall be handled in Federal courts. Certainly the members of the bar and even the Indians themselves do not desire these matters to be taken away from our county courts.

Let me give you another instance. Before the House Indian Affairs Committee, last December, there was a bill presented, which I understand, was introduced at the request of the Department

of the Interior, which would vest exclusive jurisdiction in the Secretary of the Interior to administer and judicially declare the heirs of an estate of real property up to the value of $2,500. The Secretary has already gotten an act through Congress allowing him to declare the heirs of estates where only personal property was involved up to $2,500. After this legislation was obtained it is now sought to include real property. Now we see another effort being made in this session of Congress to get the same legislation passed. To me this is a gradual encroachment upon our State rights and an effort to supersede our State courts, so far as Indians are concerned. When and where is this going to stop?

APPOINTMENT OF NEW COMMISSIONER OF INDIAN AFFAIRS

Recently, we witnessed the appointment and confirmation of a new Commissioner of Indian Affairs. His name is William A. Brophy from the State of New Mexico. He comes highly recommended and his sponsors say that he is imbued with a determination and an indomitable spirit to administer the Indian Bureau in such a manner that will not only reflect credit upon him but will hasten the day of emancipation for the American Indian and enable him to take his place in the world of competition alongside his white brethren. Here is hoping that he is bigger than the system that has grown up in the Indian Service and that he absorbs it instead of it absorbing him.

To Commissioner Brophy we would say that we want him to succeed and wish for him the greatest of success, and sincerely hope that he will have the courage and stamina to successfully penetrate the conglomerate mass of governmental functions of the Indian Bureau and soon come forth with an emancipation proclamation which will mean the dawn of a new era for the American Indian. To that end we offer him our complete cooperation in every respect.

Mr. JONES. Mr. Chairman, I yield 15 minutes to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, I have asked for this time in order to make plain my position as far as the Bonneville Power items in this Interior bill are concerned. The Columbia River runs for some 300 miles through my district and Grand Coulee Dam is partly in my district. Yesterday the gentleman from Ohio [Mr. JONES] attacked the Bonneville Administration in general and Dr. Paul Raver in particular. He stated that Dr. Raver and his organization had out-Insulled Sam Insull. I do not feel that the record bears that out in any way. Nor did my colleague's speech bear that out.

I wish to point out that the Columbia River is a national asset, and I hope to present some figures and some facts that will show that Dr. Raver's stewardship over the Columbia River has been definitely in the national interest and that a tremendous saving has been made to the Government. The contribution which Dr. Raver, the Bonneville Administration, and the Columbia River have made to the war effort is tremendous.

On Monday, April 23, 1943, Mr. JED JOHNSON, of Oklahoma, chairman of this subcommittee, stated at the hearings:

I shudder to think where we would be in this war effort without T. V. A., Boulder Dam, Grand Coulee, and many other lesser power developments.

Some appreciation of the value of Grand Coulee and Bonneville were brought out recently in the Senate hearings on small business. I participated in these hearings and can speak authoritatively. In those hearings it was pointed out that the Government was getting much of its aluminum from two sources. Our Government by contract has purchased since May 1941 over one and one-third billion pounds of ingot aluminum from the Aluminum Co. of Canada. A study of the invoices shows that the average cost of that aluminum is 18½ cents per pound.

In the testimony before the Senate Small Business Committee, it was shown that this same metal from our northwestern aluminum plants cost the Government about 12 cents per pound, and this 12-cent figure is a padded cost, as the operating company later had to return large sums under renegotiation. It should be stated further that a large part of the northwestern aluminum comes from Arkansas bauxite, which costs more to treat than does the British Guinea bauxite, which the Aluminum Co. of Canada uses. On the face of it, our Government should be getting the Canadian aluminum much cheaper than they are, because of the savings made to the Aluminum Co. of Canada through this high-grade bauxite. This simple comparison will show that had all of the aluminum come from our defense plants in the Northwest that our Government would have saved over $90,000,000. As it is, the Columbia River aluminum plants have produced about one-half billion pounds of metal, or some 33 percent of the entire national production going into the building of our great air program.

In the calendar year 1944, in spite of cut-backs, these plants produced 561.7 million pounds of metal, or 36 percent of the national production. The savings accrued to the taxpayers, as I have outlined in the last given amounts, equals $100,000,000, or some $37,000,000 per year respectively. In addition, the Government would recover by renegotiation from one operator alone about $76,000,000.

My colleague the gentleman from Ohio [Mr. JONES] yesterday spent considerable time on the cancelation clauses in the Bonneville contracts with the defense plants in the Northwest. These, to me, are very important, since they tend to keep our plants operating and assure steady employment to the good people who work in the aluminum industry. It is the only assurance which labor has of steady employment in the aluminum industry. In this connection, it should be pointed out that the Federal Government has just recently granted another contract to the Aluminum Co. of Canada guaranteeing them a firm American market for at least 100,000,000 pounds of aluminum whether the war ends or not. The Federal Government has given the northwestern plants no such assurance, even though the northwest plants are delivering aluminum at two-thirds of the cost of that from Canada.

Some of the other contributions to the war effort which have been made possible because of the development of the Columbia River and the farsighted activities of the Bonneville Administration have been some 665 Liberties, Victories, tankers, aircraft carriers, and miscellaneous seagoing craft from the Kaiser shipyards. Four other yards motivated by this same power, produced 583 naval vessels. Such contracts in the areas served by this same power total over $3,000,000,000 and airplane contracts $2,300,000,000.

The chairman of this subcommittee was certainly right. All of us should shudder to think where we would have been had not the program to harness the Columbia River been begun when it was. It is definitely in the national interest and we should be thanking Dr. Raver for the savings he has made to the American taxpayer.

I am just as anxious as anyone in this House to get at the facts. The Columbia River will be developed. It is in the national interest to do so.

I hope that we can clear up the controversies and the misunderstandings that seem to be hovering around this item. Let me suggest to the gentleman from Ohio that if he really wishes to secure the facts, that there is a reasonable avenue open to him. I suggest he offer an amendment to the present bill for a sufficient amount to hire auditors of national reputation and who have integrity and experience in the utility field. Let us get at the truth.

Mr. JONES. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. STOCKMAN].

Mr. STOCKMAN. Mr. Chairman, I listened with great interest yesterday to the masterly assault of my good friend the gentleman from Ohio [Mr. JONES] on the development of the West. If it were my privilege to represent an old established area of the Midwest, I might feel the same way he expressed himself.

At a more appropriate time I will be pleased to discuss the many tangible benefits that have accrued to the great State of Ohio from the reclamation developments in the West. But permit me to mention now that the factories have supplied huge quantities of materials and equipment used in construction of reclamation projects. Every year the reclamation projects have offered an ever-increasing home market for the products of Ohio industries. The great steel mills and rubber factories have furnished us supplies, and hundreds of other items produced in Ohio have been shipped to the West. That has meant business for Ohio that otherwise would not have been available to the industrial and other producers of that great State. We do not begrudge the contributions we have made to the prosperity and development of Ohio.

But, Mr. Chairman, I do now protest against the action of the Appropriations Committee in making certain reductions

in the Budget estimates for important activities of the Bureau of Reclamation.

I refer particularly to the slash of $50,000 in the estimate for the Deschutes project in my district. The entire amount of $500,000 is needed to advance construction of this project.

The severe cut in the estimate for general investigations from $5,500,000 to $1,485,000 will seriously hamper the Bureau of Reclamation in its preparations for a post-war public-works program to provide jobs for returning servicemen and demobilized civilian war workers. The time to prepare for peace is now and a sure way to do it so far as the West is concerned is to provide the Bureau of Reclamation with funds to complete field investigations and prepare plans and specifications so that work can be started promptly when the demobilization period begins in earnest.

I, in common with other western Congressmen, was hopeful that the committee would find it possible to allow the entire amount approved by the Bureau of the Budget for rodent- and predator-control work carried on by the Fish and Wildlife Service. Predatory animals, particularly the coyotes, are a major problem in connection with livestock and poultry production in the western areas. In recent years, despite the great effort made to control them, livestock losses have increased. Such losses have been due largely to the fact that private trappers who normally would engage in at least part-time control of these animals either are in the armed forces or in some of the war industries. Because of this lack of personnel, the toll taken from livestock and poultry supplies by predators has increased materially and accounts for a direct reduction in the total meat production of the Nation. The only remaining force which has held these losses down has been the work of the Fish and Wildlife Service in cooperation with the various States and organizations in the West. An increase in this control work is essential if losses are not to become greater. Despite the fact that the hunters of the Fish and Wildlife Service took 119,879 of the larger predators during the last calendar year, that agency has not been able to meet the situation completely. There is no quicker and more direct way to increase the meat supply than to cut the heavy losses due to predator depredations.

The Western States are keenly aware of the intensity of the problem and contribute to the control program more than twice the amount of money contributed by the Federal Government. This, despite the fact that the Federal Government directly owns more than 50 percent of the total area of the most of the Western States. Last year, as I have said, the hunters working in this cooperative service took 119,879 of the larger predatory animals. This accomplishment saved many millions of dollars of livestock and poultry which would not otherwise have been available to supplement the critical food supply. To the extent that predator-control work can be increased to reduce further the losses, meat supplies flowing to the market can be substantially increased. I hope that, if the Senate increases this appropriation, the committee will view sympathetically this problem which is of such importance in the Western States.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield 6 minutes to the gentlewoman from California [Mrs. DOUGLAS].

Mrs. DOUGLAS of California. Mr. Chairman, in this bill and in the committee report on the bill, I find in several places that we are presented with a policy of blocking and stifling public power developments—a policy of blocking and stifling public power in California—a policy that is contrary to the desires of the people of California—a policy that is contrary to the repeated expressions of this Congress—T. V. A., Bonneville, Fort Peck, and the very recent expression of Congress in flood control of last year.

Congress for the last 20 years has expressed itself as giving preference and priority to public agencies in the sale of power generated at Federal expense. In this committee report, priority and preference is given to a private power monopoly—namely, the Pacific Gas & Electric Co., of California.

A policy that is the reverse of that advocated repeatedly by President Roosevelt and President Truman, and a policy that bids ill for the industrial development and resource development that California must have to solve its post-war problems.

On page 17 of the committee report comes the tip-off when the committee announces that it has knocked out of the recommendation sent to Congress with Budget approval by President Roosevelt, a $500,000 item for a Government transmission line to make the benefits of Government-generated power available to the people in Colorado.

But on page 18 of the committee report, the implication of this policy is really revealed. A million dollars has been cut from the money required by the great Central Valley project of California on which we rely for much of our post-war reconversion. Specifically, this committee has disapproved items for $115,000 for planning a power plant to firm up Central Valley power and $100,000 for planning the necessary transmission lines and switchyards to make the power generated at the great federally constructed Shasta Dam available at low cost to the people of my State.

This fight against letting the Government bring the benefits of low-cost Federal power to its people is nothing new to California. We have watched it go on for year after year, and here it is again in this measure.

The proposal in the words of the committee is just this—first paragraph, page 18:

> It is the intention of the committee that none of the funds appropriated in the bill, or heretofore appropriated, shall be used for any purpose in connection with the establishment of a steam plant or a transmission system.

Never before has Congress turned over a federally financed project, neatly tied up in a prize package, to a single private outfit.

Where does this leave the people of California? It leaves them with cheap power, but no way of getting it unless they pay toll and homage to the private utility to bring it to them. It leaves them without the benefits which were promised them when they fought for and secured the approval of the Central Valley project and Shasta Dam.

And where does this proposal leave the Government? It leaves the Government in the unbusinesslike position of having only a single customer who can dictate the terms on which it will take the Government's power.

Where does it leave the Pacific Gas & Electric Co.? It leaves the Pacific Gas & Electric Co. in the driver's seat between the people's dam and the people. It leaves the Pacific Gas & Electric Co. with Shasta Dam power built at the people's expense.

Page 18 of the committee report is an attempt to write policy through an avenue that is not legislation. It is exactly comparable to what was done in 1922 at Muscle Shoals, when the power was turned over at the busbar to the Alabama Power Co. for less than a quarter of a cent per kilowatt-hour and was sold by the Alabama Power Co. to farms immediately adjacent to the dam for 10 cents a kilowatt-hour, or 40 times what the Alabama Power Co. paid to the Government. So the people were taken on both sides of the deal—first, when the power was sold at the busbar and, again, when the farmer bought it back from the private power company.

This was done by executive contract under Harding and led up to the first Norris Muscle Shoals bill. Congress expressed its opinion on this public-policy feature by passing the Norris bill. Coolidge vetoed it. Then Norris and the Congress repassed the bill and Hoover vetoed it.

It took a Democratic President, our great leader, Franklin Roosevelt, to go along with Congress and its policy of public power.

Does this House want to reverse a 20-year policy and return to the thinking of Harding, Coolidge, and Hoover?

Is it possible that this Congress means to turn over the people's money and the people's water and the people's project to the Pacific Gas & Electric Co.?

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, it is always a pleasure to hear the distinguished, eloquent and charming gentlewoman from California [Mrs. DOUGLAS]. She made a very earnest speech, and we are always delighted to hear the charming and beautiful gentlewoman make her earnest speeches. But let me assure her and this House that the very serious charges she saw fit to read into the RECORD positively does not apply to the action of this committee. What seemed to be a plain attempt to smear members of this committee will fail.

What the charming lady evidently would like this committee to do is to embark on a real spending spree—embark on a program not to spend a few hundred thousand dollars or even a few million dollars, but a spending spree that will ultimately cost at least $75,000,000 on

this project alone. The committee refused to embark on such a program. Possibly $75,000,000 does not mean anything to the charming lady from California, but it does mean a whale of a lot to the taxpayers of Oklahoma, Arkansas, and the other States in the Union, who incidentally are called upon to help foot the bill.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Not at this point.

Mr. Chairman, according to witnesses who appeared before our committee, there is no shortage of power in this area. No witness appeared before the committee who ever claimed any shortage of power there. If this proposed $75,000,000 or $100,000,000 were allowed and expended—and I weigh my words—the Government would get no more money from the sale of power than if not a dollar of this huge expenditure had been made. These are facts that cannot be successfully denied.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself an additional minute.

Members of Congress with whom I have served for these 10 consecutive terms know my position on public power, even though the gentlewoman evidently does not. For her information I will say that I was a member of the original committee that wrote the T. V. A. bill. I spent long hours in the study and preparation of that bill. I have given my full support to Grand Coulee Dam, Boulder Dam, and other great power projects of the country. No Member of either House of Congress has been or is now stronger for public power, so vitally essential to the war, than I. What I say in this connection with reference to the humble chairman of this committee is true of all other members of this committee. Never have I objected to constructive criticism, but have welcomed it. Constructive criticism is always helpful. But this committee is entitled to have any criticism based on some semblance of fact. I would be derelict of my duty as chairman of this committee if I did not answer the very serious charge that this committee has gone over, bag and baggage, to the private power companies. The charge not only is without any basis in fact, but it is manifestly unfair to members of the subcommittee, who have no ax to grind, political or otherwise, except to secure the real facts and act accordingly.

The action taken by this committee on the pending bill is the same as the action taken a year ago. So it is no new policy on the part of the committee. Nor is it a new policy on the part of the Congress. A year ago, the committee was solemnly told by the Department that the project referred to so feelingly by the gentlewoman of California would cost only $50,000,000, but now the same officials admit it will cost $75,000,000. When they come back a year from now they will no doubt tell us it will cost $100,000,000. No one knows what the ultimate cost would be, but probably three times the amount of the original estimate.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. DOYLE. Mr. Chairman, will not the gentleman take another minute to answer a question?

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 1 additional minute. I now yield to the gentleman.

Mr. DOYLE. I merely wish to call the gentleman's attention to the fact that on tomorrow not only the gentlewoman from California, but other Congressmen from my distinguished State will participate in this debate supporting the very statement the gentlewoman from California made a moment ago.

Mr. JOHNSON of Oklahoma. That, of course, is their privilege. We are always delighted to have the full facts. Knowing the members from California as I do I am sure they will present the facts from their viewpoint in fair and forceful manner. I cannot believe, however, that they will join in an effort to impugn the motives of this committee. To say that this committee has failed to give the great State of California all the money your State wants or needs is one thing—but to charge the committee with being a tool of a private power company, or words to that effect, is entirely another.

Mr. JOHNSON of California. Mr. Chairman, will the gentleman yield for a question?

Mr. JOHNSON of Oklahoma. I yield.

Mr. JOHNSON of California. Why did the committee eliminate the two small items of $115,300 and $100,000 for the mere purpose of preparing plans for transmission lines?

Mr. JOHNSON of Oklahoma. That is a fair question. There was no evidence presented that any need was shown for the proposed transmission lines. And, as I previously stated, that modest request was only the beginning of this $75,000,000 proposal. I might add that the State of California has not fared so badly at the hands of our committee. We have already spent more than $150,000,000 on the Central Valley project and the end is by no means in sight.

Now, let me say to the gentleman——

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself an additional half minute to say that the Members of the California delegation and other delegations have had every opportunity to make their presentation to the committee and they failed to do so. The committee could act only on the evidence it had before it. If the gentleman and his worthy colleagues had any evidence to present he and they had ample opportunity to do so. The fact they did not is certainly no fault of the committee.

Mr. JONES. Mr. Chairman, I yield 1 minute to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, I asked for this minute merely to call attention to the principle on power that was enunciated in the Flood Control Act adopted in Congress last year. The paragraph is cited in part III of the hearings on this bill. In the Flood Control Act of 1944, section 5, the Congress enunciated a policy on power; and I call attention to it because the gentlewoman from California in her remarks stated that the Congress had never before taken a position of limiting the sale of power to wholesale power. I call attention to what the Congress did as a matter of declaring a public policy last year following hearings by the Flood Control Committee of the House and the Senate Commerce Committee, and then long protracted debate during the year, as those will remember who were following that debate.

This paragraph on the declaration of policy on power reads:

> The Secretary of the Interior is authorized, from funds to be appropriated by the Congress, or acquired by purchase or other agreement, to construct only such transmission lines and related facilities as may be necessary in order to make the power and energy generated at such projects available in wholesale quantities for sale on fair and reasonable terms and conditions, to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies.

In other words, last year, on the basis of a debate that ran through the House and the Senate all summer long, and all fall, until the bill was finally enacted into a law signed by President Roosevelt in December, the Congress declared that it was to be the policy to restrict the Government in construction of only such transmission lines as were necessary to make possible the sale of power on a wholesale basis, so that the action reportedly taken with respect to a California project is not new or unprecedented, but in line with the policy formally and deliberately declared by the Congress.

Mr. JONES. Mr. Chairman, I yield 10 minutes to the gentleman from Colorado [Mr. HILL].

Mr. HILL. Mr. Chairman, at the outset I take time to commend the chairman of the subcommittee, the gentleman from Oklahoma [Mr. JOHNSON], as well as his committee, who have brought in this bill to the House. There are many things in the bill that are cut, that some of us think should have a little more attention in the way of finances, but these are strenuous times, and everyone recognizes the fact that we must get along with the machinery and equipment that we have at the present time. I do not think that there is a district in this great United States that is more interested in this particular appropriation bill than is my own district, the Second District of Colorado. The reason why we are so intensely interested in this district is because in it we have the power of the great reclamation project. That is not a project that was begun yesterday or the day before, but it is already here and in process of completion. This tunnel runs through the Continental Divide for 13 miles. It is already finished and now is being cemented. The thing that we are interested in is to get this water over on the eastern side of the Rocky Mountains, or the east side of the Continental Divide, just as quickly as possible. In this par-

ticular appropriation bill the committee has seen fit to take off that appropriation some $100,000. I am not complaining as to that at all, because the committee went into detail and probably collected enough information that warranted it in making this cut. That probably is correct, because it is hard to get manpower and hard to find proper equipment to finish this work; but we do hope this work can be finished and that we will be able to get water on the eastern side of the Great Divide in 1945.

There are several other things I ought to call attention to. I am sure all will be interested in what was said when the chairman made the report to you yesterday, and I compliment him on the fine address that he made yesterday. It is one of the best that I have ever heard given, and from the opposition side I feel that he should appreciate what we say. I want to refer to two or three things. One is his compliment to the Bureau of Reclamation:

> The fact that the committee allowed substantial sums for the continuation of construction and completion of several important projects is evidence that it feels these projects are worth while and have justified their continuation and enlargement.

That is a good statement, and I desire to emphasize it. Another statement he made in respect to the Bureau of Mines is as follows:

> The importance of new ore reserves so essential to the war located and developed by the Bureau of Mines cannot be overemphasized.

That is a good statement. Also:

> The Bureau has also carried on diligent research and experimental work in the processing of ores that has made a substantial and important contribution to the successful prosecution of the war.

What better statement could the chairman have made than that?

Another statement that interested me intensely was the one the chairman made about the Rocky Mountain National Park, when he was talking about the National Park Service, "The National Park Service had a hard row to hoe in this war." Our own park in the prewar days had thousands upon thousands of visitors. When the gasoline was cut down and the use of automobiles and travel was curtailed from every angle, it made it hard on those boys in the park. Nevertheless, they have given a fine opportunity for our folks who have been somewhat curtailed by reason of lack of transportation to visit the park and have given these young men who have come home from the war an opportunity to spend some time in the mountain section of this country. He further said:

> On the other hand, this Service is to be commended for the spirit with which it has carried on, under extremely adverse circumstances.

I might say that the Rocky Mountain National Park had about 60 percent as many visitors in 1944 as it had in other years, which is a real record. I say frankly that they have really done a fine service in giving our boys and girls in the service an opportunity to come into that area for rest and recreation.

Take the matter of fish and wildlife. We are interested in fish and wildlife in Colorado. May I say to you that in these days of short meat rationing we should be interested in the development of food, something that we have not given much consideration to. This committee has seen fit even to give those boys as large an appropriation as they asked for.

Another thing I would like to say in regard to Big Thompson is this: This supplemental water that comes through the Rocky Mountain Continental Divide comes onto the eastern part of the slope and does not irrigate any new territory. Let me emphasize that. It is supplemental water for over 300,000 acres of land already under irrigation that we have on the east side of the Rocky Mountains. The irrigation ditch is there. The farmers are equipped with the right type of machinery and they are familiar with the right kind of farm practice. So I say to the committee in all earnestness that next year they should see fit to give as large an appropriation as is necessary in order that this great project may be fully and completely developed.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FLOOD].

Mr. FLOOD. Mr. Chairman, with reference to that part of the committee's report that has to do with the Solid Fuels Administration, Mines Division, I would like to point out that the request made there for mine inspectors was for 20 additional inspectors. We are very grateful to the committee for having given us 10 additional inspectors. Of course, this includes the bituminous as well as the anthracite mines. This subject deals with the entire country, it is not just in Pennsylvania. It includes some twenty States. However, 150 less fatalities occurred last year because of the brilliant work of this mine inspection staff. We certainly think that with the United Mine Workers of America wholeheartedly back of this request, and the Bureau itself keenly concerned about the future welfare and the care of the mine workers in this most hazardous of occupations, that this committee will see fit and proper to give us and to the Department these 10 additional mine inspectors, and if we are not successful before this distinguished Committee, we certainly pray, indeed, that the Senate will give us 10 additional inspectors under this provision.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. FLOOD. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. It is also true that the machinery and equipment that is used is being depleted because it cannot be replaced and that is all the more reason for intensive inspection.

Mr. FLOOD. That is an excellent suggestion. The gentleman always makes excellent suggestions.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield 10 minutes to the gentleman from Utah [Mr. GRANGER].

Mr. GRANGER. Mr. Chairman, I appreciate the work of this great subcommittee and realize the responsibility of this committee in determining what these appropriations shall be. May I at this time express my own personal feeling toward the distinguished chairman of the subcommittee, who during all the time I have been in Congress has been very friendly and fair in all the dealings I have had with him.

It is often said that the Committee on Appropriations uses an ax to cut down appropriations, but in my opinion this time they used a shotgun. In this case they certainly did not play any favorites. From my experience here, I am not aware of a time when more departments and individuals were displeased with cuts that were made in an appropriation bill. There is not a thing in this bill that has to do with my own district, but I am interested in those things which have to do with our natural resources, and which are primarily located in the western part of our country.

I think even in time of war, and during this great emergency we are now in, we cannot overlook the developments that must necessarily be made because they happen to cover a long period of time. In the matter of the appropriation for the Bureau of Reclamation, the Bureau concerning which the chairman of the committee spoke so highly, I think there are items cut there that should not be cut. As far as I can see from the record, there was nothing in the record or in the committee's report that gave any indication of why the amount was excessive, or why it should have been reduced. I make special reference to the appropriation for general investigation for the Bureau of Reclamation. That is a long-time, tedious program that has to be carried on throughout the years. It seems to me at this time, when the war, we hope, is nearing its conclusion, we should look carefully into these matters to see to it that projects which are necessary and important in the national economy are made available to give jobs to returning veterans. The Bureau of Reclamation affords one of the greatest opportunities in that regard.

There is another item which I should like to direct to the attention of the members of the committee, the item of the Colorado River development. As I understand that appropriation, it comes from funds received from the sale of power and is distributed to the upper-basin States for development purposes. It seems to me that the Colorado River compact makes this appropriation mandatory. The upper basin States are entitled to that money which has been declared to be theirs under the compact. I can see no reason why that fund should be reduced a cent, let alone $1,000,000.

The Bureau of Mines, another agency that has done such an admittedly good job, has also felt the ax. We will wake up some of these days and find that we have done considerable irreparable damage in the way of exploiting and deteriorating the mines of our country. We will find out some of these days that the only time you can get ore and critical materials is when, where, and in what quantities you find it. A cut in this fund of the Bureau of Mines for investigation of the deposits of critical materials is wholly uncalled for at this time, it seems to me. That investigation should be carried on and I hope the committee, before it gets through here, will restore some of these reductions.

I was especially amazed at the words of the committee that in my estimation cast some reflection on a very competent and worthy instrumentality in the Department of the Interior, namely, the Grazing Service.

It seems to me the committee went out of its way to say something detrimental of this Service. I could not stand here and see the record left that way. In the first place, let me say this agency has had the responsibility of administering one of the most difficult agencies of this Government. It has had to start without any precedent. It has grown and developed out of experience. I know many of these men who are in this Service, and they are men of the highest caliber and of the highest type of public servants. There can be no aspersion cast upon them that cannot rightly be charged to any other agency of the Government, namely, that their organization is top-heavy with administration. This is certainly not a new complaint against any of our Government agencies. But be that as it may, the committee went on to say in its report that because of this condition it had not performed its duties in a proper manner, and for that reason it was going to be necessary, they said, to raise the grazing fees to take care of the Grazing Service. That is the thing I want to say something about here this afternoon. As I have said before, and people who are familiar with the facts know, great portions of the livestock industry at the moment are not in prosperous condition. It seems to me a most inopportune time to be raising grazing fees or placing any other burdens on the livestock industry. There may come a time when the war is over, and when the proper investigation has been made, that some adjustment might be made, but certainly not at this time. I may add in that connection that I have just talked to the Secretary and he tells me that this whole matter of raising fees is under discussion and will be carried back to the producers and other agencies of Government and nothing will be done until a thorough investigation has been made.

The grazing fees of the Grazing Service, it must be remembered, should only be charged part of the time for administration. If I have the figures correct, that fee, and that portion of the fund which is attributable to the Grazing Service is about 70 percent of the money appropriated to the Grazing Service. Therefore, it should never be considered, or thought, that the Grazing Service should carry the whole responsibility of this agency because it performs functions which are of general importance and chargeable to the country as a whole.

I was very much surprised when I read the report from the Subcommittee on Appropriations that accompanied the bill making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, especially that part directed at the Grazing Service of the Interior Department.

I have followed the organization and administration of the Grazing Service since the passage of the act in 1934, and this is the first time that I have heard it intimated that the Grazing Service, as far as it had funds available, was not doing an excellent job for the western livestock industry.

I also am one who knew, and who cherishes the memory of, the late Edward T. Taylor, author of the Taylor Grazing Act, and former chairman of the House Appropriations Committee. I call your attention to the CONGRESSIONAL RECORD of June 28, 1941, which carries one of the last speeches of this great man, wherein he paid glowing tribute to the Grazing Service and its administration of the Federal range lands.

I also believe the record should be corrected in referring to the testimony of Secretary Ickes which is mentioned in the report. If all of this testimony is carefully reviewed, it will show that this was only an estimate, and the administration by the Grazing Service was to be supplemented by the use of money appropriated to the existing bureaus and agencies in the Department. The increase in the 1936 appropriation of $100,000 was occasioned by the decision to set up advisory boards in each one of the grazing districts, which were to be established so that the actual range user could assist the Grazing Service by recommending administrative action. This system to extend home rule on the range was so eminently successful that the Taylor Grazing Act was amended in 1939, setting up these advisory boards by law.

I would also like to call the attention of my colleagues in Congress to the fact that in 1936, in addition to the $250,000 which was appropriated, the Grazing Service was further assisted by the transfer of some $65,000 from other established bureaus in the Interior Department, and in that same year the Service also received more than $2,400,000 as an allotment for the handling of the Civilian Conservation Corps program. At this point I would like to emphasize that from 1936 to and including the fiscal year 1942 the Grazing Service received each year an average of over $2,000,000 for the administration and handling of the Civilian Conservation Corps camps, and these camps handled all fire protection and parts of other functions, such as range surveys, range examinations, and range improvements. These funds supplemented the appropriations made by Congress for regular administration. During these Civilian Conservation Corps days the Grazing Service had a much larger organization than it now has.

Furthermore, in 1936, until the Taylor Grazing Act was amended in that year, there were only 80,000,000 acres which could be placed in grazing districts. That same year the law was amended, establishing a limitation of 142,000,000 acres. Additional duties and responsibilities have been given to the Grazing Service. The other agencies of the Department which had a full-time work load could no longer contribute men and funds, and it was absolutely essential for the Grazing Service to seek adequate appropriations from Congress.

It must be remembered that these are the remnants of our once great body of public lands which for 80 years were used and abused as a public commons, with the result that extensive areas have been depleted of their better forage plants in a great measure and have lost much of the original topsoil.

When established as grazing districts, these lands were poorly developed as to watering places and other essential range improvements. There has been a tremendous rehabilitation and development job that is only partly accomplished.

Controversies between users and different interpretations of the act and the Federal Range Code still require a great deal of time, including the establishment of necessary facts regarding each individual livestock operator.

It seems utterly unreasonable, therefore, to expect that this entire undertaking should be self-sustaining at this stage or for some time to come. To expect it to be so would be the same as expecting an irrigation project, for example, to be self-sustaining from the day the first shovel of dirt was turned at the beginning of its construction.

It must be remembered also that the Taylor Grazing Act is more than just a matter of selling and administering the use of grass. One of the great objects of this act is to conserve the resources in the interest of the Nation as a whole, and to protect these lands against destruction. Most of the streams used for irrigation in the West lie in part or flow across these lands. The protection is, therefore, doubly necessary to safeguard against erosion, soil deterioration, and is necessary to protect not only the lands themselves but also the water supplies and irrigation works upon which the whole West is so dependent.

Nowhere is there another example of conservation work by the Government where a conservation project has been intended to be, or has it been possible for it to be, self-sustaining from the outset. Conservation of the natural resources, of which the administration of the grazing districts is but a part, has been recognized as essential to the national welfare, even though the costs at the beginning and for many years have exceeded, and always may exceed, the direct financial returns.

The work of an average grazing district involves the annual issuance of licenses and permits to 386 settlers and ranchers with an average total of 200,000 head of livestock, determining qualifications of users, checking the grazing capacity not only on the Federal range but also on the intermingled privately owned range, allocating the specific areas of range to be grazed by each permittee, checking the forage capacity of the range and the forage-producing lands required for each permittee's livestock for the time they are not on the Federal range, collecting and accounting for the grazing fees, handling trespass, classifying lands under the land laws, supervising the maintenance and construction of range improvements, protecting the range from fire, directing soil and moisture conservation activities, and many other activities too numerous to mention.

The average grazing district contains approximately two and one-half million acres of Federal range and almost an equal area of intermingled State and privately owned land. This is comparable in size to the State of Massachusetts. At the present time, the Grazing Service only has an average of 4.6 persons for

administration and protection of an area the size of Massachusetts, including each clerk and employee of the Service in the Director's office, the regional offices, and the district offices.

The Grazing Service, by the establishment of its headquarters in Salt Lake City, Utah, is located in the center of the livestock industry. Its regional offices, with one exception, coincide with the States, where close cooperation can be obtained from State officials. The establishment of district offices right on the range has been found most advantageous from the users' point of view.

From personal observation, the employees of the Grazing Service are doing a most excellent job of range administration. The president of the American National Livestock Association, Mr. A. D. Brownfield, in commenting on a proposed memorial which would have asked the Congress to abolish the Taylor Grazing Act, said, according to the Associated Press, that if Congress heeded the memorial "some 22,000 permittees stand to lose rights never before enjoyed in the use of Government land." Mr. Brownfield further stated that the act "has almost completely stabilized the livestock industry dependent upon the use of these lands."

My colleague the gentleman from Arkansas [Mr. NORRELL], at page 463 of the hearings before the Subcommittee on Appropriations on the Interior Department bill for 1946, said:

> I want to say to you that I have seen the Grazing Service develop, and I am a friend of this work, and my questions are not intended to indicate that I am opposed to the Service. I think you are doing a fine service.

As to grazing fees, I will only say that, while an increase is being considered, no formal recommendation has been made by the Director of Grazing to the Secretary of the Interior for an increased fee, and that the Secretary of the Interior has told the chairman of the Senate Committee on Public Lands and Surveys that a reasonable time will be given for the committee and the interested stockmen to present all the data possible, which will be given every consideration before any increase is determined.

In this connection I would like to point out that all the benefits of the Taylor Grazing Act do not go directly to the stockmen who use the Federal range in grazing districts. This direct benefit, under the salaries and expenses appropriation, only amounts to 68.6 percent of the appropriation requested. The other 31.4 percent goes to the over-all public interest.

Therefore, it is my thought in considering appropriations for the Grazing Service, that this public benefit should always be given consideration.

I hope, in this connection, in referring to these things briefly, as I can only do in a few moments, that these people who are so interested—and we all ought to be interested—will remember that we have one great country and that we cannot legislate for one part of the country to the disadvantage of some other part. The great wide-open spaces of the West, that some people do not think so very important, make their great contribution to the welfare of the country in general. The West depletes its soil, its forests, and its mines, and sends its products back to the centers of population where they are fabricated to create wealth for the whole Nation.

The CHAIRMAN. The time of the gentleman from Utah has expired.

Mr. JENSEN. Mr. Chairman, I yield to the gentleman from Oregon [Mr. ANGELL] such time as he may desire.

THE WAR ACCOMPLISHMENTS OF THE BONNEVILLE POWER ADMINISTRATION

Mr. ANGELL. Mr. Chairman, this bill carries the appropriation for carrying on the activities of Bonneville Power Administration for the fiscal year 1946. The Budget estimate submitted to Congress by the Bonneville Power Administration is broken down into two parts: Operation and construction. The budgeted operation limitation of $4,206,690 is to be met with $3,500,000 of new appropriation plus $706,690 by the use of previously appropriated funds. The construction budget of $15,811,000 does not require new funds, as previous appropriations cover this. Practically, the construction budget submitted, since funds have been appropriated, only amounts to a statement of priority of projects.

All of this is scheduled for the war effort, and will be determined by balancing material and manpower allocations against war power needs.

In the construction budget, I may say in passing, the only items in my district are: Troutdale substation additions, $890,000; and my district's proportionate share of feeders and services allocations of $2,600,000.

I regret that the Appropriations Committee has seen fit to make a cut in the appropriation requested by this agency. Unfortunately, the major portion of the cut will fall upon the employees of the agency. I trust that the items will be restored to the bill so that the excellent job this agency is doing in the war effort will not be crippled.

The basic policies and objectives set forth by Congress in the Bonneville Act and applying to the Bonneville Power Administration have been a lifesaver during the war period. The availability of large amounts of low-cost electric power in the Pacific Northwest, capable of being delivered at any point within a wide radius in the area, has made possible the production of war materials and supplies in quantities heretofore unrealized.

The Bonneville Power Administration has provided electric power for war production, but in addition has also reduced the war cost on such important items as aluminum, magnesium, ferrosilicon, carbide, and other critical war materials. On aluminum alone the power cost from Government-owned plants in the Pacific Northwest is 2 mills per kilowatt-hour as compared to 5 to 7½ mills for Government-owned metal plants which are served by eastern fuel-produced power. The savings in 1 year in power cost of 2 mills instead of 5 mills per kilowatt-hour, for example, amounts to nearly $15,000,000 for the Pacific Northwest's 1944 production of one-half billion pounds of aluminum. Based on this rate, savings only on the Northwest aluminum produced with Bonneville power resulted in a saving to the Government of about $45,000,000 for the war period.

In 1917 the market price of aluminum ranged from 35 cents to 64 cents per pound, having been 19 to 27½ cents per pound in 1913. In 1939 the market price of metallic aluminum was 20 cents per pound. Under the influence of the 12-cent production cost of the Columbia River plants the metal price has been reduced at this time to about 15 cents on the average. In 1 year, through negotiations, the Federal Government recaptured $76,000,000. This recapture, plus the influence on metal price with the quantities delivered, approximates $200,000,000. This is a saving to the Treasury that has been influenced by the low-cost Columbia River production.

WAR MATERIALS

The war materials and supplies used to crush the Axis Nations would have been produced in the United States regardless of cost. It follows, therefore, that the quantity of materials supplied is even more impressive than the savings achieved.

The plants served directly by the Bonneville Power Administration have produced in excess of one and one-half billion pounds of pig aluminum up to the end of the calendar year 1944. This is over 30 percent of the national aluminum production and represents the same percent of our total national airplane production. In the calendar year 1944 alone these plants produced 561,700,000 pounds of pig aluminum, or 36 percent of the national output for that year, even with 4 pot lines shut down after August 1944. The Bonneville Administration has also supplied motivating power to one of the three large aluminum sheet mills in the Nation, the annual capacity of which is 288,000,000 pounds, or one-sixth of our entire national rolling capacity.

SHIPYARD ACTIVITIES

Mr. Chairman, the entire Nation is aware of the achievements of the shipyards in the Portland area. Three Kaiser yards alone have produced 665 vessels to December 31, 1944, consisting of Libertys, Victorys, tankers, aircraft carriers, escort carriers, tank-landing barges, attack transports, and Navy auxiliary orders. Four other shipyards in this same area produced 583 naval vessels, converted 6 merchant ships to aircraft carriers, assembled 350 locomotives for Russia, and produced numerous other equipment. One concern in Portland alone produced 3,500 lifeboats for the Navy and merchant marine. Shipyards in the Seattle-Tacoma area have been engaged in the most essential construction of larger ships and, in addition, have handled battle repairs. All of these yards received all or a substantial part of their power from the Bonneville transmission grid. Ship-supply contracts in the Bonneville transmission area exceeded $3,000,000,000. Without the availability of the Columbia River power and the Bonneville transmission grid these accomplishments would have been impossible. Over $2,300,000,000 worth of Air Force supply contracts have been made with northwestern manufacturing plants. The production of Flying Fortresses in

the Boeing plant is constantly making front-page news. In addition, this same transmission area has produced considerable parts and tools for the air program.

OTHER MATERIALS

Another important war production made possible by Columbia River power has been one-twelfth of the national magnesium capacity. Electro-metallurgical, electro-chemical, and other manufacturing plants have expanded their production capability through the use of hydropower. In addition, Columbia hydropower has displaced fuel generated energy of other power systems in the area, thereby saving the region and the Nation millions of barrels of critical fuel oil.

These industrial miracles have been achieved without any curtailment in domestic, farm, and commercial uses of electricity in the region. This further contribution has been so substantial that the War Production Board in their recent brown-out order excluded the Pacific Northwest from such restrictions because of the availability of ample Federal hydropower.

BALANCED UTILIZATION

The entire northwestern Congressional delegation as early as 1938 realized and stressed the importance of the necessary, balanced utilization to secure adequate employment. Over this entire period the delegation has worked together to point out what was needed to secure balanced utilization. During the last 4 years I have been the chairman of the informal House group working on this problem.

In 1940 when the first Defense Commission was organized, the delegation called this matter to the attention of this Commission. I made a speech on the floor in May 1940 outlining what was needed for both defense and employment. The war agencies were slow in giving attention to the suggestions offered by Members of Congress.

Some of the reasons then given by the economists and the war agencies for not heeding these suggestions—in the light of later developments—appear shamefully ridiculous. The post-war destiny of the Pacific Northwest for the last 5 years too often has been in the hands of men without western experience and without an understanding of the factors involved. The resulting decisions and the unbalanced utilization will impede full development in the Northwest during the coming reconversion period.

THE IMPACT OF RECONVERSION

Mr. Chairman, the impact of reconversion is going to be seriously felt in the Pacific Northwest. Proportionally, the adverse effect in this region will be four times as great as in any other section of this country.

I trust that the Members of the House will read the February issue of Fortune magazine, which devotes this entire publication to the Pacific Coast States, outlining conditions and problems. Fortune designates the transition from war to peace in this section as a "detour through purgatory," but admits that the shock can be materially lessened by aggressive early search for new power uses and new civilian industries.

Therefore, I will today, by comparative analysis, give you a measure of the regional import of reconversion, and some suggestions for making the transition easier.

COMPARISONS

The eastern regions of heaviest industrial concentration in the United States have an area approximately equal to that of the Columbia River watershed. This eastern area has 65 percent of all manufacturing in the United States, and 56 percent of national income, but only supplies a relatively smaller proportion of the raw basic materials. It produces but 25 percent of the Nation's minerals, 4 percent of the forest products, and 30 percent of the fisheries. Its farm population is 17 percent of the national total, and its farm income is 25 percent of the national total. The average population increase in war manufacturing centers in this region from 1940 to 1944 is but 6 percent, whereas the area population increase is but 4 percent; 58 percent of all war contracts went into this region. The heaviest concentration of wealth is also in this area, approximating 75 percent of the national total.

Now let us outline, for comparative purposes, similar statistics covering the area of the Columbia watershed. The Columbia region has but 2.5 percent of the Nation's manufacturing and 3 percent of the national income, although it has approximately 18 percent of the Nation's resources—producing, for example, 35 percent of the Nation's timber supply, with 55 percent of the Nation's merchant timber reserves. The mineral production of this area and its neighboring States is 25 percent of the national total, while the sea products of the Columbia Basin is 30 percent. Its farm income is but 4.5 percent of the national total. The war contracts executed in this region are but 4 percent of the total, while the potential hydro kilowatt-hour is 48 percent of the Nation's total. In all the industrial area of this region the population increase from 1940 to 1944 has been 26 percent. In my district, for example, the war population increase has been 32 percent, which, with San Diego, represents the greatest proportional increase in the entire country. Los Angeles has had a sizable increase, but its proportionate increase rate is only half that of the district I represent.

POPULATION AND WAR EMPLOYMENT

Now let us examine further factual details by comparing results of the 1940 census and a census recheck made in 1944. The labor demand created by two predominating types of temporary industries, namely, shipbuilding and airplane manufacture, required heavy labor importations. From 1940 through 1944, 405,000 people moved into the Columbia Basin and Puget Sound area from eastern States. The Kaiser Portland poll of these newcomers shows that only 24 percent had decided to return to their former domiciles. A similar poll made by the Seattle Chamber of Commerce indicated that 79 percent of the newcomers had decided to remain in the Northwest.

The number of wartime actual employees in the region have increased by 235,000, which is 38 percent of those actually employed in 1939. The heaviest increase has been in my district, with a 43-percent increased rate. In addition to these war workers, this region has sent about 305,000 young men into the armed services. If we discount the Kaiser and Seattle polls a reasonable amount to determine the workers that will remain in the Northwest, and assume a 60-percent estimating base, we will find that the region will have around 400,000 prospective employees looking for jobs in addition to the 600,000 who were gainfully employed in 1940. Nowhere in this country, aside from San Diego, will such an unbalance be found to exist. In 1939 the actual employment was but 85 percent of available labor supply. Thus far, I have only covered direct industrial employment. In appraising the over-all situation we must remember that for every employee thrown out of work there will be between 1 and 2 other people indirectly and adversely affected.

INDUSTRIAL EXPANSION

To soften the shock of reconversion, we must plan in advance for new markets, new outlets, and new uses of native resources. The war has industrialized the West, but this war process has used temporary types of industry. When the reconversion or cut-backs come, we must be prepared to substitute a permanent base for the temporary boom.

If our free-enterprise system is to survive in this world of chaos, Government must provide a healthy climate for expansion of post-war stability. To secure stability, Government must do all in its power to stabilize population shifts and promote reemployment. The western resources balance sheet has more on the asset side than on the liability sheet. Therefore, we have a substantial foundation for constructive effort. A course should be properly charted to avoid dangerous cutthroat competition. Investigation shows that when industries are brought into a region on wheels they generally go out the same way. The industries which survive and grow are those which are able to manufacture better and cheaper from local raw materials and under local environment.

This idea cannot materialize without feasibility, survey, and resource inventories. Therefore, my purpose today is to stress the importance of the advance marketing surveys in the Bonneville budget, which is before you. Unemployment is going to be disastrous unless some advance effort is made to find new types of employment. The only way that the transition can be softened is by advance blueprinting. The Government has a large investment in the northwestern plants. It is good business and good policy to keep these plants operating in the post-war period. It will salvage the Government's investments in the plants, utilize Bonneville Grand Coulee power, develop the immense natural resources of the Northwest, as well as provide employment.

NEW BUSINESS EXPENSE

New business expenditures is a recognized procedure and an authorized expense in the electrical industry. The industry recognizes that market expansion is not possible without such expenditures. In the pre-war years the official report filed with F. P. C., covering all private power companies having gross revenues over $5,000,000 per annum, show that these companies spent on the average of 2.75 percent of their gross revenues for new business activities. If a private industry were operating the Bonneville administration, they would budget about $635,000 for new business expense on the basis of reported revenues.

As I analyze the budget for the Bonneville administration, the funds requested for new business in the fiscal year 1946, which is sometimes designated as advanced-marketing surveys, totals about $365,000, which is but 1.5 percent of the estimated revenues. Therefore, the budget estimate before you appears low rather than high for even normal pre-war new business efforts. Last year, as I remember it, Congress granted $127,000 for such work.

This work can be carried on in my opinion, and should be for economical operation, through the use of consultants. Men who have the requisite experience to qualify for such work are at an age where they are beyond any manpower problems. I know that this type of assistance can be secured, and there will be no manpower problem connected with such an allowance. The Bonneville Act permits this type of work and the use of consultants.

TYPES OF NEW BUSINESS EFFORTS

Mr. Chairman, there are numerous possibilities for resource utilization in the Northwest. A few of the fields that might profitably be surveyed can be briefly suggested. These are:

First. Light metal, fabrication, forging, castings, and extrusion.
Second. Fertilizer manufacture.
Third. Alloy steels.
Fourth. Calcium carbide products.
Fifth. Plastics.
Sixth. Wood wastes.
Seventh. Agricultural products.
Eighth. Acids and caustics.
Ninth. Paper pulp and paper.
Tenth. Satellite industries.
Eleventh. Mineral utilization.
Twelfth. Fuel replacement.
Thirteenth. Raw materials.
Fourteenth. Farm markets.
Fifteenth. Sprinkle irrigation.
Sixteenth. Export markets.

And many offshoots of these main classifications.

The pool conducted by Fortune magazine amongst eastern and western manufacturers indicates that most of the manufacturers recognize post-war export opportunities in Latin America, China, Russia, Southwest Pacific, and in a lesser degree in Europe, for western products. Eastern manufacturers predict greater western sales than in the pre-war period. About half of the eastern manufacturers polled by Fortune indicated that they will open up western affiliates, but the sales and service outlets numbered 4.5 to each manufacturing branch.

In the past decade international commercial activities were largely confined to the Atlantic. The future will see a large commercial expansion in the Pacific. We should prepare to secure our natural share of potential markets.

ALASKA DEVELOPMENT PROGRAM

Mr. Chairman, I note with regret that the committee has not seen fit to allow in this bill any funds for studies and plans to provide for the development of Alaska under the Fish and Wildlife Service. This vast territory is our last great frontier which can provide homes for additional people, particularly for returning veterans. Many of those who have had experience in Alaska wish to return to that territory, but the distances are so great and the cost of living so high that few of those who do return will be able to succeed unless more specific information is obtained and made available. I am personally familiar with Alaska and know that the fishing industry provides the greatest source of livelihood for its people. I know also that under existing conditions the salmon fishery, so far as the quantity of fish taken from the waters is concerned, is exploited to the maximum possible extent. There are, however, important possibilities for increasing the runs of salmons if access to additional spawning grounds can be provided. Many of the streams, particularly those that are utilized by the pink salmon, which is the most important species in southeastern Alaska, are quite short and they are often blocked by waterfalls short distances from their mouths. A program for the construction of ladders around these falls or for providing other means of getting the fish above them, would greatly increase the spawning area available. Since this is a limiting factor upon the production of these salmon and since this species returns as adult fish 2 years after the spawn is deposited in the gravel, such a program would provide a quick means of furnishing additional food and additional employment.

There are other fish which are also capable of being exploited and developed into productive fisheries, but again our lack of knowledge of their seasonal abundance and distribution and the distances and expenses involved combine to make it difficult, if not impossible, for individual owners of small fishing boats to do the necessary testing and exploratory work. It is my understanding that some of the bottom fisheries of Alaskan waters are probably the greatest undeveloped fishery resources left in North America, and I believe that if accurate, up-to-date information were available, a very considerable number of ex-servicemen would be able to make a living fishing in these waters.

There are other types of studies that would produce information which would greatly assist anyone desiring to settle in this great territory. I am mentioning these as examples only and expressing the earnest hope that some means will be found to make it possible for those who wish to settle in Alaska, particularly ex-servicemen, to be provided with adequate information and guidance.

Mr. JENSEN. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, as a member of the Appropriations Committee, I appreciate fully the difficulties that confront subcommittees considering appropriation bills for the various departments of the Government. We have a most difficult task in any event and especially in this period of transition from war to peace. The handling by the subcommittee of the Interior appropriation bill was undoubtedly a tedious and trying ordeal and the members of the committee are to be congratulated on the patience with which they handled the various problems.

However, Mr. Chairman, I fear that the Interior appropriation bill as reported out failed to recognize that the time has come for this Congress to take aggressive constructive steps to prepare the Nation for peace through providing employment for returning servicemen and settlement opportunities for them on irrigated land in the West, where they can become self-sustaining.

With the allied armies now in Berlin, and Germany virtually crushed, the time is here when we can look to the end of this major phase of World War II. It is true that the gallant Army and Navy have yet a tremendous task in the Pacific, but the progress being made indicates that Japan will soon be reduced to a state similar to that of Germany. Under these circumstances, it seems to me that the Congress should provide funds now for such organizations as the Bureau of Reclamation to complete field investigations and to prepare plans and specifications so that necessary preconstruction work can be done and actual construction of irrigation and multiple-purpose projects in the West begin promptly when war veterans begin returning in greater numbers.

As a matter of fact, servicemen are now being discharged at a rate exceeding 100,000 a month and while a great many of them are being absorbed in war industries, the employment situation in many sections of the West, as well as the rest of the country, will soon become critical. We certainly should not seek economy at the expense of the returning veterans. We could afford billions to wage war, and destruction; certainly we should afford millions for production and constructive opportunities.

In reporting the Interior appropriation bill, the committee paid a well-deserved tribute to the contributions the Bureau of Reclamation projects are making to the prosecution of the war through its war-food program and the power produced for war industries. I commend the committee for this recognition of a job well done but insist that the Bureau of Reclamation or any other organization charged with similar responsibilities must have adequate funds to prepare it to do a real job in providing employment for returning servicemen. This employment will lead to permanent improvements that will return the costs directly and indirectly to the Federal Treasury through the creation of irrigated farms and self-supporting industries by power production. These facts

impress me and I believe will impress every Member of the Congress who gives it consideration.

Without a dissenting vote the Congress has very properly voted billions of dollars for the prosecution of the war. We have not blinked at appropriation bills carrying as much as $26 000,000,000 for 1 year's expenditures by a single agency. Yet, I read with amazement that modest budget estimates for general investigations and preconstruction work by the Bureau of Reclamation have been slashed on the theory that this important preparation for post-war work should await peace.

As much as I dislike disagreeing with my able colleagues on the Appropriation Committee, I call attention to a few of the reductions made in H. R. 3024, which, I believe, should be corrected.

The committee, on page 16 of its report, approve an improved method of providing administrative funds for salaries and expenses of the Bureau of Reclamation, but reduces the amount of the appropriation for this purpose from $4,000,000 to $2,500,000. I feel that the original amount recommended by the Bureau of the Budget should be restored.

I note that a $500,000 appropriation recommended by the Budget Bureau for a transmission line in connection with the Colorado-Big Thompson project in Colorado has been omitted. I feel that it is a grave mistake, both as a war measure and for post-war development, to deprive the people of that section of Colorado and Nebraska of publicly owned transmission facilities to carry power produced at Government-owned power plants.

The reduction in the estimate of from $5,500,000 to $1,495,000 for general field investigations and preconstruction work by the Bureau of Reclamation will seriously cripple the Bureau's efforts to have a shelf of projects ready to begin construction when veterans' employment is needed. I hope the Budget estimate can be restored before the bill is finally enacted into law.

It was with astonishment that I read at the top of page 18 of the committee's report that it had, in reducing the Central Valley appropriation $1,000,000, specifically disapproved an item to complete plans for a steam-power plant in connection with that project. It also disapproved an item of $100,000 for planning for transmission lines and switchyards. Both of these items relate to facilities essential to public power development in connection with the Central Valley project. The Federal Government has spent nearly $100,000 for Shasta Dam and power plant and Congress should provide the funds that will enable the Bureau of Reclamation to have plans completed for the construction of facilities that will enable it to market Central Valley power. My colleagues from California will give the committee more details as to this grievous error in the subcommittee's action. Also to be deplored is the elimination of the Budget estimate of $490,000 for preliminary work in connection with the Kings River project in California by the Bureau of Reclamation. This project, as the late President Roosevelt held, is predominantly irrigation and therefore should be constructed by the Bureau of Reclamation.

My friends from the Missouri River Valley will undoubtedly deal adequately with the reduction of the Budget estimate of $4,490,000 for preconstruction work by the Bureau of Reclamation and other agencies of the Department of the Interior on authorized Missouri River Basin projects. My observation with respect to the reduction in the funds for other preconstruction work applies to the action in recommending only $1,440,000 for this important advance planning for post-war construction.

I will now come, Mr. Chairman, to the Columbia Basin project, which is in my State. The irrigation development of the Columbia Basin project is the number one post-war development that the Bureau of Reclamation has planned. The Budget estimate of $8,332,000 provided funds as follows:

Dam and power plant	$1,500,000
Spillway reconditioning	2,632,000
Irrigation system (preconstruction	2,000,000
Land-purchase program	2,000,000
Examination and surveys	200,000
Total	8,332,000

The reduction of $2,332,000 made in reporting the Interior appropriation bill will seriously hamper some of the important functions which were recognized by the Bureau of the Budget. The Secretary of the Interior has recently approved the forms of repayment contracts with the irrigation districts, and the landowners of these districts, I am sure, will agree to the contracts at the forthcoming election. It is, therefore, of the utmost importance that the Bureau of Reclamation be prepared to go ahead rapidly with the preconstruction work on the irrigation system and the land-purchase program so that the irrigation facilities can be speedily constructed. The construction work will provide employment for returning servicemen, demobilized civilian war workers in the Pacific Northwest, and irrigated land that will be developed will assure settlement opportunities for these people who deserve the consideration of the Congress. It is my hope, Mr. Chairman, that the Congress, before the Interior appropriation bill becomes law, will have restored the Budget estimates for the important items I have mentioned, as well as for others which are necessary to enable the Bureau of Reclamation to prepare for peace, since the war clouds are now being dissipated by our gallant Army and Navy.

Mr. JENSEN. Mr. Chairman, I yield 25 minutes to the gentleman from Idaho [Mr. DWORSHAK].

Mr. DWORSHAK. Mr. Chairman, I have listened with a great deal of interest to the debate here yesterday and today, much of which has been on the part of my colleagues from the Western States. They are primarily interested in the various items contained in this appropriation bill for 1946. I yield to none of my colleagues in my devotion to the upbuilding and development of the western part of this country; yet having served on this subcommittee during the past few months while this bill was under consideration and while the hearings were being held, I have recognized it is not necessarily a display of loyalty to the Interior Department to follow blindly, to accept every suggestion, and to approve every budget estimate submitted by those various bureaus in the Department. Those officials are not infallible; and we in Congress, when appropriating these funds from the Public Treasury, have a joint responsibility to see that as few mistakes and as few blunders as possible are committed by those agencies. That is something that has been frequently overlooked.

As a member of the Committee on Appropriations and this particular subcommittee, I feel that I have a responsibility not only to the West and to the State which I have the honor to represent in this House, but likewise to the other areas, and particularly to the Federal Treasury; because it is upon the Members of the House and primarily upon the members of the Appropriations Committee that this responsibility rests.

I listened with much interest to the remarks made by my distinguished colleague, the chairman of the House Committee on Reclamation and Irrigation, the gentleman from Arizona, than whom there is no more loyal and conscientious member in this body. Yesterday he took issue with some of the comments made by the ranking minority member of this committee in regard to the reimbursable aspects of reclamation. For instance, the gentleman mentioned that possibly the entire development program—and he is interested in it just as I am—is being jeopardized because there have been some reductions made in the funds requested by the Bureau of Reclamation. I should like to call his attention to the fact that in this bill funds are provided to the extent of $6,000,000 in excess of the funds which have been currently appropriated for the Bureau of Reclamation.

LARGE BALANCES IN FUNDS

Further, I should like to direct the gentleman's attention to a report submitted to our subcommittee by the Bureau of Reclamation, listing the unobligated balances and cash balances as of January 31, 1945, in the construction fund of the Bureau of Reclamation.

I shall not mention the individual items, but these totals show the unobligated balance in the construction funds in the Bureau of Reclamation on January 31, 1945, amounted to $47,681,000. The cash balance on the same date was approximately $67,000,000. The estimated carry-over on June 30 of this fiscal year to 1946 is placed at $16,639,000. So my good friend from Arizona can readily see that the committee has not dealt too harshly with the construction projects of the Bureau of Reclamation, many of which have been held up for the past 2 or 3 years because of the acute manpower shortage and the lack of essential necessary materials.

I should like also to refer to a statement made by the gentleman in regard to the basic law involving the repayment of reclamation construction costs. He, inadvertently I am sure, made the statement that the interest rate of 3 percent was amortized in the repayments made

by reclamation districts. He surely must have been thinking about the 3 percent interest which is added to that part of the construction cost of any project which is allocated to power development; because, while the principal is repaid over a period of 40 years there is no provision made for the payment of interest on that part of the cost of any multiple-purpose development which is allocated to the construction of reclamation facilities.

VITAL WAR CONTRIBUTION

I was impressed by the statement made by Mr. Bashore, Commissioner of the Bureau of Reclamation, when he testified before our committee. I refer to his statement that during the year 1944 about $400,000,000 of foodstuffs were produced on the Federal reclamation projects. Likewise, I point with pride to the splendid production record of those power plants in the Columbia River Basin for the aluminum plants, shipyards, and aircraft factories. There has been a production of a million kilowatt-hours—a maximum production with existing facilities during the past 2 years—and that power has made a vital contribution to the production of the essential supplies required for the prosecution of the war.

On the basis that there will be a vast public works project of a permanent nature in the post-war period, the Bureau of Reclamation is planning an extensive expansion. Commissioner Bashore testified before our committee that, since 1902 when the Federal reclamation program was instituted, up to the present time, approximately $922,000,000 have been expended, or a little less than $1,000,000,000, over the past 42 years.

It might be assumed that this is an unusually large sum, even though virtually all of it eventually will be repaid to the Federal Government. However, it is noteworthy that this amount of money expended in the Federal reclamation program is the equivalent of what was spent during a 3-week period in 1944 under our lend-lease program. I am stressing this basis of comparison so that Americans who live outside of the arid west may fully realize that, when compared to such activities as lend-lease, our national reclamation program has not involved exceptionally large sums of money. There are hundreds of cities and towns embracing prosperous communities where there was once only desert sage-brush land. These irrigated areas have contributed materially during the war period such essential foods as beans, potatoes, dairy products, meat products, sugar beets, and peas.

HUGE COLUMBIA BASIN DEVELOPMENT

The largest single development currently being planned is the Columbia Basin project, which is estimated to cost approximately $500,000,000, embracing an eventual power development of almost 2,000,000 kilowatts and the irrigation of approximately 1,000,000 acres of land. Our committee conducted extensive hearings on this project and on the Bonneville Power Administration which distributes the power generated at both Bonneville Dam and Grand Coulee Dam. Although the power facilities at Grand Coulee have been only about half completed, approximately 1,000,000 kilowatts of power have been generated during the war years at that plant, most of which power has been utilized by war industries connected with the vast shipbuilding and aircraft production. One of the most difficult problems of the post-war period will be to provide alternative consumers of Grand Coulee power when the war demand subsides.

Much confusion developed in our hearings because of the divergence of data and information presented by various witnesses in behalf of Bonneville Power Administration and the Bureau of Reclamation. Although witnesses contended that careful planning has been completed, not only for the construction of the entire Columbia Basin project, but for the ultimate reimbursement to the Federal Government of the half billion dollars spent on this project, it is apparent that there are many uncertain factors which make such long-range planning extremely difficult. Although Federal reclamation has been in progress for more than 40 years, the Bureau of Reclamation now proposes to adopt several innovations in the Columbia Basin project which will likely be used as a precedent in the planning of subsequent projects in other States. For this reason, it is most pertinent to refer briefly to some of the cost factors and the allocations for repayment which will be used in this particular development.

The Bonneville Power Administration is selling power generated at Grand Coulee for $17.50 per kilowatt-year, although it was established that only about half of this amount was paid by the Power Administration to the Grand Coulee project. Witnesses before our committee stated that this rate was established in 1938 and that the figure was intended to cover all costs that would be incurred under the Bonneville Act, including amortization of the investment allocated to power over a reasonable period. A Bonneville official stated:

> I do not think the figure was mathematically and directly related to any particular costs or any particular amortization period.

He then added:

> Present indications are it was a pretty good guess in the early days or rather an estimate.

Upon further inquiry, the official contended this guess has been shown to be rather accurate although no testimony was submitted upon which to justify the assertion that this "guess" has justified the extremely low price of $17.50 per kilowatt-year.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. Yes.

Mr. JONES. Would the gentleman be able to make a comparison, based upon the cost of power in the T. V. A.?

Mr. DWORSHAK. I might briefly reply that I have studied the T. V. A. rates and got a basis for comparison of rates charged by the Bonneville Power Administration, and I find, on the basis of power purchased and sold to municipalities or publicly owned utilities, the rates run from 50 percent to 100 percent higher in the classifications of T. V. A. There may be intangible cost factors which are incorporated in the $17.50 rate used by the Bonneville Power Administration.

Mr. ANGELL. It is a fact, is it not, that these rates at Bonneville have been approved by the Federal Power Commission?

Mr. DWORSHAK. I believe that is true. I presume that same power commission approved all of the rates charged by the T. V. A. I have no quarrel with that, except with a keen sense of my responsibility as a Member of the House and of the Committee on Appropriations, I believe it is my duty to find out whether there is any need of remedial measures or readjustment, as far as any facilities of the Interior Department are concerned.

Mr. ANGELL. Is it not also true that the law specifically provides that charges must be readjusted every 5 years?

Mr. DWORSHAK. I think that is true. I am sure that, based on the information I have gleaned in this study of the past few months, the ultimate success of that vast development in the Columbia River Basin will depend largely upon the intelligent application of business principles on the part of the various Federal agencies involved.

Mr. ANGELL. I agree with that.

Mr. SPARKMAN. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. Yes.

Mr. SPARKMAN. With reference to what the gentleman said about the T. V. A. rates being a yardstick, I call the attention of the gentleman to the chapter in the book by Mr. Lilienthal, the Chairman of the T. V. A., in which he discusses yardsticks, and in which he very definitely brings out the point that a yardstick is not, when applied to power rates, something that can be applied to all areas alike, but one would naturally run into different rates in different areas.

Mr. DWORSHAK. I realize that it is also necessary to establish a yardstick for various classes of service in the great Northwest.

IRRIGATION COST ALLOCATED

Original estimates of the total cost of Grand Coulee project have been revised frequently, and the latest figure is $487,000,000. The Assistant Commissioner of Reclamation declared that, while the irrigation works beyond the dam construction will cost $280,782,000, it is contemplated that reclamation features of the project will be required to repay $85 per acre instead of $273 per acre, which is the actual cost of placing approximately 1,000,000 acres under cultivation. Testimony at the hearing indicated that power revenue will be required to repay the cost not only of the power portion of the total cost, but, likewise, to assume approximately $193,000,000, which constitutes the difference between $85 and $273 per acre. Witnesses stated the self-liquidating part of the half-billion-dollar investment charged to power will be $398,565,000.

Members of Congress should be interested in the ruling made on March 22, 1945, by the Secretary of the Interior in arbitrarily deciding that a construction

charge of $85 per irrigable acre should be made for land on the Columbia Basin project. Although the Reclamation Project Act of 1938 and other reclamation statutes provide for repayment of such charges over a period of 40 years, the Secretary also ruled that, under the proposed repayment plan in the Columbia Basin, the water users will have a minimum period of 50 years in which to make repayments, "this period comprising an anticipated 10-year development period during which no construction charges will be payable." In setting this extremely low-cost per-acre repayment charge, the Secretary has called attention to several other advantages for water users, such as power for pumping at a rate of one-half mill per kilowatt-hour.

HIGHER COSTS ELSEWHERE

Commissioner Bashore testified at the hearing that many Federal reclamation projects already completed and now in process of construction have contracted to repay larger sums to the Federal Government than $85 per acre. Further inquiry developed that the Roza extension of the Yakima project has costs of $244 per acre. In Oregon, the Owyhee project pays $180; the Deschutes project, $120; and the Vale project, $100 per acre. There are many other instances wherein repayment costs exceed $85, including the Boise-Payette project in Idaho, which is obligated to repay $133 per acre, and the Arrowrock-Anderson Ranch project, which carries a construction cost of $108 per acre.

I am not so much concerned about the specific amount which the Secretary of the Interior has determined shall be repaid per acre in the Columbia Basin as I am in the possibilities that other projects with much higher construction charges, as well as future developments under the Bureau of Reclamation, will expect comparable treatment and make demands for additional reclamation subsidies. This is a fundamental issue which may have far-reaching significance to the entire Federal reclamation program.

Another development during the hearings on this bill is the basis upon which the self-liquidating power repayments are predicated. Under existing law the allocations of total costs made for power facilities are repayable to the Government over a 50-year period with interest computed at 3 percent. The hearings disclosed that a new question has arisen which involves the determination of whether that part of repayment costs to be absorbed by power, as between the actual cost of reclamation per acre and the amount to be repaid by the water user, shall include merely the principal or also interest. It must be kept in mind that these additional costs which are said to be self-liquidating and which will be offset by power revenues, will run in excess of 50 years.

GRAND COULEE POWER REVENUE

The Bureau of Reclamation reports that during the fiscal year ended June 30, 1944, total power revenues from Grand Coulee amounted to $5,804,450, based upon a wholesale rate of approximately 1 mill per kilowatt-hour. There have been eight generators operating at maximum capacity at Grand Coulee with a production of about 1,000,000 kilowatts of power and a load factor of about 90 percent of capacity. Officials of the Bureau of Reclamation and Bonneville Power Administration testified at the hearings that a reduction of between 40 percent and 50 percent in the power demand is anticipated when the war ends, and particularly when the aluminum plants in the Northwest curtail operations. This will mean a drastic reduction in the gross power receipts, although probably there will be a limited reduction in the current power operating costs at Grand Coulee, which have been placed at $995,000 annually. Upon the basis of stimulated wartime operation during 1944, the figures submitted by these agencies indicate that it would require more than 80 years to liquidate the total power investment at Grand Coulee.

It will be contended that, when the full capacity of almost 2,000,000 kilowatts is installed, the power revenues will be correspondingly increased and thus make possible repayment of the power costs within a shorter period of time. However, there will likely be a reduction in Grand Coulee power revenues for several years after the war. It will be necessary to counteract this loss by providing additional outlets for this power in the years ahead. It was admitted that the $17.50 per kilowatt-year rate charged consumers by the Bonneville Power Administration had no mathematical basis; and so, it is difficult to reconcile these rates, net revenues, and repayments at Grand Coulee on the basis that there is any prospect of repayment within 50 years as is provided by law. In view of the fact that power proceeds will be expected to liquidate not only that part of the entire cost of Grand Coulee Dam and power facilities directly allocated to power, but likewise a reclamation subsidy of about $193,000,000, it is obvious that careful planning should be done to safeguard the Government's interests as well as to avoid developments which may handicap continued reclamation progress.

SOLICITOR RULES ON INTEREST

I should like to call your attention to the opinion handed down by the solicitor of the Interior Department on September 29, 1944, dealing with this question, which appears on page 1268. Not only will this opinion involve about $75,000,000 in this particular instance, thus vitally affecting the Government's investment in this project, but it is likely that the precedent established by this opinion will become the pattern to be used in subsequent reclamation development involving power features.

I am wholly sympathetic to the extensive development in the Columbia River Basin which will provide the fullest utilization of the natural resources of the States of Washington, Oregon, and Idaho. However, I believe that all of these facts should be called to the attention of the Congress, because the first appropriation for reclamation development at Grand Coulee is contained in this bill. Necessarily, many additional millions of dollars of appropriations will be requested of Congress, and it will be beneficial, not only to the Bureau of Reclamation and the Federal Government, but also to the Columbia Basin project, to have this long-range program based upon sound economic factors.

The Secretary of the Interior and the Commissioner of Reclamation recently appeared before the House Irrigation Committee to outline a post-war reclamation program amounting to almost $5,000,000,000. If these projects, involving vast appropriations, are to receive the approval of Congress, it is only reasonable to expect adherence to sound business principles in providing for the repayment of these funds to the Federal Treasury.

As we envision this extensive reclamation development in the post-war era to provide homes for returning veterans, to take up and supplant with peacetime activities and industry the wartime activity which has played such a prominent part in the development of the Northwest in the past few years, we must plan in such a way that this Congress and the people of the United States will not frown upon the future development under the direction of the Bureau of Reclamation and the Bonneville Power Administration. If we are faithful to our trust, and if the Committee on Appropriations and this Interior Subcommittee do their job conscientiously, they will receive the support of the Congress and the American people, which is extremely essential not only in planning but in consummating this development in the Northwest which will make such a vital contribution to the post-war program.

Mr. GRANGER. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. I yield to the gentleman from Utah.

Mr. GRANGER. I think the gentleman has made a fine statement. That is what a lot of us in the West are wondering about. The gentleman spoke of lend-lease, and the fact that other appropriation subcommittees have appropriated $7,000,000,000, $24,000,000,000, and other such sums with very little knowledge of where the money was going. But when we come here for $1,000,000 for the reclamation of agriculture, then we start to look at the Treasury and wonder where we are going.

Mr. DWORSHAK. It is time that this body and the Committee on Appropriations gave some scrutiny and consideration to the status of our Federal Treasury. We already have a national debt in excess of $250,000,000,000. Already the veterans of this Second World War are being discharged and returning home to ascertain what has been done by all of us who remained on the home front. We want them to realize that if extravagance and waste were justifiable as we poured out those billions of dollars to support the war effort and to minimize the loss of human life, it is now time for the strictest economy.

At this critical hour of the country's history, can we justify the continued extravagance of Federal budgets or deficits which have averaged $5,000,000,000 monthly? Let us plan this post-war reconstruction upon a sound basis so that our sons and daughters, when they re-

turn home from their war service, will believe that at least we made some effort to prevent these huge deficits.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. DWORSHAK. Briefly.

Mr. HORAN. Yes; and we also want to provide them with an opportunity, do we not?

Mr. DWORSHAK. Yes; and the opportunities which will enable them to resume civilian activities and not to assume any unreasonable obligations which will foredoom them to failure when they return to civil life.

Mr. HORAN. That is right. Will the gentleman yield further?

Mr. DWORSHAK. Yes.

Mr. HORAN. I wish to commend my colleague the gentleman from Idaho for a fine presentation. I was wondering whether, in your studies of the rate base, if, as I understand it, it was pointed out that the generators of Grand Coulee are rated at 107,000 kilowatts? I believe the rate is based upon that figure. The reason I raise that question is because in actual operation they are producing 120,000 kilowatts and I believe there is a difference there of 13,000 kilowatts. The 9 generators, then, would supply 117,000 extra kilowatts. This is a double advantage, and should be reflected both in the rates and the amortization schedule.

BUREAU'S 1946 OBJECTIVES

Mr. DWORSHAK. In order to acquaint Members with the 1946 objectives of the Bureau of Reclamation, I desire to insert at this point part of a statement submitted by the Bureau and appearing on page 933 of the hearings:

Increased production of food from irrigated land in the West and more hydroelectric power for war purposes are the major objectives of the Bureau of Reclamation for the fiscal year 1946. Without interfering with the prosecution of the war, the Bureau is getting ready for a post-war public-works program through the completion of surveys, plans, and specifications so that jobs for returning servicemen and settlement opportunities on irrigated land can be assured.

Six major purposes are reflected in the justifications for the appropriation estimates, which were transmitted to the Congress by the President on recommendation of the Bureau of the Budget:

First. Improvement of the administrative organization of the Bureau of Reclamation will be effected through operations that will result from the consolidation of administrative accounts under the $4,000,000 salary and expense item (general public-works program) to be paid wholly from the reclamation fund (not from the general fund of the Treasury). The Bureau will be enabled to administer more efficiently and expedite the return to the Treasury of the repayable parts of the Federal investment of more than $922,000,000 in irrigation, power, and multiple-purpose projects. It also will be in a better position to carry on the war programs for increased food and power, and prepare for a post-war public-works program to provide employment in construction and settlement opportunities on irrigated land in the West for returning servicemen.

Second. The operation and maintenance items, all of which are self-liquidating, are related directly to war food and power purposes. They are to provide the irrigation service required for more than 4,000,000 acres watered by reclamation systems, and to operate hydroelectric power plants with installations of nearly 2½ million kilowatts, a capacity greater than that of any other agency, Federal or private.

Third. Construction items, for which a total of $25,043,500 is requested, are principally to continue work cleared by the War Production Board or recommended by the War Food Administration for completing war-food and war-power projects, or other emergency work, held by the War Production Board to be essential to the prosecution of the war. Included in these items are several millions of dollars to prepare plans and specifications for authorized project features, the construction of which has been deferred because of the war.

Fourth. Appropriations of $6,000,000 recommended for general investigations would be made from the reclamation fund and the Colorado River development fund—(none from the general fund of the Treasury—in accordance with recommendations of the House Appropriations Committee on the Department of the Interior appropriations bill for 1945). These investigation or project planning funds are required for perfecting river basin and project reports. Final surveys will be completed, and plans and specifications drafted for projects which hereafter may be authorized under the reclamation law or directly by the Congress. Construction in the post-war period will meet employment needs, establish some 150,000 new reclamation farms, and provide supplemental water to some 10,000,000 acres now inadequately watered in existing agricultural communities.

Fifth. Appropriations of $1,965,000 are recommended specifically for completing detailed surveys, specifications, and other work preliminary to construction of four irrigation and multiple-purpose projects which are authorized. The start of construction on these four projects has been deferred by war conditions. Funds are necessary for this preconstruction work so that construction contracts may be awarded promptly when funds are available.

Sixth. The first major step toward translating the Bureau's post-war planning into an action program is the estimate of $2,000,000 for the land-purchase program on the Columbia Basin project. This estimate approved by the President, will inaugurate the purchase of irrigable land for resale without profit to returning servicemen and other prospective settlers when the irrigation system is constructed. For protection of the Government and settlers from speculation, initiation of the land-purchase program at this time is essential for the orderly development of the project. Construction can begin on certain features as soon as materials, manpower, and funds are available. The appraised value of all land in the project is about $13,000,000 or an average of $13 per acre, and the Government purchases will be made at prices fixed without consideration for the enhanced values to follow irrigation. Allocation of the construction costs of Grand Coulee Dam and the irrigation features of the project is being determined and the repayable irrigation construction costs have been fixed at $85 per acre, with the remaining costs to be repaid from power revenues. The three irrigation district boards concerned have approved the form of repayment contract which will be submitted to a vote of the landowners this spring.

GROSS REVENUES OF BUREAU SHOW BIG INCREASE

The gross revenue of the Bureau of Reclamation for the fiscal year 1944 totaled $26,550,000 from irrigation, power, and related operations, including Boulder Dam.

For fiscal year 1945 gross revenues of the Bureau are estimated at $28,000,000 and for 1946 the estimate is $30,200,000. These amounts compare with collections of about $6,000,000 in 1924.

SCOPE OF RECLAMATION PROGRAM

The scope of the reclamation program in action can be measured by the fact that the Bureau of Reclamation today has in operation irrigation systems which serve more than 4,000,000 acres of highly productive land. The areas in which this acreage is located have a population of more than a million persons on the farms and in the cities and towns dependent on the reclamation developments.

The crops produced on the reclamation acreage in 1944 were valued at approximately $400,000,000, an amount exceeding the construction cost of all Bureau irrigation systems completed and in operation at that time. The major crops were those required for war-food purposes—alfalfa for meat and dairy production, potatoes and beans, urgently needed for the armed forces and civilian population. More than 9,000,000 tons of food were produced on Bureau projects in 1944.

The Congress has already recognized the need and importance of additional irrigation developments by authorizations of new construction under the reclamation law and special legislation. With the work remaining on projects under construction and on newly authorized projects, Reclamation Service will be extended to about 5,000,000 acres of land awaiting irrigation to make it productive and to supplement the water supplies for about 6,000,000 acres now inadequately irrigated.

An inventory of authorized and potential post-war construction submitted to the Senate Committee on Post-War Economic Policy and Planning on June 6, 1944, showed that irrigation service could be extended in 17 States to more than 16,000,000 acres, including 9,000,000 acres that require supplemental water.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DWORSHAK. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and I will then answer that question.

Mr. HORAN. I thank the gentleman.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana [Mr. MANSFIELD].

Mr. MANSFIELD of Montana. Mr. Chairman, it is with extreme regret and disappointment that I note the action of the Interior Subcommittee in reducing the appropriation for the Hungry Horse Dam in northwest Montana from $475,000 to $100,000. This project, as you well know, has already been authorized by the Congress by Public Law 329, Seventy-eighth Congress, second session and was approved by the President on June 5, 1944.

This project, which is part of an overall long-range program for the development of the Columbia River Basin, had been approved by the Bureau of the Budget for an appropriation of $475,000 for necessary investigations prior to construction. The project will involve the construction of a dam between 400 and 500 feet high which will impound between 1,900,000 and 2,700,000 acre-feet of water. Irrigation of thousands and thousands of acres as well as a great increase in electric power will only be two of the benefits this dam will achieve. Montana's resources will be developed in

a sound and permanent manner as a result of the building of the Hungry Horse.

Much work, however, will have to be done before actual construction can start. This preliminary work will include detailed field surveys, borings, and other field tests. Engineering and geologic data must be assembled for the preparation of plans and specifications in order that the construction of the dam may begin when conditions permit.

The sum of $475,000 requested by the Budget and the Reclamation Bureau will not be used for any type of construction but is needed for investigations exclusively. This preparatory work is highly necessary and I feel that the sum allowed by the committee is entirely too inadequate for the work required. There is no need for me to once again tell my colleagues the story of the Hungry Horse and what it means to my people and my State. I appeared before the Interior Subcommittee and pleaded with its membership that they grant us the full amount requested and my remarks will be found on pages 1308 to 1310, inclusive, in the hearings covering this measure. The importance of the Hungry Horse to Montana's security cannot be overstressed and I appeal to the House, Mr. Chairman, to help us in this particular matter and to keep in mind, at all times, how extremely significant this project is to us.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield myself 1 minute in order to say that I know I speak the sentiments of each member of this committee in saying I deeply appreciate the informative speech just made by the gentleman from Montana. We recall with pleasure that he appeared before the committee, at which time he made an excellent presentation. Largely because of the deep respect and admiration we have for him, and confidence we have in his statements, the committee allowed $100,000 to start a survey and preliminary work on this important project. Let me add that the people of Montana are to be congratulated on having such an able, aggressive gentleman representing them in the Congress of the United States.

I now yield 5 minutes to the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, I was very glad to hear that the chairman of the subcommittee say that he believes in public power because we in California need friends who are public-power minded. I am certain that his assistance will be appreciated by those of us from the West. But I wonder if the gentleman appreciates the only source of public power that we have in central California, at the present time or at any time in the immediate future, comes from the great Central Valley project, the keystone of which is the Shasta Dam with its potential power, and that that power cannot be available as public power until the transmission line authorized heretofore and approved by the people of the State of California, if you please, in 1933, in a referendum election, is constructed. We in the San Francisco-East Bay industrial area are dependent on this power for our postwar development.

Mr. Chairman, I note on page 59, line 14, of H. R. 3024 that the Appropriations Committee has reduced the Budget estimate for the Central Valley project from $5,500,000 to $4,500,000.

This action in itself is most disappointing to the people of my district and the rest of the great Central Valley area, which is concerned that adequate funds shall be provided the Bureau of Reclamation to advance completion of the Central Valley project. To reduce the Budget estimate by $1,000,000 shows that the committee fails to recognize the importance of the project to California and the Nation.

But it is the committee's report on this item to which I direct the attention of the House, since it represents a reactionary attitude that seeks to perpetuate the monopoly of the octopus-like Pacific Gas & Electric Co. on the power consumers of northern California. The committee report, commencing on page 18, says:

> Central Valley project, California: In recommending a reduction of $1,000,000 in the estimate of $5,500,000 for the Central Valley project the committee has specifically disapproved items of $115,300 for the Delta steam power plant (planning) and $100,000 for transmission lines and switchyards (planning). It is the intention of the committee that none of the funds appropriated in the bill, or heretofore appropriated, shall be used for any purpose in connection with the establishment of a steam plant or a transmission system.

By this action, the committee seeks to reverse actions of the Congress in providing funds to propose plans for the steam plant, which is necessary for the financial stability of the Central Valley project and to protect the Federal investment. The War Production Board also recommended that plans for the steam plant be prepared.

Further, the committee seeks to thwart the will of the people of California and the Congres by forbidding the construction of transmission lines to carry Central Valley power to markets. This item was specifically included in the Water and Power Act approved by the voters of California at a special election held in December 1933. The transmission system is also necessary to protect the water users of the Central Valley project from the P. G. & E. monopoly on power for irrigation pumping.

Mr. Chairman, the action of the committee, if upheld by the Congress, is a backward step. It resembles the course taken at a previous session when a predecessor of the present committee yielded to the blandishments of the P. G. & E. and sought to prevent the construction of the transmission line from Shasta Dam to Orville. Secretary of the Interior Ickes carried out the will of Congress and ordered the Orville line built.

I deplore the action of the committee with respect to the Central Valley project. I bring it to the attention of the House.

I quote further from the committee's report that—

> The proposed steam plant and transmission system would duplicate, if not destroy, existing taxpaying facilities and take much valuable property off the tax rolls to the detriment of many towns and counties in the State of California.

I do not know where the committee secured the information on which to base this statement. On the other hand, the ability to firm up and deliver to markets Central Valley project power will be a boon to the industrial development of northern California. It will mean lower rates for power. It will bring out power costs more nearly in line with those of the Pacific Northwest and the Los Angeles area to the southward. Both of these regions have great public power developments. Why deprive northern California of similar opportunities now that the State faces a great crisis that demands action by the Congress.

The construction of the remaining features of the Central Valley project offers a wonderful opportunity to provide jobs for returning servicemen and demobilized civilian war workers in the postwar period and for permanent employment and settlement opportunities on irrigated land.

Mr. Chairman, I call your attention to the critical population situation which is confronting California. Since 1940, the population of the State has increased more than 1,800,000, or 26.6 percent. This contrasts with an increase in the country as a whole of less than 1 percent. We must have a public works program ready to absorb not only civilian war workers, but to give our war heroes a chance to earn a living. The Central Valley project is a major item in a public-works program that the Bureau of Reclamation is offering.

On April 12, Secretary Ickes and Commissioner Bashore presented to the House Irrigation and Reclamation Committee an inventory of irrigation and reclamation projects which could be included in a post-war program. The Central Valley project was one of more than 100 which have already been authorized under congressional legislation.

We in California are deeply and intensely interested in western and national developments of the types outlined. We want to see the country made a better place in which to live and one sure way to do this is by expansion of Federal reclamation throughout the West.

California always supports reclamation. While I protest aaginst the action of the Appropriations Subcommittee in attempting to thwart the orderly development of the Central Valley project, I join with my colleagues from the West in deploring other drastic cuts in reclamation items. The orderly development of the Central Valley water resources is the life blood of northern California.

Mr. JONES. Mr. Chairman, I yield to the gentleman from Washington [Mr. HOLMES], 5 minutes.

Mr. HOLMES of Washington. Mr. Chairman, three major points in the Bureau of Reclamation section of the Interior Department appropriation bill as reported to the House lead me to register a vigorous protest and express the sincere hope that before the measure is enacted into law that the Budget estimates for general investigations, the Roza Division of the Yakima project and the Columbia Basin project will be restored.

Believing as I do in the full development of western water and land resources as of great national benefit, I heartily endorse the Bureau of Reclamation program as presented to the Appropriations Committee.

The population growth in the Pacific Northwest possess a critical problem for the post-war period that can be met only through employment on a public-works program that will assure jobs at the site of projects and work in industries supplying materials and equipment. The State of Washington alone has had a population gain since 1940 of 18.4 percent, compared with a gain for the country as a whole of seven-tenths of 1 percent. The entire West shows a population gain of 17.8 percent.

To meet this problem the Bureau of Reclamation has advanced a program of permanent public improvements through the construction of irrigation and multiple-purpose projects. To do the right kind of a job funds are required for advance planning so that work can be started promptly when demobilization begins in earnest.

The Budget Bureau, through the late President Roosevelt, transmitted an estimate of $5,500,000 for general investigations and preconstruction work by the Bureau of Reclamation. This amount, together with $500,000 for the Colorado River development fund would have given the Bureau $6,000,000 to aid in completing field investigations on potential projects under study, and for the preparation of designs and specifications on authorized projects for which no other funds were available. I am dismayed to see that the estimate of $5,500,000 from the reclamation fund was reduced to $1,485,000 and that the Colorado development fund to be used in the States of the Colorado River Basin had been reduced from $500,000 to $400,000.

I note the reduction of $50,000 in the appropriation for the Roza Division of the Yakima project in my district. This will prevent the completion of the scheduled facilities authorized by the War Production Board under the reclamation war-food program. I am not advised as to the reasons which actuated the committee in reducing the appropriation from $350,000 to $300,000, but I urge its restoration. This project is in the process of construction, it is being constructed right now.

Another serious slash in the Interior appropriation bill is the reduction in the appropriation for the Columbia Basin project from the Budget estimate of $8,332,000 to $6,000,000.

The Budget estimate provided funds for the following work:

Dam and power plant	$1,500,000
Spillway reconditioning	2,632,000
Irrigation system (preconstruction)	2,000,000
Land purchase program	2,000,000
Examination and surveys	200,000
Total	8,332,000

To reduce any of the funds for work in the dam and power plant and spillway reconditioning may have a serious effect on the war power program. It is evident that the $2,000,000 outlined for preconstruction work on the irrigation system of the Columbia River at the Columbia Basin project is none too much for the purpose of making preparations to begin construction promptly. The land-purchase program is of the utmost importance and the $2,000,000 estimated for that purpose is essential to initiate the acquisition of land by the Secretary of the Interior so that orderly development of the project may proceed in accordance with the Columbia Basin Project Act of 1943.

Mr. Chairman, I commend the Appropriations Committee for its recognition of the food-production program on the part of reclamation and the contribution this agency has made to the prosecution of the war through food and power output. I urge that the Congress give the Bureau adequate funds so that its contribution to the post-war stabilization of the West may receive equal recognition.

Just today I have returned from several points of hearings conducted by the House of Representatives Food Investigation Committee: at Chicago, at Cleveland, at Boston, back to Providence, and in New York City. We have some familiarity with the all-over food picture in relation to this country and the world; and I am here to state that the production of foodstuffs forthcoming from the establishment of proper sources of funds and finance for these projects will fit into the future picture of food shortages that we are going to face; and I warn you that many of them are going to get more serious before they get better.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I yield 5 minutes to the delegate from Alaska [Mr. BARTLETT].

Mr. BARTLETT. Mr. Chairman, I wish to thank the able gentleman from Oklahoma and the members of the subcommittee who gave such careful consideration to matters concerning Alaska which came before them when this bill was heard. The committee displayed deep interest in our problems.

No appropriation bill is so important to the people of Alaska as the one now before the House. Our present economy and our hopes for the future are tied up in no small degree with Interior Department appropriations.

In a unique sense we are dependent upon what Congress does or fails to do for us by means of this supply bill.

Our mines are located in large part on land administered by the Department of the Interior.

Our wealth of homestead land is being settled under regulations of the General Land Office.

Our fishing industry, which in normal times provides the bulk of Alaska's employment, is under the jurisdiction of the Fish and Wildlife Service.

Our roads are largely built and maintained through funds made available by the Interior appropriation bill.

Almost half of Alaska's permanent residents—the Indians and the Eskimos and the Aleuts—look to the Office of Indian Affairs for education and medical care and guidance.

Investigations of the Territory's mineral resources are made by the Geological Survey and by the Bureau of Mines.

The Alaska Legislature operates within limits established by the Congress, and part of the cost of its upkeep is borne by the Federal Government. The salaries of the Governor of Alaska and the Secretary of Alaska and part of their office expenses are contained in this bill.

All these facts add up to a vital interest on the part of Alaskans with respect to what happens to this bill. Close to 100 percent of the land area of the Territory is federally owned. The policies of the Interior Department, for good or for ill, are of deep and real concern to us. The Department—primarily because of the work of the Alaska Road Commission and of the Alaska Railroad—is one of the large employers of labor. Thus it is understandable that the Interior appropriation bill is of overwhelming importance to all Alaskans.

Mr. Chairman, I should be less than truthful if I were to say that if we could have everything we wanted in this bill now we should ask for less next year and in the succeeding years. So long at least as the present Territorial set-up remains unchanged we shall be required to ask for more. We shall do so with no sense of diffidence, no feeling we are requesting something to which we are not altogether entitled.

A great change has occurred in Alaska since 1940. Almost coincident with the fall of France, the task of converting Alaska into a fortress commenced. That undertaking—now largely accomplished, thanks to the devotion and skill and energy of all those engaged in it, both within and without the armed services, brought about a new Alaska. The spotlight of national and even international attention has been focused on the Territory. Its development is bound to proceed with great rapidity at the conclusion of the war.

The airports and highways and other physical improvements built in Alaska cannot be allowed to go back to the wilderness. Prudence from the standpoint of national defense would require otherwise. Prudence likewise from the viewpoint of post-war settlement compels us to take a forward-looking view.

It is abundantly plain even now the end of the war rush northward will outrank in importance and volume the gold stampedes of an earlier day.

So long as the Federal Government is in charge of substantially all activities we must turn to it for the help which surely will be required.

Realizing that the population there is going to grow very rapidly in the years ahead, no matter whether prospective settlers are encouraged or discouraged, we Alaskans are becoming increasingly concerned about the lack of preparation to receive them.

The Territorial Legislature, which was in session recently, took cognizance of this concern by establishing a development board to promote establishment of business and industries and families and individuals on a solid foundation, best calculated to assure success. Likewise, the legislature created a department of

agriculture to give greatest possible assistance in the agricultural development of the Territory. I mention these accomplishments merely to demonstrate that the people of Alaska are keenly aware of the problems confronting them and, within the limits of their capacity, are willing and anxious to help. It is only natural they hope for and expect Federal assistance in view of the predominant Federal interest.

In normal times—defense construction aside—our principal industries and what we lack and what we badly need are industrial and business establishments which will provide year-round employment and around which a farming population can be located.

To do this it will be necessary now or at some time soon—and I hope it will be soon—to make it possible for established agencies of the Federal Government to increase the scope of their work in Alaska. This will have to be done on a short-term basis or a long-term basis, or both. But it is highly essential it be done.

For example, the job of land classification has barely started. It must be forced through with all possible dispatch if proper information is to be available for those who desire to homestead.

Likewise, I feel very strongly there must be made available to the Fish and Wildlife Service funds in sufficient amount to enable the Service to do a real job in investigating new types of fisheries. We feel we have a great potential new fishery in the North Pacific, one which would add largely to the wealth of the Nation. Preliminary surveys have indicated the taking of bottom fish can become a highly profitable and richly yielding industry. But no one can afford to go there until more data are available. And the Fish and Wildlife Service is the agency of Government to obtain those data. With availability of funds, that work could be hurried along, and it is highly probable the new fishery could play some part at least in alleviating the present world food shortage.

Under present circumstances the salmon fishery is producing all the fish it can on a sustained-yield basis; there is every reason to believe that with relatively small expenditure additional fishing areas could be opened up through the clearing of streams which salmon cannot now use for spawning.

In all these matters relating to the Interior Department connection with Alaska, the Division of Territories and Island Possessions of that Department has played an important part. I cannot emphasize too strongly the desirability, or rather, the necessity of staffing the Division adequately so it may handle properly those duties with which it is charged.

Alaska has been a great producer of wealth for this Nation. It will be even a greater producer in the future. In partnership with the people of the Territory, working on a cooperative basis, the Federal Government can do much to speed the development of Alaska. Last year we Alaskans paid into the Federal Treasury almost $20,000,000, taking into account only payments made in the Territory and not counting taxes paid by the corporations which derive their principal or entire income from the Territory but pay Federal taxes from the States of incorporation. So we do not come as beggars. We come as American citizens, knowing full well the development on the grand scale of the last great American frontier is hard upon us, and anxious to direct and assist in that development so the greatest good will accrue to the Nation.

Mr. JONES. Mr. Chairman, I yield 5 minutes to the gentleman from Wyoming [Mr. BARRETT].

Mr. BARRETT of Wyoming. Mr. Chairman, I realize full well that the Subcommittee on Interior Appropriations has been faced with a difficult situation. While we of the West are disappointed with some of the provisions of this bill, nevertheless, the purpose of my remarks is not to criticize the work of the committee, but rather to make some observations from our viewpoint. The great State of Wyoming, which I have the high honor to represent in this body, along with other Western States is intensely interested in reclamation. In the months and years that lie ahead the problem of providing employment for our returning veterans will be of primary importance. To my way of thinking, reclamation is a sound and constructive public works program. It will provide jobs for hundreds of thousands of our returning veterans, and at the same time give the veteran an opportunity to establish a home on irrigated land.

Mr. Chairman, 25 000,000 people live in our 17 Western States. Water conservation is our lifeblood. Our agricultural and livestock industries are dependent on irrigation. Agriculture is the basic industry of our country. One-fourth of our population is farmers and depends directly on the land for its incomes. One-fourth of our population lives in the small towns. They never get a dollar until the farmer brings it in, and consequently, one-half of our population is dependent on the farmer directly or indirectly for its livelihood. Agriculture creates an endless flow of wealth for America. Without a question of a doubt, a sound and prosperous agriculture is absolutely essential for the maintenance of our economy. Over a period of years the records show that our national income is precisely 7 times our agricultural income. In 1938, when the farmers' income dropped $1,000,000,000, our national income dropped precisely $7,000,000,000. The development of irrigation projects in the West will expand the market for the products of the factories in all other sections of our country. The purchasing power of the millions of people living in the West will be tremendously increased by the expansion of irrigation, such as outlined in the multiple purpose projects proposed for post-war construction by Harry W. Bashore, Commissioner of Reclamation, in his statement to the Committee on Irrigation and Reclamation on April 12 last. Nearly one-third of this inventory is made up of work already authorized under congressional legislation.

But mere authorization is not enough. The Bureau of Reclamation must have adequate funds with which to complete field investigations and prepare plans and specifications so that contracts can be let and actual construction work begin to provide jobs for returning servicemen. These jobs and the completed work mean settlement opportunities where servicemen can become self-sustaining on irrigated land.

We cannot wait until the war is over to prepare for the construction of these Reclamation projects. We must begin now and I fear much valuable time has already been lost.

For that reason, Mr. Chairman, I deplore the reductions of the Budget estimates in three specific instances in this bill as reported by the Appropriations Committee. These reductions, which will seriously hamper the Bureau of Reclamation, and in all of which my State of Wyoming is deeply interested, are as follows:

First. The severe slash from the Budget estimate of $5,500,000 to $1,485,000 for general investigations including preconstruction work on authorized projects. This estimate is payable from the Reclamation fund, to which Wyoming makes heavy contributions through oil royalties, and not from the General Treasury.

Second. The reduction from $500,000 to $400,000 of the estimate for general investigations from the Colorado River development fund which is made up from power revenues from Boulder Dam for use in the Colorado River Basin. The Green River Valley in my State is concerned about the adequacy of this fund since there are many projects to be investigated in this area.

And the third and perhaps the most disappointing action of the committee was the reduction in the funds for advance planning on authorized projects in the Missouri Basin. My State of Wyoming, along with Montana, North and South Dakota, Nebraska, and Colorado, is vitally concerned at the sharp reduction made in the Budget estimate for this highly important work.

The Flood Control Act of 1944 authorized some 30 projects for construction by the Bureau of Reclamation, and the Bureau of the Budget sent up an estimate of $4,480,000 for the Bureau of Reclamation and other Interior Department agencies to complete field studies and for the Bureau of Reclamation to prepare plans and specifications so that construction could begin. As the Interior appopriation bill is reported to the House, this amount was slashed more than two-thirds and the skimpy amount of $1,440,000 was allowed for work only by the Bureau of Reclamation. I cannot agree with the committee's conclusions on page 18 of its report that the action of the Congress in the War Department Civil Functions Act limiting the Corps of Engineers to $1,440,000 for preconstruction work on the big dams it is authorized to build on the main stem of the Missouri should serve as a guide for the amount the Bureau of Reclamation should be allowed for the preconstruction work on 30 irrigation and

multiple-purpose projects, which involve many complex engineering and economic problems each of magnitude as great if not greater than those involved in flood control and power dams.

As a matter of fact, Mr. Chairman, this preconstruction work on these authorized reclamation projects is of such vast importance that I doubt if the Budget estimate is adequate to permit the Bureau of Reclamation to do the job expected of it. These projects are to be designed to avert the consequences of the disastrous droughts that wreaked havoc in the Great Plains areas in the thirties, as well as to provide settlement opportunities for returning servicemen. Of course, employment during construction is a vital consideration for veterans.

I urge that full consideration be given the need for adequate funds to permit the Bureau of Reclamation to be prepared to do a real job in the Missouri River Basin as well as throughout the West.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. VOORHIS].

Mr. VOORHIS of California. Mr. Chairman, I ask unanimous consent that my colleague the gentleman from California [Mr. HOLIFIELD] be permitted to extend his own remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, the power policy proposed by the subcommittee in connection with its report on the Central Valley project is good business for the P. G. & E. of California. That is why the P. G. & E. sent its top officials across the continent to appear before the committee to urge just such a program. The record of the hearings shows that Mr. J. B. Black, president of the P. G. & E., and his vice president were not on the job supplying power in California on Friday, March 23. They were here in Washington lobbying against the appropriation for designing a steam plant and transmission system for the Central Valley project in California.

The policy that the report sets forth does not have the force of law. It is really a blow against a sound traditional policy that the Congress has followed in all power legislation. This scheme of turning over publicly produced power to a private utility at the bus bar may be good business for the P. G. & E., but it is bad business for the Government and for the people of California.

The Government must be in a position to deliver its power widely to give preference to public agencies and to encourage new industry and the development of the resources of the area. It must not have its power bottled up at its dams and be at the mercy of a single private utility for an outlet. No businessman would permit himself to be hamstrung in this manner.

The policy of selling Government power at the bus bar is bad business for the consumer, the farmer, the industrialist, and the businessman. This power was produced for the benefit of the people and not for the benefit of the P. G. & E. alone. If this one company can successfully prevent the construction of transmission lines, it can dictate the terms by which it will take that power from the people's project and the terms under which it will sell that same power back to the people. Neither the Government nor the ultimate consumer will have a further voice in the matter.

Electric power is the bloodstream of a nation's economy. The health and the very life of the modern nation depend upon power. This war in which we have demonstrated our own prodigious industrial strength has provided the wisdom of providing abundant power at low cost. We in California, who look to the postwar period of reconversion with the knowledge that it can be the greatest period of growth and development in our history or it can become a disaster of major proportions—we know that we must have the basis for a healthy growth of business and industry based upon our wealth of natural resources, upon our skilled population and upon our tremendous power to consume the things that we would make. We look to a sound decentralization that will put California on a stable balanced basis. This means low-cost power must be provided for our business and industry. We have looked with envy upon the amazing effect that abundant low-cost power has had upon the economy of the Northwest and in the Tennessee Valley. We do not want to be denied the same benefits that these areas have enjoyed.

Power for industry—for private enterprize—in California is more expensive than in either the T. V. A. or the Northwest. Yet in the streams of California, water runs to the sea unharnessed. Plans are under way to put power to work—but those plans are dependent upon a progressive policy of assuring that the power will be widely available and cheap. Transmission lines are the highways over which the power that gives life to business and industry and agriculture flows. Those highways should not be like the toll roads of the Middle Ages. They should be public highways.

The appropriation bill in which the Central Valley item appears does not disclose any implementation of the committee's report. We are voting merely upon an item of $4,500,000 instead of an item of $5,500,000. This slash of a million dollars in the amount to be spent on this vital project during the next fiscal year does not of itself prevent the ultimate construction of a sound, comprehensive power development. However, I hope that the item will be restored so that there will be no question that this Congress is turning its back upon its own sound policies of power distribution.

Mr. VOORHIS of California. Mr. Chairman, I want to address myself to the same item that has heretofore been discussed by other Members from my State, namely, the Central Valley item. I disagree most vigorously with the action that the committee has taken. I do not believe the items for the planning and designing of the power transmission system from Shasta Dam, nor the item for the planning and designing of the Delta Steam plant to firm up Shasta Dam power and assure low-cost pumping power for thousands of acre-feet of irrigation water should have been stricken from the bill. Indeed, it seems to me that the failure to at least permit the studies to go forward for these two purposes fundamentally changes the whole conception of the Central Valley project. For the more firm power the project generates, the higher the revenues will be and the greater the benefits. And unless the project can deliver its electricity to wholesale markets it is at the mercy of the Pacific Gas & Electric Co.. No one will dispute the statement that the Pacific Gas & Electric Co. at present enjoys a complete monopoly of the electric power business in all of northern and central California.

It is my fundamental philosophy that private monopoly is the antithesis of political democracy or any other kind of democracy. I do not believe that where there is a type of goods or a type of service absolutely essential to the people of the Nation we can expect true democracy to flourish if a private monopoly controls the entire supply. Furthermore, along the line of the very good speech just delivered by our colleague from Wyoming, where he pointed out the absolute necessity of our having full employment after this war is ended, may I point out that where monopoly does exist it is always to the natural interest of that monopoly to seek a scarcity of the particular thing it supplies and to maintain as high a price for that commodity as it can. Upon that artificially enforced scarcity plus artificially high prices the main cause of unemployment throughout the years is based.

In recent years the principle of a yardstick has been advanced by this Congress and this Government. If I understand that principle correctly, it is that in certain fields monopoly is almost inevitable. There are some kinds of service that have to be performed, telephone service, most of the public utilities, electric power service, where it does not make sense to have any but an integrated organization of the service. Under circumstances of that kind, how is the public interest to be protected?

For years we have tried to protect the public interest simply by regulation, and by and large it has been only partially successful. I have been going over recently a story of the political activities of some of the public utility corporations of this country, and it is enough to make your hair stand on end. The yardstick is supposed to be a publicly owned system which can test the proper action of a private monopoly by furnishing the same service to the people as that private monopoly furnishes, and by saying in effect that as long as that private monopoly is good and furnishes the service in abundance at reasonable cost we do not propose to interfere with it, but we do propose to know from actual experience how cheaply it can be done.

Electricity today is, next to food, the primary essential of human life. What we want in California is an integrated, complete electric power distribution system as a result of all the money that has been poured into the construction of

Shasta Dam and other facilities in the Central Valley project. Unless we can have a means of firming up that power we cannot market the power economically or get as much out of it as we ought to get. That is the reason for the steam plant. Unless we can have sufficient transmission lines so that it is possible for the project to deliver that power at wholesale to the public bodies that need it, to quote almost exactly what the gentleman from South Dakota said a while ago this afternoon, unless we have sufficient transmisison lines to get that power to those markets—and not retail markets but wholesale markets, public bodies, cities, irrigation districts, entities like that—unless the project itself is independent of the necessity of selling every kilowatt of power at the dam to a great monopoly like the Pacific Gas & Electric Co., the project cannot be economically operated nor can it contribute anything like the amount it should to the general welfare of the people of the region.

The power company does not want the Bureau of Reclamation to have transmission lines or its own stand-by service. These facilities would make the people and their project independent of that company, independent and able to assure the cities and towns in the area an abundant supply of low-cost power in line with the policies repeatedly expressed by this Congress in the reclamation law, the T. V. A. Act, the Bonneville Act, the Fort Peck Act, and recently reiterated in the Flood Control Act of 1944.

Power companies do not want the Government to develop low-cost power. That is a simple axiom that we all should have learned long ago. Above all, they do not want the Government to market cheap power over its own outlets. If the Government builds power-producing facilities, the private utilities want to be sure that they, and they alone, distribute the power.

But the Congress has a habit of doing its own thinking about the disposition of public property. And one of its fundamental principles has been that public property be disposed of in the public interest. This is the basis of our public-land laws, our grazing laws, our mineral-leasing laws, our surplus-property-disposal laws, and our great body of power legislation. I do not think for a minute that this Congress really wants to reverse itself on the principle of assuring that the benefits of public investments be spread widely among the people and not monopolized by the few.

We in the West have a special concern with these policies. The West was developed by the guiding light of these principles. Where that light has faltered we have suffered from poor developments and the deadening hand of monopoly. Where the principles of sound development have prevailed, our western country has flourished.

Power today is one of our greatest remaining assets. It can become the avenue toward a better balance of our agricultural economy with a healthy industrialization. We have seen the magic effect of low-cost power on the industrialization of the Northwest, which has made great strides under a policy of distributing power to all comers without restriction. We in California need cheap power particularly. It means cheap water for our farmers as well as low-cost operation for our businessmen. We cannot afford to see reversed a policy of this Congress that will assure cheap power to our people.

I hope that before this bill becomes law Congress will make it clear that the plans for a sound independent power development in the Central Valley will go forward.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield such time as he may desire to the gentleman from Arizona [Mr. MURDOCK].

Mr. MURDOCK. Mr. Chairman, on examining this bill I find that the soil-conservation appropriation has been cut below the Budget estimate. I am told that the Budget recommended $1,500,000 for this work for the next fiscal year and I notice that the bill contains only a little over $1,000,000 on page 3, line 21. Naturally the question arises as to what will have to be left out of the program for which $1,500,000 was asked.

I have consulted with Mr. Cavanaugh who tells me that he had hoped and planned to do some reseeding and revegetating on overgrazed and eroding lands for which he will not now have sufficient funds after this reduction. He has told me that the Interior Department has general charge of more than 61,000,000 acres of land which are subnormal in vegetation cover and needing treatment to prevent further deterioration. Of course he could not reseed all or even half of this area, even if given a very large appropriation for that purpose, because there is not seed enough of suitable kinds for the work. However, he had hoped to reseed several different areas in certain Western States had the full appropriation suggested by the Budget been provided in the bill.

Now after consultation with Mr. Cavanaugh I find that some of those areas he had planned to reseed are within the State of Arizona, being mostly on Indian reservations. I recall distinctly that the largest area he mentioned was on the Navajo Reservation in northern Arizona. Although I am interested in all the West, and in all classifications of public land, I am particularly concerned about certain Indian reservations of which the Navajo is the outstanding one in its needs. Therefore, I greatly regret this reduction which I think prevents his efforts immediately on these Indian lands. Something must be done to restore the overgrazed Indian lands in northern Arizona.

It seems to me, Mr. Chairman, it would be a wise move to amend this bill on page 3, line 21, by striking out $1,056,882 and inserting in lieu of that amount $1,500,000 as approved by the Budget. Such an amendment would permit this agency to make a substantial beginning in actually reseeding some of the worst portions of our public domain which have lost their vegetable cover and are rapidly deteriorating to the detriment of our irrigation project. A prudent husbandman is careful to protect his buildings with a coat of paint. It sometimes happens that the paint, with the application of it, is rather expensive, but a farmer or a businessman knows that when you save the surface you save all, and its a kind of protection that pays in the long run. In a somewhat similar way the water users on our irrigation projects, especially the officials on whom rests the responsibility of management, are anxious to save the watersheds against erosion of wind and water. The president of one of the largest and must successful irrigation projects in the West has written me repeatedly advocating just such work as this item in the appropriation was designed to do.

Of course, the ranges have been protected by reduction in livestock units on those ranges and by control of the grazing uses. This policy was not begun until most of the public land had been damaged by overgrazing. Of course, it can be restored by controlled grazing and especially by reduction of livestock units permitted on it, but it takes nature a long time to bring about a restoration. I feel that nature must be aided in this restoration and that the proper way to do it is to reseed the worst of these lands while at the same time controlling their use for grazing.

Some may say that we must experiment further so as to know how to do this best. I do believe that there is much to be learned through experimentation for in this vast domain we have great variety of climatic and soil conditions. We do need to know what kind of grasses are suitable for reseeding and how the work can best be done. However, I believe that enough is now known to enable some large-scale operations in actual reseeding. A notable inventor, Dr. Lytel Adams, who has already given the Government a great invention and whose ideas have been useful in the war effort, now comes forward with an invention for seeding large areas quickly and efficiently from an airplane. With such rapidity he can seed 20,000 acres in an hour at the right time as after a rain. As this is done from an airplane it makes no difference how rough the terrain may be, as he can seed land too much eroded to be cultivated or touched with any kind of farming implements.

I regard his process of treating the seed as great a contribution of science as the invention of the seeding device itself. Dr. Adams treats the seed to be planted to quicken their germination and to increase greatly their percentage of germination. He encases the seed so treated in pellets or soil capsules which have sufficient weight when dropped from an airplane to embed themselves in wet soil. This depth depends upon the weight of the pellet and the distance they fall. These capsules contain a fertilizer element and rodent repellent, the better to protect them until they can germinate. By this process the percentage of germination of the seed is enormously increased and in the dry country the full effects of the scant rainfall goes to germinating and growing the seedling instead of breaking the hull on the seed itself. I have confidence that some of the barren areas of the West which used to have a vegetable cover could be recovered by an application of some such principle as that used by this inventor.

When we hold in mind that less than 5 percent of the entire area of our country west of the ninety-seventh meridian can ever be cultivated and that in the Rocky Mountain area 98 percent or more will never be fit for any agricultural use but grazing, we see how important it is that the ranges be kept at their maximum carrying capacity. Out there the livestock industry is one of the most important industries. I believe that it can be greatly increased by sane and proper application of these scientific methods now well and thoroughly known. This value alone would justify our investment but there are other reasons which I do not have time to discuss which make it imperative that we do something about the erosion. Let us help nature restore the vegetable cover.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. KELLEY].

Mr. KELLEY of Pennsylvania. Mr. Chairman, I am deeply concerned at the action of this committee in reducing two items of the Bureau of Mines from the Budget estimate, namely, coal-mine inspection and investigation and enforcement of the Federal Explosives Act.

The Coal Mine Inspection and Investigation Act was passed in the Seventy-seventh Congress for the sole purpose of reducing accidents and fatalities in coal mines. Reductions up to the present time have justified the sponsors of the act, of whom I was one. The urgency for increasing this force now is based on the fact that more mines are operating, the miners are working longer hours and are, therefore, exposed a longer period each day to the hazards of mining. It is imperative that an ample force be maintained to carry out the work as originally planned.

The enforcement of the Federal Explosives Act, as conducted by the Bureau of Mines, has been an outstanding example of efficiency. There are over 500,000 licensees in the United States and the meager sum of $100,000 to carry out the intent and purpose of the act is totally inadequate. We might just as well appropriate nothing and save the money than to attempt to carry out the provisions of the act on such an amount. I would like to see appropriated the $454,800 which was set up in the Budget estimate.

Mr. JONES. Mr. Chairman, I yield the balance of the time to the gentleman from Oregon [Mr. ANGELL].

Mr. ANGELL. Mr. Chairman, Bonneville is situated in my congressional district and, of course, I am very much interested in it. I am interested in it from two standpoints, one as being a great industry in my own particular section of the country in which I was raised, and, furthermore, as being a part of our national economy and performing great service in the prosecution of the war. Many of you will recall when the last war hit us we were woefully deficient in hydroelectric power. It resulted in stymieing our endeavors and holding us back in our war activities and putting us months and months behind in the war program. Fortunately, when World War No. 2 broke upon us we had Bonneville, Boulder Dam, Grand Coulee, and many others, where we were able to secure large blocks of hydroelectric power which, as you know, are absolutely essential in carrying on the war effort. The Columbia River, which runs along the side of my district, being the second largest river in the United States, has perhaps over 50 percent of the potential hydroelectric power in the United States. The proof of whether or not Bonneville has done a good job is the job it has done during the war. Some criticism has been lodged against the administration of Bonneville by the members of the committee. I appreciate that the members of this committee are attempting to do a good job, they have done a good job, perhaps just a little bit too good compared with what some of us feel should have been done with reference to some particular appropriations.

Personally, I want to see Bonneville, which is in my district, put on the spot and be required to produce all the evidence that the committee wants and all the statistics and reports. I have always found it willing to do so. Dr. Raver, as Administrator, has performed an outstanding service. If the members of the committee do not receive by that method sufficient information relative to the operation of this industry, it lies within the power of this body, if recommended by the committee, to provide for an audit or investigation into the methods of handling this great organization. But the fact is, during this present war the Bonneville Administration has produced the power which has provided more than one-third of the aluminum which has gone into the production, not only of airplanes, but of a great many implements of war which require that light metal. It has also provided power for many war plants. Recently, when I had occasion to be on the other side visiting the air bases, particularly the United Kingdom base in England at the particular day when I was there, over 1,000 of these huge bombers left that base to go over into Germany on bombing mission which was at the time the Germans were breaking through in the Belgium bulge, and were breaking through our lines. I saw the results of Bonneville in producing the power and light metal which was necessary in the production of these great bombers which flew from England and France into Germany, which has resulted in the softening up of Germany until our forces were able to rout the Axis Powers, as they are doing today. Right at this very hour perhaps they are in the capitol of Germany—Berlin. They would not have been able to do this if they had not had this hydroelectric power to produce the aluminum necessary in the construction of the bombers which carried them on their bombing missions. Let me call your attention to the fact that earlier in the day I set forth some of the details and proofs which bear out the statements I am making here. Mr. Chairman, I trust our Members who are interested in the war contribution of Bonneville will have the opportunity to read the remarks I made. I called attention to the following facts, among others:

The Bonneville Power Administration has provided electric power for war production but in addition has also reduced the war cost on such important items as aluminum, magnesium, ferrosilicon, carbide, and other critical war materials. On aluminum alone the power cost from Government-owned plants in the Pacific Northwest is 2 mills per kilowatt-hour as compared to 5 to 7½ mills for Government-owned metal plants which are served by eastern fuel produced power. The savings in 1 year in power cost of 2 mills instead of 5 mills per kilowatt-hour, for example, amounts to nearly $15,000,000 for the Pacific Northwest's 1944 production of one-half billion pounds of aluminum. Based on this rate, savings only on the Northwest aluminum produced with Bonneville power resulted in a savings to the Government of about $45,000,000 for the war period.

In 1917 the market price of aluminum ranged from 35 cents to 64 cents per pound, having been 19 to 27½ cents per pound in 1913. In 1939 the market price of metallic aluminum was 20 cents per pound. Under the influence of the 12-cent production cost of the Columbia River plants the metal price has been reduced at this time to about 15 cents on the average. In 1 year, through negotiations, the Federal Government recaptured $76,000,000. This recapture, plus the influence on metal price with the quantities delivered, approximates $200,000,000. This is a saving to the Treasury that has been influenced by the low-cost Columbia River production.

The war materials and supplies used to crush the Axis Nations would have been produced in the United States regardless of cost. It follows, therefore, that the quantity of materials supplied is even more impressive than the savings achieved.

The plants served directly by the Bonneville Power Administration have produced in excess of one and one-half billion pounds of pig aluminum up to the end of the calendar year 1944. This is over 30 percent of the national aluminum production and represents the same percent of our total national airplane production. In the calendar year 1944 alone these plants produced 561,700,000 pounds of pig aluminum, or 36 percent of the national output for that year, even with four pot lines shut down after August 1944. The Bonneville Administration has also supplied motivating power to one of the three large aluminum sheet mills in the Nation, the annual capacity of which is 288,000,000 pounds, or one-sixth of our entire national rolling capacity.

The entire Nation is aware of the achievements of the shipyards in the Portland area. Three Kaiser yards alone have produced 665 vessels to December 31, 1944, consisting of Liberties, Victories, tankers, aircraft carriers, escort carriers, tank-landing barges, attack transports, and Navy auxiliary orders. Four other shipyards in this same area produced 583 naval vessels, converted 6 merchant ships to aircraft carriers, assembled 350 locomotives for Russia, and produced numerous other equipment. One concern in Portland alone produced 3,500 lifeboats for the Navy and merchant marine.

Shipyards in the Seattle-Tacoma area have been engaged in the most essential construction of larger ships and, in addition, have handled battle repairs. All of these yards received all or a substantial part of their power from the Bonneville transmission grid. Ship-supply contracts in the Bonneville transmission area exceeded $3,000,000,000. Without the availability of the Columbia River power and the Bonneville transmission grid these accomplishments would have been impossible. Over $2,300,000,000 worth of Air Force supply contracts have been made with northwestern manufacturing plants. The production of Flying Fortresses in the Boeing plant is constantly making front-page news. In addition, this same transmission area has produced considerable parts and tools for the air program.

The CHAIRMAN. The time of the gentleman from Oregon has expired.

All time has expired.

The Clerk will read.

The Clerk read as follows:

CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For the contingent expenses of the office of the Secretary and the bureaus and offices of the Department (except as otherwise provided), including teletype rentals and service; streetcar fares not exceeding $300; traveling expenses, including not exceeding $5,000 for inspections and investigations by the legislative branch, and any request from appropriate authority in such branch in connection therewith shall be immediately complied with by administrative authority in the Department; not exceeding $500 for the payment of damages caused to private property by Department motor vehicles; maintenance, repair, and operation of four passenger automobiles; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding $1,000 for contract stenographic reporting services; not exceeding $700 for newspapers; printing and binding, $189,960; and in addition thereto, sums transferred from other appropriations to this for stationery supplies as follows: General Land Office, $6,500; Geological Survey, $13,000; National Park Service, $7,500; Bureau of Reclamation, $8,400, any unexpended portion of which shall revert and be credited to the reclamation fund; Bureau of Mines, $15,500; Grazing Service, $6,000.

Mr. LANHAM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wish to direct a few remarks to the subject of an item which is not included in this bill, yet there is authorizing legislation. I have read the hearings which are pertinent to this particular subject.

The Committee on Appropriations not only seems to be getting more and more legislative in character and thereby usurping the functions of the regular standing legislative committees but it also is beginning the practice of annulling or vetoing legislation which has been enacted into law.

I do not know just what should be done permanently about the particular subject to which I wish to address these remarks. I think we should have general legislation, with proper limitations and restrictions. At my suggestion, a group of gentlemen are laboring upon a bill of that character now.

There have been several measures presented to this body dealing with awards for meritorious suggestions and these bills have come from different committees. One very recently passed the House of Representatives that had to do with the Post Office Department, concerning the matter of making awards to employees for helpful suggestions that would improve the service and also reduce the expenditures of the Department. One measure of this sort emanated from the Committee on Patents, concerning the Department of the Interior, and that bill became law and authorized an appropriation of $20,000 for this purpose, no single award to any employee to be in excess of $1,000.

As I say, we have passed similar legislation with reference to the Post Office Department, and I think with reference to one or two other executive departments. If appropriations are to be made to those other executive departments for this purpose, certainly in the light of law which has been enacted by Congress and passed upon by the entire body, the Appropriations Committee should give some heed to the force of that law and not exercise veto power, which under our constitutional government seems to be lodged in the President of the United States rather than in the Appropriations Committee.

I know that in the hearings recitation is made of some awards that were considered trivial and, by certain members of the committee, foolish, and they may have been. But that is not the controversy. They were very small. There was testimony with reference to one, inventive in its nature, which saved the Department a great sum of money and which has superseded certain German inventions which could not be procured while the war is going on.

Those who serve in the Government departments and who have ideas emanating from their inventive genius which for citizens in private life could be protected by patents and bring them royalties in substantial amounts are denied the privilege of such compensation for their inventions. The primary purpose, of course, of legislation of this character providing for such awards that will make the service more efficient and also help to reduce expenditures is to give some protection to these people who are prohibited by statutory law from getting any compensation for their inventive genius on things which they contribute in the Government service.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LANHAM. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. LANHAM. So I say I hope that when this measure reaches the other body it will give a little more serious attention to this matter. There should, of course, be one uniform policy on the subject and I am hoping that in the reasonably near future we can bring in a bill repealing the various laws of this character and substituting one law, one policy on the subject that will provide proper limitations and restrictions to see that it is administered wisely and advantageously in the various departments.

Mr. RAMSPECK. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes.

Mr. RAMSPECK. Mr. Chairman, I wish to join with my colleague from Texas who has just spoken in expressing regret that this subcommittee has seen fit to eliminate the item for civilian awards from this bill.

The Committee on the Civil Service, acting under House Resolution 16 of the Seventy-eighth Congress, made a report in December 1944. On page 15 of that report will be found reference to this matter of civilian awards. Without undertaking to take the time of the committee to read that report I say to you that we did make investigations of several departments and the plans used in those departments, including the Department of the Interior. We found that the program was worth while and that it had resulted in savings of millions of dollars to the Treasury of the United States. I believe those of us who have studied the problem of management in Government have come to understand that all Government agencies face a problem which private business does not have, and that is the fact that there is no profit motive in government. There is not the same incentive for individual effort and initiative that exists in private business where rewards can be made without any rules or regulations or red tape, and where there is no law limiting the procedures by which initiative and effort beyond the ordinary can be rewarded.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. I yield.

Mr. JOHNSON of Oklahoma. I will ask the gentleman if he has read the testimony in the hearings with reference to those awards?

Mr. RAMSPECK. Yes; I have.

Mr. JOHNSON of Oklahoma. Did the gentleman read about the gentleman who received an award of $20 for suggesting that music be played while the employees of the Interior Department ate during the lunch period?

Mr. RAMSPECK. Yes; I did; I read that.

Mr. JOHNSON of Oklahoma. Did the gentleman read about another employee being paid $10 for suggesting that they overprint several thousand envelopes and thereby make them usable for other purposes?

Mr. RAMSPECK. Yes; I read that.

Mr. JOHNSON of Oklahoma. And the gentleman condones that? The gentleman thinks it is in the interest of the taxpayer and in the interest of efficiency? Did the gentleman read that?

Mr. RAMSPECK. Yes; I read all of the hearings with reference to this subject very carefully.

Mr. LANHAM. Mr. Chairman, will the gentleman yield to me?

Mr. RAMSPECK. I yield.

Mr. LANHAM. May I call the gentleman's attention to the fact that in the Navy appropriation bill which passed the House just a few days ago we included a provision for awards in the following terms:

And payment of awards to civilian officers or employees and other persons in civil life for suggestions resulting in improvement in any manufacturing process, or plan, or Navy matériel—

And so on. That is authorized by the act to which I have just referred. The gentleman from California [Mr. SHEPPARD] a member of the Committee on Appropriations, made an inquiry, as shown on page 892 of the hearings, in which he asked how much that policy had saved and the answer was: "Approximately $30,000,000; and we feel that is a conservative estimate."

The same provision is in the law with reference to the War Department.

Mr. RAMSPECK. That is correct.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield to me for one more observation?

Mr. RAMSPECK. I yield.

Mr. JOHNSON of Oklahoma. I may say to the gentleman that the committee is just as much in sympathy with the law as is the gentleman. So far as the Navy is concerned, the committee feels that they have done much, but as for examining a list of these people who have been given awards all the way from $100 to $1,000, it seems to the committee that the Interior Department was using this law as an excuse to give away some Christmas money that they did not know what to do with.

Mr. RAMSPECK. I have no desire to argue the matter with the gentleman. I am sure that the committee did what it thought right, but I disagree with the judgment displayed. I also made an investigation, not only in this Department, but in others, and while I would not undertake to say that these particular two items the gentleman refers to were improperly decided, I do say to you gentlemen that to many managers of private concerns, it seems better to have music during the lunch hour, because they believe it helps the morale of the employee, and I say further to the gentleman that in the other cases he mentioned the chances are that those awards were justified.

Mr. JOHNSON of Oklahoma. Does not the gentleman know that that has been the practice for a number of years. Members of Congress have done the same thing, as have departments.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. NORRELL. The gentleman said that he read the hearings, and that these awards have saved the Department of the Interior money. I ask the gentleman to point out any estimate before the committee that was reduced because of the suggestions made in these awards.

Mr. RAMSPECK. I remember the gentleman's question along that line and the reply. I have no doubt that there were items not in the estimates, that would have been there had it not been for these suggestions. Of course I have not time to go into every one of these awards. I would not undertake to say to my colleagues on the floor how much money they have saved, but I do say to the gentleman in all sincerity that as a student of management in Government, as one who has been spent 15 years more or less specializing, that this system is a good system, that it is used by hundreds of private employers all over this country, with profit to their stockholders. And I think the Government ought to encourage its management people to carry on this program, and that the committee, if it has any doubt about the methods employed, should go into that question instead of simply cutting off the money, without regard to the kind of job they have done.

Mr. NORRELL. The committee did its best to find one item of money that had been saved by the Department of the Interior, and not a single witness could tell us one dollar in the estimates where the money had been saved.

Mr. RAMSPECK. The gentleman from Texas [Mr. LANHAM] established that they saved some money in connection with an invention.

Mr. LANHAM. Mr. Chairman, will the gentleman yield?

Mr. RAMSPECK. Yes.

Mr. LANHAM. May I ask the gentleman why it is that provision for such payments appear in the Naval Appropriation bill, which was just passed a few days ago? In the current appropriations with reference to the War Department also there is such provision, and I have the verbiage of each right here. I ask why do we make fish of one and fowl of another?

I think I have cited one very important suggestion, an invention that was made by an employee of the Department of the Interior that has saved a great deal of money, and the important war work it does could only have been done by the use of certain German machines which cannot be obtained.

Mr. NORRELL. It perhaps saved a great deal of money, but they failed to tell us in dollars and cents where that money had been saved.

Mr. LANHAM. The Navy Department said they saved $30,000,000 and that was a low estimate.

Mr. RAMSPECK. I am satisfied from the investigation I have made that this is a sound system, and I appeal to the gentlemen on this subcommittee to review their judgment on it, if the Senate puts this back in the bill, which I hope they will do, because I think it is a good system and if properly worked out, will save this Government millions and millions of dollars which the taxpayers otherwise would have to spend.

Mr. JOHNSON of Oklahoma. I think it will not be necessary for the gentleman to make that suggestion if he will read the record for several years. Nobody has ever made a suggestion about increasing appropriations to the other body but what it has been put there to the tune of many millions of dollars.

Mr. RAMSPECK. I will not argue with the gentleman about that, for I know how the gentleman feels about the head of the Department of the Interior.

Mr. JOHNSON of Oklahoma. I will say to the gentleman that this is not a personal matter at all; that for several years the gentleman from Oklahoma has demanded economy in Government, not only in the Department of the Interior, but in many other departments of Government that the gentleman has some knowledge of.

Mr. RAMSPECK. I will say to the gentleman in all courtesy that in my opinion this is the wrong kind of economy, because you are stopping a method of achieving efficiency and economy in the Department of the Interior which unquestionably could be achieved by this method.

The CHAIRMAN. The time of the gentleman from Georgia has again expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that the gentleman be given 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. JOHNSON of Oklahoma. Mr. Chairman, if the gentleman will yield further, I will say that about every objection that has been made to this bill so far is because the committee has endeavored to economize. I realize that you step on somebody's toes every time you try to save a little bit of money for the taxpayers, and every suggestion that has been made today by any Member of Congress in criticizing this committee is not for being too liberal, but for cutting the expenses of government. We are now just about two jumps ahead of printing-press money, and the time has come when we must economize in Government expenditures. May I add here that out in Bataan and other places the boys do not have to have canned music in order to fight.

Mr. RAMSPECK. Let us not drag the boys of Bataan into this argument. They have nothing to do with it. As a matter of fact, we do send USO entertainers out there with music. Why? Because it is considered good for the morale of the Army.

Mr. BIEMILLER. Mr. Chairman, it is distressing to find reverse legislation in an appropriation bill, as seems to be the case in this measure, for omission of funds to implement a direction of Congress that the Interior Department should run an awards program is nothing but legislation reversing a program authorized by the Congress. The whole Congress, after careful investigation and examination of similar endeavors, found this program worthy and endorsed it last year. Now a subcommittee finds it impractical and undertakes by this oblique means to kill the law.

If we ratify this change and say that the Congress does not believe there should be awards of value for outstanding civil-service employees, it does not merely mean that this operation will not go forward in the Interior Department. This would be a finding by the Congress that we do not believe in such a system

and, inasmuch as we do not discriminate between those agencies downtown, we will have to stop the War Department, the Navy Department, the Maritime Commission, the Post Office Department, and the War Shipping Administration from practicing their civilian awards programs which have shown themselves entirely successful.

I, for one, do not want to tell Government workers that Congress is not prepared to recognize any unusual service they perform. I believe that we should go further in such recognition so that our employees in the regular departments know that we recognize and want to recognize good work as well as criticize bad work.

Let me bring to your attention the splendid experiences of the War Department, the Navy Department, and the Maritime Commission with their awards plans.

The suggestion system operating at War Department installations, adopted and put into effect from June 1943 to February 1945, 29,698 suggestions out of 218,693 which were offered. Accumulated savings as a result of these suggestions total $33,897,234.

Civilian workers at naval shore establishments during 1943 and 1944 submitted 72,825 suggestions. The number adopted and put into use was 10,750. The Navy estimates the accumulated savings at $30,000,000.

The Maritime Commission instituted an extensive awards system in shipyards holding contracts with that agency. Maritime regional offices reported 3,020 of the best suggestions to the Washington office. The Commission redistributed 90 percent of these suggestions to other shipyards. Estimated annual savings in manpower and material total $44,838,639.

The War Production Board, operating through War Production Drive Headquarters, has sponsored joint production committees in 5,000 war plants. About 90 percent of these committees have sponsored a suggestion system. Nearly 6,000,000 suggestions have been received since the beginning of World War No. 2 to date. One million, five hundred thousand have been put into operation. The estimated annual savings are well over $300,000,000.

To be specific, I have had compiled a list of 50 firms from all parts of the country with a break-down of the suggestions received and accepted, monetary awards paid, and estimated annual savings. The firms are:

American Radiator & Standard Sanitary Corporation.
American Type Founders, Inc.
Amertorp Corporation.
Bendix Aviation Corporation, 2 plants.
Carborundum Co.
Chapman Valve Manufacturing Co.
Cheney Bros., Inc.
Cluett, Peabody & Co., Inc.
Colonial Beacon Oil Co.
DeLaval Steam Turbine Co.
Douglas Aircraft Co., Inc.
E. I. duPont deNemours & Co., Inc.
Eastman Kodak Co., 2 plants.
Electric Boat Co.
B. F. Goodrich Co., 2 plants.
Illinois Central Railroad Co.
International Harvester Co., 3 plants.
Johnson & Johnson.
Jones & Lamson Machine Co.
Merck & Co., Inc.
National Lock Co.
National Tube Co.
Oregon Shipbuilding Corporation.
Owens Illinois Glass Co., 3 plants.
Pitney Bowes Postage Meter Co.
Plomb Tool Co.
Radio Corporation of America.
Remington Arms Co., Inc.
Rohr Aircraft Corporation.
Servel, Inc.
Standard Oil Co.
Stewart-Warner Corporation.
Stromberg-Carlson Co.
Superior Separator Co.
Western Electric Co., Inc., 2 plants.
Westinghouse Electric & Manufacturing Co., 7 plants.

Number of suggestions received	115,321
Number of suggestions approved	32,500
Monetary awards paid	$407,059
Estimated annual savings	$9,696,349

Certainly this evidence shows that American industry finds an awards system a valuable asset. It is just as much in step with the American way as democracy itself. Why should not the Interior Department be permitted to use this valuable technique?

I do not want to see our progress in such successful endeavor nullified in the fashion it would be nullified were we to approve this bald declaration that such an awards program is impractical. The Interior program is operated on the identical basis under which many such efforts flourish.

I also note that it is the temper of the country that outstanding performance should be recognized—even outstanding performance, and I think there are many such outstanding performances, by Members of the Congress. Collier's magazine has already announced that, through a most distinguished board of awards, it intends to select one Congressman and one Senator this year for outstanding performance and award him $10,000 in recognition thereof. If we here today declare ourselves against such awards, one of my distinguished colleagues in this body and one of our distinguished Senators will certainly be under a requirement to say "no thanks" to that award if they are to accord with this proposed nullification.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

BONNEVILLE POWER ADMINISTRATION

Not to exceed $3,487,110 of the unobligated balance of the appropriation "Construction, operation, and maintenance, Bonneville power transmission system," shall be available under the account for said appropriation in the fiscal year 1946 for expenses of marketing and operation of transmission facilities, and administrative costs in connection therewith, including $20,300 for personal services in the District of Columbia, and the purchase (not exceeding 10), maintenance, and operation of passenger automobiles.

Mr. HORAN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wanted to amend this part of the bill to call for an independent investigation and audit of the Bonneville books upon which rates are based. But I understand that that would be subject to a point of order, being legislation on an appropriation bill, so I am going to introduce a bill for that purpose, and I trust that I will have the committee's sympathy and support. I want to get at the truth in this matter of the Bonneville rates. I have read the speech of the gentleman from Ohio very carefully, and I must reluctantly say that I do not feel that he has given us much light as to the rightness or wrongness of the published rates.

The Columbia is a great river, and we have but begun its development. Now is the time to get at the truth. I do hope that this matter will cease to be a football here every time this annual appropriation bill comes up.

Mr. JONES. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, on yesterday I devoted considerable time in general debate to the discussion of the Bonneville Power Administration and the Reclamation Bureau. In connection with my remarks I submitted tables prepared from the evidence which was furnished at the hearings and supplemental evidence furnished after the hearings by the Bonneville Power Administration, the Reclamation Bureau, the Defense Plants Corporation, and the Federal Power Commission, every place that I could examine authentic reports furnished to me, to the subcommittee of the Department of the Interior, or to other Government agencies. I have placed these reports in the form of financial statements in the RECORD.

Comparing that with the testimony given, I found and concluded yesterday that the Bonneville Power Administration were not amortizing their investment properly, that their financial statements to Congress showed no allowance for amortization at all. Under their present organization there is no control over their expenditures. Their comptroller of finance reports directly to Dr. Raver, Administrator of the Bonneville Power Administration. The comptroller of a private corporation, following good business practices, reports to the board of directors rather than the executive officer of the company. It is important that the Congress of the United States pass a resolution to investigate the Bonneville Power Administration, in view of the evidence that was submitted yesterday in the RECORD in connection with my speech on this subject, and which to date has not been refuted in any way. I hope the Members of the House will support such a bill.

I would be opposed to an independent audit. I am opposed to the independent audit system of the T. V. A. I think the General Accounting Office should be the exclusive auditing agency for all Government agencies, departments, and independent establishments. The auditing of Government agencies, bureaus, and independent establishments of the Government is entirely different from and unrelated to audits of private enterprise, because public financing and public expenditure of money is based upon Federal statutes. An approved accounting system of private companies has no relation whatsoever to the kind of an

audit that the General Accounting Office makes or should make. The General Accounting Office makes an audit based upon the legality of expenditure under accountable warrants, to see that the expenditures are made in accordance with the categories of appropriations. I would violently oppose an amendment that would provide for a new and independent commercial audit.

The only way we can ever bring relief to the American taxpayers on account of the operation of the Bonneville Power Administration is to have an investigation of their entire operations. Make them prove from their records that they have amortized in accordance with the sections of the law providing for repayment to Uncle Sam of the original Government investment in the entire project and the charging of depreciation so that at the end of the amortization period the plant will be whole and in good shape and in condition to continue operation on behalf of the United States Government for many years to come. That is a sound business practice and principle that an investigation by a congressional committee will insure.

I hope the Members will look once again at the evidence submitted in the CONGRESSIONAL RECORD yesterday and conclude with me that there should be a thorough and sweeping investigation of this project.

Mr. DE LACY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have listened very closely to the demand of the distinguished gentleman who preceded me that an investigation be made of the Bonneville operation.

The basic facts of that operation are pretty well known. It is producing power at one of the cheapest rates in the country, 2 mills, which is providing a basis for aluminum and other war production in that great area. It is producing a great surplus, which has been turned back into the United States Treasury.

This demand at the present moment for an investigation seems to link up with some of the difficulties which are being flung in the direction of public ownership and operation of power. I would like to call attention at this time to the fact that the honorable Committee on Appropriations, which has done such a great service, has gone through volumes of testimony and taken a long time to carefully study these proposals, has brought in, in relation to Bonneville itself, what many of us feel to be a most unfortunate recommendation. The Bonneville authority asks for $362,000 for marketing purposes. It was actually given only $127,000. That represents about a half of 1 percent of a month's return from Bonneville to the United States Treasury. Any private company which does not spend at least 3 percent in the promotion of markets for its current is an unusual company.

Here we are limiting this great enterprise to one-half of 1 percent when it asked for something like 1 percent. The purpose of these funds is laudable. We must protect the Bonneville sales of power. When the aluminum factories are further cut back, we will lose in the neighborhood of $750,000 a month in revenue to the Federal Government. The purpose of the money requested by the Department, $362,000, was to promote new markets for the disposal of their power. This today is more than ever necessary. If last year the Department got by on $127,000, it did so because there was no relative change in the marketing conditions for power. This next year may see a drastic cut-back and a great necessity for extending the promotion of market services of this great power project. We need the full amount, Mr. Chairman, and I hope that the body at the end of the Capitol will review this decision and that the Members of the House, itself, will give it their further serious attention.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. DE LACY. I yield with pleasure.

Mr. NORRELL. I share the interest of the gentleman in the Bonneville Power Administration. I think Dr. Raver is doing a fine job, but does the gentleman not believe that $17,000,000 of unexpended funds which are continued in the appropriation and made available for expenditure is a sufficient fund out of which this money could come for a few months longer, especially, in view of the fact that Congress is in session practically all the time and if they run out of money they can come back to the Congress?

Mr. DE LACY. If it is not the intention of the committee to prevent the further access of the Authority to funds for the services I have described, it can doubtless secure them. But we must not shut them off from this source of expenditure and from this useful activity.

Mr. NORRELL. The point I want to make, if the gentleman will permit, is that this committee feels as a whole they are friendly to the Bonneville Power Administration, and we think we have been fair with it. We think its surplus now indicates how liberal this committee has been with the Administration in that past year.

Mr. DE LACY. That is very gratefully received, and I trust that the continuing necessity of the marketing service will be recognized as the need further develops along the line I have suggested today.

The CHAIRMAN. The time of the gentleman has expired.

Without objection, the pro forma amendments were withdrawn.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SOLID FUELS ADMINISTRATION FOR WAR

Salaries and expenses: For all necessary expenses of the Solid Fuels Administrtaion for War in performing its functions as prescribed in Executive Order No. 9332 of April 19, 1943, including the employment without regard to civil-service and classification laws of a Deputy Administrator at not to exceed $10,000 per annum and not to exceed 28 technical employees; other personal services in the District of Columbia; printing and binding; traveling expenses, including attendance at meetings of organizations concerned with the purposes of this appropriation; reimbursement at not to exceed 3 cents per mile of employees for expenses incurred by them in official travel in privately owned automobiles within the limits of their official stations; contract stenographic reporting services; newspapers; office supplies; furniture and equipment; maintenance, repair, and operation of passenger-carrying automobiles; and the acceptance and utilization of voluntary and uncompensated services, $3,500,000.

Mr. JONES. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. JONES. Mr. Chairman, I make a point of order against the language appearing on page 7, line 18, starting with the word "including"; the balance of line 18, all of line 19, all of line 20, ending with the word "employees" in line 21; and in line 25 on the same page after the semicolon, the balance of that page and the first two lines on page 8, down to and including the word "stations" in line 3, on the ground that it is legislation on an appropriation bill which changes the basic law, in the first instance in regard to the classification laws of the civil service; and in the second instance that it is in violation of the general travel statute.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. Yes, Mr. Chairman.

As members well know there are a number of instances in this bill as in all appropriation bills that have been presented to this House, not only in recent years, but certainly during the past several decades, which are clearly legislation on an appropriation bill. On the other hand, they are essential to the efficient operation of the department. I regret as much as any member of the committee that any legislation under our present system is necessary on an appropriation bill. I am hopeful that the matter will be worked out in the near future, whereby the Budget will not send legislative provisions to any appropriations committee for action. I may state that steps have been taken to that end. I think that I can go further and assure to the gentleman that this will be done. Now speaking specifically to the gentleman's point of order, of course the gentleman, who is a good lawyer, knows this is legislation on an appropriation bill. And I might add that there are several other similar instances, but I am sure the gentleman would not want to interfere with the proper functions of this particular agency or any other agency of government and therefore, am hopeful he will not raise further points of order. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The gentleman from Ohio [Mr. JONES] makes a point of order which is conceded by the gentleman from Oklahoma.

The point of order is sustained.

The Clerk will read.

The Clerk read as follows:

Leasing of grazing lands: For leasing State, county, or privately owned lands in accordance with the provision of the act of June 23, 1938 (52 Stat. 1033), $7,500: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said act.

Mr. ROONEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I rise to make certain comment and criticism with reference to the Grazing Service which was originated in the year 1934 by the passage of a law which was sponsored by the then chairman of the House Committee on Appropriations, Congressman Edward T. Taylor, of Colorado, but which, like a little, loving puppy dog that first came into the house at that time, has now grown into a full-grown, hungry, incorrigible beast which seeks to devour the Federal Treasury.

For the fiscal year 1936, following the enactment of the basic Taylor Act, there was allowed by this Congress an appropriation of $250,000 which has since grown to the point where the Budget estimate for this year is $1,693,700; and I from the eastern part of this country ask: For what? To whom are we extending such beneficence from our Federal Treasury? Who are these people who are the objects of the bounty of our Government? I find that 23 percent of the ranchmen or permittees who use the public grazing land own 75 percent of the live stock that is grazed on that land. If the money for the Grazing Service were to help the small homesteader of the West, the man who has a few hundred head of cattle or sheep, I would not take the position that I do; but when I find as a fact that a man owning a herd of 30,300 head of cattle together with 1,000 head of horses, and 17,500 sheep is provided with this grazing land at vast expense to the Government, it is time to call a halt. The Grazing Service should pay for itself but does not. Last year, that is fiscal year 1944, it cost the taxpayers of America the net sum of $836,710.

The only logical answer to the problem is that since originally it was wisely planned that the Grazing Service should be self-liquidating, it must immediately become self-sustaining and must not be, as it now is, a subsidy for the advantage of such wealthy cattle and wool-growing barons of the West.

One of my colleagues from the Western States took this floor today to state to you that the users of the range were against increasing the appropriation for the Grazing Service. A most generous statement. Why, I ask? Is it because the Director of the Grazing Service now seeks to increase the grazing fees to an amount which would make the project self-liquidating? We have only approximately 300 employees in the Grazing Service scattered through 10 States of the West. But lo and behold, I find that we have 600 advisory board members comprised of these wealthy businessmen and their representatives to advise these 300 employees; and out of the Federal Treasury there is paid $5 per diem and expenses to these same cattle and sheep men to attend many meetings called for the purpose of instructing the 300 employees of the Grazing Service as to their wishes and to advise such Service that they do not care to have grazing fees fairly increased.

I find in going through this bill that the Bureau of Indian Affairs obtained many many times as much return to the Federal Treasury in grazing fees as that obtained by the Grazing Service. We may wonder why that should be. I am sure I for one do not understand it. I have attended all the hearings of the committee during the past several months. I have sought competent advice on the subject and yet I cannot at all understand why it is that the Indian Service, and State-owned lands, so-called railroad lands, and private lands leased for grazing purposes produce fees seven times more than the 5 cents a month that is obtained for cattle and 1 cent a month for sheep grazing by the Grazing Service.

My criticism is directed not only at those who reap the benefit of the Government subsidies for grazing purposes and who now bitterly oppose an increase in grazing fees to an equitable level, but also at the Interior Department and Grazing Service for not taking the bull by the horns long before now and increasing the fees. When the statement attributed to the Secretary of the Interior at page 10 of the report on this appropriation bill was made, that statement referred to a contemplated grazing domain of only 50,000,000 acres. It did not contemplate the inclusion of 142,205,002 acres in grazing lands, the present total area administered by the Grazing Service as of September 1944. The extension or growth in grazing districts came about as the direct result of requests of those who now use the range. Not only were more districts established, but activities were added, such as planning and administering installation of range improvement, soil and moisture conservation, fire protection of the range, and work incident to land exchanges. To perform these functions on 142,000,000 acres of the public lands now in grazing districts is no small job for the 317 employees of the Grazing Service.

Insofar as I, personally, am concerned, as a member of the Subcommittee on Interior Department, I shall insist that the principles and purposes of the Taylor Act be carried out and not defeated by the selfish wishes of those who have never objected to successive increases in appropriations for the Service in every year since its inception until now that an increase in grazing fees is contemplated. A reasonable fee is considered to be one that represents a fair value of the forage obtained by the user of the range. I am reliably informed that a number of cattle and sheep raisers who presently are not entitled to use the public range are most anxious and willing to pay rates for the forage far in excess of the present rates collected by the Grazing Service.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. FERNANDEZ. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I wish to compliment the gentleman from New York. I know exactly how he feels in talking about this grazing bill.

But in the first place the gentleman from New York forgets that this money is being expended for the protection and improvement of 142,000,000 acres of land belonging to the United States—to New York, as well as to New Mexico. In the second place, if the gentleman does not think that that land is worth conserving and worth taking care of and improving, then my State, for one, will be very happy to take that land, if the gentlemen in the Congress will grant it to us as it granted some of the other lands, for public education.

In reading the comments of the committee about the Grazing Service, I am afraid that the committee, like the gentleman from New York, was a little bit piqued, because the committee a year ago and perhaps even before that, asked the Grazing Service to raise its grazing fees. Perhaps the Grazing Service fees ought to be raised at some time. As the gentleman suggested, it was intended to be self-liquidating, but during the war, the cattlemen have had no control over the price of their products; they have been frozen to a large extent, and they can hardly make ends meet. They cannot help themselves because of the attitude of the Government. Only because of that the cattlemen have objected to any increase at this time, and the Committee on Public Lands of the Senate requested, in no uncertain terms, that that be let alone until they could investigate, and for that reason, the fees have not been raised. When we get to normal times, and when this land has been improved, when the land has been put in shape so that the cattlemen can use it to advantage, they will have no objection to paying just as much for that land as they pay for other lands. In this report of the committee mention is made of Mr. Taylor. The report says:

> It will be recalled by Members who cherish the memory of the Honorable Edward Taylor, author of the Taylor Grazing Act, and former chairman of the Committee on Appropriations, that it was his intention that the Grazing Service should be self-sustaining.

While I did not have the honor of serving with the late Edward T. Taylor, I have read his glowing tribute to the grazing Service administration, made on the floor of this House on June 28, 1941. We thoroughly agree with him in his tribute to the excellent work carried on by the Grazing Service, and as I said before, we in the West agreed with Mr. Taylor respecting the original intention of the act. We all want this land to be self-sustaining, and it will be if sufficient funds are allowed to bring it back to full production. I am not going to say that these appropriations should be increased and I am not going to say that they should be decreased, because I do not know. I have not gone into the question of costs but I do feel we make a mistake when we argue about the fees being low and forget that we are using that money to protect and to bring back the grazing lands which we were losing through erosion and lack of protection in the past.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. Yes.

Mr. ROONEY. Does the gentleman realize that since the institution of the Grazing Service there has been expended on behalf of these public lands possibly $37,000,000, and that the returns from the Grazing Service has been only about $3,000,000?

Mr. FERNANDEZ. I do not know what the amounts are. I know they have been quite large, but as I said, 142,000,000 acres are being taken care of, and if we do not want to spend that money then give the land back to the States where it really belongs.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. Yes, sir. I yield to the distinguished chairman.

Mr. JOHNSON of Oklahoma. The gentleman has referred to Mr. Taylor, author of the Taylor Grazing Act. And I agree with what the gentleman said. He was a great man, and he advocated an organization that would at least check erosion in that great area.

I might say to the gentleman that I helped him put that bill through Congress. But the gentleman also, if he has read the record, knows that Chairman Taylor not only said that he envisioned an organization that would be self-sustaining but he assured the Congress, on what he thought was the best authority, the Secretary of the Interior, that the Taylor Grazing Act would not cost the taxpayers in excess of $150,000 a year. Yet the first estimate that came to this Congress was $250,000 a year, and our committee was just faced with a request for $1,600,000 instead of $150,000.

Mr. FERNANDEZ. I realize that, and I said a while ago that I did not blame the gentleman from New York, nor the committee, for being peeved at it. I have read the record, and I am familiar with the $150,000 figure. But if you have read the record from the beginning of the hearings of the Taylor Grazing Act, you will find that this Congress was advised repeatedly, not by the Department of the Interior but by the Forest Service, which was more experienced in those matters, that it would cost $2,000,000. But the Grazing Service has kept the cost at nearer the figure at an average of less than $1,000,000 a year. They estimated that it would cost $2,000,000—the Forest Service did—and this Congress knew about it when it passed the bill. If Mr. Taylor miscalculated, or if this Congress wanted to fool itself, I cannot answer for that, but this Congress was fully advised from the very beginning by the Forest Service, which had experience in that kind of business, that it would cost $2,000,000.

Mr. ROONEY. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I yield to the gentleman from New York.

Mr. ROONEY. Does the gentleman also realize that these men to whom I referred a while ago as cattle barons, who have herds consisting of 30,000 cattle and 20,000 sheep, are being paid $5 a day and their expenses to go to meetings? Does the gentleman think that that is fair to the taxpayers of America to help millionaires, and at the same time not only help them but pay their expenses to go to meetings to tell the Grazing Service what to do?

Mr. FERNANDEZ. I do not know anything about any cattle barons, and I do not know that they are being paid $5 a day to attend any meetings. If that is the case, of course, that should be corrected.

Mr. JOHNSON of Oklahoma. If the gentleman will yield further, possibly they are paid this $5 a day to attend the meetings to advise these 300 employees to keep the grazing fees 1 cent per sheep and 5 cents per head of cattle.

Mr. FERNANDEZ. As I say, I do not know anything about any cattle barons.

Mr. ROONEY. Mr. Chairman, if the gentleman will yield further, does the gentleman realize that in the State of Montana the grazing fee per head of cattle per month is 33 cents as given us by the Bureau of Indian Affairs as compared with 1 cent a month under the Grazing Service?

Mr. FERNANDEZ. Oh, yes. The hearings reveal all of that, though not 1 cent per head, but it is true that the grazing charges are low. Our State charges more in fees for their land than the Government, and the Department of the Interior intended and started to raise those fees until the Senate committee stopped them.

Mr. NORRELL. Mr. Chairman, if the gentleman will yield further, the gentleman said a while ago that the Forest Service estimated that much larger sums would be needed. I am wondering if the gentleman is familiar with the fact that this year in the agricultural appropriation bill there was provided to the National Forest and Protection and Management Work the sum of $17,729,000, so that the amount that they estimated has been adequately taken care of by this committee.

Mr. FERNANDEZ. The gentleman heard me say a while ago I was not recommending that this appropriation be increased, nor do I recommend that it be decreased. I am merely pointing out that we are disturbed about a matter over here about which the Service is not to blame. This Congress was advised that it would cost $2,000,000, by disinterested parties, the Forest Service.

The CHAIRMAN. The time of the gentleman from New Mexico has again expired.

Mr. NORRELL. Mr. Chairman, I ask unanimous consent that the gentleman be given 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NORRELL. Mr. Chairman, if the gentleman will yield, I think it is the attitude of this subcommittee that the Grazing Service ought to be self sustaining. If the stock growers want to increase their fees and spend $1,600,000, certainly this subcommittee should provide the funds.

Mr. FERNANDEZ. I thoroughly agree with the gentleman, but the Congress too has an interest and a duty to protect and conserve the federally owned range.

Mr. CASE of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. FERNANDEZ. I am sorry, but I must decline. I only have a limited time. I will yield to the gentleman for just one question.

Mr CASE of South Dakota. I was going to ask the gentleman if he thought that if the grazing fees were changed, as some gentlemen are proposing, they would be able to prevail on the O. P. A. to change the ceiling on cattle?

Mr. FERNANDEZ. I have my doubts. That is why they are afraid they will not be able to make ends meet, if a raise is made now.

Considering the over-all administrative problem of the Grazing Service inadequately allotting range privileges, and at the same time protecting the public interest on 142,000,000 acres of federally owned land in grazing districts, intermingled with an almost equal area of State and private land, it would seem to me that the need for adequate appropriations is not only absolutely essential for the stabilizing of the western livestock industry, but also for the purpose of fully protecting the over-all public interest that is in these lands in watershed and streamflow protection.

Even handicapped by lack of funds and administrative personnel, the Grazing Service has, in my estimation, made a very fine record.

There are districts in my State that contain many millions of acres of Federal range land, used by approximately 400 individual livestock men, operating several hundred thousand head of livestock, where, due to lack of personnel, the Grazing Service has to attempt this huge administrative task with 1 man and 1 clerk. They must attempt to adjudicate range privileges, work out controversies between users, carry on an adequate range development program, and do all the hundreds of duties that are expected by the range users themselves.

I have never yet seen a great conservation project authorized by an act of Congress that could be self-sustaining before many, many years. It must be further remembered that only a portion of the appropriations requested go to the direct benefit of the livestock industry, but a part is always used for the over-all public interest.

Conservation of a nation's natural resources has always been recognized as an essential element of our national welfare. The administration of grazing districts is but a part of this great national program.

In the future, I hope it will be possible that, as far as the direct benefits to the livestockmen are concerned ,the fees will be equal to the appropriation, and when this time comes you will find the western livestockmen to be in full accord with such a program. But that part of the appropriation that is used for the over-all protection of the land and its related resources is extremely difficult to measure in terms of dollars and cents.

In any event, it would be a departure from a conservation policy long since adopted by Congress to expect that a job such as the administration of grazing districts, where so much development, rehabilitation, and equitable distribution of privileges to graze the range is necessary, could be accomplished in a short period of time.

Mr. A. D. Brownfield, a citizen of my State and the president of the American National Livestock Association, while very much opposed to any increase in grazing fees at this time because of the matters I have mentioned, has publicly stated that the Taylor Grazing Act "has almost

completely stabilized the livestock industry dependent upon the use of these lands."

Mr. Brownfield's and Mr. Taylor's high regard for the excellent work of the Grazing Service is shared by all persons in my State who are informed on the subject.

The Clerk read, as follows:

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Mrs. BOLTON. Mr. Chairman, I ask unanimous consent to return to page 21 for the purpose of offering an amendment making a slight change in the spelling of one word.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Chairman, I offer an amendment which is at the Clerk's desk.

The Clerk read, as follows:

Amendment offered by Mrs. BOLTON: On page 21, line 9, strike out the letter "s" in the word "youths."

Mrs. BOLTON. Mr. Chairman, on page 21, line 9, there appears the word "youths." I quote the sentence in which it is used:

That advances may be made to worthy Indian youths to enable them to take educational courses including courses in nursing.

The committee undoubtedly intends that Indian girls shall have this assistance, but I fear the use of the plural may be interpreted to mean only the young men. I am therefore submitting this amendment so that the intention of the committee may be indisputable.

Mr. JOHNSON of Oklahoma. Mr. Chairman, it certainly was the intention and is the intention of the committee that this language apply to both men and women, or boys and girls. The committee has no objection to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, $75,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, Revised Statutes, or to the act of May 27, 1930 (46 Stat. 391), as amended.

Mr. REES of Kansas. Mr. Chairman, I make a point of order against the language on page 44, line 13, beginning with the word "*Provided*", down to and including the word "amended" in line 16, on the ground that it is legislation on an appropriation bill, not authorized by law.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the committee concedes the point of order.

The CHAIRMAN. The gentleman from Kansas [Mr. REES] makes a point of order which is conceded by the gentleman from Oklahoma. The point of order is sustained.

Mr. FERNANDEZ. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, like other Members of the House, I have the highest respect and affection for the chairman of the subcommittee the gentleman from Oklahoma [Mr. JOHNSON] and for the committee. I think it has done a good job. Truly they have cut some items where I think they should not be cut, but I have made no complaint about it. However, there are two or three items in which I think the committee, faced with many requests for large expenditures of money, yet trying to be economical and to cut down on the expenditures of Government, has cut down on the side of the weak, perhaps because the weak did not have men to look after their interests so strongly as other interests who came before the committee.

I have reference first to the matter of appropriation for assistance and rehabilitation for the Indians. Last summer when we went over the country we found conditions which were deplorable. Before I finish I shall yield to the gentleman from South Dakota [Mr. MUNDT], who will describe those conditions to you.

Another of these items is the item with respect to Indian assistants. We have in the Service about 900 Indians who have been employed for quite some time as assistants to be trained. They have been trained and are doing the full work, and they are being paid only $60 a month.

The Indian Service has requested sufficient funds to pay them an amount equal to that paid white employees. That has been cut out and they have not received the increase. We hear much talk about passing the F. E. P. C. bill telling industry to be fair in its employment methods, yet the very Government itself, I am afraid, in these cases is practicing rank discrimination against the Indians because they are being paid $60 a month, $720 a year, when others doing exactly the same kind of work are receiving $1,320 and more per year.

I now yield to the gentleman from South Dakota the balance of my time.

Mr. MUNDT. I wish to reecho and reemphasize every statement made by the distinguished gentleman from New Mexico. He and I were on a trip this last summer authorized by this Congress for the purpose of investigating the condition of these Indians. It seems to me it is almost appalling that $539,000 has been taken away from the neediest group of Indians, those on relief and those needing rehabilitation. It is true, as the committee suggests, that there are favorable employment conditions at the present time, but it is equally true that when the war is over unfavorable conditions may operate on those Indians.

I hope that when this legislation goes over to the Senate the proper representations will be made before the Senate committee that will cause a restoration of part of that cut; and I certainly hope they will eliminate the discrimination existing between white employees of the Indian Bureau and the Indian employees themselves.

The CHAIRMAN. The time of the gentleman from New Mexico has expired.

By unanimous consent, the pro forma amendment was withdrawn.

The Clerk read as follows:

Central Valley projects, California: Not to exceed $400,000,000 from power revenues shall be available for the operation and maintenance of the power system;

Mr. HAVENNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I share the concern expressed by my colleagues from California about the elimination of preliminary appropriations of $100,000 for power transmission lines and switchyards and of $115,300 for a steam standby plant which were recommended by the Interior Department for the Central Valley project.

The eliminations of these amounts would nullify one of the prime purposes of the Central Valley project. This prime purpose was to make the Central Valley power readily available to cities and other political subdivisions of the State of California by transmitting it to places where it could be conveniently sold at wholesale to these cities and subdivisions for the use of their people. In order to make this power useful to the people it would be necessary, in the parlance of the power industry, to firm it, by constructing a steam stand-by plant which would be able to furnish emergency power at times when the hydroelectric supply might be temporarily shut off by accident or act of God.

In reading the report of the committee hearings I have noted that the principal testimony in opposition to the proposed approriations for transmission lines and a stand-by plant was given by Mr. James B. Black, president of the Pacific Gas & Electric Co.

This company enjoys a practically complete monopoly in the service of electricity to the people of central and northern California.

I regret very much that the representatives of the consumers of electricity in those vast sections of my State were not heard on this very important question before the committee. If they had been notified I feel sure that they could have presented facts and evidence which would have convinced the committee that the people of the great Central Valley area are overwhelmingly in favor of obtaining the full benefits of this extremely valuable electric power. They will eventually repay out of their own pockets the entire cost of the Central Valley power project and I am absolutely certain that they do not consider it either reasonable or just that they should be obliged to pay not only a fair purchase price for the power they use, but also an additional charge by a private corporation for the privilege of having the power delivered to them.

I also observe in the printed hearings that the committee exhibited great concern over the large amount of taxes paid by the Pacific Gas & Electric Co. to the State of California and the Federal Government. I wonder if the members of the committee realize that all of these taxes are passed on to the consumers in

the form of operating charges, and are paid in their entirety by the people of California in their monthly bills for electric service. So, the people of the Central Valley area will not only repay the cost of this power project which has been built by the Federal Government and a profit to a private corporation for the use of this publicly generated power, but they will also pay out of their pockets all the taxes levied upon this private corporation by the Federal Government, the State government, and all other governmental subdivisions.

Mr. Chairman, I listened attentively to a statement made yesterday by the chairman of the committee, the distinguished gentleman from Oklahoma. I wonder if he knows that all during the period of the war the private utility corporation which enjoys a monopoly of the electric power business in central and northern California has been permitted by law to earn the same amount of net return on its capital investment as it earned in peacetime. The staggering burden of war taxation which has compelled all private citizens to dig deep into their personal incomes and resources in order to insure the victory of our armed forces has left the private net income of this corporation unimpaired at prewar levels. This practical immunity to war taxation is due to a decision of the United States Supreme Court which years ago held that all taxes which are payable by a public utility if a fair return is to be earned are proper charges to the operating expense accounts of such corporations.

So, Mr. Chairman, there is no need for governmental concern about the financial welfare of this and similar public-utility corporations, which are protected against private competition and guaranteed a fair return upon their capital investment in peacetime and in wartime, nor about the large amount of tax bills which appear upon their books. It is the people who are obliged to buy electricity from these monopolistic corporations and to pay all of their taxes, who are entitled to the concern of Government at this time.

I earnestly hope that this important mistake will be rectified and that the Government will proceed to build the facilities necessary to enable the people of the Central Valley area of California to enjoy this public power at a proper price.

Mr. NORRELL. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I ask unanimous consent to speak for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. NORRELL. Mr. Chairman, several speeches have been made this afternoon with reference to the package that this subcommittee had handed to the power companies. The last speaker dwelt somewhat at length with reference to the income of the power companies. May I say to you briefly that this subcommittee is not dealing with incomes of people and corporations of this country, and if there has been a package handed to the power company in regard to the Central Valley Authority it has been handed to the company not by this subcommittee but by the Department of the Interior.

This subcommittee has a tremendous responsibility. We have held extensive hearings. We have tried to be sympathetic, and we have rendered a decision. It is not an easy task to deny appropriations. However, it becomes our duty at times as we see it to refuse to recommend appropriations. But with reference to this special item, there is $75,000,000 involved—$75,000,000 involved, if you please. There is presently existing a contract for the sale of all of the power from the Central Valley Authority. I know nothing about this contract. The subcommittee knows but very little about it, but I want to say, in passing, that it has been entered into and it is in full force and effect until sometime in 1949, unless previously canceled. The Department of the Interior said that it was fair and equitable.

There appeared before our committee a representative of the citizens who live in the Central Valley Authority section of California, and he advised that the contract was fair and equitable. Mr. Chairman, if it is fair to the Government, if it is fair to the people of California, if it is fair to the taxpayers of the Nation, I want to know who is challenging it?

May I say further that there was not a Member of Congress that appeared before your subcommittee and challenged the fairness and the equitableness of that contract. There was not one word raised in the subcommittee hearings to show that it was not a good contract, and and I take the privilege at this time of saying that I believe, therefore, that the contract is good, that it is equitable to the Government, to the people of California, and to the taxpayers of the Nation.

This project was given birth by the citizens of California residing in central California some 10 years ago in order to bring water to the Central Valley from the San Joaquin and Sacramento Rivers. Power was a byproduct. One hundred and seventy million dollars was estimated to be the total expense. In 1941, after the Government took it over, the project was estimated by the Government to cost $228,000,000. In 1942 the estimate went up to $265,000,000. In 1943 the estimate was increased to $333,000,000, and now I believe the estimate runs in the neighborhood of $362,000,000, and some are arguing that before it is completed it will cost in the neighborhood of a billion dollars.

What do you expect the Subcommittee on Appropriations to do, allow all these funds? Notwithstanding the fact that there has been expended in cash to date about $154,000,000 and notwithstanding the fact that the original purpose was to bring water to the arid lands of central California, there has been but about 42 second-feet of water carried to the arid lands of that great section. I have not heard from any farmer in the Central Valley asking this subcommittee to allow money for these projects.

Mr. Chairman, in conclusion may I say that this committee has been fair and reasonable with reference to this project. If there is need, this money can be allowed in the future. Congress is in session about all the time now. I want the Government to hold the big stick but I do not want to kill any legitimate enterprise, especially one that returned to the Federal Treasury last year $26,000,000 and paid to the State of California and its subdivisions around $13,000,000.

What is $75,000,000? That is a lot of money. That would pay the expenses of the legislative branch of the Government for about 3 years. Seventy-five million dollars would be sufficient to pay an increase of $1,000 in salary to the entire membership of this House for 175 years, running to the year 2120. Seventy-five million dollars would pay the salary of our great President of the United States for about 1,000 years. At the rate of $2,000 per year it would take one Congressman 375 years to pay that much in taxes. One Congressman will draw in 10 years $100,000. In 100 years he will draw $1,000,000. If my figures are correct, it would take a Congressman 7,500 years to make enough money on his present salary to equal $75,000,000.

Then you come before this subcommittee and challenge our integrity, to some extent, if you please, and accuse us of giving to the Power Trust a package, without showing the subcommittee by one iota of evidence that the contract the Secretary of the Interior entered into is in any way, shape, form, or fashion unjust.

As one member of this subcommittee, I say to you that when you come in and challenge this contract, when you show us it is unfair to the Government, when you show us it is unfair to the farmers in central California, when you show us it is unfair to the taxpayers, I will be the first one to advocate doing something about it. But without doing that, simply to come here and say, "We want $75,000,000 more money," leads me to say to you that we cannot afford to grant your request. We are knocking now at the ceiling of a debt limit of $300,000,000,000. It is time to stop, think, and consider our financial condition. May we not commit error during these awful times?

If I must commit error on the side of either extravagance or economy at this special time, may God help me to commit my error on the side of economy.

Mr. OUTLAND. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the gentleman who just preceded me raised a couple of points that I think should be commented upon briefly. He said that before the subcommittee hearings on the Central Valley project there came a representative of the people of that area who stated that the contract was fair and equitable. He said that as far as he knew there were no opponents of this particular bill. I should like to inform the gentlemen of the subcommittee and the other members that a minimum of 17 Members of the California congressional delegation,

including both Democrats and Republicans, are opposed to the language in the report which reads:

It is the intention of the committee that none of the funds appropriated in the bill, or heretofore appropriated, shall be used for any purpose in connection with the establishment of a steam plant or a transmission system.

I will say, furthermore, when I mentioned there are at least 17 Members of the California delegation, that I have not had the time to contact the others to find out if they are for or against. I can furnish the names of these 17 Members if the subcommittee wishes me to do so. We heard a great many statistics enumerated here a few moments ago as to how much money was paid for Congressional salaries and for how long. That is not the issue. The issue is not how many Congressmen's salaries can be paid out of any appropriation. The issue is: Is the project valid? Is the money well spent? That is the only criterion to use and none other. I have been very much interested in watching the techniques in this Congress and the various attempts to modify the Central Valley Project. Certainly we want the water there. Certainly that is what it is established for; but for power also. And you can not separate those two factors, water and power. They have to be considered together. There is no attempt whatsoever, at least on my part, and I am sure there is none on the part of my colleagues, to challenge the integrity of any member of the subcommittee. We are simply trying to point out here that a great many of us from California are unalterably opposed to the action taken and are questioning, not the integrity but the judgment involved.

I have watched the efforts to stop the great Central Valley development in California with a great deal of interest. The project is not in my section of the State, but I know that its effects will be far reaching, that its success or failure will be reflected throughout California, throughout the West, and indeed, throughout the country. Fundamental issues are not limited to congressional districts or by State lines.

A basic question is raised by the action of the committee in its report which states the intention of the committee that no funds in this bill, or heretofore appropriated, shall be used in connection with the establishment of a steam plant or power system. Such a statement by the Appropriations Subcommittee, of course, cannot nullify action taken by the Congress in authorizing a great program. However, I do object to the language of the report and its possible effects because it brings up the fundamental issue of whether the projects that we authorize and that we spend money to construct will be operated and maintained in the public interest or whether they will be handed over, hog-tied, to special interests for their private gain. This matter came up 2 years ago when the committee wrote into its report restrictions on this project that did not appear in law nor have the concurrence of the House. I recall that the Secretary of the Interior wrote at that time to one of the members of the committee that—

If Congress wishes to direct me to play Santa Claus with taxpayers' money to the Pacific Gas & Electric Co., I shall, of course, do so; but Congress must clearly direct me. I will not voluntarily give any privately owned company the only key to a public structure worth millions of dollars which was built with taxpayers' money for the benefit of all the people of California and the United States. So long as I have the authority to keep that key in the possession of the United States Government to be used for the benefit of the people whose money built this dam and power plant, I shall do so.

If the Congress wants to turn over this investment to the Pacific Gas & Electric Co., it should give me a clear direction. I would, of course, meticulously carry out its mandate, even though I should completely disagree with its judgment and even though I should fully realize that the effect of its action would be irreparable injury to the people of California and, particularly, to the water users of the Central Valley area.

Now the Congress is not going to reverse its traditional antimonopoly policy or its concern for the public interests by asking the Secretary of the Interior to hand the Shasta Dam over to any private utility. The committee knows that, or it would have proposed clear and specific language in the bill itself. The P. G. & E. knows that, or it would seek legislation requiring that this public asset be sold to the company. There is no clear direction as suggested by Secretary Ickes in this bill. Instead the report merely states that the committee does not want funds appropriated by the Congress to be used for power facilities. The project is to be built without outlets for power so that only the utility in the area can get the power.

What would this policy mean to the development of Central Valley? That development is predicated upon the marketing of low-cost power. Shasta is only one of a large number of projects proposed in the Central Valley to conserve the water for irrigation, domestic use, and power. There is Folsom Dam on the American River, Table Mountain, Trinity, and a host of others. Over $800,000,000 of construction is planned in this area. Much of this investment depends upon a market for more than 600,000 kilowatts of power contemplated in addition to the power in projects already authorized. This power can be sold only if rates are kept down. This means that no private company should be permitted to dictate the terms on which the power is sold. This is so fundamental as to need no elaboration.

The Central Valley power can be sold in California to industries and municipalities for an average of 5 mills or one-half cent per kilowatt-hour. Under this rate the Government will have its investment in the power facilities returned to the Treasury and will collect interest on this investment. But this one-half cent rate is 30 percent below what municipalities are paying to the P. G. & E. for their power right now. Here is the simple basis for the objection to Shasta. This is why the president of the company journeys across the continent at the rate-payer's expense to oppose before the committee, year after year, the development of the Government's multiple-purpose programs in California.

How about industrial power rates in California? Cheap power for industry will count in the reconversion period. Cheap power for industry will mean jobs, for kilowatt-hours make man-hours. The industrial rate of P. G. & E. is higher than that in Los Angeles, Portland, Oreg., or the T. V. A. Our colleague the gentleman from Mississippi [Mr. RANKIN] has repeatedly given us the figures in this connection.

How about the home owner? He is charged 95 cents in Sacramento for the same service that costs 68 cents in Tacoma or 59 cents in Spokane. The heavy user of electricity in the home pays $8.02 in Sacramento for the same kilowatt-hours that would cost him only $5.30 in Tacoma or $5.91 in Seattle.

These figures give you the basis for this tampering with the power policy of the Congress. They point up the objection of the private-owner company to the low-cost power program that the full development of the Central Valley project will bring to California. This Congress has not denied low-cost power to the people of the T. V. A. and the Northwest. It certainly will not deny the same benefits to the people of California. This whole issue of private power companies versus the interests of the great mass of the people of California is fundamental to our future development. As a Democrat I do not wish to see the responsibility for frustrating the public good laid at our door. As an American I do not want to see that responsibility incurred by anyone.

Mr. JONES. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, the statement which was just quoted by the gentleman from California issued by Secretary Ickes, or purported to be, is very interesting in the light of the hearings at pages 58, 59, and 60, volume No. 1. I call the attention of the gentlemen to the status of a contract or a grant of the Hetch Hetchy project in which the city of San Francisco has been enjoined by a Supreme Court decision from selling power in violation of the act. I questioned Under Secretary Fortas on the ground that by the plain terms of the Raker Act if the city of San Francisco violated the terms of the act, all rights revested in the United States Government. Now, who is the city of San Francisco dealing with in violation of the Raker Act? It is dealing with the Pacific Gas & Electric Co. in connection with the transactions between the city of San Francisco and the Pacific Gas & Electric Co. which the Supreme Court has said is in violation of the law, and accordingly issued an injunction against the city from violating the law. Bear in mind the city of San Francisco and the Department of the Interior have agreed, and the hearings will show at page 59, that the injunction shall not take effect until some future date.

I asked Under Secretary Fortas, "Did the suit provide for the recovery of some estimated $35,000,000 worth of money from the revenues, due to the illegal op-

eration by the city of San Francisco?" You will find that the hearings show that the Secretary of the Interior and the Department of Justice removed from the suit the accounting feature which would recover the funds. Not only is the city of San Francisco involved in earning funds illegally, but the Pacific Gas & Electric Co. I think should be required to pay the money that it makes and has made in violation of the Raker Act.

So accordingly I asked Mr. Fortas if the Department of the Interior would seek to recover from Pacific Gas & Electric Co. its share of the illegal earnings. I find, much to my amazement, that the Interior Department is not seeking to make such recovery. The statement that the gentleman from California has just quoted is surprising to me, expressing Secretary Ickes' hatred of the Pacific Gas & Electric Co., because here is a case where I think the private utility is in the wrong. The Government of the United States is entitled to the earnings being made under this illegal contract with the city of San Francisco, and I would like to see the Secretary of the Interior recover those illegal earnings. I seriously condemn the Interior Department and Secretary Ickes for not making that recovery.

Mr. OUTLAND. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. OUTLAND. I am glad to hear the gentleman say he thinks the private utility company is in the wrong, but I asked the gentleman to yield because the gentleman said "the alleged statement" of Secretary Ickes.

Mr. JONES. Yes. I take the gentleman's word as a man of honor that it is there.

Mr. OUTLAND. I have the complete statement, written to Hon. Albert E. Carter, a former Member of this House.

Mr. JONES. I thank the gentleman.

Mr. HAVENNER. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. HAVENNER. I am glad to hear the gentleman say he thinks the private corporation is in the wrong in its contract with the city of San Francisco, but I wonder if he knows that the predicament in which San Francisco finds itself today and has found itself for a number of years is due to the fact that it has never been able to have a transmission line constructed in order to bring the power that its own people paid for from the substation of the Pacific Gas & Electric Co. into San Francisco.

Mr. JONES. I want the record to be clear, that when a power company is in the wrong I am going to condemn it.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. JONES. On the other hand, I expect the same honesty on the part of power generation by all the authorities of the United States Government, such as the Reclamation Bureau, the Bonneville Power Administration, the T. V. A., and the War Department. If they are in the wrong, I would reserve the right to criticize them just as much and as freely. But I am indeed surprised to have the Secretary of the Interior make this statement against this private utility and yet stand in the way of the Government making recovery from this same private utility.

On the asset side of the ledger for the Federal Government and the United States taxpaper it should be pointed out that this private utility, that Secretary Ickes hates, despises, and condemns, has a capitalization of $300,000,000. Incidentally the Bonneville Power has a total Government investment for all purposes, navigation, irrigation, and power, of $337,764,907. Since the beginning of its operation to June 30, 1944, it claims only net revenue deposits of $36,457,169. This private utility, cursed by the lovers of public power at taxpayer's expense, has made payments to the United States Treasury in the sum of $91,000,000. This despised private utility paid local and State taxes of $12,737,916 for the same period. The Bonneville Power Administration paid no local and State taxes. Besides that the Pacific Gas & Electric Co. is not costing the United States taxpayer one red cent to pay out its investment in power facilities. The United States taxpayers had to furnish the $337,764,907 to build the Bonneville Power Administration projects, and can only hope for repayment of $222,222,073 allocated to power in the construction to date of June 30, 1944. As promised to the Members of the House I put a portion of the hearings showing the facts upon which I make the assertions about the Pacific Gas & Electric Co., as follows:

INTEREST OF STATE AND FEDERAL GOVERNMENTS IN COMPANY

The company, which is an operating company, a California corporation, has 79,000 stockholders in California out of a total of 121,000. There are stockholders of the company in every county in the Central Valley. In the counties in which it is expected the bulk of Central Valley power will be used (Contra Costa, Alameda, San Francisco, San Mateo, and Santa Clara), there are more than 46,000 holders of stock in the Pacific Gas & Electric Co. Their holdings represent in par value more than $100,000,000.

Approximately 90 percent of the company's properties have been constructed or acquired under regulation by the California Railroad Commission. All its outstanding bonds and almost 90 percent of its outstanding stock have been issued under authorization of the Commission since 1912 when strict regulation over public utilities was established in California under the then Governor, now Senator, HIRAM W. JOHNSON.

The Federal, State, and local Governments have a very real interest in the company and its prosperity, for it is one of the largest taxpayers in the West. Since 1940, when the country began to prepare for war, to and including 1944, a period of 5 years, the company's Federal taxes have amounted to over $91,000,000 and its State and local taxes to over $62,000,000. In 1944 alone our Federal taxes were $26,016,046 and our State and local taxes $12,737,916.

I am indeed surprised, however, that the Secretary of the Interior makes the statement read by the gentleman from California.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. JOHNSON of Oklahoma. With reference to the statement in the letter to which the gentleman from California referred as if it were the vital last word, the law of the Medes and the Persians which changeth not, I wonder if the gentleman would say that we could depend on that letter containing the facts about as well as we could on the statement made by the Secretary of the Interior to the Congress that the Grazing Act if enacted would not cost in excess of $150,000 a year when, in fact, it cost $37,000,000 in 10 years, and this year he is asking for $1,600,000?

Mr. JONES. I thank the gentleman for his observation.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield to my colleague from Iowa.

Mr. JENSEN. Since our former colleague's name has been brought into this thing, the Honorable Albert Carter, I want the record to show—and I believe most of the Members who were here serving with the gentleman from California, Mr. Carter, will bear me out in the statement I am about to make—that no man has done as much for the development of the Central Valley program for the improvement of California as Albert Carter; yet he has been condemned by Mr. Harold Ickes unmercifully, and certainly to the disadvantage of the Central Valley. No man who ever served in Congress had more to do with the development and the fine work that has been done in the Central Valley than Congressman Carter. I know that the Members who served with him here will bear me out in that statement.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

The Clerk read as follows:

Page 57, line 12: "Shoshone project, Wyoming, Willwood division, $23,500."

Mr. PATTERSON. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, there is a well-established State policy in California in relation to the production and distribution of electric power, it is that the people of that State are entitled to all of the benefits that arise from the public production and distribution of power.

For a generation they have battled against some of the corporate interests of the State to win and establish this right. They have embedded into State law the same protections that we have placed into Federal law, with respect to giving preference to public agencies in the disposition of public power.

The Appropriations Subcommittee of the House of Representatives, apparently not understanding the California situation, has slashed $1,000,000 from the appropriations bill, which funds were to be used for planning of a transmission system—$100,000, and a power plant, $115,000, and a dam, $450,000, in the Central

Valley water project. This slash would deny the people of California this fundamental protection of the Central Valley project.

The Bureau of Reclamation of the Department of the Interior already has proved to the satisfaction of Congress that a Government-owned transmission system from Shasta Dam to the cities and rich agricultural districts of our State is essential, if the people are to be assured of the full benefits of low-cost public power.

The Bureau also has proved how much greater use Shasta Dam will be to our people if its power is firmed through construction of a fuel-burning power plant. Thousands more of our good acres will be irrigated if this plant is built, to assure a heavier steady output from the great generators at the foot of Mount Shasta.

The people of California have the same right to such a well-balanced development as have the people of the Tennessee Valley and of the Northwest. To be sure, we are not being asked to pass upon a straightforward policy in connection with this action on the Bureau of Reclamation appropriation for the Central Valley project. Instead, we have merely a slash in the appropriations for this development.

At a time when the Bureau of Reclamation is planning a sound program of postwar construction that will conserve our waters, that will bring under irrigation millions of acres of potentially rich land now desert waste, that will quadruple its existing hydroelectric power-producing capacity, at this time we suddenly find a proposal in a committee report that would stifle such developments.

Only those who oppose public production and distribution of electric power from the water resources owned by all of the people could aim this shaft against the Bureau. Because they wish to prevent the Bureau from carrying electric power directly to cities and towns, to farmer cooperatives and irrigation districts, do they attempt this. The Bureau of Reclamation's power marketing operations should not be stopped at the very busbars of its power plants.

If the interests prevail upon us to stop providing funds for the Bureau of Reclamation to carry the power it produces to the markets where that power is most needed, it will leave the control and development of the West largely in the hands of the great utility corporations and the financial institutions which in turn run them.

I am opposed to the position taken in the report of the subcommittee of the Appropriations Committee on this matter. I believe that the people of California have the right to a sound power development. I believe that the farmers who use power to pump their water have a right to get it cheap from their Government's investment. I believe that the businessmen and householders are entitled to see that no excessive tolls interfere with their consumption of their own power. Therefore, let us restore the $1,000,000 that has been slashed from the Central Valley water project. Let us save the plan for a transmission system.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 3024), making appropriations for the Department of the Interior for the fiscal year 1946, had come to no resolution thereon.

DANIEL D. O'CONNELL AND ALMON B. STEWART

Mr. McGREGOR. Mr. Speaker, I ask unanimous consent to restore to the Private Calendar the bill (H. R. 1303) for the relief of Daniel D. O'Connell and Almon B. Stewart.

The SPEAKER. Is there objection?

There was no objection.

EXTENSION OF REMARKS

Mr. HORAN asked and was given leave to extend his remarks in the RECORD and include an editorial.

Mr. LANDIS (at the request of Mr. JONES), was granted leave to extend his remarks in the RECORD.

Mr. WOODRUFF of Michigan (at the request of Mr. JENSEN), was granted leave to extend his own remarks in the RECORD and include an editorial from the New York Journal-American; also to extend his remarks and include a newspaper article.

Mr. McCORMACK asked and was given leave to extend his remarks in the Appendix in two particulars, one to include a radio address delivered by the gentleman from Washington [Mr. DE LACY], and the other to include an article.

Mr. BIEMILLER asked and was given consent to extend his remarks and include an editorial, to be placed immediately after the remarks of the gentleman from Georgia [Mr. RAMSPECK], also to include certain statistical tables.

Mr. McGLINCHEY asked and was given permission to extend his remarks and include an article by Mr. Drew Pearson.

Mr. KELLEY of Pennsylvania asked and was given permission to extend his remarks and include a tribute to the late President, Franklin D. Roosevelt.

Mr. WASIELEWSKI asked and was given permission to extend his remarks on two subject matters, in one to include an editorial from the Christian Science Monitor, and in the other an editorial from the Washington Post.

Mr. MADDEN asked and was given permission to extend his remarks and include certain excerpts.

Mr. DWORSHAK asked and was given permission to extend his remarks made in committee and include a statement by the Bureau of Reclamation at the hearings on the bill.

Mr. ROWAN asked and was granted permission to extend his remarks on three subjects.

LEAVE TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that tomorrow, after the legislative business and other special orders, I be permitted to address the House for 10 minutes.

The SPEAKER. Is there objection?

There was no objection.

Mr. HOFFMAN. Also, Mr. Speaker, that on Monday next, after the legislative business and any other special orders, I be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection.

There was no objection.

The SPEAKER. Under a previous order of the House, the gentleman from Ohio [Mr. WEICHEL] is recognized for 10 minutes.

NO HOSPITALS FOR DISCHARGED VETERANS

Mr. WEICHEL. Mr. Speaker, those who serve in the armed forces have earned many things, for only he who has borne arms for his country has earned the full mantle of citizenship.

But least of all he is entitled to the best hospitals in the world, and without limit as to number.

But the war veteran is denied what is coming to him.

There is a lack of hospitals to care for the mental and physical needs of the discharged war veteran.

The first duty and obligation is on the Federal Government, and our country has been at war more than 3 years. With millions called into the armed forces, the Government should have had these hospitals built and ready many months ago, to restore the discharged war veterans to health.

The Federal Board of Hospitalization and the Veterans' Administration at least knew the discharged veterans could only be restored to mental and physical health with the aid of hospitals.

The Veterans' Administration and the Board of Hospitalization, have failed to have the hospitals ready after 3 years of bitter war with many thousands now returned to civilian life, mental and physical wrecks, with no Veterans' Administration hospitals to care for them.

Everyone has secured priorities to build and have completed new buildings in the name of the war, but no hospital for the discharged veterans.

Where was the Federal Board of Hospitalization and the Veterans' Administration for nearly 4 years, and why are not the hospitals now built and ready in sufficient numbers to restore veterans to mental and physical health lost in fighting for America and the world?

I believe the veterans and the public are entitled to an investigation of this monstrous failure, chargeable directly to the Federal Board of Hospitalization and the Veterans' Administration.

With more than 5,000 cases in greater Cleveland and northern Ohio, there must be untold thousands throughout the country suffering with neuropsychiatric difficulties.

Mr. Speaker, I include a news item of the Cleveland Plain Dealer, by Chads O. Skinner, picturing the shabby treatment given our discharged war veterans in Cleveland and northern Ohio by the Veterans' Administration and the Federal Board of Hospitalization, whose duty it is to determine the need, determine the site, and have the hospitals built and

ready for our discharged war veterans. It is high time we stop blessing the Veterans' Administration and the Federal Board of Hospitalization and actually have hospitals for these men.

VET NERVE CASES NEGLECTED BY UNITED STATES—MANY EX-SERVICEMEN NEED TREATMENT, DON'T GET IT

(By Chads O. Skinner)

While every agency concerned with the problems of the returning servicemen talks in grandiose terms about what is going to be done for them, the most serious gap in the veteran's assistance program here remains almost unnoticed and unremedied.

That is the woeful lack of facilities, Federal, State, and local, to provide neuropsychiatric treatment for men who come back from the armed forces with mental and nervous ailments.

Those veterans are just as much entitled to scientific, thoroughgoing care as are the men who are discharged with physical disabilities and upon whose plight public attention has been focused because of the visible character, as in many cases, of their sacrifices.

The situation could scarcely be set forth more forcibly than in the words of a Cleveland veteran of World War No. 2 who has a serious service-incurred mental condition:

"There are scores; yes, hundreds, of us back in this community already, and we who want help and want to help ourselves don't know where to turn. The time has come for the public to demand that all the professions of good intentions toward the veterans in need of help be translated into action."

It has been estimated that at the close of 1944 there were already in Greater Cleveland 4,500 veterans with neuropsychiatric difficulties who had been discharged from the armed forces. A substantial majority of these will unquestionably make their own adjustments because their disturbances were of a kind that made them unfit for the strains of military life, not necessarily civilian life. But for the others no provision has been disclosed.

MANY NEED TREATMENT

Dr. Irvin Shannon, executive director of the Cleveland Mental Hygiene Association, reported that in interviews with 110 returned servicemen at the Veterans' Information Center here 18 were discovered to be having serious adjustment difficulties—sufficiently so as to indicate the need of psychiatric treatment.

In the less than 3 months it has been operating, the special municipal court probation office for examining the cases of all World War No. 2 veterans arrested by Cleveland police has handled 220 of them. Thomas F. Dwye, probation officer in charge of the veterans' cases, said many of these men had service-incurred or service-aggravated mental ailments that could be remedied by proper treatment, but "I don't know where to turn because of the lack of neuropsychiatric facilities."

The Veterans' Administration has the primary responsibility for discharged members of the armed forces who have physical, mental, or nervous disabilities of 10 percent or more that were acquired in service. But the Veterans' Administration facility at Brecksville, which serves disabled veterans of all wars who live in northern Ohio has only the meagerest sort of facilities for treating neuropsychiatric cases.

None of the administration's "N-P hospitals" are within easy reach of the populous centers of northern Ohio. Consequently, the families of many veterans needing hospitalization because of nervous disturbances bridle at having the men committed to those institutions.

The Veterans' Administration facility at Brecksville has on its staff only two psychiatrists; only one psychiatric social worker to check on the occupational, residential, and recreational environment of veterans with neuropsychiatric difficulties, who might help effectuate their own cure by moving to new surroundings.

NO TIME FOR "N-P'S"

The staff psychiatrists are so largely engaged in handling the cases of those going to the Brecksville hospital for examinations in connection with their disability pension claims that they have little or no time for the treatment of "N-P's."

In fact, the examination load has become so heavy that it has been necessary for Brig. Gen. William L. Marlin, regional manager of the Veterans' Administration, to contract with a half dozen Cleveland psychiatrists in private practice to provide part-time assistance.

Veterans' Administration is also authorized to contract with public or private psychiatric clinics for out-patient treatment of veterans who need the continuing counsel and treatment of qualified psychiatrists but who are not in a serious enough condition to warrant hospitalization. But the few facilities of this kind in Cleveland are already overtaxed and no such arrangement has been possible.

What is required for the large number of veterans with mental and nervous disturbances is an institution where they can obtain neuropsychiatric treatment without being committed to an institution. This community has not yet addressed itself squarely to this need, but it is high time that it did so. For the necessary facilities cannot be acquired overnight and the great scarcity of qualified personnel in this field means that an exhaustive effort will have to be made to find the men and women to staff them.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. LESINSKI, for a period until May 10, on account of official business.

ADJOURNMENT

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 11 minutes p. m.) the House adjourned until tomorrow, Friday, April 27, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Wednesday, May 2, 1945.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

410. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1945, in the amount of $315,480, for the Civil Service Commission (H. Doc. No. 156); to the Committee on Appropriations and ordered to be printed.

411. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1945 in the amount of $347,500 for St. Elizabeths Hospital, Federal Security Agency (H. Doc. No. 157); to the Committee on Appropriations and ordered to be printed.

412. A letter from the Attorney General, transmitting the third report, pursuant to section 205 of Public Law 458, Seventy-eighth Congress, known as the War Mobilization and Reconversion Act, dealing with the disposal of Government-owned surplus machine tools and plants; to the Committee on Expenditures in the Executive Departments.

413. A letter from the Archivist of the United States, transmitting lists or schedules covering records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

414. A letter from the Administrator of Veterans' Affairs, transmitting a draft of a bill to amend section 3 of the act approved August 12, 1935, entitled "An act to safeguard the estates of veterans derived from payments of pension, compensation, emergency officers' retirement pay, and insurance, and for other purposes," as amended, and for other purposes; to the Committee on World War Veterans' Legislation.

415. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to amend the act approved January 2, 1942, as amended by the act of April 22, 1943, entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries"; to the Committee on Claims.

416. A letter from the Secretary of War, transmitting a draft of a bill to amend the act approved January 2, 1942 (55 Stat. 880; 31 U. S. C. 224d), entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries," as amended by the act of April 22, 1943 (57 Stat. 66); to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SUMNERS of Texas: Committee on the Judiciary. H. R. 2966. A bill authorizing the President of the United States to award posthumously a Congressional Medal of Honor to Franklin Delano Roosevelt, without amendment (Rept. No. 448). Referred to the Committee of the Whole House on the state of the Union.

Mr. McKENZIE: Committee on the Post Office and Post Roads. H. R. 3035. A bill to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes; without amendment (Rept. No. 449). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENNINGS: Committee on Claims. H. R. 1303. A bill for the relief of Daniel D. O'Connell and Almon B. Stewart; without amendment (Rept. No. 450). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BEALL:

H. R. 3054. A bill to amend the act entitled "An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended," approved January 24, 1942; to the Committee on the Civil Service.

By Mr. LANDIS:

H. R. 3055. A bill to promote national preparedness and the national welfare by providing funds to assist the several States and Territories in making adequate provisions, through the public schools for physical education, educational health service, wider recreational use of school facilities, and vocational guidance; to the Committee on Education.

By Mr. BENNET of New York:

H. R. 3056. A bill to amend the Servicemen's Readjustment Act of 1944 to authorize the guaranty of loans to be used as working capital or for the acquisition of merchandise; to the Committee on World War Veterans' Legislation.

By Mr. BOREN:

H. R. 3057. A bill to provide for the donation under the Surplus Property Act of 1944 of an ambulance to each post or chapter of each veterans' organization chartered by act of Congress; to the Committee on Expenditures in the Executive Departments.

By Mr. JACKSON (by request):

H. R. 3058. A bill to authorize the use of certain lands of the United States for flowage in connection with providing additional storage space in the Pensacola Reservoir of the Grand River Dam project in Oklahoma, and for other purposes; to the Committee on Expenditures in the Executive Departments.

By Mr. O'BRIEN of Michigan:

H. R. 3059. A bill authorizing the Postmaster General to continue to use post-office clerks and city letter carriers interchangeably; to the Committee on the Post Office and Post Roads.

By Mr. GERLACH:

H. R. 3060. A bill to release the reversionary rights of the United States to certain property in Allentown, Pa.; to the Committee on Public Buildings and Grounds.

By Mr. JACKSON (by request):

H. R. 3061. A bill to declare that the United States holds certain lands in trust for Indian use, and for other purposes; to the Committee on Indian Affairs.

H. R. 3062. A bill to declare that the United States holds certain lands in trust for Indian use, and for other purposes; to the Committee on Indian Affairs.

By Mr. MARCANTONIO:

H. J. Res. 173. Joint resolution directing the Secretary of Commerce to investigate employment policy and practices of baseball clubs affiliated with the National and American Leagues; to the Committee on Interstate and Foreign Commerce.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred, as follows:

By the SPEAKER: Memorial of the Legislature of Spain, memorializing the President and the Congress of the United States expressing sympathy in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of Cuba, memorializing the President and the Congress of the United States by expressing sympathy in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred, as follows:

By Mr. HÉBERT:

H. R. 3063. A bill to confer jurisdiction upon the United States District Court in and for the Eastern District of Louisiana to hear, determine, and render judgment on the claim of John C. May and his wife, Eva Rebecca Jinkins May, of New Orleans, La., against the United States; to the Committee on Claims.

By Mr. RANDOLPH:

H. R. 3064. A bill for the relief of F. X. Patterson; to the Committee on Claims.

By Mr. VINSON (by request):

H. R. 3065. A bill for the relief of Standard Dredging Corporation; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

441. By Mr. COCHRAN: Petition of Mr. Louis Blechle and 30 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

442. By Mr. GEELAN: Petitions signed by 1,036 residents of the city of Meriden, Conn., and vicinity, at a meeting held by the Meriden Chapter of American Association of the United Nations, advising of their interest in favoring prompt establishment of an international organization for the maintenance of international peace and security on the basis of the Dumbarton Oaks plan, and urging that the United States immediately enter and wholeheartedly participate in such international organization. Copy of petitions and mass meeting program sent to the President of the United States; the Secretary of State; Hon. Tom Connally, chairman of Senate Foreign Relations Committee; Hon. Sol Bloom, chairman of House Committee on Foreign Affairs; Senators Brien McMahon, Thomas C. Hart, and Arthur Vandenberg, the Honorable Cordell Hull; Hon. Charles A. Eaton; Miss Virginia Gildersleeve; and Commander Harold Stassen, United States Navy; to the Committee on Foreign Affairs.

443. Also, petition signed by John J. Sweeney and 152 other employees of the High Standard Manufacturing Co., Waterfront Division, of New Haven, Conn., protesting against the coddling of German prisoners of war in this country, and that pressure be brought to bear on proper officials that this practice be stopped, and further protesting against the publicity given of the burial of a German general at Como, Miss., allowing a funeral processsion wherein the Nazi flag was prominently displayed and our American soldiers firing a volley over the grave and the Nazi flag; to the Committee on Military Affairs.

444. By Mr. GOODWIN: Petition of Our Lady of the Assumption Sodality of St. Patrick's Church, Stoneham, Mass., with reference to world peace; to the Committee on Foreign Affairs.

445. By Mr. GRANAHAN: Petition of the American Relief for Italy and by numerous members of St. Joseph Society, all of St. Donato's parish, Philadelphia, Pa., petitioning the Government of the United States to recognize Italy as an ally and extend to her an invitation to participate in the San Francisco Conference; to the Committee on Foreign Affairs.

446. By Mr. SMITH of Wisconsin: Petition of Wisconsin State Legislature, memorializing the Congress of the United States, the War Mobilization Director, and Maj. Gen. Lewis B. Hershey, Director of Selective Service, to reconsider the proposed plans to draft all skilled farm help and skilled workers processing dairy products for the military service; to the Committee on Military Affairs.

447. By Mrs. ROGERS of Massachusetts: Petition of the General Court of Massachusetts to halt the trend toward national socialism; to the Committee on the Judiciary.

448. By Mr. WELCH: Senate Joint Resolution No. 16, relative to memorializing the Congress of the United States in relation to prices for fresh fruits; to the Committee on Ways and Means.

HOUSE OF REPRESENTATIVES

FRIDAY, APRIL 27, 1945

The House met at 12 o'clock noon.

Dr. Edward Gardiner Latch, minister, Metropolitan Memorial Methodist Church, Washington, D. C., offered the following prayer:

Almighty God, our Heavenly Father, who art the refuge and strength of Thy people in every age, be Thou our refuge and our strength in this present hour. Wherever Thou dost lead, may we go, for Thy ways are the ways of wisdom and justice and love.

We pray that Thou wilt guide the nations of the world into the ways of justice and truth and establish among them the peace which is the fruit of righteousness.

We commend our Nation to Thee, praying that we, the leaders, and we, the people, may be kindled with the fire Christ came to cast upon the earth and be filled with a conquering passion for peace. Banish hatred and discord and confusion from our midst, and by the might of Thy Holy Spirit may we endeavor to keep faith and hope and love alive in our world.

May the comfort of Thy presence abide in the homes broken by war, and in our hearts may there be the spirit of Him who makes us equal to every experience and ready for every responsibility. We pray through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Gatlin, its enrolling clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 383. An act to provide for the further development of cooperative agricultural extension work; and

S. 510. An act to amend sections 11 (c) and 16 of the Federal Reserve Act, as amended, and for other purposes.

FAIR EMPLOYMENT PRACTICES COMMISSION

Mrs. NORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from New Jersey?

There was no objection.

[Mrs. NORTON addressed the House. Her remarks appear in the Appendix.]

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

Mr. SPARKMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 4, insert the following:

"SEC. 2. Section 3 (a) of such act, as amended, is hereby amended by striking out

the period at the end thereof and inserting in lieu thereof a colon and the following: '*And provided further*, That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act shall be ordered into actual combat service until after he has been given at least 6 months of military training of such character and to the extent necessary to prepare such inductee for combat duty; this proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on combat vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States.'"

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. ANDREWS of New York. Mr. Speaker, I reserve the right to object.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, this is a very important question. I think the Members ought to be here to hear the discussion. I make a point of order there is no quorum present.

The SPEAKER. The gentleman from Mississippi makes a point of order no quorum is present. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 62]

Allen, Ill.	Fuller	Murphy
Auchincloss	Gamble	O'Brien, Mich.
Baldwin, Md.	Gardner	Pfeifer
Barry	Gearhart	Philbin
Bell	Gerlach	Ploeser
Bender	Hall,	Powell
Bennett, Mo.	Edwin Arthur	Rains
Bloom	Hall,	Rayfiel
Bradley, Mich.	Leonard W.	Richards
Brumbaugh	Halleck	Robertson, Va.
Buck	Hancock	Robinson, Utah
Buckley	Hand	Roe, N. Y.
Byrne, N. Y.	Hurless, Ariz.	Rogers, Mass.
Canfield	Havenner	Rogers, N. Y.
Cannon, Fla.	Healy	Ryter
Celler	Heffernan	Sadowski
Chapman	Hobbs	Savage
Chiperfield	Izac	Sharp
Clark	Jackson	Sheridan
Cochran	Jenkins	Short
Cole, N. Y.	Kefauver	Somers, N. Y.
Cooley	Keogh	Stewart
Crosser	Kilburn	Talbot
Curley	Kinzer	Taylor
Daughton, Va.	Kopplemann	Thomason
Dawson	Kunkel	Torrens
Delaney,	Latham	Towe
James J.	Lesinski	Vorys, Ohio
Delaney,	Luce	Walter
John J.	Maloney	Wasielewski
Dickstein	Manasco	Weiss
Dingell	Mason	White
Dirksen	May	Wilson
Domengeaux	Miller, Nebr.	Winter
Eaton	Morrison	Worley
Flood	Mott	Zimmerman

The SPEAKER. On this roll call, 330 Members have answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT OF 1940

The SPEAKER. The gentleman from New York reserves the right to object to the request of the gentleman from Alabama [Mr. SPARKMAN].

Mr. ANDREWS of New York. Mr. Speaker, reserving the right to object and I will not object, in connection with the request of the gentleman from Alabama to concur in the Senate amendment, I understand he has a statement concurred in by General Marshall and the General Staff of the War Department and the members of the Committee on Military Affairs which I am sure we would all like to hear.

Mr. SPARKMAN. Mr. Speaker, may I say in that connection that at a meeting of the Committee on Military Affairs which was held yesterday, the matter was taken up and discussed as to whether or not we should ask for this bill to be sent to conference. There was some question in the minds of some as to whether or not the language was ambiguous in some respects. The committee decided that it ought not to go to conference and that with a statement as to our interpretation of the language it would be sufficient for the House to concur in the Senate amendment. We have reduced that to writing and I should like to read it verbatim at this time:

The Senate amendment provides "That no man under 19 years of age who is inducted into the land or naval forces under the provisions of this act shall be ordered into actual combat service until after he has been given at least 6 months of military training of such character and to the extent necessary to prepare such inductee for combat duty; this proviso shall not be construed as preventing the assignment of enlisted men of the Navy or Coast Guard and the reserve components thereof to duty for training on combat vessels of the Navy or Coast Guard and at naval bases beyond the continental limits of the United States."

It is our understanding that the amendment is not intended to require the Army to determine which individuals now members of units overseas have completed a 6-months' period of training and which have not. It is, however, we consider, applicable to men inducted under 19 years of age (1) who are overseas or in transit overseas but who have not already been assigned to combat units, (2) who are still in the United States and (3) who are hereafter inducted.

Although the last clause of the amendment specifically provides for the training at overseas bases and on combat vessels, of Navy or Coast Guard personnel, it is not to be interpreted as prohibiting the training of Army personnel outside the continental United States. Also, it would permit those already overseas with less than 6 months' training who have not already been assigned to combat units to be given the additional training prescribed by this law.

Mr. HARNESS of Indiana. Mr. Speaker, reserving the right to object and I am not going to object, I think it appropriate to call the attention of the House to the significance of this amendment. It applies only to men 18 years of age or younger. It does not apply to the 19-year-olds or men inducted who are above the age of 19 years. It is limited to the boys who are 18 years of age who have been already inducted and those who are to be inducted hereafter, except those already assigned to combat.

Mr. SPARKMAN. Mr. Speaker, the gentleman is correct in that statement. May I say in connection with the decision of our committee relating to this, particularly in view of the fact that we opposed when the bill was before us previously any limitation of this nature, the conditions have greatly changed since that time, and we feel that this amendment at this time would not be crippling to our armed forces. In that connection, I should like to read to the House the announcement which President Truman has just made of the juncture of the Anglo-American and Soviet forces in Germany.

The text of the President's announcement is as follows:

The Anglo-American Armies, under the command of General Eisenhower, have met the Soviet forces where they intended to meet, in the heart of Nazi Germany. The enemy has been cut in two.

This is not the hour of final victory in Europe, but the hour draws near, the hour for which all the American people, all the British peoples, and all the Soviet people have toiled and prayed so long.

The union of our arms in the heart of Germany has a meaning for the world, which the world will not miss. It means, first, that the last faint, desperate hope of Hitler and his gangster government has been extinguished. The common front and the common cause of the powers allied in this war against tyranny and inhumanity have been demonstrated in fact as they have long been demonstrated in determination. Nothing can divide or weaken the common purpose of our veteran armies to pursue their victorious purpose to its final Allied triumph in Germany.

Second, the junction of our forces at this moment signalizes to ourselves and to the world that the collaboration of our nations in the cause of peace and freedom is an effective collaboration which can surmount the greatest difficulties of the most extensive campaign in military history and succeed. Nations which can plan and fight together shoulder to shoulder in the face of such obstacles as distance and of language and of communications as we have overcome, can live together and can work together in the common labor of the organization of the world for peace.

Finally, this great triumph of Allied arms and Allied strategy is such a tribute to the courage and determination of Franklin Roosevelt as no words could ever speak, and that could be accomplished only by the persistence and the courage of the fighting soldiers and sailors of the Allied Nations.

But, until our enemies are finally subdued in Europe and in the Pacific, there must be no relaxation of effort on the home front in support of our heroic soldiers and sailors and we all know there will be no pause on the battle fronts.

Mr. HARNESS of Indiana. Mr. Speaker, further reserving the right to object, I think I speak for a great many Members of the House when I say that I regret the Senate did not make this all-inclusive, that is, to apply to all men who are inducted, that they should be given at least 6 months' training. However, I believe the War Department will do that as a matter of policy. We feel that the war is in such a stage that it can be done that way and the War Department will see fit to extend it to all men who are drafted.

Mr. ROBSION of Kentucky. Mr. Speaker, reserving the right to object, I have letters from quite a number of constituents with reference to young men under 19 who have had 4 weeks or 5 weeks or 6 weeks of training and who have been ordered overseas in June. Would this 6 months' training take place in the United States, under those circumstances, or would they be sent overseas for training?

Mr. SPARKMAN. If they are still in this country, they will be trained here. If they are overseas and have not yet completed training and have not yet been assigned to a combat unit, the training may be given there

Mr. ROBSION of Kentucky. One other point. As I understood the amendment, it is that boys with less than 6 months' training may be assigned to combat ships. Is there anything in the amendment that would prevent those boys from going into combat, even though they are trained on those ships? I realize that the training would be better on the ships than on the land or at some base, but they cannot be sent into combat duty on any ship without 6 months' training?

Mr. SPARKMAN. Oh, yes. You must remember that this is not a question of our getting something better, because if it goes to conference, we would be limited to the Senate amendment. The Senate amendment specifically provides it shall not prevent the assignment for training of boys under 19 to combat ships, because oftentimes that is the only way they can get their training. It does not go so far as to say that those combat ships cannot go into combat, because necessity might require it.

Mr. ROBSION of Kentucky. But the purpose of it is that those boys who are under 19, who have not had 6 months' training, will have training on those combat ships?

Mr. SPARKMAN. That is correct.

Mr. CASE of South Dakota. Mr. Speaker, further reserving the right to object, it seems to me that in making an interpretation of this we should cover as many eventualities as possible. The gentleman from Alabama [Mr. SPARKMAN] knows that the Marine Corps is administratively a part of the Navy. Under the statement which the gentleman has made, where he uses the term "Navy and the Coast Guard," it occurs to me that a question might arise with regard to the training that would be assured to boys assigned to the Marine Corps. Would the gentleman say that under the spirit and intent of the statement that is the way it would be intended, that boys inducted and assigned to the Marine Corps would be entitled to the same 6 months' training as boys who went in the ground forces of the Army?

Mr. SPARKMAN. That is correct. Remember, that the amendment is all-inclusive. Then the restrictive clause lifts out of it boys in the Navy and the Coast Guard, who may be assigned to combat ships for training.

Mr. CASE of South Dakota. But in lifting out the Navy it does not lift out the Marine Corps?

Mr. SPARKMAN. The gentleman's interpretation is correct.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. I yield.

Mr. MICHENER. This amendment in no way affects the merchant marine?

Mr. SPARKMAN. The merchant marine is not a part of the armed services, and men are not inducted into it.

Mr. BRADLEY of Pennsylvania. Mr. Speaker, reserving the right to object, apropos what the gentleman from South Dakota said, I think the statement as read by the distinguished gentleman from Alabama, and the Senate amendment particularly excluding the Navy, does exclude the Marine Corps; and if men who are serving in the Navy who are under this age limit are placed upon combat ships, the House ought to bear in mind that that also includes landing craft, and if these men are sent in those craft to the beachheads they will be on combat duty. While I believe we probably will have to accept this Senate amendment because it is a step in the right direction, I hope that the Committee on Naval Affairs will review this question and see if the provisions cannot be extended to the man in the Navy and the Marine Corps, because if they are on a combat ship that means PT boats, LCT's, and also all sorts of landing craft, and they can be sent to the beachheads under that provision.

Mr. SPARKMAN. I think the gentleman's interpretation is wrong, and I believe if he would read the amendment carefully he would see that his interpretation is wrong, because the only exception from the general provisions of the amendment is the assignment of enlisted men of the Navy or Coast Guard and Reserve components thereof to duty for training on combat vessels; and it would not be the type of duty to which the gentleman refers.

Mr. BRADLEY of Pennsylvania. I think the gentleman is drawing the thing pretty finely, because if these craft are out in the Pacific near these beachheads and the men are put on them for training and operations, they go with them to make the landing and certainly would participate.

Mr. BARDEN. Mr. Speaker, reserving the right to object, I notice the reservation or exception in the amendment, applies to those boys, unless they have already been assigned to combat. The implication in that is that the Army has already made a practice of sending 18-year-old boys into combat without as much as 6 months' training. I am hoping the War Department will remember some of the things that were told us when we passed this act, and when there was some movement to require 1 year's training. We were assured that those boys were not going to be rushed in with improper training. Now we make this reservation, which is an implication, as I say, that it has already been the general practice. If that is true, it is in violation of the impression at least that they left with us the last time the bill was passed.

Mr. SPARKMAN. I will say to the gentleman that it has not been a general practice. It has been done since the break-through in Belgium in December last, as it became absolutely necessary to do that in order to get the required number of replacements.

Mr. O'TOOLE. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. O'TOOLE. Is this amendment mandatory in this sense? There may be many boys 17 or 18 years of age who enlist and through a patriotic feeling are anxious to get to the front, to a fighting unit. Will this deter them?

Mr. SPARKMAN. My understanding is that this applies to boys who are inducted. If you have a voluntary enlistment under 18, I should think it would not apply to them. However, I feel, further, that the general practice certainly so far as the Army is concerned, as stated in General Marshall's letter to Senator THOMAS, would be to have 6 months' training.

Mr. McCORMACK. Following the questions asked by the gentleman from New York [Mr. O'TOOLE], taking the case of a young man inducted into the service undergoing training, assume that before 6 months he wanted to go into fighting units. If that young man requests that he be so assigned, will this amendment preclude such action being taken?

Mr. BROOKS. Mr. Speaker, will the gentleman yield?

Mr. SPARKMAN. Yes.

Mr. BROOKS. This is the Selective Service statute that we are dealing with, but under the text of the amendment it applies to those who are inducted into the forces under the provisions of the Selective Service Act. Therefore, if a young man wants to get into the fighting voluntarily, I do not see why he cannot go in.

Mr. SPARKMAN. I believe the gentleman from Massachusetts referred to a boy inducted, who lacked the training. I think the forces would still require training. In other words, it would set up a training program that would require 6 months to complete.

Mr. CASE of South Dakota. As I understand it, the gentleman from Alabama has given this interpretation to the House by the authority of the Committee on Military Affairs.

Mr. SPARKMAN. Yes.

Mr. CASE of South Dakota. The reason I ask that is that this interpretation given by the gentleman shall be understood to be the basis on which the House is acting. And I do this with particular reference to the question that I asked about the Marine Corps in order that the interpretation of the gentleman from Alabama will be the interpretation applying to the members of the Marine Corps. This will convey the legislative intent.

Mr. SPARKMAN. That is correct.

Mr. BRADLEY of Pennsylvania. Further reserving the right to object, I point out to the Naval Affairs Committee that inasmuch as the major operations from now on are going to be in the Pacific, I think it is necessary for the Naval Affairs Committee to review this matter and clarify the situation with regard to the Navy and the Marine Corps. I do not think they are covered by this amendment.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

EXTENSION OF REMARKS

Mr. HARNESS of Indiana asked and was given permission to extend his remarks in the RECORD and include a transcript of the proceedings before the American Legion committee of the fifth district in his State making recommendations to the Congress for amendments to the G. I. bill of rights.

Mr. RABAUT asked and was given permission to extend his remarks in the RECORD and include two addresses, one by Mr. Justice Jackson and the other by Attorney General Francis Biddle at the memorial exercises for our late President in the Department of Justice.

Mr. EARTHMAN asked and was given permission to extend his remarks in the RECORD and include a news item relative to Mrs. MacArthur.

Mr. BLAND asked and was given permission to extend his remarks in the RECORD and include an article by John E. Otterson, chairman, American Maritime Council.

Mr. D'ALESANDRO asked and was given permission to extend his remarks in the RECORD in two instances: to include in one a radio address delivered by him, and in the other a statement he made before the Civil Service Committee of the Senate.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD and include a short article by President Bowes of the Seal Fast Corporation of Indianapolis.

Mr. JENSEN asked and was given permission to extend his remarks in the RECORD and include a statement before the Committee on Ways and Means of the House on April 26, 1945, by Carl H. Wilken on reciprocal trade treaties.

STATE, JUSTICE, COMMERCE, THE JUDICIARY, AND THE FEDERAL LOAN AGENCIES' APPROPRIATION BILL, FISCAL YEAR 1946

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 2603, an act making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agencies, for the fiscal year ending June 30, 1946, and for other purposes, with Senate amendments, disagree to the amendments, and ask for a conference with the Senate on the disagreeing votes of the two Houses.

The Clerk read the title of the bill.

Mr. TABER. Mr. Speaker, reserving the right to object, that is just an ordinary request to go to conference, and nothing more?

Mr. RABAUT. That is all.

Mr. TABER. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER appointed the following conferees: Messrs. RABAUT, KERR, HARE, O'BRIEN of Illinois, STEFAN, JONES, and GILLESPIE.

CARRIER TAXATION

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 451) back favorably without amendment, a privileged resolution (H. Res. 165) authorizing that the report from the Chairman of the Board of Investigation and Research, dated September 18, 1944, relative to carrier taxation, be printed as a document, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

Resolved, That the letter of the Chairman of the Board of Investigation and Research, dated September 18, 1944, transmitted to the House of Representatives on September 21, 1944, during the preceding Congress, pursuant to section 305 of the Transportation Act of 1940, approved September 18, 1940, a report relative to carrier taxation as required by title III, part I, section 302 (a) (2) in said act, which was referred to the Committee on Interstate and Foreign Commerce, be printed as a document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PUBLIC AIDS TO DOMESTIC TRANSPORTATION

Mr. JARMAN. Mr. Speaker, from the Committee on Printing, I report (Rept. No. 452) back favorably with amendment a privileged resolution (H. Res. 164) authorizing that the report from the Chairman of the Board of Investigation and Research, dated September 18, 1944, relative to public aids to domestic transportation, be printed as a document, and ask for immediate consideration of the resolution.

The Clerk read the resolution, as follows:

Resolved, That the letter of the Chairman of the Board of Investigation and Research, dated September 18, 1944, transmitted to the House of Representatives on September 21, 1944, during the preceding Congress, pursuant to section 305 of the Transportation Act of 1940, approved September 18, 1940, a report relative to public aids to domestic transportation as required by title III, part I, section 302 (a) (2) in said act, which was referred to the Committee on Interstate and Foreign Commerce, be printed as a document.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. MERROW. Mr. Speaker, I ask unanimous consent that on Monday, April 30, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

EXTENSION OF REMARKS

Mr. FARRINGTON asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one a resolution adopted by the Legislature of the Territory of Hawaii and a speech by Lt. Gen. Robert C. Richardson, and in the other a resolution adopted by the Chamber of Commerce of Honolulu.

Mr. KELLEY of Pennsylvania asked and was given permission to extend his remarks in the RECORD and include a newspaper article entitled "Cripples Can Make Good When Given a Fair Break."

Mr. ROWAN asked and was given permission to extend his remarks in the RECORD and include a statement by the city clerk of Chicago entitled "A Declaration in Favor of Wage Adjustments To Meet Increased Living Costs."

Mr. SIKES asked and was given permission to extend his remarks in the RECORD.

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD and include an editorial.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. MICHENER. Reserving the right to object, Mr. Speaker, may I ask the majority leader what the program will be for next week?

Mr. McCORMACK. The program for next week is as follows:

On Monday there will be House Joint Resolution 145, a resolution providing for membership of the United States in the Food and Agricultural Organization of the United Nations. There will be 1 hour of general debate on that, under the consent request granted by the House a few days ago. That will be followed by House Concurrent Resolution 39, relating to the apprehension and punishment of war criminals.

I shall ask unanimous consent later that the call of the Private Calendar on Tuesday of next week be dispensed with.

On Tuesday and Wednesday there will be general debate on House Joint Resolution 60, with reference to the amendment of the Constitution in regard to ratification of treaties.

I expect the legislative appropriation bill to be reported out of committee next Wednesday. If so, that will come up on Thursday, although if it does not come up then the consideration of House Joint Resolution 60 will be continued. If the legislative appropriation bill does come up on Thursday, the consideration of House Joint Resolution 60 will be postponed pending the consideration of the appropriation bill and will be resumed following its disposition.

Of course, conference reports may be brought up at any time they are ready.

Mr. HOFFMAN. Reserving the right to object, Mr. Speaker, has the gentleman any information as to whether or when the Commitee on Rules will send the F. E. P. C. bill to the floor, or whether there will be a sufficient number on the petition?

Mr. McCORMACK. I have no knowledge as to that. I cannot give the gentleman the information he desires.

Mr. HOFFMAN. I am sorry.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PRIVATE CALENDAR

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the call of the Private Calendar on Tuesday of next week be dispensed with and that it be in order to call the Private Calendar on the following Monday, a week from next Monday, immediately following the call of the Consent Calendar.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CALENDAR WEDNESDAY BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the business in order on Calendar Wednesday of next week be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

DEPARTMENT OF THE INTERIOR APPROPRIATION BILL, 1946

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3024, with Mr. COOPER in the chair.

The Clerk read the title of the bill.

The Clerk read as follows:

General investigations: For engineering and economic investigations of proposed Federal reclamation projects and surveys, investigations, and other activities relating to reconstruction, rehabilitation, extensions, or financial adjustments of existing projects, and studies of water conservation and development plans, such investigations, surveys, and studies to be carried on by said Bureau either independently, or in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, and the Federal Power Commission, $1,485,000: *Provided*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 percent of the estimated cost of such investigations;

Mr. JONES. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. JONES. Mr. Chairman, I make a point of order against all the language in the paragraph starting with line 14 on page 57 and continuing to the words and figures "$1,485,000," for the reason that it is legislation on an appropriation bill and for the further reason that the amount "$1,485,000" is beyond the authorization of the statute to wit, title 43, sections 411 and 411a–1 of the United States Code. The sections of the statute to which I refer are as follows:

The section is as follows:

411. Surveys for, location, and construction of irrigation works generally—Reports to Congress:

The Secretary of the Interior is authorized and directed to make examinations and surveys for, and to locate and construct as provided in sections 372, 373, 381, 383, 391, 392, 411, 416, 419, 421, 431, 432, 434, 439, 461, 491, and 498, of this title, irrigation works for the storage, diversion, and development of waters, including artesian wells, and to report to Congress at the beginning of each regular session all results of such examinations and surveys, giving estimates of cost of all contemplated works; the quantity and location of lands which can be irrigated therefrom, and all facts relative to the practicability of each irrigation project; also the cost of works in process of construction as well as those which have been completed.

Section 411a–1 reads as follows:

The title provides:

Appropriations for investigations of the feasibility of reclamation projects: The sum of $125,000 annually is hereby authorized to be provided for cooperative and miscellaneous investigations of the feasibility of reclamation projects.

Mr. Chairman, I have sought Webster's definition of the words in the statutes, sections 411 and 411a–1 of title 43 of the United States Code. The definitions of the various words are as follows:

Practicable: That may be practiced or performed; capable of being put into practice, done, or accomplished; capable of being used; readily practiced on; gullible; or pliant.

Practical: Fit for doing; of, pertaining to, or consisting or manifested in, practice or action; opposed to theoretical, ideal, or speculating; available, usable, or valuable in practice or action; capable of being turned to use or account; useful; skillful or experienced from practice; given or disposed to action as opposed to speculation; capable of applying knowledge to some useful end.

Practicability: A quality or state of being practicable; feasibility or an instance of it.

Feasibility: Quality of being feasible; practicability; also that which is feasible.

Feasible: Capable of being done, executed, or effected; practicable; fit to be used or dealt with successfully; suitable; likely; probable; reasonable.

Examination: Act of examining, or state of being examined; a search or investigation; scrutiny by study or experiment; a process prescribed or assigned for testing qualification.

Investigation: Act of investigating; process of inquiring into or following up; research, especially patient or thorough inquiry or examination.

Survey: Act of surveying; an examination, especially an official examination of all the parts or particulars of a thing to ascertain its condition, quantity, or quality; the operation of finding and delineating the contour, dimensions, positions, etc., as of any part of the earth's surface; to inspect; to view attentively, as from a high place; to view with a scrutinizing eye; to examine; to examine as to conditions, situation, value, etc.; to examine and ascertain state of.

Following are Black's Law Dictionary definitions of such terms as appear therein:

Survey: The process by which a parcel of land is measured and its contents ascertained; also a statement of the result of such survey, with the courses and distances and the quantity of the land (*Corporation of Frederick Scholes* v. *Theodore Ficke Warehouses* (213 App. Div. 259, 210 N. Y. S. 341, 343); *People's Trust Co of Lancaster* v. *Consumers' Ice & Coal Co.* (283 Pa. 76, 128 A. 723, 725)). The land included in field notes (*Cross* v. *Wilkinson* (Tex. Civ. App.) 187 S. W. 345, 346). (Black's Dictionary, p. 1689.)

Investigation: To follow up step by step by patient inquiry or observation; to trace or track mentally; to search into; to examine and inquire into with care and accuracy; to find out by careful inquisition; examination; the taking of evidence; a legal inquiry (*Lukert* v. *Eldridge* (49 Mont. 46, 139), p. 999, 1001); *People ex rel. Fennell* v. *Wilmot* (127 Misc. 791, 217 N. Y. S. 477, 479); In re *McLaughlin* (124 Misc. 766, 210 N. Y. S. 68, 71; Application of Gilchrist (130 Misc. 456, 224 N. Y. S. 210, 219)). (Ibid p. 1007.)

I find that the language against which I made a point of order is not within the terms of the sections of the statute which I have read. The words I referred to which are beyond the authorization of the statutes are as follows:

Engineering, economic investigations, and other activities relating to reconstruction, rehabilitation, and extension, or financial adjustments of existing projects and studies.

Then down further there is a provision in the section that the development plans, such investigations, surveys, and studies to be carried on by said Bureau, "either independently or in cooperation with State agencies and other Federal agencies, including the Corps of Engineers and the Federal Power Commission." These provisions to which I have lastly referred are beyond the terms of the statute and beyond the limitation in money as outlined in 411 and 411a–1 of the United States Code.

So, summarizing, I make the point of order against this language which I have indicated for the reason that it is legislation on an appropriation bill; for the further reason that words go in the bill beyond the amount allowed to be appropriated; and for the further reason that it is in contradiction of existing law as outlined in these two sections.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard?

Mr. JOHNSON of Oklahoma. Yes, Mr. Chairman. On yesterday I stated frankly to members of this committee that there were a number of provisions in this bill which contained legislation; that those matters of legislation have been carried in this bill and in other appropriation bills from year to year; that they are essential to the proper functioning of the Department. This is one such item. If the gentleman from Ohio desires to take the responsibility for eliminating this entire section, it is, of course, his privilege to do so as a portion of this section is legislation. It is subject to a point of order, in my judgment, and I concede the point of order.

Mr. RANKIN. Mr. Chairman, I should like to be heard on the point of order. I disagree with the chairman of the subcommittee.

The CHAIRMAN. The Chair will be pleased to hear the gentleman if the gentleman from Oklahoma has concluded.

Mr. JOHNSON of Oklahoma. I will withhold the concession, but in my judgment it is subject to a point of order.

Mr. RANKIN. Mr. Chairman, in my opinion, the gentleman from Ohio [Mr. JONES] answered himself by the reading of the very statute he invokes. Of course, engineering and investigation cover a great multitude of activities, and probably today in this kind of activity it covers more than it would have been considered to have covered back in the early days of Webster's Dictionary. But I submit that the language in this bill is not subject to a point of order, and I hope the Chair will overrule the point of order, as I think he should, and let us proceed with the consideration of this item.

Mr. CASE of South Dakota. Mr. Chairman, I should like to be heard on the point of order.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. CASE of South Dakota. Mr. Chairman, I think that legislative authorization for these general investigations is found in three different statutes. I did not know the point of order was to be made and I may not be able to give the exact citations, but I can identify the statutes.

In the first place, in the Reclamation Act of August 4, 1939, specific authority is provided for the conducting of investigations of proposed projects to determine their feasibility. In the 1940 amendment of the so-called Wheeler-Case Act in detail obligations are placed upon the Secretary of the Interior for conducting investigations and for making determinations of engineering and economic features, involving the ability of water users to pay on proposed projects.

The same authority is amplified in the Flood Control Act of 1944, just signed by the President last December, which places upon the Secretary of the Interior and his Department specific responsibility for making investigations with the Secretary of War and the States and determining the feasibility of projects and determining engineering and economic factors therein.

As for the language which was cited by the gentleman from Ohio [Mr. JONES], stating "other activities relating to reconstruction, rehabilitation, extension, or financial adjustments of existing projects," I invite the attention of the Chair to the act which was passed about 5 years ago specifically authorizing the Secretary of the Interior and the Bureau of Reclamation to examine the financial status of projects and to make recommendations to the Congress thereon. That portion of the law had a 5-year limitation. It was renewed recently by the Congress. So the Secretary of the Interior is directly charged by law with the responsibility of making determinations for the financial adjustments of certain irrigation projects. I contend, therefore, that under the three public laws cited there is a specific responsibility and direction resting upon the Secretary of the Interior for making such investigations and carrying on the activities set forth in this paragraph, to which a point of order has been directed.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. RANKIN. Is it not a fact that these extra activities to which the gentleman from Ohio referred are absolutely and necessarily a part of the other activities that are specifically named in existing law?

Mr. CASE of South Dakota. I think they are, and I believe there is specific provision in law for each of them.

Mr. JONES. Mr. Chairman, I should like to be heard further touching the remarks made by the gentleman from South Dakota in regard to this matter.

The CHAIRMAN. The Chair will be glad to hear the gentleman.

Mr. JONES. The general investigation proposed under this title, or the general over-all picture, refers to projects generally. The authorizations to which the gentleman from South Dakota has referred are authorizations for particular projects in which engineering has been charged to that particular project. It has no relation to the general investigation; it is not in line with the public act, Forty-second Statutes, page 1281, Sixty-seventh Congress, from which section 411a–1, title 43, was codified There was also included in Forty-second Statutes, page 1281, special authorization for special projects. I quote Forty-second Statutes, page 1281:

> Chapter 101. An act authorizing the Secretary of the Interior to investigate the feasibility of reclamation projects on the Columbia River and various other irrigation projects.
>
> *Be it enacted, etc.*, That the following sums are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriate, to be immediately available for expenditure by the Secretary of the Interior, namely:
>
> For investigations of the feasibility of irrigation by gravity or pumping, water sources, water storage, and related problems on the Columbia River and its tributaries, including the Columbia Basin project, $100,000; the Umatilla Rapids project, $50,000; in all, $150,000.
>
> For cooperative and miscellaneous investigations of the feasibility of reclamation projects, $125,000 annually.
>
> Approved, February 21, 1923.

I call your particular attention to the last paragraph which is a limitation on appropriations of the Reclamation Bureau for the purposes of the United States Code referred to.

That is the language that distinguishes this from particular projects upon which engineering is done in addition. This is a part of the appropriations for particular projects not contemplated by these appropriations.

Mr. CASE of South Dakota. Mr. Chairman, if I may be permitted very briefly to reply, the gentleman from Ohio is under the impression that investigation of projects under the so-called Wheeler-Case Act are for particular projects in which "the engineering has been charged to that particular project." The act authorizes the investigation of possible projects, potential projects, and that surely is a field of general investigation. I have not seen the break-down of this particular item, but it has been customary in the practice of the Bureau of Reclamation to use this fund for general investigation of potential projects. They do not know, in advance, what type of project will be feasible, if any. The result is that the fund is used partly for the investigation of potential projects that later may come under the general reclamation law and part of it for the investigation of potential projects that later may become so-called Wheeler-Case projects. And both the general Reclamation Act of August 4, 1939, and Wheeler-Case Act of August 11, 1939, as amended, contemplate and authorize engineering and economic investigations.

Mr. JONES. If the Chair will permit a further observation with regard to the matter under discussion, I should like to point out to the Chair that the language of the pending bill to which I have made objection does not comprehend the limitations provided for in section 411a–1, because that is a specific limitation for the specific things mentioned there; and this language is legislation changing the terms of that statute.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard further on the point of order?

Mr. JOHNSON of Oklahoma. No; I have no further statement.

The CHAIRMAN. The gentleman from Ohio has made a point of order against the language appearing in the pending bill beginning in line 14 and extending to the colon in line 23 on the grounds stated by him. The gentleman from Oklahoma, chairman of the subcommittee in charge of the pending bill, has conceded the point of order.

The Chair invites attention to the fact that this same question was presented when a point of order was made on March 2, 1938. Without reviewing the decision made at that time, but citing it as a precedent as guiding the Chair in the present instance, the Chair feels that the decision then made is sound and is applicable to the question here presented, and sustains the point of order.

Mr. CASE of South Dakota. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. Permit the Chair first to inquire of the gentleman from Ohio if the Chair correctly understood him: Was he making his point of order to the entire paragraph or just to the language appearing from line 14 to the colon in line 23?

Mr. JONES. That is correct, the lines.

The CHAIRMAN. The language appearing on page 57 from line 14 to the colon in line 23?

Mr. JONES. That is correct.

The CHAIRMAN. The point of order was against that language.

Mr. JONES. That is correct.

The CHAIRMAN. The Chair sustains the point of order.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I suggest that the point of order should go to the entire paragraph, because it would be meaningless without that.

Mr. JONES. Then, Mr. Chairman, I so amend the point of order.

The CHAIRMAN. Then the entire paragraph will go out, subject to the point of order, and the Chair sustains the point of order.

Mr. CASE of South Dakota. Mr. Chairman, did I understand the Chair to state that his decision was based on the precedent made in March 1938?

The CHAIRMAN. One of the guiding features of the decision on the pending point of order is the decision appearing on page 2710 and 2711 of volume 83, part 3, of the CONGRESSIONAL RECORD, Seventy-sixth Congress, Third Session, March 2, 1938.

Mr. CASE of South Dakota. My reason for asking the question is that the basic Reclamation Act of August 4, 1939, was passed subsequently to the basis on which that decision was made. In addition to that, the Wheeler-Case Act, as amended in 1940, also placed on the Secretary of the Interior an obligation to make investigations of potential projects. And further, the Flood Control

Act of last year, finally passed in December 1944, in several places specifically places on the Secretary of the Interior a responsibility and authority for making such investigations, in cooperation with the Secretary of War and with the States. The law that relates to the revision and adjustment of obligations on irrigation districts was a part of the act passed in 1939. The 5-year limitation on that authority expired in 1944, but Congress renewed it in a bill passed this year in the early days of this Congress. All three of these acts specifically authorize the activities on the part of the Bureau of Reclamation or the Secretary of Interior, involved in this point of order, and all these laws were passed subsequent to the precedent which the Chair has cited.

The CHAIRMAN. The Chair did not deem it necessary or appropriate to go into too great detail in deciding the question here presented, but in the opinion of the Chair there is language appearing in that part of the bill against which the point of order was made, which is legislation on an appropriation bill, and goes further than the provisions of existing law. As previously stated, the Chair sustains the point of order and the Clerk will read.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Oklahoma: On page 57, line 14, insert:

"Examinations and surveys: For examinations and surveys of proposed reclamation projects, as provided in the act approved June 17, 1902, as amended (43 U. S. C. 411), $125,000."

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am offering the amendment that will appropriate merely the basic amount authorized, $125,000.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Ohio.

Mr. JONES. On behalf of the minority members of the subcommittee, I will accept the amendment.

The amendment was agreed to.

THE SO-CALLED F. E. P. C.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Chairman, I rise to sound a warning to the Members of this Congress.

You have been asked to sign this petition to bring out this F. E. P. C. bill, the most dangerous piece of totalitarian, communistic legislation ever proposed in the Congress of the United States. Already the people of this Nation are greatly disturbed over the prospect of the passage of this legislation. Already the peaceful, hardworking Negroes of the country are disturbed, because they know it would stir up race trouble such as this country has never known before.

While communistic representatives of another race are demanding the passage of this legislation, many patriotic members of that race, notably those whose families have struggled and toiled along with the rest of us through the years, are disturbed because they know the trouble this measure would bring to them.

Every businessman in your district is disturbed. He knows what it means. He knows it means a dictatorship of the worst kind here in Washington, harassing every businessman, dominating him and his affairs in the most vicious manner.

Do not try to crawl behind a smoke screen and get the idea that you are tantalizing the white people of the South and stirring up trouble there when you sign this petition. You are stirring up more trouble in your own districts than you are in mine. It means total, permanent regimentation, a complete change in our form of government to the worst type of totalitarian bureaucracy the world has ever known. It would destroy the very liberty for which our young men are fighting and dying on every battle front in the world.

The Communist Party is behind this vicious measure. It is a part of their scheme for stirring up trouble in this country. They managed to get it slipped into the Republican platform last year, and wrecked whatever chance the party had.

The passage of this legislation would probably mark the beginning of the end of this great Republic. It is one of the most dangerous measures ever proposed.

On your shoulders today rests the responsibility of protecting our form of government and the American way of life. On your shoulders rests the responsibility of maintaining free enterprise, operated by freemen and freewomen in this country. Read the speech the gentleman from Texas [Mr. FISHER] made on the 12th. Read the speech made by the gentleman from Arkansas [Mr. HAYS] a few days ago. Read the remarks I made showing who is operating in this set-up and see what it means to the businessmen in your district. Do not let them tell you this is to guarantee the Negro the right to work. That is pure bunk. It is for the purpose of putting this Bureau in control—even of our public-school system. The ones who are pushing this measure are the worst enemies the Negroes have on earth.

If our boys who are fighting on every battle front in the world could march down this aisle and know what is behind this movement and see those elements trying to destroy at home everything for which they are fighting, destroying American freedom, destroying constitutional government, stirring up race hatred and race prejudice in every State of the Union, and destroying American liberty itself, they would repudiate it in no uncertain terms.

Of course this proposal is being advocated by the Communist Daily Worker. It is Earl Browder's baby. But when your people back at home realize what it means, when the people in Illinois, New York, Ohio, Pennsylvania, Texas, California, and every other State realize what it means they are going to call you to account at the very earliest opportunity.

I made a speech against this bill on March 13, which has gone out all over the country. In that speech I gave the official list of the personnel of this so-called F. E. P. C.

I am receiving letters from almost every congressional district of the United States saying that if this bill passes and is enforced, it will be the end of representative government, it will be the end of free enterprise in this country.

I appeal to you Democrats and Republicans to stay under the American flag and on top of the deck, not drag that flag down while your sons are defending it abroad, and not submarine and sabotage the ship of state while they are fighting to protect it on every battle front in the world.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. MARCANTONIO. Mr. Chairman, I rise in opposition to the pro forma amendment and ask unanimous consent to proceed out of order.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MARCANTONIO. Mr. Chairman, I purposely have hesitated time and again to reply to the gentleman from Mississippi on this question of the F. E. P. C., but it seems to me that the time has come when we must call a spade a spade and no longer permit hysterical cries and smoke screens to be raised in order to conceal the real fundamental issue, which is involved in this F. E. P. C. legislation. Further, the time has come when Members of this House should stand up and draw a distinction between what is really subversive and what the gentleman from Mississippi deems to be subversive. It has come to pass that anything the gentleman opposes in the form of legislation he denounces as subversive.

Let us look for a moment at this F. E. P. C. legislation. It is so radical that the conservative Republican Party adopted a plank calling for permanent F. E. P. C. legislation in its platform at its national convention in 1944. That is just how subversive the F. E. P. C. is and just how radical it is.

The gentleman from Mississippi talks about the returning soldiers. I say to the gentleman from Mississippi and to the Members of this House that white men who have been fighting shoulder to shoulder with Negroes are not going to come back here and object to working shoulder to shoulder with Negroes in the offices, the mines, the mills, and the factories of this country. They have been fighting against fascism and Hitlerism to protect the principle of equality, and they expect to return to a United States where that principle is applied.

The gentleman from Mississippi speaks about subverting the fundamental principles of this Nation. I say there is nothing more subversive than to deprive a man of his right to earn a living because of the color of his skin. It is about time we meet this false cry of subversiveness and nail it right on the head.

Subversiveness? F. E. P. C. does a great deal to do away with subversiveness. It guarantees the right of a human being to obtain and stay at work on the basis of his ability. It does away with the subversive practice of depriving a human being of his right to obtain a livelihood because of his color, race, or creed. That is all that is involved in this F. E. P. C. legislation, notwithstanding all the smoke screens and the red herrings that the gentleman from Mississippi has been importing onto the floor of this House.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MARCANTONIO. Not at this point.

Mr. RANKIN. The F. E. P. C. has been using its powers to try to force private enterprise to promote people into various positions, whether they want them or not.

Mr. MARCANTONIO. I did not yield to the gentleman. I have the floor.

Let me say to the gentleman from Mississippi, when he starts waving the flag here, that he should bear in mind that on the far-flung battle fronts of this war Americans—black Americans and white Americans—are shedding their blood, shedding their blood to maintain and preserve the principles of democracy and equality, the same principles of democracy and equality that Thomas Jefferson laid down in the Declaration of Independence. Let the gentleman from Mississippi remember that equality is a fundamental American concept, and anyone who seeks to overthrow that concept is subversive and un-American.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I move to strike out the last word and ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

Mr. MILLER of Nebraska. I object, Mr. Chairman. We are here to consider a bill carrying appropriations for the Department of the Interior. I think it is time to stop this type of discussion while an important bill is being considered.

Mr. BRADLEY of Pennsylvania. I thank the gentleman for his courtesy, and I shall remember it.

The Clerk read as follows:

GENERAL FUND, CONSTRUCTION

For continuation of construction of the following projects in not to exceed the following amounts to be immediately available, and to be reimbursable under the reclamation law.

Mr. JONES. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. JONES. Mr. Chairman, I make a point of order against the entire paragraph because it is in violation of title 33, section 414, of the code.

Mr. JOHNSON of Oklahoma. Mr. Chairman, to what paragraph does the gentleman from Ohio allude?

Mr. JONES. I refer to the paragraph beginning or line 9 and concluding with line 13, on page 59.

Mr. Chairman, the language of the statute reads as follows:

Expenditures shall not be made for carrying out the purposes of the reclamation law except out of appropriations made annually therefor and there shall annually in the Budget be submitted to Congress estimates of the amount of money necessary to be expended for carrying out any or all the purposes authorized by the reclamation law, including the extension and completion of existing projects and units thereof and the construction of new projects.

The portion to which I call particular attention is:

Annual appropriations made hereunder by Congress for such purposes shall be paid out of the reclamation funds provided for by the reclamation law.

This paragraph is legislation because it changes the positive terms of the statute which I have just quoted.

Referring back to the beginning of the bill, it says:

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1946, namely.

This paragraph indicates and shows conclusively that the money will come out of the funds of the Treasury as provided under the terms of the bill. It is in violation of the positive terms of the last sentence of section 414 and, therefore, is legislation on an appropriation bill and subject to a point of order.

The CHAIRMAN. Does the gentleman from Oklahoma desire to be heard on the point of order?

Mr. JOHNSON of Oklahoma. Yes, Mr. Chairman. The committee certainly does not concede this particular point of order and calls to the attention of the Chair that many of the projects for which this paragraph provides, the project immediately following, all have been authorized by law and have heretofore been appropriated for from the general fund of the Treasury. Many of these, Mr. Chairman, have been authorized by specific acts and by a finding of feasibility under the reclamation law. Therefore, they are clearly within the law and the language of the paragraph is in order.

The CHAIRMAN. Permit the Chair to inquire of the gentleman from Oklahoma whether all of these are projects which come under the principle of works in progress?

Mr. JOHNSON of Oklahoma. Yes, Mr. Chairman; that is true.

Mr. JONES. Mr. Chairman, may I be heard further on a point of order?

The CHAIRMAN. The Chair will be pleased to hear the gentleman.

Mr. JONES. Mr. Chairman, on page 21 of Cannon's Precedents it is stated:

In testing the applicability of the rule to a provision under consideration it is necessary to determine, first: Is it a general appropriation bill?

That question shall be asked. Then, if so, "Is the expenditure authorized by law?"

In this case there is legal authority for expending funds on projects generally out of the general fund of the Treasury, and therefore if the language objected to goes one iota beyond the positive terms of section 414, it is legislation and should be stricken out as such.

Mr. HINSHAW. Mr. Chairman, I desire to be heard on the point of order, if the Chair will permit.

The CHAIRMAN. The Chair will be pleased to hear the gentleman from California.

Mr. HINSHAW. I desire to call attention to the language in lines 12 and 13, page 59, where it says these amounts are to be reimbursable under the reclamation law. I think it clearly set forth that this category of improvement is under the Reclamation Act, and therefore the point of order should not be sustained.

The CHAIRMAN [Mr. COOPER]. The Chair is prepared to rule.

The gentleman from Ohio makes a point of order against the language appearing in the paragraph beginning in line 10 on page 59 on the ground that the appropriations sought there to be made are not authorized by law.

The gentleman from Ohio invited the attention of the Chair to a certain provision of Cannon's Procedure which was cited by him. The Chair would invite the gentleman's attention to the fact that he stopped reading just one line too soon, in that the next line following the citation presented by the gentleman states:

If not authorized by law is it for a continuation of work in progress?

The Chair is assured by the gentleman from Oklahoma, the chairman of the subcommittee in charge of the bill under consideration, that the items sought to be stricken by the point of order constitute work in progress.

The Chair would invite attention to the fact that it just happens that the present occupant of the chair was presiding over the Committee of the Whole House on the state of the Union during the consideration of the Interior Department appropriation bill on May 17, 1937, and was called upon to rule upon a point of order to the same effect as the point of order here presented. The Chair would invite attention to the decision made on that date. It is to be remembered that if construction for public purposes has been commenced, even though original appropriation therefor was made without authorization of law, yet the work being in actual progress, further appropriations may be made under the principle of works in progress.

On that occasion the Chair stated:

The gentleman from Iowa makes a point of order against the amendment offered by the gentleman from Nevada on the grounds that the provision sought to be included by the amendment seeking to make appropriation is not authorized by law. The Chair desires again to invite attention to clause 2 of rule XXI, to which reference has heretofore been made and which was cited by the gentleman from California. No appropriation shall be reported in any general appropriation bill or be in order as an amendment thereto for any expenditure not previously authorized by law, unless in continuation of

appropriations for such public works and objects as are already in progress.

The Chair further desires to invite attention to the precedent appearing in section 1340 of Cannon's Precedents. The Chair reads from that decision as follows:

If the construction of a building, for instance, for a public purpose has been commenced even though originally subject to the point of order, yet the work having commenced and there being no limit of cost, further appropriations may be made.

The Chair is of the opinion that the paragraph to which objection is here made really comes under the theory of works-in-progress and, therefore, overrules the point of order.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last word, chiefly to ask the chairman of the subcommittee a question: Why was the reduction of $100,000 made in the item on line 7, page 59?

Mr. JOHNSON of Oklahoma. Answering the gentleman, I believe that is the Colorado River development.

Mr. MURDOCK. That is right.

Mr. JOHNSON of Oklahoma. The gentleman recalls, they received a very generous amount a year ago, actually in excess of the amount authorized and the committee feels they could get along very nicely this year with some less than the amount authorized. I might say to the gentleman, as someone suggested yesterday, the committee has not used a meat ax on any particular item but has just used a shotgun, and has distributed those shotgun cuts to every project in the country. Let me say that no one is arguing that all of these projects are not worthy. The committee wishes it could have given the gentleman every dollar that was asked because we know of his very great interest in this project, but the committee felt there would be no serious stoppage or letup in the program by making this reduction.

Mr. MURDOCK. Let me thank the Chairman for this kindly comment. However, I believe the committee has made other reductions which also are, in my judgment, unwise, but I call attention to this one particular item in a class by itself, because I distinctly remember that the law passed in 1940 setting up this fund laid down certain directives for its use. According to the law of 1940 the power users in southern California, Arizona, and in that vicinity who use power from Boulder Dam pay into this fund. This particular money does not come out of the American taxpayer's pocket nor is it borrowed money. The law provides that $500,000 annually of these power revenues shall be deposited in the Treasury and appropriated for this special use. These moneys cannot be used for any other purpose except surveys and development of the Colorado River Basin.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I gladly yield to my colleague from California.

Mr. HINSHAW. I think the chairman of the committee and his subcommittee may be in error in reducing this amount because these are not Government funds. As the gentleman from Arizona has said, these funds have been deposited in a special account and they come from power revenues paid for mostly by the people of California by agreement with other States for the development of their States, and Congress has nothing to do with them except in the matter of transmittal.

Mr. MURDOCK. I thank the gentleman for that statement, and it is correct to the best of my knowledge. It is exactly what I was trying to say myself.

I want to point out that the development in the lower basin of the Colorado River under the All-American Canal in California and the Gila Canal in Arizona, both from the Imperial diversion dam, thousands and thousands of acres in Arizona and in California are awaiting these regular appropriations. On April 17 this House passed H. R. 2742, a measure which will confer great benefits upon returning veterans of this World War if they seek homes upon these lands when open for settlement. These lands cannot be open for veteran choice until reclaimed by the Government. Therefore, in view of all these conditions, I feel that this reduction was a serious oversight, and should be corrected before the bill becomes law.

Mr. JOHNSON of Oklahoma. Inasmuch as this House has just refused to appropriate more than $125,000 for all of the other reclamation projects in the United States, the fact that the gentleman is getting $400,000 is evidence that the gentleman is not discriminated against.

Mr. MURDOCK. But the funds of this particular appropriation are already paid in, and the money is in the Treasury, for that purpose, and, as the gentleman from California [Mr. HINSHAW] says, it is the duty of the Appropriations Committee to appropriate it according to the original law. There are certain other reductions which my time will not permit me to discuss.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. RANKIN. Mr. Chairman, I move to strike out the last word. I am very much disturbed to see that the million dollars for the building of a high-powered line at the Shasta Dam has been eliminated from this bill. Why in the world you would expect the Federal Government to build a project of this kind, and then deny to the people of San Francisco and Sacramento and the surrounding area the use of this power at reasonable rates, I cannot understand. I am disturbed to find this language in the report:

It is the intention of the committee that none of the funds appropriated in the bill or heretofore appropriated, shall be used for any purpose in connection with the establishment of a steam plant or a transmission system.

That means in the Central Valley. I call attention to the fact that the people of California were overcharged more than $53,000,000 for their electricity last year. Also, I call attention to the fact that the Pacific Gas & Electric Co. has a firm of high-powered engineers in Washington, called Leighton & Gamble, who are constantly hammering at Congress to keep us from providing for distributing this power to the people of California at reasonable rates. That firm should be thoroughly investigated, and will be if I have my way.

The people in that area have neither coal, gas, nor oil. The nearest oil is down in southern California. They must depend upon this power for their electricity, now and for centuries to come.

Mr. NORRELL. Is it not a fact that the Department of the Interior already has entered into a contract for all of this power?

Mr. RANKIN. It has not entered into a definite permanent contract.

I went up against this proposition in the Muscle Shoals fight, when we were struggling to create the T. V. A. I saw the private power interests buying power at Muscle Shoals power at 2 mills a kilowatt-hour and selling it at a maximum of 10 cents a kilowatt-hour. We are now buying it at 4.9 mills, and selling it at maximum of 3 cents.

I am going to answer all this bunk on taxes, before we close this debate. I will show how much taxes they really pay.

Let me show you something about these two dams, Keswick and Shasta. With the ultimate and presently planned installations they will have a capacity of 450,000 kilowatt-hours. Of this installed capacity, 200,000 kilowatt-hours may be considered firm power. Do you know the difference between firm power and secondary power? Firm power is power supplied all the year around, and secondary power is what comes from flood water power, and if you have much secondary power, you have to have the help of the steam plant to firm it up. That is what we are asking for. This installation would produce anywhere from 737,000,000 to 1,752,000,000 kilowatt-hours of firm energy annually. That would be used as a yardstick for the people in northern and central California, including Sacramento and San Francisco, that would relieve them of millions of dollars in overcharges every year. With the addition of the Delta steam power plant, which was excluded in the appropriation report, 150,000 kilowatt installations would be added, bringing the installed capacity up to 600,000 kilowatts and increasing in even greater proportion the firm power capacity of the system to 451,000 kilowatts, which would produce annually 2,159,000,000 kilowatt-hours of firm energy.

Turn 2,159,000,000 kilowatts of firm power loose in California, give it to the people in that area at rates they can afford, and you will break the rates in California more than $50,000,000 a year.

Again I call your attention to the fact that Keswick and Shasta, with installed capacity up to 451,000 kilowatts, would produce secondary power estimated at 1,015,000,000 kilowatt-hours annually.

Fortunately that secondary power comes in the summertime. It comes in that area from the melting snow and ice. In the Tennessee Valley it comes from the rain in the wintertime, when we need it for heating purposes. It comes in California at a time when they need it for irrigation purposes. "Almighty has mysterious ways his wonders to perform." This power would not be wasted,

but it would be used to irrigate the farms, the gardens, the truck patches, and the pastures in that particular area. The addition of this steam plant would so firm up this power that the secondary energy for the system would drop to 234,000,000 kilowatt-hours annually. This is one of the greatest developments ever proposed for the people of that section of California. Let us give them the full benefit of it.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. WELCH. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I sincerely regret that the committee which has this bill in charge has failed to recommend to the House an appropriation sufficient to continue the Central Valley program.

The Central Valley project was inaugurated in 1933 through a referendum election. The State of California was unable to finance this great development, the cost of which has been estimated at one-third of a billion dollars. I was one of a group of Representatives who took the initiative in advancing this project. We took the matter up with the late President Roosevelt, who gave it his wholehearted support.

The Central Valley project embraces a vast empire equal to the combined area of Massachusetts, Connecticut, Rhode Island, and one-half of New Jersey, and is traversed by two great navigable rivers flowing into the bay of San Francisco. One of the primary objects of the project is to save over 1,000,000 acres of the most fertile land in the world from salt water erosion. Before the Federal Government undertook this project over 50,000 acres of land had already been destroyed.

The importance of this great fertile valley is attested by the fact that it has been the bread basket of the Pacific war effort. Immediately adjacent to the great port of San Francisco, it has furnished huge quantities of fresh foods for our fighting forces in the Pacific and our tremendously increased civilian population engaged on war production.

It is essential that Congress continue the appropriation for this well-planned program, which was carefully studied over a long period of years. It is false economy to hastily curtail or discontinue a work so well started and which has proven its importance to the entire United States. It must be completed.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I suggest that if we are going to debate this matter, we might read the paragraph. It has not been read as yet.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Central Valley project, California, $4,500,000.

Mr. MILLER of California. Mr. Chairman, I move to strike out the last word.

Mr. JOHNSON of California. Mr. Chairman, if the gentleman will yield, I wonder if we could agree to a limitation of time for debate on this item. How many are interested in discussing this paragraph?

Mr. JOHNSON of Oklahoma. Mr. Chairman, I ask unanimous consent that all debate on this paragraph close in 50 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from California [Mr. MILLER].

Mr. MILLER of California. Mr. Chairman, the question has been raised from time to time during the debate on this matter as to whether or not there is a market for this power. Presently, there is a market for the power.

Let me recall the over-all picture of the Central Valley project for the Members of the House. In the northern Sacramento Valley a great surplus of water flows. It comes from the snows in the mountains in the northern Sierras. This is impounded at Shasta Dam or will be impounded at other dams in that valley. It is contemplated that the water will be released down the Sacramento River to a point where it can be transported into the arid San Joaquin Valley and there be lifted by a series of pumps a total of about 200 feet and distributed by gravity into that valley. It will require a lot of electric energy to lift that water 200 fect. An integral part of the Central Valley project is a transmission line that would bring the electricity from the Shasta Dam and the northern dams into the central district, where the first call on that power would be the pumping stations to raise the water to get it into the lower valley. If this is stricken from the bill and we are not allowed to get the money to plan that transmission line and the power plant to firm the power that is so necessary, we are up against the other extreme of purchasing the necessary power from a privately owned monopoly. When that is the desire of this Congress, I will retire from it.

This is a question which is vital to California. It is vital to our future. It means employment. I have here a telegram from the secretary of the California Federation of Labor that reads as follows, asking that this money be restored:

SAN FRANCISCO, CALIF., *April 26, 1945.*

Hon. GEORGE P. MILLER,
House Office Building
Washington, D. C.:

Labor will appreciate your vote to restore following three items to Interior Department Appropriations bill which were deleted in the House Appropriations Committee: Appropriation for transmission line and stand-by plant for Shasta power development and Kings River investigation. P. G. & E. representative claimed his organization could take care of items. Will not be substantiated by facts. With these three items out of bill expenditures out of public funds for Shasta Dam development will not result in power development for the greatest public benefit.

C. J. HAGGERTY,
Secretary, California State Federation of Labor.

I have one from the Building and Construction Trades Council of Alameda County that reads, asking that the money be restored:

OAKLAND, CALIF., *April 25, 1945.*

Hon. GEORGE P. MILLER,
United States Congressman,
Washington, D. C.:

We urge restoration three items struck from Interior Department appropriations bill: Appropriations for transmission lines and stand by plant for Shasta power development and Kings River investigation appropriation These items absolutely necessary to insure that public expenditures in California result in maximum public benefits.

ALABAMA COUNTY BUILDING AND CONSTRUCTION TRADES COUNCIL,
J. C. REYNOLDS.

I have a telegram from the C. I. O. Council of California asking that the money be restored:

SACRAMENTO, CALIF.

GEORGE P. MILLER,
House of Representatives:

We are informed Department of Interior appropriations bill due on House floor today. Strongly urge you act to restore appropriation for Central Valley project now left out of bill.

MERVYN RATHBORNE,
Secretary-Treasurer,
California C. I. O. Council.

I also have one from the Technical Engineers Union, a union to which I have the privilege of belonging, asking that this money be restored because the whole development of this country is dependent upon the hinterland and the surplus power which comes from Shasta Dam will be the yardstick, just as the gentleman from Mississippi told you, which will beat down the monopolistic private rates until the rates in central California for electricity are comparable with those in other economic areas along the Pacific coast:

OAKLAND, CALIF., *April 25, 1945.*

Congressman GEORGE MILLER,
House of Representatives,
Washington, D. C.:

We urge restoration three items stricken from Interior Department appropriation bill—appropriations for transmission line and standby plant for Shasta power development and Kings River investigation appropriation. These items absolutely necessary to insure that Federal expenditures in California result in maximum public benefit. If House fails to restore these items, Senate should.

TECHNICAL ENGINEERS UNION, LOCAL 89.

The committee, by its action, has taken out the money for planning these two integral indispensable parts of this system, and then if the people in the arid San Joaquin Valley who need supplemental water, who pleaded with this Congress that their land was going back to desert and that supplemental water was necessary to save it. Do you think they want to pay the additional rate for power to pump subsurface water to irrigate their farms? I do not think the people in the lower San Joaquin Valley desire to pay more than a just rate for their power.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I am very glad to yield.

Mr. HOLIFIELD. Mr. Chairman, I want to compliment the gentleman from California [Mr. MILLER] on his fine statement. May I say to the Members

of the House who do not know the gentleman, that he was a member of the State Legislature of California for many years. He helped in the enabling legislation which made possible this great Central Valley development throughout. He knows the subject about which he is speaking. I want to compliment him on his fight for many years for public power in the State of California and his continuing fight here in the Congress of the United States.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. MILLER of California. I yield.

Mr. RANKIN. Mr. Chairman, I stated a moment ago that in 1944 the people of California were overcharged $53,915,000 for their electricity. That is, according to the T. V. A. rate. But according to the Ontario rate, they were overcharged $73,415,000. Now our opponents come back and say that the Ontario system pays no taxes. I turned, therefore, and looked up the taxes the private power companies are paying in California. In 1936, the public power systems in California paid 15.3 percent of their gross income in taxes or in lieu of taxes, while the private power companies paid only 13.6 percent of their gross incomes in taxes. But the private power companies that year, and I am sure they paid as much taxes in 1936 as they pay now, in 1936 they paid only $16,821,488 in taxes, income tax and all, which, taken from this $73,415,000, would still leave far more than the $53,000,000 overcharge according to the T. V. A. rates.

Mr. MILLER of California. And all comes out of the pockets of the consumer.

Mr. RANKIN. That is right.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN. Mr. Chairman, without in any way expressing an opinion as to the merits of the various requests for increased appropriations which have been or will be made while this bill is under consideration, may I be permitted to call attention to the over-all picture? Earlier in the week it was my privilege to listen to a Member of the other body who is not a Republican, but who expressed grave concern over our present situation and who gave it as his candid and sincere opinion that if we continue to increase the appropriations, follow our present course, this country will meet disaster.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. BROWN or Ohio. I believe the gentleman was here a day or so ago and he perhaps heard the chairman of the Committee on Appropriations of the House, the gentleman from Missouri [Mr. CANNON] make the statement that at the present time the United States Treasury is broke or that the United States Treasury is bankrupt.

Mr. HOFFMAN. We all know that to be true though we do not act as though we intended to take effective measures to prevent a situation which will bring a disastrous depression. The gentleman who was speaking the other night said that before we were through our debt would be so great our interest charge alone would be over $6,000,000,000 a year. If I understood him correctly, he said the interest charge which we would be required to meet was twice—perhaps I am in error there—would be twice the amount of the total expenditures of the Federal Government in 1933.

Let me repeat, I am not saying anything about the merits or demerits of these various propositions to increase appropriations, but inasmuch as Members on both sides, who are acquainted with the facts, predict that we will have ruinous inflation or repudiation if we continue to make appropriations at the rate we are making them, why is it that every time an appropriation bill is brought up so many Members who have been asked by constituents to vote for an increase get up here and start logrolling which will boost the amount of the Federal debt to such an extent that it will be almost impossible for us to meet the interest charge, to say nothing of the running expenses of the Government after the war is over?

It seems to me to be about the peak in selfishness for us to vote additional sums for present use when every one of us is fully aware of the fact that we are not going to repay that money; that we are not going to provide the money by taxation or to repay it if it is borrowed. We are just passing along to those who return from this war and to future generations the burden of carrying the debt and of liquidating it, if it is ever to be liquidated, which we have made here.

Mr. PATTERSON. Mr. Chairman, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. PATTERSON. Would it not be better economy to complete those projects now in process?

Mr. HOFFMAN. Oh, I know all about that story. We start something. We drive in a wedge by starting something the total cost of which we do not know, and we split wide open the whole fabric of our Government and our future with the plea that we should carry them on. I say we are selfish and cowardly when we vote money which we know we cannot repay, just pass the debt along to returning servicemen. I wish some of these delegations which come to Washington asking for more money would make an effort to tell us where we can get it.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. McDONOUGH. Mr. Chairman, I ask unanimous consent to insert my remarks at this point in the RECORD and ask the privilege of revising and extending my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Chairman, the Interior Department appropriation bill as reported by the Appropriations Committee reduces the Budget estimate for appropriations for the Central Valley project by $1,000,000. The committee, in reporting the bill, on page 18 of its report specifically disapproves items of $115,300 for planning the Delta steam-power plant and $100,000 for planning transmission lines and switch yards which are essential features of this project in which the Federal Government has already invested more than $150,000,000. This investment includes more than $80,000,000 in Shasta Dam and power plant which is the key structure of this undertaking. The power plant is now operating with 150,000 kilowatts of installed hydro capacity. When completed, the Shasta plant will have 375,000 kilowatts while the Keswick Dam plant nearby will bring the total installed capacity to 450,000 kilowatts. However, the two plants, even when coordinated in operations, can have but 200,000 kilowatts of firm capacity due to the vagaries of the flow of the Sacramento River. Consequently, the annual firm output of electric energy from the two plants will be only 737,000,000 kilowatt-hours, while the secondary output will be 1,015,000,000 kilowatt-hours. By constructing the steam plant, plans for which have been recommended by the War Production Board, 150,000 kilowatts of capacity would be added to the Central Valley power installations.

Everyone knows how much more valuable firm power output available 12 months of the year is than secondary power available only when the flow of the stream permits the generators to be producing. The fact that the firm power output would be increased threefold through the installation of the steam plant is sufficient justification, it seems to me, for the completion of plans so that the facility can be constructed when post-war conditions permit.

The transmission line is essential to round out the facilities for irrigation pumping in the San Joaquin Valley. The water users of that area should have the advantage of low-cost Government power for this purpose.

The entire State of California is deeply concerned with the problem of constructing the Central Valley project, as it was endorsed by the people of the State at the polls in 1933. It behooves the Congress to uphold the will of the people of California by providing the funds that are necessary to complete the plans for the steam plant and the transmission lines of the Central Valley project.

The CHAIRMAN. The gentleman from California [Mr. DOYLE] is recognized.

Mr. DOYLE. Mr. Chairman, the distinguished gentleman from Michigan, in stating substantially that the country was going to rack and ruin, or, into bankruptcy and insolvency financially, as he almost always does so state in his remarks on the floor of this House, throws mental fear, unnecessarily I believe, into the minds of the great American people. I anticipate the gentleman does not have any such intention, but nevertheless such statements cannot help but result in having such effect on the minds and spirits of the American people in these times of global war.

I do not criticize the subcommittee or our hardworking Appropriations Committee, but as a representative in this great legislative body from the State of California, I say to the gentleman from

Michigan, he has charged us with being selfish. But we Congressmen from California—17 out of 23 who yesterday and today urge our position before this House—are not knowingly being selfish. Instead, sirs, we are trying to preserve for California and the Nation that natural heritage of water, and the result of harnessing that water, which the Creator placed in the State of California for the benefit of its people. We are trying to preserve the essence and fundamentals of the development of the Central Valley River project.

Mr. HOFFMAN. Mr. Chairman, will the gentleman yield?

Mr. DOYLE. Let me finish, please.

Mr. HOFFMAN. Well, you made reference to me.

Mr. DOYLE. Very well. I will yield for a question.

Mr. HOFFMAN. Do you think the present generation is either going to pay the interest or liquidate this debt? Are we not going to pass it along to coming generations?

Mr. DOYLE. That is all right. This is a natural heritage which future generations want us to protect for them.

Mr. HOFFMAN. Covered by debt?

Mr. DOYLE. Yes; covered with debt. They expect us to preserve it for them.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. DOYLE. I yield.

Mr. RANKIN. One million dollars more added to the debt of this great Republic to give cheap power to the people of the city of Sacramento, the capital of California, certainly would not any more bust the Government than what we have spent already on Sault Ste. Marie in Michigan.

Mr. DOYLE. On yesterday in answer to my distinguished colleague, the gentleman from California [Mr. JOHNSON], the chairman of this committee, when he asked why the subcommittee eliminated two items of $115,300 and $100,000 for the purpose of preparing plans for transmission lines or for preparing plans for steam power plants. It would seem to me, gentlemen, that with the record of this great project, for over 10 years or more in the history of Congress, always having carried with it a record of the intention to have transmission lines and a power plant in the project, that the answer of the distinguished chairman of the subcommittee, that there was no evidence presented showing any need of such transmission lines or power plant, is not an answer to the question upon which we should be asked to determine our vote. Transmission lines and power plants are a part and parcel of such a great water development and power development project as we are discussing, and has been before Congress for several years. I am informed the maps, charts, and specifications have carried these items in a preliminary way.

Here again, gentlemen, is a case where there is not sufficient time allowed for Members to be fully informed of what a subcommittee is proposing to report to the House for debate. Again, I do not criticize the subcommittee or the Appropriations Committee for this condition—it is, in my judgment, the result of inadequate procedure which we are following in our processes of debate and decision. The other day I suggested to the Congressional Reorganization Committee that bills like this not be debated or voted upon until Members had had such bill and report delivered to them at least 24 hours before such debate could be called.

When this Congress authorized construction of the great Central Valley project in California, it intended that the public resources should be harnessed for the public good. The report states frankly that transmission lines should not be built by the Government, but that all the power generated at the great Shasta Dam should be turned over to the Pacific Gas & Electric Co. at the Shasta substation. Such a proposal would go far to deprive the people of California of their heritage. For the people of the United States it would be both bad government and bad business. It would mean the surrender of hard-won gains in the long battle of the public interest, gains that have been won only against the endless and bitter opposition of the great monopolies.

The Central Valley project was designed to promote the national welfare by developing and making life better in a large section of the State of California. The people of California, in particular, have a natural interest in its being operated with a sense of continuing responsibility to the people themselves. The widespread use of cheap power is a fundamental purpose of the project. If the language of the subcommittee report were followed, the most honest and responsible official in the world would have to say to the people of California that he could not do for them the job they wanted him to do. He would have to turn all the power over to the Pacific Gas & Electric Co. and it would be that company, which is not answerable to the people, which would have the last word.

Last fall in another body, an effort was made to require the sale of energy at the bus bar at all Federal projects. That effort, the so-called Bailey amendment, did not succeed. Instead, a time-honored policy was adhered to—a policy of having the Government promote the widest possible use of electric energy. This policy, as has been said, is both good government and good business. It is good government because it lowers the cost of farming and of running a home and of manufacturing—it raises the standard of living. It is good business because it reserves to the Government the terms upon which its power may be sold, and, with preference to public and nonprofit organizations, it means the sale of more power and a quicker return to the Treasury. Conversely, it is bad government and bad business to build a great dam and then turn over the entire product to a single customer without reserving even the right to build lines for transmission to countless other customers.

Finally, monopolization. This is no new fight in California. Thirty-two years ago Congress passed the Raker Act. The people were aware then of the potential strangle-hold of a single great utility company over the people of northern California. Into the Raker Act was written a prohibition against the sale of power, generated in a United States national park, to any private corporation for resale to the public. In other statutes passed since then, Congress has repeatedly stated that Government power projects must be so administered as to prevent monopolization of the power by limited groups. And yet, if we do not provide a transmission system for Central Valley power, this power at Shasta that belongs to the people will be turned over to a single company, vastly increasing the might of an already great monopoly.

I am confident that Congress will insist now and in the coming years that the Central Valley project will be developed and carried out in accordance with its fundamental purpose—to better the condition and enlarge the life of the people of the valley and of the State and of the Nation.

The CHAIRMAN. The gentleman from California is recognized.

Mr. JOHNSON of California. Mr. Chairman, I wish to discuss briefly some of the matters mentioned by my colleague, the gentleman from California [Mr. DOYLE]. I am very sorry that the committee eliminated from the request of the Department of the Interior two small items, one for $100,000 and one for $115,000 for the purpose of studying the need and preparing plans for a transmission system and for a steam plant, for the Central Valley project in California.

It is well to remember here that up to the present time we have invested in this project $154,000,000. The estimated cost of the project is $360,000,000. Lest you get panicky over these large sums I want to point out to you that the plan—and I am sure it will be carried out—is to reimburse the United States for all of the money that they have invested in the project that is properly allocable to power and to irrigation; in other words, in 40 years the Nation will get back dollar for dollar all of the money that goes to irrigation and dollar for dollar, plus interest at 3 percent, all that is spent for hydroelectric development.

What do we have? We have the elimination of a very nominal item for the study of the expenditure of a possible $74,000,000 for transmission lines and for a steam plant. Frankly I do not know whether that vast sum of money is necessary or justified to be appropriated at this time for that purpose, but I certainly feel in view of our past investment of $154,000,000 on this property that it is essential to study the matter to see whether or not we can or should spend this sum of money or a part thereof for this purpose.

The Reclamation Bureau is now selling the power to the Pacific Gas & Electric Co. The P. G. & E. is the utility in northern California and it dominates the field completely, and unless we study out the necessity and the cost of the transmission lines and the necessity for the steam plant we will be the victims of having to go to the very persons we are competing with for the power markets in

northern California. The very purpose of this project is to bring down the power rates in northern California, and that is exactly what it will do.

Naturally the P. G. & E. would like to be the distributor of the electricity developed at Shasta Dam. But such a tremendous output should be operated as an independent integrated project. We should not be at the mercy of our only competitor. The fact that the P. G., & E. is the distributor for several irrigation districts is no answer to our suggestion. They are small projects, compared to the great Central Valley project, and these irrigation districts could not operate and develop a great distributing system successfully if they wanted to.

The very future of California is dependent upon cheap power. By developing this public electricity we will furnish competition that will have the effect of lowering power rates to all consumers.

Agriculture needs cheap electricity. Thousands upon thousands of ranchers in my district pump water from rivers or from underground channels to water their crops. Cheaper power rates will directly benefit them and the eastern consumers who eat our fruits, vegetables, and nuts. Industry needs and wants cheap power. One of the first things a new investor in industry asks is, How are your power rates? Cheap power will attract them.

The develpoment of industry in northern California is barely started, considering available resources. Our mountains are full of iron ore and other metals, all of commercial value. The Sierras have vast untouched forests that will be reduced to lumber and made into various wood products. Our resources in stone and clay have already started small industries which will grow into larger ones. All these need and want cheap power. The development of the power resources of Shasta Dam will bring this cheap electricity.

Therefore, I am sincerely sorry that the committee would not find it expedient to grant the nominal sum of $215,000 for the studies mentioned. I do hope that this does not mean that the committee will not give consideration to future requests for appropriations for the items mentioned. They will be made and certainly we must protect this vast development, so important to California and the Nation, by doing whatever is necessary to get the fullest use out of the electricity generated. We all know that transmission lines and stand-by plants are necessary for that purpose. Also, we do know that we cannot place our investment in the hands of our competitor and expect to get the best results from our investment.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. OUTLAND. Mr. Chairman, I was interested in the remarks made a few moments ago by our colleague from Michigan [Mr. HOFFMAN] in which he spoke about the danger of ruinous inflation. In view of that, I shall look forward to his help in getting the price control bill renewed, when that bill comes up in the next few weeks.

I have asked for this time in order to comment on the remark made by our colleague from Ohio [Mr. JONES] on page 3901 of the RECORD of yesterday:

> But I am indeed surprised to have the Secretary of the Interior make this statement against this private utility and yet stand in the way of the Government making recovery from this same private utility.

The reference was to the contract on the Hetch Hetchy project. It seems to me it is only fair that we discuss this other matter briefly, as long as it has been referred to.

During the debate yesterday the distinguished gentleman from Ohio brought up the matter of an illegal arrangement that the Pacific Gas & Electric Co. entered into with the city of San Francisco by which it gained control for its own profit of the power from the Hetch Hetchy project built at public expense. I think that the history of his arrangement of this giant power company that is injecting itself into the entire Central Valley power picture should be made clear for the Members of this body.

Under the terms of the Raker Act, passed in 1913 by the Congress of the United States, the city of San Francisco was granted the right to use certain lands in the Yosemite National Park for the purpose of building a water and power development for the people of San Francisco. In that grant the Congress specifically required that none of the water and none of the power made available by reason of its grant should ever be sold to a private company or individual for resale. In other words, Congress back in 1913 made it clear that public property should be used for public purposes and not for private profit.

The city of San Francisco proposed to build not only a power plant at Hetch Hetchy, but transmission lines to the city of San Francisco so that it might distribute its own power to its own citizens. That transmission line was never completed. It was stopped at the Newark substation of the Pacific Gas & Electric Co. many miles from the people who owned the power and wanted it for their own use. Instead of public distribution, a contract was entered into between the city of San Francisco and the Pacific Gas & Electric Co. under which that company took the power of the city and sold it over its own system. That illegal arrangement, defying the laws of this Congress, was objected to by successive Secretaries of the Interior, including the Honorable Ray Lyman Wilbur, of California. When the present Secretary of the Interior examined this arrangement and saw that it was illegal, true to the trust imposed in him by the act, he made a finding and asked that the Department of Justice bring suit against the city of San Francisco for its illegal alliance with the Pacific Gas & Electric Co. That suit was carried through the courts to the Supreme Court of the United States, where an 8-to-1 decision written by the Honorable Hugo Black upheld the Secretary of the Interior and directed that the power from Hetch Hetchy should be sold in accordance with the direction of this Congress, namely, directly to the people of California, who had built the Hetch Hetchy project.

I am aware that the decision of the Supreme Court in this case has not yet been carried out. It has not been carried out because funds and critical materials have not been available to finish the transmission system that was to have carried this power to the people of California. Because Hetch Hetchy power was needed for war purposes, it has been impossible for the Secretary of the Interior or for the courts to demand that the Hetch Hetchy power plant be shut down. In this war, an illegally operated power plant is better than no power plant at all. However, the efforts of the Secretary of the Interior, of Members of the House from California, and of other public officials in trying to work out a sound and legal basis for the handling of Hetch Hetchy power show that these officials are motivated by the highest concern for the war, for the people of San Francisco, and for justice and fair play.

Now comes my honorable colleague from Ohio and yesterday he said, and I quote him, "I think the private utility is in the wrong." And he went on to tell another of my colleagues from California "I want the record to be clear that when a power company is in the wrong, I am going to condemn it."

What form of condemnation does the gentleman advocate? Does he advocate condemning the Pacific Gas & Electric Co. to taking the people's power at Shasta on its own terms? Does he condemn the Pacific Gas & Electric Co. to selling that Shasta power back to the people of California on its own terms? Does he condemn the Pacific Gas & Electric Co. to a monopoly of all private and public power plants in northern California? Is it his idea that this punishment fits the crime?

It would appear from the committee report that the idea of punishment for the Pacific Gas & Electric Co.'s crime in the Hetch Hetchy matter is to turn over to that same company the people's power at Shasta. In the report of his committee, which the gentleman defends, it is stated that—

> It is the intention of the committee that none of the funds appropriated in the bill, or heretofore appropriated, shall be used for any purpose in connection with the establishment of a steam plant or a transmission system. * * * It is unnecessary for the Government to appropriate funds to construct either a steam plant * * * or a transmission system.

In other words, the committee will duplicate the very condition in the Central Valley that led to the illegal arrangement at Hetch Hetchy, where no transmission lines were provided.

Apparently, the gentleman's cure for P. G. & E.'s illegal Hetch Hetchy power grab is to turn over an even greater power project at Shasta Dam for the sole and exclusive use of this great monopoly.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. OUTLAND. Yes.

Mr. RANKIN. I agree with the gentleman from California that the Hetch

Hetchy power is being sold in violation of the Raker Act; but in the present instance the city of Sacramento has provided for a public distribution system.

It is within 100 miles of Shasta Dam. There is no reason on earth why this transmission line to Sacramento should not be provided now.

Mr. OUTLAND. The gentleman is correct.

Mr. MURDOCK. Mr. Chairman, will the gentleman yield?

Mr. OUTLAND. I yield to the gentleman from Arizona.

Mr. MURDOCK. I think if the facts surrounding the P. G. & E. Co. and San Francisco electric power transactions were fully made known—and I wish they would be fully made known by the gentleman from California, who knows a great deal about it—the Secretary of the Interior, instead of being criticized for his part in it during the war period, should be commended. The Secretary was lenient about the time of Pearl Harbor, which was probably wise, due to the war situation.

The CHAIRMAN. The time of the gentleman from California has expired.

The Chair recognizes the gentleman from Pennsylvania [Mr. GAVIN].

Mr. GAVIN. Mr. Chairman, I have listened with a great deal of interest to this discussion on utilities and power. I wonder if any of you gentleman have given any thought to what we are going to do with the hundreds of thousands of miners who are digging coal, thereby making their livelihood raising their families and paying taxes into the Government to keep this great American system working?

In my State, I might say, coal is one of our basic industries on which thousands of our Pennsylvania miners are dependent; thousands of miners of coal are effected; whole communities in the western part of my State may be wiped out by power programs; in other words, on a T. V. A. job of $700,000,000, Pennsylvania pays 10 percent of the Federal tax to make that project possible; we are furnishing the money to sharpen the razor that is cutting the heart out of the basic industry of our State, and that is coal. What are you going to do with these coal miners when the war is over? I would rather see these men digging coal and producing a pay roll to raise their families than I would to see the water going over the T. V. A. Let us say a word about coal in comparison.

Last year, for electric utilities, railroads, home, factory, and farm, the coal industry produced over 600,000,000 tons; more coal than has ever been mined in any year in any country in history.

Electric utilities are the fifth largest consumers of coal, using in excess of 76,000,000 tons annually. More electricity is generated from coal than from all other sources combined.

Electricity generated from coal costs even less to produce by a wide margin than electricity generated from free water power. And modern coal-burning steam plants are the most efficient power-generating plants.

Experts estimate that without the electric power generated from coal, more than 700,000,000 additional workers would be required for America's annual industrial production.

I am surprised that the Members of this House from the coal-producing States of the Union have not risen in defense of the American coal miner who is making an outstanding contribution at this time to our war effort. Certainly we have to give consideration to these men in the post-war plans. But no, because the Budget Committee cuts off a hundred thousand dollars here and a hundred thousand dollars there on power projects, indignation is aroused and the Members object to their proposals, even though millions and millions are being granted for the development of hydroelectric projects in the several States. I am interested in my State, Pennsylvania. I am interested in Pennsylvania. I am interested in its basic industry. A State with over a million two hundred thousand in armed forces, producing 30 percent of all war materials. I am interested in the industries and mines that employ my people, and therefore I rise to just say a word for the Pennsylvania miner who is producing the coal that is helping this all-out effort to win this war. I think that some of the Members from the coal-producing States should also be concerned. We all are interested in the development of our great natural resources, land reclamation, hydroelectric power, flood control, and rivers and harbors, and I think we are making splendid progress. Let us give coal a chance. I want to compliment the Budget Committee for the careful manner in which they have gone into all of these projects. I think the gentlemen where these projects are located are doing very nicely for their States, and therefore should give some consideration to the coal industry and the thousands of coal miners who are dependent upon this industry for their very livelihood.

The CHAIRMAN. The Chair recognizes the gentleman from Mississippi [Mr. RANKIN].

Mr. RANKIN. Mr. Chairman, I listened with a great deal of compassion to the eloquent speech of my distinguished friend from Pennsylvania—and when I say "my distinguished friend," I mean my friend. I have no objection to his standing up for the people of his own State or his own country. I admire him for it. He also stands up for his country, and I admire him for that.

But let me call the gentleman's attention to two or three errors in his remarks.

In the first place, developing water power in California would have no effect whatever on the price of coal in Pennsylvania, or the amount of it used, because you cannot transmit hydroelectric power successfully more than 350 or 400 miles; and I am sure that little or no coal is shipped from Pennsylvania to California.

The gentleman from Pennsylvania has seen the light. He says that electricity can be generated as cheaply with coal in Pennsylvania as it can with water power by the T. V. A. I am glad to hear his speech. I hope he preaches it from every schoolhouse and every hilltop in Pennsylvania. If they could wring the hands of the Power Trust loose from the necks of the people of Pennsylvania, they could take Pennsylvania coal and generate power and distribute it at the T. V. A. yardstick rates. If they could get their power at the rates we are now getting it at in the Tennessee Valley, just think what it would mean to Pennsylvania.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from Pennsylvania.

Mr. GAVIN. If the Oklahoma Gas and Electric Co. has a tax bill of 4.58 per kilowatt-hour, and the Government is selling power at 4, whereas the Oklahoma company has to sell it at 8.58 to break even, how are you going to meet that situation?

Mr. RANKIN. My answer is that no such condition prevails.

Last year, 1944, the people of Pennsylvania used 13,000,000,000 kilowatt-hours of electricity. They paid $277,000,000 for it. They would have paid $173,000,000 under the T. V. A. rates. According to the T. V. A. rates, which the gentleman says they can match with power generated with coal in Pennsylvania they paid an overcharge of $104,000,000 for their electricity in Pennsylvania last year. According to the Tacoma, Wash., rates they paid overcharges amounting to $147,000,000, and according to the Ontario rates the people of Pennsylvania paid overcharges for their electricity last year amounting to $123,000,000.

I agree that if you will use that coal, generate your power where that coal is produced, and distribute it at rates based upon the cost of generation, transmission, and distribution—you can produce power and distribute it at approximately the T. V. A. rates. When you do that, you will save the people of Pennsylvania all the way from $104,000,000 a year to $123,000,000 a year.

Oh, I know the gentleman talks about taxes.

Mr. GAVIN. No; I am not talking about taxes, I am talking about jobs for coal miners. I am asking the gentleman what to do with the coal miners.

Mr. RANKIN. You will give the coal miners more jobs if you will stop the power interests from robbing the people of Pennsylvania. They will use more power, and it will take more coal to produce it.

Against this overcharge of $123,000,000, I know they will say that the Ontario system pays no taxes. That is correct. Let us see what taxes the power interests in Pennsylvania paid. I have the record before me. In 1936 they paid $22,760,000, and they pay no more taxes now than they paid then. That amount, taken from the $123,000,000 of overcharges, according to the Ontario rates, a system that pays no taxes, would still leave the people of Pennsylvania overcharged $101,000,000 a year for their electric lights and power.

Let us give the power consumers of America justice in electric light and power rates from Maine to Mexico and from Pennsylvania to California.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

The Chair recognizes the gentleman from California [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Chairman, I want to read from Public Law 392 in regard to the Central Valley water project:

And provided, further, That the said dam and reservoirs shall be used, first, for river regulation, improvement of navigation, and flood control; second, for irrigation and domestic uses; and, third, for power.

Mr. Chairman, what has happened since 1937 in the area to be served in the San Joaquin Valley with a supplemental supply of water? Not even the survey has been completed for the canal that will bring the water. All of the money has been spent on power. The same group today which is crying for more power, and some of you Members remember the statements I made right in the well of this House in 1938 and 1939 when the same Secretary of the Interior was asking for the creation of the King's Canyon National Park, after the Federal Power Commission testified we had a second Boulder Dam in that area. We locked up at that time a second Boulder Dam. I stood right in the very well of this House, not before a microphone, but most of you heard what I had to say, the day would be coming when the same group would be screaming and yelling for production of power. Many of you men who are on the floor today heard me at that time plead with you not to lock up a second Boulder Dam. But that is what we did. Futhermore, pressure was put on men from the departments who came before the Committee on Public Lands not to testify any further before the committee.

I want to commend the Committee on Appropriations dealing with our Central Valley water project. These gentlemen have been in the area. They know what has not been done. Time and again they earmark funds for irrigation. What has happened? Nothing. Over a year ago I had clearance from every department to go ahead and construct the canal from Friant Dam south, in the San Joaquin Valley, the great area to be served by this project. For some unknown reason, it was not started. No; it was not the manpower, it was not the material, because we had the approval of all of those, gentlemen. The committee who earmarked the funds to do the job has been criticized yesterday and today. I say to you it is a shame to criticize a group of gentlemen such as are on this Appropriation Subcommittee when I think they know more about it than any other individuals in the House, on the Committee on Appropriations, or any other committee.

The Central Valley project is primarily an irrigation project. In the authorization of the project the Congress declared that the generation and sale of electric energy was to be for the purpose of aiding the repayment of the project costs.

If it becomes necessary at any time for the construction of additional power facilities in order to provide for more adequate revenues, there is ample authority for Congress to do so.

Secretary Ickes is now selling the power from the project to the Pacific Gas & Electric Co. They now serve better than 95 percent of the area that is within reach of the project power. If the Interior Department contracts with some municipality or district for power, the Pacific Gas & Electric Co. is bound to deliver the power over their existing system under the contract.

One of my colleagues, former chairman of the California Railroad Commission which fixes the utility rates in my State, yesterday was complaining about the rates charged by the power company. He was responsible for 4 years for the power rates in California, and if they were not reasonable, he could and should have made an effort to have them reduced.

My other colleagues who protested the action of the committee could be better employed in helping the farmers of the valley get the irrigation features of this great project constructed.

The people of the valley are not suffering for power, but they are faced with a critical and terrible possibility of ruin from a shortage of irrigation water. The people of the valley who will pay the bill for this project and whose need for water has justified its construction, are grateful, as I am, for the support and helpfulness and understanding which this Appropriations Committee has given to the project. They have always seen that adequate funds were available for construction. The delay in the building of the vital project irrigation features is not their fault, they have helped in every way they could, even to the earmarking of the funds. The fault for lack of enterprise and construction work lies squarely in the lap of Secretary Ickes and the power-crazy Brain Trust running his Department.

This committee has been more than fair to our project. They have personally visited the project and gone over its every unit. This is more than a lot of my California colleagues have done, whose districts do not come near the service area of the project, and who would have to carry water and power in a bucket to their districts if they were ever to get any from the project.

Their professed eagerness to be of help to the project could be better employed in urging the construction of the Friant-Kern Canal and the other project irrigation works. While they are eager to cry for funds to increase the project costs $100,000,000 or more unnecessarily, they have yet to raise their voices to ask for a dollar for the irrigation water that will save the farmers of the Central Valley.

Now here is a matter that is being overlooked in this debate and that is that the tremendous estimated increase in the cost of the project, which is raised year after year by the Bureau of Reclamation, is in no way being balanced by a corresponding increase in the supply of water and power that will be made available from the project. With the emphasis of the Interior Department being placed more and more on building costly, and at the present time unnecessary additional power features, while at the same time they openly announce their intention to cut the wholesale cost of the power to about half its present market value, the fear comes to the irrigation farmers that the increased costs will be charged up to the water users just like the Interior Department is trying to do to the people of the Salt River project in Arizona.

Let us get down to earth and build the project irrigation features that were the incentive and justification for the project, then if we need more or additional power facilities we can come back and justify them on their merits, and I am sure that this always fair-minded Appropriations Committee and the Congress will give us the consideration and assistance that can be proven necessary to meet our needs and those of the project.

The CHAIRMAN. The Chair recognizes the gentleman from Iowa [Mr. JENSEN].

Mr. JENSEN. Mr. Chairman, as a member of the Subcommittee on Appropriations for the Department of the Interior, I, of course, am quite amused to hear some of the statements made by Members today and yesterday about how bad the committee has treated California when the facts are that California certainly has been treated most royally by this committee this year and for the past 15 or 20 years. In fact, they have been treated better than any other State in the Union. Instead of condemning the committee for the actions which we have taken, they should be down here on the floor of the House thanking us and saying, "We will be forever grateful." But instead they get up and condemn us. I say you should be ashamed of yourselves.

Mr. NORRELL. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. NORRELL. As a matter of fact, there has been a carry-over practically every year?

Mr. JENSEN. There is always a carry-over.

Mr. NORRELL. That has not been spent?

Mr. JENSEN. Not only that, but last year in committee we discovered $1,700,000, as I remember the amount, of unexpended balances, and we had a terrible time making the Department admit there was any such carry-over, and we finally brought their bookkeeper up before our committee and made him admit it, and their faces were red.

Mr. NORRELL. Will the gentleman yield for one observation?

Mr. JENSEN. I yield.

Mr. NORRELL. There has been a carry-over in the Central Valley Authority from a minimum of $5,000,000 up to a maximum of $20,000,000 every year since the Government took it over.

Mr. JENSEN. Absolutely.

Now, when you talk about Boulder Dam and private utilities getting the advantage, the fact is that the basic law for Boulder Dam provides that public bodies and municipalities shall have first priority for that power. They have had that priority and they have built transmission lines into Boulder Dam with their own money, and you can do it today if Boulder Dam has extra power. No private individual or private utility has got a chance to impose its will or get any benefits from Boulder Dam in preference to public bodies.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I have only 1 minute. You people have been talking your heads off here all day.

Mr. RANKIN. I was just going to suggest that we give Sacramento the same benefits as we are giving Los Angeles.

Mr. JENSEN. That is all right with me. I am not fighting the battle of the public utilities. If anybody in this Congress says that any member of the Subcommittee on the Interior Department appropriation is upholding the hands of the private utilities, they are exactly 100 percent wrong.

Mr. MILLER of California. Will the gentleman yield to explain the situation?

Mr. JENSEN. Yes; I yield.

Mr. MILLER of California. In view of this language in the report:

It is the intention of the committee that none of the funds appropriated in the bill or heretofore appropriated——

Mr. JENSEN. Yes; I know all the rest of it. I want to tell you something. I will tell you why we did that. Two years ago the Congress of the United States specifically stated that no money should be used to build a transmission line from Shasta substation to Shasta Dam, but what happened? Mr. Ickes went right ahead and built that in face of a directive from the Congress not to do it.

Mr. MILLER of California. A directive from the Congress or the House of Representatives?

Mr. JENSEN. From the Congress of the United States. Read the record.

Mr. MILLER of California. Did the Senate concur in that?

Mr. JENSEN. I am going to tell you something else. You said you wanted to quit this Congress if we did not do your will. I am in favor of it. I am in favor of you quitting any time you want to.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. NORRELL. Mr. Chairman, I am not interested in the scrap that is being injected here; a scrap that ought not be before the House at this time between private and public power. However, I do want to make a few observations with reference to what has been said. You have repeatedly challenged this subcommittee because we have refused to recommend several requested appropriations. The subcommittee conducted several weeks' hearings and found that a contract had been executed for sale of all the power from the Central Valley Authority. All who testified told the subcommittee that the contract was fair and reasonable. If all power is to be sold under this contract then why should the Congress spend $75,000,000 more? That is actually the sum involved here. If, when, and as the committee receives evidence that this contract is unfair then we will be the first to ask this Congress to do something about it. This subcommittee has been liberal with this project. There has never been a time that the unexpended balance at the end of the year has not amounted to as much as $5,000,000 and on some occasions the unused fund has amounted to $20,000 000.

That there has been a lot of talk here today as to why we should allow these items and how we were trying to smother certain activities in California. Much has been said about power, but as one member of this subcommittee I wish to send a statement to the farmers fo California today. I want to say to them that when the Federal Government took his project over the estimated total cost was $170,000,000. The Federal Government has already—not appropriated—but has already spent $154,000,000 in cash. We lack only $16,000,000 of spending the total estimated cost of the project when the Government took over this project.

I do not believe that one acre of the arid land of central California constituting the Central Valley Authority has received water.

I want to say to the farmers of California that so far as this subcommittee is concerned we are going to see that they get water. That is the reason why this project was authorized by the great State of California. That is the reason the Government took it over. I want to send that message to them, that we are going to try to see that water is carried to central California.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. NORRELL. In just 1 minute, if I have time.

I want to say something else; I notice that every time the Committee on Appropriations reports a bill to the House, reducing the amount requested, we are criticized. Every Member, honestly so—and I know it is true—feels that his project is the most worthy of all; but I want to say to you I think you would be doing your country some service if you, at least occasionally try to reduce bills rather than always tried to increase them.

The CHAIRMAN. The time of the gentleman from Arkansas has expired.

The gentleman from Oklahoma [Mr. JOHNSON] is recognized.

Mr. JOHNSON of Oklahoma. Mr. Chairman, it is unnecessary I am sure to add anything to what has been said in this debate. We are always delighted to hear the Members from California plead as only Californians can for more funds for California. They are a splendid delegation and have been unusually successful in taking care of their great State. All of them are certainly boosters for their State. They can usually be depended upon, irrespective of politics, to stand pretty well together. I am sorry they are so divided this afternoon.

We are not criticizing them for their efforts to get every dollar possible for the great Commonwealth of California, but it seems to be the tenor of the debate, the central thought of those who are asking that we embark on a seventy-five or one hundred million dollar project this afternoon—and that is what it means if this item is included—that California has been very badly mistreated.

I have some figures here that I think I should read into the RECORD. The total cost of this project was estimated in the beginning to be $170,000,000. The total cost up to date, if we include the amount in this bill, is $171,000,000; and the last estimated cost is $363,000,000.

I want to make a prediction for the RECORD this afternoon, and I make it in full confidence: That before the Central Valley project is ultimately completed it will cost the taxpayers of America in excess of $1,000,000,000.

This committee has been fair, more than generous with the Central Valley. For power alone the money expended exceeds $20,000,000, a considerable share of which has been for transmission lines, and every member of this committee has supported that 100 percent. Yet a few Members would have the people believe that this committee have gone over bag and baggage to the public utilities merely because they did not get every dollar requested. I refer them to pages 83 and 84 of the justifications. There they will find two pages of items for power, public power for Central Valley. If I had the time, I would like to read all of them into the RECORD. Every item I repeat in that long list is for additional power. All were approved, and let me read a few of them. They are as follows: Structures and improvements, ultimate estimated cost $3,606,000. The committee approved $10,500 in this bill. Reservoirs and dams, ultimate cost, $5,246,000. No funds were requested. Turbines and generators, $9,159,000; total cost, with $299,500 in this bill. Miscellaneous power plant equipment, $696,500 plus; $50,000 cash approved in this bill. Subtotal, plus the power plants, to cost $18,708,000, which this committee has put its O. K. on, and provided $360,000 in this bill. These are but a few of the items for power in this bill. This committee has been said to be opposed to California. These gentlemen ask to start a program that would cost another $75,000,000 to $100,000,000.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired. All time has expired. The pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Columbia Basin project, Washington: For continuation of construction and for other purposes authorized by the Columbia Basin Project Act of March 10, 1943 (57 Stat. 14), $6,000,000;

Mr. TABER. Mr. Chairman, I move to strike out the last word. I am not at this time going to offer a motion to strike out this item, but I am going to say some things that I feel it is my duty to say at this time. The price that is charged for power under the Bonneville Authority is $17.50 per year per kilowatt. That is the equivalent of 2 mills per kilowatt-hour.

You heard the gentleman from Mississippi advise us a little while ago that the T. V. A. wholesale rate comparable to that was 5 mills per kilowatt. The total revenues of this set-up are running at the rate of approximately $10,000,000 a year. It was testified by the manager of the Bonneville Authority that in the next 6 months those revenues would be cut in two. The total cost, the way they have figured it out, of the Bonneville and Grand Coulee power development, is going to be at least $215,000,000, because the amount that is being allocated to reclamation is $285,000,000 and the overall cost of the project is $500,000,000. Revenues of $5,000,000 a year, if you allow a million or a million and a half for operating expenses at first and run it up a

little bit as your operating revenue increases, your revenues for the first 20 years of the operation will not run as much as the interest upon the $215,000,000 investment. If the rate of interest is 3 percent, that alone would require a little better than $6,500,000.

What I want to call attention to is that the rest of this country is paying or set to pay at least three-fifths of the cost of that power; that this whole situation must be gone over very carefully by this organization, and they must come in here with a program that will be fair to the rest of the country and be fair to them. I am not asking for anything that is unfair, but when one part of the country asks for something that is a burden upon the taxpayers of the rest of the country, they are not supporting a position that can continue. The rest of the country some day will revolt.

I want to see the Northwest prosper. I want to see it take the greatest advantage out of the cheap power that is available to it. But, on the other hand, I want to see it dealt with fairly and squarely, and I want the rest of the country to have a chance.

Mr. RANKIN. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I first wish to answer the distinguished gentleman from Arkansas [Mr. NORRELL] when he said the Members of Congress from California did not come before the committee to testify on this item. He knows, and every other member of the committee knows, that this item was asked for by the Department, and was recommended by the Budget. The bill was not printed. The average Member did not know what was in the bill.

Mr. NORRELL. Mr. Chairman, will the gentleman yield for a question?

Mr. RANKIN. I yield to the gentleman from Arkansas.

Mr. NORRELL. Does the gentleman expect this Committee on Appropriations to do exactly what the Department always says?

Mr. RANKIN. Oh, I notice here lately they began to cut down on these public-power items. They talk about the money expended for power lines.

Where does that power line go? The one that has been constructed goes down to Oroville, where the P. G. & E. has a substation, and therefore all of the money that has been spent to build this great power project is, in a measure, poured into the coffers, you might say, of the P. G. & E.

Another thing, the gentleman from Arkansas talks about his speaking for the farmers of California. Why, the farmers of California will not lose a drop of water by giving all the people of California, including the farmers, the benefit of this hydroelectric power that is being generated at Shasta Dam and these other projects in the Central Valley. They talk about all the taxes the private power companies pay. I just happened to glance over it and I see in Arkansas that the private power companies paid 10.9 percent of their gross revenues in 1936 in taxes, all kinds of taxes, including Federal income taxes, 10.9 percent of all their gross revenues for all taxes of all kinds. The public power systems in Arkansas did not pay 10.9 percent of their gross revenues as taxes and money in lieu of taxes, they paid 38.6 percent.

Let us see how it applies to the rest of the country. California is a long way from where I live; I will probably never see the Central Valley again, but the same proposition applies to the T. V. A.; it applies to the Columbia River and the Arkansas River and to every other stream in America on which the people of this Nation for thousands of years to come are going to have to depend for their electric energy. But let us see about this taxation proposition that these Power Trust lobbyists are saying so much about.

Mr. HAVENNER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. I yield to the gentleman from California.

Mr. HAVENNER. The gentleman knows, I assume, that the private utilities charge their taxes and operating expenses in the rates and that the people pay their taxes.

Now let us take the country as a whole. In 1936 the private power companies throughout the United States paid 13.2 percent of their gross revenues in taxes and the public power systems paid 35.8 percent, or just about twice as much, in taxes and money in lieu of taxes.

I am not kicking about giving the people of California this water. That is what this river is for. But what I am kicking about is that after we have expended this money, to come there and attempt to bottle this power up just exactly as the Power Trust tried to do at Wilson Dam 15 years ago, and was doing it until we took over in 1933 and passed the T. V. A. Act. At that time they were buying power at Muscle Shoals at 2 mills a kilowatt-hour, I will say to the gentleman from New York [Mr. TABER], and selling it to us at 1 cent a kilowatt-hour. He ought to listen to me because last year the people of New York were overcharged $225,000,000 for their electric lights and power, according to the Ontario rates.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. RANKIN. Just for a question, not for anything else.

Mr. TABER. Those statements are based upon charges fixed by the Public Service Commission, which at the time that statement was gotten together was under the control of Governor Lehman. On top of that, they were not rates below the cost of producton, as these rates that the Government charges are.

Mr. RANKIN. That is exactly what I thought the gentleman would say. I could have made that speech for him. That is what he always says. The truth of the business is that in 1936—I hope the gentleman does not charge this up to Lehman, too—those private power companies in New York paid only $47,638,000 in taxes, or 15 percent of their gross earnings. Take that $47,000,000 from the $225,000,000 overcharges and you will see what the people of the State of New York are paying in annual overcharges for their electric lights and power.

I repeat what I said the other day, that the future prosperity of this country is going to depend upon the cheap electric energy that is supplied to every home and every business establishment in America.

The CHAIRMAN. The time of the gentleman from Mississppi has expired.

Mr. JONES. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, this discussion of public power rates is very interesting. For instance, this particular project is a part of the Bonneville Power Administration, and the total Government investment to June 30, 1944, is $376,000,000. They charge a rate of $17.50 per kilowatt year. How much will the Government ever get back out of that enormous investment of $376,000,000? Under the present law they allocate only so much of that to power. In the case of the entire Bonneville Power Administration allocated to power, from Federal funds in the Bonneville Dam, Grand Coulee Dam, and the Bonneville Power Administration, the Government stands so far to recover only $222,000,000 out of a total of $376,000,000.

That is all we will recover. The rest, the taxpayers of the country will have to pay. That is where the American people come in to pay the light bills of the rest of the country.

Mr. HORAN. Mr. Chairman, will the gentleman yield?

Mr. JONES. I yield.

Mr. HORAN. I think we consider it a fair matter to spend something for flood control. Through the years the Federal Government has spent over $520,000,000 on flood control in the Ohio River. I think that is all right, even though there is, to my knowledge, no revenue returns, as such, to the Federal Treasury from this $520,000,000 expense.

Mr. JONES. I thank the gentleman.

Mr. HORAN. I think we ought to get the same treatment out West as you do in Ohio, that is, some consideration as to the item of expenditures for flood control in any allocation of costs that may enter into a rate-base study.

Mr. JONES. I thank the gentleman for his contribution. I will say this, I am not going to practice economy at the expense of anybody else. I think our people in Ohio and the people of Pennsylvania, Indiana, West Virginia, and Kentucky should pay a portion of the costs for flood control, and I pointed out on Wednesday as an example the Miami Conservancy District in the State of Ohio where, in order to curb the floods of the Miami River, we incorporated the Miami Conservancy District and spent a capital investment of $33,000,000. On top of that, there will be a charge of $33,000,000 in interest. The people of my district and surrounding congressional districts are paying every last penny of it and are proud to do it. We do not ask the Federal Government for anything. So I join with you and I hope you will support a bill amending the Flood Control Act of the Federal Government so that the peoples in the cities and in the counties and in the towns will pay for the benefits that have been received, the capital benefits, for all features, for flood control, irrigation, power projects, with interest. There is no city in the West that pays one sou of the United States Treasury

cost for bringing increased lands into production. These United States Treasury expenditures increase the wealth of cities, counties, towns, and States by the raising of more crops on those lands, and create more purchasing power. Under those circumstances, is it fair that the Federal Government should provide for increased wealth in the cities of Spokane and Denver, Colo., if you please, or in Sioux City, Iowa, or any place in the 17 Western States, and let them go scot free?

In addition to that, in the city of Sacramento, you are given cheaper power rates which we in Ohio subsidize with income tax payments. It is according to law but it is crooked. It is according to law but it is a crooked point of view. By the grace of God, I will fight as a taxpayer of America and as a Representative of the taxpayers of the State of Ohio and my district. I will fight as long as I have the breath of life, to keep from subsidizing you people in California in the city of Sacramento, and any other city in the Central Valley project, because we do not owe you cheap power rates.

Mr. HOLIFIELD. Mr. Chairman, the gentleman will yield now, will he not?

Mr. JONES. Mr. Chairman, I yield back the balance of my time.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I appreciate the courtesy of the gentleman when I asked him to yield to me especially in view of the fact that he had some remaining time. I would like to say this much: that in his enumeration of the costs of the western power projects to the people of America I wonder if he ever takes into consideration the tremendous contribution which those power plants have made in the production of aluminum and other materials of national defense in this war emergency. If he has taken into consideration that contribution let him put a price on it in terms of national defense to the people of America.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. RANKIN. The gentleman from Ohio, Mr. Jones, just now became very eloquent and vociferous—and I really thought he was going to step over the bench here—in protesting against subsidizing the power consumers of California. But I did not hear him protest against what I consider the most outrageous subsidization of the power trust of California in the Central Valley.

What are you doing here? No; you are not subsidizing the power consumers of California, but you are shutting the door of hope in their faces and subsidizing the private power interests by turning over to them the public power generated in the Central Valley.

Mr. HOLIFIELD. I thank the gentleman for his contribution.

Mr. Chairman, lest we be misunderstood, the Members of the California delegation are deeply appreciative of the work which the Appropriation Committee has done throughout the years. We are not criticizing those men in a personal way. We realize they have authorized $154,000,000 of Federal money to build these great power plants, but what good does it do you if you build a great house and you refuse to give the owners of that house the key to utilize it? That is what is happening when you refuse to put a transmission line down to the people from these great water and power projects for the people of the great State of California to use. Under the present limitation of the appropriation to build a publicly owned transmission line, the outlet or transmission of this power must go through the private transmission lines of a privately owned power utility company, the Pacific Gas & Electric Co. Such a bottleneck on the use of public produced energy will obstruct the full use of the same by the people. I know the subcommittee is not antagonistic to the people of California, but we want to see those people use the benefits of that great project for which they have appropriated funds.

Mr. JENSEN. Will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. JENSEN. Can the gentleman point out a single instance where anybody in California, any industry, has asked for power that was not available, either through public or private power? Point out one place.

Mr. HOLIFIELD. Of course, I cannot point out any one place, but I do not know as that has anything to do with this particular argument.

Mr. JENSEN. Why, certainly it has.

Mr. RANKIN. Is that any reason why the Congress should compel them to pay tribute to the power trust of 100 percent in overcharges in order to get their own power, which is being generated by their own water in a California river?

Mr. JENSEN. Will the gentleman yield to me further?

Mr. HOLIFIELD. Yes; I yield.

Mr. JENSEN. I agree with the gentleman from Mississippi in most every instance. Does not the gentleman think that the public power in any State, for instance, Bonneville, should charge as great a rate as they do in the Tennessee Valley Authority?

Mr. RANKIN. If it can be produced cheaper, let them charge less. They put that question up to me with reference to Bonneville. I said, "If you can produce it cheaper than they can on the Tennessee River, give the people of Washington and Oregon the benefit of it." The power generated at Bonneville and Grand Coulee is a little cheaper than the power produced on the Tennessee River. I have gone into it thoroughly.

Mr. JENSEN. Under the set-up they have and the jockeying of figures, they are doing it, but in reality they are not doing it, and they are not going to amortize the cost.

Mr. RANKIN. You were just now kicking on the small amount allocated to irrigation, flood control, reclamation, fish ladders, and all those incidentals, including navigation, on the Columbia River. Of course, that is not charged to power and ought not to be, but the power generated on the Columbia River is a little cheaper than the power generated on the Tennessee River; and when the Department of the Interior came to me and asked me if I would object if they made it a little cheaper to the consumers, I said, "No; give it to them at the cheapest possible rate commensurate with sound investment."

The CHAIRMAN. The time of the gentleman from California has expired.

The pro forma amendment was withdrawn.

The Clerk read as follows:

Total, general fund, construction, $16,200,000.

Mr. MURDOCK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, it is not my purpose to delay the consideration of this bill. I have been deeply interested in what I have heard during the last hour about the item on the Central Valley in California and I do not want to revert to it except to say this: I have been giving it careful and solicitous study for 16 years. Of course, I am greatly concerned about this question of hydroelectric power and I want future generations of Californians to have an abundant and cheap supply of such power as nature has intended for them. However, it is procedure right now that I want to ask about.

After all, although I am chairman of the Committee on Irrigation and Reclamation, dealing with this very matter, I am still a very young man in Congressional service. A Member from California asked me just a moment ago a question which I could not answer. In the hearings on page 1331 we notice a statement by James B. Black. On examining that statement we find that Mr. Black called attention in his statement to specific items and mentioned certain requests. The question asked me was, "How did Mr. Black know that such requests had been made by the Bureau?" I myself went before the subcommittee, as chairman of the Committee on Irrigation and Reclamation, that same day, Friday, March 23 on which Mr. Black appeared before it. I was handicapped in my presentation from lack of knowledge of specific items and I could speak only in general terms, because I did not know, and there was no way for me to find out, just exactly what the Bureau of Reclamation had requested and what the Bureau of the Budget had recommended. I assumed that at that stage of the shaping bill departmental requests and Budget recommendations were confidential matters about which other Members of Congress should be duly self-restrained from inquiring.

As chairman of the Legislative Committee I did ask Commissioner Bashore one or two questions as to the Bureau's greatest needs. You will notice in my statement beginning on page 1298 of the hearings I dealt with those general features, not even naming a specific sum for the Gila project. I am not aware how anyone not a Member of Congress could get at that early stage of the progress the particular information this witness showed that he had.

Young as I am, I think I can give a pointer or two to my younger Member friends whose districts are vitally affected by this bill and that is this: Find

out facts early and press your constituents' case. You have been almost criticized for not coming before this subcommittee with your pleas. I think a partial explanation was given a moment ago that you assumed before the bill had been written up that the Bureau of Reclamation had asked for all proper things and probably the Budget had recommended them and they would be taken care of in the first draft of the bill as a matter of course. I find that I can satisfy my own conscience a little better as to duty done if I go before the Appropriations Subcommittee and say to them, in effect: "Now, gentlemen, I know this or that project is worth while; I want you to be liberal. I may not be able to lay down engineering data to show that so many dollars ought to be appropriated but the facts as I know them are so and so and appropriations are due accordingly."

I recommend some such course as that to my friends from California and from every other State. If they think some project ought to be taken care of in this Interior appropriation bill, present it to the subcommittee while they are considering the bill, for once the bills are written up and brought to this floor it is very hard to get an increase no matter how merited.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. MURDOCK. I gladly yield to the chairman.

Mr. JOHNSON of Oklahoma. May I say to the distinguished chairman of the committee, for whom I have a very high regard and deep affection, that he has given some very good advice to the new Members of Congress.

If the members of this committee were to accept every item that came to it from the Budget Bureau, then we would have permitted 4,015 new jobs to have gone into this bill. We knew those were inflated requests, we knew they were not needed; we knew the Budget had been imposed on. We had people in the Department who came to us and offered to trade with us for a half or a quarter of the new jobs that they had advised the Budget were essential. And so as a member of the committee and as a Member of Congress I had my own responsibility. I simply cannot accept the figures of the Bureau of the Budget but must exercise my own judgment in presenting them.

Mr. MURDOCK. The gentleman sees his duty aright and I honor him for safeguarding the Public Treasury and the public interest. While I often differ with the chairman of this committee as to what is to the best public interest, I am grateful for his unfailing courtesy and also the courtesy of other members of the committee shown me annually as I have appeared before the committee.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

WATER CONSERVATION AND UTILIZATION PROJECTS

The appropriations of $64,000 and $1,700,000 in the Interior Department Appropriation Acts, 1944 and 1945, respectively, for the construction of water conservation and utilization projects and small reservoirs, including the limitations for surveys, investigations, and administrative expenses in connection therewith are hereby continued available until June 30, 1946.

Mr. LEMKE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, not only am I opposed to the lack of common horsesense displayed in the appropriations for some of the various internal improvements as they appear in this bill, but I wish to protest the methods and tactics used by the committee in the hearings on this bill.

I have known the distinguished chairman of the subcommittee for years. I join his many friends in wishing him a long, happy, and successful judicial career. The judiciary needs him because I know that he can read and understand the Constitution, and that is more than I can say for some of our Federal judges. I have always had the greatest admiration for him, but something seems to have gone wrong. There certainly was not any fairness in the hearings on this bill. I requested not only once, but twice to be given an opportunity to appear before the subcommittee. I asked to be heard especially when the Missouri River Valley project was under consideration. I was assured that I would be given notice and opportunity.

Then, one day, when the House was in session, I was called from the floor and told, over the phone, that the committee would finish its work in 5 minutes.

I was told that if I wanted to, I could get a minute or two if I would hurry right over to the committee room. Naturally I declined such an unfair, despotic invitation. I suggested that the House was in session, and that I certainly needed more than 2 minutes. I said that I had no intention of wasting 2 minutes of my time or the committee's time under such procedure.

I was informed that I could file a statement setting forth my views. When I inquired whether the members of the committee read the statements filed with them, I was informed that they did not, and that they were ready to act on the bill in executive session. I was told that any statement I might file would be printed in the hearings.

Of course, that was meant for home consumption. I wish to inform the chairman of the subcommittee now, and the House, that I am not in the habit of appearing before committees merely for home consumption. Whenever I appear before any committee, I intend to give them what information I have, and I intend to give them what little help I am able to. I had intended to give the committee some light on the Missouri River project—light that it now seems they needed badly.

If the work of the committees is to be respected, they must conduct the hearings with fairness. They must, at least, give the Members of Congress that wish to an opportunity to be heard. I am not the only Member that was denied an opportunity to testify on some of the provisions in this bill. For some reason there seemed to be a desperate hurry to get this bill before Congress without the Members knowing what it contained. This bill consists of 106 pages and was introduced on April 24, day before yesterday. Such haste should receive the just condemnation of the entire membership of this House.

We hear a great deal that the work of committees should be respected. This because they give all parties an opportunity to be heard in the hearings. If the practice adopted on this bill is followed, no Member of the House will have any respect for any committee's work. If committees of this House are to retain the respect they are entitled to, they must gave a fair opportunity to Members to be heard, and also to all interested parties. Then they will bring forth legislation that can and will deserve the respect of the Members.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. I yield for a question.

Mr. JOHNSON of Oklahoma. Inasmuch as the gentleman has mentioned the members of this committee, does he undertake to tell this House that the chairman of this committee, the only man who can speak with authority, or any member of this committee, said to him or suggested to him that his time would be limited to 1 minute? Will the gentleman please answer that "yes" or "no"?

Mr. LEMKE. I answer the chairman of the committee, and I respect him, that I was talking with a person that the committee at least directed to call me. I was not present at the hearing, but I know that the gentleman's secretary, or somebody called me and told me to hurry right over, that you were going to quit in 5 minutes and that I might have 1 or 2 minutes.

Mr. JOHNSON of Oklahoma. This committee has never in its history limited a Member of Congress to any time. We have said sometimes to certain Members of the committee that we must be as brief as possible. The matter to which the gentleman refers came after the hearings were over. We only had 24 hours to have the hearings and the committee advised him not once, but twice to appear before the committee, but nobody was authorized to say that the gentleman would have only 1 or 2 minutes. This committee always takes into consideration and gives fair consideration to any statement before the committee. If the gentleman wants to make an excuse for home consumption for not appearing before the committee, that is his prerogative.

Mr. LEMKE. And I will say that I need make no excuse, but I deny that the gentleman or anybody else invited me twice. I say that I was invited only once, and it was through your secretary, or whoever else was speaking for you. I will leave it to the members of this committee—how should I know who was inviting me; how would anybody invite me if he were not told by you to do so? Such reasoning seems rather preposterous, and I hope the gentleman will make a better judge than that. That may be due to the fact that you claim you had only 24 hours. I want to know who gave you 24 hours. Your committee controlled that, and not the rest of us. You should have seen to it that the bill was

printed more than the day before it was brought up here on the floor so that the Members could know something about it. That bill was in charge of your committee and not in charge of the Members of Congress.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. LEMKE. I yield to the gentleman from Iowa

Mr. JENSEN. Of course, we are all sorry that the distinguished gentleman who now has the floor did not have the opportunity that he sought to be heard before the committee. I can assure the gentleman that certainly no member of the committee would keep the distinguished gentleman from North Dakota from testifying I might say in defense of the committee that there were 19 or 20 Congressmen—Representatives of the House—who did come before our committee and testify. If the gentleman feels he was not shown the proper courtesy, why, of course, the committee is sorry. Certainly it was something that could not be avoided. and I hope the gentleman will not be too critical because there was no reason in the world why we would not listen to the gentleman. We would like to have had him there because his testimony is always enlightening.

Mr. LEMKE. I requested a hearing twice from the secretary of the committee, and I was assured both times that I would receive sufficient notice. But the only notice I got was the one when I was called from the floor of the House and told I could have 1 or 2 minutes and that you were going to quit in 5 minutes.

Mr. JENSEN. Of course, the gentleman also knows that the regular and safe procedure is to write the chairman a letter and say that he would like to be heard. Then it is on record, and I know the gentleman will admit that he erred in not doing that. If the gentleman would have so advised our clerk—and I do not yield to any man when I say we have a very fine clerk, one who is fair and wants to be fair—he would have called the gentleman at the proper time and everything would have been fine, and this situation would have been avoided. I am sorry that the gentleman did not do that.

Mr. LEMKE. I may say that generally I call the secretaries of the committees, and I have never yet had any trouble in getting notice. This is the first time. I am not saying that your secretary was responsible; I do not know. I simply say that the method or the procedure is to notify the secretary of the committee, because I realize that the chairman of the committee generally is very busy with his own work, and I think the secretary is the proper person to call up and suggest that you wish to be heard. However, that is neither here nor there.

The result of such hasty procedure was natural. For example, they cut the Missouri River Basin reimbursable appropriation, as recommended by the Budget, from $4,480,000 to $1,440,000. There is neither sense, rhyme nor rhythm in such a cut. In fact, it has all the earmarks of lacking common horse sense.

The appropriations for the Missouri River Basin are authorized under the act of December 22, 1944. That act has for its object the conservation, utilization, harnessing, and controlling of the waters of the Missouri River. When completed, it will be one of the Nation's greatest projects. It affects not only the nine Missouri River Basin States but the lower Mississippi River States as well. It will assist in materially promoting the welfare of the entire Nation.

Its object is to utilize these waters in place of permitting them to destroy not only millions of dollars worth of property, but billions throughout the years, as well as human lives. Its purpose is to conserve these waters and use them for irrigation and domestic consumption. No one can question the desirability of the speedy development of this basin. It will materially assist in tapering off the inflation when the war ends. Delay here is dangerous to the Nation.

Th damages by floods, for instance, during the year of 1944 alone, below the city of Bismarck to St. Louis, amounted, in round numbers, to $43,500,000 and the floods below that point were made possible because of the flood waters of the Missouri River joining the Mississippi River. The total damages by flood waters for this one year, in round numbers, was $62,300,000.

That is only the damage done by floods. Yet, the damage done by floods is but a small part of the loss caused by drought, not only to growing crops but to livestock and related industries as well. During the recent drought, I have seen farmers haul water 40 miles for their livestock and for family use. In addition, the lack of moisture, in some of these States, was responsible for the duststorms, for soil erosion. The total damages for some of these years run up to several billion.

Yet, after years of wrangling, after Congress finally acted, this committee reduces the Budget estimate from $4,480,000 to $1,440,000. After the War Department and the Interior Department, after the engineers of the Army and the Bureau of Reclamation got together and are working together, this committee uses a meat ax on the Budget estimate and makes hash out of it. About all that is left of the Budget estimate is the hash—the rest of yesterday.

I am grateful that there is a Senate. I am glad that some members of the committee feel that the Senate will remedy this shortsightedness, this lack of vision. I am sorry that this committee has not seen fit to assume its responsibility and produce a bill that will not have to be rewritten by the Senate.

Under the Constitution, appropriation bills must originate in the House, but it seems of late that the greater part of the appropriations for our national improvements originate in the Senate. This because the House seems more interested in appropriating billions for foreign nations' improvements than in our own improvements. It is still billions for foreign countries, but sandwiches for our own. If we are to feed the world, if we are to carry out all the responsibilities that we are assuming in our foreign policy, it is about time that we look after the goose that is to lay all these golden eggs.

It is not possible in the 15 minutes allowed me, or in the time that is to be consumed in the debate on this bill, to present the actual needs of this particular item. It is not possible to present the actual savings it will make throughout the years to come. When this project is completed, it will add, throughout the years, more than $20,000,000,000 of new wealth to this Nation. In view of that, to deal so niggardly with this appropriation is to be penny wise and pound foolish.

Therefore, I shall tell the chairman now that we intend to appear before the Senate Appropriations Committee, where we are sure we will be shown the courtesy of being permitted to present our views and the need of this appropriation. I am sure we will be given an opportunity to show to the Senate committee that the estimate by the Bureau of the Budget is conservative, and should be increased rather than decreased, and of one thing I am sure, we will not be limited to 1 or 2 minutes and that after the House is in session.

I am also sure we will not be run around the table and given an invitation to write a statement that will not be read by the committee, but that is intended merely for home consumption. I am confident that we will be permitted to present our views to the Senate Committee on Appropriations. I know that many Members on this floor are equally interested with me on this and other projects.

Mr. ROBERTSON of North Dakota. Mr. Chairman, I move to strike out the last word and I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. ROBERTSON of North Dakota. Mr. Chairman, with every impulse that I possess, I am inclined to view with seriousness the use of governmental funds except in cases only where absolute necessity demands it. We are faced with a staggering debt and there is no alternative. This generation and the ones which follow must set about the task to liquidate it. It is but wisdom then on the part of the Appropriations Committee, and particularly this subcommittee, to give careful consideration to these sums of money that are demanded, and I join with them in the belief that there must begin here and now a plan of an orderly reduction.

I should not want to be placed in the inconsistent position of saying in one breath that appropriations must be cut and in the next advocating that in some specific cases they be enlarged. I merely take this occasion to appear before this body and point out an important aspect that I think must be viewed by the committee in the light of the history of the past.

Representing as I do the State of North Dakota at large, I am reminded of the fact that in years past this Congress has been called upon in drought periods to appropriate enormous sums of money in order that the peoples in the plateau areas of the Midwest could sustain themselves. In subsequent years, that country which suffered from excessive drought, has been the beneficiary of

abundant rains and has staggered the imagination of the country with its productive possibilities. Those of us who are familiar with its long history recognize fully that the drought periods will recur again. It is reasonable, therefore, that the only sound means for stabilizing the economy in these plains sections is by means of irrigation and reclamation.

Funds expended in that direction now will be the means of avoiding the expenditure of funds at a later date which might be termed funds for relief, and by the expenditure of these funds now, the peoples who live on these lands can, through the aid of water, stabilize and rehabilitate themselves so that in another drought period they will pass through it without the aid of appropriations from this Congress.

It is with this thought in mind that I feel that I should urge consideration on the part of this Congress to reconsider these drastic cuts that have been made, particularly as pertained to this Missouri River Basin. The crest of the cycle of high rainfall years in the Great Plains has resulted, as we all well know, in unprecedented floods in the lower reaches of the Missouri River. Consequently, at this time, the urgency for river control is largely based upon the need for flood control. But, gentlemen, those who have lived their lives in the northern plains know that these recurrent periods of high rainfall are almost certainly followed by long extended periods of drought. During these periods of drought, the emphasis will shift. There will no longer be urgent need for flood control—it will no longer be the overshadowing factor which needs remedy—the protection against drought will then be the urgent need and the chief objective of Missouri River control. It is with this thought in mind that I urge that there be no curtailment in the funds requested by the Bureau of Reclamation for their studies and preconstruction plans for works on the upper Missouri and the Yellowstone and their respective tributaries.

I have read with interest pages 15, 16, 17, and 18 of the report and I am inclined to take exception to the statements that have been made on the floor that the Bureau of Reclamation has large unexpended balances which could be used for some of the purposes for which Budget estimates were sent down to the Congress by the late President Roosevelt. I am advised by the Bureau of Reclamation that there are certain funds which Congress has appropriated and earmarked for specific purposes. The Bureau of Reclamation is not authorized by Congress to transfer and use these funds for purposes other than those for which the appropriations were made.

With that explanation, I would like to discuss a few specific items where reductions have been made by the committee which affect not only my State of North Dakota but the entire Missouri River Valley Basin and, in many respects, the entire West.

For reasons already given, I am deeply concerned at the excessive reduction which has been made in the item of the Missouri River Basin. The Bureau of the Budget sent us an estimate of $4,480,000 for advance planning by the Bureau of Reclamation and other agencies of the Department of Interior in connection with field investigations, economic studies, and the preparation of plans and specifications for 30 or more projects authorized by the Flood Control Act of 1944. The committee reduced this estimate from $4,480,000 to $1,440,000 and limited the expenditure to work by the Bureau of Reclamation. The grounds for this reduction seemed to me to be without reason.

The committee report, in effect, says that because Congress has appropriated only $1,440,000 for advance planning by the Corps of Engineers, the Bureau of Reclamation should be limited to a like amount.

Mr. Chairman, I feel the committee has overlooked the fact that the preliminary work required by the Bureau of Reclamation in connection with the preconstruction activities for the 30 or more irrigation and multiple-purpose projects authorized as the initial stage of Reclamation's Missouri Basin plan is far greater than that required to be done by the Corps of Engineers in doing preconstruction work on the 6 or 8 dams on the main stem of the Missouri River which are to be constructed by that War Department agency.

I am not advised as to the amount the Corps of Engineers should have for its work in this connection, and it may need more than the $1,440,000 carried in the War Department Civil Functions Act, but I do say that the Bureau of Reclamation and the Department of Interior should have at least the $4,480,000 which the Bureau of the Budget estimated as necessary for the preliminary work on the irrigation and multitude-purpose phases of Reclamation's Missouri Basin plan.

I repeat, Mr. Chairman, that the Bureau of Reclamation on June 30, 1945, will not have available any funds to carry over for the work on the Missouri Basin plan which was authorized by the Flood Control Act of 1944.

While I am directly interested in the Missouri Basin plan, I add my protest also to the reduction in the Budget estimate for general investigation by the Bureau of Reclamation from $5,500,000 to $1,485,000 as shown in the Interior bill as reported to the House.

In concluding my statement, I desire to restate again to the Congress that the northern Great Plains area is now enjoying a period of more plentiful rainfall than it enjoyed during the terrific drought years of the 1930's. At the same time, I recognize that the destructive dry cycle will return, and planning and preliminary work for water conservation and irrigation developments are essential to protect the people and property values of the northern Great Plains against these recurrences of drought periods, and for which the Congress then was obliged to appropriate liberally.

Thus, I justify, Mr. Chairman, my philosophy which is that to blindly make these reductions now without due consideration to the fact that only by utilization of water through irrigation and reclamation can these people sustain themselves in the drought periods which are sure to recur, to reduce this program below the Budget estimates in my personal judgment is flirting with danger, even though the question of economy must forever be a guiding force with this committee and with this Congress.

Mr. JENSEN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on yesterday from the well of this House I talked about a number of things pertaining to this bill, one of which was the appropriation made for preconstruction and investigations for the Missouri Basin development. At that time I stated there was an unobligated balance of $5,000,000 which could be used for these purposes.

I learn now that was a misstatement. According to Mr. Bashore, Chief of Reclamation, who is a very able, honest administrator, there is no unexpended balance that could be used for the Missouri Valley. It was brought to my attention by my good friend and colleague from Wyoming [Mr. BARRETT], who told me this morning he believed I had made a mistake. I have looked into the matter and I admit now that I did. Mr. Chairman, I hope I will always be big enough to admit and rectify a mistake. That is what I am doing now.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. JONES. I know the gentleman has heard the testimony. In the hearings, at page 1181, it is shown that as a result of investigations heretofore made by the Department of the Interior, Bureau of Reclamation, in 1942 they had a backlog of authorized projects of $800,000,000, and at the present time they have a backlog of $1,337,000,000 for construction, as a result of this investigation. So I think the gentleman need not worry about the statement made in regard to the status of the investigation funds.

Mr. JENSEN. I thank the gentleman.

Mr. BARRETT of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. JENSEN. I yield.

Mr. BARRETT of Wyoming. I think the gentleman from Ohio [Mr. JONES] is mistaken in regard to the projects mentioned on page 1181, because none of those projects concern the Missouri River Basin.

Mr. JONES. There was considerable discussion in part 3 of the hearings where, I think, it was conclusively admitted by the Bureau of Reclamation that the general investigation funds were not limited, so that they could not use them in the Missouri Basin. I think you will find that in part 3 of the hearings.

Mr. BARRETT of Wyoming. If the gentleman will refer to page 942 of the hearings he will find a statement as to the situation in regard to general investigations, and it shows conclusively that there was no money whatsoever left out of the current fiscal year and that the only money available for investigation in 1946 will be the amounts appropriated at this time. For general investigations it shows that there was an unobligated balance on June 30, 1944, of $111,617. It shows that there was $450,000 appropriated for that purpose during the fiscal year 1945, but that there would be no

unobligated balance as of June 30, 1945. The Bureau of the Budget approved an estimate of $5,500,000 for this purpose for the fiscal year 1946, but unfortunately, this committee cut that amount to $1,485,000. None of this amount would be available for investigations in the Missouri River Basin. I am hopeful the other body will restore the estimate submitted by the Bureau of the Budget of $4,480,000, which will allow $2,150,000 for field work, including land classification and agriculture, surveys and estimates, geology and explorations, hydrology, field administration, right-of-way appraisals, designs and specifications, as well as supervision and administration, and $2,330,000 for continuation of investigations for working out the general comprehensive plan of development approved by the Flood Control Act of the last Congress, which will include funds for other departmental units of the Interior Department, including $1,400,000 for the Geological Survey.

Mr. MURDOCK. Will the gentleman yield?

Mr. JENSEN. I yield.

Mr. MURDOCK. The gentleman from Wyoming is correct on this item. There is no unobligated balance holding over on "General investigations." In this the cut is too great.

I appreciate the correction which the gentleman is making. It simply goes to show, aside from his own frankness and sincerity in all his dealings, that so many of these matters are so complicated that it is not at all surprising that in the heat of argument we may make mistakes, just as I did in regard to that item of interest charged.

Mr. JENSEN. And the gentleman corrected it and we knew he would because we all know him for his honesty and integrity. Now, I do not think there is any need for anyone to worry about not getting sufficient funds to use for investigations and preconstruction work in the Missouri River Basin program. I certainly am going to insist that we have sufficient money, but I am also going to insist that the money not be wasted.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JENSEN. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. JENSEN. I try to be consistent. I insist that the taxpayers' money not be wasted on any project or for any operation of the Government. I am going to insist on that when it comes to things that will benefit my district, such as the Missouri River development program.

I believe, however, that $1,440,000 is going to be sufficient for the support of the Bureau of Reclamation to carry on the investigations that are needed for some time.

I am sure they can carry on everything they want to do and need to do for at least 1 year and then if they require more money I know the Congress will appropriate it; but they are going to have to show the Subcommittee on Appropriations the need, because every member of our committee has determined that they are not going to let money be wasted for any purpose whatever.

Mr. BARRETT of Wyoming. Mr. Chairman, will the gentleman yield at that point?

Mr. JENSEN. I am glad to yield.

Mr. BARRETT of Wyoming. I appreciate the fact that my colleague from Iowa and the other members of the subcommittee are very sympathetic toward reclamation which is so vital to the Western States. I might say that I am pleased at the statement just made by my distinguished colleague from Iowa. I was very much concerned at the remarks he made yesterday, which I quote:

> You will note an item of $1,440,000 for investigation and reconstruction work for the Missouri Valley Basin development program. The Budget request was for an amount far in excess of that amount, or $4,480,000. That seems to be, and is, a large reduction, but since the Bureau of Reclamation has over $5,000,000 in unexpended balances which can be used for development plans for any project they see fit, the committee felt that the amount allowed in this bill would be adequate for the present, at least. Certainly I would be the last Member of Congress to hinder the Missouri Valley Basin development in any way, shape, or form, as it affects very materially the district which I have the honor to represent.

Now it seems to me that if the committee assumed that there was an unexpended balance of $5,000,000 in the Bureau's funds, part of which could be used for investigation work in the Missouri River Basin, there would be some justification for its action in reducing the Budget estimate of $4,485,000 to $1,440,000. However, since there is no unobligated balance whatsoever, it seems to me that the committee made a mistake in assuming such to be the fact and I hope that when this bill gets to the other body that the amount requested by the Bureau of the Budget for this purpose will be restored. I realize that this work was only authorized by the flood-control bill which we passed last December and that the committee considered this matter on very short notice and I can readily see how an error of this kind could have been made, and I do not mean to be critical in any respect. In fact, I am happy that this has been corrected at this time as I am hopeful that this will lay a sound basis for the restoration of the appropriation by the other body.

Mr. JENSEN. In answer to the gentleman I may say that his argument is well taken, and as far as I personally am concerned, I would support a little larger appropriation at this time because of the misunderstanding I had about this matter.

Mr. BARRETT of Wyoming. Mr. Chairman, will the gentleman yield further?

Mr. JENSEN. I yield.

Mr. BARRETT of Wyoming. I appreciate that statement exceedingly. The gentleman is very fair and the committee also has been working under difficulties, because this request for appropriation came in very late, but I am sure the committee will be fair to the West. We appreciate the gentleman's sympathetic interest in our troubles.

Mr. JENSEN. The gentleman is always looking after the interests of his people and the American people. We all appreciate his very hard, conscientious work here in Congress.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. JENSFN. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute and to speak out of order on a matter that I think is rather important at this time.

The CHAIRMAN. Is there objection to the request of the gentleman from Iowa?

There was no objection.

DENMARK: THE VALIANT

Mr. JENSEN. Mr. Chairman, not even the world-shaking events which have taken place or which are taking place at this very moment, both at home and abroad, can crowd from the minds and hearts of Americans their deep-rooted concern for the destiny of Denmark.

My own abiding interest in the Danish people stems from the fact that my parents were born among these latter-day Vikings. Thousands of Americans can proudly claim a like heritage. Scores of thousands of Americans number Danes among their ancestors. Untold millions of Americans hold in high esteem the Danish national characteristics of justice, orderliness, and respect for law.

What is being done to keep alive these traits which can have such a stabilizing effect on the world when Denmark is liberated and when the war in the Pacific is brought to a victorious conclusion?

Danish men and Danish ships are serving the same cause for which our own United States is fighting. A Danish ambassador to this country watches over the affairs of his compatriots on our soil. While the Danes are closely knit to the United Nations in spirit under its existing status, the Government of Denmark cannot be an operating member of the United Nations regardless of our mutual desires. The head of the Danish state, King Christian, is protected only by the love of his people and his own dignity from the wrath of the Nazi invader. No international commitments could legally be made without the freedom of action of the Danish King. So, Denmark must continue to operate among its equals in the community of nations handicapped, for the time being, by the lack of official administrative controls.

Danish delegates, as such, do not share in the deliberations of the United Nations Conference at San Francisco. Yet, the Danish underground is making a very real and effective contribution to the final elimination of the Nazi aggressor from the northern regions of Europe, acting in harmony with the liberation plans of our military leaders. And in the cities and on the farms of Denmark Danes are hungrily consuming the information sent to them about the most recent developments in ending the war and in establishing the peace. They are reading and listening today even more eagerly than they did during the early days of German occupation.

We, the United Nations, are continuing our policy of encouraging the Danish underground and keeping the people of

Denmark in constant contact with changing world events.

The B. B. C. and the O. W. I. work hand in hand with Danish press service to attain this goal. Daily news programs are beamed at Denmark from the American broadcasting station in Europe. This has been going on for approximately a year. By this means false Nazi-inspired rumors are proven untrue. Danes are shown that the outside world understands and appreciates their problems. The Danish underground has been told of resistance movements in other lands so that they can perfect their own methods. More than 800 reports from Denmark on American broadcasts have been received in the past 12 months.

Books, newspapers, periodicals, even newsreels have been passed into the hands of the Danish underground through their representatives in Stockholm. Since D-day 10 prints of every picture furnished by the O. W. I. to the Swedish press have been sent to the Danish underground. Physicians in Denmark are now supplied with the most recent books, reprints, and medical newsletters through these channels.

Less than 2 months ago a young Danish underground leader, just arrived from Denmark, walked into O. W. I.'s London offices. This is what he said:

> My name is K—. I am a saboteur from Jutland. On behalf of myself and my countrymen I have come to thank you for the services which the American broadcasts in Danish are rendering Denmark. I am not exaggerating when I say that the American broadcasts to Denmark have more listeners than any other Allied station. We like the way you present the news. We like the fact that you seem to understand the Danes and their difficulties. All this is deeply appreciated by the common man, wherever he may be, in the Danish isles.

Denmark is this day ready to take her rightful place in world councils. An informed people is a free people. Although Nazi bonds, now breaking, still hold the bodies of Danes in temporary bondage—because they know the truth—the souls and minds of Danes are eternally free.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. CASE of South Dakota. Mr. Chairman, I move to strike out the last word. I have asked for this time because I want to express my personal appreciation for the consideration that the Appropriation Subcommittee for the Interior Department bill has given to this Missouri River item, under the circumstances that prevailed at the time that estimates of the Bureau of the Budget came before them. I think a brief recital of the situation might add to an understanding of the matters discussed this afternoon.

When the Budget estimates were before the subcommittee for the civil functions of the War Department, there were no estimates for that part of the Missouri River program delegated to the Army engineers under the Flood Control Act of 1944. Nor, for that matter, had the President sent to the Congress Budget estimates for any of the projects authorized in the new act.

So, at the conclusion of our hearings, I asked the Chief of Engineers to place in the record a statement of the requests that he had made of the Bureau of the Budget to plan the newly authorized work. We obtained that testimony but even at the time we presented the bill to the House the Bureau of the Budget had not cleared the requests for the Missouri River program, nor for other flood-control projects authorized in the last Flood Control Act.

The situation was called to the attention of the members of the corresponding subcommittee in the body at the other end of the Capitol, and members of our committee individually assured members of the committee at the other end of the Capitol that if those estimates were cleared by the Budget Bureau and were inserted by the Senate, we would be glad to consider them in conference. Things worked out that way. Several Members of the other body, notably Senator THOMAS and Senator GURNEY, interested themselves in having the matter considered in the Senate, when the Budget estimates came up there. The Senate approved the requests of the Army engineers, and when the conference was held the House conferees concurred and the action was subsequently approved by the House.

In fact, we agreed to more than the Budget Bureau estimates in this way. All of those who have followed the Missouri River matter know that a Missouri Valley Authority has been proposed at various times. When the new flood-control estimates finally came from the Bureau of the Budget to the Congress, they did not include the items for certain California projects, or for the Missouri River program. The Missouri River items were withheld, the Director of the Budget indicated, in a letter to the President, because the Missouri Valley proposal was pending.

Members of the Senate committee and the House committee felt, however, that this was a program that had been authorized to the Army engineers, after lengthy consideration last year, and that that part of the Army's estimates for authorized flood control projects should be incorporated as well as the others. That was what was done, and the civil functions bill as finally approved by both Houses, and signed by the President in March, incorporated the estimates for the newly authorized flood control projects, including the estimates submitted by the Chief of Engineers for the Missouri River program.

Mr. WHITTINGTON. Mr. Chairman, will the gentleman yield?

Mr. CASE of South Dakota. I am glad to yield to the chairman of the House Committee on Flood Control.

Mr. WHITTINGTON. The statement of the gentleman is in accordance with the report of the committee, when the civil functions bill was first considered, and as shown by the discussions between the gentleman and myself at the time.

Mr. CASE of South Dakota. The gentleman is correct, as the printed committee report and the RECORD of House proceedings will show when the civil functions bill was on the floor.

Now, then, in a similar way—and for the same reason, I presume—the pendency of the Valley Authority proposals, the Bureau of the Budget had not cleared the Bureau of Reclamation's part of the Missouri River program. So, Reclamation's requests had been withheld and had not been submitted to the House in the President's recommendation for the Department of the Interior.

After Congress took action on the civil functions conference report, however, and endorsed the items for the Army's part of the Missouri Piver program, the President promptly sent up a supplemental Budget estimate for the Bureau of Reclamation's part of the Missouri River program to the Interior subcommittee of the Committee on Appropriations, considering the bill now before us. That was on or about the 21st of March. At least, that was the date the House and Senate adopted the conference report. The action of the conferees was taken a day or two earlier.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. CASE of South Dakota. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. CASE of South Dakota. Naturally, I had been following the matter rather closely, and when I noticed in the daily press, as a matter of fact, that the President was submitting the estimates for the reclamation side of the Missouri River program, I contacted the chairman of the Interior Subcommittee, the gentleman from Oklahoma [Mr. JOHNSON] at the first opportunity and told him of our intense interest in the Missouri River Basin and said I felt that the reclamation part of the Missouri River program should go along step by step with that of the Army engineers.

The gentleman from Oklahoma was very considerate and understanding, as I have always found him to be. He told me that the estimates had just come before the committee; that the committee had expected to conclude its hearings in 2 days; that the time had all been allotted; that the next day, Thursday, March 22, had been scheduled for certain Interior agencies and the final day, Friday, for Members of the Congress generally on various items. The House was then expecting to recess on Saturday, March 24, over Easter.

In that situation, he explained, some members of the committee felt it would be impractical for the committee to attempt consideration of the supplemental Budget estimates. They disliked to launch a program as large as envisioned in the Missouri River program until they could have an opportunity for extensive hearings.

However, I pointed out to the chairman that the Army engineers already had the funds to start their planning; that their dams would be on the main stem of the river; that if the Army went ahead more rapidly than the Bureau of Reclamation the silt would come in from the tributaries, where the work is under the Bureau of Reclamation, and would all unload in the dams on the main river, and tend to destroy the usefulness of those dams for the multiple purposes

intended. Particularly on the lower reaches of the river, every foot of storage space is precious. I explained that the storage reservoirs to be built by Reclamation on the tributaries are coordinated with the Army's reservoirs on the main stem and that their silt burden should not be permitted to go into the lower dams. I pointed out it would tend to waste money appropriated to the Army engineers if the Bureau of Reclamation were unable to carry on their part of the work in pace with the Army.

The chairman understood the situation very readily and agreed to discuss with other members of the committee a suggestion that they consider the estimate for the Bureau of Reclamation at least, so that it could get its work started along with the Army engineers. I submitted a written statement to the committe along the line and pointed out the economy if the Bureau of Reclamation were able to coordinate its planning with the Army so that the dams on the tributaries would not be constructed later than the dams on the main stem, thus avoiding damage to the dams on the main river.

The committee did not have time to go into as extensive hearings as they would have liked to, I am sure; but part III of the printed hearings shows that they extended their hearings and did conduct a special session of the subcommittee on Saturday, March 24, at which time they did call in the Commissioner and Assistant Commissioner of the Bureau of Reclamation for testimony on the supplemental estimates for the Missouri River program and then acted. And while I might have preferred to see the committee allow more of the estimate, I do believe that under the circumstances described they gave the matter special consideration and are entitled to appreciation for having started this great program financially, and at least giving the Bureau of Reclamation as much as the Army engineers were given.

These funds will start both agencies drawing plans and designing dams for the construction that is authorized to begin with the end of the war. It is a program that will revolutionize life in the Missouri basin, ending disastrous floods and putting the stored water to beneficial use.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, on an item that will come up a little later the committee has done a fairly good job of cutting, and that is, the Bureau of Mines appropriation. I have been tremendously disappointed and surprised, however, at the way this organization is operating.

I have in my hands a photostatic copy of a letter that has been sent out by them to different farmers. The farmers in my territory who use explosives have to have a license. The powder and the explosives that they use have to be kept under certain kinds of locks under the regulations of the Department of the Interior. I suppose, with Mr. Ickes at the head of the Department, you could not expect anything else than what I shall read. Here goes:

UNITED STATES DEPARTMENT OF THE INTERIOR, BUREAU OF MINES, IN COOPERATION WITH WAR PRODUCTION BOARD

AUTHORIZATION TO PURCHASE LOCKS FOR THE PROTECTION OF EXPLOSIVES (CODE M LOCKS)

Certificate No. 3021.

MARCH 24, 1945.

Federal License No. B 236515.

FRANKLIN SERGENT,

Route 2, Clifton Springs, N. Y.:

You are hereby authorized to purchase two locks from the stock provided exclusively for the protection of explosives or ingredients in accordance with the Federal Explosives Act.

A. B. EMMANEL,

Explosives Investigator, Bureau of Mines.

NOTE TO PURCHASER.—A special lock is being manufactured for the protection of explosives and such ingredients of explosives as require a Federal license, which will be known as Code M Lock. These locks can be obtained only by mailing your purchase order together with a check or money order and this certificate to the following address: Montgomery Ward & Co., attention Mr. K. D. Firestone, division 84, buying office, section 7-B, 619 West Chicago Avenue, Chicago 7, Ill.

The price of these locks is $1 if purchased in lots of less than 12. In lots of 12 or more the price will be 90 cents each.

Here is a direct requirement that these locks be bought of Montgomery Ward & Co., which is being run by the Government, instead of from the local hardware dealer. It is a deliberate and direct attempt on the part of Mr. Ickes and his cohorts to put the local hardware dealers out of business. I am sure this committee would not approve of appropriating money for sending out a prospectus to promote the business of such an outfit, but it is just what you can expect from such a fellow as Mr. Ickes and from the way he does business.

Mr. DE LACY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Washington.

Mr. DE LACY. I have listened with a good deal of attention to the gentleman's remarks. Does he smell a conspiracy afoot?

Mr. TABER. No; but this is an attempt on the part of Mr. Ickes and his cohorts to mess up the whole Interior Department and destroy its efficiency, and to destroy local private business. If the gentleman wishes, he should come out and defend Mr. Ickes. It is too bad that we have a fellow like Mr. Ickes at the head of such a department. It is too bad that the organization is opposed to private business and proper ways of operating.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I think the gentleman from New York is confusing the issue. The appropriation here is for the enforcement of the Explosives Act. I do not know whether or not the gentleman knows it, but there are 500,000 licensees in the United States. The enforcement of that act was placed in the hands of the Bureau of Mines. The sad part about it is that the Committee on Appropriations, instead of giving them what the Budget Bureau asked for, $454,000, I believe, has reduced it to $100,000. One hundred thousand dollars will not permit the Bureau of Mines to carry out the enforcement of the act. Rather than take $100,000, I agree with the gentleman, in economy they should give them nothing, if they cannot give them the full amount.

The Clerk read as follows:

Coal-mine inspections and investigations: For all salaries and expenses necessary to enable the Bureau of Mines to perform the duties imposed upon it by the act of May 7, 1941 (55 Stat. 177); including supplies and equipment; traveling expenses; not to exceed $78,890 for personal services in the District of Columbia; purchase in the District of Columbia and elsewhere of furniture and equipment, stationery and supplies; purchase (not to exceed one), operation, maintenance, and repair of motor-propelled trucks and passenger-carrying vehicles for official use and in transporting employees between their homes and temporary locations where they may be employed and purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; $939,910.

Mr. BARRETT of Wyoming. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am quite interested in this paragraph of the bill. I want to call the attention of the House to the statement of Dr. Sayers on page 884 of the hearings with reference to the matter of coal mine inspections and investigations. I quote:

It was originally estimated that at least 250 inspectors would be needed to do a real good job of Federal coal-mine inspections, but the number allotted was 107 inspectors, together with 10 engineers. On July 1 last, an additional 25 inspectors were authorized and it is now requested that 20 more be allotted to bring the total number of inspectors to 152.

He goes on to state that the only inspections made are in the 2,500 larger mines of the country and that they are unable to make any inspections in the 14,000 small mines of the United States. I think it is very significant that this work is confined solely to the larger mines of the country because it is notorious that most of the accidents happen in the smaller mines which do not have proper safety devices and I think it is extremely unfortunate the small operators do not have inspection necessary to protect the safety and welfare of the men employed. It seems to me the committee could well have given the Bureau of Mines the additional 10 inspectors they asked for. I hope the other body will give them the number which the Bureau of the Budget approved.

The coal mines of this Nation work under peculiarly difficult circumstances. It is not only extremely hard labor, but in many cases rather unhealthy and dangerous as well. They are as patriotic as any group in America and last year they produced 684,000,000 tons of coal which is the greatest coal production in the history of the world. It has been a magnificent achievement and a distinct contribution to the war effort.

Mr. JENNINGS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, the business of mining coal is the most hazardous occupation

in which men in this world engage. We have had many major coal-mining disasters in the district which I represent. We had two explosions in Anderson County, Tenn., one following the other in a space of just a few years. In those 2 explosions almost 400 men and boys lost their lives.

During the war period coal-mine operators have been unable to keep their mining machinery and facilities and various appliances with which the mines are supplied with the necessary volume of fresh air, in a proper state of repair. In addition to that, if a mine is made safe it must be kept free from dust. The great devastating explosions which have occurred in the mining section in my district have really been dust explosions. They are brought about in this way: The mining of coal and the undercutting of the coal produces dust in large quantities. The circulating air currents which of necessity are forced through the various working places of the mine in order that men and animals may live back in the excavations where the coal is mined, pick up that dust and carry it along through the various airways and break-throughs in the mine, and it attaches itself to the roof and to the timbers and the sides of the mine. Finally, perhaps a pocket of gas will develop or some other cause will ignite that dust, which is highly explosive in its nature. As it travels through portions of the mine it gathers fury and strength as it proceeds and finally results in a conflagration. I know men, who have been picked up by these terrible explosions, to have been blown against the side of the mine and then as a result of the conflagration which ensued they have been burned almost beyond recognition.

In addition to that, as the mining operation proceeds the man excavating the coal is constantly engaged in making a place comparatively safe, unsafe. All the time during that operation he has his life in his hands. There is just one way to avert these great disasters which occur in coal mines and that is by thorough, competent, adequate, fearless, and impartial inspection of the mines. There should be no economy in the matter of a few dollars and cents at the expense of human life.

Coal mining is a vital industry. Without it there can be no transportation of war materials. Without it there can be no steam. Without it there can be no weapons with which we are fighting our way to victory. As I just said, and I want to repeat it and emphasize it, there should be no economy in the administration of the mine inspection department in the Bureau of Mines at the expense of human life, in the most hazardous calling in which the working men of this Nation engage.

I earnestly hope there will be such an increase in this appropriation as to accord for this great industry 10 additional inspectors.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the gentleman has made a very forceful and effective speech, as he always does. We deeply appreciate his interest and commend him for his fight. I think, however, I should say in defense of the committee that this committee has been and still is sympathetic to this program. The record discloses that it has in fact been quite liberal to this program. An examination of the bill before you will disclose that a large share of the new positions given in the entire bill are in connection with this item. I think that is sufficient evidence that the committee is not only familiar with the excellent work of these Federal mine inspectors but that it has cooperated in this program.

I may add, Mr. Chairman, that up until a year ago, in fact, less than a year ago, there were only 107 Federal inspectors of these mines in the entire United States. Representatives of the Bureau of Mines came to us a year ago and asked for at least 25 additional inspectors. They were of the opinion that 25 additional inspectors would be very helpful in saving many lives. The committee responded by giving the full 25 new inspectors a year ago and there is no question but that it has materially helped the situation. I am glad to tell you that within the past year, according to our reports, there have been fewer fatalities in the mines than in any other year in recent history. The committee was also advised that more than 50,000 suggested improvements and preventive measures by these inspectors have been put into operation. That these have saved many lives cannot be denied.

This year the committee was asked for 20 additional inspectors, and although the committee was of the opinion that the 25 inspectors given last year ought to be sufficient, we leaned backward in favor of the mines and resolved any doubts in favor of 10 additional inspectors. So I may say to the gentleman that we believe that in all fairness we have been rather liberal in allowing 10 additional inspectors which will make 142 instead of the 107 with which the Bureau of Mines operated up until last July.

Mr. KELLEY of Pennsylvania. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, while the committee has been generous to a degree in this matter I want to say that there is nothing the Congress has done for the mining industry that has been so effectual for the miners as the passage of the bill in the Seventy-seventh Congress setting up the Federal Bureau of Inspection and Investigation under the control of the Bureau of Mines. Today it is more essential than ever, it is more urgent, because the miners are working longer hours and are exposed longer to the dangers and hazards of the mines. The effect of fatigue is greater, and when the miners and workmen generally are fatigued they are more subject to accidents.

Federal inspection of mines has done a great thing for the industry. It has reduced the number of fatalities, it has reduced the number of accidents. The gentleman from Tennessee who preceded me a moment ago said something about explosions. Accidents due to explosions are shocking because so many miners are killed at one time, but 60 percent of all accidents in coal mines are caused by the daily falls of rock and coal. These falls kill and incapacitate the miners, a few at a time, but you do not hear much about it because it is not dramatic. Explosions are dramatic and we hear about them. These Federal inspectors go about their jobs without any show or publicity and the only evidence of the effectiveness of their work comes at the end of the year when one can read the comparative statements from year to year showing reduction in the number of accidents.

Mr. BISHOP. Mr. Chairman, will the gentleman yield?

Mr. KELLEY of Pennsylvania. I yield.

Mr. BISHOP. Is it not true that because of the aging of equipment and increasing difficulty of getting proper materials that inspectors are needed now more than ever before?

Mr. KELLEY of Pennsylvania. Yes; I agree with the gentleman.

Mr. BISHOP. Is it not further a fact that the men employed as inspectors usually come from the older age groups and their employment does not interfere with the manpower needs of industry?

Mr. KELLEY of Pennsylvania. I agree with the gentleman thoroughly.

So, while the Bureau of the Budget asked for an additional sum for 20 more inspectors and the committee saw fit to grant 10, I still say the committee was not fully informed of the necessity and of the urgency of the times, and of the effectiveness of their work in the past.

Mr. Chairman, I yield back the balance of my time.

By unanimous consent, the pro forma amendments were withdrawn.

The Clerk read as follows:

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, and for every other expense incident thereto, including supplies, equipment, newspapers, expenses of travel, purchase, not to exceed one, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, purchase of laboratory gloves, goggles, rubber boots, and aprons, $579,000, of which not to exceed $45,000 may be expended for personal services in the District of Columbia.

Mr. BAILEY. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. BAILEY: Page 71, line 24, after the words "boots and aprons", strike out the remainder of line 24, page 71, and lines 1 and 2 on page 72, and insert "$686,670, of which not to exceed $200,000 shall be used for research in secondary recovery of oil and gas, and not to exceed $45,000 may be expended for personal services in the District of Columbia."

Mr. BAILEY. Mr Chairman, the intent of this amendment is not to embarrass the members of the Appropriations Committee or the members of the subcommittee charged with the preparation of the Interior Department appropriation.

Its intent is to correct an error of judgment in the amount allocated to the Bureau of Mines for the express purpose

of research work in the oil and gas industry. I speak on behalf of the thousands of independent oil and gas men who have millions of dollars invested.

I have heard considerable lip service from the floor of the House by gentlemen who profess to be interested in the welfare of the little businessman. Here is an opportunity to help in a way that will truly help. I am not making this plea on behalf of the large oil and gas concerns. They are well able to set up their own research units. The little fellow has no such facilities available, nor is he able financially to provide this service.

For some years past the Bureau of Mines has rendered valuable service in the field of secondary recovery of oil reserves that would otherwise be lost were it not for the research methods discovered. Secondary recovery in the industry refers usually to the restoring of energy to the oil reservoir by one of three methods: Injection of water into the producing sand; injection of natural gas; injection of compressed air. The determination of the most appropriate method involves studies of the reservoir as to oil content, the porosity of the sand, and the economics of costs.

In parts of the Appalachian fields the water-flooding method has been found to be most suitable. The recoveries of oil have been great. Many properties have produced more under this method than they had in all the years of operation before the method was applied. The flooding method is being used also in Kansas, Oklahoma, north Texas, Illinois, and West Virginia with satisfactory results.

In many fields the restoration of reservoir energy—the motive force which pushes the oil through the sands to the producing wells—has been achieved by putting natural gas or compressed air into the sands. Millions of barrels of oil have been produced that would not have been won without such stimulus.

The work which the Bureau of Mines has been doing has consisted of laboratory work observations of field practices, and the correlation of the data thus obtained. From time to time reports are issued which are available to anyone interested and which have been of great value and assistance to oil operators.

The reports are particularly valuable to the many small operators who cannot afford to maintain engineering and technical departments of their own or to engage the services of consultants on secondary recovery operations. In addition to its original research work, the Bureau of Mines serves as a clearinghouse of information on the practices and results of oil producers who are doing secondary recovery work.

To the public in the oil and gas regions there is a high value to this work. It has been estimated that there is a reserve of oil underground, in old fields, of four to five billion barrels. Many of these fields are nearing the stage of abandonment under ordinary pumping methods but have recovered to date only 25 to 30 percent of the oil which nature originally stored there.

The Bureau of Mines has been of great aid in the procurement of oil during the war. One of its studies, issued in 1944, was entitled "Wartime Application of Air-Gas Injection and Oil-Well Reconditioning in the Appalachian Field." This study presented a number of methods of stimulating the production of Pennsylvania-grade crude oil which has been in great demand for the manufacture of lubricants.

Other studies have dealt with water-flooding methods in Oklahoma, Kansas, and Illinois. Another described the installation of an oil-mining method in Pennsylvania, thought to hold considerable promise for the future increase in recovery of oil.

The amount which will be available to the Bureau of Mines for the coming fiscal year as provided in this bill for research work is $92,330. Last year's appropriation for this purpose was $116,900. Not all of the $92,330 will be available for this work. A part of it is for a special research in California in an effort to recover oil from oil-impregnated sands.

The Bureau of Mines' estimate of the amount really needed for this work is far in excess of the Budget item. There is a safe middle ground somewhere between the Bureau's estimate and the subcommittee's figure. My amendment suggests $200,000. I submit this is fair and just.

I grew to young manhood in a West Virginia oil field. I feel I can speak with authority on an industry so important to my native State. We all appreciate the fine efforts of these oil and gas people in the war effort even to the extent of depleting their reserves. We owe it to them to see that their business is safeguarded and I hope it will be the pleasure of this Congress to support this amendment to provide adequate funds for a worth-while project.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I am wondering if we could agree to close all debate in, say, 10 minutes. It is late, Mr. Chairman, and we have not tried to hurry, but we are going to try to finish this bill tonight. We have about 20 pages left. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment and all amendments thereto close in not to exceed 10 minutes, reserving the last 2 minutes to myself.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

Mr. NEELY. I object, Mr. Chairman.

Mr. JOHNSON of Oklahoma. Then I amend my request and ask unanimous consent that all debate on the pending amendment and all amendments thereto close in 15 minutes.

Mr. REED of New York and Mr. GAVIN objected.

Mr. JOHNSON of Oklahoma. I am prepared to spend the rest of the night here, because this bill must be passed.

Mr. THOMAS of New Jersey. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. THOMAS of New Jersey. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I have been very fair. I have not objected to anybody speaking. I simply have expressed the hope that we get through and I simply wanted to have an agreement as to the time for debate. But I will withdraw my request and we will proceed and stay until midnight, if it suits the gentlemen, in order to finish the bill.

Mr. THOMAS of New Jersey. Mr. Chairman, I withdraw the point of order.

Mr. REED of New York. Mr. Chairman, in order to save time, because I have had to leave a busy committee to come here, I ask unanimous consent to extend my remarks at this point with reference to the item in the bill with regard to the fund for the experimental laboratory relating to oil.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED of New York. Mr. Chairman, there is no more important problem at this time than the conservation of our crude oil and its byproducts so necessary for the war. A mechanized military machine requires gasoline and oil in such volume that it almost staggers the imagination to contemplate it.

Planes come and go in such swarms over the battle-torn area as to almost darken the sky, and were it not for gasoline and lubricating oil this great and effective air force would be grounded. Without these products of gasoline and lubricating oil from the oil fields of our Nation to supply our ships, tanks, and planes with gasoline this war would be far from ended in Europe.

We need every drop of lubricating oil which even the smallest well can produce. There are thousands upon thousands of stripper wells which in the aggregate are producing the very finest lubricating oil in the world, and these small wells are located in western New York, Pennsylvania, and Ohio. The time has come when study and research are required to find the most efficient method to save every drop of crude oil to be found in the rapidly depleting reserve in the area where these stripper wells are located. The item in this bill for laboratory and field study as well as other experimental work is necessary to ascertain the best methods of conserving this highly essential product for war, should be adopted. I am for the amendment offered by the distinguished Member from West Virginia and so ably supported by my colleague the gentleman from Pennsylvania, Representative GAVIN.

Mr. NEELY. Mr. Chairman, I move to strike out the last word.

Mr. MICHENER. Mr. Chairman, will the gentleman yield?

Mr. NEELY. I yield to the gentleman from Michigan.

Mr. MICHENER. May I make this suggestion. We hope that this bill may be finished tonight, and arrangements have been made accordingly. However, I have assurance that if these long talks continue, a point of order that a quorum is not present will be made. The present point was withdrawn temporarily. I hope we may proceed expeditiously.

Mr. NEELY. Let me assure the gentleman from Michigan that he may depend upon my helping him to realize that hope.

Mr. Chairman, wartime inhibitions and restrictions have impressively taught us that the deprivation of motor transportation means unlimited inconvenience, innumerable hardships, and irreparable loss of time, service, and pleasure to the American people. But the public has not been made fully aware of the fact that unless we afford greater protection to our rapidly dwindling oil reserves, the United States will, within 12 years from the present time be completely and permanently deprived of motor travel as a result of the exhaustion of the source of energy, without which automobiles and all other motor vehicles will become as useless as painted ships upon painted oceans. Doubtless American ingenuity will eventually provide practical means of making gasoline from bituminous coal, as suggested yesterday by the able gentleman from West Virginia [Mr. RANDOLPH]. But until this consummation becomes a reality instead of a dream, we should diligently protect from avoidable waste every barrel of crude oil that still remains in the bosom of the earth. The Bailey amendment is designed to serve this praiseworthy purpose. If adopted, it will also be productive of great benefit to the small independent oil operators throughout the United States, who are unable to maintain elaborate research departments. It will mean even greater benefits to the millions who wish to ride in motor cars to the end of their days. It is my sincere hope that the Bailey amendment will be adopted.

Mr. RANDOLPH. Mr. Chairman, will the gentleman be kind enough to yield?

Mr. NEELY. With pleasure.

Mr. RANDOLPH. I should like to say for the benefit of the Members of the House, and I certainly want to say it because it is a fact and not because of any gracious word uttered by the gentleman about my speech yesterday, that the gentleman from West Virginia [Mr. NEELY], a former United States Senator and Governor of our State, was born in a county which was at one time rich in oil and gas production. But he, as other West Virginians, has seen that section of the country depleted of its petroleum resources until today only the stripper wells remain. What the gentleman is saying is out of the depth of his understanding and experience with this problem. His observations merit favorable consideration.

Mr. NEELY. I thank my distinguished colleague.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. NEELY. Yes; gladly.

Mr. SNYDER. I was very glad to step into the Chamber at this particular moment. I have been busy with a deficiency committee and they told me that something important was going on. As you all know, in western Pennsylvania, where the gentleman across the aisle lives, oil was first discovered. We are producing the richest kind of oil in western Pennsylvania since that time, but just as the gentleman says, the time has come when we need help, and we need it badly in all the oil fields. I hope the amendment will be adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GAVIN. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I listened with a great deal of interest to my distinguished friend the gentleman from Wisconsin [Mr. KEEFE] making an appeal several days ago for the United States Forest Laboratory, at which time they were granted $1,228,900 for supplemental and research work on lumber. I might say that the same thing could be said about oil. I glory in the productivity of this country. We are producing today approximately 5,000,000 barrels of oil a day.

Nature blessed this great Nation of ours with a generous supply of natural resources. Resources which have built this country to the greatest and most powerful nation in all the world.

However, we have been extremely reckless over the past years with these great God-given supplies. For years we slaughtered our great forests with no thought of the conservation or reforestation. Our great oil deposits have been drained from the earth for present use with no thought of tomorrow. Our coal, gas, and iron ore, and other minerals are rapidly diminishing with no thought given for the livelihood of future generations as to where they shall secure their supplies.

The past 75 years have been ones of reckless abandon as far as natural resources are concerned. It has been stated that in World War No. 1, the United States and its allies floated to victory on a sea of oil. Today we are bringing World War No. 2 to a victorious conclusion because of the availability of tremendous supplies of oil, for our planes, tanks, jeeps, guns, and the oil needs for the economic structure of the Nation.

Not much thought is being given today to our future requirements, nor much attention is being given by the Federal Government for research work on oil to secure the greatest amount of oil possible from many of our formerly prolific producing, but now rapidly dwindling, oil fields throughout the Nation. In no one of these fields have we taken more than 25 percent of the oil in the earth. Billions of barrels are still obtainable with new methods.

We have hundreds of proven fields where production has fallen off, waiting for new methods to coax the oil from the reluctant sands. The Bureau of Mines of the Department of the Interior has turned in a magnificent performance in research work on the meager $92,000 a year given, developing new methods and techniques that have secured amazing results in oil fields that would now be abandoned but for their work. So, in appreciation of their outstanding accomplishment for the good of all the people of the Nation we set up a pitiful appropriation, $92,000, for them to carry on their work, while on the other hand we spend $138,000,000 up in the Canadian wilderness on an oil project that produced 2,500 barrels a day and since has been abandoned. If $138,000,000 has been spent on research in the old fields of this Nation, millions of barrels of oil would have been recovered for the use of our people.

This country faces a gigantic need for oil in future years. These old fields are proven—the oil is there—it is just a question of how to get it. Why we spent $420,000 up in Venango County, in my district, experimenting on a new horizontal drilling method. This appropriation today should be for at least a million dollars rather than the one hundred and ten thousand increase asked for in the gentleman's amendment. We are spending billions of dollars all over the world, why not invest a few million in this Nation to protect our natural resources and to meet the needs and requirements of our 140,000,000 people over the years that lie ahead? I appeal to my Republican colleagues to support this amendment.

RESOLUTION ON BUREAU OF MINES PROGRAM TO PROMOTE GREATER RECOVERY OF OIL

The executive committee and State vice presidents of the Independent Petroleum Association of America, meeting in Oklahoma City, January 30 expressed appreciation of the splendid work being carried on by the Bureau of Mines in the interest of oil producers in this country. It was agreed that much good could be accomplished by the Bureau in its study of conservation research and secondary recovery methods, provided sufficient funds were made available to properly conduct the necessary research, but that the present appropriation was wholly inadequate.

The following resolution, therefore, was introduced and unanimously passed:

"Whereas the conservation of an irreplaceable natural resource of this Nation is of concern and benefit to the consuming public as well as of those who are engaged in its production; and

"Whereas it is generally agreed that after applying all present known methods of recovery, there still will remain in the oil sands of this Nation a large, but yet undetermined quantity subject to extraction by improved methods; and

"Whereas oil producers realize the need for new and improved methods which will make it possible for them to recover this oil; and

"Whereas the Bureau of Mines of the United States Department of the Interior is a recognized leader in the study and promotion of secondary recovery methods, and now is engaged in research on secondary extraction and has rendered valuable aid to the oil industry in the past; and

"Whereas the amount now appropriated to the Bureau of Mines for this work is inadequate to meet the need and is not in keeping with the national importance of the program: Now, therefore, be it

"*Resolved*, That the executive committee and the State vice presidents of the Independent Petroleum Association of America recommend that the Congress of the United States give serious consideration to an appropriation for the Bureau of Mines, sufficient to permit a thorough study and extensive research of methods in their laboratories and in various fields throughout the country with the object of obtaining greater efficiency in the production of oil through stimulative practices; and be it further

"*Resolved*, That a copy of this resolution be submitted to members of the Appropriations Committees of the United States Senate and of the House of Representatives, to Members of Congress from all oil-producing States, and to all State and district oil-trade associations."

FUNDAMENTALS OF THE PENNSYLVANIA GRADE OIL INDUSTRY

THE AREA

The Pennsylvania Grade oil region lies within 3 counties in western New York, 18 counties in western Pennsylvania, 26 counties in West Virginia and 17 counties in southeastern Ohio. Its outer boundaries include approximately 35,000 square miles.

RECOVERY METHOD

The Bradford-Allegany field, comprising 84,000 acres in Pennsylvania and 52,000 acres in New York, has been the scene of intensive secondary recovery operations by the waterflood method over a period of 15 years. South of this field, a substantial area has been subjected to air and gas repressuring. The daily production per well is materially greater where these methods are in use.

Most of the Kane-to-Butler field and most of the producing acreage in southwestern Pennsylvania, West Virginia, and Ohio still are open to intensive development by secondary methods.

At the present time, slightly less than one-half of the total Pennsylvania Grade production comes from areas not repressured. It is estimated that the amount of oil which can be produced in these areas by secondary recovery methods will equal the original natural production.

WELLS AND RESERVES

Oil is currently produced from 133,420 wells, ranging in depth from 300 to 4,000 feet, with a current yield of approximately 74,000 barrels per day.

The distribution of wells by States is:

New York, 20,150; Ohio 13,000; Pennsylvania 81,790; West Virginia, 18,400.

These wells are in contact with underground reserves which, as will be developed in a subsequent section, have a total oil content of 6,346,951,000 barrels, 932,856,000 barrels of which are recoverable by present methods.

THE PRODUCT

Pennsylvania Grade crude oil is peculiarly suited to the manufacture of superior lubricants which are adapted and needed for use in airplanes, tanks and other automotive equipment in wartime and for all automotive purposes in time of peace. Pennsylvania Grade crude is also being recognized as an important base stock for the production of a whole range of hydrocarbons highly useful in a variety of chemicals.

An outstanding characteristic of the Pennsylvania Grade crude oils is described by the Bureau of Mines as being "similar in character and uniform in quality although they were produced from different sands and by various methods." The lubricating oil produced from all Pennsylvania Grade crude is readily distinguished from oils produced from other crudes by reason of its chemical constituents.

The importance of Pennsylvania Grade crude is shown by the fact that although the production constitutes less than 2 percent of the total crude production of the Nation, yet, by reason of the quality and quantity of its lubrication fraction, it accounts for about 25 percent of the motor oils domestically consumed in the United States. Whereas the national average of lubricant recovery from all crudes, including Pennsylvania, is 2.8 percent the customary recovery from Pennsylvania Grade crude is 23 percent.

THE PRODUCERS

Fifteen thousand individual operators own the production of Pennsylvania Grade crude. With the exception of a few properties which represent an inconsiderable volume, no major companies are interested in production operations.

THE REFINERIES

Pennsylvania Grade crude is processed in 26 refineries, 20 of which are independently owned and operated. The total capacity of these plants is consirevatively in excess of 90,000 barrels per day. The current runs to stills are now averaging close to 80,000 barrels, leaving an additional crude still capacity of at least 10,000 barrels which would be utilized if crude were available. The primary product of these refineries is lubricating oil, the markets for which are spread all over the United States and, in peacetime, throughout the civilized world.

The gasoline production, which now is 50,000,000 gallons per month and potentially is 56,300,000 gallons per month, has been marketed in an area within a radius of 150 miles of the refinery. This volume represents about 40 percent of the consumption of the region, the remainder being produced from cheaper crudes and imported to the region by water transportation as well as gasoline pipe lines.

EMPLOYMENT AND PAY ROLLS

Employment in production and drilling is about 16,000 persons with an annual pay roll of $28,000,000. Refinery employment is 8,000 persons with a pay roll of $15,000,000.

Equally dependent on the industry are the employees of the pipe lines, manufacturers and marketers of oil field and refinery equipment, barrel works, can factories, tank-car builders and repair shops, supply houses, distributors of explosives and the like.

Many communities in the Pennsylvania Grade region derive the principal part of their economic subsistence from producing and refining activities and in some communities these activities provide the only pay roll of any kind.

TAX REVENUES

It has not been possible to estimate either the capital investment or the tax contributions of these producing and refining properties. Some measure may be had, however, from the fact that the State and Federal gasoline tanks and the Federal lubricating oil tax derived from the products of the Pennsylvania region amount to $115,000 daily, or $40,000,000 a year.

RESEARCH AND PRODUCTION TECHNIQUE

Particularly during the last decade there has been substantial attention given to technical research. In addition to a large number of private laboratories and consulting engineers, the producers sponsor cooperative research projects in secondary recovery at the School of Mineral Industries at the Pennsylvania State College.

Studies in the improvement of motor oils have been conducted for 11 years in the Petroleum Refining Laboratory at the same institution. State aid has been available for parts of the costs of both programs. The other financial requirements have been provided by the cooperative programs of the Pennsylvania Grade Crude Oil Association and the Bradford District Pennsylvania Oil Producers' Association.

The developments of water flood and air-gas repressuring in the region have been responsible for large increases in production and are still the main reliance for increased production in the future.

However, the possibilities of pool extensions and deep drillings have not been exhausted and new techniques of discovery and recovery are the subject of current experiments. At the present time, for instance, a large and well-financed corporation is sinking a shaft from which a horizontal drill will be directed into proven sands. A party of United States Geological Survey engineers is now testing electrical prospecting equipment in several pools. Proposals for the installation of a soil gas analysis laboratory are awaiting a favorable price determination.

These latter projects are encouraging because a great part of the sands is believed to consist of shore-line deposits and no satisfactory means have hitherto been applied to locate stratigraphic traps The accidental discovery of the Sliverville sand on Music Mountain, which had been missed by only 200 feet in earlier drillings, some of which were done 40 years ago, has resulted in the production of 3,000,000 barrels of crude in 4 years. An additional 1,500,000-barrel production is expected from this sand.

Special interest is being manifested in by-product research in several refineries. The paraffinic nature of the crude presents some chemical difficulties but the unique properties of the crude encourage the belief that particularly valuable products can be derived from this crude source.

AN INDUSTRY REVIVED

The large productive years of the State of Pennsylvania, by natural flow and pumping, were in the 40-year period 1871–1910. For that period the average annual production was 15,976,000 barrels. For the next 15 years, from 1911 through 1925, the continued pumping of the old wells yielded a fairly steady production, with an annual average of 7,543,000 barrels. Stimulated by a price high enough to be an incentive to find new methods of recovery (the average, 1921 to 1925, was $3.38) water flooding was developed in the Bradford field. As a result the production of the State steadily increased and for the last 15 years, 1926–40, the annual average has been 13,858,000 barrels. For the last 5 years, 1936–40, the average has been 17,944,000 barrels. Thus from structures once thought to be practically exhausted secondary methods have recovered oil in quantities comparable with the years of Pennsylvania's flush pools. It is a record of great credit to Pennsylvania oil producers and has brought about a reappraisal of the Nation's oil reserves. The significance of price as a moving factor in producing oil by new methods should certainly be understood by anyone who undertakes to exercise a jurisdiction over price at a time when a still larger production is urgently needed.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include certain resolutions from the oil industry.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ELLIS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I strongly endorse the amendment before the House. To continue further with a supporting statement, I would only repeat what has already been said by the gentlemen who have preceded me.

West Virginia is greatly interested in this project. We have hundreds of this type of well. My district has hundreds of them. We have great deposits of oil that cannot be brought to the surface economically. We do not produce oil in quantities comparable to some of the Western States, but we do produce the finest lubricating oil in the world. Why it was ever called Pennsylvania crude instead of West Virginia crude, I will never know. This appropriation will no doubt aid us in finding ways and means to bring these vast deposits of fine oil to the surface and make them available to the people of our country. Industry needs it. The war effort needs it. The public is going to need it.

I trust the House in its wisdom will see fit to act favorably on this amendment.

Mr. BARRETT of Wyoming. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield.

Mr. BARRETT of Wyoming. I want to commend the gentleman for his splendid statement. I may say to him that the State of Wyoming is very much interested in this matter. I, too, favor the amendment offered by the gentleman from West Virginia. I might say to the gentleman that our daily production of oil in Wyoming is about 125,000 barrels. A great deal of that oil comes from the public domain and the United States has a tremendous income from the oil in Wyoming and in other Western States. I wish to call attention to the House that the Bureau of Reclamation has received $41,000,000 from the oil in Wyoming. Consequently, we have made quite a contribution to the reclamation funds from oil produced on the public domain in our State. That is more than all of the appropriations for reclamation projects in our State for the past 40 years. Because the United States owns the oil rights in 81 percent of the area of Wyoming it is vitally interested in the recovery of all the oil that possibly can be saved. I think it would be sound policy to adopt this amendment. To show the interest of the people of Wyoming in the matter I desire to insert in the RECORD a copy of the resolution of the Rocky Mountain Oil and Gas Association recently adopted:

RESOLUTION ADOPTED BY THE ROCKY MOUNTAIN OIL AND GAS ASSOCIATION AT ITS MEETING IN CASPER, WYO., ON JANUARY 8, 1945

Whereas the war effort, as well as the public interest, demands that the greatest possible ultimate recovery of oil be obtained from the oil fields of the Nation; and

Whereas this can best be accomplished by making currently available to the oil producers the best scientific information as to the oil reservoirs and their contents; and

Whereas few individuals or companies in the Rocky Mountain area have either the resources or the facilities to obtain such information; and

Whereas such information, when obtained, should be made available to all producers in furtherance of conservation and good production practices; and

Whereas the Government itself has a very substantial interest in obtaining the greatest ultimate recovery of oil from many reservoirs in the Rocky Mountain region because of its land ownership in the oil fields of the region; and

Whereas the Government, through its Bureau of Mines petroleum and oil-shale experiment station at Laramie Wyo., has some facilities and personnel to carry on the work of research and analytical studies of petroleum reservoirs; and

Whereas the work of the Petroleum Production Section of the Bureau of Mines, both at the Laramie station and elsewhere, has been much handicapped by the lack of adequate funds, there being approximately $20,000 per year available to the Laramie station for this work in the Rocky Mountain region: Now, therefore, be it

Resolved, That the Rocky Mountain Oil and Gas Association recommends to the Congress of the United States and to the Bureau of the Budget that not less than $100,000 be added to the Bureau of Mines, Department of the Interior, appropriation budget, for the purpose of providing adequate funds for the performance of valuable scientific and experimental work on oil and gas reservoirs and their contents at the petroleum and oil-shale experiment station at Laramie, Wyo., and in the oil and gas fields in the Rocky Mountain region.

Mr. ELLIS. I thank the gentleman for his contribution.

Mr. RANDOLPH. Mr. Chairman, will the gentleman yield?

Mr. ELLIS. I yield.

Mr. RANDOLPH. I feel that the passage of this amendment is merited. I want to call the membership's attention to the fact that during 1944 we produced 1,700,000,000 barrels of oil in this country, but new discoveries in that year amounted to only 500,000,000 barrels—more than 3 for 1 in the extraction of oil as against the finding of new resources.

Mr. ELLIS. The gentleman's statement is correct, and I thank him for his contribution.

Mr. Chairman, I yield back the balance of my time.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, if I should consider only my personal feelings toward the gentleman from West Virginia who offered the pending amendment, the Committee undoubtedly would accept the amendment. Moreover, the West Virginia delegation certainly has gone to bat for their colleague's amendment, and have made what sounds like a very plausible case. It is a very strong delegation and we appreciate them here and their interest in this subject matter. Although the gentleman offering this amendment has not been here many months yet he has made a profound impression on this House. He is not only an orator and a statesman but a gentleman who has won the admiration of the Congress; but, Mr. Chairman, let us have the full facts.

One would think from all this oratory that the committee had turned thumbs down on the appropriation for the secondary recovery of oil. The facts are that there has been a substantial item in this bill for 3 years for this program. We did not wait until today and suddenly become interested in this extremely important program. We have not just now discovered the need for oil recovery. Three years ago, after considerable investigation on the part of this committee, we gave the Bureau of Mines an impressive sum for the recovery-of-oil program. We had a number of independent operators come from Oklahoma, California, Texas, and other States, to tell about the need for inaugurating such program; and this committee has in every instance, I believe, given every dollar that has been requested for this particular function. The bill a year ago carried $116,000 for this item alone. In the pending bill we are allowing $92,000, which is practically the same, if you add the overtime. Please bear in mind that the amount allowed is every dollar that was requested by anybody, which, of course, includes Members of Congress who now criticize this committee and beg for more funds for this activity. The independent oil operators of America have an office in Washington. Their representative is one of the ablest lawyers from my State. Recently, I received a letter from him thanking me and my committee for our interest and understanding of their problems. Not a word was said about boosting this or any other item above Budget estimates.

Since it would appear that our committe is so shortsighted and stingy, let me remind Members that this is one of the few items in the entire bill that was not reduced one dollar below Budget estimates. Many other items took cuts of from 10 percent to 40 percent.

A moment ago I stated that the able and active Washington representative of the independent oil operators in Washington had not demanded a boost in this item. I could have gone further and stated that no oilman in my State of Oklahoma or from West Virginia asked for a dollar more than the $92,000 Budget estimate to continue this program.

Mr. GAVIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes; I yield to the gentleman from Pennsylvania.

Mr. GAVIN. The gentleman will recall that we appeared before his committee last year, Representative REED and myself and Senator Jim Davis, of Pennsylvania, requesting an increase which we did not get.

Mr. JOHNSON of Oklahoma. Oh, yes; last year; not this year, but a year ago, the gentleman appeared and made an excellent statement. I want to commend the gentleman for having come before the committee last year. He did not wait until the hearing was over and the bill reported, and the committee allowed, as I recall, the full Budget estimate of $116,000.

Mr. GAVIN. If we were asking for a large sum of money, it would be different; but we are asking for only a couple of hundred thousand in a many-million-dollar bill. Certainly that is a very small amount to develop research and technique and methods that will improve conditions to aid the small oil producer who is doing a very difficult job during this period, to permit him to stay in the picture and stay in existence. He cannot afford geologists, he cannot afford engineers, and the Bureau of Mines has turned in a brilliant performance in helping these small producers. Certainly this amount we are asking now is justified, whether we came before the gentleman's committee or not. We are here now and appealing to you.

Mr. JOHNSON of Oklahoma. Mr. Chairman, the gentleman makes a persuasive argument. Just as the distinguished gentleman from West Virginia [Mr. RANDOLPH] made a forceful and persuasive argument yesterday on a matter close to his heart—the synthetic gas investigation. And although I was and am sympathetic to his program I refused to agree to an increase. So I am at least consistent in standing by my committee.

Let me add that possibly my State is even more interested in this item than is the great State of West Virginia or any other State. Oklahoma for years has ranked second or third among oil-producing States of the Union. Oklahoma has many times more stripper wells than has West Virginia. Some 3 years ago, when the independent producers and operators suggested such a program I personally went to bat for it and was crit-

icized for putting the first appropriation in the Interior bill for this program. I was charged with wasteful extravagance in helping initiate this program 3 years ago. That program is going well. It has been a most excellent investment. The amendment should be defeated.

Mr. BAILEY. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. Yes.

Mr. BAILEY. I believe the gentleman made the statement that the appropriation was not below either the Department estimates or the Bureau of the Budget estimates. If he will just search his records I think he will find it is below both the estimates of the Department and the estimates of the Bureau.

Mr. JOHNSON of Oklahoma. Oh, the gentleman is mistaken. I have the Budget estimates before me. Just what he means by Department estimates I do not know. But the record will disclose that the Department made no request to our committee above the recommendation of the Budget. Of course, all departments and agencies want bigger and better appropriations, but I can assure you that they are very well satisfied. Maybe they were surprised that this particular item was not cut considerably instead of allowing the Bureau estimate.

I must repeat, it was one of the few items this committee did not cut below the estimates. Oh, they probably advised the gentleman that they asked the Bureau of the Budget for more money than they were allowed. Of course, they asked the Bureau of the Budget for more money. But when one considers that the Department actually had the unmitigated gall to request 4,015 new jobs, one cannot help but strongly suspicion that all agencies of the Government were told to go to the Bureau of the Budget and ask for more than they expected to get.

To be polite the committee has referred to such practice as "isolated requests."

Mr. GAVIN. I will say to the gentleman that we spent $400,000 in my county on drilling one well to determine the horizontal drilling program. If a little community such as I represent can spend $400,000, certainly we can ask for a larger sum from the committee.

Mr. JOHNSON of Oklahoma. Well that is quite a record for his great State, but in my home county they recently spent more than a million dollars in the same kind of a well.

The CHAIRMAN. The time of the gentleman from Oklahoma has again expired. The question is on the amendment offered by the gentleman from West Virginia [Mr. BAILEY].

The question was taken; and on a division (demanded by Mr. JOHNSON of Oklahoma) there were—ayes 37, noes 26.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. JOHNSON of Oklahoma and Mr. BAILEY.

The Committee again divided.

The CHAIRMAN. On this vote by tellers there are 36 ayes and 35 noes. The Chair votes "no." The amendment is rejected.

The Clerk will read.

The Clerk read as follows:

Buildings and grounds, Pittsburgh, Pa.: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pa., including personal services, the purchase of one and operation, maintenance, and repair of passenger automobiles, and all other expenses requisite for and incident thereto, including not to exceed $10,000 for additions and improvements, $143,450.

Mr. RANDOLPH. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I shall not use the 5 minutes that have been allotted to me. I speak for a twofold purpose. On yesterday, while discussing the synthetic-liquid fuels program for which an amendment will be offered in the Senate, I neglected to mention the personal affection that I have had through the years for the distinguished gentleman from Oklahoma [Mr. JOHNSON] who in the next few weeks or months will leave this body to become a judge. He has with zeal and ability performed excellent congressional service.

I desire to say in connection with the Synthetic Liquid Fuels Act, and the $6,000,000 in the pending bill for the carrying forward of that program, that the amount is $7,000,000 less than the Budget estimate, and the amount is $19,000,000 less than requested by the Bureau of Mines, the amount being $25,000,000. Last year the initial $5,000,000 appropriated, of the $30,000,000 authorization measure, was provided.

We have every reason to believe that the synthetic-liquid fuels program funds will be raised from the $6,000,000 as contained in the bill which will shortly pass the House.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Investigation of raw-material resources for steel production (national defense): For all expenses necessary to enable the Bureau of Mines to develop individual deposits of minerals useful in the steel industry the existence of which is known, and concerning which preliminary geological or other reports are available from State mineral agencies, previous investigations of the Bureau of Mines, or other sources; to conduct geophysical surveys, surface and subsurface exploration on such deposits; to conduct laboratory, pilot plant, and demonstration-plant tests to establish methods for utilizing more fully the products of such deposits; including the purchase or lease of land or buildings; mineralogical explorations for and development of sources of ferrous, nonferrous, or nonmetallic minerals useful in alloying or coating by plating or otherwise of iron and steel to reduce or eliminate corrosion, and the research and development of commercial processes therefor; construction of buildings to house laboratories, pilot plants, or demonstration plants; procurement of necessary materials, ores, and equipment; travel expenses; operation, maintenance, and repair of passenger-carrying automobiles; printing and binding; purchase in the District of Columbia or elsewhere of furniture and equipment, and purchase of special wearing apparel or equipment for the protection of employees while engaged in their work; purchase in the District of Columbia and elsewhere of other items otherwise properly chargeable to the appropriation "Contingent expenses, Department of the Interior"; and not to exceed $35,000 for personal services in the District of Columbia, $1,000,000: *Provided*, That the Secretary, acting through the Director of the Bureau of Mines, is hereby authorized to carry out the projects in cooperation with other agencies, Federal, State, or private.

Mr. MURDOCK. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. MURDOCK. Mr. Chairman, I notice by referring to an item near the bottom of page 43 in the committee report on this bill that the appropriation for investigation of deposits of critical and essential minerals last year was $2,900,000 and that the Budget estimate for this bill this year was $2,500,000 but no such sum as that is written into the bill. This is one of the reductions about which I have great doubts. I do know that the conduct of this war has depended very largely upon our obtaining and using these war minerals and metals, and are we to assume that the war is entirely ended and that we can pay little attention to such from now on?

It may be recalled that I have urged legislation—and I am glad to say this House has passed such legislation—to preserve mining data collected hurriedly and at great expense during the war so that we would not have to repeat such an inventory process in case of a future emergency. Well, this continued investigation is likewise valuable along with the preservation of the results of past investigations. True, we cannot create the ore in the earth by such efforts, but it is almost equivalent to creating it if we find it and know for a certainty it is there. In a peculiar sense in the mining industry, mineral wealth discovered is closely akin to mineral wealth produced. This is especially true of war minerals while war is on.

Without discounting the value of the strategic and critical war minerals in time of war, I want to call your attention to the peacetime needs which will call for enormous quantities in the manufacture of peacetime goods. There is such a backlog of demand for peacetime goods held in abeyance during the war that jobs and peacetime production may be held in check for the lack of these critical and essential minerals. Such a lack of knowledge of what we have, even though there is no lack of the ore in this country, plays into the hands of foreign producers to the detriment of our own people, placing us at the mercy of foreign countries. Such dependence upon foreign sources may be almost as bad in peace as it is in war. I think this is one of the items in which an unwise reduction has been made, and I hope to see it restored in the Senate.

The Clerk read as follows:

FISH AND WILDLIFE SERVICE

For salaries and expenses, including the purchase of printed bags, tags, and labels, without regard to existing laws applicable to public printing, and traveling expenses, necessary in conducting investigations and carrying out the work of the Service, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

Mr. JONES. Mr. Chairman, I make the point of order against the language

beginning in line 8 on page 87, reading "without regard to existing laws applicable to", that it is legislation on an appropriation bill.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I concede the point of order.

The CHAIRMAN. The gentleman from Ohio makes a point of order which is conceded by the gentleman from Oklahoma. The Chair sustains the point of order.

Mr. JOHNSON of Oklahoma. Mr. Chairman, in order to save time, and after conference with Members on both sides of the aisle, I ask unanimous consent that the remainder of the bill be considered as read and open to amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

FUNDS NEEDED TO SETTLE WAR VETERANS IN ALASKA

Mr. DE LACY. Mr. Chairman, I rise to call the attention of the House to the failure of the committee to approve any portion of the Department's request of $1,072,000 for practical studies looking to the settlement of war veterans and displaced war workers in Alaska and for the opening of presently unknown areas of opportunity in that vast land. The Department's request for funds was made as the result of a letter from the late President Roosevelt directing and authorizing the Secretary of the Interior, as outlined in the following memorandum dated August 17, 1944:

MEMORANDUM FOR THE SECRETARY OF THE INTERIOR

As I said in my Bremerton speech, I want to have presented to me as soon as possible a study of Alaska and the Aleutian Islands, particularly directed to settlement possibilities which they afford. I know that your Department has in process a number of studies on this subject, and I ask that they be completed as soon as possible. You are authorized to call upon the other departments and agencies of the Government for whatever information you may find necessary, and to obtain their cooperation. You are also authorized to arrange with the Director of the Bureau of the Budget to obtain the funds necessary to complete this undertaking.

FRANKLIN D. ROOSEVELT.

Alaska is America's last frontier. Already, 17,154 servicemen have inquired of the Department for specific information as to where they might go in Alaska and what they might do there to earn their livings and secure their families. The Bureau of the Budget authorized the figure I mentioned, $1,072,000. At page 229, in part I, of the committee hearings on the bill before us, the specific break-down of how the money was to have been used is provided. It was hoped to expand the forest and range planning and the land examination and survey activities of the General Land Office; the topographic surveys, the mineral-resource studies, the stream gaging, and land-classification activities of the Geological Survey. In the Fish and Wildlife Service it was proposed to study new commercial fishery resources, survey streams and salmon fisheries, investigate possibilities of supplementing Alaska big-game reserves, and strengthen the experimentation in the Petersburg fur station. Lastly, it was proposed to survey and locate certain new roads.

It is vitally necessary to the returning veteran or other person desiring to settle in Alaska that he be given exact and reliable information. The purpose of the program requested by the President and developed in specific detail by the Department was to furnish such information. Mr. Thoron testifying on page 203 of the hearings, part I, describes the land settlement program, for which part of the funds requested would have been expended. This is his testimony:

The homesteader going up to Alaska in the present state of our knowledge, will be going into a country where the climate, the topography, the vegetation, the drainage, and everything is substantially different from what he is likely to have seen in the place where he came from. He has to rely on his own guessing, as to whether any particular section in a valley or open region is good or not.

The type of work that the general Land Office will do, under the appropriation which is asked for, will be to go into areas that superficially look as though they would be good for homesteading, with these field parties to make fairly detailed surveys of the area surrounding that where settlement has already taken place, and at other spots that look favorable, and to put out information, and make it available to the registers in the Land Office. They will determine what particular sections are suitable for farming, thereby assuring, so far as possible, that when a veteran goes in and files on his homestead it will be land which is of a character that will grow crops, on slopes that are workable, and where the soil is deep enough so that it will not wash or blow away in a few years and leave him with his whole investment in his homestead on a gravel bed.

The same practical attention was to have been given under the appropriation asked for to the opening of new opportunity in the vast fish and wildlife exploitation. The hearings reveal, for example, that every season there are 150,000,000 pounds of salmon wastage alone. It was proposed that studies be made to find means of utilizing this wastage, thus conserving a great resource and providing new business and employment. It was proposed to develop the taking of wild furs, which is a great industry in Alaska employing over 6,000 persons. Mr. Jackson's testimony on this point is of particular interest:

There are about 6,000 persons engaged in taking wild furs in Alaska. We do not think there is sufficient wild fur to permit any increase in employment unless we can develop an increase in the number of animals. We have little or no information about extensive areas where fur animals live.

In the Brooks Range there are 75,000 square miles that we know little about. Between the Yukon and the Kuskokwim Rivers there are 13,000 square miles we have not had the funds or personnel to survey.

What the Department wanted to do was to be able to tell more than 1,500 persons who have specifically inquired of it where they can go to successfully engage in fishing after the war; what part of Alaska is best for trapping fur animals; what are the prospects of establishing a fishing-guide business; where can I go to engage in farming.

Mr. Chairman, Alaska is a great, rich, and unknown country. It is a shame that we cannot even say with certainty how rich this great Territory is or where its riches are located. Vast areas of it are not even mapped. Experts guess, but no one actually knows, what the extent of its mineral resources still is. Even the exact character of its farmland has not been ascertained. The specific characteristics of soil, its depth, its composition, its suitability for various crops cannot be accurately stated. This is the kind of information—practical bread-and-butter information for people, information to serve as the foundation, for the long-range development, of a great Territory—this, I repeat, is the kind of information which it was the late President Roosevelt's desire to have the Department gather for the benefit of returning veterans and displaced war workers.

It is a great pity that the committee did not see fit to grant this request that I take this time here today, because I am afraid that there is too little knowledge about Alaska's possibilities. I am afraid that Alsaka is in a position today, in the minds of some, that the whole West was in, in 1840, when the great orator, Daniel Webster, as quoted by Under Secretary Fortas so tellingly in the hearings, cried out:

What do we want with the vast, worthless area? This region of savages and wild beasts, of deserts, of shifting sands and whirlwinds of dust, of catcus and prairie dogs—to what use could we ever hope to put these great deserts and these endless mountain ranges, impenetrable and covered to their base with eternal snow? What can we ever hope to do with the west coast, a coast of 3,000 miles, rock-bound, cheerless and uninviting, and not a harbor on it? What use have we for such a country?

Mr. President, I will never vote 1 cent from the Public Treasury to place the Pacific coast 1 inch nearer to Boston than it is now.

Mr. Chairman, Daniel Webster was quite sincere and quite wrong. In the years to come, it will be seen that those who are unwilling to vote funds to aid returning war veterans and others to settle on and develop the great resources of Alaska are as wrong now about our largest territory as Daniel Webster was about the great productive West.

I earnestly hope that our plea for funds for the purposes I have described will be reviewed and granted.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. COOPER, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes, had directed him to report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. JOHNSON of Oklahoma. Mr. Speaker, I move the previous question on the bill and all amendments thereto to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. BARRETT of Wyoming asked and was given permission to revise and extend the remarks he made in the Committee of the Whole and include with his remarks on the amendment offered by the gentleman from West Virginia a resolution of the Rocky Mountain Association of Oil Men.

CORRECTION OF TOTALS IN INTERIOR DEPARTMENT APPROPRIATION BILL

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to correct the totals in the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

GENERAL LEAVE TO REVISE AND EXTEND REMARKS

Mr. JOHNSON of Oklahoma. Mr. Speaker, I ask unanimous consent that all Members speaking on the bill today may be permitted to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

EXTENSION OF REMARKS

Mr. CASE of South Dakota. Mr. Speaker, I ask unanimous consent that in the revision of my remarks I may insert some excerpts from statutes to which I referred.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to extend my remarks on the subject of the Alaska Development Survey which was unfortunately omitted from this bill.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein an article.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

MEMORIAL SERVICES—MAY 23, 1945

Mr. FERNANDEZ. Mr. Speaker, by direction of the Committee on Memorials, I present a resolution (H. Res. 234) relative to the holding of memorial services for our departed colleagues during the past year, fixing the 23d day of May for that purpose, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That on Wednesday, the 23d day of May 1945, immediately after the approval of the Journal, the House shall stand at recess for the purpose of holding the memorial services as arranged by the Committee on Memorials, under the provisions of clause 40–A of rule XI. The order of exercises and proceedings of the service shall be printed in the CONGRESSIONAL RECORD, and all Members shall have leave for 60 legislative days to extend their remarks in the CONGRESSIONAL RECORD on the life, character, and public service of the deceased Members. At the conclusion of the proceedings the Speaker shall call the House to order and then, as a further mark of respect to the memories of the deceased, he shall declare the House adjourned; and be it further

Resolved, That the necessary expenses connected with the memorial services herein authorized shall be paid out of the contingent fund of the House upon vouchers signed by the chairman of the Committee on Memorials and approved by the Committee on Accounts.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. JUDD asked and was given permission to extend his remarks in two instances in the Appendix of the RECORD and to include in each an article.

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to insert in the remarks I made in the Committee of the Whole certain telegrams referred to therein.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. DE LACY. Mr. Speaker, in the permission just granted me to extend my remarks may I make the additional unanimous-consent request that the remarks appear just at the end of the consideration of the bill in the Committee of the Whole?

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

INTERNATIONAL OFFICE OF EDUCATION

Mr. HAYS. Mr. Speaker, with the kind indulgence of the gentlemen who have special orders at this time, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection?

Mr. HAYS. Mr. Speaker, Mr. Frank Laubach, distinguished author and teacher, recently told a congressional group that three out of five persons in the world cannot read or write and observed that this condition will be rapidly changed.

It is his opinion, based on wide experience in the Orient, that there is an awakening interest in education and that some agency, either one established by freedom-loving nations or by those intent on exploitation and enslavement, will direct the educational processes inspired by this condition.

We all recognize that illiteracy is a great evil but it does not follow that all educational endeavors are favorable to human progress. Whether education of the world's people is to be based upon our traditions of liberty and an appreciation of the individual is a question of tremendous importance in our future peace.

I am therefore pleased to learn that the gentleman from South Dakota [Mr. MUNDT] has introduced House Resolution 215 to provide for participation in an International Office of Education by the United States. I trust the resolution will receive prompt and favorable action by the Committee on Foreign Affairs.

The SPEAKER. The time of the gentleman has expired.

The SPEAKER. Under previous order of the House, the gentleman from South Dakota [Mr. MUNDT] is recognized for 30 minutes.

INTERNATIONAL OFFICE OF EDUCATION

Mr. MUNDT. Mr. Speaker, I want to use as the theme for my remarks this afternoon two statements taken from the speech which President Truman broadcast to the opening meeting of the San Francisco Conference. I am in 100-percent accord with both statements.

President Truman said, "Justice remains the greatest power on earth," and he summarized the objectives of the San Francisco Conference in the short phrase, "We must prove by our acts conclusively that right has might."

It is to be the burden of my address to propose some tangible machinery and some definite procedural steps for enabling the great force of justice to operate with effectiveness and to give right an adequate opportunity to demonstrate its might.

Mr. Speaker, noble objectives, no matter how laudable, are ineffective unless and until they are implemented by the human equation and put into practical operation by the minds and hands of men and women. While the chautauqua era in America seems to be in descendency—and I, for one, regret its passing—the theme of so many chautauqua lectures to the effect that "ideals won't work unless we do" is still as valid as ever.

How then can this Congress be effective in helping to put the ideals of justice and the might of right to work? What can we do here and now to help make the San Francisco Conference a success?

It is my conviction, Mr. Speaker, that taking early favorable action placing ourselves on record in favor of an International Office of Education, such as I propose in House Resolution 215, which I introduced on April 9, will be a constructive and tangible step toward helping attain the objective of a just and lasting peace which is the lodestar toward which

the San Francisco Conference is trying to move the world.

My bill is now before the House Foreign Affairs Committee, and as a member of the committee I have asked it and the State Department to cooperate in facilitating early hearings on House Resolution 215. It is my sincere hope and expectation that action by this House can be had within the next few weeks, so that Congress can send word out to California that we want the establishment of an International Office of Education to be among the factors discussed at that conclave.

I hope that before the San Francisco meeting adjourns it will arrange for the calling of a special, subsequent meeting of world educators for the purpose of working out the details and plans and functions of an International Office of Education which would work in conjunction with any world organization which may be developed. It is not expected that there will be enough educational leaders in attendance at the San Francisco meeting so that it can perfect the plans and programs for an International Office of Education but it is hoped that arrangements for the establishment of such an office will be facilitated by plans calling for another world conference for that purpose.

Just as financiers from around the world met at Bretton Woods; just as international agricultural experts met at Hot Springs; just as military and diplomatic officials met at Quebec and at Yalta—so, too, let us have a meeting of educational leaders for the purpose of focusing attention on the vast possibilities of education to give right its appropriate place in the hearts of the world's citizens and to give justice a friendly environment in every land in which its can perform its miracles.

Peace, Mr. Speaker, is a way of life which must be implanted in the hearts and minds of our present generation of children when they are young and safeguarded by appropriate international machinery to guard against hazards of war occurring when they reach adulthood.

Conferences up to date have dealt almost exclusively with the latter of these requirements—these international meetings have highlighted the importance of and proposed the machinery for guarding against the hazards of war. I am in complete sympathy with this objective but it is also important that we take steps to create a world environment through appropriate educational ideals, moral concepts, religious training, and habits of tolerant thinking which will decrease the likelihood that these hazards of war will continue to occur.

I have discussed my proposal for an International Office of Education with the State Department and find that to say the least it does not have an unsympathetic attitude toward the suggestion. My conferences and correspondence with State Department officials are continuing and many citizens and organizations are joined together in support of the establishment of such an office.

HOUSE RESOLUTION 215

The pertinent sentences of House Resolution 215 are few in number and I shall read them at this point, omitting the paragraphs in the preamble, and calling attention simply to the effective portions of the legislation:

Resolved, That the House of Representatives of the United States urges the participation by the Government of the United States in the organization of an International Office of Education by the nations of the world for the purpose of advising together and to consider problems of international educational and cultural relations throughout the world and more particularly to organize a permanent international agency to promote educational and cultural relations, the exchange of students and scholars, and the encouragement within each country of friendly relations among nations, peoples, and cultural groups: *Provided, however*, That such agency shall not interfere with educational systems or programs within the several nations, or their administration.

Mr. Speaker, this International Office of Education would operate strictly on a consultative and advisory basis and through such efforts could do much and go far in the vast task of teaching oncoming generations the validity of the formula that "right has might," which President Truman proposed to the San Francisco Conference.

Education is a force of unsurpassed vitality, whether used for good effects or bad. Witness the fanatical devotion to nazism and mikadoism installed in the hearts of young Germans and Japanese; witness the indescribable atrocities taking place in Europe and Asia; witness the Nazis pulling the ruins of German cities down upon their own heads as they go down to defeat—here are the results of years of education and propaganda devoted to wicked and wanton objectives.

When the world puts as much energy and emphasis into teaching children everywhere to be tolerant and decent, to have respect for others, and to avoid the evil pitfalls of worship of the state, we shall have a sound foundation for peace and a rich reservoir of enlightened citizenry from which to man our peace-preserving international institutions.

Ill-advised might will always be able to wreck the strongest of institutions. For right to have the might which is essential for permanent peace, it is imperative that future citizens know what is right. This is a job for educators and clergymen. It is the eternal challenge to the home, the school, and the church.

To help win that challenge, an International Office of Education such as I propose can contribute vitally to the worldwide development and acceptance of tenets of living, ideals of justice, habits of behavior, and mutual international understanding which will provide peace a haven in millions of hearts and equity a home in every land throughout the world.

For a number of years, I was a high-school and college teacher. During that time I worked out a definition of education to govern my own thinking and efforts. My definition was "education is a system of training people to influence human behavior wisely."

Mr. Speaker, who will deny that the world's most crying need today is for leadership in every nation which will work to influence the human behavior of its citizens wisely? To educators must fall the responsibility of teaching appropriate concepts of correct international behavior.

Private citizens who feel with me that education must have a place in rebuilding the world and maintaining the peace can help, directly, by writing members of the House Foreign Affairs Committee and their own Congressmen in support of House Resolution 215.

THE COIN OF PEACE HAS TWO SIDES

Mr. Speaker, let us remember that the coin of peace has two sides; the material and the spiritual side. Both are of vital importance in shaping plans to outlaw and outgrow international war.

Up to now, primary emphasis has been given to the materialistic side of peace. We have talked of treaties and charters; we have discussed voting procedures and boundary lines; we have envisaged international police authorities and strategic military bases; we have held conferences on monetary matters and on the raising of foodstuffs. I am in favor of giving careful and complete attention to these materialistic matters. In a world of reality, we cannot afford to ignore any aspect of the mighty problem which must be solved if permanent peace is to result from our plans and our prayers.

However, Mr. Speaker, let us not make a myopic approach to the problems of peace. It is imperative that we now set up an ethical echelon in our crusade for peace—we must join the efforts of educators and clergymen to those of diplomats and statesmen if peace is not to be a futile illusion and war a recurring visitor. For that reason and to that end, I have introduced House Resolution 215, to create an International Office of Education.

Over the long pull, Mr. Speaker, an enlightened and ennobled public can succeed in the preservation of peace in a world in which from the beginning of time military might and international treaties have failed to do the job.

Sir, it is not the noble pronouncements of State officials which preserve the peace. It is the attitudes which men have in their hearts and express in private conversations in their own homes which really count.

Educators alone cannot develop proper attitudes, but it is essential that they help. Preachers and rabbis and priests—the good men of God throughout the world—ministering to the religious yearnings of people everywhere also have a vital part to play in the development of proper attitudes. Clergymen, too, should meet together at the international level so that each in his own way and in his own place, acting in accordance with the dictates of his own conscience, can help make the brotherhood of man a peaceful reality in a world rid of the scourge of war.

In saying that, I am not unmindful of the importance of the practical, materialistic problems involved. In fact, on January 30, speaking on the floor of the House, I outlined in detail a proposal for the establishment of an international peace patrol of the air which I said then and repeat now can succeed in protecting peace by force if it is set up with the attendant considerations which I outlined at that time.

Such a peace patrol can and should be devised and it can be set in operation without wrecking the solvency of this country, without infringing on the significant features of our sovereignty, without endangering our own national security, and without imperiling our self-governing institutions.

I have advanced and defended my proposals for an international peace patrol of the air in private and in public debate. I have discussed it by radio and on the platform. I have sent reprints of it to a long list of influential Americans and to some leaders in England. I stand ready to defend and discuss it again on any rostrum and before any group because I believe implicitly in its effectiveness but notwithstanding that I recognize clearly that no peace by force can stand up against a world opinion which unceasingly breeds the seeds of war. For that reason I feel as earnestly as I do about the importance of establishing the machinery for inculcating in the hearts and minds of people, everywhere, the ideals and the concepts which are basic to mutual understanding, mutual respect, international good behavior, and permanent peace.

What are the challenges which such an International Office of Education could undertake to meet, you ask, sir? Far be it from me to attempt to define and describe the scope and the functions of such an office, Mr. Speaker, when I have just indicated my reasons for thinking this task to be significant and sizable enough to warrant the calling of a separate international conference of educators for that very purpose.

From such a conference, however, would come a blueprint of what specific steps could be undertaken for the exchange of students among the various countries of the world, for conferences leading to the lifting of world educational levels, for the restoration of proper educational concepts in the Axis and enemy countries, for the inclusion of training to encourage friendly relations and mutual understandings among the various members of the family of nations and for other purposes.

It is specifically provided that such an International Office of Education would not have any authority or intention to interfere with educational systems or programs within the several nations or their administration. It follows that such an office could likewise do nothing to interfere with the practice of religion, economics, and government within the several nations. But by providing a continuing clearing house for the exchange and evolvement of educational concepts and for the crystallization of ideals which would have and should have universal acceptability any place in the world, such an office could do much to harness the force of education to the idealism of equity, justice, and permanent peace.

Perhaps, eventually, a code of international good behavior could be agreed upon covering the relations between races and between states so that boys and girls everywhere in the world could be taught certain basic concepts of tolerance, justice, and peace-preserving behavior. If every child in the world were taught no more than the importance and value of "consideration for others" as exemplified so well by the Salvation Army's motto, it would be a gigantic step forward.

Out of such sound and significant statements as those found in the Bill of Rights, the Ten Commandments, the Golden Rule, the Sermon on the Mount, the Atlantic Charter, Lincoln's Gettysburg Address, and other similar utterances of immortal validity, it would seem could gradually be evolved a world code of good behavior which might some day find its part in the training of every child in the world. Seeds of sanity planted in youth would bear fruit in a stabilized international society in the years to come.

Greater by far than the dissimilarities of race, color, creed, economic, governmental, and political concepts as well as geographical differences are the similarities which exist between human beings everywhere. Their universal characteristics and the ideals, impulses, ambitions, habits, wants, and woes which they have in common far exceed the superficial differences which keep men apart, divide nations into armed camps, give rise to rivalries between races or states, and finally lead to war.

Building on this great foundation of common characteristics and universal similarities, an International Office of Education can develop a pattern of proper attitudes which can go far toward equipping citizens throughout the world with mental and moral concepts essential if the new world organization is to be manned and staffed with people who will operate it successfully enough to obtain its goal of permanent peace and universal equity.

Up to now in world history, international relations have largely been left to men operating at the executive level; they have been considered the exclusive handiwork of presidents and prime ministers, of kings and potentates and emperors. And the result, Mr. Speaker, has been wars, wars, and still more wars. It is now time that we begin developing international understanding between legislators and among laymen. It is time to bring the people who fight the wars into the picture so that they can have a voice in preventing the wars which cost them so greatly. Let us no longer limit international conferences and relations to the dictates and whims of national executives. Through the expansion of ethical education and eternal truths let us bring mutual understanding and international friendliness to be a part of the thinking and feeling of all the peoples of the world.

Mr. Speaker, in establishing the University of Virginia, the great Thomas Jefferson selected as a motto for the institution, "Ye shall know the truth and the truth shall make you free." An International Office of Education can help people throughout the world to learn the truth. The truth, Mr. Speaker, better than any other single factor can help free this world from war forever.

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to extend his remarks in the Appendix and include a newspaper article recommending the Black Hills of South Dakota as the capital of the world.

SENATE BILLS AND JOINT RESOLUTIONS REFERRED

Bills and a joint resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 118. An act authorizing the Secretary of the Interior to convey certain lands on the Gila reclamation project, Arizona, to the University of Arizona; to the Committee on the Public Lands.

S. 225. An act to authorize the carrying of Civil War battle streamers with regimental colors; to the Committee on Military Affairs.

S. 383. An act to provide for the further development of cooperative agricultural extension work; to the Committee on Agriculture.

S. 421. An act to provide for the promotion of certain American prisoners of war; to the Committee on Military Affairs.

S. 496. An act to make it a criminal offense for certain escaped convicts to travel from one State to another; to the Committee on the Judiciary.

S. 497. An act to amend an act entitled "An act to provide for the purchase of public lands for home and other sites," approved June 1, 1938 (52 Stat. 609); to the Committee on the Public Lands.

S. 565. An act to extend the privilege of retirement to the judges of the District Court for the District of Alaska, the District Court of the United States for Puerto Rico, the District Court of the Virgin Islands, and the United States District Court for the District of the Canal Zone; to the Committee on the Judiciary.

S. 612. An act to amend the National Defense Act, as amended, so as to eliminate provisions for retirement of wing commanders of the Air Corps; to the Committee on Military Affairs.

S. 881. An act authorizing the President of the United States to award posthumously in the name of Congress a Medal of Honor to William Mitchell; to the Committee on Military Affairs.

S. 889. An act to amend section 47c of the National Defense Act of June 3, 1916, as amended, so as to authorize credit to students now or hereafter enrolled in the senior division of the Reserve Officers' Training Corps for military training received while on active duty in the Army, Navy, Marine Corps, or Coast Guard, or while pursuing a course of instruction in the Naval Reserve Officers' Training Corps; to the Committee on Military Affairs.

S. J. Res. 34. Joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as a major general, United States Army, and for other purposes; to the Committee on Military Affairs.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills and a joint

resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 689. An act to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State;

H. R. 1525. An act relating to escapes of prisoners of war and interned enemy aliens;

H. R. 1701. An act to amend section 2, Public Law 140, Seventy-seventh Congress;

H. R. 1719. An act to confirm the claim of Charles Gaudet; and

H. J. Res. 18. Joint resolution providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 11 minutes p. m.), pursuant to its order heretofore entered, the House adjourned until Monday, April 30, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Wednesday, May 2, 1945.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

417. A letter from the Chairman of the War Production Board, transmitting revised personnel requirements of the War Production Board for the fourth quarter of the fiscal year 1945; to the Committee on the Civil Service.

418. A letter from the Chairman of the Securities and Exchange Commission, transmitting the tenth annual report of the Securities and Exchange Commission, in accordance with the provisions of section 25 (b) of the Securities Exchange Act of 1934, including therein a 10-year survey of the Commission's work (H. Doc. No. 158); to the Committee on Interstate and Foreign Commerce and ordered to be printed, with illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JARMAN: Committee on Printing. House Resolution 165. Resolution authorizing that the report from the Chairman of the Board of Investigation and Research, dated September 18, 1944, relative to carrier taxation, be printed as a document; without amendment (Rept. No. 451). Referred to the House Calendar.

Mr. JARMAN: Committee on Printing. House Resolution 164. Resolution authorizing that the report from the Chairman of the Board of Investigation and Research, dated September 18, 1944, relative to public aids to domestic transportation, be printed as a document; without amendment (Rept. No. 452). Referred to the House Calendar.

Mr. LEA: Committee on Interstate and Foreign Commerce. H. R. 3038. A bill to amend section 409 of the Interstate Commerce Act, as amended; with amendment (Rept. No. 466). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McGEHEE: Committee on Claims. H. R. 3068. A bill for the relief of sundry claimants, and for other purposes; with amendment (Rept. No. 453). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 70. An act for the relief of Maria Manriquez Ruiz; without amendment (Rept. No. 454). Referred to the Committee of the Whole House.

Mr. DICKSTEIN: Committee on Claims. S. 71. An act for the relief of the legal guardian of Estella Ruiz; without amendment (Rept. No. 455). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 407. An act for the relief of Pierce William Van Doren and Elmer J. Coates; without amendment (Rept. No. 456). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 519. An act for the relief of the estate of Charles A. Straka; without amendment (Rept. No. 457). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. S. 569. An act to reimburse certain Marine Corps personnel and former Marine Corps personnel for personal property lost or damaged as the result of a fire in the training building at the Marine Corps air station, Cherry Point, N. C., on June 3, 1944; without amendment (Rept. No. 458). Referred to the Committee of the Whole House.

Mr. HOOK: Committee on Claims. H. R. 856. A bill for the relief of Frances Biewer; with amendment (Rept. No. 459). Referred to the Committee of the Whole House.

Mr. HOOK: Committee on Claims. H. R. 931. A bill for the relief of Verne V. Gunsolley; without amendment (Rept. No. 460). Referred to the Committee of the Whole House.

Mr. HOOK: Committee on Claims. H. R. 1054. A bill for the relief of Mrs. Mary Karalis and Nicholas Kavalaris; with amendment (Rept. No. 461). Referred to the Committee of the Whole House.

Mr. HOOK: Committee on Claims. H. R. 1671. A bill for the relief of Mrs. Zelma Inez Cheek; without amendment (Rept. No. 462). Referred to the Committee of the Whole House.

Mr. COLE of Kansas: Committee on Claims. H. R. 2685. A bill to reimburse certain naval personnel and former naval personnel for personal property lost or damaged as a result of a fire in the bachelor officers' quarters known as Macquerlpe Annex, located at the United States naval operating base, Trinidad, British West Indies, on June 11, 1944; without amendment (Rept. No. 463). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 2721. A bill for the relief of the Tobey Hospital; without amendment (Rept. No. 464). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 2930. A bill for the relief of Dr. J. D. Whiteside and St. Luke's Hospital; without amendment (Rept. No. 465). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MERROW:

H. R. 3066. A bill relating to the margin allowed for processing agricultural commodities, including livestock, in connection with the fixing of ceiling prices; to the Committee on Banking and Currency.

By Mr. RANDOLPH:

H. R. 3067. A bill to prevent discrimination against blind persons and persons with impaired visual acuity in the administration of the civil-service laws and rules; to the Committee on the Civil Service.

By Mr GRANT of Indiana:

H. R. 3069. A bill to extend unexpired patents for periods equal to the length of time such patents shall have been in force during the war; to the Committee on Patents.

By Mr. MAY:

H. R. 3070. A bill to extend the provisions of the act of November 29, 1940 (Public Law 884, 76th Cong.); to the Committee on Military Affairs.

By Mr. HOOK:

H. R. 3071. A bill to provide for a method of liquidation and sale of homes on farm security project No. RRM021; to the Committee on Agriculture.

By Mr. CANNON of Missouri:

H. J. Res. 174. A bill making additional appropriations for the fiscal year ending June 30, 1945; to the Committee on Appropriations.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Illinois, memorializing the President and the Congress of the United States to oppose any type of celebration of the European victory which might diminish the flow of supplies needed to conquer Japan; to the Committee on the Judiciary.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to amend S. P. A. W. regulation No. 26, effective April 1, 1945, to eliminate certain restrictions contained therein with a view of preventing undue hardship to the consuming public and dealers in solid fuel in the State of Minnesota; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to enact House bill 2347, relative to guayule rubber, into law; to the Committee on Agriculture.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to enact legislation providing for wage readjustment for postal employees; to the Committee on the Post Office and Post Roads.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. HARNESS of Indiana:

H. R. 3072. A bill to change the military record of Thomas A. Ryland; to the Committee on Military Affairs.

By Mr. KILDAY:

H. R. 3073. A bill for the relief of Finck Cigar Co.; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 3074. A bill for the relief of the heirs of Henry B. Tucker, deceased; to the Committee on Claims.

By Mr. TRIMBLE:

H. R. 3075. A bill granting a pension to Malinda G. Williams; to the Committee on Pensions.

By Mr. GARY:

H. R. 3076. A bill for the relief of Nellie P. Dunn; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

449. By Mr. BRYSON: Petition of Mrs. David Ogden and 75 other citizens of Rogers, Ark., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

450. Also, petition of Mrs. G. C. Stover and 379 other citizens of Mount Vernon, Ill., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

451. By Mr. COCHRAN: Petition of William Hemminghaus and 26 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

452. Also, petition of Eugene Hagen and 28 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

453. Also, petition of Thomas Stone and 31 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

454. Also, petition of O. W. Soutiea and 31 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

455. Also, petition of Sue Kunz and 32 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

456. By Mr. FORAND: Petition of the General Assembly of the State of Rhode Island and Providence Plantations, requesting utmost consideration to the recommendation of the Rhode Island General Assembly that a member of the armed forces of the United States of America, representing the men who have been doing the actual fighting, shall be given a place at and shall be allowed to sit in upon the peace conference; to the Committee on Foreign Affairs.

457. By Mr. HART: Petition of Italian-American Democratic League of the State of New Jersey, calling upon the delegates at the San Francisco Conference to oppose and reject the unjust claims of Marshal Tito for Trieste, Gorizia, and Fiume, or any other territory which rightfully is a part of the Kingdom of Italy; to the Committee on Foreign Affairs.

458. By Mr. KEOGH: Petition signed by a group of residents of the Ninth Congressional District of Brooklyn with reference to the recognition of Italy as an ally; to the Committee on Foreign Affairs.

459. Also, petition consisting of a resolution adopted by the Retired Policemen's Association, Inc., of Chicago, Ill., in support of House bill 456, to exclude from gross income the first $1,440 in the aggregate of each year of all retirement, pension, and annuity payments, including, but not limited to, payments under the old-age and survivors law, Social Security Act, received during the taxable year by any retired employee; to the Committee on Ways and Means.

460. By Mr. WELCH: Resolution passed by the Board of Supervisors, city and county of San Francisco, memorializing Congress to adopt House bills 2032 and 2033 in furtherance of preventing beach erosion; to the Committee on Rivers and Harbors.

461. By the SPEAKER: Petition of W. Fred Scott, forman of grand jury, Thomas County, Thomasville, Ga., petitioning consideration of their resolution with reference to enactment into law of Senate bill 181 and House bill 1296; to the Committee on Education.

462. Also, petition of the Brotherhood of Railroad Trainmen, legislative department, Austin, Tex., petitioning consideration of their resolution with reference to acquisition of a suitable site and designation of an appropriate monument in memory of Franklin Delano Roosevelt; to the Committee on the Library.

463. Also, petition of the board of directors of the American Stock Yards Association, Fort Worth, Tex., petitioning consideration of their resolution with reference to adjustment of unfair and unreasonable differentials in stock and packers markets without further delay to prevent increasing black-market operations in the same field; to the Committee on Banking and Currency.

464. Also, petition of the Philipsburg Rotary Club, Philipsburg, Mont., petitioning consideration of their resolution with reference to inclusion in the Federal post-war building program an appropriation for the construction and equipment of an adequate tuberculosis sanitarium for the Indians at some suitable location within the State of Montana; to the Committee on Indian Affairs.

465. Also, petition of the Council of the City of Quincy, Mass., petitioning consideration of their resolution with reference to endorsement of the San Francisco Conference and the Bretton Woods and Dumbarton Oaks proposals; to the Committee on Foreign Affairs.

466. Also, petition of the American citizens of Polish descent, of Albany, N. Y., petitioning consideration of their resolution with reference to adjusting the manifest unfairness of the limitation of the eastern boundary of Poland; to the Committee on Foreign Affairs.

467. Also, petition of Board of Education of the City of Garfield, N. J., petitioning consideration of their resolution with reference to designation of January 30, a national holiday in commemoration of our late President, Franklin D. Roosevelt; to the committee on the Judiciary.

468. Also, petition of Hohn A. Davis, of Leadville, Colo., petitioning consideration of their resolution with reference to adoption of a national lottery, the proceeds of which to be used for increasing servicemen's discharge pay and payment of the national debt; to the Committee on Ways and Means.

469. Also, petition of Texas Water Conservation Association, of Austin, Tex., petitioning consideration of their resolution with reference to opposing all legislation which seeks to superimpose Federal control over State control in matters pertaining to the prevention of pollution of the water resources of Texas; to the Committee on Rivers and Harbors.

470. Also, petition of the Croatian Catholic Union of the United States of America, at Gary, Ind., petitioning consideration of their resolution with reference to expression of deep sympathy at the death of our late President, Franklin D. Roosevelt; to the Committee on Foreign Affairs.

471. Also, petition of the Croatian Catholic Union of the United States of America, of Gary, Ind., petitioning consideration of their resolution with reference to the introduction of their plea for restoration of historical boundaries of Croatia at the San Francisco Peace Conference; to the Committee on Foreign Affairs.

472. By Mr. CASE of South Dakota: Petition of Mrs. W. E. Fonken, corresponding secretary, Woman's Christian Temperance Union, and 51 other signers, from Hot Springs, S. Dak., urging the imperative need of passing the Bryson bill (H. R. 2082) at the earliest possible opportunity; to the Committee on the Judiciary.

SENATE

MONDAY, APRIL 30, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O Thou God of grace and glory, in hours of confusion and commotion, we are sure of no light but Thine, no refuge but in Thee. Solemnize our hearts as we contemplate the ghastly cost poured out that the congress of free peoples may meet on our shores. Lift up our hearts with exultant joy that the United Council now convened is the inspiring vindication of the precious things that the powers of darkness sought to destroy—the free interchange of uncoerced and unregimented minds.

In this day of golden promise, when the molten earth can be poured into new molds, when the life of nations can be shaped into new patterns, so guide the servants of the people that they will gladly pay any price for peace on earth short of sacrificing vital conviction, truth, and integrity on the altar of compromise and expediency. With character that is more than charters and trust that is stronger than treaties, enable those who act and speak for waiting humanity to rise to greatness in this day of destiny. In the Name that is above every name, we ask it. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Thursday, April 26, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On April 24, 1945:

S. 37. An act to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes.

On April 27, 1945:

S. 105. An act to extend the life of the Smaller War Plants Corporation;

S. 122. An act to amend an act entitled "An act to establish standard weights and measures for the District of Columbia; to

define the duties of the Superintendent of Weights, Measures, and Markets of the District of Columbia, and for other purposes," approved March 3, 1921, as amended;

S. 124. An act to amend section 16 of the act entitled "An act to amend the act entitled 'An act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia,' approved June 20, 1906, as amended, and for other purposes," approved June 4, 1924; and

S. 638. An act to amend the Code of Laws of the District of Columbia by adding a new section 548a, and providing for the recording of veterans' discharge certificates.

On April 28, 1945:

S. 123. An act to amend section 14 of the act entitled "An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes," approved March 3, 1925, and to amend section 15 thereof, as amended.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Swanson, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2603) making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RABAUT, Mr. KERR, Mr. HARE, Mr. O'BRIEN of Illinois, Mr. STEFAN, Mr. JONES, and Mr. GILLESPIE were appointed managers on the part of the House at the conference.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 2625) to extend the Selective Training and Service Act of 1940, as amended.

The message further announced that the House had passed a bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were signed by the President pro tempore:

H. R. 689. An act to enable the Department of State, pursuant to its responsibilities under the Constitution and Statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State;

H. R. 1525. An act relating to escapes of prisoners of war and interned enemy aliens;

H. R. 1701. An act to amend section 2, Public Law 140, Seventy-seventh Congress;

H. R. 1719. An act to confirm the claim of Charles Baudet;

H. R. 1934. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and officers, for the fiscal year ending June 30, 1946, and for other purposes;

H. R. 2625. An act to extend the Selective Training and Service Act of 1940, as amended; and

H. J. Res. 18. Joint resolution providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.

LEAVE OF ABSENCE

Mr. HILL. Mr. President, I am in receipt of a telegram from the distinguished senior Senator from Oklahoma [Mr. THOMAS] advising me that he has been suddenly called to Oklahoma on official business. I wish to ask consent of the Senate that the senior Senator from Oklahoma be excused from attendance on the Senate until the 10th day of May.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the senior Senator from Oklahoma is excused until the 10th day of May.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following communications and letters, which were referred as indicated:

SUPPLEMENTAL ESTIMATE, INTERIOR DEPARTMENT (S. DOC. NO. 41)

A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of the Interior, amounting to $485,000, fiscal year 1946, in the form of an amendment to the Budget for the fiscal year (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

DRAFTS OF PROPOSED PROVISIONS PERTAINING TO APPROPRIATIONS FOR THE DEPARTMENT OF THE INTERIOR (S. DOC. NO. 42)

A communication from the President of the United States transmitting drafts of proposed provisions pertaining to appropriations for the fiscal year 1946, for the Department of the Interior, in the form of amendments to the Budget for that fiscal year (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

CONTINUATION OF 3-CENT POSTAGE RATE ON NONLOCAL FIRST-CLASS MAIL

A letter from the Postmaster General, transmitting a draft of proposed legislation to continue the temporary increases in postal rates on first-class matter, and for other purposes (with an accompanying paper); to the Committee on Finance.

REPORT OF TARIFF COMMISSION CONCERNING CERTAIN PRODUCTS AND THE RATIO OF IMPORTS IN RELATION THERETO (S. DOC. NO. 38)

A letter from the Chairman of the United States Tariff Commission, transmitting, in response to Senate Resolution 341, Seventy-eighth Congress, agreed to December 8, 1944, calling on the United States Tariff Commission for information concerning certain products and the ratio of imports in relation thereto, material supplemental to that previously submitted (with accompanying papers); to the Committee on Finance and ordered to be printed under the previous order of the Senate.

PERSONNEL IN THE VETERANS' ADMINISTRATION

A letter from the Administrator of Veterans' Affairs, transmitting a draft of proposed legislation to facilitate employment of necessary personnel in the Veterans' Administration (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

REPORT OF SECURITIES AND EXCHANGE COMMISSION

A letter from the Chairman of the Securities and Exchange Commission, transmitting, pursuant to law, the tenth annual report of the Commission, fiscal year ended June 30, 1944 (with an accompanying report); to the Committee on Banking and Currency.

REPORT OF ADMINISTRATOR OF RENT CONTROL

A letter from the secretary of the Board of Commissioners, District of Columbia, transmitting, pursuant to law, the semiannual report of the Administrator of Rent Control, covering operations from July 1, to December 31, 1944 (with an accompanying report); to the Committee on the District of Columbia.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A resolution of the General Assembly of the State of New York; to the Committee on the Judiciary:

"Whereas the women of America have shared equally with men in the hardships and sacrifices incident to the building of this Nation; and

"Whereas they have shared equally in the pain and distress which have been involved in the maintenance of the American Republic and the ideals of free government against the aggression of tyrants and have participated, and are today participating, in the battles precipitated by the enemies of freedom; and

"Whereas this Nation was 'conceived in liberty and dedicated to the proposition that all men are created equal,' and such declaration has no actual or implied limitations on equality before the law by reason of sex; and

"Whereas the rights of women before the law are much abridged in many States, and this legal discrimination on the basis of sex, constitutes an intolerable burden upon thousands of women who are solely dependent upon their own efforts for their livelihood and is a source of irritation and annoyance to many thousands of others who recognize in this discrimination a flat contradiction of the American principle of equality, wholly out of accord with the status of American women which they have reached by their achievements in other fields of human endeavor: Now, therefore, be it

"*Resolved (if the senate concur)*, That the Congress of the United States be and it hereby is respectfully memorialized to adopt and submit to the several States the equal rights amendment to the Constitution of the United States, which amendment is now pending before the Congress; and be it further

"*Resolved (if the senate concur)*, That copies of this resolution be transmitted to the President of the United States, the Secretary of the United States Senate, the Clerk of the House of Representatives, and to each Member of Congress elected from the State of New York."

A resolution of the Senate of the State of Texas; ordered to lie on the table:

"Senate Resolution 61

"Whereas on the afternoon of the 12th day of April 1945, a war torn and war stricken world learned with tragic suddenness of the untimely death of Franklin Delano Roosevelt, President of the United States and Commander in Chief of the Armed Forces of this Nation; and

"Whereas this Nation and the world have lost one of its greatest leaders of all time, who had gained the respect and love of all liberty-loving people of the world by his forthright and successful championship of the cause of the weak against the strong; and

"Whereas the heads of freedom-loving men and women everywhere are bowed in grief and

sorrow over the loss of a leader who had unselfishly devoted his health and his life to their cause; and

"Whereas, as President of this great Democracyy, and with the immortal declaration, that: 'There is nothing to fear but fear itself,' and with a steady heart through defeat, opposition, and victory, he led this country through its most severe economic crisis and reestablished American faith in the future; and

"Whereas Franklin Delano Roosevelt has passed from his earthly labors, yet his memory will linger long; while his engaging and aggressive spirit will bless generations yet unborn, not only in his own country, but of all the peoples of all the lands of the earth; and

"Whereas great men are not accidents; but God takes the shuttle in His own creative hand, sends it through the loom of time, and in the warp and woof of mystery and fate is left a golden thread to the memory of the man destined to leave his mark on the age in which he lived. This leads us to the thought that God alone makes the great man; makes him great in the age in which he lives, and great in the generations which follow him. All history justifies and sustains this thought; and

"Whereas such a man was Franklin Delano Roosevelt. Panoplied in piety, truth, integrity, and courage, and moved by a love for his fellowman, he grew in stature as he grew in age until it could have been asked of him: In what place, in what region of the earth, was not found the fullness of his labors?'; and

"Whereas to undertake to catalog his achievements would be to limit them; to undertake to recall and recount his benefactions to man would be to weary us with a list so long and to leave many untold; and

"Whereas he not only gladdened the hearts of his own people, but renewed and stimulated the hope of the oppressed in other lands as they lifted their tear-stained faces to God and the stars and prayed that they might be free. History will properly evaluate Franklin Delano Roosevelt's name, for in his efforts and accomplishments in behalf of his fellowman he builded to himself in the hearts of men a monument more lasting than brass and more enduring than the chiseled pyramids of Egypt; and

"Whereas when the electrical impulses flashed the message of the death of Franklin Delano Roosevelt and sent it around the earth, there was felt the sigh of grief in the hearts of good men everywhere, while the tears of sorrow glishened on the cheeks of people in far off and strange lands; and

"Whereas we realize that we must yield to the inscrutable ways of Providence and bow to the will of Him who doeth all things well; and

"Whereas from the trials and exhausting work and study and the conferences at Washington and on the North Atlantic and at Casablanca, and Quebec, and Teheran, and Yalta, came the frame work of an international organization which represents the hopes and yearnings of all men for peaceful and sensible international relations thruoghout the world in goernmental, economic, and social affairs. Not only our people but the officials of all Allied Nations were leaning heavily upon his storehouse of information and experience, and his sense of fair play, to bring to a successful culmination this greatest life work; and because of these facts his sudden death at this time is tragic and inopportune; and

"Whereas the Honorable Myron G. Blalock, for many years Democratic national committeeman for the State of Texas, is present in the capital building, and is prepared to deliver at this time an address in memory of our departed and beloved President, Franklin Delano Roosevelt: Now, therefore, be it

"*Resolved by the Senate of Texas*, That in the death of Franklin Delano Roosevelt this Nation has lost a great President; its people a kind, vigilant, diligent and fearless friend, while the whole world has lost a great champion of human liberty; and be it further

"*Resolved*, That we, the members of the Senate of Texas, do hereby express our deepest sympathy to the members of his family; and that when the senate adjourns today, it do so out of respect to the memory of our great leader, Franklin Delano Roosevelt, deceased President of the United States; and be it further

"*Resolved*, That the Honorable Myron G. Blalock be invited to deliver a memorial address to the senate in honor of our great leader, Franklin Delano Roosevelt; and at the conclusion of the address, our chaplain, the Reverend J. E. Chester, be asked to offer a special prayer; and be it further

"*Resolved*, That the secretary of the senate be instructed to forward copies of this resolution to Mrs. Franklin Delano Roosevelt, the widow of our deceased President; to the President pro tempore of the United States Senate; and to the Speaker of the House of Representatives."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Post Offices and Post Roads:

"Whereas all Federal employees within the Territory of Hawaii, excepting employees of the Postal Service, have enjoyed a 25-percent differential in salary; and

"Whereas under the present law postal employees, together with employees of the Customs Service, are not specifically included within the benefits of the 25-percent differential; and

"Whereas there is provided a procedure under Public Law No. 880, Seventy-sixth Congress, chapter 919, third session, H. R. 960, approved November 26, 1940, title 2, section 3 (c), whereby a differential in salary rates may be established by the President of the United States upon report and recommendation by the Civil Service Commission; and

"Whereas following this procedure employees of the Customs Service in the Territory of Hawaii have been granted the 25-percent differential; and

"Whereas in granting said 25-percent differential to all Federal employees, including employees of the Customs Service, the Federal Government has recognized that living costs in the Territory of Hawaii are considerably higher than in the mainland United States, as food prices in Honolulu are 28 percent higher than in comparable mainland cities, according to the bureau of research and statistics of the Territorial department of labor, and rents have doubled in many cases: Now, therefore, be it

"*Resolved by the House of Representatives of the Territory of Hawaii (the Senate concurring)*, That the Civil Service Commission, the Postmaster General, the Comptroller General, and the President of the United States be, and they are, earnestly requested to use their good offices to extend to the Postal Service employees within the Territory of Hawaii the 25-percent differential now enjoyed by all Federal employees within the Territory of Hawaii; and be it further

"*Resolved*, That said differential be made retroactive to the same date the 25-percent differential was granted to the employees of the Customs Service within the Territory of Hawaii; and be it further

"*Resolved*, That should the procedure to establish the differential be not applicable to Federal postal employees within the Territory of Hawaii, then it is urgently requested that appropriate legislation be enacted to care for said differential; and be it further

"*Resolved*, That copies of this resolution be sent to the President of the United States, the two Houses of the United States Congress, the Postmaster General, the Comptroller General, the Civil Service Commission, in Washington, D. C., and the Delegate to Congress from Hawaii."

By Mr. WALSH:

A resolution adopted by the Council of the United Lithuanian Organizations, of Norwood, Mass., favoring inviting a duly accredited representative of Lithuania to the International Security Conference at San Francisco; to the Committee on Foreign Relations.

By Mr. HOEY:

A resolution adopted by the Citizens Council of the United Nations, of Raleigh and Wake County, N. C., expressing confidence in the American delegation at the Conference of the United Nations at San Francisco; to the Committee on Foreign Relations.

By Mr. HOEY (for himself and Mr. BAILEY):

A petition of sundry citizens of Winston-Salem, N. C., praying for the enactment of legislation to repeal the $5 use tax on automobiles; to the Committee on Finance.

By Mr. JOHNSTON of South Carolina:

A concurrent resolution of the Legislature of the State of South Carolina; to the Committee on Interstate Commerce:

"Concurrent resolution to request that special order 300, revised, and special order 303 of the Interstate Commerce Commission relating to icing of carloads of potatoes and cabbage be rescinded or amended, and that standard refrigeration be authorized and permitted

"Whereas the general assembly is informed by growers of potatoes and cabbage in this State that in and by special order 300, revised, of the Interstate Commerce Commission, the icing of freight cars loaded with potatoes is forbidden, and that in and by special order 303 of said Commission, the icing of freight cars loaded with cabbage is restricted to one icing, either bunker or top icing, at the point of origin, and that, because of such restrictions, it is made impossible for growers of these crops in this State to ship the same to market or to accept orders for said products for delivery at any distance to the procurement centers of the armed forces because the same would spoil in transit; and

"Whereas in order to allow such growers in this State to market their crops without serious or total loss, and to accept orders from the armed forces for delivery at any distance, it is necessary that the railroads be permitted to furnish standard refrigeration: Therefore be it

"*Resolved by the house of representatives (the senate concurring)*, That the Interstate Commerce Commission is hereby requested to investigate forthwith the effect of special order 300, revised, and special order 303 upon the potato and cabbage growers of South Carolina, and to revise or amend the same so as to require and to permit standard refrigeration of shipments of such crops by railroads; be it further

"*Resolved*, That the clerk of the house do forthwith transmit copy of this resolution to the Interstate Commerce Commission, Washington, D. C., and to the United States Senators and Representatives in the Congress of the United States from South Carolina."

RESOLUTIONS OF SECOND KANSAS DISTRICT AMERICAN LEGION—PRESERVATION OF WORLD PEACE

Mr. CAPPER. Mr. President, I ask unanimous consent to present for printing in the RECORD and appropriate reference, resolutions adopted at the annual convention of the American Legion of the Second Congressional District, held at Iola, Kans., April 8, 1945, together with letter of transmittal.

There being no objection, the resolutions, together with letter of transmittal, were received, referred to the Commttee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

KANSAS DEPARTMENT,
THE AMERICAN LEGION,
Blue Mound, Kans., April 22, 1945.

Hon. ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPPER: I am enclosing a copy of the resolution adopted at Iola, Kans., April 8, 1945, by the Second Kansas District of the American Legion.

Thanking you for your stand on veterans' affairs, I remain,

Sincerely,

ROLA L. ROSS,
Commander, Second District.

REPORT OF RESOLUTIONS COMMITTEE

The resolutions committee composed of Virgil D. Wood, Glen A. Hayward, and Charles H. Rush report as follows:

Be it resolved by the Second Kansas District, the American Legion, in convention assembled at Iola, Kans., this 8th day of April 1945:

I

As the first attainment and primary objective of every loyal American is for the speedy and expeditious termination of the war, together with unconditional surrender of our enemies, we pledge our energies and resources toward this end.

II

Defeat of Germany and Japan will no more secure the peace than did defeat of the Kaiser 25 years ago unless we are willing to pay the price of a sound and continuing peace set in a framework of world order in which other races, other systems of government, and other philosophies of life must have their part. In order to attain this purpose, we believe our interests can be best served by the establishment and maintenance of an association of free and sovereign nations, implemented by whatever force may be necessary to preserve world peace.

III

We believe that the security and peace of this Nation, after victory, depends upon the maintenance of a strong Army, Navy, and Air Force, with an adequate reserve force.

IV

We again endorse the principle of universal military training and urge the Congress to enact suitable legislation in furtherance of same.

V

We again demand that the Nazi, Fascist, and Japanese leaders responsible for this terrible war be brought to justice and punished for their terrible deeds, just as would be any other criminal.

VI

We heartily welcome into the American Legion the returning veterans and suggest that they be given places of responsibility and leadership in the local posts.

We pledge to them our sincere cooperation in helping them to become adjusted to civilian life and in securing for them all their rights as veterans.

VII

We well realize that this country has become and remained great due to our system of free enterprise and the rights of the individual under law. We must remain a government of laws and not of men. We therefore reaffirm our faith in the American system of government and the American way of life.

VIII

We again urge upon the people of the United States that strikes be reduced to a minimum in order that our war efforts be not impeded in any way whatsoever.

IX

Resolved, That all aliens now residing in or hereinafter entering the United States be required to take out citizenship papers in a period of years subsequently to be determined by the Congress and on failure so to do to be deported.

X

Whereas it is the firm believe and conviction of the Second District American Legion, Department of Kansas, that the Communist Party and similar groups believe in and teach principles contrary to the Constitution of the United States and in the preamble to the constitution of the American Legion; and

Whereas the Second District American Legion, Department of Kansas, is further convinced that only those who can without reservation take an oath of allegiance to the Constitution of the United States should be commissioned officers in the armed forces of the United States; and

Whereas the Second District American Legion, Department of Kansas, is further convinced that those who believe in the principles of the Communist Party and similar groups cannot without reservation take an cath of allegiance to the Constitution of the United States: Now, therefore, be it

Resolved by the Second District American Legion, Department of Kansas, That it is contrary to our democratic form of government that those who are known to belong to the Communist Party or similar groups be commissioned as officers in the armed forces of the United States of America; be it further

Resolved, That the American Legion, Department of Kansas, be earnestly urged to adopt a similar resolution to be sent to the national convention at its 1945 convention, containing a request to the proper authorities prohibiting the commissioning of those known to be members of the Communist Party or similar groups as commissioned officers in the armed forces of the United States of America; be it further

Resolved, That a copy of this resolution be sent to Senator ARTHUR CAPPER, Senator CLYDE M. REED, and Representative ERRETT P. SCRIVNER.

XI

We have had a very successful Legion year, having achieved the highest membership in its history. We believe this due in large part to the efforts of our unexcelled leaders: Lee Kemper, department commander; Click Cowger, department adjutant; Rolla Ross, district commander; John Justice, junior district commander; and many other distinguished Legionnaires, who have rendered unselfish service to their community, State, and Nation, and to our organization.

We are most appreciative of the excellent leadership that Mrs. Ruby Vossloh, department president of the auxiliary has given our State.

We have enjoyed this district convention. We are appreciative of the hospitality of the people of Iola. We acknowledge the fine efforts of those who have appeared on our program.

We, therefore, extend our thanks to the pepole of Iola, our comrades in Leslie J. Campbell Post of the American Legion and its auxiliary and all others who have contributed to our enjoyment, pleasure, and entertainment.

In conclusion we wish to extend to Earl Hunter, our past district commander, our best wishes and hopes for a speedy recovery.

Respectfully submitted.

VIRGIL D. WOOD.
GLEN A. HAYWARD.
CHARLES H. RUSH.

LIQUOR ADVERTISING BY RADIO

Mr. CAPPER. Mr. President, I received an interesting letter from Ken Randolph, manager of KDON radio station at Monterey, Calif., expressing his opposition to liquor advertising on the radio. I ask unanimous consent to present the letter for appropriate reference and printing in the RECORD.

There being no objection, the letter was received, referred to the Committee on Interstate Commerce, and ordered to be printed in the RECORD, as follows:

KDON, THE MONTEREY BAY STATION,
Monterey, Calif., April 25, 1945.

Hon. ARTHUR CAPPER,
United States Senate,
Washington, D. C.

DEAR SENATOR CAPPER: Relative to your proposed bill prohibiting the transportation in interstate commerce of alcoholic beverage advertisements, we thought you might be interested in the policy recently adopted by this station, which reads as follows:

"No advertising of liquor, beer, or wine will be accepted. This also applies to establishments or portions of establishments engaged in the sale of liquor, beer, or wine. Current contracts will not be renewed at expiration."

We are in complete agreement with you in this matter.

Cordially yours,

KEN RANDOLPH,
Commercial Manager.

RESOLUTIONS OF SECOND KANSAS DISTRICT AMERICAN LEGION

Mr. REED. Mr. President, I am in receipt of resolutions adopted by the American Legion of the Second Kansas District in convention assembled at Iola, Kans., on April 8, 1945. The resolutions relate to the establishment and maintenance of an association of free and sovereign nations to preserve world peace and a number of other important matters which I feel are worthy of careful consideration. I therefore ask unanimous consent to present them for appropriate reference and that they be printed in the RECORD.

There being no objection, the resolutions were received, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

REPORT OF RESOLUTIONS COMMITTEE

The resolutions committee composed of Virgil D. Wood, Glen A. Hayward and Chas. H. Rush report as follows:

Be it resolved by the Second Kansas District, the American Legion, in convention assembled at Iola, Kans., this 8th day of April 1945:

I

As the first attainment and primary objective of every loyal American is for the speedy and expeditious termination of the war, together with unconditional surrender of our enemies, we pledge our energies and resources toward this end.

II

Defeat of Germany and Japan will no more secure the peace than did defeat of the Kaiser 25 years ago, unless we are willing to pay the price of a sound and continuing peace set in a framework of world order in which other races, other systems of government, and other philosophies of life must have their part. In order to attain this purpose, we believe our interests can be best served by the establishment and maintenance of an association of free and sovereign nations, implemented by whatever force may be necessary to preserve world peace.

III

We believe that the security and peace of this Nation after victory, depends upon the

maintenance of a strong Army, Navy and Air Force, with an adequate reserve force.

IV

We again endorse the principle of universal military training and urge the Congress to enact suitable legislation in furtherance of same.

V

We again demand that the Nazi, Fascist, and Japanese leaders responsible for this terrible war be brought to justice and punished for their terrible deeds, just as would be any other criminal.

VI

We heartily welcome into the American Legion the returning veterans and suggest that they be given places of responsibility and leadership in the local posts.

We pledge to them our sincere cooperation in helping them to become adjusted to civilian life and in securing for them all their rights as veterans.

VII

We well realize that this country has become and remained great due to our system of free enterprise and the rights of the individual under law. We must remain a government of laws and not of men. We therefore reaffirm our faith in the American system of government and the American way of life.

VIII

We again urge upon the people of the United States that strikes be reduced to a minimum in order that our war efforts be not impeded in any way whatsoever.

IX

Resolved, That all aliens now residing in or hereinafter entering the United States be required to take out citizenship papers in a period of years subsequently to be determined by the Congress and on failure so to do to be deported.

X

Whereas it is the firm belief and conviction of the Second District American Legion, Department of Kansas, that the Communist Party and similar groups believe in and teach principles contrary to the Constitution of the United States and in the preamble to the constitution of the American Legion; and

Whereas the Second District American Legion, Department of Kansas, is further convinced that only those who can without reservation take an oath of allegiance to the Constitution of the United States should be commissioned officers in the armed forces of the United States; and

Whereas the Second District American Legion, Department of Kansas is further convinced that those who believe in the principles of the Communist Party and similar groups cannot without reservation take an oath of allegiance to the Constitution of the United States: Now, therefore, be it

Resolved by the Second District American Legion, Department of Kansas, That it is contrary to our democratic form of government that those who are known to belong to the Communist Party or similar groups be commissioned as officers in the armed forces of the United States of America; be it further

Resolved, That the American Legion, Department of Kansas, be earnestly urged to adopt a similar resolution to be sent to the national convention at its 1945 convention, containing a request to the proper authorities prohibiting the commissioning of those known to be members of the Communist Party or similar groups as commissioned officers in the armed forces of the United States of America; be it further.

Resolved, That a copy of this resolution be sent to Senator ARTHUR CAPPER, Senator CLYDE M. REED, and Representative ERRETT P. SCRIVNER.

FEDERAL AID FOR PUBLIC AIRPORTS—REPORT FROM COMMERCE COMMITTEE

Mr. McCARRAN. Mr. President, for many months the Committee on Commerce of the Senate has been making a detailed study of a program for the building of airports throughout the United States. That study has resulted in the Committee on Commerce adopting Senate bill No. 2, which I am authorized to report today. The plan of Senate bill No. 2 will afford to the United States and to America in immediate post-war times a great program and a wide avenue for employment and will furnish to the United States a system of landing areas and airports which will place it ahead of any other country in the world in commercial aviation. The bill approved by the Committee on Commerce, which I am about to report from that committee, goes into detail as to how the program is to be carried out, and gives the States and their respective municipalities a highly important part to play in its execution and development.

From the Committee on Commerce I ask unanimous consent to report back favorably with an amendment from the Committee on Commerce the bill (S. 2) to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes, and I submit a report (No. 224) thereon.

The PRESIDENT pro tempore. Without objection, the report will be received and the bill placed on the calendar.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. HILL. As I understand, the Senator is anxious to have this bill taken up as soon as possible. If it is agreeable to the Senator, let me say that it is the purpose to recess today over until Thursday, and then when we meet on Thursday we could make this bill the business before the Senate and proceed with its consideration.

Mr. McCARRAN. I am very anxious to have the bill considered and disposed of before Friday evening, because I am called upon to leave on official business Friday evening, and, if it be satisfactory, I should like to ask that the bill be made the unfinished business so that the Senate may know that it will be brought up Thursday on the convening of the Senate.

The PRESIDENT pro tempore. Does the Senator from Nevada make that request?

Mr. McCARRAN. I make that request.

The PRESIDING OFFICER. Is there objection?

Mr. WHITE. Mr. President, will the Senator from Alabama yield to me?

Mr. HILL. I yield.

Mr. WHITE. Am I to understand that the acting majority leader has given notice that the bill reported by the Senator from Nevada will be taken up for consideration on Thursday?

Mr. HILL. Exactly. We are giving notice that the bill will be taken up for consideration on Thursday; in fact, the distinguished Senator from Nevada, as I understand, propounded a unanimous consent request, to wit that the bill be made the pending business for consideration on that day.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada? The Chair hears none, and it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. FERGUSON:

S. 937. A bill to amend the act suspending until June 30, 1945, the running of the statute of limitations applicable to violations of the antitrust laws, so as to continue such suspension until June 30, 1946; to the Committee on the Judiciary.

(Mr. OVERTON introduced Senate bill 938, which was referred to the Committee on Commerce, and appears under a separate heading.)

By Mr. JOHNSON of Colorado:

S. 939. A bill to extend the provisions of the act of November 29, 1940 (Public Law 884, 76th Cong., 54 Stat. 1219), relating to promotion of Medical, Dental, and Veterinary Corps officers; to the Committee on Military Affairs.

EMERGENCY FLOOD RELIEF

Mr. OVERTON. Mr. President, there have occurred in the last few weeks very severe floods on different rivers and in different valleys in the United States. Such floods have occurred on the Red River in my own State, where an unprecedented flood stage was reached. They also occurred on the Sabine River and the Neches and Trinity Rivers in Texas, on the White and Arkansas and Missouri Rivers, and, to some extent, on the Ohio and its tributaries.

When we were met by a similar situation in 1944 bills were introduced to provide for immediate flood relief and also to provide for priorities to be given to farmers for agricultural machinery and implements and necessary parts to repair them, and an appropriation was made, to be handled by the Secretary of Agriculture, in making loans and grants to farmers who had suffered from the flood disasters.

I am introducing a bill along exactly the same line. The prior legislation was referred to the Committee on Commerce, and I suggest that this bill be referred to the Committee on Commerce. I ask unanimous consent to introduce the bill for appropriate reference.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

The bill (S. 938) to provide for emergency flood-control work made necessary by recent floods, and for other purposes, introduced by Mr. OVERTON, was read twice by its title and referred to the Committee on Commerce.

HOUSE BILL REFERRED

The bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

INTERNATIONAL OFFICE OF EDUCATION

Mr. FULBRIGHT (for himself and Mr. TAFT) submitted a resolution (S. Res.

122), which was referred to the Committee on Education and Labor:

Whereas the future peace and security of the American and of all other peoples rest upon the achievement of mutual understanding among the peoples of the world: Now, therefore, be it

Resolved, That the Senate of the United States urges the participation by the Government of the United States in the organization by the nations of the world of an International Office of Education, for the purpose of advising together and considering problems of international educational and cultural relations throughout the world, and more particularly for the purpose of organizing a permanent international agency to promote educational and cultural relations, the exchange of students and scholars, and the encouragement within each country of friendly relations among nations, peoples, and cultural groups; provided that such agency shall not interfere with educational systems or programs within the several nations, or their administration.

THE G. I. BILL OF RIGHTS—ADDRESS BY BRIG. GEN. FRANK T. HINES

[Mr. WILEY asked and obtained leave to have printed in the RECORD an address on the subject The G. I. Bill of Rights and Its Effect on Office Management, delivered by Brig. Gen. Frank T. Hines, Administrator of Veterans' Affairs, before the Washington chapter, National Office Management Association, at the Hotel Statler, Washington, D. C., on April 26, 1945, and a related tabulation, which appear in the Appendix.]

THE PROBLEM OF RELIEF FOR POST-WAR EUROPE

[Mr. AUSTIN asked and obtained leave to have printed in the RECORD an editorial entitled "The Hard Days of Peace," from the New York Times of April 28, 1945, and a news item under the heading "U. N. R. R. A. got 1 percent of food United States pledged," from the New York Post of April 26, 1945, which appear in the Appendix.]

DISPOSAL OF SURPLUS WAR MATERIAL

Mr. ROBERTSON. Mr. President, on Thursday, April 26, on the floor of the Senate, a debate occurred on the disposal of surplus war material. I have received a letter from the Honorable Guy M. Gillette, Chairman of the Surplus Property Board, calling my attention to the remarks I made, particularly in reference to that part of my statement, as follows:

I wrote to Mr. Gillette and suggested to him that one-third of this equipment should be left at the camp and disposed of by sale there. I did not receive a reply to that letter. In the meantime notices had been sent to the local newspapers that there would be an auction of some of the equipment in that area on the 28th of April—that is, next Saturday—and that today purchasers would be permitted to view the various pieces of equipment. * * *

I wish to let the Senate know of the condition which exists. So far as I recall, that action was taken by the Surplus Property Board and by no one else.

Mr. President, I wish to correct that statement, as I found on returning to my office that I did receive a reply in a letter written by Senator Gillette on April 13. It is possible that the purpose of my remarks was misconstrued, and I would like to review briefly for the benefit of the record what transpired between Mr. Gillette and myself.

At the time, Mr. President, I was in northern Wyoming. In the last week of March, I telegraphed Mr. Gillette from Cody, Wyo., relative to the surplus farm machinery at the Japanese W. R. A. camp at Heart Mountain in northern Wyoming. I read that telegram:

The Heart Mountain Japanese W. R. A. camp, 12 miles east of Cody, is being discontinued. All farming operations have ceased, and in consequence there is a number of small tractors and trucks and other farm equipment to be disposed of. This camp is located on the 250,000-acre Shoshone irrigation project and in addition is adjacent to extensive farming and stock-raising areas. The farming equipment is badly needed in this locality and could be readily disposed of at good prices at auction sales at the camp, eliminating necessity of any transportation. Farm machinery and equipment throughout this area much depleted. Would appreciate your helpful consideration.

I received a telegram from Chairman Gillette, as follows:

Re your wire, Heart Mountain camp. While recognizing need for surplus farm machinery in immediate vicinity of surplus declaration, it was essential to consider the mandate for wide distribution of these limited supplies. Farmers in other States would resent allocation to one community.

During the following days, I learned that this equipment was slated to be shipped to Kearney, Nebr., which would eliminate it from all possibility of being sold for the benefit of farmers in northern Wyoming. So on April 9, I sent Chairman Gillette the following telegram:

The decision to ship all tractors, trucks, and farm equipment from Heart Mountain W. R. A. camp to Nebraska has caused keen disappointment over this whole area. This action automatically eliminates northern Wyoming from purchasing any of this equipment. Is it not possible to auction, say, 33 percent of property here and then ship the balance to Nebraska? I believe such action would help equalize distribution and save considerable transportation. Will appreciate your consideration.

The day after I sent this telegram, April 10, I was advised by the editor of the local newspaper that there had been received at the newspaper office a release from the Surplus Property Board stating that a considerable part of this equipment would be sold at the Japanese camp on April 28. That was last Saturday, and that was the sale to which I referred in my remarks. This release from the War Surplus Property Board was published in the Cody Enterprise, the weekly newspaper of Cody, Wyo., on the 11th of April. On April 21 I received a letter from Chairman Gillette, dated April 13, which makes no reference to the sale of this machinery or the notice of the sale, but confirms his telegram that I have already read to the Senate, advising that the local sale could not be made and finishing up—and I quote the last paragraph of the letter:

All of these factors enter into the decisions made by the Board, and I assure you that we were convinced against our will, because we were anxious to give the individual a chance to buy, and particularly those near the place of declaration.

I want to emphasize, Mr. President, that I am satisfied that a wise step was taken in selling this farm equipment on the spot; and in mentioning this on the floor of the Senate on Thursday last, it was in the hope that I could do justice to the Surplus Property Board and convey to Senators that an effort was being made to sell this equipment where it was located and where it was urgently needed, rather than to ship it to some center where it could be of no benefit to the people of my State. I believe it was a wise decision of the Surplus Property Board; I commend them for it, and I hope and trust it will be followed by many similiar decisions. My thought is praise for the Board and not criticism.

JOINT ACTION BY UNITED NATIONS IN WAR WITH JAPAN

Mr. CAPEHART. Mr. President, last Saturday night my wife and I sat in our apartment listening to the radio broadcasting the wonderful news (which later proved to be a rumor) that Germany had surrendered unconditionally.

Like millions of other fathers and mothers of boys and girls in the service, we listened with a prayer of thankfulness in our hearts that our son now in Germany was safe and that one dreadful phase of the was was over.

Then my wife remarked: "I wonder if Tom will be able to come home before he is sent to fight against Japan?"

This remark set me to thinking. Since victory in Europe is only a matter of days, or perchance hours, what about the war with Japan?

How much longer must our boys be called upon to give their lives, and just how much help are we going to receive, in bringing this one remaining aggressor nation to total submission?

Right now in San Francisco the 46 United Nations are in the process of forming plans to prevent future wars and to agree to join together in suppressing any aggressor nation.

The eyes of the world are now turned to this Conference.

With hope in their hearts, with prayers on their lips, and with faith in the integrity and courage of their leaders, all peace-loving peoples are looking forward to victory and everlasting peace.

The thought occurred to me: What a wonderful thing it would be if these 46 nations would now issue an ultimatum to Japan that unless they agreed to surrender unconditionally within a certain period of time, all 46 nations would agree to declare war on Japan and each help in some measure in furnishing men and materials.

Can you think, Mr. President, of anything that would help the morale of our soldiers and of all the peace-loving peoples of the world more than to have such a pledge from all the nations attending the Conference?

America will never falter in its course of duty; our production will not lag, and the bravery of our soldiers will not diminish. But the United States and a few other nations should no longer be expected to carry the full burden against Japan.

If all are equally sincere in their hate of tyranny and equally passionate in their love of freedom, let them demonstrate it now.

Upon the willingness of the peoples represented at San Francisco to fight side by side in the battle line and share equally in the sacrifice, rests the ultimate decision as to whether or not we and our

posterity are to live in a world of peace, freedom, and security.

No nation will ever again challenge the basic concepts of a free society if it is once taught that it must fight alone against a world that is at least united and unafraid.

May the strength and counsel of Almighty God bear heavily on the minds of those who must and shall decide.

AGRICULTURAL APPROPRIATIONS—CONFERENCE REPORT

Mr. RUSSELL. Mr. President, I submit the conference report on the agricultural appropriations bill, and ask unanimous consent for its immediate consideration.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 9, 10, 15, 18, 27, 28, 30, 34, 44, 45, 46, and 53.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 8, 16, 17, 20, 25, 29, 31, 32, 33, 35, 36, 37, 38, 39, 40, 41, 43, 47, and 48 and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,730,000"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$906,990"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$1,888,569"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,663,708"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$27,500"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$42,500"; and the Senate agree to the same.

Amendment numbered 14. That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$7,206,208"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$445,500"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$2,298,300"; and the Senate agree to the same

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$16,649,100"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "and no loan, excepting those to eligible veterans, shall be made in an amount greater than fifteen per centum above the census value of the average farm unit of thirty acres and more in the country, parish, or locality where the purchase is made, as determined by the 1940 farm census"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$3,200,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$80,000,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 22, 24, 26, 42, and 50.

RICHARD B. RUSSELL,
CARL HAYDEN,
M. E. TYDINGS,
J. H. BANKHEAD,
ELMER THOMAS,
CHAN GURNEY,
CLYDE M. REED,
ARTHUR CAPPER,
Managers on the part of the Senate.

M. C. TARVER,
CLARENCE CANNON,
HARRY R. SHEPPARD,
JAMIE L. WHITTEN,
CHARLES A. PLUMLEY,
H. CARL ANDERSEN (except as to Amendment 33),
WALT HORAN,
Managers on the part of the House.

The PRESIDENT pro tempore. Is there objection to the present consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

Mr. RUSSELL. I move the adoption of the conference report.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to.

Mr. RUSSELL. In connection with the report there is one matter which I desire to mention briefly. In years past there has been some difficulty in handling the funds made available to the Farm Security Administration for tenant purchase loans. That was due to restrictive language which was included in the House bill. It limited the amount of the loan on any one piece of land to the average value of farms in excess of 30 acres in the county, parish, or community where the loan was made. The same language appears in the conference report, with the exception that a leeway of 15 percent in the census values is allowed for the loans which are to be made next year. That should in some degree ease the situation which has heretofore confronted the Farm Security Administration in making loans to tenants to enable them to become landowners.

Mr. REED. Mr. President, before the Senator takes the floor will he yield to me?

Mr. RUSSELL. I yield.

Mr. REED. The Senator from Georgia could very well have given a short history of the agricultural appropriation bill. The Senate amended the bill in 52 respects. The conferees agreed upon 50 of those amendments, leaving only two in controversy between the House and the Senate conferees. The House conferees refused to agree to those two amendments and asked to go back to the House for a vote on them. They went back to the House for a vote and the House by a substantial majority affirmed and accepted the Senate amendments, which makes it so easy today to dispose of the conference report submitted by the distinguished Senator from Georgia, instead of taking a day or two or three on it, as heretofore.

Mr. RUSSELL. Mr. President, the Senator from Kansas is one of the most valued members of our committee. He has correctly stated the action of the conferees, except that he overlooks the fact that there was in disagreement some language with respect to the Case-Wheeler Act, and the House refused to accept the language approved by the Senate. I am therefore placed in the position of moving to recede from that amendment. With that exception, the bill took the course as indicated by the distinguished Senator from Kansas.

Mr. REED. I hope the Senate will recede, and no doubt it will. If we could have had an agreement in the conference on everything except that language, we would have receded in conference.

Mr. RUSSELL. I thank the Senator from Kansas.

I ask that the Chair lay before the Senate the action of the House of Representatives on certain amendments in disagreement.

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 2689, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,

April 25, 1945.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 3, 24, 26, and 42 to the bill (H. R. 2689) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, and concur therein;

That the House recede from its disagreement to the amendment of the Senate No. 22 to said bill and concur therein with an

amendment as follows: In lieu of the sum inserted by said amendment insert "$842,861"; and

That the House insist upon its disagreement to the amendment of the Senate No. 50 to said bill.

Mr. RUSSELL. Mr. President, I move that the Senate concur in the amendment of the House to the amendment of the Senate numbered 22.

The motion was agreed to.

Mr. RUSSELL. Mr. President, I move that the Senate recede from its amendment No. 50.

The motion was agreed to.

Mr. RUSSELL. Mr. President, that completes legislative action on the bill.

The PRESIDENT pro tempore. Yes; it is a final disposition of the bill.

ANNOUNCEMENT OF SHOWING IN CAUCUS ROOM OF MOTION PICTURES OF GERMAN ATROCITIES

Mr. HILL. Mr. President, I beg to announce to the Senate that the Pathe News will give two preview showings in the caucus room of the Senate Office Building of the pictures of German atrocities. The first showing will be at 3 o'clock p. m. today and the second showing will be at 3:30 p. m. today. All Members of the Senate and the staff of the Senate and of Senate Members are invited to one or both showings.

THE PRINCIPLES AND A PATTERN FOR THE PEACE—ARTICLE BY HON. ROBERT G. SIMMONS

Mr. BUTLER. Mr. President, I wish to call to the attention of the Senate an article "The Principles and a Pattern for the Peace," written by the Honorable Robert G. Simmons, Chief Justice of the Supreme Court of Nebraska, which was included in the Appendix of the CONGRESSIONAL RECORD at page A1950.

Chief Justice Simmons was formerly for five terms a Member of Congress, ably representing the Sixth District of Nebraska in the House of Representatives. His article is particularly timely in view of the conference now meeting at San Francisco, and is a grand approach to a difficult problem. It is a masterpiece of simplicity and clarity. The path to an enduring peace which he charts not only appears easier, but convinces the reader that the ultimate hoped-for goal is certainly not too difficult of attainment.

Chief Justice Simmons sets forth self-evident truths which cannot too often be recalled to the mind of man.

Note this admonition:

Men have * * * rights.

And this historical approach:

They realized that something had to be done to assure peace, liberty, the well-being of all.

And this clinching argument:

Our perplexities are no more difficult to us now than theirs were to them then.

And this pattern:

Should we not, can we not, now go to those same basic principles of the rights of men and of governments and, on our constitutional pattern, build the organization that will give the world the blessings that our system has given to us?

And this warning:

Any peace that is to be permanent and any organization that is to be acceptable must be founded on moral and spiritual principles that are understood by and acceptable to the peoples of the world.

And this plea:

It is to be remembered that, while officials of government may propose, the effective result will depend upon the final willingness of the peoples affected to make the sustained sacrifices and give the support that will insure vitality and power to such an organization.

And this concluding advice:

I submit it is worthy of a trial.

The foregoing quotations from the article by Chief Justice Simmons could well guide the delegates now meeting in San Francisco and the article written by him could well chart the course of world action.

EXECUTIVE SESSION

Mr. HILL. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

NOMINATIONS OF MIDSHIPMEN REPORTED AND CONFIRMED

Mr. WALSH. Mr. President, the Senate has just received from the President the nominations of 1,032 midshipmen. Nine hundred and seventy are nominated to be ensigns in the Navy, 27 to be ensigns in the Supply Corps, and 35 to be second lieutenants in the Marine Corps. This is the annual message received in regard to nominations of midshipmen.

If the regular course were pursued, it would cost the Goverment $325 to have the names printed now and later when the nominations are confirmed. The names would cover five pages of the CONGRESSIONAL RECORD, and also extend materially the Executive Calendar.

Mr. President, in view of this situation, I ask unanimous consent that the Committee on Naval Affairs be permitted to make a favorable report on the nominations, and that the nominations of these 1,032 midshipmen, now at the Naval Academy, who are recommended for promotion, be confirmed.

The PRESIDENT pro tempore. Is there objection?

Mr. WHITE. Mr. President, am I correct in assuming that the Senator's request applies only to the midshipmen who are graduating?

Mr. WALSH. Solely and alone to them.

Mr. WHITE. No officers are included?

Mr. WALSH. No officers.

Mr. WHITE. Ordinarily I dislike to see the rules of the Senate suspended and the procedure prescribed by the rules disregarded, but I think there are perhaps reasons of an emergent nature why action on these nominations should be promptly taken, and I offer no objection. I hope the request will be granted.

Mr. WALSH. I thank the Senator.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Massachusetts? The Chair hears none; the report will be received, and the nominations are confirmed en bloc.

If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. HILL. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations of postmasters are confirmed en bloc.

THE NAVY

The legislative clerk proceeded to read sundry nominations in the Navy.

Mr. HILL. I ask that the nominations in the Navy be confirmed en bloc.

The PRESIDENT pro tempore. Without objection, the nominations in the Navy are confirmed en bloc.

That completes the calendar.

Mr. HILL. I ask that the President be immediately notified of all nominations confirmed this day.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

RECESS TO THURSDAY

Mr. HILL. As in legislative session, I move that the Senate take a recess until 12 o'clock noon on Thursday next.

The motion was agreed to; and (at 12 o'clock and 33 minutes p. m.) the Senate took a recess until Thursday, May 3, 1945, at 12 meridian.

NOMINATIONS

Executive nominations received by the Senate April 30 (legislative day of April 16), 1945:

PROMOTIONS IN THE REGULAR ARMY OF THE UNITED STATES

To be first lieutenants with rank from May 29, 1945

Second Lt. James Hart Hottenroth, Corps of Engineers (temporary major).

Second Lt. James Henry Hayes, Infantry (temporary major), subject to examination required by law.

Secon Lt. Henry Preston Halsell, Corps of Engineers (temporary captain), subject to examination required by law.

Second Lt. Elliott Carr Cutler, Jr., Infantry (temporary captain).

Second Lt. Sam Ellsworth Cumpston, Coast Artillery Corps (temporary major).

Second Lt. George Edward Hesselbacher, Jr., Corps of Engineers (temporary captain).

Second Lt. Robert Paul Young, Corps of Engineers (temporary major).

Second Lt. James Bryan Newman 3d, Corps of Engineers (temporary captain).

Second Lt. John Reiley Finney, Infantry (temporary captain), subject to examination required by law.

Second Lt. Richard Malcolm Horridge, Air Corps (temporary captain).

Second Lt. Irving Rock Obenchain, Jr., Signal Corps (temporary major).
Second Lt. John Earle Kennedy, Jr., Corps of Engineers (temporary captain).
Second Lt. William Harold Morgan, Corps of Engineers (temporary captain).
Second Lt. Lawrence Willard Vogel, Corps of Engineers (temporary major).
Second Lt. George Chambers Hozier, Air Corps (temporary major), subject to examination required by law.
Second Lt. John Winthrop Barnes, Corps of Engineers (temporary captain).
Second Lt. William Ward Watkin, Jr., Corps of Engineers (temporary major).
Second Lt. Leon Joseph Hamerly, Corps of Engineers (temporary captain).
Second Lt. Edward Ambrose Martell, Corps of Engineers (temporary major), subject to examination required by law.
Second Lt. John Arnot Hewitt, Air Corps (temporary captain).
Second Lt. Yates Michel Hill, Signal Corps (temporary major).
Second Lt. Francis Paul Koisch, Corps of Engineers (temporary major).
Second Lt. Daniel Arthur Raymond, Corps of Engineers (temporary captain).
Second Lt. Jerrold Duster Snow, Corps of Engineers (temporary major).
Second Lt. Joseph John Schmidt, Jr., Corps of Engineers (temporary major).
Second Lt. Eric Castlereigh Orme, Corps of Engineers (temporary captain).
Second Lt. Paul Robert Cerar, Coast Artillery Corps (temporary captain).
Second Lt. Robert Maurice Rawls, Corps of Engineers (temporary major).
Second Lt. Alvin Dumond Wilder, Jr., Corps of Engineers (temporary major), subject to examination required by law.
Second Lt. Philip George Krueger, Corps of Engineers (temporary captain), subject to examination required by law.
Second Lt. William Tuttle Hamilton, Jr., Cavalry (temporary major).
Second Lt. Miles Lowell Wachendorf, Corps of Engineers (temporary major).
Second Lt. Robert Peyton Tabb, Jr., Corps of Engineers (temporary lieutenant colonel).
Second Lt. Frederick Charles Roecker, Jr., Infantry (temporary lieutenant colonel).
Second Lt. Fred Edgar Rosell, Jr., Corps of Engineers (temporary major).
Second Lt. John Clement Mattina, Corps of Engineers (temporary major).
Second Lt. Mahlon Eugene Gates, Corps of Engineers (temporary major).
Second Lt. John Pierce Beeson, Jr., Corps of Engineers (temporary captain).
Second Lt. Roger Lee Russell, Jr., Signal Corps (temporary captain).
Second Lt. Richard Louis Hennessy, Corps of Engineers (temporary major).
Second Lt. Charles Emerson Ragland, Signal Corps (temporary first lieutenant).
Second Lt. Edward McWayne Wright, Corps of Engineers (temporary captain).
Second Lt. Roger Alley Barnes, Corps of Engineers (temporary major).
Second Lt. Seymour Rubenstein, Corps of Engineers (temporary captain).
Second Lt. Theodore James Michel, Air Corps (temporary major).
Second Lt. Edmond Harrison Leavey, Jr., Corps of Engineers (temporary captain).
Second Lt. Francis Eugene Voegeli, Cavalry (temporary captain).
Second Lt. Eugene Leland Weeks, Signal Corps (temporary captain).
Second Lt. John Preston Sheffey 3d, Cavalry (temporary major).
Second Lt. Carter Williamson, Jr., Air Corps (temporary first lieutenant), subject to examination required by law.
Second Lt. John Warmington Atwood, Signal Corps (temporary major), subject to examination required by law.
Second Lt. John Baker, Corps of Engineers (temporary captain).

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Second Lt. Harold Archer Ogden, Air Corps (temporary captain).
Second Lt. Clyde Raymond Eisenschmidt, Jr., Signal Corps (temporary major), subject to examination required by law.
Second Lt. Wayne Leonard Bart, Infantry (temporary captain), subject to examination required by law.
Second Lt. William Hampton Edwards, Air Corps (temporary captain), subject to examination required by law.
Second Lt. Charles Marshall Fergusson, Jr., Cavalry (temporary captain).
Second Lt. Peter Richard Moody, Air Corps (temporary major).
Second Lt. Horace Allan Lawler, Air Corps (temporary first lieutenant), subject to examination required by law.
Second Lt. Gerhardt Christopher Clementson, Air Corps (temporary first lieutenant).
Second Lt. Rosario Pietro Bonasso, Coast Artillery Corps (temporary major).
Second Lt. Thomas Matthew Rienzi, Signal Corps (temporary captain).
Second Lt. Theodore James McAdam, Air Corps (temporary captain).
Second Lt. Charles Fred Shutrump 2d, Signal Corps (temporary captain).
Second Lt. David Rowland, Air Corps (temporary major), subject to examination required by law.
Second Lt. Rollin Thomas Steinmetz, Jr., Cavalry (temporary major).
Second Lt. John William Harrell, Jr., Air Corps (temporary major).
Second Lt. Edwin Felix Pezda, Air Corps (temporary major), subject to examination required by law.
Second Lt. Ben Franklin Hardaway, Jr., Air Corps (temporary captain).
Second Lt. William Russell Kraft, Jr., Cavalry (temporary major).
Second Lt. Richard Eddy Gaspard, Air Corps (temporary captain).
Second Lt. Charles Malcom Mizell, Field Artillery (temporary captain).
Second Lt. Raymond Patrick Murphy, Coast Artillery Corps (temporary major).
Second Lt. John Clinton Cockrill, Jr., Field Artillery (temporary captain).
Second Lt. Arthur Lawrence Lambert, Cavalry (temporary major).
Second Lt. Garrard Foster, Infantry (temporary major).
Second Lt. Kenneth Frederick Hanst, Jr., Infantry (temporary captain), subject to examination required by law.
Second Lt. Andrew Stevenson Low, Jr., Air Corps (temporary major), subject to examination required by law.
Second Lt. Garth Stevens, Infantry (temporary major).
Second Lt. Lawrence Lofton Cobb, Jr., Air Corps (temporary captain).
Second Lt. Wilbur Deane Snow, Air Corps (temporary lieutenant colonel).
Second Lt. Campbell Palfrey, Jr., Air Corps (temporary captain), subject to examination required by law.
Second Lt. Robert Davis Terry, Signal Corps (temporary major).
Second Lt. Carl William Stapleton, Air Corps (temporary lieutenant colonel).
Second Lt. Robert Bryan Short, Air Corps (temporary captain), subject to examination required by law.
Second Lt. El Roy Paul Master, Coast Artillery Corps (temporary captain).
Second Lt. Robert Walter Fritz, Coast Artillery Corps (temporary captain), subject to examination required by law.
Second Lt. Stanton Wayne Josephson, Coast Artillery Corps (temporary captain), subject to examination required by law.
Second Lt. William Edward Corley, Jr., Coast Artillery Corps (temporary major).
Second Lt. John Randle Watson, Cavalry (temporary captain), subject to examination required by law.

Second Lt. Roy Orval Smith, Jr., Air Corps (temporary captain), subject to examination required by law.
Second Lt. Jere Washington Maupin, Air Corps (temporary lieutenant colonel).
Second Lt. James Alfred Vivian, Coast Artillery Corps (temporary major).
Second Lt. Philip Edward Horan, Jr., Infantry (temporary captain).
Second Lt. Thurman McCord Brandon, Infantry (temporary first lieutenant).
Second Lt. Philip Shaw Wood, Jr., Air Corps (temporary first lieutenant), subject to examination required by law.
Second Lt. Philip Henry Riedel, Jr., Field Artillery (temporary captain).
Second Lt. Lee Glasier Jones, Coast Artillery Corps (temporary first lieutenant).
Second Lt. Marshall Waller, Signal Corps (temporary captain).
Second Lt. Dale Eldon Buchanan, Field Artillery (temporary major).
Second Lt. George R. Allin, Jr., Field Artillery (temporary major).
Second Lt. Lawrence Lahm, Field Artillery (temporary captain).
Second Lt. Paul Berkshire Woodward, Air Corps (temporary major).
Second Lt. Fred Ernest Holdrege, Jr., Air Corps (temporary major).
Second Lt. Selmer Gustaves, Air Corps (temporary major).
Second Lt. Leonard John Pasciak, Signal Corps (temporary captain).
Second Lt. James Francis Clark Hyde, Jr., Field Artillery (temporary captain).
Second Lt. Joseph Richard Elliott, Air Corps (temporary major).
Second Lt. Floyd Irvin Robinson, Air Corps (temporary major).
Second Lt. Charles Curtis George, Field Artillery (temporary captain).
Second Lt. John Paul Omans, Field Artillery (temporary captain).
Second Lt. George Raybourn O'Neal, Signal Corps (temporary major).
Second Lt. John Douglas Reid, Air Corps (temporary captain).
Second Lt. Cyrus Edson Manierre, Jr., Cavalry (temporary major), subject to examination required by law.
Second Lt. Matthew John Redlinger, Jr., Coast Artillery Corps (temporary major).
Second Lt. Donald Eugene Simon, Coast Artillery Corps (temporary captain).
Second Lt. Andrew Hudson Weigel, Air Corps (temporary captain), subject to examination required by law.
Second Lt. John Munroe Anderson, Air Corps (temporary major).
Second Lt. Charles Elbridge Howe, Jr., Air Corps (temporary captain).
Second Lt. Donald Hilary Connolly, Jr., Coast Artillery Corps (temporary captain).
Second Lt. John Edward Craig, Field Artillery (temporary captain).
Second Lt. William Burr Clark, Air Corps (temporary major), subject to examination required by law.
Second Lt. Richard Arthur House, Air Corps (temporary captain).
Second Lt. Robert Clark Kates, Coast Artillery Corps (temporary first lieutenant).
Second Lt. Edward Allan Munns, Air Corps (temporary captain).
Second Lt. Walter Dean Short, Infantry (temporary captain).
Second Lt. Joel John Dilworth, Field Artillery (temporary captain).
Second Lt. Benjamin Ira Hill, Coast Artillery Corps (temporary captain).
Second Lt. George Rogers Seip, Field Artillery (temporary captain).
Second Lt. Lowell Stanley Nickodem, Air Corps (temporary captain).
Second Lt. Charles Howard Garvin, Air Corps (temporary captain).
Second Lt. Arvol Duane Allen, Air Corps (temporary captain).

Second Lt. Edgar Allan Rickman, Infantry (temporary captain).

Second Lt. Samuel Hubbard Hays, Infantry (temporary major), subject to examination required by law.

Second Lt. Roy William Ballard, Signal Corps (temporary captain).

Second Lt. Richard Wood Maffry, Air Corps (temporary major).

Second Lt. Harold Windsor Rice, Signal Corps (temporary captain).

Second Lt. Sam Powell Wagner, Air Corps (temporary first lieutenant), subject to examination required by law.

Second Lt. William Robert Hughes, Field Artillery (temporary captain).

Second Lt. Robert Horatio Clagett, Jr., Infantry (temporary captain).

Second Lt. Frank Clark Scofield, Jr., Air Corps (temporary major), subject to examination required by law.

Second Lt. James Knox Cockrell, Jr., Infantry (temporary captain), subject to examination required by law.

Second Lt. John Ashton Ely, Infantry (temporary captain).

Second Lt. Wayne George McCarthy, Air Corps (temporary major), subject to examination required by law.

Second Lt. Jesse Lee Lewis, Jr., Coast Artillery Corps (temporary major).

Second Lt. Thomas James Hanley 3d, Air Corps (temporary captain).

Second Lt. Severino Martinez, Jr., Field Artillery (temporary captain).

Second Lt. John Joseph Short, Coast Artillery Corps (temporary captain).

Second Lt. Jay Jaynes, Air Corps (temporary captain), subject to examination required by law.

Second Lt. Carl Comer Ulsaker, Infantry (temporary captain).

Second Lt. Robert William Carpenter, Jr., Infantry (temporary captain), subject to examination required by law.

Second Lt. Cecil Kenneth Charbonneau, Jr., Coast Artillery Corps (temporary captain), subject to examination required by law.

Second Lt. John Dennis Sitterson, Jr., Field Artillery (temporary major), subject to examination required by law.

Second Lt. Francis Joseph Roberts, Field Artillery (temporary captain).

Second Lt. Chester Reed Ladd, Air Corps (temporary lieutenant colonel).

Second Lt. William Davis Tatsch, Field Artillery (temporary first lieutenant).

Second Lt. Albert Nicholas Thompson, Coast Artillery Corps (temporary captain).

Second Lt. John Aloysius Ryan, Jr., Air Corps (temporary captain), subject to examination required by law.

Second Lt. Mark Howard Terrel, Infantry (temporary major).

Second Lt. Harry Franklin Boone, Coast Artillery Corps (temporary captain).

Second Lt. Carl Columbus Hinkle, Jr., Air Corps (temporary major).

Second Lt. John Clarence Peck, Air Corps (temporary captain).

Second Lt. Walter Walton Dillon, Air Corps (temporary major).

Second Lt. John Russell Deane, Jr., Infantry (temporary major).

Second Lt. John Lloyd McKee, Jr., Field Artillery (temporary major).

Second Lt. James Boone Bartholomees, Infantry (temporary major).

Second Lt. Jacob Baer Cooperhouse, Signal Corps (temporary first lieutenant).

Second Lt. Karl Nelson Retzer, Air Corps (temporary major).

Second Lt. Henry Harmeling, Jr., Infantry (temporary captain).

Second Lt. James Nicholas Studer, Infantry (temporary major).

Second Lt. Roy Stanley Geiger, Jr., Field Artillery (temporary captain), subject to examination required by law.

Second Lt. Byron Arthur Evans, Air Corps (temporary captain), subject to examination required by law.

Second Lt. Thomas Peter Iuliucci, Coast Artillery Corps (temporary captain).

Second Lt. Robert Henry Ivey, Infantry (temporary captain), subject to examination required by law.

Second Lt. Ira Welch Thompson, Signal Corps (temporary major).

Second Lt Thomas Harvey Tarver, Coast Artillery Corps (temporary captain), subject to examination required by law.

Second Lt. William Charles Warren, Infantry (temporary captain).

Second Lt. Edward Lawrence Corcoran, Air Corps (temporary first lieutenant).

Second Lt. Philip Alfred Wyman, Field Artillery (temporary captain).

Second Lt. Allen Everett Frawley, Air Corps (temporary first lieutenant).

Second Lt. VanCleave Parrott Warren, Coast Artillery Corps (temporary captain).

Second Lt. George Thad Buck, Jr., Air Corps (temporary major).

Second Lt. George Denny Hughes, Air Corps (temporary major).

Second Lt. William Franklin Smith, Jr., Air Corps (temporary lieutenant colonel).

Second Lt. Lawrence Francis McGuire, Air Corps (temporary captain), subject to examination required by law.

Second Lt. Howard Lay Burris, Air Corps (temporary major).

Second Lt. Leon Stann, Air Corps (temporary lieutenant colonel).

Second Lt. Fred Cutting Tucker, Field Artillery (temporary first lieutenant).

Second Lt. Charles Brooks Gracey, Jr., Air Corps (temporary captain), subject to examination required by law.

Second Lt. Wyley Lovelace Baxter, Coast Artillery Corps (temporary captain).

Second Lt. Archibald Donald Fisken, Jr., Coast Artillery Corps (temporary captain).

Second Lt. Donald Frank Blaha, Air Corps (temporary major).

Second Lt. Robert Hilton Offley, Jr., Infantry (temporary major).

Second Lt. Charles Marmaduke Grimshaw, Infantry (temporary captain).

Second Lt. Samuel William Koster, Jr., Infantry (temporary lieutenant colonel).

Second Lt. Walter Harlen Peirce, Air Corps, (temporary captain), subject to examination required by law.

Second Lt. Richard David Reinbold, Air Corps (temporary major).

Second Lt. Thomas Patrick Furey, Infantry (temporary captain).

Second Lt. Charles Eugene Robbs, Air Corps (temporary captain).

Second Lt. William Cloyd Plott, Air Corps (temporary captain).

Second Lt. Linwood Fogg Jordan, Coast Artillery Corps (temporary captain).

Second Lt. William Henry Crosson, Jr., Field Artillery (temporary captain).

Second Lt. James Norwood Wood, Air Corps (temporary lieutenant colonel).

Second Lt. Ulysses Grant Jones, Jr., Coast Artillery Corps (temporary captain).

Second Lt. Claire Alfred Pelton Duffie, Air Corps (temporary major), subject to examination required by law.

Second Lt. Ralph James White, Air Corps (temporary lieutenant colonel), subject to examination required by law.

Second Lt. Harvey Wirt Courtland Shelton, Air Corps (temporary major).

Second Lt. Robert Henry Hinckley, Jr., Air Corps (temporary major).

Second Lt. Robert Houston Townsend, Infantry (temporary major), subject to examination required by law.

Second Lt. Pierce Anthony Doyle, Jr., Signal Corps (temporary captain).

Second Lt. William Carroll Garland, Air Corps (temporary lieutenant colonel).

Second Lt. Willis Dale Crittenberger, Jr., Field Artillery (temporary lieutenant colonel).

Second Lt. Donald George Jackson, Air Corps (temporary captain).

Second Lt. Alfred Franklin Grieco, Infantry (temporary captain).

Second Lt. Lawrence Haley Caruthers, Jr., Field Artillery (temporary captain).

Second Lt. Joe Dean Hennessee, Infantry (temporary captain).

Second Lt. Albert Edward Hunter, Field Artillery (temporary major).

Second Lt. Douglas Cunningham Murray, Infantry (temporary captain), subject to examination required by law.

Second Lt. Lawrence Augustus Adams, Jr., Air Corps (temporary first lieutenant).

Second Lt. Roy Walter Johnson, Jr., Field Artillery (temporary captain).

Second Lt. Raymond Laurence Miller, Air Corps (temporary captain).

Second Lt. Richard Paul Yeilding, Feld Artillery (temporary captain).

Second Lt. Hal Creighton McMaster, Field Artillery (temporary first lieutenant).

Second Lt. James Richard Pendergrast, Infantry (temporary captain), subject to examination required by law.

Second Lt. William Edgar Gernert, Air Corps (temporary major).

Second Lt. Robert Ramsey Evans, Air Corps (temporary captain).

Second Lt. Lee Emir Cage, Field Artillery (temporary captain).

Second Lt. Robert William Beers, Air Corps (temporary captain), subject to examination required by law.

Second Lt. Frank Wharton Williams 2d, Field Artillery (temporary captain).

Second Lt. Robert Arnold Berman, Air Corps (temporary captain).

Second Lt. Joel Beck Stephens, Field Artillery (temporary captain).

Second Lt. Edwin Griffin Clapp, Jr., Field Artillery (temporary captain).

Second Lt. Arthur Robert King, Infantry (temporary major), subject to examination required by law.

Second Lt. Howard Martin Fender, Air Corps (temporary captain).

Second Lt. Thomas Hunter Crary, Air Corps (temporary first lieutenant).

Second Lt. Forrest Stewart Gatchel, Infantry (temporary major).

Second Lt. Wallace Biddle Frank, Air Corps (temporary captain), subject to examination required by law.

Second Lt. Frederick Weston Hyde, Jr., Air Corps (temporary captain), subject to examination required by law.

Second Lt. John Clayton Adams, Jr., Air Corps (temporary first lieutenant).

Second Lt. Robert MacDougall Bringham, Infantry (temporary captain).

Second Lt. Howard Westley Slaton, Air Corps (temporary captain).

Second Lt. Mark John Burke, Air Corps (temporary major).

Second Lt. John Richard Murphy, Air Corps (temporary lieutenant colonel).

Second Lt. Joseph Morgan Cannon, Jr., Field Artillery (temporary first lieutenant).

Second Lt. James Elwood Josendale, Infantry (temporary first lieutenant), subject to examination required by law.

Second Lt. Thomas Kennedy Trainer, Air Corps (temporary captain).

Second Lt. Robert Morris Blair, Infantry (temporary first lieutenant).

Second Lt. Edwin Hall Marks, Jr., Infantry (temporary major).

Second Lt. Albert Charles Reinert, Infantry (temporary captain).

Second Lt. Frank Butner Clay, Infantry temporary captain)

Second Lt. Leonard John Blissenbach, Infantry (temporary captain).

Second Lt. Richard Cutler Miles, Infantry (temporary first lieutenant), subject to examination required by law.
Second Lt. Charles Russell Hill, Field Artillery (temporary captain).
Second Lt. Claude Cleo Lumpkin, Jr., Infantry (temporary first lieutenant).
Second Lt. Sidney Hooper Young, Jr., Infantry (temporary first lieutenant).
Second Lt. Charles Kelly Bortell, Air Corps (temporary captain)
Second Lt. Walter Alfred Divers, Infantry (temporary captain)
Second Lt. David Darwin May, Infantry (temporary captain).
Second Lt. Peter Talbott Russell, Infantry (temporary captain), subject to examination required by law.
Second Lt. John Fuller Davis, Jr., Infantry (temporary captain).
Second Lt. Gene Clifford Smith, Air Corps (temporary lieutenant colonel), subject to examination required by law.
Second Lt. Charles Wolcott Ryder, Jr., Infantry (temporary captain).
Second Lt. David Clark Clagett, Infantry (temporary captain), subject to examination required by law.
Second Lt. John Wilkinson Heard, Infantry (temporary captain), subject to examination required by law.
Second Lt. Vincent Lincoln Coates, Infantry (temporary captain).
Second Lt. Robert Burnett Spilman, Infantry (temporary captain).
Second Lt John Hurst Westenhoff, Air Corps (temporary captain).
Second Lt. Daniel Edward Halpin, Infantry (temporary captain), subject to examination required by law.
Second Lt. John William Guckeyson, Air Corps (temporary captain), subject to examination required by law.
Second Lt. John Boursiquot Rose, Jr., Air Corps (temporary major).
Second Lt. Ernest Johnson White, Jr., Air Corps (temporary major).
Second Lt. Luis John Flanagan, Infantry (temporary captain).
Second Lt. Richard Martin Scott, Air Corps (temporary captain), subject to examination required by law.
Second Lt. Henry William Urrutia, Infantry (temporary major), subject to examination required by law.
Second Lt. Charles Ray Rogers, Infantry (temporary captain).
Second Lt. Edgar Bergman Colladay, Jr., Field Artillery (temporary first lieutenant).
Second Lt. Donald Eugene Deffke, Air Corps (temporary captain).
Second Lt. William Edgar Shedd 3d, Infantry (temporary major).
Second Lt. Charles Carroll Fishburne, Jr., Air Corps (temporary captain).
Second Lt. Richard Patrick Brice, Jr., Air Corps (temporary captain), subject to examination required by law.
Second Lt. Joe Virgil Morey, Infantry (temporary captain).
Second Lt. George Lawrence Eckert, Infantry (temporary major).
Second Lt. Leonard Samuel Marshall, Air Corps (temporary captain).
Second Lt. Jesse Richard Miles, Jr., Infantry (temporary captain).
Second Lt. George Rayens Grant, Infantry (temporary captain).
Second Lt. Frederick Dana Standish 2d, Infantry (temporary captain).
Second Lt. Donnelly Paul Bolton, Infantry (temporary captain), subject to examination required by law.
Second Lt. James Savage Braden, Air Corps (temporary captain).
Second Lt. Allan Richard Scullen, Infantry (temporary captain).
Second Lt. Lynn DeWitt Sifford, Jr., Air Corps (temporary captain).
Second Lt. Charlie Calhoun Coleman, Infantry (temporary major).
Second Lt. Samuel Withers Howell, Jr., Infantry (temporary captain).
Second Lt. Allen Monroe Otis, Infantry (temporary first lieutenant), subject to examination required by law.
Second Lt. William Morris Zimmerman, Infantry (temporary major).
Second Lt. James Simmons Timothy, Infantry (temporary captain).
Second Lt. Albert Edward Seifert, Infantry (temporary captain).
Second Lt. George Robert Rew, Air Corps (temporary lieutenant colonel).
Second Lt. Jerome Pershing Ellis, Infantry (temporary first lieutenant).
Second Lt. Thomas Seelye Arms, Jr., Infantry (temporary captain).
Second Lt. Ellwood Tylor Claggett, Air Corps (temporary captain).
Second Lt. Boyd Freeze Walker, Infantry (temporary captain).
Second Lt. Kenneth Earl Dyson, Air Corps (temporary captain).
Second Lt. Edward Joseph Alleo, Infantry (temporary major).
Second Lt. Lucius DuBignon Clay, Jr., Air Corps (temporary major).
Second Lt. Frederick Charles Uhler, Finance Department (temporary captain), subject to examination required by law.
Second Lt. George Doan Rehkopf, Infantry (temporary captain).
Second Lt. Wilfred Craig Ford, Infantry (temporary first lieutenant).
Second Lt. Samuel Hampton Henton, Jr., Air Corps (temporary captain).
Second Lt. Albert McConnell Ward, Air Corps (temporary captain).
Second Lt. Robert George Brugh, Jr., Infantry (temporary major).
Second Lt. John Myrddin Davies 3d, Infantry (temporary captain).
Second Lt. Austin Patrick Byrne, Air Corps (temporary captain), subject to examination required by law
Second Lt. Richard Stockton Field, Jr., Infantry (temporary first lieutenant).
Second Lt. Alden McLellan, Jr., Infantry (temporary captain).
Second Lt. Charles Campbell Ettlesen, Air Corps (temporary captain).
Second Lt. Thomas Hasset Ray, Jr., Infantry (temporary first lieutenant), subject to examination required by law.
Second Lt. John Denis Crowley, Jr., Infantry (temporary major), subject to examination required by law.

MEDICAL CORPS

To be majors

Capt. James Willis Howard, Medical Corps (temporary colonel), with rank from May 4, 1945.
Capt. James Sherwood Taylor, Medical Corps (temporary colonel), with rank from May 6, 1945.
Capt. Jenner Garnett Jones, Medical Corps (temporary colonel), with rank from May 8, 1945.
Capt. Eaton Wesley Bennett, Medical Corps (temporary colonel), with rank from May 10, 1945.

To be captain

First Lt. Arnold Lewis Field, Medical Corps (temporary major), with rank from May 9, 1945.

DENTAL CORPS

To be major

Capt. Dean Stirling Beiter, Dental Corps (temporary lieutenant colonel), with rank from May 10, 1945.

To be captains

First Lt. John Alexander Duthie, Dental Corps (temporary captain), with rank from May 1, 1945.
First Lt. Perry Wilson Bascom, Dental Corps (temporary captain), with rank from May 10, 1945.

PHARMACY CORPS

To be first lieutenant

Second Lt. James Thomas Haden, Pharmacy Corps (temporary captain), with rank from May 27, 1945.

CHAPLAIN

To be colonel

Chaplain (Lt. Col.) George Jefferson McMurry, United States Army (temporary colonel), with rank from May 6, 1945.

IN THE NAVY

The following-named midshipmen to be ensigns in the Navy, from the 6th day of June 1945:

Winston S. Abernathy
George W. Absher, Jr.
Kenneth A. Ackley, Jr.
James T. Acuff
Emil J. Adams
Robert J. Adams
William H. Adams
William S. Adams
Lewis W. Adkins, Jr.
Wallace J. Agren
Joseph F. Ahearn
John J Albright, Jr.
Albert J. Allen, Jr.
Homer N. Allen
Philip H. Allen
William B. Althoff
Samuel G. Anders, Jr.
Alister C. Anderson
Kenneth E. Anderson
Raymond M. Anderson, Jr.
Joseph J. Armao, Jr.
William F. Armstrong, Jr.
Louis V. Aronson 2d
Malcolm B. Arthur 2d
Courtland L. Ashley
Donn L. Ashley
Linsey S. Ashley
Samuel C. Ashton
Bert M. Atkinson, Jr
Edward C. Atkinson
Maurice A. Auger
Thomas E. Auger
William R. Austin
Franklin G. Babbitt
Richard F. Babcock, Jr.
Robert E. Bacchus
Adrian C. Back, Jr.
Vincent LeR. Bacon
John B. Bailey
Richard S. Baird
John H. Baker
Joseph C. Bakos, Jr.
Lawrence C. Baldwin
Edwin L. Ball
Hartley S. Bancroft
Robert H. Banks
George M. Bard 2d
Rudolph I Bard, Jr
David A. Barksdale
John F. Barlow
Robert J. Barnes
William A. Barnes
William B. Barr
Vincent W. Barry
Frederick F. Bass, Jr.
Ormon E. Bassett
Theodore H. Batchelder
Kenneth E. Bauman
John R. Baylis
Donald C. Bayly
Chandler L. Beach
Henry S. Beard
Jack S. Beasley
Michael J. Belensky, Jr.
James C. Bellah
Wilson C. Bellenger
Aldo J. Benedetti
Harry L. Benjamin
Arthur K. Bennett, Jr.
Robert A. Bergs
Alfred McC. Bettis
Albert G. Beutler
Stuart E. Beyer
Harold Bierman, Jr.
Charles L. Billings
Charles E. Blackford 3d
James H. Blaes
Donald D. Blair
John S. Blake
Theodore S. Bly
Luke J. Boggess
Robert I. Boland, Jr.
Jordan T. Bolton
William R. Bonham
John G Boniface
Thomas F. Booker
Joseph H. Boop
John J. Borbidge
Howard A. Borgerding
Ernest L. Bouveron
Llewellyn D. Bowen
Roland A. Bowling
Paul C. Boyd
Harry E. Braddock
Edward A. Brady
Robert L. Brady, Jr.
Linwood O. B. Branch, Jr.
Eugene C. Branson
William B. Brantner
Ansel C. Braseth
Ralph C. Bretting, Jr.
Alfred F. Bridger
Daniel J. Brimm 3d
Benjamin M. Britain
Howard J. Brown
Malcolm C. Brown 2d
Richard W. Brown, Jr.
Sherwin B. Brown, Jr.
Robert B. Brumsted
John E. Bryant
Thomas A. Bryce
Fillmore B. Buchanan
Jack E. Bucknum
Mariano J. Bucolo
James G. Bumstead
Earl W. Burdette
John H. Burhans
Arde A. Burki
Donald L. Burns, Jr.
James B. Burton
Lawrence J. Cahalan
George A. Caldwell, Jr.
Francis J. Callahan, Jr.
Herbert E. Camp
Joseph W. Campbell
Quincy K. Campbell
Reed W. Campbell
William E. Campbell
Samuel L. Candler
William P. Cantwell, Jr.
Oscar L. Carey
John G. Carl
Walter P. Carlin
Millard A. Carlson
Albert J. Carneghi
Oscar C. Carr, Jr.
Thomas F. Carroll
James P. Cartmell
William R. Casey, Jr.
John B. Caskey
Robert M. Casson

Henry A. Cesari
Lloyd S. Chambers, Jr.
Lloyd S. Charters
Benjamin S. Chase 3d
Thomas C. Chitty
Nicholas P. Chokas
Morris A. Christensen
Kenneth C. Christianson
George M. Clancy
Edmund T. Clark
George T. Clark
Robert O. Clark
William D. Clark, Jr.
Edgar J. Clayton
George B. Clegg 3d
Daniel J. Clements, Jr.
Autry W. Clifton
Robert C. Cline
Howard E. Cochran
Neile H. Coe
Charles Coffin
Robert B. Cole
Harker Collins
John J. Collins
John T. Collins
Thomas J. Connellan, Jr.
Richard G. Converse
Donald O. Conway
Edward W. Cooke
Peter MacD. Coope
Curtis C. Cordell
Walter N. Corrigan
Edward J. Costello
Jack B. Coulter
Clarence Couture, Jr.
Charles A. Cox
Charles B. Coyer
Robert F. Craig
William D. Craig
Robert E. Crawford
John F. Crehan
John P. Critchley
James H. Cronander
Thomas L. Crooks
Thomas J. Cross
Francis J. Crozier
Robert F. Cuccias
Hugh Cullman
William N. Culp, Jr.
Jackson P. Culwell
Arthur H. Cummings, Jr.
James J. Cunat
Basil Curnutte, Jr.
Francis H. Curren, Jr.
John G. Curry
Lee G. Cutchall
Lewis M. Cutter
Demosthenes P. Dakos
John C. Dale
Gray O. Daly
Richard H. Daly
Richard B. Dana
John A. Davis, Jr.
Lonzo R. Davis, Jr.
Robert A. Davis
Russell S. Davis, Jr.
Thomas E. Davis
William O. Davis, Jr.
Morgan L. Davison
Charles E. Day
Andrew J. Dearman, Jr.
Albert I. Decker
Edward A. Decker
Robert G. Dee
Emerson C. Dehn
Anthony J. Del Vecchio
John J. DeMayo, Jr.
James H. Demming
Eugene Dente
Robert J. De Temple
John G. Devlin
Robert W. Dibling
George L. Dickey, Jr.
Leslie W. Dienst
Warren D. Dietrichson
Robert L. Dise
Philip A. Doherty
Joseph F. Dolan
George B. Donahoe
Robert Doran
William K. Doty
Francis S. Dougherty
John J. Dougherty
Findly M. Doughty
Patrick S. Dowling
Denis-James J. Downey
Carl N. Duberg
Harrison G. Dudley
Louis C. Duesterberg, Jr.
John A. Dugger
Robert C. Duncan
Robert Dunn
Richard A. Dunning
William J. R. Dunseath
William W. Dupler
Granville O. Dutton
John C. Dwyer
Thomas J. Dwyer
William M. Eaton
Myron Eckhart, Jr.
Harold Edwards, Jr.
James W. Edwards
John P. Eells
Michael B. Elliott
Edmund H. Ellis
George W. Ellis
Robert L. Ellis
Richard H. Ellsworth
Wilson F. Engel, Jr.
Henry A. Engelmann
John W. Enyart
John W. Erickson
Arthur L. Erikson
William W. Erwin
William L. Fsarey
Wesley Espy
James G. Evans
Richard A. Everist
John D. Exum
John F. Fagan, Jr.
Robert J. Farley
Harry C. Farmer
James E. Farner
William "A" Faucett
Cyril T. Faulders, Jr.
Percival N. Fenton, Jr.
George Ferch 3d
James W. Ferguson
Francis E. Field
Robert W. Finlay, Jr.
Robert N. Finley
Victor P. Finos
Earl W. Fischer, Jr.
Elmer H. Fisher
James R. M. Fisher 2d
Samuel L. Fiske
Thomas R. Fitzgerald
George M. Foglesong
Charles T. Fontaine
Charles J. Forquer
James E. Forrest
John J. Forrester
William D. Forsyth
Albert L. Foster
James W. Foust
Rice L. Fowler
Eldon B. Frame
Samuel Francis
William J. Francy
James B. Frankel
George N. Frazier
Herbert E. Fridge
Frede F. Froehlich
William S. Fryer
Richard "E" Fuller
William T. Fuller
Fred W. Furland
Frederick J. Gaebler, Jr.
Alfred H. Gaehler
George H. Gardner, Jr.
Walter P. Gatewood
Raymond A. Gaul, Jr.
Robert H. Gautier
John L. Gawf
Richard W. Geaney
Raymond J. Gear
Harry C. Gee
Norman F. Geer
Howard B. Gibbs
John C. Gibson
John G. Giedt
Carl R. Gieser
Gail H. Gilliam
Frederick N. Glaister
William A. Glaser
Claude M. Glenn, Jr.
Allan N. Glennon
Henry P. Glindeman, Jr.
Charles C. Goldstein
Edward D. Goloway
Daniel C. Good
Eli W. Goode
Walter Gorak
Jack G. Gordon.
Joseph J. Gorski
Robert J. Gorton
James "V" Goure
Henry Graefe
Sylvester M. Graff
William S. Graham
Earnest B. Granville
Luther J. Graves, Jr.
Jacob Green
Joseph M. Greene
Burniel K. Greenwood
Earle S. Greenwood
Charles W. Greer 3d
Richard Grenier
Charles H. Griffiths
Nicholas Grkovic
Charles D. Grojean
Thomas E. Groves
Jack E. Guentz
Richard I. Gulick
Victor R. Gullatt
John G. Gullette
Nels A. Gunderson
Charles H. Guy, Jr.
Peter P. Gwiazdowski
Frank S. Haak, Jr.
Alvia A. Hafer
John H. Hale
Robert S. Haley
Arthur P. Hall, Jr.
Richard P. Hall
Walter D. Hall
John J. Haller
Harold A. Hamberg
Luther Hamilton, Jr.
Howard A. Hammell
Stewart F. Hancock, Jr.
Wallace W. Hankins, Jr.
Robert J. Hanks
John E. Hansen
Anton C. Hansmann
William V. Hanson
Wade L. Hardy, Jr.
Peter A. Haring
Wick R. Harlan, Jr.
Charles W. Harman
Frank D. Harmer, Jr.
Dale S. Harris
James L. Harris
Carten M. Hart
John E. Hart
Robert R. Hart
Theodore R. Hartley
Frederick R. Haselton, Jr.
Robert H. Haslett
Vaughan S. Hastings
Atticus H. Hatsell, Jr.
John W. Haupt
Arthur M. Hayes, Jr.
Wilford E. Hayes
John L. Hayward
Jerry D. Heath
Donald A. Heberling
Bernard A. Heesacker
Thomas G. Hefferon
Donald F. Hellwinkel
Jerome E. Henderson
William J. Henningsen
George R. Herbert, Jr.
John J. Herzog
Charles M. Hess
John R. Hess
Monroe Heumann, Jr.
Robert T. Hexter
William N. Highsmith
Nathaniel M. Hill, Jr.
Robert B. Hilsabeck
Lester G. Hinchcliff, Jr.
John J. Holden
Edward Holkovic
Joseph T. Holleman
Bennett W. Hooks
Walter R. Horner
Woodrow W. Hourigan
James V. Houston
George D. Howard
William R. Howard
Raymond E. Howe
Richard F. Hubbard
William E. Huddleston
William M. Huey
John A. Hughes
James E. Hugus
Cecil H. Hull
DeWitt T. Hunter, Jr.
Donald W. Huszagh
Robert S. Hutches
William A. Hutcheson, Jr.
Rocco F. Iacobelli
James F. Irvine, Jr.
Donald G. Iselin
Robert G. Iverson
Charles E. Jackson, Jr.
Joseph A. Jackson
James P. Jackson, Jr.
Laurence L. Jackson, Jr.
Harold W. Jacobs
John A. Jacobsen
Arthur F. Jacobus
Donald F. B. Jameson
Edward Jamosky
John A. Jandrall
Norlin A. Jankovsky
James H. Janson
John A. Jennings, Jr.
Charles McC. Johnson, Jr.
Dean R. Johnson, Jr.
John R. Johnson
Montford T. Johnson, Jr.
Oliver T. Johnson
Peter W. Johnson
Thomas P. Johnson
Frank C. Johnston, Jr.
Frank S. Johnston
Thomson Q. Johnston
Albert C. Jones
Andrew L. Jones
Francis F. Jones, Jr.
John M. Jones
William F. Jones
Edward C. Jordan
Holland B. Judkins, Jr.
Louis La V. Junod
William E. Kaloupek
Brian "B" Kane, Jr.
Alfred S. Karch
John Kaufman
Robert Y. Kaufman
John S. Kearns
Albert J. Kelley
Jack D. Kelley
Frank "J" Kelley 3d
George R. Kelly
Leslie D. Kelly, Jr.
Charles E. Kendrick
Edward L. Kennedy
John W. Kennedy, Jr.
Robert S. Kennedy
Cletus W. Kennelly 2d
Thomas J. Kenny
John "L" Kent
Eugene C. Kenyon, Jr.
Francis X. Kern 3d
Homer A. Key, Jr.
William Killefer, Jr.
David D. Kilpatrick
Ord Kimzey, Jr.
William T. Kinder
Franklin T. King
John D. King
Kenneth K. King
Edward J. Kingsbury, Jr.
Arthur H. Kinneberg
Lee A. Kirstein
Charles E. Kloss
George J. Klug
Eldon H. Knape
Richard H. Knight
Ferdinand B. Koch
Simon W. Koenig, Jr.
John F. Kohler 3d
Roland F. Korbesmeyer
Robert N. Krause
Donald D. Kucharo
Adam P. Kulik
Robert M. LaBarron
Dixon Lademan
Albert M. LaLande, Jr.
Kenneth R. Lampton
Dwight A. Lane
Edward Lange
John C. Langford
Justin E. Langille 3d
Donald L. Larson
Robert F. Latham
Francis M. Lavelle
Renn M. Lawrence
Donald M. Layton
Robert L. Ledbetter, Jr.
Jerome A. Lee, Jr.
William B. Leffingwell
Armand F. F. Legare
David T. Leighton
Andrew A. Lemeshewsky
Walter G. Lessmann
Robert J. Leuschner
Saul Levine
Robert S. Lichtenberg
Richard G. Liebel
Creighton D. Lilly
Donald B. Lindsay
John R. Lindsay
Donald J. List
John B. Little
Ernest J. Litty
Clarence F. Logan
Sumner A. Long
William F. Longton
Theodore C. Lonnquest, Jr.
Robert Looker
Jack E. Loper
Edwin F. Lord
Paul J. Love
John E. Lowell
Ernest E. Lowen
Cecil R. Lubitz
Fielding G. Lucas
Harvey E. Lyon
James O. Lyon
John W. Lyons, Jr.
Kenneth H. Lyons
Richard T. Lyons
William A. Lyster
Robert C. Mabbitt
Richard W. Mabee
Albert P. MacDonald, Jr.
Harry R. Macdonald, Jr.
Glen G. Macon
John W. Macy, Jr.
Hayden R. Maginnis
Edmund B. Mahinske
Milton C. Mapes, Jr.
Luther W. Maples, Jr.
William C. Marble
John C. Marsh
Harrison J. Martell
Benjamin S. Martin
John T. Martin
Lealyn E. Martin
John Mascenik
Anthony M. Masich, Jr.
William Massarella
Howard A. Mather
Ellery M. Matthews
John J. Matusiewicz
Charles C. Mauldin
Richard D. Maxson
Luther E. Mayes, Jr.
George W. Mayo, Jr.
Marshall T. Mays
Robert E. McCall
John H. McCalla
Arnold K. McClay
Robert A. McClelland 3d
Robert M. McConnell
Thomas J. McCook
Robert E. McCormack, Jr.
Nelson J. McDermott, Jr.
Robert L. McElroy, Jr.
Clinton G. McGovern
John R. McGrath
Robert G. McIntyre
John K. McKay
Kenneth I. McKay, Jr.
Irvin J. McKeand
Robert P. McKenzie
John A. McKinney
John H. McKnight
Robert B. McMurdo
John F. McNamee 3d
Henry M. McPhillips, Jr.
Hezzie B. McWhorter
John K. Mealy, Jr.
Maurice L. Medcalfe
Robert E. Megee, Jr.
William T. Melis
Charles G. K. Memory
Keith S. Messenger
John J. Metschl
Robert L. Metzger
Richard L. Metzler
Joseph S. Meyer
Richard M. Middleton
Charles R. Miller, Jr.
Kirk C. Miller, Jr.
Russell B. Miller
Yale M. Miller
Robert D. Milloy
Herbert D. Mills, Jr.
Lewis M. Millsaps
Paul N. Mitchell
Harlie L. Mize
McFaddin Moise
Brooke Montgomery
William R. Montgomery
George R. Monthan
Herbert W. Moody
James A. Moore
Lester Moore, Jr.
Robert B. Moore
Richard S. Moore
Thomas L. Moran
Arthur J. Morrow
Kenneth L. Morse
William W. Morton
Edison E. Mouton
Dale F. Mueller
Wendell B. Muncie
David L. Munns
John E. Murdock, Jr.
Baxter H. Murphree
John R. Murray, Jr.
John T. Murray, Jr.
Harry Muschenheim, Jr.
Douglas J. Nankervis
Valentin Nasipak
Robert O. Newbern
Dale E. Newman
James E. Nichols
Hubert M. Nicholson, Jr.

William C. Nicklas, Jr.
William J. Nicol
William G. Nobmann
Nicholas B. Norris, Jr.
William H. Northup
Corliss R. Nugent
William R. O'Brien
Joseph L. Ochoa
Edward C. Olson
Alfred C. O'Neal
Gerald P. O'Neil
Henry Ortland 3d
Byron Osterweil
Vincent B. Otten
Russell "M" Owen
Robert A. Page
Arthur V. Paletti
Robert R. Park, Jr.
Robert E. Parker
Frank Parrish, Jr.
Harvey S. Parrish, Jr.
Forrest C. Parry
Robert C. Parsons
Hugh B. Patton, Jr.
John A. Paul
George P. Pavis
Preston A. Peak
Francis E. Pearson 3d
Robert Q. Pegram, Jr.
Philip B. Pennington
Rohe V. Pennington, Jr.
Harmon C. Penny
John H. Penny
Frederick C. Peregoy, Jr.
Jack B. Perkins
William L. Perkins
Joseph S. Perszyk, Jr.
Bernard Peters
William K. Petticrew, Jr.
William R. Pfefferkorn
Henry E. Phelps
Robert G. Phillips
Robert M. Pickrell
John J. Pilcher, Jr.
Donald F. Pillen
Marcellus T. Pitz
Philip F. Plummer
William B. Polhemus
Justin Popa
William H. Porter
Robert N. Poulsen
Denzil L. Pritchard
Raymond J. Quallen
Joseph B. Quigley
William R. Quisenberry
Richard D. Rabe
Fred H. Radloff
Samuel G. Rae
Richard L. Rahn
David H. Rankin
Sherrill S. Rathbun, Jr.
Paul W. Ratte
Troy G. Ray
George A. Reaves 3d
Lawrence E. Redden
William R. Reekie
Glenn A. Reiff
Samuel W. Reingvartz
John E. Renn
Hugh D. Reynolds, Jr.
Harry E. Rhoads
Hallie P. Rice
Paul B. Richards
Richard P. Richardson, Jr.
Charles A. Riehl
Wallace M. Riggs
Fred P. Ritchie, Jr.
James D. Rives, Jr.
Horace B. Robertson, Jr.
Robert H. Robeson, Jr.
Errol W. Robinson
Gordon E. Robinson
Jackson R. Robinson
William H. Robinson, Jr.
Douglas F. Rodgers
David A. Rogers
Frank W. Rogers
Harris G. Rogers, Jr.
Harry M. Rogers
John B. Rogers
Albert E. Rose, Jr.
Marvin I. Rosenbloom
William S. Rothwell
Don J. Roulstone
Vernon K. Roux
Robert H. Royer
John P. Ruckel
Charles A. Rulon
John A. Rusling 3d
Joseph W. Russel
Herbert E. Salter
Alvin N. Sampson
William H. Sandeford
Milton S. Sartain
Edward M. Saunders
Walter E. Saunders, Jr.
Stuart Savage, Jr.
George H. Sawyer
Robert B. Schabacker
Thomas M. Schifanelli
Walter M. Schirra, Jr.
Wesley H. Schmidt
Herbert G. Schoonmaker
Henry Schultz
Paul A. Schwemley
Miles B. Scofield, Jr.
Jackson E. Scott
Richard Y. Scott
Thomas F. Scott, Jr.
Wiley A. Scott
John A. Seargeant
Stanley G. Seccombe, Jr.
Gorden E. Selig
Homer B. Sewell, Jr.
Edward J. Sheehy
Benjamin F. Sherman, Jr.
John R. Shields, Jr.
Howard B. Shofner, Jr.
Leroy B. Shrode
Merle L. Shumaker
John A. Sickel
Nicholas M. Sidrow
Norris E. Sills
Minot Simons 2d
William H. Simonson
James J. Simpson
William E. Simpson
Joseph S. Sinclair
LeRoy J. E. Sindell
Edward O. Skidmore
Joseph L. Skoog, Jr.
Charles J. Slawson
William E. Slesnick
Joseph T. Small
Daniel F. Smith
Donald W. Smith
Franklin Smith, Jr.
Henry P. Smith
Joseph A. Smith, Jr.
James McK. Smith, Jr.
James R. Smith
James T. Smith
Lloyd S. Smith, Jr.
Lorin W. Smith 3d
Perry N. Smith
William R. Smith 3d
Henry F. Snelling
Denis Snider
Macon St. C. Snowden
Robert B. Snowden
Bernard L. Snyder, Jr.
Karl E. Sommerlatte
William G. Spangle 2d
William S. Spangler
Harvey E. Spoerl, Jr.
Albert T. Sprague 3d
Phil T. Sprickman
William C. Stack
Lawrence E. Stahl
William R. Steers
Robertson Stevens
Fred A. Stevenson
Marshall T. Steves
Jack R. Stickels
Hubert M. Stiles
Richard E. Stockwell
Cecil C. Stout
Joseph S. Stoutenburgh
Walter D. Strang
Frank T. Street, Jr.
Paul J. Stueve
William O'N. Suddath
Charles A. Sueur
Bruce M. Sullivan
Joseph J. Sullivan
Richard J. Sullivan
John A. Sutherland 2d
John M. Swanberg
Earl T. Swanson
Robert McL. Swanson
Wayne H. Swanson
George W. Tarleton
Conway A. Taylor
Frank H. Taylor 2d
John L. Taylor
John R. Taylor, Jr.
Perry R. Taylor, Jr.
Russell D. Taylor
Thomas E. Taylor
William E. Taylor
Albert H. Thomas, Jr.
Harwell B. Thompson
John C. Thompson, Jr.
Robert D. Thompson
William E. Thrasher, Jr.
Wilbur F. Tiemann, Jr.
John M. Tierney
Emory G. Tiffany
Clark W. Tinch
Robert S. Tisdale
Gordon H. Tittemore
William T. Toutant
Robert V. Towner
William C. Travis
Edmund J. Treacy
Jack D. Trombla
Robert J. Trott
Carl F. Turk
Miles D. J. Turley, Jr.
Harlan M. Twible
Robert A. D. Uhwat
Charles D. Ullman
Harry N. Upthegrove
Alexander W. Urquhart, Jr.
Richard A. Vaill
Andrew J. Valentine
Gabriel E. Valenty, Jr.
James J. VanAntwerp, Jr.
Verlyn Van Curen
Alan J. Vandermade
Walter W. Vander Wolk, Jr.
Stanley K. Van Stone
Richard S. Vardy
James P. Vaughan, Jr.
John W. Viele
Everton P. Vosburgh, Jr.
Henry M. Waddell, Jr.
Kenneth A. Wade
Paul R. Wagner
Stoddard S. Waldron
Charles W. Walker, Jr.
Daniel Walker
David M. Walker
Earl E. Walker, Jr.
Harry C. Walker
James W. Wallace
John A. Walsh
Albion W. Walton, Jr.
Xenophon C. Ward
Martin C. Warmath
John L. Walsh
James A. Wasner
Harry A. Watson
Jack T. Watson
Jesse R. Watt
Thomas B. Watt, Jr.
Roy B. Weaver
Walter A. Weaver, Jr.
Walter C. Weaver
William M. Webb
John D. Weber
William J. Weber, Jr.
Robert J. Webster
Robert E. Weidner
Howard LeR. Weigle
Robert A. Weir
James E. Weirich
Robert O. Welander
Donald L. Weldon
Robert H. Wertheim
Robert W. Wesson
Richard E. West
Elmer T. Westfall
William F. Whalen, Jr.
Allan E. White
Arthur T. White
Ira R. White
Lloyd R. White, Jr.
Ray B. White
Robert J. White
Stuart A. White
Henry S. Whittier
Alfred J. Whittle, Jr.
Lester C. Wible
Frederic F. Wiedemann
Daniel T. Wieland, Jr.
Burr C. Wilcox, Jr.
Charles V. Wilhoit, Jr.
Elbert H. Willett
Charles S. Williams, Jr.
Francis H. Williams
Winston C. Williams
William H. Williams
David C. Williamson
Robert Williamson 2d
Henry R. Wilson
Richard H. Wilson
Rodney K. Wingo
Bruce A. Winner
Joseph R. Winslow, Jr.
Edward F. Wolf
John M. Wolfe
Charles E. Woods
Charles R. Woolums
Robert L. Wright
Donald M. Wynne
Seymour Yalen
Gordon L. Yeo
Robert H. Yerbury
Erwin P. Young, Jr.
Levio E. Zeni
Martin "M" Zenni
Stanley Zipser
Reginald R. Zisette, Jr.
Richard A. Zyvoloski

The following-named midshipmen to be assistant paymasters in the Navy, with the rank of ensign, from the 6th day of June 1945:

Alfred W. Albert
George F. Aroyan
William R. Baker
James L. Bellamy
Alva M. Bowan, Jr.
Robert M. Boyle
Thomas H. Clark, Jr.
Donald T. Conover
James W. Currie
Frederick D. Eble
Martin L. Frank
Willard C. Gieseke
Eugene Gralla
Augustine W. Hampton, Jr.
Kelley V. Holbert
Norman R. Kephart
Leslie O. Larson, Jr.
Ray F. Larson
Simon J. Lonergan, Jr.
Malcolm W. MacDonald
Charles M. Robinson
Stephen W. Rowen
Robert A. Spargo
Robert K. Stoner
Richard C. Thompson
Richard T. Tinney
William J. Vogel

The following named midshipmen to be second lieutenants in the Marine Corps, from the 6th day of June 1945:

Saul H. Auslander
Paul W. Barcus
Roderick C. Bonner
Edwin "A" Burns
John C. Butner 3d
Marco M. Campanile
David A. Clement
Theodore H. Collora
Theodore T. Culpepper
Raymond C. Damm
Frank E. Donner
Robert E. Downen
William F. Dyroff
Thomas R. Freeman
Nolan R. Gibbons
Gerald W. Gibson
Ronald L. Glendinning
Joseph S. Hall
Donald E. Holben
Louis S. Hollier, Jr.
George E. Hosey, Jr.
John S. Kappock
Thomas D. Kehoe
Orin D. Krone
Clarence G. Moody, Jr.
Robert F. Mott
William H. Peck
Chester O. Penney, Jr.
Robert H. Piehl
Lawrence F. Quigley, Jr.
Rudolph J. Radick
James R. Schoen
Raymond B. Spicer
Joseph T. Thompson
Charles T. Westcott

Ensign Jackson W. Clark, A-V (N), United States Naval Reserve, to be an ensign in the Navy, to rank from the 5th day of August 1942.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 30 (legislative day of April 16), 1945:

IN THE NAVY

FOR TEMPORARY SERVICE

To be rear admiral, to rank from August 10, 1943

Carl F. Holden

To be commodores, to continue while serving as commanders of transport squadrons, and until reporting for other permanent duty

Edwin T. Short
Samuel P. Jenkins
Alexander S. Wotherspoon

To be commodore, to continue while serving as chief of staff to commander, Hawaiian Sea Frontier, and until reporting for other permanent duty

Harvey E. Overesch

To be commodore, to continue while serving as commander, motor torpedo boat squadrons, United States Pacific Fleet, and until reporting for other permanent duty

Richard W. Bates

REGULAR SERVICE

The nominations of Winston S. Abernathy and others, to be ensigns in the Navy, to rank from June 6, 1945, and the nominations of Alfred W. Albert and others, to be assistant paymasters in the Navy, with the rank of ensign, from June 6, 1945.

IN THE MARINE CORPS

The nominations of Saul Auslander and others, to be second lieutenants in the Marine Corps, from June 6, 1945.

(NOTE.—A full list of all persons whose nominations to be ensigns or assistant paymasters in the Navy, or second lieutenants in the Marine Corps, which were confirmed today, may be found at the end of the Senate proceedings of the CONGRESSIONAL RECORD for today, under the caption "Nominations.")

POSTMASTERS

ARKANSAS

Dudley B. Hutchinson, Ashdown.
Gordon O. Thomasson, Magazine.

ILLINOIS

Harold Klinke, Alton.
Victoria J. Ksycki, Dubois.
Woodrow W. Hynous, Fox River Grove.
Blanche Nelder, Godfrey.
Verna M. Boal, Hillside.

Foy I. Smith, Joy.
Horace E. Hipkins, Liberty.
Edwin H. Barmore, Winfield.

KENTUCKY

Anna H. Render, McHenry.
B. Bates, North Middletown.
Harry C. Thomas, Owenton.
Jessie Mitchell, Salem.

NEBRASKA

Samuel Broekema, Hickman.
Genevieve W. Pilkington, Wallace.

OREGON

Josephine M. Hogue, Grass Valley.
Bessie K. Gardner, Huntington.

TENNESSEE

Rosamond V. Earnest, Afton.
Mary A. Martin, Crab Orchard.
Roy A. Gilbert, Jackson.
George E. Bowling, Oak Ridge.
Clyde J. Mahan, Russellville.

HOUSE OF REPRESENTATIVES

MONDAY, APRIL 30, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, who hast illumined the earth with the radiant splendor of a new day, we are grateful for Thy continuing providence and unfailing love.

Grant that we may meet our tasks and responsibilities serenely and courageously. Give us a contributing and participating view of life, and may it be the goal of all our aspirations to minister to the needs of humanity and to seek Thy glory.

We pray that the officers and Members of this legislative body may be the honored servants of the Lord to keep our beloved country in the vanguard of the upward march toward the final triumph of righteousness and the building of the kingdom of peace.

In the name of the Christ our Saviour, we give the praise. Amen.

The Journal of the proceedings of Friday, April 27, 1945, was read and approved.

ELECTION TO COMMITTEE ON MEMORIALS

Mr. MARTIN of Massachusetts. Mr. Speaker, I offer a resolution (H. Res. 235) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That C. W. (RUNT) BISHOP, of Illinois, be, and he is hereby, elected to the Committee on Memorials of the House of Representatives.

The resolution was agreed to.

NEWS REEL PICTURES OF GERMAN ATROCITIES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I am informed that Pathe News has arranged to show in the Senate caucus room, 318 Senate Office Building, at 3 o'clock and also at 3:30 this afternoon some pictures of German atrocities which will be released later in the week to the theaters. The showing of these news reels will consume about 10 minutes. Members of the House and members of the Press Gallery are invited to attend either one of these two showings of the pictures, the first one at 3 o'clock and the other at 3:30.

Mr. Speaker, I am also informed by the chairman of the Appropriations Committee that a resolution will be reported out of that committee, and the gentleman from Missouri [Mr. CANNON] will ask to call it up tomorrow, which I have agreed to. I understand this matter will not take long. It is an emergency appropriation necessary to take care of the Panama Railroad annuities and also an appropriation for St. Elizabeths Hospital to take care of patients that were not anticipated.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that it may be in order to take up tomorrow, after reading of the Journal and disposition of matters on the Speaker's table, and to consider under the rules of the House, the resolution to which the gentleman has just referred, House Joint Resolution 174.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. TABER. Mr. Speaker, reserving the right to object, I would be willing to have the resolution taken up by consent. It simply provides $600,000 to meet absolute obligations of the Government which cannot be avoided.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. McCORMACK. Mr. Speaker, reserving the right to object, in view of the statement made by the gentleman from New York [Mr. TABER] that it will not take any time to consider this resolution, could the gentleman from Missouri advise the House how long consideration of this resolution will take tomorrow?

Mr. CANNON of Missouri. I trust it will not take a great deal of time.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENSION OF REMARKS

Mr. PRIEST asked and was given permission to extend his remarks in the RECORD in two instances, in one to include a prize-winning essay written by Pvt. Martin A. Watkins and in the other to include an editorial.

Mr. SULLIVAN asked and was given permission to extend his remarks in the RECORD and to include a resolution adopted by the St. Louis Archdiocesan Union of Holy Name Societies.

Mr. HUBER asked and was given permission to extend his remarks in the RECORD and to include a statement by P. W. Litchfield, chairman of the board, the Goodyear Tire & Rubber Co., and also to extend his remarks in the RECORD and to include a resolution passed by the Akron Industrial Union Council. C. I. O.

THE ITALIAN FRONT

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

NOW IS THE TIME

Mr. WICKERSHAM. Mr. Speaker, every Member of Congress should be encouraged to go to the war fronts at this time. They could go in groups of a dozen or more. Each Representative maintains the respect of his own district and Nation, and the public needs to know all the facts obtainable, especially at a time when the "werewolves" on the eastern front and the "rats" on the western horizon are howling and gnawing to the last breath.

Furthermore, Mr. Speaker, I believe that a representative of the State press association of each State should be sent to the fighting areas, in order that the smaller daily and weekly papers might obtain the cold, hard facts which may be relayed to the folks in the short grass, forks of the creek, and every nook and corner of the countrysides.

Mr. Speaker, I have conferred with many Members and I believe my observations represent the sentiment of nearly every one of them. I trust that my suggestions will merit the consideration of the Speaker and General Marshall.

EXTENSION OF REMARKS

Mr. THOM asked and was given permission to extend his remarks in the RECORD and include two editorials from the Springfield Republican.

Mr. DE LACY asked and was given permission to extend his remarks in the RECORD in two instances; in one to extend his remarks on the heroism of Pvt. John H. Dunn, Jr., and include certain dispatches setting forth the facts and in the other to include an editorial from the New World.

Mr. SUMNERS of Texas asked and was given permission to extend his remarks in the RECORD and include a brief editorial from the Dallas News.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article from the Washington Times-Herald by Stanley Johnston relative to the fifth columnists in Mexico against the United States.

Mr. RICH. Mr. Speaker, reserving the right to object, there is nothing in that article that refers to the Weirs, the Pews, and the Du Ponts and other patriotic people in reference to being Fascists, is there?

Mr. SABATH. No. This deals with fifth columnists in Mexico against the United States.

Mr. RICH. As long as those men are doing as much for America as they are, there is no reason why we should insert articles in the RECORD trying to belittle them. They are great Americans, and we ought to honor and respect them.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. LUTHER A. JOHNSON asked and was given permission to extend his remarks in the RECORD and include an editorial urging the adoption of extension of trade agreements.

Mr. HOPE asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the American Legion, Wellington, Kans.

Mr. ADAMS asked and was given permission to extend his remarks in the RECORD and include a concurrent resolution adopted by the New Hampshire Legislature relative to the Jewish Commonwealth of Palestine.

PERMISSION TO ADDRESS THE HOUSE

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes on the subject of cancer.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

TWO-THIRDS RULE

Mr. GOSSETT. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GOSSETT. Mr. Speaker, I have just received a letter which I wish to read into the RECORD. It is here called to your attention because it is unusual in its strength, simplicity, and the number of outstanding organizations signing it. The letter follows:

We, the undersigned, strongly endorse the Sumners resolution (H. R. 60) as a means of implementing American leadership in the cause of world peace.

The two-thirds rule must be changed. At no place in all American jurisprudence does the dead hand of the past lie so heavily across the path of the future.

The views of most of our organizations are expressed in the hearings before the Judiciary Committee of the House.

We are convinced that the vast majority of the American people are vitally interested in the passage of this resolution and hope you will give it your active support.

Sincerely yours,

FLORENCE WYCKOFF,
National Board Member, National Consumers' League.
FREDERICK C. MCKEE,
Chairman, Political Committee, Americas United for World Organization, Inc.
MILDRED G. WELT,
National President, National Council of Jewish Women, Inc.
MRS. AUSTIN STONE,
Legislative Chairman, National Women's Trade Union League.
MISS ANNA LORD STRAUSS,
President Chairman, National League of Women Voters.
ANN KELTON WILEY,
(Mrs. Harvey W.)
Chairman, Department of Legislation, General Federation of Women's Clubs.
MRS. NORMAN WHITEHOUSE,
National Chairman, Women's Action Committee for Victory and Lasting Peace.

O. P. A. DELAY

Mr. BARDEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BARDEN. Mr. Speaker, I have on previous occasions commented on the terrible conditions existing in that branch of the O. P. A. which has to do with control of agricultural products, and especially fresh fruits and vegetables. I now arise for the purpose of bringing to the attention of the House a specific illustration of inefficiency, almost to the criminal degree, and show the cost of this inefficiency to the farmers.

Just prior to March 21, Senator STEWART, of Tennessee, and I requested Chairman FLANNAGAN of the House Agriculture Committee to appoint a subcommittee for the purpose of going into the problem confronted by the strawberry growers. He appointed the committee; the committee held its hearings on March 21 and 22, at which time representatives from the War Food Administration and the O. P. A. were present and testified.

The chief representative of the O. P. A. was Mr. Edward F. Phelps, Chief, Fresh Fruit and Vegetable Branch of the O. P. A., who reported himself as being at the head of the Wholesale and Retail Price Section. At that time he was made well aware of the problem confronting the growers. The growers were then confronting a drought of many weeks. On about April 7 the strawberry-producing area suffered a frost, and the frost, together with that 6 or 8 weeks of drought constituted such a disaster that the Bureau of Agricultural Economics was called upon to make an investigation to determine to what extent the disaster had affected production, looking toward the adjustment of the price by the O. P. A. under the disaster clause contained in the O. P. A. Act.

The Division of Agricultural Statistics in the Bureau of Agricultural Economics gathered the statistics during the week of April 9 and it showed a reduction in production of 42 percent below average. This information was available to W. F. A. and the O. P. A. on April 16. I personally talked to all three agencies and urged that it be treated as an emergency, because the price under the O. P. A. regulation was forced down approximately $3 per crate on April 15.

The report from the Bureau of Agricultural Economics, signed by Mr. Paul L. Koenig, head of Agricultural Statistics, was sent to Mr. E. A. Meyer, Chief of Fruit and Vegetable Branch of the Office of Marketing Services, W. F. A., and a copy to Mr. Kenneth H. Jenkins, Food Price Division, O. P. A., who in turn passed this information to Mr. Frank Gindick, to Mr. Edward F. Phelps, and others in the Fruit and Vegetable Branch.

I, during this time, was pressing them daily and almost hourly, begging them to rush this matter, that the strawberry season was fast coming to a close, and unless it was put into effect immediately the producers would suffer irreparable loss. This did not seem to interest them, and they went slowly on their way, while the Department of Agriculture stood quietly by.

Finally the order was issued by the O. P. A. and appeared in the Federal Register April 28, 1945, increasing the price 5½ cents per quart or $1.32 per crate. Mind you, this was based upon a disaster which had occurred prior to April 10.

Now what is the effect of such careless, inefficient, and disinterested handling of this matter in two markets, which are just two of many in the strawberry section? At Wallace, N. C., from April 16 to April 26, inclusive, there was sold on that market 29,333 crates of strawberries. On the Chadbourn, N. C., market there was sold 20,004 crates, making a total on these two markets of 49,337 crates; and bear in mind that these two markets constitute only a small percentage of the markets in that marketing area. Multiply 49,337 by $1.32 and we have $65,124.84 representing the money which the B. A. E., the O. P. A., and the W. F. A. by their official acts admitted the farmers were entitled to; but the delay of the order deprived them of this.

These farmers had already been hit by frost and drought, and it seems to me that was enough without having men like Mr. Phelps, and Mr. Gindick and others juggling figures and delaying relief until the entire crop had been sold with the exception of 5 percent remaining in the fields.

It is high time this Congress should take official notice of such conduct on the part of officials and see that they are removed from office, thereby relieving the farmers' backs of unnecessary burdens.

While I am on this subject, and since I have spent so much time in tracing the history of this order and in observing the conduct of the Fruit and Vegetable Section, let me say that out of Mr. Edward F. Phelps' own mouth came the admission that they had provided for a mark-up of $3.40 per crate for retailers. When I asked him on March 21 how they ever reached such unreasonably high figures and if he did not think that was an unreasonable profit, his reply was—and I quote him:

If you want my personal opinion though, I think our retail margin is slightly excessive.

In summing up this situation, I am forced to the conclusion that we have a group of ex-wholesalers and retailers operating the Fruit and Vegetable Section or Branch of the O. P. A. who are more than tough on the producers, will pay no attention whatever to the Industry Advisory Committees appointed, are very careful to protect retailers and wholesalers, and the public pays the price.

I quote here a statement from a member of the O. P. A. Fresh Berry Industry Advisory Committee from North Carolina, which, in my opinion, is quite interesting in connection with this picture:

It is my opinion that strawberries are no higher to the consumer during the first part of 1944 and until they were placed under a ceiling than they were after the ceiling was effective. The retail merchant has a right to mark up 34 percent on strawberries above the cost of berries delivered to his store. Such a mark-up he never dreamed of before

O. P. A. gave it to him. In other words, a ceiling on strawberries does not reduce the price to the consumer at all. For 15 years we have been building up the quality of strawberries through our system of marketing in paying the highest price for the best strawberries and our growers have made every effort to put up a standard quality pack in order to be rewarded in price, but now, with an exceedingly small volume and a very great demand, the growers get the same price regardless of quality, and this has caused him to disregard putting up a standard quality package, because, on account of the ceiling, he gets the same price for his strawberries. This will eventually establish a reputation for strawberries that the consumer will not buy our strawberries. In other words, a ceiling on strawberries will "kill the goose that lays the egg."

May I add here that, from my observation, I have reached the following conclusion, that it is high time for the Department of Agriculture to begin to give more of its attention to the all-important matter of furthering and protecting agriculture. The W. F. A. is not in line with the O. P. A. on the strawberry question—how many more commodities I do not know—nor are the officials of the Department of Agriculture; but these sport-model agriculturist and streamlined economists of the hipper-dipper type have moved into the O. P. A. and onto the Department of Agriculture and farmers and virtually taken over.

If the Secretary of Agriculture, the Honorable Claude Wickard, is too modest to step in and put up the fight necessary to protect the farmers, then, as much as I like the gentleman, I wish he would step aside and let someone occupy that place who will have no hesitancy in curbing the O. P. A. when it begins to do those things that will result in not only retarding production but imposing hardships upon the producers.

Those of us representing districts that produce fruits and vegetables are quite familiar with both the attitude and actions of Mr. Gindick, Mr. Phelps, and their assistants in the O. P. A.; and I, for one, say it is time to remove those gentlemen, send them back to their wholesale or retail business, and let someone step in who can hold the scales of justice on a little more even balance.

EXTENSION OF REMARKS

Mr. SCRIVNER asked and was given permission to extend his remarks in the RECORD and include certain resolutions adopted by the American Legion, Second District of Kansas.

Mr. STEFAN asked and was given permission to extend his remarks in the RECORD and include an article from the Reader's Digest.

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD.

INDIAN INDEPENDENCE

Mr. COLE of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. COLE of Missouri. Mr. Speaker, I take this time to read the following letter I have received from a constituent:

The HON. WM. C. COLE,
House of Representatives,
Washington, D. C.

DEAR SIR: I am a resident of Maysville, Mo. I have lived in India for 14 years in educational work, leaving there early last summer, and I have deep convictions concerning the necessity for Indian independence at the earliest possible date.

Will you kindly bring what pressure you can to bear upon the United States Government to call for immediate release of India's imprisoned leaders and for British announcement of a definite date, within 3 years after cessation of hostilities, for the establishment of Indian independence. India's leaders should be making their own decisions at the Security Conference at San Francisco.

Britain's reactionary habit of exaggerating India's divisions is no longer tolerable. The problem of the native states is a matter which can be taken care of by an Indian National Government. The liquidation of the majority of those autocracies is long overdue; and the so-called religious difference, for the most part, are a fire of Britain's own fanning, supported by relatively small reactionary national groups.

Britain's scrupulous concern for the minorities is not consistent with her continued repression of the majority. Seventy-five percent of her subjects in India— the peasants and laborers—are existing under conditions which the civilized world should no longer tolerate. For the promotion of the welfare of this majority the British Government has proved its inadequacy. The immediate liberation of India will prove the key to Asiatic faith in Britain and American efforts towards world peace.

Yours respectfully,
GAIL E. ASEL,
Principal of Forman High School,
Lahore, India.

PERMISSION TO ADDRESS THE HOUSE

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

GOVERNMENT BONDS

Mr. SPRINGER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. SPRINGER. Mr. Speaker, I rise to extend some startling information to the Members of the House, relating to the sale of Government bonds, and the effect of Secretary Morgenthau's order respecting the cashing of bonds. In one bank, in the district which I represent, during the months of October, November, and December, 1944, bonds were presented and cashed in at that bank totaling $404,687.25.

In the month of January 1945, the selling quota of bonds in that one bank was $200,000. They sold their entire quota, and during that same month bonds were cashed by purchasers to the amount of $76,369.62. During the month of February 1945, this bank sold $200,000 of these Government bonds, and during that same month $128,143.67 were cashed in at that bank, and in the month of March 1945, this bank sold $149,419 of these bonds, and in that same month $108,053 of these bonds were cashed at that bank. I have no report on the month of April 1945. However, it is distressing to these banks, who are making a supreme effort to sell bonds, to find that the bonds are cashed in an amount almost equal to the sales made—all because of the foolish order issued by the Secretary of the Treasury.

These banks find it very hard to sell these bonds in the face of this situation which has developed. I apprehend that this sale situation obtains throughout our country.

BE WISE AND ECONOMIZE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, did you get excited Saturday night when the flash came that Germany surrendered unconditionally; when the paper was sold in the streets, big headlines, Germany surrendered? That will happen. Japan must be conquered. That too will happen; when, we know not. After that, what?

A great change in America can, will, and must take place. World affairs will be in a turmoil. We must be sensible, sane, and sound if we will do the right thing for America. The World Conference for Peace will still be in session when Germany collapses. Our aid to the world will be necessarily limited, our promises will be great. Can we carry them out? Will our people approve more burdens, more regulations?

Our great need is Government reorganization. I was excited and jubilant at the statement of the Comptroller, Lindsay Warren, when he told the Congress last week that "you should go after Government agencies with a bush ax or a meat cleaver, or they will swallow you up." Let the House Members get excited and jubilant over that statement. Let the Speaker and the majority leader support legislation eliminating Government agencies, trimming down departments, taking the Government out of business, selling Government surplus property now without a lot of red tape.

Certainly you will have kicks, and some people in the department will holler. Let them holler, but you will have millions who will thank you later for doing the sensible thing. Do it now. Stop the waste and extravagance in the Army and Navy. Food is scarce and the starving world is needing every ounce we have to spare.

Let the United States be wise and economize.

F. E. P. C.

Mr. FISHER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. FISHER. Mr. Speaker, I have just received the following telegram:

Enforcement of F. E. P. C. Directive has caused partial walk-out of 1,400 employees of Shell Refinery, Deer Park, Tex. Situation tense. Stoppage of production within 24 hours apparent. Feeling high in Gulf Coast area. We urge all possible modifications of permanent F. E. P. C.

Signed by:

EMPLOYEES OF SHELL REFINERY.

Mr. Speaker, this is not an isolated case. There have been scores and scores of instances since the present temporary F. E. P. C. was created wherein directives have been issued which were arbitrary, ill-advised, and ill-considered, and which resulted in literally millions and millions of man-hours being lost to the war effort and irreparable damage done to the war program of this country.

The SPEAKER. The time of the gentleman from Texas has expired.

PRISONERS OF WAR

Mr. BONNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. BONNER. Mr. Speaker, during the recess of Congress I took the opportunity of visiting several prisoner-of-war camps in North Carolina. I did not find the pampering and over-feeding of war prisoners that I had heard about. The prisoners are receiving a substantial ration. I found no waste. I was surprised to find an allowance of beer, soft drinks, cakes, and candy, and cigarettes for purchase. This should be discontinued. Among people employing the prisoners, I was told they were doing good work. I was surprised, however, Mr. Speaker, on getting a break-down of the prisoners-of-war in North Carolina, to find that only 29 percent of the prisoners in my State were allocated to farming and other necessary labor. The balance of the prisoners were kept in camp for Army services. Mr. Speaker, in the light of the fact that there are only a little over 1 percent of young men from 18 to 26 years old remaining in industry and agriculture in North Carolina, I have implored the War Department to allocate more prisoners of war for necessary labor in the State, and particularly for agriculture.

The SPEAKER. The time of the gentleman from North Carolina has expired.

EXTENSION OF REMARKS

Mr. RABAUT. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and to include therein a very informative news item from the Washington Star by James Waldo Fawcett concerning the retirment from Government service of that very famous Detroiter, Alvin R. Meissner, head designer in the Bureau of Engraving and Printing.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. KERR. Mr. Speaker, I ask unanimous consent to insert in the CONGRESSIONAL RECORD a statement of background information in connection with the brief defending the congressional "power of the purse" with reference to the cases of Watson, Lovett, and Dodd now pending in the United States Court of Claims.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

INCREASE IN FEDERAL RESERVE NOTES IN CIRCULATION

Mr. TABER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, perhaps one of the greatest dangers to America today is inflation. This has been largely brought about by the tremendous increase in paper money in circulation. The amount of Federal Reserve notes has gone up from about five and one-half billion dollars to over $26,000,000,000. During that period the Federal Reserve banks have bought from the market, in order to sustain the market, nineteen billions and over of Government bonds and that paper-money increase has very largely been used for that purpose. When we are increasing the paper money in circulation to provide the funds to sustain the Government bond market we are promoting inflation in a way that no possible governmental control action can stop.

The SPEAKER. The time of the gentleman from New York has expired.

EXTENSION OF REMARKS

Mr. McCORMACK asked and was given permission to extend his remarks in the RECORD by including in the Appendix an editorial appearing in the Boston Post.

INFLATION

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a statement from the Treasury showing the amount of money in circulation.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

PERSONAL PRIVILEGE

Mr. HOFFMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state the grounds upon which he claims a question of privilege.

Mr. HOFFMAN. Mr. Speaker, in a leaflet entitled "In Fact," George Seldes, editor, under date of March 12, 1945, appears a headline "Documentary record of a typical native Fascist, Congressman HOFFMAN."

Then, further down, "Native Fascist Bloc in Congress."

Then, on the following page, in black-faced type, is the statement "Call HOFFMAN seditionist."

Then, further down, "HOFFMAN and the Fascist falsehoods."

Then follow later these words:

But every test of the CONGRESSIONAL RECORD shows that lying is confined almost exclusively to the Tories of the Republican Party and the Bourbons of the Democratic Party; in other words, only to the reactionary side.

The pamphlet, in effect, charges that the Member from the Fourth Congressional District of Michigan is a Fascist and reflects upon his integrity and patriotism in his representative capacity and raises the question of personal privilege.

The SPEAKER. The Chair recognizes the gentleman from Michigan.

Mr. HOFFMAN. Mr. Speaker, what has just been said, and from other leaflets put out by this same man, George Seldes, it appears there is a continued effort to brand not only individual Members of Congress as being Fascists, but a majority of the Members of Congress are charged with being Fascists.

I recall that since that leaflet of March 12 came out another one was issued, in which another Member of this House was charged with being pro-Nazi, was charged with being a Fascist, with being unpatriotic and disloyal. As it happens, I know the record of that gentleman. He holds medals and decorations for patriotic service in two wars. At the moment he has a son who is a major with the Army. Yet this man, this character assassin, goes on week after week publishing these charges against the people's Representatives and we do nothing about it.

On the 19th of April the gentleman from Illinois [Mr. SABATH], inserted in the RECORD a statement put out by the War Department.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain newspaper excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROBSION of Kentucky. Mr. Speaker, will the gentleman yield at that point?

Mr. HOFFMAN. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Has it been fully established that the War Department issued that statement or authorized it to be made?

Mr. HOFFMAN. I do not know; and perhaps I should qualify my statement about the War Department. The gentleman from Illinois, the chairman of the Committee on Rules, put the statement in the RECORD and it is headed "United States exposé of native fascism," and it is dated "War Department, Washington, D. C., March 24, 1945." Beyond that I do not know. I have not called the War Department.

Mr. BUFFETT. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. BUFFETT. I asked the War Department for a copy of that statement and received a copy of it from them. They put it out.

Mr. HOFFMAN. They gave you a copy?

Mr. BUFFETT. Yes.

Mr. HOFFMAN. There is no question about what the statute provides as to the use of Government funds. I wish that every Member of this House would read that statement. I shall just call attention to two or three statements in it. At first I thought it was intended only to discredit some of us who opposed New Deal policies, but after I read it I could not fathom its purpose. Listen to this statement:

> Fascism is government by the few and for the few.

I wondered as I read that whether the gentleman intended to call attention to the O. P. A., the W. P. B., the War Labor Board, and the National Labor Relations Board, because the trend of those agencies is in the direction of government by a few.

The article goes on to say:

> The objective is seizure and control of the economic, political, social, and cultural life of the state.

Of business. Surely the gentleman from Illinois [Mr. SABATH] had no intention of referring by inference, even, to the late President's seizure of Montgomery Ward, to his seizure of other industries throughout this country; so I was somewhat confused as to what the War Department was getting at when it wrote that language. I read further:

> The Fascists promised everything to everyone. They would make the poor rich and the rich richer. To the farmers the Fascists promised land through elimination of large estates. To the workers they promised elimination of unemployment—jobs for all at high wages.

Well, if anyone has promised any more than did the gentleman who not so long ago was the Vice President of this country, Henry Wallace, who is talking about 60,000,000 jobs, then I do not know who it is. He first suggested a pint, then later a quart of milk a day to each person in the world. But I am sure that neither the War Department nor the gentleman from Illinois was charging that our former Vice President was a Fascist. Or was it? Sixty million jobs. That is a promise of some magnitude. And so you might go on through the article.

Then, over on the next page appears this statement:

Listen:

> Fascism cannot tolerate such religious and ethical concepts as the "brotherhood of man." Fascists deny the need for international cooperation. These ideas contradict the Fascist theory of the "master race." The brotherhood of man implies that all people—regardless of color, race, creed, or nationality—have rights. International cooperation, as expressed in the Dumbarton Oaks proposals, runs counter to the Fascist program of war and world dominion. * * * Right now our native Fascists are spreading anti-British, anti-Soviet, anti-French, and anti-United Nations propaganda.

Is it the purpose of the War Department to stifle criticism, to do away with free speech, to deny to all of us the right to criticize the activity of any other country or nation? Is the War Department campaigning for Dumbarton Oaks with Federal funds?

If memory serves me correctly I have heard gentlemen on the other side who say they are liberals, who are behind much of the proposed legislation, criticize other Governments' foreign policies. I will not name the gentlemen. Are they Fascists, too, or is it just those on this side or those in this House who venture to believe that our sovereignty in this San Francisco Conference should not be surrendered against whom this blast was put out?

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. SABATH. Can the gentleman find anything in that article that in any way implies anything against any Member of the House? They are only warning our armed forces against Fascist activities abroad and there is nothing in it against any Member of this House as I read it.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. The viciousness of it is that it picks out the names of men whose sons are fighting and dying in this war and brands them as American Fascists. The gentleman from Illinois [Mr. SABATH] puts that statement in the RECORD when he knows they cannot come here and defend themselves.

Mr. SABATH. No.

Mr. RANKIN. I am talking about the article to which he refers that the gentleman from Illinois put in the RECORD the other day.

Mr. SABATH. That does not appear in the article.

Mr. RANKIN. The names of these men, who are just as patriotic as the gentleman from Illinois, are included in that statement the gentleman from Illinois inserted in the RECORD the other day.

Mr. SABATH. That does not appear in the article.

Mr. RANKIN. Oh, yes; the names appear in the RECORD.

Mr. SABATH. That is my own statement.

Mr. HOFFMAN. Mr. Speaker, I do not yield any further.

Mr. RANKIN. Will the gentleman yield?

Mr. HOFFMAN. Not just now.

If I read this article from the War Department correctly and the test laid down there, I doubt if there is a Member of this House who has not some characteristics of a Fascist, if the test be taken as accurate which of course it is not, because we have all criticized this, that and the other move at some time. The whole purport of the articles in In Fact is that if you are anti-New Deal then you are a Fascist. The gentleman from Illinois, after putting the War Department statement in the RECORD, went on to say:

> Mr. Speaker, my only regret is that the rules and regulations of the War Department preclude the naming of outstanding American Fascists, such as the duPonts, the Pews, the Girdlers, the Weirs—

And so forth. I say that the gentlemen just named are not Fascists, they are not Communists, they are Americans. Perhaps the gentleman from Illinois does not know an American when he sees one.

If the gentleman from Illinois has any evidence that the individuals named are Fascists, and if fascism runs counter to true Americanism, and the holding of that belief is unpatriotic, he should take it to the House Committee on Un-American Activities. I challenge him to make good his statement or withdraw it.

I confess that I have tried in vain to find out what a Fascist really is, unless it be said that he is just a member of a party which does not agree with your policies. If the gentleman has the evidence, why does he not take it to the House Standing Committee on Un-American Activities? Why make a blanket charge? The only reason I know of is that it may be they are Republicans and no specific charge can be substantiated.

Mr. SABATH. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Illinois.

Mr. SABATH. If the gentleman will examine that article he will see that there is no charge of their being unpatriotic or that they are against the Government.

Mr. HOFFMAN. What does the gentleman mean then?

Mr. SABATH. I shall enlighten the gentleman and, for the general information of the House, I shall define whom I consider to be a Fascist. American or native fascism is different from, although it has some characteristics of, the European brand of fascism. American or native fascism does not indicate loyalty to Hitler, Mussolini, or Hirohito, but rather it is a brand of political and economic philosophy which would subvert our democracy to the domination of a chosen few over the heritage of all Americans who have made their contributions to America regardless of race, creed, or color. Those who are striving to gain control for a privileged few—whether they are the descendants of the *Mayflower*, or so-called Anglo-Saxon whites, or economic Tories—can be described as Fascists in America. Those are the principles which have guided the Liberty Leaguers and the American Firsters who prevented America from seeing the dangers of European fascism and preparing for this war until they were sure their interests were safeguarded and protected.

Mr. HOFFMAN. Let me ask the gentleman a question.

Mr. SABATH. Yes.

Mr. HOFFMAN. Is it not true that the New Deal throughout its entire term has tended to put the Government in the hands of a few? Did not the late President say in his annual message of January 3, 1936:

> In 34 months we have built up new instruments of public power. In the hands of a people's government this power is wholesome and proper. But in the hands of political puppets of an economic autocracy such power would provide shackles for the liberties of the people.

Now, after 34 months of work, we contemplate a fairly rounded whole. We have returned the control of the Federal Government to the city of Washington.

And today the O. P. A., the W. P. B., N. L. R. B., and other Executive agencies are oppressing the people through the power they have acquired.

Mr. SABATH. We did not do anything against these men of affairs; in fact, they have been well treated by the New Deal, even by those who have been charged continuously with being Communists. I cannot understand why there is so much hullabaloo when the gentleman knows that everybody who at any time said anything for the New Deal was immediately classified by the very people whom I have designated, or by their representatives, of being Communists, and so forth.

Mr. HOFFMAN. I regret the gentleman is not stating the facts.

Mr. SABATH. They like to give it but they do not like to take it.

The SPEAKER. This is getting to be a debate and not a question of personal privilege. The Chair would like to have the gentleman from Michigan confine himself to the question of personal privilege.

Mr. HOFFMAN. Mr. Speaker, I will endeavor to do so. The charge was that there was a bloc of Fascists in America and that I was one of them.

The SPEAKER. I do not think any Member of the House will argue with the gentleman and try to prove that the article in question is true.

Mr. HOFFMAN. I did not know.

The SPEAKER. We have a heavy program in the House this week and the Chair trusts the gentleman will proceed with as small an amount of yielding as possible.

Mr. HOFFMAN. I could finish very quickly, Mr. Speaker, but I like to be courteous to the other Members of the House.

The SPEAKER. But that is not the matter the Chair recognized the gentleman to speak about.

Mr. HOFFMAN. Well, that is due to my ignorance then if I made a mistake in yielding.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. If the gentleman is going to speak on this question on which I received permission on a matter of personal privilege.

Mr. KEEFE. Yes. I understand that the article of which the gentleman complains specifically accuses the gentleman from Michigan with being a native American Fascist.

Mr. HOFFMAN. That is right.

Mr. KEEFE. And in a subsequent article in the same paper to which the gentleman refers another distinguished Member of the House was specifically referred to as being a Fascist.

Mr. HOFFMAN. That is right.

Mr. KEEFE. In that connection, the article placed in in the CONGRESSIONAL RECORD by the distinguished gentleman from Illinois names certain other people of the country as being Fascists and gives the impression to the people of the country that the War Department designates them as American Fascists but due to Army regulations is not permitted to name them publicly.

Mr. HOFFMAN. That is the understanding.

Mr. KEEFE. Did the gentleman not get that impression from reading that article?

Mr. HOFFMAN. That is the logical inference to be drawn from that insertion in the RECORD.

Mr. KEEFE. I want to say to the gentleman that at a proper time some day this week I shall perhaps have some comment to make upon that article submitted by the gentleman from Chicago.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Mr. Speaker, I will have to decline to yield under the ruling of the Chair.

The leaflet to which I have referred and as to which personal privilege was obtained, refers to those charged by the author with being opposed to so-called anti-discrimination legislation. Specifically H. R. 2232. I am opposed to the 2232 bill which I hope the Committee on Rules will shortly send up for action on the floor of the House, and I think that the reasons why I oppose that bill do not make me subject to any such charge as is contained in that article. We know what the 2232 bill purports to do. It is to end discrimination in employment because of race, color, creed, national origin, or ancestry.

Mr. RANKIN. Mr. Speaker, if the gentleman will yield, before the gentleman gets away from this individual, George Seldes, I wish to call attention to the fact that the record of the Dies committee shows that this George Seldes was connected with several subversive front organizations; in other words organizations engaged in those activities calculated to overthrow and destroy this government. I am not giving you my guess. I am giving you the record of the Dies committee that investigated these matters.

Mr. SABATH. If that is so, they ought to be prosecuted.

Mr. HOFFMAN. Mr. Speaker, may we have order?

Mr. RANKIN. Then the gentleman from Illinois ought not to be vouching for him as an authority.

Mr. SABATH. I do not vouch for him.

The SPEAKER. The gentleman is out of order and so is the gentleman from Illinois. The gentleman from Michigan is recognized.

LOOKING FOR TROUBLE

Mr. HOFFMAN. The avowed purpose of H. R. 2232 is to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry. The objective is a desirable one. But the legislation proposed, in its implications, is broader than the announced purpose, is unsound and unworkable.

Briefly, the bill provides for the creation of a commission with the powers of an investigator, a prosecutor, a court, with authority to compel employers to hire applicants for jobs, labor unions to accept applicants for membership, without taking into consideration the applicant's race, color, creed, national origin, or ancestry.

Some specific provisions of the bill will be referred to hereafter.

THE MEASURE IS UNSOUND

Attempts to change long-established habits or procedure—social reforms—which are based upon a state of mind, can be successful only when brought about by a disclosure of the facts; a persuasive appeal to a sense of justice and to reason.

Inherent beliefs, the faith of a people or a race, the customs, based upon experience and which have been adhered to for years and found by a majority opinion to be good, cannot be eradicated by legislation, although a people, a race, may be exterminated.

Ample proof of this fact is found in history.

The Good Book tells us that, on one occasion, the people, being of one language and of one speech, and we have no evidence of any discrimination at that time because of race, creed, color, national origin, or ancestry, sought to erect a tower reaching into the heavens—the Tower of Babel—but the Lord in His wisdom, to prevent it, created a confusion of tongues. The people of the world ever since have been divided into various races, colors, and creeds.

Do some now think that all the people of the world can once more, by prohibiting discrimination, be united into one race, one creed, of one color, with one language?

Whatever may have been the Lord's purpose or the present purpose of individuals or groups, experience teaches us that, so long as the laws of nature operate, the transition, if it ever occurs, will be long in coming.

The Pharaohs sought for years to hold the children of Israel in bondage, to change their religious faith. In the end, they but succeeded in uniting them; then scattering them throughout the world, where, down through the centuries, because of their racial characteristics, they have exerted in every line of human endeavor an influence out of all proportion to their number.

The all-powerful Roman Empire persecuted the Christians, threw them to the wild beasts, but Christianity still lives and has become the foundation of the greatest, the most powerful Nation in all the world—the United States of America.

Our own Nation, a nation of law-abiding people, tried prohibition—an attempt to bring about a social reform by force of law. The result was a dismal failure and the repeal of the constitutional amendment.

True, laws are needed and in many instances are a remedy for unfair and unjust acts practiced against individuals, but laws which have been effective are only those which have given a legal remedy against unjust, injurious acts which met with the disapproval of at least a majority of our people.

Other laws, designed to correct abuses and which were not supported by the judgment of the people, have either been repealed or ignored.

In orderly, civilized society, every individual must sacrifice some portion of his right, of his liberty, of his independence, for the good of all. No individual can

claim the full measure of freedom to which he is in the abstract entitled.

A partial surrender of the individual's freedom of action is the basis of civilized society, which analyzed, consists of the laws, rules, and customs conceived and tolerated by the majority for the good of the whole.

While all may be born to, and should have, equality of opportunity, self-preservation, greed, ambition, and sometimes even less worthy motives, destroy the pattern, and no method has been yet devised to successfully mold all individuals into one pattern.

It would be a dreary old world in which all looked alike, acted alike, spoke the same language, had the same desires.

THE BILL'S SPONSORS

Good citizens, sincere in their convictions, desiring to see all individuals of all races, creeds, and colors in possession of jobs, homes, and as well educated and financially established as are others who possess superior advantages, believe this legislation will do for those who, they say, are the victims of discrimination, what others think can be accomplished only by time and education.

Others, professional reformers, without convictions of any kind, see in the bill an opportunity to reap a rich financial reward through the exercise of their professional talents as creators of unrest and the advocacy of controversial legislation.

Still others supporting the bill are so-called "smart" politicians, who think that the holding out before the Negro, not only of the justifiable hope of equal opportunity for employment, but the vision of an immediate utopia, where all men will share equally in jobs, goods, and prosperity, will secure for them and their political party the support of the Negro voter.

It is for each Member of Congress, who desires to speak for, in support of, and to vote for this bill, to determine for himself in which, if any, of the categories enumerated above he should classify himself, or, if he prefers some other classification, to, if he wishes, designate and describe it.

SCOPE OF THE PROPOSED LEGISLATION

While the bill, by its terms, seeks merely to prohibit discrimination in employment, the hearings show that its supporters and advocates seek to extend the prohibition to broader fields.

It is evident from the hearings and from current arguments in support of the bill, that there is the additional desire and purpose to prohibit discrimination in social intercourse, in education, in business, as well as in employment.

In brief, the ultimate objective of some of those back of this measure is to place all individuals on an equal footing in every walk of life.

While the bill does not go that far, it is nevertheless contended and urged by some of those advocating its passage that there shall be no discrimination, not only in employment, because of race, creed, color, national origin or ancestry, but that every individual shall have equal opportunity to participate with others, regardless of their wishes, in business, in social activities, in religious worship, and that a universal intermingling and, some assert, intermarriage of the races, regardless of creed or color, is desirable.

Given the most favorable possible construction, this proposed legislation is an attempt to force the individuals of all races, colors and faiths, regardless of their own desires, into every activity—social, economic and religious—on a basis of equality.

It appears to be the ultimate desire of some of the proponents of this legislation to permit individuals, no matter what their race, color, creed, or, for that matter, degree of education, prosperity or intelligence, to force Americans, and, speaking figuratively, to throw them into one huge melting pot—America—in the hope that out of the mixture will perhaps come a race of supermen, all showing the imprint of one mold.

Construed from a realistic standpoint, it will at the present time, in the opinion of many, emphasize racial feeling, incite civil strife and assist the Communists, who deny the existence of a diety and the efficacy of religion, in their efforts to create here a situation of which either a mob or a dictator may take advantage and use for the destruction of orderly constitutional government.

Accepting the view of some its bitterest opponents, this legislation will better the condition of a few; impair the welfare of all others; create a mongrel race; destroy our government, which, from the time it came into existence until recently, was the fountain head of liberty, justice and opportunity for the peoples of the world.

In making the foregoing statements, I am not expressing my own views, merely giving voice to the hope of those who advocate, the fears of those who oppose, this bill. This is merely an attempt to recite some of the facts, give voice to some events certain to follow the enactment, interpretation and enforcement of this bill. Permit me to suggest that every Member of the Congress examine the bill in the light of present-day conditions, draw his own conclusions, act in accordance with his own judgment as to what will be best for the country, rather than what may be best for his own or his party's immediate political future.

THE NEED

The bill is founded upon the assumption that there is in this country substantial discrimination in employment because of race, creed, color, national origin, or ancestry, which is detrimental to our national life.

The facts do not show discrimination in employment because of religion.

The census of 1936, the latest religious census, shows that in this country there are—

Protestants and all others, exclusive of Catholics and Jews, but including members of the Baha'is Society and the Vedanta Society, numbering	31,251,245
Roman Catholics numbering	19,914,937
Jews (members of Jewish congregations)	4,641,184

I challenge any Member of Congress or any advocate of this bill to point to any substantial discrimination, either in public or private employment, against any individual because of his religious belief.

It is true that in certain cities, in certain sections of the country, people of one race or color are grouped together and that people of another race or color are not welcomed to that locality.

There are places where Irish, Italians, Germans, Hollanders, Scandinavians, Poles, or people of some other race are in the majority; but that grouping is not due to ill feeling against people of another race or color, but rather to the fact that the individuals in that community have certain national characteristics in common, and they naturally prefer as their neighbors people possessing the same general traits of character, using the same methods, having the same habits and customs.

It is more than possible that a typical fighting Irishman would find little to attract him in a community of Quakers, or that his arrival as a permanent resident there would be hilariously welcomed.

He who believes that racial characteristics which have been inbred in a people for centuries can be either suppressed or eradicated by legislation has more faith in the effectiveness of law than is justified by experience.

The average Irishman is not a merchant. He takes naturally to an environment which gives opportunity for physical activity, for political advancement. Jews are not, as a rule, workers in industrial factories, although they are largely engaged in the manufacture of clothing. They go in for merchandising and the professions.

Certainly the advocates of this bill do not contend that there is discrimination against the Jews in private enterprise or public office because of their race or creed. It is a well-known fact that many of the most powerful financial institutions in this country are controlled by the Jews. It is indisputable that their power, influence, and control over merchandising, the press, and the radio is out of all proportion to their number in the total population. In the professions, in the Federal Government, the Jews are predominant.

It would be interesting to those of us who have listened so long, so often, and so patiently to the stories by the Members of that race in this House of the persecution of the Jews to have accurate figures showing the proportion of the volume of the business of the country which is owned or controlled by individuals of the Jewish race; to know the exact number of Jews who are outstanding in the professions, in the sciences, in the arts; the number of high positions in the Federal Government held by or which are under the control of the members of that race.

Living in a small country town in a district where there are a considerable number of Jews, it was not until I came to Congress in 1935 and listened to some of the Members speak from the well of the House, read some of the propaganda distributed or broadcast over the radio by extremists, that I was advised that there was in this country any considerable racial feeling of any kind, or that individuals or organizations were antag-

onistic toward each other because of religious belief. I have yet to see any evidence that such discrimination or antagonism exists except perhaps in a few cities, and there it affects but a small proportion of the total population.

No one would seriously argue that the Catholic Church is lacking in influence or that individuals of that faith do not have a substantial, powerful role in the policies of our Government. The holdings of the Catholic Church, its schools, its colleges, and its universities, which dot our land from coast to coast, from Canada to Mexico, are proof that there is no discrimination against Catholics because of their creed.

Nor have I ever heard of any complaint by or from any Catholic that discrimination was practiced against him, either in private or public life, because of his faith.

The Catholic Church, so far as I know, is not asking for the adoption of this bill.

In number, the Protestants exceed any other religious group and, as a rule, one may search in vain for discrimination against them. Nor are they, as a group, seeking the adoption of this bill.

Other minority groups in this country, such as the Chinese, the Japanese, the Mexicans, are so few in number that legislation of this broad general character, so fraught with possibilities of creating ill feeling, is unnecessary.

Who, then, will be benefited by this bill? What race, what color, what people will be relieved of discrimination, if there is harmful discrimination in employment?

The legislation is based, and the hearings have proceeded, upon the assumption that members of the colored race, when they sought employment, were discriminated against by labor unions and employers.

It will be something of a shock to the outspoken advocates of this bill to be forced to acknowledge the fact that at least as to the number of jobs held by Negroes, the only discrimination practiced in employment has been in favor of—not against—the Negro.

There are no figures in the Bureau of the Census from which we can learn whether discrimination against Negroes has been practiced by labor unions or by the Federal Government. A casual survey of the Federal offices in Washington would lead one to the conclusion that Negroes are holding at least their due proportion of Federal jobs.

According to the census of 1940, there are in this country, 118,214,870 whites; 12,865,518 Negroes; 588,887 people of other races.

Individuals of the Negro race constitute 9.77 percent of the total population; they hold 9.91 percent of the jobs.

Figures from the same department for the year 1940 show that the total number of persons gainfully employed is 45,166,083; and that of this number 40,495,089 are white; 4,479,068 are Negroes, who hold 9.91 percent of the jobs, or fourteen one-hundredths of 1 percent more than they would be entitled to hold if employment was distributed upon a proportionate numerical basis.

It is a well-known fact that discrimination in some occupations or professions is practiced in favor of the Negro. In the steel mills, in the foundries, in some jobs where skill and endurance under heat is required, the Negro, because physically better adapted to and qualified for that work, receives a preference. Negroes are favored as cooks, chefs, waiters, chauffeurs, and many other occupations for which they are especially qualified.

The Committee on Fair Employment Practice, Division of Review and Analysis, made a report in January of 1945, in which it was stated—page 3—that, from the statistics submitted by 44 agencies of the Government as of July 31, 1943, 12.5 percent of the employees were Negroes; from the statistics furnished by 30 independent agencies, it appeared that, within that group, "Negroes formed 13.6 percent of the total employment."

The same report, on page 28, carries the information that, in the executive branch of the Government, there were employed as of March 31, 1944, 2,295,614 individuals, of whom 11.9 percent were Negroes.

The Negro population is but 9.77 percent of the whole.

Any discrimination shown by this report appears, on a casual reading, to be due to the fact that most of the jobs held by Negroes are in the lower brackets, as measured by compensation or educational qualifications; and it may be that, if there be disparity, it occurs because a higher, more techincal, standard of education is necessary.

FEDERAL COMMISSION NOT THE ANSWER

If it be assumed that there is discrimination in employment which should be prohibited by legislation, this bill creating a Federal commission is not the answer.

If the usual pattern is followed—and there is no reason to believe it will not be—a majority of the individuals who now exercise the functions of the executive agency will be continued in power.

Some light as to the procedure and the results which may be expected if this bill becomes law will be gained by an examination of the present committee's activities.

The President's Fair Employment Practice Committee was first established on June 25, 1941. The United States Government Manual tells us that the committee was created to do just two things—and I quote—"to promote the fullest utilization of all available manpower and to eliminate discriminatory employment practices."

The hearings do not disclose that either the hearings or the orders of the committee have utilized additional manpower.

The committee, whose principal duty it was to eliminate discriminatory employment practices, has, if its acts are any proof of its purpose, itself been guilty of the most flagrant discrimination in favor of a minority group.

It has considered complaints, held hearings and issued orders against others, but it has not itself, in its own activities, frowned upon discrimination.

In fact, this particular agency, like so many minority groups when once they get power, has used its power to advance the interests of its own followers, to discriminate against all others, even though the group to which they belong be in the mapority.

From a statement furnished by the F. E. P. C. itself on March 8, 1945, we get the following figures:

The total number of employees of the F. E. P. C. is 110. They are divided as follows:

	Number of employees	Percentage of total number [1]	Salaries	Percentage of salaries [1]
White	43	39.1	$150,180	43.13
Colored	65	59	194,580	55.88
Japanese-American	2	1.9	3,420	.99
Total	110	100.0	348,180	100.00

[1] Not computed by Committee on Fair Employment Practice.

From the foregoing, it appears that, although, of the total population of the United States, 89.78 percent are whites and but 9.77 percent Negroes, when this agency, created to prevent discrimination, transacts its own business, it discriminates against the whites of all races, of all faiths, and gives to the Negroes 59 percent of the jobs, although, on the basis of population, they constitute but 9.77 percent of the population.

The F. E. P. C. itself; that executive agency of which we have heard so much; whose officials are so insistent that they be given the cloak of legal authority; that the agency be made permanent, clothed with the power to receive, investigate, hear and judge complaints; that its employees be clothed with the authority of a sheriff, a prosecutor and a judge, by its own record is shown to be biased, prejudiced and a creator of racial feeling and discrimination.

It pays the Negroes in its employ 55.88 percent of the total funds expended by it for employment, although the Negroes number but 9.77 percent of the total population.

Japanese-Americans in the employ of the committee number but two. Their compensation totals $3,420.

An agency so biased and so unfair is incapable of administering equal justice under law and should be abolished, instead of being given legal authority, entrusted with arbitrary power.

We have no reason to believe that any legalized successor of the present committee would do a better job. We have but to recall some of the orders and directives, some of the procedures of the O. P. A., of the W. P. B., of the N. L. R. B., whose rules and procedure it is proposed this new commission shall follow, to realize how unmindful of the rights of citizens and businesses, how arbitrary, unreasonable and tyrannical, are some Government agencies.

A FEW POSSIBLE RESULTS OF THE PROPOSED LEGISLATION

Because, if he would live, man must have food, clothing, and shelter, unless he can obtain these by gift, through charity, or by theft, he must work. From this premise it is argued that the individual must be given a job, has a property right

to a job. Some proponents of this measure advance the theory that if A has no means of livelihood, B, who is more fortunate, must furnish a job for him.

If it be true that A is entitled to a job, can it not be urged, with equal force, that if B purchases a tract of land, clears it and, through foresight, hard work, and thrift, creates 10 jobs, those jobs are B's jobs to be given to whosoever he may choose for the work? That he should have the right, if he prefers, being himself a Catholic, a Jew, or a Protestant, to surround himself with people of his own faith, deny a job to one of another faith?

If an individual engaged in merchandising, or in manufacturing, because of the exercise of his own talents, finds that he can employ more than 6 people, should he not have the right to employ the needed assistance, without being forced to accept people of a faith or creed which he abhors? When a man creates a job, does it belong to him or to an applicant? He can close his factory, sell his dairy herd, abandon his farm—he can end all jobs at his disposal—destroy them all by ending his enterprise—can he not then base his refusal to give one to an applicant on the ground that the applicant is a Mohammedan or a Jap or German?

Suppose the employer's son was one of those tortured to death by a Jap or German and the sight of, or association with, either causes grief, brings back his loss, must he be forced to disregard the man's race and hire him—have ever before him a reminder of his son's suffering and death?

If a Jewish synagogue, a Catholic cathedral, or a Protestant church needed janitors, painters, anyone to do a job, and individuals of another faith applied, should the organization be compelled to disregard creed when hiring an employee? And don't tell me that bill does not apply because they are not engaged in an activity which affects interstate commerce—not since the courts decided that the man who sells coal for burning within a State to a company which uses it within the State to make electricity which sheds its light across a State line, is engaged in a business affecting interstate commerce.

And do not the Jewish, Catholic, and Protestant religious organizations, employing more than six workers, publish and circulate their publications in interstate commerce? Of course, they do.

Assume that the operator of a foundry, having found by experience that only workers of the colored race could stand the heat, the difficult working conditions, needed 50 men; if he inserted an ad in a trade paper asking for Negro workers, he would, if a previous ruling of one of the employees of the present committee be followed, be held guilty of a violation of this proposed legislation, nor would he have the right, if this bill became law, to refuse to hire a white man, even though the white man could not do the job.

If the owner and operator of a cold-storage plant, where hundreds of carcasses of beef were hung and removed each week, knowing by experience that members of the Negro race were susceptible to the cold, unsuited to his purpose, announced that he would hire only whites and would prefer Norwegians and Swedes from Minnesota or some other northern locality, he would fall under the ban of the proposed commission. Would you say the refusal would not be based upon the fact that the applicant belonged to one race or the other, but was because he was not physically qualified for the job? That, of course, would be the real reason, but, believe it or not, all too frequently Government agencies base their findings upon other than the real reason.

One has but to read the decisions and the testimony in cases decided by the N. L. R. B. to learn that over a period of months—yes; of years—the real reason for an order was buried beneath a load of sophistry and the case decided upon the announced reason that the employer had acted because of union activities.

Just read the Supreme Court decision of a week ago. In one case the court held—if I read the decision correctly—that a rule made to prevent the littering of company premises and the wasting of time by employees and which prevented the soliciting of union memberships during working hours on company property was invalid because it interfered with the right of the employees to organize.

Did Congress, when it gave the right of collective bargaining, have any thought that union organizers, when not working for the company, could go upon the company's premises during working hours and interfere with production by soliciting members? Yet today that is the rule.

Suppose a Congressman wants an additional clerk, he already having six employees. It happens that he is a gentleman and the gentlemen prefer blondes, but a beautiful French brunette shows up. The Congressman maybe wants a Swede, but surely, his speeches going into and sometimes burdening interstate commerce, if this bill becomes law he will take the French secretary, even though his good wife has an aversion, a deep, abiding aversion, to brunettes, and thinks blondes capable and harmless.

Oh, the legislation is filled not only with absurd possibilities but probabilities capable of arousing discord and strife, being used for persecution and racketeering.

If there is no reason why a white Catholic should be permitted to deny employment to a Negro Protestant, is there any reason why a white Protestant, other things being equal, should not be required to work for a colored Catholic?

One familiar with the record will recall that, under the N. L. R. A., in all too many instances when a complaint was made against an employer, and it was alleged that the discharge or refusal to hire was made because of union affiliations or activities, the employer was found guilty of an unfair labor practice, in some cases ordered to pay back wages, though there was ample evidence to show that the discharge was due to a violation of a company rule made for the protection of the employee, or because of the applicant's criminal record.

If this bill becomes law and an individual applies for a job which is not forthcoming and another applicant is selected, how easy it will be to file a charge that employment was denied because of race, creed, color, or ancestry, and how easy will it be for a board set up to protect the interest of minority groups to find, as a matter of fact—that is, in its own opinion—that the refusal was due to discrimination.

On the 27th, the chairman of the Labor Committee put into the RECORD, page A2123, certain questions relating to this bill, which she then proceeded to answer. Incidentally, that is a very convenient and effective way to convey a lot of misinformation.

At this point let me answer just one of the questions she asked herself and then answered:

16. Question. Will the bill make possible racketeering, blackmail, or groundless suits?

Answer. No; because the F. E. P. C. will dismiss all groundless charges on its own initiative, without formal proceedings and before there is any contact with the accused employer. The present F. E. P. C. has dismissed two-thirds of all the complaints filed with it. F. E. P. C. thus serves as a necessary safety valve for people who fancy they were discriminated against.

That part of the answer which tells us that the bill will not make possible racketeering, blackmail, or groundless suits, and I quote:

Because the F. E. P. C. will dismiss all groundless charges on its own initiative, without formal proceedings and before there is any contact with the accused employer—

rests upon the assumption that we are dumb. If it were true that an unfounded complaint would be dismissed without notifying the defendant, that does not do away with the opportunity created by the bill to make charges of discrimination.

And just how will F. E. P. C. determine "on its own initiative, without formal proceedings and before there is any contact with the accused employer" that a charge is groundless? What sort of an investigation will it make to arrive at such a conclusion? Is anyone so simple-minded as to believe that anyone engaged in an effort to collect blackmail, operating a racket, would present to the F. E. P. C. a charge that was groundless on its face? Racketeers are too smart, too unscrupulous to follow that course.

I personally know of one case where, under an O. P. A. regulation fixing the price on coal, a dealer was required to produce his books showing his charges, giving the names of his customers and, when it appeared that to meet the teamsters' demand for a 50-cent increase he had raised the price of coal, someone with access to the file took that list of customers and wrote each of them that he was entitled to a minimum penalty—I think it was $25 or $50. What an opportunity for a crooked shyster, grafting lawyer! How easy, if this bill becomes law, for a smart lawyer to collect 10 expert stenographers, clerks, or individuals of any particular calling, of each race and religious faith, then watch the employment ads and shove in his stooges as an applicant for a job where he knows that notwithstanding the qualifications, for one reason or another, the job would be refused, then lay back and after 6 months or a year make complaint and obtain from a friendly board an order

to hire, plus 6 months' or a year's back pay.

That the advocates of this bill are not solely concerned with lessening discrimination is shown by the fact that it does not attempt to prevent discrimination in employment because of nonmembership in some labor organization.

It is a matter of common knowledge that labor organizations have practiced discrimination against the members of other unions and this though at times the applicants were affiliates of the same international.

The New Deal administration has practiced wholesale discrimination in favor of the C. I. O. The C. I. O., the A. F. of L., and the administration time and again joined to discriminate against the nonunion worker.

When the construction of Army camps, barracks, and war plants, was vitally needed, hundreds of thousands of men were either deprived of employment or made to pay hundreds of thousands of dollars tribute before being permitted to work on the sole ground that they were not members of a specified union.

Today many a blood relative of a man who is on the fighting front cannot work to produce the munitions of war needed by the son, brother, or husband, until the demands of a union have been met—discrimination which denies a man's right to earn a livelihood.

In last week's issue of Collier's, John L. Lewis points to the fact that while there are 55,000,000 workers in the United States, but 15,000,000 of them are members of a union. There are 40,000,000 wage earners who are not members of a union, and against them discrimination is practiced by unions, employers, and the Federal Government. But the sponsors of this bill and the chairman of the Labor Committee, the Representative from New Jersey [Mrs. NORTON] forgot to make any provision to end discrimination against nonunion workers, even though they may be veterans of the World War.

Something more than a desire to give an equality of employment is back of this bill. As to just what it is, each Member of this body is at liberty to draw his own conclusions.

Like the N. L. R. A. this bill would penalize employers. It makes no provision to penalize an employee. If an employer is compelled to accept an applicant for a job without giving consideration to the applicant's race, creed, color, or ancestry, should not the converse be true? Should an individual who has no job, who must work if he would live, be required to accept a job without giving consideration to the race, creed, color, or ancestry of the would-be employer?

This proposed legislation, like the N. L. R. A., is a one-way device, giving special privileges to one group, penalizing another; but it is not permitted to work in reverse.

As experience has demonstrated, the N. L. R. A. must some day be amended so as to place upon unions a degree of responsibility commensurate with the power given them.

So, too, this bill, if it ever becomes law, must, before it will lessen strife, assist in doing away with racial and religious feeling, do justice as between employer and employee; place equal responsibility; give equal rights to both employer and employee, union and nonunion workers.

AN UNREASONABLE GRANT OF ARBITRARY POWER

Even a casual reading and consideration of the bill will disclose the opportunity for discrimination and oppression proposed to be given.

The bill proposes a grant of unreasonable and arbitrary power, limited in no way by the substantive and procedural safeguards which have been found to be necessary to protect the citizen in his property and person, in the exercise of his constitutional rights.

Under section 7 of the bill, the Commission has power to order any person or organization to desist from what the Commission considers any unfair employment practice; to order such individual to take any affirmative action, including the reinstatement or the hiring of employees, with or without back pay, as will—and I quote—"effectuate the policies of this act."

It is section 9 (a) of the bill which would give the Commission and all of its agents—and do not forget that under the bill the Commission appoints its own agents—its snooping powers, which include the right to, without the restrictions imposed on courts which issue search warrants, search and examine the files of any person against whom any employee of the agency may have issued a complaint.

Not only that, but any member of the Commission is granted the power to issue a subpena requiring any individual, no matter where he may reside, to appear before the Commission, any member of the Commission, or any agent or agency designated by the Commission, at any place named by the Commission or any of its agents.

A resident of the northeastern corner of the State of Washington may be required, if this bill becomes a law, to appear before any agent of the Commission sitting in Miami, Fla.

If the person against whom a complaint has been filed, or any of his employees, or any other individual, is wanted as a witness, and if he should happen to be, or to reside, in the Philippine Islands, he may, if it be summertime and the investigating agent of the F. E. P. C. be sojourning at a summer resort in Maine, be required, not only to himself travel across the Pacific and the continent, but to bring with him any and all papers, books, and exhibits which the designated agent may think he may need.

If the absurdity of the foregoing statements make them untenable of belief, listen to this language, which I quote from subsection (d) of section 9:

> (d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

All this, insofar as the terms of the bill provide, at his own expense, except as the Commission may provide otherwise.

If the witness does not appear, then he may be taken before a court and punished for contempt.

Under section 9 (c), the Commission or any of its agents, or any agent designated by it, may investigate, examine witnesses, receive evidence.

All of the rules of evidence and procedure, which, down through the years, have been found by the English-speaking peoples to be necessary in judicial proceedings for the protection of the liberty and the property of the citizen, are thrown out the window and in their place by this bill are substituted the whims, caprices, the screw-ball ideas, of whoever at the moment may be clothed by the Commission with authority to hold a hearing.

The bill gives the Commission and the horde of agents who will be appointed by it—and there is no limit to the number—the authority "to make such technical studies as are appropriate to effect the purposes and policies of the act"; and, believe it or not, to make the results of such studies available to "nongovernmental agencies."

What a sweet opportunity is here given, if this bill becomes law, to this Commission to pry into the business of an individual or a corporation and give the results of its snooping to a competitor who may have the inclination and the money to pay for such information.

To put the binding keystone in the arch of its arbitrary power, the bill provides that the Commission shall have the authority to issue "such regulations as it deems necessary to carry out the provisions of the act."

The only way provided by this bill for the suspension or rescission of such regulations is the passage, within 60 days of the promulgation of such regulation, of a concurrent resolution of disapproval by the two Houses of Congress, expressly stating in substance that the Congress disapproves of the questioned regulation.

We are all aware that, if this bill becomes a law, many a regulation of the Commission, because of the lapse of the 60 days, will be beyond remedial action by Congress.

As a practical proposition, the inequity involved in many a regulation issued by Government agencies and commissions is undetected until after the expiration of more than 60 days from the date it was issued.

It will be noted in this connection that the bill provides the machinery for the effective suspension or abolition of all of the rules of evidence and procedure with which our courts are familiar and upon which the people of this country have come to rely for protection against injustice and oppression.

To make it doubly sure that no one will successfully attempt to interfere with any of the edicts issued by the Commission, section 13 states that a fine of $5,000 or imprisonment for not more than one year, or both, shall be imposed upon any person who shall "willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act."

Presumably, if an outraged citizen, unable to restrain his indignation because of some arbitrary or insolent treatment by a member of the Commission or one

of its many agents—and the Commission is given authority to appoint "such officers and employees as it deems necessary to assist it in the performance of its functions"—should use mule-skinner language or a sock on the jaw to express his resentment, he might be sent to jail for a year and fined $5,000.

Instead of being arrested and tried and possibly convicted of an ordinary assault and battery, an assault and battery upon an agent of the Commission might become a felony, where, if committed upon the average citizen, it would be but a misdemeanor.

This bill by its provisions affords ample opportunity for the Commission to exercise discrimination against a majority of the citizens of the Nation.

JUDICIAL REVIEW

It is quite true that section 8, to the uninquiring, holds out the promise of judicial review to those—other than Government agencies—who might be subject to the orders of the Commission.

But the proposed judicial review is given—and I quote—"in the same manner, to the same extent, and subject to the same provisions of law, as in the case of orders of the National Labor Relations Board."

Those familiar with the National Labor Relations Act, its interpretation and its enforcement by the National Labor Relations Board, are fully aware that the proposed "judicial review" is a farce.

Both the C. I. O. and the A. F. L.—yes, and the United Mine Workers under John L. Lewis—have portrayed the bias and the unfairness of the National Labor Relations Board in language which is not only understandable but picturesque and forceful. All three have bitterly, on one occasion or another, condemned it, its investigations and its decisions.

It might be well at this point to recall the procedure followed by the National Labor Relations Board. It was this:

When a labor dispute arose, the Board sent out an investigator. If he reported an unfair labor practice, a complaint was filed against the employer—never against the employee—by the Board. A trial examiner was sent out. Too often the trial examiner had little knowledge of law, no experience with legal procedure or industrial operations. Too often he was selected by the C. I. O. or its general counsel, Lee Pressman.

The examiner would take testimony. Of one such examiner, a United States circuit court of appeals said in January 1940: "His purpose was deliberately to discredit the testimony" of the employer's witnesses.

After the testimony was taken, it went to a reviewing attorney, who summarized the testimony and then presented to the Board his or her conclusions as to what the testimony showed. The Board then directed that reviewing attorney to prepare a decision, which the Board later adopted. If the employer did not like the decision, he could appeal to the circuit court of appeals, and those findings, under the act, "if supported by evidence, shall be conclusive."

Do you follow the procedure? The circuit court of appeals had to accept the findings of the Labor Board—and if this Commission is created, its findings—whose practice it was to accept the findings of the reviewing attorney, which were all too often based upon unfair hearings by the trial examiner.

Here is the point: The whole superstructure—that is, the finding of the Board, the decision of the circuit court of appeals, the decision of the United States Supreme Court—rested upon the conclusions of the reviewing attorney, who had examined the transcript prepared by the trial examiner and had orally stated his—the reviewing attorney's—views of what the transcript showed to the Board.

And who was the reviewing attorney? I wish you could have seen some of those reviewing attorneys, some who worked upon cases like that of the Ford Motor Co. and others equally important, cases which involved the jobs and the livlihood of thousands.

From the testimony of the Smith committee, take these facts as to two of the reviewing attorneys:

Miss Margaret McDuff Farmer, appointed March 11, 1938; a graduate of Columbia; admitted to practice law March 14, 1933. In one case Miss Farmer wrote the decision for the Board—Sorg Paper Co., case No. R-633; reported in volume 8 of the Decisions of the National Labor Relations Board, page 657. Yet, when she was asked whether, in view of previous decisions, that decision was correct, she stated that she did not know.

Mrs. Ann Landy Wolf, then 29 years of age; born in Hungary; came to this country in 1929; took out her first papers in 1930; became a citizen in 1935; completed her course at the law school of Western Reserve University in 1937; appointed as a reviewing attorney on February 1, 1938. She received $2,700 a year.

Mrs. Wolf was assigned to some 14 cases; on one, the Ford case, at St. Louis, another reviewing attorney had been assisting her. The record in that case comprised more than 21,000 pages.

It appeared from the record that, in the files of the case which she reviewed, there was an extremely prejudicial affidavit which was not a part of the record. There were other communications in the file which were not a part of the record. Yet there they were, and their influence was apparent in the decision.

Unless that practice is changed under this bill, any reviewing attorney can go before the Commission and orally express his opinion as to what the decision should be. Then the Commission will indicate its opinion, based on what it has been told, and, on appeal, the circuit court of appeals will "swallow" that decision.

No criticism is here offered because those reviewing attorneys were women, or, more correctly speaking, young girls. Young men were doing the same kind of work, as were older examiners and reviewing attorneys, who had no qualifications for the jobs to which they had been assigned.

They were utterly without experience, either as an attorney, a judge, an industrial worker, or an employer. What could they or the young men possibly have known about the difficulties which confronted employers and employees in great industrial plants?

Nevertheless, those girls and those young men reached conclusions, gave the Labor Board findings, the result of which would make or break a great industrial enterprise; which might require that employer to pay thousands of dollars, or, as in Republic Steel, millions of dollars, in back pay to employees; which conclusions were later adopted by a circuit court of appeals. No doubt the judges who adopted some of those opinions would be hot with indignation if they discovered on what a flimsy foundation they had been basing some of their opinions.

The record of the Fair Employment Practice Committee, created by Executive order, is no better.

The procedure of administering so-called justice set up by this bill should be repudiated by a unanimous vote.

If there is discrimination which wrongs any individual, which causes him damage, then the remedy should be sought through recognized, established channels, which have demonstrated the ability to right a wrong, administer justice.

If the individual, cheated through fraud, overreached, injured, and damaged by the failure to respect his right, is required to appeal to the courts of the land for relief, so, too, the individual who may have just cause for complaint, after the enactment of this legislation, because of discrimination in employment, should be directed to the courts for relief.

If a man refuses to pay a just debt; if he carelessly and negligently injures another or his property, a complete and an adequate remedy is available in a court of justice.

Is there any reason why a favorably prejudiced agency should be created to administer justice between one who may claim, if this bill becomes a law, that discrimination in employment has been practiced against him, and the one whom he charges has injured him, while all others seeking a remedy for other wrongs should be required to avail themselves of court procedure?

If the prohibition of discrimination in employment be the sole, or even the principal objective of those who sponsor this bill, why practice discrimination in providing a remedy?

My only purpose in taking the floor—and it may seem egotistical, but is not so intended—is to call to the attention of the Members some of the results which may follow the adoption and the enforcement of this legislation.

When the issue arose before the Smith committee, some of those charged with the enforcement of the present executive-created agency appeared as witnesses, as did others who were deeply interested.

Again, when this bill came before the Labor Committee, testimony was taken, but unfortunately other duties prevented all but a few Members of Congress from either attending or reading carefully and at length the testimony taken before either committee.

It is my firm conviction that there are probabilities—to say nothing of possibilities—wrapped up in this legislation, which have not been considered by a majority of the Members of the House.

That statement is made, not because it is thought that any Member has neglected his duty but because we all know that it is impossible for every Member to be fully aware of even the terms of all proposed legislation.

Moreover, no one of us, intelligent and studious as he may be, can know in advance how any executive agency will interpret or administer any particular law we pass.

We were all rudely awakened to that fact when the Tydings amendment, contained in the Selective Service Act, was so grossly misapplied and agricultural workers, who, by the terms of that law, were exempt from induction, were drafted into the service on the orders of the Executive Department.

Nor should any member attempt to excuse his vote for or against this bill on the ground that it will never become a law.

When the bill was before one of the committees of which I am a member, a gentleman who asked me to vote to report it out of committee suggested that I should not be overly worried about it, for it would never come to the floor of the House, but remain buried in the Rules Committee.

Another gentleman of the House expressed the firm conviction that, while it would come out of the Rules Committee and pass the House by an overwhelming majority, it would be killed in the Senate.

If I understood these two gentlemen correctly, they lacked faith in the merit of the bill, but considered it good political strategy; first, the one to report it out of the House Labor Committee; the other to have it adopted by the House, even though it was killed in the Senate.

Some other Members of the House thought it might be a good plan, from a Republican standpoint, to pass the bill; put it up to President Truman, on the theory that he would veto it.

In my judgment, no question of expedency should cloud the issue. It is here, and here to stay until correctly decided.

If there be discrimination in employment because of race, color, creed, national origin or ancestry, which seriously affects our national welfare, there is, in my humble judgment, an adequate remedy available which will not do violence to vital, constitutional procedure which has been found to be necessary for the protection of all citizens.

THERE IS A REMEDY

It was at Runnymede in 1215, where, after long years of oppression, the people wrested from King John the great charter which guaranteed to the individual security of person and property, a trial by jury, the judgment of his peers. It was there that the black night of tyranny was dispelled by the light of liberty.

The people so appreciated and were so jealous of the power wrested from King John that, when our Constitution was written they granted to the Federal Government only certain specified powers, reserving to themselves, to the people, all other power.

From that day down to the coming of the New Deal we have been secure in the exercise of our freedom, in our property, because, under our Constitution and the Bill of Rights, there was available to each of us courts of justice, where our complaints were formulated by those learned in the law for presentation and hearing, where evidence might be heard, the accused be confronted by those who appeared against him, and his guilt or innocence determined by a jury of his peers.

The history of the world has never disclosed a system of administering justice so fair, so speedy, so efficient.

Nevertheless, since the coming of the New Deal, for a government by law, its interpretation by the courts, its enforcement by the executive department, we have substituted a government by men, who legislate through rules, directives, and regulations; interpret their own promulgations, and then, by a gigantic conspiracy among governmental agencies, enforce their interpretations by sanctions, imposing penalties, withholding privileges—yes, and rights—so that the citizen, although he may be entitled to have the order of one department set aside by the courts, because it was issued without authority or exceeds the authority of the issuing agency, is afraid to appeal to the court because he knows that another agency will put him out of business if he makes the attempt.

Lack of time forbids a citation of examples of this policy, but every Member of this body who has been forced to deal to any extent with Government agencies recognizes the truth of the statement.

Here is an opportunity to repudiate that policy and to begin to retrace our steps along the paths which will lead to constitutional government, to the return of government under the Constitution.

If it be urged that political expediency requires Republicans to support this bill because our national platform endorsed antidiscrimination legislation and our Presidential candidate has since procured the enactment of such legislation in the State of New York, it may with equal force and propriety be suggested that in 1932 the Democratic Party pledged itself to a drastic reduction in the number of governmental bureaus, agencies, and employees, but that ever since it has increased the number of Federal agencies, bureaus, commissions, and employees.

Nor should it be forgotten that the Republican Party has long advocated economy and that it has time and again declared against an increase in governmental agencies.

If the national party platform adopted at Chicago constrains Republicans to vote for the bill because this is antidiscrimination legislation, let it not be forgotten that it also pledges us to vote against this bill because it creates a new commission, violates our promise to practice economy.

Moreover, a party pledge, the keeping of which would work irreparable harm to our country as a whole, create an unwise, unworkable method of administering relief, should be promptly and unmistakably repudiated upon discovery of that fact.

If it be assumed that there is discrimination in employment because of race, color, creed, national origin or ancestry, and that remedial legislation is needed, the violated right should be clearly defined by the Congress, the remedy pointed out and the judicial machinery created under the constitutional provisions, proven by time to be adequate to the equitable administration of justice under law, be employed.

To relieve Republicans of any embarrassment which they might otherwise suffer because of a fancied repudiation of a national party platform pledge to give a right of action to every individual injured by discrimination in employment because of race, color, creed, national origin or ancestry, and to provide an adequate remedy for such wrong and to at the same time protect unions and employers from injustice and arbitrary action, H. R. 2495 was introduced and will be offered as a substitute for H. R. 2232 when that bill is brought to the floor.

That substitute provides that, if there be discrimination in employment because of race, creed, color, national origin or ancestry, then the injured person shall have a right of action against the one who has wronged him and shall recover in a court of law adequate damages and costs, to be assessed by a jury chosen from the district where the wrong occurred.

That bill gives a full and an adequate remedy for any discrimination which might be unlawfully practiced after its enactment.

It places on an equal footing with every other citizen every individual against whom discrimination is practiced because of race, color, creed, national origin or ancestry.

It not only does everything that this bill can do in the way of giving adequate justice, but it will be a guarantee that, in the administration of the act, discrimination will not be practiced, either against or in favor of any individual because of any of the reasons named in the bill.

If one of the purposes of H. R. 2232 be to set up a new administrative agency; turn loose a regiment of snoopers; fan the fires of racial and religious bigotry; harass employers and unions; create civil strife, then H. R. 2495 is not the answer.

If the proponents of H. R. 2232 are sincere in their claim that there is discrimination in employment because of race, color, creed, national origin, or ancestry, and if their sole purpose be to grant a remedy, H. R. 2495 is the answer. It contains but 30 lines, 274 words and figures, but it answers every legitimate claim for relief which has been urged by the proponents of H. R. 2232.

Mr. PHILLIPS. Will the gentleman print the bill at the conclusion of his remarks?

Mr. HOFFMAN. Under the permission granted I will do so.

H. R. 2232

A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry

Be it enacted, etc., That this act may be cited as the "Fair Employment Practice act."

FINDINGS AND DECLARATION OF POLICY

SEC. 2. (a) The Congress hereby finds—

(1) that the practice of discriminating in the matter of employment, and in matters relating thereto, against properly qualified persons because of their race, creed, color, national origin, or ancestry leads to domestic and industrial strife and unrest and forces large segments of the population permanently into substandard conditions of living, thereby creating a drain upon the resources of the Nation and a constant threat to the maintenance of industrial peace and of the standard of living necessary to the health, efficiency, and well-being of workers; and

(2) that the existence of such practices in industries engaged in commerce or in the production of goods for commerce causes the means and instrumentalities of commerce to be used to spread and perpetuate such conditions throughout the several States and causes diminution of employment and wages in such volume as substantially to impair and disrupt the market for goods in commerce, and burdens, hinders, and obstructs commerce.

(b) Individuals shall have the right to work without discrimination against them because of their race, creed, color, national origin, or ancestry.

(c) It is hereby declared to be the policy of the Congress to protect such right and to eliminate all such discriminations to the fullest extent permitted by the Constitution. This act shall be construed to effectuate such policy.

DEFINITIONS

SEC. 3. As used in this act—

(a) The term "person" means an individual, partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, receiver, or any organized group of persons, and includes any agency or instrumentality of the United States or of any Territory or possession thereof.

(b) The term "employer" means a person having in his employ six or more individuals, or any other person acting in the interest of such an employer, directly or indirectly.

(c) The term "labor union" means any organization, having six or more members, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, or terms or conditions of employment.

(d) The term "commerce" means trade, traffic, commerce, transportation, or communication among the several States; or between any State or Territory, or the District of Columbia, and any place outside thereof; or within the District of Columbia or any Territory; or between points in the same State but through any point outside thereof.

(e) The term "affecting commerce" means in commerce, or burdening or obstructing commerce or the free flow of commerce, or having led or tending to lead to a labor dispute burdening or obstructing commerce or the free flow of commerce.

(f) The term "Commission" means the Fair Employment Practice Commission created by section 6.

RIGHT TO FREEDOM FROM DISCRIMINATION IN EMPLOYMENT

SEC. 4. The right to work and to seek work without discrimination because of race, creed, color, national origin, or ancestry is declared to be an immunity of all citizens of the United States, which shall not be abridged by any State or by an instrumentality or creature of the United States or of any State.

UNFAIR EMPLOYMENT PRACTICES DEFINED

SEC. 5. (a) It shall be an unfair employment practice for the purposes of this Act for an employer—

(1) to refuse to hire any individual because of such individual's race, creed, color, national origin, or ancestry;

(2) to discharge any individual from employment because of such individual's race, creed, color, national origin, or ancestry;

(3) to discriminate against any individual in the matter of compensation with respect to, or in other terms or conditions of, employment because of such individual's race, creed, color, national origin, or ancestry or

(4) to confine or limit recruitment or hiring of individuals for employment to any employment agency, placement service, training school or central labor union or organization, or any other source that discriminates against individuals because of their race, color, creed, national origin, or ancestry.

(b) It shall be an unfair employment practice for the purposes of this act for any labor union—

(1) to deny full membership rights and privileges to any individual because of such individual's race, creed, color, national origin, or ancestry;

(2) to expel from membership any individual because of such individual's race, creed, color, national origin, or ancestry; or

(3) to discriminate against any member, employer, employee, or individual seeking employment, because of his race, creed, color, national origin, or ancestry.

(c) It shall be unfair employment practice for the purposes of this act for any employer or labor union to discharge, expel, or otherwise discriminate against any person because such person has opposed any practice which constitutes an unfair employment practice under this act or has filed a charge, testified, or assisted in any proceeding under this act.

FAIR EMPLOYMENT PRACTICE COMMISSION

SEC. 6. (a) For the purpose of securing enforcement of the foregoing rights and preventing unfair employment practices, there is hereby created a commission to be known as the Fair Employment Practice Commission, which shall be composed of five members who shall be appointed by the President, by and with the advice and consent of the Senate. One of the original members shall be appointed for a term of 1 year, one for a term of 2 years, one for a term of 3 years, one for a term of 4 years, and one for a term of 5 years, but their successors shall be appointed for terms of 5 years each, except that any individual chosen to fill a vacancy shall be appointed only for the unexpired term of the member whom he shall succeed. The President shall designate one member to serve as chairman of the Commission. Any member of the Commission may be removed by the President upon notice and hearing for neglect of duty or malfeasance in office, but for no other cause.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and three members of the Commission shall at all times constitute a quorum.

(c) The Commission shall have an official seat which shall be judicially noticed.

(d) The Commission shall at the close of each fiscal year report to the Congress and to the President concerning the cases it has heard, the decisions it has rendered, the names, salaries, and duties of all employees and officers in its employ or under its supervision, and an account of all moneys it has disbursed, and shall make such further reports on the cause of, and means of alleviating discrimination, and such recommendations for further legislation as may appear desirable.

(e) Each member of the Commission shall receive a salary at the rate of $10,000 a year, and shall not engage in any other business, vocation, or employment.

(f) When three members of the Commission have qualified and taken office, the Committee on Fair Employment Practice established by Executive Order No. 9346 of May 27, 1943, shall cease to exist. All employees of the said committee shall then be transferred to and become employees of the Commission, and all records, papers, and property of the committee shall then pass into the possession of the Commission.

(g) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place and may establish such regional offices as it deems necessary. The Commission may, by one or more of its members or by such agents or agencies as it may designate, conduct any investigation, proceeding, or hearing necessary to its functions in any part of the United States.

(h) The Commission shall have power—

(1) to appoint such officers and employees as it deems necessary to assist it in the performance of its functions;

(2) to cooperate with or utilize regional, State, local, and other agencies and to utilize voluntary and uncompensated services;

(3) to pay to witnesses whose depositions are taken or who are summoned before the Commission or any of its agents or agencies the same witness and mileage fees as are paid to witnesses in the courts of the United States;

(4) to furnish to persons subject to this act such technical assistance as they may request to further their compliance with this act or any order issued thereunder; and

(5) to make such technical studies as are appropriate to effectuate the purposes and policies of this act and to make the results of such studies available to interested Government and nongovernmental agencies.

PREVENTION OF UNFAIR EMPLOYMENT PRACTICES

SEC. 7. (a) The Commission is empowered, as provided in this section—

(1) to prevent unfair employment practices by employers affecting commerce;

(2) to prevent unfair employment practices by employers who are parties to contracts with the United States or any Territory or possession thereof, or with any agency or instrumentality of any of the foregoing, and by employers performing, pursuant to subcontract or otherwise, any work required for the performance of any such contract;

(3) to prevent unfair employment practices by agencies and instrumentalities of the United States, and of the Territories and possessions thereof; and

(4) to prevent unfair employment practices by labor unions affecting commerce.

(b) Whenever it is alleged that any person has engaged in any such unfair employment practice, the Commission, or any referee, agent, or agency designated by the Commission for such purposes, shall have power to issue and cause to be served upon such person a complaint stating the charges in that respect and containing a notice of hearing before the Commission or a member thereof, or before a designated referee, agent, or agency at a place therein fixed not less than 10 days after the serving of said complaint.

(c) The person so complained of shall have the right to file an answer to such complaint and to appear in person or otherwise, with or without counsel, and give testimony at the place and time fixed in the complaint.

(d) If upon the record, including all the testimony taken, the Commission shall find that any person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue and cause to be served on such person an order requiring such person to cease and desist from such unfair employment practice and to take such affirmative action, including reinstatement or hiring of employees with or without back

pay, as will effectuate the policies of this act. If upon the record, including all the testimony taken, the Commission shall find that no person named in the complaint has engaged in any such unfair employment practice, the Commission shall state its findings of fact and shall issue an order dismissing the said complaint.

JUDICIAL REVIEW

SEC. 8. Except as provided in section 12 (relating to the enforcement of orders directed to Government agencies), orders of the Commission shall be subject to judicial enforcement and judicial review in the same manner, to the same extent, and subject to the same provisions of law, as in the case of orders of the National Labor Relations Board.

INVESTIGATORY POWERS

SEC. 9. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this act, the Commission, or its authorized agents or agencies, shall at all reasonable times have the right to examine or copy any evidence of any person being investigated or proceeded against relating to any such investigation, proceeding, or hearing.

(b) Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, agent, or agency conducting such investigation, proceeding, or hearing.

(c) Any member of the Commission, or any agent or agency designated by the Commission for such purposes, may administer oaths, examine witnesses, and receive evidence.

(d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

(e) In case of contumacy or refusal to obey a subpena issued to any person under this act, any district court of the United States or the United States courts of any Territory or possession, or the District Court of the United States for the District of Columbia, within the jurisdiction of which the investigation, proceeding, or hearing is carried on or within the jurisdiction of which said person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the Commission shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, its member, agent, or agency, there to produce evidence if so ordered, or there to give testimony relating to the investigation, proceeding, or hearing; any failure to obey such order of the court may be punished by it as a con mpt thereof.

(f) No person shall be excused from attending and testifying or from producing documentary or other evidence in obedience to the subpena of the Commission, on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

RULES AND REGULATIONS

SEC. 10. The Commission shall have authority from time to time to issue such regulations as it deems necessary to carry out the provisions of this act, and to amend or rescind, from time to time, any such regulation whenever it deems such amendment or rescission necessary to carry out the provisions of this act. If, within 60 days after the issuance of any such regulation or of an amendment to any such regulation, there is passed a concurrent resolution of the two Houses of the Congress stating in substance that Congress disapproves such regulation or amendment, as the case may be, such regulation or amendment, as the case may be, shall not be effective after the date of the passage of such concurrent resolution; and after the date of the passage of such concurrent resolution, no regulation or amendment having the same effect as that concerning which the concurrent resolution was passed shall be issued by the Commission.

Regulations issued under this section shall include the procedure for service and amendment of complaints, for intervention in proceedings before the Commission, for the taking of testimony and its reduction to writing, for the modification of the findings or orders prior to the filing of records in court, for the service and return of process, the qualification and disqualification of members and employees and any other matters appropriate in the execution of the provisions of this act.

INCLUSION OF ANTIDISCRIMINATION CLAUSE IN GOVERNMENT CONTRACTS

SEC. 11. (a) Every contract to which the United States, or any Territory or possession thereof, or any agency or instrumentality of any of the foregoing, is a party (except such classes of contracts as the Commission may by regulation issued under section 10 exempt from the scope of this section) shall contain a provision under which—

(1) the contractor agrees that during the period required for the performance of the contract he will not engage in any unfair employment practices; and

(2) the contractor agrees that he will include a provision in each subcontract made by him for the performance of any work required for the performance of his contract a provision under which the subcontractor agrees —

(A) that during the period required for the performance of the subcontract, the subcontractor will not engage in any unfair employment practices; and

(B) that the subcontractor will include in each subcontract made by him provisions corresponding to those required in subparagraph (A) and this subparagraph.

(b) Unless the Commission shall otherwise direct, no contract shall be made by the United States, or any Territory or possession thereof, or any agency or instrumentality of any of the foregoing, with any person found pursuant to this act to have engaged in any unfair employment practice, or with any corporation, partnership, association, or other organization, in which such person owns a controlling interest, for a period (to be fixed by the Commission) not to exceed 1 year from the date on which such practice was so found to have been engaged in. The Commission may, by subsequent order, for good cause shown, reduce any period so fixed. The Comptroller General of the United States shall distribute to all agencies and instrumentalities of the United States, and to the appropriate officials in the Territories and possessions of the United States, lists containing the names of such persons, corporations, partnerships, associations, and organizations.

ENFORCEMENT OF ORDERS DIRECTED TO GOVERNMENT AGENCIES

SEC. 12. The provisions of section 8 (providing for judicial enforcement and judicial review of orders of the Commission) shall not apply with respect to an order of the Commission under section 7 directed to any agency or instrumentality of the United States, or of any Territory or possession thereof. In the case of any such order, the Commission may request the President to take such action as he deems appropriate to secure compliance with such order, which may include the summary discharge of any officer or employee of any such agency or instrumentality who, in the opinion of the President or such person as the President may designate, has willfully failed to comply with such order.

WILLFUL INTERFERENCE WITH COMMISSION AGENTS

SEC. 13. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this Act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

SEPARABILITY CLAUSE

SEC. 14. If any provision of this act or the application of such provision to any person or circumstance shall be held invalid, the remainder of such act or the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

H. R. 2495

A bill to prohibit discrimination in employment because of race, creed, color, national origin, or ancestry

Be it enacted, etc., That this act may be cited as the "Fair Employment Practice Act."

SEC. 2. As used in this act—

(a) The term "person" means an individual, partnership, association, corporation, legal representative, trustee, trustee in bankruptcy, receiver, or any organized group of persons having in his employ six or more persons, and includes any agency or instrumentality of the United States or of any Territory or possession thereof.

SEC. 3. It shall hereafter be unlawful for any person as herein defined to refuse to hire, or to discriminate against an individual because of such individual's race, creed, color, national origin, or ancestry.

SEC. 4. Any person injured by the violation of the preceding section shall have the right to recover of any person violating said section all actual damages which are the proximate result of such discrimination in any United States district court of the district wherein the person discriminating or the individual discriminated against may be a resident and such damages shall include the actual, reasonable, and necessary costs of such action, including an attorney fee of not less than $25 nor more than $200, the amount thereof to be determined by a jury selected in the usual manner.

SEC. 5. The United States courts of the various districts and circuits are hereby given jurisdiction to try such actions, and the pleadings, procedure, and rules shall be the same as those followed by such courts in the trial of civil actions.

EXTENSION OF REMARKS

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my remarks and include an order of the Supreme court of the State of Florida out of respect for the memory of our late President, Franklin Delano Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Mr. LUTHER A. JOHNSON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H. J. Res. 145) providing for membership of the United States in the Food and

Agriculture Organization of the United Nations.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution, House Joint Resolution 145, with Mr. PRIEST in the chair.

The Clerk reported the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

The CHAIRMAN. Under the order of the House previously agreed to by unanimous consent, debate is limited to 1 hour, one-half to be controlled by the gentleman from Texas [Mr. LUTHER A. JOHNSON] and one-half by the gentlewoman from Massachusetts [Mrs. ROGERS].

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield 10 minutes to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Chairman, we have before us for consideration today House Joint Resolution 145, providing for membership of the United States in the Food and Agriculture Organization of the United Nations.

This resolution comes to you with the unanimous endorsement of your Committee on Foreign Affairs, and I can and do assure you that this approval was given only after extensive hearings and examination by the full committee into the purpose and objective of the proposed legislation.

It can be stated, and I believe fully justified by the record of your Committee on Foreign Affairs, that for several years past, few, if any, measures have been reported from this committee without the unanimous support of the committee members.

There is, of course, no rule to this effect nor have we adopted any such fixed policy, but there seems to be a unanimity of view that all measures affecting our relations with foreign nations should have such unquestionable merit as to win unanimous approval of the purpose of the legislation. If a proposal measures up to this standard, it is usually a simple task to reach an agreement upon the form and wording of the legislation and upon the method to be provided in the act for the accomplishment of its purpose.

The resolution now under consideration has an objective worthy of the unanimous approval accorded it by your committee, and it is with all confidence in the merits of the proposal that we submit it for the approval of the Congress.

May I as briefly as possible explain the purposes of the resolution. In section 1, authority is given to the President to accept membership for the United States in the Food and Agricultural Organization of the United Nations, an organization not yet effected at the time of the hearings on the resolution, and perhaps not completely effected at the present moment. But at this time 20 nations, members of the United Nations, have subscribed to the plan for the undertaking and a complete organization is now assured.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. KEE. I yield.

Mr. LUTHER A. JOHNSON. Since our committee hearings one other nation, New Zealand, has joined, making 21.

Mr. KEE. I thank the gentleman for his contribution.

Section 2 of the resolution authorizes the appropriation by Congress of a sum not exceeding $625,000 for the payment by the United States of its proportionate share of the operating expenses of the organization for the first fiscal year, and further authorizes an annual appropriation thereafter of not to exceed $1,250,000 for the payment of our proportionate share of operating expenses for each recurring year.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. KEE. Certainly; I yield.

Mr. BREHM. Does that mean there is no time limit as to how many years we may continue to appropriate for this?

Mr. KEE. This is supposed to be a permanent institution.

Mr. BREHM. I know; and I am not opposed to that. But if we are going to obligate ourselves from now on, I want to know it.

Mr. LUTHER A. JOHNSON. It is simply an authorization. The Committee on Appropriations will have to make the appropriation.

Mr. BREHM. I would like to see a time limit on this—say 1 or 2 years—while we are experimenting with it. As I said before, I am not opposed to it, but I would like some time limit on it. If it then fulfills the hopes which we desire, we could continue it.

Mr. LUTHER A. JOHNSON. There is a time limit in this respect, that it provides that any country can at the end of 4 years withdraw.

Mr. BREHM. It does not say that in the resolution.

Mr. LUTHER A. JOHNSON. It is in the constitution.

Mr. KEE. It is in the constitution of the organization.

Section 3, merely expresses the opinion of Congress in reference to the future of an organization established a number of years ago under the name of International Institute of Agriculture. This last-named organization was set up under a treaty between many nations of the world, of which treaty the United States was a signatory. The Organization had its permanent headquarters at Rome, Italy, and was generally known as the Rome Institute. I will presently speak further in reference to this organization and the tentative plans in respect to it.

Sections 4 and 5 of the resolution are merely protective clauses, designed to insure the United States against involvement in any further new or additional obligations because of its participation in the proposed Organization.

I have set forth as briefly as possible a section by section analysis of the resolution. Quite naturally, there is need for an explanation of the purposes and objectives of the proposed organization and for a convincing showing of the benefits, if any, to be derived to the United States by reason of its membership therein.

In the first place, may I call the attention of the House to the various international organizations already established or in process of establishment, under auspices of the United Nations, each having for its object some vitally important part of the gigantic task of building a new post-war world.

Already we have, functioning now and soon to rapidly expand its activities, U. N. R. R. A., the great instrumentality of relief and rehabilitation, to which all free nations are contributing. We have seen, at Dumbarton Oaks, the foundation laid for a monumental structure of enduring peace, and this structure is now in course of erection at San Francisco. To this task of transmitting the hopes and prayers of free peoples everywhere into an enduring guaranty of security, all freedom-loving nations are also contributing. We have seen at Bretton Woods the plans drawn for a safe, sane, and equitable international exchange, banking, and monetary system, and the establishment of a great bank and gigantic fund drawn from the world's resources, not to serve this Nation alone but for service to all nations.

The truth of the old, old declaration "United we stand, divided we fall," has been driven into the very souls of men during the period of aggression, conflict, and peril out of which we are now slowly emerging. For the first time in the world's history, we have awakened to the necessity that free peoples unite in order to stay free. The passage of the pending resolution will merely mean one more bond of union in freedom's cause.

Out of the conference of delegates from the free nations of the world, held at Philadelphia in January 1942, came the United Nations, a union with a single cause. We are now witnessing the triumph of that cause.

Out of the meeting of representatives from the United Nations at Atlantic City came U. N. R. R. A., the organization charged with post-war world relief and rehabilitation.

Out of the meeting of representative delegates from free nations at Bretton Woods came the plans for world financial and economic security.

Out of the Conference at Dumbarton Oaks came the plan, now before the greater Conference at San Francisco, for a union of nations pledged to the maintenance of lasting peace.

Out of the United Nations Conference on Food and Agriculture, held at Hot Springs, Va., in May 1941, came the plan for the Food and Agriculture Organization, the subject matter of the pending resolution.

The organization is designed to serve the world's farmers, the tillers of the soil, the cattle grazers, the fishermen, the producers of food everywhere in every land and clime. As shown by your committee report, its aims in its field are identical with the broad economical objectives of the world organization proposed to be set up by the San Francisco Conference. While retaining its identity, and operating in its particular field, the Food and Agriculture organization will be an im-

portant part of the general international organization.

As I have stated, the establishment of the food and agriculture organization was recommended by the United Nations Conference on Food and Agriculture at Hot Springs, Va. That Conference, composed of representatives from practically every free nation in the world, thoroughly canvassed the field of world production, distribution and consumption of food, and other agricultural products. The Conference thereupon recommended the creation of a permanent international organization in the field of food and agriculture. The Interim Commission of the Hot Springs Conference, on which each of 44 governments had a representative, was directed to prepare plans for such an organization. By August 1944, the Commission completed and submitted to the governments of the 44 nations a draft of proposed constitution for the permanent organization so recommended by the Conference.

So far, as we have previously shown, 20 nations have announced their approval of the constitution and signified their intention to become members of the Organization. These 20 nations are listed in your committee's report. The list may not be complete, as it is not only possible, but probable, that other nations have announced their acceptance since our last advices. The objectives of the Organization are broadly stated in the preamble to its constitution, as follows:

It proposes * * * to promote the common welfare by raising levels of nutrition and standards of living of the peoples under their respective jurisdictions, securing improvements in the efficiency of the production and distribution of all food and agricultural products, bettering the condition of rural populations, and thus contributing toward an expanding world economy, hereby establish the Food and Agriculture Organization of the United Nations, hereinafter referred to as the "Organization," through which the members will report to one another on the measures taken and the progress achieved in the fields of action set forth above.

Then, in article I, the functions of the Organization were specifically described:

1. The Organization shall collect, analyze, interpret, and disseminate information relating to nutrition, food, and agriculture.

2. The Organization shall promote and, where appropriate, shall recommend national and international action with respect to—

(a) Scientific, technological, social, and economic research relating to nutrition, food, and agriculture;

(b) The improvement of education and administration relating to nutrition, food, and agriculture, and the spread of public knowledge of nutritional and agricultural science and practice;

(c) The conservation of natural resources and the adoption of improved methods of agricultural production;

(d) The improvement of the processing, marketing, and distribution of food and agricultural products;

(e) The adoption of policies for the provision of adequate agricultural credit, national and international;

(f) The adoption of international policies with respect to agricultural commodity arrangements.

3. It shall also be the function of the Organization—

(a) To furnish such technical assistance as governments may request;

(b) To organize, in cooperation with the governments concerned, such missions as may be needed to assist them to fulfill the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture; and

(c) Generally to take all necessary and appropriate action to implement the purposes of the Organization as set forth in the preamble.

It is specifically pointed out that the term "agriculture" and its derivations, is considered by the Organization to include fisheries, marine products, forestry, and primary forestry products.

I can assure you that it is not only the view of your Foreign Affairs Committee, but it is also the view of every witness appearing before us at the hearings on this measure, that the proposed organization will play an extremely important part in the post-war world. It will not only be a forum for the discussion of all problems arising in the field of food production and distribution, but it will also be able to formulate and recommend policies and practices to all associated governments and their peoples throughout the world. While not having nor assuming the power to enforce either its policies or recommendations, it can and will make its findings and information available to all countries constituting the organization and to their people. This information will include statistical and technical information as well as information of new discoveries, improved methods, and practices whenever and wherever developed. It will be one of the greatest of all educational institutions, and it is impossible to estimate the benefits to be derived from its dissemination of information on nutrition, foods, and agriculture.

The structure of the Organization is extremely simple. This matter is fully covered in the report of your committee, and I feel there is no necessity to occupy your time by a repetition here of that part of the report.

As a member of the Organization, the obligations of the United States will not be many nor great. For the first year, the Organization's budget calls for the expenditure of $2,500,000, of which the contribution of the United States will be $625,000. It is estimated that the annual budget for subsequent years will be in the neighborhood of $5,000,000 annually. Therefore, the pending resolution will authorize an annual appropriation of a sum not to exceed $1,250,000, which may be the required contribution of this Government. Our other obligations in respect to the organization are in no wise burdensome and are such as are usually incident to membership in similar international organizations.

Reference is had in the pending resolution to the International Institute of Agriculture. This reference is made in section 3 of the resolution, which was inserted as a committee amendment. The International Institute of Agriculture, generally known as the Rome Institute, has an interesting and honorable place in the world's history. It is said to have been sponsored by the King of Italy, after the plan of American origin had been presented to him and had met with his approval. It was made the subject of a treaty, dated at Rome, Italy, on June 7, 1905, signed first by Italy, followed by 39 other nations, the United States being the thirty-third signatory. The ratification of this treaty was advised by the United States Senate on June 27, 1906, and was ratified by the President July 7, following.

The treaty stipulated that the seat of the Institute should be at Rome, and there it has remained, housed, I understand, in a building provided by Italy's King. It is generally understood that the organization owns no buildings, or other real property, but that, possibly, its only assets at this time are its library and files of statistics gathered through the years.

The Rome Institute functioned splendidly in its limited field of activity from its inception down to the entry of Italy into the war. With the beginning of the war, the Institute became the captive of the Axis, and its activity ceased.

This Institute, during the years it functioned, confined itself in the greater part to the gathering and dissemination of agricultural and market statistics, with perhaps certain information on related subjects. It did not undertake, nor was it designed to cover the broader field in which the proposed food and agriculture organization will operate. As stated, with the entry of Italy into the war, the Rome Institute ceased to function. Having been established by treaty, however, it has certainly not been disbanded and must be considered as still existent as an organization. It is very probable that none of the signatories of the treaty have continued to pay their assessments for its maintenance during the past several years and its treasury is no doubt empty. In any event, while recognizing the value of the services rendered in the past by the Rome Institute, it is believed that no good purpose would be served through any attempt to revive and restore to life this institute with its limited scale of operations.

Your committee, after careful consideration of the statements made at the hearings by representatives of the Government, as well as by other witnesses upon this matter, amended the pending resolution by inserting section three, advising the integration of the functions and resources of the international, or Rome Institute, with those of the Food and Agriculture Organization. We are confident that this can be accomplished in a legal and orderly manner and that the resultant merger will add to the ability of the new organization to render services of great value.

It may be of interest to the Members of the House to know that the resolution under consideration has the unqualified approval of the State Department and the Department of Agriculture. At the hearings on the measure held by the Committee on Foreign Affairs, Hon. Dean Acheson, Assistant Secretary of State, appeared in person to urge approval of the resolution. Strong statements favoring the legislation were received from Secretary of State Edward R. Stettinius, and from Assistant Secretary of State William L. Clayton, and read into the record.

In person, endorsing the resolution, also appeared our former colleague, former member of the House, Hon. Marvin Jones,

now and for some time past War Food Administrator, and chairman of the United Nations Conference on Food and Agriculture at Hot Springs, Va., where the foundation was laid for the organization now being considered. Came also in person Secretary of Agriculture, Hon. Claude L. Wickard, and Surgeon General of the United States Public Health Service, Dr. Thomas Parran, both of whom stamped the resolution with their approval. Similar approval was voiced by Edward A. O'Neal, president of the American Farm Bureau, and Lewis G. Hines, representing the American Federation of Labor. Also heard in favor of the legislation were representatives of various other organizations, who either appeared in person or filed approving statements. No single voice was lifted in opposition. May I express to the House the earnest hope that the pending resolution will be adopted without a dissenting vote.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield myself 2 minutes.

The CHAIRMAN. The gentlewoman from Massachusetts is recognized for 2 minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, this measure was reported out by the Committee on Foreign Affairs unanimously. I believe it will be very helpful not only to the farmers of the country as a class but to all the people of our country and of the world. The production of food and agriculture is vital to the entire world, just as vital to us in the United States, whose interests we must always protect, as to the other nations of the world. The business of getting together and sitting around a table and discussing and deciding these problems, the world price of agricultural products, the quantity of products which will be produced in the different parts will play a very important part in the immediate post-war reconstruction period and in the future of the world. We can learn from other countries and they can learn from us.

The following is a copy of House Joint Resolution 145 and a copy of the constitution of Food and Agriculture Organization of the United States:

FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

House Joint Resolution 145

Joint resolution providing for membership of the United States in the Food and Agriculture Organization of the United Nations

Resolved, etc., That the President is hereby authorized to accept membership for the United States in the Food and Agriculture Organization of the United Nations (hereinafter referred to as the "Organization"), the Constitution of which is set forth in Appendix I of the First Report to the Governments of the United Nations by the Interim Commission on Food and Agriculture, dated August 1, 1944.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums, not to exceed $1,250,000 annually, as may be required for expenditure under the direction of the Secretary of State, for the payment by the United States of its proportionate share in the expenses of the Organization.

SEC. 3. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States accept any amendment under paragraph 1 of article XX of the constitution of the Organization involving any new obligation for the United States.

SEC. 4. In adopting this joint resolution the Congress does so with the understanding that paragraph 2 of article XIII does not authorize the Conference of the Organization to so modify the provisions of its constitution as to involve any new obligation for the United States.

CONSTITUTION OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

PREAMBLE

The nations accepting this constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purposes of

raising levels of nutrition and standards of living of the peoples under their respective jurisdictions,

securing improvements in the efficiency of the production and distribution of all food and agricultural products,

bettering the condition of rural populations,

and thus contributing toward an expanding world economy,

hereby establish the Food and Agriculture Organization of the United Nations, hereinafter referred to as the "Organization," through which the Members will report to one another on the measures taken and the progress achieved in the fields of action set forth above.

ARTICLE I (FUNCTIONS OF THE ORGANIZATION)

1. The Organization shall collect, analyze, interpret, and disseminate information relating to nutrition, food, and agriculture.

2. The Organization shall promote and, where appropriate, shall recommend national and international action with respect to

(a) scientific, technological, social, and economic research relating to nutrition, food, and agriculture;

(b) the improvement of education and administration relating to nutrition, food, and agriculture, and the spread of public knowledge of nutritional and agricultural science and practice;

(c) the conservation of natural resources and the adoption of improved methods of agricultural production;

(d) the improvement of the processing, marketing, and distribution of food and agricultural products;

(e) the adoption of policies for the provision of adequate agricultural credit, national and international;

(f) the adoption of international policies with respect to agricultural commodity arrangements.

3. It shall also be the function of the Organization

(a) to furnish such technical assistance as governments may request;

(b) to organize, in cooperation with the governments concerned, such missions as may be needed to assist them to fulfill the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture; and

(c) generally to take all necessary and appropriate action to implement the purposes of the Organization as set forth in the Preamble.

ARTICLE II (MEMBERSHIP)

1. The original Members of the Organization shall be such of the nations specified in Annex I as accept this Constitution in accordance with the provisions of Article XXI.

2. Additional Members may be admitted to the Organization by a vote concurred in by a two-thirds majority of all the members of the Conference and upon acceptance of this Constitution as in force at the time of admission.

ARTICLE III (THE CONFERENCE)

1. There shall be a Conference of the Organization in which each Member nation shall be represented by one member.

2. Each Member nation may appoint an alternate, associates, and advisers to its member of the Conference. The Conference may make rules concerning the participation of alternates, associates, and advisers in its proceedings, but any such participation shall be without the right to vote except in the case of an alternate or associate participating in the place of a member.

3. No member of the Conference may represent more than one Member nation.

4. Each Member nation shall have only one vote.

5. The Conference may invite any public international organization which has responsibilities related to those of the Organization to appoint a representative who shall participate in its meetings on the conditions prescribed by the Conference. No such representative shall have the right to vote.

6. The Conference shall meet at least once in every year.

7. The Conference shall elect its own officers, regulate its own procedure, and make rules governing the convocation of sessions and the determination of agenda.

8. Except as otherwise expressly provided in this Constitution or by rules made by the Conference, all matters shall be decided by the Conference by a simple majority of the votes cast.

ARTICLE IV (FUNCTIONS OF THE CONFERENCE)

1. The Conference shall determine the policy and approve the budget of the Organization and shall exercise the other powers conferred upon it by this Constitution.

2. The Conference may by a two-thirds majority of the votes cast make recommendations concerning questions relating to food and agriculture to be submitted to Member nations for consideration with a view to implementation by national action.

3. The Conference may by a two-thirds majority of the votes cast submit conventions concerning questions relating to food and agriculture to Member nations for consideration with a view to their acceptance by the appropriate constitutional procedure.

4. The Conference shall make rules laying down the procedure to be followed to secure:

(a) proper consultation with governments and adequate technical preparation prior to consideration by the Conference of proposed recommendations and conventions; and

(b) proper consultation with governments in regard to relations between the Organization and national institutions or private persons.

5. The Conference may make recommendations to any public international organization regarding any matter pertaining to the purpose of the Organization.

6. The Conference may by a two-thirds majority of the votes cast agree to discharge any other functions consistent with the purposes of the Organization which may be assigned to it by governments or provided for by any arrangement between the Organization and any other public international organization.

ARTICLE V (THE EXECUTIVE COMMITTEE)

1. The Conference shall appoint an Executive Committee consisting of not less than nine or more than fifteen members or alternate or associate members of the Conference or their advisers who are qualified by administrative experience or other special qualifications to contribute to the attainment of the purpose of the Organization. There shall be not more than one member from any Member nation. The tenure and other conditions of office of the members of the Executive Committee shall be subject to rules to be made by the Conference.

2. Subject to the provisions of paragraph 1 of this Article, the Conference shall have

regard in appointing the Executive Committee to the desirability that its membership should reflect as varied as possible an experience of different types of economy in relation to food and agriculture.

3. The Conference may delegate to the Executive Committee such powers as it may determine, with the exception of the powers set forth in paragraph 2 of Article II, Article IV, paragraph 1 of Article VII, Article XIII, and Article XX of this Constitution.

4. The members of the Executive Committee shall exercise the powers delegated to them by the Conference on behalf of the whole Conference and not as representatives of their respective governments.

5. The Executive Committee shall appoint its own officers and, subject to any decisions of the Conference, shall regulate its own procedure.

ARTICLE VI (OTHER COMMITTEES AND CONFERENCES)

1. The Conference may establish technical and regional standing committees and may appoint committees to study and report on any matter pertaining to the purpose of the Organization.

2. The Conference may convene general, technical, regional, or other special conferences and may provide for the representation at such conferences, in such manner as it may determine, of national and international bodies concerned with nutrition, food, and agriculture.

ARTICLE VII (THE DIRECTOR-GENERAL)

1. There shall be a Director-General of the Organization who shall be appointed by the Conference by such procedure and on such terms as it may determine.

2. Subject to the general supervision of the Conference and its Executive Committee, the Director-General shall have full power and authority to direct the work of the Organization.

3. The Director-General or a representative designated by him shall participate, without the right to vote, in all meetings of the Conference and of its Executive Committee and shall formulate for consideration by the Conference and the Executive Committee proposals for appropriate action in regard to matters coming before them.

ARTICLE VIII (STAFF)

1. The staff of the Organization shall be appointed by the Director-General in accordance with such procedure as may be determined by rules made by the Conference.

2. The staff of the Organization shall be responsible to the Director-General. Their responsibilities shall be exclusively international in character and they shall not seek or receive instructions in regard to the discharge thereof from any authority external to the Organization. The Member nations undertake fully to respect the international character of the responsibilities of the staff and not to seek to influence any of their nationals in the discharge of such responsibilities.

3. In appointing the staff the Director General shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of selecting personnel recruited on as wide a geographical basis as is possible.

4. Each Member nation undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Director General and senior staff diplomatic privileges and immunities and to accord to other members of the staff all facilities and immunities accorded to nondiplomatic personnel attached to diplomatic missions, or alternatively to accord to such other members of the staff the immunities and facilities which may hereafter be accorded to equivalent members of the staffs of other public international organizations.

ARTICLE IX (SEAT)

The seat of the Organization shall be determined by the Conference.

ARTICLE X (REGIONAL AND LIAISON OFFICES)

1. There shall be such regional offices as the Director General, with the approval of the Conference, may decide.

2. The Director General may appoint officials for liaison with particular countries or areas subject to the agreement of the government concerned.

ARTICLE XI (REPORTS BY MEMBERS)

1. Each Member nation shall communicate periodically to the Organization reports on the progress made toward achieving the purpose of the Organization set forth in the Preamble and on the action taken on the basis of recommendations made and conventions submitted by the Conference.

2. These reports shall be made at such times and in such form and shall contain such particulars as the Conference may request.

3. The Director General shall submit these reports, together with analyses thereof, to the Conference and shall publish such reports and analyses as may be approved for publication by the Conference together with any reports relating thereto adopted by the Conference.

4. The Director General may request any Member nation to submit information relating to the purpose of the Organization.

5. Each Member nation shall, on request, communicate to the Organization, on publication, all laws and regulations and official reports and statistics concerning nutrition, food, and agriculture.

ARTICLE XII (COOPERATION WITH OTHER ORGANIZATIONS)

1. In order to provide for close cooperation between the Organization and other public international organizations with related responsibilities, the Conference may, subject to the provisions of Article XIII, enter into agreements with the competent authorities of such organizations defining the distribution of responsibilities and methods of cooperation.

2. The Director-General may, subject to any decisions of the Conference, enter into agreements with other public international organizations for the maintenance of common services, for common arrangements in regard to recruitment, training, conditions of service, and other related matters, and for interchanges of staff.

ARTICLE XIII (RELATION TO ANY GENERAL WORLD ORGANIZATION)

1. The Organization shall, in accordance with the procedure provided for in the following paragraph, constitute a part of any general international organization to which may be entrusted the coordination of the activities of international organizations with specialized responsibilities.

2. Arrangements for defining the relations between the Organization and any such general organization shall be subject to the approval of the Conference. Notwithstanding the provisions of Article XX, such arrangements may if approved by the Conference by a two-thirds majority of the votes cast, involve modification of the provisions of this Constitution: Provided that no such arrangement shall modify the purposes and limitations of the Organization as set forth in this Constitution.

ARTICLE XIV (SUPERVISION OF OTHER ORGANIZATIONS)

The Conference may approve arrangements placing other public international organizations dealing with questions relating to food and agriculture under the general authority of the Organization on such terms as may be agreed with the competent authorities of the organization concerned.

ARTICLE XV (LEGAL STATUS)

1. The Organization shall have the capacity of a legal person to perform any legal act appropriate to its purpose which is not beyond the powers granted to it by this Constitution.

2. Each Member nation undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Organization all the immunities and facilities which it accords to diplomatic missions, including inviolability of premises and archives, immunity from suit, and exemptions from taxation.

3. The Conference shall make provision for the determination by an administrative tribunal of disputes relating to the conditions and terms of appointment of members of the staff.

ARTICLE XVI (FISH AND FOREST PRODUCTS)

In this Constitution the term "agriculture" and its derivatives include fisheries, marine products, forestry, and primary forestry products.

ARTICLE XVII (INTERPRETATION OF CONSTITUTION)

Any question or dispute concerning the interpretation of this Constitution or any international convention adopted thereunder shall be referred for determination to an appropriate international court or arbitral tribunal in the manner prescribed by rules to be adopted by the Conference.

ARTICLE XVIII (EXPENSES)

1. Subject to the provisions of Article XXV, the Director-General shall submit to the Conference an annual budget covering the anticipated expenses of the Organization. Upon approval of a budget the total amount approved shall be allocated among the Member nations in proportions determined, from time to time, by the Conference. Each Member nation undertakes, subject to the requirements of its constitutional procedure, to contribute to the Organization promptly its share of the expenses so determined.

2. Each Member nation shall, upon its acceptance of this Constitution, pay as its first contribution its proportion of the annual budget for the current financial year.

3. The financial year of the Organization shall be July 1 to June 30 unless the Conference should otherwise determine.

ARTICLE XIX (WITHDRAWAL)

Any Member nation may give notice of withdrawal from the Organization at any time after the expiration of four years from the date of its acceptance of this Constitution. Such notice shall take effect one year after the date of its communication to the Director-General of the Organization subject to the Member nation's having at that time paid its annual contribution for each year of its membership including the financial year following the date of such notice.

ARTICLE XX (AMENDMENT OF CONSTITUTION)

1. Amendments to this Constitution involving new obligations for Member nations shall require the approval of the Conference by a vote concurred in by a two-thirds majority of all the members of the Conference and shall take effect on acceptance by two-thirds of the Member nations for each Member nation accepting the amendment and thereafter for each remaining Member nation on acceptance by it.

2. Other amendments shall take effect on adoption by the Conference by a vote concurred in by a two-thirds majority of all the members of the Conference.

ARTICLE XXI (ENTRY INTO FORCE OF CONSTITUTION)

1. This Constitution shall be open to acceptance by the nations specified in Annex I.

2. The instruments of acceptance shall be transmitted by each government to the United Nations Interim Commission on Food and Agriculture, which shall notify

their receipt to the governments of the nations specified in Annex I. Acceptance may be notified to the Interim Commission through a diplomatic representative in which case the instrument of acceptance must be transmitted to the Commission as soon as possible thereafter.

3. Upon the receipt by the Interim Commission of twenty notifications of acceptance the Interim Commission shall arrange for this Constitution to be signed in a single copy by the diplomatic representatives, duly authorized thereto, of the nations who shall have notified their acceptance, and upon being so signed on behalf of not less than twenty of the nations specified in Annex I this Constitution shall come into force immediately.

4. Acceptances the notification of which is received after the entry into force of this Constitution shall become effective upon receipt by the Interim Commission or the Organization.

ARTICLE XXII (FIRST SESSION OF THE CONFERENCE)

The United Nations Interim Commission on Food and Agriculture shall convene the first session of the Conference to meet at a suitable date after the entry into force of this Constitution.

ARTICLE XXIII (LANGUAGES)

Pending the adoption by the Conference of any rules regarding languages, the business of the Conference shall be transacted in English.

ARTICLE XXIV (TEMPORARY SEAT)

The temporary seat of the Organization shall be at Washington unless the Conference should otherwise determine.

ARTICLE XXV (FIRST FINANCIAL YEAR)

The following exceptional arrangements shall apply in respect of the financial year in which this Constitution comes into force:

(a) the budget shall be the provisional budget set forth in Annex II to this Constitution; and

(b) the amounts to be contributed by the Member nations shall be in the proportions set forth in Annex II to this Constitution: *Provided* that each Member nation may deduct therefrom the amount already contributed by it toward the expenses of the Interim Commission.

ARTICLE XXVI (DISSOLUTION OF THE INTERIM COMMISSION)

On the opening of the first session of the Conference, the United Nations Interim Commission on Food and Agriculture shall be deemed to be dissolved and its records and other property shall become the property of the Organization.

Mr. Chairman, I yield 7 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, it may be well to review briefly a little past history. Back in 1907, I think it was, 40 or more nations, including the United States, entered into a treaty which established the Agricultural Institute at Rome. I think the suggestion did not originate with the United States but with some other nations, including the then Italian Government. That Institute was supported financially by contributions from the signatory powers, including ourselves, for a long time. It was largely confined to the gathering of statistics. The Italian Government of that day granted to it the use free of charge of an Italian public building. The Institute owned no real estate, but it did acquire during that rather long period quite a statistical library, probably of some value. Then the Fascist government came along and the picture in Italy changed completely. Finally, of course, Mussolini took his country into war against the United Nations.

The Institute at Rome became immediately the captive of the Italian Fascist government and ceased to operate. However, we are informed that the library is still there and intact.

Your committee, in taking into consideration the proposals that we give our approval and consent to the establishment of this Organization, the Food and Agricultural Organization of the United Nations, made inquiry especially as to what might be done now that the Fascist regime in Italy has been driven out with the old Institute at Rome which owed its existence to a treaty, to which the United States was a party. We were assured by representatives of the State Department that the moment this new and larger organization is organized as the result of the consent of the required number of signatory powers, effective steps will be taken to absorb in orderly fashion the remaining property of the old Institute at Rome, so that those who have contributed to it in the past would be completely satisfied that their contribution had not been completely lost. I thought it well to state that for the RECORD, because, after all, when we are about to embark upon an international undertaking involving participation of the United States, we want to be sure that the record of the past is straightened out and that appropriate steps are taken to liquidate, as it were, and absorb the Rome Institute in orderly fashion without being charged with deliberately and intentionally breaking a treaty obligation.

Mr. JENKINS. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Ohio.

Mr. JENKINS. Would the gentleman be kind enough to put in the RECORD the amount each nation participated in that program?

Mr. WADSWORTH. I am afraid I cannot do that, may I say to the gentleman. Within my recollection, we did not inquire as to how much each nation participated.

Mr. LUTHER A. JOHNSON. What is the question?

Mr. WADSWORTH. The question is how much money the different nations contributed to the Rome Institute.

Mr. LUTHER A. JOHNSON. If I understand the figures correctly, the last year we participated, which has been some years ago, the total amount was $285,000. Our part of it was $61,000, as I understand it. I do not know what the previous years were.

Mr. HARNESS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. What is contemplated to be our contribution in this new organization?

Mr. WADSWORTH. Our contribution is set forth in this resolution now before the House.

Mr. HARNESS of Indiana. A million and a quarter dollars?

Mr. WADSWORTH. After the first year. It should be understood, however, that this Organization will cover an infinitely larger field than the old Institute in Rome ever expected to cover or was intended to cover.

Mr. HARNESS of Indiana. Is this million and a quarter dollars based upon an equal contribution by the other signatory powers?

Mr. WADSWORTH. Our proportionate contribution will amount to about 25 percent of the cost of the maintenance of the organization.

Mr. HARNESS of Indiana. How many other powers are likely to go into it?

Mr. WADSWORTH. Forty-odd.

Mr. HARNESS of Indiana. And we are paying 25 percent?

Mr. WADSWORTH. Yes. That includes the smaller nations, however, that could not be expected to contribute as much.

Mr. HARNESS of Indiana. Why does it seem necessary for the United States to contribute 25 percent of the total where 40 nations are participating?

Mr. WADSWORTH. It is proposed that we contribute in proportion to our national income.

Mr. HARNESS of Indiana. What is likely to happen to the post-war agricultural surpluses in this country if this is intended to encourage an increase of agricultural production in these other countries?

Mr. WADSWORTH. This Organization will have no power to impose its will upon any country.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. WADSWORTH. It will be a center of information available to all the Governments that subscribe to this thing which will give them the last returns, as it were, and the trends of the production of food and the conditions of nutrition among the various peoples of the earth.

I may say that all our farm organizations of the United States are heartily in favor of the United States signing up with this Organization, believing as they do that it will be beneficial to our agriculture to know what is going on in other countries, what changes in trends are taking place, so that we may adjust our production in our own way to meet those changes in trends. That is the purpose of it. It covers a far wider field than the old Rome Institute was intended to cover.

Mr. HARNESS of Indiana. That is interesting because I read here in the report that the function of the Organization shall be "scientific, technological, social, and economic research relating to nutrition, food, and agriculture. The improvement of education and administration relating to nutrition, food, and agriculture and the spread of public knowledge of nutritional and agricultural science and practice."

Mr. WADSWORTH. Yes.

Mr. HARNESS of Indiana. In other words, they are to help out the other nations; recommend to them scientific methods of production in agriculture, is that true?

Mr. WADSWORTH. In places where they are short; yes.

Mr. HARNESS of Indiana. Are we not then contributing money to this Organization to help other nations compete with us in agriculture when we are likely to have a surplus?

Mr. WADSWORTH. Remember that we are to be represented on this thing. As a matter of fact, as I look upon it, if this thing is wisely managed among the nations it will decrease competition in places where competition should not exist. There are surfaces of the earth where millions and millions of people are living next door to starvation all the time. It is a ghastly situation. This organization may spread to those people educational information so that the governments in those regions of the earth may establish better conditions for the production of food and the giving of proper nutriment to these millions of people. If they become better fed and more secure, it is to our advantage. It is distinctly to the disadvantage of a country like the United States to have half of the world on the verge of starvation, and if we can by educational methods help to relieve that situation in cooperation with these other nations, we will have helped ourselves as well as them.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield 5 minutes to the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Mr. Chairman, in my opinion the objections to the passage of this resolution, if any, stem back to the secrecy that was thrown around the Conference on Food and Agriculture held at Hot Springs in the spring of 1943. It was a great mistake to clothe the Hot Springs meeting in secrecy, because secrecy in a free country creates suspicion. Were it not for the suspicion engendered by the secrecy thrown around the Conference I do not believe there would be a single vote cast against this resolution. The Interim Commission appointed at Hot Springs, however, drafted a constitution that we have all had an opportunity to study. And the clear-cut, frank statements contained in the constitution should allay any suspicions that any of us may have entertained. It is, in my opinion, a splendid piece of work, and I think everyone will approve of the objectives set forth in the constitution.

The objectives as set forth in the constitution are as follows:

First:

Raising levels of nutrition and standards of living of the peoples under their respective jurisdictions.

Of course, we are all in favor of the first objective.

Second:

Securing improvements in the efficiency of the production and distribution of all food and agricultural products.

No one can raise a valid complaint to that objective.

Third:

Bettering the condition of rural populations.

As the gentleman from New York stated, there are millions of people in the world today and there have been for centuries past who are underfed. Malnutrition is one of the greatest scourges of civilization. We have it right here in America in spite of the fact that now and then we have enormous surpluses in certain crops.

In the State of Virginia, from which I come, this sad and deplorable fact was recently brought to our attention when we found that 52 percent of our young men, when called to the colors, were turned down. They were not physically fit. Why? At least 75 percent of the ailments from which they were suffering stemmed back to malnutrition. The same thing is happening in every State in this Union to a greater or less extent, despite the fact that our people are the best fed people in the world.

Mr. HARNESS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. Does the gentleman believe some world organization of 40 other powers will help our condition here in the United States with respect to malnutrition?

Mr. FLANNAGAN. I certainly do. I think that if a proper study is made and this information is given to the peoples of the world, that the standard of living of all the people in all the nations, including America, will be increased from year to year. And remember when we increase the standard of living of some nation today which is living in poverty, we improve the financial status of that nation. We increase the wealth of that nation. We make it possible for that nation to deal with us, to buy our goods. Commerce begins to spring up. What commerce do we have, for instance, with Asia today? Eighty percent of the people of Asia today are engaged in agriculture, yet the Asiatics are probably the worst-fed people in the world. Suppose we succeed in increasing their standard of living and thereby increase their financial standing, is it not reasonable to suppose that in a few years commerce will spring up between Asia and America?

Miss SUMNERS of Illinois. Mr. Chairman, will the gentleman yield?

Mr. FLANNAGAN. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. A series of laudable objectives for this Organization is listed in the commitee report, but the constitution of the Organization itself is not given. I should like to know where we can get hold of that. In connection with the Bretton Woods Organization, the objectives were just the opposite of the constitution.

Mr. FLANNAGAN. The constitution is set out in full in House Document No. 128, Seventy-ninth Congress, beginning on page 33, and contains not only the objectives of the Organization but the functions of the Organization. I read the objectives from the constitution a few minutes ago. The functions of the Organization are also stated in the constitution: Let me read them:

ARTICLE I (FUNCTIONS OF THE ORGANIZATION)

1. The Organization shall collect, analyze, interpret, and disseminate information relating to nutrition, food, and agriculture.

2. The Organization shall promote and, where appropriate, shall recommend national and international action with respect to

(a) scientific, technological, social, and economic research relating to nutrition, food, and agriculture;

(b) the improvement of education and administration relating to nutrition, food, and agriculture, and the spread of public knowledge of nutritional and agricultural science and practice;

(c) the consevration of natural resources and the adoption of improved methods of agricultural production;

(d) the improvement of the processing, marketing, and distribution of food and agricultural products;

(e) the adoption of policies for the provision of adequate agricultural credit, national and international;

(f) the adoption of international policies with respect to agricultural commodity arrangements.

3. It shall also be the function of the Organization

(a) to furnish such technical assistance as governments may request;

(b) to organize, in cooperation with the governments concerned, such missions as may be needed to assist them to fulfill the obligations arising from their acceptance of the recommendations of the United Nations Conference on Food and Agriculture; and

(c) generally to take all necessary and appropriate action to implement the purposes of the Organization as set forth in the Preamble.

Mr. Chairman, I hope it will be the please of the House to adopt this joint resolution unanimously.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I ask unanimous consent that the constitution of the Food and Agriculture Organization of the United Nations be printed at this point in the RECORD. It certainly ought to be here. There must have been a mistake in the printing of the committee report that the constitution of the Organization was not included in it. It ought also to be in the joint resolution.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The constitution of the Food and Agriculture Organization of the United Nations is as follows:

CONSTITUTION OF THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

PREAMBLE

The Nations accepting this Constitution, being determined to promote the common welfare by furthering separate and collective action on their part for the purposes of

raising levels of nutrition and standards of living of the peoples under their respective jurisdictions,

securing improvements in the efficiency of the production and distribution of all food and agricultural products,

bettering the condition of rural populations, and thus contributing toward an expanding world economy,

hereby establish the Food and Agriculture Organization of the United Nations, hereinafter referred to as the "Organization," through which the Members will report to one another on the measures taken and the progress achieved in the fields of action set forth above.

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(c) generally to take all necessary and appropriate action to implement the purposes of the Organization as set forth in the Preamble.

ARTICLE II (MEMBERSHIP)

1. The original Members of the Organization shall be such of the nations specified in Annex I as accept this Constitution in accordance with the provisions of Article XXI.

2. Additional Members may be admitted to the Organization by a vote concurred in by a two-thirds majority of all the members of the Conference and upon acceptance of this Constitution as in force at the time of admission.

ARTICLE III (THE CONFERENCE)

1. There shall be a Conference of the Organization in which each Member nation shall be represented by one member.

2. Each Member nation may appoint an alternate, associates, and advisers to its member of the Conference. The Conference may make rules concerning the participation of alternates, associates, and advisers in its proceedings, but any such participation shall be without the right to vote except in the case of an alternate or associate participating in the place of a member.

3. No member of the Conference may represent more than one Member nation.

4. Each Member nation shall have only one vote.

5. The Conference may invite any public international organization which has responsibilities related to those of the Organization to appoint a representative who shall participate in its meetings on the conditions prescribed by the Conference. No such representative shall have the right to vote.

6. The Conference shall meet at least once in every year.

7. The Conference shall elect its own officers, regulate its own procedure, and make rules governing the convocation of sessions and the determination of agenda.

8. Except as otherwise expressly provided in this Constitution or by rules made by the Conference, all matters shall be decided by the Conference by a simple majority of the votes cast.

ARTICLE IV (FUNCTIONS OF THE CONFERENCE)

1. The Conference shall determine the policy and approve the budget of the Organization and shall exercise the other powers conferred upon it by this Constitution.

2. The Conference may by a two-thirds majority of the votes cast make recommendations concerning questions relating to food and agriculture to be submitted to Member nations for consideration with a view to implementation by national action.

3. The Conference may by a two-thirds majority of the votes cast submit conventions concerning questions relating to food and agriculture to Member nations for consideration with a view to their acceptance by the appropriate constitutional procedure.

4. The Conference shall make rules laying down the procedure to be followed to secure:

(a) proper consultation with governments and adequate technical preparation prior to consideration by the Conference of proposed recommendations and conventions; and

(b) proper consultation with governments in regard to relations between the Organization and national institutions or private persons.

5. The Conference may make recommendations to any public international organization regarding any matter pertaining to the purpose of the Organization.

6. The Conference may by a two-thirds majority of the votes cast agree to discharge any other functions consistent with the purposes of the Organization which may be assigned to it by governments or provided for by any arrangement between the Organization and any other public international organization.

ARTICLE V (THE EXECUTIVE COMMITTEE)

1. The Conference shall appoint an Executive Committee consisting of not less than nine or more than fifteen members or alternate or associate members of the Conference or their advisers who are qualified by administrative experience or other special qualifications to contribute to the attainment of the purpose of the Organization. There shall be not more than one member from any Member nation. The tenure and other conditions of office of the members of the Executive Committee shall be subject to rules to be made by the Conference.

2. Subject to the provisions of paragraph 1 of this Article, the Conference shall have regard in appointing the Executive Committee to the desirability that its membership should reflect as varied as possible an experience of different types of economy in relation to food and agriculture.

3. The Conference may delegate to the Executive Committee such powers as it may determine, with the exception of the powers set forth in paragraph 2 of Article II, Article IV, paragraph 1 of Article VII, Article XIII, and Article XX of this Constitution.

4. The members of the Executive Committee shall exercise the powers delegated to them by the Conference on behalf of the whole Conference and not as representatives of their respective governments.

5. The Executive Committee shall appoint its own officers and, subject to any decisions of the Conference, shall regulate its own procedure.

ARTICLE VI (OTHER COMMITTEES AND CONFERENCES)

1. The Conference may establish technical and regional standing committees and may appoint committees to study and report on any matter pertaining to the purpose of the Organization.

2. The Conference may convene general, technical, regional, or other special conferences and may provide for the representation at such conferences, in such manner as it may determine, of national and international bodies concerned with nutrition, food, and agriculture.

ARTICLE VII (THE DIRECTOR-GENERAL)

1. There shall be a Director-General of the Organization who shall be appointed by the Conference by such procedure and on such terms as it may determine.

2. Subject to the general supervision of the Conference and its Executive Committee, the Director General shall have full power and authority to direct the work of the Organization.

3. The Director-General or a representative designated by him shall participate, without the right to vote, in all meetings of the Conference and of its Executive Committee and shall formulate for consideration by the Conference and the Executive Committee proposals for appropriate action in regard to matters coming before them.

ARTICLE VIII (STAFF)

1. The staff of the Organization shall be appointed by the Director-General in accordance with such procedure as may be determined by rules made by the Conference.

2. The staff of the Organization shall be responsible to the Director-General. Their responsibilities shall be exclusively international in character and they shall not seek or receive instructions in regard to the discharge thereof from any authority external to the Organization. The Member nations undertake fully to respect the international character of the responsibilities of the staff and not to seek to influence any of their nationals in the discharge of such responsibilities.

3. In appointing the staff the Director General shall, subject to the paramount importance of securing the highest standards of efficiency and of technical competence, pay due regard to the importance of selecting personnel recruited on as wide a geographical basis as is possible.

4. Each Member nation undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Director General and senior staff diplomatic privileges and immunities and to accord to other members of the staff all facilities and immunities accorded to non-diplomatic personnel attached to diplomatic missions, or alternatively to accord to such other members of the staff the immunities and facilities which may hereafter be accorded to equivalent members of the staffs of other public international organizations.

ARTICLE IX (SEAT)

The seat of the Organization shall be determined by the Conference.

ARTICLE X (REGIONAL AND LIAISON OFFICES)

1. There shall be such regional offices as the Director General, with the approval of the Conference may decide.

2. The Director General may appoint officials for liaison with particular countries or areas subject to the agreement of the government concerned.

ARTICLE XI (REPORTS BY MEMBERS)

1. Each Member nation shall communicate periodically to the Organization reports on the progress made toward achieving the purpose of the Organization set forth in the Preamble and on the action taken on the basis of recommendations made and conventions submitted by the Conference.

2. These reports shall be made at such times and in such form and shall contain such particulars as the Conference may request.

3. The Director General shall submit these reports, together with analyses thereof, to the Conference and shall publish such reports and analyses as may be approved for publication by the Conference together with any reports relating thereto adopted by the Conference.

4. The Director General may request any Member nation to submit information relating to the purpose of the Organization.

5. Each Member nation shall, on request, communicate to the Organization, on publication, all laws and regulations and official reports and statistics concerning nutrition, food, and agriculture.

ARTICLE XII (COOPERATION WITH OTHER ORGANIZATIONS)

1. In order to provide for close cooperation between the Organization and other public international organizations with related responsibilities, the Conference may, subject to the provisions of Article XIII, enter into agreements with the competent authorities of such organizations defining the distribution of responsibilities and methods of cooperation.

2. The Director-General may, subject to any decisions of the Conference, enter into agreements with other public international organizations for the maintenance of common services, for common arrangements in regard to recruitment, training, conditions of service, and other related matters, and for interchanges of staff.

ARTICLE XIII (RELATION TO ANY GENERAL WORLD ORGANIZATION)

1. The Organization shall, in accordance with the procedure provided for in the following paragraph, constitute a part of any general international organization to which may be entrusted the coordination of the activities of international organizations with specialized responsibilities.

2. Arrangements for defining the relations between the Organization and any such general organization shall be subject to the approval of the Conference. Notwithstanding the provisions of Article XX, such arrangements may, if approved by the Conference by a two-thirds majority of the votes cast, involve modification of the provisions of this Constitution: Provided that no such arrangements shall modify the purposes and limitations of the Organization as set forth in this Constitution.

ARTICLE XIV (SUPERVISION OF OTHER ORGANIZATIONS)

The Conference may approve arrangements placing other public international organizations dealing with questions relating to food and agriculture under the general authority of the Organization on such terms as may be agreed with the competent authorities of the organization concerned.

ARTICLE XV (LEGAL STATUS)

1. The Organization shall have the capacity of a legal person to perform any legal act appropriate to its purpose which is not beyond the powers granted to it by this Constitution.

2. Each Member nation undertakes, insofar as it may be possible under its constitutional procedure, to accord to the Organization all the immunities and facilities which it accords to diplomatic missions, including inviolability of premises and archives, immunity from suit, and exemptions from taxation.

3. The Conference shall make provision for the determination by an administrative tribunal of disputes relating to the conditions and terms of appointment of members of the staff.

ARTICLE XVI (FISH AND FOREST PRODUCTS)

In this Constitution the term "agriculture" and its derivatives include fisheries, marine products, forestry, and primary forestry products.

ARTICLE XVII (INTERPRETATION OF CONSTITUTION)

Any question or dispute concerning the interpretation of this Constitution or any international convention adopted thereunder shall be referred for determination to an appropriate international court or arbitral tribunal in the manner prescribed by rules to be adopted by the Conference.

ARTICLE XVIII (EXPENSES)

1. Subject to the provision of Article XXV, the Director-General shall submit to the Conference an annual budget covering the anticipated expenses of the Organization. Upon approval of a budget the total amount approved shall be allocated among the Member nations in proportions determined, from time to time, by the Conference. Each Member nation undertakes, subject to the requirements of its constitutional procedure, to contribute to the Organization promptly its share of the expenses so determined.

2. Each Member nation shall, upon its acceptance of this Constitution, pay as its first contribution its proportion of the annual budget for the current financial year.

3. The financial year of the Organization shall be July 1 to June 30 unless the Conference should otherwise determine.

ARTICLE XIX (WITHDRAWAL)

Any Member nation may give notice of withdrawal from the Organization at any time after the expiration of four years from the date of its acceptance of this Constitution. Such notice shall take effect one year after the date of its communication to the Director-General of the Organization subject to the Member nation's having at that time paid its annual contribution for each year of its membership including the financial year following the date of such notice.

ARTICLE XX (AMENDMENT OF CONSTITUTION)

1. Amendments to this Constitution involving new obligations for Member nations shall require the approval of the Conference by a vote concurred in by a two-thirds majority of all the members of the Conference and shall take effect on acceptance by two-thirds of the Member nations for each Member nation accepting the amendment and thereafter for each remaining Member nation on acceptance by it.

2. Other amendments shall take effect on adoption by the Conference by a vote concurred in by a two-thirds majority of all the members of the Conference.

ARTICLE XXI (ENTRY INTO FORCE OF CONSTITUTION)

1. This Constitution shall be open to acceptance by the nations specified in Annex I.

2. The instruments of acceptance shall be transmitted by each government to the United Nations Interim Commission on Food and Agriculture, which shall notify their receipt to the governments of the nations specified in Annex I. Acceptance may be notified to the Interim Commission through a diplomatic representative, in which case the instrument of acceptance must be transmitted to the Commission as soon as possible thereafter.

3. Upon the receipt by the Interim Commission of twenty notifications of acceptance the Interim Commission shall arrange for this Constitution to be signed in a single copy by the diplomatic representatives, duly authorized thereto, of the nations who shall have notified their acceptance, and upon being so signed on behalf of not less than twenty of the nations specified in Annex I this Constitution shall come into force immediately.

4. Acceptances the notification of which is received after the entry into force of this Constitution shall become effective upon receipt by the Interim Commission or the Organization.

ARTICLE XXII (FIRST SESSION OF THE CONFERENCE)

The United Nations Interim Commission on Food and Agriculture shall convene the first session of the Conference to meet at a suitable date after the entry into force of this Constitution.

ARTICLE XXIII (LANGUAGES)

Pending the adoption by the Conference of any rules regarding languages, the business of the Conference shall be transacted in English.

ARTICLE XXIV (TEMPORARY SEAT)

The temporary seat of the Organization shall be at Washington unless the Conference should otherwise determine.

ARTICLE XXV (FIRST FINANCIAL YEAR)

The following exceptional arrangements shall apply in respect of the financial year in which this Constitution comes into force:

(a) the budget shall be the provisional budget set forth in Annex II to this Constitution; and

(b) the amounts to be contributed by the Member nations shall be in the proportions set forth in Annex II to this Constitution: *Provided* that each Member nation may deduct therefrom the amount already contributed by it toward the expenses of the Interim Commission.

ARTICLE XXVI (DISSOLUTION OF THE INTERIM COMMISSION)

On the opening of the first session of the Conference, the United Nations Interim Commission on Food and Agriculture shall be deemed to be dissolved and its records and other property shall become the property of the Organization.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. MURRAY].

IN SUPPORT OF HOUSE CONCURRENT RESOLUTION 39

Mr. MURRAY of Wisconsin. Mr. Chairman, I support this legislation for two definite reasons:

First. The first reason this legislation merits our support is because it provides the machinery for friendly agricultural relations between countries. This legislation is a forward step in effectuating world peace. The rural people of the world are peace loving, and as a group should be coordinated in an effort to bring and maintain peace in the world for all time. The land and who owns it, who controls it, and who works it has been one of the problems in history in relation to war. The land problem has been a real problem within countries as well as between countries. As a group the rural people of all countries are peace-loving people. The very nature of their farm life and the necessity of their cooperation with the many forces of nature to produce the necessities of life creates within them the fundamentals for peaceful relationships. The rural people on farms and in cities under 2,500 in population raise most of the children of the Nation.

The F. A. O. will give the rural people of the world an opportunity to study the agricultural problems of the world and give their members an opportunity to present their recommendations to the governments of the world. We, ourselves, could make good use of this information. We have not all the agricultural information in the world. If you call the Congressional Library and obtain the book on the Rothhamsted Experiments, you will find that the English had a rather extensive knowledge of soil fertility 50 to 100 years ago. It is to be regretted that the World Food Conference at Hot Springs was shrouded in so much mystery. Open covenants openly arrived at applies to these agricultural discussions as much as to anything else.

If Representatives of the Congress from the important committees had been allowed to attend this Conference a better understanding of its objectives would have resulted.

Second. The second reason I feel this legislation deserves support is that this Organization could be the clearing house

for discussion of our many agricultural problems, in reference to our foreign agricultural commerce.

Our problems in foreign agricultural commerce today are different than ever before. One cause of this difference is the legislation that has been passed by our own Congress, such as the 90-percent parity floor price. Another difference is due to the fact that we have, as a nation, erected what constitutes import embargoes on foreign agricultural products as well as export embargoes on at least one agricultural product. We, as a nation, have adopted a program of paying export bounties in order to obtain a part of the world market for certain agricultural products. We have a domestic agricultural program based on a parity formula that is interwoven with our foreign agricultural program. We have strong farm organizations. We have strong leadership in our agricultural colleges. We have State departments of agriculture with capable agricultural commissioners in each State. We have a strong well-enlightened rural press in America. We have a broad rural Extension Service carrying the facts to the farmer in every county of the Nation. We have hundreds of agricultural classes in our high schools with well-prepared teachers. We have the A. A. A. reaching into every county in the Nation. We have the best brains of the Nation working year after year on this domestic agricultural program. We have between 200,000 and 300,000 full or part-time employees on the Federal pay roll carrying out this domestic agricultural program. We are appropriating about $1,000,000,000 a year to carry on this domestic agricultural program. These many agricultural agencies are cooperating for the welfare of American agriculture. Do you wish to jeopardize this domestic agricultural program?

This world agricultural situation presents many questions. In our country a large percentage of the farms are owned by the men that live on them and operate them. This can appropriately be termed the "American way of farm life." Whether it is the most efficient method of producing food or whether it is not, the plans has made a great contribution to making America great. Can we talk about family-sized farms and owner-operated farms in our own country and invite more agricultural imports from countries where the agriculture of that country is based on a different concept of agriculture?

Many social problems are involved in this picture as well as the economics involved. It is fair to assume that the rural people are entitled to a price for their product that gives them equal opportunities with the other groups of our society. It is fair to assume that they are entitled to a price for their products that will enable them to farm their farms and not mine them, as they have done in total the past 200 years.

If we are justified and have reason to feel that this goal is meritorious and that our agricultural objective is desirable for our national welfare, there are many questions we should be asking ourselves today. Among them are:

First. How much further can we go in subsidizing exports wherein we capture our part of the world agricultural commerce by so doing?

Second. How much further should we go down the road of putting embargoes on exports or imports of agricultural products?

Third. Can we contend that we are helping the American farmer when we import agricultural products from a country where the land is owned by large landowners where they pay their farm labor from 15 cents to 50 cents per day? Or are we helping just a few large landowners?

Fourth. If these large landowners in foreign countries—that may control the country as well—pay the farm workers 15 cents to 50 cents a day, where are these farm workers benefited if the large landowners are allowed to ship the farm products to the United States markets in competition to our farmers? Do the shipments help a few large landowners only?

Fifth. Since the United States is a country with a high percentage of small landowners where the individual owns and operates his own farm, or at least that is the announced goal and objective, just exactly how are we going to maintain this American way of farm life when their farm products must compete with farm products of countries paying 15 cents to 50 cents per day for farm labor?

Sixth. If the establishment of steel mills in Brazil with United States Federal money as a loan and supposedly to be repaid, causes such a furor and criticism in the industrial world how do you justify the giving of the American market for farm products to countries with large landowners who pay 15 cents to 50 cents per day?

Seventh. If the policy is to be one of mutual benefit for the greatest number of people in all countries do you think more people could be benefited in a foreign country by helping to provide them good industrial jobs in steel mills and other industrial establishments in their own country than could be benefited by shipping their agricultural products to us in exchange for industrial goods?

Eighth. If it is a desirable national policy to further industrialize the United States and import still more competitive agricultural products why should we not be honest about it and tell the American farmer just what he can expect from such a program? Should we be a party to deceiving him and make him believe something is being done to help him when in fact we may be doing something to harm him?

If as in 1939 under our present domestic and foreign agricultural program many farm products brought as little as 45 percent to 60 percent of parity, and we imported $526,000,000 worth of competitive agricultural products, just exactly how many millions and billions of dollars' worth of agricultural products will come to our market if the 90-percent parity floor is maintained during the war and 2 years after the war? Is the answer that we will have to put on additional import quotas as proposed by representatives of the office of the Secretary of Agriculture before the Agriculture Committee last week when the present bill was being discussed?

I do not claim to have the answers to all these questions. I would like to have them answered by someone who has responsibility to the people. I would like to have them ironed out by people representing the rural people of the United States. I do not subscribe to a program where magic and mystery supplant fairness and common sense.

The world agricultural organization would be the logical place for these discussions. If our agricultural exports are to be dependent on world marketing agreements that determine how much of the world market the American farmer can have, is there anything sinful in suggesting that the American farmer might be justified in having something to say about how much and how many foreign agricultural products can be imported into America? If we have a quota on exports should we have a quota on imports?

We must remember what the pre-war farm-price situation really was from 1930 to 1940. The approach is not how low the prices were in 1932 at a time of a world slump. Nor do I wish to be too critical of the prices prevailing in 1939 after millions had been poured into the farm program. But if we had 18 cents per bushel oats, 48 cents per bushel wheat in some States, 34 cents per bushel corn, 8+ cents per pound cotton, 16 cents per pound wool in Oklahoma, $1.14 per hundredweight milk in many States, 29 cents per pound butter fat, and 12 cents per pound cheese, as well as 10,000,000 of unemployed immediately before the war, just exactly how are we going to prevent the 3–15 cents per hour labor return to these farmers after the war? Can we expect much purchasing power of people getting 3–15 cents per hour in our own country? Can we expect much purchasing power from people getting 5 to 50 cents in a foreign country? These are the questions. What is your answer and your approach? How are we going to be helpful and fair to our own rural people in relation to other groups of our society and not follow an unwise policy in our relation to the rural people and the peoples of other lands?

These are fair questions and deserve fair answers. House Joint Resolution 35 should help answer these questions.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Miss SUMNER of Illinois. Mr. Chairman, I hope the gentleman knows that this authority of this Organization seems to be absolutely unlimited. On page 4 of the constitution, it says:

It may perform any functions—

That is, this Organization may perform any function—

which may be assigned to it by governments or provided for by any arrangement between the Organization and any other public international organization.

That seems to give absolute and unlimited authority.

Mr. MURRAY of Wisconsin. I might say as far as the authority is concerned, we know that just depends on who is

going to conduct it. As far as the money is concerned, it will not live very long if the Congress does not appropriate the necessary funds to keep it going. So any time this Organization is not performing in a manner to suit the United States, there is nothing permanent about the appropriation. There is no reason why the Congress cannot stop it any time it wants to after the preliminary period.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield to the distinguished gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I will remind the gentleman and the Congress that during the life of the Agricultural Institute there were years when Congress did not appropriate any money for the United States and the activity would cease. Therefore, there is a very easy way to cut off any activity when the funds are not appropriated. That can be done in this case if the appropriations find any danger to the welfare of the United States.

Mr. MURRAY of Wisconsin. I thank the gentlewoman from Massachusetts.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. RICH. Suppose we do set this Organization up and the members of the board from the United States make a lot of promises to other foreign countries. Then they come back to the Congress and ask for the appropriation and the Congress does not make the appropriation. What will the thought of those other nations be, "Why, America has promised to do certain things and it has fallen down." Now, you have to be very careful that we do not have men representing the American Government with these provisos and then the Congress fail to carry them out.

Mr. MURRAY of Wisconsin. My answer to the gentleman is, that he should not have any great worry as to what these peace-minded people, farm people, are going to do in connection with this organization. The rural people are the largest single group in the world.

Mr. RICH. I am not half worried about what the farmers of this country are going to do. I am worried about what the politicians are going to do.

Mr. MURRAY of Wisconsin. The F. A. O. will allow the farm-minded people to keep the politicians in line.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. LUTHER A. JOHNSON. I yield the gentleman 1 additional minute.

Mrs. ROGERS of Massachusetts. I yield the gentleman 1 additional minute.

Mr. LUTHER A. JOHNSON. For the purpose of supplementing the answer made to the gentleman from Pennsylvania [Mr. RICH] relative to some promises being made which the Congress might not keep; the gentlewoman from Illinois [Miss SUMNER] referred to article IV of the constitution. That says:

> The Conference shall determine the policy and approve the budget of the organization and shall exercise the powers conferred upon it by the constitution.

The Constitution expressly confers powers and it also expressly provides that those powers cannot be changed or enlarged except by a vote of two-thirds; and that the United States will not be bound except by act of Congress. So our representatives are bound by this Constitution and they cannot even change the Organization without an act of Congress authorizing it to be done.

Mr. MURRAY of Wisconsin. I thank the gentleman from Texas.

Mr. SPRINGER. Will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. SPRINGER. I note the resolution provides for an appropriation of a sum not exceeding $625,000 during the first fiscal year of the Organization, and sums not exceeding $1,250,000 annually thereafter. This is permanent legislation, is it not?

Mr. MURRAY of Wisconsin. It is, but the Congress can always deny appropriations when it wishes to do so, I hope.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield 5 minutes to the gentlewoman from Illinois [Mrs. DOUGLAS].

Mrs. DOUGLAS of Illinois. Mr. Chairman, while the most momentous Conference of our times is being held in San Francisco, we in Congress have a chance to test our own sincerity and implement fine words about peace, with action. The first permanent agency of the projected United Nations Organization is now before us. This agency deals with the most basic human needs.

In the midst of war it is right that our main concern in world organization should center on ways of dealing with further aggression. Yet this policeman's task is only part of the job. The other part, in the long run even more important, is correction of those conditions which breed wars. As nations develop peaceful ways of solving their problems, the policeman's task grows less.

Wherever there is hunger, recurrent plagues, and desperation, there is fertile soil for demagogs, dictators, and violence. And yet half of the world has never had enough to eat. In the past this was perhaps inevitable, but today modern farm techniques and transportation make it possible for man to conquer famine and free himself of this most desperate fear.

Aside from humanitarian reasons, the United States as the greatest creditor and exporter nation has a double stake in the project before the House. We want to increase stability throughout the world, thus removing the worst danger spots for the sake of our own security and in addition we want to raise the standard of living so that we can expand our own markets. Our best trading partners have always been nations with comparatively high standards of living.

The Food and Agriculture Organization will be a world-wide agency for pooling the best knowledge on the problems of nutrition, agriculture, and marketing. It will furnish scientific and technical help to governments requesting it and it will, in short, act as a fact-finding and fact-distributing agency. For a highly developed nation like ours, F. A. O.'s chief direct service will be in statistical help in showing us the world picture and its agricultural needs. While it could invoke no authority over any nation's policy, it will offer constructive aid for all. Our investment in destruction has necessarily been vast. Now let us invest a comparatively tiny sum in constructive processes which can help stabilize the world against future wars.

The world is watching the United States as the pivotal nation in creating a durable peace. The greatest reassurance which we can give today is the unanimous acceptance of House Joint Resolution 145. This would show our readiness to joint with the United Nations' first permanent project to come before the Congress.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. CHIPERFIELD].

Mr. CHIPERFIELD. Mr. Chairman, I favor the passage of House Joint Resolution 145, providing for membership of the United States in the Food and Agriculture Organization of the United Nations, because I believe its purposes and functions will not only be of benefit to the United States but will be an aid to obtaining world security and prosperity.

This bill was passed unanimously by our Foreign Affairs Committee and is strongly backed by the Surgeon General's Office, Department of Agriculture, American Federation of Labor, the Grange, the American Farm Bureau, and many other national organizations.

Its purposes and functions are simple. I believe in order to save time I could best state these functions by referring to the statement of Dean Acheson, Assistant Secretary of State, on page 23 of the hearings, and quote from his statement, because I believe it is the most concise and clearest statement of any of the witnesses who appeared before our committee:

SPECIFIC FUNCTIONS OF FOOD AND AGRICULTURE ORGANIZATION

Article I of the constitution then proceeds to define more precisely the functions which are to be performed by the Organization in the furtherance of these broad purposes. These include first the collection, analysis, interpretation, and dissemination of information relating to nutrition, food, and agriculture. The second major function of the organization is the promotion, and in appropriate cases, recommendation of national and international action with respect to all types of research relating to food and agriculture; the improvement of education and administration, and the spread of public knowledge in these fields; the conservation of natural resources and the adoption of improved methods of agricultural production; improvement of processing, marketing, and distribution of agricultural products; the adoption of policies for the provision of adequate agricultural credit, both national and international; and the adoption of international policies with respect to agricultural commodity arrangements. In all the fields in this second category of functions, it will be observed that the Food and Agriculture Organization is not itself the active agent for carrying its knowledge or recommendations into effect; its function is rather the promotion of knowledge and of desirable public policy in these fields, leaving individual

countries free to determine to what extent and by what methods they give effect to the recommendations of the Organization.

The third main function of the Organization is to assist in making technical assistance available to governments which desire it, in part by providing, in cooperation with governments concerned, such missions as may be needed to assist them in realizing the purposes of the Organization.

The raw materials for the work of the Organization will be in large part the reports and information periodically made available by the member governments and such special reports as may be requested on the progress made toward achieving the purposes of the Organization as set forth in the preamble. These reports and statistics will serve a dual function: They will enable the Organization to serve as a research and statistical clearing house which member nations can use to help them achieve better levels of living for themselves, and in addition they will serve as a perpetual international reminder that facts and statistics and advice must find ultimate expression in human betterment. This two-way flow of information between members and the Organization will thus serve both to deepen and broaden the bases of knowledge and will cause each nation to examine its own experience and to determine how well it has applied the best knowledge and techniques available to it.

At the recent Food Conference when they drew up the constitution for this Organization, they made up a budget amounting to $2,500,000 for the first financial year of the Organization. In this constitution each member nation was required to contribute a proportionate share of the Organization's budget, our share being 25 percent was $625,000, for the first financial year. During subsequent years it was believed by the conference that the annual budget of the Organization would be in the neighborhood of $5,000,000. Consequently, after the first year, our share would be not to exceed $1,250,000.

When this bill was originally brought before our committee it authorized an appropriation of $1,250,000 annually for our share in this Organization. I pointed out the fact in committee that our share for the first year would be only $625,000 and suggested that we should make that fact clear to the Appropriations Committee in this resolution. Subsequently the words "not to exceed $1,250,000 annually" were stricken out of the original bill and the following language substituted:

A sum not to exceed $625,000 during the first year of the organization and sums not to exceed $1,250,000 annually thereafter.

There is one additional feature I wish to call to your attention concerning this measure. In section 4 it provides:

Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States accept any amendment under paragraph 1 of article XX of the constitution of the Organization involving any new obligation for the United States.

Therefore this resolution makes it clear that no amendment is to be accepted on behalf of the United States under this paragraph unless the Congress by law authorizes such action. So our obligations under this bill are fixed and cannot be increased unless Congress so authorizes.

It may be well to call to your attention that we had been a member for many years of the International Institute at Rome which had for its purpose a similar objective. Naturally during the war days and Rome being occupied this organization ceased to function. The Organization attempted to be built here, however, goes beyond the scope of the Rome Institute since it dealt entirely with agriculture and did not deal with various aspects of food and nutrition.

Under section 3 of this bill it will probably be possible to salvage many assets of the old organization, known as the Institute of Rome.

It seems to me as we grow closer to final victory it is most urgent that we build a strong foundation for a peace that will last and one of the best ways to prevent aggression is, so far as possible, to remove the causes of discontent and the conditions that invite aggression. Lack of food, malnutrition, and economic instability of nations have been contributing factors to war.

If this measure will only help to remove some of these causes and get some of the ravaged countries back on their feet at a most negligible cost to ourselves, I believe it will be more than worthwhile. For if these countries are strengthened they in turn will be able to trade with us and we in turn will be the beneficiary.

This, to my mind, will be the first of the permanent organizations for world cooperation and I therefore urgently and respectfully request your support.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, in speaking in favor of this resolution I do so with a very real sense of our obligation to the world to share our understanding of the scientific principles of farming and of food production with other peoples, as well as with a keen desire to have us participate in the benefits of the conference this Organization will make possible. I do so with the further certainty that only as the standard of life rises in the entire world will the hope for continued peace become a fact. Hungry people are dangerous people—dangerous to peace. It seems to me that the more we share in the dissemination of the benefits to be derived from a more and more adequate world food supply, the more we help build the bodies of the people of the world, especially as we serve to make it possible for them to raise their own food, the more likelihood there will be of building a sound economic structure throughout the world which in itself will be a strong guaranty of lasting peace.

It is my earnest hope that this Congress will support this resolution.

The CHAIRMAN. The time of the gentlewoman from Ohio has expired.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Texas is recognized for 5 minutes.

Mr. LUTHER A. JOHNSON. Mr. Chairman, this resolution carries out the first one of the international agreements that our Government has entered into with the other nations of the earth, and is the outgrowth of the conference held at Hot Springs in 1943. This conference of the United Nations on food and agriculture was the result of the vision and the initiative of President Roosevelt. He believed that there was a special appropriateness in the fact that the first collaborative action of the United Nations looking beyond the war period should be in a field that affected the welfare of so large a part of the world's population.

The hearing before our committee was most interesting. I wish the entire membership of the House could have heard the witnesses who appeared, and, if so, the action of the House today would be unanimous, as was the action of our committee. Secretary of Agriculture Wickard appeared in person. Secretary of State Stettinius sent a written statement. Assistant Secretary of State Dean Acheson testified. The Honorable Marvin Jones, who was for many years chairman of the House Committee on Agriculture and who is now War Food Administrator and who was, by the way, the president of the Conference held at Hot Springs, made an excellent statement which appears in the hearings. Some of those who has been asking what effect this Organization is going to have upon our own agricultural interests should read the statement of Judge Marvin Jones. They should also read the statement contained in the hearings from the master of the National Grange, Albert S. Goss, and Mr. Edward A. O'Neill, of the American Farm Bureau, and other farm organizations, all of whom have given much thought and study to this problem and they realize that instead of hurting the farmers it is going to help them and help the nations of the world.

Another witness we had who was most interesting was the Surgeon General of the United States Public Health Service, Dr. Thomas Parran. His statement was most enlightening with reference to the need for some means of instructing the people with reference to food. The startling statement was made, verified and confirmed by others, that two-thirds of the people of the earth for a number of years have been hungry. As long as you have hungry people, as the distinguished gentlewoman from Ohio [Mrs. BOLTON] said a few moments ago, there is a seed for war and when you can allay that, when you can have the people in a position where they are not hungry, they are not so likely to follow a Mussolini, Hitler, or any other dictator who will stir up a war.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. We had two of the most prosperous nations start the present war, namely, Japan and Germany. Surely no one thinks that China or India started it.

Mr. LUTHER A. JOHNSON. I think it started down there in Italy when Mr. Mussolini, who ended his earthly career yesterday, started a drive down into Ethiopia. That was taken up by other countries and carried on.

Miss SUMNER of Illinois. Is there any intention to bring in a bill to have us join an organization by which the manufacturing secrets of our industries shall be given to other countries?

Mr. LUTHER A. JOHNSON. None that I know of. This Organization will not give any secrets to anybody. It is simply a clearing house for knowledge with reference to nutrition and food values. The gentleman from Indiana in reading the statement he did with reference to the functions of the Organization omitted some of the functions and only referred to one. It has several different functions, the first of which is that the Organization shall collect, analyze, interpret, and disseminate information relating to nutrition, food, and agriculture. Function number two is that the Organization shall promote and where appropriate shall recommend national and international action with respect to scientific, technological, and other knowledge, resources and so forth.

It is just simply a clearing house. It does not have administrative application and it will not take any affirmative action. It simply exchanges ideas and furnishes information to the member nations.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I yield to the gentleman from North Carolina.

Mr. BONNER. I am interested in what the gentleman and others have stated. Is not the Department of Agriculture already set up, able to do the very same things this will do?

Mr. LUTHER A. JOHNSON. With reference to our own country; yes.

Mr. BONNER. If we are going into the international raising of food, then we could as well delegate the present Department of Agriculture to go out and disseminate knowledge throughout the world as to how to produce more food. There would not be any advantage to this Organization.

Mr. LUTHER A. JOHNSON. The advantage of this Organization is that 44 countries, it is hoped, will participate and will exchange their ideas with reference to various problems, transmit them to their people, and we will cooperate to the extent of our ability. The Organization, as such, will not raise or produce food.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. HOPE. Mr. Chairman, I think anyone who believes in international cooperation at all must be for the pending resolution because I know of no form of international cooperation which is any less expensive, which is any milder or which is any broader with respect to the number of people and countries affected than this Organization.

The total financial contribution of this country for the first year will be about the same as the cost of one B–29 bomber. The extent of the authority given this organization is to carry on a research, statistical, and service program. It has no authority over any government but it is at the service of any member government which wishes to make use of its facilities.

One reason I think that an organization of this kind may do a great deal toward bringing about world cooperation and eventual world peace is there is no subject in the world in which more people have an interest than food. It touches everyone. It offers a common ground upon which all the people of the world can get together. We are shocked these days in reading about the cruelties and the starvation carried on in the German prison camps. But I hope we do not overlook the fact that every year in this world there are perhaps 100 times as many people dying from starvation and malnutrition as have died in German prison camps, and that is a situation of which no American can be very proud. We in this country have taken food for granted. It does not touch our consciousness at all except perhaps in times like these when we have rationing and that sort of thing to contend with, but that is not true the world over. I am not afraid of competition with our agriculture in this country as long as there are millions and millions of people throughout the world who are undernourished. Until the time that the world can feed its people in something like an adequate manner I am not going to worry about what this Organization may do to the American farmer in the way of setting up competition. I do not think that the American farmers and their leaders in this country are very much worried about it either, because practically all of the farm organizations and many of the representatives of agriculture in Government appeared before the committee in support of this legislation.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, coming from the great agricultural State of California I desire to compliment and congratulate the committee on this very fine unanimous report. I think it should be significant to both sides of the center aisle that this is a unanimously approved resolution. I bespeak for it unanimous approval of this distinguished legislative body. This is another time when we can plant our feet again in the pathway to permanent peace. Let us not sidetrack and go off on a side rail in this history-making time of our world by refusing steadfastly and strongly—if you please, unanimously—this day to prove to the world that we have more pride, patriotism, and determination for world peace than we have greed for dollars.

Yes, gentlemen, I respectfully and emphatically use the term "greed for dollars." That same greed has, no doubt, been one of the major causes of world war—if, in fact, it is not the major cause therefor. It should be startingly significant and strengthening that the membership of this distinguished Committee on Foreign Affairs has voted out this resolution we are now debating unanimously, which unanimous report came from the distinguished personnel of this committee at this time in the world's history. With the San Francisco United Nations Conference just beginning, it means that no member of our Foreign Affairs Committee has been careless or hasty in his or her consideration of the import of this resolution. With such report emanating from this committee just at this time, after its most diligent, thorough-going study, hearings, and consideration, gentlemen, I feel this House has the right to expect a unanimous favorable vote. I have not yet heard a single sound remark against the proposal. If there be such, then let the Member holding such sincere, honest reason speak up, that we shall promptly debate and dispose of it. I am sure that any trivial, inconsequential, or political maneuvering or consideration will not enter into this epochal debate. I say epochal, because, it is just that. The passing of this resolution is definitely related to the strength or weakness of the national good will and relationship conferences going on this very hour in the history-making meeting of the United Nations, in my native State of California, at San Francisco. We must strengthen their hands, their minds, their spirits, by our decision here. Nor is it any inconsiderable import which our decision will have. This is the first time that this great Congress has been asked to speak out in support and vote for or against one of the national footsteps on the pathways to enduring peace.

There appears no question that the United Nations Conference on Food and Agriculture at Hot Springs in May 1943 was another of the practical visions of the great initiative of our beloved late President Rosevelt, for the safety and security of the peoples of the world. We must look at it in that light not least of all. He knew and we know that food affects the welfare—yes the very survival—of every living person in every home, in every hamlet everywhere. History records there never has been food enough to sustain the health of all peoples. History also records that the first reason for malnutrition and hunger of people is poverty and lack of wherewithal to acquire food. There is no gainsaying the first responsibility for the health of its people rests with each nation to have that food and to take those steps. Too, there is no question either that the nations of the world now live so closely in our world neighborhood that this absolute necessity of food and health for the masses of people in the world can best be achieved by pulling together as world neighborhoods.

The sustaining freedom of want of food for daily need is fundamental to a just and permanent solution of all other national and world problems and relationships. A hungry world, or a world in which the majority of people are hungry, is a world in which the dictators and warmongers will again arise and thrive on human hungers and fears. We, today, have a chance for the first time in the world's history to plant a firm foot in the pathway of world peace to help to make it literally true that the masses of people in the world have sufficient to eat each day. Without this sufficiency world wars will continue and there will be no world security against war. In fact, gentlemen, if we today vote against

this resolution on account of not knowing exactly the number of dollars or cents which our Nation will have to contribute, or if we vote against it for any reason, in my judgment, we will be directly contributing to another world war in the lifetime of most of us on this floor this day.

The preamble of the constitution of this world Food and Agriculture Organization is set out on page 3 of the committee's report now in our hands. And in itself, it declares objectives, which should command the unanimous approval of this bill under the circumstances under which we are meeting. The nominal sum of dollars it will require from our Nation to be effective, in the presence of the significant meeting at San Francisco, out of which will either come world working machinery for enduring peace or the lack of it are inconsequential. That preamble states that the nations accepting it are determined to promote the common welfare of the world by furthering collective action on the part of those nations for the purpose which I shall read.

They are as follows:

First. Raising levels of nutrition and standards of living of the peoples under their respective jurisdictions.

Second. Securing improvements in the efficiency of the production and distribution of all food and agricultural products.

Third. Bettering the condition of rural populations.

If there cannot be international cooperation that the people of the world shall have daily food, I then cannot conceive of any field of international collaboration in which there can be enduring international agreement and accord. As food determines the health, mind, and spirit of a single individual, so it determines the same in the daily life of a nation; and as well it determines the daily attitude of all nations in this world neighborhood in which we now live. Our Nation cannot isolate itself ever again, either in food or anything else, and expect as a result thereof security in food or anything else, which the other peoples of the world have less of than they need. We must raise the level of living of the peoples of the world, in order to have security for our own level and standard of life. We must teach the peoples of the world to raise their own standards of living by cooperating with those people that they may better and more promptly know how to raise their own daily bread. This is fundamental, if we would have world security and world peace from wars. We must vote this resolution this day. It would be glorious for our Nation and the world if every Member on this floor would vote "aye."

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield myself the balance of the time on this side.

Mr. Chairman, a very distinguished diplomat said to me when I was in Europe in October that he feared the peace would be even worse than the war. Of course, he meant the readjustment period, the period when there would be thousands of hungry people with no food to give them immediately, and perhaps not for some time. Certainly this agricultural constitution can be very helpful in working out an equitable and proper distribution of food and the raising of the necessary things with which to feed the people. Certainly we do not want the people of the world to starve in the end. That would not help the United States either. I saw hungry people in Italy and Belgium and France. I never shall forget last autumn.

That is for the humanitarian side of it, Mr. Chairman, but I should like to speak also of the practical, the business side of it, as far as the United States is concerned. I understand that the Secretary of Agriculture made a statement before the Committee on Agriculture. May I ask the distinguished gentleman from Wisconsin if he has anything to say regarding that statement? It certainly has to do with the world price of agricultural commodities.

Mr. MURRAY of Wisconsin. I may say to the distinguished gentlewoman from Massachusetts that the only point I wish to make in connection with his testimony is in answer to what we are going to do if we keep on putting on import quotas and also continue to pay export bounties. The Secretary himself referred it to his assistant, and his assistant said that the only thing we can do to protect the American market is to put additional embargoes on imports. That was one of the things I wanted to discuss if I had had more time today, because that is a pretty serious matter. That cannot be our only answer. If we are going to have a good, friendly agricultural relationship in this world, it appears to me that we are going to do it through this Organization much better than by having someone that just happens to want to put an embargo on something coming in here or on something going out of this country, because, to me, as far as peaceful relationships in this world are concerned, it is one of the most dangerous procedures we can get into unless it is by agreement between countries.

We may pay so much a bale or so much a bushel as an export bounty on certain agricultural products, and if it is agreed by this group that that is a part of the procedure, that may be a satisfactory arrangement. But if we are just going automatically to have an export bounty, we can take any market in the world if we can just figure out schemes to pay a big enough bounty.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired. All time has expired.

The Clerk will read the joint resolution for amendment.

The Clerk read as follows:

Resolved, etc., That the President is hereby authorized to accept membership for the United States in the Food and Agriculture Organization of the United Nations (hereinafter referred to as the "Organization") the constitution of which is set forth in appendix I of the First Report to the Governments of the United Nations by the Interim Commission on Food and Agriculture, dated August 1, 1944.

Mr. TABER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I wonder how there could be any justification for authorizing $1,250,000 to be spent for any such purpose as this for administrative expenses in a year. I know that for the first 6 months it is set at $625,000, but that sounds like 10 times as much as it ought to be, and the other sounds as if it were 10 times as much as it ought to be, at least.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. With reference to the amount, may I say that 41 countries are now members of the Organization and 44 are expected to become members. The gentleman must realize that a great many countries will not be able to participate on account of the conditions, that is, they will not be able to contribute as much.

So far 54.5 percent of the entire cost has been underwritten by the United States, the United Kingdom, the Soviet Union, and China. That is the beginning. It is thought when the Organization gets started and when war conditions no longer prevail and conditions are normal, our part will be less.

Mr. TABER. How can it be any such figure as given on these items? Frankly, I do not want to see any set-up of this kind carried through here and then somebody come to the Committee on Appropriations and tell us there are no justifications for any such figure and yet we are expected to provide any such amount.

Mr. LUTHER A. JOHNSON. As I recall, the gentleman from New York, who is the ranking minority member on the Committee on Appropriations, does not make any appropriations unless they are justified by the agency coming before the committee. This joint resolution is merely an authorization. We appropriate no money whatever. I am sure the gentleman from New York, with the vigilance that he usually exercises with reference to safeguarding the Treasury, will see that we do not get gypped.

Mr. TABER. I will at least see that effort is made to keep it within bounds. But I think it is a terrible mistake and a reflection upon the Organization to authorize more than could possibly be justified by any stretch of the imagination.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Miss SUMNER of Illinois. It ought not to cost anything for these countries to get information they want from us. Their embassies can get the same books and pamphlets which are sent out to the Members of Congress and have them printed in their own countries. This idea of spending $1,000,000 for a purpose like this seems preposterous to me.

Mr. TABER. It is.

Mr. MURRAY of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. MURRAY or Wisconsin. Is it not a fact, may I ask the distinguished gentleman from New York, that at the present time under a different heading we are doing a little of the work that will be done by this Organization? For example, in the State Department, we have agricultural representatives in many of

these different countries and they are being paid at the present time.

Mr. TABER. That is true.

Mr. MURRAY of Wisconsin. Yes.

Mr. TABER. How much does it amount to?

Mr. MURRAY of Wisconsin. I would not know how many there are. I am not familiar with that.

Mr. HARNESS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. HARNESS of Indiana. The gentleman from New York [Mr. WADSWORTH] indicated a few minutes ago, in response to a question I propounded, that the cost now was about $61,000 a year. That is, that was our contribution.

Mr. TABER. If that is our contribution, I would say that is plenty.

I yield to the gentleman from New York [Mr. WADSWORTH], who is on his feet.

Does the gentleman desire to make any observation?

Mr. WADSWORTH. The gentleman from Indiana has not explained my answer. The institute at Rome was a very small organization established for purely statistical purposes. Its total activity involved the collection of statistics and depositing them in a library. Now this Organization is intended to cooperate actively with 40 or 50 governments, giving the governments a chance to make use of whatever good information comes through this clearinghouse. Our last contribution to Rome was $61,000. This is a much larger undertaking.

The CHAIRMAN. The time of the gentleman has expired.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I think if the gentleman will read the report, it states that not more than $625,000 shall be spent the first year by the United States, and not more than a million dollars later if necessary. Of course, that depends upon the number of countries who join this agricultural organization. As more countries join, the amount each country will have to give will be less.

Mr. RICH. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. I yield.

Mr. RICH. How do you arrive at the figures? If there are 41 countries who now have joined this organization, how did you arrive at the figures?

Mrs. ROGERS of Massachusetts. May I state to the gentleman that 20 countries have joined already.

Mr. RICH. If 20 countries have joined and we now are obligating the United States for 25 percent of the cost; if the number of nations is increased, what can we expect our proportionate percentage of the cost will be?

Mrs. ROGERS of Massachusetts. It will go somewhat according to national income, I believe. That is the method that has been evolved for our participation in other international organizations. Everything is done in a cooperative manner with other countries. It may not be the correct way, but it has been the way that always has been followed. While the United States contribution is 25 percent of total, in 1940, the total income of the 44 nations was between two hundred and two hundred and twenty-five billion dollars. That of the United States was about seventy-five billion. The income of the United States was a third of the total income of the 44 nations, yet it contributes only 25 percent.

Mr. RICH. The gentleman from Texas [Mr. LUTHER A. JOHNSON] said there was 50 percent of it being charged to our Government. How did you arrive at that figure?

Mrs. ROGERS of Massachusetts. Mr. Chairman, I yield to the gentleman from Texas, who made the statement, in order to reply.

Mr. LUTHER A. JOHNSON. May I answer the gentleman from Pennsylvania by saying that our contribution is now on a 25-percent basis, but at no time can it exceed $1,250,000. That is the ceiling for all time, or so long as we are members of this Organization. For the first year, our contribution is only half of that, or $625,000.

Mr. RICH. Can this not be changed at some future date?

Mr. LUTHER A. JOHNSON. Unless the Congress of the United States changes it, it cannot be changed.

Mr. RICH. If you establish the precedent now that we take care of 25 percent of the expense or more and then eventually they make that change, will they not expect us to continue our same percentage of contribution?

Mr. LUTHER A. JOHNSON. I do not believe the gentleman heard what I said a moment ago. It is expected that after normal conditions are restored our percentage will be reduced rather than increased, because a great many countries cannot contribute at this time. The three major countries, the United Kingdom, Russia, and the United States, are paying over half of the amount now. When normal conditions are restored, then our part will be reduced. However, at no time can it be more than $1,250,000, unless the Congress gives its authority so to do.

Mr. RICH. With reference to the work of our Department of Agriculture in this country, of course, I am in sympathy with trying to feed the nations of the world as far as we can, but I am also fearful of the promises or the implications that may be in this resolution so that in the future they may expect from us something that we are not able to perform.

Mr. LUTHER A. JOHNSON. The gentleman misconceives the purpose of the resolution. There is not going to be any food furnished under this resolution; nothing except information. There is no administrative agency. We do nothing except to help them help themselves by advising them.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I would like to remind the gentleman from Pennsylvania that we did not contribute anything to the Agricultural Institute at Rome for some years. So that answers the question. If we find it inadvisable, we will stop contributing.

Mr. RICH. Were we parties to that agreement at Rome?

Mrs. ROGERS of Massachusetts. We were at different periods.

Mr. RICH. Were we ever asked to make any payments?

Mrs. ROGERS of Massachusetts. We did not make any for a time. At one time we contributed, but we dropped our participation. Then a bill was passed which authorized our participation again; but for a time we did not pay anything nor participate, although a member.

Mr. RICH. But every time we were requested to make a payment our country made that payment?

Mrs. ROGERS of Massachusetts. No, not always. For a period we did not. I voted against the agricultural institute bill. I felt that it would become a Fascist organ, and it did. I am not afraid that this organization will promote any political movement.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. REES of Kansas. Mr. Chairman, I move to strike out the last three words.

Mr. Chairman, I rise to further discuss this question of the amount of the expenditure. I do not observe in the hearings any justification for the $1,250,000. Of course, it is for salaries, I suppose. I would like to ask the chairman if that is the purpose. It is for salaries and expenses of employees, is it not?

Mr. LUTHER A. JOHNSON. Yes; I should say so. I do not seem to have the break-down. The clerk to the committee had to go to California to the San Francisco Conference with Chairman BLOOM and there were some inadvertent omissions from the printed hearings.

Mr. REES of Kansas. In any event, it is for salaries of employees and their expenses; is that correct?

Mr. LUTHER A. JOHNSON. I cannot answer the gentleman's question accurately. I do not know all of the items but it will be for administrative expenses.

Mr. REES of Kansas. One further question: Are those persons, who are employed under this act, to be employees of the American Government?

Mr. LUTHER A. JOHNSON. No; not all of the employees of the organization will be employees of the American Government.

Mr. REES of Kansas. That is to say, a large share of this $1,250,000 is to be paid to foreigners who are employed in this organization?

Mr. LUTHER A. JOHNSON. Not necessarily all foreigners. Some of them will be American citizens. I imagine most of the information will come from our country because we are further advanced in agriculture than any other country in the world.

Mr. REES of Kansas. Well, where did you get the evidence to justify this amount?

Mr. LUTHER A. JOHNSON. The amount was an estimate made up by

the conference and the interim committee. The total estimated annual expenses of the Organization will be $5,000,000 and our part will be 25 percent, or $1,250,000.

Mr. REES of Kansas. But we do not have that before the House?

Mr. LUTHER A. JOHNSON. Unfortunately, I do not have the complete break-down.

Mr. REES of Kansas. It seems to me the least we can do is to have a justification before the House showing just how we are going to spend $1,250,000.

Mr. LUTHER A. JOHNSON. We are not going to spend a cent until after the Appropriations Committee goes into the complete break-down and makes an appropriation. This bill is merely an authorization bill.

Mr. REES of Kansas. The gentleman well knows that this is an authorization bill. Once we authorize it the appropriation will be made. The first justification in support of an appropriation is that it was authorized by the House. The distinguished Member from New York, as has been said, is one of the watchdogs of the Treasury and he will as far as he can see that we spend no more money than we have to; but I just fear that this is such an important matter that we ought to have the break-down before us.

Mr. LUTHER A. JOHNSON. I am sorry I do not have the break-down.

Mr. REES of Kansas. It is unfortunate that we do not. One thing is sure and that is that none of the $1,250,000 will be spent for food for the starving people of the world. It will go for expenses.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. REES of Kansas. I yield.

Mr. COLE of Missouri. I wish to draw the attention of the gentleman from Kansas to article XIX of the constitution which we are here adopting by this resolution. It reads:

ARTICLE XIX (WITHDRAWAL)

Any member nation may give notice of withdrawal from the Organization at any time after the expiration of 4 years from the date of its acceptance of this constitution. Such notice shall take effect 1 year after the date of its communication to the director-general of the Organiztaion subject to the member nation's having at that time paid its annual contribution for each year of its membership including the financial year following the date of such notice.

We are therefore in fact committing ourselves for 5 years, five times the amount we are authorizing to be appropriated in this bill.

Mr. REES of Kansas. I think as far as authorization is concerned we are authorizing the appropriation of somewhere between six and seven million dollars. I do not know what the amount will be, but the fact is that the House is sitting here considering spending $1,250,000 a year that is to be charged to the Federal Treasury. The distinguished chairman in charge of the bill says he has no break-down but believes it will go for salaries and expenses of persons employed by this Organization.

Part of it is to provide employment for people in foreign countries, and yet we do not have a break-down showing how it is going except that part of it will go to employment of foreign people, and some of it to Americans.

I believe the House is entitled to complete information on how it is to be used. We should not have to wait until an appropriation bill comes along. I know a million and a quarter dollars is small compared with a good many other expenditures made by this Congress. It is a pretty good-sized sum not to be itemized at all, all going for salaries and expenses of administration. Who will be employed, what they will do, and where employed, we do not know. About all we know is some of it will be paid to Americans and some to people of foreign countries. Even with the meager information before us, I believe you will accomplish more during the next year or two or three by cutting your administration expenses and use a good share of the $1,250,000 for food.

Mr. Chairman, it seems that if a Member questions any items of legislation proposed by this committee, he is placed in the light of not wanting to cooperate with the nations of the world in bringing about a better understanding and working for the common good. Certainly we want to work with other nations for a better understanding and especially for a more adequate supply of food for the people of the world, many of whom are almost on the brink of starvation.

Many months ago I submitted to this House a proposal that we furnish food to the starving women and children of occupied countries. I got no action. I was told that foreign countries among our allies did not want us to do it. I have said on the floor many times that furnishing food to starving people will do more good than anything else to prevent war and bring about a more favorable understanding. Of course, we are in favor of doing our part to prevent hunger, poverty, and disease among the unfortunate people of the world. In fact, we are now about to face a tremendous job of immediately providing food for millions of starving people that have been overrun by the Axis Powers. But, Mr. Chairman, this bill says in substance that we, as one of the 44 members of the United Food Conference, will pay $1,250,000 a year for carrying out the intentions of the conference. Not one dollar of this money goes for food for anybody. It is expense money. I thought the committee ought to explain how they expect the money to be spent. The committee report says that as one of the 44 nations we are to pay 25 percent of the expense, Great Britain about 16 percent, Russia 9 percent, and the remainder divided among the rest of the 44 nations.

It has been said by Members who have preceded me that the money will be used to secure information and statistics of various kinds with respect to the subject of food throughout the world. If the money is to be spent for salaries and expenses of experts and statisticians, we ought to know it. If it is going to pay the salaries of people in foreign countries to make studies suggested by the proponents of this legislation, we ought to have that information.

In any event, a million and a quarter dollars to spend every year for the next 5 years for expert information and statisticians is a pretty good-sized amount if that is what it is for. I think we could get enough information about the need for food in foreign countries without spending so much of it on experts and statisticians. It will do a whole lot more good if we are a little practical and spend it for food. People cannot exist very long on statistics.

Mr. VOORHIS of California. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, it is not that we are proposing here to spend $1,250,000 to employ anybody in particular. The significant thing we are doing is providing for an appropriate measure of American support for an organization which we hope will be an integral part of the machinery of peace in the world. In the few moments I have I would like to appeal to the House that we raise our sights about this proposition.

This is the first of these measures proposing international cooperation that has come before us. Some terribly difficult questions have to be thrashed out in San Francisco. I do not know whether they all will be thrashed out. But here is an opportunity for the nations to meet together in a wholly constructive proposition in connection with which there cannot, it seems to me, be any appreciable degree of international friction. The aim and objective of trying to raise the nutritional standards of the people of the world is not only a great humanitarian objective, but one directly in line with American self-interest, for the extent to which we do that will measure the degree to which the standards of living of people in other parts of the world will be raised and will lessen thereby the fear we may otherwise need to have of the importation of foreign products produced by people existing at substandards of living. To the extent to which the nations meet together in cooperative endeavor to solve the problems of humanity, to that extent they are laying the basic groundwork for peace, the only groundwork upon which a superstructure and organization of peace can possibly be built.

Mr. BONNER. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. Yes; I yield.

Mr. BONNER. Is not the intent of this along the same lines that U. N. R. R. A. is operating, to feed and clothe people?

Mr. VOORHIS of California. I think it is quite different.

Mr. WADSWORTH. There is no relief in this at all.

Mr. BONNER. No; but the dissemination of knowledge of the production of food.

Mr. VOORHIS of California. That is all.

Mr. WADSWORTH. That is right.

Mr. BONNER. As a result of which will come about the feeding and clothing of the world.

Mr. WADSWORTH. This is not relief.

Mr. BONNER. This is relief through a spreading of knowledge.

Mr. WADSWORTH. This organization extends no relief.

Mr. BONNER. Since the gentleman has risen, he is probably right.

Mr. VOORHIS of California. I will yield to the gentleman if he would like me to.

Mr. BONNER. I wish to ask the gentleman further if this is not the same thing that the Department of Agriculture is doing domestically in the United States.

Mr. WADSWORTH. It is.

Mr. BONNER. Then we could by law give the Department of Agriculture orders to do the same thing all over the world.

Mr. WADSWORTH. Not without the consent of the other nations, and this gives that consent.

Mr. BONNER. Then we should instruct the Department of Agriculture to join them and have this under that head.

Mr. WADSWORTH. Then we would have to have an international agreement and this is what this resolution proposes.

Mr. VOORHIS of California. I am much obliged to the gentleman from New York.

Mr. BONNER. And I thank the gentleman, too.

Mr. VOORHIS of California. Mr. Chairman, questions have been asked about the financing of this international agriculture institute, and it was pointed out that the American contribution to the old institution was much less than to the present one. If I understand the situation correctly, the old institute was financed mainly by money coming from the Italian Government, is that correct?

Mr. WADSWORTH. Yes.

Mr. VOORHIS of California. I take it that it is to the interest of the United States to see that such a thing shall not happen in the case of this new organization and that an enlightened view of our position with regard to it would be one where we would seek to do such fair share as might come to us in view of our position in the world and the economy of nations.

This organization will have no power or authority over any Nation in the world. It will only seek to build up a cooperative effort of the nations in an attempted improvement of the well-being of peoples from the point of view of food and agriculture. It is certainly a step toward world peace. And it is our minimum duty to take every such step we can in these solemn and critical days.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HARNESS of Indiana. Mr. Chairman, I move to strike out the last five words.

Mr. Chairman, I am in thorough agreement with the objectives sought by the pending legislation, but I must frankly admit I do not understand just what we would be obligated to do if we join in this program. Therefore, I am seeking information more than anything else at this time. If we have been contributing about $61,000 to a similar organization in the past I simply cannot understand why all of a sudden we are called upon to increase our contribution to $1,250,000 a year.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield for an answer?

Mr. HARNESS of Indiana. I will be glad to have the gentleman try to enlighten me a little more on it.

Mr. LUTHER A. JOHNSON. I will be glad to undertake to enlighten the gentleman.

Mr. HARNESS of Indiana. I suppose the gentleman is assuming I cannot be enlightened.

Mr. LUTHER A. JOHNSON. The gentleman asked a question and I shall attempt to answer it.

Mr. HARNESS of Indiana. I hope the gentleman will do so.

Mr. LUTHER A. JOHNSON. I am not casting any reflection at all on the gentleman. I think the fundamental error of the gentleman is that he is comparing this organization with the Rome Institute, which is entirely different. That was cited as an instance of an organization similar only in the respect that the Rome Institute was the collector of statistics. It has collected during the time it was in existence from 1907 to the present time a very valuable library with reference to statistics. This goes beyond that scope. It is much more comprehensive and covers a wider field of activity.

Mr. HARNESS of Indiana. What is this organization supposed to do other than collect statistics?

Mr. LUTHER A. JOHNSON. I read it to the gentleman a moment ago. The gentleman read a part of it but did not read all of it. Let me read it to him again because I want to be sure I give the gentleman correct information.

Mr. HARNESS of Indiana. I have read through this report in which various things are outlined, but still I do not know what it means. For instance, we are going to furnish such technical assistants as any government may request. What does that mean? Are we going to send agricultural experts to teach other countries how to raise cotton, tobacco, corn, and wheat and so forth?

Mr. LUTHER A. JOHNSON. This organization will do several things.

Mr. HARNESS of Indiana. Answer the question. Is that what we are going to do?

Mr. LUTHER A. JOHNSON. No; not altogether. The Organization will not only furnish that, but each of these countries will have their own representatives present. When any information is sought the matter will be referred to those governments that have technicians to give the answer to any question that may be asked. In that respect this organization will be a clearinghouse for information and the impartation of that information to the various members of the Organization.

Mr. HARNESS of Indiana. This does not only cover agricultural products but it covers marine products, fisheries, and forestry.

Mr. LUTHER A. JOHNSON. It covers fish because that is a food and therefore fisheries are included in it.

Mr. HARNESS of Indiana. How about forestry?

It appears, therefore, that we will send experts throughout the world to study and make recommendations concerning the fisheries and marine products and forestry industries.

Mr. KEE. Mr. Chairman, will the gentleman yield?

Mr. HARNESS of Indiana. I yield to the gentleman from West Virginia.

Mr. KEE. There is no obligation upon us to send anybody over there. This is an international organization. It may be that they will send somebody over here to teach us something.

Mr. HARNESS of Indiana. We are obligated to join with about 41 other nations and contribute $1,250,000 a year or 25 percent of the total cost. We are to have 1 vote in this organization, which will elect the officers, including the Commissioner General. This officer will be headman with authority to employ all the personnel and spend the money we contribute. It does not seem fair for us to pay 25 percent of the cost and have so little to say.

I am heartily in favor of trying to do something to help other people who are in need raise foodstuffs, but I think it is about time that somebody started thinking about the United States of America and what our generosity is costing. We hear much talk about international cooperation, and I am not opposed to any fair and reasonable agreement to this end, but I want to know exactly what kind of an agreement we are going into, what obligations we must assume and what it will cost. We are asked to pay 25 percent of the cost of setting up this organization and maybe somebody in Rome will be elected to spend the money and hire the employees.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. HARNESS of Indiana. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HARNESS of Indiana. I took this time to see if I could find out more about the bill. We have a pamphlet before us consisting of 44 pages which is, in fact, the constitution of this proposed organization. If we vote for this resolution we approve the constitution. There has been but 1 hour's debate on the measure, and I submit that it is unfair to ask us to approve this undertaking without more opportunity to inform ourselves as to just what it will mean to the United States.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. HARNESS of Indiana. I yield to the gentleman from Illinois.

Mr. CHURCH. The gentleman is a member of the Committee on Military Affairs. The gentleman from Texas brings this bill before us. There has been constant refusal here to give a break-down of this $6,000,000 obligation. Does the gentleman believe it is a military secret in any way? Does he not think we are entitled to a break-down here?

Mr. HARNESS of Indiana. Of course, we are particularly entitled to a justification of the money that we are asked to put into the enterprise.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HARNESS of Indiana. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. The trick is that you do not know that this million and a half will be all you will be asked to give, because this international organization they are setting up is linked up by provisions to another one, just as are, for instance, the International Bank and the International Fund, in which we will put money, of which $6,000,000 is only the initiation fee. It is so coordinated that it is provided that they have to cooperate with other organizations just like this, and for all we know they will come in and drag out millions of dollars from these other organizations for this purpose.

Mr. HARNESS of Indiana. I assume the gentlewoman is referring to paragraph 5 under article III, where it says that the Conference may invite any public international organization which has responsibilities relating to those of the Organization to appoint a representative who shall participate in these meetings on the conditions prescribed by the Conference, and that no such representative shall have the right to vote.

I do not know; perhaps they could bring in U. N. R. R. A. and other international organizations that may hereafter be created.

May I direct this question to my good friend, the gentleman from New York [Mr. WADSWORTH]? I wonder if this organization would have the right to make a recommendation to the United States that our farmers here must be regulated and guided by these recommendations or findings.

Mr. WADSWORTH. You can make recommendations to governments based upon scientific research. This organization obviously, if it collects scientific information which it regards as valuable, may make recommendations to several governments over the face of the earth asking them to give serious consideration to this advance in science. It cannot impose its will upon anybody.

Mr. HARNESS of Indiana. Russia is one of the great food-producing nations of the world, or at least she will be when she gets back to normal.

Mr. WADSWORTH. I assume so.

Mr. HARNESS of Indiana. Suppose Russia begins raising a lot of crops we are raising here and in greater quantities than we have produced. She could recommend and insist that we cut out some of our crops because of competition and world surplus.

Mr. WADSWORTH. We do not need to do it.

Mr. HARNESS of Indiana. No, we do not have to, but as a member of this organization to which we would be contributing one-fourth of the cost to make the studies, we might have some obligation to follow recommendations of the Organization.

Mr. WADSWORTH. They do not say we have to do it. They cannot say that to us.

Mr. HARNESS of Indiana. In other words, they make the recommendation and then we will pass on it here.

Mr. WADSWORTH. The gentleman is building up a straw man. This organization cannot tell us to do anything we do not want to do.

Mr. HARNESS of Indiana. I am mighty glad to know that.

Miss SUMNER of Illinois. Mr. Chairman, will the gentleman yield?

Mr. HARNESS of Indiana. I yield to the gentlewoman from Illinois.

Miss SUMNER of Illinois. That would never have to come back to the Congress. All it would have to do would be to go to the Department of Agriculture, and under their crop-limitation control they could cut down our production.

Mr. HARNESS of Indiana. That is what I am trying to find out. The gentleman from New York says that is not the case.

Mrs. ROGERS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HARNESS of Indiana. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Does it not seem to the gentleman that with all these countries gathering together to discuss information with regard to agriculture it is important to us to have a delegate there to sit in and represent the interests of the United States? I think it is very important to have that.

Mr. HARNESS of Indiana. I think we ought to have such representation. If that is all there is to this proposal, I certainly would be in favor of it. But this resolution means much more than that and we are asked to pass on this matter here in an hour's time, and I am just not satisfied.

Mr. GROSS. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, I quite agree with the gentleman from New York [Mr. WADSWORTH], that this is one of the small things that will come before the House. Nevertheless, there should be some justification for it. As I see it, it is just one of the many international organizations that are going to be set up. There should be some justification for them. We should know the purposes of this organization.

As I see it, we are setting up an organization here not to supply food but to discuss food and international food questions. Apparently, while we are interested so much in the world's food supply, our own food supplies are daily growing shorter.

We believe that our Department of Agriculture knows best our food requirements and the things we need here. I am just factual enough to believe that that applies to all the other countries. Their customs, their foods, and their needs are different from ours. I believe they can find means within their own countries to solve their own problems if they want to.

Then, too, if, as the gentlewoman from Massachusetts said a moment ago, this is just to have a delegate sitting in, it seems to me the amount asked for is entirely too great—$1,250,000 is too much. It should be cut to $100,000. So I shall vote to cut the amount and finally for the bill.

Mr. RICH. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, certainly I am not one who is not interested in trying to help any people who are needy. I never was that way in all my life and I do not want to be classed as that now. But I do feel as a representative of 300,000 or 400,000 people that they want me to look after their interests as well as the interests of foreign nations. I am, however, for our people first, and if that be treason, then shoot, brother, shoot.

When we set up an organization here of 44 nations, and we get 1 vote, and we have to support the organization to the extent of 25 percent of the cost, I just wonder how far this can go on. The day of Santa Claus should be over. I realize that if this involved only $5,000,000 it would not be worth my time to stand here and talk about it and object to the amount involved, but it is the principle of the thing that is important, a principle that we will have to consider in connection with many other bills that will be before the Congress before very long, and that is the amount the American Government is supposed to pay in proportion to the total amount of all the other nations of the world.

You can say it is mighty fine to have a Christian spirit and that you are going to help everybody. But when you obligate your people beyond your ability to pay then you do two things that are wrong:

First. You tax your people beyond their ability to pay.

Second. You make obligations to foreign countries that you cannot carry out; this they will condemn you for, not being as good as your word.

I am fearful of the things that this country of ours and a lot of people in this country are doing now in their promises to foreign nations of what they expect the United States to do and what they are going to obligate the United States to do in the future. Then later on they are not going to be able to fulfill those obligations, and they will come back on you—these foreign countries—and they will say, "America did not do what she promised to do, and they are nothing but a bunch of prevaricators over there; they do not carry out their word." You watch out and see if you are not getting yourself in that position. I am not going to obligate my people to something we cannot fulfill. I am not going to make promises to foreign countries which we are not going to be be able to fulfill if I can keep from doing so. I am here to represent my people and keep them happy as well as all people of America.

When I read the report of this committee, I see in one statement here—

> There has never been enough food for the health of all people. This is justified neither by ignorance nor by the harshness of nature. Production of food must be greatly expanded—

And so forth and so on.

Well, take our own Department of Agriculture today. We are not operating that way by any stretch of the imagination. We are paying out a billion dollars almost in subsidies to the farmers of this country right now. You did pay them

some years ago for not producing. We are taking money out of an empty Treasury, $1,000,000,000 and more a year, and paying it to the farmers of the country when the people of this country have so much money they do not know what to do with it. And you are trying to keep the prices down instead of letting the farmer get a price for his commodities so that he will be paid the cost of production, including the cost of labor, which we ought to do and ought to do quickly if we are going to be sensible and if we are going to do the right thing for the farmers of this country. No; you are not doing that, but you reach down into the empty Treasury and take a billion dollars out of it and pay it out in subsidies. That means a wreck later for our farmers and the Treasury. And if you do not find out that our farmers are going to be sitting high and dry in a year or two, then I am greatly mistaken. They are going to be in terrible circumstances, and it is just the fault of such Congresses as we have had doing the things that the Congress has been doing for the last 6 or 8 years to the farmers of this country.

Mr. SHAFER. Mr. Chairman, will the gentleman yield?

Mr. RICH. I yield for a question.

Mr. SHAFER. Is it not true that there are 44 pages to this constitution, and we are expected to vote on it now after 1 hour of discussion?

Mr. RICH. Yes; I think so. I think the gentleman is right. However, it is not a question of how many pages but, rather, a question of what is in those pages. That is the thing I am fearful of: Is it good for the United States of America and our people?

Mr. SHAFER. Does not the gentleman think we ought to have more than 1 hour to discuss 44 pages of this constitution?

Mr. RICH. I think we ought to take a day to discuss it. The gentleman from Michigan [Mr. SHAFER] is right.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. CLEVENGER. Mr. Chairman, I move to strike out the last eight words.

Mr. Chairman, as a member of the House Committee on Agriculture, I am somewhat at a loss to know just how much I can say about this particular bill. I think it was discussed in executive session; I am not sure of it. I wish I were. At a morning session 2 years ago when the Committee on Foreign Affairs met with the Committee on Agriculture of the House to study these things, or to hear testimony on it, not to study it, we listened for some 1 hour and 20 minutes to an Assistant Secretary of State talking at that time about the needs of the world for food. It was wrapped in obscurity at that time and there was something mysterious about it. We could find out nothing about it. I suggested to the Secretary that he might make commitments at this clandestine meeting which they had at Hot Springs which we could not fill. Nobody seemed to worry about it except myself.

I realize that $1,250,000 does not amount to anything to this spending Congress, and 50 times that much does not amount to anything, either in my committee or outside it, but I want to say to all of you—and I cannot discuss it very fully because I may be breaking the confidence of an executive session—but I will say to you that this thing was conceived in mystery; it was discussed in darkness, and the result of it has come out of obscurity. I cannot find out anything more about it than the first time I heard about it. Like the gentlewoman from Illinois [Miss SUMNER], I am afraid to look this gift horse in the mouth. I cannot get the conviction out of my mind that it is not tied up with this whole scheme of international do-gooding. I shall vote against the resolution, and I hope that a great many more will have the courage to do the same.

Mr. RICH. Mr. Chairman, will the gentleman yield?

Mr. CLEVENGER. I yield.

Mr. RICH. The inference was that there was something that should not be brought up on the floor of the House, because the matter was discussed in an executive session. I think somebody ought to be big enough to say what was happening in an executive session so that this Congress may know what is going on.

Mr. CLEVENGER. The gentleman was not in Congress, I think, when they had that meeting in Hot Springs, Va., and the gentleman from Michigan [Mr. ERADLEY] and the gentleman from Ohio, Dr. SMITH, went down there and tried to jimmy their way into the meetings where the press were barred and where Members of Congress were barred. When a thing comes to me wrapped up in any sort of anonymity I shall not vote for it.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WADSWORTH. Mr. Chairman, I move to strike out the last eight words.

Mr. Chairman, I confess I am somewhat puzzled at the attitude that some of my colleagues in the House take on this bill. At one time or another back through the years I have had an opportunity to study some of these international agreements and treaties that have been submitted to the Congress of the United States. I think I can say without being contradicted that this is the simplest and most innocent one I have ever encountered. It is easiest to understand. It involves far less of obligation than any I have ever encountered and potentially it is the most valuable of any I have ever studied. There is no mystery about it whatsoever. I do not recollect any executive session at which the Foreign Affairs Committee discussed this matter. It was discussed in open sessions after extended hearings. All the motives and all the objectives involved in this proposal were brought to light and discussed and explained in the simplest of language. Every member of the committee, Democrat and Republican, made up his mind that this thing would be a good thing for the United States. We may have been unanimously wrong, but we were not moved by any secret or obscure motives.

Now about the simplicity of this thing, if I may enlarge upon that. When there came out of that Conference at Hot Springs this proposal which was submitted to all the nations which sent delegates, of course a rough estimate had to be made as to what might be the cost of the maintenance annually if it were approved by a sufficient number of nations. The estimate was $5,000,000 a year after the thing got started. Not as much as that the first year, because obviously the staff of the organization could not be recruited overnight and it could not get to work within the first fiscal year.

It was generally agreed by our people and other people that the nations would contribute to the Organization up to the extent of about $5,000,000 a year in proportion to their wealth and their importance agriculturally; and it was agreed or suggested at that time that the proportion of the total expense, whatever it might be—and it was estimated not to exceed $5,000,000, that the United States might pay not over 25 percent annually. That is much less than we are contributing to U. N. R. R. A., incidentally, less in proportion. If it is to cost less than $5,000,000 a year our contribution will not have to be as high as $1,250,000 a year. In no event can it go above $1,250,000 a year; and if after 5 years of trying this thing we do not like it we can get out.

Never have I seen a proposal so simple, involving such light obligations submitted to the Congress of the United States in the form of an international agreement. I merely have this suggestion to make: That if an agreement of this kind cannot be endorsed and approved by the Congress of the United States, then none can.

By unanimous consent, the pro forma amendments were withdrawn.

Mr. MURRAY of Wisconsin. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the reason I asked the distinguished gentleman from New York to yield was because I wanted to get the record straight. Our distinguished colleague from Ohio [Mr. CLEVENGER] did not say that any secret meeting took place in the Foreign Affairs Committee. He was, however, stating a fact when he said that 2 years ago it was cloaked in a hush-hush atmosphere before the Agricultural Committee. At that time they surely did make a serious mistake by making believe that they had something under the shell that the people did not know about. That was unfortunate and their acts were responsible for getting this whole legislation off to a bad start. That mistake has nothing to do with the merits of the legislation. The mere fact that they came in here with a lot of super-duper ideas and they did not use any common sense in presenting the picture originally is no reason why we should not support the bill here today.

Mr. CLEVENGER. Mr. Chairman, will the gentleman yield?

Mr. MURRAY of Wisconsin. I yield.

Mr. CLEVENGER. Did I misstate the fact when I said that I expressed concern to the Secretary of State at the time of those meetings?

Mr. MURRAY of Wisconsin. The gentleman gave the facts, and he was the one Member at that time who wanted to be given a reason why if this thing was so good and if it had so much merit it had to be so secret.

They might have prevented misunderstanding, had the chairman and ranking minority members of the Foreign Affairs, the Committee on Appropriations, and the Committee on Agriculture been invited to the conference. We would not have had all the unfavorable publicity that conference received.

Mrs. ROGERS of Massachusetts. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I said I should like to read some figures I have procured from the State Department regarding our contribution to the Organization for Food and Agriculture.

Mr. CHURCH. Mr. Chairman, will the gentlewoman yield?

Mrs. ROGERS of Massachusetts. May I make this statement first?

Mr. CHURCH. Will not the gentlewoman yield for a correction?

Mrs. ROGERS of Massachusetts. I yield.

Mr. CHURCH. Does the gentlewoman mean 25 percent of our national income?

Mrs. ROGERS of Massachusetts. No. It is 25 percent of the total amount contributed to the Organization.

Mr. CHURCH. Then will the gentlewoman supply the break-down showing what use will be made of the $1,250,000 a year? Is that a military secret?

Mrs. ROGERS of Massachusetts. No, it is not a military secret, but may I make a statement first? I will add the provisional total break-down later in my statement. I refer you, also, to page 41 of the constitution, a copy of which will be incorporated in this debate. The United States' contribution will be 25 percent of the total amount contributed to the constitution this year. The total income of the 44 nations in 1940 was between two hundred and two hundred and twenty-five billions of dollars. In 1940 the income of the United States was about $75,000,000,000. The United States had more than one-third of the total income of the group, and yet it is contributing but 25 percent of the total amount to be contributed to this constitution.

In the committee the State Department gave me the break-down, and I thought it would be in the report. As a matter of fact, I did not know that this bill was coming up today. I was unable to be here on Friday.

All of the contributions from all countries will be used for salaries, for communications, for traveling expenses, for library, for correspondence, for publications, and the expenses necessary to hold the conferences. The following is the provisional estimate, or break-down, in the annual budget for the United Nations Organization for Food and Agriculture for the first year. The exact budget for the constitution must be voted upon by the Commission.

DEC. 17, 1943.

Ordinary annual budget for the United Nations Organization for Food and Agriculture for the first year

Chapter I. Council Conferences, and Committees: A. Council (2 sessions); B. Conferences (2); C. Other committees (scientific, economic, nutrition, etc. (10)	$650,000
Chapter II. Inquiries, Missions, Correspondents, etc.: A. Regional Inquiries, Investigations, and Special Missions; B. Correspondents, temporary; collaborators, etc	525,000
Chapter III. Salaries: Director General, 1 Deputy Director General; A. Principal officers (7); B. Heads of Divisions and Services (about 19); C. First Division Staff (175); D. Intermediate Staff (75); E. Other Staff (300)	2,017,500
Chapter IV. Other Staff Expenses: A. Allowances; B. Official travel; C. Travel expenses of staff between their homes and official stations; D. Staff retirement insurance; E. Staff health insurance	500,000
Chapter V. Maintenance: A. Office expenses: 1. Stationery and duplicating supplies; 2. Telephone, telegraph, and cable; 3. Postage; 4. Printing and publishing; 5. Library (current); 6. Unpaid liabilities fund—B. Building: 1. Rent, fuel, utilities; 2. Transport (delivery of documents, etc.); 3. Office furniture and equipment (upkeep); 4. Typewriters, calculating machines, etc. (upkeep); 5. Unpaid Liabilities Fund	667,500
Chapter VI. Miscellaneous and unforeseen, including supervision of revenue and expenditure: auditors' fees, subsistence, traveling allowances, etc.	60,000
Chapter VII. Working capital fund	270,000
Grand total	4,925,000

There is one safeguard in this constitution that is a considerable improvement over any safeguard in the agricultural institute, which, by the way, I voted against in the past because I felt it would be an Italian- or Fascist-controlled institution, which is just what it was. This organization will not be controlled by any one government. The seat will be selected by vote of the members of the commissions and I do not believe that any one country will dominate its proceedings. Conferences should be held in all countries, not just in one country. There shall not be more than one each from the different countries on the commission and they shall appoint an executive of not less than 9 or more than 15 members to guide the conference. The director general will be elected by the members of the commission but he will have no vote. I think there is a great safeguard in that.

The CHAIRMAN. The time of the gentlewoman from Massachusetts has expired.

Mr. BENDER. Mr. Chairman, I move to strike out the last two words.

We are spending billions of dollars to destroy property and kill people because we are engaged in a conflict that demands that sort of thing. Only last week we voted an additional appropriation of $24,000,000,000 for the Navy Department without a roll-call vote, and almost without argument. For a decade before the war, we supplied Japan with 57 percent of her war materials to kill our Chinese brothers with. We provided some of our other adversaries tools and equipment with which they and the Japanese have used to kill our boys.

Today we bellyache about appropriating a mere $625,000 for a Food and Agriculture Organization of the United Nations to stimulate the production of the right kinds of food, and in needed quantities, and also to provide the world with scientific knowledge about food and nourishment. In this initial effort of 44 nations in fighting ignorance and indifference, the United States Congress should give its approval without a murmur of opposition. We have spent considerable money and we have shed much blood to improve the conditions of mankind, and to carry out the Christian precepts which are outlined in the Sermon on the Mount, and to which most Americans subscribe. Most of us are familiar with a hymn that we enjoy singing in our churches, it is:

From Greenland's icy mountains, from India's coral strand,
Where Afric's sunny fountains roll down their golden sand;
From many an ancient river, from many a palmy plain,
They call us to deliver their land from error's chain.

What though the spicy breezes blow soft o'er Ceylon's Isle;
Though every prospect pleases, and only man is vile.
In vain, with lavish kindness, the gifts of God are strown;
The heathen, in his blindness, bows down to wood and stone.

Can we, whose souls are lighted by wisdom from on high,
Can we to men benighted the lamp of life deny?
Salvation! Oh salvation! the joyful sound proclaim,
Till earth's remotest nation has learned Messiah's name.

Waft, waft, ye winds, His story, and you, ye waters roll,
Till, like a sea of glory, it spreads from pole to pole.
Till o'er our ransomed nature the Lamb, for sinners slain,
Redeemer, King, Creator, in bliss returns to reign.

Here is an evidence of practical Christianity. We will have freedom from war if we provide freedom from want. If we fail to pass a piece of legislation like this, for a truly constructive job, we might just as well scrap all the hymn books in the churches of America.

The Methodist Church is now conducting a crusade for Christ. There are many Methodists on the floor of this House who know what I am talking about. Hundreds of thousands of dollars—millions, in fact, are being contributed to help the people—not only Americans, but citizens of the world—of every race and color and creed.

Today my own wife is working in Cleveland on a clothing drive. They are gathering clothing from every home in that community to send to the ill-clad everywhere throughout the world. Something has been said about the do-gooders. Your wife and my wife are do-gooders back home. They subscribe to a Christian and American doctrine. Let us in turn apply it here.

This is no time for narrow provincialism. If you will read the testimony on this issue given by Mr. O'Neal, president of the Farm Bureau Federation, before the Foreign Relations Committee; if you will also read the testimony of Raymond Gram Swing, one of the most conservative radio commentators in America—you will become more convinced than ever that we should spend the $625,000 for the first year and the $1,250,000 for ensuing years for the 5-year period.

I know that Americans are disposed to view with suspicion and alarm anything that is initiated overseas, but here are 44 countries providing the first international agreement to have emerged from this war, pledging themselves to a program which will raise their food and nutrition standards—a program the like of which has never before been known in the history of mankind. They are setting up a fund of $5,000,000 a year for 5 years, to campaign against ignorance and indifference. They agree to report each year to the other nations, precisely what has been done to make good on this pledge.

Mr. BREHM. Mr. Chairman, will the gentleman yield?

Mr. BENDER. I yield to my colleague, the industrious gentleman from Ohio.

Mr. BREHM. We have been buying wars with our blood and our dollars, and if we can now buy peace only with our dollars, it will be a good bargain, will it not?

Mr. BENDER. My good friend from Ohio is absolutely right. Here is the beginning of a program to beat some of our guns into plowshares. This is just a beginning. I am sure it will provide our friends in San Francisco with the kind of inspiration that is needed there.

Washington, like every other capital, is so close to the international forest that it sometimes loses sight of the wood in the maze of trees. Foreign policy is so delicately poised these days that sensitive, oversensitive Government departments magnify whispers into full-blown attacks. Equally, every happy omen becomes a source of the greatest joy, no matter how uncorroborated it may be.

In this atmosphere, it is vitally important for the men and women upon whose shoulders final responsibility must rest to retain their balance, their good judgment, their recognition of the major objectives. We must never lose sight of the goal. Minor disagreements, affronts to our national prestige, incidents, diplomatic protocol, all these elements sometimes obscure our vision. Disputes over boundary lines, exchanges of populations, representation at San Francisco, voting methods—each of these is a matter of great moment. None of them can be permitted to alter the basic determination of our people to establish a better world, in which our constant protestations that we cherish peace are translated into reality.

Russia and Great Britain, China and France, are alternatively praised and denounced for their international conduct in our press. Let us not forget that we, too, are equally lauded and condemned in the daily journals of our allies. These are the processes of intelligent thinking. Magnified, our differences of opinion may appear to be crucial. Yet when we remember that we have overcome far more serious disagreements of viewpoint in the interest of our common cause, we can look forward with renewed courage and optimism in the building of a lasting world peace. Men of good will can accomplish this result. Men of good will in every land demand nothing less.

Mr. HOPE. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I am like the gentleman from New York [Mr. WADSWORTH] in that I am amazed at the attitude of some of the members of the committee with regard to this proposal and particularly at the ideas that have been expressed here that this is such a very complicated proposition. We have it all right here before us. The gentleman from Michigan [Mr. SHAFER] a little while ago made the statement, which I am sure he made inadvertently, that there were 44 pages to the constitution of this Organization. I am sure that if he had looked at the copy which is available here to every one he would have seen there were only 9 pages to the constitution, in large print at that, and that the powers and functions of this Organization as set out in this constitution comprise less than 1 page. They are all right here in large print so that everyone who runs may read, and there is nothing in those functions to which I can see any objection.

If we cannot get together on a little, simple proposition like this, then the Conference out in San Francisco might just as well fold up and we might as well give up the idea of any international agreements because this is the simplest and the mildest and, to my way of thinking, the broadest agreement that could possibly be made. It is broad because it is an agreement affecting the farmers of the world, and two-thirds of the people on this earth are farmers. If it did not do anything else except offer an opportunity for the farmers of the world through their representatives to get together and exchange ideas, and talk over their problems, it would be money well spent. But the proposition is broader than that: we are all interested in food. It is a subject upon which the whole world can get together. An organization such as this is worth the insignificant sum that it is going to cost, if it did not do anything except afford an opportunity to get together. I believe it will do more than that, a great deal more. I do not want to ask you to take my own word for it. At the hearings on the bill President Edward A. O'Neal, of the American Farm Bureau Federation, appeared in support of the same. Something has been said here about the farmers of this country being adversely affected by an agreement of this kind. Mr. O'Neal was there. He did not agree with that sentiment.

Others representing agriculture were there. They were unanimous in their support of this proposal.

This is what Mr. O'Neal said:

> On behalf of the American Farm Bureau Federation, I wish to testify in favor of the participation of the United States in the Food and Agriculture Organization of the United Nations.

He goes on and enumerates seven reasons why he thinks this will be helpful to the farmers. The first one is this:

> This organization is another step in international cooperation. It is imperative that this Nation take the leadership in developing means of cooperation among all nations of the world.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. HOPE. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HOPE. The second reason given by Mr. O'Neal is as follows:

> Much will be gained by the Food and Agriculture Organization sponsoring the exchange of research material and technical skills. Scientific facts developed in one part of the world are often useful to scientists elsewhere, yet the hurdles of space, custom, and language often prevent a free exchange of information.

To my mind, that is one of the most important functions of this organization.

The third reason is:

> This international food organization should provide a means of calling together representatives of organized farmers throughout the world.

I have already mentioned that.

The fourth is:

> One of the most significant contributions such an international food and agriculture organization can make is the development of better statistical data and economic research on a world-wide basis.

I know, because I have tried to get the information, that we do not have available statistics in a great many fields today. For instance, on a subject as important as wheat, a crop that is grown in practically every country in the world, we cannot get statistics today showing the world-wide production of wheat, because we have no statistics from China or Russia, and have never had. That is merely one illustration of our lack of satistical information.

This is Mr. O'Neal's fifth point:

> The Organization can be helpful in developing international policies with respect to agricultural commodity agreements.

In my opinion, that will be a most important subject in the future. We are talking about possible surpluses after the war. If we want to protect American agriculture, I do not know of anything that can be done which is more constructive than international commodity agreements with reference to surpluses. I mean agreements not only among the surplus-producing nations but with the importing nations as well in an effort to seek wider markets. That is an opportunity of which this organization will enable us to take advantage.

Mr. O'Neal's sixth point is:

> The Organization could do much to promote better agricultural credit throughout the world.

The seventh point is:

> The Food and Agriculture Organization can improve the well-being of mankind. If

America has anything to teach the nations in which living standards are low, certainly we will all agree that the most helpful thing we can teach them is the technology of production which has been largely responsible for lifting our standards far above those generally prevailing throughout the world.

Today two-thirds of the people of this world are undernourished. Undernourishment has been this world's greatest problem since time began. Setting up this Organization is a constructive step toward a solution of this problem. We can do no less than make this start.

Mr. GALLAGHER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, when legislation of this character is brought before the House, there are some people who always have to raise a calamity howl. They do not seem to have any faith in the leadership or destiny of the United States of America. The point has been brought out that under this agreement the United States would only have one vote. But I want to call the attention of the membership that that one vote of the United States is the only one which can bind this Government to anything. The same was true of the late League of Nations. It was true in our articles of confederation which joined the United Colonies and it was due to that fact that we now have in the Constitution of the United States our Bill of Rights. I am not afraid for the United States because we have only one vote.

The CHAIRMAN. The time of the gentleman has expired.

The pro forma amendments were withdrawn.

The Clerk read as follows:

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums, not to exceed $1,250,000 annually, as may be required for expenditure under the direction of the Secretary of State, for the payment by the United States of its proportionate share in the expenses of the organization.

With the following committee amendment:

On page 2, beginning in line 3, after the word "appropriated", strike out "such sums, not to exceed $1,250,000 annually", and insert the words "a sum not exceeding $625,000 during the first fiscal year of the organization and sums not exceeding $1,250,000 annually thereafter."

Mr. ROBSION of Kentucky. Mr. Chairman, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. ROBSION of KENTUCKY to the committee amendment: On page 2, line 4, after the word "exceeding", strike out "$625,000" and insert "$200,000."

Mr. ROBSION of Kentucky. Mr. Chairman, I have another amendment to the committee amendment and ask unanimous consent that both amendments to the committee amendment be considered together.

The CHAIRMAN. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read as follows:

On page 2, line 5, after the word "exceeding", strike out "$1,250,000" and insert "$400,000."

Mr. LUTHER A. JOHNSON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the San Francisco Conference resolution and the Dumbarton Oaks resolution are part and parcel of the same international scheme to prevent war and to preserve peace, and they are related and not unrelated. I hope that today in the House in the consideration of this resolution we will not turn back to the god of isolationism but that we will realize that the world has grown so small by reason of science——

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield to me?

Mr. LUTHER A. JOHNSON. Not now; I will yield later.

Mr. Chairman, we must realize that the world now is so small that the United States cannot stand alone; we cannot live alone, but we are dependent upon the other nations of the world, and unless there is international cooperation to preserve peace there will be another war. The next time we will not be able to keep the war from our own shores as we have in the past. The development of science, the robot plane and bomb, is such now that our enemies can fire them all the way across the Atlantic. The next war will actually reach our own shores, destroy our own homes and firesides and the lives of our people. We must stand united in time of peace to preserve peace as we have in time of war to win the war.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. LUTHER A. JOHNSON. I must first yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I had hoped the gentleman would say something about the taxpayers of the United States.

The gentleman does not get my position exactly correct. I am for this organization, but we have had no information as to how many people are to be employed, what salaries they are to receive, what expenses they may incur. So I have offered my amendment to cut the amount the first year to $200,000 and in subsequent years to $400,000.

Mr. LUTHER A. JOHNSON. In reply to the gentleman and getting down to the question of figures, as I explained in the remarks I made a little while ago, the exact amount of the appropriations will be determined by the Committee on Appropriations. This bill simply authorizes the maximum amount, setting it at $1,250,000.

On page 10 of the hearings will be found a break-down with reference to the amount that shall be assessed against all of the governments. We do not appropriate anything in this bill. We may not appropriate anything. The Appropriations Committee may not appropriate. The Congress will have to appropriate this money. As was stated by someone with reference to the Institute at Rome, some years we did not appropriate anything and finally we quit appropriating altogether. The Appropriations Committee will require a break-down.

Someone asked what this money is going to be spent for. I have secured this information and I can furnish it now. All of the money will be spent for administrative expenses. Someone asked, will it include salaries only? Of course, salaries will be one of the large items, but there will also be traveling expenses, there will be expenses for the conferences that are held, there will be expenses for the communications. All of those items are administrative expenses. That has been considered by these 44 nations and the amount necessary has been worked out.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. TABER. Mr. Chairman, I rise in support of the pending amendment.

Mr. Chairman, there are two or three things I want to say to the members of the Foreign Affairs Committee with reference to certain matters that have been said here this afternoon, and the sooner they take this to heart the better off they will be. When a committee comes in here and its members are asked what they are going to do with the money and they make no answer, a cloud is being thrown around the legislation. That is what this committee has done. The members have been asked what they are going to do with the money and reference has been made to a break-down on pages 9 and 10 of the hearings, but there is no break-down there.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from North Carolina.

Mr. COOLEY. This legislation only authorizes. Will it not be incumbent upon a committee subsequently to fix the amount of the expenditures to be authorized?

Mr. TABER. That is true. On the other hand, it should not be done in an outlandish way.

Frankly, I cannot see, and I do not believe anyone else can see, how the type of activity covered by this resolution could consume any such amount of money as is set up here. When we make an authorization for 2, 3, 4, 5, or 10 times what ought to be spent, we are bringing discredit upon ourselves and upon the committee which proposes the legislation. Instead of being advocates of international cooperation, when the Foreign Affairs Committee takes that attitude, it is opposed to international cooperation. That is the honest truth. Unless the members of that committee come in here and are frank with us in answering questions, they are making a great mistake and are not contributing to international cooperation.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. Following the other war we had many proposals before the Congress to go into these organizations. Those proposals kept piling up until finally the Congress absolutely had to quit. If you keep piling these things up now, one of these days the Congress will have to quit.

Mr. TABER. I have seen many things brought in here heretofore by which the international affairs of this country and our cooperation with foreign countries

have been hurt by overdoing certain things.

I want to see us begin to do things right on top of the table. Open it right up. That is what the trouble with this picture is, and that is why I am in support of the amendment offered by the gentleman from Kentucky [Mr. ROBSION].

Mr. COOLEY. Mr. Chairman, if the gentleman will yield further, does he not think that the authorization should be entirely adequate to cover the legitimate expenses?

Mr. TABER. Yes, but no one can understand how they could be more than $125,000 a year for legitimate expenses. The gentleman from Kentucky is proposing as high as $400,000 when it has been suggested that it should not run more than $125,000. There has been no explanation from the committee that would justify anybody getting any higher. Now that is the trouble with the picture, and unless we have frankness and honesty in approaching our dealings in foreign affairs, we are not promoting international cooperation, and that is just exactly the position that the Committee on Foreign Affairs is in as they stand here now.

Mr. COOLEY. The gentleman certainly realizes that we have difficulty in anticipating accurately the amount of money actually needed. But the gentleman is on the Committee on Appropriations and certainly his committee will require a proper showing to be made at the proper time.

Mr. TABER. I hope so, but I do not like to see authorizations passed in an outlandish fashion.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Texas.

Mr. LUTHER A. JOHNSON. The gentleman will recall that in talking about the Committee on Foreign Affairs on figures, and the Committee on Appropriations, when we had the lend-lease bill up, the gentleman was anxious, when I was speaking, that I give him a breakdown of what it was going to cost, and the gentleman will remember very well what I said to him, that his committee dealt with figures and our committee dealt with policies. Future events indicated that I was right; that we could not have figured the amount that lend-lease would cost.

With reference to this matter I would like to ask the gentleman, who is a level-headed man, and a man for whose judgment I have the highest regard, and who has saved the country a lot of money, this question: Who does he think could come nearest estimating the amount of money necessary? Nobody knows in advance what it is going to cost. Who does he think would come nearer estimating the amount that will be needed; these men who have been studying this problem and spending weeks and months at it, or the gentleman from Kentucky, who rises and offers an amendment without knowing anything whatever about what it is going to cost?

Mr. TABER. When we have this situation that we are asking a great committee which has held hearings on this subject to justify an item, and they come in here with no justification whatever, we are justified in assuming that some of the things that some of us have felt with reference to it are correct and that these estimates are outlandish. I would like to see the thing justified if you are going to ask for that amount of money.

Mr. MUNDT. Mr. Chairman, I rise in opposition to the amendment and I ask unanimous consent that the Clerk again report the amendment for which the gentleman from New York has just been speaking.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

The Clerk again reported the amendment.

Mr. MUNDT. Mr. Chairman, I asked that the amendment be again reported for which the gentleman from New York has just spoken because in his lecture to the House Committee on Foreign Affairs he suggested that we give reasons why the figure of $625,000 was correct rather than the figure proposed by the gentleman from Kentucky. May I say first of all that I am glad the gentleman from New York undertook to lecture the House Committee on Foreign Affairs.

I think all committees of the House occasionally need suggestions and criticism and counsel from Congressmen who are not members of those committees. I, for example, have some criticisms to make of the manner in which the Committee on Appropriations conducts some of its business. I welcome the precedent for having Members outside of the committee ask questions and offer criticism and give counsel to different committees. I think that is salutary procedure. Someday I shall emulate it by discussing the procedures and policies of the Appropriations Committee, of which the gentleman from New York is the able ranking member.

To answer his question specifically, however, I have only to point to the fact that on page 9, if the gentleman will turn to the hearings, under article VI, it is provided in the agreement that the provisional budget for the first financial year shall be the sum of $2,500,000, the unspent balance of which shall constitute the nucleus of the capital fund.

On the next page it points out that the share the United States should pay is 25 percent, and 25 percent of that figure is $625,000. That gives us the figure which is asked for the first year.

You could ask for no more complete justification for that amount of appropriation, provided you are in favor of this cooperative plan. If you are opposed to the plan, one way in which to criticize it, of course, would be to attack it by decreasing the amount of money we contribute and, therefore, throwing the entire agreement out of balance.

Mr. RIZLEY. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Oklahoma.

Mr. RIZLEY. May I ask the gentleman whether or not, in calculating the amount each country should contribute, Russia, Canada, and the Argentine were taken into consideration? I notice that Russia has not signed the agreement up to date, and neither has Canada. I do not believe the United Kingdom has signed it. I do not think Argentina is even a member of the organization yet. My point is, Were those nations taken into consideration in calculating the amount; and, if so, how does the gentleman know they are going to come in? Those are some of the things I want to know about.

Mr. MUNDT. All the nations who are participating are listed on page 10, with the specific percentage contribution that each makes. Obviously, any country whose name is not found opposite a percentage is not making a contribution. If and when it does join the organization, when a new budget is arrived at, it will be assigned a percentage which it has to underwrite. At the present time those not participating in the conference are not contributing to its counsel; they are not participating in its benefits, and they are not underwriting any portion of the expense. The entire 100-percent contribution is listed on page 10 with the percentage of expense each participating nation has agreed to underwrite.

Mr. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Illinois.

Mr. CHURCH. On page 10, to which the gentleman refers, appears the Union of South Africa, 2.31 percent; Union of Soviet Socialist Republics, 8 percent; United Kingdom, 15 percent; and United States of America, 25 percent.

Mr. MUNDT. Right. It is all listed right there.

Mr. CHURCH. The United States has the largest percentage of all these listed.

Mr. MUNDT. It has the largest percentage because it has the largest and most important agricultural industry. I sincerely believe it will benefit the most from the agreement.

I have been interested in some of the arguments advanced both pro and con this afternoon. Out West where the gentleman from Oklahoma [Mr. RIZLEY] and I live, we have the statement that sometimes we see a lot of gun play but very little shooting. I think that has been the case here today. There has been a lot of gun play beside the issue, but very little shooting at the target.

For example, we have heard discussed at considerable length whether or not we should adopt this resolution because the Hot Springs food conference was held in secrecy. I was one of those who decried the fact that it was held in secrecy. I deplore that now, but I see no reason to condemn this resolution and this proposal, which is out in the open, because the first food conference was unwisely held in secrecy.

We have heard it argued, on the other hand, that by all means we should adopt this resolution because the San Francisco Conference is in session, and because unless we can agree on this which is simple we cannot agree on anything which might be more complicated.

I think this resolution should be considered on its own merits and stand on its own bottom, and be accepted or disagreed to in accordance with its own text

and what it does. I am willing to support this resolution because of what it does, because it is a good resolution. I would not be here advocating a bad resolution on the argument that unless we accept a bad resolution the San Francisco Conference might not succeed. I think it is not going to wreck the San Francisco Conference if we defeat it and it is not going to insure the success of the San Francisco Conference if we approve it.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. MUNDT. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. MUNDT. The point I am trying to stress is that I believe this resolution is good enough to warrant your approval of it of, as, and by itself. I think the Food and Agriculture Organization of the United Nations can achieve much good regardless of what else does or does not come out of the San Francisco Conference.

The third argument which I think has been advanced here is whether we should go in for $625,000 a year or $400,000 or $200,000. It has been decided by the participants that if we go in at all we go in for 25 percent. If we go in at all, we go in for $625,000. Therefore, let us argue the issue: Should we or should we not go in at all? I think we should.

Mr. TABER. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from New York.

Mr. TABER. The figure of $2,500,000 is set forth on page 9 of the hearings as a part of the agreement, but is it not an absolutely arbitrary figure? There is nothing anywhere in the hearings that governs, controls, or indicates what the charge should be for the rest of the period which the agreement might be in effect. That is true, is it not?

Mr. MUNDT. It is true that it is an arbitrary figure based on the estimate arrived at by the international conferees as interpreted by the committee. It is true, too, that on page 2 of the bill, the limit is specifically set in that it states it will not cost more than $1,250,000 annually. So the ceiling as to what the Organization can spend is four times that or $5,000,000 per year. That is the top. That is clear. That is specifically established.

Mr. TABER. There is nothing set up at all in the agreement itself as to how much the future ceiling or any other contribution might be.

Mr. MUNDT. Yes; there is. It is set, if we pass this bill, at $5,000,000 because we specifically declare that to be the limit by our action in setting our ceiling contribution at $1,250,000.

Mr. TABER. There is nothing in the hearings to support the $5,000,000 anywhere.

Mr. MUNDT. That limit would be set at $5,000,000 if we passed the bill, inasmuch as we are to contribute not exceeding $1,250,000 annually as our 25 percent of the total budget for the Organization.

Mr. TABER. There is nothing in the hearings on that.

Mr. MUNDT. The hearings do not govern this legislation, as the gentleman knows. The text of the bill determines the policy of Congress. What the committee determined after the hearings, acting for the Congress, is that our top limit is a contribution of $1,250,000 per year.

Mr. TABER. The Congress asks for support in the hearings for the policy that is adopted.

Mr. MUNDT. After listening to all of the testimony and carefully consulting with the witnesses, the committee determined that $1,250,000 was the correct top figure. If the gentleman's Appropriation Committee decides to reduce that, it is, of course, within the province of his committee if it cares to assume the attendant responsibility.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. One of the main objections I have is to this arbitrary amount.

Mr. MUNDT. It is no more arbitrary than the amount which the gentleman from Kentucky suggested.

Mr. ROBSION of Kentucky. Yes; it is because you do not state how many people are going to be employed, what officers, and what salaries. There is no evidence to give the House, anything upon which to base this $5,000,000.

Mr. MUNDT. It is impossible to state that in an infant organization which is growing up any more than we can state what damage the Japanese corn borer is going to cause in the State of Ohio and how many people are going to be required to investigate it. We do not know what the problems are going to be until the organization and the Conference have had an opportunity to function for a while.

Mr. ROBSION of Kentucky. Does the gentleman say that in their hearings the committee did not develop what this money is to be spent for and who is to get it and what the salaries were going to be, and so forth? I think that should have been done.

Mr. MUNDT. It is impossible in setting up a new organization to determine those matters specifically except to make an estimate. This estimate was arrived at by the international conferees as interpreted by the House Committee on Foreign Affairs. The top limit has been established at $1,250,000 per year. That makes the total for organization purposes of $5,000,000 per year unless additional countries join or the budget is changed. To increase our contribution would require another act by Congress.

Mr. REES of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MUNDT. I yield.

Mr. REES of Kansas. What does the gentleman from South Dakota propose to do with this $1,250,000?

Mr. MUNDT. I am glad that the gentleman has asked that question. That is certainly a basic question and it is fundamental. Obviously, it is not what I propose to do or what our Committee on Foreign Affairs proposes to do nor what the American representatives propose to do, but rather what the Organization proposes to do that is pertinent. I will explain what is likely to be done with it, however.

The purposes and the functions of the Organization are set forth on pages 1 and 2 of the hearings. Let me point out how I think the United States could benefit. We have heard a lot about food production. We are a surplus food producing Nation. But in this organization attention is also to be given to the nutritive habits and nutritive needs of the peoples of the world, and anything which can be done to expand consumption, for example, in China, of wheat, is of direct benefit to the United States.

Not only in China but in many other countries, native citizens have not been in the habit of eating bread made from wheat. Anything done to increase the use of wheat in these countries can prove beneficial to American agriculture since we are a great producer of wheat. Likewise, increases in the use of cotton for clothes will reflect themselves favorably upon our cotton producers. The greater the demands of the outside world for the products of American farms, the more likelihood there is that our farmers will annually receive a fair price for a full crop from their farms. In this way the United States stands to benefit economically from membership in an international organization of this type.

What is true of the United States is true, also, of other great producing nations. Take Brazil for example, which has indicated its intention of participation in this Organization. When and if the peoples of countries where coffee is not now consumed to great extent take up coffee drinking, the product of the Brazilian coffee plantations will bring additional revenue. China might be interested in seeing the use of tea expanded; and so it goes.

However, Mr. Chairman, much of the world still lives on a submarginal level insofar as food is concerned. In many countries, the problem is not that of encouraging people to consume more and to use a greater variety of food products, but it is a problem of getting enough to eat. Here an organization of this type can be helpful in extending scientific agricultural advice and in advocating improved methods of soil utilization and conservation. By helping to stabilize the basic food production, an organization such as this can aid people to become more vigorous and more prosperous and thus equip them to use more of the world's products whether taken from farm or factory. Hunger is a great breeder of discontent and of evil. By helping the world to cure the plague of hunger we also help the world to discourage the likelihood of war.

Let us vote down the proposed crippling amendment and take our rightful place in this organization determined to exercise leadership in the world's plans to eliminate hunger and to improve the nutritive habits of its people. This is not charity or relief, Mr. Chairman. Like many of you, I have little faith in the philosophy which believes the United States can purchase permanent peace or buy enduring friendships by the device

of recklessly spreading our financial resources all over the world. I believe, instead, that we might well run out of finances and find ourselves insolvent and impotent before we were able to go very far or achieve very much of permanent value by trying to put American dollars in the pockets of people who have not yet learned to wear clothes.

However, this proposal is one which is designed to help the world to help itself. In this organization we take our part as a leader in the world's agricultural activities in an effort to prevent distress, disease, and distrust through enabling the peoples of the world to have enough to eat and encouraging them to improve and expand their diets to the end that farmers everywhere will find a more ready and profitable market for their products. I hope the House will approve this resolution and that it will do so without reducing the appropriation to a point where the new organization will be unable to function. I ask for a vote on the amendment, Mr. Speaker.

The CHAIRMAN. The time of the gentleman has expired.

The question is on the amendment offered by the gentleman from Kentucky [Mr. ROBSION] to the committee amendment.

The amendment to the committee amendment was rejected.

The CHAIRMAN. The question recurs on the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will report the next committee amendment.

The Clerk read as follows:

Page 2, line 10, insert:

"SEC. 3. In adopting this joint resolution, it is the sense of the Congress that the Government of the United States should use its best efforts to bring about, as soon as practicable, the integration of the functions and the resources of the International Institute of Agriculture with those of the Organization, in a legal and orderly manner, to effect one united institution in such form as to provide an adequate research, informational, and statistical service for the industry of agriculture."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 3. Unless Congress by law authorizes such action, neither the President nor any person or agency shall on behalf of the United States accept any amendment under paragraph 1 of article XX of the Constitution of the Organization involving any new obligation for the United States.

With the following committee amendment:

Page 2, line 19, strike out "3" and insert "4."

The committee amendment was agreed to.

The Clerk read as follows:

SEC. 4. In adopting this joint resolution the Congress does so with the understanding that paragraph 2 of article XIII does not authorize the Conference of the Organization to so modify the provisions of its Constitution as to involve any new obligation for the United States.

With the following committee amendment:

Page 2, line 24, strike out "4" and insert "5."

The committee amendment was agreed to.

Mr. LUTHER A. JOHNSON. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and the bill as amended do pass.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. PRIEST, Chairman, of the Committee of the Whole House on the state of the Union, reported that that committee having had under consideration House Joint Resolution 145, directed him to report the same back to the House with sundry amendments adopted in Committee of the Whole, with the recommendation that the amendments be agreed to and the bill as amended do pass.

Mr. LUTHER A. JOHNSON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not the Chair will put them en grosse.

The amendments were agreed to.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. LUTHER A. JOHNSON. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The Clerk called the roll; and there were—yeas 291, nays 25, not voting 116, as follows:

[Roll No. 63]

YEAS—291

Abernethy	Clason	Gamble
Adams	Coffee	Gardner
Allen, Ill.	Cole, Mo.	Gary
Allen, La.	Cole, N. Y.	Gathings
Anderson, Calif.	Colmer	Gearhart
Andrews, Ala.	Combs	Geelan
Andrews, N. Y.	Cooley	Gibson
Angell	Cooper	Gillespie
Arends	Courtney	Gillie
Arnold	Cox	Goodwin
Auchincloss	Cravens	Gordon
Bailey	Crawford	Gore
Baldwin, N. Y.	Cunningham	Gossett
Barden	Curtis	Granahan
Barrett, Pa.	D'Alesandro	Granger
Barrett, Wyo.	Daughton, Va.	Grant, Ala.
Bates, Ky.	De Lacy	Grant, Ind.
Bates, Mass.	Delaney,	Green
Bell	John J.	Gregory
Bender	Dingell	Griffiths
Biemiller	Dolliver	Gross
Blackney	Domengeaux	Gwynne, Iowa
Bland	Dondero	Hagen
Bolton	Doughton, N. C.	Hale
Bonner	Douglas, Calif.	Hall,
Bradley, Pa.	Douglas, Ill.	Edwin Arthur
Brehm	Doyle	Hare
Brooks	Drewry	Harris
Brown, Ga.	Dworshak	Hartley
Bryson	Earthman	Havenner
Buck	Elliott	Hays
Bulwinkle	Ellsworth	Hébert
Bunker	Engel, Mich.	Hedrick
Burch	Engle, Calif.	Hendricks
Burgin	Ervin	Henry
Byrne, N. Y.	Fallon	Heselton
Byrnes, Wis.	Feighan	Hess
Camp	Fellows	Hill
Cannon, Mo.	Fenton	Hinshaw
Carlson	Fernandez	Hoch
Carnahan	Fisher	Hoeven
Case, N. J.	Flannagan	Holifield
Chapman	Fogarty	Holmes, Wash.
Chelf	Folger	Hook
Chenoweth	Forand	Hope
Chiperfield	Fuller	Horan
Church	Gallagher	Howell
Huber	Merrow	Sasscer
Jennings	Michener	Schwabe, Mo.
Jensen	Miller, Calif.	Scrivner
Johnson, Calif.	Miller, Nebr.	Shafer
Johnson, Ill.	Mills	Sharp
Johnson, Ind.	Monroney	Sheppard
Johnson,	Morrison	Sikes
Luther A.	Mundt	Simpson, Ill.
Johnson,	Murdock	Simpson, Pa.
Lyndon B.	Murray, Tenn.	Slaughter
Johnson, Okla.	Murray, Wis.	Smith, Maine
Jonkman	Neely	Smith, Va.
Judd	Norrell	Smith, Wis.
Kean	Norton	Snyder
Kearney	O'Brien, Ill.	Somers, N. Y.
Kee	O'Brien, Mich.	Sparkman
Keefe	O'Neal	Spence
Kelly, Ill.	O'Toole	Springer
Kerr	Outland	Starkey
Kilday	Patman	Stefan
King	Patrick	Stigler
Kinzer	Patterson	Stockman
Knutson	Peterson, Fla.	Sullivan
Kopplemann	Peterson, Ga.	Sumners, Tex.
LaFollette	Phillips	Talbot
Landis	Pickett	Talle
Lanham	Poage	Tarver
Larcade	Price, Fla.	Taylor
Latham	Price, Ill.	Thom
Lea	Priest	Thomas, Tex.
LeCompte	Rabaut	Tibbott
LeFevre	Ramey	Tolan
Link	Ramspeck	Trimble
Ludlow	Randolph	Vinson
Lyle	Rankin	Voorhis, Calif.
Lynch	Rayfiel	Vursell
McConnell	Reece, Tenn.	Wadsworth
McCormack	Rees, Kans.	Wasielewski
McDonough	Resa	Weaver
McGlinchey	Riley	Weichel
McGregor	Rivers	Whitten
McMillan, S. C.	Robertson,	Whittington
McMillen, Ill.	N. Dak.	Wickersham
Madden	Robertson, Va.	Wigglesworth
Mahon	Robinson, Utah	Winstead
Mansfield,	Rockwell	Wolcott
Mont.	Rodgers, Pa.	Wolfenden, Pa.
Mansfield, Tex.	Rogers, Mass.	Woolverton, N. J.
Marcantonio	Rogers, N. Y.	Wood
Martin, Iowa	Rowan	Woodhouse
Martin, Mass.	Russell	Woodrum, Va.
May	Sabath	Zimmerman

NAYS—25

Andersen,	Hull	Rich
H. Carl	Jenkins	Rizley
Beall	Jones	Robsion, Ky.
Bishop	Lewis	Schwabe, Okla.
Clevenger	O'Hara	Smith, Ohio
Ellis	O'Konski	Sumner, Ill.
Elston	Pittenger	Taber
Harness, Ind.	Reed, Ill.	Woodruff, Mich.
Hoffman	Reed, N. Y.	

NOT VOTING—116

Anderson,	Flood	Morgan
N. Mex.	Fulton	Mott
Andresen,	Gavin	Murphy
August H.	Gerlach	Pace
Baldwin, Md.	Gifford	Pfeifer
Barry	Gillette	Philbin
Beckworth	Gorski	Ploeser
Bennet, N. Y.	Graham	Plumley
Bennett, Mo.	Gwinn, N. Y.	Powell
Bloom	Hall,	Powers
Boren	Leonard W.	Quinn, N. Y.
Boykin	Halleck	Rabin
Bradley, Mich.	Hancock	Rains
Brown, Ohio	Hand	Richards
Brumbaugh	Harless, Ariz.	Roe, Md.
Buckley	Hart	Roe, N. Y.
Buffett	Healy	Rogers, Fla.
Butler	Heffernan	Rooney
Campbell	Herter	Ryter
Canfield	Hobbs	Sadowski
Cannon, Fla.	Holmes, Mass.	Savage
Case, S. Dak.	Izac	Sheridan
Celler	Jackson	Short
Clark	Jarman	Stevenson
Clements	Kefauver	Stewart
Cochran	Kelley, Pa.	Sundstrom
Cole, Kans.	Keogh	Thomas, N. J.
Corbett	Kilburn	Thomason
Crosser	Kirwan	Torrens
Curley	Kunkel	Towe
Davis	Lane	Traynor
Dawson	Lemke	Vorys, Ohio
Delaney,	Lesinski	Walter
James J.	Luce	Weiss
Dickstein	McCowen	Welch
Dirksen	McGehee	West
Durham	McKenzie	White
Eaton	Maloney	Wilson
Eberharter	Manasco	Winter
Elsaesser	Mason	Worley

So the resolution was passed.

The Clerk announced the following pairs:

General pairs:

Mr. Barry with Mr. Short.
Mr. Monasco with Mr. Eaton.
Mr. James J. Delaney with Mr. Brumbaugh.
Mr. Maloney with Mr. Mason.
Mr. Lesinski with Mr. Bennett of Missouri.
Mr. Bloom with Mr. Holmes of Massachusetts.
Mr. Philbin with Mr. Winter.
Mr. Celler with Mr. Ploeser.
Mr. Sheridan with Mr. Fulton.
Mr. Healy with Mr. Dirksen.
Mr. Powell with Mr. Canfield.
Mr. Kelley of Pennsylvania with Mr. Kilburn.
Mr. Eberharter with Mr. Bradley of Michigan.
Mr. Buckley with Mr. Gifford.
Mr. Davis with Mr. Sundstrum.
Mr. Dickstein with Mr. Graham.
Mr. Hobbs with Mr. Halleck.
Mr. Heffernan with Mr. Towe.
Mr. Hart with Mr. Plumley.
Mr. Keogh with Mrs. Luce.
Mr. Gorski with Mr. Thomas of New Jersey.
Mr. Pfeifer with Mr. Hancock.
Mr. Curley with Mr. Gavin.
Mr. Quinn of New York with Mr. Butler.
Mr. Rabin with Mr. Herter.
Mr. Lane with Mr. Welch.
Mr. Rooney with Mr. Powers.
Mr. Baldwin of Maryland with Mr. Brown of Ohio.
Mr. Roe of New York with Mr. Buffett.
Mr. Cochran with Mr. Case of South Dakota.
Mr. Torrens with Mr. August H. Andresen.
Mr. McGehee with Mr. Wilson.
Mr. Jarman with Mr. Stevenson.
Mr. Izac with Mr. McCowen.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

GERMAN ATROCITY PICTURES

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute to make an announcement.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, earlier in the day I made an announcement about the Pathe News pictures of the German atrocities to be shown in the Senate Office Building. I desire to announce that on tomorrow morning in the caucus room of the Old House Office Building the pictures will be shown at 10:45 o'clock. The Speaker has made arrangements for this, and I am announcing it so that the Members may be aware of the fact.

POLISH CONSTITUTION DAY

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the 1 hour set aside and controlled by me on Thursday, May 3, Polish Constitution Day, be extended to 1 hour and 15 minutes, to be controlled by my colleague the gentleman from Connecticut [Mr. RYTER] and that this time, by agreement with my colleague the gentleman from Wisconsin [Mr. O'KONSKI] shall supersede the time reserved for himself on that day.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. KOPPLEMANN. Mr. Speaker, I ask unanimous consent to extend my own remarks on my bill, House Joint Resolution 131.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. PATRICK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix and include an address by Mr. McClellan Vandeveer at Birmingham.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. DOYLE asked and was given permission to extend his own remarks in two instances and to include therein two short editorials from a Long Beach paper.

Mr. JUDD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a resolution from the State legislature of Minnesota.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. WOODRUFF of Michigan asked and was given permission to extend his own remarks in the RECORD and include an editorial and an article.

Mr. PRICE of Illinois asked and was given permission to extend his own remarks in the RECORD and include a short editorial.

GENERAL LEAVE TO EXTEND ON HOUSE JOINT RESOLUTION 145, PROVIDING FOR MEMBERSHIP OF THE UNITED STATES IN THE FOOD AND AGRICULTURE ORGANIZATION OF THE UNITED NATIONS

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to extend their own remarks upon the bill just passed and that I and other Members may be allowed to revise and extend the remarks they made in the Committee of the Whole this afternoon.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

LEAVE OF ABSENCE

Mr. PATRICK. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama, Mr. PETE JARMAN, may be granted a leave of absence for 2 weeks, on account of official business.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

SETTLEMENT OF CLAIMS—PERMISSION TO FILE SUPPLEMENTAL REPORT

Mr. COMBS. Mr. Speaker, on behalf of the Committee on Claims, I ask unanimous consent to file a supplemental report (Rept. No. 237) on the bill H. R. 2068 to provide for the settlement of claims of military personnel and civilian employees of the War Department or of the Army for damages to, or loss, destruction, capture, or abandonment of personal property occurring incident to their service.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. Under the previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 20 minutes.

THE F. E. P. C. BILL

Mr. HOFFMAN. Mr. Speaker, I call the attention of the Members of the House to section 9 (a) found on page 10 of H. R. 2232. It reads as follows:

SEC. 9. (a) For the purpose of all investigations, proceedings, or hearings which the Commission deems necessary or proper for the exercise of the powers vested in it by this act, the Commission, or its authorized agents or agencies, shall at all reasonable times have the right to examine or copy any evidence of any person being investigated or proceeded against relating to any such investigation, proceeding, or hearing.

Mr. Speaker, I hope that Members of the House who intend to vote for F. E. P. C. get a copy of that bill and read that language. Simplified it is this—and do not forget that all of the agents who are now in the employ of F. E. P. C. are continued in their jobs if this bill is adopted. Any one of those agents will have authority to go into the business place, the office, the plant of any one of your constituents and make such examination as he may deem necessary—any one of those agents.

And do not forget, 59 percent of them are from one racial group. They will have authority to go into a plant in your district, examine the books and the files—something the United States marshal cannot do until he has obtained a search warrant after evidence produced—examine those files and give the information he finds there to a business competitor. You cannot get away from it. No such grant of power was ever made by any legislative act of this Congress or any other Congress.

Now, the next section:

(b) Any member of the Commission shall have power to issue subpenas requiring the attendance and testimony of witnesses and the production of any evidence relating to any investigation, proceeding, or hearing before the Commission, its member, agent, or agency conducting such investigation, proceeding, or hearing.

* * * * *

(d) Such attendance of witnesses and the production of such evidence may be required, from any place in the United States or any Territory or possession thereof, at any designated place of hearing.

I suppose that would include the islands that our fighting men have just taken.

Now, think of this: The Commission has the power to appoint its agents, and I hope the constitutional lawyer over here will take this into consideration. I know he is familiar with this law. When he wakes up at night I hope he will turn it over in his mind and see what a monstrous thing this is. Any agent of this

Commission may go to any part of the country, issue a subpena and send it to any part of the United States and require the attendance of a witness and his books and papers at any other place where that agent may be sitting or where he wants to go. He may, for instance, send a subpena out to the Philippine Islands or anywhere else in the world where America is in possession of property or land and make that witness come, if it is in the summertime, to Maine, and if it is in the wintertime down to Miami, Fla. Is that not a fine, fine grant of power, of tyranny, if you please, to place in the hands of a group which from the date of its appointment by the President has practiced discrimination, as shown by its own records?

Mr. FISHER. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Texas.

Mr. FISHER. That is more power than any Federal judge now has?

Mr. HOFFMAN. That is more power than all the Federal judges have and all of the United States marshals. No one in our Government can do that kind of thing.

Just look how this throws the doors open to the exercise of tyranny. If you do not obey, then they will hale you before a Federal court. What will they do to you?

Here is another section over here, and I hope my good friends on the Republican side who intend to vote for this will get the import of it. If you interfere in any way with one of these agents, what happens? You are subject to a fine of $5,000 and a year's imprisonment. You are guilty of a felony. In other words, my good friend, William Powers Maloney, socked this representative of China out here on the street. If that Chinaman had been an appointee of the F. E. P. C., instead of getting a $10 fine for disorderly conduct, William Powers Maloney would have had to go to jail for a year or would have been subject to a $5,000 fine if the judge thought that was the way to do it.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Michigan.

Mr. HOOK. If the gentleman is as far afield in the rest of his argument as he is in the last argument he made with regard to Mr. Maloney, he is certainly far afield.

Mr. HOFFMAN. I thank the gentleman for the correction, and I assure him I will not withdraw any of it, which has been the experience of the gentleman from Michigan, my delightful colleague. I will read the section to him:

> SEC. 13. Any person who shall willfully resist, prevent, impede, or interfere with any member of the Commission or any of its referees, agents, or agencies, in the performance of duties pursuant to this act, shall be punished by a fine of not more than $5,000 or by imprisonment for not more than 1 year, or both.

I did make a mistake. I just referred to one of them, but there are two, a $5,000 fine and jail.

Mr. HOOK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman.

Mr. HOOK. I still claim the gentleman is wrong.

Mr. HOFFMAN. I know it does not make any difference to the gentleman. When he is corrected, he always lets it stand until some action is taken to expunge it. The gentleman may read the bill himself.

Mr. Speaker, the House has been in session quite a while, and there are other gentlemen who want to speak. This is a sample of what this bill contains.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Mississippi.

Mr. RANKIN. The gentleman is talking about all these fines and penalties. This is setting up a totalitarian government with all the powers that Mussolini ever had in Italy. Of course, it is far reaching and destructive of every man in business that this outfit wants to destroy.

I am going to ask that the gentleman insert the copy of the bill at the close of his remarks so that the Members of the House can read it.

Mr. HOFFMAN. I will. I will insert it in connection with my remarks earlier in the day.

There is plenty in this bill that shows it is designed for the purpose—well, let each Member form his own opinion.

In talking about this bill I have two things in mind. I want to call to the attention of my Republican colleagues whom I love, and with whom I like to travel the political pathways, that there is a way out of the Republican platform which declared in favor of similar legislation, for that platform also said, and it has been our policy for years, to do away with and prevent the creation of unnecessary Government agencies and commissions; in fact, the Democrats in 1932 promised that they were going to do away with all of those agencies.

Our platform has promised both of those things, and when we promise something that will not work, that we know is wrong for the best interest of the country, the quicker we get out from under it the better. So I have an alternative, and it is this. Let us give the F. E. P. C. legislation, gentlemen. Let us give them legislation preventing discrimination in employment. Let us give it to them, and let us give it to them so that it is enforceable in the courts of the United States.

If there is in this country discrimination against anyone let us provide a remedy. Let us provide that remedy in the proven, constitutional way.

Ever since 1215 when the common people wrested the Magna Carta from King John, on down through the time when our representatives were deliberating the form the Constitution should take, and they granted to the Federal Government certain powers, but reserved unto themselves all other power not expressly granted, gave the judicial department certain powers, a certain amount of discrimination has existed. Let us throw the enforcement of this antidiscrimination legislation into the courts where it belongs.

The bill which I have written and which I offer as a substitute is this: It provides that anyone who is injured because of discrimination in employment because of race, creed, color, national origin, or ancestry, shall have a right of action to recover all the damages which he has sustained, together with his costs, in the United States District Court in the district where he lives, to be assessed by a jury. Now what is wrong with that? What is wrong with that, gentlemen?

So I say to my Republican brethren and to the Democratic Tories, so-called—good, honest, patriotic, sincere Americans I would call them—I say, let us go along and give these F. E. P. C.ers, like my friend from Michigan, whom I always yield to——

Mr. HOOK. I thank the gentleman for the kind compliment, but I certainly am broadminded enough to recognize the fact that there has been discrimination, and because of the fact that all those we have discriminated against are bleeding and dying on the battlefields today. I hope that we recognize the fact and that we go along in the spirit of the San Francisco Conference.

Mr. HOFFMAN. Well, now, I have written this bill to give these people a right of action. I am sure that the gentleman, who is a renowned lawyer in the northern Peninsula of Michigan, wants to abide by constitutional provisions, and I like to think that perhaps he will support, if somebody else does not see him before he votes, the bill which I will offer as a substitute.

Mr. COLMER. Mr. Speaker, will the gentleman yield for a couple of observations?

Mr. HOFFMAN. Yes.

Mr. COLMER. The gentleman referred to the obligations of the Republican Party and their commitments. They certainly did not commit themselves to the type of legislation which the Committee on Labor has reported out, did they?

Mr. HOFFMAN. No; I do not think so.

Mr. COLMER. The other observation is this. The gentleman referred to his love for his brethren over here on his side of the aisle.

Mr. HOFFMAN. It is deep and abiding.

Mr. COLMER. He also paid a tribute to some gentlemen over on the other side of the aisle. I wanted to make this observation, if I may. This bill is being considered by the Committee on Rules. Hearings are being conducted before that committee. I wonder if the gentleman does not think that some of these folks who are rushing down here to sign a petition to discharge the Committee on Rules from the consideration of that bill, before the committee has completed its hearings, had not better at least stop, look, and listen and read that bill and see what is in it.

Mr. HOFFMAN. When this bill was under consideration by the Committee on Labor, a very prominent and sincere Member of the House came to me and said, "Why are you fussing about that bill? It will never reach the floor of the House." I said, "Yes; it will. It will come out on petition if the Rules Committee does not send it out."

Then the other day a member of a certain committee said to me, "What are you fussing about, it will pass the House, but that does not mean anything because it will be killed in the Senate."

That is not my idea of the way to handle legislation. I would not venture to suggest what the Rules Committee should do, but I do not know why the Rules Committee does not send that bill right out on the floor with a rule providing for 3, 4, 5, or 6 days of debate. Let us have it out.

Mr. COLMER. How about 10 days of debate?

Mr. HOFFMAN. Let us discuss it and put the control of the time in the hands of those proposing it, the chairman of the committee and, say, the minority Members who oppose it. Let us have full and free debate.

Mr. COLMER. Would it not take about 2 weeks to debate it?

Mr. HOFFMAN. Well, whatever it needs.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Georgia.

Mr. COX. The gentleman in the remarks he made on the floor this morning negativing the argument that discrimination was being practiced was giving the percentages by which minority groups had jobs. I wonder if the gentleman has covered the entire field so that in his remarks as we will read them tomorrow morning in the RECORD we will find that information, not only as to the colored minority but as to other minority groups in this country.

Mr. HOFFMAN. The figures I put into the RECORD came from the Bureau of the Census.

In regard to the gentleman from Michigan [Mr. HOOK], while the figures show no discrimination, except in favor of members of minority groups, in the number of jobs, I realize that there is discrimination in that the members of the colored race hold the lower-paid jobs. So do not misunderstand me; there is no question about that.

Mr. COX. Will the gentleman's remarks cover the other minority groups?

Mr. HOFFMAN. I did not have those figures from the Census Bureau. I could not obtain them on religion or other races.

Mr. RUSSELL. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield to the gentleman from Texas.

Mr. RUSSELL. I want to ask the gentleman if his distinguished friend from Michigan, whom he addressed a while ago, has any of these minority groups in his office working on his secretarial staff. If he has, then he is consistent. If he has not, then he is inconsistent, and is he then not guilty of that discrimination which he is alleging somebody else is guilty of?

Mr. HOFFMAN. I do not assume to pass upon the ideas or the philosophy or the habits of any other Member of the House.

Mr. HOOK. Mr. Speaker, will the gentleman yield to me to answer that question?

Mr. HOFFMAN. Yes; I will yield to the gentleman.

Mr. HOOK. It just so happens that I have only about two colored people in my whole district.

Mr. RUSSELL. The gentleman ought to give one of them a job.

Mr. HOOK. I have those in my office who represent the constituents of my district. How many of that group has the gentleman in his office?

Mr. RUSSELL. The gentleman has discriminated against those two.

Mr. HOFFMAN. I can understand the attitude of the gentleman from Michigan [Mr. HOOK], because—and he can correct me if I am wrong—as I understand it, he has been a member of or connected with the F. E. P. C. and has rendered valuable service in the activities of that agency.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. Yes.

Mr. RANKIN. There is a racial minority in this House that has been advocating this bill. We have found in our investigation in veterans' hospitals that they have crowded the doctors of that minority group into these hospitals all over the country and some of those hospitals have more doctors of that group than patients of that group. That situation is stirring up trouble in those hospitals. It is really causing more trouble there probably than everything else put together.

Mr. DE LACY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN. I yield.

Mr. DE LACY. I would like to ask a question of the gentleman from Mississippi, if he is doing a little Jew baiting?

* * * * *

Mr. MARCANTONIO. Mr. Speaker, I ask that those words be taken down.

Mr. HOFFMAN. Mr. Speaker, I yield back the balance of my time.

Mr. RANKIN. All right, Mr. Speaker; I was merely stating facts with reference to conditions in our veterans' hospitals, but I am willing to withdraw those words with reference to the gentleman from Washington [Mr. DE LACY] in order that the gentleman from Michigan [Mr. HOFFMAN] may go ahead with his speech.

Mr. MARCANTONIO. I object.

Mr. HOFFMAN. Wait a minute. If I have any more time, I do not yield it back.

The SPEAKER. The gentleman from New York has asked that the words of the gentleman from Mississippi be taken down.

Mr. HOFFMAN. If no business has intervened.

The SPEAKER. No business can intervene for the moment unless the gentleman withdraws his objection to the remarks of the gentleman from Mississippi.

Mr. HOFFMAN. I understand that is the correct ruling, but I recall one time when there seemed to be some other business.

The SPEAKER. The present occupant of the chair was not occupant of the chair at the time.

Mr. MICHENER. Mr. Speaker, a parliamentary inquiry. We could not understand the status of the situation over here.

The SPEAKER. The gentleman from Mississippi [Mr. RANKIN] made some remarks. The gentleman from New York [Mr. MARCANTONIO] asked that the words be taken down. Then the gentleman from Mississippi asked unanimous consent to withdraw them and the gentleman from New York objected.

Mr. RANKIN. I did that in order to permit the gentleman from Michigan to proceed. But my statement with reference to conditions in our veterans' hospitals cannot be denied.

Mr. HOFFMAN. I do not care anything about proceeding further.

The SPEAKER. The Clerk will report the words objected to by the gentleman from New York.

The Clerk read as follows:

* * * * *

The SPEAKER. The Chair always regrets situations arising like this and sometimes the rulings are very difficult. But the Chair would be bound to hold, looking at the gentleman from Mississippi when he made the remarks and the gentleman from Washington, that those remarks are unparliamentary.

If no Member desires to make any motion, without objection, the words will be stricken from the RECORD.

There was no objection.

The SPEAKER. The gentleman from Michigan may proceed.

Mr. HOFFMAN. Mr. Speaker, I yield back the balance of my time.

TREATY RATIFICATION

The SPEAKER. Under the previous order of the House, the gentleman from New Hampshire [Mr. MERROW] is recognized for 1 hour.

Mr. MERROW. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain excerpts on the subject of treaty ratification.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. MERROW. Mr. Speaker, tomorrow the House will begin consideration of House Joint Resolution 60, a measure to submit to the State legislatures for ratification a proposed amendment to the Constitution giving both Houses of Congress the right to validate treaties by majority vote.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. RAMEY. Is not that House Resolution 16, which the distinguished gentleman from New Hampshire introduced himself?

Mr. MERROW. Report was made on House Joint Resolution 60. I introduced a resolution including the same amend-

ment some time before, but House Joint Resolution 60 is the resolution reported by the committee. The gentleman from Ohio introduced the same resolution, House Joint Resolution 72.

Mr. RAMEY. But the gentleman was the Member who first introduced the resolution.

Mr. MERROW. I introduced it first in this session of Congress on January 3. There were several introduced in the last session of Congress. I did not introduce one in the last session.

Mr. RAMEY. I remember that in the last session the gentleman was the first Member to introduce the resolution which was later known as the Fulbright resolution. I was wondering why the change of name.

Mr. MERROW. I introduced a resolution carrying the same idea which was finally adopted in the Fulbright resolution.

Mr. RAMEY. Why change the names? Is that always the situation? Does not a Member of a minority party ever receive credit for his good work? However, I realize like all unselfish Members the gentleman is thinking of the good he can do rather than the credit he receives.

Mr. MERROW. Mr. Speaker, tomorrow the House will begin consideration of House Joint Resolution 60, a measure to submit to the State legislatures for ratification a proposed amendment to the Constitution giving to both Houses of Congress the right to validate treaties by a majority vote. Aside from winning the war this is the most important single question before the Nation. The Seventy-ninth Congress will not be required to pass judgment on any issue of greater significance than the amendment now under discussion to revise our constitutional peace-making machinery. If we are to build a just and lasting peace, thirty-three Members of the United States Senate must not continue to have the power to kill peace treaties.

Article II, section 2 of the Constitution is as follows:

He—

The President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

Section I of the House Joint Resolution, which this body will begin debating tomorrow, reads thus:

Hereafter treaties shall be made by the President by and with the advice and consent of both Houses of Congress.

On January 3, 1945, I introduced House Joint Resolution 16 which contains the same amendment but worded differently. Section I of my resolution is as follows:

The President shall have power, by and with the advice and consent of the Congress, to make treatics, provided a majority of the Members present in each House concur.

This wording, I believe, is more in keeping with the language of the Constitution. At the proper time I propose to offer this section as an amendment to House Joint Resolution 60. I hope that the House will pass this resolution by far more than the required two-thirds vote and that the measure will be acted upon immediately by the Senate. This will give the State legislatures an opportunity to vote on the proposed amendment this year.

The twenty-first amendment to the Constitution was proposed by the Seventy-second Congress on the 20th of February 1933, and was declared in a proclamation by the Acting Secretary of State dated December 5, 1933, to have been ratified in 36 of the 48 States. Thus in less than a period of ten months the amendment became a part of the Constitution. I am thoroughly convinced that the amendment now under discussion relative to the ratification of treaties would be acted upon by the States in a much briefer period. The people of the United States are in favor of this much needed and long overdue change. I have received letters from all sections of the country voicing approval of a majority vote of both Houses of Congress in treaty making.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. RAMEY. In the gentleman's remarks I notice he used the phrase "people of the United States." The preamble of the Constitution begins with the words "We, the people." In fact, when one body by a two-thirds vote only can affirm a treaty, and that body represents States, have not the people been bypassed? Do you really not bypass the people when you say that the lower House of Congress shall have no voice in treaty making?

Mr. MERROW. I agree with the gentleman. I believe that the people are bypassed by the present method of treaty ratification.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Missouri.

Mr. SCHWABE of Missouri. The gentleman from Ohio just stated that the people would be bypassed if only one-third of the Senate could under existing law prevent treaty making. If this amendment were to pass, the language of the amendment reading that only a simple majority of the Members of the Senate present would be necessary, would it not be true that only twenty-five Members of the Senate, that is, a simple majority of a quorum which would be 49 in the Senate, could make a treaty? In that case would not the difference between 96 and 25 Members of the Senate be bypassed?

Mr. MERROW. I explain that later in my remarks. The amendment under discussion provides that a majority of both Houses, not a majority of the Senate, be empowered to ratify treaties. That would necessitate the presence of a quorum of both Houses and if both Houses had the right to validate a treaty you would have at least 25 Members of the Senate voting for it and 110 Members of the House, so you would have a much better representation than you have at the present time. There is at present a veto power on treaties by one-third plus one over of the Senate.

Many organizations have adopted resolutions favoring the proposal now before us. The amendment contained in House Joint Resolution 60 could become a part of the Supreme Law of the Land in a very few months if this Congress would but need the voice of the people and submit immediately this proposition to the State legislatures.

THE WORLD IS SMALL

The time required to travel from continent to continent has today been unbelievably reduced by the rapid development of air travel. We live in a world which has been transformed by a great number of spectacular advancements in the physical sciences. This is an era of instant communication and swift transportation. It is utterly impossible for the United States or for any other country to live in self-sufficiency. There are no longer any remote places on the surface of this planet. The impact of modern science has made world unity necessary, if the various nations are to live in peace, one with the other. We are deeply involved and will continue to be deeply involved in the complex web of international affairs. Victories at the peace table are as essential to the future happiness and security of the world as the victories we are winning on the battle fronts. The United States is a leader in this universal war for freedom. We must continue our leadership in the postwar period, if we are to take our proper place as a responsible power in the construction of a decent international community.

James T. Shotwell in the foreword of his recent book The Great Decision stated:

That our victory over the Axis Powers can be made a victory over war itself, if we bring to the support of peace the same kind of realistic strategy which we devote to war. We have now to decide whether this will be done or whether as an inescaping alternative we must prepare for a possible third world war. It is a hard choice and one for which we are not ready. But there is no escape from it. Science has seen to that. This newest thing in human history has already changed the arts of peace and now is revolutionizing the technique of war. The transformation thus began is not a mere interlude in the history of mankind but, on the contrary, will go on with increasing power throughout all the future. From now on all war will be total war and therefore the preparation to meet it will also have to be total. This means that so long as the war system lasts it will not only denature the economic life of nations but will endanger all the freedoms within them. Isolation can no longer provide the safety of the past. No single nation can adequately protect itself against a force which is bound more and more to conquer nature and thus change the whole basis of national society.

A third global conflict must be prevented if we are to escape the actual scourge of fighting a war in continental United States. Our responsibility in making a permanent peace is exceedingly grave. With planes, robot bombs and hundreds of new weapons, the line of battle, in the event of future wars, will certainly be on this hemisphere. The industrial centers of this Republic will be targets for the enemy. Should we fight another world-encircling war, this

great Capital cannot hope to escape the fate that has befallen the capitals of Europe. The future security of this country demands that we create a just and lasting peace.

THE PEACE—A VITAL CONCERN TO ALL

This unparalleled conflict reaches into the lives of all our people. Just as this war is producing its effect upon every individual in the Nation, so will the peace be a vital, personal concern to each human being. As we move to the successful conclusion of this war, our central objective is to lay the foundations for a just and lasting peace so that the generations of tomorrow will not be required to spend their substance and give their lives in another international clash of arms. The youth of America are achieving notable triumphs on every fighting front. If the leaders of this Nation and the leaders of the other powers fail in charting the way to a world free from war, then the youth of America are today making their incalculable sacrifices in vain. The United States of America is a great and growing world power. With power comes the responsibility for exercising constructive leadership. If we keep faith with those who are fighting on the battle fronts, we must formulate a lasting peace. In order to produce such a peace, adequate constitutional machinery for its construction is imperative.

Kenneth Colegrove in his book, The American Senate and World Peace, stated:

> Action rather than inaction, as a guide to political conduct, applies to international as well as internal politics. Thus, it follows that the negative restriction upon the treaty-making power in the United States is in conflict with the moral code of this forward-looking Nation. A great State must not permit itself to be shackled in this undemocratic manner.
>
> The victory of American armed forces in Europe, Africa, and Asia, as well as upon the high seas, may be thrown to the winds if the achievements of the battlefield are not followed up by victories of the peace table. In the matter of constitutional government we are unprepared for effective participation in the management of the United Nations. A democratic amendment of our Constitution is as much needed for winning a permanent peace as the building of armaments to defeat the Axis enemies of democracy.

THE CONSTITUTION

The work of making the Constitution of the United States did not begin with the Constitutional Convention of 1787 nor did it end when the framers of that immortal document finished their task. Their ancestors worked on the Constitution for centuries before 1787. Their descendants have labored ever since the Constitutional Convention adjourned. As William Bennett Munro has said:

> In the wider sense of the term the makers of the American Constitution form a great and still growing company. The list will not be closed until the end of time.

Since 1787, 21 amendments to the Constitution have been adopted. In addition to these formal changes the Constitution has grown by means of statutes, judicial decisions and usages. Political systems must constantly change to meet different conditions at different times. They must undergo modification to fit the demands of a changing environment.

The Constitution of the United States has proved itself to be highly adaptable. The fathers knew that developments would come, and therefore provided four ways to amend the original document. As time moves on, many more alterations will be necessary. The amendment we are discussing has been long overdue. If the United States of America is to assume its proper place as a world leader, then we must strike from the Constitution the antiquated treaty-ratifying procedure. One of the most-needed reforms is to adopt the amendment contained in the resolution which the House will very presently act upon.

Raymond B. Fosdick, in an article entitled "The Hour Is Late—We Must Not Fail," which appeared in the New York Times Sunday magazine February 11, 1945, stated:

> I believe that human intelligence is capable of solving the unprecedented chaos which the world faces. And we shall solve it because we must. John Quincy Adams said of the Constitution of the United States that it had been "extorted from the grinding necessity of a reluctant nation." That is the way most advances come in human society. It was under such circumstances that the Magna Carta was born, and the Bill of Rights of 1688, and the Mayflower Compact, and the Declaration of Independence. More often than not it has been necessity—grinding necessity—which has furnished the spur for the step that had to be taken.

The grinding necessity of a world in chaos is demanding the proposed amendment.

A DYNAMIC FOREIGN POLICY

For the future salvation and the continued progress of our civilization, for the protection and the promotion of the self-interests of the United States, this Nation is in dire need of a positive foreign policy, a dynamic foreign policy, an enlightened foreign policy—a foreign policy based on expanding international cooperation.

Mr. PRIEST. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Tennessee.

Mr. PRIEST. Having shared with the gentleman from New Hampshire for quite a long while a very intense desire to see this resolution pass and this amendment submitted to the States, I just want to here, on the eve of consideration by the House, express my personal appreciation for the fine work the gentleman has done on this resolution. We have worked together, and sometimes months passed when it seemed the way ahead was rather filled with obstacles over which we could hardly expect to climb immediately. But as we come to the consideration of this resolution I rejoice that the House will move rather soon, I believe, to correct this mistake of the Constitutional Convention. May I express my personal appreciation, as one deeply interested in the matter, for the fine contributions that have consistently been made by the gentleman from New Hampshire.

Mr. MERROW. I appreciate the kind words by my colleague. I wish to say to the House that the gentleman from Tennessee has been interested in this measure for a long time; in fact, he introduced a resolution during the last session of Congress containing this proposed amendment. He has worked consistently for it, and I am glad that we are soon going to have an opportunity to vote on this vital matter here in the House of Representatives.

Developments within the last half century have made a foreign policy based on expanding international cooperation imperative. This is the basic premise of the thinking being done on the various plans to produce a warless world. Such a policy must be formulated if we are to realize the objective expressed in the congressional resolutions on post-war policy by the Seventy-eighth Congress.

Foreign policy can only be effected through the mechanism of international agreements and treaties. The nature of the agreements and treaties to be decided upon during the next 15 to 20 years will determine whether or not a dynamic foreign policy of expanding international cooperation will be successful in averting future wars. Treaties and agreements are the only means whereby such a policy can be translated into cooperative action in a world of sovereign states. Not only will it be necessary to secure the ratification of treaties written at the cessation of hostilities but for several years many international undertakings supplementing the original treaties will have to be acted upon by this and other governments.

CLEAR AND WORKABLE CONSTITUTIONAL PROCEDURE

A clear and workable constitutional procedure for the legislative approval of treaties is a prerequisite to the adoption of proposals necessary to establish the peace. Many agencies, organizations, and government officials are talking about the shaping of an adequate post-war foreign policy. Last summer we had the Bretton Woods Conference and the Dumbarton Oaks deliberations. Recently Senator VANDENBERG made most valuable suggestions on the Senate floor which have received high acclaim throughout the country. The San Francisco Conference of the United Nations is now writing a charter for an international security organization. The conference on the west coast is the greatest in history. We all ardently hope and fervently pray that from the discussions in San Francisco will come the beginning of a plan which will prevent future international catastrophes.

As the years come and go there will be more discussion and planing in every liberty-loving country on earth as to how we can make secure the peace of the future and develop the means by which aggression may be checked and wars eliminated. The work of mankind for generations will be to achieve a just and lasting peace.

It is essential that the attention of the world be focused on peace plans. Such thinking is most necessary and commendable, but in our own country far too little attention has been devoted to the constitutional mechanism by which the plans for a permanent peace will be adopted and made to operate. There has been little thought given to

the relationship between good executive foreign policy and a workable procedure for its authorization or approval by the legislature; and conversely the relationship between bad or inadequate foreign policy on the part of the Chief Executive and unworkable or inadequate procedure for legislative review. One of the main factors in determining the kind of a foreign policy this country is to be guided by is whether or not the policy can receive a fair consideration on its merits by the elected representatives of the people. The substance of our foreign policy is determined largely by the procedure available for its democratic review by the legislators.

James B. Reston, on February 17, 1945, in commenting on the decisions coming out of Yalta, used the following pertinent paragraphs:

Thus the Yalta communique marks for the United States not the culmination of a specific foreign policy so much as the beginning of a decisive phase in the formation of an American foreign policy; it does not give the American answer to all the problems discussed at Yalta, but raises at least two momentous questions the answers to which lie on Capitol Hill:

1. Do the people of the United States, and particularly their representatives in the United States Senate, have, as the official communique states, "an inflexible purpose * * * to insure that Germany will never again be able to disturb the peace of the world"; or, translated into domestic political terms: "Is the Senate ready to ratify a treaty with our major allies to use American force to keep the Germans from making war?"

2. Are the American people and the Senate "resolved upon the earliest possible establishment * * * of a general international organization to maintain peace and security"; or, again to translate the communique into political terms: "Are they ready now to authorize the President to use, on his own judgment, a certain limited amount of American forces and facilities, along with the other United Nations, in an international organization to maintain peace and security in the future?"

CHIEF EXECUTIVE HANDICAPPED

The Chief Executive of the United States is often inhibited in making specific proposals because of the ever-present fear that the proposals cannot secure a fair consideration on their merits in the Congress. Experience during the last quarter of a century shows clearly that the Executive hesitates to conclude strong international commitments. Our present constitutional procedure provides no clear-cut means for approval or disapproval by the people's representatives.

Mr. COLE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Missouri.

Mr. COLE of Missouri. Does not the gentleman think it is a healthy condition for the Executive to hesitate to enter into agreements, and treaties particularly, because they are a serious thing? The breach of a treaty is many times, and almost always, the cause of war.

Mr. MERROW. I do not agree with the gentleman on the power of the Executive. I think the Chief Executive of the United States is very often the weakest representative at the conference table because he knows and the people at the table representing the other countries know that he must come back and get approval by a two-thirds vote of the Senate for any treaty that he agrees to. I would make his hands much stronger in international conferences.

Mr. GOSSETT. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Texas.

Mr. GOSSETT. Further on that point, may I observe that the result has been that the Chief Executive simply makes executive agreements and thereby circumvents the Congress. In 1944 we entered into 74 executive agreements and no treaties. The two-thirds rule we now have in the Constitution just ties the hand of Congress and precludes our participation in foreign affairs. We just do not make treaties about which there is any controversy whatsoever. If the gentleman will read the record, he will find, I think, that that is literally true, that the big matters are handled through joint resolutions or through executive agreements and not through treaties.

Mr. COLE of Missouri. Where does the Chief Executive get the authority for the executive agreements, if they, in effect, amount to treaties?

Mr. GOSSETT. He has that under some of his constitutional powers.

Mr. COLE of Missouri. The War Powers Act?

Mr. GOSSETT. No. He makes them in peacetime as well as in wartime. However, we have resorted to much more of that in recent years. Fewer treaties and more executive agreements have been made. The tendency has been for the President just to resort to any expediency rather than come to the Senate for approval of a treaty.

Further, it seems to me ironical that we send Members of the House to all these international conferences. I think it is proper we should. We have two now at San Francisco. Yet we, a coordinate branch of the Congress, the most numerous branch, have nothing in the world to say about treaties.

Mr. COLE of Missouri. I agree with the gentleman on that point, but I would like the House to have to ratify a treaty by a two-thirds vote as well as the Senate by a two-thirds vote.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. I thank the distinguished gentleman from New Hampshire for introducing this legislation and for his very illuminating presentation of it. He is a great student of international affairs. I was very much interested when I was a delegate at the Inter-American Conference at Mexico City, with the distinguished gentleman from Texas [Mr. LUTHER A. JOHNSON]. I really think that both of us did a great deal of work as observers and advisers, yet it was the Members of the Senate who felt that they had the priority in much of what went on because they would ratify any treaty reached as a result of the Conference. I stated there that I thought it would be extremely valuable if the House had a vote on the ratification of treaties. In the first place, we are much nearer to the people than are the Members of the Senate. They come up for election every 6 years, and we come up every 2 years. Our people watch us very closely. We know their desires.

Mr. MERROW. I thank the gentlewoman for her contribution.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. Following up what the distinguished gentlewoman from Massachusetts has so ably said, may I say that conditions have changed. The present provisions of the Constitution are the result of a compromise in the constitutional convention. Further, for many decades and generations United States Senators were elected by the legislatures of the States. The theory was that they were the ambassadors, in a sense, of the several sovereign States to the central government, the Federal Government.

We have amended the Constitution since those days. Now United States Senators are, I believe, elected by the people in all the States the same as we are, and in most of the States they have the direct primary system.

Also, the means of communication and of travel have changed between 1789 and for some generations succeeding then and today.

All of these are factors that enter into the great and important question the gentleman from New Hampshire is so ably discussing, and they seem to me to prompt only one conclusion, that in the best interests of our country the House should be a party to the approval of treaties, and that a majority vote of both branches, acting concurrently, should be sufficient to approve a treaty. Our actions—passage of this resolution by both branches of the Congress must be ratified by three-fourths of the States as provided for by the Constitution.

Mr. MERROW. I want to thank the majority leader for his fine words and to express my deep appreciation for the assistance he has given in this important matter.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. SCHWABE of Missouri. I can see nothing wrong with what the distinguished majority leader said in the first part of his remarks as regards the Members of the Senate. I think there is a great difference. They were formerly elected by their respective legislatures and were supposed to be very outstanding gentlemen of great ability. But now they are elected by popular vote, and they represent the people more or less as we do, rather than the State, as they did formerly. I cannot conceive of anyone, as a Member of this Body, the House of Representatives, who would object to bringing the House into the picture. But when it comes to having simply a majority of both the House and the Senate, I would say the Congress would be less in the picture than they are today with two-thirds rule in the Senate. I would

like to ask the gentleman from New Hampshire or the gentleman from Massachusetts what objection would there be to really bringing the House into the picture with the two-thirds vote required in the House as well as in the Senate?

Mr. MERROW. I yield to the gentleman from Massachusetts [Mr. McCORMACK] if he wishes to answer that question.

Mr. McCORMACK. Of course, the gentleman's question consists of two parts, one that the House be a treaty-approving Body. We are both agreed on that.

Mr. SCHWABE of Missouri. There are two propositions in this proposal, are there not?

Mr. McCORMACK. I am talking about the gentleman's inquiry. The gentleman agrees with me that the House should have concurrent action with the Senate in the approval of treaties. Now, that is agreed upon.

Mr. SCHWABE of Missouri. That is right.

Mr. McCORMACK. Now the question arises whether it should be by majority vote or two-thirds vote. I recognize the fact that the people may honestly disagree on that question. I have profound respect for anyone whose views differ from mine on that issue.

Then there is going to be a ratification of the resolution by three-quarters of the legislatures of the several States of the Union, either by the legislature, or if they have the power in the State to submit it to the people on the question of a final vote. I believe when you link those two together, the majority vote of both branches is more consistent with the democratic rule of procedure. The democratic rule of procedure is that the majority prevails.

With reference to the question of an honest difference of opinion on the majority vote or two-thirds vote, in my opinion a majority vote with both branches acting concurrently seems to be more consistent with democratic practices and it certainly would be adequate protection in the ratification of treaties. Furthermore, may I make this observation, that when the representatives of our country are sitting at a table with the representatives of other countries in the consideration of a treaty, such as the peace treaty, for example, they have in mind the fact that when as diplomats they complete their consideration of it, their action is final. That is probably the case with most other nations. But in the case of the United States, the action is not final. The action then has to go into the political field, so far as our activities in America are concerned. Certainly it would be more consistent with a foreign policy beneficial to our country to have ratification by a majority of both branches of Congress than to have two-thirds vote of one branch, because the only benefit of bringing the House in with a two-thirds vote would be that instead of correcting the difficulty in the Senate it would make it more difficult.

Mr. SCHWABE of Missouri. The gentleman says it would be more democratic to require of the House and Senate a simple majority vote on this question. Does not the gentleman agree that the Executive would have more power in treaty making were we to pass this amendment than he has today?

Mr. McCORMACK. No; I would not think so.

Mr. SCHWABE of Missouri. Did not the gentleman just say that when the Executive met with foreign countries and sat around the peace table he was in a disadvantageous position?

Mr. McCORMACK. What I did say was that the representatives of other countries are aware of the fact that when a treaty has been concluded, as far as the diplomats are concerned, it is final with most of their countries, but with our country it is not final. It is then transferred from the diplomatic field into the political arena and it requires a two-thirds vote.

Mr. SCWABE of Missouri. When the gentleman speaks of the political arena——

Mr. McCORMACK. I say that descriptively.

Mr. SCHWABE of Missouri. We are the only great nation that requires a two-thirds vote on the ratification of a treaty by a legislative body, but also we are the only great power that has a two-party system, and it seem to me that the Executive of this country, who is not only the legal head of our country but also the head of the majority party and usually has perhaps 55 percent of the members of his party in power in the Congress, when it comes back to the political arena it would be very easy for the Executive to get approval if we only had to have a simple majority. It seems to me that the President would have far more power then than under the existing arrangement.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. MERROW. I yield.

Mrs. ROGERS of Massachusetts. I was very much impressed at the conference at Mexico City with the fact that the delegates apparently gave just as much consideration to the views of the Members of the House, who do not ratify treaties, as they did to Senators. That was a very great courtesy. Apart from their courtesy, I felt it indicated that they realized the importance of having the Representatives, who are closest to the people, approve of what was being done. I think it was very significant. That is the first time that Representatives from the Congress have sat in at these conferences. I also felt that the fact we were asked, showed that the State Department wishes our approval, and was a step toward giving us the power of ratification of treaties.

Mr. McCORMACK. Will the gentleman yield further?

Mr. MERROW. I yield.

Mr. McCORMACK. Those who were at the Mexico City Conference certainly did a remarkable piece of work. I want to congratulate the gentlewoman from Massachusetts, as she was one of them. I want to observe in relation to the gentleman's last statement, I think the remarks of the gentleman from New Hampshire are a marked contribution, and the questions asked are for the purpose of bringing out the salient points in this resolution which will come up for consideration tomorrow. I am very pleased that I happened to be on the floor and listened in part to the remarks of the gentleman from New Hampshire and the questions asked. It is most refreshing to me to see the high plane on which this debate is proceeding.

Practically there is something to what the gentleman says, but that is from a practical angle, and I do not think it should be applied to the principle involved. It is fortunate that we do have the two-party system in America. Let us hope it is continued, because then the people are able to place responsibility on the party they put in power, whether it is the gentleman's party or my party. We hope that will continue. But with all due respect to my friend, that does not address itself to me as a very potent piece of evidence as to why the change should not be made.

It does seem to me in these modern times that for the best interest of the country the House should have a voice in the ratification of treaties. To require a two-thirds vote in the House, the same as in the Senate, instead of meeting the problem in these days that confront us with reference to the ratification of treaties makes it more difficult, because not only do we leave unchanged the two-thirds requirement in the Senate, but we impose upon that concurrent action in the House again by a two-thirds vote; and we are only making it more difficult of accomplishment.

Mr. BIEMILLER. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. BIEMILLER. Permit me to make a brief observation: In the early history of our Republic, in fact, for almost the first 75 years, there was considerable agitation in the House of Representatives to have the treaty power shared jointly between the two bodies. I am afraid that is often lost sight of. Many of the founding fathers of the republic after the compromise to which the gentleman from Massachusetts, our distinguished majority leader, referred, still kept up agitation and tried to get the treaty making power back into the House of Representatives. That agitation died out only shortly after the Civil War. No more was heard of the matter until recently; but this is not by any stretch of the imagination a brand new concept that is being thrust at the American people.

Mr. MERROW. I thank the gentleman for his contribution. I think it is excellent that the House of Representatives is taking the leadership in trying to bring about this needed reform at this time.

Mr. HALE. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. HALE. Mr. Speaker, I desire to observe that under the present system, in which a minority of the Senate can block the ratification of any treaty, the cards are actually stacked against ratification. That, it seems to me, would be entirely appropriate if there were a presumption that the executive branch of the Government, in negotiating treaties, were wrong, but I do not see why there should be any such presumption. It

seems to me there ought to be the presumption that the executive branch of the Government and duly accredited representatives of the United States, in negotiating a treaty, have acted patriotically and wisely. There should not be the contrary presumption, and I am unable to understand any real ground for continuing the contrary presumption.

While I am on my feet, I wish also to say that I, too, feel very strongly that the gentleman's aggressive work in behalf of this cause, his leadership, has been very fine, and I want to pay him a very sincere tribute for it.

Mr. MERROW. I appreciate the remarks of my colleague from Maine. As far as I personally am concerned, I believe our Chief Executive, the President of the United States, no matter to which party he might belong, should be much stronger in international affairs than he is at the present time. In my opinion, the present method of treaty ratification shackles him to a great extent. It would be to the benefit of the entire country and to the world if his hands were made much stronger than they are now.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. SCHWABE of Missouri. I also wish to compliment the gentleman from New Hampshire for his work. With his permission I wish to make a brief statement. Ours is supposed to be a government of checks and balances. When we consider the average run of congressional enactments that require a simple majority vote of both Houses to pass, yet the President if he sees fit may veto them and then it takes a two-thirds vote of both branches of Congress to override his veto, it is just as important in my opinion, treaties being sacred contracts between this and other nations, just as important if not more important that the Congress on its part should have the right of veto. Certainly with the President having the right to initiate treaties, as he does under our Constitution, the Congress should be brought prominently into the picture. Certainly we should have a veto power, and I cannot see that a simple majority would amount to much in the way of a veto.

Mr. MERROW. A simple majority vote would not leave the exercise of the veto power over treaties in the hands of a small minority of the Senate as it is now. When you speak about the two-thirds vote necessary to override the President's veto, I do not think that is analogous to the question under discussion and has no bearing on it.

Mr. SCHWABE of Missouri. Certainly the gentleman will agree that if we are to have a simple majority requirement in both Houses it would lessen the power of Congress, would it not?

Mr. MERROW. It would increase the power of Congress.

Mr. SCHWABE of Missouri. Why does the gentleman say that when the President sits at the peace table under existing law he would be at a disadvantage?

Mr. MERROW. Because 33 Members of the United States Senate can vitiate anything he does. It should also be pointed out that by adding reservations and amendments in the Senate, which are adopted by a majority vote, any treaty can be so loaded with reservations and amendments that you could not get ratification by two-thirds of the Senate. The President is weak because he has to secure two-thirds of that body to ratify any peace treaty to which he agrees. If he brings back a peace proposal and if he can have it ratified by a majority of both Houses of the Congress, his position is strengthened.

Mr. SCHWABE of Missouri. I am thinking of protecting the minority in this country. If we were to pass a simple enactment today and in 2 years from now sentiment should shift slightly, a couple percent, say, then what may have been 51 percent 2 years ago changes to 49 percent. We can do away with that very easily, can we not? That is a law of course that would only affect the people within this country. Treaties on an average last a longer length of time and other nations are involved. It would not be so easy to rescind our action in the case of a treaty because another nation or other nations are involved.

Mr. MERROW. If a majority of the Congress cannot protect us, nothing can protect us.

Mr. BREHM. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from Ohio.

Mr. BREHM. Just what does the gentleman's resolution provide?

Mr. MERROW. The resolution provides for treaty ratification by both Houses of Congress.

Mr. BREHM. It provides that we submit the matter to the States?

Mr. MERROW. We are going to make the decision right here. It will be submitted to the Congress and if a majority of the Senate and House approve, then the treaty is validated. Of course a quorum of both Houses must be present.

Mr. BREHM. The gentleman did not get my question. Are we not saying to the States that we are giving it to the people and they have the right to vote on this?

Mr. MERROW. Yes. When we vote favorably on this resolution we are giving the State legislature an opportunity to act and the people of the country an opportunity to act through their State legislatures.

Mr. BREHM. After all, that is the democratic process, and I am in favor of it.

Mr. MERROW. It would seem to me that is the duty of the Congress. I believe the people want an opportunity to act. I will say so far as the Legislature of New Hampshire is concerned that it will be the first legislature to approve the proposed amendment.

Mr. BREHM. I am not suggesting how I will vote on this resolution, but I am willing at all times to submit the matter to the people of the United States to make their decision on this question.

Mr. MERROW. That is the thing to do. I appreciate the gentleman's remarks.

The wisest and boldest executive foreign policy cannot be effective unless it has the sustained support of the Congress and the people. The only way to ascertain whether or not a particular measure has that support is to submit it to the national legislature for approval or disapproval. Under our form of government, such submission can only be satisfactorily accomplished by affording the Congress an opportunity to consider and debate specific matters contained in agreements and treaties. A dynamic foreign policy of expanding international cooperation backed by an informed and sustained public opinion presupposes that it will be necessary to submit many more international matters to Congress than has been the case at any previous time in our history.

We are in world affairs, and in the years to come there will be a multitude of matters which will have to be submitted to the national legislature for final decision.

One does not need to have more than a good passing acquaintance with the present tangle of historical, legal, and political considerations involved, not to mention controversy on the merits of a matter, to realize that unless the procedural outlook is decidedly clearer in the future, there is little basis for hoping that any administration will dare follow this course, particularly in the hard years to come, when the emotional carrying power of the war and peace issues will have been dissipated by a return to normalcy and the luxury of uninhibited party politics.

Without adequate treaty procedure the undertakings and proposals of the United States will not be accepted at face value in international conferences. Other countries have good reasons to be skeptical of the ability of the United States to carry out over a sustained period a foreign policy of cooperation adequate to meet the needs of the modern scientific world. The Nation is left nearly helpless to assist in establishing permanent peace under present procedure. The President cannot speak for the people, since whatever he does is subject to a veto by one-third of the Senate. Other nations have grounds to doubt seriously the capacity of the United States to play an active role in organizing the world community after the war is won. Leaders in other countries are reluctant to enter into agreements with this country since they know that a minority in the Senate can doom any peace treaty approved by the President of the United States. Statesmen the world over will be increasingly unwilling to enter into undertakings with us which stand little chance of being considered on their merits. Our negotiators go to international conferences handicapped. The hands of the American diplomats would be strengthened if treaties could be ratified by a majority vote of both Houses.

Stuart H. Perry, scholar and newspaperman, stated in an address before the National Newspaper Publishers' Association several years ago, and which appears in the committee hearings:

> The result is that no administration can feel even reasonably sure of its ground in negotiating an important treaty unless it can rely upon a strong party majority in the Senate. That majority, to be effective, must

be much larger than an executive would require in any other country having a parliamentary form of government. Where, as in other countries, a majority vote in parliament is sufficient for all purposes, a safe "working majority" is all that the executive needs; here he must be able to count upon sufficient party strength in the Senate to insure a majority of 2 to 1 upon a treaty question. He can, it is true, count upon converting a few members of the opposition upon the merits of the case, but experience has proved that the number of such converts is small, and furthermore they are likely to be offset by a certain number of defections from the administration ranks. Therefore, in order to insure the two-thirds majority required by the Constitution for the ratification of treaties, his party strength in the Senate must be measured by approximately the same ratio.

William Bennett Munro, in his book the Makers of the Unwritten Constitution, wrote:

Fundamentally, the control of American foreign relations is vested in one-third of the membership in one-half of Congress. Definite, forceful, responsible leadership is in no branch of government more essential than in the field of diplomacy and foreign affairs. All other countries have it, and how we get along without it in the United States is something that the rest of the world has given up trying to understand. John Hay once predicted that no important treaty would ever again pass the Senate without mutilation, thus disclosing an exaggerated pessimism; yet it has become transparently obvious that every treaty goes into the Senate with the chances 2 to 1 against it, no matter what its merits, and that in many cases the likelihood of its being carried out in an ambulance justifies a wager of even three or four to one. Strength, promptness, and decision in the exercise of the treaty-making power are thus replaced by weakness, equivocation, and delay.

Without a clear-cut and workable procedure for legislative approval or disapproval of agreements and treaties, our thinking on matters of foreign policy is impaired because of the heavy political liabilities in the legislative approval process. We cannot build up a solid congressional and public understanding and backing for a cooperative policy because of inability to submit more foreign policy matters for a complete congressional review. Other parties hesitate to offer full value in cooperative undertakings on our part since they carry with them exceedingly heavy political uncertainties in the process of legislative examination and action.

Our procedure is neither clear nor workable. There is no distinct line of demarcation between agreements and treaties. It is not workable because one-third of the Senate has complete control of the foreign policy of this country in the matter of making peace. As long as we continue to use inadequate constitutional machinery we will experience insurmountable difficulties in creating a foreign policy of expanding international cooperation. We may devise many plans for world peace but under the present system they must be accepted by a two-thirds vote of the Senate. We need to develop a constitutional mechanism for fair approval or disapproval of international agreements and treaties. With proper constitutional procedure we will be able to act intelligently and democratically upon peace plans soon to be presented. A surgeon cannot perform a delicate brain operation with dull instruments. We cannot win the peace with an inadequate and inferior constitutional method for treaty ratification.

TWO FUNDAMENTAL QUESTIONS

In the discussion of this subject we find there are two fundamental questions involved. First, should treaties be acted upon in the Congress by a majority or by a two-thirds vote and, second, should the House participate in the ratification of treaties. In the consideration of these issues it will be most helpful to review briefly the history of the two-thirds rule.

HISTORICAL CONSIDERATIONS

The United States is the only great nation requiring a two-thirds vote of one branch of the legislative body to ratify treaties. I quote a statement made by Melvin D. Hildreth, general counsel of the late President Roosevelt's War Relief Board, a member of the commission to study the organization of peace, and a member of the National Board of Directors of the League of Nations, before the Committee on the Judiciary:

A survey of the constitutional systems of the world does not reveal a counterpart of our plan of associating only one House of the legislature with the Executive in treaty making.

Denna Frank Fleming included in his book, The United States and the World Court the following words:

Never in all human history has any other important people ever subjected itself to an arrangement so plainly and inherently unworkable. After 1789 dozens of new governments were set up. All of their founders examined our Constitution with care and many of them modeled strongly after us, but only Liberia and Guatemala ever copied the two-thirds Senate vote for treaties. Again after the World War many new constitutions were made, but not one of them ever thought it a reasonable thing to give one-third of one house of the national legislature a strangle hold on treaties. Yet we remain in our most crucial affairs at the mercy of one-sixteenth of our legislators.

There is absolutely no political theory on which the two-thirds rule is based.

Dr. Charles Warren, historian of the Supreme Court and author, in discussing the subject, wrote:

That clause, as I say, is a striking illustration of the class of provisions which was inserted not on any theory of government or general political theory but was inserted solely to take care of a political condition existing, and a very burning question existed in 1787 when the Federal Convention sat. The circumstances surrounding its insertion provide an interesting illustration of the fact that, like most of the provisions of the Constitution, it can only be fully understood after a study of its historical sources and antecedents.

The reasons motivating the writers of the Constitution to insert the requirement have long since disappeared. The Articles of Confederation providing for treaty ratification by a vote of 9 out of 13 States were in the immediate background as the makers of the Constitution did their work. The continuity between the Constitution and the Articles of Confederation, which is to be found at so many points, is also present in certain fundamental aspects of the treaty provision. Under the Articles of Confederation, the treaty power was exercised by a Congress in which the States were not only represented as States but voted as States as well. The power to make treaties was regarded as one of the fundamental attributes of State sovereignty. The treaty power was viewed as a right and concern of the States, not of the people. This is perhaps the most fundamental and currently pertinent point in the entire historical aspect of the question. It is important because it is contrary to the assumption which most people make in connection with the two-thirds provision. That rule is usually thought of and justified in terms of requiring an extraordinary majority in order to assure a large measure of popular unanimity when in fact it was never so intended and does not necessarily so operate.

Demand for the two-thirds rule came from the jealousies and suspicions of the original States. The South was interested in navigation on the Mississippi River. The New England States were concerned in protecting fishery rights. Sections were fearful lest treaties might be made which would interfere with their respective economic interests.

The Constitution was to become effective when ratified by 9 States. At the time of the Constitutional Convention there was serious doubt that even this number would join the Union. If but 9 had adopted the Constitution then the Senate would have consisted of only 18 Members. In the Constitutional Convention of 1787 no one ever dreamed that the Senate would become a body of 96. In the beginning the House itself was to consist of only 65 Members. The fathers intended that the President should consult and advise with the Senate.

It was believed that secrecy would prevail in the small Senate and that treaties would be made in executive sessions. All of the conditions I have mentioned—prominence of State sovereignty, secrecy and conflicting economic interests no longer exist. With the growth of the country they have long since passed off the stage, and today the United States of America stands alone as the only great Nation to employ the cumbersome, obstructive, and senseless two-thirds requirement.

THE RECORD OF THE SENATE

The record of the Senate in the disposition of treaties for the settlement of international disputes is most disheartening. In writing this record the Senate has ably demonstrated its inability to act constructively in international affairs. Peace treaties and treaties of arbitration have suffered irreparable mutilation at the hands of the Senate. Since the Spanish-American War the United States has been a growing world power. Again and again during the last 50 years the Senate has frustrated moves to substitute the peaceful settlement of international disputes for war. The Olney-Pauncefote arbitration treaty of 1897 was rejected. The Hay arbitration treaties of 1904 were emasculated. The Senate maintained a strangle hold on the Root arbitration treaties of 1908 and 1910.

The life was taken out of the Taft arbitration treaties of 1911. The Treaty of Versailles and the League of Nations were destroyed by the two-thirds rule of the Senate. On January 29, 1935, the World Court was rejected by a vote of 52 for to 36 against. In recent years few treaties of any great consequence have been ratified. One is forced to the conclusion that no treaty of far-reaching importance in connection with the establishment of peace can be validated under the two-thirds rule.

In connection with the Senate's record Denna Frank Fleming in his recent book, The United States and the World Court, used the following language:

The Senate has had its day as the executioner of our peace treaties. It has been a long day and its fruits have been inexpressibly bitter. This judgment does not mean that our full participation in the attempts of the last 4 decades to build substitutes for war would have made everything different, or even that this war would have been avoided. It does mean that the Senate would not even permit us to try to provide substitutes for war or to make the objectives of the last war stick, in order to save our future from a more horrible fate than the terrible, pitiable catastrophe of 1914–18. This is the offense of the Senate, an offense so calamitous in its effects that we dare not permit it to be repeated. As the censor of our foreign policy the Senate has been fully tried and found wanting. Its frustration of our share in creating and governing an orderly world must be ended. The alternative is a third world war which would cost us half a trillion dollars, exhaust finally the bulk of our mineral resources, and devastate our urban civilization, from one end of this continent to the other. No nation can afford to permit a defect in its government to bankrupt and destroy it.

Dr. Frank M. Russell of the University of California has written as follows:

It has been pointed out by defenders of this provision of the Constitution that over the whole course of our history the Senate has actually rejected few treaties, and the number that it has amended has not been considerable. That is true, but the whole story cannot be told in terms of mathematics. In recent decades, certainly, the most important treaties from the point of view of building an economically and politically integrated and peaceful world—the only kind of world in which our safety and prosperity can be promoted—are the ones that have suffered emasculation or mutilation, if not actual rejection at the hands of a minority of isolationists in the Senate. The result has been that our Presidents have at times been deterred even from negotiating treaties regarded as desirable from the point of view of the public interest, and for which they would be able to secure a majority vote in both Houses of Congress, because of their realization of the hopelessness of overcoming the opposition of a stiff-necked minority in the Senate.

MAJORITY RULE

A fundamental principle of democracy is majority rule. The present method of treaty ratification is undemocratic in the extreme. The population of Nevada is 110,247; of New York, 13,479,142. Since the adoption of the seventeenth amendment, Senators are elected directly by the people. In rejecting treaties, the vote of a Senator from Nevada is worth twice that of a Senator from New York who votes approval. The power of a voter in the State of Nevada in this connection is the same as that of 120 voters in the Empire State. Pennsylvania has a population of 9,900,180. The 2 votes from Nevada could cancel the votes of the Senators from Pennsylvania and New York. Thus, the Senators representing 110,247 can override the will of Senators representing 23,379,322. This is a most undemocratic process. There are no logical arguments to sustain the position that the vote of a legislator who objects to a treaty is worth twice as much as one who favors it.

One-third plus one of the membership of the smaller House of Congress has in its hands life-and-death power over any and all treaties. Under existing procedure, if the entire Senate membership of 96 were present, Senators from 17 States voting against a treaty could cause its defeat. Were the Members opposed to a treaty to come from 17 of the smallest States, rejection would result by the action of Senators representing States with a population of approximately ten and one-half million people, according to the census figures of 1940. If the remaining Senators, representing States with a population of 120,000,000 people, should all vote for the treaty, then their will could be overruled by the Members who represent 10,500,000. Should only a quorum of the Senate be in attendance when a vote on a treaty is taken, 17 Members could prevent ratification. If the 17 votes should come from the smallest States and the 32 votes from the 16 largest States, the Senators from States with approximately 3,500,000 could thwart the will of Senators from States with a population of over 88,000,000.

These are, I realize, extreme cases and the alinement to which I have referred may never occur. The situations pictured are, however, possibilities under our system and speak eloquently for the undemocratic character of our constitutional procedure of treaty ratification. By including the House we would require in the most extreme instance, at least, 110 Members of this body plus 25 Senators to reject a treaty. This would be the situation in the event only a bare quorum existed at the time of voting. Majority approval by both Houses would be infinitely better than the two-thirds rule we now follow. I quote a statement made by Dr. Nicholas Murray Butler on this subject:

There is one important change which the people of the United States must make in their Constitution without delay. The provision that a treaty with another government requires ratification by a vote of two-thirds of the United States Senate is not only harmful and undemocratic but antidemocratic as well. Treaties should be ratified as statutes are enacted, by a majority vote in each of the two Houses of Congress. The present system, if not changed, might easily lead to almost irreparable damage to the prosperity and happiness of the American people as well as to the great movement of international cooperation to establish and maintain world peace. The present constitutional provision makes it possible for a very small number of Senators, one-third of a quorum plus one, representing perhaps only 10,000,000 of the country's vast population, to prevent the ratification of a treaty of highest importance for national prosperity and international cooperation and peace. Were this done by a majority vote in each of the two Houses of Congress, the people themselves would be responsible. The present plan of action, however, completely separates the responsibility of the American people from ratification or rejection of a treaty. There is no more important question than this before the country at the present moment. To effect this vitally important change, the pending amendment to the Federal Constitution should be adopted by the people without delay. Otherwise no one can foretell what damage may be done to the public welfare, both national and international.

Opponents to the proposed amendment call attention to the unanimous consent required by juries; to the two-thirds provision for the impeachment of a President; to the two-thirds vote necessary to override a President's veto; and say that more than a majority should be necessary in certain decisions of vast importance. They then conclude that in the matter of making treaties we should retain the two-thirds requirement. These cases are not analagous to the two-thirds provision for treaty ratification and have no bearing on the question at hand.

William Y. Elliott, former chairman of the School of Government, Harvard University, appearing before the Committee on the Judiciary, said:

As you know, sir, a veto by the President of an act passed by Congress indicates, after all, a division of opinion between the Executive and the Congress on a legislative matter on which both, by the Constitution, are entitled to have a view, the President by his veto. The practice, of course, under the party system, is that the President is a leader in the formulation of policy.

Treaty-making power, on the other hand, is something in which the President, the only officer elected—along with the Vice President—by a national vote of all the people, is asking agreement of another body of the Government. He is asking for it in terms of supporting something he is doing. He is not vetoing something the other body has done; he is asking for support of what he is doing. Therefore, the minority provision that is holding up ratification of a treaty is in effect the veto power by a very slight minority of the Government.

It is not an affirmation and repassing of something over a veto. Let us get that distinct. What happens is that a veto stops an act passed by an ordinary majority of Congress. There is, therefore, a difference of opinion between the two. Now, in order to get that repassed over the veto, the President has to get it repassed by a two-thirds majority of the Senate and of the House, because there has been a difference of opinion between the two parties.

The Senate, on the other hand, can block the President from acting in this matter by a simple one-third power of the most unrepresentative body in the world from the point of population. That is an extraordinary situation.

A majority of both Houses of Congress is sufficient to enact Federal statutes. A majority is deemed ample to commit the Republic to such a program as lend-lease and other policies of great national and international moment. A simple majority of Congress is sufficient to take us into war. Surely the formulation of the peace is as grave a matter as making war, yet it is easier for this Government to declare war than to write a peace. There is no conceivable reason why a majority of both Houses is not enough to validate peace treaties. Under the present system a treaty of far-reaching importance, a treaty embodying principles

on which the structure of world peace might be erected could be rejected by a militant minority of the Senate even if a majority of the Senate wished to ratify it; even if a majority of the House of Representatives desired its acceptance, yes, even if a majority of the American people demanded its validation. The treaty section of the Constitution is a serious handicap to our leadership in international cooperation. To continue the two-thirds rule for ratification by the Senate is to impair, if not to imperil, our successful participation in the conduct of foreign affairs.

The argument that majority control of treaty making would result in hasty, ill-considered, unwise, and discriminatory action against certain sections of the country is the weakest of all arguments coming from those who hold that this power should be vested in one-third of the Senate. If a majority of the Congress cannot protect our interests then nothing can save us. The burden of proof rests on those who contend that less than a majority of one House of the National Legislature should direct the foreign relations of this great Nation in the post-war period.

As Kenneth Colegrove has so ably stated in his book, The American Senate and World Peace:

> One by one the oligarchic features of our Constitution have been replaced by democratic institutions. The progress in democracy has been accomplished by amendments to the Constitution, judicial interpretation, and custom and usage. The ratification of treaties, however, is one of the remaining aspects of our Constitution which belong to the eighteenth rather than the twentieth century. It is nothing less than a perpetuation of minority rule and a negation of the democratic process.

EXECUTIVE AGREEMENTS, JOINT RESOLUTIONS, AND TREATIES

In the relationships between executive agreements, joint resolution, and treaties there is much confusion. It is obvious that all international undertakings cannot be concluded constitutionally as pure executive agreements or as agreements approved by joint resolutions of Congress. From a purely legal point of view, it is not clear that the joint resolution procedure, to say nothing of the executive agreement, may be substituted for treaty procedure. There is no clear dividing line either in the Constitution or in constitutional usage between what can be done by agreement procedure or what must be or should be done by treaty. The Supreme Court has never attempted to draw the line. Experts have not been able to do it and there is in the Congress sharp disagreement and widespread confusion on the question.

As long as the two-thirds rule remains a part of the Constitution, any important international undertaking which is not submitted to the Senate as a treaty is certain to be opposed in that body not only on its merits and on a partisan basis but also on the ground that the constitutional prerogatives of the Senate are being circumvented. If, for example, the Charter of the United Nations, when finally written, should be submitted as an agreement in a joint resolution, the Senate would, without doubt, insist that it ought to be incorporated in a treaty and would not act on it as an agreement.

The two-thirds rule was incorporated in the Connally resolution. Paragraph 5 of which reads as follows:

> That pursuant to the Constitution of the United States any treaty made to effect the purposes of this resolution on behalf of the Government of the United States with any other nation or any association of nations shall be made only by and with the advice and consent of the Senate of the United States, provided two-third of the Senators present concur.

From this section of the Connally resolution and especially from the record of the Senate debate thereon those who have entertained any thought of bypassing the two-thirds rule by having the peace settlement and the immediate establishment of future international organizations acted upon by the joint resolution process are mistaken. The practical choice now is either to support those in and out of Congress who propose that the problem be met straightforwardly by a constitutional amendment or to make our foreign policy fit the political hazards of action under the two-thirds procedure. A foreign policy so designed must at best be weak and ineffective.

The pure executive agreement which is made without either congressional authorization or approval is limited in its usefulness both in the routine conduct of foreign affairs and in the formulation of foreign policy. It cannot be employed in situations requiring a general change in our domestic law in connection with international agreements. Such agreements are not suitable for handling foreign-policy undertakings where it is desirable and necessary to obtain democratic review and approval of proposed policies.

The joint resolution authorized and approved by the majority of both Houses is subject to certain uncertainties and limitations aside from the political liability inherent in its general use as long as the two-thirds rule stands. The joint resolution is an important procedure and is the product of constitutional usage. It has served three important purposes: first, as a political mechanism for avoiding the barriers of the two-thirds rule in some important instances such as the annexation of Texas in 1845 and Hawaii in 1898; second, it is a workable mechanism for prior authorization of definite international agreements in technical fields such as tariffs and postal regulations. It is often more practical politically and technically to conclude agreements on the basis of prior authorization than to negotiate an agreement which must be brought back to the Congress for approval. The Trade Agreements Act of 1934 is a classic example of this procedure. In the third place the joint resolution has furnished proof of the feasibility and the desirability of having treaties subject to the full democratic review of both Houses. The joint resolution procedure has really pointed the way and shown the necessity for changing the present constitutional process for security legislative approval of treaties. The joint resolution procedure is not and cannot be a generally recognized and acceptable means for submitting important international undertakings for congressional review and approval.

The foreign relations of the United States are becoming ever more complex.

Agreements and joint resolutions have been and will be resorted to in an effort to circumvent the two-thirds rule. Many matters which would have been considered by the founding fathers as treaties have been handled as agreements and resolutions. As a result of this practice congressional influence in foreign affairs is bound to constantly diminish. At any time the Senate may reject an agreement contained in a resolution if it considers the matter of treaty importance. The adoption of the proposed amendment will receive the effectiveness of the voice of the representatives of the people in international affairs. For self-preservation and for augmenting its own influence in foreign relations the Senate itself should be the first to accede enthusiastically to the growing demand for this constitutional reform. Here we have the tragic spectacle of a great and powerful branch of the Congress unable to function according to the wishes of the majority of that body, because of the stultifying two-thirds rule.

THE HOUSE SHOULD HAVE A VOICE IN TREATY MAKING

The House, which is in a better position to reflect public opinion than the Senate, should have a voice in treaty making. So intricate have become human affairs that domestic laws are closely interwoven with foreign policy. The statutes affecting the merchant marine, the size of the Army, the exchange of materials of war, tariffs, and appropriations to implement treaties are illustrations of subjects in which the House has a voice and are matters closely connected with foreign policy. It is impossible to draw a line between local problems and the issues connected with foreign affairs. Few treaties can be sustained without implementing legislation requiring the concurrence of both Houses of Congress. There is no valid reason why one type of legislation would be possible by only a two-thirds vote of the Senate when legislation implementing this must receive the sanction of the other House. No foreign policy agreed upon by the Senate can long endure unless it has the wholehearted support of the people. This can best be given by including the House of Representatives in the process of ratifying treaties.

Under article VI of the Constitution treaties are a part of the supreme law of the land along with the Constitution and laws enacted in pursuance thereof. This is a compelling reason for associating the House with treaty making. The majority of Congress may abrogate a treaty by voting for conflicting legislation or failing to pass subsidiary legislation. The agencies of government empowered to abrogate a treaty should be consulted in the formulation of a treaty. By including the House in treaty making undue delay by the Senate would be greatly

lessened if not entirely prevented. With the House voting, we would actually be able to establish a people's peace, since the House reflects public opinion much more accurately than the Senate.

PEACE PLANS

When finally formulated the charter of the United Nations for the establishment of an international organization to maintain peace and security will have to be placed before the Senate in a treaty. The course of action suggested by Senator VANDENBERG, if followed, must be presented in treaties. Any plan designed to establish a permanent peace will, under existing practices, have to be put in the form of a treaty. In my opinion abolition of the two-thirds rule will increase the likelihood of this Nation joining a world organization to preserve the peace. It may well be that two-thirds of the Senate will agree to the charter of the United Nations based on Dumbarton Oaks, or to the Vandenberg suggestions, but even this would be no argument for retaining the two-thirds rule. Many treaties and many agreements supplementing and implementing the first treaties adopted after the war ends, will have to be agreed upon. During the next 20 years legislative approval will be required on a multitude of vital proposals to maintain the peace. Those who feel that we can develop a dynamic foreign policy of expanding international cooperation under the two-thirds rule are indulging in unwarranted optimism. I, for one, am not willing to risk the future development of our foreign policy in the hands of one-third of the United States Senate.

It seems reasonably clear that the two-thirds procedure does not furnish workable, adequate, or satisfactory machinery for the participation of the Congress in the democratic formulation and maintenance of an enlightened foreign policy. The machinery has broken down so frequently and has been such a fruitful source of conflict between the Executive and the Senate that there is no reason for assuming any basic improvement in the future. If the present procedure is continued important treaties are certain to fail or be badly mangled during the critical post-war period. The consequences for us and the rest of the world will be most serious.

Under the existing two-thirds requirement it is the exception rather than the rule for any important treaty to be approved. If a treaty is sufficiently consequential to involve some controversy it is in all probability doomed to failure either by reservations or amendments or by a combination of two lines of opposition; that on the merits and that on political grounds. Few treaties can successfully carry these two opposition loads and stand any chance of securing the approval of two-thirds of the Senators present.

REASONS FOR CHANGING THE PROCEDURE

The proposed constitutional amendment should be immediately adopted in the light of an imposing array of cogent arguments. First, the present method is archaic and unsuited for this great Nation in the modern world revolutionized by science. Second, under the two-thirds rule it will be impossible to develop a dynamic foreign policy of expanding international cooperation adequate to establish and to guarantee the continuation of a just and lasting peace. Third, the present method for legislative review and approval is neither clear nor workable. Fourth, the reasons for including the two-thirds rule no longer exist. This is the only great power to have such a stumbling block in the effective execution of its foreign policy. Fifth, the two-thirds rule is undemocratic in the extreme. Sixth, the House of Representatives, much closer to the people than the Senate because it is elected every 2 years, should have a voice in treaty making.

Mr. RAMEY. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. RAMEY. The gentleman mentioned that the House of Representatives is closer to the people and that brings me back to the words of the preamble of the Constitution: "We, the people."

After all, in spite of the fact that Senators are now elected by popular vote, Senators represent the State, and the Members of Congress represent "We, the people," do we not?

If I may go a little further, there are, as I understand, 3,000,000 civilians on the pay roll of the United States of America. Five hundred and thirty-three of them are elected by the people—the President, the Vice President, 96 Senators, and the Members of the House of Representatives. There are only 435 persons out of that whole group which are doing governmental work who can be "fired" by the people every 2 years. When you take that group of people from the people, the only group which has no social security, the group which is not looking for a career or for something monetary, the group which is here simply to give of themselves for the people, the group which is in a goldfish bowl—God knows, if you cannot share the decisions with that group, then you are not sharing the decisions with those close to and from the people themselves.

Mr. MERROW. I thank the gentleman for his contribution.

Mr. RAMEY. And you are not really bypassing "We, the people" in the words of the preamble of the Constitution if you say the Representatives who are elected by the people and who can be fired every 2 years shall have no part in the making of treaties?

Mr. MERROW. The House of Representatives is certainly the branch of the Congress which is closest to the people and which is being bypassed and has no voice in the all-important matter of treaty making.

Mr. SCHWABE of Missouri. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. SCHWABE of Missouri. I was very much interested in the remarks by the gentleman from Ohio. The thought occurs to me, considering that all of the power involved in treaty making comprises 100 percent of that power, if the power of the Executive is enhanced, the power which the Executive gets must come from the Congress, must it not? That is the only place it can come from.

Mr. MERROW. It comes from the people.

Mr. SCHWABE of Missouri. Well, we consider the Congress as representatives of the people. We are the people, in effect. Therefore, it seems to me if we leave the Constitution as it is, with the two-thirds requirement in the Senate, or amend it, if we please, to bring the House into the picture with the two-thirds requirement, the people or the Congress, whichever way you want to express it, would have much more power in treaty making than if we were to amend it and provide for a simple majority vote in the ratification of treaties.

There are 531 Members elected, but, as I see it, the Congress is much more in the treaty-making business today, having the two-thirds requirement in the Senate, than it would be with a simple majority in both Houses.

Mr. MERROW. As it stands at present, you do not have true representation of the people, because a minority of the Senate has the veto power over treaties. If you were to require two-thirds of both Houses for ratification, you would still have a minority in control. This would not be proper representation.

The SPEAKER pro tempore (Mr. GOSSETT). The time of the gentleman from New Hampshire has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the time of the gentleman may be extended 15 additional minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. RAMEY. What was your last question?

Mr. SCHWABE of Missouri. I tried to make it clear that it seems to me that all 531 Members of the Congress are, to all practical purposes, the representatives of the people. The Senators from my State certainly represent the people of Missouri just as much as I do. I know that in theory a Senator represents the State, but we must remember that formerly Senators were chosen because of their outstanding ability, the great contributions they were able to make because of their experience and their learning, but today when we have a direct primary, Senators are chosen just as we are. While they are chosen from a larger area in the larger States, I do not consider there is much more ability at the other end of the Capitol than there is in this body.

Mr. RAMEY. May I answer the gentleman?

Mr. MERROW. I yield to the gentleman from Ohio.

Mr. RAMEY. In the gentleman's address he directed our attention to the fact that there are two Senators elected from the State of Nevada with a population of 110,247. Two men represent that State with 110,247 population. Two persons—when I say "men" I mean whoever is elected—two persons represent the entire Commonwealth of New York with a population of over 13,000,000. Now, you say that the Senate represents the people. We in the House of Representatives are elected, each one representing so many people. The gentleman

directed our attention to the fact that the votes of 2 persons representing 110,247 people, carry twice as much weight as the votes of men from a Commonwealth that represents 13,479,142 people.

Mr. SCHWABE of Missouri. Would it not be true that if this amendment became a part of the Constitution those same two Senators from Nevada, representing a small number of people, would have just as much power in committing us to a treaty, and would it not be possible to have only 25 Senators commit us to a treaty—commit this Government to a treaty? I am just as much concerned with the danger of having a minority to commit us to a contract with another country as I am with a minority to prevent our unwise entry into any treaty negotiation.

Mr. RAMEY. If this goes to three-fourths of the States and they adopt what we will likely pass in the House day after tomorrow, then every treaty must be endorsed by a majority of both branches, both the representatives of the State, the Senate, and the representatives of the people, the House.

Mr. SCHWABE of Missouri. If the gentleman will pardon my disagreement with him, in the first place, I think we are doing a lot of talking for nothing. I do not have the slightest doubt but what the Senate will act unfavorably upon this resolution if it ever gets to them.

Mr. McCORMACK. But that does not make the Senate's position any more right.

Mr. SCHWABE of Missouri. I think the Senate has no more ability in treaty making than this Body would have. There is no disagreement as far as bringing this Body into the picture as concerns the power of treaty making. I think we are all for that. I know of not a single Member who would object to that.

What we do object to is decreasing, or destroying, or breaking down the power of the Congress in treaty making and enhancing the power of the Executive. Talk about its being more democratic to pass this amendment; it seems to me the people through their chosen Representatives would have less power in treaty making than they now have.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield.

Mr. McCORMACK. Is the gentleman from Missouri giving consideration to the situation of our Nation in the light of conditions in the rest of the world? Is he assuming the paramount question to be: What is the best policy; what method of ratifying treaties made with other nations is to our best national interest so that our country can assume its responsibility in the light of the position that it occupies in the world today?

Mr. SCHWABE of Missouri. To my way of thinking these treaties are to last for a much longer period of time and are more important because of their very nature than an ordinary act of Congress or agreements concerning less profound subjects. In order for a treaty to be popular, indeed for it to prove satisfactory, it must have overwhelming support not only of a majority of the people in this country, but of a majority of the people in the other nation or nations affected. To insure its lasting effect it should have the overwhelming support of the people at the time of adoption. I say this for the reason that we all know we are emotional at times. Fifty-one percent of us might support a proposition today, yet in 10 years there might be a shift in sentiment that would throw the support the other way by a percentage of one or two, whereas, that would be oviated if we required a 66⅔ percent vote for ratification.

Mr. McCORMACK. The gentleman's observation about a treaty's being presumed to last a long time is correct. However, the act of a subsequent Congress can supersede the act of ratification of a previous Congress. The question that addresses itself to me, however, and I believe to others likewise, is the position in which our country finds itself among the nations of the world, bearing in mind the great changes that have taken place. The fact that we are a creditor nation, the fact that we are one of the great nations of the world, the fact that isolation as far as space is concerned has been removed, has had its effect upon nations. What is best under these new circumstances for the United States of America in the world of today and tomorrow that it may carry out its destiny? What is best for our own national interest?

It certainly seems to me that the two-thirds rule, without criticizing its operation in the past, considering our duty, our problems of today and tomorrow as far as we reasonably can look into tomorrow, that the ratification by a two-thirds vote of the Senate is a serious obstacle to America's performing her duty of leadership among the nations of the world, against our country accomplishing her destiny. It seems to me that if we let the two-thirds principle remain in the Senate and on top of that require a two-thirds vote in the House we are only making more difficult our country's assuming its proper leadership among the nations of the world and that in the light of the world of today and tomorrow, it would be inconsistent with our national interest.

Mr. MERROW. That is right.

Mr. SCHWABE of Missouri. As I look to the future and view the possible role of our country in international affairs, I feel it may possibly be best to enter more and more into international agreements and have closer and more intimate relations with other countries; but I am vitally concerned and must insist that we have an overwhelming support of the people of this country when we enter into those international undertakings; I want us to be doubly sure of what we are doing. I am as interested in carrying out our business agreements with other countries as I am in making it easy to enter into them.

Mr. McCORMACK. I think that is a very excellent thought and very proper. No one has any argument with the gentleman; I have not.

Let me ask the gentleman a further question. I suppose he has covered it heretofore. In the history of our country, there have been treaties which have been refused ratification by one-third of the Senate plus one or two votes, yet the purposes of the treaty have been carried out by concurrent resolution. I have in mind, for example, Texas coming into the Union.

Mr. MERROW. That is right.

Mr. McCORMACK. Where would this country be if we had simply adhered to the Senate provision of refusing to ratify the treaty and saying to Texas, "We do not want you in the Union"?

Mr. SCHWABE of Missouri. There is nothing to prevent us accomplishing a similar act in a similar way in the future with existing treaty-making provisions.

Mr. McCORMACK. The gentleman says we have the power, outside of the treaty provision requiring two-thirds of the Senate, to ratify by concurrent resolution?

Mr. SCHWABE of Missouri. Because we have witnessed the spectacle in the past few years of an Executive entering into an agreement when perhaps there might have been a treaty, is no sign we should break down the treaty-making provision so that it will be easier for the Executive.

Mr. McCORMACK. I am not admitting that the Executive has made Executive agreements which are, in fact, treaties. I recognize the fact that there might be an honest difference of opinion on that. However, the Chief Executive has the power to make Executive agreements by reason of being President of the United States. Of course, they must be concurred in by both branches of the Congress. I am speaking now about Executive agreements made outside of the provisions of the Reciprocal Trade Agreements Act where we have delegated the power to make them final.

Mr. SCHWABE of Missouri. The Congress has the power to initiate domestic legislation, such as a regular congressional enactment, and the President has the veto power. It would take a two-thirds vote of the Congress to override that veto. I recognize the power of the Executive to negotiate treaties, but I am very much concerned about keeping the power of the Congress to veto treaty making and to veto the President's exercise of the treaty-making power.

Mr. FOLGER. Mr. Speaker, will the gentleman yield?

Mr. MERROW. I yield to the gentleman from North Carolina.

Mr. FOLGER. As we sit here today and tomorrow and the next day particularly, would it not be a very bold man who would vote against the proposal to permit our States to pass upon the subject that the resolution sets forth? That must be done by a three-fourths majority. Would I not be a bold man to vote against giving the States the opportunity to say whether they want this changed or not?

Mr. MERROW. I would not want to take the responsibility for refusing to submit this amendment. I think it is the responsibility of the Congress to give the States an opportunity to vote on this question.

Mr. McCORMACK. In my previous observation about ratification by three-quarters of the legislatures of the States, that referred not to treaties but to an

amendment to the Constitution. I realize that unconsciously I conveyed a different thought, but I referred to the question of ratification of this resolution to amend the Constitution.

Mr. SCHWABE of Missouri. It seems that would apply to any constitutional amendment that we initiate in the Congress. We could use the argument that we should let the people decide all these things. Congress could just freely initiate legislation to amend the Constitution. The gentleman would not be in favor of amending our rules for amending the Constitution, would he, which require a two-thirds vote in this body and the Senate and three-fourths of the State conventions?

Mr. McCORMACK. The interesting thing about that is that I would.

Mr. SCHWABE of Missouri. The gentleman would be in favor of making it easier to amend the Constitution?

Mr. McCORMACK. So far as a majority vote of both branches of Congress is concerned. I introduced an amendment at a Constitutional Convention in Massachusetts which brought about that very thing. We had in Massachusetts a provision to the effect that an amendment to the Constitution required a two-thirds vote of both branches of the legislature for 2 successive years, in other words, two successive sessions of the legislature. All amendments have to be submitted to the people. Back in 1917 I introduced a resolution.

I proposed an amendment to the Constitution that it should be by majority vote in joint session of both branches of the legislature for 2 consecutive years, and it is now a part of the Constitution. Even if my friend completely disagrees with me, my answer is that I would. But that has nothing to do with this particular question.

Mr. SCHWABE of Missouri. It has to do with this particular question. If this provision for simple majority in both Houses read so that it was necessary to have a simple majority of all duly elected Members, it would not be quite so bad. You would not be letting down the bars quite so bad as the requirement of only a majority of those present.

The SPEAKER. The time of the gentleman from New Hampshire has again expired.

Mr. McCORMACK. Mr. Speaker, since we have taken so much of the gentleman's time, I ask unanimous consent that he be permitted to proceed for 10 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MERROW. May I just say to the gentleman from Missouri that I am as much concerned as he in having an overwhelming support by the people for our foreign policy. But it does seem to me that if we amend the Constitution so that under the most extreme instances we would have 110 men of the House and 25 men of the Senate voting on it that we would have a far better representation of what the people wish than we do at the present time when one-third plus 1 or 33 Senators, can destroy any treaty that is submitted to that body.

In the seventh place, the Chief Executive of the United States works under a tremendous handicap in international conferences because he cannot negotiate with anywhere near the freedom possessed by diplomats from other countries.

Eighth. The two-thirds rule weakens the legislative branch of the Government; first, because the House has no voice in treaty making; and, second, the Senate is under the domination of a small minority.

Ninth. There exists confusion concerning the relationship of joint resolutions and treaties. This would end with the adoption of the proposed amendment.

Tenth. The two-thirds rule in its present form emphasizes sectional and minority interests at the expense of national and majority interests. The Nation's primary interest today is to have a positive national foreign policy supported by and responsive to a majority of the people.

Eleventh. The conclusion of international undertakings being increasingly imperative for the protection and furtherance of the Nation's interests, the practical choice is either to compromise the Nation's interests through failure to conclude adequate international undertakings or to find an alternative to the unworkable two-thirds procedural requirement for treaties.

Twelfth. The two-thirds rule is a constant political barrier to the development of an adequate, generally reccgnized majority action procedure through the use of joint resolutions; and, thirteenth, a majority of both Houses is more likely to represent the views of more people and more organs of public opinion than is a one-third minority or a two-thirds majority of the Senate. The foregoing are sound and compelling reasons for immediately adopting the amendment under discussion.

THE HOUSE MUST ASSUME LEADERSHIP

This House must assume the leadership in the drive to democratize our treaty-making machinery just as it did in initiating and passing the Fulbright resolution approving United States membership in an international organization to halt aggression. Last December the Committee on the Judiciary conducted hearings on several resolutions proposing an amendment to the Constitution of the United States relative to the making of treaties. Those who appeared before the committee and the statements presented were nearly unanimous against the two-thirds rule. In fact I have been unable to discover but few people outside of the United States Senate who believe that the present method of validating treaties should be continued. For self-protection and for increasing its voice in international affairs the Senate should be more interested in passing this resolution than is the House. Under existing conditions the majority of a great legislative branch of the Congress finds itself helpless and powerless in exercising the will of a majority of its Members. Recent polls show that a majority of the Nation wishes to strike out the impeditive two-thirds requirement. By adopting this resolution the House will be acting in accord with the wishes of the American people.

STATE LEGISLATURES IN SESSION

Over forty of the State legislatures are convening this year. If we act at once it is possible for the amendment to become a part of the Constitution within a few months. On the 17th of January I addressed a joint session of the New Hampshire General Court on this subject. A few days later the legislature passed unanimously a resolution asking Congress to act upon House Joint Resolution 16 which I introduced on the 3d of January, 1945. House Joint Resolution 60 contains the same proposition as my measure. I am pleased to report that New Hampshire has taken action in asking the Congres to present to the States this amendment. I predict that if this Congress will grant the States the opportunity to act, New Hampshire will be in the vanguard of the States leading the procession for bringing about this constitutional reform. The Seventy-ninth Congress could perform no act which would so increase the faith of the people in representative government as to give the State legislatures an opportunity to vote on this question while they are in session this year. Now is the time for the National Legislature to rise to a high position of leadership and make an incalculable contribution to future generations by beginning to develop governmental procedure to meet the problems of this modern age. It is the duty of this Congress to give the people a chance to pass judgment on this amendment through their legislatures. The responsibility for refusing to submit this amendment is so terrifying that those who oppose giving the Nation a chance to express its will must ponder long and seriously on the position they take.

INTERNATICNAL ORGANIZATION ONLY ALTERNATIVE TO WAR

The present system plays definitely into the hands of obstructionists and into the hands of those who would have this Nation try to retreat from the theater of international affairs after the tanks have ceased to move and the bombers have completed their missions. The only alternative to recurring world wars is an international organization sufficiently powerful to check an aggressor when he first begins his march of conquest. By actually participating in an association of nations to effect world unity we will be doing our part as a great power in seeking a way to avoid world anarchy.

Many responsible leaders in both major political parties have expressed themselves as favoring an international organization implemented by force to preserve the peace. Many leaders of public opinion have been working diligently for an organization to end aggression and to avert future global conflicts. Here is an excellent opportunity for one and all to demonstrate their sincerity by putting their influence behind its proposed constitutional reform. If we do not adopt this amendment the United States of America will go into the post-war period shackled by a procedure which will make impossible the exercising of its full influence

as a responsible power in shaping a civilization free from war. If we do not adopt this amendment this Republic will enter the post-war period with a constitution mechanism for dealing with international affairs that is pitifully inadequate to meet the exigencies of the trying years that lie ahead. This is the first major move in accomplishing the objective which we all are striving to reach.

The Congress has stated that it is in favor of entering a world organization. Here is an opportunity by supporting this amendment to prove that we meant what we said when we passed legislation pledging our participation. If the men and women in and out of Congress who have been talking about peace plans are anxious to give more than lip service to the achievement of a warless world, they will unhesitatingly do everything conceivable to create constitutional machinery which will actually make possible an organization for world peace.

The first action necessary in developing an enlightened foreign policy is to amend the Constitution so that a majority in both Houses of Congress may validate treaties. Such an amendment would strengthen the hands of our negotiators at the peace table. Such an amendment would permit a majority of the people's Representatives to participate in creating a just and an enduring peace. Such an amendment would strip from the hands of a small minority the dictation of our foreign policy. Such an amendment would be an announcement to the world that the United States of America actually intends to assist in organizing a peaceful society and in laying the foundations for international good will. Such an amendment would remove a glaring defect in the Constitution and would make this Republic far more influential in the direction of world affairs. It would end our impotence in concluding treaties and would give new hope to those of the present generation as well as afford the means by which people of the future may escape the curse of war.

PRESENT METHOD MUST END

The antiquated, unworkable, archaic, obstructive, undemocratic, and indefensible method of approving treaties must be ended, if this great Republic is to have a voice of influence in the international councils of the future. By the opinions expressed in the letters which I have received from all sections of the country, I am sure that the Nation will rally to the support of this amendment and by so doing make the greatest possible single contribution in establishing our leadership in the struggle for world unity. Just as the youth of America are fighting and achieving military successes on the battle fronts, so must we work for and win victories at the peace table. If those in our armed forces are not to be let down by the country and by those who are privileged to move in that distinguished group referred to as statesmen, then we must act promptly to preserve the fruits of their victories. The eyes of the world are upon this Congress as we consider the revision of our constitutional machinery for making peace.

EXTENSION OF REMARKS

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one an editorial and in the other a radio address.

THE ITALIAN CAMPAIGN

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, a few weeks ago I spoke briefly on the gallantry of American and Allied soldiers who had endured the long winter stalemate in Italy. This stalemate had not been a time of inaction. It had been a time of cruel and bitter fighting, in a climate that disabled as many of our soldiers as died by artillery or small-arms fire. But that dogged bulldog persistence has finally worn down the enemy. Today, some of the best news of the war is that our troops have broken out into the Lombardy Plain and are chasing the Germans north.

I think that we should pause for a few moments and review the last two brilliant weeks in Italy. The battles in Germany are taking the big headlines. But that is all the more reason why we should recall, in this hour of triumph, the part of the American and Allied soldier who fought one of the toughest holding actions in history. They pinned down crack German divisions. They moved over some of the toughest terrain, from a military point of view, that any of our armies have encountered and, for the last few months, they have fought with almost no recognition. In this hour, they must not be the forsaken men. They must have their full mead of just praise.

On April 12 our lines in the Apennines extended from Gragnana and Carrara, the famous marble center near the Ligurian Sea, across the mountains, bulging north to pass through Castelnuovo and Vergato, dipping slightly south at Tossignano, and then swooping north across the flat plains east of Bologna to the Comacchio Lagoon. Gen. Mark Clark's Fifth Army, commanded by Lt. Gen. Lucien K. Truscott, held the lines in the western and central Apennines. The British Eighth Army, with troops of seven nations, commanded by Gen. Sir Richard McCreery, held the lines where they descended out of the Apennines and stretched north and east toward the Adriatic. The American Twelfth Air Force supported the whole line in this treacherous, flying country where to bomb out a bridge in a valley, you had to skim a mountain top, swoop on your target with only a few seconds to spot it, and pull up for the next peak before you smashed the ship.

The German withdrawal began on the 14th of April: They usually attack before withdrawal, hoping to pin down our forward units and escape with supplies intact.

But what they meant for an orderly, and perhaps a partial withdrawal, has turned into something else. The Allies, who had been waiting for some sign of weakness in this brilliantly contested battle, seized the initiative. By April 15 it was evident to the Americans that the golden moment had come—the moment they had awaited through a winter as cruel and snowy as that at Valley Forge.

On April 15, 1,233 heavy bombers of the Fifteenth Air Force flew over our lines in the central and western Apennines, and descended on the richest targets—the Germany artillery concentrations, their ammunition dumps, and the big convoys moving back of the lines. That night Allied artillery poured 75,000 shells into enemy positions. Then came the moment of the Infantry jump-off. How those troops have longed to move—really move. How they have read with envy the dispatches from the north, telling of 30-mile dashes over flat country, when a smashing attack for them has usually netted a mile. How they have longed for strength—real strength—not the fairly thin disposition of foot soldiers and artillery, not much stronger than the enemy's. Now, reinforcements had moved in, notably the Four Hundred and Forty-second Infantry Regimental Combat team, Japanese-Americans who had been fighting in France. Now tons of supplies had been quietly moved up—put ashore from the port at Leghorn, the port which our engineers had brilliantly repaired after thorough Nazi destruction.

Missouri mules had toiled to bring in the supplies—toiled up mountain sides so steep that Italian donkeys would have dug in their hoofs and said "no."

The full weight of our force was ready for the big punch. Three hours after the Infantry jump-off, Fifth Army troops dominated the 2,200 foot peak east of Highway 24, one of the main Italian supply arteries.

After the big assault got under way, our troops never really stopped. They moved forward over those heart-breaking mountains day and night. That is ground made for defense—where the enemy is always perched on a ridge, looking down your throat. He shells you with 88's. He improvises huge balls of cement, filling them with TNT and rolling them down on you. Then, when you have inched up on him, rock by rock, crawling, sweating, firing, crawling a little more, when you have nearly gained the ridge, he withdraws—runs hastily down the slope, through the valley, up the next slope, and holds another ridge and you have it to do all over again. You always work uphill.

Fighting that way, mountain by mountain, the First Armored Division took Mount Radicchio, the Tenth Mountain Division took Mount Mosca. The Thirty-fourth found itself in hand-to-hand conflict near Gorcognano, struggling to gain the summit, where strong German artillery emplacements, in a ruined church, held back the Americans for hours. By the time that height was gained, so many soldiers had died, so much sheer guts had been shown by the assault troops, that veterans of the fight compare it to the struggle for Hill 609 in Tunisia.

Through this bitter fighting the Germans held onto Bologna, making it the

pivot city of their resistance, and there was worried talk among our troops that this might turn out to be another Aachen. Perhaps the Germans had strength enough to hold them up, with the great forces gathered at Bologna. But 5 days of mountain-by-mountain advance has brought the Fifth Army to the foothills south of Bologna and to downhill going. Two divisions, with armor, burst from the mountains into the plains. On the next day Bologna fell, but our troops raced through and around it. All divisions were now down from the mountains and chasing the Germans across the flat northern Italian plains, in that great mass advance which our G. I.'s and our generals have dreamed about. If our eager young Americans on their heels have anything to say about it, it will be only the ghost of 26 German divisions that will make the Brenner Pass.

Already we have taken over 50,000 prisoners. Good flying weather has brought our fighter-bombers down in force on the disorganized Germans. South of the Po, where frantic Nazi divisions piled up temporarily in an effort to figure out how to cross the river, the Desert Air Force reported seeing about 300 enemy vehicles set on fire to keep them out of our hands. The news from Italy looks very good.

Let me speak my tribute, then, to the soldiers in Italy. To their gallant leaders, Gen. Mark Clark, Lt. Gen. Lucian K. Truscott and Gen. Sir Richard L. McCreery. To the men themselves—the engineers, the armored-force men, the artillery, the medics, the supply troops and the Twelfth and the Fifteenth Air Forces.

And then, let me speak finally of the foot soldier. Italy was his fight. The mountains made it mainly his fight. Let us remember the courage and endurance of the great infantry divisions—the Eighty-fifth, the Eighty-eighth, the Ninety-second, a Negro division to which Japanese-American troops are now attached, and the Thirty-fourth.

These men have endured hard and cruel months of see-saw action in the lonely Apennines. For them, this winter, the arrival of a mule train was a big event. The continuous snow and the rain froze their hands and feet, gave them trench foot, and rheumatism. Their fighting has been continuous. In daytime they slept in fox holes, hacked out of the rocky soil, and they prayed that the sun would come through. At night the fighting began, the fighting that must have seemed sometimes so futile, because it was so costly in lives and so poor in inches gained. The next morning we would read of them in a few unemotional lines—"Slight patrol action south of Vergato." But if we sometimes felt discouraged about Italy, apparently they did not. For they are now on the loose, and from the rate they have moved, their energies are fresh and their spirits high.

These American foot soldiers of ours have chalked up another great triumph. They are amazing young men.

Let us honor them for their great fighting ability, for their bravery, and for the outstanding contributions they have made to the winning of the war in Europe.

Let us honor them because of the honor, which will occupy outstanding pages in history, that they have brought to all Americans and to our country.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. McCOWEN (at the request of Mr. McGREGOR) for today, April 30, on account of official business.

To Mr. WEICHEL, for May 1 and 2, on account of hearings on official business.

To Mr. PLUMLEY (at the request of Mr. MARTIN of Massachusetts), for 1 week, on account of official business.

To Mr. HALLECK (at the request of Mr. ARENDS), indefinitely, on account of serious illness in family.

ENROLLED BILLS SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1984. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes; and

H. R. 2625. An act to extend the Selective Training and Service Act of 1940, as amended.

BILLS PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills and a joint resolution of the House of the following titles:

H. R. 689. An act to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State;

H. R. 1525. An act relating to escapes of prisoners of war and interned enemy aliens;

H. R. 1701. An act to amend section 2, Pub-Law 140, Seventy-seventh Congress;

H. R. 1719. An act to confirm the claim of Charles Gaudet;

H. R. 1984. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes;

H. R. 2625. An act to extend the Selective Training and Service Act of 1940, as amended; and

H. J. Res. 18. Joint resolution providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.

ADJOURNMENT

Mr. McCORMACK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 50 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 1, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Wednesday, May 2, 1945.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an executive session at 10:30 a. m. on Thursday, May 3, 1945, in the committee room, 356 House Office Building.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

419. A communication from the President of the United States, transmitting a request that two estimates of $3,000,000 and $2,235,000 for a sample census of population and a quarterly survey of the labor force, be added to the program already submitted by the President on January 31, 1945 (H. Doc. No. 161); to the Committee on Appropriations and ordered to be printed.

420. A communication from the President of the United States, transmitting a revised estimate of appropriation for the fiscal year 1946 in the amount of $77,500,000 for the Office of Scientific Research and Development (H. Doc. No. 162); to the Committee on Appropriations and ordered to be printed.

421. A letter from the Secretary of Hawaii, transmitting a copy of the Revised Laws of Hawaii, 1945, as enacted by Act 1 of the Twenty-third Legislature of the Territory of Hawaii, regular session of 1945; to the Committee on the Territories.

422. A letter from the Postmaster General, transmitting a copy of a joint resolution to continue the temporary increases in postal rates on first-class matter, and for other purposes; to the Committee on Ways and Means.

423. A letter from the secretary of the Board of Commissioners, government of the District of Columbia, transmitting in compliance with section 6, Public Law 327, Seventy-seventh Congress, a copy of semiannual report of the Administrator of Rent Control, covering operations from July 1, to December 31, 1944; to the Committee on the District of Columbia.

424. A letter from the Administrator of the Veterans' Administration, transmitting a draft of a proposed bill to facilitate employment of necessary personnel in the Veterans' Administration; to the Committee on World War Veterans' Legislation.

425. A letter from the Director of Office of Contract Settlement, transmitting the third quarterly report by the Director of Contracts Settlement; to the Committee on the Judiciary.

426. A letter from the Chairman of Surplus Property Board, transmitting the advice that the report of the Surplus Property Board will be delayed a few days in transmission; to the Committee on Expenditures in the Executive Departments.

427. A letter from the administrative assistant to the Secretary of Commerce, transmitting estimate of personnel requirements for the quarter ending June 30, 1945, for war training service, Civil Aeronautics Administration; to the Committee on the Civil Service.

428. A letter from the Acting Secretary of the Interior, transmitting a copy of various legislation passed by the Municipal Council of St. Thomas and St. John; to the Committee on Insular Affairs.

429. A letter from the Acting Secretary of the Interior, transmitting a copy of various

legislation passed by the Legislative Assembly of the Virgin Islands; to the Committee on Insular Affairs.

430. A letter from the Acting Secretary of the Treasury, transmitting a suggested draft of legislation covering relief for the Chief Disbursing Officer and certain other officers and former officers of this Department for various suspensions, disallowances, and unavailable items in their accounts; to the Committee on Claims.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McGEHEE: Committee on Claims. Supplemental report pursuant to H. R. 2068. A bill to provide for the settlement of claim of military personnel and civilian employees of the War Department or of the Army for damage to or lost, destruction, capture, or abandonment of personal property occurring incident to their service; without amendment (Rept. No. 237, pt. II). Referred to the Committee of the Whole House on the state of the Union.

Mr. CANNON of Missouri: Committee on Appropriations. House Joint Resolution 174. Joint resolution making additional appropriations for the fiscal year ending June 30, 1945; without amendment (Rept. No. 481). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE of Kansas: Committee on Claims. H. R. 2615. A bill to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of a fire at the outlying degaussing branch of the Norfolk Navy Yard, Portsmouth, Va., on December 4, 1942; without amendment (Rept. No. 482). Referred to the Committee of the Whole House on the state of the Union.

Mr. JACKSON: Committee on Indian Affairs. H. R. 1111. A bill for the acquisition of Indian lands required in connection with the construction, operation, and maintenance of electric transmission lines and other works, Fort Peck project, Montana; with amendment (Rept. No. 483). Referred to the Committee of the Whole House on the state of the Union.

Mr. JACKSON: Committee on Indian Affairs. H. R. 2119. A bill to authorize the Secretary of the Interior to contract with the Middle Rio Grande Conservancy District of New Mexico for the payment of operation and maintenance charges on certain Pueblo Indian lands; without amendment (Rept. No. 484). Referred to the Committee of the Whole House on the state of the Union.

Mr. JACKSON: Committee on Indian Affairs. H. R. 2231. A bill to authorize the Secretary of the Interior to adjust debts of individual Indians, associations of Indians, or Indian tribes, and for other purposes; without amendment (Rept. No. 485). Referred to the Committee of the Whole House on the state of the Union.

Mr. JACKSON: Committee on Indian Affairs. H. R. 2457. A bill to authorize adjustments of irrigation charges in certain land exchanges within Indian irrigation projects; without amendment (Rept. No. 486). Referred to the Committee of the Whole House on the state of the Union.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 487. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. ELLIOTT: Joint Committee on the Disposition of Executive Papers. House Report No. 488. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. PRIEST: Committee on Interstate and Foreign Commerce. S. 62. An act to amend section 3 (b) of the Securities Act of 1933, as amended, so as to permit exemption of security issues not exceeding $300,000 from the provisions of such act; without amendment (Rept. No. 489). Referred to the Committee of the Whole House on the state of the Union.

Mr. HARRIS: Committee on Interstate and Foreign Commerce. H. R. 2600. A bill to amend section 9 of the act entitled "An act to facilitate the construction, extension, or completion of interstate petroleum pipe lines related to national defense, and to promote interstate commerce," approved July 30, 1941, as amended; without amendment (Rept. No. 490). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PITTENGER: Committee on Claims. S. 78. An act for the relief of the estate of William Edward Oates; without amendment (Rept. No. 467). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 174. An act for the relief of Mary Martha Withers, as trustee; Mary Martha Withers, as administratrix of the estate of Beatrice Withers, deceased; and Mary Martha Withers, individually; without amendment (Rept. No. 468). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. S. 316. An act for the relief of June I. Gradijan; without amendment (Rept. No. 469). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 328. An act for the relief of James A. Kelly; without amendment (Rept. No. 470). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. S. 359. An act for the relief of Mrs. Ellen McCormack; without amendment (Rept. No. 471). Referred to the Committee of the Whole House.

Mr. BYRNES of Wisconsin: Committee on Claims. S. 467. An act for the relief of Maj. Malcolm K. Beyer; without amendment (Rept. No. 472). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. S. 491. An act for the relief of John H. Gradwell; without amendment (Rept. No. 473). Referred to the Committee of the Whole House.

Mr. BYRNES of Wisconsin: Committee on Claims. S. 591. An act for the relief of Chesley Brazil; without amendment (Rept. No. 474). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. H. R. 838. A bill for the relief of Herman Gelb; with amendment (Rept. No. 475). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. H. R. 1562. A bill for the relief of the borough of Park Ridge, Park Ridge, N. J.; with amendment (Rept. No. 476). Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 1629. A bill for the relief of Michael C. Donatell; with amendment (Rept. No. 477). Referred to the Committee of the Whole House.

Mr. KEOGH: Committee on Claims. H. R. 1713. A bill for the relief of Canal Dredging Co.; with amendment (Rept. No. 478). Referred to the Committee of the Whole House.

Mr. COLE of Kansas: Committee on Claims. H. R. 1845. A bill for the relief of Domenico Strangio; without amendment (Rept. No. 479). Referred to the Committee of the Whole House.

Mr. COMBS: Committee on Claims. H. R. 2003. A bill for the relief of the legal guardian of Stewart Martin, Jr., a minor, with amendment (Rept. No. 480). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII the Committee on Pensions was discharged from the consideration of the bill (H. R. 3014) for the relief of Stanley S. Kutkowsky, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. McMILLAN of South Carolina:

H. R. 3077. A bill amending the Nationality Act of 1940 to prohibit the naturalization of citizens of Germany for 25 years after the termination of the European phase of the present war; to the Committee on Immigration and Naturalization.

By Mr. BARTLETT:

H. R. 3078. A bill to authorize a preliminary examination and survey of Gold Creek and its tributaries, Alaska, for flood control, for run-off and waterflow retardation, and for soil-erosion prevention; to the Committee on Flood Control.

By Mr. CHENOWETH:

H. R. 3079. A bill to prescribe the period within which actions may be commenced under section 16 (b) of the Fair Labor Standards Act; to the Committee on Labor.

By Mr. COFFEE:

H. R. 3080. A bill to provide for the appointment of an additional judge for the eastern district of Washington; to the Committee on the Judiciary.

By Mr. HAYS:

H. J. Res. 175. A bill for an Ernie Pyle memorial; to the Committee on Interstate and Foreign Commerce.

By Mr. DOUGHTON of North Carolina:

H. Con. Res. 50. A bill declaring Congress to have recognized and approved the provisions of section 29.23 (m)-16 of Treasury Regulations 111, and for other purposes; to the Committee on Ways and Means.

By Mr. PETERSON of Georgia:

H. Res. 236. A bill directing the Committee on the Territories to conduct a study and investigation of various questions and problems relating to the Territories of Alaska and Hawaii; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows.

By the SPEAKER: Memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States to adopt House bills 2032 and 2033 in furtherance of preventing beach erosion; to the Committee on Rivers and Harbors.

Also, memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to adopt and submit to the several States the equal-rights amendment to the Constitution of the United States; to the Committee on the Judiciary.

Also, memorial of the Legislature of the Filipino Commonwealth, memorializing the President and the Congress of the United States by an expression of thankfulness for the passage of the naturalization bill as an indication of confidence to the Filipino people; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States by an expression of full support for and confidence in President Harry S. Truman; to the Committee on Military Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to amend section 703 of title 8 of the United States Code Annotated so as to extend the right to become a naturalized citizen to Polynesian persons or persons of Polynesian descent; to the Committee on Immigration and Naturalization.

Also, memorial of the Legislature of the State of New Hampshire, memorializing the President and the Congress of the United States to take appropriate measures to the end that Palestine should be opened for free immigration for people of Jewish descent; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States that legislation be enacted in Congress to transfer Fort Ringgold and Fort Clark to the State of Texas for eleemosynary service; to the Committee on Military Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States by expressing deep sympathy in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Memorials.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to reconsider the proposed plans to draft all skilled farm help and skilled workers processing dairy products for the military service; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of California, memorializing the President and the Congress of the United States in relation to prices for fresh fruits; to the Committee on Banking and Currency.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Memorials.

Also, memorial of the Legislature of the State of Minnesota, memorializing the President and the Congress of the United States to take certain steps in relation to the payment of State gasoline and motor vehicle registration taxes arising out of the operation by the Federal Government of certain truck lines; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Texas, memorializing the President and the Congress of the United States by endorsing wage readjustment of salaries of postal employees; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to exempt all patient employees and paroled-patient employees at Kalaupapa settlement from any Federal income tax; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COFFEE:

H. R. 3081. A bill for the relief of August Svelund; to the Committee on Claims.

By Mr. DAUGHTON of Virginia:

H. R. 3082. A bill for the relief of John Philip Knecht, Sr.; to the Committee on Naval Affairs.

By Mr. POAGE:

H. R. 3083. A bill for the relief of Mrs. Hattie Mae Boone; to the Committee on Claims.

By Mr. PATRICK:

H. R. 3084. A bill for the relief of Hassler-Ponder Toy Manufacturing Co., Inc.; to the Committee on Claims.

H. R. 3085. A bill for the relief of William C. Reese; to the Committee on Claims.

H. R. 3086. A bill for the relief of Mrs. Wilma G. Vest; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

473. By Mr. ANDREWS of New York: Petition of the Knights of Equity, Court No. 5, regarding the future of the Polish Nation; to the Committee on Foreign Affairs.

474. Also, petition of Polish-American Citizens Committee, concerning the future of Poland; to the Committee on Foreign Affairs.

475. Also, petition by the Assembly of the State of New York, concerning equal rights for women; to the Committee on the Judiciary.

476. By Mr. CHIPERFIELD: Petition of sundry residents of Fulton County, Ill., requesting that the alcoholic beverage industry be prohibited from advertising; to the Committee on Interstate and Foreign Commerce.

477. By Mr. COCHRAN: Petition of Walter Feldkamp and 30 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

478. Also, petition of Anna Rose Murcurio and 30 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

479. Also, petition of Catherine Fania and 30 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

480. Also, petition of Edward L. Burkhart and 33 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

481. Also, petition of Charles Pisani and 28 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

482. By Mr. GOODWIN: Petition of eastern Massachusetts district, Polish-American Congress, Inc., for the recognition of the principle that all nations be bound by the moral law and an international bill of rights for all individuals and all peoples that would guarantee freedom of worship, freedom from fear, and respect for human rights; to the Committee on Foreign Affairs.

483. By Mr. KEARNEY: Petition of the Legislature of the State of New York, memorializing the Congress of the United States to adopt and submit to the several States the equal-rights amendment to the Constitution of the United States, which amendment is now pending before the Congress; to the Committee on the Judiciary.

484. By Mrs. NORTON: Petition of Italian-American Democratic League of New Jersey, protesting and calling upon the President, the Members of Congress, the Secretary of State, and other officials representing this country at the San Francisco Conference to oppose and reject the claims and demands of Marshal Tito for Trieste, Gorizia, Fiume, and any and all other territory which is part of the Kingdom of Italy; to the Committee on Foreign Affairs.

485. By Mr. SABATH: Petition of the City Council of the City of Chicago favoring wage adjustments to meet increased living costs; to the Committee on Ways and Means.

486. By the SPEAKER: Petition of the Toilet Goods Association, Inc., New York, N. Y., petitioning consideration of their resolution with reference to increasing salaries of Senators and Members of the House of Representatives; to the Committee on the Judiciary.

487. Also, petition of the city of St. Paul, by the office of the city clerk, petitioning consideration of their resolution with reference to adoption by Congress of Senate bill 717, which provides for Federal aid for education; to the Committee on Education.

488. Also, petition of the Pan-American League, petitioning consideration of their resolution with reference to supporting the principles of the Dumbarton Oaks plan; to the Committee on Foreign Affairs.

489. Also, petition of Local No. 2 of Brooklyn and Queen waiters and waitresses union, New York, petitioning consideration of their resolution with reference to an expression of sympathy in regard to the untimely passing of our late President, Franklin D. Roosevelt, and pledging their support to his successor, President Harry S. Truman; to the Committee on Memorials.

490. Also, petition of the board of directors of the Baltimore Association of Commerce, petitioning consideration of their resolution with reference to expression of deep sorrow at the untimely death of the late President, Franklin D. Roosevelt, and pledging their support to his successor, Harry S. Truman; to the Committee on Memorials.

491. Also, petition of Manhattan Women's Division of the American Jewish Congress, petitioning consideration of their resolution with reference to urging Congress to approve the Dumbarton Oaks, Bretton Woods, Mexico City, and Crimea Conference proposals; to the Committee on Foreign Affairs.

492. Also, petition of Missouri River States Committee, petitioning consideration of their resolution with reference to the development of the Missouri River Basin and concerning authority measures now before the Congress; to the Committee on Rivers and Harbors.

493. Also, petition of the Pan-American League, petitioning consideration of their resolution with reference to going on record for endorsement of the Bretton Woods agreement; to the Committee on Banking and Currency.

494. Also, petition of the Pan-American League, petitioning consideration of their resolution with reference to prompt adoption of the Mexican water-rights bill in the United States Senate; to the Committee on Foreign Affairs.

495. Also, petition of the Pan-American League, petitioning consideration of their resolution with reference to their endorsement of the Bretton Woods agreement; to the Committee on Banking and Currency.

496. Also, petition of the Board of Commissioners of King County, Wash., petitioning consideration of their resolution with reference to favorable enactment of House bill 2071, postal employees' legislation, into law; to the Committee on the Post Office and Post Roads.

497. Also, petition of the Textile Foundation, Industrial Building, National Bureau of Standards, Washington, D. C.; to the Committee on Ways and Means.

498. Also, petition of Dorsey W. McMahan, petitioning consideration of his resolution with reference to the issuance of a deportation order in his behalf by the House of Representatives; to the Committee on Immigration and Naturalization.

499. Also, petition of the city of Struthers, Ohio, petitioning consideration of its resolution with reference to an expression of deep sympathy in regard to the death of our late President, Franklin D. Roosevelt; to the Committee on Memorials.

500. Also, petition of the Minnesota Farm Bureau Federation, petitioning consideration of their resolution with reference to opposition to the Missouri Valley Authority now being considered in Congress; to the Committee on Rivers and Harbors.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 1, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou prayer-hearing and prayer-answering God, we ask that daily we may yield ourselves to Thy Spirit, to be transfigured into Thy likeness, to be taught the truth as it is in Jesus, to be inspired with nobler aspirations, and to be girded with faith and fidelity for every task.

Grant that our minds and hearts may be emancipated from fear and all unworthy desires as we address ourselves to the duties of this day.. May we never be guilty of any careless or complacent temper of soul when so many are giving their very lives for the defense and preservation of our liberties.

Humbly and confidently we would continue to labor and pray for the coming of the kingdom of brotherhood and good will. Hear us in the name of the Christ who gave Himself for our salvation. Amen.

The Journal of the proceedings of Monday, April 30, 1945, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Gatling, its enrolling clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2689) entitled "An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House to the amendment of the Senate numbered 22 to the foregoing bill and recedes from its amendment numbered 50 to said bill.

ADDITIONAL APPROPRIATIONS FOR FISCAL YEAR ENDING JUNE 30, 1945

Mr. CANNON of Missouri. Mr. Speaker, under special order of the House heretofore entered, I call up the joint resolution (H. J. Res. 174) making additional appropriations for the fiscal year ending June 30, 1945, and ask unanimous consent that the same be considered in the House as in the Committee of the Whole.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That the following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, namely:

CIVIL SERVICE COMMISSION

Panama Canal construction annuity fund: For Panama Canal construction annuity fund, fiscal year 1945, $315,480, to be additional to the appropriation under this head in the Second Deficiency Appropriation Act, 1944.

FEDERAL SECURITY AGENCY

ST. ELIZABETHS HOSPITAL

Salaries and expenses: For an additional amount, fiscal year 1945, for "Salaries and expenses, St. Elizabeths Hospital," including the objects specified under this head in the Federal Security Appropriation Act, 1945, $347,500.

Mr. CANNON of Missouri. Mr. Speaker, the joint resolution provides $315,480 for the Panama Canal construction annuity fund under the act of May 29, 1944, and $327,500 under the Federal Security Agency for St. Elizabeths Hospital. Both items are deficiencies occasioned by unforeseen contingencies and cannot be delayed.

This act of May 29, 1944, authorizes the payment of annuities to former employees of the Isthmian Canal Commission or the Panama Railroad Company during the construction period, May 4, 1904, to March 31, 1914, graduated according to length of employment with a minimum service of 3 years.

An initial appropriation of $1,500,000 was made for the current fiscal year. It now develops that $1,500,000 will be inadequate to meet payments due this month and a further appropriation of $315,480 is recommended to take care of payments up to the end of the current fiscal year.

The joint resolution also proposes an appropriation of $347,500 to meet a deficit of that amount in the 1945 provision for St. Elizabeths Hospital. This additional amount is made necessary by a patient load larger than anticipated and by the increased cost of ration components under prevailing market conditions and also by need for immediate replacement and augmentation of expendable equipment occasioned by wear and increased demands of additional patients.

We would normally include both items in the next deficiency bill, but obligations which must be met before the next bill can be enacted make it necessary to submit these items in an emergency resolution.

Unless the gentleman from New York [Mr. TABER] desires to be recognized, I shall move the previous question.

Mr. TABER. Mr. Speaker, I think this is something we have got to do. There is absolutely no escape from it.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. VOORHIS of California asked and was given permission to extend his own remarks in the RECORD.

Mrs. DOUGLAS of California asked and was given permission to extend her remarks and insert an article written by Mrs. Eleanor Roosevelt on the fair employment practices bill.

Mr. KELLY of Illinois asked and was given permission to extend his remarks in the RECORD and include an address by Hon. James A. Farley and two short newspaper comments.

Mr. RESA asked and was given permission to extend his remarks in the Appendix of the RECORD and include a discussion of the distribution of dental students.

Mr. LANE asked and was given permission to extend his remarks and include a very timely article appearing in the Boston Daily Record.

LIGHTS ON THE CAPITOL

Mr. SNYDER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SNYDER. Mr. Speaker, I observe in the newspapers and have heard over the radio that England is turning the big lights on Big Ben. I believe it was done at midnight last night. Also that Russia has turned on the lights in their capital. I think it might be appropriate procedure on the part of the Capitol authorities here the moment President Truman announces that Germany has capitulated or surrendered to have the lights turned on the Capitol of the United States.

The SPEAKER. If the gentleman will yield, the Chair has already ordered that that be done.

Mr. SNYDER. I would suggest that the lights be turned on the minute that President Truman announces the surrender and be kept on as many minutes as we were at war with Germany; today, May 1, 1945, we have been at war 1,230 days.

CALIFORNIA ORANGES

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. Mr. Speaker, through the kindness and generosity of Mr. Harry Damerel, of Covina, Calif., and through him of the entire citrus industry of southern California, I am happy to have been able to place in the Democratic and Republican cloakrooms some boxes of California oranges.

I earnestly hope the Members will enjoy them, and I am confident that they will find them the best fruit they have eaten since approximately this same time last year. Please help yourselves to them and remember that all we ask in return is as you eat the oranges you meditate upon the fine qualities of the State of California and remember that we in that State work and pray for the time when every American and especially every school child will have as many of these fine oranges to eat as he really needs for good health.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. RANKIN. Is the gentleman going to send some of those oranges to the Press Gallery also?

Mr. VOORHIS of California. I will try to.

The SPEAKER. The time of the gentleman from California has expired.

WHAT IS YOUR ANSWER?

Mr. MURRAY of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a table from the Department of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

[Mr. MURRAY of Wisconsin addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to insert in the RECORD a short statement showing the present quantitative quotas now in effect on agricultural products.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. H. CARL ANDERSEN. Mr. Speaker, I ask unanimous consent to insert in the RECORD a copy of a resolution adopted by the Minnesota State Farm Bureau Federation expressing its opposition to the creation of a Missouri Valley Authority.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. RAMEY asked and was given permission to extend his own remarks in the RECORD and include an editorial.

Mr. BENNET of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein correspondence with the State Department and the National Farmers Union.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. PITTENGER asked and was given permission to extend his own remarks in the RECORD and include an editorial.

Mr. O'KONSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include extraneous matter. This matter will exceed the two-page limit established by the Joint Committee on Printing. I have an estimate from the Public Printer that it will cost $260. Notwithstanding the cost I ask that it may be extended.

The SPEAKER. Notwithstanding the excess, without objection, the extension may be made.

There was no objection.

Mr. TRIMBLE asked and was given permission to extend his remarks in the RECORD on the subject of the International Office of Education.

RESTORATION OF BILL TO PRIVATE CALENDAR

Mr. TRIMBLE. Mr. Speaker, some time ago when the Private Calendar was called I objected to the bill (H. R. 1058) for the relief of W. H. Smoot, Inc. After talking to my colleagues the gentleman from North Carolina [Mr. BARDEN] and the gentleman from Indiana [Mr. MADDEN] I ask unanimous consent that this bill may be restored to the Private Calendar for further study.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent to address the House for 20 minutes tomorrow following the disposition of the legislative business of the day and other special orders.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AN INTERNATIONAL OFFICE OF EDUCATION WOULD PROMOTE TRADE

Mr. BUCK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BUCK. Mr. Speaker, now pending in the Committee on Foreign Affairs is House Resolution 215 urging participation by the Government of the United States in an International Office of Education.

Members from both sides of the aisle have already advocated this resolution as a step toward better understanding between the peoples of the world. I advocate the resolution as a step toward more and better trade between the peoples of the world.

No less an authority than the Chamber of Commerce of the United States has recently shown that the higher a nation's educational standards the greater its demand for products and goods from overseas. To the extent then that an International Office of Education raises world standards of education, to similar extent will it create greater world markets.

As Congressman from the leading foreign-trade district of the Nation, I therefore hope the Committee on Foreign Relations will make a favorable report on H. R. 215 at the earliest date possible.

AMENDMENT TO THE CONSTITUTION WITH RESPECT TO TREATY RATIFICATION

Mr. SABATH. Mr. Speaker, I call up House Resolution 174 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H. J. Res. 60) proposing an amendment to the Constitution of the United States relative to the making of treaties. That after general debate, which shall be confined to the joint resolution and shall continue not to exceed 2 days to be equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the joint resolution for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. SABATH. Mr. Speaker, I shall later on yield to the gentleman from Michigan [Mr. MICHENER] the usual 30 minutes on this resolution.

Mr. Speaker, all Members who listened to the reading of the resolution know that it provided for 2 days of general debate. The rule which provides for the immediate consideration of House Joint Resolution 60 has for its purpose the amending of the Constitution with respect to the confirmation of treaties. It is an open rule and amendments may be offered under the 5-minute rule.

Mr. Speaker, in view of the fact that there is really only one provision in the joint resolution and that it will be taken up under the 5-minute rule, there may not be much time for debate under that rule. Therefore I suggest to those interested in this important legislation that they be present when the resolution and the discussion for the need for its passage is taken up in general debate.

Mr. Speaker, I have been a Member of the House for many years. Many outstanding and capable Members of the Congress have appeared before the Committee on Rules. I know that I not only speak for myself but for a majority of the members of that committee when I say that never before has a legislative matter been presented more intelligently and more clearly to the committee than this one when application was made for a rule. I want to commend the gentlemen who appeared before the Committee on Rules, namely, the gentleman from Texas [Mr. SUMNERS], the chairman of the Committee on the Judiciary; the gentleman from Tennessee [Mr. KEFAUVER], the gentleman from Texas [Mr. GOSSETT], the gentleman from New York Mr. QUINN], the gentleman from New Hampshire [Mr. MERROW], the gentleman from California [Mr. HINSHAW], and the gentleman from Texas [Mr. WORLEY], and others. These gentlemen must have devoted a great deal of their time and energy to study of the entire history of our Nation and the reasons why this two-thirds provision of confirmation of treaties came to be included in the Constitution.

I was more or less surprised when I was informed by some of the members of the Committee on the Judiciary and the Committee on Rules was informed that there was a controversy then on the part of the States at the time. Even in those days, so I am informed, there was a certain sectional feeling, more from the commercial point of view than any other. It was thought that one section might be taking advantage of other sections if proper provision was not made to protect all sections.

At that time, of course, there was no thought of treaties with foreign countries growing out of war. It was a question of the Mississippi River and other matters

involved at that time, and each section thought they might be deprived of certain advantages. They finally agreed, as a compromise to the provision embodied in the Constitution providing for the two-thirds rule on the confirmation of treaties.

Mr. Speaker, in view of the conditions that exist today, I feel that we should act favorably on this resolution, which will give the House and the Senate the right to approve or disapprove any treaties that may be or will be entered into in the future.

Mr. Speaker, favorable action upon this resolution is bound to strengthen the position of the President and our Government. My reasons for so stating is that many of the representatives of foreign countries, the newspapers and commentators and others in our country are endeavoring to create a doubt in the minds of many, regardless of how fair the peace treaty may be, whether it will not meet the same fate that befell the Versailles Treaty after the last war. I am inclined to believe that the vast majority of those persons who were opposed to our country entering the League of Nations today feel that a great mistake was made. By the failure of the Senate in refusing to approve, the League of Nations was weakened and Hitler and the Japanese were able to rearm notwithstanding the protest of France and other countries, and unquestionably brought about the present war.

The years of rearming and preparation for the war whilst other countries were lulled to sleep made many of our outstanding Americans and many of the leaders of the smaller nations to feel that Germany was unbeatable, and this, unfortunately, weakened the morale of most of the smaller nations and made it easy for the Nazi to conquer and ruthlessly deprive them of their freedom and liberty.

Mr. Speaker, God only knows after the defeat of France what the lot of Great Britain might have been if the United States and Russia had not come to her aid. While there are many people in our country who are, notwithstanding Russia's heroic accomplishments and sacrifices in driving the Nazi hordes out of Poland and destroying its might made possible, of course, with our aid and assistance, and who in conjunction with our brave forces and those of our allies will momentarily force them to unconditional surrender, still continue to question the motives of Russia and in a subtle manner continue to emulate the Goebbels propaganda in an attempt to divide and create discord among the United Nations. I fear that they will continue in their campaign and seek to instill in the minds of the American people distrust of the Russians and other peoples in the hope to again thwart the will of the people and preclude the approval of treaties that will have been negotiated. Therefore, Mr. Speaker, I feel that we should not leave to a small group of gentlemen across the sea as well as some in this country, who may be led astray by false and vicious propaganda, the destruction of our hopes, aims, and accomplishments which has taken a toll of upward of 200,000 American lives, the maiming and crippling of hundreds of thousands of our youth, and a cost of billions of dollars to our Government. I, for one, have the utmost confidence that Russia will continue to play fair, as she has demonstrated, and will cooperate in every way to bring about the elimination of the danger of future wars, despite what I consider a diplomatic affront to Mr. Molotov at San Francisco in refusing his request for a 2-day postponement on the action on Argentina.

The members of the Committee of the Judiciary, whose names I have mentioned, and other Members of the House, including the majority leader, are ready to explain that conditions today do not justify that the Senate should have the right and by a two-thirds vote of that body to approve or disapprove the confirmation of treaties. In view of that fact, I shall forego my own explanation and the giving of the history of the proceedings covering the adoption of the two-thirds rule in the Constitutional Convention.

Mr. Speaker, there is every reason for the adoption of the proposed amendment that will preclude 16 States with a population of barely 11,000,000, or approximately 8 percent of the population of the United States to defeat a treaty which in this instance aims to bring about disarmament to prevent future wars and to bring about a lasting peace to our country and the nations of the world.

Mr. Speaker, at this point I desire to insert a letter signed by outstanding officials of women's organizations endorsing the proposed legislation, it being but one of many hundreds of letters which I have received from prominent Americans urging favorable consideration of the legislation before us. It is as follows:

APRIL 30, 1945.

DEAR REPRESENTATIVE: We, the undersigned, strongly endorse the Sumners resolution (H. Res. 60) as a means of implementing American leadership in the cause of world peace.

The two-thirds rule must be changed. At no place in all American jurisprudence does the dead hand of the past lie so heavily across the path of the future.

The views of most of our organizations are expressed in the hearings before the Judiciary Committee of the House.

We are convinced that the vast majority of the American people are vitally interested in the passage of this resolution and hope you will give it your active support.

Sincerely yours,

Margaret F. Stone, Legislative Chairman, National Women's Trade Union League; Anna Lord Strauss, President, National League of Women Voters; Anna Kelton Wiley, Chairman, Department of Legislation, General Federation of Women's Clubs; Florence R. Wyckoff, National Board Member, National Consumers' League; Frederick C. McKee, Chairman, Political Committee, Americans United for World Organization, Inc.; Mildred G. Welt, National President, National Council of Jewish Women, Inc.; Vira Whitehouse, National Chairman, Women's Action Committee for Victory and Lasting Peace.

Mr. MUNDT. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from South Dakota.

Mr. MUNDT. May I inquire of the gentleman about the degree of flexibility contained in the rule? May I ask, for example, whether, under the rule, the Hinshaw proposal could be offered as a substitute for the resolution being brought up by the rule?

Mr. SABATH. It is an open rule, and I am not going to assume the Speaker's prerogative and state how he is going to rule on the question. Under the rules of the House, it might, but I do not know. As a rule, the Speaker is right. He never deprives any Member who desires to amend any legislation of the opportunity to offer an amendment, and even grants liberal time for the debate. So with the best of intentions, I cannot say clearly yes or no.

Mr. Speaker, in conclusion, I repeat the words of James Wilson who, in the Constitutional Convention, made this observation:

If two-thirds are necessary to make peace, the minority may perpetuate war, against the sense of the majority.

Mr. Speaker, I reserve the balance of my time and yield 30 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, it is my privilege to be a member of the Committee on the Judiciary which gave consideration to the advisability of the passage by the House of House Joint Resolution 60, the purpose of which is to amend the Constitution so that in the future treaties must be ratified by a majority vote in both the House and the Senate rather than by a two-thirds vote in the Senate only, as now provided.

This is not a new proposal and has received much attention and consideration for many years. Extensive hearings have been held by the committee, which hearings are printed and are now available to all Members of Congress. I attended and participated in those hearings. All individuals and groups desiring to express their views were heard by the committee. There has been no haste in bringing this matter before the House. Mature consideration in keeping with the importance of the objectives sought has been given by the committee.

The Rules Committee, of which I am also a member, has granted the request of the Committee on the Judiciary and provided 2 days' general debate, at the conclusion of which the resolution will be read for amendment. Adequate opportunity will be given to every representative of the people here, to express his views and then to record his position on a roll-call vote. This is democratic procedure and the House will be permitted to work its will in accordance with the law.

A majority of the Committee on the Judiciary supports this change, while some members of the committee take the opposite view. The report of the committee to the House expresses in a general way the reasons why this change should be made. The minority of the committee has not a report. The courts of the land take judicial notice of committee reports in determining the intent of the Congress in connection with legislation enacted. In these circumstances the report of the committee should be included in this official record of the de-

bate. I therefore make that report a part of these remarks. It is as follows:

THE ISSUES INVOLVED

There are two fundamental issues involved in this resolution. First, should the House of Representatives participate in the making of treaties; and, second, should Congress act upon treaties by a majority or by a two-thirds vote?

In considering these questions, a brief history of the two-thirds provision of the Constitution will be of interest to the Members. The motive that prompted the insertion of this provision in the Constitution was not to insure that the merits of treaties should be decisively approved but to appease a demand arising out of the suspicions and jealousies of the original States. When an amendment to the Constitution is proposed, it is important to differentiate between provisions which were adopted as a result of the deliberately thought-out theories of political government and provisions which were placed in the Constitution as a compromise to meet local or domestic differences. As to the latter class, it is important to consider whether the particular condition which gave rise to the provision still persists. It is, as Dr. Charles Warren, historian of the Supreme Court and eminent author on the subject, says:

"That clause, as I say, is a striking illustration of the class of provisions which was inserted not on any theory of government or general political theory but was inserted solely to take care of a political condition existing, and a very burning question existed in 1787 when the Federal Convention sat. The circumstances surrounding its insertion provide an interesting illustration of the fact that, like most of the provisions of the Constitution, it can only be fully understood after a study of its historical sources and antecedents."

The two-thirds clause was only a step in a long and heated struggle which had been going on for 4 years prior to 1787 and which had been, in fact, endangering the union of the States. This heated struggle was between the Northern and Southern States to preserve what each group regarded as its special interest. The four Southern States were interested in navigation on the Mississippi and the future of New Orleans. The four New England States were interested in protecting their fishery rights. The dispute between the sections became so dangerous and violent that James Monroe, of Virginia, feared and, in fact, came very near advocating that the country should be divided into three confederacies—a southern, a middle, and a northern confederacy. The dispute between the States, the fear of the smaller States that the larger ones might unduly dominate them, led to the insertion of the two-thirds provision in the Articles of Confederation. The same domestic issue, and the same fear, was the underlying cause of its inclusion in the Constitution. Dr. Warren, in his testimony before the committee, said:

"You will search the debates on the Constitution relative to the insertion of the two-thirds clause, and you will search in vain to find any political theory on which that two-thirds clause was founded."

Therefore, the provision was used as a compromise to unite 13 States into a union. The Union has long since been created and firmly cemented. We must now examine the provision, not with reference to the problem of creating the Union, but with reference to the problem of this country, of dealing in foreign affairs in an advanced era, never visualized by the founding fathers.

The founding fathers held no firm philosophy to the effect that treaties with foreign nations should be ratified by two-thirds of the Senate. This is shown by the fact that on September 7, 1787, a motion of James Madison to exclude treaties of peace from the two-thirds provision was adopted without dissent. The following day the exclusion without extended discussion was eliminated.

Other reasons for the two-thirds provision were: First, it was contemplated that the President would actually advise and consult with the Senators (26 in number at the time of the adoption of the Constitution), and that the Senators would be an expert body who would participate with him in formation of treaties.

President Washington attempted to personally advise and consult with the Senate during the First Congress. The subject was a treaty with the Creek Indians. History records that he was treated coolly on this occasion. He vowed he would never return, and he never did. Since that time, treaties have been handled by the Senate as other legislation. The advice provision of the treaty clause is obsolete. The Senate has never entered into the active negotiation of treaties as was contemplated by the founders.

Second, it was anticipated that treaties would be made in executive or secret sessions of the Senate and the President. Secrecy no longer plays a part in treaty making. This reason has long ceased to exist. The present Senate has more Members than the House had at the time of the First Congress.

Third, under the Constitution as originally written, Senators being elected by the legislatures of the States, it was anticipated that they would have greatly superior knowledge as compared with the Members of the House on foreign affairs, and that they would have much longer terms of service than the Members of the House.

Since the adoption of the seventeenth amendment, the first of these reasons has ceased to be valid. Furthermore, history demonstrates that the tenure argument is no longer logical or sustainable.

Hamilton, in the Federalist, expressed the prevailing idea that "the fluctuating and multitudinous composition" of the House would unfit it for a share in treaty making. But even Hamilton failed to foresee that the negotiation of treaties would be taken over by the Executive, leaving to the Senate only the duty of passing judgment on treaties already signed.

Several members of the Constitutional Convention were dissatisfied with the two-thirds provision. James Wilson made this point at the time the Convention was considering the rule:

"If two-thirds are necessary to make peace, the minority may perpetuate war, against the sense of the majority."

Attention is here directed to a part of the statement of the Honorable Josephus Daniels, former Secretary of the Navy:

"When our Government was organized, it was the first experiment on a large scale in the history of the world that all governments 'derive their just powers from the consent of the governed.' There were those among the framers of the Constitution who feared to trust the people—some did not hesitate to call them 'the mob.' These and some without experience and other timid ones incorporated provisions to make popular government difficult. Let us see how we have progressed in changing the Constitution to further democratic ways which have undone the checks and balances designed to hamstring the will of the people.

"1. We people were not trusted to elect United States Senators. It was provided they should be chosen by legislators. That anachronism was taken out of the Constitution some years ago by the almost unanimous vote of the people. Nobody advocates going back to that abridgment of the right of the people to select their Senators.

"2. The people were denied the right to elect their President and Vice President. Sieves were invented—first by giving electors chosen by the legislators the power to select these executives. It proved as unpopular as it was cumbersome. It did not last. The people found a way to directly choose electors as their messengers to carry out their will expressed at the ballot box. No elector would dare to be untrue to that trust. Even though this system works fairly well there is a growing public sentiment to come nearer giving effect to the vote of electors by apportioning the electors in each State to the Presidential candidates in proportion to the vote cast for them.

"3. The right of Congress to tax large incomes was not granted and it took a century, after hard battles and overruling a Supreme Court decision, to levy tax on those most able to pay for the support of the Government. The two big wars in our day could not have been financed if Congress had not possessed the power to 'get the money where the money is.'

"4. The ballot was denied to women and that inherent right came only after long organized effort.

"5. The Norris amendment abolishing "lame duck" sessions of Congress was adopted. Thomas Jefferson, who held that the dead hand should not control the living spirit, favored a constitutional convention at stated periods, about 20 years apart, so that the fundamental charter should express the desires and will of the people upon whom it operated. We have made over a score of changes in our Constitution and should not hesitate to make changes by which the weal of the citizenry can be promoted. The fathers were not all-wise, and wisdom will not die with us.

"All the changes and some others have been fully justified. There remains one sore thumb, one excrescence, one outmoded provision in the Constitution that endangers the attainment of peace, not only for our people but for all mankind, and that is the power of 33 Senators to outvote the majority of that body and veto the decree of the great majority of the American people. The time has come, if we believe in democracy, to prove our faith by our works. As long as that undemocratic section embedded in the Constitution remains, no man can truly say that we have a pure government by popular mandate."

THE TWO-THIRDS RULE IMPEDES THE FUNCTION OF GOVERNMENT IN FOREIGN AFFAIRS

When our international relations were few and simple, when the oceans really protected us, the emasculation and rejection of our treaties by a minority of the upper House of Congress could be tolerated. Today modern science and invention has made the frontiers of all nations almost contiguous. Events in any part of the world directly or indirectly affect the economy and welfare of the United States. In these days the very life and death of the Nation depends on smooth-working machinery for regulating our international relations.

Dr. D. F. Fleming, of Vanderbilt University, made this interesting observation:

"Every government in the world doubts the ability of the United States to help organize the coming victory, because all know that the Constitution of the United States contains a fatal defect. They know that, so far as constructive effort to build a better world goes, our Government is deadlocked within itself by a division of the power to make and execute a foreign policy between the President and the Senate. They know that the constructive plans of the Executive are doomed to be perpetually paralyzed by a self-assertive minority in the Senate.

"Most Americans have only begun to realize the impact of the Senate's treaty veto upon the other governments and peoples of the world. We have been so accustomed to think of ourselves and our Constitution as the world's chief center of successful, free government that we have not

stopped to realize how unreliable we are in the eyes of the world. The other peoples know that we have magnificent impulses but cannot make them effective. In 1918 they saw us stand on a high level of world leadership never before attained by any people. Then they watched us become gripped by fratricidal war for two whole years, held helpless in the vise of the treaty veto until we had been confused, embittered, and removed from world affairs as a constructive force—to drift for 20 years as a mighty and dangerous derelict on an ocean of world anarchy."

The record of the Senate in handling treaties of peace is long, and it is disturbingly bad. From the moment the United States became a world power as a result of the Spanish-American War, the Senate has frustrated every significant move to make it possible for the country to participate in settling international disputes. It rejected the Olney-Pauncefote Arbitration Treaty of 1897. It emasculated the Hay Arbitration Treaties of 1904. It retained a strangle hold on the innocuous Root artibtration treaties of 1908–10. It impeded the effort of President Taft in connection with the Taft arbitration treaties of 1911. Then, of course, the history of what happened to the Treaty of Versailles, the League of Nations, and the World Court following World War I is well known to all. Stuart H. Perry, a prominent newspaperman, had this to say:

"The course of the Senate in disposing of the Four Power Treaty confirms the conclusion drawn from its treatment of the Versailles Treaty, that the requirement of a two-thirds vote combined with the normal operation of party politics has impaired the treaty-making power of this country to a dangerous degree."

It should also be pointed out that the two-thirds provision prevented the annexation of Hawaii and Texas by treaty. A circumvention of the Constitution called executive agreements had to be resorted to for their annexation.

In the modern world, negotiations must be conducted with foreign countries. The two-thirds provision ties the hands of our negotiators. This, the most powerful and influential nation in the world, cannot exert its great strength for the cause of better international relations and world peace because of this anachronism of our Constitution. Mrs. Harvey W. Wiley, speaking on behalf of the General Federation of Women's Clubs, made this observation:

"The founding fathers were intellectual giants and men of great courage to whom we owe the existence of our great country. The principles they stood for have not changed, but the necessary techniques to secure the things in which they believed—peace, security, and human welfare, may have to change. We no longer use the ox cart or the sailing ship. The founding fathers did not live in the days of the submarine, the air plane, or the robot bomb. Treaties must still be considered with great care, as always, but in the new plan for ratification of treaties, while we surrender the check of the extra third of the Senate, we gain the advantage of a majority of the House. In the new plan there will be a meeting of more minds than under the old plan. Instead of the acquiescence of 64 Senators we shall require the consent of at least 267 Members of Congress."

The committee feel that if a treaty made by the Executive has the support of the people, as evidenced by the approval of both Houses of Congress, the desire of the majority to approve it should not be definitely prevented by the will of a few.

John W. Davis, former member of Congress and learned constitutional lawyer, strongly favors the pending resolution. Mr. Davis says:

"Year by year the relations of the United States with the other nations of the globe become increasingly important to our welfare at home and our security abroad. Year by year, as our wealth and population increase, our influence expands, our interests widen, and our points of contact with the outside world multiply, more and more it will be found necessary to regulate our foreign intercourse by convention and agreement, and greater and greater must grow our need for promptitude in decision responsibility in action, and continuity in foreign policy."

Miss Anna Lord Strauss, president of the National League of Women Voters, and speaking on behalf of that organization, observed:

"The indirect effects of the two-thirds rule are extremely serious. Any administration is prevented from formulating a dynamic foreign policy because it can never go any further than it can persuade two-thirds of the Senate to go. This limits the role of the United States to that of a follower of accepted ideas rather than a leader of new ones. Other governments are reluctant to enter into negotiations with us because they know that even though the people of this country are in favor of the treaty, a small group of men can prevent its passage. Our representatives are also embarrassed in treaty negotiations, because they never know whether the Senate will back them up. The result is apt to be a serious watering down of our foreign policy."

TWO-THIRDS RULE IS UNDEMOCRATIC

The best answer the people of this Nation have been able to devise, in meeting of the governmental problems presented, is to have a decision reached by the majority. Majority rule is the basis of our system of government. If a majority of the Members of the Senate and of the House of Representatives cannot protect the interest of the people of this Nation, then our Government, and our future is in a disastrous plight.

Some legislative check on Executive action in the field of foreign affairs is highly desirable. A requirement for legislative sanction is fully in accord with the American system of representative democracy, with its use of checks and balances, to restrain unlimited power in any one branch of the Government. The two-thirds ratification system, however, puts the power to check, not in the hands of the legislative representatives of the country as a whole, but in the hands of a small group in the Senate. A definite minority has a negative on the majority. One-third plus one of the membership of the smaller House of Congress has final decision over what has become one of the paramount problems of government. It is possible that 17 Senators, representing a population of only 4,000,000 people, could thwart the will of the majority of the people and of the States.

The requirement of a two-thirds approval puts the power of obstructions in the hands of a small and a determined minority which may play into the hands of the so-called pressure groups. It places an undue impediment on the Executive in requiring him to lessen the effectiveness of a treaty in order to meet the demands of small minorities. Due protection of minority rights, however essential a part of true spirit of democracy, does not entitle a small group of men to control the destiny of a great nation by obstructing the will of a great majority of its citizens through abuse of procedural prerogatives.

Miss Emily Hickman, speaking on behalf of the Young Women's Christian Association of the United States, said:

"In the second place, this matter of giving to a minority the privileged position is a matter that our young people are becoming very conscious about today in their study of government. They do not like pressure groups and privileged minorities. It is very difficult to work with them and try to inculcate respect for government with this question constantly before you, when they see this kind of thing going on in connection with vital matters in the United States Government.

"Also, it obstructs the harmonious action of the executive and legislative branches of the Government, and that is something which good government is supposed to make possible, and not impossible."

The argument has been made that since the President has a right to veto legislation and a two-thirds vote is required to pass the bill over his veto, that one-third of the Senate should have the right to nullify a treaty negotiated and recommended by the President. Mr. William Y. Elliott, eminent historian and authority on the Constitution, disposes of this contention as follows:

"As you know, sir, a veto by the President of an act passed by Congress indicates, after all, a division of opinion between the Executive and the Congress on a legislative matter on which both, by the Constitution, are entitled to have a view, the President by his veto. The practice, of course, under the party system, is that the President is a leader in the formulation of policy.

"Treaty-making power, on the other hand, is something in which the President, the only officer elected (along with the Vice President) by a national vote of all the people, is asking agreement of another body of the Government. He is asking for it in terms of supporting something he is doing. He is not vetoing something the other body has done; he is asking for support of what he is doing. Therefore, the minority provision that is holding up ratification of a treaty is in effect the veto power by a very slight minority of the Government.

"It is not an affirmation and repassing of something over a veto. Let us get that distinct. What happens is that a veto stops an act passed by an ordinary majority of Congress. There is, therefore, a difference of opinion between the two. Now, in order to get that repassed over the veto, the President has to get it repassed by a two-thirds majority of the Senate and of the House, because there has been a difference of opinion between the two parties.

"The Senate, on the other hand, can block the President from acting in this matter by a simple one-third power of the most unrepresentative body in the world from the point of population. That is an extraordinary situation. It is not on all fours in the least with the other proposition."

HOUSE OF REPRESENTATIVES SHOULD PARTICIPATE IN TREATY MAKING

Since the old reasons of secrecy, longer tenure, and intention to "advise" no longer exist, the House of Representatives for good and affirmative reasons, should participate with the Senate in shaping our foreign policy. The Members of the House are closer to the people, and they are in a better position to act in accordance with the desire of the majority of the people in helping shape our foreign policy.

In our complex society, most of the important domestic laws are necessarily closely interwoven with our foreign policy, laws affecting the merchant marine, the size of the Army, the giving or exchanging of materials of war, tariffs, etc., which require the concurrence of both Houses of Congress, directly pertain to foreign affairs. It is impossible to draw the line between purely local problems and problems dealing with foreign policies. This situation was not envisioned by the founding fathers. Therefore, both types of legislation should be treated the same.

In the years to come, treaties and agreements relating to foreign affairs will grow greatly in number. If this Nation is to maintain its world position, these problems must be handled expeditiously. Few treaties can long be sustained without implementing legislation which requires the concurrence of both Houses of Congress. Appropriations and legislation to work out details will be

necessary. Few important treaties can be completely self-executing. The committee can see no present valid reason why one type of legislation should be considered only by the Senate and a two-thirds approval required, when that legislation must sooner or later receive the sanction of the other House of Congress. No foreign policy agreed upon by the Senate can long endure unless it has the support of the people. That support can best be given by having the House of Representatives participate. If it secures the sanction of a majority of both Houses of Congress it is undeniably the foreign policy of the Nation. Having been thus sanctioned, it will receive better and more enlightened support from the people.

Under our Constitution, treaties are declared to be a part of the supreme law of the land along with the Constitution itself, and laws passed in pursuance thereof. This legislative status is an important reason for associating both Houses in the treaty-making process. It is an important reason for permitting them to act by the same majority which suffices for other legislative acts. At present it is possible for a bare majority in Congress to abrogate a treaty by passing conflicting legislation or by failing to pass subsidiary legislation necessary to carry out its provisions. Such action leaves the treaty in existence as an international obligation, but as the law of the land the treaty is overruled and of no effect. In view of this undeniable fact, the committee feels that it would be better to have both Houses of Congress act upon the treaty by a majority in the first instance. The other method has and will lead to international obligations which cannot be fulfilled because of subsequent congressional action. This creates bad relationships with other countries. It impedes the ability of our negotiators to deal with foreign powers.

If treaties were considered by both Houses of Congress, there would be a short lapse of time between action by the two Houses. This would be to the good. It would give public opinion an opportunity to operate after the public had full facts of the result reached by the House first considering the treaty. It would tend to prevent secret or undiscussed action.

Dr. Arthur M. Holcombe, head of school of government, Harvard University, discussed this benefit of sharing treaty-making responsibility:

"That is a very good reason for providing that treaties should be ratified by the ordinary process by which legislation is considered, and then you are sure of an interval between consideration in one branch and consideration in the other branch, and a certain amount of publicity could be secured, and as a result of that, what you said would reinforce the argument that the procedure established for enacting laws is a better one, under given conditions, than the original procedure."

TWO-THIRDS RULE AND EXECUTIVE AGREEMENTS

Government must function. This Government must function in the international field. This necessity has forced Chief Executives, particularly during the past 50 years, with the support of the public, to enter into executive agreements and to resort to the use of concurrent resolutions in order to accomplish the desire of the people. These devices are, of course, used because of a well-founded fear of not being able to secure approval by two-thirds of the Senate to the particular matter under consideration. Thus, the two-thirds provision has an increasing tendency of placing the important foreign affairs of this Nation more and more in the hands of the Executive to the exclusion of Congress.

Testimony before the committee revealed that up to 1939 the United States entered into nearly 2,000 international instruments. Of this number 1,182 were executive agreements; 799 were treaties. The committee does not condemn the agreements as illegal. They were for the most part necessary for the welfare of the country and have subsequently been approved by Congress, but most of them should have been submitted as treaties. This, the committee believes, would have been done if they could have been considered as other legislation.

This is an unhealthy tendency. It has far-reaching and disastrous possibilities. The maintenance of the two-thirds rule instead of working to maintain a great power in the Senate is actually taking that power away from the Senate. Congress should act as a check upon the treaty-making powers of the President, but, by maintaining a rule which prevents negotiations which the people desire, the Congress is on the road to eliminating itself from this important function of government. The criticism herein contained of the two-thirds provision is made against the fundamental concept of the rule and because of the danger in its continuation. The criticism is not directed against the Senate or any Members thereof. The Senate would actually benefit by sharing treaty responsibility with the House. By doing that, it could be assured that all subjects which should be considered as treaties would be submitted as treaties. It could be assured of Congress retaining its power of ratifying or disapproving the action of the Executive in this important field of government. It would be assured of popular support of whatever course of action is finally taken.

Dr. William C. Johnstone, dean of school of government, George Washington University, made this observation:

"This proposed change will diminish the use of executive agreements by the President as a means of escaping minority obstruction of action that may accord with the will of the majority. Much friction between the President and Congress has arisen over the use of executive agreements. Yet a President desiring to carry out a foreign policy he believes accords with the interests of the American people, is often required to follow a course he may feel is morally wrong and constitutionally undesirable rather than risk defeat at the hands of a small Senate minority. Indeed, the President is even prevented from putting his foreign policy to the test of majority rule by the danger of minority defeat. The proposed change would establish a more effective working relationship between the President and Congress in a field in which Congress, of necessity, must take an increasing interest and increasing action."

PUBLIC UNDERSTANDING OF FOREIGN AFFAIES WOULD BE INCREASED

A full understanding and a healthy discussion of foreign affairs is necessary and vital for the well-being of the Nation. Several witnesses before the committee demonstrated beyond question that the two-thirds rule is impeding public interest and discussion of international affairs. According to the witnesses, many people feel that nothing is to be gained by their study or discussion of international relations because the popular will cannot govern under the provision of the Constitution. The committee feels that the public would better inform itself, and public opinion would more clearly crystallize if the two-thirds rule were repealed in favor of action by Congress.

The committee has had benefit of expert testimony from some of the Nation's most eminent authorities on this subject. The two-thirds rule has been a handicap to all Presidents and all Secretaries of State. The committee is of the opinion that the majority of the people are in favor of this resolution.

Mr. Speaker, in the debate that is to follow, the wisdom, the foresight, and the vision of the founding fathers will be extolled, and rightly so. Anything that we might say today cannot in one jot or tittle detract from what the framers of the Constitution did in that day. Their conclusions and decisions were all-wise. They lived in the present and provided for the future. There was a reason for every sentence, comma, and period in the Constitution. It was clear in their minds that our country was to go forward and that changes in conditions would make changes in the Constitution necessary. Therefore, they wrote into the fundamental law of the land the method whereby changes could be made, and we are at this moment taking the first step under the formula so provided.

If this resolution receives the requisite number of votes in the House and in the Senate, then the legislative branch of the Federal Government has performed its function, and the responsibility rolls from the Congress to the States of the Union. If in the mature judgment of three-fourths of the States this change is timely, then it becomes effective. On the other hand, if more than one-fourth of the States do not approve, then the amendment will not prevail.

It was never intended that the Constitution should be static, fixed, and impossible of meeting new conditions as progress and development necessitate.

The committee report makes it clear that the two-thirds Senate requirement was not bottomed on any fixed principle or philosophy of government. It was a compromise necessary to accomplish a practical end, and in my opinion the reason for the two-thirds rule no longer exists. Ours is the only government in the world that requires a two-thirds vote of but one branch of its legislative body to ratify treaties.

A democratic form of government is one in which majority rule, under law, prevails. There are 435 Members of the House and 96 Members of the Senate, and a majority vote in each body is sufficient to send a law to the White House. Only a majority vote of the Congress is necessary to put this country into war. After we are in a war, is it reasonable or logical that the House should have no part in making the peace treaty? Under the two-thirds provision, 33 Senators, or one-third plus one, can prevent the ratification of any treaty; that is, 33 votes out of 531 in the Congress can absolutely prevent the majority of the representatives of the people from carrying out the will of the majority of the people in entering into a treaty.

If the Constitution did not contain the two-thirds rule provision today, is there anyone among us who would argue that such a provision would be placed in the Constitution in these times? The number of such advocates would be small indeed.

Reference in debate will be made to the "horse and buggy" days. Yes, those were splendid progressive days, and, as we think in retrospect, we must not forget that horse and buggy days in 1900 were entirely different from ox-cart days when the Constitution was enacted. Time, invention, and progress have brought marvelous changes, and in 1945

we must think in prospect and legislate for that which presently obtains. Of course we are respecters of tradition, but we must not let the dead hand of the past lie across the path to the future. The Constitution should not be changed or interfered with except when the need is clearly shown. Present day conditions justify this change.

In determining how we are to vote on this amendment, two fundamental issues are involved: First, Should the House of Representatives participate in the making of treaties? Second, Should Congress act upon treaties by a majority or by a two-thirds vote?

The first question is the paramount one. If it is answered in the negative, then our inquiry is at an end and our vote on the passage of this resolution must be "no."

If, however, the House feels that, as representatives of the people, its Members should participate in the making of treaties, then our investigation should go further. We must determine if the two-thirds rule now obtaining in the Senate should also be applied to the House, or should a majority vote of both the House and the Senate be sufficient? These are the issues, and my thinking leads me to the conclusion that treaties in the future should be ratified by both the House and the Senate, and that no more than a majority vote in each body should be required.

Mr. Speaker, my first vote in the Congress was for the women suffrage amendment to the Constitution. Much of the same argument presented then against "tinkering with the Constitution" will be advanced today. Who will question the wisdom of that amendment? Yes, the Constitution is a living thing—not perfect—and containing within its context the suggestion that it be changed when good government requires.

Mr. SABATH. Mr. Speaker, I yield the balance of my time to the gentleman from Massachusetts the majority leader [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, in discussing the resolution which will be before the Committee of the Whole, I express my own personal opinion. As the gentleman from Michigan [Mr. MICHENER] well said, the history of the present provisions of the Constitution will be referred to during debate, and properly so.

We all know that the power to make treaties is an inherent right of every sovereign and independent nation.

In connection with the history, so far as our own Government is concerned, we know from the historical angle that the Thirteen Original American Colonies were not sovereign and, by reason of the fact that they were not sovereign or independent, they had no such power; and that in the colonial days the power was vested in the British Crown. After independence was obtained by the Original Thirteen Colonies as the result of the successful termination of the Revolutionary War, each one of those Colonies became a separate and independent nation possessed of all the rights of sovereignty. As we know from an historical angle, the Continental Congress was in existence in those days, and the sovereign right of the Original Thirteen Colonies, which became 13 nations and later States, as far as the treaty-making power is concerned, and I am confining my remarks to the treaty-making powers, were exercised accordingly by the Continental Congress which represented all the States and where the votes were taken by States. Later, under the Articles of Confederation the treaty-making power could not be exercised by any State alone or by two or more States without the consent of the United States in Congress. That power was vested in the Congress of the Confederation, where, as in the Continental Congress, each State had one vote and where the assent of nine States was required to ratify a treaty.

It will be observed from the historical angle that this sovereign right which had vested absolutely in each State, after the successful termination of the Revolutionary War, had never become an executive function. This was the practice and history of this country on treaty making when the Continental Congress met in Philadelphia in 1787 to frame a new constitution.

We must keep in mind that the States were very jealous of their sovereign rights, and the making of treaties is one of the most important of the sovereign rights of a nation. Also having emerged from a colonial status, they were suspicious and very much afraid of dangerous foreign influences, particularly in the making of treaties, and we know from the historical angle that they were justified in those days and for some generations thereafter.

Now as we look back in history we know that in the constitutional convention various proposals were made on this subject. One was that our foreign affairs should be handled wholly by the representatives of the people in the Senate. Two, the Virginia plan, offered by Mr. Randolph, embodied in resolutions which proposed to enlarge and amend the Articles of Confederation, and passed over without mention of the treaty making power and meaning apparently accepting the system then existing which vested in the States voting as such through their representatives.

The Pinckney plan, giving the Senate sole and exclusive power to declare war and to make treaties and to appoint ambassadors and other ministers to foreign nations and judges of the Supreme Court. The New Jersey plan, offered by Mr. Patterson, constituting a mild amendment of the Articles of Confederation, leaving the treaty making power as under the confederation, wholly within the control of the States, voting as such in Congress. Hamilton offered a plan which was the extreme of the New Jersey plan, which would give the treaty making power to the President and the Senate, and conferred on the Senate alone the power to declare war.

All of those plans, as well as general resolutions—and, by the way, there was one other plan offered to bring the House of Representatives within the purview of treaty ratification with the Senate. That was offered, and as I remember it was voted down by 10 to 1, but showing that it was a matter of consideration in those days.

The background that came from this historical review is that in the Continental Congress the delegates were pretty well wedded to the state; that the state sovereignty was the thing they had in mind; that there was an historical background that prompted such considerations and that there were practical conditions existing in the then United States in those early days that probably prompted the compromise that was ultimately arrived at, being arrived at.

All of those circumstances to which I have referred, as well as the general resolutions agreed upon after weeks of debate, was sent to a committee of detail, and on August 6 Mr. Rutledge reported the first draft to the Constitutional Convention. In that draft section 1 of article IX provided:

> The Senate of the United States shall have power to make treaties and to appoint ambassadors and judges of the Supreme Court.

That was the first recommendation by the committee of detail to the Constitutional Convention in 1787.

After a draft of that provision was reported it was obvious, of course, that the President must be the representative of the country in all dealings with foreign nations. It was also obvious that the Senate could not, like the President, start and conduct negotiations. Caught between these two obvious facts that were inescapable and having in mind that the rest of the Constitution as proposed would probably be agreed upon, and the new form of government that it would establish be ratified, the convention was compelled to confer upon the President an equal share in the power to make treaties. This, by the way, at that time was an immense concession by the States, as they had no idea or intention of giving up their ultimate control to a President elected by the people generally.

As we know from a study of the history of those days, there were powerful elements then who distrusted the people and did everything in their power to vest as little power in the people or their representatives as they could; and the President and the House of Representatives, as we must remember, were closest to the people. The Senate was supposed to be the legislative body in Congress that was representative of the sovereign States. That is a very important matter in connection with this debate and the reasons for the present provision of the Constitution being finally decided upon by the Constitutional Convention of 1787. We must also bear in mind that when the Constitution was ratified 13 States comprised the Union; a little over 5,000,000 people was the population of the 13 States. It is my recollection that a shift of less than 20 votes in 5 of the original 13 States would have prevented ratification of the Constitution. It is also my recollection that the feeling against the Constitution was so intense that it barely received a majority vote in the Constitutional Convention. It is also my recollection that when John Marshall ran in his district in Virginia as a delegate they wanted him to promise to vote against any constitution even

before he was elected, and that he refused to do.

What do we find with this historical background? We find that this provision of the Constitution was a compromise, a wise one in those days, one that met the problems that confronted the members of the Constitutional Convention of those days, one which was applicable in accordance with the history that preceded the Constitutional Convention, and one that was applicable in accordance with the mind that existed on the part of the people of our country of that generation.

We find a reluctance then to give the President an equal voice in the making of treaties with other nations, but we find that the very obvious facts compelled that action to be taken in the Constitutional Convention. We have today 48 States, 133,000,000 people, our Nation having made tremendous progress with responsibilities imposed upon us as a leader among the Nations of this world, with this very provision applicable in those times and that has endured throughout the generations subsequent to the days of the Constitutional Convention, now operating in a manner that prevents our country from assuming its proper leadership among the nations of the world. We are now undergoing a great war. We are in the second global war within the lifetime of most Americans living today. This war has cost countless millions of lives and many other millions of maimed and wounded. This war will bring to mankind property destruction which cannot with any degree of accuracy be evaluated in dollars and cents.

This war will set the human race back many generations, so far as progress forward is concerned. This is the second global war we have had in a period of 25 years.

What is the responsibility, the duty, and the obligation of our country in light of the conditions existing today in the world? What is best for our national interest? That is the question that stresses itself in my mind. Answering that question I say as an American that it is in the best national interest of my country in the future to have peace, if it can be accomplished; it is in the best national interest of my country if we can in cooperation with other nations outlaw war, thereby bringing about a future permanent peace; it is also in the best national interest of other countries.

In connection with the question of permanent peace I am concerned not only because of my altruistic ideas or views, but I am concerned from a purely justifiable selfish angle, namely, the best national interest of the United States of America and the best interest of myself as an individual. Viewing it from that angle, it is my firm opinion that the best national interest of my country calls for a permanent peace in the future, it calls for you and I to see that our country takes a leadership in that direction, which will give to the next generation of America, our children and our children's children, the right to live a normal, happy and peaceful life instead of a life faced with the constant fear of imminent war.

In light of that opinion, which I so strongly feel, what can I do as a Member of Congress to see that my country will take its proper place as a leader among the nations of the world in accomplishing from a practical angle the objective of a permanent peace that must have its origin in the law of God and in the moral law? What can I do? What do I think is in the interest of my country? Is it to have this difficult constitutional provision continue or to have it as it should be, that is, have treaties ratified by a majority of both Houses of the Congress, the House acting as a coequal body with the Senate and both branches of the Congress acting in a coequal status with the President of the United States.

It is because of these views that I take a position in support of the pending resolution. I hope the House will pass it by a convincing vote, by such a convincing vote that it will arouse public opinion and will impress itself upon the membership of the other body. This is a step in the right direction. Let us take it.

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. SABATH. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

SPECIAL COMMITTEE INVESTIGATING FOOD SHORTAGES

Mr. ANDERSON of New Mexico. Mr. Speaker, I ask unanimous consent that the committee formed pursuant to House Resolution 195, which has to do with the investigation of food shortages, may have until midnight tonight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, will the gentleman amend his request so that the minority may file a report if it so desires?

Mr. ANDERSON of New Mexico. Mr. Speaker, I shall be glad to modify my request in accordance with the suggestion of the gentleman from Massachusetts [Mr. MARTIN] to permit the minority to file a report if it so desires.

The SPEAKER. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

EXTENSION OF REMARKS

Mr. EDWIN ARTHUR HALL asked and was given permission to extend his remarks in the RECORD.

AMENDMENT TO THE CONSTITUTION WITH RESPECT TO TREATY RATIFICATION

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H. J. Res. 60) proposing an amendment to the Constitution of the United States relative to the making of treaties.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 60, with Mr. BATES of Kentucky in the chair.

The Clerk read the title of the joint resolution.

By unanimous consent, the first reading of the joint resolution was dispensed with.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Chairman, long and careful study of treaty ratification has led me irresistibly to the following definite conclusions:

The two-thirds rule was an historical accident written into the Constitution as a matter of political expediency.

The two-thirds rule is unworkable, undemocratic, and denies the majority of the American people any real voice in foreign affairs.

The two-thirds rule shackles this Nation in foreign affairs and is a menace to world peace.

Furthermore, any doubt that Congressmen may entertain as to the soundness of any of the aforesaid propositions should be resolved in favor of the Sumners resolution in order that the American people may have an opportunity to express themselves upon this vital issue.

With reference to treaties, the Constitution of the United States provides that the President shall have power "by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur." This is the stump on which most of our important treaties have been wrecked. The great men who wrote the Constitution disagreed on this provision. The eminent jurist, James Wilson, wise old Benjamin Franklin, and other able members of the Convention opposed this two-thirds requirement for treaty ratification. To permit a minority of one-third plus one of the Senate to defeat treaties was even then not in keeping with democratic ideals. This provision has been properly called the great mistake of the Constitution.

Why was the two-thirds rule written into the Constitution? The Honorable Charles Warren, eminent historian and authority on the Constitution, points out that various constitutional provisions fall into three classes: First, those adopted as a result of serious consideration of political theory and governmental philosophy; second, those adopted through expedience and as a matter of compromise; third, those adopted to prevent specific evils or to alleviate specific fears as to some act of the new government.

The two-thirds rule, according to indisputable records, falls into the class of compromises adopted as a matter of political expedience. The only precedent in all jurisprudence was that of the confederation in which the States were sovereign and nine must agree to a proposed treaty. Again, the two-thirds rule was a matter of compromise between large States and small States, based on this theory of State sovereignty. Another compelling reason was the concern of Southern States with the navigation of the Mississippi, and the concern of the Northern States with fishing rights. The only attempt or effort to give logical

support to the two-thirds rule was expressed by Alexander Hamilton in the Federalist in this language:

Accurate and comprehensive knowledge of foreign politics; a steady and systematic adherence to the same views; a nice and uniform sensibility to national character; decision, secrecy, and dispatch are incompatible with the genus of a body so variable and numerous.

If this strange reasoning were ever sound, it has long since ceased to be supportable. The Senate certainly does not act in secrecy and seldom with dispatch. In fact, there are some who now contend, with great logic, that the power to ratify treaties should be left exclusively to the House, without Senate participation whatsoever. The House is closer to the people; it more nearly reflects the popular will; its Members are elected each 2 years on a basis of population; and, under the rules of the House, delay and filibuster are impossible. On the other hand, Senators are elected for 6-year terms. A Senator representing only a hundred and ten thousand people, as in the case of Nevada, has a voice equal to a Senator representing 13,000,000 people, as in the case of New York; while, under Senate rules of procedure, a small minority can filibuster any measure to death, even though it has the overwhelming support of the American people—and, in fact, of the membership of the Senate itself.

Thus, we have had to do the really big international jobs through the subterfuge of joint resolutions or executive agreements. More and more, joint resolutions and executive agreements are displacing treaties. No President will submit a treaty to the United States Senate if he can avoid so doing. The record will show that we have entered into approximately 900 treaties, while more than 1,200 executive agreements have been promulgated. The use of treaties has been rapidly decreasing, while the use of executive agreements has been greatly increasing, because the two-thirds rule has made this necessary. In 1944, 74 executive agreements were made, while no treaties were ratified.

In 1897 the Olney-Pauncefote treaty, which provided for the arbitration of disputes between this country and Great Britain, although it received a vote of 43 ayes to 26 nays, failed of ratification in the United States Senate and resulted in much hard feeling between this country and Great Britain. Again, President McKinley, thinking to avoid trouble in securing Senate ratification of the treaty ending the Spanish-American War, appointed three Senators from the Foreign Relations Committee on the commission to draw up the treaty. Notwithstanding Senate representation on the Commission, notwithstanding the fact that we dictated the terms of that treaty, ratification was secured in the Senate only after a month of torrid debate and by the slim margin of one vote. About this time John Hay, one of our most able Secretaries of State, had this to say of the Senate's power over treaty ratification:

The United States is rapidly coming to be regarded by the other great powers as a nation which is not able to make a treaty. We have been trying to conclude important international agreements during the past 15 years, but have seen one after another of them go to wreck in the Senate. It is needless to enumerate the long and melancholy list. Whether the President was Cleveland or Harrison or McKinley, whether the negotiations were Democratic or Republican, the power of the Senate to ratify treaties has been mainly exercised as the power to kill treaties. Three valuable conventions with Great Britain have been broken on the Senate's veto. The Chief of State has made treaties with France and Germany, but the Senate has said with a sneer, "They reckon ill who leave me out," and has brought the whole work to the ground. With or without intention, we seem to the world to have stripped ourselves of a leading attribute of sovereignty—the power to make treaties.

In 1904 Theodore Roosevelt abandoned entirely the submission of nine treaties of arbitration because he feared the two-thirds rule necessary for Senate ratification.

In 1927 a treaty of amity and commerce between this country and Turkey received a vote of 50 ayes to 34 nays and failed of ratification. At different times Presidents Harding, Coolidge, and Roosevelt urged American adherence to the World Court, yet none could secure the necessary two-thirds vote in the United States Senate.

But the all-time classic example of the futility of the two-thirds rule, the one about which whole libraries have been written, is the Senate consideration of the Versailles Treaty and of the League of Nations. Because of the shrewd and determined opposition of one or two Senators, operating under the two-thirds rule, the Treaty of Versailles was repudiated and the League of Nations doomed to failure.

Senator Watson, in a brazen confession, tells of a conversation with Senator Lodge in 1919 during their conspiracy to destroy Wilson and the League. Watson told Lodge that 80 percent of the American people were in favor of adherence to the League, that 80 percent of the ministers of America were advocating it from their pulpits, and that the League could not be defeated. To this Senator Lodge replied that he did not expect to defeat the League by frontal attack but by the indirect method of reservation and delay. After many months of debate Senator Lodge was able to attach to the proposed treaty 14 separate and distinct reservations. On that fateful day, March 19, 1920, a final vote was taken in the Senate; 49 voted "aye," 35 voted "nay." A minority had defeated the majority. Isolation became our foreign policy.

Students of the Senate debate on the Versailles Treaty generally agree there were four major reasons why a two-thirds vote in the Senate for ratification of the treaty could not be secured. Incidentally, these are continuing reasons, regardless of who the President is or who the Senators are, and because of these reasons one can safely predict the Senate ratification of any treaty of great consequence cannot be obtained.

Categorically, these four reasons are:

First. Party politics. A Senator may represent a State with racial or religious strains opposed to a particular treaty.

Second. Senatorial pride and prerogative. Senators cooperate with each other and are jealous of the power and dignity of the Senate. For example, a treaty ceding the Isle of Pines to Cuba was held up in the Senate for 21 years, although urged by all Presidents, although reported favorably by all Foreign Relations Committees, although favored by the overwhelming majority of the Senators, simply because first one Senator then another would ask and receive delay for one reason or another.

Third. Hatred of the President. When any President has been long in office, a distrust of, a dislike for, and sometimes a positive hatred of him will grow up in the hearts of some Senators.

Fourth. Sincere opposition by certain Senators to a particular treaty. The Ten Commandments would be honestly opposed and objected to by a few Senators.

Twenty years before he became President, Woodrow Wilson referred to the "treaty marring" power of the United States Senate. While president of the American Bar Association John W. Davis, in condemning the two-thirds rule, said it does not "contribute to national influence or prestige or safety that the process of ratifying or rejecting treaties should degenerate into an effort to discover some qualifying formula acceptable to the minority."

From President Washington to President Franklin Roosevelt, from Secretary of State Jefferson to Secretary of State Hull, all Presidents and all Secretaries of State have had heartbreaking experiences with the two-thirds ratification rule in the Constitution. Without doubt all would testify positively that no good and much harm has resulted from this rule, and that it has always been a source of irritation, embarrassment, and injury to this Government.

American adherence to the World Court, even though strongly urged by Presidents Harding, Coolidge, and Roosevelt, and even though supported by an overwhelming majority of the American people, was defeated time and again by a minority in the United States Senate. The last effort at adherence was made in 1935. The House voted 302 to 28 for American participation in the World Court, and though the Senate voted 52 for and 36 against such adherence, the best interests of this country and the wishes of the American people were defeated by the Senate minority operating under the pernicious two-thirds rule.

Mr. Chairman, under the two-thirds rule America can neither lead nor follow effectively in world efforts toward world peace. Many valid objections exist to the substitution of executive agreements where treaties should be enacted. Executive agreements in lieu of treaties impose too much authority and too much responsibility upon the Chief Executive. The people, whose support of foreign policy is essential, often lack knowledge of executive agreements. Again, such agreements are lacking in the sanctity and prestige accorded treaties. Furthermore, a serious question exists as to the validity of executive agreements upon changing administrations. Certainly succeeding Presidents can refuse to be bound by such agreements.

One of the strong arguments now being used in international councils in an effort to secure the adherence of the nations to some form of world organization for the preservation of peace is, "Let us not insist upon perfection. We can change and amend our charter from time to time as necessity may require or experience dictate." This is a sane and reasonable approach to a difficult problem. However, all nations know that under the two-thirds rule America is practically unable to conclude the numerous treaties that will be necessary to effectively implement world organization.

The main objections to the Sumners resolution seem to me to be easily answered. Some say since the proposed amendment would increase the power and prestige of the Chief Executive in negotiating treaties, it would therefore decrease the power of Congress. The answer is that under the two-thirds rule neither the President nor the Congress has any actual power in treaty making, while under the Sumners resolution not only would the power of the President be increased but likewise the power and responsibility of the Congress, and likewise, the power and prestige of the American Nation in world councils. Some point out that since it requires a two-thirds vote of the Congress to override the Presidential veto, it should likewise require a two-thirds vote to ratify treaties. There is no analogy between these two situations. By veto the President negates an act of the Congress. It then requires a two-thirds vote to remove his negation. In the matter of treaties one-third plus one in the Senate alone vetoes or negates the Executive's act in proposing a treaty.

Again, the objection is heard that we might make mistakes. True; but let our mistakes of the future be those of action, not inaction. Let them be mistakes of commission, not mistakes of omission. Our past record is one of shameful inaction with tragic and disastrous results.

In generation after generation we have contributed our best blood and most of our wealth to the grim business of war. Ever since the days of Thomas Paine our leading statesmen have advocated world collaboration in the cause of peace and in the prevention of war. Since the Constitution was written we have done more talking and less acting upon these principles than perhaps any other major power on the face of the earth. Our statesmen have repeatedly suffered broken hearts and broken wills on the unshakeable two-thirds rule of the Constitution.

Ninety-five percent of all patriotic societies and of all religious organizations in America have gone on record urging American participation in some form of post-war collaboration for the prevention of war and the preservation of peace. Both branches of the Congress have gone overwhelmingly on record for post-war collaboration. The Secretary of State and the President have spoken positively on this subject. All leading candidates for President have condemned isolation as a national policy. Notwithstanding this overwhelming sentiment in the private and official life of America, that the mistakes of 1920 be avoided, history is almost certain to repeat itself. Like causes will produce like results.

We are not winning this war with the muskets of Bunker Hill and Brandywine. We cannot win the peace with the broadaxe fashioned by the men who wrote the Constitution. They would be the first to admit and deplore this limitation. We enter the sweepstakes of peace with a ball and chain around each ankle. A device which was unworkable and impractical even in the beginning of this Government has today become a strait-jacket, making impotent the most powerful and responsible Government on earth. Our practical inability to make treaties, and the Senate minority's power over treaties makes mockery of our vaunted democracy. Our leadership and prestige in international affairs has already suffered serious damage and if the two-thirds rule remains, America's leadership in the cause of peace will ultimately be completely destroyed.

A majority of the Congress can declare war. Why should not a majority of the Congress be able to declare peace?

Mr. Chairman, we must remove minority control over treaties. We must cease carrying on international dealings through executive agreements without the participation of the people through their elected representatives. Finally, we must not lose the peace on a technicality.

Mr. RANKIN. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I am glad to yield.

Mr. RANKIN. The gentleman has just said that those fathers of the Constitution who framed that sacred document would vote for this change, and he also said that every President from George Washington down was opposed to this two-thirds rule. I would like for him to point out where in history any of them have ever said they were opposed to it, and on what he bases his conclusion.

Mr. GOSSETT. All right, I will read from the statement of John Hay, who was one of the most eminent Secretaries of State. He said:

> The United States is rapidly becoming to be regarded by the other great powers as a nation which is not able to make a treaty. We have been trying to conclude important international agreements during the past 15 years, but very soon one after another of them go to wreck in the Senate. It is needless to enumerate the long and melancholy list. Whether the President was Cleveland, Harrison, or McKinley, whether the negotiated were Democratic or Republican, the powers of the Senate to ratify treaties has been mainly exercised as a power to ruin treaties. Three valuable conventions with Great Britain have been broken.
>
> The Chief of State has made treaties with France and Germany, but the Senate has said with a sneer, "They reckon they will leave me out," and has brought the whole work to the ground. Without intention, we seem to have stripped ourselves of the leading attribute of sovereignty, the power to make treaties.

Woodrow Wilson referred to the two-thirds rule as the treaty of making power of the Senate. While I have not the quotations here many other Presidents have expressed themselves to the same effect.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. SPRINGER. I notice in the record with respect to treaties that have been adopted, there have been over 1,000 treaties which have been adopted. Of that number 820 were signed by the United States; 24 were never submitted to the Senate; 9 were withdrawn by the President. Of the 787 treaties submitted, 47 were never acted upon; 15 were rejected, and 162 amended. In other words, the Senate intervened in but 234 treaties out of all the treaties which have been signed and have become the fundamental law between the nations.

Mr. GOSSETT. I am glad the gentleman made that observation. My answer to that is that in the course of a session of the Congress we pass hundreds of bills that become law. Probably 15 or 20 of them will be controversial. Many of them will be just matters of form. In the course of our history we have negotiated some 900 treaties. I think some 200 have been rejected, but the 200 were the ones that were important. We have entered into some 1,200 executive agreements. I will put those figures in the record later, but last year, 1944, 74 executive agreements were entered into and no treaties were ratified.

Mr. GWYNNE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. GWYNNE of Iowa. Does the gentleman say that 200 treaties have been rejected by the Senate?

Mr. GOSSETT. I said approximately.

Mr. GWYNNE of Iowa. As a matter of fact, 15 have been rejected.

Mr. GOSSETT. I do not have the exact figures, but the 200 estimate represents treaties drawn but not submitted because of the two-thirds rule as well as actually defeated by vote.

Mr. GWYNNE of Iowa. Well, those are the figures.

Mr. GOSSETT. I am not talking about the ones voted upon alone. I am talking also about those which would have been voted upon except for the handicap of the two-thirds rule.

Mr. COX. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. COX. I recognize the fact that the gentleman has been a most diligent student of this subject, and his argument is entitled to serious consideration. There are those of us, I dare say, who recognize this resolution as one which strengthens the position of the executive. I am wondering if in that connection the gentleman's committee considered offering a companion resolution which would empower the Congress to override the veto of the President by a majority vote. As for myself, I confess to a reluctance to support this amendment strengthening the position of the Executive when there is no present prospect of the House being able to consider a resolution which would strengthen the position of the Congress in that it would empower it to override the veto of the President by a majority vote.

Mr. GOSSETT. I may say to the gentleman that in the first place I am not a member of the Committee on the Judiciary, and in the second place this committee, as I understand, has reported a

resolution to permit the overriding of vetoes by a simple majority.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 7 additional minutes to the gentleman from Texas.

Mr. GOSSETT. In the third place, I submit there is no analogy whatsoever between the two-thirds requirement to override a veto and the two-thirds requirement to ratify a treaty.

Mr. COX. Why is that not an analogy?

Mr. GOSSETT. When the President vetoes an act of Congress he negates a legislative act which we initiate and it then takes a two-thirds vote to remove his veto. When he initiates a treaty we negate his action by one-third plus one of the Senate. So in the one instance two-thirds is required to remove a negative act and in the other it can be done by one-third plus one of one branch of the Congress.

The gentleman further said we were strengthening the hand of the President. That is true, but at the same time we are strengthening the hand of the Congress. At the present time, to all intents and purposes the legislative branch of the Government has no hand in treaty making.

Mr. COX. That directs the argument back to one of the gentleman's earlier observations.

Mr. GOSSETT. This country has been helpless and practically impotent in the matter of treaty making insofar as treaties may be necessary to the foreign affairs and international relations of this country.

Mr. COX. That takes the gentleman back to the observation he made with reference to the Senate's attitude on the question of the ratification of treaties. Wherein, in the gentleman's opinion, have events demonstrated that the Senate in any single instance made a wrong decision?

Mr. GOSSETT. I am glad to answer that, but before I do so may I not say that my support of the Sumners resolution does not grow out of my fear or hope regarding any particular treaty; it simply is my earnest desire that we make the ratification and negotiation of treaties possible. I say we are impotent.

But to go back to the gentleman's question—and that is another issue I wish I had time to debate—I will always feel that we shamefully turned our back on the League of Nations and refused to ratify the Treaty of Versailles. We refused to work with other nations in an organization for peace. Our international dealings have continued to be one blunder after another largely because the Senate minority's control over treaties forced upon this country a policy of isolation.

There is another thing: Notwithstanding the fact that time and again Coolidge, Harding, and Roosevelt all urged American adherence to the World Court and an overwhelming majority of the people wanted that done, the last vote on that, in 1935, showed the House voting 302 to 28 for adherence to the World Court but with the Senate voting 52 for to 36 against, thereby defeating adherence because of the archaic and preposterous two-thirds rule.

Mr. COX. I was for adherence to the League of Nations, but the Presidents whose names the gentleman has mentioned all came ultimately to the conclusion that the Senate took the right position.

Mr. GOSSETT. I doubt that seriously.

Mr. COX. The record shows that they did.

Mr. GOSSETT. I would have to see the record.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. KEFAUVER. Reverting to the discussion by the gentleman from Georgia as to the fact that the President can veto a bill and that it requires a two-thirds vote of both branches of Congress to pass it over his veto, I certainly agree with the gentleman from Texas that the situation is not analogous to what we are talking about here.

I ask the gentleman if he does not think that to make it analogous this would have to be the situation: If the Constitution provided that every act and every bill that passed in Congress should be vetoed by the President so that we would have to pass it by a two-thirds majority, then it would be analogous. That would be the same as saying we would have to pass any law by a two-thirds majority to start with. Or if the Constitution provided that any law the President originated must receive a two-thirds majority before it could be enacted, it would be analogous. So the illustrations given are not analogous.

Mr. VURSELL. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield to the gentleman from Illinois.

Mr. VURSELL. Since we elect the Senators by a direct vote of the people, is it not a fact that when the Senate takes action it takes action as the representatives of all the people, which makes it less necessary, in my judgment, to change the rule now than prior to this time?

Mr. GOSSETT. This is true; but the Senate does not act. It is a matter of inaction of which we most complain. Our sins in the past have been sins of omission. Now, let us try to make some treaties. If we make mistakes we can correct them by the democratic process of a majority vote of both Houses of Congress.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman 1 more minute.

Mr. LUTHER A. JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield to my colleague from Texas.

Mr. LUTHER A. JOHNSON. Since I do not expect to participate in this debate, I ask the gentleman to yield for two purposes; first, to express my approval of this resolution and to register my earnest conviction that the resolution is right and should be adopted. I hope it may be enacted into law. In the second place, I wish to commend the gentleman from Texas [Mr. GOSSETT] for the diligent work he has been doing, covering a number of years, in support of this legislation. I think his efforts have been well spent, and I also believe he has convinced a great many people that his position is sound.

Mr. GOSSETT. I thank my good and able friend from Texas.

Mr. SUMNERS of Texas. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Eighty-seven Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 64]

Barry	Hancock	Pfeifer
Bennett, Mo.	Hand	Phillips
Biemiller	Harless, Ariz.	Ploeser
Bloom	Hart	Plumley
Bradley, Mich.	Healy	Price, Fla.
Buckley	Hobbs	Price, Ill.
Butler	Holifield	Rich
Canfield	Holmes, Mass.	Richards
Cannon, Fla.	Izac	Robinson, Utah
Celler	Jackson	Roe, Md.
Clements	Jarman	Roe, N. Y.
Cochran	Kelley, Pa.	Ryter
Curley	Keogh	Sadowski
Dawson	Kilburn	Savage
Dirksen	King	Sheridan
Doughton, N. C.	Lea	Short
Durham	Lesinski	Starkey
Eaton	Luce	Stewart
Flood	McGehee	Thomason
Fuller	Maloney	Torrens
Fulton	Manasco	Vorys, Ohio
Gavin	Mansfield, Mont.	Walter
Gifford	Mason	Weichel
Graham	Morgan	White
Hagen	Mott	Wilson
Hall, Leonard W.	Pace	Winter
Halleck	Patrick	Woodrum, Va.
		Worley

Accordingly the Committee rose; and the Speaker pro tempore, Mr. COOPER, having resumed the chair, Mr. BATES of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 60, and finding itself without a quorum, he directed the roll to be called, when 350 Members responded to their names—a quorum—and he submitted therewith the names of the absentees to be spread upon the Journal.

The SPEAKER pro tempore. The Committee will resume its sitting.

Mr. SUMNERS of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore, Mr. COOPER, having resumed the chair, Mr. BATES of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 60, proposing an amendment to the Constitution of the United States relative to the making of treaties, had come to no resolution thereon.

ANNOUNCEMENT

Mr. McCORMACK. Mr. Speaker, the President of the United States, Mr. Truman, is in the building and has expressed a desire to meet the Members of the House of Representatives. I make this

brief announcement that the President will be glad to meet the Members of the House in the Speaker's office. They will file through the door nearest the elevator and then out through the Speaker's outer office. As I stated, the President is in the Capitol and has expressed a desire to meet the Members of the House.

Mr. Speaker, I ask unanimous consent that the House stand in recess, subject to the call of the Chair.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Accordingly (at 1 o'clock and 47 minutes p. m.) the House stood in recess, subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 2 o'clock and 12 minutes p. m.

AMENDMENT TO THE CONSTITUTION WITH RESPECT TO TREATY RATIFICATION

Mr. SUMNERS of Texas. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 60, proposing an amendment to the Constitution of the United States relative to the making of treaties.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 60 proposing an amendment to the Constitution with respect to treaty ratification, with Mr. BATES of Kentucky in the chair.

The Clerk read the title of the resolution.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield myself 20 minutes.

The CHAIRMAN. The gentleman from Iowa is recognized for 20 minutes.

Mr. GWYNNE of Iowa. Mr. Chairman, some time ago the Judiciary Committee of the Senate adopted a resolution stating in substance that that body would consider no constitutional amendments until the war was over. In view of that and certain other facts, it is extremely unlikely regardless of what we do here today that this amendment will ever become a part of the Constitution in time to affect any treaties made to meet the needs growing out of this war. I submit, therefore, Mr. Chairman, that if any of us have any prejudice for or against any proposed world order it should not enter into our deliberations.

We are not appearing here as legislators; we are appearing as Constitution makers. We have the same great fundamental duty to perform that the men did who wrote the Constitution, and we should be thinking not in terms of days or years but in terms of centuries.

It is not true that this two-thirds provision was an accident; it was very carefully considered. There were sound reasons for its inclusion in the Constitution, and it is my opinion that those reasons still exist.

Mr. Chairman, all I propose to do is to suggest briefly the reasons why the two-thirds provision as to treaties should remain in the Constitution.

Students will tell you that in all the history of organized society, there have been two general types of government. First, there has been government of men, and second, there has been government of law. I do not intend to go into a discussion of the difference between them now, except to say that the difference is so fundamental that the history of the world is nothing more nor less than a record of a struggle between them. That is what is going on now all over the world. That is what is going on now in this country and in the days to come will go on in even greater degree.

Mr. Chairman, government of men came first. It began in the jungle and the caves. The government of law was a later development. Sometime in the history of the struggle between them the government of law took to itself two great allies. They were not men. they were not nations. They were two great philosophies or ideologies, if you wish to call them that.

The first was the common law as developed by the Anglo-Saxon people and the second was the Christian religion. The two have this in common: They were based on the dignity of man. They believed that the state existed for the individual, not the individual for the state. They opposed the divine right of kings. Without going into that, it is enough to say that under the common law we have developed machinery to protect man against the government, we protect the minority against the majority. For instance, when a man is put on trial for his liberty or life, his fate is not decided by a majority, not even by a two-thirds majority. It must be a unanimous verdict. We have provisions in the law relating to corporations, with which you are familiar, protecting minority stockholders.

Mr. Chairman, the men who wrote the Constitution were familiar with all those things and they determined to maintain here forever a free government, which means a government of law, because no government of man has ever led anywhere but to dictatorship and destruction.

After all what is a constitution? A constitution is simply something that we write, in our better moments, to protect ourselves from ourselves in our worst moments. So, in their determination to protect the individual and to preserve a government of law, they wrote into the Constitution not one instance of a two-thirds majority requirement but several. For instance, they said that we might impeach certain officials of our Government, yet the vote must be by two-thirds. This House might expel a Member, but the vote must be by two-thirds. We might override the President's veto by a two-thirds vote. We might amend the Constitution but by a two-thirds vote, and then it must be ratified by three-fourths of the States.

Mr. Chairman, I doubt if you can find a single constitution anywhere that does not have in it some place this two-thirds provision. Let me call your attention to the Dumbarton Oaks proposal. This is chapter V, section 3, of the Dumbarton Oaks proposal:

> Important decisions of the General Assembly, including recommendations with respect to the maintenance of international peace and security; election of members of the security council; election of members of the economic and social council; admission of members, suspension of the exercise of the rights and privileges of members, and expulsion of members; and budgetary questions—

All this should be done by two-thirds majority under the Dumbarton Oaks proposal.

But there are proponents of this particular amendment who will agree to two-thirds provisions in other cases, but they say there is no reason for it in regard to treaties.

In my opinion there are three fundamental reasons that apply with particular force to the two-thirds provision in regard to treaties. They are these: First, the treaty-making power is a broad and tremendous and virtually unlimited power—right next to the Constitution, and in some ways tied in with the Constitution. The second reason is that the treaty-making power is not subject to judicial review. The third reason is that a treaty will override any law of your State; will override any provision of any constitution of your State.

May I say a few words about each of these reasons? First, a treaty-making power is a broad and an almost unlimited power. If you will examine the Constitution, you will find that the powers given to the Federal Government to deal with internal affairs are on a different basis than the powers given to that Government to deal with external affairs. For example, suppose we wish to legislate on a given subject concerning our domestic problems. We must find authority to legislate expressly written in the Constitution, or necessarily implied. Suppose we wish to legislate or deal or have some relations with some foreign government. The situation is quite the opposite. The Constitution created a sovereign government, and it took its place in the sovereign governments of the world with all the authority, so far as other governments were concerned, that sovereigns had at that time under the international law; in other words, the Constitution, so far as domestic powers are concerned, is a delegation of power to the Congress. So far as foreign affairs are concerned, it is a limitation of power.

I think I can express that better if I read you a statement by our Supreme Court in the case of *United States* v. *the Curtiss-Wright Export Co.* (299 U. S. 304).

I wish it were possible for every Member to read that case before voting on this resolution. Here is a quotation from it:

> The investment of the Federal Government with the powers of external sovereignty did not depend upon the affirmative grants of the Constitution. The powers to declare and wage war, to conclude peace, to make treaties, to maintain diplomatic relations with other sovereignties, if they had never been mentioned in the Constitution, would have vested in the Federal Government as necessary concomitants of nationality.

Our forefathers knew that. They knew that by the act of bringing forth a sovereign power that power was clothed with all the sovereign powers that were known in those days, and they sought to put a limit on it. They sought to direct these various powers, so they provided, for example, that only Congress could declare war, that only Congress could regulate immigration, that only Congress could regulate trade with other nations.

Then they came to treaty provisions, the great fundamental power. They debated, as you will remember, giving that power exclusively to the Senate, and then decided that the work of negotiating a treaty was a job for the executive branch, so they put it there but provided that it must be ratified and confirmed by a two-thirds vote in the Senate.

The next thing I wish to mention is that treaties are not subject to judicial review. Suppose this Congress should make a mistake. Suppose in our domestic affairs we should pass some law beyond our constitutional authority. The people have a remedy. They can go to the court, and the court, if it does its duty, will declare the law in contravention of the Constitution. But as you know, the court has declared that certain questions are political questions, using now the word "political" in its broad sense, political questions that the court will not interfere with, and treaties fall in that class. For example, suppose we should make a treaty with Great Britain adopting the provisions of Union Now, admitting them to citizenship and accepting citizenship in the British Empire, who would protect the Nation from that? I do not know. Certainly not the courts; of that you may rest assured.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield to the gentleman from Tennessee.

Mr. PRIEST. I agree with the gentleman that treaties are not the subject of judicial review, but suppose a treaty such as the one mentioned by the gentleman should be adopted today, under our present arrangement of requiring two-thirds concurrence of the Senate; there would still be no appeal for any judicial review. We would not change that situation at all by bringing the House in.

Mr. GWYNNE of Iowa. That is correct, but that is one reason we have now a requirement for a two-thirds vote instead of a majority, because we have no judicial review.

Mr. O'HARA. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield to the gentleman from Minnesota.

Mr. O'HARA. I think the gentleman is making an excellent and a logical statement. It was suggested here by one of the speakers today that if we make a mistake on one of these treaties, even if it is a majority mistake, it can be easily corrected. The gentleman knows, of course, that that is not true, that after we once make a treaty we are dealing with the action of the parliamentary body of another Government, which may not have the same view of the mistake that was made that we have.

Mr. GWYNNE of Iowa. That is correct. A treaty is a contract between two sovereign powers. Of course, the country does have the power to renege on its obligations and run the risk of war if it chooses to do so.

Let me get to one other feature that I think is very important, one other reason why this two-thirds provision must be maintained.

A treaty overrides any State law or any provision in your State constitutions, make no mistake about it whatever. That was well understood when our fathers wrote the Constitution. For example, they had two illustrations of it right there. Here were the Southern States, at that time interested in navigation on the Mississippi. They feared that the National Government, that is a majority, becoming forgetful of the rights of the southern group, would make a treaty with Spain or France which would be detrimental to the South as to navigation on the Mississippi. Here was the New England group, interested in fisheries, afraid that the country or a majority thereof might make some treaty with Britain which would be detrimental to the interests of New England in the fishery business.

That they were entirely correct in their views that a treaty will override any State law or any State constitution was pointed out by the Supreme Court in the first decade of our existence. Here is the case of *Ware* v. *Hylton* (8 Wheaton 464). In that case the Supreme Court said this:

> A treaty can totally annihilate any part of the Constitution of any of the individual States that is contrary to the treaty.

We have had some instances of that, and before you turn over your States' rights and the power of your State to regulate itself to a majority of this country, you should look at some of the cases that already have been decided.

Virginia had a statute which said no alien could inherit property there. The Federal Government entered into a treaty with Switzerland saying their nationals had the right to inherit property and the treaty overrode the statute. Some of the Western States, as you know, have had their problems with certain Oriental peoples. So a certain Western State passed a law some time ago providing that no alien should engage in the business of a pawnbroker. Well, along came the Federal Government and negotiated a treaty with this nation which gives their nationals living here the right to enter business the same as a citizen; and that treaty overrode the State statute. Suppose this were to happen. You know, we have people in this country who seem to feel that the solution of the great problems of the world is for this great country to give away our liberties, to give away property that we have accumulated and which our forefathers had accumulated by years of hard work. Suppose the people with that view should elect a President and should elect a majority in this Congress and suppose they should take a look at India—India with its teeming millions—and get the notion that the solution of the problems of the world would be to bring a lot of people here from India and settle them out in the Midwest where there is a lot of land and give them rights, for example, which the State of Iowa does not give its citizens. It could do it under a treaty. It has been decided by the courts. I want to call your attention in that connection to the case of *Todok* v. *Union State Bank* (281 U. S. 449). This is what they tell you. While that particular feature was not involved in the actual decision and what I cite here is dictum in the case, it indicates what the court believes about the tremendous power of the Federal Government in negotiating a treaty. The quotation is as follows:

> Treaties in safeguarding important rights in the interest of reciprocal benficial relations may by their express terms afford a measure of protection to aliens which citizens of one or both of the parties may not be able to demand against their own governments.

As against these reasons for retaining this two-thirds provision, which is some measure of protection to the individual, some measure of protection to the State, and some measure of protection to the different group interests in this country and sectional interests which we have and recognize, what do the proponents say? Why, they say the present provision has been a failure.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, I yield 5 additional minutes to my colleague.

Mr. GWYNNE of Iowa. They are going to recite to you certain treaties which were turned down by the Senate. If they do, we intend, if we can get the time, to give you the history of each and every treaty they discuss. But here is the over-all picture. This is a list prepared by Professor Daingerfield covering the period from 1789 to 1928. During that period 820 treaties were signed by the United States. Twenty-four were never submitted to the Senate by the State Department. Nine were withdrawn by the President, a total of 33. Now that is interesting, is it not? Thirty-three treaties after they had been made were, for one reason or another, not urged further. Therefore, that leaves 787 which were submitted. Out of that, 47 were never acted on, which is less than 6 percent. Fifteen were rejected; that is less than 2 percent. One hundred and sixty-two were amended, which is about 20 percent.

Mr. Chairman, in view of that record, in view of the dangers that the future might bring to us, why do we at this time, when everyone's mind is taken up with the problems before us now, waste time with this thing? I think the greatest argument that can be made against this resolution is written down in the Book that in my judgment is the greatest Book on statecraft ever written, the Holy Bible. It says something like this, "Remove not the ancient landmarks that the fathers have placed before you."

Mr. GALLAGHER. Mr. Chairman, will the gentleman yield?

Mr. GWYNNE of Iowa. I yield.

Mr. GALLAGHER. A majority of Congress has the right to declare war.

Mr. GWYNNE of Iowa. That is correct.

Mr. GALLAGHER. But one-third of the Senate can say we canont make the peace.

Mr. GWYNNE of Iowa. Oh, well, that argument has been made many times.

Mr. RANKIN. Will the gentleman yield?

Mr. GWYNNE of Iowa. I yield.

Mr. RANKIN. It has been decided time and time again that a majority of Congress has the right to make peace, just as it has to declare war.

Mr. GWYNNE of Iowa. That is correct, and it has done so. They have adopted provisions declaring that the war is ended. The Congress usually declares war because of some activity that has gone on already. The peace is brought about, as this one is being brought about, by our soldiers and sailors who are actually fighting the war. They are the ones who bring the peace to us.

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 20 minutes.

Mr. Chairman, I want to express appreciation for the high order of statesmanship with which this discussion has been conducted. We have listened to two illuminating, informative, clear statements. I suppose each Member of the House present today is conscious of the tremendous responsibility which rests upon each one of us. There cannot be any partisanship in a situation like this, of course. There cannot be any playing to the galleries. I suppose everybody realizes that at this hour the mightiest issues of the ages are impending. Much depends upon the wisdom, devotion, patriotism, and clear vision of the men and women who are assembled in this chamber today. It is with a full realization of that responsibility that I stand before you at this time to make the best effort I can to help bring the issues here involved to a clear understanding of the Members of the House who have not had original responsibility in studying this matter and in drafting this proposed amendment to the Constitution.

I agree thoroughly with all those who appreciate how serious a matter it is to propose amendments to the Constitution.

I did not introduce the first resolution. My inclination was to be opposed to it. But the more I examined, the more serious consideration I gave, the more I became convinced that this amendment ought to be adopted. The gentleman from Michigan [Mr. MICHENER] made a very clear statement as to what is before us. There are two things. First, ought the House of Representatives to have responsibility, ought it to participate in determining the treaties which bind the people of the Nation and affect the world? It is very difficult, it seems to me, to support the contrary proposition with regard to the House of Representatives. This House of Representatives is a house of representatives. As nearly as it is possible under our system of government it is the American people assembled right here today. Will anybody say that the House of Representatives ought not to have a voice, has no responsibility in the nature of our system of government, in the determination of treaties? Its Members are closer to the people than the Members of the other Chamber. They have small constituencies. Furthermore, the history of democratic government, the pattern of the functioning machinery of democratic government, shows a remarkable uniformity of a two-house legislative policy-fixing agency. Such a structure, it is agreed, contributes to efficiency and security. At this point may I direct attention to the fact that this which it is proposed to amend is not a part of the more basic provisions of the Constitution.

An independent judiciary, an independent legislative branch of the Government, the provisions which make up our Bill of Rights, came from God. They are founded in Nature; they inhered in Nature anterior to any possible precept. They originated out of necessity. They have evolved through the process of the ages, developed by experience, among a people peculiarly gifted with the genius of government. Such as these are our ancient landmarks. There are also other provisions in the Constitution whose office it is to implement those provisions. They are the acts of men; they represent the judgment of men and only men. It is such a provision as that which we here propose to amend.

The men who framed the Federal Constitution were men just as we are men. As the distinguished gentleman who preceded me stated, in shaping the provision proposed to be amended, these men were dealing with a concrete situation and specific problems. The Southern States were concerned about navigation on the Mississippi River, the Eastern States with regard to fisheries. But that was not all. These States were then only an embryonic nation. They were in the crossfire between Great Britain, of which we had been a part and from which our institutions had come, and France, without whose assistance they could not have won their independence. Considering these circumstances, this handicap upon the treaty-making power may have been a wise provision. It was a provision of men devised and designed in the main to deal with a practical problem of immediate but not necessarily permanent importance. It ought not to be retained. It is out of harmony with the sort of Government we are trying to operate. It does not fit in with the rest of the governmental machinery.

Thomas Jefferson, in a letter to Samuel Kercheval on July 12, 1816, said:

> A departure from principle in one instance becomes a precedent for a second; that second for a third; and so on, till the bulk of the society is reduced to be mere automatons of misery.

We all agree with that. But, continuing, Mr. Jefferson said—and he seemed to have been speaking to us:

> Some men look at constitutions with sanctimonious reverence, and deem them like the Ark of the Covenant, too sacred to be touched. They ascribe to the men of the preceding age a wisdom more than human, and suppose what they did to be beyond amendment. I knew that age well; I belonged to it, and labored with it. It deserved well of its country. It was very like the present, but without the experience of the present; and 40 years experience in government is worth a century of book reading; and this they would say themselves, were they to rise from the dead. I am certainly not an advocate for frequent and untried changes in laws and constitutions. I think moderate imperfections had better be borne with; because, when once known, we accommodate ourselves to them, and find practical means of correcting their ill effects. But I know also that laws and institutions must go hand in hand with the progress of the human mind.

Let us see what we were then. The people who sat in the Constitutional Convention at that time were isolated. A wide, wide ocean separated them. They could choose whether or not they would remain isolated. We cannot make that choice. The application of steam, electricity, and gasoline has wiped out our isolation and here we stand jammed right up against the other nations of the world.

Twice in a quarter of a century we have crossed the ocean to engage in the most gigantic struggles of all times. We did it under the existing Constitution.

I have no responsibility except to do my best. You and I as servants of a great participating nation have a new responsibility as government, some form of authoritative government, is projecting itself into that realm that lies between the governments of the world. Do not make any mistake about that. Governments are agencies of the people but the people are also agents of government and have to do its work. It is fixed by human necessity that there shall be government. We have reached the point where the necessity of the world has fixed it; do not make any mistake about that, that some sort of authoritative government is going to project itself, is projecting itself, into that realm that lies between the governments of the world, a sort of no man's land, the breeding place of most of the world's wars. It is not something that we can choose about.

The more important treaties that are going to be made in the future will be more in the nature of legislation than treaties under the old conditions. We are going to have to sit in the Council of the World. We are moving toward the realization of that dream, I hope, of Tennyson, which he described over a hundred years ago in this language:

> For I dipt into the future, far as human eye could see,
> Saw the vision of the world, and all the wonder that would be;
>
> Saw the heavens fill with commerce, argosies of magic sails,
> Pilots of the purple twilight, dropping down with costly bales;
>
> Heard the heavens fill with shouting, and there rain'd a ghastly dew
> From the nations' airy navies grappling in the central blue;
>
> Far along the world-wide whisper of the south wind rushing warm,
> With the standards of the peoples plunging through the thunderstorm;
>
> Till the war drum throbb'd no longer, and the battle flags were furl'd
> In the parliament of man, the federation of the world.
>
> There the common sense of most shall hold a fretful realm in awe,
> And the kindly earth shall slumber, lapt in universal law.

Centuries may intervene before the realization of that dream, but the lash is on the backs of the nations of the earth, driving them to the discharge of neglected duty. The determination of what we are to do in this terrible situation where the hope of the ages to reduce wars is involved is not a thing to be left to one-third of the Senate plus one. Suppose we were writing a constitution now, dealing with our share of responsibility in dealing with the stupendous problems of this Nation. Would we create one legislative body to deal with them and then provide that one-third of that body plus one should speak the voice of the Nation, be the keeper of its power? You would not do it, make it possible for one-third of the Senate plus one to hinder the will and the purpose of a great free Nation. You would not do it. Nobody would do it. If we were writing the Constitution now, we would not do it.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I have listened attentively to the distinguished gentleman's presentation of this very important subject, but one matter has occurred to me that I should like to have the gentleman discuss, because I know he is able to discuss it. We are engaged in a great conference among the nations out in San Francisco. It is the hope of the people of the world that there will come out of that conference a structure for world organization designed to preserve the peace of the world. Whatever may be the ultimate determination of that conference, that will require the approval and acceptance by the Senate of the United States by a two-thirds vote, will it not?

Mr. SUMNERS of Texas. That is correct.

Mr. KEEFE. Assume that such a proposal is ratified by the Senate of the United States and the other nations of the world and becomes operative, will the gentleman discuss for a few moments the field of international relations that would call upon the House and Senate for action after ratification of the world organization? What would be the field in which we could operate, in which the House and the Senate might be called upon for ratification if this amendment were adopted?

Mr. SUMNERS of Texas. I understand the gentleman's question and appreciate it. It is a pertinent question. May I make this statement, and I am not presuming to be a prophet. In my judgment, judging from history and the nature of the evolution of government, the convention that is now meeting in San Francisco will not be able to do more at this time perhaps than to move the purpose and to some degree the power of the nations of the earth into this government that I mentioned awhile ago that is now attempting to enter that realm that lies between the governments of the world, that sort of "no man's land" to which I have referred.

This will be the beginning only. It may not be even a beginning, in which there will be no interruption of effort to go forward. Nobody can know.

Permit me to illustrate what I mean. When we started in America moving toward the establishment of a federation, as established by this Constitution, as I mentioned a while ago, we passed through the first stage, that of a confederacy. The States confederated and fought the battles of the Revolution as confederates. They would not then go so far as they were willing to go later on. In this embryonic thing in process of gestation at San Francisco, if it should come alive to birth, will be a sort of government for the world. Then for years and years and years—nobody knows how long, legislative bodies are going to be grappling with the problems which are rising out of this attempt to establish a better method than war affords to settle international disputes. I think it is very important, as soon as we can, to equip ourselves constitutionally so that the House of Representatives, representing the people, will have a direct voice in what this Government shall have to do in relation to whatever international government will have been developed, or rather will be in process of developing. Do I answer the gentleman's question?

Mr. KEEFE. The gentleman has answered me most generally, but I must confess he does not approach the discussion from the point of view which I would like to have him discuss it. I am assuming that the fundamentals of Dumbarton Oaks are adopted at the San Francisco Conference which proposes to set up a council vested with certain powers and an assembly vested with certain authority and to establish an international court. If we have such a program, we approve it with the knowledge that that organization is going to function in the field which we have then set apart for it to function in. I would like to ask the gentleman, What are these bilateral arrangements that one nation could enter into with another, separate and apart from the arrangement that might be approved either by the council or by the assembly of the new league upon which this House and the Senate would be called upon for ratification? I would like to ask the gentleman, if he would, to address himself to that particular subject.

Mr. SUMNERS of Texas. Of course, I do not know what will be required in the future, but it seems clear to me there will be no such surrender of sovereignty or national responsibility as will remove the Congress from either power or responsibility. I will try to illustrate what I have in mind, although I may not be able to express it exactly. You are going to have the same sort of need by the participating nations for further legislation which in this country the States had under the Articles of Confederation and even after we adopted the Constitution of the United States. Although the situation is not exactly similar, does that answer the gentleman's question?

Mr. NEELY. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. NEELY. Mr. Chairman, may I not ask the distinguished gentleman from Texas if it is not a fact that the adoption of the pending resolution would not increase either the power or the responsibility of this House in regard to the vital question propounded by the distinguished gentleman from Wisconsin?

Mr. SUMNERS of Texas. As I understand the question of the gentleman from West Virginia, I agree with that.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield to me?

Mr. SUMNERS of Texas. I yield.

Mr. HINSHAW. In view of the fact that several of my colleagues are not aware of the fact that it requires two-thirds majority in both the House and the Senate to agree to a proposal such as is here before us, I think the gentleman would do well to explain that to the House.

Mr. SUMNERS of Texas. I cannot, by any explanation, change the Constitution with regard to the number required to approve this resolution.

Mr. KEEFE. Will the gentleman yield further?

Mr. SUMNERS of Texas. I yield.

Mr. KEEFE. I fully agree with the gentleman that perfection cannot be attained in the organization of the world organization at San Francisco and that it may take years for that organization to perfect itself.

Mr. SUMNERS of Texas. That is right.

Mr. KEEFE. But I am asking the gentleman to tell us what part this House or the Senate will have in perfecting the organization of the international organization. Once that is set up, will that not be the work of the organization itself, the World Court, the Council and the Assembly? Will they not be the organization that will be called upon to make these perfections which the gentleman has discussed? I am frank to say I fail to see where this Congress will be called upon to make ratification of bilateral agreements with other nations in the event we are so fortunate as to have an international organization to which we will commit that power and delegate it, if we ratify the program adopted at Dumbarton Oaks. I may be wrong. I am hopeful the gentleman will clear that up, because I think many Members of the House would be interested to have the gentleman's reaction on that specific phase of the question.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield myself 5 additional minutes. I am sorry I have misunderstood the gentleman's question. The House could not have directly to do with the proceeding of what may be initiated at San Francisco provided the Senate ratifies the treaty which binds us in agreement of what is done there. I do not know just what, when, or how, but I do know that from time to time what is agreed to will have to be modified and the assent of the participating nations will have to be obtained.

I may say, however, if the position of those opposed to this resolution prevails, of course, the House will not have anything to do with it. I think it is important that in the future dealing with these problems, the House should have a voice. If you should take away the two-thirds requirement with regard to

the Senate and merely have a majority of the Senate to ratify you would be lacking in the safety and in the protection that would obtain if after that Senate by a majority had acted, you would then bring the matter to the House and have the House act.

Mr. McCORMACK. Will the gentleman yield?

Mr. SUMNERS of Texas. I yield.

Mr. McCORMACK. In connection with the inquiry made by the gentleman from Wisconsin [Mr. KEEFE], may I call the gentleman's attention to the fact that the treaty-making power is not only the power to ratify but to advise. The Senate can advise, and there have been occasions, as the gentleman knows, where the Senate has, in connection with foreign affairs, by proper resolution advised the President of the views of the Senate, and invariably those views have been carried out. What I have in mind is that after the Conference at San Francisco and any subsequent ones have agreed, and the Senate has ratified, then there would be an important element outside of other treaties which would not be related to the peace treaty. The House and Senate would play an important factor in connection with the international organization, under the constitutional power to advise. Certainly the House should have a voice in that.

Mr. KEEFE. Will the gentleman yield further?

Mr. SUMNERS of Texas. I yield.

Mr. KEEFE. I am not asking these questions because of a conviction one way or the other. I am seeking light on this proposition, and I am trying to intelligently ask questions that will develop some thought that I know is in the minds of many Members of this House.

Mr. SUMNERS of Texas. I appreciate that. The gentleman is doing a good service.

Mr. KEEFE. The thing I am interested in is this: This advice proposition is in the realm of the nebulous. As far as I am concerned, I hope and pray that this Conference at San Francisco will bring forth to the world at the very earliest moment the unanimous ratification of an organization that will carry out the purposes and functions that were fundamentally established at Dumbarton Oaks. That is in my heart. All right. Now it stands in the realm of reason to believe that if that is accomplished it will be accomplished with comparative speed. We hope and expect it will be done within the period of a few months at the outside. If they do that and it comes back to the Congress of the United States for ratification the Senate of the United States will be the body that will be called upon to ratify it unless it were possible to have this resolution passed in the House, passed in the Senate, sent back for ratification, and ratified by 36 States. It does not impress me in the realm of realistic thinking to believe that it is possible to effect the passage of this legislation and get this proposed amendment ratified in time to have the House called upon to pass upon any proposal adopted at Dumbarton Oaks.

The question is, if that thinking is correct and if I am realistic up to that point; What is the thing in the future then, outside of this nebulous field of advice that the distinguished gentleman from Massachusetts has talked about, what is the thing that the House and the Senate may be called upon in the future, assuming the establishment of an international organization, to deal with? That will be the job of that organization, as I understand it.

Mr. SUMNERS of Texas. I have the gentleman's question.

Mr. KEEFE. I have tried to make that plain to my friend from Texas, and I sincerely and honestly am seeking light upon that proposition.

Mr. SUMNERS of Texas. My friend is endeavoring to the best of his ability and my poor receptive capacity to get across a very important question; and I have been trying to the best of my ability to give him what I think is the correct answer. I cannot say more than to say I am certain that when San Francisco shall have finished its work, and the Senate shall have ratified, if it does, the responsibility and power and work of this Government will not have been finished.

The CHAIRMAN. The time of the gentleman from Texas has age'n expired.

Mr. SUMNERS of Texas. I yield myself 10 additional minutes.

If this is really launched in San Francisco, for a long, long time developing, facilitating, and implementing the thing that is launched will be challenging not only the statesmanship of the House and the Senate but of the world. I do not quite understand the Member of the House who does not want to participate in the discharge of that duty. Is there a Member in this House on either side who does not literally know beyond peradventure of doubt if this thing is launched in San Francisco—really launched—that the problems in governmental responsibility that grow out of its operation will for centuries maybe challenge the genius of the statesmanship of the world? Does anybody doubt that? Does anybody believe that authoritative government can enter the realm that lies between the governments of the world and not require the thinking and the effort of as great statesmanship as the ages have produced? Whether we can meet that problem I do not know, but we have got the challenge of it. We are not, of course, responsible for what the Senate does, but we are responsible for what we do and we have got to face the job today.

It is a tremendous responsibility, Mr. Chairman, for the membership of this House to agree that in the great challenging days to come, that one-third of the Senate plus one may determine, may speak the voice and the power and responsibility of this Nation in a great world crisis such as we are in at the present time. I have more confidence in the people of the country and more confidence in the Members of the House.

Mr. GOSSETT. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to my colleague from Texas.

Mr. GOSSETT. I just want to further answer the distinguished gentleman from Wisconsin. One of the big arguments now going on in San Francisco and one of the things that the delegates are taking great care to make clear is that they are not going to get perfection.

Mr. SUMNERS of Texas. Of course.

Mr. GOSSETT. Let us not insist on perfection because we will be implementing, changing, and revising this thing by treaty later. We will have multiplied treaties, dozens of them, which it will be essential for this country to ratify in order to perfect this organization.

Mr. SUMNERS of Texas. If anybody out there have said they thought they were going to have perfection they have demonstrated they do not have sense enough to be there.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. Is it not also true that it has been made perfectly clear that what is taking place at San Francisco is not the formation of a treaty? It is only an attempt to set up the start of an organization. A treaty cannot be made until long, long after the war is over, and for many, many years through the centuries there will be treaties.

Mr. SUMNERS of Texas. Of course. I have been trying to say that over and over again, and I appreciate any help anyone can give to me in trying to get across the idea.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from California.

Mr. HINSHAW. The very distinguished gentleman from Texas and his equally distinguished committee have done me the honor of hearing two of my resolutions which plead for this same idea—resolutions which need not be agreed to by any other nation, but only by the two Houses of Congress and the President, which will accomplish very much the same objective that the gentleman has in mind; that is, merely by legislative act. If there is any failure on the part of this body and the other body by a two-thirds vote to adopt the present resolution, I hope the gentleman will do me the honor of further attending to the resolution I have introduced.

Mr. SUMNERS of Texas. The gentleman from California has done some very constructive thinking and he has made some progress in a very commendable way.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Iowa.

Mr. JENSEN. I am not an authority on the question being discussed right now, but like most every other Member of Congress I am anxious to study, learn, and fit myself to pass upon these questions. To clear up the question which the gentleman from Wisconsin asks may I ask this question: Will not the position of the United States Government in relation to the world or the international assembly be comparable to the State governments of these United States in relation to the Congress of the United States?

Mr. SUMNERS of Texas. There is some similarity.

Mr. JENSEN. We are going to have something like 40 nations in the international assembly.

Mr. SUMNERS of Texas. Yes.

Mr. JENSEN. We have 48 States in the United States. So I can visualize the same condition or the same prerogatives the States have as related to the Federal Government that we will have under the Dumbarton Oaks and the San Francisco Conference plan of international affairs in relation to world affairs.

Mr. SUMNERS of Texas. There is some similarity.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS or Texas. I yield to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. I do not think anyone on the floor disagrees with the proposition that the House ought to participate in the ratification of treaties. The only thing disturbing me is whether or not we should abrogate the two-thirds rule. May I say that I have the greatest respect for the opinion of the distinguished gentleman from Texas.

Mr. SUMNERS of Texas. I thank the gentleman. I have great respect for him.

Mr. ALLEN of Louisiana. My question is, Does the gentleman feel that participation by the House in a majority vote would give sufficient protection to justify the abrogation of the two-thirds rule?

Mr. SUMNERS of Texas. My answer, if I answer "Yes" or "No," would be "Yes." I would not be willing to abrogate a two-thirds vote in the Senate if we did not have the additional safeguard and security which would result from having another House consider and act on the matter also.

In making a treaty you would have the President, you would have the Senate, and you would have the House.

The Congress, with regard to many of these provisions that go into treaties would have the power by simple legislation to negative them. That would be especially true with regard to provisions in a treaty that required appropriations. The House could do that by itself if it is the logical thing, for that agency of the Government which would have that power, by its refusal to appropriate moneys to implement a treaty, to have something to say in regard to making treaties.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Indiana [Mr. SPRINGER].

Mr. SPRINGER. Mr. Chairman, Joint Resolution 60, now before us, is of the greatest importance. If this resolution is adopted by the Congress, it will chart the course into the several States for a Constitutional amendment on the sole subject of ratifying treaties. Practically all of the Members are entirely familiar with the provision of our Constitution relating to the making, or ratifying, of all treaties—but in order that we may again familiarize ourselves with the exact constitutional phraseology, I here quote from article II, section 2, of our Constitution, which reads as follows:

He—

Referring to the President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur.

The provision was written into our Constitution by the founding fathers, after much study and careful deliberation. One of the outstanding and predominating features of our Constitution, to which we all reflect at this moment, is that in all highly important matters—matters of the highest import to our people and to our country—a number greater than a majority is required before such question is determined in the affirmative.

Mr. Chairman, may I refer to some of those instances in which a vote by a number greater than a majority is required under our Constitution, and in this connection I wish to direct your attention to the provision contained in article I, section 5, of our Constitution, in which provision is made for Congress to expel one of its Members. In this extraordinary proceeding, in which the honor, integrity, and the good name of the Member is involved, a two-thirds vote is required before such Member may be expelled. This is a matter of high importance. Again, may I call to your attention that in all impeachment proceedings, in which the reputation, the honor, and the good name of the accused person is involved, which is referred to in article I, section 3, of our Constitution, a two-thirds vote is required before a conviction may be had. This is a very important matter, because the future progress of any person so charged is at stake in such proceeding. That is not all, because all are very familiar with the very important question of overriding a Presidential veto, where the Chief Executive places his own will and judgment against the expression of the Representatives of the people—this is always a question of great importance—but before that veto may be overridden, and set aside, a two-thirds vote is required. That provision may be found in article I, section 7, of our Constitution.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman.

Mr. HINSHAW. Will the gentleman add to the information he has so ably given to the House the fact that an amendment to the Constitition itself is considered to be a very solemn act and, hence, on bills such as this, requires a two-thirds vote in both Houses before it is submitted to the States.

Mr. SPRINGER. I wish to thank the gentleman. I have referred previously to the importance of this legislation. Of course, in matters of this character where the question involved is that of amending the Constitution, a two-thirds vote is required in this House just as a two-thirds vote is required in amending the Constitution itself.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to my friend the gentleman from Kentucky.

Mr. ROBSION of Kentucky. It not only requires a two-thirds vote to submit the amendment, but it requires three-fourths of the States without regard to their size and population to approve it.

Mr. SPRINGER. The gentleman is entirely correct.

There is no effort here to abolish the two-thirds rule in either one, or any, of those requirements, but the sole purpose involved in the pending resolution is to abolish the two-thirds rule relating to the ratification of treaties. In each one of the instances, cited above, the framers of our Constitution regarded those matters to be of the greatest importance—in fact, of greater importance than the casting of votes upon legislative matters—hence the two-thirds vote was required and a higher degree of certainty as to its correctness was fixed in those matters rather than a mere majority vote.

Mr. Chairman, there is no problem coming before our Government, its highest officials and those entrusted with giving their consent and approval thereto, of greater importance than the ratification of treaties. The peace and progress of our Nation in the future, or war, destruction, and devastation of our country, may well be involved in our treaties. The framers of our Constitution recognized the high importance of these compacts—these laws, if you please—because a treaty becomes a law, when ratified, and it has the force and effect of law over our several States, and our people, because all are firmly bound by the terms of such covenant. Therefore, the ratification of a treaty is a matter of the very highest importance, it binds our Nation completely with other nations with whom the treaty was made. Our progress, our commerce, our security, and our well being is involved in the terms of the treaty.

It has been argued, now and heretofore, that since a majority vote of both Houses of Congress is sufficient to declare war, that same method should be followed in making peace and ratifying treaties with other nations. In my humble opinion that argument falls by its own weight, because there is a vast difference between the two. The declaration of war is an emergency measure for our temporary security. War is not a permanent thing. A war must end, because the manpower and the finances of nations will not permit an endless war. War is only temporary, and the declaration of war comes as an extreme emergency, something which must be done quickly for the security of our people, and to safeguard their possessions. But, the declaration of peace, the treaties which are made between and among nations respecting our future is a permanent compact and commitment.

The treaty is the pronouncement of a policy which will endure through time and which leads us into the distant future. This is a matter of the highest importance to our Nation, and to our people.

A treaty cannot be set aside by act of Congress because there is another nation or other nations involved. They must approve. But if we arbitrarily withdraw from a treaty, disaster might well be the result. War might be the result. From the very outset of our Government down to the present moment a two-thirds vote of the Senate, a vote larger than a mere majority, has been

required to ratify all treaties. Those great men who solemnly engaged in drafting our Constitution recognized the fact that treaties were to be made by the President, "with the advice and consent of the Senate," and they provided that a two-thirds vote of the Senators present should concur.

Our Senators, an equal number from each State in the Union, regardless of the size or population of the State, represent the several States in this great legislative body. The several States have a direct interest in every treaty made and entered into by this Nation. We must at all times remember that we are a Nation consisting of 48 separate States, and the rights of each separate State must be carefully guarded in the making of treaties. Therefore, the framers of our Constitution made the ratification of treaties subject to the will and determination of the representatives of the several States—the United States Senators. Thus—and rightfully so—the Constitution contains the provision that treaties shall be made with the advice and consent of the Senate.

Mr. SUMNERS of Texas. Mr. Chairman, will my distinguished friend yield?

Mr. SPRINGER. I yield to my distinguished chairman.

Mr. SUMNERS of Texas. Does my distinguished friend regard making a treaty more important than declaring war?

Mr. SPRINGER. I wish to thank the gentleman for that suggestion. I think treaties carry us far into the future. Posterity is bound by the terms and provisions of a treaty, while a declaration of war comes on suddenly. Yes. War is an emergency. We must meet it. We must protect the people, and a declaration of war is for that purpose. But when you think about the long course ahead in the future years over which a treaty spans, I think it is of very great importance, because that may mean progress or destruction to a nation and to a people.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SPRINGER. I yield to my friend, a member of the committee.

Mr. ROBSION of Kentucky. A treaty itself may have the seeds of war, not only one war but many wars.

Mr. SPRINGER. I wish to thank the gentleman for that observation.

Mr. Chairman, may I digress at this point and make a suggestion which I deem to be entirely pertinent. It is my considered opinion that the present is a most inopportune time to undertake such a radical and complete change in our Constitution. If the other body declines to act upon this highly important matter, during this war, which information has been so disclosed by the press, then we are engaged in the debate of a moot question. But, pursuing this question further, we must remember that we are engaged in this terrible war, and this war is not yet over—no one can now contemplate when this war will end. We must win this war, and we must win it as quickly as possible.

Any other result would completely nullify our Constitution, our form of government, and every sacred right which we, as a people, possess. All things which tend to create confusion, discord, and disunity among our people should be entirely eliminated during this war. We must have complete unity in our Nation in time of war, and that undisturbed harmony cannot obtain if issues of a highly controversial nature are presented before our lawmaking bodies during this extreme emergency. The issue here presented is highly controversial. When an issue is presented before legislative bodies which has for its purpose a proposal to amend our Constitution—that is a highly controversial matter. That is a question which disturbs the people of this Nation; it confuses the people greatly. They wonder why such a proposal is made, and, at this moment, the people are wondering why this proposal is made to abolish the two-thirds rule, as fixed by the Constitution, relative to the ratification of treaties. The people know full well that many very important treaties will be made, and each one of which must be ratified and confirmed in the constitutional manner, when this war is over. They also know that these important treaties will chart our course far into the future—generations yet to come will live under the rule of action provided in these treaties; the destiny of your country, and my country, will be largely determined by the treaties which are made and ratified after this war is over. This is highly important—it is the most important business in which we can engage—because these treaties will regulate our destiny and chart our course through the future years and we will be compelled to follow the pathway established. With such importance involved and with the resulting confusion among the people on such question, this is not the proper time nor place to engage in this debate, out of which will come discord and disunity throughout the Nation. Therefore, Mr. Chairman, it is my humble but sober judgment that the question of making such a complete and radical change in our Constitution, such as is here contemplated, should never have been presented at this time. We want unity, not disunity; we want harmony, not discord; we want a complete understanding, not confusion. This is not the time to present a question of the importance and magnitude of this one.

Mr. Chairman, let us retrace our steps and return to the record of the Constitutional Convention. In the Records of the Federal Convention, by Max Farrand, volume 2, pages 493 and 499, we find the following:

> The committee of 11, consisting of one member from each State then represented in the Convention, made its report. Its recommendation provided that the President "by and with the advice and consent of the Senate, shall have the power to make treaties; * * * But no treaty shall be made without the consent of two-thirds of the members present.

Another authority proceeds with the discussion of this question, and I wish to cite and quote from The Treaty Making Power of the United States, at pages 328 and 329, in which we find the following:

> Since the President was to be the principal official dealing with foreign nations, it was thought best to give him the power to negotiate treaties. However, as treaties might involve the particular interest of an individual State, and as they were to be a part of the supreme law of the land, it was necessary to give to the Senate, as direct representatives of the States, concurrent authority with the President. The committee voted in favor of ratification by two-thirds of the Senators present rather than by a smaller number.

The people are wondering why the proposal is made to abolish the two-thirds rule which was fixed by the framers of the Constitution and which has continued from that very day down to this very moment. The people know full well that many important treaties will come forward to be made, and I am happy to find that my distinguished colleague mentioned something about the Dumbarton Oaks Conference which is now submitted to that great gathering in progress in California. They follow the same rule in the Dumbarton Oaks agreement, the two-thirds rule. Let me call your attention to the second provision under section (C) dealing with voting:

> Important decisions of the general assembly including recommendations with respect to the maintenance of international peace and security, election of members of the Security Council, election of members of the Economic and Social Council, admission of members, suspension of the exercise of rights and privileges of members and expulsion of members, and budgetary questions, should be made by a two-thirds majority of those present and voting.

That is the Dumbarton Oaks agreement written at the present time. The two-thirds rule is recognized by that agreement.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. GWYNNE of Iowa. I yield the gentleman 5 additional minutes.

Mr. SPRINGER. Mr. Chairman, many of the same arguments were made in the Convention that have been, and will be, presented here. The same character of arguments were made before the Judiciary Committee, during the consideration of this matter there, although such consideration was limited in that committee. During the debate in the Convention, Mr. Wilson suggested that it was objectionable to require the concurrence of two thirds, which would put it in the "power of a minority to control the will of a majority." Mr. Gerry expressed his opinion to the effect that "in treaties of peace a greater rather than a less proportion of votes was necessary, than in other treaties." He further stated "in treaties of peace the dearest interests will be at stake, as the fisheries, territory, and so forth. In treaties of peace, also, there is more danger to the extremities of the continent, of being sacrificed, than on any other occasions." Mr. Williamson stated that treaties of peace "should be guarded at least by requiring the same concurrence as in other treaties." These statements are recorded in the Records of the Federal Convention, at pages 540 and 541. Later, Mr. Wilson stated that the requisition of two thirds be struck out altogether. Mr. Ghorum observed "if a majority cannot be trusted, it was proof that we are not fit for one society." The entire clause,

as reported, was agreed to. Then Mr. Wilson and Mr. Dayton moved to strike out the clause requiring "two-thirds vote of the Senate," and it lost 9 to 2. Finally the whole clause was adopted, without change, by a vote of 8 to 3. A committee of style and arrangement phrased the clause as it appears in the Constitution today.

Mr. Chairman, when we explore the question of the force and effect of treaties which are made under the authority of the United States, many people appear to be lulled into a sense of forgetfulnes with respect to their sacredness and their binding force and effect. May I refer to article VI, clause 2, of our Constitution, which reads:

> This Constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

Therefore, when treaties have once been made, under the authority of the Constitution of the United States, they become the supreme law of the land; judges must respect them, our courts must follow them, and the people are bound by them. The fact that the several States are completely bound by the force and effect of such treaties, made under and in pursuance of our Constitution, is the compelling reason that the United States Senate was designated as the approving body. Our Senators are the representatives of our several States, while the Representatives in the Congress are the direct representatives of the people. The several States, as such, have a direct interest in all treaties which are made, and because thereof the responsibility of ratification was placed upon our Senators by the framers of our Constitution. Thus we have proceeded since the adoption of our Constitution. This is our charted course, and we have followed it. It has worked very well at all times.

Mr. Chairman, in a well-written book, entitled "The Revolution Was," by Garet Garrett, some very sound policies are announced therein. In that volume the author treats of the "capture of the seat of government," of the attempt "to seize economic power," and the apparent effort to "mobilize by propaganda the forces of hatred"; the author also deals with the problem "of what to do with business, whether to liquidate it or shackle it," and the very drastic plan "to reduce all rival forms of authority, and to establish just one form of authority." Such a plan would, of course, make government the great capitalist and enterpriser, and it is serious to behold that such plan has almost been realized. Speaking of such policies in government, the author states:

> The revolutionists were on the inside; the defenders were outside. A government that had been supported by the people and so controlled by the people became one that supported the people and so controlled them. Much of it is irreversible. That is true because habits of dependence are much easier to form than to break. Once the Government, on ground of public policy, has assumed the responsibility to provide people with buying power when they are in want of it, or when they are unable to provide themselves with enough of it, according to a minimum proclaimed by Government, it will never be the same again.

At this very hour, Mr. Chairman, by this pending resolution, it is sought to take away a constitutional safeguard which was placed there by our forefathers. We have gone forward under the provisions of our Constitution; we have made amazing progress; we have profited immeasurably under the guidance of our fundamental law; and now, at this late date and in time of war, an assault is made upon the treaty-making power as it is provided in that sacred document, upon which much commendation has been heaped both at home and abroad. And why is this assault now made upon the treaty-making power as provided by our Constitution? Of course, it is clearly apparent to this legislative body, and it is crystal clear to the country, that this legislation is desired in order to more easily secure the ratification of treaties following this war and throughout the future years. One of the specific instances referred to by the proponents of this measure is the failure to secure ratification of the covenant of the League of Nations. Much can be said upon that question, and the cause of the discard of the League of Nations was very largely by reason of the fact that certain provisions were embraced therein, which did not meet with the approval of the Senate, and which provisions were insisted upon without amendment by the then President.

The Senate, representing the several States, did not approve of some of those provisions, and they rejected the Covenant. They believed some of the provisions in that Covenant were unwholesome insofar as our Nation was concerned. We have our own independent opinions upon that subject, and those independent opinions are not pertinent here. Whatever our independent opinions may have been upon that subject, the people have expressed themselves upon that issue—because every Senator who voted against the approval of the League of Nations, and its ratification, thereafter went before the people with that issue directly involved in a national election, and not one Senator lost his seat by reason of his vote. Therefore, the people have spoken upon that subject. The people have approved the position that was taken in the United States Senate in refusing to ratify the Covenant of the League of Nations. Therefore, that argument to the effect that the failure to ratify the Covenant of the League of Nations is a reason that our Constitution should be amended, falls of its own weight—because the people of this Nation were opposed to the ratification of that Covenant. This is the people's Government, and they speak with authority.

Mr. Chairman, let us pursue somewhat further the subject of the League of Nations. The Versailles Treaty made on June 28, 1919, brought the League of Nations into existence. The first meeting of the Council was held in Paris on January 16, 1920. The Assembly met for the first time in Geneva on November 20, 1920. At various and different times 64 nations were members. However, quite a number of nations have withdrawn from the League of Nations, and may I give them to you at this point, as this may be information of interest.

In 1924 Costa Rica withdrew from the League. Later, in 1926, Brazil also withdrew from the League of Nations. Then in March 1933 Japan withdrew because of the critical attitude of the League toward the Japanese invasion of Manchuria, and later, in that same year, Germany withdrew from the League. Then followed the withdrawals of Paraguay, Honduras, Nicaragua, Guatemala, El Salvador, and these were followed by the withdrawal of Italy in December 1937 because of the League's failure to exclude Ethiopia from the League—and all will well remember the invasion of Ethiopia by Italy immediately thereafter. Then, in order, the following nations withdrew, viz, Chile, Venezuela, Hungary, Peru, Spain, and later in 1939, Russia was expelled from the League when she attacked Finland. Rumania was the last of the nations to withdraw, and that was after she was overrun by Germany in 1940. That is the story of the League of Nations. Many wars have been fought since the League was organized. When our enemies in this war desired to withdraw from the League—and I speak of Germany, Japan, and Italy—they made their withdrawal and proceeded to prepare for war, as they had theretofore been preparing for this war. So the story of the League of Nations has but little comfort for those who have proposed this joint resolution which is now before the House. The history of the League of Nations confirms the sound judgment of the majority of the people of this Nation in opposing our entrance into that Covenant.

Mr. Chairman, the sacredness of our treaties and the binding force and effect of them is well defined in the case of *Foster* v. *Neilson* (2 Pet. 252 (1829)), in which case the Court held:

> A treaty is in the nature of a contract, not a legislative act. It is equivalent to an act of the legislature (a law) whenever it operates without the aid of any legislative provision.

When we view the provision contained in our Constitution, "with the advice and consent of the Senate," that very language has been construed by the highest court in our land. The Supreme Court of the United States, in the case of *Fourteen Diamond Rings* v. *United States* (183 U. S. 176, 183), made the following pronouncement:

> A treaty must contain the whole contract between the parties, and the power of the Senate is limited to a ratification of such terms as have already been agreed upon between the President, acting for the United States, and the commissioners of the other contracting power. The Senate may refuse its ratification or make it conditional upon the adoption of amendments to the treaty.

Many cases have been decided upon this particular feature, and I will quote from but one additional case, that of *Holmes* v. *Jennison* (14 Pet. 540, at p. 569 (1840)), in which the Court said:

> The power to make treaties is given by the Constitution in general terms, without any description of the objects intended to be

embraced by it, and, consequently, it was designed to include all those subjects which in the ordinary intercourse of nations had usually been made subjects of negotiation and treaty, and which are consistent with the nature of our institutions and the distribution of powers between general and state governments.

We observe that the Court has made reference to our State governments, in the last cited decision. Each one of our 48 States have a direct interest in every treaty that is made. The question of the rights of the State are directly involved in every such commitment. Our United States Senators represent the several States, and they represent the wish and the will of the several States. This is as it should be. In all such highly imporant matters our forefathers, in their wisdom, decreed that a greater number than a mere majority should be required to ratify treaties, to sustain impeachments, to expel Members and to override a Presidential veto. To place those highly important matters upon a mere majority rule would certainly involve, to a greater or lesser extent, political considerations. These should have no place in questions involving the safety and security of our Nation, and the future destiny of our people. With the two-thirds rule in force and effect those considerations, which are political in character, are largely obviated and abolished. Here, we will remember, it is sought to abolish the two-thirds rule in but one instance—in the ratification of treaties; and to permit the two-thirds rule to stand, as provided by our Constitution, in all other instances. Why, may I ask the proponents of this resolution, is this resolution limited to just one instance? If the two-thirds rule is abolished in relation to the ratification of treaties, then why should that same rule not be abolished in all other instances? Impeachments, expelling Members and overriding Presidential vetoes should all stand upon the same basis. They are all very important matters.

Mr. Chairman, quite recently I read a very illuminating editorial upon this very subject. It was written by a very distinguished student of the Constitution of the United States. This editorial was entitled "Stick to First Principles," and it warned the Congress and the people to stop, look, and listen before proposing to amend the treaty-making provisions of the Constitution. We have gone a long way by sticking to first principles. Our forefathers gave us a blueprint that has served us well throughout the years, and why change now? Good treaties will continue to be ratified, under our Constitution, as written, and bad treaties will be rejected or amended under that same fundamental law—and that is as it should be. The nullification of the two-thirds rule, as provided by the Constitution, would completely eliminate the protective features written by the founding fathers. They did not intend that the making of treaties, or the approval or ratification thereof, should be a popular function; they did not intend that it should be a political function; but they did intend that the making of treaties, and the ratification of them, should be a function requiring the best judgment of men and statesmen whose sole consideration would be the safety and security of our Nation, and the people of the United States of America, throughout the future years.

Mr. Chairman, the two-thirds rule is intended as a check upon Executive authority, and it has worked well from the very beginning; it has weathered the storm of peace and war throughout the history of our Nation; it is our constitutional method of determining the ponderous problems of peace and of the future. There is no justifiable reason today to change this safe and constitutional method of ratifying treaties. The framers of our Constitution charted a course which was intended to carefully guard our people throughout the future. Let us keep the bars up; let us not cast aside the safeguard of the two-thirds vote to ratify treaties; let us forever retain this fundamental and basic protective provision in our Constitution.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Iowa [Mr. DOLLIVER].

Mr. DOLLIVER. Mr. Chairman, some of my colleagues from Iowa who know me best I am sure will admit that I have shown great self-restraint hitherto in this body. This is the first time I have appeared in the well of the House for any purpose. Since I have been here only in this session, probably some of you will say that that is a proper exercise of self-restraint.

In respect to this particular resolution, I have a great sense of urgency. I have been on the floor of the House I think in every session, and have voted when I have been called upon to do so on the questions that have been before us. Numerous appropriation bills involving huge sums of money have been before us. I have not felt it proper to speak upon those matters. Not that they are unimportant, but to me they are less important than this question before us today, which involves a change in the fundamental law of this country.

In the part of the United States where I live, the Constitution of the United States is revered as the fundamenal charter of our liberty. I dare say that that same thing is true in every part of the United States. Certainly I would not impugn the motives or the intelligence of any Member of the House who would choose to support this resolution, but I am wondering if some of us are not moved by rather illusory motives.

For instance, it has been suggested here that the House of Representatives ought to participate in the making of treaties. Naturally, the human nature of all of us responds to that kind of an appeal. None of us can be senseless of the fact that this body, like every other legislative body or governmental body, is perhaps desirous of aggrandizing to itself and to its Members additional prerogatives. That is human nature. Yet in this debate, in this situation involving as it does a change in our Constitution, I think we ought to divest ourselves of that particular motive, because it is unworthy.

I think there are other illusory issues here.

Allusion has been made to the fact that the League of Nations was defeated some 20 years ago by a group whom President Wilson called a little body of willful men. There is nothing we can do about that now by this legislation. That is a fact of history. Whatever we do with this particular resolution is not going to change the fact that the League of Nations was turned down by the Senate some 20 years ago, after the close of the World War. Therefore, that issue is wholly illusory in this debate.

Likewise, as it was pointed out here a few moments ago upon the floor, the question of the adoption of the international arrangement that comes out of the Dumbarton Oaks and the San Francisco Conference is wholly illusory so far as this debate is concerned. Because it is beyond any hope or expectation of anybody that this change can be made in the Constitution of the United States in time to have anything to do with the adoption of any peace arrangement after the close of the war in this disordered world.

Before going further, I must pay tribute to my colleague the gentleman from Iowa, Mr. JOHN GWYNNE. Many of you heard his presentation. To me, he summed up and encompassed in his remarks the arguments that are most prudent and cogent with respect to this whole debate.

But I cannot fail to emphasize, Mr. Chairman, that in making this change, if you do make it, and if three-fourths of the legislatures of the States adopt it, you will have made a fundamental change in our frame of government. You will have placed in the hands of the majority the right to confirm a treaty which becomes the fundamental law of the land and which, while it may be repudiated by the Congress must necessarily have such repudiation approved by the President of the United States. If such a treaty is repudiated, we are open, as a Nation, to the charge that we hold a treaty is a scrap of paper. Such is unworthy of a sovereign nation. We heaped opprobrium upon our enemies in World War No. 1 for just that kind of conduct.

I suggest to you that in the one-hundred-and-sixty-odd years that the Constitution of the United States has been our fundamental law, it has worked pretty well. We have had some score of amendments to the Constitution. The first ten of them virtually are a part of the original document, as you all will agree, being the Bill of Rights. Some of the others which have been adopted from time to time under the various pressures that existed when they were adopted are questioned by some people. Their wisdom has been seriously assailed. There are some persons in this country which do not think all the amendments have been as wise as the provisions of the original Constitution.

Accordingly, having witnessed during our history, proposals of many scores of amendments, and having adopted only a small fraction of them, it seems to me we should consider seriously and very long and prayerfully the question of so changing the law of this land so that the

fundamental law, rather than being determined by a two-thirds majority, will be determined by one over half of a quorum of two Houses.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. DOLLIVER. Mr. Chairman, the treaty-making power, then, has to do with the fundamental law of the country. It was pointed out earlier today by my colleague from Iowa [Mr. GWYNNE] that in the more than 160 years of this country, only 15 of the hundreds of treaties that had been presented to the Senate of the United States were refused ratification. Less than 2 percent. I think that a careful, nonpartisan, judicious study of those refusals, as viewed in the light of subsequent events, will demonstrate that there are less than half of the 15 for which there is any regret at this time.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. DOLLIVER. I yield.

Mr. KEFAUVER. Does not the gentleman believe that the more than one hundred that were not acted upon and also those that were emasculated so that they were not acceptable by the party with whom we were negotiating, should be considered along with those 15 that were turned down?

Mr. DOLLIVER. The gentleman is entitled to his judgment on that matter. If that is what he thinks, I must respectfully disagree.

Mr. KEFAUVER. What is the difference between actually turning one down and not acting on it? That is actually turning it down. If the Dumbarton Oaks proposal is submitted to the Senate, what is the difference between the situation, if it is not acted upon at all, as more than one hundred of these that were submitted were not acted upon, and if it were turned down?

Mr. DOLLIVER. I am wondering if there is any surety of both the House and the Senate acting any more readily under the proposed amendment than under the Constitution as it now exists.

Mr. GWYNNE of Iowa. Will the gentleman yield?

Mr. DOLLIVER. I yield.

Mr. GWYNNE of Iowa. I would simply like to again state the history of the Senate. Forty-seven treaties were not acted on. Less than 6 percent. One hundred and sixty-two were amended; about 20 percent. As a matter of fact, 33, after being adopted and signed by the United States Government, were never even presented to the Senate or were withdrawn for one reason or another.

Mr. PRIEST. Will the gentleman yield?

Mr. DOLLIVER. I yield.

Mr. PRIEST. I did not understand the number the gentleman mentioned as not having been acted upon at all.

Mr. GWYNNE of Iowa. Forty-seven.

Mr. PRIEST. If the gentleman will refer to pages 8, 9, and 10 of the hearings, there is a list that was prepared at my request by the Congressional Library staff, showing the treaties and the dates, on which no action was taken. That list runs over a hundred. I believe it is 104, in which there was no action taken.

Mr. GWYNNE of Iowa. These figures I have were taken from a book prepared by Professor Daingerfield, who made an exhaustive study of the subject, covering the period of time from 1798 to 1928.

Mr. DOLLIVER. Mr. Chairman, in conclusion, may I reiterate what I said in commencing my brief remarks, the people of the United States, directly represented as they are by this body, look to us to prevent the emasculation and the whittling away of our fundamental charter of liberties.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 20 minutes to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Chairman, I do not come here proposing to be a constitutional authority. I have been very much interested in this subject, as many of you know, for a good many years. I explained to the House in a prior statement on this subject that I was teaching a history class of young men and women in the spring, in April, of 1920, when the final adverse vote came on the Versailles Treaty and the League of Nations Covenant, carrying the Lodge reservations. At that time I made a resolution with myself that if there ever came an opportunity when I had a chance to help correct what I believed was a mistake of the Constitutional Convention I would give that opportunity the very best effort I had.

John Hay, in referring to the two-thirds majority provision for treaty ratification, made the statement that he considered it an irreparable mistake of the Constitutional Convention. I agree with him in part; it was a mistake, but in my judgment it certainly was not one that could not be repaired. It can be corrected if we in our day make use of the constitutional means to correct any errors that may have been made or to meet any new emergency or situation that may arise. May I say here, Mr. Chairman, that I believe we cannot do greater credit to the framers of the Constitution than to make that document work in our day as they made it work in theirs. I believe we cannot do greater discredit to the memory of the framers of the Constitution than to refuse in our day to go one step further, if that one steps seem to be in the public interest, than they went in their day. That is the attitude in which I approach this subject today. It is a continuation of the debate that started back in the Constitutional Convention in 1787.

There are not very many new arguments that may be brought forward. The arguments that were cogent at that time are cogent today. I think it may be well for us to consider very briefly just a bit of the background to the present method that was written into the Constitution. A great deal has been said about it today, a great deal more will be said about it in subsequent discussions of this question during the remainder of this general debate. We must remember that the Declaration of Independence declared the Thirteen Colonies to be free and independent States. It recognized that they had full rights and powers to declare war, to declare peace, to form alliances, and many other powers. We must recognize at the same time that the Declaration of Independence was by the authority of "the great people of these colonies" and that it was done by "Representatives of the United States of America in Congress assembled." It was not the work of the States at that time but of the representatives of the united people of the United States of America in Congress assembled.

After the Declaration the next document that relates to the subject at all, of course, was the Articles of Confederation. I believe that others perhaps even better qualified than I have discussed the provisions in the Articles of Confederation, but I wish to call attention to one or two particular points in that document, because I believe they do have a rather important bearing on the background of our present treaty-making provisions. Under the Articles of Confederation, each State had one vote. The vote was by States, each State had a vote; and nine votes, or slightly over two-thirds, were required not only to declare war but to make peace, to coin money and regulate the value thereof, to borrow money, and to exercise many of the functions that the Congress exercises today simply by majority vote. But under the Articles of Confederation there was required the vote of nine States, which was slightly over two-thirds of the Original Thirteen States forming the Confederation for many important functions.

When the framers of the Constitution met for the purpose of perfecting a new document under which these colonies as States would be governed, they met there after having been accustomed to a government in which the States were sovereign, in which the States were independent, in which slightly more than two-thirds of all the States were required to vote affirmatively on many matters that came before the Congress, which at that time was all the government there was. We must recognize the fact that under the Articles of Confederation the Congress was the Government, and under the Articles of Confederation nine States were required to vote affirmatively in order to authorize action on a great many different matters that today come before us in the form of legislation. So it was when they met to draft a new document they thought of treaty-making in terms of a legislative process only, without any executive authority, without any executive attention being given to the matter. After having been debated and discussed by Members for some time, the question of bringing the Executive into the picture was brought up. Finally, when they reached the question of how treaties might be made, the matter was referred to a committee. That committee, after about 8 days, brought in a recommendation. I believe we are mistaken if we accept the view that this matter was gone into with a great deal of deliberation, and I say that without in any way challenging the authority of any statement to the contrary. But, in reading the actual record of the

proceedings of that convention, I fail to find that the question was given the deliberate consideration that we may be inclined to think was the case. You will find a great deal written about it in the Federalist, you will find a great deal written about it after the action was taken, but in the debate itself you will find that it was finally adopted after meager debate and as the result of some rather illogical—it appears to me—conclusions. For instance, when the committee reported the present provision that finally was written into the Constitution, as one of my good friends has already mentioned, James Wilson immediately moved that the advice and consent of the House of Representatives be required as well as that of the Senate. Objection was immediately raised, and that objection primarily was that the question of making treaties was a delicate matter, that it required a great deal of secrecy, that the President would advise with the Senate, and secrecy being important, it would be very difficult to obtain secrecy if the matter should be submitted to the larger body, or the more representative body.

This is all found in the debates of the convention. That was the argument raised immediately by Roger Sherman in the Constitutional Convention.

A vote was taken rather quickly and without very much more being said about it. The present method was adopted. Then Wilson objected to the two-thirds provision and insisted that if the House of Representatives were not permitted to be in on this function, the matter should then resolve itself into a majority of the Senate. But that was only after the other move had been defeated, and defeated on the very flimsy argument of secrecy made by Roger Sherman.

We know that custom and procedure threw that argument into discard almost from the very beginning. For more than a year, in the debate on the Versailles Treaty, the press wires of the world carried news of all that was said.

When Wilson moved that a majority of the Senate ratify, Roger Sherman joined him in that position and insisted that that would be the more democratic way to do it. But all of the arguments, Mr. Chairman, as found in the record of that convention, indicate to me rather clearly that the gentlemen present at that time, who voted for the adoption of that provision, had not a very clear conception of how they themselves expected it to work in actual practice. We know that the arguments clearly indicate that most of them thought that the President would go down to the Senate or meet with the Senate at some place and get their advice before entering into negotiations with a foreign power. That was the conception that most of them had of the advice-and-consent provision. We know the history of the advice-and-consent provision. I shall not go fully into it here but simply call attention to the fact that George Washington tried it very early in his administration. He took a little treaty with the Indians down to the Senate, to talk with them, to get their advice and their consent. You know the result. After quite a bit of quibbling here and there, the matter was referred to a committee that could not report for several days, and the President of the United States was left sitting there with the Secretary of War, who had come to advise him. That matter was taken right out of his hands and referred to a committee. Washington stated that he never again would use that method. He never did again, and so far as I know, no other President has ever again sought the advice and consent of the Senate in secret executive session as the framers of this Constitution expected him to do. That has been completely outworn by practice and custom in the years that have passed.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. The gentleman is making a very fine contribution to this debate, and pointing out some of the reasons why our present conditions do not fit the conditions that existed at the time the Constitution was written.

May I call the gentleman's attention to this and also ask him a question? At the time the provision was written into the Constitution it was also provided that the Senators would be elected by the legislatures of the various States. Was it not the idea that by being elected by somebody other than the people they would be sort of a privy council or group of super-experts to advise and consult with the President in the making of treaties, and does not the fact that the seventeenth amendment, which places the election of the Senators in the same place where the Members of the House of Representatives are elected, do away with a big part of the consideration that placed this power exclusively in the Senate?

Mr. PRIEST. I thank my colleague from Tennessee. Certainly that is the answer to that question. I had intended to get to that just a little later on in this discussion. Today the same persons in my congressional district vote for me that vote for the Senator from Tennessee when the senatorial election comes up, and that is true of the district represented by my good friend from Indiana or the distinguished chairman from Texas, or any other Member of the House.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the chairman of the committee.

Mr. SUMNERS of Texas. May I ask my friend from Tennessee, who has given this matter a great deal of consideration, if he has not discovered a tendency on the part of the Presidents to go around this treaty-making power if they consider it a matter of necessity and really enter into contracts and agreements with foreign countries by Executive order?

Mr. PRIEST. I think the record of the past 50 years, at least, will certainly bear out that statement. As we come into a world that has now shrunk to a very little measure, a world where, as the distinguished gentleman from Texas said earlier in the day, we must consider our actions in relation to other governments of the world, and associate ourselves more closely with these governments, I believe there will be more and more a tendency, if we do not revise this treaty-making procedure and bring it a little more up to date, to meet present conditions, to resort in the years ahead to executive agreements rather than treaties which would be submitted to the legislative branch of the Government.

Mr. SUMNERS of Texas. Does not the gentleman recognize that there is a danger, unless we provide a more workable method by which the majority judgment of the country can be expressed, that public opinion will sustain the President in going around this archaic arrangement for ratifying treaties?

Mr. PRIEST. I am quite certain the gentleman is correct.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Indiana.

Mr. SPRINGER. I know my distinguished friend is familiar with the holding in the case of *Fourteen Diamond Rings* v. *The United States* (183 U. S. 176), in which the Court said:

> The power of the Senate is limited to a ratification of such terms as have already been agreed upon between the President, acting for the United States, and the commissioners of the other contracting power. The Senate may refuse its ratification or make it conditional upon the adoption of amendments to the treaty.

That is the rule which is now followed rather than the rule of submitting it to the Senators before the treaty is prepared.

Mr. PRIEST. Yes, that is the rule, or rather, that is the practice, now followed rather than entering into negotiations and going for advice and consent of the Senate before a treaty has been negotiated.

Mr. SUMNERS of Texas. That arrangement compels the President to yield to the demand of a minority in order to get any treaty at all through.

Mr. PRIEST. I think that is very definitely true. I thank the distinguished chairman for that observation.

Mr. GORE. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Tennessee.

Mr. GORE. The gentleman from Tennessee has made a splendid presentation, which shows the vast amount of studious effort he has devoted to this subject. I interrupt him only lest the statement of the chairman of the committee be interpreted as implying that there is some stigma attached to executive agreements. Many constitutional authorities, I have found, hold that executive agreements are quite as constitutional and quite as orthodox in procedure as treaties.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Do I correctly understand the gentleman and those who have just questioned him to take the position that the President can circumvent and that he would circumvent the Constitution by making an agreement with a foreign power that had all the

far-reaching effect as an obligation resting upon this country that a treaty has, and thereby subvert the Constitution? I cannot think that any President would do that in the light of his oath of office.

Mr. PRIEST. I do not think any President of the United States would willfully circumvent the Constitution to do that sort of thing. I agree with my colleague from Tennessee [Mr. GORE] that Executive agreements are within the constitutional provisions. I do not believe there is any question on that subject. However, I would not for a second want any statement of mine to indicate that I believe any President would willfully circumvent the Constitution in order to make an agreement with any foreign nation.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. PRIEST. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. Is it not true, however, that there is a wide range of negotiations between countries which may be classified as either Executive agreements or treaties, depending upon how they are arrived at and what the attitude of the persons negotiating them is?

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I yield the gentleman 5 additional minutes.

Mr. KEFAUVER. Under such circumstances a President might be perfectly justified and legally entitled to act upon something as an Executive agreement, but, on the other hand, the same subject matter could have been presented as a treaty.

Would it not be for the betterment of the Nation and would not the Nation certainly be more in harmony and would there not be more probability of the negotiations having public support where there is an option of that sort, if it were submitted as a treaty and had secured the approval of the legislative branches of Congress?

Mr. PRIEST. I think so. I am glad my colleague brought that point out. I think it would be very helpful. It might at times remove certain matters from this sort of no-man's land of jurisdiction, and it would certainly tend to create in the public mind greater confidence and give them more clarity on matters of this nature.

I yield to the gentleman from Tennessee [Mr. GORE].

Mr. GORE. Again, lest there be some misunderstanding of what anyone has said here, particularly myself, let it be said in answer to the distinguished gentleman from Tennessee [Mr. JENNINGS] that the Executive-agreement procedure is not new and has been used more than a thousand times in our history and that agreements reached between the executive branch of our Government and other governments, many of which have been submitted to the Congress for their approval, outnumber the treaties which have either been consummated or considered by the other body.

Mr. PRIEST. I yield to the gentleman from Maine.

Mr. HALE. Can the gentleman define the difference between Executive agreements between governments and treaties?

Mr. PRIEST. In the time I have here, I am afraid it would be just a little difficult to go into definitions at this time.

I yield to the gentleman from Missouri [Mr. COLE].

Mr. COLE of Missouri. How would this resolution, if adopted, prevent the Executive from entering into Executive agreements such as he is now doing? I can see where it would make no difference one way or another.

Mr. PRIEST. I do not think it would necessarily prevent that. I think it might encourage more and more of these matters to be handled as treaties and submitted to all of the peoples' representatives and not just to one group of them. We have in this House 435 Members, who are elected every 2 years. They must stand or fall on their record in this body. They are more amenable to the public will. I believe if we can trust the majority to declare war, to levy heavy tax burdens for the prosecution of that war, to make appropriations for the prosecution of that war, to carry out all of the other necessary details insofar as legislation is concerned for the prosecution of that war, surely, then surely, we can trust that same majority to examine carefully and studiously and in a statesmanlike manner the provisions of any treaty of peace that might grow out of that war, and we can trust the aggregate judgment and good commen sense of the people's representatives in the House of Representatives to pass on that question.

Mr. Chairman, I yield to the distinguished gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Under the system, if this resolution were to pass, we could enter into a treaty by a simple majority in both Houses; that is right, is it not?

Mr. PRIEST. That is correct.

Mr. JUDD. But suppose we wanted to get out from under that treaty. Could we get out by a simple majority vote in both Houses?

Mr. PRIEST. Usually about the only way we can get out from a treaty now is through some act that would probably lead to a declaration of war or the breaking of diplomatic relations or some other diplomatic procedure. But that is true even with a treaty today. That would not be changed one way or the other if this were adopted. A treaty would still be approved by the Nation just the way it is approved by the Senate.

Mr. JUDD. The point is, if it is as the chairman of the Committee on the Judiciary says, that it is an archaic procedure which requires a two-thirds vote to get into it, is it not a little archaic to require a two-thirds vote, that is to be passed by the other branch, for us to get out of a treaty?

Mr. PRIEST. We would not necessarily have to do that. We can declare war by a majority vote, and that certainly would end any treaty. We can do that today.

Mr. JUDD. That is a rather expensive way to get out.

Mr. PRIEST. An expensive way, yes; and I do not advocate it as a method, but mention it to emphasize that constitutionally it is easier to make war than it is to make peace.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. SUMNERS of Texas. Mr. Chairman, in order to save time, I ask in behalf of all Members who have spoken that they may revise and extend their own remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Ohio [Mr. LEWIS].

Mr. KEFAUVER. Mr. Chairman, I also yield 5 minutes to the distinguished gentleman from Ohio.

Mr. LEWIS. Mr. Chairman, when this matter was first proposed to me I was inclined to be against it, but the longer I have considered this resolution the more convinced I am that that original thought on my part was wrong. I intend to support the resolution.

I support the resolution because, while there have been very able arguments adduced by my colleagues on the Judiciary Committee against it, I think these arguments went much further by implication than the facts will warrant and than those who presented the arguments intended. For instance, the very able gentleman from Iowa [Mr. GWYNNE], stated the proposition that treaties can overrule constitutions of States and State laws and of course State policies. That is true, but I should like to turn the mirror on the other side and say to you that the laws passed by the Congress by a bare majority of the two Houses, can do likewise. Therefore it seems to me that that argument loses its entire force.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield.

Mr. KEFAUVER. I am glad the gentleman made the point he has just made. I wonder if the gentleman would mind if at this point we should refer to the two cases which established the rule the gentleman has just stated, beyond any question of doubt?

Mr. LEWIS. I should be very glad to have them.

Mr. KEFAUVER. Those two cases are *Cook* v. *United States* (288 U. S. 102), and *United States* v. *Ferriara* (13 Howard U. S., 14 law edition 420).

Mr. LEWIS. Both were, of course, decided by the Supreme Court of the United States.

Now, the distinguished gentleman from Indiana [Mr. SPRINGER] made a very excellent argument also, but I think the implications of his words went much further than the words themselves actually stated, and further than the facts, and further than he intended. For instance, the gentleman said, "treaties bind posterity." Well, that may be true. In some instances, they do bind posterity, but what of it? They can also be repealed by action of the United States Congress—by a bare majority of the Congress.

Mr. GWYNNE of Iowa. Will the gentleman yield?

Mr. LEWIS. I yield.

Mr. GWYNNE of Iowa. Suppose a treaty is made and executed; suppose we make a treaty under which we turn over to some country valuable property.

Mr. LEWIS. Oh, well, you are talking about an executed treaty?

Mr. GWYNNE of Iowa. That is correct.

What I mean is this. Many treaties to become effective require the appropriation of funds. We may or may not appropriate those funds. In other words, you and I can make a contract, I can refuse to carry it out and be subject to a suit. A country can make a contract, refuse to carry it out and be subject to war. Is not that right?

Mr. LEWIS. The gentlemen of course is talking about a treaty that binds posterity, in that sense as one whose terms are entirely completed when the treaty is ratified. That, of course, is true, it is a thing that is past and done. I see no argument in that, though, for the gentleman's position that we should not do that by majority vote of both Houses.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield.

Mr. JUDD. I wish to pursue this same question a little further that I was discussing with the gentleman from Tennessee. The gentleman says we can annul or nullify a treaty by a simple majority vote of both Houses.

Mr. LEWIS. That is right.

Mr. JUDD. What if the President vetoed the resolution nullifying the treaty?

Mr. LEWIS. The gentleman of course is familiar with the constitutional rule which requires a two-thirds vote to pass it over his veto.

Mr. JUDD. Yes; that is the whole point. We can get into a treaty with a simple majority, but to get out of it if the President does not approve, takes a two-thirds majority.

Mr. LEWIS. That is one of those "iffy" propositions which is very rare.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield.

Mr. KEFAUVER. We can get out of it if we want to by a simple majority vote by refusing to implement. There are very, very few treaties that can be effective unless they have legislation to support them, unless they have implementing legislation; and if we refuse to do that by a majority vote the treaty, of course, cannot be continued.

Mr. LEWIS. Let me follow this matter of executed and executory treaties a little further.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield.

Mr. COLE of Missouri. I was going to ask the gentleman to give us an illustration of a treaty that could be gotten out of by a simple majority vote of the Congress.

Mr. LEWIS. The gentleman from California [Mr. HINSHAW] was very much interested in the last session and in this session of Congress in the so-called Mexican Water Treaty. That treaty requires the United States to do certain things in the future. Among others, it requires the Congress to appropriate great sums of money; it requires a temporary suspension of the immigration laws and a temporary suspension of the custom laws. Those are executory matters, they have to do with the future. I submit that we can stop a treaty after the Senate ratifies it by refusing to bring in a bill appropriating money to carry out the terms of the treaty. The Chairman of our Committee will recall that I wrote a memorandum on that matter last summer and submitted it to the Chairman, holding that the privileges of this House had been invaded by the Mexican Water Treaty. I still believe that. I will believe that any treaty that requires positive action on the part of the House should be submitted to this House before it becomes binding upon the people of the United States. I held so in that memorandum I submitted last summer and I believe so now.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield.

Mr. SUMNERS of Texas. I was just going to make the suggestion, with the consent of my colleague, that if the threat that the President may veto a measure, veto an effort to repeal a treaty, and require a two-thirds vote to pass it over his veto deters us we might as well not pass any laws because of our fear of a possible veto that would require a two-thirds vote to overcome.

Mr. LEWIS. That is very pertinent. I thank the chairman very much for that suggestion; and that is absolutely true, of course.

Mr. COLE of Missouri. Mr. Chairman, will the gentleman yield further?

Mr. LEWIS. I yield to the gentleman.

Mr. COLE of Missouri. I would like to pursue this a little further. Suppose that the House would refuse to appropriate funds for a treaty and for carrying out that contract which these United States had entered into by virtue of a treaty. Would that not mean, in most instances, war?

Mr. LEWIS. Oh, no; not by any means. It would not necessarily mean war. It might not mean even an interruption of friendly relations. Not at all. I want to emphasize the fact that under the Constitution, as it stands now, this House is within its perfect right in refusing to implement an executory treaty.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. KEFAUVER. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. GWYNNE of Iowa. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield to the gentleman.

Mr. GWYNNE of Iowa. Does not the gentleman state that incorrectly? No individual has the right to violate these contracts. When we bought Alaska from Russia and agreed to pay so much a year, if we had refused to pay, after taking possession of the country, would not that be a proper cause for war?

Mr. LEWIS. Oh, yes; surely. We can state plenty of cases where there would be cause for war, but let me ask the gentleman this question: Does he mean to say that because the Senate ratified the Mexican water treaty, which involves the expenditure of money, the House has no right to refuse to appropriate? Does the gentleman mean that?

Mr. GWYNNE of Iowa. Oh, no indeed.

Mr. LEWIS. I thought the gentleman did not. That is exactly what I want to bring out. As the situation stands now between the two Houses, we have a perfect constitutional right in this House to refuse to pass legislation implementing an executory treaty. That is the way the matter stands right now without any change at all. I say, Mr. Chairman, that is an anomalous situation. It is anomalous to put the United States in the position of ratifying by the ratifying body and doing everything to make a treaty, the law of the land which the Constitution says it is, and then at the same time retain in this body the right to nullify that treaty by inaction. That is the anomalous situation in which we find ourselves now and there is no excuse for allowing it to continue, in my opinion.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield to the gentleman from California.

Mr. HINSHAW. It would seem to me that all nations in the world would be put on notice that the Constitution is in existence and that certain powers do reside in the House of Representatives.

Mr. LEWIS. Of course, that is true from a technical, legal point of view.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. If, as the gentleman points out, we act on a matter in the House, then there is an obligation on the part of the House to carry through its part of the agreement?

Mr. LEWIS. That is it exactly.

Mr. KEFAUVER. We would be in a much safer position and foreign nations would know they were dealing with the great sovereign people of the United States, who would follow through with their obligations if treaties were ratified by both bodies of the Congress, where the implementing legislation had to come from?

Mr. LEWIS. There would be a moral obligation on the membership of the House, having had a voice in putting through the original obligation, in addition to the legal obligation, if there is a legal one, to implement that treaty by the necessary legislation.

Mr. CHENOWETH. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield to the gentleman from Colorado.

Mr. CHENOWETH. Has there ever been an instance where the House has refused to implement a treaty passed by the Senate?

Mr. LEWIS. I presume there are many.

Mr. HINSHAW. I can inform the gentleman of one. The Gadsden Purchase Treaty of 1852, in which the House insisted on participation.

Mr. LEWIS. Yes; I recall that.

Mr. SCRIVNER. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield to the gentleman from Kansas.

Mr. SCRIVNER. Does not the gentleman also concede that there is a moral obligation on the part of the House to stand behind the treaties as made under the Constitution by the President, with the advice and consent of the Senate, two-thirds present concurring, and does he not also feel that under this very Mexican treaty, executory though it may be, that if we fail to follow through it will bring about a rupture of diplomatic relations between the two countries?

Mr. LEWIS. No; and I do not think there is any legal obligation on the part of the Members of this House to implement that treaty by the appropriation of a single penny. I suggest on that question that the gentleman read the work on Constitutional Limitations on the Treaty-Making Power, by Henry St. George Tucker.

I have deep respect for the membership of my committee, the Committee on the Judiciary, who disagree with me in this matter. I respect them as gentlemen. I respect them as lawyers, and I have arrived at this conclusion only after long, and what I believe to be careful thought on the matter. I think that if we will take this action, and if the legislatures of the several States of this Union, necessary to write this legislation into our Constitution approve it, it will raise immeasurably the stature of the House of Representatives in the estimation of the people of the United States. We would then become truly a coequal body with the Senate of the United States. And it will increase our responsibilities and it will increase our prestige. It would tend, I think, to prevent Members coming here in the well of the House, as we have heard on different occasions, and making careless remarks concerning friendly powers which are misinterpreted abroad, because the people abroad generally do not know that this House has nothing whatsoever to do with foreign relations. I say it will put a sense of responsibility on every Member of this House and will prevent such statements being made.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. LEWIS. I yield to the gentleman from Tennessee.

Mr. JENNINGS. Have the Members of this House ever gone down there and run amuck in that fashion? Of course, from time to time there may have been some criticism of other powers.

Mr. LEWIS. I think the gentleman has sat here in the House and heard the same things that I have heard.

Mr. JENNINGS. I cannot agree with the gentleman.

Mr. LEWIS. And they have been quoted in the press abroad to the detriment of the United States and of our relations with friendly powers. I mean every word I say on that.

Mr. CHENOWETH. Mr. Chairman, if the gentleman will yield further, does the gentleman object to including two-thirds in the House as now prevails in the Senate?

Mr. LEWIS. No; I do not know that I have objections to that, but I do believe that we can safely entrust this to a majority of both Houses of Congress. I think it will add a little more care to the deliberations of the Senate, because they will know what they propose has to meet with the approval of this body. It is a double check on the power of the Executive to bind us by treaties.

Mr. CHENOWETH. Mr. Chairman, if the gentleman will yield further, is the primary objective of this legislation to abrogate the two-thirds vote in the Senate or to bring the House into the picture, or both? Which is it?

Mr. LEWIS. My purpose is to bring the House into the picture and to add to the stature of the House.

Mr. CHENOWETH. That is not the motive of many proponents of the measure.

Mr. LEWIS. I cannot be responsible for the motives of others.

Mr. SCRIVNER. Mr. Chairman, if the gentleman will yield further, I observe a statement that he made, "With the consent of the majority of the House and the Senate."

I see nothing like that in the resolution.

Mr. LEWIS. Of course not, because that is implicit in the action of Congress. It must be by a majority.

Mr. SCRIVNER. In other words, it could be possible that 218 would make up a majority of the House, and a simple majority of the 218 would be 110.

Mr. LEWIS. Surely; that is a matter of mathematical computation.

Mr. SCRIVNER. Of course, that is not a majority of the Members of the House, although it might be a majority of those present.

Mr. LEWIS. I understand, but if any measures very vital to the people of this country are under consideration, the gentleman knows the Members will come here on the floor and not allow it to be passed without their votes.

Mr. SCRIVNER. I am just raising a question of the possibilities.

Mr. LEWIS. I am talking about the practical situation.

Mr. SUMNERS of Texas. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan [Mr. O'BRIEN].

Mr. O'BRIEN of Michigan. Mr. Chairman, I approach this subject as one who is seeking to make a wise decision on a very serious subject. I certainly have not had the opportunity to give it the profound consideration that has been given it by the members of the committee.

I was impressed by the speech of the distinguished gentleman from Iowa in which he made it very plain that a treaty can set aside all local laws and ordinances, all State laws, and the provisions of State constitutions. A treaty can even set aside an act of Congress. Only the Constitution of the United States has higher stature than a treaty.

I was also impressed by the statement of the distinguished chairman of the Committee on the Judiciary as he wove into his remarks the beautiful sentiments of the poem Locksley Hall, referring to the parliament of man, the federation of the world.

I am very conscious of the fact that at present the world is in dire need of international law and order, that in that vacuum which now exists and which breeds wars and acts that are shocking to humanity there is a need that this great Nation of the United States, which I believe has the good will of all the peoples of the world, take leadership in setting up law in place of the vacuum which now exists.

I am also conscious that a bad treaty can be ruinous to a nation, and it is equally our responsibility to protect ourselves from bad treaties as to make it possible that the will of the Nation can give effect to a good and proper treaty.

As this resolution presently reads, it provides:

> Hereafter treaties shall be made by the President by and with the advice and consent of both Houses of the Congress.

I have had letters from many people and organizations in regard to this. There is a general sentiment in behalf of this resolution, but what the people understand is that a treaty would have to be ratified by a majority of the membership of this House and by a majority of the membership of the Senate; that is, by at least 218 Members of the House and by at least 49 Members of the Senate. However, that is not what is in this resolution. I appeal to the members of the Committee on the Judiciary to give consideration to amending this resolution so that the votes of a majority of the membership of the House and a majority of the membership of the Senate would be required to effect the ratification of a treaty.

Practically speaking, anybody realizes it is going to be very difficult to have this resolution adopted in the United States Senate, because governmental bodies are very loath to yield their prerogatives or their powers. I am interested in making it possible that the will of the people of the United States express itself in the adoption of treaties that are going to create international law and international justice. I am in favor of that wholeheartedly.

But the possibility of ratifying treaties by a majority of those voting in the House and by a majority of those voting in the Senate would make it possible that a minority of the membership of the Senate and the House of Representatives could ratify a treaty. They could set aside all laws of the United States except the Constitution of the United States.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of Michigan. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. Does not the gentleman feel that in the consideration of a very important matter such as the gentleman is talking about, in the Senate and in the House as is usually the case when we have important matters, very, very few Members are absent on such occasions?

Mr. O'BRIEN of Michigan. I will answer the gentleman from Tennessee in the language that was used by the gentleman from Iowa of his committee, "We are here not as legislators. We are here as Constitution makers." Therefore we should strive to write into this resolution as perfect language as we can in order to make it possible and requisite that the will of the majority of the people of the United States ratify treaties that are presented to the Congress.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. KEFAUVER. Mr. Chairman, I yield such time as he may require to the gentleman from Indiana [Mr. LUDLOW].

Mr. LUDLOW. Mr. Chairman, it is with much trepidation that I discuss this proposal to redraft an important part of the Constitution of the United States because I find myself on the opposite side of the fence from gentlemen like the gentleman from Texas whose wisdom I so much esteem and admire and for whose political philosophy I have the most profound respect. However, my own convictions against this proposed change in the Constitution are so clear and positive that I cannot refrain from stating them to the House for whatever they may be worth in evaluating the proposal, and if I am wrong I would like to be shown in what respects I am wrong. I do not believe that a proposal of such great importance with such far-reaching implications in changing the constitutional checks and balances of our Government should be voted on hastily. I would have favored twice the time for discussion that has been allotted by the rule, so that we might have ample time to sit down and reason together.

In my opinion, this proposal to change the Constitution involves a threat of great potential danger to our constitutional form of government and to the perpetuity of our free institutions.

The American Government as devised by the fathers is the grandest Government that ever existed on God's earth and my deep concern lest something may happen to it that will sap its vitality and perhaps permanently impair it prompts me to make this speech.

I appeal to you, my colleagues, to beware of this resolution to anaylze it with great care, and to consider its implications and its probable effects before you vote it. I believe that he who supports it may be subject to bitter disillusionment in the years to come. I believe that he who votes for it may cast a vote that he is likely to regret till his dying day. If ever there was a time when Members of Congress should "stop, look, and listen," now is the time, before we vote to put this measure on the statute books.

In speaking thus feelingly on what I regard as the menacing aspects of this proposal, I wish to make it crystal clear that I have not the slightest criticism of its proponents. They are among the most esteemed Members of this body, and justly so. They are as well meaning as I am. They are as patriotic as I am. They would no more think of doing an injury to our country than I would. They are abler than I am which makes me marvel that they would endorse such a proposal. I can only conclude that they have not thought the problem through.

We will get a clearer perspective of this proposal if we will remember that our Constitution is a rounded creation of checks and balances, and the passage of this resolution would remove and destroy one of the most important checks in the Constitution—the check against Executive usurpation in the matter of treaty making. The founding fathers knew what they were doing when they wrote into the Constitution the provision requiring a two-thirds vote of the Senate for the ratification of treaties. It was not haphazard decision on their part. They debated the subject for a long time and came to the conclusion that Congress ought to keep its hand on the making of treaties. It was to vindicate the might and power of the people's Congress that the Constitutional Convention placed in one branch of the Government—the Senate—the right to ratify treaties by a two-thirds vote.

By a strange process of reasoning the proponents of the resolution to provide for ratification of treaties by a majority vote of both Houses, instead of by two-thirds of the Senate, say that the purpose of the resolution is to give Congress authority over treaty making. "Congress ought to have more to say about it," they declare. But this resolution does not give Congress anything. Instead of giving, it takes away. It dilutes toward nothingness the authority which Congress now has over treaties by the operation of the two-thirds rule at the Senate end of the Capitol. The fact that the congressional treaty-ratification machinery is set up by the Constitution at the Senate end of the Capitol makes it no less a part of Congress and no less a bulwark to protect the rights of the people of America than if it were set up at both ends of the Capitol.

The incentive for this proposal grows largely out of the fact that the Senate failed to ratify adherence to the Covenant of the League of Nations after the last war, but that is an illogical and unsafe reason for making this drastic change in treaty-ratification procedure.

Failure in an isolated instance—conceding there was a failure—does not indict a system. We must remember that by adopting this resolution we would be making a complete change in our constitutional structure which will be operative for all time in respect to all kinds of treaties—a change that would immensely diminish the authority of Congress and immensely increase the authority of the President over treaties.

If this resolution passes, we shall witness the amazing spectacle of Congress voluntarily offering to surrender its effective authority over treaty making. We shall witness Congress which already has given a blank check to the President in almost everything else, voluntarily weakening its power still further by removing the only effective barrier against executive usurpation in respect to treaties, thus giving him what amounts to another blank check. I have a great respect for the office of President, but I believe that Congress has surrendered far too many of its powers to the President as the movement toward the centralization of government has gone ahead with dizzy rapidity, and that instead of surrendering more powers, we in Congress should be making moves to recapture some of the powers we already have surrendered.

Pass this resolution and you will take away the congressional brakes on treaty making. If you do this you might as well say to all future occupants of the White House: "You may negotiate treaties to your liking and send them up to Capitol Hill with perfect assurance that they will be ratified." The only effective check on treaty-making is a two-thirds check.

A congressional brake based on a mere majority vote is no brake at all, so great at all times is the power of the administration over Congress in respect to foreign affairs.

For the truth of that statement, I call to witness James A. Farley, former Postmaster General of the United States.

My memory harks back to turbulent scenes in this Chamber 7 long years ago. I had secured the signatures of a majority of the Members of the lower branch to a petition to bring before the House for a vote a resolution I had introduced embodying the fine democratic principle that unless our country is invaded or attacked, or some other country in the Western Hemisphere is invaded by a non-American nation, the right to declare war shall rest solely with the people of the United States, to be decided by referendum. There was a tremendous national sentiment for the resolution. I have no heart-burnings over what happened, and I recall the rapidly moving events objectively simply to illustrate what might, and no doubt would occur in the future regardless of who may be in the White House, if the ratification of treaties is made dependent upon a mere majority vote. Permit me, in the utmost good humor, to call my star witness, James A. Farley.

Mr. Farley tells the story in his own inimitable way in his book, Behind the Ballots, an affectionately inscribed copy of which he sent to me with his lovliest compliments. If you want some interesting reading, turn to pages 331 and 362 of Mr. Farley's book, Behind the Ballots. I quote:

> Time and again—
>
> Says Mr. Farley—
>
> when Congress has been about to vote on an important measure, I have appealed personally to Members of the Senate and House to vote as the administration wanted them to vote.
>
> I spent an entire day on the telephone asking Democratic Members of the House of Representatives to vote against bringing up the war referendum resolution. Many of them had already voted to discharge the resolution from the committee, the first move in the parliamentary skirmish, thus in effect committing themselves to its passage. Some Members frankly said they were unable to go along with the administration. Other Members said that in deference to my request they would stand by the administration and vote in the negative. This appeal by telephone had an influence in blocking consideration of the resolution.

Mr. Farley's statement that his action on the telephone had an influence in blocking consideration of the resolution expressed it mildly, indeed. The fact is that his action, representing the administration, killed the resolution.

It is worthy of note that, although Mr. Farley wore calluses on his ears, using the telephone and all the large newspapers in the United States, the President, the Secretary of State, the Speaker of the House, the majority and minority leaders of the House, and the Army, Navy, and Marine

Corps bore down like a mighty avalanche to kill my resolution, its appeal was so great that it was defeated only by a close vote, 187 yeas to 208 nays. A change of 11 votes would have saved it. I have no doubt that if the administration had not interposed, this principle of allowing the people a vote on war, except in case of attack, would now be a part of the Constitution of the United States. There may be room for argument as to the merit of the referendum principle when applied to declarations of war in the absence of invasion or attack, although I cannot conceive of any reason why in a democracy the control of the Government by the people should stop at the water's edge. I am not arguing that point, but I am citing this incident to show the power the Executive—any Executive—can exercise over Congress in dealing with international relations.

Remove the Senator's two-thirds rule in voting on treaties and substitute a bare majority of the two branches and the years to come will witness many, many repetitions of the scene described by Mr. Farley. In the long range of the future Presidents will submit treaties to Congress and will apply pressure and the opposition will crumble like a house of cards because there will be no two-thirds rule to bulwark it. The adoption of the majority idea would simply mean that in order to give the House a very deceptive and innocuous right to go through the gesture of treaty-making, we would throw away the authority of Congress over the ratification of treaties by scrapping the Senate's two-thirds rule.

What this would mean in the future we can hardly fathom. Treaties of peace are only a small number of the treaties that come before Congress for ratification. There are all kinds of treaties on all kinds of subjects, including trade treaties that are vital to the economic life of our people. Pass this legislation and all of these treaties will in fact be made by the man who happens at the time to be occupying the White House, and not in any real sense by Congress.

It is easily conceivable that the rights of American labor may be involved in a very vital way in some future treaty, and if action prejudicial to labor should become frozen in a treaty there would be no remedy. If Congress enacts a statute inimical to labor the pressure of labor groups can force its repeal, but a treaty is a contract between states, and American labor does not posses an arm long enough to reach across the seas and force foreign powers to consent to the abrogation or revision of a treaty. So let us remember that in tampering with our constitutional treaty-ratification system we may be tampering with something very sacred to labor. If William Green and Phil Murray saw in the pending resolution the potential harm to labor that I see in it, they would be camping on the heels of Congress demanding its defeat. They are not here, and so I will do my best in my feeble way to make their fight for them.

The proposal before us is very misleading. The idea of giving the House of Representatives, the body traditionally closest to the people, something to say about the ratification of treaties is appealing and on first blush is attracting the commendation of many large voting groups. It is proclaimed as a plan to strengthen the power of Congress over treaties, but what it really does is exactly the opposite of that. It weakens and nullifies the power of Congress over treaties.

There is a way by which the House could be given real authority in treaty-making. That would be by changing the pending resolution to read:

> The President shall have power by and with the advice and consent of Congress to make treaties, provided two-thirds of the Senators and Representatives present concur.

To have both legislative branches ratify treaties by a two-thirds vote instead of a majority vote, would indeed make Congress a real force in treaty-making. In the incident related earlier, Mr. Farley was able to switch over a majority but he could never have switched over two-thirds.

I do not see how anyone who is genuinely alarmed by the visible effacement of local government and the diminishing powers of the States, as many of us are, can possibly bring himself to the support of this proposed change in the treaty-ratification procedure because I fear that it would open the way to further sapping and weakening of the local autonomy which the American people would like to preserve as a priceless heritage. I am not alone in voicing this fear. In a letter to me dated March 14, 1945, Prof. Edwin Borchard, professor of law at Yale University, says:

> I find the principal argument against the proposed constitutional amendment in the fact that it would enable Congress in agreement with the President to drain most of the power of the States and vest these in the Federal Government as an implementation of a treaty. A treaty is in effect a constitutional amendment and yet this constitutional amendment would be adopted while escaping the limitations that the Constitution has set for amendments.

I do not believe that Congress would knowingly be a party to the obliteration of local self-government and to weakening the powers of the States, but a treaty overrides all State laws and I believe that the ease with which treaties would slide through to ratification if the majority-vote ratification rule is adopted would place local autonomy in constant jeopardy.

In my opinion the jury system, with which the honorable members of the Committee on the Judiciary are so familiar, furnishes an analogy which we may well consider in discussing whether treaties should be ratified by a majority vote of Congress or by a two-thirds vote. We do not say to the prosecuting attorney: "You can convict your man for murder if you get a majority of the jury on your side."

We do say to him: "You cannot convict your man unless you get every juror on your side."

I think it is safe to assume that a treaty is likely to be of doubtful merit if it cannot command the approval of at least two thirds of one branch of Congress. That was the opinion of the founding fathers and I think it is still sound.

In this connection I would like to read to the House a letter I have received from Hon. Clyde R. Lottick, judge of the Third Judicial Circuit of the State of Indiana, which I believe is pertinent and timely, as follows:

> CORYDON, IND., *April 7, 1945.*
>
> Hon. LOUIS LUDLOW,
> *House of Representatives,*
> *Washington, D. C.*
>
> DEAR MR. LUDLOW: This letter is to commend you for your s nd against abolishing the two-thirds rule for Senate ratification of treaties.
>
> As stated in the comment which I read, I believe that to change the present rule would be "selling America down the river."
>
> In my opinion there would be just as much reason for abolishing the rule as to verdicts of juries, as there is for abolishing the treaty-confirmation rule.
>
> If a case is not plain enough that 12 jurors can agree there ought not be a decision in a case, and if the merits of a treaty are not sufficient for two-thirds of the Senate to agree that treaty ought not be ratified.
>
> With best personal regards, I remain,
> Very truly yours,
> CLYDE R. LOTTICK.

I do not believe for one moment that any Member of either branch of the Congress of the United States would ever want, under any conceivable circumstances, to sell America down the river. But I am equally convinced that is exactly what we will be doing unwittingly if we pass the resolution which proposes to amend the Constitution so that treaties may be ratified by a bare majority of the House and Senate, instead of by two-thirds of the Senate, as required by the existing constitutional provision.

One more point and I am through. The President is not asking for this change in the treaty-ratification process. The Secretary of State is not asking for it. Nobody in the State Department is asking for it. The late beloved President Roosevelt was not backward in asking Congress for any authority he thought was needed looking toward the establishment of the peace of the world, but he had not asked for this. He and Secretary Stettinius were notified of the pendency of this resolution before the committee, but they chose to say nothing in support of it. Before we go too far in passing this resolution I think it might be well to ascertain whether President Truman will sign it if it is passed.

I happen to know that the State Department does not intend to ask for its adoption. I have read the 147 pages of committee hearings diligently and I have been impressed more by what they do not say than by what they do say. For instance, there is not a word in the hearings from anyone who is charged with responsibility of the foreign affairs of our Government. In view of the fact that it is possible to make a treaty that would fundamentally and radically change our form of Government and our way of life, I think it is highly important that Congress should keep its hand on the throttle. We hear it charged on all sides that Congress is breaking down. Let us not, my colleagues, be guilty of breaking ourselves down.

The Constitution of the United States, whether we realize it or not, is the cornerstone of our national welfare and the

sheet anchor of our liberities. If we lose it, we lose everything.

On these statements all of us here assembled firmly stand and I fervently hope and pray that when we vote on this resolution the kind Providence that has watched over our Nation from its cradle to its maturity will again point the way.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, there has been quite an illuminating and thorough discussion by many able lawyers in the House this afternoon on the technical and legal aspects of the making of treaties. I should like to talk for only a few minutes on what we find the situation to be in the Nation today, 160 years and more since the charter of our Government was given to us by the founding fathers. They wrought so well at that time that this country has prospered and has led the nations of the world in every endeavor. Under that charter of government that we are seeking to amend today, we have done pretty well for the world at large. We have magnanimously given of our treasure and of the finest young men in the Nation in two world-wide wars in the interests not only of ourselves but largely in the interests of other nations. We are respected as no other nation in the world today for the part we have played in international affairs. While we have been accused at home more than abroad of being a Nation of isolation, we have been less a Nation of isolation than any nation in the world. It is a false charge that should not be so often repeated by the people of our own country, because we are the only country in the world that, by and large and consistently, does not practice isolationism in international affairs.

The founders of our Government could not visualize the situation that we have today. They could hardly visualize the centralization of power. They could hardly visualize added to the power that has been given to the Chief Executive of this country, the tremendous power that the political patronage of 3,000,000 jobs gives to any Executive, whether he be Republican or Democrat, which could have great force in the control of the Members of this House and the Members of the Senate in the future, if and when this body should become a part of the treaty-making machinery of this country, by bringing it into full fellowship with the Senate, and by abrogating the two-thirds necessary to the ratification of a treaty approved by the Executive.

It is a dangerous thing to contemplate when you think that such important matters in the near future might come under the influence of a power of this kind. It doubtless was never visualized by the founders of our country who gave us our charter of government, the dangerous influence to be played with the important matter of making treaties by a mere majority of the House and Senate, with such added political power and influence.

Those men planned such a workable charter of government, which has done so much in the development of this country that today the plain people of this country still have great faith in their work and in the provisions of the Constitution. I feel certain they would not want the two-thirds rule abrogated.

Mr. KEFAUVER. Will the gentleman yield?

Mr. VURSELL. Not just now. I am wondering today if the men who founded this Government, who gave us this charter of Government, if they were here, in the light of present conditions, pressure groups, commercialism in politics and in elections—I am wondering if they would dare change it. It is my opinion that they would not, and I am inclined to believe that the American people would feel just as confident of the future and maybe a little more so, if they could have the same confidence in the Congress of the United States that they have today in the judgment of the people who wrote this Constitution, which some are seeking to reduce in its power when it comes to the proposition of making treaties. I now yield to the gentleman from Tennessee.

Mr. KEFAUVER. The gentleman was arguing about the great Constitution and the fact that we have lived under it so well. I am sure the gentleman did not mean to imply that the founding fathers did not think the Constitution should not be amended. Otherwise, why did they provide for an amending section?

Mr. VURSELL. They wisely provided for amendments. I said they could not visualize the growth and development of this country; they could not visualize the commercialism which has been attached and is attached to the elections which might go a great way in controlling the action, in some cases, of their representatives. They could not visualize the corrupt political machines in many great cities, without naming them, which have such a power in the selection of the representatives, and such control in legislation today.

I doubt seriously if this Congress can afford to go on record for a greater centralization of power in the Chief Executive regardless of what political faith he may be. The political faith will alternate in the future as it has in the past with men of different political labels, but this Congress is interested first in all of the people of this country and in the preservation of its Constitution and in an effort to give the greatest opportunity for free representative government. I believe it would be unwise to do away with the power of the two-thirds majority which protects the people. I believe it is an unwise move. I believe it should not be brought up at this time to confuse the people when they are so interested in so many other perplexing problems. I am against it.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. KEFAUVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BATES of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 60, proposing an amendment to the Constitution of the United States relative to the making of treaties, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND ON HOUSE JOINT RESOLUTION 60

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that all Members who spoke on House Joint Resolution 60 today may have permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. MICHENER. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made today and include some excerpts.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. DOUGLAS of California asked and was given permission to extend her own remarks in the RECORD and include several newspaper articles.

Mr. NEELY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and insert a poem entitled "God Sustain Our Arms Today," which was composed by Col. Gulian Hearne, Jr., of Wheeling.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and insert an interesting and timely editorial comment from the Flint Journal of April 22. I commend it to you because it reflects the broad tolerance and generosity of one of the finest citizens in America. It is at the same time a tribute to James A. Farley.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an excellent address recently made by the Honorable James A. Farley at Northampton, Mass.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. JUDD asked and was given permission to extend his own remarks and include a resolution.

Mr. KEFAUVER asked and was given permission to extend his remarks in the RECORD and include a brief article from the Progressive magazine by Senator LA FOLLETTE.

The SPEAKER. Under previous order of the House, the gentleman from Nebraska [Mr. MILLER] is recognized for 15 minutes.

CANCER

Mr. MILLER of Nebraska. Mr. Speaker, the subject of cancer in the human race is one of paramount importance

because this disease is taking such a tremendous toll of lives and adds much to human suffering.

This Congress makes appropriations to the National Cancer Institute. It is my desire to bring some facts and information to the Congress and the country about cancer.

The average individual fears cancer. Cancer kills 1 out of every 8 people in the United States. It can be definitely certain that of the five-hundred-and-thirty-odd Members of the United States Congress between 65 and 70 will die of cancer.

From December 7, 1941, to December 7, 1944, the Axis Powers of war killed 121,363 Americans on all our fighting fronts. At the same time, cancer was killing 495,000 of their mothers, their fathers, their sisters, their brothers, and their friends. It even killed the soldiers' own children. In 1942, 163,400 died of cancer in the United States. In 1943, 166,848 died of cancer. Of the number who died in 1942 of cancer, 152,357 were white men and women. Of this number 79,042 were women and 73,315 were men.

Congress has been appropriating an average of about $540,000 a year for cancer research.

This is a small amount when we stop to consider that cancer will kill about 165,000 Americans every year. It may well kill you or one of those you love. Every hour 18 Americans die of cancer. Cancer is the greatest killer of American women between the ages of 35 and 55. Cancer ranks second among the death rate in America.

If cancer is permitted to continue its vicious ways, it will kill 17,000,000 of us who are living today.

The question might well be asked, What can be done about cancer? Much can be done to conquer this disease. New instruments, new techniques, new investigations can eventually conquer cancer just as smallpox, yellow fever, typhoid, and diphtheria have been greatly curbed or entirely eliminated in civilized countries.

It is known that cancer in the beginning is strictly a localized disease and that it remains so for a brief period before it begins to affect the entire system. It first grows in the surrounding tissues, later invades the deeper tissues, and finally gets into the blood stream and goes to distant points from the original site. It is by early careful examination that its presence can be determined and the cancer eliminated. When the later signs of progressive growth have appeared the person is often beyond hope of recovery.

Cancer is not spectacular in its progress. It is not contagious. It does not come upon us as epidemics of smallpox, typhoid, or diphtheria. It is for that reason that people frequently become indifferent to a disease which so stealthily creeps upon them. It kills the most in middle life.

There should be an active educational program which would teach every man and woman to recognize the early possible cancer symptoms. These individuals should have a regular careful checkup by qualified physicians or in cancer clinics. Cancer, if found in time, can now be cured by X-ray, radium, and surgery. Thousands of lives can be saved. If every individual would heed the minor symptoms which so frequently develop into cancer, there would be fewer deaths.

The horizon of science is wide and deep. The haze of ignorance, the mist of indifference, the fogs of superstition, and the clouds of prejudice which now obscure our vision will gradually disappear when workers of science uncover new attacks upon the cause and cure of cancer. The indifference of the public in not having early examination has frequently caused failures in the past.

It will take initiative and imagination to penetrate the new medical horizons of the future. All new inventions, new techniques, discoveries, and instruments for finding the cause and cure of cancer are but new roads and an important part of our Nation's growth.

Medical science will continue to forge ahead and uncover new medical discoveries which may well be the key to man's future progress. Congress should appropriate sufficient funds which will assist medical science with these new discoveries and set a pace for future happiness in our civilization. The Congress and Nation must work shoulder to shoulder for a common purpose, the prevention and cure of disease.

Research means seeking new knowledge and looking for new truths. It all boils down to the asking questions of nature and watching for her replies. This is research by observation and experimentation. Just as yellow fever, typhus fever, diphtheria, smallpox, and malaria have yielded to scientific medicine, we will find cancer, the second greatest killer of the human race, will yield.

There is not as much mystery about cancer as most people believe. There are thousands of physicians everywhere able to recognize the early signs of cancer and many surgeons are equipped by experience to effect its early cure. It must be seen early if there is a chance for cure.

Cancer is one of the diseases which has grown more dreadful because people fail to be examined early and often.

Cancer is by no means a hopeless condition if patients will only present themselves in time to those who are equipped to do efficient work.

The SPEAKER. Under previous order of the House, the gentleman from Kansas [Mr. REES] is recognized for 15 minutes.

NEED FOR EFFICIENCY IN GOVERNMENT

Mr. REES of Kansas. Mr. Speaker, I have today introduced a bill providing for a Congressional Bureau of Efficiency. This bill provides for the creation of an organization responsible only to Congress which will keep Congress advised with regard to the use of Federal funds, the overlapping and duplication of Federal functions and activities and nonessential expenditures, and make recommendations for efficiency and economy.

I introduced a similar bill a year ago. At that time Congress was considering a revenue measure. I pointed out then that it was just as important to provide means of saving Federal funds as to pass additional tax legislation. A year ago the national debt was $187,000,000,000. Today, according to the Treasury report, it is in excess of two hundred and thirty-six billion. The Treasury Department estimates the public debt will be two hundred and ninety-two billion in June of next year. This means in a year from now Congress will be forced to again consider legislation raising the debt limit from the present $300,000,000,000 to $350,000,000,000.

Every Member of this Congress understands the necessity of spending every dollar required for the prosecution of this war. We know, too, we are bound to have a tremendous amount of waste and extravagance in war expenditures. It is obvious, although we have raised income taxes and provided every means of securing revenue, much remains to be done to reduce Federal expenditures. But, Mr. Speaker, there is no sense, no excuse, and no justification whatsoever for extravagance and waste in nonwar activities.

In view of the gross extravagance and unnecessary expenditures in the executive branch of the Government, I wonder if we can look forward to a time when our Government will be solvent and Congress will not be forced to increase the debt limit every year or so. As I have just said, I recognize as well as you that a large portion of Federal expenditures today is being used for war purposes. However, the President in his annual Budget message to Congress this year stated the estimated war budget for nonwar expenditures during the next fiscal year would be $13,000,000,000. Remember that is nonwar expenditures. Compare this, if you wil, with the total expenditures for the entire Government of $12,700,000,000 for the fiscal year of 1941. This figure includes all expenses for the armed forces. It is clear that nonwar expenditures are growing right now, when they should be decreasing.

Mr. Speaker, I am deeply concerned as to whether present efforts to provide the semblance of efficiency and economy in Federal Government are futile. I have heard Members of Congress advise their colleagues of waste, inefficiency, red tape, and extravagance of all kinds, but have made little effort to correct such injustices. I believe more strongly than I did a year ago, when I introduced similar legislation, there must be created in our Government an organization to keep Congress advised at all times with respect to the use of Federal funds, the use of personnel, and the overlapping and duplication of functions and activities, as well as nonessential expenditures and waste in our Government. The Appropriations Committees of both Houses of Congress to a great extent rely upon the Bureau of the Budget to keep Federal expenditures at a minimum. Although this Bureau is authorized to set up reserves in the departments and agencies to prevent extravagance and wasteful expenditures, it has failed miserably in its obligation and duties in this respect. Sometimes I feel the Bureau of the Budget, instead of economizing, seeks ways and means of justifying the creation of a score of overlapping and duplicating

agencies, bureaus, and activities within the Government. Some of these activities might have merit if the people of the country can afford them, but certainly not in the light of the ever-increasing debt and the need of the money and manpower for the prosecution of the war.

Theoretically, the General Accounting Office is supposed to keep Congress advised regarding expediture of funds. Its jurisdiction under the law is limited. Its investigations and audits are months behind schedule so there is some justification for the fact that the General Accounting Office does not uncover all waste and nonessential spending in time for Congress to adopt preventive measures. But even so the General Accounting Office does not have authority to recommend remedial measures.

Very frequently when officials of the Federal agencies testify before congressional committees and complaints are made regarding excessive expenditures for wasteful and useless functions and activities, these officials respond by saying, "You appropriated the money." I am just a little tired of hearing this explanation because when Congress appropriated money in blank check form, as it has done too often, it relies upon the integrity of the heads of the departments to hire personnel only when needed; purchase materials only when required; create bureaus and divisions only when necessary; and execute contracts upon an economical and businesslike basis.

I do not charge this occurs in all departments. Not at all. But too many officials seem to think it is a crime to have money left over at the end of the fiscal year, and hire excessive numbers of personnel and make useless purchases when they find there will be a few million dollars on hand. If I thought any results would come from it I would bring to the floor of the House example after example of this type of waste and nonessential spending. In case there is doubt in the minds of officials in the Federal Government, I think Congress should clarify its position and advise them when Federal funds are not required in the efficient and effective performance of regular duties under the law, the money should be returned to the Treasury. We have even had cases when funds were transferred within the Department for uses not intended or authorized by Congress.

There are at least 10 or 15 bureaus and agencies of government dealing with farm problems. A half dozen leading agencies under the Department of Agriculture should be consolidated. The War Food Administration and all matters dealing with food should be under one head in the Department of Agriculture, where it belongs. We have a dozen different agencies lending money to the farmers. Last year I pointed out the duplication of the activities of the Interstate Commerce Commission and the O. D. T. It still persists. The activities of the 3 Federal agencies concerned with regulating air carriers should be combined in a single agency. This duplication was in existence a year ago and still continues.

A year ago Senator BUTLER, of Nebraska, called attention to duplicating functions and activities of the Foreign Economic Administration, the Coordinator of Inter-American Affairs and State Department in Latin America. Nothing has been done to correct it. There are at least 15 or 20 agencies aside from the Department of Labor that have a hand in adding confusion to the processes of the Federal Government relating to labor problems. The condition has existed for several years. The only solution is to consolidate these activities in a responsible Department of Labor whose officials are capable of formulating a definite policy. Let me add, too, that right here in our own Congress we have duplications of effort where two, and sometimes three and four, committees are investigating the same problem, where one committee could do the work.

The Census Bureau employs thousands of people dealing with statistics of all kinds. Their activities are duplicated and multiplied by a hundred other agencies that also deal in various kinds of statistics.

There are only a few examples of maladministration that result in extravagant expenditures which could be eliminated by a proper organization of the executive branch of the Government. If Congress had the facilities to investigate the internal workings of each and every Federal department, establishment, and agency, thousands of dollars annually could be saved in each of hundreds of independent establishments. The total amount saved would run into hundreds of millions of dollars.

We have had committees of Congress that attempted to deal with a part of this problem. The Byrd committee, the Mead committee, the House Civil Service Investigating Committee, and Appropriation Committees of both Houses have tried to ferret out waste and extravagance. A considerable amount of good has been accomplished, but they have only scratched the surface and very few suggestions as to how to correct the evil have come from any of them.

Recently I had the opportunity of testifying before the Joint Committee on the Reorganization of Congress. At that time I stated: "We have no agency in the Federal Government that has as its purpose the bringing about of improvement and efficiency in Government service. On the other hand, the executive branch has excessive appropriations to secure up-to-date, modern, and completely adequate facilities, while the legislative branch operates with eighteenth century techniques and facilities. It is a situation for which the Congress shall have to answer very soon unless proper steps are taken immediately to equip the Congress with the tools to do a more complete and effective job."

The bill I have introduced today will take the place of the so-called "meat ax." It will eliminate chaotic and wasteful conditions in our Government. It will bring about efficiency and economy in a constructive manner. The bill provides for a Congressional Bureau of Efficiency. It would be responsible only to Congress. It would be headed by a director selected by the majority and minority leaders of both Houses of Congress and the Speaker of the House of Representatives. The director is authorized to select three assistant directors, each of whom would be in charge of a division of the Bureau. All other employees required in connection with the operations of the agency would be under the classified civil service.

The Bureau is authorized and directed to investigate and to recommend legislation concerning:

First. All nonessential Federal expenditures.

Second. Overlapping and duplication of Federal activities and functions.

Third. Excessive hiring of Federal personnel.

Fourth. Procurement and disposal of all Federal property.

Fifth. All Federal personnel and administrative management practices.

Sixth. All request for appropriations.

Seventh. Exercise of authority by any Government agency in excess of constitutional or statutory authorization, and

Eighth. Any specific problem referred to the Bureau by any committee of Congress or a resolution of either House.

The Bureau is authorized to secure evidence regarding the matters which I have just enumerated and is charged with the duty of reporting its findings to the Congress, and submit recommendations upon any phase of the subject matter.

Specific provision is made in the bill, that the Bureau is not to replace any committee of either the House or the Senate, and, as a matter of practical operation, the Bureau shall be completely subservient to the Congress as a whole and to the congressional committee now in existence or which may be created in the future. I wish to make it clear that this Bureau is not to be set up in a manner similar to any other bureau or agency now in existence. Its duties and functions are completely apart and distinguishable from the duties and functions of every agency or department of the Federal Government.

I estimate that the fiscal requirements for this Bureau will be about $300,000 or $400,000 a year. I firmly believe this legislation, if put into effect, will save the Federal Government $500,000,000 annually.

I trust that hearings will be conducted on this bill in the near future and that Members of Congress will become acquainted with the provisions of the measure and let me have their reactions. There has been a lot of talk about waste, overlapping, duplication, and nonessential Federal expenditures. I propose that the Congress now take positive affirmative action and correct these evils.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mrs. DOUGLAS of California for 2 weeks, on account of important business.

ADJOURNMENT

Mr. GOSSETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 18 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 2, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold hearings at 10:30 a. m. on Wednesday, May 2, 1945.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an executive session at 10:30 a. m. on Thursday, May 3, 1945, in the committee room, 356 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m. Tuesday, May 8, 1945, to resume public hearings on S. 63 and H. R. 1648, to amend the Communications Act of 1934, as amended, so as to prohibit interference with the broadcasting of noncommercial cultural or educational programs.

EXECUTIVE COMMUNICATIONS, ETC.

431. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1946 in the amount of $97,000 for the Office of Economic Stabilization in the form of amendments to the Budget for the agency for said fiscal year (H. Doc. No. 163), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BELL: Committee on Insular Affairs. House Report No. 497. Report pursuant to House Resolution 159, Seventy-eighth Congress, and House Resolution 99, Seventy-ninth Congress. Referred to the Committee of the Whole House on the state of the Union.

Mr. FLANNAGAN: Committee on Agriculture. H. R. 1690. A bill to provide for the further development of cooperative agricultural extension work; with amendment (Rept. No. 498). Referred to the Committee of the Whole House on the state of the Union.

Mr. WEISS: Committee on the Post Office and Post Roads. H. R. 3059. A bill authorizing the Postmaster General to continue to use post-office clerks and city letter carriers interchangeably; without amendment (Rept. No. 499). Referred to the Committee of the Whole House on the state of the Union.

Mr. CRAVENS: Committee on the Judiciary. H. R. 1524. A bill to exempt certain officers and employees within the Office of Scientific Research and Development from certain provisions of the Criminal Code; with amendment (Rept. No. 500). Referred to the House Calendar.

Mr. CRAVENS: Committee on the Judiciary. H. R. 2951. A bill to exempt certain members of the Economic Stabilization Board from certain provisions of the Criminal Code; without amendment (Rept. No. 501). Referred to the House Calendar.

Mr. LUTHER A. JOHNSON: Committee on Foreign Affairs. H. R. 688. A bill to amend the joint resolution of January 27, 1942, entitled "Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute"; without amendment (Rept. No. 502). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDERSON of New Mexico: Special Committee to Investigate Food Shortages. House Report No. 504. Report pursuant to House Resolution 195 on food shortages. Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. PITTENGER: Committee on Claims. H. R. 842. A bill for the relief of Mrs. Sadie L. Dance, Michigan Millers Mutual Fire Insurance Co. and State Farm Fire Insurance Co.; without amendment (Rept. No. 491). Referred to the Committee of the Whole House.

Mr. CASE of New Jersey: Committee on Claims. H. R. 1465. A bill for the relief of the State of California; without amendment (Rept. No. 492). Referred to the Committee of the Whole House.

Mr. COMBS: Committee on Claims. H. R. 1552. A bill for the relief of Mrs. Augusta McCall; with amendment (Rept. No. 493.) Referred to the Committee of the Whole House.

Mr. PITTENGER: Committee on Claims. H. R. 1606. A bill for the relief of Ethel Farkas, Julius Farkas, and legal guardian of Terez Farkas; with amendment (Rept. No. 494). Referred to the Committee of the Whole House.

Mr. RAMEY: Committee on Claims. H. R. 1913. A bill for the relief of Aloysius G. Miller; with amendment (Rept. No. 495). Referred to the Committee of the Whole House.

Mr. STIGLER: Committee on Claims. H. R. 2700. A bill for the relief of Alice Walker; without amendment (Rept. No. 496). Referred to the Committee of the Whole House.

Mr. SCRIVNER: Committee on Claims. H. R. 1053. A bill for the relief of W. A. Smoot, Inc.; without amendment (Rept. No. 503). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DICKSTEIN:

H. R. 3087. A bill to correct an error in section 342 (b) (8) of the Nationality Act of 1940, as amended; to the Committee on Immigration and Naturalization.

By Mr. GEELAN:

H. R. 3088. A bill to permit the granting of national service life insurance without examination to members of the armed forces on foreign duty or sea duty, and to extend the conversion privilege on national service life insurance to include conversion to endowment policies; to the Committee on World War Veterans' Legislation.

By Mr. KEFAUVER:

H. R. 3089. A bill to provide for the admission to practice before all Federal courts, departments, and agencies of veterans who have been admitted to practice before the Supreme Court of the United States or the highest court of any State, District, or Territory; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 3090. A bill creating a Congressional Bureau of Efficiency; to the Committee on Expenditures in the Executive Departments.

By Mr. SASSCER:

H. R. 3091. A bill to provide disability and death compensation or pension in the case of members of the Enlisted Reserve of the Army who have received or are receiving training under the Army specialized training program; to the Committee on World War Veterans' Legislation.

H. R. 3092. A bill to clarify section 2 of the act of February 11, 1929, with respect to the granting of relief by the Commissioners of the District of Columbia in cases in which certain special assessments have been paid and later held to be void or erroneous, to the Committee on the District of Columbia.

By Mr. WICKERSHAM:

H. R. 3093. A bill relating to the effect of the community property law of Oklahoma upon the Federal income-tax liability of certain persons for taxable years ending prior to September 30, 1944; to the Committee on Ways and Means.

By Mr. LANE:

H. J. Res. 176. Joint resolution that the United Nations establish procedure for repatriation of the Hebrews of Europe; to the Committee on Foreign Affairs.

By Mr. EDWIN ARTHUR HALL:

H. Con. Res. 51. Concurrent resolution to protect churches and religious groups against the encroachment of the State through bureaucratic decrees; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DINGELL:

H. R. 3094. A bill conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Zephyr Aircraft Corporation against the United States; to the Committee on Claims.

By Mr. McMILLAN of South Carolina:

H. R. 3095. A bill for the relief of Ellis Duke, also known as Elias Duke; to the Committee on Claims.

By Mr. MORRISON:

H. R. 3096. A bill for the relief of Vincent Suarez Fernandez, also known as Vincent Suarez; to the Committee on Immigration and Naturalization.

H. R. 3097. A bill for the relief of Guy A. Morvant; to the Committee on Claims.

By Mr. SASSCER:

H. R. 3098. A bill for the relief of Maj. L. J. Herwig, United States Army, retired; to the Committee on Military Affairs.

By Mr. SHEPPARD:

H. R. 3099. A bill for the relief of Coy C. Brown; to the Committee on Claims.

By Mr. VOORHIS of California:

H. R. 3100. A bill for the relief of the legal guardian of Rolland Lee Frank, a minor; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

501. By Mr. BARRETT of Wyoming: Petition from Mrs. Floyd Stiles and 32 other citizens of Cheyenne, Wyo., requesting passage of house bill 2082; to the Committee on the Judiciary.

502. Also, petition from Mrs. Meroa E. Thomas and 70 other citizens of Cheyenne, Wyo., requesting passage of House bill 2082; to the Committee on the Judiciary.

503. By Mr. COCHRAN: Petition of Richard Krueger and 27 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

504. Also, petition of Mr. Sands and 23 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

505. Also, petition of L. Nesselhauf and 30 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

506. Also, petition of John Felt and 32 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

507. Also, petition of Catherine Fania and 29 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

508. By Mr. FORAND: Petition of the General Assembly of the State of Rhode Island and Providence Plantations, memorializing the Congress with relation to the matching by the Federal Government of certain grants for old-age assistance, aid to dependent children, and aid to the blind; to the Committee on Ways and Means.

509. Also, petition of the General Assembly of the State of Rhode Island and Providence Plantations, requesting the Department of State of the United States Government to act favorably upon the requests for the opening of Palestine to unrestricted Jewish immigration and colonization, the establishment there of a free and democratic Jewish commonwealth, and the affording of representation at the San Francisco Conference to the Jewish people; to the Committee on Foreign Affairs.

510. Also, petition of the State of Rhode Island General Assembly, requesting the Senators and Representatives from Rhode Island in the Congress of the United States to make the necessary arrangements to provide that the official war films of World War No. 2 may be shown throughout all cities and towns of this State lest we forget too easily the horrors of war and the ruthlessness of our enemies; to the Committee on Education.

511. By Mr. GOODWIN: Petition of Thomas J. Stewart and six other citizens of Reading, Mass., being a declaration of principles in the form of a pledge for peace; to the Committee on Foreign Affairs.

512. By Mr. HOPE: Petition signed by sundry citizens of Hutchinson, Kans., relative to advertising of alcoholic liquors; to the Committee on the Judiciary.

513. By Mr. LUTHER A. JOHNSON: Petition of A. M. Hendricks, Corsicana, Tex., favoring House bills 282 and 2638; to the Committee on the Civil Service.

514. By Mr. STEFAN: Resolution of the Nebraska State Legislature, memorializing the Congress of the United States to provide wage readjustments on behalf of postal employees; to the Committee on the Post Office and Post Roads.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 2, 1945

The House met at 12 o'clock noon.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Almighty God, whose throne is in the heavens and whose kingdom ruleth over all, and before whom the angels bow and the archangels veil their faces, we rejoice that, although Thou art high and holy, Thou hast respect unto the lowly and art ever seeking to make the humble spirit and the contrite heart the sanctuary of Thy presence, Thy peace, and Thy power.

We pray that the barriers of pride, of self-will, and supercilious self-confidence which keep us from receiving Thy blessings may be submerged by a renewed consecration to do justly, to love mercy, and to walk humbly with the Lord.

Grant that our President, our Speaker, and all who have been entrusted with the privilege, the opportunity, and the responsibility of government may be blessed with a clear vision and a courageous heart to meet its challenging demands. May we have within our souls the testimony that we are serving our generation according to Thy holy will.

Hear us for the sake of the Christ our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

EXTENSION OF REMARKS

Mr. TRAYNOR asked and was given permission to extend his remarks in the RECORD and include a newspaper article.

Mr. SULLIVAN asked and was given permission to extend his remarks in the RECORD and include a statement made by him on a radio broadcast over the Blue Network on Sunday last.

Mr. GRANAHAN asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Wynnefield Community Committee for Memorial Meeting.

Mr. FLANNAGAN asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Washington Daily News of today headed "Lilienthal and T. V. A."

Mr. CHIPERFIELD asked and was given permission to extend his remarks in the RECORD and include an address by Carter Davidson, president of Knox College, at Galesburg, Ill.

Mr. BUFFETT asked and was given permission to extend his remarks in the RECORD and include some excerpts.

Mr. TALBOT asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Waterbury Lithuanian-American Council.

Mr. GRIFFITHS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. BREHM asked and was given permission to extend his remarks in the RECORD and include an article from the Journal of the National Education Association entitled "How to Avoid Federal Control in Education."

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in two instances and to include in one a resolution of the Wisconsin Legislature and in the other an editorial from the Milwaukee Journal.

LEAVE OF ABSENCE

Mr. BRYSON. Mr. Speaker, the gentleman from South Carolina [Mr. RIVERS] has been called back to his district on important public business. I ask unanimous consent that he be granted leave of absence for 2 or 3 days.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that on tomorrow, at the conclusion of the legislative program of the day and following any special orders heretofore entered, the gentlewoman from Connecticut [Mrs. LUCE] may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SAN FRANCISCO CONFERENCE

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, I was amazed the other day to read in the newspapers that at the San Francisco Conference prayer was and is being omitted because of the fear of offending some of the delegates of the various nations of the world represented there.

I am wondering what effect that will have on the missionaries we have out all over the world to sell our religion. I am wondering, too, how our converts to Christianity throughout the world will feel. Our faith in God must be shallow and our religion must mean little to us when we have to abandon it at a time like this because strangers are in our midst.

I do not believe there ever was a time when so many people of all races, colors, and creeds were joined in a mighty plea for divine guidance for the Conference, or when so many people prayed with but one single objective.

I notice certain large corporations are spending vast sums of money in newspaper advertisements urging people to unite their efforts in seeking divine guidance, that peace may be established and good will again prevail.

I am wondering what the reaction would be throughout the country if we in this House would discharge our Chaplain and say we have no further use for the opening prayer, or because we would omit the prayer because there are strangers in the gallery.

I am sure resentment and disappointment would be expressed in every community in the land.

Last Sunday afternoon I attended services at the Washington Cathedral where there was a great throng of people assembled to pray for the success of the Conference. Former Ambassador Grew presided. He said that to put forth their best efforts the delegates need the guidance of God; their success depends on their hard work and strong faith. He further declared that military alliances have always failed because they depended only on their might.

One of our great spiritual leaders has recently declared:

> Those upon whom falls the very heavy task of solving the world's problems need to be inspired by God, since not only the future of their own nations but also that of mankind and that of future generations depends upon their decisions.

We Americans have always boasted about the stability of our Government,

We must not now overlook the fact that the foundation of our Government has been built upon the bedrock of faith in God, who has been the bulwark and fortress of all men who have put their faith in Him since the beginning.

PRESIDENT TRUMAN PRAYS FOR SAN FRANCISCO CONFERENCE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. RANKIN. Mr. Speaker, I agree that the San Francisco Conference should have been opened with prayer. It has been the custom among good men from time immemorial, before engaging on any great or important undertaking, to first invoke the blessing of the Deity.

I call attention to the fact that a prayer for the guidance of that Conference was offered by President Truman. In his message to the San Francisco Conference he said:

> As we are about to undertake our heavy duties, we beseech Almighty God to guide us in building a permanent monument to those who gave their lives that this moment might come.
>
> May He lead our steps in His own righteous path of peace.

These words were heartening indeed to the millions of Christian men and women who heard that message. It is one of the finest expressions that ever came from the lips of a President of the United States.

EXTENSION OF REMARKS

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to extend my own remarks by including a declaration by the presidents and chancelors of 520 American universities and colleges with respect to the subject matter of House Resolution 215.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE U. S. S. "FRANKLIN D. ROOSEVELT"

Mr. KEOGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KEOGH. Mr. Speaker, on Sunday, April 29, 1945, the Brooklyn Navy Yard was the scene of a momentous event which those of us who were privileged to be present will not soon forget. There in drydock No. 5 of the largest navy yard in the world, from which so many of the warships of our new Navy have sailed to engage our enemies in both the Atlantic and the Pacific Oceans, our greatest aircraft carrier was christened in honor of our late Commander-in-Chief, Franklin D. Roosevelt.

It is fitting that this most recent acquisition to the new Navy that was so close to the heart of President Roosevelt and which grew so mighty under his far-seeing and wise guidance should bear his name as an inspiration to the 3,000 fighting men who will make up the complement of that splendid vessel.

In order that some idea of the thrilling scene accompanying the launching may be preserved and conveyed to those who were not fortunate enough to be present I am offering a resolution to print, as a public document, the proceedings on that occasion. We shall then have a permanent record of the remarks of Secretary of the Navy Forrestal and of the gallant former First Lady, who was making her first public appearance since the death of the President.

It is my hope that the House will act favorably on the resolution.

The SPEAKER. The time of the gentleman from New York has expired.

RATIFICATION OF TREATIES

Mrs. DOUGLAS of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. DOUGLAS of Illinois. Mr. Speaker, one point not touched on so far in the debate on the proposed change in treaty ratification is this fact: If a minority of the Senate can today block the will of the Nation on matters of foreign policy, that same minority could block the will of the whole world if and when the United States joins the world security organization. Under the proposed charter of the United Nations Organization we find that the amending article provides that change can only be made by a vote of two-thirds of the members of the General Assembly and ratification in "accordance with their respective constitutional processes by the members of the Organization having permanent membership on the Security Council and a majority of the other members of the Organization." The United States will have permanent membership on the Security Council, and that would mean that one-third of our Senate could block all changes in the world organization forever.

We should remember Jefferson's warnings that rigid institutions of government are like a man's being forced to wear the clothes which had fitted him as a boy. As Jefferson put it, "I am not an applicant for frequent changes in laws and institutions. But laws and institutions must go hand in hand with the progress of the human mind."

It would be unthinkable if "a little band of willful men" could block the possibility for growth of the new United Nations Organization. More than ever it is important today that a majority of Congress should be able to ratify treaties.

The SPEAKER. The time of the gentlewoman from Illinois has expired.

EXTENSION OF REMARKS

Mr. FEIGHAN asked and was given permission to extend his remarks in the RECORD.

Mr. OUTLAND asked and was given permission to extend his remarks and include therein an editorial from the Santa Barbara News-Press.

Mr. CELLER. Mr. Speaker, I ask unanimous consent to extend my remarks in two instances: First, to extend my own remarks; and second, to include an address by Herbert C. Pell, the cost of which would be $34.80.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. POAGE. Mr. Speaker, I ask unanimous consent that I may be permitted to address the House for 30 minutes following the disposition of legislative business and other special orders on Friday next.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

COLONIALISM

Mr. POAGE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Speaker, we are now confronted with the problem of making peace. If we are going to make a lasting peace we should take care to remove every possible cause of international friction. The United States should not undertake to remake the world, but surely the United States should cooperate with our neighbors to remove all possible points of irritation in the Western Hemisphere. Nearly a century and a quarter ago President Monroe promulgated the Monroe Doctrine, which stopped the use of the Western Hemisphere as a field for further colonial expansion by the European powers. But he did not bring an end to European colonialism already existing in this hemisphere. The time has now come when we should enter into friendly negotiations with those countries that still cling to colonial possessions in this hemisphere with a view to bringing an end to the colonial system in the New World. On next Friday I hope to discuss this problem at some length. I invite my colleagues to be present. At this time I am introducing a resolution which will be available tomorrow calling upon the State Department to take steps to clear our western world of this archaic and undemocratic system.

The SPEAKER. The time of the gentleman from Texas has expired.

SAN FRANCISCO CONFERENCE

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, it seems to me the statements which were made here this morning by my colleague the gentleman from Pennsylvania [Mr. GROSS] were correct. Secretary Stettinius asked the Conference to stand for a moment in silent meditation. I want

to say that I admire the President of the United States also in the remarks he made at the opening of the Conference. It seems to me it is not too late for the Conference to take recognition of the fact that we should have the great religious denominations—the Catholics, and the Protestants and the Jews—to open up their services. We must ask divine guidance if that Conference is going to be a success.

Mr. RANKIN. Mr. Speaker, will the gentleman yield?

Mr. RICH. I yield.

Mr. RANKIN. I agree with the gentleman from Pennsylvania, they should ask divine guidance, but I was calling attention to the fact that President Truman did invoke the blessings of God in his address to the Conference.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. LUTHER A. JOHNSON asked and was given permission to extend his remarks in the RECORD in three instances: in one to include an address by Secretary of State Stettinius; in another to include an address by Under Secretary of State Joseph G. Grew; and in the other a brief editorial.

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD in two instances: in one to insert an editorial recommending location of the new world capital in the Black Hills of South Dakota, and in the other to include an editorial from the Omaha World-Herald.

Mr. SADOWSKI asked and was given permission to extend his remarks in the RECORD and include a statement with reference to some suggestions to the San Francisco Conference.

MISQUOTATION OF MEMBERS OF CONGRESS

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, for some time those who have been assailing the patriotism of Members of Congress have followed the deceptive and misleading procedure of quoting some statement that was made on the floor or elsewhere and then, without referring to time or occasion, comparing it with a statement made by Hitler, Mussolini, or some other enemy or fancied enemy of our country, and suggesting or drawing the inference that because there was a similarity of thought or words, both were enemies of our country. Now that is a wicked and vicious thing.

To bring home to Members of Congress and to the public and to show just how wicked, how unfair and how vicious that method which has been used so extensively is, I am quoting from today's issue of the Washington News, page 23, a statement attributed to a Member of this House, though no one at this time would attribute to him any admiration for the Mussolini of recent years. I quote:

> Representative SOL BLOOM, Democrat, New York, chairman of the House Foreign Affairs Committee: "It will be a great thing not only for Italy, but for all of us if he (Mussolini) succeeds. * * * His inspiration * * * has given Italy * * * a second, modern renaissance."

Here is another quotation from the same paper:

> Listen to Winston Churchill addressing Mussolini in 1927: "If I had been an Italian I am sure I would have been with you from the beginning to the end of your victorious struggle against the bestial appetites of Leninism."

An evil-minded propagandist, if he followed the methods of Winchell, of Seldes, of a legion of others who might be named, might use such statements, hoping that those reading or hearing them, no explanation to the contrary being given, would believe that the two men to whom reference was made today held to the opinion expressed under different circumstances, on a different occasion.

We know that neither our colleague nor Mr. Churchill has been of the opinion expressed above for many, many months, perhaps years.

Let me repeat I quote these two statements for the sole purpose of showing how wicked, how vicious, yet how easy it is to assail the character of anyone by quotations out of their setting.

It is my hope that, hereafter, when that method of challenging the integrity of any American is used the hearers or the readers will ascertain the time and the occasion under which the quoted statements were made before being led to form an opinion.

The SPEAKER. The time of the gentleman from Michigan has expired.

CALL OF THE HOUSE

Mr. SPRINGER. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently there is no quorum present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 65]

Andresen, August H.	Fuller	Kilburn
Andrews, N. Y.	Fulton	Kilday
Bennett, Mo.	Gary	Knutson
Bloom	Gavin	Latham
Bradley, Mich.	Gifford	Lesinski
Buckley	Graham	Luce
Butler	Hall, Edwin Arthur	Lynch
Canfield	Hall, Leonard W.	McGehee
Cannon, Fla.	Halleck	Maloney
Clason	Hancock	Manasco
Clements	Hare	Mansfield, Mont.
Clevenger	Harness, Ind.	Martin, Iowa
Cochran	Hart	Mason
Curley	Healy	May
Daughton, Va.	Hill	Mott
Dawson	Holifield	O'Hara
De Lacy	Izac	Pfeifer
Dirksen	Jackson	Philbin
Domengeaux	Jarman	Phillips
Doughton, N. C.	Jensen	Plumley
Douglas, Calif.	Johnson, Okla.	Powell
Durham	Kee	Powers
Eaton	Kelley, Pa.	Price, Ill.
Elston	Kelly, Ill.	Quinn, N. Y.
Fenton		Richards
Rivers	Sparkman	White
Robinson, Utah	Stewart	Whitten
Ryter	Stigler	Wilson
Savage	Thomas, N. J.	Winstead
Schwabe, Okla.	Thomason	Winter
Shafer	Vorys, Ohio	Wood
Sheridan	Walter	Worley
Short	Wasielewski	Zimmerman
Sikes	Weichel	

The SPEAKER. On this roll call 333 Members answered to their names. A quorum is present.

By unanimous consent, further proceedings under the call were dispensed with.

AMENDMENT TO THE CONSTITUTION WITH RESPECT TO TREATY RATIFICATION

Mr. KEFAUVER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the joint resolution (H. J. Res. 60) proposing an amendment to the Constitution of the United States relative to the making of treaties.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of House Joint Resolution 60, with Mr. BATES of Kentucky in the chair.

The Clerk read the title of the joint resolution.

Mr. KEFAUVER. Mr. Chairman, I yield myself 20 minutes.

First, I wish to say it is very heartening to observe the high plane on which this debate has been conducted. It speaks well of the House of Representatives in the consideration of a very important matter like that before us today.

When we consider an amendment to the Constitution I think it is necessary and highly important that we first take into consideration the amending clause of the Constitution. What we are doing today—and if we act upon the resolution favorably, we must do so by a two-thirds vote—the question is, insofar as the House of Representatives is concerned, Are we going to authorize the legislatures of the various States to consider this amendment? After submission by the House and Senate it must be ratified by three-fourths of the legislatures to become effective.

So the action we have under consideration here today is really submitting a referendum to the legislatures of the various States.

Furthermore, in considering an amendment to the Constitution it is well to differentiate between amendments to provisions which were the result of a well-thought-out philosophy or theory of government as expressed in the Constitution and those provisions in the Constitution which were put there as the result of a compromise or as the result of some domestic issue which was before the Constitution makers at that time. If it is consideration of an amendment which was put into the Constitution as the result of some burning local issue at that time, or as the result of some compromise for the enactment of the Constitution, then it is well for us to consider whether that issue is still with us in this present day and as to whether

the facts and circumstances which were present at that time will persist.

Mr. Chairman, in connection with the two-thirds rule, there was no great philosophy that called for the enactment of the two-thirds rule. You will search in vain the debates of the Constitutional Convention and statements made by members when they went back to the legislatures of their various States for any great underlying philosophy or theory of government which dictated the writing of the two-thirds rule into the Constitution. The two-thirds rule was put in the Constitution as the result of a burning, heated political issue which was before the makers of the Constitution at that time. It had its beginning at the time of the Declaration of Independence. It found expression in the Articles of Confederation, and it was before the writers of the Constitution and resulted in the inclusion of the clause in our basic law.

So I say to you it is important to take into account whether the facts which brought about the compromise which was reached at the time for the creation of the Constitution are still with the people of the United States today. The heated struggle which faced the founding fathers, when the 11 of them who wrote this particular provision gathered, was between the Southern States and the Northern States over what each thought was their special interest. The Southern States in connection with this provision had in mind protecting navigation on the Mississippi, and the future of the port of New Orleans. That was the one thing they had in mind in thinking of this two-thirds provision. The four Northern States had in mind the protection of their fishery rights. Neither group had any great fundamental philosophy that treaties, in the sense that we think of them today, should be ratified by a two-thirds vote of the Senate. This dispute between the four Southern States and the four Northern States became so heated that it almost prevented the formation of the Union and the adoption of the Constitution.

As a matter of fact James Monroe, of Virginia, feared that the Constitution might not be able to be completed because of this jealousy growing out of these special interests I have spoken of, and he almost advocated the formation of three confederacies, a southern confederacy, a middle confederacy and a northern confederacy. So this clause is a striking example, Mr. Chairman, of that type of provision. It was not written in the Constitution as a result of some great fundamental principle or theory of government, but as a result of something that had to be done in order to form the Union.

The Union, Mr. Chairman, has already been formed, we are not now considering a provision for the creation of the Union, because the Union has long since been cemented and firmly established. We must now therefore look at this proposition not in the light of whether it was a good compromise to form the Federal Constitution, but whether in our advanced era, in this twentieth century, we can deal with the great problems before us.

We must deal in international affairs, and in this twentieth century we know that the House of Representatives and Members of the House of Representatives have certain responsibilities in connection with foreign treaties. I say, Mr. Chairman, that the makers of the Constitution, the founding fathers, had no firm philosophy of treaties—that treaties should be ratified by two-thirds of the Senate; and I believe I can show that by what took place at the Constitutional Convention.

Eleven Members met on September 7, 1787, for the consideration of this clause. When they first met, according to Max Farrand in his report, Mr. Wilson said—and this is verbatim:

> Mr. Wilson thought it objectionable to require the concurrence of two-thirds, which put it in the power of the minority to control the will of the majority. Mr. King concurred with the remark that as the Executive as joined in the business and was a check which did not exist in Congress where the concurrence of two-thirds was required.

Then Mr. James Madison, on September 7, 1787, offered a motion to insert, after the word "treaty," the words "except treaties of peace," allowing these could be made with less difficulty than the other treaties. In other words, he offered a motion to exempt treaties of peace from the two-thirds provision which was in the draft of the Constitution at that time. The Members should be interested in knowing, as they undoubtedly do know, that his motion was adopted without a dissenting vote. So those present had no conviction, had no philosophy, that treaties in the sense that we think of them now in dealing with foreign relations should be adopted by a two-thirds vote of the Senate because they offered no objection when Mr. Wilson made his motion.

The matter went over and on the next day, on September 8, it was reconsidered. Mr. King moved to strike out the exception of treaties of peace. Mr. Wilson wished the requirement of two-thirds to be struck out altogether. If a majority cannot be trusted, it was proof, as observed by Mr. Ghorum, that they were not fit for one society.

Mr. Gouverneur Morris was against striking out the exception of treaties of peace if two-thirds of the Senate should be required for peace; and he went on to give his reasons.

Various other methods were proposed. At one time it was proposed that treaties be ratified by a majority of all of the membership of the Senate, and that was only defeated by a vote of 5 to 4. A change of only one vote would have made that difference.

So, I say, Mr. Chairman, that there was no deep philosophy on the part of the men who wrote the Constitution to require that treaties of peace, as we now visualize them, should be ratified by a two-thirds vote of the Senate.

Mr. Chairman, when those present at the Constitutional Convention went back to their respective legislatures to explain what had taken place, they based the whole thing on the fact that some compromise was necessary in order to satisfy the Southern States about navigation on the Mississippi River and that some compromise was necessary to satisfy the Northern States about their fishery rights. Nowhere did they say that there was any great theory of government which dictated a two-thirds ratification by the Senate.

I think it is important to also consider, Mr. Chairman, the reasons why the House of Representatives was excluded from participation in treaty making at the time the founding fathers met. Let us see whether those reasons still persist today, because if those reasons are not present then we can very well say that the situation has changed and that we should participate in the ratification of treaties.

The first reason for excluding the House was that it was contemplated that the President would actually advise with the Senate. At that time the Senate consisted of only 26 Members. It was contemplated there would be 27 people there, including the President, who would sit around a table in secret session and the President would advise with them in connection with the making of treaties. President Washington tried that during the First Congress. He went up to the Senate to advise with it in connection with a treaty with the Creek Indians. He was kept waiting outside Friday as well as the following day, and he came back on Monday. He was given a very cool reception. He said at that time that the provision of the Constitution in reference to the advice provision and what was intended had not worked as was intended and he vowed he would never come back. He never did.

Since that time treaties have not been handled in that way. We find nowhere except three scant cases in all American history where the Senate has ever attempted to originate a treaty or to suggest a treaty and the advice provision has never worked. Treaties in the Senate have been handled as other legislation except they require a two-thirds vote for ratification.

The next point was that it was contemplated at that time that treaties would be made in secret, that they would be kept secret in many instances because they were dealing with kings and dictators and it was the custom in those days to keep treaties from public attention. It was thought that with a small body of Senators they could have secrecy much better in that small body than in the House of Representatives; but we all know that the secrecy idea is no longer valid. Treaties are not acted on in secret by the Senate. They are referred to a committee, where testimony is taken pro and con, then they are brought back to the Senate and debated like any other matter.

Under the Constitution as originally written it was contemplated that the Senators, being selected by the legislatures of the various States, would have a superior knowledge of foreign affairs, that they would be a sort of privy council to advise the President; but since the passage of the seventeenth amendment that argument, and that reason, has ceased to exist, because now, of course, the Senators are elected by the people like the Members of the House of Representatives.

Alexander Hamilton in the Federalist expressed the prevailing idea, "The fluctuating and multitudinous composition of the House" unfitted it for a share in treaty making, but even Hamilton failed to foresee that the negotiation of treaties would be taken over by the Executive, leaving to the Senate only the duty of passing judgment on treaties already signed.

Mr. Chairman, immediately after the adoption of the Constitution many members of the Constitutional Convention themselves expressed disatisfaction with the two-thirds rule. Alexander Hamilton defended it in the first instance, but in the very next Congress difficulties arose with the two-thirds rule and that difficulty arose with the two-thirds rule because the House did not participate.

So even though Hamilton had supported the provision in the first place, let us see what he said about it later as appears in the Federalist:

> Its (the two-thirds rule) real operation is to embarrass the administration, to destroy the energy of government, and to substitute the pleasure, caprice, or artifices of an insignificant, turbulent, or corrupt junto, to the regular deliberations and decisions of a respectable majority * * *. The public business must in some way or other, go forward. If a pertinacious minority can control the opinion of a majority * * * the sense of the smaller number will overrule that of the greater.

James Madison, as well as several other members at the Constitutional Convention, expressed the idea afterwards that the two-thirds rule had not worked out as they expected.

I think it is important, Mr. Chairman, to consider a situation which arose immediately afterwards, in 1796. A treaty had been negotiated with the Bey of Algiers concerning the return or the liberation of certain slaves. They came to the point where they had to have some money to carry out that treaty, so they were in a dilemma as to what to do about getting the money, because the House could not participate. President Washington's attitude was, "Well, we better confer with the Members of the House and see if they want to agree to go along with it." Jefferson was opposed to handling the transaction without the sanction of both Houses. So what the Senate did in that case was to pass a conditional treaty conditioned upon the approval of the appropriation by the House of Representatives. So that shows that at the very beginning of our Government they found the two-thirds rule would not work; that they could not negotiate and they could not execute treaties unless they had some way of bringing the House of Representatives into the picture, and the fact that the House of Representatives has not shared in treaty making, in the ratification of treaties, has been a handicap on the Senate; it has been an impediment to every President and to every Secretary of State that we have had since that time.

Mr. MERROW. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from New Hampshire.

Mr. MERROW. May I say to the gentleman that he is making a very excellent contribution to the discussion of this most important question. In connection with the point that he has just made, is it not true that the provisions of a treaty may be abrogated by majority action of both Houses?

Mr. KEFAUVER. I thank the gentleman for his remarks. That is true; and I am going to come to that point in just a few minutes.

Mr. MERROW. Further, is it not true that since the House, as the gentleman has pointed out, must act to pass implementing and subsidiary legislation to effect the provisions of a treaty, that it should be involved in the first instance in the ratification of treaties?

Mr. KEFAUVER. That is quite true.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. KEFAUVER. Mr. Chairman, I yield myself 15 additional minutes.

Mr. Chairman, when our international relations were few and simple, when the oceans really protected us, the emasculation and rejection of our treaties by a minority of the upper House of Congress could be tolerated. Today modern science and invention has made the frontiers of all nations almost contiguous; events in any part of the world directly or indirectly affect the economy and welfare of the United States. In these days, the very life and death of the Nation depends on smooth-working machinery for regulating our international relations.

The record of the Senate in handling treaties of peace is long, and it is disturbingly bad. From the moment the United States became a world power as a result of the Spanish-American War, the Senate has frustrated every significant move to make it possible for the country to participate in settling international disputes. It rejected the Olney-Pauncefote Arbitration Treaty of 1897. It emasculated the Hay Arbitration Treaties of 1904. It retained a stranglehold on the innocuous Root Arbitration Treaties of 1908–10. It impeded the effort of President Taft in connection with the Taft Arbitration Treaties of 1911. Then, of course, the history of what happened to the Treaty of Versailles, the League of Nations, and the World Court following World War No. 1, is well known to all.

It should also be pointed out that the two-thirds provisions prevented the annexation of Hawaii and Texas by treaty. A circumvention of the Constitution called executive agreement had to be resorted to for their annexation.

In the modern world, negotiations must be conducted with foreign countries. The two-thirds provision ties the hands of our negotiators. This, the most powerful and influential Nation in the world, cannot exert its great strength for the cause of better international relations and world peace because of this "anachronism" of our Constitution.

The damage done by the two-thirds rule cannot be measured solely by the treaties which secured a majority vote of the Senate but failed because of the lack of two-thirds. The fear that treaties are very likely to be rejected prevents desirable treaties from being conceived.

I should like to read a clause from the monumental work of Mr. Haynes on the Senate of the United States in that connection, quoting page 660:

> But statements of the relative fewness of the treaties which have been defeated on the floor of the Senate by the operation of the two-thirds rule are far from telling the whole story. No student of this phase of our treaty making can fail to realize that the rule's most calamitous effects are psychological. In the Senate it heartens any tiny group having a direct interest adverse to a pending treaty to attempt by delays and bargaining to persuade enough colleagues to join them to make up a "recalcitrant one-third plus one." Such an ad hoc bloc in our Senate can and does exercise a "pathological obstruction" in the handling of our foreign relations such as is exercised by so small a minority in no other legislative body in the world.

The fear of a minority frequently causes an Executive to restrict or qualify a treaty against the public interest for the purpose of appeasing some minority or special interest in the Senate. Then, too, the two-thirds rule has resulted in placing reservations on dozens of treaties which made them unacceptable either to the Executive or to the Nation with which they were negotiated.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Indiana.

Mr. SPRINGER. May I ask my distinguished colleague on the committee if it is not true that from 1789 to 1928 only 737 treaties were submitted to the Senate, and of these 47 were never acted on, 15 were rejected, and 102 were amended, which means that 553 treaties were entirely approved by the Senate as they were submitted by the President.

Mr. KEFAUVER. I may say to the gentleman that that is not in conformity with the list I have from the Department of State and as quoted in Mr. Haynes' book. He says that as of 1935 the Department of State issued a complete list of treaties classified as follows: Accepted by the Senate, 632; amended by the Senate, 173; rejected by the Senate, 15; no final action, 71; and uncompleted treaties, 228. It depends upon how they are classified or how the author calculates what happens to them. I think the gentleman had some authority for his statement, but it does not chime exactly with the records of the Department of State.

Mr. SPRINGER. Is it not true that quite a number of those treaties were never submitted to the Senate, and several of them were withdrawn by the President?

Mr. KEFAUVER. I think 17 were not submitted or were withdrawn by the President.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from Tennessee.

Mr. PRIEST. My colleague from Tennessee has given figures furnished by the Department of State and my colleague from Indiana has given another set of figures. I have a set of figures that were

placed in the hearings on pages 8, 9, and 10, showing no action on 114 treaties that were submitted.

It seems to me we are having some difficulty, as my colleague explained, agreeing on just what set of figures we will use. But I want that in the RECORD, because this set of figures was furnished by the Congressional Library.

Mr. SPRINGER. If the gentleman from Tennessee will yield further, may I say the figures which I have just submitted were furnished to me by the Legislative Reference Bureau of the Congressional Library.

Mr. KEFAUVER. Mr. Chairman, I yield to the gentleman from New Hampshire.

Mr. MERROW. Mr. Chairman, in connection with the point that has just been made, may I read two sentences from Dr. Frank H. Russell, of the University of California, who has written concerning this matter as follows:

> The whole story cannot be told in terms of mathematics. In recent decades, certainly the most important treaties from the point of view of building an economically and politically integrated peaceful world, the only kind of world in which our safety and prosperity can be promoted, are the ones that have suffered emasculation or mutilation if not actual rejection at the hands of a minority of isolationists in the United States Senate.

Mr. KEFAUVER. I thank the gentleman.

TWO-THIRDS RULE IS UNDEMOCRATIC

Majority rule is the basis of our system of government. If a majority of the Members of the Senate and of the House of Representatives cannot protect the interest of the people of this Nation, then our Government and our future is in a disastrous plight.

Some legislative check on executive action in the field of foreign affairs is highly desirable. A requirement for legislative sanction is fully in accord with the American system of representative democracy with its use of checks and balances to restrain unlimited power in any one branch of the Government. The two-thirds ratification system, however, puts the power to check not in the hands of the legislative representatives of the country as a whole, but in the hands of a small group in the Senate. A definite minority has a negative on the majority. One-third plus one of the membership of the smaller House of Congress has final decision over what has become one of the paramount problems of government. It is possible that 17 Senators, representing a population of only 5,000,000 people, could thwart the will of the majority of the people and of the States.

At this point I want to make an observation in response to a matter brought up by the gentleman from Georgia [Mr. COX], on yesterday. He said:

> If you do this, why should we not also change the provision which gives the President the right to veto any act we pass here?

The answer to that is that in the case of laws passed where you have to pass them over the President's veto, we are dealing with matters where the President and the Congress differ on something. In treaties you are only dealing with situations where the President is in accord with it and would not veto it in the first place. For instance, if a treaty originated here as a law does and if it passed by a majority, if the President was for it, it would go through just like any law. Therefore, a treaty would never be submitted to the Congress if the President would have vetoed it because he would have been against it to begin with. You would have an analogous situation, however, if this were the case: If we knew the President would veto every bill that we passed or if the Constitution provided that the President should veto every bill which we passed then we would have to pass them by a two-thirds vote. Then you would have an analogous situation. What you do, on the other hand, is the President and the Congress start out with a veto against them. You do not start the passage of a law with a veto against it. So the situations are not analogous in any respect whatsoever.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. MUNDT. Is there not some analogy, however, growing out of the fact that if a treaty has been entered into and Congress decides to pass a resolution to abrogate the treaty, the President then vetoing that resolution, it has to be passed by a two-thirds majority?

Mr. KEFAUVER. I am glad the gentleman brought that question up because it was brought up yesterday. We have to ratify a treaty by a two-thirds vote of the Senate, yet how do we abrogate a treaty? We abrogate it by the passage of a joint resolution. We have to make a treaty in one way and the Congress itself by a majority vote can abrogate it.

Mr. MUNDT. Will the gentleman yield?

Mr. KEFAUVER. Yes; I yield.

Mr. MUNDT. A concurrent resolution does not result in the abrogation of a treaty. It conveys to the President the desire of the House and the Senate that the treaty should be abrogated. Is that not correct?

Mr. KEFAUVER. The gentleman is correct. I read from Mr. Haynes' book:

> The denunciation of treaties has usually been by joint resolution originating sometimes in the House and sometimes in the Senate.

Mr. MUNDT. But it does not say "abrogation."

Mr. KEFAUVER. It denounces a treaty, and there are instances where treaties have been denounced and made inoperative by joint resolutions of the House and Senate.

Mr. MUNDT. The record is very confusing on that. I have searched through many cases myself and apparently there is no established constitutional procedure for extricating ourselves from an undesirable treaty.

Mr. KEFAUVER. I will say to the gentleman that we abrogate a treaty in an entirely different way from what we make it. So if the House of Representatives can participate in abrogating a treaty why should not the House of Representatives have a part in making a treaty?

Mr. MUNDT. It is not clear that the House can abrogate a treaty.

Mr. KEFAUVER. I have made the point clear, I think, that treaties are abrogated by joint resolutions.

Mr. HINSHAW. Will the gentleman yield?

Mr. KEFAUVER. I yield.

Mr. HINSHAW. I think the gentleman ought to acknowledge that a joint resolution, in order to become effective, must be signed by the President. If he refuses to sign, then it must be passed over his veto by a two-thirds majority the same as any other law. I am sure anyone will acknowledge that.

Mr. KEFAUVER. I will say to the gentleman that the record, as the gentleman from South Dakota said, is somewhat hazy, but it shows that joint resolutions passed only by the House and Senate which require the approval of the President, as the gentleman suggests, can and have abrogated treaties. This is the same way we repeal an ordinary law.

Mr. HINSHAW. We had that subject up in trying to design a way in which to repeal certain provisions of law that the House had enacted for war purposes. In the course of the debate it was well brought out by Members on both sides that any such resolution would have to be signed by the President to be effective; that is, a joint resolution.

Mr. KEFAUVER. Here is reference to a particular instance. The House was about to pass a resolution denouncing a treaty. This was in November 1919. President Wilson apparently recognizing the right of the House and Senate by resolution to denounce a treaty, withdrew the treaty or repudiated it himself.

Mr. Chairman, the Government must function in the international field. This necessity has forced the Chief Executive of this country since the beginning of our Government to find some way of letting the Government function in the international field. The people of the United States demand that we deal with foreign affairs; our own economy demands that we deal in foreign affairs, and pursuant to the demands of the people all Presidents have found some way of doing it, but unfortunately they have found ways of doing it which many times were not in conformity with the ratification provision in the Constitution.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. KEFAUVER. Mr. Chairman, I yield myself 10 additional minutes.

For instance, the treaty to annex the great State of Texas was submitted as a treaty. It was voted down by the Senate. Three days afterward Senator Buchanan submitted it to the House and to the Senate as a joint resolution. He did that because the people were demanding action. It is true the Constitution says States can be brought in by act of Congress. Hawaii was annexed by joint resolution after the failure of a treaty.

I could go on and show where every President who has had dealings with foreign nations has, of necessity, found some way of getting around the Constitution, and they have done it by the de-

vice of executive agreements and concurrent resolutions.

Mr. Chairman, it is a bad situation where you have the people supporting the Chief Executive in doing an act which is really not in conformity with our Constitution. And this makes for a very unhealthy condition. Wherever you have something that must be done, and it is going to be done with the support of the people, you ought to make the Constitution conform to what has been done and what must be done.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield for a correction?

Mr. KEFAUVER. The gentleman has had his time. If I have made a mistake, I will correct it when I revise my remarks.

Furthermore, Mr. Chairman, let me point out that it has been said here that treaties were something superior to and above the laws of the land. Those who have said that did not read the whole clause about treaties. Article VI of the Constitution reads—and I quote it:

> The Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land.

What shall be the supreme law of the land? "The Constitution and the laws of the United States which shall be made in pursuance thereof; and all treaties made." By a long line of cases which have never been disputed, laws passed by the Congress are on the same par with treaties. But this House of Representatives and Congress, by a majority vote, can abrogate and set aside, can refute any treaty; the treaty can be in existence as an international obligation, yet it will not be the law of the land because the law of the land has been changed. So that brings about a bad situation. It brings about bad feeling on the part of the people who must do business with us. Why should not the House of Representatives, which must implement treaties, which must pass appropriations to carry them out, which has a direct interest in the treaty, why should not the House of Representatives be a party in the beginning in making a treaty?

Let me proceed to something else. It has been said here, Mr. Chairman, that if the Senate makes a treaty, the House of Representatives must go along and comply with it. That has never been the attitude of any House of Representatives. In the Third or Fourth Congress, as a matter of fact, the House of Representatives had before it the question of whether it had to make an appropriation to implement a treaty which the Senate had made, and a resolution of the Appropriations Committee that was approved by the House had this to say:

> And it is the constitutional right and the duty of the House of Representatives in all such cases to deliberate on the expediency or inexpediency of carrying such treaty into effect and to determine and act thereupon as in their judgment may be most conducive of the public good.

I say, therefore, Mr. Chairman, that no treaty can last long unless it has the support of the people. No treaty can be of any long binding effect unless the Members of the House of Representatives are willing to go along with the treaty by a majority vote. Would we not then have a more definite national policy in foreign affairs? Would not foreign nations know better that this is really the foreign policy of this Nation if in the beginning a treaty were submitted by the President to the Senate and to the House and acted upon by a majority vote? Then we would feel some obligation to implement it, we would feel the obligation to stand by it.

So I hope, Mr. Chairman, that those who are interested in the cause of enabling this country to take its place among the nations of the world, those who are interested in the cause of having a national foreign policy that would be fixed and known to all of us, one that we could all support, will give the legislature of the States an opportunity to consider this matter. Otherwise we are bound and we are tied by one-third plus one of the Senate, and the great people from whom all power is derived have no opportunity whatsoever to express themselves.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 4 minutes.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Maine [Mr. FELLOWS].

Mr. FELLOWS. Mr. Chairman, it is with considerable trepidation that I speak to the question before the House after listening to the distinguished gentlemen who have preceded me. It is disturbing to find oneself disagreeing with the distinguished chairman of the Judiciary Committee the gentleman from Texas [Mr. SUMNERS]. However, there are some things upon which we all agree: The first is that this is one of the most important questions that has come before this body in a long time. The second is that it is not so much a question of whether the House should have a part in the consummation of a treaty as it is a question of whether the two-thirds rule should be changed to a majority rule.

We all hope and pray that out of the so-called San Francisco Conference will come a formula of security that will be a just and lasting one. It is my prayer not only that such an organization shall be evolved, but that it will find support in an enlightened public opinion.

If the House passes this resolution, and if the Senate sees fit to surrender a portion of its power, it is important that the people of the States who, through their legislatures must consider this question, should have before them some or all of the reasons why it should be ratified, and some or all of the reasons why it should not be ratified. It is indeed a doubtful question whether three-quarters of the States would have time to record their votes before the Senate, under the present constitutional provision for a two-thirds vote, would be called upon to accept or reject the Dumbarton proposal.

I do not pretend to be an expert on constitutional law, and for that reason I may have a slight advantage over many of those who were privileged to speak before the Judiciary Committee. My knowledge of this great document has been limited to that which would come to any person who has studied and practiced law for 30 years. The Constitution was designed to accomplish many purposes, one of which was to save us from ourselves in times of great emotional stress, such as we are experiencing in our country and throughout the world at this very moment. As our distinguished chairman so ably stated, the world is much smaller than it used to be; the oceans can be crossed in a matter of hours; distance has been obliterated by modern means of travel and communication; but I am wondering if because of this very fact we should not look at this thing a little more carefully, because the closer we are together in the world the more pressure will be brought to bear upon everybody in it. I have no objection to the House taking a part in treaty making, but I have not been convinced by the many able men who have spoken for this resolution that the added security given to us by this two-thirds rule should be taken away. You have already been told that there is no judicial review of a treaty, and, although it has been decided that an act of Congress might abrogate a treaty, it is unthinkable that our Congress would undertake in any such manner to interfere with the Dumbarton Oaks or any treaty that might be framed today or in the future.

The early history of this particular provision of the Constitution which provides for a two-thirds vote in the Senate has been discussed. I am coming down to a little later date. Woodrow Wilson, about 50 years ago, wrote a book called Congressional Government. I am going to quote two paragraphs from this treatise. He was not criticizing the two-thirds rule when he wrote these words; he was, however, criticizing the relationship that might exist and sometimes does between the executive department and the Senate when treaties are under discussion, he said:

> The Senate when it closes its doors upon going into executive session closes them upon the President as much as upon the rest of the world.

Then he said:

> His only power of compelling compliance on the part of the Senate lies in his initiative in negotiation, which affords him a chance to get the country into such scrapes, so pledged in the view of the world to certain courses of action, that the Senate hesitates to bring about the appearance of dishonor which would follow its refusal to ratify the rash promises or to support the indiscreet threats of the Department of State. (Woodrow Wilson: Congressional Government, p. 233, 234.)

Further Mr. Wilson said:

> The President may tire the Senate by dogged persistence, but he can never deal with it upon a ground of real equality. He has no real presence in the Senate. His power does not extend beyond the most general suggestion. The Senate always has the last word. No one would desire to see the President possessed of authority to overrule the decisions of the Senate, to treat with foreign powers, and appoint thousands of public officers, without any other than that shadowy responsibility which he owes to the

people that elected him, but it is certainly an unfortunate feature of our Government that Congress governs without being put into confidential relations with the agents through whom it governs. (Woodrow Wilson: Congressional Government, p. 238.)

During the discussion of the Versailles Treaty and the League of Nations, another great American, yes a great statesman in my opinion, Senator Oscar Underwood, used these words:

It may be said that some gentlemen in this Chamber have voted against ratification of this resolution for one reason and some have voted against it for another. The makers of the Constitution were so careful that a treaty should reflect the mature sentiment of the people of the United States that they required that its ratification should receive the vote of two-thirds of the membership of this body.

What has been the history of the power of the requirement of a two-thirds vote in advising and consenting to a treaty under the Constitution?

Professor Daingerfield, a student of the treaty-making power, states that of 820 treaties signed by the United States from 1789 to 1928, 24 were never submitted to the Senate, 9 were withdrawn by the President, and of the 787 submitted for approval, 47 were never acted upon, 15 were rejected, and 162 were amended. The Senate intervened in the making of 234 treaties.

In the list submitted to the committee by the distinguished gentleman from Tennessee [Mr. PRIEST], who made a very fine statement of his position, it appears that down to and including May 10, 1940, 19 treaties were rejected. I believe that the Senate has considered nearly 1,000 treaties. It is a matter of pure speculation whether any different or better result would have been achieved had the ratifying machinery been that proposed by the pending resolution.

To use the words of my chairman, the submission of a resolution to change the Constitution is a very serious matter. I think this can mean that, in his view, the reasons for a change should be clear, if not compelling, reasons, particularly in view of the history of treaty ratification in this country. I want to address myself for a few moments to the reasons that have been advanced.

The first one is this: A majority vote is more democratic. As one distinguished gentleman who appeared before the committee said, "If we believe in majority rule, why should not that principle be extended to treaty ratification?"

As a distinguished educator stated before the committee, "So you have here something that is contrary to the first principle that all these young people learned about democracy, and that is that it should be a democratic government."

As another distinguished gentleman stated, when speaking of majority rule, "Yes; we do in everything except the ratification of peace treaties."

Why, the very resolution on which we are called upon to vote today requires a two-thirds vote for its passage. It must then have a two-thirds vote in the Senate, and three-fourths of the States must concur. Is this democratic? It is constitutional. Should it be changed?

Under the Constitution, one man, the President of the United States, has power by the stroke of a pen to veto a proposed law or resolution passed by the duly elected representatives of this country, and that proposed statute or resolution has to be passed by a two-thirds vote in both Houses in order to override that veto. Is that democratic? It is not the majority rule. It is constitutional. Should it be changed?

Under the basic law, officials may be impeached and convicted if two-thirds of the Senate so vote. Is that democratic? It is not the majority rule. It is constitutional. Should this be changed?

Under the rules of the House, a man may be expelled by a two-thirds vote. The same under the rules of the Senate. This is not simply a majority that is required. Is this democratic? It has the support of time. Should it be changed?

Curiously enough, 2 days ago we voted on the Food and Agricultural Organization of United Nations, and in the report, page 7, are these words:

Safeguards as to further obligation.

Then follows this paragraph:

Under the provisions of paragraph 1 of article XX of the constitution, no amendment involving new obligations for member nations becomes effective until concurred in by a two-thirds majority of all members of the Conference and takes effect only on acceptance by two-thirds of the member nations and only for each member nation accepting the amendment.

Is that what they mean by an undemocratic provision? It is a part of the constitution of the Food and Agricultural Organization of the United Nations.

Under the Dumbarton Oaks plan, page 5, section C, paragraph 2:

Important decisions of the general assembly, including recommendations with respect to the maintenance of international peace and security; election of members of the Security Council; election of members of the Economic and Social Council; admission of members, suspension of the exercise of the rights and privileges of members, and expulsion of members; and budgetary questions should be made by a two-thirds majority, of those present and voting. On other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, the decision of the general assembly should be made by a simple majority vote.

So we find in the Constitution the two-thirds requirements in several instances. We find this requirement in the rules of the House and of the Senate. We find this requirement in the Food and Agricultural Organization of United Nations. We find it in the Dumbarton Oaks plan, and we also find that it takes six members out of nine of the Supreme Court to make a quorum, and four out of nine—less than a majority of the Court—to render the decision of the Court. Should these rules be changed?

I believe that when the framers of our Constitution inserted the two-thirds provision they had good reasons. And when Senator Underwood used these words: "The makers of the Constitution were so careful that a treaty should reflect the mature sentiment of the people of the United States that they required that its ratification should receive a vote of two-thirds of the membership of this body," he spoke with understanding. I can see how he might have had many things in mind. For instance, the surrender of power by one branch of the Government to another makes that branch stronger. I can see where he might have had in mind that a President might be of one political faith and a majority of the Senate of another, as was the case in 1919. I can further see that he might have had in mind that the majority of both Houses of Congress might be of the same political faith as the President of the United States, and that if he were a man of strong personality his wishes and his words would carry great weight in obtaining consent of a majority of one or both bodies. This reason advanced by the proponents, viz: That the proposed change to a majority from a two-thirds requirement would be more in accordance with our system, does not impress me.

The second reason given is that under the present system it requires only 1 vote more than one-third in the Senate for a treaty to fail of consent in that body. This is true. It is also true under the majority rule that 1 vote might change a majority one way to a majority the other way. But the illustration that is used on the radio and before our committee is this: That it would require only 17 votes of the Senate to stop a treaty. This is an extreme illustration. For example, let us suppose that this proposed amendment to the Constitution were adopted. It would be possible for 25 Senators out of a total membership of 96, representing 12½ States of the Union, to consent so far as the Senate is concerned. These States might not represent more than six million people, less than the population of Texas. One hundred and ten Members of the House—a majority of a bare quorum—could consent so far as the House is concerned. This out of a membership of 435, and representing only 4 States, Connecticut, Pennsylvania, New York, and Illinois. This could be possible, and I can see in this as much danger as the proponents can see in the illustration of the extreme case they advance. I do not see in this proposition, as one of the points upon which they rely, a compelling reason why the organic law of this country should be changed.

Another reason given by the proponents of this measure is that the Versailles Treaty and the League of Nations were defeated because of the two-thirds rule in the Senate. If this is a good reason why the present method of consenting to a treaty should be changed, it is very questionable whether the two-thirds rule was responsible for the failure of ratification. I quote from the statement of Mr. Edwin M. Borchard, Kotchkiss professor of law, Yale University:

But the league and the treaty were not defeated because of their obvious and fundamental defects, nor even because they committed the United States to a "blank check" diplomacy. They were really defeated because President Wilson requested the Democratic Senators not to accept the Lodge reservations, which, whatever their motive,

made some effort to safeguard the interests of the United States and were acceptable to the British and other professed students on the subject.

If that is true, the League was defeated not by the two-thirds rule, but rather by the fact that it only takes a majority of the Senate to pass reservations to any proposed treaty. The Lodge reservations, under the rules, became effective by a majority vote. And the President clearly indicated that he would not accept the reservations proposed to article X in these words:

That is an absolute withdrawal from the obligations of article X. That is why I say it is a rejection of the Covenant and therefore a rejection of the treaty.

Treaty ratification must not become a political football to be kicked around by a majority, whether that majority be Democratic or Republican. With the two-thirds rule for consent, it becomes necessary not only that a majority party concur but that a substantial number of the minority also concur, and thus the treaty represents the desires of both major political parties.

I think Senator Underwood was correct that the makers of the Constitution were so careful that a treaty should reflect the true sentiment of the people of the United States that they required that its ratification should require a two-thirds vote of the Senate.

I do not find in the history of treaty making in this country, so far as the figures have been given to me, anything that argues for a change in this machinery for ratification. I am not prepared to agree that we should surrender this added security which a two-third vote of the Senate guarantees at the expense of giving more power to the Executive.

We all pray that a plan of security will evolve from a conference of nations. And we want that plan to be a lasting and enduring one. Such qualities will come, not by reason of the speed with which consent is obtained, but rather will its lasting quality depend upon the care and thought which go into making it a fair and just plan which will, therefore, merit the support of the peoples of the world.

Mr. MERROW. Mr. Chairman, will the gentleman yield?

Mr. FELLOWS. I yield to the gentleman from New Hampshire.

Mr. MERROW. May I ask the gentleman if he believes that because we have to pass this resolution by a two-thirds vote it necessarily follows that treaties must be ratified by a two-thirds vote? I do not see the analogy.

Mr. FELLOWS. I am answering arguments that have been used that it would be more in accordance with our system, it would be more democratic, to do it by a majority vote, "as we do in everything except in the ratification of peace treaties;" and there I am quoting the words of the distinguished gentleman from New Hampshire himself before the committee.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. FELLOWS. I yield.

Mr. SPRINGER. I know the distinguished gentleman is familiar with article VI, clause 2, of the Constitution, which provides that the judges of every State shall be bound by treaties, anything in the Constitution or laws of any States to the contrary notwithstanding. That indicates treaties have some importance with respect to States' rights.

Mr. FELLOWS. I so understand.

Mr. KEFAUVER. Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire [Mr. MERROW].

Mr. MERROW. Mr. Chairman, I have requested this time to clarify the RECORD. I was quoted by the gentleman who just preceded me as saying, concerning majority rule in the hearings, which I did say on page 35:

Yes; we do in everything except the ratification of peace treaties, Mr. Chairman.

But the whole story was not told. I refer to the hearings on page 35, and I think my entire words ought to be quoted. I said:

In the first place, as my colleague, Mr. KEFAUVER, has shown here very admirably in the statement he has made, the reasons for writing the two-thirds rule into the Constitution no longer exist. We enact statutes by a simple majority of both Houses of Congress.

After a treaty is ratified, that treaty becomes as any statute, and it would seem as though we ought to be able to validate treaties by a majority of both branches of the Congress.

We accept majority rule in every other respect, as far as lawmaking is concerned.

This should be written into the RECORD, I said further:

As has been emphasized, a simple majority is enough to carry this country into war; a simple majority of both Houses is sufficient to enact any Federal statute. It seems as though a majority ought to be sufficient to make the peace.

In connection with the statement quoted by the gentleman who preceded me may I read what I said before I made the reply he referred to. I said:

The question divides itself on this important point: Those who feel that somehow we can go along as we have in the past and remain a part of the stream of world affairs, or try to remain a part, believe that perhaps this two-thirds rule is important, because a minority of the Senate can prevent ratification of any set of peace proposals that may be presented by proposing reservations and by holding together as a group.

Then the chairman of the committee:

But in the determination of what ought to be done, by our experience and practice we let the majority speak.

I then stated:

Yes; we do in everything except the ratification of peace treaties, Mr. Chairman.

What I had to say was that in everything in respect to the passing of laws, the making of Federal statutes we let the majority rule—in everything except treaty making. I want to make that clear.

Mr. AUGUST H. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. MERROW. I yield.

Mr. AUGUST H. ANDRESEN. The gentleman does not anticipate that this proposed amendment to the Constitution can be ratified so it will do any good now, does he?

Mr. MERROW. It might if we would heed the voice of the people and present it to the State legislatures and give them an opportunity to act.

Mr. AUGUST H. ANDRESEN. But they have all met.

Mr. MERROW. They can be called into special session.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

Mr. KEFAUVER. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Chairman, I listened with considerable attention to the views of the gentleman from Maine. His apparently is the counsel of despair. He cites Edward Borchard, professor of law at Yale. I want to remind the gentleman from Maine that Professor Borchard is one of the most vigorous opponents of the Dumbarton Oaks proposal and of what is being attempted at San Francisco. But the gentleman from Maine approves of Dumbarton Oaks and what is being done at San Francisco. Professor Borchard has on occasion been an isolationist, and I can very well see where he would oppose doing away with this two-thirds vote requirement for the ratification of peace treaties. He does not want any Dumbarton-San Francisco charter-treaty ratified. He probably reasons that a two-thirds vote for it in the Senate is remote.

It is an unhealthy thing to look upon any document of government, Constitution or otherwise, as being so sacrosanct that it must not be changed even if the present demands it, and I feel that the present demands this change in our Constitution. We cannot be so blind as to follow precedent alone, valuable as that is. That would deny the creative genius of each new generation. We build on the past. We should not be buried by the past.

The two-thirds treaty rule makes us troglodytes—those who are cave dwellers—dwellers in ruins. They are those who believe in the so-called theory of status quo, which to my mind has been the most ruinous of all political dogmas. The opponents of the pending proposal are the usual status quo-ites.

Nowhere is there any indication that the insertion of the two-thirds clause was founded on any conceivable political theory of government save one, the distrust in the people, as exemplified by Hamilton and others of like mind.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I have not even yet made a dent in my prepared statement, but I will yield to my colleague on the committee.

Mr. SPRINGER. The distinguished gentleman from New York spoke about the two-thirds rule and has indicated that in his opinion it has been outmoded.

Also he has mentioned the Dumbarton Oaks Conference. Of course, the gentleman is familiar with the fact, as provided by that conference, that all important questions must be decided by a two-thirds vote of those present and voting, the language being identical with the language of our own Constitution.

Mr. CELLER. Each case must stand on its own bottom. The cases are quite dissimilar. You can't compare one with the other, no more than you can compare a round hole with a square. We are now concerned with the particular clause in our own Constitution. It is quite different than the two-thirds requirement at San Francisco. As the proverb has it, "You never take your shoes off until you reach the river." When you consider San Francisco, why it might require a different point of view. We are now considering the Constitution, and I believe the provision with reference to the two-thirds rule is utterly outmoded and archaic and should go out, because it is just as useless as water in the drain.

Mr. MERROW. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Hampshire.

Mr. MERROW. I want to compliment the gentleman for emphasizing the fact that there is no political theory underlying insertion of the two-thirds rule and may I ask the gentleman if it is not true that the reasons motivating the fathers for insertion of this rule have passed off the stage of human activity?

Mr. CELLER. There is no doubt about that, and I thank the gentleman for his observation.

The House of Representatives, we all agree, is closer to the people, because we have to face the electorate every 2 years. That is not so with the Senate.

It is interesting to note that James Madison and Benjamin Franklin recognized this and they sponsored an amendment in the Constitutional Convention excepting treaties of peace from the two-thirds vote. They were successful, but the provision was eliminated the next day.

If you talk of constitutional intent, that is circumvented and has been since the days of Washington. The Constitution calls for "advice and consent." Advice is never sought by the President of the Senate, not since the incident mentioned by the distinguished gentleman from Tennessee, when Washington, endeavoring to follow the instructions of the Constitution, went to the Senate to seek advice of the Senators with reference to a treaty contemplated with the Indians. They kept him waiting an unhealthy length of time and told him to come back next Monday. When he came back the following Monday they treated him in the same ridiculous fashion. He turned on his heel and never entered the Senate Chamber or the Senate anterooms again to seek the advice of the Senate. No President, except in very rare instances, has sought the advice of the Senate preparatory to negotiating a treaty.

Mr. SUMNERS of Texas. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. SUMNERS of Texas. May I make the suggestion in connection with the observation recently made by one gentleman who interrupted the present speaker to the effect it requires now a two-thirds vote in San Francisco to determine. If I might I would like to call attention to the fact that the people who are assembling in San Francisco do not constitute a government. It would be most extraordinary, even if they would concede that two-thirds could bind the people, to say they were there in any other position than an independent one. It is entirely different than our own set-up.

Mr. CELLER. There are many intricate and diplomatic factors that enter into that situation at San Francisco and our Constitution is in no way comparable for the reasons suggested.

Mr. SUMNERS of Texas. There is no similarity, there is no relationship at all.

Mr. CELLER. At the time of the making of the Constitution we had, as was stated, four original States east of the Mississippi River that were interested in navigation on the Mississippi. They did not want their rights in reference to navigation interfered with. They feared the other States would make a treaty with the Spanish Government, which was then in control of the Mississippi up to the city of Memphis. We had four States in the Northeast, the New England States, which were interested in not having their fishing rights upset by any kind of treaty. And we had five other States.

The makers of the Constitution had in mind that either group of States could protect their immediate interests by the two-thirds rule.

It is interesting to note with reference to the fishing interests of New England that somebody once said that the reason why we have the two-thirds provision in the Constitution is not by virtue of the act of any of our founders but by virtue of the "flounders" of New England.

Mr. Chairman, it is well to remember that this is the fifth time that this question has been brought up before Congress; in 1888, 1919, 1923, 1925, and again now. You will note as we grow more and more international in our outlook, more and more world responsible, the question keeps on arising. We who advocate this change must persevere. We must continue to fight. The Senate undoubtedly will reject the proposal. Did you ever hear of anyone giving up power voluntarily? We must compel the Members of the other body to give up that power to unclinch their fists. I fear it may only be able to be done if this proposal originate in the States by the States proposing the constitutional amendment. Nonetheless, we must keep on fighting.

The will of the people, particularly in a democracy like England and the United States, is never balked. The will of the people will ultimately be observed, and the democracies and the people in the democracies know and appreciate that their governments must be fluid, and responsible to public will; government forms must be changeable and change according to the exigencies of the period and the era. Just as dogma that has outlived its usefulness must go, so hackneyed constitutional provisions must go.

We circumvent the archaic and outworn provision with reference to Presidential electors. What do the people do back in your States? They do not really abide by the Presidential electoral provision in the Constitution. Examine the ballots. Examine the Presidential ballots in your own precincts. I know as far as my own State is concerned we never put the names of the Presidential electors who are nominated by either party on the ballots. We simply put the names of the candidate for President and Vice President on the ballot. We scrape the constitutional provision. We snap our fingers at the Constitution, if I may use a raw phrase, because that provision with reference to Presidential electors is useless and obsolete.

We have long since done away with the provision that was given to us by the founding fathers concerning the election of Senators. We elect them directly now. So with the so-called executive agreements. Every President from Washington down to Roosevelt used and has always used the subterfuge of executive agreements or protocols or covenants to get away from this archaic provision of the two-third treaty vote requirement. In England they circumvent a veto by the King by a mere majority vote in the House of Commons. And as for the House of Lords, I know of no more archaic body than that; a useless appendage, as it were, on the legislative branch of the United Kingdom.

The Lords are powerless as the result of practices that have grown up in the House of Commons. The public demanded that the powers of the House of Lords be watered well nigh to a mere debating society.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Alabama.

Mr. PATRICK. The gentleman made a remark a minute ago regarding the attitude of the Senate on this proposed amendment of the Constitution. I have talked with a few of the Senators. Has the gentleman?

Mr. CELLER. I have spoken to a number of them.

Mr. PATRICK. It is my opinion, notwithstanding the gentleman's statement a minute ago, that if this House could make its vote pronounced enough and vigorous enough, the resolution would get a much more respectful and sympathetic hearing in the Senate. In view of the progressive thought now evident in the Senate, on both the Democratic and Republican sides, so that they can realize the nearness of the Members of the House to the people, I believe the time has come when there is a chance to get this resolution through.

Mr. CELLER. Do not be too sanguine. The gentleman probably is unaware of the fact that the Judiciary Committee of the other Chamber has made an announcement that it will not consider any constitutional amendment at this juncture, so if this constitutional amendment is adopted here and goes to the other body it may not even get any consideration. I hope the gentleman is right. He will be right if we can get a militant public opinion and the public force behind this proposal. Then the gentleman on the other side of this building would not dare disapprove of this proposal that we might pass, and that I

hope we will pass with an overwhelming vote.

Mr. GOSSETT. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from Texas.

Mr. GOSSETT. The gentleman referred to the British system a moment ago and the 1911 act of Parliament. The House of Commons now to all intents and purposes has sole and complete power over treaties in Britain, and that by a simple majority. The Lords have nothing to do with it. If the Prime Minister and the other members of the Cabinet did not submit a treaty in accordance with the majority wishes of the House of Commons, the government would fall and an election would take place immediately.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BRYSON. Mr. Chairman, I yield 5 additional minutes to the gentleman from New York.

Mr. CELLER. I was coming to that provision. The gentleman anticipated me. But certainly there must be some wisdom in the British democracy, and it is well in this case to take a leaf out of their book and pass treaties by a majority of this House and a majority of the other body. Do just as the House of Commons does. Abide by the majority.

If we examine the reasons that have been promulgated from time to time for putting the two-thirds provision in the Constitution, we find that they have evaporated into thin air. They are no longer good grounds, they are just coffee grounds.

First, they felt that there was a necessity for speed in passing upon treaties. We know how they can filibuster in the Senate. We have had many examples of how they have talked a treaty to death. So that necessity for speed has gone out the window.

Statements have been made concerning short sessions and short terms. There are no longer any Senate short sessions, there are no longer any Senate short terms.

They objected to the fluctuating membership in the House, and said that the Members of the House go in and out of office too frequently. I have been in this Chamber for 23 years, longer than a good many Members of the Senate. There are over 100 Members of this House who have held tenure for more than 6 years. There are 50 who have held tenure for more than 12 years. There is in that sense numerically less fluctuation of membership in this House than there is in the other Chamber.

They spoke in those old days about the wisdom of the Senate. I challenge any man living or dead to tell me that there is less wisdom in this House than there is in the Senate. Truth to tell, on many occasions I would say the shoe was on the other foot, that there is more wisdom in this Chamber.

I spoke a moment ago about the advice that was to be sought from the Senators. Nobody seeks the advice of the so-called elder statesmen. The Presidents rarely ever do.

Then they spoke of the secrecy, that the Senate was sort of a privy council, and that there would be uttermost secrecy in its deliberations concerning a treaty. It is interesting to note the following from Candal on Treaties, Their Making and Enforcement, second edition, under the title "Secret Sessions":

> The Senate met with closed doors during its legislative as well as its executive sessions down to the end of the first session of the Third Congress. A resolution adopted February 20, 1794, provided that the legislative proceedings, except in such cases as might in the opinion of the Senate require secrecy, should, after the end of that session, be with open doors.

So out the window with the idea of secrecy. I am rather inclined to the view of President Wilson who sought open covenants openly arrived at.

Former Secretary of State John Hay once said:

> A treaty entering the Senate is like a bull going into an arena. No one can say just how or when the final blow will fall, but one thing is certain, it will never leave the arena alive.

Hamilton, in his Federalist Papers, had this to say concerning the House of Representatives and his denial of any activity on the part of Members of the House in the matter of treaties:

> Accurate and comprehensive knowledge of foreign politics, a steady and systematic adherence to the same views, a nice and uniform sensibility to national character, decision, secrecy, and dispatch are incompatible with the genus of a body so variable and numerous.

Why, if any man would have the temerity today to say that about you or me, we would deem that an insult. He says we do not act with dispatch; we lack a uniform sensibility to national character. Of course, he was an aristocrat. He had no trust in the common man and he wanted no one else to have any trust in the United States House of Representatives because we were nearer the common man than Senators, I suppose.

Has the present method of ratifying treaties been altered without a constitutional amendment?

Yes, because of the two-thirds rule. The Executive and the House have circumvented the constitutional provision by way of joint resolution or by way of Executive agreement. Certainly that is not desirable. No subterfuge is—when a remedy is at hand. Take U. N. R. R. A.—was that a treaty or an agreement? No risk was taken and it was called an agreement. Of course, the Senate can call the contents of an agreement or joint resolution a treaty and so refuse to accept it unless the two-thirds rule is observed. A joint resolution, unlike a concurrent resolution, requires the President's signature. Important Executive agreements need only majority approval. Joint resolutions were used when Texas and Hawaii were acquired. The war with Germany and Austria was declared ended by joint resolution. A joint resolution was used in relation to the memberships of the United States in the International Labor Organization and Pan American Union.

Under diplomatic or military powers the President can make agreements. Executive agreements have been made pertaining to quarantine inspection of vessels, exemption of pleasure yachts from navigation dues, admission of civil aircraft, postal conventions, waiver of visa fees, debt funding. The recent transfer of destroyers in exchange for the use of certain British naval and air bases is a recent example of executive agreement.

But such procedure is not wise nor is it healthy. A treaty must be understood as such and treated as such and there must be no fear of the blocking by a minority to prevent the complete hearing on the matter. Congress can pass conflicting legislation by failing to pass appropriations or subsidiary legislation necessary to carry out the provisions of a treaty and if it has the making of practical measures to implement a treaty, why not a voice in the actual making?

When is a treaty not a treaty? "When I use a word," Humpty Dumpty said, in a rather scornful tone, "it means just what I choose it to mean—neither more, nor less." "The question is," said Alice, "whether you can make words mean so many different things." "The question is," said Humpty Dumpty, "which is to to be master that is all."

Presidents can call an agreement a treaty or a covenant or executive agreement or a protocol or what have you?

From 1789 to 1839 United States entered into nearly 2,000 international agreements and only 800 were treaties made with a two-thirds Senate vote:

	Treaties	*Agreements*
1789–1839	60	27
1839–1889	215	238
1889–1939	524	917
Total	799	1,182

See how they grew. Not a single agreement has been declared void by court.

A two-thirds majority is justifiable as a democratic process only when it is needed to safeguard the rights and interests of minorities. But due protection of minority rights, however essential a part of the true spirit of democracy, does not entitle a small group of men to control the destiny of a great nation by thwarting the will of the great majority of its citizens through abuse of procedural prerogatives. True the ratification would mean a dimunition of minority rights, but that would cause the minority to be more enlightened, more persuasive in its approach. The press, the radio, the forum, the floor of the Senate would still be open for argument and presentation.

Bringing up the subject of minority rights and making it analogous to protection of minority rights in stockholder suits, and jury trials, as is often done, are bad parallels for these are not matters of national concern.

It is said that House participation in treaty approval would tip the balance to the people—the majority—against the interests of the States—the minority. That argument has been advanced before in fact, each time the matter comes up of bringing the Government closer to the will of the people. In the form of States'

rights cry, it has sought to block progressive measures in the matter of national rather than sectional interests. Treaties are expressly and constitutionally a part of the national scene; for this reason, the Constitution forbids individual States from entering into separate treaties. It has never been one of the powers reserved by the States.

The implementation of treaties, such as appropriations, and so forth, are left to both Houses, and it is not a question of depriving the States of a power which is exclusively theirs. Is the declaration of war by both Houses less momentous than the matter of treaties? The country acts as a whole in treaty making; it was meant to be so when the treaty-making provisions were placed in the article dealing with the powers of the President.

The two-thirds rule is illogical, undemocratic, and ruinous to international collaboration.

Repeal of the two-thirds rule would not affect the Senate action on any other matters like, for example, two-thirds vote to override Presidential veto. We are dealing specifically with the portion of section 2 of article II and only that phraseology that deals with treaties. I fail to see how it can affect the Senate in other directions. We are dealing with an exact, specific instruction in an exact, specific way.

The power to declare war may be exercised by 49 Senators while the power to declare peace must require 64 Senators.

When robot bombs are a fact we cannot afford to have in our Constitution what John Hay called "the irreparable mistake."

One thing the founders could not foresee, that in the world today our whole domestic scene is tied up with the international scene. Both Houses write domestic measures; why not so in the ratification of treaties? There were many things they could not foresee; hence the 21 amendments.

James Wilson said at the Convention itself, "If the majority cannot be trusted, it is proof that we are not fit for one society."

Treaty making is not sufficiently different from any other Federal act to warrant a special procedure about it, leaving out the direct representative of the people.

It is possible for 17 recalcitrant Senators to defeat a treaty—1 plus one-third of a minimum quorum. Thus, 17 might represent but from 3 to 10 percent of the entire population.

The two-thirds rule was, in a great measure, responsible for our not winning the peace after the last war. Had the question ever reached the direct representatives of the people for debate on the floor of both Houses, the popular will would have prevailed. The House, being more responsive to the will of the people because of return for approval each 2 years, would have not hesitated to express the popular will.

The more sophisticated reporting of the press and the radio, such as we have today, have enlightened the people as to the meanings and complexities of treaties and an enlightened citizen demands firm expression in the practices of democracy.

Harding was elected upon the assumption that we would enter the League. He so stated. Yet, the battalion of death, the irreconcilables, led by Jim Reed, of Missouri, and Lodge, of Massachusetts, made entrance impossible. In 1915, Lodge had wanted a League of Nations. When it came, it was the gift of a Democratic President, the gift of a man whom his closest friend, Teddy Roosevelt, deeply hated and for whom he himself had built up a hatred equally intense. For that reason and because he wanted to bring back his party into power, he fought to the bitter end. And the two-thirds rule aided Lodge in his plans.

Many important treaties failed because of the two-thirds provision:

1360: Treaty with Spain, which deals with Cuban claims; 26 ayes, 17 nays.

1870: Hawaiian Reciprocity Treaty, defeated.

Treaty for annexation of Texas defeated. Texas was brought in by concurrent resolution, not by treaty.

Treaty with Mexico, claims convention treaty, defeated, 33 for, 20 against.

1386: Another treaty with Mexico, 32 to 26.

Versailles Treaty, 1920; 49 to 35, clear majority.

1897: Arbitration Treaty with Great Britain, 43 to 26.

1934: St. Lawrence waterway, defeated 46 to 42.

I quote from Mr. Warren, eminent attorney, historian of the Supreme Court, ex-Assistant Attorney General:

> It is sometimes said now that the two-thirds rule was adopted because of the provision for a two-thirds vote of the House and Senate in overriding a Presidential veto. The requirement for the overriding of a veto is different in its essence and in its operation from a requirement of a two-thirds concurrence in the making of a treaty.
>
> The two requirements operate upon the President in an entirely different manner. For, in support of his legislative power of veto, the President needs to obtain only one vote over one-third of the Senate present. But in support of his legislative power of treaty-making, the President needs and is required to obtain two-thirds of the Senate present.

Incidentally, I further point out that today those who suggest that the two-thirds rule as to treaties was intended to be analogous to the two-thirds rule as to vetoes base their suggestion on faulty historical knowledge. For at the time when the two-thirds treaty provision was adopted on September 8, 1781, the Convention had previously voted—on August 15, 1787—to require a three-fourths and not a two-thirds vote to override a veto; and it was not until September 12, 1878, that the Convention in its closing days voted to adopt a two-thirds rule for overriding of vetoes. This fact is very generally unknown or overlooked.

A majority of both Houses declared war twice in 25 years and supplied the necessary punch to the United Nations to beat the Huns—only to prove just as conclusively the House cannot join in making the peace.

All United Nations look askance upon us. They doubt our representatives—prior to the imprimatur of approval by two-thirds of the Senate. Our foreign policy is no foreign policy because of a constitutional defect.

The United Nations fear the constructive plans of the Executive may be hamstrung by a self-assertive minority in the Senate.

We must keep in mind that the cure for the ills of democracy is more democracy.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Chairman, House Joint Resolution No. 60, before us, presents a very, very important matter for consideration by the House and Senate.

Our Constitution now provides that the President is given the power and authority to make treaties, by and with the advice and consent of the Senate and ratified by two-thirds of the Senators present.

House Joint Resolution 60 would amend this provision of the Constitution and provide that the President be given the power and authority to make treaties by and with the consent of both Houses of Congress, and a majority of each House ratifying the same.

The speeches made by both the proponents and opponents of this proposition have been most interesting and informative and have been conducted on a high plane. I have no quarrel with those urging this proposed change however widely others and myself may differ from them. I cannot agree that the adoption or the defeat of this resolution in the House will hasten or delay the ending of the war or will have any bearing whatsoever on the San Francisco Conference or in the formation of an association of nations that will insure a just and lasting peace. If I believed for a moment that it would prolong the war or would prevent the establishment of a just and lasting peace, I would waive some serious objections to the resolution and vote for it.

The Allied soldiers on land, sea, and in the air, to which our country has made such a large contribution in munitions and other materials, have already destroyed the Germans, their industries, their cities, and their ability to continue to fight. The American people are prepared to bring the war to a speedy conclusion in the Pacific, which will result in the destruction of Japan, her industries, her resources, and her cities.

There is no power that can keep us from achieving a great victory in this war. Congress has the power to declare war and likewise the power to declare the end of a war.

Each and every one of us is anxious to see this great war brought to a speedy and successful conclusion so that the fathers, husbands, sons, and daughters may return to their homes and loved ones and to achieve a just and lasting peace not only for ourselves but also for the countries that stand for the principles for which our Army is fighting.

Before this proposed amendment could become a part of the Constitution, it would have to be approved by a two-thirds majority of both the House and Senate and then ratified by the legisla-

tures of 36 of the 48 States within 7 years. I cannot say if it will pass the House; but I can say almost certainly that this resolution will not be acted upon by the Senate in this Congress, and the war is likely to be over before it will be acted upon by the House and Senate. Certainly it will require more than 1 year after that before the legislatures of the 48 States could meet and act on this resolution.

I would be very much depressed indeed if I believed that this war will continue until this proposal becomes a part of the Constitution and any treaty made after this war be ratified under the provisions of this proposed amendment.

It seems to me that to bring this matter up at this time is not only a futile gesture but would provoke a great deal of controversy and discussion not only in the Congress but in the various States, and would to that extent take the minds and efforts of the American people away from the great objective they have and that is, to win the war as speedily as possible.

Our colleague the gentleman from New York [Mr. CELLER], the ranking Democrat on our Judiciary Committee and one of the proponents of this resolution, is exactly right when he says there is no hope of the Senate acting favorably on this resolution, if we should pass it in the House, and he has serious doubts if the Senate will ever act favorably on such a resolution, and it may be necessary to build up sentiment and initiate such a proposed amendment by the legislatures of two-thirds of the States. I repeat the matter before us is a futile gesture and I cannot see what good purpose such a gesture will serve.

STRENGTHENS THE POWER OF THE EXECUTIVE AND WEAKENS THE POWER OF CONGRESS

One of the serious objections I have to the resolution is that it adds greatly to the power of the President and proportionately weakens the power of Congress. For some years now we have heard Democrats and Republicans deplore the growing power of the Executive with the millions of Federal officeholders and the various agencies spending billions of dollars and reaching into the homes, industries, commerce, labor, agriculture, and, in fact, into practically all the activities of 138,000,000 people. The President has tremendous power in the way of patronage. He is the head of the Army and the Navy and their auxiliaries; he has at his disposal astronomical sums of money; the American President has been and is today the most powerful Executive or ruler in the world. As the Chief Executive has grown in power Congress has lost power. This tremendous power of the Executive can be and is used in our relations with the countries of the world. the only real check on our powerful executive department in treaty matters is the two-thirds majority of the Senate required for the ratification of treaties, togeher with the opportunities in the Senate for thorough discussion of important matters, such as the ratification of a treaty.

This proposal gives tremendously more power to the executive and strikes the legislative branch of the Government one of the hardest blows it has ever received in a long, long time.

Mr. LEWIS. Mr. Chairman, will the gentleman yield?

Mr. ROBSION of Kentucky. I yield.

Mr. LEWIS. I would like to ask the gentleman if he does not believe that instead of increasing the Executive's power, this really gives a double check on the Chief Executive in the formation of treaties?

Hitherto under the Constitution as it stands now we have had but one check upon the Executive, that is the Senate; but this gives an added check, for it has to run both the gantlet of the Senate and the gantlet of the House. It gives us a double check upon the power of the Executive.

Mr. ROBSION of Kentucky. The gentleman from Ohio was in the House recently when a bill was brought in here opposed b. the American people. The Speaker of this House took the floor and insisted that that bill should pass without amendment. It was forced through. Finally when the facts were all known the thing blew up in their faces and the proponents themselves turned against the bill.

I have been in this House quite a long time, and longer than my dear friend from Ohio and I have seen things railroaded through this House at other times. Some will be railroaded through in the future. We do not have time to debate, time to consider these important questions.

Mr. LEWIS. Mr. Chairman, will the gentleman yield further?

Mr. ROBSION of Kentucky. I am sorry I must continue.

What power does the President have? He is the most powerful Executive in the world, be he Democrat or Republican. He has 3,250,000 Federal officeholders; this great bureaucracy behind him. He has the Army and the Navy; he has all of this patronage; he has billions of dollars; and you can hardly keep from passing a measure the Executive gets behind and uses his force to get passed or pass one over his veto. When he writes a treaty and hands it to us you know very well he will put all the power and force he has behind it to see that it goes through.

I should like to see the House of Representatives participate in this, but on the same basis that the Senate is now participating. Oh, yes; our founding fathers never intended for the President to make treaties when this Convention met at Philadelphia. It went on there for 3 months or more and no effort was made to include the President.

PARLIAMENTARY GOVERNMENTS DESTROYED BY EXECUTIVES

The delegates from the Thirteen Original Colonies in the Constitutional Convention in 1787 debated for a long time before they would consider giving the President any place in the treaty-making power. The framers of the Constitution knew their history. Many of them knew by actual experience in the countries from which they or their forebears had come to this free country, that liberty had been taken from the people through and by the chief executives, emperors, kings, queens and their small groups of retainers, and that the liberties of the people were protected and preserved by the parliaments and congresses. They knew that these executives and their retainers declared war without regard to the wishes of the people; they imposed heavy burdens of debts and taxes without limit, and they made treaties and commitments which were improvident, without consulting the people. Therefore the founding fathers wrote into the Constitution that Congress alone could declare war, and Congress alone could levy taxes; and for several months the delegates to this convention steadfastly refused to give the President any place in the treaty-making set-up.

It was only about 3 weeks before the Constitution was adopted by the convention at Philadelphia that they seriously considered including the President in the making of treaties, and thereupon they wrote this provision into the treaty-making provisions of the Constitution:

Article II, section 2: He shall have power by and with the advice of and consent of the Senate to make treaties, privided two-thirds of the Senators present concur.

They contemplated that the President, by and with the advice and consent of the Senate, would prepare or make the treaty. But then it must be ratified by two-thirds of the Senators present. They believed that the future security of this Nation required some limit on the power of the President.

It is pointed out here that some of the reasons for this provision were the fear on the part of the delegates from the South that because of our friendship for France, the President might make a treaty that would adversely affect the South as to the Mississippi River and other matters, and the delegates from the North and East that were engaged in the fisheries industry, and so forth, had fears that the President might make a treaty with Great Britain that would adversely affect their interests.

But there were other reasons; and I believe the most compelling reason was that they did not desire to entrust to the President alone this tremendous power that would affect not only the matters referred to above but the growth and development of the country and our relations with other countries.

The reasons are much more compelling now than they were in 1787, when the Constitution was adopted by the Constitutional Convention in Philadelphia. Then we had a population of about three or four million. There was no question of immigration; no question as to protecting labor and commerce and industry against unfair competition, and little question about competition between the products of American farms and American industry and American labor with that of other countries.

Today we have 138,000,000 people, 48 States, with possessions far beyond the seas, and with communications in the air and on the seas with every part of the known world. We have the question of maintaining the American markets, standard of living, American industry, agriculture, commerce, the question of wages, hours, working conditions, and

hundreds of other questions directly related to the future security and prosperity of the people of this Nation.

I have already pointed out the tremendous and growing power of the executive branch of our Government. If our founding fathers found justification for throwing about the treaty-making power the protection as set forth in article II, section 2, of the Constitution, these reasons are greatly increased and fortified by present-day conditions to retain for our future security, welfare, and prosperity this protection and not add to the growing and enormous powers of the executive branch, and weaken the powers of Congress.

TREATIES SUPERSEDE ALL STATE CONSTITUTIONS, LAWS, CITY ORDNANCES

Many persons do not realize the far-reaching effect of treaties.

Article VI, section 2, of the Constitution reads as follows:

> The Constitution and the law of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made on the authority of the United States shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the Constitution and the laws of any State to the contrary and notwithstanding.

You can see at once that a treaty, as the Constitution itself, and as the laws passed by Congress, is a part of the supreme law of the land, and that the judges in every State are bound thereby, anything in the Constitution and laws of any State to the contrary notwithstanding.

A treaty supersedes the Constitution and the laws of your State and my State, and even supersedes the statutes or ordinances passed by the aldermanic body or city council of any town or city in your State and my State.

This further emphasizes the wisdom of the founding fathers in providing that the President can only initiate or make treaties by and with the advice and consent of the Senate, and that such treaty must be ratified by two-thirds of the Senators present and voting. It emphasizes what great care must be exercised in the making and ratification of any treaty to which our country is a party. We are told from time to time that the treaty following this war will involve thousands of matters in which the American people as a whole are deeply interested, and in which the people of your State and my State and the cities of your State and my State will be deeply concerned. It will challenge the best statesmanship, the highest and most careful consideration of the President, the Senate, and the American people.

The question of island bases for our own protection, the question of raw materials, the question of markets, finances—in fact any treaty made will reach every home and practically every individual in this country.

As other Members of the House, I should like to see the House participate in the making of treaties. But I do not wish to secure this right by weakening the powers of Congress. I have served here many years. Because of the great number of Members, debate and discussion of any question is very limited. Twenty or 30 minutes for each speaker on an important matter is the exception and not the rule. Under the rules of the House it is easy for a bare majority to limit debate and even to limit amendments. In the Senate they have unlimited time for debate and almost unlimited opportunities to offer amendments.

If the House were included in the consideration of treaties, because of the tremendous importance to this country, I think the treaty then should be ratified by a two-thirds vote of the House and Senate. Only recently we had a very important bill up that affected directly more than 75,000,000 people in this country, industry, management, labor, and agriculture. These groups were almost a unit against the bill. Yet our distinguished Speaker took the floor, and urged that the bill be passed without a single amendment. It was forced through. It went to the Senate and they cut the House bill and adopted an almost entirely new bill; and it went to conference and they wrote still another bill; and in the end some of the strong advocates of these bills joined in helping to kill the bill. It turned out that this legislation was not necessary at all; yet we were urged to pass it in order to win the war in Europe.

I have seen important matters forced through the House in that same way at other times. It strengthens my faith in the wisdom of the founding fathers in providing means by which our treaties with foreign countries would be thoroughly explored before we adopt them and thereby supersede the Constitution and law of all our States and the statutes and ordinances of all our cities, and include provisions that would affect perhaps all, or at least an overwhelming majority, of the American people.

UNANIMOUS VOTE TO PREVENT AGGRESSION

It was agreed ex-President Roosevelt, Prime Minister Churchill, and Premier Joseph Stalin that this association of nations should be made up of an Assembly and of a Council. Each of the 46 Allied Nations would have representatives in the Assembly. Great Britain to have six votes, Russia three votes, the United States and the other nations one vote each. It is known now at this conference of the three leaders, Roosevelt, Churchill, and Stalin, that Great Britain was to have six votes, Russia three votes, and the United States three votes in the Assembly, but when the matter came out and there was so much discussion of it President Roosevelt stated that the United States would only claim one vote, but this country would make a fight for Russia to have three votes, and there seems to be no fight on Great Britain having six votes in that Assembly.

The Council is to be made up of five of the so-called great powers—the United States, Russia, Great Britain, France, and China, and six to be selected by the Assembly—in which we have one vote, Great Britain has six, Russia three, and the other nations one each. This Council made up of these five great powers and six or more other members selected by the Assembly is charged with stopping aggression. We are informed that President Roosevelt and Prime Minister Churchill did not favor requiring a unanimous vote to proceed against an aggressor or aggressors and that the aggressor nation could not have a vote, but Stalin contended that any action of the Council must be unanimous and that each nation should have the right to vote whether his own nation was involved or not. Therefore, as the matter stands, these great powers must be unanimous on any proposal to take steps against an aggressor and each one of these great powers can vote on its own case even though it may be charged as an aggressor. For instance, if Great Britain should become an aggressor and the other four great powers should desire to take action against Great Britain, as an agressor and stop her aggression, no such action could be taken unless Great Britain voted in favor of the proposed action, and if Russia should take the notion to reach out and grab up one or more other small countries no action could be taken against her unless Russia, herself, should agree to vote that she was an aggressor and action be taken against her, and this would be true as to the United States, France, and China.

Now, that Council is the heart and soul of the proposed machinery to keep the peace, prevent aggression, punish the aggressor, and there can be no action without unanimous vote. Germany and Japan will be destroyed before this war is over, we will disarm them and will take possession of their countries and will not permit them to rearm themselves or produce munitions of war, and if we follow out the course that the American people desire followed, our fear of aggression will not come in the predictable future from Germany or Japan. It will come from one or more of these so-called great powers acting by itself or in cooperation with some lesser power or powers, or even with the remnants of Germany and Japan, and we may live to see the day when one of these so-called great powers is the aggressor, but unless the set-up and agreement of President Roosevelt, Prime Minister Churchill, and Premier Stalin is amended, no action could be taken against such an aggressor. I am afraid here is the real weakness of the plan and a real threat to the hopes of future peace in the world for which we earnestly pray to the Almighty God.

TWO-THIRDS MAJORITY AND DEMOCRACY

Some would have us to believe there is something undemocratic or vicious about the two-thirds majority in ratifying treaties. I have always believed and still believe in majority rule, with two-thirds majority in certain exceptions which have been approved by our country and all other free countries. Under our Constitution it requires a two-thirds majority to pass this resolution both in the House and Senate, and then it cannot become effective until the legislatures of 36 of the 48 States ratify it. It requires a two-thirds majority to expel a Member of the House or Senate or to impeach any Federal civil officer, and the Senate alone tries the impeachment cases. It

requires a two-thirds majority to override the President's veto.

This great international assembly or Conference now being held at San Francisco, Calif., is being carried on under the Dumbarton Oaks draft, submitted and agreed upon by the delegates of the Allied Nations at Dumbarton Oaks last year.

Page V, section C provides:

Important decisions of the General Assembly, including recommendations with respect to the maintenance of international peace and security; election of members of the Security Council; election of members of the Economic and Social Council, admission of members, suspension of the exercise of the rights and privileges of members, and expulsion of members; and budgetary questions, should be made by a two-thirds majority of those present and voting. On other questions, including the determination of additional categories of questions to be decided by a two-thirds majority, the decisions of the General Assembly should be made by a simple majority vote.

This important document provides that all the important questions coming up at the San Francisco Conference or Assembly must be carried by a two-thirds majority. They do not seem to think that the two-thirds majority will affect the war or weaken the peace. This very group is to set up the machinery that is to provide for a just and lasting peace. I do not hear any of the proponents of this resolution urging that our Constitution be amended in the submission of amendments to the Constitution or the ratification of same by the States or to expel a Member of the House and Senate, or to impeach a Federal civil officer, or to override the President's veto, or to change plans of Dumbarton Oaks at the San Francisco Conference.

Under the Federation during the Revolutionary War, as I recall, it required unanimous vote of all the Colonies in important matters and in the Articles of Confederation adopted near the close of the Revolutionary War provided a three-fourths majority.

THE LEAGUE OF NATIONS

We have heard much in the press and on the platform from many speakers charging that Senator Lodge and other Senators, Republicans and Democrats, kept us from ratifying the Covenant of the League of Nations. In the first place, President Wilson did not make that treaty with the advice and consent of the Senate. He went to Europe with only members of the executive branch of the Government, his political friends, and he came back with the treaty and delivered it to the Senate and gave them to understand that they could take it or leave it. While there were some reservations by way of amendments adopted in the Senate, but those reservations did not defeat the League of Nations. President Wilson defeated that treaty himself. If the so-called Lodge amendments were placed on the treaty, and they are only called the Lodge amendments because he was the Republican leader of the Senate at the time. Those reservations and amendments were put on there by many leading Democrats as well as Republicans. After these reservations were adopted then there came up the question of a vote. The first proposal was on November 19, 1919, to adopt this League Covenant, with the Senate reservations. Thirty-nine voted in favor of adopting the League Covenant with reservations and 55 Senators voted against it. On reconsideration, 41 voted for and 51 against and, of course, the League Covenant was defeated by that vote and it required a two-thirds vote and only got a little over one-third. Senator Underwood, of Alabama, offered a resolution proposing to ratify the League Covenant without any reservations, and just as President Wilson submitted it to the Senate. The Underwood resolution was defeated 38 to 53, but in the next session of Congress, on March 19, 1920, the Lodge resolution was again submitted to a vote. This time it received 49 yeas and 35 nays. We can see that each of the 3 tests, with the reservations and without the reservations, that the League Covenant was overwhelmingly defeated.

President Wilson exhorted the Democratic membership to disapprove the treaty with its reservations, although it was made clear that Great Britain would accept the amendments put on the treaty by the Senate. Hon. Thomas W. Lamont, one of the President's party at Versailles Treaty, stated that if the Wilson administration had been willing to accept some reasonable amendments to protect American rights, it would have been accepted by the League of Nations group. It was most interesting to note that the ink had hardly dried on the signatures of those who signed the League of Nations until some one or more members of the League attacked other members of the League, and one by one and sometimes in droves they began to leave the League of Nations, and they thought they could serve their selfish interest by aggression, and so forth, they proceeded to either disregard the League Covenant or get out of the League.

I am one of those who sincerely hope that an association may be entered into that will bring just and lasting peace and that it will not go the way of the holy alliances of 1815 and other alliances of the late lamented League of Nations. It is urged that this association is necessary in order to protect the world against aggression by Germany and Japan. I am now making the prediction that if there is any aggression in the predictable future, it will not come from either Germany or Japan. Germany has been destroyed and Japan will be. I am one of those who strongly favor the unconditional surrender of these nations and that the Allies take possession of their countries, disarm them, and refuse to permit them to make weapons of war or to build up armies, navies, or air forces. This course will protect us from Germany and Japan until and unless some of those who who are now fighting with us join with Japan or Germany or both of them, as did Great Britain and some other countries in helping to rebuild Germany after the other war, and as our own country, Great Britain, and Holland helped to arm Japan and provided her with munitions of war.

My only son has been serving in the Army in Europe nearly 18 months, and I have a young grandson coming on. I want above all for our country to enjoy a lasting peace. While I am a Member of Congress I shall continue to place the welfare of our country first, as do the leaders of our allies serve their respective countries.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. AUCHINCLOSS] such time as he may desire.

Mr. AUCHINCLOSS. Mr. Chairman, the debate on this great question has been on a very high level, as high a level as it has been my privilege to listen to since I have been a Member of the House. It does the House credit, and I congratulate all those Members who have participated in it. I wish these proceedings might have been broadcast all over the country so that the people could learn to appreciate the fine minds that make up this great House of Representatives. I know that much of the criticism of the deliberations of Congress would have been removed and a better understanding would have resulted. This debate is sincere and sensible, free from demagogy and saturated with patriotism. It showed real statesmanship at work.

On yesterday the gentleman from Iowa [Mr. GWYNNE] made a thoughtful and scholarly presentation of the facts, and with him this is not unusual because he has one of the finest minds in the House. The arguments he made and the points of view he brought to the discussion deserved the close attention they received. He almost persuaded me and if I am persuaded by anyone I would prefer that it were he. Then the gentleman from Texas [Mr. SUMNERS] presented his case with his usual commonsense approach and logic, which reestablished me in my belief that there should be a change in the Constitution and this resolution adopted.

This whole debate has demonstrated two things most clearly: One, that the House, if it wants to, can address itself to the study of a serious problem with keen intelligence and insight; that the House is capable of great things and worthy of the confidence of the Republic; and two, that the Senate has no monopoly on statesmanship. The standard of reasoning vision displayed by the Members of the House in the consideration of this matter should go a long way in reestablishing confidence in our form of government. It is eloquent testimony that no other form of government is worth the paper it is written on. It shows the reason why our form of government has endured through the years and will last for many years to come.

I am for this resolution. I am in favor of a change in the Constitution to permit the House of Representatives to have a voice in treaty making. Members of the House are closer to the people than anyone else elected to Federal public office, mainly because they have to stand for election every 2 years. Every 2 years they must answer to the people why they voted for this or that measure and why they voted against this or that measure. Members have to meet and know the people in their districts and must discuss with them their problems and the problems of government. We Members know,

or ought to know, what is in the people's minds; what they are thinking about and what they expect of their Government. We can contribute a tremendous amount to the future of the United States through our contacts with and observations of the many citizens we meet and talk to. Therefore the Members of the House should have something to say about the important international relationships of our country.

The distinguished gentleman from Iowa warned against abrogation of the two-thirds vote of the Senate lest we enter into treaties too lightly and without serious deliberation. In the consideration of this resolution, he pointed out that we were not sitting as lawmakers but as constitution makers, and that a constitution is necessary to protect ourselves from ourselves in our worst moments. It is good advice and must not be case aside; but I fail to see how due deliberation would be abridged by permitting the House of Representatives a voice in the making of treaties and to aid in determining the destiny of our country in its relationships with other countries. On the contrary, it would strengthen it. As the gentleman so ably pointed out, treaties are the supreme law of the land; they transcend the laws of the States. Is it not logical, therefore, to assume that the representatives of the various States will be careful and deliberate in considering any measure that would so vitally affect the people they represent? The House passes much legislation affecting all the people in the land and indeed in the world, by a majority vote, and no one has questioned the wisdom of that procedure, so why should there be the fear that the destiny of our country will be jeopardized by the adoption of this resolution? It will make our country an even greater democracy and our decisions more powerful in the councils of the world.

Common sense and logic endorse the change. This terrible conflict with the attendant conferences and planning discussions has made the people of the country more internationally minded than ever before. They want positive action on the part of their representatives and can not longer be content with a decision in treaty making conrolled by the negative action on the part of one-third plus one of the Senate, as prevails today. There will be many treaties and agreements to be considered in the days to come which will be of the greatest importance to our future, and these treaties and agreements should have the attention of both branches of the Congress on the workable basis of a majority vote. By so doing these important matters would be thoroughly discussed in all their phases and a small group of willful men would not be able to block legislation which is desirable for the growth and benefit of the country as a whole.

We need have no fears about the ability and sagacity of the Members of the House in matters of this kind. They represent the people of this great country, and the people should have a greater voice than ever before in their international relations. If our Government is to play a truly representative role in the new order of the world, there should be no restrictions on the thoughts and actions of their electoral representatives.

Mr. BRYSON. Mr. Chairman, I yield to the gentleman from Virginia for the purpose of making a unanimous-consent request.

Mr. FLANNAGAN. Mr. Chairman, the disposal of surplus property in rural areas to farmers has been giving a good many of the Representatives in the farming areas a great deal of concern. Since the disposal agency was removed from the Treasury Department to the Department of Commerce, we are making real progress. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Appendix of the RECORD and to include therein a regulation signed by the Board and approved by Judge Jones and Mr. Dodd, Chief of the Agricultural Adjustment Agency.

The CHAIRMAN. The gentleman will have to get that permission in the House.

Mr. BRYSON. Mr. Chairman, I yield such time as he may desire to the gentleman from Texas [Mr. SUMNERS].

Mr. SUMNERS of Texas. Mr. Chairman, I have asked this time to make a statement which I think cannot be construed as being controversial. This is not an attack on the Senate.

The Senate and the House constitute a great legislative body. They complement and supplement each other. I am trying to be useful in removing this one-third-plus-one minority unnatural power with regard to treaties and to make available to the people of the Nation that which their House of Representatives could contribute to the solution of our international problems. It is not probable I am to remain here much longer. I have never been hungry for place or power. I believe I am concerned for my Nation's welfare. I am convinced it is a serious reduction of the potential capacity of this Government for the Members of the House of Representatives not to have a voice in determining substantial Government policy for their people whose Representatives they are. I believe that as sincerely as I believe anything. I know it.

As I visualize the future, as I see this thing that is now being attempted by the nations at San Francisco, as I see the stupendous problems that will yet have to be dealt with when they shall have adjourned, I would like to see my people, my Nation, have an opportunity under this Constitution to draw upon their servants, the Members of this House, for the best which they could contribute in dealing with these great world problems and dangers which concern and imperil this country.

From my examination of the nature of democratic government, I am certain that is the sort of government designed by God Almighty for human beings, because it develops them by bringing them into conflict with difficulties; into contact with the problems and difficulties of government. They grow stronger by the struggle. There is nothing more fascinating than a study of the natural behavior of popular government. It is an entity. It is not an accident either. Whenever human beings attempt by something they do to the functioning machinery of such a government to deny to that democracy the opportunity to express itself and effectuate its majority will, democracy finds a route around the artificial obstruction. The same thing happens which happens when you dam up a stream. It is in line with its nature to cut a route around the obstruction. That is what is happening now with reference to this treaty-making power. This one-third-plus-one obstruction is tending to cause the current of public will to cut another channel. That channel is executive agreements. You will see it is so when you make the examination unprejudiced, and that is what I have done. This one-third-plus-one arrangement is a man-made thing, attempting to fix in a one-third-plus-one minority, the power to obstruct the judgment and legislative will of the two-thirds majority. It is not natural that one-third plus one of one House of Congress shall have the power to control and thwart the policy-fixing power and duty of a great government. God did not make it that way. That is man's doings. That is an artificial situation. As a result this thing is happening. The executive agency of the Government which has diplomatic responsibility of making these treaties is going around the ordinary processes of the treaty-making power, and public opinion will continue to support it unless we open up that dam and permit a natural flow of governmental power in its natural channel. That is my belief about it. As a matter of fact, I have not the slightest doubt about it.

I am not trying to give the President more power. I am trying to lift the Congress, and especially this House, into the place which in nature belongs to it as a part of the policy-fixing agency of this Government.

My position is not inconsistent, as my friend from Kentucky seems to imply. He mentioned his own resolution to remove the two-thirds requirement to pass a bill over the Presidential veto. For a long time I have felt that it must be provided in our system of government by a constitutional amendment that when the President has examined and objects to legislation, does what we call veto it, and it comes back for the second consideration, the Congress should express the congressional judgment by a majority vote, not by a two-thirds vote as now is required. I am the one who is consistent. I would remove the two-thirds obstruction here and I would remove it from legislative processes as well.

Now let us see what is happening in legislation because of this two-thirds vote requirement. It illustrates what I am talking about with regard to treaties. We, the legislative branch, are cutting a route around the veto power which, when exercised, makes it possible for one-third of either House plus one to block the legislative will. That is bad all around. It is a fine arrangement, which the Constitution provides, when the two Houses of Congress have expressed the legislative judgment with regard to legislation that it should then go to the President before it becomes effective. Let him examine it and send it back to the Congress with his helpful criticism. To get around this unnatural obstruction, however, as much as possible, we are more

and more including a provision that the law shall terminate when the two Houses of Congress by concurrent resolution declare it shall terminate. That is good law. It is in the original bill; it is part of the law; the Congress passes it and the President signs the bill, with that provision in it. My purpose in calling attention to this practice which you are all familiar with is to illustrate with something which you see and participate in doing just what is happening as to treaty-making practices, and just why it is happening. The same sort of new channel cutting is going on here which is going on with reference to treaties. It is the natural thing to happen; the same sort of thing that will happen if you put a comparable obstruction in the little creek down in the bottom field.

Now, that is about all I want to say about this thing. I have respect for those who differ with me. I am just one man here. I think we all want to do what is right. For the House to refuse to vote to submit this resolution to the people to test their judgment and will and to manifest our willingness to serve in this great field if they want us to I feel would be a mistake.

Mr. KEEFE. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Wisconsin.

Mr. KEEFE. I have listened carefully to the gentleman's statement. Am I to interpret the gentleman's statement as being that he favors this resolution, first, because he believes that the House of Representatives should have a voice in the ratification of treaties?

Mr. SUMNERS of Texas. I have named them in that order.

Mr. KEEFE. And secondly, because he believes that the two-thirds rule which is now existent has caused the Executive to perform what ought to be treaty-making functions through the medium of contract negotiations, thus avoiding the necessity for submitting what should be perhaps treaty obligations to the Senate for ratification? Do I understand the gentleman feels if this resolution is passed, which would remove the two-thirds requirement in the Senate, and permit ratification by a majority vote in the House and in the Senate, there will be a tendency for the Executive to again refer matters to Congress for ratification which are now being taken care of by contract? Do I correctly understand the gentleman?

Mr. SUMNERS of Texas. Almost, but let me state my understanding. I tried to get across the notion that democratic government, in my judgment, is one designed by nature. That may be a little abstruse, but that is what I think about it. If this obstruction were removed so as to permit a normal flow of the judgment of the policy-fixing agencies of the Government, the tendency certainly would be for all treaties to flow through that channel. The gentleman is not asking me questions in any controversial way, and I appreciate it.

Mr. KEEFE. Is the obstruction that the gentleman refers to, and do I understand him to mean, so there will be no question about it, the two-thirds rule in the Senate? Is that the dam the gentleman refers to?

Mr. SUMNERS of Texas. Yes, it is. I have tried to point out that in this House we are doing a very similar thing for a similar reason and with a similar result. We are putting into our legislation a provision that in order to avoid the two-thirds-plus-one obstruction in case of veto, the legislation may be terminated upon the happening of the contingency of a concurrent resolution which, as you know, does not go to the President.

But that route around also goes around the benefit of the President' reasons, if he has any, why the law ought not to be repealed just as this route with reference to international agreements goes around the benefit of senatorial advice and consent. It is the same sort of thing happening with regard to Executive agreements which are effectuated without the advice of any part of the Senate or any other agency of the Government.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from South Dakota.

Mr. MUNDT. I have read the hearings very diligently and have been greatly persuaded by the gentleman's remarks as I always am, but it occurs to me that if we are to achieve the much-hoped-for objective through such an amendment as this of having the Executive route all of his international agreements through the Congress, while we are in the business of amending the Constitution perhaps we should go the full route and supplement this amendment so that it would read: "Hereafter any treaties and Executive agreements made by the President."

Then we would have completely achieved the goal which we hope we might achieve by persuasion otherwise.

Mr. SUMNERS of Texas. When we open up the dam the water tends to flow through its natural channel.

Mr. MUNDT. And you assure that fact if we write in the language.

Mr. SUMNERS of Texas. That is what I really believe. Let us bring this thing close to home. If the House and Senate had the power to pass a bill by the ordinary majority and not by this arbitrary two-thirds thing, in the event the President vetoed it, we would not write into any of our bills the provision that the law may be terminated upon a concurrent resolution of the two Houses, and we and the country would have the advantage of the President's objections, their persuasive force, which we do not get if we go the route around. That illustrates what I am trying to say. I think I will leave that illustration with you. It comes right straight home here, and we all know that is true.

Mr. ROBSION of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Kentucky.

Mr. ROBSION of Kentucky. I wonder upon what the gentleman bases his opinion of what the action of the President might be if he wanted to make a treaty and he found the Senate and the House not agreeable with his proposal. Would he not then be doing what some of them have been doing, work around the Constitution?

Mr. SUMNERS of Texas. Of course, I do not know what he might do. But I think I know what the House would do if this two-thirds thing were removed which obstructs our legislative processes. We would never incorporate the provision referred to in our bills. We and the country would always get the benefit of the President's helpful cooperative criticism. I feel sure the same sort of thing would happen in the treaty-making processes if this arbitrary obstruction were removed. In a contest between the President and the Congress, if it should come, public opinion would probably support the Congress and the Congress would win. I must say I am not sufficiently advised as to Executive agreements to have a sure judgment as to your suggestion.

Mr. ROBSION of Kentucky. May I say that in other Congresses I introduced resolutions to take away the veto power of the President, and if you take away the veto power of the President I am willing to go along with it.

Mr. JUDD. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from Minnesota.

Mr. JUDD. Right along the line of the gentleman's closing remarks—and we were discussing the same thing yesterday—a lot of Members, I am sure, would feel much happier about voting for this resolution if we could be assured that after entering into a treaty by majority vote we could also get out of it by concurrent resolution by majority vote.

Otherwise, if the President were to veto then we would have to have two-thirds to override his veto. Could we then write into treaties when we write them the same phrase that we are now putting into legislation, providing that we can abrogate them by simple concurrent resolution, if we should so desire.

Mr. SUMNERS of Texas. I could not presume to answer that question. It is too far reaching and too important to answer in so short a time.

Mr. MERROW. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. I yield to the gentleman from New Hampshire.

Mr. MERROW. May I ask the gentleman if it is not true that there is no real line of demarcation between joint resolutions and treaties at the present time; that is, what can be done by treaties and by joint resolutions, is there?

Mr. SUMNERS of Texas. The gentleman does not mean joint resolutions?

Mr. MERROW. I mean House joint resolutions and Executive agreements, if you wish.

Mr. SUMNERS of Texas. A House joint resolution has to be signed by the President. It is a law. The gentleman means a concurrent resolution?

Mr. MERROW. No.

Mr. SUMNERS of Texas. He means an Executive order, does he not?

Mr. MERROW. No. There are Executive agreements and House joint resolutions, such as the adoption of lend-lease and U. N. R. R. A. There might be some discussion as to whether they

should be incorporated as treaties or not. If something comes up here in a House joint resolution and the Senate decides that it ought to be acted on as a treaty, then the Senate is the sole arbiter, is it not?

Mr. SUMNERS of Texas. I am afraid I do not follow my friend. Anyway, I am taking up too much time. I must hurry through. The line of demarcation between what, under usage at least, is being done by Executive agreement, and what is being done by treaty is pretty narrow and confused. There is a good deal of confusion, so the gentlemen tell me who have made a thorough investigation. So, little by little, these things that are done by the President that partake of the characteristics of a treaty are getting a little bigger. They are cutting the channel a little deeper around this obstructed channel provided by the Constitution for treaty making. That is not an extraordinary or unnatural thing to happen. It is the natural thing to happen in the nature of democratic governments. It is because it is the sort of thing which as a rule does happen. I have pointed out that it is happening here in our own practices and for an identical reason or cause.

I will give you another example of this cutting of a channel around and then I resume my seat. We have in our written Constitution a provision that electors shall elect the President. I want to get across on this, now, because I think this probably is something that I can get right home to all of you. We have an arrangement in our Constitution, which Constitution everybody here, and all other officers are sworn to uphold, under which Constitution we elect some supposed-to-be smart people called Presidential electors, who, in turn, under that Constitution, are to elect the President. That provision did not work. It was violative of the nature of democratic government, just the sort of thing I have been talking about. This is as good an example as I know. So a channel has been cut around this constitutional provision for so long a time that it has been all but forgotten. These electors do not vote for whom they wish to, as the Constitution provides; they violate their written constitutional duty, and do not exercise their own judgment at all. So an entirely new extra constitutional provision has grown up outside of the document, under which we now operate, because the people who wrote the language in the Constitution set up a plan that was not in harmony with the necessities of democratic government. It is in the document but is as dead as a doornail, as the expression is. I am sorry to have taken up so much of your time. I love my colleagues and I love this House. I do not want to see my own House of Representatives refuse, especially in times like these, to permit their people to express their desire as to whether they want their Representatives to help them with regard to these great pending international problems.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, this debate has been upon that plane which becomes the dignity and power of the House of Representatives. We are all in a good humor about it. None of us, from what has already been conceded here in debate and from what we know by the exercise of ordinary common sense, may lay the flattering unction to our souls that this resolution at most can ever do more than pass this House and then die aborning and be put upon a cold marble slab in the mortuary of the United States Senate.

We all know that most men, when they have the opportunity to be clothed with power, embrace it gladly, and by the same token those who have it rarely ever voluntarily give it up.

Mr. MERROW. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. I cannot yield to my good friend from New Hampshire. We have all yielded to him. I will yield to him at some more convenient season.

What we are proposing by this resolution, which, if it is adopted by three-fourths of the legislatures of the respective States, to abolish the two-thirds rule required for the ratification of a treaty made by the President and placed by him before the Senate for ratification and confer the power upon both Houses of Congress to ratify treaties by a majority vote.

By article II, paragraph 2, of section 2 of the Constitution, it is provided:

> The President shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

As I understand that provision, it means this: The President as the Chief Executive of this Nation is clothed with the power to make treaties. Then he submits those treaties to the Senate for its concurrence and its advice. If the Senate undertakes to amend that treaty or change it in a way which is not agreeable to the Chief Executive, he can just abrogate the whole proceeding, and that is the end of it. This is one of the tremendous, far-reaching powers of the Chief Executive of this Nation. A good deal has been said here today about him being the most powerful ruler in the world. I do not like that word "ruler." It is not compatible with the letter or the spirit or the genius of our free institutions. I will put it this way: He is the most powerful Chief Executive in the world today. By reason of the power with which he is clothed, not only by the Constitution, but by enactments of law by this Congress, he well nigh has the power to get a majority of votes in both Houses of Congress when he sets his head to get it. You need only to look back and review the history of must legislation, rubber-stamp legislation, if you please, that has been written on the statute books by a subservient Congress within the last 12 years.

Let us go a little further. I refer now to article VI, paragraph 2, of the Constitution:

> This Constitution and the laws of the United States which shall be made in pursuance thereof and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

What does that mean? That means a treaty of the United States, once it goes into effect, has a dual nature. It is not only a law with all the dignity and force of a statutory enactment of the Congress; it is more than that. It overrides anything in any statute of any State or any constitution of any State which may be in conflict with it. There is no other reasonable and natural construction that can be placed upon this language other than that a treaty once made has the power to override and does override State constitutions and State statutes.

Mr. PRIEST. Mr. Chairman, will my colleague yield for a question?

Mr. JENNINGS. No; I cannot yield right now. It is for the common safety and benefit of the Membership of this House that I proceed without interruption. I may ultimately yield to my good friend, the gentleman from Tennessee, for whom I have great affection and the highest esteem. Perhaps I had better yield to the gentleman now, and I do now yield.

Mr. PRIEST. I thank my distinguished and very eloquent colleague for whom I also have very high regard. On that one point I want to ask this question and I want to be thoroughly understood. A great many gentlemen, including my colleague, have referred to the fact that a treaty may have some effect in repealing a provision in a State constitution. That is the point the gentleman is speaking on at present. A great many Members of this House—and I do not criticize them for it, because I voted the same way myself and would do so again—have voted for bills on the floor of this House which would repeal the poll-tax provision; and I am for that, as the House will understand. But I call the attention of the gentleman from Tennessee and to others who brought up that argument that that law repeals a section in the State constitutions of a number of States in the South. Therefore let us be consistent on this point and understand thoroughly that an act passed by Congress may have the same effect as a treaty ratified either by two-thirds of the Senate or by this new method which we propose. I thank my colleague, and I apologize to him for taking up so much of his time.

Mr. JENNINGS. An act of Congress is subject to review by the courts, and if it is unconstitutional, it is void. Now, it is urged in support of this proposed amendment that the Senate from time immemorial, from the time when the memory of man runneth not to the contrary, back to the days of the founding fathers, has been an obstructing force in this governmental set-up; that it has been obstinate and obdurate and willful, and that it has blocked various treaties and thrown a monkey wrench into the governmental procedure by refusing even to act. It was recited here that on one occasion it treated with disrespect the Father of his Country—forced him to cool his heels in an outer chamber, and that he never came back any more. I just wonder about that. It reminds me of an address I heard by the commander of the Grand

Army of the Republic in my city some 20 years ago. He was asked about his religious faith. He told the name of the church to which he belonged. They said, "What is the doctrine of your church?" "Well," he said, "we split a few years ago on one of the fundamental beliefs of my church, and there are two churches now, but I belong to the old fundamentalist branch." He was asked, "What is the difference between the two?" "Well," he said, "the new branch claims that Adam was good when he was created and that he fell in the Garden of Eden, but my branch takes the position that Adam was a damn rascal from the beginning and did not fall."

Well, it would seem that the proponents of this measure take the position that the Senate has always been composed of willful men, and that it is necessary to shear it of its power to obstruct the treaty-making power of the President.

Reference has been made to the failure to agree to the first League of Nations, but that is a rather inept way to go about amending the Constitution. That is water over the dam. I listened to a great deal of testimony by those who were testifying in favor of this proposition, and the burden of their song was that in some way we had to strip the Senate of its power if we were ever able to make another treaty that was really worth while. Then they say that a treaty should be ratified by a majority because a simple majority is sufficient to declare war. We generally declare war by a unanimous vote. What is war, anyway? It is the exercise of the collective right of self-defense by a nation. It is the first law of nature, the right of survival, the right of self-defense. But there is a vast difference between the exercise of that right, the declaration of war, and the ratification of a treaty. A treaty has far more implications and more far-reaching effect than a mere statute. A statute operates upon the citizens of this country. It forbids them to do what is conceived to be wrong or commands them to do what is conceived to be right, or it may be remedial in its terms. A treaty of peace operates not only upon the people of this country; it operates upon the people of foreign countries and upon foreign nations. It not only places obligations upon other countries but it places obligations upon this country. We can very easily enforce a statute because all statutes in this country operate upon the person. Through the strong arm of the law-enforcing machinery of the Government we can reach out and coerce and enjoin and compel a citizen to comply with our statute and punish him if he fails to do so. But it is different with a treaty. Where is the court that can enforce it? It was asked yesterday, Suppose we make a treaty and violate it, what might be done about it? "Oh," the gentleman said very blandly, "it would mean a war." I thought we were trying to work our way out of the necessity of having wars, but there are some of the distinctions that show the vast difference between a treaty and a statute.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. JENNINGS. Not at this time. I will yield a little later.

Government exists primarily to protect its own citizens against the aggression of foreign power. It exists in the second place to protect its citizens against the violence of lawless members of society; and then it also must provide if a citizen is to remain free that he be protected against the trespasses upon his rights by his own government. It was for this reason that the first 10 amendments to the Constitution were adopted. Much has been said here about wanting to get rid of this two-thirds rule. It has been pointed out repeatedly that we can expel a Member of this House only by a two-thirds vote. After this House brings impeachment proceedings against even the President of the United States or one of our Federal officials, it requires a two-thirds vote of the Senate to convict, and that is proper. Think what a tragedy would have been enacted in this country had the Senate which tried Andrew Johnson in 1868 had had the power by a majority vote to impeach that great and good man, now honored by both the people of the North and the people of the South. He was a great American and a great patriot. That provision inserted in the Constitution by our founding fathers prevented such a great tragedy.

Some say, "Let us just pass it on to the States, pass it on to them; it is a hot potato." No, it is not; it is already getting cold. It will be as cold as an icicle when it gets over to the Senate. But it is our duty as Members of this House to handle it, because when it gets to the States, the States cannot amend it; they must vote it up or down as we give it to them.

Mr. MAY. Mr. Chairman, would it interrupt the gentleman to yield to me at this point?

Mr. JENNINGS. I yield to the gentleman from Kentucky.

Mr. MAY. I do not know a great deal about the pending measure except that it proposes to amend the Constitution so as to require the cooperation of this branch of Congress with the Senate in the ratification of treaties. In view of some of the amendments that have been added to the Constitution in the past, does not the gentleman believe it probable, with the unlimited debate that is allowed in the other body, that if we provide a new amendment to require the cooperation of this body it might mean delay in important instances where delay should not occur?

Mr. JENNINGS. Of course; and in addition to that I think and believe we all may be justified in assuming that the reason that all this propaganda has been loosed on the country and on the Congress in favor of this proposal is because those who were getting ready to make a compact with respect to this proposal to keep the world peace were afraid they could not get a two-thirds majority in the Senate and wanted to railroad it through both Houses of Congress by a majority vote. I want to discuss that directly, because such a procedure is not going to be necessary for the reason that the people of this country and both branches of the Congress are in favor of any reasonable world organization to keep the peace and prevent further wars.

The proponents of this resolution say it will enhance the prestige and the power of the House. I have never had much respect for the bird that defiled its own nest. I believe this House is all right; it has prestige and it has power. It has the power to initiate impeachment proceedings, it has the power to initiate all measures for the raising of revenue. It, together with the Senate, holds the purse and the sword of this country, the two mightiest instruments of governmental power. We have power, we need not worry about that.

What are they doing out there at San Francisco? Let us consider that Conference. The San Francisco Conference is to write a charter which will be in the nature of a treaty or a contract between all the governments that sign it. They are out there to try to agree on an instrument for world government to preserve the peace of the world and prevent future wars. When that is done, that contract, that compact, will be presented to the ratifying bodies of the various nations participating in that great world effort.

Then they are to set up a military alliance. I am going to be quite frank. Let us get down to brass tacks. They are going to set up a military alliance to police the small nations and keep them from breaking the peace. So far as the Big Five are concerned, we are going to have to allow moral force to prevail. Somebody has expressed a regret that the various members of the Big Five, because if the peace is kept it must be kept by them, have the power of veto. They seem to want that council to have the power to wage war upon some one of these great powers. Do we want that sort of thing? I do not think so. Unless there is enough good sense and good will and desire for peace on the part of this Nation, Great Britain and Russia, to remain at peace among themselves then peace is a futile dream. It must be based upon moral principles and mutual good will.

Mr. Chairman, some people are disposed to criticize Russia. I am not disposed to criticize anybody right now. Let us go a little further. The proposed assembly is a glorified debating society, in which there may be an appeal made to the conscience and public opinion of the world. And that will do good.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. JENNINGS. Mr. Chairman, there is set up a security council by this Big Five to control by military force any nation that undertakes to wage war. Then they provide a trusteeship to take care of those lands that we have taken away from the Japs by the sacrifice of oceans of blood, countless lives, and billions fo dollars in money. You know, Will Rogers once said that we never lost a war but never won a conference. Is it not an anomalous thing, after all we have done, when you look at that picture

of Iwo Jima, dotted with thousands of crosses, that we have to go with hat in hand to find out whether hereafter for our national security we may have an outpost there to ward off danger from impending assault on this country? It is one of the most astounding things you ever heard of. The late Wendell Wilkie said one thing that impressed me. He said that in his practice of law he always found it wise to get his fee while the tears were hot. We should have had an agreement with our allies when we began to give them billions of dollars of clothing, food, and implements of war which have made their victory and ours a certainty.

The Christian religion in more than 1,900 years has not transformed human nature and eradicated selfishness from the human heart. I think we are getting better all the time. I am an optimist. As I said a while ago, I am not here to criticize any of our allies. They are realists. It has been well said, "He jests at scars who never felt a wound."

We all know what the dream of Russia is and she is about to realize it. Let us be frank about that now. She must have more year-round warm-water ports. She will extend her power to the Pacific. It looks as though she just about has the Balkans, Hungary, Austria, and I do not know how much more.

You know, I have been thinking about coining a new verb, the word "emote." We have been emoting quite a good deal here in this country and in this House. We all get wrought up at times. A few days ago we had a bill up here, the so-called work-or-jail bill. Men said that if we did not enact that law and do it speedily we could not win this war. We are now in Berlin and Italy is out and Mussolini is dead, and I can tell you where he is. If Hitler is dead, I can tell you where he is. It will not be long until we have the Japs.

Let us turn to the daily press. I am not excited about this thing, but take the Washington Post of a few days ago which came out with a leading editorial headed "Pandora's box at San Francisco." I do not know how great a diplomat Mr. Stettinius is, but I know he is a gentleman. I believe thoroughly that he is a patriotic American citizen endeavoring to do his dead level best for his country. This paper called him a bush-league diplomat and said that they would have to call the undertaker to carry out his mistakes pretty soon. I do not know; maybe he made a mistake in bringing in the Argentine there over the protest of Russia. Russia probably had grounds for complaint. As I say, I am not criticizing anybody. The Argentine, if it had any soldiers in this war at all, had parade soldiers. Russia has given the lives of 20,000,000 of her people to win this war. She is entitled to every consideration because, as I said a while ago, we could not have won the war and we cannot win the peace without her cooperation.

It is said we must have the ratification of treaties by a majority vote of both Houses of Congress or the peace will be lost. Let us see. But few, if any, are opposed to this country going into a world organization to keep the peace. The platforms of both political parties declared in favor of it. The candidates of both political parties declared in favor of it. And be it said to the credit of President Roosevelt, he was wiser than Woodrow Wilson. There are members of both parties out there participating in the effort to fashion an agreement that will meet the approval of the Senate.

Then there is another thing in this country that is greater even than the House and the Senate, and that is the power of public opinion. The enlightened public opinion and conscience of this country favors our joining in the proposed organization to keep the peace. There comes from every white cross on every battlefield in every continent in the world and from the islands of the sea, from the hearts of every father and mother, from the cradle of every infant, from the best impulses of all our people, an irresistible appeal for the establishment of an organization to keep the peace of the world. To realize this ideal it is not necessary to assail the foundation stones of the house of our existence, this Constitution of ours, within which and under the guidance of which has been wrought for more than 156 years the matchless fabric of American civilization and American liberty. Let us not put an unhallowed hand in an hour of haste and emotion upon the safeguards which the founding fathers threw around the rights of our people.

If you wish to amend this resolution and let both Houses speak with the voice of two-thirds of its Members, all well and good; that is the only way in the world in which you will ever get it.

All this hatchet-and-saw effort to remake the Constitution overnight and whistle the wisdom of the founding fathers down the wind, in my opinion, will and ought to come to nothing.

It is fraught with the danger of this Nation, in a moment of emotionalism, by a bare majority being bound by a treaty to bankrupt itself and shed the blood of its boys in wars to preserve and maintain foreign powers whose security may be threatened through wars brought on by their own acts.

Mr. KEFAUVER. Mr. Chairman, I yield such time as he may desire to the gentleman from South Carolina.

Mr. BRYSON. Mr. Chairman, several times since the Constitution of the United States was originally adopted fundamental changes have been made by amendments. More than a century and a half ago, by the original terms of our Constitution, it was provided that treaties should be ratified by a two-thirds vote of the United States Senate. That clause in the Constitution remains the same as the day on which the organic law of the new Republic came into being. Twenty-one times by as many amendments has the original instrument been altered. But one-third and one of the membership of the Senate can still reject a treaty negotiated by the Executive, even if it be wholeheartedly approved by the vast majority of our people.

The Judiciary Committee of the House in the last session of the Seventy-eighth Congress held extensive hearings on House Joint Resolution 320, introduced by the able chairman of that committee, the gentleman from Texas, the Honorable HATTON W. SUMNERS. Similar resolutions introduced by a number of our distinguished colleagues were also considered involving the same subjects. After painstaking consideration of the voluminous testimony presented by distinguished historians, scholars, and publicists, the committee favorably reported the resolution with a recommendation that it do pass. Unfortunately the measure died on the calendar due to the expiration of the session. Our chairman has now introduced a new House resolution designated as House Joint Resolution 60, followed by a number of other similar resolutions introduced by as many of our colleagues, proposing a like amendment to the Constitution.

Briefly, the resolution proposes to amend the Constitution so that treaties may be ratified by a majority vote of both the Senate and the House. Before such a change can be made the resolution must also be passed by the Senate and approved by the States. That is the process laid down by the Constitution itself to govern proposed changes. It is a wise provision, since it affords ample time for deliberation and debate in the legislature.

Difficulties stand in the way of the proposed constitutional change, or reform. But, my friends, the fact that resistance may be expected in the other branch of the Congress should not discourage any Member of the House who feels that this outmoded clause of the Constitution should be altered and the power of life and death over treaties removed from a minority of the Senate.

Every good American is proud of the Constitution of the United States. As a whole it has long been accepted as a model by free people everywhere. Any attempt to weaken this great instrument would be widely and properly resented and opposed by thinking citizens from the Atlantic to the Pacific and the Great Lakes to the Gulf. By the same token, any sincere effort to strengthen the Constitution by making it more responsive to the will of the rank and file of Americans would be welcomed and supported. The change now proposed definitely is designed to strengthen the Constitution. Otherwise I would not today be giving my support to this joint resolution and urging with the earnestness of which I am capable that the House pass it by a resounding majority.

A very casual search of the history of the Constitution and conditions which prevailed at the time of its adoption leaves no room for doubt that the clause denying to the House of Representatives a voice in the ratification of treaties and requiring a two-third vote of the Senate was the result of compromise. It was a question whether the new Republic could have a Constitution without this provision governing the ratification of treaties. The original States were jealous of each other on the one hand and jealous of the Central Government on the other hand. The smaller States were fearful lest they be too greatly dominated by the larger States. All expressed fear lest the Federal Government be made so strong as to endanger or

unduly limit the rights of the several States.

When the Constitutional Convention met in 1787 controversy was rife not only on this particular matter, but on other major issues coming before that great assembly. Months were required to bring into being an instrument which a majority of the delegates were willing to sign. Indeed controversy over various issues became so heated at times that members of the Convention despaired of arriving at agreement. Fortunately for that generation and those which have followed, all the States sent as delegates to the Convention outstanding men endowed with the wisdom to know that a compromise was justified when unanimity could not be attained. Otherwise the new republic must have waited for years longer to acquire a workable fundamental law.

One issue raised in the Constitutional Convention was that it was called for the sole purpose of amending the Articles of Confederation, which had not been working satisfactorily either from the standpoint of the States or the Federal Government. The wiser men among the delegates demonstrated that the writing of a new Constitution amounted to nothing more than the amending of the Articles of Confederation. A few diehards grew weary and returned to their homes and therefore were not present when the final draft of the new Constitution was signed.

I was greatly interested to learn that the clauses of the Constitution governing the election of Members of the United States Senate was the subject of much controversy in the Constitutional Convention. Strong men earnestly urged that Members of the other branch of the Congress be chosen by the people directly, just as Members of the House of Representatives are chosen. This issue was the subject of much debate and deliberation and, like the clause governing the ratification of treaties, threatened to split the assembly wide open. Ultimately the delegates determined to have Senators chosen by the legislatures of the several States. Senators were so chosen until comparatively recent years, when as a result of the adoption of the seventeenth amendment they were elected directly by the people.

Why was that change made? Primarily because the direct election of Senators by vote of the people of their respective States was the more democratic method of procedure. Who will say that in submitting to the States a joint resolution providing for the direct election of Senators, the Congress sought to weaken the Constitution? Who will rise today and seriously tell the American people that we should return to the original method and have Senators chosen only by the legislatures of the States? That question answers itself. The people of the United States feel that the Constitution was strengthened when the seventeenth amendment gave them the right to determine directly by their votes who should represent the States in the United States Senate. The world and society move forward, not backward.

Today we are asked to vote for submission to the States a proposed amendment to the Constitution providing that treaties shall be ratified by majority vote of the membership of both the Senate and the House. Why is it proposed that the House have a voice in treaty ratification? The reason is not far to seek. Members of the House of Representatives are closest to the people for the simple reason that every other year they must give an accounting to their constituents, while Members of the Senate need give an accounting only every sixth year. Since Members of the House must maintain closer touch with the people in their respective districts, they necessarily are in position better to know what the people are thinking concerning major current issues involving the welfare of this great Nation of ours.

Ladies and gentlemen of the House of Representatives, very recently the people of the United States went to the voting places and chose the President who shall preside over the Nation for the next 4 years. They voted to keep in office during that trying period in our history the man who had carried the burdens of that high office for 12 long years. Not a few Members of the House thought there should be a change at the head of the Government and that a younger man should take over the heavy burdens of the Presidency. A majority of the people determined otherwise and voted to keep Franklin D. Roosevelt in the White House. Those who honestly felt that a change was in order and even overdue were not happy over the result of the voting. But, my friends, they accepted that result without question. Why? Because a majority of the sovereign voters of this great country had expressed their will.

We elected our President by majority vote. Members of the House of Representatives were chosen by majority vote. The one-third of the membership of the Senate were elected by majority vote on that same November day.

It is interesting to note in this connection that a majority of the men and women in uniform, whether in training camps in this country or in combat zones overseas, who could not get home to vote, cast their ballots for the reelection of President Roosevelt, and, by the same token, for the election or reelection of any Members of this body.

And while we are speaking of women in uniform voting it is well to recall that the members of the Constitutional Convention in their wisdom made no provision for the participation of women in political affairs. But for the nineteenth amendment to the Constitution women would still be denied the vote in this great and free land, and we would not number among our Members the gracious and able women who now sit with us on equal terms and help make the laws of the land.

My friends, a fundamental change in the Constitution was required before Members of the Senate could be elected by direct vote of the people. An equally fundamental change was required to bestow the right of suffrage upon the women of America.

Every Member of this body recalls vividly that the Bill of Rights—the first 10 amendments—was not in the Constitution as originally drafted and ratified. Every Member likewise recalls that the Bill of Rights embodies reservations insisted upon by the Original States in certifying their ratification of the Constitution. No Member of this Chamber or of any other legislative body would have the temerity to rise today and say the addition of the Bill of Rights weakened the Constitution or to advocate the repeal of the first 10 amendments to that great instrument.

Yet today when supporters of this joint resolution seek further to strengthen the Constitution by modernizing the machinery for the ratification of treaties and make it more responsive to the will of the people of the United States we find some voicing objections. To my mind they are merely conjuring up mental ghosts. They forget that when the Constitution was adopted most of the continent was little known to a majority of the relatively small population of the young Republic. Communications were meager and slow, not only between the States but between the Federal Government and the governments of other nations.

Times have changed since those rigorous early days. We have the railroad, the telegraph, the telephone, radio with television just around the corner, and aviation, of which few even dreamed in 1787. Verily the world has grown smaller. Space has been annihilated. We know within hours—sometimes within minutes—happenings in countries separated from us by oceans thousands of miles wide. Every day untold numbers of our military airplanes cross those oceans, many of them raining death and destruction on countries whose tyrannical governments sought to deny Americans the right to continue to live as a free people.

Millions of the flower of American youth face ruthless enemies in combat zones literally all over the world, fighting to preserve the citadel of liberty—fighting to put an end forever to the danger of military aggression which 5 years ago plunged the world into the bloodiest holocaust in all history.

Yet some Americans—not all of them Members of the United States Senate—tell us that we must not tamper with the Constitution by attemping to modernize the machinery for the ratification of treaties. When final victory is won over our enemies the millions of men—and women—in uniform who have repeatedly risked their all will want to know that their sacrifice has not been in vain. They will want assurance that their sons and daughters will not be called upon to undergo the terrible hardships which they faced on land, on the seas, and in the air in order that freedom and decency might not perish from the earth. The loved ones of those who gave their all—and the number promises to to be shockingly large—demand assurance that it shall not happen again to the sons and daughters of America and other lands.

What we seek to do is to so alter the machinery of ratification that a minority of the other branch of the Congress shall not have the power to reject a treaty designed to make the world secure against future military aggression. There is nothing sacred or complicated about the ratification machinery, any more than there was about the machinery originally set up for the election of Senators by the legislatures of the States. The latter machinery was changed—modernized to bring it into closer harmony with democratic processes. That is precisely what the pending joint resolution proposes to do with the machinery for ratification. If there ever was any justification for placing the power of life and death over treaties in the hands of one-third and one of the Members of the Senate, the period of justification has long since passed. As stated at the outset, this machinery was set up as the result of compromise in order that we might have a Constitution. We can concede without a moment's hesitation that that compromise was warranted under conditions which prevailed at the time of its adoption. Seriously to contend at this late day that the method of ratification must remain intact regardless of world developments is to stultify ourselves as thinking citizens and Members of the Congress of the United States.

Permit me to say right here that my remarks are not intended to be critical of the United States Senate. My criticism goes to the machinery for the ratification of treaties set up long ago when the Nation was young and conditions wholly different from what they are today. Members of the Senate as now constituted had nothing whatever to do with the clause in the Constitution requiring a two-thirds vote of that body to ratify treaties and denying to Members of the House, the legislative body closest to the people, any voice in ratification. What is true of the Senate today has been true of that body down through the years. Ratification was made a senatorial prerogative by the Constitution. I do not blame Members of the Senate today or in past year for zealously guarding that prerogative.

But, my friends, I do most earnestly appeal to the Senate as now constituted to pass upon this proposed change in the national interest—in the interest of all humanity—as the time approaches for the consideration of treaties to make the Nation and the world secure against future military aggression. I advance no contention that by and large the Senate has abused its constitutional prerogative in passing upon treaties submitted by the Executive. But I do contend most emphatically that in certain predominantly important crises a minority of that body has rejected treaties which might well have changed the course of history and averted the conflagration now sweeping the earth.

I have particular reference to the Versailles Treaty. We all know what happened to it. While a majority of the Senate in that day favored ratification of that treaty and the active participation of the United States in the League of Nations, more than one-third of the Members of that body voted against ratification. The United States emerged from World War No. 1 the most powerful among the nations of the world. Yet by rejecting the Versailles Treaty a minority of the Senate made it impossible for the Nation to assert its leadership.

Some ask why it is proposed to make the House of Representatives a part of the machinery for ratifying treaties. The answer is clear. The House is closest to the American people for the simple reason that its Members must face their constituents every other year. There is another reason. All legislation enacted by the Congress must be approved by the House. Most treaties require legislative implementation. Such implementation would be more readily approved by the House if its Members shared the responsibility for ratification. Certainly the House would withhold necessary legislative support with great reluctance if it had an active part in ratification. No Member of either body can seriously question the power of the House to vitiate a treaty which the Senate has ratified by refusing to pass necessary supporting legislation. In my judgment, the House would take such a position with reluctance, but the power to do so unquestionably exists. I, for one, would be greatly distressed if the House found itself impelled to adopt such a course.

Mr. KEFAUVER. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BALDWIN].

Mr. BALDWIN of New York. Mr. Chairman, I rise in support of this resolution.

It seems to me that the opposition falls under four different categories. The first one they talk about is the Senate threat to ignore our action here. I pass that over quickly, although it is important. If we are going to take orders from the Senate, Mr. Chairman, then I think it is about time that this House closed shop.

The second is that if we are going to have in effect a world organization created at San Francisco we do not need any talk or any debate about the treaty-making powers in the Congress of the United States. That, I think, Mr. Chairman, I can dismiss briefly, because it is obvious that whatever organization is set up at San Francisco this Government will remain a sovereign Government, that there will be treaties, that the Monroe Doctrine will continue, that the agreements of the Chapultepec Conference will remain in effect, and that we will have something to do about it. The world organization will simply establish rules and regulations for procedure once those treaties reach the world organization.

The crux of the whole matter, Mr. Chairman, is in the last two categories, what our forefathers did in their wisdom and what we today may or may not do in our wisdom if we permit these things to be decided by simple majorities of the whole Congress. Our forefathers faced a very different world from that of today. I do not impugn their wisdom. They were very wise, indeed. But have we forgotten that in those days wars were fought by professional soldiers, professionally paid, and populations did not enter into them?

Have we forgotten that treaties were made by dynasties and dictators and practically never by democracies, and that our forefathers in their wisdom sought to give our Chief Executive as much power as possible with as little check as they dared put on him? Today wars are fought by whole peoples. We know that the next war will be even more so. We know we cannot even sit in a home in Milwaukee or Chicago or Detroit in the next war as civilians—mothers and children—and be sure that a rocket bomb will not land in our back yard. Today wars are fought by citizen armies—drafted. There is not a Member of this House probably who has not someone of his family in this war. Most of them have lost members of their family. Most Americans have lost members of their family. There is hardly a home which is not in mourning in some way or another. Peoples and citizen armies fight wars today and the people are going to demand something to say about treaties. That did not exist when our forefathers wrote the Constitution. I say that demands that we take recognition of that fact and that we so arrange our affairs here that the peoples' voices can be heard. I can think of no better way than letting their representatives in Congress decide the issue by a majority vote. I do not believe we dare long avoid that responsibility. I have complete faith in the majority of Congress because I believe it always represents the majority of the people of the United States. To me that is modern democracy. I hope that in the various attempts to sidetrack the issue, and I do not impugn the intelligence or earnestness of anyone who has spoken before me, I hope we remember that times have changed, that we remember 11,000,000 Americans today are under arms, men and women; that every American family is involved in this issue, and that as time goes on in the future every American family and every civilian is going to be interested in what kind of treaties we make and are going to demand sooner or later a voice in them. You cannot take the hands of the clock and turn them backward. It has been tried and has met only with disaster.

Mr. RANDOLPH. Mr. Chairman, would it break the continuity of the gentleman's speech if he yielded at this point?

Mr. BALDWIN of New York. I would be delighted to yield, Mr. Chairman.

Mr. RANDOLPH. The gentleman has correctly stated that times have changed and that we cannot turn back the hands of the clock. I had attempted to question the gentleman from Kentucky, my very good friend [Mr. ROBSION], and I know he would have yielded had he had the time. He referred to the difficulties which the Thirteen Original Colonies had in another day in getting together. He said that their problem was small in comparison to the problem today of getting the nations together. He spoke in terms of a great and big world.

In this great world today it is true that the peoples of one capital as against another capital or one nation as against another nation are closer together, only

a matter of hours, than were the peoples along the Atlantic coast in the days of the Revolutiary fathers. Although they were closer together in miles, they were actually weeks and months apart. The airplane in war, and soon in peace, brings countries into close proximity. Now transportation and communication have shrunken the globe. We are all neighbors—the old barriers are gone forever.

Mr. BALDWIN of New York. That is absolutely true, Mr. Chairman. I think that is an important factor in this situation. Certainly with the speed with which events move we cannot afford to wage long, long campaigns over treaties and over wars. I think the closer we get to the people in these things, the quicker we know their desires, the more wisely we will act. I personally, have confidence in the composite intelligence of the American people, and I do not believe there is anybody in this House who disagrees with me. Consequently, I have absolute confidence in the majority decisions of the Members of this House. I do not see how anybody can disagree with that. Are we afraid to make a decision on these things?

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield to the author of the bill.

Mr. KEFAUVER. Mr. Chairman, I compliment the gentleman on his very fine statement on this resolution and ask if in his great many connections with people of various educational groups who are interested in public affairs and international affairs particularly, if he does not find that the inability of the people to do anything in connection with the ratification of treaties because of the stranglehold which the two-thirds rule has on us, prevents people from taking interest in international affairs or diminishes their interest in such affairs?

Mr. BALDWIN of New York. Personally I think that is true, Mr. Chairman. I have letters, hundreds of them, and they have not been confined to my district, pointing that out almost invariably. They emphasize the fact that they would like to have something to say but they feel they cannot. However, they do want to register their opinion with me, and this is their first opportunity on this particular resolution.

There is another point which has been brought up and that is the question of technicalities. We have had some brilliant speeches in this regard and I pay tribute to those who made them. But I am not interested in technicalities. I am interested in the fundamental issue of bringing the people closer to the peace-making instruments, as they have been brought closer inevitably to the war-making instruments.

Mr. RAMEY. Mr. Chairman, will the gentleman yield?

Mr. BALDWIN of New York. I yield.

Mr. RAMEY. Apropos of that, the first 3 words of the preamble to our Constitution are "We, the people." When we say that we, the representatives of the people, have no part in treaty making we bypass the people by not passing this resolution.

Mr. BALDWIN of New York. That is my opinion, Mr. Chairman. I agree entirely with the gentleman.

In regard to technicalities, there is one which I think we have all forgotten. While we in the House, as the gentleman has just said, are bypassing the people by refusing our responsibility in this regard, the Executive also is doing some bypassing. Let us not forget that treaty after treaty is being made under Executive power and under Executive agreement, which requires only a majority vote of the House. It is said that by giving a majority vote we increase the power of the Executive. I do not agree with that. We sit here and are worried perhaps that the Executive may have such a majority on one side of the aisle, that he will be able to push through anything he pleases, but, believe me, the people will have a voice in that, and I am convinced and I am willing to say it to my distinguished friends on the other side, that the Executive is not always going to be of the same party, nor the majority of this House of the same party, because I am convinced that as the pendulum swings both parties will have an opportunity to express themselves.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may require to the gentleman from Connecticut [Mr. TALECT].

Mr. TALBOT. Mr. Chairman, I favor House Joint Resolution 60, to submit to the State legislatures for ratification a proposed amendment to the Constitution giving both Houses of Congress the right to validate treaties by a majority vote.

Article II, section 2, of the Constitution now reads as follows:

He—

The President—

shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

The resolution now before us reads thus:

Hereafter treaties shall be made by the President, by and with the advice and consent of both Houses of Congress.

The purpose of the amendment before us is to change the existing two-thirds vote of the Senate to a majority vote of both Houses of Congress.

Historically there is no good reason for the two-thirds vote. At the sessions of the Constitutional Convention at Philadelphia in 1789, the record of which I have studied for many months, I can find no reason other than that of compromise in trying to get a job done. The so-called Western States at that time were interested in treaties with the Indians. The Southern States were concerned with navigation rights on the Mississippi River. The Seaboard Atlantic States were interested in treaties concerning fishery rights. Sectionalism in the Thirteen Original States was at a high pitch. Jealousy of the power of the large States was apparent. Therefore, in order to accomplish anything concerning the ratification of treaties, in order to satisfy the large States and the small States, the Eastern States, the Southern States, and the the Western States it was necessary in order to bring about a favorable vote on the Constitution itself to have a two-thirds vote of the Senate in the ratification of treaties.

There was not then, nor could there have been any concept in the minds of the drafters of our Constitution that this country would expand all the way to the Pacific Ocean and that modes of travel and means of communication would be as they are today in the twentieth century. Even Daniel Webster, 30 years later in one of his great speeches, would not give a plug nickle for the lands lying west of the Mississippi.

The world in those days was small. Our policy was one of isolation and abhorence for entangling alliances or, for that matter, alliances of any kind. Today we are living under entirely different conditions. The time required to travel from continent to continent has been unbelievably lessened until today we can circle the globe in a matter of 3 or 4 days. Communications are all but instantaneous today. The human voice can travel around the world in a split second. Today it is utterly impossible for the United States of America, or for any other individual nation, to live in self-sufficiency and apart from its neighbors of the world.

The United States is, and has been throughout this war, a great leader. In my opinion, it has been the leader in the production of implements of war, in the raising of its armies, navies, and air forces. It has done one of the great jobs of the century. With most of the rest of the world in chaos and utter ruin, the peoples of the world will look to the United States for continued leadership in the post-war period. If we believe in a decent international community, we must accept this leadership.

Regardless of his political party, the President of the United States and the Department of State are often handicapped at the peace table or in the drawing up of treaties for future ratification by the Senate, and the Chief Executive is at a tremendous disadvantage when all nations of the world know and realize that it requires a two-thirds vote of the Senate to ratify such proposals. As one witness before the Judiciary Committee well put it, "the arms of the representatives of the State Department are tied behind their backs." As a matter of fact, their bargaining power is all but lost. So far as I can determine, our Government is the only Government in the world that requires a two-thirds vote of its legislative body on the ratification of treaties.

A democratic form of government, as I understand it, is one in which majority rule, under law, prevails. Any procedure which thwarts the wishes of a majority, tends to break down and destroy democratic processes.

At the present moment we have two Members of the House of Representatives as delegates to the San Francisco Conference. One is the chairman of the Foreign Affairs Committee; the other the ranking Republican Member. It seems ironical that these two House Members

who will take part in the debates and in the policy formulas, representing the United States of America, should have no voice in the body of the Congress that they represent when the treaty or agreements come up for ratification.

Time and time again authorizations for vast expenditures are included in treaties. Under the Constitution, the House of Representatives is the sole body initiating appropriations of the peoples' money. Yet, in many treaties, as in the case of the present Mexican treaty concerning water rights on the Rio Grande and Colorado Rivers, there are authorizations for more than $200,000,000 of expenditures on these rivers. The House has nothing to say about these authorizations and yet is bound to honor them or create a situation amounting to negation of the treaty.

In theory, of course, the Members of the Senate represent their individual States. They were originally ambassadors sent by the legislature of the several States and were not elected by the people. Today, however, the Members of the Senate are elected in the same manner as the Members of the House; namely, at general elections and by the majority of the people within their respective States.

There is no good reason to believe that there is any more ability in the Membership of the Senate than in the Membership of the House. My experience has taught me to believe one is equal to the other, and I firmly believe that the House of Representatives is the greatest parliamentary assembly existing in the world today.

Nor do I see any danger to the future of America if the present amendment is adopted. Surely, if a majority of both bodies of the Congress cannot protect us as a Nation, then I wonder what on earth can.

This is our opportunity to bring greater strength to our Nation. I am certain that the people who I represent would, by an overwhelming vote, favor this constitutional change. I have no question but that the Legislature of the State of Connecticut would be among the first to ratify this amendment. I hope it will pass the House by more than the two-thirds vote required.

Mr. SPRINGER. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Chairman, in my opinion, the adoption of this constitutional amendment will make the foreign policy of our country more representative of the will of our people.

Representative government is government where the will of the people may be expressed by those who have been chosen to express the public will. We associate it with what the majority of the people want. The foreign policy of this country is now expressed by the President of the United States, by and with the advice and consent of the Senate. As has been repeatedly pointed out here, one-third of the Senate, plus one, can prevent an expression of the public policy of our Nation, in foreign affairs. Since Senators represent States and each State, irrespective of its population, has 2 votes, it means that a small fraction of our people can negative the foreign policy of this Nation which may be desired by the overwhelming majority of our people.

Our people express their domestic policies in laws and their foreign policies in treaties.

I hold that no matter in what form our public policy may be expressed, whether in domestic laws or in treaties, it should be representative of the will of the people. Also, the corollary to this is that a minority, especially a small minority, should not be permitted to negative the will of our people. When a small majority can block the will of the people, we have not representative government but misrepresentative government. It means that the minority can impose its will on the majority.

To understand how effectively this can now be done I need but cite to you the fact that the Senators representing less than 9 percent of the voters of the United States can block a treaty. For instance, in the 17 States which cast the smallest number of votes in the 1944 election, there was a total of 4,307,707 votes cast for Members of the House of Representatives.

The tabulation of the votes in these 17 States I shall place at the end of this discussion, for the information of the Members. This group of States elected only 37 Representatives, less than one-tenth of the membership of the House. Yet that group of States, through their Senators, could block a policy that may be wanted by the remaining 90 percent of our voters. It is obvious to me that this gives entirely too much power to a small group. Clearly this is not representative government as representative government contemplates that a majority may express their will and, through their chosen representatives, make it the policy of the Nation, either in domestic or in foreign affairs.

Even under the proposed amendment it would be possible for a minority to block foreign policy desired by an overwhelming majority of our people. This is because with the Senatorial representation, equal in all States, the 25 smallest States — 50 Senators — only represent voters of about 36 percent of the total vote cast in the 1944 election.

In the 1944 election, the voters in the 25 States with the smallest populations, cast 12,014,554 votes, whereas the total for the entire Nation was 48,025,684. Consequently, it is evident that with the proposed constitutional change, the minority is still powerful enough to block what about two-thirds of the voters are opposed to.

Consequently, it seems to me if we wish to be truly representative, if we wish our people to have a reasonable chance to express the will of its majority, we must come to the type of procedure that this resolution provides. For this reason, and many others, discussed by my colleagues, I am heartily in favor of this resolution.

Following is the list of States which cannot block a treaty, together with the votes cast by said States and the number of Representatives these States have in the House:

Name of State	Members in House	Congressional vote, 1944
Arizona	2	251,079
Colorado	4	493,862
Delaware	1	126,440
Idaho	2	205,579
Maine	3	183,771
Montana	2	197,217
Nebraska	4	514,923
Nevada	1	51,744
New Hampshire	2	215,857
New Mexico	2	203,943
North Dakota	2	330,754
Oregon	4	442,576
Rhode Island	2	283,481
South Dakota	2	225,738
Utah	2	247,681
Vermont	1	123,036
Wyoming	1	99,102
Total	37	4,307,707

The total vote cast in the Presidential election of 1944 was 48,025,684.

Mr. SPRINGER. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Chairman, I addressed the House on yesterday in debate on the rule on this resolution. I have expressed my views favoring the passage of the resolution. I am rather distressed to learn that some Members are apparently not able to get to speak. I therefore will not take any more time, and yield back the time the gentleman from Indiana has so generously allotted to me.

Mr. SPRINGER. Mr. Chairman, I yield 17 minutes to the gentlewoman from Illinois [Miss SUMNER].

Miss SUMNER of Illinois. Mr. Chairman, you cannot afford to say "me too" to any such proposal as this.

It is hard to believe that this House, where daily Members plead for States' rights and minority rights, would seriously consider adopting this proposal which would destroy the two-thirds ratification of treaty safeguard—one of the few precious safeguards in our Constitution which help prevent the majority from doing violence to the constitutional rights of minorities. It is not as if passing this proposal would secure passage of the Bretton Woods Treaty and other treaties for which proponents are enthusiastic, because these treaties will long since have been voted either up or down before the proposed amendment could possibly become a part of the Constitution. The debate on this amendment only serves to emphasize the shameful fact that the Bretton Woods Treaty and similar treaties, intended to surrender the United States step by step to a world superstate, are to be thrust upon the United States illegally and unconstitutionally in obvious violation of the provision of the Constitution which this amendment is designed to eliminate. And, incidentally, the Bretton Woods Treaty when it is debated, will demonstrate that this House, because of the 5-minute rule and the seniority rule, which deprive all but a few favored Members of this House of the right to express their views in detail, is, as Alexander Hamilton predicted, ill equipped to have jurisdiction over treaties. To pass this amendment would only serve to invite

odious comparisons with the Senate, where Members have the privilege of unlimited debate.

You see, it is not true that the two-thirds rule was an "accident." Of this article Alexander Hamilton, one of the founding fathers, wrote in the Federalist Papers:

Though this provision has been assailed on different grounds, and with no small degree of vehemence, I scruple not to declare my firm persuasion, that it is one of the best digested and most unexceptionable parts of the plan.

He goes on to say:

The fluctuating, and taking its future increase into the account, the multitudinous composition of that body—

The House—

forbid us to expect in it those qualities which are essential to the proper execution of such a trust. Accurate and comprehensive knowledge of foreign politics; a steady and systematic adherence to the same views; a nice and uniform sensibility to national character; decision, secrecy, and dispatch are incompatible with the genius of a body so variable and so numerous. The very complication of the business, by introducing a necessity of the concurrence of so many different bodies, would of itself afford a solid objection. The greater frequency of the calls upon the House of Representatives, and the greater length of time which it would often be necessary to keep them together when convened, to obtain their sanction in the progressive stages of a treaty, would be a source of so great inconvenience and expense, as alone ought to condemn the project.

He goes on to say:

And when we proceed still one step further and look forward to the probable augmentation of the Senate by the erection of new States, we shall not only perceive ample ground of confidence in the sufficiency of the numbers, to whose agency that power shall be entrusted, but we shall probably be led to conclude that a body more numerous than the Senate is likely to become would be very little fit for the proper discharge of the trust.

To support their arguments, advocates of this proposal refer scornfully to six treaties for which a majority of the Senators present voted, but which were not ratified because a third of the Senators present opposed them. Those treaties are described impartially in a book from which, I am told, the State Department and congressional legislative service compile their material on this subject. The book is called Treaties Defeated by the Senate, by W. Stull Holt. This book does not support the contention that the Senators in rejecting the treaties referred to, were motivated either by personal or political reasons. The treaties referred to are as follows:

First. The Treaty between the United States and Spain, 1860. This treaty, according to Mr. Holt, was rejected chiefly because to ratify it would have involved the recognition of slavery. No Democrats voted against the treaty; 17 Republicans did, but I think you will agree that the issue of slavery on that date went much deeper than partisan politics. Slavery, in spite of recent legislative attempts to revive it, is outlawed under our Constitution.

Second. The Reciprocity Treaty with Hawaii, 1867. Says Holt:

What the true reason or combination of reasons—

For rejecting this treaty were—

is immaterial for present purposes since it is clear from the history of the treaty in the Senate that neither political opposition nor struggle with the President was responsible for its defeat. * * * The treaty implied an obligation of protection and was regarded as a step toward annexation. * * * The reluctance of the public to assume any new obligation—

Remember this was at a time when our country had just emerged from a most devastating war—

an obvious though intensely disappointing fact to Seward—the then Secretary of State—probably accounted for much of the opposition to the treaty. Certainly politics was not involved, for only a few of the small minority of Democrats voted each time, and these were divided. * * * The votes also show that hostility to Johnson—

The President—

and the acts of his administration will not alone explain the defeat of the treaty, because among those voting in favor of the treaty both times were several of his bitterest enemies, including Sumner.

Third. The Treaty on Claims with Mexico, 1882. The Secretary of State, after investigating the claims, had reported that the justice of the claims was exceedingly doubtful and that Congress should authorize some agency to examine and determine the charges judicially. The Senate was severely criticized, but, according to Mr. Holt:

More respectable reasons were present and may have decided the Senate's action, for there seemed to be doubts in some minds as to whether reopening of the claims was a question which properly concerned Mexico and the treaty-making power, or whether it should be handled by some other branch of the Government, as it ultimately was.

Fourth. The Treaty of Arbitration with Great Britain, 1897. This is the treaty which, next to Woodrow Wilson's, is the one complained of most. It was endorsed by a great many newspapers, bar associations, colleges, businessmen's associations. Still, according to Holt, the opposition was not political. He says:

The 43 affirmative votes were cast by 30 Republicans and 13 Democrats, the successful 26 negative votes were cast by 10 Republicans, 13 Democrats, 2 Populists, and 1 Independent.

Also, according to Holt:

Sir Julian Pauncefoote, like Olney and most newspapers, believed the constitutional fears of the Senate the decisive consideration.

Fifth. The Great Lakes-St. Lawrence Deep Waterway Treaty, 1932. This treaty was not included in Mr. Holt's book. The opposition was led by Senator J. Ham Lewis, Democrat, of Illinois. But the waterway deeply concerned Chicago and surrounding States. According to the minority report, United States Army engineers had reported:

A diversion of 5,000 to 10,000 feet is required to insure a successful waterway from the Great Lakes to the Gulf of Mexico. It is therefore submitted that to ratify this treaty, including article VIII (concerning diversion), will jeopardize the possibility of a successful all-American waterway and will fail to protect the interests of the United States.

Sixth. The Woodrow Wilson treaty, providing that the United States should become a member of the League of Nations, is the last treaty which proponents really bewail. The movement to eliminate the two-thirds rule began, one student reveals, when the Senate balked at embarking on a course of imperialism after the War with Spain. It gained impetus after 1905 when Secretary of State Hay, often accused of subservience to the British, denounced the Senate for refusing to surrender what the Senate considered United States' vital interests, independence, and national honor. But the movement became a buzz bomb only after the Senate refused to ratify the treaty which Wilson might have had if he had not stubbornly instructed his Democrats to vote against the treaty because the Senate added amendments.

Now I myself, have publicly lauded the sincerity of Woodrow Wilson. But, since the argument for this destructive proposal is based largely on the idealized portrait of both Woodrow Wilson and his League of Nation's treaty, I think it is high time somebody frankly told the truth about Woodrow Wilson and his League of Nations treaty—and also what sophisticated Europeans really think of him and of it. Therefore, I read to you an expression of that European opinion written by the British nobleman, John Maynard Keynes, who, as you know, has been a guiding spirit of the New Deal since 1932, and who is the deus ex machina of the Bretton Woods plan. The following quotation is from Keynes' book The Economic Consequences of the Peace:

THE ECONOMIC CONSEQUENCES OF THE PEACE

(By John Maynard Keynes)

What a place the President held in the hearts and hopes of the world when he sailed to us in the *George Washington!* What a great man came to Europe in those early days of our victory!

In November 1918 the armies of Foch and the words of Wilson had brought us sudden escape from what was swallowing up all we cared for. The conditions seemed favorable beyond any expectation. The victory was so complete that fear need play no part in the settlement. The enemy had laid down his arms in reliance on a solemn compact as to the general character of the peace, the terms of which seemed to assure a settlement of justice and magnanimity and a fair hope for a restoration of the broken current of life. To make assurance certain the President was coming himself to set the seal on his work.

When President Wilson left Washington he enjoyed a prestige and a moral influence throughout the world unequaled in history. His bold and measured words carried to the peoples of Europe above and beyond the voices of their own politicians. The enemy peoples trusted him to carry out the compact he had made with them; and the allied peoples acknowledged him not as a victor only but almost as a prophet. In addition to this moral influence the realities of power were in his hands. The American armies were at the height of their numbers, discipline, and equipment. Europe was in complete dependence on the food supplies of the United States; and financially she was even more absolutely at their mercy. Europe not only already owed the United States more than she could pay; but only a large measure of

further assistance could save her from starvation and bankruptcy. Never had a philosopher held such weapons wherewith to bind the princes of this world. How the crowds of the European capitals pressed about the carriage of the President! With what curiosity, anxiety, and hope we sought a glimpse of the features and bearing of the man of destiny who, coming from the West, was to bring healing to the wounds of the ancient parent of his civilization and lay for us the foundations of the future.

The disillusion was so complete, that some of those who had trusted most hardly dared speak of it. Could it be true? They asked of those who returned from Paris. Was the treaty really as bad as it seemed? What had happened to the President? What weakness or what misfortune had led to so extraordinary, so unlooked-for a betrayal?

Yet the causes were very ordinary and human. The President was not a hero or a prophet; he was not even a philosopher; but a generously intentioned man, with many of the weaknesses of other human beings, and lacking that dominating intellectual equipment which would have been necessary to cope with the subtle and dangerous spellbinders when a tremendous clash of forces and personalities had brought to the top as triumphant masters in the swift game of give and take, face to face in council—a game of which he had no experience at all.

We had indeed quite a wrong idea of the President. We knew him to be solitary and aloof, and believed him very strong willed and obstinate. We did not figure him as a man of detail, but the clearness with which he had taken hold of certain main ideas would, we thought, in combination with his tenacity, enable him to sweep through cobwebs. Besides these qualities he would have the objectivity, the cultivation, and the wide knowledge of the student. The great distinction of language which had marked his famous notes seem to indicate a man of lofty and powerful imagination. His portraits indicated a fine presence and a commanding delivery. With all this he had attained and held with increasing authority the first position in a country where the arts of the politician are not neglected. All of which, without expecting the impossible, seemed a fine combination of qualities for the matter in hand.

The first impression of Mr. Wilson at close quarters was to impair some but not all of these illusions. His head and features were finely cut and exactly like his photographs, and the muscles of his neck and the carriage of his head were distinguished. But, like Odysseus, the President looked wiser when he was seated; and his hands, though capable and fairly strong, were wanting in sensitiveness and finesse. The first glance at the President suggests not only that, whatever else he might be, his temperament was not primarily that of the student or the scholar, but that he had not much even of that culture of the world which marks M. Clemenceau and Mr. Balfour as exquisitely cultivated gentlemen of their class and generation. But more serious than this, he was not only insensitive to his surroundings in the external sense; he was not sensitive to his environment at all. What chance could such a man have against Mr. Lloyd George's unerring, almost medium-like sensibility to everyone immediately around him? To see the British Prime Minister watching the company, with six or seven senses not available to ordinary men, judging character, motive, and subconscious impulse, perceiving what each was thinking and even what each was going to say next, and compounding with telepathic instinct the argument or appeal best suited to the vanity, weakness, or self-interest of his immediate auditor, was to realize that the poor President would be playing blind man's buff in that party. Never could a man have stepped into the parlor a more perfect and predestined victim to the finished accomplishments of the Prime Minister. The Old World was tough in wickedness anyhow; the Old World's heart of stone might blunt the sharpest blade of the bravest knight-errant. But this blind and deaf Don Quixote was entering a cavern where the swift and glittering blade was in the hands of the adversary.

But if the President was not the philosopher-king, what was he? After all, he was a man who had spent much of his life at a university. He was by no means a businessman or an ordinary party politician, but a man of force, personality, and importance. What, then, was his temperament?

The clue once found was illuminating. The President was like a nonconformist minister, perhaps a Presbyterian. His thought and his temperament were essentially theological not intellectual, with all the strength and the weakness of that manner of thought, feeling, and expression. It is a type of which there are not now in England and Scotland such magnificent specimens as formerly; but this description nevertheless, will give the ordinary Englishman the distinctest impression of the President.

With this picture of him in mind, we can return to the actual course of events. The President's program for the world, as set forth in his speeches and his notes, had displayed a spirit and a purpose so admirable that the last desire of his sympathizers was to criticize details, the details, they felt, were quite rightly not filled in at present, but would be in due course. It was commonly believed at the commencement of the Paris Conference that the President had thought out, with the aid of a large body of advisers, a comprehensive scheme not only for the League of Nations, but for the embodiment of the 14 points in an actual treaty of peace. But in fact the President had thought out nothing; when it came to practice his ideas were nebulous and incomplete. He had no plan, no scheme, no constructive ideas whatever for clothing with the flesh of life the commandments which he had thundered from the White House. He could have preached a sermon on any of them or have addressed a stately prayer to the Almighty for their fulfilment; but he could not frame their concrete application to the actual state of Europe.

He not only had no proposals in detail, but he was in many respects, perhaps inevitably, ill-informed as to European conditions. And not only was he ill-informed, that was true of Mr. Lloyd George also, but his mind was slow and unadaptable. The President's slowness amongst the Europeans was noteworthy. He could not, all in a minute, take in what the rest were saying, size up the situation with a glance, frame a reply, and meet the case by a slight change of ground; and he was liable, therefore, to defeat by the mere swiftness, apprehension, and agility of a Lloyd George. There can seldom have been a statesman of the first rank more incompetent than the President in the agilities of the council chamber. A moment often arrives when substantial victory is yours if by some slight appearance of a concession you can save the face of the opposition or conciliate them by a restatement of your proposal helpful to them and not injurious to anything essential to yourself. The President was not equipped with this simple and usual artfulness. His mind was too slow and unresourceful to be ready with any alternatives. The President was capable of digging his toes in and refusing to budge, as he did over Fiume. But he had no other mode of defence, and it needed as a rule but little maneuvering by his opponents to prevent matters from coming to such a head until it was too late. By pleasantness and appearance of conciliation, the President would be maneuvered off his ground, would miss the moment for digging his toes in, and, before he knew where he had been to, it was too late. Besides, it is impossible month after month in intimate and ostensibly friendly converse between close associates, to be digging the toes in all the time. Victory would only have been possible to one who had always a sufficiently lively apprehension of the position as a whole to reserve his fire and know for certain the rare exact moments for decisive action. And for that the President was far too slow-minded and bewildered.

He did not remedy these defects by seeking aid from the collective wisdom of his lieutenants. He had gathered round him for the economic chapters of the treaty a very able group of businessmen; but they were inexperienced in public affairs and knew (with one or two exceptions) as little of Europe as he did, and they were only called in irregularly as he might need them for a particular purpose. Thus the aloofness which had been found effective in Washington was maintained, and the abnormal reserve of his nature did not allow near him anyone who aspired to moral equality or the continuous exercise of influence. His fellow plenipotentiaries were dummies; and even the trusted Colonel House, with vastly more knowledge of men and Europe than the President, from whose sensitiveness the President's dullness had gained so much, fell into the background as time went on. All this was encouraged by his colleagues on the Council of Four, who, by the break-up of the Council of Ten, completed the isolation which the President's own temperament had initiated. Thus day after day and week after week he allowed himself to be closeted, unsupported, unadvised, and alone, with men much sharper than himself, in situations of supreme difficulty, where he needed for success every description of resource, fertility, and knowledge. He allowed himself to be drugged by their atmosphere, to discuss on the basis of their plans and of their data, and to be led along their paths.

These and other various causes combined to produce the following situation. The reader must remember that the processes which are here compressed into a few pages took place slowly, gradually, insidiously, over a period of about 5 months.

As the President had thought nothing out, the council was generally working on the basis of a French or British draft. He had to take up, therefore, a persistent attitude of obstruction, criticism, and negation, if the draft was to become at all in line with his own ideas and purpose. If he was met on some points with apparent generosity (for there was always a safe margin of quite preposterous suggestions which no one took seriously), it was difficult for him not to yield on others. Compromise was inevitable, and never to compromise on the essential, very difficult. Besides, he was soon made to appear to be taking the German part and laid himself open to the suggestion (to which he was foolishly and unfortunately sensitive) of being pro-German.

After a display of much principle and dignity in the early days of the Council of Ten, he discovered that there were certain very important points in the program, of his French, British, or Italian colleague, as the case might be, of which he was incapable of securing the surrender by the methods of secret diplomacy. What then was he to do in the last resort? He could let the Conference drag on an endless length by the exercise of sheer obstinacy. He could break it up and return to America in a rage with nothing settled. Or he could attempt an appeal to the world over the heads of the Conference. These were wretched alternatives, against each of which a great deal could be said. They were also very risky—especially for a politician. The President's mistaken policy over the congressional election had weakened his personal position in his own country, and it was by no means certain that the American public would sup-

port him in a position of intransigency. It would mean a campaign in which the issues would be clouded by every sort of personal and party consideration, and who could say if right would triumph in a struggle which would certainly not be decided on its merits. Besides, any open rupture with his colleagues would certainly bring upon his head the blind passions of "anti-German" resentment with which the public of all Allied countries were still inspired. They would not listen to his arguments. They would not be cool enough to treat the issue as one of international morality or of the right governance of Europe. The cry would simply be that, for various sinister and selfish reasons, the President wished "to let the Hun off." The almost unanimous voice of the French and British press could be anticipated. Thus, if he threw down the gage publicly he might be defeated. And if he were defeated, would not the final peace be far worse than if he were to retain his prestige and endeavor to make it as good as the limiting conditions of European politics would allow him? But above all, if he were defeated, would he not lose the League of Nations? And was not this, after all, by far the most important issue for the future happiness of the world? The treaty would be altered and softened by time. Much in it which now seemed so vital would become trifling, and much which was impracticable would for that very reason never happen. But the League, even in an imperfect form, was permanent; it was the first commencement of a new principle in the government of the world; truth and justice in international relations could not be established in a few months—they must be born in due course by the slow gestation of the League. Clemenceau had been clever enough to let it be seen he would swallow the League at a price.

At the crisis of his fortunes the President was a lonely man. Caught up in the toils of the Old World, he stood in great need of sympathy, of moral support, of the enthusiasm of masses. But buried in the conference, stifled in the hot and poisoned atmosphere of Paris, no echo reached him from the outer world, and no throb of passion, sympathy, or encouragement from his silent constituents in all countries. He felt that the blaze of popularity which had greeted his arrival in Europe was already dimmed; the Paris press jeered at him openly; his political opponents at home were taking advantage of his absence to create an atmosphere against him; England was cold, critical, and unresponsive. He had so formed his entourage that he did not receive through private channels the current of faith and enthusiasm of which the public sources seemed dammed up. He needed, but lacked, the added strength of collective faith. The German terror still overhung us, and even the sympathetic public was very cautious; the enemy must not be encouraged; our friends must be supported; this was not the time for discord or agitations; the President must be trusted to do his best. And in this drought the flower of the President's faith withered and dried up.

Thus it came to pass that the President countermanded the *George Washington*, which, in a moment of well-founded rage, he had ordered to be in readiness to carry him from the treacherous halls of Paris back to the seat of his authority, where he could have felt himself again. But as soon, alas, as he had taken the road of compromise, the defects already indicated of his temperament and of his equipment were fatally apparent. He could take the high line; he could practice obstinacy; he could write notes from Sinai or Olympus; he could remain unapproachable in the White House or even in the Council of Ten and be safe But if he once stepped down to the intimate equality of the four, the game was evidently up.

Now it was that what I have called his theological or Presbyterian temperament became dangerous. Having decided that some concessions were unavoidable, he might have sought by firmness and address and the use of the financial power of the United States to secure as much as he could of the substance, even at some sacrifice of the letter. But the President was not capable of so clear an understanding with himself as this implied. He was too conscientious. Although compromises were now necessary, he remained a man of principle and the Fourteen Points a contract absolutely binding upon him. He would do nothing that was not honorable; he would do nothing that was not just and right; he would do nothing that was contrary to his great profession of faith. Thus, without any abatement of the verbal inspiration of the Fourteen Points, they became a document for gloss and interpretation and for all the intellectual apparatus of self-deception by which, I dare say, the President's forefathers had persuaded themselves that the course they thought it necessary to take was consistent with every syllable of the Pentateuch.

The President's attitude to his colleagues had now become: I want to meet you so far as I can; I see your difficulties, and I should like to be able to agree to what you propose, but I can do nothing that is not just and right, and you must first of all show me that what you want does really fall within the words of the pronouncements which are binding on me. Then began the weaving of that web of sophistry and Jesuitical exegesis that was finally to clothe with insincerity the language and substance of the whole treaty. The word was issued to the witches of all Paris:

> "Fair is foul, and foul is fair,
> Hover through the fog and filthy air."

The subtlest sophisters and most hypocritical draftsmen were set to work and produced many ingenious exercises which might have deceived for more than an hour a cleverer man than the President.

Thus, instead of saying that German-Austria is prohibited from uniting with Germany except by leave of France (which would be inconsistent with the principle of self-determination), the treaty, with delicate draftsmanship, states that "Germany acknowledges and will respect strictly the independence of Austria within the frontiers which may be fixed in a treaty between that state and the principal Allied and Associated Powers; she agrees that this independence shall be inalienable, except with the consent of the Council of the League of Nations," which sounds but is not quite different. And who knows but that the President forgot that another part of the treaty provides that for this purpose the Council of the League must be unanimous.

Instead of giving Danzig to Poland, the treaty establishes Danzig as a "free" city, but includes this "free" city within the Polish customs frontier, intrusts to Poland the control of the river and railway system, and provides that "the Polish Government shall undertake the conduct of the foreign relations of the Free City of Danzig as well as the diplomatic protection of citizens of that city when abroad."

In placing the river system of Germany under foreign control, the treaty speaks of declaring international those "river systems which naturally provide more than one State with access to the sea, with or without transshipment from one vessel to another."

Such instances could be multiplied. The honest and intelligible purpose of French policy, to limit the population of Germany and weaken her economic system, is clothed, for the President's sake, in the august language of freedom and international equality.

But perhaps the most decisive moment, in the disintegration of the President's moral position and the clouding of his mind, was when at last, to the dismay of his advisers, he allowed himself to be persuaded that the expenditure of the Allied Governments on pensions and separation allowances could be fairly regarded as damage done to the civilian population of the Allied and Associated Powers by German aggression by land, by sea, and from the air, in a sense in which the other expenses of the war could not be so regarded. It was a long theological struggle in which, after the rejection of many different arguments, the President finally capitulated before a masterpiece of the sophist's art.

At last the work was finished, and the President's conscience was still intact. In spite of everything, I believe that his temperament allowed him to leave Paris a really sincere man, and it is probable that to this day he is genuinely convinced that the treaty contains practically nothing inconsistent with his former professions.

But the work was too complete, and to this was due the last tragic episode of the drama. The reply of Brockdorff-Rantzau inevitably took the line that Germany had laid down her arms on the basis of certain assurances, and that the treaty in many particulars was not consistent with these assurances. But this was exactly what the President could not admit, in the sweat of solitary contemplation and with prayers to God he had done nothing that was not just and right, for the President to admit that the German reply had force in it was to destroy his self-respect and to disrupt the inner equipoise of his soul, and every instinct of his stubborn nature rose in self-protection. In the language of medical psychology, to suggest to the President that the treaty was an abandonment of his professions was to touch on the raw a Freudian complex. It was a subject intolerable to discuss, and every subconscious instinct plotted to defeat its further exploration.

Thus it was that Clemenceau brought to success, what had seemed to be, a few months before, the extraordinary and impossible proposal that the Germans should not be heard. If only the President had not been so conscientious, if only he had not concealed from himself what he had been doing, even at the last moment he was in a position to have recovered lost ground and to have achieved some very considerable successes. But the President was set. His arms and legs had been spliced by the surgeons to a certain posture, and they must be broken again before they could be altered. To his horror, Mr. Lloyd George, desiring at the last moment all the moderation he dared, discovered that he could not in 5 days persuade the President of error in what it had taken 5 months to prove to him to be just and right. After all, it was harder to debamboozle this old Presbyterian than it had been to bamboozle him; for the former involved his belief in and respect for himself.

Thus in the last act the President stood for stubbornness and a refusal of conciliations.

Mr. KEFAUVER. Mr. Chairman, I yield 15 minutes to the gentleman from New York [Mr. WADSWORTH].

Mr. WADSWORTH. Mr. Chairman, I am well aware of the fact that we are discussing a fundamental question here. I, for one, rejoice at the nature of the debate as it has gone on this afternoon. I think many Members have contributed to our information and certainly have aroused our interest.

In the time allowed it would be quite impossible for me to indulge in a comprehensive discussion of all the things involved here. Were the period longer, I would be tempted to reminisce, but that would be an infliction on the patient members of the committee who are still here. Perhaps I can touch on one or two points.

I was very much interested in the observations made this afternoon by the

gentleman from Texas [Mr. SUMNERS] with respect to the effect the existing two-thirds rule has upon the action of Presidents. With that rule standing as an obstacle in their paths, Presidents have been inclined to bypass what we regard as a constitutional provision and resort to what have come to be known as executive agreements.

It is very, very difficult to draw a straight line of demarcation dividing executive agreements and treaties. I have tried it in my own mind several times, and find it pretty hard. But in any event, I think none of us can deny that the tendency in recent days has been toward resort to executive agreements.

I have in mind one that has given a great deal of concern to many Members of this House on both sides of the aisle, and that is those agreements which are reached by the President of the United States under the reciprocal trade-agreements law. Prior to the enactment of that legislation, which gave the power to the President to reach these agreements, any contract or agreement made with a foreign country relating to the importation or exportation of goods, quotaed or otherwise, was regarded in the nature of a treaty and was submitted at least to the Senate. Today agreements may be made with any number of countries all over the face of the earth by the Executive without restraint—and I am not now passing on the wisdom of those agreements—which may affect, and, in fact, do affect, the daily life of the American people.

I mention that as an example in elaboration of the observations made by the gentleman from Texas. Not all of you may agree with that as being a proper example of the present day tendencies. I do believe that the gentleman from Texas was correct when he said that the two-thirds rule is at least partially responsible for resorting to this sort of procedure. In my humble judgment, and I am not now discussing the soundness of the executive agreements that have been made, a policy of that sort carried along to its logical conclusion means that the representatives of the people are bypassed in the making of decisions in which their constituents are enormously interested. And I do not like the tendency.

It is proposed that the two-thirds rule be removed. It is contended by some of those who oppose it that its removal would open the floodgates, as it were, to the jamming through of treaties through the House and Senate by majority vote. I wonder if you will bear with me a moment, while I try to visualize the parliamentary procedure which would prevail in the event an amendment to the Constitution such as this were ratified by three-fourths of the legislatures. Of course, it does not take away from the President in the slightest degree the power given to him under the Constitution to negotiate or make treaties with foreign countries. It does change, however, the machinery for ratification. In the event the machinery is changed in the direction we suggest, it, of course, is inevitable that when the President has concluded negotiation of a treaty with a foreign country he will send that treaty to the House and also to the Senate.

In the House it normally will be referred to the Committee on Foreign Affairs. That committee will hold hearings, I assume, at which witnesses may appear for and against and all sorts of suggestions made with respect to it; and the hearings will be public. Should the committee report the treaty to the House with certain recommendations, the House will then proceed to consider it just as if it were an ordinary legislative measure. It will be open to amendment and to the addition of reservations. May I say at this point that under the existing procedure in the Senate and the procedure which has existed there for many years, in fact during all of the history of that body, amendments or reservations to a treaty may be adopted by a majority vote. They do not require a two-thirds vote. I might, at this point, make the observation that the failure of Mr. Wilson to recognize that state of affairs existing in the rules of the Senate back in 1919 had a profound effect upon our history and the history of the world. Upon the floor of the House an amendment may be offered, discussed, and voted upon, or reservations may be offered, discussed, and voted upon. And the House, in its own good judgment, may adopt or reject amendments or reservations. Should the House be acting in advance of the Senate the resolution of ratification as adopted by the House, with or without amendments, will go over to the Senate; and in that body a similar legislative practice, of course, will prevail, with hearings before their committee. Should the Senate reach a conclusion somewhat different than that reached by the House, the treaty will then go to conference. The conference between the two Houses, if finally supported by each House, would achieve final action.

In other words, as I see it, you have that check that so many people are so anxious should be preserved. You have a check on overhasty action, yet you have the great advantage of permitting the Representatives of the people in this House of Representatives to speak their minds and cast votes upon it, doing their best to reach a sound conclusion. I cannot conceive of a railroading process prevailing under those circumstances. I do conceive of very careful debate and many important decisions made right on this floor, as well as in the standing committees of the House and the Senate. Better than that, I conceive the whole American people paying greedy attention to it. That would be very, very healthy in our democracy.

I may be sounding off in a way that is unnecessary upon this occasion. I have had some experience in legislative bodies. I shall make no comparisons. But let me say this to you in all sincerity: I have acquired a deep-seated admiration for this House of Representatives as an institution. True, we make mistakes occasionally. Every group of human beings does that from time to time. But looking back over the years and studying our history as best I can and reviewing my own experiences here, I have come to the conclusion that the House of Representatives represents this great Nation and does it well. I have faith in it. Year in and year out, down the years that will come, this House can be trusted. As the gentleman from New York [Mr. BALDWIN] stated awhile ago, the world has changed since the ancient days, whether we like it or not. I confess to you I do not find all the changes exceedingly pleasing. Time was when we were a little nation. We could hardly call ourselves a nation. For a considerable time we were an uncertain conglomeration of a few States. It took us generations to weld this union together into a nation, including one terrible war within the Nation. But of recent years it has become apparent to ourselves and to the world at large that we are now a great nation, inhabited by people who have come to the realization that whatever happens in any other spot on the earth's surface of the slightest importance, becomes automatically important to us. Our people are looking more and more intelligently at what is going on in this world. They want their voice heard.

Mr. Chairman, under the existing system their voice cannot be heard. It can be heard, in my judgment, through the House of Representatives and the Senate, not by either body alone, and much less by a two-thirds vote.

I may be charged with being visionary or an optimist. Perhaps I am, although I am often classed as a reactionary, and perhaps I have been that a great many times. But we are leading the world, I think, toward better things; toward a more decent life.

When this San Francisco Conference is over there will be many new things to do. Let it be remembered that San Francisco is concerned almost entirely with the setting up of an organization which shall discipline aggressors, prevent war, and carry on its discipline, if I may use the phrase, in accordance with international law, to be slowly developed, step by step, its principles to be announced eventually by an international court in which people will have confidence. But the relationships of this country with other countries here and there will continue, we shall have treaties to consider, many, many of them outside the purview of the maintenance of discipline against aggression. We may have negotiations to carry on with our neighbor, Canada, or with Mexico, or any number of the South American republics, with China, and nations scattered all over the earth. In every one of those agreements as we reach them the people of the United States, the inhabitants, the citizens of this great Nation—and I emphasize that word "nation"—in every one of them there will be tremendous interest.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KEFAUVER. Mr. Chairman, I yield the gentleman 10 additional minutes.

Mr. WADSWORTH. I thank the gentleman from Tennessee, but I shall not need that much.

In other words, Mr. Chairman, San Francisco is not going to finish our task by any means, it is not expected to do that; we shall have a lot of work to do. Men of my generation will not complete

that work, men of the generations of my son and grandsons will be at work on it unless I am very much mistaken, because we cannot remake the world overnight. The whole human race has a lot to learn. We are a part of the human race. But as we learn those things in the future, as our descendants learn them and do their level best to travel along the paths of decency and honor, we can trust the people of the United States to see that in the long run the right thing is done, and no body represents the people of the United States as truly as does the House of Representatives.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The gentleman yields back 8 minutes.

Mr. SPRINGER. Mr. Chairman, I yield 25 minutes to the gentleman from Illinois [Mr. REED].

Mr. REED of Illinois. Mr. Chairman, article II, section 2, clause 2 of our Constitution provides that the President—

shall have the power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur.

And article VI, clause 2 provides that—

This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound, thereby.

That, Mr. Chairman, comprises the extent of the constitutional provisions relating to the treaty-making power.

For more than 150 years these simple constitutional principles have been sufficient generally to guide our steps in our conduct with foreign nations, to preserve our national sovereignty and integrity, to develop into the most powerful among the nations of the earth, to resist invasion of our Western Hemisphere, to aid freedom-loving peoples all over the world to defeat international gangsterism and to witness upon our Pacific coast an assembly of the nations for the purpose of writing an enduring peace.

Today, we are asked to abandon this venerable constitutional principle that has withstood successfully four previous assaults and to adopt in its stead a new proposal whose only virtue is that it will streamline our legislative procedure in our conduct with foreign nations. What, Mr. Chairman, are the reasons advanced by these modern streamliners who essay to fashion Congress and congressional procedure as they would a new model on the assembly line of industry? It is my purpose to examine them in the light of historical precedent and long-established procedure.

First. Let me state the issues as they are presented in the resolution now before us:

1. Shall the House of Representatives share in the treaty-making power?

2. Shall treaties be ratified by a majority vote of both Houses? Those are the issues.

The proponents of change assert that the present constitutional method is a historical anachronism—the result of historical accident. Let us see whether recorded history supports them in that assertion. Obviously I am compelled to be brief, because of the limitation of time, yet I think it will be apparent even from the condensation I have been forced to make of the debate in the Constitutional Convention on this question, that the charge of "accident" is not well founded.

I realize fully the unenviable position a Member of this House assumes when he is compelled to appear in the role of denying to the House any privilege or right or power that could be secured for it. Yet my experience in the House warrants me in the assumption that the House would not arrogate to itself any prerogative unsanctioned by constitutional delegation or historical precedent.

Among the resolutions submitted by Mr. Randolph to the Constitutional Convention, the third proposed a bicameral legislature. A bicameral legislature was proposed likewise in the draft submitted by Mr. Charles Pinckney, of South Carolina. In addition, Mr. Pinckney's plan provided that the Senate should have "the sole and exclusive power to make treaties." Mr. Hamilton's plan, presented on June 15, provided that the Executive should have the power to make treaties "by and with the advice and approbation of the Senate."

Although the debate in the Convention on the treaty-making power was apparently meager, it was by no means accidental. On June 26 Mr. Wilson said that the Senate probably would be the depository of powers concerning treaties. In the report of the Committee of Detail, presented to the Convention on August 6, article IX, section 1, provided that "the Senate of the United States shall have power to make treaties, and to appoint Ambassadors," and so forth.

On August 3, Mr. Madison observed that, as the Senate represented the States alone, for this as well as for other obvious reasons, the President should be "an agent in treaties." Mr. Gouverneur Morris did not know that he should agree to refer the making of treaties to the Senate at all, but would move to amend the section by adding "but no treaty shall be binding on the United States which is not ratified by law." His motion was defeated by a vote of 8 to 1.

Mr. Madison thought a distinction might be made between different sorts of treaties, allowing the President and Senate to make treaties eventual, and of alliance for limited terms, and requiring the concurrence of the whole legislature in other treaties. This section of article IX finally was referred to the Committee of Five.

In the report of the Committee of Eleven, submitted on September 1, article VII, section 4, provided that "the President, by and with the advice and consent of the Senate, shall have power to make treaties," and so forth. "But no treaty shall be made without the consent of two-thirds of the Members present."

This clause, almost in the language of the Constitution as adopted, came to vote on September 7. Mr. Wilson moved to add after the word "Senate," the words "and the House of Representatives." Mr. Sherman thought that the necessity of secrecy forbade a reference of treaties to the whole legislature. Mr. Wilson's motion was defeated by a vote of 10 to 1, only Pennsylvania voting to make the House of Representatives a participant in the treaty-making power.

On the whole section Mr. Wilson thought it objectionable to require the concurrence of two-thirds of the Members present, since that would put it into the power of the minority to control the will of the majority. Mr. King concurred in Mr. Wilson's objection, remarking that as the Executive was joined "in the business" there was a check which did not exist in Congress, where the concurrence of two-thirds was not required. Mr. Madison moved to authorize a concurrence of two-thirds of the Senate to make treaties of peace without the concurrence of the President. On September 8 Mr. Gouverneur Morris said that if two-thirds of the Senate should be required for peace, the Legislature would be unwilling to make war for that reason, on account of the fisheries or the Mississippi—the two great objects of the Union. Besides, if a majority of the Senate were for peace and were not allowed to make it, they would be apt to effect their purpose in the most disagreeable mode of negotiating the supplies for war. Mr. Williamson remarked that treaties were to be made in the branch of the Government where there might be a majority of the States without a majority of the people. Eight men might be a majority of a quorum and should not have the power to decide the conditions of peace. Mr. Wilson said that if two-thirds were necessary to make peace, the minority might perpetuate war, against the sense of the majority. Mr. Gerry enlarged upon the danger of putting the essential rights of the Union in the hands of so small a number as a majority of the Senate, representing, perhaps, not one-fifth of the people. The Senate would be corrupted by foreign influence. Mr. Sherman was against leaving the rights established by the treaty of peace to the Senate. On the question to strike out the clause requiring two-thirds of the Senate for making treaties the vote stood 9 to 1, only Delaware voting to strike out, Connecticut being divided. The vote was as follows:

Yeas, 1: Delaware.

Noes, 9: New Hampshire, Massachusetts, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia.

Divided: Connecticut.

Mr. Gerry and Mr. Rutledge then moved that "no treaty shall be made without the consent of two-thirds of all the Members of the Senate." On that motion the vote stood 3 to 8, as follows:

Yeas, 3: North Carolina, South Carolina, Georgia.

Noes, 8: New Hampshire, Massachusetts, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia.

Mr. Sherman then moved that "no treaty shall be made without a majority of the whole number of the Senate." That motion failed viva voce.

On the question on the clause of the report of the Committee of Eleven relating to treaties by two-thirds of the Senate, all the States voted "aye" except Pennsylvania, New Jersey, and Georgia.

But, sir, proponents assert further that the rule was adopted merely in order to preserve the rights of the small States and that it therefore places emphasis upon protection for the minority. Indeed, proponents go further still, complaining that in practice a Senate minority exercises an effective veto over the Executive in the treaty-making power.

When, Mr. Chairman, did we withdraw from the fabric of our Constitution the thread of compromise that made possible federal union among the large and the small States Proponents contend that since the popular election of Senators, differences between the Senate and the House of Representatives have been abolished, and that Senators no longer represent the States as such, but the electorate. They seem to ignore completely the fact that regardless of their assertions, we still have a bicameral national legislature and that the States still retain equal representation in the Senate—the effect of compromises as valid now as when they were adopted. They appear to ignore the fact that great and populous though some of our States have become, geographical restrictions still limit the potential population of some and always will. The purpose and intent of the founding fathers are exemplified daily in the increasingly proportional representation of the populous States in the House of Representatives, and in the constantly prevailing equality of all the States in the Senate. And it by no means follows that the one-third dissenting Senators represent a proportional minority of the people.

Proponents assert that the reasons that motivated the Constitutional Convention in adopting this provision no longer are valid and, among other things, that the founding fathers never thought we would grow into the great and powerful Nation we have become. While admitting that originally there may have been some necessity for this provision, they declare that those needs have now passed.

That, however, is not my construction of the debates in the Convention, nor is it the conclusion that historians generally reach with respect to the men who framed our Constitution. Throughout the entire proceedings the theme of future rather than existing needs is ever manifest. The framers of the Constitution looked back over more than 100 years of colonial life, a fact forgotten apparently by those who read these immortal debates but fleetingly. They saw their immediate exigencies as they were presented by a youthful people just emerged from a war for independence, and, in the light of that experience, they planned for the future. For how long? Who is there to say how far their prophetic vision may have reached. Certainly we know that in more than 150 years it has been necessary to amend only 12 times the product of their deliberations. And may I not remind the House that in every one of those instances the changes affected have related not so much to the theory of the Government as to procedure. We never have found it necessary to revise their concepts of what our intercourse with foreign nations should be from a constitutional point of view. Today, expediency is marshalled as the prevailing argument for change. I do not mean to attribute infallibility to the framers of the Constitution. But I do attribute to them a knowledge of the value of deliberation, exemplified in their own proceedings during the framing of the Constitution, and intended by them to prevail in the Senate, where limited membership would permit and still permits a more deliberate procedure than in our own body where the increasing size of our membership has compelled us to adopt rules for expediency, rather than for prolonged deliberation.

Proponents advance the theory that, although treaty making originally was the function of the States, and for that reason, in part, was made a function of the Senate, where the States were represented equally, Senators no longer represent the States as such. Mr. Chairman, our States still exist. They are represented on a basis of equality in the Senate. And even though Senators are elected by popular vote, they still, in many respects, represent their respective States in many ways differently from representation by Members of the House, chosen from congressional districts.

Proponents discriminate between the erstwhile sovereignty of the States before they created the Federal Union and their present status under the Constitution, in which status, they contend, the States have been fused together as a nation.

They would ignore the indestructibility of the States, recognized throughout the Constitution, and still represented as States in the Senate, even though Senators be elected by popular vote.

True, the States have surrendered the treaty-making power to the General Government. But it required an act of sovereignty to make that surrender. Moreover, they did not surrender that power absolutely. They qualified their grant. They granted the power to the Chief Executive and to the Senate, in which they retained representation as entities. However, much external appearances may indicate to the contrary, the States still are supreme as such in the Senate. They still are represented in that body on the basis of equality, large and small in their geographical areas, populous and but sparsely settled in their numbers.

But proponents allege also, sir, that it is the House that more quickly reflects the public will, its entire membership coming afresh from the people every 2 years. No Member of this body, I am sure, will contend that the frequency of elections is not without its merits, burdensome though it may be. Yet proponents ignore completely the fact that one-third of the Senate also must stand for election every 2 years. That, indeed, may be the critical one-third now so much under discussion. And may I remind the House that, although our entire membership must stand for election every 2 years, many of our Members are reelected term after term. I am sure that, at least in the byelections, fully two-thirds of the sitting membership is reelected. Moreover, in this day of rapid communication, the Senate as a body is kept fully as aware of the public will as is the membership of the House. Its responsiveness to that public will is exemplified day in and day out in its deliberations.

Proponents contend that Senators are influenced in their votes by party affiliation and that they vote for or against treaties according to their political relationship with the administration. It is difficult, indeed, to fathom the intent of this contention. Do they mean that the House is not responsive to the will of party? Do they mean to impugn the integrity of Senators? Must Senators and Members follow blindly the party label? Must the Senate follow slavishly the dictates of a powerful administration? May Senators, perhaps, not be influenced by the wishes of the people in their States?

Have proponents reflected that, after all, ours is still a representative government; that Members of the Senate—as well, of course, as Members of the House—are both instructed and uninstructed delegates? Instructed in many, many matters in which the electorate may have expressed an opinion; uninstructed in many more, where only the enlightened legislator, in possession of special knowledge of all the facts and circumstances, can act expeditiously and wisely for the Nation as a whole.

But, say proponents, Senators are more vulnerable to pressure groups than are Members of the House. Why? What evidence will proponents present to justify that assertion? Who are the persuasive groups that proponents fear? Of the 147 pages of testimony presented to the Committee on the Judiciary for this proposed amendment, those favoring its enactment presented all but about 5. Were the witnesses for proponents representatives of pressure groups? This testimony, to which I refer, was of course presented to the Judiciary Committee of the House.

And finally in this connection, Mr. Chairman, proponents complain that the Senate has failed to ratify many treaties that have been presented to it. May we not, perhaps, be thankful for that? By what logic do proponents find fault with that? Are all treaties to be ratified, ipso facto? Why a constitutional provision requiring congressional approval at all, if every treaty must be ratified upon presentation? Does not the Congress—both House and Senate—refuse to enact thousands of measures that annually are cast into the legislative hopper? Will proponents contend that it is not as important to defeat bad proposals as it is to pass or to ratify meritorious ones?

But let me leave this aspect of the case briefly, Mr. Chairman, for another. Proponents contend that failure of the Senate to ratify has caused the Chief Executive to attempt to circumvent the constitutional provisions relating to treaties and to substitute for treaties so-called executive agreements, that do not require the approval of the Senate.

Again, as I have stated, it is difficult to fathom the intent of proponents in this

connection. Is this an impugnment of the Chief Executive? Proponents apparently do not hesitate to resort even to "argumentum ad hominum" if thereby they may accomplish their objective. Or is it intended as a defense of the Executive? Has the device of the executive agreement—that requires no approval by either branch of the Congress—been resorted to by the executive branch as a means to rush through undertakings or obligations with foreign governments that would not bear the light of congressional scrutiny?

Nothing in the proposal now before the House indicates in any way that executive agreements are to be abandoned. They are not expressly prohibited by the terms of the resolution now before us. They are not prohibited by implication.

In the matter of initiating treaties or consummating executive agreements the Executive will remain unaffected by the resolution. Expert witnesses before the committee refused to distinguish between a treaty and an executive agreement, so thin is the line of demarcation.

I think it might be well for the House to be reminded of the four rules with respect to the treaty-making power laid down by President Jefferson—rules that apparently have escaped the attention of proponents. Those rules are as follows:

First. A treaty must concern foreign nations.

Second. The treaty-making power is intended to comprehend only those subjects that are usually regulated by treaty and that cannot be regulated otherwise.

Third. The rights reserved to the States must be excluded from the scope of the treaty-making power, for the President and the Senate ought not be allowed to do, by way of treaty, what the whole Federal Government is forbidden to do in any way, and

Fourth. The President and the Senate should not negotiate treaties on subjects of legislation in which participation is given by the Constitution to the House of Representatives.

Yet proponents contend boldly that it has become necessary to bring the treaty-making power within the same procedural limitations as apply to ordinary legislation. In defense of that argument they contend that as the law of the land, treaties are on a par with statutes, the latter in time prevailing, in support whereof they cite extensive decisions of the Supreme Court.

True, article VI of the Constitution does provide that treaties made under the authority of the United States, together with the Constitution and laws of the United States made in pursuance of the Constitution shall be the supreme law of the land, but in *Foster* v. *Neilson* (2 Pet. 253, 1829) a case which I doubt proponents consulted, a distinction between a treaty as a compact between independent nations, depending for its enforcement on the interest and the honor of the contracting parties and those provisions of a treaty in the nature of municipal law and enforceable between private parties in the courts, was adverted to.

In its very nature a treaty is a contract between two nations. It is not a legislative act, much as proponents desire to make it such. Of itself, a treaty does not effect the object to be accomplished. It must be carried into execution by appropriate agencies. In the United States it cannot be carried into execution by the Executive alone if to do so an appropriation is necessary. For that purpose the Executive must have recourse to the Congress. And under our Constitution that recourse in such cases is restricted to the House of Representatives in which body by precedent appropriation bills originate. I submit therefore that already this House does participate in the execution if not in the origination and making of treaties and in a most effectual manner.

I would remind this membership that when we shall insist upon retaining the powers conferred by the Constitution, and when we shall exercise them in conformity with the intent of that venerable instrument, we shall have gone far to recapture at least some of the powers we perhaps unwittingly have delegated away, and we shall not find it necessary to reach out for new prerogatives, new honors, and new duties.

The House of Representatives has functions of its own. Many are not shared by the Senate. Among those, it is the function of the House exclusively to originate revenue measures and to bring impeachments and by practice to originate appropriation measures. The Senate has functions of its own. However much proponents would criticize the work of the framers of our governmental structure the parceling out of these areas of distinctive activity were not historical accidents nor are they historical anachronisms. I am aware of the pressure now being exerted from outside the Halls of Congress to streamline us and to bring us into conformity with the ideals of the social and politcal planners. I still prefer the constitutional precepts.

In Foster against Neilson, ante, the Supreme Court said:

> Our Constitution declares a treaty to be the law of the land. It is, consequently, to be regarded in courts of justice as equivalent to an act of the legislature whenever it operates of itself, without the aid of legislative provision. But when the terms of the stipulation import a contract—when either of the parties engages to perform a particular act, the treaty addresses itself to the political, not the judicial department; and the legislature must execute the contract before it can become a rule for the court.

Proponents might do well to consider the language of the Court in *Whitney* v. *Robertson* (124 U. S. 190 (1888)). There the Court said, inter alia, that when the two—that is a treaty and a statute:

> Relative to the same subject, the courts will endeavor to construe them so as to give effect to both, if that can be done without violating the language of either; but if the two are inconsistent, the one last in date will control the other, provided always the stipulation of the treaty on the subject is self-executing.

And in *Johnson* v. *Browne* (205 U. S. 309 (1907)) the Court very clearly distinguished the treaty from the statute. There the Court said, inter alia:

> The provisions of Congress, passed in the exercise of its constitutional authority, if clear and explicit, must be upheld by the courts even in contravention of express stipulations in an earlier treaty. * * * a later treaty will not be regarded as repealing an earlier statute by implication unless the two are absolutely incompatible and the statute cannot be enforced without antagonizing the treaty.

Mr. Chairman, the proponents of this proposal urge us to abandon our present system because, they assert, ours is the only Government that requires the approval of two-thirds of the legislative branch. I have not had time, sir, to examine the practices of other States; but if this be true then may we not regard it as especially appealing to us as the American way, and adhere to it for that reason.

I regret that the limitation of time prevents the examination in greater detail of other equally unfounded assertions. Yet I am constrained to enumerate some of them briefly and leave to you such conclusions as only may be drawn from them. Proponents contend that our present system is incompatible with responsible party leadership; that the administration rarely has a two-thirds majority in the Senate; that we are prevented thereby from assuming a moral leadership in international affairs; and that we still worship at the shrine of tradition. They want us to adopt a new method.

Mr. Chairman, I have examined and discussed at some length the arguments of the proponents upon whom the burden must rest to justify the change they advocate. Even at the risk of denying to the House what appears to be a new and desirable prerogative, I am constrained to believe that the resolution should not be approved and that the new method should not be adopted.

If expedition is the object of proponents, if it is their hope to inaugurate a system by which they may rush through with inordinate haste treaties submitted by the Executive, I believe they will fail in their objective, for, in my opinion, Mr. Chairman, it will take longer to prevail upon even a simple majority of both Houses than upon a two-thirds majority of the Senate.

The new proposal will not remove what it regards as an objectionable one-third minority in the Senate; for, sir, it still will be necessary under the terms of the resolution itself to submit treaties to the Senate. A senatorial veto still is possible.

I already have indicated that nothing in the proposal would prevent the Executive from entering into executive agreements. The House already possessing an effectual share in the treaty-making power, does not need this additional increment of power. The framers of the Constitution were not without reason for adopting the existing provisions. In my opinion and for the reasons I have stated, the resolution should not be adopted.

Mr. KEFAUVER. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. LAFOLLETTE].

Mr. LAFOLLETTE. Mr. Chairman, I am in favor of this resolution. I have heard a great many of the arguments of the proponents and the opponents. I would like to deal as quickly as possible with certain arguments against this resolution which, to my mind, are irrelevant.

We have heard it said that because there is a provision in our Constitution requiring a two-thirds vote to override the veto of the President that we should not act on this resolution. As far as I am concerned I wish to go on record now as being willing to support any constitutional amendment to eliminate that provision of our Constitution. But leaving that out, what kind of argument is it for a man who has two weeds in his garden to say that because he only has time to pull out one and not both of them that, therefore, he will pull out none? To me that is about what that sort of argument amounts to.

We are told that it requires a two-thirds vote for the removal of a Member or for the impeachment of an executive officer in the Senate. I do not believe the analogy is sound. Unquestionably that arises out of our Anglo-Saxon tradition of protecting the rights of individuals. In our jury system we require, in criminal cases, a unanimous vote. I believe that the men who wrote the Constitution in the matter of providing for the impeachment of officers were considering personal rights and required something which approximated a unanimous vote; and I think the two-thirds theory is consistent with that tradition.

One thing more: It has been inferred and then denied and properly so by even one of the opponents of this agreement that this resolution is being urged with reference to the pending Dumbarton Oaks Conference. That is not an argument at all; all of us know that. Assuming this resolution passes in this body, it will be a long time before it passes in the other body, and then again three-quarters of the States must ratify it after submission to them. No one seriously thinking about this question can accuse the proponents of this resolution of being in a hurry to get something ratified in order to approve the Dumbarton Oaks agreement.

Let us consider affirmatively this question of change. I have heard a great many arguments against this resolution based upon the Constitution. I like the Constitution. In my opinion it has two great provisions: One is the commerce clause which enabled us to become a great economic nation, and the other is the clause which permits us to amend it. We can certainly infer from the provisions put in it authorizing us to amend it that the founding fathers at that time thought conditions would change, that people's minds would change, and that they were not writing an instrument which would be infallible forever. Let us consider this question of the two-thirds vote only in the Senate in the light of certain historical facts which heretofore have not been dwelt upon. We cannot deny the fact that at the time we created this Constitution, even among the most democratic and liberal members of that convention there was no great faith in the right of the people or the intelligence of the people. To support my argument let me call attention to the qualifications for voting that existed at that time. The State of New Hampshire by its constitutions of 1784 and 1792 had a property qualification for voting. The State of Massachusetts by its constitution of 1780 had a property qualification for voting. The State of New York by its constitution of 1777 had a property qualification for voting. The State of New Jersey by its constitution of 1776 had a property qualification for voting. The State of Maryland by its constitution of 1776 had a property qualification for voting. The State of North Carolina by its constitution of 1776 had a property qualification for voting. The State of South Carolina by its constitutions of 1778 and 1790 had a property qualification for voting. The State of Georgia by its constitution of 1777 had property qualifications for voting; that is, 8 of the 13 States represented, really had so little confidence in the citizens of their jurisdictions at that time, for they permitted them to vote only if they were owners of property. Surely we have progressed in this country in our conception of dignity of the individual and the capacity of the individual to rule himself, from the concept that existed at the time the Constitution was ratified.

Of course, you all know when we wrote the Constitution we did not even permit these electors who owned property to vote directly for Senators. We were of the opinion, even the most liberal members of the Constitutional Convention, that the people had little capacity to take care of their own affairs.

Now, we say that ours is a democratic government. All democratic societies will fail to exist unless they conform to the theory of majority rule in their major efforts. I think it is very foolish to argue here about whether or not the Senate will debate any more fully if a majority is required or if a two-thirds vote is required. Of course, that is non sequitur. The Senate will debate as thoroughly if a majority is required as it will under the two-thirds rule.

Why all this concern about giving to the people of the United States, to the Representatives in this body, and to the Members of the Senate, the right to participate in treaties through majority vote? Why all this argument about the Executive and increasing the Executive's power? Is not the Executive a servant of the people? Are we willing to admit that we are so negative in this body that we would be subservient to an Executive?

It is said that there were instances in the days following 1933 where legislation went through here in a big hurry. Yes, it did. I for one did not approve of that type of legislation. But let me point out to you the economic conditions in which the country found itself at that time were such that apparently this body found itself incapable of acting in that emergency. Are we to assume that emergencies shall always exist? Are we to presume that we are subservient to some political boss because an Executive may promise a postmastership? Are we to presume that we will fail to act in the interest of the people? Why put such a low standard on ourselves before our people?

As far as I am concerned, membership in this body is a great honor, but it is not such a great honor that I will sacrifice my self respect and my own capacity to act and judge independently of any Executive in order to hold my place in this body.

Let me say further to my Republican friends that it is time we begin to think and act in here as though we expected to elect a President some day. All of these arguments that we hear are the negative arguments of people who refuse to act constructively, of people who want to constantly hedge around an Executive. Are you going to hedge around your own Executive elected by our party?

The CHAIRMAN. The time of the gentleman from Indiana has expired?

Mr. KEFAUVER. Mr. Chairman, I yield the gentleman 2 additional minutes. Will the gentleman yield?

Mr. LAFOLLETTE. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. I have listened with a great deal of interest to the very excellent statement the gentleman has made, and I am glad he has pointed out that this is in no sense a partisan issue but one entirely for the welfare of the Nation. That is exemplified and shown by the fact that many Secretaries of State and Presidents of the Republican Party have taken the lead in advocating this constitutional amendment.

Mr. LAFOLLETTE. I am aware of that, and I thank the gentleman.

Mr. Chairman, I have no quarrel with my colleagues sitting on the same side of the aisle, who oppose this change for reasons which they consider to be sufficient to themselves or for constitutional reasons, but to make purely negative arguments, to make arguments based only on the basis of opposing; to indicate our lack of belief as a party in the capacity of a majority of the American people to rule themselves is, in my opinion, the making of a fatal political error. I am going to read the record and let my Republican colleagues form their own decision on the record.

In 1936 the Republican Party sent out as its candidate, Alf Landon, and he was more progressive than the record of his party in this Congress, for 4 years which preceded his nomination. In 1940 the Republican Party sent out as its candidate, Wendell Willkie, and he was more progressive in his campaign statements and platform than the work of his party 4 years before in this Congress. In 1944 we sent out Tom Dewey, and many of the people who are opposing this resolution and are generally opposed to change thought that he was a great candidate. The record that we had made in the 4 years preceding was not as liberal as that of our candidate. What did the voters say? Why, they said, "You set up a straw man every 4 years, and as against the pronouncements of your candidate your party record in the Congress indicates that you will not follow him in his announced progressive program, and that he cannot carry through his program if elected."

If this party in the Congress continues its opposition to all changes and continues to offer no constructive program, calculated to channel the progressive forces at work in the world, it will never elect a President. It will crucify every candidate for President upon the record

his party has made in the Congress in the 4 years preceding his candidacy.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield 15 minutes to the gentleman from North Dakota [Mr. LEMKE].

Mr. LEMKE. Mr. Chairman, I am not going to disturb the dead. I am not going to wake up our forefathers that promulgated and adopted our Constitution. They did a splendid job. Gladstone pronounced it as the greatest document ever struck off by the pen of man.

There is nothing sacred about the Constitution. It provides how it may be amended. It has been amended. Yet, there are some fundamental principles in the Constitution. They are as fundamental today as they were the day that they were adopted. They will be as fundamental through the years yet to come as they are today. These principles are eternal because they are fundamental. They are based upon the shortcomings of the human animal, and that includes Members of Congress. We are not infallible. Quite to the contrary, we are political.

These principles were written into the Constitution because our forefathers knew that during the heat and passion of controversies, of wars, of human crisis, there was need for restriction and restraint. They were written into the Constitution because our forefathers knew that in the human heart there was hatred as well as love—knew that the human mind was faulty and could be temporarily deceived. They were written into the Constitution because the founders of our Nation knew that after every crisis, that after every spleen of hatred, that after every war, calmer and better judgment would prevail.

Therefore, some of the provisions of the Constitution require the assent of two-thirds of the Members of the House and the Senate, and some two-thirds of the Senate alone. It requires two-thirds of the Senators to confirm the political appointees of the Chief Executive, the men that shape the destinies of the Nation. It requires two-thirds of the Senate and the House to override the veto of the President—a Constitution of checks and balances. It established a Supreme Court to pass upon the constitutionality not only of the actions of the executive, but the actions of the executive and the legislative combined.

Then, it requires two-thirds of the Senate to confirm a treaty—the question here under discussion. The Constitution was the result of a period of storm and stress—of the Revolutionary War. It followed the Declaration of Independence—a declaration that threw off the British yoke. Our forefathers had just emerged from the tyranny of King George, aided and assisted by the Tories at home.

I agree with the distinguished chairman of the Judiciary Committee that this is not a political issue. It is not, although it has some earmarks, a partisan issue. It is an issue that each and everyone of us must act on according to our own judgment and our own conscience.

This amendment is paraded before us as being associated with great humanitarian problems. However, behind the curtain we see the international horse traders, the men and women who chase the will-o'-the-wisp of foreign trade, but who forget that we can develop our own trade by more than 100 percent, where we cannot increase our foreign trade by over 4 or 5 percent.

It comes from those who do not know that we are the poorest horse traders in the world—that we generally trade away two or three good young colts and get nothing but an old nag in return. It comes from those who are blinded by the false propaganda of our international bankers and manufacturers—who would sell the soul of America to the lowest bidder in order to hear the clinking of a few international dollars. It comes from those who lack the vision and the foresight of our forefathers.

It comes from those who do not realize that on occasions Congress itself acts too hastily. I was here at the opening of the session in 1933, when four or five bills were passed in the twinkle of an eye, without being read, and without being printed, when not a Member, except those on the committees that had the bills in charge, knew about them, when some members of the committees did not know what was in them.

In that same session we put over the economy bill. A bill that was an insult to the veterans of World War No. 1. A bill that brutally and cruelly threw some disabled veterans out of hospitals. Yet, only 39 Members of this House voted against it. The truth is that the Members were rushed off their feet by a new administration. They had surrendered their better judgment to emotions. Practically every vestige, except one or two, of the economy bill have long been regretted and repealed. The veterans of World War No. 1 were sacrificed, but sacrificed only temporarily because a law can be repealed.

But not so with a treaty. A treaty cannot be so lightly gotten rid of. It is a contract between nations. If one nation has entered into it with good faith and part performance has taken place, the other cannot morally repudiate it. Of course, if any nation does repudiate a treaty, it may not lead to war, but it certainly is not conducive to the dove of peace.

Coming now to the resolution under consideration—amending the Constitution by a mere majority of each House. Who is for this? Where was this child born? I do not know, but I have a suspicion that it originated in the brain of some bureaucrat somewhere in the executive department. The greed for power is more dangerous than the greed for money.

There are few Members who have not condemned government by bureaucracy. We have done so on this floor and we have done so in our campaigns. But so far few of us have taken a firm and permanent stand against bureaucracy. We have apologized for our actions in giving the Executive unlimited powers.

We have excused ourselves because of the emergency of war. The war is about over and those of us who have condemned the unlimited power of the Executive cannot consistently vote for this amendment, as written. Then, we cannot come with clean hands and accuse our opponents of having surrendered to the Executive that which was not theirs to surrender—the protection of minorities by the Constitution.

Yes, when this Constitution was promulgated the southern colonies feared that the navigation of the Mississippi River might be surrendered by treaty to a foreign nation. The Atlantic Colonies had other apprehensions. In order to play safe, they required that two-thirds of the Senate should give their advice and consent to a treaty before it became binding upon the Nation.

I shall not here discuss the fact that a treaty overrides and supersedes State and Federal laws and the State and the Federal Constitutions. This has been fully explained by the gentleman from Iowa, a member of the Judiciary Committee [Mr. GWYNNE].

It has been said that that is equally true of a law passed by Congress. But that is again an overstatement of fact. No law by Congress is valid unless it remains within the limitations fixed by the Constitution. The difference between the power of a State legislature and the power of Congress is that the State can pass any law that is not prohibited by the State or Federal Constitution. Congress can pass only such laws as are specifically given by the Constitution.

There was not only fear, but good reason for apprehension between the southern and Atlantic colonies when the Constitution was framed. There is greater reason for apprehension that some sections of our country may be injured by those who prefer foreign trade to our domestic development. If a treaty can be put over by a mere majority, the development of our interior may well be stifled and crippled.

There is real apprehension on the part of the farmers and laborers that their domestic markets may be traded to some foreign country for oil concessions, for foreign pipe lines. That in the desire to sell a few more automobiles or other commodities we may surrender, by a mere majority, our domestic wheat and flax market by removing the duty on wheat and flax.

There is real danger that the international horse traders may want a treaty to surrender our domestic dairy market and domestic labor market by importing articles that we ourselves can and ought to produce. This in order that the governments from whom they buy bonds may be able to pay for them at the expense of our own people.

There is real danger that the people who want cheap labor may even insist upon treaties with some of the oriental countries, providing for special immigration treaties and labor exchange. That's all in the cards. It can be done by treaties. If the American people, after sober thinking, want it, okay, but let us require at least two-thirds of the Members of the House and the Senate to confirm it. Let it not be a fly-by-night adoption.

I have no objection to giving the House a say in the formation of treaties. I have no objection in requiring two-thirds of both Houses, and when this resolution is up for consideration, under the 5-minute rule, I shall offer such amendment if no one else does.

That will give America a break. That will prevent part of our country from being sold to the lowest bidder by an economic or political alinement. That will prevent sectionalism. Just as sure as you permit treaties to be entered into by a mere majority, you will create sectionalism in this Nation. That may be the rock upon which the sisterhood of 48 States may ultimately divide and perish.

Let us not act in haste. There is no reason for this amendment at this time. It cannot possibly effect the coming peace treaties. It cannot possibly effect the San Francisco Conference. The argument that but for the two-thirds provision, we would have joined the League of Nations, and World War No. 2 would have been prevented, is false. It is a violent presumption, a presumption not borne out by facts or reason.

We did more outside of the League to prevent this war than all the other nations did in the League. The truth is that it was the members of the League, and former members, that started this war, when we tried to prevent it. It was their greed and juggling that brought about this conflict.

We did our share in 1932 to prevent Japan from invading China. Some members of the League first played with us, and then doubled up with Japan. The same was true when Italy invaded Ethiopia. We took a firm stand. What did the League of Nations do?

Let us not befog the issue. Let us insist that any treaty with a foreign nation, which is a matter not lightly to be gone into, or to be gotten out of, be entered into after calm and deliberate consideration and by a vote of two-thirds of each House.

Mr. KEFAUVER. Will the gentleman yield?

Mr. LEMKE. I yield.

Mr. KEFAUVER. The gentleman said he thought this idea might have been cooked up in the mind of some bureaucrat. In the first place, I know of no bureaucrat who has had anything to say about it before our committee. In the second place, does not the gentleman know this idea has been put forth by the most eminent members of the Republican Party, by such men as Charles Evans Hughes, Elihu Root, Theodore Roosevelt, John Hay, and most all of the important Secretaries of State on the Republican side?

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. LEMKE. I realize that many honest and able men have been carried away by fancy, but I am not so much concerned with the dead. We are living in the living present. Today there is more need of caution, with 3,300,000 on the Federal pay roll who can sway Members of Congress more than ever in the history of this Nation. I say, instead of relaxing in this matter, we should take a more firm grip and that the Congress of the United States should become a more deliberate body than I have often witnessed it in action. We passed the slave bill here, and the Senate, by defeating it, saved up from becoming the laughing-stock of the Nation.

The CHAIRMAN. The time of the gentleman from North Dakota has again expired.

Mr. KEFAUVER. Mr. Chairman, I yield 5 minutes to the gentleman from Missouri [Mr. CARNAHAN].

Mr. CARNAHAN. Mr. Chairman, I have listened for the past 2 days with profound interest to the numerous statements made here on the floor of the House dealing with a proposed amendment to the Federal Constitution relative to the making of treaties. These statements, both for and against the proposed amendment, have caused us to again think through the numerous arguments which have been debated during our entire national life. I have been impressed with the fair and sincere attitude of the Members who have spoken on this controversial issue. Certainly, it has not been a heated debate. It has been a cool and deliberate thought provoking consideration of a very potent issue.

For years I have been, as an ordinary citizen, not too well satisfied with our treaty-making procedures. I am happy on this occasion to express my approval of this proposed amendment. I do not come before you with any pretentions of being an authority on international affairs. From the point of view of an average citizen, I favor this amendment.

It is true that our method of approving treaties was set up by the founding fathers, but like all the other provisions of the Constitution, it was not meant that treaty-making procedure should be static. Like all other provisions of the Constitution treaty-making procedure is subject to amendment. It was so designed by the framers of the Constitution.

Let us remember that the Constitution was the final result of numerous compromises. Among the membership of the Constitucional Convention there was a wide diversity of opinion. Opinions ranged all the way from liberal democracy to the idea of government by the few. It is only natural that under these circumstances many provisions were put into the Constitution to guard against rule by the masses. To me, the fact that the Constitution was the result of many compromises and was and still is subject to amendment is the thing that makes it great.

The Constitution has been amended 21 times, and as a result of these 21 changes it has certainly become more democratic than the original document. None of these 21 amendments have wrecked the ship of state. Then to me there appears to be no need to be afraid to approach the task of amending the Constitution when the common good calls for a change.

Rightfully we hold the Constitution in high esteem. Its provisions constitute our highest laws. It is the basis of our Federal Government. Yet we know that it is not perfect. We are not expecting it to ever reach perfection. We know that there were weak places in the original document. Such examples are numerous. The method of electing the President did not last very long. Now we are not entirely satisfied with the electoral college. Ten amendments were necessary before ratification was possible. Advancement in the science of government has demanded changes which we have made. Now changed conditions demand an amendment regarding our method of approving treaties.

Our present method of ratifying treaties was conceived by those who did not believe that ordinary people were capable of complete self-government. They decided that treaty making was too complicated for the average citizen. Thus they placed treaty ratification in the hands of a small group, the Senators, who were not at the time elected by direct vote of the people. Also, at that time women were not allowed to vote. The election of Senators now by direct vote is, of course, more democratic than the original plan, but the procedure still leaves the average citizen quite removed from a voice in treaty making.

Our treaty-making procedure was set up to fit a policy of national isolation. Doubtless many of the framers of the Constitution believed that treaty making should be seldom needed; therefore, they made it a tedious process which was easily rejected. Let us remember this fact, under our present set-up treaties are not easily made; they are easily rejected.

As has been pointed out here in these discussions, our legislative procedure in declaring, conducting, and concluding a war just does not hold together. Both Houses of Congress, by majority vote, declare war, appropriate funds to carry on the war, draft men to fight the war, vote taxes to pay for the war, and do most anything considered necessary to win the war; but after the shooting stops, one-third of the Senate, plus one, can tell us what kind of a peace we shall have, if any peace at all. The bungling of the Versailles Treaty is an outstanding example of this antiquated procedure. The Senate rejected the Versailles Treaty in 1919 and thus left us in a state of war with Germany, hostilities being suspended by an armistice. A few years later, I believe in 1921, some sort of a treaty with Germany was signed. I wonder if any of us ever knew or heard of the provisions of that treaty. The cold facts in this case are, the Senate rejected the Versailles Treaty and no real treaty was ever signed. There was a statement made here in these discussions that there is no basis for comparing the legislative proceeding in declaring war with the procedure for making peace, because wars are always emergencies. It is true wars are always emergencies, but I would like to add this thought: Perhaps an emergency calling for a declaration of war may be the direct result of our outgrown

methods of making peace. I am convinced that such was the case in the emergency which led to the declaration of World War No. 2.

I favor not only bringing the House of Representatives into the treaty-making process but also favor ratifying treaties by a majority vote. The will of the majority should prevail. To require a two-thirds majority to accept a treaty but require only a one-third majority to reject the same treaty to me just is not democratic. Assume that all 96 of the Senators were present and planned to vote on a proposed treaty, 64 must vote for the treaty to make it effective, while 33 voting against the treaty could reject it. A Senator favoring the treaty could cast one-sixty-fourth of the vote necessary for acceptance but his colleague in the next seat could cast one-thirty-third of the vote necessary for rejection. This procedure puts too much power into the hands of a small minority. Just why 1 opposition vote should equal 2 supporting votes is hard to justify under a democratic label.

In the Senate today there are only a few Members who are representing their own State minority groups. Most Senators represent their State majority group. Just why should we give such tremendous minority power to Members of this legislative body who represent in most cases majority groups?

Our treaty-making plan was established at a time and under conditions when fear of the masses was a powerful force. Now the condition is completely reversed. At the present time in our attempts to make a treaty the fear of the minority is our chief concern. We hope soon to be engaged again in the process of treaty making. We want a treaty and an international organization which will insure lasting peace. In this task just ahead, what is our problem? In preparing for peace our problem should be to write a treaty which will be acceptable to the majority. But in reality we will be forced to give undue consideration to writing a treaty which will be acceptable to a Senate minority, at least the problem of writing a treaty which will not be rejected by a Senate minority.

In the years just ahead we must survive as a Nation in an international pattern. We will be required to deal freely with a fast-moving world. Other nations will be in a position to move and act quickly. They will be able to make quick decisions. If treaties continue to play a part in our international affairs then our treaty-making processes must be brought up to date. I fear that we will not be able to keep up with the international pace of tomorrow while still wearing the treaty-making hobbles of yesterday. Failure to improve our treaty-making procedure will mean that our international relationships will increasingly be carried on through joint resolutions or Executive agreements. In my opinion the passage of this proposed amendment to the Constitution would result in more satisfaction at home and increased confidence and efficiency abroad.

Mr. KEFAUVER. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman, after listening to some of the arguments against this extremely meritorious legislation I am more convinced than ever of the necessity for its passage. It is but natural that men will differ in their views and that there are two sides to every question, but, in this instance, the preponderance of the demands for this legislation are so great that I view with alarm the expressions of even a small minority because, unfortunately, many of these arguments, and other views, will react on any treaty that may be agreed upon with even greater force than the arguments that are being used against the passage of this legislation which aims to eliminate all danger of giving one-third of the membership of the Senate the power to defeat the concurrence or approval of a treaty which, no doubt, will take weeks and months to negotiate on the part of the representatives of the many nations. Unfortunately, only a few days ago, the San Francisco Conference rejected the plea of Russia to postpone action on the request of the Fascist Argentine Republic for admission to the Conference, notwithstanding the fact that it has, since the inception of the war, aided and assisted the Axis Powers in every way. I stated in my speech yesterday that I regarded such action as not conducive to cooperation and good will, and stressed the need for fair play and openness of purpose on the part of all nations in working out negotiations that will have a tendency to bring about the adoption of as perfect an agreement as is possible for permanent peace. People everywhere are not only expecting but praying that their representatives will work to that end.

Mr. Chairman, I, and all of us must realize and recognize that there is nothing perfect under the sun, and we all must acknowledge that any law or any treaty after all is a compromise, as may be truthfully said of our own Constitution. We have in this country, as in every other country, men who strive to find flaws or technicalities and who will delight in placing a wrong construction on any action. There are others who harbor prejudices or have dislikes or who have unfriendly interests and who even distrust the sincere intentions of other countries. In view of these and many other reasons I feel that criticism of this bill which proposes to change the Constitution—which at the present time gives one-third of the Senate the power to veto any treaties—is not to the best interests of our country and especially at this time when such extremely important matters are being considered. You will find that many will contend that Russia and on the other hand that Great Britain will obtain concessions that will place the United States at a disadvantage, others again will contend that Poland or France are unfairly treated. At this stage these assertions will serve to feed the German propaganda which will work overtime in attempting to disrupt the fair deliberations of the conference in working out an agreement for a permanent world peace.

Mr. Chairman, it is my opinion that this highly important question of world peace should not be subject to the whim of a one-third minority. I have always entertained the view that the majority in all instances should rule and I feel that this resolution—which will give the Senate, as well as the House, a majority to pass on any treaties in the future—is not only justifiable but extremely important and necessary.

As I stated yesterday, the passage of this resolution will strengthen the hands of our President and the members of the commission who now, as in the future, will continue to represent us, and we should take affirmative action to forestall any possible enemies who might be opposed in using the arguments that there is no use in agreeing because they might question whether the Senate of the United States would approve or might again, unfortunately, refuse to agree. While Hitler and Mussolini are dead and the Nazis are on the verge of collapse, there are a great many deep students who express not only their fear but their conviction that the German war lords are already preparing for a third world war, and with their poisonous propaganda which they are capable of disseminating they will find many Fascist—yes, Quislings—in other countries who will cooperate and aid them as they have heretofore in their oft-repeated efforts to control and enslave the world because of their conceit and their idea that they are a superior people with the old German proverb in their minds—Deutschland uber alles—which has been preached to them for centuries and emplanted, especially in the last 20 years, in the minds of the younger generations and which evidently cannot be eradicated. Consequently it is my honest and sincere belief that all those who feel that the hundreds of thousands of lives should not have been sacrificed in vain should demand and pray for a treaty that will assure to us and our future generations a permanent peace.

Mr. Chairman, let us hope that there will be very few who will vote against the proposed legislation to change the method of approving treaties. Should this legislation by any chance fail of passage, those responsible for it will regret it for the balance of their lives, as did those gentlemen who voted against the Versailles Treaty, which is responsible for this destructive war. I cannot stress too strongly the unfavorable reaction at the San Francisco Conference should it fail, and I appeal to the membership to vote for its passage.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Maine [Mr. HALE].

Mr. HALE. Mr. Chairman, the necessity for the adoption of this amendment seems to me so pressing that I want to speak in its support.

As has been stated in the course of this debate, the amendment involves two constitutional proposals: First, that the House become a partner with the Senate in the function of ratifying treaties; and, second, that the two-third rule be abrogated in favor of a requirement of a simple majority in both Houses. There is no argument, at least in this body, about the wisdom of admitting the House

to a share in the consideration of treaties. There is so much to recommend the change that I shall not bother to discuss it.

I shall deal only with what I consider the injustice of the two-thirds rule. The two-thirds rule means, of course, that a minority of the Senate, one-third of those present, at most 33 Members and at least 17, can block the ratification of any treaty. This always stacks the cards heavily against ratification. As everybody knows, it was this provision of our Constitution which kept us out of the Treaty of Versailles and the League of Nations and thus helped on, as many of us think, the present war.

The tables on pages 8 to 13 of the hearings enumerate 85 treaties on which the Senate took no final action; 19, including the treaty of Versailles, which it rejected; and 185 which it amended. This is by no means a negligible number.

If it were to be presumed that those who represent the United States in the negotiation of treaties would be unpatriotic or unwise, then it might be reasonable to arm a minority of the Senate with power to frustrate ratification. But the presumption in my judgment should be the contrary. Surely the people who make our international contracts will not intend to sacrifice our national interest and if they do so blindly or stupidly cannot a majority of both branches of Congress be relied upon to save the country.

There has been much talk in the debate that one-third of either branch of Congress can prevent the submission of a constitutional amendment, and one-third can prevent the passage of a bill over the President's veto. Therefore, some people say, let one-third block a treaty.

Well, as far as amendments to the Constitution go, I for one would be willing to submit to the several States any amendment that commended itself to a majority in both branches. But even if I were not, I think there should be no such presumption against a treaty as there now is against a constitutional amendment. Why fetter our State Department in its dealings with foreign governments and give this country an international reputation of being impossible to deal with?

Again I can see force in saying that a President ought to have enough voice in legislation to require a two-thirds majority to thwart his expressed will. I think that a President should have some right to curb what he considers hostile or injudicious legislation. But how absurd it is to say, "Yes, you must have two-thirds of both branches to prevent the passage of legislation that a President objects to, but only one-third of one branch to prevent the ratification of a treaty which he favors.

The history of the two-thirds rule is set out in the report. The historical reasons for its existence have ceased to be operative. These reasons were not grounded in any political philosophy but mostly in State jealousies now happily outgrown.

I have mentioned the bad record of our Senate in blocking useful and salutary treaties. You have been reminded that it blocked the annexation treaty of Texas in 1844 and of Hawaii in 1897. John Hay, a great Republican, if ever there was one, in a letter of August 5, 1899, to Henry Adams exclaimed:

> A treaty of peace, in any normal state of things, ought to be ratified with unanimity in 24 hours. They wasted 6 weeks in wrangling over this one, and ratified it with one vote to spare. We have five or six matters now demanding settlement. I can settle them all honorably and advantageously to our own side, and I am assured by leading men in the Senate that not one of these treaties, if negotiated will pass the Senate.
>
> I should have a majority in every case, but a malcontent third would certainly dish every one of them. To such monstrous shape has the original mistake of the Constitution grown in the evolution of politics. You must understand it is not merely my solution the Senate will reject. They will reject, for instance, any treaty whatever, on any subject, with England. I doubt if they would accept any treaty of consequence with Russia or Germany. The recalcitrant third would be differently composed, but it would be on hand.

On another occasion he said that a treaty stood no better chance in the Senate than a bull in the arena.

George Haynes in his book, The Senate of the United States, writes:

> In the Senate it heartens any tiny group having a direct interest adverse to a pending treaty to attempt by delays and bargaining to persuade enough colleagues to join them to make up a "recalcitrant one-third plus one." Such an ad hoc bloc in our Senate can and does exercise a "pathological obstruction" in the handling of our foreign relations such as is exercised by so small a minority in no other legislative body in the world.

Denna P. Flemming, in his book on The Treaty Veto of the American Senate, says:

> The two-thirds requirement not only puts it in the power of the opposing party to sabotage our treaties, but it enables a small faction of the Senators to dominate the Senate and the country when a crucial treaty is proposed. The group may be composed of a dozen confirmed radicals, or a handful of determined reactionaries, or, if a President has been long in office, of his personal enemies, men who have been crossed in previous political campaigns or disappointed over the distribution of patronage.

Many Members in the course of the debate have expressed the view that the veto power enjoyed by one-third of the Senate afforded protection to minority interests. Other instances of similar veto right in one-third of the Members are quoted from other documents such as the Dumbarton Oaks Proposals. If I recall correctly, the Democratic National Convention once operated on a two-thirds rule, which was abandoned because it made nomination so difficult. Not a single instance has been cited by anybody of any public service rendered by the two-thirds requirement either in ratifying treaties or in any other field of government. To the extent that bad treaties may have failed of ratification, there is no evidence to show that they would not have been defeated by simple majorities.

If a minority should be allowed to thwart the popular will, why choose a minority of one-third. Why not one-fifth or one-eighth or one-tenth? Some Members have gone so far as to instance the majorities required in impeachments or other criminal proceedings as if a treaty were on trial for its life, charged with a prior presumption of guilt.

I can really see no reason for a distinction between treaties and statutes. I know it will be said that treaties are the supreme law of the land and that statutes are less important. But many treaties regulate comparatively minor matters like import duties in Zanzibar, the liquor traffic in Africa, while many statutes, such, for example, as the Selective Service Act, determine the life and death of our people. Suppose one-third of the House could have vetoed selective service, where would we be?

Let us remember that we here are not going to amend the Constitution. We are deliberating only on the submission of this question to the States in accordance with the familiar principles of the Constitution. I think the importance of the question warrants its being passed upon by our people. I will trust them to make a correct decision.

Mr. KEFAUVER. Mr. Chairman, I yield 10 minutes to the gentleman from California [Mr. DOYLE].

Mr. DOYLE. Mr. Chairman, I speak in support of the resolution. Ours is a representative democracy in which the people govern themselves; but they must do so under our form of government by entrusting to their representatives the administration of affairs of state, to representatives duly chosen by the people for that high purpose and responsibility. We, as elected representatives of the great American people in our respective congressional districts, hold office during the pleasure of the people who elect us. In effect, therefore, as representatives of the people, we are ordained to so act that there will be formed a more perfect union, and that domestic justice and tranquillity shall be assured; that the common defense, general welfare, and blessings of liberty to ourselves and posterity shall be guaranteed by us here in this House, legislating in such manner as to most reasonably assure these pronouncements in the preamble of our American Constitution.

Our representative form of government has been proved sound in philosophy, and practice, for the American people. It is, therefore, incumbent upon us to strengthen that form wherever possible. I believe that the clear and ultimate result of the enactment of this resolution, and its approval by the people of the Nation, will be that the treaties thereafter made by the President, by and with the advice and consent of a majority of both Houses of Congress, will be more representative of the wishes of the people than the present system whereby treaties are made only by the President and only with advice and consent of two-thirds of the Senate concurring. Is it not desirable that the machinery and procedures of government be made more representative of the people wherever this result can be soundly accomplished? Is there any Member of this House who is afraid or fearful of the American people

having more opportunity to express themselves on matters of national and international relationships? Is not the essence of this resolution that the American people shall be given another and further opportunity to express their thinking and praying in the important field of international relationships? The root of the proposal in this resolution grows from the manifest need of the American people having more opportunity to express themselves. This resolution allows them to do it through their own State legislatures, so much closer to the people geographically and practically than we are in many respects.

Increased, intelligent expression, of larger number of American people more frequently in national and international relationships is not only desirable, but it is imperative. Nor is the important matter of international treaties beyond the comprehension of the intelligence of the American people. Who are we as representative of the American people, to feel justified in voting no on this resolution; thus denying the very people who elected us to represent them, an opportunity to themselves determine what their wishes are with reference to the making of treaties with other nations? Even if this resolution was unanimously approved by us it cannot become effective for any purpose, unless the American people themselves also approve it. What fundamental argument is there against us allowing the American people an opportunity to freely, fully, and intelligently discuss and determine this question for themselves through their legislatures.

The approval of this resolution by us and its approval by the Senate, will simply mean that the American people who have elected us as their representatives will have an opportunity to themselves determine whether or not they want the present archaic method of ratifying treaties to continue or whether or not treaties with other nations are for a certainty to be approved by the representatives of the majority of the American people. What fundamental argument is there against allowing a larger and more representative number of legislators representing the American people to also help make decisions? Is any Member of this House afraid of results if the American people, given an opportunity to vote on this resolution, approve it and write it into our Constitution by approval through their State legislatures?

Contrary to the claim of the distinguished gentleman a few minutes ago in stating that this resolution is a useless gesture. I believe it is never useless for representatives of the American people to search out, whether it is more soundly democratic to do differently in matters of major legislation on treaties to the end that the people shall have more opportunity to express their will upon their legislators. It is always useful to honestly debate in such search for more sound processes in governmental proceedures. It is dangerous to deny reasonable opportunity for popular expression of sound public opinion.

The argument advanced yesterday by one distinguished Member, that it would cause confusion in the thinking of the people of his congressional district for them to be confronted at this time with this decision, does not apply to the people of the Eighteenth District of California, which I have the honor to represent. From there, I receive nothing but expressions of a high resolve to discuss and desire, and debate it fully and intelligently. I believe this attitude fairly representative of the people of America. It is essential to our way of life and to the preservation of our representative form of government, that the people be allowed every reasonable opportunity to express their thinking and praying in terms of making effective expression thereof. This resolution, if enacted by both Houses of Congress, gives the people this opportunity, through their State legislatures. To deny the people this opportunity will weaken the structure of our Government and tend to destroy interest and participation by the people in their own Government. Let the American people decide. They can be trusted to be sound when fully informed. I repeat, that it is more in keeping with our representative form of government, that this resolution be adopted and that its purpose be put into ultimate effect, if finally approved. The present two-thirds ratification system puts the power in the hands of a small group; in the hands of a possible minority, instead of the majority. One-third plus one Member of the smaller House of Congress can finally decide. It is, therefore, possible that only 17 Senators representing a population of less than 5,000,000, could thwart the will of the majority of the people and of the States. It is not a fairly representative procedure in a representative form of government, when the international destiny of our Nation can be determined by the minority.

Yesterday, it was also argued that we should not approve this resolution because it would mean a change. But legislation sound in experience gained by trial and error. Yesterday, the Holy Bible was reverently referred to by a distinguished gentleman who pleaded with us to not remove our present governmental landmarks, on account of the fact that our forefathers had established them. Nor is the fact that it is highly improbable that this amendment could be fully adopted as part of our Constitution by the time the Senate will be considering the first treaties to come before them after the San Francisco Conference.

I am not conscious that any man reveres and cherishes the precepts of the Holy Word of God more than I do. But, I am also conscious of the fact that the Bible is imposed upon to prove or disprove most everything in the experiences of men.

As to not changing this hazardous, time-worn and special-occasion-need provision of two-thirds ratification, which was placed in our Constitution to meet a special problem and condition, as so aptly and clearly stated by the distinguished chairman of the Judiciary Committee yesterday, and as set forth on page 2 of the committee's report, as an active member of the bar for quite a few years, the argument against this resolution on the grounds it would change things, is the time-worn argument against changing the status of the condition shown to once exist—and likewise the argument in favor of precedent and all those customary objections, which fall by the wayside by their own weight of inapplicability to the real points of issue.

As I read history, it is recorded that argument was presented by our forefathers in other fields of human endeavor that the Thirteen Colonies could never be united, and that education of all the children of our Nation was a ridiculous notion; that slavery of human beings should not be destroyed, because it was divinely approved; and that no gentleman would ever adjudicate a controversy or quarrel with an enemy excepting at a distance of 40 paces with a pistol; and it was a physical impossibility for a machine made by man to ever fly. What we have done in the way of willingness to discover, to adopt, and to improve processes in the world of physics, science, medicine, industry, and education we must be willing to do in the field of legislative processes, with regard to international treaties. This resolution goes to the essence of that willingness, or a lack of it by this legislative body.

I do not especially speak against hardheaded realism in this debate—for we must all be realistic. I do not speak for idealism alone in this debate; yet a Nation without idealism is lost. But, gentlemen, as surely as we sit in our seats of responsibility in this House, we are sitting in the presence of a world transition in the relationships of people and people's governments and of epochal changes in the mutual relationships of those governments one to the other. We must keep step with that world progress. We must raise our eyes to the level of the necessities of human experience in this new world neighborhood. Our legislative horizon must be widened to include the fact that our major legislation also has an immediate reaction in a neighborhood of nations.

My last few words may not at first seem to be directed to the essence of this debate. I submit a list of all the international conferences between the Nations of the world for the last 5 years, stating the date, the participants, the place of the meeting, the purpose thereof, and estimated results. In this, I have had the very able and thorough-going assistance of our great Congressional Library reference staff. I thank them for their invaluable aid. I include them as part of my remarks because, gentlemen, each such meeting was a step in the pathway to enduring world peace. Each such meeting, was a footstep on the upward trail to world peace, instead of world plunder. Each such international conference has been another footprint in the pathway of mankind to world security, world health, world sufficiency, world good will and neighborliness. Each such international conference, is an indelible footprint in a pathway now well worn and now clearly defined to the end that wars shall cease. I direct your attention to this list included in my remarks of today, I believe it will

strengthen your hearts and spirits in support of the proposition, that nothing yet known in our national experience, should deter us from our high resolve that our Nation under God shall do its full duty to the end that the neighborhood of nations presently being dismissed at San Francisco for world peace and world security shall become a reality at the earliest possible date.

FOOTSTEPS ON THE PATHWAY TO ENDURING PEACE

INTERNATIONAL CONFERENCES PERSONALLY ATTENDED BY PRESIDENT FRANKLIN D. ROOSEVELT

(Listed by Congressional Library at request of Congressman CLYDE DOYLE, Eighteenth District, California)

1. Date: December 1, 1936.
Place: Buenos Aires.
Participants: Foreign Ministers of all the pan-American nations.
General subject: Discussed the strengthening of political, economic, military, and intellectual ties between the American nations.

2. Date: August 10, 1941.
Place: Atlantic Ocean aboard the *Augusta* and *Prince of Wales*.
Participants: Roosevelt and Churchill.
General subject: Atlantic Charter.

3. Date: December 22, 1941.
Place: Washington, D. C.
Participants: Roosevelt and Churchill.
General subject: Declaration of the United Nations.

4. Date: June 18, 1942.
Place: Washington, D. C.
Participants: Roosevelt and Churchill.
General subject: Preparation of strategy for the invasion of north Africa.

5. Date: January 14, 1943.
Place: Casablanca, north Africa.
Participants: Roosevelt and Churchill.
General subject: Unconditional surrender.

6. Date: May 11, 1943.
Place: Washington, D. C.
Participants: Roosevelt and Churchill.
General subject: Talks probably dealt with the war in the Pacific.

7. Date: August 11, 1943.
Place: Quebec, Canada.
Participants: Roosevelt and Churchill.
General subject: Allied command and strategy.

8. Date: November 22, 1943.
Place: North Africa (announcement made from Cairo).
Participants: Roosevelt, Churchill, and Chiang Kai-shek.
General subject: Pacific war strategy.

9. Date: November 23, 1943.
Place: Teheran, Iran.
Participants: Roosevelt, Churchill, and Stalin.
General subject: Allied command and strategy.

10. Date: December 4, 1943.
Place: Cairo, Egypt.
Participants: Roosevelt, Churchill, and M. Ismet Inounu.
General subject: Allied strategy with particular reference to British-Turkish alliance.

11. Date: September 11, 1944.
Place: Quebec, Canada.
Participants: Roosevelt and Churchill.
General subject: Allied command and strategy mainly concerning the Pacific.

12. Date: February 5, 1945.
Place: Yalta (in the Crimea).
Participants: Roosevelt, Churchill, and Stalin.
General subject: Planned the defeat, occupation, and control of Germany; the Polish-Russian borders; and the policies regarding liberated Europe. Called a United Nations Conference and arranged for regular consultation between the Foreign Secretaries of the Big Three.

PRINCIPAL INTERNATIONAL CONFERENCES IN WHICH THE UNITED STATES HAS PARTICIPATED, 1940–APRIL 1945

Second meeting of the Ministers of Foreign Affairs of the American Republics for Consultation Under the Inter-American Agreements of Buenos Aires and Lima, Habana, Cuba, July 21–30, 1940.

Inter-American Maritime Conference, Washington, D. C., November 25–December 2, 1940.

International wheat meeting, Washington, D. C., July 10 to August 3, 1941, October 14, 1941, and April 22, 1942.

Third meeting of the Ministers of Foreign Affairs of the American Republics, Rio de Janeiro, Brazil, January 15 to 28, 1942.

Inter-American Conference on Systems of Economic and Financial Control, Washington, D. C., June 30 to July 10, 1942.

Meeting of representatives of the United States and British Governments to consider the refugee problem, Hamilton, Bermuda, April 19–29, 1943.

United Nations Conference on Food and Agriculture, Hot Springs, Va., May 18 to June 3, 1943.

Three-Power Conference of Foreign Ministers, Moscow, Union of Soviet Socialist Republics, October 19 to 30, 1943.

First session of the Council of the United Nations Relief and Rehabilitation Administration, Atlantic City, N. J., November 10 to December 1, 1943.

The Cairo Conference of Prime Minister Churchill, Generalissimo Chiang Kai-Shek, and President Roosevelt, November 21 to 24, 1943.

The Teheran Conference of Prime Minister Churchill, Prime Minister Stalin, and President Roosevelt, November 24 to December 1, 1943.

The Cairo Conference of Prime Minister Churchill, President Inonu, and President Roosevelt, December 4 to 7, 1943.

Meeting of the Anglo-American Caribbean Commission, Barbados, British West Indies, March 21 to 30, 1944.

Conference of Ministers of Education of the Allied Governments, London, England, convened April 5, 1944.

Twenty-sixth session of the International Labor Conference, Philadelphia, Pa., April 20 to May 12, 1944.

United Nations Monetary and Financial Conference, Bretton Woods, N. H., July 1 to 22, 1944.

Inter-Allied Shipping Conference, London, England, July 19 to August 5, 1944.

Conversations on International Organization, Dumbarton Oaks, Washington, D. C.: First phase; United Kingdom, Union of Soviet Socialist Republics, United States of America, August 21 to September 28, 1944. Second phase: China, United Kingdom, United States of America, September 29 to October 7, 1944.

Second session of the Council of the United Nations Relief and Rehabilitation Administration, Montreal, Quebec, Canada, September 16 to 26, 1944.

Conference on European Inland Transport, London, England, October 10 to —, 1944.

International Civil Aviation Conference, Chicago, Ill., November 1 to —, 1944.

Crimean Conference, in the Crimea, February 5–11, 1945.

Inter-American Conference on Problems of War and Peace, Mexico City, February 22–March 8, 1945.

Conference of Allied Nations on Dumbarton Oaks, San Francisco, Calif., April 25, 1945.

Second Meeting of the Ministers of the American Republics for Consultation Under the Inter-American Agreements of Buenos Aires and Lima: [1]

1. Date: July 21–30, 1940.
2. Place: Habana, Cuba.
3. Participants: All the members of the Pan American Union: Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, United States, Uruguay, and Venezuela.
4. Objectives: To deal with neutrality, protection of the peace of the Western Hemisphere, and economic cooperation.
5. Results: Resolutions were adopted dealing with the suppressing and preventing of any activities directed from abroad against domestic institutions; the obtaining of respect for the security zone; the setting up of a collective trusteeship over colonial possessions of non-American powers in case of their attempted transfer to another non-American power, when the territory in question is located in the Americas (Act of Habana); a broad statement of policy with respect to inter-American economic cooperation; and the Inter-American Financial and Economic Advisory Committee was asked to prepare plans for the orderly marketing of surpluses, for the development of commodity production and marketing agreements and arrangements, increasing consumption in the American republics, and for the promotion of mutually beneficial trade among the American nations.

Inter-American Maritime Conference (called by the Inter-American Financial and Economic Advisory Committee): [2]

1. Date: November 25 and December 2, 1940.
2. Place: Washington, D. C.
3. Participants: 21 American republics; also representatives of steamship companies, steamship conferences, and Government departments and agencies were in attendance in a consultative capacity.
4. Objectives: To deal with transportation of commerce between American nations, effect of war on shipping of Americas, tourist and passenger travel, ocean freight-rate problems, port dues, pooling of freights, national merchant marines, possibility of reducing cost of government shipping, and consideration of suggestions for a continuing procedure for dealing with shipping problems of the Americas.
5. Results: 12 resolutions and recommendations were approved and submitted to the Committee which called this Conference. These resolutions and recommendations dealt with the matters for which the Conference was held and which are listed in the previous column.

International wheat meeting [4] (resumed from meeting at London, in January 1939, of the International Wheat Advisory Committee):

1. Date: July 10–August 3, 1941.
2. Place: Washington, D. C.
3. Participants: Argentina, Australia, Canada, United Kingdom, United States.
4. Objectives: To consider international trade in wheat and the wheat-surplus problem.
5. Results: Provision for the establishment of an ever-normal granary and a large pool of relief wheat. Agreement on the part of the four exporting countries on positive measures to control production. Agreement on interim measures pending conference of nations interested in international trade in wheat. International Wheat Council pro-

[1] American Delegations to International Conferences, etc., fiscal year ended June 30, 1941, pp. 1–6.

[2] American Delegations to International Conferences, etc., fiscal year ended June 30, 1941, pp. 6–9.

[4] Department of State Bulletin, 5: 23, 116; 6: 582, 670.

vided for interim provision of wheat for war-stricken areas. Pending further conference, agreement to terminate 2 years from cessation of hostilities.

International wheat meeting [4] (same):

1. Date: October 14, 1941.
2. Place: Washington, D. C.
3. Participants: (Same; plus a member of the International Wheat Advisory Committee.)
4. Objective: Resume discussions.
5. Results: (See first and third conferences.)

International wheat meeting [4] (same):

1. Date: April 22, 1942.[5]
2. Place: Washington, D. C.
3. Participants: (Same.)
4. Objective: Conclusion of discussions for the time being.
5. Results: International Wheat Council provided for interim provision of wheat for war-stricken areas. Pending further conference agreement to terminate 2 years from cessation of hostilities (see first conference).

Third meeting of the Ministers of Foreign Affairs of the American Republics:

1. Date: January 15–28, 1942.
2. Place: Rio de Janeiro.
3. Participants: The 21 American republics.
4. Objectives: To consult on measures for the common defense of the nations involved.[6]
5. Results: Resolution on the general nature and objective of commercial and financial controls to be established in the hemisphere against fifth column encroachments operating in advance of the Axis military forces,[7] including cutting off for the duration of the present hemispheric emergency all commercial and financial intercourse between the Western Hemisphere and the nations signatory to the Tripartite Pact and the territories dominated by them. Recommendation of Inter-American Conference on Systems of Economic and Financial Control.

Inter-American Conference on Systems of Economy and Financial Control: [8]

1. Date: June 30—July 10, 1942.
2. Place: Washington, D. C.
3. Participants: The 21 American Republics.
4. Objective: To further solidarity, the maintenance of independence, and preservation of the Americas as the citadel of human liberty.
5. Results: (Not recorded.)

United States and Britain Consider Refugee Problem.[9]

1. Date: April 19–29, 1943.
2. Place: Bermuda.
3. Participants: United States and Great Britain.
4. Objectives: To consider the refugee problem, and further relief measures.
5. Results: Recommendations made and adopted providing for removal of refugees from neutral countries where possible; cooperation when not possible; refugee havens; necessary financial measures; intention to provide for repatriation upon termination of hostilities; and some measures confidential to remain confidential as long as aid to enemy might be involved. Some recommendations have been and are being put into effect.

United Nations Conference on Food and Agriculture: [10]

1. Date: May 18–June 3, 1943.
2. Place: Hot Springs, Va.
3. Participants: The United Nations.
4. Objective: To consider the goal of freedom from want in relation to food and agriculture.
5. Results: Declaration of belief in achievement of goal and recommendations concerning: (1) Interim and permanent commissions to carry out further recommendations; (2) diets and nutritions; (3) nonfood products; (4) production and long- and short-term periods; (5) agricultural credit; (6) conserving land and water resources; (7) farm labor and land tenure; (8) cooperative movements; (9) occupational adjustments in rural populations; (10) international security; (11) economy of abundance; (12) international commodity arrangements; (13) wider food distribution; (14) marketing; (15) fish and marine products.

Three Power Conference Foreign Ministers, Moscow (also known as the Tripartite Conference in Moscow):

1. Date: October 19–30, 1943.
2. Place: Moscow, Russia.
3. Participants: United States, Great Britain, U. S. S. R.
4. Objective: To bring into even closer harmony the cooperation already existing between the United States, British, and Soviet Governments in the efforts to defeat the Nazis and establish a just and lasting peace.
5. Results: Agreement on machinery for military cooperation between the three countries. Collaboration planned for period after ending of hostilities. Agreement to establish Advisory Council concerning Italy, which would include the French. Declarations on proposed independence of Austria; on punishment of war criminals.

Source: Department of State Bulletin, 9:-271, 307 (1943).

United Nations Relief and Rehabilitation Administration (council) first session: [11]

1. Date: November 10–December 1, 1943.
2. Place: Atlantic City, N. J.
3. Participants: Forty-four nations: Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, French Committee of National Liberation, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iran, Iraq, Liberia, Luxembourg, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Philippine Commonwealth, Poland, Union of South Africa, Union of Soviet Socialist Republics, United Kingdom, United States of America, Uruguay, Venezuela, Yugoslavia, Denmark.[12]

Observers: Combined Civil Affairs Committee of the Combined Chiefs of Staff. Economic, Financial, and Transit Department of the League of Nations, International Labor Office, United Nations Interim, and Commission on Food and Agriculture. Health Service of the League of Nations.

4. Objective: Definite agreements providing for action on relief and rehabilitation of civilian populations after liberation by the armies.
5. Results: Establishment of an international service organization for the relief and aid after liberation by the army of civilian populations. Pledge of support and contribution by each member Government. Financial aid to be contributed by all nations except those invaded. Principal fields of operation: food, clothing, health, displaced persons, agricultural and industrial rehabilitation.

Cairo Conference of Churchill, Chiang Kai-shek, and Roosevelt: [13]

1. Date: November 21–24, 1943.
2. Place: North Africa.[14]
3. Participants: United States, Great Britain, and China
4. Objective: Military and political discussion.
5. Results: Statement issued concerning purposes of war against Japan:

(1) Restraint and punishment of Japan;

(2) No gain and no territorial expansion intended;

(3) Japan to be stripped of all islands in the Pacific and all other territories which she has acquired since 1914.

(4) Restoration to China of Manchuria, Formosa, and the Pescadores.

(5) Korea to be free and independent.

(6) Unconditional surrender of Japan.

Teheran Conference [15]—Churchill, Stalin, Roosevelt:

1. Date: November 24–December 1, 1943.
2. Place: Teheran, Iran.
3. Participants: United States, Great Britain, and Soviet Union.
4. Objective: To discuss the common policy of the three participants, as to war and peace.
5. Results: Agreement reached on timing and scope of military operations. "Further amended the friendship and cooperation between [the] respective countries." [16] Destruction of German armies, U-boats, and war plants declared. Tyranny to be wiped out.

Cairo Conference [17]—Churchill, Inonu, and Roosevelt.

1. Date: December 4–7, 1943.
2. Place: Cairo, Egypt.
3. Participants: United States, Turkey, United Kingdom (Soviet Union by letter).
4. Objective: Strengthen friendship of the four countries.
5. Results: Reviewed general political situation. Reaffirmation of traditional relations of friendship between Turkey and the three other powers.

Anglo-American Caribbean Commission: [18]

1. Date: March 21–30, 1944.
2. Place: Bridgetown, Barbados, British West Indies.
3. Participants: Puerto Rico, Virgin Islands, Jamaica, Barbados, Trinidad, British Guiana, British Honduras, Windward Islands, Leeward Islands, and the Bahamas, the Netherlands and Canada sent observers.
4. Objectives: Recommendations for cooperative program to rebuild economic, social, and health conditions in American and British possessions in the Caribbean area; primarily matters pertaining to labor, agriculture, housing, health, education, social welfare, finance, economics, and related subjects. Activities to include close cooperation with all adjacent regions.
5. Results: Commission formed and an advisory body to act as technical adviser in the fields of agriculture, fisheries, forestry, nutrition, public health and medicine, industries, building and engineering problems, and in the field of social sciences. Still in early stages but has found method, approach, and

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[4] Department of State Bulletin, 5: 23, 116; 6: 582, 670.

[5] List from Department of State on International Conferences in L. C. Apr. 7, 1945.

[6] Department of State Bulletin 7: 581.

[7] Idem.

[8] Department of State Bulletin 7: 580.

[9] Department of State Bulletin, 8: 259, 333, 351, 456.

[10] United Nations Conference on Food and Agriculture. Final Act and Section Reports, Washington, 1943 and Department of State Bulletin 8: 546.

[11] First session of the council United Nations Relief and Rehabilitation Administration Atlantic City, N. J., 1943.

[12] The Honorable Henrik de Kauffman, Minister of Denmark to the United States, attended the session in his personal capacity.

[13] List of International Conferences, U. S. Department of State.

[14] Department of State Bulletin 9: 393 (1943).

[15] Department of State Bulletin 9: 410 (1943).

[16] Idem.

[17] Department of State Bulletin 9: 412

[18] United States Department of State Bulletin 10: 37, 384; 11: 377 (1944).

institutions for regional cooperation. Report accepted and endorsed by Territories. Arranged for supply of laborers from the West Indies to United States for agricultural work and food processing.

Conference of Allied Ministers of Education in London: [19]

1. Date: April 1944. Convened April 5, 1944.

2. Place: London.

3. Participants: Belgium, Czechoslovakia, France, Greece, Luxembourg, The Netherlands, Norway, Poland, Yugoslavia, and Great Britain.

Observers: China, India, U. S. S. R., United States,[20] Canada, Australia, New Zealand, and Union of South Africa.

4. Objectives: Concerned with restoration of intellectual and educational resources destroyed by the Axis. Aid to liberated countries to include:

(1) Restocking books, scientific equipment, and other teaching aids;

(2) Assistance in training foreign students in American institutions;

(3) Assistance in reestablishing essential library facilities; and

(4) Assistance in recovering educational and other cultural materials looted by Axis.

5. Results: Draft of constitution for a United Nations organization for educational and cultural reconstruction to be forwarded to allied and associated governments for adoption. Machinery set up for exploratory studies and recommended action. Commissions have acted in many cases, including establishment of Inter-Allied Book Center Committee with building housing collections already made.

Twenty-sixth International Labor Conference: [20a]

1. Date: April 20, 1944, to May 12, 1944.

2. Place: Philadelphia.

3. Participants: Forty-four nations.

States represented by full tripartite delegations: United States of America, Argentina, Australia, Belgium, Bolivia, Brazil, British Empire, Canada, Chile, China, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, France, Greece, India, Mexico, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Sweden, Union of South Africa, Yugoslavia.

Composition of governing body: Government seats:

Permanent: United States of America, Belgium, Canada, China, France, Great Britain, India, Netherlands.

Temporary: Brazil, Chile, Greece, Mexico, Norway, Peru, Poland, Yugoslavia.

4. Objectives: (1) Future policy, program, and states of the International Labor Organization; (2) Recommendations to the United Nations for present and postwar social policy. This second item addresses itself to the war against poverty.

5. Results: Adopted a series of resolutions and a declaration concerning the mitigation of poverty and unemployment, the danger of them to prosperity and security, including: (1) "Philadelphia Charter" concerning aims and purposes of the International Labor Organization.

(2) Recommendations adopted on: (a) income security; (b) social security for the armed forces; (c) medical care; (d) social policy in dependent territories; (e) employment in transition between peace and war; (f) organization of employment services; (g) national planning of public works.

(3) Resolution adopted on economic policies for the attainment of social objectives.

(4) Resolution on constitutional practice.

(5) Resolution on social insurance in the peace settlement.

United Nations Monetary and Financial Conference:

1. Date: July 1-22, 1944.

2. Place: Bretton Woods, N. H.

3. Participants: Forty-four nations:[21] Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, Colombia, Costa Rica, Cuba, Czechoslovakia, the Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, the French Delegation, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iran, Iraq, Liberia, Luxembourg, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Poland, Union of South Africa, U. S. S. R., the United Kingdom, the United States of America, Uruguay, and Venezuela.

4. Objectives: To work out methods which would do away with economic evils, the competitive currency devaluation, and destructive impediments to trade.

5. Results: The Conference, representing nearly all the peoples of the world, agreed on establishment of a permanent international body, the International Monetary Fund, with powers and resources adequate to perform the tasks assigned to it. Agreement reached on powers, resources, and additional obligations. Agreement reached on establishment of a permanent international body to increase the volume of foreign investment, through normal business channels, for the purposes of providing a portion of capital necessary for reconstruction and development; this establishment to be called the International Bank for Reconstruction and Development.[22]

Inter-Allied Shipping Conference: [23]

1. Date: July 19-August 5, 1944.

2. Place: London.

3. Participants: Belgium, Canada, Greece, the Netherlands, Norway, Poland, United Kingdom, United States, French Committee of National Liberation. Observer: Denmark.

4. Objectives: To discuss arrangements to insure the continued availability of their tonnage resources for all purposes of those nations in the changed circumstances anticipated during the latter phases of the war.

5. Results: Existing machinery for control of ships' employment is to be adjusted to implement a declaration that provision for shipping for all military and other tasks related to completion of the war in Europe and the Far East, and for supplying all liberated areas was accepted as the common responsibility of the nations participating except the French, whose shipping remains at the disposal of the United Nations.

Dumbarton Oaks; conversations on international organization:

First phase:

1. Date: August 21-September 28, 1944.

2. Place: Dumbarton Oaks, Washington, D. C.

3. Participants: United Kingdom, U. S. S. R., United States.

4. Objectives: To discuss an international organization for peace and security.

5. Results: Recommendations for the establishment of a general international organization, submitted to the governments of the nations represented. Proposals being discussed publicly.

Second phase:

1. Date: September 29-October 7, 1944.

2. Place: Dumbarton Oaks, Washington, D. C.

3. Participants: China, United Kingdom, and United States of America.

United Nations Relief and Rehabilitation Administration (second session): [24]

1. Date: September 16-26, 1944.

2. Place: Montreal.

3. Participants: Same as first session except for the following omissions and additions:

French Committee of National Liberation, Denmark.

Additions: Provisional Government of the French Republic.

Observers: Same as first session except for the following omissions: Combined Civil Affairs, Committee of the Combined Chiefs of Staff.

Additions: Intergovernmental Committee on Refugees, the Danish Minister in Washington Advisers.

4. Objectives (see first session): To determine problems which arose between sessions.

5. Results: Resolutions forecasting administrative action. Annual budget of $11,500,000, approved and new fund required of each member. Government health aspects emphasized. Missions dispatched to a number of countries for various purposes.

International Conference on European Inland Transport:

1. Date: October 10 to —, 1944.

2. Place: London.

3. Participants: Belgium, Czechoslovakia, France, Greece, Luxemburg, the Netherlands, Norway, Poland, the United Kingdom, the United States, U. S. S. R., Yugoslavia.

4. Objectives: To discuss arrangements regarding inland transport in continental Europe after the liberation and occupation of various territories in Europe.

5. Results: Not recorded.

International Civil Aviation Conference:

1. Date: November 1-December 7, 1944.

2. Place: Chicago.

3. Participants: [25] Afghanistan, Australia, Belgium, Bolivia, Brazil, Canada, Chile, China, China, Colombia, Costa Rica, Cuba, Czechoslovakia, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, France, Greece, Guatemala, Haiti, Honduras, Iceland, India, Iran, Iraq, Ireland, Lebanon, Liberia, Luxembourg, Mexico, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraquay, Peru, Philippine Commonwealth, Poland, Portugal, Spain, Sweden, Switzerland, Syria, Turkey, Union of South Africa, United Kingdom, United States of America, Uruguay, Venezuela, and Yugoslavia.

Observers: The Danish Minister to the United States and the Thai Minister to the United States.

4. Objectives: [26] Establishment of provisional world route arrangements as a basis for international air transport services by the appropriate countries, with necessary grants of land and transit rights.

(2) Establishment of an interim council to act as clearinghouse and advisory agent during interim period.

(3) Principles for permanent international aeronautical body, and a multilateral aviation convention. Establishment of committees on routes, technical matters, constitution, etc.

5. Results: [27]

(1) Drafting of a general air-navigation and air-transport convention.

(2) Preparation of comprehensive annexes on 12 technical subjects.

(3) Provision for an interim organization to function until the organization provided for in the over-all convention is established.

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[19] Department of State Bulletin, 10: 293, 302, 413, 434; 11: 602.

[20] The U. S. Government is not a member of the Conference in the strict interpretation of the Department of State, but participates in its work and contributes to expenses. Persons sent were spoken of as "delegates."

[20a] Department of State Bulletin, 11: 258; 10:316, 482, 514, 517.

[21] Department of State Bulletin, 11: 114 (1944).

[22] Idem.

[23] Department of State Bulletin, 11: 157 (Aug. 13, 1944).

[24] U. N. R. R. A., organization, aims, progress, United Nations Relief and Rehabilitation Administration, Washington, D. C., 1944.

[25] Over 50 nations, the largest number participating in any world conference in recent years, Department of State Bulletin, 11: 834 (December 31, 1944).

[26] Department of State Bulletin, 11: 259 (September 17, 1944).

[27] Ibid., 11: 843 (December 31, 1944).

(4) A multilateral agreement granting transit rights, and a multilateral agreement granting commercial entry as well as transit rights.

(5) Various resolutions on other aspects of aviation, including private air law.

Convention drawn up and sent to President of the United States, March 5, 1945.

Crimean Conference: [28]

1. Date: February 5–11, 1945.

2. Place: In the Crimea.

3. Participants: Great Britain, United States, and U. S. S. R.

4. Objectives: Discussion of the defeat of Germany, occupation of Germany, reparation by Germany, United Nations Conference declaration on liberated Europe, Poland, Yugoslavia, and unity for peace as for war.

5. Results: Comprehensive agreement reached on arrangements for protection, maintenance, and repatriation of prisoners of war and civilians of the British Commonwealth, Soviet Union, and United States liberated by Allied forces. (See also objectives.)

Inter-American Conference on Problems of War and Peace: [29]

1. Date: February 22–March 1945.

2 Place: Mexico City.

3. Participants: Twenty American republics (all except Argentina).

4. Objective: To discuss problems of war and peace.

5. Results:

(1) The Act of Chapultepec obligating these nations to consult whenever an act of aggression is committed or threatens.

(2) Deploring of Argentina's absence and reaffirmed belief in solidarity of the nations of America.

(3) Economic charter of the Americas.

(4) Declaration of reorganization, consolidation and strengthening of the inter-American system.

(5) Resolution to transmit to the nations invited to the San Francisco Conference the reports of the views of the American republics concerning the Dumbarton Oaks proposals.

(6) Resolutions on a permanent military agency, war crimes, and elimination of subversive activities, control of armaments, social principles, etc.

Conference of Allied Nations on Dumbarton Oaks.

1. Date: April 25, 1945.

2. Place: San Francisco, Calif.

3. Participants: Allied Nations.

4. Objective: To discuss the Dumbarton Oaks proposals for establishment of a general international organization for the maintenance of international peace and security, upon which representatives of the United States, the United Kingdom, the Soviet Union, and China reached agreement during the Conference at Dumbarton Oaks in the United States, concluding October 7, 1944.

LIST OF INTERNATIONAL CONFERENCES IN WHICH THE UNITED STATES HAS PARTICIPATED, 1940–JUNE 30, 1941

Second Inter-American Radio Conference, Santiago, Chile, January 18–26, 1940.

Eighty-ninth session of the Governing Body of the International Labor Office, Geneva, Switzerland, February 3–5, 1940.

Fifth Pan American Congress of Architects, Montevideo, Uruguay, March 4–9, 1940.

First Inter-American Congress on Indian Life, Patzcuaro, Michoacan, Mexico, April 14–24, 1940.

Fourth Pan American Conference of National Directors of Health, Washington, D. C., May 1–8, 1940.

Meeting of the Permanent Committee of the International Office of Public Health, Washington, D. C., May 2, 6, and 9, 1940.

Eighth American Scientific Congress, Washington, D. C., May 10–21, 1940.

Twenty-fifth session of the Advisory Committee of the League of Nations on the Traffic in Opium and Other Dangerous Drugs, Geneva, Switzerland, May 13–17, 1940.

Fifteenth General Assembly of the International Institute of Agriculture, Rome, Italy, May 20–24, 1940.

Second Pan American Congress of Commercial Agents, Rio de Janeiro, Brazil, May 25–June 1, 1940.

Second meeting of the Inter-American Union of the Caribbean, Ciudad Trujillo, Dominican Republic, May 31–June 6, 1940.

Second meeting of the Ministers of Foreign Affairs of the American Republics for Consultation Under the Inter-American Agreements of Buenos Aires and Lima, Habana, Cuba, July 21–30, 1940.

Inter-American Maritime Conference, Washington, D. C., November 25–December 2, 1940.

North American Regional Radio Engineering Meeting, Washington, D. C., January 14–30, 1941.

Second Pan American Conference of Endocrinology, Montevideo, Uruguay, March 5–8, 1941.

Third General Assembly of the Pan American Institute of Geography and History, Lima, Peru, March 30–April 8, 1941.

Third Meeting of the Inter-American Union of the Caribbean, Port-au-Prince, Haiti, April 22–29, 1941.

LIST OF INTERNATIONAL CONFERENCES IN WHICH THIS GOVERNMENT HAS PARTICIPATED FROM JULY 1, 1941, THROUGH NOVEMBER 1, 1944

International Wheat Meeting, Washington, D. C., July 10 to August 3, 1941, October 14, 1941, and April 22, 1942.

International Assembly of Surgeons, Mexico, D. F., Mexico, August 10 to 14, 1941.

Fourth Pan-American Highway Congress, Mexico, D. F., Mexico, September 15 to 24, 1941.

Second Inter-American Travel Congress, Mexico, D. F., Mexico, September 15 to 24, 1941.

Ninetieth session of the governing body of the International Labor Office, New York, N. Y., October 25 to 29, 1941, and November 5, 1941.

Conference of the International Labor Organization, New York, N. Y., October 27 to November 5, 1941.

Third meeting of the Ministers of Foreign Affairs of the American Republics, Rio de Janeiro, Brazil, January 15 to 28, 1942.

First Pan-American Congress of Mining Engineering and Geology, Santiago, Chile, January 15 to 23, 1942.

Meeting of the Inter-American Defense Board, Washington, D. C., inaugural session, March 30, 1942.

Meeting of the emergency committee of the governing body of the International Labor Office, London, England, April 15, 1942.

Eighth Pan-American Child Congress, Washington, D. C., May 2 to 9, 1942.

Inter-American Conference of Police and Judicial Authorities, Buenos Aires, Argentina, May 27 to June 9, 1942.

Twelfth session of the Joint Maritime Commission of the International Labor Office, London, England, June 26–30, 1942.

Inter-American Conference on Systems of Economic and Financial Control, Washington, D. C., June 30–July 10, 1942.

Second Inter-American Conference on Agriculture, Mexico, D. F., Mexico, July 6–16, 1942.

Eleventh Pan-American Sanitary Conference, Rio de Janeiro, Brazil, September 7–18, 1942.

Inter-American Congress on Social Planning, Santiago, Chile, September 10–16, 1942.

Meeting of representatives of the United States and British Governments to consider the refugee problem, Hamilton, Bermuda, April 19–29, 1943.

United Nations Conference on Food and Agriculture, Hot Springs, Va., May 18–June 3, 1943.

Conference of Ministers and Directors of Public Education, Panama, Panama, September 27–October 4, 1943.

First Inter-American Demographic Congress, Mexico, D. F., Mexico, October 12–21, 1943.

Three-Power Conference of Foreign Ministers, Moscow, Union of Soviet Socialist Republics, October 19–30, 1943.

First session of the Council of the United Nations Relief and Rehabilitation Administration, Atlantic City, N. J., November 10–December 1, 1943.

The Cairo Conference of Prime Minister Churchill, Generalissimo Chiang Kai-shek, and President Roosevelt, November 21–24, 1943.

The Tehran Conference of Prime Minister Churchill, Prime Minister Stalin, and President Roosevelt, November 24–December 1, 1943.

The Cairo Conference of Prime Minister Churchill, President Inonu, and President Roosevelt, December 4 to 7, 1943.

Ninety-first session of the governing body of the International Labor Office, London, England, December 16 to 20, 1943.

Fourth American Congress of Teachers, Santiago, Chile, December 26 to 31, 1943.

International Whaling Conference, London, England, January 4, 13, 19, 31, 1944.

Meeting of the Anglo-American Caribbean Commission, Barbados, British West Indies, March 21 to 30, 1944.

Conference of Ministers of Education of the Allied Governments, London, England, convened April 5, 1944.

Twenty-sixth session of the International Labor Conference, Philadelphia, Pa., April 20 to May 12, 1944.

Ninety-second session of the governing body of the International Labor Office, Philadelphia, Pa. (meeting concurrently with the twenty-sixth session of the International Labor Conference).

Fifth Pan-American Conference of National Directors of Health, Washington, D. C., April 24 to 29, 1944.

First Pan-American Congress on Criminology, Santiago, Chile, May 29 to June 3, 1944.

United Nations Monetary and Financial Conference, Bretton Woods, N. H., July 1 to 22, 1944.

Inter-Allied Shipping Conference, London, England, July 19 to August 5, 1944.

Conversations on international organization, Dumbarton Oaks, Washington, D. C.:

First phase: United Kingdom, Union of Soviet Socialist Republics, United States of America, August 21 to September 28, 1944.

Second phase: China, United Kingdom, United States of America, September 29 to October 7, 1944.

Caribbean Land Tenure Symposium, Mayaguez, Puerto Rico, August 23 to 31, 1944.

Second session of the Council of the United Nations Relief and Rehabilitation Administration, Montreal, Quebec, Canada, September 15 to 26, 1944.

Conference on European Inland Transport, London, England, October 10 to —, 1944.

International Civil Aviation Conference, Chicago, Ill., November 1 to —, 1944.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Kansas [Mr. REES].

Mr. REES of Kansas. Mr. Chairman, I hesitate at this late hour to discuss the legislation before us that provides for

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[28] Crimean Conference, 79th Cong., 1st sess., Senate Doc. No. 8, Feb. 12, 1945, Washington, 1945.

[29] Department of State Bulletin 12:192; 273, 233, 393. Legislative reference report of L. Manross of March 20, 1945.

an amendment to the Constitution whereby the House and Senate may approve treaties by a majority vote. Personally, I feel this legislation has been brought to the House at a rather inopportune time. The other body has indicated it will not consider this legislation. Of course we understand the action of that body should not control our decisions with respect to any legislation. Nevertheless, in view of that situation, I believe it would be better if the consideration of this legislation were postponed for a while at least when it may have the deliberation to which it is entitled. Mr. Chairman, we have so many problems confronting the Congress that need our attention now. Questions that involve the destiny of our country, problems relating to our attitude toward foreign countries, problems concerning the members of our armed forces. It would be well to consider this resolution when the House is in a more deliberate frame of mind.

It has been suggested this resolution if passed by both House and Senate could be crowded through the State legislatures within a period of 2 or 3 months. I hardly think that is possible. I am not sure that it should be handled so promptly even if the legislatures of the States were strongly for it. I am sure their members would want to take a little time to consider such an important and far-reaching problem.

Now I call your attention particularly to the fact that this resolution provides for only a majority vote. It means a majority vote of the members present. In view of that circumstance the votes of only a few States can approve or disapprove treaties that have been submitted. For example, there are 425 Members in this House. If only 300 Members vote, which is three-fourths of the membership 5 States could determine whether a treaty is to be ratified or not. For example, the total votes of California, Illinois, New York, Ohio, and Pennsylvania could ratify or reject a treaty under such conditions. If you will add 5 more States and include Massachusetts, New Jersey, Michigan, Indiana, and Texas, you will have 226 votes It is possible that 10 or a dozen States may determine whether or not a treaty is approved. If it should happen that the approval of a treaty were under consideration when only a few more than a quorum were present, it can be seen that under this resolution 4 or 5 States voting together could approve or reject a treaty. It is suggested, of course, that Members of the House are likely to be present, and we may not have the situation I have suggested. But even then 10 or a dozen States can approve or reject a treaty if they see fit to do so. It might be well to remember we are voting on a measure that is not temporary, but once adopted cannot be rescinded except in the same manner as the process of passing an amendment. I call your attention further that in considering this important measure not too many of the Members have been even present during these sessions.

To safeguard the situation to some extent at least, I shall submit at the proper time an amendment to provide that a majority vote shall consist of a majority of all Members elected to the House. This amendment will help considerably.

Mr. Chairman, there is an important difference between passing statutory law and approving a treaty. Statutory law affects only the people of this country and can be repealed if Congress chooses to do so, but when a treaty is ratified or approved it binds your country in an agreement with a foreign power. It would be most difficult to rescind it without disruption unless the foreign power agreed. If you were going to amend the Constitution in Congress, you would not do it by majority vote present, but you are supporting legislation to permit an agreement between countries by a majority of those who happen to be present.

Mr. Chairman, the country is very jittery on this very day, this very hour. These are crucial times in the history of our country and the history of the world. In the middle of these important matters you ask that this legislation be adopted after only a comparatively few hours of consideration. If it would in any-wise affect the agreements that may be reached in San Francisco, it would be a different story, but it will in no wise affect any terms or understanding that may be reached between ourselves and other countries in this parley.

Mr. Chairman, it has been said many times that Congress can declare war by majority vote and should, therefore, approve treaties by a majority vote. Let it be understood that Congress, although it can declare war, cannot, under the Constitution or under this amendment, stop it after it gets started. It is our soldiers, our sailors, the members of the armed forces who sacrifice their lives to bring an end to war. Unfortunately Congress in all of its wisdom never has been able to stop war once it got under way. It is the flower of our manhood, the maimed, the wounded, the dead, and all who offered their last full measure of devotion who have won our wars. Whether this legislation is enacted or not will not determine the question of permanent peace in the world. The ratification of a treaty comes after terms have been agreed to after deliberations and agreements of representatives of the nations involved. Whether this legislation is passed will not change the situation as to the outcome of this war or the peace to follow. Permanent peace, a just and lasting peace for which people have hoped and prayed, will come when representatives of peace-loving nations of the world take their places around the council tables, supported by the people whom they truly represent, and who will demand of their representatives that a mutual agreement and understanding be reached based upon fair dealing and justice among the nations. There must also be a definite realization that the world cannot stand another war; that another conflagation would mean the annihilation of the human race.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from New Hampshire [Mr. MERROW].

Mr. MERROW. Mr. Chairman, my interest in this measure goes back over a long period of time. I first discussed this subject on the floor of the House on the 20th of November 1944. Since then I have broadcast on this measure to the Nation twice, once on the 8th of December and once on the 17th of April. On last Monday, April 30, I addressed the House on the eve of this debate giving the reasons why I believe we ought to adopt this resolution at once. I have received letters from all sections of the country voicing approval of this much needed change in the Constitution of the United States. I am convinced from the response that I have had on this proposition that the people wish the adoption of this amendment to the Constitution. If we heed the voice of the people, we will pass House Joint Resolution 60 by far more than the required two-thirds vote and give the States an opportunity to decide through their State legislatures whether or not they wish this to become a part of the Constitution of the United States.

It has been asserted on this floor again and again during the last 2 days that we are not going to amend the Constitution in time to have any effect on the Conference at San Francisco. I am not so certain of that. If the House would heed the voice of the people and the Senate would do the same, the amendment could be presented to the State legislatures in a very short time. Some of the State legislatures are in session and others could be called into special session.

In fact, the Constitution could be amended within a period of a few months. The last amendment was adopted within a period of 10 months.

Let us admit for the sake of argument that it cannot become part of the Constitution in time to affect the charter of the United Nations being written at San Francisco. Let me emphasize, the charter of the United Nations being written in San Francisco is only the beginning of the effort to establish a permanent and lasting peace. During the next 15 or 20 years there will be many treaties and many agreements implementing the charter of the United Nations. These treaties and agreements will have to be passed upon by the legislative body of this country and if we retain the two-thirds rule, then these treaties and agreements over the next 15 or 20 years will be subject to the veto power by one-third plus one of the United States Senate.

It has been said that it is a futile gesture for the House to act, because the Senate is not going to do anything about it. I have often said that just because the Senate has indicated it is going on a sit-down strike, as far as acting upon constitutional amendments is concerned, for the duration, it is no reason for the House to go on a sit-down strike. This is an extremely important measure. We should act independently of the Senate. If we listen to the voice of the people and pass this amendment, perhaps the Senate will some day realize that the public wants it. The Senate must be blasted loose from its position of entrenched power. This is not a futile gesture, as some have emphasized. This amendment is coming sooner or later. Treaty making must be placed on the same basis as statute making.

The CHAIRMAN. The time of the gentleman from New Hampshire has expired.

Mr. GWYNNE of Iowa. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. KEFAUVER. Will the gentleman yield?

Mr. MERROW. I yield.

Mr. KEFAUVER. I cannot let this opportunity pass and this general debate cease without paying my regards to the very excellent effort the distinguished gentleman from New Hampshire has made in connection with this proposal. He has been active in his sponsorship of the measure. He has carried the case over the radio and through the press to the people. He has been a very vigorous and effective advocate of this constitutional change. I feel that those people in New Hampshire who have the same feeling about the matter as the gentleman—and I understand the Legislature of New Hampshire has memorialized the Congress to take this action—should be very proud of the excellent showing the gentleman from New Hampshire has made in connection with this proposal.

Mr. MERROW. I thank the gentleman from Tennessee. He has been very active in his fight for this amendment and has given a great deal of time, thought, and effort to it.

It has been said again and again that because we have two-thirds provisions with reference to other matters we should retain the two-thirds vote as far as treaty ratification is concerned. It seems to me that the other situations requiring a two-thirds vote are not analogous. This issue should be considered on its merits, and just because we have a two-thirds requirement in other instances is no reason for retaining the two-thirds rule as far as ratification of treaties is concerned.

The United States has taken a position of world leadership in this war. We will have to continue our leadership in the postwar period if we are to exercise our influence in establishing a just and lasting peace.

The CHAIRMAN. The time of the gentleman from New Hampshire has again expired.

Mr. KEFAUVER. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. PATRICK].

Mr. PATRICK. Mr. Chairman, we are just coming to the time in the United States when we are going to have more treaties than we ever expected to have. We can vote to make a war, we can vote as to which of the population must fight that war. Many of those must die by the act of this Congress. We can pass on the conduct of our fellow citizens, and that action often determines whether a man is a free man or a felon. We of the House form the initiative as the revenue-raising arm of the Nation, and yet we cannot even pass on an agreement between ourselves and another nation. Why? Because in the making of the form of government, the experience of 150 years which we now have had not been had. That is the only reason that obtains.

I have here some of the notes from Madison's Journal of the Constitutional Convention.

Edmund Randolph's third proposition, as will be seen from page 68 of that journal, a proposition advanced on the 31st of May 1784, was that the National Legislature have two branches. His fourth proposition was that the first branch of the National Legislature be elected by the people. This was on the same day . The House of Delegates, or the present-day House of Representatives, was to be the first body, and the Senate the second body.

As shown by this same page of the journal, Roger Sherman, of Connecticut—and I quote the language of the journal:

Mr. Sherman opposed the election by the people, insisting that it ought to be by the State legislatures. The people he said immediately, should have as little to do as may be about the Government. They want information and are constantly liable to be misled.

Still referring to page 68, Elbridge Gerry, of Massachusetts, followed immediately. He is quoted as saying:

The evils we experience flow from the excess of democracy. The people do not want virtue but are the dupes of pretended patriots * * * they are daily led into the most baneful measures and opinions by the false reports circulated by designing men * * *. He said he had been a Republican heretofore, was still a Republican but had been taught by experience the danger of the leveling spirit.

If that has not been voiced by the opponents of this measure, especially by my good friend from North Dakota, then I cannot fairly interpret the character of the debate.

Again referring to pages 78 and 79 of the Journal I read:

Mr. Mason, of Virginia, followed Mr. Gerry and argued strongly for an election of the larger branch by the people.

I quote the following from page 80:

Mr. James Madison, of Virginia, observed that in some of the States one branch of the legislature was composed of men already removed from the people by an intervening body of electors * * * he wished the expedient resorted to only in the second branch of the legislature and in the executive and judicial branches of the Government.

He tried to get the Senate and the executive and judicial branches removed from the people as far as he could.

It is that spirit they had to fight then that has brought us this procedure now of having treaties completed by the Senate.

I read now from page 81 of the Journal:

The committee proceeded to the fifth resolution, that the second (or senatorial) branch of the National Legislature are to be chosen by the first branch. Mr. Spaight of North Carolina contended the second branch ought to be chosen by State legislatures. So moved—

And you know the result.

Mr. Randolph, Mr. Mason, and Mr. Gerry opposed to the end the motions bringing action near to popular vote.

I go now to the Federalist, the Dawson edition, No. 61 of the series appearing on page 428 in this book. The author of the Federalist, one of our best-known Americans, stated this:

The propriety of these distinctions is explained by the nature of the senatorial trust which, requiring greater extent of information and stability of character, requires at the same time, that the Senator should have reached a period of life most likely to supply these advantages.

From page 429 I quote the following:

It is equally unnecessary to dilate on the appointment of Senators by the State legislatures. Among the various modes which might have been devised for constituting this branch of the Government, that which has been proposed by the convention is probably the most congenial with public opinion.

Still a part of the sixty-first issue of the Federalist, and found at page 432 of the Dawson edition appears the following:

Thirdly. Another defect to be supplied by a Senate lies in a want of due acquaintance with the objects and principles of legislation. It is not possible that an assembly of men called for the most part from pursuits of a private nature, continued in appointment for a short time, and led by no permanent motive to devote the intervals of public occupation to a study of the laws, the affairs, and the comprehensive interests of their country, should, if left wholly to themselves, escape a variety of important errors in the exercise of their legislative trusts.

That was the body of thought out of which rose the proposition permitting the Senate alone, and not the Senate and House, to determine matters of treaty. A treaty is an agreement between this country and some other nation and becomes the supreme law of the land. The courts must take cognizance of a treaty regardless of any State law existing in the various jurisdictions.

Why cannot the people be permitted through their Representatives to determine these matters? This body, as the representatives of the people, is the greatest representative force found on this earth. We do not come here to serve for a couple of months in a year and then go home as Congress did at its beginning. The Congress now has become a real lawmaking body. There are in this House, according to my count, 241 Members who have faced the people each 2 years for 6 years, which is the length of a Senate term, and each expects to serve at least 2 years longer. If there is any place where a man is able to put his ear to the breast of humanity and hear his heart beat it is right here. If there is any place on earth that is constantly sounding the sentiment and voice of the people it is this group here.

The CHAIRMAN. The time of the gentleman has expired.

Mr. KEFAUVER. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. PATRICK. Mr. Chairman, since that is true and since this is the Nation that has found it, since this is the Nation that has found that way and manner of having a lawmaking body it should use that body in its business among neighbor nations. Surely it is the nearest to the people, it is the most representative, it is the greatest true sentiment-finding body in the world, and should have participation at this time in the making of treaties when more treaties are coming across the table than ever before. We should pass on them

for the people who elect us to office. The Senate needs us. The people need us.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. KEFAUVER. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. BATES of Kentucky, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 60, proposing an amendment to the Constitution of the United States relative to the making of treaties, had come to no resolution thereon.

PERMISSION TO ADDRESS THE HOUSE

Mr. ERVIN. Mr. Speaker, I ask unanimous consent that on Friday, May 4, 1945, immediately after disposition of the legislative business on the Speaker's desk and at the conclusion of any other special orders I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ERVIN. Mr. Speaker, I ask unanimous consent that on Monday, May 7, 1945, after disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered I may be permitted to address the House for 1 hour.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

EXTENSION OF REMARKS

Mr. STARKEY asked and was given permission to extend his remarks in the RECORD.

Mr. DOYLE. Mr. Speaker, I ask unanimous consent to include in the remarks I made today a compilation partially furnished me by the Congressional Library of dates and places of international conferences and meetings.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes today after the other special orders.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

EXTENSION OF REMARKS

Mr. HILL asked and was given permission to extend his remarks in the RECORD and include an address by William B. Ziff, appearing in the Miami Daily News of April 15.

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in two instances; to include in one a resolution adopted by the Chattanooga Lion's Club, and in the other an address delivered by Mr. S. R. Finley, of Chattanooga. I have an estimate from the Public Printer that the cost of printing the address will be $182. I ask unanimous consent, notwithstanding the cost, that it may be printed in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

GENERAL LEAVE TO EXTEND

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that all Members who have spoken on House Joint Resolution 60 be given permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

UNITED STATES FOREIGN POLICY

The SPEAKER. Under a previous order of the House, the gentleman from Michigan [Mr. JONKMAN] is recognized for 20 minutes.

Mr. JONKMAN. Mr. Speaker, last week I was informed by a gentleman engaged in British foreign trade that the United Kingdom is really out in earnest after current, but especially post-war, foreign trade. He said British salesmen were accorded high priorities on passports and visas; in fact, the British Government made it a point to get them to any place or country where they could find a market and get some business. Not only that, but while it is difficult to get pound sterling to take out of the country, these British salesmen out after orders were liberally supplied with sterling to secure business.

American exporters, he told me, were not so well treated by our administration. They are not permitted passports to places where they believe they could find markets; in fact, they are hampered, if not hamstrung, by bureaucratic obstruction instead of receiving Government cooperation.

Now, I had heard rumors of this discouragement to our exporters seeking foreign business before. But the picture he drew of specific instances of British go-getters for foreign trade in various places, and all of them well supplied with sterling, was revealing.

Britain, with her traditional business sagacity, sound insight, and foresight, knows that creation of jobs presupposes production, and that production presupposes a market or markets, and the creation of markets requires a selling organization. Hence, the activity and cooperation of His Majesty's Government in helping to create and facilitate this selling organization in the markets of the world. The British know full well that in peacetime no successful producer or manufacturer is worried about being able to produce. His great worry and quest is to create, find, and establish markets for his products. His sales organization is the barometer of success.

The British policy was well stated by Winston Churchill a few weeks ago when he said:

> At the head of our mainmast we fly the flag of free enterprise. We are determined that native genius and the spirit of adventure and of risk taking, in peace as in war, shall bear our fortunes forward, finding profitable work and trade for our people, and that good, thrifty housekeeping, both national and private, shall sustain our economy.

Everyone would think that the bureaucrats who are dictating our economy, and are pledged to provide 60,000,000 postwar jobs, would show this same appreciation, and help create foreign markets. Especially is this true when we consider their concern about extension and expansion of the reciprocal trade agreements in their quest for foreign trade as an absolute essential to those jobs. But no—our exporters are not permitted to go abroad, at least not freely, because the bureaucrats do not feel that it is necessary. They have different concepts for creating markets to fit our production and absorb its output. They always have had a different conception than the British.

They have from the beginning of their reign in 1933 realized that there is a relation between production, and a market for that production; that they should at least balance; that if there is underconsumption so the market does not absorb the production, stagnation sets in.

In the beginning of their reign in 1933, therefore, they conceived the novel idea of balancing the market with production output, that is, in farm products, by reducing production to fit the market instead of increasing the market to absorb production. So, with the one-third of the world out of jobs, ill-fed, ill-housed, and underclad, they killed off one-third of the little pigs and plowed under one-third of the cotton and other crops. These little pigs did not go to market, they went in the cold, cold ground.

This, of course, helped to balance production with the market somewhat, but strange to say, it did not eliminate the one-third unemployment, ill-fed, ill-housed, and underclad; so they had to resort to deficit financing, subsidies, relief rolls, the W. P. A., the P. W. A., the C. C. C., and N. Y. A., and other makeshifts, until the scourge of war came to their rescue. Those were the days when it was said that we could stand a debt of $40,000,000,000 with reasonable safety, although we had increased our indebtedness to sixty-five billions with this fallacious economic theory when we entered the war.

Then, as we entered the war, the New Deal bureaucrats propounded another theory of markets. It was not new. In fact, they probably borrowed it from Diocletian, the Roman Emperor, who used it about 300 A. D., to throw the then world into chaos and darkness for a thousand years. It is called "price control." The objective is meritorious but their theory of it is again pathetic.

This theory is to freeze certain and numerous prices of commodities, but not all of them. To freeze all of them would be too practical and consistent. Also, it would take something akin to salesmanship. They keep down the legitimate businessman's market selling price, but let his cost prices go up, forcing him out of the market and out of business. With a tremendous potential market in reaching distance, with consumers willing to pay a few cents more to cover his costs and a reasonable profit in a legitimate market, the little-businessman can-

not go to market. Like the little pigs, he can go in the cold, cold ground for all the bureaucrats care. The black market will take over his business, wreck price control, and force the public to buy at profiteer prices in this market created by the bureaucrats. Those of us who do not like the black market, and that takes in most of us, can go without goods and without a market.

But now the New Deal bureaucrats have a new theory for markets and for balancing markets with production to create 60,000,000 jobs. Their faces are red when we mention the killing of the little pigs and plowing under of crops and the doctrine of scarcity. For just as vociferously as the New Deal bureaucrats a few years ago shouted the doctrine of scarcity they now shout from the housetops the philosophy of plenty and even throw in a bottle of milk for every inhabitant of the entire world, whether they like milk or detest it.

And you may well ask, what has been added, what have the New Deal bureaucrats found that swings them to this opposite extreme after their dismal failure of the first experiment. Well, they have discovered that wonderful, intangible, incomprehensible something called unlimited, inexhaustible national credit. Our debt limit is now three hundred billion, which just about equals our national wealth, real and personal. We have already spent five-sixths of it. In less than a year we will have spent all of it, the entire accumulation and inheritance of a hundred and fifty years. We will have a mortgage plastered on everything we own and have little more than our earning power and cash in pocket left. But that doesn't phase the bureaucrats one particle. With the same naiveness in which they killed the little pigs they now say our potential wealth is a dozen trillions of dollars, which makes every man, woman, and child worth eighty-three thousand. Why then should the individual worry about his picayune share of the national debt? It is only a paltry two thousand, and besides he owes it to himself. That is why he is paying high income taxes. Now, why should the bureaucrats trouble to create a sales organization to secure such foreign markets for our production when they can create, produce, and buy those markets with Government credit?

At the time the House passed the bill to extend lend-lease for another year I called attention to an agreement just executed at that time with the French Government. This agreement was for the sale of goods in the amount of $2,575,000,000 under lend-lease, with the proviso that if and when the war in Europe stopped, it would be fulfilled nevertheless, but on 28½ years' credit.

I made the observation at that time that with the outlook for an early cessation of hostilities in Europe, this agreement had all the earmarks of an agreement for postwar rehabilitation and reconstruction in France, under the guise of present-war lend-lease aid. This was the very thing that the House, in an amendment to the extension bill, was seeking to prohibit and prevent. It was further contended by me that there was danger that the French agreement would be a precedent for other postwar aids already talked of, in the amount of six billion for Russia, five billion for the United Kingdom, five billion for China, with, of course, various amounts for other nations.

My apprehensions of that day seem not to have been without foundation, for last week I read of another such agreement, this time with Belgium, having been consummated by our State Department under the provisions of lend-lease. Once more I claim that this also is a circumvention of law and an expenditure of the taxpayers' money without authority of law. I base this statement not only on the nature of the goods agreed to be sold and for which credit will be extended, but on admission between contracting parties, namely, the United States and Belgium, that such is the case. As I have repeatedly said, these articles are agreed to be sold ostensibly under section 3 (c) of lend-lease, but consist of the following civilian supplies of 30-year credit:

Raw materials	$90,000,000
Food	75,000,000
Petroleum	14,000,000
Agricultural supplies	18,000,000
Clothing, footwear, and shoe repair materials	5,000,000
Medical supplies	1,500,000
Short-life equipment for industrial and transport facilities used in war production	77,000,000
Prisoner-of-war supplies	2,500,000
Freight charges on United States vessels	42,200,000
Total	325,200,000

But, in addition to the materials themselves being identified as civilian goods, let us see what the representatives of the two Government put in writing with reference to the agreement on the day it was consummated. The Belgian Ambassador, in a formal communication to our Secretary of State, said: "First. It is the understanding of my Government that the agreement does not apply to arms and munitions, and that arms and munitions now or hereafter provided to my Government will be supplies, on a straight lend-lease basis, under the agreement of June 16, 1942, between our two Governments on the principles applying to mutual aid."

It is clear from this paragraph that there are two categories of goods: defense articles—arms and munitions which will continue to be furnished under lend lease—and other or civilian goods which form the substance of the agreement of April 18, 1945, under section 3 (C), and that these are plainly civilian supplies for postwar rehabilitation and reconstruction or relief.

If there is any doubt about it, let us examine the reply of our Secretary of State to the communication of the Belgian Ambassador from which the above paragraph is taken. Mr. Stettinius says in the negotiations:

> At the time of Mr. Acheson's letter, no nonmilitary supplies were being provided by my Government to your government as straight lend lease. Now, however, our two governments have concluded an agreement under section 3 (C) of the Lend Lease Act under which this Government will furnish nonmilitary supplies as straight lend-lease aid to your government to the extent provided therein.

From the foregoing facts it is perfectly clear that the administration is doing just what I said in the well of this House when we extended lend-lease they apparently were doing; and that is to provide goods to European governments for postwar rehabilitation and reconstruction under the guise that they are defense articles. Of course, this circumvention can be accomplished more plausibly while the war in Europe is still on, and the bureaucrats are making the best of this opportunity.

It may well be asked why should we furnish goods to France on 30-year credit in the amount of $2,575,000,000, when France has gold on deposit in the United States in the amount of $1,700,000,000. And why should the bureaucrats extend credit to Belgium for 30 years when she has on deposit in this country $732,000,000 in gold? Not primarily to help the stricken nations of Europe with relief, rehabilitation, and reconstruction. If such were the primary or only purpose, they would be guilty of squandering and embezzling the peoples' money for an unauthorized and unlawful purpose, and they should be removed from office, and the Attorney General should prosecute them for embezzlement.

The American people have generously subscribed to U. N. R. R. A., to Army relief, and will be asked to underwrite the International Bank for Reconstruction and Development, the stabilization fund, and other agencies for these purposes.

No, the answer is, as I said before, that the bureaucrats have discovered that the United States has an inexhaustible credit—they still have about thirty to thirty-five billions of lend-lease appropriations unspent—and that they can disregard finding markets for cash, or cash available for purchases, and literally buy orders by agreeing to pay for the goods themselves, and then giving them to the foreign governments on these long-term credits, with complete indifference as to whether they are ever paid for.

It is pretty soft to secure orders for two and a half billions and three hundred twenty-five millions by a simple stroke of the pen, and this, of course, is for the general welfare of the American people in an emergency. Why have a sales organization when we have such super-duper salesmen? This is in effect the same boondoggling policy which we pursued after the First World War when we sank over $7,000,000,000 in credits merely to secure orders and markets from European governments. But there is not a single paying or constructive job in all such volumes of business.

Of course, there are many Americans who do not share this optimism and this delusion that our credit is inexhaustible. They feel that some day there will be a reckoning and date for payment of the tremendous indebtedness now being indulged in through bureaucratic spending. When that day comes, they know that under the present program the American people will not go to market, they will have no markets.

I believe it is high time that cognizance is taken and a stop put to this squandering and embezzling of what is after all the people's hard-earned tax or bond money. It is high time that economically we take a leaf out of Britain's book and say with Winston Churchill:

At the head of our mainmast we fly the flag of free enterprise. We are determined that native genius and the spirit of adventure and of risk taking, in peace as in war, shall bear our fortunes forward, finding profitable work and trade for our people, and that good, thrifty housekeeping, both national and private, shall sustain our economy.

VICTORIES IN ITALY

The SPEAKER. Under a previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 2 minutes.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I know the House and the country feel profound gratitude to Gen. Mark Clark and Field Marshal Sir Harold Alexander for their victories in Italy that have brought about the surrender today of the Germans in Italy. There were 25 German divisions involved. They may well be proud of their success.

I had an opportunity to see in October the great difficulties of the valorous men who were fighting under the Fifth Army Command in the Natousa area, as they called the Italian theater of war. It was called the forgotten army, because they did so much with so little, but their morale was always high. No army surely was a more international army, an army made of more men from different nations of the world. They had difficult terrain to cover and had to climb series of high, serrated mountains which comprise the Apennine Mountains. They endured every type of hardship; they had every kind of weather, from intense cold to intense heat; they went hours slogging in deep mud and water, to deep dust, and they were at the front day after day after day after day without relief and without replacements. Many of the soldiers went through the African campaign also. Many of our Massachusetts men were killed in Italy and Africa, and many were wounded. Our Navy under Admiral Hewitt played a fine part in the landing of our men and in the attack. Mr. Speaker, we are deeply appreciative of the contribution every man and every woman whose ceaseless toil and sacrifice and suffering made the surrender and the victories possible.

President Truman has sent congratulations to General Clark and to Field Marshal Harold Alexander. I wish the Members of the House would send their congratulations and gratitude to the officers and men who brought about the unconditional surrender of the German armies in Italy. The surrender opened the gates of the Nazi redoubt in Bavaria and to the Austrian panhandle. About 25 divisions of the German Tenth and Fourteenth Armies are involved. Field Marshal Alexander announced that the surrender was signed at Allied force headquarters at Caserta Sunday afternoon. The enemy's total forces surrendered, including combat and rear echelon troops are estimated to number nearly a million. This surrender will hasten the unconditional surrender of all German troops.

TENNESSEE VALLEY AUTHORITY

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a letter I received from President Roosevelt.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. KEFAUVER. Mr. Speaker, many of us are very happy to learn this afternoon that President Truman is going to renominate Mr. Dave Lilienthal for another term as head of the Tennessee Valley Authority. I think this is a very wise choice. Mr. Lilienthal has made a great record and deserves this endorsement.

Under leave to extend my remarks I include a letter from past President Roosevelt, dated March 2, 1945. The letter was in response to my letter to him endorsing Mr. Lilienthal. The letter is as follows:

THE WHITE HOUSE,
Washington, March 2, 1945.

Hon. ESTES KEFAUVER,
House of Representatives,
Washington, D. C.

DEAR ESTES: It was good to have your letter about David Lilienthal. You may be sure that nothing in my administration has given me more satisfaction than the manner in which the T. V. A. plan has been developed under his leadership in such a way as to create a pattern for the most productive relationship between people and their resources.

I have, of course, been gratified to watch the growth of enthusiasm in this country and abroad for T. V. A. You and I can remember when T. V. A. was denounced as one of this administration's wild ideas. It does not seem wild now even to many of those who damned it most loudly at first. But it is, as it was, a great American idea. It is still disturbing, of course, to old advocates of the exploitation of resources without much concern for people beside them. It still disturbs, too, those who do not understand the meaning of T. V. A. as an instrument by which big government need not be absentee government.

T. V. A., under David Lilienthal, has shown all of us that great national powers can be exercised as government at hand, at home, working with the people and their local governments where the people are. In the wider development of that understanding we shall continue to need such courage and vision as David Lilienthal has shown in the valley of the Tennessee to the Nation and to the world.

Very sincerely yours,
FRANKLIN D. ROOSEVELT.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HARE, for 4 days, on account of important business.

ADJOURNMENT

Mr. KEFAUVER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 7 minutes p. m.) the House adjourned until tomorrow, Thursday, May 3, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will hold an executive session at 10:30 a. m. on Thursday, May 3, 1945, in the committee room, 356 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m. Tuesday, May 8, 1945, to resume public hearings on S. 63 and H. R. 1643, to amend the Communications Act of 1934, as amended, so as to prohibit interference with the broadcasting of noncommercial cultural or educational programs.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

432. A communication from the President of the United States, transmitting a proposed rescission of a portion of the appropriation and contract authorization in the amount of $3,100,000 cash, and $4,265,000,000 contract authorization heretofore granted the United States Maritime Commission (H. Doc. No. 164); to the Committee on Appropriations and ordered to be printed.

433. A communication from the President of the United States, transmitting revised estimates of appropriations for the fiscal year 1946 for certain agencies, involving a net decrease of $68,858,200, in the form of amendments to the Budget for said fiscal year (H. Doc. No. 165); to the Committee on Appropriations and ordered to be printed.

434. A letter from the director, National Legislative Committee of the American Legion, transmitting the final financial statement of our organization for the year ending December 31, 1944; to the Committee on World War Veterans' Legislation.

435. A letter from the Secretary of Commerce, transmitting a copy of a proposed bill to restore certain land under control of the Hawaiian Homes Commission to its previous status as public land under control of the Territory of Hawaii; to the Committee on the Territories.

436. A letter from the Postmaster General, transmitting a copy of a letter addressed to the Director of the Bureau of the Budget, certifying that the Post Office Department is within the quota set by that Bureau under date of March 19, 1945, for each of the appropriation units involved; to the Committee on the Civil Service.

437. A letter from the Acting Secretary of the Navy, transmitting a draft of a proposed bill to authorize the Coast Guard to investigate and employ new methods of promoting safety at sea and aiding navigation; to the Committee on the Merchant Marine and Fisheries.

438. A letter from the Attorney General, transmitting a report stating all of the facts and pertinent provisions of law in the cases of 406 individuals whose deportation has been suspended for more than 6 months under the authority vested in me by the said statute together with a statement of the reason for such suspension; to the Committee on Immigration and Naturalization.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. WOODRUM of Virginia: Select Committee on the Postwar Military Policy. House Report No. 505 (pt. II). Report pursuant to House Resolution 465. Referred to the Committee of the Whole House on the state of the Union.

Mr. SPENCE: Committee on Banking and Currency. S. 503. An act to permit the continuation of certain subsidy payments and certain purchase and sale operations by corporations created pursuant to section 5d (3) of the Reconstruction Finance Corporation Act, as amended, and for other purposes; with amendment (Rept. No. 506). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS of New York: Committee on Military Affairs. H. R. 2322. A bill to provide for the issuance of the Mexican Border Service Medal to certain members of the Reserve forces of the Army on active duty in 1916 and 1917; without amendment (Rept. No. 507). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS of New York: Committee on Military Affairs. House Joint Resolution 136. Joint resolution to provide for the establishment, management, and perpetuation of the Kermit Roosevelt fund; without amendment (Rept. No. 508). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BARRETT of Wyoming:

H. R. 3101. A bill to amend section 601 (e) and (f) of the National Service Life Insurance Act of 1940; to the Committee on World War Veterans' Legislation.

By Mr. RANKIN (by request):

H. R. 3102. A bill to facilitate employment of necessary personnel in the Veterans' Administration; to the Committee on World War Veterans' Legislation.

By Mr. RANKIN:

H. R. 3103. A bill to amend the Servicemen's Readjustment Act of 1944 to provide for a readjustment allowance for all veterans of World War No. 2; to the Committee on World War Veterans' Legislation.

By Mr. BARRETT of Wyoming:

H. R. 3104. A bill to amend the act of December 17, 1919, providing for the payment of 6 months' pay to dependents of officers or enlisted men whose death results from wounds or disease not the result of their own misconduct; to the Committee on Military Affairs.

By Mr. BARRY:

H. R. 3105. A bill to amend section 5 (b) of the act creating the Federal Trade Commission, so as to require publication of facts regarding violations in cases of false advertising of food, drugs, devices, and cosmetics; to the Committee on Interstate and Foreign Commerce.

By Mr. LANE:

H. R. 3106. A bill to create a Federal Civilian Retirement Administration and to transfer thereto the functions of the Civil Service Commission pertaining to civil-service-retirement activities; to the Committee on the Civil Service.

By Mr. WEISS:

H. R. 3107. A bill to provide for reducing eligible age from 65 to 60 under the provisions of Federal old-age and survivors insurance benefits; to the Committee on Ways and Means.

By Mr. POAGE:

H. Con. Res. 52. Concurrent resolution expressing the sense of the Congress relative to the termination of the colonial system in the Western Hemisphere; to the Committee on Foreign Affairs.

By Mr. KEOGH:

H. Res. 237. Resolution providing for the printing as a House document the proceedings of the launching of the U. S. S. *Franklin D. Roosevelt;* to the Committee on Printing.

By Mr. BARRY:

H. Res. 238. Resolution relative to the Jewish national home in Palestine; to the Committee on Foreign Affairs.

By Mr. PRICE of Florida:

H. Res. 239. Resolution to authorize the Committee on Interstate and Foreign Commerce to study the proposal to establish a transportation system between North America and South America by way of Jacksonville, Fla.; to the Committee on Rules.

H. Res. 240. Resolution to provide for the expenses of the study authorized by House Resolution 239; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of New York, memorializing the President and the Congress of the United States to give immediate and favorable consideration to a revision and reclassification of the wage system of the United States Postal Service; to the Committee on the Post Office and Post Roads.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to amend the provisions of the Hawaiian Organic Act as to provide that no divorce shall be granted by the courts of the Territory unless the applicant therefor shall have resided in the Territory for 1 year next preceding the application; to the Committee on the Territories.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to allow Filipino residents to become naturalized citizens of the United States of America; to the Committee on Immigration and Naturalization.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, Mr. PRICE of Florida introduced a bill (H. R. 3108) for the relief of Harvey Shields, which was referred to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

515. By Mr. BIEMILLER: Petition of John L. May, of Milwaukee, Wis., requesting that a special investigating committee be appointed to conduct an investigation of the Veterans' Administration facility, Wood, Wis.; to the Committee on World War Veterans' Legislation.

516. By Mr. CAMPBELL: Petition of the Borough Council of Wilkinsburg, Pa., on the death of our late President, Franklin Delano Roosevelt; to the Committee on Memorials.

517. By Mr. COCHRAN: Petition of James G. Shea and 26 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

518. Also, petition of A. Moll and 31 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

519. Also, petition of Edward G. Wolff and 28 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

520. Also, petition of Joseph A. Pons and 28 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

521. Also, petition of M. Petkovich and 28 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

522. By Mr. FORAND: Petition of the General Assembly of the State of Rhode Island and Providence Plantations requesting the Senators and Representatives from Rhode Island in the Congress of the United States to take the proper steps necessary to protect and preserve the New England lace industry; to the Committee on Ways and Means.

523. By Mr. WOLFENDEN of Pennsylvania: Petition of the Woman's Christian Temperance Union of Lansdowne, Pa., signed by 17 members, urging the passage of the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

524. By the SPEAKER: Petition of the United Nations Committee of the San Fernando Valley, Van Nuys, Calif., petitioning consideration of their resolution with reference to urging the Government of the United States to support House bill 2211 and Senate bill 540 and to do all in its power to make possible the Bretton Woods proposals; to the Committee on Banking and Currency.

SENATE

THURSDAY, MAY 3, 1945

(Legislative day of Monday, April 16, 1945)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O God our Father, in Thy great mercy forgive our willful, blind, sorely wounded humanity for the havoc and desolation it has brought upon itself. We confess that we have a part in the tangled tragedy which blights the earth. Forbid that we should condemn the world and then stand unashamed and with false pride in the temple of prayer, thanking Thee that we are not as other men. We have offended against Thy holy laws; by our selfishness we have hindered the coronation of Thy purposes for all mankind; we have sought a solution for human wrongs which would leave ourselves unchanged. We have been unwilling to pay the cost of better things.

Forgive what we have been; help us to amend what we are; and in Thy spirit direct what we shall be: That Thou mayest come into the full glory of Thy creation in us and in all men. Through Jesus Christ our Lord. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, April 30, 1945, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting

nominations were communicated to the Senate by Mr. Miller, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had passed the following joint resolutions, in which it requested the concurrence of the Senate:

H. J. Res. 145. Joint resolution providing for membership of the United States in the Food and Agriculture Organization of the United Nations; and

H. J. Res. 174. Joint resolution making additional appropriations for the fiscal year ending June 30, 1945.

ENROLLED BILL SIGNED

The message also announced that the Speaker had affixed his signature to the enrolled bill (H. R. 2639) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes, and it was signed by the President pro tempore.

HOUSE JOINT RESOLUTIONS REFERRED

The following joint resolutions were each read twice by their titles and referred as indicated:

H. J. Res. 145. Joint resolution providing for membership of the United States in the Food and Agriculture Organization of the United Nations; to the Committee on Foreign Relations.

H. J. Res. 174. Joint resolution making additional appropriations for the fiscal year ending June 30, 1945; to the Committee on Appropriations.

NOTICE OF HEARING ON NOMINATION OF DONNELL GILLIAM TO BE UNITED STATES DISTRICT JUDGE, EASTERN DISTRICT OF NORTH CAROLINA

Mr. McCARRAN. Mr. President, on behalf of the Committee on the Judiciary, and in accordance with the rules of the committee, I now give notice that a public hearing has been scheduled for Thursday, May 10, 1945, at 10:30 a. m., in the Senate Judiciary Committee room, upon the nomination of Donnell Gilliam, of North Carolina, to be United States district judge for the eastern district of North Carolina, vice Isaac M. Meekins, retired. At the indicated time and place all persons interested in the nomination may make such representations as may be pertinent. The subcommittee in charge consists of the Senator from Wyoming [Mr. O'MAHONEY], chairman, the Senator from Mississippi [Mr. EASTLAND], and the Senator from Michigan [Mr. FERGUSON].

HEARINGS ON THE SO-CALLED FULL EMPLOYMENT BILL

Mr. WAGNER. Mr. President, the coming hearings before the Banking and Currency Committee on the full employment bill, S. 380, will provide a democratic forum within which the basic issues on America's future economic policy can be fully explored. These hearings will be conducted in cooperation with the Special Committee on Post-war Economic Policy and Planning, headed by the distinguished Senator from Georgia [Mr. GEORGE]. It is a source of gratification to me that the Senator from Georgia has indicated that he will take part in the hearings to the fullest extent that his time permits and that he has officially appointed a subcommittee of the Post-war Economic Policy and Planning Committee to sit with the Banking and Currency Committee. This subcommittee is composed of the Senator from Wyoming [Mr. O'MAHONEY], the Senator from Illinois [Mr. LUCAS], and the Senator from Vermont [Mr. AUSTIN]. The value of the coming hearings will largely depend upon the extent to which the testimony is directed toward the basic issues involved in the maintenance of full employment and a steadily rising standard of living.

In this connection, I should like to call attention to an article in the spring number of the Harvard Business Review which analyzes the basic issues involved in the full employment bill. This article, entitled "The Proposed Full Employment Act," was written by Charles I. Gragg and Stanley F. Teele, both of whom are professors of business administration at the Harvard Business School.

The central issue raised by the full employment bill, according to the authors of this article, is "the extent to which the people of this Nation wish the Federal Government to assume responsibility for seeing to it that there are available opportunities for full employment."

The authors also point out another important issue involved in the bill, namely:

Do the people wish the Federal Government to take action in advance of unemployment crises or to wait until such crises have developed before dealing with the current situation?

Mr. President, I ask unanimous consent that the article entitled "The Proposed Full Employment Act," to which I have just referred, be printed at this point in the RECORD in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PROPOSED FULL EMPLOYMENT ACT

(By Charles I. Cragg and Stanley F. Teele)

On January 22, 1945, Senator JAMES MURRAY, of Montana, on behalf of himself and Senators WAGNER, of New York, THOMAS, of Utah, and O'MAHONEY, of Wyoming, introduced in the Senate of the United States a bill, S. 380, entitled "A bill to establish a national policy and program for assuring continuing full employment in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government." The bill was referred to the Committee on Banking and Currency, of which Senator WAGNER is chairman.

The purpose of this article is to sketch some of the background of this bill, to analyze its contents, and to point out some of the issues involved. No attempt will be made here to appraise the bill or to indicate conclusions. The authors believe that the business community and the public generally should approach this proposal with open minds and should seek to avoid the danger of closed minds which results from the prompt application of such labels as regimentation, totalitarianism, communism, or fascism. Equally urgent is the avoidance of the risk that the widespread acceptance of full employment as an ideal almost as important as international peace will distract many of us from carefully weighting the workability and desirability of specific proposals to that end.

THE GOAL OF HIGH OUTPUT

The high output of American industry in response to Government contracts during the war has dramatized to millions of our people the increase in productivity that has resulted from technological and organizational improvements over the years. The performance of the war period has set both business and labor to asking insistently: if we can marshal our mechanical and human resources so effectively during a war, why cannot we do the same thing during peace? There is widespread confidence, moreover, that our technological knowledge is great enough to provide for a generally high standard of material well-being—if we can find out how to assure demand for the use of our mechanical and human resources effectively and continuously.

The war began in the fall of 1939, in the midst of a period of mass unemployment in the United States. The contrast it brought has reinforced the focus of attention on mass unemployment as the principal interference with maintaining a high level of output. And because a high material standard of living is bound up with the maintenance of a high level of output, the question is raised of how we can correct such unemployment.

The question is a complicated one, to say the least. In any given period of time, for example, a considerable volume of unemployment is unavoidable. It necessarily results from the seasonal characteristics of some industries, from technological developments which require the transfer of workers from one activity to another, and from the preservation of the individual's opportunity to choose his own activity and to be idle while making a change dictated by his own preference. Unemployment from such causes as these is quite generally recognized now as an inevitable but relatively unimportant interference with high output.

There is, moreover, quite general recognition that, at all times, technological advance and other improvements in production present the opportunity for choice between more goods and services, on the one hand, and more leisure on the other hand. This factor also can interfere with raising the level of output, although over the years, through individual or group choice and through legislative enactment, the compromise between more goods and services and more leisure has repeatedly been worked out: more goods and services and more leisure have both been secured.

But whatever the complicating factors, mass involuntary unemployment resulting from cyclical fluctuations in business, stands out as a most important interference, direct or indirect, with high output. It is therefore natural that much attention among all elements of the population should center on the question of how best to minimize and perhaps eliminate mass unemployment resulting from cyclical fluctuations. The question is insistent. Business groups, such as the Committee for Economic Development and the great labor organizations, are asking the question and formally seeking for answers. Public opinion polls agree on the great underlying anxiety of people generally about this question. The specific proposal embodied in S. 380 should be considered against this background.

THE BILL

The history of S. 380 may be briefly stated. In August 1944, during the discussion of the War Mobilization and Reconversion Act, Mr. James Patton, president of the National Farmers Union, submitted to the War Contract Subcommittee of the Senate Military Affairs Committee a legislative measure which required the Government to guarantee a capital investment each year of $40,000,000,000. This particular proposal was examined by many of the executive departments and agencies at the request of the subcommittee,

and the objections raised led to the drafting of a wholly new measure by the subcommittee's staff. The resulting Full Employment Act of 1945 was printed in the year-end report of the war contracts subcommittee on December 18, 1944. As the result of comments received following this publication, the measure was substantially revised and introduced on January 22, 1945. The discussion in this article is based on the version introduced on that date.

The full text of S. 380 is printed as an appendix to this article. At this point, before going on with the analysis, in which only selected passages from the bill are quoted, the reader may wish to read the bill for himself.

As the authors of this article view S. 380, it may be divided into two principal parts. The first part of the bill is a declaration of policy, making explicit the role of the Federal Government in working out basic economic policies and procedures. The second part of the bill sets up an organizational framework and a set of procedures whereby the Federal Government would regularly appraise the basic economic problems that will presumably exist from time to time, and would take anticipatory action to meet those problems. The bill requires no fundamental changes in the structure of the basic institutions of our Government but provides for their adaptation to the task accepted in the declaration of policy.

The bill emphasizes the fact that our Federal Government includes both an executive branch and a legislative branch, and it spells out the responsibilities of each in this area. The bill is very definite in its assignment of responsibilities to Congress. This is in line with the current interest in revising congressional organization and procedures generally. Among other recent indications of this interest may be cited the Maloney-Monroney resolution calling for a reexamination of the congressional set-up and the recent report of the National Planning Association entitled "Strengthening the Congress."[1]

DECLARATION OF POLICY

The essential points of the declaration of policy are a positive affirmation that it is national policy to foster free, competitive enterprise, and that it is national policy to assure the existence at all times of employment opportunities sufficient to make effective the right to work inherent in our Constitution and particularly in the Bill of Rights. The exact words of these two declarations in S. 380 are as follows:

"(a) It is the policy of the United States to foster free competitive enterprise and the investment of private capital in trade and commerce and in the development of the natural resources of the United States:

"(b) All Americans able to work and seeking work have the right to useful, and remunerative, regular, and full-time employment, and it is the policy of the United States to assure the existence at all times of sufficient employment opportunities to enable all Americans who have finished their schooling and who do not have full-time housekeeping responsibilities freely to exercise this right."

It should be emphasized that this declaration of policy does not seek to guarantee a particular job to any specific individual. Rather it stresses the existence of opportunities for employment of one sort or another. Nor does the declaration of policy set forth any single goal as to the number of job opportunities which should be available; it does not mention, for instance, any of the commonly discussed figures such as 60,000,000 or 55,000,000.

This policy declaration poses to the American people specifically the question: Does the Nation wish the Federal Government to assume over-all responsibility for seeking to assure opportunities for full employment, or does the Nation wish to leave this responsibility to private business and local governments?

In considering this question we should recognize that the leaders of both major political parties have recently stated their belief that the Federal Government should assume this responsibility. This position was taken by President Roosevelt in his speech at Soldiers Field Stadium in Chicago on October 28, 1944. And Governor Thomas E. Dewey, in his speech at San Francisco on September 21, 1944, said: "Government's first job in the peacetime years ahead will be to see that conditions exist which promote widespread job opportunities in private enterprise. * * * If at any time there are not sufficient jobs in private employment to go around, then government can and must create job opportunities because there must be jobs for all in this country of ours. * * *"

We should perhaps also recognize that this same general point of view has been officially expressed in Great Britain by the white paper on employment policy issued by the Ministry of Reconstruction early in 1944. The white paper begins with the sentence, "The Government accept as one of their primary aims and responsibilities the maintenance of a high and stable level of employment after the war."[2]

The white paper deals with a variety of measures for stimulating and regulating capital expenditures by both private enterprise and public authorities and consumption expenditures by consumers. It puts considerable reliance for regulating consumption expenditures on varying the rate of contributions by employers under the system of social insurance.

Of course, the objective of "full employment" or "high and stable employment" may itself be challenged. Full employment may be considered not only as a means of bringing about high output but also as a means of sharing the output which is produced. The opportunity of a job for everyone able and willing to work may be considered important because the job is viewed as the sole basis on which the individual may share in the aggregate output. But, to be completely logical, a job is not necessarily the only basis on which the individual may share in aggregate output, and those preferring other bases (for example, socialism) will no doubt challenge the objective of full employment on these grounds.

Again, one may hold that, while "full employment" is a desirable objective, there are other even more desirable objectives with which full employment is at all times inconsistent. According to this concept, new progress in productivity is necessarily irregular, and the effort to eliminate the resulting cyclical fluctuations in business activity cannot fail to impede, if not prevent, progress. This line of reasoning leads to the position that the Government should accept the responsibility for ameliorating the effects of cyclical fluctuations on individuals to the extent that "no one shall starve," but should go no further. This is a useful reminder of the fact that in the economic area there are many degrees of responsibility which the Government might or might not assume. At one extreme is the responsbility expressed in the phrase "no one shall starve." At the other extreme is complete responsibility for eliminating the business cycle. In between is a whole range of possibilities, including the responsibility which is limited to encouraging private enterprise.

Some analysts of S. 380 will argue that the bill goes all the way toward a centrally planned economy. The authors, although realizing that "economic planning" is capable of many definitions, do not believe that this bill, by intent or otherwise, does go all the way toward such a Government-planned national economy. In this measure, private planning by business itself is an essential prerequisite for whatever steps Government may take; that is, the bill calls for joint planning by both business and Government.

In the last analysis the people will decide the extent of the responsibility which they wish to assume collectively (that is, through the Federal Government) partly at least in terms of the costs, both material and emotional, incurred by such acceptance, and partly in terms of the specific way in which the responsibility is to be assumed.

ORGANIZATION AND PROCEDURE

S. 380 does not undertake to set forth all the solutions for specific economic problems which will be encountered in the future. Rather, it calls for a periodic examination of the facts, provides the machinery to make decisions on how best to meet those particular facts at the particular time. The bill definitely proposes that this examination and the decisions resulting therefrom shall be anticipatory. The central purpose is to cause the Government to take advance action to maintain reasonably full employment, not to wait for large-scale unemployment to develop and then to take remedial action. The bill proposes, moreover, that the examination and resulting decisions shall not be piecemeal but shall be broad, even comprehensive, in their coverage.

The bill undertakes to provide the organizational structure and the procedures needed, in the light of changing circumstances, to reach the objective set forth in the declaration of policy. To put it in less formal language, the bill undertakes to say who does what. Four successive steps in the procedure may be distinguished. Action begins at the opening of each regular session of Congress, with the President's submission of a "National Production and Employment Budget" to Congress.

"FIRST STEP—WHO?

"The President, acting through the Executive Office of the President with the advice and assistance of the members of his Cabinet, other heads of departments and establishments, and such advisory boards or representatives of industry, agriculture, labor, and State and local governments as he may deem advisable.

"FIRST STEP—WHAT?

"(A) Estimates (a) the size of the labor force including the self-employed; (b) the aggregate volume of investment and expenditure needed to provide job opportunities for such a labor force; and (c) the aggregate volume of prospective investment and expenditure from all sources.

"(B) Recommends as follows:

"1. If estimates indicate a deficiency of jobs as compared with job seekers, he recommends

"(a) Steps to implement the policy that it is the "responsibility of the Federal Government to pursue such consistent and openly

[1] National Planning Association, Planning Pamphlets No. 39, Strengthening the Congress, by Robert Heller (Washingotn, the Association, 1945).

[2] The white paper on employment policy is described in its foreword as follows:

"Unlike other papers on post-war problems which the Government have presented or are preparing, this is not primarily an outline of projected legislation. For employment cannot be created by act of Parliament or by Government action alone. Government policy will be directed to bringing about conditions favorable to the maintenance of a high level of employment; and some legislation will be required to confer powers which are needed for that purpose. But the success of the policy outlined in this paper will ultimately depend on the understanding and support of the community as a whole—and especially on the efforts of employers and workers in industry; for without a rising standard of industrial efficiency we cannot achieve a high level of employment combined with a rising standard of living."

arrived at economic policies and programs as will stimulate and encourage the highest feasible levels of employment opportunities through private and other non-Federal investment and expenditure." Specifically, the President is to recommend "a general program for encouraging such increased non-Federal investment and expenditure, particularly investment and expenditure which will promote increased employment opportunities by private enterprise, as will prevent such deficiency to the greatest possible extent. The President shall also include in such Budget such recommendations for legislation relating to such program as he may deem necessary or desirable. Such program may include, but need not be limited to, current and projected Federal policies and activities with reference to banking and currency, monopoly and competition, wages and working conditions, foreign trade and investment, agriculture, taxation, social security, the development of natural resources, and such other matters as may directly or indirectly affect the level of non-Federal investment and expenditure."

"(b) If the President does not believe that the steps recommended in his preferred program outlined under (a) will provide opportunity for full employment, the President shall call for Federal investment and expenditure up to the level required to assure opportunities for full employment. "Such program shall be designed to contribute to the national wealth and well-being, and to stimulate additional non-Federal investment and expenditure. Any such programs calling for the construction of public works by the Federal Government shall provide for the performance of the necessary construction work by private concerns under contracts awarded in accordance with applicable laws, except where the performance of such work by some other method is necessary by reason of special circumstances or is authorized by other provisions of law." Such expenditures and investment shall not take the form of the operation of plants, factory, or other productive facilities by the Federal Government.

"2. If estimates indicate an excess of jobs as compared with job seekers, 'the President shall set forth in such budget a general program for preventing inflationary economic dislocation, or diminishing the aggregate volume of investment and expenditure to the level required to assure a full employment volume of production, or both.'

"SECOND STEP—WHO?

"Joint Committee on the National Budget composed of the chairman and ranking minority members of the Senate Committees on Appropriations, Banking, and Currency, Education, Labor, and Finance, and seven additional Members of the Senate; and the chairman and ranking minority Members of the House Committees on Appropriations, Banking and Currency, Labor, and Ways and Means, and seven additional Members of the House of Representatives. The committee will have a total of 30 members, 15 from the Senate and 15 from the House and will select a chairman and vice chairman from among its members.

"SECOND STEP—WHAT?

"(A) Studies the National Budget transmitted to Congress.

"(B) Reports to the Senate and the House not later than March 1 of each year its findings and recommendations with respect to the National Budget, together with a joint resolution set forth for the ensuing fiscal year, a general policy with respect to such National Budget to serve as a guide to the several committees of Congress dealing with legislation relating to such National Budget.

"THIRD STEP—WHO?

"Regular committees of Congress concerned with specific parts of the program, e. g. Appropriations, Banking and Currency, and the like.

"THIRD STEP—WHAT?

"Consider and report to their representative bodies specific legislation, including appropriations designed to carry out the general program recommended by the President and the Joint Committee on the National Budget. [Absolute final control of particular programs and appropriations is retained for the Congress and its regular committees by the following provision of the bill: 'Section 8. Nothing contained herein shall be construed as calling for or authorizing * * * (c) any change in the existing procedures on appropriations; or (d) the carrying out of, or any appropriation for, any progam set forth in the National Budget, unless such program shall have been authorized by provisions of law other than this Act.']

"FOURTH STEP—WHO?

"The President acting through the Executive Office of the President.

"FOURTH STEP—WHAT?

"(A) 'May from time to time transmit to Congress such supplemental or revised estimates, information, programs, or legislative recommendations as he may deem necessary or advisable in connection with the National Budget.'

"(B) 'Shall review quarterly all Federal investment and expenditure for the purpose of ascertaining the extent to which the current and anticipated level of non-Federal investment and expenditure warrants any change in the volume of such Federal investment and expenditure.'

"(C) Subject to any restrictions in the specific appropriation acts and statutes, the President may vary the rate of Federal investment and expenditure within the general framework."

These steps may perhaps be summarized this way: The President is required to analyze the prospective economic situation and to submit to Congress his general analysis and specific recommendations—the national production and employment budget—for general study by a joint committee on the National Budget of both Houses of Congress. Specific measures and programs are then handled by regular standing committees of the two Houses. And, finally, the President is required continuously to review conditions within the period of the fiscal year or years for which the National Budget has been submitted.

Although the bill requires the President to include specific legislative proposals in the program which he submits to Congress, it is silent on the responsibility of the executive branch for preparing specific legislation to implement the recommendations of the National Budget after it has been considered and modified by the joint committee. Presumably, however, as in the present and recent past, the executive branch would assume considerable responsibility for preparing and presenting to the appropriate committees at least first drafts of specific legislation.

MAJOR ISSUES

It should be evident that the considerations pertinent to this bill are not solely economic in character; economic analysis in any narrow sense will not arrive at a complete appraisal. The issues suggested in this article are therefore of various types and by no means include all those which will occur to the specialist in economics.

The central issue, as has already been indicated, is the extent to which the people of this nation wish the Federal Government to assume responsibility for seeing to it that there are available opportunities for full employment. With respect to this particular proposal of Government responsibility, however, there are certain other issues on which attention should be focused.

Questions of principle. First of all, there is a group of important issues involving questions of principle:

(1) Do the people wish the Federal Government to take action in advance of unemployment crises or to wait until such crises have developed before dealing with the current situation? S. 380 calls for continuous study by the executive and legislative branches of the Government leading to decisions, at any given time, to take some action, or to take no action to affect the level of business activity and employment. One alternative would be to try to define some kind of critical point, say, 5,000,000 unemployed, and require that analysis and action occur only when such a critical point has been reached. Another alternative, still within the framework of acceptance of responsibility by the Federal Government, would be to analyze and act only when the consensus, however arrived at, indicated that analysis and action were needed.

It should especially be noted in connection with this question that the bill directs the President, if his estimates indicate an excess of jobs, to recommend measures for "preventing inflationary economic dislocations, or diminishing the aggregate volume of investment and expenditure to the level required to assure a full employment volume of production, or both." Wisdom and fortitude will surely be required of the President who recommends measures to take the top off a boom.

A closely related phase of the question concerns the timing for stopping programs previously recommended by the President and put into effect by the Congress. An important portion of each succeeding National Budget would necessarily be concerned with the continuance or discontinuance of programs previously initiated.

It should also be noted that a partial alternative to either advance planning or remedial action recommends itself to some: the establishment of powerful automatic measures that come into action without decision by any agency at the time they are needed. A variety of possibilities in the areas of taxation, social-security contributions, and the building industry are suggested.

(2) Would the organization and procedures set forth in S. 380 serve to strengthen or to weaken the spontaneous pressure for high and stable employment among job givers and job seekers? There are many different aspects of this question. In the first place, there is the possible effect on business attitude of "official" estimates of the proper level of business activity. To what extent, for instance, would an advance estimate of low activity induce business to pull in its horns and make the estimate come true? Or, would such an estimate convince many business enterprises that the period would be one in which expansion would be economical and desirable?

Another aspect of this question involves the importance to business psychology of a balanced financial budget. This aspects leads to the question: what analysis is needed to indicate the limits, if any, which should be placed on programs of Federal spending to avoid job deficiency? Again, one needs to consider whether the requirement that Federal expenditures take the form of contracts with private employers and the ban on the operation of plants and factories by the Federal Government would sufficiently reassure job givers that profit prospects were not going to be unduly interfered with by Federal competition.

Workability: In addition to these important questions of principle, there are a variety of questions affecting workability which need to be thoroughly explored. As has been emphasized in this article, S. 380 is essentially an organization framework and a set of procedures for analyzing and taking action with

respect to basic economic problems. These procedures are set forth in broad terms only.

(1) What problems are involved in getting the required estimates? This question may be allowed to stand for a great many in the area of the statistical techniques involved. Such problems as translating data on gross national products to aggregate levels of employment will call for intensive study. The definition of what constitutes employment and unemployment, and how to deal in the estimates with part-time employment, will also prove troublesome.

It is undoubtedly true that these war years have seen a tremendous increase in the amount of information available about industrial activity and in the creation of machinery for securing it continuously. It is also true that during the last few decades many people have been studying the problems involved in forecasting. And although these efforts have not been uniformly successful, they have resulted in the accumulation of the considerable body of experience and technique. Nevertheless, the task of working out the statistical techniques for this particular kind of estimating will be large and difficult.

(2) To what extent would the length of time between estimates and actual operations—12 to 24 months or more—lead to overestimates or underestimates? Although the procedure set forth in the bill calls for continuous reexamination and the revision of decisions as conditions change, the time factors do suggest some very serious difficulties.

(3) How should the executive branch be organized to provide for bringing together most effectively the several kinds and types of estimates? The bill provides that the responsibility shall rest on the President working through his Executive Office with the advice of Cabinet members, department heads, and such other advisors as he wishes. This top organization will need to be supplemented by an extensive field organization if the estimates are to be developed from the "grass roots," i. e., from thousands and thousands of individual enterprises, and are not to be strictly products of the "ivory tower." And it will take well-developed procedures to gather from all elements in our economy the facts about current conditions and the estimates concerning prospective conditions.

(4) The questions that have just been raised all deal with the operation of securing estimates. After estimates are secured and general recommendations based thereon have been submitted for study and appraisal in an over-all way by the joint committee, there remains the task of specific legislation and administrative execution to implement the general program. And the program as a whole will be only as good as the legislative and administrative performance.

Suppose, for example, that a principal part of the President's program, recommended by the President and approved in principle by the joint committee, is a major revision of the tax structure. Whether or not this program actually is put into effect depends, in the first place, on the action of the appropriate regular standing committees and, in the second place, on the action of Congress as a whole. The division of responsibility for drafting specific legislation to implement the general program, as among the executive branch, the joint committee and the regular standing committees will have much effect on the actual workability of the proposal, and it has not yet been fully thought out and accepted.

Success will depend, in a very real sense, on specific legislation dealing with the policies and the appropriations and expenditures needed to implement the encouraging of private enterprise (i. e., on the "consistent and openly arrived at economic policies and programs" which are called for), and on the administrative policies and procedures in the same area.

(5) Most Federal legislation of any considerable significance emerges as the reconciliation of a variety of sectional, group, and party interests. This fact is particularly true of legislation in the economic area, and there is little in the provisions of S. 380 to change this situation. In other words, the specific legislation to implement the recommendations of the executive branch, as approved or modified by the joint congressional committee, will be a product of compromise among many confliction groups. The question therefore arises whether such far-reaching responsibilities in the economic area can safely be entrusted to such a process of reconciling and compromising conflicting political, sectional, and group interests. In considering this question one must recognize, of course, that in some way reconciliation of diverse interests and points of view must be achieved in a democratic society.

(6) With respect to the second type of program which the President is to recommend to meet job deficiencies, namely, proposals for Federal Government investment and expenditure, many questions about workability come to mind.

Among these may be mentioned: What guides will be required for decisions on job deficiency programs in especially depressed localities? As is emphasized in the British white paper on employment policy and as we know from our own past experience, at many times unemployment is patchy and heavily concentrated in particular areas.

This question is, of course, closely tied to the next one. What, if any, impediments to labor mobility will need to be dealt with in working out Federal Government investment and expenditure programs? There are impediments arising from special skills and training, employer-employee agreements, wage differences, geographic preferences, environmental or customary factors, tenure of jobs, and others. Perhaps of particular importance in the years ahead is the question of how job deficiency programs involving Federal investment and expenditure can be administered in such a way as to avoid interferences with wage and other working agreements.

Reliance on Government contracts: One last over-all question deserves special attention. The procedure outlined in this bill calls for the periodic analysis of the prospective causes of difficulty together with efforts to deal with those particular causes in advance. It singles out, however, one specific measure as the prime residual device, namely, the placing of Government contracts; that is to say, when the policies and programs recommended by the President are not considered likely to be sufficient, the placing of Government contracts is the one measure called for—the sole reliance.

It should be noted that, whereas the volume of private contracts is limited to those for which the calculation of prospective profits is favorable, the volume of Government contracts would, in view of the prohibitions on Government operation of plants contained in the bill, be limited not by profit calculations but only by the requirements for employment. The question may properly be raised whether this particular device should not be included simply as one of those which the President may recommend in the light of particular circumstances along with all the other kinds of measures to deal with the prospective situation.

CONCLUDING NOTE

A major problem of a democracy in reaching decisions in complex and important situations is the difficulty of focusing attention on specific concrete issues which can be resolved one way or the other. There is frequently a tendency for issues to become confused and diverse in the minds of the people and for irrelevant issues to bulk very large. While there are serious dangers in oversimplification of complicated problems, it is the opinion of the authors that one of the principal functions of leaders in a democracy is to work strenuously to pose questions to the people in a form that permits or facilitates decisions. S. 380 makes a contribution in this direction by providing an effective focal point for discussion and study.

Although the ultimate destiny of this bill—its acceptance, modification, or rejection—is uncertain, nevertheless the bill already is well serving the function of focusing attention on an important public policy. The public hearings which no doubt will be held by congressional committees on this bill should provide for a full and well-rounded consideration of all kinds of opinions, judgments, and recommendations. There is ample evidence, from individuals, groups, and institutions, public and private, that under the stimulus provided by this proposed legislation, the problem of full employment is being studied on a nationwide basis, making possible integrated conclusions with respect to it.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

SUSPENSION OF DEPORTATION OF ALIENS

A letter from the Attorney General, transmitting, pursuant to law, a report stating all of the facts and pertinent provisions of law in the cases of 406 aliens whose deportation he suspended for more than 6 months, together with a statement of the reason for such suspension (with the accompanying papers); to the Committee on Immigration.

APRIL PROGRESS REPORT OF SURPLUS PROPERTY BOARD

A letter from the Chairman of the Surplus Property Board, stating that the April progress report of the Board, to be transmitted pursuant to law, will be transmitted at a later date; to the Committee on Military Affairs.

RELIEF OF G. F. ALLEN, CHIEF DISBURSING OFFICER, AND CERTAIN OTHER OFFICERS OF TREASURY DEPARTMENT

A letter from the Acting Secretary of the Treasury, transmitting a draft of proposed legislation for the relief of G. F. Allen, chief disbursing officer, and certain other officers and former officers of the Treasury Department for certain suspensions, disallowances, and unavailable items in their accounts (with accompanying papers); to the Committee on Claims.

REPORT OF OFFICE OF CONTRACT SETTLEMENT

A letter from the Director of the Office of Contract Settlement, transmitting, pursuant to law, his third report on war-contract terminations and settlements, for the quarter ended March 31, 1945 (with an accompanying report); to the Committee on Military Affairs.

COPIES OF LAWS PASSED BY LEGISLATIVE ASSEMBLY AND MUNICIPAL COUNCIL OF ST. THOMAS AND ST. JOHN, V. I.

Two letters from the Acting Secretary of the Interior, transmitting, pursuant to law, copies of laws passed by the Legislative Assembly and the Municipal Council of St. Thomas and St. John, V. I., respectively (with accompanying papers); to the Committee on Territories and Insular Affairs.

REPORT OF TARIFF COMMISSION CONCERNING CERTAIN PRODUCTS AND THE RATIO OF IMPORTS IN RELATION THERETO (S. DOC. NO. 38)

A letter from the Chairman of the United States Tariff Commission, transmitting, in further response to Senate Resolution 341 (78th Cong.) a final report on import trade

of the United States and production of related items (with an accompanying report); to the Committee on Finance, and printed under the order heretofore agreed to.

REPORT OF OFFICE OF PRICE ADMINISTRATION

A letter from the Administrator of the Office of Price Administration, transmitting, pursuant to law, the twelfth quarterly report of that agency, for the quarter ended December 31, 1944 (with an accompanying report); to the Committee on Banking and Currency.

RESTORATION OF PUBLIC LANDS, HAWAII

A letter from the Secretary of Commerce, transmitting a draft of proposed legislation to restore certain land under the control of the Hawaiian Homes Commission to its previous status as public land under the control of the Territory of Hawaii (with an accompanying paper); to the Committee on Territories and Insular Affairs.

REPORT OF AMERICAN LEGION FINANCES

A letter from the director of the national legislative committee of the American Legion, Washington, D. C., transmitting, pursuant to law, a copy of the audit of the finances of the American Legion for the calendar year ended December 31, 1944 (with an accompanying report); to the Committee on Finance.

PERSONNEL REQUIREMENTS

A letter from the Administrative Assistant to the Secretary of Commerce, transmitting, pursuant to law, a revised estimate of personnel requirements for the quarter ending June 30, 1945, for the Civil Aeronautics Administration (with an accompanying paper); to the Committee on Civil Service.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDENT pro tempore:

A joint resolution of the Legislature of California; to the Committee on Commerce:

"Assembly Joint Resolution 38

"Joint resolution relative to memorializing Congress to adopt H. R. 2032 and H. R. 2033 in furtherance of preventing beach erosion

"Whereas there are now pending before the Congress of the United States two measures designed to aid in the protection of beaches along the shores of the United States, which measures will shortly be heard before the House Committee on Rivers and Harbors; and

"Whereas the first of these measures, H. R. 2032, authorizes general shore-line investigations, with a view to preventing shore erosion by waves and currents and to determining the most suitable methods for the protection, restoration, and development of bathing beaches, the cost of such investigations to be borne wholly by the United States; and

"Whereas the second of these measures, H. R. 2033, authorizes Federal participation in the cost of protecting the shores of publicly owned property, declaring it to be the policy of the United States to assist in the construction, but not the maintenance, of works for the improvement and protection against erosion of the shores of the United States that are owned by States, municipalities, or other political subdivisions, provided that the Federal contribution toward the construction of protective works shall not in any case exceed one-third of the total cost; and

"Whereas the purposes sought to be accomplished by these measures are of particular interest to the coastal State of California, its political subdivisions, and its people in that thereby damage to public property may be prevented and healthful recreation may be promoted and encouraged: Now, therefore, be it

"Resolved by the Assembly and Senate of the State of California (jointly), That the Legislature of the State of California hereby respectfully memorializes the Congress of the United States to enact H. R. 2032 and H. R. 2033 of the Seventy-ninth Congress, first session, relating to the investigation and protection of beaches; and be it further

"Resolved, That the chief clerk of the assembly is directed to transmit copies of this resolution to the President of the United States, to the President of the Senate, and the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, to Mr. J. Spencer Smith, president of the American Shore and Beach Preservation Association, 1060 Broad Street, Newark, N. J., and to Mr. George P. Larsen, executive secretary of the Shoreline Planning Association of California, Inc., 1151 South Broadway, Los Angeles, Calif."

A resolution of the House of Representatives of California; to the Committee on Military Affairs:

"House Resolution 177

"Resolution relative to memorializing Congress to enact H. R. 1490, awarding a Distinguished Service Cross to Tony Siminoff

"Whereas on February 12, 1899, during the action near Jaro, P. I., Pvt. Tony Siminoff, of the Eighteenth Regiment, United States Infantry, did distinguish himself by meritorious conduct in action involving actual conflict with the enemy in that he rendered first aid to Lt. F. C. Bolles, commander of Company F of said regiment, and carried him from the field of battle; and

"Whereas Tony Siminoff merits a suitable award for his courage and valor in action: Now, therefore, be it

"Resolved by the Assembly of the State of California, That the Congress of the United States is hereby respectfully memorialized to enact H. R. 1490 of the Seventy-ninth Congress, first session, awarding a Distinguished Service Cross to Tony Siminoff, veteran of the Philippine Insurrection; and be it further

"Resolved, That the chief clerk of the assembly is hereby authorized and directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

A concurrent resolution of the Legislature of the Territory of Hawaii; to the Committee on Finance:

"Senate Concurrent Resolution

"Whereas the tax laws of the Territory of Hawaii apply to all compensation paid for services performed within the Territory irrespective of the domicile of the taxpayer, and under said laws it is contemplated that domiciliaries of the Territory of Hawaii who are absent from the Territory may be taxed by the States in which they perform services, in which event the Territory does not tax such domiciliaries upon their earnings outside of the Territory; and

"Whereas it is proper and desirable that duplicate taxation be avoided and the sentiment of the legislature of the Territory of Hawaii is that the proper method of avoiding such duplicate taxation is by the method used by the Territory of Hawaii, that is, the method of exemption earnings of domiciliaries if and to the extent that the same earnings already have been taxed by the jurisdiction in which the services were performed; and

"Whereas it further is the view of this legislature that the State or Territory in which compensation is earned should be recognized to have the prior right of taxation inasmuch as, first, taxes are more readily collectible in the place in which the taxpayer actually is to be found and in many instances the domiciliary jurisdiction will not be able to collect taxes from its citizens who are absent from the State or Territory and may remain absent for several years; and, second, the presence of workers within a State or Territory increases the cost of government therein whether or not they become citizens of such jurisdiction, and it is not fair to require the citizens of such jurisdiction to bear the cost of government for the noncitizens; and

"Whereas in no event should it be provided that the compensation of Federal employees who are working outside of their State or Territory of domicile shall be taxable solely by the domiciliary jurisdiction, thereby leading to tax evasion by such employees, by reason of their absence from the domiciliary jurisdiction; nor is such a provision for exclusive jurisdiction in one State necessary to avoid duplicate taxation, since duplicate taxation can be avoided by any State or Territory by a provision in its tax law for deduction from the tax base of income upon which a tax has been actually paid to another State or Territory, or by a provision for a credit against the tax on account of taxes actually paid to another State or Territory: Now, therefore, be it

"Resolved by the Senate of the twenty-third session of the Legislature of the Territory of Hawaii (the House of Representatives concurring), That the Congress of the United States of America be and it hereby is respectfully requested and urged to amend H. R. 534 and any other bill presented to the Congress, relating to duplicate taxation of Federal employees, so as to provide that:

"1. The State or Territory in which the compensation is earned by a Federal employee shall have the prior right to tax such compensation; and

"2. The domiciliary jurisdiction may tax such compensation if the laws thereof provide for deduction from the tax base of income upon which a tax has been actually paid to the State or Territory wherein it was earned, or for a credit against the domiciliary tax on account of taxes actually paid to the State or Territory in which such compensation was earned; be it further

"Resolved, That duly certified copies of this concurrent resolution be forwarded to the Presiding Officer, the chairman of the Committee on the Judiciary, and the chairman of the Committee on Civil Service, of each of the Houses of Congress, to the chairman of the Committee on Territorial Affairs of the Senate of the Congress, to the chairman of the Committee on the Territories of the House of Representatives of the Congress, to the Delegate to Congress from Hawaii, and to the Secretary of the Interior and the Attorney General of the United States."

Two concurrent resolutions of the Legislature of the Territory of Hawaii; to the Committee on Immigration:

"House Concurrent Resolution 39

"Be it resolved by the House of Representatives of the Twenty-third Legislature of the Territory of Hawaii (the Senate concurring), That the Congress of the United States be, and it hereby is, respectfully requested to amend section 703 of title 8 of the United States Code Annotated so as to extend the right to become a naturalized citizen to Polynesian persons or persons of Polynesian descent; and be it further

"Resolved, That authenticated copies hereof be forwarded forthwith to the President of the United States of America, the President of the Senate, the Speaker of the House of Representatives, the Secretary of the Interior and the Delegate to Congress from Hawaii."

"House Concurrent Resolution 53

"Whereas the Territorial Filipino Council, an association of delegates from the various plantation communities situated in the various islands in the Territory of Hawaii, has, in meeting assembled, on the 30th day of March 1945 selected Jose E. Bulatao, Philip Gamponia, Juan S. Regala, Domingo Los Banos, Benjamin Ayson, and Mrs. Josephine

Camponia as its duly elected representatives for the purpose of proceeding to Washington, D. C., to personally petition the Members of the United States Congress for the speedy enactment of such legislation which will give to Filipino residents now residing in the Territory of Hawaii and elsewhere in the United States of America the privilege of being naturalized as American citizens; and

"Whereas said representatives of the Territorial Filipino Council are expected to proceed to Washington, D. C., on or about May 15, 1945, for the purpose above-mentioned; and

"Whereas the Legislature of the Territory of Hawaii has adopted Senate Concurrent Resolution No. 1, memorializing the Congress of the United States of America to enact legislation to amend the naturalization laws in such manner as to provide that Filipino residents may become citizens of the United States of America: Now, therefore, be it

"Resolved by the House of Representatives of the Twenty-third Legislature of the Territory of Hawaii (the Senate concurring), That it heartily endorses the mission of the duly elected representatives of the Territorial Filipino Council to proceed to Washington, D. C., to intercede in behalf of the Filipino people residing in the Territory of Hawaii and elsewhere in the United States of America, to the end that said Filipino residents may be allowed the privilege of becoming naturalized citizens of the United States of America; and be it further

"Resolved, That copies of this concurrent resolution be forwarded to the President of the United States of America, to the President of the Senate of the United States, to the Speaker of the House of Representatives of the United States, to the Secretary of the Interior, to the Delegate to Congress from the Territory of Hawaii, to the Filipino Resident Commissioner at Washington, D. C., and to the Territorial Filipino Council."

Two concurrent resolutions of the Legislature of the Territory of Hawaii; to the Committee on Territories and Insular Affairs:

"House Concurrent Resolution 36

"Whereas on December 7, 1941, the Governor of the Territory of Hawaii did call out the Territorial Militia and did authorize the Adjutant General of the Territory of Hawaii to organize and constitute an Hawaii Territorial Guard; and

"Whereas on the same date the Territorial Director of Civilian Defense ordered the Adjutant General, Territory of Hawaii, placed in command of all R. O. T. C. units on the island of Oahu, and did by authority of the Governor of Hawaii order all members of the University of Hawaii R. O. T. C. unit to mobilize at the University of Hawaii and stand by for further instructions; and

"Whereas said R. O. T. C. unit, University of Hawaii, did mobilize and was on said date, December 7, 1941, enlisted and activated as a part of the Hawaii Territorial Guard under enemy fire; and

"Whereas on December 11, 1941, said Hawaii Territorial Guard was placed under the command of the Department Provost Marshal, United States Army; and

"Whereas on December 26, 1941, said Hawaii Territorial Guard was placed under the command of the commanding general, Department of Hawaii, United States Army; and

"Whereas said Hawaii Territorial Guard did serve under the command of the said commanding general, Department of Hawaii, United States Army, occupy the same trenches and foxholes, eat the same food, sleep under the same shelter, go to the same hospital, wear the same uniform, use the same weapons, and perform the same duty as Federal armed forces, and it was released by order of the commanding general, Hawaiian Department, United States Army, in letter dated April 26, 1942, and directed to return to Territorial control; and

"Whereas the Honorable Henry L. Stimson, Secretary of War of the United States, has ruled that—

" 'The records of the National Guard Bureau indicate that the University of Hawaii R. O. T. C. unit served as part of the Hawaii Territorial Guard, which was organized under section 61 of the National Defense Act, as amended (acts of Oct. 21, 1940, 54 Stat. 1206; Aug. 18, 1941, 55 Stat. 628; 32 U. S. C. 194). This section provides expressly,

" 'That such forces shall not be called, ordered, or in any manner drafted, as such, into the military service of the United States; * * *

" 'The Governor of the Territory of Hawaii on December 7, 1941, ordered the Territorial Guard into the active service of the Territory. In view of the statutory provision and the order of the Governor, mentioned above, service performed under General Order No. 44, Office of the Military Governor, dated December 26, 1941, cannot be construed as Federal service. * * *.': Now, therefore, be it

"Resolved by the House of Representatives, Territory of Hawaii (the Senate concurring), That the Congress of the United States be and it is hereby respectfully petitioned to enact such legislation as is necessary to correct the status of said members of the Hawaii Territorial Guard so as to secure for them the just recognition as soldiers of the armed forces of the United States during World War No. 2; and be is further

"Resolved, That copies of this concurrent resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and the Delegate to Congress from Hawaii."

"House Concurrent Resolution 25

"Whereas the Hawaiian Organic Act as first passed in the year 1900 provided that persons applying for divorces in the courts of the Territory must have resided in the Territory twice as long as is required for establishing a residence in Hawaii for any other purpose; and

"Whereas the reason for such requirement, if any, no longer exists; and

"Whereas the rights and interests of the public and of individuals will still be amply protected even if the time required for acquiring a residence in the Territory for purposes of obtaining a divorce should be reduced: Now, therefore, be it

"Resolved by the House of Representatives of the Twenty-third Legislature of the Territory of Hawaii (the Senate concurring), That the Congress of the United States of America be, and it hereby is, requested to so amend the provisions of the Hawaiian Organic Act as to provide that no divorce shall be granted by the courts of the Territory unless the applicant therefor shall have resided in the Territory for 1 year next preceding the application; and be it further

"Resolved, That duly certified copies of this concurrent resolution be forwarded to the President of the United States, the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, and the Secretary of the Interior of the United States."

By Mr. LA FOLLETTE:

A joint resolution of the General Assembly of Wisconsin; to the Committee on Finance:

"Assembly Joint Resolution 63

"Joint resolution memorializing the Congress to enact legislation to provide wage credits on the social-security accounts of members of the armed forces during their period of service

"Whereas by the end of the war there will be approximately 15,000,000 men and women in the armed forces of the United States and Wisconsin's share will be approximately 300,000; and

"Whereas most of these men and women will have lost from 1 to 4 years or even longer from the accumulation of benefits provided by the social-security law; and

"Whereas this will effect a real loss in the benefits to be received at the time of retirement inasmuch as such benefits are dependent upon contributions by both employee and employer; and

"Whereas the social-security law is wholly a Federal program; and

"Whereas it is the sense of the people of Wisconsin manifested in their respective representatives in the legislature that the returning veteran justly deserves and is entitled to fair and generous treatment: Now, therefore, be it

"Resolved by the assembly (the senate concurring), That this legislature hereby respectfully memorializes the Congress to enact with all convenient speed, appropriate legislation providing that men and women in the armed forces shall receive appropriate wage credits on their social-security accounts for their period of military service; and be it further

"Resolved, That properly attested copies of this resolution be transmitted to the President and to the clerk of each House of the Congress and to each Wisconsin Member thereof."

(The PRESIDENT pro tempore laid before the Senate a resolution of the General Assembly of Wisconsin identical with the foregoing, which was referred to the Committee on Finance.)

A joint resolution of the General Assembly of Wisconsin; to the Committee on Indian Affairs:

"Assembly Joint Resolution 22

"Joint resolution memorializing the Congress of the United States to consider and enact legislation providing compensation to John J. Doherty, an Indian, for injuries sustained by reason of his unlawful removal from the Bad River Indian Reservation by Government agents

"Whereas John J. Doherty, and Indian whose present post-office address is 425 East Kilbourn Avenue, Milwaukee 2, Wis., contends that in 1909 when a bona fide member of and living with his family on the Bad River Indian Reservation in Wisconsin, being enrolled and allotted, he was under sections 2147 and 2149 of the Revised Statutes of the United States unlawfully removed from said reservation by Government agents to his damage in the sum of $5,000; and

"Whereas the said John J. Doherty further contends that in an action in the United States District Court for the Western District of Wisconsin in an action wherein the United States of America was complainant and the said John J. Doherty as defendant was charged under section 2148 of said Revised Statutes with having returned to said reservation in violation of the order so removing him, the said court on January 31, 1910, ordered the said John J. Doherty discharged on the grounds that the Government made out no case; and

"Whereas said contentions of John J. Doherty are supported by the court of said order and a warranty deed dated September 10, 1909, recorded in volume 97 of miscellaneous records on page 498 of the Ashland County, Wis., registry wherein Catherine James Doherty and John J. Doherty, her husband, convey to Mary Twobirds certain land therein described and allegedly within the limits of said reservation; and

"Whereas it appearing that another Indian, one Frank Murray, by congressional act in 1928 was compensated for injuries sustained by reason of a similar removal occurring at or about the same time; and

"Whereas, such removal of John J. Doherty if unlawful, was contrary to the

dignity of the State of Wisconsin and disturbed the tranquillity of the citizens of said State contrary to the guaranties of the Constitution of the State of Wisconsin and of the United States: Now, therefore, be it

"*Resolved by the assembly (the senate concurring)*, That the legislature of the State of Wisconsin respectfully memorializes the Congress of the United States to consider a bill like or similar to H. R. 3718 of 1939 providing compensation to the said John J. Doherty for injuries sustained by reason of such alleged illegal removal and to make thorough investigation into said contentions of John J. Doherty and, if found to be true and correct, to enact such bill into law; and be it further

"*Resolved*, That properly attested copies of this resolution be sent to each House of the Congress and to each Wisconsin Member thereof."

(The PRESIDENT pro tempore laid before the Senate a resolution of the general assembly of Wisconsin identical with the foregoing, which was referred to the Committee on Indian Affairs.)

By Mr. GREEN:

A joint resolution of the General Assembly of Rhode Island; to the Committee on Military Affairs:

"House Joint Resolution 967

"Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to make the necessary arrangements to provide that the official war films of World War No. 2 may be shown throughout all cities and towns of this State lest we forget too easily the horrors of war and the ruthlessness of our enemies

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they hereby are respectfully requested to make the necessary arrangements to provide that the official war films of World War No. 2 may be shown throughout all cities and towns of this State lest we forget too easily the horrors of war and the ruthlessness of our enemies; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted by the Secretary of State to the Senators and Repersentatives from Rhode Island in the Congress of the United States."

Two joint resolutions of the General Assembly of Rhode Island; to the Committee on Finance:

"Senate Joint Resolution 219

"Joint resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to take the proper steps necessary to protect and preserve the New England lace industry

"Whereas the American lace manufacturing industry suffered very serious difficulties as a result of tariff reductions effectuated under the trade agreement with France which became effective June 15, 1936; and

"Whereas importations of French laces increased in some cases, by over 3,300 percent of the 3-year average immediately preceding the French treaty; and

"Where, save for the fall of France in 1940, the American lace industry would have been completely annihilated, and it is indeed a sad commentary for the industry to realize that it was abandoned by its Government, and owes its existence today only through the actions of our enemy in bringing about the capitulation of France; and

"Whereas, with current Government expressions embracing free trade, the laceworkers' post-war lot is not an encouraging one: Now therefore, be it

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are hereby urgently requested to take the proper steps necessary to protect and preserve the New England lace industry; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States."

"House Joint Resolution 970

"Joint resolution memorializing Congress with relation to the matching by the Federal Government of certain State grants for old-age assistance, aid to dependent children, and aid to the blind

"Whereas in the supplemental message of His Excellency to the general assembly, March 29, 1945, it is stated that the State government is paying approximately 54 percent and the Federal Government only 46 percent of the total expenditures for old-age assistance; that the State government is paying approximately 75 percent and the Federal Government only 25 percent of the total expenditure for aid to dependent children; and

"Whereas in the event that the Federal Government participated currently on the basis of 50 percent of all expenditures, with respect to old-age assistance this would represent a saving to the State of more than $100,000; and

"Whereas it undoubtedly was never the intention of Congress, when it passed the Social Security Act, to place an increasingly greater burden upon the States than was shared by the Federal Government: Now, therefore, be it

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States be and they are hereby respectfully requested to use every effort at their command to work for increased Federal participation in the three-State programs, viz. old-age assistance, aid to dependent children, and aid to the blind; the elimination of the maximum provision with respect to aid to dependent children payments; Federal participation in medical care payments paid directly by the State agency to hospitals, physicians, or other practitioners until such time as a medical-insurance program has been provided: Federal participation, probably upon a 50–50 basis, in general public assistance; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States."

A joint resolution of the General Assembly of Rhode Island; to the Committee on Foreign Relations:

"House Joint Resolution 998

"Joint resolution requesting the Department of State of the United States Government to act favorably upon the requests for the opening of Palestine to unrestricted Jewish immigration and colonization, the establishment there of a free and democratic Jewish commonwealth, and the affording of representation at the San Francisco Conference to the Jewish people

"Whereas the platforms of both major political parties in the last Presidential election contained planks urging the opening of Palestine to unrestricted Jewish immigration and colonization, and such a policy as to result in the establishment there of a free and democratic Jewish commonwealth; and

"Whereas the late departed President of the United States reiterated his approval of that policy but 2 weeks before his untimely death, stating 'that position I have not changed and shall continue to seek to bring about its early realization'; and

"Whereas the Jewish people, the world over, were the very first to feel the barbaric heel of the Nazi war lords, and have, through the years since the rise of Hitler, been subjected to every form of inhuman torture; and

"Whereas it is reported that the United States Government is to submit to the San Francisco Conference, opening on April 25, a fully matured plan for dealing with the complicated subject of the mandated territories, which includes Palestine: Now, therefore, be it

"*Resolved*, That it is the sentiment of this general assembly that the Department of State of the United States of America act favorably upon the requests for the opening of Palestine to unrestricted Jewish immigration and colonization, and such a policy as to result in the establishment there of a free and democratic Jewish commonwealth, and that appropriate representation at the forthcoming San Francisco Conference be afforded the Jewish people; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted by the secretary of state to the President of the United States, to the Secretary of State of the United States, and to the Senators and Representatives from Rhode Island in the Congress of the United States."

A resolution of the General Assembly of Rhode Island; to the Committee on Foreign Relations:

"House Resolution 881

"Resolution requesting the Senators and Representatives from Rhode Island in the Congress of the United States to give the utmost consideration to the recommendation of the Rhode Island General Assembly that a member of the armed forces of the United States of America, representing the men who have been doing the actual fighting, shall be given a place at and shall be allowed to sit in upon the Peace Conference

"Whereas the men of the armed forces of the United States of America have had to take the brunt of the actual battle fighting and the bitter cruelty of war in the long, long road to victory and for that very reason every consideration should be given their opinion in the matter of what shall constitute the right kind of peace: Now, therefore, be it

"*Resolved*, That the Senators and Representatives from Rhode Island in the Congress of the United States are hereby respectfully requested to give the utmost consideration to the recommendation of the Rhode Island General Assembly that a member of the armed forces of the United States of America, representing the men who have engaged in the actual fighting, shall be given a place at and shall be allowed to sit in upon the peace conference; and be it further

"*Resolved*, That duly certified copies of this resolution be transmitted by the secretary of state to the Senators and Representatives from Rhode Island in the Congress of the United States."

RESOLUTIONS OF THE LEGISLATURE OF WISCONSIN

Mr. WILEY. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD three joint resolutions passed by the Legislature of Wisconsin.

The PRESIDENT pro tempore. Without objection, the resolutions will be received, appropriately referred, and, under the rule, printed in the RECORD.

To the Committee on Banking and Currency:

Assembly Joint Resolution 34

Joint resolution relating to memorializing the O. P. A. to equalize the purchase of butter and oleomargarine

Whereas in view of the controversy between the users of oleomargarine and the

users of butter and in view of the apparent handicap under which butter is marketed as compared with that of oleomargarine; and

Whereas the present apportionment of points as to butter and oleomargarine has resulted in a feeling of the users of butter that an injustice has been done them; and

Whereas it is felt that the Office of Price Administration should reduce the points so that the users of butter, many of whom are the parents of many in our armed forces, may be able to avail themselves of obtaining butter without working an undue hardship: Now, therefore, be it

Resolved by the assembly (the senate concurring), That the Office of Price Administration is respectfully requested to reduce the points required in the purchase at retail of butter so as to more nearly equalize the number of points required for butter and oleomargarine; be it further

Resolved, That properly attested copies of this resolution be transmitted to the Administrator of the Office of Price Administration and to each Wisconsin Member of Congress.

Mr. LA FOLLETTE also presented a resolution of the Legislature of Wisconsin identical with the foregoing, which was referred to the Committee on Banking and Currency.

To the Committee on the Judiciary:

Assembly Joint Resolution 27

Joint resolution memorializing Congress to abolish the poll tax

Whereas 10,000,000 citizens of the United States are presently deprived of their gift of free suffrage by poll-tax laws in eight States which impose upon the exercise of the elective franchise limitations neither contemplated nor condoned by the Constitution of the United States; and

Whereas taking advantage of the inability of these 10,000,000 citizens, both Negro and white, to express themselves politically by participating in the choice of their representatives in government, both State and Federal, a few have been able to perpetuate themselves in office and, heedless of the needs and wishes of the people in their districts, have refused to recognize the grave perils that endanger our country and seek to disrupt the unity of our country and the mobilization of all our forces for the successful prosecution of the war; and

Whereas at a time when the morale and strength of the people of this Nation are needed increasingly if it is to survive, it is a dangerous inconsistency to continue to deprive any section of them of their democratic rights, to preserve which this war is being fought; but rather it is necessary to draw all men and women no matter what their race, creed, color, or economic position, into full participation in the struggle for victory; and

Whereas the continuation of the poll tax in free America furnishes propaganda for the Axis to the great mass of colonial peoples who are fighting with us in this war for their freedom; and

Whereas the abolition of the poll tax will enable these 10,000,000 citizens to enter fully into their rights and duties as American citizens, and will, at the same time weaken those forces who place petty self-interest and personal power above the need for complete mobilization for victory and will strengthen national unity and morale: Therefore be it

Resolved by the assembly (the senate concurring), That this legislature respectfully petitions the Congress of the United States to speedily enact legislation which effectively abolishes the payment of a poll tax as a qualification for voting for candidates for office in the Federal Government; be it further

Resolved, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each Member of the Congress from this State.

Mr. LA FOLLETTE also presented a resolution of the Legislature of Wisconsin identical with the foregoing, which was referred to the Committee on the Judiciary.

The PRESIDENT pro tempore also laid before the Senate a resolution of the Legislature of Wisconsin identical with the foregoing, which was referred to the Committee on the Judiciary.

Ordered to lie on the table:

Assembly Joint Resolution 57

Joint resolution memorializing Congress and the President of the United States to adopt and approve a joint resolution authorizing the President to issue posthumously to the late Col. William Mitchell a commission as major general

Whereas there has been introduced in the Senate of the United States Senate Joint Resolution 34, authorizing the posthumous award to the late Col. William Mitchell of a commission as major general; and

Whereas it is a fitting tribute to the memory of William Mitchell that this award be made: Now, therefore, be it

Resolved by the assembly (the senate concurring), That the Legislature of Wisconsin respectfully memorialize Congress to expedite the adoption of Senate Resolution 34, and the President to approve the adoption of said resolution; be it further

Resolved, That properly attested copies of this resolution be sent to the President of the United States, to both Houses of Congress, and to each Wisconsin Member thereof.

Mr. LA FOLLETTE also presented a resolution of the Legislature of Wisconsin identical with the foregoing, which was ordered to lie on the table.

The PRESIDENT pro tempore also laid before the Senate a resolution of the Legislature of Wisconsin identical with the foregoing, which was ordered to lie on the table.

ATTENDANCE OF VETERANS AT FUTURE CONFERENCES FOR WORLD PEACE

Mr. BRIDGES. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the CONGRESSIONAL RECORD a concurrent resolution adopted by the New Hampshire State Legislature relating to the attendance of veterans at future conferences for world peace.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution relating to the participation by representatives of members of the armed forces at meetings of the governments of the United Nations

Whereas it is of the utmost importance that peace of the United Nations be a just and lasting peace; and

Whereas the casualties of this global war have thus far exceeded those of any war in which our Nation has ever been involved, and our fighting forces have won the admiration of our country for their courage and valor; and

Whereas in every war it is the youth who give their blood and lives and make the greatest sacrifices; and

Whereas, the men who have gone through the horrors of battle should have a voice in making the peace: Therefore be it

Resolved by the house of representatives (the senate concurring), That we ask our Congressmen and Senators in Washington to do all in their power to see that representatives of the veterans of this war, including officers and enlisted men who have had combat service and some of whom were less than 30 years of age when chosen as delegates, be at all future conferences for world peace; and be it further

Resolved, That a copy of this resolution be sent to each of our Congressmen and Senators in Washington and to the President of the United States.

RIGHTS OF THE PEOPLE OF POLAND

Mr. BRIDGES. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the CONGRESSIONAL RECORD a concurrent resolution relative to the rights of the people of Poland adopted by the New Hampshire State Legislature.

There being no objection, the resolution was received, referred to the Committee on Foreign Relations, and, under the rule, ordered to be printed in the RECORD, as follows:

Concurrent resolution memorializing the Congress of the United States to take cognizance of the inherent right of the people of Poland, as well as the people of other small nations, to determine the form and kind of their own government

Whereas the circumstances surrounding the disposition and placement of the territorial boundary lines of the Republic of Poland, and of other small European nations, as well as the manner in which the people of these small nations shall be permitted to determine the kind and form of their own government, give rise to serious concern as to whether the inherent rights of these peoples shall be safeguarded; and

Whereas all peoples throughout the entire world are fundamentally entitled to self-determination of the manner in which they shall be governed: Now, therefore, be it

Resolved by the senate and house of representatives in general court convened, That we look with concern upon conditions in Europe which presently are determining the location of the territorial boundary lines of the Republic of Poland, as well as those of other small nations, and, therefore, respectfully urge and petition the Congress of the United States to take official cognizance of the fact that the matter of territorial boundary lines is of universal concern and a proper subject for determination as a result of conferences between the United Nations as a whole rather than as the result of the decision of a single member thereof, and, further, that the matter of the form and kind of government to be enjoyed by any group of people is a matter for self-determination rather than by arbitrary decision of another government; and be it further

Resolved, That we respectfully urge and petition the Congress of the United States to take whatever action it shall deem necessary in its deliberations to restore unto the people of all small nations all of their just rights and privileges; and be it further

Resolved, Copies of these resolutions be sent by the secretary of state to the President of the United States, to the presiding officers of each branch of Congress, and to the Members thereof from this State.

DESIGNATION OF PHILADELPHIA AS THE PEACE CENTER OF THE WORLD—RESOLUTION OF THE DELAWARE STATE LEGISLATURE

Mr. TUNNELL. Mr. President, I have before me a communication from the secretary of state of Delaware with which there is enclosed a copy of Senate

Concurrent Resolution No. 28 adopted by the Delaware State Legislature asking that Philadelphia be made the new capital of the world for peace. I ask unanimous consent to present the resolution and that it be printed in the RECORD and appropriately referred.

There being no objection the resolution was received, referred to the Committee on the Library, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 28

Concurrent resolution concerning a world capital of peace

Whereas the gravest question the world will face once hostilities are concluded will be the establishment of a just and lasting peace; and

Whereas an international declaration of independence must be drawn enunciating those eternal principles which are the priceless heritage today of our own America; and

Whereas to write the new declaration of independence, a conference of 39 United Nations has been summoned to assemble in San Francisco on April 25, 1945, upon which conference will devolve the most solemn task that men have ever faced—the writing of a pact of peace, and also the location of a world capital of peace: Now, therefore, be it

Resolved by the Senate of the State of Delaware (the House of Representatives thereof concurring therein), That the city of Philadelphia, the City of Brotherly Love, the city where America's Declaration of Independence was written, the first Capital of the United States, should become the world capital of peace, where a theme-center of a mall, beautifully landscaped, and stretching from Independence Hall, should be dedicated as the peace center of the world; be it further

Resolved, That the secretary of state be and he hereby is authorized and directed to forward a copy of this resolution to the Secretary of State of the United States, to the Governor of the Commonwealth of Pennsylvania, to the mayor of the city of Philadelphia, and to each of the Senators and to the Representatives of the State of Delaware in the Congress of the United States.

ELBERT N. CARVEL,
President of the Senate.
CHESTER V. TOWNSEND, Jr.,
Speaker of the House.

Approved April 18, 1945:

WARREN W. BACON,
Governor.

CONCURRENT RESOLUTION OF TEXAS LEGISLATURE

Mr. O'DANIEL. Mr. President, the Texas Legislature has sent to me copy of Senate Concurrent Resolution 11 adopted by both branches of the Texas Legislature. I ask unanimous consent to present the resolution for printing in the RECORD and reference to the Committee on Military Affairs.

There being no objection, the concurrent resolution was received, referred to the Committee on Military Affairs, and, under the rule, ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 11

Whereas in the State of Texas there are located two unused army posts, Fort Ringgold near Rio Grande City, and Fort Clark near Brackettville, which have recently been abandoned for all military purposes by the United States Army; and

Whereas the State of Texas at this time faces an acute housing shortage at the various eleemosynary institutions within the State as no new building have been, or can be, constructed during the emergency of war; and

Whereas there are reported to be more than 30,000 cases of infectious tuberculosis in Texas not being hospitalized, more than 500 such cases existing in one South Texas County, particularly among our Latin-American citizens; and

Whereas the State, while not responsible for all of these people, should provide facilities for the indigent who are unable to provide medical care for themselves; and

Whereas the two State tuberculosis sanatoriums at Kerrville and Carlsbad are filled to capacity at this time, with many tubercular patients acutely needing hospitalization, without hospital facilities available, and as a result are spreading this dread disease; and

Whereas all State-operated facilities for the care, education, and support of mentally handicapped children are filled to capacity with a long waiting list seeking admission into such institutions; and

Whereas the two aforesaid forts would provide places where these eleemosynary needs could be cared for immediately; and

Whereas should the legislature at this time appropriate sufficient funds with which to construct new buildings at the existing eleemosynary institutions, materials with which to construct such buildings could not be obtained due to the present war conditions; and

Whereas should the Congress of the United States authorize the transfer of Fort Ringgold and Fort Clark, together with the lands pertaining thereto, to the State of Texas, the property could be placed into immediate use with a small reconversion cost and thus the pressing needs of the present time could be met: Now, therefore, be it

Resolved by the Senate of Texas and the House of Representatives concurring, That the Representatives in Congress from the State of Texas and the United States Senators from Texas be respectfully requested to submit a bill to Congress providing that Fort Ringgold and Fort Clark, together with all lands belonging thereto, be transferred to the State of Texas for use in eleemosynary service; and, be it further

Resolved, That a copy of this resolution be mailed to each such Texas Representative in Congress and the United States Senators from Texas with the request that the Texas delegation meet at the earliest time possible and take proper steps in getting passed through Congress said bill transferring said forts to the State of Texas.

WORLD ORGANIZATION OF NATIONS—RESOLUTION OF LIONS CLUB OF KEMMERER, WYO.

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to present for appropriate reference and printing in the RECORD a resolution adopted by the Lions Club, of Kemmerer, Wyo., favoring a world organization of nations.

There being no objection, the resolution was referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

Whereas we believe the people of the United States of America are overwhelmingly in favor of a world organization of nations, large and small, to stop aggression, preserve the peace, and promote social and economic harmony; and

Whereas we believe that it is the duty of all Americans, individually and collectively, to develop opinion and thinking on this tremendous subject and to make that opinion and thinking known in such unmistakable terms as to leave no doubt of this Nation's desire to prevent such useless carnage and destruction as is now abroad in the world: Now, therefore, be it

Resolved by the Lions Club of Kemmerer, Wyo., United States of America, in regular meeting assembled, That:

1. Pending the development of details and the completion of the Dumbarton Oaks proposals, or some other similar world organization, we believe the President of the United States, the State Department and the Senate should conclude, as soon as possible, agreements with our principal allies providing for complete present and future demilitarization of Germany and Japan;

2. The United States of America should use all reasonable means to assure our allies and the other nations of the world that we intend to share in the direction of and responsibility for the settlement of the war and the maintenance of peace thereafter, with force, if necessary.

3. We know that the founding fathers recognized the need for both unity and force when they converted a loose and disorganized group of colonies into our present Federal system of government. We know, also, from the history and development of that Federal Government that they were right in their convictions, despite the fact that the original document was neither perfect nor complete. We believe that the principle of unity for safety and other purposes can likewise be beneficially applied among nations. Drawing further from the history of our Constitution and the judgments of a free and unbiased court system which has breathed life therein and formulated policies of government thereunder to the end that the Constitution has grown and lived with the economic life and necessity of the people, we believe that the framework and the details of a world organization must be worked out by the chosen leaders of the nations; that the document on which it is based must be elastic enough to expand to meet the needs which the future will dictate; that the document must be given life, growth and policies through the judgments of a final tribunal or assembly; and, finally, that such judgments, when the necessity arises, must be carried out by force of arms contributed by the signatory nations.

We, therefore, endorse and urge a world organization such as is indicated in the broad, basic principles agreed on at Dumbarton Oaks, notwithstanding the fact that it is neither perfect nor complete.

Dated at Kemmerer, Wyo., April 17, 1945.

KEMMERER LIONS CLUB,
MERL CASE, *President.*
J. F. JIACOLETT, *Secretary.*

Members: W. J. Withespoon, H. R. Christmas, Hugh D. Schooley, J. A. Christmas, Frank H. Taylor, A. G. Sant, R. O. Hummer, M. D. H. A. Lewis, D. S. Hunter, G. E. Sorensen, Harry Julian, Platt Wilson, R. M. Turner, F. L. Fagnant, L. M. Pratt, Don Urquhart, Kendall R. Peterson, Richard J. Millward, Joseph Canosa, A. L. Burgoon, Otto Angelo, Ralph Rosenberg, C. P. Spears, Roy Beachler, Wm. S. Edmonds, J. Orson Bohn, Earl Ellsworth, P. J. Quealy, G. S. Sawaya, F. E. Curtis, Cleo C. Wright, Roy A. Davidson, Guy G. Hill, Jas. McNamara, Carl B. Arentson, Wilford Williams, R. B. Johnson, C. D. Emery, Andy Morrow, V. J. Staudeher.

I hereby certify that the above and foregoing resolution is a full, true, and complete copy of a resolution unanimously adopted by the Lions Club, of Kemmerer, Wyo., United States of America, at a regular meeting held April 17, 1945, as the same now appears in the minutes of said club.

MERL CASE, *President.*

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McCARRAN:

From the Committee on the Judiciary:

S. 633. A bill to amend the Criminal Code so as to punish anyone injuring a party, witness, or juror on account of his having acted as such; without amendment (Rept. No. 225).

From the Committee on Irrigation and Reclamation:

S. 24. A bill for the relief of the Truckee-Carson Irrigation District; with an amendment (Rept. No. 226).

By Mr. MORSE, from the Committee on Claims:

H. R. 1561. A bill for the relief of the legal guardian of Louis Ciniglio; without amendment (Rept. No. 227).

By Mr. TAYLOR, from the Committee on Claims:

H. R. 780. A bill for the relief of the legal guardian of Vonnie Jones, a minor; without amendment (Rept. No. 228);

H. R. 1910. A bill for the relief of Frank Lore and Elizabeth Vidotto; without amendment (Rept. No. 229); and

H. R. 2129. A bill for the relief of Edward Lawrence Kunze; without amendment (Rept. No. 230).

By Mr. ELLENDER, from the Committee on Claims:

S. 672. A bill for the relief of Mrs. Gertrude Weir Lillis; with amendments (Rept. No. 233);

S. 784. A bill for the relief of Mr. and Mrs. John T. Webb, Sr.; with an amendment (Rept. No. 234);

H. R. 244. A bill for the relief of Adell Brown and Alice Brown; without amendment (Rept. No. 231);

H. R. 903. A bill for the relief of Myles Perz; with an amendment (Rept. No. 235);

H. R. 1031. A bill for the relief of Matthew Mattas; with an amendment (Rept. No. 236); and

H. R. 2361. A bill for the relief of Alexander Sawyer; without amendment (Rept. No. 232).

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

S. 939. A bill to extend the provisions of the act of November 29, 1940 (Public Law 884, 76th Cong., 54 Stat. 1219), relating to promotion of Medical, Dental, and Veterinary Corps officers; with amendments (Rept. No. 237).

By Mr. O'DANIEL, from the Committee on Commerce:

S. 233. A bill granting the consent of Congress to the State of North Dakota to construct, maintain, and operate a free highway bridge across the Missouri River; without amendment (Rept. No. 239);

S. 234. A bill authorizing the construction of a free highway bridge across the Yellowstone River near Fairview, Mont.; without amendment (Rept. No. 240);

S. 454. A bill to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark.; with an amendment (Rept. No. 243);

S. 527. A bill to extend the times for commencing and completing the construction of a bridge across the St. Croix River at or near Hudson, Wis.; without amendment (Rept. No. 241);

S. 574. A bill to revive and reenact the act entitled "An act authorizing the Oregon-Washington Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Columbia River at Astoria, Clatsop County, Oregon", approved June 13, 1934; with an amendment (Rept. No. 244); and

H. R. 1659. A bill authorizing the Department of Highways of the State of Minnesota to construct, maintain, and operate a bridge across the Pigeon River; without amendment (Rept. No. 242).

REPORTS ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BREWSTER, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation two lists of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted reports thereon pursuant to law.

RURAL ELECTRIFICATION PROJECTS—REPORT OF AGRICULTURE AND FORESTRY COMMITTEE

Mr. LUCAS. Mr. President, from the Committee on Agriculture and Forestry I report favorably, with amendments, the bill (S. 89) to provide for the planning of rural electrification projects, and for other purposes, and I submit a report (No. 238) thereon.

Under the Senate rules the bill automatically goes to the calendar. As soon as the Senator from Nevada completes the bill which is now the unfinished business before the Senate, I serve notice that I shall move that the Senate proceed to consider Senate bill 89.

The PRESIDENT pro tempore. Without objection, the report will be received and the bill placed on the calendar.

Mr. SHIPSTEAD subsequently said: Mr. President, during the day the senior Senator from Illinois [Mr. LUCAS] reported Senate bill 89, which deals with the Rural Electrification Administration. The bill has an amendment adopted by the committee creating the Rural Electrification Administration as an independent agency.

There has been some misunderstanding created by the press by the statement that this was a Republican-sponsored measure. I want to disabuse the mind of anybody who may entertain that impression, because the original report which was made by the subcommittee in a former session of the Congress was adopted unanimously by both Democratic and Republican members of the subcommittee.

The Senator from Mississippi [Mr. BILBO] was not able to be present when the report was signed. The amendment as it first originated in the Senate was in the form of a bill sponsored by the Senator from Montana [Mr. WHEELER], the Senator from Vermont [Mr. AIKEN], and myself.

Mr. President, I ask that these remarks of mine be placed in the RECORD following the remarks of the Senator from Illinois [Mr. LUCAS] when he reported the bill referred to.

I also ask that there be printed in the RECORD as a part of my remarks an editorial from the Washington Post of April 30, 1945, dealing with this subject. In addition to that I ask to have printed in the RECORD the interim report made by the bipartisan committee of the Senate which conducted the hearings which brought forth the report.

Mr. President, I also have some telegrams referring to the bill of the Senator from Nevada [Mr. McCARRAN], in addition to the ones I have asked to have printed in the RECORD. These telegrams come from various municipalities of the State of Minnesota, and other public bodies dealing with the subject covered by the bill which has just been before the Senate, and which will be considered later. I ask that these telegrams be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the matters were ordered to be printed in the RECORD, as follows:

AN INDEPENDENT R. E. A.

By a 13-to-6 vote the Senate Agricultural Committee approved a proposal to detach the Rural Electrification Administration from the Department of Agriculture where it was shifted in 1939 by Executive order. This move to restore R. E. A.'s independence should, in our opinion, be welcomed because the Department of Agriculture is as greatly in need of pruning, as the Department of Commerce was before the divorce of its R. F. C. lending agencies. We trust that efforts to reduce the Department of Agriculture to more manageable size will be pushed with a view to restoring also the independence of the Farm Credit Administration.

Owing to the need for conserving copper and steel for war use, and manpower shortages, the R. E. A. has been in eclipse for a number of years. But suspension of contemplated extensions of rural power systems financed with R. E. A. funds is only temporary. The future importance of that agency has been conspicuously brought to public notice in recent months by the bitter controversy provoked over the nomination of Aubrey Williams as head of R. E. A. The Senate's rejection of the nominee strongly indicates that Mr. Williams' opponents took for granted that the head of R. E. A. would be the responsible policy maker, notwithstanding his subordinate status. That assumption is itself a strong argument in favor of making the position independent in law as well as in fact.

The R. E. A. has already advanced more than half a billion dollars for the development of rural electrification, and indirectly its influence has been felt in the spur given to private developmental projects of similar character. Legislation now pending would greatly step up the war-curtailed operations of R. E. A. by providing for loan authorizations of approximately $600,000,000 during the next 3 years, to finance farm power cooperatives. These electrification projects not only make life on the farm easier and pleasanter by means of labor-saving devices but they increase farm output. With millions of farm homes and many thousands of rural schools, churches, and industries still without electricity, the R. E. A. seems destined to play a very important part in helping to build up our post-war economy. That is another, perhaps the strongest, argument of all in favor of restoration of the agency's former independent status, provided, of course, that Congress retains sufficient control over the directing head to make sure he does not exceed his authority.

ADMINISTRATION OF THE RURAL ELECTRIFICATION ACT—INTERIM REPORT OF THE SUBCOMMITTEE OF THE SENATE AGRICULTURE AND FORESTRY COMMITTEE ON HEARINGS ON SENATE RESOLUTION 197, PROVIDING FOR THE INQUIRY INTO THE ADMINISTRATION OF THE RURAL ELECTRIFICATION ADMINISTRATION—JUNE 22, 1944

Your subcommittee, which was appointed to consider and report on the proposals made in Senate Resolution 197, to inquire into the administration of the Rural Electrification Administration, has completed the preliminary phases of its inquiry and has elected to make this preliminary report.

The Rural Electrification Administration was originally created by an Executive order by the President, and later, by enactment of

law, was made a Federal agency under an administrator appointed by the President for a term of 10 years and confirmed by the Senate.

The provisions of law made the employees subject to civil service, and political activity by the Administrator and employees was prohibited by law. The Administrator was given full authority and responsibility only to the Congress. It was hoped at the time that the record of freedom from political activity and efficiency of management and operation of this agency would compare favorably with the record of T. V. A., which was also made an independent administrative agency not subjected to interference in its program and management.

So long as this policy of independence prevailed, the record of the R. E. A. was outstanding and fulfilled the highest expectations of the President, the Congress, and the people of the United States. All employees were directly responsible to the Administrator. The Administrator was responsible to the Congress.

Under the Reorganization Act of 1939, the R. E. A. was transferred to the Agricultural Department of the Federal Government. The order of transfer stated that the R. E. A. should be under the general supervision and direction of the Secretary of Agriculture. As a result, the various divisions of personnel were divorced from the R. E. A. organization and spread through the various personnel sections of the Department of Agriculture. The Administrator was deprived of authority to select his personnel. The legal department was transferred and became a part of the legal department of the Department of Agriculture. Centralization of authority and responsibility placed by the Congress in the person of the Administrator became dissipated among the various agencies f the Agricultural Department.

There is evidence that subordinates in the Department of Agriculture cooperated with subordinates in the R. E. A. and persons not employed by the Agricultural Department or the R. E. A., to undermine the authority placed by the Congress in the office and person of the Administrator.

The evidence also indicates that one source of disorganization and trouble was the almost constant effort of some of the employees and engineers of the R. E. A. to force upon the farm cooperatives a higher cost of conductors than was desired by some of the farm cooperatives. There was considerable evidence to indicate that the products of the Copperweld Steel Co. were favored over aluminum by some of the engineers having to do with the approval of contracts. The testimony in regard to this controversy was conflicting, but the committee is of the opinion that there was more than a legitimate and ethical connection between some of the engineers and other personnel employed by the R. E. A. in relation to the selection of conductors and other construction materials.

The testimony before the committee indicates that after the local co-ops had let contracts favoring aluminum as a lower cost conductor, pressure was brought to bear by employees of the R. E. A. to have the contracts canceled and new contracts made permitting the use of a higher cost conductor.

As these practices increased, more and more dissatisfaction, controversy, and intrigue became manifest as the testimony before the committee will show. This resulted in confusion, a lowering of morale of the personnel as authority and responsibility of the Administrator was usurped by various heads and personnel of the Agricultural Department.

There can be no doubt that the Administrator of the Rural Electrification Administration, appointed by the President and confirmed in that appointment by the United States Senate, is no longer the Administrator of the R. E. A. in fact.

There can be no doubt that there is dissension among those in highest authority in the administration of R. E. A., that there is divided authority, and therefore credence can be given to the reports which came to the committee of growing discord and distrust and disorganization within the R. E. A.

The Rural Electrification Administration was established by Congress as an agency responsible directly to the Congress. During the early years of the Administration, it was administered in accord with the spirit of the act and as an agency responsible to the Congress, or what is generally described as an independent agency. Throughout those years the Rural Electrification Administration gained the respect and the commendation of the Congress, as well as the people of the United States. It is fair to say that the Administration gained general approval and was singularly free from adverse criticism.

One of the most disrupting episodes causing further dissension and disorganization was the incorporation of certain private corporations for the operation of insurance companies and agencies to sell supplies and insurance to the R. E. A. cooperatives, their families, and others. The incorporators seem to have included some superintendents of local cooperatives.

Mr. Stoneman, now president of the National Rural Electric Cooperative Association, testified he was one of them. An intensive campaign was started by the officers of this organization and various employees of the R. E. A. to induce the more than 800 local cooperatives to become members of this organization. In fact, the testimony indicates that before these corporations were formed, this scheme was originated by the Deputy Administrator, Mr. Robert B. Craig, who, under oath, testified that he was willing to accept the responsibility of parentage of this scheme.

There is some testimony in the record to indicate that the importance of such an organization for political purposes was estimated and appraised. But there is no testimony showing that the R. E. A. organization itself ever engaged in political activities.

This N. R. E. C. A. organization at first seemed to have the approval of the Secretary and Assistant Secretary of Agriculture, and the Administrator. However, after some time the true purpose of this organization became apparent.

It appears that the National Rural Electric Cooperative Association, in order to start in the insurance business, had to have certain funds of the local cooperatives required by State law in various States where they intended to operate and conduct an insurance business. They proposed to obtain these funds by giving their notes to the cooperatives and so use the surplus funds of the cooperatives to start the insurance business.

When these facts came to the knowledge of the Administrator, Mr. Slattery, he wrote a letter of warning to the cooperatives, telling them to "stop, look, and listen." He also wrote a letter to the Secretary of Agriculture, Mr. Wickard, to obtain a legal opinion as to the legality of the scheme permitting the local cooperatives to use their funds for such purpose, as of course their funds were under lien to the Government of the United States for loans.

That opinion of the Solicitor seems to have ended the scheme of this group, so far as selling insurance was concerned.

The action the Administrator, Mr. Slattery, took to obtain legal advice on this scheme to use the funds of the R. E. A. seems to have precipitated an attack upon the Administrator by officials of the National Rural Electric Cooperative Association, as well as by some officials of the Department of Agriculture. Up until that time the testimony shows, many letters by various members and officials of the National Rural Electric Cooperative had been exceedingly laudatory in their expressions of admiration for the ability and integrity of the Administrator of the R. E. A., Mr. Slattery.

It is interesting to note that when the Secretary of Agriculture was informed by the legal opinion of his Solicitor that moneys of the R. E. A. could not be used for such purposes as intended by the organizers of the National Rural Electric Cooperative Association, he warned employees of the R. E. A. to cease and desist from helping to further the scheme and joined Mr. Slattery in warning employees to have nothing to do with the N. R. E. C. A. There is evidence that thereafter certain Agriculture Department officials joined with the organizers of the N. R. E. C. A. in attempts to have Mr. Slattery removed as Administrator of the R. E. A. Pressure was brought upon the President to have him removed. This seems to have failed.

Mr. Slattery, having been appointed by the President, through the authority of a special act of Congress, for a period of 10 years, and confirmed by the Senate of the United States, the question of his removal without a hearing and without the filing of specific charges presented a legal problem that the President might hesitate to undertake, even had he so desired. Emissaries from the Department of Agriculture and of the N. R. E. C. A. brought pressure to bear upon the White House to get rid of the Administrator without resorting to removal for cause and upon hearing. There is direct evidence that he was offered another position subsequently to go to Europe to study rural electrification, at his present salary, if he would resign as Administrator of the R. E. A. This he refused to do.

We have a right to assume that the rumors and charges of incompetency and mismanagement on the part of Mr. Slattery, as Administrator, that were suddenly discovered, after he opposed the insurance activities of the N. R. E. C. A. to use the mortgage funds of the cooperatives to start their insurance companies, were carried to the President and made the basis for the request for his discharge or removal. Such action has our unqualified disapproval.

The rural electrification program has been regarded by the general public and the Congress and should continue to be regarded as a program to encourage the distribution of electric power to farmers at reasonable cost and to make possible the building of rural electrification distribution lines.

The authority given to the R. E. A. by Congress, and the only authority, was that of granting loans or credit to various groups or organizations which might be interested in the development and building of rural electrification distribution lines and the building of such electrical production plants as necessary where reasonable rates for electric power could be obtained, and the additional authority, of course, to protect and conserve the loans made by the Government to local cooperatives.

The disintegration and demoralization of personnel in the R. E. A. since its integration into the Department of Agriculture, is an outstanding contrast to the harmony and excellency of morale that appears to have existed prior thereto, and is an indictment of the administration under the Agricultural Department.

The T. V. A. was created as an independent agency and seems to have preserved the record of administration that has won the universal praise of the American people. It has apparently not been subjected to campaigns for exploitation by outside private individuals so far as is known. It has not been accused of political activities. It seems to have been operated as a business institution undertaking a service to the people that could not be furnished by private capital. Such an institution, it was hoped, the R. E. A. would be and continue to be of service to the farmers of the United States.

The testimony of John M. Carmody, who was Administrator of R. E. A. immediately prior to the reorganization of R. E. A., is very impressive and supports in every way the idea of strict independence of the R. E. A. Mr.

Carmody made an excellent Administrator, but despite his zealous devotion to the work of R. E. A. and his high esteem for the program of rural electrification, he retired from his position as Administrator of the R. E. A. immediately after the Reorganization Act became effective. There can be no question as to why he retired. He made his reasons known in the testimony before the committee. He feared that the success of the R. E. A. would be impaired, and the R. E. A. would be handicapped when it became subordinate to the Department of Agriculture. He anticipated the menace of "layers of authority" over R. E. A. His anticipations and fears were fully justified.

There can be no doubt of the desire and intention of Congress in enacting the legislation making the R. E. A. an independent institution and providing that the term of office of the Administrator should be for 10 years. The Congress desired to protect the administration of the R. E. A. program from all kinds of political influence, and desired to establish the R. E. A. as an agency of government entirely free and independent of any and every influence other than that of the act itself and the officials and employees appointed to administer the act.

As one witness before the committee emphasized, there is every reason and every obligation in a democratic form of government to divorce, in every way possible, the administration of any units of government engaged in the administration of economic affairs or business from the political affairs of the Government. Any other course of action is a step toward the totalitarian state.

Your subcommittee has elected, therefore, to make this preliminary report with recommendations relating to the emergency situation within R. E. A. The rural-electrification program has had such general and enthusiastic approval, and the evidence before your subcommittee raises questions about many matters of administration within R. E. A., and by grace of the influence of R. E. A. in the rural-electrification cooperatives which deserve and even demand further study.

However, the subcommittee has labored faithfully with the limited funds and time permitted, and while we are expecting information which has been requested and will be requested from the departments concerned, the record of testimony presented before the committee now justifies a recommendation that the Rural Electrification Administration be by law returned to its status first assigned to it by the Congress, and this committee recommends that that be done at the earliest possible date.

E. D. SMITH.
HENRIK SHIPSTEAD.
G. M. GILLETTE.
GEORGE D. AIKEN.

MINNEAPOLIS, MINN., *May 2, 1945.*
SENATOR HENRIK SHIPSTEAD:

Heartily in accord with Senate bill 2 providing for post-war airport program and calling for 50 percent grants to cities for C. A. A. approved airport projects with direct dealings between cities and C. A. A.

Mayor MARVIN L. KLINE.

ROCHESTER, MINN., *May 2, 1945.*
Hon. HENRIK SHIPSTEAD,
Senator, Senate Office Building,
Washington, D. C.:

Rochester, Minn., favors Senate bill 2; we urge your support.

PAUL A. GRASSLE, *Mayor.*

MINNEAPOLIS, MINN., *May 2, 1945.*
Hon. HENRIK SHIPSTEAD,
United States Senate,
Washington, D. C.:

Passage of S. 2 Federal-aid airport bill, threatens Minnesota's forward-looking aviation program, in that it imposes conditions and restrictions that the legislature cannot meet as price for Federal aid. Note sections 9, 14, and 15.

S. 2 fails to recognize mutual aspect of Federal, State, municipal cooperation.

S. 2 replaces State authority and control for that of Federal.

S. 2 tends to deprive Metropolitan Airport Commission of Twin Cities of any control or regulation of its facilities if they should use Federal funds.

Representative VERNON S. WELCH,
Chairman, House Aviation.

ROCHESTER, MINN., *May 2, 1945.*
Senator HENRIK SHIPSTEAD,
Washington, D. C.:

Recommend passage Senate bill 2 providing for post-war airport program.

ROCHESTER CHAMBER OF COMMERCE,
ERWIN L. BRIESE,
Executive Secretary.

INVESTIGATION OF SECURITIES AND EXCHANGE COMMISSION AND POST OFFICE DEPARTMENT

Mr. LUCAS. Mr. President, from the Committee to Audit and Control the Contingent Expenses of the Senate I ask unanimous consent to report, with amendments, Senate Resolution 112, and I also ask unanimous consent that it be considered at this time.

Mr. WHITE. Mr. President, may I ask what the resolution is?

Mr. LUCAS. I will say to the distinguished minority leader that this is merely a continuation of a resolution which was adopted on February 26, 1945, with the understanding at that time that the Senator from Florida, who was interested in the resolution, would attempt to make an investigation in his own State to determine whether or not the original resolution (S. Res. 35) would afford sufficient time.

The pending resolution grows out of the fact that an investigation of certain financing in the State of Florida, conducted by investigators of the Federal Securities and Exchange Commission and the Post Office Department was, according to the contention of the people of Florida, impairing the good faith and credit of their institutions. The Senator from Nevada [Mr. MCCARRAN], chairman of the Judiciary Committee, caused an investigation to be made, and the Senator from Florida, who was vitally interested, thought that further evidence should be taken in Florida and asked for a continuation of the resolution.

Mr. WHITE. Am I right in my understanding that it proposes an investigation by the Securities and Exchange Commission?

Mr. LUCAS. No; by a Senate committee. The Committee on the Judiciary has been investigating certain investigations conducted there by the Securities and Exchange Commission as well as the Post Office Department, who have been investigating certain transactions in the State of Florida. The authorities of the State of Florida contending that such investigations are doing irreparable injury to the financial structure of certain institutions there.

The PRESIDENT pro tempore. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to the consideration of the resolution, submitted by Mr. MCCARRAN on April 2, 1945.

The amendments of the Committee to Audit and Control the Contingent Expenses of the Senate were on line 6 after the word "until", to strike out "January 1, 1946" and insert "December 31, 1945"; and in line 8, after the word "by", to strike out "$5,000" and insert "$2,500", so as to make the resolution read:

Resolved, That the authority conferred by Senate Resolution 35, Seventy-ninth Congress, agreed to February 23, 1945 (relating to an investigation of the Securities and Exchange Commission and the Post Office Department), is hereby continued during the sessions, recesses, and adjourned periods of the Seventy-ninth Congress until December 31, 1945; and that the limit of expenditures under such resolution is hereby increased by $2,500.

The amendments were agreed to.

The resolution as amended was agreed to.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate reports for the month of April 1945, from the chairmen and acting chairmen of certain committees, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which were ordered to lie on the table and to be printed in the RECORD, as follows:

COMMITTEE ON NAVAL AFFAIRS

APRIL 30, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of April 1944, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Capt. James A. Saunders, U. S. Navy (retired)	4105 Oliver St., Chevy Chase, Md	Office of the Chief of Naval Operations, Navy Department, Washington, D. C.	$6,000
Chief Yeoman Herbert S. Atkinson (A. A.) U. S. Naval Reserve.	2405 Pennington Rd., Trenton, N. J	do	1,212

DAVID I. WALSH, *Chairman.*

SENATE NAVY LIAISON OFFICE, ROOM 461, SENATE OFFICE BUILDING

APRIL 30, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of April 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lt. Frederick A. McLaughlin, U. S. Naval Reserve	5305 41st St. NW., Washington, D. C.	Bureau of Naval Personnel, Navy Department, Washington, D. C.	$2,400
Lt. Joseph G. Feeney, U. S. Naval Reserve	2745 29th St. NW., Washington, D. C.	do	2,400
Yeoman Second Class Eleanor W. St. Clair, U. S. Naval Reserve.	2134 R St. NW., Washington, D. C.	do	1,152
Yeoman Second Class Loretto F. Jochman, U. S. Naval Reserve.	do	do	1,152

The above employees are representatives of the Bureau of Naval Personnel, Navy Department, to assist Senators on naval personnel matters.

DAVID I. WALSH.

COMMITTEE ON PENSIONS

MAY 1, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of the person employed by the committee who is not a full-time employee of the Senate or of the committee for the month of April 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Louis J. Meyerle	612 Bennington Drive, Silver Spring, Md.	Veterans' Administration	$5,000

JAMES M. TUNNELL, *Chairman.*

SENATE COMMITTEE ON PUBLIC LANDS AND SURVEYS.

APRIL 30, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the name of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of April, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944 (see attached memorandum):

Memorandum to Senator CARL A. HATCH, chairman, Senate Committee on Public Lands and Surveys.

From: Senator PAT MCCARRAN, chairman, subcommittee investigating the administration and use of public lands.

The following persons are detailed from the Department of Agriculture, Forest Service, to assist with the work of the above subcommittee:

E. S. Haskell, senior administrative officer, Forest Service, CAF–12; basic salary $5,000, per annum.

Elizabeth Heckman, clerk, CAF–5; basic salary, $2,000, per annum.

CARL A. HATCH,
Chairman.

By W. H. MCMAINS,
Clerk.

SENATE MILITARY AFFAIRS COMMITTEE, SUBCOMMITTEE ON WAR MOBILIZATION

APRIL 30, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of April 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Ann S. Gertler	3721 39th St. NW., Washington, D. C.	Department of the Interior, Washington, D. C.	$2,100
Hope C. Heslep	2 East Maple St., Alexandria, Va.	War Manpower Commission, Washington, D. C.	2,000
Joan P. Karasik	1919 19th St. NW., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	3,800
Charles Kramer	4621 South 34th St., Arlington, Va.	Office of Price Administration, Washington, D. C.	6,500
C. Theodore Larson	3917 North 5th St., Arlington, Va.	National Housing Agency, Washington, D. C.	5,600
Fritzie P. Manuel	1621 T St. NW., Washington, D. C.	War Manpower Commission, Washington, D. C.	3,800
Darel McConkey	Lanham, Md.	War Production Board, Washington, D. C.	4,600
Cora L. Moen	5327 16th St. NW., Washington, D. C.	Office of Price Administration, Washington, D. C.	2,000
Elizabeth H. Oleksy	1620 Fuller St. NW., Washington, D. C.	War Production Board, Washington, D. C.	2,000
Mary Jane Oliveto	500 B St. NE., Washington, D. C.	National Housing Agency, Washington, D. C.	1,800
Francis C. Rosenberger	5814 64th Ave., East Riverdale, Md.	Office of Price Administration, Washington, D. C.	4,600
Herbert Schimmel	3604 Minnesota Ave. SE., Washington, D. C.	War Production Board, Washington, D. C.	8,000
Marjorie J. Tillis	211 Delaware Ave. SW., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	3,200

H. M. KILGORE, *Chairman.*

SUBCOMMITTEE ON WARTIME HEALTH AND EDUCATION

MAY 1, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of April 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
Lauretta April	2714 Quarry Rd. NW., Washington, D. C.	War Production Board, 3d and Independence Ave. SW.	$3,200
Groff Conklin	514 2d St. NW., Washington, D. C.	do	5,600
Philip C. Curtis	4303 Russell Ave., Mount Rainier, Md.	Navy Department, 18th and Constitution Ave. NW.	3,800
Richard P. Daniels	1743 Columbia Rd. NW., Washington, D. C.	Federal Public Housing Authority, 1201 Connecticut Ave. NW.	1,440
Marion Dillon	3659 Minnesota Ave. SE., Washington, D. C.	Navy Department, 18th and Constitution Ave. NW.	3,200
Ruth Fine	804 Houston Ave., Takoma Park, Md.	Federal Public Housing Authority, 1201 Connecticut Ave. NW.	2,000
Rose Gerber	2513 14th St. NE., Washington, D. C.	Navy Department, 18th and Constitution Ave. NW.	2,000
Harald Lund	476 N St. SW., Washington, D. C.	do	6,200
Joseph McMurray	129 C St. NE., Washington, D. C.	Department of Labor, 14th and Constitution Ave. NW.	4,600
Carl Malmberg	1813 F St. NW., Washington, D. C.	Federal Security Agency, 1825 H St. NW.	5,600
Love Morgan	1607 18th St. SE., Washington, D. C.	Veterans' Administration, Vermont Ave. and I St. NW.	2,000
Ruth Morgenstein	3022 Rodman St. NW., Washington, D. C.	do	2,600
Sari Schwartz	1701 16th St. NW., Washington, D. C.	Federal Public Housing Authority, 1201 Connecticut Ave. NW.	2,000
Lt. Leslie Falk, Army of the United States, Medical Corps.	2804 Terrace Rd. SE., Washington, D. C.	U. S. Army, Pentagon Bdg.	2,000
Lt. Comdr. John B. Truslow, Medical Corps, U. S. Naval Reserve.	2007 Peabody St., West Hyattsville, Md.	U. S. Navy, 18th and Constitution Ave. NW.	3,000

CLAUDE PEPPER, *Chairman.*

UNITED STATES SENATE,
SPECIAL COMMITTEE TO STUDY PROBLEMS OF AMERICAN SMALL BUSINESS,
May 1, 1945.

Mr. LESLIE L. BIFFLE,
Secretary of the Senate,
United States Capitol,
Washington, D. C.

DEAR MR. BIFFLE: Pursuant to Senate Resolution 55, I am transmitting herewith a list of employees of the Special Committee to Study Problems of American Small Business who are not full-time employees of the Senate. Included with this list is the name and address of each such employee, the name and address of the Department paying the salary of such employee, and the annual rate of compensation for each such employee.

Respectfully yours,

JAMES E. MURRAY,
Chairman.
By DEWEY ANDERSON,
Executive Secretary.

SPECIAL COMMITTEE TO STUDY AND SURVEY PROBLEMS OF SMALL BUSINESS ENTERPRISES

MAY 1, 1945.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate or of the committee for the month of April 1945, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Name of individual	Address	Name and address of department or organization by whom paid	Annual rate of compensation
F. O. Billings	Dodge Hotel, Washington, D. C.	Bonneville Power Administration, Portland, Oreg.	$3,800
Brainard Cheney	3418 Highwood Drive SE., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	6,500
Agnes E. Crivella	1408 Buchanan St. NW., Washington, D. C.	War Production Board, Washington, D. C.	2,700
Emerald G. Devitt	2425 27th St. South, Arlington, Va.	do	2,100
Elsie A. Digges	120 C St. NW., Washington, D. C.	do	1,800
Herman Edelsberg	2141 Suitland Terrace SE., Washington, D. C.	Foreign Economic Administration, Washington, D. C.	6,500
Harry J. Evans	3010 Gainesville St. SE., Washington, D. C.	Reconstruction Finance Corporation, Washington, D. C.	6,500
F. Preston Forbes	502 Four Mile Road, Alexandria, Va.	Department of Commerce, Washington, D. C.	4,600
Carol M. Fuller	2101 S St. NW., Washington, D. C.	Office of Price Administration, Washington, D. C.	2,100
Scott K. Gray, Jr.	119 Joliet St. SW., Washington, D. C.	Reconstruction Finance Corporation, Washington, D. C.	4,600
Stella J. Groeper	1127 Branch Ave. SE., Washington, D. C.	War Production Board, Washington, D. C.	2,600
Kathleen Kimball	1701 Park Road NW., Washington, D. C.	do	2,000
Elizabeth P. Lucas	1730 North Quincy St., Arlington, Va.	do	1,860
John W. Nelson	The Delano Apartments, Washington D. C.	do	5,600
Vernice M. O'Mullane	Alcott Hall, Washington, D. C.	do	1,680
Jack H. Pollack	4307 Russell Ave., Mount Rainier, Md.	War Manpower Commission, Washington, D. C.	4,600
Grace F. Purdy	230 Rhode Island Ave. NE., Washington, D. C.	Office of Price Administration, Washington, D. C.	3,300
Martha G. Ray	1457 Park Rd. NW., Washington, D. C.	War Production Board, Washington, D. C.	2,100
Lt. George H. Soule	4020 Beecher St. NW., Washington, D. C.	Navy Department, Washington, D. C.	2,400
L. Evelyn Spicer	1708 Kilbourne Place NW., Washington, D. C.	War Production Board, Washington, D. C.	2,600
Frederick W. Steckman	4000 Cathedral Ave. NW., Washington, D. C.	Maritime Commission, Washington, D. C.	5,000
Maggie L. Strubel	4632 12th St. NE., Washington, D. C.	War Production Board, Washington, D. C.	1,800
Allen G. Thurman	210 East Shepherd St., Chevy Chase, Md.	Maritime Commission, Washington, D. C.	6,500
Alfred J. Van Tassel	1622 Mount Eagle Place, Alexandria, Va.	War Production Board, Washington, D. C.	6,500
Olga Yelenesies	2400 13th St. NW., Washington, D. C.	do	2,100

The above number of employees gave approximately 12 hours of their time during this month in a consultant capacity: War Production Board (5); National Housing Agency (1); Federal Works Agency (1); Agriculture (1).

JAMES E. MURRAY, *Chairman.*

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McCARRAN:

S. 940. A bill to provide for terms of the District Court of the United States for the District of Nevada; to the Committee on the Judiciary; and

S. 941. A bill to enlarge the jurisdiction of the United States district courts in suits against the United States; to the Committee on the Judiciary.

By Mr. MURRAY (for himself and Mr. WHEELER):

S. 942. A bill to permit weekly newspapers to suspend publication for not more than two issues in any one calendar year without loss of second-class mail privileges; to the Committee on Post Offices and Post Roads.

By Mr. MITCHELL:

S. 943. A bill granting the consent of Congress to the State of Washington to construct, maintain and operate a bridge across the Columbia River at Northport, Wash.; to the Committee on Commerce;

S. 944. A bill for the relief of Albert J. Walch; and

S. 945. A bill for the relief of Paul J. Sisk; to the Committee on Claims.

By Mr. DOWNEY:

S. 946. A bill to amend the joint resolution of July 29, 1941, relating to the removal of officers from the active list of the Regular Army; and

S. 947. A bill to provide for hospitalization and treatment of accredited war correspondents in Army, Navy, and Veterans' Administration hospitals; to the Committee on Military Affairs.

By Mr. JOHNSON of Colorado:

S. 948. A bill to extend the provisions of the act of July 11, 1941 (Public Law 163, 77th Cong., 55 Stat. 583), relating to prostitution near military and naval establishments; to the Committee on Military Affairs.

By Mr. RUSSELL:

S. 949. A bill relating to unused leave accumulated prior to retirement by officers placed on the retired list; to the Committee on Military Affairs.

By Mr. LANGER:

S. 950. A bill for the relief of Albert R. Ost; to the Committee on Claims.

S. 951. A bill to provide for a method of liquidation and sale of homes in Farm Security Project No. RRM021; to the Committee on Agriculture and Forestry.

(Mr. LANGER also introduced Senate bill 952, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

By Mr. LUCAS:

S. 953. A bill granting to the State of Illinois all right, title, and interest of the United States of America, in and to the land comprising the right-of-way of the Illinois and Michigan Canal, as the same was routed and constructed through the public lands of the United States in the State of Illinois, and in and to the 90 feet of land on each side of said canal for the entire length thereof; to the Committee on Public Lands and Surveys.

S. 954. A bill granting a pension to George Gillibrand; to the Committee on Pensions.

By Mr. BREWSTER:

S. 955. A bill for the relief of Ada B. Foss; and

S. 956. A bill for the relief of Mr. and Mrs. Stephen E. Sanders; to the Committee on Claims.

(Mr. BRIDGES (for himself and Mr. JOHNSON of Colorado) introduced Senate bill 957, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

(Mr. McCLELLAN introduced Senate bill 958, which was referred to the Committee on Expenditures in the Executive Departments, and appears under a separate heading.)

By Mr. WALSH:

S. 959. A bill to authorize the Coast Guard to investigate and employ new methods of promoting safety at sea and aiding navigation; to the Committee on Commerce.

By Mr. HILL:

S. 960. A bill to facilitate employment of necessary personnel in the Veterans' Administration; to the Committee on Expenditures in the Executive Departments.

(Mr. RADCLIFFE (for himself, Mr. CAPEHART, Mr. CAPPER, Mr. CHANDLER, Mr. CHAVEZ, Mr. FERGUSON, Mr. FULBRIGHT, Mr. GUFFEY, Mr. HAWKES, Mr. JOHNSON of California, Mr. KILGORE, Mr. LANGER, Mr. McCLELLAN, Mr. MAGNUSON, Mr. MYERS, Mr. PEPPER, Mr. ROBERTSON, Mr. STEWART, Mr. THOMAS of Oklahoma, Mr. THOMAS of Idaho, Mr. TUNNELL, Mr. TYDINGS, Mr. WILLIS, and Mr. YOUNG) introduced Senate Joint Resolution 61, which was referred to the Committee on the Judiciary, and appears under a separate heading.)

By Mr. TUNNELL (for Mr. MEAD):

S. J. Res. 62. Joint resolution granting the consent of Congress to an agreement amending the original agreement entered into by the States of New York and Vermont relating to the creation of the Lake Champlain Bridge Commission; to the Committee on Commerce.

AMENDMENT OF SERVICEMEN'S DEPENDENTS ALLOWANCE ACT OF 1942

Mr. LANGER. I ask unanimous consent to introduce for appropriate reference a bill relating to the payment of family allowances under the provisions of the Servicemen's Dependents Allowance Act of 1942, as amended, to the dependents of enlisted men imprisoned pursuant to court martial proceedings.

The PRESIDENT pro tempore. Without objection, the bill will be received and appropriately referred.

The bill (S. 952) relating to the payment of family allowances under the provisions of the Servicemen's Dependents Allowance Act of 1942, as amended, to the dependents of enlisted men imprisoned pursuant to court martial proceedings, was read twice by its title and referred to the Committee on Military Affairs.

Mr. LANGER. Mr. President, I may say that this bill is introduced for the reason that once in a while some poor private is arrested and court martialed. In one instance of which I know, a young man was sent to the penitentiary for 30 years. Within 6 months the allowance to his wife and small child stopped. The bill is designed to prevent that sort of thing.

MEDALS TO WAR CORRESPONDENTS WHO PERFORM EXCEPTIONALLY MERITORIOUS SERVICES

Mr. BRIDGES. Mr. President, the other day a group of distinguished Senators introduced a bill to award posthumously to Ernie Pyle, the Congressional Medal of Honor. That bill was held up in the Senate Military Affairs Committee, due to the fact that Congressional Medals of Honor are specifically limited to men in the armed services who have performed heroically. So, today, on behalf of the senior Senator from Colorado [Mr. JOHNSON] and myself, I ask unanimous consent to introduce, for appropriate reference, a bill which will create a new medal to be known as the Distinguished Service News Medal, which may be awarded by the President to newsmen, photographers, commentators, or radiomen who perform meritoriously in the war.

I ask that the bill be printed in the RECORD following these remarks.

The PRESIDENT pro tempore. Without objection, the bill will be received, appropriately referred, and printed in the RECORD.

The bill (S. 957). A bill to provide for the issuance of medals to war correspondents who perform exceptionally meritorious services; was read twice by its title, referred to the Committee on Military Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That there is hereby created a decoration to be known as the Distinguished Service News Medal, which shall have distinctive devices and appurtenances, and which the President, under such rules and regulations as he shall prescribe, may award to accredited representatives of press and radio who have rendered or who hereafter render exceptionally meritorious service in the performance of their duties outside the continental limits of the United States in time of war.

SEC. 2. There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this act.

PROPOSED CONSTITUTIONAL AMENDMENT PROVIDING EQUAL RIGHTS FOR WOMEN AND MEN

Mr. RADCLIFFE. Mr. President, I ask unanimous consent to introduce, on behalf of various Senators and myself, a joint resolution calling for a constitutional amendment providing that the rights of women and men shall be coequal.

I feel strongly that the adoption of this amendment would be a forward step and a wise one. Its adoption would certainly be one of the most important stages in the development of opportunities for women. Of course, I realize that for many years in countless indispensable ways women have had many varied fields of usefulness which they have utilized for the benefit of humanity. However, ever-changing economic factors and processes have made constantly more urgent the demand that women be given the right to exercise certain other privileges which have so far in a measure been denied them. It may be that economic conditions of other days did not make imperative that such rights and privileges exist in a full sense. Nevertheless for many years women have given unmistakable and entirely convincing evidence that they are entitled to equality of opportunity with men and that society in the broad sense of the term would be greatly benefited by the exercise of women of such rights.

The wholesome trend toward such a realization has received a tremendous impetus because of and during the progress of the present World War. The tragic intensity and all-comprehensiveness of our war program have found women not only willing but also ready and competent to do a large part in the fight for freedom and democracy. Their contribution on the home front and on the battlefield during the present war has been outstanding and indispensable.

We are reminded that equality of opportunity will call also for equality of responsibility. Certainly so, but both terms in application are relative as to persons concerned, whether men or women. As individuals, whichever our sex, we can avail ourselves of our opportunities and also meet our responsibilities only as our physical fitness, special talents, other facilities, and circumstances will permit.

Some people fear that by the adoption of this amendment women may be deprived of certain necessary protective legislation now existing which was enacted for their special benefit and was so designated. Certainly we should be sufficiently resourceful to guard against injurious results occurring, bearing in mind the fact that opportunity and responsibility should be considered really from the standpoint of each individual and not from the standpoint of sex. I feel confident that with the adoption of an equal rights amendment the availability of individuals, whether they are men or women, to exercise specific duties, or to sustain successfully demands of responsibility, can be regulated with increasing success. We will continue to seek that goal at which no one, man or woman, will be forced to attempt to do that for which there is neither mental qualification nor physical fitness.

It is obvious that the adoption of an equal-rights amendment may require changes in certain existing remedial legislation. Surely adequate legislation designed to suit individual needs and limitations can be framed and passed. A period of moratorium is provided in this proposed amendment during which the most obvious requirements for enactment of legislation can be satisfied. Further legislation can and doubtless will be passed from time to time as conditions seem to warrant and to require.

I hope and believe that an amendment creating equal rights for men and women will become the law of the land.

There being no objection, the joint resolution (S. J. Res. 61) proposing an amendment to the Constitution of the United States relative to equal rights for men and women, introduced by Mr. RADCLIFFE (for himself, Mr. CAPEHART, Mr. CAPPER, Mr. CHANDLER, Mr. CHAVEZ, Mr. FERGUSON, Mr. FULBRIGHT, Mr. GUFFEY, Mr. HAWKES, Mr. JOHNSON of California, Mr. KILGORE, Mr. LANGER, Mr. MCCLELLAN, Mr. MAGNUSON, Mr. MYERS, Mr. PEPPER, Mr. ROBERTSON, Mr. STEWART, Mr. THOMAS of Oklahoma, Mr. THOMAS of Idaho, Mr. TUNNELL, Mr. TYDINGS, Mr. WILLIS, and Mr. YOUNG), was received, read twice by its title, and referred to the Committee on the Judiciary.

Mr. GUFFEY. Mr. President, several years ago I announced my support of the equal-rights amendment and I am still heartily in favor of it.

Further, since both parties favor it by unanimous vote in their party platforms, I can see no possible reason for delay.

A number of our allies have already granted equality under the law to women, (China, Russia, San Salvador among them).

Why should the United States, now winning the war through the aid of millions of women, withhold this justice any longer?

There may be excuses for not passing this amendment but there are no valid reasons. I beg the Senate to act quickly.

Mr. LANGER. Mr. President, lest there be any misunderstanding insofar as the proposed equal-rights amendment is concerned, I wish the Senate to know that there are just as many Republican sponsors of the proposed amendment as there are Democratic sponsors of it. I wish to make it perfectly plain that in the Committee on the Judiciary, at the time when the measure was being considered by it, the Republican members of the committee were just as anxious to have it reported favorably as were the Democratic Members. I venture the prophesy that when the measure comes to a vote on the floor of the Senate, there will be just as many Republican votes for it, proportionately, as there will be Democratic votes. Personally, I wish to say at this time that I intend to give it my wholehearted, enthusiastic, and unqualified support.

FEDERAL AID FOR PUBLIC AIRPORTS—AMENDMENT

Mr. ROBERTSON submitted an amendment intended to be proposed by him to the bill (S. 2) to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes, which was ordered to lie on the table and to be printed.

INTERIOR DEPARTMENT APPROPRIATIONS—AMENDMENT

Mr. MURRAY. Mr. President, I ask unanimous consent to submit an amendment intended to be proposed by me to the bill (H. R. 3024) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1946, and for other purposes. This amendment is offered for the purpose of providing a hospital for tuberculosis patients among the Indians of Montana who are victims of that disease. I have prepared a statement in connection with

the amendment which I ask to have printed in connection with my remarks.

The PRESIDENT pro tempore. Without objection, the amendment submitted by the Senator from Montana will be received and referred to the Committee on Appropriations, and the statement will be printed in the RECORD.

The amendment submitted by Mr. MURRAY to House bill 3024, is as follows:

On page 40, after line 21, to insert a new paragraph, as follows:

"For construction, including equipment, of a 150-bed tuberculosis hospital for Indians in the State of Montana, $600,000, to be available immediately."

The statement presented by Mr. MURRAY in connection with the amendment is as follows:

Mr. President, I am offering this amendment to H. R. 3024, the Interior Department appropriation bill, asking for an appropriation of $600,000 with which to erect a tuberculosis hospital for the benefit of the many Indians of Montana who are victims of that disease. I have been in conference with Dr. H. De Lien, Director of Health of the Office of Indian Affairs, who has advised me that the Construction Division of the Indian Office has placed an estimated cost of $4,000 per room or an estimated total cost of $600,000 for the construction of a 150-bed hospital.

The death rate of Indians suffering from tuberculosis in Montana is alarming. Totally inadequate facilities are available for treating the victims of this disease. These unfortunate people are being cared for in camps and private dwellings. The Montana State Hospital at Galen, Mont., itself is inadequate to take care of white patients seeking admittance for medical attention.

Prior to the war, the Indian Office had planned for a tuberculosis hospital, but these plans were laid aside because of the emergency. The Indian Office now strongly recommends that an appropriation be made and that the construction of the institution be commenced without unnecessary delay.

The extremely high death rate among Indians from tuberculosis is a problem that should be of deep concern to the Congress. The only available institutions for housing these Indians are at the Tacoma Indian Hospital, Fort Lapwai Sanatorium, and the Sioux Sanatorium. The facilities of those institutions are greatly overtaxed.

I need not call your attention to the magnificent service the American Indians are giving to this country in this war. Indian heroes are being reported almost daily from every field of warfare. These soldiers have freely offered their lives for the preservation of this country. It is only fitting and proper that this Government show its appreciation by providing the necessary hospitalization for the victims of tuberculosis among our Indian citizens.

RELEASE OF CERTAIN MEMBERS OF ARMED FORCES TO NONCOMBATANT AREAS

Mr. JOHNSON of Colorado submitted the following concurrent resolution (S. Con. Res. 16), which was referred to the Committee on Military Affairs:

Resolved by the Senate (the House of Representatives concurring), That it is hereby declared to be the sense of the Congress that any demobilization of the armed forces which may occur subsequent to the termination of organized hostilities between the United States and Germany should be so conducted, to the extent practicable and to the extent consistent with the vigorous and successful prosecution of the war between the United States and Japan, as to provide for the release, from the several services and branches of the service, on the basis of the first-in-first-out rule, of those members of such forces desiring release therefrom.

SEC. 2. It is further declared to be the sense of the Congress that, to the extent practicable and to the extent consistent with the vigorous and successful prosecution of the war between the United States and Japan, assignments of members and units of the armed forces having had prolonged or heavy combat duty should be made in such a manner as to provide for their assignment to duty in noncombat areas for a reasonable period.

INVESTIGATION OF ECONOMIC CONDITIONS IN THE PHILIPPINE ISLANDS

Mr. TYDINGS. Mr. President, the President of the United States and all of us in Congress, as well as the people of America, are very much interested in the situation which prevails in the Philippine Islands, which have been the scene of war for several years. Devastation has been considerable. Trade has been demoralized. Priorities are difficult to obtain, as well as shipping.

Recently the President asked the present speaker to come to the White House to discuss this matter with him, and stated that he would like the Senator from Maryland to go to the Philippines and try to gather some of the important information so that Congress might take appropriate action. In pursuance of that conversation and at the wish of the President, I have decided to make the trip as soon as I can conveniently do so. I have taken the matter up with the Committee on Territories and Insular Affairs, which will have to pass on any resolution dealing with the proposed trip. The committee on Territories and Insular Affairs is very anxious to gain information respecting the islands, and I ask unanimous consent to submit a brief resolution which I ask to have read at this time.

The PRESIDENT pro tempore. The resolution will be read.

The resolution (S. Res. 123) was read, as follows:

Resolved, That a subcommittee of the Committee on Territories and Insular Affairs, duly appointed by the chairman of the committee, is hereby authorized to visit the Philippine Islands, during the present Congress, for the purpose of making an investigation and study of economic and other conditions in such Islands; and, in particular, war damages and compensation therefor and the effect of the war upon the industrial and agricultural enterprises in said Islands, and the post-war economy thereof, and also to survey the territorial and administrative problems incident to any other islands in the Pacific which may come under the jurisdiction of the United States. The committee shall make such reports and recommendations to the Senate concerning any such study and investigation as it deems appropriate and desirable. The expenses incurred under this resolution shall not exceed $3,000, and shall be paid from the contingent fund of the Senate, upon vouchers approved by the chairman of the committee.

Mr. TYDINGS. Mr. President, if the resolution is referred to the Committee on Territories and Insular Affairs, the chairman of that committee will try to get the committee members together, and report the resolution favorably, and designate a small subcommittee of Senators to make the trip. The reason I bring the matter to the attention of the Senate now is that I think it is of prime importance, and if any Senator has any suggestions he may wish to contribute respecting what the committee might appropriately do to make our mission a success we shall be very grateful to receive them. We anticipate going to the Philippines in the not far distant future, and probably will be absent from the Senate Chamber for 3 weeks or so.

The resolution (S. Res. 123) was received and referred to the Committee on Territories and Insular Affairs.

ALLIE J. HACKNEY

Mr. BILBO submitted the following resolution (S. Res. 124) which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay from the contingent fund of the Senate to Allie J. Hackney, widow of James E. Hackney, late an employee of the Senate, a sum equal to 6 months' compensation at the rate he was receiving by law at the time of his death, said sum to be considered inclusive of funeral expenses and all other allowances.

EXTENSION OF EMERGENCY PRICE CONTROL AND STABILIZATION ACTS OF 1942

Mr. MURAY. Mr. Presdent, on behalf of myself and the Senator from Colorado [Mr. JOHNSON] I ask unanimous consent to have printed in the RECORD a prepared statement in explanation of the amendment submitted by myself and the Senator from Colorado [Mr. JOHNSON] on April 3, 1945 to the joint resolution (S. J. Res. 30) extending the effective period of the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended.

There being no objection, the statement was ordered to be printed in the RECORD as follows:

This amendment is proposed in order to remove any doubt that so-called subsidies in connection with price roll-backs are matters of right rather than executive discretion in individual cases. It is drawn so that administrative agencies may not achieve an arbitrary result under the guise of setting off disputed claims or as an arbitrary penalty for some fancified violation of any one of the countless regulations relating to production, price, or distribution. Where an administrative agency makes such a set-off or withholds subsidies as a penalty, it has the effect of arbitrarily putting small concerns out of business without a day in court. In short, the subsidy system must not be allowed to operate as a device for subjecting small businesses to arbitrary action, where they are demonstrably and admittedly entitled to receive the subsidy.

This amendment does not compel the payment of subsidies where the party does not qualify for current payments, because it applies only to any currently eligible person. It therefore leaves it to the subsidy administrators to determine the present eligibility of any person; but it does prevent an administrator from saying, "You are now eligible but I will not pay you your subsidies." Let me say again, if the party is not eligible for a subsidy, he is not entitled to it under this provision; but, if he is admittedly eligible, then it may not be denied him upon some other arbitrary ground.

An example of this situation arises when some administrative agency has certified a business as eligible for a subsidy, the business has operated upon such certification and

could not otherwise operate without incurring ruinous losses, the subsidies so received are passed on to either producers or consumers through the roll-back system, and then the administrative agency thinks it made a mistake in originally paying the subsidy and demands repayment. To enforce such repayment, the agency refuses to pay any further subsidies (by withholding them arbitrarily and applying them on the amount claimed), even though there is no question as to the present eligibility of the business. The effect is simply to force the business to close its doors, no matter how badly its facilities are needed or how unjust the withholding. If it had not been certified as eligible, it would not have done the business in the first place, because it could not make ends meet under the roll-back system without the subsidy. It has not been unjustly enriched, because it has passed on the subsidy to the producer or consumer. It is asked to assume a debt—I have been told of one demand amounting to nearly half a million dollars—which its finances will not stand and which no other operator in the same business assumes. Nevertheless, it is asked to assume this debt as the price of continuing to do business or—as often happens—it necessarily goes out of business.

Large businesses may pay the sums so demanded because they have the money and they can sue at their leisure in the Court of Claims. Small businesses haven't the money to pay. If they sought injunctions against the withholding, it would take time—and meanwhile the business is at a standstill. If they secured an injunction, still the Government could take an appeal and in all likelihood secure a stay against the payment of public moneys until final judgment is had after all appeals are exhausted. Meanwhile the small businessman is out of business, he is losing his employees, his overhead may be running on, and he is asked to undertake the financial and other burdens of litigation requiring specialists and proceedings in courts in the District of Columbia far from his home.

I have thus far been speaking of the equities and practicalities of the situation. This amendment seeks to bring administrative practice into conformity with justice and present law. The Supreme Court has held that, in making a similar payment provided by law, "the Government had a real obligation" (*Texas & Pacific Ry. Co.* v. *United States* (286 U. S. 285, 289)). "These payments were not subsidies or bonuses" (*Continental Tie & L. Co.* v. *United States* (286 U. S. 290, 294)). Even in pension cases the claimant may resort to the courts "in the absence of compelling language" of statute and "the power of the administrative officer will not, in the absence of a plain command, be deemed to extend to the denial of a right which the statute creates, and to which the claimant, upon facts found or admitted by the administrative officer, is entitled" (*Dismuke* v. *United States* (297 U. S. 167, 172)).

As a matter of fact, in these subsidy cases the withholding is applied to all subsidies and not merely to the one in issue. But that is clearly illegal. The Attorney General has held that "the head of the department has no right to set off one independent claim against another" (9 Op. Atty. Gen. 401, 402). In the same volume the Attorney General has set forth the situation at the following length:

"When a claim is presented which is undeniably legal and just, can the Secretary admit the title of the claimant and set up a counter claim on the part of the Government as a reason for not paying it? That is the question here, and I confess I do not see how it is to be answered in the affirmative.

"There is no act of Congress giving any such power to the Secretary of the Treasury. At common law even the judiciary have not the authority to set off one demand against another. It is conferred by statute, wherever it exists, both in England and America; and every defalcation act prescribes cautious limitations to its exercise. Can it be that an executive officer is clothed, by virtue of his office, with a judicial power which the general principles of the law have refused to the courts; and which no legislature has suffered even a court to assume without imposing careful restrictions upon it? * * *

"Here is a claim fiercely contested. It has never been adjudicated in favor of the Government. * * * Every fact asserted by one party is not only open to contradiction by the other, but is in fact contradicted, and I have no doubt is most potently believed to be untrue. Not only are all the facts vehemently disputed, but the parties are as wide asunder as the poles on every question of law. It is proposed that this complicated entanglement shall be settled in the chamber of an executive officer, without a trial, without judge or jury, without examining witnesses, and without hearing counsel.

"No such jurisdiction is given to the Secretary of the Treasury by any law, and if the Constitution is not a dead letter Congress cannot confer it. * * * If an executive officer can make an order that the widow and children of Reside shall be deprived of $24,000 without a trial, then the same officer may, with equal propriety, issue a warrant to hang them, since the Constitution puts life and property on the same footing. * * *

"The Secretary of the Treasury has no power to stop the payment of the money adjudged to Mrs. Reside, however well he may be satisfied in his own mind that the counter claim is well founded. If he is convinced of the indebtedness alleged, he should order a suit to be brought, and give the party a fair chance to be heard before the regular tribunals of the country. I am not aware that such a power was ever claimed before it was used by the late secretary in this case; but if it be a practice of the Department it ought to be immediately abolished, for it is unjust, unlawful, and unconstitutional." (9 Op. Atty. Gen. 197, 199–200, 201.)

The courts have had infrequent occasion to consider this question presumably because executive officers have not assumed the arbitrary power of set-off and because, in the usual case, suit in the Court of Claims is an adequate remedy, whereas in the case of a small business such a suit—if available—is not adequate because of the time element. Before the matter could be litigated to final judgment it would have lost the opportunity to do business for a year or more. Where such arbitrary set-off has been attempted, the courts have held as follows:

"While Congress may limit the benefits to the veteran * * * to the discretion of the Administrator, the language of the statute does not give him the power to enter judgments against the veteran [by determining a set-off because of alleged prior overpayment] in an ex parte proceeding, without notice and hearing. The mere fact that the overnment makes conclusive the discretion of the Administrator in granting the benefit does not carry with it a conclusiveness in discretion in taking it away retroactively. As we read the statute Congress never attempted to vest in the Administrator a right to enter a judgment or to deprive a veteran of property without due process of law" (*Hines* v. *United States*) (105 F. 2d 85, 70 App. D. C. 206, 210), per Vinson, judge).

In the leading case of *Richmond, F. & P. R. Co.* v. *McCarl* (69 F. 2d 203, 207 (App. D. C.), certiorari denied, 288 U. S. 615), the Interstate Commerce Commission assumed to set off certain moneys claimed from others admittedly due for carrying mail and the court (in affirming a decree granting an injunction) said that the administrative agency "is without the power of a court to enter a judgment. The legal effect of the order therefore is no more than a bookkeeping ascertainment * * * of an indebtedness * * * To give it finality, it was necessary it should be reduced to judgment. * * * The services appellant rendered * * * are admitted. The amount due therefor is not contested, and so we have a case in which the United States owe appellant money which the Comptroller General refuses to pay because of an unsettled and unliquidated claim of the United States against appellant. This may not be done."

If this were not the rule, parties subject to regulation by several agencies or in several respects would never succeed in settling any account so long as some administrative officer asserted a claim.

I hope the committee will favor this amendment, because it affords protection to whose who need it. We speak these days a great deal about human rights all over the world. That includes the United States and its people. That includes the small businessman. That includes the American citizen. On the other hand, the Government is deprived of nothing that it merits, because it may sue for moneys it claims, or it may set off its claims in any suit brought by private parties, or it may secure injunctions or indictments against black market operators. This amendment would not protect any black market operator, for he doesn't need a subsidy and will not submit to the inspection required to receive one. Even if a black market operator were involved in a subsidy case, the course for the Government to take is to put him out of business or in jail, rather than to allow him to continue business by paying to the Treasury some of his ill-gotten gains at the expense of consumers. A black-market operator has money to assume arbitrary charges imposed by administrative agencies, but a small legitimate operator does not.

Every consideration of law, fair dealing, and sound government is met and fostered by this amendment. I again request the committee to favor it.

BOARD OF VISITORS TO THE COAST GUARD ACADEMY

Mr. BAILEY. Mr. President, I hereby report that, as chairman of the Commerce Committee, I have designated the Senator from Texas [Mr. O'DANIEL] to act in my place, and I have appointed the Senator from Connecticut [Mr. HART] vice the Senator from Nevada [Mr. MCCARRAN], a member of the Board of Visitors to the Coast Guard Academy, in accordance with law; and request that they be granted leave of absence for May 4 and 5, 1945.

The PRESIDENT pro tempore. Without objection, leave of absence as requested by the Senator from North Carolina for the Senator from Texas [Mr. O'DANIEL] and the Senator from Connecticut [Mr. HART] is granted.

IN DEFENSE OF POLITICIANS—ARTICLE BY CLAUDE G. BOWERS

Mr. GUFFEY. Mr. President, in the spring issue of the Virginia Quarterly Review there is an article contributed by Hon. Claude G. Bowers, the American Ambassador to the Chilean Government, entitled "In Defense of Politicians." This is a good article, and, in view of the criticism that is being so often leveled at us here, especially by the late Mr. Hitler, the late Mr. Mussolini, and Franco, I am glad to see some man with a knowledge of history write an article such as that written by Mr. Bowers. I ask unanimous consent that the article be printed in the body of the RECORD at this point in connection with my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

IN DEFENSE OF POLITICIANS

(By Claude G. Bowers)

Recently I took up for a rereading that charming and illuminating work, The Endless Adventure, the monumental masterpiece of the brilliant Scotch historian and philosopher, Frederick Oliver, dealing with the Walpolean period of English history, and I was startled by something I had missed before—his pages devoted to praise of politicians. No doubt my attention was attracted on the second reading because in recent years the tendency in America to sneer at political parties and politicians has seemed to have gained momentum in the popular mind. That, and the fact that in recent years I have been in the storm centers of the attacks on democracy by the Fascist, Nazi, and Falangist forces that set out a few years ago to erect the most autocratic and tyrannical totalitarian governments on the ruins of democratic institutions. I have observed, close hand, that invariably the preliminary campaign has taken the form of a denunciation of political parties and corrupt politicians. The assumption of the Goebbels propagandists is that a political party not dominated by the state is a "faction," and that all politicians are incompetent and corrupt. The effect intended is to destroy the faith of the people in party government and in their political leaders. In view of their records as corruptionists, pillagers of private property, and armed thieves, it ought to be amusing to find men like Hitler and Goering piously denouncing politicians as corrupt. But one only need read the newspapers and books and see the plays, musical comedies, and jugglers of the vaudeville stage in America to reach the conclusion that this Fascist line of attack on democratic institutions has become quite commonplace here. The effect, if not the purpose, and in most cases I do not think it is the conscious purpose, is to weaken the faith of the American people in the institutions of the founding fathers. For common sense must make it clear that in a nation of 130,000,000 people reaching from coast to coast over thousands of miles of mountain and valley, democracy could not function in orderly fashion without political organizations holding concrete views of national policy to be pressed upon the people through the constitutional instrumentality of the polls.

There certainly are some corrupt politicians, just as there are corrupt financiers, corrupt merchants, corrupt industrialists, and corrupt preachers, but no one is so unfair as to draw a sweeping indictment against these sectors of society because they contain, here and there, a corrupt man. Only in the case of politicians is the charge made general. And that, of course, is a fantastic falsehood. When we reflect that in the case of men engaged politically in the public service the spotlight is constantly thrown upon them and the microscope used in eager search of evidence of wrongdoing, we tremble to think what might be the result if all the other elements of society were subjected to the same constant and intensive scrutiny.

And nothing could be more amusing than the notion that with the elimination of politicians, which would mean the extermination of democracy, corruption would disappear from government. It is common knowledge that the leaders of fascism in Italy and ermany have accumulated vast fortunes through the ungentle art of stealing by force; and in the stealing of the property of the citizens, these nabobs of tyranny also deprive them of their natural rights, their liberties, and their human dignity. This astounding pillaging of the state and of individuals, by the totalitarian dignitaries, would be quite impossible where the people can pass on such crimes through legal and political action.

A few weeks ago an American politician who had resorted to corruption to enrich himself died in miserable isolation and in poverty, despised by his countrymen, after serving a term in prison; but under a Fascist or Nazi regime, the corruptionists are the untouchables and there is no limit to the wealth they can accumulate through robbery by force. Yet these are the men, the Hitlers, Mussolinis, and Goerings, who have thundered so righteously against representative democratic government because of the "corrupt politicians."

There are politicians and politicians, just as there are bankers and embezzlers, and some of the politicians will graft just as some bankers have filched from the depositor. The greater part of the grafting comes from men far down in the scale of politicians, and it was not these petty politicians that the Hitlers and Mussolinis were trying to destroy, but the real leaders of popular government, the men who fought and wrought intelligently for democratic principles. They were the dangerous ones, because they led the people; and therefore the first step in all Fascist movements is to destroy the people's faith in their honest political leaders and to liquidate them.

Now the theoretical critic, having in mind the political leaders who have led mankind onward and upward in the democratic way to liberty and opportunity, are prone to describe them as statesmen, not politicians; and yet almost all of the greatest British and American statesmen have been consummate politicians, and have reached the place where they could serve mankind through political methods. Oliver reminds us that Adam Smith, who was a high-minded theorist, an economist, and a man of the closet, refused to discriminate between the politician and the statesman and lumped them together as corrupt. He denounced them as "that insidious and crafty animal vulgarly called a statesman or politician." And that, of course, was stupid in Adam Smith. For without statesmen, there would be no one skilled and trained in the art of government; and without these, society would revert to chaos.

Yet it has become a cheap fashion in America to parrot this propaganda of the Fascist-minded. The villain in the romance is apt to be a politician, and the guilty in the detective story in which a politician is one of the suspects is almost certain to be. The comedian in the musical comedy can always get the loud laugh that speaks the vacant mind by a fling at these politicians. Even the more precious element in the academy shrugs its shoulders and exclaims, "Ah, the politicians."

II

Let us call the roll of the greatest of Americans to whom we are indebted for our democratic liberties and institutions, guaranteed by law, for the protection of the citizen against the abuse of power. Who and what were they? They were these very much-maligned politicians.

The most consummate of them all, perhaps the most consummate in modern history, was Thomas Jefferson. It was he more than any other man who formulated the way of life known as the American way. He was a businessman, in that he was a successful planter until public service deprived his business of his supervision, but as such he could have done nothing toward placing the imprint of his philosophy on our life. He was a philosopher, but there have been other philosophers with a philosophy making for the good of society, who did not know how to reach the public and put their philosophy into effect. Because he was a practical man, Jefferson did not take refuge in his closet and whine his criticisms of the men in public life. He sallied forth into the political arena with his battle-ax and became a politician. He knew that a philosophy tucked away among the cobwebs in the closet will remain a curiosity and never become a reality. And being a politician, he was a realist.

As a politician he was a propagandist with few peers; a practical organizer unsurpassed; a diplomat with an intuitive knowledge of human nature, making it easy to work with and direct the activities of others. Thus during the first 12 years of the Republic he made it definitely a democracy; and through political inspiration and direction from afar, he and they who thought with him, also politicians, forced into the fundamental law the Bill of Rights. Had he not been a skilled and practical politician working for the welfare, the rights, and liberties of the people, our national destiny might have been vastly different from what it became.

There are two majestic memorials on the Mall in Washington to express the appreciation of a Nation for services to country and humanity—and one is to Jefferson, the politician.

The other is to another politician—Lincoln. After Jefferson, it would be hard to find another American so consummate as a politician. He has been so disguised by sentimentalists that few appear to know that in the Illinois of his day where politicians who knew all the answers flourished like the green bay tree, he was the most cunning and skilful of them all. I know of no biography that so perfectly reflects the man and his methods as that of Beveridge, who, being a politician himself, could sense and see the art with which Lincoln advanced to power. He, too, understood the politician's art of propaganda, the politician's science of organization, and he knew how, when necessary, to work under cover and get results. I am sure it is because Beveridge's book so clearly reveals his hero as primarily a politician, that the sentimentalists frown upon it. History credits him with the emancipation of the slaves and the preservation of the Union; but never could he have attained the power to render these incalculable services had he not been a clever politician; and even in power, his wisdom, superior to that of others, is manifest in his political methods.

Because of their success as politicians they were hated by their opponents in their day, but there are no national memorials to their critics on the Mall.

To Jefferson and Lincoln we may add Andrew Jackson, who rendered immeasurable service to the people in defeating the machinations of an embryo plutocracy through his genius as a great politician. His greatest battles were fought in the arena of politics, and there he was a master, clever, resourceful, militant, and even ruthless.

To sum up, all the great idols of the British-speaking peoples who have left indelible impressions on the two nations through the policies they sponsored and furthered have been professional politicians—men trained in politics, and that means in statecraft. From Walpole, in England, down through Pitt, Fox, Burke, Palmerston, Gladstone, Disraeli, and now Churchill, and in America from Jefferson and Sam Adams down through Monroe, Jackson, Lincoln, Johnson, Theodore Roosevelt, and now Franklin Roosevelt, the outstanding servants of the public good have been politicians.

At once someone will note the absence of Woodrow Wilson. His position is unique. A colossal figure, he will grow greater with the years. He was that rarest of all things—a statesman who had never been an active, experienced politician, and that makes him unique. But this calls for reservations. From his youth on, his mind was occupied most with the politics of statesmanship. His studies were in this sphere. But it was not until the eve of his elevation to the Presidency that he ever participated in political activities. Until then he had never made even a political speech; or faced the populace on the

hustings; or sat in caucus in devising ways and means of political action. He had an incurable distrust of men who had actually worked in politics, born of the cloistered life of the academy, and he thus deprived himself at a critical juncture of the advice of men grown old and wise in political struggles. I have never doubted that with all his genius as a statesman, and his advantage as an idealist, he might have succeeded in defeating the maneuvering of his enemies had he been trained more in the school of practical politics.

III

What is politics? Webster's definition says it is "the science and art of government", the science dealing with organization, regulation, and administration of a state * * * the theory or practice of managing or directing the affairs of public policy or of political parties."

Then what is a politician? The same authority says he is "one versed or experienced in the science of government."

There surely is nothing particularly disreputable about that, though Adam Smith might think so. But the short-sighted scoffers and the Fascist-minded insist that a politician is a mere seeker after office for the sake of the salary. It is true, of course, that among the thousands holding minor offices, many if not most, are motivated partly by the salary. Incidentally, droll as it may seem, it is the salary that draws men into counting rooms and banks and factories. However, if the man who gets the office earns his salary by performing his duties satisfactorily, he is discharging a necessary function in organized society. But in the higher ranks I know scores of men personally who enter politics, become politicians, and take office at a financial sacrifice because they are primarily interested in principles and policies they think for the good of the country; and among these are many who have sacrificed not only money, but also health and strength, in the service of the state—and all were politicians.

Possibly conceding all this, the critic falls back on the politicians of the lower ranks, the precinct committeemen, often dubbed "ward heelers." I am unable to find anything disreputable in serving a party organization in this lowly position—since it is necessary. The statesman who began at the bottom in the organization may be all the better for it. The businessman makes a point of insisting that his men shall learn the business from the bottom up. Only in politics are the good men expected to begin at the top. These generally soon reach the bottom, since they have no real foundation of knowledge.

IV

This brings us to the pet anathema of the theorist and the Fascist-minded—the political parties. Mussolini would have none of them—none but his own, Hitler would have none of them—none but his own, Franco would have none of them—none but his own. None of these could afford a party of opposition. It would interfere with the destruction of human rights, with the suppression of liberty, and might make the liquidation of political opponents through bullet and bludgeon, and the stealing of the hierarchy, dangerous. It is significant of the wise thinking of the English that whatever party may be in power, the opposing party in minority officially is called His Majesty's Opposition. And it is recognized that His Majesty's Opposition performs a high function in the state. It exposes blunders, demands explanations, keep those in power on their mettle, and illuminates the political scene for the benefit of the public which has a right to know what is transpiring, since government is their business.

Sad experience has shown that stockholders in a corporation would often have been safer if there had been a party of opposition on the board of directors.

Without parties in a democracy there would be chaos; with but one party maintained by force, there is fascism and tyranny.

Political parties, then, are necessary, but if there are to be parties there must be party leaders, and if there are party leaders, there must be politicians. If these party leaders are worth their salt, they must be trained and experienced politicians. Oliver, philosopher, not politician, but wise with the wisdom of the historian, says that "the notion that we can save ourselves without their help is an illusion; for politics is not one of those crafts that can be learned by the light of nature without an apprenticeship."

A democracy must fail without leaders of courage, intelligence, and character. The assumption of Jefferson and Lincoln was that the mass mind can be trusted, or its instinct trusted, if provided with the facts; and but for political parties contending for the mastery, and engaging in polemics, the cause of liberty and human rights would perish because there would be no great organization concerning itself with the dissemination of the facts. Aguirre Cerda, a great Chilean president and statesman, framed an imperishable sentence when he said that "to educate is to govern." And he meant not only education in the schools, but education from the political hustings. That is the reason that the totalitarian cannot tolerate parties, for parties mean the open submission of facts and policies to the arbitrament of debate. The dictator must suppress political parties because he must impose silence. With but one party, and that an organ of the government, the rulers can keep the people in ignorance of the fact that their pockets are being picked and their liberties are being taken away.

If there is any better way to govern in a democracy than through the instrumentality of parties, it is still a secret of the gods.

Party government means ballots; Fascist government means surrender or bullets.

V

Experience shows that without organized and capably led parties the most outrageous persecutions of a people cannot be repelled. Look at the record in Italy and Germany. The scattered protests of individuals only result in their instant "liquidation." Happily in America we have had little experience in dealing with tyranny because there has been so little of it. But in the one experience we had there is a lesson. The Federalist Party, disdaining democracy, contemptuous of the common lot, and thoroughly organized as a party brilliantly led, resented the creation of a party of opposition, and described it as a "faction." Consciously or not, federalism tended toward fascism. Thus the sedition law of the Adams administration, the persecution and imprisonment of editors who dared challenge the pretensions of those in power was an attempt, through terrorism, to close the mouths of critics. The men singled out for persecution would have been helpless, acting as individuals, just as the victims of tyranny in Italy were helpless in combating the tyranny of Mussolini. But happily, in America, a party of opposition had been created under whose banner all the victims of oppression could constitutionally assemble for concerted, wisely directed, and stubbon action. That attempt to set aside the Bill of Rights was defeated by a political party.

It was after the collapse of the Federalist Party, when an "era of good feeling" had developed, that some urged the amalgamation of all parties into one and others rejoiced that there was but one party. This amalgamation could not be perfected by governmental decree, as in Italy, Germany, and Spain, but only by consent of the people. Jefferson opposed this idea utterly. "I am no believer in the amalgamation of parties," he wrote, "nor do I consider it as either desirable or useful for the public. * * * They [parties] are censors of the conduct of each other, and useful watchmen for the public." And again he wrote: "In every free and deliberative society there must, from the nature of man, be opposite parties." And again: "The division [into parties]ought to be fostered instead of being amalgamated; for take away this, and some more dangerous principle of division will take its place." And again: "Men have differed in opinion and been divided into parties by these opinions from the first origin of societies, and in all governments where they have been permitted freely to think and to speak."

With a full realization that in the composition of any political party there inevitably will be men who are mere self-seekers, not concerned with principles and policies, except insofar as they may advance them to public station. Jefferson knew that the division into parties is based primarily on principles and concepts of government. Thus he wrote: "Both of our political parties, at least the honest part of them, agree conscientiously in the same object—the public good; but they differ essentially in what they deem the means of promoting that good. One side thinks it best done by one composition of the governing powers; the other by a different one. With whatever opinion the body of the Nation concurs, that must prevail."

Thus does Jefferson describe the only practical, if not possible, way in which a democracy in a great country can function. Eliminate parties, and democratic countries, the people unorganized, undirected, undisciplined, would fall into chaos, and thus pave the way for the man with the bludgeon to establish order—resting on the buried liberties of the Nation.

But if political parties, so much derided by armchair theorists better acquainted with books than with men and more familiar with theories than with realities, are an essential part of the democratic machinery, there must be party leaders—and these are politicians.

VI

Even the most rigid of the critics are driven to admit that leaders in the higher strata of the parties may be of some service to the country; so they fall back on the assumption that the minor party workers down the line are engaged in rather disreputable business. The leader they praise at the top could not be there but for the tireless and usually unrewarded work of the minor politicians at the bottom. An organization, to be effective, must extend down to the lowest political unit—the precinct. The precinct committeeman, to be effective, must have the respect of the people in his precinct where everyone is known. He may be a young lawyer, or the corner grocer, or the village blacksmith, and in 9 cases out of 10 he is not an aspirant for office. He accepts the drudgery of the work because he is a good party man, interested, if only instinctively, in the principles and policies it proclaims. "Politics is a duty," said Jefferson; and the precinct committeeman render a service to the state.

If true of him, it is equally true of every other member of the party hierarchy; for without these local politicians, parties would speedily disintegrate, and with their disintegration, democracy inevitably would fail in functioning.

In the higher ranks of the hierarchy, the political leaders attain their position through a demonstration of their political capacity. On these devolve the task of formulating the political policies on which the party makes its appeal to the people; and the more consummate they are as politicians, the greater will be the effort to adopt policies in conformity with the public good or the public will. And that is democracy in action.

The sweeping charge of corruption against politicians is pure poppycock. Not that there are not corrupt politicians, any more than

that there are not corrupt businessmen, corrupt financiers, and immoral preachers. After all, the corrupt action of three shipbuilding companies which, through collusion in bidding, stole millions of dollars from the taxpayers was exposed and stopped by Josephus Daniels—a politician. And the corrupt action of some very respectable oil men in the case of Teapot Dome was exposed and stopped by Senator Tom Walsh—a politician. Cases where corruption among businessmen and financiers have been exposed by politicians acting for the Nation could be multiplied in America innumerable times.

Equally superficial and unfair and untrue is the charge of the theorists that politicians are incompetent. Too popular is the silly notion that while, of course, a doctor cannot take over the management of a factory, or a banker substitute for a lawyer, or a manufacturer assume the teaching in a studio, the doctor, the banker, and the manufacturer can, by some magic, master the intricate mysteries of government without experience or training. The drawing-room statesman in his library, the dilettante theorist in his study, and the village roustabout in the poolroom are often impatient with the incompetence of politicians and only wish they had a chance to straighten out the muddle. Such are living in a fool's paradise and suffering from a delusion of grandeur. After all, it was a man who had devoted his life to politics, not the financiers, who snatched the Nation from the edge of the precipice in the spring of 1933.

It is interesting to find that a man of the study, but an historian, like Oliver, shares this impatience with the critics when he says:

"If we eventually escape from our present perplexities, it will not be because theorists have discovered some fine new principle of salvation; or because newspapers have scolded and pointed angry fingers at this one or that; or because we, their readers, have become excited and have demanded that 'something must be done.' It will be because these decent, hard-working, cheerful, valiant, knock-about politicians, whose mysterious business it is to manage our affairs by breaking one another's heads, shall have carried on with their work as if nothing extraordinary was happening * * * and shall have 'jumbled something' out of their contentions that will be of advantage to their country. The notion that we can save ourselves without their help is an illusion; for politics is not one of those crafts that can be learned by the light of nature without an apprenticeship."

VII

It may be possible to lift the average in political life, but it never can be done so long as able young men, intellectually and temperamentally fit for public service, are led to believe that there is something rather shameful about it. How different in England, where a political career is considered one of service to the state and to society, and where the old nobility are prone to dedicate one of their sons to politics as a patriotic duty. The young man so dedicated begins his preparation at Oxford, concentrating on the studies that may be useful to the state, distinguishing himself perhaps in the debates of the Oxford Union, and passing speedily from the academic halls to Parliament, where he makes his career. Nothing in the old nobility of England sets it so much apart from that of other nations as its recognition of an obligation to participate in politics as a patriotic duty. The son is not thought vicious and smearing the family name or lowering its prestige by rendering public service in the halls of Westminster. The political tradition is handed down from generation to generation as in the case of Robert Cecil, the Minister of Elizabeth, whose descendants have carried on down to Salisbury, Balfour, and Lord Robert Cecil of today. Chatham meticulously trained his son, William Pitt, and Holland found time to drill his son, Charles James Fox, and so, too, Gladstone, Chamberlain, Asquith, MacDonald, and Churchill have carried on the fine family tradition of giving in their sons men of great capacity to the state.

One finds it hard to understand the prejudices of Americans who think of themselves as "sensible" men, against political ambition in the young. Is it possible, as our enemies say, that we really feel that the only road to real distinction is in the acquisition of money, and that the prejudice against public life is because "you can't make money in politics"? Is it possible that the average American really feels that the accumulation of wealth is the only career worth while? Or that the American does not compare with the English in feeling any responsibility to organized society? Or does it spring from the fact that newspapers, columnists, the wisecrackers of stage comedies, and even novelists by insinuating that men in politics are fools or crooks have made the impression on half-baked minds that there is something low in public life?

That, I am sure, was not the opinion of Jefferson who urged the young to enter political life, drilled not a few, including Monroe, for public service, and hoped that the University of Virginia he was sponsoring would become a training field for public service.

What we need in America today is not the elimination of politicians but more politicians thoroughly trained for public service. There can be no finer career. But to render such service in the highest sense calls for a preparation beyond that of our forebears. The complications of modern social and business organization present intricate problems requiring special knowledge. Our fathers dealt with fundamental political principles but we of today, within those principles, can and must find solutions for economic and social problems. It is not enough now to saturate oneself in history and political philosophy; one must master the mysteries of economics and of sociology to deal with the political problems of this new day. And since modern invention has wiped out distance and made all nations neighbors, interdependent upon each other, the young man preparing for a political career should make a special study of international relations.

Thus prepared intellectually, he should study political psychology to the end that he may advance his cause intelligently through honest and wise propaganda. And nothing is more vital than a study of the science of political or party organization down to the precinct, for only through victories at the polls can he reach or hold a position in public life in a democracy. In brief, he must study to be—a politician.

VIII

To recapitulate: Democracies operate best through political parties.

Political parties function only through politicians.

Eliminate politicians and you wipe out parties.

Wipe out parties and you throw democracies into a state of unorganized, undisciplined chaos.

And when in a democracy the people are unorganized, undirected, undisciplined, the Fascist has his excuse and the tyrant appears to dominate the nation by brute force.

That is the reason the Mussolinis, Hitlers, and Francos hate and exterminate the politicians; and that is the reason it is so stupid in a democracy to join them in their hue and cry.

And that is the reason why the theorists and scoffers who sneer at representative government, political parties, and politicians are consciously, in some cases, and unconsciously, let us hope in most, making their contribution to the Fascist effort to destroy democracy in the United States.

SALARIES OF SCHOOL TEACHERS

Mr. CAPPER. Mr. President, I wish to endorse heartily an editorial appearing in a recent issue of the Washington Post approving increases in basic salaries paid the school teachers of the District of Columbia. Their basic pay has not been increased since 1924. I remember one of the first things I discovered after my assignment to the Committee on the District of Columbia, at the close of World War No. 1, was that the teachers in the public schools were still getting only their very low prewar rates of pay. We corrected that situation only after overcoming strenuous opposition which I never could understand.

Now, as World War No. 2 draws to a close, I find a very similar situation. School teachers in the District of Columbia are underpaid, especially considering the increased living costs resulting from the war. And those living costs are going to remain high for a very long time. An increase in the national debt from less than $30,000,000,000 in the decade when the teachers' basic pay rates were last fixed to $300,000,000,000 or more cannot but be accompanied by increased prices and increased living costs, and these will have to be met by increases in wages I can see no escape from that conclusion.

I ask unanimous consent that the Washington Post editorial on Teachers' Pay be printed at this point in the RECORD, as part of my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

TEACHERS' PAY

The increases in salaries of schoole teachers recommended by the District Budget Office would add only $30,400 to the total amount that would otherwise be paid out in the form of wartime bonuses. These bonuses, amounting to $300 yearly for all teachers earning less than $5,000, would be replaced by increases in basic rates of pay that would bring Washington salary schedules into line with those of teachers of comparable rank in other large cities. At present, Washington makes a very poor showing by contrast with cities such as Newark, New York, Detroit, Cincinnati, and San Francisco in respect to basic rates of pay. In case of 1-A elementary school teachers, the maximum salary paid (excluding bonuses) is the lowest, with one exception, to be found in 22 representative cities having populations in excess of 300,000.

Since basic salaries of Washington school teachers have remained unchanged since 1924, the need for a revision is plain, as a matter of equity. Moreover, if teachers have assurance that the end of the war will not entail reductions in earnings caused by loss of bonuses that have helped to relieve the pressure of rising living costs, they will be less attracted by offers of high pay in jobs of uncertain tenure. The District's teacher turn-over has risen from 4.34 percent of the teaching staff in 1939–40 to 10 percent in the last school year, 1943–44. Resignations of permanent and temporary employees totaled 209 in the latter year, and only 29 in 1939–40. While teachers in military service are among the temporary absentees, they accounted for only 15 percent of the total number leaving last year.

The authorities will eventually be faced, as Budget Officer Fowler points out in recommending the proposed new salary scale to the Commissioners, by a general revision in salaries in all departments of the District

Government. The city cannot afford to lose the services of valued employees, whether in responsible positions or in subordinate jobs, by following a penny-wise-pound-foolish policy on salary adjustments.

POSTWAR EMPLOYMENT POLICY IN SWEDEN

Mr. MURRAY. Mr. President, to help understand the postwar economic policy of other nations, and in view of the wide public interest in the Full Employment bill introduced by the Senator from New York [Mr. WAGNER], the Senator from Utah [Mr. THOMAS], the Senator from Wyoming [Mr. O'MAHONEY], and myself in the Senate, and by Mr. PATMAN in the House of Representatives, I have had the Department of Commerce prepare a study on postwar employment policy in Sweden. This study gives emphasis to the responsibilities of the government in maintaining full employment.

The Chairman of the Swedish Commission for Postwar Economic Planning, Gunnar Myrdal, has stated that the "basic idea in postwar economic planning is that the State is finally responsible for the maintenance of a high and stable level of employment in industry." The Bank of Sweden Committee, reporting late in 1943, found that the "The objective of economic policy in the immediate postwar period can be defined, in general terms, to be the quickest possible restoration of a satisfactory living standard and the maintenance of full employment, with that orientation of production which offers most favorable prospects possible for the future development of Swedish enterprises."

Mr. President, I ask unanimous consent that the Department of Commerce memorandum on "Sweden: Full Employment Policy" may be printed at this point in the RECORD in connection with my remarks.

The PRESIDENT pro tempore. Without objection the memorandum will be printed in the RECORD.

The memorandum is as follows:

SWEDEN—"FULL-EMPLOYMENT" POLICY

The Swedish Government long since recognized the gravity of the problem of large scale unemployment which might follow the cessation of hostilities in Europe. Where measures affecting any phase of Swedish postwar economic activities are considered, all probable effects of the measure in question receive very full consideration in every case, and the employment factor is now the object of most careful attention from numerous governmental organizations in Sweden. It also forms an important element in most, if not all, of the numerous discussions of postwar problems which are a current feature of the Swedish press. As one writer has stated, full employment is synonomous with good business conditions in Sweden at present.

In Sweden, when legislation in the economic field is in prospect, it is usual for the government (Cabinet) to appoint special committees, to analyze the problems involved and submit recommendations as to what action should be proposed to parliament, by the government, for discussion and action.

Such committees are usually composed of representatives of the appropriate government departments and of private individuals who represent the interests concerned or who are particularly familiar with the problems under investigation. Considering the relative size of the population of Sweden (6,500,000), such investigations are surprisingly thorough and informative.

For the present, the progress of Swedish plans for insuring full employment can best be judged from the published reports of the organizations concerned with postwar planning, from statements made from time to time by public officials and informed private individuals, and from published economic studies in which the employment question is discussed. Appropriations of limited amounts have already been made for relief of future unemployment, however.

INTEREST IN POSTWAR FULL EMPLOYMENT AROUSED

Swedish economists have been occupied with the question of postwar employment for several years. As early as the fall of 1942 Prof. Bertil Ohlin (now head of the Department of Commerce of the Swedish Government), published an article on Swedish Postwar Problems, in which he stated:

"Perhaps the most burning economic question in Sweden, as in other countries, immediately after the war will be to achieve as mild a transition from war production to peace production as possible." He then stated that, in the postwar period, if private enterprises were to maintain employment by repair and conversion projects, they could stabilize purchasing power and maintain trade, while Government initiative would no doubt be found necessary to provide increased employment.

About a year later Prof. Gustav Cassel (since deceased), expressed a rather opposite (conservative) view, recognizing the need for maintaining employment, but recommending that this be accomplished by government aid to private industry, to increase production.

EARLY ANALYSIS OF POSTWAR EMPLOYMENT PROBLEMS

By this time the question of postwar conditions, and particularly their employment aspects, were being discussed in all circles in Sweden, and numerous bodies, governmental and private, were studying the problems involved. At a meeting of the Swedish cabinet on March 19, 1943, the Minister of Finance proposed that a number of investigating bodies be appointed to analyze postwar economic problems. The suggestion was promptly accepted. Among the subjects assigned for investigation in which the question of full employment was a particularly prominent factor were:

Release of manpower thrcugh liquidation of emergency administration and demobilization of defense and emergency forest-work personnel by the Labor Market Commission.

Inventorying and planning of public works by the Investment Experts.

Building-industry situation under postwar conditions; manpower reserve, employment prospects by the Experts on Dwelling-House Production.

Inventcrying and planning of emergency work in agriculture, agricultural employment prospects, Agricultural Committee of 1942.

Inventorying and planning of forest emergency work. Forest-work employment prospects by the Forest Administration.

Industrial investment plans, and other subjects in which the employment question has a prominent place, by the Board of Trade in conjunction with the Industrial Research Institute.

All of these organizations, and five others engaged with questions in which the employment problem was perhaps less prominent, but by no means absent, worked under the Ministry of Finance. It was decided to use the material assembled by these organizations as the basis for further work by a special governmental commission for postwar planning.

Their reports were for the most part essentially factual, with few recommendations. The report of the Agricultural Committee of 1943, composed of representatives of all branches of Swedish economic life, which was submitted on August 31, 1943, went somewhat further. While of course tentative, its recommendations concerning employment activities in the field of agriculture merit attention. It advocated State subsidies to farmers, for bringing new land into cultivation, removal of stones, improvement of drainage, soil, farm buildings, etc., aggregating 40,000,000 crowns ($9,500,000) per year, three-fourths of which would go to farms of less than 20 hectares (50 acres). Government loans to the extent of 35,000,000 crowns ($8,300,000) were also proposed.

The Labor Market Committee submitted a report on investments in April 1944, which is discussed below.

APPROPRIATIONS FOR POSTWAR PLANNING

While most of the studies of the above committees were still incomplete, they had progressed sufficiently for the Government, in October 1943, to request a special appropriation of 10,000,000 crowns ($2,400,000), to cover the cost of planning public works, which would have an estimated total cost of from 250,000,000 crowns ($60,000,000) to 300,000,000 crowns ($70,000,000). This appropriation was made on December 8, 1943, under an amendment of 1941 to the Swedish constitution, permitting the establishment of an emergency budget containing appropriations which may be necessary in an economic crisis or other emergency situation, for which Parliament has the right to indicate the manner of their disposal.

PURPOSES OF POSTWAR PLANNING

The initial report of the Bank of Sweden committee (which worked under the bank, and not, as in the case of the other committees, under the Ministry of Finance), while necessarily somewhat indefinite as to what specific measures would be required in the postwar foreign-exchange field, clearly expressed the ultimate aim of Swedish economic policy in its report of November 22, 1943, to the board of directors of the bank, in which the Committee found that:

"The objective of economic policy in the immediate postwar period can be defined, in general terms, to be the quickest possible restoration of a satisfactory living standard and the maintenance of full employment, with that orientation of production which offers the most favorable prospects possible for the future development of Swedish enterprises."

The final report of the Bank of Sweden, on Currency and Price Stabilization (submitted to the government on March 30, 1944) confirmed the above view by stating "In the formulation and application of the current monetary policy program, it has been recognized stabilization of employment should be included in the objectives of monetary policy."

Parliament, in 1943, had outlined the establishment, at an appropriate moment, of a special organ the task of which is to inquire how the conversion of industry to peace production should be accomplished, what practical measures may be taken for this purpose, and how the postwar social problems are to be solved. This applied particularly to the (government) Commission for Postwar Economic Planning, to be concerned primarily with Swedish economic policy, but working in close collaboration with a State reconstruction office, formulating policy pertaining to, and administering, Sweden's participation in the export of goods and material for use in international reconstruction work, and a committee for international relief, which would coordinate and organize humanitarian relief activity.

SWEDISH GOVERNMENT ESTABLISHES POSTWAR PLANNING COMMISSION

Pursuant to the above program, on February 11, 1944, the Commission for Post-war Economic Planning was established, under the chairmanship of Prof. Gunnar Myrdal, with considerable latitude in its power to choose its objectives, determine its procedure, and carry on its work independently. The general secretary of the commission stated:

"There are no differences of opinion as to the goal of economic policy: Full employment. * * * The dominance of the problem of employment has given a natural direction to the investigations undertaken on behalf of the Department of Finance."

The Commission for Postwar Economic Planning established 10 subcommittees to analyze specific subjects, as follows:

I. Monetary and foreign trade.
II. Planning and organization of promotion of employment.
III. Opportunities of investment.
IV. Mobility of labor, etc.
V. Expansion of consumption and qualitative control.
VI. Direct relief activities.
VII. Raw materials.
VIII. Housing.
IX. Agriculture.
X. Control of monopolies.

FORMATIVE PERIOD OF POSTWAR PLANNING POLICY

Shortly after its establishment the commission received the Labor Market Commission's extensive report on investments. In its preliminary comment on this report, the planning commission stated that investment activity occupies a key position among policies intended to counteract depression and stimulate employment and that it is desirable that postwar investments and exports should somewhat surpass prewar levels. It added that it was then impossible to foresee all contingencies and the primary task of the commission is to set up guiding principles.

The planning commission, while it did not analyze the specific recommendations of the report submitted to it, pointed out the desirability of using available unemployed manpower for work on needed facilities of public utility, such as airports for international service, a change from left-hand to right-hand driving as the rule of the road, etc., with the reservation that is could be considered better to keep people employed in their regular activity, through state aid, providing their work contributes to fulfilling real needs, than to transfer them to other activities, such as building construction and public utilities. These principles were elaborated in a memorandum of August 1944, by the executive secretary of the commission, Karin Kock. The study of the question of investments, public and private, is being continued actively.

An address by Professor Myrdal, the head of Planning Commission, further summarizes the objectives of the Commission and illustrates the degree to which full employment dominates its efforts. He stated that the basic idea in postwar economic planning is that the State is finally responsible for the maintenance of a high and stable level of employment in industry. In Sweden, he believes, postwar depression can be avoided if the government pursues as wise a policy in the future as it has during the war years, entailing a continued active policy of governmental control and regulation of economic life.

Unemployment policy would have to be planned within the framework of monetary and foreign trade policy. If exports reach and exceed prewar levels and if sufficient foreign raw materials become available, the unemployment question will solve itself, but possible emergencies must be prepared for. While the stabilization of housing construction at a high level would be desirable and necessary, a well-prepared portfolio of public works projects would be needed to meet the requirements of full employment.

He did not believe that control of the rate of interest would suffice to direct the trend of investments. He proposed the creation of a board comprising governmental, industrial, and private representatives to give advice to investors on the subject of so directing all investments as to make them serve the maximum national economic and social purposes.

BUDGET APPROPRIATIONS FOR INSURING EMPLOYMENT

The Swedish budget for the fiscal year 1944–45 included a "General Emergency Budget I." The latter, in addition to items for international rehabilitation and for support of refugees, contained an appropriation of 100,000,000 crowns ($23,800,000) for postwar economic emergency measures. Two additional measures, of a provisional nature, designated as "General Emergency Budgets II and III" were approved in principle but not included in the actual budget, because of their tentative nature. Number II comprised a tentative appropriation of 124,400,000 crowns ($29,600,000) for operating account, and 154,500,000 crowns ($36,800,000) for capital account, while number III comprised 431,100,000 crowns ($102,600,000) for operating account and 22,400,000 crowns ($54,000,000) for capital account.

The tentative appropriations thus totaled $932,400,000 crowns ($222,000,000) but their use was conditioned on certain contingencies. Thus the entire amounts of number II would be available after July 1, 1944, if the supply and labor-market situations permitted or the labor situation required, though a portion would be available beforehand, for preparatory measures. The amounts contained in number III would only become available (after permission of Parliament had been secured) when an unemployment emergency had actually arisen. Details of the treatment of these items in the 1945–46 budget are not yet available.

Among projects on the program of the Swedish Government, some (if not all) of which are already under way, are:

A large plant to produce synthetic rubber from wood derivatives.

The erection of additional blast furnace capacity for the utilization of Swedish iron ore.

Expansion of copper ore and building additional refinery capacity.

Expansion of exploitation of Swedish nickel deposits.

The Government is also interested in the question of importation and distribution of petroleum products.

CURRENT PROBLEMS IN PLANNING POSTWAR EMPLOYMENT IN SWEDEN

A most important report of the Commission on Postwar Planning is that of October 4, 1944, which carefully analyzes living standards in Sweden and makes proposals for benefits to unemployed.

The analysis of the Commission shows that considerable confusion is inherent in present arrangements under which unemployment relief may be payable from employees' union insurance funds, assisted by state subsidies, and from national and local public funds. The recommendations of the Commission include: (1) a governmental investigation of the minimum outlay necessary to assure the maintenance of acceptable living standards and consideration of the findings in the formulation of the general social policy which is now in preparation; (2) that the appropriate governmental organs prepare a plan for lessening the number of cases in which local poor relief is paid rather than relief under national legislation; (3) that a proposal be prepared for unifying the central administration of unemployment insurance and relief; (4) that the government submit a proposition for an increase of the daily relief and other benefits from unemployment insurance funds and for a lessening of restrictions on the payment of rent allowances; (5) that a proposal be submitted for better protection through unemployment insurance and unemployment relief against losses because of part-time work; (6) that a plan be prepared for voluntary insurance against unemployment on the part of certain groups the occupations of which involve unusual risk of unemployment; and (7) that unemployment benefits to individuals be increased when unemployment is widespread.

The whole question of the organization of social welfare in Sweden is under consideration by another governmental body, a report of which is expected to embody a general scheme of compulsory unemployment insurance. This report will not be ready for some time to come, and the proposals will hardly be written into law and made effective before 1949. In view of the situation, the Commission on Postwar Economic Planning made only some stop-gap proposals regarding the existing system. These proposals deal with reforms that it feels must not be postponed.

A report by the Planning Commission, also of October 9, 1944, dealing with balancing of investments primarily, contains valuable views on the current situation in Sweden as concerns the entire problem of full employment and is a valuable supplement of the Commission's earlier reports.

The report on the coordination of investment activities with unemployment policy takes note of the decisive character of investments in the maintenance of economic activity dividing them into four main fields—public works, producers goods, stocks of goods, and housing—with a fifth category consisting of durable consumers' goods. It is itself concerned with investments of private industry in durable producers' goods—buildings, plants, and machinery.

The matter of adjusting private capital expenditures to the needs of the national economy in view of cyclical changes is one of difficulty in comparison with that of most kinds of public building projects. Nevertheless, such expenditures are not at all so geared to current production requirements that they cannot be increased or decreased to meet the needs of depression and boom times. Repair works, to take a single instance, can often be deferred from times of greater to times of lesser general business activity. In agriculture various rationalization measures can appropriately be undertaken in time of relative slump.

A difficulty of obtaining integrated planning lies in the diversity of public and private agencies engaged in the making of plans. Needed coordination can be achieved with respect to industry by means of voluntary coordination, by measures of incentive on the part of the Government, or by direct public control. The Commission does not believe that Government control will in fact stimulate investment during depression. Measures of incentive, such as appropriately designed tax laws, properly managed interest rates, and direct contributions may be useful. Voluntary cooperation among private enterprisers may result in beneficial accomplishment. Attention needs to be given to arrangements for better geographical distribution of industry and for avoidance of unfortunate segregation—such as industries employing chiefly men or chiefly women.

Employment is still being maintained at a high level in Sweden. In agriculture a shortage of labor exists, since the trend of

population to urban areas has been marked. A reversal of this trend would perhaps provide employment for a considerable number of eventual city unemployed. In forestry, the continued intense demand for wood, to replace coal and liquid fuels formerly imported, for the time being causes a labor scarcity. In some lines there is a trend toward unemployment, however. Shipping is idle, to a considerable extent, there is some prospect of difficulty in maintaining full-scale building activities and the Government has had to assist a prominent iron-mining company in rock-stripping activities in open-cut mines, and in storage of extracted ore, because of the cessation of iron-ore exports. The background of the employment opportunities of Swedish industry may be estimated from the article Swedish Industries' Trends in Wartime, in the November 4, 1944, issue of Foreign Commerce Weekly.

GOVERNMENT NEED OF PRIVATE BRAIN POWER

[Mr. WILEY asked and obtained leave to have printed in the RECORD an article entitled "Government Needs Its Private Brain Power," written by him and published in the May issue of Forbes, which appears in the Appendix.]

JUSTICE FOR POLAND—STATEMENT BY SENATOR MEAD

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a statement entitled "Justice for Poland," by Senator MEAD, which appears in the Appendix.]

PALESTINE'S PLACE IN THE NEW WORLD—ADDRESS BY LOUIS BROMFIELD

[Mr. BREWSTER asked and obtained leave to have printed in the RECORD an address entitled "Palestine's Place in the New World," delivered by Louis Bromfield at a dinner sponsored by the New Zionist Organization of America, in New York City, March 18, 1945, which appears in the Appendix.]

PEACETIME MILITARY TRAINING

[Mr. CAPPER asked and obtained leave to have printed in the RECORD an excerpt from an article entitled "The Case Against Compulsory Peacetime Military Training," by Lt. Col. Roscoe S. Conkling, which appears in the Appendix.]

THE SAN FRANCISCO CONFERENCE

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an editorial entitled, "Pandora's Box at Uncio," from the Washington Post of May 1, 1945, and the column Today and Tomorrow, by Walter Lippmann, from the Washington Post of May 3, 1945, which appear in the Appendix.]

THE U. S. S. "OREGON"

[Mr. DOWNEY asked and obtained leave to have printed in the RECORD an article entitled "Restore the 'Old Oregon' as Patriotic Symbol," from the Argonaut of April 6, 1945, which appears in the Appendix.]

FRANKING PRIVILEGE FOR ANNA ELEANOR ROOSEVELT

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 906) granting a franking privilege to Anna Eleanor Roosevelt, which was, in line 5, after the word "signature", to insert "or fascimile thereof."

Mr. HILL. Mr. President, I move that the Senate concur in the amendment of the House.

Mr. WHITE. Mr. President, my attention was otherwise engaged at the moment the matter was laid before the Senate. Is this in connection with the bill granting the franking privilege?

Mr. HILL. Mr. President, the Chair has just laid before the Senate the amendment of the House to the bill granting the same franking privilege to Mrs. Franklin D. Roosevelt which the Congress in 1940 granted to Mrs. Cleveland, Mrs. Harrison, Mrs. Theodore Roosevelt, Mrs. Wilson, Mrs. Taft, and Mrs. Coolidge.

Mr. WHITE. The Senator has correctly stated the situation, and I have no quarrel with it. I should not wish to put myself in the position of discriminating against the widow of our late President, Franklin D. Roosevelt. I cannot help saying, however, that I have some question as to the wisdom of the precedent. I have some question as to the wisdom of granting to any one the unlimited power of free use of the mail of the United States. I cannot very well raise the question now without voicing something in the way of discrimination against Mrs. Franklin D. Roosevelt, and I have no desire to do that.

Mr. TAFT. Mr. President, it seems to me that the bills heretofore passed granting the franking privilege to widows of Presidents, including my mother, were very much too broad, and while I think we should follow the precedent in this case, I do not think the precedent should be followed again.

The difficulty really is not with the House amendment, which permits the use of a facsimile signature. The original bill did not make that provision, but in 1940 the privilege was extended to all the living widows of deceased Presidents. The trouble is with the breadth of the original bill, and the same measures have been passed granting the privilege to the widows of all Presidents. The language was:

> That all mail matter sent by the post shall be conveyed free of postage.

Of course, that covers first-, second-, third-, and fourth-class mail matter. It could be argued that it would cover all sorts of political literature, and everything else that might possibly be sent through the mail. I did not think it was intended for that purpose. No widows of Presidents have ever used it for such a purpose. It is clearly intended to cover personal correspondence and personal mail matter. I have no doubt it will be so used by Mrs. Roosevelt.

I think it is wise, however, to call attention to the fact that the language is too broad, and, in my opinion, at some time all the acts should be revised. The privilege differs materially from that of a Representative or Senator, who, of course, can send through the mail only matter of an official character. It seems to me clear that when this privilege is granted to anyone else it should apply solely to personal mail, and I think it has always been understood by the recipients that it was for that purpose.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Alabama that the Senate concur in the amendment of the House.

The motion was agreed to.

LEAVE OF ABSENCE

Mr. FULBRIGHT. Mr. President, I ask unanimous consent to be excused from the Senate next week in order that I may attend the flood-control meeting to be held at Little Rock, Ark.

The PRESIDENT pro tempore. Is there objection to the request of the junior Senator from Arkansas that he may be excused for a week? The Chair hears none, and the Senator is excused.

O. P. A. AND THE MEAT SHORTAGE

Mr. MOORE. Mr. President, apropos of what I shall have to say in a few moments concerning the operations of the O. P. A. and related agencies, I ask unanimous consent to have inserted in the RECORD two telegrams which I have received from packers of my own State giving expression to the effect new orders promulgated by the O. P. A. will have upon them. These telegrams are typical of many statements from other portions of the country.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

TULSA, OKLA., *May 3, 1945.*

Senator E. H. MOORE,
United States Senator,
Senate Office Building:

Under new restrictions on non-Federal inspected packing plants our Tulsa plant will lose approximately $5,000 to $6,000 per month on overall operations.

BANFIELD BROS. PACKING CO.

BLACKWELL, OKLA., *May 1, 1945.*

Hon. E. H. MOORE,
United States Senate:

Control order No. 1 forces us to consider closing our plant. Compliance, which means reduced volume at prohibitive costs, impossible; this is discrimination against non-inspected plants. If we are forced to operate at the announced quotas or quit, black market operations will be the only means for supplying meat to some parts of Oklahoma as we are supplying all the meat to some communities. The base years '38 to '41 plus O. P. A. audit to get only even break gives no recognition to plant improvements or revised operation methods, and the multitude of regulations issued gives the O. P. A. too great an opportunity to snare packers who might submit to an audit. What can we do to help you in the fight you are making for the industry?

TURVEY PACKING CO.

Mr. MOORE. Mr. President, for weeks past Senate and House subcommittees have been conducting investigations into the food shortages as developed under the Office of Price Administration, the War Food Administration, and the other related and interrelated agencies dealing directly and indirectly with the wartime production and consumption of food. The revelations disclose a sordid story of incompetence and premeditated efforts to destroy American ideals and American institutions. I should like to take this opportunity to extend my earnest congratulations to these committees and voice my approval of their activities.

Our precarious food situation is the natural outgrowth of a dictatorship created under the cover of a claimed war necessity, and built upon a background of human emotions, sufferings, and fear.

Americans are stirred by the emotions of war, burdened with the worry over loved ones in the armed forces, and carry with them the fear to protest the arbitrary dictates of a bureaucracy lest they be accused of a lack of patriotism in this dark hour of war. There are those in O. P. A. who fully appreciate this psychological opportunity and have taken advantage of it to improve their technique of control.

The congressional committees, however, have spoken, and they have spoken boldly. The chairman of the Senate subcommittee has charged the O. P. A. with intentions and actions that require its entire executive personnel to deny and defend, or leave office in shame and disgrace.

The Senator from Oklahoma [Mr. THOMAS] has been quoted by the press and on the radio as saying that prevailing meat conditions may have been due to incompetence, but that he is more inclined to believe that it has been part of a general scheme by certain O. P. A. cliques to drive small packers and meat processors out of business in order to concentrate the meat industry in the hands of a few large concerns, and then when that has been done, come to Congress with a demand for Federal regulatory powers over those few on the grounds that they are a practical monopoly, but with an ultimate purpose of getting a toehold for a permanent planned economy controlled from Washington.

If this shocking statement represents the considered judgment of the Senate committee, then I say it is the duty and obligation of this body to demand the resignation of those responsible for the operations of O. P. A. It is inconceivable that this un-American philosophy should permeate an office of public trust. If the Congress shall fail to back up its committees when the evidence appears to be so plain and the charge so serious, then it must accept the consequences inherent in the loss of public confidence.

President Truman in his zeal to allay unrest and dissension on the home front has termed the criticisms of O. P. A. as "irresponsible." In other words, the President says that these congressional committees have acted in an irresponsible manner.

I am indeed sorry the President is using his office to deter or interfere with a congressional investigation. The exposure of the facts, under any circumstances, and the condemnation of dishonesty or inefficiency in Government have always been and always will be the greatest insurance to the preservation of democracy. It is likewise as important to defend fearlessly those unjustly accused, but to condemn these congressional committees in the present case as "irresponsible" is unwarranted by the evidence.

Advertising man Bowles was brought to Washington to sell a smelly mess to the public. It appears that salesman Bowles has now given the President a selling.

Hundreds of cases attest to the correctness of the findings of the committees. The House committee's report says it is true that a substantial majority of all the meat consumed in New York City is furnished by the black market. This committee reports that the going black market price for beef carcasses in New York was reliably given as $100 above O. P. A. ceiling prices.

The dishonesty of O. P. A. was exemplified last December when the housewives of the country were double-crossed by canceling all unused ration-stamp reserves, which had been built up through sacrifice and frugality. It seems that O. P. A. felt it necessary to cancel these stamps to compensate for its laxity of rationing during the weeks preceding the national election. O. P. A.'s removal of restrictions prior to the election and the reimposition of the restrictions immediately following the election was one of the sorriest spectacles of political dishonesty ever witnessed by the American public.

Only a few days ago protests came to my office from the clothing merchants of the country concerning a proposed new maximum price order covering clothing and clothing accessories. It was pointed out that the issuance of the order without an opportunity being given the merchants for the adjustment of their existing inventories would work an unfair and undue hardship. The protests were submitted to the O. P. A. On April 17, I was given assurance by letter from the O. P. A. that its proposed price order would not be effective until June 1, 1945. Three days later, on April 20, the order was issued, effective as of April 28, notwithstanding the prior assurance given to me which had been passed on to some of the merchants who were affected.

Taking further advantage of the chaos and confusion that surrounds the meat shortage, O. P. A. has issued orders arbitrarily cutting all local packers who are not federally inspected to a beef-slaughtering quota of 75 percent of their 1944 operations. I am in receipt of complaints from local packers that this order will force the closing of many plants because of the reduced volume at prohibitive cost. The order, of course, is clear discrimination against nonfederally inspected plants. When the matter was taken up with the O. P. A., what do you suppose the suggestion was? It was that the plants could become federally inspected, regardless of the local character of their business, and that State and municipal inspections should be done away with. When it was pointed out that this would result in a considerable cost to these local packers, we were told that they could obtain a loan for the necessary additional capital.

No doubt we are all familiar with these personal experiences, and to say that criticisms of what has led to them are irresponsible is indeed unwarranted. The common-sense fact is that O. P. A. should be abolished, and I say that with confidence that the future will prove the correctness of the observation.

The unrealistic and arbitrary treatment of the oil industry is a shocking example of the ineptitude of O. P. A. and, in fact, all bureaus, to control and regulate business and industry. Time after time the O. P. A. has been furnished convincing and unanswerable proof that the oil resources of this country are being exhausted at prices below cost for a substantial portion of our oil production. The Office of Economic Stabilization found this to be a fact and directed that subsidies be invoked to fill the gap at the expense of the Public Treasury. The experience of the oil industry is typical of the understanding displayed by O. P. A. officials with respect to the cattle raisers, the dairy industry, and dozens of other units of our business and industrial economy.

The testimony before the Senate subcommittee of Mr. Thomas Emerson, who was at the time deputy administrator for enforcement, is the personification of arrogance, ignorance, and incompetency. When confronted with the information that from 80 percent to 90 percent of the meat consumption was being furnished by black markets, his only answer was that he believed the statement to be grossly exaggerated. This young man has now been rewarded for the good job he did for O. P. A. by being promoted to the position of general counsel of the Office of Economic Stabilization.

I cannot refrain from appealing to the Chief Executive to take cognizance of these situations before they further impair the morale of our people.

On principle the O. P. A. is anti-American in its very conception. It is founded on a distrust of the people. It has from the beginning operated on the theory that Americans had to be made to conform to wartime necessities. O. P. A. has thrived on the preachment that the rich and the strong would take advantage of the poor and the weak. The story of America has been one of surmounting the ever-present obstacles, but never in its long and glorious history have the people been found in default to their responsibilities when the future of America was at stake. Almost a year ago I said on the floor of the Senate, and I again repeat, that O. P. A. is counter to our concepts of constitutional government and must always be a fountainhead of potential evil.

O. P. A. has been peopled from its inception with executive personnel of un-American ideals. Leon Henderson, an economic theorist whose philosophies lead far to the left of center, set the pattern. Such men as Richard V. Gilbert, who holds that private business is incompetent to manage itself and that the Federal Government must take over the control and direction if not the ownership of all business, helped build the structure. Tom Tippet, an organizer for the League for Industrial Democracy and former manager of the Communist Federated Press, and others of similar ideals, have been principal lieutenants in the operations of O. P. A.

The emergency price law was supported by a majority in Congress because of the fear of uncontrolled inflation. This, of course, is a problem so immense in its proportions as to terrify the most sturdy. But, a desertion of constitutional principles, even in time of war, is not the answer to the problem.

Our experiment with O. P. A. has resulted in driving our domestic economy underground. It has brought about an uncontrolled inflation, the extent of which can scarcely be estimated. Some

indication of the underground inflation with which we have been saddled can be gained from the fact that since 1940 the currency in circulation has increased more than 250 percent. At present there is afloat in the country approximately $22,000,000,000, which is about $16,000,000,000 more than the average for the 11-year period prior to 1931. I think it is commonly agreed that the excessive amount of currency in circulation is the medium by which this huge black market is being conducted, which is merely another name for inflation.

I know there are some who will contend that the inflationary trend as the economic result of war has been minimized by our attempt at price control. A case for this argument can be made on paper. The retail establishments prominently display maximum price lists, but as a practical matter this means nothing when a substantial majority of the volume of retail business is being carried on in a black market, where the uncontrolled and unconscionable inflation cannot be seen or estimated. Abolish O. P. A. and this inflation under which we are suffering will come out in the open, and public condemnation of the profiteer and the hoarder will have more corrective effect than all the laws that Congress can pass.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. LUCAS in the chair). Does the Senator from Oklahoma yield to the Senator from South Dakota?

Mr. MOORE. I gladly yield.

Mr. BUSHFIELD. I merely wish to offer a suggestion to the Senator in connection with his statement. At a time when we are apparently short of meat products in this country, there are more live cattle on the hoof in America today than there ever have been before. There are approximately 82,000,000 head of hogs in this country, and about 50,000,000 sheep. The O. P. A., after being presented with testimony before our committee, had only one answer to make. Our committee conducted hearings for some four weeks. After the O. P. A. was presented with testimony to the effect that we have plenty of meat in this country, if it is properly distributed, and that we also have a large black market, which the committee is so desperately trying to locate and to persuade the O. P. A. to get rid of, the only answer those gentlemen could make to us and the only answer they did make to us was, "give us more money to hire more investigators."

Mr. MOORE. That is always the answer.

Mr. President, the honest people of America are hungry. They are without food in a land of plenty. By the activities of an un-American bureaucracy, a substantial portion of our people has been converted into black-market operators and hoarders.

The least Congress can do is to uphold the hands of its committees that have been courageous enough to disclose these sordid facts, and demand a complete change of the executive personnel of this wartime bureau, which has so miserably failed to meet its obligations. The failure of O. P. A. has not been the result of honest mistakes. On the contrary, its failure is founded on the mental dishonesty of those who would change the American way of life. Its failure is a story of the inflated egos of little "dictators," who have set themselves up as judge, jury, and prosecutor.

Fundamentally, O. P. A. is a failure because it is contrary to our constitutional form of Government.

RUSSIAN-AMERICAN RELATIONS

Mr. McCARRAN obtained the floor.

Mr. FERGUSON. Mr. President, will the Senator yield to me?

The PRESIDENT pro tempore. Does the Senator from Nevada yield to the Senator from Michigan?

Mr. McCARRAN. I yield.

Mr. FERGUSON. Mr. President, Mr. Molotov, Foreign Commissar of the Soviet Union, is now in America, at San Francisco. His presence furnishes the opportunity for an exchange of ideas that can be mutually helpful between our two countries. I refer in particular to the possibility of developing by mutual consent opportunities for access to the facts with respect to conditions prevailing in areas in eastern Europe now subject to Russian control. The scope of this exchange of ideas is far broader than the scope of the document in preparation at San Francisco. In that Conference the delegates are engaged in constructing a piece of machinery to maintain peace in the future. However, the whole problem of formulating that peace and at the same time maintaining cordial relations and common purposes between the Allies while doing so, lies outside the scope of the work at San Francisco.

I pay the fullest tribute to Russian bravery and military genius. Indeed, the effort of the Russian people throughout this war has been beyond all praise, and every American recognizes this fact. Because I hold the Russians in this high esteem, I feel that two strong nations, Russia and America, can talk to each other in complete candor, and should so talk. It is only by such candor that understanding between men and nations can be reached. Thus, in what I say there is no desire to criticize so staunch an ally. There is an earnest desire, however, that we should eliminate a factor which is likely, if allowed to proceed unchecked, to damage our relations. I feel that our course in dealing with the Soviet Union in the past has not been characterized by that outspoken candor on the part of the United States which to my mind is the only basis for mutual understanding.

I submit that the time has come for us to change this attitude. The fighting in Europe is over or nearly over. The time has come when incidents between the Allies can more easily cause strained nerves and misunderstanding. If there was justification previously for not speaking our minds freely to our Russian allies, that justification is now past. I am profoundly convinced, as must be anyone who studies the international situation, that future peace hinges upon a firm understanding between the United States and the Soviet Union. I differ with the administration only in respect to the method of achieving that understanding.

In the past, even with knowledge, we may have had misunderstandings. We use terms having different meanings from those used by our Russian allies. But foreign policy is founded upon the attitudes of the people of one nation toward those of other nations; and such attitudes must be founded upon facts, not upon rumors.

A large section of central and eastern Europe is occupied by the armies of the Soviet Union. In that vast area our knowledge of what is taking place is rudimentary or zero. That is so in spite of the fact that in certain instances we are parties to the armistice terms and we share in the responsibility for Allied control. Let us assess for a minute what we do know about those areas. Perhaps the administration has facts which are not available to us. I am speaking as one who has carefully followed the press reports. In Bulgaria we have apparently a small military mission, supplemented by State Department representatives. We understand that the mission is restricted in its movements and in its ability to investigate conditions. The case in Rumania is slightly different. We understand that there our military mission has wider scope of obtaining information, but is still restricted in movements and it is not permitted to have press representatives to keep the American people informed of conditions. So far as is reported, there are no Americans in Budapest and there are none in Vienna, in spite of the fact that a new government has come into being and in spite of the fact that the Union of Soviet Socialist Republics, Great Britain, and ourselves have united in a policy toward Austria in the Moscow declaration. We have a certain responsibility in respect to Austria's future, through that undertaking, while we have no participation on the spot in what is going on in Vienna.

I shall continue with the list. There are no representatives of the United States—military or press—in Poland, so far as I have been able to ascertain. That is so in spite of the fact that in the United States there are millions of citizens of Polish descent, with the most vital interest in the fate of the people of that nation. Neither have I heard of American reporters or military representatives being in the small Baltic states.

This gives an idea of the extent of our ignorance as to what is taking place. There are American citizens vitally interested in each one of those areas, but there is no way of satisfying their interest. This lack of knowledge makes a fertile ground for the wildest of rumors. Suspicion grows on lack of knowledge. Such suspicion will breed recrimination, ill feeling, and even profound distrust. It is believed that the only way by which such evil results can be avoided is by having light thrown on those obscure corners. In the interest of mutual understanding between the Soviet Union and ourselves, we cannot urge too strongly that representatives of the American press be allowed to visit and circulate

freely in those lands of eastern Europe and be allowed to report conditions with the fullest frankness, so that mistrust and suspicion can be eliminated. It is believed that if the administration could arrange to gain Mr. Molotov's consent to such action, it would be a profound contribution to cordial relations and understanding between the Soviet Union and ourselves.

Mr. BRIDGES. Mr. President, with the courtesy of the Senator from Nevada, who has the floor, I merely wish to say that I think the Senator from Michigan has performed a real service today in bringing into the open on the Senate floor this very delicate problem. His suggested approach to it, an approach of candor and fairness, is the only sound approach which can be made. If, during the concluding days of the present war, we may have American representatives stationed in many of the countries in which we have mutual interests, a great deal may be done toward promoting friendly relationships among the Allies. I think the Senator from Michigan is to be commended for bringing this matter into the open, and for the contribution which he has made.

Mr. FERGUSON. I thank the Senator from New Hampshire for his statement.

FEDERAL AID FOR PUBLIC AIRPORTS

The PRESIDENT pro tempore. Under the agreement entered into on Monday last, Senate bill 2 is the unfinished business, and the Chair lays the bill before the Senate.

The Senate proceeded to consider the bill (S. 2) to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes, which had been reported from the Committee on Commerce with an amendment to strike out all after the enacting clause and insert:

That this act may be cited as the "Federal Aid Airport Act."

DEFINITIONS

SEC. 2. As used in this act, unless the context otherwise requires—

(a) "Administrator" means the Administrator of Civil Aeronautics.

(b) "Airport" means any area of land or water which is designed for the landing and take-off of aircraft and all appurtenant areas necessary for buildings or other airport facilities or rights-of-way.

(c) "Airport development" means (1) any construction work involved in constructing, improving, or repairing an airport or portion thereof, including the construction, alteration, and repair of airport administrative buildings and the removal, lowering, relocation, and marking and lighting of airport hazards; and (2) any acquisition of lands or property interests, air rights, or navigation easement therein which is necessary to permit any such construction work or prevent or limit the establishment of airport hazards, but does not include the construction, alteration, or repair of airport hangars.

(d) "Airport hazard" means any structure or object of natural growth located on or in the vicinity of an airport, or any use of land near an airport, which obstructs the air space required for the flight of aircraft in landing or taking off at the airport or is otherwise hazardous to such landing or taking-off of aircraft.

(e) "Authorized project" means a project included in the national airport plan provided for in section 6 and, in the case of projects under the urban program, a project which has been selected and authorized as provided in subsection 7 (a).

(f) "Class 3 and smaller airports" means all airports which, as to size, lay-out, and facilities, are not properly classifiable as class 4 or higher-class airports according to the airport classification standards of the Administrator stated in Civil Aeronautics Administration Bulletin "Airport Design" dated April 1, 1944.

(g) "Class 4 and larger airports" means all airports which, as to size, lay-out, and facilities, are properly classifiable as class 4 or higher-class airports according to the airport classification standards of the Administrator stated in Civil Aeronautics Administration Bulletin "Airport Design" dated April 1, 1944.

(h) "Military or naval aircraft" means aircraft owned and operated by the United States Army, the United States Navy, the United States Coast Guard, or the United States Marine Corps.

(i) "Population" means the population according to the latest decennial census of the United States.

(j) "Project" means a proposal for the accomplishment of certain airport development with respect to a particular airport.

(k) "Project costs" means all necessary costs involved in accomplishing a project under this act, including those of making field surveys, preparation of plans and specifications, supervision and inspection of construction work, procurement of the accomplishment of such work by contract, and acquisition of property interests, and also including administrative and other incidental costs incurred by a State airport agency or project sponsor specifically in connection with the accomplishment of a project, and which would not have been incurred otherwise.

(l) "Public agency" means any agency of the Federal Government or of a State, any municipality or other political subdivision, any body politic or public corporation supported by taxes, or any department, commission, board, or official of a municipal or county government, which in the opinion of the Administrator has adequate powers and is suitably equipped and organized to satisfy the requirements of the Administrator for participation in the Federal-aid airport program herein authorized.

(m) "Public airport" means any airport which is used or to be used for public purposes without unjust discrimination, under the control of a public agency, the landing area of which is publicly owned.

(n) "Sponsor" means any non-Federal public agency which meets the requirements prescribed by the Administrator for sponsorship of a project under this act and enters into a contract with the Federal Government, satisfactory to the Administrator, agreeing to operate and maintain the airport to be developed.

(o) "State" means any State of the United States of America, excluding the District of Columbia.

(p) "State airport agency" means any department, commission, board, or official of a State government, which in the opinion of the Administrator has adequate powers and is suitably equipped and organized to satisfy the requirements of the Administrator for participation in the Federal-aid airport program herein authorized.

(q) "State funds" means any funds, other than Federal funds, which are available to a State airport agency or project sponsor for expenditure under this act, including any funds contributed to it by any other non-Federal public agency for use in matching the Federal funds made available for a particular project.

AIRPORT SERVICE

SEC. 3. The Federal-aid airport program authorized by this act shall be administered by the Administrator through an Airport Service which shall be responsible for carrying out all the functions of the Administrator relative to airports and landing areas under sections 301, 302, 303, 306, and 307 of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 451, 452, 453, 456, and 457).

FEDERAL-AID AIRPORT PROGRAM

SEC. 4. In order to bring about the establishment of a Nation-wide system of public airports adequate to meet the present and future needs of civil aeronautics and to promote the interests of national defense, the Administrator is hereby authorized, within the limits of available appropriations made therefor by the Congress, to make grants of funds to the States, their political subdivisions, and other non-Federal public agencies for the development of public airports as hereinafter provided in amounts not to exceed 50 per centum of the allowable project costs of each project, except as otherwise provided in section 9 of this act Such Federal-aid airport program shall consist of two parts, hereinafter referred to as the "State program" and the "urban program." The State program shall include all projects for the development of class 3 and smaller airports and the urban program all projects for the development of class 4 and larger airports. In each program, the State airport agency or project sponsor receiving a grant may use to match such grant any State funds available for the purpose. For purposes of this act, a project shall be considered one for development of an airport of a certain class if upon completion of the airport development proposed, the airport so developed would be properly classifiable as of that class according to the airport classification standards of the Administrator stated in Civil Aeronautics Administration Bulletin "Airport Design" dated April 1, 1944.

APPROPRIATION AUTHORIZATIONS

SEC. 5. For the purposes of carrying out the Federal-aid airport program authorized by this act, there is hereby authorized to be appropriated to the Administrator, out of any moneys in the Treasury not otherwise appropriated, $100,000,000 for the first post-war fiscal year, and $100,000,000 for each of the 4 successive post-war fiscal years thereafter, to remain available until expended, of which not to exceed 5 percent shall be available to the Administrator for all necessary planning and research and for all necessary expenses incident to the administration of this act, including the objects specified in section 204 of the Civil Aeronautics Act of 1938, as amended (49 U. S. C. 424): *Provided*, That each such appropriation shall specify the maximum amount thereof that may be expended for the development of class 4 and larger airports, in no event to exceed 35 percent of the total appropriations. There is also hereby authorized to be appropriated to the Administrator, immediately upon passage of this act, $3,000,000 for preliminary planning and surveys preparatory to commencement of the program. The first post-war fiscal year shall be that fiscal year which ends on June 30 following the date proclaimed by the President as the termination of the existing war emergency, or following the date specified in a concurrent resolution of the two Houses of Congress as the date of such termination, or following the date on which the Congress by a concurrent resolution of the two Houses finds as a fact that the war emergency hereinbefore referred to has been relieved to an extent that will justify proceeding with the airport program provided for by this act, whichever date is the earliest.

NATIONAL AIRPORT PLAN

SEC. 6. The Administrator is hereby authorized and directed to prepare, and revise annually, a national plan for the development of public airports, which plan shall specify, in terms of general location and type of development, all the airport projects considered necessary to provide a Nation-wide system of public airports adequate to anticipate and meet the needs of civil aeronautics and to promote the interests of national defense. In formulating and revising said plan, the Administrator shall take into account the needs of both air commerce and private flying, the probable technological developments in the science of aeronautics, the likely growth and requirements of civil aeronautics, and such other considerations as he may deem appropriate, and shall consult, and take into consideration the views and recommendations of the Civil Aeronautics Board, the several States, and their political subdivisions. The Administrator shall also consult, and consider the views and recommendations of, the War and Navy Departments as to the extent to which existing facilities constructed for national defense purposes may be made available in whole or in part for civilian use and as to what public airport development is needed for national defense, to the end that all such development included in the said plan and program may be as useful for national defense as is feasible. In carrying out this section, the Administrator is authorized to make such surveys, studies, examinations, and investigations as he may deem necessary.

SELECTION OF PROJECTS

SEC. 7. (a) Urban program: At least 2 months prior to the close of each fiscal year, the Administrator shall submit to the Congress a request for authority to undertake during the next fiscal year those of the projects for the development of class 4 and larger airports, included in the then current revision of the national airport plan formulated by him under section 6 hereof, which, in his opinion, should be undertaken under the urban program during that fiscal year, together with an estimate of the Federal funds required to pay the share of the United States under this act on account of such projects. In determining which projects to include in such a request, the Administrator shall consider, among other things, the relative aeronautical need for and urgency of the projects included in the plan and the likelihood of securing satisfactory sponsorship of such project as required by the sponsorship requirements prescribed by him. In allocating and granting any funds that thereafter may be appropriated for the carrying out of the urban program during the next fiscal year, the Administrator shall consider the appropriation as granting the authority requested unless a contrary intent shall have been manifested by the Congress, and no such allocations or grants shall be made unless so authorized.

(b) State program: After deducting from the amount of each appropriation available for grants the amount thereof that may be granted for projects in the urban program, the remainder shall be available for the development of class 3 and smaller airports under the State program, as proposed in the then current revision of the national airport plan. All such funds shall be apportioned as prescribed in section 8 and shall be granted for the carrying out of projects selected and approved for operation as provided in section 9.

APPORTIONMENT OF FUNDS

SEC. 8. (a) As soon as possible after the beginning of each fiscal year, all Federal funds available for the State program during that fiscal year shall be apportioned by the Administrator among the several States, one-half in the proportion which the population of each State bears to the total population of all the States, and one-half in the proportion which the area of each State bears to the total area of all the States. All sums so apportioned for a State shall be available to pay the United States pro rata share of the allowable project costs of authorized projects in that State, as provided in sections 9, 10, and 11.

(b) Upon making an apportionment or reapportionment, as provided herein, the Administrator shall certify to the Governor of each State, and to any public agency having requested such certification, the sums which he has so apportioned or reapportioned for projects within each State for the current fiscal year.

(c) All moneys apportioned hereunder shall be available as apportioned until the close of the fiscal year following the fiscal year for which the apportionment was made. Any apportioned amount which has not been granted at the end of the period during which it is available as apportioned under the terms of this section shall be reapportioned within 60 days thereafter, on the same basis as provided in subsection (a) of this section, among the States in which substantially all currently apportioned funds have been matched by the State or public agencies therein, and which have satisfied the Administrator prior to the close of the preceding fiscal year of their desire and ability to so match funds in excess of the annual apportionment. All sums so reapportioned shall be certified to the governors of the States, and to public agencies in the same way as if they were being apportioned under this act for the first time.

SUBMISSION AND APPROVAL OF PROJECTS

SEC. 9. (a) Any State airport agency representing a State which has complied with the provisions of this act and desires to avail itself of the benefits of the State program, and any public agency desiring to sponsor an authorized project in the urban program, or an authorized project in the State program if located in a State in which no State airport agency exists, may submit to the Administrator project applications in such form as may be prescribed by the Administrator, setting forth the airport development proposed to be undertaken. Without exception, such projects shall include only such airport development as is included in the then current revision of the national airport plan formulated by the Administrator under section 6 hereof, and all such proposed development shall be in accordance with standards established by the Administrator, which shall include standards for site selection, airport lay-out, grading, drainage, seeding, paving, and lighting. Each project application shall be accompanied by such plans, specifications, forms of contract, cost estimates, and other supporting materials as the Administrator may require.

(b) All such projects shall be subject to the approval of the Administrator, which approval shall be given only if the Administrator is satisfied that the project is designed to accomplish the purposes of this act, that sufficient funds are available therefor, that the project will be completed without undue delay, and that all sponsorship requirements prescribed by or under the authority of this act have been or will be met. No project shall be approved by the Administrator with respect to any airport unless a State or a public agency holds good title, in form satisfactory to the Administrator, to the landing area of such airport or the site therefor, or gives assurance satisfactory to the Administrator that such title will be acquired. Unless and until a project is so approved either as originally proposed or as subsequently revised, the United States shall not pay, nor be obligated to pay, any portion of any costs in connection with such project.

(c) If the Administrator approves any such project, he shall notify the State airport agency or project sponsor. The share of the United States, payable under this act on account of any such project, shall not exceed 50 percent of the total estimated project costs thereof: *Provided*, That in the case of any State containing unappropriated and unreserved public lands and nontaxable Indian lands, individual and tribal, exceeding 5 percent of the total area of all lands therein, such share payable to the State airport agency shall be increased by a percentage of the project cost equal to one-half the percentage that the area of all such lands in such State is of its total area.

GRANT AGREEMENTS

SEC. 10. Upon approving a project as provided in section 9, the Administrator shall transmit to the State airport agency, or project sponsor, as the case may be, an offer in behalf of the United States to pay 50 percent of the allowable project costs of said project, or such larger share as may be required by the provisions of section 9, on such terms, and subject to such conditions, as the Administrator may deem necessary to meet the requirements of this act and the regulations prescribed hereunder. Each such offer shall state a definite amount as the maximum obligation of the United States and shall stipulate the obligations to be assumed by the State airport agency or project sponsor. If and when any such offer is accepted in writing by the State airport agency or project sponsor to which it is made, such offer and acceptance shall comprise a grant agreement constituting an obligation of the United States. Unless and until such a grant agreement has been executed with respect to a project under this act, the United States shall not pay, nor be obligated to pay, any portion of the project costs which have been or may be incurred in carrying out that project.

ALLOWABLE PROJECT COSTS

SEC. 11. Notwithstanding any other provisions of this act, the United States shall not pay, nor be obligated to pay, any portion of a project cost incurred in carrying out a project under either the State program or the urban program, unless the Administrator has first determined that said cost is allowable. A project cost shall be allowable under this act provided—

(a) It was incurred in accomplishing airport development in conformity with approved plans and specifications for an authorized project;

(b) It was incurred subsequent to the execution of a grant agreement with respect to the project in connection with which it was incurred, except that necessary costs of preparing a project, including those of field surveys and the preparation of plans and specifications, and the costs of acquiring property interests necessary for a project, may be allowable even though incurred prior to the execution of the grant agreement for such project, if incurred subsequent to the passage of this act; and

(c) It is reasonable in amount, in the opinion of the Administrator: *Provided*, That if the Administrator determines that a project cost is unreasonable in amount, the amount which he determines would have been reasonable shall be an allowable project cost under this act.

The Administrator is authorized to prescribe such rules and regulations with respect to the auditing of project costs and other matters which he may deem necessary to effectuate this section.

METHOD OF CONSTRUCTION; WAGES AND HOURS

SEC. 12. (a) The construction work and labor in each State shall be done in accordance with its laws, and under the direct supervision of the State airport agency or project sponsor as the case may be, subject to the inspection and approval of the Administrator and in accordance with the rules and regulations made by him pursuant to this act: *Provided*, That a State airport

agency or project sponsor may utilize the construction services of other public agencies qualified to perform or supervise the work, including other State agencies: *Provided further*, That all contracts pursuant to this act which involve labor shall contain provisions establishing minimum rates of wages to be predetermined by the State or project sponsor, which contractors shall pay to skilled and unskilled labor, and such minimum rates shall be stated in the invitation for bids and shall be included in proposals or bids for the work. Such rules and regulations shall require such cost and progress reporting by the State airport agency or project sponsor to the Administrator as the Administrator may by regulation prescribe.

(b) All contracts let for construction projects and all loans and grants pursuant to this act shall contain such provisions as are necessary to insure (1) that no convict labor shall be employed on any such project; (2) that (except in executive, administrative, and supervisory positions), so far as practicable and feasible, no individual directly employed on any such project shall be permitted to work more than 40 hours in any 1 week; (3) that in the employment of labor in connection with any such project (except in executive, administrative, and supervisory positions), preference shall be given, where they are qualified, first, to persons honorably discharged from the military service of the United States, as defined in section 101 (1) of the Soldiers' and Sailors' Relief Act of 1940, and then to citizens of the United States and aliens who have declared their intention of becoming citizens, who are bona fide residents of the State in which the work is to be performed: *Provided*, That these preferences shall apply only where such labor is available and qualified to perform the work to which the employment relates.

(c) The acquisition of articles, materials, and supplies, wholly or in part with funds appropriated pursuant to this act, shall be subject to the provisions of section 2, of title III of the Treasury and Post Office Appropriation Act, fiscal year 1934; and all contracts let pursuant to the provisions of this act shall be subject to the provisions of section 3 of title III of such act.

(d) Any allocation, grant, or other distribution of funds for any project, pursuant to this act, shall contain stipulations which will provide for the application of title III of the Treasury and Post Office Appropriation Act, fiscal year 1934, to the acquisition of articles, materials, and supplies for use in carrying out such project.

GRANT PAYMENTS

SEC. 13. The Administrator is authorized to prescribe rules and regulations governing the manner in which payments shall be made under grant agreements executed pursuant to section 10: *Provided*, That no advance payments shall be made, except that partial payments may be made as work progresses or project costs are incurred, in such amounts, and at such times, as the Administrator may deem advisable. All grant payments shall be made to such official, or officials, or depository, as may be designated by the State airport agency or project sponsor entitled to such grants, and authorized under the laws of the State to receive public funds.

ELIGIBILITY OF STATES

SEC. 14. (a) To be eligible for participation in the benefits of the State program, a State shall, except as provided in subsection (b) of this section, satisfy the Administrator that it meets the following requirements for such participation:

(1) Its legislature shall have assented to the provisions of this act and to its acceptance of Federal airport aid on the terms and conditions prescribed by the Administrator hereunder: *Provided*, That until the final adjournment of the first regular session of the legislature of such State convening after approval of this act, the assent of the Governor of the State shall be sufficient.

(2) The State shall have a State airport agency as defined herein.

(3) The State shall have adequate legislation to enable its political subdivisions to participate in the benefits of both the State program and the urban program, either by sponsoring projects therein or otherwise.

(4) The State shall have adequate legislation for the prevention and removal of airport hazards by airport zoning under the State police power and the acquisition of property or air rights or navigation easements therein.

(5) The State shall have taken adequate steps to insure that all airports developed within the State under the State program will be operated and managed in the public interest without unjust discrimination in favor of or against any person or class of persons.

(6) The State shall have taken adequate steps to insure the proper maintenance, with due regard to climatic and flood conditions, of all airports developed within the State under the State program.

(7) The State shall have taken adequate steps to insure the availability each year of the State funds required for the development and maintenance of all airports developed or to be developed within the State under the State program.

(b) The requirements of paragraphs (2) to (7), inclusive, of subsection (a) of this section shall be suspended during a period of 3 years from and after the date of approval of this act.

(c) Federal aid shall be extended under this act only to projects located in States which expend or obligate during any one year at least an amount of money equal to the State's revenue during that year from any taxes on aviation fuel as such, and any other special fees or taxes imposed on aircraft, aviation, or aeronautical facilities or operations, excepting income taxes and taxes on corporations as such, for the development, construction, improvement, and repair of public airports, and administrative expenses in connection therewith, including the retirement of bonds for the payment of which such revenues have been pledged.

PROJECT SPONSORSHIP

SEC. 15. (a) As a condition precedent to his approval of an airport project under this act, the Administrator shall assure himself to the extent feasible, that—

(1) the airport will be available for public use on fair and reasonable terms;

(2) the airport and all facilities thereon or connected therewith will be suitably operated and maintained, with due regard to climatic and flood conditions;

(3) the aerial approaches of the airport will be adequately cleared and protected by removing, lowering, relocating, marking, and lighting or otherwise mitigating existing airport hazards and by preventing the establishment or creation of future airport hazards so far as existing legislation permits;

(4) all the facilities of the airport developed with Federal aid and all those usable for the landing and take-off of aircraft will be available to the United States for unrestricted use by military and naval aircraft in common with other aircraft at all times without charge other than a charge sufficient to defray the cost of repairing damage done by such aircraft or, if the use by military and naval aircraft shall be substantial, a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities so used;

(5) the airport operator or owner will furnish the Government at a reasonable rent therefor such space in airport buildings as may be reasonably adequate for use by the Government in connection with any airport air traffic control, or weather reporting, and communications activities pertinent thereto which the Government may wish to establish at the airport;

(6) all project accounts and records will be kept in accordance with a standard system of accounting prescribed by the Administrator;

(7) the airport operator or owner will submit to the Administrator such annual or special airport financial and operations reports as the Administrator may reasonably request; and

(8) the airport and all airport records will be available for inspection by any duly authorized agent of the Administrator upon reasonable request. To provide such assurance, the Administrator shall prescribe such project-sponsorship requirements as he may deem necessary, consistent with the terms of this act: *Provided*, That nothing contained in such regulations shall be construed to require any State or State airport agency to acquire any airport owned by any other public agency, to assume control over the operation of any such airport, or to sponsor a project which any other public agency is desirous of sponsoring. Among other steps to insure compliance with such requirements, the Administrator is authorized to enter into contracts with the States and other public agencies, on behalf of the United States, and such contracts shall be enforceable by decrees for specific performance.

ACQUISITION OF PROPERTY FOR STATES AND PROJECT SPONSORS

SEC. 16. Whenever it is the opinion of the Administrator that any real or personal property or interest therein necessary in connection with a project under this act cannot be acquired by the State, or by the public agency sponsoring the project, without undue expense or delay, the Administrator may, at the request of such State or public agency, institute a proceeding for the condemnation of such property or interest therein in accordance with the provisions of the act entitled "An act to expedite the construction of public buildings and works outside of the District of Columbia by enabling possession and title of sites to be taken in advance of final judgment in proceedings for the acquisition thereof under the power of eminent domain," approved February 26, 1931 (U. S. C., 1940 edition, title 40, secs. 258a to 258e, inclusive), the entire cost of which acquisition shall be borne by the State or project sponsor out of the combined Federal and non-Federal funds available for such project. When so acquired by the United States, such property or interest therein shall be conveyed to the State supplying funds for its acquisition or to the public agency sponsoring the project, as may be appropriate.

USE OF GOVERNMENT-OWNED LANDS

SEC. 17. (a) Whenever the Administrator determines that use of any lands owned or controlled by the United States is reasonably necessary for the development of an airport under this act, or for the operation of any public airport, he shall file with the head of the department or agency having control of such lands a request that such property interest therein as he may deem necessary be conveyed to the State airport agency of the State in which the lands are located or to the public agency sponsoring the project or owning or controlling the airport, as he may designate. Such property interest may consist of the title or any lesser estate or interest in property, including any leasehold estate or avigation or other easement or right-of-way.

(b) If within a period of 4 months after such filing the said department or agency head shall not have certified to the Administrator that the requested conveyance is contrary to the public interest or inconsistent with the needs of that department or agency, the said department or agency head is hereby authorized and directed, with the approval of the President and the Attorney General of the United States, and without

any expense whatsoever to the United States, to perform any acts and to execute any instruments necessary to make the conveyance requested: *Provided*, That each such conveyance shall be made on the condition that the property interest conveyed shall automatically revert to the United States in the event that the lands in question are not developed, or cease to be used, for airport purposes.

REIMBURSEMENT FOR DAMAGE BY ARMY OR NAVY

SEC. 18. (a) The Administrator is authorized to reimburse States or public agencies for the necessary rehabilitation or repair of public airports substantially damaged by the Army or the Navy, or both. The Administrator is authorized on behalf of the United States to consider, ascertain, adjust, and determine in accordance with regulations he shall prescribe pursuant to this section, any claim submitted by any State or public agency for reimbursement of the cost of necessary rehabilitation or repair of a public airport, under the control or management of such State or public agency, substantially damaged by the Army or the Navy, or both.

(b) Such amount as may be found to be due to any claimant under this section shall be certified by the Administrator to Congress for payment out of appropriations that may be made by Congress therefor. Such certification shall include a brief statement of the character of each claim, the amount claimed, and the amount allowed. No claim shall be considered by the Administrator pursuant to this section unless notice of intention to file such claim has been presented to him within 30 days after the occurrence of the damage upon which the claim is based, except that in case of damage caused by operations of a military nature during time of war such notice may be filed within 60 days after termination of the war.

REPORTING TO CONGRESS

SEC. 19. On or before the first Monday in February of each year the Administrator shall make a report to the Congress on his operations under this act during the preceding fiscal year, which shall include detailed statements of the Federal-aid airport development accomplished, the status of each project undertaken, the allocation of appropriations, and itemized statement of expenditures and receipts, and his recommendations, if any, for new legislation amending or supplementing this act. The Administrator shall also make such special reports as the Congress may request.

FALSE STATEMENTS

SEC. 20. Any officer, agent, or employee of the United States, or any officer, agent, or employee of any State or public agency, or any person, association, firm, or corporation who shall knowingly make any false statement, false representation, or false report as to the character, quality, quantity, or cost of the material used or to be used, or the quantity or quality of the work performed or to be performed, or the costs thereof, in connection with the submission of plans, maps, specifications, contracts, or estimates of construction costs for any project submitted to the Administrator for approval under the provisions of this act or shall knowingly make any false statement, false representation, or false report or claim for work or materials for any project approved by the Administrator under this act, or shall knowingly make any false statement or false representation in any report required to be made under this act, or any acts supplementary thereto, with the intent to defraud the United States shall, upon conviction thereof, be punished by imprisonment for not to exceed 5 years or by a fine of not to exceed $10,000, or by both such fine and imprisonment.

EXISTING AIRPORT PROGRAMS

SEC. 21. Nothing in this act shall affect the carrying out of the program for the development of public landing areas necessary for national defense, authorized by the Department of Commerce Appropriation Act, 1945, or the program for the development of civil landing areas, authorized by the First Supplemental National Defense Appropriation Act, 1944, which programs shall be additional to the Federal-aid airport program authorized herein.

EFFECTIVE DATE

SEC. 22. This act shall take effect on the date of its approval.

The PRESIDENT pro tempore. The question is on agreeing to the amendment reported by the committee.

Mr. McCARRAN. Mr. President, the pending bill, Senate bill 2, is perhaps the greatest airport bill ever considered by the legislative branch of this Government. The bill has been in committee for more than 3 months. It has had consideration as careful and as detailed as any bill I have ever had the honor to report.

For 2 months after the bill was introduced it was circulated widely among all organizations interested in aviation, who were thus given an opportunity to formulate their views. The bill then came on for hearings, which were held between March 13 and March 23 before the Aviation Subcommittee of the Senate Committee on Commerce.

The hearings were very thorough and very complete. Thirty-four separate witnesses were heard. Among the viewpoints represented were those of all levels of government, airport users, airport operators, aircraft manufacturers, aviation insurance, veterans, general business, and the construction industry. The committee heard the Secretary of Commerce, the Civil Aeronautics Administrator and several of his aids. Governor Maw, of Utah, presented the views of the Council of State Governments. Representatives of individual cities and of the United States Conference of Mayors were heard at length. A spokesman appeared to represent the Civil Aviation Joint Legislative Committee. Both scheduled and nonscheduled air carriers, as well as fixed-base operators, were heard. Private flyers were well represented. The committee heard from such men as Col. Roscoe Turner, Maj. Alexander P. de Seversky; W. T. Piper, president of Piper Aircraft Corporation; E. E. Miller, of Boeing Aircraft Corporation; and Charles M. Upham, director of the American Road Builders' Association. The manager of the transportation and communication department of the United States Chamber of Commerce testified. Every organization desiring to be represented, and every witness wishing to be heard, was heard in full.

When the hearings were concluded the bill was referred to a special subcommittee of which the senior Senator from Nevada, myself, had the honor to be chairman.

During all the proceedings which I have discussed two bills were before the committee. One was Senate bill 34, which had been introduced by the senior Senator from North Carolina [Mr. BAILEY], the chairman of the committee. The other was Senate bill 2, which had been introduced by the senior Senator from Nevada, myself. These bills were similar in many respects. On some points they differed. The special subcommittee to which the bills were referred went about its work methodically. The first thing it did was to prepare a comparative print of the two bills, section by section, as a basis for analyzing their differences. Every amendment proposed by any witness at the hearings was reduced to writing and printed at the appropriate place in the comparative print to which I have referred. The subcommittee then sat down and in a series of meetings considered separately every one of those amendments in relation to both of the bills under consideration, and made tentative decisions as to which amendments should be adopted. On the basis of those decisions a committee print of the bill was prepared. Then the Civil Aeronautics Administration was called in and asked to make suggestions as to specific language which it considered desirable from an administrative viewpoint. A number of amendments suggested by the Civil Aeronautics Administration at these conferences were incorporated in the bill, after which the bill was reported to the full committee.

The full committee went over the subcommittee bill section by section and added several additional amendments.

I have dwelt upon this procedure because I want the Senate to understand that this bill has been given the fullest possible consideration. Many aspects of this legislation are technical, and it was necessary that every provision of the bill should be given the kind of consideration which it, in fact, received.

For the convenience of the Senate, the result of all these labors has been reported by the committee as a single amendment in the nature of a substitute for the language proposed in the original bill.

I call the attention of the Senate to the fact that the meeting of the full committee, at which final action on the bill was taken, was very well attended, and 14 votes were cast in favor of reporting the bill as amended.

I do not believe it is necessary to go into great detail concerning the provisions of the bill, since all Senators have had an opportunity to study it. I shall, of course, be happy to answer any questions which Senators may wish to ask.

Mr. McKELLAR. Mr. President, will the Senator yield for a question?

Mr. McCARRAN. I yield.

Mr. McKELLAR. I wish to ask the Senator about the provision which deals with cities and States. As the Senator knows, in the Federal aid road bill there is a provision which deals only with States. The States allot funds in accordance with the direction of the State boards. I understand that a similar provision is included in the pending bill. Will the Senator from Nevada kindly explain it?

Mr. McCARRAN. During the course of my brief discussion I shall go into that subject, and at the end of my discussion I shall explain the matter further.

Mr. McKELLAR. Very well. I thank the Senator.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield, but as soon as I conclude my preliminary statement I shall be glad to explain further the bill, or answer questions which Senators may desire to ask.

Mr. McFARLAND. Will the Senator now yield to me?

Mr. McCARRAN. I yield.

Mr. McFARLAND. Ever since the former President of the Senate, now the President of the United States, referred two certain bills to the Interstate Commerce Committee, a controversy has existed with reference to jurisdiction over aviation legislation. The chairman of the Commerce Committee made a motion that the Committee on Interstate Commerce be discharged from the further consideration of those bills. I had been appointed chairman of the subcommittee for consideration of the bills. In the Interstate Commerce Committee we respected the motion of the Senator from North Carolina pending a determination of the question which should have been made by the Senate before now. However, the Senate was busy for a long period of time in the consideration of the Mexican treaty. I spoke to the chairman of the Commerce Committee several days ago, and asked that an early day be set for the consideration of his motion.

Mr. President, the pending bill was reported last Monday. I happened to be off the floor at the moment that unanimous consent was requested that the bill be taken up and made the unfinished business of the Senate. I have not had an opportunity to study the report. I know that other members of our subcommittee, as well as members of the whole committee who are interested in the matter, have not had an opportunity to study the bill. I personally feel that the Commerce Committee should have respected the jurisdictional question in the same way that the Interstate Commerce Committee respected it. I do not want it to be understood that by their holding hearings before the question was disposed of, that our committee is in any way waiving the question of jurisdiction. All of their hearings were held after the motion was made.

Mr. McCARRAN. The Senator is not waiving jurisdiction because he has no jurisdiction to waive.

Mr. McFARLAND. We do have something to yield and I think that this proposed legislation is very important, and should go over until we have had an opportunity to study it. We have not had such opportunity, and I think the bill should go over until at least next week. That will give our committee time to make recommendations as to further consideration.

Mr. McCARRAN. I know what the Senator has in mind, and if he will only permit me to make the explanatory statement perhaps we can work his problems out here to some extent.

Mr. McFARLAND. I do not want to work the problems out on the floor today. I shall not, however, further interrupt the Senator at this time.

Mr. McCARRAN. Mr. President, I call the attention of the Senate to the fact that the committee bill, as reported, authorizes a Federal-aid airport program to construct approximately 3,000 new airports and to improve about 1,600 of the 3,000 airports which now exist, at a cost to the Federal Government of $500,000,000 over a 5-year period. The Federal funds are to be matched by an equal amount of State and local money, making a total national expenditure for the airport program of $1,000,000,000 over a 5-year period. The construction program would not begin until after the end of the war, unless the Congress should determine otherwise, but the bill would make immediately available the sum of $3,000,000 for preliminary planning and surveys by the Civil Aeronautics Administration.

The present national airport plan of the Civil Aeronautics Administration has been the subject of some criticism. The bill now before the Senate sets up standards for revising and improving this plan, and the $3,000,000 appropriation to which I have referred would make it possible to undertake this work immediately so that actual construction of airports could get under way as soon as the war is over.

The proposal for a national airport program recommends itself from many viewpoints. It will, of course, provide a great many jobs in the post-war period. It will also give civil aviation a real chance to expand rapidly after the war. I cannot stress too strongly the importance to this country of such expansion. Just as the construction of highways brought about development of our automobile industry, so construction of an adequate system of airports will foster development of our aviation industry. I am sure all Senators are familiar with the tremendous boost to our national economy which resulted from development and expansion of the automobile industry during the quarter century which followed the last war. This bill provides an opportunity to lay the ground work for a similar boost to our national economy through development of our aviation industry.

By enacting this proposed legislation we will make possible an expanded and healthy air-transportation business.

We will stimulate aircraft manufacturing and allied industries. There is no field today which offers wider opportunities for individual enterprise to returning servicemen than the many phases of aviation, including the selling and servicing of aircraft and aviation materials and supplies, the training of pilots, and the construction and operation of privately owned airports.

Adequate development of aviation in this country will give us improved transportation facilities. It will make available to a far larger portion of our population the advantages of air-mail service. It will bring the advantages of private flying within the reach of the general public.

At the same time this bill is in a sense a national defense measure. By insuring a healthy aircraft manufacturing industry it will create facilities which can be effectively turned to war production in case of need. By making possible a larger and more efficient air-transport system, it will help to solve the problems of supply which are so large a part of military considerations. By stimulating the training of pilots and mechanics, it will help to produce the backlog of skilled men which we shall desperately need in case of war.

I should be less than frank if I failed to state to the Senate that the formulation of this proposed legislation has not been free from controversy. Numerous sections of this bill represent compromises between conflicting viewpoints. It is the belief of the committee that these are happy compromises, doing essential justice to both viewpoints.

The two major points of controversy with regard to this bill were, first, the question of whether the national airport program should be formulated at the State level or at the Federal level; and, second, whether Federal funds for the construction of airports should be channeled entirely through the States, or whether cities should, under certain circumstances, be permitted to deal directly with the Federal Government.

With respect to the first point, it was argued strongly by certain governors that each State should prepare and formulate its own airport plan, and that the Civil Aeronautics Administration should only approve the State plans and fit them together into a national program. Your committee rejected this view because it felt that the national interest requires a single integrated national plan for airport development. Many of the facts which must be considered in preparing such a plan are peculiarly within the knowledge of Federal agencies. Examples of such facts are questions affecting the need of airports for national defense, questions affecting the need of airports for cross-country air lines, and numerous other questions affecting the national interest. If was the view of the committee that this program should head up in some one place; and that the logical agency to control it is the Civil Aeronautics Administration. The committee did not feel it would be justified in recommending expenditure of such a large sum of Federal money on an airport program unless the program was controlled by a Federal agency.

With respect to the second major point of controversy, the committee was mindful of the desirability of dealing directly with the States as much as possible. However, in the case of airport construction, by far the largest share of all non-Federal money so far expended has been put up by cities and not by States. The committee was of the opinion that an airport program is more nearly comparable to a river and harbor improvement program than to a highway program. A highway runs through city and countryside alike. An airport, like a harbor, has a fixed location, almost always in connection with a city.

Entirely aside from the question of the merits of the controversy, the committee was mindful of the necessity of recommending a compromise which would not alienate either the States or the cities. Both States and cities have substantial political influence, and the committee tried to report a bill which could have

back of it the influence of both States and cities.

The bill now before the Senate separates the airport program into two sections. One includes the larger airports, designated as class 4 and class 5 airports, which are, broadly speaking, those airports with runways in excess of 4,700 feet in length. The other section of the program would include smaller airports, those known as class 1, 2, and 3 airports. The bill refers to the larger airports as the urban program, and to the smaller airports as the State program; but it should be borne in mind that there is really only one program, and that this division is only for purposes of setting up a dividing line as a basis for the compromise between the views of the States and the views of the municipalities.

Mr. HAYDEN. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. HAYDEN. In 1916, when we passed the Federal Aid Highway Act, only about half the States had State highway departments, so the law provided that temporary arrangements might be made, as best we could, to require definitely that within a reasonable period of years each State must have a State highway department or it would not get Federal aid. The way the matter is left in the pending bill, there is no time limit on making such an arrangement.

Mr. McCARRAN. There is a time limit of 3 years in which the State must conform.

Mr. HAYDEN. That is to say, that if a State creates a State aviation commission within 3 years, after that we will not deal directly with cities?

Mr. McCARRAN. No; that is not the case, but we will deal with a representative of the State, like the Governor, until such time as the legislature of each State shall have an opportunity to establish an airport authority.

Mr. HAYDEN. But there is no Federal statute, and there is nothing in the pending bill, which would require a State, as a condition precedent to obtaining Federal funds, to establish a State airport authority within a reasonable time?

Mr. McCARRAN. Yes; there is such provision in the bill.

Mr. HAYDEN. If the State itself wants to apply for money, it must have such an authority, but if the State does not desire to do so, then we go to the cities, and if the State never does so, it is all done by the cities?

Mr. McCARRAN. That is correct.

Mr. HAYDEN. I have a telegram from 11 western Governors who met in Reno, in the Senator's own State, which states the objection the Governors have, and I should like to read it. It is brief.

Mr. McCARRAN. I yield.

Mr. HAYDEN. The telegram reads:

PHOENIX, ARIZ., *May 2, 1945.*

Hon. CARL HAYDEN,
Senate Office Building,
Washington, D.C.:

Am informed by Governors' conference that airport bill, Senate 2, will be taken up on Thursday. The conference of western Governors in Reno recently unanimously approved a resolution urging that the same Federal-State pattern developed in Federal-State Highway Act should be followed in airport bill. Do not believe Federal Government can deal successfully with counties and cities, eliminating States from participating in airport program. Urge that you do your utmost to pass legislation in this field similar to Federal-State Highway Act, which has been administered successfully over a period of years.

SIDNEY P. OSBORN, *Governor.*

The point I wish to make is that obviously the great majority of the States are not now equipped to function with State-aid authorities of any kind. Nor were they equipped at the time the Federal Highway Act was passed, in 1916, to do it. If Congress wishes to provide that pending such time we will deal with cities, but ultimately it is the desire that we deal with States, then there should be a time limit provided in the bill. The bill should provide that unless a State acts within a certain time it will not get the aid. If we had not made such provision in the Highways Act, many of the States, up to this time, would not have created highway commissions.

Mr. McCARRAN. I call the attention of the Senator to the "Eligibility of States," on page 45 of this bill, section 14 (a), as follows:

SEC. 14. (a) To be eligible for participation in the benefits of the State program, a State shall, except as provided in subsection (b) of this section, satisfy the Administrator that it meets the following requirements for such participation:

(1) Its legislature shall have assented to the provisions of this act and to its acceptance of Federal airport aid on the terms and conditions prescribed by the Administrator hereunder: *Provided*, That until the final adjournment of the first regular session of the legislature of such State convening after approval of this act, the assent of the Governor of the State shall be sufficient.

Mr. HAYDEN. That is the way we handled the matter in the case of the Highway Act.

Mr. McCARRAN. The bill continues:

(2) The State shall have a State airport agency as defined herein.

(3) The State shall have adequate legislation to enable its political subdivisions to participate in the benefits of both the State program and the urban program, either by sponsoring projects therein or otherwise.

In other words, we so provide that the State may participate in a city program, or a city may handle it by itself, if it wishes to do so.

Mr. HAYDEN. I understand; but the bill does set up urban programs.

Mr. McCARRAN. That is correct.

Mr. HAYDEN. It contemplates that, so far as the pending bill is concerned, or so far as any legislation is concerned, for all time to come there will be urban programs.

Mr. McCARRAN. Yes.

Mr. HAYDEN. That we can by-pass the State.

Mr. McCARRAN. That is correct.

Mr. HAYDEN. The issue is whether or not that is a desirable thing to do.

Mr. McCARRAN. That is correct; that is the issue, and that is what the Senate will have to determine.

Mr. HAYDEN. If we want to make it perfectly clear that we do not intend to bypass the States, but only allow a reasonable period of time within which States may qualify themselves to act, and that pending that we will handle the matter as provided in the pending bill, that would be a very different question.

Mr. McCARRAN. That is not the question, and when the Senator makes a study of this subject, as I hope he will, he will discover it would never do to settle it in that way.

Let us take the city of New York, which has installed a $51,000,000 airport, and is now contemplating a second airport, a $72,000,000 airport. Is there any thought for a moment that the State of New York should have control over the La Guardia Airport? Certainly not. The city of New York should have control. It was erected by the city of New York, and why should not the city of New York have control? If the Federal Government participates in the installation of the other airport the city is to erect, why should the State of New York say, "You shall not have that airport, because you do not belong to the political party which we like," or for some other reason?

Mr. CHAVEZ. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. CHAVEZ. In my opinion, the Senator's concluding remark presents the danger of following the suggestion of the western Governors, namely, that the question will become involved in politics. Everyone knows that to be so; it is obvious. As the Senator has stated so well, the small cities and the large cities throughout the country are the ones which have taken care of the airport situation. In my State, in the Senator's State, and in the State of the Senator from Arizona, it was Phoenix and Tucson, it was Albuquerque, it was Reno, which attended to that matter, not the State governments at all. It will get into politics, in my opinion, if the State governments handle it.

Mr. JOHNSON of South Carolina. Mr. President, will the Senator from Nevada yield?

Mr. McCARRAN. I yield.

Mr. JOHNSON of South Carolina. I believe it is the wish of all of us that there be provided throughout the United States a system of airways and airports which will accommodate the people. In order to do that, does not the Senator think that the States of the Union could better determine the localities where the money should be spent by the Government, rather than having one city in a State spending practically all the money in one city within its limits, perhaps the city of New York, or some other city, leaving out the rest of the State, and not having a system which would accommodate the people of the United States?

Mr. McCARRAN. The bill is not subject to the criticism which the able Senator from South Carolina makes of it, because before drafting the bill we took into consideration the criticism he has just made, as well as the other criticism, and out of the two we moulded the pending bill, under which a State authority is to be set up, which will receive 65 percent of the Federal money to begin with. That money will be devoted to airports of classes 1, 2, and 3. The bill limits construction by urban program or city

program to airports of class 4 or larger. That is the very thought we had in mind. When the Senator expands on this thought a little he will find that the city of Charleston, S. C., may say: "We want an airport, and we are willing to bond ourselves to match the Federal Government dollar for dollar. The Federal Government will put up dollar for dollar if we will bond ourselves dollar for dollar for a $5,000,000 airport." The State of South Carolina, if it had control, could say: "No; that airport cannot go there, we do not want it there, we want it at some other point." But the city of Charleston is willing and able to bond itself to put up the money to meet the appropriation of the Federal Government.

The bill does another thing. Before an urban program can go into effect, before the Civil Aeronautics Authority, under the bill, can settle on an airport of that kind at any place, it must submit the project and the estimated expenditure to the Congress of the United States, and the Congress will say whether or not the airport shall go where the Civil Aeronautics Authority has designated that it shall go.

Mr. JOHNSTON of South Carolina. Is it not true that the larger cities will have the better groups which can come before the bodies which will provide the money, so to speak, and the smaller cities will not have the men and the data the larger ones will have, and cannot advantageously present their proposals, and therefore the smaller places will be eliminated to a large extent?

Mr. McCARRAN. They will not be eliminated.

Mr. JOHNSTON of South Carolina. Let me finish my thought. If we had had the same plan in connection with our Federal highways and had let counties even come in and get the money from the Federal Government, what kind of a patchwork of roads would we now have in the United States? I think we are facing the very same problems in regard to aviation at the present time, and I hope we will not proceed in that direction and have a patchwork of aviation fields here and there, which will not be of benefit to the people of the United States.

Mr. McCARRAN. I am sorry to say that the able Senator from South Carolina has obviously never read the bill or the report on the bill. His conjecture evidently must be based upon something someone has told him. I know there have been wild telegrams, such as the one just read from the western governors, in which my own Governor joined, messages from people who do not know what the bill provides.

The bill provides for the very thing the Senator asks, namely, that there shall be set up a State program, under State supervision, and the United States Government will match dollar for dollar, on request of the States, for all airports of classes 1, 2, and 3 which address themselves to the small places, of which the Senator speaks. The urban centers would have nothing whatever to do with that.

Mr. JOHNSTON of South Carolina. But the bill sponsored by the Senator from Nevada does give a city the right to come directly to the Federal Government instead of proceeding through the State government?

Mr. McCARRAN. For certain classes of airports, yes; such as class 4 and class 5, because the State would not build a class 4 airport or a class 5 airport except at a large city. There is where the airport would be built if built at all. The large city would say, "We will build that airport ourselves. We will put up the money for it. The State would not do it. So we will go to the Federal Government and will match dollar for dollar with the Federal Government."

Mr. President, let me dwell upon another point made mention of by the Senator from South Carolina. He likened this plan to the highway plan. Such a comparison cannot rightfully be made. The highways run from place to place through counties and through States. An airport is built for all time at a specific place; it does not run anywhere.

Mr. JOHNSTON of South Carolina. But it is necessary to go from a certain point to another given point by air.

Mr. McCARRAN. Oh, yes; in the air; I know that.

Mr. AUSTIN. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. AUSTIN. I have not had an opportunity to study the bill. I represent a State in which there probably is not, at the present moment, an airport which would be classified as class 4 or 5. I should like to ask the distinguished Senator from Nevada about the time when the classification of an airport would be determined. That is to say, assuming the city of Burlington, Vt., should, after the passage of this bill, desire to construct an airport, having runways of more than 4,000 feet, if it should make an application for Federal aid on a specification for an airport having runways of 5,000 feet, would the city of Burlington thereupon become eligible to enter into this relation with the Federal Government which is called the urban plan?

Mr. McCARRAN. Yes. This would be the procedure: The city of Burlington would make its own preliminary study and survey, and would then take the matter up with the Civil Aeronautics Authority. The Civil Aeronautics Authority, pursuant to the request, would make a study, and the two parties would come together on a plan for that particular airport. If it were to be a class 4 airport well and good, they would agree on it. It would take its classification number largely from the length of its runways. The city of Burlington could come directly to the Federal Government and ask to match dollar for dollar for the construction of that airport, or it could go to its State authority created by the Legislature or by other State arrangement and say, "Will you as a State organization join in our request that the Federal Government match dollar for dollar for the building of this airport—Class 5 airport, if you please—at Burlington." The State could take it up, go forward with it, by the direction and under the supervision of the C. A. A., and come to the Congress of the United States and receive a dollar-for-dollar contribution.

Mr. AUSTIN. Mr. President, will the Senator yield for a further question?

Mr. McCARRAN. I yield.

Mr. AUSTIN. If the State should elect to do that, thereupon would the municipality step out of the position of Federal cooperation, and would the State become the director of the development?

Mr. McCARRAN. The State of Vermont and the city of Burlington could join, and they would be joined in the construction of the airport all the way through.

That gives rise to another question which I think the Senator could with propriety ask, and that is: Who would have control over the airport after it was constructed? That again is a matter for the municipality and the State finally to settle, and it would be settled between the municipality, the State and the Civil Aeronautics Authority. But before the airport would have the approbation of the Civil Aeronautics Authority, either the State of Vermont, or the city of Burlington, or some other authority would have to enter into an agreement and arrangement whereby it would be responsible for the maintenance of the airport after its construction.

Mr. AUSTIN. Mr. President, will the Senator yield for one further question?

Mr. McCARRAN. Yes, indeed.

Mr. AUSTIN. Assuming there is in existence at Burlington an airport with less than the length of runway necessary to make it a class 4 or a class 5 port, would the policies already described by the distinguished Senator apply in the case of an application by such a municipality to increase the length of the runway?

Mr. McCARRAN. It would.

Mr. AUSTIN. I thank the Senator from Nevada.

Mr. McCARRAN. Mr. President, under this bill, States and State agencies would be permitted to sponsor any size airport project, whether in the State program or in the urban program. Cities would be allowed to sponsor projects only in the urban program, except in the case of States which do not have State airport agencies. In such a State, cities would be permitted to sponsor projects in the State program until such time as the State created an agency through which it could act.

I may point out to the Senate that the present national airport plan, that is the plan which the Civil Aeronautics Authority has at the present time, includes only 316 airports of class 4 and above, whereas approximately 5,700 airports of class 3 and smaller are included.

Let me repeat that so that the Senate may understand it. I point out that the present airport plan of the Civil Aeronautics Authority includes only 316 airports of class 4 and above, whereas approximately 5,700 airports of class 3 and smaller are included.

I emphasize this, and I depart from my prepared remarks to emphasize it to show that what the western Governors are clamoring for and what some Senators believe in is the very thing we have sought to work out in the bill, which is

that the States could sponsor by far the larger program.

The figures are 5,000 as against 300. Five thousand airports could be sponsored by the respective States, for which the States themselves would select the sites, and the Civil Aeronautics Authority would go along with that plan; as against 300 airports which might be created by municipalities here and there.

The bill provides—and I draw this especially to the attention of the Senator from South Carolina [Mr. JOHNSTON]—that not more than 35 percent of the total annual appropriation may be allocated to the larger airports which make up the urban program. The percentage may be smaller. Under this bill money could not be expended for a major airport project until the project had been approved by the Congress and funds earmarked for it.

The reason for that, Mr. President, is that in dealing with $50,000,000 airports, such as the airport in the city of New York, known as the LaGuardia Field, in dealing with a $72,000,000 airport which it is proposed to construct in the near future, and in dealing generally with airports which would be constructed at cities of large population, and which would run into large sums of money, we believe the safe thing to do is to come to the Congress of the United States and through the Civil Aeronautics Authority set up the program, and let the Congress pass on whether or not such large sums of money should be expended at certain places.

Mr. President, the procedure to be followed would be similar to the procedure which we follow in the case of river-and-harbor projects. In preparing his annual appropriation estimate, the Civil Aeronautics Administrator would include estimates for those major airport projects which he felt might be undertaken during the year ahead, and he would furnish the Congress with enough detail concerning those projects to enable congressional determination as to whether they should be approved. The committee believes this is a wise provision. The larger airports will be the ones on which money will be spent in big chunks. It is entirely proper that the Congress should have the right to review such projects before authorizing such large expenditures.

Aside from the two points I have mentioned, controversy over other points in the bill was not sharp.

The bill contains a provision requiring States to expend for aviation development amounts at least equal to any sums collected from taxes on aviation fuel or other special fees or taxes imposed on aircraft, aviation, or aeronautical facilities or operations. This follows the precedent set in the highway acts.

The bill contains a provision permitting use of the Federal power to condemn land in the acquisition of land for airport purposes, but it provides that this power may be used only upon the specific request of the project sponsor.

In other words, if a community is unable to purchase land, if it is unable to acquire a site, then it may say to the Federal Government, "We request that you acquire this site," and then condemnation may be resorted to; but only on the request of the State or the municipality.

Mr. BUSHFIELD. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BUSHFIELD. I should like to inquire of the Senator what was the reason for changing in this bill the proverbial legal pattern of condemnation?

Mr. McCARRAN. That is done because we do not want the Federal Government to be condemning promiscuously, and we do not want the Federal Government to be exercising the right of eminent domain in a community without the immediate request of the community itself. In other words, if a community could ordinarily acquire the site by resorting to the laws of its own State and its own vicinity, we would want the community to exhaust all possible resources before it called upon the Federal Government to proceed under the right of eminent domain.

Mr. BUSHFIELD. Mr. President, will the Senator from Nevada yield further?

Mr. McCARRAN. I yield.

Mr. BUSHFIELD. After reading the bill, I understand it would give the Administrator absolute power, if he stepped into the picture, to take possession of a man's property without proceeding according to the regular court process, and it would permit him to prove his ground for doing so afterward. It seems to me that in that respect the cart is placed before the horse.

Mr. McCARRAN. Today in nearly every State of the Union, and under the present Federal law, that is the procedure. Some few years ago we enacted such a measure. In other words, in very many States—I am not certain about the condition in the Senator's own State—such proceedings in eminent domain may be instituted, although, of course, they must be for a public purpose.

Mr. BUSHFIELD. Mr. President, will the Senator permit a further interruption?

Mr. McCARRAN. Certainly.

Mr. BUSHFIELD. Was that procedure instituted in view of the urgent necessities arising because of the war, and for the reason that during the war we could not stop to file lawsuits?

Mr. McCARRAN. No. The act the Senator now has in mind is a very recent one. But previously there was an act providing for the acquisition of land for highway purposes.

Mr. BUSHFIELD. But the matter had to be handled through the courts, I assume.

Mr. McCARRAN. I beg the Senator's pardon; the highway authorities could take possession immediately, and subsequently the court procedure would follow.

Mr. President, the bill provides a method for reimbursement for damage to public airports resulting from use by the Army or Navy. That is a matter which has been very controversial for the past several months.

Mr. BUSHFIELD. Mr. President, will the Senator yield to me again?

Mr. McCARRAN. I yield.

Mr. BUSHFIELD. I can think of one airport in particular where that is a very sore subject—namely, the proportion of the rental the Federal Government shall pay to the airport, because the Government fixes the amount it will pay for weather service, office rent, and other facilities at the airport. If all an airport could collect or if all a city or State could collect were merely payment for the damage done to the runways, that would be only a small part of the damage or the rental use of the property.

Mr. McCARRAN. Mr. President, if the Senator will examine the provisions of the bill in that respect he will find that we have gone much further than that. We have made the Civil Aeronautics Authority in part, and in good part, the arbiter to say what has been the extent of the damage.

Mr. BUSHFIELD. Does the Senator refer to the damage done to the runways?

Mr. McCARRAN. Yes.

Mr. BUSHFIELD. But there is also a rental issue.

Mr. McCARRAN. Does the Senator refer to rental for the buildings?

Mr. BUSHFIELD. Yes. If planes come to the airport, necessarily they must have the use of the ticket office there and telephone service and radio service and all the other facilities which go with an airport. Are we not going to provide for some compensation for the use of those airport facilities?

Mr. McCARRAN. Let me read to the Senator a provision of the bill which I think has a bearing on that point, and we shall see whether it meets the question raised by the Senator. I read from page 47 of the bill:

> (4) all the facilities of the airport developed with Federal aid and all those usable for the landing and take-off of aircraft will be available to the United States for unrestricted use by military and naval aircraft in common with other aircraft at all times without charge other than a charge sufficient to defray the cost of repairing damage done by such aircraft or, if the use by military and naval aircraft shall be substantial, a reasonable share, proportional to such use, of the cost of operating and maintaining the facilities so used.

I think that touches, at least in part, the point the Senator has in mind.

Mr. BUSHFIELD. Mr. President, will the Senator yield for a further question?

Mr. McCARRAN. Yes, indeed.

Mr. BUSHFIELD. Is the provision the Senator has read in Senate bill 2?

Mr. McCARRAN. It is.

Mr. BUSHFIELD. I am unable to find it in the copy of the bill I have. I will have to get another copy.

Mr. McCARRAN. It is on page 47.

Mr. President, as I said a moment ago, the bill sets up a method for reimbursement for damage to public airports resulting from use by the Army or Navy. Such a provision is long overdue. It was the view of the committee that the Civil Aeronautics Administration is in the best possible position to appraise the extent of such damage. The bill does not provide for actual payment; but it only provides that, upon proper claim made, the Civil Aeronautics Administrator shall appraise the damage and shall report to Congress the amount of reimbursement to which the claimant is entitled. It would then be up to the Congress in its discretion to approve a specific appropriation for the purpose.

That statement covers the major provisions of the bill and its legislative history down to the present time. This is important legislation, for which there is an urgent need. Enactment of this legislation should not be delayed. The end of the war is drawing closer day by day, and the national interests of the country require that this program shall be ready to go into effect immediately upon the achievement of final victory.

Mr. President, let me say, in conclusion, that I am advised by the Senator from Ohio and other Senators that there is a desire on the part of some Senators, who now are absent on official business, to participate in the discussion and to be present at the time of the passage of the bill. I regret exceedingly that it may be necessary to delay consideration of the bill; but no more important piece of legislation has been before the Senate for a long time. It is important, in that it entails the expenditure for airport purposes of approximately $1,000,000,000 of the money of the people of the United States. It is important because it sets up a program for the construction of airports throughout the length and breadth of our country. It is important because, although, by and large, many men study aviation and are interested in it, they do not have time to give their personal study or consideration to matters as technical as those which are involved in formulating a program of this kind.

There is no desire on the part of the Committee on Commerce to push for action on the bill beyond what would be proper in connection with having it receive full consideration.

While this work has been for me a labor which has extended over the years, there is no desire on my part to have the bill go through under such circumstances that any Member of the Senate might say, "I wish I had known that that or this was in the bill; I did not understand it when I voted for it." I wish to have every Senator understand the bill and have an opportunity to consider it fully before it comes to a final vote.

Mr. BREWSTER. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. BREWSTER. I share the very great interest of the Senator from Nevada in the development of our air facilities. I feel that it would be unfortunate if the suggestion at this time of the expenditure of a billion dollars of public funds upon what will seem to many persons to be a new phase of activity for the Federal Government, should seem to be in conflict with the over-all objective which was so splendidly emphasized yesterday by the President in the suggestion of a cut in many of our appropriations, looking today the day when we can return to financial solvency.

In the support which some of us, at least, have given to legislation of this character, I should want it to be made clear that this is an authorization bill. I invite comment of the Senator from Nevada on the question of whether or not ultimately, when the appropriation comes before us, in accordance with the regular practice, it must be related to our general financial problem. I believe that no phase of our public-works program could be more helpful or significant than this one, in respect both to furnishing work and developing our air facilities. However, the fact that we may, as I hope we will, authorize work of this character to be done should not be construed as indicating that we are embarking upon a financial debauch. I believe that the Appropriations Committee which must finally make the funds available will take into account not only the necessities of the case, but our whole general economic picture, in determining whether or not at any given time the necessary funds shall be made available.

Mr. McCARRAN. I am very grateful to the Senator from Maine for his comment, and I join with him in asserting that, as a member of the Appropriations Committee of the Senate, I rejoiced in the message which was sent to the Congress a few days ago by the President in which he recommended the curtailment of public expenditures to the extent of approximately seven and a half billion dollars. When the war is over we must attempt to curtail the expenditure of public funds. However, it must be done wisely; we must curtail with prudence. We must also remember that during the period shortly following the end of the war hundreds of thousands of people will be out of employment. Many of them will be in communities which will seem strange to them. Many of them will be seeking employment.

Among the reasons why I am in favor of the pending bill is that our late beloved President cited in one of his last messages the necessity of providing for the construction of airports. I think the day is near when we must realize that the war is about to come to an end, and that those who are returning from the war effort, whether in civilian or in military life, must find places of employment. I seek to have this bill considered by the Senate as a means by which there may be afforded to thousands of people an opportunity to find employment. The bill will also afford an opportunity to establish a great program of expansion in the aviation industry.

Mr. President, if we in this country ever hope to pay off our public indebtedness, in excess of $300,000,000,000—and certainly all patriotic members of society hope to pay it off—our country will have to launch one of the greatest programs of commercial activity of which any country has ever known. If that program is launched, we must speedily find a means by which our products will have access to the markets of the world. We must resort to the speediest methods available. Aviation gives promise of making it possible that a commodity produced today, for example, in the heart of America may be transported through the air to the heart of Europe by tomorrow evening.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. TAFT. I wish to express my appreciation of the Senator's attitude regarding the postponement of the pending bill. There are Senators on this side of the Chamber who wish to be heard. I refer particularly to the Senator from Massachusetts [Mr. SALTONSTALL] and the junior Senator from Vermont [Mr. AIKEN]. I agree with the Senator as to the importance of the bill, and I assure him that upon his return we will cooperate in every way possible to obtain a prompt and satisfactory consideration of the bill.

Mr. McCARRAN. I am very grateful to the Senator from Ohio.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. JOHNSON of Colorado. With respect to what has been said about financing Federal programs, I hope that before too long the aeronautical program will be established on its own bottom, and that it will finance itself, just as the Federal highway program now finances itself. I hope that the program will take care of its own financial needs through funds raised within the industry itself.

However, Mr. President, that is not the purpose for which I rose. On April 16, I submitted an amendment to section 9 of Senate bill 2, and had it referred to the commerce committee for consideration. I found that the committee, in its wisdom, did not act favorably upon my amendment, and I wish to ask the Senator from Nevada whether the amendment was given any consideration by the committee.

The bill itself would not become effective until during the postwar period. However, some of the cities in Colorado, as well as in other States, floated bond issues to build and improve airports. It seems to me that cities which found it necessary to undertake such projects—of course, it had to be found that they were in the interests of the war effort—and expect to expend revenues from their bond issues, should be given credit for whatever money they expend along that line after a certain date. The date which I included in my amendment was January 1, 1945. It seems to me that credit should be given to any city or State which has spent or will expend any of its funds in connection with airport construction after January 1, 1945.

Mr. McCARRAN. I may say to the Senator from Colorado that I voluntarily brought the Senator's amendment to the attention of the full committee. My recollection is that there were approximately 12 or 14 members present in the committee. I did not urge the amendment of the Senator; but I did bring it to the attention of the committee. The commitee did not think well of it in the form in which it was presented. I believe, however, there is some merit in the thought expressed in the Senator's amendment. But it must be boiled down and put into such language as will address itself to a limited situation.

Mr. JOHNSON of Colorado. I agree with the Senator from Nevada on that point. We did not want to open the door wide. My amendment was drawn by the Legislative Counsel. After it was submitted to me and I had examined it, the language of the amendment appeared to be awkward, and difficult to some extent. Therefore, I can well understand that the committee, if it gave to the amendment only casual observation, did not find it in very good form. I am not responsible for its form, because

I had to leave the drawing of the amendment to the technicians.

Mr. McCARRAN. The technicians put too many technicalities in it.

Mr. JOHNSON of Colorado. I thought they worded it rather strangely. However, Mr. President, I am not particularly interested in that phase of the matter, nor do I consider myself an expert on legal language. I wish merely to provide that any communities which have, since January 1, 1945, spent sums of money, through bond issues or otherwise, in improving their airports, may be allowed some credit for the work which they have done, providing the work measures up to acceptable standards, and has the approval of the administrator of the proposed act. Before the pending bill shall have been enacted I hope that an amendment along the line to which I have referred may be written into the bill.

Mr. McCARRAN. I am sympathetic with the thought expressed by the Senator from Colorado, providing it can be worked out. I shall be glad to confer with the Senator on the subject.

Mr. President, I should like to conclude on the pending bill by making a brief further statement pertaining to it.

Mr. McFARLAND. Mr. President, will the Senator yield?

Mr. McCARRAN. I yield.

Mr. McFARLAND. I understand the Senator is willing that the consideration of the pending bill be postponed?

Mr. McCARRAN. Yes; that is what I am about to request.

Mr. McFARLAND. I desire to express my appreciation of the Senator's action because otherwise, as a member of the committee I should feel obliged to make the appropriate motion.

Mr. McCARRAN. Mr. President, I have made this explanatory statement on the floor of the Senate today in the hope that I might arouse interest in this bill so that at a later day when it comes before the Senate for more meticulous consideration and for final passage all Senators may have had the opportunity of studying it. It is not a subject that one can pick up and grasp in a moment. It is a subject that has taken years in the case of some of us, and it will take a little time for Senators fully to understand it. I do not propose to urge on the floor a bill that Senators do not understand, and, in view of the fact there are Senators absent from the Chamber on official business, I glady ask that the bill may be laid aside, to be taken up at a later date on my return.

That brings me to this point, Mr. President. I am required to leave the city of Washington and to go west on official business, leaving here tomorrow at 5:30 p. m. I ask permission of the Senate that I may be excused for 3 weeks.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Nevada that he may be excused for 3 weeks? The Chair hears none and the Senator from Nevada is excused.

Mr. LANGER. Mr. President——

Mr. McCARRAN. Just a moment; I have not yielded the floor.

Mr. LANGER. I merely wish to ask the Senator a question. Did he say 2 weeks or 3 weeks?

Mr. McCARRAN. I said about 3 weeks, but I do not want to be tied down to 3 weeks. I do not want to be called absent, if I am not here on a given day.

The PRESIDENT pro tempore. Let the Chair understand the parliamentary situation. Is the bill in charge of the Senator from Nevada to go over?

Mr. McCARRAN. Yes. I request that the bill go over for further study, and presentation and consideration on my return at a later date.

The PRESIDENT pro tempore. Then, it is not to be the unfinished business for the next 3 weeks?

Mr. McCARRAN. It is not to be the unfinished business until my return.

The PRESIDENT pro tempore. And the calendar will be open.

Mr. McCARRAN. Yes.

Mr. SHIPSTEAD. Mr. President, will the Senator from Nevada yield to me?

Mr. McCARRAN. I yield.

Mr. SHIPSTEAD. I have two telegrams from Mr. L. L. Schroeder, commissioner, Minnesota Department of Aeronautics, which I ask unanimous consent to have inserted in the RECORD following the remarks of the Senator who now has the floor.

The PRESIDING OFFICER (Mr. HOEY in the chair). Without objection, it is so ordered.

The telegrams are as follows:

ST. PAUL, MINN., *May 3, 1945.*

Senator HENRIK SHIPSTEAD,
Senate Office Building,
Washington, D. C.:

With reference to the McCarran airport aid bill, S. 2, your attention is called to the progressive aviation legislation enacted by the Minnesota Legislature in anticipation of coordinating it with a national-airport program. At the same time the legislature unanimously passed a joint resolution dealing with matters of policy which resolution was forwarded to you. That resolution would question the following specific points in S. 2, the McCarran bill.

1. The State should not be excluded from its natural rights and community of interest in airport planning and development as is proposed under the so-called dual program which provides for by-passing the State under the urban phase of the program. See section 4.

2. The States and the municipalities will pay at least half and in most cases more of the original cost, and in addition must pay the cost of maintenance indefinitely, which does not justify the argument offered to sustain the limitations of sections 14 and 15. These sections give unlimited control over the airports after construction to the Federal administrator, whereas the burden of cost and responsibility remains with the State and the municipality.

3. The requirement in section 15 that as an additional price for Federal aid the municipality must provide free office space indefinitely to the Federal airport agencies is unjust.

4. The standards as to the kind and size of airport which will be required by the administrator and which will have the effect of forcing a municipality to enter into a contract for an unlimited period of time, the terms of which are unknown.

5. The national planning provisions of section 6 have already been demonstrated to be inadequate and must of necessity give greater force to local and State planning needs and economic ability.

6. The requirement that the States must ultimately give legislative consent to the provisions of S. 2 in order to participate becames a loaded pistol to force States which have been enticed into accepting aid to condone a program of forced spending.

While this bill appears to be very close to the form of Federal airport aid program which is needed and supported by the vast majority of Minnesota people, it is hoped that such minor amendments as may be necessary can be made to ensure that the program will adhere to the principles of municipal, State, Federal, intergovernmental cooperation, following the patterns of highway development which has been so successful. Pages 46, 47, 54, 56, and 59 of the testimony at the hearings before the Senate subcommittee in March, strongly indicate that the Federal-municipal type of program has resulted in poor planning, a waste of public funds, and does not justify the contention that therefore the same course should now be more ardently pursued. Minnesota has recognized its responsibility in the aviation program just enacted, and there is reason to believe that other States will take similar action when it may be necessary. Your support of the Federal aid program is urged, modified insofar as it may be possible, to meet the suggestions made herewith.

L. L. SCHROEDER,
Commissioner of Aeronautics.

ST. PAUL, MINN., *May 3, 1945.*

Hon. HENRIK SHIPSTEAD,
United States Senate:

Supplementing my telegram, there should be provision in the airport bill which will permit municipalities to receive credit for funds expended by the municipality in advance of Federal appropriation, so long as these funds are expended in the development of an airport, the master plan of which has been approved by C. A. A. The effect of this position will be to stimulate some local initiative.

L. L. SCHROEDER,
Commissioner,
Minnesota Department of Aeronautics.

Mr. ROBERTSON. Mr. President, I send to the desk an amendment to Senate bill 2, and ask that it be printed and lie on the table.

The PRESIDING OFFICER. The amendment intended to be proposed by the Senator from Wyoming will be received, printed, and lie on the table.

Mr. HILL. Mr. President, I ask unanimous consent that Senate bill 2, to provide for Federal aid for the development, construction, improvement, and repair of public airports in the United States, and for other purposes, be restored to the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

NOMINATION OF ROBERT E. HANNEGAN TO BE POSTMASTER GENERAL

During the delivery of Mr. McCARRAN'S speech,

Mr. McKELLAR. Mr. President, will the Senator from Nevada yield further to me?

Mr. McCARRAN. I yield.

Mr. McKELLAR. Mr. President, as in executive session, from the Committee on Post Offices and Post Roads, I report favorably the nomination of Robert E. Hannegan to be Postmaster General, and I ask unanimous consent for its immediate consideration.

Mr. WHITE. Mr. President——

Mr. McKELLAR. I will yield to the Senator in a moment.

Mr. WHITE. Will the Senator again state his request?

Mr. McKELLAR. I have reported the nomination of Robert E. Hannegan to be Postmaster General, and, if the Senator will permit me to do so, I should like to make a brief statement.

The PRESIDING OFFICER. If the Senator from Tennessee will permit, the Chair will have the nomination stated.

The legislative clerk read the nomination of Robert E. Hannegan, of Missouri, to be Postmaster General.

Mr. McKELLAR. Mr. President, the nomination has been reported, and, as in executive session, I am asking unanimous consent for its immediate consideration.

I wish to say that Mr. Frank C. Walker, the present Postmaster General, has been a splendid official and has made a brilliant record. He is one of the nicest men I ever knew. As all Senators know, the Post Office Department under his direction has been very successful, and has made large profits during the last 2 or 3 years. That fact is gratifying in the extreme, and I want to say that, in my judgment, Mr. Walker has proved himself to be one of the best officials of the Government. He has been faithful, trustworthy, intelligent, and able in the handling of the affairs of the Department, and it is with regret that I read that he had offered his resignation.

Mr. Robert E. Hannegan, who is well known to the public, is a man of fine ability, of the highest character and standing, and I believe that he, too, will make a most excellent Postmaster General. For that reason I am asking the Senate as in executive session to give immediate consideration to his nomination.

Mr. WHITE. Mr. President, will the Senator yield?

Mr. McKELLAR. I yield.

Mr. WHITE. I suppose under the rule this nomination would go over?

Mr. McKELLAR. It would go over.

Mr. WHITE. So far as I personally am concerned I have no possible reason for objecting to the immediate consideration of this nomination, but I have heard some discussion of the matter and I am going to ask the Senator if he will not withhold his request until later in the afternoon.

Mr. McKELLAR. Of course I will; I will have to do it.

Mr. WHITE. I do not want to object, but if the Senator will allow me I should like to make a brief statement.

Mr. McKELLAR. Perhaps I can help the Senator out a little in regard to the objections which have been made. My distinguished friend the Senator from North Dakota [Mr. LANGER] said at first that he wanted the nomination to go over; but as I understand, he is now willing that it be immediately considered, though he wants to make some observations regarding it. I am going to yield the floor to him as soon as the Senator from Maine has finished so that he may say what he desires to say about it.

Mr. WHITE. Mr. President, I merely want to be sure that I shall have an opportunity to talk with one or two Senators on the floor, and that no action will be taken on the nomination in the meantime.

Mr. McKELLAR. If the Senator insists I will withdraw the request and will be willing to have it go over until he makes such examination as he considers fit.

The PRESIDING OFFICER. The nomination will be placed on the executive calendar.

ADDITIONAL APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE 30, 1945

Mr. McKELLAR. Mr. President, from the Committee on Appropriations, I ask unanimous consent to report favorably, without amendment, House Joint Resolution 174, making additional appropriations for the fiscal year ending June 30, 1945, and I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. The joint resolution will be read by title for the information of the Senate.

The LEGISLATIVE CLERK. A House joint resolution (H. J. Res. 174) making additional appropriations for the fiscal year ending June 30, 1945.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the Senate proceeded to consider the joint resolution.

Mr. McKELLAR. Mr. President, there are two appropriations. One is for the Panama Canal construction annuity fund for 1945, of $315,480. The estimate last year was $1,500,000 for these annuities, which must be paid; there is no way in the world to avoid their payment. Therefore, it is necessary that this amount be appropriated.

The other appropriation is made necessary by a lack of funds for St. Elizabeth's Hospital, a most worthy institution, which has incurred obligations which it will be necessary to pay.

I ask unanimous consent, therefore, that the joint resolution which has already been passed by the House of Representatives be passed by the Senate.

Mr. BRIDGES. Mr. President, the minority members of the Appropriations Committee have considered the joint resolution, have no objection to its present consideration, and fully approve immediate action on it.

Mr. McKELLAR. I thank the Senator very much; I appreciate his statement.

The PRESIDING OFFICER. If there be no amendments to be offered, the question is on the third reading of the joint resolution?

The joint resolution was ordered to a third reading, read the third time, and passed.

INSPECTION AND SUPERVISION BY CONGRESS OF ADMINISTRATION OF LAWS

Mr. McCLELLAN. Mr. President, I ask unanimous consent to introduce a bill and request that it be referred to the Committee on Expenditures in the executive departments.

There being no objection, the bill (S. 958) to provide for more effective inspection and supervision by the Congress with respect to the administration of the laws of the United States was received, read twice by its title, and referred to the Committee on Expenditures in the Executive Departments.

Mr. McCLELLAN. Mr. President, this is a bill to provide for more effective inspection and supervision by the Congress with respect to the administration of the laws of the United States. The bill would create a joint committee of the House and Senate, as a regular committee of the two bodies, vested with the authority to make investigations with respect to the practices, the procedure, and the expenditure of funds in executive departments or administrative agencies of the Government. The committee would be composed of seven Members of each body, four from the majority party of the Senate, three from the minority, and a like number from the House from each party.

Mr. President, the real objectives of the measure are stated in section 2, which I shall read:

> The committee is authorized and empowered to conduct investigations and studies into the practices, procedures, administrative processes, and efficiency of any department or agency of the Government (including any corporation owned by the Government). The committee shall receive and consider complaints relating to the practices, procedures, administrative processes, and efficiency of any such department or agency. It shall be the duty of the committee, upon complaint or upon its own initiative, to make such investigations and studies under this subsection as in its judgment may be necessary to keep the Congress fully informed as to whether or not the laws of the United States are being properly and efficiently administered and as to whether or not additional legislation is necessary and appropriate to improve their administration.

Mr. President, the bill further provides that this committee, which would be a regular standing committee, should make a report annually to the Congress on the 15th day of January with respect to its work, and any recommendations it felt appropriate. It would also be permitted to make reports to the Congress at any time when in its judgment a report should be made.

I know we are considering, and there is a great clamor for, a streamlining of Congress, a reorganization of the Congress in order to enable it to function more efficiently and more smoothly, and it may appear that we already have too many committees, and that there should be a consolidation of the committees we now have rather than the creation of new committees.

My thought is that if this bill shall be enacted, it will establish a joint committee of the two Houses, a permanent committee, which will obviate the necessity of creating a special committee every time something arises which the Congress feels should be investigated by the Congress or by either branch of it. It will also prevent a duplication of hearings and investigations by the two Houses. We often have hearings and investigations being conducted simultaneously by a special committee of the Senate and by some committee of the House, and there is a duplication of effort. I think there is great waste of time by reason of that situation. If we establish a joint committee like that proposed by this bill, which will be authorized to conduct investigations whenever occasion arises, whenever the complaints we receive justify it, or whenever in the opinion of the committee, in its diligence in exercising its own power, it concludes that an investigation should be made, it then would be empowered to make the investigation and would be constituted for that purpose.

Mr. LUCAS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Illinois?

Mr. McCLELLAN. I gladly yield.

Mr. LUCAS. I thought perhaps a little information as to the number of committees now investigating different subjects before the Congress might add a little to the Senator's statement.

Mr. McCLELLAN. I should be glad to have the Senator suggest the number.

Mr. LUCAS. I should just like to tell the Senator and the Senate that today there are 50 investigating committees, in the House and the Senate, investigating every conceivable thing they can think about in connection with Government. Certainly there is duplication of effort, As the Senator said a moment ago, the very thing a committee of the Senate is investigating a House committee may be investigating, and one of the most current illustrations of that is the investigation of the O. P. A. The House committee investigated it thoroughly, and took weeks to do so. The Senate Committee on Agriculture and Forestry has been investigating it for weeks. A subcommittee of the Committee on Agriculture and Forestry of the Senate is now working on its report and its findings, which it will report to the full committee, and when that has been done, the full committee will lay the report before the President of the United States.

Much valuable time is consumed in putting on the stand one witness after another from the executive departments and examining him. These men are on the merry-go-round all the time. We constantly hear complaints about the duplication of effort among Government departments. We hear complaints about the number of bureaus and statements are made that many of them could be merged into one agency which could take care of the situation better than five or six. Yet the Congress of the United States gives to the country one of the finest examples of duplication of effort about which I know anything. I think the Senator from Arkansas really has something in his bill.

Mr. McCLELLAN. I thank the Senator from Illinois. I might say to him, Mr. President, that if I thought the bill would simply create one more committee, without contributing to the elimination of other committees, I certainly would not introduce it.

Mr. HILL. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. HILL. I share the views expressed by my colleague from Illinois [Mr. LUCAS]. I think that in presenting his bill to the Senate the Senator from Arkansas is taking a very thoughtful and constructive step. I have particularly in mind a very fine, and I think we would now say, an indispensable service rendered to the Congress and to the country by the Joint Committeee on Internal Revenue Taxation. I do not know what Congress would have done in more recent years if it were not for the joint committee which has had a staff of experts and which has been continuously studying the many questions of finance and of taxation.

Mr. President, in my opinion the Senator from Arkansas is certainly proceeding in a very statesmanlike manner in presenting this measure.

Mr. McCLELLAN. I thank the Senator from Alabama.

Mr. President, if the bill is passed and the committee proposed by it is established it will result in serving the purpose of economy. We all know that of necessity any committee, in order to conduct effectively and thoroughly an investigation of any department of Government or most any other issue which the Congress needs to consider, must set up a staff of men who are capable of making investigations and doing research work, and all that costs the taxpayers money. If we could establish a joint committee of the two Houses, to which all these matters could be referred, and have such a committee properly staffed, then as these matters arise in connection with which Congress feels that something should be investigated, which could be requested by simple resolution adopted and referred to the committee, we would have already the machinery set up, and trained personnel ready to aid us in conducting such investigation.

Mr. President, I do not have in mind and am not trying to single out any agency of government. There are constant complaints being made, many of which are unjustified, many of which are unfounded, as we know. Some, however, are justified and have real merit in them. There is constant need, in view of the great expanse of Government operations and the tremendous powers granted to agencies and bureaus—and most of them I will say were granted of necessity—that the Congress have a joint committee to keep its hands on and keep control of, so to speak, and to keep informed respecting how the agencies of government are functioning.

When agencies place interpretations on the laws passed by Congress contrary to the intent of Congress, or when they engage in any practices which are not in accord with the will of Congress under the laws we have passed, or when agencies are careless with respect to expenditures, or most any other function they perform, we will have a committee standing guard, Mr. President. If the occasion arises, if the need occurs for legislative supervision or investigation, then this committee will be ready and able to function.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. McCLELLAN. I yield.

Mr. LUCAS. I call the attention of the Senator to this very important fact: I know of committees representing, respectively, the House and the Senate of the United States investigating the same subject matter which have arrived at different conclusions as to what should be done with respect to what they were investigating. If a committee of the House of Representatives reaches one conclusion upon an important subject and a committee of the Senate reaches a conclusion which is diametrically opposed to that reached by the House, obviously both investigations will mean nothing so far as the public is concerned, or so far as any legislation is concerned.

In other words, a joint effort of the two Houses in reaching some sort of conclusion, whether it is good or bad, it seems to me, would add a considerable amount of dignity and weight to the finding respecting the subject being investigated, and the Congress as a whole, or any committee looking into the matter, could be satisfied that something worth while came out of the investigation.

Mr. McCLELLAN. I thank the Senator from Illinois. Under such circumstances there would be occasions. I am sure, when, if two committees were working together, there would probably be no difference of opinion. Each one would gain the same information, and would be conducting an investigation under circumstances where they were working together instead of working to separate purposes.

Mr. President, I think a committee of the nature I suggest will make some contribution to the efficiency of Congress, and I believe it will have a wholesome effect and influence upon the administrative agencies of the Government.

Mr. President, I find that I need to be in my own State next week to attend a flood-control meeting. I regard it as official business, and I ask unanimous consent that I may be excused for the first three or four days of next week in order that I may attend the meeting, and for other purposes.

The PRESIDENT pro tempore. Is there objection to the request of the senior Senator from Arkansas? The Chair hears none and the Senator is excused.

ACCIDENTS IN THE AIR

Mr. LANGER. Mr. President, last week when I was speaking about airplane accidents, I was interrupted by the acting majority leader who wished to have the Senate take a recess at that time, for a very good reason. At this time I wish to conclude reading a speech made over the radio in October 1943 by Senator Truman, now the President of the United States. His speech dealt with the Curtiss-Wright Co.

Mr. President, I may add that these airplane accidents have not stopped. As a matter of fact, only last week another training plane went down, at Sweetwater, Tex., with a loss of over 20 lives. The record still is that 17,500 pilots have lost their lives while in training, as compared with the 5,000 United States pilots who have died in all the theaters of war.

At this time I continue to read the speech made in October 1943 by Senator Truman, now our President. He said:

By and large the committee's efforts—

In other words, the Truman committee's efforts—

have received such support. The press and the radio deserve a great deal of credit for this, because the companies which had to be corrected include several of the largest corporations in the United States of America. They spend millions of dollars for advertising, which the press and radio risk if they publicize their mistakes.

These corporations also employ staffs of publicity men, who occupy themselves in attempts to confuse the issues and obtain public comment favorable to the companies based on a misunderstanding by the press or radio of the underlying facts.

A few of our better-known newspapers and one popular radio columnist have misunderstood the situation and by their reports to the public have unwittingly assisted in creating a false impression.

For example, the committee found that the Carnegie-Illinois Steel Corporation, the principal subsidiary of the United States Steel Corporation, was producing steel plate for the Navy and the Maritime Commission and Lend-Lease in its Irvin Works, and that the physical tests to which the finished steel plates were subjected to determine their tensile strength were faked and falsified. The company men in charge of the testing machines testified that about 5 percent or more of the tests were deliberately faked for the purpose of falsely reporting that the steel plate was in accordance with specifications. To do this they instructed the testers under them to cheat.

Needless to say, Mr. President, undoubtedly scores of fine Americans have lost their lives when serving as pilots because those testers cheated.

I continue to read the speech:

Shortly afterward, the committee found that the Wright Aeronautical Corporation, a subsidiary of the Curtiss-Wright Corporation, was guilty of selling for installation in Army and Navy planes airplane engines that were not in accordance with specifications.

The engines in question were made at Lockland, Ohio, near Cincinnati, in a plant designed by Curtiss-Wright, but built by the Government at a cost of more than $140,000,000.

I want to tell you just how this investigation started and was conducted. In order to make sure that the engines being produced could properly be used in our military aircraft, both Curtiss-Wright and the Government employed many inspectors, at a total of several million dollars a year. The committee received letters from a number of these inspectors, particularly the Government inspectors, complaining that they were being forced to pass parts and engines which were not in accordance with the specifications. Now, these specifications were prepared by Curtiss-Wright itself, and were approved by the War Department.

Curtiss-Wright never has claimed that the specifications were needlessly made too strict.

LOOKED TO SENATE

A committee investigator was sent to Cincinnati. He found that the majority of the Government inspectors looked to the Senate to correct a situation which they had lost hope of having corrected by Curtiss-Wright. In fact, one of the inspectors broke down and cried as he told his story, saying that he had two nephews in the Air Forces. Before our investigator had finished, not only a majority of the Government inspectors, but also a number of the Curtiss-Wright inspectors, made the same charge; namely, that the inspectors were not being permitted to reject parts and engines that failed to conform to specifications.

Some of the Curtiss-Wright personnel, who claimed to have made an investigation, have since been discharged or removed from their jobs, and the Army has instituted court-martial proceedings against some of the officers upon whom it relied for an investigation.

I call the attention of the Senate to the fact that the very same thing has happened at Buffalo. The men who complained about what the Curtiss-Wright officials were doing there have been summarily fired.

Mr. President, who controls that corporation at Buffalo? I hold in my hand a list of the board of directors. It shows that the president is Mr. Guy W. Vaughan, 30 Rockefeller Plaza, New York, N. Y. He is chairman and president.

Next on the list of the directors is Edward R. Tinker, of Syosset, Long Island, N. Y.

Third on the list is William F. Carey, 450 East Fifty-second Street, New York, N. Y.

The names and addresses of the other directors are as follows:

Edgar S. Bloom, 1020 Fifth Avenue, New York, N. Y.

J. R. Dillon, 322 Corlies Avenue, Pelham, N. Y.

J. S. Allard, 25 Edgewood Lane, Bronxville, N. Y.

E. S. Cramer, 311 West Twenty-third Street, New York, N. Y.

J. A. B. Smith, 1170 Fifth Avenue, New York, N. Y.

C. W. Loos, 225 East Seventy-third Street, New York, N. Y.

J. C. Willson, Park Avenue, New York City, N. Y.

Burdette S. Wright, 4931 Sheridan Drive, Williamsville, N. Y.

R. L. Earle, Essex Falls, N. J. That is right across the Hudson River from New York.

S. R. Reed, Englewood, N. J. That is about a 20-minute ride from New York.

M. B. Gordon, Paterson, N. J. That is a few miles farther from New York.

Charles A. Dana, The Homestead, Wilton, Conn. That is a few miles out of New York, so those who live there do not have to pay income taxes in New York, but can escape them by moving to Connecticut. I am not certain whether this man moved there for that purpose; I am not acquainted with him.

Daniel M. Sheaffer, Philadelphia, Pa.

W. H. Smith, Bryn Mawr, Pa.

John C. Cowden, Bel Air, Calif.

It is to be noted that only one of the directors comes from California.

So, Mr. President, we have Wall Street, in the ownership of the Curtiss-Wright Co., apparently perfectly willing to have poor materials put into the planes, and perfectly willing to discharge any inspector who complains that the materials used are defective, and yet the company is building airplanes which American boys are attempting to fly all over the United States. Seventeen thousand five hundred already have died. More, I repeat, than three times as many as the number of United States pilots who have died in all theaters of the war.

Yet, Mr. President, more than 18 months have passed since Senator Truman delivered that speech telling what was done in Cincinnati. In a moment I shall show that not one of those men has been put into the penitentiary, where he belongs, nor has the company paid any fine.

Senator Truman continued his speech at that time—in October 1943—as follows:

The Army and the committee are in substantial agreement that the situation at the Lockland plant was extremely bad and required drastic corrective action.

Gen. H. H. Arnold, commander of the Army Air Force, recently complimented me on the accomplishments of the committee at Lockland and informed me that the committee's action had been of great assistance to the Army Air Force.

ISSUED REPORT

The committee issued a report to the Senate to force Curtiss-Wright and the Army to take further additional corrective action, and to take it promptly.

The committee found no evidence that Curtiss-Wright was deliberately disregarding the specifications for the purpose of sabotage. We understood that the reason why some of its officials wanted lax inspection was that they were not able to produce engines in quantity that conformed to the specifications. For these reasons, the committee expected that the rate of production of engines would fall off when the plant was required to produce engines which conformed to Curtiss-Wright's own specifications.

Mr. President, I wish to make it clear that the Curtiss-Wright Corporation drew up its own specifications, and then it discharged inspectors who found that its own specifications were not being lived up to by that company.

Most newspapers and radio commentators—

Senator Truman continued—

thoroughly understood this situation, but a few of them allowed themselves to be confused by Curtiss-Wright officials, who wanted to make it appear that it was the Senate, and not themselves, who should be censored for their inability or unwillingness to produce airplane parts and engines in accordance with their own specifications.

Six weeks after the committee had issued its aircraft report—

This is Senator Truman speaking—

Curtiss-Wright had still failed to provide good management at the Lockland plant, and the situation was still so bad as to require both the Army and the Truman Committee to give the company the ultimatum "produce or get out."

Mr. President, at about this same time action was brought by the United States Government. What kind of an action

was it? Was anybody arrested? No; it was simply a suit for damages against the firm for selling the Government for use by the armed forces airplane motors which the Truman report said was "defective, substandard, and unsatisfactory." The boys who died are still dead, but the men responsible for their deaths are permitted today to sit in Washington in high command.

In the Washington Star for July 10, 1943, there appears this story:

UNITED STATES SUES WRIGHT FIRM ON CHARGE OF SELLING DEFECTIVE ENGINES

(By the Associated Press)

TRENTON, N. J., July 10.—The Federal Government, charging the Wright Aeronautical Corporation with selling to the Government airplane motor materials which allegedly were "defective, substandard, and unsatisfactory," brought suit for damages against the firm and eight of its officers today in a complaint filed in Federal District Court by United States Attorney Charles M. Phillips.

The corporation, which has its principal office at Paterson, N. J., is one of the Nation's largest holders of war contracts. The firm is a wholly owned subsidiary of Curtiss-Wright Corporation.

The allegedly defective and substandard materials were delivered under Government contracts awarded to the Lockland (Ohio) plant of the corporation for the manufacture of air-cooled airplane engines, the complaint said.

Charles D. Hyman, assistant United States attorney, said that if the suit was successful, the defendants would be subject to a fine of $2,000—

Just think of it—

for each transaction which the court held was a violation of Federal law prohibiting "false, fraudulent, and fictitious claims" against the Government. Bills for the allegdly unsatisfactory materials constituted fraudulent claims, the Government contended in the complaint.

NO ESTIMATE OF TOTAL

Mr. Hyman said he could not estimate immediately the total possible penalty.

Named as co-defendants with the corporation were G. W. Vaughan, president and chairman of the board of directors; M. B. Gordon, vice president and general manager; Arthur McNutt, vice president in charge of engineering; G. F. Chapline, vice president in charge of sales; C. C. King, treasurer; E. S. Kramer, secretary; J. M. Scanlon, assistant secretary; J. H. Darragh, assistant secretary and treasurer.

Mr. President, in view of Curtiss-Wright's sweeping denial of startling charges concerning the Buffalo plant, Lewis Mayer, president of the International Association of Machinists who is the union chief located at this plant, issued a statement confirming the former inspector's allegations. Mr. Mayer not only confirmed the charges but accused the Army of being at fault for these conditions because, as he said, its representatives at the plant admitted these "serious conditions" to be true but refused to do anything about this.

I blame the Army more than I do the company—

Mayer is quoted in the Buffalo Courier Express as saying.

Alongside of each Curtiss inspector stands an Army inspector who should catch what the Curtiss inspector misses—

The union chief added. Mr. Mayer cited as further proof the fact that my original informer was held in the highest regard by the Army officers located at the Curtiss-Wright plant. Mr. Mayer is quoted as saying that Mr. Frank R. Hirsch, former inspector, was offered a job as Army inspector soon after he resigned from the Curtiss-Wright plant, but with the stipulation that he be removed to another factory, namely the Bell Aircraft Corporation, and not to the Curtiss-Wright plant.

According to Mr. Mayer, Hirsch refused to be a party to such an agreement, insisting that he carry on his work at Curtiss-Wright or at no place at all.

Mr. President, for many years I have been vitally interested in aviation. When I witnessed crashes day after day I wanted to find out why so many planes were being destroyed on the home front—three times as many as in the war itself. So, on October 14, 1943, I addressed a letter to Senator Truman. On October 19, 1943, he advised me as follows:

DEAR SENATOR LANGER: Thank you for your letter of October 14, inquiring concerning the report of my committee on military airplane accidents. The committee has been studying this matter for some time, but due to the difficulty which it has encountered in assembling the necessary information, this inquiry has not been completed. Consequently, there will be no report in the immediate future. As soon as the committee's material is fully assembled it will, of course, make a report. I will be glad to advise you as to the approximate time as soon as it is possible to do so.

Sincerely yours,

HARRY S. TRUMAN,
United States Senator.

Mr. President, the distinguished leader who wrote this letter is none other than the President of the United Staes. It is within his province to obtain any information which he desires from the War Department. As President of the United States he should have no further difficulty or encounter further delay in securing this data.

On July 10, 1943, in the report bearing his name, the now President of the United States promised the American people an enlightenment on these startling aircraft accidents. I hold in my hand the Truman report. On page 30 it reads as follows:

AIRCRAFT ACCIDENTS

In addition to the foregoing the committee has been engaged in a study of military plane crashes and at a subsequent date will report on this subject. The committee is concerned about the large number of such casualties, particularly in noncombat operational flights in this country.

Mr. President, that was 21 months ago, and no report has been forthcoming.

Only a week ago I lost one of my best friends in North Dakota. George Schoenberger lost a very fine son with whom I had been associated for a great many years. Mr. Schoenberger believes that his death may have taken place as a result of one of the accidents to which I have referred However, he was killed across the water, and no definite proof is now available.

Mr. President, the Curtiss-Wright Corporation attacked the Senator for his sensational report. On July 15, 1943, Senator Truman publicly threatened the corporation that unless it cleaned up this scandal he would make public the secret testimony on which he based his report and expose this heartbreaking situation. Why has not that secret testimony been made public? Why are these men being protected and allowed to carry on this diabolical sabotage. Every one of our boys killed by defective airplanes is another Pearl Harbor. I think it is about time for Congress to do something about this scandal. I think the Congress has a right to know the unvarnished truth concerning this situation.

I am wondering if every Member of Congress realizes the significance of these revelations. I am wondering whether or not this Congress is satisfied and willing to ignore this amazing scandal and wait until tragedy comes closer to their own homes and loved ones. I think we have waited long enough for an official explanation of these crashes. I think it is time for Congress to act. I am angered by the calloused indifference on the part of high officials of our Government to these service crashes. I am appalled and sickened by these facts. What is behind the hideous power that prevents a thorough investigation of this great American catastrophe?

Mr. President, I have been very much pleased indeed by the assurances given me by the distinguished junior Senator from the State of Michigan [Mr. FERGUSON], one of the members of the Truman committee, now known as the Mead committee, that they now have in Buffalo various investigators and are making a thorough investigation of the Curtiss-Wright plant there. But, Mr. President, I submit that is not enough. I submit that on the record, the cold-blooded record, as found by Senator Truman himself, this man Wright, or the Curtiss-Wright Aeronautical Co., ought today to be separated from any connection with the service of the United States of America; that the people of this country should not tolerate a man who is responsible for the very conditions that Harry Truman found and condemned, and that that man should not hold a position under Harry Truman, the President of the United States.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 174) making additional appropriations for the fiscal year ending June 30, 1945, and it was signed by the President pro tempore.

PROPAGANDA, NOT FACTS

Mr. TAFT. Mr. President, representatives of 46 nations are engaged at San Francisco in one of the most important conferences of all time. They are proposing to frame the charter of an international organization, based on the Dumbarton Oaks proposals, the purpose of which is to prevent another world war. These proposals when completed will come before the Senate. Other international arrangements are being considered by many nations, and we have now before us in Congress the Bretton Woods proposals. There is also pending in the

House a measure to extend the Reciprocal Trade Agreements Act for a period of 3 years and to give additional power to reduce the tariff rates to 25 percent of those fixed in the statute. All of us have the most vital interest in these problems and the policies upon which they are based. They are, or will become, legislative matters, and they will be debated here on their merits in the light of the very best information which can be obtained by our committees.

I rise today to protest against the deliberate policy of Nation-wide propaganda adopted by the State Department and the Treasury Department with relation to these measures. It is a superpropaganda, under the direction of Mr. Archibald MacLeish, Assistant Secretary of State, and it is aimed directly at Congress. All of us have recognized the value of propaganda as a weapon of war and we have realized the necessity of improving its technique and adopting in war something of the ruthlessness of the methods pursued by Adolf Hitler. But it is time now to put an end to the theory that these methods of propaganda can be turned inward against our own people, our own institutions, and our own Congress. There have been many instances in history when victorious armies have returned home and been used to suppress the liberties of their own people. Fortunately there is no danger of that kind of thing in America; but let us be sure that a much more subtle weapon of propaganda is not used in the same way.

It is high time that the Government departments were told that they must confine themselves to presenting their cases on legislative matters to Congress and not turn the Government into a vast public-pressure group to destroy our constitutional processes. The purpose of the present campaign of the State Department is to convince Congress and the people that the Dumbarton Oaks proposals are an absolute guaranty of peace, that the Reciprocal Trade Agreements Act and the Bretton Woods Act are absolutely essential to make this guaranty good; that anyone who questions the perfection of any one of the three is in favor of a third world war; that to assure peace they must be accepted without crossing a "t" or dotting an "i"; and that there is no other possible way to assure peace. I am quite willing to admit that there are good arguments for all these proposals, but even their authors do not claim the perfection which, of course, must be the claim of propaganda, if the Government indulges in it at all.

GOVERNMENT PROPAGANDA IS ILLEGAL

As long ago as July 11, 1919, Congress passed an act intended to prohibit propaganda by executive departments. It appears now as section 201 of the Criminal Code and reads as follows:

> No part of the money appropriated by any act shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device intended or designed to influence in any manner a Member of Congress, to favor or oppose by vote or otherwise, any legislation or appropriation by Congress, either before or after the introduction of any bill or resolution proposing such legislation or appropriation.

Mr. WILEY. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Wisconsin.

Mr. WILEY. I should like to ask my friend from Ohio a question in relation to the portion of the law he quoted. As he knows, the heads of some of the executive departments are getting out books which are primarily interested in furthering, as the distinguished Senator from Ohio suggested, one line of thinking. Those books are not written by the so-called authors; they are written by men who are working for the Government, in the Government, and paid by the Government, and ostensibly for propaganda purposes. Would that be a violation of the statute the Senator has cited?

Mr. TAFT. I think it might be a violation. It would depend on whether the provisions of the statute relating to the use of Government funds had been infringed, so that it would be necessary to prove that the use of such funds promoted indirectly Government propaganda to affect the Congress. I might say that this practice has become general. I happen to know of an instance coming to my attention from my own State. Here is a letter sent out by the New England Regional Office of the Office of Price Administration, addressed to newspaper editors, editorial writers, radio commentators and group leaders, whoever they may be, and trade executives. The letter is signed by the Regional Administrator, Mr. Eldon C. Shoup, and was sent broadcast. I think it is now in the record of the Committee on Agriculture and Forestry. It reads as follows:

> The attack on price control before the Senate Agricultural Committee represents one of the most vicious pressure-group tactics yet undertaken. Success of the attack would deal a body blow to price control which is so necessary to the economic life of our country.
>
> James F. Brownlee, O. P. A. Deputy Administrator for Price, has made a reply to the charges. I am sending a portion of it to you for your information. Mr. Brownlee outlines the position of O. P. A. in relation to the meat-packing industry presenting background facts which are little known by the public.

That is broadcast throughout the whole New England district, and is a specially prepared reprint of Mr. Brownlee's testimony.

The practice has become almost universal in every department. If they have any legislation coming before Congress they send out broadcasts containing various kinds of information and they sponsor and print books.

Mr. HILL. Mr. President——

Mr. TAFT. I yield to the Senator from Alabama.

Mr. HILL. We know that the departments print some books, and they are authorized by the Congress to print them. The Congress makes the appropriation for the printing; but today there is no department that can print any book which Congress has not authorized and for the printing of which it has not provided the funds.

The Senator from Wisconsin spoke about some Government books, as I understood him, which were not now being printed by the Government. I wish the Senator would specify some of the books to which he had particular reference. He spoke about books.

Mr. WILEY. It would not be difficult, but I do not want to get into that argument now.

Mr. HILL. It is all right for the Senator to rise on this floor and talk about books, and then when I ask him to specify them to say, well, it would not be difficult, but he does not care to get into that argument, and he does not even do the Senate courtesy of rising from his seat when he answers the question. The truth is that many wild and half-baked charges are made for which there is no basis in fact.

Mr. WILEY. Mr. President, will the Senator from Ohio yield to me?

Mr. TAFT. I yield, but I prefer to make my own statement of facts which I will support as I go along if I may. However, I shall be glad to yield to the Senator from Wisconsin to reply to the Senator from Alabama.

Mr. WILEY. Mr. President, I am sorry that the acting majority leader thought that he had to take a left-handed swipe at the Senator from Wisconsin. The Senator from Wisconsin will be glad to furnish at such time as he shall determine, the title of books gotten out as he stated, but it is public knowledge that there are on the pay roll of various departments and Government agencies almost 20,000 persons whose job it is to sell their line of philosophy and their dope to the public. I think the distinguished Senator from Ohio is rendering a distinct service to the public. We are engaged, as he has said, in arriving at what the truth is in relation to vital subjects such as Bretton Woods, Dumbarton Oaks, and reciprocal treaties, and every day we have piles of this material coming in not only from our constituents but we have books and pamphlets such as I referred to which have been gotten out even by members of the Cabinet. How can a Cabinet officer take time to write a book? He has the experts, which experts are paid by the Government, and who are running wild throughout the country with such pieces of literature. So, I do not see that I need to apologize for my statement to the distinguished Senator from Alabama.

Mr. HILL. Mr. President——

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Alabama?

Mr. TAFT. I yield.

Mr. HILL. What I was seeking was the truth. I want to know the truth. I want to know the facts about these books, and I regret that the distinguished Senator from Wisconsin either seems unable or unwilling to give the facts to the Senate.

Mr. TAFT. Mr. President, the act of July 11, 1919, provides a $500 fine and 1 year imprisonment for violation by any officer or employees of the United

States. But try to get a district attorney to indict any of these gentlemen. This letter from Mr. Shoup, for instance, this O. P. A. letter, is clearly intended to effect the passage of the O. P. A. extension measure now pending before Congress. There was no other purpose in sending it out. That was its purpose. It seems to me to fall clearly within the terms of the statute, that this letter is intended and designed to influence Members of Congress in that district who favor or oppose, to vote for legislation or otherwise.

There can be little doubt that the propaganda of the State and Treasury Departments also is designed to influence Members of Congress. In fact, it is carried on on such a tremendous scale today as to destroy the whole legislative process of intelligent consideration, and threaten the independence of Congress.

I have here a large collection of pamphlets and releases issued by the departments, magazine articles by officers which have been reprinted for distribution, a reprint from the Federal Reserve Bulletin for distribution, printed copies of radio broadcasts, and innumerable speeches by officers of Executive departments. They have been widely distributed. Several pamphlets on Bretton Woods have apparently been sent to all employer-taxpayers who pay withholding taxes, in envelopes under frank of the Federal Government.

Material has been sent to clubs of all kinds and to radio commentators. Speakers are furnished to any organization that requests them. Magazine articles are planted. No one can have listened to the radio during the last 2 months without hearing a constant flow of propaganda clearly inspired by the Government, intended to give the impression of perfection with regard to both Dumbarton Oaks and Bretton Woods.

Mr. President, I am not dealing with the controversy of the Senator from Alabama with the Senator from Wisconsin, but here we have a book, The Bretton Woods Proposals, printed by the Treasury. Here we have a reprint of an article Bretton Woods and Foreign Trade. Here is a reprint of an article by Henry Morgenthau, Bretton Woods and International Cooperation. Here is one The Monetary Fund: Some Criticisms Examined, by H. D. White, of the Treasury. These are all available. They are being sent out. Any Senator can go to the Treasury and obtain them, for that is where I got them.

Mr. HILL. They are not only available, but there is certainly no effort in any way whatsoever to hide the authorship.

Mr. TAFT. Not at all. This propaganda is open and unashamed, and absolutely in violation of the law. Yet the Treasury has no hesitation whatever in proceeding with it.

I have a folder full of various kinds of reprints and releases of speeches. Some of the books are purely factual. No one could object to a book such as the one I hold in my hand, containing copies of articles and a statement of what happened.

Here is a book Recommendations of Economists for United States Approval of the Bretton Woods Monetary Agreements. The Treasury got them to sign a general approval and then proceeded to publish the book. I think the three pamphlets I now hold in my hand are the ones sent to all employer-taxpayers who pay withholding taxes.

Mr. WILEY. Who published those pamphlets?

Mr. TAFT. They were published by the United States Treasury, February 20. Here is an address by Dean Acheson, printed at the United States Government Printing Office, Washington, D. C. Here is an address by John Parke Young, published at the United States Government Printing Office.

Mr. LUCAS. Mr. President, will the Senator from Ohio yield?

Mr. TAFT. I yield.

Mr. LUCAS. Does the Senator hold that there can be no explanation or argument of any kind made by any governmental official in connection with the Bretton Woods agreement?

Mr. TAFT. No; I see no objection to a governmental official making a speech on the subject, and informing the people, certainly in the case of one who makes a speech in the normal course of business, but when the Treasury accumulates and has printed a large amount of such literature, and mails it broadcast throughout the country, I think that violates the act. The remainder of my remarks will be intended to indicate why I think this is propaganda and not merely a distribution of facts. If the Senator will wait, I think perhaps I may afford him some argument, and he can find probably some answer to the statements I make, but I think I can make the argument more completely in a connected way.

Mr. LUCAS. I shall be glad to wait, but if the Senator will pardon me for an interruption——

Mr. TAFT. I yield.

Mr. LUCAS. I presume every one of these pamphlets, or whatever the Senator designates them to be, would have to stand upon the statements made in each and every one of them, in determining whether it violated the statute or not. It seems to me that if the Senator is to take the position that no one in the Government can say anything about the Bretton Woods agreement, with respect to what the text actually mans in simple language, or if he takes the position that no one in the Government can make an argument for it and put it down on paper, then there will never go out any information, for fear that someone might be prosecuted under the section the Senator has read.

Mr. TAFT. The statute provides that Government money shall not be used to print propaganda intended to influence Congress. That is the effect of it. I maintain that this is clearly propaganda, and that the only purpose in sending it out is to influence Congress. I do not think that would be disputed by the State Department. I think Mr. MacLeish has organized a Nation-wide force for the purpose. He is sending people all over the country. He is undertaking propaganda in the modern sense, with the modern technique, and with a more complete and open frankness than has previously characterized this particular job in the Government. It has been done; I do not say this is the first instance.

Mr. HILL. Will the Senator yield again?

Mr. TAFT. I yield.

Mr. HILL. Does the Senator object to the State or the Treasury Department giving the facts on these respective matters and making the information available to the people of the country?

Mr. TAFT. I do not object to their giving the information, certainly, but I do object to their furnishing a person arguments on one side without furnishing the arguments on the other side, and that is all this propaganda does, as all propaganda does. That is what propaganda is; it is a completely partial statement on one side of a subject, so broadcast to the people that it is swallowed without any opportunity for reply.

Mr. HILL. Let us consider the Dumbarton Oaks proposals. We know that the State Department was one of the authors of those proposals. Would the Senator expect the State Department to prepare its data on the basis that, "We will now give you the arguments for it and then set out all the arguments we can think of against it"? Is that what the Senator would have them do?

Mr. TAFT. I should think the State Department would satisfy itself with sending out the Dumbarton Oaks proposals as they are. If they furnish arguments for them, they should furnish arguments against them. The statute says that Government money shall not be spent to influence legislation pending in Congress. They should present the arguments to Congress, not send out general propaganda resulting in letters coming to Congress, designed to bring pressure to bear on Members of Congress. That is clearly their purpose. There can be no question about it.

Mr. HILL. We all hope an international organization will come out of the San Francisco Conference along the lines of the Dumbarton Oaks proposals, but we also know that at the present time there is no legislation dealing with that subject. The information which I have seen from the State Department dealing with the Dumbarton Oaks proposals states what the proposals are, and in some instances elaborates, perhaps, on the reasons for the different proposals. Some of them, at least, in their naked language, would not, perhaps to the average reader, show clearly exactly what the proposals seek to do.

Mr. LUCAS. Mr. President, will the Senator from Ohio yield again?

Mr. TAFT. I yield.

Mr. LUCAS. As I understand the Senator, the statute provides that no propaganda can be issued by the Government which directly or indirectly affects legislation in the Congress.

Mr. TAFT. Incidentally, legislative proposals which have not been introduced, as well as those which have been. It covers the Dumbarton Oaks Proposals as much as anything else.

Mr. LUCAS. What the Senator fears is that when these pamphlets go out to

the country, the country will become excited, and send Senators and Members of the House letters asking them to do this or that. I think I am correct in that.

Mr. TAFT. I think I am correct in saying that what I object to is the State Department sending throughout the United States a one-sided argument for a legislative proposal, when the statute provides that Government money shall not be used for that purpose. If there are private citizens who wish to conduct that kind of propaganda, they are free to do so, and they are free to get any such information as they want from the Secretary of State, and they are free to send out State Department speeches if they want to, but the statute provides that the Government itself shall not undertake that kind of propoganda, or use Government money for that purpose.

Mr. LUCAS. Of course, there might be a serious question, as I see it, as to the Government using literature of this kind, sending it to the public, and the public indirectly or directly getting it back to the Members of Congress. Apparently what the Senator fears is that someone is going to be influenced by the public with respect to Dumbarton Oaks or Bretton Woods as the result of propaganda that is being sent out directly to the people. I know the Senator from Ohio, statesman that he is, and a man who stands up to things and cares nothing about letters that come in, will not be influenced in his views or his convictions by what someone in Ohio may write him. That seems to be the complaint in the Senator's argument.

Mr. TAFT. My complaint is as to the use of the vast force of Government money to create a public opinion by a prejudiced propaganda. That is perfectly clear and definite, and the purpose is to influence Congress. No one can doubt that that is the purpose.

Mr. LUCAS. I am surprised that the Senator from Ohio would admit that propaganda from his State, upon a great question such as Dumbarton Oaks or Bretton Woods, could influence him. It is an admission which I did not think the Senator from Ohio would make. I knew that some Senators might fall for it, but I did not think the Senator from Ohio would.

Mr. TAFT. Unfortunately on this side of the aisle we have only a minority, and I am afraid the propaganda will affect some of the Senators on the other side. We must have some Democratic votes in order to obtain a favorable result in the Senate, and I am afraid of the influence the propaganda might have on some Senators on the other side who would otherwise vote with those on this side of the aisle.

Mr. LUCAS. From what I hear today the minority is a very vocal minority.

Mr. FERGUSON. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. FERGUSON. Will the Senator from Ohio advise us as to how the State Department and other agencies obtain their appropriations? Under what item do they budget or list these particular pamphlets and the work that is to be done on this propaganda?

Mr. TAFT. My recollection is, though I am not sure about it, that the State Department has a regular appropriation for printing. They can print anything they please so long as they do not violate the statute in some way. The statute provides that the money shall not be used, even though it is appropriated for printing, for the purpose of issuing propaganda dealing with measures pending before Congress and designed to influence a Member of Congress.

Mr. FERGUSON. It would be almost certain then that they conceal the purpose for which they are going to use the money. At least they could not in connection with the Budget item intimate that they were going to use the money to violate the particular statute to which the Senator from Ohio has called attention.

Mr. TAFT. I do not know about concealing it, but they have not mentioned it to appropriation committees, so far as I know.

Mr. FERGUSON. I happen to be at the present time a member of the Appropriations Committee, and I have not seen it referred to. I am wondering how and under what guise they obtain the money they must use to send out all these pamphlets and other literature.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. LUCAS. I am surprised that the Senator from Michigan has not seen that one thing, because if he missed that it is the first thing he has missed since he has been in the Senate.

Mr. President, the Senator from Ohio knows that this practice has been going on almost as long as the Government has been in existence. Appropriations have been made for this particular purpose. Administrations, whether Democratic or Republican, have done this very thing before. The Senator will not deny that. The Dumbarton Oaks Conference was a most important meeting. It was most important to the peace of the world. The Bretton Woods Conference was most important to the peace of the world. Therefore, in my opinion the more information respecting those two conferences—I care not whether it is good or bad—that can be sent out to the people of America the better it will be, particularly from the standpoint of legislation, in the final analysis.

Mr. President, it seems to me that argument against Dumbarton Oaks, the great international organization toward which we are all looking forward, comes with poor grace at this particular time, especially when made on the ground that a department has sent out a little more literature than someone thinks should be sent out.

Mr. TAFT. Mr. President, I am quite willing to admit that the law has been violated for a long time, and particularly by this administration. But we have developed new techniques of propaganda in this war. It is much more dangerous than it ever has been before. Individuals have conceived the idea that they can change whole peoples and their nature, as Mr. Hitler did by his propaganda in Germany. They have learned something about what propaganda can be. Today propaganda, in my opinion, is the greatest weapon that can be used against democratic government, and is more likely to destroy democratic government than any other process, because it strikes at the very root of democratic government, which must be based on an intelligent consideration by all the people of the problems which arise and a correct decision resulting from such intelligent consideration. Propaganda, particularly propaganda backed by the unlimited force of government funds, is more likely to destroy democracy itself from within than any other force that I can think of.

Mr. LUCAS. Mr. President, will the Senator yield?

Mr. TAFT. I yield to the Senator from Illinois.

Mr. LUCAS. Mr. President, it is certainly interesting to learn at this hour that the Senator from Ohio believes that propaganda is the power he most fears may destroy the democracy of America in the future. It is a far cry from the last campaign, when all I heard was "communism." I never heard anything about propaganda during that campaign.

Mr. TAFT. Communists have the most supreme technique of propaganda the world has developed, and the two go together in every instance. The Communists have developed in Russia a complete propaganda. No one in Russia can hear anything except what the Government says and what the Government wants said. So when one fears communism it is largely the effective propaganda of communism that one fears.

Mr. LUCAS. I am glad to know now that what the Senator fear about communism is the propaganda they spread, and not the doctrine that communism is supposed to teach the people.

Mr. TAFT. No; if the propaganda of communism were not concealed under the guise of democracy there would be no danger from communism.

Mr. LUCAS. I do not share the fear of propaganda held by the Senator from Ohio. There may be something new in this country; it may be a new technique a new political philosophy the Republicans are going to adopt, but I cannot be very much worried about it.

Mr. TAFT. I am glad the Senator has concluded.

Mr. LUCAS. I am sorry I interrupted the Senator, because I know exactly how the Senator feels about Senators on this side of the aisle interrupting him. He always has such an important statement to make that anyone who interrupts him always does him an injustice.

Mr. TAFT. Mr. President, one of the obvious results of this propaganda has been the radio broadcasting. How it has been arranged, I do not know and I cannot say that it is illegal, but certainly many of the radio commentators have been primed, they have been filled up with the perfection of these various proposals, and we find them on every possible program.

A very minor example of this broadcasting technique might have been heard on Friday, April 6, over the Bessie Beatty program on the Mutual Broadcasting System, one of the most influential daytime programs. It comes on at 11

o'clock in the morning. Miss Beatty, who I feel confident was an entirely innocent vehicle for this process, announced that her guest for that day would be Mr. Leo Cherne, great authority on Bretton Woods. She intimated that she would like to have her listeners write her their opinions about Bretton Woods, and hinted also that they might write their Representatives and Senators in Washington. Then Mr. Cherne, who is the economic analyst and commentator for the Mutual Broadcasting System, talked about Bretton Woods in the usual generalities. He did not happen to mention the little fact that it would cost us $6,000,000,000, nor the equally important fact that the borrowers would have a majority of the votes on the board of directors. It was the same kind of propaganda which you have heard from many other commentators, but on a program which, of course, had no relation to the subject.

In short, what the State Department is putting out and inspiring is propaganda and not facts.

I do not know how many Senators here have seen the motion picture dealing with the Dumbarton Oaks proposals, entitled "Watchtower Over Tomorrow." I do not know definitely the facts relating to the preparation of this film, but I understand that it was prepared at Government expense and is for practical purposes distributed by the Government. It boosts the Dumbarton Oaks proposals through a wholly unqualified paean of praise. Critics of the plan are presented as isolationists and practically traitors to the country, who desire to promote a third world war. It is straight propaganda and not facts.

I have on my desk here a collection of documents obtained from the State Department and the Treasury, many of them distributed freely throughout the country by those departments. Perhaps the principal document dealing with Dumbarton Oaks is Department of State publication No. 2297, which is gotten up with a statement of the Dumbarton Oaks proposals, and includes a number of leaflets entitled, "Foreign Affairs Outlines." One has an item headed, "War—How can we prevent it?" Another is headed, "Prosperity—How can we promote it?" Then the proposals are set out verbatim, but the whole collection is prepared as a prejudiced argument for the proposals. Every argument in favor is stated, and no arguments are stated against. There is the usual propaganda set-up of pictures to persuade those who will not take the trouble to read. Attempts again are made to convey an idea of perfection.

It is my present intention, Mr. President, to support the Dumbarton Oaks proposals, but certainly they are far from perfect, and many criticisms have properly been made of them which are not even suggested in these supposedly informative pamphlets. The State Department itself has accepted many amendments proposed by the senior Senator from Michigan [Mr. VANDENBERG], but nothing is said of those amendments in any publications of the State Department.

Take the one vital point with relation to voting power. In one of these pamphlets we find this language:

> How does the plan approach the problem? 1. By dealing firmly and quickly with each dispute as it arises, using united force, if necessary, to prevent or stop armed conflict.

That simply is not the fact. By the time the veto power has been introduced into the equation there is no longer the possibility of dealing with any major dispute by the use of united force.

Again the pamphlet says:

> This means that where the Council is engaged in performing its function in the peaceful settlement of disputes, no nation, large or small, would be above the law.

The fact is, Mr. President, that no law is referred to in the Dumbarton Oaks proposals, and their best friends have widely criticized them as omitting all reference to law and justice. Decisions are apparently to be made by the Council on the basis of political and national interest as its members think may best promote peace.

Mr. WHEELER. Mr. President, will the Senator yield?

Mr. TAFT. I yield.

Mr. WHEELER. I am glad to hear the statement made by the Senator from Ohio with respect to the propaganda which goes out over the radio. We have had numerous hearings before the Committee on Interstate Commerce with reference to this very subject. I am not complaining respecting the particular point the Senator is discussing, because I have not given much thought to it. But constantly propaganda is put on the radio by men whom they claim are experienced in the particular line, whereas, as a matter of fact, if we check up on many of the columnists and others who speak on the radio, we find that they do not know anything about the subject on which they speak, they do not give the facts, and they present only one side of the issue.

I have repeatedly told the chain broadcasting companies that we can preserve a democratic republic in this country only by presenting both sides of every issue. In many instances in the past that has not been done, and it is not being done now. I suggested that the Congress would have to enact a law requiring them to present both sides of every issue. In short, if they wished to present on a program a person who would give only one side of a subject, such a law would force them to present someone else who would speak on the other side of the subject.

We talk about democracy and we talk about what Hitler has done and what Mussolini has done and what Stalin has done. Of course, they have been able to maintain their dictatorships in those countries by constantly presenting to their people, over the radio, in the press, and in motion pictures, merely the side of the issue which they wished them to hear or read about.

I say that when such propaganda is issued, a great disservice is done to the people of America. Unless that practice is stopped, and unless those who control such programs begin to present both sides of every subject they deal with, I shall attempt to have the Congress enact legislation which will compel them to do it. I hesitate to take such steps, and, of course, it is obvious that the enactment of such legislation would be quite difficult.

Mr. TAFT. Mr. President, I hope the Senator will do so, because the radio is one of the instrumentalities by which propaganda has become of very much greater importance than it has ever been before, and a much more effective weapon and, incidentally, a weapon which is much more difficult to control.

As I have said, I do not think the statement made in the pamphlets that the plan will enable them to "deal firmly and quickly with each dispute as it arises, using united force if necessary to prevent or stop armed conflict" is true. The voting restrictions are such that united force cannot be used against any one of the five great nations or against any satellite of the great nations, although these are the only nations likely to start a serious war.

Mr. President, Dumbarton Oaks may be desirable; in fact, my own intention is to support it. I think the getting together of people who sit down seriously to consider every threat to peace and to try to met it in advance is a great advantage, but certainly it has none of the perfection and none of the idealism which are stated in the publication issued by the State Department, Publication No. 2300. That publication boasts that it is giving "factual information for American groups interested in studying and discussing these vital policies in their own way." As a matter of fact, these publications are propaganda, not "factual information."

One of the vitally important factors bearing on the question of the effectiveness of the United Nations organization is the political set-up of the world. The supporters of the Dumbarton Oaks proposals must all admit that the chance for their promoting peace is considerably reduced if we leave a lot of political sore spots throughout the world, like Poland, the Baltic States, and other peoples under the domination of alien nations. None of these State Department pamphlets contains any reference to the agreements reached at Yalta regarding the disposition of these minor countries or the creation of spheres of influence in Europe or Asia. Yet these are vital facts which any intelligent person must discuss in connection with the Dumbarton Oaks proposals.

As a matter of fact, it has been clearly pointed out in the press that the administration and the State Department have throughout all of these international meetings concealed the facts, not only from the public at large but from Congress and many executive officials. The omission to state essential facts is the best evidence of propaganda. It interferes with attempts to improve the various proposals and thereby increase the chance of promoting peace in the future. As a result of the State Department propaganda, I have received many letters criticizing the Senator from Michigan [Mr. VANDENBERG] for daring to suggest amendments to this so-called perfect

plan. The writers of the letters apparently did not know that most of his amendments have been accepted by the State Department itself.

BRETTON WOODS PROPOSALS ARE MISREPRESENTED

Mr. President, the documents in favor of Bretton Woods emanating from the Treasury and the State Department are just as one-sided as those relating to the United Nations. Favorable points are stressed; defects are ignored or played down.

In all the literature there is a strong desire to avoid calling attention to the cost of these proposals, and nowhere is it frankly stated that the American taxpayer is going to be called upon to put up $3,000,000,000 of his hard-earned cash.

The little pamphlet called Questions and Answers on the Fund and Bank, dated March 15, 1945, was apparently distributed by the million. It is much more propaganda than it is a factual analysis. Sometimes even its facts are wrong. Thus, it is stated on page 3 that the fund "will stabilize the value of currency in terms of each other." There is very serious doubt whether it will do anything of the kind. It is said on page 8 that "no other nation can alter or, under the proposed agreement, even propose to alter the gold value of the dollar."

Of course, the other nations can propose anything, and wide power to make recommendations is given. Under section 7 of article 4, the gold values of all currencies can be proposed and even changed by action of the Board, although we would have a veto power which would be difficult to exercise. In other words, they could change it if they changed the gold value of all currency at the same time.

Although the bare facts are stated regarding the Board of Governors, the impression is certainly given that we will probably dominate the Board by the great weight of our voting power. The pamphlet wholly fails to make it clear that the control really rests in the nations who would wish to draw money from the fund and would naturally favor an easy treatment of debtors. One of the essential facts is entirely avoided, namely, that the money we put in is real money, and that most of the currency contributed by others is about equal in value to the paper on which it is printed, so that we would put in more than one-half of the real value, but we would have only 30 percent of the voting power. In short, these publications are partisan arguments. They are propaganda, not facts.

THE RECIPROCAL TREATIES AND BRETTON WOODS ARE REPRESENTED AS ESSENTIAL TO FUTURE PEACE

Mr. President, I am even more interested in the deliberate attempt of both the State Department and the Treasury to tie their economic proposals, the new Reciprocal Trade Act and the Bretton Woods agreements, into the security organization under consideration at San Francisco. The Treasury in effect takes the position that anyone who is opposed to its particular and peculiar economic nostrums is sabotaging the peace plans of San Francisco. It has gone so far as to state that San Francisco will be a failure unless we adopt the Reciprocal Trade Act and the Bretton Woods agreements.

I do not wish to depreciate the importance of economic policy in the promotion of peace, but I do seriously question whether all these economic measures have any immediate relation to the political organization for peace now being discussed at San Francisco. I think it is important for the cause of peace to remove economic sore spots throughout the world. But it is even more important to remove political sore spots and to do away with the domination by other nations of subjected peoples who long to be free. Yet we find the State Department proceeding blandly with the Dumbarton Oaks proposals, based on a world of political sore spots, at the same time that it denounces anyone who says that it is possible to secure peace without eliminating the economic sore spots.

Furthermore, it is very difficult to show that free trade throughout the world is the best method of eliminating economic sore spots. Certainly it is a very controversial subject and has been such for many years. In fact, unlimited competition between nations, which would be brought about by free trade, has produced more friction in the past than it has produced good feeling. The argument for free trade has been an economic argument, not a peace argument. The desire to extend trade was the principal reason for the growth of the British Empire and of imperialism in general throughout the world. There is little evidence that nations have been hampered in the past by inability to obtain raw materials, for instance, in any part of the world. There are many other methods besides free trade to be considered in connection with the assistance of particular nations which find themselves in economic difficulty and which may, therefore, find themselves to be economic sore spots. In fact, complete free trade might leave some of the poorer nations even less able to compete in foreign markets than they are today.

If we find a nation in want, and if we wish to assist it in increasing its exports so its people can be fed and its raw materials purchased, there may be many ways to accomplish that purpose directly—by agreeing to accept its exports under special treaties, for instance. At Dumbarton Oaks we are setting up an economic and social council to consider the economic ills of the world. Surely we might wait until this council is able to study particular situations before we determine the best cure for economic troubles. But the propaganda of the State Department maintains that anyone who opposes the new Reciprocal Trade Act, which is practically free trade, or the Bretton Woods agreements, is sabotaging the peace. Thus, in a release recently made by the Honorable Dean Acheson, Assistant Secretary of State, it is said:

> Without international collaboration in the economic and financial fields, organization for security in other fields will not assure us a lasting peace. That is why the Bretton Woods proposals are of such major significance. They are an attempt at international organization in the field of money and finance, as a part of a whole. If we permit this fact to be obscured by disagreement over details, we will have failed to meet the responsibilities of the issues before us.

In short, we cannot change a word in these agreements, because any changes could be only details, so we are told.

In a broadcast made on March 10, 1945, by the State Department—I do not know whether it was paid for with Government money—and participated in by Messrs. MacLeish, Acheson, and Clayton, all arguing with each other on the same side, Mr. Acheson said:

> The Dumbarton Oaks and Bretton Woods proposals are two basic steps toward world peace.

Mr. Clayton said:

> You can't have genuine peace without healthy world trade.

Which to Mr. Clayton means free trade.

The whole broadcast was to give the impression that only by adopting the Reciprocal Trade Act and the Bretton Woods agreements could we possibly give effect to the San Francisco agreements for peace.

On April 4, 1945, in a speech to the Academy of Political Science, Mr. Edward S. Mason, of the State Department, Mr. Acheson's deputy, said:

> Without Bretton Woods the prospects of a broad program of world collaboration for peace and plenty in our time would be dim indeed.

Mr. John Parke Young, an adviser in the same department, on February 28, 1945, said:

> Failure on our part to participate in the Bretton Woods proposals would greatly prejudice solutions in other fields and would lead nations to look to their own devices and to adopt practices seriously damaging to this country and to the world generally.

Mr. President, as a matter of fact the Bretton Woods agreements present a completely novel and controversial scheme invented by John Maynard Keynes and Harry D. White, of the Treasury. There is nothing to show that it will work. There is nothing to show that it is any more likely to produce peace than war. As a matter of fact, an official international organization of this kind attempting to control the currencies of the world is perhaps more likely to produce international friction than it is to allay it, because it tries to keep countries from doing things which they believe they should do in their own interest, and threatens them with economic penalties if they fail to follow the wishes of the Council. Its relation to peace is distant and indirect.

There may be many other methods to cure economic ills which might produce war. For instance, the loans in reasonable amounts which we ought to make can certainly be made just as effectively through the Export-Import Bank. Many bankers and economists believe the whole exchange problem can be better settled by informal agreements between key countries gradually spreading out to solve the more difficult problems.

I do not purport to say which method is right and which is wrong, but I do say that the attempt to represent these particular extremes as being absolutely essential to the success of the Dumbarton

Oaks agreement is completely to misrepresent the facts.

The people of this country are determined to set up the best possible organization to secure peace, and progress is being made at San Francisco. Far from assisting that movement, the insistence of the State Department on tying to its tail the two economic measures now pending before Congress is much more likely to provoke widespread opposition to the results achieved at San Francisco. In my opinion, whatever agreement is reached there will be approved later by Congress. I hope the language of it will prove of real value and helpfulness to the cause of peace.

A great many of the people of this country—I believe a majority of them—are opposed to free trade and to the attempt to enlarge the reciprocal trade authority. A large number of people doubt the wisdom of Bretton Woods. Why make it more difficult to secure approval for Dumbarton Oaks by insisting that the three be tied together. These economic proposals must stand on their own feet. They must be argued on their merits and in the light of the evidence placed before Congress. Whether they contribute to peace or not can be argued at that time. But the State Department policy is actually hindering success at San Francisco.

In conclusion I wish to insist again that the State Department has no business to be setting up a department of propaganda, the effect of which is not only calculated, but actually designed, to remove opposition in Congress. If the projects which are presented to Congress cannot stand on their own feet and be supported by logical arguments presented in a reasonable way, then they ought not to be adopted. If they are not projects which will appeal to the people over a long period, they ought not to be pushed through under the weight of a vast publicity organization. The success of democratic government depends on the intelligent consideration of every project by the people and their representatives, after hearing both sides. The very basis of that government can be destroyed, as it was destroyed in Germany, by propaganda with the tremendous force of the Executive behind it.

Mr. FERGUSON. Mr. President, for a long time I have favored an organization such as the one sought to be established through the Conference at Dumbarton Oaks and the one which we expect will come out of the Conference at San Francisco. But I do agree with the Senator from Ohio [Mr. TAFT] that under all circumstances we should avoid propaganda being sent out by the Government. The Senator's remarks were directed at the propaganda which is now being issued. That type of propaganda is an evil. I repeat what I have already said with reference to appropriations. If money appropriated is used for propaganda purposes by the Government, the Congress should not, under any circumstances, continue the appropriations. We do not oppose the organization to which reference has been made. But in a democracy the people are entitled to know the facts. It is not incumbent upon any department of the Government to give out its one-sided version with respect to any subject and not reveal both sides. The people must know the facts. Congress must know all the facts before it passes legislation. What is wrong with some of the legislation passed is that it is presented by the Government. The legislation does not crystallize the ideas of the people but, instead, represents opinions of certain Government agencies themselves. The legislation should come from Congress, representing the needs of the people and not the needs of the agencies.

Propaganda put out by departments of Government can, eventually, destroy democracy itself.

Mr. HILL. Mr. President, the expense in connection with publications which have been sent out by the State Department, as well as those which have been sent out by the Treasury Department, and, for that matter, the publications which have been sent out by all the remaining departments of government, was specifically provided for by the Congress. Congress must appropriate money before publications can be sent out.

Mr. President, a few minutes ago we heard the Senator from Ohio [Mr. TAFT] speak with regard to this matter. It seems to me that, as is sometimes the case, he is a little behind the time. It was just a week ago today that the Senate passed House bill 2603, making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency for the fiscal year ending June 30, 1946, and for other purposes. That bill provided for funds for the purchase and presentation of various objects of a cultural nature suitable for presentation to foreign governments, schools, or other cultural or patriotic organizations. It further provides for funds for the purchase, rental, distribution, and operation of motion-picture projection equipment and supplies, including rental of halls, hire of motion-picture projector operators, and all other necessary services.

The bill provided on page 4 for the sum of $379,000 for printing and binding the very publications to which the Senator from Ohio has raised objection. It seems to me that he is about a week late. As I have already said, the bill was passed only a week ago today.

Mr. TAFT. Mr. President, will the Senator yield to me?

Mr. HILL. I yield.

Mr. TAFT. The Senator from Alabama does not believe, does he, that the language which he has read would suspend the operation of section 201 of the Criminal Code?

Mr. HILL. I do not know that it suspends section 201 of the Criminal Code, but I believe that if the Senator from Ohio really desired to do something about this matter, 1 week ago today was the time when he should have done it. That was when the bill carrying these funds was before the Senate for consideration. The Senator then had it in his power to have proposed an amendment or to have taken some step toward correcting the situation about which he complains.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. HILL. I yield.

Mr. TAFT. The only thing I would have done about it would be to have had included in the bill a proviso restating section 201 of the Criminal Code, and providing that none of the funds to be appropriated could be used to influence Congress. Section 201 was not suspended by the appropriation bill, and therefore there was no need to include any such proviso in that particular bill.

Mr. HILL. Mr. President, the Senator is a good lawyer and an able Senator. He knows of many things which he might have done. For example, he could have limited or reduced the appropriations, or he could have offered to put a proviso in the bill to the effect that the funds could not be used for the purpose of sending out publications along the line about which he has complained this afternoon. When, a week ago, the Senator had his opportunity to do something, he did nothing and said nothing. By his silence he almost gave acquiescence. He has made a long speech in complaining about what was done. It is like locking the door after the horse has already been stolen from the barn.

Mr. President, I believe the Government departments should furnish information to the people of the country in order that they may be supplied with data on the various questions of importance now before them.

I also realize, Mr. President, that what is and what is not propaganda depends, in large measure, on the viewpoint of the individual. If information is sent out which is contrary to our viewpoint, we are very much disposed to believe that it is propaganda, whereas if the information sent out is in line with our viewpoint it is entirely proper; it is not propaganda; it is merely a statement of the bold, naked truth, just as the truth should be stated.

Mr. TUNNELL. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. TUNNELL. I merely wanted to ask the Senator whether he thought there was very much difference in principle between the executive departments sending out something for the purpose of propaganda, and speaking words on the floor of the Congress for purely propaganda purposes?

Mr. HILL. Of course, my distinguished friend knows that many words spoken on this floor, and many speeches made, not on this floor only, but on another floor, are what we might almost call simon-pure propaganda, delivered for purposes of propaganda.

Mr. WHITE. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield to the distinguished Senator from Maine.

Mr. WHITE. I suppose the senior Senator from Alabama would admit there is a vast difference between doing something which is specifically prohibited by a statute of the United States and doing something which is largely the business of Senators upon the floor of the Senate.

Mr. HILL. I would say, of course, there is a difference, but I add that I do not yield at all to the viewpoint of the Senator from Ohio that there is violation of law in this matter. That is the

Senator's opinion. As he says, he does not like some of this information, he disagrees with some of it. Some of the information provides arguments which are contrary to his viewpoints, his position, and the stand he has taken. I do not concede for one moment that there has been any violation of any statute at all.

The fact is that the Senator from Ohio no doubt had in his possession a week ago today most of the very information he used this afternoon, and if he had felt there was a violation of the statute, it seems to me it would have been his duty to rise when this bill was on the floor of the Senate, when it was in a position where the Senate could act on the matter, and to present the matter to the Senate, and not wait until the horse was out of the barn, and then rise and yelp and cry about it.

Mr. WHITE. Mr. President, will the Senator yield again?

Mr. HILL. I yield.

Mr. WHITE. Is it the Senator's contention that it is the obligation of Congress to write into every appropriation bill which is passed this statutory provision which has been on our books for long years?

Mr. HILL. Of course not.

Mr. WHITE. If it is the law, then of course congressional appropriations are supposed to be within its terms and within its limitations.

Mr. HILL. That is true. The Senator knows with what a fine-tooth comb these appropriations are gone over. The Senator knows that, not so much here in the Senate, possibly, due to the fact that Members of the Senate serve on a number of different committees, but in the House of Representatives, where I had the honor of serving with the Senator, a Member of the House who is on the Committee on Appropriations serves only on that one committee.

The Senator knows that for weeks the subcommittees of the House Committee on Appropriations go through the appropriation bills, that they take up every item in a bill and insist on a break-down and an explanation. The Senator also knows that both political parties are represented on those subcommittees. Members of the minority sit on the House Committee on Appropriations, just as do members of the majority, and it seems passing strange, after this bill had gone through the fine-tooth comb of the House Subcommittee on Appropriations, then through the House full committee, then through the House of Representatives, then through the Senate Subcommittee on Appropriations, then through the Senate full Committee on Appropriations, then had been brought up in the Senate and passed by the Senate, that today, after all that has transpired, after all that has taken place, the Senator should come forward with a cry of some statute being violated. I say that if the Senator thought a statute was being violated it was his business to bring the violation to the attention of the Senate of the United States just 1 week ago today, when the appropriation bill was before the Senate. The Senate was then in a position to take action on the matter.

Mr. TUNNELL. Mr. President, will the Senator yield?

Mr. HILL. I shall yield, but first I want to say that in all this talk about a statute being violated, I doubt that the Senator from Ohio really was quite so serious, because, knowing him as I do, if he had been serious, certainly when this bill was before the Senate a week ago, he would have endeavored to take steps to make sure that there was no violation. I now yield to the Senator from Delaware.

Mr. TUNNELL. I was about to ask the Senator concerning this apparent conviction. The State Department and the Treasury Department have been charged and convicted by the Senator from Ohio of a deliberate purpose to influence Congress, the statement being that that was a violation of the law. Just how do we know that their action was intended for the purpose of influencing Congress? I notice that if facts are not disclosed, we hear the criticism that things are being concealed. In the same speeches we hear that the State Department is concealing something; and if the State Department sends out the information, it is trying to influence Congress. So it is an impossibility to please the Senator.

Mr. HILL. Does the Senator from Delaware really think that the present State Department could please the Senator from Ohio?

Mr. TUNNELL. No.

Mr. HILL. Surely he is optimistic if he does think so.

Mr. TUNNELL. I do not think that would be possible, no matter whether they were conducting it rightly or wrongly. [Laughter.] I think it would be wrong in the eyes of the Senator from Ohio so long as there was not a Republican in charge of the State Department.

Mr. HILL. I think the Senator from Delaware is absolutely correct. I know of no way by which the present State Department could please the Senator from Ohio.

Mr. President, I did not intend to delay the Senate, but I wish to say that I agree with everything the Assistant Secretary of State, Mr. Acheson, says about the absolute necessity for cooperation in economic matters. I care not what kind of a political organization we may set up, I do not think it is possible to build peace in this world unless all the nations can in large measure cooperate in economic matters.

I will say, furthermore, that one of the most important organs provided for by the Dumbarton Oaks proposals is the Economic and Social Council. The very purpose of that Council is to constitute, so to speak, an economic and social general headquarters, to provide a center for the coordination and harmonizing of the efforts of the different nations, a place for them to come together and to cooperate on economic and social questions, knowing that if we are to have peace, it can be built only through cooperation on economic matters, as well as cooperation on political matters. There is no arm of the Dumbarton Oaks proposals which, to my mind, is more important than the Economic and Social Council, looking toward bringing together the nations of the earth in cooperation on great, fundamental economic questions.

Mr. TAFT. Mr. President, will the Senator from Alabama yield?

Mr. HILL. I yield.

Mr. TAFT. One of the points I made was that it seemed to me we might well leave the decision of these economic matters to that council, instead of deciding them all in advance.

Mr. HILL. The Senator was a week behind in his speech, and now he is getting behind in his economic matters. I want to see something done about these matters. I do not want to wait.

Mr. TAFT. Will the Senator yield further?

Mr. HILL. I yield.

Mr. TAFT. Will the Senator yield to me to suggest the absence of a quorum? There are so few Senators on the other side to listen to his argument on this important matter that I thought perhaps we should have a quorum called.

Mr. HILL. I cannot yield for that purpose. I realize that the distinguished Senator would be delighted if I should stop talking, but really the Senator provides such a delightful subject, in suggesting a matter of this kind, that there is a temptation to go on. But in view of the rather subtle appeal from the Senator from Ohio that I desist, I shall desist. [Laughter.]

EXECUTIVE REPORTS OF COMMITTEES

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. WAGNER, from the Committee on Foreign Relations:

Spruille Braden, of New York, now Ambassador Extraordinary and Plenipotentiary to Cuba, to be Ambassador Extraordinary and Plenipotentiary to Argentina; and

Edward A. Dow, Jr., of Nebraska, now a Foreign Service officer of class 8 and a secretary in the Diplomatic Service, to be also a consul.

By Mr. WAGNER (for Mr. GREEN), from the Committee on Foreign Relations:

Laurence C. Frank, of Rhode Island, to be a Foreign Service officer of class 4, a secretary in the Diplomatic Service, and a consul general.

By Mr. JOHNSON of Colorado, from the Committee on Military Affairs:

Sundry officers for promotion in the Regular Army of the United States.

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Robert E. Hannegan, of Missouri, to be Postmaster General, effective July 1, 1945, vice Frank C. Walker, resigned; and

Sundry postmasters.

RECESS TO MONDAY

Mr. HILL. I move that the Senate take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 10 minutes p. m.) the Senate took a recess until Monday, May 7, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received May 3 (legislative day of April 16), 1945:

DIPLOMATIC AND FOREIGN SERVICE

Hiram A. Boucher of Minnesota, now a Foreign Service officer of class 3 and a secretary in the Diplomatic Service to be also a consul general of the United States of America.

Theodore J. Hohenthal, of California, now a Foreign Service officer of class 7 and a secretary in the Diplomatic Service, to be also a consul of the United States of America.

The following-named persons for appointment as Foreign Service officers, unclassified, vice consuls of career, and secretaries in the Diplomatic Service of the United States of America:

William C. George, of the District of Columbia.

Robert K. Peyton, of New Jersey.

TENNESSEE VALLEY AUTHORITY

David E. Lilienthal, of Wisconsin, to be a member of the Board of Directors of the Tennessee Valley Authority for the term expiring 9 years after May 18, 1945. (Reappointment.)

POST OFFICE DEPARTMENT

Robert E. Hannegan, of Missouri, to be Postmaster General, effective July 1, 1945, vice Frank C. Walker, resigned.

Joseph J. Lawler, of Pennsylvania, to be Third Assistant Postmaster General, Post Office Department, vice Ramsey S. Black, resigned effective May 6, 1945.

DEPARTMENT OF COMMERCE

Harold H. Young, of Texas, to be Solicitor of the Department of Commerce.

THE JUDICIARY

UNITED STATES DISTRICT JUDGE

Donnell Gilliam, of North Carolina, to be United States district judge for the eastern district of North Carolina, vice Isaac M. Meekins, retired.

UNITED STATES ATTORNEYS

Tobias E. Diamond, of Iowa, to be United States attorney for the northern district of Iowa. (Mr. Diamond is now serving in this office under an appointment which expired November 19, 1944.)

Sam M. Wear, of Missouri, to be United States attorney for the western district of Missouri, vice Maurice M. Milligan, term expired.

UNITED STATES MARSHAL

Jones Floyd, of Arkansas, to be United States marshal for the western district of Arkansas, vice Henry C. Armstrong, term expired.

SMALLER WAR PLANTS CORPORATION

The following-named persons to be members of the Smaller War Plants Corporation:

Maury Maverick, of Texas.

Patrick W. McDonough, of California.

James T. Howington, of Kentucky.

Lawrence F. Arnold, of Illinois.

C. Edward Rowe, of Massachusetts.

HONOR GRADUATES FOR APPOINTMENT IN THE REGULAR ARMY

To be second lieutenants with rank from December 1, 1944

FIELD ARTILLERY

Luther Edward Brown

CORPS OF ENGINEERS

Winston Huntington Elliott

TEMPORARY APPOINTMENTS IN THE ARMY OF THE UNITED STATES

To be major generals

Brig. Gen. Holmes Ely Dager (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. Bryant Edward Moore (lieutenant colonel, Infantry), Army of the United States.

Brig. Gen. William Morris Hoge (colonel, Corps of Engineers), Army of the United States.

Brig. Gen. Charles Everett Hurdis (lieutenant colonel, Field Artillery), Army of the United States.

Brig. Gen. Herbert Ludwell Earnest (lieutenant colonel, Cavalry), Army of the United States.

Brig. Gen. John Matthew Devine (lieutenant colonel, Field Artillery), Army of the United States.

To be brigadier generals

Col. George Winfered Smythe (major, Infantry), Army of the United States.

Col. Hugh Cort (lieutenant colonel, Field Artillery), Army of the United States.

Col. William Lynn Roberts, Infantry.

Col. William Orlando Darby (captain, Field Artillery), Army of the United States.

Col. Charles Trueman Lanham (major, Infantry), Army of the United States.

Col. Charles Harlan Swartz (lieutenant colonel, Field Artillery), Army of the United States.

Col. Thomas Leonard Harrold (major, Cavalry), Army of the United States.

Col. William Nelson Gillmore (major, Field Artillery), Army of the United States.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Burton C. Sterling, Addison, Ala. Office became Presidential July 1, 1944.

Vera S. Collier, Praco, Ala. Office became Presidential July 1, 1943.

ARIZONA

Eleanor McCoy, Yuma, Ariz. In place of J. M. Balsz, dropped.

ARKANSAS

Dorothy A. Trammell, Everton, Ark. Office became Presidential July 1, 1944.

CALIFORNIA

Faith R. Dotters, Daggett, Calif. In place of R. M. Salisbury, removed.

Edith A. Knudsen, Klamath, Calif. In place of E. A. Knudsen. Incumbent's commission expired May 4, 1942.

John Thomas Ward, Olivehurst, Calif. Office became Presidential July 1, 1944.

Erdman Petz, Olive View, Calif. In place of Clarence McCord. Incumbent's commission expired June 23, 1942.

GEORGIA

Ruby R. Beckwith, Springfield, Ga. In place of H. N. Ramsey, retired.

Ellie A. Long, Saint Marys, Ga. In place of I. F. Arnow, retired.

ILLINOIS

Margaret Mulvaney, Edwards, Ill. Office became Presidential July 1, 1944.

INDIANA

Mildred Maxedon, Hardinsburg, Ind. In place of L. M. Patton, resigned.

William L. Alvis, Patoka, Ind. In place of J. H. Witherspoon, Sr., deceased.

KANSAS

Frank H. Steiger, El Dorado, Kans. In place of J. H. Sandifer, deceased.

Lester C. Irwin, Onaga, Kans. In place of C. L. Krouse, resigned.

MASSACHUSETTS

Thomas F. Dehey, Hinsdale, Mass. In place of C. A. Lamoureaux, retired.

NEVADA

Harold Sylvester Baldwin, Henderson, Nev. Office became Presidential April 1, 1942.

NEW JERSEY

Anna M. Bryant, Lumberton, N. J. Office became Presidential July 1, 1944.

NEW YORK

Mary Virginia Schrempp, Maryknoll, N. Y. In place of K. A. Slattery, retired.

OHIO

Viola Smathers, Buchtel, Ohio. Office became Presidential July 1, 1944.

Anna M. Krug, Spring Valley, Ohio. In place of W. E. Alexander, resigned.

OKLAHOMA

Henry R. Hare, Keota, Okla. In place of E. R. Davis, transferred.

PENNSYLVANIA

Eva E. Taft, East Springfield, Pa. Office became Presidential July 1, 1944.

Melvin J. Hurd, La Jose, Pa. Office became Presidential July 1, 1944.

Frank W. Kebe, Moon Run, Pa. Office became Presidential July 1, 1944.

Elizabeth V. Heaps, North Bend, Pa. Office became Presidential October 1, 1944.

Mildred A. Swanson, Pittsfield, Pa. Office became Presidential July 1, 1944.

Earl E. Koch, Wescosville, Pa. Office became Presidential July 1, 1944.

TENNESSEE

W. Coy St. John, Manchester, Tenn. In place of Hugh Doak, resigned.

WISCONSIN

Roland B. Cary, Boulder Junction, Wis. In place of D. L. Waller, resigned.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 3, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Bernard Braskamp, D. D., pastor of the Gunton Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

O Thou God of might and of majesty, who has revealed Thyself as the supreme guiding intelligence, we pray that we may be filled with a sense of Thy divine sovereignty, ruling, not with arbitrary power, but with the gracious wisdom of a Heavenly Father whose mind is too wise to err and whose heart opens with love to all our needs.

May we respond to that wisdom and that love by seeking first Thy kingdom and Thy righteousness, assured that then all things needful shall be added unto us. Help us by Thy grace to repel every willful purpose and every selfish propensity.

We fervently pray that the day may speedily dawn when the finer moral and spiritual principles of reverence and love for God and man shall become regnant in the heart of humanity. Grant us to see and understand that faith, hope, and love are the mightiest weapons in the building of a better world. May these virtues be the guiding light of our own lives.

We offer our petitions in the name of the Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Miller, one of his secretaries, who also informed the

House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On April 19, 1945:

H. R. 685. An act to amend the act entitled "An act for the acquisition of buildings and grounds in foreign countries for use of the Government of the United States of America," approved May 7, 1926, as amended, to permit of the sale of buildings and grounds and the utilization of proceeds of such sale in the Government interest;

H. R. 914. An act granting the consent of Congress to the States of Colorado and Kansas to negotiate and enter into a compact for the division of the waters of the Arkansas River;

H. R. 934. An act for the relief of Charles H. Dougherty, Sr.;

H. R. 949. An act for the relief of Mrs. Mildred Ring;

H. R. 1325. An act for the relief of Mrs. Rose Schiffer;

H. R. 1353. An act for the relief of J. P. Harris;

H. R. 1534. An act to amend the Fact Finders' Act;

H. R. 1669. An act for the relief of the estate of Ralph A. Stowell; and

H. R. 1707. An act for the relief of Murray W. and Elsie P. Moran.

On April 20, 1945:

H. R. 1676. An act for the relief of the Daniel Baker Co., of Manchester, Ky.; and

H. R. 1923. An act for the relief of Benjamin D. Lewis.

On April 24, 1945:

H. R. 2252. An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1946, and for other purposes.

On April 25, 1945:

H. R. 2374. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1945, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1945, and June 30, 1946, and for other purposes.

On April 27, 1945:

H. R. 2122. An act to extend to June 30, 1946, the period during which females may be employed in the District of Columbia for more than 8 hours a day, or 48 hours a week, under temporary permits; and

H. R. 2687. An act to grant the honorary rank of colonel to Edward J. Kelly, major and superintendent of the Metropolitan Police force of the District of Columbia.

On April 30, 1945:

H. R. 1525. An act relating to escapes of prisoners of war and interned enemy aliens; and

H. R. 1719. An act to confirm the claim of Charles Caudet.

On May 3, 1945:

H. J. Res. 18. Joint resolution providing for the celebration in 1945 of the one-hundredth anniversary of the founding of the United States Naval Academy, Annapolis, Md.;

H. R. 689. An act to enable the Department of State, pursuant to its responsibilities under the Constitution and statutes of the United States, more effectively to carry out its prescribed and traditional responsibilities in the foreign field; to strengthen the Foreign Service permitting fullest utilization of available personnel and facilities of other departments and agencies and coordination of activities abroad of the United States under a Foreign Service for the United States unified under the guidance of the Department of State; and

H. R. 1984. An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1946, and for other purposes.

EXTENSION OF REMARKS

Mr. COURTNEY asked and was given permission to extend his remarks and to include an editorial from the Nashville Banner.

Mr. HART. Mr. Speaker, I ask unanimous consent to extend my remarks and include an editorial from the Jersey Observer, and I ask unanimous consent also to extend my remarks and include a resolution adopted at a mass meeting held at Union City, N. J.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. LANE asked and was given permission to extend his remarks in the appendix of the RECORD and include therein an article which appeared in the Boston Post.

Mr. OUTLAND asked and was given permission to extend his remarks and include therein an editorial.

Mr. HEDRICK asked and was given permission to extend his remarks in the RECORD with reference to a West Virginia airport.

THE RENT SITUATION IN OHIO

Mrs. BOLTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Speaker, the rent situation in Cleveland has been becoming more and more difficult. Rents were frozen as of July 1941, which has made constant hardship because of the discrimination against many landlords. The fact that no ceilings have been placed upon commercial rents is creating an increasingly difficult situation, especially for returning professional men, such as doctors, lawyers, and the like. Constant flow of protests seems to have culminated in the display in Cleveland streetcars of the following advertisement printed by the United States Government: White on red, "Tenants in this area are protected by O. P. A. rent control"; blue on white, "If you have questions about your rent, call or write your nearest O. P. A. office—U. S. Office of Price Administration"; white on blue, "Rents for most homes, apartments, rooming houses, and hotel rooms have not gone up in almost 3 years. Distributed by O. W. I."

Indignation runs high. Patriotic citizens who have been buying War bonds with utmost conscientiousness are questioning future purchases, incensed at this use of public funds.

EXTENSION OF REMARKS

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix and include a statement entitled "Who Really Owns My Business?" as given to a subcommittee of the Committee on Small Business which held hearings at Cleveland on Tuesday and Wednesday of this week. The author of the statement is E. H. Martindale, of the Martindale Electric Co., of Cleveland, Ohio.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ELLIS asked and was given permission to extend his own remarks in the Appendix.

Mr. BUFFETT asked and was given permission to extend his own remarks in the Appendix.

CRITICAL HOUSING SHORTAGE IN METROPOLITAN LOS ANGELES AREA

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, the lack of proper housing in the metropolitan Los Angeles area is creating the most deplorable conditions for war workers and servicemen's families and other civilians that exist in any part of the United States. The situation is not only critical, it is alarming. Even before the war the housing problem in metropolitan Los Angeles was grave. Since Pearl Harbor most of our public housing units built to clean out slum areas have been turned into defense housing units. The war industries have brought into metropolitan Los Angeles an increase in population amounting to 750,000. Added to this is the thousands of servicemen in training camps in metropolitan Los Angeles whose families have followed them there, which have overtaxed our housing capacity until right now we need 58,000 housing units to take care of the problem at present.

Can you imagine four families living in the ordinary space required for one family?

Practically every sanitary State law, county and city ordinance is being violated every day. The Congress has not sufficiently recognized this serious problem, we have not fully realized that metropolitan Los Angeles is one of the most important war material producing areas in the Nation and will become more important after VE-day when the full impact of war production and shipping will fall on southern California.

I do not mean that we should appropriate all of the funds necessary to supply the deficiency in housing. What I do mean is that we should insist that priorities should be allowed so that private enterprise can go ahead and build houses for rent or sale and that building tradesmen should be considered just as important as other essential war workers at least until some of the heavy pressure of lack of housing is relieved.

A TURN IN THE ROAD

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. Mr. Speaker, I want to take this occasion to laud the President

of the United States, Mr. Truman. With a national debt of over $336,000,000,000, yesterday he gave orders to cut down spending in the Maritime Commission by $7,000,000,000; the O. W. I., $12,100,000; the W. P. B., $8,894,000; Office of Censorship, $4,800,000; O. D. T., $3,300,000; Petroleum Administration for War, $345,000; Office of Education, $43,710,400; W. M. C., $1,598,000; Office of Scientific Research and Development, $13,200,000; O. C. D., $369,000, terminating this agency as of June 30, 1945.

President Truman is starting on the right road; it is the first time we have gotten on this road since 1933. I congratulate President Truman and hope he keeps his eye on the economy road to a pay-as-you-go Nation thus saving America from bankruptcy.

The SPEAKER. The time of the gentleman from Pennsylvania has expired.

EXTENSION OF REMARKS

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Appendix of the RECORD and include an editorial from the Preston (Iowa) News-Advertiser.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

WASTE IN GOVERNMENT

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, ever since I have been a Member of this House I have been crying out against waste in government, and we now have the administration urging people to save paper. The wholesale waste of paper going on in the various departments of Government is not only throwing away the taxpayers' money but is a terrific drain on our forests, which have been drained so heavily by the war, as have all our national resources.

Now here is an example from the Office of Economic Stabilization. This agency sent a letter to a publisher in my district, whose allocation of newsprint has been curtailed several times. This letter was an ordinary sheet of writing paper enclosed in a manila envelope measuring 8 by 12 inches.

I have here another example of wholesale wastefulness by the Office of Foreign Economic Administration. They sent me a manila envelope measuring 12 by 16 inches containing a single sheet of writing paper.

There is not much encouragement in people saving waste paper all over the country when the very people who are recommending the saving do not appear to know the meaning of the word.

EXTENSION OF REMARKS

Mr. MUNDT asked and was given permission to extend his remarks in the RECORD and include a speech by Clarence K. Streit.

Mr. RAMEY asked and was given permission to extend his remarks in the RECORD and include an editorial from the New York Times; also one from the Washington Post, on the subject of the treaty-making power.

Mr. ROGERS of New York. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an article by Mr. Skeffington, of the Democrat and Chronicle, of Rochester, N. Y.

The SPEAKER. Is there objection to the requèst of the gentleman from New York?

There was no objection.

Mr. VOORHIS of California asked and was given permission to extend his own remarks in the RECORD and include a poem.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include an article by Gustav Cassel.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and include therein a broadcast last evening by Fulton Lewis, Jr., commenting on the report of the special investigating committee of the House on food and meat, and very highly complimenting all the members of the committee and the committee itself on its report.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SECRETARY STETTINIUS AND SENATOR VANDENBERG

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

EARL BROWDER'S ABUSE OF STETTINIUS

Mr. RANKIN. Mr. Speaker, this morning Earl Browder, the Communist leader, viciously attacked Secretary of State Stettinius and Senator VANDENBERG for the way the San Francisco Conference is being conducted; especially did he attack Secretary Stettinius.

As far as I can see, Mr. Stettinius is doing a splendid job. He is conducting himself as the American people would have him do under the circumstances.

These vicious attacks by Earl Browder are really a compliment to Mr. Stettinius.

The more Browder abuses Mr. Stettinius and Senator VANDENBERG the more the American people think of these two distinguished gentlemen.

DOENITZ A WAR CRIMINAL

Mr. CELLER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, President Truman is to be congratulated heartily upon his appointment of Supreme Court Justice Robert Jackson as chief counsel of an international tribunal to try war criminals. It is an exemplary appointment.

On the other hand, I am informed that as yet Grand Admiral Karl Doenitz is not on the list of war criminals. He should be put on the list immediately. He issued an order to the Nazis to fight to the death in Denmark and in Norway. He is one of the worst of the Nazi rats. Prior to the declaration of war his submarines fired on our unarmed merchant ships. Many of our brave lads were killed. After the declaration of war he did not hesitate to launch torpedoes against hospital ships. He is one of the worst Junkers and is famous for his ruthlessness. He assigned Gestapo agents to accompany his crews on their deadly missions and he peronally directed the so-called wolf packs. "Kill! Kill! Kill!" were his words to the U-boat crews. "Have no humanity in your labors; humanity means weakness." The U-boat commanders and their crews were most inhuman in their activities. They shot and machine-gunned our sailors clinging to rafts when their ships were sunk under them.

It is no excuse that Doenitz may now be a "head of state." Mussolini and Hitler were such. They appeared on war atrocity lists.

The fear of reprisal argument is illogical. Nothing has deterred the Axis jackals in their ruthlessness. Placing Doenitz on the criminal list would be an indication that we are not "softies" and it might even hasten and not hinder or delay his unconditional surrender. It would mean just exactly unconditional surrender.

Keeping Doenitz off the list of culprits to be punished would be tantamount to whitewashing him. That would be tragic.

LEGISLATIVE BRANCH APPROPRIATION BILL—1946

Mr. O'NEAL, from the Committee on Appropriations, reported the bill (H. R. 3109) making appropriations for the legislative branch for the fiscal year ending June 30, 1946, and for other purposes (Report No. 509), which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. TIBBOTT reserved all points of order on the bill.

POLISH CONSTITUTION DAY

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the time which I have previously reserved and asked be in the control of the gentleman from Connecticut [Mr. RYTER] be placed back in my control, due to the illness of Mrs. Ryter and the gentleman's inability to be present at this time.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The SPEAKER. The gentleman from Michigan [Mr. DINGELL] is recognized for 1 hour and 15 minutes.

CALL OF THE HOUSE

Mr. RANKIN. Mr. Speaker, I make a point of order that there is not a quorum present.

The SPEAKER. Evidently no quorum is present.

Mr. McCORMACK. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 66]

Bailey	Hancock	Pfeifer
Barry	Hare	Plumley
Bennet, Mo.	Harless, Ariz.	Powell
Bland	Hartley	Quinn, N. Y.
Bloom	Healy	Richards
Bonner	Hébert	Rivers
Bradley, Mich.	Herter	Roe, N. Y.
Buck	Hobbs	Ryter
Buckley	Hoeven	Savage
Butler	Holifield	Schwabe, Okla.
Canfield	Izac	Short
Cannon, Fla.	Jackson	Stewart
Cochran	Jarman	Sumner, Ill.
Coffee	Johnson, Ill.	Thomason
Cole, Kans.	Jones	Vorys, Ohio
Curley	Judd	Walter
Daughton, Va.	Keogh	Welch
Dirksen	Kilburn	White
Dolliver	King	Wilson
Douglas, Calif.	Kinzer	Winter
Eaton	Lesinski	Wood
Ellsworth	McGehee	Worley
Fulton	Maloney	
Gifford	Manasco	
Hall, Leonard W.	Mason	
	Mott	

The SPEAKER. Three hundred and fifty-nine Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

Mr. RANKIN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RANKIN. I understand there is a veto message on the Speaker's desk.

The SPEAKER. There is.

Mr. RANKIN. I am wondering if it is to be taken up now or immediately after the time allotted to the gentleman from Michigan.

The SPEAKER. It will be laid before the House immediately after the completion of the hour and 15 minutes under the control of the gentleman from Michigan.

POLISH CONSTITUTION DAY

The SPEAKER. The gentleman from Michigan [Mr. DINGELL] is recognized.

Mr. DINGELL. Mr. Speaker, I yield to our distinguished minority leader, the gentleman from Massachusetts [Mr. MARTIN] such time as he may desire.

Mr. MARTIN of Massachusetts. Mr. Speaker, May 3 is an eventful day in the history of Poland. It is the anniversary date of the notable occasion 154 years ago when the brave Polish people, inspired by the principles laid down in our own Declaration of Independence, adopted a constitution proclaiming principles which guaranteed freedom to all her citizens.

It is a significant fact—especially significant today when Poland's tribulations seem to go far beyond what any brave people ought to have to endure—that by this bold and amazing document Poland became the first nation in Europe to have a written democratic constitution.

Poland has been especially close to the United States in history because her brave generals, Kosciusko and Pulaski, came to the assistance of the American patriots in our own war for freedom.

We have in the United States more than 3,000,000 people of Polish descent. The hearts of all those 3,000,000 people are heavy today because of Poland's tribulations, and because of the atrocities which have been perpetrated upon the Polish people by the unspeakable Nazis. And the people of our Nation, fully cognizant of the noble part Poland has had in this war, wish for them the kind of a future they deserve because of their great sacrifices.

History will record that Poland was the first nation to take up arms in the struggle against Hitler's war machine. Bravely she faced a powerful foe with full knowledge of what would be her tragic fate. Poland knew that temporarily she would be enslaved and forced to endure all the horrors that come from brutal warfare.

Yet her gallant people did not hesitate. Poland fought bravely to give her allies precious time to prepare for the war that was to rock the entire world.

As was inevitable, Poland was crushed and overrun. But her courageous people, who had struggled throughout the centuries for freedom, would not quit. Her gallant sons fought in other armies and her people at home contributed in many ways to crippling their ruthless enemy. The struggles of her underground Army, particularly in Warsaw, will live on in the bright pages of the fight for freedom long after the men and women of this day and generation have passed away.

Poland fought on, trusting in the integrity of her allies and firm in the faith that justice would be her reward, once this cruel struggle came to an end.

No one can review Poland's gallant fight for liberty in this war, as well as through the ages, without feeling a warm sympathy for her welfare.

Justice will not be complete until there is a free Poland within boundaries that include the land that can properly be classified as Polish.

Liberty-loving people everywhere will unite in the hope—yes, in the prayer—that justice and a fair deal will come at an early date to these brave people who treasure freedom more than anything else in the world.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to my colleague the gentleman from Michigan [Mr. SADOWSKI].

Mr. SADOWSKI. Mr. Speaker, today is the great Polish national holiday. This is Poland's Fourth of July. Although the Nazis have been driven out of Poland and the war in Europe has all but ended, there will be no celebrating or manifestations of joy. Poland still is not free. Moscow has thus far ignored the Yalta agreements which would give Poland a democratic government representative of all the Polish people. President Roosevelt, although in poor health, made a long trip to the Crimea and came back with an agreement on Poland—a compromise agreement, as he himself stated. It is now 12 weeks since the Yalta Conference and Moscow has ignored and shunted aside the agreement made with our great and beloved President Roosevelt. Now that the war with Germany is practically over, is it Russia's purpose to repudiate the agreements reached at Moscow, Teheran, and Yalta? Does she intend to play a lone hand of power politics?

Recent political events have proved once more that matters concerning Poland directly and vitally influence the war and peace policy of the United States. We are primarily concerned with the realization of America's ideals and its war aims as well as with the upholding of our moral leadership in world affairs.

Only a victory of American democratic ideals can result in a just and durable peace based on justice and on principles expressed by our President in the Atlantic Charter and the "four freedoms" equally applied to all freedom-loving nations, great and small, and particularly Poland, whose cause has become the test case of our American determination to establish a secure democratic world order in accordance with the principles declared as our war aims.

In his speech before the Congress on March 1, 1945, the President of the United States stressed the importance of a proper solution of the Polish question, admitting that the decisions of the Crimea Conference constituted a compromise on the basis of which, however, Poland, although deprived of a large part of her national territories, will be restored to full freedom and independence.

Very disturbing events which occurred in the last few weeks blurred this picture and have aroused our anxiety over the proper solution of the Polish question. Numerous reliable reports in the American press prove that Soviet Russia has blocked the move aimed at the establishment of a real democratic government of Poland, and while our delegates in Moscow were vainly trying to break the deadlock caused by the intransigent Russian attitude, events move fast and Poland is being subjected right now to complete sovietization under the rule of a hand-picked group of Communists, mostly Soviet citizens, who are out to destroy every remaining vestige of Polish national culture and the democratic, nationally conscious Polish political life.

I am in a position to draw the attention of the House to some informations which I gathered from my own unimpeachable source. These informations—hitherto undisclosed—give a picture of conditions which, if continued, will make any revival of a truly independent democratic Poland forthright impossible.

Let me first give you details of recent events in Poland which prove that the Soviet authorities, holding now a firm grip over this unhappy country through self-appointed stooges, who call themselves the Provisional Government of Poland, embark upon a policy of ruthless persecution of the nationally conscious elements of Poland, clearing the way for a totalitarian regime and making any

elections, as foreseen in the Crimea decisions, a fake.

First, I want to give you a short outline of the Polish political life before the war, which I hope will clear many misunderstandings, and then I will give you the facts concerning the attempt to distort the picture of Polish politics by the application of what experts on Russia call social engineering.

Four democratic political parties, established toward the end of the nineteenth century, have been the very foundation of the Polish political life. They are, counting from the right:

The National Democratic Party, representing the interests of the conservative peasants and of the urban middle-class;

The Christian Democratic Labor Party, representing a large percentage of the liberal Catholic vote in towns and villages;

The Peasant Populist or Agrarian Party, composed of a conservative and a radical wing, and representing at least a half of the rural vote, and

The Polish Socialist Party, representing the urban workers' vote.

The late Paderewski and General Sikorski were associated with the Christian Democratic Party, former Premier Mikolajczyk was head of the Peasant Party, and the present Prime Minister in London Arciszewski is head of the Polish Socialist Party.

In spite of the fluctuations of Polish political life, the above mentioned four parties have dominated the political arena in Poland in all its freely held general and local elections. Not only the absolute majority of all the freely elected Polish Parliaments, but up to 80 percent of their members belonged to the four parties in question, and the remaining seats were occupied by representatives of the Jewish, Ukrainian, and German minorities, as well as of the small and transient political groups. Among these, and out of 444 seats in the Polish House of Representatives, the Communist Party, established in 1917, had between 2 and 7 seats, representing between 1 and 2 percent of the popular vote. The Communist deputies were elected only because the elections were held on the basis of proportional representation, which favored small political groupings. Should the elections have been held according to the principles of one member constituencies, as in the United States of America, no Communist would ever have been elected in Poland, because there never was a Communist majority in any single electoral area.

Taken in its proper historical perspective, there was in Poland a remarkable stability in the relative strength of the four main political parties. Exactly as in many other politically mature countries, the political affiliations and sympathies of the population and especially of its urban part, as well as the result of the vote, could be correctly guessed in advance. Thus, the city of Warsaw, entitled to 14 representatives, always elected 2 or 3 Socialists, 2 or 3 Zionists, 4 to 5 National Democrats, and invariably 1 Communist.

This clear picture of Polish political life has been blurred by the emergence during the thirties of a new and active political group of the so-called Pilsudskists, who during the ensuing elections obtained many votes to the detriment of all the historical parties. Between 1935 and 1939 there was an attempt to introduce in Poland a mild form of authoritarian government. In spite of this fact the political parties were not banned by the government and their organizations, their press, and their propaganda machinery remained intact. In many local and municipal elections they obtained the majority of votes. Thus in 1939 the mayors of many towns in Poland, including Lodz, the second city of Poland, were members of the Socialist Party.

In September 1939 all the Poles, including all the political parties of the opposition, supported the government in its war effort and subsequent resistance against the Germans. There was one exception: the Communists were ordered by Moscow to applaud the Ribbentrop-Molotov agreement partitioning Poland between Germany and Russia. It is necessary to add that in 1936 the Polish Communist Party was disbanded by the Comintern as guilty of nationalist and Trotskyist tendencies and that practically all the outstanding Polish Communists in exile in Russia perished in the great Russian purge. The surviving Polish Communists were reorganized into a body which assumed the name of the Polish Workers' Party. This happened before the war, but the name of the Polish Communist Party never appeared again. The unpopularity of communism in Poland has gone so far that even now the activities of the Communist group have to be held under an assumed name.

During the first German siege of Warsaw in 1939 the only group which remained neutral in the fight was the small Communist group. While scores of thousands of Polish people fought and perished in an unequal struggle, the Warsaw Communists, exactly like those of France, Britain, and America, remained indifferent to the plight of their country. They also stayed outside the secret Polish resistance movement, which in 1940 assumed its final form of an underground organization. Since the Pilsudski movement collapsed in 1939, both the Polish Government in exile and its counterpart, the Secret State in Poland, could only be created on the basis of the collaboration of the four main democratic parties which were certain of the support of the overwhelming majority of the population.

Only when Germany attacked Russia in June 1941, the Polish Communists, together with the other Communists the world over, suddenly became anti-German and patriotic. But instead of joining the existing national underground movement, Moscow had given them orders to organize partisan activities of their own. To make a long story short, it will be enough to say that while 5 years ago the Communists could not dream of putting through in a free election in Poland even a few thousand votes, today, when Poland is occupied by the Red Army, they claim to possess an exclusive monopoly of representing the national will. Eight years ago, together with their Moscow sponsors, they deplored the iniquities of the Versailles Treaty and were determined to cede Danzig and Polish Silesia back to Germany, and before June 1941, they never protested against Hitler subjugating some 22,000,000 Poles.

A year ago no one could seriously take into account the small and thoroughly opportunist Communist group in Poland. Today the same self-appointed group is successfully blocking the creation of the new Polish Government promised at Yalta by vetoing the names of all the Polish democratic leaders in Poland and abroad, submitted to them by the British and American members of the Moscow tripartite commission on Polish affairs.

No one in Poland, and for that matter anywhere else, would say that the Polish Communists should be excluded from participating in the government of their country before a general election shows the trend of its political development. This is why the former Premier Mikolajczyk, in a memorandum presented to the Big Powers on the occasion of his visit to Moscow in the summer of 1944, outlined the program of a united Polish Government on the basis of the equal collaboration of the five political parties, that is, of the four historical parties plus the Communists. This program is said to have been accepted in principle not only by President Roosevelt and Churchill but by Marshal Stalin. The Yalta resolution on Poland does not contradict this idea and indeed indirectly supports it. Yet 12 weeks after Yalta no progress has been made in the formation of a new government, which in advance has been christened that of national unity. Why is it so? The obvious answer is that should that government in fact represent national unity, the Communists would be outnumbered and could not continue their policy of building against the will of the population of a brutally totalitarian system which they have already installed. That is why the present puppet group in Poland pretends that they are not Communists alone but that they represent a coalition of four political parties, and that everyone outside that coalition is a Fascist. That is why they attempted to falsify and misrepresent the real political trend of Poland. It is necessary to describe and to disclose this unscrupulous maneuver.

The Lublin group pretends that it includes the representatives of the Polish Socialist Party, of the Polish Peasant Party, and of a democratic party, not only Communists—disguised under the alias of the Polish Workers' Party. While the so-called democratic group was created some months ago out of a few Communist intellectuals to introduce a semblance of a new apparently non-Communist Party, the so-called Socialists and Peasant Party participation in the Lublin puppet regime is a direct fraud. In fact, some people, invariably unknown to the Polish general public, have accepted the task of creating new political groups which assume the old and honorable names of the two traditional parties of the left, and have accepted in their names the general policies of the directly Moscow-sponsored Communist Party. A peculiar situation

was created in which some Communists speak as Communists while some other Communists speak as Socialists, agrarians, or democrats. It is hardly necessary to mention that all the four political groups speak with one voice and that they may be considered as practically interchangeable. It is probable that, should necessity arise, some Communists will appear under the guise of Catholics, Nationalists, or any other denomination.

Such falsification of the public mind is feasible if a country is occupied by a totalitarian army and controlled by a totalitarian police. Let me describe the technique of the political meeting in the present-day Poland. A meeting of citizens is convened by a Russian military commander. To those who come a draft of a resolution is read, together with a list of people proposed to be elected to one or another political or administrative body. Discussion is not admitted and those present are asked who is against the proposed texts. The members of the Soviet police, armed and generally in their uniforms, are present at the meeting and scrutinize the people.

To vote against the proposed resolution means the risk of being arrested, deported to Russia, or even executed. To attempt to introduce new names to the proposed committee or council or whatever is proposed, means the same risk for the nominator and for the nominees. Very few people dare face it. In consequence, although there is no actual voting for the proposed resolution, no one votes against it. The resolution is declared to have been unanimously adopted and the next day is published in the Government-controlled press. Hundreds of such resolutions, all alike, create the illusion of an unprecedented unanimity of the people, or if one prefers, of an unprecedented democratic procedure.

In exactly the same way the new Polish Socialist Party was created which promptly excommunicated all its lifelong leaders and their policy and elected a new board composed of unknown people. The new board consists mainly of the members of an insignificant group which for years has been trying to bring about dissension in the ranks of the Socialist Party and was always hopelessly outvoted and finally expelled. Osubka-Morawaski, the head of the Lublin group, was one of them. Being the head of the Government, he was in need of a political group which he might claim to represent. Therefore he was appointed chairman of a bogus Socialist Party and thus he is entitled to say that his Government is a coalition Government. In the meantime the real Socialists had no other choice but to go underground, exactly as they did during the 5 years of the German occupation.

A similar attempt has been made with the Peasant Agrarian Party. A so-called congress of this party, convened under police control at Lublin, condemned all its leaders, including Mikolajczyk, as well as their policies and elected a new board composed of unknown people. We do not know whether there were members of the congress who protested against this high-handed policy. If so, we may be sure that they are safely eliminated from political life in Poland and out of Poland itself.

Such practices cannot be allowed in what we call "liberated" Europe. In fact they are, however, and the Communists had enough time to develop an infallible method to falsify the exterior outline of political life in any country. All they need is military occupation and police terror.

To return once more to the main line of our reasoning, the present Lublin setup claims to represent two out of the four Polish political parties. Should the question arise of a round table five-party conference, they would claim that they, and they alone, represent not only the Communists, but also the Socialists and the Agrarians. The two remaining political parties, the Catholics and the National Democrats, have not yet been reorganized on a new sham basis. While the Russian press attacks the Vatican policy and the Pope, it would appear unseemly if Communists suddenly appeared to be faithful Catholics or, who knows, perhaps even Catholic priests. In case of necessity it can be done, however, since there have been already reports of Soviet police officers pretending to the Polish deportees in Russia that they were Catholic priests and even celebrating mass. As to the National Democrats, they have been condemned by the Lublin group as thoroughly Fascist minded.

In Yalta the great Anglo-Saxon leaders accepted the Russian thesis of reorganizing the Lublin Provisional Government on a broader democratic basis. If this is left to the interpretation of the Lublin group a democratic government could never in fact result.

Hence it is necessary to scrap altogether the Lublin group and to build an entirely new Polish Government. If this is the policy of our administration, I am for it. But I am afraid that falsification of the public mind in Poland can be continued also during the general election promised at Yalta. In fact, if complete lack of public control of political life in that country continues until the elections, and if all possible opponents of the present regime are already on their way to Siberia, nothing will prevent the puppet government from offering to the electorate a choice of candidates or lists of candidates which under various political aliases would represent the same group of Lublin Communists. However he voted, any ordinary citizen would always have to elect the same gang. The only thing he might do would be not to vote at all. But even this would be of no practical importance, as the local electoral board, composed of trusted nominees and not controlled by anyone from outside, would be at liberty to announce any amount of votes allegedly obtained by the candidates. The technique is well known. In the so-called elections of 1939 held in eastern Poland under the auspices of the Red Army, in some districts the figures given of alleged voters were in excess of the actual number of inhabitants.

I might be accused of painting a somber and biased picture of events which have not yet occurred or may develop in some other way. To this my answer is that since the Red armies entered the Polish territory some 18 months ago and since the Soviet sponsored group of so-called Polish patriots has been given the green light in the administration of the country, literally no proof can be given to affirm that the Poles have the freedom of choosing their own government. On the contrary, all news from that unfortunate country confirm the fact that it is a victim of undisguised violence. After 5 years of German manhunting and murder, the Polish people are subjected to a revolutionary unheaval imported from abroad and imposed upon them against their will. National revolutions, including the Soviet one of 1917, are products of national will, and if they involve destruction of life and property they have at least the value of historical short-cuts. They open new vistas for the people in revolt. Imported revolutions, organized by foreign agents and by foreign police, mean only destruction. They are politically and socially sterile. Their only value is to please their mighty sponsors.

The following conditions are indispensable if honest elections are to take place:

First. Immediate release of all political prisoners and return of all deportees to Poland.

Second. Setting up in Poland of an interim administration free from Soviet military and police pressure and composed of political figures trusted by the Polish people who would give assurances against persecution for political views.

Third. Permission for all Poles abroad, without distinction of political views, to return to take part freely in political life.

Fourth. Complete freedom of press and of political organization and agitation in Poland.

Fifth. A free hand for the U. N. R. R. A. working with representative Polish humanitarian organizations, to distribute relief in Poland without any element of political coercion or discrimination.

Sixth. Free access to Poland for United Nations diplomats and correspondents and for representatives of Polish cultural and fraternal organizations abroad, with the right to talk freely with Poles of all political views and report their observations without censorship.

These are elementary demands of liberty and justice. Our Government should use all its influence to promote their realization.

I am mindful of the sacrifices that Russia has made in this war. I am likewise mindful of the sacrifices that England and the United States have made. For the first 2 years England had to stand the full shock of the Nazi fury. The next 2 years were Russia's, and she took terrific punishment and suffered tremendous losses. The last 2 years belong to us. Everyone must agree that if it had not been for the United States and our tremendous supplies of all kinds—on land and sea and air—and the total draft of all of the young men in our Nation into the armed forces of the country, the story of this war may have had a different ending. The ones who will substantiate this statement the best are the beaten and defeated Nazis themselves.

Poland likewise has made tremendous sacrifices and has suffered the most heavy casualties. According to a comprehensive analysis of military and civilian casualties suffered by Poland since the outbreak of the war, compiled by the Polish Army headquarters in London, roughly 10,000,000 people, or more than 28 percent of the country's pre-war population of 35,000,000, have been killed, wounded, taken prisoner, deported, or sent to concentration camps.

I think it best that no one quarrel with Poland on the subject of sufferings, destruction, and sacrifices in property and human life. Certainly the world will not stand silently by and see her suffer more. It is tragic indeed that today on her great holiday that this noble Nation cannot celebrate her complete freedom.

President Truman has firmly stated fundamental American doctrine in his address to the San Francisco Conference. He said: "Might does not make right." "We must be good neighbors to have good neighbors." "The special responsibility of the great states is to serve the peoples of the world and not to dominate them."

The Congress of the United States, the people of America, and the people all over the world know that these words are the foundation for a just and lasting peace.

The people of the world have a great task before them in the reconstruction years ahead. Moscow knows that upon the United States will fall the heaviest burden. We know that it is our duty to aid and assist the people of Europe. We will not shirk our duty. We have a right to expect Moscow to cooperate with us on a basis of justice and equity and to live up to her agreements and obligations.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to my colleague the gentleman from Maryland [Mr. D'ALESANDRO].

Mr. D'ALESANDRO. Mr. Speaker, today is the one hundred and fifty-fourth anniversary of a great event in the history of Poland—the adoption of the Polish Constitution. This historic document was adopted by the free-loving people of Poland on May 3, 1791—less than 3 years after the ratification of the Constitution of the United States. The first written democratic constitution to be adopted by a European nation. It resembles our own Constitution. It recognizes the fundamental principles of democracy.

Polish patriots fought that our Constitution may come into existence, and it is only proper today that America fights that Poland be restored to its former independence. We have millions of Poles in America as our fellow citizens, and they have added enormously to our strength and to our progress.

Today Poland looks to the United States and to our allies with expectation and confidence still unshaken, with spirit still unconquered, proceeding in her work, in her strife, in her faithfulness for this common cause which one of our greatest Presidents, Franklin Roosevelt, defined in so simple, yet so powerful, words, and I quote: "That this war must make the world a better place to live in."

The Poles hope in this better future for a whole, free, and independent Poland. It is the only worthy goal of this great nation, which has behind it over 1,000 years of old culture, so valuable to mankind. For an upright, patriotic Pole there cannot be any other orientation than the desire of a free and independent Poland.

A free Poland will constitute a guaranty of peace and will help to maintain the European equilibrium; a free and independent Polish Nation will render the world services still more valuable than those given in previous years and centuries. Willingly the Poles offer their lives for their freedom and for liberty of other peoples.

Paying a huge toll to unchained demons of war, and at the same time to the gods of democracy and freedom, Poland's cities and villages were burned and destroyed, her innocent people robbed, ravaged, and murdered. Millions of them were expropriated and forcibly transferred to distant foreign lands, her valiant defenders decimated and driven off from their own country by sheer violence and barbarous methods of warfare. It really was not war. It was terror and extermination. Yet, the Poles never gave up nor surrendered—in fact, they never gave up nor surrendered; not for one single day did they cease to fight, struggling against all enemies, all chances, all odds. The Government of Poland had to leave the unfortunate country, relinquishing the land and the people to underground authorities, to conduct affairs as well as possible, and to continue the strife unrelentingly. Since then, during years of privation, moral and physical torture, the Poles have never swerved from the path of honor and fidelity to the ideals of democracy, liberty, and to the sublime goals of our allies.

Out of the peace to come there must also be a better understanding of the problems of the Polish people. We in this country are going to help Poland economically and in every way we can. We want her to become a strong, independent, prosperous nation under a government selected by the Polish people. We want to see a readjustment of the boundaries by agreement arrived at through the Council of Nations to be set up under the Dumbarton Oaks agreement. Once and for all Poland must become and remain a nation of Polish people not under any alien government.

I know the results of the Yalta Conference are a great disappointment to you; and I, for one, share in the hope that the agreement is not final and will be amended at the conference being held at San Francisco.

Yet, we must realize, just as our late President, Franklin Delano Roosevelt, in his last speech before Congress expressed it, that the decision on Poland arrived at at the Yalta Conference was a compromise. I, for one, hope that it is a compromise that will not be lasting, and that by peaceful means within the structure for world peace set up by the Dumbarton Oaks Conference we will be able to restore by peaceable means after the war to Poland what is rightfully Poland's place in Europe. I earnestly hope that there will be a readjustment of the boundaries, so that Poland after the war will more nearly proximate Poland before the war, as the tragedies of the many partitions of Poland are black marks in the history of Europe.

The Conference at San Francisco will mark the beginning of a new era and the people of the small nations, crushed as they have been by large aggressor nations surrounding them, will be able to survive and live in a peaceful world. We must decide whether the "four freedoms" mean what they say and apply to small nations.

We, in the United States, who have been reared in the democratic tradition, believe that right still makes might, and that there must be a triumph of good over evil.

There will be an opportunity for our representatives at this Conference to lay the framework within which the decisions made at Dumbarton Oaks and at Yalta can be so adjusted, that these small nations will be given a new birth of freedom. We must not permit their sufferings to have been in vain; we must not allow their courage to go unrewarded; we must not permit others to crush them. But we must aid them to become strong, independent, prosperous nations in a world living in peace. I demand that our representatives at this Conference do everything in their power to aid these smaller nations in their quest for freedom and the right to live as free men.

In this hour of hard decisions, it is our duty and obligation to give aid and support to a friendly nation to make certain that Poland will rise again.

To the Polish Nation, therefore, on this occasion, we send our salute, our praise, our faith and our prayers; to those who suffer, our sympathy; to those yet in arms all our trust and help; and the Poles, wherever they may be, have our solemn pledge of common fighting purposes, that her enemies shall go down and that Poland shall rise again.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks, and insert a letter that I received from the Polish Roman Catholic Union of America.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The letter referred to is as follows:

APRIL 27, 1945.

HON. THOMAS D'ALESANDRO, JR.,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN D'ALESANDRO: We the members of circuit No. 140 of the Polish Roman Catholic Union, a membership of 2,500 in Baltimore, appeal to you our Congressman, in the name of the "four freedoms" and the Atlantic Charter, in the name of our sons and of all men in the United States armed forces whose sacrifices should mean freedom for the whole world, not slavery for any part of it, to use your voice on behalf of our faithful ally, Poland, so grossly wronged by the decision of the Crimea Conference.

LOUIS A. GRESON,
State Vice President.
MRS. MARY WEBER,
State Vice President.
JOHN M. WEBER,
President.
LOUIS Z. BONCZEK,
Secretary.
PETER F. RYDZYNSKI,
Secretary.
PETER F. SANKOWSKI,
Treasurer.

Mr. DINGELL. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. REED].

Mr. REED of New York. Mr. Speaker, as we take time out from other business to pay our respects to the Polish people, and we recall the fact that they once were a free country under a free constitution, it might be well for us to picture the situation that existed when we were a few struggling colonies. It was in the dark days when Washington was looking for assistance and help from whatever source he could get it that there came to these shores a young man by the name of Thaddeus Kosciusko. He was sent here at the direction of Benjamin Franklin with a letter of introduction to Washington. Washington asked him what he wished to do. He said, "I wish to fight with your forces for liberty." He made a remarkable record in this country. He made a profound impression upon the people fighting for their freedom here.

It is a significant fact that after the war was over the Congress recognized his great ability, and they ceded certain lands to him as part repayment. But what did this great champion of liberty do? He made his will, and he made Thomas Jefferson his executor. In that will he said, "Now that I am about to depart from this country, I bequeath and devise all of my property, of every name and kind in the United States, to my executor to be used to buy the freedom of the slaves and to create schools for their education so that they may become good citizens and good neighbors."

Later on he returned to fight for freedom in his own country, and after he passed away, the Polish people, in their profound love and respect for this great patriot, decided to erect a monument to him. Almost every peasant and prince in bleeding Poland went to all of the battlefields where Kosciusko had fought, and brought in wheelbarrows, carts, and even in their slippers, the soil from those battlefields and poured it in one spot until they had raised a monument 150 feet high and 200 feet in diameter. When they dedicated this monument they planted on its summit two flags: One the American flag, and the other the Polish flag on which was inscribed "Kosciusko, the friend of Washington."

Poland has always suffered and she has always fought for liberty. I remember in the last war how she fought and how she was crushed. To give one illustration, when they were practically starving, there was a great artist in that country who owned a large estate, and he asked of the German officials the privilege of coming to the United States and singing before audiences here that he might send money back to be used to feed his starving people.

The German officials said, "No, you remain upon your estate."

Then the great singer, notified his neighbors and friends to come in from far and near and take food from his granary that they might eat. They came day after day at sunrise. Finally, one morning they came and he had no food to offer. He stood on the little hillside and with the beautiful voice that God had given him poured out all that he had left to give. Later he was found starved to death. That is the spirit of Poland.

What did our allies do in this war? They asked Poland to fight by their side, and Poland took the first ghastly crucifixion from the armies, first from the Nazis and then from the Russians. The sons of Poland have been fighting in all the armies of the allies. They were promised a free Poland. Have they been betrayed and are we a partner to it, or are we going to rise up in our might and demand justice under the Atlantic Charter?

Mr. DINGELL. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, it is rather sad and disappointing on this day as we commemorate the adoption of the famous Polish Constitution of the 3d of May, and as we gaze eagerly in the direction of the San Francisco Conference, where stands the vacant chair which should rightfully be filled by the representative of our gallant Polish ally. The inexplicable vacancy will remain as a tragic and a historical paradox and the blame rightfully should fall upon those who, for selfish and imperialistic reasons, have stood in the way of seating an accredited Polish delegation.

The issue insofar as the Big Three is concerned is one of righteousness, of a bona fide representation for our original and gallant ally, Poland. We Americans, and our British allies, are invincible in our stand that spokesmen for the Polish people and their Government must be representative of that great nation. The attitude of the Russian Government is unfeasible and impossible. The present Lublin government is Communist, it is not Polish, and it is not democratic any more than Russia is democratic. The legitimate and the recognized Government of Poland in exile is, of course, comprised of Democrats, Liberals, and Conservatives. They are not necessarily anti-Russian because they are not communistic. They are merely pro-Polish and have always been so.

Under the Yalta Agreement it was specifically understood, and our late and beloved President Roosevelt, Poland's greatest friend, assured the Congress and the world that the Polish Government would be representative of all of the Polish people and would include representatives of the Polish underground, of the Lublin government, and of certain Democratic members of the Government in exile, as well as other Democratic individuals in and out of Poland.

Russia had solemnly agreed to that proposal at Yalta but until this day she has not fulfilled her promise to a trusting world and to her friend, the late lamented President Roosevelt. It is as heartening as it is commendable, Mr. Speaker, that President Harry S. Truman, having a full grasp and understanding of the situation, has definitely served notice upon Russia, Mr. Stalin, Mr. Molotov, and upon the entire world, that he stands uncompromisingly for the fulfillment of the understanding entered into under the Yalta agreement.

In the meantime, I want to say, Mr. Speaker, that it would be better that the vacant chair, properly reserved for Poland, should remain unoccupied as an anecdote of man's inhumanity to man and as a monument to the brutal mistreatment of one ally toward another. The only thing involved in the controversy between Russia and Poland is not hatred or unfriendliness of the Poles toward their imperialistic neighbor, but instead the uncompromising and indomitable will of the Poles to remain free and independent in control of their own government, a Christian nation, a democratic nation, and, as always, a haven for the oppressed. The great bulk of the American people are heart and soul with the people of Poland on this great anniversary of the adoption of the constitution of the third of May. It is hoped that in the near future all differences between the Allies will be dispelled and that a genuinely democratic government, comprising all elements shall be established in Warsaw. International understanding and amity having been reestablished, it is hoped that that gallant, tired, and blood-stained Polish Army, which fought on every front from England and Narvik to France, Italy, and north Africa, on the sea and in the air, shall be welcomed with open arms by the people of Poland where they might live their lives in peace, happiness, and contentment.

At San Francisco Mr. Molotov has asked repeatedly, Mr. Speaker, why it is that Argentina has been seated and Poland, who has done so much for the Allied cause, has been denied a seat at the Conference in San Francisco. No one is better qualified to answer that question than the men who raised the question—Mr. Molotov, Mr. Stalin, and the Russian Government. They can answer it because they have stood uncompromisingly in the way of the seating of a legitimate representative of the Polish Government.

Mr. Speaker, I now yield such time as he may require to my friend, the gentleman from Illinois [Mr. GORSKI].

ANNIVERSARY GREETINGS TO POLAND

Mr. GORSKI. Mr. Speaker, all liberty and freedom-loving people join patriotic Poland today in celebrating their one hundred and fifty-fourth anniversay of the adoption of their constitution of May 3, 1791.

For nearly 6 years their country was occupied by Germany. During that period of time the most vicious and inhuman cruelties were inflicted upon the people of Poland by the aggressor. All of the Allied Nations rejoice in the knowledge that Poland now has been liberated from the Nazis.

People throughout the civilized world have been shocked and amazed by recent revelations of the cruelty, brutality, and barbarian treatment which has been inflicted upon the unfortunate human beings who were sent to Germany concentration camps as prisoners of war, or as slave laborers. While some of the atrocities have been disclosed, we do not yet know how many millions of patriotic Poles and peoples of other nationalities have been executed by the Nazis, or what

horrible tortures and agonies they must have endured, before death finally ended their sufferings.

The people of Poland were among the first to suffer from the cruelty and brutality, which was conceived in the bestial and distorted minds of the Nazis, who seemingly had no pity or mercy for the aged, the women, or the children, in their attempt to terrorize the victims of the conquered countries.

Deep within the heart of all good people throughout the world is the fervent hope and prayer that each and every one of the perpetrators of these fiendish atrocities will be brought to justice and punished for these crimes. Let us hope that none of the guilty shall escape.

Poland has bled and suffered in the defense of her lands and her freedom. Her history is rich in the gallantry and bravery of her people in their fight to preserve their country. The spirit of the Polish people is as strong and steadfast today as ever before, in their determination to be a free and independent nation.

The Poles have shown by the hardships they have endured during the occupation of their country, how dearly they love freedom and liberty. They defied Hitler and his hordes of cruel bandits and gestapo agents when the Nazis were at the height of their military power, and through their great sufferings, their hardships and sacrifices, their devotion to liberty and independence, they have inspired freedom-loving people all over the world.

Although their country was completely overrun by the aggressor, they carried on the fight for freedom and democracy. There were no collaborators among the Poles. They perfected the most efficient underground system and aided their allies by giving them valuable information and they never ceased in carrying on guerrilla warfare against the Nazis.

When in the summer of 1939 Hitler made demands upon Poland, which if agreed to would have reduced Poland to a subservient State, the Polish Government refused his demands. Even though they knew it meant war and certain defeat, they preferred to die fighting, rather than surrender their independence and sovereignty.

The heroic acts of the Polish soldiers, sailors, and aviators, serving in all the European armies of the United Nations in this war are too well known to be repeated. Suffice it to say that they have been a part of every important campaign, and have by their valor and bravery, contributed immeasurably to the success of the Allied armies.

We know the spirit of the Polish soldiers and we know they will fight side by side with their allies in their common cause, until our enemies are crushed, wherever these enemies may be. As this war in Europe draws to a close and the barbaric Nazis are on the verge of complete defeat, and with disaster facing their country, we gratefully acknowledge the share and contribution the brave soldiers of Poland have made, not only to liberate their own nation, but to save the world from enslavement by a cruel and inhuman foe.

We salute the brave people of Poland on this anniversary. We know their tragic history. We know how hard they fought and how much they suffered to preserve and maintain their freedom and independence.

We hope their complete liberation is at hand and that their people will soon enjoy the blessings of a free and independent Poland, for which they fought so hard and which they rightfully deserve.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to the distinguished gentleman from Pennsylvania [Mr. BRADLEY].

Mr. BRADLEY of Pennsylvania. Mr. Speaker, it is signally fortunate that the anniversary of the signing of the Polish Constitution this year is coincident with the meeting being held at San Francisco.

Everyone familiar with the history of Poland recalls the circumstances which brought this constitution into effect in 1793, and they know what followed in a short time after that constitution was adopted. Poland was partioned for the third time by Russia, Germany, and Austria, and then for decades that unhappy land felt the tyranny of those three powers. Following the First World War, due mainly to the efforts of Woodrow Wilson, Poland was again established as a nation. Without detracting in any way from the heroism of the soldiers of the Soviet Government, without in any way minimizing their contribution to the events which are taking place in Germany today, we must also remember that Poland in the hour of her need felt the weight of Russian aggression on her eastern borders when Germany was attacking on the west.

I hope that the Russian statesmen who are attending the Conference at San Francisco will read the CONGRESSIONAL RECORD tomorrow so that they may realize that in the Congress of the United States and in the minds of the American people there is a deep interest in this question. It is foolish for the Russian propagandists to tell us that the people of Poland are behind the puppet government which Russia installed in Warsaw. We, who intimately know citizens of America of Polish birth and descent, know that they advocate no ideologies which have for their purpose the eradication of religion and the support of a government which condones atheism in its place. We know that the people of Poland are loyal to their traditions. They want the right to worship God in the manner that their consciences dictate and they do not wish a government thrust upon them which would destroy everything they hold dear. We in America are behind them in their demands to install their own government, because those demands are in conformity with the principles of the Atlantic Charter. Thousands of American boys of Polish descent have given their lives for these principles.

I am happy that President Truman, at the outset of the San Francisco Conference, refused to accede to the demands of Russia that the puppet, communistic government of Warsaw be recognized at the San Francisco Conference. I hope our Government continues its attitude in this respect and that Commissar Molotov will carry the message back to Moscow that the American people give no aid and comfort to the program of Russia to set up these communistic, puppet regimes in the liberated nations of Europe.

Mr. DINGELL. Mr. Speaker, I want to say at this point that I believe the expressions in the House today will make some impression upon our Russian allies and give them to understand what is the feeling of the Members of Congress on this matter.

I now yield such time as he may desire to my distinguished friend from New York [Mr. EDWIN ARTHUR HALL].

Mr. EDWIN ARTHUR HALL. Mr. Speaker, at the beginning of the twentieth century there was a considerable influx of Polish immigrants into my district. They took their places there as fine American citizens. They proceeded to help build one of the greatest shoe corporations in the world. The brawn and strength and courage and integrity of thousands of Poles who came directly to the triple cities area labored to produce Endicott-Johnson shoes for the civilians of our country. Came the war, and they turned out shoes by the millions for the armed forces of this country and for our allies.

So it is a special tribute that I wish to pay to these people of Polish origin in my own district and throughout America. Along with the Anglo-Saxon, the Slav, the Italian, the Russian, and all those other segments of population from countries in Europe, they have came to the United States to make their homes and to build up the industries which have made for victory and for progress in America.

As long as the word "republic" continues to be written and the concept of constitutional government endures throughout the world the name of Poland will remain heroic. Can our memories be so short as not to remember the magnificent defense of all Europe against the Nazi aggressors in 1939 when that country of just a few millions stood up against the great German war machine as it rolled eastward in Germany's program of world conquest. Can we forget that when many of the other nations of the world were either unprepared or unwilling to lock horns with the enemy, little Poland defended the freedom of the world by standing alone in the fight?

No, Mr. Speaker, we must not forget. And so, as we pause on this day of May 3, Polish Constitution Day, we must acknowledge the eternal devotion of Poland as a great freedom loving nation. Throughout the world her name will live forever. I solemnly believe it is the duty of the peace conference in San Francisco and the other conferences which will be held thereafter to see that Poland occupies a place in the sun. It is their duty to see that her independence is maintained in the face of any world power. Her people must be assured throughout generations to come of that security which we expect in the brotherhood of nations; from now on Poland must par-

ticipate as a sovereign state in that permanent peace for which we all pray.

Mr. DINGELL. Mr. Speaker, I yield to my distinguished colleague the gentleman from Wisconsin [Mr. WASIELEWSKI] 10 minutes.

Mr. WASIELEWSKI. Mr. Speaker, for the fourth consecutive year, the House sets aside its business of the day to commemorate Polanu's Constitution Day. Again we are all gathered here to pay homage to the early democracy of a gallant and constant ally.

Poland was the first European country in modern times to adopt a written constitution. Democracy, however, was not foreign to Poland since her kings were elected over a period of 300 or 400 years before the adoption of the constitution. True, only the gentry participated in these elections, but nevertheless it represented a more democratic form of government than could be found anywhere else in Europe during that period of totalitarian despotism. Today marks the fifth consecutive year this memorable day is observed while Poland is experiencing her most difficult and trying days in history, a history that extends over more than 10 centuries.

As the last outpost of the western world, Poland has been repeatedly called upon to protect and preserve Christian civilization. In the early years of her history, she acted as a buffer against the frequent threats of the Tartars and other Asiatic nomads. During the seventeenth century, under the heroic leadership of Jan Sobieski, she prevented the Mohammedan invasion of Europe by putting to rout the Turkish armies that threatened the gates of Vienna. In the twentieth century when she was without any organized army and attempting to reestablish herself as a national entity after 150 years of slavery, Poland saved Europe from Bolshevism by decisively defeating a numerically superior Bolshevik Army at Warsaw. Today she played a most important role in saving the world from nazism, being the first to resist Nazi aggression. At the beginning of World War No. 2, as a result of the Molotov-Ribbentrop treaty, Russia marched into Poland from the east while the Poles were engaged in a life and death struggle with Nazi Germany. Since Poland had a nonaggression pact with Russia, this attack was wholly unexpected. However, Mr. Molotov then claimed that the Polish state had collapsed and therefore all treaties with Poland became void. Russia refused to recognize the Polish Government that at the moment was, and still is, intact. In fact the Polish Government, when the attack on Poland was begun by Russia, was still on Polish soil and was compelled to leave Poland only to save the President of the Polish Republic and the other members of the Government from arrest by the Soviet authorities. If the President and the other members had remained in Poland and were captured by the Russians that undoubtedly would have terminated the existence of a sovereign and independent Polish authority.

Outside of Soviet Russia and the Axis Powers, the nations of the world nevertheless recognized the unchanged existence of the Polish state. Secretary of State, Cordell Hull, made the following statement after the Soviet aggression, on the occasion of the notification by the Polish Ambassador in Washington regarding the establishment of the Polish Government in France—published in the Bulletin of the State Department, 1940:

> Mere seizure of territory does not extinguish the legal existence of a government. The United States, therefore, continues to regard the Government of Poland as in existence in accordance with the provisions of the Constitution of Poland.

It is an interesting coincidence that, as at the beginning of World War No. 2, so now on the eve of the end of war in Europe, Soviet Russia and the Axis Powers are still the only countries in the world by which the legal and constitutional government of Poland is not recognized.

Lasting peace requires mutual and sincere respect among peoples of the world, cooperation must exist among nations. Unless governments can inspire confidence by their action, cooperation and collaboration is well-nigh impossible. We have, for our part, wholeheartedly made available to Russia every assistance and know-how at our command. However, to date the Soviets have failed to reciprocate in kind or otherwise. Entrance to Russia, to her war fronts, to her war plants is still generally denied our experts. Cooperation cannot be a one-way street.

The importance of Russia in the world of tomorrow is appreciated by all of us. I am interested, as is every American, in having a full and complete understanding and cooperation with this great nation. If we are to have a lasting peace, cooperation is necessary, but this cooperation must not be bargained for at the expense of our national honor, our treaty obligations, our democratic ideals, and our responsibility as a great nation.

The firmness evidenced by our State Department and our Commander in Chief in the past several days with respect to the relations of Soviet Russia, Poland, and the Baltic and Balkan countries has been most reassuring and demonstrates that America intends to carry out her pledge to her sons and daughters in the armed forces to establish a lasting peace after this war is won. Lasting peace can only be realized if it is established on justice and morality in keeping with our long-established American democratic ideals.

I am confident that our problem is not insurmountable, that the Russian people will realize that their stake in the future is as great as ours, and that we shall be able to reach a state of complete cooperation and understanding with the Russian Government.

Let us pray that before the next Polish Constitution Day is celebrated we may have full accord with Russia as well as the other countries of the world; that Poland, under a legal and democratic constitutional government, may be well on the way to resuming her place as an important democracy; that a world organization providing for civilized methods of settling differences between peoples may be established and assure all men of good will a lasting peace.

Mr. DINGELL. Mr. Speaker, I yield to the distinguished majority leader the gentleman from Massachusetts [Mr. MCCORMACK] such time as he may desire.

Mr. MCCORMACK. Mr. Speaker, I am pleased to note that Speaker RAYBURN has designated the brilliant and distinguished gentleman from Michigan [Mr. RABAUT] to preside over the House during this period set aside to commemorate Poland Constitution Day.

I am also pleased to note that the Member in charge of time, one of the outstanding Members of the House, is my valiant friend the gentleman from Michigan [Mr. DINGELL].

Mr. Speaker, the people of the United States, ever since the early days of our constitutional history, yes, preceding the actual days of our constitutional history and going into the days of the Revolution, have always had a strong feeling of respect and friendship for the people of Poland. That is based upon a close relationship and a close friendship that has existed for a number of generations and because of the marked contributions made by brave sons of Poland to our success during the Revolutionary War.

We all remember the brave Pulaski and we all remember the brave Kossiusko who, denied liberty in their own land, came to America to assist the people of the Thirteen Colonies in obtaining the independence which they sought and, as the result of which help give to us today the great country that we enjoy.

We also have in mind that Poland adopted its written constitution only 4 years after our country put into operation the written Constitution which is our basic law. We therefore have a strong feeling of friendship that has existed between the peoples of the two countries for countless generations; a friendship which has never been dimmed but, to the contrary, as the years have gone by, has been strengthened.

We also have in mind that the brave people of Poland have always been a liberty-loving people. They are a people of intense religious feeling; a people whose faith has always been strong, noble, and uplifting, and as the result of the sound premises upon which their thinking was based, have always contributed to the progress of mankind in its painful journey onward. The same fundamentals that we believe in have been believed in for countless generations by the brave people of Poland. The same ideals that we have in mind as a people, and as a Government, the people of Poland have entertained and sought during the periods that they have had their government in existence.

Coming down to modern times, we find the great contribution of Poland in resisting the attempts of Hitler and his Nazi regime to conquer and enslave the modern world.

Poland and its people were the first government and people to keep faith to the treaties they had made. Poland and its people were the first government and people to resist by actual combat in open warfare the efforts of Hitler and his gangsters to defeat and conquer the world.

Poland throughout the ages has always fought on the side of right. Hundreds of years ago the people of those days were indebted to the great liberty- and religion-loving people of Poland for preserving Christianity and modern civilization. The history of today also shows that we are indebted to the people of Poland and their brave government for having the courage to resist the tremendous military machine that Hitler and his cohorts in Nazi Germany had built and developed, with the intention, as Hitler openly stated in Mein Kampf, of establishing his totalitarian form of government for one thousand years; and in order to do that Hitler and his gangsters had to conquer the entire world. So we have that historical background down through the centuries to the present time.

Now that Hitler is defeated, the people of America, speaking through their duly-elected representatives in this body, are proud to proclaim to all the nations and all the peoples of the world the close friendship that exists between America and Poland, and the fact that the people of America are as unanimously agreed as they have ever been on any question that the rules of equity and justice at the peace table should be applied and extended to the brave people and Government of Poland.

As I see it, the best interests of future permanent world peace calls for the statesmen of the United Nations to give to Poland the territory that historically and rightfully belongs to it. The best interests of future permanent peace throughout the world call for the people of Poland being able to determine in their own way the government they want to have as theirs in the years to come.

Poland historically has always fought on the side of justice. Poland throughout it entire history has always been a liberty- and a religion-loving people. It is the duty and responsibility of all governments in the consideration of permanent peace, and particularly in view of the contribution made by the sons of Poland to the progress of America to success during the Revolutionary War and of the sons and daughters of Poland, and their descendants during the progress of our country in the generations that have succeeded, to utilize the powers of our Government to the fullest extent possible in seeing that justice and equity at the peace table are extended to the people and the Government of Poland.

Poland with its great past, with its ups and downs that history has recorded, has never had the faith or the courage of its people dimmed. They have always preserved with intensity the faith they believed in and which they intensely loved. Poland, great in bygone generations; Poland, undergoing pain and suffering of the last 6 years, should be reestablished in the position it rightfully occupies as one of the powerful nations of the world. In that position Poland in the future will make its contribution always on the side of equity and justice, and always on the side of peace, to the progress of mankind toward the great objective that we seek of "Peace on earth to men of good will."

Mr. DINGELL. Mr. Speaker, I yield 1 minute to my colleague the gentleman from Massachusetts [Mr. CLASON].

Mr. CLASON. Mr. Speaker, in other years on May 3 I have had the pleasure and the privilege of speaking in praise of the Polish people and their great place in history. It is well that the Congress of the United States should today celebrate the signing of the famous eighteenth-century Polish Constitution. It brought democracy to Poland a century and a half ago.

A document will shortly be signed at San Francisco which should bring to the people of Poland present-day freedom in the choosing of their form of government and participation in the determining of their country's boundaries in the coming post-war era.

All Americans anxiously wish for our delegates to insist upon an agreement based upon the principles set forth in the Atlantic Charter as announced in Congress in the message of President Roosevelt in August 1941. The Polish people are our brave and loyal allies. May they have at our hands the treatment and the assistance they have every right to expect. May Poland soon arise stronger and finer than ever before.

The SPEAKER pro tempore (Mr. RABAUT). The time of the gentleman from Massachusetts has expired.

Mr. DINGELL. Mr. Speaker, I yield 5 minutes to my friend the gentleman from Illinois [Mr. LINK].

POLAND'S NATIONAL HOLIDAY

Mr. LINK. Mr. Speaker, the 3d of May is Poland's national holiday. It commemorates the signing of the Polish Constitution of May 3, 1791. This is one of the world's great documents of freedom, like the Magna Carta, the declaration of the rights of man, and the American Declaration of Independence.

By this action, the Polish Nation showed its love for liberty and democracy and was far ahead of most of the nations of Europe. The love of freedom is very deeply set in the hearts of the Polish people. Throughout the centuries, history records her sons fighting and dying on freedom's battlefields all over the world.

This constitution of the 3d of May was a symbol of the ideals of democracy and liberty. It clearly defined the direction of development which Poland was taking, for, as Edmund Burke so truly remarked:

> It possesses a value of no mean importance to the progress of mankind.

Like our own Constitution, it proclaimed the division of authority in three separate branches—legislative, executive, and judicial. It accepted the principle of religious toleration. It extended the full protection of law to the peasants. Four years later, the constitution was spplemented by Kosciusko's famous proclamation, Universal Polaniecki, giving full civil rights to the peasants, whose freedom of movement previously had been restricted.

This May 3 constitution was one of the first of its kind adopted in Europe. Although similar to ours, which grants to our citizens life, liberty, and the pursuit of happiness, it was not exactly the same. However, our Constitution, which was adopted but a few years earlier, had certain influences upon the Polish Constitution. This fact is borne out in a letter written by Thaddeus Kosciusko to a faithful friend, in which he stated:

> The Americans, a far-distant people, colonies of England, have declared their independence and published their manifesto to the whole world. It is a wonderful instrument, and will hereafter be the textbook for nations who mean to be free. This manifesto makes my love for my country glow and burn with a purer fire.

Further evidence of this influence is borne out by the words of King Stanislaw August, who declared that the constitution had been framed out of the English and American forms of government.

David Humphrey, in a letter to Gen. Thaddeus Kosciusko, dated October 1791, stated that George Washington, then President of the United States, declared:

> Poland, by the public papers, appears to have made large and unexpected strides toward liberty.

The adoption of the 3d of May constitution is the result of the Polish people's intense love of liberty and their full faith in their fellow man.

Poland was the first that dared to oppose the Axis Powers and was struck by the full might of the Nazi juggernaut. Not only were the Nazi savages not satisfied with crushing her armies and destroying her cities and enslaving her people, but so intent were they on destroying Poland as a nation and the Polish people as a race, that they even established murder camps in which they systematically destroyed the people by starvation and gas chambers.

Poland today is a very sad country—its young men either dead or driven out—its women and children weakened by the long years of suffering—her strength and virility at a very low ebb. Poland's sufferings should not be for naught.

As an American of Polish descent, it is my sincere hope and fervent prayer, that after this present struggle, in which all nations are involved, Poland will be the first nation in Europe to adopt a constitution patterned very closely after the Constitution of our own United States, and which has proven so far to be the most perfect anywhere on this earth, for it will bring to all the people of Poland, after these years of misery, a right to life, liberty, and the pursuit of happiness. Then Poland can again take an honored place in the family of free nations of the world.

Poland, for the peace of the world, must be reestablished as a free and independent nation. She must again take her place amongst the liberty-loving nations of the world. This she cannot attain unless she has peace; a long and lasting peace, and this peace will not be a lasting peace unless it is guaranteed by the United States, by England, and by Russia.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to the distinguished gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, I have an office associate back in my home city who had a friend who was a clergyman. He was 96 years old. He was about to die. This clergyman said to his friend on his deathbed, "Many times during my life I have said things that I regretted, but never once have I regretted keeping my mouth shut."

I was relating this to another clergyman of the same faith, and that clergyman said, "I disagree with that point of view. I feel there were many times when I should have spoken out, and I have regretted remaining silent at that time."

This is one of those occasions. Year after year we appear here on this day to pay tribute to the great Polish people, and properly so. It is most fitting that we pause for a moment during our very busy congressional life to pay tribute to a great people, but we must not forget that in years past we, as a great world power, along with the other great world powers, have sacrificed principle for the sake of expediency. I refer especially to that memorable day back in September 1938, when the great powers of the world sacrificed principle for the sake of expediency at the Munich Conference, when Czechoslovakia was dismembered, and the Sudetenland was ceded to the Nazis. That was the greatest betrayal since the betrayal of Jesus Christ. The world has paid dearly for that betrayal with the precious blood of millions of boys and girls.

At this moment, at the meeting of the San Francisco Conference, when the rights of the smaller nations are debated we cannot afford to sacrifice principle for expediency.

It is proper and fitting and it is most timely at this hour that the Congress pause while this meeting is being held at San Francisco, and while the great powers have the voice which they do have there, to express our desire that the rights of the small nations be not forgotten, lest we may ignite another great conflagration a decade or two hence.

I am proud to be here to say a word in behalf of the Polish people, as I would of any other small nation in Europe. I hope their rights will be respected and that justice will prevail. Truth and justice must prevail.

On this day I am reminded of a verse from The Battlefield, a poem by William Cullen Bryant:

> Truth crushed to earth shall rise again;
> The eternal years of God are hers;
> But error, wounded, writhes with pain,
> And dies among his worshippers.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to the gentleman from Pennsylvania [Mr. MURPHY].

Mr. MURPHY. Mr. Speaker, I am honored and privileged in having the opportunity to join in the celebration of the one hundred and fifty-fourth anniversary of the adoption of the Polish Constitution on May 3, 1791. One year ago I was accorded the same privilege, to speak with Republicans and Democrats unanimously the sentiment of the House, speaking of Poland, the Polish people, their achievements, their sufferings, and their problems.

Back home tonight the people of my district will join in celebrating the adoption of the Polish Constitution and will speak of Poland and her problems, with Mr. John B. Kennedy, distinguished commentator, as the principal speaker.

What a change has occurred since last year when we celebrated on May 3! Yesterday 1,000,000 Germans surrendered in Italy; Berlin and Hamburg have surrendered; Mussolini, Hitler, and Goebbels are dead.

But in the midst of this wonderful change for the better we must not forget that we are fighting for a principle. We may defeat the enemy, we may win the war, we may have a victory, but if it is not a victory of justice it is an empty and hollow one. It seems to me that the death of each American soldier is far more important in the pages of history than the death of any leader of the enemy. Let us here resolve that that American soldier and all soldiers of the United Nations have not died in vain, that this victory will not be without justice, that at San Francisco the principles of St. Francis will be followed and that the rights of small nations, not alone Poland, but all the small nations of the world, shall be respected and properly regarded under the terms of the Atlantic Charter.

Mr. DINGELL. Mr. Speaker, I yield to my distinguished colleague the gentleman from Illinois [Mr. GORDON] such time as he may require.

Mr. GORDON. Mr. Speaker, it is with pleasure and pride that I take the stand to address this House on the one hundred and fifty-forth anniversary of the Polish Constitution of May 3. We Americans are pleased to avail ourselves of the privilege of freedom of speech afforded by this country, to recall the famous Polish Constitution by which Poland was first to join the ranks of those nations struggling for European democracy.

The constitution of May 3 abolished restrictions upon the freedom of the individual and gave the Polish Nation a democratic form of government. However, due to the aggressiveness of its neighbors, this nation was allowed but a short time in which to enjoy the blessings of its democratic rule. The three powerful neighbors of Poland—Russia, Germany, and Austria—were dissatisfied with the reforms introduced in Poland by this constitution. They connived among themselves, and partitioning Poland, put an end to the freedom and democracy of the Polish Nation. It was not until much later, that thanks to the efforts of one of our Presidents, Woodrow Wilson, it regained its freedom and independence.

A long time ago historians claimed, that the principal motive of Poland's partitions was the fear of its neighboring and aggressive states, that the democratic Polish Constitution was a potential threat to their own autocratic rule. Historical Poland was destroyed because she recognized the rights and freedom of the individual—privileges that were denied the subjects of the neighboring powers. Historical Poland was crushed because she followed the course of humanity's progress, because she became the forerunner of a new era in the life of European nations—an era of democracy that reached full growth in Europe only after the revolution of 1848.

It is impossible today to recall the constitution of May 3, without comparing the events of the eighteenth century with what is taking place in Europe now and what is now threatening the Polish Nation.

Mr. Speaker, after years of unfortunate appeasement of Germany, during the dark days of September 1939, it was the Polish Nation which first took up arms against the evil forces of violence and aggression. We are now in the sixth year of the European war. The events of war developed in such a way, that many of us subconsciously forget the part that Paland played in this war. We forget the ideals and the principles, which Poland rose to defend, and which are being fought for today by almost the entire world.

We forget that the chief slogan at the outbreak of war was the struggle for individual freedom, the defense of the weaker against the stronger, the struggle for justice above evil. We are grateful to our President, Mr. Truman, for having stated in his inaugural address that we will faithfully guard the above principles. His assurance that "the responsibility of the great States is to serve and not dominate the peoples of the world" allows us to believe that our policy will not be deteriorated by the maneuverings of power politics.

Let us think for a moment—did the situation of Poland at the close of the eighteenth century differ from that of the present? No, it did not. On the contrary, there is a close comparison. Historical Poland desired to assure freedom to the individual and in this she was opposed by her powerful neighbors. Contemporary Poland took up arms in defense of freedom and full sovereignty for smaller nations. And here again she met with the opposition of her neighbors in the west and in the east. Because the Polish Government in London refused to submit to the dictates of its eastern neighbor, it encountered tremendous difficulties that distressed the whole Polish Nation. Because the Polish Government in London became the champion of liberty and sovereignty for all weaker nations of Europe, it became at once the subject of unfounded insults and false accusations. Despite the fact that the entire Polish Nation did not cease for a moment in fighting against violence and aggression, today its mighty eastern neighbor is trying to deprive it of the freedom for which that nation sacrificed so much blood and lost one-third of its population.

Today, when at the San Francisco Conference plans are being drawn for the future peace of the world, it is necessary to define the views of the United States in regard to the Polish question. Today's discussion in the Congress of the United States should reecho the opinions of the whole country and the entire American Nation.

It is perfectly clear that this attitude of ours in respect to Poland should be

governed by those principles which guide the American Nation in its struggle for a better tomorrow. Those principles were most tangibly expressed by the late President Roosevelt in his address to the Congress of the United States delivered on January 6, 1941. I quote:

> We were committed to full support of resolute peoples everywhere who were resisting aggression and were thereby keeping war away from our hemisphere; and we were committed to the proposition that principles of morality and considerations for our own security would never permit us to acquiesce in a peace dictated by aggressors and sponsored by appeasers.

Departure from these principles during the peace conference which is to settle world matters would create a great danger to the future peace of the world. Whoever claims that we ought to compromise in the above cited principles expressed by President Roosevelt works against the interests of this country. For the betrayal of those principles it would, without any doubt, threaten the future with new conflicts and difficulties.

Thus, today in recalling the historical attainments of the Polish Constitution of May 3, let me express the profound belief that the American Nation and its Government will never agree that Poland, who was the first to fight, should be the first to be abandoned.

Mr. DINGELL. Mr. Speaker, I yield such time as he may require to the gentleman from Delaware [Mr. TRAYNOR].

Mr. TRAYNOR. Mr. Speaker, today, May 3, 1945, marks the one hundred and fifty-fourth anniversary of the adoption of a democratic constitution by the people of Poland.

It is only fitting and proper that we of America pay tribute to the people of Poland and to those citizens of the United States of Polish origin.

The history of Poland is a history of a great people who have always fought for political and religious freedoms; a people who by their very nature are deeply religious and home loving.

History records that many generations ago the great people of Poland saved Christianity from the pagan hordes that had overrun Europe.

In the present conflict when Poland was brutally attacked, when her soil was desecrated by the invasion of the German armies, and her cities and towns were destroyed, and her farm lands laid waste, Poland fought on and alone.

Poland was fighting to stave off an enemy who was endeavoring to shackle her with the chains of slavery.

Poland continued to fight in the face of inevitable defeat. It is because of justice and love for liberty that Poland shall continue to fight until the enemy is driven from her sacred soil.

We know of the great contribution made by those of Polish origin to our own country, and of Pulaski and other great Poles of Revolutionary days.

We of America sympathize with the people of Poland. The people of America are determined to do everything in their power to bring about a victory which will mean the reestablishment of Poland, as an independent nation, with the right of the people of Poland to shape and direct their own destiny; so that Poland might once again take her rightful place among the nations of the world.

We in America are proud of those Americans of Polish origin. We are proud of their contribution in the cause of democracy. They have given and are continuing to give their sons and daughters in the fight for preservation of our institutions and our democratic way of life.

The sons of Poland have shed their life's blood on the far-flung battlefields of the world, so that freedom shall once again reign throughout the world.

The people of Poland, the people of America, and the people throughout the world are fighting so that the Atlantic Charter, with its "four freedoms" shall become a reality. It is my wish and prayer that the Government of Poland will be represented at the United Nations Conference at San Francisco before the Conference adjourns.

Mr. Speaker, I wish to say a prayer for peace and justice, and the end of the war for Poland:

Dear God, in a world that's racked with war
  Let us think of the coming years
When the cannon's core has ceased its roar
  And the nations dry their tears.
Keep thou our hearts unblemished,
  Give us strength to wait release;
And let us live as men should live
  In a fight for the God of Peace.

Heavenly Father, grant that we may last
  To build the world again;
To know, when war is a thing of the past,
  A brotherhood of men.
Bless thou the aged with Thy light;
  Protect our troubled youth,
And let us fight as men should fight
  In a war for the God of truth.

Thy will be done, if Thou decree
  That many shall die afield,
But let us go face to the foe,
  Sustain us, lest we yield.
Let no men cry they saw Poles and Americans
  fly
  The battle's agony.
And let us die as men should die
  In a fight for liberty.

Mr. DINGELL. Mr. Speaker, I yield to the distinguished gentleman from Michigan [Mr. RABAUT] such time as he may require.

Mr. RABAUT. Mr. Speaker, today as we gather in this House to pay honor in this legislative body to the country of Poland and its people, I am reminded that we could not dwell upon the subject of music in its finer vein without thinking of Poland. I am reminded that we could not go into the realm of art with its pictures on canvas of the homey scenes of peasant life or the farmland scenes with the cattle on the greens without thinking of Poland. I am reminded of their great love of home and their frugality in order that they might attain their place in life. From humble beginnings they worked to build the stalwart residences that we know they had. I cannot contemplate these attributes without thinking of Poland.

I am reminded that politically they were devoted to our Nation when we were young and struggling, and that their leaders came to our assistance. They were leaders from Poland.

I am reminded of Poland when I see the steeples of the churches that dot the world. Their contribution to religion not only in the form of mortar and stone but in the sacrificed lives of their people stands at the forefront even in the world today. Poland has made many sacrifices for the best of things in life, and those sacrifices are the cause of development of great character.

Mr. Speaker, I compliment my colleague the gentleman from Michigan [Mr. DINGELL] on devoting the time and the effort he has, and I commend him on the selection of his friends here in the House to speak today on this the occasion of their anniversary.

Mr. DINGELL. Mr. Speaker, I yield the balance of the time to my distinguished friend the gentleman from Washington [Mr. DE LACY].

Mr. DE LACY. Mr. Speaker, as we celebrate this anniversary of the national aspirations of Poland, we cannot avoid making reference, as other speakers have done, to the great Conference taking place in San Francisco, the hope of all nations and all peoples for freedom, independence, and lasting peace.

America is fighting side by side with her allies in unbreakable solidarity, with the great Polish people, with the unyielding British, the resurgent French, the unsubdued Chinese, who have faced everything the Japanese could give and still fight on, the magnificently striking Red army, and with the courageous peoples of others of our allies.

At San Francisco America is determined to turn our invincible coalition for waging war into an equally invincible organization for waging peace.

We are as determined that Poland shall enjoy the blessings of freedom and security as we are that our own Nation and every other allied with us in this great struggle shall enjoy those blessings. As our greatest statesman, our late President, reported to this Congress, the discussions at Yalta reached a solution of the Polish question in principle.

And today, one of the finest tributes that could be paid to the aspirations of the Polish people and their descendants in other lands is to recall Mr. Roosevelt's own language. He said:

> One outstanding example of joint action by the three major Allied Powers was the solution reached on Poland. The whole Polish question was a potential source of trouble in postwar Europe, and we came to the Conference determined to find a common ground for its solution. We did. We know everybody does not agree with it—obviously.
>
> Our objective was to help create a strong, independent, and prosperous nation—that is the thing we must all remember—those words agreed to by Russia, by Britain, and by me: The objective of making Poland a strong, independent, and prosperous nation with a government ultimately to be selected by the Polish people themselves.
>
> To achieve this objective, it was necessary to provide for the formation of a new government much more representative than had been possible while Poland was enslaved. There are, you know, two governments; one in London, one in Lublin, practically in Russia.

Accordingly, steps were taken at Yalta to reorganize the existing Provisional Government in Poland on a broader democratic basis, so as to include democratic leaders now in Poland and those abroad. This new, reorganized Government will be recognized by all of us as the temporary Government of Poland. Poland needs a temporary government in the worst way—an interim government is another way to put it. However, the new Polish Provisional Government of National Unity will be pledged to holding a free election as soon as possible on the basis of universal suffrage and a secret ballot.

Throughout history Poland has been the corridor through which attacks on Russia have been made. Twice in this generation Germany has struck at Russia through this corridor. To insure European security and world peace, a strong and independent Poland is necessary to prevent that from happening again.

The decisions with respect to the boundaries of Poland were frankly a compromise. I did not agree with all of it by any means. But we did not go as far as Britain wanted in certain areas; we did not go as far as Russia wanted in certain areas, and we did not go as far as I wanted in certain areas. It was a compromise.

While the decision is a compromise, it is one, however, under which the Poles will receive compensation in territory in the north and west in exchange for what they lose by the Curzon line in the east. The limits of the western border will be permanently fixed in the final peace conference. Roughly, this will include in the new, strong Poland quite a large slice of what is now called Germany. It was agreed also that the new Poland will have a large and long coast line and many new harbors; also that East Prussia—most of it—will go to Poland. A corner of it will go to Russia; also—what shall I call it—the anomaly of the Free State of Danzig—I think Danzig would be a lot better if it were Polish.

It is well known that the people east of the Curzon line—this is an example of why it is a compromise—the people east of the Curzon line are predominantly White Russians and Ukranians—a very great majority—not Polish, and the people west of that line are predominantly Polish, except in that part of East Prussia and eastern Germany which would go to the new Poland. As far back as 1919, representatives of the Allies agreed that the Curzon line represented a fair boundary between the two peoples. You must remember also that there was no Poland or had not been any Polish Government before 1919 for a great many generations.

I am convinced that this agreement on Poland, under the circumstances, is the most hopeful agreement possible for a free, independent, and prosperous Polish state.

Mr. Speaker, it is shocking to pick up the newspapers day after day and find certain powerful newspapers, reporting the discussions at San Francisco, using all their great influence to raise up the ghosts of anti-Soviet prejudice which the brilliant performance of the Red army and the various agreements reached between the Big Three were thought to have laid to rest.

It is of particular importance at this time, therefore, that a just observance of Poland's rights and future as a nation be not entangled with the wishes of those who have never given up their hope of plunging the present Allies into war with each other.

Britain and America, as our late President so clearly reported, are not affronting Russia by demanding the establishment of any government which would serve as a "corridor" through which an attack upon Russia might be made.

America and Britain and Russia, on the contrary, have agreed, as President Roosevelt reported, that a strong and independent Poland, so great a necessity for the Polish people, is the best guaranty of European and of world, as well as of Russian, security.

For precisely the reason that Poland's freedom and welfare serves not only the Polish people, but the self-interest which every nation now feels in peace and rising domestic and world prosperity, I cannot help believing that on this great Polish anniversary, and despite a remaining area of disagreement among the Big Three, Poland's prospects as a great and independent nation are brighter today than at any other time in her historic struggle.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to extend their remarks at this point in the RECORD on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. DOUGLAS of Illinois. Mr. Speaker, I join with the other Members of Congress in greetings to the Polish people on the anniversary of their constitution.

To the Poles we are all indebted, for theirs was the first nation to take a stand against the Nazi juggernaut. In all of the tragic and bloody business of the last years, no peoples surpassed the valor of the Poles in the fall of 1939. Since then the martyrdom of that unhappy land has been one of the cruelest in history.

For Poland's future I can think of no better wish than that desired by Mme. Marie Curie, perhaps the outstanding woman of the twentieth century and one of the leading scientists of all time. Her wish was for a free and democratic Poland, cooperating in a great world organization to keep the peace.

ONE HUNDRED AND FIFTY-FOURTH ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. RAMEY. Mr. Speaker, May 3, 1945, marked the one hundred and fifty-fourth anniversary of the adoption of one of the immortal and imperishable documents of all history; it was on May 3, 1791, that the Polish Constitution was signed, and thus became the first written democratic constitution to be adopted by a European nation, in that it recognized the fundamental and basic principle of democracy that "all power in civil society is derived from the will of the people." The Polish Constitution expressed a guaranty of freedom of religion and provided for a division of authority among the executive, legislative, and judicial branches of government, thus paralleling the Constitution of the United States, which had come into being less than 3 years prior to the adoption of the Polish Constitution.

Sorrowfully, history records that no expression of a freedom-loving people has ever been subjected to more severe and cruel tests than has this great Polish document, which through a period of 153 years of trial, frustration, and defeat still glows like a torch aflame in the long, dark night of oppression and heartbreaking disappointment, ever a challenge to its enemies, whose most vicious and demoniacal efforts have failed to extinguish it, and always an inspiration to the brave and indomitable people of Poland, who for generations have clung to it, ever hopeful of realizing its objectives and enjoying its blessings.

The spirit of Polish freedom can neither be conquered not partitioned out of existence—over and over again have Poland's enemies learned that unspeakable suffering, cruel and horrible atrocities, or sustained and crushing defeat cannot break the brave and determined will of a freedom-loving people—Poland today, true to her great traditions, fights on toward freedom.

Again in 1939 Poland made her choice on the side of freedom—while other nations submitted without resistance to the conquest of Hitler and the march of the Nazi hordes over Europe, no Quislings were found in Poland; instead her brave people chose to be the first to stand up and fight against the impact of the mechanized military Nazi machine—the first to engage it in battle, courageously sacrificing the blood of its people agaisst hopeless military odds but definitely placing the initial obstacle in the path of the Nazi iron military monster and thus forcing the altering of the ambitious cut and dried plans of Hitler and his gangsters for a territorial grab without resistance or sacrifice of German blood.

Mr. Speaker, Poland has won her place at the peace table; if there is to be a just and lasting world peace the claims, objectives, and aspirations of Poland must be recognized. World peace plans must contain not only a guaranty of the freedom and integrity of Poland as an independent nation but, because of her geographical position, a perpetual shield of active and effective protection against the future aggression of her rights or the invasion of her territory.

We as Americans, having achieved the blessings of independence, liberty, and freedom, thoroughly understand and appreciate the aims of Poland. As Americans we salute the Polish people.

Mr. GRANT of Indiana. Mr. Speaker, today is the anniversary of a great event in the history of the freedom-loving peoples of the earth. Today, Poles everywhere and citizens of Polish origin here in America and in other countries celebrate a great Polish national holiday—the one hundred and fifty-fourth anniversary of the adoption of the Polish Constitution.

On the 3d of May on previous years I have spoken of this important anniversary and I count it a privilege to make this statement on this occasion in this fateful year of 1945.

Coming as it did shortly after the adoption of our own Constitution, the Polish Constitution became one of the outstanding milestones in the growth of government by freemen on the Continent of Europe.

Any discussion of Poland's national holiday brings to mind the glorious moments of her history and the contributions to liberty and to justice under law made by her national heroes.

There have been many of them to brighten the pages of history, but none shines with greater brilliance than the name of Thaddeus Kosciusko, Poland's hero and patriot, and an officer in the American Army of the Revolution.

Thaddeus Kosciusko came to America as soon as he heard of threatening war in the Colonies. He immediately sought out General Washington and said he had come "to fight for liberty." General Washington was so impressed by Kosciusko that he placed him on his own staff as an aide and from then on gave him assignments of ever-increasing importance. Washington commissioned Kosciusko as chief engineer and still later placed him in command of the fortifications at West Point.

In October of 1783 Kosciusko was raised to the rank of brigadier general on the recommendation of General Washington "for long, faithful, and honorable services in the American Army."

After we had won our freedom, Kosciusko returned to his native Poland. There he carried on his fight for liberty; carried it against those forces of aggression that have plagued unhappy Poland and brought about five separate partitions of her soil.

Following years in a Russian prison, Kosciusko was released and offered a high command in the Russian Army. This he politely refused, saying:

> I have never fought except in the cause of freedom, in America and in Poland, and I can never serve in any other cause.

Kosciusko later paid a second visit to America but returned to the continent of Europe to spend his remaining years.

Near Cracow, in his native Poland, an immense mound of earth was raised as a monument to this hero. This mound—300 feet in diameter and 150 feet high—was carried in by volunteers from all the battlefields where Kosciusko had fought for the defense of his native Poland. The story is told that wounded soldiers brought earth in their helmets, and women in their slippers, and pilgrims from afar brought earth from their homes in sacks—all in tribute to this great man. Over this mound was unfurled a banner with but these words: "Kosciusko, the friend of Washington."

We in America—yes, and freedom-loving people the world over—owe a great debt to Thaddeus Kosciusko and to Poland.

Poland was the first nation to feel the heel of Nazi aggression in this war. Polish legions have fought on battlefronts far from their native Poland since that sad day of the Nazi invasion in September 1939.

Poland is a charter member of the United Nations. No nation has suffered more for the Allied cause or been more loyal to it.

But what has been her reward? The Big Three have proposed the fifth partition of Polish soil. The promised Polish Government, representative of all the Polish people, has not been formed, and the crowning blow of all—the Polish people were denied a seat at the opening of the United Nation's Conference on International Organization at San Francisco.

Is this the reward to Poland because she was the first nation to stand firmly against German aggression? Is this a decent application of the principles of justice and of self-government enunciated in the Atlantic Charter and reaffirmed in the United Nations declaration of January 1, 1942?

Decidedly not. If these high-sounding purposes and principles are to mean nothing to Poland, then they mean nothing to anybody else.

The cause of Poland is a symbol of the cause for which this war began—the right of small nations—the right to be free from aggression—the right of all peoples to choose the form of government under which they will live—rights to the restoration of self-government to those who have been forcibly deprived of them.

Mr. Speaker, we dare not desert these principles as we consider Poland's part and Poland's place in the post-war world. Yes, America and the freedom-loving peoples of the earth owe a mighty debt to Poland.

When the history of the San Francisco Conference and of the coming peace negotiations is written, we hope and pray that it can be written that honor and justice have prevailed and that Poland has once again taken her rightful place among the free and sovereign nations of the world.

We salute Poland and her people on her constitution day.

Mr. PITTENGER. Mr. Speaker, it is my privilege and pleasure to join with the gentleman from Wisconsin [Mr. O'KONSKI] and other colleagues in paying a tribute to Poland and her people and Americans of Polish descent on this occasion. We celebrate the one hundred and sixty-fourth anniversary of the establishment of the Constitution of Poland. Polish people have always been believers in freedom and have always been found defending the rights of men and women to live their own lives in their own way.

My first impressions of Poland came as a student in the grade schools in Indiana when the subject of American history was under discussion. My memory is still clear and vivid in those early impressions of Pulaski and Kosciusko and their valiant help to George Washington and the patriots of the American Revolution. I have never had occasion to change my mind about these fine, outstanding people of Polish birth who helped make it possible for the colonists to win the American Revolutionary War and to establish a government of law and not of men. Consequently, I am very happy to pay this brief tribute of respect, gratitude, and honor to the Polish people and to the American citizens of Polish descent.

I do not here recount the tragic events of past year and the misfortune that has come to Poland and her people in connection with World War developments. You are all familiar with that record. Certainly our sympathy goes out to these unfortunate people at this time in their hour of need.

At this time the nations of the world are meeting at San Francisco, Calif., for the purpose of creating a new world agreement which shall insure not only future peace among the nations of the earth but justice and fair dealings on the part of larger nations in their relationships with smaller nations. Poland is one of those countries that is asking those nations represented at San Francisco for decent and fair treatment in connection with the solution of world problems. Poland is entitled to that consideration. If we are going to talk about free peoples of the world, then the voice of America should be raised in behalf of Poland—against its partition and against its domination by any powerful nation. Poland has been a gallant and loyal ally, was the first to fight for the cause of freedom and democracy and against dictatorial aggression. There can be no just and lasting peace if the Polish question remains unsolved. It can and should be settled justly and honestly in accordance with the aims and principles which led America to enter World War No. 2. Poland is entitled to our sympathy, our help, and leadership in connection with these plans for a new world order.

Mr. MERROW. Mr. Speaker, the 3d of May means to the Polish people what the Fourth of July means to us. Just 154 years ago today—May 3, 1791—the people of Poland adopted their charter. Based upon the principles of our own Constitution, the Polish Constitution can well take its place with all the other great documents of the world—the Magna Carta, Declaration of the Rights of Men, and the American Declaration of Independence. Poland has suffered greatly during the years, but the people of that great country have never allowed the charter to die. Like us, they are a freedom-loving people and have always been our ally. We have only to look back in our history to realize the debt we owe to the Polish sons who during our Revolutionary War came to this country to help General Washington.

In this global war no nation has suffered more than Poland. As we commemorate this anniversary of the adoption of the Polish Constitution, all liberty-loving people rejoice that the Nazis are so nearly crushed and that we stand at the dawn of complete victory. Poland was first to resist the Nazi hordes in the fall of 1939. Gallantly did she fight against overwhelming odds. The Nazis are today crushed and beaten. Poland, although devastated by the aggressor, will again become a free and independent nation. Poland will rise again to take its place in the family of nations. We honor Poland today, and on this one hundred and fifty-fourth anniversary of the adoption of the Polish Constitution we rejoice that the enemies of Poland are beaten and that this nation may look forward to a great and glorious future.

Mr. PHILBIN. Mr. Speaker, as we pause today to pay well-deserved tribute to the constitution, the history, and the glorious contributions of Poland to human liberty and free institutions, it is most fitting that we should reaffirm our faith in the aspirations of the Polish people for the restoration of their place among the free nations of the world.

On this day hallowed in the memory and minds of Polish patriots and all lovers of liberty everywhere because it marks the anniversary of the founding of the modern free Polish state, the Congress of the United States must not only extend its sympathy to the afflicted Polish people but should pledge our active support and assistance to the Polish cause so that with our help and with the help of the liberty-loving, peace-loving peoples of the world, Poland may soon be free and independent. Let us give reality and effect to the noble principles our gallant sons have been fighting for by insisting upon the right of every nation, large or small, strong or weak, to choose the political institutions under which they must live. Let us, as Americans, never compromise the sacred cause of freedom because no lasting peace can ever be maintained on this earth until freedom is secured for all those who aspire to it and have fought, bled, and died to preserve it.

Mr. MADDEN. Mr. Speaker, this, the one hundred fifty-fourth anniversary of Polish Constitution Day, I am happy to join with my colleagues in paying tribute to the great people of Poland as pioneers among nations in their fight for freedom and self-government.

Our great republic has much in common with Poland, as the citizens of both countries have the same inherent desire for liberty and freedom.

Our mutual friendship has expressed itself back through generations. Polish culture and intellectual advancement took root in the Continent of Europe at a time when it could take the leadership and inculcate to minds of other peoples, humanity, religion, and educational progress. The world is indebted to Poland for the salvation of Christianity, for it was Sobieski and the gallant Poles who stopped the infidel hordes from overrunning Europe and their attempts to destroy the Christian people.

When our nation was young and fighting for its independence, we welcomed aid and assistance from the great number of Polish soldiers who fought in the Revolutionary War. Outstanding among them was General Kosciusko and General Pulaski who commanded units and fought side by side with Gen. George Washington.

In our Civil War, World War No. 1 and World War No. 2, and in every crisis where our Government's welfare was involved, Americans of Polish descent have been intensely loyal and patriotic.

I shall not take up the time of the Congress by narrating here today the numerous instances of bravery displayed by the Polish people and their military heroes during the present war. Briefly recalling the valiant fight their men and women made when the Nazi panzer divisions invaded their country in 1939—the record of Polish soldiers in Norway, Africa, France, Italy, and on every battlefront where our allies were fighting, should suffice.

Through Poland's cooperation with the Allied Nations in this war, it has indeed made an outstanding contribution toward the destruction of tyranny and dictatorship throughout the world.

A sad commentary upon the present Conference at San Francisco is that the government of Poland is not occupying a chair with the other liberty-loving nations of the world.

I know it is the earnest hope of the Members of Congress that when the final peace terms are written, Poland, along with the other smaller nations of Europe, can enjoy freedom, liberty, and independence through a government created and selected by the people of their country.

The principles of the Atlantic Charter which was in reality a Magna Carta for all nations to adhere to after Allied victory, should be followed by the nations of the world when they gather to write the final peace. When this is accomplished and machinery among nations is set up to arbitrate international disputes, civilization will have made great strides for abolishing future wars and enjoy permanent peace.

POLAND'S DAY

Mr. TIBBOTT. Mr. Speaker, on the one hundred and fifty-fourth anniversary of the enactment of Poland's Constitution it is proper that the House of Representatives pay tribute to a heroic people.

Until justice is done Poland, we should consider it an honor to share in the grief and sorrow of her people. After all, the great sacrifices Poland has made, her reward and fate now appear to be worse than any she has known in the past. I believe that justice will come to the aid of a great people, long an honored member of Christendom and culture through the ages.

The people of America and Poland have been bound by ties of similar ideals and aspirations. So many men of the Polish race have given their lives to make America a land of freedom; thus, we are of the firm hope that their gallant nation will arise again and become a free and independent state, worthy of their great past. We should be resolved that Poland will live and take her place among the leading nations of the world.

Mr. KELLEY of Pennsylvania. Mr. Speaker, today we celebrate the anniversary of Polish independence at a time when that hardy republic has just had lifted from her the heavy yoke of enslavement and is once again buoyed by the hope of freedom.

The Polish people have shown themselves down through history to be vigorous, freedom-loving people, quick to defend their country. They have been rich in valiant leaders—Kosciusko will never be forgotten for his heroic patriotism; Count Pulaski, who commanded the Polish patriot forces before coming to America to enlist in another struggle for democracy in our own revolt against tyranny, and who died in battle for freedom.

Again, in this war, the Poles have been in the thick of the fight, working against tremendous odds in the underground in Poland, joining the war in the Middle East under General Anders, fighting with the British in the ground and air forces. The Polish-Americans have figured in our armies in vast numbers and have won for themselves our high praise and admiration.

Poland's heritage is freedom, and it is the deep hope of all of us that this is the last of her many struggles.

Mr. LANE. Mr. Speaker, this is May the third, but to all people of Polish extraction it has the same meaning as our Fourth of July. For 154 years ago Poland decided that all power must derive from the will of the people. It is unique that Poland, so many thousands of miles away from America, should institute a democratic form of government at the very same time as America did. This fact alone establishes a spiritual kinship between Poland and America, which has existed ever since and which will be of mutual assistance to both nations as we face the problems ahead.

To students of Polish history, however, this comes as no surprise. As far back as the year 963, the Poles fought against the German invader, who, even then, was trying to steal other peoples' lands. In 966 the Poles adopted Christianity, and since then have fought and bled and died for the right to their faith, not only for themselves but for the whole western world.

In 1241, under Duke Henry, the Pious, they saved Europe from the invading Tartar hordes. Again, in 1635, they went to the assistance of Vienna, which was besieged by the Turks. By this victory, one of the decisive battles of world history, Poland protected Christianity from the ravages of the Mohammedan sword. Years later Poland signed a treaty of perpetual friendship with Turkey, the only nation that never recognized the partition of Poland. At all diplomatic receptions Turkey kept an empty seat for the "temporarily absent" Polish Ambassador.

In the eighteenth century Poland entered her period of martyrdom. Three times she was divided up by selfish neighbors, and in the last partition of 1795, Poland disappeared from the map of Europe. Thomas Jefferson called this a crime and Woodrow Wilson termed this "one of the great crimes of history." Even the Peoples Commissars, meeting in the year 1919, at Moscow, described the partitions of Poland as "contemptible imperialism."

For 123 years there was no Polish Nation but there was a Polish spirit which refused to die. Times and again they rose in arms against their oppressors. They fought the good fight for human liberty not only in their own native land but in every nation in the world when the people were trying to throw off the shackles of slavery. In Belgium, Italy, Greece, Hungary, Latvia, the Argentine, Bolivia, and Peru, they fought side by side with men who passionately believed in freedom, and their battle cry was not exclusively for race or nation, it was the rallying all-embracing call—"for our freedom and for yours."

As far back as the American Revolution, the liberty-loving Poles knew that the only guarantee of freedom for any nation was in the freedom of all nations.

Acting upon that conviction, Poles came to the aid of American pioneer. Two of her great sons have become a part of American tradition, and their

names are known and revered by every American. One was General Kosciusko who came to America—joined the Revolutionary Army as a volunteer and was conspicuous for his bravery in the battles of Sartoga and Yellowsprings. George Washington thought so well of his service that, after the war was over, he appoinnted him Governor of West Point on the Hudson.

The other was General Pulaski who gave his life for our American freedom at the battle of Savannah.

Poles fought for freedom in the First World War and in 1920 when Red armies marched as far as the suburbs of Warsaw, Polish armies singlehandedly defeated them and again saved Western Europe—this time from international communism. Lord D'Abernon called this the eighteenth decisive battle of the world. The Treaty of Riga once more restored Poland to the position of a free and independent nation. Offered even more territory by Lenin, Poland actuated by a high sense of fair play—refused, whereupon Lenin praised the Treaty of Riga as a voluntary and just agreement to stand for all time.

Then began her astonishing rebirth as a nation. 1,700,000 buildings destroyed during the war had to be rebuilt; but the Poles, with pride in their resurrected nationhood, set to work with a will. In 20 years, she brought 11,000,000 acres of new land under cultivation, 1,200 miles of new railroad track were laid. In 1918, Poland did not have one ship, but in 1939 she had more than 800 merchant and passenger vessels traveling the sea lanes of the world. Ninety-one out of every 100 children attended school. The death rate was decreasing. Social security and labor unionism went forward hand in hand. Reborn Poland was a happy and progressive nation, with no envy of her neighbors.

But the scourge of nazi-ism was secretly preparing to ambush civilization. Once it had gathered its evil might, born of science without a soul, it turned upon its peaceful neighbor—without a word of warning it struck. The Poles were outnumbered 100 to 1. England and France, in accord with their pledge to Poland, declared war on the Nazi aggressors, but they had failed too long to assess the ruthless intentions of Hitler—and now were powerless to give Poland any real assistance. Poland fought alone against the swarms of planes and tanks which assaulted her. Her men and women fought bravely, hopelessly, and died—for all the world to see the armored beast unmasked.

And then Russia, knowing that she too would soon be the victim of German lust for power, struck from the rear in order to put more territory between herself and the Nazis. Caught between two powerful rivals, Poland was doomed. Warsaw—the heartbeat of Poland, was ravaged by German bombs. A shocked humanity saw what these madmen in modern dress meant by the new order. It was simply the tyrant breaking loose again—using plane throwers instead of whips and bombs instead of stones.

Poland, the Nation died that we might see the evil menacing the world. Died that America, being in a dream-world isolation, might awaken in time to protect herself.

Warsaw became the symbol of man's resistance to tyranny. Men everywhere fought for time, time in which they might arm themselves against the Nazi menace.

The Gestapo moved into Poland with their methodical tortures. They had conquered the Polish Nation, but they were not satisfied. They meant to murder the Polish spirit. For 5 years they have sought to crush the mind and soul of Poland, and have failed.

But this is something which the Nazi mentality cannot understand. Some day, in the not too distant future, they will. For the lesson they will learn is, That he who lives by the sword shall die by the sword. That the spirit of man will not tolerate slavery, that the tools of science must be responsible to the religious and ethical ideals of humanity.

Meanwhile, the Nazis occupy Poland. But in Poland they have been unable to win over converts to their creed. There are no traitors in Poland, no Haches, Quislings, or Lavals.

There is, however, a Polish Government in London and its agents are active on both sides of the Vistula. There are no factions in Poland, which the Nazis can plan, one against the other. Poland is loyal and united in its resistance. And that resistance is the Polish underground.

That underground runs secret schools and universities for Polish youths; it publishes over 110 newspapers, some with as many as four editions a day. In spite of Himmler's terror, these secret newspapers are read by 3,000,000 people, bringing them the truth, and informing them that judgment day for the Nazis is just around the corner. This effective underground has courts at which German criminals are brought to justice. In 1943, 13 high German officials and over 1,000 Gestapo agents were tried by these courts and executed by the underground. In the field of organized sabotage, over 2,000 locomotives were damaged and over 10,000 trucks eliminated. That is the fight going on in Poland today. And when the armies of liberation move into Poland, the underground will give them invaluable help by blowing up trains and bridges, blocking roads, destroying supplies, raiding Nazi columns and making conditions generally unhealthy for the self-styled supermen.

One hundred thousand Polish soldiers fought in France. Most of these were evacuated to England. There they have been increased and trained for the day when Allied armies cross the channel to crack Hitler's fortress. Others have fought in Norway and Africa. Some are fighting this minute in Russia and Italy. Polish pilots have shot down more than 1,000 planes. The Polish Navy has sent a sizable number of U-boats to the bottom. And in this country, the 4,000,000 people of Polish extraction have given generously of their sons and brothers to the armed services of the United States.

The Nazi terror, in the insolent days of its power, murdered over 3,000,000 Poles. Yet Poland fights on, its spirit unbroken. Its faith, in spite of this agony, now stands on the threshold of vindication. The pillage of church and university, the horrors of the Nazi concentration camps, and the memory of children who have been bled white to give their precious life fluid to wounded Nazi gangsters—these burning memories of loss and suffering and wrongs endured cannot be forgotten. They will give to Polish men and women everywhere and to all of humankind as well—the inspiration to hit hard when the day of reckoning comes.

The conscience of mankind owes much to the spirit of the Polish people. With this example, let us go forward through the costly days ahead, united in our determination to crush forever the germ of Nazi barbarism, and to create a new world in which such crimes can never be perpetrated again.

To this end let us here pledge our support as Americans, to the cause of Polish independence. Tonight we celebrate its founding. Next year, may we gather together to celebrate its rebirth and offer a toast to its long life.

First the victory, and then the peace. And when the peace is established, Poland knows that she can count on the moral support of the United States to see that justice for Poland becomes a fact.

As DE-day approaches—when American and Polish troops, together with our allies, invade Europe, let us at home pray for their success. Let us try to match the efforts of our fighting men by working hard to give them the tools they need in order to win. But, greater than this, let us spiritually rededicate ourselves to the principles for which they fight and die.

Let us remember that eternal vigilence is the price of liberty. That is the fight which you and I who live must make—even unto the end of our days.

Poland has never broken faith with her responsible Christian culture. She has never denied the tradition which gave to the world the music of Chopin and the healing arts of Mme. Curie.

We want Poland in the community of nations.

We need her spiritual dignity and courage.

We must have her help as one of the guarantors of the freedom for which she, and we, shoulder to shoulder, now fight.

As comrades in arms—let us be even greater comrades in the peace to come.

Mr. STARKEY. Mr. Speaker, May 3, to Poles in Poland and the world over, is what July 4 is to Americans; to all Poles it carries all the connotations of liberty and patriotism felt by Americans when they see the Stars and Stripes flying on Independence Day.

I want, therefore, on this May 3, 1945, to add my tribute here in the Congress of the United States, to Poland and the Poles on the one hundred and fifty-fourth anniversary of the adoption of their constitution. I want to express the thanks of the United States and its people for Poland's contributions to the cause of freedom, and to the cultural life of the world.

It is fitting that, on this day, late bulletins from the United Nations Conference in San Francisco report that the dispute on what we know as the

Poland question is believed broken and that the United Nations are moving toward an agreement that may go far toward a just solution of this question.

It is well for the Congress on this day, dedicated to patriotic observance by the Poles, also to dedicate itself to seeing that justice be done the Polish Nation in the coming peace.

No nation, in the European war now in its final stages, has sacrificed more, on the basis of population, than Poland. It was the first to feel the ruthlessness of the Nazi war machine, but it resisted this brutal force until resistance was no longer possible, in a true display of typical Polish courage demonstrated through the centuries.

The United States owes Poland a debt of gratitude it now has an opportunity to repay, through another great Pole—Gen. Casimir Pulaski—who gave his life for the cause of freedom when he was killed in the battle of Savannah, Ga., when fighting for the American Colonies near the close of the Revolutionary War.

In repayment of this debt the United States can insist, in the framing of the peace, that the principles laid down in the Atlantic Charter be adhered to in establishing the Government and boundaries of Poland, and that its Government be the free and unhampered choice of the Polish people.

With that resolve, the United States can join wholeheartedly with Poland today, in the observance of this anniversary of one of liberty's greatest advances in the annals of the world.

Mr. CHENOWETH. Mr. Speaker, I am happy to again join my colleagues in paying tribute to the people of Poland on the one hundred and fifty-fourth anniversary of the adoption of the Polish Constitution. It is well for the Congress of the United States to pause in its deliberations to recognize this anniversary and to express our admiration for these brave people.

A year ago it was necessary for the Polish people to celebrate this holiday in secret places. Today they can hold their meetings in the open. We rejoice that they have been liberated and are now ready to begin the task of rebuilding their great country.

It is unfortunate that the United States has not taken a more positive and definite attitude in regard to the future Government of Poland. Repeatedly during the past few years we have expressed our amazement over the manner in which these people have endured persecution, hardship, and starvation. They have probably suffered more than any other people in the present war. Certainly we do not now want to desert them.

Let us hope and pray that at the San Francisco Conference, which is now in session, that the Polish people will receive the consideration to which they are entitled. I trust that our own delegates to that Conference will insist upon a free Poland and assure the Polish people that they will have the right to choose their own government.

The war which is so rapidly coming to a successful termination was started over Poland. It would be a most tragic and deplorable situation for us to discover that after sacrificing millions of lives, and draining the resources of this country and our allies, it should now develop that these sacrifices were made to enable Russia to carve up Poland rather than Germany.

On this anniversary which we celebrate today with the Polish people, let us give them our solemn pledge that we will use our influence to see that Poland is not divided up as part of the spoils of war. Otherwise, the war will have been fought in vain, it is an empty victory that we are about to achieve, and the seeds for another war will be sowed.

Mr. ROWAN. Mr. Speaker, wherever liberty-loving people are assembled anywhere on the globe today they will pause and pay tribute to brave and long-suffering Poland on the anniversary of the adoption of her constitution which they felt at the time would forever guarantee that nation's independence and happiness. That document was patterned in a large measure after our own Constitution which had been ratified just a few years before. There are many striking similarities in the two Constitutions. The Polish Constitution, like ours, recognized the principles of democracy and held that "all power in civil society is derived from the will of the people." It guaranteed freedom of religion for which Poland has valiantly fought from that day until the present moment. Then too, it recognized the division of authority among the executive, legislative, and judicial branches.

A quarter of a century ago Poland's freedom was restored through the efforts of a great American war President, the late Woodrow Wilson, who fought courageously for the self determination of small nations, of which Poland was one. Until the invasion of Poland by the Nazi armies she was one of the centers of genuine democracy in Europe. She was the first nation to bare her breast to the ruthlessness of conquering hordes who opposed the philosophies of free government expounded by the United States and by Poland. A year ago today many Members of this House expressed the fervent hope that on May 3, 1945, peace might again prevail in the world and democratic Poland will be restored. Peace is nearing realization in Europe, but Poland's democracy is still in grave danger.

In San Francisco the nations of the world are meeting for the purpose of mapping a permanent peace, but Poland is not represented. There are many who doubt whether it is possible for a global peace with Poland excluded. Democratic Poland was the first victim of the onslaught of the invader and fought and bled and suffered for the principles which are so dear to Poland and to the United States. It was the hope of all that when the war was ended Poland would again enjoy the liberty and freedom as outlined in her constitution which was drafted more than a century and a half ago. Poland fought no nation, but merely defended her own territory, yet her fate in the society of nations is uncertain and gloomy. All Poland asks today is the right of self determination, which was made possible for her by the late Woodrow Wilson. The American friends of Poland hope that she may be restored to her position among the family of republics. It is not the desire of the American people to tell Poland, or any other nation, how it should be governed but they feel now that the world is being made over Poland should be given a plebiscite at which the people of Poland may determine what type of government they want to live under. That seems like a very simple solution to a perplexing problem of today. All that Poland asks is that the United Nations Conference, before adjournment, shall take cognizance of her unhappy state and permit the people of Poland to hold their own election and by a majority vote determine what sort of government will prevail in that land which had been the citadel of democracy and freedom for centuries.

To sum up the matter briefly, this distressed little nation asks no more territory, no more liberty, and no more privileges than those that were hers when Hitler met his first resistance in his mad campaign to conquer the world nearly 6 years ago. History has recorded that great wars have ofttimes grown out of oppression to little nations. The restoration of Poland to her position before World War No. 2, in the opinion of many persons, may be an aid to long and enduring peace for which the whole world is praying today.

Mr. SABATH. I gladly join many other Members today in expressing the very earnest hope on this anniversary of the adoption of the Polish Constitution of 1771 that Poland in the very near future may be able again to celebrate the adoption of her democratic constitution in tranquillity and freedom, for which she has fought so long and hard on many battlefields over many, many years.

Without desiring to be vain, I cannot refrain from referring again to the pleasure and satisfaction that was mine at the close of World War No. 1 when I was able to contribute in at least a small measure to the creation and vitalizing of a Polish republic. It was, further, my pleasure, up to September 1939, to witness the progress of the great Polish people in their onward march as a vanguard toward even greater success and progress in commerce and government. The progress of Poland, governmentally and otherwise, between 1920 and 1939 is a worthy model for emulation by all liberty-loving, peaceful nations; and nobody regretted more than I to see that great country overrun, after she braved continuous threats and intimidation, by the Nazi hordes. Under the rough heel, despotism, the indescribable tyranny, and butchery of Hitler, she held her head high while a sympathetic world prayed for and applauded her adamant stand. I was pained beyond measure and expression to learn of the hundreds and millions of Poles—men, women, and children—killed, starved, crippled, and maimed. Our hearts went out to them spontaneously. The sympathy of the civilized world was and is with Poland. Therefore, I have in my humble way cooperated in every conceivable way with my own Government to give such aid and comfort to the Allied Nations for

the purpose of extirpating the barbarous blight of the fiendish Nazis.

I have prayerfully and continuously looked to the relief of Poland by being rid of the German savages and by her being properly housed, clothed, and fed. That being accomplished, I am confident that Poland again will attain her former standing in freedom and independence, taking high place in the sisterhood of nations, be one of the progressive, liberal, free democracies, and that its people will by a zealous devotion of their proved qualities of leadership, religion, and intelligence continue to maintain this high stature.

All civilized nations will, I am sure, recognize the right and justice of the Polish people to establish a government of their own choosing, and be patient with them in evolving, after so severe, unmerited trials, the proper kind of government.

I am hopeful that within a short time all misunderstanding between Polish factions and their neighbor countries will have dissolved, and that Poland's heartfelt aspiration to cultivate friendly relations with all justice-loving peoples and work out her proper destiny may be well on the road to realization.

No individual or nation can at once acquire or reach all its aims. It is a painful evolution. Legislation and economic development must be attained as we in the United States have attained them, namely, by persistent, intelligent efforts, and compromise, when many thought it impossible; but sane judgment prevailed, which I hope will prevail in this instance.

Therefore, it is my fervent hope that negotiations will secure for the Polish people justice, an opportunity to govern themselves without any interference by any other nation, and that all the nations of Europe will emulate America's good-neighbor policy.

Mr. HOWELL. Mr. Speaker, on the 3d of May 1791, the Kingdom of Poland already reduced by the tripartite partitions, unanimously adopted a new constitution which provided for liberty and equal rights for all men. What other nations and people did with bloodshed, Poland with her long tradition of tolerance, accomplished by peaceful means.

In these critical times, when not only Poland, but the whole world is fighting against the dark forces of oppression and totalitarism, it is fitting that this date be commemorated by us in the United States.

The Poles, always ready to support the democratic cause, were again the first to stand against the enemy of freedom. Again they followed their motto, "For your freedom and for ours."

We here in America as admirers of freedom and unselfisheness should feel an obligation to these people of Poland and other small nations, who by their spirit of independence have opposed the forces of oppression and intolerance.

I am happy to join with my colleagues here in the House of Representatives today in paying my sentiments of respect and admiration to these great people.

Mr. KEARNEY. Mr. Speaker, today, May 3, is Poland's national holiday. On that day in 1791, the people of Poland unanimously adopted a constitution which provided liberty and equal rights for all men, and whose lasting influence has been tremendous. This constitution was achieved after years of persecution of the Polish peoples—of Poland having been partitioned time and again—but through these years of bloodshed, torment, and torture, Poland's culture and progress remained, and her people's love of liberty and democracy increased. She was ahead of her times and thus suffered at the hands of other nations whose rulers feared the influence of the Poles' independence upon their own subjects.

We well remember in the history of our fight for freedom the names of Pulaski and Kosciusko, two Polish patriots who did so much for our country's cause in the darkest days of the Revolution. Both of these gallant officers were of immeasurable value to the Colonial armies in whipping raw material into finished soldiers. By their own spirit of self-sacrifice and devotion to the cause of liberty, they were a source of inspiration not only to our troops, but also to the cause for which they fought.

As we all know, Poland was the first to fight in the present world conflagration, the first to make stern opposition to the Nazis, and the first martyrs for liberty who died to delay the Hitler hordes from engulfing Europe. Her spirit of resistance and hope through the past bitter years still burns brightly toward the time when Poland will once more be a free and independent nation, and with a government of her won choice.

On this, the one hundred and fifty-fourth anniversary of her constitution, our Nation's sympathy goes out to the courageous people of Poland, and I express here the hope that Poland and the Polish people may soon once more enjoy the freedom and liberty for which they have endured so much.

Mr. JONKMAN. Mr. Speaker, once more we celebrate Polish Constitution Day. Once more Poland, after having emblazoned on her escutcheon a glorious stand and fight for freedom not only for herself but for civilization, becomes the victim of those for whom she offered to sacrifice herself if necessary.

When in 1939 the German hordes ran amuck in Europe the Polish people bared their breasts and withstood as long as humanly possible the first onslaught and shock of that avalanche of hate and murder. Even while prostrated by overwhelming numbers she continued resistance.

Once more as in the past after short-lived freedom and independence she is being partitioned and enslaved by her powerful neighbors.

Centuries ago and for centuries she fought her glorious and traditional struggle for freedom and free institutions, rewarded in 1793 by the constitution we celebrate today, only to lose it in a few years to her greedy neighbors, who despoiled but could not destroy her or quench the fires of liberty burning in their souls.

At the end of the First World War Poland's age-old struggle was again rewarded with freedom and independence and she assumed an honored place in the family of nations.

But again her independence has been short-lived. Again she is threatened with partition and oblivion by her neighbors, after untold and indescribable sufferings and sacrifices for those who now threaten to devour her.

A kindred and sympathetic spirit, strengthened by the immeasurable contributions of the Polish people to this country has welded a common tie between the two peoples. The immeasurable contribution of her children in and as citizens of our great Nation have strengthened that tie with sympathetic understanding.

From this sympathetic tie and understanding springs the prayer and will of all Americans, that ere long Poland will again assume her rightful place in the family of nations with a government of her own choosing. May God help us all in making this a reality.

Mr. FORAND. Mr. Speaker, May 3, to the Poles is a cherished and important date, and rightly so, for on this day, 154 years ago the freedom-loving people of Poland set up a new constitution. This constitution embraced every point that a modern democracy would set up in order that its people be free and happy.

We find today, the Poles on all the war fronts, for wherever liberty and justice are at stake, the sons of Poland have never failed to rally.

We are familiar with the contributions of the Polish sons and daughters to the world's culture and civilization. However, we cannot overlook such well known names as Mikolaj Kopernik, Marie-Curie Sklodowska in the world of science, Fryderyk Chopin, Ignace Paderewski and Josef Hoffman in music, while in literature we find Henryk Sienkiewicz, Julius Slowacki and Josef Conrad.

We feel proud of the millions of upstanding citizens of Polish descent that make up our democracy. They have helped by the sweat of their brow to make our country what it is today.

As we join in this tribute to Poland on the anniversary of the Polish Constitution, those of us who know and appreciate the intelligence, the fortitude, and the idealism of the Polish people have complete faith that Poland will again be free.

May God grant it soon!

Mr. SNYDER. Mr. Speaker, today marks the one hundred and fifty-fourth anniversary of the basic fundamentals of government of a great people—the Polish people. Millions of Poles came to this country in the last 60 years. It has been proven in our melting pot of the different peoples from the different parts of the world that the Poles have blended into a type of full-orbed, rounded-out, patriotic Americans. They are strong in their religious beliefs, strong for education, strong for our way of life here in the United States.

In my congressional district there are tens of thousands of Polish people. They have been there two, three, four generations. They are among our very best citizens. They are strong for owning their own homes. They desire to see all their children graduate at least from high school. They are good businessmen, good professional men, and good com-

munity builders. This war proves without a doubt that they are good nation builders as well.

Thousands of Polish boys from my district are in uniform on the battlefields of this global war. Most of them volunteered. We have observed right here in Congress that our colleagues of Polish descent are not only patriotic but that they are capable lawmakers and statesmen.

I have considered it a privilege to serve my constituents, and no group has given me more loyal support than the Polish group back in my district. In turn, I have made every effort to serve them to the best of my ability and, of course, will continue to do so.

Mr. FOGARTY. Mr. Speaker, we await, somewhat impatiently, the official announcement that the war in Europe is at an end. We have been expecting that announcement for the past several days, and all the signs we have point to the fact that complete victory is ours.

It seems somewhat like poetic justice that we should be experiencing this feverish impatience for the announcement of victory on a day when we commemorate the anniversary of the constitution of Poland.

We have had so much of war—that its outbreak seems to have occurred some time in the far distant past. But, actually, it was but a few short years ago that Britain and France took up arms against Hitler because of an act of war. That act of war was the invasion of Poland.

It is easy for us here to recall the great protestations of love for brave little Poland which echoed and reechoed throughout the world on that melancholy day.

Many attempts had been made to prevent war. Much had been done to appease the despot bent only on aggression. There were some who listened to his protestations of a desire for peace. But when Poland was invaded then everyone admitted the tyrant to be what he was—a power-hungry plunderer who sought the reduction of Poland as a state, the slaughter of Polish people as a nation, because in Poland there existed a monument to free people. Poland was a nation of people who believed in God—who respected truth and justice—and for this Poland was attacked and the world was plunged into war.

Many, many homes have been saddened. Many, many lives have been lost. Millions upon millions of dollars have been expended; the youth and the treasure of many nations have been poured out in the winning of the victory that is almost here.

This war has been fought in order that there might be a new interpretation of international justice. We are determined that all the people of the world have a right to live in harmony with their neighbors, secure in the enjoyment of their God-given rights to life, liberty, and the pursuit of happiness.

Bringing that great purpose nearer to reality we are privileged to witness in San Francisco the meeting of the representatives of all the United Nations, formulating a permanent association of nations, whose purpose it will be to maintain and protect those rights.

There have already been some disagreements in this meeting, and we can honestly take heart because of those disagreements. They serve not to discourage us but to fortify our hope that from this Conference of the United Nations there can come a solution to the problem which is paramount—the problem of preventing future wars. Because of these disagreements we have been privileged to witness the working out of difficult problems and the democratic process has prevailed.

We all know that the Polish issue of the moment presents a serious problem. There are many of us who feel very strongly on this subject.

We are determined, insofar as it lies within our power, that the problem of Poland, too, shall be worked out according to the democratic process—that justice shall be done to this brave people, the establishment of whose constitution we celebrate today; justice, not according to the warped concept of international expediency and compromise and appeasement—but justice according to the concept for which American men have died; for which American women have cried and suffered.

Many nations have contributed to the winning of victory in this war—the families of many lands are depleted and sad as a result of this war. We pay respect to all that have done their share.

To many brave men in the armies of Russia we acknowledge our gratitude. But in doing so, we do not minimize the great struggle which has been waged by the men who fought under our own flag, or the flags of the rest of our allies.

Fighting this war, side by side, with our own sons, have been the sons of Poland. Brave as the bravest—they experienced the horrors of war in a more intense manner than was ours—for while they fought against the foe, they knew that foe was descending to the depths of bestiality in order to wipe out, as was the enemy's sworn purpose, the last vestige of their race and creed.

In spite of all this, the Polish Nation never asked quarter.

In spite of all this the Polish Nation never produced a Quisling. In spite of all this the Polish Nation never surrendered, but fought on and on, with borrowed equipment, and as members of the armies of other nations—but they fought bravely, because their homeland had been despoiled, their families butchered, and they, themselves, condemned to live as exiles; forbidden to trespass on the soil they loved.

Can any man forget the invasion of Poland? Is there any man who no longer remembers the reason why this war burst into flame and engulfed the world in its fire?

Is there anyone who will refuse to raise his voice in behalf of justice for Poland—when we all know the price Poland has paid for that simple justice?

Here is a nation ravaged by all the things against which we profess to fight. Here is the very symbol of the sacrifice demanded by Nazi philosophy. Justice demands that we pour life back into that bleeding, emaciated form—and set back on the pedestal of nationhood our tribute to the blind goddess—a free and independent Poland.

Poland asks nothing of any other nation, save justice. Poland asks no concessions, no privileges. She asks but for what is hers—for that which was torn from her by the greedy, animal hands of a tyrant that has been destroyed by force of arms of free men.

We are a people who believe in justice. Our history is replete with examples of the sacrifices we are willing to make in order that justice may be preserved. Certainly there can be no nation on this earth which could sincerely express the fear that we sought aggrandizement. Is it not fair then to say, when the American people ask for justice for Poland, that they ask in the name of justice alone?

Is it not just as logical to assume that anyone who opposes justice for Poland does so for some purpose other than fear of Poland itself?

What is there to fear from a free Poland? The question answers itself, for any people dedicated to peace and justice will interest itself only in its legitimate success. Poland has been a religious nation. Its churches are famous throughout the world. All of us who have known Americans who are of Polish stock know they are people who serve their God.

The establishment of the Constitution of Poland is testimony of the desire of the Polish people to set up a democratic state, a state in which the authority of government is derived from the consent of the governed.

They are a people who believe as we do, that every man has the right to worship his God according to the dictates of his conscience. They will accept no domination in this sphere just as they will accept no domination in the sphere of the type of government which is to be imposed upon them.

We have fought, we continue to fight, for the right of free men to govern themselves. We have witnessed, to our regret, the results that can come from despotic governments, whether they are termed Fascist, Nazi, or some other high-sounding title for absolutism.

I say Poland was a symbol of the viciousness of Hitlerism when the Nazi hordes overran that brave little land and committed its people to the garrot and the scaffold and the incinerator.

Our victory will not be complete if we fail to exert every energy we possess to resurrect that symbol—for Poland is today a symbol, a symbol of the small nations, without strength in themselves to withstand the onslaught of powerful nations. Poland is a symbol of what the small nations want—the right to govern themselves and live in peace and security. Poland is a symbol of freedom and of peace. We can't allow her to be sacrificed, for, if we do, what hope have we of ever convincing other small nations that we shall guarantee them against aggression, avarice, and hatred.

We owe a tremendous debt of gratitude to the men who are to return soon after

their great victory. The debt we owe to the men who sleep forever in the fields of Europe we can never repay, but we can prove we shall not break faith with them by being honest to ourselves. We know what this war was fought for; we have a fair realization of the terrible cost we shall pay if we permit another to occur.

It must be our solemn pledge that we shall never compromise with principle. That we shall stoutly maintain the principles which were proclaimed as our reason for entering this titanic struggle. We have fought the good fight; we shall keep the faith. Our return for our sacrifices shall be reliance on justice. Poland is the example ready at hand. It can be the measure of our faith in our fellow humans; it can be the measure of our allies' confidence and faith and belief in us.

FREEDOM FOR POLAND

Mr. AUGUST H. ANDRESEN. Mr. Speaker, in celebrating this one hundred and fifty-fourth anniversary of the adoption of a constitution by Poland, we should not overlook the fact that freedom for Poland does not exist today. The Polish Constitution, which resembles the American Constitution in form and spirit, demands full restoration of democracy for this great ally. I have said before, and I say again with all the emphasis at my command, that the American people should do everything within their power to assist in restoring Poland and its borders, as one of the great democracies of the world.

We have a right to demand that Poland's liberty be not bartered away by the great powers of the United Nations, and it is my sincere hope that out of the San Francisco Conference will come an understanding which will restore Poland as a true republic under its original constitution.

Mr. FEIGHAN. Mr. Speaker, it is indeed a privilege to address the House of Representatives of this great nation to pay deserving tribute to another great and gallant nation—Poland.

Today freedom-loving people throughout the world are paying tribute to the God-fearing people of Poland, who, 154 years ago, established their Diet—a constitution guaranteeing the same righteous principles of liberty, justice, and freedom to their citizens as our founding fathers proclaimed for us.

The Polish people recognized the highest law—the moral law of God, and the principles which that law embodies. They have been steadfast in their adherence to those principles. They would not compromise with the law of the jungle, the law that might makes right. Because of their unwavering devotion to their principles, the scourge of war which has engulfed the whole world, came to them in 1939.

Only people imbued with the highest ideals of morality and justice would have resisted the onslaught of the greatest military machine that the world has ever known up to that time. What courage it took to stand for principle when compromise with the ideology of the aggressors would have been so materially expedient. Thanks be to God, that other freedom-loving nations also refused to compromise with the evil of subjugation.

It is because the noble and valiant people of Poland were not alone in their adherence to the principles of the moral law, that enemy-occupied and liberated countries, as well as all freedom-loving people, can look forward with hope and assurance that the principles for which they struggled will be preserved, and shall be the birthright of their children—a priceless heritage—paid for in anguish, torture, blood, and death, instead of Nazi enslavement.

A free and democratic Poland must again take its proper place among the family of nations of the world.

Mr. BIEMILLER. Mr. Speaker, we are all proud to honor Poland on the one hundred and fifty-fourth anniversary of her Constitution Day. When we fought for our own nationa' freedom we were aided by two gallant Poles, Pulaski and Kosciusko, and Count Pulaski gave his life in the truggle for American liberty. The Polish Constitution, adopted May 3, 1791, was inspired by our own. It was the first in Europe to recognize the soundness of the American pattern.

No nation has had such a struggle for freedom as Poland. She has been a battleground in every major European war, and has been divided and redivided by her many conquerors. Her indomitable spirit has never been touched, however, and her determination to be free and independent remains as strong as ever.

Hitler's dastardly attack on Poland in September of 1939 was the opening blow of this war. For over 5 long years the Polish people have suffered hardships and tortures whose extent we do not even yet know. Yet it remains to the everlasting credit of Poland that under the conqueror's lash no crawling Quislings came forward to set up a puppet government for the Nazis. No Pole could be found who would stoop so low.

Instead, the Poles kept up continual resistance. Their underground movement never stopped working. Their young men were smuggled out of the country to fight with the Allied armies against the Nazis. No less than 140,000 young Poles have been fighting with the United Nations, not forgetting, of course, the tens of thousands who gave their lives in the first few days of Hitler's attack. And uncounted millions more have died under the Nazi occupation.

Poland deserves to be free. She has earned her right in blood and suffering a hundred times over. It is up to us to see that she has a free and independent government of her own choosing, and that such a government is welcomed into the councils of the United Nations.

Peace cannot be built on puppet governments. We will reject the puppets of the Nazis and the Japs, or the puppets of any one of the United Nations which seeks to dominate its neighbors. This war was fought to demonstrate the fallacy of one nation enslaving another, and it will have been fought in vain if we permit such slavery to continue.

In the conference at Yalta the heads of the three great powers pledged themselves to help establish and protect a truly representative government in Poland. We cannot abandon that pledge. If he had lived, President Roosevelt would have seen to it that the Poles had justice, and we who honor his memory must insist on keeping that pledge.

It has been difficult in the heat of battle to establish civilian government anywhere, but now that the fighting on the western front is ending, the time is ripe for a thorough and public investigation of conditions in Poland. We have no true picture of what is going on there today, as all news which reaches us is biased one way or another.

The first step in preparing for independence in Poland should be opening the country to the newspaper correspondents of all nations, who must be free to see what is to be seen and to tell us honestly and without censorship what they find. There must, of course, be complete freedom for the Polish press, as a prerequisite to organizing an honest election.

The gallant Polish veterans who have been fighting on all fronts must be allowed to return home and take their rightful place in their homeland. Other exiles who wish to return must be given the opportunity. They are all patriots who served their country where best they could, and cooperated loyally with the United Nations to stamp out the Nazi menace. They must be a part of the new Poland and share the responsibility of restoring their shattered country to prosperity.

As we salute the Polish people on the anniversary of their constitution, let us salute, also, the Poland of the future—a Poland which we all hope to see free and independent, prosperous and democratic, no longer a pawn of bigger nations to be divided or subjugated, but a nation strong in her own right—not a barrier but a link between eastern and western Europe.

Mr. DICKSTEIN. Mr. Speaker, as in former years, it becomes my pleasant duty to congratulate our Polish fellow citizens on their holiday, established more than 150 years ago in celebration of the adoption of that famous Polish Constitution of May 3, 1791.

It is an unusual kind of a holiday, since it marks the passing of a Constitution which never went into practical effect. Before Poland had a chance to put its Constitution into operation, its rapacious neighbors got together and amputated Poland in the second and third partitions of that unhappy country.

Thereafter, Poland wore chains for more than 100 years, until the victorious Allies of the last World War restored Poland to its rightful place in the family of nations.

This is not the time to speak of Poland's future. We all hope that it will be a glorious one and that the sun will shine again on Poland's soil.

In the past 5 years Poland was the battleground of Europe and on its soil some of the greatest tragedies of the world were enacted. It was in Poland that the famous Battle of the Warsaw Ghetto occurred and where the Jewish population was most mercilessly exterminated by Hitler's brutality.

But, Poland has always been a country of martyrs and in its unhappy national history death and martyrdom have always figured as a proof of its measure of devotion to the cause of humanity.

This year, 1945, marks the final destruction of Hitler and all he stood for. It is therefore fitting and proper that we celebrate the Polish constitution day in the spirit of resurrection and hope for better days.

POLAND

Mr. FLOOD. Mr. Speaker, on several occasions I have addressed this honorable body, the House of Representatives of the Congress of the United States, on the subject of Poland. For the past several months, especially, have I been pleading the cause of this martyred nation, these brave people, this noble race. Not only in this historic forum of freedom in Washington have I urged the Polish cause; but on the radio, at public gatherings and in the public press, I have appealed the case of Poland before the bar of public opinion and justice.

I could not let pass the month of May without further tribute to the glorious contributions of Poland to human liberty and free institutions. To Roman Catholics, the month of May has deep significance—it is the month of Mary, the Blessed Virgin Mary, the Mother of God. With few exceptions, the Poles are Catholic; and no more devout and faithful followers of their Church can be found in history. And the 3d of May means to the Poles what the 4th of July means to us. One hundred fifty-four years ago in the month of May 1791, the people of Poland adopted their Charter, founded upon the tenets of the great Constitution of the United States of America. The document of Poland belongs with the other testaments of freedom—the noble Magna Carta, the lofty Declaration of the Rights of Man, and the soul-stirring American Declaration of Independence.

In view of this tradition of fellowship in the sacred bonds of liberty I declare, without reservation, that the United States of America will never agree that Poland, the first to fight, is to be the first forgotten.

My first impressions of Poland as a nation came as a schoolboy in my home city of Wilkes-Barre, in the heart of the anthracite coal fields in Pennsylvania, when I entered upon the study of American history. Emblazoned on my memory forever are the names of Pulaski and Kosciusko. Indelibly imprinted upon my mind, and firmly imbedded in my heart, are the brave deeds of these heroes of Polish birth, who did so much to aid our founding fathers in the winning of the Revolutionary War, and establishing this land of liberty as a nation: Remember this well, O Americans! Cherish this page from the history of our great country! Let us never compromise the sacred cause of freedom! Remember, O America! No lasting peace, for which we pray, can ever be maintained on this earth until freedom is secured to all those who have the courage to aspire to it, and have for centuries fought, bled, and died to preserve it.

Mr. Speaker, I was born and raised with good men and women in whose veins runs the blood of the Polish race. Some of my closest and dearest friends and neighbors were born in Poland, or are the descendants of Polish ancestry. The valley from which I come, the beautiful Pennsylvania Mountains at Hazleton, where first I saw the light of day, now is the homeland of over 100,000 loyal, patriotic Americans of Polish descent. If any man doubts this, let him look at the casualty lists of this horrible war in the County of Luzerne, and he will see the story told with an eloquence far beyond my poor power to express. These are the sons and daughters of our leading citizens. They have been here in my congressional district, two, three, four generations. They are home builders and home owners. They have a strong desire to see all of their children graduate from high school and many from college. They are good businessmen, good professional men, good community leaders. They are Americans. They have blended into the best type of full, rounded-out, patriotic citizens, God fearing, home loving, honest, industrious, loyal and brave. I consider it an honor and a privilege to number them among my constituents and to serve them, and no group of people in my county have given me more loyal support than my American-Polish friends.

Is it any wonder that from this sympathetic tie and sense of brotherhood and understanding there springs from my heart and soul the prayer that ere long Poland will again assume her rightful place in the family of nations—but only after erecting a government of her own, chosen by her own people, and permitted to work out her own destiny with a zealous devotion to proven qualities of leadership of the highest stature. These qualities can never be conquered or crushed by any tyrant nor partitioned out of existence—never with the help of Almighty God!

The cause of Poland is a symbol of the cause for which this war began—the right of small nations, the right to be free from oppression, the right of all peoples to choose the form of government under which they will live—and further, and mark this well, the right to the restoration of self-government to those who have been forcibly deprived thereof.

I plead only that Poland today in this World War be given the right of self-determination—that America lead in restoring to Poland that same right which America led in creating for her through Woodrow Wilson after the last World War. Those of us who know and appreciate the intelligence, the fortitude, the idealism, the religious forces and the courage of the Polish people fervently say, may God grant it soon!

COMMITTEE ON RULES

Mr. SABATH. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight to file a report.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Gatling, its enrolling clerk, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 174. Joint resolution making additional appropriations for the fiscal year ending June 30, 1945.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 906. An act granting a franking privilege to Anna Eleanor Roosevelt.

DEFERMENT OF FARM LABOR—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, House Joint Resolution 106, "To amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, with respect to the deferment of registrants engaged in agricultural occupations or endeavors essential to the war effort."

The joint resolution would amend section 5 (k) of the Selective Training and Service Act of 1940, as amended, which provides for the deferment of registrants determined to be necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort. The indicated purpose of the amendment is to cause the deferment of larger numbers of registrants engaged in agricultural production.

In time of war it is the paramount obligation of every citizen to serve his country to the best of his ability. Under our democratic system male citizens are selected for service in the armed forces pursuant to an Act of Congress which prescribes a fair and impartial method of selection. It is the essence of that act, the Selective Service and Training Act of 1940, that no one shall be placed in a favored position, and thus safeguarded from the hazards of war, because of his economic, occupational, or other status. The sole test under the law is whether the individual can better serve his country in the armed forces or in an essential activity in support of the war effort.

The Congress, when it passed the Selective Training and Service Act in 1940, wisely provided that no deferment from service in the armed forces should be made in the case of any individual "except upon the basis of the status of such individual, and no such deferment shall be made of individuals by occupational groups * * *." This provision is the foundation stone of our Selective Service System under which over 10,000,000 men have been selected for the colors to make the greatest military force in the history of this Nation.

I do not believe that it was the real intent of Congress that agricultural workers should be given blanket deferment as a group, or that Congress intended to enact legislation formulating the national policy that agricultural employment was more essential than any

other type of employment, including service in the armed forces of the United States in the protection of our country. Nevertheless, the legislation now passed by the Congress and presented for my approval would appear to have that result and to constitute a departure from the sound principle hereinbefore stated on which we have erected our military manpower mobilization system. It would apparently provide that, in determining an individual deferment, the relative essentiality of the agricultural occupation cannot be gaged against an industrial occupation or against military service itself. Thus in practical effect it would single out one special class of our citizens, the agricultural group, and put it on a plane above both industrial occupation and military service.

Enactment of such a law would not only be an injustice to the millions already inducted into our armed forces and those yet to be inducted. It would do violence to the basic principle embodied in section 5 (e) (1) of the Selective Training and Service Act which prohibits deferment by occupational groups or groups of individuals, a principle which was incorporated into the present law because of the deferment scandals of the last war, particularly in shipyards. The resolution would also limit the authority now vested in the President by section 5 (1) to make final determination of all questions of exemption or deferment under the act, and would deprive him of the right to determine the relative essentiality of the needs of agriculture and the armed forces.

In my opinion no group should have any special privileges, and, therefore, I am returning the joint resolution without my approval.

HARRY S. TRUMAN.

THE WHITE HOUSE, *May 3, 1945.*

The SPEAKER. The objections of the President will be spread at large upon the Journal.

Mr. MAY. Mr. Speaker, I move that the message of the President and the bill be referred to the Committee on Military Affairs, and upon that motion I ask for recognition.

The SPEAKER. The gentleman from Kentucky [Mr. MAY] is recognized.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Mr. Speaker, I hope that it will be the pleasure of the House to defeat the motion made by the gentleman from Kentucky. If that motion is defeated, then we will have an opportunity to pass this legislation notwithstanding the veto of the President.

I regret exceedingly that I find myself in disagreement with our President. Undoubtedly he will, in my opinion, make a great President, but I am afraid he has been poorly advised with reference to House Resolution 106.

Mr. Speaker, back in 1942 we passed what is known as the Tydings amendment. That law is clear and unambiguous and was respected by the Selective Service until January 1945, when the Tydings amendment was absolutely disregarded and boys who were found to be essential to the farm effort in the production of food were placed in the Army.

Let me read the Tydings amendment:

> Every registrant found by a selective-service local board, subject to appeal in accordance with section 10 (a) (2) to be necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort, shall be deferred from training and service in the land and naval forces so long as he remains so engaged and until such time as a satisfactory replacement can be obtained.

Now, that language is clear and unambiguous and places upon the Selective Service Board one determination, and one determination only. That was, Is the farm boy that is brought up for induction essential to the production of food? If he is, keep him on the farm. That is the way it was interpreted until January 3, 1945, when General Hershey issued an order bringing in essentiality or relativity and told the selective-service boards when they examined a farm boy to find out if he was more essential to the farm effort than he was to the war effort; or, on the other hand, if he was more essential to the war effort than he was to the farm effort. Such a construction was never heard of until then.

A storm of protest arose from all our farming areas. Then it was that the House Committee on Agriculture called General Hershey before it. What did he do? After hemming and hawing all day long we pinned him down to the plain text of the statute, and he admitted that the local board could not compare essentialities, and he issued a directive that was agreed to by the Committee on Agriculture of this House, in which he wiped out the directive of January 3 and told the local boards to respect the Tydings amendment, and that if a boy was found essential to the farm, to keep him there. The ink had hardly gotten dry on that directive before he published a signed editorial in a publication gotten out by the Selective Service, in which he wiped out his directive that he had agreed to with the House committee and which he had sent out.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. MAY. Mr. Speaker, I yield the gentleman 5 additional minutes.

Mr. FLANNAGAN. He wiped it out and went back to his directive of January 3.

Now, the question is simple. There is no ambiguity in the Tydings amendment. Let me read you what Senator TYDINGS said upon the floor of the Senate in discussing Hershey's order setting aside the Tydings amendment. Senator TYDINGS speaking—

> Mr. President, it will be found that the third, the fifth, the seventh, and the ninth paragraphs of the editorial—

That is the editorial I have referred to. I quote:

> It does not make any difference whether a man is employed on a farm in an essential agricultural endeavor, and whether or not no replacement for him is available; if the draft board wants to draft him I say, "Go to it."

That was the interpretation that Senator TYDINGS placed upon General Hershey's editorial. What did he say about it? Here is his comment:

> We can simplify this situation in a few sentences without oversimplifying it. We all know that in this Government the Congress defines policy. It declares war; it supports and maintains armies, and so forth, and so on. There is another branch to execute the policies promulgated by the Congress. In the instant case the language of the so-called Tydings amendment is clear beyond any possibility other than deliberate misrepresentation, no matter what expediency or the exigency of the moment may indicate.

Then he called upon the Senate to pass H. R. 106. He said further, and he was sound in this observation, that if the law was wrong, if we made a mistake in passing the amendment, and I do not think we did, why did not the War Department or the Navy Department come to this Congress and ask that that amendment be amended, annulled, instead of setting it aside by a directive? No one can deny that it was set aside and annulled by a directive.

Oh, Mr. Speaker, if we respect the laws that we enact it is up to us, whether it embarrasses us or not, to override the President's veto. If we believe an act of Congress is superior to a directive of some governmental agency, we should vote to override.

Mr. Speaker, I want to tell you something further of the high-handed methods that have been used. When they brought in the question of essentiality and presumably left the determintion of issue to the local boards, what did they do? They sent Army officers to many of the draft boards and told them that the determination had already been made and that the only thing for them to do was to bring the boys in for their prephysical, and if they were found physically fit, regardless of the Tydings amendment, to put them in the service. No one can deny that such high-handed methods were used in many instances.

My amendment does only this—it is simple and to the point—it provides only that the local boards shall respect the Tydings amendment. Here is the way it reads. I will read it to you:

> In carrying out this provision of this section of the Tydings amendment the local selective-service board in classifying the registrant shall base its findings solely and exclusively on whether the registrant is necessary to and regularly engaged in an agricultural occupation or endeavor essential to the war effort and whether a satisfactory replacement can be obtained without reference to the relative essentiality of the registrant to an agricultural occupation or endeavor as compared with any other occupation, service, or endeavor.

I hope it will be the pleasure of the House to vote down the motion made by the gentleman from Kentucky.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. MAY. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota [Mr. AUGUST H. ANDRESEN].

Mr. AUGUST H. ANDRESEN. Mr. Speaker, I concur in the remarks made by the chairman of the Committee on Agriculture and urge that the pending motion be voted down in order to give the House an opportunity to vote on whether or not the veto of the President shall be overriden. We are told that food will win the war and write the

peace. If this be true, it must be recognized that it requires experienced labor to produce the food.

Mr. Speaker, there was never a time in the history of the world in which it was more necessary for a nation to produce additional food than at the present time. The information that I have leads me to believe we will be called upon in the next 12 months to feed more than 200,000,000 people in the destitute countries of the rest of the world. It will take an abundance of production in the United States to supply this demand for food. Unless we secure an abundance of production we cannot meet the commitments made by our political leaders to the starving people in the world.

Those who say that they can turn on a spigot and get milk or go into a store and order a piece of steak or a pound of butter little realize that it takes experienced manpower to produce that food before they get it on the table. Unfortunately, a great deal of damage has already been done in this country because of the failure of the administration to carry out the intent of the Congress under the Tydings amendment. This particular piece of legislation simply reiterates the intent of Congress in the Tydings amendment because it provides that where a man is essential to agriculture and the production of food, and cannot be replaced, he shall be given deferment. I am not making a plea here today for any individual case or any individual group. We are not interested in that. To me it is just as important to produce food, and more so, now, than it is to produce tanks, guns, planes, and ammunition.

We find that many commitments have been made to people in countries which have been liberated. We have promised to feed them. We have been unable to meet those promises, and the result is that we are rapidly losing the good will of those people. If we make promises to feed them we should keep those promises and at the same time we should take care to adequately supply the civilian requirements in this country.

It takes skilled manpower on the farms to produce food. It will take more farm machinery, and I say to you here this afternoon that since the food question has been left to the Congress we should make it our business to provide the necessary labor to secure maximum production of all vital food products.

Mr. KEEFE. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Wisconsin.

Mr. KEEFE. May I say, as one Member of Congress, coming from a great agricultural State, Wisconsin, that I am in complete agreement with the sentiment expressed by the distinguished chairman of the House Agricultural Committee and the sentiment expressed by my distinguished friend and colleague from Minnesota.

Mr. AUGUST H. ANDRESEN. I thank the gentleman.

Mr. HERTER. Mr. Speaker, will the gentleman yield?

Mr. AUGUST H. ANDRESEN. I yield to the gentleman from Massachusetts.

Mr. HERTER. I want to repeat what the gentleman from Wisconsin has said. My district has not a single farm in it, but I have been a colleague of the gentleman in studying this whole food picture. From the point of view of the consumers of this country, as much as from the point of view of the farm States of the country, this veto seems to be ill-advised and should be overridden.

Mr. AUGUST H. ANDRESEN. I thank the gentleman because he speaks for the consumers of America, who are looking for vital foods like meat, dairy products, sugar, and other commodities where manpower is required to produce them and unless we take this first step to supply the manpower we will virtually have a famine in the United States during the next 6 months.

I am satisfied that all of the younger farm boys would prefer to serve with the armed forces as against the drudgery of farm work. More than 2,000,000 farm boys are already in the service. But because many of these young men are in the service, thousands of productive farms will remain idle in 1945. We need food production, and we need it in abundance, and therefore I again urge that the motion to send the message to the committee be rejected, so that the House may be given the opportunity to discuss and vote on the President's veto message.

Mr. MAY. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, the motion to refer the message and the bill to the House Committee on Military Affairs I think is a timely motion. I am sure it ought to be upheld. I make that statement upon the fact that everybody on this floor knows now that the German army has been destroyed; that the German military machine is in utter collapse. Everybody knows that plans are now under way to remove our armies from Europe to this country and thence overseas to the other theater of war. Millions of men will be coming home within the next few months.

In addition to that, cut-backs are going to take place. There is no use in varnishing it or trying to deceive anybody by it, but everybody knows that from now on there will be constant cut-backs in industry and constant discharges of men in private employment in private industries. Farm needs will be met from these sources.

In addition to that, with all these changes taking place, I think the wise thing to do is to let this bill and the message go back to the committee for further study and further consideration. It may be that it ought to be enacted if and when things settle down and there is some level to the situation. But at the present time it would be unwise not to let it go back to the committee. I believe that it is so highly discriminatory when you get down to the truth about it that it ought not to be retained from the committee for further consideration.

Mr. HARNESS of Indiana. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Indiana.

Mr. HARNESS of Indiana. Is it not a fact that within the last few days General Bryant, who is in charge of the German prisoners in this country, testified before our committee that because of the shortage of farm labor they were bringing in 150,000 German prisoners—and part of them are on the way here now—in addition to the 340,000 we have here now?

Mr. MAY. The testimony was that there were plans to bring in 75,000 a month, and that that would probably run for the next 2 months.

Mr. HARNESS of Indiana. And did he not further testify that that order came to him from Mr. Byrnes, the one particular person who was responsible in the beginning for this draft of farmers?

Mr. MAY. Yes; in obedience to a shortage of farm labor in this country. It is well known now that half a million men will be out of employment by the end of the next few months who will have been released from our factories.

Mr. MARTIN of Iowa. Mr. Speaker, will the gentleman yield?

Mr. MAY. I yield to the gentleman from Iowa.

Mr. MARTIN of Iowa. The gentleman referred to the cut-back that is now in prospect.

Mr. MAY. Yes.

Mr. MARTIN of Iowa. Has the gentleman heard of any cut-back yet in the need for food?

Mr. MAY. Oh, well, everybody knows that we need food. That is not the question here presented.

Mr. MARTIN of Iowa. How are we going to get it?

Mr. MAY. The country needs food. We will get it like we have always gotten it, when God was good to us and gave us good seasons, and the farmers of this country went out and produced.

Mr. MARTIN of Iowa. Suppose we have a bad crop?

Mr. MAY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion offered by the gentleman from Kentucky [Mr. MAY].

The question was taken; and on a division (demanded by Mr. MAY), there were—ayes 113, noes 155.

Mr. MAY. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 168, nays 196, not voting 68, as follows:

[Roll No. 67]

YEAS—168

Abernethy	Byrne, N. Y.	Delaney,
Andersen,	Camp	John J.
N. Mex.	Cannon, Mo.	Dickstein
Barrett, Pa.	Carnahan	Dingell
Bates, Ky.	Celler	Doughton, N. C.
Beckworth	Clark	Douglas, Ill.
Bell	Colmer	Doyle
Biemiller	Combs	Drewry
Bland	Cooley	Durham
Boren	Cooper	Eberharter
Bradley, Pa.	Courtney	Engle, Calif.
Brooks	Cox	Fallon
Brown, Ga.	D'Alesandro	Feighan
Bryson	Davis	Fisher
Bulwinkle	De Lacy	Flood
Bunker	Delaney,	Flaherty
Burgin	James J.	Folger

Forand	Ludlow	Rayfiel
Gallagher	Lyle	Resa
Gary	Lynch	Riley
Gcelan	McCormack	Robinson, Utah
Gordon	McGlinchey	Rogers, Fla.
Gore	McKenzie	Rogers, N. Y.
Gorski	Madden	Rooney
Gossett	Mahon	Rowan
Granahan	Mansfield,	Russell
Granger	Mont.	Sabath
Green	Marcantonio	Sadowski
Harless, Ariz.	May	Sheppard
Harris	Miller, Calif.	Sheridan
Hart	Mills	Sikes
Hartley	Monroney	Slaughter
Havenner	Morgan	Snyder
Hays	Morrison	Somers, N. Y.
Hedrick	Murdock	Sparkman
Heffernan	Murphy	Spence
Hendricks	Neely	Starkey
Hinshaw	Norton	Stigler
Hoch	O'Brien, Ill.	Sullivan
Hook	O'Brien, Mich.	Sumners, Tex.
Huber	O'Neal	Sundstrom
Johnson,	O'Toole	Tarver
Luther A.	Outland	Thomas, Tex.
Johnson,	Patman	Tolan
Lyndon B.	Patrick	Torrens
Kean	Patterson	Towe
Kee	Peterson, Fla.	Trimble
Kefauver	Peterson, Ga.	Vinson
Kelley, Pa.	Pickett	Voorhis, Calif.
Keogh	Poage	Wasielewski
Kilday	Price, Fla.	Weaver
King	Price, Ill.	Weiss
Kirwan	Priest	Whitten
Kopplemann	Rabaut	Whittington
Lane	Rabin	Wickersham
Lanham	Ramspeck	Woodhouse
Lea	Randolph	Woodrum, Va.
Link	Rankin	Zimmerman

NAYS—196

Adams	Fenton	Lewis
Allen, Ill.	Fernandez	Luce
Allen, La.	Flannagan	McConnell
Andersen,	Fuller	McCowen
H. Carl	Gamble	McDonough
Anderson, Calif.	Gardner	McGregor
Andresen,	Gathings	McMillen, Ill.
August H.	Gavin	Mansfield, Tex.
Andrews, Ala.	Gearhart	Martin, Iowa
Andrews, N. Y.	Gerlach	Martin, Mass.
Angell	Gibson	Merrow
Arends	Gillespie	Michener
Arnold	Gillette	Miller, Nebr.
Auchincloss	Gillie	Mundt
Baldwin, Md.	Goodwin	Murray, Tenn.
Baldwin, N. Y.	Graham	Murray, Wis.
Barrett, Wyo.	Grant, Ala.	Norrell
Bates, Mass.	Grant, Ind.	O'Hara
Beall	Gregory	O'Konski
Bender	Griffiths	Pace
Bennet, N. Y.	Gross	Philbin
Bennett, Mo.	Gwinn, N. Y.	Phillips
Bishop	Gwynne, Iowa	Pittenger
Blackney	Hagen	Ploeser
Bolton	Hale	Powers
Boykin	Hall,	Rains
Brehm	Edwin Arthur	Ramey
Brown, Ohio	Halleck	Reece, Tenn.
Brumbaugh	Hand	Reed, Ill.
Buffett	Harness, Ind.	Reed, N. Y.
Byrnes, Wis.	Hébert	Rees, Kans.
Campbell	Henry	Rich
Carlson	Herter	Rizley
Case, N. J.	Heselton	Robertson,
Case, S. Dak.	Hess	N. Dak.
Chapman	Hill	Robertson, Va.
Chelf	Hoeven	Robsion, Ky.
Chenoweth	Hoffman	Rockwell
Chiperfield	Holmes, Mass.	Rodgers, Pa.
Church	Holmes, Wash.	Rogers, Mass.
Clason	Hope	Sasscer
Clements	Horan	Schwabe, Mo.
Clevenger	Howell	Scrivner
Cole, Kans.	Hull	Shafer
Cole, Mo.	Jenkins	Sharp
Cole, N. Y.	Jennings	Simpson, Ill.
Corbett	Jensen	Simpson, Pa.
Cravens	Johnson, Calif.	Smith, Maine
Crawford	Johnson, Ill.	Smith, Ohio
Cunningham	Johnson, Ind.	Smith, Va.
Curtis	Jones	Smith, Wis.
Dolliver	Jonkman	Springer
Domengeaux	Kearney	Stefan
Dondero	Keefe	Stevenson
Dworshak	Kerr	Stockman
Earthman	Knutson	Sumner, Ill.
Elliott	Kunkel	Taber
Ellis	LaFollette	Talbot
Ellsworth	Landis	Talle
Elsaesser	Larcade	Taylor
Elston	Latham	Thom
Engel, Mich.	LeCompte	Thomas, N. J.
Ervin	LeFevre	Tibbott
Fellows	Lemke	Vursell
Wadsworth	Wigglesworth	Wolverton, N. J.
Weichel	Winstead	Woodruff, Mich.
West	Wolcott	

NOT VOTING—68

Bailey	Hall,	Plumley
Barden	Leonard W.	Powell
Barry	Hancock	Quinn, N. Y.
Bloom	Hare	Richards
Bonner	Healy	Rivers
Bradley, Mich.	Hobbs	Roe, Md.
Buck	Holifield	Roe, N. Y.
Buckley	Izac	Ryter
Burch	Jackson	Savage
Butler	Jarman	Schwabe, Okla.
Canfield	Johnson, Okla.	Short
Cannon, Fla.	Judd	Stewart
Cochran	Kelly, Ill.	Thomason
Coffee	Kilburn	Traynor
Crosser	Kinzer	Vorys, Ohio
Curley	Lesinski	Walter
Daughton, Va.	McGehee	Welch
Dawson	McMillan, S. C.	White
Dirksen	Maloney	Wilson
Douglas, Calif.	Manasco	Winter
Eaton	Mason	Wolfenden, Pa.
Fulton	Mott	Wood
Gifford	Pfeifer	Worley

So the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mrs. Douglas of California for, with Mr. Winter against.

Mr. Quinn of New York for, with Mr. Schwabe of Oklahoma against.

Mr. Healy for, with Mr. Kinzer against.

Mr. Roe of New York for, with Mr. Plumley against.

Mr. Holifield for, with Mr. Butler against.

Mr. Pfeifer for, with Mr. Bradley of Michigan against.

Mr. Savage for, with Mr. Short against.

Mr. Powell for, with Mr. Mason against.

Mr. Barry for, with Mr. Wilson against.

Mr. Bloom for, with Mr. Kilburn against.

Mr. Buckley for, with Mr. Dirksen against.

General pairs:

Mr. Maloney with Mr. Eaton.

Mr. Lesinski with Mr. Buck.

Mr. Manasco with Mr. Canfield.

Mr. Curley with Mr. Fulton.

Mr. Bonner with Mr. Vorys of Ohio.

Mr. Johnson of Oklahoma with Mrs. Bolton.

Mr. Richards with Mr. Gifford.

Mr. Crosser with Mr. Wolfenden of Pennsylvania.

Mr. Burch with Mr. Leonard W. Hall.

Mr. Cochran with Mr. Judd.

Mr. Hare with Mr. Welch.

Mr. Kelly of Illinois with Mr. Hancock.

The result of the vote was announced as above recorded.

The SPEAKER. The question is, Will the House on reconsideration pass the bill, the objections of the President to the contrary notwithstanding?

Mr. McCORMACK. Mr. Speaker, I demand recognition on the question.

The SPEAKER. The gentleman from Massachusetts is recognized.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Massachusetts.

Mr. MARTIN of Massachusetts. I understand the gentleman is willing to give the opposition half of the time to which the gentleman is entitled.

Mr. McCORMACK. Absolutely. I will be very glad to yield that time if we can agree on someone to control it. Would the gentleman from Virginia [Mr. FLANNAGAN] be satisfactory to both sides of the House?

Unless there is objection, it is understood, then, that the gentleman from Virginia [Mr. FLANNAGAN] may control 30 minutes. I am not necessarily limiting him to that time, but he can at least rely on 30 minutes.

Mr. Speaker, the House in its wisdom has voted against referring the bill and the veto message of President Truman to the committee and the matter now comes before the House on the question of whether or not the House will, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding. This requires a two-thirds vote, as we all know.

This is the first veto of a major bill that President Truman has sent up to this body. Only a few weeks ago a great tragedy happened, as a result of which under the processes of our constitutional government Vice President Truman became President of the United States. There is no question but that the country has recognized the tact and the judgment he has exercised, and that without regard to party there has been a strong manifestation of support of the leadership President Truman has given us to date.

As I say, this is the first veto message that has come from him not only as President but as Commander in Chief on a matter relating to the conduct of the war. I think the veto message of the President is such a strong and convincing one that the House should sustain the veto.

What does President Truman say in his veto message?

The Congress, when it passed the Selective Training and Service Act of 1940, wisely provided that no deferment from service in the armed forces should be made in the case of any individual "except upon the basis of the status of such individual, and no such deferment shall be made of individuals by occupational groups."

President Truman also stated:

Enactment of such a law would not only be an injustice to the millions already inducted into our armed forces and those yet to be inducted. It would do violence to the basic principle embodied in section 5 (e) (1) of the Selective Training and Service Act which prohibits deferment by occupational groups or groups of individuals, a principle which was incorporated into the present law because of the deferment scandals of the last war, particularly in shipyards. The resolution would also limit the authority now vested in the President by section 5 (1) to make final determination of all questions of exemption or deferment under the act and would deprive him of the right to determine the relative essentiality of the needs of agriculture and the armed forces.

This veto message also contains this very correct, significant, and pointed language:

Thus in practical effect it would single out one special class of our citizens, the agricultural group, and put it on a plane above both industrial occupation and military service.

The logic and the soundness of the veto message cannot be disputed, in my opinion. As I have said, this is the first veto message of President Truman as the Commander in Chief in wartime. I think it would be unfortunate if this veto, having in mind the soundness of the veto message, should not be sustained by the House of Representatives.

I realize the influences that exist, but there are times when we have to lift ourselves above the influences which con-

front each and every one of us. This certainly seems to me to be one of these times. Furthermore, if I were a young man living on a farm—and they are red-blooded Americans; there is no more red-blooded group than the young Americans living on the farms—I would not want to be singled out and given special consideration as a group, over the other groups of red-blooded young Americans who work in industry or who live in the cities. If I lived and worked on a farm and belonged to that group of young men of red-blooded, sterling Americans, I would resent being given special consideration and special preference.

The war in Europe, as you know, is about over. Certainly, if there is one time during the progress of this war when, aside from the arguments presented by President Truman in his veto message, which I have referred to, if there ever was a time when a veto should be sustained and this bill should not become a law, now is the time. Appealing to the Members of the House of Representatives, having in mind the soundness and logic of the veto message of President Truman; having in mind the fact that we are at war; having in mind the fact that the red-blooded young Americans on the farms do not want any preference over the red-blooded young Americans in other fields of economic endeavor throughout the country; having in mind these factors and other considerations, I hope that the veto of President Truman will be sustained.

Mr. Speaker, I reserve to myself the balance of the time.

Mr. Speaker, I yield 10 minutes to the gentleman from Virginia [Mr. FLANNAGAN].

Mr. FLANNAGAN. Mr. Speaker, I agree with my majority leader; it is unfortunate that we are faced with a vote on a veto message. But I do want to call the attention of the House to several things which have been stated in debate which are misleading. There has never been any disposition on the part of those in this body who represent farming areas to give the farm boys special treatment, and I deny that the Tydings amendment gives the farm boys special treatment. Why do they not give you the background of the Tydings amendment? Why do they not tell you about the necessity that prompted the Congress to pass the Tydings amendment? Let me tell you the facts. The facts are these: Agriculture was never classified as a critical industry. What did that mean? It meant that the farm boy could not be deferred although he was essential to the production of food; and remember food is as essential to the prosecution of this war as planes and tanks. If agriculture had been classified as an essential war industry there would have been no necessity for the Tydings amendment. The boy in the steel mill could be deferred because he was engaged in an essential war industry. The boy in the shipbuilding plant could be deferred because he was likewise engaged in an essential war industry; and so on down the line. But no provision was made for the farm boy. As a matter of fact, our selective-service law was being administered, prior to the Tydings amendment, so that it gave practically every other boy in America preference over the farm boy. That is the truth of the matter. The Tydings amendment was passed in order to preserve the boy for the farm if, of course, the local board found that his services were essential to the war, and Congress took this action because it realized that the production of food was an essential war undertaking. That is the reason the Tydings amendment was enacted.

Now, a great principle is involved in your vote today—a principle as great as any that ever confronted the American Congress. Here, by act of Congress, that is plain and unambiguous, we say to the selective service local boards, "If a boy is engaged in essential farm work and the production of food essential to the war effort, keep him there." That was the Congress speaking.

The Selective Service Board respected that act for over 3 years. It was passed in 1942 and it was observed literally by the Selective Service until January 3, 1945. Then what happened? On that date by a directive issued by Selective Service, the Tydings amendment was wiped out. Are we going to stand by and see the laws of Congress wiped out by Executive order or by directive issued by the Selective Service or any other governmental agency?

Mr. MAY. Mr. Speaker, will the gentleman yield?

Mr. FLANNAGAN. Just let me finish and then I will yield.

I plead with you to uphold the hands of the Congress of the United States. The issue is right up to you today. If the Tydings amendment was wrong in any respect, why did not the Selective Service come to the Congress and tell us so and ask us to amend the law? Instead of doing that the Tydings amendment was nullified by a directive issued by an agency Congress created—by a directive issued by the Selective Service Administration. When we called their hands they agreed with us and issued another directive, in which they told the draft boards that they must respect the Tydings amendment. But as I said a few moments ago, the ink had not gotten dry on the corrective directive, in which General Hershey told the Selective Service boards to respect the Tydings amendment, until he wrote his famous editorial wiping out the corrective directive he had agreed to with the Committee on Agriculture of this House and restating the position he took in his directive of January 3, which, as I told you, wiped out the Tydings amendment.

Now, if we are going to stand by and permit any governmental agency, even the Executive, to wipe out an act of Congress by directive or Executive order, then in my opinion we are a spineless lot of Representatives.

The issue is fundamental, and I for one am going to do what my conscience dictates that I should do irrespective of the fact that I hate, especially at this early stage, to override the President's veto. I am going to vote to uphold the legislative act of this House and I am going to continue to so vote as long as I remain a Member. No act of Congress will ever be set aside by Executive order or by directives issued by some governmental agency if my vote can keep such a thing from happening.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RAMSPECK). The gentleman yields back 1 minute.

Mr. McCORMACK. Mr. Speaker, may I inquire how much time I consumed in the remarks I made?

The SPEAKER pro tempore. The gentleman used 7 minutes.

Mr. McCORMACK. Mr. Speaker, I yield 5 minutes to the gentleman from North Carolina [Mr. COOLEY].

Mr. COOLEY. Mr. Speaker, I regret very much that I find myself in disagreement with my very distinguished and beloved chairman the gentleman from Virginia [Mr. FLANNAGAN]. While I am reluctant to do so, I feel that it is my duty to speak with regard to the proposition which is now before the House.

Mr. Speaker, if there is one thing that is inherent in American character, it is justice and fair play. While the President did not use that exact expression, he did, in his message, emphasize the fact and the thought that many men who were engaged in agriculture are now engaged in battle after being inducted into the armed forces under the selective-service law. Would it not be a rank discrimination to change the rules in the middle of the game? I hope I may be pardoned in referring to this horrible war as a game. I use the expression only for illustrative purpose. After having inducted 10,000,000 men under a certain set of rules or laws, and having raised the world's greatest and finest Army, would it be exactly fair to those now in the armed forces to change the law and permit others deferment which was denied to them?

The Flannagan bill is not a mere reiteration of the Tydings amendment. It is not a mere expression by the Congress but if enacted will become a a vital part of the basic law, under the administration of which millions of men have already been inducted. The very purpose of the legislation is to change the law and to bring about a different interpretation from that which has heretofore been placed upon the Tydings amendment. This would be most unfortunate, especially at this moment when the light of freedom is shining again upon the horizons of Europe and everything indicates that the European war will soon be over.

Mr. FLANNAGAN. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. FLANNAGAN. Is not this true: We are not attempting to change the rules of the game; we are trying to get Selective Service to play the game according to the rules laid down by this House?

Mr. COOLEY. Frankly, I believe that General Hershey has endeavored to do an honest job. I believe that he has discharged his arduous duties with dignity and impartiality. I am perfectly willing to accept my full responsibility as a Member of Congress and I am, therefore, not willing to criticize General Hershey for the failure to clarify the directive which

was the subject of great controversy a short while ago.

I recall that when he was advised that the directive had resulted in great confusion and in the induction of essential farm labor, he came before the House Committee on Agriculture and after a thorough discussion of the directive he agreed to issue another directive to the end that the situation might be completely clarified. He not only issued the directive but he permitted our committee to write it and to satisfy ourselves with regard to its effect as a clarifying directive. This clarifying directive, which was prepared in our committee room, was sent to all State directors with definite instructions to advise all local boards immediately concerning the same.

General Hershey is now accused of having written an editorial or other communication, the effect of which was to annihilate completely and destroy the purpose of the clarifying directive. With this, I do not agree.

Occupational group deferments were not contemplated by the selective-service law. If we, by the enactment of the Flannagan bill, eliminate relative essentiality in determining the eligibility of citizens to serve in the armed forces, and further provide at the same time, by the same act, that those engaged in agriculture shall be deferred, it certainly follows that we will have group deferments. As I have stated, occupational group deferments are incompatible with the very genius and the letter and the spirit of the selective service and with orderly and ordinary processes of democracy.

Agriculture is, of course, an essential industry and under the Tydings amendment every registrant engaged in the type of agriculture which is essential to the war effort and is contributing to the war effort, as contemplated by the Tydings amendment, is entitled to deferment. I know, and I suppose that every Member of this House knows, that many registrants who were definitely entitled to deferment have been inducted. The discretionary power with regard to deferment and induction rests with local boards. Certainly General Hershey and his associates cannot be blamed for these inductions. I am sure that it will not be contended that all registrants engaged in agriculture are entitled to deferment. Only those who are engaged in the type of agriculture that is making an actual contribution to the war effort are entitled to deferment under the Tydings amendment. The President, by his veto of the Flannagan bill, certainly has not repudiated the Tydings amendment. The truth is, he is repelling and repudiating any change or modification of the Tydings amendment and in this he is thoroughly justified. Certainly no one will contend that the Flannagan bill merely reiterates or restates the Tydings amendment and nothing more. Certainly something else is sought to be accomplished and that something else constitutes a vital change. If Selective Service has failed to administer properly the selective-service law, or if we have administrators who are ignoring the law, then we should proceed against them and not against the law which is clear and unambiguous.

Mr. MICHENER. Mr. Speaker, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Michigan.

Mr. MICHENER. What is the basic law? Is it not true that the only power anybody has to draft any man or woman into the military service was granted by the Congress, and is it not also true that the Congress passed the Selective Service Act—and I use the word "selective" advisedly—and it was interpreted by the Administrator as intended by the Congress for more than 2 years, then another interpretation was placed upon the law, including the Tydings amendment?

The SPEAKER pro tempore. The time of the gentleman from North Carolina has expired.

Mr. McCORMACK. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. MICHENER. May I finish what I was saying?

Mr. COOLEY. I yield to the gentleman if he can finish in half the time allotted to me.

Mr. MICHENER. The Congress passed the draft law. The law is the only authority the Administrator has. At first he interpreted the law as the Congress intended it to be interpreted, but 2 years later he put another interpretation on it. The Congress, by the Flannagan resolution, reiterates and repeats its intent.

Mr. COOLEY. I do not agree that there has been any change in the interpretation. I do agree, however, that State directors and other officials in State offices have, perhaps, unduly influenced decisions of local boards and have in many instances brought about the induction of registrants who should have been deferred. I know, too, that Members of Congress have tried to force a new and different interpretation upon General Hershey, an interpretation which he was unwilling to accept.

As has been pointed out, we now have a new President in the White House. He is our new Commander in Chief. He is intensely interested in the success of the war effort and he is well advised concerning the urgent need of manpower in the armed forces. This is the first opportunity this House has been afforded which will enable it to say to this country and to our allies and to our enemies, whether or not we are going to follow our new leadership in a matter concerned with the war effort, or whether we are going to repudiate our Commander in Chief. By our vote we should sustain him. We should keep faith with our fighting men and with our new Commander in Chief.

The SPEAKER pro tempore. The time of the gentleman from North Carolina has again expired.

Mr. McCORMACK. Mr. Speaker, I yield 5 minutes to the gentleman from Kansas [Mr. HOPE].

Mr. FLANNAGAN. Mr. Speaker, will the gentleman yield for an observation?

Mr. HOPE. I yield to the gentleman from Virginia.

Mr. FLANNAGAN. In reply to the gentleman from North Carolina that we are deserting our leader, I call his attention to the fact that in October 1942, when the Tydings amendment was before the Senate, the CONGRESSIONAL RECORD, volume 88, part 7, page 8645, revealed the following:

> Mr. HILL. I announce that the Senator from Alabama, Mr. Bankhead; the Senators from Nevada, Mr. McCarran and Mr. Bunker; the Senator from Wyoming, Mr. Schwartz; and the Senator from Missouri, Mr. Truman, are necessarily absent. I am advised that if present and voting, these Senators would vote "yea."

That was the vote on the Tydings amendment.

Mr. HOPE. Mr. Speaker, the distinguished majority leader referred to the President's message as a very logical document and urged that the motion to override the veto be defeated on the ground of its logic. Perhaps it is a logical document if you ignore the fact that Congress in 1942 passed the Tyding amendment.

This message ignores this entirely. The Tydings amendment was an expression by Congress of the fact that we should put those who were producing food in this country in a separate class as far as induction in the military service was concerned. The Selective Service Act was passed in 1940, the Tydings amendment in 1942. It was the last expression of the Congress on that subject, and it necessarily overrules and overrides the language to which the President referred in his message when he said that there was intended to be no distinction between different groups or occupations or classes of our population. The purpose of the Tydings amendment was to defer those men on the farm who were essential to agricultural production. Under its provisions it was left to the local boards to determine whether any farmer or farm worker was essential to agricultural production and if so found he was entitled to deferment.

That interpretation stood until last January. In January that interpretation was changed. Under a directive issued by the Director of the Selective Service, local boards were instructed that they were to determine not only whether a man was essential to agriculture but whether he was more essential to agriculture than to the armed services, thus introducing an entirely new element into the situation, never intended to be placed there by Congress. That changed interpretation still stands. House Joint Resolution 106 was intended to restate and reaffirm the Tydings amendment and to repudiate the interpretation placed on that amendment by the Director of Selective Service under that false interpretation. Men are being taken off the farms today at a moment when the war in Europe is practically over but when the war to produce food in this country is just at its height.

I hold in my hand the report filed by the House committee appointed to make a study of the food situation. This group consists of seven distinguished Members of this House. The first recommendation that that committee made reads as follows:

> The committee recommends that immediate steps be taken to give first priority to food production, and that all possible measures be taken without delay to increase the production and supplies of those food

items now in short supply, and that policies be initiated to provide adequate manpower and machinery for the farmer.

That is the problem that is confronting the country today and it is a responsibility that rests upon every one of us. It rests upon every Member of this House because if we do not take action now to keep manpower on the farm when we have the opportunity there will surely be a food shortage this year.

The responsibility is upon every one of us. It is upon the President. I say that you will be doing the President, whom all of us wish well, a service today if you vote to override this veto because I can think of nothing which would be a greater embarrassment to him than a critical food shortage.

Mr. McCORMACK. Mr. Speaker, I yield 5 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Speaker, the Congress passed the Selective Training and Service Act in 1940. In 1942 the Congress of the United States passed the Tydings amendment in discharge of its obligation to make rules and regulations governing the conduct of the war. That Tydings amendment was passed, as I now recollect, without a dissenting vote in either the House of Representatives or in the Senate. The distinguished gentleman who now occupies the Presidency, who was then in the Senate of the United States, is recorded, as the distinguished gentleman from Virginia indicated, as having expressed that if he had been present he would have voted for the Tydings amendment.

It is now claimed in this veto message of the Flannagan bill that the Tydings amendment is an attempt on the part of the Congress to set agriculture apart and to grant a mass deferment to those engaged in agriculture. I do not so interpret the Tydings amendment. It certainly was not so interpreted at the time it was passed and at the time the record shows the President indicated his approval of it when it was before the Senate. All that the Congress did in the Tydings amendment, as has been clearly shown by the RECORD, was to indicate to Selective Service that in the consideration of deferments they shall give consideration to the necessities of those engaged in agriculture as connected with the war effort, and give consideration to the question as to whether or not replacements are available, so that if the local board determines, and the appeal board sustains it, that an individual is in fact necessarily engaged in an essential activity in agriculture and that replacements were not available, he should be granted deferment. But we found throughout the Nation that, according to the instructions issued by Selective Service, that provision in the law, that Congress had written, was entirely ignored. There is not a man in this Congress from an agricultural district who does not have on his desk evidence of dozens and dozens of situations where farm operations have had to be suspended because they have taken from those farms the only essential labor on the farms.

All the Flannagan amendment does is to call on the Selective Service to comply with the spirit of the law which this Congress passed unanimously in 1942.

You are going to see the time come in the not too far distant future when you will wish you had some people on the farms capable of producing food. Those who are in a position to know, know that at this very hour food above all things is the greatest weapon the United States Government has. Food is the thing that will determine the future of Europe, whether there will be anarchy over there or whether they will be able to stabilize governments on a democratic basis. The food that is produced in America is going to be the difference between peace and anarchy in Europe. Mark what I tell you, you people who are bound and determined to take off the farms the workers who are engaged in producing food, when hunger stalks in Europe and in this land, remember that you are going to bring German prisoners here to take the place of American citizens.

Mr. McCORMACK. Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. SPARKMAN].

Mr. SPARKMAN. Mr. Speaker, I suppose I represent as nearly a completely agricultural district as any Member in this House. I voted for the Tydings amendment back in 1942 and that Tydings amendment is still in the law regardless of what action this House takes today. That is the amendment the present President of the United States voted for. I think we ought to keep clearly in mind that whatever action we take today, that amendment is not taken out of the law.

I differed just as much as anybody did with the action taken by General Hershey and the officials of the Selective Service System when they instructed the local boards, as they did, with reference to the effect that should be given to the Tydings amendment. I think they went entirely too far. I think they imposed their will upon the local boards and took away from those boards the feeling that the Tydings amendment was still law. But it is still in the law and it is up to us to convince those local boards that under the law they are charged with the responsibility of giving effect to it. Just as the gentleman from North Carolina said, if a law is not being properly administered, we should be up here raising our voice to change the administration of the law.

Just now the only thing which is really involved in this measure is the question of relative essentiality. That is the only new thing in this proposed rewriting of the original Tydings amendment. It says in effect that relative essentiality shall not be taken into consideration. The statement has been made on the floor here that the idea of relative essentiality was brand new when this interpretation was placed upon it. I do not believe that is wholly accurate. As a matter of fact, all along the matter of relative essentiality has been taken into consideration.

We just did not call it by that name. For instance, we know that for a year or more it has been virtually impossible for all of those from 18 to 26 to get a deferment. To be eligible for deferment they had to be absolutely irreplaceable keymen in whatever line of work—essential war work—they were engaged. From 26 to 30 years of age, it was a little easier to get deferred. From the age of 30 to 38, almost anybody could get deferred. All they had to do was to show that they were engaged in some kind of war work and that was all that was required. The question of irreplaceability did not enter into it. That is nothing but relative essentiality. We have practiced it from the very beginning.

We are hoping that things are going to happen fast in Europe in the next few days. As a matter of fact, our committee is holding an executive session tomorrow to receive from the War Department some information as to the demobilization plan. We are hopeful they are going to tell us just how many people they are going to let out of the Army under that demobilization plan. We are hoping that it is going to run up into the hundreds of thousands and perhaps into the millions. Certainly from whatever may be the number of men demobilized, we shall get a proportionate number of farmers. Let no one make the mistake of believing the farmers are not in this war. It would be the most fallacious idea in the world to assume that the farm boys have not carried their fair share of this war, because they have. We shall get a proportionate number of farm boys and they are coming back to the farm as they are demobilized.

I do not know how it is in your district, but if we overrode this veto today, it would not help the situation in my district because those boys are already in the Army. They are in the Army generally throughout the country. And enactment of this proposal into law is not going to bring any of them back to the farm. The War Department works over a million civilians in its various war plants, and out of that million civilians there are less than 50 between the ages of 18 and 26 years deferred. That is fairly general throughout the whole country.

We still need replacements. Let us not make the mistake we made last fall in believing that this war is about over. I want to read you a brief excerpt from a letter from General Marshall, Chief of Staff, which came to our committee just yesterday. I wish the Members would listen to this.

The SPEAKER pro tempore (Mr. RAMSPECK). The time of the gentleman from Alabama has expired.

Mr. McCORMACK. Mr. Speaker, I yield 1 additional minute to the gentleman from Alabama.

Mr. SPARKMAN. These are excerpts from a letter from General Marshall, dated May 2, 1945:

> We have not been able to meet the demands of General MacArthur and General Eisenhower for replacements during May and June. This amendment will in effect further add to the shortage by some 50,000 men over the next 3 months.

The amendment referred to is the one extending the Selective Service Act requiring 6 months' training:

Within the week, General Eisenhower has informed me that his losses are currently averaging 2,000 men daily, and he anticipates no reduction in his replacement requirements for June.

It is urgently necessary to start an increased flow of replacements to the Pacific Ocean area over and above those required to replace battle losses. Many veteran soldiers have been through several hard-fought campaigns in that area under very trying climatic conditions. We should return these men for release from the Army as quickly as possible. To accomplish this a pool of replacements must be built up there.

Remember, this is a matter that is requested in time of war by our Commander in Chief, and it bears directly upon the matter of waging war and waging it successfully. Let us stand behind him.

The SPEAKER pro tempore. The time of the gentleman from Alabama has expired.

Mr. McCORMACK. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. H. CARL ANDERSEN].

Mr. H. CARL ANDERSEN. Mr. Speaker, on the 28th and 29th of March the gentleman from North Dakota [Mr. ROBERTSON] and I drove from Washington, D. C., through the great agricultural States of Pennsylvania, Ohio, Indiana, and Illinois, all the way to the far northwest corner of the State of Iowa. Along that 1,350 miles we saw hardly a dozen herds of what you might term good feeder cattle in the feed lots. All through that greatest agricultural section of America we noticed only four or five small groups of pigs out in the fields where there should have been hundreds of such groups. What is the reason? Simply because agriculture has been stripped down to the bone as far as labor is concerned; simply because the farmer on a quarter section of land must farm his land, even though he does not have the necessary labor to feed livestock. He can easily go out into the fields with a tractor and put in a crop, and perhaps can manage to harvest the crop through cooperation of the willing people from his nearby village or through trading help with his neighbor. However, take away his hired man or son and what does he do? The easy thing and perhaps the only thing for him to do is to get rid of his livestock when that extra man is taken away from him. The only thing for him to do on his farm is to do as many of my neighbors have done, dispose of their dairy herds and just not do any milking or feeding at all. Too many farmers are following this procedure today, and consequently no butter and meat is served at many restaurants in Washington today.

It is easy to talk about prisoners of war but who would want a prisoner of war on the same farm with his family as a replacement for a boy who was raised on that farm. How can that prisoner be trusted? We would not want him around the individual farm. For large jobs where a group of them can work under guard the situation is different. Our cows have to be milked 365 days in the year, twice a day. The cattle and pigs have to be taken care of every day of the year. Seasonal labor does not produce meat, eggs, butter, and milk. The farmer or his men must be on the job all through the year on livestock farms.

Mr. Speaker, any man who votes today not to override the veto is gambling with the food supply of the Nation, not alone that of our own Nation, but also the one great source of food toward which hundreds of thousands, yes, millions of starving people are turning their eyes in appeal. Food today is just as important as any munition of war. The European war is practically over and food alone will satisfy the hunger of the liberated countries. We are to decide here today whether we intend to permit all of the huge corn cribs full of corn, noticeable on that trip I mentioned, stand unused in the yards of the farm homes of America or whether sufficient farm labor will be assured so that this can be fed to cattle and hogs as it should be, right away.

If this vote sustains the veto, every draft board in America will feel justified in accepting the bureaucratic rulings of one individual, General Hershey, and will ignore completely the expressed intent of Congress when we saw fit to enact into law the Tydings amendment. I hope the veto of this legislation will be overridden and that Congress will reassert itself as the law-making body of the United States of America.

The SPEAKER pro tempore. The time of the gentleman from Minnesota has expired.

Mr. McCORMACK. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Speaker, I thought in the vote taken a few moments ago that we should refer this veto message to the House Committee on Military Affairs, because that is the committee which is charged with studying this very important subject. In the meantime, however, I think the House is under some misapprehension.

The Flannagan resolution, as it passed the House, was practically a reiteration of the Tydings amendment. I believe it passed by a voice vote, if I remember correctly. But when House Joint Resolution 106 went to the Senate, it was reported out of the Senate Military Affairs Committee with an amendment. The Senate agreed to that amendment and the House concurred, following a conference.

Here is some of the language which was added in the Senate. There are a number of words first.

Then it says:

Such deferment shall be made by said board without consideration of any other circumstances or conditions whatsoever.

Now, Mr. Speaker, if you are willing that that language stand in the law as it stands in this bill as it was finally passed by the House and the Senate in adopting the conference report and make it impossible for the military leaders, the Commander in Chief of the United States, to find any other circumstance whatsoever including the need of the armed forces for more men, then you are going beyond what I am willing to go even though I supported the Tydings amendment when it came into the House. We declared in the Tydings amendment that agriculture was an essential industry. But I for one am not willing to say to the President of the United States that such deferment shall be made by said board without consideration of any other circumstance or condition whatsoever, and I therefore shall vote to uphold the veto.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentleman yield?

Mr. HINSHAW. I yield.

Mr. AUGUST H. ANDRESEN. That referred to the Tydings amendment wherein each registrant should be passed upon as to whether or not he was essential and irreplaceable. That is the only meaning of that language.

Mr. HINSHAW. I decline to agree with the gentleman, because the language preceding it has to do with that question. It follows the Flannagan resolution and reads as follows:

And the foregoing provision of this sentence shall apply upon any appeal or review of a decision made thereunder by a selective-service board.

That is the language the gentleman refers to. This other language to which I have referred makes it impossible for any other condition or circumstance to intervene, such as one in which the President of the United States might desperately need additional troops to win the war; I certainly am not willing to support that limiting provision, in view of the veto message of the President, and shall vote to sustain his veto of House Joint Resolution 160.

The SPEAKER. The time of the gentleman from California has expired.

Mr. McCORMACK. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky [Mr. ROBSION].

Mr. ROBSION of Kentucky. Mr. Speaker, I was shocked and grieved when word came to the House about an hour ago that the President had vetoed House Joint Resolution 106, which provided for the deferment of registrants determined to be necessary and regularly engaged in an agricultural occupation or endeavor essential to the war effort as set forth in the President's veto message.

For more than a year now there has been a threatened shortage of food, feed, and fiber and this threat has become more acute and menacing every day—so much so that the entire Nation has become alarmed. This has been brought about by the stripping of the farms of essential farmers and essential farm workers and the failure of the farmers to secure necessary machinery and a fair price for their products.

The threat of shortage really reaches back to 1942. The original Selective Service Act provided that those registered under the Selective Service Act engaged in agricultural occupations or endeavors essential to the war effort should be deferred, and this also applied to those engaged in industry essential to the war effort, in transportation, and other civilian activities that were necessary and essential to win the war.

Those in charge of the Selective Service ignored these provisions as to farmers and farm workers; therefore Congress passed what was known as the Tydings amendment to the Selective Service Act. The record discloses that President Truman, then a Senator, approved the Tydings amendment that farmers and farm workers essential to the war effort should be deferred.

But the Director of Selective Service ignored the law, kept sending out instructions to the local draft board that defeated the very purpose of the Tydings amendment, and the food, feed, and fiber shortage kept increasing from day to day and there was an almost universal demand on the part of the American people that there be some relief against this intolerable situation. So Congress passed, by an almost unanimous vote, House Joint Resolution 106, by Mr. FLANNAGAN, of Virginia, which was today vetoed by the President.

The Congress in this resolution called upon the Director of the Selective Service as well as on all those engaged in administering the law, to carry out the intent and purpose of the Tydings amendment. The food shortage continued to be so acute that Congress recently passed a resolution providing for appointment of a committee of the House to investigate the whole question and report back to the Congress the result of its investigation. Of course the committee was composed of a majority of Democrats, headed by the able Democrat, Mr. ANDERSON of New Mexico, and made up of other able Democrats and Republicans. Before the President vetoed this resolution this committee made its report and these findings confirm the critical food shortage and point out a number of things that should be done to remedy the situation. The first recommendation is: Immediate steps to give first priority to food production and to provide adequate manpower and machinery for the farmer.

In other words, this committee, in viewing the whole field of our war effort, now urges that the Government, including the Selective Service, give "first priority to food production and to provide adequate manpower and machinery for the farmer." They do not recommend that they give priority to increase the Army or the Navy or to increase the production of ships and munitions of war, but they recommend giving first priority for food production and to provide adequate manpower and machinery for the farmer in order that he may meet this food-shortage threat. It has become alarming. They also urge that there be coordination of these various agencies that have undertaken to handle but have in fact jumbled the food situation, by placing this authority in the hands of one able administrator; and, of course, they found that the black market has flourished because in many cases, and especially in meats, the farmers were not receiving such a price for their livestock as would enable them to produce cattle, hogs, and sheep. The truth is, we have more cattle on the farms today than at any other period in our history; but the farmers, at the prices prevailing, cannot afford to fatten these cattle, hogs, and sheep and get them in shape for market, and therefore this committee urged an increase in prices to the producers. They also urged that special inducements be given to producers of poultry and eggs, and to the fishing industry, and to sugar producers of this country and its Territories and that vigorous control of the black market be applied particularly at the source of production.

Now, in the face of this informative report made by an able committee of this House, urging that priority be given in furnishing manpower and machinery for the farms, the President vetoes this Flannagan resolution, which sought to accomplish this very purpose. The gentleman from Virginia [Mr. FLANNAGAN] is chairman of the Agriculture Committee of the House, a good Democrat of Virginia. He made a very vigorous speech today against the President's veto, and, considering all the facts and circumstances, it was natural for me and many other Members of the House to be shocked and grieved over this action of the President.

KEEP GERMAN PRISONERS IN EUROPE

Congress, the other day, was advised by a representative of the War Department that they are bringing into this country approximately 75,000 German prisoners of war a month, and these are to be used in working on our farms. We have approximately 400,000 war prisoners. Perhaps one-half or more of these are idle, but all of them have been faring sumptuously every day on beef, pork, chickens, eggs, butter, milk, fruits, and vegetables. It is admitted they are faring much better than American citizens engaged in patriotic efforts to win this war, while the German authorities were starving to death and brutally murdering American soldiers and sailors—war prisoners.

It is our conviction that these German prisoners should be sent back to Germany and that millions of our other German prisoners of war be kept in Europe and not bring any more to this country, and that they be required to rebuild the countries that they have helped to destroy. They cannot speak our language; they dislike the people of this country; they are resentful and, for one, I should not like to have them about my family. If we send them back to Germany we will save a lot of food and clothing for our own citizens and we will not have the expense of feeding, guarding, and caring for them.

This Congressional Food Investigating Committee did not recommend that we provide this needed manpower with German prisoners of war. They desired American farmers and farm workers, who are essential to food production, to furnish this manpower.

MEN, MUNITIONS, FOOD

Our great objective since we declared war December 8, 1941, has been to win this war as quickly as possible, and I agree with the President that it is the duty of every loyal American citizen to contribute his efforts where they are most essential and most effective in accomplishing that objective.

Wars cannot be won by men alone, neither can they be won by ships, planes, guns, tanks, shells, and other munitions of war and neither can they be won by food alone. We must have all these elements cooperating for this one purpose. We could not win this war by all our able-bodied men and women becoming members of the armed services. We could not win by all of our able-bodied men and women working in the shipyards, mills, factories, shops, and mines and in operating railroads, truck lines, and so forth. Neither could we win the war if all our able-bodied men and women remained on the farms. We must have all the men essential and necessary in our armed services. In my support of the Flannagan Resolution 106 I am not speaking for myself, because my only son is in the Army and all of my able-bodied nephews are in some branch of the service. I have one thought in mind, and that is to do the best thing to win the war at the earliest moment possible and to aid in bringing about a durable and lasting peace.

When the war started we laid great stress properly on securing and building up a great army and navy. First and last we have inducted approximately 14,000,000 men into these services, and we also emphasized the importance of warships, cargo vessels, planes, bombers, guns, tanks, shells, the processing of foods, meats, clothing, and so forth, in our war industries. Literally millions of men have volunteered for service in the Army and Navy. Other millions were engaged to go, and did go, into industries. There were perhaps more volunteers for the Army and Navy, marines, and air forces from the farms, according to the population, than from any other group in this country, and because of the patriotic urge as well as the high wages, short hours, and working conditions, millions of farmers and farm workers went into the war plants, and these stripped the farms of about 4,000,000 or more able-bodied men and women. The farm population in this country is a little more than one-fifth of the entire population of the Nation. The net results of these efforts are that we do have a great army, and we do have the most powerful Navy in the world and in all history, and we have produced in industry more equipment than all the other nations in this war combined since we entered the war, and we are now equipped as we have never been before in the way of supplies for our armed forces. But all of this operated against such production on the farms as is necessary to maintain our armed forces, and aid our allies, and provide food and clothing for those who are making our ships and other instruments and munitions of war, and provide for the civilian population of our country as well as sending literally billions of tons of supplies to the Allied forces.

Germany is already destroyed, and Japan is in the process of destruction. But we are not cutting down our armed forces or our production of armaments. As we conquer nations and take over Europe with millions of prisoners and tens of millions of hungry and naked people, the necessity for food, feed, and

fiber has increased greatly and will continue to increase for a long period of time. Yet the course we are following, aided by the President's veto, will continue to strip the farms of the necessary manpower and machinery.

In going over my district I find literally hundreds of very good farms that have little or no production because our armed services or our war plants have stripped them of young men and those able to carry on, and perhaps no one is left except some aged father or mother, or both, who are not able to carry on the farm work; and this very able committee is 100 percent in urging that the matter of first importance now is to give priority to essential farm workers so that we may strengthen this great weakness that has developed in our country. We must continue to supply our own people and we must with proper arrangements help in these conquered and liberated countries. If we do not we may expect hundreds of millions of people to embrace communism or other radical philosophies and this would be a real threat to our country.

If this great, rich, agricultural country of ours utilizes its manpower properly it should not be necessary for our mothers, wives, daughters, and young children to stand in line for hours to get some meat or other necessary food products.

The Flannagan resolution and the Anderson committee report attempted to correct this very situation; but the President says "No," and vetoes the resolution. I shall vote to override the veto.

The able-bodied farmers and farm workers who are still on the farm can, in my opinion, contribute more to an early victory and to the creation of an association of nations to insure a just and lasting peace than they could by entering the armed forces or going into industrial plants at this time. What if we should have a severe drought in any considerable area of this country? It would mean starvation to thousands of American people and greatly handicap our Army and Navy.

PATRIOTIC

No one can honestly question the patriotism of the farm group of our Nation. They have always been loyal and patriotic and have always contributed their full share in all our wars, from the Battle of Lexington, April 1775, down to this very day.

I am thoroughly convinced that in proportion to their numbers more men and boys from the farms have gone into the armed services than from any other group; and those who have remained on the farms have done a wonderful job. The farmers of this Nation have made some great records in production through the years; but with the depleted manpower, lack of machinery and other handicaps, they broke all records in 1943 and in 1944 they surpassed the record of 1943. How did they do it By aged men and women, and those physically disabled for military service, and young children, toiling without ceasing from daylight till dark, in fair weather and foul, ever since we entered this war. Hundreds of thousands of these older people are not able to continue this strenuous life. We need replacements on the farms as well as in our armed forces. We cannot continue to strip the land of its essential farmers and farm workers without bringing disaster on our country.

The draft boards should see to it that the slacker does not find a hiding place on the farm. Only those who are farmers or farm workers, who are willing to give their very best on the farm and essential and necessary to the war effort should be deferred in the draft for this purpose.

If the time should come when additional farmers and farm workers are necessary for our armed services, they will be forthcoming. But that time is not now.

There are 2,000,000 able-bodied men now in our armed services who have not been called to the fighting front; they have been trained, some of them, more than 2 years, and others have had a year and others 6 months of training. Our boys who have been overseas 2 years or more should have the opportunity to come home if they desire—provided of course such a return would not disrupt our military and naval operations at some critical time or place.

This veto of the President will no doubt be a severe shock to the farmers and farm workers of the Nation, as well as consumers. Let us indulge the hope that the administration may develop a policy speedily that will correct the food, feed, and fiber situation in this country. We must have these to bring about total victory and peace.

Mr. McCORMACK. Mr. Speaker, may I inquire how much time remains?

The SPEAKER. The gentleman has 15 minutes remaining.

Mr. McCORMACK. Mr. Speaker, I yield 3 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, there have been times when it has been said of the Congress of the United States, and I think rightly, that we had abdicated our functions, that we had failed to exercise that degree of independent judgment enjoined upon us by the Constitution of the United States.

In recent days many in the country have expressed the hope that the Chief Executive, his assistants, and his leaders would recognize the right and the responsibility of the Congress of the United States to exercise its functions as a coordinate branch of the Government. I have joined in that hope.

I do not deny to the President the right to veto this legislation if that is what he thinks he should do; that is his right under the Constitution. But it likewise is our right, yes, our responsibility, to determine for ourselves as Members of the House of Representatives, what we think ought to be done about it now. As far as I am concerned I cannot let go unchallenged the argument that in this matter we must blindly follow the Commander in Chief.

I do not think that is the issue at all. It is a false issue that should not be raised in this debate. It is not a valid argument. The Commander in Chief is the Commander in Chief of the Army and Navy and in time of war he has such additional powers as the Congress sees fit to grant him. The matter of Selective Service is a matter for determination by the civil government, of which the Congress of the United States is a coordinate branch, and we ought to approach it from that angle.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. McCORMACK. Mr. Speaker, I yield 4 minutes to the gentleman from California [Mr. ELLIOTT].

Mr. ELLIOTT. Mr. Speaker, I requested this time to say a few words as a Member who represents the richest congressional district in all the world so far as the production of food and fiber are concerned. Besides that, my district is near the top as far as oil production during wartime is concerned.

I just recently returned from my congressional district and I can say to you honestly that we have scraped the barrel so close in the area that is the food basket of the world that it is questionable whether or not we are going to be able to harvest thousands of tons of foodstuffs which this Nation needs so badly at the present time. This is because of the fact that so many of the youths on the farms have been taken away from those farms.

Mr. Speaker, I am not asking exemption for any of my own. They are already in the service, one of them long before we became involved in war, but I am speaking of the boy today who is needed on the farm at this particular time. I can cite you instances that have happened in the past few weeks where the draft boards have taken young men off the farms and have thereby forced the sale of dairy cattle.

Oh, yes, we hear about the need of food. We want sugar and many other foods. Yet we are leaving nobody to repair these pumping plants in my State where sugar is produced; we are leaving nobody to repair necessary equipment which is so vital to the war effort for producing additional food so badly needed at this time. Anyone with common sense knows that we do not need any more men in the Army at the present time. If the war is about over in Europe, as they say it is, and no one can deny that, certainly we should leave the men on the farms who are needed for the purpose of producing additional food so vital to the war effort and so vital to our allies abroad.

I am sorry that certain statements have been made here today about the farm boy and how he feels about going into the service. I can say to you that they are just as red-blooded Americans as anybody else, and I yield to no man in this House on the question of Americanism which our farmers have displayed during this war. They have not been out on strikes. They have been working from 4 o'clock in the morning until 8 and 10 o'clock at night to produce food for the boys on the fighting fronts. I am sorry those statements have been made. If there is anyone in the House who will stand up beside the Commander in Chief for something that is right as an American principle, that is one thing, but let us not do it as a political gesture to get more votes back

home. I stand by him, representing my people, but not as one who wants to put politics before principle.

The SPEAKER. The time of the gentleman from California his expired.

Mr. McCORMACK. Mr. Speaker, I yield 3½ minutes to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Speaker, we have heard some rather heated arguments here today on this proposition and I am afraid it has left us, as heated arguments usually do, in a somewhat confused state of mind about what the issue here is. As I understand this proposition it is simply a matter not of repealing the Tydings amendment but of reaffirming the Tydings amendment. I understand perfectly how the new President of the United States might have voted for the Tydings amendment and still consistently take the action that he took here today in his veto message.

Mr. WHITTINGTON. Mr. Speaker, will the gentleman yield?

Mr. COLMER. I yield to the gentleman for a question.

Mr. WHITTINGTON. Is it not true that if this veto is upheld the Tydings amendment which he supported remains in effect?

Mr. COLMER. My colleague has anticipated me and I will accept his verbage as expressing my views. There has been considerable agitation about protecting farm labor. I repeat that this is not the question here today. The Congress already acted upon that issued in the Tydings amendment. And regardless of the action taken here today that amendment is still in full force and effect.

So if we must make an issue here today it seems to me that it is a question of whether we shall stand by our new leader in the successful conduct of this war.

In that connection may I say that the whole country is looking with hope to this new man who has ascended to the highest office in the land. The Congress has repeatedly shown its affection for this former colleague by lip service up to date. Here is an opportunity to render a little more than lip service, and that can be rendered on both sides of the aisle. Aside from that, my colleagues, we have almost reached the coveted goal of the European war. We have waged a successful warfare. How did we wage that warfare? No Member of Congress would undertake to say that the Congress was responsible for the conduct of that warfare. The part that Congress played in reaching that coveted goal has been its recognition of the fact that the war could not be run by Congress but had to be conducted by those to whom we delegated the authority and the power to wage that war. In that the Congress has been wise. For all of us must realize that politics and war do not mix. Congress has furnished the sinews of war. The President—the Commander in Chief—and his staff have conducted the war. Otherwise, I fear that we would not be as near to the coveted goal of peace as we are now.

Mr. Speaker, as one who has consistently supported our late and lamented President as Commander in Chief of our armed forces in the conduct of these wars, it is certainly not my purpose to deny that support to our new President, who has made such a sane, sensible, and satisfactory start in his new position. Moreover, I believe that the country expects that of us, and I shall not take the responsibility as a Member of Congress of denying him the support to which he is entitled.

Mr. McCORMACK. Mr. Speaker, I yield 1 minute to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Speaker, every Member must decide a vote on the issues as he sees them. For me, the issue before us is not a question of support or nonsupport to the Commander in Chief, nor is it a question of maintaining any legislative prerogative.

But this is the situation as I see it. We have a job still to do. It is going to take so many men to do that job. Some in Europe for a while, and more in the Pacific.

If we do not provide the needed men in replacements, the men who have been over there fighting will have to stay in just that much longer to complete the job.

Personally, I think turn about is fair play. The older men and those with long service should be permitted to come home and supply needed labor on the farms as well as elsewhere. They can come only if younger men and boys take their places in the line. That is the way the issue appears to me and I shall vote to sustain the veto.

Mr. McCORMACK. Mr. Speaker, I yield the remainder of my time, 3½ minutes, to the gentleman from Kentucky [Mr. MAY].

Mr. MAY. Mr. Speaker, in 3½ minutes I have time to point out only one or two things. The first thing to which I desire to call the attention of the Members is a matter that has not yet been discussed here. The Tydings amendment, which wil remain in the law if the President's veto is upheld, provides for the deferment of farm workers. It also provides that those who are assigned to agriculture on deferment must remain in that occupation unless they go to the military service.

The President points out in his message here, and it cannot be denied, that if the latter provision of the Tydings amendment as amended by the Senate, which is the issue here, remains in the law, it deprives him of the authority to pass upon the question of the essentiality of any man deferred by a local draft board or by an appeals board. It not only does that, it deprives the draft boards of the power to reclassify men. Therefore, if a man is once removed from the farm, the President can do nothing about it.

Further, if you find a hardship case of an essential worker who has been deferred by the draft board, and the Government desires to appeal or the individual concerned desires to appeal, under the law as originally written the President is deprived by this provision of the right to pass on the correctness of the decision of the local draft board or the appeals board.

These are two critical propositions. If you override this veto, you will still have the Tydings amendment, for which the President, then a Senator, voted in the United States Senate in October 1942. So he is not inconsistent at all in his attitude. He stands today for the preservation of the original Tydings amendment in its entirety. His mesasge is a ringing challenge to the House of Representatives to stand by him as the Commander in Chief of the armed forces of this ccuntry, forgetting, as we must, that we cannot defer one group and not defer another.

If you are going to turn the farm workers loose, why not turn loose the coal miners? If you are going to turn loose the farmers and the coal miners, why not turn loose the railroaders? And if you are going to turn loose all of them, why not omit and vitiate the original provision of the act that provided that there should be no deferments based upon classifications or kinds of employment?

The SPEAKER. The time of the gentleman from Kentucky has expired. All time has expired.

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks at this point in the RECORD on this subject.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. RICH. Mr. Speaker, Members of the House, it is a known fact that President Truman promised to permit those in charge of the Army and Navy run the war without interference from him. The Army asks him to veto this bill, so as per his word he did what he promised. For this I admire him.

The Army instructed the draft boards to take all farm boys they could get for the Army. They have robbed the farms of workers. The war with Germany is about over. Food will be needed this year and next in ever-increasing quantities. So we must not rob the farmers of any more workers. For that reason I am going to vote to override the veto, believing I am doing the right thing for America, and the fact that we must feed the starving of Europe I will do the thing that will give them more food.

Mr. MICHENER. Mr. Speaker, the President's veto of House Joint Resolution 106, commonly known as the Flannagan resolution, will bring gloom and despair to many of my constituents who have been carrying on their farm projects under great handicaps. The farmers, to whom I refer, do not ask that their sons be deferred from military duty because they happen to be engaged in an agricultural pursuit. With them it is just a question of carrying on the farm to furnish the food and the fiber essential to feed our people and our armed forces. They have made every effort. Many of the boys from the farms have enlisted in the service. Many have been inducted without any thought of deferment. I resent some of the statements made here today that might be construed as indicating that some of our farm boys

are seeking immunity from service behind a general cloak provided by the Tydings amendment.

The Congress enacted the Selective Training and Service Act of 1940. Do not forget that word "selective," which indicates the intent of the Congress that all persons of specific groups or classes are not to be inducted. It was intended that those who can best serve in the war effort on the home front should be selected to do that work. Those who can best serve in the military force are to be selected for that work. Under the Tydings amendment the local draft boards, living in the communities where the draftees reside, knowing the facts, and in a position to get all the evidence, are charged with the responsibility of deciding whether the particular draftee is essential to carrying on the particular farm endeavor in which he is engaged. The Congress intended that this decision should be made by the local draft board, which is in reality a local jury passing on the evidence in each case.

After the enactment of the Tydings amendment, the Selective Service Administrator and the local draft boards adhered to the plain language of this amendment until January 2, 1945, when General Hershey issued a directive changing the policy theretofore followed. From that time on there has been misunderstanding, confusion, and in many instances, consternation as to just what type of directive would be forthcoming next. Indeed, the condition was so serious and the last interpretation of the Tydings amendment was so contrary to what the Congress intended that both the Senate and the House by overwhelming votes passed the Flannagan resolution reiterating, reaffirming, and making clear beyond a question of a doubt the purpose of the Congress so far as deferring absolutely essential farm help is concerned.

Mr. Speaker, this most extraordinary message of the President makes no reference to the Tydings amendment, and it would seem to indicate that whoever wrote the message for the President has never heard of it. The President states:

> I do not believe that it was the real intent of the Congress that agricultural workers should be given a blanket deferment as a group.

Of course Congress never had any such intent and this resolution now before us makes, as clear as crystal, exactly what was intended in the original Tydings amendment.

If this veto message is sustained by the Congress, the Tydings amendment will not mean what it says. It will have no force or effect. The Congress will have used useless words, and the local draft boards must determine whether each farm boy is more essential in the military service than he is in raising food on the farm.

I regret this veto exceedingly. I feel sure it will bring much distress to our people in the days that are ahead. We are told that there is a food shortage. We all know from practical experience that this is true. The authorities in the administration tell the farmers that they must produce more food if the actual requirements are to be met. It was in the spirit of aiding in this request that the Tydings amendment was placed upon the statute books. After a general survey and reappraisement of the food situation throughout the world, both the House and Senate passed this Flannagan resolution as a war necessity. This was not hasty action. Extensive hearings were held. Committee investigations were made to ascertain the truth. Nevertheless, the President in his veto message entirely disregards all these factors. There is not anything we can do about it, however, except to override the veto. That will take a two-thirds vote. I am sure that more than a majority of the House will vote to override the veto. I realize that when the Presidential whip is cracked that it is very difficult for some Members not to respond.

I think we were all surprised when the gentleman from Virginia [Mr. FLANNAGAN] read from the printed CONGRESSIONAL RECORD showing that when the Tydings amendment was being considered in that body our President was then Senator Truman, and was recorded in favor of the Tydings amendment. In the light of the debate at that time, it would seem that no one in the Senate placed the construction on the draft law, as amended, which this veto message now places upon that same law and the Tydings amendment.

I hope that his veto message will not be sustained.

Mr. GROSS. Mr. Speaker, the issue here is not one of supporting the Commander in Chief or party loyalty. Neither is it a question of exempting farm boys from military duty. The question simply is one of production of food and should be dealt with only on that basis.

Many dairy herds have been disposed of, and many farms are lying idle at this very moment and spring planting all over the country has been held up and curtailed because of the lack of farm help and the threat of still more farm help being taken into the armed forces.

With the war in Europe rapidly coming to a close one can scarcely see the need for inducting any more men into the armed forces. We have been told, and we believe, that if we want to win the peace, we will have to supply food in ever-increasing amounts to war-torn Europe for perhaps several years to come.

From very reliable sources we have at this moment the information that 200,000,000 people in Europe are desperately in need of food. We are told by Members of Congress just returned from Europe that in one single country over there 20,000,000 of people are just roaming around with no food and no homes. Famine and pestilence will no doubt slay millions, regardless of all our efforts.

Aside from the moral obligation we have of supplying that food, we must remember that in every conference yet held by the Allied Powers we committed ourselves to supply them this food. Upon making good these commitments depends not only on the saving of millions of lives but the stability of the governments they will set up. Then, too, we have to remember that our Nation's honor is at stake in the fulfillment of our obligations. So as I see it, we are going to ship all the food we can to the rest to the world whether or not we have sufficient food supplies for our own people, and regardless of our dwindling supplies and the growing dissatisfaction in our own country.

The greatest immediate problem we have and the greatest duty we have to perform to ourselves and the world is to produce food now with all our might, just as we have been fighting with all our might to win this war.

They tell us we now have upward of one-half million German prisoners of war in this country that will be put to work, and they tell us further that they will be bringing in 300,000 more. If they can do the job, who wants them? I do not want one on my farm, living with my family and I do not know of any other farmer that does want them. The only place they can be used at any time in the production of food is where they can be employed in groups under guard, and from experience in my own district, where there has been located a German prison camp for more than a year, I know that they are not dependable, they are arrogant, and when the day is done they have accomplished very little work.

So the solution to our food problem lies in the passage of the Flannagan amendment, which would make effective the Tydings amendment, which was supposed to exempt farm workers from military service, whether or not it means standing by the Commander in Chief.

We must not forget that he supported the Tydings amendment when it was passed while he was a Member of the Senate, and if it was necessary then, it is a thousand times more necessary today. Surely the President has been ill-advised in this matter.

Mr. McCORMACK. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be determined by the yeas and nays.

The question was taken; and there were—yeas 186, nays 177, not voting 69, as follows:

[Roll No. 68]

YEAS—186

Adams	Chapman	Flannagan
Allen, Ill.	Chelf	Fuller
Andersen, H. Carl	Chenoweth	Gamble
Anderson, Calif.	Chiperfield	Gardner
Andresen, August H.	Church	Gathings
Andrews, Ala.	Clason	Gavin
Andrews, N. Y.	Clements	Gearhart
Arends	Clevenger	Gerlach
Arnold	Cole, Kans.	Gibson
Auchincloss	Cole, Mo.	Gillespie
Baldwin, N. Y.	Cole, N. Y.	Gillette
Barrett, Wyo.	Courtney	Gillie
Beall	Crawford	Goodwin
Bender	Cunningham	Graham
Bennet, N. Y.	Curtis	Grant, Ind.
Bennett, Mo.	Dolliver	Gregory
Bishop	Domengeaux	Griffiths
Blackney	Dondero	Gross
Bolton	Dworshak	Gwinn, N. Y.
Boykin	Earthman	Gwynne, Iowa
Brehm	Elliott	Hagen
Brown, Ohio	Ellis	Hale
Brumbaugh	Ellsworth	Hall, Edwin Arthur
Buffett	Elsaesser	Halleck
Byrnes, Wis.	Elston	Hand
Campbell	Engel, Mich.	Harness, Ind.
Carlson	Engle, Calif.	Henry
Case, N. J.	Fellows	Herter
	Fenton	Heselton
	Fernandez	

Hess	McGregor	Rogers, Mass.
Hill	McKenzie	Schwabe, Mo.
Hoeven	McMillen, Ill.	Scrivner
Hoffman	Martin, Iowa	Shafer
Holmes, Mass.	Martin, Mass.	Sharp
Holmes, Wash.	Merrow	Simpson, Ill.
Hope	Michener	Simpson, Pa.
Horan	Miller, Nebr.	Smith, Ohio
Howell	Mundt	Smith, Va.
Hull	Murray, Tenn.	Smith, Wis.
Jenkins	Murray, Wis.	Springer
Jennings	Norrell	Stefan
Jensen	O'Hara	Stevenson
Johnson, Calif.	O'Konski	Stockman
Johnson, Ill.	Philbin	Sumner, Ill.
Johnson, Ind.	Phillips	Taber
Jones	Pittenger	Talbot
Jonkman	Ploeser	Talle
Kearney	Powers	Taylor
Keefe	Ramey	Thom
Knutson	Rankin	Thomas, N. J.
LaFollette	Reece, Tenn.	Tibbott
Landis	Reed, Ill.	Vursell
Larcade	Reed, N. Y.	Wadsworth
Latham	Rees, Kans.	Welchel
Lea	Rich	West
LeCompte	Rizley	Whitten
LeFevre	Robertson,	Wigglesworth
Lemke	N. Dak.	Winstead
Lewis	Robertson, Va.	Wolcott
Luce	Robsion, Ky.	Wolverton, N. J.
McConnell	Rockwell	Woodruff, Mich.
McCowen	Rodgers, Pa.	
McDonough	Rogers, Fla.	

NAYS—177

Abernethy	Cordon	O'Brien, Ill.
Allen, La.	Gore	O'Brien, Mich.
Anderson,	Gorski	O'Neal
N. Mex.	Gossett	O'Toole
Angell	Granahan	Outland
Baldwin, Md.	Granger	Pace
Barrett, Pa.	Grant, Ala.	Patman
Bates, Ky.	Green	Patrick
Bates, Mass.	Harless, Ariz.	Patterson
Beckworth	Harris	Peterson, Fla.
Bell	Hart	Peterson, Ga.
Biemiller	Hartley	Pickett
Bland	Havenner	Poage
Boren	Hays	Price, Fla.
Bradley, Pa.	Hébert	Price, Ill.
Brooks	Hedrick	Priest
Brown, Ga.	Heffernan	Rabaut
Bryson	Hendricks	Rabin
Bulwinkle	Hinshaw	Ramspeck
Bunker	Hoch	Randolph
Burgin	Hook	Rayfiel
Byrne, N. Y.	Huber	Resa
Camp	Johnson,	Riley
Cannon, Mo.	Luther A.	Robinson, Utah
Carnahan	Johnson,	Roe, Md.
Case, S. Dak.	Lyndon B.	Rogers, N. Y.
Celler	Johnson, Okla.	Rooney
Clark	Kean	Rowan
Colmer	Kee	Russell
Combs	Kefauver	Sabath
Cooley	Kelley, Pa.	Sadowski
Cooper	Keogh	Sasscer
Corbett	Kerr	Sheppard
Cox	Kilday	Sikes
Cravens	Kirwan	Slaughter
D'Alesandro	Kopplemann	Smith, Maine
Davis	Kunkel	Snyder
De Lacy	Lane	Somers, N. Y.
Delaney,	Lanham	Sparkman
James J.	Link	Spence
Delaney,	Ludlow	Starkey
John J.	Lyle	Stigler
Dickstein	Lynch	Sullivan
Dingell	McCormack	Sumners, Tex.
Doughton, N. C.	McGlinchey	Sundstrom
Douglas, Ill.	Madden	Tarver
Doyle	Mahon	Thomas, Tex.
Drewry	Mansfield,	Tolan
Durham	Mont.	Torrens
Eberharter	Mansfield, Tex.	Towe
Ervin	Marcantonio	Trimble
Fallon	May	Vinson
Feighan	Miller, Calif.	Voorhis, Calif.
Fisher	Mills	Wasielewski
Flood	Monroney	Weaver
Fogarty	Morgan	Weiss
Folger	Morrison	Welch
Forand	Murdock	Whittington
Gallagher	Murphy	Wickersham
Gary	Neely	Woodrum, Va.
Geelan	Norton	Zimmerman

NOT VOTING—69

Bailey	Butler	Dirksen
Barden	Canfield	Douglas, Calif.
Barry	Cannon, Fla.	Eaton
Bloom	Cochran	Fulton
Bonner	Coffee	Gifford
Bradley, Mich.	Crosser	Hall,
Buck	Curley	Leonard W.
Buckley	Daughton, Va.	Hancock
Burch	Dawson	Hare
Healy	Manasco	Short
Hobbs	Mason	Stewart
Holifield	Mott	Thomason
Izac	Pfeifer	Traynor
Jackson	Plumley	Vorys, Ohio
Jarman	Powell	Walter
Judd	Quinn, N. Y.	White
Kelly, Ill.	Rains	Wilson
Kilburn	Richards	Winter
King	Rivers	Wolfenden, Pa.
Kinzer	Roe, N. Y.	Wood
Lesinski	Ryter	Woodhouse
McGehee	Savage	Worley
McMillan, S. C.	Schwabe, Okla.	
Maloney	Sheridan	

So, two-thirds not having voted in favor thereof, the veto of the President was sustained and the bill was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Mason and Mr. Schwabe of Oklahoma for, with Mrs. Douglas of California, against.

Mr. Traynor and Mr. Winter for, with Mr. Quinn of New York, against

Mr. Kinzer and Mr. Plumley for, with Mr. Holifield against.

Mr. Short and Mr. Dirksen for, with Mr. Bloom against

Mr. Wilson and Mr. Wolfenden of Pennsylvania for, with Mr. Roe of New York, against.

Mr. Bradley of Michigan and Mr. Butler for, with Mr. Pfeifer against.

General pairs:

Mr. Maloney with Mr. Eaton.
Mr. Sheridan with Mr. Mott.
Mr. Lesinski with Mr. Buck.
Mr. Manasco with Mr. Canfield.
Mr. Curley with Mr. Fulton.
Mr. Bonner with Mr. Vorys of Ohio.
Mr. Healy with Mr. Gifford.
Mr. Burch with Mr. Leonard W. Hall.
Mr. Coffee with Mr. Judd
Mr. Barry with Mr Hancock.
Mr. Powell with Mr. Kilburn.

The result of the vote was announced as above recorded.

The SPEAKER. The message and the bill, together with the accompanying papers, will be referred to the Committee on Military Affairs and ordered to be printed, and the Clerk will notify the Senate of the action of the House.

BOARD OF VISITORS TO THE UNITED STATES COAST GUARD ACADEMY

The SPEAKER laid before the House the following resignation:

MAY 3, 1945.

Hon. SAM RAYBURN,
The Speaker, House of Representatives, United States, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby respectfully tender my resignation as a member of the Board of Visitors to the United States Coast Guard Academy.

Sincerely yours,

AIME J. FORAND.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

The SPEAKER. Pursuant to the provisions of Public Law 183, Seventy-sixth Congress, the Chair appoints as a member of the Board of Visitors to the United States Coast Guard Academy the gentlewoman from Connecticut [Mrs. WOODHOUSE] to fill the existing vacancy thereon.

INTER-AMERICAN STATISTICAL INSTITUTE

Mr. LUTHER A JOHNSON. Mr. Speaker, I ask unanimous consent to file a supplemental report on the bill (H. R. 688) relating to the Inter-American Statistical Institute.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

EXTENSION OF REMARKS

Mr. BROOKS asked and was given permission to extend his remarks in the RECORD and include an editorial from the Kansas City Star entitled "Flood Threat and the Answer," and further to extend his remarks and include an editorial from the Union Postal Clerk entitled "Common Justice Long Delayed."

Mr. GARDNER asked and was given permission to extend his remarks in the RECORD in connection with a resolution he introduced today.

Mr. VOORHIS of California asked and was given permission to extend his remarks in the RECORD in two instances, and to include in one a news release.

Mr. DOYLE asked and was given permission to extend his remarks in the RECORD and include a resolution from the San Francisco Post about veterans.

Mr. GILLIE asked and was given permission to extend his remarks in the RECORD on the food situation.

Mr. FULTON (at the request of Mr. DOLLIVER) was given permission to extend his remarks in the RECORD with respect to the work of Federal employees.

Mr. TALBOT asked and was given permission to extend his remarks in the RECORD and include a short poem.

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include a publication regarding the heroic career of Major General Ray McLain, banker, soldier, and commander of the Nineteenth Army Corps, and further to extend my remarks and include an editorial from the Daily Oklahoman on the death of State Senator W. C. Fidler.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent that on Tuesday next and also on Wednesday next, at the conclusion of the legislative programs of those days and following any special orders heretofore entered, I may be permitted to address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION OF REMARKS

Mr. GEARHART. Mr. Speaker, I ask unanimous consent for the gentleman from New York [Mr. REED] that he may be permitted to extend his remarks in two instances, one, on trade treaties, and, second, to extend his own remarks and include therewith a memorial from the Legislature of the State of New York.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. CASE of South Dakota asked and was given permission to extend his remarks in the Appendix and to include a letter from the Secretary of the Interior.

Mr. LAFOLLETTE asked and was given permission to extend his remarks in the Appendix of the RECORD and to include an editorial.

Mr. MERROW asked and was given permission to extend his remarks in the Appendix of the RECORD and to include therein a concurrent resolution passed by the New Hampshire State Legislature.

Mr. ZIMMERMAN asked and was given permission to extend his remarks in the RECORD and include therein a resolution adopted by the board of directors of the Memphis Cotton Exchange.

LEGISLATIVE PROGRAM

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I take this time to inquire as to the program for tomorrow and next week. I understand there have been some changes made.

Mr. McCORMACK. Tomorrow there is a resolution coming out of the Committee on Appropriations to which I previously referred in connection with the seven and one-half billion dollars, repealing a portion of the appropriation and contract authorization available to the Maritime Commission. I understand that may take an hour or an hour and a half. The bill H. R. 693, the railroad land-grant bill, will be called up tomorrow afternoon and an effort will be made to dispose of that. As I remember, that bill passed before by an overwhelming roll-call vote.

I am not prepared to state now what the program is for next week. I shall be in a position to do so tomorrow.

Mr. MARTIN of Massachusetts. I understand the so-called treaty bill is going over?

Mr. McCORMACK. Not before Tuesday. I will not say next Tuesday definitely but that is the intention at this time.

Mr. MARTIN of Massachusetts. The legislative bill goes over to next week?

Mr. McCORMACK. The legislative bill goes over to next week.

Mr. MARTIN of Massachusetts. To what day?

Mr. McCORMACK. I am not able to state just now what day. I will announce the program for next week tomorrow.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns tomorrow it adjourn to meet on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. RAMEY] is recognized for 30 minutes.

Mr. RAMEY. Mr. Speaker, I ask unanimous consent that the gentlewoman from Connecticut [Mrs. LUCE] may be permitted to address the House at this time.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. Under previous order of the House, the gentlewoman from Connecticut [Mrs. LUCE] is recognized for 15 minutes.

GERMAN CONCENTRATION CAMPS

Mrs. LUCE. Mr. Speaker, I wish to address the House briefly on the subject of the Buchenwald and Nordhausen Concentration Camps.

The prisoners of the Buchenwald Camp, near Weimar, Germany, were liberated by American forces on April 11. Shortly afterward, at the invitation of General Eisenhower, a delegation of Members of Parliament visited the camp on the same day that Representatives KUNKEL and HALL and I did. When they returned to London they made a report on conditions as they found them. I ask unanimous consent to introduce this report into the RECORD at the end of this statement. I can testify that it is accurate in every detail and in no sense exaggerated.

Existence for a human being in the Buchenwald and Nordhausen Camps was a descent into the bowels of hell. No American housed in his comfortable flesh and his person, even in jail, protected from infamies by a commonly held code of decency, can imagine what grisly tortures were visited upon some of the prisoners for the smallest infraction of the camps' inhuman disciplines. No words can describe them, or evoke the ghastly sights and sounds and the unutterable smells that day and night afflicted all the occupants of these infernos, two among many in Germany. At Buchenwald and at Nordhausen, as at Ordhuf, Belsen, Langenstein, Dachau, and other Nazi "extermination centers," the prisoners died by the tens of thousands of indescribable agonies deliberately compounded upon them by their jailers. Nevertheless, we shall be misunderstanding the true significance of our Nation and our times, of the filthy iniquities practiced in these camps, if we view them merely as a reflection of the German national taste, or the Nazis' taste for violence and brutality. It seems clear to me from what I have seen myself of these camps, and heard about them from our military authorities, that the beatings, burnings, hangings, clubbings, foul mutilations, and massacres practiced in these charnel houses were merely hellish interruptions of a clearly held Nazi policy of death by slow starvation.

Now the ordinary man of a decent democratic country seems to be confronted by a riddle when he contemplates this policy. Why, he asks, if death to the political prisoners was the ultimate Nazi aim, didn't the Nazis shoot—or otherwise destroy them promptly, and pop them forthwith into the burning ovens and burial pits? Would this not have relieved the state of the charge of so many bodies, and also have released additional food and clothing and transportation, however little, to the German people? To say that the Nazis enjoyed being brutal—enjoyed witnessing the slow agonies of these camps full of the living dead—is a partial answer, but it is not the whole answer. However, much individual jailers delighted in torturing their victims in these camps, the German people as a whole did not partake of their pleasures, because they did not, as a whole, know about them. What inquiries I have made of plain Germans in the vicinity of these camps, and elsewhere in Germany, convince me that they were not aware of the ingenious adventures in sadism practiced there, because the Nazi Party was eager to conceal them. At Buchenwald, as at other camps, there were model visitors' sections, complete with screened prisoners. Those of the so-called good German people, who had sufficient influence to demand an inspection—and few had that authority—were shown what the jailers wished them to see. I am told that it was these sections which were shown to international Red Cross visitors as well. And how often have you, hearing such atrocity stories, said, "I can't believe them!" even though the Nazis were our enemies. How much more natural that the German people should be disinclined to believe them, and to discount them as wild exaggerations, or deliberate anti-German propaganda. I do not suggest for a minute that the German people do not bear the full responsibility for these foul crimes of their countrymen. They do. The ignorance and apathy of the German people about these camps were themselves crimes, in an intelligent, modern people. I am pointing out that the explanation of why the Nazis starved their prisoners to death slowly does not lie in a national German taste, or even a Nazi taste, for this particular form of inhumanity.

I think I know the answer to the seeming riddle of the Nazi policy of slow extermination of political prisoners by starvation. And I believe that in the answer, and in our own full understanding of it, lies the true and terrible significance of these horrible camps for future generations of Americans.

The whole answer is to be found in the little German town of Nordhausen, which lies 50 miles north of Weimar.

Before our troops took the town of Nordhausen, aerial reconnaissance had disclosed little war activity there. There seemed to be some movements of flat cars by rail, originating from the mouth of an abandoned salt mine, which lay at the foot of a high mountain. Nevertheless, our intelligence had constantly reported a weapon factory of importance in the vicinity. It was known that prisoners from the concentration camp nearby were working in this factory, though how many, and on what type of weapons our intelligence could not determine for a long time, nor could air reconnaissance locate the factory or the movements of workers.

When the Third Armored Division came to Nordhausen, they liberated the

prisoners of that camp. There were some 59,000 of them. They were dying at the rate of 900 daily when our troops arrived. Indeed, the dead and the dying were difficult to tell apart in the hideous barracks of Nordhausen. Nevertheless, numbers of them were still capable of working, and had, they said, been laboring for the Nazis.

Where did they work? In the so-called abandoned salt mine. A task force immediately pushed forward to have a look at that mine. And deep in the green mountain our troops found a vast underground network of tunnels, well lighted, air conditioned, full of the finest modern machine tools. And on its mile-long assembly belts they found in various stages of completeness, thousands of V-1's and V-2's—the great secret weapons that might have destroyed Britain but for D-day. I have seen this underground factory. It was a little Willow Run in the heart of a mountain.

Before daybreak, thousands of prisoners were taken to work there. They did not leave it until after nightfall. More thousands never left it, until, too weak to work, they were chucked into trucks and sent back to Nordhausen, soon to become bundles of pitiful bodies for the oven or burial pits. Altogether 20,000 prisoners worked and died in that subterranean factory.

For the Nordhausen camp provided this factory with a great pool of slave labor, slaves who could be counted upon to take the secrets of the diabolic weapons upon which they worked into the burning kilns with them. And slow starvation made it certain that they should all, in the end, die on the job—die, however, at a rate which would allow of their replacement as other political prisoners were taken.

It remained for the Nazis to hit upon this terrible device of using the blood and fat of men as one uses fuel oil to stoke secret furnaces and fire secret weapons, scrapping the human containers when the fuel in them was exhausted.

Torture for torture's sake is nothing new in the world. The Coliseum at Rome has witnessed even more senseless orgies of sadism than those intermittently practiced by the jailers of these camps. But carefully calculated starvation of hundreds of thousands of human beings in the building of a modern aggressive war machine—this surely is something new and terrible in the world.

Let all Americans who care deeply about the future security of the United States think hard about the three tremendous facts set forth in the German town of Nordhausen.

First. The most ingenious and devastating weapons yet tried on earth were being made there in vast quantities. And yet these missiles, which have already challenged the supremacy of the heavy bomber as a strategic weapon, are still in the experimental stage. Science has hardly scratched the devastating possibilities of radio-guided, motor and jet-propelled missiles, with tremendous war heads. There is not an airman in Europe with whom I have spoken who does not view such weapons as were being made at Nordhausen as the decisive weapons of the future. There is not one who does not believe that within a few years such missiles can be made which can be hurled thousands of miles with great accuracy upon their targets.

Second. These diabolic weapons were being made in a deep underground factory that could not be reached by bombs, nor surveyed by aerial reconnaisance. I have seen several underground weapon factories in Germany. In all of them, as at Nordhausen, work continued uninterrupted until a few hours before the arrival of our troops, in spite of concentrated bombing in the vicinity, and sometimes over the subterranean factory itself. Any nation, bent on future aggression, could begin tomorow to dig into the sides of its timbered mountains a series of great tunnels in which to house such war industries, secure against bombardment, or surveillance by air.

Third. The existence of the Nordhausen factory and its weapons was long kept both a national and international secret, because the Nazis were able to employ in it slave labor doomed to death.

My colleagues, at Nordhausen, we can see how an aggressor state of the future may be able to arm secretly against us, or our allies, and resist detection for years. This is the terrible lesson of Buchenwald and Nordhausen to our Nation.

What have we learned from this lesson? We have learned that we must destroy totally the monstrous Nazi party which conceived such a policy. Germany must never again be allowed to arm in secret, with the help of slave labor, against Europe and America.

But if we are to think and talk realistically of peace in the future, and if we are going to work with our eyes wide open for the security of America and the building of a decent world, we must remember that these things which have happened in Germany can happen elsewhere. I believe that they can only happen in nations where concentration camps flourish, and where there is no freedom of speech or press, and no writ of habeas corpus for the individual. No country can secretly arm against its neighbors or the world, where its citizens are free in their movements and speech, and where no political slave labor exists.

The defense of America, as well as the defense of humanity itself, lies tomorrow as it did yesterday, in the greatest possible measure of political liberty for all Europeans. If the world organization we hope to create at San Francisco is really to prevent war and aggression it must begin by attacking the moral heart of the problem: The liberty of the individual. It must pledge itself to do away eventually with the imprisonment of men anywhere in the world, for their political convictions. Meanwhile, the names and histories of all the political prisoners of the great powers, as well as the small, should be registered with a world council, and their physical disposal and welfare carefully supervised by an international body.

Otherwise, such prisoners may, and probably will, be put to the sinister purposes which I have described.

The underground factories at Nordhausen with the prison camps that supplied them with their human fuel oil, are but a preview of things to come again, if we do not, in the years ahead, see to our own defenses, and seek at all times to encourage not only friendly relations with the great and little powers, but political liberty among the peoples of Europe and Asia.

America's frontiers tomorrow lie not on the shores of the Pacific, or the Atlantic, nor even on the Rhine or Volga or Yangtze. America's frontiers of defense are where they have always been—on the borders that separate the concentration-camp states from every liberty-loving country under heaven.

Mr. Speaker, I ask unanimous consent to introduce into the RECORD the report of the Members of Parliament.

The SPEAKER. Is there objection to the request of the gentlewoman from Connecticut?

There was no objection.

SITE OF THE CAMP

Buchenwald camp is set in hilly, well-wooded country about 15 minutes' drive from Weimar. It dates from 1934. It is badly laid out, on sloping, uneven ground. The walls and paths are ill kept; at the time of our visit they were covered with dust, which blew about in the wind, and in wet weather the camp must be deep in mud. The ordinary huts of the camp are roughly constructed of wood, with earth floors, without windows or sanitation. (Latrines consist of poles suspended over trenches.) There are also some more solidly built brick blocks, of two stories. Over the main gate of the camp is the inscription "Recht oder unrecht—mein Vaterland" (My country right or wrong).

The size of the camp is indicated by the fact that its maximum capacity was said to have been 120,000. On April 1, last, the number in camp was 80,813. A few days before the arrival of the American forces (April 11) the Nazis removed a large number of prisoners, variously estimated at from 18,000 to 22,000. Some of those whom they wished to remove (because they knew too much) were able to hide from them. It was impossible to form any accurate estimate of the percentages of various nationalities still remaining in the camp; we met many Jews and non-Jewish Germans, Poles, Hungarians, Czechs, French, Belgians, Russians, and others.

A detailed report presented to us by representatives of an anti-Fascist committee stated that, up to April 1, the total number of those who had died or been killed at Buchenwald, or immediately on removal therefrom to subsidary extermination camps, was 51,572—at least 17,000 of them since January 1, 1945. The camp has now been thrown open, and a certain number of its inmates must have left independently. Detailed camp records, including nominal rolls, were left behind by the Nazis; but at the time of our visit it had not been possible to start drawing up rolls of those still in the camp, the American medical and sanitary authorities being naturally preoccupied with the cleaning of the camp (a task performed partly by German civilians from the neighborhood, parties of whom are also brought daily to see what has been done in their name and in their midst), and with problems of feeding and medical attention.

CATEGORIES OF PRISONERS

Although the inmates of the camp are commonly referred to as "prisoners," they should not be confused with military prisoners of war. They were in three main categories: (a) political internees and Jews from Germany itself; (b) as the Third Reich expanded, political internees and Jews from Austria, Czechoslovakia, Poland, etc.; (c)

from 1940 onward, men and youths imported for forced labor from the various occupied countries. There were few Britons at any time in the camp; one estimate was "a few dozen." Almost all of these were civilians.

We were told of one French parachutist, Lt. Maurice Pertschuk, who was taken prisoner in 1943, transferred in civilian clothes from Compiègne to Buchenwald, and there hanged, shortly before the United States troops arrived. We also obtained a document, signed by Squadron Leader F. Yeo-Thomas, Capt. Harry Poole, and Lt. Stephane Hessel (of the French War Ministry), testifying to the fact that they were saved from execution "by amazingly clever planning, under perilous circumstances," by Heinz Baumeister, of Dortmund, and Dr. Eugene Kogon, of Vienna, who are still inmates of the camp.

Although the work of cleaning the camp had gone on busily for over a week before our visit, and conditions must therefore have been improved considerably, our immediate and continuing impression was of intense general squalor; the odor of dissolution and disease still pervaded the entire place. One of the first of a number of huts that we entered was one of the best; it was divided into small rooms with cement floor and windows, four of which had been used, the American authorities informed us, as a brothel to which the higher-grade prisoners—those employed in various supervisory jobs, with extra rations and other privileges—were allowed to resort for 20 minutes at a time.

IN A SEMICOMA

In general, Buchenwald Camp was for men and boys only; the women in this brothel were prisoners from other camps, induced by threats and promises of better treatment to become prostitutes, but subsequently killed. When the Americans arrived, 15 women were found in this brothel. They were transferred to the care of the Burgomaster of Weimar.

This hut was one of those now used as transit hospitals for some of the worst cases of malnutrition. Many were unable to speak; they lay in a semicoma, or following us with their eyes. Others spoke freely, displaying sores and severe scars and bruises which could have been caused by kicks and blows. They lay on the floor on and under quilts. All of them were in a state of extreme emaciation. We were told by the United States authorities that, since their arrival, the number of deaths had been reduced from about a hundred a day to 35 on the day before our visit.

The usual clothing was a ragged shirt, vest or cotton jacket, beneath which protruded thighs no thicker than normal wrists. One half-naked skeleton, tottering painfully along the passage as though on stilts, drew himself up when he saw our party, smiled, and saluted. The medical members of our delegation expressed the opinion that a percentage of them could not be expected to survive, even with the treatment they were now receiving, and that a larger percentage, though they might survive, would probably suffer sickness and disablement for the rest of their lives. Among those in this hut were several writers and students, and one member of the French Deuxième Bureau captured in Warsaw.

The ordinary huts that we saw were lined on each side with four tiers of wooden shelves, supported and divided by upright struts. In each of the small open cubicles thus formed, about 6 feet in depth, 4 feet in width, and 2 feet in height, five or six men had to sleep. Even in their wasted condition, there was room for them to lie in one position only, on their sides. Several of them demonstrated to us how this had been done. For bedclothes they had such rags as they could collect. Heaps of these rags were being burned in various parts of the camp; the huts were still verminous.

There had been similar overcrowding in block 61, which had been used as a rough hospital, chiefly for those suffering from tuberculosis or dysentery. This hut was about 80 feet long by 24 feet wide; estimates of its normal sick population varied from 700 to 1,300. Four, five, or six men, including those who had undergone operations (performed without anaesthetics by prisoner doctors on a crude operating table at one end of the hut, in full view of the other patients), had regularly to lie in each of the small shelf cubicles. Here, too, there were no mattresses. The excreta of the dysentery patients dripped down from tier to tier.

If the living were strong enough, they pushed the dead out into the gangway. Each night the dead were thrown into a small annex at one end of the hut and each morning collected and taken in carts to the crematorium or, if required as specimens, to the pathological laboratory of the Nazi doctors.

Many of the ordinary prisoners worked in a large munition factory near the camp or in the quarries; these were able to obtain more than the basic ration of a bowl of watery soup and a chunk of dry bread each day. Only those possessing the oblong metal disk marked "Essmarke KLB" were entitled to draw rations. We saw paper camp money which prisoners could earn by work and spend in the canteen. Some whom we spoke to paid tribute to the precision with which the R. A. F. had bombed the factory (killing, it was said, about 200 Nazis, 400 forced workers, and 150 Nazi women resident near the camp, including the camp commandant's wife and daughter).

EIGHT HUNDRED CHILDREN

Children, like adults, were made to work 8 or more hours a day, 7 days a week. We were told that there were some 800 children still in the camp. One 14-year-old boy, Abraham Kirchenblat, originally of Radom, Poland, impressed members of our party as an intelligent and reliable witness; he stated that he had seen his 18-year-old brother shot dead and his parents taken away, he believed for cremation; he never saw them again.

The mortuary block consisted of two floors, ground floor and basement. Access to the basement was by a steep stone staircase or by a vertical chute below a trap-door, down either of which, we were told, refractory or useless prisoners would be precipitated for execution. Hanging appears to have been the regular method of killing. In the yard, near a pile of white ashes, there was a gibbet; in the basement we saw strong hooks, at a height of about 8 feet from the floor, and another gibbet. We were informed that there had been more than 40 hooks, most of which Nazis had removed hurriedly before leaving. We were shown a heavy wooden club, about 2 feet long, which was said to have been used for knocking out any who died slowly; it was stained with blood.

The bodies were transported from this basement to the ground-floor crematorium in a large electric lift (similar to those used for stretcher-cases in hospitals). To the yard outside the crematorium came the carts, packed closely with the ordinary corpses, from the dysentery and other huts, mostly stripped even of the meager striped blue-and-white suits which were the normal camp clothing. We examined the last of these cartloads that remained, awaiting the reverent individual burial which, on General Eisenhower's personal order, the American authorities have obliged the inhabitants of the neighborhood to provide with their own hands. The bodies were beginning to decompose, but none that we could see bore the marks of violent death; all appeared, from their state of extreme emaciation, to have died of hunger or of disease.

CREMATORIUM EVIDENCE

In the crematorium was a row of capacious arched ovens, each still containing calcined ribs, skulls, and spinal columns. The prisoner in charge of putting the bodies into the ovens had one of the privileged jobs, since it carried with it the advantage of a private room, with furniture and lace curtains, adjoining the crematorium. He told us that he was a Communist from Berlin, aged 30, named Kurt Faulhaber. He had been in the camp for 10 years, but had obtained this job only last January. He stated that two other German prisoners had been mainly engaged in hanging the condemned. Their names were Heinrode (of Hamburg) and Josef Muller (of Dortmund). They had been taken away by the Nazis when they left. No Jews, we were told, would ever have been allotted these special tasks.

We were told of scientific experiments, such as the infecting of prisoners with typhus in order to obtain serum from them, by the camp's Nazi doctors; but obtained no direct and unchallengeable evidence of this. We saw a laboratory with a large number of glass jars containing preserved specimens of human organs. The walls of the laboratory and other medical rooms were decorated with death-masks of, we were told, the more interesting prisoners—many with features of remarkable nobility and refinement.

It was alleged that various experiments in sterilization had been practised on Jews. Two of our number were taken to the bed, in the improvised American hospital, of a Polish Jew, No. 23397, aged 29, who had been operated on in this way; they saw the scars of the operation, and confirm that the left testicle had been removed. Other subjects of the operation were said to have died; and we were assured that the policy of exterminating Jews had long superseded that of castrating them. We were told that Frau Koch, the wife of the German commandant, collected articles made of human skin. We obtained pieces of hide which have since been identified by Sir Bernard Spilsbury as being human skin. One of these pieces clearly formed part of a lampshade.

One of the statements made to us most frequently by prisoners was that conditions in other camps, particularly those in eastern Europe, were far worse than at Buchenwald. The worst camp of all was said by many to be at Auschwitz; these men all insisted on showing us their Auschwitz camp numbers, tattooed in blue on their left forearms. One 19-year-old youth, Joseph Berman, Latvian-born but English-educated, had been in several camps; in one he had suffered the loss of a forefinger when a Nazi, annoyed by his indolence at work, had pushed his hand into a machine.

SIGNS OF RECOVERY

In spite of the desperate physical condition of many of the prisoners, and their long years of incarceration, there were signs of mental as well as physical recovery. Vivid slogans of greeting to the liberating armies, in English and many other languages, were being painted on the outside of the huts. New notice boards bore news sheets and well-designed instructional and democratic propaganda messages, mostly in German. Near the entrance to the camp was a life-size effigy of Hitler hanging from a gibbet, with the superscription in German: "Hitler must die that Germany may live."

It would be impossible to praise too highly the selfless exertions of the One Hundred and Twentieth Evacuation Hospital Unit, under the command of Col. William E. Williams (in charge of medical services), assisted by Maj. L. C. Schmuhl (in charge of sanitary services). We saw blood transfusion in process, and learned that glucose injections were being given and that carefully chosen diets

were supplied to prisoners incapable of digesting normal food.

In preparing this report we have endeavored to write with restraint and objectively, and to avoid obtruding personal reactions or emotional comments. We would conclude, however, by stating that it is our considered and unanimous opinion, on the evidence available to us, that a policy of steady starvation and inhuman brutality was carried out at Buchenwald for a long period of time; and that such camps as this mark the lowest point of degradation to which humanity has yet descended. The memory of what we saw and heard at Buchenwald will haunt us ineffaceably for many years.

Mrs. LUCE. This report was presented by Lord Stanhope, Lord Addison, R. T. R. Wickham, Sir Archibald Southby, Mrs. Mavis Tate, Mr. Ness Edwards, Mr. S. S. Silverman, Mr. H. Graham White, Sir Henry Morris-Jones, and Mr. T. Driberg.

The SPEAKER. The time of the gentlewoman from Connecticut has expired.

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentlewoman be permitted to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BREHM. Mr. Speaker, will the gentlewoman yield?

Mrs. LUCE. I yield to the gentleman from Ohio.

Mr. BREHM. The gentlewoman stated at the beginning of her talk that she was confident from her observations that the German people, as a whole, were not aware of what was going on, and that those atrocities did not reflect the true sentiment of the German people. Would the gentlewoman please comment as to the reactions of the German people after these atrocities were committed? This question is prompted by the fact, as appeared in a newspaper article, that when they were shown these atrocities and told about them, that they simply shrugged their shoulders and said they were political enemies. Will the gentlewoman please comment on that?

Mrs. LUCE. I can only comment on what I myself have heard about those concentration camps. I was told by some of our military authorities that when General Patton ordered the citizens of Weimar to go and look at the concentration camp, that many of the men and women fainted, became desperately ill to their stomachs, and expressed themselves as being horrified at what they saw there. It seems, however, difficult to believe that the people in the immediate vicinity of the camp were not aware that these wretched people who went back and forth to work in trucks to the factories and stone quarry in the vicinity were starving. But it is perfectly possible that the mass of the German people themselves had no knowledge of the heinous brutalities that took place behind the barbed wire enclosures of the camps.

Mr. DONDERO. Mr. Speaker, will the gentlewomen yield?

Mrs. LUCE. I yield to the gentleman from Michigan.

Mr. DONDERO. What did the gentlewoman find the attitude of the German people to be toward England and the United States as she talked with them?

Mrs. LUCE. Again, I can only report on my own comparatively few conversations in comparatively bad German with Germans. But I would say that they showed neither remorse nor regret for the war that they had begun. Their attitude was, or so it seemed to me, that America and Great Britain had been exceedingly stupid from the point of view of their own national interest to intervene in a war which the Germans felt to be a great crusade against Bolshevism.

This was a marked difference from the attitude of the Italian people. The Italians, it seemed to me felt that they were wrong, that is, those Italians with whom I have spoken felt that they were wrong to have gone into the war on Hitler's side. The German people felt that we were wrong to have gone into the war against them. I must say, from what I have heard from Germans' own lips, they do not seem to be a chastened, although they are certainly a beaten people.

Mr. RICH. Mr. Speaker, will the gentlewoman yield?

Mrs. LUCE. I yield to the gentleman from Pennsylvania.

Mr. RICH. In connection with the gentlewoman's visit to the subterranean factories, can she tell us the extent of the area that those factories covered?

Mrs. LUCE. As to the factory at Nordhausen, I do not know the actual statistics on the area of the factory but it took us 15 minutes to drive through the long central tunnel in a jeep, at about 20 miles an hour. It seemed to me that the main tunnel was a mile long, and certainly the many transverse corridors were a quarter of a mile long. And there were many, many of those corridors, housing a great variety of machine tools and work rooms.

Mr. RICH. How deep under the surface of the earth were they?

Mrs. LUCE. That I cannot tell you, but I can tell you that there was a large mountain on top of them. They could not possibly have been penetrated by the highest explosives in the world.

Mr. KNUTSON. Mr. Speaker, will the gentlewoman yield?

Mrs. LUCE. I yield to the gentleman from Minnesota.

Mr. KNUTSON. Can the gentlewoman explain to the House how it is that we kept getting reports from the Swiss Red Cross that Germany was complying with the Geneva Convention in the care of American war prisoners? We find now that they were starving and many died from malnutrition.

Mrs. LUCE. I am sorry I cannot give you the authoritative facts about that. I can only repeat what I was told in Germany at the time. For example, I talked with two Americans who had been in a prison for American and British air officers in Upper Silesia. They had been there well over a year when they escaped. They told me that there were 10,000 American air officers in that camp, and that until last October they were well treated and were fairly well fed. Although they had all lost weight, they had received their Red Cross packages with great regularity. But after September and October of last year their food supply became more limited, and their Red Cross packages no longer came through with regularity. They explained that themselves as due to the difficulty which the Germans were having with transportation, owing to the invasion. It does seem, from all I have heard from the prisoners I have spoken with who were taken by the Germans, that the treatment of military prisoners varied considerably in different camps. In many of the camps they were as well treated as could be expected. In others they were very badly treated. It depended on the individual camp commandants. I hope that our military authorities will soon provide us with a detailed report on this matter.

The SPEAKER. The time of the gentlewoman from Connecticut has expired.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that the gentlewoman be permitted to proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, will the gentlewoman yield?

Mrs. LUCE. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Am I correct in assuming that the conditions in the concentration camps were even worse before the gentlewoman and the other Members of Congress saw them, that they were cleaned up somewhat when you arrived there?

Mrs. LUCE. By the time I arrived at the Nordhausen and Buchenwald camps they were very much cleaned up. There were still a great many dead bodies piled in wagons in the courtyards, and there were evidences everywhere of former filth and dirt and suffering. But the masses of the dead had been taken away, and all those in need of urgent medical care who could be moved had been taken by the Red Cross and military to hospitals. Nevertheless, there were still a hundred or so men too weak to move at Buchenwald who were lying on the floor of the barracks on mattresses. They were being—so to speak—spoon fed very carefully by the Red Cross people. I talked with at least 20 of these prisoners in German and in French. There is no shadow of a doubt in my mind that the conditions in those camps were indescribably awful before we arrived.

Mrs. ROGERS of Massachusetts. Has the gentlewoman any idea how many more such camps there are like the ones she saw in Germany?

Mrs. LUCE. We already know of the existence of 10 or 12 very large ones. I have named some of them already. There are more being discovered every day. I am told that the most horrible of them all were the camps that were in Silesia and Poland, which the Russians have liberated.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, will the gentlewoman yield?

Mrs. LUCE. I yield to the gentleman from Minnesota.

Mr. AUGUST H. ANDRESEN. Will the gentlewoman give us some idea as to the food situation in the liberated countries?

Mrs. LUCE. From what I have seen in France and Belgium and in Italy, and, of course, in devastated parts of occupied Germany, the food situation is very terrible indeed, especially in the towns and in the big cities.

Mr. AUGUST H. ANDRESEN. Are the people in those countries expecting the United States to supply them with food so they can keep alive?

Mrs. LUCE. They are hoping with all their hearts we will be able to send them food. The crux of the problem, I believe, is not so much food, as transportation. Their transportation systems are totally destroyed. It seems to me they would be able to feed themselves more than we expect at this moment, if we could rapidly restore some of their transportation facilities so that they could bring their own produce to market.

Mr. AUGUST H. ANDRESEN. Did the gentlewoman see if they were putting in their crops in the areas which she visited?

Mrs. LUCE. They were in France, of course, but certainly not in Germany, because our armies were moving forward too rapidly and overrunning the country. All the young able-bodied men had either been captured or were fleeing ahead of our armies. Germany is doomed, I believe, to suffer a terrible famine next winter.

I should like to say at this point that much of the talk about a hard versus a soft peace for Germany is academic. Germany cannot avoid having a hard peace, if we did nothing else to her from here out. Germany is an area of destruction that defies anyone's imagination. All of its large cities are obliterated, most of its manpower is in captivity, and its transportation system is utterly destroyed.

Mr. DICKSTEIN. Mr. Speaker, will the gentlewoman yield?

Mrs. LUCE. I yield to the gentleman from New York.

Mr. DICKSTEIN. Does the gentlewoman exonerate the German people as a whole as not knowing what was going on?

Mrs. LUCE. I thought I made it very clear that I do not exonerate them as a whole for their wicked failure to inform themselves of the deeds of their leaders.

Mr. DICKSTEIN. Does the gentlewoman believe they are fit people to be admitted to this country under a quota? Under the 1924 quota law they are the second preferred country whose people may be admitted to this country. Does the gentlewoman believe the Nazis should be permitted to enter this country under the quota presently existing, after peace obtains?

Mrs. LUCE. No Nazi should be allowed to enter this country, and if there are any here, they should be sent away.

Mr. DICKSTEIN. They should be kept out at least for a generation.

Mrs. LUCE. The Nazis must be kept out of America forever.

Mr. CASE of South Dakota. Mr. Speaker, will the gentlewoman yield?

Mrs. LUCE. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. The gentlewoman has mentioned the reaction of some of the Germans to the scenes that they saw. Would the gentlewoman favor and think it salutary if the German people generally were made to see pictures of and see the actual conditions in these camps?

Mrs. LUCE. I think it would have a very salutary effect if they could all be lined up and sent to the movie theaters to witness the horrors of those camps.

Mr. BELL. Mr. Speaker, will the gentlewoman yield?

Mrs. LUCE. I yield to the gentleman from Missouri.

Mr. BELL. Did the gentlewoman see any American soldiers in the Buchenwald camp?

Mrs. LUCE. Yes; I did. The camp was full of outraged G. I. visitors, who certainly knew what this war was about after they had seen Buchenwald.

The SPEAKER. The time of the gentlewoman from Connecticut has again expired.

The SPEAKER. Under previous order of the House, the gentleman from Ohio [Mr. RAMEY] is recognized for 30 minutes.

UNIFORM MARRIAGE AND DIVORCE LAWS

Mr. RAMEY. Mr. Speaker, House Joint Resolution 102 proposes an amendment to the Constitution providing in simple language that—

> The Congress shall have power to establish uniform laws with respect to marriage and divorce.

There has long been a serious need for uniform marriage and divorce laws. Mine is not the first proposal. Others were introduced at the time of the last World War and immediately following. One of the most sincere proponents of this reform was Judge Gordon Pierce Codd, former mayor and judge in Detroit, Mich., who was elected to Congress on the Republican ticket in 1920 on the particular promise that he would introduce a resolution proposing a constitutional amendment authorizing Congress to establish universal marriage and divorce laws. When his resolution failed of passage, he refused to run for reelection. He died of a broken heart, aware that sincerity of purpose is insufficient to accomplish reform.

Senator ARTHUR CAPPER has been urging the adoption of a constitutional amendment to provide for uniform marriage and divorce laws for some time. While he would prefer to have the States adopt uniform laws, he says that he realizes this is a hopeless proposition and so is backing a constitutional amendment to give Congress the power to establish uniform laws. Senator CAPPER has introduced both Senate Joint Resolution 47 to amend the Constitution, and Senate bill 726, a detailed bill to provide for uniform regulation of marriage and divorce within the States—a suggested program which might be approved by the Congress after the constitutional amendment has been adopted by the States. Senator CAPPER has given thoughtful attention to this all-important matter, and well deserves the praise due him.

My own purpose in introducing a resolution to provide for the establishment of uniform marriage and divorce laws is serious. I believe that Congress must act, and act now, to drive a wedge into the growing practice of making a mockery of marriage and divorce.

OWE IT TO OUR RETURNING SERVICEMEN

Happily, our men and women on the fighting fronts will soon be returning home from their magnificent achievement abroad. Home—the word itself is a magic incentive to those who left it to fight for it, thousands of miles away. Home—to our fighting men it means a new appreciation of the simple comfort and security that for months and years they have dreamed of returning to.

It is not too much to say that the amendment I now propose is a provision to safeguard the security of our returning soldiers and the children of war conditions. Those of us who stayed behind to fight the war on the home front have a double responsibility to lay the ground work for a safe future for the institutions they sacrificed to defend.

It was Benjamin Disraeli who said that while "individualities may form communities, it is institutions alone that can create a nation."

If we do not preserve our institutions, our Nation itself will crumble. The institution of the American home is one of our most fundamental. It is not a mere platitude to say that we must constantly be on guard against the breakdown of our basic institutions.

Few will deny that at the present period in our history we face a post-war problem of rehabilitation which staggers the imagination to perceive. The rebuilding task we face is not one of mere physical proportions. Enormous responsibilities will arise for rebuilding human souls. Millions of our American citizens have had their whole lives torn up by the roots.

We must see to it that solid soil is prepared for the replanting and regrowth of those roots. Our institutions must be kept on so firm a foundation that they will weather the storm of reconversion to the peace we have so long awaited. If the American home falls victim to the inevitable confusion and disruption of the reconversion period, then a tragedy of singular proportions will have sapped the strength of our Nation.

What has this to do with a simple proposal to make our marriage and divorce laws uniform? Just this—a chain is no stronger than its weakest link; we have many weak links in our chain of 49 marriage and divorce codes which bind up the homes of the Nation. We have one weak link in particular—the loophole of Nevada law.

DIVORCE RATES

I do not speak from unfamiliarity with the tragedies of lax marriage and divorce rules. For 17 years, as judge of the municipal court in Toledo, Ohio, I had a great deal of experience with the problems of divorce and broken homes. None denies that the rate of divorce has become cause for legitimate alarm. From

the turn of the century to 1940, the rate had more than doubled—from 1 divorce in 10 marriages to 1 in every 5. The abnormal increase following the last World War projects a warning to us for this one. There is no ignoring the fact that our postwar condition will be serious. Two authorities at Duke University who have made an extensive survey of divorce, depression, and war and their correlation have carefully computed a basis for estimating what rate we might expect after this war. Whereas the rate in 1940—the last year of known data—stood at 21.3 divorces per 100 marriages, Hart and Bowne predict that the divorce rate in the United States, when demobilization reaches its peak, may be 38.3 per 100 marriages.

"It thus seems safe," they conclude, "to estimate that the maximum divorce rate after this war will be between one-third and one-half of the marriages."

Think of it—one-third to one-half of the marriages!

I can not guarantee, of course—I would be happy indeed if I could—that a uniform system of laws for the States would end the evils of divorce. I do, however, believe that it would greatly assist in the problem of plugging up the loopholes in the present chain of laws. The innocent victims of the chaos caused by casual marriage and divorce deserve the protection of the laws of their States. But if the States will not furnish that protection, then I believe a standard must be set requiring the States to conform.

Daily we hear more alarm at the growing rate of delinquency. Juvenile delinquency, it is called—actually it is parental delinquency. Over and over again, disrupted home conditions are found to be the seat of the trouble. Casual marriage and divorce laws aggravate broken home life. More than the public realizes, the State is increasingly being called upon to provide aid to dependent children who have been caught between feuding parents. Public funds for A. D. C.—aid to dependent children—are a poor and sorry substitute for the security of a real home life. No matter what the particulars involved, the children are always victims. The ramifications are extensive. Among unmarried mothers, for example, the largest proportion have invariably come from unsatisfactory home conditions. This means, then, that any effort to increase the strength of the ties which bind the home together is automatically reflected in improvement to the general conditions of public welfare in which we are all humanely interested.

That is one of the reasons for my proposed amendment. To eliminate some of the factors which encourage irresponsibility to the obligations of the home—that is my basic hope. To reach out and expose the shams and the racket of easy marriage and divorce; to act alike against the casualness of trial marriage and the racketeering of scheming persons who hold no respect for the true meaning of the marriage vow, but who reduce it instead to the crude level of legalized prostitution.

The present condition of confusion among the various and diverse State laws covering the legalities of marriage and divorce has produced a ridiculous situation with many inherent injustices.

CONFLICT OF LAW

The complications which arise out of the conflict of law as among the 48 States and the District of Columbia are seemingly endless. Fundamentally, they occur over the issue of whether or not a divorce decree is recognized outside the jurisdiction of the court granting it.

And we must bear in mind that there is a great deal more involved in divorce situations than the simple question of the matrimonial status of the parties affected by it. Support of the wife, protection of the children, and the property rights of both are concerned.

As one example, a person divorced in one State and remarried in another, if this latter State does not recognize the divorce, might find himself guilty of bigamy or adultery which then permits the partner to the first marriage to obtain divorce on the new grounds. Legitimate children may by the same token suddenly become illegitimate, with its attendant jeopardy of property rights.

Property rights are complicated in other ways. In the case of the death of a person divorced by foreign decree—that is, in another State—question of the distribution of his property arises. If it is the plaintiff who has died, the defendant in the divorce action may contend that the foreign decree is void, and that hence he or she still remains the legal spouse of the deceased. On the validity of the divorce, then, depends the State's solution of the issue.

SUPREME COURT DECISIONS

But never was a matter more complicated by the see-sawing back and forth of court decisions. Although under the "full faith and credit" clause of the Federal Constitution, each State is required to give recognition to the public acts, records and judicial proceedings of every other State, only the specific rulings of the United States courts, and particularly of the United States Supreme Court, furnish guide posts which the States must follow. And much remains uncovered by Supreme Court edict.

So, 'round and 'round the issues go, according to the State involved. The Supreme Court itself has issued conflicting decisions on jurisdictional matters. Late in 1942, the Williams against North Carolina case overruled the Haddock against Haddock decision which had held since 1905. In the latter case, the Court had declared that New York need not give full faith and credit to a Connecticut divorce decree. By the Williams case, however, the Court reversed itself and ordered recognition of Nevada decrees by every State. But, while the Williams case cleared up certain points in question, it by no means settled all. Some questions the Court did not pass on. At this very moment another test case of Nevada law is pending before the Supreme Court, and may be reported out at any moment. Once again, then, the situation will be spaded over. But it unquestionably will not be laid to rest. The confusion will go on until we get a new set of laws that are uniform throughout the country.

I could speak for many hours on this matter of conflict of law. It alone is sufficient reason for pleading uniformity. But perhaps a more telling approach would be a single description of the abuses of the privilege of State control which certain of the States have indulged.

NEVADA THE WEAKEST LINK

I mentioned previously in my brief that the need for a Federal standard has become increasingly manifest because a chain of laws is no stronger than the weakest link. Now I should like to describe that weakest link—Nevada.

There is a well-known Latin phrase which, translated, means "The scab of one sheep or the mange of one pig destroys an entire herd."

The graphic American expression to cover the same thing is, "One rotten apple will spoil the whole barrel."

Expressed either way, the undesirable features of the Nevada divorce mill are suggested. This mill is a national tragedy.

My authority for the following facts is a former member of the Nevada State legislature who has lived for 50 years near Las Vegas, Nev., and has watched the growth of the divorce industry there since 1906. The current problems have developed, he says, over the past 40 years, when it was discovered that Nevada laws were a handy invitation to commercialized divorce. At that time one could establish residence for divorce in 6 months, as in the case of the voting residence. As the volume of the divorce industry increased, however, greedy local interests had the residence requirement reduced to 3 months, and later halved that to 6 weeks. But even that is a mockery. Mr. Williams says:

> The writer knows, personally, of several persons who have in the past 10 years secured divorces in Nevada before they had been in the State 48 hours. They had no trouble securing witnesses to testify to their legal residence in our State. A little close questioning by the district attorney would have been bad for the divorce industry. But in our State the district attorney, instead of looking after the interests of the State and guarding against fraud, quite frequently acts as attorney for the divorce seekers.

There seems to be no conscience in Nevada on the part of the divorce-court officials.

> We have many cases—

Mr. Williams continues—

> where the divorce seekers come to our State a second or third time for divorce, after having shown very clearly, by their action after other cases, that they had given perjured testimony concerning their intent to live in Nevada. Yet their testimony upon this point is again accepted without question. It is a noticeable fact that divorce seekers in Nevada oftimes allege causes which, if true, would have enabled them to secure divorces in their own home States. It would seem that there are certain advantages in asking for divorce where no proof of their allegations is necessary.
>
> In our State, divorce cases are sometimes "tried in chambers" or in the private office of the judge, with the public excluded. This practice has made our Nevada divorce pro-

cedure quite popular among a good many prominent "patrons."

The Nevada divorce laws, as now administered, violate a much-prized principle of common law. One right under this law is that an accused person shall be tried in the community, or the jurisdiction, where it is claimed that the wrong was committed. Yet it is possible, under the Nevada divorce law, for a man to desert his family in their home two or three thousand miles away, come out to Nevada, and 6 weeks later, accuse his wife of drunkenness, adultery, or some other foul offense, and on his uncorroborated testimony, secure a divorce without his wife even knowing where he is, or that her character is being assailed. This is especially the case where legal notice is served by publication in a local Nevada newspaper. And even if she did know, what chance, ordinarily, has she to maintain a suit in a strange court two or three thousand miles away? In like manner, a woman can desert her home, come to Nevada, live openly with her paramour, secure a divorce and be back in her old home to flaunt her infamy, all in about 6 weeks.

DIVORCE RATE IN NEVADA

A glance at a few more statistics will show the success of the Nevada sham courts in luring the Smith, the Joneses, and the Barbara Huttons to Nevada for 6-week divorces.

In 1940, the rate of marriages and divorces for the Nation was 12 and 2, respectively, per thousand population. In other words, 2 out of every 1,000 persons had their marriages divorced or annulled. But in Nevada the divorce rate was 47 per 1,000 population, and the marriage rate 354 per 1,000. The average for the whole United States, remember, was only 12 per 1,000 for marriages, and 2 per 1,000 for divorces. But Nevada's record sticks out like the proverbial sore thumb—24 times the divorce rate of the rest of the country, and 30 times the remarriage rate. Even Florida had only 6 divorces per 1,000, and 17 marriages.

Mr. Williams gives us a close-up view of what the figures above mean.

A few months ago—

He says—

the district court in Las Vegas granted 58 divorces in 1 day, or at the rate of about 5 minutes per divorce. Can anyone imagine that any real effort was made by the court to inquire into the truth of the divorce-seeker's testimony?

I ask the gentlemen here assembled: Is marriage no more sacred a responsibility, is divorce so cheap a commodity, that we are justified in condoning the assembly-line technique of the divorce mills, grinding out exploitation? That is exactly what we have today. Our chain of State divorce laws is no stronger than its weakest link—the State of Nevada. This is the fact we face today. That is why I propose one standard.

STATES' RIGHTS

I am aware that there exists some little opposition to the type of proposal I make on the grounds that it would violate States' rights. I respect the States' rights principle. I am fully sympathetic with its defenders. So long as those rights remain right, they deserve to be defended with enthusiasm. But when those rights become wrongs, and they become the law of the land superseding the laws of the States, then I believe the situation demands review. When the existence of a Nevada law in effect denies the protection of its own more judicious laws to the citizens of every other State, then the shoe is beginning to pinch.

What is the purpose of an amendment to the Constitution? It is the correction of an error, or a change needed to conform to changing circumstances. The Constitution should be a dynamic, not a static instrument to serve the best interests of the entire Nation. I believe this proposed amendment will accomplish exactly that.

I should like to include at this point a statement from a textbook on divorce. It is the conclusion drawn by Oscar Warren, who compiled the Schouler Divorce Manual, the bible of the divorce textbooks. Mr. Warren has concluded from his extensive familiarity with the field:

It perhaps would have been better if our Federal Constitution in the beginning had taken to the Federal Government all authority over divorce.

* * * * *

To a large extent the questions that have arisen with regard to the effect of foreign State divorces result from the form which our Federal Constitution has taken. If the framers of it had made divorce a Federal question instead of leaving jurisdiction with the States, much of our present divorce evils could have been avoided. They could not foresee that the Thirteen Colonies would grow and expand into a great Nation of 48 States, each having its own laws and jurisdiction in divorce. They could not foresee that divorces, then comparatively rare, would grow to a great national evil and that certain States would vie with each other by the passage of lax divorce laws to aid people to free themselves from the bonds they may have lightly assumed.

PUBLIC-OPINION POLL

Apparently, from the mail I receive, the vast majority of the public favors uniform marriage and divorce laws. A little over a year ago, the Woman's Home Companion polled its reader-reporters to determine the sentiment of its customers in over 3,500,000 homes. An overwhelming majority—87 percent—said they favored a uniform Federal divorce statute governing all States alike. Only 6 percent of the women opposed it—7 percent were undecided.

I was interested to receive a recent communication from a woman who is indeed in a position to know whereof she speaks. She is Mrs. Marie Manning Gasch, of Washington—better known, no doubt, as Beatrice Fairfax—whose column is syndicated nationally.

I have great hopes—

She writes—

from your plea for more sane marriage and divorce laws. For years I have had agonized letters from wives of the class you mention—women divorced through no fault of their own and without the money to fight this monstrous injustice.

Mr. Speaker, in closing I would state that I am fully aware that any change in the present set-up will be a long, hard pull. But I believe that the cause is just, and will therefore eventually triumph.

Let me read to you some excerpts from the mail I have received from all over the country. More poignantly than I could express it, they show why uniform laws are essential.

From North Carolina a woman writes:

I have been married 40 years and have never known anything but hard work. I worked in the foundry that bears my husband's name and helped him to build up a good business. When he completed one job for $5,000, he said he was going down the road, maybe to the shipyards. I thought nothing of that, as he sometimes did it in the interest of his business, which is a well-equipped brass foundry and pattern shop. He closed his shop, kissed his family good-by, left all his clothes, and his desk locked.

He wrote home and sent me a little money for a while. A repeat order came in for another $5,000 job. I sent the order to him and asked him to hurry back and let's get on the job, but he sent the order back to the firm and refused to do it. To my great surprise and shock, he sued for divorce. The shock was so terrible I lost 18 pounds in weight. I was under the care of a physician for 6 weeks. I was advised to go to Florida and contest the action, which I did. He lost his case and immediately left for Reno, Nev. I had no means to go to Reno to fight the action, as he took all our life savings, including thousands in War bonds. Not a penny has he sent me since the 12th of last August.

Lost his head and left with another woman. We have a son in the Navy who wrote his dad to come home as he had made a grave mistake, open his shop, and get back on this war work which was so vitally needed in ships to carry our boys across. He ignored his letter. He in the service doing all he can for his own family and country and wishing he could do more, and his dad enjoying good health and had a good business, turned it down for another woman. It is a tragedy in our home. It is awful how women are wrecking homes; and, as you said, if a man gets tired of his wife, he can simply hop out to Nevada and get rid of her in 6 weeks. Seems so hard and unfair after 40 years of hard work.

Hope you will please pardon my writing this letter, but am so heartbroken and humiliated, I felt as though I should, after reading your article.

I might add at this point that the divorce laws of North Carolina provide that to gain a divorce on grounds of separation, a 2-year period of living apart must have occurred, and the plaintiff must have resided in the State for a period of 6 months. Since the husband in this case could not qualify for divorce under his own State laws, he went to Florida as the nearest outlet. Florida has more lenient laws. But Nevada's are a national disgrace.

From Missouri another woman has written that after 35 years of marriage to a devoted husband, a very great disappointment in business caused her husband a mental break-down. He went to Nevada for a divorce, and the lawyer went ahead with it, although apprised of the man's irresponsible condition and told that the divorce would be contested.

I went out to Nevada—

She continues—

where I had to file a counter suit, and after much humiliation and expense to hire another lawyer, my husband disappeared and they said there was nothing to do about it.

I do feel that something should be done to stop such mockery of a sacred family obligation to keep people from such cheap tactics and would be willing to do anything to help stamp out this state of conditions. My experience has been dreadful and want

you to know you have my support and will do anything to help in this matter.

Another woman writes from Pennsylvania that her husband poses in a responsible job with an "uplift" organization in the Nation's Capital while at home his wife and child whom he abandoned several years ago have no solace but a court order dating back to August 1940 showing that the husband now owes her close to $3,000 for support. She writes:

I shall never cease from trying to have a congressional investigation of the Luisiana divorce system, and anything you can do about the matter will be greatly appreciated.

But the shoes do not only fit the husbands. Wives are as frequently at fault.

A mother in Ohio writes:

May I congratulate you upon your resolution calling for a uniform divorce law. Please do not falter—nor get discouraged. Whatever passes will not help us personally, but I am hoping others may be spared the trouble and sorrow we have experienced.

So please keep on trying. How casual we feel about such things until they really affect us. Our soldier son—out of the country 26 months—has been the victim in our family; and an attorney, in trying to safeguard him after his wife had procured an annulment, has run into various difficulties.

So I say again: Thank you, and God bless you for your effort.

A major in the Army in New Jersey writes a letter typical of many from servicemen who complain bitterly of being victimized through marriage and subsequent alimony payments.

Your stand—

He says—

is so very commendable that you will earn and warrant the utmost gratitude of men such as I who have actually suffered from this racket, not only financially, but mentally.

Out of his earnings of approximately $350 a month, he says, he must pay alimony of $200. Since in California the legal age of dependents is 21, he must pay alimony for his boys who are over 18 and earning their own living, yet he cannot deduct them from his income tax because they are over 18 and make over $500 a year, he explains.

At this point I might add, however, that from the viewpoint of abandoned children, alimony more often than not is painfully inadequate, and frequently results in the child becoming dependent upon public welfare assistance for varying degrees of aid. The conscientious father like the man who wrote in above may be as much the victim of a run-around wife, however, as the children are victims of the separation.

And I have received letters of a general type.

A young lady writes from New York:

I agree with you. I worked in a lawyer's office who gets divorces in New York State with his private detective. The whole thing is stupid, and an easy way to make money.

Reno is an easy way out for the wealthy.

Uniform divorce laws would ruin our notorious places like Reno.

A student in a great middle western university writes:

I was made more aware of this great need of uniform laws last summer when I was preparing my thesis for the University of ——— along much this same line. I wrote case histories of children from broken homes from the ——— school district. * * * I am much convinced that school, court, and home should work more closely together to be able to better solve the problem of juvenile delinquency, which is usually a product of a broken home.

An attorney and counselor from Ohio writes:

I am not sure that we can do much about a uniform marriage law in the immediate future, but there is a crying imperative need for immediate action on divorce. In Ohio one can get an uncontested divorce on almost any ground. In Nevada one does not even require a bona fide residence. This laxity is responsible for broken homes, abandoned wives, neglected children, and a complete break-down in the social and moral concept of marriage.

Note that statement from an experienced attorney and counselor:

This laxity is responsible for broken homes, abandoned wives, neglected children, and a complete break-down in the social and moral concept of marriage.

EXTENSION OF REMARKS

Mr. CURTIS asked and was given permission to extend his own remarks in the Appendix of the RECORD in two instances, in one to include a poem and in the other a petition.

Mr. DE LACY. Mr. Speaker, I ask unanimous consent that I be permitted to extend two statements and a letter by my colleague the gentleman from Washington [Mr. SAVAGE].

The Public Printer estimates this will cost $156. I ask unanimous consent that the extension may be made notwithstanding.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

PREVENTING FUTURE WARS

Mr. VOORHIS of California. Mr. Speaker, I ask unanimous consent to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VOORHIS of California. I am sure all of us have been deeply impressed by what the gentlewoman from Connecticut had to say. In the next few days a resolution will come before the House for the punishment of war criminals. If we are to do the kind of a job which has to be done to prevent Germany from making war in the future, we have to do more than simply punish individual war criminals. We have to pass, either as an amendment to the war criminals resolution, or else in separate legislation, something like the following:

"It is the policy of the Congress of the United States to employ such means as may be necessary and appropriate to prevent the economic, financial, or technical resources of our enemies from finding a haven of opportunity for the direct or indirect rebuilding of the future war powers of our enemies in any neutral nation or any other nation; and to take whatever measures may be necessary to eliminate the possibility of any citizens or corporations of the United States taking such action as would contribute, through cartel arrangements or otherwise, to the rebuilding of the future war powers of our enemies."

Mr. Speaker, this was the thing which after the First World War we permitted the Germans to do, to rebuild, first in other nations, then in Germany itself, the very power upon which Hitler's machine rested. That must not be allowed to happen again.

Mr. HOFFMAN. Mr. Speaker, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. HOFFMAN. Do you know where the Germans obtained their materials to make their munitions of war? How did it happen they were able to arm themselves after the other war?

Mr. VOORHIS of California. I will say to the gentleman I have a good deal of material, and at a future date I hope I will have a chance to address the House in more detail on this very propcsition which I have started to discuss here today. I do not want to make a short answer to the gentleman's inquiry. I think it is a pretty serious story, I will say to the gentleman.

Mr. HOFFMAN. I do, too, and I would like to know who it is that enables these nations, when they are defeated, to rearm.

Mr. VOORHIS of California. What the Germans actually did after the First World War and what they have done right now is to try to establish in neutral nations their financial resources, and to transfer out of Germany such resources and personnel as they could in order to rebuild in those countries their future war powers. That is the thing I want to prevent.

Mr. HOFFMAN. Someone outside, intent on making money, must help them.

Mr. VOORHIS of California. Precisely. They do.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. JUDD, for 2 days, on account of illness.

To Mr. SCHWABE of Oklahoma (at the request of Mr. SCHWABE of Missouri), for the balance of the week, on account of official business.

To Mr. TALBOT, for 3 days, on account of official business.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled a bill and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 2689. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes; and

H. J. Res. 174. Joint resolution making additional appropriations for the fiscal year ending June 30, 1945.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. ROGERS of New York, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, a bill and a joint resolution of the House of the following titles:

H. R. 2689. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1946, and for other purposes; and

H. J. Res. 174. Joint resolution making additional appropriations for the fiscal year ending June 30, 1945.

ADJOURNMENT

Mr. FOLGER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 6 minutes p. m.) the House adjourned until tomorrow, Friday, May 4, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON ROADS

There will be a meeting of the Committee on Roads at 10 a. m., Friday, May 4, 1945, in the Committee Room 1011, New House Office Building, to consider H. R. 2340, to amend section 6, of the Defense Highway Act of 1941, as amended.

COMMITTEE ON WORLD WAR VETERANS' LEGISLATION

The Committee on World War Veterans' Legislation will meet in executive session at 10:30 a. m., on Friday, May 4, 1945, in the Committee Room, 356 House Office Building.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, May 8, 1945, to resume public hearings on S. 63 and H. R. 1648, to amend the Communications Act of 1934, as amended, so as to prohibit interference with the broadcasting of noncommercial cultural or educational programs.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

439. A letter from the Administrator of Office of Price Administration, transmitting the Twelfth Report of the Office of Price Administration, covering the period ended December 31, 1944 (H. Doc. No. 167); to the Committee on Banking and Currency and ordered to be printed, with illustrations.

440. A letter from the Secretary of War, transmitting the report of the American National Red Cross for the fiscal year ended June 30, 1944; to the Committee on Military Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. LUTHER A. JOHNSON: Committee on Foreign Affairs. House Report No. 502 (pt. 2). Report pursuant to H. R. 688. A bill to amend the joint resolution of January 27, 1942, entitled "Joint resolution to enable the United States to become an adhering member of the Inter-American Statistical Institute." Referred to the Committee of the Whole House on the state of the Union.

Mr. O'NEAL: Committee on Appropriations. H. R. 3109. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1946, and for other purposes; without amendment (Rept. No. 509). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. S. 804. An act to authorize certain additional appointments in the Officers' Corps of the Regular Army in initial grades not above the grade of captain; without amendment (Rept. No. 510). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDREWS of New York: Committee on Military Affairs. H. R. 1812. A bill to authorize an award of merit for uncompensated personnel of the Selective Service System; with amendment (Rept. No. 511). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 2992. A bill to extend the provisions of the act of July 11, 1941 (Public Law 163, 77th Cong.); without amendment (Rept. No. 512). Referred to the Committee of the Whole House on the state of the Union.

Mr. MAY: Committee on Military Affairs. H. R. 3070. A bill to extend the provisions of the act of November 29, 1940 (Public Law 884, 76th Cong.); without amendment (Rept. No. 513). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. LANE:

H. R. 3110. A bill to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the return of the amount of deductions from the compensation of any employee who is separated from service or transferred to a position not within the purview of such act before completing 10 years of service; to the Committee on the Civil Service.

By Mr. McGEHEE:

H. R. 3111. A bill to amend the act approved January 2, 1942, as amended, approved April 22, 1943, entitled "An act to provide for the prompt settlement of claims for damages occasioned by Army, Navy, and Marine Corps forces in foreign countries"; to the Committee on Claims.

By Mr. MORRISON:

H. R. 3112. A bill to provide for the coinage of 10-cent pieces bearing the likeness of Franklin Delano Roosevelt; to the Committee on Coinage, Weights, and Measures.

By Mr RANKIN:

H. R. 3113. A bill to authorize the Administrator of Veterans' Affairs to accept gifts, devises, and bequests in behalf of the general post fund for the use of veterans and for the sale and conveyance of any such property under certain circumstances and the covering of the proceeds thereof into the post fund, and for other purposes; to the Committee on World War Veterans' Legislation.

H. R. 3114. A bill to amend certain provisions of the National Service Life Insurance Act of 1940, as amended; to the Committee on World War Veterans' Legislation.

H. R. 3115. A bill to liberalize and clarify the laws pertaining to hospital treatment, medical care, domiciliary care, and related services, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. BARDEN:

H. R. 3116. A bill to establish a temporary agency to be known as the Commission on Emergency Federal Aid to Higher Educational Institutions, and for other purposes; to the Committee on Education.

By Mr. DINGELL:

H. R. 3117. A bill to amend section 2901 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. RANKIN:

H. R. 3118. A bill to amend section 100 of Public Law No. 346, Seventy-eighth Congress, June 22, 1944, to grant certain priorities to the Veterans' Administration, to facilitate the employment of personnel by the Veterans' Administration, and for other purposes; to the Committee on World War Veterans' Legislation.

H. R. 3119. A bill to amend parts VII and VIII of Veterans Regulation No. 1 (a), as amended, to liberalize and clarify vocational rehabilitation and education and training laws administered by the Veterans' Administration, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. WEISS:

H. R. 3120. A bill to prevent discrimination against veterans by use of the physical examination to disqualify them for their old jobs; to the Committee on Military Affairs.

By Mr. CANNON of Missouri:

H. J. Res. 177. Joint resolution repealing a portion of the appropriation and contract authorization available to the Maritime Commission; to the Committee on Appropriations.

By Mr. BECKWORTH:

H. J. Res. 178. Joint resolution declaring the policy of the United States with respect to use and disposition of enemy property; to the Committee on Foreign Affairs.

By Mr. GARDNER:

H. Res. 241. Resolution to provide for an investigation of the extent to which the powers of the Office of Price Administration have been exercised in an unfair or inequitable manner; to the Committee on Rules.

H. Res. 242. Resolution to provide for expenses of the investigation authorized by House Resolution 241; to the Committee on Accounts.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to amend H. R. 534 and any other bill presented to the Congress relating to duplicate taxation of Federal employees; to the Committee on the Judiciary.

Also, memorial of the Legislature of Cuba, memorializing the President and the Congress of the United States to send representatives to a birthday tribute to Simon Bolivar to take place at Caracas, Venezuela, on July 24, 1945; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CLEMENTS:

H. R. 3121. A bill for the relief of Elizabeth M. Simmons and Robert H. Simmons; to the Committee on Claims.

By Mr CURTIS:

H. R. 3122. A bill for the relief of Richard A. Allberry; to the Committee on Claims.

By Mr. CLASON:

H. R. 3123 A bill to provide that the name of Charles Southgate be added to the emergency officers' retired list of the Army of the United States; to the Committee on Military Affairs.

By Mr. GRANT of Indiana:

H. R. 3124. A bill for the relief of Mrs. Gisella Santo; to the Committee on Claims.

By Mr. GREGORY:

H. R. 3125. A bill for the relief of Lovie M. Trotter; to the Committee on Claims.

By Mr. KEARNEY:
H. R. 3126. A bill for the relief of Mrs. Jean Taube Weller; to the Committee on Claims.
By Mr. WIGGLESWORTH:
H. R. 3127. A bill for the relief of Harry F. Vinton, Jr.; to the Committee on Claims.
By Mr. WINSTEAD:
H. R. 3128. A bill for the relief of Mrs. L. V. Covert; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as folows:

525. By the SPEAKER: Petition of the President of the Lithuanian American Council, petitioning consideration of their resolution with reference to law, order, and the "four freedoms" for the Baltic states; to the Committee on Foreign Affairs.

526. Also petition of Donald Macmillan, of Minneapolis, Minn., petitioning consideration of his resolution with reference to adoption of a memorial to Franklin Delano Roosevelt; to the Committee on Memorials.

527. By Mr. CLEMENTS: Petition of 20 residents of Madisonville, Ky., urging the enactment of House bill 1699, to establish an Optometry Corps in the Medical Department of the United States Army; to the Committee on Military Affairs.

528. By Mr. COCHRAN: Petition of Mr. Wilhelm and 29 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

529. Also, petition of George H. Lear and 31 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

530. Also, petition of Mr. T. Cowling and 31 other citizens of St. Louis, Md., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

531. Also, petition of George M. Thorm and 32 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

532. Also, petition of Anna Rose Mercurio and 27 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

533. By Mr. MOTT: Petition signed by Ruth K. Wilson and 28 other citizens of Salem, Oreg., urging the enactment of the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

534. By Mr. LECOMPTE: Petition of Susie George, president, and members of the Winifred Lodge, No. 223, of the Ladies' Society of the Brotherhood of Locomotive Firemen and Enginemen of Ottumwa, Iowa, in the interest of House bill 1362, the Railroad Retirement and Unemployment Insurance Act; to the Committee on Interstate and Foreign Commerce Committee.

535. By Mr. MOTT: Petition signed by Mrs. E. M. McKee and 16 other citizens of Salem, Oreg., urging enactment of the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 4, 1945

The House met at 12 o'clock noon, and was called to order by the Speaker.

Rev. Nelson C. Schrader, C. M., chaplain, Providence Hospital, Washington, D. C., offered the following prayer:

Most loving Lord, redeemer of the human race, look down upon us, humbly grateful and suppliant before Thee.

In this hour of victory we are thankful to Thee for success and all other blessings.

We are Thine, and Thine we should wish to be; but to be surely united with Thee, behold, each one of us would freely consecrate himself to Thy most sacred heart.

Be Thou king, O Lord, not only of the faithful who have never forsaken Thee but also of the prodigal children who have abandoned Thee. Grant that they may quickly return to their Father's house.

Be Thou king of those who are deceived by erroneous opinions or whom discord keeps aloof, and call them back to the harbor of truth and unity of faith, so that soon there may be but one flock and one Shepherd.

Grant, O Lord, to Thy church and our Nation assurance of freedom and immunity from harm; give peace and order to all peoples; and make the earth resound from pole to pole with one cry: Praise to the Divine Heart that wrought our salvation; to It be glory and honor forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE

Mr. MERROW. Mr. Speaker, I ask unanimous consent that on Monday next, after disposition of business on the Speaker's desk and at the conclusion of any special orders heretofore entered, I may be permitted to address the House for 45 minutes.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

EXTENSION OF REMARKS

Mr. FLANNAGAN asked and was given permission to extend his remarks in the RECORD and to include an editorial appearing in the Washington Post as of this date on the T. V. A. chairmanship.

FARM MACHINERY

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

[Mr. FLANNAGAN addressed the House. His remarks appear in the Appendix.]

CONTINENTAL CASUALTY CO.

Mr. COMBS. Mr. Speaker, I ask unanimous consent to be relieved as a conferee on the part of the House in reference to the bill (H. R. 1307) for the relief of the Continental Casualty Co.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The Chair appoints as a conferee on the part of the House Mr. FERNANDEZ, of New Mexico, and the Clerk will notify the Senate thereof.

RECLASSIFICATION OF SALARIES OF POSTMASTERS, ETC.

Mr. McKENZIE. Mr. Speaker, I ask unanimous consent to file a supplementary report to Report No. 449, to accompany the bill (H. R. 3035) to reclassify the salaries of postmasters, officers, and employees of the Postal Service and to establish a uniform procedure for computing compensation, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

EXTENSION OF REMARKS

Mr. LARCADE asked and was given permission to extend his remarks in the RECORD and include therein a short newspaper article.

Mr. KOPPLEMANN asked and was given permission to extend his remarks in the RECORD in two instances and to include two newspaper editorials.

WORLD WAR NO. 2 VETERANS' TRAINING

Mr. ROGERS of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROGERS of New York. Mr. Speaker, I rise to call the attention of the House to a unique training plan in small business administration offered to veterans of World War No. 2.

This plan, recently put into effect by a school located in my congressional district, the Rochester Business Institute, of Rochester, N. Y., provides a practical training in basic problems and fundamental principles in order that veterans who plan to go into business may achieve profitable operation of their offices, stores, or shops.

Experts are donating their time in order that this particular training may be offered, free of charge, which consists of a series of lectures for a period of 6 weeks. The lectures are being given by wholesalers, accountants, bankers, lawyers, and persons recognized as successful in various small businesses.

To my knowledge, this is the first training course of this type to be offered to returning veterans, without charge for tuition.

The course offered by the Rochester Business Institute is the initial step on the part of interested civilians to lend a helping hand to G. I.'s in the realization of their dreams of owning and operating their own business enterprises.

I believe such training courses will render a valuable service to veterans in their readjustment to civilian life, and I am hopeful that this plan will inspire other educational institutions to adopt similar courses.

EXTENSION OF REMARKS

Mr. ROGERS of Florida asked and was given permission to extend his remarks in the RECORD and include an article from the Palm Beach Post calling upon Congress to repeal the use tax on automobiles and boats.

Mr. SHEPPARD asked and was given permission to extend his remarks in the RECORD and include an address delivered by Paul A. Strachan, president, American Federation of the Physically Handicapped, Inc., and his reply to the same organization.

Mr. GRANGER asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. TRAYNOR asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Council of United Polish Societies, of Wilmington, Del.

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. GAVIN asked and was given permission to extend his remarks and include an editorial on the Canol project.

PERMISSION TO ADDRESS THE HOUSE

Mr. JONKMAN. Mr. Speaker, I ask unanimous consent that on Monday next, at the conclusion of the legislative program of the day and following any special orders heretofore entered, I may be permitted to address the House for 15 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PACIFIC WAR THEATER COOPERATION NEEDED

Mr. GAVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. GAVIN. Mr. Speaker, the San Francisco Conference is making steady progress. The oratory is about over, and it looks as though they may be getting down to business. There are some 49 countries represented at the Conference, and although it may be a little off the beam to bring up matters that are a little outside of the purposes for which the Conference was called, nevertheless, I feel at this time that some member of the United States delegation should advise the Conference that we still have a war on in the South Pacific, where hundreds of thousands of young Americans are fighting and dying in malaria-infested swamps and jungles of the South Pacific.

I believe it would be in order, fitting and proper, to discuss this Jap war situation, and the Conference should decide how many million men are going to be needed for the Japanese conquest in the South Pacific, and set up quotas for each Nation that can do its part to help us in furnishing men, foodstuffs, and equipment. So, along with equal voting rights for world peace, give all countries equal fighting and responsibility rights for an early, total victory which will eventually secure a just and lasting peace. It would be an opportunity to see the United Nations united not alone in word but in action and deeds.

We have a real job ahead in the South Pacific when the European war is cleaned up, and it would be interesting to hear and secure the attitude of the delegations of all the world while the Conference of all nations is assembled as to what kind and manner of support each nation is going to give us to help exterminate the Jap menace from the face of the earth. There can be no peace in the world until this job is done.

WAR PRISONER POLICY

Mr. HOPE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. HOPE. Mr. Speaker, there has been some criticism of the policy of our Army with respect to its treatment of German prisoners of war. There have been charges of coddling. I know nothing about the merits of these charges in specific cases, but I want to commend our high command for the general policy which has been followed. We have scrupulously observed the provisions of the Geneva Convention. I cannot conceive of this Nation doing any differently with respect to any treaty obligation. But doing the right thing in this instance has certainly been the wise thing and I believe that our treatment of German prisoners has resulted in shortening the war and materially reducing our casualties. It is impossible to keep up to date on the number of German prisoners taken by the Allied armies since D-day. It was rapidly mounting to the three-million mark before the mass surrender in Italy and southern Austria. There is no question but what most of these German troops surrendered because they knew they would receive decent treatment in the hands of their captors. Suppose they had fought to the bitter end as they have on other fronts? It is conceivable that this might have meant additional casualties running into the hundreds of thousands. I am glad to take this occasion to refer to the honorable, intelligent, and militarily sound position which our military leaders have taken in this regard. It has paid high dividends in the saving of American lives.

EXTENSION OF REMARKS

Mr. AUCHINCLOSS asked and was given permission to extend his remarks in the RECORD and include a brief statement.

Mr. GWYNNE of Iowa asked and was given permission to extend his remarks in the RECORD and include an article by Mark Sullivan.

Mr. ADAMS asked and was given permission to extend his remarks in the RECORD and include a concurrent resolution passed by the New Hampshire Legislature relating to the participation of representatives of members of the armed forces in meetings of the Governments of the United Nations.

Mr. RIZLEY asked and was given permission to extend his remarks in the RECORD and include an editorial on Capt. Apollo Soucek.

Mr. BIEMILLER asked and was given permission to extend his remarks in the RECORD in two instances and to include in one a resolution of the Wisconsin Legislature and in the other a short editorial.

Mr. BRYSON asked and was given permission to extend his remarks in the RECORD in two instances and include in each a short newspaper article.

Mr. O'BRIEN of Michigan asked and was given permission to extend his remarks in the RECORD and include an editorial from the Detroit News.

Mr. RAMSPECK asked and was given permission to extend his remarks in the RECORD and include a tribute to the late Franklin D. Roosevelt written by Charles J. Farrington, Jr.

Mr. GATHINGS asked and was given permission to extend his remarks in the RECORD and include an editorial.

LEGISLATIVE APPROPRIATION BILL

Mr. RICH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. RICH. When I make this statement I shall probably be the most unwelcome Member of the House today. The legislative appropriation bill is coming before Congress next week. I am informed it will grant $2,500 additional to Members of Congress tax free. This bill should not pass at this time. This is no time for Congress to rock the boat when we are talking about economy in Government, when we expect to get reductions in everything pertaining to Government spending, and when taxes are high. This is the time for us to sacrifice the same as everybody else. Sure taxes are high and will continue to be. When we cannot get the wages of people in industry, who are worse off than the Congress, increased, it seems to me we are doing an unwise thing to bring that bill up next week and ask for a rule to preclude amendments. I believe eventually the salaries of Congress may be and should be increased but this is an inopportune time for the Congress to increase their own salaries, when you passed laws prohibiting industry from increasing wages. I thank goodness I did not vote for such legislation, nor did I vote for giving the power of the Chief Executive to grant such power by Executive order. Now is the time to get economy into the operation of our Government and the Congress should lead the way. Psychologically this bill will have a bad effect on the American people. It should not be brought before the Congress for action, let alone pass the House of Representatives.

FAIR EMPLOYMENT PRACTICE COMMISSION

Mr. ERVIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ERVIN. Mr. Speaker, immediately after the railroad bill has been disposed of today, it is my purpose to dis-

cuss the F. E. P. C. and to demonstrate that it would do more to Hitlerize and communize America than any other proposal now pending in Congress.

I will not make a Civil War speech, because the effect which the F. E. P. C. would have in the South would be minor compared with the effect it would have in the balance of the country.

I will talk without any bitterness. I will concede that the sponsors of this bill are prompted by high motives.

I shall speak for those who dislike bureaucrats and hate regimentation. I shall speak for those who hate socialism and love private enterprise. I shall speak for those who dislike the Ku Klux Klan and love tolerance, cooperation, and friendship.

I shall speak for the alien, the naturalized citizen, the Jew and the Negro.

I shall speak for those who love local self-government. I shall speak for the merchant, the farmer, the newspaper, and for small business, all of whom are engaged in interstate commerce.

I shall speak for the Wisconsin dairyman who is too busy with his barnyard duties to be regimented by an F. E. P. C. examiner. I shall speak for the corn huskers in Nebraska and Iowa, who are too busy pulling fodder and cutting tops, and shucking corn to be regimented by bureaucrats.

Finally, I shall speak for all Americans who dislike being pushed around and who hope that America will continue to be a place where the individual can say:

> I am the master of my fate;
> I am the captain of my soul.

I trust that those of you who have these beliefs will give me the privilege of speaking to you on this subject this afternoon.

DEFERMENT OF FARM LABOR

Mr. HOFFMAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN. Mr. Speaker, the House yesterday, by more than a one-third vote but by less than a majority vote, may have given encouragement to some local draft boards who wish to induct agricultural workers who are not subject to induction, but to me it seems a little bit doubtful whether it is wise, when there is a shortage of food which can be produced only by those who know how and who are capable of doing agricultural work, to continually export agricultural workers, American farm workers—we have exported agricultural machinery—and import German prisoners of war and refugees, and depend on them to operate our farms and to feed us, our men and women in the service, our allies, and the hungry people wherever in the world they may be found.

The Tydings amendment, notwithstanding the veto, notwithstanding the vote yesterday, is still the law of the land, and this Congress, since local boards and Selective Service officials first began to disregard it and unlawfully induct American citizens, has on at least three occasions expressed its disapproval of that maladministration.

The Congress should order the release of all those who have been inducted in violation of the act; the prosecution of all those who have unlawfully inducted men not subject to draft.

Military authorities are supreme in combat areas; they are the servants of the people in other than combat areas, and their salaries and food and their shelter depend upon the will of Congress and the people. The sooner that truth is realized, the better for all of us.

SELECT COMMITTEE TO INVESTIGATE SUPPLIES AND SHORTAGES OF FOOD, PARTICULARLY MEAT

Mr. McCORMACK. Mr. Speaker, at the request of the gentleman from New Mexico [Mr. ANDERSON], I ask unanimous consent that on Tuesday next, immediately after the reading of the Journal and before the legislative program of the day, the gentleman from New Mexico [Mr. ANDERSON] be recognized for 1¼ hours, he to have control of the time and the right to yield to other Members. I understand that this is for the purpose of allowing the special committee appointed by the House to investigate the food situation to use that time. In view of the very fine work the committee have been doing, the leadership felt that this time should be granted them at that stage of the proceedings rather than have them wait until the end of the legislative program of the day.

Mr. MARTIN of Massachusetts. Mr. Speaker, I wonder if the gentleman from Massachusetts would modify his request so that the minority may have half of the time in their own right inasmuch as that is the general custom.

Mr. McCORMACK. That is understood. Of course, I am making the request for the gentleman from New Mexico.

Mr. MARTIN of Massachusetts. I would like to preserve the integrity of the proceedings of the House. We always proceed with the expectation that each side will have its own time.

Mr. McCORMACK. I would be very much surprised if that did not occur. However, I will incorporate the suggestion of the gentleman from Massachusetts [Mr. MARTIN] in my request. I will take the responsibility. That is the way it should be. Of course, I am making the request for someone else. I might say when I make the request, although it is being made indirectly, I know they want it that way. Inasmuch as I have to prepare the legislative program for next week, I would like to know what to put on the program.

Mr. MARTIN of Massachusetts. I understand that thoroughly, but I do not want to depart from the established custom because we do not know where such departures will lead us.

Mr. McCORMACK. Mr. Speaker, I do want to place myself in the correct position. May I say that is the implied request of the gentleman from New Mexico.

Mr. AUGUST H. ANDRESEN. Mr. Speaker, reserving the right to object, as the ranking minority Member of the special Food Investigating Committee, I had an understanding with the chairman, the gentleman from New Mexico [Mr. ANDERSON] with reference to discussing the food report which has been filed with the House this week. We would like to discuss the report as a committee with the time being divided equally between the majority and the minority. There is no misunderstanding about that. Therefore, would the gentleman from Massachusetts, the majority leader, incorporate that in his request?

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

REDUCING MARITIME COMMISSION APPROPRIATION

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent for the present consideration under the rules of the House of the joint resolution (H. J. Res. 177) repealing a portion of the appropriation and contract authorization available to the Maritime Commission.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. RANKIN. Mr. Speaker, reserving the right to object, may I ask what that resolution is?

Mr. CANNON of Missouri. It relates to the recovery of a portion of the appropriation and revision of contracts and obligations of the Maritime Commission.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CANNON of Missouri. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the joint resolution (H. J. Res. 177) repealing a portion of the appropriation and contract authorization available to the Maritime Commission; and, pending that motion, I ask unanimous consent that general debate be limited to 2 hours, half of the time to be controlled by the gentleman from New York [Mr. TABER] and half of the time by myself.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Missouri.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 177, with Mr. KILDAY in the chair.

The Clerk read the title of the resolution.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. The gentleman from Missouri [Mr. CANNON] is recognized for 1 hour.

Mr. CANNON of Missouri. Mr. Chairman, this is a unique resolution.

It is unusual in that it puts the usual functions of appropriation in reverse, and instead of appropriating money and granting contractual authority, it cancels appropriations previously made and rescinds contractual authorizations already granted.

When war was declared Congress pledged the total resources of the Government and the Nation to the prosecution of the war. Under that authorization the Committee on Appropriations has reported out the largest sums of money ever reported in that length of time by any parliamentary body in the history of the world, a sum which exceeds by far all the money ever spent, both in war and in peace, from the administration of President Washington down to the administration of President Roosevelt. It is a sum, the extent and purchasing power of which staggers human comprehension. We have been more than justified in that enormous appropriation, totaling a very large percentage of the entire assets of the Nation, by the results secured. We have not only won the war but we have shortened the war, and, to that extent, we have lessened the number of lives lost and the amount of bloodshed in this unprecedented conflict.

Of course, under war conditions it was not always possible to scrutinize as closely as in time of peace the estimates received from the military authorities. Always we preferred to take the risk of appropriating too much rather than the other extreme of providing too little or too late. But always we took the precaution to impose on the budgeting agencies the duty of maintaining a close check on all funds appropriated to the extent of being in a position to report at any time the exact status of expenditures and balances on hand with a view to reclaiming any surplus moneys which might be available at the close of the war. In furtherance of this policy the committee early last year incorporated in the second deficiency appropriation bill of 1944 a provision requiring the Bureau of the Budget to conduct a continuous study of appropriations and contract authorizations granted for and on account of the prosecution of the war with the view of submission by the President, from time to time, of recommendations for the repeal of any surpluses such study might disclose.

This week the collapse of armed resistance on the European front developed the surplus we had in mind, and the condition precedent laid down in the provision incorporated in the act of June 28, 1944, and in pursuance of our foresight, the President has sent in a recommendation for the repeal of $7,365,000,000.

So, this bill is not only notable from a legislative and parliamentary point of view, it has a deeper significance. It marks the end of the most destructive, the most savage, the most ruthless, and the most senseless war in recorded history—in all the annals of man's inhumanity to man.

It marks the unmistakable and irrefutable negation of the long and widely proclaimed theory that while a democratic form of government is practicable, in time of peace, and produces perhaps the greatest good for the greatest number of people, it is helpless under the stress of war and cannot meet successfully the centralization of power incident to a totalitarian form of government.

It marks the end of more than a century of devious and deliberate planning, involving the collaboration of some of the greatest scientists, savants, parliamentarians, economists, industrialists, and military strategists produced by modern civilization, for the conquest and domination of the world. In other words, this bill, and world conditions which bring it to the floor today, marks the turn in a long and desolate road. This is a historic bill. And this is a historic occasion. In the language of the ancient hymnal:

> This is the day we long have sought,
> And mourned because we found it not.

For a century the Junkers and their war lords have toasted "the Day."

Sehr gut. Dies ist der Tag! Deutschland unter alles! Gott mit uns!

The bill specifically provides for the cancelation of an excess of $3,100,000,000 of an unexpended balance of $3,746,372,264 of appropriations previously provided for the Maritime Commission, and for the rescission of $4,265,000,000 of contract authorizations out of an available balance of $4,859,465,800 of authorizations previously granted to the Maritime Commission for the construction and reconversion of ships and facilities.

May I correct here the misapprehension that the sum of $3,100,000,000 in cash and $4,265,000,000 in contractual authority comprises a total savings of $7,365,000,000 at most. The saving, of course, is limited to the amount of the contractual authority, because, if continued, the $3,100,000,000 of actual appropriations necessarily would be used to liquidate the $4,265,000,000 of contractual authority. So we save by this enactment not more than the $4,265,000,000 out of this one item in the war program.

There is another misapprehension which might be corrected at this time, namely, that by the passage of this bill we cover back into the Treasury the amount of the appropriation in cash. As a matter of fact, when an appropriation is made the actual money is not by that enactment taken out of the Treasury and segregated in the hands of the beneficiary. The agency is authorized to draw that much money on warrant. Accordingly, although subject to the order and demand of the department, the $3,100,000,000, has not been actually taken out of the Treasury, and therefore is not by this bill returned to the Treasury. By this enactment we rescind the authority to take from the Treasury.

Mr. Chairman, in view of the fact that the Committee on Appropriations has had to bear the onus of the vast appropriations made in prosecution of the war, and is therefore entitled to any credit accruing from the cancelation of such appropriations, I wish to call attention to the further fact that the suggestion for the pending bill and the large savings it effects in Government funds did not originate in the executive branch of the Government. It originated in the legislative branch; it originated in the Committee on Appropriations.

As will be noted in House Document 164, transmitting the letter of the President recommending the cancellation, it is stated in the last paragraph of the document:

> This proposal is submitted in accordance with section 303 of the Second Deficiency Appropriation Act, 1944 (Public Law 375, 78th Cong.), approved June 28, 1944.

And in this connection, I quote the section referred to not only because of its relation to the pending bill but because under its provisions the committee expects to continue a careful study of appropriations and contract authorizations and to report to the House, from time to time, further bills for the cancelation of appropriations and authorizations no longer required under conditions developed by the progress of the war.

Section 303 of the Second Deficiency Appropriation Act, 1944, provides:

> The President shall direct the Bureau of the Budget to maintain a continuous study of appropriations and contract authorizations granted for the national defense, war agencies, and the prosecution of the present wars for the purpose of submitting for the consideration of Congress, when the state of the wars makes such action possible, a list showing the condition of the balances of each of such appropriations and contract authorizations together with his recommendations for the repeal of such of those funds or portions thereof as are deemed no longer required for the purposes for which they were granted.

Naturally, these cancelations will be comparatively small and infrequent at this stage of our military operations. The cessation of the European war and the consequent reduction of our military operations from the status of a two-war front to a one-war front, does not mean that we will be able to salvage half the money in unexpended balances. We are still at war with a dangerous and resourceful enemy and can take no chances. The upkeep per man of our armed forces in the Pacific requires four times as much shipping as the upkeep of a soldier in Europe. It has taken almost as much shipping to service 12 divisions in the Pacific as 50 divisions in Europe. So, for the present the salvage of funds and authorities will be moderate. But on the close of the Japanese war this provision will become fully effective and will be utilized to the utmost.

Reports under section 303 must be made periodically and as rapidly as they are made the committee expects to bring in bills reclaiming every dollar and every vestige of contractual authority which the progress of the war permits.

The committee and the Congress appreciate the aggressive cooperation of the President in these savings. The promptness and celerity with which he has taken advantage of the first opportunity to recommend cancelation is in keeping with the expeditious and accurate decisions which have characterized his administration and so universally endeared

him in the regard and affection of the American people.

His deep interest is indicated by a second message just received recommending material reduction in the provision for various war agencies to be included in the war agencies bill on which the committee is now holding hearings. In his second message transmitted in House Document No. 165, he proposes reductions in pending estimates, as follows:

Office of Civilian Defense	$369,000
Office of Defense Transportation	3,300,000
Office of War Information	12,100,000
War Manpower Commission	10,339,900
War Production Board	8,894,000
Office of Censorship	4,800,000
Petroleum Administration for War	345,000
Office of Education	43,710,400
Total	68,858,300

As indicating the extent to which the Committee on Appropriations find themselves in agreement, the committee has had before it, for example, an estimate of $44,434,900 for education and training, defense workers—national defense—under the Office of Education. In the submission received Wednesday of this week, the Budget proposes a reduction of that amount by $43,710,400. While the bill providing for this activity has not yet been reported by the committee, it is only fair to say that the subcommittee in charge of the bill, the Labor-Federal Security Subcommittee, finished drafting the bill last Monday and agreed to recommend a reduction even greater than that proposed by the Budget and subsequent to the subcommittee's action. I make this statement, because I want the subcommittee, under the able chairmanship of the gentleman from South Carolina [Mr. HARE], to have credit for its work and so avoid the impression that its decision in the matter was influenced by the proposal of the Budget Bureau.

In conformity with the established policy of the committee in giving the war program the benefit of every doubt, and inasmuch as we have in the formulation of every appropriation bill which has been reported to the House for the prosecution of the war always followed the recommendation of the Chiefs of Staff, we shall take no step in retrenchment which might in any way curtail supplies which might be needed by the armed forces or which might in any degree restrict the war effort. But we shall bring in as often as conditions warrant bills reclaiming any surpluses obviously in excess of actual needs at the front.

Mr. Chairman, before I yield the floor, I must call attention to the carefully prepared report on this resolution. It was prepared by the clerk of the committee, Mr. John C. Pugh, and is one of the clearest and most complete presentations of a rather complicated situation I have seen. I commend it to the attention of the Members of the House. It is now available at the Clerk's desk and I hope every Member will read it with particular care. It will answer, I think, all the questions which have been propounded to the committee in connection with this rather unprecedented procedure. I take advantage of the opportunity to express to Mr. Pugh the appreciation of the committee and the House.

I now yield to the gentleman from New York.

Mr. TABER. Mr. Chairman, this, as the chairman of the Committee on Appropriations has said, is a most welcome type of resolution to have before the House. It is absolutely necessary that we recover and prevent the spending of the enormous sums of money that are presently outstanding to the credit of some of the departments and agencies of the Government if we are to make our proper contribution to the solvency of this country.

I made a little statement here the other day in which I called attention to some very important facts; some facts which the people of this country should have in mind, and have in mind very seriously, as we consider and obligate ourselves for the expenditure of funds. Inflation in this country has been caused and is still being caused and promoted by the enormous issuance of Federal reserve notes. Those Federal reserve notes have gone up since 1940 from five and one-half billions dollars to a figure above $26,000,000,000.

Of that increase of a little over $20,000,000,000, the Federal Reserve banks have been obliged to use, to maintain the prices of Government bonds in the market, over $19,000,000,000, and those are their outstanding holdings; a larger amount than any individual bond drive has produced. That is the critical condition in which we find ourselves at the moment, and the farther we go and the more bonds the Treasury puts out, and the lower the rate of interest that they put them out at, the more paper money will be issued and the more bonds will be bought and taken over by the Federal Reserve bank, and that paper money that is issued will be put into circulation and will produce and promote inflation.

Last fall the agitation for the reduction and curtailment of governmental expenditures began.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Indiana.

Mr. SPRINGER. I have just had a report from one of the banks in the congressional district I represent relating to the sales of bonds. In the month of January more than 50 percent of the total amount of bonds sold during that month were cashed in. In February the cash-in amounted to 65 percent. In March, the last month the report covers, they sold $141,000 of bonds and $108,000 were cashed in.

Mr. TABER. Do the bonds that were cashed in there represent the smaller bonds that the ordinary folks have been able to buy, or do they represent the larger bonds, on which current interest is being paid, and which are bought more or less as an investment?

Mr. SPRINGER. They represent both classes of bonds. I think, perhaps, the larger group is made up of the smaller bonds.

Mr. EDWIN ARTHUR HALL. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from New York.

Mr. EDWIN ARTHUR HALL. What becomes of the $3,100,000,000 that goes into the surplus fund? Is it in any way available to other authorizations?

Mr. TABER. Does the gentleman refer to the situation in the resolution that is before us?

Mr. EDWIN ARTHUR HALL. Yes.

Mr. TABER. House Joint Resolution 177 calls for taking $3,100,000,000 out of the revolving fund which has heretofore been appropriated to the Maritime Commission to meet construction costs under the contract authorization given them. That item is carried into what they call their surplus fund and is immediately recovered into the Treasury. In other words, it results in a complete cancelation of that amount out of the appropriation to meet the contract authorization which is still outstanding. It destroys that appropriation completely. It does not put the money into the Treasury because the money has not been taken out of the Treasury yet. It has been set up on the books, but it has not been drawn out yet, because they have not progressed far enough with the use of their contract authorization so that drafts were actually made upon the Treasury for that money. Does that answer the gentleman's question?

Mr. EDWIN ARTHUR HALL. That $3,100,000,000 is set up as a surplus fund?

Mr. TABER. But that surplus fund of $3,100,000,000 would immediately be wiped out as the result of the wording of this resolution and the funds recovered into the Treasury. So that while it takes two operations to get it back into the Treasury and off the appropriation books in the Treasury, where it is set up to the credit of the Maritime Commission, it cannot be drawn on.

Mr. EDWIN ARTHUR HALL. It cannot be available for any other purpose?

Mr. TABER. It cannot be available for any other purpose unless the Congress should make further appropriations.

Mr. RIZLEY. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. RIZLEY. The gentleman has probably answered this question, but that was one of the things I would like to have made clear. Under the language of this resolution, the $3,100,000,000 shall be carried to the surplus fund and be recovered into the Treasury. I do not know just what that means.

Mr. TABER. The effect of that language is to wipe out the appropriation which has heretofore been made to the Maritime Commission for this construction fund. While it has been set up, it is purely a bookkeeping transaction and so far has gone no further than a bookkeeping transaction, because no draft has been made on the Treasury by the Maritime Commission under the appropriation for this $3,100,000,000.

Mr. RIZLEY. The reason I am particularly interested in that is during the

past decade at least there have been many devious schemes and ways used to get funds which were appropriated for one purpose over into some other fund and spent for some purpose entirely different than the Congress appropriated the money for. Now it is not much of a saving if we simply take $3,100,000,000 from the Maritime Commission and get it back into the Treasury if they can use it for some other purpose.

Mr. TABER. I am hoping that the Congress will show some signs of backbone in refusing to appropriate for unnecessary items. I know we are going to have an opportunity to vote on items of that character before many days are over. I hope we will have roll-call votes on those items.

Mr. DWORSHAK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield to the gentleman from Idaho.

Mr. DWORSHAK. As the gentleman will probably recall, when the independent offices appropriation bill was before this body during February and, of course, that appropriation bill contains funds for the Maritime Commission shipbuilding program, I made inquiries as to whether it was justifiable to continue the funds which remained unobligated for the purpose of building cargo ships when it was already recognized that we probably had a problem of disposing of those surplus ships. At that time I was told by the chairman of the subcommittee that all requests for cargo-ship building must have the approval of the Joint Chiefs of Staff and that it would be unwise in considering the appropriations for 1946 to contemplate any reductions in the shipbuilding program. I am just wondering whether the President, in eliminating this amount from the cargo-ship building program during the months ahead, had this approved by the Joint Chiefs of Staff or whether he is subject to the same limitations which allegedly have circumscribed the activities of the Committee on Appropriations and other Members of the House in requesting curtailments in these expenditures for so-called war activities.

Mr. TABER. Of course, there are no restrictions except those which individual Members impose upon themselves with reference to the attitude of the individual Members of the House of Representatives as a result of the obligation which he assumes when he swears to support and maintain and defend the Constitution of the United States.

Mr. DWORSHAK. But as the ranking minority member of the House Committee on Appropriations, certainly the gentleman is aware of the fact that we have been hampered in our efforts toward economizing with Federal appropriations, primarily because we have been told consistently that the Joint Chiefs of Staff were entitled to have every dollar made available that they requested for the prosecution of the war; that their views in the matter should supersede those of Members of the House.

Mr. TABER. There has been a general feeling on the part of the membership of the House and of the other body, as I have gathered it, that we should provide everything that was necessary to carry on the war activities to the utmost. I appreciate there have been occasions, there have been times when items have been put through here under the guise of war activities, when they were a detriment to the conduct of the war. I can remember many such occasions. Almost always when attention has been called to the fact that that was the situation, it has turned out to be true in the days that have followed.

Mr. DWORSHAK. Is it reasonable for us to make the inference that this recommendation by the Commander in Chief indicates that in the future there may be some hope that we can expect and demand revisions in the recommendations of the Joint Chiefs of Staff insofar as appropriation bills are concerned?

Mr. TABER. Well, I do not know about that. All I know is that this is a recommendation to cut, and before I get through I am going to run into the history of the development of this message which has come to us and this resolution which has come to us.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. TABER. I yield.

Mr. BUCK. The Maritime Commission and the War Shipping Administration have certain definite responsibilities in the prosecution of the war. I can find nothing in the report to indicate that either Admiral Land or the Commission has expressed any opinion as to this cut. Was the matter taken up with the Commission or with the admiral?

Mr. TABER. There are no hearings. The bill has been reported without any hearings on it specifically. On the other hand, when Admiral Land, head of the Maritime Commission, was before the Independent Offices Committee in January, this picture was gone into thoroughly and it appeared at that time, as I remember it, although these figures may be a little askew, that there would be, without any more appropriations or authorizations, a balance remaining of contract authorizations and funds of $2,800,000,000 on the 30th of June 1946. So when we come to do away with this particular proposition there is not any question but what we can do it, and do it without in any way impairing the war effort.

I might say that I myself this morning called up Admiral Land with reference to this situation. First, I will tell what the situation is and what is accomplished by this resolution. Instead of savings and cut-back of $7,000,000,000, as the press mistakenly seemed to imply in the reports made night before last, this proposition involves a cut-back of only $3,100,000,000 in cash appropriated, and $4,265,000,000 of contract authorizations. The first is a duplication and a part of the latter and the saving resulting can in no event be over $4,265,000,000. It leaves the Maritime Commission with funds sufficient to carry on their administrative expenses through the 30th of June 1946, that is a year from next June, according to the story they told us when they were before the Independent Offices Subcommittee in December and January last. It also leaves them with $594,000,000 available for additional contracts that they may let for the construction of ships which are not now in process. On top of that I think I may say to the gentleman—and if he has not the report available I wish he would get one—that as of the first of January there were 1,072 vessels in various stages of completion, and that the number has since been increased by 223 additional vessels, making a total of 1,295 vessels. Of these 1,295 vessels, since the first of the year 477 have been delivered. This leaves still under contract and under construction by the Maritime Commission 618 ships.

It is not proposed, as I understand it, to let contracts for any more ships except in specific instances where a special need for a special type of ship is required or where a post-war program is required in accordance with the provisions of the Martime Act, which authorizes the construction of ships. There will be probably some funds required to rehabilitate some of their facilities. They have that money available.

I do not see how their activities insofar as they are needed for the prosecution of the war activities are in the slightest degree hampered, nor do I see how in any way the war activities could be impaired. The Maritime Commission made a statement which appears, amongst other papers, on the second page of the New York Herald Tribune this morning. Frankly, I have had no opportunity to know whether it appears in other places or not. I think the Members by an examination of that may see something of the exact situation that they seem to contemplate.

Mr. Chairman, this proposition has been under consideration for a long time. The Whaley-Eaton Service put out this statement on September 2, 1944, with reference to jobs, following consultation between the heads of different bureaus and departments here in Washington:

> Jobs: Substantial agreement was reached that contracts for X number of merchant ships be canceled, there being no need for them. Thereupon, informal administration instructions came through to the effect that no cancelations in advance of the elections would be permitted.

There was a statement put out by the Honorable James F. Byrnes, Director of War Mobilization, dated September 7, 1944, released on September 9, 1944, and appearing in the various newspapers of this country on the 10th of September 1944, as follows:

> MARITIME CUT-BACKS
>
> The Maritime Commission, like the Navy, has a tremendous task to perform in the war of the Pacific. The surrender of Germany will not lessen the necessity for the construction of certain types of ships, but it will make possible the cancelation of some ships. Plans have already been prepared, to become effective upon the cessation of hostilities in Europe, listing the contracts to be canceled or curtailed.

Mr. Chairman, it is apparent, therefore, that this item has been under consideration for the last 8 or 9 months. A very thorough analysis of this situation was presented to the House when the independent offices bill was before the Congress for its consideration by the gentleman from Massachusetts [Mr. WIGGLESWORTH] and I am hoping that he will go further with it today.

I made a little statement about the inflation situation and about the Government bond situation. According to the last Treasury statement, at the present time the bonded indebtedness of this country is $236,000,000,000, an increase of $49,000,000,000 over a year ago. Our revenue is coming in for the 10 months up to the 30th of April at the rate of $37,000,000,000 as against $34,000,000,000 for last year. With 2 months more to go we may expect perhaps an additional $8,000,000,000, which will make a total revenue of $45,000,000,000.

The expenditures up to the 30th of April were $81,000,000,000 and if they run along at about the same rate for the rest of the year we might expect the total expenditures to be about $97,000,000,000. It might be a little more, it might be a little less. But it is perfectly apparent that there must be nothing but the closest scrutiny on every item of expenditure from this time on by the Congress if our country is to survive and our financial structure is to stand up, and if we are to prevent the inflation that is so imminent if we do not take those steps.

There are outstanding, according to my figures, including the naval appropriation bill which has just been passed, approximately one hundred and thirty-three or one hundred and thirty-four billion dollars of appropriations which are available for war purposes at this time. When we finish in June with our regular appropriations and the deficiencies that will be brought before us, we can expect that figure to be at least as high and probably seven or eight billion dollars higher on the 1st of July. Therefore we will have to tighten our belts and get ready to operate in the same way a great many more times if we are to protect the Government of the United States from the situation that we are now in.

Mr. Chairman, I yield 5 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE of South Dakota. Mr. Chairman, the members on the minority side of the Committee on Appropriations can well welcome this cooperation from the other end of Pennsylvania Avenue in our attempts to save money. As a matter of fact, at the time that these authorizations were proposed in the independent offices appropriation budget, submitted by the President and considered by the committee a year ago the past winter, I made the suggestion in committee that we condition the authorizations for a midyear review. I proposed that a portion of the authorizations be not effective until the middle of the year when we might take stock of the progress of the war and the progress of the submarine campaign, and then review the matter.

The committee did not take that action at the time. They called in Admiral Land, and Admiral Land suggested that if that were done the shipyards would not know how far they could go and that there would be some confusion and chaos and possibly some unemployment. Now, however, the yards will be in a position of having proceeded on the basis of those authorizations and now, without warning, being told that the country does not need all of the authorizations. I do not know what situation prevails in the shipyards, but I assume there is probably not less chaos than if we had conditioned the authorizations in the first place.

But be that as it may, the members on the minority side of the Committee who have followed the authorizations and the cash made available to the Maritime Commission with some concern for the last year or two, do appreciate this cooperation that we are now getting from the executive branch of the Government in refusing to continue funds and contract authorizations when there is no longer need for them.

As several gentlemen who have spoken have already mentioned, the proposed action does not save seven and one-half billion but saves a possible obligation of $4,265,000,000 worth of contract authorizations. The $3,100,000,000 of appropriated funds that are proposed to be rescinded apply on the authorization. This still leaves for the Maritime Commission an operating fund of $51,906,484 for its administrative and operating expenses up to the 30th of June, 1946. It also leaves in appropriated funds as well as in contract authorizations a reserve of $550,000,000 for contingent ship construction and reconversion, and also a reserve of $44,465,800 for the rehabilitation of facilities. In other words, this still leaves a considerable cushion for eventualities in the days ahead.

Obviously, we still have a big transportation problem ahead of us in the Pacific. Distances are longer there than in the Atlantic. It will take a good deal of transportation to get the materials and the boys over there to complete the war against Japan, but the transfer of the shipping that has been in the Atlantic and the shipping under construction and the reserve of more than half a billion dollars here should be sufficient to do that job. In any event, we will be able to continue the war without interruption or hindrance.

Mr. TABER. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. KEEFE].

Mr. KEEFE. Mr. Chairman, the proposal which is now before the Congress results from a Budget estimate submitted by the President on the 2d of May. That proposal involves suggestions for reduction in Federal expenditures not only by direct reduction in appropriations to the Maritime Commission and cancelation of contract authorizations but also reductions that should be made in the appropriations for other agencies of Government. It is made at the request of the President by the Bureau of the Budget, pursuant to direction and authority of the Committee on Appropriations itself contained in the Second Deficiency Appropriation Act of 1944.

The only reason I am speaking this afternoon is because I want to give full and complete credit to the President of the United States for suggesting retrenchment in expenditures and reduction of appropriations, but, in view of the tremendous publicity that has been given to this action of the President in the press of the country, it seems to me that the Congress, and especially its Committee on Appropriations, has been placed in a rather embarrassing situation. Some people would feel that the Congress and the Committee on Appropriations have not been carefully scrutinizing these items with the idea of curtailing public expenditures. I want the Congress and the people of this country to know that with respect to a number of suggestions contained in the President's message, reference is made to appropriations for agencies that are included within the scope of the Labor and Federal Security Agency appropriation bill, which will shortly come before Congress.

I shall not be permitted to tell either the Congress or the country just what the Subcommittee on Appropriations has done to the various Budget estimate items submitted to the Congress by the predecessor of the present occupant of the White House. But I want the Members of Congress and the people of the United States to observe that the Subcommittee on Appropriations completed its work writing up the appropriation for the Department of Labor and the Federal Security Agency on the 28th day of April. This message came from the President to the Committee on Appropriations on the 2d day of May—5 or 6 days after the subcommittee had fully completed its work in writing up the appropriation bill for the Labor Department and the Federal Security Agency. While I do not intend at this time to disclose the action which the subcommittee took, which I believe will be sustained by the full committee when it is reported to them, I want the Members of Congress and the public to ultimately bear in mind when that bill is reported, that the action toward economy which the subcommittee took 5 or 6 days before the President made any suggestion in that direction will disclose that the Appropriations Committee and its subcommittee have very meticulously performed their function and very meticulously anticipated in advance the very thing that the President referred to in his message of May 2.

Mr. ENGEL of Michigan. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. ENGEL of Michigan. That appropriation bill also includes the appropriation for the War Manpower Commission, does it not?

Mr. KEEFE. The War Manpower Commission is a constituent agency of the Federal Security Agency, and the subcommittee dealt with that request for appropriations.

I would like to have Congress and the people of the country know that the Budget estimates which we were called on to pass upon in the subcommittee were those Budget estimates which were considered by the Bureau of the Budget last fall in 1944, and after Budget hearings they were incorporated as part of the President's budget which was submitted to the Congress when he submitted his budget at the beginning of the present Seventy-ninth Congress.

In every single one of these items as they were submitted to the Congress and the Committee on Appropriations, and as the representatives of the Departments attempted to justify them when we held the hearings during the past

couple of months, every single department attempted to justify the appropriations in accordance with the Budget estimate which was made up last fall in September or October. Everyone admitted that the Budget estimates were based upon the assumption that the war in Europe and the war in Japan would continue in full force and would continue unabated until the end of the fiscal year 1946.

May I say that the committee pretty generally in scrutinizing the requests for appropriations has tried to keep abreast of current thinking and current conditions as they exist in connection with our war effort. I want the Congress and the people of the United States to know that the members of the subcommittee handling these various items of appropriations are exceedingly glad that the President of the United States has manifested a desire for retrenchment. But we were just two jumps ahead of him in the matter of retrenchment, and we have been carefully scrutinizing these items from day to day and making these cuts as they will appear when our bill is reported, having concluded our work 5 days before the Presidential order was ever sent to the Congress.

I think it is only fair to the people who have worked so diligently to bring about some semblance of economy in government, to let them know that it did not take a prod from the President or the Bureau of the Budget or anyone else for the Appropriations Committee to function and to perform its full duty in seeing to it that no more money was appropriated than was absolutely necessary.

I might say the minority in its work on these subcommittees would perhaps go farther than the majority. But all in all, I think you will concede, when our bill is reported, that we have had pretty good harmony and we have done a pretty good job for the President in the matter of retrenchment in public expenditures, and we did it in advance of his admonition and request.

Mr. H. CARL ANDERSEN. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. H. CARL ANDERSEN. I wish to corroborate everything my colleague on the subcommittee for Labor and Federal Security has mentioned, but in addition may I call attention to the fact that the Subcommittee on Agriculture brought into this House a bill which was $141,000,000 under the Budget estimate.

Mr. DOYLE. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. DOYLE. Is the gentleman willing to compliment the President for not being more than two jumps behind the committee?

Mr. KEEFE. I am willing to compliment the President for being right on his toes. I do not want the gentleman on my right to gain from anything I have said any impression but that I am exceedingly glad, as I have already stated, that the President in the Presidential Office now is giving full force and effect to the admonition and request of the Appropriations Committee made in the deficiency bill in 1944, to which I have referred; namely, that constant study shall be made by the Bureau of the Budget to the end that as the war effort proceeds and progresses we may be able to reduce expenditures of government. I am glad to know, it is like a breath of spring to see coming from the White House a request, lo, after these many years, that the Congress actually reduce appropriations. If you will read these estimates, I think it is something that has inspired confidence in the hearts of the people of America when at long last they realize we have come to the end of the road, and that we must retrace some of our steps and stop this illegitimate spending that has been going on, that has caused us all so much concern, and causes us so much concern at the present time.

I compliment the President of the United States. I wish him well. I hope he continues that road, and it will be a great thing for this country of ours if he does. I only want the people and the Congress to know when these subsequent appropriation bills come before you that we need no prodding from either the President or anyone else, and that the Appropriations Committee is doing its full and complete function, and you will see in the bill which we will report next week that we anticipated the necessity for these reductions and we went ahead in that process without the intervention of the Presidential decree which came 5 days after we had fully completed our work. That is all I want to say.

Mr. PATRICK. Mr. Chairman, will the gentleman yield?

Mr. KEEFE. I yield.

Mr. PATRICK. The gentleman has been with us a number of years here. Does he not know that on both sides of the House the committee and this Congress wishes really to take care of whatever emergency arises even when it means increasing appropriations, and then, when the time comes that we can put on the brakes and decrease appropriations, we do that? Is not that the actual policy?

Mr. KEEFE. Oh, well, now, my good friend, I want to be just as kindly and courteous to my distinguished friend as I can, but he knows that his party, that has been in complete control of appropriations since 1933, have made appropriations that were and are indefensible. I have time to cite just one of them. When we, of the minority, made the fight last fall to stop the wasteful and ridiculous expenditure of $15,000,000 to take an agricultural census, the chairman of the House Committee on Appropriations on the gentleman's side made the fight on the floor of this House to spend that money—the Congress as then constituted defeated the proposal. The new Seventy-eighth Congress, over our protests, voted to restore that appropriation and spend $15,000,000 to take an unnecessary agricultural census in wartime. That is where I parted with the gentleman and his party policy—I am glad to welcome the gentleman into the ranks of those who for years have been fighting for economy in Government. If the gentleman has changed his idea and is willing to join with us now in the fight for economy after lo, these many years of violent spending, I am glad he is awake to his obligation.

The CHAIRMAN. The time of the gentleman from Wisconsin has again expired.

Mr. CANNON of Missouri. Mr. Chairman, unless further debate is desired, I ask that the Clerk read the bill.

The Clerk read as follows:

Resolved, etc., That out of the current unexpended balance of appropriations heretofore made to the Maritime Commission under the head "Construction fund, United States Maritime Commission Act, June 24, 1936, revolving fund," the sum of $3,100,000,000 shall be carried to the surplus fund and be covered into the Treasury immediately upon the approval of this joint resolution: *Provided*, That the present contract authorization for ship construction and facilities incident thereto is hereby reduced by $4,265,000,000.

Mr. CANNON of Missouri. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration House Joint Resolution 177, repealing a portion of the appropriation and contract authorization available to the Maritime Commission, directed him to report the same back to the House with the recommendation that the bill do pass.

Mr. CANNON of Missouri. Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. CANNON of Missouri. Mr. Speaker, I ask unanimous consent that all Members who have spoken on this bill today may have permission to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DISCONTINUANCE OF LAND-GRANT RATES FOR TRANSPORTATION OF GOVERNMENT TRAFFIC

The SPEAKER. The Chair recognizes the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I call up House Resolution 231, providing for the consideration of the bill (H. R. 694) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic, and ask for its present consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 694) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic. That after general debate, which shall be confined to the bill and shall continue not to exceed 2 hours to be equally

divided and controlled by the chairman and the ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the 5 minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same back to the House with such amendments as shall have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. O'HARA. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

Mr. ROBERTSON of Virginia. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 69]

Allen, Ill.	Hall,	Patman
Bailey	Leonard W.	Pfeifer
Baldwin, N. Y.	Hancock	Plumley
Barden	Hand	Powell
Barry	Hare	Quinn, N. Y.
Bell	Harris	Rabin
Bennet, N. Y.	Hart	Rains
Bland	Healy	Rayfiel
Bloom	Heffernan	Richards
Bolton	Herter	Rizley
Bonner	Hobbs	Roe, N. Y.
Boykin	Holifield	Ryter
Bradley, Mich.	Izac	Savage
Brumbaugh	Jackson	Schwabe, Okla.
Butler	Jarman	Sheridan
Canfield	Jensen	Short
Celler	Judd	Stewart
Cochran	Kilburn	Sumners, Tex.
Coffee	King	Talbot
Curley	Kinzer	Thomason
Daughton, Va.	Kunkel	Torrens
Dawson	Lane	Trimble
De Lacy	Lesinski	Vorys, Ohio
Delaney,	Luce	Vursell
James J.	Lynch	Wadsworth
Dickstein	McGehee	Walter
Dingell	McGregor	Weiss
Dirksen	Mahon	White
Douglas, Calif.	Maloney	Wilson
Eaton	Manasco	Winter
Gamble	Mason	Wolfenden, Pa.
Gardner	Morgan	Woodhouse
Geelan	Mott	Woodrum, Va.
Gerlach	Norrell	Worley
Gibson	Norton	
Gifford	O'Konski	

The SPEAKER. Three hundred and twenty-nine Members have answered to their names. A quorum is present.

On motion of the gentleman from Virginia [Mr. ROBERTSON] further proceedings, under the call, were dispensed with.

DISCONTINUANCE OF LAND-GRANT RATES FOR TRANSPORTATION OF GOVERNMENT TRAFFIC

Mr. SMITH of Virginia. Mr. Speaker, this is a resolution providing for the consideration of the bill (H. R. 694) commonly known as the bill to repeal the land-grant rates.

The rule provides for 2 hours general debate.

I wish to remind the House that this is the same bill that passed the House last May by a vote of 237 to 16.

Mr. Speaker, I have no requests for time on this side, and inasmuch as ample debate is provided for under the rule, if the minority side does not wish any time I move the previous question.

Mr. BROWN of Ohio. Mr. Speaker, I have no requests for time.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

Mr. BOREN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 694) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic.

The motion was agreed to.

Accordingly the House resolved into the Committee of the Whole House on the state of the Union for its consideration of the bill (H. R. 694) providing for the discontinuance of land-grant rates for transportation of Government traffic, with Mr. GORE in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BOREN. Mr. Chairman, I wish to call the attention of the House to the fact that this bill is identical with a bill that we passed last year by an overwhelming vote, as announced by the gentleman from Virginia. There has not been a single word or line changed in this bill; it is identical with the bill passed last year which came out of the Interstate and Foreign Commerce Committee with a vote of 25 to 1. It went over to the Senate and was reported by the Senate committee the last week of the last session. It reached the Senate floor, I believe, 3 or 4 days before the Senate adjourned. The only reason our committee has had to bring the bill back to the floor again this year was because the bill died in the closing days of the last session in the Senate.

Mr. O'HARA. Mr. Chairman, will the gentleman yield for a question?

Mr. BOREN. I yield.

Mr. O'HARA. I wish to correct the statement that the bill was reported out by a vote of 25 to 1. I believe there were not 25 affirmative votes.

Mr. BOREN. I was referring to the vote of last year. This year the Committee on Interstate and Foreign Commerce again reported the bill with but one dissenting vote. This bill comes from the fact that in the middle of the nineteenth century this country had vast acreages of undeveloped land. In that period of time it was the national policy to develop that land and the communication and transportation system through grants by the Government to induce the building of railroads. The original policy in making these grants of land was to require that the railroads, on the same basis as the toll roads that were built overland, should permit the transportation of Government commodities toll free. The result was that for a good while the Government had an opportunity to carry over the railroads with its own engines and its own trains its troops or whatever it might want to haul, but eventually it became impracticable for the Government to use its own trains and that sort of thing. The history is that in 1870 the railroads took over the job of carrying this transportation of Government freight in the interim on their own volition, and I refer only to the land-grant railroads.

The Supreme Court resolved the question and there was established a percentage rate. Since that time and up until 1940 that percentage rate has stood, when this Congress, on the recommendation of the Interstate Commerce Committee, made certain changes.

There is one important point in this bill. There are a little under 240,000 miles of railroads in the United States. Of this amount of mileage only 14,441 miles are on land grant railroads. If the Government were to utilize to advantage a preferential rate on those particular miles and the other railroads did not voluntarily subject themselves to it, which they have no bounden reason to do, then the whole shipping structure of the country would be upset by circuitous routing, which we explained in great detail during the debates of last year. Of course, there is only one person who pays for any preferential rate, and that is the shipper who pays the full rate.

There is a vast burden of red tape and expense connected with it. There are thousands of employees in the railroads and in the Government who are not earning anything in the sense of productive activity and we feel it is time that we should erase this discrimination which rests on the people of this country.

I am now going to ask the chairman of the Committee on Interstate and Foreign Commerce to make a complete introductory statement on the bill and I therefore yield to the gentleman from California [Mr. LEA] 10 minutes.

Mr. LEA. Mr. Chairman, in order to properly understand the problem before us it is necessary to understand the perspective of this problem in the transportation picture of our country. One hundred and twenty years ago the United States was in the initial stages of becoming the great railroad country of the world. In all the history of the world prior to that time the only practical long-distance method of hauling heavy freight was by water. There was no such thing as a railroad or an improved highway. The result was that practically all the populations of the world, so far as the great commercial nations were concerned, were located upon or immediately adjacent to water transportation throughout the world.

When the American people were confronted with this new method of transportation at hand, farsighted men saw the desirability of extending the rail lines of this country into its vast interior. There was a means of expanding and developing our Nation, increasing our population and wealth. Here was a great interior section practically undeveloped. Then there was a period in which the States of the country had, on a large scale, subsidized railroad development. In 1850 the Federal Government embarked upon a plan of subsidizing the building of railroads for the advancement of the country. Between 1850 and 1870, Congress made many land grants to specific railroads. The grants were of lands located along the routes on which the railroads were to be constructed.

These grants were not uniform as to the obligations of the roads affected. Twenty-one thousand miles of railroads were so constructed. The mileage of these roads was sufficient to build seven rail lines across the continent from the Atlantic to the Pacific Ocean.

Time demonstrated that program was one of the greatest progressive steps ever taken for the development of this country. Of the grants made, 130,000,000 acres, in round numbers, were conveyed to those railroads. The value of those lands, according to sale prices of that time, was $126,000,000 in round numbers.

The motive for establishing these railroads was not to secure low transportation rates for the Government; that was a mere incident. Their purpose was to populate and develop the great areas into which these roads were constructed. Cheap freight rates, so far as required by those grants, meant little at that time, as I will show you. The lines reached out into thousands of communities in this country which were thereby developed. The homesteader, the farmer, miner, stockman, the school, the church, and civilization followed. There is a fine chapter in our history. Values were built up based upon the invasion of this great area in the United States and served by railroad transportation.

There is one distinctive phase about that development that was unusual. The railroads did not follow but went in advance of the traffic they were built to serve.

The Government assumed no responsibility for the operating expenses of the railroads. It simply granted these lands at a cost of about $6,400 a mile, according to the valuation of the land granted. The result was that for years most of these railroads did not make any money. They had little net income for years after they were constructed. One of the most noticeable cases of this kind was that of the Illinois Central, serving a very great, rich country out there in the Central West. It was many years after it was built before it made enough income to pay its operating expenses. Many of these roads failed, so far as their stockholders were concerned. Some roads were improvidently built. Too much stock was issued on many of them. A fine achievement was clouded by too many mistakes and shortcomings of the promoters and builders.

May I call your attention to the terms of the grants that were made to these railroads? There were a few of these railroads that obligated themselves by the grants to transport and to haul property of the United States free. But that was not true of the great majority of them. A great majority of the land grants did not require a railroad to haul a ton of freight for the Government. They simply gave the Government the right to operate its own trains on these privately owned railroads. There was no provision, so far as I am aware—and if I am mistaken, I would like to be corrected—in a single grant that required a railroad to carry freight at 50 percent of the commercial rate. That formula never was used until after all these land grants were made. The question of the obligations of the roads was taken to the Supreme Court. It was referred to the Court of Claims to determine what would be a just rate to require of the railroads to carry the freight of the Government. They reported in favor of 50 percent of the commercial rate. In the meantime, the Committee on Appropriations of the House, which appropriated money in payment of Government transportation, accompanied the appropriation item with a provision that the railroads were not to be paid anything unless they gave receipts in full for bills presented.

The point about that is that this 50-percent obligation was not based on contracts of the railroads. It is based on the legal obligation created by Congress. This question is commonly discussed as if it were a matter where the railroads had agreed by contract to do a certain thing and now seek relief from their own contract. That is not the situation.

In my judgment, this 50-percent freight rate is wholly unwarranted under present circumstances, whether the obligation was created by contract or by law. The fact is that it was a legal obligation created by Congress, it was not the railroads' contract. Those who charge the railroads are trying to escape from their contract because it turns out unfavorable to them are disregarding the facts as to the 50-percent provision. We have a right to change that obligation just as much as we have a right to change any law of Congress.

For the first 50 years of the operations after 1877 the average deduction for the freight hauled for the Government was only $1,000,000 per year. This year it will probably be $240,000,000. The Court of Claims in 1877 decided that the fair compensation to the railroads for carrying this freight of the Government was $1,000,000 a year. That is what its decision meant. In fact, the deductions at that time were even less. Now we have an entirely different situation, but the average for 50 years after that rule went into effect was only $1,000,000 a year.

Look at the perspective of this situation. Before the war the people of the United States were spending over $20,000,000,000 a year for transportation. That means for construction, for facilities, and for operation. It means water transportation, rail transportation, highway transportation, and the facilities used therein, including transportation by air, over twenty billion a year. One hundred and twenty-six million dollars, the value of this land, is less than sixty-five one-hundredths of 1 percent of what the American people were spending each year before the war for transportation in this country. If we get the perspective of our transportation and realize its great importance, how it affects our people, I think we will be amazed at the short-sighted viewpoints expressed in opposition to this bill. We hear much about what it will cost the taxpayers. I believe our taxpayers are not shirkers. I do not fear they want Representatives here to relieve them from their just obligations. The railroads have paid their debt. They constructed the roads that built up our great central empire. By reduced freight rates they have paid their Government back over $900,000,000, or over seven times the value of the lands they received from the Government at the time the lands were taken. How about the equity or good morals of further insisting that the roads shall continue to be subjected to such demands?

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BOREN. Mr. Chairman, I yield 5 additional minutes to the gentleman from California.

Mr. ENGEL of Michigan. Mr. Chairman, will the gentleman yield?

Mr. LEA. I yield to the gentleman from Michigan.

Mr. ENGEL of Michigan. How large an appropriation will the Committee on Appropriations have to allow the War Department, the Navy Department, and other departments of the Government, to make up for this loss in freight rates?

Mr. LEA. As near as I can estimate, it would have to be about $240,000,000 a year at the present volume of military traffic. That is what it costs the railroads at the present time. That shows the great burden that is on the railroads—$1,000,000 a year in 1877, $240,000,000 now.

Mr. BRADLEY of Pennsylvania. If the gentleman will yield for a correction there, the report says that in 1942 it was $340,000,000.

Mr. LEA. There may be some dispute about those figures. I believe it is approximately $240,000,000, but the larger it is the greater is the justice of the demand that it be eliminated as a charge against the railroads. It is not now their just debt.

The subsidies that have been provided by the Government have been very noticeable features of the development of our transportation. First, for waterways and canals, the total amount the Government gave to the railroads in these years of subsidies is just about what we have sometimes appropriated in 1 year for water transportation. We have appropriated as much in 1 year in aid of air transportation. It is only a fraction of what we have spent in 1 year for highway transportation. So the $126,000,000 of lands given the railroads, as measured by the great problems of our transportation system is a trivial matter.

With reference to the condition of the railroads, here are 14,000 miles of land-grant railroads out of 230,000 miles of railroads, 14,000 miles of land-grant roads, 216,000 miles of nongrant roads. We want to put them on an equality. Let the Government pay what other shippers pay. Now the shippers are paying half of the Government freight bill for military purposes. The general rule is that the railroads have a right to the same rates from the Government as from the private shipper. The exception is the land-grant road whose debt to the Government has been paid. The exception is that the Government comes in by special favor to enjoy discrimination as against other shippers of the country and at their expense.

One of the fundamental problems in our transportation system, particularly as to rails, is to prevent discriminations,

to provide reasonable rates; that such rates shall be the same as to all. The greatest violator, as it stands now, is the Government of the United States in denying that equality which should characterize our transportation system. I submit that a policy of discrimination in favor of the Government at the expense of shippers has no just place in our transportation system.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. LEA. I yield.

Mr. JOHNSON of Oklahoma. The thing that seems to be bothering many of us from the agricultural sections is whether or not section 3 of the pending bill in its present form is any real guarantee that if this legislation is passed, there will be a readjustment of freight rates throughout the country? Will the gentleman give this House specific assurance that such a readjustment of freight rates will result in the passage of the pending bill?

Mr. LEA. This bill particularly directs the Commission in effect to give the shippers the benefits of lower rates, if that can be done under the rule of reasonable rates, if higher income so justifies. That is in section 3.

The land-grant railroads will be treated just the same as any other railroads if this bill is passed. They will have no rake-off above other roads.

Before this war began, about 30 percent of the railroads in this country were in the courts and 30 percent more were on the borderline between court control and their retention of self-control.

In 1942 and 1943 the railroads had fine incomes. The railroads in 1929 had about nine-tenths of 1 percent higher net income on the average than they had last year. Last year the railroads on an average earned 4 percent on investment. Last year the railroads paid a total tax bill of $1,846,000,000 to the States and Federal Government.

They received a net income of $1,106,000,000. In other words, the Federal Government and the State governments collected from the income of the railroads $740,000,000 more than the railroads themselves received as net income for operating all the railroads in the United States.

The railroads are operating with a maintenance deficit of from $100,000,000 to $200,000,000 a year. They cannot reserve that maintenance deficit. The result is that the money that normally goes into maintenance free of taxes now is subject to taxes and cannot be charged against future maintenance. That extra burden of maintenance costs is building up against them for the future. It is estimated it is going to require a billion dollars a year for several years for the railroads to modernize their tracks and equipment by capital expenditures to meet the future. We should at least give them fair treatment to encourage them in that program, which should be helpful to the country, to labor, to shippers, and to themselves.

Mr. BOREN. Mr. Chairman, I yield the gentleman 2 additional minutes.

Mr. ROBERTSON of North Dakota. Mr. Chairman, will the gentleman yield?

Mr. LEA. I yield.

Mr. ROBERTSON of North Dakota. These land-grant railroads are today carrying a vast tonnage of freight for the United States Government on a 50-percent cut in rates. Is it not true that the difference must, of necessity, be made up by the shippers along the line?

Mr. LEA. That is true, and that is one of the important facts here. Many of the land-grant roads are in sparsely settled parts of the country where there is the least volume of traffic, and, therefore, the highest freight rates. Their shippers must, in part, at least, make up the reduced income of their railroads, due to land-grant railroads. This bill should become a law as one step, at least, toward better preparing the railroads to serve the country.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. BOREN. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. PACE].

Mr. PACE. Mr. Chairman, last May a year ago I addressed the House when a similar bill was before us for consideration. I shall not repeat now what I said then. I have asked for this time to state three or four facts.

It is estimated that this bill will cost the United States Government—and, of course, that means the taxpayers of the Nation—somewhere between $200,000,000 and $350,000,000 each year. The distinguished gentleman from California [Mr. LEA] has just stated that his estimate was $240,000,000. The gentleman stated that if this bill is passed, then the Appropriations Committee must immediately appropriate $240,000,000 to the War Department and the Navy Department to make up for the additional cost which this bill will entail.

Mr. O'HARA. Will the gentleman yield for a correction?

Mr. PACE. I yield for a correction.

Mr. O'HARA. That figure was for the War Department alone.

Mr. PACE. I will stand corrected, if that is correct. I understood the gentleman from California to be referring to both the Army and the Navy.

Mr. LEA. I understand that the probable estimate is $240,000,000 for the whole deduction.

Mr. PACE. Very well. Let us take $240,000,000. It means, if you please, that this House must shortly appropriate $240,000,000 of the taxpayers' money to give to the railroads when the committee report shows that the income of the railroads last year was $9,500,000,000, the largest in history.

Next, the War Department is opposed to this bill. The Navy Department is opposed to this bill. The Department of Agriculture is opposed to this bill. The Interior Department is opposed to this bill.

Mr. BRADLEY of Pennsylvania. And the Treasury Department.

Mr. PACE. I am not advised. I accept the gentleman's addition.

Let me bring out one further fact, that it is not proposed in this bill, nor is the request made, that these railroads return to the Government the millions of acres of this land which they still have and on which there are no improvements. No effort is made here to get the land back that was given to them in order to secure this reduction in rates.

With that background, I wish to say this: The people of this Nation have responded without question to the financial needs in the prosecution of this war. We are now faced, on the 1st of July or soon thereafter, with a national debt of $300,000,000,000. It has taken that to bring victory to our arms in Europe. We are almost ready now to celebrate a great and glorious victory in Europe. You propose this afternoon, Mr. Chairman, to begin that celebration—you extend your thanks to the taxpayers of this Nation for the sacrifices they have made and the burdens they have assumed in order to bring victory in Europe—at this hour, here and now when the War Department and the Navy Department and your Government are about to undertake the greatest transportation task ever known in the history of the world——

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. BOREN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Georgia.

Mr. PACE. Let me repeat, hear me now! You are about to begin the greatest transportation movement ever known in this country, the movement of troops and the implements of war from the Atlantic area and the European area across this continent over to the Pacific area that we may step up the prosecution of the war in that area. It is no longer a question of money with the railroads. The report shows that last year they made more money than ever in the history of the railroads of this Nation.

There is but one problem at this hour with the railroads, and that is transportation facilities. It seems to me that we are handing the taxpayers of this Nation a rather sordid package, that we extend to them rather sorry congratulations when they have put up the money necessary to place in our boys' hands the implements of war to destroy dictatorship yonder in Europe. For that; yes, for that we are this afternoon beginning the celebration of VE-day by adding to their burden, in the words and figures of the chairman of this committee, an additional $240,000,000.

I shall have no part in it.

Mr. LEA. Mr. Chairman, will the gentleman yield?

Mr. PACE. Gladly.

Mr. LEA. While the gentleman is talking about the interest of the taxpayers and the Government, what credit are we going to give the railroads for the fact that they have given the Federal Government over $900,000,000 interest on an investment of $126,000,000?

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HINSHAW].

Mr. HINSHAW. Mr. Chairman, I could stand here and wave my arms and orate and probably add a lot more heat on this subject than light——

Mr. PACE. Mr. Chairman, will the gentleman yield?

Mr. HINSHAW. Not at the moment. The gentleman has had his time.

And the House would not be any the wiser when I got through. The fact of importance is that the Interstate and Foreign Commerce Committee of the House has no intention whatever of making a present to the railroads of $240,000,000 a year or anything of that sort. The bill specifically provides that when these land-grant rates are repealed, the United States may enter into contracts with the railroads of this country for a general discount on freight rates. Actually, when you consider the over-all freight bill of the War Department, the Navy Department, the Treasury Department, and so forth, the average deduction for the whole bill on account of land-grant rates amounts to about 7.1 percent. That figure is from memory, but I think it is pretty near right. I am sure the gentleman from Georgia will be interested to know that in the case of the Central of Georgia Railway Co. for shipments between such places as Montgomery, Ala., and Columbus, Ga., the land-grant discount to the Government is 28.125 percent, whereas between Montgomery, Ala., and Augusta, Ga., the discount is 7.457 percent. You gentlemen who are interested in these rail rates in the South and who are having a great deal of trouble and are interested in obtaining better freight rates, had better consider the deductions that are taken for the shipment of Government freight over your lines, which, of course, is a reduction in the income of those railroads, and it puts them in a worse position than they were before. They have to have income to stay in the business of transporting goods for the people.

There is not only the Central Railroad of Georgia but there are some other railroads which are likewise subject to land-grant rates. There is the Alabama & Great Southern, the Central of Georgia, the Yazoo & Mississippi, the Seaboard Air Line, and a lot of other railroads all over the United States, all of them with land-grant rates.

The fact of the matter is simply this: If you want to make a shipment between, we will say, Orlando, Fla., and Milwaukee, Wis., or any other two points in the United States, what happens? Here is a book entitled "Land Grant Percentages," published by the War Department, Office of the Quartermaster General. The fellow in the War Department who is going to figure out what the bill will be for that shipment takes this book and finds out where he can get the most discount over a certain combination of roads. That computation results in the freight rate between those two points. Does the freight pass over those railroads? Not necessarily. As a matter of fact, it seldom does, because the freight rate is figured generally on a very circuitous route. It may swing around all over the countryside in order to bring in chunks of land-grant railroads, but the freight is shipped by the shortest possible route from one point to the other. The result is that the railroad or railroads over which the freight does actually move are forced to take the same reduction in its or their freight rate as the deduction would have been had it followed this snake-like path all over the United States to reach the other point.

Mr. Chairman, it is not the land-grant railroads that are suffering on account of these land-grant rates. It is all the railroads in the United States, every last one of them. To show what the feeling is, about this matter, by those who know about it and who are closely associated with it, not only are all of the railroads, regardless of whether or not they have land-grant sections in their line or not, in favor of this bill, but likewise all of railway labor, who, of course, have close knowledge of the situation. For anyone to say that there is going to b an additional amount of $250,000,000 charged to the Government if this bill is passed, means they have given no consideration to the fact that the language of the bill specifically gives the Government the right and the only right, because no other shipper has it, nobody but the Government, to negotiate a general discount on all freight rates throughout the United States.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I yield 20 minutes to the gentleman from Minnesota [Mr. O'HARA].

Mr. O'HARA. Mr. Chairman, there has been some reference here to the fact that a vote was taken a year ago and the result was 236 to 16. I happened to be a member of the committee a year ago when this bill came up and I was about the only member of the committee who violenty opposed it then. I violently oppose it now, and if I were the only Member of the House of Representatives to vote against this bill I would be very proud to do so.

Let us look over the situation a little bit. It is true that the railroads of this country were given a valuable franchise right to some 130,000,000 acres of land for the purpose of building railroads. It was a reciprocal benefit to both the Government in the development of the United States and the development of the railroads, because it gave them an exclusive transportation franchise at that time and in general instances does so today.

That was a solemn agreement that was made between the Government of the United States and the railroads. They signed that agreement, and I do not believe the railroads had any incompetent lawyer representing them then.

All right. In 1940, just before the war began, the Congress of the United States changed that agreement which had previously been in effect whereby the railroads would carry persons and property of the Government of the United States free of charge. Congress saw fit to change that agreement so that the railroads in 1940 and after that time were permitted to charge as freight rates one-half of 50 percent of the freight rate that was charged to the average citizen for the transportation of persons and property hauled for the benefit of the United States Government.

All right. Ever since that time there has been a continual fight to get the agreement of that 50 percent provision rescinded. In 1942 this same bill was defeated on a roll-call vote. When the bill came up last year I made every effort I could to get a roll-call vote. Unfortunately, those who were so enthusiastic for the bill would not join me in the request for a roll call, so consequently the RECORD does not disclose any roll-call vote. I think it is high time, as the gentleman from Georgia said, that we look this thing over. When this bill came up for reconsideration in committee I asked that the hearings be reopened to find out and to obtain testimony from the Navy Department, the War Department, and the Maritime Commission as to what it would mean in costs to those three groups alone if we canceled the land grants.

I do not know why that information is not important to the Members of the House. I do not know why we are not entitled to it. I think the people are going to ask us some day, "Why not?" Those are only three departments of the Government that are making heavy payments to the railroads of this country. What about the other departments as well?

Only a small portion of the railroads in this country consist of land-grant railroads, as my distinguished chairman, the gentleman from California [Mr. LEA], has said. But the reason they are all interested in it is that in order to haul this freight traffic before the war the railroads entered into this equalization agreement wherein and whereby they agreed to charge the same rate that the land-grant railroads charged. That brings them all in pushing for this thing which affects the land-grant roads.

The other day I was intrigued with a little picture in the Washington Times-Herald of April 30. It is a picture of a Government employee with a large number of checks. It says this: "It is a big job. Six million dollars a day to pay Uncle Sam's freight bills."

I do not know whether that is accurate. It is as accurate and complete as the record is as to what this cost is to the taxpayers of this country. But I do know that Colonel Lasher, of the War Department, testified, as I understood his testimony, that for the year 1943, if the land-grant rates had been repealed, it would have cost $240,000,000 additional to the War Department alone.

I am not trying to misconstrue the record, but that was for the War Department alone. There are the Navy Department, the Maritime Commission, and all the other great departments of the Government that are using the passenger and freight facilities of the country.

Then there is that specious argument, "Oh, we have it all protected. Everybody is going to profit by this." Let me read section 3, that is going to bring about this reconsideration for the benefit of all the users of the railroads. It is the greatest sop that was ever put into a piece of legislation:

SEC. 3. The Interstate Commerce Commission, in the exercise of its power to precribe just and reasonable rates, fares, and charges, shall give due consideration—

Shall give due consideration—

to the increased revenues which carriers will receive as a result of the enactment of this act.

What happened to the Interstate Commerce Commission just before the war started and about the time we all had to go on rubber rationing and gasoline rationing? They raised the freight rates of the country and they raised the passenger rates of the country. Finally, a little less than a year ago, they suspended the 6-percent increase in their freight rates, an increase that was given when everybody had to use the railroads more than ever before. The passenger rates are still higher. They have never been reduced to the prior level.

I have had prepared for me by the Economic Section of the Legislative Reference Service of the Library of Congress a photostatic copy of a statement showing the income of the railroads of the country, these railroads that some are very much concerned about. What has been the total net operating revenue of the railroads since 1940 after all expenses and taxes were paid? These railroads are listed by sections, and I am later going to ask permission to insert them in the RECORD at this point. It shows that the class I railroads of this country have since 1940 earned a net revenue in excess of $3,000,000,000. I will be happy to give these figures to you by years so that you can see that the railroads are not exactly bankrupt at this time. I am happy to see them make money. I am not complaining about that. I represented two railroads as a local attorney, as I told you before, and I enjoy the friendship of many men connected with the railroad industry, but I feel that my duty is to protect the taxpayers of this country on this kind of legislation.

Here is the net operating revenue after taxes for the class I railroads of this country, and I want you to notice the increase. In 1940 their net operating revenue was $188,000,000, and I am giving only the round figures. In 1941 it was $499,000,000. In 1942 it was $901,000,000. In 1943 it was $873,000,000. In 1944 it was $667,000,000.

I cannot believe I have ever seen a bill where there is so little justification for coming in and asking you to transfer to the treasuries of the railroads millions and millions that belong to the taxpayers simply because, as you say, "We have been paid under the agreement which we made."

They do not tell you anything about the value of the lands that are still in the hands of the railroad companies, with valuable oil and mining rights still on them, and they are included in these 15,000,000 acres.

They do not say anything about turning those back. If the Members of the House who are lawyers were sitting as a court of equity and somebody wanted to welsh on an agreement, you would say, "Well, you had better return the benefits that you still have which you gained by the transaction." But, no, the railroads are not asked to do that here. We are just making a Christmas present of it to the railroad companies. I hope that none of the members of the great Committee on Interstate and Foreign Commerce will think I am in any way personal on this matter because I am not. It is a great committee. I think they have just misinterpreted the situation, at least from my point of view. That is not any personal criticism. I am merely expressing my viewpoint. But I say if they are right, then I want to be wrong. That is the view which I take on this matter. Because as these boys come back to us, they will meet us and ask, "Mr. Congressman, what did you do for me when you repealed the land-grant rates?" Especially, as the gentleman from Georgia said, when we are utilizing the railroads of this country to the greatest extent in the history of America; when materials of war are being carried in untold quantities from one end of the country to the other, from the Atlantic to the Pacific. Our boys will come back and ask that question. Yet, in this dire hour when the people of the country are straining themselves to such great extent to pay for this war, we are being asked to increase the burdens on the taxpayers of the country. To me, it is incomprehensible and I refuse to be a party to it in voting for such a bill as this. I hope that those who are for this bill will join me in asking for a roll call, which I am going to ask upon this bill; and I assure you I am going to ask it, because I think everyone who is anxious to support this bill should be anxious to stand up and be counted.

Net income of class I steam railroads after Federal income taxes, 1940–44

[Arranged alphabetically by regions]

Railroads	Railroad mileage of land-grant route	1944	1943	1942	1941	1940
New England region (10 roads):						
Bangor and Aroostook R. R.		$947,421	$1,221,745	$843,109	$653,725	$125,533
Boston & Maine R. R.		5,644,556	7,142,072	10,497,571	5,052,193	1,152,197
Canadian National Lines in New England		[1] 173	[1] 3,167	270,211	20,545	10,775
Canadian Pacific Ry. (in Maine)				28,359		
Canadian Pacific Ry. (in Vermont)				70,336		
Central Vermont Ry.		[1] 736,670	[1] 142,916	78,245	[1] 140,039	[1] 465,538
Maine Central R. R.		715,232	1,124,487	1,774,441	1,249,082	439,167
New York Connecting R. R.		504,214	603,866	787,050	1,878,877	199,810
New York, New Haven & Hartford		14,071,121	22,901,437	19,912,114	6,013,378	[1] 2,003,175
Rutland R. R.		[1] 319,189	113,844	196,161	[1] 70,791	[1] 435,817
Total		20,826,512	32,961,368	34,457,597	14,655,950	[1] 977,048
Great Lakes region (23 roads):						
Ann Arbor R. R.		423,121	508,565	553,022	244,951	22,444
Cambria & Indiana R. R.		625,071	541,388	555,662	802,364	850,045
Delaware & Hudson R. R.		2,965,465	8,004,630	4,775,708	3,024,420	752,430
Delaware, Lackawanna & Western R. R.		87,181	4,688,759	5,149,485	3,671,698	205,277
Detroit & Mackinac Ry.		[1] 19,439	[1] 147,709	274,470	[1] 3,874	19,626
Detroit & Toledo Shore Line R. R.		582,775	619,419	615,752	728,474	714,437
Erie R. R.		8,223,569	10,280,205	14,902,726	7,930,528	14,263
Grand Trunk Western R. R.	60	1,139,260	2,455,025	1,570,405	1,919,789	206,634
Lehigh & Hudson River Ry.		313,898	309,784	478,338	454,843	285,031
Lehigh & New England R. R.		1,019,469	1,013,674	1,144,511	1,043,103	844,043
Lehigh Valley R. R.		772,120	6,633,008	6,373,607	3,256,470	[1] 301,026
Monongahela Ry.		744,592	717,234	882,487	1,263,014	812,520
Montour R. R.		743,326	646,983	776,121	782,925	825,672
New York Central R. R.	320	35,789,939	62,754,050	49,082,183	26,245,502	11,295,084
New York, Chicago & St. Louis R. R.		7,225,924	9,188,026	8,030,571	12,686,691	3,610,820
New York Ontario & Western Ry.		[1] 2,947,251	[1] 1,210,459	[1] 1,124,512	[1] 1,551,661	[1] 2,065,745
New York, Susquehanna & Western R. R.		348,388	500,803	268,934	84,216	[1] 146,922
Pere Marquette Ry.	171	3,012,076	3,619,520	3,569,066	3,236,906	1,253,067
Pittsburgh & Lake Erie R. R.		4,488,301	4,360,906	5,366,248	6,147,763	5,077,281
Pittsburg & Shawmut R. R.		106,071	134,916	[1] 121,654	[1] 206,698	214,352
Pittsburgh & West Virginia Ry.		1,550,863	1,420,713	1,275,865	1,174,794	526,851
Pittsburg, Shawmut & Northern R. R.		[1] 255,504	[1] 46,481	[1] 632,462	[1] 487,010	[1] 403,206
Wabash R. R.		6,300,585	8,551,804	6,569,072	5,532,113	[1] 2,535,890
Total		74,239,400	125,524,823	110,987,917	78,081,351	22,009,062

[1] Deficit.

Net income of class I steam railroads after Federal income taxes, 1940–44—Continued

Railroads	Railroad mileage of land-grant route	1944	1943	1942	1941	1940
Central Eastern region (18 roads):						
Akron, Canton & Youngstown Ry		$438,335	$241,131	$154,192	$143,708	$60,186
Baltimore & Ohio R. R		12,857,503	11,357,783	16,907,765	21,091,883	5,549,497
Bessemer & Lake Erie R. R		1,830,819	1,058,766	2,171,546	5,699,000	6,050,346
Central R. R. of New Jersey		217,932	712,860	5,046,664	539,306	[1] 3,124,397
Chicago & Eastern Illinois R. R		1,463,571	1,846,422	2,665,725	750,572	[1] 1,041,021
Chicago & Illinois Midland Ry		668,650	658,332	657,725	739,720	876,196
Chicago, Indianapolis & Louisville R. R		819,558	1,535,475	1,001,522	813,132	[1] 113,700
Detroit, Toledo & Ironton R. R		1,646,780	1,940,433	1,625,718	2,284,760	1,538,208
Elgin, Joliet & Eastern Ry		2,309,740	1,239,635	2,959,491	4,877,347	3,590,236
Illinois Terminal Co		871,125	1,015,314	1,505,976	978,213	575,732
Long Island R. R		983,280	2,593,419	[1] 15,047	[1] 1,290,686	[1] 1,216,116
Missouri-Illinois R. R		520,480	443,617	546,745	597,445	326,325
Pennsylvania R. R	278	64,720,431	85,418,484	101,468,793	52,383,958	46,238,250
Pennsylvania-Reading Seashore Lines		[1] 459,998	109,956	[1] 1,084,508	[1] 1,887,462	[1] 3,414,091
Reading Co		7,441,588	11,821,311	15,291,000	9,330,204	6,427,217
Staten Island Rapid Transit Ry		289,245				
Western Maryland Ry		4,120,860	4,509,440	4,162,230	2,554,354	2,100,734
Wheeling & Lake Erie Ry		3,021,383	3,390,129	3,374,268	3,554,277	3,959,629
Total		103,860,082	129,892,507	158,529,805	103,159,733	68,393,225
Pocahontas region (4 roads):						
Chesapeake & Ohio Ry		27,340,996	31,358,680	33,153,437	44,939,744	33,591,166
Norfolk & Western Ry		30,747,522	22,807,569	22,499,513	27,762,064	31,933,490
Richmond, Fredericksburg & Potomac R. R		4,815,431	5,307,285	4,015,053	2,536,361	977,780
Virginian Ry		4,965,726	5,304,306	5,090,913	6,559,710	7,281,735
Total		67,869,675	64,777,840	64,758,916	81,797,879	73,782,180
Southern region (26 roads):						
Alabama Great Southern R. R	245	2,658,582	3,710,995	3,042,268	2,975,125	2,338,528
Atlanta & West Point R. R		425,314	492,984	626,906	220,167	28,790
Atlanta, Birmingham & Coast R. R		403,743	552,474	317,978	221,152	[1] 215,277
Atlantic Coast Line R. R		16,101,393	17,480,959	22,619,355	11,132,472	1,823,537
Central of Georgia Ry	84	1,201,164	1,940,663	3,983,779	1,393,987	[1] 1,895,674
Charleston & Western Carolina Ry		436,148	520,336	590,088	530,945	143,132
Cincinnati, New Orleans & Texas Pacific Ry		3,261,813	4,700,164	3,432,478	4,222,757	3,238,434
Columbus & Greenville Ry		84,955	73,915	84,820	127,964	76,791
Florida East Coast Ry		1,633,487	4,954,411	5,083,012	[1] 1,290,614	[1] 1,913,930
Georgia R. R						118,434
Georgia & Florida R. R		[1] 668,542	[1] 556,968	[1] 597,810	[1] 521,119	[1] 760,896
Georgia, Southern & Florida Ry		409,522	780,291	644,271	168,901	137,895
Gulf & Ship Island R. R	40	254,951	[1] 64,018		[1] 65,809	[1] 199,898
Gulf, Mobile & Ohio R. R	333	3,218,151	4,328,169	4,030,217	2,013,908	[1] 604,345
Illinois Central R. R	1,034	15,679,572	23,581,567	17,226,679	10,426,009	880,130
Louisville & Nashville R. R	507	18,607,778	21,213,757	19,407,582	19,475,250	9,537,146
Mississippi Central R. R		253,067	211,037	282,115	59,267	[1] 145,365
Nashville, Chattanooga & St. Louis Ry	20	2,342,433	3,696,227	4,319,615	1,888,517	703,444
New Orleans & Northeastern R. R		948,466	1,446,927	1,110,448	1,108,099	311,055
Norfolk Southern Ry		304,413	507,342	702,101	[1] 211,750	[1] 465,546
Seaboard Air Line Ry	521	5,208,641	15,796,841	[1] 2,819,263	1,181,070	[1] 4,973,349
Southern Ry	145	22,261,814	23,528,589	33,388,868	19,369,894	7,352,072
Tennessee Central Ry		149,844	480,208	245,991	160,369	72,425
Western Ry. of Alabama		486,357	618,976	765,815	259,238	138,849
Yazoo & Mississippi Valley R. R	286	1,554,336	1,399,165	7,546,712		
Total		97,217,402	131,395,011	126,034,025	74,845,799	15,726,381
Northwestern region (15 roads):						
Chicago & North Western Ry	839	16,108,061	26,149,889	9,964,239	1,460,117	[1] 5,222,369
Chicago Great Western Ry		2,380,024	2,705,827	2,617,491	1,739,581	39,944
Chicago, Milwaukee, St. Paul & Pacific R. R	1,017	11,503,682	29,413,623	12,174,831	5,531,334	[1] 8,826,522
Chicago, St. Paul, Minneapolis, Omaha Ry	658	1,072,223	1,453,270	704,451	[1] 705,679	[1] 2,046,877
Duluth, Missabe & Iron Range		8,320,545	8,652,841	8,203,322	13,561,652	10,974,925
Duluth, South Shore & Atlantic	63	[1] 262,690	132,084	60,833	[1] 283,710	[1] 637,485
Duluth, Winnipeg & Pacific Ry		[1] 70	578	113,678	69,615	2
Great Northern Ry	600	23,396,966	19,590,548	29,054,021	16,785,159	10,208,194
Green Bay & Western R. R		65,851	491,446	196,047	226,759	184,322
Lake Superior & Ishpeming R. R		688,645	676,782	871,624	1,044,119	1,199,598
Minneapolis & St. Louis R. R		1,675,459	421,245	920,547	[1] 1,595,574	[1] 1,520,645
Minneapolis, St. Paul & Sault Ste. Marie Ry	257	1,038,308	[1] 1,340,553	[1] 2,633,595	[1] 4,162,636	[1] 4,428,799
Northern Pacific Ry	2,362	13,166,966	25,520,431	16,303,917	7,757,016	2,064,091
Spokane International R. R		159,795	208,353	250,339	[1] 79,160	[1] 134,488
Spokane, Portland & Seattle Ry		1,925,981	1,406,518	3,400,270	[1] 423,653	[1] 2,188,300
Total		81,242,766	115,482,882	80,360,927	40,924,941	[1] 334,409
Central Western region (17 roads):						
Alton R. R		2,614,884	1,950,661	2,180,330	192,038	[1] 1,724,716
Atchison, Topeka & Santa Fe Ry	1,366	54,542,635	57,440,364	73,664,352	30,236,581	12,745,371
Chicago, Burlington & Quincy R. R	486	24,647,122	28,231,264	28,646,920	10,419,142	4,392,864
Chicago, Rock Island & Pacific Ry	449	10,451,128	24,438,832	20,024,397	4,153,987	[1] 6,331,898
Colorado & Southern Ry		2,174,779	2,588,219	1,592,849	[1] 54,217	[1] 1,117,826
Colorado & Wyoming Ry		265,853	259,919	195,174	335,070	
Denver & Rio Grande Western R. R		2,505,572	5,907,760	11,306,966	[1] 2,301,914	[1] 3,070,486
Denver & Salt Lake Ry		[1] 1,813	4,106	83,910	14,432	9,304
Fort Worth & Denver City Ry		2,052,198	2,692,006	2,477,677	159,918	[1] 254,749
Nevada Northern Ry				176,082	198,258	246,807
Northwestern Pacific R. R		[1] 719,546	[1] 780,526	[1] 315,432	[1] 1,573,161	[1] 1,763,338
Southern Pacific Co.—Pacific Lines	1,262	11,820,770	12,009,009	18,224,513	13,750,802	6,730,944
Toledo, Peoria & Western R. R		2,353,126	2,292,452	1,082,632	404,601	377,367
Union Pacific R. R		41,070,895	45,293,259	62,083,985	28,857,420	19,445,880
Utah Ry		113,412	57,752	109,504	1,582	24,472
Western Pacific R. R		7,012,950	15,205,421	5,799,508	695,148	[1] 913,593
Total		160,907,591	197,590,498	227,333,364	85,489,696	28,746,404

[1] Deficit.
[2] Credit.

Net income of class I steam railroads after Federal income taxes, 1940–44—Continued

Railroads	Railroad mileage of land-grant route	1944	1943	1942	1941	1940
Southwestern region (20 roads):						
Beaumont, Sour Lake & Western Ry		$745,329	$1,262,322	$2,209,019	$912,500	$259,860
Burlington-Rock Island R. R		[1] 62,299	[1] 207,673	[1] 577,059	[1] 840,059	[1] 949,331
International-Great Northern R. R		962,163	2,341,135	3,162,517	[1] 1,343,048	[1] 2,810,307
Kansas City Southern Ry		4,418,162	2,848,533	2,541,785	1,846,122	1,132,313
Kansas, Oklahoma & Gulf Ry		598,027	775,177	607,937	569,506	492,175
Louisiana & Arkansas Ry		1,596,062	1,281,949	1,488,389	1,453,101	789,796
Midland Valley R. R		79,995	150,189	60,338	114,108	4,467
Missouri & Arkansas Ry		89,999	27,256	42,008	24,025	40,276
Missouri-Kansas-Texas Lines	126	6,110,115	5,115,971	5,880,546	[1] 645,525	[1] 3,841,135
Missouri Pacific R. R	697	17,084,236	16,591,415	20,649,668	4,225,266	[1] 9,564,457
New Orleans, Texas & Mexico Ry		1,646,392	[1] 1,702,673	[1] 57,894	[1] 1,409,074	[1] 131,738
Oklahoma City-Ada-Atoka Ry		222,661	350,848	264,340	25,685	[1] 7,278
St. Louis, Brownsville & Mexico Ry		1,251,801	1,904,403	2,864,968	1,203,630	801,274
St. Louis, San Francisco Ry	291	5,657,481	10,667,728	13,366,624	[1] 523,230	[1] 7,146,603
St. Louis, San Francisco & Texas Ry		256,588	919,679	809,016	[1] 1,128,794	[1] 254,254
St. Louis Southwestern Lines		8,119,085	7,543,273	5,673,577	4,472,048	[1] 248,758
San Antonio, Uvalde & Gulf R. R		[1] 689,263	[1] 223,605	[1] 508,922	[1] 558,003	[1] 633,470
Texas & New Orleans R. R		8,779,570	20,306,969	21,492,284	8,631,104	1,427,235
Texas & Pacific Ry		3,821,791	6,155,859	9,003,541	3,546,001	1,563,328
Texas Mexican Ry		162,182	198,629	277,322	144,125	[1] 417,057
Total	14,417	61,450,087	76,307,384	99,250,004	20,869,788	[1] 18,493,644
Grand total, United States		667,613,515	873,932,313	901,712,555	499,765,137	188,851,151

SUMMARY FOR SYSTEMS

[The information listed here is a bringing together in 1 place of all the railroads belonging to systems]

Atlantic Coast Line system	527	$38,803,166	$44,575,713	$48,647,339	$33,727,741	$12,278,054
Baltimore & Ohio system		15,472,387	13,308,444	19,178,095	21,283,921	3,824,781
Burlington Route system	489	28,874,099	33,511,483	32,717,446	10,524,843	3,020,289
Chesapeake & Ohio system		34,566,920	40,546,706	41,844,008	57,026,435	37,201,995
Canadian National system	60	402,417	2,308,942	2,032,539	1,869,890	248,127
Erie system		8,571,757	10,781,068	15,171,670	8,014,744	132,659
Frisco Lines system	291	5,914,069	11,587,407	14,175,640	1,652,024	7,400,857
Illinois Central system	1,444	18,690,023	26,857,377	28,751,170	11,885,805	1,215,442
Kansas City Southern system		6,014,224	4,130,482	4,030,174	3,299,223	1,922,109
Missouri Pacific system	597	25,942,939	10,181,058	47,869,642	7,264,717	10,189,185
New Haven system		11,123,870	21,690,978	18,787,602	4,460,717	4,068,920
New York Central Lines system	320	40,278,240	67,094,956	54,448,631	32,393,265	16,342,365
Pennsylvania system	278	72,427,417	97,072,272	108,506,840	56,870,336	47,381,481
Reading system		7,659,520	12,534,171	20,337,664	9,869,510	3,302,820
Southern Pacific system	1,262	27,999,879	39,078,725	45,074,942	25,280,793	6,146,083
Southern system	390	29,540,197	34,166,966	41,618,333	27,844,776	13,377,984

[1] Deficit.

Mr. BOREN. Mr. Chairman, I yield such time as he may require to the gentleman from Arizona [Mr. HARLESS].

Mr. HARLESS of Arizona. Mr. Chairman, from some of the arguments that have been made here, one would think there was something very sinister in this move to put land-grant railroads on the same basis as other railroads. You have been told there is going to be a gift to the railroads. You have seen and heard some flag waving in the name of patriotism; and the question asked, "What will we tell our boys when they get back?" I want to point out to you some of the salient features of this bill which will take all of the wind out of the sails that have just been unfurled.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. I am glad to yield to the gentleman.

Mr. BRADLEY of Pennsylvania. Speaking of patriotism and our boys in the service, does the gentleman know, and I hope the House does, that, if this bill passes, every officer and enlisted man in the United States Army and Navy who travels on official orders will have to pay twice the amount of fare that he now pays?

Mr. BOREN. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. I am glad to yield to my colleague the gentleman from Oklahoma [Mr. BOREN].

Mr. BOREN. There is only one answer to the question of the gentleman from Pennsylvania. It is a yes or no answer, and the answer is "No." This bill has no relation to that whatever. The fare paid by military personnel is established by contract between the Government and the railroads under section 23 of the act and has nothing to do with the section being amended by this bill.

Mr. HARLESS of Arizona. This bill provides there shall be an adjustment of rates. At the present time, the shippers of this country are paying for the shipping of the Government. It just depends on whether or not you are going to continue to harness on to the shoulders of the shippers of this country and ultimately the consumers the cost of the Government shipping. You heard my colleague, the gentleman from Minnesota, state that the railroads have raised rates. The reason they raised rates was in order to meet the increased costs caused by excessive shipping by the Government and the increase of wages granted to employees.

If you are going to continue to harness the shippers of this country with that cost, you are failing to recognize the fact that the Interstate Commerce Commission has it within its power to adjust the rates. This bill provides that the Interstate Commerce Commission shall adjust the rates. We grant to them the integrity which they have; that if there is any change in the income of the railroads it will be reflected in rates to the shippers. I maintain, and I think you will agree with me, that the Government, through the taxpayers, should pay its share of the expense of operating the railroads, instead of having the shippers pay it.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. I yield.

Mr. HINSHAW. I think the gentleman from Pennsylvania [Mr. BRADLEY] ought to realize likewise that there was an increase in the pay scale for railroad employees that occurred at the same time that increase in rates occurred.

Mr. HARLESS of Arizona. That is correct.

Now I want to point out another salient feature in this bill. We heard our colleague from Minnesota [Mr. O'HARA] read certain figures as to the income of the railroads. He did not tell you the interest rate on the preferred stock, and how much was paid to the preferred stockholders and how much was paid to the common stockholders after the preferred stockholders received their sum.

Mr. HOWELL. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. I yield.

Mr. HOWELL. Considerable mention has been made of the fact that this sum amounts to $240,000,000, $250,000,000, all the way up to $500,000,000. The point has not been made yet that the railroads pay back to the Government approximately 81 percent in taxes, in addition to the other charges which you have just mentioned.

Mr. HARLESS of Arizona. That is before there is any declaration of dividends to the common stockholders. As a matter of fact, it is common knowledge in this country that the common stockholders of railroad stocks of this Nation have been deprived of any dividends for many, many years. It seems to me that the kernel of this whole case is, will there be any person benefited? I might summarize it by saying if there is any increased income it will be given to the shippers and ultimately to the consumers. There wil be a readjustment in rates. No one will make any big haul out of this bill.

With reference to the land which the various railroads have had given to them, most of the railroads over a period of 75 years have sold the land. There is no way in the world you could adequately and equitably readjust that. The railroads have more than paid it back to the Government. This bill will merely make it possible for all shippers, including the Government, to be put on a fair basis.

Mr. BOREN. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. I yield.

Mr. BOREN. It is always our intention to be absolutely accurate, if possible. I understood the gentleman from Pennsylvania [Mr. BRADLEY] to say that this bill would raise the half-fare rate of the soldiers traveling over the railroads. I stated that that was taken care of by a different arrangement under the Interstate Commerce Act, and had no relation whatever to this bill. However, I later learned that the gentleman said it would raise the rate paid by the War Department for shipping soldiers' household furniture, his goods, across the country. The gentleman is correct with reference to that. Of course, the committee has taken the view, why should anybody's household furniture be shipped at a rate that will penalize other shippers of the country by having them make up the preferential rate. I misunderstood the gentleman from Pennsylvania. The other charge had been made so many times, that any soldier traveling at half fare would be denied that privilege. That has nothing to do with the act under consideration here.

Mr. BRADLEY of Pennsylvania. The gentleman does agree with me that my statement is correct with respect to the household goods, however?

Mr. BOREN. That is just exactly what I said.

Mr. HARLESS of Arizona. The whole thing may be summarized by saying that we are going to equitably fix the rates, instead of having inequities that have existed in the past.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. ENGEL].

Mr. ENGEL of Michigan. Mr. Chairman, I tried to obtain a copy of the hearings but I find there are none here. I looked for the committee report on the desk but I found none. I wanted to find out just how much this bill was going to cost.

Mr. LEA. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield.

Mr. LEA. Copies of the report are with the boys in the corridor.

Mr. ENGEL of Michigan. They were not on the desk where we usually find them.

I am intensely interested in learning just what this bill is going to cost the taxpayers of the Nation.

I am not opposed to the railroads; we have to have them; but I also realize the fact that we are in a critical financial condition. The argument that the railroads are going to pay part of it back in taxes is always advanced every time an appropriation is asked for. In May 1945 General Gross, head of the Transportation Division of the War Department, testified before the War Department Subcommittee of the Appropriations Committee on the War Department appropriation bill. I happen to be a member of that subcommittee.

On page 270 of the hearings you will find the following:

Mr. ENGEL. General Gross, being the head of the United States Army Transportation Service, you are of course familiar with Congressman BOREN's bill which would repeal the land-grant rates; are you not?

General GROSS. Yes, sir.

Mr. ENGEL. Should Congress pass the Boren bill and repeal these land-grant rates, how much additional money would you require to pay for freight charges next year?

General GROSS. I think we gave that to the committee in its hearing. As I recall, it amounted to something like approximately $200,000,000.

Mr. ENGEL. And if the land-grant rates are repealed, then for the fiscal year ending June 30, 1945, you would require approximately $200,000,000 more to meet the deficit because of the additional freight rates you would have to pay?

General GROSS. That is correct.

That is for the War Department alone.

Mr. Chairman, I have done a great deal of talking on the floor of this House regarding the national debt. It is going to require $9,000,000,000 a year, in my judgment, to pay interest on and amortize a $300,000,000,000 national debt in 50 years. We are going to have a $300,000,000,000 debt; there is no question about it.

We passed a veterans' appropriation bill the other day for more than a billion dollars for the care of the veterans of World War No. 1. We had 4,000,000 veterans from World War No. 1, and it was a short war. We have nearly 12,000,000 soldiers, sailors, and marines now serving in the armed services. The amounts that must be appropriated to care for the veterans of World War No. 2 will be tremendous. It has been estimated that the annual tax levy is going to have to be from twenty-two to twenty-seven billions. In my judgment it will be twenty-five billions a year. The highest national income we had before the war was $83,000,000,000. If anybody tells you they can take $25,000,000,000 in Federal taxes, to say nothing of the State and local taxes, out of $100,000,000,000 or $110,000,000,000 annual Federal income, they are going to find themselves badly mistaken.

Mr. Chairman, we are reaching down to the very bottom of the taxpayers' pockets. We have reduced the income tax exemptions on a married man as low as $500. We have limited the exemption for the head of a family to $500, for man and wife for normal tax purposes, and $1,000 for surtaxes. A man and wife who have a thousand dollar income have to pay $12 in Federal taxes. Mr. Chairman, I placed into the RECORD some time ago some figures in a speech I made on the tax policies. There are 21,600,000 individuals in the low-income group with incomes of $1,000 or under who paid $500,000,000 in taxes; and 9,370,000 of these were heads of families.

There has been an increase in living costs of from 31 to 48 percent since 1939. It takes from $1.31 to $1.48 to buy today what a dollar bought in 1939.

You have another 24,400,000 individuals with incomes of $1,000 to $2,000 who pay $4,100,000,000 in taxes.

Mr. Chairman, I am not going to take $200,000,000 to $300,000,000 each year of the money we are collecting from this low-income group and hand it to the railroad companies of the United States at a time when they are making more money than they ever made in the history of our country. If the rest of the Members of the House want to do that it is up to them. I am opposed to this bill and I shall continue to oppose it.

Mr. Chairman, 4 years ago I went to the War Department to ask for certain information. There are two things, as you know, that govern a freight rate. One is classification of the article shipped, the other is the rate itself. I learned at that time that they were classifying Army jeeps as passenger cars and that we were paying the same rate on Army jeeps as on passenger cars. The rate on ammunition is very high. I asked the man in charge of Army transportation how long he had worked for railroads and for the Government. He answered, "Forty years, 16 years for railroads and 26 years for the Government." I asked him if he ever heard of an ammunition car blowing up in those 40 years and he said he had not.

Mr. Chairman, there is another angle to this bill. When you ship freight in small quantities you pay one rate. The Government ships in trainload lots and it does not cost as much to ship in trainload lots as in carload lots. The railroads ought to handle the freight cheaper for the Government than they do now.

Mr. HAVENNER. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from California.

Mr. HAVENNER. If those who believe there is some logical basis for the argument that the land-grant rates should be repealed, would postpone repeal of the rates until after the war, could the gentleman make an estimate of how much the taxpayers would be saved?

Mr. ENGEL of Michigan. I do not know. It is my opinion that this bill will cost the taxpayers annually anywhere from $240,000,000 to $340,000,000 during the war. I have heard it estimated as high as $400,000,000 a year; but in my judgment that is high. I had a chamber

of commerce in my district ask me to support this bill. I wrote back and told the secretary that the bill would cost anywhere from $240,000,000 to $400,000,000 a year. I wrote further that we had reduced the income-tax exemptions of our people as low as $500; that business was asking us to reduce the surplus tax and excess-profits tax, contending the rate was too high. I wrote further, "You could be very helpful if when asking me to vote for this bill you would also tell me whether you want me to borrow this money and add it to the $300,000,000,000 national debt we will have or whether you want me to tax somebody. If you want me to raise the taxes, will you not please tell me who you want me to tax."

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from California.

Mr. HINSHAW. I know of the gentleman's great interest in saving money for the Government and likewise his interest in reducing the number of employees. I presume the gentleman realizes that if the railroads as a whole negotiate for a straight reduction over-all on all freight, regardless of where it originates or ends, they would probably have to discharge about 1,400 employees from the Quartermaster Corps alone now engaged in figuring out these rates.

Mr. ENGEL of Michigan. I do not have much faith in this promise to reduce the freight rates if the bill is passed.

Mr. PRIEST. Mr. Chairman, will the gentleman yield?

Mr. ENGEL of Michigan. I yield to the gentleman from Tennessee.

Mr. PRIEST. I also appreciate the gentleman's interest of long standing in saving the taxpayers' money, and I am also interested in that particular regard. But may I call the gentleman's attention to this? We do not, as a Govenment, expect a manufacturer to manufacture any of the products that are now being made for war purposes at a figure lower than they would be manufactured for a private concern. We have 17,000 miles of land-grant roads and 240,000 miles total railroads in this country. Why should we, as a Government, expect that a railroad that never had any benefit of the land grant should not be given the same consideration?

Mr. ENGEL of Michigan. I suggest that they give back some of the oil lands that they still own by reason of some of these land grants.

Mr. BOREN. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, another year has come and gone but this committee stalks out the same old horse. They have held no new hearings. They have no new reason for letting the railroads back out of one of the very few favorable contracts the United States Government ever made. We have been hearing the same argument each year for the last 4 or 5 years. The only difference is in 1940 they cohld plead the poverty of their clients. Then they were content to be relieved of half their obligation to the Government. Now the railroads are making more money than at any time in their history. So their representatives come to Congress and modestly ask that they be relieved of the entire obligation for which the Government of the United States paid them one-tenth of the area of this Nation. As the chairman of the committee stated, this thing started away back there 70 or 80 years ago after the railroads made a trade with the Government, at which time they were represented by no shysters. They had the best attorneys in the land then even as they have today. They made a good trade whereby they acquired the title to 133,000,000 acres of land from the United States of America, one-tenth of the entire land area of continental United States, including Texas. In addition to that, the State of Texas gave to the railroads 33,000,000 acres of State land and other States gave 15,000,000 acres of their State land; surely the railroads have received an imperial domain from the people of this country.

Of course, they could well afford to make great promises as to what they would do for the people who were so generous in their grant of land. One-tenth of the area of the United States is not small change in anybody's figures, and yet that is what the railroads received. To get it they entered into contracts which seem to me should be enforced. The chairman of the committee very carefully explained that later, somehow or another—and he did not explain how—they got into court. I will tell you how they got into court. They got there on the petition of the Santa Fe Railroad; they got there because the railroads sought to relieve themselves of the obligation which they had entered into.

No; the United States did not pull them into court. The Congress did not try to take away what had been given them. They themselves came into court and asked that they be relieved from what they said was a burdensome contract. The Court of Claims decided that in case of certain of these contracts that the United States was only granted a right-of-way, and that if it was not to furnish the rolling stock, the cars and the engines, that it should make compensation to the railroads. A judgment was entered which I understand was at the time perfectly agreeable to the attorneys for the railroad corporations. They were smart attorneys. They thought that it was a good trade for the railroads to enter into this new agreement whereby the United States should pay 50 percent of the regular commercial fare for the transportation of all the goods, troops, and property of the United States, regardless of the purpose for which it was used and regardless of why it was used. The railroads remained under that contract for a good many years until they finally found a supine Congress, of which several of us were Members back in 1940, when we sacrificed the rights of the people in order to put a larger profit into the hands of the railroads. At that time we at least had the plausible excuse that a number of these railroads were broke. I voted against that surrender of the contractual rights of the Government, but for those who wanted an excuse we, at least, had the excuse that we could go home and sob on the shoulders of the people on whom we had unloaded these additional burdens and tell them, "Oh, well, these railroads are broke and we must let you pay more in order that their stockholders may be bailed out." We at least had that excuse in 1940, but we do not have that excuse today. The railroads are making more money than they ever made in the history of the world. Yet we are told that for the benefit of the stockholders of the railroad every man, woman, and child in the United States who pays taxes must pay more. What has become of those advocates of economy? Would those of you on my left, who just a few minutes ago talked so eloquently about saving money, only save it in order that the Government might add to the record income of the railroads? Are the rights of the American people whose public domain was given so freely to the railroads to be entirely ignored?

There is a conflict between the views of the committee and their written views in this report. I do not know which you are going to accept and I do not know that it makes a great deal of difference. I do not know whether you will accept $240,000,000 or $340,000,000 as being the additional cost to the taxpayers of America. But whatever the amount, it is an additional cost placed on the people of America who are finding themselves in about as bad position as those poor stockholders to whom the gentleman recently referred when he said the stockholders were getting no dividends, and were finding their property worthless. What about the people of America who are finding the value of their property destroyed by the crushing taxation that is imposed on them? After all, are not the 130,000,000 Americans in whose behalf this contract was made entitled to some consideration at the hands of this Congress? Or is this Congress perchance here to represent only the stockholders of a few favored corporations? I submit that as far as I am concerned I am here to represent the people of America, including all the people, and not simply a portion of them.

The argument has been made here that it takes 1,300 people, I believe someone said, to figure the correct rates that the Government must pay under the existing law. So, in order to release these 1,300 workers, it is suggested that we should pay an additional quarter of a billion dollars to the railroads. This is indeed a remarkable new method of effecting economy in Government. Just pay a quarter of a billion dollars in order to save the salaries of 1,300 employees over the United States. If it is so necessary to keep from making these calculations, and if the Government has the power, as the chairman of the subcommittee has suggested to the gentleman from Pennsylvania, to make adequate provision to contract with these railroads without regard to this law, why do we not make provision, then, that we simply reduce all Government rates by

28 percent. I believe that is the figure that somebody suggested was the total effective reduction in all Government carrying charges.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I cannot yield to the gentleman. I do not have the time. I have less time than I thought I was going to have. Each year I find myself granted less and less time to discuss this important legislation. I cannot yield to the gentleman. I would be delighted to yield if I had the time. I find that each year I am assured I will have plenty of time to discuss this problem. Each year the same thing happens. After the debate begins the committee feels it must reduce the time allotted me. I want to know why this committee does not want to stand up here and talk this thing out just as one farmer to another.

I do not see why we should not put it on a man-to-man basis instead of having some of this high-faluting argument. It does not take an accountant to tell you that these railroads they are crying about, who, of their own free will and accord, asked for the privilege of meeting the land-grant rates, did so because they considered Government business profitable even at the reduced rates. It does not take an accountant to tell you that they want the business. It does not take an accountant to know that if there was not some profit in it they would not seek it. If there is not any profit in it, then the officers of those railroads should be indicted for embezzling their stockholders' funds. If these railroads have actually asked for unprofitable business, the stockholders need relief from their officers and not from the Government. But I know and you know that the officers of those railroads who voluntarily entered into these agreements, and reduced their rates when they were not required to, did so in order to get the business from which they expected to make a profit. There are only 27 railroads in the United States which are required to give a land-grant rate. One of the gentlemen on the other side of the aisle tried to suggest that my own section of the country was suffering from high rates because we have a large mileage of land-grant railroads. The State of Texas has not a mile of land-grant railroad in it, and it has the highest rates in America. We are suffering from a supine Interstate Commerce Commission and a weak-kneed Congress.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I yield 3 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, after the storm, the calm.

After listening to the arguments of those opposing this bill, I am forced to the conclusion that some, if not all, of them are having difficulty in seeing the forest because of the trees.

The opponents of the measure constantly refer to it as a bill for the benefit of the railroads. The proponents too often think of it as a bill for the benefit of the shippers. If the bill is properly analyzed, it will be revealed, I am quite sure, as being a bill for the relief of consumers of shipped goods.

Somebody must pay the freight for everything that is shipped over our railroads. No one in this Chamber is so naive as to believe that by exempting the Government on part of its freight bill that that part will not have to be paid by anybody. Somebody must crack down. It is just a question of who shall pay that freight bill. If the Government pays its own freight bill, the money will come from the taxpayers, from each in the proportion that he contributes to the revenues of our country. That is fair to all who are concerned. If the Government does not pay it, the cost of transportation is transferred to the shippers in private enterprise and they, of course, will pass it on to the consignees, who, in turn, will include it in the price of the goods. Thus, the ultimate consumer of the shipped goods is the goat.

Now, all goods, wares, and merchandise which are consumed by the people of the country are not necessarily transported by the railroads. As you will agree, perhaps nine-tenths of our requirements originate in the area of consumption. They are not shipped on any railroad. Therefore, the question is, Shall we unload the Government's freight bill on a small segment of our population who happen to be the consumers of shipped goods, or shall it be spread among all the people in the proportion that each taxpayer contributes to the revenue of the country? Why "stick" just the consumers of shipped goods? Is that fair? Of course, it is not. The only fair way is for all the stockholders in our Government, the Government which is shipping our goods, to chip in their share.

Mr. Chairman, let us not forget this bill is a bill for the relief of the consumers of shipped goods. Let us not be deceived by the specious arguments of those who can only see a few small trees and not the great forest. Let us take this discrimination from the statute books today. It should have been removed from the law books years ago.

Mr. WOLVERTON of New Jersey. Mr. Chairman, the gentleman from Texas has made a very reasonable request, and I suggest that we talk this over face to face as one farmer to another. I am now pleased to call upon a farmer who will discuss the question from the standpoint of the farmer. I yield 3 minutes to the gentleman from Iowa [Mr. CUNNINGHAM].

Mr. CUNNINGHAM. Mr. Chairman, I am very glad to be called a farmer, although I must confess I have not been a farmer for many years, but I do represent a farming State, and, as I have said before, everyone in the State of Iowa is a farmer because we are all dependent upon the products of agriculture.

That is why I think this is a good bill, and simple justice demands its passage.

At the time of the making of the grants to the railroads, consideration flowed both ways, both to the Government and from the Government to the railroads. From the time that Thomas Jefferson in 1803 purchased that large tract of land west of the Mississippi, known as the Louisiana Purchase, until the fifties and sixties, when these land grants were entered into, there was little or no development of that great Midwest and far West territory. The Government of the United States had it for approximately 50 years. It paid less than 1 cent an acre for it. Had it not been for the railroads it probably would be very much undeveloped today. Something had to be done. The railroads needed to be subsidized. That is what you would call it today, and this Congress has been very liberal in the giving of subsidies. But the Government did not have the money to pay the railroads to build the tracks. However, it did have the land that cost practically nothing. They wanted the land settled. They wanted an opportunity to get citizens out there so they could settle the land. The Government gave to the railroads the amount of land that has already been stated. Immediately the railroads started selling the land to the people who were settling that country for about the same amount per acre the Government was also selling it to its people; that is, from $1.25 to $2.50 an acre. It is presumed this money was used to help build the roads. In my State, which is traversed by several land-grant railroads, practically all of that land years and years ago was sold to the people who are now living on it at not to exceed $2.50 per acre.

In addition to that, the United States Government had the Indians to contend with in the West, to make it a safe place for the early settlers to live. They had to establish Army posts out there. They needed transportation for equipment, soldiers and food for the soldiers, in order to maintain the Army posts and develop the country and protect the settlers who were pioneering in a new country. So, in giving these land grants to encourage the building of the railroads to develop the country that belonged to the United States, and for the benefit of the United States, it also got as a further consideration the right to transport Government property free, particularly in connection with the Army.

No one at that day, conected with the Government or anyone else, for one moment believed that this country would develop to the extent where it now has and that we would be using these railroads under that old agreement for such a large amount of equipment.

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I yield the gentleman 1 additional minute.

Mr. CUNNINGHAM. Had they believed so, there would have been a different arrangement made. But conditions have changed and the consideration for that land, as has been pointed out, has been paid many, many times. The amount which the railroads got for the average acre was no more than the owner of the land today pays annually per acre in taxes. So there was a consideration that flowed both ways. The country was developed. The debt has been paid. It has been recognized by this Congress in the past when it was decreed that the Government pay only 50 percent of the rates.

In conclusion, Mr. Chairman, I say that the passage of this bill is nothing but simple justice. It should be passed.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. BOREN. Mr. Chairman, I yield such time as he may desire to the gentleman from Tennessee [Mr. PRIEST].

Mr. PRIEST. Mr. Chairman, the bill before us today is identical with the bill (H. R. 4184) which passed the House last year.

Extensive hearings on that bill were held by a subcommittee of which I was a member.

When those hearings first opened, there was some doubt in my mind as to the wisdom of repealing land-grant rates at that particular time, but as hearings proceeded and the full picture of this rather involved question was unfolded, I became convinced that the action should be taken now.

May I say in the beginning that the only yardstick by which we may rightly measure any proposal before this body is the test of whether the proposed action is in the public interest, and whether it will contribute to the general welfare without discriminating unjustly against any individual or group in our national economy. If I did not believe repeal of this complicated land-grant structure would be in the public interest, I would not appear now in support of this bill.

I shall not attempt at this time to review the historical background of land-grant rates. Most members are already familiar with that phase of the question.

Any careful study of this problem, I believe, will bring any Member to a recognition of how an arrangement that was mutual and thoroughly justified in the beginning, has become one of our major economic problems.

A great many figures have been used in various estimates of the value of land that was granted directly to railroad operating companies or indirectly through grants to States which in turn made the grant available to railroads. I doubt if any other person made a closer study of land-grant problems than the late Joseph B. Eastman. After making this study, Mr. Eastman concluded that the land granted for railroad use was worth about 97 cents per acre at the time. At that figure, the total value of the 180,000,000 acres would approximate $125,000,000.

Now let us bear in mind that only 17,000 miles of a total of 240,000 miles of railroads in the United States were actually constructed with aid from the Federal Government. Land-grant aid then was supplied in only 7.5 percent of the mileage of the railroads in the Nation. I hope you will keep that figure in mind because I wish to refer to it later in connection with the competitive discrimination against shippers.

Let us review briefly how these land-grant considerations became in reality a major national economic problem. While it has been greatly magnified since we went to war, it had become an aggravated situation even before the war.

When rate reductions were given to Government agencies for shipment over land-grant roads alone those roads, of course, were given preference in the routing of freight, mail, and Government personnel.

Not only was the business of other non-land-grant carriers reduced, but the business of nongovernmental shippers was considerably influenced because much of it tied in with Government activities, in developing regions west of the Mississippi River.

In order to meet that competition, many other roads agreed to give the Government the same rebates as required of land-grant roads. Thus it will be seen that long before the war and before the great bulk of equalization agreements under section 22 of the Interstate Commerce Act the discrimination and the stabilization effect of unequal rates had gone far beyond the railroads originally benefited and even beyond all other railroads to the shipping public and to the people.

But that was only the beginning, Mr. Chairman. When the Transportation Act of 1940 was enacted, Congress investigated the land-grant problem to some extent and as a consequence, wrote into that bill a provision that the full commercial charge should be paid for Government traffic with the exception of transportation of military or naval property that moved for military and naval use and not for civilian use and in addition an exception was made for personnel of the armed forces.

It was not long after the passage of that act until we began an accelerated program for defense. Then within little more than a year, we were at war.

What has happened since is that the volume of military transportation has become the chief business of all of the railroads in the country. It has reached such a proportion that the rebate by railroads to the Government amounts to around $20,000,000 per month and at that rate the original land granted for the aid of only 18,000 miles of road has been paid for several times since Pearl Harbor.

Now, the question arises "Who paid for this land?" Of course, the railroads who benefited originally, or their successors paid for some of it. Many other roads that never received one foot of land, paid a far greater portion, and the shipping public also paid.

The question, of course, arises as to whether the repeal of these land-grant rates would result in a windfall of around $240,000,000 a year to the railroads of the country. As to what percentage of that amount would be recaptured by the Government through the payment by the railroads of excess-profits taxes, various estimates have been made.

If you will turn to page 145 of the hearings, you will find a telegram addressed to me and sent in response to a question I asked Mr. Jeffers, president of the Union Pacific, which shows that total tax accruals for that road in 1943 amounted to $126,063,145, of which amount $86,194,894 constituted excess profits. I started out to give a few high lights showing how this has become a major economic problem. The I. C. C., a creature of Congress, set up as a regulatory agency, fixes rates, regarded as fair and reasonable for citizens of the Nation to pay, and yet we find the Government, which after all, in this Nation is the citizens themselves, shipping at a much lower rate. That to me seems an inequity particularly when the Government has been repaid many times over for the original grants, and when the Nation as a whole received more than full consideration for the lands granted in the form of increased value of adjoining lands because of the construction of the roads and the concurrent developments which went along with this activity.

There are some other important effects of land-grant rates and equalization-agreement rates which have a very direct bearing on the general welfare. Not the least of these is the competitive discrimination as between shippers. We can see very readily that shippers served by non-land-grant routes are at a distinct disadvantage in bidding on Government business.

Let us keep in mind that the land-grant deduction is about 50 percent of the published freight rate which traffic must pay on non-land-grant roads. It is obvious that if the shipper to whom that favored rate is not available is to receive any part of this Government business, he must absorb the difference between the land grant rate and the standard commercial rate which he is compelled to pay. Perhaps a word of explanation should be made here because someone well might raise the question that if equalization agreements are in effect there would be no competitive discrimination. This equalization will apply, of course, only in those cases where the land-grant road and the non-land-grant road operate between the same points.

Let us say for example, origin point A and destination point B. However, a shipper who may be located at origin C may be a competitor with a shipper whose product would be shipped from origin A, but if this shipper located at C, ships to the destination B he must pay the standard freight rate and he must absorb the freight differential or do without the business. I do not wish to tire the House with a great many specific examples, but I believe one or two typical illustrations might be of some benefit in the consideration of the pending bill. Many others will be found in the hearings if you care to study them.

Let us take such a commodity as cement. This product is shipped from Birmingham, Ala., and Clinchfield, Ga., to Jacksonville, Fla. The commercial rate for Birmingham is 22 cents to Jacksonville on a movement of 682 miles. From Clinchfield to Jacksonville the rate is 16 cents and the distance is 271 miles. Now, under ordinary circumstances, if the commercial rates were paid, the shipper at Birmingham would be at a disadvantage of 6 cents on commercial shipments. This disadvantage would not ordinarily be complained of on a shipment to Jacksonville because of the much greater distance. But it so happens that the rate from Birmingham to Jacksonville paid on Government shipments is 11 cents by reason of the application of the land-grant mileage,

while the rate from Clinchfield is 12.7 cents. In this illustration, I think we can see very clearly the competitive discrimination involved in this whole problem. The man who ships cement from Clinchfield ordinarily would have a rate of 6 cents better than the Birmingham man based entirely on the shorter distance, but because of the fact that the Birmingham shipper, purely by accident, has the advantage of greater land-grant mileage, his rate figures lower for a much greater distance than the Clinchfield shipper who, of course, would be entitled to the natural advantage of his nearer location to Jacksonville. This is only one of the thousands of illustrations that might be cited to show how the land-grant provisions operated adversely against many shippers and create competitive discriminations.

I have intimated earlier in this discussion that land-grant deductions place a heavy burden on civilian traffic. These deductions amount to approximately $240,000,000 anually on the present rate of shipments. That high figure, of course, is due to the extremely heavy and continuous increase in Government traffic. You may recall that only in recent years the transcontinental rail lines found it necessary to propose increases in some of their rates on civilian traffic. One of the main reasons cited in that proposal before the I. C. C. was the loss in revenue from land-grant rates on Government traffic. While freight revenue figures for several months have held at a high level, it is a matter of record that net earnings for class I railroads have shown a decline for 8 consecutive months.

It should be very plain that if this curve of net earnings drops continuously in time of extremely heavy traffic, it will plunge sharply downward when we return to more normal conditions. Then we certainly will face the problem of passing on to the civilian traffic further increases in freight rates in order to make up the deficit on subsidized Government traffic moving over land-grant roads.

I think we should keep in mind in all of this discussion the fact that the citizens of the country who pay charges for transportation are also in fact the Government of the country. It is obvious that citizens of the country who pay transportation, and, of course, transportation charges enter into practically everything a citizen buys or sells, to maintain the railroads in a sound and healthy condition, at the same time take much of the revenue away from the carriers under land-grant rate operations. Let us look at one other aspect of this relationship between citizens, Government, and industries called upon to serve the Government. We pay the full cost with profit to all industries producing all of the materials needed for war. That is fair and nobody objects, but immediately we call upon transportation agencies to transport these products, these materials of war, at a figure substantially less than cost. To me this seems extremely illogical and inequitable and I believe it should be remedied by the passage of the legislation now before us.

Now, Mr. Chairman, further pursuing the thought that this actually is a major economic problem, let us look for a moment at the effect of land-grant rates on transportation by motor vehicles.

While the original land-grant statutes pertain only to rail transportation because of competitive influences and the observance of the rule of economy by those in charge of arranging for transportation service for the United States Government, the land-grant problem has been brought very definitely into the field of motor transportation.

According to the testimony of Mr. Roland Rice, general counsel for the American Trucking Association, motor carriers in considerable numbers through the use of equalization agreements are transporting Government freight at land-grant-rate levels. They are doing this for two reasons. In the first place, there is the desire to take part in activities directly related to the war program and the second is because being in the transportation business they wanted freight to haul and in order to get this freight or at least a great part of it, they had to enter into equalization agreements under section 22 of the Interstate Commerce Act. Let me cite one illustration to show just how these land-grant rates are affecting motor-carrier revenues. Let us take a shipment of war goods from a point on the east coast to the city of Chicago. It was found if this shipment was to be made by truck, it was essential that land-grant charges apply. A land-grant deduction for the entire mileage of approximately 13 percent is available if an all-rail route is used. However, by using water route to Savannah, Ga., and rail lines into Chicago, then by way of Birmingham, the motor carrier had to compete with a water rate from a middle Atlantic seaport to Savannah and from there with a land-grant rate. Now, of course, such a shipment did not move over this circuitous route, but it was theoretically possible in this case as it was in thousands of others, therefore the land-grant rate was the controlling factor.

In numerous cases, according to testimony before the committee, a deduction of at least 37.5 percent is applicable to the movement of traffic by motor transportation.

Mr. Chairman, time will not permit me here to go into any full discussion of such an important question as the confusion and uncertainty now caused by the application of land-grant rates. I am sure that point will be discussed by other members of the committee as will such questions as the wearing out of equipment and transportation facilities and the large increase in manpower necessary because of these rates.

To sum up, permit me to say that in disposing of this issue, we should do so on the basis of how they affect the public interest today rather than on the basis of what happened nearly a century ago when a mutual agreement was entered into. Let us remember also that railroads which did not receive any land grants have had to equalize with land-grant rates reductions and railroads have made adequate compensation for the benefits they have received. No one can dispute the fact that total rate reduction to this time far exceeded the net amount of capital realized from these grants.

Moreover, the elimination of land-grant rates would place the Government on the same footing with all of its own citizens in bearing charges for the support of the Nation's railroad system. Furthermore, it would remove the cause of unequal opportunities among shippers bidding for Government business. And, finally, the ends of justice would be met, for certainly the Government of the United States does not desire to be put in the position of demanding that it be paid over and over again for land which has been paid for many times since the original grants were made. I hope the bill will be passed.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I yield 7 minutes to the gentleman from Ohio [Mr. BROWN].

Mr. BROWN of Ohio. Mr. Chairman, in my little home town down in Ohio we have a chap by the name of Jim McGuire who is one the most likable persons I have ever known. He loves to dress up and to march behind the village band every Memorial Day, but he just cannot keep step; and after the parade is over he argues vociferously and long, and loudly that he was the one man in the parade who was in step. The same situation seems to exist in connection with this bill.

This legislation has been before the Interstate and Foreign Commerce Committee several times. It has been given exhaustive hearings, it has been reported favorably not once but three times with but only one vote against it.

Many statements have been made concerning this legislation, probably because it is a little difficult to understand. Most of these statements are not correct and not based on fact. The simple facts are these, and I want to state them quickly: $126,000,000 worth of land was given to certain railroads in order to get them to build lines across the continent. In remuneration for such land grants the railroads first agreed to permit the United States Government to use their rights-of-way; to put the Government's own cars and trains on the rails and do its own hauling. This proved impractical. Then, as a result of the impracticability of the first arangement, it was finally agreed, in 1877, that the railroads would actually do the transporting of Government property over these land-grant lines or sections of such railroads for 50 percent of the normal rates. That has been done ever since on these particular lines. However, it developed that in order for any non-land-grant railroad to compete for traffic, or for any manufacturer or farmer on a railroad not a land-grant line to compete, the same rates have to be given on non-land-grant railroads as given over the land-grant lines; otherwise the manufacturers along the non-land-grant lines could not obtain Government orders or business because of the prohibitive freight rates.

And the farmers along such non-land-grant lines could not ship their products and sell them to the Government. So actually every railroad had been compelled to give special rates on Government traffic, regardless of whether any land was ever received by them or not. Since $126,000,000 worth of land was given to these certain railroads they have paid back to the Government, in rebates, lower fare, and through freight reductions, something like $600,000,000 or $700,000,000. Most of the land so given has been sold. It is no longer owned by the railroads. Many of the same railroads which received the land are not now in existence. Many of them have been washed out, and new stockholders, new companies are operating them. They could not get the land back if they wanted to because they do not now own it. It is no longer theirs. Much of the land along these railroads was sold by the Government or by the railroads to private owners for $1, $1.50, and $2 an acre. Such sales fixed the value of the land.

But the real question before us is whether or not we shall continue to subsidize the Government at the expense of the independent shipper.

Someone spoke here a moment ago about his representing the general public. I, too, am interested in the welfare of the general public. I am interested in the poor man and the average citizen of my district. I do not want them to have to pay 25 or 30 cents more for each ton of coal they must buy to heat their homes each winter simply because of this subsidy now being given to the Government. For remember, the lower the freight rates on Government shipments, the higher they must be on the ordinary shipper. The laws of our Nation guarantee the railroads will receive sufficient over-all income from all traffic, Government and private, to permit them to function and receive a fair return on their investment.

I believe that, as taxpayers, you and I, all of us, ought to pay our fair share of direct taxes so as to permit the Government to pay its proportionate and fair rate for the transportation it gets. If this is done then each person who has a ton of coal shipped to him, or each farmer who ships a ton of wheat to market, will also get a fair rate.

This law requires that any increase in the freight rates which the Government may pay must be reflected in a proportionate reduction of freight rates to private shippers. So the railroads do not get any financial benefit at all. Any saving which will result is given over to the independent, private shipper—to the business, industry, and agriculture of this country.

Mr. Chairman, this bill should pass. It has been approved before by the House. I am confident it will be passed again this afternoon.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I yield 10 minutes to the gentleman from Indiana [Mr. HALLECK].

Mr. HALLECK. Mr. Chairman, I do not know that I can add very much to what has already been said. Possibly I can restate some of the propositions involved for the benefit of those who may recently have come into the Chamber or for further clarification of the minds of some of the Members.

As I listened to the debate so far on this measure I am again reminded of the fact that so often it seems I find myself in the position of being required to appeal for careful consideration and to think the matter clear through to its ultimate consequences. Sometimes that is a little more difficult than to present the arguments that seem at first blush to carry so much weight and to kind of disturb everybody who sits and listens and who may not be familiar with the real problem. In other words, it is easy to get up here and say, "Why, if you pass this bill you are going to take $240,000,000 out of the pockets of the hard-pressed taxpayers and give it to a few big corporations." But that is not the situation at all, and anyone who will take the time to think this through will appreciate that it is not the situation.

Let us talk about the equities of the situation for a moment. This land was not granted to the railroads in the first instance in order to give excursion rates to the Government for its business. The land was granted to the railroads in order to bring about the construction of railroads and the creation of a great empire that followed the construction of those railroads. We were not emphasizing the matter of reduced rates to the Government at that time. We knew that the roads had to be built.

The gentleman from Texas who preceded me a short while ago said that his time has been constantly getting shorter in the debates on this measure. The fact of the matter is, also, that as we have debated the matter more and as Members have begun to understand it in its proper light, the gentleman from Texas and those who stand with him have constantly found themselves with less votes in this body. Why, it got down to a point where a year ago after full and complete debate the vote for passage of the measure on a division was 236 to 16. That is about the way it will be this time. I understand that probably I will not change a vote, but I do want the record to show the situation as I see it.

Reference has been made to the lands that were granted back in the fifties, sixties, and seventies of the past century, and subsequent court action to bring about a reduction of 50 percent in the rates paid by the Government. It has been pointed out that other roads than those given the land grants are affected by that because of the competitive situation. For the lands granted, the Government has not only obtained in return the creation of this great empire but has also received in reductions in rates more than the lands were worth when they were granted originally.

In addition, the lands remaining in the hands of the Government were tremendously increased in value, so on that basis the Government has had more than a fair return for these lands.

The opponents say that it is a railroad bill. It is not anything of the sort. I say it is a shipper's bill. The gentleman from California says that neither of those contentions are right. He says that in the final analysis it is a consumer's bill, and very likely that statement is correct. Yet, in the first instance, under the provisions of this bill, the benefits will not accrue to the railroads but to the private shippers, the private users of the railroads, and as those shippers are benefited, as rates are reduced on agricultural commodities from the very areas affected by these land-grant rates, then ultimately the consumer will be benefited. He will also be benefited in respect to manufactured goods.

Now then, let us take a look at the situation. If we are to have a railroad system in time of war or in time of peace, the railroads operating must get revenue necessary to pay their operating costs, to pay their interest, their fixed charges and to pay a fair return to the people who own the railroads. The Interstate Commerce Commission is charged with the responsibility of adjusting the rates to meet those needs. It is the duty of the Interstate Commerce Commission to reduce the rates, to revise the rates downward whenever possible, and to keep revenues in line with what is needed to operate the roads.

Now then, does it not stand to reason, having regard to the over-all sum of revenue that the roads must have, that if the Government gets what I call an "excursion rate," a 50-percent reduction, then the difference between that revenue and the needed revenue of the particular railroad to operate must be made up by the private shippers?

May I point out something else? Some of the people who I think mistakenly have opposed this bill are from areas in the country where they constantly complain of excessively high freight rates. The passage of this bill is one way to bring about a reduction in rates to the shippers in their areas, and if that is what they want they ought to be supporting this bill rather than opposing it.

Sometimes complaint is made in certain sections of the country about the lesser freight rate applicable in official territory; that is, up in the northern and northeastern sections of the country. There are no land-grant roads in official territory. When you load on the shippers in other sections of the country the responsibility or the necessity of making up the revenues as against the 50-percent rate for the Government, then you are excusing the taxpayers generally who pay into the Federal Treasury in official territory from meeting their fair share of the expenses of shipping goods of the Government in territories outside of official territory where land-grant rates apply.

I say it is about time that we ought to get down to what this bill is really about. We cannot blow hot and cold. If we believe in the Interstate Commerce Commission and in the regulation of the utilities, in revising rates downward in the interest of the public, if we adopt that as a matter of governmental practice and policy—and we have adopted it; the I. C. C. has been operating for over 50 years—then we should be willing to say

that if by the passage of this legislation revenues are increased to any railroads in any given territory we can depend upon the I. C. C. to see to it that that increased revenue is reflected in a general reduction of rates.

A question was raised about that when the bill was here before, and an amendment was written in on the floor that has since been written into the bill. The gentleman from Minnesota, probably pressed for time, did not read the last two and one-half lines of that language, which were:

So that such increased revenues will be reflected in appropriate readjustments in rates, fares, and charges to shippers.

Who is it who will say that the I. C. C. will not do that?

Mr. POAGE. Here is one that will say it.

Mr. GOSSETT. Here is another.

Mr. HALLECK. All right. We have a couple of men over here that venture that suggestion. That is quite an indictment of the I. C. C., to which I certainly would not want to subscribe, particularly in view of the fact that there has been quite a change in the make-up of the I. C. C. There are people in some sections of the country who have been a little disturbed about that. But if you are not willing to go along on that philosophy of government, ingrained as it is in our Government, then I am afraid I could not do much to convert you about this bill.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. WOLVERTON of New Jersey. Mr. Chairman, I yield 2 minutes, the remainder of my time, to the gentleman from Indiana.

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. HALLECK. I yield to the gentleman from California.

Mr. HINSHAW. I think the gentleman from Texas would be interested to know that the land-grant reduction on freight rates between the junction point known as Junction City, Kans., and Galveston, Tex., is 6.96 percent; between there and Fort Worth, Tex., it is 11.921 percent; and between there and Houston, Tex., it is 7.363 percent. So Texas is likewise helping to pay the Government freight bill.

Mr. HALLECK. Of course, what the gentleman from California has pointed out is true. We have had a little too much heat and not quite enough light on this whole proposition.

Mr. POAGE. Mr. Chairman, will the gentleman yield for a statement of the facts about Texas?

Mr. HALLECK. Yes.

Mr. POAGE. The gentleman from California clearly intimates that part of the land-grant rates are in Texas. Not 1 mile of that land-grant rate is in Texas.

Mr. HINSHAW. No; but Texas pays it.

Mr. POAGE. That reduction is in the State of Kansas, not Texas.

Mr. HALLECK. The gentleman from Texas is a very able, scholarly, and learned Member of this body. It pains me to find myself in disagreement with him, but he must remember that when you start a shipment from Galveston, Tex., to somewhere up in Kansas or to Chicago or some other place—maybe you are sending some of those fine Texas cattle up there—you figure a through rate, and if the Government ships on land-grant rates it gets the benefit of them, whatever they may be. So it does not make any difference, I may say to the gentleman from Texas, whether there is a mile of land-grant road in Texas or not, the people of Texas are being penalized by the very position on which the gentleman insists.

The CHAIRMAN. The time of the gentleman from Indiana has again expired.

Mr. BOREN. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana.

Mr. HALLECK. May I also suggest to the Members, and although this has been touched on it is worth restating, that these land-grant rates have set up discriminations between communities, between manufacturers in different communities, who under our system of rate making and under our theories of justice in respect to rates should have the same opportunities to get into the consuming markets that are had by persons in other sections or in other communities.

Finally, reference has been made to certain of the lands still held by the railroads. Two things ought to be said about that. It is no argument against this bill. No. 1, as I pointed out, the Government has had more than adequate return for every acre of land which was granted to the roads. No. 2, it would be rank discrimination to say to one road which had sold all of the lands granted to it, "You shall not be required to make any restitution of the money," and then to say to another railroad which had not sold its land and which still has its land, "We are going to take back from you the land which we granted to you." I say, that would be a type of discrimination which I cannot go along with and I do not believe the membership will go along with it.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Be it enacted, etc., That subsection (a) of section 321 of title III, part II, of the Transportation Act of 1940, be, and the same is hereby, amended by striking out the following: "except that the foregoing provision shall not apply to the transportation of military or naval property of the United States moving for military or naval and not for civil use or to the transportation of members of the military or naval forces of the United States (or property of such members) when such members are traveling on official duty;", so that said subsection, as so amended, shall read as follows:

"SEC. 321. (a) Notwithstanding any other provision of law, but subject to the provisions of sections 1 (7) and 22 of the Interstate Commerce Act, as amended, the full applicable commercial rates, fares, or charges shall be paid for transportation by any common carrier subject to such act of any persons or property for the United States, or on its behalf, and the rate determined by the Interstate Commerce Commission as reasonable therefor shall be paid for the transportation by railroad of the United States mail: *Provided, however*, That any carrier by railroad and the United States may enter into contracts for the transportation of the United States mail for less than such rate: *Provided further*, That section 3709, Revised Statutes (U. S. C., 1934 ed., title 41, sec. 5), shall not hereafter be construed as requiring advertising for bids in connection with the procurement of transportation services when the services required can be procured from any common carrier lawfully operating in the territory where such services are to be performed."

Mr. VOORHIS of California. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. VOORHIS of California: On page 2, line 20, strike out the period and insert a colon and the following: "*Provided, however*, That this act shall not become effective as to any common carrier which on May 4, 1945, held any lands originally granted by the United States to such carrier until all such lands except those actually in use for right-of-way and railroad use shall have been reconveyed to the United States."

Mr. VOORHIS of California. Mr. Chairman, this amendment has been offered to these bills heretofore. I have always supported it. The gentleman from Indiana gave some of the arguments that might be advanced against the amendment only a moment ago. I think we are fairly familiar with those arguments. As a matter of plain fact, I doubt there is a single land-grant railroad in the United States which does not still retain a very considerable amount of the land granted to them heretofore.

What is proposed to be done by this legislation is to relieve the railroads of a portion of the contract which in effect they made with the Government at the time the land grants were made. It is proposed to say that the railroads shall no longer be required to carry Army and Navy shipments at less than the regular rates. It seems to me that if the railroads are to be relieved of that, then the Government should be relieved from the action on the part of the Government for which the land-grant rates were a quid pro quo. I can see no justification in simply abolishing one side of the contract and letting the other one stand. All my amendment proposes to do is to say in effect that the carriers shall have their choice between retaining the land-grant rates in effect or restoring to the Government such lands originally granted to them as they still hold in fee and of which they have the outright ownership. Any land which they have sold or patented to anyone else is not affected, of course, and cannot very well be.

Mr. WADSWORTH. Mr. Chairman, will the gentleman yield?

Mr. VOORHIS of California. I yield.

Mr. WADSWORTH. Will the gentleman state whether the railroads are now paying taxes on the land which they still hold?

Mr. VOORHIS of California. I assume the railroads are.

Mr. WADSWORTH. And if they were transferred back to the Government, then there would be no taxes paid?

Mr. VOORHIS of California. That is correct. They would revert to the public domain. I am sure, however, that in the case of most of that land it would not long remain public domain.

In the original acts whereby these grants were made, such provisions as the following were generally included:

Provided, That all mineral land shall be excepted from the operation of this act.

That is included in different language in many other provisions. What actually happened was that that land, on which nobody knew whether there were minerals or not, was rather speedily patented outright to the railroads. Subsequent to that time a great deal of mineral wealth has been found in a great many of those lands. I am informed that under these circumstances there is not anything under that reservation of minerals that can be done, directly, about the matter; but certain it is that if one is to say that the Government has gotten a considerable benefit out of the granting of these lands, in view of the fact that the railroads have been built, it may certainly also be argued that the railroads have received a great deal of benefit on their part particularly from these mineral lands which had they been known to be mineral lands would never have been included in the grants at all. If it be contended that the purpose of the legislation is to equalize competitive conditions, then it would appear to me that if we want to equalize the competitive situation as between two roads, one of which is a land-grant road and the other of which is not, we ought to go to a complete and logical conclusion, and say that the lands in the hands of the land-grant roads which can be returned to the Government, should be returned.

It is clear to me that as a matter of simple justice and logic, if the land-grant rates are no longer to be enjoyed by the Government, then the lands should be given back to the Government.

Some of the railroads received much larger amounts of land than others The Northern Pacific, I believe, received the greatest amount of all, sections stretching for 50 miles from either side of the road. Some of the roads received other amounts. In any event, at the moment, as has been pointed out by other speakers, we are in the middle of a war. We are at the beginning of the very period when the greatest amount of transcontinental shipments will be made due to the Japanese War. I contend that this amendment would be a most logical addition to the bill.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. BOREN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the amendment offered by the gentleman from California is one that has been fully discussed before in this House, and has been much discussed in our committee. In the Senate they made a little different answer in their approach to this problem than we have made in section 3 of this bill. However, the proposal of the gentleman from California, if it were equitable, is simply impracticable, and cannot work.

In the first place, the people who had the land granted to them originally do not own the land today. Contrary to the supposition of the gentleman from California, only a few of the railroads that were granted the land originally still have the land today.

Let us remember another thing, that in the computation of the value of these lands today, not only has the Interstate Commerce Commission recommended this bill and gone into this particular phase of the bill, but the committee of the President, which recommended equalization of rates through the country, the same committee that the gentleman from Texas and myself and others have got up here and praised for their fine work, has recommended the passage of this. On this point they say that the total value of the lands still held by the railroads is $68,000,000.

If that is the total value today let us look at the record and see what it has cost the railroads in taxes and so on for those lands. It reaches $167,000,000 through the years. Here is the point about it: Bonds have been issued against these lands that have changed hands. Every railroad that ever had an acre of land-grant acreage has gone through bankruptcy, every last one of them, and the ownership has changed, and changed, and changed. Do you here today want automatically to abolish the value of the bonds that some widow or orphan or somebody else might have invested in? The bonds which have been issued against these railroads have as their security this very land as well as the other property of the railroads. Then there is preferred stock, too. It would either vitiate the value of all of the securities, or new stocks and bonds would have to be issued.

Mr. VOORHIS of California. Mr. Chairman, will the gentleman yield?

Mr. BOREN. I yield.

Mr. VOORHIS of California. Either the gentleman is correct that the value of this land is only $68,000,000, or he is not. Assuming that he is, and I presume, of course, he must be or he would not have made the statement, in that event the total value of the land is only one-quarter of the financial benefits that the railroads will get out of passage of this bill in 1 year and, therefore, could hardly have a detrimental effect upon their financial situation.

Mr. BOREN. I am not talking about the detrimental effect on the situation of the railroads. The proposal the gentleman makes would not amount to anything particularly material if it were levied against the railroads of the United States, but the gentleman proposes to bankrupt a particular little railroad that happens to have some of its land left.

The gentleman referred a while ago to the fact that this was a contract, and I know the gentleman honestly believed so, but if he will read those original contracts he will find that the contracts entered into, the requirement levied by the Congress, was the right of the Government to run its trains, and so forth, toll-free over the roads, and all this other stuff has grown out of various proposals, court decisions, congressional legislation. It is our responsibility today; it is not a matter of price.

Mr. LEA. Mr. Chairman, will the gentleman yield?

Mr. BOREN. I yield.

Mr. LEA. There are two facts to which I wish to call the gentleman's attention. The first is that the railroads which still retain the land are the unfortunate ones. The land is not worth as much as the money received by those who have sold. The railroads who have sold are the ones who profit. It would be a great injustice to take the lands from those who retained them, who have made nothing out of them but who have paid taxes for 70 years. The railroads estimate they have spent $167,000,000 in taxes and carrying charges on these lands. The other point is about the taxes they have paid all through the years.

Mr. BOREN. I thank the gentleman.

Mr. HALLECK. Mr. Chairman, will the gentleman yield?

Mr. BOREN. I yield.

Mr. HALLECK. It seems to me an unanswerable argument that if we were to adopt this amendment and thereby require a restitution of the lands, then in equity and good conscience we cannot do otherwise than to require of the railroads who have disposed of their lands a restitution in money for the value of the lands granted to them.

Mr. BOREN. Not only the value of the original land, but the value they might happen to have today.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

Mr. THOM. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in repealing land-grant rates and thus imposing an additional burden of perhaps three or four hundred million dollars a year on the Treasury, we seem to adopt the principle that if the United States Government ever enters a contract that turns out profitable, we should forthwith surrender our benefits. This apparently is what we are going to do today with the acclaim of business organizations that have always said your Uncle Sam was a poor businessman and did not have enough sense to make a profit out of anything he undertook. When, however, he does have a profit, these same critics advise him to give it up. The next day after we do this they will deluge us with statements about balancing the Budget.

Suppose we had given the railroads, as an incentive to build their transportation system, a perpetual lease on building sites at $1 a year in the main cities of the West, and the rental on these sites brought immense profits to the railroads. What would the railroad lawyers say if you approached them voluntarily to rescind these leases and let Uncle Sam have new leases in which he could fix rental charges comparable to the income? Do you think the railroads would agree?

Ordinarily, if a person wanted to get from under a contract that was oppressing him, he would offer a consideration for this benefit. In this case the railroads might definitely agree to cut railroad rates, or they might return the free lands which they still hold as a gift from the Government, and upon which they realize an income, but there are no such offers of compromise. We are just throwing away the benefits that the early officials of the Government wanted to preserve for us. Maybe Russia ought to

come in and ask us to return Alaska because everybody agrees that we paid too little for it.

Mr. BOREN. Mr. Chairman, I ask unanimous consent that all debate on the pending amendment close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. POAGE. Mr. Chairman, this amendment is identical with an amendment I offered last year and identical with one I have on the desk now but which I will not urge after the pending one is passed upon.

This amendment brings into sharp relief what we desire to do. We all recognize that the amendment does not work exact equity as written. It does, however, lay the problem squarely before those who propose to give away the contractual rights of the United States Government. It puts the question squarely up to those who would abrogate this contract as to whether they want to make any effort to deal fairly with the Government or whether their sole interest is to represent the needs and desires of the railroad stockholders. If it is their desire to see that the Government is given some consideration in this matter, surely they will at least agree that if we find that the contract is inequitable that we should try to restore the parties as near as may be to the condition in which they were when the contract was made. There is not a court in the land in which you could go and ask for the rescision of a contract that would not as a requirement for the rescision attempt to put the parties back in as near as possible the position they were when the contract began.

If I were to go to a second-hand clothing dealer and buy a coat on credit and then went down to him and asked him to be relieved of my note, and told him, "I think you swindled me on the coat, I think you charged me too much," he would at least say, and very properly so, "Give me back the coat before I will relieve you of your debt."

Now, the railroads have the coat. They do not have it all. They have worn it. It has holes in it. There are pieces torn out. But why should the United States Government be denied the opportunity to take the buttons if they are left on the coat?

The Southern Pacific Railroad Co. owns 8,000,000 acres of this land today.

The Northern Pacific Railroad owns nearly 5,000,000 acres of this land today on which is found some of the finest timber in all America. The Santa Fe Railroad owns nearly 2,000,000 acres of this land today. You say they cannot return it? You say that it cannot be restored? Out of those railroad tracts alone you can restore a sizable empire to the public domain of the United States. Oh, but you say it would be unfair; that certain other railroads have already squandered their portion and we cannot get anything back from them. That is true. But if we have the power that I still do not believe we have, but which members of the committee think we have, to prescribe the same rates without regard to this law for hauling Government property, then if you can prescribe by law or by order of the Interstate Commerce Commission, and without resorting to the contracts the railroads have entered into that all railroads shall haul Government freight at any certain fixed percentage of the commercial rate that you want them to. If you really want to be fair with all the railroads—and we have had lots of contention here that those who did not get the land were suffering more than those who did—if you want to be fair with them, why not prescribe a general rate all over the United States? I believe someone said that this was 28 percent on the average to all railroads. Why not simply say that all Government freight should be hauled by all railroads for 28 percent less than the commercial rate, and then you will have no inequities between railroads, you will have no inequities between communities. You will have none of those inequities and there would be no injustice in requiring the roads to return the land they now hold.

Mr. BOREN. Mr. Chairman, will the gentleman yield?

Mr. POAGE. I yield to the gentleman from Oklahoma.

Mr. BOREN. Why should the Government pay any less rate than you or I?

Mr. POAGE. Because the United States Government has already paid one-tenth of the area of the United States for that reduced rate. We have already paid handsomely for that reduced rate. It is not a matter of what we are going to pay. We have already paid it.

The CHAIRMAN. The Chair recognizes the gentleman from Ohio [Mr. KIRWAN].

Mr. HINSHAW. Mr. Chairman, will the gentleman yield?

Mr. KIRWAN. I yield to the gentleman from California.

Mr. HINSHAW. May I say to the gentleman from Texas that the over-all reduction instead of being 28 percent is 7.1 percent.

Mr. KIRWAN. Mr. Chairman, I am in favor of the Voorhis amendment. I am against H. R. 694. Every newspaper in the United States, whether it be a small town or a large city, and every magazine in this Nation since the war started, has printed full-page ads, half pages, and quarter pages showing pictures of a locomotive and three or four cars, telling the people what a great job the railroads have done during the war. After this war is over, and if they are conferring the iron cross on anybody in this country, I am in favor of conferring it on the American Association of Railroads. I make that statement because I worked on a railroad for 20 years.

Sitting in a yardmaster's office since this war started, when a car of munitions came out of the Ravenna Arsenal, the yardmaster gave the way bill to me and said, "Take a look at the price. We ship that car from Ravenna Arsenal, Ohio, to Camp Stanley, Tex." The price on that car was $4,000, or pretty nearly half a million dollars for a trainload. Suppose that the boys on Guadalcanal, Saipan, or any of those islands knew that they charged half a million dollars to ship a trainload of munitions from the Ravenna Arsenal to Camp Stanley, Tex. If you think that those figures are wrong call up the colonel in charge of transportation at the War Department and ask him what it costs to ship a carload from the Ravenna Arsenal to Camp Stanley. It will run from $1,200 to $4,000 a car.

So that is the group that is paying for the ads instead of that money going back to the Government in taxes. In newspapers in towns that do not have a railroad pass through it you will see full page ads telling what a great job they are doing; that they are patriotic people. I live in a large town in Ohio. The legislature of my State passed a law giving a railroad the right to lease 8 miles of track for 99 years.

Instead of the New York Central buying 8 miles of track they leased it from the Mahoning Coal & Railway in 1864. For 75 years every passenger and every ton of freight that has gone over that 8 miles of track has paid tribute to a few people.

You look at the stock exchange today and you will find on the big board the New York Central listed at $25 a share, but ask them what the Mahoning Valley, a coal railroad, sells for, and they will tell you $700 a share. On top of that, the dividend that was paid to the Mahoning Valley Railway last year amounted to $27 a share on a $50 par value of stock—and no dividends by the New York Central.

You get on a train today and ride over the bridge in North Philadelphia to the Jersey side, and you will pay 25 cents bridge fare for sitting in the seat on the Pennsylvania Railroad, or you did when I worked on it and collected tickets on it. Every ton of freight and every passenger that went over that vast system for years and years since they built that bridge has paid a tribute to whom? To the Delaware River Bridge Co. In the years that have passed, they have robbed and looted their own railroad of probably $200,000,000 or $300,000,000. Then we come in here today and say, "The poor shipper, the poor farmer." Oh, what a job we are doing on both of them, and we are doing that because this Congress and all the State legislatures never had the courage to stop the robbing and looting. That is what they meant by the Holding Company Act of 1935. If they had only repealed those things by that death penalty clause that was in there, America would have gone forward as she should have. But as long as we stand for those leeches bleeding their own railroads—go into St. Louis, and whether you go in through the tunnel or the elevated, you pay tribute to a few people by 30-some railroads who go in there. That is why your rates are high. Then they are in here today, that same great group that is advertising what a great patriotic job they are doing. Supposing a kid in those islands were allowed to advertise and tell what a great job he is doing carrying a gun there.

The CHAIRMAN. The time of the gentleman from Ohio has expired. All time has expired.

The question is on the amendment offered by the gentleman from California [Mr. VOORHIS].

The question was taken; and the Chairman announced that the "noes" appeared to have it.

Mr. BRADLEY of Pennsylvania. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chairman appointed as tellers Mr. BOREN and Mr. VOORHIS of California.

The Committee divided; and the tellers reported there were—ayes 46, noes 121.

So the amendment was rejected.

The Clerk read as follows:

SEC. 2. The amendment made by this act shall take effect 90 days after the date of enactment of this act.

Mr. HAVENNER. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am one of those who feel that under normal circumstances, in times of peace, a very convincing argument could be made in favor of repealing the land-grant railroad rates, and under such circumstances I might be inclined to vote for repeal.

But these are not normal times, Mr. Chairman. These are the most abnormal times in the history of our Nation, and the people of America are laboring under the most staggering burden of taxation ever imposed upon any free people.

The immediate automatic effect of the passage of this bill at this time will be to increase the transportation bill of the Government of the United States by hundreds of millions of dollars annually so long as the war shall last. There is only one way whereby the Government can pay this increased bill, and that is by collecting additional taxes from the people. So it is an accurate statement to say that the effect of this bill, if it is passed now, will be an automatic increase in the war taxes of the American people, and this increased tax revenue collected from a war-burdened people will automatically flow into the coffers of the railroads.

If the repeal of the land-grant rates is brought up again, after the war is over, I may vote for it. But I will not vote to raise the war taxes of the American people in order to increase the revenues of railroads which are already earning, as a result of the war, far more money than they ever earned before.

Mr. Chairman, the suggestion made by the proponents of this bill that if it is passed the railroads will voluntarily agree to a reduction in rates is a very illusory idea. I have served for years on a State regulatory body, and I can assure you that philanthropic offers by public utilities in the interest of rate payers are so rare as to be practically nonexistent. And even if the railroads did reduce their rates during the war, the effect of this bill would still be an increase of war taxes on all the people for the benefit of a limited number of private shippers who operate during wartime as well as for the benefit of the railroads.

Mr. Chairman, the Congress has refrained from repealing the land-grant rates for the greater part of a century. Certainly there is no good reason, except the interest of the railroads, why the repeal should not be further delayed until the war is over, if by so doing we can save the taxpayers of our Nation many hundreds of millions of dollars.

Mr. DE LACY. Mr. Chairman, I offer an amendment which I have sent to the desk.

The Clerk read as follows:

Amendment offered by Mr. DE LACY: On page 2, line 22, after the phrase "after the date," strike out all of the following language and insert "on which the Interstate Commerce Commission, having considered the effect of the increased revenues, has ordered a just and commensurate reduction in rates, fares, and charges to shippers."

Mr. DE LACY. Mr. Chairman, we need not take a position of unalterable opposition to the objective sought by this bill. We should make sure that handing over to the railroads several hundred million dollars in increased rates on Government freight, is not just a raid on the Public Treasury. We should make sure that that gift is reflected in lowered rates which the shippers generally, the people, and the Government itself can have the benefit of.

There is nothing unjust or unreasonable about my amendment. We propose today actually to increase the revenues of the railroads by something like a quarter of a billion dollars without having expert knowledge ourselves of whether that action is necessary. My amendment would shift to the Interstate Commerce Commission, which is the legal rate-making body, determination of how much more this would mean to the roads in terms of profits, and would make certain—not just possible—would make certain a reduction in rates that would be just to the railroads, just to the Government, just to the people, and commensurate with the amount of the gift involved.

I hope the House will adopt my amendment.

Mr. BOREN. Mr. Chairman, I rise in opposition to the amendment.

I do not care to discuss it at length except to say that the gentleman's amendment would call on the Interstate Commerce Commission to fix rates without even considering the factors involved in them. It is an automatic order to fix rates without predetermination and experience behind that fixing of the rates.

As far as I am concerned, I would like to see the matter go to a vote.

Mr. DE LACY. Will the gentleman yield?

Mr. BOREN. Yes; I yield.

Mr. DE LACY. The amendment specifically includes a provision that the Interstate Commerce Commission, having considered the effect of the increased revenue, would determine a just and proper rate. So I think the gentleman's point is not well taken.

Mr. POAGE. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I find myself supporting a series of amendments which I have offered in past years. I have an amendment on the Speaker's desk at this time to the last section, which is very similar to this, because after all this amendment will affect both sections. The last section is the one which the proponents of this bill have held out to you as a cure-all. That is the thing that you are to take back to your farmers. Here is what they say you are to take your farmers and show them as evidence of what you have done for them. You are to say to him: "Mr. Jones, just look what we did for you. We saddled off something like a $250,000,000 or $350,000,000 tax burden onto you, but here is what we did for you: We wrote into that bill in terms that you can understand, or if you cannot understand maybe that your mule can understand them—anyway it says that "the Interstate Commerce Commission, in the exercise of its power to prescribe just and reasonable rates, fares, and charges, shall give due consideration to the increased revenues which carriers will receive as a result of the enactment of this act, so that such increased revenues will be reflected in appropriate readjustments of rates, fares, and charges to shippers."

Now, you are supposed to say: "Mr. Farmer, we hope something good is going to happen to you, for we had a dream that you are going to have some good luck, and you know that if you don't have that good luck, we have taken good care of the railroads, anyway, so why should you be bothered with this little matter of a quarter of a billion dollars the Government is going to have to pay? Why, what is that to you?"

And we have been told, too, by the gentleman from Indiana that this section makes it absolutely certain that the farmer is going to get the benefit of this bill, but there is not one word in that paragraph that says the Interstate Commerce Commission shall do anything, only a pious hope that they shall give consideration to these things. Do you know that the Interstate Commerce Commission held long ago that it could not even consider a rate except when somebody came up and complained about it? The Interstate Commerce Commission has been fooling around for 55 years talking about doing something about discriminatory freight rates in the territory of the chairman of the subcommittee, and they have not done a thing in the world. The Interstate Commerce Commission has not done one thing toward readjusting the inequitable rates that are imposed upon those sections of the Nation that have to pay 175 percent of what those of you who live in the official territory have to pay.

Mr. BROWN of Ohio. Mr. Chairman, will the gentleman yield?

Mr. POAGE. No; I have but 5 minutes.

This committee comes along now and gives us this eyewash and tells us, "Oh, why, we have made it sure that there will be a great saving; we are going to make a lot of saving; we are going to cost the Government a quarter of a billion dollars, but somehow or other in some way we do not quite understand, it is going to amount to a great saving." I do not understand this great saving, and I do not believe this committee itself does. I want to hear this committee instead of saving so much time explain how they are going to save money for the people of the United States. I want to hear this committee instead of cutting down on time allowed for discussion of this bill to show us how the Interstate

Commerce Commission is going to be forced to give some considerable reduction. This committee never has forced the Commission to do anything yet.

Here comes an amendment that simply says that the Interstate Commerce Commission shall do what the committee said it is going to do. Why should this House object to telling the Interstate Commerce Commission to do what the committee tells us they are going to do anyhow? The committee says: "Oh, yes; the Interstate Commerce Commission is going to save a quarter of a billion dollars." Well, let us see that they do it before we give the other fellow the reduction. All in the world this says is: "Put the cash on the barrel head before you walk out with the goods." I am not going to let you drive my cattle off my range until you have paid me in cash. That is all this says. It says that before the railroads get by with this tremendous increase in the Government's transportation bill we want some order, requirement, some understanding; we want something in the law that says that the people will get some of this money passed back to them. The gentlemen tell us we should pass this bill so our people will get these savings. Why do they fear to put in writing what they so freely promise us?

Oh, I have heard the members of this committee plead their anxiety about the people. Now let us see how far it will go for the people, how far they will write into written law what they are going to do for the people. It is just a question of whether you want idle spoken words or whether you want it written down where all can read and understand.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HARLESS of Arizona. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I shall not take the 5 minutes, but I shall just point out the fact that we believe in the integrity of the Interstate Commerce Commission. This amendment merely asks the House to tell the Interstate Commerce Commission that it shall do its duty. I think there is no one here who will question the honesty and integrity of the individual members of that Commission. We know that they will carry on their duties and as soon as practicable when they know the rate they can fix they will pass on the savings in the rate to the shippers.

Mr. RUSSELL. Mr. Chairman, will the gentleman yield?

Mr. HARLESS of Arizona. Mr. Chairman, I yield back the balance of my time.

Mr. HOOK. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Michigan is recognized.

Mr. HOOK. Mr. Chairman, all I want to say is that if the gentleman who spoke previous to me has so much faith in the Interstate Commerce Commission as he says he has then I do not see why he is opposed to this amendment. We all know that the rates set by the Interstate Commerce Commission have not been fair. You all know about the differential in rates between the South and the North. Why has not the Interstate Commerce Commission taken care of that situation? They have not because we have not written it into the law. That is why they have not taken care of it.

I cannot see why the committee or this House should be fearful of writing that thing into the law which I think is right. Why can we not say this in writing and by statute in direction to the Interstate Commerce Commission, then we will be sure it will be done; otherwise we are only going on conjecture as to whether or not it will be done.

The whole truth is that when you get the railroad organizations and the powerful labor unions of the railroads lobbying for a piece of legislation, you have powerful groups. You want to remember, as some of the previous speakers have said, that there is a powerful group coming from across the seas that will be doing some lobbying a little later on.

Let us write into the law the thing which this committee says is right, the thing that we say the Interstate Commerce Commission is going to do and should do, then we will be sure that justice is done. If we do not write it into the law how in the world are we going to be sure it will be done? They say this is going to be done as a matter of justice. Let us see that justice is done. That is all we are asking by this amendment. It is to place upon the statute books the thing that your committee says should be done, the thing that all of us agree should be done and the thing that we hope the Interstate Commerce Commission will do.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Washington [Mr. DE LACY].

The question was taken; and on a division (demanded by Mr. HOOK) there were—ayes 33, noes 110.

So the amendment was rejected.

The Clerk read as follows:

SEC. 3. The Interstate Commerce Commission, in the exercise of its power to prescribe just and reasonable rates, fares, and charges, shall give due consideration to the increased revenues which carriers will receive as a result of the enactment of this act, so that such increased revenues will be reflected in appropriate readjustments in rates, fares, and charges to shippers.

Mr. GOSSETT. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. GOSSETT: Page 3, line 4, after the period insert the following sentence: "Insofar as economically practicable and justifiable the Interstate Commerce Commission shall remove all rate discriminations and inequalities."

Mr. BOREN. Mr. Chairman, I make the point of order against the gentleman's amendment that it is not germane to the bill.

Mr. GOSSETT. Will the gentleman withhold his point of order for a moment?

Mr. BOREN. Yes, Mr. Chairman; if the gentleman will yield. I wonder if we could reach an agreement to close debate on this section. Mr. Chairman, I ask unanimous consent that all debate on this section close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Chairman, when the Interstate Commerce Commission was created by an act of Congress in 1887, it was clearly the intent and purpose of Congress, I think, that the Interstate Commerce Commission represent the public and initiate rate adjustments and reforms where the same were needed and justified. However, soon after its creation the I. C. C. wrapped itself in judicial robes and became, in effect, a court. They now hold that they have no authority to make rate adjustments and to remove rate discriminations and inequalities; that they can act only after judicial proceedings on petitions filed, and so forth.

I am one of those who voted for the Transportation Act of 1940 which was long debated in this Congress. I so voted thinking such act in the public interest. In that act, among other things, we put water carriers under the Interstate Commerce Commission. At that time we were assured that such action would not result in the elimination of competition between water carriers and rail carriers. Yet on June 14, 1943, in the case of *B. & O. Ry. Co. and I. C. C., appellants,* v. *Inland Waterways et al., appellees* (319 U. S. 67), the Supreme Court held that under the Transportation Act of 1940, and other acts of Congress, the railroads had the power to discriminate against water traffic, which they were doing under the admitted facts in the case, imposing a higher rate on grain moving into Chicago by water than grain moving in by rail. The obvious purpose and intent of this was eliminating water competition.

Just so long as we make pious appeals to the I. C. C. as we are doing today in the matter of rate discrimination, they will do in the future as they have done in the past—exactly nothing. So why in some of these pieces of legislation, instead of just going along and handing the railroads whatever they want, should we not pin the railroads and the I. C. C. down in the matter of doing economic justice to the various sections of this country? It is high time that we dealt with this economic cancer in American transportation. We know as a matter of fact that we have five rate zones in America, and that the so-called official zone, being the States north of the Ohio and east of the Mississippi, has a vast favorable rate differential as opposed to all other sections of America. Yet we try to do it this way, that way, or the other way, and we ignore the one simple and only method by which we are going to get results, and that is for this Congress to say to the I. C. C., not "We hope you will do something," but "You shall, insofar as economically practicable, remove this discrimination." That is what this amendment proposes to do. It proposes to make emphatic what is expressed as a pious hope in section 3.

Mr. BOREN. Mr. Chairman, I insist on my point of order that the amendment is not germane to the bill.

The CHAIRMAN (Mr. GORE). The bill under consideration amends section 321, title III, part II, of the Transportation Act of 1940. Section 3 of the bill under consideration directs the Interstate Commerce Commission to make certain readjustments in rates as a consequence of the act, if passed. The amendment offered by the gentleman from Texas undertakes to direct the removal of all discriminations and inequities irrespective of the scope of the bill under consideration. The Chair, therefore, sustains the point of order.

Mr. VOORHIS of California. Mr. Chairman, I ask unanimous consent to return to section 2 of the bill so that I may offer an amendment with regard to the effective date of the act.

Mr. BOREN. Mr. Chairman, I shall have to object to that.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. GORE, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 694) to amend section 321, title III, part II, Transportation Act of 1940, with respect to the movement of Government traffic, pursuant to House Resolution 231, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. RUSSELL. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. PACE) there were—ayes 176, noes 40.

Mr. O'HARA. Mr. Speaker, I object to the vote on the ground that a quorum is not present.

The SPEAKER. The Chair is present. Two hundred and seventeen Members are present, a quorum. The bill is passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. O'HARA. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in the Committee of the Whole today and to include certain tables furnished by the Library Reference Service.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. HOOK. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include therein a certain newspaper article. The Public Printer estimates that the cost is $130.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

Mr. HENDRICKS. Mr. Speaker, I ask unanimous consent to extend my remarks and include a resolution from the Legislature of the State of Florida and also to extend my remarks in another instance and include an editorial from the Deland Sun-News.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. DE LACY. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein a statement I made before the Small Business Committee of the Senate, and secondly that I be permitted to extends the remarks of my colleague the gentleman from Washington [Mr. SAVAGE] and include therein an editorial on the death of our late President.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

LEGISLATIVE APPROPRIATION BILL, 1946

Mr. SABATH, by direction of the Committee on Rules, submitted the following privileged resolution (H. Res. 244, Rept. No. 521) on the bill (H. R. 3109) making appropriations for the legislative branch for the fiscal year ending June 30, 1946, which was referred to the House Calendar and ordered printed:

Resolved, That during the consideration of the bill (H. R. 3109) making appropriations for the legislative branch for the fiscal year ending June 30, 1946, and for other purposes, all points of order against the bill or any provisions contained therein are hereby waived.

STATE, JUSTICE, COMMERCE, JUDICIARY, AND FEDERAL LOAN AGENCY APPROPRIATIONS, 1946

Mr. RABAUT, from the Committee on Appropriations, submitted a conference report and statement on the bill (H. R. 2603) making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and the Federal Loan Agency, for printing in the RECORD.

LEGISLATIVE PROGRAM

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I would like to ask the majority leader to tell us the program for next week.

Mr. McCORMACK. Mr. Speaker, I am very glad to do so. On Monday, the Consent Calendar will be called and also the Private Calendar.

House Concurrent Resolution No. 39, setting forth the governmental policy on the apprehension and punishment of war criminals will come up under suspension of the rules.

The bill (H. R. 388) to amend the Nationality Act will come up next.

Mr. MARTIN of Massachusetts. Will the gentleman explain what that bill does?

Mr. McCORMACK. That is the bill pertaining to persons born outside of the United States and its outlying possessions of parents, one of whom is a citizen of the United States, who prior to the birth of such person has resided in the United States or one of its outlying possessions for a period totaling 5 years subsequent to his twelfth birthday, and so forth. Does that give the gentleman the information he desires?

Mr. MARTIN of Massachusetts. Yes.

Mr. McCORMACK. The act provides that such person by acting within a certain period can assert his citizenship as an American.

Mr. MARTIN of Massachusetts. I thank the gentleman.

Mr. McCORMACK. On Tuesday, 1 hour and 15 minutes has been set aside by special order for the Committee on Food and Meat Investigation.

On Tuesday there will be further consideration of the resolution to amend the Constitution on treaty approval. On Wednesday the legislative appropriation bill will be taken up.

On Thursday and Friday the first order of business will be the conference report on the State, Commerce, and Justice Departments appropriation bill, just reported by the gentleman from Michigan [Mr. RABAUT]. Then the reconversion statistics, which is really a census of manufacturing and business population, and so forth.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Massachusetts. I yield.

Mr. TABER. How much time is to be allotted on that last bill?

Mr. McCORMACK. Of course, that is a matter of which I have no knowledge, because I leave that matter to the committee.

Mr. TABER. I do not see how it could take less than 2 days.

Mr. McCORMACK. I am glad to have that information, but the gentleman knows my policy is to leave that matter to be adjusted between the chairman of the committee and the ranking minority member, or within the committee itself. That is a policy which I have always followed and which common sense and good judgment dictate should be followed.

Mr. MARTIN of Massachusetts. I thank the gentleman.

EXTENSION OF REMARKS

Mr. CLASON asked and was given permission to extend his remarks and include some figures from the Department of Agriculture.

Mr. BRUMBAUGH asked and was given permission to extend his remarks in the RECORD in connection with the Polish Constitution.

Mr. REES of Kansas asked and was given permission to extend his remarks in the RECORD and include a resolution adopted by the Kansas Farm Bureau.

PERMISSION TO ADDRESS THE HOUSE

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent that after the other special orders today, I may proceed for 1 minute and extend my remarks to include an article appearing in the New York Herald Tribune entitled "Don't Ever Forget Her," in appreciation of two nurses.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mr. SCHWABE of Missouri. Mr. Speaker, I ask unanimous consent that on Monday next, after the legislative business and any other special orders, I may address the House for 30 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. POAGE] is recognized for 30 minutes.

POSTWAR AIR, NAVAL, AND MILITARY BASES

Mr. POAGE. Mr. Speaker, the winds of war are fast blowing themselves out. We realize that we will yet suffer many bitter losses in the Far East before peace is restored to the world, but today even the most ignorant Japanese must realize that the Allied Nations are riding the high road to victory.

America has made an unparalleled contribution to that victory. It does not detract from the glory of the British who fought alone during these terrible months after the collapse of France to point out that it was American destroyers that held the German submarines and that General Montgomery used American tanks to turn the tide at El Alemain. It implies no lack of appreciation for the personal heroism of the Russians who fought back 2,000 miles from the banks of the bloody Volga at Stalingrad on through Vienna and Berlin to remember that a large part of that remarkable advance was made on American trucks and that much of the scanty rations of the men who rode those trucks came from American lend-lease. Our allies have fought a brave fight. Without their sacrifice we could not hope to be sighting the banners of victory today. We gladly pay tribute to their contribution to the success of the Allied armies. There is glory enough for all, but we would be unworthy of those American boys who so gloriously acquitted themselves all over the world were we to allow anyone to ignore the great fact that American blood, American tears, American sweat, and American goods have played in every theater of this war. After all, American boys have fought and are still fighting in every battlefield. Americans have made up the great bulk of the armies that have overrun Germany. Americans certainly did our share in the liberation of France. American troops have fought side by side with the British in the reconquest of British Burma, and the American Air Force has been the only substantial group that has come to the relief of the Chinese. America threw her ill-prepared troops and ships between Australia and the Yellow Peril in 1942. American ships have carried food and supplies from the United States of America to the defenders of freedom all over the world. The American Navy joined with the British to clear the Atlantic. American troops led the way in north Africa and in Italy. At the same time American boys have alone and unaided driven the Japs back for 5,000 miles across the Pacific. No other nation has fought the forces of evil on so many fronts and in such force.

And while our boys were actually fighting and dying all over the world, we have been, in truth and in fact, both the arsenal and the granary of the world. We have armed the French. We have rebuilt their naval vessels. We have given them the tools with which to fight their way back as a nation. We have furnished the vital sinews of war to all our allies. We have even supplied dozens of smaller nations with the munitions they needed to make it safe for them to join the Allies.

We have done these things freely. We have neither asked nor received any reward, and in many instances we have received very little thanks. We have seen nations all over the world demand territorial concessions for themselves. We have recognized the special concern of the Russians in regard to the affairs of eastern Europe. We have understood the insistence of the British on the maintenance of their strong position in Africa, the Mediterranean, and the Indian Ocean. We understood the natural desire of France to readjust her eastern boundaries so that the threat of German invasion may be lessened, and I, for one, am ready to allow France, Belgium, and Holland not only to annex every foot of land west of the Rhine, but to go further and move the present German population back across that natural barrier. In spite of the uncooperative attitude which the French have shown by simply sitting down in Strasbourg and thereby making the Americans advance more difficult, I would still assign as much of the American occupation zone to France as she cares to police. In short, let it not be said that the United States has tried to interfere with the domestic affairs of any European country except, of course, those of our enemies—where I pray we will continue to interfere for a hundred years to see that Germany is never again allowed to possess the means of making war. Nor can it be said that any other American power has tried or now tries to interfere with the local affairs of the nations or the people of Europe.

In the face of what we have done for the European nations and in view of our forbearance to ask for influence on that continent, is it unfair or unreasonable when the people of the Western Hemisphere ask to be allowed to live their lives without European interference?

In 1823 President Monroe proclaimed the doctrine that bears his name—to the effect that the United States would not permit further conquest or occupation of American territory by the European powers. This put an end to the expansion of the colonial system in this hemisphere. It also gave a much-needed degree of support to a number of newly organized American republics. It did not, however, bring an end to European colonialism already existing in this hemisphere. Spain, France, Great Britain, Holland, Denmark, and Russia still retained American colonies, and Brazil then occupied a rather unique position with the royal family of Portugal living in and heading the Government of that great nation.

Since that date Brazil has become a free and independent republic. Russia has transferred her American possessions to the United States, and Alaska is an integral part of this country. The Spanish colonies brought about the Spanish-American War of 1898. Cuba became independent, and Puerto Rico, along with the Virgin Islands, which we purchased from Denmark, exist for all practical purposes, as our only colonial possessions. The bulk of the British colonies have become the self-governing Dominion of Canada. The British do, however, still retain a number of islands all the way from the Bermudas to the Faulklands in a colonial status. Great Britain also owns the only colonies on the mainland of North America—British Honduras, which is geographically a part of Guatemala and Labrador which is thought by most people to be a part of Canada. In addition, the Government of Newfoundland is extremely confusing to most Americans, but it is clearly on the way to ultimate union with Canada.

The British also own British Guiana on the north coast of South America. Beside it we find French and Dutch colonies. The French and the Dutch also own certain small islands in the Caribbean area. It was these French islands and the two very small French islands in the St. Lawrence Gulf that caused us so much difficulty during the early part of this war. We also found ourselves in difficulty as a result of the Danish sovereignty of Greenland.

Surely our experience during the past century and a quarter should prove that it is high time that we extend the Monroe Doctrine to its logical conclusion and bring the colonial system to an end in the Western Hemisphere. I do not ask or suggest that we interfere with the arrangements that Old World nations may maintain in the Old World but in the free lands of our New Western World, the colonial system has no proper place—and that goes for the United States as well as for European nations. For generations our southern neighbors have been suspicious of our strength. Let us now implement the spirit of the Declaration of Chapultepec by joining with the other democracies of the two Americas in a serious effort to bring an early and, of course, a peaceful and mutually satisfactory end to the colonial system in this hemisphere. Every inhabitant of the Western Hemisphere should be in fact, as well as in name, a citizen and not a subject. The New World should be a free world. Just as the ownership of human beings by other humans has been driven from these shores, so must the archaic conception of private-prop-

erty rights in the governments of other human beings also go.

The people of the Caribbean Islands, of the Guianas, of British Honduras and the other colonial areas should be free of foreign rule. True it is extremely doubtful if any one of these colonial areas could afford the luxury of self-government if forced to exist as a separate nation. Surely this war must have taught the peoples of the world that there is both a degree of safety and security in size. Surely it must be clear that those small nations that persist in continuing a separate existence lack much in stability which their larger neighbors enjoy. I do not want to be understood as suggesting that the small nations do not have inalienable rights which must in good conscious be recognized. I only want to suggest that those people who have been willing to unite in larger governmental units seem to have been able to greatly strengthen their national position and to greatly increase the efficiency of their governments. My own homeland was at one time the independent Republic of Texas. Texas had to give up her sovereignty to enter the American Union, but every Texan knows and all the world knows that we gained and the other States gained by the merger. The Great Britain that we know today is the result of the union of England and Scotland. The Soviet Republic is composed of a number of once separate nations. It would, therefore, in the light of history seem expedient to say at least for the people of these colonial areas to unite with neighboring republics rather than attempting to maintain separate governments.

The only exception to this rule might be the Guianas. Possibly the people of the British, French, and Dutch colonies might with some justification establish one common government. I do not know enough about this area to express an informal opinion on that question. I would, however, feel that it should be considered by all of the jurisdictions involved and possibly the area should be incorporated with either Venezuela or Brazil or part of the area with one and part with the other of these neighbors.

British Honduras presents little problem. It seems clear that it should cast its lot along with that of its Central American neighbors. Labrador and Newfoundland are now so closely related to Canada that little trouble should be experienced with them. Geography would also seem to dictate that the French islands in the Gulf of St. Lawrence and Greenland should also be united with the Dominion. The Argentine has long claimed the Faulkland Islands.

We are confronted by a far more difficult problems when we consider the islands from Bermuda to South America. Bermuda itself might be made a part of the State of Delaware but for the reported intense anti-American attitude of a large part of its inhabitants. Possibly the people of the islands would prefer to become a part of Canada. I think the wishes of the people affected should control. South of the Bermudas we must provide for the government of the great group of islands roughly known as the islands of the Caribbean but definitely including the Bahamas. Today Cuba stands out as a natural leader, but we cannot overlook the fact that this area contains two other independent republics—Haiti and the Dominican Republic. It also includes Puerto Rico and Jamaica as well as hundreds of lesser islands. The people include many races and many languages are used. The difficulties of establishing an economically sound and politically stable state in this area are many. I do not know that Cuba would be willing to undertake leadership in the establishment of a union or confederation of the Caribbean, but I am convinced that she should be given the opportunity to do so if she will.

So much for the outline of the independence which I visualize for the colonial people of the Americas. How are we to bring about this transition from the status of subject to citizen? The United States has set the example in the Philippines. I wish we could expect the European nations to follow that example, but I indulge in no such hope. I believe we can confidently expectly the United States to welcome an opportunity to enable the people of Puerto Rico and of the Virgin Islands to become citizens of a stable, independent state, but I would expect the European nations to part with their property rights only for a price. Let us then ascertain their price, and if it is at all reasonable, let us pay it.

With the exception of Denmark and possibly of the Netherlands, every one of these European colonial powers is indebted to the United States in such tremendous sums that it seems impossible that they will ever be able to pay through the normal process of trade and transfer of gold. In fact, both France and Great Britain owe the United States billions of dollars from World War No. 1. The existence of these debts was surely one of the contributing causes for the breakdown of world trade in the late twenties. The existence of the vastly larger present debts will surely have a tendency to make world trade more difficult after the close of this war. Great Britain and more particularly France, have very recently urged the United States to extend vast post-war credits either as a continuation of lend-lease or under some new arrangement. That we have been generous in our dealings with both France and Britain, no one can deny. That we will continue to be of every possible help, no one can doubt.

I think we have a right to expect these nations to show a similar attitude toward the United States, and I believe if we will present the matter frankly and openly, they will meet us in the same spirit. Too many of our people seem to think we must apologize every time we ask Britain or France for cooperation, but France did not apologize when she asked for a $2,000,000,000 reconstruction credit in the United States, nor has Britain apologized for asking a part of the great merchant fleet we have built. They are perfectly willing to ask us to share our goods with them for their own use. Should they not be willing to sell us their American property when we ask only to give that property to the people of the lands involved? I believe that such a deal can be worked out. In any event we should make the effort. If these nations are so selfish and unreasonable as to expect us to continue to supply them with everything they need and to allow them to refuse to pay what they could on their debt, then it is clear that our people and the people of the world should know the facts. Only in this manner will we be able to intelligently direct our own post-war attitude toward our European neighbors. If they are cooperative we will continue to be cooperative. If they are uncooperative, we will recognize their rights, but we will naturally give more thought to collecting our debts.

Payment for these property rights, if made by crediting the indebtedness due the United States, would be the first real substantial and effective reduction of the European debt due this country since we became a creditor nation. How different from the old days when we were a debtor nation. In those days we paid our foreign obligations promptly. For 100 years it just about took the entire proceeds of the American exports of cotton to service our European debt. The point is that when we owed them, we applied whatever we had to the payment of our debts and made world trade possible. Britain and France must realize that they need world trade as badly as we do. They must realize that this great debt they owe the United States is a most serious obstacle to world trade. It is true that these nations have very little goods with which to pay, but they do own these colonies which they have long claimed are of no value to them. Nor do these European nations need these colonies as bases for their national defense. Since they receive no income or other benefit from their ownership, and since the existence of these colonies can only create ill will against their European overlords, not only among the subject people but also among the people of all the Americas, why is this not a propitious time for them to sell?

The question next arises: Why should the United States buy these colonies? Are we not committed to a policy of independence, not of imperialism? To that I would answer in the affirmative, and add that I know of no better proof of our attachment to such a policy than that we would be willing to purchase the independence of these territories and then turn the administration of the government of the inhabitants over to the people themselves. These people need the help of their American neighbors. The United States should be willing to give that help, and we should invite other American nations to join with us. For instance, Canada can doubtless finance any arrangement that may be worked out in regard to the colonies adjoining her. Brazil would surely welcome an opportunity to participate in payment for the Guianas, particularly should it be decided that all or part of that territory should be united with that Republic. In any event, it is a matter which should involve the cooperation of all interested American nations. To further evidence our good faith, the United States should,

at the very beginning of the negotiations, make it perfectly clear that as soon as any sound confederation or union is established that will enable the Caribbean lands to reasonably hope to maintain a separate independent existence that we stand ready to give both Puerto Rico and the Virgin Islands their independence to enter such a union.

And what, I can hear my practical colleagues say, would the United States receive from such an arrangement? In the first place, we would receive the good will of our neighbors, and that kind of good will pays off with interest, as we have so recently seen in the glorious action of the people of the Philippines. Second, we would remove a source of constant irritation and a potential threat to our very national existence. Let us not forget that we fought a war with Spain and came very near to a war with Vichy France as a result of these colonial areas at our very front door. Let us not overlook the fact that these islands would make perfect bases for a blitz-bomb attack on the United States itself. Let us, therefore, look to our own national safety just as we have encouraged our European friends to do in their home areas. Let us, in working out this transfer of sovereignty, take care to reserve for the United States—not 99-year leases—but the right in perpetuity to retain, establish, and maintain all needed air, naval, and military bases in and on these areas. Only in this way can we have the security we must have, and only in this way can these areas themselves have the protection that they will be unable, in many cases, to provide for themselves. The experience of the American base on southern Cuba for the past 40 years has shown how helpful such an arrangement can be to all concerned, and at the same time it has demonstrated that the local government can be free to function with security from fear of foreign attack. We have no right or desire to control or govern the people of these areas. We do, however, have the duty to protect the United States and to aid in the defense of the western world. We are going to perform that duty. As I see it, we can do this vital job with the greatest good to all concerned by approaching it along the lines I have outlined. I have, therefore, introduced House Concurrent Resolution No. 52, which is now before the Committee on Foreign Affairs. This resolution, if adopted, would instruct the State Department to open negotiations with the governments involved. The time has come when the American nations must say to the Pharaohs of Europe, "Let my people go."

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. POAGE. Yes, sir; gladly.

Mr. JOHNSON of Oklahoma. The gentleman has made a very interesting and informative address, as he always does. He has made a great study of the subject matter, and I am sure the Members have listened to his address with a great deal of interest. Would the gentleman care to tell the House what he thinks about islands like Iwo Jima which are right at the back door of Japan? What does he think should be done about islands such as that?

Mr. POAGE. I will be glad to do so. Of course, my opinion, I think, is the same as the opinion of the gentleman from Oklahoma, but I am sure that it has no special value to the House. But I certainly believe that the United States of America should retain absolute sovereignty over every island in the Pacific north of the equator except the immediate Japanese homeland—and I do not mean Formosa and I do not mean the Okinawas. I would take them all. We need them for our defense. That, as I see it, is a vastly different thing from a colonial empire. These islands, such as Iwo Jima, have no population. All told, those little islands have an area of 900 square miles, or less than the area of my home county.

Mr. JOHNSON of Oklahoma. I assume that the gentleman is not in sympathy with the discussion of mandating those islands to some neutral country?

Mr. POAGE. I definitely am not.

Mr. JOHNSON of Oklahoma. Neither am I.

Mr. POAGE. I am not in favor of mandating them. I am in favor of recognizing our right as conquerors who have fought the Japanese and who have taken those islands with the blood of our boys and we are going to hold them.

Mr. JOHNSON of Oklahoma. The gentleman has made a fine speech.

Mr. POAGE. I thank the gentleman.

The SPEAKER. Under previous order of the House, the gentleman from North Carolina [Mr. ERVIN] is recognized for 1 hour.

F. E. P. C.—A CONCENTRATION CAMP FOR ALL AMERICANS

Mr. ERVIN. The following is an outline of my speech:

First. Clash between fascism and democracy:

(a) Fascism destroys the liberty of the individual.

(b) Democracy promotes the liberty of the individual.

(c) Shall we choose the road to serfdom?

(d) F. E. P. C. would destroy our liberty by regimentation.

(e) Appeal to reason, without bitterness or accusation.

(f) Source material printed in Appendix of the RECORD today.

Second. Class legislation would make preferred stockholders of aliens, naturalized citizens, Jews, and Negroes:

(a) An unjustified complaint of discrimination puts F. E. P. C. regimentation into high gear.

(b) This is not a sectional question.

Third. These minorities are now well represented in government and in industry:

Fourth. F. E. P. C. would regulate and regiment veterans, postmasters, heads of Government departments, States, counties, cities, towns, farmers, merchants, newspapers, small business, management, labor, labor unions, and contractors:

(a) Would repeal veterans' job preference law.

(b) Under the immunity clause.

(c) Under the contractor's clause.

(d) Under the interstate commerce clause.

Fifth. Many acts would be prohibited:

(a) Employers would be held accountable for many acts of others.

(b) F. E. P. C. would prevent some acts of which you approve.

(c) Proposed bill would undertake to "legislate love."

Sixth. Americans would be pushed around by un-American procedures in a kangaroo court.

(a) Bureaucrats could issue and change all sorts of regulations.

(b) Trial could be held anywhere, at anytime.

(c) F. E. P. C. could copy your records without court order and without affidavit of probable cause.

(d) F. E. P. C. would act as prosecutor, judge, and jury.

(e) You would have no statutory right to cross-examine adverse witnesses.

(f) No appeal on questions of fact.

(g) F. E. P. C.'s greatest weapon would be fear.

1. Fear by postmaster of losing job.

2. Fear by heads of all departments and agencies of Federal Government of losing jobs.

3. Fear by States, counties, cities, and town of losing Federal aid.

4. Fear by farmers, newspapers, merchants, small business and management, private enterprise, and everybody—

a. Of being required to reinstate with back pay.

b. Of being punished for contempt.

c. Of being fined $5,000.

d. Of being imprisoned for 1 year.

Seventh. This kangaroo court would have carpetbagger personnel:

(a) F. E. P. C. bureaucrats are Negroes, Jews, and members of lunatic fringe.

(b) F. E. P. C. bureaucrats could not be impeached.

(c) Power to appoint any number of employees or accept free help.

Eighth. F. E. P. C. would select unwelcome employees for you.

Ninth. F. E. P. C. would irreparably shock every element of society:

(a) It would repeal law on job preference for veterans.

(b) It would destroy the fundamental rights of private enterprise.

(c) It would have a disastrous effect on others.

1. Effect on native white laborers, especially white women.

a. Stealing from Peter to give to Paul.

b. Similarity to Freedman's Bureau of Reconstruction.

c. Nonsegregation of white women and Negro men.

2. Effect on future legislation.

3. Effect on Republicans.

4. Effect on Democrats.

5. Effect on minorities.

a. Effect on alien.

b. Effect on naturalized citizen.

c. Effect on Jews.

d. Effect on Negroes generally.

(d) President Andrew Johnson's veto of Freedman's Bureau bill is applicable to F. E. P. C.

Tenth. This is not the time or place to consider F. E. P. C.:

(a) We are at war, with no time for reflection.

(b) Let New York and New Jersey serve as "guinea pigs."

Eleventh. Let us fulfill our destiny with a general plan to promote the welfare of all Americans:

(a) I speak as an American, pleading for America.

(b) Suggestions for a general plan.

Twelfth. A suggested plan for proper consideration of the proposal to create F. E. P. C.:

(a) Meditation and consultation.

(b) Prayer for divine guidance.

(c) Ask ourselves some questions.

(d) Wire your Congressman and Senator now.

(e) Give publicity to the evils of this proposed legislation.

Thirteenth. America's answer to those questions.

I

CLASH BETWEEN FASCISM AND DEMOCRACY

Mr. Speaker, I would like to talk for a few minutes about tyranny and democracy, regimentation and liberty, socialism and free enterprise. I would like to talk about fascism and Americanism.

There is an unending clash between despotism and democracy.

Despotism has manifested itself in many forms. There has been despotism in religion; there has been economic despotism; and there has been tyranny over the minds of men.

A. DESPOTISM DESTROYS THE LIBERTY OF THE INDIVIDUAL

The desire of the despot is to gain control over the life of the individual. The height of despotism has been reached in recent years in Europe, where the despots have sought and temporarily gained control over the economic, physical, and religious lives of men and have sought to dominate the minds of men.

The love of individual freedom has prompted us to spend billions in treasure and millions in lives in an effort to stamp out tyranny.

B. DEMOCRACY PROMOTES THE LIBERTY OF THE INDIVIDUAL

Throughout every period of tyranny there has been upon the part of the individual a desire for freedom.

The spirit of the Renaissance and the basis for western civilization have been responsible for the rights of the individual.

It is the liberty created and nurtured by democracy which has permitted the individual to say:

I am the master of my fate.
I am the captain of my soul.

C. SHALL WE CHOOSE THE ROAD TO SERFDOM?

America has gained in large measure freedom of religion and freedom of thought, but, from time to time, some people in America have suffered economic tyranny. It is not difficult to recognize economic tyranny, but it is sometimes difficult to overcome it. In the building of our great industrial empire, men and women were required to work hours that were long for pay that was small, and in many instances under working conditions which were intolerable.

This economic despotism gave rise to the New Deal, which sought to break the chains of economic tyranny and to promote the economic rights of the individual. This effort upon the part of the New Deal has met with considerable success.

We must be ever alert to guarantee that tyranny shall not prevail in America in any form. Some of the same forces which destroyed freedom in Germany are at work in America. There are many symptoms, once regarded as typically German, which are becoming more and more familiar in the United States, and there are unmistakable signs which indicate the threatened growth of fascism in America.

Some of these unmistakable signs are the ever-increasing reliance upon the Federal Government, the acceptance of certain inescapable tendencies, and the enthusiasm for planning.

In America, many people who sincerely detest all forms of nazism and communism are working for certain programs which would lead to tyranny. These are the persons who would substitute "economic planning" for the American system.

In my judgment, no greater tyranny could befall America than that condition in which we would find ourselves if we unwittingly bring about the very condition which we have been fighting to destroy.

There is unquestionably a clash between democracy on one hand and too much planning on the other. We must not forget that private enterprise and the right of a man to use his own property are the best assurance of a continuing freedom.

In the consideration of legislation, the Congress and the American people should be guided by policies which would permit freedom of the individual.

Under the system of a "planned economy" the fullest development of the individual is restricted and he is no longer the master of his fate or the captain of his soul.

There can be fascism from the right and there can be fascism from the left.

Fascism from either direction will be a sure road to serfdom.

Shall we choose the road to serfdom?

Most Americans in answer to that question would instantly reply: "We will not choose the road to serfdom. There must not be a concentration camp in America."

However, the answer is not so simple.

There will be many matters offered for the consideration of Congress which will be wrapped up in fancy packages, which will be labeled "democracy," "freedom," or "a bill for the promotion of liberty."

Many of those proposals will be worthy of consideration, and many of them will be wolves in the clothing of sheep. We must be ever alert to distinguish between those which are for the common good and those which are evil and would lead to serfdom.

In considering these various proposals, we must be sure not to adopt some of them which would crush individual initiative and destroy the American way of life.

D. THE F. E. P. C. WOULD DESTROY OUR LIBERTY BY REGIMENTATION

We have been warned of some of these proposals, which will be handed to us disguised under high-sounding titles.

It is now my purpose to discuss one of the measures, now pending before Congress, which, if adopted, would be one part of a "planned economy" which would help to destroy the rights of the individual.

This proposed legislation to which I refer would hound, badger, restrict, and discourage private enterprise, destroy local self-government, and, in my opinion, do more to Hitlerize and communize America than any legislation yet submitted to Congress.

You will doubtless inquire, "What is this proposed legislation which would have such devastating effect on the American way of life?"

My answer is that it is the legislation which proposes to create a permanent so-called Fair Employment Practice Commission.

When this proposed measure is fully understood by the American people, by the veterans and their friends, by business and management, by the farmer, the merchant, and the newspaper publisher, by the Governors of our States, by the public officials in our counties, cities, and towns, and by the Members of Congress, America's answer will come in like a tidal wave to urge the defeat of this proposed legislation.

The F. E. P. C. bill is a wolf in sheep's clothing. The name of the Commission is deceptive and the title of the bill is misleading.

F. E. P. C. would destroy our liberty by regimentation.

E. APPEAL TO REASON, WITHOUT BITTERNESS OR ACCUSATION

In analyzing this proposal, I shall not discuss the question of whether or not it is constitutional. I shall only discuss the question of whether or not it would be wise legislation. I shall assume that every provision in the bill is constitutional and that the so-called Fair Employment Practice Commission which would be created by this bill would have a right to exercise all of the powers which would be granted to it.

Furthermore, in trying to analyze this bill, I shall not be guided by the fact that I am a southern Congressman, but will be guided by the fact that I am an American, because the effect which this bill would have in the South would be inconsiderable and subordinate when compared with the effect which it would have upon the Nation as a whole.

I shall analyze this bill without any bitterness or rancor. I shall assume that everyone who has sponsored it is prompted by high motives. It makes no difference whether a murder is committed by premeditation or negligence—the deceased is dead in any event. It is my purpose to make an impartial analysis of the provisions of this bill and to appeal only to reason.

F. SOURCE MATERIAL PRINTED IN APPENDIX OF RECORD TODAY

The analysis which I will undertake to make of this proposed legislation is based upon a study of the bill itself and of certain information which I obtained from the temporary F. E. P. C.

The information which I got from the temporary F. E. P. C. consists of a booklet entitled "F. E. P. C.—How It Operates" and copies of the proceedings of the temporary F. E. P. C. in four cases, as follows:

Case No. 65, against the United States Cartridge Co., of St. Louis, Mo.; case No. 66, against the Los Angeles Railroad Corporation; case No. 68, against the Shell Oil Co. and the Oil Workers' International Union at Houston, Tex.; and case No. 80, against the General Cable Corporation, of St. Louis, Mo.

In order that people of America may make their own analysis of this bill, I am today inserting in the Appendix of the CONGRESSIONAL RECORD certain documents, as follows:

A copy of H. R. 2232, which would create a permanent Fair Employment Practice Commission.

A copy of F. E. P. C.—How It Operates.

A copy of the proceedings before the F. E. P. C. in the case against the United States Cartridge Co., of St. Louis, Mo.

By an examination of these three documents, the American people can see the many evils which would result from the enactment of this proposed legislation.

II

CLASS LEGISLATION WOULD MAKE "PREFERRED STOCKHOLDERS" OF ALIENS, NATURALIZED CITIZENS, JEWS, AND NEGROES

The title of the bill in question is "To prohibit discrimination in employment because of race, creed, color, national origin, or ancestry."

The theme song of the F. E. P. C. is that there are certain minority groups in the United States who have been discriminated against because of their race, creed, color, national origin, or ancestry and that such discrimination should be prevented by law. The pamphlet, F. E. P. C.—How It Operates, states that there are minority groups numbering 30 000,000 persons in the United States.

The same booklet also reveals that 81 percent of the complaints which have been filed with the temporary Fair Employment Practice Committee, because of alleged discrimination, involved Negroes; that 9 percent of the cases involved Jews; that 6 percent involved naturalized citizens; and that 4 percent involved aliens.

I have obtained from the Census Bureau a record of the number in each of these so-called minority groups, according to the last general census. According to the Census Bureau, the number in each of these minority groups, in the last general census, was as follows:

Negroes	12, 865, 518
Jews	4, 641, 184
Naturalized citizens	7, 280, 265
Aliens	3, 479, 652
Total	28, 266, 619

A. AN UNJUSTIFIED COMPLAINT OF DISCRIMINATION PUTS F. E. P. C. REGIMENTATION INTO HIGH GEAR

I have obtained from various persons charged with discrimination copies of their files, for the purpose of learning more about the practical operations of the temporary Fair Employment Practice Committee.

These files reveal that a mere unjustified complain of discrimination subjects the employer to a volume of correspondence and to interviews with F. E. P. C. fair-practice examiners, thereby subjecting such employers to great irritation, expense, and regimentation.

B. THIS IS NOT A SECTIONAL QUESTION

The figures of the Census Bureau, showing the number of each minority group in each State in the Union, according to the 1940 census, will convince you that F. E. P. C. is not any sectional question. For that reason, there follows a table which shows the population of each so-called minority group in each State in the Union:

States	Naturalized	Alien		Negroes	Jews
		First papers	No papers		
New England:					
Maine	41, 514	6, 892	28, 435	1, 304	8, 386
New Hampshire	37, 806	5, 789	16, 566	414	2, 996
Vermont	16, 736	3, 099	8, 787	384	1, 727
Massachusetts	506, 654	62, 002	219, 067	55, 391	257, 994
Rhode Island	88, 028	9, 021	30, 444	11, 024	27, 311
Connecticut	176, 649	29, 615	95, 489	32, 992	90, 614
Middle Atlantic:					
New York	1, 838, 832	244, 225	660, 489	571, 221	2, 197, 418
New Jersey	447, 443	48, 102	145, 232	226, 973	257, 761
Pennsylvania	647, 823	87, 188	173, 520	470, 172	423, 943
East North Central:					
Ohio	335, 565	50, 505	100, 352	339, 461	175, 942
Indiana	73, 194	9, 851	19, 215	121, 916	25, 494
Illinois	700, 409	74, 519	151, 435	387, 446	377, 809
Michigan	430, 324	69, 114	146, 880	208, 345	99, 365
Wisconsin	210, 034	19, 808	35, 051	12, 158	87, 375
West North Central:					
Minnesota	227, 347	15, 149	24, 364	9, 928	39, 160
Iowa	86, 185	4, 923	10, 168	16, 694	11, 888
Missouri	75, 528	9, 360	18, 417	244, 386	83, 353
North Dakota	58, 937	2, 571	4, 528	201	1, 533
South Dakota	34, 173	2, 200	2, 261	474	605
Nebraska	62, 306	3, 970	8, 255	14, 171	12, 922
Kansas	34, 026	2, 639	8, 079	65, 138	5, 260
South Atlantic:					
Delaware	8, 917	1, 087	2, 945	35, 876	6, 292
Maryland	49, 054	7, 116	16, 851	301, 931	75, 225
District of Columbia	24, 315	2, 674	5, 763	187, 266	18, 350
Virginia	14, 928	1, 649	3, 194	661, 449	23, 564
West Virginia	20, 721	4, 328	12, 763	117, 754	5, 391
North Carolina	5, 371	741	1, 142	981, 298	4, 711
South Carolina	3, 148	324	500	814, 164	4, 408
Georgia	7, 969	877	1, 623	1, 084, 927	19, 545
Florida	45, 499	6, 147	18, 678	514, 198	18, 769
East South Central:					
Kentucky	10, 461	1, 096	1, 668	214, 031	16, 339
Tennessee	6, 866	898	1, 826	508, 736	23, 275
Alabama	7, 645	853	1, 524	983, 290	10, 135
Mississippi	3, 686	357	1, 343	1, 074, 578	2, 807
West South Central:					
Arkansas	4, 900	452	929	482, 578	4, 224
Louisiana	17, 539	1, 980	6, 254	849, 303	13, 464
Oklahoma	13, 470	1, 350	2, 451	168, 489	5, 396
Texas	75, 628	9, 980	130, 264	924, 391	43, 970
Mountain:					
Montana	42, 901	2, 584	5, 612	1, 120	696
Idaho	16, 605	1, 766	3, 381	595	300
Wyoming	11, 515	1, 079	3, 061	956	690
Colorado	45, 339	4, 528	15, 264	12, 176	20, 116
New Mexico	5, 823	770	7, 472	4, 672	553
Arizona	11, 981	1, 929	21, 303	14, 993	1, 480
Utah	22, 645	2, 067	5, 210	1, 235	2, 710
Nevada	5, 848	912	2, 952	664	245
Pacific:					
Washington	137, 430	18, 330	38, 018	7, 424	17, 119
Oregon	57, 571	8, 077	16, 230	2, 565	10, 862
California	473, 568	80, 031	319, 119	124, 306	151, 596

From the foregoing figures it clearly appears that the proposed legislation is not sectional legislation, because it would apply to every section of our country with equal force and effect. Furthermore, according to Senate record, page 1109, Seventy-eighth Congress, published September 20, 1944, only 17 percent of the F. E. P. C. cases involving Negroes had come from the eight States of the deep South.

The title of the bill indicates that the purpose of the bill is only to prevent discrimination. However, an analysis of the bill indicates that:

First. Minority groups would be given preferential treatment to the detriment of every other element of American society.

Second. The enactment of the bill would repeal the veterans' job preference rights as outlined in the Selective Service Act.

Third. Private enterprise, small business, the merchant, the farmer, the newspaper, organized and unorganized labor, and Federal, State, county, and municipal governments would be hounded and badgered for the supposed benefit of these minority groups.

Fourth. The very minority groups whom the proponents of the bill would seek to benefit would suffer as much as, if not more than, every other element of American society and economic life.

Therefore, by enacting the proposed bill, the Congress would violate its duty to promote domestic strength and tranquility. We see that it is not a sectional bill. Now, let us analyze the bill in detail to see whether or not my general conclusions are correct.

III

THESE MINORITIES ARE NOW WELL REPRESENTED IN GOVERNMENT AND INDUSTRY

In trying to decide whether or not we should pass a law to prevent so-called discrimination, it might be wise for us to first consider the question of whether or not the supposed beneficiaries of the proposed law have been discriminated against.

The 1940 statistics of the Bureau of the Census tell us that there has been no discrimination against these minorities. On the contrary, America has been good to these minorities in the matter of employment.

In a booklet entitled, "The Labor Force" the Bureau of the Census reveals that in 1940 there were 2,936,795 Negro men and 1,552,273 Negro women employed in industry, out of a total Negro population of only 12,865,518. This same booklet reveals that there were 4,037,540 foreign-born white people employed in industry out of a total foreign-born population of 11,419,138.

The Census Bureau does not have any figures on the number of Jews employed in industry, as nobody ever thought of making such a census until the F. E. P. C. came along.

Although the Negro population of America is less than 9.8 percent of our total population, the last quarterly inquiry of the temporary F. E. P. C. shows that the Negro personnel in all of the departments and agencies of our Federal Government constitutes 19.2 percent of all of our Federal departmental civilian employees, while the Negro personnel in departmental and field work of the Government constitute 11.9 percent of the total civilian employment of our Federal Government.

There are many branches of industry in which the percentage of Negroes employed is far in excess of the Negro percentage of population in America. Some of these are as follows:

Industry:	*Percent Negro employment*
Agriculture	16.4
Forestry	40.7
Fishery	10.9
Mines and quarries	11.9
Sand and gravel production	10.8
Stone quarrying	11
Miscellaneous nonmetallic	15.4
Tobacco manufactures	24.2
Lumber, furniture and lumber products	18.2
Logging	18.1
Sawmills and planing mills	18.6
Miscellaneous wooden goods	12.4
Chemicals and allied products	10.5
Other chemical and allied products	11.5
Miscellaneous chemical industry	12.6
Miscellaneous petroleum and coal products	10.8
Structural clay products	16.2
Warehousing and storage	19.1
Water transportation	15.6
Water and sanitary services	11.2
Retail eating and drinking places	12
Fuel and ice retailing	13.8
Real estate	12
Personal services	23.1
Hotels and lodging places	21.7
Laundering, cleaning, and dyeing services	15.5
Miscellaneous amusement and recreation places	11.3

There seem to be two fields of employment where Negroes are not employed in great numbers. One of them is hard to explain, while the other is easy to explain.

Although the Negro is employed extensively in agriculture in the South, it is difficult for me to explain why he is not employed in agriculture in the North.

According to the 1940 census, in the Northern States, where there is a total Negro population of 2,730,193, there were only 23,911 Negroes engaged in agriculture. In the South Atlantic and Southern States, where there was in 1940 a total Negro population of 9,904,619, there were 1,193,230 Negroes engaged in agriculture. In this connection, it might be observed that the F. E. P. C. may have its eyes on the northern farms.

The other place where there does not seem to be any considerable amount of employment of Negro men is in manufacturing plants where white women work. While it is difficult for me to explain the absence of the Negro from the northern farm, it is easy for anyone to explain why Negro men and white women do not work together.

According to the 1940 census, there were 151,098 Negro men employed in northern manufacturing plants, while there were 361,212 Negro men employed in manufacturing plants in the South Atlantic and Southern States. When we realize that Negro families are much larger than white families, it will be seen that Negroes are well represented in most of the American industries where they can be well represented.

From the foregoing statistics, it will be seen that there has been no discrimination in the employment of aliens, naturalized citizens, or Negroes. Thus we see that there is no need for a so-called F. E. P. C. to prevent discrimination, because discrimination does not exist.

IV

F. E. P. C. WOULD REGULATE AND REGIMENT VETERANS, POSTMASTERS, HEADS OF GOVERNMENT DEPARTMENTS, STATES, COUNTIES, CITIES, TOWNS, FARMERS, MERCHANTS, NEWSPAPERS, SMALL BUSINESS, MANAGEMENT, LABOR, LABOR UNIONS, AND CONTRACTORS

In view of the sweeping powers which would be conferred upon the F. E. P. C., each American will naturally inquire, "Could I be subject to the provisions of this act? Could I be charged with discrimination? Could the F. E. P. C. harass and badger me under its multitudinous powers and procedures?"

The answer is "Yes." The actions of the F. E. P. C. would affect every person in the United States.

F. E. P. C. WOULD REPEAL VETERANS JOB-PREFERENCE LAW

When Congress passed the Selective Service Act, it entered into a solemn covenant with the veterans of this war that they should be given preference in obtaining their old jobs upon their return. It is well known that laws may be repealed expressly or by implication.

While the F. E. P. C. bill contains no express provision of a repeal of the veterans' job-preference law, it does, by implication, contain such repeal, because the procedures and antics of the F. E. P. C. reveal that it is determined in its efforts to make certain minority groups preferred stockholders in American employment, and such preference cannot be shown to these minority groups without destroying the job-preference rights of veterans.

If we are to have any preferred citizenship in America, it should be the veterans of this war and not some minority groups who have already been well treated.

B. UNDER THE IMMUNITY CLAUSE

Section 4 of the proposed bill declares that the right to work and seek work without discrimination is declared to be an immunity of all citizens of the States of the United States which is not to be abridged by any department of the United States or by any State or by any instrumentality or creature of the United States or of any State.

Section 10 of the proposed bill provides that the Commission shall have authority to issue such regulations as it may deem necessary to carry out the provisions of section 4.

From the foregoing sweeping provisions, you can see that the F. E. P. C. would exercise jurisdiction over every phase of American life, including each department, establishment, and agency of the Federal Government, including the local post office and every other local agency of the Federal Government, and including every State, county, city, and town in the United States.

This would give the F. E. P. C. authority to help select your local fire department, your police department, your local school teachers, and all other State and local employees.

C. UNDER THE CONTRACTOR'S PARAGRAPH

Section 7 of the proposed bill provides that F. E. P. C. would be empowered to prevent unfair employment practices by employers who are parties to contracts with the United States or with any agency thereof or by subcontractors thereunder.

This provision does not apply merely to people who are ordinarily known as contractors engaged in construction work. It would also apply to all States, counties, cities, and towns. It is, of course, well known that a contract may be either formal or informal, reduced to writing or imposed by statute. Under various Federal statutes, Federal aid is given to States, counties, cities, and towns under certain restrictions imposed by statutes. States, counties, cities, and towns have Federal financial aid in the construction of highways, in the promotion of agriculture and forestry, in the promotion of public health, in vocational education and in unemployment compensation and public welfare, including old-age assistance, aid to dependent children, and aid to the blind.

Consequently, all of those State, county, city, and town employees who are engaged in the construction of highways, in vocational education, in agriculture and forestry, in public health and public welfare work, and in unemployment

compensation work would be selected in part by the F. E. P. C. under the contract clause of the proposed bill.

D. UNDER THE INTERSTATE COMMERCE CLAUSE

Section 7 of the proposed legislation also provides that the F. E. P. C. would be empowered to prevent unfair employment practices by employers, with six or more employees, engaged in interstate commerce or in business affecting interstate commerce and by labor unions affecting commerce.

From the foregoing sweeping provision, you can see that the F. E. P. C. would exercise jurisdiction over farmers, merchants, newspapers, bankers, small business management, and labor unions engaged in interstate commerce. In this connection, it must be remembered that all States and many counties, cities, and towns, are engaged in interstate commerce in the purchase and sale of goods and that certainly all States and many cities and counties and towns are engaged in interstate commerce in the construction of highways.

If the proposed bill should be enacted into law, you know and I know that it would be merely a question of time until the F. E. P. C. would regulate and regiment all persons engaged in interstate commerce, regardless of the number of their employees.

V

MANY ACTS WOULD BE PROHIBITED

As we have seen, the title of the bill states that it is for the purpose of preventing discrimination in employment. One of the first questions that arises is: "What is discrimination?"

In the bill, discrimination is defined generally to be any unfair employment practice. By reference to the bill and by reference to the little booklet entitled "F. E. P. C.—How It Operates," I have already discovered 57 acts, either one of which would constitute an unfair employment practice. Doubtless, there are many others.

Some of them are direct and some of them are indirect, the direct ones being charged against the employer because of his own conduct and the indirect ones being charged against him because of the conduct of some employment agency, placement center, training school, training center, or labor union.

If the bill should be enacted into law, the number of acts which would constitute discrimination would be myriad.

A. EMPLOYERS WOULD BE HELD ACCOUNTABLE FOR MANY ACTS OF OTHERS

Some of the acts which have been held by the temporary F. E. P. C. to constitute discrimination are as follows:

DIRECT DISCRIMINATION OF EMPLOYER

First. Refusal to employ;

Second. Discharging;

Third. Difference in compensation;

Fourth. Difference in terms of employment;

Fifth. Difference in conditions of employment;

Sixth. Discrimination in recruitment;

Seventh. Discharging a person who shall have testified before the Fair Employment Practice Committee;

Eighth. Discharging a person who is a sympathizer of the F. E. P. C.;

Ninth. Discriminating against an F. E. P. C. witness;

Tenth. Discriminating against an F. E. P. C. sympathizer;

Eleventh. Subjecting an employee to inferior working conditions;

Twelfth. Failure to utilize an employee at his highest skilled labor;

Thirteenth. Early dismissal;

Fourteenth. Unwarranted dismissal;

Fifteenth. Unequal pay for equal work;

Sixteenth. Discriminatory want ads;

Seventeenth. Discriminatory job specifications;

Eighteenth. Discriminatory application forms;

Nineteenth. Requiring people to work on religious holidays, even though their holidays may be different from the holidays of other people;

Twentieth. Dismissal because of absenteeism on religious holidays;

Twenty-first. Refusal to employ an alien or a naturalized citizen because of doubt as to his loyalty;

Twenty-second. Delay in processing application forms for aliens;

Twenty-third. Providing for segregation of employees;

Twenty-fourth. Having a population-ratio system;

Twenty-fifth. Failure to lay off employees according to F. E. P. C. seniority system;

Twenty-sixth. Failure to re-employ individuals according to F. E. P. C. seniority system;

Twenty-seventh. Transfer of an employee except on F. E. P. C. seniority system;

Twenty-eighth. Demotions of employees except on F. E. P. C. seniority system;

Twenty-ninth. Promotions of employess except by F. E. P. C. seniority system;

Thirtieth. Having any seniority system not approved by F. E. P. C.;

Thirty-first. Having any one seniority system for one set of segregated employees and another seniority system for another set of segregated employees;

Thirty-second. Any practice of the employer which makes the performance of the employer's duties inconvenient;

Thirty-third. Any practice of the employer which makes the performance of the employer's duties difficult—it being held by the F. E. P. C. that segregation makes the performance of the employer both inconvenient and difficult, if not impossible;

Thirty-fourth. Failure to afford equal job operations to all workers;

Thirty-fifth. Failure to give employment in a segregated plant to any applicant;

Thirty-sixth. Classifying any employee in the wrong category;

Thirty-seventh. Quota hiring;

Thirty-eighth. Ratio hiring;

Thirty-ninth. Race seniority lay-offs;

Fortieth. Failure to up-grade properly;

Forty-first. Failure to promote an employee to foreman;

Forty-second. Failure to promote an employee to a supervisory job;

Forty-third. Failure to promote an employee to a clerical job;

Forty-fourth. Failure to have equal terms of hire tenure;

Forty-fifth. Failure to integrate minorities into all departments; and

Forty-sixth. Discriminatory working conditions, involving attitudes on the part of fellow workers.

INDIRECT DISCRIMINATION OF OTHERS

Forty-seventh. Indirect discrimination in training employees in a training institution;

Forty-eighth. Indirect discrimination in retaining employment agencies;

Forty-ninth. Indirect discrimination because of the refusal of a union to accept persons for membership;

Fiftieth. Indirect discrimination because of the refusal of a labor union to issue a work permit;

Fifty-first. Indirect discrimination because of the refusal of a labor union to handle grievances;

Fifty-second. Indirect discrimination in dealing with employees' labor union;

Fifty-third. Indirect discrimination because of the refusal of a labor union to have nonsegregation;

Fifty-fourth. Indirect discrimination because of the refusal of a labor union to give a member the right to vote;

Fifty-fifth. Indirect discrimination because of the refusal of a labor union to permit a member to bargain collectively;

Fifty-sixth. Indirect discrimination because of the refusal of a labor union to permit a member to participate equally; and

Fifty-seventh. Indirect discrimination because of training school failure to provide equal facilities for minorities in segregated schools.

B. F. E. P. C. WOULD PREVENT SOME ACTS OF WHICH YOU APPROVE

By examining the above list of acts which have been declared to constitute discrimination, you will see that some of them are acts in which you believe an employer should have a right to engage.

Furthermore, in this connection, it must be kept in mind that an employer's act, which might be adjudged by the F. E. P. C. to be discrimination, might in fact be based upon some wholesome and satisfactory reason, and that an act which may be adjudged to be discimination might in fact not be discimination.

C. PROPOSED BILL WOULD UNDERTAKE TO LEGISLATE LOVE

Of course, it is impossible to discuss in any detail the various acts which would constitute discrimination, but it is intriguing to discuss one of them. I particularly call your attention to that portion of the booklet entitled "F. E. P. C.—How It Operates," which says that one minority group has charged discriminatory working conditions involving "attitudes on the part of fellow workers." I do not know how the F. E. P. C. decided such charges, but I assume that the F. E. P. C. decided that the wrong attitude on the part of fellow workers constituted discriminatory working conditions and that the employer either had to discharge the fellow workers whose attitudes were unfavorable to this minority group or had to require the fellow workers to change their attitudes.

I have heard it said that it is impossible to legislate morals. This is the first time that I have ever heard of anyone trying to

legislative love. I am reminded of a rhyme which I heard in my childhood:

I do not love thee, Dr. Pell.
The reason why I cannot tell.
But this I know and know full well,
I do not love thee, Dr. Pell.

However, the proposed F. E. P. C. bill would undertake to make everybody love Dr. Pell and love everybody else.

VI

AMERICANS WOULD BE PUSHED AROUND BY UNAMERICAN PROCEDURES IN A KANGAROO COURT

In view of the myriad situations which would amount to discrimination under the proposed bill, the question naturally arises as to what methods could be employed under the proposed law to prevent such discrimination. The methods are far reaching and stringent.

A. BUREAUCRATS COULD ISSUE AND CHANGE ALL SORTS OF REGULATIONS

The methods fall into two categories. Some of the methods are prescribed in the bill itself, while section 10 of the bill would authorize the F. E. P. C. to issue such regulations as it deems necessary to carry out the provisions of the act. You know, as well as I do, that when a bureaucrat is given authority to issue rules and regulations, the rules and regulations will be many and confusing. I will leave to your imagination a list of the regulations which would be issued by the F. E. P. C. I will only discuss the powers which are outlined in the bill itself .

B. TRIAL COULD BE HELD ANYWHERE AT ANY TIME

According to the proposed bill, the F. E. P. C., or any of its representatives, could conduct a trial at any place at any time. This would mean that an employer charged with discrimination might have to go to inconvenient places at inconvenient times.

C. F. E. P. C. COULD COPY YOUR RECORDS WITHOUT COURT ORDER AND WITHOUT AFFIDAVIT OF PROBABLE CAUSE

Under the proposed bill, the agents and employees of the F. E. P. C. would have a right to visit your place of business and could demand and take possession of and copy your records, and all of this could be done without any affidavit of probable cause and without any court order.

D. F. E. P. C. WOULD ACT AS PROSECUTOR, JUDGE, AND JURY

As will appear by reference to the provisions of the bill, the F. E. P. C. would receive complaints, investigate complaints, assist complainants, procure the necessary evidence, find the facts, and issue orders regulating employment.

If some American, who believed in the old-fashioned right of trial by jury, should demand a jury trial, he would find that he would not be entitled to a jury trial but would have to permit the facts to be found by the F. E. P. C.

E. YOU WOULD HAVE NO STATUTORY RIGHT TO CROSS-EXAMINE ADVERSE WITNESSES

While the proposed bill would give to employers charged with discrimination the right to appear with their counsel and offer testimony, the bill does not contain any provision whereby your attorney would have a right to cross-examine adverse witnesses. It probably would not do them any good anyway.

F. NO APPEAL ON QUESTIONS OF FACT

While the proposed bill contains a provision that there may be an appeal to United States courts, an examination of the bill discloses that you could only appeal on questions of law and could not appeal on questions of fact.

The only right which the court would have in such cases would be to determine whether or not there was any evidence tending to show the facts found by the F. E. P. C., that is, the court would have no right to inquire into anything except the question of whether or not the prosecutor and the complainant had presented a prima facie case. It takes mighty little evidence to make out a prima facie case.

If someone should testify that you committed murder at a certain time and place, such testimony would make out a prima facie case, even though you could prove by 40 witnesses that you were at a different place at that time and that you did not commit the murder.

G. F. E. P. C.'S GREATEST WEAPON WOULD BE FEAR

We have spent billions in treasure and much blood to establish the "four freedoms" throughout the world. These "four freedoms" are: Freedom of religion, freedom of speech, freedom from want, and freedom from fear.

The F. E. P. C., in its booklet entitled "F. E. P. C.—How It Operates," brags on the fact that most of its cases have been handled by negotiation.

Hitler's Gestapo and the keepers of his concentration camps were never armed with more "persuasive artillery" than would be the F. E. P. C. The F. E. P. C. would operate with the weapon of fear. Through fear, the F. E. P. C. could subjugate those employers who came under its jurisdiction. "The F. E. P. C. goblins will get you if you don't watch out."

Let us examine the proposed bill and see what instruments of fear would be placed in the hands of the F. E. P. C. and its agents to be used during the "friendly negotiations."

As will appear by reference to the bill, your local postmaster could be discharged if found guilty of discrimination. The heads of all departments and agencies of the Federal Government could be discharged if found guilty of discrimination. States, counties, cities, and towns could be deprived of Federal financial aid in the construction of highways, in their public-health programs, in their welfare programs, in their vocational schools, and in their departments of agriculture and forestry if found guilty of discrimination.

Contractors on construction work or producing goods and materials for the Federal Government could be blacklisted by the F. E. P. C. if found guilty of discrimination. All employers engaged in interstate commerce or in business affecting interstate commerce, including farmers, merchants, newspapers, bankers, small business, and management and private enterprise of all sorts, if found guilty of discrimination, could be required to reinstate with back pay, could be punished for contempt, could be fined $5,000, or could be imprisoned for 1 year.

When we consider the potency of this weapon, we must remember that—

Of all the tyrannies on humankind,
The worst is that which persecutes the mind.

VII

THIS KANGAROO COURT WOULD HAVE CARPETBAGGER PERSONNEL—A F. E. P. C. BUREAUCRATS ARE NEGROES, JEWS, AND MEMBERS OF LUNATIC FRINGE

In view of the fact that practically every American would be subjected to the regulations and operations of the F. E. P. C., every American will naturally inquire whether or not the F. E. P. C. and its agents would be selected with great care.

The answer is "No."

It is true that under the proposed bill five members of the F. E. P. C. would be nominated by the President, by and with the advice of the Senate. However, under subsection f of section 6 of the proposed bill, the present employees of the temporary F. E. P. C. would be transferred to and would become employees of the permanent F. E. P. C.

You naturally inquire, "Who are these temporary employees who would be automatically transferred?"

The answer is very enlightening.

At the present time the temporary F. E. P. C. has 112 employees. Sixty-four of them are Negroes. Two of them are of Japanese descent. Forty-six of them are white. It is interesting to read the names of some of the white employees, many of whom, if not all, belong to the lunatic fringe.

The names of the white employees of the F. E. P. C. are as follows: Malcolm Ross, Emanuel Bloch, Evelyn Cooper, Max Berking, Myra Banting, Will Maslow, Hayes W. Beall, Inez Mercer, Carol Coan, Celia Hoffman, Simon Stickgold, Daniel R. Donovan, Jewel Mazen, Bruce A. Hunt, Tillie Asepha, Sonia Schwartz, Mildred Greenblatt, Samuel R. Risk, Karyl Klinger, Alice Kahn, Olcott R. Abbott, Edna Wasem, Harold James, Joy Schultz, Penny Zeidman, Witherspoon Dodge, Ignacio Lopez, Vera G. Vetter, Marie Lerna, George D. McKay, Sally Chubb, Roy A. Hoglund, Eugene Ormabee, Helene G. Schlien, Levine Morris, Carlos Castenada, Willetta Gutleben, Don Ellinger, Evelyn Ronning, Harry L. Kingman, Edward Rutledge, Bernard Ross, and Virginia Seymour.

One of the employees of the F. E. P. C. was born in the British West Indies; another was born in the Virgin Islands; another hails from Poltava, Russia; one of them is from Panama; and three of them were born in Mexico.

The present employees of the temporary F. E. P. C., who would be automatically transferred under the proposed bill to the permanent F. E. P. C., remind me of the carpetbag courts and legislatures of other days.

How would you like for one of these birds to try your case? How would you like for this court to try the Governor of your State, or your local school board?

B. F. E. P. C. BUREAUCRATS COULD NOT BE IMPEACHED

The proposed bill would elevate the F. E. P. C. above the judges of our courts.

The judge of any Federal court can be impeached by Congress, but, as you will see from the proposed bill, the members of the F. E. P. C. could not be impeached but could only be removed by the President after a hearing.

C. POWER TO APPOINT ANY NUMBER OF EMPLOYEES OR ACCEPT FREE HELP

In view of the fact that the jurisdiction of the proposed F. E. P. C. would be so much broader than the jurisdiction of the temporary F. E. P. C., it would need many more employees.

The F. E. P. C. would be authorized under the proposed bill to appoint any number of employees and to accept free help. You can very well imagine the great number of employees who would be needed to regulate our farmers, merchants, and local self-governments and other persons who would be subject to this act. The number would be legion, and they would doubtless be of the same type as the present personnel of the F. E. P. C.

Certainly any person who should offer to give the F. E. P. C. free help would be some person who would desire to persecute someone or some element of our society.

VIII

THE F. E. P. C. WOULD SELECT UNWELCOME EMPLOYEES FOR YOU

After having regulated and confused you with regulations, hounded and badgered you with letters and interviews by the F. E. P. C. examiner, and after having copied your records, seized your papers, and "kangarooed" you with its procedures and "carpetbaggered" you with its personnel, the F. E. P. C. would select your employees.

These employees would be selected at the expense of the veterans of this war and in violation of our solemn covenant that they shall be entitled to their old jobs back upon their return from the firing lines. In other words the F. E. P. C. would be an uninvited and unwelcome guest at every gathering where employees are selected.

IX

F. E. P. C. WOULD IRREPARABLY SHOCK EVERY ELEMENT OF SOCIETY

It is clear that a permanent F. E. P C. would reap a bitter harvest. It would sow a wind and reap a whirlwind. It would cause a fever of discontent and convulsion in American social, economic, and political life.

Insofar as it is possible for us to do so, let us consider the far-reaching effects which the provisions of the F. E. P. C. would have upon America if enacted into law.

A. IT WOULD REPEAL LAW ON JOB PREFERENCE OF VETERANS

We have already seen that the enactment of the proposed F. E. P. C. law would repeal by implication the solemn covenant to the veterans of this war who shall be entitled to their old jobs upon their return from the firing lines.

Those veterans would certainly have a poor opinion of America and a poor opinion of Congress if any such bill should be enacted.

B. IT WOULD DESTROY THE FUNDAMENTAL RIGHTS OF PRIVATE ENTERPRISE

We have already seen that private enterprise would be harassed and badgered in order to give preferential treatment to certain minority groups. In my opinion, private enterprise is entitled to a breathing spell.

It was once the law in America that a man had a right to use his own property so long as he did not injure another. Too much of a "planned economy" undertakes to deprive a man of his right to use his own property without injury to another.

A man who is engaged in private enterprise has invested his money and has devoted his best thought to the promotion of that business. He is entitled to a reasonable profit. If the enterprise loses money, it is his money which is lost. In view of the risk involved, he should have a right to proceed without regimentation.

If private enterprise is encouraged, it can and will provide the jobs which will furnish livelihood to the American people. If private enterprise should be badgered and hounded unmercifully, the American people will suffer, because private enterprise will be discouraged.

It was well said by President Truman in his address to the San Francisco Conference that—

> In recent years our enemies have clearly demonstrated the disaster which follows when freedom of thought is no longer tolerated. Honest minds cannot long be regimented without protest.

It is not very difficult for money and capital to cross State lines. Nor is it difficult for money and capital to cross national boundary lines. One of these days, if management and business in the United States are pushed around too much, I am afraid that they will seek refuge elsewhere and build their manufacturing plants in Canada, Mexico, and other parts of the world. In this event, the economy of our Nation would be irreparably damaged.

There are abroad in our land certain people whom I will call regulators. They think it is a sin for a man to have as much as $100. These regulators, although unable to save a hundred dollars and barely able to support themselves, seem to think that they have been endowed with some special gift and ability to regulate everybody and everything, especially private enterprise. These regulators have enough red tape to stop the wheels of industry and to choke private enterprise to death. In recent years they have been gaining on us.

The regulators would gain still more on us if we should create a permanent Fair Employment Practice Commission.

The theme song of the regulators is: Don't Fence Me In.

What they want to do is to fence everybody else in.

The regulators are unanimous in singing that line of their theme song which says: "I want to wander over yonder."

When they sing, "I want to wander over yonder," it means that they do not have either the sense or the aptitude to save money or to accumulate any assets with which they can experiment, and they desire to wander into somebody else's place of business and to regulate somebody else's affairs.

It is unnecessary for the regulators to sing that line in the song which says, "I want to gaze at the moon 'til I lose my senses," because most of them are already moon-struck.

Finally, people will rebel against regulators.

I do not want to get into any controversy with my friends from New England, but I would like to say in passing that the first battle of the American Revolution was fought in North Carolina long before the Battle of Concord and Lexington and is known in history as the Battle of the Regulators. It was a protest by the regulated citizens of North Carolina against the emissaries of King George who were oppressing the people.

If free enterprise is to continue in the United States, we must again get rid of the regulators. I believe I can suggest a plan which would get rid of them.

We cannot get rid of them by extermination, because others will take their place. We cannot reason with them, because most of them have no reason.

However, I believe we can fence them in by embarrassing them, and I would like to suggest how I believe this can be done.

I would like to organize a corporation, and I would like to subscribe for stock in that corporation and get other like-minded citizens to do the same thing. Of course, if I subscribed for any stock, I would have to borrow money from a bank, and you know it is very difficult for a Congressman to borrow money from the bank. However, if I explained my purposes to the banker, I believe I could borrow $1,000.

If so, I would like to subscribe for $500 worth of stock in the corporation, which would own and operate a manufacturing plant, a farm and a mercantile establishment. I would like for that corporation to have a large surplus. I would like for the stock in that corporation to be assigned to certain individuals, well known to all of you, who have been trying to regulate everybody. I would like to name some of them, but time will not permit. I would want those individuals to be on the board of directors and to be actively in charge of the operation of the manufacturing plant, the farm and the mercantile establishment. I would want the board of directors to be required to make periodic reports of their operations and to publish their rules and regulations for the management of their own enterprise. I would also like for them to employ some of the F. E. P. C. crowd to hire their help.

Then, I would like to bet the other $500 that the corporation would go broke in less than 2 years. In that way I could break even on my investment and could repay my bank.

I believe that some such method would be conclusive proof that the regulators do not have sense enough to regulate themselves and that we should no

longer be satisfied to let them regulate everybody else.

C. IT WOULD HAVE A DISASTROUS EFFECT ON OTHERS

Not only would F. E. P. C. irreparably shock our economic life, but it would also have a disastrous effect on all other Americans.

If we will explore our storehouse of knowledge with the lamp of experience, it is not difficult to see some of the far-reaching evil effects which this proposed legislation would cause.

1. EFFECT ON NATIVE WHITE LABORERS, ESPECIALLY WOMEN

The general purpose of the F. E. P. C. bill would have the same effect as the bill which was passed by Congress in the days of reconstruction to create a Freedman's Bureau, the purpose of which was to give every negro in the South 40 acres and a mule which belonged to the white men of the South. Fortunately, President Andrew Johnson had sense enough to veto that legislation and the Congress could not enact it over his veto.

If the F. E. P. C. should force employers to accept negro men for work in manufacturing plants where white women are now employed, it would have the effect of forcing white women out of those manufacturing plants or of requiring them to work with fellow employees with whom they have not been accustomed to work. In this connection, it must be remembered that white women are employed in manufacturing plants in every State in the Union, and the question of Negro men working with white women in manufacturing plants would not be a sectional question.

The number of women employed in manufacturing plants in the various States of the Union is as follows:

Manufacturing employment of white women in 1940

State:	*White females*
Alabama	24,402
Arizona	570
Arkansas	4,113
California	65,947
Colorado	4,741
Connecticut	81,752
Delaware	6,624
District of Columbia	2,723
Florida	12,287
Georgia	53,407
Idaho	871
Illinois	191,515
Indiana	61,169
Iowa	16,505
Kansas	8,174
Kentucky	23,170
Louisiana	9,775
Maine	23,443
Maryland	36,920
Massachusetts	163,409
Michigan	85,711
Minnesota	20,909
Mississippi	10,784
Missouri	64,137
Montana	805
Nebraska	4,678
Nevada	109
New Hampshire	19,613
New Jersey	156,489
New Mexico	387
New York	392,049
North Carolina	92,737
North Dakota	728
Ohio	190,501
Oklahoma	4,821
Oregon	7,357
Pennsylvania	240,717
Rhode Island	42,256
South Carolina	33,818
South Dakota	1,298
Tennessee	41,583
Texas	26,434
Utah	2,227
Vermont	4,706
Virginia	35,601
Washington	10,805
West Virginia	14,076
Wisconsin	44,992
Wyoming	279
Total	2,267,164

The individual persons who make up the labor group would probably suffer more than anyone else. When you tear from the F. E. P. C. proposal its false face of fairness, you will discover underneath that the purpose of the bill is to prefer certain minorities to certain majorities.

By reference to the booklet entitled "F. E. P. C.—How It Operates," you will see that the F. E. P. C. itself admits that it has been necessary for them to offer expert advice and counsel on techniques for overcoming employee resistance.

If any employer who would be subject to this act should refuse to give employment to any member of any minority, it would probably be because of employee resistance.

The enactment of a bill which would prefer minority groups over majorities and which would undertake to disregard "employee resistance" would only create strife, bitterness, and recriminations. The practical operation of the bill, if passed, would be to take a job from one person and give it to another.

I am reminded of the time when Adolf Hitler extended an invitation to the American people to send him cablegrams c. o. d., expressing their thoughts on any subject. I recall that a friend of mine went into an office of the telegraph company and wrote out a telegram which read substantially as follows:

By stealing from neighbors, you hope to get rich;
But you'll never succeed—you'll land in the ditch.

I do not know whether the cablegram was ever received, but the thought would apply with equal force to the proposed operations of the F. E. P. C.

2. EFFECT ON FUTURE LEGISLATION

The effect of a permanent F. E. P. C. on every element of American society would be so far-reaching that it would undoubtedly have a decided effect on future legislation. Those elements of our society who would be "pushed around" by a permanent F. E. P. C. would continually seek ways and means of having it repealed.

If this proposed legislation should be enacted into law, I am afraid that the Congress for years to come would be guided by an artificial and unnatural "yardstick" by which the oppressed and badgered people of America will form strong alliances to repeal the law.

It would create an unhealthy condition.

We had one period in our history when an artificial yardstick was employed in the consideration of all kinds of legislation. This was the period of reconstruction—the "tragic era" after the War Between the States. That was the low era in American politics. That was the time when a President was impeached, when the Presidency was stolen, when the Constitution was trampled upon, and when everything was measured by a short yardstick.

God forbid that any such era should return to America.

3. EFFECT ON REPUBLICANS

I am convinced that the enactment of the proposed F. E. P. C. law would destroy the Republican Party. Some of you will doubtless smile and wonder why a southern Democrat should worry about the destruction of the Republican Party. I only worry about the probable destruction of the Republican Party because the very thing which would destroy the Republican Party would also help to destroy America.

You will doubtless ask, "How can a permanent F. E. P. C. destroy the Republican Party?" I will give the answer.

I have heard a number of Republicans say that they had to vote for a permanent F. E. P. C. because of the fact that the Republican national platform of 1944 endorsed the F. E. P. C.

It is true that the Republican platform of 1944 did pledge the establishment by Federal legislation of a permanent F. E. P. C.

However, this provision of the Republican platform is in direct conflict with other more material provisions of the Republican platform of 1944.

The Republican platform of 1944 also contained the following provisions:

We shall devote ourselves to reestablishing liberty at home. We shall promote the fullest stable employment through private enterprise.

The measures we propose shall avoid federalization of Government activities, to the end that our States, schools, and cities shall be free; shall avoid delegation of legislative and judicial power to administrative agencies, to the end that the people's representatives in Congress shall be independent and in full control of legislative policy; and shall avoid, subject to war necessities, detailed regulation of farmers, workers, businessmen, and consumers, to the end that the individual shall be free.

Four years more of New Deal policy would centralize all power in the President, and would daily subject every act of every citizen to regulation by his henchmen; and this country could remain a republic only in name. No problem exists which cannot be solved by American methods. We have no need of either the communistic or the Fascist technique.

American well-being is indivisible. Any national program which injures the national economy inevitably injures the wage earner. The American labor movement and the Republican Party, while continuously striving for the betterment of labor's status, reject the communistic and New Deal concept that a single group can benefit while the general economy suffers.

Governmental policies in war and in peace must be practical and efficient with freedom from regimentation by an impractical Washington bureaucracy in order to assure independence of operation and bountiful production.

From the foregoing provisions, it clearly appears that the proposed F. E. P. C. is in direct conflict with every other plank in the Republican platform.

At the present time the Republican Party is objecting strenuously to the proposal to renew the Reciprocal Trade Treaty Act. If the Republican Party is sincere in its desire to protect private enterprise, small business, American farmers, and local self-government, it cannot support the F. E. P. C.

A permanent F. E. P. C. would gnaw at the vitals of those elements of society which the Republican Party has always sworn to protect. If it is the desire of the Republican Party to stand by its platform, it must stand by those parts of the platform which are consistent and must reject any small part of the platform which is inconsistent.

If the Republican Party, through the creation of a F. E. P. C. should help to regiment and badger private enterprise, merchants, and other small business, the farmers, and local self-government, such action, in my judgment, would spell the doom of the Republican Party. I am not particularly worried about the doom of the Republican Party except insofar as the act which would cause the death of the Republican Party would cause irreparable injury to the rest of America.

4. EFFECT ON DEMOCRATS

It is also apparent that the creation of a permanent F. E. P. C. would do irreparable injury to the Democratic Party.

A permanent F. E. P. C. is in direct conflict with the Democratic platform of 1944, which promises equal rights to all and special privileges to none.

5. EFFECT ON MINORITIES

The geatest sufferers of all under the proposed F. E. P. C. bill would be the very minorities whom it purports to help.

We have seen that the minorities whom it purports to help are aliens, naturalized Americans, Jews, and Negroes. Each of us desires that these minorities may have an abundant life, but an abundant life cannot be obtained by creating strife, animosity, bitterness, and recrimination among those who would be most affected.

EFFECT ON ALIEN AND FOREIGN-BORN CITIZENS

Let us consider the alien. He either intends to apply for citizenship, or he does not intend to apply for citizenship. If he does not intend to apply for citizenship, he is certainly not entitled to any preference except possibly preferred passage on a steamship home. If he does intend to apply for citizenship, he is one of those fortunate people of the world who has been privileged to come to America for the purpose of seeking citizenship in the greatest democracy on earth. He is satisfied with the mere opportunity to become an American and to participate as an individual in free enterprise. He desires to live in a country where people will not be badgered and regimented, as they probably were in the country which he left. I do not think that the alien who intends to become an American citizen expects or desires to be preferred in matters of employment, because such preference might meet with employee resistance, and as a result of such resistance there might arise a feeling in America which might exclude him and his relatives from the privilege of seeking American citizenship. This is doubtless also the thought of those Americans who have already been naturalized.

EFFECT ON JEWS

I feel sure that the Jews would resent being called a minority group. They were once said to be God's chosen people. Some of their ancestors were princes in Israel before our Anglo-Saxon civilization was established. For some reasons, which I will not discuss, the Jew has been persecuted in many lands. He has never been persecuted in the English-speaking world. If this bill should become law, I believe that you will find that the leading Jews of America will urge the other members of their race who live in America not to seek the supposed benefits which the F. E. P. C. might undertake to give them, because, if any unattractive members of their race (and there are unattractive persons in all races) should seek to overcome employee resistance it might set the spark which would give us a conflagration of persecution which all of us hope will never be in America.

The same reason which would prompt members of the Jews not to seek any supposed benefits from the F. E. P. C. would doubtless prompt them to oppose the enactment of this measure, because, for some of them, the matter might contain explosive evil; and furthermore, the same reason should prompt the Jewish leaders of America to persuade the Jewish employers of the F. E. P. C. to resign, in order that Jews may have no part in pushing Americans around.

MOST NEGROES DO NOT WANT F. E. P. C.

In my judgment, the Negroes of America should not want a permanent F. E. P. C., and I am convinced that the clearest thinkers among them do not want any permanent F. E. P. C. About 77.3 percent of the Negroes of the country live in the South. About 21.8 percent of them live in the North. I am willing to concede that there is a difference between the southern Negro and some northern Negroes, and it may be that some northern Negroes prefer the F. E. P. C., but I am convinced that the southern Negro does not want any permanent F. E. P. C., and I will discuss this in a few minutes.

In considering the effect that this legislation would have on Negroes, I think that we should keep in mind the welfare of all of the Negroes and not the desires of a small minority of the Negroes.

THE PROGRESS TO DATE OF THE AMERICAN NEGRO

Those who are familiar with the progress of the American Negro fully realize that he does not need and does not want a permanent F. E. P. C. The American Negro has probably made more progress than any other citizen in any part of the world. The American Negro has made this progress because America has been good to the Negro.

The Negro was brought to America from the darkest regions of Africa, where he had lived in savagery. He was brought to live among the best people of the world.

The Negro's early stay in America gave him Christianity, and he is privileged to worship the one and only God in numerous churches which his white friends helped to build.

Christianity gave him freedom. He not only enjoys personal freedom, but he has freedom in every other respect.

As I do not have time to discuss the degree of freedom which he has obtained in each State, I would like to tell you about the freedom of the Negro in my own State of North Carolina.

In North Carolina we abolished the poll tax by an amendment to our State constitution in 1919. Any citizen of North Carolina who is 21 years of age or older, is entitled to register and vote.

Incidentally, the Negroes in North Carolina vote the Democratic ticket, and they did that long before the New Deal began to operate. The Negro of the South will continue to vote with the white man of the South because he knows that his welfare is wrapped up with the general welfare of that section.

In the field of education, the Negro in North Carolina enjoys the same privileges as other citizens of the State. They are not only permitted to attend public schools but they are required to attend public schools. The Negro school teacher receives the same pay as the white school teacher.

We have 12 Negro colleges in North Carolina. Professors from the University of North Carolina and from Duke University teach courses in some of the Negro colleges.

In North Carolina Negroes are eligible to serve on the jury and many of them do serve on the jury. In my home town of Charlotte, we have Negroes on the police force, but as you can imagine it has been deemed wise to permit them to serve only in Negro sections of the city.

All over North Carolina we have parks for the Negroes and our various clubs and church organizations vie with each other in promoting the welfare of the Negro.

In North Carolina Negroes serve on our rationing boards, and serve as members of the boards of directors of some of our State institutions.

The Negroes have the same public-health facilities that are enjoyed by the other elements of our southern society. Their place in agriculture is as well established in North Carolina as the position of the white man.

We take great pride in the business and professional attainments of outstanding Negroes in North Carolina.

Being limited by time, I cannot discuss the progress of the Negro in every detail. Nor can I discuss his progress in every State of the United States. While it may be true that North Carolina is leading the South in the establishment of a fine relationship between the two races, what I have said about the progress of the Negro in North Caro-

lina is more or less true in varying degrees in every Southern State.

There is a fine feeling of friendship and cooperation, promoted with considerable success by interracial councils. As a matter of fact, the Negro in the South must be getting along very well, because mighty few of them emigrate to other sections of the country.

I am reminded of a conversation which took place between a man from my home town and a Negro in Savannah. My friend asked a Savannah Negro what kind of town Savannah is. The Negro replied, "Savannah is a fine town; it is owned by the Scotch and Jews; it is run by the Irish; and it is enjoyed by the colored folks."

Recently the Agricultural and Technical College for Negroes in Greensboro, N. C., published a booklet entitled "A Story of Agricultural and Industrial Opportunities for Negroes in North Carolino." In this booklet was included, with approval, an editorial from the Greensboro Daily News, of Greensboro, N. C., dated Friday, July 28, 1944, which correctly sets forth the relationship between the races in North Carolina, and I think you would be interested in hearing the article read. It reads in part as follows:

It is good to know that the director of the public relations department of the Agricultural and Technical College for Negroes in Greensboro is preparing a booklet dealing with the progress of his race in his State, a project commended by Governor Broughton, who rightly expresses the pride of the State in that progress when he says:

"They have shown an eager readiness to avail themselves of agricultural, industrial, and educational advantages made available to them, and their economic situation is constantly improving becuase of this fine attitude. In various civilian activities the members of this race are taking an active and progressive part; and in the program related to the war as well as in direct military activities, they have taken a highly creditable part.

"Leaders of the white and colored races in North Carolina have cooperated in a spirit of harmony and mutual respect. Working together, they have tried to solve many problems that have arisen, and the results have been wholesome and indeed remarkable. This spirit of cooperation has done much to eliminate antagonisms and animosities. Under such program better schools have been provided, improved recreational facilities in cities, libraries, health, and housing programs and other improvements for the betterment of living conditions have been achieved. The people and the press of North Carolina have supported these programs with almost complete unanimity.

"No State in the American Union has better race relations than North Carolina. This is undoubtedly due to an honest and earnest effort on the part of both races to work together in a spirit of genuine good will. There are, of course, problems and questions constantly arising and others will arise in the future, but the record thus far attained gives hope that in a spirit of common sense and mutual helpfulness these problems can be and will be solved."

There is indeed no problem in our race relations which cannot be solved by the constant exercise of fair play, helpfulness, courtesy, and common sense by both races. There may be some white extremists in North Carolina who wish to block all progress which to their fearful minds threatens "white supremacy," and there may be on the other hand extremists among the colored people who want to start a social revolution today. But the "lunatic fringe" is of little account and will not be allowed to destroy the fabric of our civilization. The great masses of our people, irrespective of color, are determined to continue the orderly progress of both races on which the peace, prosperity, and general welfare of North Carolina has depended and will depend.

I do not mean to say that there is not further need for improvement of the Negro in the South. All races in the South, as well as races in other parts of the country, need further improvement, and I think all of us might be diligent to bring about such improvement. However, I must say in passing that the progress which the Negro has made in the South has been by evolution and not by revolution, and progress by evolution will continue if it is not interfered with by revolutionary legislation.

EFFECT OF THE F. E. P. C. ON THE NEGROES

While I am speaking to you today not as a Democrat from the South, nor as a southerner, but as an American, I do not think I would be fair to you unless I would give you some idea about the evil effects which I think F. E. P. C. would have on the Negro in the South, as well as in the North.

It is my firm belief that practically every person in the South would tell you that F. E. P. C. would have a disastrous effect upon the happy relation of friendship and cooperation which now exists among our people.

The little booklet, F. E. P. C.—How it operates, heretofore referred to and this day published in the Appendix of the CONGRESSIONAL RECORD, will give some insight into some of the aims and purposes of the F. E. P. C. This booklet states:

That there are many industries where the full utilization of nonwhite workers is of critical importance * * * among these are * * * the cotton textile industry of the South.

While a casual examination of the proposed F. E. P. C. law might lead some persons to believe that it is designed to give more employment to certain minority groups in certain manufacturing plants, we have seen that it is much more far reaching and would affect every element of American economic life. However, in both the North and in the South, a permanent F. E. P. C. would have very strong repercussions in industry.

We have seen that the South is not only an agricultural section, but is also an industrial section, and it is well known that the North is also an industrial section.

The white women who are employed in the manufacturing plants of the South are employed mostly in textile mills. Those of you who are familiar with textile mills know that women can work in practically every department of textile manufacturing plants.

While there is considerable voluntary nonsegregation of white men and Negroes in both the North and the South, you will not find any instances where white women work in close proximity to Negro men, and I do not believe you will find in the North many places where white women and Negro men work in close proximity to each other in manufacturing plants.

If the F. E. P. C. should undertake to require white women to work in close proximity to Negro men, as the F. E. P. C. would do and did do in the case against the United States Cartridge Co. in St. Louis—the proceedings of which are today published in the Appendix of this CONGRESSIONAL RECORD—we know that the consequences would be far from desirable. The women would not like it and their kinsmen would not like it.

Throughout the United States there is segregation in varying degrees between all races, just as there is segregation within races. Instances of segregation between races and within races are so numerous that it is unnecessary for me to enumerate any of them.

We also have segregation in Government. The legislative, executive, and judicial branches of our Government are supposed to be segregated. The Democrats and Republicans of the House of Representatives are segregated by a center aisle.

If I should ask those Members of the House who have any representatives of the so-called minority groups employed in their offices as secretary or stenographer, I doubt whether very many of us would say that we have. However, I do not wish to be personal or offensive in the presentation of my argument of this question, but I must observe that the Members of the Congress should not be willing to do to their constituents what we are unwilling to do to ourselves.

I would not be performing my duty if I did not suggest to you the evil consequences which would flow from any order of the F. E. P. C., regardless of its so-called laudable purposes, which would have the effect of preventing segregation for the white women and Negro men in industry.

You know and I know that there is no quicker way to get into trouble than to molest a woman. There is no better illustration in history than the story of Helen of Troy. You recall that Paris, the son of the King of Troy, stole Helen, the wife of the King of Sparta. This caused the 10-year Trojan War, which "launched a thousand ships and burnt the topless towers of Ilium."

If the F. E. P. C. should be enacted into law, whatever the so-called laudable purposes, it would have the effect of requiring nonsegregation of white women and Negro men. You and I know that in this event many ships would be launched, both in the North and in the South, just as they were by the people of Sparta. The only difference would be one of degree, and instead of a thousand ships being launched there would, in all probability, be 10,000 ships, or 10,000 times 10,000 ships.

I am satisfied that some of those ships would operate in a task force around the "flagship Ku Klux Klan"; and you will remember that when the Ku Klux Klan last flourished, it flourished in the North but not in the South. God forbid that that day shall ever return.

D. PRESIDENT ANDREW JOHNSON'S VETO OF FREEDMEN'S BUREAU BILL IS APPLICABLE TO F. E. P. C.

The proposed F. E. P. C. bill is so similar to the Freedmen's Bureau bill, which

was passed by Congress during the days of Reconstruction, that the veto of President Andrew Johnson would apply with equal force to the proposed F. E. P. C. bill. The analogy is so complete that I would like for all of you to read President Johnson's two veto messages on the Freemen's Bureau bill

X

THIS IS NOT THE TIME OR PLACE TO CONSIDER F. E. P. C.—A. WE ARE AT WAR, WITH NO TIME FOR REFLECTION

In view of the far-reaching provisions of the proposed F. E. P. C. law, this is neither the time nor the place to consider it.

About 11,000,000 of our young men and women, who would be most affected by such a law in years to come, are away from home. Our minds are preoccupied with thoughts of their welfare. A far-reaching proposal of this sort should not be enacted during time of war. I am satisfied that the American people, when given time for thought and reflection on this proposal, will demand that it not be enacted into law. Our people should be given time to consider this proposal in all of its ramifications.

B. LET NEW YORK AND NEW JERSEY SERVE AS GUINEA PIGS

The State of New York and the State of New Jersey have recently enacted State-wide F. E. P. C. laws. While I regret that New York and New Jersey are being used as guinea pigs, I am satisfied that the experiment upon them will sicken their people and throw them into a fever and convulsion which will be a warning to the balance of our country.

Just as coffee roasters and liquor manufacturers have people to taste and sample their products, so will the American people have some "king's tasters" in New York and New Jersey to sample this bitter medicine for them. I am sure that a patient who has tried this medicine will urge all other patients to flee from it.

After New York and New Jersey have tried this medicine, we can ask their opinion as to whether the balance of the country should take it, and I am satisfied that their answer will be—

No, no, a thousand times no;
We'd rather die than say yes.

XI

LET'S FULFILL OUR DESTINY WITH A GENERAL PLAN TO PROMOTE THE WELFARE OF ALL AMERICANS—A. I AM PLEADING AS AN AMERICAN FOR THE WELFARE OF ALL AMERICANS

In discussing this problem with you, I am not speaking as a Democrat, I am not speaking as a southerner, but I am speaking as an American. I am not here today to represent any section of our country, but I am trying to consider the effect that this legislation would have upon every element of American society. I am speaking today for those who love local self-government. I am speaking for those who dislike Government bureaucracy; I am speaking for the merchant, for small business and private enterprise; I am speaking for your favoriate newspaper publisher; I am speaking for those farmers who are engaged in interstate commerce; and I am speaking for those who hate regimentation.

I am speaking today for the alien who intends to seek American citizenship and also for the naturalized Americans who came here from their native lands to seek freedom and opportunity and who want us to preserve for them the American way of life; I am speaking today for the little Jewish boy or the little Jewish girl who do not seek special privileges from America; I am speaking for that little Negro boy and that little Negro girl in the Southland who wish to grow up in that fine feeling of cooperation which now exists between southerners of all races, colors, and creeds. I am speaking for the dairymen of Wisconsin, who sell their milk and cheese in interstate commerce and are too busy milking cows and attending to their barnyard duties to be regimented by the F. E. P. C. I am speaking for the cornhusker in Nebraska and Iowa. A man who cuts tops and pulls fodder and shucks corn has no time to be regimented by an F. E. P. C. examiner. Finally, I am speaking for all Americans who dislike being pushed around.

B. SUGGESTIONS FOR A GENERAL PLAN

We have seen that the F. E. P. C. proposal is class legislation. This is contrary to the fundamental principles of democracy which believes in equal rights for all and special privileges for none.

No less a personage than Thomas Jefferson said that it is the business of the State to effect an improvement of the masses by a general plan. Consistent with his admonition, it should be the business of the Congress to consider only such proposals as would promote the general welfare and not to consider a proposal which would amount to class legislation.

XII

A SUGGESTED PLAN FOR PROPER CONSIDERATION OF THE PROPOSAL TO CREATE F. E. P. C.—A. MEDITATION AND CONSULTATION

The American people, including the Members of this Congress, before this proposed F. E. P. C. legislation comes to a vote, should give it their earnest consideration.

It is not difficult to see that this proposed legislation is an arterial highway to regimentation and serfdom.

Abraham Lincoln knew more about serfdom than any man who ever lived in America.

A proper consideration of this proposed legislation requires meditation. I hope that the people of America will meditate about this bill and that in their imagination they will consult with Abraham Lincoln to see what advice he would offer on the question of whether we should voluntarily choose one of the main thoroughfares to serfdom.

Also, consult your local merchant and your farmer friend and ask them two questions.

Ask them, first, whether they will submit to regimentation in peacetime, and, secondly, whether they will reelect Members of Congress who would permanently choke them with red tape.

B. PRAYER FOR DIVINE GUIDANCE

After having so consulted and meditated, I hope that the people of America will ask divine guidance on this far-reaching proposal.

C. ASK OURSELVES SOME QUESTIONS

After having consulted, meditated and asked divine guidance, I hope that the people of America will consult their conscience by asking themselves some questions:

First. Shall we spend billions of our treasure to destroy despotism abroad and at the same time establish regimentation in America?

Second. Shall we send millions of our young men to war and spill their blood in an effort to abolish concentration camps abroad, and let them return to find that we have established a concentration camp in America?

Third. Shall we attempt to liberate the people of the balance of the world only to destroy liberty at home?

Fourth. Shall we create a class of preferred stockholders in America or shall we believe in the time-honored principle of equal rights for all and special privileges for none?

Fifth. Shall we bring the Congress into disrepute by breaking our solemn covenant with the veterans of this war that they shall be entitled to job preference?

Sixth. Shall we destroy the right of local self-government to select its own employees?

Seventh. Shall we regiment the farmers, merchants and small business of America?

Eighth. Shall we put ourselves in the ridiculous position of trying to legislate love?

Ninth. Shall we permit ourselves to be pushed around by un-American procedures in a kangaroo court?

Tenth. Shall we destroy the "four freedoms" by arming an American gestapo with the instrumentality of fear?

Eleventh. Shall we subject the Governors of our States and our local school boards to trial by carpetbaggers?

Twelfth. Shall we irreparably shock every element of American society?

Thirteenth. Shall we destroy the fundamental rights of private enterprise?

Fourteenth. Shall we make the white women of America endure unsatisfactory working conditions?

Fifteenth. Shall we create a short artificial yardstick by which we would measure future legislation?

Sixteenth. Shall we subject the minorities of America to certain bitterness and recrimination; and

Seventeenth. Shall we permit ourselves to enact class legislation instead of a general plan for the welfare of the labor force in America?

WIRE YOUR CONGRESSMAN AND SENATOR NOW

When the people of America have answered these questions, I hope they will immediately write and telegraph their Senators and Congressmen, giving their views on this proposed legislation, because this measure may come to a vote in one House of the Congress at an early date.

E. GIVE PUBLICITY TO THE EVIL OF THIS PROPOSED LEGISLATION

I not only hope that the people of America will write and telegraph their Senators and Congressmen their views on this legislation, but I also hope that the press, trade publications, and every indi-

vidual in America will see to it that the evils of this proposed legislation are given full publicity, in order that the people of America may act with wisdom and without delay.

XIII

AMERICA'S ANSWER TO THOSE QUESTIONS

I am convinced that America's answer to the questions above propounded will roll in like a tidal wave to defeat this legislation.

When the people of America understand the evils of this proposed legislation, I am sure that they will say:

First. We shall not spend billions of our treasure to destroy despotism abroad and at the same time establish regimentation in America.

Second. We shall not send millions of our young men to war and spill their blood in an effort to abolish concentration camps abroad, and let them return to find that we have established a concentration camp in America.

Third. We shall attempt to liberate the people of the balance of the world, and we shall always preserve our liberty at home.

Fourth. We shall not destroy the "four freedoms" by arming an American gestapo with the instrumentality of fear.

Fifth. If Hitler is still alive, we shall not give him the satisfaction of seeing his greatest ambition achieved; that is, we will not divide and conquer America.

Sixth. We shall encourage private enterprise, in order that our returning veterans may find 60,000,000 jobs.

Finally, the American people will say that this is no time to create strife and bitterness at home; that we should "strive on to finish the work we are in; to bind up the Nation's wounds" and the wounds of the world; "to care for him who shall have borne the battle, and for his widow, and his orphan—to do all which may achieve and cherish a just and lasting peace among ourselves, and with all nations"; that only by so doing can we broaden our horizons and enrich our future.

EXTENSION OF REMARKS

Mr. ERVIN. Mr. Speaker, it is my opinion that a permanent F. E. P. C., which is proposed in certain legislation which is now pending in Congress, would create a concentration camp for all Americans. In order that everyone may read the source of material upon which I have based my arguments on that question, I ask unanimous consent to extend in the Appendix of the RECORD the following:

Exhibit 1, a copy of H. R. 2232, which is the bill referred to.

Exhibit 2, a copy of portions of a little booklet entitled "F. E. P. C., How It Operates."

Exhibit 3, a copy of proceedings before the temporary F. E. P. C. in case No. 65, against the United States Cartridge Co., of St. Louis, Mo.

Mr. Speaker, the Public Printer informs me that the cost will be $234, but because of the grave importance of this issue I feel that those documents ought to be printed in the Appendix of the RECORD.

The SPEAKER. Notwithstanding and without objection, the extension may be made.

There was no objection.

The SPEAKER. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 1 minute.

NURSES FOR THE ARMED SERVICES

Mrs. ROGERS of Massachusetts. Mr. Speaker, the article which I am placing in the RECORD, entitled "Don't Ever Forget Her," was written by two men, an Army sergeant and a corporal of the Seventh Army. It describes a 20-hour duty of a nurse with the Seventh Army in Alsace at the fighting front. I saw the gallant nurses at the front. They need replacements. They must be exhausted.

I rise to remind the House that the Army has 51,000 nurses today, and needs 9,000 nurses more with only 1 month in which to recruit those nurses. The Veterans' Administration today is short 1,000 nurses. I urge every nurse who can to enter the nursing service, and everyone who can to help secure nurses, in order to save the lives of the men who have fought for us, and to make them comfortable.

There is no finer, no more unselfish service; no service that the men need more today than that.

The article follows:

DON'T EVER FORGET HER

(By Sgt. Louis Pelletier and Corp. Jacques Anson Finke)

She comes into the operating tent slowly, her heavy boots sinking with fatigue into the straw-covered ground. She adjusts her face mask and takes her position at the table. The attack is in its 22d hour; casualties are high. Twenty hours at the table. She looks down at the boy on the litter. He lies very quiet, anesthesia complete, face shock-pale, the wound terrible. Life or death for the boy, in the next 40 minutes, partly depends on her.

The surgeon nods, the operation begins. Knife, hemostat, retractors. Her swift-moving hands pass the instruments. Sponge, suction, syringe. A corpsman steps up and gently wipes the sweat from her face. Twenty minutes. The surgeon pauses. "You'd better stop after this one, Nurse. I'll get someone to relieve you." She looks quickly at the boy's face. "I'd rather stay, Captain."

She is an Army nurse. Not in the headlines often, not spectacular in the performance of duty; yet daily, hourly, working with quiet valor above and beyond the call of duty. On Bataan, Corregidor, Anzio, Normandy. In New Guinea, Iceland, Belgium. Under fire, through mud, dirt, cold.

She asks no particular recognition, no honors of war. Enough for her is the smile of a soldier returned to life, the moment some boy leaves a hospital, saying, "I won't ever forget you, Nurse." In the final evaluation of the price we shall have paid for a free world, remember—she has paid with her health, her life, her courage, and her love. Don't ever forget her.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. MAHON (at the request of Mr. KILDAY), for today, on account of illness.

To Mr. WEICHEL, for Friday, on account of official business.

To Mr. DAUGHTON of Virginia (at the request of Mr. BLAND), for today, on account of illness.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 906. An act granting a franking privilege to Anna Eleanor Roosevelt.

ADJOURNMENT

Mr. ERVIN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 27 minutes), pursuant to its order heretofore entered, adjourned until Monday, May 7, 1945, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of the Committee on Interstate and Foreign Commerce, at 10 a. m., Tuesday, May 8, 1945, to resume public hearings on S. 63 and H. R. 1648, to amend the Communications Act of 1934, as amended, so as to prohibit interference with the broadcasting of noncommercial cultural or educational programs.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

Subcommittee No. 2, of the Committee on Immigration and Naturalization (Representative O. C. FISHER, chairman), will hold a hearing at 10:30 a. m. on Wednesday May 9, 1945.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

441. A letter from the Secretary of War, transmitting a draft of a proposed bill to provide for payment and settlement of mileage and other travel allowance accounts of military personnel; to the Committee on Military Affairs.

442. A letter from the Assistant to the Secretary of Commerce, transmitting estimates of personnel requirements for the quarter ending June 30, 1945, for the Office of the Secretary; to the Committee on the Civil Service.

443. A letter from the Archivist of the United States, transmitting lists or schedules covering records proposed for disposal by various Government agencies; to the Committee on the Disposition of Executive Papers.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McKENZIE: Committee on the Post Office and Post Roads. House Report No. 449 (pt. II). Report pursuant to H. R. 3035. A bill to reclassify the salaries of postmasters, officers, and employees of the Postal Service; to establish uniform procedures for computing compensation; and for other purposes. Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. House Report No. 514. Report pursuant to House Resolution 66. Resolution

concerning pay structure of the executive branch of the Federal Government. Referred to the Committee of the Whole House on the state of the Union.

Mr. CANNON of Missouri: Committee on Appropriations. House Joint Resolution 177. Joint resolution repealing a portion of the appropriation and contract authorization available to the Maritime Commission; without amendment (Rept. No. 515). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 2716. A bill to provide for health programs for Government employees; without amendment (Rept. No. 516). Referred to the Committee of the Whole House on the state of the Union.

Mr. RAMSPECK: Committee on the Civil Service. H. R. 2948. A bill to amend the Civil Service Retirement Act approved May 29, 1930, as amended, so as to exempt annuity payments under such act from taxation; without amendment (Rept. No. 517). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN: Committee on World War Veterans' Legislation. H. R. 2949. A bill to amend the National Service Life Insurance Act of 1940 to provide for the automatic extension for a second 5-year period of 5-year-level-premium-term policies; with amendment (Rept. No. 518). Referred to the Committee of the Whole House on the state of the Union.

Mr. RANKIN: Committee on World War Veterans' Legislation. H. R. 3102. A bill to facilitate employment of necessary personnel in the Veterans' Administration; with amendment (Rept. No. 519). Referred to the Committee of the Whole House on the state of the Union.

Mr. SABATH: Committee on Rules. House Resolution 244. Resolution waiving points of order against the bill, making appropriations for the Legislative Branch for the fiscal year ending June 30, 1946, and for other purposes; without amendment (Rept. No. 521). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BOREN:

H. R. 3129. A bill to amend the Securities Exchange Act of 1934 so as to limit the power of the Securities and Exchange Commission to regulate transactions in exempted securities; to the Committee on Interstate and Foreign Commerce.

By Mr. HARLESS of Arizona:

H. R. 3130. A bill to assist veterans to establish small business enterprises by providing for reasonable exemptions from priorities allocations, and rationing restrictions; to the Committee on World War Veterans' Legislation.

By Mr. DE LACY:

H. R. 3131. A bill to establish a Light Metals Administration as an independent agency of the Government and to provide for the appointment of a Light Metals Administrator; to the Committee on Expenditures in the Executive Departments.

By Mr. PRICE of Illinois:

H. R. 3132. A bill to provide additional income-tax exemption for persons in the military or naval service, and for other purposes; to the Committee on Ways and Means.

By Mr. SMITH of Virginia (by request):

H. R. 3133. A bill amending the Judicial Code and authorizing the Supreme Court of the United States to prescribe a uniform rule for admission of attorneys to practice in the courts of the United States, excepting the District Court of the United States for the District of Columbia; to the Committee on the Judiciary.

By Mr. BUFFETT:

H. Res. 243. Resolution authorizing the Committee on Military Affairs to make an investigation of all matters pertaining to Italian prisoners of war; to the Committee on Rules.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to pass legislation to assure the maintenance in the Territory of Hawaii of a recruiting station for personnel for the United States Navy; to the Committee on Naval Affairs.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to appropriate sufficient funds to complete the dredging of Hilo Harbor and to construct a breakwater from the Wainaku side of Hilo Harbor; to the Committee on Appropriation.

Also, memorial of the Legislature of the Territory of Hawaii, memorializing the President and the Congress of the United States to enact legislation to make the Hawaii Territorial Guard a part of the armed forces of the United States during World War No. 2; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of New Hampshire, memorializing the President and the Congress of the United States relative to participation by representatives of members of the armed forces at meetings of the Government of the United States; to the Committee on Foreign Affairs.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to consider and enact legislation providing compensation to John J. Doherty, an Indian, for injuries sustained by reason of his unlawful removal from the Bad River Indian Reservation by Government agents; to the Committee on Indian Affairs.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to enact legislation to provide wage credits on the social security accounts of members of the armed forces during their period of service; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Wisconsin, memorializing the President and the Congress of the United States to abolish the poll tax; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally refered as follows:

By Mr. GARY:

H. R. 3134. A bill for the relief of Cleveland L. Short; to the Committee on Claims.

By Mr. GOODWIN:

H. R. 3135. A bill for the relief of Mrs. Addie S. Lewi to the Committee on Claims.

By Mr. KEOGH:

H. R. 3136. A bill for the relief of J. H. Bunnell & Co.; to the Committee on Claims.

By Mr. McGEHEE:

H. R. 3137. A bill for the relief of G. F. Allen, Chief Disbursing Officer, Treasury Department, and for other purposes; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk severally referred as follows:

536. By the SPEAKER: Petition of members of the Forty-third Street Rifle Club, petitioning consideration of their resolution with reference to designating November 10 as a fitting day on which to pay annual tribute to our marines; to the Committee on Naval Affairs.

537. Also, petition of the Liberty Party of New York State, petitioning consideration of their resolution with reference to the establishment of the birthday of Franklin D. Roosevelt as a national holiday; to the Committee on the Judiciary.

538. By Mr. SMITH of Wisconsin: Petition of the Wisconsin State Legislature; to the Committee on Military Affairs.

539 Also, petition of the Wisconsin State Legislature; to the Committee on Ways and Means.

540. By Mr. COCHRAN: Petition of Richard Krueger and 30 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

541. Also, petition of Herman Sontag and 31 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

542. Also, petition of Raymond Beltz and 31 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

543. Also, petition of Karl M. Breit and 32 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

544. Also, petition of W. H. Heron and 26 other citizens of St. Louis, Mo., protesting against the passage of any prohibition legislation by the Congress; to the Committee on the Judiciary.

545. By the SPEAKER: Petition of Mary B. Cahalan, petitioning consideration of her resolution with reference to the untimely death of our late President, Franklin D. Roosevelt; to the Committee on Memorials.

546. By Mr. HOWELL: Petition signed by Blanche Hulcher and 57 other citizens of Illinois, urging enactment of the Bryson bill, H. R. 2082; to the Committee on the Judiciary.

547. Also, petition signed by Nellie Y. Green and 26 other citizens of Illinois, urging enactment of the Bryson bill, H. R. 2082; to the Committee on the Judiciary.